

SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)	
☐ Affordable Housing (Sec. 415)	☐ First Source Hiring (Admin. Code)
☐ Jobs Housing Linkage Program (Sec. 413)	☐ Child Care Requirement (Sec. 414)
☐ Downtown Park Fee (Sec. 412)	□ Other

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Planning Commission Motion No. 18455

HEARING DATE: OCTOBER 6, 2011

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Information: 415.558.6377

 Date:
 October 6, 2011

 Case No.:
 2011.0307C

Project Address: 1156 VALENCIA STREET

Zoning: Valencia Street NCT (Neighborhood Commercial Transit) Zoning District

55-X Height and Bulk District

Block/Lot: 3635/010

Staff Contact:

Project Sponsor: Ruben Castillo-Bañuelos

Kodama Diseño Architects

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.2, 303 AND 726.21 OF THE PLANNING CODE TO ALLOW A NON-RESIDENTIAL USE SIZE (D.B.A. SALVATION ARMY) IN EXCESS OF 3,000 SF WITHIN THE VALENCIA STREET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 7, 201, Ruben Castillo- Bañuelos of Kodama Diseño Architects (hereinafter "Project Sponsor"), on behalf of the Salvation Army (Property Owner), filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 121.2 and 726.21 of the Planning Code to allow a non-residential use size in excess of 3,000 sf (d.b.a. Salvation Army) within the Valencia Street NCT (Neighborhood Commercial Transit) Zoning District and a 55-X Height and Bulk District.

On October 6, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0307C.

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption. The Commission has reviewed and concurs with said determination. The categorical

exemption and all pertinent documents may be found in the files of the Planning Department (hereinafter "Department"), as the custodian of records, at 1650 Mission Street, San Francisco.

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. 2011.0307C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. **Site Description and Present Use.** The project is located on a midblock through-lot (measuring approximately 97 ft by 40 ft by 103 ft by 40 ft; approximately 4,033 sf in lot area) with frontage on Valencia Street and San Jose Avenue, between 22nd and 23rd Streets, on Block 3635, Lot 010. The subject property is located within the Valencia Street NCT (Neighborhood Commercial Transit) Zoning District and a 55-X Height and Bulk District. The property is developed with a one- and two-story, wood-frame community center, containing approximately 11,692 total sq ft, and is solely occupied by the Salvation Army, which is a social service organization.
- 3. Surrounding Properties and Neighborhood. The area surrounding the project site is consistent in character with multi-unit residential-over-ground floor commercial properties and mid-size apartment buildings on Valencia Street, and multi-unit residential properties on San Jose Avenue. Along Valencia Street, a variety of commercial establishments are located within the ground floor storefronts in the surrounding area, including full service restaurants, coffee shops, a hardware store, an alternative medicine shop, and a travel agent. On the west side of Valencia Street, buildings in the immediate vicinity typically range from one to three stories in height; while, on the east side of Valencia Street, buildings in the immediate vicinity typically range from two to five-stories in height. To the west of Valencia Street within the adjacent blocks, the area is primarily characterized by residential neighborhoods, consisting of single-family residences and multi-family apartment buildings. The subject building is within two blocks of Mission Street, which primarily contains ground floor commercial uses (ex: coffee shop, full service restaurants and furniture shops) with a sparse collection of residential properties. The zoning districts adjacent to the project site include: Valencia St NCT to the north, south and east, and RH-3 and RM-1 to the west.
- 4. **Project Description.** The project sponsor proposes to enclose an existing playground and parking area, and construct a new gymnasium at 1156 Valenica Street (d.b.a Salvation Army). The project includes interior alterations to accommodate the new gymnasium, as well as new

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restrooms, offices, an enclosed trash/recycling area, and a two-car parking area. Currently, this portion of the lot is open to San Jose Avenue, and is not enclosed by any walls or roof. The proposal would construct 2,124 sf dedicated to the enclosed gymnasium/playground and accessory office use, and would reduce the parking area to 334 sf. The new gymnasium/playground would accommodate approximately fifty-five children on a regular basis throughout the year, and approximately ninety children during the summer session months. The hours of operation for the new gymnasium would be from 8am to 5pm in the summer, and 2pm and 6pm for the remainder of the year.

- 5. **Public Comment**. The Department has received three inquiries regarding the proposal. Two of the inquiries requested information on the project. One inquiry expressed concern over nighttime activities related to the gymnasium.
- 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. **Use Size [Non-Residential].** Section 726.21 states that a Conditional Use Authorization is required for non-residential use size in excess of 3,000 sf, as defined in Planning Code Section 121.2.

The Project Sponsor seeks to expand the existing building by enclosing an existing playground and constructing a new gymnasium/playground. The existing building contains approximately 11,692 sf. The proposal would add 2,124 sf, and the total square footage would be approximately 13,606 sf. Therefore, the proposal would intensify the size of the non-residential uses on the subject lot in excess of 3,000 sf.

B. **Parking**. Section 726.22 of the Planning Code does not require off-street parking for commercial or institutional uses.

The existing building contains approximately 11,692 sf of occupied gross square footage and possesses three parking spaces, which occupy 544 sf. The proposal would reduce the number of off-street parking spaces from three to two and would reduce the parking area to 334 sf. The proposal would also screen the two parking spaces from the public right of way. Currently, the three parking spaces are located off of San Jose Avenue, and are not screened from the public right of way.

C. **Street Trees**. Section 138.1 of the Planning Code requires a street tree for every 20-ft of lot frontage for projects providing additions greater than 20 percent of the existing floor area.

The proposal would construct an addition that is greater than 20 percent of the existing floor area, and therefore, two street trees are required on Valencia Street and two street trees are required on San Jose Avenue. Currently, the project site possesses four street trees along Valencia Street and no street trees on San Jose Avenue. The proposal will provide four street trees along San Jose Avenue, which is in excess of the street requirement.

- 7. **Planning Code Section 726.21** states that a Conditional Use Authorization is required for non-residential use size in excess of 3,000 sf, as defined in Planning Code Section 121.2 [Use Size, Non-Residential]. Per Section 121.2, the following criteria shall be considered to obtain such Conditional Use Authorization:
 - a. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.
 - The proposal assists in expanding the services of an existing community center by providing an enclosed gymnasium, minimal parking, and new offices and infrastructure. No other neighborhood-services uses in the area would be impacted by the proposal and the intensification of the activities on this project site.
 - b. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.
 - The existing community center (d.b.a. Salvation Army) provides services to the adjacent neighborhood and larger district, and the proposal would increase the organization's capacity to serve and provide new activities for children within the immediate neighborhood and surrounding area.
 - c. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.
 - The proposal would add a three-story gymnasium and screened parking area to an existing oneand two-story community center. This new building respects the scale and character of the immediate area by continuing the strong three-story scale present along San Jose Avenue and by improving the quality of the street through new streets and active ground-floor uses. All of these elements are consistent with the mixed commercial-residential character of the immediate neighborhood along Valencia Street and San Jose Avenue.
- 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 size of the proposed use is in keeping with size and scale of the adjacent residential developments. The immediate block along San Jose Avenue primarily features residential uses. The existing playground is currently enclosed on three sides and is open to above. The new gymnasium/playground will enclose this playground, and will provide expanded child care facilities to the immediate neighborhood and the larger City. This proposal is necessary and desirable, since the new gymnasium and associated infrastructure will complement the residential uses within the immediate neighborhood

and will contribute to the economic vitality of the neighborhood by continuing community/social service use.

- 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 proposal would construct a two-story gymnasium behind an existing one-story building, and adjacent to a two-story chapel/multi-purpose building. The height and bulk of the existing building will remain the same. The proposal is similar in size and scale to the adjacent residential properties.
 - 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 for the proposed use. The proposed use should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The proposal provides two off-street parking spaces.
- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - The proposed project will comply with the City's requirements to minimize noise, glare, odors, or other harmful emissions. Conditions of approval are included to address potential issues.
- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;
 - The proposal will add four new street trees along San Jose Avenue, and will screen the off-street parking spaces. The proposal will not include a loading area, unusual lighting or signage.
- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.
 - The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.
- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

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Although the proposed project is not residential or commercial in nature, the proposal is consistent with the stated purposed of Valencia Street NCT Zoning District in that it would allow for an improvement of livability of the adjacent residential areas and would contribute to a diversified environment. Further, the proposed project is consistent and compatible with the existing scale and character of the district and contributes to the district's positive visual qualities. The proposed project also does not impact other needed neighborhood-serving uses, will serve the immediate neighborhood in significant part, and respects the scale of development within the district.

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

LAND USE

Objectives and Policies

OBJECTIVE 1.8:

MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS.

Policy 1.8.1:

Ensure that the Mission's neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

The proposal would assist in expanding the capacity of the existing community/social service use, which will serve the area's residents, as well as citywide.

COMMUNITY FACILITIES

Objectives and Policies

OBJECTIVE 7.1:

PROVIDE ESSENTIAL COMMUNITY SERVICES AND FACILITIES.

Policy 7.1.2:

Recognize the value of existing facilities, including recreational and cultural facilities, and support their expansion and continued use.

OBJECTIVE 7.2:

ENSURE CONTINUED SUPPORT FOR HUMAN SERVICE PROVIDERS THROUGHOUT THE EASTERN NEIGHBORHOODS.

Policy 7.2.2:

Encourage new facilities and spaces for providers of services such as English as a Second Language, employment training services, art, education and youth programming.

The proposal would construct a new enclosed gymnasium/playground, which will promote youth programming and physical education. Further, the proposal would assist in maintain an existing community/social service facility by enhancing the quality of the institution's services.

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

COMMUNITY FACILITIES

Objectives and Policies

OBJECTIVE 3:

ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 3.1:

Provide neighborhood centers in areas lacking adequate community facilities.

Policy 3.5:

Develop neighborhood centers that are multipurpose in character, attractive in design, secure and comfortable, and inherently flexible in meeting the current and changing needs of the neighborhood served.

Policy 3.7:

Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services.

The proposed project will maintain an existing community/social service institution and will provide a desirable project for the neighborhood and surrounding district. By enclosing the existing playground area, the proposal assists in promoting the health and safety of the associated youth. The Project Site is located within the Valencia Street NCT District and enhances the quality and livability of the residential properties within this area.

OBJECTIVE 4:

PROVIDE NEIGHBORHOOD CENTERS THAT ARE RESPONSIVE TO THE COMMUNITY SERVED.

Policy 4.1:

Assure effective neighborhood participation in the initial planning, ongoing programming, and activities of multi-purpose neighborhood centers.

The Project Sponsor has completed neighborhood outreach with the surrounding residents to review the proposal.

The following guidelines, in addition to others in this objective for community facilities, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

Criteria for Locating Neighborhood Center:

- The center should be located in an area which is easily accessible and highly visible to the population it is intended to serve.
- Areas near collector streets with relatively large amounts of vehicular and pedestrian traffic should be considered initially. The facility should not be placed on the major roadway but should be convenient to it.
- Centers should be located near support facilities such as schools, parks, libraries and recreational facilities.
- Locations near other types of services will substantially reduce the need for residents to travel to other parts of the city for needed services. Several purposes can then be accomplished in one trip.

The location should contain elements which act as a focus for the community.

• Sites near landmarks, neighborhood shops, or major intersections are often suitable locations.

Centers should be near public transit stops, especially those directly serving the population groups to be reached.

Service centers should be located within neighborhood boundaries; however, programs could be developed to serve surrounding or adjacent communities. Information and referral services, for example, could be utilized by persons other than local residents without causing a measurable reduction in program services to the local community.

Centers should be located so that center-related activities and center uses are compatible and supportive of adjacent land uses, and do not disrupt nor detract from adjoining uses.

Center sites should be protected from the negative effects of vehicular traffic. Facilities should be accessible without requiring patrons, particularly children and the elderly, to cross streets which carry heavy vehicular traffic. Entrances should be located in such a manner as to provide safe ingress and egress and smooth circulation patterns.

The proposal enhances an existing community/social service institution, which is located within a transitoriented corridor that is in close proximity to several bus routes and BART. The proposal meets the criteria for locating neighborhood centers in that the existing facility is easily accessible, highly visible, adjacent to vehicular and pedestrian traffic, near support facilities (including a school) and would provide added recreational services for children to the area's residents.

- 11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal would not impact existing neighborhood-serving retail uses.

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

The proposal will not impact the existing housing or neighborhood character. The surrounding neighborhood has a consistent character composed of residential and commercial uses.

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

The proposal will not impact the supply of affordable housing.

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

The project site is on Valencia Street and is well served by transit, and is in close proximity to MUNI bus routes and BART. Presumably, patrons will arrive by bus and car or by foot or bicycle. As related to the new gymnasium, parents may drop off their children to the gymnasium/playground area. Street parking is available in the surrounding neighborhood along San Jose Avenue and Valencia Street.

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.

As a community/social service use, the project does not affect industrial or service sectors.

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

The existing building and proposed new construction conforms to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The project will have no negative impact on existing parks and open spaces. The Project is not in close proximity to any open spaces.

- 12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 13. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2011.0307C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 8, 2011, 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. 18455. 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 October 6, 2011.

Linda D. Avery Commission Secretary

AYES: Antonini, Borden, Fong, Miguel, Moore, Olague and Sugaya

NAYS:

ABSENT:

ADOPTED: October 6, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a non-residential use size in excess of 3,000 sf (d.b.a. Salvation Army) located at 1156 Valencia Street, Block 3635 and Lot 010 pursuant to Planning Code Section(s) 121.2 and 726.21 within the Valencia Street NCT Zoning District and a 55-X Height and Bulk District; in general conformance with plans, dated September 8, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0307C and subject to conditions of approval reviewed and approved by the Commission on October 6, 2011 under Motion No. 18455. 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 October 6, 2011 under Motion No. 18455.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18455 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, 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

4. **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.

SAN FRANCISCO
PLANNING DEPARTMENT

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 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