



PLANNING COMMISSION MOTION NO. 21351

HEARING DATE: JULY 13, 2023

Record No.: 2021-007063CUA
Project Address: 0 Alemany Boulevard/ Tompkins Avenue
Zoning: P (PUBLIC) Zoning District
40-X Height and Bulk District
Cultural District: N/A
Block/Lot: 5695 / 023
Project Sponsor: Rick Bradford
Our Planet Recycling SF
445 Bayshore Boulevard
San Francisco, CA
Property Owner: City and County of San Francisco
San Francisco, CA
Staff Contact: Gabriela Pantoja- 628-652-7380
Gabriela.Pantoja@sfgov.org

Project Description

The proposal is to establish a Community Recycling Collection Center Use (DBA “Our Planet Recycling SF”) within the Public (P) Zoning District and 40-X Height and Bulk District. Our Planet Recycling SF operates a Community Recycling Collection Center at the adjacent property, 445 Bayshore Boulevard, and will utilize the subject property to provide vehicular access to their main site location and for storage. The main operation of the recycling center will remain at their existing 445 Bayshore Boulevard location. The City has executed a year-to-year lease since 2017 with the listed business to occupy and utilize the subject property. The listed business now seeks a long-term lease with the City, and the City has granted the business consent to seek the listed Conditional Use Authorization.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 211.2 and 303 to establish a Community Recycling Collection Center use (DBA “One Planet Recycling SF”) within the Public (P) Zoning District and 40-X Height and Bulk District.

Environmental Review

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

Decision

Based upon information set forth in application materials submitted by the project sponsor and available in the case file (which is incorporated herein by reference as though fully set forth) and based upon the findings below, the Commission hereby **APPROVES Conditional Use Authorization (CUA) No. 2021-007063CUA** subject to conditions contained in the attached “EXHIBIT A” and in general conformance with plans on file, dated August of 2022, and stamped “EXHIBIT B.”

Additional Information	
Notification Period	March 10, 2023 to March 30, 2023 (20 days mailing, newspaper, online, and posted).
Number and Nature of Public Comments Received	To date, the Department has received a total of four correspondence regarding the Project. All public members have expressed concerns with regards to the listed business use and maintenance of the subject property.

Generalized Basis for Approval
The Commission finds that this Project is necessary, desirable for, and compatible with the surrounding neighborhood as follows, and as set forth in Planning Code Sections 211.2 and 303(c), and findings submitted as part of the application. The Project will support the continued viability of an established Community Recycling Collection Center use (DBA “Our Planet Recycling SF”) within the Public (P) Zoning District which aligns with the General Plan’s Environmental Protection Element’s objectives and policies. The Project will help maintain a recycling facility within the City, continue to encourage responsible and effective recycling, and eliminate waste from the City.
Department staff believes the Project would be desirable for and compatible with the surrounding neighborhood and recommends Approval with Conditions.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 13, 2023.

AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner
 NAYS: None
 ABSENT: Moore
 ADOPTED: July 13, 2023



Jonas P. Iohin
 Commission Secretary

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. 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.

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.

EXHIBIT A

Authorization

This authorization is for a conditional use to allow the establishment of a Community Recycling Collection Center use (DBA “Our Planet Recycling SF”) located at 0 Alemany Boulevard/ Tompkins Avenue, Block 5695 Lot 023 pursuant to Planning Code Sections 211.2 and 303 within the Public (P) Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated August of 2022, and stamped “EXHIBIT B” included in the docket for Record No. 2021-007063CUA and subject to conditions of approval reviewed and approved by the Commission on July 13, 2023 under Motion No. 21351. 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 July 13, 2023, under Motion No. 21351.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 21351 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

- 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.

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- 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.

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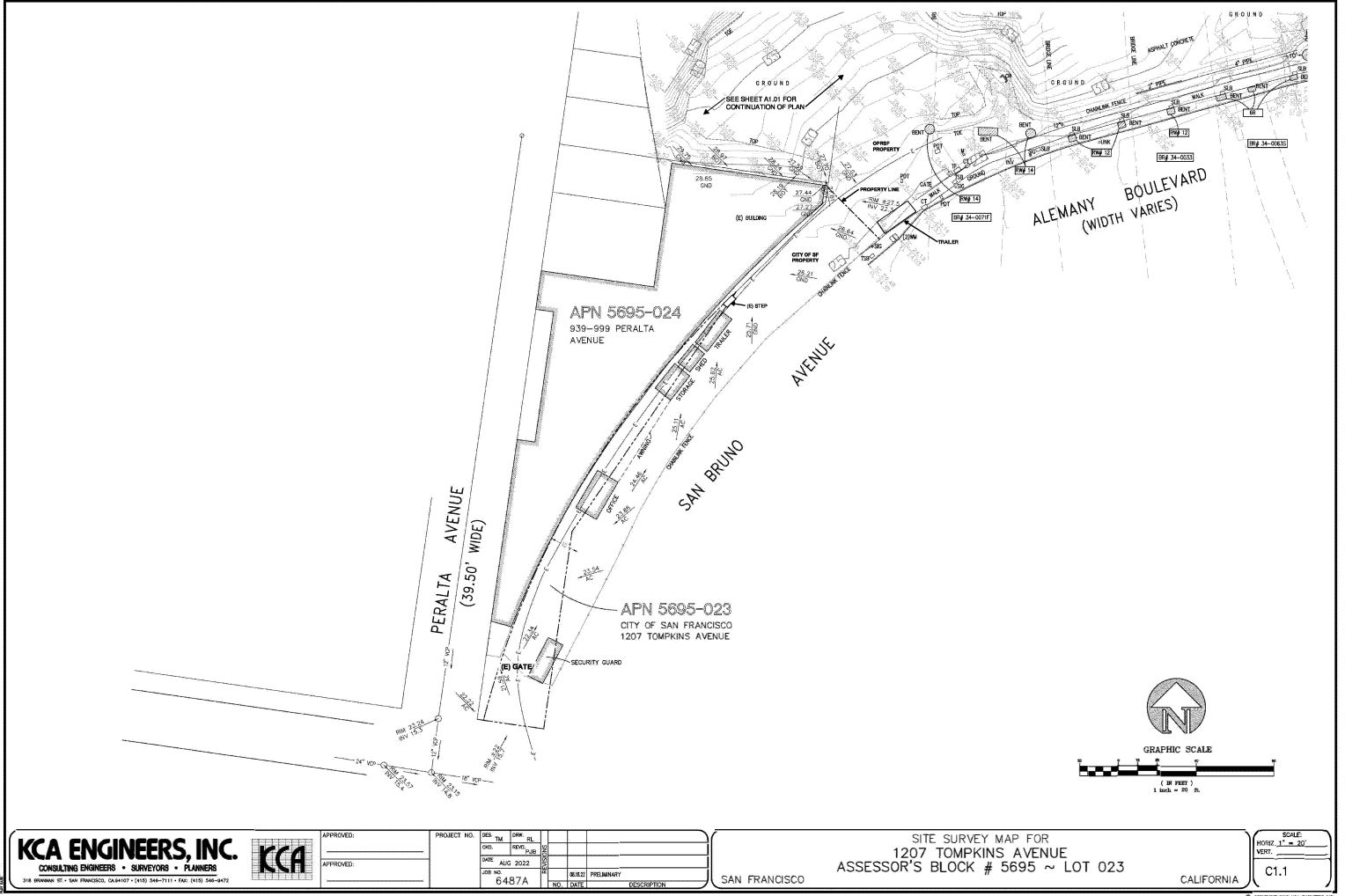
Operation

- 8. Sidewalk Maintenance.** The Project Sponsor 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 Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublishworks.org.

- 9. 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 Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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 628.652.7463, www.sfplanning.org



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APPROVED:	PROJECT NO.	DD	TM	DM	RL
APPROVED:	6487A	DATE	AUG 2022	DATE	
		NO.	DATE	DESCRIPTION	
				PRELIMINARY	

SAN FRANCISCO

SITE SURVEY MAP FOR
 1207 TOMPKINS AVENUE
 ASSESSOR'S BLOCK # 5695 ~ LOT 023

CALIFORNIA

SCALE:
 HORIZ. 1" = 20'
 VERT. 1" = 20'
 C1.1

