



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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|------------------------------------------------------------------|------------------------------------------------------------|
| <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. 19170

HEARING DATE: JUNE 12, 2014

Date: May 30, 2014
Case No.: **2013.1656C**
Project Address: **722 SOUTH VAN NESS AVENUE**
Zoning: RTO-M (Residential, Transit-Oriented – Mission Neighborhood)
Mission Alcohol Beverage Special Use Subdistrict
Fringe Financial Service Residential Use District
50-X Height and Bulk District
Block/Lot: 3590/003
Project Sponsor: Andy Wong & Victoria Lam
238 Tulare Street
Brisbane, CA 94005
Staff Contact: Danielle J. Harris – 415.575.9102
danielle.j.harris@sfgov.org
Recommendation: Approval with Conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209.3(f), 303, AND 317 TO CONVERT A SINGLE FAMILY DWELLING INTO A CHILD-CARE FACILITY FOR 15 OR MORE CHILDREN (D.B.A. PETIT EXPLORER DAY SCHOOL) WITHIN AN RTO-M (RESIDENTIAL, TRANSIT-ORIENTED – MISSION NEIGHBORHOOD) ZONING DISTRICT, AND A 50-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On November 14, 2013, Andy Wong and Victoria Lam (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 209.3(f), 303, and 317 to convert a single-family dwelling into a child-care facility for 15 or more children (d.b.a. Petit Explorer Day School) within an RTO-M (Residential, Transit-Oriented – Mission Neighborhood) Zoning District with a 40-X Height and Bulk designation.

On June 12, 2014, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1656C.

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

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. 2013.1656C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the west side of South Van Ness Avenue, between 18th and 19th Streets, Lot 003 of Assessor's Block 3590. The subject lot is approximately 3,794 square feet. The subject property is located within the Residential, Transit-Oriented-Mission Neighborhood (RTO-M) Zoning District and the 50-X Height and Bulk District. The property is developed with a three-story residential building, which served as the former parish house of the adjacent Korean Presbyterian Church. It currently serves as the Sunday school for the church; however the last legal use for the building was a single-family residence. The building has not been used as a residence for over 20 years.
3. **Surrounding Properties and Neighborhood.** The project site is located on the western side of the 700 block of South Van Ness Avenue. The immediate neighborhood context along South Van Ness Avenue is characterized by primarily multi-family residential buildings with a mix of other uses, including a number of schools. Buildings in the vicinity typically range from two to four stories in height. The zoning districts beyond the RTO-M Zoning District are Neighborhood Commercial (NC-3), Urban Mixed Use (UMU), and Moderate Mixed Residential (RM-2) Zoning Districts.
4. **Project Description.** The Project Sponsor seeks a Conditional Use Authorization, pursuant to Planning Code Sections 209.3(f), 303, and 317 to allow the conversion of a two-story single-family dwelling unit over garage into a child-care facility for a maximum of 50 children (d.b.a. Petit Explorer Day School). The proposed child-care facility is approximately 4,000 square feet with an approximately 1,200 square foot garage below. The proposed facility consists of two class rooms, a kitchen, and a children's restroom on the main level occupying a total area of approximately 2,000 square feet. The second floor consists of three classrooms, three office spaces and a break room, totaling approximately 2,000 square feet. The garage floor consists of two existing off-street parking spaces, storage space, a new accessible entry and lift. The proposed facility will have access to a 1,129 square foot outdoor play area in the rear yard of the subject property. The

proposed facility would operate Monday through Friday from 7:30 AM to 6:00 PM, serving children from ages two to five years, and will be operated by seven teachers and one administrative staff member. The Project Sponsor expects the proposed facility to typically provide care for 32-50 children throughout the day. Drop-off times for children will be between 7:30 and 10:00 AM and pick-up time for children will be between 3:00 and 6:00 PM. There is an existing white curb for passenger loading in front of the subject property as well as at the adjacent church site, providing for approximately four vehicles at one time. In addition, the Project Sponsor is proposing staff and parent volunteers to facilitate student drop-offs and pick-ups. The operator will also be required to obtain a State issued license to operate the proposed child-care facility and adhere to the Child-care Center General Licensing Requirements of the State of California. Physical improvements to the existing building include restroom upgrades to comply with Americans with Disabilities Act (ADA) regulations and adding an ADA Limited Use/Limited Application (LULA) lift for handicap access. No physical expansion of the existing building is proposed.

5. **Public Comment.** To date, the Department has received one phone inquiry regarding proposal, but no public opposition.
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. **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 a RTO-M Zoning District.

The Project Sponsor seeks Conditional Use Authorization to establish a child care facility providing less than 24 hour care for more than 15 children within an RTO-M Zoning District.

- B. **Floor Area Ratio.** Planning Code Section 124 requires an FAR (Floor Area Ratio) of 1.8 to 1 in RTO-M Zoning Districts.

The Project would result in a non-residential FAR ratio of approximately 1.36. The maximum floor area allowed would be approximately 6,615 square feet. The Project proposes a non-residential area of approximately 5,000 square feet.

- C. **Front Setback.** Planning Code Section 132 requires front setbacks so that buildings relate to the setbacks provided by adjacent buildings.

The subject building has an existing code complying front setback of approximately 12 feet, which is within the average depth of the two adjacent properties. No changes to the front setback are proposed.

- D. **Rear Yard.** Planning Code Section 134 establishes rear yard requirements for all districts. In the RTO-M Zoning District, a minimum 45 percent rear yard is required, which, for the subject site, represents a rear yard depth of approximately 55 feet.

The subject building provides an existing code complying rear yard setback of approximately 42 feet, which is within the average depth of the two adjacent properties. No changes are proposed.

- E. **Parking.** Planning Code Section 151.1 establishes off-street parking requirements for uses within the RTO-M Zoning District. The amount of parking permitted for a child-care facility is up to one space for each 25 children.

A child-care facility with a maximum of 50 children is not required to provide any off-street parking spaces within the RTO-M Zoning District. The proposed number of off-site parking spaces is 2 in an existing garage on the site. The proposed Project complies with Planning Code Section 151.1.

- F. **Loading.** Planning Code Section 152 establishes freight loading requirements for uses within the RTO-M Zoning District. The freight loading is required for uses or structures with over 100,000 square feet of gross floor area.

The proposed child-care facility is approximately 4,000 square feet and does not require any freight loading.

- G. **Bicycle Parking.** Planning Code Section 155 establishes bicycle parking requirements for all uses. The amount of bicycle parking required for a child-care facility is one Class 1 Bicycle Parking space for every 20 children and one Class 2 Bicycle Parking space for every 20 children.

A child-care facility with a maximum of 50 children is required to provide three Class 1 Bicycle Parking spaces and three Class 2 Bicycle Parking spaces. The three required Class 1 Bicycle Parking spaces are provided within the garage and the three required Class 2 Bicycle Parking spaces are provided within the front setback of the subject property. The Project complies with Planning Code Section 155.

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 Project is compatible with the surrounding neighborhood as the proposed child care facility will occupy the existing single-family residence. The Project will not expand the existing building envelope and will not create any further physical impacts upon light, air or midblock open space. The use is

desirable as it will provide a vital service for the residents of the neighborhood, especially those for patrons with children. The proposed use will complement the existing neighborhood services currently available and enhance services in this neighborhood.

The Project is desirable for and compatible with the neighborhood in that it provides a needed service for the neighborhood. The San Francisco Citywide Nexus Analysis from March 2014 has projected that the childcare demand for preschool aged children is projected to increase approximately 17% by the year 2020.

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

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

The Project is not detrimental to the area since it does not involve any physical expansion to the existing building. Changing the use from residential to a child-care facility will not be detrimental to the health, safety, convenience or general welfare of the nearby residents or workers. The Project will not be injurious to existing properties or improvements or potential developments in the area. The existing building will remain intact.

- 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 proposed child care facility is intended to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips citywide. The Project has an existing loading zone curb along the street frontage (shared with the adjacent church) that can accommodate approximately four cars at one time. The Project Sponsor is providing two off-site parking spaces on the site, although none are required by Code. South Van Ness Avenue is an arterial street with on-street parking. The existing loading zone will aid in allowing vehicles to safely access the site during drop off and pick up times.

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

No noxious or offensive emissions such as noise, glare, dust and odor are expected to be emitted during normal operations. The Project is exempt from environmental review.

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

The Project does not propose any change to the existing landscaping. Any proposed signage will be subject to the review and approval of the Planning Department.

- 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

8. **Dwelling Unit Removal Guidelines.** The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units, pursuant to Planning Code Section 317.

- a. 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 subject property has not been used as residential space for over 20 years. It currently owned and operated by the adjacent Korean Presbyterian Church and serves as a Sunday school for the church. The Project Sponsor is leasing this property for use as a child-care facility.

- b. Whether Residential Conversion would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);

The Project is compatible with the surrounding neighborhood as the proposed child care facility will occupy an existing single-family residence. The area is characterized by primarily multi-family residential buildings with a mix of other uses, including a number of schools. The child-care facility is compatible with many of the education and children oriented uses within the area. The Project will not expand the existing building envelope and will not create any further physical impacts upon light, air or midblock open space. The Project would enhance services in this largely residential neighborhood, specifically those for children. Given that there would be no change to the building, the Project is appropriate for the neighborhood.

- c. In districts where Residential Uses are not permitted, whether Residential Conversion will bring the building closer into conformance with the uses permitted in the zoning district;

Residential Uses are permitted within the RTO-M Zoning District at a permitted density not exceeding one dwelling unit for each 600 square feet of lot area (3,794 square feet). Therefore, six dwelling units are permitted on the lot. The prevailing density in the area is three or more units per lot. The conversion of the structure from residential to a child-care facility will not change the prevailing character in the surrounding neighborhood, as it will maintain the building's current size. No physical expansion is proposed to the existing building.

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

The loss of one dwelling unit through the conversion of the structure from residential to a child-care facility will not be detrimental to the City's housing stock, since the residence has not been housed residential tenants for over 20 years. Additionally, the kitchen is being maintained so that future conversion back into a residential use is possible.

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

There are no design or functional deficiencies in the structure. However, the conversion of the structure from residential to a child-care facility will not remove the kitchen. Therefore, the future conversion back into a single-family residential unit is possible.

- f. Whether the Residential Conversion will remove Affordable Housing, or units subject to the Rent Stabilization and Arbitration Ordinance.

Since the residence was originally used as the parish house and has not been housed a residential tenants for over 20 years, there is no record of the unit ever being under rent control or as an affordable housing unit.

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

COMMERCE AND INDUSTRY

Objectives and Policies

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 city living and working environment by providing needed child care services for residents and workers within the City. The Project would also need to comply with State licensing requirements for child care facilities, thus minimizing possible undesirable consequences from such an operation.

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 the diverse economic base of the City by providing services for residents with children and ensuring families with children are accommodated. The proposed facility will also be open until 6:00 P.M., thus better accommodating parents that work full-time and low-income families.

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 additional employment opportunities for San Francisco residents. Also, the provision of child care services is an amenity that would attract and/or retain workers.

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 center will provide educational services for the children of San Francisco residents. No physical expansion is proposed to the existing building and a majority of the proposed child care facility's activities will take place indoors, hence the adjacent residential uses will not be disrupted.

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.

No neighborhood-serving retail would be displaced by the Project and the Project Sponsor is proposing to hire seven teachers and one administrative staff to operate the proposed child-care facility.

- 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 does not involve any physical alterations of expansion to the subject property and thus will not adversely affect existing housing or character of the neighborhood.

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

The Project does not propose the removal of any affordable housing.

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

Due to the nature of the Project, there are no anticipated adverse effects upon MUNI service or on neighborhood parking. The site is located on South Van Ness Avenue and is well served by transit. There are five MUNI bus lines (12, 14, 22, 33, and 49) within two block of the project. Presumably, employees would commute by transit, thereby mitigating possible effects on street parking. Potentially parents and children could also commute by transit further reducing parking demands.

- 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. Approval of this Project will not adversely affect any industrial or service sector jobs. Rather, it will create seven new service sector employment opportunities for workers of that sector.

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

The Project will not impact the subject property's ability to withstand an earthquake and all interior improvements shall meet the structural and seismic safety requirements of the City Building Code

- G. That landmarks and historic buildings be preserved.

No landmark or historic buildings will be adversely affected by the Project.

- 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.

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. 2013.1656C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 18, 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. 19170. 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 June 12, 2014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Hillis, Sugaya, Fong, Antonini, Borden, Moore, and Wu

NAYES: None

ABSENT: None

ADOPTED: June 12, 2014

Motion No. 19170
Hearing Date: June 12, 2014

CASE NO. 2013.1656C
722 S. Van Ness Avenue

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to convert a single-family dwelling into a child-care facility for up to 50 children (d.b.a. Petit Explorer Day School) located at 722 South Van Ness Avenue, Block 3590, and Lot 003 pursuant to Planning Code Section(s) 209.3(f), 303, and 317 within the RTO-M (Residential, Transit-Oriented – Mission Neighborhood) Zoning District and a 50-X Height and Bulk District; in general conformance with plans, dated **October 18, 2011**, and stamped “EXHIBIT B” included in the docket for Case No. **2013.1656C** and subject to conditions of approval reviewed and approved by the Commission on **June 12, 2014** under Motion No. **19170**. 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 **June 12, 2014** under Motion No. **19170**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19170** 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. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

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

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

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

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

DESIGN

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.

PARKING AND TRAFFIC

6. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.2, and 155.5, the Project shall provide no fewer than **six** bicycle parking spaces (**three** Class 1 spaces and **three** Class 2 spaces for the commercial portion of the Project).

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

PROVISIONS

7. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

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

MONITORING

8. **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

9. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator 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

10. **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>

11. **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/>