



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Motion No. 19559

HEARING DATE: FEBRUARY 4, 2016

Date: February 4, 2016
Case No.: 2012. 0262CUA VAR
Project Address: 2301 SAN JOSE AVENUE/500 GENEVA AVENUE
Zoning: P (Public Use District)
 40-X Height and Bulk District
 Balboa Park Station Plan Area
 Landmark No. 180 – S.F. & San Mateo Railroad Co. Office Building
Block/Lot: 6972/036
Applicant: San Francisco Recreation and Parks Department
 Attn: Nicole Avril
 McLaren Lodge, 501 Stanyan St
 San Francisco, CA 94117
Staff Contact: Marcelle Boudreaux - (415) 575-9140
Marcelle.boudreaux@sfgov.org
Recommendation: Approval with Conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 211.2 AND 303 OF THE PLANNING CODE TO ALLOW A COMMUNITY FACILITY AT THE POWERHOUSE BUILDING, INCLUDING EXHIBITION SPACE WITHIN THE P (PUBLIC USE) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On December 28, 2015, Nicole Avril (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 211.2 and 303 to allow a community facility at the Powerhouse building, including exhibition space, within the P (Public Use) District and a 40-X Height and Bulk District.

On February 4, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.0262CUAVAR.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Balboa Park Station Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on December 4, 2008, by Motion No. 17774, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Balboa Park Station Area Plan, the Commission adopted CEQA Findings in its Motion No. 17774 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On November 14, 2013, the Planning Department of the City and County of San Francisco determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Balboa Park Station Area Plan and was encompassed within the analysis contained in the Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Balboa Park Station Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Balboa Park Station Area Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Balboa Park Station Area Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

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. 2012.0262CUAVAR, 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 Office Building and Powerhouse are located on a portion of lot 036 in block 6972, on the southeastern side of the intersection of San Jose and Geneva Avenues. This building complex abuts the active San Francisco MUNI Rail Yard (Cameron Beach Yard) with active rail lines accessing the Yard from both sides of the Complex. The Office Building, completed in 1901, is located to the north, and immediately south along San Jose Avenue is the Powerhouse, completed in 1903. Both structures survived the 1906 earthquake with reconstruction from that event still evident on the exterior facades of both buildings. The original brick exterior façade of the second level of the Powerhouse was reconstructed in 1910 in concrete in the Mission Revival style. Black tar paper remains the cladding at the northeastern corner of the upper level Office Building.

Both buildings are currently vacant. The historic use of the Powerhouse was industrial, as a power production facility. The Office Building hosted administrative offices for the SFMTA transit workers.

The Recreation and Park Department jurisdiction is limited to a five foot perimeter around the existing historic building complex. The area surrounding three sides of the building is occupied with active MUNI rail lines or is part of an active MUNI rail yard, and is not publicly accessible. (The parking shown on the site plan is for use by MUNI railyard).

3. **Surrounding Properties and Neighborhood.** The site is located within the Balboa Park Plan Area, and is immediately surrounded by single-family residential, public use and neighborhood commercial (NCT) areas at the intersection of San Jose and Geneva Avenues. The Ocean Avenue NCT and the Excelsior Outer Mission Street NCD are approximately 1/3mile from the subject site. The site is well-served by transit, including the Balboa Park BART station catty-corner from the

subject site, the MUNI KT, M and J light rail lines on Geneva Avenue, and numerous bus lines on both San Jose and Geneva Avenues. Immediately across Geneva Avenue is a small neighborhood commercial zoned district with several neighborhood-serving commercial uses. Immediately across San Jose Avenue, the Mayor's Office of Housing (MOH) is proposing a development of affordable family housing with ground floor active use.

4. **Project Description.** The Geneva Car Barn Complex consists of two contiguous structures, the Office Building (12,916 square feet (sf)) and the Powerhouse (3,735 sf). The overall proposal is to rehabilitate the two structures in the Geneva Car Barn Complex and adaptively reuse the Office Building and Powerhouse as a community-serving facility for youth arts education and a community arts/events center, including a 83-seat black box theater, studios for education, and restaurant and retail space. The project is designed to move forward in two phases, due to anticipated funding allocations.

This authorization would approve phase 1 scope of work at the Powerhouse. This Conditional Use Authorization request is to establish a community facility, specifically a 300-person exhibition space (approximately 2,058 sf), within the P (Public Use) zoning district. Anticipated hours of operation are between 10am and 10pm, with highest capacity on weekend evenings.

Seismic and ADA compliance work is proposed at both buildings, and no building envelope expansion is proposed. The Project will seek at a minimum LEED Gold Status, per City requirements. Sustainable strategies include solar panels, radiant heat, natural ventilation, reclaimed materials and daylighting.

The Geneva Car Barn building complex is located at the property lines at the intersection of two streets, with a five foot perimeter to the east and south. The site surrounding the building complex at the rear is utilized by the active MUNI railyard, which cannot be safely accessed or utilized to provide required off-street parking.

Project Background

In 1989 the structures were damaged in the Loma Prieta earthquake and were initially slated for demolition in 1998, until a community coalition halted the plans. In the early 2000s, efforts were undertaken to stabilize the building until funds were in place for rehabilitation; this stabilization included new roofing, seismic retrofitting, and protecting windows in place with plywood. In 2004, ownership of the building, with approximately a five-foot perimeter into the active MUNI yard, was transferred from SFMTA to the SF Recreation and Parks Department.

The Balboa Park Station Area Plan, enacted in 2009, specifically encourages establishment of an active, mixed-use neighborhood around the Transit Station. The restoration of the landmark Geneva Office Building is noted as a key policy to achieve this goal through encouragement of centers for cultural and arts enrichment.

5. **Public Comment.** To date, the Department has received comments only through the Environmental Review process in 2013. No comments were received during the current notification process. During the Environmental Review process a "Notification of Project

Receiving Environmental Review" was mailed on July 27, 2013. Comments raised included the absence of off-street parking for the project, potential light pollution effects from the type and amount of lighting for the new buildings, loitering in the surrounding neighborhoods, the type of uses and occupants using the new community space, changes to Muni train storage, access changes to Muni train yard due to the project, estimated construction time, hours of operation for construction, hours of operation for the new facility, and whether there will be a public hearing for the proposed project. Concerns and issues raised in the public comments on the environmental review were discussed in the topical sections of the CPE. No significant, adverse impacts from issues of concern have been identified.

No comments in support or in objection the project were received following public notice for the Certificate of Appropriateness hearing before the Historic Preservation Commission on November 18, 2015.

The sponsor has conducted extensive outreach, as the Geneva Car Barn and Powerhouse non-profit is a member of the District 11 Council. Since 2011, at least six informational and design presentation meetings have been hosted at venues in the District, some attended by over 30 people. In Fall of 2009, a series of open houses were held at Balboa High School, Ingleside Presbyterian Church and Lick Wilmerding School. Car Barn staff and Board also attend other neighborhood organization meetings.

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

A. **Bicycle Parking.** Planning Sections 155.1-155.3 of the Planning Code requires project totals of 2 Class 1 bicycle spaces and 2 Class 2 bicycle spaces.

No Class 1 bicycle parking spaces are provided at this phase, therefore the project requires a Variance from the Planning Code to proceed. With the implementation of the full project, the theater use will require 10 off-street parking spaces which will not be provided. The project sponsor will seek a variance from providing off-street automobile parking in the future. In total, the project will require 15 Class 1 bicycle spaces and 9 Class 2 bicycle spaces. In phase 2, the sponsor will request a variance from providing the remaining required Class 1 bicycle parking spaces. The project is providing 14 Class 2 bicycle parking spaces.

B. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage will be subject to the review and approval of the Planning Department.

A sign program will be presented to the Historic Preservation Commission during the request for Certificate of Appropriateness for phase 2, in compliance with Article 6 and Article 10 of the Planning Code.

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

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

The existing historic building complex pre-dates many other buildings or structures in the vicinity. The Office Building and Powerhouse are proposed for rehabilitation and adaptive reuse for community-serving facilities, and retail and restaurant uses. The Balboa Park Station Plan Area, enacted in 2009, incorporates the adaptive reuse of the Office Building as an arts and cultural center as a key policy objective. Prior to Plan enactment, community input and outreach was conducted to determine neighborhood input on development. The rehabilitation of the Geneva Car Barn complex is intertwined with the rich history of rail transportation in San Francisco, and offers extraordinary art-related opportunities, and that such an arts "hub" in the neighborhood might begin to establish the arts as an overall theme for the new Transit Station Neighborhood.

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

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

The existing historic Powerhouse building will be rehabilitated and the proposed work will not affect the building envelope.

- 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 Planning Code does not require parking or loading for the proposed exhibition space. The 83-seat theater requires 10 off-street parking spaces, however, no parking is provided. The subject site is transit-rich as it is catty corner to Balboa Park BART station, three MUNI light rail lines run on San Jose Avenue and numerous bus lines run on San Jose and Geneva Avenues. Additionally, the project was analyzed under the Balboa Park Station Area Plan Final EIR and no significant, adverse impacts were identified.

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

The project was analyzed under the Balboa Park Station Area Plan Final EIR and no significant, adverse impacts were identified.

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

Project Design elements such as landscaping, screening, parking and loading areas, service areas, open spaces, and lighting and signs have been approved by the San Francisco Arts Commission Civic Design Review Committee. Phase 1 scope of work has been approved the Planning Department's Historic Preservation Commission.

- 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 relevant requirements and standards of the Planning Code with exception the requirement to obtain a Variance to Section 155.3 for lack of code-compliant Class 1 bicycle parking, and is consistent with objectives and policies of the General Plan as detailed below.

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

BALBOA PARK STATION AREA PLAN

OBJECTIVE 1.3:

ESTABLISH AN ACTIVE, MIXED-USE NEIGHBORHOOD AROUND THE TRANSIT STATION.

Policy 1.3.2:

Encourage centers for cultural enrichment in the Transit Station Neighborhood.

The plan specifically notes the restoration and adaptive reuse of the Geneva Office Building to provide cultural and arts space for the community. In the proposal for the Geneva Car Barn complex, a majority of the floor area is dedicated to arts studios, a theater, and an arts exhibition space.

OBJECTIVE 7.1:

PROTECT, PRESERVE, AND REUSE HISTORIC RESOURCES WITHIN THE BALBOA PARK STATION PLAN AREA.

Policy 7.1.1

The Secretary of the Interior's "Standards and Guidelines for the Treatment of Historic Properties" should be applied in conjunction with the overall neighborhood plan and objectives for all projects involving historic resources.

Policy 7.1.2

The rehabilitation and adaptive reuse of historic buildings in the Balboa Park Station plan area should be promoted.

The rehabilitation project at the Powerhouse has been reviewed in keeping with the Secretary of Interior's Standards. Phase 1 scope of work has received a Certificate of Appropriateness from the

Historic Preservation Commission, and Phase 2 has been reviewed by that Commission but requires a second Certificate of Appropriateness.

ARTS ELEMENT

OBJECTIVE VI-1:

SUPPORT THE CONTINUED DEVELOPMENT AND PRESERVATION OF ARTISTS' AND ARTS ORGANIZATIONS' SPACES.

Policy VI-1.3

Increase the use of City owned neighborhood facilities for the arts.

The Recreation and Parks Department owns the Geneva Car Barn complex of buildings and is undertaking a rehabilitation and adaptive reuse program. The overall outcome of the project is dedicated space to performing arts, arts exhibition and studios for youth arts education.

NEIGHBORHOOD COMMERCE

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.

Policy 1.2:

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

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed development will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. The project site is located within a P (Public Use) zoning district across from two NCT zoning districts, and within 1/3 mile from two named NC districts.

OBJECTIVE 2:

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

Policy 2.1:

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

The Project will primarily be dedicated to arts performance, education and exhibition, however, some space will be dedicated to a restaurant and to retail which are both supportive of the primary functions proposed at the Geneva Car Barn Complex and add additional retail opportunity to support the NCT districts adjacent to the site. These will be new businesses in the Transit Station District.

9. **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 existing building is vacant. The rehabilitation of this building will bring a large number of people to the area, enhancing the neighborhood retail activities and providing additional employment opportunities.

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

The project will not impact existing housing. Neighborhood character will be strengthened by the project's rehabilitation of character-defining features and adaptive reuse of a vacant building. The historic structures are some of the oldest in the neighborhood and are landmarks intertwined with the rich transit history in San Francisco.

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

No housing is removed for this Project.

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

The project does not include any parking, and the surrounding area is well-served by public transportation. The subject site is transit-rich as it is catty corner to Balboa Park BART station, three MUNI light rail lines run on San Jose Avenue and numerous bus lines run on San Jose and Geneva Avenues. The project will not result in commuter traffic impeding MUNI service or overburdening the streets or parking.

- 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. The project will enhance the area's service sector jobs by providing for new employment opportunities with the new theater and cafe, and will attract visitors to the neighborhood who may frequent other nearby businesses.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

The property contains an Article 10 historic landmark building as listed in the Planning Code. Phase 1 scope of work has received approval from the Historic Preservation Commission and the entire proposal seeks to meet the Secretary of Interior's Standards.

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

The Project does not have an impact on open spaces.

10. 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.
11. 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. 2012.0262CUAVAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 11, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

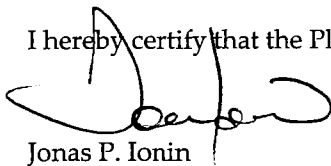
The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Balboa Park Station Area Plan EIR and contained in the MMRP are included as conditions of approval.

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. 19559. 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.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on February 4, 2016.



Jonas P. Ionin
Commission Secretary

AYES: Fong, Wu, Antonini, Hillis, Moore
NAYS: None
ABSENT: Johnson, Richards
ADOPTED: February 4, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a community facility, including theater, studios, exhibition space, and restaurant, retail and administrative office uses at 500 Geneva Ave/2301 San Jose Ave, Block 6972, Lot 036, pursuant to Planning Code Section(s) 211.2 and 303 within the P (Public Use) District and a 40-X Height and Bulk District; in general conformance with plans, dated September 11, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0262CUAVAR and subject to conditions of approval reviewed and approved by the Commission on February 4, 2016 under Motion No 19559. 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 February 4, 2016 under Motion No 19559.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19559 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Mitigation Measures.** Mitigation measures described in the MMRP for the Balboa Park Station Area Plan EIR (Case No. 2004.1059E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **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. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the Project Sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Diligent Pursuit.** Once a site of Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be ground for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

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

DESIGN

1. **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.

2. **Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code. Additionally, due to the property's listing in Article 10 of the Planning Code, signage requires review by the Historic Preservation Commission through the Certificate of Appropriateness process.

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

MONITORING

3. **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

4. **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.

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

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 is to 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