



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

August 18, 2008

Paul Weir
Weir/Andrewson Associates, INC
990 – A Street, Suite K
San Rafael, CA 94901

RE: 1650 Jackson Street, Suite 101
Block: 0595 Lot: 016

Dear Mr. Weir:

This letter is in response to your request for a zoning letter of determination for the property at 1650 Jackson Street, Suite 101. This parcel is located in an RC-4 (Residential-Commercial Combined, High-Density), the Van Ness Special Use District and a 65-A Height and Bulk District. Through Building Permit Application 9409388, a live-work unit was authorized on the ground floor and was limited to an art-related activity open to the general public a minimum of 25 hours per week. The request is whether restrictions that limit the live-work activity to an art-related activity can be changed to permit a medical office use while maintaining a full kitchen. The Department understands that medical consultations and outpatient procedures will be performed on the premises, and that the area of the unit in question does not exceed 5,000 square feet. As such, off-street parking is not required.

Section 209.8 of the Planning Code controls the use of property in RC-4 districts, and indicates that commercial establishments (such as the proposed medical office use) are permitted at the ground story of a building located in the district. As live-work units are now considered non-conforming uses, they are governed by Section 182 with regard to changes of use. Section 182(b)(d) indicates that an art-related use may be changed to a medical office use as the medical office use is principally permitted in the RC-4 district. The change from an art-related activity on the subject property would be considered a decrease in the nonconformity as a large portion of the nonconforming use (art activity) would be converted to a conforming use (medical office) and would constitute an appropriate change of use.

The process for implementing the change of use would include:

- Submittal of a building permit application indicating the change of use on plans and Form 3 Building Permit Application (fee based on cost of construction).
- Filing a new Notice of Special Restriction developed by the Planning Department. Instructions and documents would be forwarded during the Planning Department's permit review.
- Removal of Notice of Special Restriction F695179 (fee of \$503 or \$535.50 Effective 9/1/2008).
- Neighborhood notification for a change of use is not required in RC districts.

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

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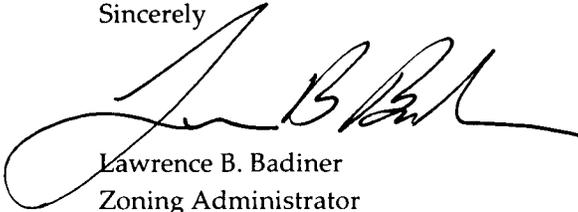
Planning
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If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1660 Mission Street, Room 3036, San Francisco, or call (415) 575-6880.

Sincerely



Lawrence B. Badiner
Zoning Administrator

Cc Sara Vellve, Planner

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