

File No. 130818

Committee Item No. _____

Board Item No. 21

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date September 17, 2013

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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OTHER (Use back side if additional space is needed)

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <u>Conditional Use Appeal – 3771 and 3781 Cesar Chavez Street</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>Planning Department's Appeal Response</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>Project Sponsors' Appeal Response</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>Appellant's Statement/Index of Exhibits</u> |

Completed by: Joy Lamug

Date September 12, 2013

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the 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. 544-5227

August 28, 2013

Richard Rochman
1359 Dolores Street
San Francisco, CA 94110

Re: Conditional Use Appeal - 3771 and 3781 Cesar Chavez Street

Dear Mr. Rochman:

This is in reference to the appeal you submitted from the decision of the Planning Commission by Motion No. 18930 (Case No. 2013.0259CV), on property located at:

3771 and 3781 Cesar Chavez Street, Assessor's Block No. 6577, Lot Nos. 030 and 045.

The Director of Public Works has informed the Board of Supervisors in a letter dated August 26, 2013, (copy attached), that the signatures represented with your appeal of August 19, 2013, have been checked pursuant to the Planning Code and represent owners of more than 20 percent of the property involved and would be sufficient for appeal.

A hearing (File No. 130818) date has been scheduled on **Tuesday, September 17, 2013, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, Legislative Chamber, Room 250, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.


Please provide 1 electronic copy (sent to BOS.Legislation@sfgov.org) and 18 hard copies to the Clerk's Office by:

8 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing;

11 days prior to the hearing: names and addresses of interested parties to be notified of the hearing in label format.

If you have any questions, please feel free to contact Legislative Deputy Director, Rick Caldeira at (415) 554-7711 or Legislation Clerk, Joy Lamug at (415) 554-7712.

Sincerely,


Angela Calvillo
Clerk of the Board

c:

Project Owner, Leah Potash, 3771 Cesar Chavez Street, San Francisco, CA 94110
Applicant, Jeremy Paul - Quickdraw Permit Consulting, 1325 California Street, San Francisco, CA 94109
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
AnMarie Rodgers, Manager of Legislative Affairs, Planning Department
Scott Sanchez, Zoning Administrator, Planning Department
Tina Tam, Senior Preservation Planner, Planning Department
Michael Smith, Planning Department
Jonas Ionin, Acting Planning Commission Secretary
Mohammed Nuru, Director, Department of Public Works
Fuad Sweiss, City Engineer, Department of Public Works
Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping
Bruce Storrs, Department of Public Works
Javier Rivera, Department of Public Works



Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering



Phone: (415) 554-5827
Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

August 26, 2013

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

RE: 3771 and 3781 Cesar Chavez St.
Lots 030 and 045 of Assessor's Block 6577
Appealing Planning Commissions Approval of
Conditional Use Application No. 2013.0259CV

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 AUG 27 PM 3:54
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Dear Ms. Calvillo:

This letter is in response to your August 21, 2013 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 28.91% of the area within the 300 foot radius of the property of interest; which is more than the minimum required 20% of the area involved and is therefore sufficient for appeal.

If you have any questions concerning this matter, please contact Mr. Javier Rivera of my staff at 554-5864.

Sincerely

Bruce R. Storrs
City & County Surveyor

BOARD of SUPERVISORS



August 21, 2013

Mohammed Nuru, Director
Department of Public Works
City Hall, Room 348
San Francisco, CA 94102

**Planning Case No. 2013.0259CV
3771 and 3781 Cesar Chavez Street Conditional Use Appeal**

Dear Director Nuru:

The Office of the Clerk of the Board is in receipt of an appeal filed by Richard Rochman, on August 19, 2013, from the decision of the Planning Commission by its Motion No. 18930 dated July 18, 2013, relating to the approval of a Conditional Use Authorization (Case No. 2013.0259CV), pursuant to Planning Code Sections 209.3(f), 209.3(j), 317, and 303, to allow an increase in enrollment at a preschool (d.b.a. Gan Noe Preschool) and allow for an accessory religious facility within the preschool, located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at:

3771 and 3781 Cesar Chavez Street, Assessor's Block No. 6577, Lot Nos. 030 and 045

By copy of this letter, the City Engineer's Office 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., Tuesday, August 27, 2013, to give us time to prepare and mail out the hearing notices as the Board of Supervisors has tentatively scheduled the appeal to be heard on September 17, 2013, at 3:00 p.m.

Sincerely,

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

Angela Calvillo
Clerk of the Board

c:

Appellant, Richard Rochman, 1359 Dolores Street, San Francisco, CA 94110
Project Owner, Leah Potash, 3771 Cesar Chavez Street, San Francisco, CA 94110, w/copy of appeal
Applicant, Jeremy Paul - Quickdraw Permit Consulting, 1325 California Street, San Francisco, CA 94109, w/copy of appeal
Jon Givner, Deputy City Attorney, w/copy of appeal
Kate Stacy, Deputy City Attorney, w/copy of appeal
Marlena Byrne, Deputy City Attorney, w/copy of appeal
AnMarie Rodgers, Manager of Legislative Affairs, Planning Department, w/copy of appeal
Scott Sanchez, Zoning Administrator, Planning Department, w/copy of appeal
Tina Tam, Senior Preservation Planner, Planning Department, w/copy of appeal
Michael Smith, Planning Department, w/copy of appeal
Jonas Ionin, Acting Planning Commission Secretary, w/copy of appeal
Fuad Sweiss, City Engineer, Department of Public Works, w/copy of appeal
Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping, w/copy of appeal
Bruce Storrs, Department of Public Works, w/copy of appeal

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
DEPT. PUBLIC WORKS
DIRECTOR'S OFFICE

13 AUG 22 PM 4:33

J.M.C.

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

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 3771/3781 Cesar Chavez Street

July 18, 2013

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

August 19, 2013

Appeal Filing Date

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2013 AUG 19 AM 9:49

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_____ 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. 2013.0259CV.

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

Statement of Appeal:

- a) Set forth the part(s) of the decision the appeal is taken from:
1. The authorization to increase enrollment from 14 children to 42 children;
 2. The failure to require crossing guards, which has been a routine requirement of all other recent child care facilities approved by the Commission.
- b) Set forth the reasons in support of your appeal:
1. Traffic safety (see attached);
 2. The child care operator's repeated failure to comply with safety regulations required by the Community Care Licensing Division (see attached);
 3. The Commission's failure to exercise its discretion.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Richard Rochman

Name

Richard Rochman

Name

1359 Dolores St

Address

1359 Dolores St

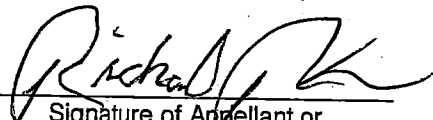
Address

415-285-4304

Telephone Number

415-285-4304

Telephone Number



Signature of Appellant or
Authorized Agent

STATEMENT OF REASONS IN SUPPORT OF APPEAL
SAN FRANCISCO PLANNING COMMISSION MOTION NO. 18930
CASE NO. 2013.0259CV (3771/3781 CESAR CHAVEZ STREET)

1. The 3700 block of Cesar Chavez Street is already unusually dangerous.

a. According to reports obtained from the SFMTA, this block of Cesar Chavez Street has NINETEEN times as many collisions with moving vehicles, cyclists, and pedestrians as the blocks where the Commission has recently approved child care facilities, and SIXTEEN times as many injury accidents.

b. By the end of the year, the City plans to stripe bicycle lanes in both directions of the boulevard portion of Cesar Chavez Street, beginning one block east of the proposed preschool, as part of San Francisco Bike Route 50. The 3700 block of Cesar Chavez Street, which will not have bike lanes, is nonetheless also part of Bike Route 50. The combination of commuting cyclists riding down this block, while 42 parents attempt to merge out of and back into traffic as they drop off and pick up their children, will inevitably lead to collisions. The Commission failed to take any steps to address this obvious danger.

c. The Commission has approved four child care facilities in the past year. For each of the other three applications, the Commission ordered that the facility provide crossing guards as a safety measure and as a condition of the permit. (SF Planning Commission Motion No. 18825 (1270 Sanchez Street), approved March 14, 2013; Motion No. 18773 (281 Harvard Street), approved December 13, 2012; Motion No. 18674 (175 Junipero Serra Boulevard), approved July 26, 2012. Without stating any justification, the Commission failed to require crossing guards as a safety measure or as a condition for this very dangerous block, even though the Commission acknowledged that this block is “a heavily trafficked arterial street that is the main thoroughfare for access to Highway 101 from Noe Valley.”

2. The operators of the proposed preschool have a track record of violating and disregarding the law.

a. The Community Care Licensing Division (CCLD) of the State Department of Social Services is the state agency charged with enforcing regulations relating to safety at preschools and family day care facilities. CCLD has cited Gan Noe Preschool for a dozen “Type A” violations—the most serious type of violations—just in the past year. These violations include the failure to have working smoke detectors, the repeated operation of the facility with more children than was permitted by the license, the failure to comply with the condition that the home be free of defects or conditions that might endanger a child, the obstruction of the sole exit with storage items, and the failure to conduct fire or disaster drills.

b. CCLD also cited Gan Noe for two “zero tolerance violations”: continuing to operate a family day care facility long after the licensee had vacated the premises. In both instances, Gan Noe misrepresented to CCLD personnel that the licensee was still living at the premises before finally admitting that the licensee had abandoned the premises.

3. The Commission failed to exercise its discretion.

a. At the December 13, 2012, hearing on the application for a child care facility at 281 Harvard Street, the Commission explained why child care facilities must sometimes be located in quiet residential neighborhoods by saying that “We don’t want them [child care facilities] on a busy street where they [the children] can get hit.” *This block* is a busy street where children can get hit: There were 19 injury accidents with 20 total injuries on *just this block* between 2005 and 2011. If the Commission had followed its own rule, the permit to expand the day care—especially a day care without crossing guards—would have been denied.

b. At the July 18, 2013, hearing on this application, the Commission said, “We always approve these things [child care facilities].” But it is not sound policy, nor is it a family-friendly policy, to approve child care facilities without regard to the number of children and without regard to the circumstances of a particular location. This location is not safe, and these operators cannot be relied on to make it safe.

City Planning Commission
Case No. 2013.0259CV

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. | <u>3787 Cesar Chavez St.</u> | <u>6577/029B</u> | <u>William Sommer</u> | <u>[Signature]</u> |
| 2. | <u>3809 Cesar Chavez St</u> | <u>6578/046</u> | <u>Craig Merritt</u> | <u>[Signature]</u> |
| 3. | <u>3792 CESAR CHAVEZ</u> | <u>6567/021</u> | <u>Richard R. RANFLE</u> | <u>[Signature]</u> |
| 4. | <u>3729 Cesar Chavez</u> | <u>6577/039</u> | <u>Yacub Totah</u> | <u>[Signature]</u> |
| 5. | <u>3763-3767 Cesar Chavez</u> | <u>6577/032</u> | <u>Gerald Paratte</u> | <u>[Signature]</u> |
| 6. | <u>3799-3741 Cesar Chavez</u> | <u>6577/037</u> | <u>Vicky M. Coruchia</u> | <u>[Signature]</u> |
| 7. | <u>1359 Dolores St</u> | <u>6577/029A</u> | <u>Richard Rochman</u> | <u>[Signature]</u> |
| 8. | <u>1359 Dolores St.</u> | <u>6577/029A</u> | <u>Ashley Rochman</u> | <u>[Signature]</u> |
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 AUG 19 AM 9:50
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City Planning Commission
Case No. 2013.0259CV

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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | 3737 Cesar Chavez | 6577/050 | Dan Geiger | Dan Geiger |
| 2. | 3735 Cesar Chavez | 6577/049 | angie chen | angie chen |
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BOARD OF SUPERVISORS
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City Planning Commission
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | <u>3725 26th ST</u> | <u>6567/036</u> | <u>ANNA DE SANTIS</u> | <u>[Signature]</u> |
| 2. | <u>3725 26th ST</u> | <u>6567/036</u> | <u>GUIDO DE SANTIS</u> | <u>[Signature]</u> |
| 3. | <u>3727 26TH ST</u> | <u>6567/036</u> | <u>MASSIMO FRANCATO</u> | <u>[Signature]</u> |
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City Planning Commission
Case No. 2013.0259CV

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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
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| 1. | 3739 26 th St | 6567/031 | Elizabeth Quinn (Caroline Ayres) | <i>[Signature]</i> <i>[Signature]</i> |
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City Planning Commission
Case No. 2013.0259CV

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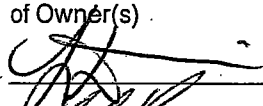
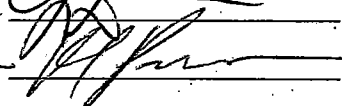
| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | <u>1371 Dolores St.</u> | <u>6577 061</u> | <u>Brett Kingsbury</u> | <u>Brett Kingsbury</u> |
| 2. | <u>1371 Dolores St.</u> | <u>6577 061</u> | <u>LISA ELLS</u> | <u>Lisa Ells</u> |
| 3. | <u>1371A Dolores St.</u> | <u>6577 162</u> | <u>Louise Warren</u> | <u>Louise Warren</u> |
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City Planning Commission
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
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| 1. | 154, 156, 156 1/2 27th St | Block 6577 Lot 018 | Lynn Denderian Robert Piechuta |   |
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RECEIVED
BOARD OF SUPERVISORS
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City Planning Commission
Case No. 2013.0259CV

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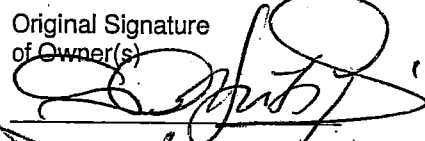

| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
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| 1. | <u>170 27th St</u> | <u>6577</u> | <u>Adrian Flores +</u> | <u>[Signature]</u> |
| 2. | <u>SF, CA 94110</u> | <u>022</u> | <u>Susan Brim</u> | <u>[Signature]</u> |
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 AUG 19 AM 9:41
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City Planning Commission
Case No. 2013.0259CV

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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|---|
| 1. | 790 CESAR CHAVEZ ST | 6567/020 | ST. STURE JAVISSON |  |
| 2. | | | HUONG JAVISSON |  |
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SAN FRANCISCO
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City & County of San Francisco
José Cisneros, Treasurer and Tax Collector
Secured Property Tax Bill
For Fiscal Year July 1, 2012 through June 30, 2013

1 Dr. Carlton B. Goodlett Place
City Hall, Room 140
San Francisco, CA 94102
www.sftreasurer.org

| Vol | Block | Lot | Account Number | Tax Rate | Statement Date | Property Location |
|-----|-------|-----|----------------|----------|----------------|----------------------|
| 39 | 6567 | 020 | 656700200 | 1.1691% | 10/11/2012 | 3790 CESAR CHAVEZ ST |

Assessed on January 1, 2012

To: DAVIDSSON FAMILY TRUST

**DAVIDSSON FAMILY TRUST
STURE & HUONG DAVIDSSON
2957 CLIFF DR
NEWPORT BEACH CA 92663-4021**

| Assessed Value | | |
|--------------------------|----------------|-------------------|
| Description | Full Value | Tax Amount |
| Land | 560,000 | 6,546.96 |
| Structure | 240,000 | 2,805.84 |
| Fixtures | | |
| Personal Property | | |
| Gross Taxable Value | 800,000 | 9,352.80 |
| Less HO Exemption | | |
| Less Other Exemption | | |
| Net Taxable Value | 800,000 | \$9,352.80 |

| Direct Charges and Special Assessments | | | |
|---|----------------------|----------------|-----------------|
| Code | Type | Telephone | Amount Due |
| 79 | DW CODE ENF FEE | (415) 558-6288 | 52.00 |
| 89 | SFUSD FACILITY DIST | (415) 355-2203 | 33.30 |
| 98 | SF - TEACHER SUPPORT | (415) 355-2203 | 213.90 |
| Total Direct Charges and Special Assessments | | | \$299.20 |

18th #2008 11-2/12 \$4,826.-
2nd #1426 4-10/13 \$4,826.-

| | | |
|--|--|-------------------|
| ► TOTAL DUE | | \$9,652.00 |
| 1st Installment | 2nd Installment | |
| \$4,826.00 | \$4,826.00 | |
| Due: November 1, 2012 Delinquent after Dec 10, 2012 | Due: February 1, 2013 Delinquent after April 10, 2013 | |

Keep this portion for your records. See back of bill for payment options and additional information.

Good job!

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City Planning Commission
Case No. 2013.0259CV

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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | <u>1365 Roberts St.</u> | <u>6577/28B</u> | <u>ANN MARY WILLIS</u> | <u>Ann Mary Willis</u> |
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City Planning Commission
Case No. 2013-0259 CV

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| Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----------------------------------|---------------------------|-----------------------------|-----------------------------------|
| 1. <u>1/2 3769 CESAR CHAVEZ</u> | <u>6577-046</u> | <u>GEORGE M LEE</u> | <u>George M. Lee</u> |
| 2. <u>1/2 3769 CESAR CHAVEZ</u> | <u>6577-046</u> | <u>GEORGE M LEE TRUSTEE</u> | <u>George M. Lee</u> |
| 3. <u>3795 Cesar Chavez</u> | <u>6577/029</u> | <u>William A. Battel</u> | <u>W. A. Battel</u> |
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Case No. 2013.0259CV

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| Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----------------------------------|---------------------------|----------------------------|-----------------------------------|
| 1. <u>1411 - 1415 Dolores</u> | <u>4594 028</u> | <u>Joseph K Hoegger</u> | <u>Joseph K Hoegger</u> |
| 2. <u>1411 - 1415 Dolores</u> | <u>4594 028</u> | <u>Kathleen A. Hoegger</u> | <u>Kathleen A. Hoegger</u> |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|-----------------------------|---|
| 1. | 171-173 2 TH STREET | 6594/033 | DALE SEXTON EVAN RUSSELL | <i>Dale Sexton</i> <i>Evan Russell</i> |
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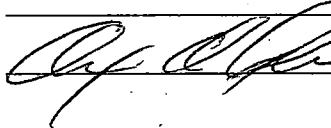
| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | <u>194-196/27th ST</u> | <u>577-27</u> | <u>JULIE BERON</u> | <u>Julie Beron</u> |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|------------------------------------|---------------------------|--------------------------|---|
| 1. | 160-27th ST. | | | |
| 2. | 160-27 th ST. | 6577/020 | ALEX DEANNA |  |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | <u>190-27th St.</u> | <u>6577/26</u> | <u>Anne Holman</u> | <u>[Signature]</u> |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | 184-27 th Street | 6577/25 | Stephen Gatlin | <i>Stephen Gatlin</i> |
| 2. | 188 27 th Street | 6577/25 | Kathleen P. Cantrell | <i>Kathleen P. Cantrell</i> |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | 3755 Cesar Chavez St. | 6577 / 33 | Martha E. Litchman | Martha E. Litchman |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | 3770 CESAR CHAVEZ | 6567-018A | MARILYN LOUIE | <i>Mary L.</i> |
| 2. | 3770 CESAR CHAVEZ | 6567-018A | JAMES MINNER | <i>James Minner</i> |
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|-----|---------------------------------------|---------------------------|--------------------------|-----------------------------------|
| 1. | <u>3742/3744 CESAR CHAVEZ ST.</u> | <u>6567-014</u> | <u>EDWARD J. WHITE</u> | <u>Edward J. White</u> |
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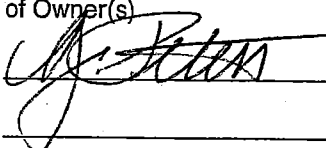
| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|----------------------|-----------------------------------|---------------------------|---------------------------|-----------------------------------|
| 67/ 527 and 28 | 1. <u>1301 DOLORES ST</u> | <u>657/027-28</u> | <u>KENNETH C. BOLLIER</u> | <u>KC Bollier</u> |
| | 2. <u>1301 DOLORES ST</u> | <u>657/027-28</u> | <u>JANET M BOLLIER</u> | <u>Janet M. Bollier</u> |
| | 3. _____ | _____ | _____ | _____ |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
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| 1. | 1382 DOLORES ST. | 6578 005A | GREGORY PETERS |  |
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| | Street Address, property owned | Assessor's Block & Lot | Printed Name of Owner(s) | Original Signature of Owner(s) |
|-----|-----------------------------------|---------------------------|----------------------------|-----------------------------------|
| 1. | <u>3748 Cesar Chavez</u> | <u>6567 / 15</u> | <u>David Deephanphongs</u> | <u>[Signature]</u> |
| 2. | <u>3748 Cesar Chavez</u> | <u>6567 / 15</u> | <u>Paulette Cha</u> | <u>[Signature]</u> |
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RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL DOCUMENT TO:

David M. Deephanphongs and Paulette M. Cha
3550 23rd Street #3
San Francisco, CA 94110

San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2013-J614015-00
Acct 3-FIRST AMERICAN Title Company
Tuesday, MAR 05, 2013 08:00:00
Ttl Pd \$5,808.00 Rpt # 0004632360
REEL K846 IMAGE 0065
car/AK/1-2

Space Above This Line for Recorder's Use Only

A.P.N.: 6567-015 and 39-6567-015-01

File No.: 3807-4297894 (KC)

Property Address: **3748 Cesar Chavez Street, San Francisco, CA 94110**
Lot Number: **015**
Block Number: **6567**

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$5,780.00; CITY TRANSFER TAX \$;
SURVEY MONUMENT FEE \$10.00

- [☒] computed on the consideration or full value of property conveyed, OR
[☐] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[☐] unincorporated area; [☒] City of San Francisco, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Raul E. Guerra, Successor
Trustee of The Maria Graciela Guerra Trust U/A dated March 21, 1994

hereby GRANTS to David M. Deephanphongs and Paulette M. Cha, husband and wife as community
property with right of survivorship

the following described property in the City of San Francisco, County of San Francisco, State of California:

**BEGINNING AT A POINT ON THE NORTHERLY LINE OF ARMY STREET, DISTANT THEREON
234 FEET, 8 INCHES WESTERLY FROM THE INTERSECTION OF THE WESTERLY LINE OF
GUERRERO STREET WITH THE SAID NORTHERLY LINE OF ARMY STREET, AS SAID
INTERSECTION EXISTED PRIOR TO THE WIDENING OF ARMY STREET; RUNNING THENCE
WESTERLY AND ALONG SAID LINE OF ARMY STREET 25 FEET; THENCE AT A RIGHT ANGLE
NORTHERLY 73 FEET, 9 INCHES, MORE OR LESS, TO THE SOUTHEASTERLY LINE OF THE
LANDS OF THE SOUTHERN PACIFIC COMPANY; THENCE NORTHEASTERLY AND ALONG SAID
LAST MENTIONED LINE TO A POINT DISTANT WESTERLY 234 FEET, 8 INCHES FROM THE
WESTERLY LINE OF GUERRERO STREET MEASURED AT RIGHT ANGLES THERETO; THENCE
SOUTHERLY AND PARALLEL WITH THE WESTERLY LINE OF GUERRERO STREET 94 FEET,
MORE OR LESS, TO THE NORTHERLY LINE OF ARMY STREET AND THE POINT OF BEGINNING.**

BEING A PORTION OF HORNER'S ADDITION BLOCK NO. 33.

Mail Tax Statements To: SAME AS ABOVE

City Planning Commission
Case No. 2013.0259CV

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. | <u>3753 CESAR CHAVEZ</u> | <u>6577/060</u> | <u>FRANKLIN KALMAR/ SUSAN STERN</u> | <u>Franklin Kalmar, Susan Stern</u> |
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| | | Date | | | | | GranteE | |
| 2013 | J708209-00 | 07/19/2013 | K942 | 0186 | DEED OF TRUST | R | | KALMAR FRANKLIN |
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APN Query Search Results

Criteria: 6577-060

| | | Block/Lot | Record | Date | Document | Doc Type |
|----------------------------------|---------------------------------|-----------|------------|------|------------|----------------------------|
| Show Name Detail | Show APN Detail | 6577-060 | 07/19/2013 | | J708209-00 | DEED OF TRUST |
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| Show Name Detail | Show APN Detail | 6577-060 | 06/18/2013 | | J687227-00 | RESIDENTIAL ENERGY INSPCTN |
| Show Name Detail | Show APN Detail | 6577-060 | 09/11/2009 | | I833578-00 | RESIDENTIAL ENERGY INSPCTN |
| Show Name Detail | Show APN Detail | 6577-060 | 09/08/2009 | | I829848-00 | DEED |
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| Show Name Detail | Show APN Detail | 6577-060 | 08/28/2009 | | I826244-00 | RESIDENTIAL ENERGY INSPCTN |
| Show Name Detail | Show APN Detail | 6577-060 | 10/30/2006 | | I276221-00 | DEED OF TRUST |
| Show Name Detail | Show APN Detail | 6577-060 | 10/30/2006 | | I276220-00 | DEED |

End of Report

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City Planning Commission
Case No. 2013.0259CV

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. | 1350 Dolores St. 6548/ SF, CA 94115 | 654 | Kiana Moradi | <i>Kiana Moradi</i> |
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| | | Date | | | | | Grantee | |
| 2013 | J591392-00 | 01/23/2013 | K818 | 0770 | DEED OF TRUST | R | | MORADI KIANA |
| | | | | | | E | | LOANDEPOT.COM LLC |
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APN Query Search Results

Criteria: 6578-054

| | | Block/Lot | Record | Date | Document | Doc Type |
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| Show Name Detail | Show APN Detail | 6578-054 | 01/23/2013 | | J591392-00 | DEED OF TRUST |
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| Show Name Detail | Show APN Detail | 6578-054 | 02/02/2012 | | J348678-00 | RESIDENTIAL ENERGY INSPCTN |
| Show Name Detail | Show APN Detail | 6578-054 | 03/31/2010 | | I945823-00 | SUBORDINATION AGREEMENT |
| Show Name Detail | Show APN Detail | 6578-054 | 03/31/2010 | | I945822-00 | DEED OF TRUST |
| Show Name Detail | Show APN Detail | 6578-054 | 04/22/2008 | | I569328-00 | DEED OF TRUST |
| Show Name Detail | Show APN Detail | 6578-054 | 04/22/2008 | | I569327-00 | DEED OF TRUST |
| Show Name Detail | Show APN Detail | 6578-054 | 04/22/2008 | | I569326-00 | DEED |
| Show Name Detail | Show APN Detail | 6578-054 | 03/20/2008 | | I554195-01 | DECLARATION OF C C & RESTRICIONS |
| Show Name Detail | Show APN Detail | 6578-054 | 03/20/2008 | | I554195-02 | CONDOMINIUM PLAN |

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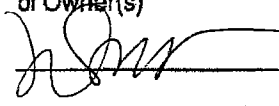
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City Planning Commission
Case No. 2013.0259CV

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) |
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| 1. | 3751 Cesar Chavez | 6577/059 | Michelle Hickey (Hosland) |  |
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| Year | Document | Date | Reel | Image | Document Type | Grantee | Name |
| 2013 | J635458-00 | 04/10/2013 | K872 | 0820 | RECONVEYANCE | R | KINECTA FEDERAL CREDIT UNION |
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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)

- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☐ Other

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 18930

HEARING DATE: JULY 18, 2013

Date: July 11, 2013
Case No.: 2013.0259CV
Project Address: 3771 and 3781 CESAR CHAVEZ STREET
Zoning: RH-2 (Residential, House, Two-Family) District
40-X Height and Bulk District
Block/Lot: 6577/ 030 and 045
Project Sponsor: Leah Potash
3771 Cesar Chavez Street
San Francisco, CA 94110
Staff Contact: Michael Smith – (415) 558-6322
michael.e.smith@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(F), 209.3(j), 317, AND 303 OF THE PLANNING CODE TO INCREASE ENROLLMENT AT AN EXISTING PRE-SCHOOL (D.B.A. GAN NOE PRESCHOOL) OPERATING AT 3771 AND 3781 CESAR CHAVEZ STREET AND ESTABLISH A RELIGIOUS FACILITY. ENROLLMENT AT THE PRE-SCHOOL WOULD INCREASE FROM 22 CHILDREN TO 42 CHILDREN AND THE PROJECT WOULD RESULT IN THE REMOVAL OF THE DWELLING UNIT AT 3781 CESAR CHAVEZ STREET. THE SUBJECT PROPERTY IS LOCATED IN A RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 8, 2013, Jeremy Paul of Quickdraw Permit Consulting, on behalf of Leah Potash (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 209.3(f), 209.3(j), 317, and 303 to allow an increase in enrollment at a preschool (d.b.a. Gan Noe Preschool) and allow for an accessory religious facility within the preschool, located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

On July 18, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0259C.

The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

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. 2013.0259C, 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 Sites, 3771 and 3781 Cesar Chavez Street are adjacent properties (Assessor's Block 6577, Lots 030 and 045) located on the south side of Cesar Chavez Street, between Dolores and Guerrero Streets at the eastern boundary of the Noe Valley neighborhood. 3771 Cesar Chavez Street is developed with a one and a half story over basement single-family dwelling that was constructed circa 1898. The building is set back towards the rear of the lot with large enclosed landscaped yard at the front and two off-street, surface parking spaces at the front of the lot. The lot is flag shaped with a small yard located to the west of the building. Total building area is approximately 4,064 gross square-feet. A portion of the building is currently used as a preschool/home daycare that is licensed for 14 children. The owners of the preschool also live at the property. 3781 Cesar Chavez Street is the adjacent property to the west of 3771 Cesar Chavez Street. The property is developed with a one-story over garage, single-family dwelling that was constructed in 1942. The property is also used as a preschool/home daycare that is licensed for 8 children. The rear yard is the primary children's play area.
3. **Surrounding Properties and Neighborhood.** The Project sites are located on the south side of the two-lane portion of Cesar Chavez Street which serves as the primary arterial for access to the 101 Freeway from Noe Valley. The immediate neighborhood is primarily residential, however, there are two churches and a large surface parking lot located on the north side of the street. There is a three-way signal light at both the east and west ends of the block. The adjacent properties to the west of the project sites are key lots that are much shorter than the average lot within this neighborhood. As a result of the smaller lots these properties also have smaller rear yards.

4. **Project Description.** The project sponsor is seeking Conditional Use authorization pursuant to Sections 209.3(f), 209.3(j), 317, and 303 to increase enrollment at an existing pre-school (d.b.a. Gan Noe Preschool) operating at 3771 and 3781 Cesar Chavez Street and establish a religious facility. Enrollment at the pre-school would increase from a combined enrollment of 22 children to 42 children and the project would result in the removal of the dwelling unit and the existing parking at 3781 Cesar Chavez Street. The proposal does not include any significant alteration or modification to the exteriors of the existing buildings with the exception of minor changes to signage and fencing. The space would also function as a religious facility when the preschool is not in session. The project also requires a parking variance as two parking spaces are required for the use and the existing parking space at 3781 Cesar Chavez Street would be removed. The subject property is located in RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
5. **Project Background.** Gan Noe Preschool has been operating at 3771 Cesar Chavez Street since 2005 as a home daycare/preschool for 14 or fewer children. In 2010, Gan Noe Preschool purchased 3781 Cesar Chavez Street and began operating a home daycare/preschool for 14 or fewer children at this location as well. The two properties were licensed for a total of 28 children. In 2011, an enforcement case was opened on 3781 Cesar Chavez Street for the alleged operation of a childcare facility with more than 40 children operating without proper approvals. The Project Sponsor was notified of the enforcement case but it was never investigated by the Department and remains active.

The Project Sponsor also operated a preschool within a single-family dwelling at 107 Justin Drive in Bernal Heights at the same time she was operating a preschool at 3771 Cesar Chavez Street. Conditional use authorization was sought for this location to expand its enrollment to 19 children but the application was cancelled in 2009 and the preschool was closed in 2010.

6. **Public Comment.** The Department received correspondence in opposition to the project from 20 neighbors including adjacent neighbors Richard and Ashley Rochman and Bill Sommer. These neighbors are concerned about parking and traffic, pedestrian safety, noise, driveway blockage related to the project.

The Project Sponsor submitted a petition signed by 34 people who have no objections to the project and staff received 32 pieces of public correspondence in support of the project including a letter of support from the Upper Noe Neighbors neighborhood group.

7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Institutions – Child-Care Facility.** Planning Code Section 209.3(f) requires Conditional Use authorization for child-care facilities providing less than 24 hour care for 15 or more children by licensed personnel and meeting the open space and other requirements of the State of California within the RH-2 Zoning District.

The Project Sponsor seeks Conditional Use authorization to establish a child-care facility providing less than 24-hour care for 15 or more and up to a maximum of 42 children within the RH-2 Zoning District.

- B. **Institutions – Religious Facility.** Planning Code Section 209.3(j) requires Conditional Use authorization for a church or religious facility which has a tax-exempt status as a religious institution granted by the United States Government, and which institution is used primarily for collective worship or ritual or observance of common religious beliefs within the RH-2 Zoning District.

The Project Sponsor seeks Conditional Use authorization to establish a religious facility. The facility would operate a number of weekly programs with 12 or fewer attendees at any given time. Weekly events include: Saturday morning services, Wednesday night Torah, Bar and Bat Mitzvah lessons and tutoring, and weekly Hebrew classes. Large gatherings would include Rosh Hashana (Fall), Yom Kippur (Fall), Purim Party (Spring), and Passover dinner (Spring).

- C. **Off-Street Parking.** Planning Code Section 151 requires one off-street parking space for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.

The proposed child-care facility for a maximum of 42 children would be required to provide a minimum of two off-street parking spaces for the use, pursuant to Planning Code Sections 151 and 153. The Project would not include any required off-street parking space, which would be subject to an off-street parking variance. The Project Sponsor has submitted a Variance Application No. 2013.0259CV. The Zoning Administrator will hold a public hearing on Variance Application while the Planning Commission will consider Conditional Use Application.

- D. **Loss of Dwellings through Conversion.** Conversion of Residential Units shall be prohibited, unless the Planning Commission approves the conversion at a public hearing.

The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units;

- (i) Whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;

The dwelling to be converted at 3781 Cesar Chavez Street is not owner occupied. The owners of 3781 purchased the property in 2010 and live next door at 3771 Cesar Chavez Street.

- (ii) Whether conversion of the unit(s) would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);

The conversion of the dwelling unit at 3781 Cesar Chavez Street would support an existing preschool use. Desirable preschools are important in retaining young families in San

San Francisco and those that exist often have long waiting lists for open spaces which is often discouraging. The proposed preschool would serve families that want a preschool that favors Jewish values. There are few preschools in San Francisco that offer similar services and those that do offer it are located outside the neighborhoods that Gan Noe Preschool is trying to service. Therefore, the conversion would provide a desirable new non-residential use.

- (iii) Whether conversion of the unit(s) will bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district;

The immediate neighborhood is within a RH District. Though there are two religious facilities located on the north side of Cesar Chavez Street however, the immediate neighborhood is primarily residential. Therefore, the conversion will not bring the property into closer conformance with the prevailing character.

- (iv) Whether conversion of the unit(s) will be detrimental to the City's housing stock;

The conversion of the dwelling unit would be detrimental to the City's housing stock because it would result in the loss of a habitable dwelling unit.

- (v) Whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected.

The existing dwelling unit is approximately 990 square-feet and contains one-bedroom and one bath. Other than being relatively small, the dwelling has no known design, functional, or habitable deficiencies.

Preschool/child care services are difficult to find in the City and those that operate often have long waiting lists. The ability of the City to provide these services will help its ability to attract and retain families in the City. Housing is also a scarce resource in the City. On balance, the need to help preschool/childcare services flourish in the City outweigh the benefit of retaining the existing dwelling unit.

8. 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 Project would retain the existing buildings on the site and their present configuration. The proposed use is necessary and desirable for the neighborhood because the presence of preschools in San Francisco helps to retain families in the city. At present, preschools are few and far between with desirable preschools experiencing long wait lists for open spaces which discourages some families from attempting to raise their children within the city. Gan Noe is a unique preschool because it offers

preschool services with Jewish values. Every year the school must reject dozens of requests for placement from families due to lack of capacity. Similar preschools are located north of Market Street or on Brotherhood Way, leaving the heart of the city without such services. The proposed expansion would allow Gan Noe to better serve the neighborhoods of Noe Valley, Bernal Heights, Glen Park, and the Mission

Activities related to the proposed religious facility would take place after preschool hours within the same space and according the Sponsor would involve no more than 12 people at a time.

- 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 be detrimental to the health, safety or convenience of those residing or working in 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 would not alter the existing site configuration of the buildings on the site. The children's play area would be located within the rear yard where it is currently located. Neighbors to the west of the subject property who share the same mid-block have expressed concerns about potential noise impacts from the additional children. In response, the Project Sponsor has stated that outdoor playtime will be staggered such that all children would never be in the play area at the same time. By law, the younger children cannot be within the play area at the same time as the older children.

- 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 Subject Property is in an established residential neighborhood that is well served by public transit, including 24th Street and the J-Church Muni Metro Line and J-Streetcar within two blocks of the Subject Property. Additionally, the proposed preschool facility is intended to meet the needs of the residents in the immediate neighborhood and should not generate significant amounts of vehicular trips citywide.

The Planning Code requires two off-street parking spaces for the proposed facility; however, the sponsor is seeking a variance from this requirement and would remove the existing garage parking space at 3781 Cesar Chavez Street. The project site is located on a street that is the primary arterial to and from Highway 101. Furthermore, there are signaled intersections at the east and west ends of the block. These factors often lead to traffic congestion within the subject block during commute hours. Neighbors have expressed concern that the proposed increase in enrollment would exacerbate the traffic situation within the block and that current parents park on sidewalks and block adjacent driveways during drop off. In response, the Project Sponsor has The Project Sponsor has agreed to apply for a white passenger loading zone, accommodating two parking spaces, on Sanchez Street in front of the facility's entrance and has agreed to institute a

staggered pick up and drop off that is supervised by staff to reduce traffic congestion during commute hours.

No additional off-street parking is required for the proposed religious facility. Programs related to the facility would include weekly Saturday morning services, weekly Wednesday night Torah study, Bar and Bat Mitzvah lessons and tutoring, and weekly Hebrew classes. Larger religious gatherings include Rosh Hashana (Sept.), Yom Kippur (Sept.), Purim Party (March), and Passover Dinner (April). Many attendees do not drive on the Sabbath or Jewish holidays in accordance with strict Jewish Law which reduces vehicular traffic.

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

The project would not emit noxious or offensive emissions such noise, glare, dust or odor.

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

No additional landscaping is proposed for the site. The Department shall review all lighting and signs proposed for the property in accordance with the Conditions of Approval contained in Exhibit A.

- 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.

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

COMMERCE AND 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 that has substantial undesirable consequences that cannot be mitigated.

The Project would enhance the living and working environment in the City by providing a unique needed preschool service for residents and workers within the Noe Valley, Bernal Height, Glen Park, and Mission

neighborhoods. The Project would also need to comply with State licensing requirements for childcare/preschool facilities further minimizing possible undesirable consequences from such a use.

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.

Policy 3:

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

The Project will enhance an existing preschool facility that has served the surrounding community since 2005 by extending its services to a greater number of people.

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.

The Project will provide employment opportunities for nine semi-skilled San Francisco residents.

GOVERNMENT, HEALTH AND EDUCATION SERVICES

Objectives and Policies

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENT, HEALTH, AND EDUCATIONAL SERVICES.

Policy 7.2:

Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

The proposed child-care facility will offer educational services to pre-school children of San Francisco residents. No exterior alteration will be proposed to the existing buildings. The proposed child-care facility's activities will take place either indoors or within the rear yard. The proposed conditions of approval would help reduce effects on parking and traffic within the neighborhood and ease noise levels during hours of operation.

10. 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 proposal would strengthen an existing neighborhood-serving use that has served the neighborhood since 2005 and provide employment for up to nine people.

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

The proposed use will retain the existing buildings on the site and the interior alterations to 3781 Cesar Chavez Street are such that they could be easily reversed and the property converted back to residential use.

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

The Project would not affect the City's existing supply of affordable housing.

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

The proposed use is well served by public transit but it is located a few blocks away. The proposed preschool is not expected to be a destination use that attracts families from outside the immediate neighborhoods. The Sponsor has agreed to seek a passenger loading space in front of the property and implement a pick up and drop off program for families that choose to drive. The loading zone and the program have been included as conditions of approval for the Project.

- 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 achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will not affect the Subject Property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project would not alter the exterior appearance of the buildings in question.

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

The project will have no negative affect on existing parks and open spaces.

11. 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.
12. 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. 2013.0259CV** pursuant to Sections 209.3(f), 209.3(j), 317, and 303 of the Planning Code subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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. 18930. 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 94102.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on July 18, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Wu, Sugava, Antonini, Moore, Borden, and Fong

NAYES: None

ABSENT: Commissioner Hillis

ADOPTED: July 18, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to increase enrollment at preschool (d.b.a. Gan Noe Preschool) from 22 to 42 children and establish a religious facility (d.b.a. Chabad of Noe Valley) for the properties at 3771 and 3781 Cesar Chavez Street, Block 6577, Lots 030 and 045, pursuant to Planning Code Sections 209.3(f), 209.3(j), 317, and 303 within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District; in general conformance with plans stamped "EXHIBIT B" included in the docket for Case No. 2013.0259CV and subject to conditions of approval reviewed and approved by the Commission on July 18, 2013 under Motion No. 18930. 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 18, 2013 under Motion No. 18930.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18930 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

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. **Signage Program.** Any proposed signage shall be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code. The plans for signage that have been presented to the Commission are for informational purposes only and have not been reviewed for Code compliance. Once submitted staff will share the final signage plan with the Commission as an informational item prior to approval.

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

MONITORING

4. **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.

OPERATION

5. **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.

6. **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, 415-695-2017, <http://sfdpw.org/>.

7. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

The following conditions were taken from the environmental noise study that was prepared by Charles M. Salter Associates for Gan Noe Preschool. The recommendations were presented by the Project Sponsor at the hearing and hence adopted by the Planning Commission.

- a. The Project Sponsor will work with both the neighbors and Department staff on replacing the existing fence around the play area with taller sound-isolating fence.
- b. The new fence shall be acoustically treated on the play yard side of the fence with sound absorptive material (2-inch thick P.E.P.P.).
- c. Landscape alternative play spaces within the garden at 3771 Cesar Chavez.
- d. Cover the entire hardscape play area with rubber matting.
- e. The Project Sponsor shall conduct quarterly teacher trainings on "good neighbor" policies.
- f. Signage shall be posted for instructing adults on "good neighbor" policies.
- g. Replace the fiberglass basketball backboard with heavier constructed materials such as dense polycarbonate.
- h. Give neighbors a 14-day advance notice of pending holiday celebrations.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org.

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, www.sf-police.org

8. **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 with written notice of the name, business address, and telephone number of the community liaison. 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

10. **Traffic Plan.** Prior to permit approval, the Project Sponsor shall provide the Department with a morning drop-off and afternoon pick-up plan that will include a white passenger loading zone on Cesar Chavez Street in front of the entrance to the proposed preschool. Additionally, the Sponsor shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours.

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

11. **Hours of Operation.** Daycare/preschool hours of operation shall be limited to 7a.m. to 6 p.m.
12. **Attendance.** The childcare/ preschool facility shall be limited to a total of 42 children.
13. **One-Year Follow-up Report.** The project Sponsor shall coordinate with staff to provide a report to the Commission after approximately one-year of operation.



SAN FRANCISCO PLANNING DEPARTMENT

Conditional Use Authorization Appeal 3771 and 3781 Cesar Chavez Street

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DATE: September 9, 2013
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411
Michael Smith, Case Planner – Planning Department (415) 558-6322
RE: File No. 130818, Planning Case No. 2013.0259C - Appeal of the approval of
Conditional Use Authorization for 3771 and 3781 Cesar Chavez Street,
HEARING DATE: September 17, 2013
ATTACHMENTS:
A. Commission Packet (including draft motion)
B. Approved Planning Commission Motion Number 18930

PROJECT SPONSOR: Leah Potash, owner of Gan Noe Preschool, 3771 Cesar Chavez Street, San Francisco, CA 94110
APPELLANT: Richard Rochman, 1359 Dolores Street, San Francisco, CA 94110

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), 209.3(f) (Institutions – Child-Care Facility), 209.3(j) (Institutions – Religious Facility), and 317 (Dwelling Unit Conversion) to expand an existing pre-school (d.b.a. Gan Noe Preschool) operating at 3771 Cesar Chavez Street into the adjacent property at 3781 Cesar Chavez Street, increasing enrollment at the pre-school from 22 children to 42 children. The space would also function as a religious facility when the preschool is not in session and would result in the conversion of the dwelling unit at 3781 Cesar Chavez Street. The subject property is located in RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

This response addresses the appeal ("Appeal Letter") to the Board filed on August 19, 2013 by Richard Rochman, owner of 1359 Dolores Street. The Appeal Letter referenced the proposed project in Planning Case No. 2013.0259C.

The decision before the Board is whether to uphold or overturn the Planning Commission's approval of Conditional Use Authorization to allow the expansion of the existing Gan Noe Preschool facility and the establishment of a religious facility.

SITE DESCRIPTION & PRESENT USE

The Project Sites, 3771 and 3781 Cesar Chavez Street are adjacent properties (Assessor's Block 6577, Lots 030 and 045) located on the south side of Cesar Chavez Street, between Dolores and Guerrero Streets at the eastern boundary of the Noe Valley neighborhood.

- The existing building at 3771 Cesar Chavez Street is a one and a half story over basement, single-family dwelling with an accessory daycare/preschool use for 14 children. The building was constructed circa 1898. This building is set back from the sidewalk and featuring a large, enclosed landscaped yard and two off-street, surface parking spaces at the front of the lot. The lot is flag shaped with a small yard located to the west of the building. The total building area is approximately 4,064 gross square-feet. The owners of the daycare/preschool live in this building.
- The existing building at 3781 Cesar Chavez Street is the adjacent property to the west of 3771 Cesar Chavez Street. The property is developed with a one-story over garage, single-family dwelling that was constructed in 1942. The property also contains an accessory preschool/home daycare for eight children. The preschool at this location is owned and operated by the same party (d.b.a. Gan Noe Preschool) as the preschool/home day care at 3771 Cesar Chavez but is licensed to a different individual who no longer lives at that address. This dwelling would be converted into the proposed preschool as part of the project. The rear yard is the primary children's play area.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project sites are located on the south side of the two-lane portion of Cesar Chavez Street which serves as the primary arterial for access to the 101 Freeway from Noe Valley. The immediate neighborhood is primarily residential with two churches and a large surface parking lot located on the north side of the street. There is a three-way signal light at both the east and west ends of the block. The adjacent properties to the west of the project sites are much shorter than the average lot within this neighborhood. As a result of the smaller lots these immediately adjacent properties also have smaller rear yards.

PROJECT DESCRIPTION

The project sponsor is seeking Conditional Use authorization pursuant to Sections 209.3(f), 209.3(j), 317, and 303 to increase enrollment at an existing pre-school operating at 3771 and 3781 Cesar Chavez Street and establish a religious facility. Enrollment at the pre-school would increase from a combined enrollment of 22 children to 42 children and the project would result in the removal of the dwelling unit and the existing parking at 3781 Cesar Chavez Street. The proposal does not include any significant alteration or modification to the exteriors of the existing buildings with the exception of minor changes to signage and fencing. The space would also function as a religious facility (known as Chabad of Noe Valley) when the preschool is not in session. The project also requires a parking variance as two parking spaces are required for the use and the existing parking space at 3781 Cesar Chavez Street would be removed. The subject property is located in RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

BACKGROUND

Gan Noe Preschool has been operating at 3771 Cesar Chavez Street since 2005 as a home daycare/preschool for 14 or fewer children. In 2010, Gan Noe Preschool purchased 3781 Cesar Chavez Street and began operating a home daycare/preschool for 8 or fewer children at this location as well but under a different licensee. The two properties were licensed for a total of 22 children. In 2011, an enforcement case was opened on 3781 Cesar Chavez Street for the alleged operation of a childcare facility with more than 40 children operating without proper approvals.

Planning Code Section 209.3 establishes two distinct types of child-care facilities. Section 209.3(e) pertains to facilities for 14 or fewer children and 209.3 (f) pertains to facilities with 15 or more children. Both use types are required by the Planning Code to meet the requirements of the State of California. The State requires that for the smaller facilities (209.3(e)) the owner must live on-site. The State does not require on-site owners for the larger facility.

The Project Sponsor was notified of the enforcement case but it was never investigated by the Department and remains active. According to the Project Sponsor there are only 22 children currently enrolled at the preschool on both locations. The project sponsor submitted the subject Conditional Use Authorization application on March 8, 2013 to secure appropriate entitlements for the larger size child-care use. The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

CONDITIONAL USE AUTHORIZATION HEARING

At the July 18, 2013 public hearing, the Commission granted a Conditional Use Authorization pursuant to Sections 209.3(f), 209.3(j), 317, and 303, authorizing the expansion of the Gan Noe Preschool from 22 to 42 children and establishing a religious facility (d.b.a. Chabad of Noe Valley). The project was approved with conditions by a vote of +6, -0 (Comm. Hillis absent). Below are the conditions that relate to the appellant's safety concerns:

1. Limiting the number of students to 42;
2. Requiring the Project Sponsor, neighbors and staff to work on establishing the fence height(s) between 3771-3781 Cesar Chavez and neighboring properties;
3. Limiting the Day Care hours of operation to 7 am to 6 pm;
4. Adopting the Acoustical Measures submitted to the Commission, sans items 5, 6 and 7 as listed below, and establishing a 14 day advance notice for holiday celebrations, item 11;
5. A report from staff to the Commission in one year; and

The Project Sponsor shall provide the Department with a morning drop-off and afternoon pick-up plan that will include a white passenger loading zone on Cesar Chavez Street in front of the entrance to the proposed preschool. Additionally, the Sponsor shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours.

ACOUSTICAL MEASURES

The Project Sponsor commissioned a noise study for the Gan Noe Preschool. Below are all of the recommendations from the study with notations added for items altered or not required by the Commission.

1. Replace the existing fence around the play area with a 6-foot tall, sound-isolating fence.
2. Acoustically treat the play yard side of the fence with sound absorptive material (2-inch thick P.E.P.P.).

3. Landscape alternative play spaces within the garden at 3771 Cesar Chavez Street.
4. Continue the rubber matting to cover the entire play area.
5. Properly store and service children's play toys with moving parts. (Not required by the Planning Commission.)
6. Seal the "wedge" opening at 3787 Cesar Chavez with limp mass barrier (barium sulfate vinyl). (Not required by the Planning Commission.)
7. Break the solid connection between the project and 3787 Cesar Chavez at the narrow end of the wedge. (Not required by the Planning Commission.)
8. Conduct quarterly teacher trainings on "good neighbor" policies.
9. Post signage for instructing adults on "good neighbor" policies.
10. Replace the fiberglass basketball backboard with heavier constructed materials such as dense polycarbonate.
11. Give advance notice to neighbors of pending holiday celebrations. (Specifically, a 14-day notice was required by the Commission.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

Planning Code Section 303 establishes the following criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval.

- 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.
- 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 would be detrimental to the health, safety or convenience of those residing or working in the area, in that:
 - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - 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;
 - iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;
- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

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

Issue 1: Concerns regarding traffic hazards related to this block. The Appellant contends that the 3700 block of Cesar Chavez Street is already unusually dangerous.

Response 1: The Commission addressed concerns related to traffic hazards and required that the Project Sponsor 1) develop an access plan; 2) utilize parking monitors; and 3) report back to the Commission after one year. Each of these requirements is described below. It is important to note that Section 209.3(e) of the Planning Code permits "as of right" a child-care facility providing less than 24-hour care for 14 or fewer children provided that licensed personnel operate the facility and that the property meets the open-space and other requirements of the State of California and other authorities. Gan Noe Preschool has been operating a preschool at 3771 Cesar Chavez Street, pursuant to the definition above, since 2005 without incident. Although the 3700 block of Cesar Chavez Street experiences more accidents involving moving vehicles than most residential blocks, none of the accidents have been attributed to the Gan Noe Preschool.

Cesar Chavez Street is the primary access street to Highway 101 from Noe Valley. There is a three-way signal light at both the east and west ends of the block. Recognizing that enrollment would increase from 22 to 42 children, the safety of the families that would attend Gan Noe Preschool was of primary concern when the Commission required three specific conditions.

- First, the Commission required the Project Sponsor to provide the Department with a pick-up and drop-off plan for safe access. The appellants have expressed an desire for a crossing guard for the intersection. The "pick-up and drop-off" plan could include a crossing guard as part of the plan.
- Second, the Commission required that a passenger loading zone with parking monitors be an integral part of the "pick-up and drop-off" plan. Since 2012, the Commission has approved six childcare/preschool facilities with a similar requirement, which is designed to ensure that children safely arrive at the facility and to reduce traffic. Previously the parking monitors were referred to as "crossing guards" although they served the same purpose, which was to monitor the required passenger loading area. None of the projects that were recently approved required a crossing guard at a particular intersection.
- Third, the Commission required that Department staff analyze the success of these safety measures and report back to the Commission after the Preschool has been operational for one-year. The "report back" would give both the Commission and the public an opportunity to assess all aspects of how the facility is operating including public safety.

The statement that parents will pull into the drive and will back onto Cesar Chavez is not accurate. The Project Sponsor has agreed to provide a passenger loading zone in front of the subject properties to accommodate safe connections for parents and children. This passenger loading zone combined with the existing driveway curb cuts would accommodate three vehicles to unload at the same time, thus reducing the need for Gan Noe families to cross the street to access the facility.

The Commission found that the proposed use, when implemented with the Commission's required conditions, is necessary and desirable for the neighborhood because the presence of preschools in San Francisco helps to retain families in the city. At present, preschools are few and far between with

desirable preschools experiencing long wait lists for enrollment, which may discourage families from raising children within the city. Gan Noe is a unique preschool because it offers preschool services with Jewish values. Currently, the school reports rejecting dozens of children and that it has a waiting list due to lack of capacity. Similar preschools are located north of Market Street or on Brotherhood Way, leaving the heart of the city without such culturally-specific services. The proposed expansion would allow Gan Noe to better serve the neighborhoods of Noe Valley, Bernal Heights, Glen Park, and the Mission.

Issue 2: Concerns regarding alleged violations of law at this location. The Appellant contends that the operators of the proposed preschool have a track record of violating and disregarding the state law.

Response 2: The Planning Commission is not the proper venue for enforcement of CCLD laws and the child-care facility is in possession of a valid state license and would fully comply with the City's requirements with approval of this conditional use. The alleged violations are the purview of the Community Care Licensing Division (CCLD) of the State Department of Social Services. These allegations were raised at the July 18, 2013 Conditional Use hearing¹. At the Commission hearing, Planning staff reported on previous conversations with CCLD staff in San Bruno, the agency responsible for licensing the subject facility. CCLD staff advised that most of the violations alleged by the appellant were normal infractions that could easily be remedied. Therefore, the CCLD had not revoked the license but was instead working with the operator to achieve compliance. It was only the continued operation of the small child-care facility after the licensee had vacated the premises that caused concern with CCLD staff. The Conditional Use authorization would allow the licensee to rectify this problem by changing the facility type to the larger facility, which does not require the licensee to live on-site. Securing the planning entitlements for the larger child-care facility would also resolve any outstanding Planning Code issues.

The Commission found that the majority of the alleged violations raised by Appellant were not within the jurisdiction of the Commission or the City, but rather were under the purview of the CCLD. The primary issue for the Commission raised by the allegations was the authorization to move from the smaller, home child-care facility to the larger child-care use type. As discussed above, the Commission found that the abandonment of the accessory home daycare/preschool facility and establishment of a preschool facility as a primary use was necessary and desirable and met all of the requirements for a conditional use authorization.

¹ Both 3771 and 3781 Cesar Chavez Street are licensed as home daycares which requires that the licensee live on the premises. To meet this requirement, the owner of Gan Noe lived at 3771 Cesar Chavez Street and had a different licensee living at 3781 Cesar Chavez Street. When the licensee of 3781 Cesar Chavez Street left the facility unexpectedly, the Project Sponsor reported difficulty in trying to find a replacement licensee. As reported by the project sponsor, the fates of many Gan Noe families were left in the balance as the Project Sponsor evaded CCLD to avoid closure of the 3781 Cesar Chavez Street facility. It was around that time that the Project Sponsor submitted the subject project to the Planning Department for review.

Issue 3: Concerns that the Commission failed to exercise its discretion.

Response 3: The Commission addressed the issues raised related to safety and approved the application for a conditional use as necessary and desirable to address the critical shortage² of childcare facilities in San Francisco. The appellant contends that the Commission failed to exercise its discretion on this project because it failed to apply the same standards to similar projects.

The Commission has approved several childcare facilities over the past few years. Each facility was located in a different residential neighborhood possessing different physical constraints. The subject property is very different from the other locations: it is a more heavily trafficked street, the adjacent properties are key lots that are much more shorter than the average lot depth in the neighborhood, the project involves an existing facility that operates on two adjacent properties, and it involves a facility that is seeking to transition from a home facility to a day care/preschool facility. To address the unique location of the proposed facility the Commission exercised its discretion and imposed unique conditions upon the project to address the project's unique externalities, including traffic safety and noise abatement. With the application of these conditions, the Commission appropriately approved a project that will help address the critical shortage of childcare facilities in San Francisco and help make the City a more attractive option for families.

CONCLUSION

For the reasons stated above, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use authorization for the expansion of Gan Noe Preschool and the establishment of the Chabad of Noe Valley religious facility at 3771 and 3781 Cesar Chavez Street and deny the appeal.

² The San Francisco Department of Children, Youth and Their Families reported in the May 2011 Community Needs Assessment Report Overview that, "Since 2005, the need for subsidized child care in San Francisco has more than doubled. In 2005, a total of 1,340 children were on the waiting list for subsidized care, compared to 3,558 in 2011. Service providers, in particular, expressed concern about the effect of state budget cuts on the future availability of subsidized care.

Many parents and service providers also commented on an acute need for child care services for infants and toddlers. As one parent stated, "Child care [is the greatest challenge faced by children and families], especially for children zero to three."



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JULY 18, 2013

Date: July 11, 2013
Case No.: 2013.0259CV
Project Address: 3771 and 3781 CESAR CHAVEZ STREET
Zoning: RH-2 (Residential, House, Two-Family) District
40-X Height and Bulk District
Block/Lot: 6577/ 030 and 045
Project Sponsor: Leah Potash
3771 Cesar Chavez Street
San Francisco, CA 94110
Staff Contact: Michael Smith – (415) 558-6322
michael.e.smith@sfgov.org
Recommendation: Approval with Conditions

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PROJECT DESCRIPTION

The project sponsor is seeking Conditional Use authorization pursuant to Sections 209.3(f), 209.3(j), 317, and 303 to increase enrollment at an existing pre-school (d.b.a. Gan Noe Preschool) operating at 3771 and 3781 Cesar Chavez Street and establish a religious facility. Enrollment at the pre-school would increase from a combined enrollment of 22 children to 42 children and the project would result in the removal of the dwelling unit and the existing parking at 3781 Cesar Chavez Street. The proposal does not include any significant alteration or modification to the exteriors of the existing buildings with the exception of minor changes to signage and fencing. The space would also function as a religious facility when the preschool is not in session. The project also requires a parking variance as two parking spaces are required for the use and the existing parking space at 3781 Cesar Chavez Street would be removed. The subject property is located in RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

SITE DESCRIPTION AND PRESENT USE

The Project Sites, 3771 and 3781 Cesar Chavez Street are adjacent properties (Assessor's Block 6577, Lots 030 and 045) located on the south side of Cesar Chavez Street, between Dolores and Guerrero Streets at the eastern boundary of the Noe Valley neighborhood. 3771 Cesar Chavez Street is developed with a one and a half story over basement single-family dwelling that was constructed circa 1898. The building is set back towards the rear of the lot with large enclosed landscaped yard at the front and two off-street, surface parking spaces at the front of the lot. The lot is flag shaped with a small yard located to the west of the building. Total building area is approximately 4,064 gross square-feet. A portion of the building is currently used as a preschool/home daycare for 14 children. The owners of the preschool also live at the property. 3781 Cesar Chavez Street is the adjacent property to the west of 3771 Cesar Chavez Street. The property is developed with a one-story over garage, single-family dwelling that was constructed in 1942.

Executive Summary**Hearing Date: July 18, 2013****CASE NO. 2013.0259C****3771 and 3781 Cesar Chavez Street**

The property is also used as a preschool/home daycare for 8 children. Previously, one of the teachers affiliated with the school also lived at 3781 Cesar Chavez Street and their name appears on the childcare license for that address but that person no longer lives at that address. This dwelling would be converted into the proposed preschool as part of the project. The rear yard is the primary children's play area.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project sites are located on the south side of the two-lane portion of Cesar Chavez Street which serves as the primary arterial for access to the 101 Freeway from Noe Valley. The immediate neighborhood is primarily residential, however, there are two churches and a large surface parking lot located on the north side of the street. There is a three-way signal light at both the east and west ends of the block. The adjacent properties to the west of the project sites are key lots that are much shorter than the average lot within this neighborhood. As a result of the smaller lots these properties also have smaller rear yards.

PROJECT BACKGROUND

Gan Noe Preschool has been operating at 3771 Cesar Chavez Street since 2005 as a home daycare/preschool for 14 or fewer children. In 2010, Gan Noe Preschool purchased 3781 Cesar Chavez Street and began operating a home daycare/preschool for 8 or fewer children at this location as well but under a different licensee. The two properties were licensed for a total of 22 children. In 2011, an enforcement case was opened on 3781 Cesar Chavez Street for the alleged operation of a childcare facility with more than 40 children operating without proper approvals. The Project Sponsor was notified of the enforcement case but it was never investigated by the Department and remains active. According to the Project Sponsor there are only 22 children currently enrolled at the preschool.

The Project Sponsor also operated a preschool within a single-family dwelling at 107 Justin Drive in Bernal Heights at the same time she was operating a preschool at 3771 Cesar Chavez Street. Conditional use authorization was sought for this location to expand its enrollment to 19 children but the application was cancelled in 2009 and the preschool was closed in 2010.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

HEARING NOTIFICATION

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|--------------------|-----------------|----------------------|--------------------|---------------|
| Classified News Ad | 20 days | June 28, 2013 | June 26, 2013 | 22 days |
| Posted Notice | 20 days | June 28, 2013 | June 28, 2013 | 20 days |
| Mailed Notice | 20 days | June 28, 2013 | June 28, 2013 | 20 days |

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

The Department received correspondence in opposition to the project from 20 neighbors including adjacent neighbors Richard and Ashley Rochman and Bill Sommer. These neighbors are concerned about parking and traffic, pedestrian safety, noise, driveway blockage related to the project.

The Project Sponsor submitted a petition signed by 40 people who have no objections to the project and staff received 32 pieces of public correspondence in support of the project.

ISSUES AND OTHER CONSIDERATIONS

- The Project Sites are located on a heavily trafficked arterial street that is the main thoroughfare for access to Highway 101 from Noe Valley. It is unknown how the increase in children would affect traffic on the street but the sponsor has agreed to implement a traffic management plans whereby teachers would help facilitate student dropoff within the driveways and within a new loading zone located between the driveways and implement a staggered pick-up and drop-off.
- The properties located to the west of the subject property are key lots that are much shorter than the average lot depth within the neighborhood. The lack of additional lot depth significantly reduces the depth of the rear yards resulting in a much smaller buffer between the children's play area these residences. To address this concern the Project Sponsor has suggested installing a taller fence within the rear yard to contain the noise. The Planning Code permits a fence within the rear yard with a maximum height of 10 feet above grade. The neighbors have not been receptive to this idea.
- The ground floor of 3781 Cesar Chavez Street would remodeled into programmatic classroom space for the preschool resulting in the removal of the existing off-street parking space. Pursuant to Section 151 of the Planning Code, the proposed preschool requires two off-street parking spaces. Therefore, the project requires a parking variance for two off-street parking spaces.
- The Project Sponsor is also seeking conditional use authorization for a religious facility (d.b.a. Chabad of Noe Valley). The facility would operate a number of weekly programs with 12 or fewer attendees at any given time. Weekly events include: Saturday morning services, Wednesday night Torah, Bar and Bat Mitzvah lessons and tutoring, and weekly Hebrew classes. Large gatherings would include Rosh Hashana (Fall), Yom Kippur (Fall), Purim Party (Spring), and Passover dinner (Spring).
- The project would result in the removal of the approximately 990 square-foot, one-bedroom, dwelling at 3781 Cesar Chavez Street. The dwelling at 3771 Cesar Chavez Street would remain.

REQUIRED COMMISSION ACTION

Pursuant to Sections 209.3(f), 204.1, 317, and 303 of the Planning Code, Conditional Use Authorization is required respectively for a preschool/childcare facility for 42 children, a religious facility, and the removal of a dwelling unit.

Executive Summary

Hearing Date: July 18, 2013

CASE NO. 2013.0259C

3771 and 3781 Cesar Chavez Street

BASIS FOR RECOMMENDATION

- The project would allow an established use to continue to provide a unique service that is currently unmet in the neighborhood.
- Preschool/child care services are difficult to find in the City and those that operate often have long waiting lists. The ability of the City to provide these services will help its ability to attract and retain families in the City. Housing is also a scarce resource in the City. On balance, the need to help preschool/childcare services flourish in the City outweigh the benefit of retaining the existing dwelling unit.
- According to the Project Sponsor, Gan Noe Preschool currently provides services for a total of 22 children. The proposed 20 persons increase in enrollment has been determined to not be significant enough to greatly increase the use's affect on parking, traffic, and noise in the neighborhood. Furthermore, the proposed traffic management plan will offset any potential parking and traffic increases due to the increased enrollment.
- The proposed preschool would be operated in compliance with state and local regulations regarding preschool facilities.

| | |
|------------------------|---------------------------------|
| RECOMMENDATION: | Approval with Conditions |
|------------------------|---------------------------------|

Attachment Checklist

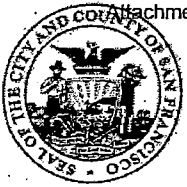
- ☒ Executive Summary
- ☒ Draft Motion
- ☐ Environmental Determination
- ☒ Zoning District Map
- ☒ Height & Bulk Map
- ☒ Parcel Map
- ☒ Sanborn Map
- ☒ Aerial Photo
- ☒ Formula Retail Map
- ☒ Context Photos
- ☒ Site Photos

- ☒ Project sponsor submittal
- Drawings: Existing Conditions
- ☒ Check for legibility
- Drawings: Proposed Project
- ☒ Check for legibility

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

MES

Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Motion No. XXXXX

HEARING DATE: JULY 18, 2013

Date: July 11, 2013
Case No.: 2013.0259CV
Project Address: 3771 and 3781 CESAR CHAVEZ STREET
Zoning: RH-2 (Residential, House, Two-Family) District
40-X Height and Bulk District
Block/Lot: 6577/ 030 and 045
Project Sponsor: Leah Potash
3771 Cesar Chavez Street
San Francisco, CA 94110
Staff Contact: Michael Smith – (415) 558-6322
michael.e.smith@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(F), 209.3(J), 317, AND 303 OF THE PLANNING CODE TO INCREASE ENROLLMENT AT AN EXISTING PRE-SCHOOL (D.B.A. GAN NOE PRESCHOOL) OPERATING AT 3771 AND 3781 CESAR CHAVEZ STREET AND ESTABLISH A RELIGIOUS FACILITY. ENROLLMENT AT THE PRE-SCHOOL WOULD INCREASE FROM 22 CHILDREN TO 42 CHILDREN AND THE PROJECT WOULD RESULT IN THE REMOVAL OF THE DWELLING UNIT AT 3781 CESAR CHAVEZ STREET. THE SUBJECT PROPERTY IS LOCATED IN A RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 8, 2013, Jeremy Paul of Quickdraw Permit Consulting, on behalf of Leah Potash (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 209.3(f), 209.3(j), 317, and 303 to allow an increase in enrollment at a preschool (d.b.a. Gan Noe Preschool) and allow for an accessory religious facility within the preschool, located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

On July 18, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0259C.

The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

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. 2013.0259C, 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 Sites, 3771 and 3781 Cesar Chavez Street are adjacent properties (Assessor's Block 6577, Lots 030 and 045) located on the south side of Cesar Chavez Street; between Dolores and Guerrero Streets at the eastern boundary of the Noe Valley neighborhood. 3771 Cesar Chavez Street is developed with a one and a half story over basement single-family dwelling that was constructed circa 1898. The building is set back towards the rear of the lot with large enclosed landscaped yard at the front and two off-street, surface parking spaces at the front of the lot. The lot is flag shaped with a small yard located to the west of the building. Total building area is approximately 4,064 gross square-feet. A portion of the building is currently used as a preschool/home daycare that is licensed for 14 children. The owners of the preschool also live at the property. 3781 Cesar Chavez Street is the adjacent property to the west of 3771 Cesar Chavez Street. The property is developed with a one-story over garage, single-family dwelling that was constructed in 1942. The property is also used as a preschool/home daycare that is licensed for 8 children. The rear yard is the primary children's play area.
3. **Surrounding Properties and Neighborhood.** The Project sites are located on the south side of the two-lane portion of Cesar Chavez Street which serves as the primary arterial for access to the 101 Freeway from Noe Valley. The immediate neighborhood is primarily residential, however, there are two churches and a large surface parking lot located on the north side of the street. There is a three-way signal light at both the east and west ends of the block. The adjacent properties to the west of the project sites are key lots that are much shorter than the average lot within this neighborhood. As a result of the smaller lots these properties also have smaller rear yards.

4. **Project Description.** The project sponsor is seeking Conditional Use authorization pursuant to Sections 209.3(f), 209.3(j), 317, and 303 to increase enrollment at an existing pre-school (d.b.a. Gan Noe Preschool) operating at 3771 and 3781 Cesar Chavez Street and establish a religious facility. Enrollment at the pre-school would increase from a combined enrollment of 22 children to 42 children and the project would result in the removal of the dwelling unit and the existing parking at 3781 Cesar Chavez Street. The proposal does not include any significant alteration or modification to the exteriors of the existing buildings with the exception of minor changes to signage and fencing. The space would also function as a religious facility when the preschool is not in session. The project also requires a parking variance as two parking spaces are required for the use and the existing parking space at 3781 Cesar Chavez Street would be removed. The subject property is located in RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
5. **Project Background.** Gan Noe Preschool has been operating at 3771 Cesar Chavez Street since 2005 as a home daycare/preschool for 14 or fewer children. In 2010, Gan Noe Preschool purchased 3781 Cesar Chavez Street and began operating a home daycare/preschool for 14 or fewer children at this location as well. The two properties were licensed for a total of 28 children. In 2011, an enforcement case was opened on 3781 Cesar Chavez Street for the alleged operation of a childcare facility with more than 40 children operating without proper approvals. The Project Sponsor was notified of the enforcement case but it was never investigated by the Department and remains active.

The Project Sponsor also operated a preschool within a single-family dwelling at 107 Justin Drive in Bernal Heights at the same time she was operating a preschool at 3771 Cesar Chavez Street. Conditional use authorization was sought for this location to expand its enrollment to 19 children but the application was cancelled in 2009 and the preschool was closed in 2010.

6. **Public Comment.** The Department received correspondence in opposition to the project from 20 neighbors including adjacent neighbors Richard and Ashley Rochman and Bill Sommer. These neighbors are concerned about parking and traffic, pedestrian safety, noise, driveway blockage related to the project.

The Project Sponsor submitted a petition signed by 34 people who have no objections to the project and staff received 32 pieces of public correspondence in support of the project including a letter of support from the Upper Noe Neighbors neighborhood group.

7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Institutions – Child-Care Facility.** Planning Code Section 209.3(f) requires Conditional Use authorization for child-care facilities providing less than 24 hour care for 15 or more children by licensed personnel and meeting the open space and other requirements of the State of California within the RH-2 Zoning District.

The Project Sponsor seeks Conditional Use authorization to establish a child-care facility providing less than 24-hour care for 15 or more and up to a maximum of 42 children within the RH-2 Zoning District.

- B. **Institutions – Religious Facility.** Planning Code Section 209.3(j) requires Conditional Use authorization for a church or religious facility which has a tax-exempt status as a religious institution granted by the United States Government, and which institution is used primarily for collective worship or ritual or observance of common religious beliefs within the RH-2 Zoning District.

The Project Sponsor seeks Conditional Use authorization to establish a religious facility. The facility would operate a number of weekly programs with 12 or fewer attendees at any given time. Weekly events include: Saturday morning services, Wednesday night Torah, Bar and Bat Mitzvah lessons and tutoring, and weekly Hebrew classes. Large gatherings would include Rosh Hashana (Fall), Yom Kippur (Fall), Purim Party (Spring), and Passover dinner (Spring).

- C. **Off-Street Parking.** Planning Code Section 151 requires one off-street parking space for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.

The proposed child-care facility for a maximum of 42 children would be required to provide a minimum of two off-street parking spaces for the use, pursuant to Planning Code Sections 151 and 153. The Project would not include any required off-street parking space, which would be subject to an off-street parking variance. The Project Sponsor has submitted a Variance Application No. 2013.0259CV. The Zoning Administrator will hold a public hearing on Variance Application while the Planning Commission will consider Conditional Use Application.

- D. **Loss of Dwellings through Conversion.** Conversion of Residential Units shall be prohibited, unless the Planning Commission approves the conversion at a public hearing.

The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units;

- (i) Whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;

The dwelling to be converted at 3781 Cesar Chavez Street is not owner occupied. The owners of 3781 purchased the property in 2010 and live next door at 3771 Cesar Chavez Street.

- (ii) Whether conversion of the unit(s) would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);

The conversion of the dwelling unit at 3781 Cesar Chavez Street would support an existing preschool use. Desirable preschools are important in retaining young families in San

Francisco and those that exist often have long waiting lists for open spaces which is often discouraging. The proposed preschool would serve families that want a preschool that favors Jewish values. There are few preschools in San Francisco that offer similar services and those that do offer it are located outside the neighborhoods that Gan Noe Preschool is trying to service. Therefore, the conversion would provide a desirable new non-residential use.

- (iii) Whether conversion of the unit(s) will bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district;

The immediate neighborhood is within a RH District. Though there are two religious facilities located on the north side of Cesar Chavez Street however, the immediate neighborhood is primarily residential. Therefore, the conversion will not bring the property into closer conformance with the prevailing character.

- (iv) Whether conversion of the unit(s) will be detrimental to the City's housing stock;

The conversion of the dwelling unit would be detrimental to the City's housing stock because it would result in the loss of a habitable dwelling unit.

- (v) Whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected.

The existing dwelling unit is approximately 990 square-feet and contains one-bedroom and one bath. Other than being relatively small, the dwelling has no known design, functional, or habitable deficiencies.

Preschool/child care services are difficult to find in the City and those that operate often have long waiting lists. The ability of the City to provide these services will help its ability to attract and retain families in the City. Housing is also a scarce resource in the City. On balance, the need to help preschool/childcare services flourish in the City outweigh the benefit of retaining the existing dwelling unit.

8. 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 Project would retain the existing buildings on the site and their present configuration. The proposed use is necessary and desirable for the neighborhood because the presence of preschools in San Francisco helps to retain families in the city. At present, preschools are few and far between with desirable preschools experiencing long wait lists for open spaces which discourages some families from attempting to raise their children within the city. Gan Noe is a unique preschool because it offers

preschool services with Jewish values. Every year the school must reject dozens of requests for placement from families due to lack of capacity. Similar preschools are located north of Market Street or on Brotherhood Way, leaving the heart of the city without such services. The proposed expansion would allow Gan Noë to better serve the neighborhoods of Noe Valley, Bernal Heights, Glen Park, and the Mission

Activities related to the proposed religious facility would take place after preschool hours within the same space and according the Sponsor would involve no more than 12 people at a time.

- 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 be detrimental to the health, safety or convenience of those residing or working in 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 would not alter the existing site configuration of the buildings on the site. The children's play area would be located within the rear yard where it is currently located. Neighbors to the west of the subject property who share the same mid-block have expressed concerns about potential noise impacts from the additional children. In response, the Project Sponsor has stated that outdoor playtime will be staggered such that all children would never be in the play area at the same time. By law, the younger children cannot be within the play area at the same time as the older children.

- 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 Subject Property is in an established residential neighborhood that is well served by public transit, including 24th Street and the J-Church Muni Metro Line and J-Streetcar within two blocks of the Subject Property. Additionally, the proposed preschool facility is intended to meet the needs of the residents in the immediate neighborhood and should not generate significant amounts of vehicular trips citywide.

The Planning Code requires two off-street parking spaces for the proposed facility; however, the sponsor is seeking a variance from this requirement and would remove the existing garage parking space at 3781 Cesar Chavez Street. The project site is located on a street that is the primary arterial to and from Highway 101. Furthermore, there are signaled intersections at the east and west ends of the block. These factors often lead to traffic congestion within the subject block during commute hours. Neighbors have expressed concern that the proposed increase in enrollment would exacerbate the traffic situation within the block and that current parents park on sidewalks and block adjacent driveways during drop off. In response, the Project Sponsor has The Project Sponsor has agreed to apply for a white passenger loading zone, accommodating two parking spaces, on Sanchez Street in front of the facility's entrance and has agreed to institute a

staggered pick up and drop off that is supervised by staff to reduce traffic congestion during commute hours.

No additional off-street parking is required for the proposed religious facility. Programs related to the facility would include weekly Saturday morning services, weekly Wednesday night Torah study, Bar and Bat Mitzvah lessons and tutoring, and weekly Hebrew classes. Larger religious gatherings include Rosh Hashana (Sept.), Yom Kippur (Sept.), Purim Party (March), and Passover Dinner (April). Many attendees do not drive on the Sabbath or Jewish holidays in accordance with strict Jewish Law which reduces vehicular traffic.

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

The project would not emit noxious or offensive emissions such noise, glare, dust or odor.

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

No additional landscaping is proposed for the site. The Department shall review all lighting and signs proposed for the property in accordance with the Conditions of Approval contained in Exhibit A.

- 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.

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

COMMERCE AND 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 that has substantial undesirable consequences that cannot be mitigated.

The Project would enhance the living and working environment in the City by providing a unique needed preschool service for residents and workers within the Noe Valley, Bernal Height, Glen Park, and Mission

neighborhoods. The Project would also need to comply with State licensing requirements for childcare/preschool facilities further minimizing possible undesirable consequences from such a use.

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.

Policy 3:

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

The Project will enhance an existing preschool facility that has served the surrounding community since 2005 by extending it services to a greater number of people.

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.

The Project will provide employment opportunities for nine semi-skilled San Francisco residents.

GOVERNMENT, HEALTH AND EDUCATION SERVICES

Objectives and Policies

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGINAL CENTER FOR GOVERNMENT, HEALTH, AND EDUCATIONAL SERVICES.

Policy 7.2:

Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

The proposed child-care facility will offer educational services to pre-school children of San Francisco residents. No exterior alteration will be proposed to the existing buildings. The proposed child-care facility's activities will take place either indoors or within the rear yard. The proposed conditions of approval would help reduce affects on parking and traffic within the neighborhood and ease noise levels during hours of operation.

10. 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 proposal would strengthen an existing neighborhood-serving use that has served the neighborhood since 2005 and provide employment for up to nine people.

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

The proposed use will retain the existing buildings on the site and the interior alterations to 3781 Cesar Chavez Street are such that they could be easily reversed and the property converted back to residential use.

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

The Project would not affect the City's existing supply of affordable housing.

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

The proposed use is well served by public transit but it is located a few blocks away. The proposed preschool is not expected to be a destination use that attracts families from outside the immediate neighborhoods. The Sponsor has agreed to seek a passenger loading space in front of the property and implement a pick up and drop off program for families that choose to drive. The loading zone and the program have been included as conditions of approval for the Project.

- 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 achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will not affect the Subject Property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project would not alter the exterior appearance of the buildings in question.

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

The project will have no negative affect on existing parks and open spaces.

11. 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.
12. 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. 2013.0259CV** pursuant to Sections 209.3(f), 209.3(j), 317, and 303 of the Planning Code subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, received XXXX, XXXX, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 18, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 18, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to increase enrollment at preschool (d.b.a. Gan Noe Preschool) from 22 to 42 children and establish a religious facility (d.b.a Chabad of Noe Valley) for the properties at 3771 and 3781 Cesar Chavez Street, Block 6577, Lots 030 and 045, pursuant to Planning Code Sections 209.3(f), 209.3(j), 317, and 303 within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District; in general conformance with plans stamped "EXHIBIT B" included in the docket for Case No. 2013.0259CV and subject to conditions of approval reviewed and approved by the Commission on July 18, 2013 under Motion No XXXXX. 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 18, 2013 under Motion No XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX 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

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. **Signage Program.** Any proposed signage shall be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code. The plans for signage that have been presented to the Commission are for informational purposes only and have not been reviewed for Code compliance. Once submitted staff will share the final signage plan with the Commission as an informational item prior to approval.

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

MONITORING

4. **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.

OPERATION

5. **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.

6. **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, 415-695-2017, <http://sfdpw.org/>

7. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org.

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, www.sf-police.org

8. **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 with written notice of the name, business address, and telephone number of the community liaison. 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

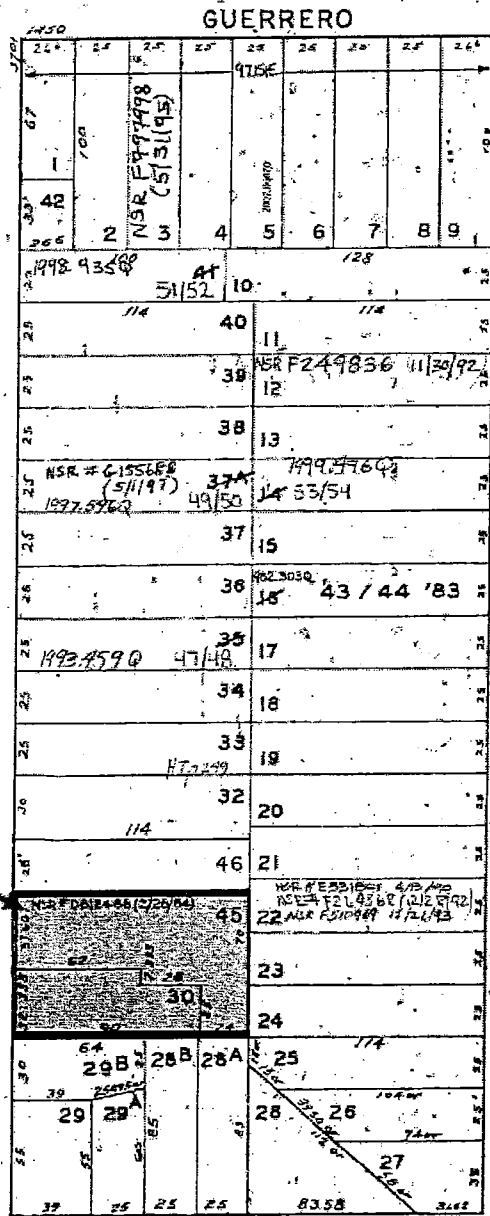
9. **Traffic Plan.** Prior to permit approval, the Project Sponsor shall provide the Department with a morning drop-off and afternoon pick-up plan that will include a white passenger loading zone on Cesar Chavez Street in front of the entrance to the proposed preschool. Additionally, the Sponsor shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours.

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

Parcel Map

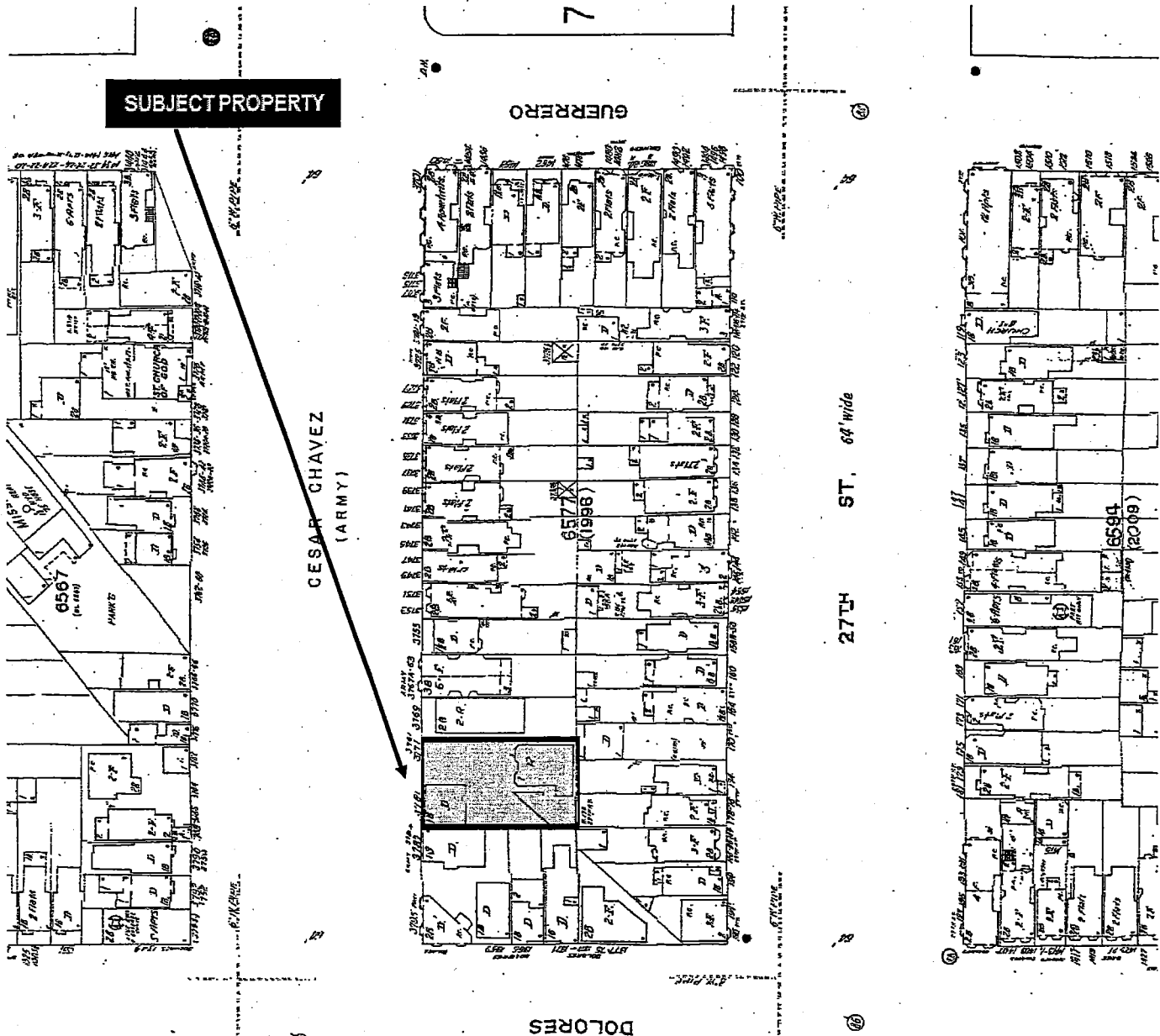
RH-2
40-X

SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2013.0259CV
3771 and 3781 Cesar Chavez Street

Sanborn Map*



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



Conditional Use Authorization
Case Number 2013.0259CV
3771 and 3781 Cesar Chavez Street

Aerial Photo

SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2013.0259CV
3771 and 3781 Cesar Chavez Street

Aerial Photo

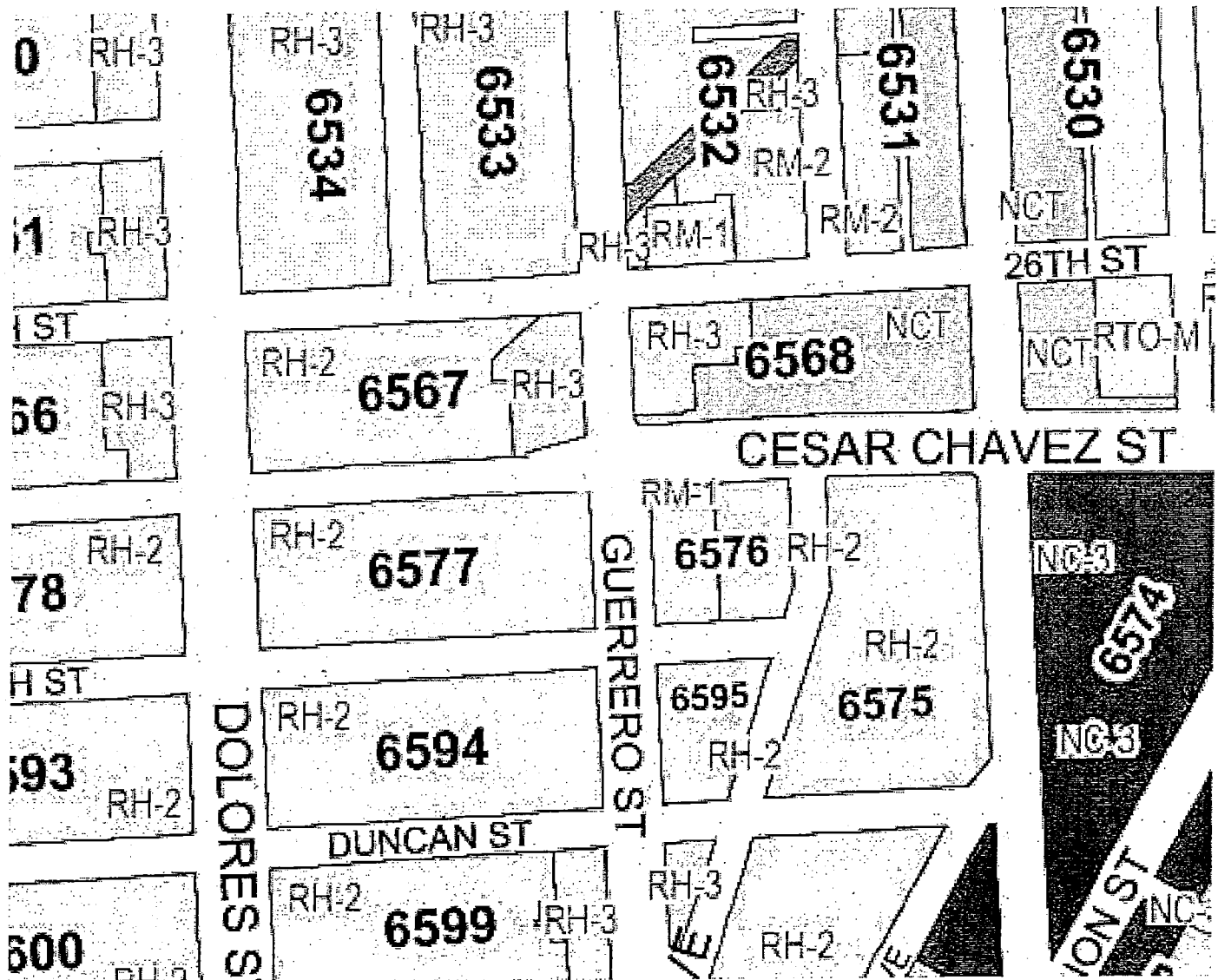


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2013.0259CV
3771 and 3781 Cesar Chavez Street

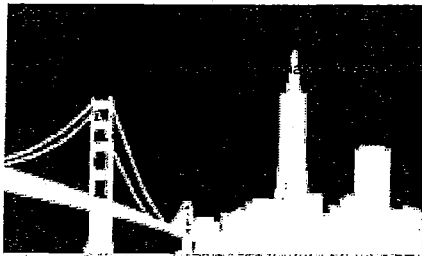
Zoning Map



Conditional Use Authorization
Case Number 2013.0259CV
3771 and 3781 Cesar Chavez Street

Gan Noe Preschool Chabad of Noe Valley San Francisco.png

U Commission Letter.pdf



Chabad of Noe Valley

3771 Cesar Chavez, San Francisco, CA

Gan Noe Preschool

Parent Login:



Message from the Director

Welcome to our Preschool

We are committed to creating a warm, friendly and happy environment for your child

Sincerely yours,

Leah Potash
Director, Gan Noe Preschool



Watch your child blossom

“I feel confident that my child is well supervised and getting excellent care while I am at work. It provides me with peace of mind.”

- Deborah A.

Kids' Zone

REQUEST A FREE
INFORMATION PACKET

ANNOUNCEMENTS



Please note that registration for our annual events can be done by calling our office.



Welcome to our new preschool website! Please have a look around...

UPCOMING EVENTS



There are no upcoming events posted.

LATEST PHOTO



Please visit our website at ChabadNoeValley.Org!

Noe Valley | 3771 Cesar Chavez | S. Francisco, CA 94110 | 415-648-2880

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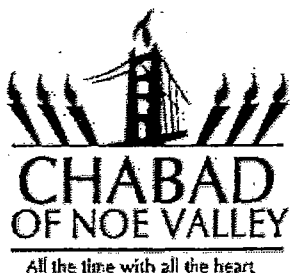
Commission Letter.pdf

Leah pg3 Letter.pdf

Leah pg2 Letter.pdf

CU findings - revised.pdf

PhotoS.pdf



Chabad of Noe Valley

3771 Cesar Chavez Street San Francisco CA 94110

Phone/fax - 415.648.8900

www.chabadnoevalley.org

July 4, 2013

President Rodney Fong

San Francisco Planning Commission

C/O Mr. Michael Smith
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear President Fong and Honorable Commissioners,

I hope this letter finds you all well and in good spirits.

I am writing to you as the spiritual leader at Chabad of Noe Valley & Gan Noe Preschool and the sponsor of this Conditional Use Permit request.

At the age of 21 and 24 respectively my wife Leah and I with our 6 month old daughter made a life time commitment to serve the needs of the thousands of Jews living in the Noe Valley, Glen Park, Castro, Diamond Heights, Bernal Heights and Mission neighborhoods.

Following the inspiration and teachings of the late Lubavitcher Rebbe, Rabbi Menachem Schneerson who encouraged young couples to become active members of society establishing Jewish centers and welcoming all in an embracing manner knowing that every human being possesses an inherent divine spark.

We feel deeply privileged to be doing this work in this part of San Francisco, and though we came here to give; something very different occurred and we found we received more than we could give. We came to teach, but we learned more than we could share. This part of San Francisco opened its doors and hearts to us and welcomed us and supported us in such an amazing way.

The result has been that together with the wonderful members of this community we have created a diverse and welcoming center where hundreds of children and adults come to be enriched by the meaningful Jewish traditions and educational opportunities that we offer from weekly sabbath gatherings, to summer camp, to community wide Hanukkah celebrations on 24th Street, Rosh Hashana celebrations in Dolores Park and Gan Noe Preschool just to name a few.

Our community has become a place where the values of diversity and inclusiveness combined with the Hassidic message of optimism and joy have made the teachings and traditions of Judaism accessible to people from all walks of life and backgrounds who now call Chabad of Noe Valley home.

It has not been an easy journey over the passed 13 years for our family, the ongoing financial burden of operating and living in this city has been daunting. But in 2005, with the community's help we were able to purchase our house at 3771 Cesar Chavez. Which serves as our home for my growing family, as well as part of the preschool. In 2010 we were fortunate again to be able to purchase the house next door at 3781 Cesar Chavez where we were able to expand the preschool and hold other community events and celebrations.

The purchase of these two properties and the location were very exciting steps for us as it gave us a permanent place to operate so convenient to the neighborhoods we serve.

We are now at a pivotal juncture in this under-served part town. Ours is the only Jewish preschool on the entire south eastern part of town and we are pained to turn so many young families away for lack of space. Now we seek the opportunity to create something stronger, and more useful for our community. San Francisco is losing far too many young families who feel they must move away to raise their children.

We are therefore asking for you to support the CUP to serve 42 preschool children and allow our religious center to be granted formal permission to act as such.

I understand the concerns presented by our neighbors who are opposed to this application. I am solemnly committed to being respectful of our neighbors. We will do all we can to minimize our impact and be a positive presence on our block.

I firmly believe that your approval of our Conditional Use Permit will make this city and even better place for its families and all its citizens.

Thank you for your consideration and for your dedication to the future of San Francisco.

Sincerely,



Rabbi Gedalia Potash

B'H



3771 César Chavez Street SF CA 94110 ▲ 415.648.8000 ▲ www.ganno.org

July 4, 2013

President Rodney Fong

San Francisco Planning Commission

C/O Mr. Michael Smith
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear President Fong and Honorable Commissioners,

I write to you today to explain why it is of utmost importance that Gan Noe Preschool moves away from the "Home Daycare" model and be approved to increase its capacity to 42 children and operate as a preschool.

I have been involved in early childhood education for over 15 years. I have served as the director of Gan Noe since it opened 8 years ago and I pride myself on the quality of the program. In many areas we have exceeded the home daycare licensing requirements to ensure our program runs professionally and matches the quality young San Francisco families seek. A few examples are:

- Though licensing does not require early childhood education to run a daycare, I spent 2 years studying child development and I became a qualified Preschool Director in 2007.
- Though licensing does not require daycare providers to have early childhood education, every teacher I hire is either licensed by the state of CA as a Preschool Teacher or is in the process.
- Though licensing requires a ratio of 1 to 6 I have always maintained a ratio of 1 to 4
- Though licensing does not require continued learning, together with my teachers I continue to expand my early childhood education yearly at the Bing Institute at Stanford University.

Until now, we have been a licensed home daycare with a capacity of 14 children in my home. I have been the director, a teacher, the shopper, the janitor and the program planner.

This model is not sustainable for someone who has a family, as time and financial resources are far too limiting to operate in this way.

In addition, parents are looking for a program that can accommodate all of their preschool years to avoid unnecessary transitions for the child.

A home daycare with 14 children is unable to meet that basic need.


To continue to operate and provide this much needed service in the city, it is imperative that we gain Conditional Use Authorization to allow our capacity be increased to 42 children. Having 42 children will allow us to:

- Offer families their complete preschool need from diapers until kindergarten
- Hire a full time administrator
- Maintain quality teachers with the ability to pay a salary that allows them to live in the city
- Hire a traffic monitor for drop-off and pickup times

I work tirelessly to provide a service that benefits this city and enables families to stay in the city. Many have told us, if not for our program, they would have long moved out of San Francisco. The city lacks quality preschools and it is imperative that quality programing be encouraged to expand in order to keep more families in this wonderful city.

It is my sincere hope that you will support our efforts by approving the CUP for us to serve 42 children, and together we will continue to make this city a better place to raise a family.

Sincerely,


Leah Potash

**CONDITIONAL USE PERMIT APPLICATION
UNDER THE CITY PLANNING CODE**

APPLICANT: Jeremy Paul
Quickdraw Permit Consulting
1325 California Street
San Francisco, CA 94109

PROPERTY IDENTIFICATION:

3771 - 3781 CESAR CHAVEZ South side near Dolores Street; Lots 30 & 45 in Assessor's Block 6577 in an RH-2 District and a 40-X Height and Bulk District.

DESCRIPTION OF AUTHORIZATION SOUGHT:

CONDITIONAL USE SOUGHT: Gan Noe Preschool proposes to expand their existing Family Daycare and provide services for up to 42 children from infancy to five years of age. Chabad of Noe Valley proposes to serve as a religious institution for the Jewish community of the Mission, Glen Park, the Castro, Bernal and Noe Valley.

This proposal does not include significant alteration or modification of the existing buildings on site, and only proposes minor signage and changes to fencing and sound barrier materials.

The proposed preschool use is defined under Institutions in section 209.3(f) of the San Francisco Planning Code, and is a Conditional Use in the subject zoning district. Chabad of Noe Valley is a religious institution under section 209.3(j).

Pursuant to Planning Code Section 303[c] before approving a conditional use authorization, The Planning Commission needs to find that the facts presented are such to establish the findings stated below.

(1) The proposed use or feature, at the size and intensity contemplated and that the proposed location will provide a development that is necessary or desirable or compatible with the neighborhood or the community.

i. Gan Noe Preschool is situated at the hub of three vibrant San Francisco neighborhoods that have experienced significant increases in family populations in recent years. The difficulty of finding quality child care has been a major reason for working families to leave San Francisco. Every year Gan Noe must reject dozens of requests for placement due to lack of capacity under their state licensing provisions. This Conditional Use Authorization will allow Gan Noe to better serve the needs of the Mission, Noe Valley and Glen Park neighborhoods.

ii. Chabad of Noe Valley Inc. is a federally recognized 501.c.3 religious nonprofit institution. Chabad of Noe Valley serves the Jewish community of this

district with a number of small programs with 12 or less participant at any time:

- After school Hebrew classes,
- Bar Mitzvah training,
- Adult study
- Small religious gatherings on a weekly basis.

On particular annual holidays larger gatherings are hosted for religious observances and celebration. These are:

- Rosh Hashana (Sept.)
- Yom Kippur (Sept.)
- Purim (March)
- Passover Dinner (April)

Most people in the Chabad community do not drive on the Sabbath or Jewish holidays in accordance with orthodox Jewish Law. Many walk to events as they choose to reside close to the place they participate in religious practice.

(2) That 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;

i. The height and bulk of the existing buildings will remain the same and this project will not significantly alter the appearance or character of the buildings or the vicinity. The two parcels have considerable open space between them and allow proper age segregation of play areas and ample interior classroom space, and gathering place for worship and study.

(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;

ii. This location is conveniently accessible by foot, bicycle, Muni, school van, and private automobile from the Mission District, Noe Valley, Glen Park and beyond. The Gan Noe community currently makes use of all of these options. The Planning Code does not require parking or loading for the proposed use; however there is sufficient street parking and loading in front of 3771 and 3781 to allow pickup and drop-off. Gan Noe Preschool will institute a supervised pickup and drop-off system to facilitate child retrieval without creating unnecessary burdens on street traffic during peak hours.

iii. Most people in the Chabad community do not drive on the Sabbath or Jewish holidays in accordance with orthodox Jewish Law. Many walk to

events as they choose to reside close to the place they participate in religious practice. The daily observances and learning opportunities at Chabad of Noe are intended for small groups only, rarely exceeding 12 participants thus there is no observable increase in volume of street traffic

or burden on offstreet parking as a result of the religious institution at the subject property.

(c)The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

iv. The Project will not create any noxious or offensive emissions, such as glare, dust or odor. Gan Noe is working closely with our neighbors to fully manage the sound impacts associated with happy children at play. Gan Noe has retained the services of the CM Salter acoustical engineering firm and is working with our neighbors to mitigate noise problems.

v. The religious institution will not create any noxious or offensive emissions.

(d)Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

vi. No changes visible from the street are proposed to such aspects as landscaping and screening, and we will obtain the necessary building permits for any new business signs.

(3) That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

Under the provisions of Code Section 303, the Commission may authorize a Conditional Use after finding that the proposed use will provide a development that is necessary or desirable for and compatible with the neighborhood or the community; that such use will not be detrimental to the health, safety, welfare, convenience or general welfare of persons residing or working in the vicinity; and that such use will not adversely affect the General Plan.

The Project complies with the criteria of Section 303 of the Code in that:
The Project will be compatible and in keeping with the character of the neighborhood because it will not involve any exterior changes to the building, and it will provide a desirable and necessary community service.

City Planning Code Section 101.1 establishes eight priority planning policies and requires review of permits for consistency with said policies. The project is consistent with the said policies, in that:

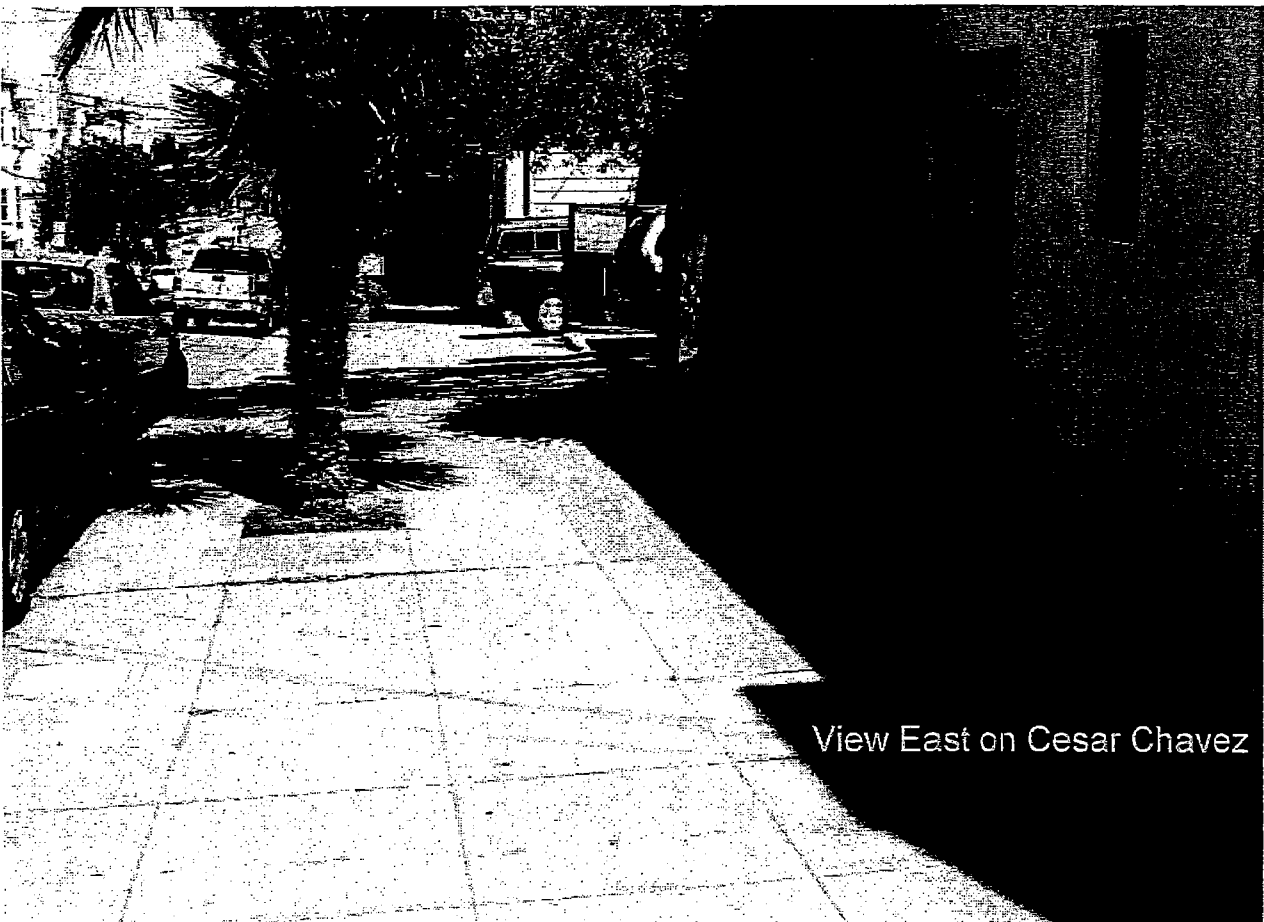
1. The Project will provide a service to the neighborhood by providing employment opportunities for neighborhood residents at all skill and experience levels. The preschool employs 9 teachers and support staff and prefers to hire from within the district. After the expansion there will be 13 employees. Chabad of Noe Valley employs 1.
2. The Project will not change the existing housing and neighborhood character; one residential dwelling unit will remain at the adjacent site serving the director of the Gan Noe Preschool, Mrs. Leah Potash and the sole employee of Chabad Noe Valley, Rabbi Gedalia Potash.
3. The Project will be beneficial to the supply of affordable housing as child care for working families is necessary for district housing to be truly affordable.

It is necessary for observant religious Jews to walk to and from the place of worship every week on the Sabbath - providing a place for said worship in a highly residential district is an important asset to the affordability of that district for observant religious people of the Jewish faith.

4. The Project will not significantly impact traffic or create a higher demand for parking spaces than the permitted alternative uses on the site. Gan Noe Preschool is developing an effective traffic management system for peak pickup and drop-off hours at it's increased enrollment.
5. The Project will not displace or alter any elements of the City's industrial or service sectors.
6. Earthquake safety requirements will be considered during review of building permit applications.
7. The Project will have no adverse impact on landmarks or historic buildings
8. The Project will have no adverse impact on parks or open space, or their access to sunlight or vistas.

The project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1 in that, as designed, the project would contribute to the character and stability of the neighborhood and would constitute a beneficial use providing a necessary service in a vibrant family oriented neighborhood.

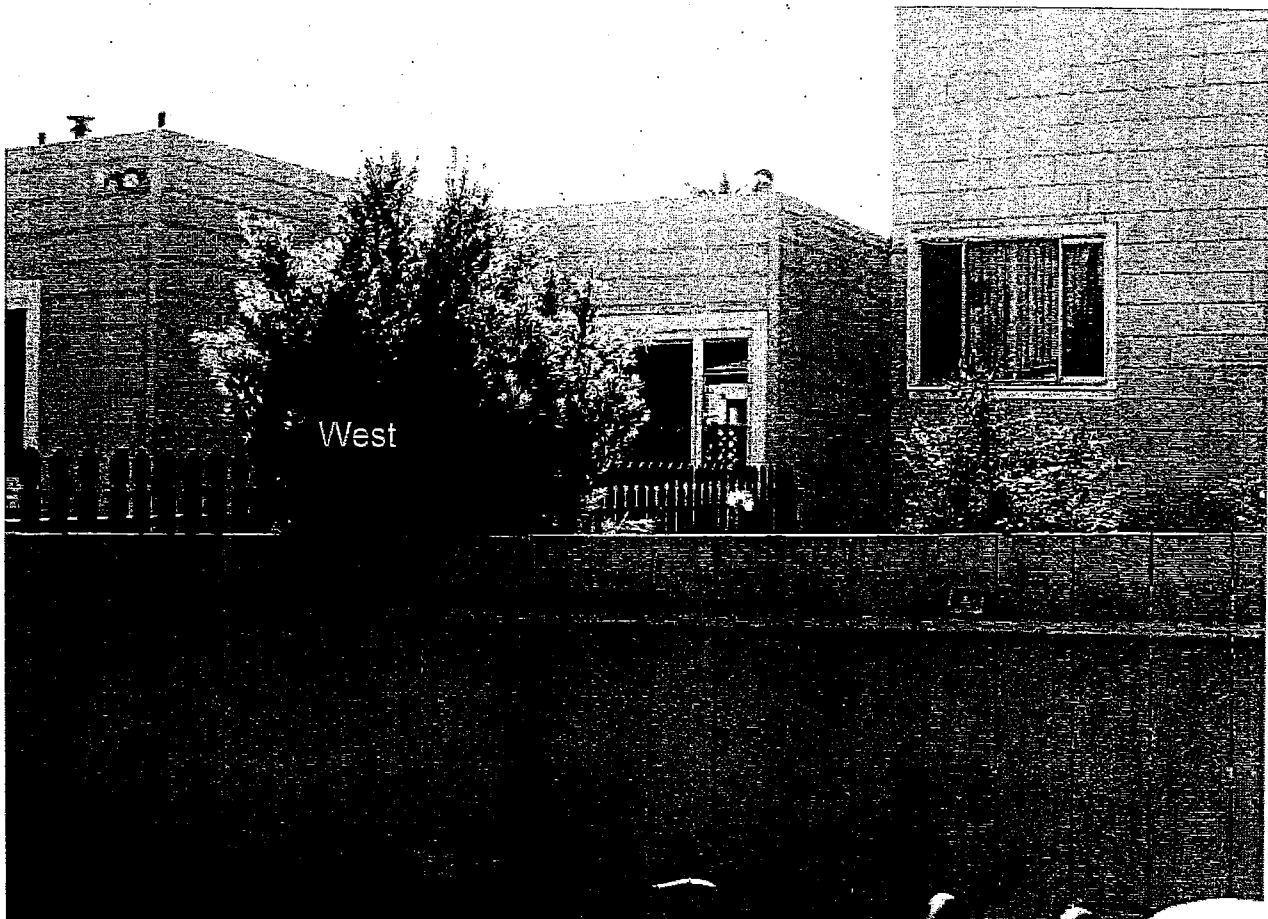
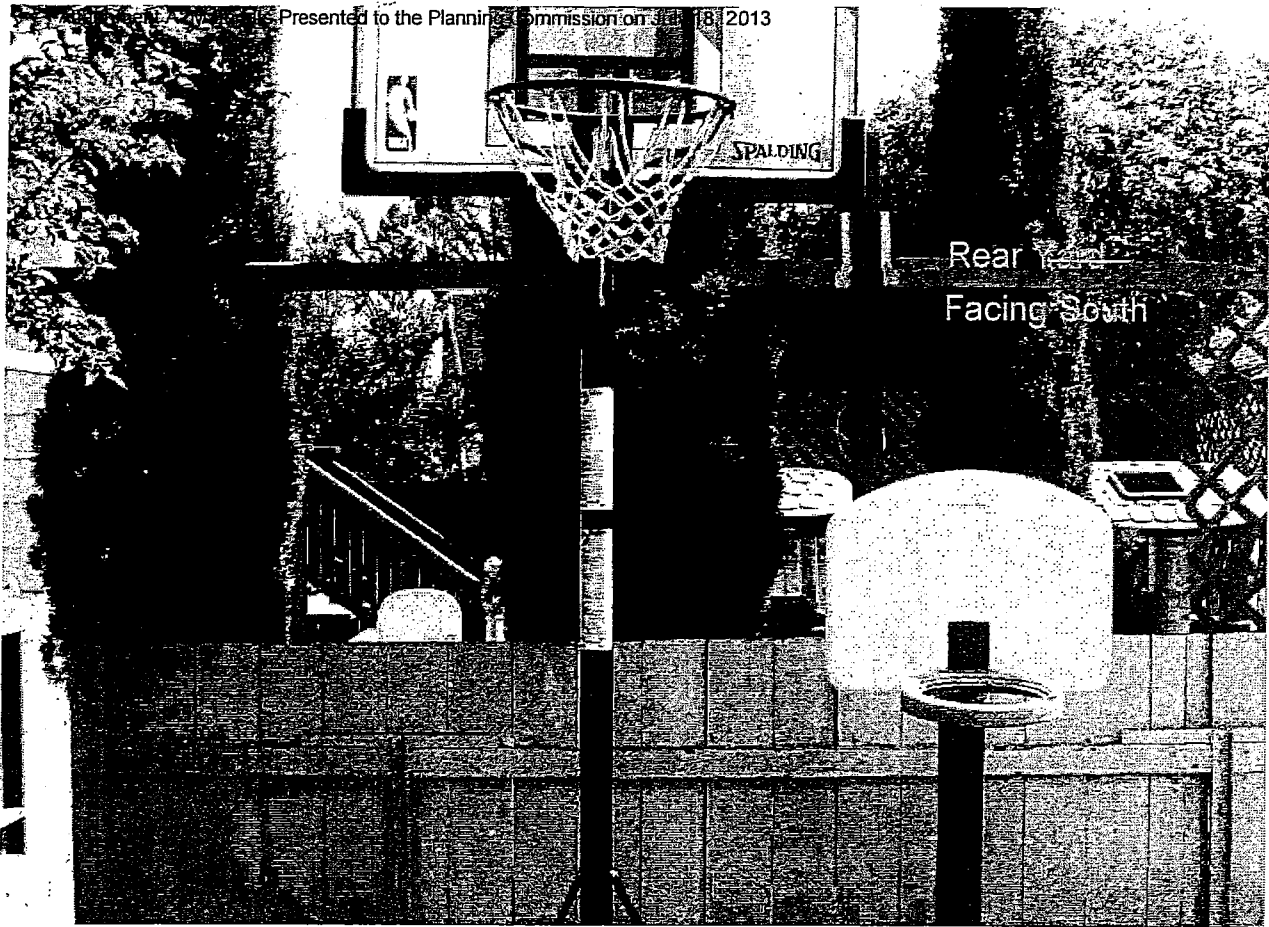


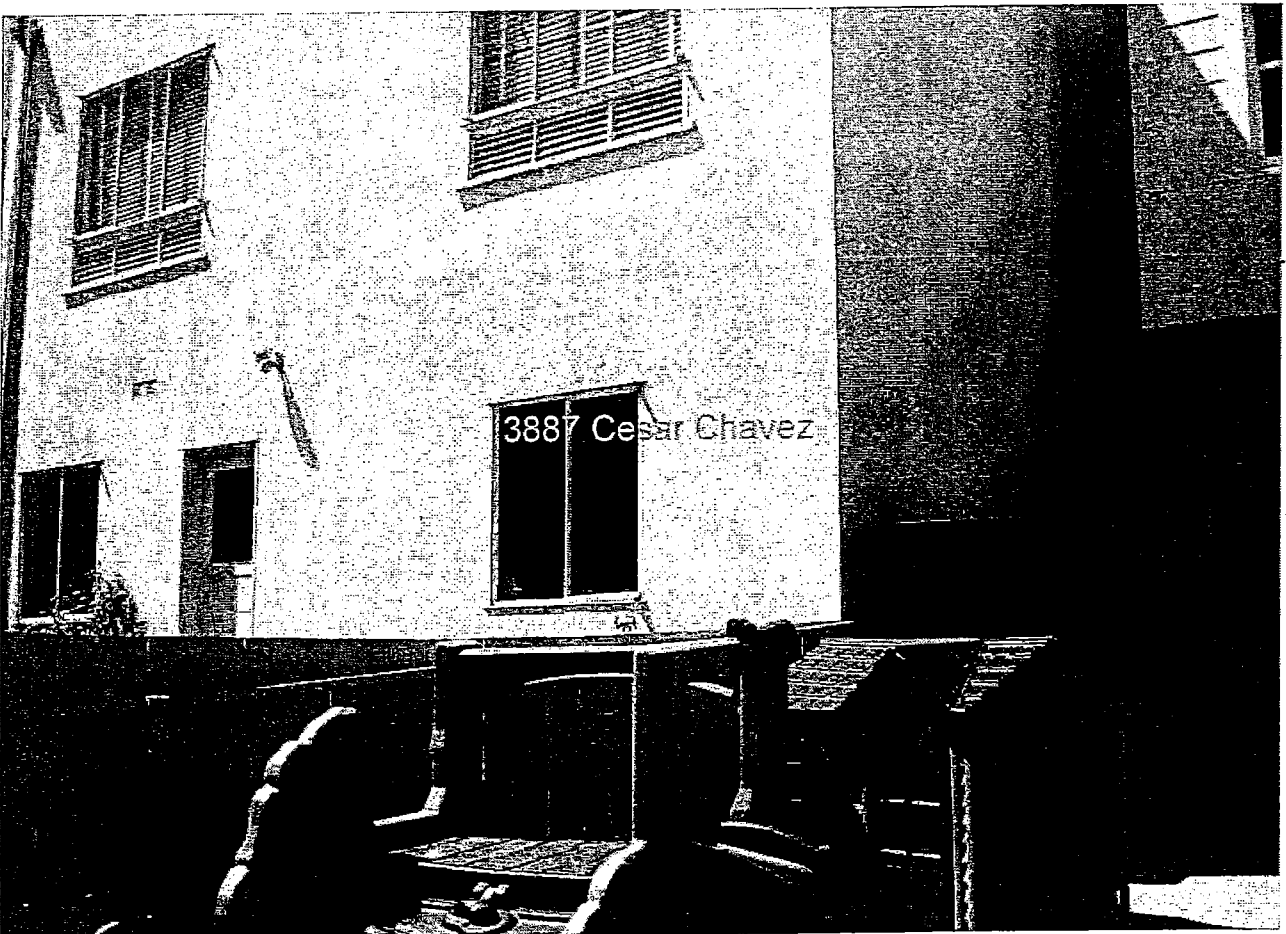


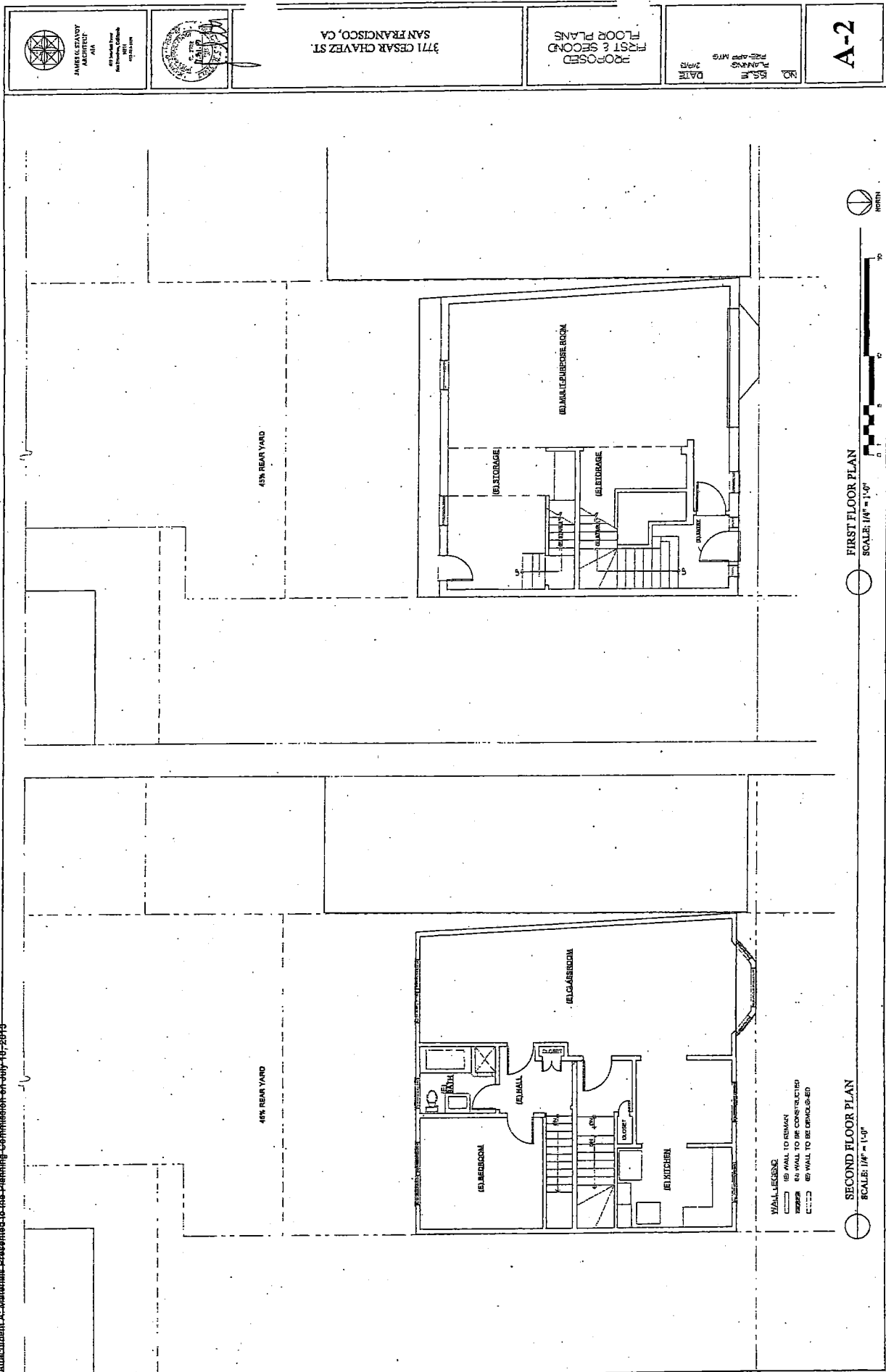


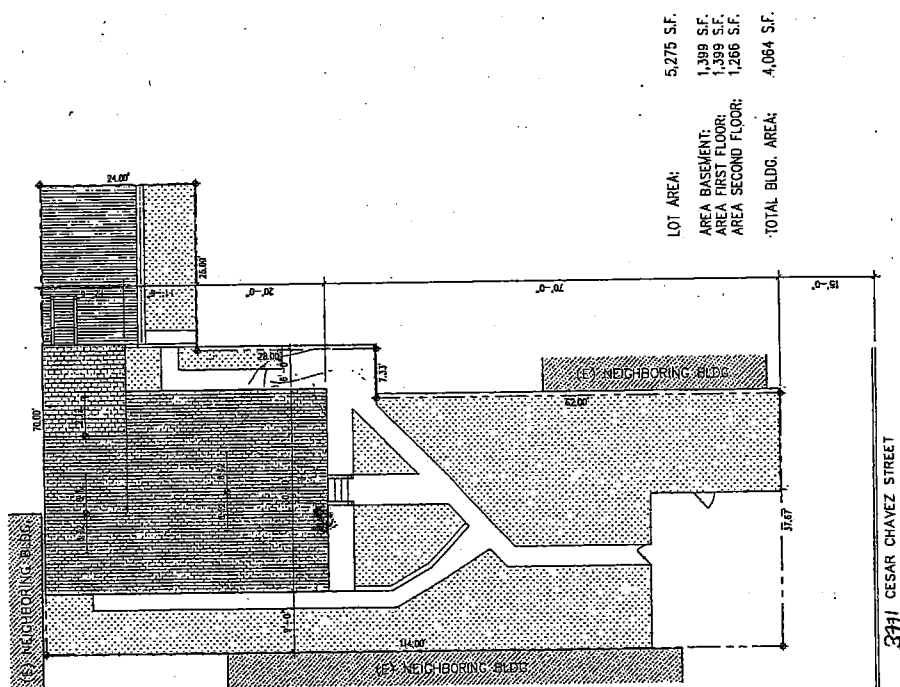
Backyard at 3781



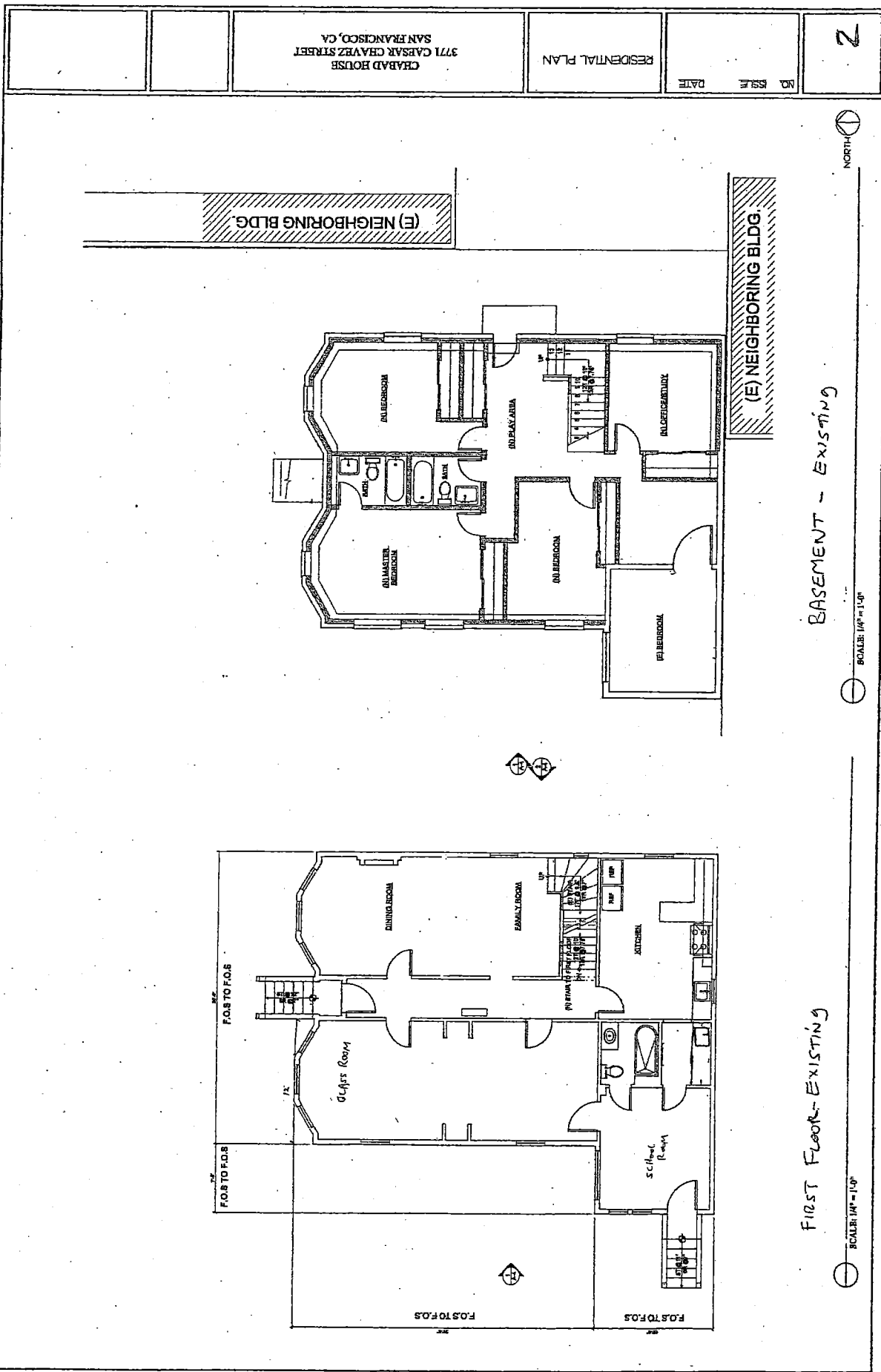


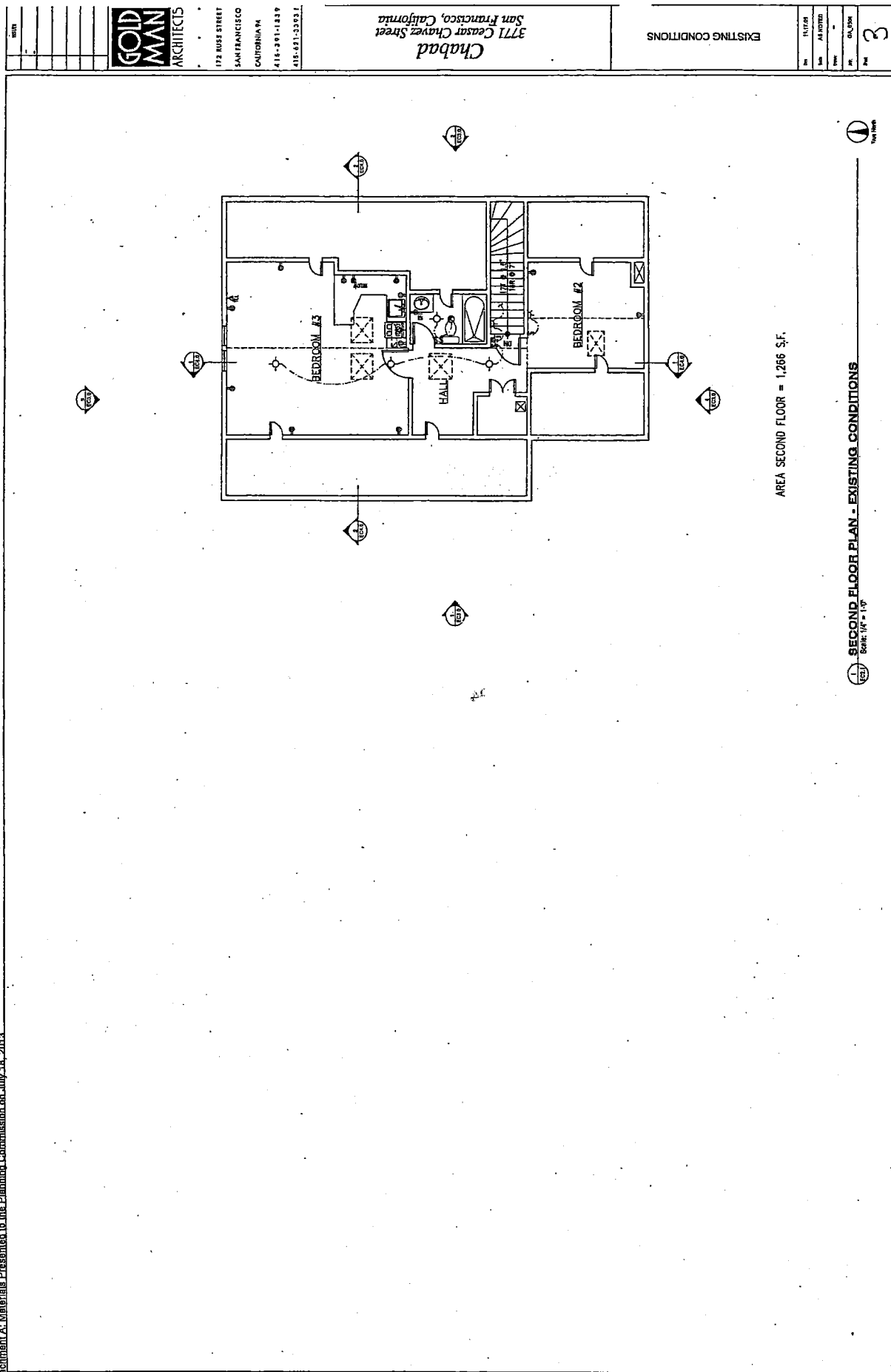






1 SITE PLAN / HOOF PLAN - EXISTING CONDITIONS
Scale: 1/8" = 1'-0"







SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> 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. 18930

HEARING DATE: JULY 18, 2013

Date: July 11, 2013
Case No.: 2013.0259CV
Project Address: 3771 and 3781 CESAR CHAVEZ STREET
Zoning: RH-2 (Residential, House, Two-Family) District
40-X Height and Bulk District
Block/Lot: 6577/ 030 and 045
Project Sponsor: Leah Potash
3771 Cesar Chavez Street
San Francisco, CA 94110
Staff Contact: Michael Smith – (415) 558-6322
michael.e.smith@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(F), 209.3(J), 317, AND 303 OF THE PLANNING CODE TO INCREASE ENROLLMENT AT AN EXISTING PRE-SCHOOL (D.B.A. GAN NOE PRESCHOOL) OPERATING AT 3771 AND 3781 CESAR CHAVEZ STREET AND ESTABLISH A RELIGIOUS FACILITY. ENROLLMENT AT THE PRE-SCHOOL WOULD INCREASE FROM 22 CHILDREN TO 42 CHILDREN AND THE PROJECT WOULD RESULT IN THE REMOVAL OF THE DWELLING UNIT AT 3781 CESAR CHAVEZ STREET. THE SUBJECT PROPERTY IS LOCATED IN A RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 8, 2013, Jeremy Paul of Quickdraw Permit Consulting, on behalf of Leah Potash (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 209.3(f), 209.3(j), 317, and 303 to allow an increase in enrollment at a preschool (d.b.a. Gan Noe Preschool) and allow for an accessory religious facility within the preschool, located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Motion No. 18930
July 18, 2013

CASE NO. 2013.0259C
3771 and 3781 Cesar Chavez Street

On July 18, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0259C.

The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

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. 2013.0259C, 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 Sites, 3771 and 3781 Cesar Chavez Street are adjacent properties (Assessor's Block 6577, Lots 030 and 045) located on the south side of Cesar Chavez Street, between Dolores and Guerrero Streets at the eastern boundary of the Noe Valley neighborhood. 3771 Cesar Chavez Street is developed with a one and a half story over basement single-family dwelling that was constructed circa 1898. The building is set back towards the rear of the lot with large enclosed landscaped yard at the front and two off-street, surface parking spaces at the front of the lot. The lot is flag shaped with a small yard located to the west of the building. Total building area is approximately 4,064 gross square-feet. A portion of the building is currently used as a preschool/home daycare that is licensed for 14 children. The owners of the preschool also live at the property. 3781 Cesar Chavez Street is the adjacent property to the west of 3771 Cesar Chavez Street. The property is developed with a one-story over garage, single-family dwelling that was constructed in 1942. The property is also used as a preschool/home daycare that is licensed for 8 children. The rear yard is the primary children's play area.
3. **Surrounding Properties and Neighborhood.** The Project sites are located on the south side of the two-lane portion of Cesar Chavez Street which serves as the primary arterial for access to the 101 Freeway from Noe Valley. The immediate neighborhood is primarily residential, however, there are two churches and a large surface parking lot located on the north side of the street. There is a three-way signal light at both the east and west ends of the block. The adjacent properties to the west of the project sites are key lots that are much shorter than the average lot within this neighborhood. As a result of the smaller lots these properties also have smaller rear yards.

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4. **Project Description.** The project sponsor is seeking Conditional Use authorization pursuant to Sections 209.3(f), 209.3(j), 317, and 303 to increase enrollment at an existing pre-school (d.b.a. Gan Noe Preschool) operating at 3771 and 3781 Cesar Chavez Street and establish a religious facility. Enrollment at the pre-school would increase from a combined enrollment of 22 children to 42 children and the project would result in the removal of the dwelling unit and the existing parking at 3781 Cesar Chavez Street. The proposal does not include any significant alteration or modification to the exteriors of the existing buildings with the exception of minor changes to signage and fencing. The space would also function as a religious facility when the preschool is not in session. The project also requires a parking variance as two parking spaces are required for the use and the existing parking space at 3781 Cesar Chavez Street would be removed. The subject property is located in RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
5. **Project Background.** Gan Noe Preschool has been operating at 3771 Cesar Chavez Street since 2005 as a home daycare/preschool for 14 or fewer children. In 2010, Gan Noe Preschool purchased 3781 Cesar Chavez Street and began operating a home daycare/preschool for 14 or fewer children at this location as well. The two properties were licensed for a total of 28 children. In 2011, an enforcement case was opened on 3781 Cesar Chavez Street for the alleged operation of a childcare facility with more than 40 children operating without proper approvals. The Project Sponsor was notified of the enforcement case but it was never investigated by the Department and remains active.

The Project Sponsor also operated a preschool within a single-family dwelling at 107 Justin Drive in Bernal Heights at the same time she was operating a preschool at 3771 Cesar Chavez Street. Conditional use authorization was sought for this location to expand its enrollment to 19 children but the application was cancelled in 2009 and the preschool was closed in 2010.

6. **Public Comment.** The Department received correspondence in opposition to the project from 20 neighbors including adjacent neighbors Richard and Ashley Rochman and Bill Sommer. These neighbors are concerned about parking and traffic, pedestrian safety, noise, driveway blockage related to the project.

The Project Sponsor submitted a petition signed by 34 people who have no objections to the project and staff received 32 pieces of public correspondence in support of the project including a letter of support from the Upper Noe Neighbors neighborhood group.

7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Institutions – Child-Care Facility.** Planning Code Section 209.3(f) requires Conditional Use authorization for child-care facilities providing less than 24 hour care for 15 or more children by licensed personnel and meeting the open space and other requirements of the State of California within the RH-2 Zoning District.

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The Project Sponsor seeks Conditional Use authorization to establish a child-care facility providing less than 24-hour care for 15 or more and up to a maximum of 42 children within the RH-2 Zoning District.

- B. Institutions -- Religious Facility.** Planning Code Section 209.3(j) requires Conditional Use authorization for a church or religious facility which has a tax-exempt status as a religious institution granted by the United States Government, and which institution is used primarily for collective worship or ritual or observance of common religious beliefs within the RH-2 Zoning District.

The Project Sponsor seeks Conditional Use authorization to establish a religious facility. The facility would operate a number of weekly programs with 12 or fewer attendees at any given time. Weekly events include: Saturday morning services, Wednesday night Torah, Bar and Bat Mitzvah lessons and tutoring, and weekly Hebrew classes. Large gatherings would include Rosh Hashana (Fall), Yom Kippur (Fall), Purim Party (Spring), and Passover dinner (Spring).

- C. Off-Street Parking.** Planning Code Section 151 requires one off-street parking space for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.

The proposed child-care facility for a maximum of 42 children would be required to provide a minimum of two off-street parking spaces for the use, pursuant to Planning Code Sections 151 and 153. The Project would not include any required off-street parking space, which would be subject to an off-street parking variance. The Project Sponsor has submitted a Variance Application No. 2013.0259CV. The Zoning Administrator will hold a public hearing on Variance Application while the Planning Commission will consider Conditional Use Application.

- D. Loss of Dwellings through Conversion.** Conversion of Residential Units shall be prohibited, unless the Planning Commission approves the conversion at a public hearing.

The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units;

- (i) Whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;

The dwelling to be converted at 3781 Cesar Chavez Street is not owner occupied. The owners of 3781 purchased the property in 2010 and live next door at 3771 Cesar Chavez Street.

- (ii) Whether conversion of the unit(s) would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);

The conversion of the dwelling unit at 3781 Cesar Chavez Street would support an existing preschool use. Desirable preschools are important in retaining young families in San

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San Francisco and those that exist often have long waiting lists for open spaces which is often discouraging. The proposed preschool would serve families that want a preschool that favors Jewish values. There are few preschools in San Francisco that offer similar services and those that do offer it are located outside the neighborhoods that Gan Noe Preschool is trying to service. Therefore, the conversion would provide a desirable new non-residential use.

- (iii) Whether conversion of the unit(s) will bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district;

The immediate neighborhood is within a RH District. Though there are two religious facilities located on the north side of Cesar Chavez Street however, the immediate neighborhood is primarily residential. Therefore, the conversion will not bring the property into closer conformance with the prevailing character.

- (iv) Whether conversion of the unit(s) will be detrimental to the City's housing stock;

The conversion of the dwelling unit would be detrimental to the City's housing stock because it would result in the loss of a habitable dwelling unit.

- (v) Whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected.

The existing dwelling unit is approximately 990 square-feet and contains one-bedroom and one bath. Other than being relatively small, the dwelling has no known design, functional, or habitable deficiencies.

Preschool/child care services are difficult to find in the City and those that operate often have long waiting lists. The ability of the City to provide these services will help its ability to attract and retain families in the City. Housing is also a scarce resource in the City. On balance, the need to help preschool/childcare services flourish in the City outweigh the benefit of retaining the existing dwelling unit.

8. 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 Project would retain the existing buildings on the site and their present configuration. The proposed use is necessary and desirable for the neighborhood because the presence of preschools in San Francisco helps to retain families in the city. At present, preschools are few and far between with desirable preschools experiencing long wait lists for open spaces which discourages some families from attempting to raise their children within the city. Gan Noe is a unique preschool because it offers

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preschool services with Jewish values. Every year the school must reject dozens of requests for placement from families due to lack of capacity. Similar preschools are located north of Market Street or on Brotherhood Way, leaving the heart of the city without such services. The proposed expansion would allow Gan Noe to better serve the neighborhoods of Noe Valley, Bernal Heights, Glen Park, and the Mission

Activities related to the proposed religious facility would take place after preschool hours within the same space and according the Sponsor would involve no more than 12 people at a time.

- 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 be detrimental to the health, safety or convenience of those residing or working in 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 would not alter the existing site configuration of the buildings on the site. The children's play area would be located within the rear yard where it is currently located. Neighbors to the west of the subject property who share the same mid-block have expressed concerns about potential noise impacts from the additional children. In response, the Project Sponsor has stated that outdoor playtime will be staggered such that all children would never be in the play area at the same time. By law, the younger children cannot be within the play area at the same time as the older children.

- 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 Subject Property is in an established residential neighborhood that is well served by public transit, including 24th Street and the J-Church Muni Metro Line and J-Streetcar within two blocks of the Subject Property. Additionally, the proposed preschool facility is intended to meet the needs of the residents in the immediate neighborhood and should not generate significant amounts of vehicular trips citywide.

The Planning Code requires two off-street parking spaces for the proposed facility; however, the sponsor is seeking a variance from this requirement and would remove the existing garage parking space at 3781 Cesar Chavez Street. The project site is located on a street that is the primary arterial to and from Highway 101. Furthermore, there are signaled intersections at the east and west ends of the block. These factors often lead to traffic congestion within the subject block during commute hours. Neighbors have expressed concern that the proposed increase in enrollment would exacerbate the traffic situation within the block and that current parents park on sidewalks and block adjacent driveways during drop off. In response, the Project Sponsor has The Project Sponsor has agreed to apply for a white passenger loading zone, accommodating two parking spaces, on Sanchez Street in front of the facility's entrance and has agreed to institute a

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staggered pick up and drop off that is supervised by staff to reduce traffic congestion during commute hours.

No additional off-street parking is required for the proposed religious facility. Programs related to the facility would include weekly Saturday morning services, weekly Wednesday night Torah study, Bar and Bat Mitzvah lessons and tutoring, and weekly Hebrew classes. Larger religious gatherings include Rosh Hashana (Sept.), Yom Kippur (Sept.), Purim Party (March), and Passover Dinner (April). Many attendees do not drive on the Sabbath or Jewish holidays in accordance with strict Jewish Law which reduces vehicular traffic.

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

The project would not emit noxious or offensive emissions such noise, glare, dust or odor.

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

No additional landscaping is proposed for the site. The Department shall review all lighting and signs proposed for the property in accordance with the Conditions of Approval contained in Exhibit A.

- 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.

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

COMMERCE AND 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 that has substantial undesirable consequences that cannot be mitigated.

The Project would enhance the living and working environment in the City by providing a unique needed preschool service for residents and workers within the Noe Valley, Bernal Height, Glen Park, and Mission

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neighborhoods. The Project would also need to comply with State licensing requirements for childcare/preschool facilities further minimizing possible undesirable consequences from such a use.

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.

Policy 3:

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

The Project will enhance an existing preschool facility that has served the surrounding community since 2005 by extending its services to a greater number of people.

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.

The Project will provide employment opportunities for nine semi-skilled San Francisco residents.

GOVERNMENT, HEALTH AND EDUCATION SERVICES

Objectives and Policies

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENT, HEALTH, AND EDUCATIONAL SERVICES.

Policy 7.2:

Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

The proposed child-care facility will offer educational services to pre-school children of San Francisco residents. No exterior alteration will be proposed to the existing buildings. The proposed child-care facility's activities will take place either indoors or within the rear yard. The proposed conditions of approval would help reduce effects on parking and traffic within the neighborhood and ease noise levels during hours of operation.

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10. 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 proposal would strengthen an existing neighborhood-serving use that has served the neighborhood since 2005 and provide employment for up to nine people.

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

The proposed use will retain the existing buildings on the site and the interior alterations to 3781 Cesar Chavez Street are such that they could be easily reversed and the property converted back to residential use.

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

The Project would not affect the City's existing supply of affordable housing.

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

The proposed use is well served by public transit but it is located a few blocks away. The proposed preschool is not expected to be a destination use that attracts families from outside the immediate neighborhoods. The Sponsor has agreed to seek a passenger loading space in front of the property and implement a pick up and drop off program for families that choose to drive. The loading zone and the program have been included as conditions of approval for the Project.

- 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 achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will not affect the Subject Property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

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The Project would not alter the exterior appearance of the buildings in question.

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

The project will have no negative affect on existing parks and open spaces.

11. 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.
12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

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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. 2013.0259CV** pursuant to Sections 209.3(f), 209.3(j), 317, and 303 of the Planning Code subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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. 18930. 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 94102.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on July 18, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Wu, Sugava, Antonini, Moore, Borden, and Fong

NAYES: None

ABSENT: Commissioner Hillis

ADOPTED: July 18, 2013

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EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to increase enrollment at preschool (d.b.a. Gan Noe Preschool) from 22 to 42 children and establish a religious facility (d.b.a Chabad of Noe Valley) for the properties at 3771 and 3781 Cesar Chavez Street, Block 6577, Lots 030 and 045, pursuant to Planning Code Sections 209.3(f), 209.3(j), 317, and 303 within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District; in general conformance with plans stamped "EXHIBIT B" included in the docket for Case No. 2013.0259CV and subject to conditions of approval reviewed and approved by the Commission on July 18, 2013 under Motion No. 18930. 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 18, 2013 under Motion No. 18930.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18930 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

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

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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. **Signage Program.** Any proposed signage shall be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code. The plans for signage that have been presented to the Commission are for informational purposes only and have not been reviewed for Code compliance. Once submitted staff will share the final signage plan with the Commission as an informational item prior to approval.

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

MONITORING

4. **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.

OPERATION

5. **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.

6. **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.

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For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>

7. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

The following conditions were taken from the environmental noise study that was prepared by Charles M. Salter Associates for Gan Noe Preschool. The recommendations were presented by the Project Sponsor at the hearing and hence adopted by the Planning Commission.

- a. The Project Sponsor will work with both the neighbors and Department staff on replacing the existing fence around the play area with taller sound-isolating fence.
- b. The new fence shall be acoustically treated on the play yard side of the fence with sound absorptive material (2-inch thick P.E.P.P.).
- c. Landscape alternative play spaces within the garden at 3771 Cesar Chavez.
- d. Cover the entire hardscape play area with rubber matting.
- e. The Project Sponsor shall conduct quarterly teacher trainings on "good neighbor" policies.
- f. Signage shall be posted for instructing adults on "good neighbor" policies.
- g. Replace the fiberglass basketball backboard with heavier constructed materials such as dense polycarbonate.
- h. Give neighbors a 14-day advance notice of pending holiday celebrations.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org.

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, www.sf-police.org

8. **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 with written notice of the name, business address, and telephone number of the community liaison. 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

10. **Traffic Plan.** Prior to permit approval, the Project Sponsor shall provide the Department with a morning drop-off and afternoon pick-up plan that will include a white passenger loading zone on Cesar Chavez Street in front of the entrance to the proposed preschool. Additionally, the Sponsor shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours.

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

11. **Hours of Operation.** Daycare/preschool hours of operation shall be limited to 7a.m. to 6 p.m.
12. **Attendance.** The childcare/ preschool facility shall be limited to a total of 42 children.
13. **One-Year Follow-up Report.** The project Sponsor shall coordinate with staff to provide a report to the Commission after approximately one-year of operation.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2013 SEP -9 PM 2:01

Chabad of Noe Valley

3771 Cesar Chavez Street San Francisco CA 94110

Phone/fax - 415.648.8000

www.chabadnoevalley.org

Mr. David Chiu
President of the Board of Supervisors

C/o Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

September 1, 2013

Re: Case No. 2013.0259CV

Dear President David Chiu and Board of Supervisors,

On behalf of Gan Noe Preschool and Chabad of Noe Valley I hereby submit our official written response to the appeal of the Conditional Use Permit that was unanimously approved on July 18, 2013, for the activities of Gan Noe Preschool and Chabad of Noe Valley.

The Appellant presents three grounds for his appeal. We will address each one individually.

1. Appellant's Argument #1: The Planning Commission recently approved three preschools with a condition of having a crossing guard; Gan Noe Preschool should have this requirement too.

Response to Argument #1:

Safety is the top priority for all Gan Noe operations. Gan Noe analyzed traffic and parking on Cesar Chavez Street and determined that the operation of Gan Noe Preschool with 42 children would have no effect (i.e., a de-minimus impact) on traffic flow and parking spaces on the street. However, to provide for the safety for our pre-school children and to prevent any unnecessary queuing of cars on Cesar Chavez Street, especially during the early morning drop-off time, Gan Noe is implementing a comprehensive Traffic Management Plan (TMP). Gan Noe presented the Traffic Management Plan to the SF Planning Commission at the July 18, 2013, Conditional Use Permit hearing.

An integral component of the Traffic Management Plan is the Traffic Monitor, who will be on-site daily. The Traffic Monitor will wear a standard safety vest (yellow or orange vest for visibility) and will be equipped with a whistle and directional sign (i.e., crossing guard type stop sign or equivalent.) The main duty of the Traffic Monitor is to supervise the white zone (drop-off and pick-up) area in front of Gan Noe to ensure compliance with the parking and drop-off schedule for the school.

The corner of Dolores Street and Cesar Chavez Street has a three-way electric traffic signal to direct traffic flow and left-turns. At Gan Noe, about 20% of the children use alternative transportation means to arrive at school, primarily walking or bicycle. The Traffic Monitor will also be authorized to assist any parents and children who, in addition to the City's traffic signal, need or request additional assistance in crossing the street.

Gan Noe has an impeccable safety record. In our eight years of operation as a daycare provider, Gan Noe has maintained the highest levels of safety performance and compliance, a standard that we are committed to raising even higher with the addition of a daily Traffic Monitor.

2. Appellant's Argument #2: The Appellant claims that Gan Noe has a record of alleged violations of its daycare permits.

Response: The Planning Commission approved the conditional use permit application with a unanimous vote. The conditional use permit approval is a pre-requisite to building permit application and pre-school licensing approval. The purpose of seeking this conditional use permit is to serve the growing needs of our local community in FULL compliance with State of California's CCLD (Community Care Licensing Division) requirements. We always have worked closely with licensing and will continue to do so.

3. Appellant's Argument #3: The appellant claims "The Planning Commission abused its discretion" in considering and approving the Conditional Use Permit application.

Response: The City Planning Department staff fully reviewed Gan Noe's permit application and recommended approval of the Conditional Use Permit. After two and a half hours of hearing and deliberation, we believe the Planning commission recognized the dire need for more quality preschools in San Francisco and made a very thorough and informed to decision to unanimously approve Gan Noe Preschool's conditional use permit.

Respectfully,



Rabbi Gedalia Potash
Mrs. Leah Potash, Director, Gan Noe Pre-School
Board of Chabad of Noe Valley and Gan Noe Pre-School

B"H



3771 Cesar Chavez Street SF CA 94110 ▲ 415.648.8000 ▲ www.gannoe.org

September 8, 2013

Mr. David Chiu
President of the Board of Supervisors

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

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley,

I write to you today to explain why it is of utmost importance that Gan Noe Preschool moves away from the "Home Daycare" model and be approved to increase its capacity to 42 children and operate as a preschool.

I have been involved in early childhood education for over 15 years. I have served as the director of Gan Noe since it opened 8 years ago and I pride myself on the quality of the program. In many areas we have exceeded the home daycare licensing requirements to ensure our program runs professionally and matches the quality young San Francisco families seek.

A few examples are:

- Though licensing does not require early childhood education to run a daycare, I spent 2 years studying child development and I became a qualified Preschool Director in 2007.
 - Though licensing does not require daycare providers to have early childhood education, every teacher I hire is either licensed by the state of CA as a Preschool Teacher or is in the process.
 - Though licensing requires a ratio of 1 to 6 I have always maintained of ration of 1 to 4
 - Though licensing does not require continued learning, together with my teachers I continue to expand my early childhood education yearly at the Bing Institute at Stanford University.
- Until now, we have been a licensed home daycare with a capacity of 14 children in my home. I have been the director, a teacher, the shopper, the janitor and the program planner.

This model is not sustainable for someone who has a family, as time and financial resources are far too limiting to operate in this way. In addition, parents are looking for a program that can accommodate all of their preschool years to avoid unnecessary transitions for the child. A home daycare with 14 children is unable to meet that basic need.

To continue to operate and provide this much needed service in the city, it is imperative that we gain Conditional Use Authorization to allow our capacity be increased to 42 children. Having 42 children will allow us to:

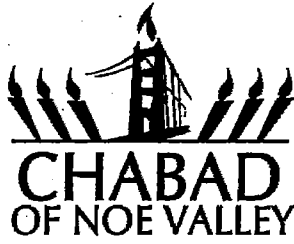
- Offer families their complete preschool need from diapers until kindergarten
- Hire a full time administrator
- Maintain quality teachers with the ability to pay a salary that allows them to live in the city
- Hire a traffic monitor for drop-off and pickup times

I work tirelessly to provide a service that benefits this city and enables families to stay in the city. Many have told us, if not for our program, they would have long moved out of San Francisco. The city lacks quality preschools and it is imperative that quality programming be encouraged to expand in order to keep more families in this wonderful city.

It is my sincere hope that you will support our efforts by approving the CUP for us to serve 42 children, and together we will continue to make this city a better place to raise a family.

Sincerely,
Leah Potash





Chabad of Noe Valley

3771 Cesar Chavez Street San Francisco CA 94110

Phone/fax - 415.648.8000

www.chabadnoevalley.org

All the time with all the heart

September 9, 2013

Mr. David Chiu
President of the Board of Supervisors

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

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I hope this letter finds you all well and in good spirits.

I am writing to you as the spiritual leader at Chabad of Noe Valley & Gan Noe Preschool and the sponsor of this Conditional Use Permit request.

At the age of 21 and 24 respectively my wife Leah and I with our 6 month old daughter made a life time commitment to serve the needs of the thousands of Jews living in the Noe Valley, Glen Park, Castro, Diamond Heights, Bernal Heights and Mission neighborhoods.

Following the inspiration and teachings of the late Lubavitcher Rebbe, Rabbi Menachem Schneerson who encouraged young couples to become active members of society establishing Jewish centers and welcoming all in an embracing manner knowing that every human being possesses an inherent divine spark.

We feel deeply privileged to be doing this work in this part of San Francisco, and though we came here to give; something very different occurred and we found we received more than we could give. We came to teach, but we learned more than we could share. This part of San Francisco opened its doors and hearts to us and welcomed us and supported us in such an amazing way.

The result has been that together with the wonderful members of this community we have created a diverse and welcoming center where hundreds of children and adults come to be enriched by the meaningful Jewish traditions and educational opportunities that we offer from weekly sabbath gatherings, to summer camp, to community wide Hanukkah celebrations on 24th Street, Rosh Hashana celebrations in Dolores Park and Gan Noe Preschool just to name a few.

Our community has become a place where the values of diversity and inclusiveness combined with the Hassidic message of optimism and joy have made the teachings and traditions of Judaism accessible to people from all walks of life and backgrounds who now call Chabad of Noe Valley home.

It has not been an easy journey over the passed 13 years for our family, the ongoing financial burden of operating and living in this city has been daunting. But in 2005, with the community's help we were able to purchase our house at 3771 Cesar Chavez. Which serves as our home for my growing family, as well as part of the preschool. In 2010 we were fortunate again to be able to purchase the house next door at 3781 Cesar Chavez where we were able to expand the preschool and hold other community events and celebrations.

The purchase of these two properties and the location were very exciting steps for us as it gave us a permanent place to operate so convenient to the neighborhoods we serve.

We are now at a pivotal juncture in this under-served part town. Ours is the only Jewish preschool on the entire south eastern part of town and we are pained to turn so many young families away for lack of space. Now we seek the opportunity to create something stronger, and more useful for our community. San Francisco is losing far too many young families who feel they must move away to raise their children.

We are therefore asking for you to support the CUP to serve 42 preschool children and allow our religious center to be granted formal permission to act as such.

I understand the concerns presented by our neighbors who are opposed to this application; I am solemnly committed to being respectful of our neighbors. We will do all we can to minimize our impact and be a positive presence on our block.

I firmly believe that your approval of our Conditional Use Permit will make this city and even better place for its families and all its citizens.

Thank you for your consideration and for your dedication to the future of San Francisco.

Sincerely,


Rabbi Gedalia Potash

Gan Noe Preschool
Change.org

Recipient:

Mr. David Chiu and Mr. Scott Wiener

Letter:

Greetings,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission.

Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city.

Thank you for your consideration.

Comments

| Name | Location | Date | Comment |
|---------------------|-------------------|------------|---|
| Shmuel Freeman | Los Angeles, CA | 2013-09-03 | Education is too important for it to be subjected to petty arguments grounded in nothing but intolerance. |
| yaniv shimonhy | san francisco, CA | 2013-09-03 | Want to have the best education for my son. there are no same quality alternatives in the area. |
| Lloyd Sacks | San Francisco, CA | 2013-09-03 | There is a clear need and overwhelming demand for Gan Noe Preschool by local families. Please do not let a few obstructionist voices deny many worthy children and families access to a proven educational framework and high quality preschool they desire and deserve. |
| Charna Ball | San Francisco, CA | 2013-09-03 | There is an overwhelming need for excellent pre school in our community. Gan Noe Preschool is loved and supported by by many local families. This school is a jewel in our city. It attracts young families from all walks of life. Many young professionals chose to live in Noe valley in order to have the privilege of having their children attend this school. Kindly view the video from the planning commission to see the support of the local community for this school. The planning commission voted UNANIMOUSLY in favor of this project. Please do not let a few obstructionist voices deny many worthy children and families access to a proven educational framework and high quality preschool they desire and deserve. Gan Noe provides a model program for our children, our neighborhood, and our city. Thank you, Charna Ball SF CA. |
| Asher Abrams | San Francisco, CA | 2013-09-03 | Gan Noe provides an important service to families in the area. There is no reason why it should not continue to do so. |
| Matt Roth | Brooklyn, NY | 2013-09-03 | In a place where it's hard to find real outlets for families and nurturing environments for our children, Gan Noe has become one of the most important venues in our neighborhood. Please let them continue to bring neighbors together! |
| Melissa Nemer | San Francisco, CA | 2013-09-03 | My oldest son received his preschool education her and my daughter is currently enrolled for this coming year. We love this school and all that it offers as a community. This school is nestled in a garden and is truly an oasis for our kids who are raised in a the city. Please deny this appeal and allow our children to have a place to play, love, and learn in this amazing environment. |
| Chani Zarchi | San Francisco, CA | 2013-09-03 | Neighborhood schools enable people to stay in San Francisco. Gan Noe provides this valuable resource for the community. |
| Dr. Michael Gitt | San Francisco, CA | 2013-09-03 | Rabbi Potash and his wife Leah have provided a unique resource for the community, not only helping families remain in the city that is losing families in epidemic proportions, but also being welcoming of everyone, no matter what their situation is, including gay, lesbian, and transgender folks who have few places to turn. |
| Ofer Ravner | San Francisco, CA | 2013-09-03 | Both my daughters went to Gan Noe and I could not be happier with the results. It would be a great loss to SF, if we lost our freedom to choose a Jewish education and upbringing. Thanks for your consideration. |
| Lyn Werbach | San Francisco, CA | 2013-09-03 | Gan Noe is a unique, loving, small neighborhood preschool that has nurtured Jewish children and connected their families in Noe Valley for many years. Losing this resource would be devastating to our community. Please deny this appeal and let the preschool flourish! |
| Diana Kochieva-Oren | Pacifica, CA | 2013-09-03 | An amazing school with bilingual teachers. The only one in the area that encourages preschool age children to speak Hebrew. |

| Name | Location | Date | Comment |
|---------------------|-------------------|------------|--|
| bruce bierman | Los Angeles, CA | 2013-09-03 | What the Potash family offers is invaluable to the city of S.F. and is a reason to stay in the city. |
| Roni Melmed | Lafayette, CA | 2013-09-03 | Paul J. Melmed, Ph.D. I have been in education of young children for over 45 years and have seen first hand the quality instruction and dedication of the administration and teaching staff at Gan Noe. Reject the appeal and allow the school to continue providing its vital educational services in SF. |
| Joseph Wildberger | San Francisco, CA | 2013-09-03 | The city needs affordable and locally based schools. Adds a unique aspect to Noe Valley. |
| Jeffrey Kurin | San Francisco, CA | 2013-09-03 | I think it is very important to have more preschools in the city to keep more families in the city. Gan Noe is a great preschool with strong ties to the community. |
| Janice Miller | San Francisco, CA | 2013-09-03 | Nearly 1,300 preschoolers call Noe Valley home (according to figures recently released by the U.S. Census Bureau). The census counted 1,296 children under 5 in 2010, up 49.1 percent from the 869 recorded a decade earlier. And, just by casual observation on any day, the baby boom continues in 'stroller valley'. With a shortage of preschools and childcare in San Francisco, and long waiting lists to contend with, parents need options. Without Gan Noe, there are no local Jewish preschool alternatives on the south side of the city, leaving an unmanageable 2 hour a day commitment for working families to send their children across town to any other Jewish preschool in the city. The Potash family has created a jewel in Gan Noe. The community has benefited in so many ways. It has been a joyful educational experience for our son and our family - our son has thrived beyond our expectations. Losing Gan Noe would be devastating to the Jewish community. It has already devastated our family and many others. Please deny this appeal. |
| Pascal Levy-Garboua | San Francisco, CA | 2013-09-03 | Noe Valley desperately need a high quality yet affordable preschool, and what the Potash have put together is truly incredible, providing an amazing education experience for our kids! |
| Steven Dillick | San Francisco, CA | 2013-09-03 | There is no similar facility on this side of San Francisco. Nearest alternative is near 30th and Lawton in the Sunset, which is much too far to be feasible for school or community building. |
| Bonnie Feinberg | san francisco, CA | 2013-09-03 | The lack of high quality affordable preschools is a top reason families leave SF, we want to stay and raise our family here—Gan Noe is critical to that goal. Gan Noe's teachers and administration are caring, experienced, community minded and very skilled at what they do. Nothing in this world is more precious to me than my child, and by leaving her in their care—it shows the trust we place in them—this school provides a sense of community to its participants, present and past and a needed Jewish education presence in this part of our city. |
| Samuel Adler | San Jose, CA | 2013-09-03 | The activities of Gan Noe are an incredible asset to the Noe Valley Community. I can't see why this should be held up any further. |
| Ella Potash | REDWOOD CITY, CA | 2013-09-03 | I have seen first hand the love that the teachers give in Gan Noe. This is something that cannot be found elsewhere. Our children are our future. And they deserve the best. In San Francisco, Gan Noe provides that. |
| Gideon Rothschild | San Francisco, CA | 2013-09-03 | We are extremely supportive of granting Gan Noe to continue to expand and fulfill its critical role as a center for excellent education and culture for our kids and ourselves. |
| Susie Smith | San Francisco, CA | 2013-09-03 | Gan Noe is a great resource in the community. If we want to support families with young children staying in SF, we need to also support high quality childcare in our communities. There is a shortage of such care in SF. |

| Name | Location | Date | Comment |
|---------------------------|------------------------------|------------|---|
| Ian Blumenfeld | Oakland, CA | 2013-09-03 | I don't see how closing down a well-loved preschool fits San Francisco's strategic goal of keeping young families. |
| Antoinette Nernia | San Francisco, CA | 2013-09-04 | I, too, want as many quality preschool options for Noe Valley children; and Gan Noe reaches the gold standard. |
| Bradley Bettinger | San Francisco, CA | 2013-09-04 | There is a dearth of preschools in Noe Valley. Please help keep families with young children in San Francisco. |
| Beth Freedman | San Francisco, CA | 2013-09-04 | Because I care about families staying in San Francisco |
| Richard Miller | San Francisco, CA | 2013-09-04 | My son's 2 yrs @ Gan Noe was a very positive experience |
| Deborah Zimmerman | San Francisco, CA | 2013-09-04 | My daughters both attended Gan Noe preschool and had a wonderful experience. We need more preschools in our neighborhood! |
| Orkid Sassouni | San Francisco, CA | 2013-09-04 | It hard to find a preschool in this neighborhood that have wonderful loving home feel to it for my 3 years old son. Please keep the Gan Noe Preschool and Chabad of Noe Valley in the neighborhood. Other organizations are pretty too far and must have car to get there. This one is closest to home. And also accessible by foot, bus, and BART within short walking distance. |
| Perry Graham | San Francisco, CA | 2013-09-04 | Gan Noe Valley provides key services to residents and is part of the cultural diversity of San Francisco. |
| Eryn Kurin | San Francisco, CA | 2013-09-04 | Gan Noe has provided my two children with a loving, local, Jewish preschool education. We don't know what we would have done without Gan Noe in our neighborhood! The school and community were, and are, a large reason why we are still in San Francisco. |
| Jilla Roth | San Francisco, United States | 2013-09-04 | Because I believe this school is necessary in our neighborhood |
| Raziel Tabib | palo alto, Canada | 2013-09-04 | I was part of the community in the last 4.5 years and I appreciate the importance of its services tot he noe valley neighborhood |
| Alex Goldenberg | San Francisco, CA | 2013-09-05 | Friends and neighbors recommended Gan Noe so our daughter applied. We need Gan Noe to meet neighborhood demand for quality schools. |
| Anne Lew | San Francisco, CA | 2013-09-05 | Gan Noe is a gift for every child who goes there and for its family. Its approach to Judaism and its unique warm environment gave our daughter foundation that will serve her all her life. We hope that our second daughter will also have the opportunity to go there. |
| Jonathan Bayer | SF, CA | 2013-09-08 | I am personally familiar with the fine work Gan Noe does with children in the community and they should be allowed to continue this work without further appeals. |
| Jay Rubin | San Francisco, CA | 2013-09-09 | Time for SF to show that it supports families. This is a great way to do so. |
| John Kaye | San Francisco, CA | 2013-09-09 | Education is so important. |
| Bambi Zilberstein-Twersky | san francisco, CA | 2013-09-09 | gan noe is an asset for the noe valley community please let it go on |
| Martin Rosenberg | San Francisco, CA | 2013-09-09 | The services this school provides far outweighs any other considerations. |
| Bruce Gottlieb | Pacifica, CA | 2013-09-09 | I am signing because single women with children who send their children to the pre-school will be most affected by the closure. |
| Jill Rabinowitz | San Francisco, CA | 2013-09-09 | I believe Gan Noe provide an excellent service to the Jewish community of San Francisco |
| Vivian Imperiale | San Francisco, CA | 2013-09-09 | This is a specialized service to families and deserves to have this home. |
| Don Friend | San Francisco, CA | 2013-09-09 | Gan Noe is an important institution in our city and will keep parents able to raise their children here. Please support Gan Noe!! |

| Name | Location | Date | Comment |
|------------------|-------------------|------------|---|
| Matthew Gershuny | San Francisco, CA | 2013-09-09 | Gan Noe and Chabad of Noe Valley contribute to the strength and stability of the community. |

Gan Noe Preschool
change.org

Recipient: **Mr. David Chiu and Mr. Scott Wiener**

Letter: **Greetings,**

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission.

Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city.

Thank you for your consideration.

Signatures

| Name | Location | Date |
|---------------------|----------------------------------|------------|
| Gedalia Potash | , United States | 2013-09-03 |
| Leah Potash | San Francisco, CA, United States | 2013-09-03 |
| Ward Karson | San Francisco, CA, United States | 2013-09-03 |
| Shmuel Freeman | Los Angeles, CA, United States | 2013-09-03 |
| yaniv shimonhy | san francisco, CA, United States | 2013-09-03 |
| Ken Margolis | San Bruno, CA, United States | 2013-09-03 |
| david Henkin | San Francisco, CA, United States | 2013-09-03 |
| Lloyd Sacks | San Francisco, CA, United States | 2013-09-03 |
| Heather Friedland | San Francisco, CA, United States | 2013-09-03 |
| Moriah Royz | San Francisco, , Israel | 2013-09-03 |
| Sara Geller | Toronto, Canada | 2013-09-03 |
| Charna Ball | San Francisco, CA, United States | 2013-09-03 |
| Asher Abrams | San Francisco, CA, United States | 2013-09-03 |
| Kim Lipkovitz | San Francisco, CA, United States | 2013-09-03 |
| Matthew Weiner | San Francisco, CA, United States | 2013-09-03 |
| Matthue Roth | San Francisco, CA, United States | 2013-09-03 |
| Julie Mitrani | boca raton, FL, United States | 2013-09-03 |
| Kimberly Boigon | San Francisco, CA, United States | 2013-09-03 |
| lisa morales | mission hills, KS, United States | 2013-09-03 |
| Melissa Nemer | San Francisco, CA, United States | 2013-09-03 |
| Doug Randall | San Francisco, CA, United States | 2013-09-03 |
| JJ Wiesler | San Francisco, CA, United States | 2013-09-03 |
| Rachael Geneson | San Francisco, CA, United States | 2013-09-03 |
| Priscilla Lowenthal | San Francisco, CA, United States | 2013-09-03 |
| Chani Zarchi | San Francisco, CA, United States | 2013-09-03 |
| Seth St. Martin | San Francisco, CA, United States | 2013-09-03 |
| Dr. Michael Gitt | San Francisco, CA, United States | 2013-09-03 |
| Ofer Ravner | San Francisco, CA, United States | 2013-09-03 |
| Alison Sirkus Brody | SF, CA, United States | 2013-09-03 |
| Lyn Werbach | San Francisco, CA, United States | 2013-09-03 |

| Name | Location | Date |
|---------------------|----------------------------------|-------------|
| bonnie smolins | San Francisco, CA, United States | 2013-09-03 |
| Anatoly Besedin | San Francisco, CA, United States | 2013-09-03 |
| Kristina Oates | Berkeley, CA, United States | 2013-09-03 |
| Leo Shveyd | San Francisco, CA, United States | 2013-09-03 |
| Yochai Konig | San Francisco, CA, United States | 2013-09-03 |
| Leah Stein | San Francisco, CA, United States | 2013-09-03 |
| Pam Boland | Grovetown, GA, United States | 2013-09-03 |
| Adi Shimony | San Francisco, CA, United States | 2013-09-03 |
| Diana Kochieva-Oren | Pacifica, CA, United States | 2013-09-03 |
| Roni Melmed | Lafayette, CA, United States | 2013-09-03 |
| Robert Eber | San Francisco, CA, United States | 2013-09-03 |
| Bruce Bierman | Berkeley, CA, United States | 2013-09-03 |
| Debbie Mink | San Francisco, CA, United States | 2013-09-03 |
| Samuel Mink | Philadelphia, PA, United States | 2013-09-03 |
| Sophie Beraznik | San Francisco, CA, United States | 2013-09-03 |
| Olga Eber | San Francisco, CA, United States | 2013-09-03 |
| David Eiland | San Francisco, CA, United States | 2013-09-03 |
| Anat Feinstein | San Francisco, CA, United States | 2013-09-03 |
| Molly Boylan | San Francisco, CA, United States | 2013-09-03 |
| Jeffrey Kurin | San Francisco, CA, United States | 2013-09-03 |
| Janice Miller | San Francisco, CA, United States | 2013-09-03 |
| Shane Reisman | San Francisco, CA, United States | 2013-09-03 |
| Emile Litvak | San Francisco, CA, United States | 2013-09-03 |
| Pascal Levy-Garboua | San Francisco, CA, United States | 2013-09-03 |
| Steven Dillick | San Francisco, CA, United States | 2013-09-03 |
| Hagit Glickman | San Francisco, CA, United States | 2013-09-03 |
| Bonnie Feinberg | san francisco, CA, United States | 2013-09-03 |
| Melissa Willa | SAN FRANCISCO, CA, United States | 2013-09-03 |
| Oren Kredo | San Francisco, CA, United States | 2013-09-03 |
| Samuel Adler | San Jose, CA, United States | 2013-09-03 |
| Alyce Arnick | San Francisco, CA, United States | 2013-09-03 |
| Ella Potash | Redwood City, CA, United States | 2013-09-03 |

| Name | Location | Date |
|---------------------|----------------------------------|------------|
| Michelle Paulson | San Francisco, CA, United States | 2013-09-03 |
| Eliyahu As Elias | Menlo Park, CA, United States | 2013-09-03 |
| Silas Geneson | San Francisco, CA, United States | 2013-09-03 |
| Gideon Rothschild | San Francisco, CA, United States | 2013-09-03 |
| Todd Snyder | San Francisco, CA, United States | 2013-09-03 |
| chaya Zaetz | los angeles, CA, United States | 2013-09-03 |
| Ran Bujanover | San Francisco, CA, United States | 2013-09-03 |
| shoshana laufer | warwick, RI, United States | 2013-09-03 |
| Julie Lewis | San Francisco, CA, United States | 2013-09-03 |
| kathleen m goldberg | santa barbara, CA, United States | 2013-09-03 |
| Susie Smith | San Francisco, CA, United States | 2013-09-03 |
| Yaakov Potash | London, United Kingdom | 2013-09-03 |
| William Selig | Oakland, CA, United States | 2013-09-03 |
| Doron Shapira | Foster City, CA, United States | 2013-09-03 |
| Gabor Siklos | San Francisco, CA, United States | 2013-09-03 |
| yehuda folberg | San Francisco, CA, United States | 2013-09-03 |
| yosef Potash | London, , United Kingdom | 2013-09-03 |
| Ellie Hardy | San Francisco, CA, United States | 2013-09-03 |
| Ian Blumenfeld | Oakland, CA, United States | 2013-09-03 |
| Joseph Schultz | San Francisco, CA, United States | 2013-09-03 |
| gracan montpetit | haverhill, MA, United States | 2013-09-03 |
| frank nazarian | burlingame, CA, United States | 2013-09-04 |
| Jameson Swanagon | Pacifica, CA, United States | 2013-09-04 |
| Goldee Seidman | Benicia, CA, United States | 2013-09-04 |
| Cynthia Vaughn | San Francisco, CA, United States | 2013-09-04 |
| Antoinette Nemia | San Francisco, CA, United States | 2013-09-04 |
| Josh Einhorn | San Francisco, CA, United States | 2013-09-04 |
| Bradley Bettinger | San Francisco, CA, United States | 2013-09-04 |
| Dalia Arlaki | San Francisco, CA, United States | 2013-09-04 |
| Beth Freedman | San Francisco, CA, United States | 2013-09-04 |
| Leah Wolchok | San Francisco, CA, United States | 2013-09-04 |
| Richard Miller | San Francisco, CA, United States | 2013-09-04 |

| Name | Location | Date |
|---------------------|----------------------------------|------------|
| Yuval Oren | Farallon Ave, CA, United States | 2013-09-04 |
| Deborah Zimmerman | San Francisco, CA, United States | 2013-09-04 |
| Orkid Sassouni | San Francisco, CA, United States | 2013-09-04 |
| Gabriel Seidman | SF, CA, United States | 2013-09-04 |
| erika katske | Berkeley, CA, United States | 2013-09-04 |
| Perry Graham | San Francisco, CA, United States | 2013-09-04 |
| Shevi Loewinger | San Francisco, CA, United States | 2013-09-04 |
| Eryn Kurin | San Francisco, CA, United States | 2013-09-04 |
| Ada Eban-Rothschild | San Francisco, CA, United States | 2013-09-04 |
| Jilla Roth | San Francisco, CA, United States | 2013-09-04 |
| Raziel Tabib | palo alto, Canada | 2013-09-04 |
| Sharky Laguana | San Francisco, CA, United States | 2013-09-04 |
| Barry Lynn | Mill Valley, CA, United States | 2013-09-05 |
| Alex Goldenberg | San Francisco, CA, United States | 2013-09-05 |
| Anne Levv | San Francisco, CA, United States | 2013-09-05 |
| Amy Kelman | San Francisco, CA, United States | 2013-09-06 |
| Neda Gilani-Byrd | daly city, CA, United States | 2013-09-06 |
| Michelle Randall | San Francisco, CA, United States | 2013-09-06 |
| Yasiu Kruszynski | Chicago, IL, United States | 2013-09-07 |
| Jonathan Bayer | SF, CA, United States | 2013-09-08 |
| greg gurovich | San Francisco, CA, United States | 2013-09-08 |
| Levi Potash | Redwood City, CA, United States | 2013-09-08 |
| Nosson Potash | SAN FRANCISCO, CA, United States | 2013-09-08 |
| David Sapirstein | San Francisco, CA, United States | 2013-09-08 |
| Jay Rubin | San Francisco, CA, United States | 2013-09-09 |
| John Kaye | San Francisco, CA, United States | 2013-09-09 |
| Orna Konig | SF, CA, United States | 2013-09-09 |
| James Hendricks | San Francisco, CA, United States | 2013-09-09 |
| Richard Sinkoff | San Francisco, CA, United States | 2013-09-09 |
| bambi twersky | san francisco, CA, United States | 2013-09-09 |
| Vladimir Shpitalnik | San Francisco, CA, United States | 2013-09-09 |
| marjorie hilsenrad | san francisco, CA, United States | 2013-09-09 |

| Name | Location | Date |
|--------------------|--------------------------------------|------------|
| dale legum | san francisco, CA, United States | 2013-09-09 |
| David Tobiano | San Francisco, CA, United States | 2013-09-09 |
| Martin Rosenberg | San Francisco, CA, United States | 2013-09-09 |
| Bruce Gottlieb | Pacifica, CA, United States | 2013-09-09 |
| Jennifer Graves | San Carlos, CA, United States | 2013-09-09 |
| Abe Newman | San Francisco, CA, United States | 2013-09-09 |
| Emanuel Jolish | San Francisco, CA, United States | 2013-09-09 |
| adrienne duskin | carmel by the sea, CA, United States | 2013-09-09 |
| Jessica Waterston | San Francisco, CA, United States | 2013-09-09 |
| William Schechter | San Francisco, CA, United States | 2013-09-09 |
| Lindsey Parker | San Francisco, CA, United States | 2013-09-09 |
| Hillary Blum | San Francisco, CA, United States | 2013-09-09 |
| Peter Blum | San Francisco, CA, United States | 2013-09-09 |
| Jill Rabinowitz | San Francisco, CA, United States | 2013-09-09 |
| Bathsheba Malsheen | San Francisco, CA, United States | 2013-09-09 |
| Vivian Imperiale | San Francisco, CA, United States | 2013-09-09 |
| Robert Shadel | San Francisco, CA, United States | 2013-09-09 |
| Moshik Levin | San Francisco, CA, United States | 2013-09-09 |
| Michael Tselner | San Francisco, CA, United States | 2013-09-09 |
| Miki Ben Jakov | San Francisco, CA, United States | 2013-09-09 |
| Donny Friend | San Francisco, CA, United States | 2013-09-09 |
| Biana Shikhman | San Francisco, CA, United States | 2013-09-09 |
| Davood Kohan | san francisco, CA, United States | 2013-09-09 |
| Gilda Bieri | San Francisco, CA, United States | 2013-09-09 |
| Matthew Gershuny | San Francisco, CA, United States | 2013-09-09 |

File 130818

**STATEMENT OF APPELLANT RICHARD ROCHMAN AND CITIZENS
CONCERNED ABOUT CESAR CHAVEZ STREET (4 C's) IN SUPPORT OF THE
APPEAL OF THE CONDITIONAL USE PERMIT FOR 3771-3781 CESAR
CHAVEZ STREET**

Hearing Date: September 17, 2013

Appellants (Citizens Concerned about Cesar Chavez Street (4 C's)) agree with the Planning Commission that child care facilities provide "a development that is necessary or desirable" for the community and that it is important for the City to promote family-friendly policies and projects. But it is equally important to ensure that the policies and projects *are* family friendly. It would not be family friendly to locate a daycare facility on a dangerous street where children can get hurt. But that is just what the Planning Commission has done here.

I. The 3700 Block of Cesar Chavez Is an Unsafe Location for a Daycare with 42 Children

A. The Planning Commission failed to consider that the 3700 block of Cesar Chavez is exceptionally dangerous — not just in comparison to other blocks with Child Care Facilities, but even in comparison to other blocks of Cesar Chavez.

It is well known to the Board of Supervisors that city agencies do not talk to each other or cooperate as often as they should. This is an example of that ongoing problem. The SFMTA maintains records of the number of traffic collisions and injury accidents for each block in the city. Anyone can quickly and easily obtain that information by submitting a request. (See SFMTA Public Records Policy and Procedures.) One would expect the Planning Department to have obtained the relevant SFMTA records *any time* a proposed project triggers concerns about traffic safety, especially when the safety of young children is at stake, and to have alerted the Planning Commission to its findings. We were surprised and dismayed to discover that the Planning Department does not do so.

This was a serious mistake—the type of mistake that can lead to people being injured or killed.

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Because the Planning Department did not do it, we asked the SFMTA to tell us the number of traffic collisions and injury accidents on the 3700 block of Cesar Chavez, as well as on the three other blocks where the Planning Commission has recently approved child care facilities. The SFMTA provided us with a Traffic Collision History Report of Midblock Collisions for each of the four blocks. (Exhibits A-D.) What we discovered was shocking:

The 3700 block of Cesar Chavez has SIXTEEN times as many injury accidents as the 1250 block of Sanchez Street, which is just five blocks away and is where the Commission recently granted a permit to Moldovan Academy. The 3700 block of Cesar Chavez has NINETEEN times as many traffic collisions as the 200 block of Harvard Street, which is less than two miles away and is where the Commission recently granted a permit to Alpha Kids Academy. In fact, the 3700 block of Cesar Chavez has EIGHT times as many injury accidents as *ALL* of the other blocks where the Commission has in the past year approved child care facilities *combined*.

We then wondered whether the problem was simply that Cesar Chavez, as a whole, was a more dangerous street than the streets on which other child care facilities were located, so we asked the SFMTA to give us the Midblock Collision Reports for the adjacent blocks of Cesar Chavez—the 3600 block, which is the four-lane boulevard ending at Guerrero, and the 3800 block, which (like the 3700 block) is a narrow, two-lane street, ending at Church. (Exhibits E & F.) We learned that the real problem is that the 3700 block is *uniquely dangerous*: The 3700 block of Cesar Chavez has more than FIVE times as many injury accidents as the 3800 block and TWICE as many injury accidents as the 3600 block.

B. The 3700 block is exceptionally dangerous because it is a narrow two-lane road that is fed by three heavily trafficked four-lane highways.

The 3700 block of Cesar Chavez Street presents unusual and difficult issues of traffic safety. It is a narrow, two-lane street that funnels traffic to and from the four-lane

roadways of Dolores Street, Guerrero Street, and the boulevard portion of Cesar Chavez. Moreover, each of those larger roadways effectively acts as an on-ramp and off-ramp for major highways: Dolores and Guerrero each connect to Interstate 280, and Cesar Chavez connects to Highway 101. Over the past dozen years, this narrow artery has become a vital route connecting tech workers who live in the middle part of the City, especially Noe Valley, with their jobs in Silicon Valley.

The increasingly heavy demand placed on this narrow street has created a situation that is as alarming as it is predictable. In the morning during the school year, traffic heading northbound on Dolores at the light at Cesar Chavez is bumper to bumper in both lanes to 27th Street and beyond. Southbound traffic on Dolores is likewise stacked up past 26th Street in both lanes. Traffic on the eastbound section of Cesar Chavez itself fully occupies the entire block, and must often wait through two or three cycles of the traffic light to cross Guerrero.



(Northbound Dolores at Cesar Chavez, Sept. 3, 2013 around 8 a.m.)



(Southbound Dolores at Cesar Chavez, Sept. 3, 2013, around 8:30 a.m.)



(3700 block of Cesar Chavez looking east from Dolores, Sept. 3, 2013, around 8:30 a.m.)

Now consider that a significant proportion of southbound Dolores traffic, northbound Dolores traffic, and eastbound traffic on Cesar Chavez is *all* trying to merge

onto the 3700 block—this narrow two-lane stretch of Chavez that passes *in front of Gan Noe preschool*—and anyone can see that the result is gridlock in all directions, preventing traffic from passing even when the light is green:



(Complete blockage of northbound Dolores, Sept. 3, 2013, around 8:10 a.m.)



(Complete blockage of northbound Dolores, Sept. 3, 2013, around 8:15 a.m.)

The gridlock also makes it very unsafe (or impossible) for pedestrians trying to cross the street. Here, a pedestrian contemplates how to cross the street, watches the light turn green with no opportunity to cross, and remains unmoved as the light changes again:



(Crosswalk at Dolores and Cesar Chavez, May 27, 2013, around 8:40 a.m.)



(Still blocked)



(Pedestrian forced to try again with the next light cycle)

Parents at the existing day care—which is licensed for only 14 children—navigate the chaos to bring their toddlers to Gan Noe preschool any way they can. As was established in the testimony of numerous neighbors before the Planning Commission, parents block driveways, drive on the sidewalk, park on the sidewalk, block the sidewalk (forcing pedestrians into traffic), unload their children from the left side of the vehicle, and make sudden U-turns and unsafe three-point turns.



(Gan Noe dropoff, May 28, 2013, around 9:10 a.m.)

They also jaywalk across the morning commute, carrying their children:



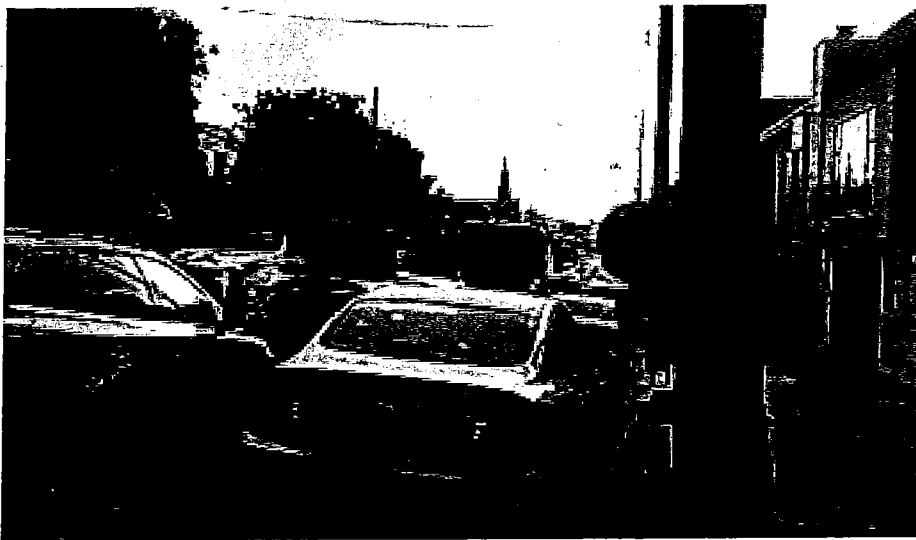
(Gan Noe dropoff, May 29, 2013, around 8:50 a.m.)

C. The traffic mitigation measures in the CU Permit do not promote safety; they make the situation *more* dangerous.

The conditional use permit's traffic mitigation measure purports to offer a two-prong approach: (1) a supervised drop-off and pickup system with staggered arrival and departure schedules; and (2) a loading zone in front of the properties at 3771-3781 Cesar Chavez. These proposals will not adequately protect children or commuters. In fact, they will worsen an already dangerous situation.

According to its application for a Conditional Use Authorization, Gan Noe *already* "maintains a supervised pickup and drop-off system to facilitate child retrieval without creating unnecessary burdens on street traffic during peak hours." (Exhibit G.) As stated in the sponsor's supplemental information to the Application, and as also stated in the Letter of Gan Noe Parent Silas KC Geneson (dated 6/6/13), this system includes staggered arrival and departure schedules. Plainly, such a system is not workable. As demonstrated in the objections of the neighbors and in the attached photographs, parents are engaging in a variety of unsafe and unlawful maneuvers just to drop their children off at preschool in the midst of a gridlocked morning commute. A doubling or tripling of the enrollment is *not* the way to solve these problems. Even if the drop-off were extended over a 60-minute period—which is twice as long as what Gan Noe has proposed (Exhibit H)—each of the 42 children would be allotted less than 90 seconds to complete a task that (as set forth in the Objections of William Sommer and William A. Battel to the Planning Commission) currently takes between 10 and 15 minutes per child.

The creation of a loading zone will not address the issues of safety or gridlock, either. As explained in the Objection of William Sommer to the Planning Commission, parents routinely park illegally "even when a legal parking space is only a few feet away." The reason for this is obvious:



(Cesar Chavez, Sept. 3, 2013, around 8:30 a.m.)

No one wants to try to parallel park on a narrow two-lane street under the pressure and scrutiny of anxious and angry drivers stuck in the morning gridlocked commute.

Accordingly, parents will use the loading zone only if they can access it easily and safely—i.e., by waiting for a drive-in spot to open up. Parents might wait by stopping midblock or by circling the block, but either option would only worsen the traffic situation and make it more dangerous.

It is telling that Gan Noe has not yet sought permission to create a loading zone. A few years ago, neighbor William Sommer suggested that the Potashes obtain a loading zone, and reiterated that suggestion at the Pre-Application meeting. At a meeting with Gedalia Potash at Supervisor Wiener's office on June 5, several neighbors stated they would support the creation of a loading zone so that Gan Noe could try out its plan under existing enrollment to see whether it could work—i.e., to see whether Gan Noe can walk before it tries to run. That Gan Noe has not taken up that offer of support is a strong indication that even Gan Noe recognizes its traffic mitigation plan will not work.

A loading zone will also increase the likelihood of a collision with cyclists. By the end of the year, if not sooner, bike lanes will be striped on both sides of Cesar Chavez Boulevard, beginning at Guerrero, which will substantially increase nonmotorized traffic

on Cesar Chavez in this part of Noe Valley. The bike lanes are part of San Francisco Bike Route 60, which connects Vicente Street with Third Street by way of Portola Drive, Clipper Street, Sanchez Street, and Cesar Chavez, including the 3700 block of Cesar Chavez. Gan Noe's plan for 42 vehicles to be alternately parking and then merging midblock back onto the narrow two-lane street as cyclists proceed towards or away from the bike lanes on the boulevard portion of Cesar Chavez is a recipe for carnage. It is the equivalent of adding 84 new residents to this block, each with a car—and each arriving home or leaving for work during the morning commute. *Yet neither the project sponsor nor the Planning Commission has offered any plan to mitigate this risk.*

Traffic congestion is a nonlinear function. In other words, as a road approaches its maximum capacity, small changes in traffic volume can cause proportionately larger changes in the risk of collisions and congestion-related delays. Traffic on *this* block of Cesar Chavez Street, as demonstrated in the objections of the neighbors and the attached photographs, already exceeds its capacity. It would be irresponsible to *increase* traffic on this block, especially an increase in traffic that requires 42 vehicles to stop, park, and merge back into traffic during the morning and afternoon commutes on SF Bike Route 60.

D. The permit made drop-off and pick-up even more dangerous by failing to require crossing guards.

As demonstrated by the traffic collision reports from the SFMTA and the photographs of the crosswalks in part I.B., the intersections at either end of Cesar Chavez are unusually dangerous. Even a minimal concern for safety would require that crossing guards be placed at both the Cesar Chavez/Dolores and the Cesar Chavez /Guerrero intersections to aid families who arrive on foot or who choose to park and walk in their children.

In fact, the Planning Commission followed this common-sense approach for other child care facilities. In the year prior to the hearing on Gan Noe's application, the Commission approved three other child care facilities. *Each time*, the Commission

included the requirement that “**crossing guard(s)** shall monitor the passenger loading and unloading ‘white’ zone during morning and afternoon pick-up and drop-off hours.”

(Exhibit I.)

The draft motion submitted to the Planning Commission at the hearing on the Gan Noe application, however, *did not include any crossing guards*. Instead, it provided only that “the Sponsor shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours.” (Exhibit J.)

The Commission remarked on the inadequacy of the draft motion’s traffic plan at the hearing beginning at 6:18:15 of the video:

COMMISSIONER SUGAYA: Um, I’d just like to add that in the traffic plan there’s not a mention of a traffic monitor.

COMMISSIONER ANTONINI: I think we had asked as a condition there be a traffic monitor.

ZONING ADMINISTRATOR SANCHEZ: It does make reference that they must monitor that zone, so we would interpret that to [mean] you have to monitor it, whether or not there’s someone . . . ?

PRESIDENT FONG: All right, we need three people in yellow vests, orange vests.

COMMISSIONER MOORE: You need more.

COMMISSIONER SUGAYA: Well, I think that “monitor” without specifically saying someone is kind of like, you know, you can watch it from the window or something.

SEVERAL COMMISSIONERS: All right.

There is then an exchange between Commissioner Moore and Jeremy Paul about using traffic procedures implemented at other schools, during which Mr. Paul represents that “we have already done so.”

At 6:19:53 of the video, a proposal was made to amend the traffic plan in the draft motion so as to require crossing guards:

PRESIDENT FONG: Mr. Paul, I believe you that you have a plan in place, but clearly to the neighbors it’s not quite enough. So I think what she is asking is that you update, improve, verify, increase, give a little more thought, a little more attention, a little more money, a little more volunteers, and whatever, to make it a better situation.

MR. PAUL: I understand, President Fong. We haven’t implemented that yet, but that is absolutely what will be in place before we move up the numbers of kids.

PRESIDENT FONG: Thank you.

COMMISSIONER SUGAYA: Could that be submitted to staff, also?

COMMISSIONER ANTONINI: I'm comfortable with the parking plan be enumerated, the parking monitor plan be enumerated, and that be submitted to staff to show evidence that it has been taken care of.

CLERK IONIN: So, just to add that condition of approval to the original motion, that an orchestrated pickup/drop-off solution with a parking monitor be submitted to staff.

COMMISSIONER ANTONINI: Sounds good.

CLERK IONIN: On that motion, Commissioner Antonini?

COMMISSIONER ANTONINI: Aye.

CLERK IONIN: Commissioner Borden?

COMMISSIONER BORDEN: Aye.

CLERK IONIN: Commissioner Moore?

COMMISSIONER MOORE: Aye.

CLERK IONIN: Commissioner Sugaya?

COMMISSIONER SUGAYA: Aye.

CLERK IONIN: Commissioner Wu?

COMMISSIONER WU: Aye.

CLERK IONIN: And Commission President Fong?

PRESIDENT FONG: Aye.

CLERK IONIN: So moved. Commissioners, that motion passes unanimously 6-0.

Because the issue of traffic safety is so important, I emailed Michael Smith, the planner, and Jeremy Paul, agent of the project sponsor, on the Monday after the hearing to ensure that the Commission's modification to require crossing guards would be included in the final motion. (Exhibit K.) Two days later, hearing no response, I sent another email, pointing out that crossing guards had been required for other child care facilities, even though they were located on streets with far less traffic than this block of Cesar Chavez. Mr. Smith responded that he could not include this condition "because it was not specifically stated by the Commission that it must be required." I emailed Mr. Smith about half an hour later, pointing out that the Commission had explicitly stated that the draft motion's traffic plan was inadequate and that the Commission had amended it to require that personnel be designated to monitor the traffic. Mr. Smith replied that he "cannot arbitrarily add provisions after the fact." (Exhibit K.)

The final Motion thus fails to reflect the Commission's amendment at the hearing. Other than to correct the reference to "morning pick-up and afternoon drop-off" in the

drat motion, the traffic condition in the permit is otherwise the same as the condition the Commission explicitly rejected at the hearing as inadequate: “the Sponsor shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours.”

In short, the traffic condition here fails to include even the minimal safety measures required for other child care facilities, even though those blocks have only a tiny fraction of the traffic and injury accidents of this block. Moreover, the traffic condition here fails to include even the mitigation measures explicitly required by the Commission at the hearing. Because the Department has repeatedly asserted that it cannot modify the traffic condition, it is now entirely up to the Board of Supervisors, if it believes the project should be approved, to craft and impose the conditions necessary to make this project safe.

II. The Operators of the Proposed Preschool Have a Track Record of Disregarding (and Covering Up Violations of) the Laws, Rules, and Regulations Governing the Safe Operation of Daycare

The operation of a family day care (or a child care facility) is governed by a carefully crafted set of laws, rules, and regulations—and rightly so. Because parents are not present to witness the conduct of the day care, the children are at the complete mercy of the adults to whom they have been entrusted.

The Community Care Licensing Division (CCLD) of the State Department of Social Services is the state agency charged with enforcing regulations relating to safety at preschools and family day care facilities. Many of its records are public and can be inspected, on request. One would expect the Planning Department to obtain those records whenever an existing family day care operator seeks permission to operate a child care facility, and to provide them to the Planning Commission when the proposed operator has a history of violating the law and covering up those violations. We were surprised and

dismayed to discover that the Planning Department does not do so. This was another serious mistake.

We visited CCLD, spoke with their enforcement team, and inspected the public records of the family day care operated by the project sponsor at 3771 Cesar Chavez, as well as the family day care operated *illegally* by the project sponsor at 3781 Cesar Chavez and 107 Justin Drive. (Exhibit L.) The enforcement file shows that CCLD has cited Gan Noe preschool for over a *dozen* “Type A” violations—the most serious type of violations—just in the past year. These violations include the failure to have working smoke detectors, the repeated operation of the facility with more children than was permitted by the license, the failure to comply with the condition that the home be free of defects or conditions that might endanger a child, the obstruction of the sole exit with storage items, and the failure to conduct fire or disaster drills. (Exhibits L-P.)

Gan Noe has also committed two “zero-tolerance violations”: continuing to operate a family day care facility long after the licensee had vacated the premises. In both instances, Gan Noe was aware of the violation but continued to misrepresent to CCLD personnel that the licensee was still living at the premises.

Up until April 12, 2013, the Potashes owned and operated three family day care facilities: at 3771 Cesar Chavez (Leah Potash, licensee), 3781 Cesar Chavez (Nathan Pikover, licensee), and 107 Justin Drive (Miriam Rieber, licensee). On April 12, 2013, the day care at 107 Justin Drive was abruptly shut down by CCLD because the licensee, Miriam Rieber—the “adult licensed to operate a Family Day Care Home and who is primarily involved in providing care for the children” in “the licensee’s residence” (Cal. Code Regs., tit. 22, § 102352, subds. (h)(1), (l)(2))—was nowhere to be found and had not been seen for at least some months. (Exhibit N.)

The abrupt, agency-initiated shutdown should not have come as a surprise to the Potashes. At an unannounced inspection three weeks earlier, staff had told CCLD that no one lived at the house and that they did not even know who Miriam Rieber *was*.

According to staff, *Leah Potash* was the owner of the day care. On her watch, CCLD issued a report detailing *five* Type A violations—i.e., those violations of the regulations and of the Health & Safety Code that, if not corrected, have a direct and immediate risk to the health, safety or personal rights of those in care—and *three* Type B violations—i.e., those violations that, without correction, could become an immediate risk to the health, safety or personal rights of children. One of them—a “ZERO TOLERANCE VIOLATION”—was the abandonment of the day care by the licensee. Another was the presence of a staff member who had no criminal record clearance. The absence of any smoke detectors, the absence of any evidence that fire and disaster drills had ever been conducted, and the absence of any evidence that the staff had been trained in first aid or CPR were also noted, as was the failure of the staff to open the door to authorized CCLD employees for a period of 10 minutes. (Exhibit N.) Finally, the CCLD Facility Report stated that the day care was “operating under false pretenses.” Immediate fines of \$650 were imposed. (Exhibit Q.)

In retrospect, it does not appear that the Potashes ever intended Miriam Rieber to actually act as the licensee. Rieber spoke French, and Gedalia Potash had to be present with her at each CCLD visit to translate for her—yet Gan Noe never advertised its day care as offering any languages other than English and some exposure to modern Hebrew. After the visit on August 14, 2009, CCLD never saw Rieber again. Given that none of the staff had ever heard of Rieber, it seems likely that she had vacated the premises long before CCLD discovered it in March 2013. Indeed, there were no beds in any of the rooms! (Exhibit N.)

But what is even more interesting than the sham family day care being run by the Potashes at 107 Justin Drive is the Potashes’ response to getting caught. Following the March 19, 2013, inspection, the Potashes did not seize the opportunity to acknowledge that the licensee, Miriam Rieber, had abandoned the family day care; nor did they arrange for a new licensee to carry on the day care; nor did they timely warn parents that they

would very shortly need to make other arrangements for their children. No. The Potashes carried on, as though nothing had happened, for the next three weeks until CCLD issued a Temporary Suspension Order, to Gedalia Potash, on April 12, effective as of the close of business that day. (Exhibit N.)

The Potashes learned no lessons—at least, no *good* lessons—from the 107 Justin Drive debacle. As it turned out, they were running the same scheme—a sham licensee—at the same time at 3781 Cesar Chavez. The putative licensee at 3781 Cesar Chavez, Nathan Pikover, was a young man on his way up, working first at Yelp and then at a startup called TranscribeMe; he was not the operator of a family day care. He moved to Hayes Valley in April 2012, yet neither he nor the Potashes alerted CCLD or the parents that the family day care had thereby become illegal.

CCLD had to uncover the information itself, through persistent investigation. CCLD's suspicions as to the illegality of the family day care at 3781 Cesar Chavez were first triggered during a large family day care prelicensing visit in September 2012, when no normal items, such as "plates, appliances, cooking utensils in the cabinets or food in the refrigerator," were observed. During the next prelicensing visit at the end of October, when CCLD noted that there was no "soap, shampoos, toothpaste, towels, shaving utensils, etc.," Pikover was not present and staff said they were not sure when he would be returning. At another unannounced visit six months later—a few days after CCLD had closed down the sham family day care at 107 Justin Drive—Pikover was again absent. Staff continued to assert that Pikover did live in there, but admitted that he did not have a work schedule at the day care. Only when CCLD arrived for yet another unannounced visit on June 28 did the Potashes *finally* concede that Pikover had moved out. (Exhibits M, P.)

Once again, we can infer how the Potashes would operate a large child care facility by examining how they operated a family day care next door to their house. The outlook is not promising. According to CCLD, there were at least six Type A violations on their

watch at this location. The Potashes failed to safeguard electrical outlets that were not in use, there was mold in the refrigerator and debris in the bathtub, they failed to ensure children were kept away from knives in the kitchen, they used the stairway (which was the only way in or out of the house) as storage, and they had more children than were allowed on the small family day care license at 3781 Cesar Chavez—a license that, in any event, was of no legal effect once Pikover moved out. (Exhibits M, P.)

Those, however, are just the violations that CCLD has witnessed. The neighbors, who see the Gan Noe day care on a regular basis, have stated that there have been well over 25 children at times. Gan Noe is currently licensed for only 14 children. At its maximum, Gan Noe has been licensed only for 22 children—although Gedalia Potash, at various times, has represented to Planning Department staff and neighbors whom he solicited for his “petition” that Gan Noe was licensed for 14 children at each residence. (See Motion No. 18930 at p. 3) He apparently does not make that claim anymore—and it has *never* been true—but it is illuminating of Gedalia Potash’s tendency to report as fact how he would like things to be rather than how things actually are. The Potashes also have been told by CCLD “the two facilities cannot co-mingle children from the two facilities at anytime.” (Exhibit N.) Nonetheless, the Potashes have done just that on a daily basis.

III. The Planning Commission Failed to Exercise Its Discretion and Misunderstood the Facts

During the hearing (at 5:50:04 of the video), Commissioner Sugaya referred to “these State *alleged* violations” and Commissioner Borden (beginning at 05:55:12 of the video) conceded that “obviously this is a unique situation for us,” and “it is concerning when there are issues with the licensing,” but concluded that “*I don’t know the nature of the violations and the concerns and whether or not they’re valid.*”

These were not allegations; they were *violations* established by CCLD and signed, in each instance, by the project sponsor or an agent. The nature of the violations was fully

discussed in the documents presented at the hearing (and attached as exhibits here). The Commission's lack of familiarity with the long record of serious violation found by CCLD, like the Commission's lack of awareness of the unique dangers presented by this block, were the result of a staff summary that failed to consider or discuss SFMTA data or the CCLD enforcement files. Gan Noe's record of legal violations—and its persistence in repeating the violations and in covering them up—demonstrates that the project sponsor cannot be trusted to operate a child care facility in a safe and legal manner and that the project sponsor's promises to behave better in the future should not be credited.

We urge the Board of Supervisors to give this matter the close attention the Commission was denied the opportunity to provide. As has been shown, this is not a site



that can safely support a 42-child preschool.

**INDEX OF EXHIBITS TO THE STATEMENT OF APPELLANT IN SUPPORT
OF THE APPEAL OF THE CONDITIONAL USE PERMIT FOR 3771-3781
CESAR CHAVEZ STREET**

Exhibit A — Traffic Collision History Report for the 3700 Block of Cesar Chavez Street

Exhibit B — Traffic Collision History Report for the 1250 Block of Sanchez Street

Exhibit C — Traffic Collision History Report for the 200 Block of Harvard Street

Exhibit D — Traffic Collision History Report for the 100 Block of Junipero Serra Blvd.

Exhibit E — Traffic Collision History Report for the 3800 Block of Cesar Chavez St.

Exhibit F — Traffic Collision History Report for the 3600 Block of Cesar Chavez Blvd.

Exhibit G — Excerpt from Gan Noe's Application for a Conditional Use Permit

Exhibit H — Excerpt from Gan Noe's Supplemental Information for its Application

Exhibit I — Excerpts from S.F. Planning Commission Motions Nos. 18825, 18773,
18674

Exhibit J — Excerpt from S.F. Planning Commission Draft Motion for 3771-3781 Cesar
Chavez

Exhibit K — Emails between Appellant and Michael Smith, City Planner

Exhibit L — CCLD Facility Evaluation Reports for 3771 Cesar Chavez

Exhibit M — CCLD Facility Evaluation Reports for 3781 Cesar Chavez

Exhibit N — CCLD Facility Evaluation Reports for 107 Justin Drive

Exhibit O — CCLD Complaint Investigation Report for 3771 Cesar Chavez

Exhibit P — CCLD Complaint Investigation Report for 3781 Cesar Chavez

Exhibit Q — CCLD Civil Penalty Assessments at 107 Justin Drive

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6/18/2013
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Traffic Collision History Report Midblock Collisions

Arterial: CESAR CHAVEZ ST
Limit 1: GUERRERO ST
Limit 2: DOLORES ST

Total Number of Collisions: 19

Date Range Reported: 11/1/2004 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|-------------------|-----------------|-----------------------------|----------------------|-----------------------------|------------|-----------------------|------------|---------------------|---------------------------|----------|----------|
| 1997735 | 1/7/05 04:31 | 0' In Int. | Cesar Chavez St/Dolores St | Broadside | Other Motor Vehicle | East | Proceeding Straight | South | Proceeding Straight | Traffic Signals and Signs | 1 | 0 |
| 1995021 | 4/8/05 17:35 | 0' In Int. | Guerrero St/Cesar Chavez St | Broadside | Other Motor Vehicle | South | Proceeding Straight | East | Proceeding Straight | Driving Under Influence | 1 | 0 |
| 2188621 | 8/2/05 13:32 | 75' East of | Cesar Chavez St/Dolores St | Rear-End | Other Motor Vehicle | East | Proceeding Straight | East | Proceeding Straight | Following Too Closely | 2 | 0 |
| 2188803 | 8/13/05 22:05 | 260' East of | Cesar Chavez St/Dolores St | Sideswipe | Other Motor Vehicle | Not Stated | Passing Other Vehicle | East | Proceeding Straight | Improper Passing | 0 | 0 |
| 2252774 | 9/24/05 18:36 | 0' In Int. | Dolores St/Cesar Chavez St | Rear-End | Other Motor Vehicle | North | Proceeding Straight | North | Proceeding Straight | Driving Under Influence | 1 | 0 |
| 2566287 | 1/28/06 20:40 | 0' In Int. | Guerrero St/Cesar Chavez St | Broadside | Other Motor Vehicle | North | Proceeding Straight | East | Making Left Turn | Auto R/W Violation | 2 | 0 |
| 2639356 | 2/10/06 06:52 | 0' In Int. | Cesar Chavez St/Guerrero St | Overturned | Fixed Object | West | Proceeding Straight | | | Unsafe Speed | 1 | 0 |
| 2733467 | 7/19/06 08:25 | 0' In Int. | Cesar Chavez St/Guerrero St | Sideswipe | Other Motor Vehicle | West | Proceeding Straight | West | Proceeding Straight | Improper Turning | 0 | 0 |
| 2848232 | 10/11/06 10:35 | 10' East of | Cesar Chavez St/Guerrero St | Vehicle - Pedestrian | Pedestrian | North | Not Stated | South | Making Left Turn | Pedestrian Violation | 1 | 0 |
| 3037328 | 2/11/07 11:00 | 0' In Int. | Cesar Chavez St/Guerrero St | Broadside | Other Motor Vehicle | South | Proceeding Straight | East | Proceeding Straight | Traffic Signals and Signs | 1 | 0 |
| 3724681 | 3/18/08 14:00 | 0' In Int. | Dolores St/Cesar Chavez St | Broadside | Other Motor Vehicle | North | Proceeding Straight | Not Stated | Parked | Other Than Driver or Ped | 2 | 0 |

**City and County of San Francisco
San Francisco Municipal Transportation Agency**

6/18/2013
Page 2

**Traffic Collision History Report
Midblock Collisions**

Arterial: CESAR CHAVEZ ST
Limit 1: GUERRERO ST
Limit 2: DOLORES ST

Total Number of Collisions: 19

Date Range Reported: 11/1/2004 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|-------------------|-----------------|-----------------------------|-------------------|-----------------------------|-------|------------------------|---------------|------------------------|------------------------------|----------|----------|
| 3885036 | 8/11/08 21:22 | 0' In Int. | Cesar Chavez St/Guerrero St | Head-On | Other Motor Vehicle | South | Making Left Turn | North | Proceeding Straight | Auto R/W Violation | 1 | 0 |
| 3888770 | 9/6/08 11:30 | 0' In Int. | Cesar Chavez St/Guerrero St | Rear-End | Other Motor Vehicle | South | Proceeding Straight | South | Stopped in Road | Unsafe Speed | 1 | 0 |
| 3952379 | 10/21/08 15:45 | 164' East of | Cesar Chavez St/Dolores St | Rear-End | Other Motor Vehicle | West | Proceeding Straight | West | Stopped in Road | Following Too Closely | 1 | 0 |
| 4199208 | 4/14/09 18:17 | 15' East of | Cesar Chavez St/Guerrero St | Broadside | Bicycle | West | Changing Lanes | West | Proceeding Straight | Improper Turning | 1 | 0 |
| 4234892 | 5/15/09 09:05 | 324' East of | Cesar Chavez St/Dolores St | Sideswipe | Other Motor Vehicle | East | Proceeding Straight | West | Proceeding Straight | Unknown | 0 | 0 |
| 4373927 | 8/30/09 21:33 | 0' In Int. | Dolores St/Cesar Chavez St | Broadside | Other Motor Vehicle | West | Proceeding Straight | Not Stated | Parked | Driving Under Influence | 2 | 0 |
| 4784020 | 5/14/10 02:33 | 0' In Int. | Guerrero St/Cesar Chavez St | Rear-End | Other Motor Vehicle | South | Not Stated | South | Stopped in Road | Unsafe Speed | 1 | 0 |
| 5394653 | 10/30/11 01:59 | 0' In Int. | Cesar Chavez St/Guerrero St | Broadside | Bicycle | South | Proceeding Straight | East | Proceeding Straight | Traffic Signals and Signs | 1 | 0 |

City and County of San Francisco
San Francisco Municipal Transportation Agency

6/18/2013
Page 3

Traffic Collision History Report
Midblock Collisions

Arterial: CESAR CHAVEZ ST
Limit 1: GUERRERO ST
Limit 2: DOLORES ST

Total Number of Collisions: 19

Date Range Reported: 11/1/2004 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kid |
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|

Total Number of Collisions: 19 Segment Length: 0.13 miles (664')

Settings Used For Query

| Parameter | Setting |
|----------------------|-------------------------------------|
| Limit 1 | Include Intersection Related |
| Limit 2 | Include Intersection Related |
| Intersection Related | Do Not Include Intersection Related |
| Sorted By | 'Date and Time' |

**City and County of San Francisco
San Francisco Municipal Transportation Agency**

7/24/2013
Page 1

**Traffic Collision History Report
Midblock Collisions**

Arterial: SANCHEZ ST
Limit 1: CLIPPER ST
Limit 2: 26TH ST

Total Number of Collisions: 2
Date Range Reported: 11/1/2004 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|------------------|---------------|-----------------------|-------------------|-----------------------------|---------------|------------------------|---------------|------------------------|----------------------------|----------|----------|
| 3749284 | 4/8/08 08:20 | 0' In Int. | Sanchez St/Clipper St | Broadside | Other Motor Vehicle | West | Proceeding Straight | South | Proceeding Straight | Auto RW Violation | 1 | 0 |
| 4805885 | 7/11/10 23:36 | 0' In Int. | Clipper St/Sanchez St | Sideswipe | Parked Motor Vehicle | Not Stated | Not Stated | Not Stated | Not Stated | Driving Under Influence | 0 | 0 |

City and County of San Francisco
 San Francisco Municipal Transportation Agency
 Traffic Collision History Report
 Midblock Collisions

7/24/2013
 Page 2

Arterial: SANCHEZ ST
 Limit 1: CLIPPER ST
 Limit 2: 26TH ST

Total Number of Collisions: 2
 Date Range Reported: 11/1/2004 - 10/31/2011

| Report No. | Date | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|
|------------|------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|

Total Number of Collisions: 2 Segment Length: 0.06 miles (290')

Settings Used For Query

| Parameter | Setting |
|----------------------------|------------------------------|
| Limit 1 | Include Intersection Related |
| Limit 2 | Include Intersection Related |
| Intermediate Intersections | Include Intersection Related |
| Sorted By | 'Date and Time' |

City and County of San Francisco
San Francisco Municipal Transportation Agency

7/24/2013
Page 1

Traffic Collision History Report
Midblock Collisions

Arterial: HARVARD ST
Limit 1: SILLIMAN ST
Limit 2: FELTON ST

Total Number of Collisions: 1
Date Range Reported: 11/1/2004 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|-----------------|----------|---------------------------------|-------------------|-----------------------------|---------------|--------|------|------------------------|------------------------------|----------|----------|
| 4639449 | 3/6/10 02:39 | 0' | Harvard St/Felton St In Int. | Broadside | Other Motor Vehicle | Not Stated | Parked | West | Proceeding Straight | Traffic Signals and Signs | 3 | 0 |

Total Number of Collisions: 1 Segment Length: 0.09 miles (460')

2164

Settings Used For Query

| Parameter | Setting |
|----------------------------|------------------------------|
| Limit 1 | Include Intersection Related |
| Limit 2 | Include Intersection Related |
| Intermediate Intersections | Include Intersection Related |
| Sorted By | 'Date and Time' |

FYH1011

**City and County of San Francisco
San Francisco Municipal Transportation Agency**

8/2/2013
Page 1

**Traffic Collision History Report
Midblock Collisions**

Arterial: JUNIPERO SERRA BLVD FRONTAGE RD
Limit 1: DARIEN WAY
Limit 2: MONTEREY BLVD

Total Number of Collisions: 0
Date Range Reported: 11/1/2004 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|

Total Number of Collisions: 0 Segment Length: 0.09 miles (473')

216

Settings Used For Query

| <u>Parameter</u> | <u>Setting</u> |
|----------------------------|------------------------------|
| Limit 1 | Include Intersection Related |
| Limit 2 | Include Intersection Related |
| Intermediate Intersections | Include Intersection Related |
| Sorted By | 'Date and Time' |

EV44121

**City and County of San Francisco
San Francisco Municipal Transportation Agency**

9/3/2013
Page 1

**Traffic Collision History Report
Midblock Collisions**

Arterial: CESAR CHAVEZ ST
Limit 1: DOLORES ST
Limit 2: CHURCH ST

Total Number of Collisions: 4

Date Range Reported: 11/1/2006 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kid |
|------------|-------------------|----------------|-------------------------------|----------------------|-----------------------------|---------------|------------|---------------|------------------------|-----------------------------|----------|----------|
| 3123959 | 3/2/07 14:39 | 0' In Int. | Church St/Cesar Chavez St | Vehicle - Pedestrian | Pedestrian | East | Not Stated | South | Making Left Turn | Ped R/W Violation | 1 | 0 |
| 3724681 | 3/18/08 14:00 | 0' In Int. | Dolores St/Cesar Chavez St | Broadside | Other Motor Vehicle | Not Stated | Parked | North | Proceeding Straight | Other Than Driver or Ped | 2 | 0 |
| 4373927 | 8/30/09 21:33 | 0' In Int. | Dolores St/Cesar Chavez St | Broadside | Other Motor Vehicle | Not Stated | Parked | Not Stated | Parked | Driving Under Influence | 2 | 0 |
| 5019551 | 12/21/10 13:25 | 86' West of | Cesar Chavez St/Church St | Rear-End | Parked Motor Vehicle | East | Parked | East | Proceeding Straight | Unsafe Speed | 0 | 0 |

5019551
66

EX-111-1

**City and County of San Francisco
San Francisco Municipal Transportation Agency**

9/3/2013
Page 2

**Traffic Collision History Report
Midblock Collisions**

Arterial: CESAR CHAVEZ ST
Limit 1: DOLORES ST
Limit 2: CHURCH ST

Total Number of Collisions: 4

Date Range Reported: 11/1/2006 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|

Total Number of Collisions: 4 Segment Length: 0.12 miles (660')

Settings Used For Query

107

| <u>Parameter</u> | <u>Setting</u> |
|----------------------------|------------------------------|
| Limit 1 | Include Intersection Related |
| Limit 2 | Include Intersection Related |
| Intermediate Intersections | Include Intersection Related |
| Sorted By | 'Date and Time' |

**City and County of San Francisco
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9/3/2013
Page 1

**Traffic Collision History Report
Midblock Collisions**

Arterial: CESAR CHAVEZ ST
Limit 1: SAN JOSE AVE
Limit 2: GUERRERO ST

Total Number of Collisions: 10

Date Range Reported: 11/1/2006 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # KId |
|----------------------------|------------------|-----------------|---------------------------------|-------------------|-----------------------------|---------------|------------------------|---------------|------------------------|------------------------------|----------|----------|
| 3037328 | 2/11/07 11:00 | 0' In Int. | Cesar Chavez St/Guerrero St | Broadside | Other Motor Vehicle | East | Proceeding Straight | South | Proceeding Straight | Traffic Signals and Signs | 1 | 0 |
| 3885036 | 8/11/08 21:22 | 0' In Int. | Cesar Chavez St/Guerrero St | Head-On | Other Motor Vehicle | South | Making Left Turn | North | Proceeding Straight | Auto R/W Violation | 1 | 0 |
| 3888770 | 9/6/08 11:30 | 0' In Int. | Cesar Chavez St/Guerrero St | Rear-End | Other Motor Vehicle | South | Proceeding Straight | South | Stopped in Road | Unsafe Speed | 1 | 0 |
| 110115 110115 110115 | 2/15/09 17:13 | 105' West of | Cesar Chavez St/San Jose Ave | Hit Object | Fixed Object | Not Stated | Changing Lanes | West | Proceeding Straight | Unsafe Lane Change | 1 | 0 |
| 1198208 | 4/14/09 18:17 | 15' East of | Cesar Chavez St/Guerrero St | Broadside | Bicycle | West | Changing Lanes | West | Proceeding Straight | Improper Turning | 1 | 0 |
| 1784020 | 5/14/10 2:33 | 0' In Int. | Guerrero St/Cesar Chavez St | Rear-End | Other Motor Vehicle | South | Parked | South | Stopped in Road | Unsafe Speed | 1 | 0 |
| 1925457 | 10/8/10 9:37 | 130' East of | Cesar Chavez St/Guerrero St | Sideswipe | Other Motor Vehicle | West | Parking Maneuver | West | Parked | Unsafe Speed | 0 | 0 |
| 1100956 | 2/15/11 12:43 | 131' East of | Cesar Chavez St/Guerrero St | Sideswipe | Other Motor Vehicle | East | Proceeding Straight | East | Parked | Unsafe Speed | 0 | 0 |
| 1328275 | 9/28/11 22:32 | 86' East of | Cesar Chavez St/Guerrero St | Broadside | Other Motor Vehicle | East | Proceeding Straight | Not Stated | Not Stated | Unsafe Speed | 1 | 0 |
| 1394653 | 10/30/11 1:59 | 0' In Int. | Cesar Chavez St/Guerrero St | Broadside | Bicycle | South | Proceeding Straight | East | Proceeding Straight | Traffic Signals and Signs | 1 | 0 |

City and County of San Francisco
San Francisco Municipal Transportation Agency

9/3/2013
Page 2

Traffic Collision History Report
Midblock Collisions

Arterial: CESAR CHAVEZ ST
Limit 1: SAN JOSE AVE
Limit 2: GUERRERO ST

Total Number of Collisions: 10
Date Range Reported: 11/1/2006 - 10/31/2011

| Report No. | Date Time | Dist/Dir | Location | Type of Collision | Motor Veh. Involved With | DOT1 | MPC 1 | DOT2 | MPC 2 | PCF | # Inj | # Kld |
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|
|------------|--------------|----------|----------|-------------------|-----------------------------|------|-------|------|-------|-----|----------|----------|

Total Number of Collisions: 10 Segment Length: 0.06 miles (319')

Settings Used For Query

| Parameter | Setting |
|----------------------------|------------------------------|
| Limit 1 | Include Intersection Related |
| Limit 2 | Include Intersection Related |
| Intermediate Intersections | Include Intersection Related |
| Sorted By | 'Date and Time' |

EXHIBIT 1

13.0259 C

proposed size, shape and arrangement of structures;

i. The height and bulk of the existing buildings will remain the same and this project will not significantly alter the appearance or character of the buildings or the vicinity. The two parcels have considerable open space between them and allow proper age segregation of play areas and ample interior classroom space.

(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;

ii. This location is conveniently accessible by foot, bicycle, Muni, school van, and private automobile from the Mission District, Noe Valley, Glen Park and beyond. The Gan Noe community currently makes use of all of these options. The Planning Code does not require parking or loading for the proposed use; however there is sufficient street parking and loading in front of 3771 and 3781 to allow pickup and drop-off. Gan Noe maintains a supervised pickup and drop-off system to facilitate child retrieval without creating unnecessary burdens on street traffic during peak hours.

(c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

iii. The Project will not create any noxious or offensive emissions, such as glare, dust or odor. Gan Noe is working closely with our neighbors to fully manage the sound impacts associated with happy children at play. New sound barrier fencing will be installed prior to expansion of services at this facility.

(d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

iv. No changes visible from the street are proposed to such aspects as landscaping and screening, and we will obtain the necessary building permits for any new business signs.

(3) That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

Under the provisions of Code Section 303, the Commission may authorize a Conditional Use after finding that the proposed use will provide a development that is necessary or desirable for and compatible with the neighborhood or the community; that such use will not be detrimental to the health, safety, welfare, convenience or general welfare of persons residing or working in the vicinity; and that such use will not adversely affect the General Plan.

Supplemental Information for Case # 2013.0259C

Conditional Use Permit for 3771 and 3781 Cesar Chavez

TRAFFIC IMPACTS

Alternate means of transportation:

- A significant proportion of our community arrives at Gan Noe by bus, foot and bicycle.
- We actively encourage and assign staff to facilitate carpooling.

On Street Short Term Parking:

- We have two large curb cuts available for brief stopping out of the flow of traffic
- We will seek a white zone for the 31' of curb between these driveways to assure that there will never be stopped traffic or double parking on Cesar Chavez

Off Street Parking:

- We are seeking a lease arrangement to use the large parking lot across the street owned by the First Samoan Congregational Church. This lot is unused by the church most of the week. We expect to provide a letter of intent to Planning Staff by June 13th.

Staggered Arrival and Departure times:

- Coordinated school day drop-off and pick-up is attended by our staff

Drop -Off:

- Group 1 - before 8:30am
- Group 2 - before 8:45am
- Group 3 - before 9:00am

Pick-Up

- Group 1 - 12:45pm
- Group 2 - 3:45pm
- Group 3 - 5:00pm

We plan to station two staff members in front of the school (accommodated by a temporary structure as weather requires) to assist with curb side drop-off and pick-up to prevent any traffic obstructing behavior from our community.

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

OPERATION

5. **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, 415-695-2017, <http://sfdpw.org>

6. **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 with a written notice of the name, business address, and telephone number of the community liaison. 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

7. **Traffic Plan.** The Project Sponsor shall provide a traffic plan that will include a white passenger loading zone on Sanchez Street in front of the entrance to the proposed child-care facility. Additionally, crossing guard(s) shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

5. **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

6. **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 with written notice of the name, business address, and telephone number of the community liaison. 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

7. **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, 415-695-2017, <http://sfdpw.org/>

8. **Traffic Plan.** The Project Sponsor shall provide a traffic plan that includes providing a passenger loading and unloading "white" zone along a street curb that fronts the subject property. Additionally, crossing guard(s) shall monitor the passenger loading and unloading "white" zone during morning and afternoon pick-up and drop-off hours.

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

9. **Garbage, Recycling, and Composting Receptacles.** 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.

OPERATION

5. **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 with written notice of the name, business address, and telephone number of the community liaison. 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

6. **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, 415-695-2017, <http://sfdpw.org/>

7. **Traffic Plan.** The Project Sponsor shall provide a traffic plan that includes providing a passenger loading and unloading "white" zone along a street curb that fronts the subject property. Additionally, crossing guard(s) shall monitor the passenger loading and unloading "white" zone during morning and afternoon pick-up and drop-off hours.

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

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>

7. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org.

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, www.sf-police.org

8. **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 with written notice of the name, business address, and telephone number of the community liaison. 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

9. **Traffic Plan.** Prior to permit approval, the Project Sponsor shall provide the Department with a morning drop-off and afternoon pick-up plan that will include a white passenger loading zone on Cesar Chavez Street in front of the entrance to the proposed preschool. Additionally, the Sponsor shall monitor the white zone for passenger loading and unloading during morning pick-up and afternoon drop-off hours.

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

XFINITY Connect

rrochman@comcast.net

± Font Size -

RE: No. 2013.0259CV (3771-3781 Cesar Chavez), #13a,b for 7/18/13

From : Michael Smith (CPC) <michael.e.smith@sfgov.org>
Subject : RE: No. 2013.0259CV (3771-3781 Cesar Chavez), #13a,b for 7/18/13
To : rrochman@comcast.net
Cc : Commissions Secretary <commissions.secretary@sfgov.org>, planning@rodnevfong.com, cwu planning <cwu.planning@gmail.com>

Thu, Jul 25, 2013 09:32 AM

5 attachments

Once again, I cannot add the crossing guard provision to the condition since it was not specifically requested by the Commission. That is how the process works, staff cannot arbitrarily add provisions after the fact.

Michael Smith
 City Planner
 San Francisco Planning Dept.
 1650 Mission Street, Suite 400
 San Francisco, CA 94103
 P: 415.558.6322
 F: 415.558.6409
 Email: michael.e.smith@sfgov.org
 Planning Information Center (PIC): 415.558.6377 or pic@sfgov.org
 Planning Information Map (PIM): <http://propertymap.sfplanning.org>



From: rrochman@comcast.net [mailto:rrochman@comcast.net]
Sent: Wednesday, July 24, 2013 5:38 PM
To: Smith, Michael (CPC)
Cc: Secretary, Commissions; planning@rodnevfong.com; cwu planning
Subject: Re: No. 2013.0259CV (3771-3781 Cesar Chavez), #13a,b for 7/18/13

Dear Mr. Smith,

Although the Commission did not utter the words "crossing guards," it is plain that this was part of what the Commission contemplated. Commissioner Sugaya, at 6:18:20 of the video of the hearing, noted the inadequacy of the proposed "traffic monitor," and the Commission's proposal was that a detailed plan be submitted to staff at 6:20:15, which was incorporated into the motion at 6:20:45.

Surely we are not going to dicker over the safety of children. I expect that from the Potashes, given their track record, but I had not thought I would see this from the Planning Department. -Rich

From: "Michael Smith (CPC)" <michael.e.smith@sfgov.org>
To: rrochman@comcast.net
Cc: "Commissions Secretary" <commissions.secretary@sfgov.org>, planning@rodnevfong.com, "cwu planning" <cwu.planning@gmail.com>
Sent: Wednesday, July 24, 2013 5:00:38 PM
Subject: RE: No. 2013.0259CV (3771-3781 Cesar Chavez), #13a,b for 7/18/13

Mr. Rochman,
 The Planning Commission Motion for case 2013.0259C has not yet been finalized but should be by the end of the week I will

forward you a copy when it is finalized.

I cannot add the crossing guard condition because it was not specifically stated by the Commission that it must be required but I can suggest it as the sponsor puts together the "pick-up and drop-off" plan.

Michael Smith
City Planner
San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103
P: 415.558.6322
F: 415.558.6409
Email: michael.e.smith@sfgov.org
Planning Information Center (PIC): 415.558.6377 or pic@sfgov.org
Planning Information Map (PIM): <http://propertymap.sfplanning.org>



From: rrochman@comcast.net [<mailto:rrochman@comcast.net>]
Sent: Wednesday, July 24, 2013 3:35 PM
To: Smith, Michael (CPC)
Cc: Secretary, Commissions; planning@rodnevfong.com; cwu.planning@gmail.com
Subject: Fwd: No. 2013.0259CV (3771-3781 Cesar Chavez), #13a,b for 7/18/13

Dear Mr. Smith,

I am writing you again to inquire when and how I might obtain a copy of the CU permit and conditions, as approved by the Commission last Thursday. We need a copy of the Commission's decision to attach to our appeal.

If the Commission's decision concerning traffic monitoring has not yet been finalized, then I would again urge you to include a requirement that there be crossing guards, as the Commission has done with its last three most recent applications for a child care facility:

2012.0348C 175 Junipero Serra Blvd.
2012.1095C 281 Harvard Street
2012.1037CV 1270 Sanchez Street

I cannot think of a reason why pedestrians and children in our neighborhood, including my own child, should be deprived of this protection, which has been made a condition of other permits on much less busy streets. Harvard St and Sanchez St, for example, have only ONE-SIXTEENTH the rate of injury accidents as this block of Cesar Chavez--and the preschool on Junipero Serra is on a separated frontage road dedicated only to the residences and facilities located there.

Thank you for your assistance in this matter. -Rich

From: rrochman@comcast.net
To: "michael e smith" <michael.e.smith@sfgov.org>
Cc: jeremy@quickdrawsf.com
Sent: Monday, July 22, 2013 9:58:14 AM
Subject: No. 2013.0259CV (3771-3781 Cesar Chavez), #13a,b for 7/18/13

Dear Mr. Smith,

At the hearing on July 18, the Commission was interested in supplementing the traffic monitoring condition. As I mentioned to you towards the end of the hearing, the Commission has imposed a condition that there be crossing guards for at least the three most recent applications for a child care facility--yet this condition was omitted here. Here are the case numbers:

2012.0348C 175 Junipero Serra Blvd.
2012.1095C 281 Harvard Street
2012.1037CV 1270 Sanchez Street

I should think our children would be entitled to the same consideration and protection.

When would it be possible to see the permit and conditions as approved by the Commission last Thursday?

Thank you for your assistance.

-Rich



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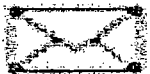


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FACILITY EVALUATION REPORT

CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

| | | | |
|----------------|--------------------------|------------------|----------------|
| FACILITY NAME: | POTASH, LEAH B. | FACILITY NUMBER: | 384001508 |
| ADMINISTRATOR: | POTASH, LEAH B. | FACILITY TYPE: | 810 |
| ADDRESS: | 3771 CESAR CHAVEZ STREET | TELEPHONE: | (415) 401-7703 |
| CITY: | SAN FRANCISCO | ZIP CODE: | 94110 |
| CAPACITY: | 14 | DATE: | 06/28/2013 |
| TYPE OF VISIT: | Case Management | TIME BEGAN: | 10:30 AM |
| MET WITH: | Leah Potash, Licensee | TIME COMPLETED: | 12:15 PM |
| STATE: | CA | | |
| CENSUS: | 10 | | |
| UNANNOUNCED | | | |

NARRATIVE

1 Licensing Program Analysts, Interiano and Leung, made an unannounced visit regarding continuing
2 investigation on a complaint. LPAs discussed with Licensee her website:
3 www.chabadonoevalley.org and advised her she must list her Lic# only on any publication, not
4 advertise for another facility, and not advertise for an unlicensed facility.
5

6 Please see deficiencies cited today under CCR, Title 22, Division 12, Chapter 3:
7

8 This report and rights to comment and appeal were discussed with licensee. Licensee was
9 informed to obtain copy of regulations and current licensing forms thru the Department's website at
10 www.cclld.ca.gov. This report must be available in the facility for public review. Notice of site visit
11 was posted.
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SUPERVISOR'S NAME: Suzanne Roman-Clark

TELEPHONE: (650) 266-8823

LICENSING EVALUATOR NAME: Cindy Interiano

TELEPHONE: (650) 266-8827


LICENSING EVALUATOR SIGNATURE:



DATE: 06/28/2013

I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 06/28/2013

This report must be available at Child Care and Group Home facilities for public review for 3 years.

FACILITY EVALUATION REPORT (Cont)FACILITY NAME: POTASH, LEAH B.
DEFICIENCY INFORMATION FOR THIS PAGE:FACILITY NUMBER: 384001508
VISIT DATE: 06/28/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|--|--|
| Type B 07/12/2013 Section Cited 102359(a)(1) | <p>1 Advertisements & License #: Licensee must list</p> <p>2 facility license # in all advertisements, publications</p> <p>3 or announcements w/intent to attract clients.</p> <p>4 Advertisements subject to Sec. 102359(a) shall</p> <p>5 contain specified information.</p> <p>6 Licensee's website advertises three locations and</p> <p>7 no license number.</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> | <p>1 Website must be updated to list only Licensee's</p> <p>2 current license. Website must not advertise other</p> <p>3 locations/programs.</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Suzanne Roman-Clark

TELEPHONE: (650) 266-8823

LICENSING EVALUATOR NAME: Cindy Interiano

TELEPHONE: (650) 266-8827

LICENSING EVALUATOR SIGNATURE:

DATE: 06/28/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 06/28/2013

FACILITY EVALUATION REPORT

| | | |
|--------------------------------------|-------------|----------------------------|
| FACILITY NAME: PIKOVER, NATHAN | | FACILITY NUMBER: 384002103 |
| ADMINISTRATOR: PIKOVER, NATHAN | | FACILITY TYPE: 810 |
| ADDRESS: 3781 CESAR CHAVEZ | | TELEPHONE: (415) 648-8000 |
| CITY: SAN FRANCISCO | STATE: CA | ZIP CODE: 94110 |
| CAPACITY: 8 | CENSUS: 9 | DATE: 04/17/2013 |
| TYPE OF VISIT: Case Management | UNANNOUNCED | TIME BEGAN: 11:05 AM |
| MET WITH: Devora Hecht, Dona Standel | | TIME COMPLETED: 01:15 PM |

NARRATIVE

1 Licensing Program Analyst (LPA) Leung conducted a Prelicensing follow up visit because this facility is in the
2 process for an increase of capacity. The purpose of the visit is to verify who is the resident at this address.
3 Licensee Nathan Pikover is not home during visit. Staff states Licensee Nathan lives in the house, but he
4 doesn't have a work schedule at the facility. There are two staff in the facility along with 9 children and a
5 parent today. Upon LPA's arrival, children went out to the next door (3771) garden, they were looking for
6 butterflies. LPA observed there were gates between the next door (3771) garden and yard. LPA toured the
7 child care area and the back yard. Staff has no access to the bedroom. LPA took pictures of the facility. LPA
8 discussed the Licensing Annual fee balance, a copy of a Declaration form was left with the staff for Licensee
9 Pikover to confirm his residency. LPA requested a copy of the Children's roster to submit to Licensing office.

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11 See next page for deficiency cited under Title 22, Div. 12, Chapt. 3.

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13 This report was reviewed and provided to Ms. Standel.
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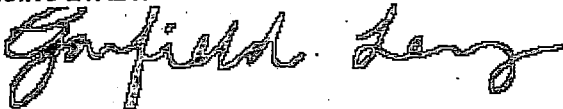
SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Garfield Leung

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR SIGNATURE:



DATE: 04/17/2013

I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 04/17/2013

This report must be available at Child Care and Group Home facilities for public review for 3 years.

FACILITY EVALUATION REPORT (Cont)

CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

FACILITY NAME: PIKOVER, NATHAN

FACILITY NUMBER: 384002103

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 04/17/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|---|---|
| Type A 04/18/2013 Section Cited 102416.5b | <p>1 Over Licensing capacity:</p> <p>2</p> <p>3 There are 9 children present during visit. Most of</p> <p>4 the children are 3 years old.</p> <p>5 The capacity specified on the license shall be the</p> <p>6 maximum number of children for whom care can be</p> <p>7 provided.</p> | <p>1 This facility has a Small Family Child Care Home</p> <p>2 license currently, therefore, the max. number of 3</p> <p>3 years old at the home at one time are six.</p> <p>4 Facility will ensure that the day care will meets its</p> <p>5 licensed capacity at all times. Follow up visit will</p> <p>6 be conducted to verify the correction.</p> <p>7</p> |
| | <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> | <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |
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Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Garfield Leung

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR SIGNATURE:

DATE: 04/17/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 04/17/2013

This Notice must be posted for 30 days

FACILITY EVALUATION REPORT

CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

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|----------------|-------------------|------------------|----------------|
| FACILITY NAME: | PIKOVER, NATHAN | FACILITY NUMBER: | 384002103 |
| ADMINISTRATOR: | PIKOVER, NATHAN | FACILITY TYPE: | 810 |
| ADDRESS: | 3781 CESAR CHAVEZ | TELEPHONE: | (415) 648-8000 |
| CITY: | SAN FRANCISCO | ZIP CODE: | 94110 |
| CAPACITY: | 8 | DATE: | 10/30/2012 |
| TYPE OF VISIT: | Case Management | TIME BEGAN: | 12:16 PM |
| MET WITH: | Devora Hecht | TIME COMPLETED: | 02:30 PM |

NARRATIVE

1 LPA Ng made a preclicensing revisit to the facility at issue, There were 2 aides working with 6 children. The 2
2 aides are fingerprint cleared, but one of the fingerprints are still associated with another facility. One aide,
3 Yocheved is an sub today and the other Devora has worked here since September prove was available for
4 Devora that they had submitted their fingerprints on 09/09/12. There is a full time teacher as Devora states is
5 a full time teacher and she only knows her first name by Donna. In the outside area it is observed that the
6 rear fence is open to another day care facility. The only thing blocking the two facilities is a door house.
7 Devora was told that the two facilities cannot co-mingle children from the 2 facilities at anytime. It is noted
8 that the corrections that needed to be made in the first visit were partially completed. It is observed in the
9 lower garage/Synagogue level that the electrical outlets were covered, there is also observed L Brackets that
10 hold on to the "ARK" cabinet. The two storage facilities outside have been locked and made inaccessible and
11 no paint cans were observed. The garbage cans have also been placed away and were not observed. The
12 lamp cover in the lower level have also been replaced and repaired. Postings including the license are now
13 all visible. Aide states that she is not sure when the Licensee will be returning. The issues however at
14 hand remains that the one aide needs to be associated to the facility immediately & that the barrier
15 that was advised to the licensee to secure at the kitchen has not been completed. In this inspection
16 this will be noted and because this barrier was found left open a knife was on the counter which
17 would then make the knife accessible to children. The bottom of the front stairs have been turned into
18 a storage space and at the narrowest point is only about 27 inches. As noted on the first visit about
19 the issues in the Kitchen, there were no personal hygiene items observed. A bottle of Ajax and Hand
20 soap was all that was observed. Toothpaste, soap, shampoos, toothpaste, towels, shaving utensils,
21 etc. were not observed. The Licensee will have to prove compliance before a license can be approved
22 by the dept.
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SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Tony Ng

TELEPHONE: (650) 266-8843

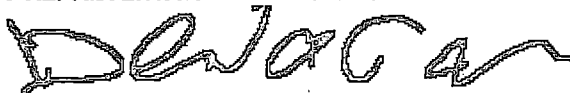
LICENSING EVALUATOR SIGNATURE:

DATE: 10/30/2012



I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 10/30/2012

This report must be available at Child Care and Group Home facilities for public review for 3 years.

FACILITY EVALUATION REPORT (Cont)

FACILITY NAME: PIKOVER, NATHAN

FACILITY NUMBER: 384002103

VISIT DATE: 10/30/2012

NARRATIVE

1 ** Licensee has been informed that the LIC9213 and all type "A" citations need to be posted for 30 days, this
2 report shall remain in the facility and be kept for public review upon request, (If type "A" citations were issued,
3 this report will be reviewed with parents. As proof of review form LIC9224 will then be given to all current
4 parents for signature and be kept in each child's file. For the next 12 months all parents shall also be provided
5 information contained in this report and a copy of the LIC9224 will also be signed and placed in each child's
6 file.) As a applicant or licensee it is your right to file an appeal if you disagree with an action taken by the
7 licensing agency or its representative. File your appeal with the supervisor listed on the licensing report in
8 writing, within 10 days from the date you receive this report or penalty assessment noticed.
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SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Tony Ng

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR SIGNATURE:

DATE: 10/30/2012

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 10/30/2012

FACILITY EVALUATION REPORT (Cont)

FACILITY NAME: PIKOVER, NATHAN

FACILITY NUMBER: 384002103

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 10/30/2012

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|--|--|
| Type A 10/31/2012 Section Cited 102370 | 1 102370(d)(2) Criminal Record Clearance. Prior to 2 working, or volunteering in a licensed home, all 3 licensees and personnel as specified shall request 4 a transfer of a criminal record clearance as 5 specified in Section 102370 (j). 6 (No information for Yocheved Hecht that shows 7 her fingerprints have been transfered) | 1 Immediately fill out LIC9182 with picture ID and 2 send to district office for processing 3 4 5 6 7 |
| Type A 10/31/2012 Section Cited 102417(g) | 1 102417(g) Operation of a Family Child Care Home. 2 The home shall be free from defects or conditions 3 which might endanger a child. 4 (Barrier to kitchen not secured, which made knife 5 on counter accessible) 6 7 | 1 All off limit areas must be made inaccessible to 2 children and all gates must be utilized at all times 3 while children are present. and all hazardous items 4 must be made inaccessible to children. 5 6 7 |
| Type A 10/31/2012 Section Cited 102417 | 1 The debris in the bathtub and the mold in the 2 refrigerator must be cleaned and sanitized. 3 4 5 6 7 | 1 Licensee shall provide a safe and healthy 2 environment for children in care 3 4 5 6 7 |
| Type A 10/31/2012 Section Cited 102417(g) | 1 102417(g) Operation of a Family Child Care Home. 2 The home shall be free from defects or conditions 3 which might endanger a child. 4 (Storage items that has reduced the passage 5 space at the front door will be removed) 6 7 | 1 Licensee shall remove all storage items that may 2 pose a danger in the event of emergency egress at 3 the front door. 4 5 6 7 |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Tony Ng

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR SIGNATURE:

DATE: 10/30/2012

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 10/30/2012

This Notice must be posted for 30 days

FACILITY EVALUATION REPORT

FACILITY NAME: RIEBER, MIRIAM
ADMINISTRATOR: RIEBER, MIRIAM
ADDRESS: 107 JUSTIN STREET
CITY: SAN FRANCISCO
CAPACITY: 14
TYPE OF VISIT: Case Management
MET WITH:

STATE: CA
CENSUS:
UNANNOUNCED

FACILITY NUMBER: 384001793
FACILITY TYPE: 810
TELEPHONE: (415) 285-2725
ZIP CODE: 94112
DATE: 04/17/2013
TIME BEGAN: 10:05 AM
TIME COMPLETED: 10:15 AM

NARRATIVE

1 LPAs Andrea Medlin and Cindy Interiano attempted to conduct a case management visit. The purpose of this
2 visit is to verify that facility is still closed and Notice of Temporary Suspension Order (TSO) is still posted on
3 the front door.

4
5 There was a car in the driveway, but no response to repeated knocking on the door. LPAs did not hear any
6 children inside, and it did not appear that facility was still in operation. Temporary Suspension Order (TSO) is
7 still posted on the front door.
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SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

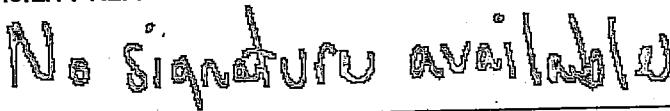
LICENSING EVALUATOR SIGNATURE:



DATE: 04/17/2013

I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 04/17/2013

This report must be available at Child Care and Group Home facilities for public review for 3 years.

Page: 1 of 1

FACILITY EVALUATION REPORT

| | | | |
|----------------|-------------------|------------------|--------------------------|
| FACILITY NAME: | RIEBER, MIRIAM | FACILITY NUMBER: | 384001793 |
| ADMINISTRATOR: | RIEBER, MIRIAM | FACILITY TYPE: | 810 |
| ADDRESS: | 107 JUSTIN STREET | TELEPHONE: | (415) 285-2725 |
| CITY: | SAN FRANCISCO | STATE: CA | ZIP CODE: 94112 |
| CAPACITY: | 14 | CENSUS: 0 | DATE: 04/12/2013 |
| TYPE OF VISIT: | Case Management | UNANNOUNCED | TIME BEGAN: 03:40 PM |
| MET WITH: | Gedalia Potosh | | TIME COMPLETED: 04:25 PM |

NARRATIVE

1 Licensing Program Analyst Andrea Medlin and Licensing Program Manager Wes Beecham conducted a case
2 management visit to facility. The purpose of the visit is to issue a *Temporary Suspension Order* to the
3 Licensee. LPA and LPM met with the owner of the house, Gedalia Potosh. Facility is closed as of close of
4 business today and Closure Notice was placed on the entrance to the facility.
5
6

7 THE NOTICE OF TEMPORARY SUSPENSION ORDER SHALL BE DISPLAYED AND POSTED FOR 30
8 DAYS WHERE PLACED ON DOOR BY LICENSING AGENCY (HEALTH AND SAFETY CODE SECTION
9 1569.817 AND 1596.8595)
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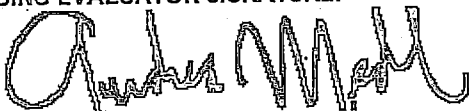
SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

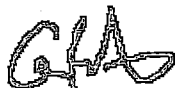
LICENSING EVALUATOR SIGNATURE:



DATE: 04/12/2013

I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 04/12/2013

This report must be available at Child Care and Group Home facilities for public review for 3 years.

FACILITY EVALUATION REPORT

| | | | |
|----------------|---------------------------------------|------------------|-----------------|
| FACILITY NAME: | RIEBER, MIRIAM | FACILITY NUMBER: | 384001793 |
| ADMINISTRATOR: | RIEBER, MIRIAM | FACILITY TYPE: | 810 |
| ADDRESS: | 107 JUSTIN STREET | TELEPHONE: | (415) 285-2725 |
| CITY: | SAN FRANCISCO | STATE: | CA |
| CAPACITY: | 14 | ZIP CODE: | 94112 |
| TYPE OF VISIT: | Annual/Random | CENSUS: | 8 |
| MET WITH: | Priscilla Lowenthal, Brianna Brostoff | UNANNOUNCED | DATE: |
| | | | 03/19/2013 |
| | | | TIME BEGAN: |
| | | | 08:30 AM |
| | | | TIME COMPLETED: |
| | | | 12:30 PM |

NARRATIVE

1 LPA Andrea Medlin met with staff for this random annual visit today. Purpose of the visit was explained to
2 staff. There were 8 child present today; all were preschool age. Physical plant toured to inspect for health and
3 safety hazards. This home is a two level home. Upstairs there are three bedrooms, however they have all
4 been turned into offices. Staff state nobody lives in the home. LPA checked the lower level where it was found
5 that there is an inlaw unit, however it is currently vacant. Other rooms of this home are living room/family room
6 and one other room that is setup as a daycare room. The living room/family room is also used as part of the
7 daycare. It is apparent to LPA that nobody lives in this home because there are no beds in any rooms, no
8 personal belongings of the Licensee, and very limited food in the kitchen. Kitchen present, however staff state
9 no cooking is done in the home rather it is delivered daily. There is one bathroom present. It is unknown who
10 the former tenants were who lived downstairs. Staff state they do not know who the Licensee, Miriam Rieber
11 is. They state the owner/director is Leah Potash who also owns runs another daycare at 3771 Cesar Chavez,
12 San Francisco, CA 94110. One staff does not have criminal record clearance and has been working here for a
13 few months. The child care facility is only on the upper level of this home. The facility has a fully charged fire
14 extinguisher that meets the minimum requirements. There are no working smoke detectors in the home.
15 Facility has a working telephone. Per staff, no firearms or weapons are on site. No pools, spas, hot tubs, fish
16 ponds, or similar bodies of water are present. Detergents, cleaning compounds, medications, and other items
17 which could pose a danger to children are stored inaccessible to children. Variety of age appropriate toys and
18 materials is observed in the daycare. Staff state there is no outdoor play yard, rather they use the local park.
19 Staff and children's records reviewed. License is posted in facility and lists Licensee as Miriam Rieber;
20 Emergency Disaster Plan is posted and also lists Miriam Rieber as Licensee.

(CONTINUED ON NEXT PAGE 809-C)

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR SIGNATURE:



DATE: 03/19/2013

I acknowledge receipt of this form and understand my licensing appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 03/19/2013

This report must be available at Child Care and Group Home facilities for public review for 3 years.

FACILITY EVALUATION REPORT (Cont)

CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

FACILITY NAME: RIEBER, MIRIAM

FACILITY NUMBER: 384001793

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 03/19/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|--|---|
| Type A 03/19/2013 Section Cited 102417(a) | <p>1 102417(a) Operation of a Family Child Care Home. 2 The licensee shall be present in the home and shall 3 ensure that children in care are supervised at all 4 times 5 6 Nobody lives in this home as required of a Family 7 Child Care Home. (CONTINUED BELOW)</p> <p>8 IMMEDIATE CIVIL PENALTY OF \$150 FOR A 9 ZERO TOLERANCE VIOLATION. 10 11 12 13 14</p> | <p>1 Licensee will be scheduled for a noncompliance 2 meeting at the Peninsula Regional Child Care 3 office in San Bruno. 4 5 6 7</p> |
| Type A 03/19/2013 Section Cited 102370 | <p>1 CRIMINAL RECORD CLEARANCE: Staff, Brianna 2 Brostoff, does not have criminal record clearance. 3 She has been working here for a few months. 4 5 6 7</p> <p>8 IMMEDIATE CIVIL PENALTY OF \$500 TODAY AT 9 THE RATE OF \$100/DAY FOR UP TO FIVE DAYS 10 FOR FIRST VIOLATION. SUBSEQUENT 11 VIOLATIONS COULD RESULT IN A \$3000 12 PENALTY 13 14</p> | <p>1 Staff, Brianna Brostoff, may not be present in the 2 child care home until criminal record clearance is 3 obtained. 4 5 Licensee will be scheduled for a noncompliance 6 meeting at the Peninsula Regional Child Care 7 office in San Bruno.</p> |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.


SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR SIGNATURE:



DATE: 03/19/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 03/19/2013

This Notice must be posted for 30 days

FACILITY EVALUATION REPORT (Cont)

CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

FACILITY NAME: RIEBER, MIRIAM

FACILITY NUMBER: 384001793

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 03/19/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|--|--|
| Type A 03/19/2013 Section Cited 102417 | 1 102417(g)(9)(A)(1) Operation of a Family Child 2 Care Home. All homes shall conduct fire and 3 disaster drills at least once every six months, and 4 document the date and time of each drill. 5 6 There is no documentation of a fire and disaster 7 drill. | 1 Licensee will be scheduled for a noncompliance 2 meeting at the Peninsula Regional Child Care 3 office in San Bruno. 4 5 6 7 |
| Type A 03/19/2013 Section Cited 102391 | 1 102391(a) Enforcement Provisions. Any 2 authorized employee of the Department may enter 3 and inspect any place providing personal care and 4 services at any time, with or without advance 5 notice. 6 7 Staff did not open front door for LPA for an extended period of time, i.e. 10 minutes. | 1 Licensee will be scheduled for a noncompliance 2 meeting at the Peninsula Regional Child Care 3 office in San Bruno. 4 5 6 7 |
| Type A 03/19/2013 Section Cited 101163(a) | 1 False Claims: No licensee, officer or employee of a 2 licensee shall make or disseminate any false or 3 misleading statement regarding the child care or 4 any of the services provided. 5 6 CONTINUED BELOW 7 8 It was stated that, Leah Potosh, is the owner of this 9 daycare. License posted on wall lists Licensee as 10 Miriam Rieber. This daycare is operating under 11 false pretenses. 12 13 14 | 1 Licensee will be scheduled for a noncompliance 2 meeting at the Peninsula Regional Child Care 3 office in San Bruno. 4 5 6 7 8 9 10 11 12 13 14 |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

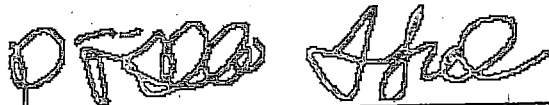
LICENSING EVALUATOR SIGNATURE:



DATE: 03/19/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 03/19/2013

This Notice must be posted for 30 days

FACILITY EVALUATION REPORT (Cont)CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

FACILITY NAME: RIEBER, MIRIAM

FACILITY NUMBER: 384001793

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 03/19/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|---|---|
| Type A 03/19/2013 Section Cited 102423(a)(2) | <p>1 102423(a)(2) Personal Rights. Each child shall be</p> <p>2 accorded safe, healthful and comfortable</p> <p>3 accommodations, furnishing and equipment.</p> <p>4</p> <p>5 Off limits areas were accessible to children.</p> <p>6</p> <p>7</p> | <p>1 Licensee will be scheduled for a noncompliance</p> <p>2 meeting at the Peninsula Regional Child Care</p> <p>3 office in San Bruno.</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |
| Type A 03/19/2013 Section Cited 102417(g)(1) | <p>1 102417(g)(1) Fire extinguishers and smoke</p> <p>2 detectors shall meet State Fire Marshal standards.</p> <p>3</p> <p>4</p> <p>5 There are no working smoke detectors in the</p> <p>6 home.</p> <p>7</p> | <p>1 Licensee will be scheduled for a noncompliance</p> <p>2 meeting at the Peninsula Regional Child Care</p> <p>3 office in San Bruno.</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |
| | <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> | <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |
| | <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> | <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

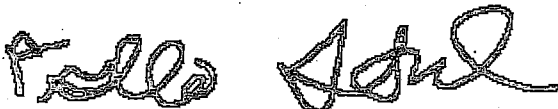
LICENSING EVALUATOR SIGNATURE:



DATE: 03/19/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 03/19/2013

This Notice must be posted for 30 days

FACILITY EVALUATION REPORT (Cont)

CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

FACILITY NAME: RIEBER, MIRIAM

FACILITY NUMBER: 384001793

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 03/19/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|--|---|
| Type B 03/19/2013 Section Cited 102391(d) | <p>1 Inspection Authority of the Department: The</p> <p>2 licensee shall permit the Department to inspect,</p> <p>3 audit, and copy children's records or other family</p> <p>4 child care home records upon demand during</p> <p>5 normal business hours.</p> <p>6 (CONTINUED BELOW)</p> <p>7</p> | <p>1 Licensee will be scheduled for a noncompliance</p> <p>2 meeting at the Peninsula Regional Child Care</p> <p>3 office in San Bruno.</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |
| Type B 03/19/2013 Section Cited 102416(c) | <p>8 Children's files are incomplete and lists wrong</p> <p>9 facility address (3771 Cesar Chavez, SF, 94110)</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> | <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> |
| Type B 03/19/2013 Section Cited 102416(c) | <p>1 102416(c) Personnel Requirements. The Licensee</p> <p>2 and other personnel as specified shall complete</p> <p>3 training on preventive health practices including</p> <p>4 pediatric cardiopulmonary resuscitation and</p> <p>5 pediatric first aid, pursuant to Health and Safety</p> <p>6 Code Section 1596.866.</p> <p>7 (CONTINUED BELOW)</p> <p>8</p> <p>9 No documentation of first aid, CPR, and preventive</p> <p>10 health practices.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> | <p>1 Licensee will be scheduled for a noncompliance</p> <p>2 meeting at the Peninsula Regional Child Care</p> <p>3 office in San Bruno.</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

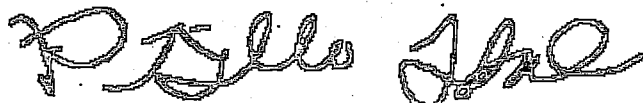
LICENSING EVALUATOR SIGNATURE:



DATE: 03/19/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 03/19/2013

FACILITY EVALUATION REPORT (Cont)

FACILITY NAME: RIEBER, MIRIAM

FACILITY NUMBER: 384001793

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 03/19/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|---|---|
| Type B 03/19/2013 Section Cited 102416.1 | <p>1 Personnel Records: All personnel records shall be maintained at the child care home and shall be available to the licensing agency for review.</p> <p>2</p> <p>3</p> <p>4</p> <p>5 Personnel records not available for licensing inspection.</p> <p>6</p> <p>7</p> | <p>1 Licensee will be scheduled for a noncompliance meeting at the Peninsula Regional Child Care office in San Bruno.</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |
| 1 | | 1 |
| 2 | | 2 |
| 3 | | 3 |
| 4 | | 4 |
| 5 | | 5 |
| 6 | | 6 |
| 7 | | 7 |
| 1 | | 1 |
| 2 | | 2 |
| 3 | | 3 |
| 4 | | 4 |
| 5 | | 5 |
| 6 | | 6 |
| 7 | | 7 |
| 1 | | 1 |
| 2 | | 2 |
| 3 | | 3 |
| 4 | | 4 |
| 5 | | 5 |
| 6 | | 6 |
| 7 | | 7 |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Andrea Medlin

TELEPHONE: (650) 266-8843

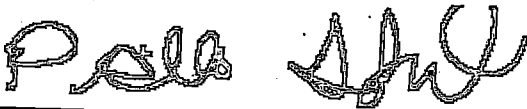
LICENSING EVALUATOR SIGNATURE:



DATE: 03/19/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 03/19/2013

COMPLAINT INVESTIGATION REPORT

This is an official report of an unannounced visit/investigation of a complaint received in our office on
03/19/2013 and conducted by Evaluator Cindy Interiano

PUBLIC**COMPLAINT CONTROL NUMBER: 05-CC-20130319104830**

FACILITY NAME: POTASH, LEAH B.
ADMINISTRATOR: POTASH, LEAH B.
ADDRESS: 3771 CESAR CHAVEZ STREET
CITY: SAN FRANCISCO
CAPACITY: 14

STATE:
CENSUS: 12
UNANNOUNCED

FACILITY NUMBER: 384001508
FACILITY TYPE: 810
TELEPHONE: (415) 401-7703
ZIP CODE: 94110
DATE: 07/31/2013
TIME VISIT BEGAN: 09:30 AM
TIME COMPLETED: 10:30 AM

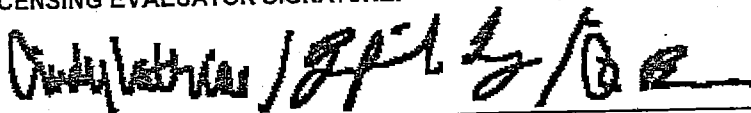
MET WITH: Licensee, Leah Potash

ALLEGATION(S):

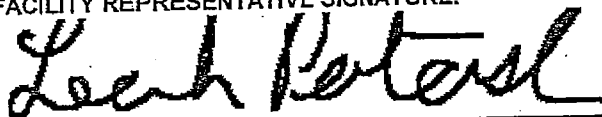
1 License: Facility is operating overcapacity
2
3
4
5
6
7
8
9

INVESTIGATION FINDINGS:

1 LPAs, Interiano, Leung, and Basi made an unannounced subsequent complaint visit. Present was the
2 Licensee, 2 staff and 12 children (including Licensee's infant). LPAs toured entire home including top level
3 and lower level of home which are 'off limit' areas. Based on the information obtained, as well as Licensing visit
4 on 04/17/13, the finding for the above allegation is **SUBSTANTIATED**. LPAs explained to Licensee the
5 requirements to keep proper ratios.
6
7 During this visit, Licensee is not overcapacity and meets the regulations.
8 See attached page for deficiencies cited.
9
10 Deficiency and Acknowledgment of Receipt of Licensing Reports (LIC 9224) must be given to all parents
11 (current and new/incoming parents for the next 12 months) for all parents to sign and return. Signed form must
12 be in child's folder.
13

Substantiated**Estimated Days of Completion:****SUPERVISOR'S NAME:** Suzanne Roman-Clark**TELEPHONE:** (650) 266-8823**LICENSING EVALUATOR NAME:** Cindy Interiano**TELEPHONE:** (650) 266-8827**LICENSING EVALUATOR SIGNATURE:****DATE:** 07/31/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:**DATE:** 07/31/2013

This report must be available at Child Care and Group Home facilities for public review for 3 years.

LIC9099 (FAS) - (06/04)

Page: 1 of 2

COMPLAINT INVESTIGATION REPORT (Cont)

FACILITY NAME: POTASH, LEAH B.

FACILITY NUMBER: 384001508

DEFICIENCY INFORMATION FOR THIS PAGE:

VISIT DATE: 07/31/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|--|---|---|
| Type A 07/31/2013 Section Cited 102416.5(a) | <p>1 Staffing Ratio and Capacity. The capacity specified on the license shall be the max # of children for whom care can be provided.</p> <p>2 During Licensing visit on 04/17/13, there were 12 Pre-K children plus Licensee's own Infant in home totaling 13, which resulted in over licensing capacity limit.</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> | <p>1 During today's visit, there were 11 Pre-K children and Licensee's infant, totaling 12 children in care.</p> <p>2 Licensee is currently in compliance, so deficiency is cleared as of today.</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Suzanne Roman-Clark

TELEPHONE: (650) 266-8823

LICENSING EVALUATOR NAME: Cindy Interiano

TELEPHONE: (650) 266-8827

LICENSING EVALUATOR SIGNATURE:

DATE: 07/31/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 07/31/2013

This Notice must be posted for 30 days

COMPLAINT INVESTIGATION REPORT

CCLD Regional Office, 801 TRAEGER AVE., SUITE 100
SAN BRUNO, CA 94066

This is an official report of an unannounced visit/investigation of a complaint received in our office on
06/10/2013 and conducted by Evaluator Garfield Leung

PUBLIC

COMPLAINT CONTROL NUMBER: 05-CC-20130610144537

FACILITY NAME: PIKOVER, NATHAN
ADMINISTRATOR: PIKOVER, NATHAN
ADDRESS: 3781 CESAR CHAVEZ
CITY: SAN FRANCISCO
CAPACITY: 8

FACILITY NUMBER: 384002103
FACILITY TYPE: 810
TELEPHONE: (415) 648-8000
ZIP CODE: 94110
DATE: 06/28/2013
TIME VISIT BEGAN: 09:10 AM
TIME COMPLETED: 12:50 PM

MET WITH: Leah Potash, Gedalia Potash

ALLEGATION(S):

- 1 Over licensed capacity:
- 2
- 3 There were up to 9 children in care in June (6/12/2013 was the last date of school).
- 4
- 5
- 6
- 7
- 8
- 9

INVESTIGATION FINDINGS:

- 1 Licensing Program Analysts (LPAs) Leung and Interiano conducted a complaint visit with Property Owners
- 2 Leah and Gedalia Potash. The purpose of the visit was explained. Licensee Nathan Pikover is no longer living
- 3 at this house. Today, there are 5 preschoolers with 3 staff in the facility. Mr. Potash states this is a Summer
- 4 program, runs from 6/24/2013 to 7/12/2013. Based on available information, there were days this facility had
- 5 over 6 preschoolers in care in June. The last date of the regular school year was 6/12/2013. The over capacity
- 6 allegation is closed as substantiated. This facility was cited for over capacity back on 4/17/2013. Therefore, a
- 7 civil penalty of \$150.00 is assessed on this second citation within the last 12 months.
- 8
- 9 See next page for deficiency cited under CCR, Title 22, Div. 12, Chapt. 1.
- 10
- 11 This report was provided to Ms. Potash.
- 12
- 13

Substantiated

Estimated Days of Completion:

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Garfield Leung

TELEPHONE: (650) 266-8843

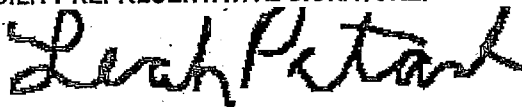
LICENSING EVALUATOR SIGNATURE:



DATE: 06/28/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:



DATE: 06/28/2013

This report must be available at Child Care and Group Home facilities for public review for 3 years.

LIC9099 (FAS) - (06/04)

Page: 1 of 2

COMPLAINT INVESTIGATION REPORT (Cont)

FACILITY NAME: PIKOVER, NATHAN
DEFICIENCY INFORMATION FOR THIS PAGE:

FACILITY NUMBER: 384002103
VISIT DATE: 06/28/2013

| Deficiency Type POC Due Date / Section Number | DEFICIENCIES | PLAN OF CORRECTIONS(POCs) |
|---|--|---|
| Type A 06/28/2013 Section Cited 102416.5b | 1 Over Licensing capacity: 2 3 There were days in June that this facility had more 4 than 6 preschooler presented. 5 6 7 | 1 Facility shall not be over its Licensed capacity, the 2 max. preschoolers can be presented is 6 at all 3 times. Civil penalty was assessed due to second 4 citation of over capacity within the last 12 months. 5 Since Licensee Nathan Pikover is no longer living 6 in this facility, this issue will be discussed with 7 Licensing management. |
| | 1 2 3 4 5 6 7 | 1 2 3 4 5 6 7 |
| | 1 2 3 4 5 6 7 | 1 2 3 4 5 6 7 |
| | 1 2 3 4 5 6 7 | 1 2 3 4 5 6 7 |

Failure to correct the cited deficiency(ies), on or before the Plan of Correction (POC) due date, may result in a civil penalty assessment.

SUPERVISOR'S NAME: Wes Beecham

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR NAME: Garfield Leung

TELEPHONE: (650) 266-8843

LICENSING EVALUATOR SIGNATURE:

DATE: 06/28/2013

I acknowledge receipt of this form and understand my appeal rights as explained and received.

FACILITY REPRESENTATIVE SIGNATURE:

DATE: 06/28/2013

This Notice must be posted for 30 days

CIVIL PENALTY ASSESSMENT -- IMMEDIATE \$150

0501116

| | |
|------------------|---------------|
| FACILITY NAME | DATE |
| Rieber, Miriam | 03/19/2013 |
| FACILITY ADDRESS | CITY |
| 107 Justin Ave. | San Francisco |
| LICENSEE(S) | STATE |
| Rieber, Miriam | CA |
| | ZIP CODE |
| | 94112 |
| | FACILITY # |
| | 384001793 |

A Licensing Report (LIC 809 or LIC 9099) was issued on 03/19/2013 giving notice that your facility has been found in
DATE

violation of one or more requirements for which an immediate civil penalty is warranted in accordance with one or more of the following California Health and Safety Code Sections: 1548, 1568.0822, 1569.49, 1596.99 and 1597.58.

You are hereby notified that an immediate civil penalty of \$150 per violation followed by \$150 per day per violation until corrected is assessed for the period of 03/19/2013 through 03/19/2013 for the following violations:
DATE DATE

- ☐ Violations which result in injury, sickness or death of a client in care. (Does not apply to Residential Care Facilities for the Chronically Ill or Foster Family Homes.)
- ☐ Fire clearance violations (Does not apply to Family Child Care Homes.)
- ☒ Absence of supervision
- ☐ Accessible bodies of water
- ☐ Accessible firearms, ammunition, or both
- ☐ Licensing agent refused entry to a facility or any part of a facility
- ☐ The presence of an excluded person on the premises

| | |
|-----------------------------------|------------------|
| Total # of (Per Day) Violations: | <u>1</u> |
| | <u>X \$150</u> |
| Total Penalty Assessed | \$ <u>150.00</u> |

YOU WILL RECEIVE AN INVOICE IN THE MAIL.
DO NOT SEND MONEY UNTIL YOU RECEIVE YOUR INVOICE

NAME OF LICENSING PROGRAM ANALYST

Andrea Medlin

NAME OF FACILITY REPRESENTATIVE/TITLE

Priscilla Lowenthal

SUPERVISOR REVIEW/SIGNATURE (FOR INTERNAL USE ONLY)

LIC 421C (7/11)

SIGNATURE OF LICENSING PROGRAM ANALYST

DATE

03/19/2013

SIGNATURE OF FACILITY REPRESENTATIVE

DATE

03/19/2013

TITLE

DATE

03/19/2013

LPM

CIVIL PENALTY ASSESSMENT - IMMEDIATE

05011

| | | | |
|------------------------------------|-----------------------|---|--------------------|
| FACILITY NAME Rieber, Miriam | | | DATE 03/19/2013 |
| FACILITY ADDRESS 107 Justin Ave | CITY San Francisco | STATE CA | ZIP CODE 94112 |
| OPERATOR(S) Rieber, Miriam | | FACILITY # IF LICENSED OR PENDING: 384001793 | |

Immediate civil penalties can be assessed against any licensee for failure to comply with Caregiver Background Check requirements and against family child care licensees for failure to comply with parent/authorized representative (AR) notification and visit report posting requirements. See the back of this form for specifics.

On this date you have been found in violation of one or more requirements for which an immediate civil penalty is warranted. See the Licensing Report (LIC 809 or LIC 9099) issued on this date. You are hereby notified that a civil penalty has been assessed.

Caregiver Background Check

- ☒ \$100 immediate Civil Penalty per person for allowing any person (who is subject to a background check) to work, reside or volunteer without a criminal record clearance or exemption. Maximum of 5 days for the first violation. Maximum 30 days for subsequent violations.
- ☐ \$100 immediate Civil Penalty per person for allowing any person (who is subject to a Caregiver Background Check Order of Removal) to work, reside or volunteer.
- ☐ \$100 immediate Civil Penalty per person for allowing a cleared or exempted person to work, reside or volunteer before requesting a clearance transfer or before receiving approval of an exemption transfer.

| | | | |
|---------------|------------------|------------------------------------|---------|
| Individual #1 | Brianna Brustoff | number of days x \$100 = \$ 500.00 | Penalty |
| Individual #2 | | number of days x \$100 = \$ | Penalty |
| Individual #3 | | number of days x \$100 = \$ | Penalty |

Child Care Facilities Only

- ☐ \$100 immediate Civil Penalty per parent/AR for failure to provide "Family Child Care Home (FCCH) Addendum to Notification of Parents' Rights (Regarding Exclusion)". # _____ parent/AR x \$100 = \$ _____ penalty
- ☐ \$100 immediate Civil Penalty per parent/AR for failure to provide "Family Child Care Home Addendum to Notification of Parents' Rights (Regarding Reinstatement)". # _____ parent/AR x \$100 = \$ _____ penalty
- ☐ \$100 immediate Civil Penalty per parent/AR for failure to obtain signature indicating receipt of Addendum. # _____ parent/AR x \$100 = \$ _____ penalty
- ☐ \$100 immediate Civil Penalty for failure to provide signed addendum to the Department when requested.
- ☐ \$100 immediate Civil Penalty for failure to comply with posting requirements for 30 consecutive days.
- ☐ \$50 immediate Civil Penalty for failure to return "Confirmation of Removal" form to Licensing within 5 days. (FCCH only)

Total Penalty Assessed \$ 500.00

YOU WILL RECEIVE AN INVOICE IN THE MAIL. DO NOT SEND MONEY UNTIL YOU RECEIVE YOUR INVOICE.


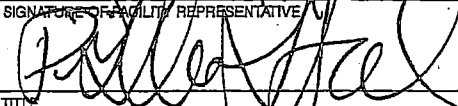
| | | |
|---|--|--------------------|
| NAME OF LICENSING PROGRAM ANALYST Andrea Medlin | SIGNATURE OF LICENSING PROGRAM ANALYST  | DATE 03/19/2013 |
| NAME OF FACILITY REPRESENTATIVE/TITLE Illa Lowenthal | SIGNATURE OF FACILITY REPRESENTATIVE  | DATE 03/19/2013 |
| SUPERVISOR REVIEW/SIGNATURE (FOR INTERNAL USE ONLY) W. Beech | TITLE LPM | DATE 03/19/2013 |

EXHIBIT C

From: katzmannsf@aol.com
Sent: Wednesday, September 11, 2013 10:47 AM
To: Board of Supervisors; BOS Legislation
Subject: 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley
Attachments: 20130911094628_337.pdf

Dear Mr. Chiu and Ms. Calvillo,

I am attaching a letter in support of the Conditional Use Permit approved by the Planning Commission for this case. I would appreciate it if you could please forward the letter to all Supervisors.

Sincerely,

Bernard Katzmann

2013 SEP 12 PM 3:27

Case No. 2013.0259C

Objections to the plan for increased population of children in the day care center at 3771 and 3781 Cesar Chavez Street

Jerry Goldberg AICP

September 13, 2013

I have read about the plans to increase the number of children at the day-care center located at 3771-3781 Cesar Chavez Street between Guerrero and Dolores Streets. I am also aware of concerns stated by neighbors on Dolores and Cesar Chavez.

Since I do not live adjacent to the properties in question, I cannot comment on the noise and the inadequacy of the space being provided by the owners.

I can, as an experienced city planning consultant and urban designer, with considerable experience and first hand knowledge of the issues pertaining to site-access issues, state unequivocally that permitting an enlarged day care population will cause major traffic and safety problems for the children and parents, as well as the commuters driving on Cesar Chavez seeking access to I-280 or Highway 101 to get to the Silicon Valley.

Cesar Chavez is a narrow boulevard between Guerrero and Dolores, and it is heavily used by commuters because of its direct links to the two freeways. Cesar Chavez is a very convenient and well-used way to get from the neighborhoods around the proposed day-care center, and those two major highways.

The day care center has no on site provision for access and drop-off from Cesar Chavez, which promotes double parking and parking illegally on sidewalks and in driveways.

Turning movements at Guerrero and Dolores are extremely common in both directions at the morning and evening commutes, and since turning drivers cannot see the parked cars dropping or picking up children at the day-care center they are liable to accidentally run into them, which is, of course, a threat to the parents and the children who attend the day care facilities proposed.

This is an untenable situation, until and unless the owners of the day care facility provide off-site drop-off and pick-up space in front of the day care center, which is practically infeasible.

I understand that there have already been traffic accidents on this block of Cesar Chavez.

It is my understanding that the operators of the day care center are seeking permission to consolidate and expand the number of children at the Cesar Chavez location. That, it appears, would lead to a serious breach of public safety, and would exacerbate the hazardous situation that already exists.

The Planning Commission should therefore not approve the permit being sought by the operators of the facility.

Jerry Goldberg AICP

3329 21st Street

San Francisco, CA. 94110

jagriz@att.net

415 970 1547

555 Castro Street
San Francisco, CA 94114
September 11, 2013

Re: Case # 2013.0259CV Gan Noe Preschool and Chabad of Noe Valley

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

Dear Supervisors,

I am writing in support of Gan Noe Preschool and Chabad of Noe Valley and in of the Planning Commission's decision regarding the Conditional Use Permit for that property.

I am a real estate agent working in San Francisco and one of the challenges facing families in San Francisco is the availability of suitable preschool facilities for their children. The added capacity at this facility would help achieve a welcome and much needed facility for families in the area.

In addition, Chabad of Noe Valley offers traditional services to the Jewish community in the eastern half of San Francisco. Almost all of the orthodox and conservative services are in the western part of the city. Allowing this organization to adequately serve the community in the area is of paramount importance to the community and fulfills a critical need for residents of Noe Valley, Glen Park, Bernal Heights, the Castro and Inner Mission.

There are currently several properties on the block zoned for and used for religious and other institutional uses. In addition, with St. Luke's Hospital on the next block, the requested use change would not seem out of place for the area.

I strongly urge the Board of Supervisors to reject the appeal and to allow the Planning Commission's unanimous ruling to stand.

Sincerely,



Bernard Katzmänn

From: Shane Reisman [jshanereisman@gmail.com]
Sent: Wednesday, September 11, 2013 10:34 AM
To: BOS Legislation; Board of Supervisors
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

We are writing to voice our strong support for the "Conditional Use Permit Application" Gan Noe Preschool and Chabad of Noe Valley applied for and which was unanimously approved by the Planning Commission.

We love Chabad Gan Noe and are committed to its success in our community. Both the PreSchool and Chabad venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome. We sent both of our kids to Preschool at Gan Noe and attend after-school education and social activities there throughout the year.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

J. Shane Reisman
336 Moultrie Street
San Francisco, CA 94110

From: David Tobiano [david@tobiano.com]
Sent: Wednesday, September 11, 2013 9:00 AM
To: BOS Legislation
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

Dear Sir,

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

As a parent living in Bernal Heights, a short distance from Gan Noe, I feel it is extremely important that this initiative goes through.

Our neighborhood, and our beautiful city, are in dire need of more structures to support working families.

Furthermore, I wanted to share with you my own experience with the Chabad of Noe Valley: they are extremely inviting, welcoming, and open; and I feel they add a lot to the makeup of our city and community.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

David Tobiano

David Tobiano
david@tobiano.com
Cell: +1 (415) 260 02 04
Blog: <http://techmachina.com>

From: Merle & Gina [merleandgina@gmail.com]
Sent: Monday, September 09, 2013 8:11 PM
To: BOS Legislation
Subject: Gan Noe Pre-school Approval

We are writing to voice our strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organisation help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,
Merle Malakoff & Gina Surber
338 Park St.
San Francisco, California 94110

Sent from my iPad

From: Merle & Gina [merleandgina@gmail.com]
Sent: Monday, September 09, 2013 8:11 PM
To: BOS Legislation
Subject: Gan Noe Pre-school Approval

We are writing to voice our strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organisation help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,
Merle Malakoff & Gina Surber
338 Park St.
San Francisco, California 94110

Sent from my iPad

File 130818

From: Board of Supervisors
Sent: Monday, September 09, 2013 6:00 PM
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley
Attachments: 3771-3781_Cesar Chavez_Pres_Chui_9_9_13.pdf

From: Matthew Gershuny [mailto:matthew_gershuny@hotmail.com]
Sent: Monday, September 09, 2013 12:06 PM
To: BOS Legislation; Board of Supervisors
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

President Chiu,

Attached you'll find a letter supporting Gan Noe Preschool and Chabad of Noe Valley's Conditional Use Permit Application, which the Planning Commission unanimously approved in July. Please deny the appeal so that these institutions can continue to provide their vital services and strengthen the local community.

Sincerely,

Matthew D. Gershuny

Matthew D. Gershuny
3960 26th. St.
San Francisco, CA 94131

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

September 9, 2013

Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

Dear President Chiu:

I am writing to express my strong support for Gan Noe Preschool and Chabad of Noe Valley's Conditional Use Permit Application, which the Planning Commission unanimously approved in July.

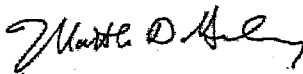
I have lived at 3960 26th. Street, walking distance from Gan Noe and Chabad of Noe Valley, for the past seven years. I met the Potash family, who run Gan Noe and Chabad of Noe Valley, within a week of arriving in San Francisco in 2006. They opened their home to me, invited me for meals and helped me settle into the area. Their warmth and welcoming ways have become even stronger over the years.

Gan Noe Preschool has an excellent reputation. Parents consistently say that it is a professional, vibrant, enriching and safe place for children. The school connects parents in the area, strengthening the local community. I understand that there is a shortage of preschools in San Francisco, especially in Noe Valley, and I'm afraid families will leave the neighborhood if Gan Noe isn't permitted to expand its offering.

I regularly attend religious services, meals and community events hosted by Chabad of Noe Valley. These gatherings are open to anyone in the community and are free-of-charge. I've had a positive and meaningful experience over the years with Chabad of Noe Valley that has helped me connect with the local community, and I know many others with similar experiences.

Gan Noe and Chabad of Noe Valley contribute to the strength and stability of the community. These institutions enhance the life of many Noe Valley residents, as well as residents of surrounding communities such as the Castro, Mission, Excelsior, Diamond Heights, Glen Park, Bernal Heights and Portola. Please deny the appeal.

Very Truly Yours,


Matthew D. Gershuny

File 130818

From: Board of Supervisors
Sent: Monday, September 09, 2013 6:01 PM
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Case 2013.0259CV - Gan Noe Preschool
Attachments: GAN NOE APPEAL.pdf

From: Gilda Bieri [mailto:gbieri@ecs-sf.org]
Sent: Monday, September 09, 2013 12:10 PM
To: BOS Legislation; Board of Supervisors
Subject: Case 2013.0259CV - Gan Noe Preschool

Please print attached letter.

Thank you.
<<...>>

Gilda Bieri
Manager of Operations and Emergency Response
Episcopal Community Services of San Francisco
Tel: 415-487-3300 x 1217 New Number
Cell: 415-341-6499
Fax: 415-487-3303
Web <http://www.ecs-sf.org>

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September 9, 2013

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

RE: Case # 2013.0259CV - Gan Noe Preschool & Chabad Noe Valley

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

I really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights neighborhoods. Both organizations help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,



Gilda Bieri-Perlow

275 Graystone Terrace
San Francisco CA 94114
(415) 626-9417
gbieri@ecs-sf.org

8-19

From: rsinkoff@aol.com
Sent: Monday, September 09, 2013 3:00 PM
To: BOS Legislation; Board of Supervisors; chabadnoe@gmail.com; rsinkoff@aol.com
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.
Attachments: SINKOFF_letter_-_Gan_No_Preschool_-_Against_Appeal_of_CUP.doc

Please include the attached letter in the packet for President Chiu and the Board of Supervisors in reference to the appeal of the Conditional Use Permit for Gan Noe Preschool (See Case #2013.0259CV).

This letter urges President Chiu and the Board of Supervisors to DENY the appeal.

Thank you for your attention.

Richard Sinkoff
65 Hancock Street
San Francisco, California 94114

Richard Sinkoff
65 Hancock Street
San Francisco, California 94114
rsinkoff@aol.com

Monday, September 9, 2013

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.
Subject: Urging the Board of Supervisors to Deny the Appeal

Dear President Chiu and Members of the Board of Supervisors of
the City and County of San Francisco,

I am writing to voice my strong support for the approval of
the "Conditional Use Permit Application" that Gan Noe Preschool
and Chabad of Noe Valley which the Planning Commission
unanimously approved on July 18, 2013 and to urge the Board of
Supervisors to deny the appeal filed against the Conditional Use
Permit approval.

I fully support Gan Noe Preschool and Chabad of Noe Valley
and I believe that their success will directly benefit families and
communities throughout the southeast neighborhoods of San
Francisco. Both Gan Noe Preschool and Chabad of Noe Valley
address the critical need for accessible, neighborhood-based pre-
school services of working families in the Glen Park, Noe Valley,
Mission, Castro and Bernal Heights areas. Just this past
weekend, the San Francisco Examiner reported, in the article
"Taking Families off San Francisco's Endangered Species List"
(Joel Engardio, Sunday, September 8, 2013), that "Three things

will keep families in San Francisco: affordable housing, better schools, and a higher quality of life. *A good school that a family can walk to gets us two steps closer.*" (italics, mine.)

Gan Noe Preschool and Chabad of Noe Valley offer educational programs and services at an accessible location at the geographic center of many southeast neighborhoods of San Francisco. Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome and attend Gan Noe Preschool. By denying the appeal before you, the Board of Supervisors will be taking a very important step in keeping families in our City, thereby strengthening the social fabric of our community for the benefit of the entire City and County of San Francisco.

I respectfully and strongly urge you and the Board of Supervisors to deny the appeal by relying upon the diligent review and judgment of the staff of the Planning Department and the vote of the Planning Commission, which approved the Conditional Use Permit application unanimously.

Your denial of the appeal is a very positive action, which will allow Gan Noe Preschool and Chabad of Noe Valley to provide the educational services and programs so needed by both our diverse and growing community and by the City and County of San Francisco.

Sincerely,

Richard Sinkoff.

From: Gilda Bieri [gbieri@ecs-sf.org]
Sent: Monday, September 09, 2013 12:10 PM
To: BOS Legislation; Board of Supervisors
Subject: Case 2013.0259CV - Gan Noe Preschool
Attachments: GAN NOE APPEAL.pdf

Please print attached letter.

Thank you.

<<...>>

Gilda Bieri
Manager of Operations and Emergency Response
Episcopal Community Services of San Francisco
Tel: 415-487-3300 x 1217 New Number
Cell: 415-341-6499
Fax: 415-487-3303
Web <http://www.ecs-sf.org>

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September 9, 2013

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

RE: Case # 2013.0259CV - Gan Noe Preschool & Chabad Noe Valley

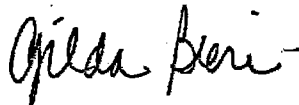
I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

I really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro, and Bernal Heights neighborhoods. Both organizations help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,



Gilda Bieri-Perlow

275 Graystone Terrace
San Francisco CA 94114
(415) 626-9417
gbieri@ecs-sf.org

From: Matthew Gershuny [matthew_gershuny@hotmail.com]
Sent: Monday, September 09, 2013 12:06 PM
To: BOS Legislation; Board of Supervisors
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley
Attachments: 3771-3781_Cesar Chavez_Pres_Chui_9_9_13.pdf

President Chiu,

Attached you'll find a letter supporting Gan Noe Preschool and Chabad of Noe Valley's Conditional Use Permit Application, which the Planning Commission unanimously approved in July. Please deny the appeal so that these institutions can continue to provide their vital services and strengthen the local community.

Sincerely,

Matthew D. Gershuny

Matthew D. Gershuny
3960 26th. St.
San Francisco, CA 94131

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

September 9, 2013

Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

Dear President Chiu:

I am writing to express my strong support for Gan Noe Preschool and Chabad of Noe Valley's Conditional Use Permit Application, which the Planning Commission unanimously approved in July.

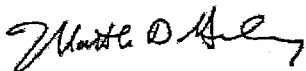
I have lived at 3960 26th. Street, walking distance from Gan Noe and Chabad of Noe Valley, for the past seven years. I met the Potash family, who run Gan Noe and Chabad of Noe Valley, within a week of arriving in San Francisco in 2006. They opened their home to me, invited me for meals and helped me settle into the area. Their warmth and welcoming ways have become even stronger over the years.

Gan Noe Preschool has an excellent reputation. Parents consistently say that it is a professional, vibrant, enriching and safe place for children. The school connects parents in the area, strengthening the local community. I understand that there is a shortage of preschools in San Francisco, especially in Noe Valley, and I'm afraid families will leave the neighborhood if Gan Noe isn't permitted to expand its offering.

I regularly attend religious services, meals and community events hosted by Chabad of Noe Valley. These gatherings are open to anyone in the community and are free-of-charge. I've had a positive and meaningful experience over the years with Chabad of Noe Valley that has helped me connect with the local community, and I know many others with similar experiences.

Gan Noe and Chabad of Noe Valley contribute to the strength and stability of the community. These institutions enhance the life of many Noe Valley residents, as well as residents of surrounding communities such as the Castro, Mission, Excelsior, Diamond Heights, Glen Park, Bernal Heights and Portola. Please deny the appeal.

Very Truly Yours,



Matthew D. Gershuny

From: Pini Altman [pa@bluestarpr.com]
Sent: Monday, September 09, 2013 10:21 AM
To: BOS Legislation
Cc: Board of Supervisors
Subject: Chabad of Noe Valley

Mr. David Chiu

President of the Board of Supervisors

C/o Angela Calvillo

Clerk of the Board

1 Dr. Carlton B. Goodlett Place

City Hall, Room 244

SanMr. David Chiu

President of the Board of Supervisors

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

My son went to the Chabad preschool in the Richmond when he was young and had we had the Chabad preschool here at that time, it would have saved gas as well as our contribution to traffic congestion. We live on Dolores. I really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organisation help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome. Indeed, we are a gay family and were always treated with the utmost warmth and respect at Chabad. I still look back at those years with great fondness and appreciation for the high quality of education and devotion of the teachers. I would be happy to testify to this in person.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services

they provide for our community. Francisco, Ca. 94102

Kindest regards
Pini Altman
431 Dolores St
SF

From: Jill Rabinowitz [jillrabinowitz@gmail.com]
Sent: Sunday, September 08, 2013 10:30 PM
To: BOS Legislation; Board of Supervisors
Subject: Gan Noe Preschool & Chabad of Noe Valley

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I am writing to voice my support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

Gan Noe Preschool and Chabad of Noe Valley provide an outstanding service to the Jewish community of San Francisco. Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Children of all backgrounds are welcome even though the focus is primarily in Jewish education.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Jill Rabinowitz

From: Marina Budovsky Tselner [marinabud@hotmail.com]
Sent: Sunday, September 08, 2013 10:29 PM
To: Board of Supervisors; BOS Legislation
Cc: Rabbi Gedalia Potash
Subject: Letter of support Gan Noe & Chabad Noe Valley, Conditional Use Permit Application
Attachments: Gan_No-BOS.pdf

Hello there,

I hope this message finds you well.

Attached please find a letter of support for Gan Noe Preschool and Chabad Noe Valley's Conditional Use Permit Application, case number #2013.0259CV. I will try my best to attend the hearing on September 17. Until then please accept my letter of support for their permit.

thank you kindly and be well,

Marina Tselner
(415) 889-9971

Mr. David Chiu, President of the Board of Supervisors
C/o Angela Calvillo, Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV
Conditional Use Permit Application
Gan Noe Preschool & Chabad Noe Valley
September 4, 2013

Dear Mr. David Chiu and the Board of Supervisors:

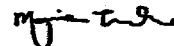
I am writing to voice my support for the Gan Noe Preschool and Chabad Noe Valley. I urge you please to offer your support to them also.

This community space is incredibly important to us and very much needed in San Francisco. No other organization, especially in this part of the city, offers authentic Jewish services and education like they do. This is where my husband and I celebrated our engagement, our wedding, and several more priceless, life milestones. We recently moved to the Outer Sunset and we continue to join them even in Noe Valley. On Shabbat and the Jewish holidays, when my family does not drive, we will sometimes even walk the 6 miles to join them!

The preschool also is one of a kind. I was raised in San Francisco and truly there was never a place like this before. No one else combines unabridged Jewish practices together with the most contemporary and natural education philosophies. The Potash family is a genuine gem. The Gan Noe Preschool and Chabad Noe Valley are a priceless gift to San Francisco's eclectic and unique group of leaders and educators.

Thank you kindly for your time and support!

Sincerely,



Marina Tselner
marinabud@hotmail.com
(415) 889-9971

From: plevyg@gmail.com on behalf of Pascal Levy-Garboua [plg@melix.org]
Sent: Sunday, September 08, 2013 6:18 PM
To: BOS Legislation; Board of Supervisors
Subject: Supporting Gan Noe Pre-School

From:
Family Levy-Garboua
3923 25th Street
San Francisco, CA 94114

To:
Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

We are writing to voice our strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city instead of moving down to the Peninsula.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Pascal, Annie, Keren Or and Liberty Levy-Garboua

Pascal Levy-Garboua

@2pasc
www.2pasc.com
Skype: plg1998
Mobile: +1 (415) 509 5252

From: Sam Adler [sam.adler@yahoo.com]
Sent: Sunday, September 08, 2013 5:30 PM
To: BOS Legislation; Board of Supervisors
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Samuel Adler

Know that the true worth of your travels lies not in your destination, but in who you come to be along the way.

From: zenmany@gmail.com
Sent: Sunday, September 08, 2013 5:19 PM
To: BOS Legislation; Board of Supervisors
Subject: Support for Chabad Noe Valley
Attachments: Support Gan Noe (2013 September).pdf

To Whom It May Concern,

Attached is a pdf copy of a letter in support of Chabad of Noe Valley's conditional use permit and their appeal hearing scheduled for September 17th.

Thank you.

Jay Rubin

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

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

Sep 8, 2013

Dear San Francisco Board of Supervisors,

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

Seven years ago, when my son was eighteen months old, my wife and I enrolled him in the Gan Noe pre-school. We are very pleased we did. Not only did he receive fantastic preparation for elementary school (he's now a student at McKinley and doing great) but my wife and I also enjoyed becoming part of the Chabad community in Noe Valley. With limited pre-school choices in the area, Chabad wound up providing more than just a pre-school education. It provided a feeling of family and community, too.

Now that I live on Richland Avenue, I am especially pleased with the Chabad/Gan Noe location as I can take Muni (either the bus or J Church) to drop off and pick up my son from Hebrew school. This provides a real convenience for us.

Allowing Gan Noe the permit to conduct more schooling for more families will only improve the community feeling already being developed by Chabad of Noe Valley.

The commission's support of the conditional use permit will benefit this important community and demonstrate that, here in San Francisco, families do matter.

Thank You for Your Support,

Jay Rubin
49-1/2 Richland Avenue
San Francisco, CA 94110

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818: 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley
Attachments: 20130911094628_337.pdf

From: katzmannsf@aol.com [mailto:katzmannsf@aol.com]
Sent: Wednesday, September 11, 2013 10:47 AM
To: Board of Supervisors; BOS Legislation
Subject: 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

Dear Mr. Chiu and Ms. Calvillo,

I am attaching a letter in support of the Conditional Use Permit approved by the Planning Commission for this case. I would appreciate it if you could please forward the letter to all Supervisors.

Sincerely,

Bernard Katzmann

555 Castro Street
San Francisco, CA 94114
September 11, 2013

Re: Case # 2013.0259CV Gan Noe Preschool and Chabad of Noe Valley

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

Dear Supervisors,

I am writing in support of Gan Noe Preschool and Chabad of Noe Valley and in of the Planning Commission's decision regarding the Conditional Use Permit for that property.

I am a real estate agent working in San Francisco and one of the challenges facing families in San Francisco is the availability of suitable preschool facilities for their children. The added capacity at this facility would help achieve a welcome and much needed facility for families in the area.

In addition, Chabad of Noe Valley offers traditional services to the Jewish community in the eastern half of San Francisco. Almost all of the orthodox and conservative services are in the western part of the city. Allowing this organization to adequately serve the community in the area is of paramount importance to the community and fulfills a critical need for residents of Noe Valley, Glen Park, Bernal Heights, the Castro and Inner Mission.

There are currently several properties on the block zoned for and used for religious and other institutional uses. In addition, with St. Luke's Hospital on the next block, the requested use change would not seem out of place for the area.

I strongly urge the Board of Supervisors to reject the appeal and to allow the Planning Commission's unanimous ruling to stand.

Sincerely,



Bernard Katzmann

File 130818

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

From: Shane Reisman [mailto:jshanereisman@gmail.com]
Sent: Wednesday, September 11, 2013 10:34 AM
To: BOS Legislation; Board of Supervisors
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

We are writing to voice our strong support for the "Conditional Use Permit Application" Gan Noe Preschool and Chabad of Noe Valley applied for and which was unanimously approved by the Planning Commission.

We love Chabad Gan Noe and are committed to its success in our community. Both the PreSchool and Chabad venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome. We sent both of our kids to Preschool at Gan Noe and attend after-school education and social activities there throughout the year.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

J. Shane Reisman
336 Moultrie Street
San Francisco, CA 94110

From: Merle & Gina [merleandgina@gmail.com]
Sent: Monday, September 09, 2013 8:12 PM
To: Board of Supervisors
Subject: Gan Noe Pre-school Approval

File 13088

We are writing to voice our strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organisation help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,
Merle Malakoff & Gina Surber
338 Park St.
San Francisco, California 94110

Sent from my iPad

From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818 5 new petition signatures: David Schultz, Harold Galicer...

From: Hinda Langer [mailto:mail@changemail.org]
Sent: Monday, September 09, 2013 12:43 PM
To: Board of Supervisors
Subject: 5 new petition signatures: David Schultz, Harold Galicer...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 155 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

151. David Schultz San Francisco, California
152. Harold Galicer San Francisco, California
153. Jodie Papoosha San Francisco, California
154. Vicki Rosen San Francisco, California
155. Hinda Langer SF, California

From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.
Attachments: SINKOFF_letter_-_Gan_No_Preschool_-_Against_Appeal_of_CUP.doc

From: rsinkoff@aol.com [mailto:rsinkoff@aol.com]
Sent: Monday, September 09, 2013 3:00 PM
To: BOS Legislation; Board of Supervisors; chabadnoe@gmail.com; rsinkoff@aol.com
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

Please include the attached letter in the packet for President Chiu and the Board of Supervisors in reference to the appeal of the Conditional Use Permit for Gan Noe Preschool (See Case #2013.0259CV).

This letter urges President Chiu and the Board of Supervisors to DENY the appeal.

Thank you for your attention.

Richard Sinkoff
65 Hancock Street
San Francisco, California 94114

Richard Sinkoff
65 Hancock Street
San Francisco, California 94114
rsinkoff@aol.com

Monday, September 9, 2013

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.
Subject: Urging the Board of Supervisors to Deny the Appeal

Dear President Chiu and Members of the Board of Supervisors of
the City and County of San Francisco,

I am writing to voice my strong support for the approval of
the "Conditional Use Permit Application" that Gan Noe Preschool
and Chabad of Noe Valley which the Planning Commission
unanimously approved on July 18, 2013 and to urge the Board of
Supervisors to deny the appeal filed against the Conditional Use
Permit approval.

I fully support Gan Noe Preschool and Chabad of Noe Valley
and I believe that their success will directly benefit families and
communities throughout the southeast neighborhoods of San
Francisco. Both Gan Noe Preschool and Chabad of Noe Valley
address the critical need for accessible, neighborhood-based pre-
school services of working families in the Glen Park, Noe Valley,
Mission, Castro and Bernal Heights areas. Just this past
weekend, the San Francisco Examiner reported, in the article
"Taking Families off San Francisco's Endangered Species List"
(Joel Engardio, Sunday, September 8, 2013), that "Three things

will keep families in San Francisco: affordable housing, better schools, and a higher quality of life. *A good school that a family can walk to gets us two steps closer.*" (italics, mine.)

Gan Noe Preschool and Chabad of Noe Valley offer educational programs and services at an accessible location at the geographic center of many southeast neighborhoods of San Francisco. Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome and attend Gan Noe Preschool. By denying the appeal before you, the Board of Supervisors will be taking a very important step in keeping families in our City, thereby strengthening the social fabric of our community for the benefit of the entire City and County of San Francisco.

I respectfully and strongly urge you and the Board of Supervisors to deny the appeal by relying upon the diligent review and judgment of the staff of the Planning Department and the vote of the Planning Commission, which approved the Conditional Use Permit application unanimously.

Your denial of the appeal is a very positive action, which will allow Gan Noe Preschool and Chabad of Noe Valley to provide the educational services and programs so needed by both our diverse and growing community and by the City and County of San Francisco.

Sincerely,

Richard Sinkoff

From: Board of Supervisors
Sent: Monday, September 09, 2013 5:13 PM
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Support for Chabad Noe Valley
Attachments: Support Gan Noe (2013 September).pdf

From: zenmany@gmail.com [mailto:zenmany@gmail.com]
Sent: Sunday, September 08, 2013 5:19 PM
To: BOS Legislation; Board of Supervisors
Subject: Support for Chabad Noe Valley

To Whom It May Concern,

Attached is a pdf copy of a letter in support of Chabad of Noe Valley's conditional use permit and their appeal hearing scheduled for September 17th.

Thank you.

Jay Rubin

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

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

Sep 8, 2013

Dear San Francisco Board of Supervisors,

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

Seven years ago, when my son was eighteen months old, my wife and I enrolled him in the Gan Noe pre-school. We are very pleased we did. Not only did he receive fantastic preparation for elementary school (he's now a student at McKinley and doing great!) but my wife and I also enjoyed becoming part of the Chabad community in Noe Valley. With limited pre-school choices in the area, Chabad wound up providing more than just a pre-school education. It provided a feeling of family and community, too.

Now that I live on Richland Avenue, I am especially pleased with the Chabad/Gan Noe location as I can take Muni (either the bus or J Church) to drop off and pick up my son from Hebrew school. This provides a real convenience for us.

Allowing Gan Noe the permit to conduct more schooling for more families will only improve the community feeling already being developed by Chabad of Noe Valley.

The commission's support of the conditional use permit will benefit this important community and demonstrate that, here in San Francisco, families do matter.

Thank You for Your Support,

Jay Rubin
49-1/2 Richland Avenue
San Francisco, CA 94110

From: Board of Supervisors
Sent: Monday, September 09, 2013 5:14 PM
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

From: Sam Adler [mailto:sam.adler@yahoo.com]
Sent: Sunday, September 08, 2013 5:30 PM
To: BOS Legislation; Board of Supervisors
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Samuel Adler

Know that the true worth of your travels lies not in your destination, but in who you come to be along the way.

From: Board of Supervisors
Sent: Monday, September 09, 2013 5:22 PM
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Supporting Gan Noe Pre-School

File 130818

From: plevyg@gmail.com [mailto:plevyg@gmail.com] **On Behalf Of** Pascal Levy-Garboua
Sent: Sunday, September 08, 2013 6:18 PM
To: BOS Legislation; Board of Supervisors
Subject: Supporting Gan Noe Pre-School

From:
Family Levy-Garboua
3923 25th Street
San Francisco, CA 94114

To:
Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

We are writing to voice our strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city instead of moving down to the Peninsula.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Pascal, Annie, Keren Or and Liberty Levy-Garboua

Pascal Levy-Garboua

@2pasc
www.2pasc.com

Skype: plg1998
Mobile: + (415) 509 5252

File 130818

From: Randall Zielinski [mailto:changemail.org]
Sent: Monday, September 09, 2013 7:35 PM
To: Board of Supervisors, *Jay*
Subject: 5 new petition signatures: Sylvia Berger, Shmuel Friedman...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 160 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

156. Sylvia Berger San Francisco, California
157. Shmuel Friedman San Francisco, California
158. Naomi Laguana San Francisco, California
159. Barry Taranto San Rafael, California
160. Randall Zielinski San Francisco, California

From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File: 130818 Gan Noe Pre-school Approval

From: Merle & Gina [mailto:merleandgina@gmail.com]
Sent: Monday, September 09, 2013 8:12 PM
To: Board of Supervisors
Subject: Gan Noe Pre-school Approval

We are writing to voice our strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organisation help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,
Merle Malakoff & Gina Surber
338 Park St.
San Francisco, California 94110

Sent from my iPad

From: Board of Supervisors
Sent: Friday, September 06, 2013 12:12 PM
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: 5 new petition signatures: Barry Lynn, Alex Goldenberg...

From: Neda Gilani-Byrd [mailto:mail@changemail.org]
Sent: Thursday, September 05, 2013 8:28 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Barry Lynn, Alex Goldenberg...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 110 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

106. Barry Lynn Mill Valley, California
107. Alex Goldenberg San Francisco, California
108. Anne Levv San Francisco, California
109. Amy Kelman San Francisco, California
110. Neda Gilani-Byrd Daly City, California

From: Board of Supervisors
Sent: Thursday, September 05, 2013 11:28 AM
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: I just signed "Board of Supervisors: Reject the Appeal"

The Office of the Clerk of the Board has received 50 emails like the one below. They will all be placed in the file.

From: Janice Miller [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 9:52 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Janice Miller San Francisco, California

There are now 50 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

File 130818

From: Board of Supervisors
Subject: File 130818: Support Letter of Gan Noe, of Chabad of Noe Valley
Attachments: GanNoe.docx

From: Moriah Royz [mailto:moriah.royz@gmail.com]
Sent: Saturday, August 31, 2013 9:29 PM
To: Board of Supervisors
Subject: Support Letter of Gan Noe, of Chabad of Noe Valley

Please see attached letter

Mr. David Chiu
President of the Board of Supervisors

Sep 1st, 2013

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Email: Board.of.Supervisors@sfgov.org

Dear Madam / Sir

1. My husband's company was sold to Google and within a few months, back in 2010 we had to relocate from Israel to San Francisco with our 3 young daughters (2 months, 2.5 years and 5 years).
2. We decided to move to Noe Valley as we have understood this is one of the most family oriented neighborhoods in the city.
3. When we tried to look for a nearby preschool to our daughters (with the help of a relocation agency) we had no option in the neighborhood and very minimal options around the city as we missed the registration dates.
4. Gan Noe was the only preschool who agreed to make last minutes changes and accept our middle daughter to preschool.
5. The nearby location allowed us to walk to preschool and allowed me as I needed to pickup / drop-off 3 girls from 3 different locations, a greater flexibility at pickup and drop-off time.
6. Since the first day we arrived to SF, Gan Noe was like a second home to us and luckily provided my other 2 daughters additional activities like camps, after school plans and a very family oriented place for weekend community activities.

Best Regards,
Moriah Royz
275 Jersey st,
San Francisco 94114
Moriah.royz@gmail.com

File 130818

From: Heather Friedland [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 1:00 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Heather Friedland San Francisco, California

There are now 8 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Moriah Royz [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 1:25 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Moriah Royz San Francisco, Israel

There are now 9 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Sara Geller [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 3:56 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Sara Geller Toronto, Canada

There are now 10 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Chama Ball [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 4:12 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Chama Ball San Francisco, California

There are now 11 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Asher Abrams [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 5:17 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Asher Abrams San Francisco, California

There are now 12 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Ben Maritz [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 5:39 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Ben Maritz San Francisco, California

There are now 13 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Kim Lipkovitz [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:06 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Kim Lipkovitz San Francisco, California

There are now 13 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

From: Matthew Weiner [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:19 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Matthew Weiner San Francisco, California

There are now 14 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Matthue Roth [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:21 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Matthue Roth San Francisco, California

There are now 15 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Julie Mitrani [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 6:27 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Julie Mitrani boca raton, Florida

There are now 16 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Kimberly Boigon [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 6:35 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Kimberly Boigon San Francisco, California

There are now 17 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



File 130818

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818: I am writing in support of the Conditional Use Permit Application of Gan Noe Preschool.

From: Charna Ball [mailto:charnaball@aol.com]
Sent: Tuesday, September 03, 2013 6:44 AM
To: Board of Supervisors
Cc: Chabadnoevalley Noe Valley
Subject: I am writing in support of the Conditional Use Permit Application of Gan Noe Preschool.

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Dear David Chiu:

I am writing in support of the Conditional Use Permit Application of Gan Noe Preschool.

I have had the good fortune to live in San Francisco since 1981. I have been an educator at UCB, Peralta Community Colleges, and Bay Area public schools since 1971. I am an avid supporter of preschool for children. Preschool is a resource, which is sorely lacking in our society and in our neighborhoods.

Gan Noe has been providing valuable services for the children of San Francisco for several years. Leah Potash is an outstanding woman and leader in this community. She discussed her vision of providing pre school education here in SF many years ago with me. I am extremely impressed with her level of commitment; dedication, and SUCCESS, in creating a wonderful environment for all students. Children of any background are welcome and would be fortunate to attend Gan Noe. There are limited pre school options for the parents and children living in San Francisco.

Gan Noe has been providing services for children at this facility for several years. They have proven to be good neighbors by honoring their agreements and demonstrating a high level of commitment to the community. Gan Noe has become an important and valued educational and cultural part of our community. The vast majority of residents in this community warmly receive this school.

Gan Noe childcare and preschool helps make this neighborhood a very attractive place for families to live and enjoy nearby community resources.

Please do not allow the voices of a few disgruntled people to deter you from validating and upholding the unanimous decision of the planning committee which approved this invaluable resource for our community.

May I recommend that you take the time to view at the video from the planning commission meeting to see the residents and hear their voices of support for this school and community resource. We are an eclectic group of people who live and work in San Francisco and are seeking quality education for our children and grandchildren. We are physicians, attorneys, UCSF and Stanford researchers, teachers, social workers, postal workers, and stay at

home mom's who are deeply committed to sending our children to this preschool which truly is a jewel in our community.

I strongly urge you to approve the Gan Noe Preschool Conditional Use Permit Application.

Thank you for your support.

Sincerely,

Charna Ball

3475 Pierce Street
SF, CA 94123

From: lisa morales [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:44 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
lisa morales mission hills, Kansas

There are now 18 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Melissa Nemer [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:46 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Melissa Nemer San Francisco, California

There are now 19 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Doug Randall [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:51 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Doug Randall San Francisco, California

There are now 20 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: JJ Wiesler [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:54 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
JJ Wiesler San Francisco, California

There are now 21 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Rachael Geneson [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 6:59 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Rachael Geneson San Francisco, California

There are now 22 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Priscilla Lowenthal [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 7:12 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Priscilla Lowenthal San Francisco, California

There are now 23 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Chani Zarchi [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:18 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Chani Zarchi San Francisco, California

There are now 24 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Seth St. Martin [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:18 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Seth St. Martin San Francisco, California

There are now 25 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Dr. Michael Gitt [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:24 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Dr. Michael Gitt San Francisco, California

There are now 26 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Ofer Ravner [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:29 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Ofer Ravner San Francisco, California

There are now 27 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Alison Sirkus Brody [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:37 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Alison Sirkus Brody SF, California

There are now 28 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Lyn Werbach [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:37 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Lyn Werbach San Francisco, California

There are now 29 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: bonnie smolins [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 7:41 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
bonnie smolins San Francisco, California

There are now 30 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Anatoly Besedin [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:46 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Anatoly Besedin San Francisco, California

There are now 31 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Kristina Oates [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:52 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Kristina Oates Berkeley, California

There are now 32 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Leo Shveyd [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 7:57 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Leo Shveyd San Francisco, California

There are now 33 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Yochai Konig [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:06 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Yochai Konig San Francisco, California

There are now 34 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Leah Stein [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:13 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Leah Stein San Francisco, California

There are now 35 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Pam Boland [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:15 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Pam Boland Grovetown, Georgia

There are now 36 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Adi Shimony [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:21 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Adi Shimony San Francisco, California

There are now 37 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Diana Kochieva-Oren [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:22 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Diana Kochieva-Oren Pacifica, California

There are now 38 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Roni Melmed [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:27 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Roni Melmed Lafayette, California

There are now 39 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Robert Eber [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:28 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Robert Eber San Francisco, California

There are now 40 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Bruce Bierman [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:32 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Bruce Bierman Berkeley, California

There are now 41 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Debbie Mink [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:34 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Debbie Mink San Francisco, California

There are now 42 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Samuel Mink [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:47 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Samuel Mink Philadelphia, Pennsylvania

There are now 43 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Sophie Beraznik [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 8:55 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Sophie Beraznik San Francisco, California

There are now 44 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Olga Eber [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 8:58 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Olga Eber San Francisco, California

There are now 45 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: David Eiland [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 9:09 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
David Eiland San Francisco, California

There are now 46 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Anat Feinstein [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 9:14 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Anat Feinstein San Francisco, California

There are now 47 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Molly Boylan [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 9:30 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Molly Boylan San Francisco, California

There are now 48 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Jeffrey Kurin [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 9:41 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Jeffrey Kurin San Francisco, California

There are now 49 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>



From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: I just signed "Board of Supervisors: Reject the Appeal"

The Office of the Clerk of the Board has received 50 emails like the one below. They will all be placed in the file.

From: Janice Miller [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 9:52 AM
To: Board of Supervisors
Subject: I just signed "Board of Supervisors: Reject the Appeal"

Dear Mr. David Chiu,

I just signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,
Janice Miller San Francisco, California

There are now 50 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

From: Board of Supervisors
To: BOS-Supervisors
Subject: 5 new petition signatures: Shane Reisman, Emile Litvak...

From: Hagit Glickman [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 10:24 AM
To: Board of Supervisors
Subject: 5 new petition signatures: Shane Reisman, Emile Litvak...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 55 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 51. Shane Reisman San Francisco, California
- 53. Emile Litvak San Francisco, California
- 54. Pascal Levy-Garboua San Francisco, California
- 54. Steven Dillick San Francisco, California
- 55. Hagit Glickman San Francisco, California

From: Gideon Rothschild [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 12:01 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Ella Potash, Michelle Paulson...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty> " on Change.org.

There are now 65 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca> <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

61. Ella Potash Redwood City, California 62. Michelle Paulson San Francisco, California 63. Eliyahu As Elias Menlo Park, California 64. Silas Geneson San Francisco, California 65. Gideon Rothschild San Francisco, California

<<http://api.mixpanel.com/track?data=eyJldmVudCI6Im9wZW5fZW1haWwILCJwcm9wZXJ0aWVzIjp7ImVtYWlsX25hbWUiOiJ0d29faHVuZHZJL2F9maWZ0eSIsImlkIjoidXNlc182MTIxMDEzNiIsImNpdHkiOiJTYW4gRnJhbmNpc2NvIiwic3RhZGUlOiJ0dSIsInppcGNvZGUlOm51bGwsImNvdW50cnlfY29kZSI6IlVTIiwiaW5jb21wbGV0ZV9hZGRyZXNzIjp0cnVlLCJzaWdudXBfZGF0ZSI6IjIwMTMtMDktMDMiLCJsb2dpb19jb3VudCI6NSwidG90YWxfYWN0aW9ucyI6MCwiY29ubmVjdGVkX3RvX2Zy2Vib29rPyI6dHJ1ZSwiZ2VuZGVyIjpudWxsLCJhZ2VfcmluZ2U0aW51bGwsInNpZ251cF9jb250ZXh0IjoIY3JlYXRlQWN0aW9uIiwiaWZlZGluY3Rfaw0iOiJhYjg4MGEzOS0wMmUyLTRLmZctOTBmNS03ZWU1Y2UwZGY3NDgiLCJ0b2t1biI6IjMwYWEyNmExZDZlOTNhZTE1OGRmYmRjMTZiNDkzMzEyIiwidGltZSI6MTM3ODIzNDgzNH19&ip=1&img=1>> <<http://email.changemail.org/wf/open?upn=sOBHR30pCww0MWX7tgya1LMkQxbmXtw8a-2BDr5mIDy1FqQiq0a1oqVhBbzQrvmfA0se1FY41rap9706MDdyFq9hahtTJEAYzqaF1ypoi1KjVkeEjgH9lpgCnqrrgQ-2BzAk0iAIukySa0OatJrnUT9SDuW0LLAM42w7YXU0-2FcVWUGzDYcdi1RnzR9VsbbEnaer6E6CETcUfBzpZNUroQA7d4bnXpnQIEKGGtSyaN6Psw-2F5cuejtU1cJisV8Tnr4sAiG-2B8ksGaQrULZdII-2B0mcq-2FA-3D-3D>>

Julie Lewis [mailto:changemail.org]
Tuesday, September 03, 2013 12:53 PM
Board of Supervisors
5 new petition signatures: Todd Snyder, chaya Zaetz...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty> " on Change.org.

There are now 70 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca> <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for you consideration.

Sincerely,

66. Todd Snyder San Francisco, California 67. chaya Zaetz los angeles, California 68. Ran Bujanover San Francisco, California 69. shoshana laufer warwick, Rhode Island 70. Julie Lewis San Francisco, California

[illegible]

From: Chaya Reinitz [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 2:21 PM
To: Board of Supervisors
Subject: 5 new petition signatures: kathleen m goldberg, Susie Smith...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty> " on Change.org.

There are now 75 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca> <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

71. kathleen m goldberg santa barbara, California 72. Susie Smith San Francisco, California
73. Yaakov Potash London, United Kingdom 74. William Selig Oakland, California 75. Chaya
Reinitz New Haven, Connecticut

<http://api.mixpanel.com/track?data=eyJldmVudCI6Im9wZW5fZW1haWwILCJwcm9wZXJ0aWVzIjp7ImVtYWlsX25hbWUiOiJ0d29faHVVZlJlZF9maWZ0eSIsImklIjoidXNlcl82MTIxMDEzNiIsImNpdHkiOiJTYW4gRnJhbmNpc2NvIiwic3Rh dGUiOiJ0dQSI5InppcGNvZGUiOm51bGwsImNvdW50cnlfY29kZSI6IlVTIiwiaW5jb21wbGV0ZV9hZGRyZXNzIjpb0cnVlLCJzaWdudXBfZGF0ZSI6IjIwMTMtMDktMDMiLCJsb2dpcbl9jb3VudCI6NiwidG90YXwxfYWN0aW9ucyI6MCwiY29u bmVjdGVkX3RvX2Zhy2Vib29rPyI6dHJlZSwiZ2VuZGVyIjpudWxsLCJhZ2VfcmlFuZ2UuOm51bGwsInNpZ251cF9jb250Z Xh0Ijoiy3JlYXRlQWN0aW9uIiwizGZldGluY3RfawQiOiJhYjg4MGEzOS0wMmUyLTRlMzctOTBmNS03ZWU1Y2UwZGY3ND giLCJ0b2t1biI6IjMwYWEyNmExZDZlOTNhZTElOGRmYmRjMTZiNDkzMzEyIiwidGltZSI6MTM3ODI0MzI2Nn19&ip=1& mg=1> <http://email.changemail.org/wf/open?upn=sOBHR30pCww0MWX7tgya1LMkQxbmXtw8a-2BDr5mIDy1HuRRhrUsDvSsze6jFq5dfh0UTT-2BYZWKBnCG3HoCZXTYshkvZamGFRu-2F8gL4DaPri0DT-2FGc0GoIGdxfiInW0xEE-2BA4ZYFYnEhLmt2kUGdAuCY7EMfema-2F0OGUil9ti78RuFxR3ouOJGqeMGW30UU-2Bc0uJqyu1NhMiinUjtdtFqp68sGFfdO4GboquykepZT9ysul9i9iJvyIPVRH1g9KuflDeGz79gkHY8HIDFKaXRUG-3D-3D>

From: Ian Blumenfeld [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 3:46 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Gabor Siklos, yehuda folberg...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty> " on Change.org.

There are now 80 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca> <http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca&utm_source=target&utm_medium=email&utm_campaign=two_hundred_fifty>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

76. Gabor Siklos San Francisco, California 77. yehuda folberg San Francisco, California 78. yosef Potash London, United Kingdom 79. Ellie Hardy San Francisco, California 80. Ian Blumenfeld Oakland, California

<

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818 new petition signatures: Joseph Schultz , gracan montpetit...

From: Goldee Seidman [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 6:04 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Joseph Schultz , gracan montpetit..

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 85 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 81. Joseph Schultz San Francisco, California
- 82. gracan montpetit haverhill, Massachusetts
- 83. frank nazarian burlingame, California
- 84. Jameson Swanagon Pacifica, California
- 85. Goldee Seidman Benicia, California

From: Dalia Arlaki [mailto:mail@changemail.org]
Sent: Tuesday, September 03, 2013 8:13 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Cynthia Vaughn, Antoinette Nemia...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 90 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 86. Cynthia Vaughn San Francisco, California
- 87. Antoinette Nemia San Francisco, California
- 88. Josh Einhorn San Francisco, California
- 89. Bradley Bettinger San Francisco, California
- 90. Dalia Arlaki San Francisco, California



From: Deborah Zimmerman [mailto:changemail.org]
Sent: Tuesday, September 03, 2013 9:43 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Beth Freedman, Leah Wolchok...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 95 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and reject the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 91. Beth Freedman San Francisco, California
- 92. Leah Wolchok San Francisco, California
- 93. Richard Miller San Francisco, California
- 94. Yuval Oren Farallon Ave, California
- 95. Deborah Zimmerman San Francisco, California



From: Shevi Loewinger [mailto:changemail.org]
ent: Wednesday, September 04, 2013 10:53 AM
To: Board of Supervisors
Subject: 5 new petition signatures: Orkid Sassouni, Gabriel Seidman...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 100 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for you consideration.

Sincerely,

- 96. Orkid Sassouni San Francisco, California
- 97. Gabriel Seidman SF, California
- 98. erika katske Berkeley, California
- 99. Perry Graham San Francisco, California
- 100. Shevi Loewinger San Francisco, California



From: Sharky Laguana [mailto:changemail.org]
Sent: Wednesday, September 04, 2013 6:19 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Eryn Kurin, Ada Eban-Rothschild...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 105 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 101. Eryn Kurin San Francisco, California
- 102. Ada Eban-Rothschild San Francisco, California
- 103. Jilla Roth San Francisco, California
- 104. Raziell Tabib palo alto, Canada
- 105. Sharky Laguana San Francisco, California



From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: 5 new petition signatures: Barry Lynn, Alex Goldenberg...

From: Neda Gilani-Byrd [mailto:mail@changemail.org]
Sent: Thursday, September 05, 2013 8:28 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Barry Lynn, Alex Goldenberg...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 110 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 106. Barry Lynn Mill Valley, California
- 107. Alex Goldenberg San Francisco, California
- 108. Anne Levv San Francisco, California
- 109. Amy Kelman San Francisco, California
- 110. Neda Gilani-Byrd daly city, California

From: Levi Potash [mailto:changemail.org]
Sent: Saturday, September 07, 2013 11:02 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Michelle Randall, Yasiu Kruszynski...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 115 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 111. Michelle Randall San Francisco, California
- 112. Yasiu Kruszynski Chicago, Illinois
- 113. Jonathan Bayer SF, California
- 114. greg gurovich San Francisco, California
- 115. Levi Potash Redwood City, California

From: Orna Konig [mailto:changemail.org]
Sent: Sunday, September 08, 2013 5:17 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Nosson Potash, David Sapirstein...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 120 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 116. Nosson Potash SAN FRANCISCO, California
- 117. David Sapirstein San Francisco, California
- 118. Jay Rubin San Francisco, California
- 119. John Kaye San Francisco, California
- 120. Orna Konig SF, California

From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Support for Chabad Noe Valley
Attachments: Support Gan Noe (2013 September).pdf

From: zenmany@gmail.com [mailto:zenmany@gmail.com]
Sent: Sunday, September 08, 2013 5:19 PM
To: BOS Legislation; Board of Supervisors
Subject: Support for Chabad Noe Valley

To Whom It May Concern,

Attached is a pdf copy of a letter in support of Chabad of Noe Valley's conditional use permit and their appeal hearing scheduled for September 17th.

Thank you.

Jay Rubin

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

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

Sep 8, 2013

Dear San Francisco Board of Supervisors,

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

Seven years ago, when my son was eighteen months old, my wife and I enrolled him in the Gan Noe pre-school. We are very pleased we did. Not only did he receive fantastic preparation for elementary school (he's now a student at McKinley and doing great!) but my wife and I also enjoyed becoming part of the Chabad community in Noe Valley. With limited pre-school choices in the area, Chabad wound up providing more than just a pre-school education. It provided a feeling of family and community, too.

Now that I live on Richland Avenue, I am especially pleased with the Chabad/Gan Noe location as I can take Muni (either the bus or J Church) to drop off and pick up my son from Hebrew school. This provides a real convenience for us.

Allowing Gan Noe the permit to conduct more schooling for more families will only improve the community feeling already being developed by Chabad of Noe Valley.

The commission's support of the conditional use permit will benefit this important community and demonstrate that, here in San Francisco, families do matter.

Thank You for Your Support,

Jay Rubin
49-1/2 Richland Avenue
San Francisco, CA 94110

From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

From: Sam Adler [mailto:sam.adler@yahoo.com]
Sent: Sunday, September 08, 2013 5:30 PM
To: BOS Legislation; Board of Supervisors
Subject: Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Samuel Adler

Know that the true worth of your travels lies not in your destination, but in who you come to be along the way.

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818: 5 new petition signatures: James Hendricks, Richard Sinkoff...

Hello Supervisors:

Please see email petition below, 125 people have signed this petition.

-Peggy

From: marjorie hilsenrad [mailto:mail@changemail.org]
Sent: Sunday, September 08, 2013 5:33 PM
To: Board of Supervisors
Subject: 5 new petition signatures: James Hendricks, Richard Sinkoff...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 125 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 121. James Hendricks San Francisco, California
- 122. Richard Sinkoff San Francisco, California
- 123. bambi twersky san francisco, California
- 124. Vladimir Shpitalnik San Francisco, California
- 125. marjorie hilsenrad san francisco, California

From: Board of Supervisors
To: BOS-Supervisors; Lamug, Joy
Subject: File 130818: Supporting Gan Noe Pre-School

From: plevyg@gmail.com [mailto:plevyg@gmail.com] **On Behalf Of** Pascal Levy-Garboua
Sent: Sunday, September 08, 2013 6:18 PM
To: BOS Legislation; Board of Supervisors
Subject: Supporting Gan Noe Pre-School

From:
Family Levy-Garboua
3923 25th Street
San Francisco, CA 94114

To:
Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

We are writing to voice our strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organizations help keep families in our city instead of moving down to the Peninsula.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education, children of all backgrounds are welcome.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Pascal, Annie, Keren Or and Liberty Levy-Garboua

Pascal Levy-Garboua

@2pasc
www.2pasc.com
Skype: plg1998
Mobile: +1 (415) 509 5252

From: Jennifer Graves [mailto:changemail.org]
Sent: Sunday, September 08, 2013 6:56 PM
To: Board of Supervisors
Subject: 5 new petition signatures: dale legum, David Tobiano...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 130 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

126. dale legum san francisco, California
127. David Tobiano San Francisco, California
128. Martin Rosenberg San Francisco, California
129. Bruce Gottlieb Pacifica, California
130. Jennifer Graves San Carlos, California

From: William Schechter [mailto:changemail.org]
Sent: Sunday, September 08, 2013 7:48 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Abe Newman, Emanuel Jolish...

5 new people recently signed Gan Noe Preschool's petition "Board of Supervisors: Reject the Appeal" on Change.org.

There are now 135 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:
<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 131. Abe Newman San Francisco, California
- 132. Emanuel Jolish San Francisco, California
- 133. adrienne duskin carmel by the sea, California
- 134. Jessica Waterston San Francisco, California
- 135. William Schechter San Francisco, California

From: Bathsheba Malsheen [mailto:mail@changemail.org]
Sent: Sunday, September 08, 2013 10:25 PM
To: Board of Supervisors
Subject: 5 new petition signatures: Lindsey Parker, Hillary Blum...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 140 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 136. Lindsey Parker San Francisco, California
- 137. Hillary Blum San Francisco, California
- 138. Peter Blum San Francisco, California
- 139. Jill Rabinowitz San Francisco, California
- 140. Bathsheba Malsheen San Francisco, California

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818: Letter of support Gan Noe & Chabad Noe Valley, Conditional Use Permit Application
Attachments: Gan_No-BOS.pdf

From: Marina Budovsky Tselner [mailto:marinabud@hotmail.com]
Sent: Sunday, September 08, 2013 10:29 PM
To: Board of Supervisors; BOS Legislation
Cc: Rabbi Gedalia Potash
Subject: Letter of support Gan Noe & Chabad Noe Valley, Conditional Use Permit Application

Hello there,

I hope this message finds you well.

Attached please find a letter of support for Gan Noe Preschool and Chabad Noe Valley's Conditional Use Permit Application, case number #2013.0259CV. I will try my best to attend the hearing on September 17. Until then please accept my letter of support for their permit.

thank you kindly and be well,
Marina Tselner
(415) 889-9971

Mr. David Chiu, President of the Board of Supervisors
C/o Angela Calvillo, Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV
Conditional Use Permit Application
Gan Noe Preschool & Chabad Noe Valley
September 4, 2013

Dear Mr. David Chiu and the Board of Supervisors:

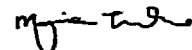
I am writing to voice my support for the Gan Noe Preschool and Chabad Noe Valley. I urge you please to offer your support to them also.

This community space is incredibly important to us and very much needed in San Francisco. No other organization, especially in this part of the city, offers authentic Jewish services and education like they do. This is where my husband and I celebrated our engagement, our wedding, and several more priceless, life milestones. We recently moved to the Outer Sunset and we continue to join them even in Noe Valley. On Shabbat and the Jewish holidays, when my family does not drive, we will sometimes even walk the 6 miles to join them!

The preschool also is one of a kind. I was raised in San Francisco and truly there was never a place like this before. No one else combines unabridged Jewish practices together with the most contemporary and natural education philosophies. The Potash family is a genuine gem. The Gan Noe Preschool and Chabad Noe Valley are a priceless gift to San Francisco's eclectic and unique group of leaders and educators.

Thank you kindly for your time and support!

Sincerely,



Marina Tselner
marinabud@hotmail.com
(415) 889-9971

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818: Gan Noe Preschool & Chabad of Noe Valley

From: Jill Rabinowitz [mailto:jillrabinowitz@gmail.com]
Sent: Sunday, September 08, 2013 10:30 PM
To: BOS Legislation; Board of Supervisors
Subject: Gan Noe Preschool & Chabad of Noe Valley

Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I am writing to voice my support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

Gan Noe Preschool and Chabad of Noe Valley provide an outstanding service to the Jewish community of San Francisco. Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Children of all backgrounds are welcome even though the focus is primarily in Jewish education.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community.

Sincerely,

Jill Rabinowitz

From: Miki Ben Jakov [mailto:changemail.org]
Sent: Monday, September 09, 2013 6:32 AM
To: Board of Supervisors
Subject: 5 new petition signatures: Vivian Imperiale, Robert Shadel...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 145 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 141. Vivian Imperiale San Francisco, California
- 142. Robert Shadel San Francisco, California
- 143. Moshik Levin San Francisco, California
- 144. Michael Tselner San Francisco, California
- 145. Miki Ben Jakov San Francisco, California

From: Board of Supervisors
To: BOS-Supervisors
Subject: File 130818: Chabad of Noe Valley

From: Pini Altman [mailto:pa@bluestarpr.com]
Sent: Monday, September 09, 2013 10:21 AM
To: BOS Legislation
Cc: Board of Supervisors
Subject: Chabad of Noe Valley

Mr. David Chiu

President of the Board of Supervisors

C/o Angela Calvillo

Clerk of the Board

1 Dr. Carlton B. Goodlett Place

City Hall, Room 244

SanMr. David Chiu

President of the Board of Supervisors

Case # 2013.0259CV- Gan Noe Preschool & Chabad Noe Valley.

I am writing to voice my strong support for the "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for and which the Planning Commission unanimously approved.

My son went to the Chabad preschool in the Richmond when he was young and had we had the Chabad preschool here at that time, it would have saved gas as well as our contribution to traffic congestion. We live on Dolores. I really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission, Castro and Bernal Heights areas. These organisation help keep families in our city.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where Jewish children can learn about their heritage. Although the focus is on Jewish Education,

children of all backgrounds are welcome. Indeed, we are a gay family and were always treated with the utmost warmth and respect at Chabad. I still look back at those years with great fondness and appreciation for the high quality of education and devotion of the teachers. I would be happy to testify to this in person.

Please deny the appeal and let Gan Noe Preschool and Chabad of Noe Valley continue the wonderful services they provide for our community. Francisco, Ca. 94102

Kindest regards
Pini Altman
431 Dolores St
SF

From: Matthew Gershuny [mailto:changemail.org]
Sent: Monday, September 09, 2013 11:41 AM
To: Board of Supervisors
Subject: 5 new petition signatures: Donny Friend, Biana Shikhman...

5 new people recently signed Gan Noe Preschool's petition "[Board of Supervisors: Reject the Appeal](#)" on Change.org.

There are now 150 signatures on this petition. Read reasons why people are signing, and respond to Gan Noe Preschool by clicking here:

<http://www.change.org/petitions/board-of-supervisors-reject-the-appeal/responses/new?response=da86ee12b0ca>

Dear Mr. David Chiu,

Please support Gan Noe Preschool and deny the appeal of the conditional use permit granted to them by the planning commission. Gan Noe Preschool and Chabad of Noe Valley provide vital services for our community and keep young families in the city. Thank you for your consideration.

Sincerely,

- 146. Donny Friend San Francisco, California
- 147. Biana Shikhman San Francisco, California
- 148. Davood Kohan San Francisco, California
- 149. Gilda Bieri San Francisco, California
- 150. Matthew Gershuny San Francisco, California

From: Board of Supervisors
Sent: Thursday, August 29, 2013 11:09 AM
To: BOS-Supervisors; Miller, Alisa
Subject: File 130818: Letter in Support of Gan Noe Preschool and Chabad of Noe Valley's Conditional Use Permit Application
Attachments: LetterInSupportofGanNoe.pdf

From: David Schultz [mailto:davids0403@yahoo.com]
Sent: Thursday, August 29, 2013 10:29 AM
To: Board of Supervisors
Cc: Jenny; davids0403@yahoo.com; Gan Noe Preschool & Chabad Noe Valley
Subject: Letter in Support of Gan Noe Preschool and Chabad of Noe Valley's Conditional Use Permit Application

To: Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

We are writing to voice our support for the approval of a "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission and Bernal Heights areas.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where young Jewish children can learn about their heritage.

As we want our daughter to attend a Jewish preschool as well as a preschool that is close to our Glen Park home, we hope to send our daughter to Gan Noe Preschool next year. As the facility currently can't accept all applicants, it would be wonderful if it had a regular preschool license and could accommodate more children so we would have a greater chance of being able to send our daughter there.

If our daughter doesn't get into the program, we would have to drive across the city, or outside the city, to send her to a Jewish preschool and the odds would increase that we would be more open to moving out of the city.

In addition, we regularly have out-of-town religious relatives come to visit us who must walk on Saturdays due to their beliefs. Just a mile or so from us, the welcoming environment of Chabad of Noe Valley is where we bring them to celebrate Shabbat and other important religious life events such as our daughter's baby naming.

For these reasons, we would like to see you approve the "Conditional Use Permit Application".

Thank you,
Jennifer & David Schultz
382 Surrey St.
San Francisco, CA 94131

To: Mr. David Chiu
President of the Board of Supervisors

C/o Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

We are writing to voice our support for the approval of a "Conditional Use Permit Application" that Gan Noe Preschool and Chabad of Noe Valley has applied for.

We really want to see Gan Noe Preschool and Chabad of Noe Valley succeed in our community. Both venues fulfill important needs in the Glen Park, Noe Valley, Mission and Bernal Heights areas.

Gan Noe Preschool is the only Jewish preschool serving these areas and provides a nurturing and educational environment where young Jewish children can learn about their heritage.

As we want our daughter to attend a Jewish preschool as well as a preschool that is close to our Glen Park home, we hope to send our daughter to Gan Noe Preschool next year. As the facility currently can't accept all applicants, it would be wonderful if it had a regular preschool license and could accommodate more children so we would have a greater chance of being able to send our daughter there.

If our daughter doesn't get into the program, we would have to drive across the city, or outside the city, to send her to a Jewish preschool and the odds would increase that we would be more open to moving out of the city.

In addition, we regularly have out-of-town religious relatives come to visit us who must walk on Saturdays due to their beliefs. Just a mile or so from us, the welcoming environment of Chabad of Noe Valley is where we bring them to celebrate Shabbat and other important religious life events such as our daughter's baby naming.

For these reasons, we would like to see you approve the "Conditional Use Permit Application".

Thank you,
Jennifer & David Schultz
382 Surrey St.
San Francisco, CA 94131

Hyac

BOS-11 (letter on table)
Pages

File 130818
LA clerk

From: Stephanie & Itzik [stephanie_itzik@yahoo.com]
Sent: Wednesday, August 28, 2013 11:33 AM
To: Board of Supervisors
Cc: Gedalia Potash
Subject: Gan Noe Preschool - support letter
Attachments: Gan Noe Preschool support letter.pdf

Dear Ms. Calvillo,

I have attached a letter (pdf) to the Board of Supervisors in support of Gan Noe Preschool's Conditional Use Permit, which I believe will come before the Board September 17, 2013.

For your convenience, I have also pasted the letter below.

Thank you for your attention.

Sincerely,
Stephanie Kurek

Stephanie Kurek
3859 Cesar Chavez Street San Francisco, CA 94131

Mr. David Chiu
President of the Board of Supervisors
C/o Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

August 28, 2013

RE: Support Letter - Gan Noe Preschool Conditional Use Permit

Dear Mr. Chiu,

I am writing to support Gan Noe Preschool's Conditional Use permit.

We are homeowners living a block from Gan Noe, which made it really easy to walk our daughter to preschool there. Gan Noe became the center of her life – we made friends there, celebrated holidays there, and after school we could always find playmates to come over our house and play on their way home. Having Gan Noe in our community really helped us feel a sense of community here.

There is such a terrible shortage of preschools in San Francisco, and also a lack of Jewish institutions in this part of the City – we truly hope that the Board of Supervisors will favorably consider Gan Noe's Conditional Use permit.

Sincerely,
Stephanie Kurek

Stephanie Kurek
3859 Cesar Chavez Street
San Francisco, CA 94131

Mr. David Chiu
President of the Board of Supervisors
C/o Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102

August 28, 2013

**RE: In Support of
Gan Noe Preschool**

Dear Mr. Chiu,

I am writing to support Gan Noe Preschool's Conditional Use permit.

We are homeowners living a block from Gan Noe, which made it really easy to walk our daughter to preschool there. Gan Noe became the center of her life – we made friends there, celebrated holidays there, and after school we could always find playmates to come over our house and play on their way home. Having Gan Noe in our community really helped us feel a sense of community here.

There is such a terrible shortage of preschools in San Francisco, and also a lack of Jewish institutions in this part of the City – we truly hope that the Board of Supervisors will favorably consider Gan Noe's Conditional Use permit.

Sincerely,
Stephanie Kurek

From: Board of Supervisors
Sent: Tuesday, August 27, 2013 2:02 PM
To: BOS-Supervisors; Miller, Alisa
Subject: File 130818: Gan Noe Preschool

From: matthue roth [mailto:matthue@gmail.com]
Sent: Monday, August 26, 2013 1:48 PM
To: Board of Supervisors
Subject: Gan Noe Preschool

Dear Supervisors,

I'm a longtime San Francisco resident and an administrator of a local business, and I wanted to write and voice my total and complete support of Chabad of Noe Valley and the Gan Noe Preschool.

The measure passed unanimously at a Planning Commission Hearing on July 18 about expanding the preschool. However, a single neighbor campaigned to appeal the Planning Commission's decision.

I strongly, strongly ask you to approve Gan Noe's plans – it will only be good for the neighborhood, the community, and the future of our world. Not to be dramatic – but kids rock, and having a nurturing, supportive environment for them will only make the area a better place!

sincerely,
Matthue

--
/////

Matthue Roth
my new picture book: [My First Kafka](#)
books.poems.movies: www.matthue.com
video games: amplify.com

From: Board of Supervisors
Sent: Tuesday, August 27, 2013 2:01 PM
To: Chiu, David; BOS-Supervisors; Miller, Alisa
Subject: File 130818 - Chabad Noe Valley Appeal; Please say "No"

Marc Lipschutz
4062 19th Street
San Francisco CA 94114

August 26, 2013

Mr. David Chiu
President of the Board of Supervisors

C/O Angela Calvillo
Clerk of the Board

1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco CA 94102

Dear Mr. Chiu:

The future of a city is dependent upon its children. Most parents of San Francisco families need to maintain employment outside of their homes. This necessitates the requirement for preschool and childcare services. Unfortunately, there is a shortage of childcare and preschool facilities in San Francisco. As a result, San Francisco families are relocating to suburbs with sufficient child-related services. This exodus of families is contributing to the significant decline of children within the population of San Francisco.

I rarely support the granting of conditional use permits, which frequently benefit developers, and lead to unwelcome changes in the character of our residential neighborhoods. Chabad Noe Valley, however, is a non-profit organization that serves the residential communities of Noe Valley, Bernal Heights, the Mission district, and even the Castro, where I reside. Chabad Noe Valley is located in a mixed-use neighborhood, containing many businesses and a few houses of worship within a six block radius. Increasing the enrollment of Gan Noe Preschool will enhance this neighborhood, one I claim as my own, as I regularly walk to and from Chabad Noe Valley.

It is for these reasons that I most highly support granting a conditional use permit to Gan Noe Preschool, which would enable this educational facility to increase its enrollment to 42 children. Please say "yes" to the children and families of San Francisco, and "no" to the appeal that would deny the conditional use permit, which was unanimously approved by the Commission for Gan Noe Preschool and Chabad Noe Valley.

ry truly yours,

Marc A. Lipschutz

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

August 28, 2013

Richard Rochman
1359 Dolores Street
San Francisco, CA 94110

Re: Conditional Use Appeal - 3771 and 3781 Cesar Chavez Street

Dear Mr. Rochman:

This is in reference to the appeal you submitted from the decision of the Planning Commission by Motion No. 18930 (Case No. 2013.0259CV), on property located at:

3771 and 3781 Cesar Chavez Street, Assessor's Block No. 6577, Lot Nos. 030 and 045.

The Director of Public Works has informed the Board of Supervisors in a letter dated August 26, 2013, (copy attached), that the signatures represented with your appeal of August 19, 2013, have been checked pursuant to the Planning Code and represent owners of more than 20 percent of the property involved and would be sufficient for appeal.

A hearing (File No. 130818) date has been scheduled on Tuesday, September 17, 2013, at 3:00 p.m., at the Board of Supervisors meeting to be held in City Hall, Legislative Chamber, Room 250, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Please provide 1 electronic copy (sent to BOS.Legislation@sfgov.org) and 18 hard copies to the Clerk's Office by:

8 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing;

11 days prior to the hearing: names and addresses of interested parties to be notified of the hearing in label format.

If you have any questions, please feel free to contact Legislative Deputy Director, Rick Caldeira at (415) 554-7711 or Legislation Clerk, Joy Lamug at (415) 554-7712.

Sincerely,


Angela Calvillo
Clerk of the Board

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 SEP - 6 AM 9:21

INTERESTED PARTIES TO BE NOTIFIED OF HEARING ON SEPTEMBER 17,
2013
CONDITIONAL USE APPEAL — 3771 AND 3781 CESAR CHAVEZ STREET

Blanca Y. Roque
3715 Cesar Chavez St
San Francisco, CA 94110

Kailin Mardones
3713 Cesar Chavez St
San Francisco, CA 94110

Laura Gratstein
3717 Cesar Chavez St
San Francisco, CA 94110

Tim Ryan
3738 Cesar Chavez St
San Francisco, CA 94110

Ed Gobbo
Katherine Gobbo
3725 Cesar Chavez St
San Francisco, CA 94110

Ruben Reveles
3741 Cesar Chavez St
San Francisco, CA 94110

Mark McKamey
Trudi McKamey
3742 Cesar Chavez St
San Francisco, CA 94110

Vincent Corcuchia III
3741 Cesar Chavez St
San Francisco, CA 94110

Fernando Corcuchia
Cheryl Villanueva
3739 Cesar Chavez St.
San Francisco, CA 94110

Val Britton
Lucas Shuman
3724 Cesar Chavez St
San Francisco, CA 94110

Arash Ghassemi
3721 Cesar Chavez St
San Francisco, CA 94110

Robert A. Forth
3765 Cesar Chavez St
San Francisco, CA 94110

Max Elman
194 - 27th St
San Francisco, CA 94110

Jill Schepmann
3763 Cesar Chavez St
San Francisco, CA 94110

Tiia Carswell
3719 Cesar Chavez St
San Francisco, CA 94110

Greg Price
3784 Cesar Chavez St
San Francisco, CA 94110

Kathleen Rodriguez
1349 Dolores St., Apt. 1
San Francisco, CA 94110

Julia McKinnon
3747 Cesar Chavez St
San Francisco, CA 94110

Joe Gonzales
3714 Cesar Chavez St
San Francisco, CA 94110

Geof King
3845 Cesar Chavez St
San Francisco, CA 94131

David Fulton
3743 Cesar Chavez St
San Francisco, CA 94110

Nick Carr
3731 Cesar Chavez St
San Francisco, CA 94110

Sandy Davis
1479 Guerrero St.
San Francisco, CA 94110

C. Erlwein
3632 - 26th St
San Francisco, CA 94110

John Leyson
3769 Cesar Chavez St
San Francisco, CA 94110

Karren Shorofsky
Carolyn Reiser
198 Chattanooga St
San Francisco, CA 94114

Hal Cohen
4015 - 25th St
San Francisco, CA 94114

John L. Corey
1071 Sanchez St
San Francisco, CA 94114

Eric Ratner
4120 - 26th St
San Francisco, CA 94131

Kate Goldberg
3329 - 21st St
San Francisco, CA 94110

Victoria Vasey
177 - 28th St
San Francisco, CA 94131

Minakshi Capur
4547 - 18th St
San Francisco, CA 94114

Barbara Biagas
56 Laidley St
San Francisco, CA 94131

Peter Christey
Val Wills
3828 - 26th St
San Francisco, CA 94131

Kathy Radez
650 Alvarado St
San Francisco, CA 94114

Ilonka Marsovszki-Edwards
514 Clipper St
San Francisco, CA 94114

Nikhil Desai
269 - 28th St
San Francisco, CA 94131

Laurent Scotto di Uccio
Alice Jolimaitre
12 - 28th St
San Francisco, CA 94110

Ian Christoph
4058 - 26th St
San Francisco, CA 94131

John Sommerfield
152 Jules Ave
San Francisco, CA 94112

From: Smith, Michael (CPC)
Sent: Wednesday, September 04, 2013 10:03 AM
To: Lamug, Joy
Subject: RE: Conditional Use Appeal - 3771/3781 Cesar Chavez Street
Attachments: Notification - 2013.0259C - 3771 & 3781 Cesar Chavez Street.pdf

Importance: High

Joy,
Attached is the neighborhood distribution list for the CU hearing. Unfortunately, I do not have this information in Excel format.

Michael Smith
City Planner
San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103
P: 415.558.6322
F: 415.558.6409
Email: michael.e.smith@sfgov.org
Planning Information Center (PIC): 415.558.6377 or pic@sfgov.org
Planning Information Map (PIM): <http://propertymap.sfplanning.org>



From: Lamug, Joy
Sent: Wednesday, September 04, 2013 9:10 AM
To: Smith, Michael (CPC)
Subject: Conditional Use Appeal - 3771/3781 Cesar Chavez Street

Good Morning Michael,

The above mentioned appeal is scheduled to be heard by the Board of Supervisors on September 17, 2013. We are preparing the hearing notices and please transmit the distribution list in excel format if possible today, September 4. Sorry for the short notice. I did not realize that this is scheduled on the September 17th already.

Thank you in advance.

Joy Lamug
Legislation Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Direct: (415) 554-7712 | Fax: (415) 554-5163
Email: joy.lamug@sfgov.org
Web: www.sfbos.org

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
<http://www.sfbos.org/index.aspx?page=104>

6566/004
The Zanco Tr.
P.O. Box 327
Liberty Lake, WA 99019

6566/007
Har Boo Yong
565 San Pedro Cove
San Rafael, CA 94901

6566/008B
Villareal Espino
244 27th St.
San Francisco, CA 94131

6567/011
Church of God Outpost
3726 Cesar Chavez St.
San Francisco, CA 94110

6567/014
White Edward
3742 Cesar Chavez St.
San Francisco, CA 94110

6567/017
First Samoan Congregation
3715 26th St.
San Francisco, CA 94110

6567/018B
First Samoan Congregation
3715 26th St.
San Francisco, CA 94110

6567/021
Rantfle Richard
P.O. Box 880
New York, NY 10268

6567/024
Hoskins John
1325 Dolores St.
San Francisco, CA 94110

6567/027
Bollier Kenneth
1301 Dolores St.
San Francisco, CA 94110

6566/005
Borden Gabiati
24 Santa Ana Ave.
San Francisco, CA 94127

6566/008
Gardener John
1340 Dolores St.
San Francisco, CA 94110

6566/056
Vidyaprakash Indira
1312 Dolores St.
San Francisco, CA 94110

6567/012
Church of God Outpost
3726 Cesar Chavez St.
San Francisco, CA 94110

6567/015
Guerra Maria Tr.
3748 Army St.
San Francisco, CA 94110

6567/018
Mary Coulton
3768 Cesar Chavez St.
San Francisco, CA 94110

6567/018C
Shaw Robert
3776 Cesar Chavez St.
San Francisco, CA 94110

6567/022
Del Monte Mary
409 Poppy Hill Dr.
Healdsburg, CA 95448

6567/025
Robert Chlebowski
1319 Dolores St.
San Francisco, CA 94110

6567/028
Kenneth & J. Bollier
1301 Dolores St.
San Francisco, CA 94110

6566/006
Murphy Robert
1328 Dolores St.
San Francisco, CA 94110

6566/008A
Melanephy Margaret
3816 Cesar Chavez
San Francisco, CA 94131

6566/057
Sykes Philip
1314 Dolores St.
San Francisco, CA 94110

6567/013
Golden Properties LLC
2170 Sutter St.
San Francisco, CA 94115

6567/016
Heinz Gary
3754 Cesar Chavez St.
San Francisco, CA 94110

6567/018A
Louie Marilyn
2231 29th Ave.
San Francisco, CA 94116

6567/020
Davidsson Fam. Tr.
2957 Cliff Dr.
Newport Beach, CA 92662

6567/023
Douvaldzi Charitini
1331 Dolores St.
San Francisco, CA 94110

6567/026
Guadalupe & Maria Oropeza
202 University St.
San Francisco, CA 94134

6567/029
Guadalupe & Maria Oropeza
202 University St.
San Francisco, CA 94134

6567/030
Mansky Paul
3741 26th St.
San Francisco, CA 94110

6567/033
Villavicencio Norma
245 Chattanooga St.
San Francisco, CA 94114

6567/036
Francato Massimo
3725-3727 26th St.
San Francisco, CA 94110

6577/011
Carter Thomas
120-122 27th St.
San Francisco, CA 94110

6577/017
Jacob & Bethany Tr.
146-A 27th St.
San Francisco, CA 94110

6577/020
De Anda Alexander
160 27th St.
San Francisco, CA 94110

6577/023
Gloria Canty
174 27th St.
San Francisco, CA 94110

6577/026
Holman Anne
190 27th St.
San Francisco, CA 94110

6577/028B
Willis Ann 1997 Tr.
7409 Walerga Rd. #230
Antelope, CA 95843

6577/029B
Sommer William
3787 Cesar Chavez St.
San Francisco, CA 94110

6567/031
Ayres Quinn
3739 26th St.
San Francisco, CA 94110

6567/034
Lemus Fam. Tr.
1335 Greenway Dr.
Richmond, CA 94803

6567/040
Neplokh Eric
500 Masonic Ave.
San Francisco, CA 94117

6577/012
Schinman Philip
124 27th St.
San Francisco, CA 94110

6577/018
Derderian Lynn
1752 Leimert Blvd.
Oakland, CA 94602

6577/021
Stern Charles
164 27th St.
San Francisco, CA 94110

6577/024
Prince Snuller
178 27th St.
San Francisco, CA 94110

6577/027
Breson Julia
18 Portola Dr.
San Francisco, CA 94131

6577/029
William Angelo
3795 Cesar Chavez St.
San Francisco, CA 94110

6577/030
Chabad of Noe Valley Inc.
3781 Cesar Chavez St.
San Francisco, CA 94110

6567/032
Polanco-Gryszynski
3735 26th St.
San Francisco, CA 94110

6567/035
Cooney Timothy
3729 26th St.
San Francisco, CA 94110

6567/041
Neplokh Eric
500 Masonic Ave.
San Francisco, CA 94117

6577/013
Hernandez Reyna
128 27th St.
San Francisco, CA 94110

6577/019
Oreglia Robert
158 27th St.
San Francisco, CA 94110

6577/022
Brim Susan
170 27th St.
San Francisco, CA 94110

6577/025
Gatlin Krista
184-188 27th St.
San Francisco, CA 94110

6577/028
Bertero Richard
1377 Dolores St.
San Francisco, CA 94110

6577/029A
Rochman Richard
1359 Dolores St.
San Francisco, CA 94110

6577/032
Pacatte Gerald
172 28th St.
San Francisco, CA 94131

6577/033

Litchman Martha
3755 Cesar Chavez St.
San Francisco, CA 94110

6577/036

Protestant Episcopal Bishop
1055 Taylor St.
San Francisco, CA 94108

6577/039

Yacub Totah Tr.
3729 Cesar Chavez St.
San Francisco, CA 94110

6577/044

Nelson Lindsay
142A 27th St.
San Francisco, CA 94110

6577/049

Chen Angie
3735 Cesar Chavez St.
San Francisco, CA 94110

6577/054

Howard Fam. Tr.
5290 Round Meadow Rd.
Hidden Hills, CA 91302

6577/061

Ells Lisa
1371 Dolores St.
San Francisco, CA 94110

6578/002

Paul Fey
1354 Dolores St.
San Francisco, CA 94110

6578/005

Emily Quinn
1360 Dolores St.
San Francisco, CA 94110

6578/007

Iorillo Maria
206 27th St.
San Francisco, CA 94131

6577/034

Record does not exist

6577/037

Corcuchia Vicky
3741 Cesar Chavez St.
San Francisco, CA 94110

6577/040

Bidgood Richard
19 Ord St.
San Francisco, CA 94114

6577/045

Potash Leah
3771 Cesar Chavez St.
San Francisco, CA 94110

6577/050

Geiger Dan
3737 Cesar Chavez St.
San Francisco, CA 94110

6577/057

Ascher Robert
136 27th St.
San Francisco, CA 94110

6577/062

Warren Louise
1371A Dolores St.
San Francisco, CA 94110

6578/003

Anders Michael
1356 Dolores St.
San Francisco, CA 94110

6578/005A

Peters Gregory
1382 Dolores St.
San Francisco, CA 94110

6578/008

Fu David
2919 Clement St. #3
San Francisco, CA 94121

6577/035

Record does not exist

6577/038

Margaret Pinter
61 Onondaga Ave.
San Francisco, CA 94112

6577/043

Johnson Fam. Tr.
631 Folsom St. #18D
San Francisco, CA 94107

6577/046

Quock Suey
785 Mangels Ave.
San Francisco, CA 94127

6577/053

Schroeder Erica
207 Ferne Ave.
Palo Alto, CA 94306

6577/058

Yoon Sue
138 27th St.
San Francisco, CA 94110

6578/001

Record does not exist

6578/004

Mendoza Mario
1358 Dolores St.
San Francisco, CA 94110

6578/005B

Pace Gary
1386 Dolores St.
San Francisco, CA 94110

6578/009

Christensen Ryan
212 27th St.
San Francisco, CA 94131

6578/045
Elke Peter
1146 Church St.
San Francisco, CA 94114

6594/027
Nelson Aaron
1417-1419 Dolores St.
San Francisco, CA 94110

6594/030
Lavezzo Associates
106 De Soto Way
San Bruno, CA 94066

6594/033
Sexton Dale
171 27th St.
San Francisco, CA 94110

6594/035
Huey Harry
2681 35th Ave.
San Francisco, CA 94116

6594/038
Kessler Aaron
141 27th St.
San Francisco, CA 94110

6578/046
Merritt Craig
3809 Cesar Chavez St.
San Francisco, CA 94131

6594/028
Hoegger Fam. Tr.
26 Burlwood Dr.
San Francisco, CA 94127

6594/031
Ryono Spencer
179-181 27th St.
San Francisco, CA 94110

6594/034
Colopy Tr.
169 27th St.
San Francisco, CA 94110

6594/036
Del Carlo Fam. Tr.
624 W. Hillsdale Blvd.
San Mateo, CA 94403

6593/042
Regos Tomas
P.O. Box 25064
San Mateo, CA 94402

6594/029
Messina Marilyn
721 N. Capitol Ave.
San Jose, CA 95133

6594/032
Vieira Lisa
175 27th St.
San Francisco, CA 94110

6594/034A
Ara & Roxanne Makasdjian
52 Jersey St.
San Francisco, CA 94114

6594/037
Lynch Gregory
145 27th St.
San Francisco, CA 94110

Andrea Aiello
Castro Upper Market Community Benefit Dist
584 Castro Street #336
San Francisco, CA 94114

Scott Wiener
City Hall Room #244
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

Gary Weiss
Corbett Height Neighbors
78 Mars Street
San Francisco, CA 94114

Pam Hemphill
DHIC-DRC
PO Box 14426
San Francisco, CA 94114

Richard Magary
Merchants of Upper Market & Castro
(MUMC)
584 Castro Street #333
San Francisco, CA 94114

Gracie Atherton
Noe Valley Community Workshop
4104 24th Street #151
San Francisco, CA 94114

Jeff Goldstein
San Jose/Guerrero Coalition Save R Streets
4104 24th Street #130
San Francisco, CA 94114-3615

Vicki Rosen
Upper Noe Neighbors
169 Valley Street
San Francisco, CA 94131

BOARD of SUPERVISORS



City Hall
1 Dr. Carl B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No 554-5184
Fax No. 554-5163
TTD/TTY No. 5545227

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 proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, September 17, 2013

Time: 3:00 p.m.

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

Subject: File No. 130818. Hearing of persons interested in or objecting to the Planning Commission's approval on July 18, 2013, of a Conditional Use Authorization identified as Planning Case No. 2013.0259CV, by its Motion No. 18930, pursuant to Planning Code Sections 209.3(f), 209.3(j), 317, and 303, to increase enrollment at an existing preschool (d.b.a. Gan Noe Preschool) and allow for an accessory religious facility within the preschool, located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at 3771 and 3781 Cesar Chavez Street, Assessor's Block No. 6577, Lot Nos. 030 and 045. (District 8) (Appellant: Richard Rochman) (Filed August 19, 2013).

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Friday, September 13, 2013.

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

Angela Calvillo
Clerk of the Board

