

LAW OFFICES OF
THOMAS J. LALANNE

400 HARBOR DRIVE
SAUSALITO, CALIFORNIA 94965

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BOARD OF SUPERVISORS
SAN FRANCISCO

2018 APR 16 PM 2:11

TELEPHONE (415) 434-1122

FAX (415) 434-1125

April 16, 2018

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

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

Gentlepeople:

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

Parts of Decision the Appeal is Taken From

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

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

Reasons in Support of Appeal

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

LAW OFFICES OF
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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

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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**

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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. _____.

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Statement of Appeal:

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

BY 

See attached.

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

See attached.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Thomas J. LaLanne

Ryen Motzek

Name

Name

400 Harbor Drive
Sausalito, CA 94965

391 29th St.
San Francisco, CA 94131

Address

Address

(415) 434-1122

(650) 743-0133

Telephone Number

Telephone Number



Signature of Appellant or
Authorized Agent

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2018 APR 16 PM 2:11

701 Valencia St.

Lot 98, 99

Block 3584

City Planning Commission

Case No. 2017-004489 CUA

BY PL
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 & 030	HELEN CHAN	
2. 27 LEXINGTON st	3576 & 040	HELEN CHAN	
3. 12 Lexington st	3576 & 046	Allison Wong *	<i>allison wong</i>
4. 3478 18th st	3576 & 053	Yue Wong	
5. 656 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 036	Michael Weng	
12. 136-138 San Carlos st	3589 040	A & A Wang	
13. 135 LEXINGTON st	3589 063	John MAK	
14. 129 Lexington st	3589 065	Xiao & Zhang	<i>Xiao & Zhang</i>
15. 123-125 Lexington st	3589 067	Jin MAK	
16. 130-132 Lexington st	3589 072	Westley 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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700 Valencia

Lot 98, 99



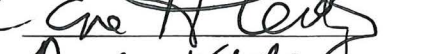



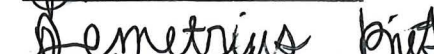
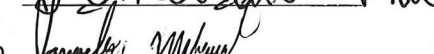
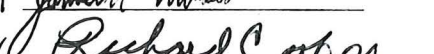
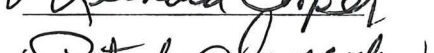




Block 3589

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.

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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	
2.	164-166 Lexington	3589-078	Thomas J. Cente	
3.	164-166 Lexington	3589-078	Eve H Cervantez	
4.	199 Lexington St.	3589-156	Paula Kit ses	
5.	199 A Lexington St.	3589-157	Demetrius Kit ses	
6.	199 Lexington St.	3589-156	Paula Kit ses	
7.	199A Lexington St.	3589-157	Demetrius Kit ses	
8.	117 Lexington	3589-068	JAMILEH MUKHISH	
9.	34-36 Lexington	3576-059	Richard Cooper	
10.	34-36 Lexington	3576-059	Patrick Glasscock	
11.	3518 18th St	3588-01A	MENADO BARBAGAN	
12.	3518 18th St	3588-01A	YOLANDA BARBAGAN	
13.	116 Lexington St.	3589-069	MARTHA TEJADA	
14.	3484 18th St	3576-054	M. Dattani Credit Trust	
15.				
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700 Valencia
Lot 98, 99
Block 3589

City Planning Commission
Case No. 2017-004489 CUA

BA
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.

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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	<i>John O'Connor</i>
2.	700 Valencia St.	3588-114	John O'Connor	<i>John O'Connor</i>
3.	700 Valencia St.	3588-115	John O'Connor	<i>John O'Connor</i>
4.	700 Valencia St.	3588-116	John O'Connor	<i>John O'Connor</i>
5.	700 Valencia St.	3588-117	John O'Connor	<i>John O'Connor</i>
6.	700 Valencia St.	3588-118	John O'Connor	<i>John O'Connor</i>
7.	700 Valencia St.	3588-119	John O'Connor	<i>John O'Connor</i>
8.	700 Valencia St.	3588-120	John O'Connor	<i>John O'Connor</i>
9.	700 Valencia St.	3588-121	John O'Connor	<i>John O'Connor</i>
10.	700 Valencia St.	3588-122	John O'Connor	<i>John O'Connor</i>
11.	700 Valencia St.	3588-123	John O'Connor	<i>John O'Connor</i>
12.	700 Valencia St.	3588-124	John O'Connor	<i>John O'Connor</i>
13.	727 Valencia St.	3589-092	Marty Cherin	<i>Marty Cherin</i>
14.	721 Valencia St.	3589-095	Marty Cherin	<i>Marty Cherin</i>
15.	715 Valencia St.	3589-096	Marty Cherin	<i>Marty Cherin</i>
16.	711 Valencia St.	3589-097	Marty Cherin	<i>Marty Cherin</i>
17.	701 Valencia St.	3589-098	Marty Cherin	<i>Marty Cherin</i>
18.	701 Valencia St.	3589-099	Marty Cherin	<i>Marty Cherin</i>
19.	5 Bird St.	3577-059	Sharon Drummond	<i>Sharon Drummond</i>
20.	105 Lexington St	3589-159	Marc Straka	<i>Marc Straka</i>
21.	138 LEXINGTON ST	3589-074	RICHARD TIRTOPRODJO	<i>Richard Tirtoprodjo</i>
22.	168-Lexington St 170	3589-079	Alex Law	<i>Alex Law</i>

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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	
2. 727 Valencia St.	3589-092	Don Cherin	
3. 721 Valencia St.	3589-095	Don Cherin	
4. 715 Valencia St.	3589-096	Don Cherin	
5. 711 Valencia St.	3589-097	Don Cherin	
6. 701 Valencia St.	3589-098	Don Cherin	
7. 701 Valencia St.	3589-099	Don Cherin	
8. 40-44 San Carlos St.	3576-031	Susan Embernate	
9. 33-37 Lexington St	3576-039	Richard Rhodes	
10. 39 Lexington St	3576-038	John Pacheco & David Branner	
11. 1517 Lexington	3576-041	Antonio Dominguez	
12. 157 Lexington St	3589-154	Mara Klein	
13. 150 Lexington St #2	3589-113	Jaqueline Munz	
14. 150 Lexington #1	3589-112	JASON LEE	
15. 155 Lexington St	3589-119	JANET GRODOWSKI	
16. 155 Lexington St	3589-119	Simon BALL	
17. 3430 18th Street	3576-162	PAULINO TAMAYO	
18. 15 Lapidge	3588-032	ADRIAN HERNANDEZ	
19. 720 Valencia St	3588-003	Curtis Press	
20. 736 VALENCIA #302	3588-108	DANIEL OSORIO	
21. 3454 18TH ST.	3576-036	ADRIAN TORRES	
22. 109 Lexington St	3589-161	Mark Goldman	

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700 Valencia
Lot 98, 99
Block 3589

City Planning Commission
Case No. 2017-004489CUA

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.

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3448 18 th St.	3576-156	Lynsey Hawley Ron Koester	
2.	3448 18th St.	3576-156	_____	_____
3.	3459 18 th St	3589-104	Steven Khan	
4.	3459 18 th St	3589-104	Khan Chun	
5.	126 Lexington	3589-071	LIAM HING LI	
6.	3440 18 th 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	MING MARCHASIN	
10.	716 Valencia St	3588-002	MING MARCHASIN	
11.	714 Valencia St	3588-002	Eileen MARCHASIN	
12.	716 Valencia	3588-002	Eileen MARCHASIN	
13.	680-686 Valencia	3577-007	Rasm. & Bahje Rizan Rizah Basir	
14.	680-686 Valencia	3577-007	Rizah Basir	
15.	736 VALNCIA #502	3588-112	MICKEL ANGELOUC	
16.	85 SUCAMORE ST #1	3575-114	DINO GOOSSEDS-LARSEN	
17.	85 SUCAMORE 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 18 th Street	3577-05A	Jeffrey Winner	
21.	3526 18 th 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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Subject to: (Select only if applicable)

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 20139

HEARING DATE: MARCH 15, 2018

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

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

PREAMBLE

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

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

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

Policy 2.1:

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

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

OBJECTIVE 6:

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

Policy 6.1:

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

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

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

TRANSPORTATION ELEMENT

Citywide Parking

Objectives and Policies

OBJECTIVE 30:

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

Policy 30.1

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

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

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

The 701 Valencia Street team conducted a supply and utilization survey of all existing publicly-accessible parking facilities within a 1/2 mile radius of the subject site, as outlined in Planning Code Section 303(t)(3) and attached as an exhibit. Per the project sponsor's analysis, the survey analyzed 5 surveyed sites including: 2351 Mission Street, 606 Capp Street, 3255 21st Street, 42 Hoff Street, and 3111 17th Street. The Survey results of the supply and utilization of all existing publicly-accessible parking facilities within 1/2 mile of the subject site (701 Valencia) show that there is limited excess capacity at these facilities. 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 16th Street and 20th Street without parking options on Valencia Street except for public metered spaces. During the aforementioned times, there are limited public metered spaces available and providing 12 spaces at 701 Valencia is a relief for patrons and businesses in the area.

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

Policy 30.6:

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

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

OBJECTIVE 35:

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

Policy 35.2

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

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

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

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

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

BUILT FORM

OBJECTIVE 3.2:

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

Policy 3.2.3

Minimize the visual impact of parking.

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

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

TRANSPORTATION

Objectives and Policies

OBJECTIVE 4.3:

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

Policy 4.3.4

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

12. The project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

13. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

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

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

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

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

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



Christine L. Silva
Acting Commission Secretary

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

ABSENT: Moore

ADOPTED: March 15, 2018

EXHIBIT A

AUTHORIZATION

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

RECORDATION OF CONDITIONS OF APPROVAL

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

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20139 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

DESIGN

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

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

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

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

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

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

PARKING AND TRAFFIC

5. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than **nine (9)** off-street parking spaces for use as part of the commercial parking lot.

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

MONITORING

6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

7. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

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

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

9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the site and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

10. **Temporary Parking Lot.** The authorization to operate this temporary automobile parking lot is limited to the 9 existing spaces located on Assessor's Lot 098 and Lot 099 in Block 3589 and is valid for a period not to exceed three years from the date of approval of this Conditional Use Motion. To continue this use beyond the three years, a new Conditional Use Authorization from the Planning Commission shall be required.

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

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 PARKIN USE DURING THE DAYTIME, TUESDAY THROUGH SATU WHEN CHERIN'S IS OPEN FOR BUSINESS. THE PROPC COMMUNITY SPACE WOULD BE USED 7 NIGHTS A WEE SUNDAY-MONDAY DURING THE DAYTIME. IT INCLUDE: PERMANENTLY PLACED FOOD TRUCKS AND 1 "PARKL TABLES WITH BENCHES AND CHAIRS, PLANTER BOXE LAMPS, PORTABLE TOILETS, AND A GARBAGE STRUCT

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
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PROJECT DATA:

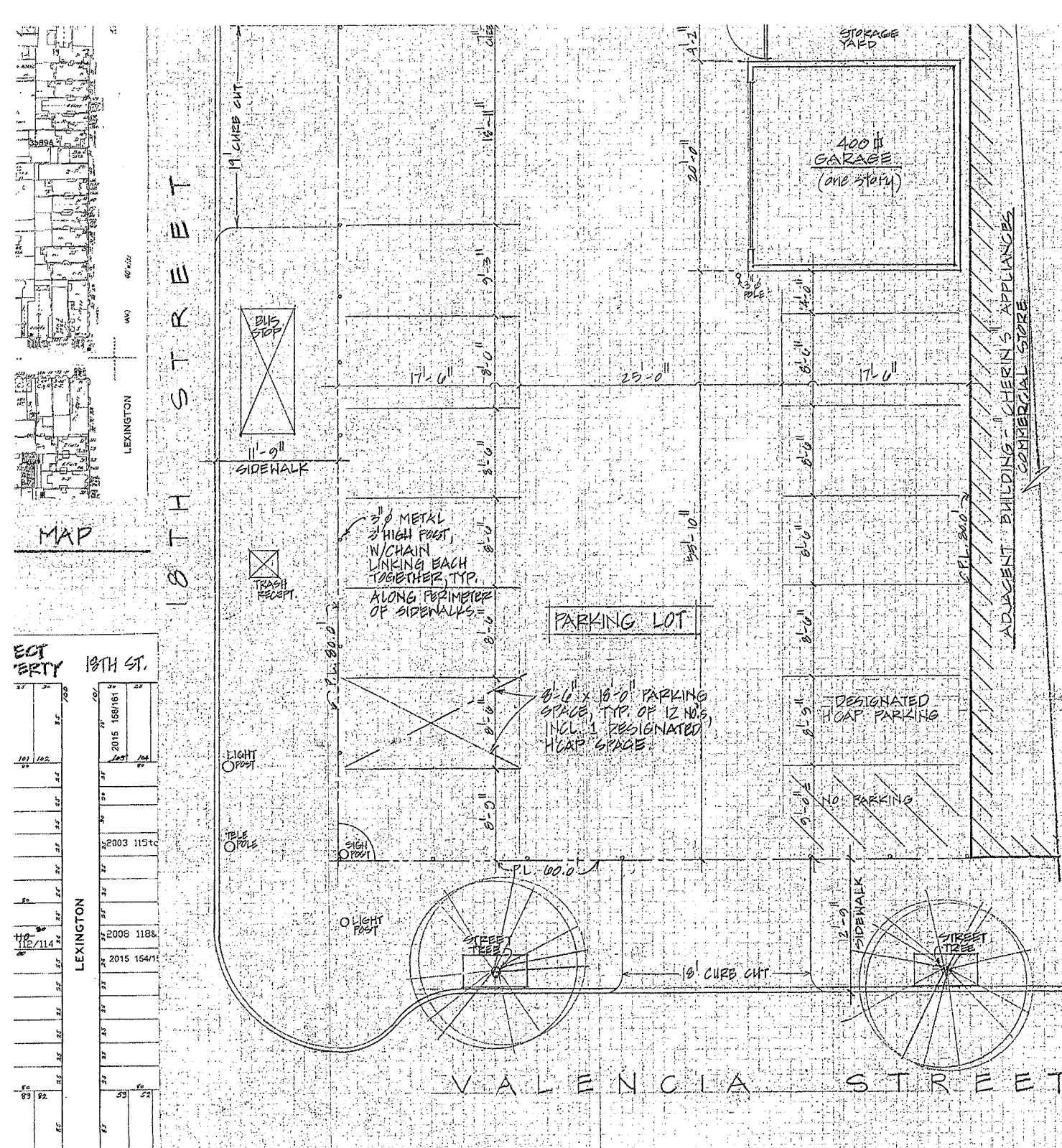
ADDRESS: 701 VALENCIA STREET, SAN FRANCISCO, CA 94110
 BLOCK/LOT#: 3589/098-099 BLOCK 3589/LOT 098-099
 ZONING DIST: NCT - VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT
 PRESENT USE: PARKING LOT (FOR CHERIN'S APPLIANCE STORE)
 APPLICABLE CODES: CALIFORNIA BLDG. CODE, 2016 EDITION
 CALIFORNIA ELECT. CODE, 2016 EDITION
 CALIFORNIA PLUMB. CODE, 2016 EDITION
 CALIFORNIA MECH. CODE, 2016 EDITION
 CALIFORNIA GRN. BLDG. CODE, 2016 EDITION

SQUARE FOOTAGES:

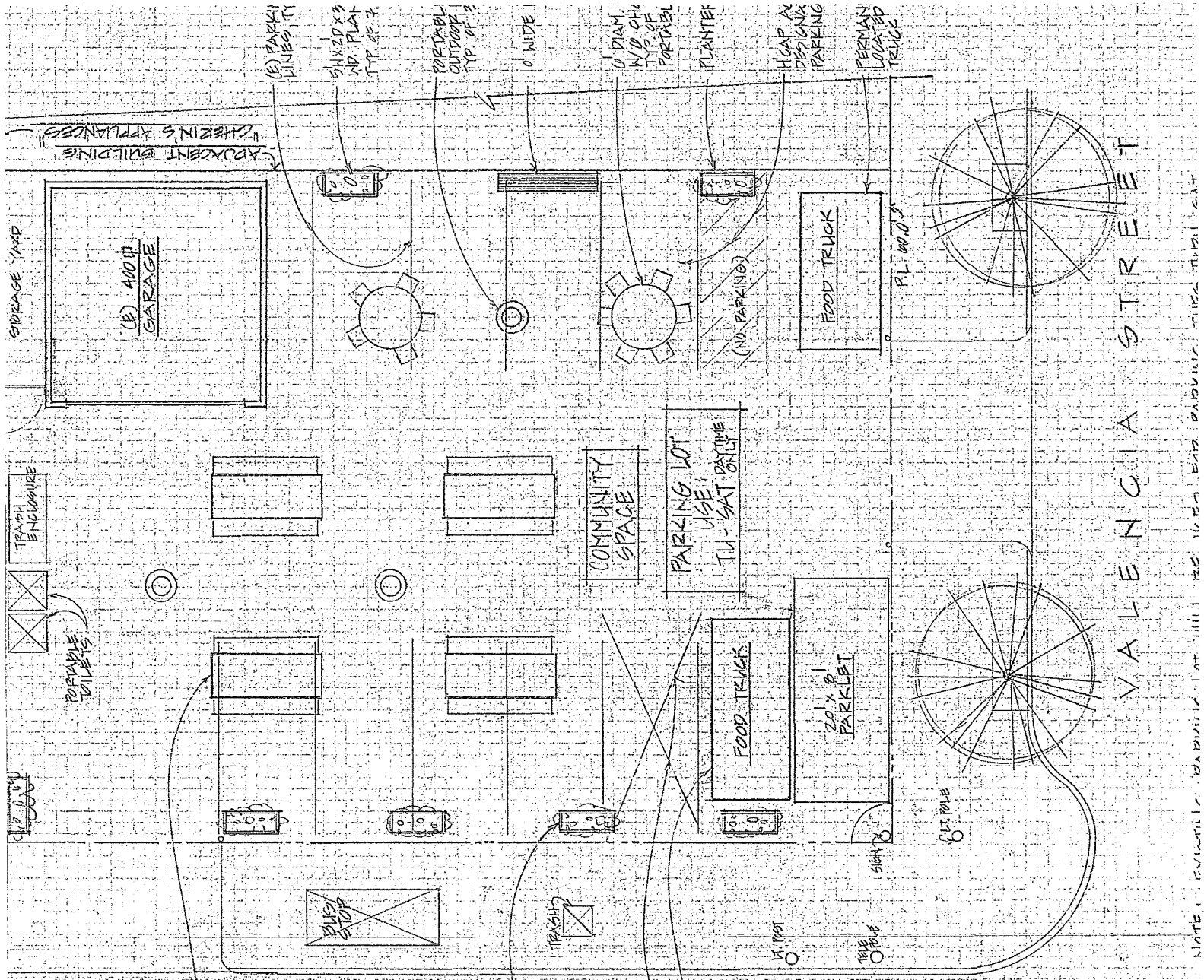
LOT SIZE:	60'-0" x 80'-0"	4,800 SQ. FT.
EXISTING GARAGE ON LOT/COVERAGE:	400 SQ.FT.	1/8
EXISTING PARKING LOT AREA:	4,316 SQ.FT.	1/1
PROPOSED PARKLET/FOOD TRUCK AREA:	460 SQ.FT.	1/1
PROPOSED NEW PARKING LOT AREA:	3,856 SQ.FT.	1/1

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, INCL. DESIGNATED H'CAP ACCESSIBLE SPACES



PROPERTY	18TH ST.
101 102	2015 158181
103 104	2003 115100
105 106	2008 118800
107 108	2015 154710
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VALENCIA STREET

STREET

H.S.

10' x 9' IND. TABLE
W/ 2 BENCHES,
TYP. OF 4

5' 1/2 x 20' x 3' H.
IND. PLANTER BOX,
TYP. OF 7

TYP. PARKING
SPACE 30'
x 18-20' TYP. OF 5 UNITS,
INCL. 1 HOVAF SPACE

PERMANENTLY
LOCATED FOOD
TRUCK

5' 1/2 x 20' x 3' H.
IND. PLANT
TYP. OF 7

10' DIAM.
W/ 8 CHL.
TYP. OF
PARTIAL

PARTIAL
OUTDOOR
TYP. OF 3

0.6 WIDE

10' DIAM.
W/ 8 CHL.
TYP. OF
PARTIAL

PLANTER

HCAP AS
DESIGNATED
PARKING

PERMANENTLY
LOCATED
TRUCK

STORAGE YARD

400 sq ft
GARAGE

TRASH ENCLOSURE

PORTABLE
TOILETS

COMMUNITY
SPACE

PARKING LOT
USE:
TU-SAT DAYTIME

FOOD TRUCK

20' x 8'
PARKLET

FOOD TRUCK

PLANTER

PLANTER

TRASH

TRASH

TRASH

BUS STOP

NOTE: EXISTING BUILDING AT 11111 E. VALLE BLVD. BEING DEMOLISHED. THIS SITE IS BEING REDEVELOPED.

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 ⁰⁰/₁₀₀

Dollars

 Security
Features
Details on
Back.



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

Case # 2017-00489

FOR CU-appeal - 701 Valencia

MP

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