

May 14, 2009

Ms. Kim Wargo Head of School Katherine Delmar Burke School 7070 California Street San Francisco, CA 94121

Re: 7070 California Street

Assessor's Block 1392, Lots 9 and 37 Katherine Delmar Burke School

Dear Ms. Wargo:

This letter is in response to your March 16, 2009 letter requesting a determination by the Zoning Administrator regarding the use of the school campus for summer programs not affiliated with or operated by the Katherine Delmar Burke School (KDBS). The proposal is to offer a summer program operated by the "Steve and Kate's Camp" in the summer of 2010. The camp hours will be from 9 a.m. to 5 p.m., with extended care options beginning at 7:30 a.m. and ending at 6 p.m.

In your letter, you state that the KDBS has had a long history of providing summer programs to both KDBS students and to the public in general. During the summers of 2002 through 2005, an average of 110 to 125 students were on the school campus for a period of approximately six weeks, ranging in times from 8:30 a.m. to 4:30 p.m. Some of the programs were limited to KDBS students while others were open to the community in general. Prior to 2002, KDBS had other summer programs, such as the "Earth Trek", dating back to the late 1980s and into the 1990s. It served 100 to 110 students each summer for a six- to eight-week period.

KDBS has been granted several conditional use authorizations from the Planning Commission over the past 30 years. The last authorization was approved on June 1, 2006 under Motion #17252 (copy attached) for a new arts and science building and the renovation of existing facilities. This Motion does not contain any conditions of approval that would limit the use and duration of summer programs. However, the Commission included a finding in its approval motion which summarized twelve neighborhood concerns raised by the Lincoln Park Homeowners Association (LPHA) and the KDBS response to the concerns. One issue raised by LPHA was that summer activities on the KDBS campus be restricted. In response, KDBS agreed to make "reasonable efforts in managing its summer activities in order to avoid any negative impacts to the neighborhood," as noted on Finding 10, page 6 of Motion No. 17252. It is my determination that the operation of summer programs at the school campus is not limited solely to KDBS.

If anyone believes that this determination represents an error in interpretation of the Planning Code or abuse of discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco or call (415) 575-6880.

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

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Planning Information: 415.558.6377 Ms. Kim Wargo Katherine Delmar Burke School 7070 California Street May 14, 2009 Page 2

If you have any questions regarding this matter, please contact me or my staff, Mary Woods at (415) 558-6315 or mary.woods@sfgov.org.

Sincerely,

Lawrence B. Badiner Zoning Administrator

Encl.

Supervisor Eric Mar cc:

Lincoln Park Homeowners Association

Lincoln Park Neighborhood Association, Inc.