

File No. 180403

Committee Item No. \_\_\_\_\_

Board Item No. 18

### COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: May 15, 2018

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- Youth Commission Report
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- Grant Budget
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- Appellant Supplemental Appeal Letter - May 4, 2018
- Planning Department Appeal Response Memo - May 3, 2018
- Hearing Notice and Clerical Documents
- \_\_\_\_\_
- \_\_\_\_\_

Prepared by: Jocelyn Wong

Date: May 10, 2018

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

RECEIVED  
LAW OFFICES OF BOARD OF SUPERVISORS  
THOMAS J. LALANNE SAN FRANCISCO

FAX (415) 434-1125

400 HARBOR DRIVE  
SAUSALITO, CALIFORNIA 94965

2018 APR 16 PM 2:11

TELEPHONE (415) 434-1122

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. 1172

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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**THOMAS J. LALANNE**

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. \_\_\_\_\_

\_\_\_\_\_ 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. \_\_\_\_\_

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BOARD OF SUPERVISORS  
SAN FRANCISCO

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from: 2010 APR 16 PM 2:11

BY PA

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 29<sup>th</sup> St.  
San Francisco, CA 94131

Address

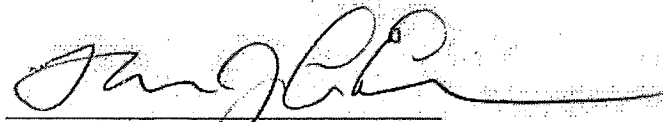
Address

(415) 434-1122

(650) 743-0133

Telephone Number

Telephone Number



Signature of Appellant or  
Authorized Agent

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BOARD OF SUPERVISORS  
SAN FRANCISCO

2010 APR 16 PM 2:11

701 Valencia St.

Lot 98, 99

Block 3589

City Planning Commission

Case No. 2017-004489 CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 36-38 San Carlos st	3576 & 080	HELEN CHAN	
2. 27 LEXINGTON st	3576 & 040	HELEN CHAN	
3. 12 Lexington st	3576 & 046	Allison Wong *	<i>Allison Wong</i>
4. 2478 18th st	3576 & 053	Yue Wong	
5. 65b Valencia st	3577 & 002	F&R LEE	
6. 756-758 Valencia st	3588 & 007	S&S PON	
7. 760-762 Valencia st	3588 & 088	P & S QUON	
8. 59-61 Lapidge st	3588 & 023	Sam QUON	
9. 736 Valencia st #202	3588 106	John Sun	
10. 736 Valencia st #401	3588 109	Austin Chang	
11. 112 San Carlos st	3589 086	Michael Weng	
12. 36-138 San Carlos st	3589 040	A & A Wang	
13. 335 LEXINGTON st	3589 063	John MAK	
14. 129 Lexington st	3589 065	Xiao & Zhang	<i>Xiao &amp; Zhang</i>
15. 123-125 Lexington st	3589 067	Jin MAK	
16. 130-132 Lexington st	3589 072	Wesley Yun	
17. 136 Lexington st	3589 073	MAK CHEUK	
18. 156-158 Lexington st	3589 076	HOR CHEUNG	
19. 3469-3471 18th st	3589 102	NG & CHAN	
20. 3457-3459 18th st	3589 104	KWAN CHOW	
21. 150 Lexington st	3589 114	YANG YI	
22. 133 Lexington st #1	3589 115	MYONG LEIGH	
23. 133 Lexington st #2	3589 116	MARGARET HSIA	

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SAN FRANCISCO

2019 APR 16 PM 2:11

700 Valencia  
Lot 98, 99  
Block 3589

City Planning Commission  
Case No. 2017-004489 CUA

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	116 San Carlos St	3589-077	Monika Khushf	<i>[Signature]</i>
2.	164-166 Lexington	3589-078	Thomas J. Certe	<i>[Signature]</i>
3.	164-166 Lexington	3589-078	Eve H Cervantez	<i>[Signature]</i>
4.	199 Lexington St	3589-156	Paula Kit ses	<i>[Signature]</i>
5.	199 A Lexington St.	3589-157	Demetrius Kit ses	<i>[Signature]</i>
6.	199 Lexington St.	3589-156	Paula Kit ses	<i>[Signature]</i>
7.	199A Lexington St.	3589-157	Demetrius Kit ses	<i>[Signature]</i>
8.	117 Lexington	3589-068	JAMILCH MUKHAYICH	<i>[Signature]</i>
9.	34-36 Lexington	3576-059	Richard Cooper	<i>[Signature]</i>
10.	34-36 Lexington	3576-059	Patrick Glasscock	<i>[Signature]</i>
11.	3518 18th St	3588-01A	MENARA DO BARBAGA	<i>[Signature]</i>
12.	3518 18th St	3588-01A	YOLANDA BARBAGA	<i>[Signature]</i>
13.	116 Lexington St.	3589-069	MARTHA TEJADA	<i>[Signature]</i>
14.	3484 18th St	3576-054	M. Dattani Credit Trust	<i>[Signature]</i>
15.				
16.				
17.				
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22.				



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700 Valencia  
Lot 98, 99  
Block 3589  
City Planning Commission  
Case No. 2017-004489 CUA

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 700 Valencia St. 3588-113		John O'Connor	John O'Connor
2. 700 Valencia St. 3588-114		John O'Connor	John O'Connor
3. 700 Valencia St. 3588-115		John O'Connor	John O'Connor
4. 700 Valencia St. 3588-116		John O'Connor	John O'Connor
5. 700 Valencia St. 3588-117		John O'Connor	John O'Connor
6. 700 Valencia St. 3588-118		John O'Connor	John O'Connor
7. 700 Valencia St. 3588-119		John O'Connor	John O'Connor
8. 700 Valencia St. 3588-120		John O'Connor	John O'Connor
9. 700 Valencia St. 3588-121		John O'Connor	John O'Connor
10. 700 Valencia St. 3588-122		John O'Connor	John O'Connor
11. 700 Valencia St. 3588-123		John O'Connor	John O'Connor
12. 700 Valencia St. 3588-124		John O'Connor	John O'Connor
13. 727 Valencia St. 3589-092		Marty Cherin	Marty Cherin
14. 721 Valencia St. 3589-095		Marty Cherin	Marty Cherin
15. 715 Valencia St. 3589-096		Marty Cherin	Marty Cherin
16. 711 Valencia St. 3589-097		Marty Cherin	Marty Cherin
17. 701 Valencia St. 3589-098		Marty Cherin	Marty Cherin
18. 701 Valencia St. 3589-099		Marty Cherin	Marty Cherin
19. 5 Bird St. 3577-059		Sharon Drummond	Sharon Drummond
20. 105 Lexington St. 3589-159		Marc Stalka	Marc Stalka
21. 138 LEXINGTON ST. <del>3589-074</del>		RICHARD TIRTO PRODJO	Richard Tirto Prodjo
22. 168-170 Lexington St. 3589-079		Alex Law	Alex Law

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700 Valencia  
lot 98, 99  
Block 3589  
City Planning Commission  
Case No. 2017-004489 CUA

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 3483 18th St.	3589-146	Christopher Nash	<i>[Signature]</i>
2. 727 Valencia St	3589-092	Don Cherin	<i>[Signature]</i>
3. 721 Valencia St	3589-095	Don Cherin	<i>[Signature]</i>
4. 715 Valencia St	3589-096	Don Cherin	<i>[Signature]</i>
5. 711 Valencia St	3589-097	Don Cherin	<i>[Signature]</i>
6. 701 Valencia St	3589-098	Don Cherin	<i>[Signature]</i>
7. 701 Valencia St	3589-099	Don Cherin	<i>[Signature]</i>
8. 40-44 San Carlos St.	3576-031	Susan Embernate	<i>[Signature]</i>
9. 33-37 Lexington St	3576-039	Richard Rhoades	<i>[Signature]</i>
10. 39 Lexington St	3576-038	John Pacheco & David Bronner	<i>[Signature]</i>
11. 1517 Lexington	3576-041	Antonio Dominguez	<i>[Signature]</i>
12. 157 Lexington St	3589-154	Mara Kitch	<i>[Signature]</i>
13. 150 Lexington St #2	3589-113	Jaqueline Monz	<i>[Signature]</i>
14. 150 Lexington #1	3589-112	JASON LEE	<i>[Signature]</i>
15. 155 Lexington St	3589-119	JANE GROGOWSKI	<i>[Signature]</i>
16. 155 Lexington St	3589-119	Simon BALL	<i>[Signature]</i>
17. 3438 18th Street	3576-162	PAULINO TAMAYO	<i>[Signature]</i>
18. 15 Lapidge	3588-032	ADRIAN HERRERA	<i>[Signature]</i>
19. 720 Valencia St	3588-003	Currys Press	<i>[Signature]</i>
20. 736 Valencia #302	3588-108	DANIEL OSORIO	<i>[Signature]</i>
21. 3454 18th St.	3576-036	Adrienne Tonia	<i>[Signature]</i>
22. 109 Lexington St	3589-161	Mark Goldman	<i>[Signature]</i>

2018 APR 16 PM 2:11

700 Valencia  
Lot 98, 99  
Block 3589

City Planning Commission  
Case No. 2017-004489CUA

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3448 18th St.	3576-156	Lyndsey Hawley Sam Koester	
2.	<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>
3.	3459 18th St	3589-104	Steven Khan	
4.	3459 18th St	3589-104	Khan Chan	
5.	126 Lexington	3589-071	WAM SHANG LI	
6.	3440 18th St.	3576-163	SANSEET GANJAM	
7.	55 Lapidge St	3588-098	Priscilla Thorne	
8.	57 Lapidge St	3588-099	Alicia Gomez	
9.	714 Valencia St.	3588-002	MINE MARCHASIN	
10.	716 Valencia St	3588-002	MINE MARCHASIN	
11.	714 Valencia St	3588-002	Eileen MARCHASIN	
12.	716 Valencia	3588-002	Eileen MARCHASIN	
13.	680-686 Valencia	3577-007	Rasm, & Bahier Rizan Rizah Basir	
14.	680-686 Valencia	3577-007	Rizah Basir	
15.	736 VALENCIA #502	3588-112	MICKY ARCHISEVIC	
16.	85 SUCATORE ST #1	3575-114	DINO GOOSSEDS-LARSEN	
17.	85 SUCATORE ST #1	3575-114	JAMES GOOSSEDS-LARSEN	
18.	4 Lexington St #3	3576-116	Donna Shibata	
19.	4 Lexington St #3	3576-116	Douglas Garfunkel	
20.	3526 18th Street	3577-05A	Jeffrey Winner	
21.	3526 18th St	3577-05A	Stephanie Winner	
22.	47-49 Lapidge	3588-025	Amy Berger	
23.	47-49 Lapidge	3588-025	Josh Kappel	



# SAN FRANCISCO PLANNING DEPARTMENT

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2018 APR 16 PM 2:12

Subject for: (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

Reception:  
415.558.6378

Fax:  
415.558.5409

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:** Ryan Motzek  
 391 29<sup>th</sup> Street #2  
 San Francisco, CA 94131  
**Staff Contact:** Esmeralda Jardines - (415) 575-9144  
[esmeralda.jardines@sfgov.org](mailto: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, Ryan 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 18<sup>th</sup> Street; the block face is bounded by 18<sup>th</sup> Street and 19<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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, 18<sup>th</sup> 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 21<sup>st</sup> Street, 42 Hoff Street, and 3111 17<sup>th</sup> 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. The 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 16<sup>th</sup> Street and 20<sup>th</sup> 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 21<sup>st</sup> Street, and 57% usage at 3111 17<sup>th</sup> 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 21<sup>st</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> Street that will remain. The 33 MUNI bus route runs along 18<sup>th</sup> 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

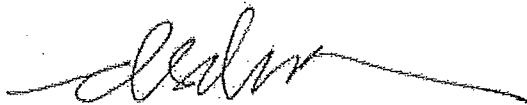
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application 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](http://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](http://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](http://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](http://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](http://www.sf-planning.org)*

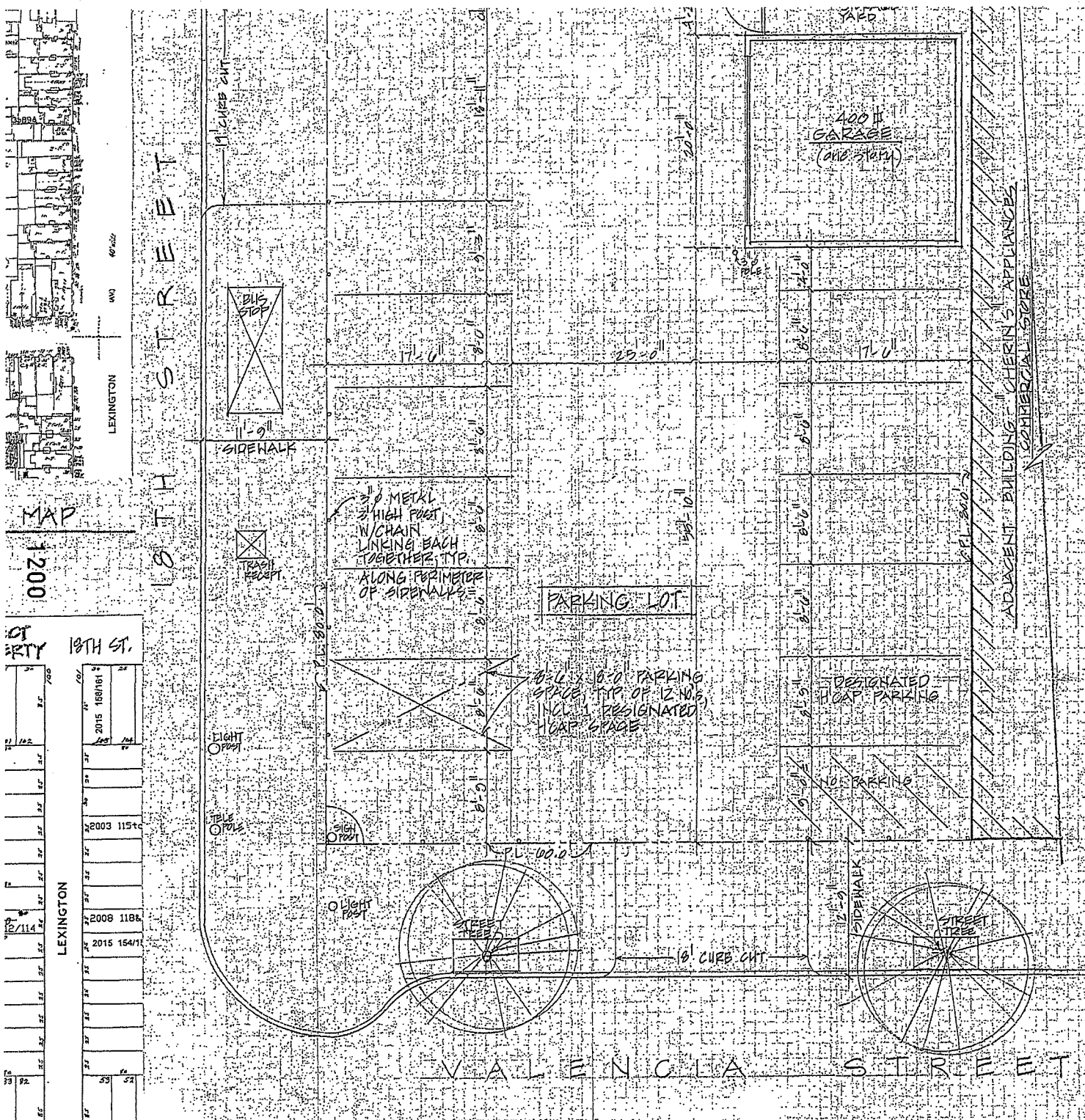
## MONITORING

- 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](http://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](http://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](http://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. **18<sup>th</sup> Street Frontage Site Access.** The vehicular access to operate this temporary automobile parking lot is limited to the existing street frontage access along 18<sup>th</sup> 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](http://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](http://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](http://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](http://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](http://www.sf-police.org).*



**SCOPE OF WORK:**

THIS PROJECT CONSISTS OF A PROPOSED COMMUNITY SPACE INCLUDING 2 FOOD TRUCKS AND A "PARKLET" EXISTING PARKING LOT (USED AND OWNED BY THE ADJACENT CHERIN'S APPLIANCE STORE). THERE CURRENTLY EXISTS 12 PARKING SPACES ON THE LOT PROPOSED SHARED USE WOULD ELIMINATE 3 PARKING SPACES AND RETAIN 9 PARKING SPACES FOR PARKING USE DURING THE DAYTIME, TUESDAY THROUGH SATURDAY WHEN CHERIN'S IS OPEN FOR BUSINESS. THE PROPOSED COMMUNITY SPACE WOULD BE USED 7 NIGHTS A WEEK SUNDAY-MONDAY DURING THE DAYTIME. IT INCLUDES PERMANENTLY PLACED FOOD TRUCKS AND 1 "PARKLET" TABLES WITH BENCHES AND CHAIRS, PLANTER BOXES, LAMPS, PORTABLE TOILETS, AND A GARBAGE STRUCTURE.

**PROJECT DIRECTORY**

**OWNER:** DON CHERIN  
 CHERIN'S APPLIANCE  
 701-727 VALENCIA STREET  
 SAN FRANCISCO, CA 94110  
 (415) 864-2111

**APPLICANT:** RYEN MOTZEK  
 391 - 29th STREET, #2  
 SAN FRANCISCO, CA 94131  
 (650) 743-0133  
 motzekryen@gmail.com

**PROJECT DATA:**

**ADDRESS:** 701 VALENCIA STREET, SAN FRANCISCO, CA 94110

**BLOCK/LOT#:** 3589/098-099 BLOCK 3589/LOT 098-099

**ZONING DIST:** NCT - VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT

**PRESENT USE:** PARKING LOT (FOR CHERIN'S APPLIANCE STORE)

**APPLICABLE CODES:** CALIFORNIA BLDG. CODE, 2016 EDI / CALIFORNIA ELECT. CODE, 2016 ED / CALIFORNIA PLUMB. CODE, 2016 ED / CALIFORNIA MECH. CODE, 2016 EDI / CALIFORNIA GRN. BLDG. CODE, 2016

**SQUARE FOOTAGES:**

LOT SIZE:	60'-0" x 80'-0"	4,800 SQ. FT.
EXISTING GARAGE ON LOT/COVERAGE:		400 SQ. FT. / 8
EXISTING PARKING LOT AREA:		4,316 SQ. FT. /
PROPOSED PARKLET/FOOD TRUCK AREA:	460 SQ. FT. / 1	
PROPOSED NEW PARKING LOT AREA:	3,856 SQ. FT. /	

**PARKING SPACES:**

EXISTING USE:	12 SPACES, 8'-6" x 17'-0" EACH, INC. DESIGNATED H'CAP ACCESSIBLE SPACES
PROPOSED USE:	9 SPACES, 8'-6" x 17'-0" EACH, INC. DESIGNATED H'CAP ACCESSIBLE SPACES

MAP 1200

19TH ST.

LOT	AREA	DATE
1	12.5	2015 180/181
2	12.5	2015 180/181
3	12.5	2015 180/181
4	12.5	2015 180/181
5	12.5	2015 180/181
6	12.5	2015 180/181
7	12.5	2015 180/181
8	12.5	2015 180/181
9	12.5	2015 180/181
10	12.5	2015 180/181
11	12.5	2015 180/181
12	12.5	2015 180/181
13	12.5	2015 180/181
14	12.5	2015 180/181
15	12.5	2015 180/181
16	12.5	2015 180/181
17	12.5	2015 180/181
18	12.5	2015 180/181
19	12.5	2015 180/181
20	12.5	2015 180/181
21	12.5	2015 180/181
22	12.5	2015 180/181
23	12.5	2015 180/181
24	12.5	2015 180/181
25	12.5	2015 180/181
26	12.5	2015 180/181
27	12.5	2015 180/181
28	12.5	2015 180/181
29	12.5	2015 180/181
30	12.5	2015 180/181

LEXINGTON



PRISTINE PARKING, INC.  
OPERATING ACCOUNT  
391 29TH ST UNIT 2  
SAN FRANCISCO, CA 94131-2350

1931

11-4288/1210 4037  
9987042075

Date 04/16/18

Pay to the  
Order of

Planning Department

\$ 597.00

Five Hundred Ninety Seven <sup>00</sup>/<sub>100</sub>

Dollars  Security Features: Detachable Back



Wells Fargo Bank, N.A.  
California  
wellsfargo.com

Case # 2017-00489

FOR CU-appeal - Fol Valencia

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SAN FRANCISCO  
2018 APR 16 PM 2:12



**From:** [BOS Legislation. \(BOS\)](#)  
**To:** [tom@lalannelaw.com](mailto:tom@lalannelaw.com); Ryen Motzek  
**Cc:** [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Jardines, Esmeralda \(CPC\)](#); [Tonin, Jonas \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation. \(BOS\)](#)  
**Subject:** APPEAL RESPONSE: Appeal of Conditional Use Authorization - 701 Valencia Street  
**Date:** Friday, May 04, 2018 4:44:24 PM  
**Attachments:** [image001.png](#)

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Good afternoon,

Please find linked below an appeal response received by the Office of the Clerk of the Board from Thomas J. LaLanne, on behalf of the Appellant, Ryen Motzek, regarding the appeal of the Conditional Use Authorization for the proposed project at 701 Valencia Street.

[Appellant Supplemental Appeal Letter - May 4, 2018](#)

**The appeal hearing for these matters are scheduled for a 3:00 p.m. special order before the Board on May 15, 2018.**

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180403](#)

Regards,

**Brent Jalipa**

**Legislative Clerk**

Board of Supervisors - Clerk's Office  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-7712 | Fax: (415) 554-5163  
[brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



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***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

LAW OFFICES OF  
**THOMAS J. LALANNE**

FAX (415) 434-1125

400 HARBOR DRIVE  
SAUSALITO, CALIFORNIA 94965

TELEPHONE (415) 434-1122

May 4, 2018

VIA EMAIL ONLY

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689  
[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)

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 project sponsor Ryen Motzek (“Sponsor”). Sponsor 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. Sponsor appeals the imposition of the aforementioned condition.

**1. Project Description**

In addition to seeking legalization of an existing commercial parking lot, 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 three to four mobile food trucks, with the primary truck owned and operated by Señor Sisig, a purveyor of Filipino fusion food.<sup>1</sup>

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

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<sup>1</sup> It should be noted that Señor Sisig had been operating legally under a TUA for over a year prior to the hearing with nothing but favorable support from local residents and business owners.

Board of Supervisors  
May 4, 2018  
Page 2

conditions discussed between the staff and Sponsor had to do with limitations on hours of operation, and limitations on noise, lighting and odor. 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, late night alcohol sales and how Latino serving businesses in the surrounding area would be impacted. In particular, an employee of El Buen Sabor, a nearby taqueria, was concerned that their profits would suffer if food trucks were allowed to operate nearby.<sup>2</sup> Sponsor replied to the neighbor's concerns, attempting to assure 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 limiting or prohibiting alcohol sales. Sponsor was willing 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, Sponsor believes the proposed restaurant use for this site will be a welcome addition to the neighborhood. Contrary to concerns that 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 promote diversity. Additionally, 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, Sponsor has agreed to abide by restrictions proposed by neighbors and the Commission, including time limitations, noise restrictions, and limitations on alcohol sales.

## **2. Project's Benefits to the Neighborhood**

- a. Supports Cherin's family business (local retailer in business since before 1900).
- b. Provides a safe and clean outdoor space for the community.
- c. Provides new, affordable, and rare entrepreneur opportunities.

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<sup>2</sup> Sponsor is willing to offer El Buen Sabor space in the lot for complimentary seating for its patrons, and will also offer El Buen Sabor a space in the lot for its own food truck to expand its often overflowing restaurant business.

LAW OFFICES OF  
**THOMAS J. LALANNE**

Board of Supervisors  
May 4, 2018  
Page 3

- d. Creates jobs (4 - 7 vs. just one parking lot attendant).
- e. Provides a great platform for non-profits to share their message with special events, murals, etc.
- f. Falls in line with the mission of non-profit organizations such as Calle 24, Valencia Merchants Association, etc.
- g. Provides a creative space to support local artists.
- h. Prevents blight.
- i. Supports diversity (including provision of Filipino cuisine not presently supported in the Mission District).
- j. Provides affordable food.
- k. Works with local businesses and architects for design and building space.
- l. Respects the Mission district and its heritage.

**3. Mitigations to Original Project to Address Neighbors Concerns**

- a. Closing at 9:00 p.m. Sunday - Thursday, and at 10:00 p.m. Friday - Saturday.
- b. No generators.
- c. No amplified sound.
- d. Unique foods (no traditional Mexican food competing with local establishments).
- e. Maximum of 2 - 3 food trucks in lot.

**4. Outreach and Support**

Sponsor had engaged in a significant amount of outreach with local businesses, trade organizations, community groups and owners and occupants of surrounding properties. A sampling of these groups and individuals include Calle 24, Valencia Merchants Association, La Raza, HOMEY, Precita Eyes, Mission Merchants Association, Filipino community organizer Al Perez, and over 50 neighboring property owners.

**5. Conclusion**

In sum the project was thoroughly reviewed by the Planning Staff and recommended for approval as a necessary and desirable addition to the neighborhood. Moreover, community response was overwhelmingly favorable prior to the hearing, and the Commission's decision seems out of touch with that response. Sponsor urges that the Board of Supervisors follow the recommendations of the Planning Staff, and overturn the imposition of the prohibition of restaurant uses.

Very truly yours,

*/s/ Thomas J. LaLanne*

THOMAS J. LALANNE

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** [tom@lalannelaw.com](mailto:tom@lalannelaw.com); [Ryen Motzek](#)  
**Cc:** [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Jardines, Esmeralda \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** APPEAL RESPONSE: Appeal of Conditional Use Authorization - 701 Valencia Street  
**Date:** Friday, May 04, 2018 2:56:45 PM  
**Attachments:** [image001.png](#)

---

Good afternoon,

Please find linked below an appeal response received by the Office of the Clerk of the Board from the Planning Department regarding the appeal of the Conditional Use Authorization for the proposed project at 701 Valencia Street.

[Planning Appeal Response Memo - May 3, 2018](#)

**The appeal hearing for these matters are scheduled for a 3:00 p.m. special order before the Board on May 15, 2018.**

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180403](#)

Regards,

**Brent Jalipa**

**Legislative Clerk**

Board of Supervisors - Clerk's Office  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-7712 | Fax: (415) 554-5163  
[brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



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# SAN FRANCISCO PLANNING DEPARTMENT

## Conditional Use Authorization Appeal 701 Valencia Street

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

**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 29<sup>th</sup> 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 18<sup>th</sup> and Valencia and will be accessed from the existing curb cut along 18<sup>th</sup> 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.

*EJ: I:\Cases\2017\2017-004489APL - 701 Valencia Street\CU Appeal - 701 Valencia Street.docx*



# 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 29<sup>th</sup> Street #2  
San Francisco, CA 94131  
*Staff Contact:* Esmeralda Jardines – (415) 575-9144  
[esmeralda.jardines@sfgov.org](mailto: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 18<sup>th</sup> 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 18<sup>th</sup> Street; the block face is bounded by 18th Street and 19<sup>th</sup> 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.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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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 29<sup>th</sup> Street #2  
 San Francisco, CA 94131  
 Staff Contact: Esmeralda Jardines – (415) 575-9144  
[esmeralda.jardines@sfgov.org](mailto: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 18<sup>th</sup> 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 18<sup>th</sup> 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 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 18<sup>th</sup> 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, 18<sup>th</sup> 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 21<sup>st</sup> Street, 42 Hoff Street, and 3111 17<sup>th</sup> 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 16<sup>th</sup> Street and 20<sup>th</sup> 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 21<sup>st</sup> Street, and 57% usage at 3111 17<sup>th</sup> 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 21<sup>st</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> Street that will remain. The 33 MUNI bus route runs along 18<sup>th</sup> 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](http://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](http://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](http://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](http://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](http://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](http://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](http://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. **18<sup>th</sup> 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 18<sup>th</sup> 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](mailto: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](http://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](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://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](http://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](http://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](http://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](http://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](http://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

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## Letter of Determination

May 30, 2017

Ryen Motzek  
Pristine Parking  
391 29<sup>th</sup> 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](mailto: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 29<sup>th</sup> 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.

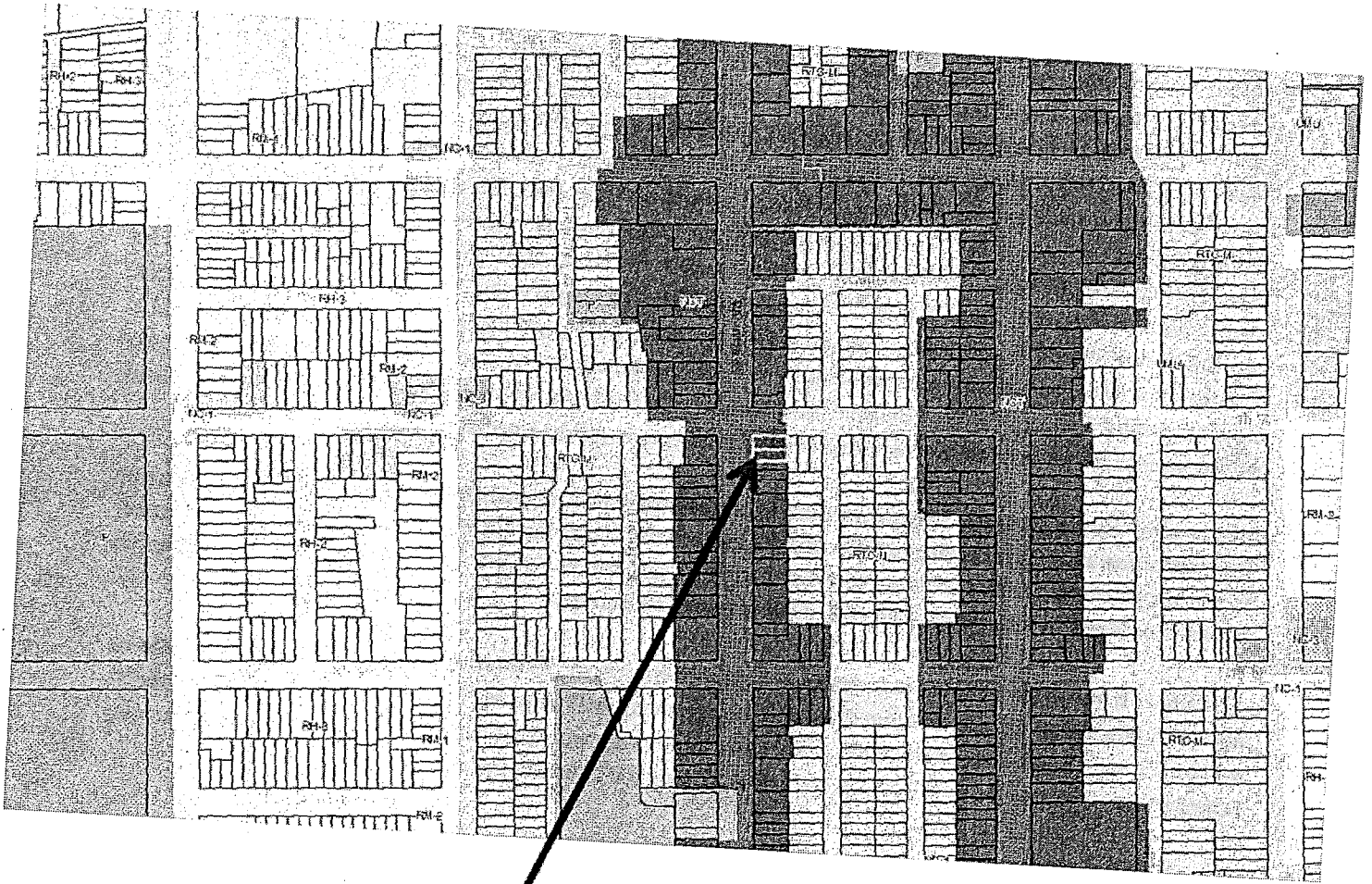
Sincerely,



Scott F. Sanchez  
Zoning Administrator

cc: Property Owner  
Neighborhood Groups  
Esmeralda Jardines, Planner

# Zoning Map



**SUBJECT PROPERTY**

**SAN FRANCISCO  
PLANNING DEPARTMENT**



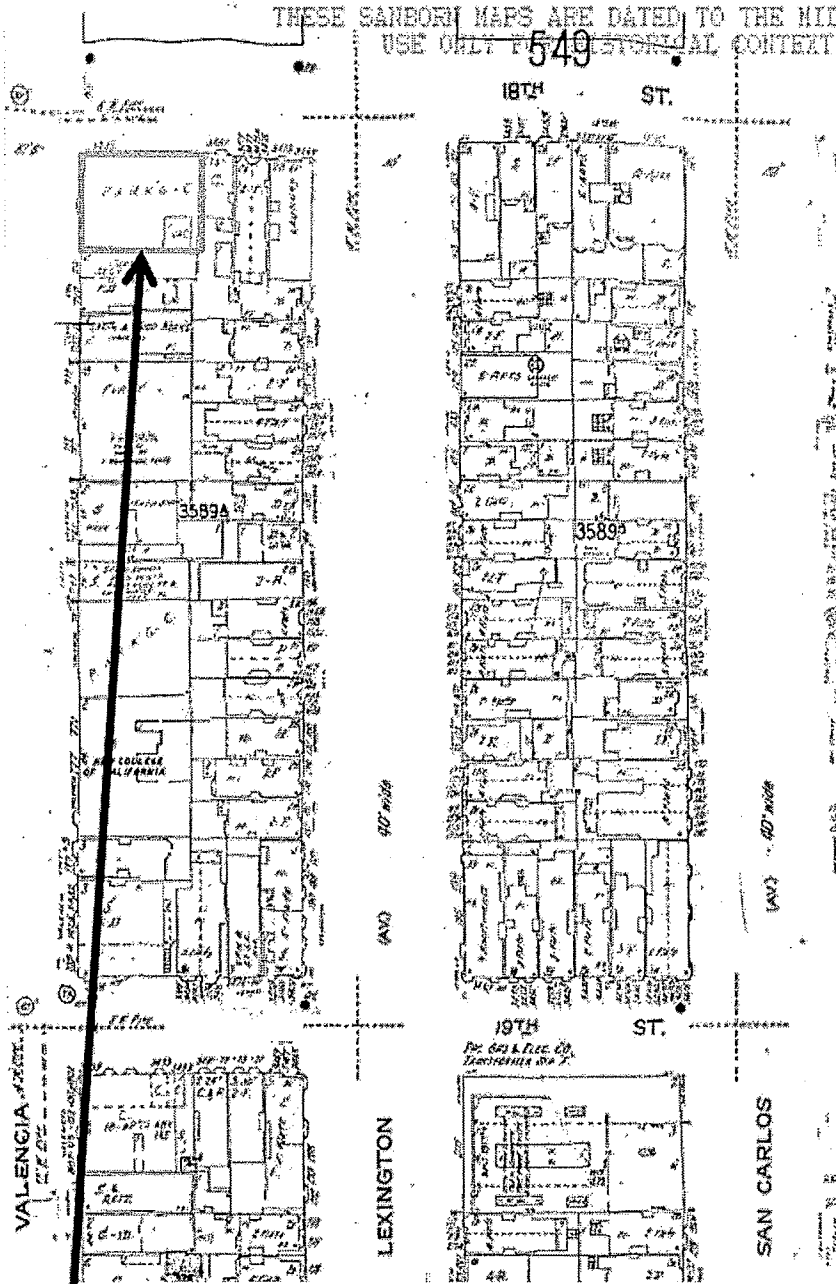
Conditional Use Hearing  
Case Number 2017-004489CUA  
701 Valencia Street  
Block 3589, Lot 098 and 099





# Sanborn Map\*

THESE SANBORN MAPS ARE DATED TO THE MID  
USE ONLY FOR HISTORICAL CONTEXT



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

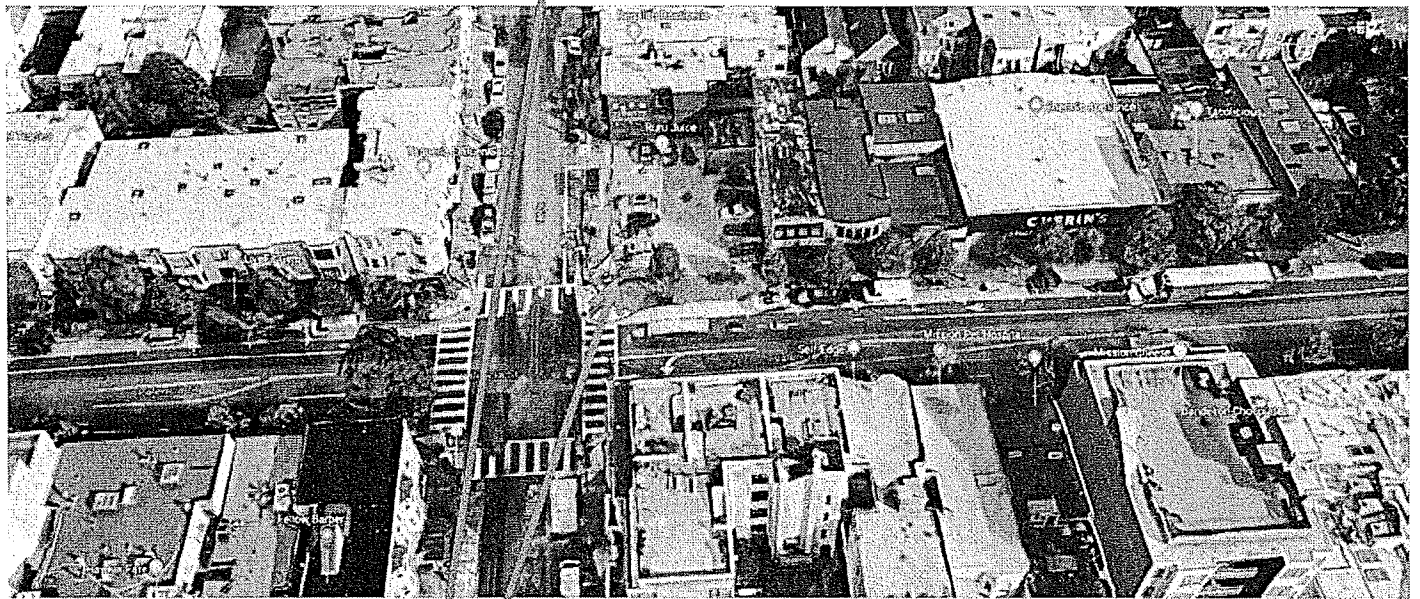
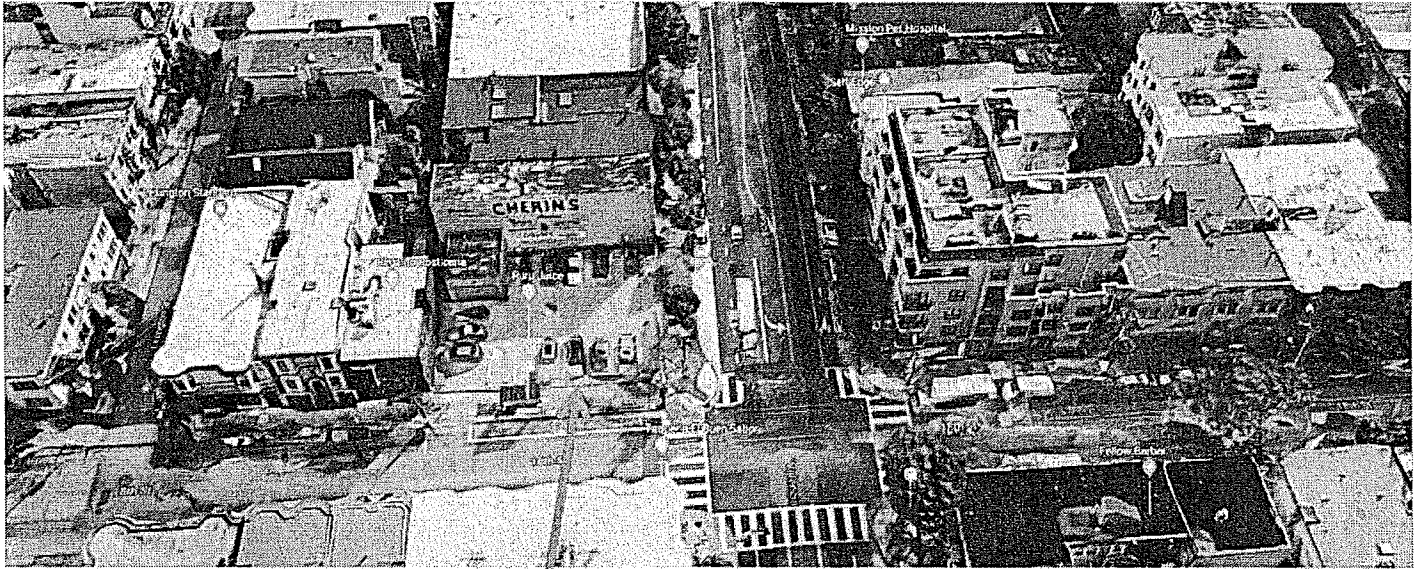
**SUBJECT PROPERTY**

**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. The 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.

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(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 except 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.

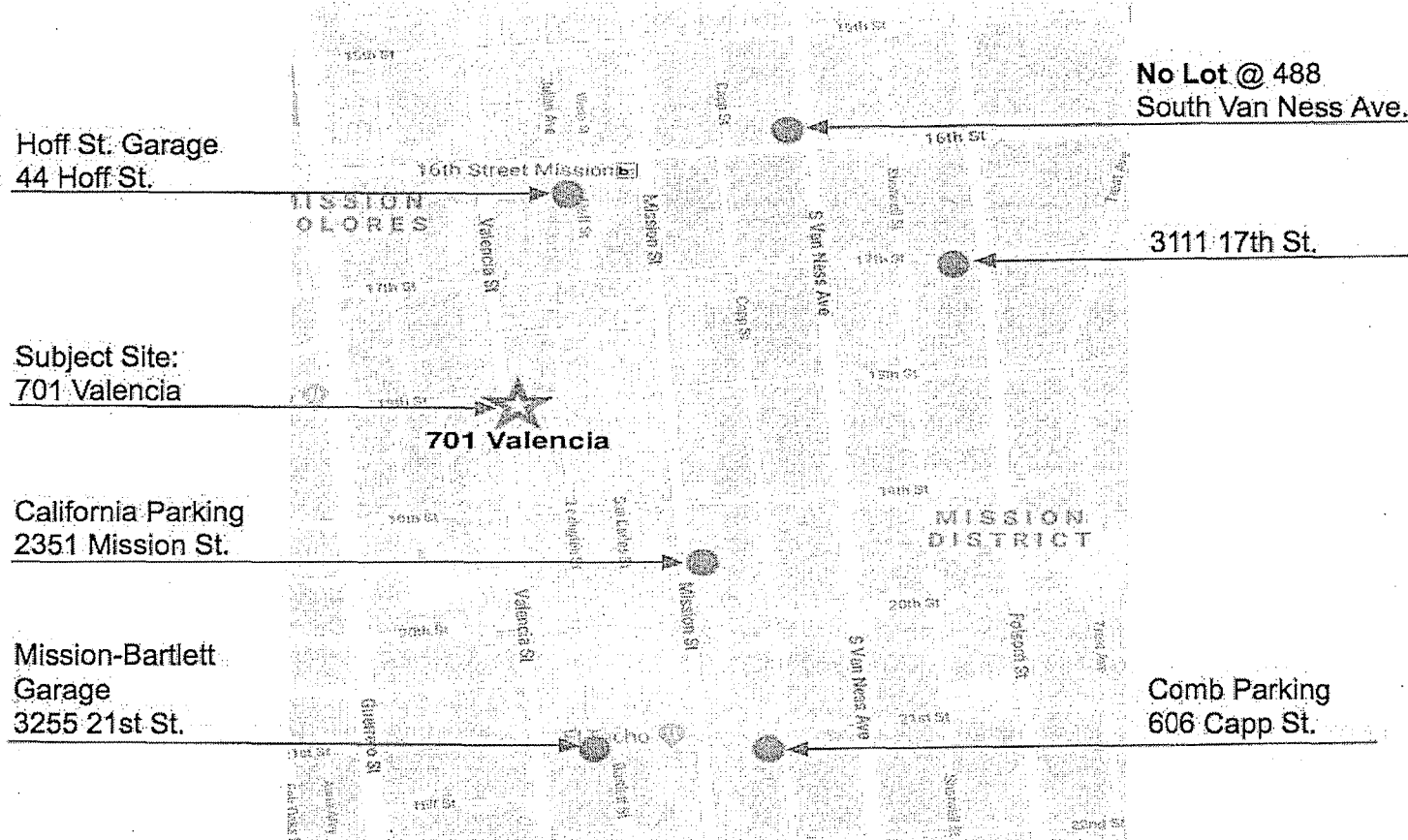
Our vision is make this a space to promote local artist, food, music and businesses that speak to the culture and history of San Francisco, particularly the mission district. We plan to have local food trucks serve daily to bring a unique, fun and affordable food perspective to the area. We plan to have 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.

1252

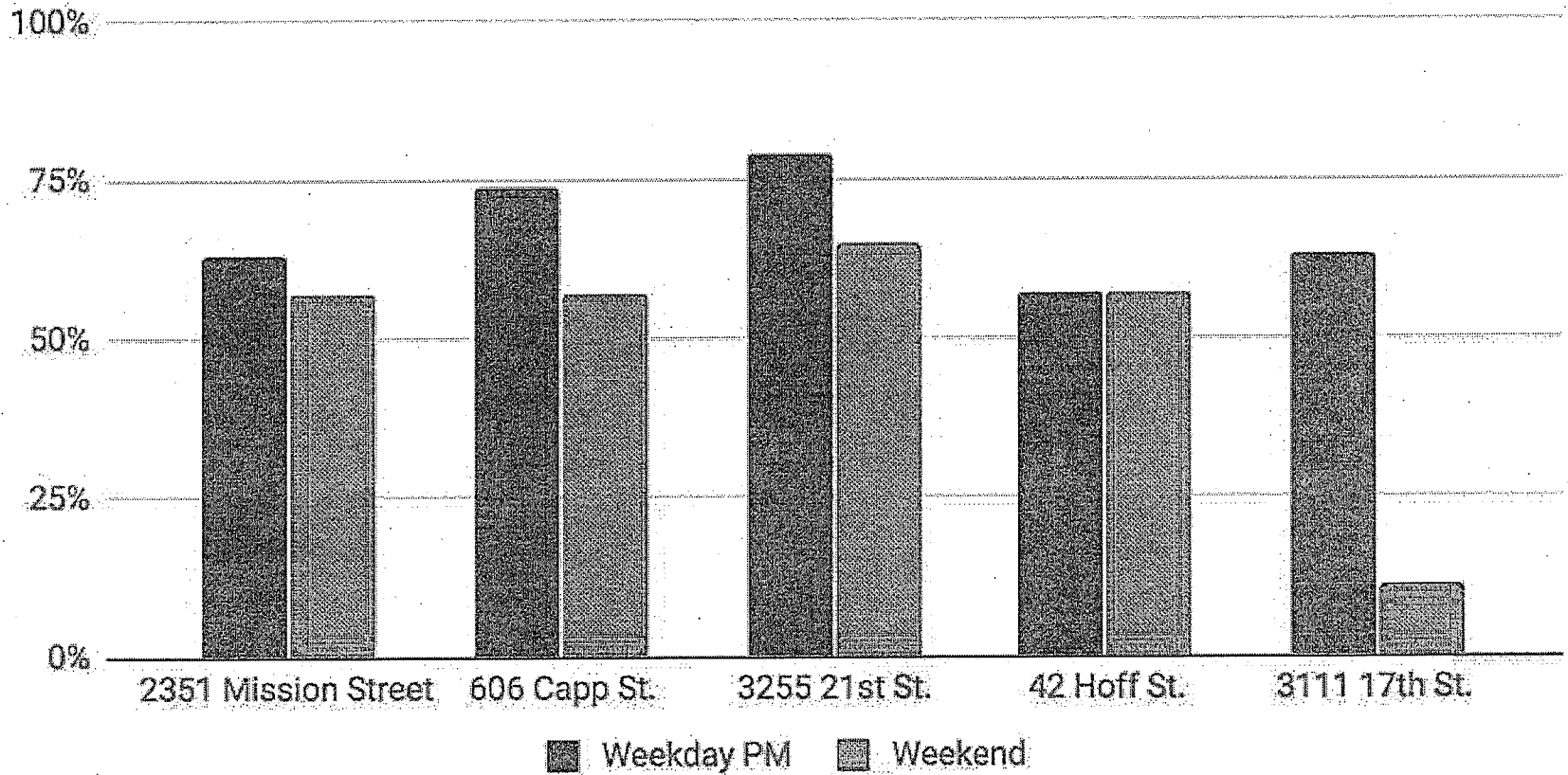
### SUPPLY AND UTILIZATION SURVEY

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.



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### Average Use During Random Periods Weekday Afternoons & Weekends



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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%

1255

Comb Parking - 606 Capp St.

Parking Lot	Hours of Operation	Date of Survey	Day of Survey	Time of Survey	Capacity / # of Spaces	Number in Use	Number vacant	% of Capacity in Use
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%

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Mission-Bartlett Garage - 3255 21st Street

Parking Lot	Hours of Operation	Date of Survey	Day of Survey	Time of Survey	Capacity / # of Spaces	Number in Use	Number vacant	% of Capacity in Use
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%

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Hoff St. Garage - 42 Hoff Street

Parking Lot	Hours of Operation	Date of Survey	Day of Survey	Time of Survey	Capacity / # of Spaces	Number in Use	Number vacant	% of Capacity in Use
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%

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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%

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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

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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

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**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

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# 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.

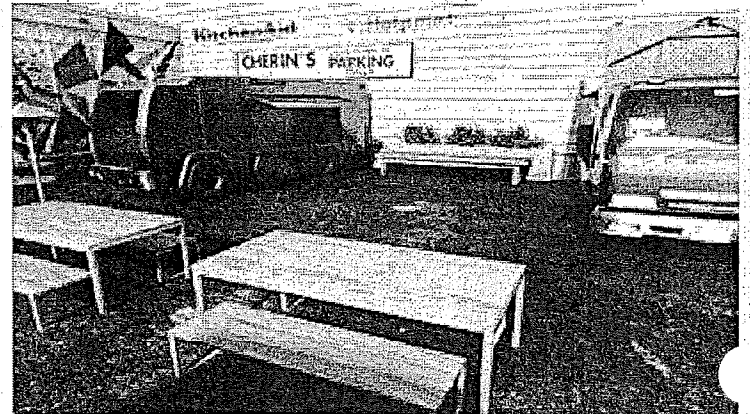
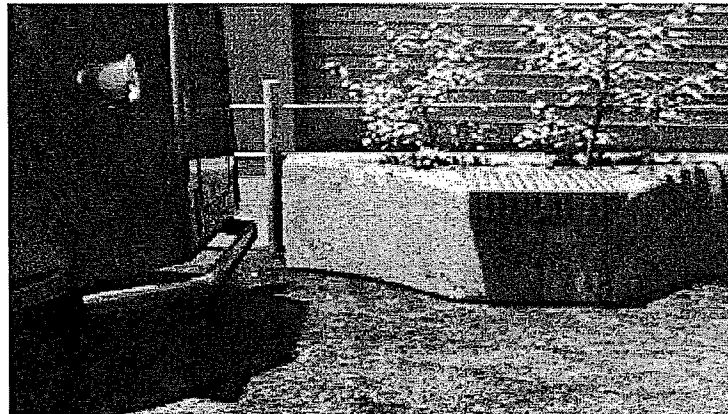
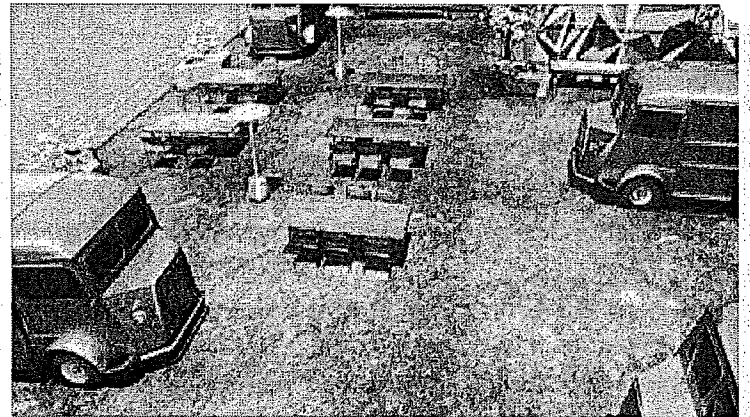
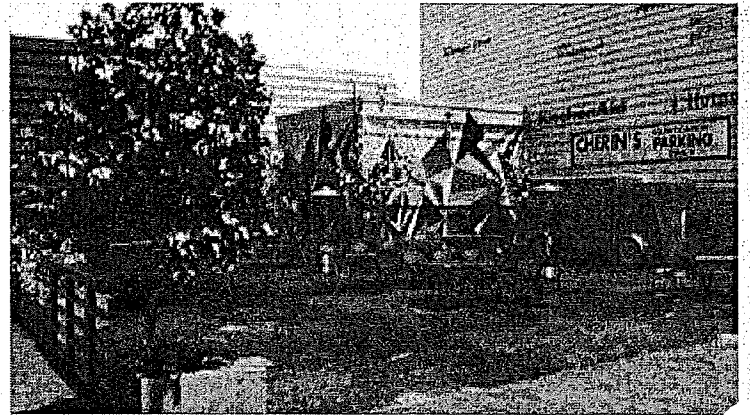
In an attempt to preserve the core definition of true San Francisco, we are aiming to build a community space featuring independently owned and operated SF/Bay Area vendors that share a similar vision. Offering a high traffic location at an affordable rate and therefore creating opportunities that would 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**

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Case Number 2017-004489CUA  
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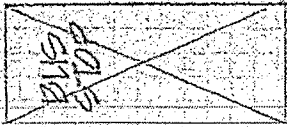
STREET

STREET

5'11" x 2'0" x 2'4"  
NP PLANTER BOX,  
TYP. OF 7

TYP. PARKING  
SPACE 8'-0" x  
10'-0" (TYP. OF 5 NO.'S)  
INCL. 1 HOOP SPACE

PERMANENTLY  
LOCATED FOOD  
TRUCK



PLANTER

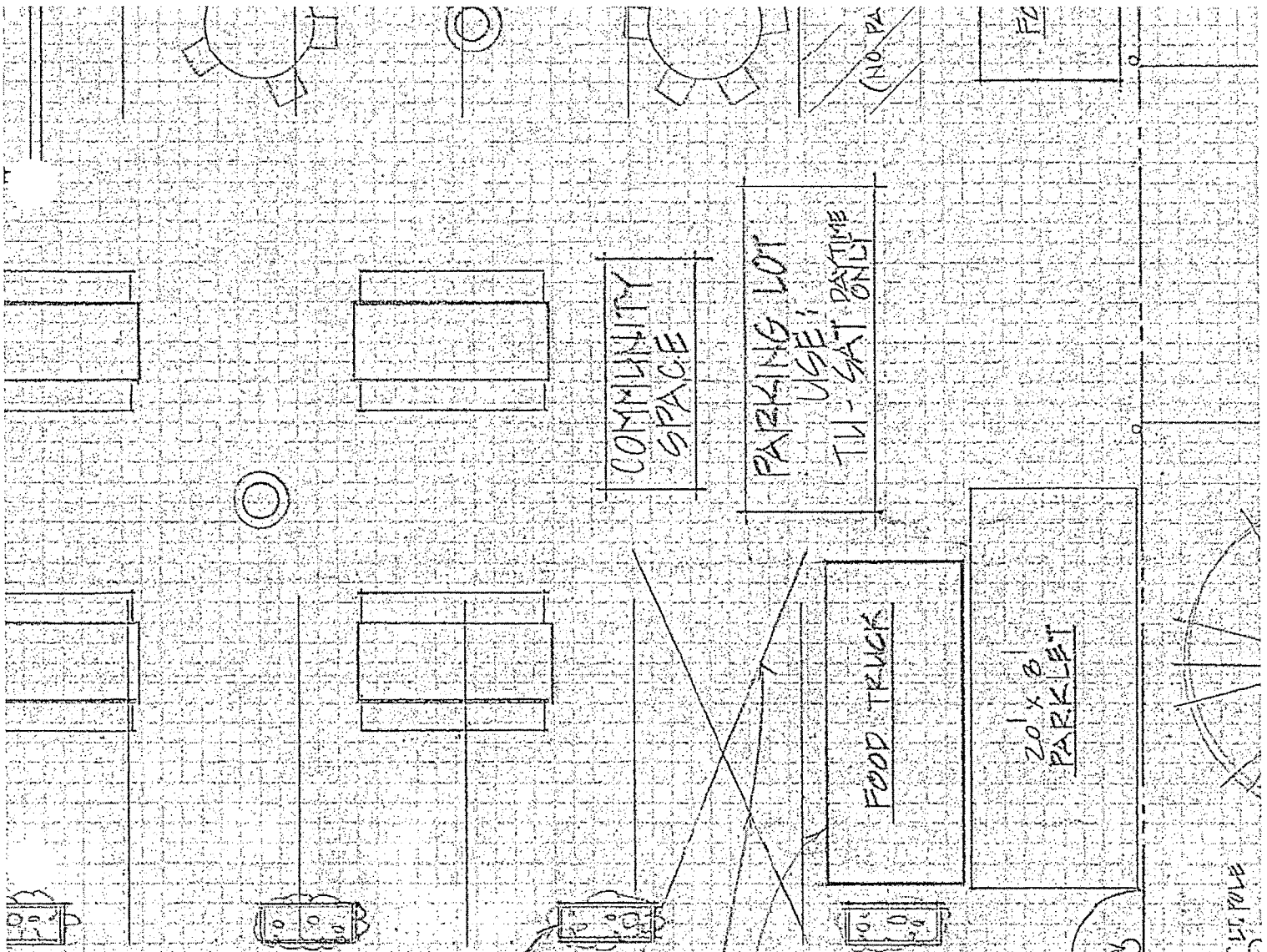
POST

COMMUNITY  
SPACE

PARKING LOT  
USE:  
TUE - SAT DAYTIME  
ONLY

FOOD TRUCK

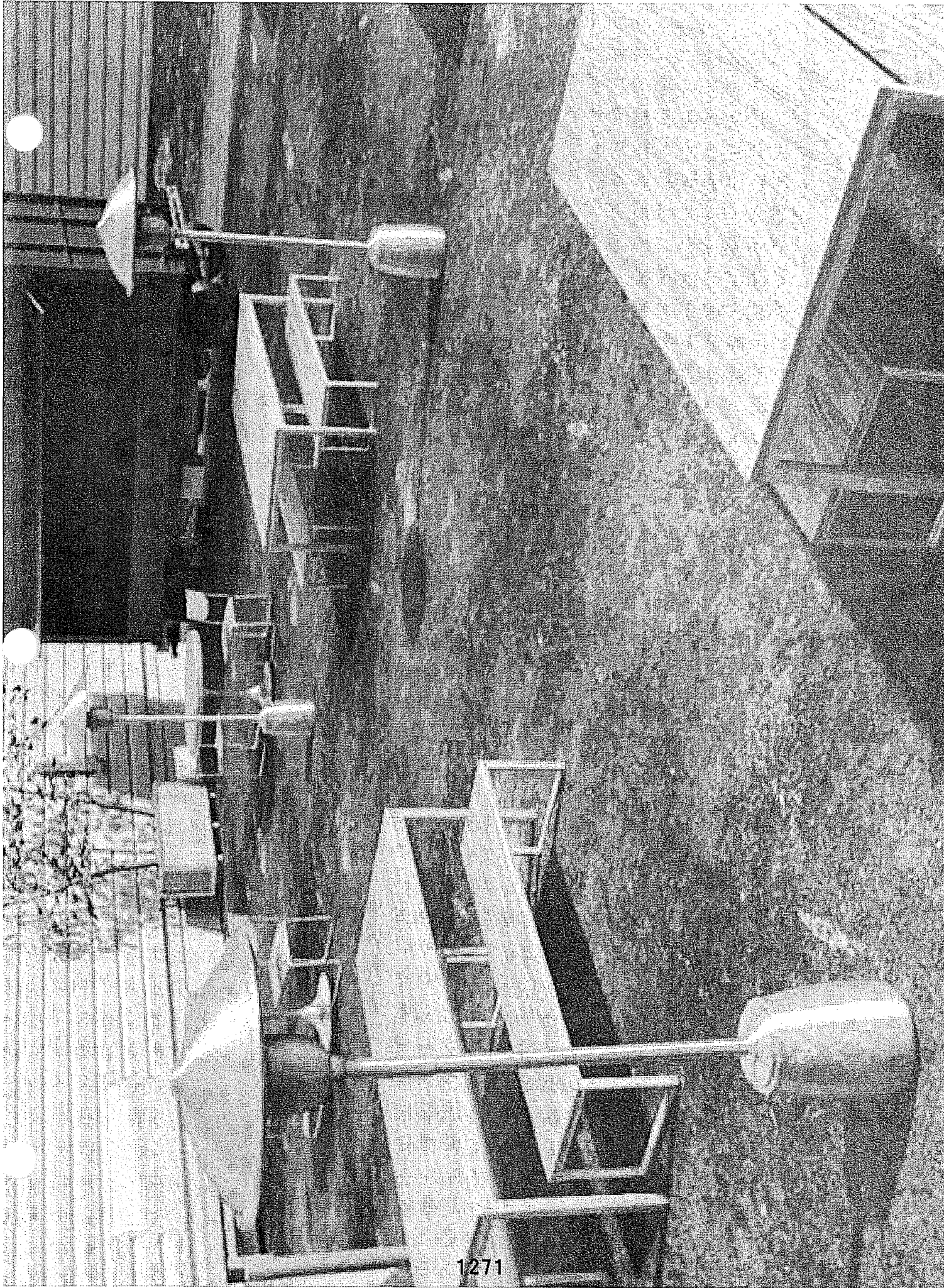
20' x 8'  
PARKLET

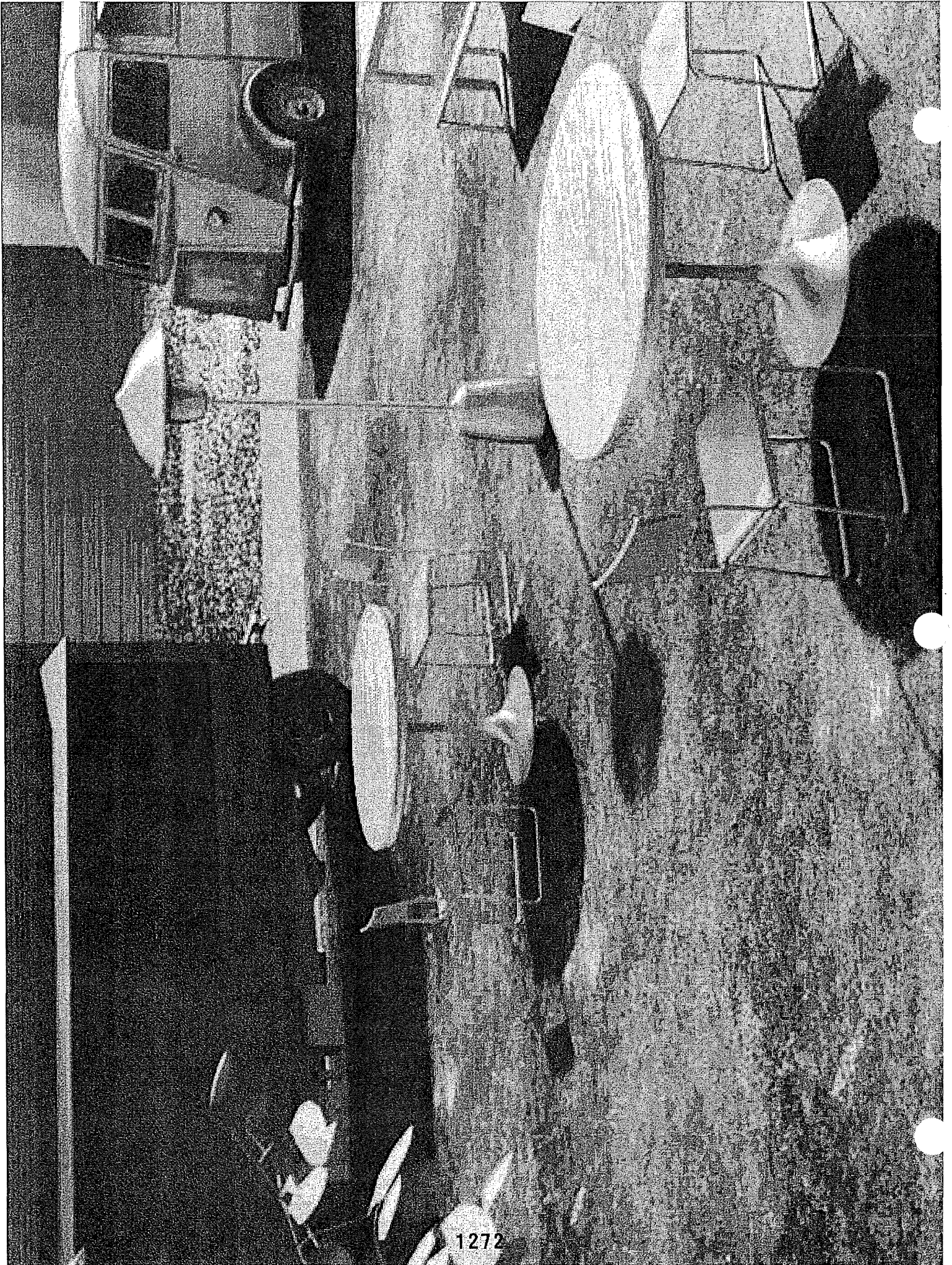


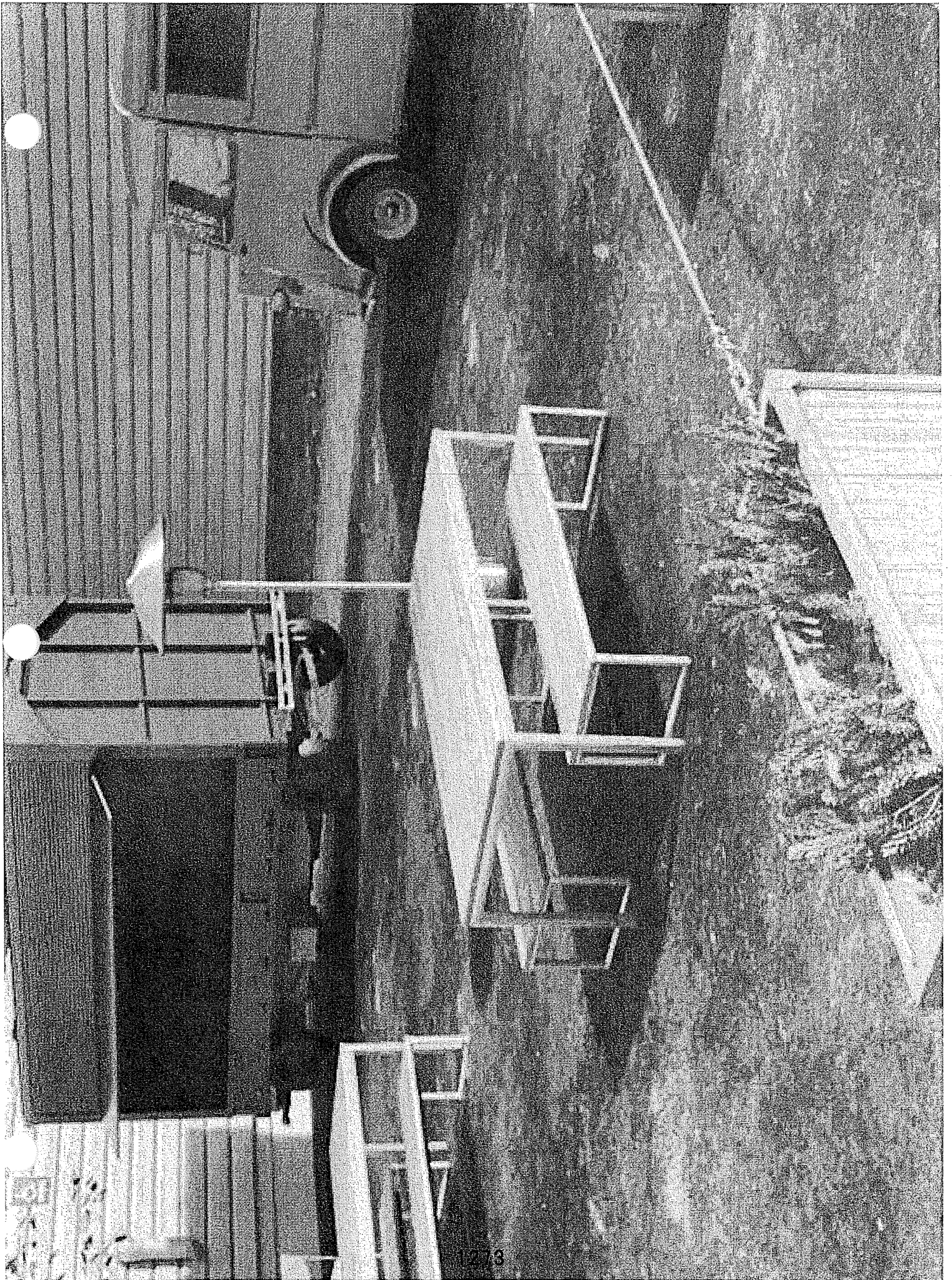
# Proposed Site Renderings

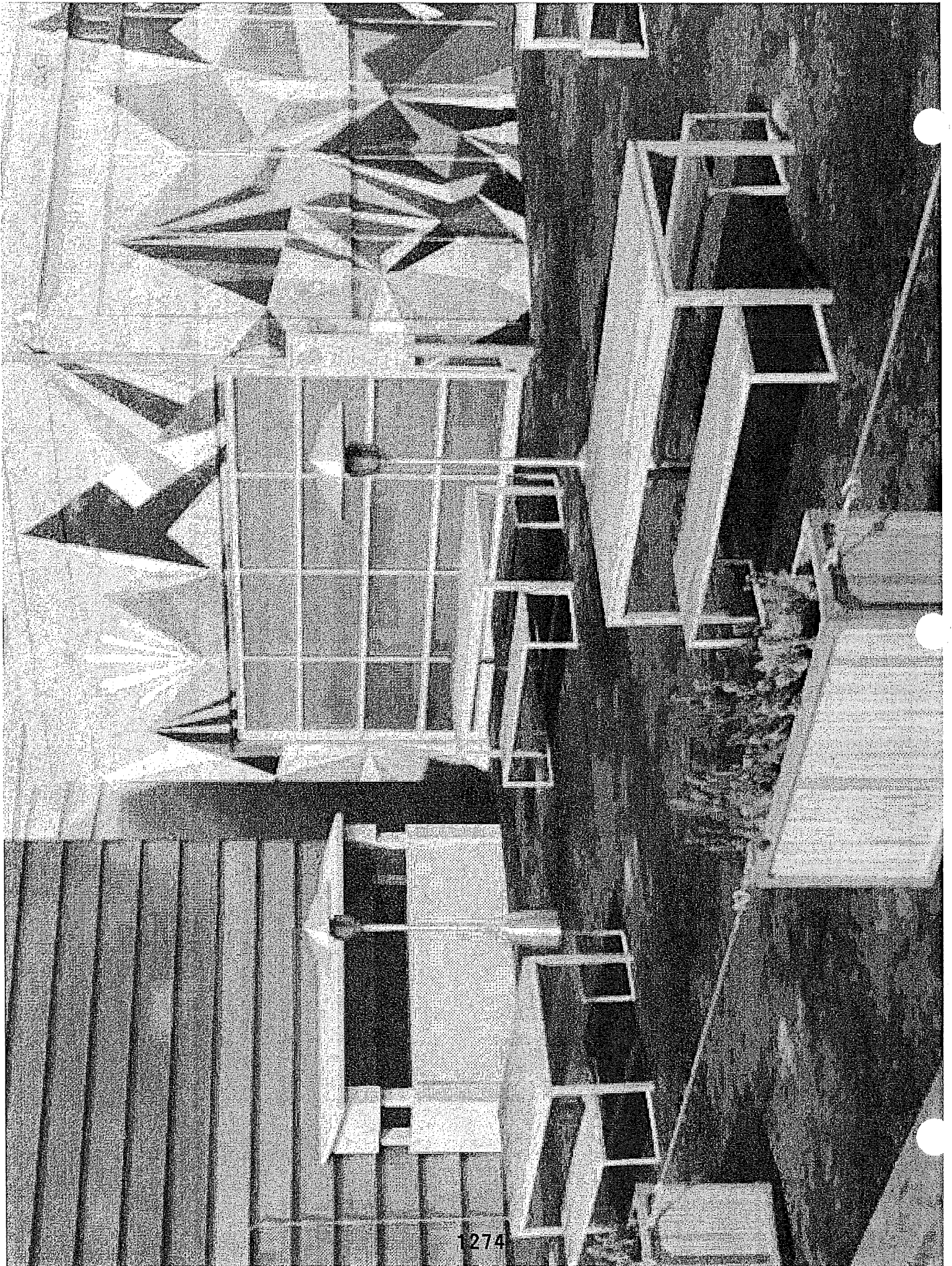
SAN FRANCISCO  
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# Public Comment

SAN FRANCISCO  
**PLANNING DEPARTMENT**

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

## Jardines, Esmeralda (CPC)

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**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)

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**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)

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**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)

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**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)

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**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](mailto:mrnicholaskunz@gmail.com)  
(509)-981-0333

## Jardines, Esmeralda (CPC)

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**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](mailto:nicholasghutter@gmail.com)



## Jardines, Esmeralda (CPC)

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**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)

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**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)

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**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)

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**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)

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**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](mailto: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 | [www.sfplanning.org](http://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)

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**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)

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**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)

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**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 18<sup>th</sup> 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)

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**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)

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**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)

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**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 18<sup>th</sup> 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)

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**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](mailto: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](mailto: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](mailto: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 22<sup>nd</sup>; 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](http://www.sfplanning.org)

[San Francisco Property Information Map](#)

**From:** Pha Pha (Anna) Hamilton [mailto:[ajptdh@gmail.com](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)

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**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)

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**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)

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**From:** Christopher Nash <christopher.nash@gmail.com>  
**Sent:** Friday, February 16, 2018 1:42 PM  
**To:** ryan@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%20Op.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)

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**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

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

## Jardines, Esmeralda (CPC)

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**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)

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**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)

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**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)

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**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)

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**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 18<sup>th</sup> 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)

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**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)

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**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)

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**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)

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**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)

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**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](http://www.avg.com)

## Jardines, Esmeralda (CPC)

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**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 vecinidad 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](mailto: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 genorasidad! 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 cualquiera 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](http://www.sfplanning.org) San Francisco Property

> Information Map

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> -----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)

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**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)

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**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](http://www.thepearlsf.com) | [Virtual Tour](#)



## Jardines, Esmeralda (CPC)

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**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)

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**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@rodneymong.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)

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**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@rodnevfong.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 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.</p> <p>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"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.; change of use under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> 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"/>	<b>Air Quality:</b> 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"/>	<b>Hazardous Materials:</b> 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 &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> 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"/>	<b>Archeological Resources:</b> 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"/>	<b>Subdivision/Lot Line Adjustment:</b> 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"/>	<b>Slope = or &gt; 20%:</b> 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) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> 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) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> 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) <b>If box is checked, a geotechnical report will likely be required.</b>
<p><b>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</b></p>	
<p><b>Comments and Planner Signature (optional):</b></p> <p>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.</p> <p>Existing condition includes illegal commercial parking and food trucks.</p>	

**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)
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
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 <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>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.</b>	
	<b>Project Approval Action:</b> Commission Hearing	<b>Signature:</b> 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 <i>* 3589/099</i>
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?
<b>If at least one of the above boxes is checked, further environmental review is required.</b>	

**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.  
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## 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 29<sup>th</sup> Street #2  
 San Francisco, CA 94131  
 Staff Contact: Esmeralda Jardines – (415) 575-9144  
[esmeralda.jardines@sfgov.org](mailto: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 18<sup>th</sup> 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 18<sup>th</sup> 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 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 18<sup>th</sup> 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, 18<sup>th</sup> 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 21<sup>st</sup> Street, 42 Hoff Street, and 3111 17<sup>th</sup> 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. The 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 16<sup>th</sup> Street and 20<sup>th</sup> 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 21<sup>st</sup> Street, and 57% usage at 3111 17<sup>th</sup> 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 21<sup>st</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> Street that will remain. The 33 MUNI bus route runs along 18<sup>th</sup> 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

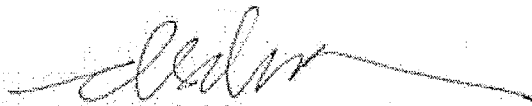
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application 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](http://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](http://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](http://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](http://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](http://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](http://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](http://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](http://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://sfdprw.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. **18<sup>th</sup> Street Frontage Site Access.** The vehicular access to operate this temporary automobile parking lot is limited to the existing street frontage access along 18<sup>th</sup> 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](http://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](http://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](http://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](http://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](http://www.sf-police.org).*





RECEIVED  
LAW OFFICES OF BOARD OF SUPERVISORS  
**THOMAS J. LALANNE**  
SAN FRANCISCO

FAX (415) 434-1125

400 HARBOR DRIVE  
SAUSALITO, CALIFORNIA 94965

2018 APR 16 PM 2:11

TELEPHONE (415) 434-1122

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.

LAW OFFICES OF  
**THOMAS J. LALANNE**

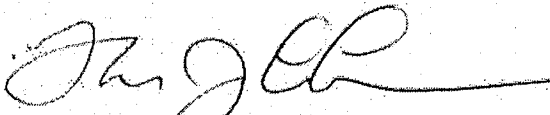
Board of Supervisors  
April 16, 2018  
Page 3

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. \_\_\_\_\_



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: 701 Valencia Appeal - correspondence attached  
**Date:** Thursday, May 10, 2018 1:27:14 PM  
**Attachments:** [701 Valencia Appeal documents.pdf](#)

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**From:** Pha Pha (Anna) Hamilton [mailto:[ajptdh@gmail.com](mailto:ajptdh@gmail.com)]

**Sent:** Thursday, May 10, 2018 11:28 AM

**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>

**Cc:** Beinart, Amy (BOS) <[amy.beinart@sfgov.org](mailto:amy.beinart@sfgov.org)>; Dairo Romero <[dromero@medasf.org](mailto:dromero@medasf.org)>; Julie Leadbetter <[julie.leadbetter@me.com](mailto:julie.leadbetter@me.com)>; Chris Block <[chrisblock1961@gmail.com](mailto:chrisblock1961@gmail.com)>; carlin16@icloud.com; Miguel <[mgl894@aol.com](mailto:mgl894@aol.com)>; Alejandro Aguayo <[regalitoalex@gmail.com](mailto:regalitoalex@gmail.com)>; Darrin Fox <[darrinearlfox@gmail.com](mailto:darrinearlfox@gmail.com)>

**Subject:** 701 Valencia Appeal - correspondence attached

Dear Board of Supervisors,

Please find attached scanned documents (e.g., letters, petitions) pertaining to the Appeal for 701 Valencia Street. I was told electronic correspondence was preferable, but please let me know if we should submit them in a different form.

Thank you for your consideration and all that you do for our wonderful city and neighborhoods!

Best,

Anna Hamilton - neighborhood organizer

3498 18th Street, 94110  
415-652-0772

**PLEASE HONOR THE PLANNING COMMISSION'S DECISION  
& THE PLANNING DEPARTMENT'S RECOMMENDATION**

*File No. 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street*

Background/ history:

- Project sponsor illegally ran parking/ other businesses for over 10 years in space
- Project sponsor is not the owner of lot, but Cherin's Appliances tenant
- Planning Commission **unanimously decided to:**
  - Approve project sponsor's parking business
  - **reject food trucks condition**
- Per Planning Appeal Response Memo May 3, 2018, **Planning Department recommends upholding Planning Commission's decision**

Why the Planning Commission/neighborhood oppose the food trucks

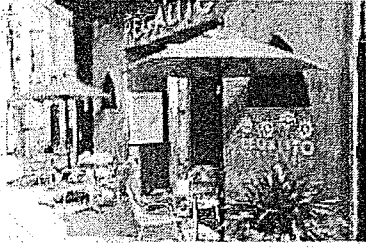
- **Negative impact on local businesses**
  - Food trucks would be operating within feet of two immigrant Latino-owned restaurants, creating unfair competition and negatively impacting business
  - Brick-and-mortar business pay numerous fees, taxes, and high rent
  - Food trucks can move — existing businesses cannot
  - To date 20 small businesses in/around the Valencia Corridor and 3 community organizations have signed letters of support opposing this appeal.
- **Location is not appropriate**
  - The Valencia Corridor is saturated with restaurants at a variety of price points and **not** a food desert
  - Food truck hubs such as SomaEats, Off the Grid, Spark Social are located in areas with limited food options and less dense residential areas
  - Negative impact on surrounding residents and families with added noise, late night hours, congestion, air quality issues, and alcohol use

*We are not anti-food truck or anti-new business however, this proposal is neither necessary nor desirable for our neighborhood and its small businesses and residents.*

**Please vote to REJECT this appeal and uphold the unanimous decision by the Planning Commission & recommendation by the Planning Department.**

*Thank you for your consideration & your service to our City!*

*(see other side for complete list of neighborhood supporters to date)*



**Please Vote to REJECT the  
701 Valencia Street Appeal &  
Uphold the Unanimous  
Decision by the Planning  
Commission!**



*File No. 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street*

Please find following:

Letters of support from small businesses (as of 5/8/18):

- |                                 |                                      |
|---------------------------------|--------------------------------------|
| 1) Taquería el Buen Sabor       | 11) Taqueria La Cumbre               |
| 2) Regalito Rosticeria          | 12) Supreme Pizza                    |
| 3) El Toro Taqueria             | 13) Gallardo's Mexican<br>Restaurant |
| 4) Raw Sugar Factory            | 14) Thanh Tam II                     |
| 5) Valencia Pizza and Pasta     | 15) Yamo                             |
| 6) Alhamra Indian<br>Restaurant | 16) Blondie's Bar                    |
| 7) We Be Sushi                  | 17) Burger Joint                     |
| 8) Frjtz                        | 18) Pay & Save Market                |
| 9) West of Pecos                | 19) Rhea's Market & Deli             |
| 10) Puerto Alegre               | 20) Ali Baba's Cave                  |

Letters of support to date from Community Organizations:

- Mission Neighborhood Centers, Inc.
- The Women's Building
- Mission Economic Development Agency (MEDA)

Petitions signed by residents who live in proximity of the proposed site

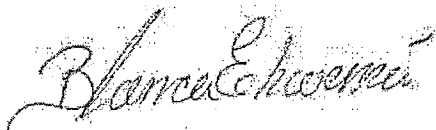
**Regarding: File No. 180403:  
Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street**

May 7, 2018

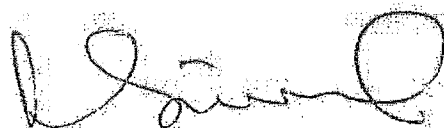
Estimados miembros de la Junta de Supervisores:

Mi hermana y yo somos los dueños del Buen Sabor. Llevamos casi 25 años en 699 Valencia. En total trabajamos 16 personas acá con lo cual apoyamos a nuestras familias. La competencia para los restaurantes en esta area es muy fuerte y sería aún mas difícil para nosotros si tuvieramos que competir con los carros ambulantes de comida, ya que estos no pagarían el mismo alquiler o impuestos que los negocios locales. Para nosotros sería particularmente difícil ya que estamos ubicados directamente en frente de 701 Valencia. Además, ellos tiene la capacidad de moverse si no les va bien, pero nosotros estamos comprometidos a quedarnos aquí. Nuestros vecinos también estan preocupados porque los carros ambulantes causarian mas contaminación del aire y mas ruido. Igualmente están preocupados porque el estacionamiento y el tráfico empeorarían, lo cual impactaría a los residents y nuestros clients. Les suplicamos que protejan a los negocios locales de la competencia injusta y rechazen le apelación del patrocinador del proyecto en el aparcamiento de Cherin's.

Sinceramente,



Blanca Echeverria y Miguel Echeverria  
Owners of Taqueria El Buen Sabor



\*\*\*\*\*

Dear Board of Supervisors:

*My sister and I are the owners of "El Buen Sabor". We have been at 699 Valencia St. for nearly 25 years. 16 people work here in total and we all support our families with this income. The competition for restaurants in this area is very strong and it would be even more difficult for us if we had to compete with the food trucks, given that they don't pay the same rent or taxes that local businesses do. It is particularly difficult for us as we are located across the street from 701 Valencia. On top of that, they have the capacity to move if business doesn't go well, but we do not have the same flexibility. Our neighbors also are worried because the food trucks would create more air and noise pollution. They are also worried that parking and traffic would worsen which would have an impact on residents and our clients. We ask you to protect local businesses from unfair competition and reject the appeal of the project sponsor for Cherin's parking lot.*

Sincerely,

Blanca Echeverria y Miguel Echeverria  
Owners of Taqueria El Buen Sabor



May 6, 2018

c/o Angela Calvillo,  
Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett place  
San Francisco, CA 94102

Re: File No.180403:Hearing-Appel of Conditional Use Authorization-701 Valencia Street

Dear Board Supervisors,

I'm writing to support the planning commission unanimous decision regarding the Conditional use proposal at 701 Valencia (the Cherin's appliances parking lot.) I'm ask that you also reject the project sponsor's appeal.

Regalito Rosticeria is a small business in the Valencia corridor, I'm feel that food trucks at 701 Valencia create unfair competition in an area with so many eating and drinking options at a variety of price points. I pay numerous fees, taxes, as well as high rent. A food truck can move its business- we cannot. The area surrounding 701 Valencia has several closed storefronts due to the high rent and fierce competition in the area.

It is challenging to remain profitable in such a market, and adding a food truck village will put pressure on our existing business.

I ask you to honor the planning commission's unanimous decision and reject the appeal to have food trucks at 701 Valencia Street. Please protect us from unfair competition. Please support existing small businesses on the Valencia street corridor such as Regalito.

Thank you for your consideration.

Sincerely,



Eduardo Aguayo  
REGALITO ROSTICERIA  
3481 18<sup>TH</sup> Street

May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: File No. 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street

Dear Board of Supervisors,

We are writing to support the Planning Commission's unanimous decision regarding the conditional use proposal at 701 Valencia (the Cherin's Appliances parking lot).

We ask that you also reject the project sponsor's appeal.

As a small business in the Valencia Corridor, we feel that food trucks at 701 Valencia create unfair competition in an area already saturated with eating and drinking options at a variety of price points.

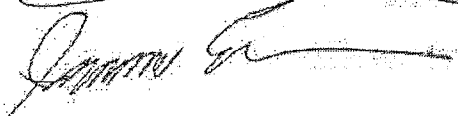
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Thank you for your consideration.

Sincerely,

Name: GONZALEZ ESPINOZA  
Business name:  
Address: EL TORO TAQUERIA  


(El Toro Taqueria)

THE PROPOSAL OF A FOOD TRUCK LOT WILL CAUSE A NEGATIVE IMPACT TO THE RESIDENTIAL AND BUSINESS AREA ON VALENCIA ST.

THE FOOD TRUCK WILL CAUSE AIR QUALITY AND NOISE CONTAMINATION FROM FOOD ODORS OF THEIR COOKING EQUIPMENT TO THE RESIDENTIAL AREA.

THE FOOD TRUCK LOT WILL WORSEN THE PARKING AND TRAFFIC CONDITION TO THE AREA AND WILL DENIMISH PARKING FOR RESIDENTS AND FOR CUSTOMERS OF THE PRESENT BUSINESSES.

FOOD TRUCK LOT WILL CAUSE A NEGATIVE IMPACT TO THE AREA A WHOLE RESIDENTIAL AND BUSINESS.

I OWN 5 BUILDINGS IN THE AREA AND THIS WILL CAUSE A HARMFUL ENVIRONMENT TO MY TENNANTS.

(El Toro  
Taqueria)

page 2 of  
2

May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: File No. 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street

Dear Board of Supervisors,

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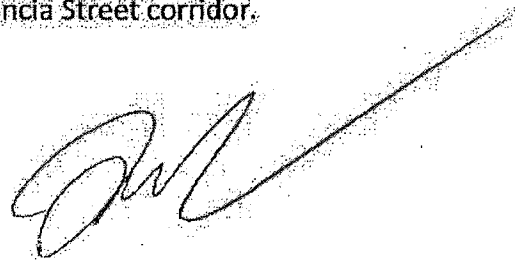
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Thank you for your consideration.

Sincerely,

Name: ALAN PANONVICH



Business name: RAW SUGAR FACTORY

Address:

525 VALENCIA ST

SAN FRANCISCO, CA 94102

May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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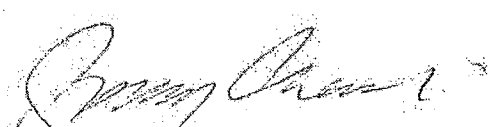
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Thank you for your consideration.

Sincerely,

Name:



Business name:

Address:

Valencia Pizza & Pasta  
801 Valencia

May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name: AIJAZ GHANI

Business name: AL-HAMRA INDIAN RESTAURANT  
Address: 3083 16<sup>th</sup> St. SE 94103

May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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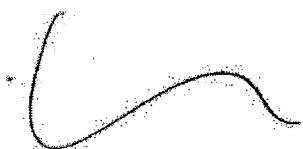
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Thank you for your consideration.

Sincerely,

Name: Eiichi TONozuka

 5/2/18

Business name: We Be Sushi

Address: 538 Valencia St. SF, CA 94110

May 2, 2018.

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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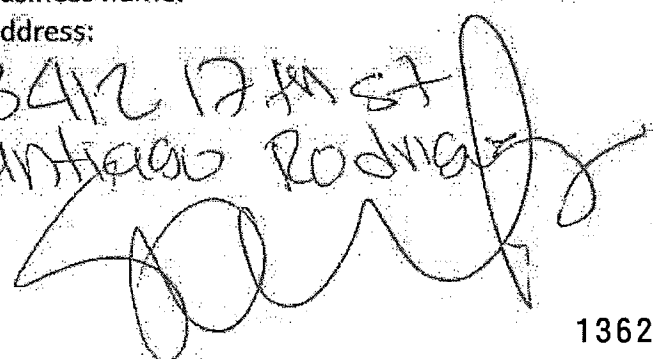
Thank you for your consideration.

Sincerely,

Name:

Business name:

Address:

Fritz (Fritz)  
3412 17th St  
Santiago Rodriguez  




May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name: *J. A. Puffer*

Business name: *Supreme Pizza*

Address: *3348 18th St San Francisco CA 94110*

May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name: Tyler MacNees

Business name: West of Peas

Address: 550 Valencia St.  
SF 94110

May 2, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name: AMPARO VIGIL

Business name: PUERTO ALEGRE  
Address: 546 VALENCIA ST

SF CA 94110

(Puerto Alegre)

May 3, 2018.

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name: *Edward Duran*  
Business name: *Taquias La Cumbre*  
Address: *515 Valencia St.  
San Francisco, CA 94110  
415-863-8205*

u.c.  
May 3, 2018

JG  
Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
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San Francisco, CA 94102

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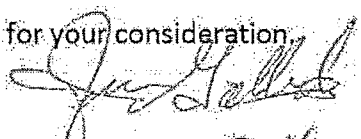
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Thank you for your consideration.

Sincerely,   
Name: Juan Gallardo

Business name: Gallardo's Mexican Restaurant  
Address: 324E 18th St S.F.C. 94110  
415 436 9387

May 3, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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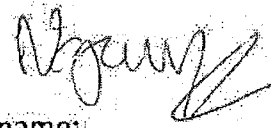
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Sincerely,

Name:

Business name:

Address:

 THANH TAM IS  
577 VALENCIA ST  
SF - CA - 94110

May 3<sup>rd</sup>, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
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1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name:

Business name:

Address:

*Michelle Pacheco*  
*YAMO*  
*3406 18<sup>th</sup> Street*

*San Francisco, CA 94110*

May 1, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name: *JILL DOWNEY*

Business name: *Blondes Bar*

Address: *540 Valencia St*

*CA 94110*



May 6, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Thank you for your consideration.

Sincerely,

Name: *Nidal Nazza*  
Business name: *Burger Joint*  
Address: *807 Valencia St  
S.F. CA 94110*

May 6, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

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Sincerely,

Name: Zuhdi Khalil

Business name: Pay And Save Market  
Address: 599 Guerrero Street S.F. CA 94110

May 6, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: File No. 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street

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Thank you for your consideration.

Sincerely,

Name: JAMES CHOI

Business name: RHEA'S MARKET & DELI

Address: 800 VALENCIA ST. SF CA 94110

May 7, 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: File No. 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street

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Thank you for your consideration.

Sincerely,

Name: Husein Dawah

Business name: Ali Babas Cave

Address: 799 Valencia St  
SF



Mission Neighborhood Centers, Inc.  
Administrative Offices  
362 Capp Street, San Francisco, California 94110  
Phone (415) 206-7747 Fax (415) 647-6911

May 02, 2018

Board of Supervisors  
c/o Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Board of Supervisors,

We are writing in support of the Planning Commission's unanimous decision regarding the conditional use proposal at 701 Valencia St. (at Cherin's Appliances parking lot).

We ask that you also reject the project sponsor's appeal.

As a longstanding non-profit agency in the Mission community who strives to empower and advocate for its low income community, we feel that food trucks at 701 Valencia St. will create an unfair competition in an area already saturated with eating and drinking options.

Adding a food truck village at this location will not only will negatively impact small businesses who are striving to survive in our gentrified community but will also great increase the congestion on the busy Valencia St. and 18<sup>th</sup> Street transit corridor.

We ask you to honor the Planning Commissions' unanimous decision and reject the appeal to have food trucks at 701 Valencia St.

Thank you for considering our request.

Sincerely,

A handwritten signature in black ink that reads "M. Bermudez".

Maria Bermudez

Operations Director



May 3rd, 2018

Board of Supervisors

% Angela Calvillo, Clerk of the Board of Supervisors

Room 244, City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

Re: File No. 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street

Dear Board of Supervisors,

We are writing to support the Planning Commission's unanimous decision regarding the conditional use proposal at 701 Valencia (the Cherin Appliances parking lot).

We ask that you also reject the project sponsor's appeal.

As a longstanding non-profit agency in the Mission community who strives to empower and advocate for its low income community, we feel that food trucks at 701 Valencia St. will create an unfair competition in an area already saturated with eating and drinking options at a variety of price points.

Adding a food truck village at this location will not only negatively impact small businesses who are striving to survive in our gentrified community, but will also greatly increase the congestion on the busy Valencia St. and 18<sup>th</sup> St. transit corridor.

The area surrounding 701 Valencia has several closed storefronts due to the high rents and fierce competition in the area.

We ask you to honor the Planning Commission's unanimous decision and reject the appeal to have food trucks at 701 Valencia Street. Please support existing small businesses on the Valencia Street corridor.

Thank you for your consideration.

Sincerely,

Teresa Mejia

Executive Director

The San Francisco Women's Building

3543 18<sup>th</sup> St. #8

San Francisco, CA 94110

2301 Mission Street, Suite 301, San Francisco, CA 94110  
Tel (415) 282-3334 • Fax (415) 282-3320 • www.medasf.org



May 1, 2018

Supervisor Hillary Ronen  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, Ca 94102-4689

Via E-mail: [hillary.ronen@sfgov.org](mailto:hillary.ronen@sfgov.org)

Dear Supervisor Ronen:

After reviewing the circumstances of the appeal to allow the permitting of a food truck at 701 Valencia St (#2018-003967MIS), we have determined that a project such as this at this location is not in the best interest of the Mission community.

We are sensitive to widespread concerns from long-standing residents and restaurants in the surrounding area who are worried about the impacts of a mobile food-service option being legalized in an already high-traffic, rapidly gentrifying area. We are also sympathetic to the concern regarding the potential advantages and impacts that a mobile food service operation may have over nearby longtime brick and mortar restaurants.

MEDA would like to be clear that we are not opposed to either this food service operation itself, nor the idea of food truck service in general, but we are rather concerned particularly about a food truck becoming permitted at this particular location at this sensitive time.

We respectfully request your assistance in denying the appeal currently pending before the San Francisco Board of Supervisors.

Sincerely,

A handwritten signature in black ink, appearing to read "Norma P. Garcia". The signature is fluid and cursive, written over a light-colored background.

Norma P. Garcia  
Director of Policy & Advocacy  
Mission Economic Development Agency (MEDA)

cc: Amy Beinart, Office of Supervisor Hillary Ronen  
Carolina Morales, Office of Supervisor Hillary Ronen

## PETICION PUBLICA PARA LA JUNTA DE SUPERVISORES DE SAN FRANCISCO

Estimados miembros de la Junta de Supervisores,

Escribimos para expresar nuestro apoyo por la decisión unánime de la Comisión de Planificación de negar el uso condicional de 701 calle Valencia (el aparcamiento de Cheri's) para negocios de comida. Les pedimos que ratifiquen la decisión de la Comisión y rechazen la apelación del patrocinador del proyecto.

Estamos de acuerdo con la Comisión de Planificación porque en nuestro vecindario las opciones para comer y beber a diferentes precios son numerosas. Estas incluyen restaurantes con mesas al aire libre. Si se establece una zona para los camiones de comida, los restaurantes locales sufrirán la presión adicional. Nosotros apreciamos y apoyamos a nuestros vecinos que tienen negocios pequeños, incluyendo a negocios de inmigrantes y Latinos. Por favor protejanlos de la competencia injusta.

Nosotros también opinamos que si llegan varios camiones de comida, el ruido y el tráfico aumentarán. Ya hay mucho tránsito peatonal, actividades a horas muy tarde en la noche y con muchas personas embriagadas. Nosotros trabajamos y tenemos familias, de tal manera que una instalación de comida y bebida al aire libre tendrá un impacto negativo en nuestras vidas. Le suplicamos que tomen en cuenta nuestra calidad de vida.

Les pedimos que respeten la decisión unánime de la Comisión de Planificación y rechazen la apelación para tener camiones de comida en 701 calle Valencia.  
Muchas gracias por su consideración.

Sinceramente,

Vecinos:

Nombre	Dirección:	Fecha
1. Jorge Vargas Fabian	167 Lexington St	04/30/18
2. Carlos A. Buger	195 14 St	4/30/18
3. Diana Caballero	195 14 St	4/30/18
4. Vicente de Almeida	169 Lexington St	4/30/18
5. Gaudelupe Gah	3521-18th Apt 6	4-30-18
6. Javier Hernandez	869 S Van Ness	4-30-18
7. Jose Villamil	326 20th St.	4-30-18
8. Luz M. Zaca	907 Valencia St	5-2-18
9. Victor M.	907 Valencia	5-2-18
10. Rita Vasquez	307 Capp St	5-1-18
11.		



## PETICION PUBLICA PARA LA JUNTA DE SUPERVISORES DE SAN FRANCISCO

Estimados miembros de la Junta de Supervisores,

Escribimos para expresar nuestro apoyo por la decisión unánime de la Comisión de Planificación de negar el uso condicional de 701 calle Valencia (el aparcamiento de Cheri's) para negocios de comida. Les pedimos que ratifiquen la decisión de la Comisión y rechazen la apelación del patrocinador del proyecto.

Estamos de acuerdo con la Comisión de Planificación porque en nuestro vecindario las opciones para comer y beber a diferentes precios son numerosas. Estas incluyen restaurantes con mesas al aire libre. Si se establece una zona para los camiones de comida, los restaurantes locales sufrirán la presión adicional. Nosotros apreciamos y apoyamos a nuestros vecinos que tienen negocios pequeños, incluyendo a negocios de inmigrantes y Latinos. Por favor protéjanlos de la competencia injusta.

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Les pedimos que respeten la decisión unánime de la Comisión de Planificación y rechazen la apelación para tener camiones de comida en 701 calle Valencia.  
Muchas gracias por su consideración.

Sinceramente,

Vecinos:

Nombre	Dirección:	Fecha
1. Jose San Leximeta	94110	15/1/18
2. Erick Reyna	3521 18 <sup>th</sup> st apt 4, SF, CA 94110	05/1/2018
3. Yobany Pradogo Sycamore	Apartamento 309-2	
4. Luisa Varez	3521 18 <sup>th</sup> st apt 1, SF CA 94110	5/1/2018
5. Laura Yunes	3521 18 <sup>th</sup> st apt 1, SF CA 94110	5/1/2018
6. Laura Salcedo	3521 18 <sup>th</sup> st apt 1 st CA 94110	5/1/18
7. Luis Ramirez	3521 18 <sup>th</sup> st apt 1 st CA 94110	5/1/18
8. Sofia Getroy	540 cupert SF. CA. 94110	5-1-18
9. Victor Vazquez	2155 Mission St apt 302 94110	5-1-18
10.		
11.		

**PETICION PUBLICA PARA LA JUNTA DE SUPERVISORES DE SAN FRANCISCO**

Estimados miembros de la Junta de Supervisores,

Escribimos para expresar nuestro apoyo por la decisión unánime de la Comisión de Planificación de negar el uso condicional de 701 calle Valencia (el aparcamiento de Cheri's) para negocios de comida. Les pedimos que ratifiquen la decisión de la Comisión y rechazen la apelación del patrocinador del proyecto.

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Les pedimos que respeten la decisión unánime de la Comisión de Planificación y rechazen la apelación para tener camiones de comida en 701 calle Valencia.  
Muchas gracias por su consideración.

Sinceramente,

Vecinos:

Nombre:	Dirección:	Fecha:
1. Monica R	94110	5-1-18
2. Gabriel R	3521-18 st	5-3-18
3. Erandira J.	3521-18 st 94110	5-3-18
4. Diana B.	3521 18 st. 94110	5-3-18
5. Laura Salcedo	3521-18 st 94110	5-3-18
6. Laura Yanez	3521 18 st 94110	5-3-18
7. Fabiola Perez	3521 18 st 94110	5-3-18
8. Maria Alvarez	3521 18 st 94110	5-3-18
9. Estefany Rosas	94110	5-3-18
10. Marco Jaramillo	3521 18 st 94110	5-4-18
11. Adan J	3521 18 st 94110	5-4-18

## PETICION PUBLICA PARA LA JUNTA DE SUPERVISORES DE SAN FRANCISCO

Estimados miembros de la Junta de Supervisores,

Escribimos para expresar nuestro apoyo por la decisión unánime de la Comisión de Planificación de negar el uso condicional de 701 calle Valencia (el aparcamiento de Cheri's) para negocios de comida. Les pedimos que ratifiquen la decisión de la Comisión y rechacen la apelación del patrocinador del proyecto.

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Les pedimos que respeten la decisión unánime de la Comisión de Planificación y rechacen la apelación para tener camiones de comida en 701 calle Valencia.  
Muchas gracias por su consideración.

Sinceramente,

Vecinos:

Nombre	Dirección:	Fecha
1. Ana Maroz	21 Lexington St	5/3/18
2. Elias Ardon	21 Lexington St	5/3/18
3. Angelica Echeverria	94110	5/3/18
4. Juan Lazo	94134	5/3/18
5. Aurora Mora	9417A	5/3/18
6. Alfredo Echeverria	699 Valencia	5/3/18
7. Diana Ramirez	94110	5/5/18
8. Cornelio Cordero	94110	5/5/18
9. MARIA GIRON	94110	5/5/18
10. ANTONIO DOMINGUEZ LOZA	94110	5/8/18
11. Arrelia Salgado Millan	94110	5-8-18

**PETICION PUBLICA PARA LA JUNTA DE SUPERVISORES DE SAN FRANCISCO**

Estimados miembros de la Junta de Supervisores,

Escribimos para expresar nuestro apoyo por la decisión unánime de la Comisión de Planificación de negar el uso condicional de 701 calle Valencia (el aparcamiento de Chérin's) para negocios de comida. Les pedimos que ratifiquen la decisión de la Comisión y rechacen la apelación del patrocinador del proyecto.

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Les pedimos que respeten la decisión unánime de la Comisión de Planificación y rechacen la apelación para tener camiones de comida en 701 calle Valencia. Muchas gracias por su consideración.

Sinceramente,

Vecinos:

Nombre	Dirección:	Fecha
1. Araceli Pérez	677 VALENCIA Apt #5	5-2-18
2. Cinthya Nieto	94110	5-2-18
3. Gladis Orellana	677 Valencia Apt. #4	5-3-18
4. Angelina del Toro	94110	5-3-18
5. Maria Centeno	94110	5-3-18
6. Yeliza Ozequera	677 Valencia	5-3-18
7. Sergio Serrano	94110	5-3-18
8. Norma Palomo	94110	5/3/18
9. Pablo Ramos	2126 Mission	5/3/18
10. David Trujillo	94110	
11. Rosy Palomares	3479 IP Hist SF CA 94110	5-3-18
	3479 IP Hist SF CA 94110	5-3-18

**PUBLIC PETITION for the BOARD OF SUPERVISORS OF SAN FRANCISCO**

Dear Board of Supervisors,

We are writing to support the Planning Commission's unanimous decision on the conditional use at 701 Valencia/ Cherin's parking lot. We ask that you reject the project sponsor's appeal.

We agree with the Planning Commission because we feel our neighborhood has many good options for eating and drinking including restaurants with outdoor seating. There are many kind of foods available at different price points. Adding a food truck village will put pressure on existing businesses. We value our neighbors who own and run small business, including immigrant and Latino businesses. Please protect these businesses from unfair competition.

We also feel having a food truck village would create noise, congestion, and create opportunities for bad behavior. We feel there is already a lot of foot traffic, noise, and late night activity. We are families and working people and an outdoor eating/ drinking venue will negatively impact our lives. Please also consider residents' quality of life.

We ask you to honor the Planning Commission's unanimous decision and reject the appeal to have a food truck village at 701 Valencia Street. Thank you for your consideration.

Sincerely,

Neighbors:

Name	Address	Date
1. MICHAEL MCCONNELL	3614 18TH ST (FAYES OWNER) 170 ALBION #5	5/3/18
2. Eric Lowanski	494 14th St SF	5/3/18
3. Aileen Hamilton	3490 18th St SF	5/6/18
4. Jose VARGAS	54 OAKWOOD ST, 94110	5/7/18
5. Bob Coester	7445 18th St SF 94110	5/7/18
6. ANNA HAMILTON	3498 18th St 94110	5/7/18
7. DARLINA FOX	3495 18th St 94110	5-8-18
8. JULIE LEADBETTER	716 VALENCIA 94110	5-8-18
9. Lyndsey Hemkins	3-14-18 18th St 94110	5/9/18
10.		

**PETICION PUBLICA PARA LA JUNTA DE SUPERVISORES DE SAN FRANCISCO**

Estimados miembros de la Junta de Supervisores,

Escribimos para expresar nuestro apoyo por la decisión unánime de la Comisión de Planificación de negar el uso condicional de 701 calle Valencia (el aparcamiento de Chérin's) para negocios de comida. Les pedimos que ratifiquen la decisión de la Comisión y rechazen la apelación del patrocinador del proyecto.

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Les pedimos que respeten la decisión unánime de la Comisión de Planificación y rechazen la apelación para tener camiones de comida en 701 calle Valencia.

Muchas gracias por su consideración.

Sinceramente,

Vecinos:

Nombre	Dirección:	Fecha
1. Nelly Garcia	672 Valencia St Apt 43 S. F. CA 94110	5-2-18
2. José Pérez	3521 18th St	5-3-18
3. Johnny Ruiz	1064 South Van Ness	5-3-18
4. Ana Echeverria	94110	5-05-2018
5. José Gamero	60 Mission St	5-7-2018
6. Gracela Ramos	255 Mission St	5-7-18
7. Ana Molva Perez	228 Guerrero St L	5-7-18
8. Claudia Echeverria	677 Valencia Apt. H5	5-7-18
9. Antonio Cruz	94110	5-7-18
10. Eba Ocampo	94110	5-7-18
11. Juliana Gonzalez	22-62 Mission St 94110	5-7-2018

**PUBLIC PETITION for the BOARD OF SUPERVISORS OF SAN FRANCISCO.**

Dear Board of Supervisors,

We are writing to support the Planning Commission's unanimous decision on the conditional use at 701 Valencia/ Cherin's parking lot. We ask that you reject the project sponsor's appeal.

We agree with the Planning Commission because we feel our neighborhood has many good options for eating and drinking including restaurants with outdoor seating. There are many kind of foods available at different price points. Adding a food truck village will put pressure on existing businesses. We value our neighbors who own and run small business, including immigrant and Latino businesses. Please protect these businesses from unfair competition.

We also feel having a food truck village would create noise, congestion, and create opportunities for bad behavior. We feel there is already a lot of foot traffic, noise, and late night activity. We are families and working people and an outdoor eating/ drinking venue will negatively impact our lives. Please also consider residents' quality of life.

We ask you to honor the Planning Commission's unanimous decision and reject the appeal to have a food truck village at 701 Valencia Street. Thank you for your consideration.

Sincerely,

Neighbors:

Name	Address	Date
1. Martina Ramos	78 Farragot Ave SF.	5-5-2018
2. Ana Torres	38 San Carlos st. SF	5/7/18
3. Silvia Venegas	94110	5/7/18
4. Uriel Rexna	94110	5/7/18
5. Enao Cid	94110	5/7/18
6. Lucio Capula	94110	5-8-18
7.		
8.		
9.		
10.		
11.		

**From:** Board of Supervisors, (BOS)  
**To:** BOS Legislation, (BOS)  
**Subject:** FW: 701 Valencia Appeal - area data  
**Date:** Thursday, May 10, 2018 1:27:35 PM  
**Attachments:** 701 Valencia - restaurants 1-2 blocks.pdf

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**From:** Pha Pha (Anna) Hamilton [mailto:ajptdh@gmail.com]  
**Sent:** Thursday, May 10, 2018 7:40 AM  
**To:** Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>  
**Cc:** Julie Leadbetter <julie.leadbetter@me.com>; Dairo Romero <dromero@medasf.org>; Chris Block <chrisblock1961@gmail.com>  
**Subject:** 701 Valencia Appeal - area data

Dear Amy and Board of Supervisors

Please find attached the restaurant/ eating establishment data Supervisor Ronen's office requested at our meeting last week regarding the 701 Valencia Appeal. Due to the over-saturation of eating establishments in the area, we agree with the Planning Commission's decision and Planning Department's recommendation and feel the appeal should be rejected.

Below is also the requested summary of crime data near the site:

**Over a five month period (11/7/17—4/30/18) CrimeMapping.org reported 40 total incidents on the 700 block of Valencia — of which 60% (24) were noise complaints.**

**During that same period, between the times of 6 PM — 6 AM, 82% of incidents reported were noise complaints.**

***Please uphold the Planning Commission's unanimous decision to allow the project sponsor to continue his valet parking business at 701 Valencia, but prohibits any food or restaurant use.*** Please let us know if you need any other information or have further questions.

Thank you for your service and consideration,

Anna Hamilton

3498 18th Street, 94110  
415-652-0772



## Restaurant Data

Related to: File No. 180403: - Appeal of Conditional Use Authorization – 701 Valencia Street

*Please reject this appeal due to the saturation of the restaurants in the area.*

- **1 block from 701 Valencia St. – 20 eating establishments**
- **2 blocks from 701 Valencia St. – an additional 51 eating establishments**
- **Total within 2 blocks – 71 eating establishments**

1387

<b>1 Block</b>	<b>2 Blocks</b>	
<p><i>1 block east/ 1 block west on 18<sup>th</sup> St.</i></p> <ul style="list-style-type: none"> <li>– Regalito</li> <li>– Yamo</li> <li>– Farina Pizzeria (vacant)</li> <li>– Farina (vacant)</li> </ul> <p><b>4</b></p> <p><i>1 block north/ 1 block south on Valencia St.</i></p> <ul style="list-style-type: none"> <li>– Ali Baba</li> <li>– Etcetera Wine Bar</li> <li>– Tacolicious</li> <li>– Vestry (vacant)</li> <li>– Cha-ya</li> <li>– Souvla</li> <li>– Craftsmen &amp; Wolves</li> </ul>	<p><i>2<sup>nd</sup> block east/ 2<sup>nd</sup> block west on 18<sup>th</sup> St. (btwn Capp &amp; Guerrero)</i></p> <ul style="list-style-type: none"> <li>– L’Emigrante</li> <li>– Ken Ken Ramen</li> <li>– Tartine</li> <li>– Delfina Pizzeria</li> <li>– Delfina</li> <li>– Bi-Rite</li> <li>– Dolores Park Care</li> <li>– Namu Gaji</li> <li>– Bi-Rite Creamery</li> <li>– Yuzuki Japanese Eatery</li> </ul> <p><b>10</b></p>	<p><i>2<sup>nd</sup> block east/ 2<sup>nd</sup> block west on 19<sup>th</sup> St</i></p> <ul style="list-style-type: none"> <li>– Valencia Pizza &amp; Pasta</li> <li>– Media Noche</li> <li>– Hog &amp; Rocks (vacant)</li> <li>– Lazy Bear</li> </ul> <p><b>4</b></p> <p><i>2<sup>nd</sup> block north/ 2<sup>nd</sup> block sound on Mission St. (btwn 18<sup>th</sup>/ 19<sup>th</sup>)</i></p> <ul style="list-style-type: none"> <li>– Duc Loi</li> <li>– Commonwealth</li> <li>– Wes Burger</li> <li>– Mission Chinese</li> <li>– Mission Street Oyster Bar</li> <li>– Gracias Madre</li> </ul>

<ul style="list-style-type: none"> <li>- Brasserie St. James (vacant)</li> <li>- Dandelion</li> <li>- Mission Cheese</li> <li>- Farina Pizzeria (vacant)</li> <li>- Luna Park (vacant)</li> <li>- El Buen Sabor</li> <li>- Hawker Fare</li> <li>- Mau</li> <li>- Curry up now</li> </ul>	<p><i>2<sup>nd</sup> block north/ 2<sup>nd</sup> block south on Valencia (btwn 16<sup>th</sup> &amp; 20<sup>th</sup>)</i></p> <ul style="list-style-type: none"> <li>- Valencia Pizza &amp; Pasta</li> <li>- Burger Joint</li> <li>- Phoenix</li> <li>- Café Ethiopia</li> <li>- Beehive</li> <li>- Rhea's Market &amp; Deli</li> <li>- Frjtz</li> <li>- El Toro</li> <li>- Pira Pica (coming soon)</li> <li>- Urchin (vacant)</li> <li>- West of Pecos</li> <li>- Puerto Allegre</li> <li>- We Be Sushi</li> <li>- Limon</li> <li>- Indochine</li> <li>- Sunflower</li> <li>- Arinell's</li> <li>- La Cumbre</li> <li>- Raw Sugar Factory</li> <li>- Nizario's Pizza</li> <li>- Locanda</li> <li>- Thanh Tam II</li> <li>- Little Chihuahua</li> </ul>	<ul style="list-style-type: none"> <li>- Alba Ray's</li> </ul>
16		7
<b>Subtotal: 20</b>		
		<p><i>2<sup>nd</sup> block north/ 2<sup>nd</sup> block south on Mission St. (btwn 17<sup>th</sup> &amp; 18<sup>th</sup>)</i></p> <ul style="list-style-type: none"> <li>- Southpaw</li> <li>- Yucatasia</li> <li>- Indian Palace</li> <li>- Sycamore</li> <li>- La Oaxaquena</li> <li>- L'Emigrante</li> <li>- Tawara</li> </ul>
		7
		<b>Subtotal: 18</b>
	<b>23</b>	
	<b>Subtotal: 33</b>	

**From:** Zhou Xiaofei  
**To:** BOS Legislation, (BOS); Ronen, Hillary; Beinart, Amy (BOS)  
**Cc:** Sheehy, Jeff (BOS); Cohen, Malia (BOS); Kim, Jane (BOS); BreedStaff, (BOS); Tang, Katy (BOS); Peskin, Aaron (BOS); Stefani, Catherine (BOS); Fewer, Sandra (BOS); Breed, London (BOS); Safai, Ahsha (BOS); Yee, Norman (BOS)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Thursday, May 10, 2018 12:13:35 PM

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Dear Board of supervisors,

My name is Xiaofei Zhou. I was born in China and immigrated to United state for over 15 years. I consider San Francisco is my second hometown. I love this city. It is also the reason why I work very hard to try to keep me and my family to stay living in here.

I am working multiple jobs to keep up my income to feed my family. One of my job was driving Uber on the weekend. Couple of my friends who are also the Uber drivers usually meet with me together in the lunch time have a quick food bite and sharing the funs. As we all know there are not that many places where we can all find parkings and foods within the city, until we found a Señor Sisig's food truck on the corner of 18th & Valencia. We can finally park and sit on their outdoor bench for taking a nice quick break.

Unfortunately, The food truck recently disappeared. People told me that it got kicked out in this area because the complains from the 2 neighbor Latino restaurants. The reason of the complain is they felt their business were threatened by the Filipino food truck business. I totally don't agree with what they claimed. As I see, the line in the corner mexican restaurant is always long, but they don't even have enough sitting for their customers. Señor Sisig food truck was there providing more sitting spaces and a good relax place for everybody. Me and my friends can sit on Señor Sisig's bench to share foods from different restaurants, but we can never do the same in it's 2 neighbor mexican restaurants. We saw people were eating mexican burritos on Señor Sisig food truck sitting area. So their claim is not true. The food truck was helping all the businesses around it.

I really feel like how I just heard "the only Filipino food on the entire Valencia corridor being kicked out is anti-San Francisco". I hope you all to take take a closer look and reconsider of the decision was made. We do need a place like this in this community.

Thank you for taking your significant time to hear my voice. I will attend the appeal hearing on the 15th.

Sincerely,

Xiaofei Zhou

**From:** Dino Goossens-Larsen  
**To:** BOS Legislation, (BOS); Ronen, Hillary; Beinart, Amy (BOS)  
**Cc:** Sheehy, Jeff (BOS); Cohen, Malia (BOS); Kim, Jane (BOS); BreedStaff, (BOS); Tang, Katy (BOS); Peskin, Aaron (BOS); Stefani, Catherine (BOS); Fewer, Sandra (BOS); Breed, London (BOS); Safai, Ahsha (BOS); Yee, Norman (BOS)  
**Subject:** 701 Valencia Street  
**Date:** Thursday, May 10, 2018 11:46:24 AM

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Dear Hillary Ronen and members of the Board of Supervisors,

This note is in support of Mr Motzek's proposed food truck establishment in the parking lot at 18th and Valencia streets (701 Valencia Street). I live just around the corner from this location behind the Elbo Room at 85 Sycamore Street and it pains me to see yet another group of individuals feeling disenfranchised by our city government.

I have a few specific concerns with how the Planning Commission has handled this specific instance and decided on a "no food establishment" condition for this location:

1. This decision displaces an existing small business (Senor Sisig) - it's an example of how the Planning Commission doesn't evaluate impact of its decisions on people that aren't of privilege. I realize we all are privileged to call San Francisco our home, but to make it harder for folks that just work for a living is something that doesn't align with my idea of San Francisco values.
2. I was abhorred to hear that Millicent Johnson on the Planning Commission stated that Senor Sisig's food was "kind of burrito-y". That type of culturally insensitive thinking has no place in San Francisco, and especially not as a representative of our city government. I suggest she apologizes and commits to cultural sensitivity training - the Mission's food culture is more diverse than "burritos" and I have many Filipino friends that, like me, are offended by this type of cultural generalization.
3. In addition, I think the Planning Commission is overreaching in its decision-making: I don't think our government should be regulating in an Orwellian way what type of businesses are allowed where based on some unfounded belief of who would be competitively harmful to whom - that's everything but evidence-based decision-making, which is what I would expect from a government institution. It's also rife for misuse by those that have the most connections/resources.
4. As a neighbor I welcome expanded use of the lot and think providing opportunities for small businesses in a community setting is a great use for that space. I think it is a welcome alternative to an empty parking lot, or to another luxury condo conversion with empty retail space at the ground level, which is something we are seeing plenty of already on Valencia Street, and are encouraging more of through decisions by the Planning Department and Planning Commission.
5. Regarding impact of crowds and noise on the neighbors: this is another showing of how out of touch the Planning Commission is with the neighborhoods it makes decisions for. This location has large crowds passing through every evening and all day and night on

weekends - it's in the middle of what makes this part of the Mission such a popular spot for San Franciscans and folks from outside the area, including tourists. Having a lower cost food option here will be a welcome addition. This corner should never be a quiet residential spot, and there's a clear lack of vision behind the Planning Commission's decision-making by catering to that type of thinking. It doesn't align with the Mission Action Plan either.

In general, based on the above, in addition to my own experience with the Planning Commission (regarding the Elbo Room project - another business-displacing decision), I would like us all to really question the role, scope and modus operandi of the Planning Commission. These are unelected officials that are given broad powers of decision-making, with little to no regard for how they impact individuals, especially individuals that do not have the time, resources and privilege to navigate the process that we call San Francisco City Planning. I would like to make the following recommendations for the future mayor of San Francisco and the Board of Supervisors to consider regarding our planning process:

1. Reform the expanding industry that we call the San Francisco Planning Department: we could simplify and streamline/accelerate a lot of decision-making by asking developers to stick to the planning code, and have the city play the role of standing up for regular residents in the process with a clear set of criteria (see caption 3 below). Folks that don't do this for a living are disenfranchised by the current set up, and currently, developers and people with money and/or connections have the upper hand in the absence of objective decision-making criteria. It's rife for cronyism and corruption.
2. Provide equal access to representation for all parties impacted by projects if they do not meet the set of criteria; currently only those that have the time and money know how to navigate their projects to good outcomes, because they can hire folks that represent vested interests and have connections. Currently the legal community in San Francisco is also biased towards the moneyed interests of luxury condo developers.
3. Exceptions should be evaluated based on common sense criteria, instead of the whims of the day of whomever gets parachuted into a Planning Commission seat: direct demonstrable NEW IMPACT on immediate neighbors (instead of whatever privileged folks come up with to cover up their true intent) and alignment with an agreed-to community-sourced vision for the neighborhood should take precedence. For the Mission this would mean slowing down gentrification, building affordable housing only (price per square foot below \$250) until homelessness is solved, supporting low- to middle-income job creation (like food trucks!) within the neighborhood, and preserving what makes the Mission awesome. Priming locations for luxury condo development would not be it.

Based on what the City's planning process' outcomes for the Mission have been so far (gentrification with displacement and resulting homelessness, especially for communities of color), the current city planning system cannot be labeled as anything but a system of oppression, and as a city that is proud of its progressive credentials, we should be reforming or dismantling it ASAP.

In the meanwhile, I hope you help right this decision in support of a project that will enhance rather than diminish the fabric of our neighborhood for the lot at 701 Valencia Street.

All the best

Dino Goossens-Larsen  
408-799-2750

**From:** Patrick Dominguez  
**To:** BreedStaff, (BOS)  
**Cc:** BOS Legislation, (BOS)  
**Subject:** Senor Sisig in the Mission  
**Date:** Thursday, May 10, 2018 11:14:37 AM

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Dear London,

I was alerted to and signed this petition by Senor Sisig: <https://www.change.org/p/san-francisco-board-of-supervisors-save-senor-sisig-in-the-mission-sf>

I would love to know how a recommendation by the Planning Commission to a food vendor turned into a NO FOOD condition on this space. Not only does it run counter to the very business that petitioned for the community lot, they sure seem to have been set up to fail through their recommendation.

What is a community space like this without food? These food truck vendors work hard to maintain up to date permits and records--disallowing this type of operation would be a serious blow to the Mission and has already cost jobs and tax revenue.

I appreciate your consideration and look forward to your response.

Your constituent,  
Patrick Dominguez

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Patrick Dominguez  
[patrick.dominguez@gmail.com](mailto:patrick.dominguez@gmail.com)  
415.370.5436

**From:** Susan Hollister  
**To:** BOS Legislation, (BOS); Ronen, Hillary; Beinart, Amy (BOS)  
**Cc:** Sheehy, Jeff (BOS); Cohen, Malia (BOS); Kim, Jane (BOS); BreedStaff, (BOS); Tang, Katy (BOS); Peskin, Aaron (BOS); Stefani, Catherine (BOS); Fewer, Sandra (BOS); Breed, London (BOS); Safai, Ahsha (BOS); Yee, Norman (BOS)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 10:34:33 PM

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Dear Board of Supervisors,

It has come to my attention that an existing food truck business, Señor Sisig, operating at 701 Valencia, has been asked to cease operation at this location. This has been the causation of losing not only an affordable and family friendly establishment, but also one that enhances the fabric of a culturally diverse neighborhood, which is both disappointing and frustrating.

Expanding on these thoughts, Señor Sisig was the only Filipino cuisine offered in this area of the Mission District. Removing their ability to conduct operations moving forward is counteractive and contractionary to San Francisco's universal ideas on shared cultural spaces, diversity, and inclusion. Also, Señor Sisig, (and the other diverse food trucks operating in SF,) provide alternative spaces for families to locate food at a lower price point, as well as a casual environment that welcomes families.

In addition to the above issues, cease of operation at this location also affects the jobs of those working within Señor Sisig. Support of small business in the service industry, and most importantly their employees has to be a consideration in this decision in a city where so many are already feeling the squeeze.

Thank you for your time,

Susan Hollister



**From:** [Jacqueline Labrador](#)  
**To:** [BOS Legislation, \(BOS\)](#); [Ronen, Hillary](#); [Beinart, Amy \(BOS\)](#)  
**Cc:** [Sheehy, Jeff \(BOS\)](#); [Cohen, Malia \(BOS\)](#); [Kim, Jane \(BOS\)](#); [BreedStaff, \(BOS\)](#); [Tang, Katy \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Breed, London \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 9:15:13 PM

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Dear Hillary and Board of Supervisors,

My name is Jacqueline Labrador, and I am writing to you because I am a San Francisco resident and a supporter of Señor Sisig. I recently found out that after over a year of operating, with not a single complaint, Señor Sisig is no longer allowed to serve food on the corner of 18th and Valencia for reasons that drove me to write to you today:

To hear that Señor Sisig's removal was due to a recent Planning Commission hearing because Filipino food was too similar to the nearby restaurants is confusing and shows a lack of cultural understanding. The diversity and flavor the Mission District is fading and the decisions of the current administration shows disconnection to different cultures and classes of people in this city. Diversity and inclusion are values we should be promoting more than ever, and there is a need to serve everyone in the community, not just people who can afford it. Governments need to work for all people and give opportunities and protections to small businesses like Señor Sisig. Allowing Señor Sisig to stay supports the local community and most importantly provides much needed jobs.

The decision for this truck not to stay on the private lot at 701 Valencia Street appears unwarranted as they were approved through the same process as all other businesses in the area. All restaurants can coexist...because they have, without a single complaint for over a year.

We are currently in a frightening political climate where money and power are taking over the rights of everyday people. San Francisco needs to be an example of upholding strong values and providing opportunities to working class people and minorities. Keep diversity and opportunity alive and please let Señor Sisig stay at 701 Valencia Street.

Thank you for taking the time to read this.

Sincerely,



--  
**Jacqueline Labrador**

RPCV Albania | Communications Technology Consultant

Email: [jacqueline.labrador@gmail.com](mailto:jacqueline.labrador@gmail.com) | Ph: +1 (650) 430 3235

Web: [posteit.co](http://posteit.co) | LinkedIn: [jacquelinelabrador](https://www.linkedin.com/in/jacquelinelabrador)

**From:** [terence ino](#)  
**To:** [Beinart, Amy \(BOS\)](#)  
**Cc:** [BOS Legislation, \(BOS\)](#)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 8:29:35 PM

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Dear council members,

Senior sigsig has been a great addition to valencia street, being that it is the only Filipino cuisine on Valencia. They hire kind employees, with a deep intention to put smiles on people's faces. They deserve the same chance as any other business and should be allowed to stay. Please show true San franciscan kindness and allow them to stay, thank you.

**From:** Wayne Walker  
**To:** BOS Legislation, (BOS); Ronen, Hillary; Beinart, Amy (BOS)  
**Cc:** Sheehy, Jeff (BOS); Cohen, Malia (BOS); Kim, Jane (BOS); BreedStaff, (BOS); Tang, Katy (BOS); Peskin, Aaron (BOS); Stefani, Catherine (BOS); Fewer, Sandra (BOS); Breed, London (BOS); Safai, Ahsha (BOS); Yee, Norman (BOS)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 7:33:57 PM

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Dear Board of Supervisors,

My name is Wayne Walker, a 4th generation native San Franciscan. I previously sent a letter of support to the SF Planning Commission for the proposed project at 701 Valencia Street. The proposed re-purposing of a private parking lot into a community gathering space with local food merchants for all to enjoy seemed like a positive asset for the community. But I was disheartened to hear that the Planning Commission did not approve the project at the March 15th Planning Meeting.

It has since come to my attention that not only was the proposed project not approved, but an existing local food truck merchant, Senor Sisig, who had been operating in the lot on the weekends with no known issues for over a year, was also barred from operating at 701 Valencia Street by the Planning Commission as of the March 15th meeting. I have read articles where various members of the Planning Commission were reported to have not presented proof of past issues expressed from either the city or surrounding community with the operations at 701 Valencia, but rather concerns about the type of cuisine Senor Sisig offers and how it is not appropriate for the community. Hearing this is both sickening and appalling. This type of discrimination should not be tolerated, especially in the City of San Francisco.

I do not see the logic in this decision the Planning Commission made on March 15th to bar Senor Sisig from operating at 701 Valencia Street and hope this decision can be reversed.

Thank you for your consideration,

Wayne Walker  
[waynewalkersf@gmail.com](mailto:waynewalkersf@gmail.com)

**From:** [Patrick Beaudouin](#)  
**To:** [BOS Legislation, \(BOS\)](#); [Ronen, Hillary](#); [Beinart, Amy \(BOS\)](#)  
**Cc:** [Sheehy, Jeff \(BOS\)](#); [Cohen, Malia \(BOS\)](#); [Kim, Jane \(BOS\)](#); [BreedStaff, \(BOS\)](#); [Tang, Katy \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Breed, London \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 7:13:27 PM

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To whom it may concern,

I am writing to express my full support for the Señor Sisig food truck to operate in the Mission District at the 701 Valencia Street lot.

As a Bay Area native, freelance photographer and former student at SFSU, I was disappointed to hear about the planning commission's decision to prevent Señor Sisig from operating in the 701 Valencia St. lot. I was lucky to enjoy Señor Sisig at 701 Valencia St. on a few different occasions. Every time it was immediately clear that Señor Sisig offered a unique food experience that complimented the surrounding diversity, vibrancy and culture of the Mission District. It was also clear how lively and communal the space had become; families, couples, friends, people of all kinds interacting and enjoying themselves. That is the type of thing San Francisco needs, now more than ever.

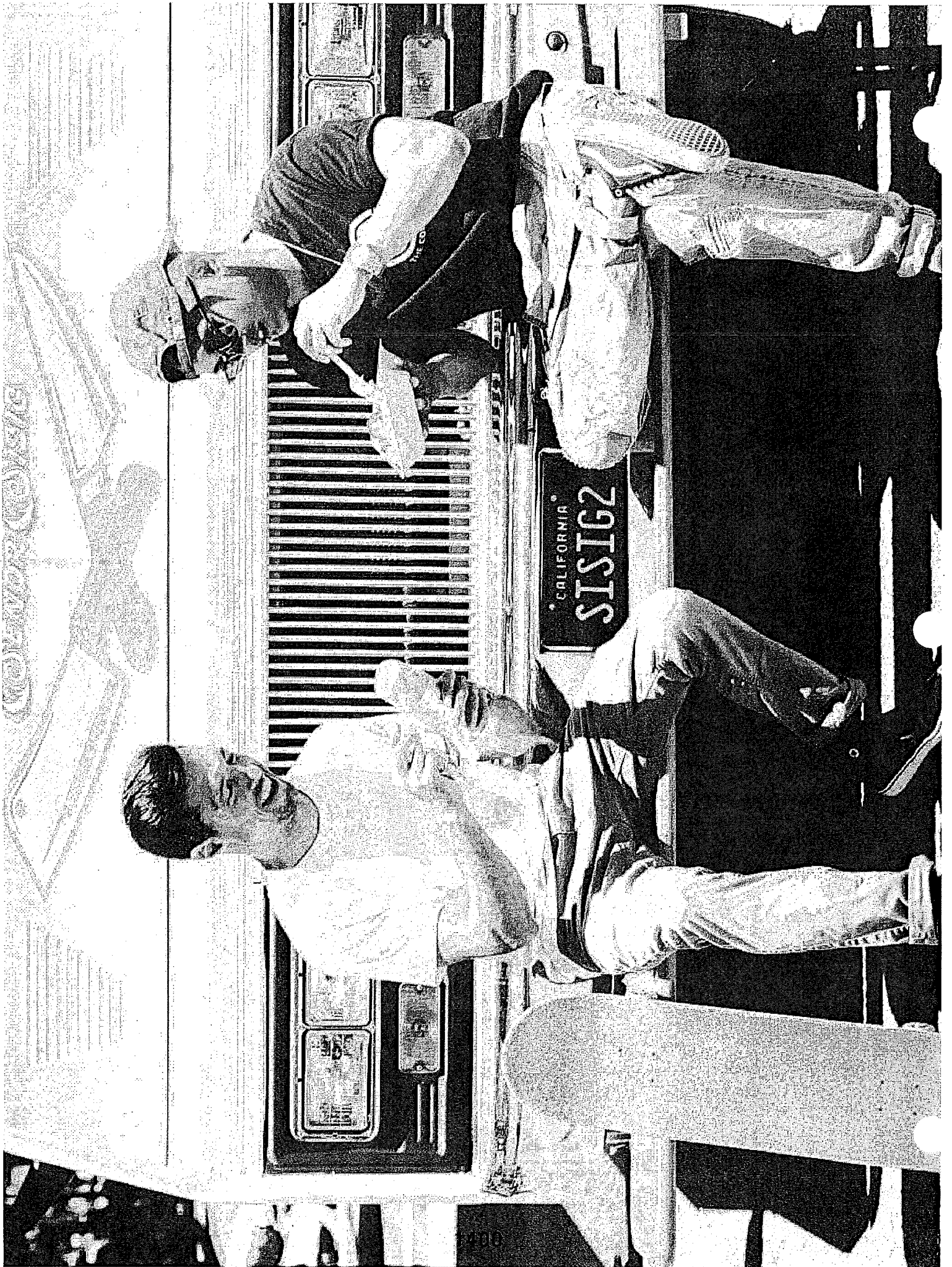
Coincidentally, as a freelance photographer I have had the **opportunity** to work with both Evan from Señor Sisig and Ryen from Pristine Parking on various projects. I can attest that they both have a great deal of pride as well as a deep care for the community of the Mission District. I've attached a few of the images I took in the Mission while working with Evan. While taking these pictures it was incredible to note how well received Señor Sisig was by every single person we interacted with.

I hope the board of supervisors approves the operation of Señor Sisig at 701 Valencia St. for it would be a huge loss to the Mission District if they were not allowed to operate.

Thank you.

--  
Patrick Beaudouin













**From:** Cody Thompson  
**To:** BOS Legislation, (BOS); Ronen, Hillary; Beinart, Amy (BOS)  
**Cc:** Sheehy, Jeff (BOS); Cohen, Malia (BOS); Kim, Jane (BOS); BreedStaff, (BOS); Tang, Katy (BOS); Peskin, Aaron (BOS); Stefani, Catherine (BOS); Fewer, Sandra (BOS); Breed, London (BOS); Safai, Ahsha (BOS); Yee, Norman (BOS)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 5:28:47 PM

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To Whom it may concern,

I am a member of the Mission community. Living and working in SF Senor sisig is the only Filipino truck that has the proper variety of options that I require.

We are hoping that you will appeal the NO FOOD rule on the lot on 701 Valencia as for the employees to keep their jobs and we can keep having the quality food they provide!

The famous chef Anthony Bourdain even is a fan! This is the only decent Filipino spot and I hope you see the positive potential in allowing them to stay where they were.

Thank you.

Best  
Cody

**From:** [Mike Manidis](#)  
**To:** [BOS Legislation, \(BOS\)](#); [Ronen, Hillary](#); [Beinart, Amy \(BOS\)](#)  
**Cc:** [Sheehy, Jeff \(BOS\)](#); [Cohen, Malia \(BOS\)](#); [Kim, Jane \(BOS\)](#); [BreedStaff, \(BOS\)](#); [Tang, Katy \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Breed, London \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 4:42:39 PM

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To whom it may concern,

I've been a resident of San Francisco since 2003 and have lived in the Mission District since 2006. I'm very disappointed to learn that my absolute favorite food truck, Señor Sisig, along with a few others have been booted from the parking lot at 18th and Valencia.

How in the world is it inline with the values of preserving the Mission to kick out a food truck owned by an SF born-and-raised Asian American such as Evan, the owner of Señor Sisig? The city has changed a whole lot in the 15 years I've been here, and it hasn't gotten easier for a middle-class small business owner that rents his apartment like myself. I love the idea of keeping the Mission local and limiting chain restaurants and large corporations from taking over any more than they have. This decision is the opposite of that. It's hurting a very popular independent restaurant that has been an attraction to the Mission District for the past few years.

I'm voicing my hope to let those food trucks remain. I have not found a restaurant with a Philippine influenced menu like theirs anywhere in the Mission and I crave the meals that I used to get from there nearly every weekend.

Thank you for your consideration.  
Mike Manidis

**From:** Julie Leadbetter  
**To:** BOS Legislation, (BOS)  
**Subject:** Fwd: 701 Valencia Appeal  
**Date:** Wednesday, May 09, 2018 1:40:15 PM

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Please accept my letter as part of the packet for 701 Valencia. I sent it this morning to an alternate bos address

Sent from my iPhone

Begin forwarded message:

**From:** Julie Leadbetter <[julie.leadbetter@me.com](mailto:julie.leadbetter@me.com)>  
**Date:** May 9, 2018 at 10:22:16 AM PDT  
**To:** [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org), [ajptdh@gmail.com](mailto:ajptdh@gmail.com),  
[amy.beinart@sfgov.org](mailto:amy.beinart@sfgov.org), [ericaharris79@gmail.com](mailto:ericaharris79@gmail.com), Colleen Greene  
<[cmgreene10@gmail.com](mailto:cmgreene10@gmail.com)>, [chrisblock1961@gmail.com](mailto:chrisblock1961@gmail.com), [dromero@medasf.org](mailto:dromero@medasf.org),  
[mgl894@aol.com](mailto:mgl894@aol.com)  
**Subject:** 701 Valencia Appeal

Dear Board of Supervisors,

I'm an adjacent neighbor of the proposed commercial parking lot and food truck village/beer garden at 701 Valencia. I've rented my apartment directly across the street for 20 years.

I support the Planning Commissions decision to allow the commercial parking operation and to restrict any food or restaurant use on this site. Please uphold the Commission's decision on this matter.

Project sponsor, Ryen Mostek and site owner Cherins refrigerators, operated both parking and food trucks without the proper permits for many years now. As neighbors, the impact of noise from the music and generators and outdoor crowds was very difficult. Despite many attempts to reach out to Cherins, they have never once responded to a concern or complaint directly. This contrasts greatly with other businesses and restaurants on this very busy block who have gone to appropriate lengths to mitigate the impact on neighbors and always be responsive.

As a residential neighbor those are my concerns, however what the Planning Commission determined and the Planning Department in the end supported, is the most important issue at hand: the food trucks are unfair to the existing brick and mortar, and in some cases legacy small businesses who are competing in a saturated food/restaurant environment are being further threatened by the food trucks. And this project, in that context, is neither necessary nor desirable for this already very very busy and competitive corner of the city. One restaurant reported that on the most recent Sunday Streets, his business dropped 40% when the Ryen Mostek set up three food trucks in the adjacent lot.

Please support the Planning Commissions Decision to allow the project sponsor to continue with his valet parking business and to restrict the lot from food or restaurant use.

Sincerely,  
Julie Leadbetter

716 Valencia Street  
Sent from my iPhone

**From:** Justin Albert  
**To:** BOS Legislation, (BOS)  
**Subject:** Community Project  
**Date:** Wednesday, May 09, 2018 11:27:26 AM

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Dear Hillary and Board of Supervisors,

My name is Justin Albert, I live and work in the Mission district. I am a very rare breed of independent artists that have been hanging on to be able to afford living in a rapidly gentrified and unaffordable neighborhood. What gives me hope are the fighters of change to prevent culture and soul being stripped based off of greed and other motives. One example is the community project at 701 Valencia, one that I have been following closely and have patronized regularly. For over a year, one of my favorite food trucks, that happens to serve Filipino food has been operating with love and support on Valencia street. Seeing working class Filipinos still find a way to persevere and seeing a project that will give back to the community during a time when big money seems to have the only chance of success is utterly inspiring. When I found out that the community space was voted down unanimously and that Señor Sisig was immediately removed I felt disgusted to the core. What hope is left for small business? What hope is left for the Filipino community in the Mission? And how can anyone try to state that Filipino food is competing with a Taqueria? Planning commissioner Milicent Johnson stating that Señor Sisig is "It's kind of burrito-y" is i non-sensical. Sisig is a traditional Filipino dish and flavor far different than Mexican food, regardless of it being in a bowl, wrap or sandwich.

As Anthony Bourdain stated about Sisig:

*"A lot of traditional Filipino food has sour and bitter notes, which are very unfamiliar to American palates of a few years ago," Bourdain recently told CNN. "American palates have changed drastically. I think there's a really bright future."*

It's time to take a good look at the motives behind the opposition and realize that this is not about a Latino owned business being threatened. If anything, El Buen Sabor would benefit from this project. Read the two Hoodline articles about before and after the planning commission hearing and you'll see that there's some wicked manipulation going on, it's quite obvious. This project will bring support to the smaller food establishments and will drive a little wedge into the flywheel of chain restaurants and high end offerings that do nothing to serve the working class community in the Mission District.

There's still hope, I hope you all will do the right thing here and take a close look at how we can embrace small business, new and old. Whether it be a food truck, a container, or a hole in the wall, the opportunity should not be unfairly discriminated against based off of false assumptions. Surely Filipino and Mexican food can coexist. Diversity is the core of the Mission District.

Thank you for taking the time to listen, I hope to attend the appeal hearing on the 15th.

Sincerely,

Justin Albert

**From:** [travis@travisjensensf.com](mailto:travis@travisjensensf.com) on behalf of [Travis Jensen](#)  
**To:** [BOS Legislation, \(BOS\)](#); [Ronen, Hillary](#); [Beinart, Amy \(BOS\)](#)  
**Cc:** [Sheehy, Jeff \(BOS\)](#); [Cohen, Malia \(BOS\)](#); [Kim, Jane \(BOS\)](#); [BreedStaff, \(BOS\)](#); [Tang, Katy \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Breed, London \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Subject:** 701 Valencia Street Appeal (File Number: 180403)  
**Date:** Wednesday, May 09, 2018 8:32:50 AM

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Dear Supervisor Ronen and other members of the Board of Supervisors:

I'm writing this letter in full support of the appeal of the No Food condition at 701 Valencia Street that caused the unjust eviction of Senor Sisig.

This is especially saddening and troubling for me as both Ryen Motzek and Evan Kidera (owner of Senor Sisig) are San Francisco Bay Area Natives and have been operating in the space without any complaints for over a year. Yet, now all of a sudden the food truck, a small local business, operated by two locals is facing an eviction for no good reason at all? And the prospect of working with non-profits such as La Cocina is squashed?

Meanwhile, the Mission District is being flooded with new fancy restaurants, hipster cafes, chain-boutiques, and hi-res condos, many of which are operated by people and corporations based outside of The City.

Doesn't Hayes Valley have an outdoor eating a drinking establishment? What about Mission Bay or SOMA? But when two hardworking guys play by the rules and do something that is clearly catered to a fading, working class demographic in The Mission District, they get penalized in the worst way? This just does not make any sense to me, and honestly makes me question the ethics behind the recent extremely harsh decision of the Planning Department to add a No Food condition to the otherwise vacant space at 701 Valencia.

As someone that's been a victim of "gentrification" not once but twice over the last 20 years -- the first time as a single young man at the age of 20, the second time in my late 30s, married with 2 kids -- it's heartbreaking to see the same scenario happening over and over again to hardworking folks like Ryen and Evan, who have contributed significantly to the community.

For the sake of San Francisco, when is this ever going to stop? I should also let you know that I've been paying attention closely to the word on the street and people are not happy with how this situation is being handled. It's backwards beyond belief, and I truly hope you can see through the phoniness of whomever was able to manipulate the Planning Department to come to their erroneous decision.

Like thousands of others in San Francisco and beyond, I'll be paying close attention and waiting anxiously for the outcome of the appeal and am



hoping the Board of Supervisors sees that evicting Senor Sisig from its current location (a vacant parking lot) will be a HUGE letdown for the community of San Francisco.

Thank you for taking the time to read my letter.

Kind Regards,

Travis Jensen - Photographer

--

[www.travisjensenphoto.com](http://www.travisjensenphoto.com)

1505-11

May , 2018

Board of Supervisors  
% Angela Calvillo, Clerk of the Board of Supervisors  
Room 244, City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Re: File No. 180403: Hearing - Appeal of Conditional Use Authorization – 701 Valencia Street

Dear Board of Supervisors,

We are writing to support the Planning Commission's unanimous decision regarding the conditional use proposal at 701 Valencia (the Cherin's Appliances parking lot).

We ask that you also reject the project sponsor's appeal.

As a small business in the Valencia Corridor, we feel that food trucks at 701 Valencia create unfair competition in an area already saturated with eating and drinking options at a variety of price points.

As a brick-and-mortar business, we pay numerous fees, taxes, as well as high rent. A food truck can move its business — we cannot. The area surrounding 701 Valencia has several closed storefronts due to the high rents and fierce competition in the area.

It is challenging to remain profitable in such a market, and adding a food truck village will put pressure on our existing businesses. We believe occupation of commercial space should be encouraged. We are not opposed to new business, but we agree with the Planning Commission and feel this proposal is not appropriate for 18<sup>th</sup> and Valencia Streets.

We ask you to honor the Planning Commission's unanimous decision and reject the appeal to have food trucks at 701 Valencia Street. Please protect us from unfair competition. Please support existing small businesses on the Valencia Street corridor.

Thank you for your consideration.

Sincerely,

Name:

AMADEO GONZALEZ

Business name:

BALOMPIE CAFE

Address:

3349 18th St. S.F. CA. 94110

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2018 MAY -8 PM 3:12  
12

**From:** Erik Krogen  
**To:** Ronen, Hillary; Beinart, Amy (BOS)  
**Cc:** Sheehy, Jeff (BOS); Cohen, Malia (BOS); Kim, Jane (BOS); BreedStaff, (BOS); Tang, Katy (BOS); Peskin, Aaron (BOS); Stefani, Catherine (BOS); Fewer, Sandra (BOS); Breed, London (BOS); Safai, Ahsha (BOS); Yee, Norman (BOS); BOS Legislation, (BOS)  
**Subject:** 701 Valencia Development Project  
**Date:** Tuesday, May 08, 2018 9:17:59 PM

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Hillary, Amy, & The Board -

I am writing to you in regards to the proposed development project on 701 Valencia Street, currently under appeal by Ryen Motzek. As a resident living on Lapidge St., just around the corner from the proposed development site, I have a vested interest in the utilization of this space.

I have long been baffled by the lack of development on this corner, being such prime real estate on an otherwise beautiful street. The parking lot as-is is rather unsightly, and I was very pleased to see it being utilized to house the Señor Sisig food truck. I was very excited to see the brochure Ryen left for me about his proposed project to beautify the space. I believe that his effort to make it a more comfortable space, and to bring it local art, reflects well on our neighborhood. The corner has a huge amount of foot traffic that would be well served by an improved and unique space.

I would also like to note that during the time that Señor Sisig occupied the space, it did not seem that El Buen Sabor's business suffered at all, which I know is a concern for the proposed development - they still had long lines throughout meal times, as far as I could tell. Señor Sisig creates Filipino fusion food, which stands out from the Mexican fare available currently along the Valencia corridor while still blending well with the local culture. It is a business run by Bay Area natives and is a very San Franciscan experience that I would love to welcome into our neighborhood.

Thank you for your consideration,  
Erik Krogen  
626-203-1479

**From:** Comcast  
**To:** BOS Legislation, (BOS)  
**Subject:** File No. 180401 701 Valencia St. Community Space Appeal  
**Date:** Tuesday, May 08, 2018 8:41:28 PM

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>

>

>> Dear Board of Supervisors,

>>

>>

>>

>> My name is Brian Milan, I am a Bay Area born and raised member of the  
>> Filipino community. I am a former volunteer member of the South San  
>> Francisco Fire Department and now work as an EKG technician for a private  
>> healthcare provider in San Francisco. Before that I worked in the Mission  
>> district for several years. While working in the Mission district I watched  
>> areas like Valencia street turn from a family owned business corridor to a  
>> high-end, venture backed land of opportunity for the few that have access to  
>> the type of money it takes to do several hundred thousand dollar+ build  
>> outs. These businesses cater to wealthy tech workers and bridge and tunnel  
>> types, they do not serve the local community that paved the way in the  
>> Mission district.

>>

>>

>> But with all of that change, it was nice to see that a new project was in  
>> the works at 701 Valencia. To be honest, I don't know how it was possible  
>> that Señor Sisig could afford to be on one of the best corners in San  
>> Francisco, but what I do know is that it was a positive shift from the  
>> overwhelming shift of rapid gentrification. It was also nice to see Filipino  
>> food being represented in the area, something that does not exist and  
>> something that is clearly a healthy, and also an added variety, addition to  
>> the Mission District vibrancy.

>>

>>

>> Through a Hoodline article, I recently learned that the project at 701  
>> Valencia was shut down even though there was full recommendation for  
>> approval by the planning department and that decision resulted in the  
>> immediate removal of Señor Sisig based off of the meritless notion that it  
>> was a threat to nearby Latino ran businesses. I also learned that the  
>> project sponsor has decided to appeal this discriminatory decision and I  
>> fully support that move.

>>

>>

>> Being a frequent buyer of Señor Sisig, I do not recall of witnessing a  
>> negative result to the community and it's not Mexican food so the fact that  
>> a taqueria claims to feel threatened is a stretch. My observation was at the  
>> time that Señor Sisig was there prior to the business being removed; the  
>> Mission community accepted them as any diverse local business should have  
>> been accepted. But with immediate removal of the food truck, I think therein  
>> lies the issue. With not just a loss to business income for a local food  
>> truck, but to a loss of jobs in the process. With this project at 701  
>> Valencia, I think it would create more jobs, more opportunity, and also  
>> bring the community a little closer together.

>>

>>

>> In the current climate of blatant disregard for working class  
>> minorities/Latinos, it sickens me to my stomach that such a positive  
>> movement that clearly benefitted the community was crushed based off of  
>> ignorance and lack of consideration. Anyone using a small Latino business as  
>> a political pawn to hurt a small Filipino ran business is shameful. This  
>> wrong needs to be righted and I encourage you all to take a close look at  
>> how awful and careless the planning commission's decision was.

>>  
>>

>> Community spaces like the proposed project have been proven positive for  
>> communities throughout the country; surely the Mission district deserves one  
>> as well.

>>  
>>

>> Thank you for taking the time to read this.

>>  
>>

>> Sincerely,  
>> Brian Milan

**From:** Board of Supervisors, (BOS)  
**To:** BOS Legislation, (BOS)  
**Subject:** FW: Support for 701 Valencia St. Appeal  
**Date:** Monday, May 07, 2018 12:55:03 PM  
**Attachments:** 701 Valencia Street Ryen Support Letter 050718 - Copy.pdf

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**From:** Philip Lesser [mailto:phnsan@msn.com]

**Sent:** Monday, May 07, 2018 12:50 PM

**To:** Ronen, Hillary <hillary.ronen@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Sheehy, Jeff (BOS) <jeff.sheehy@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; BreedStaff, (BOS) <breedstaff@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>

**Cc:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Ryen Motzek <ryen@pristineparking.com>

**Subject:** Support for 701 Valencia St. Appeal

May 7, 2018

Board of Supervisors  
City & County of San Francisco  
City Hall  
1 Dr. Goodlett Place, Room 244  
San Francisco CA 94102-4689

Re: Endorsement of Appeal of Restaurant and Limited Restaurant Use Prohibition at 701 Valencia Street (APN Block No. 3589, Lot Nos. 098 and 099) **File No. 180403**

Honorable Supervisors,

The Mission Merchants Association wishes to go on public record as being fully supportive of the appeal to overturn the condition of approval placed by the S.F. Planning Commission on the undeveloped lot situated on the southeastern corner of 18<sup>th</sup> and Valencia Streets.

That COA (#8; Motion No. 20139; March 15, 2018) states:

“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.”

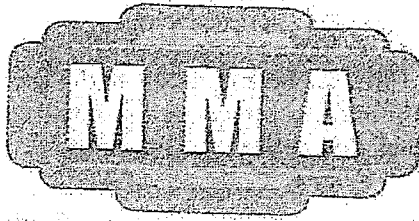
This undeveloped corner lot is an eyesore on one of San Francisco’s most vibrant neighborhood-commercial corridors, Valencia Street.

The ability to have mobile food facilities in the evening –when it is not being utilized as accessory parking by Cherin’s Appliance store-is in our opinion a great way to activate this prime, grossly underutilized location.

Indeed the appellant, Mr. Ryen Motzek, has already proven this to be the case by having successfully operated under temporary use permits three mobile food facilities in the last two years on this location without any complaints known to us.

Respectfully submitted,

Philip Lesser  
President  
Mission Merchants Association



May 7, 2018

Mission Merchants Association

Board of Supervisors  
City & County of San Francisco  
City Hall  
1 Dr. Goodlett Place, Room 244  
San Francisco CA 94102-4689

Re: Endorsement of Appeal of Restaurant and Limited Restaurant Use Prohibition at 701 Valencia Street (APN Block No. 3589, Lot Nos. 098 and 099) File No. 180403

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The ability to have mobile food facilities in the evening –when it is not being utilized as accessory parking by Cherin’s Appliance store–is in our opinion a great way to activate this prime, grossly underutilized location.

Indeed the appellant, Mr. Ryen Motzek, has already proven this to be the case by having successfully operated under temporary use permits three mobile food facilities in the last two years on this location without any complaints known to us.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Philip Lesser', written over a white background.

Philip Lesser  
President  
Mission Merchants Association



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: File 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street  
**Date:** Monday, May 07, 2018 8:11:02 AM

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**From:** Bruce [mailto:bruce2010@yahoo.com]  
**Sent:** Sunday, May 06, 2018 4:13 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** File 180403: Hearing - Appeal of Conditional Use Authorization - 701 Valencia Street

Dear Board of Supervisors,

I support the Planning Commission's decision to deny a permit allowing food trucks and possible alcohol sales at 701 Valencia Street.

I live one block from this location and agree with my fellow neighbors' concerns about noise. The hardscape in this neighborhood amplifies noise, and while visitors to Valencia Street can come, party, then move on, the residents do not have the option of leaving until things settle down. In my home, I can readily hear noise from a block away when my windows are open.

And, there are already enough food options with our many restaurants, which are at all price points. We do not need to add a food truck element. Food trucks are transitory, and will not add to the ongoing health of neighborhood retail. If we need more food options, these should go to businessmen who make a year long, all day commitment to the neighborhood.

And, I have a concern that, try as the applicant might, the location will result in more trash. This section of Valencia Street is breezy, and napkins, paper products and cups will end up on the sidewalks adjacent to the parking lot.

Thank you for your consideration,  
Bruce Westland

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors; BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Project at 701 Valencia Street, SFCA 94133 - File #180403  
**Date:** Monday, April 23, 2018 12:11:37 PM

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**From:** Hamilton-Hemmeter [mailto:[hamhem@comcast.net](mailto:hamhem@comcast.net)]  
**Sent:** Monday, April 23, 2018 8:58 AM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Cc:** hamhem Hamhem <[hamhem@comcast.net](mailto:hamhem@comcast.net)>  
**Subject:** Project at 701 Valencia Street, SFCA 94133 - File #180403

Dear Supervisors,

I am writing to express my opposition to the certification of a Conditional Use Authorization (Planning Code, Sections 305 and 762) for the project being proposed for 701 Valencia Street.

In March the City's Planning Commission approved the use of the site for parking, but **not for food or alcohol service**. The entrepreneur renting the lot from Cherin's Appliance is appealing this ruling.

I own the building across the street at 3490-98 18th Street, and two family members live there in addition to three tenants. The commercial space has been rented to the same family for over 20 years and is a Taqueria that keeps the spirit and flavor of the Mission District.

The new uses proposed by the entrepreneur are essentially to create a beer and wine garden with late hours. I really believe this would cause **more noise and more disturbances** in a neighborhood already well served by eating and drinking establishments. The fact that this would be an open air venue makes it less easy for noise or crowd control.

This sort of venture would do better in a less dense residential area.

The only changes that would make me approve of the project are 1) that **no alcohol**

**could be served after 3 p.m. and that 2) closing time would be 8 p.m.**

Thank you for listening to my opinions. I hope to attend the hearing on 5/15.18.

Sincerely,

Amanda M. Hamilton

**From:** BOS Legislation, (BOS)  
**To:** [tom@lalannelaw.com](mailto:tom@lalannelaw.com); Ryen Motzek  
**Cc:** GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Starr, Aaron (CPC); Rodgers, AnMarie (CPC); Sider, Dan (CPC); Jardines, Esmeralda (CPC); Ionin, Jonas (CPC); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS)  
**Subject:** HEARING NOTICE: Appeal of Conditional Use Authorization - 701 Valencia Street  
**Date:** Friday, May 04, 2018 10:33:14 AM  
**Attachments:** image001.png

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Good morning,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **May 15, 2018, at 3:00 p.m.**, to hear an appeal of the Conditional Use Authorization for the proposed project at 701 Valencia Street.

**Please find the following link to the hearing notice for the matter.**

[Hearing Notice - May 4, 2018](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180403](#)

Regards,

**Brent Jalipa**

**Legislative Clerk**

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

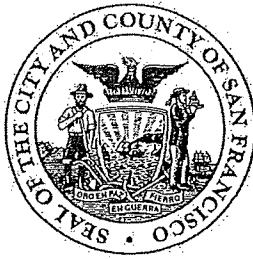
[brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

**Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** Tuesday, May 15, 2018

**Time:** 3:00 p.m.

**Location:** Legislative Chamber, City Hall, Room 250  
1 Dr. Carlton B. Goodlett, Place, San Francisco, CA 94102

**Subject:** File No. 180403. Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization, pursuant to Planning Code, Sections 303 and 762, for a proposed project located at 701 Valencia Street, Assessor's Parcel Block No. 3589, Lot Nos. 098 and 099, identified in Case No. 2017-004489CUA, issued by the Planning Commission by Motion No. 20139, dated March 15, 2018, to legalize a temporary conversion of an accessory parking lot to a commercial parking lot, with added conditions prohibiting restaurant and limited restaurant use, within a Valencia Street Neighborhood Commercial Transit Zoning District and a 55-X Height and Bulk District. (District 9) (Appellant: Thomas J. LaLanne, on behalf of Ryen Motzek) (Filed April 15, 2018)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, May 11, 2018.

  
for Angela Calvillo  
Clerk of the Board

1423

DATED/MAILED/POSTED: May 4, 2018

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

**PROOF OF MAILING**

Legislative File No. 180403

Description of Items: Hearing - Appeal of Conditional Use Authorization - Proposed Project at 701 Valencia Street - 228 Notices Mailed


I, Brent Jalipa, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: May 4, 2018

Time: 10:10 a.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

April 20, 2018

**File Nos. 180403-180406**

**Planning Case No. 2017-004489CUA**

Received from the Board of Supervisors Clerk's Office one check, in the amount of Five Hundred Ninety Seven Dollars (\$597) representing the filing fee paid by Pristine Parking, Inc, on behalf of Ryen Motzek, for the appeal of Conditional Use Authorization for the proposed project at 701 Valencia Street.

**Planning Department**

**By:**

*Tony*

\_\_\_\_\_  
Print Name

*[Signature]* 4/24/18  
\_\_\_\_\_  
Signature and Date

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** [tom@lalannelaw.com](mailto:tom@lalannelaw.com); [motzektryen@gmail.com](mailto:motzektryen@gmail.com)  
**Cc:** [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Jardines, Esmeralda \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** Appeal of Conditional Use Authorization - 701 Valencia Street  
**Date:** Thursday, April 19, 2018 4:31:25 PM  
**Attachments:** [image001.png](#)

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Dear Mr. LaLanne,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **May 15, 2018, at 3:00 p.m.** Please find linked below a letter of appeal filed regarding the proposed project at 701 Valencia Street, as well as direct links to the City Surveyor's determination of the sufficiency of the filing signatures for the appeal, and an informational letter from the Clerk of the Board.

[Conditional Use Authorization Appeal Letter - April 16, 2018](#)

[Public Works Memo - April 18, 2018](#)

[Clerk of the Board Letter - April 19, 2018](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180403](#)

Regards,

**Brent Jalipa**

**Legislative Clerk**

Board of Supervisors - Clerk's Office  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-7712 | Fax: (415) 554-5163  
[brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

**Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.



BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

April 19, 2018

Thomas J. LaLanne  
Law Offices of Thomas J. LaLanne  
400 Harbor Drive  
Sausalito, CA 94965

**Subject: File No. 180403 - Appeal of Conditional Use Authorization -  
701 Valencia Street**

Dear Mr. LaLanne,

The appeal filing period for the Conditional Use approval for the proposed project at 701 Valencia Street closed on April 16, 2018.

The City and County Surveyor has informed the Board of Supervisors in a letter received April 18, 2018, (copy attached), that the signatures represented with your appeal filing on April 16, 2018, have been checked pursuant to the Planning Code, and represent owners of more than 20% of the property involved and are sufficient for an appeal.

Pursuant to Planning Code, Section 308.1, a hearing date has been scheduled for **May 15, 2018, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by noon:

**20 days prior to the hearing:** names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

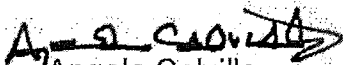
**11 days prior to the hearing:** any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)) and two copies of the documentation for distribution.

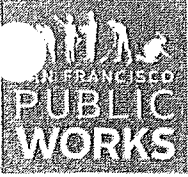
NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Clerks, Brent Jalipa, at (415) 554-7712, Lisa Lew, at (415) 554-7718, or Jocelyn Wong, at (415) 554-7702.

Very truly yours,

  
Angela Calvillo  
Clerk of the Board

c: Ryen Motzek, Project Sponsor  
Jon Givner, Deputy City Attorney  
Kate Stacy, Deputy City Attorney  
Kristen Jensen, Deputy City Attorney  
John Rahaim, Planning Director  
Scott Sanchez, Zoning Administrator, Planning Department  
Lisa Gibson, Environmental Review Officer, Planning Department  
AnMarie Rodgers, Director of Citywide Planning, Planning Department  
Joy Navarette, Environmental Planning, Planning Department  
Laura Lynch, Environmental Planning, Planning Department  
Aaron Starr, Manager of Legislative Affairs, Planning Department  
Dan Sider, Director of Executive Programs, Planning Department  
Esmeralda Jardines, Staff Contact, Planning Department  
Jonas Ionin, Planning Commission Secretary



April 18, 2018

Ms. Angela Calvillo  
Clerk of the Board  
1 Dr. Carlton B. Goodlet Place  
City Hall – Room 244  
San Francisco, CA 94102

Mark Farrell  
Mayor

Mohammed Nuru  
Director

Jerry Sanguinetti  
Bureau of Street Use & Mapping  
Manager

RE: Planning Case No. 2017-004489CUA  
701 Valencia Street – Conditional Use Appeal

Bruce R. Storrs P.L.S.  
City and County Surveyor

Bureau of Street Use & Mapping  
1155 Market St, 3rd floor  
San Francisco, CA 94103  
tel (415) 554-5827

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

Dear Ms. Calvillo:

This letter is in response to your April 17, 2018 request for our Department to check the sufficiency of the signatures with respect to the above referenced appeal. Please be advised that per our calculations the appellants' signatures represent 24.38% of area, which is more than 20% of the area involved and is therefore sufficient for appeal.

Sincerely,

Bruce R. Storrs, P.L.S.  
City & County Surveyor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2018 APR 19 PM 3:24  
BY

**From:** BOS Legislation, (BOS)  
**To:** Storrs, Bruce (DPW)  
**Cc:** Sanguinetti, Jerry (DPW); Rivera, Javier (DPW); GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Gibson, Lisa (CPC); Navarrete, Joy (CPC); Sanchez, Scott (CPC); Sider, Dan (CPC); Starr, Aaron (CPC); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); Jardines, Esmeralda (CPC); BOS Legislation, (BOS)  
**Subject:** Appeal of Conditional Use Authorization - Proposed Project at 701 Valencia Street - Verification of Signatures  
**Date:** Tuesday, April 17, 2018 9:04:41 AM  
**Attachments:** COB Ltr 041718.pdf  
Appeal Ltr 041618.pdf

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Good morning Mr. Storrs:

The Office of the Clerk of the Board is in receipt of an appeal of the Conditional Use Authorization for the proposed project at 701 Valencia Street. The appeal was filed by Thomas J. LeLanne, on behalf of Ryan Motzek on April 16, 2018.

Please find the attached appeal filing packet, and a letter requesting verification of signatures submitted with the appeal filing.

Kindly review for verification of signatures. Thank you.

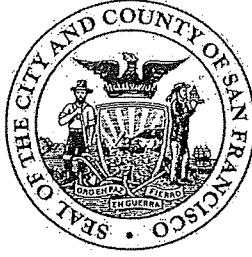
Regards,

**Brent Jalipa**

**Legislative Clerk**

Board of Supervisors - Clerk's Office  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-7712 | Fax: (415) 554-5163  
[brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

April 17, 2018

Bruce R. Storrs  
City and County Surveyor, Public Works  
1155 Market Street, 3rd Floor  
San Francisco, CA 94103

**Planning Case No. 2017-004489CUA**  
**701 Valencia Street - Conditional Use Authorization Appeal**

Dear Mr. Storrs:

The Office of the Clerk of the Board is in receipt of an appeal filed by Thomas J. LaLanne, on behalf of Ryan Motzek, from the decision of the Planning Commission on March 15, 2018, relating to the approval of a Conditional Use Authorization (Case No. 2017-004489CUA) pursuant to Planning Code, Sections 303 and 762, to legalize a temporary conversion of an accessory parking lot to a commercial parking lot, with added conditions prohibiting restaurant and limited restaurant use, within a Valencia Street Neighborhood Commercial Transit Zoning District and a 55-X Height and Bulk District, for a proposed project located at:

701 Valencia Street, Assessor's Parcel Block No. 3589, Lot Nos. 098 and 099

By copy of this letter, the City and County Surveyor is requested to determine the sufficiency of the signatures in regard to the percentage of the area represented by the appellant. Please submit a report not later than 5:00 p.m. on Friday, April 20, 2018.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo  
Clerk of the Board

c: Jerry Sanguinetti, Public Works-Bureau of Street Use and Mapping  
Javier Rivera, Public Works  
Jon Givner, Deputy City Attorney  
Kate Stacy, Deputy City Attorney  
Kristen Jensen, Deputy City Attorney  
Lisa Gibson, Planning Department  
Joy Navarette, Planning Department  
Scott Sanchez, Planning Department  
Dan Sider, Planning Department  
Aaron Starr, Planning Department  
Esmerelda Jardines, Planning Department

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date \_\_\_\_\_

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission     Youth Commission     Ethics Commission
- Planning Commission     Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Clerk of the Board

**Subject:**

Hearing - Appeal of Conditional Use Authorization - Proposed Project at 701 Valencia Street

**The text is listed below or attached:**

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization, pursuant to Planning Code, Sections 303 and 762, for a proposed project located at 701 Valencia Street, Assessor's Parcel Block No. 3589, Lot Nos. 098 and 099, identified in Case No. 2017-004489CUA, issued by the Planning Commission by Motion No. 20139, dated March 15, 2018, to legalize a temporary conversion of an accessory parking lot to a commercial parking lot, with added conditions prohibiting restaurant and limited restaurant use, within a Valencia Street Neighborhood Commercial Transit Zoning District and a 55-X Height and Bulk District. (District 9) (Appellant: Thomas J. LaLanne, on behalf of Ryen Motzek) (Filed April 15, 2018)

Signature of Sponsoring Supervisor:

*Alia Jomeir*

For Clerk's Use Only:

