



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

May 1, 2009

James Reuben, Esq.
Reuben & Junius, LLP
One Bush Street, Suite 600
San Francisco CA 94104

RE: 2515 McAllister Street
Block: 1170 Lot: 030

Dear Mr. Reuben:

This letter is in response to your request for a letter of determination regarding the property at 2515 McAllister Street. This parcel is located in an RH-2 (Residential, House, Two-Family) District with a 40-X height and bulk limitation and has been owned since 1981 by the Carmelite Monastery of Cristo Rey, which also owns the large property containing the main Monastery complex to the east of 2515 McAllister Street.

According to your letter, the building at 2515 McAllister Street has been used since the early 1980s as office space for the St. Ignatius Press, affiliated with the University of San Francisco and for related Catholic mission work. You indicate that the Monastery proposes to change its tenant from the St. Ignatius Press to another tenant which would continue to advance the Catholic Church's mission but would no longer focus on the Press and that the accessory uses at 2515 McAllister Street would continue to be limited to uses jointly advancing the mission of the Catholic Church with the Monastery. The request is for my determination that the proposed use would not constitute a change of use and would continue to be a legal nonconforming use in conjunction with the adjacent Carmelite Monastery in the advancement of the mission of the Catholic Church.

According to City records, the authorized use of 2515 McAllister Street is a "Two-Family Dwelling." The property's conversion without permit in the early 1980s from its authorized residential use to commercial use as office space for the St. Ignatius Press is in violation of Planning Code Section 209. The property's proposed future use is not clearly described in your letter. Short of reclassification of the property, I am unaware of any means by which the commercial occupancy of the property could be legalized. The use of the property as office space for the Monastery itself may be proposed through the conditional use process as an intensification of a religious institution in a residential district. However, the building's conversion from its authorized use as two dwelling units to nonresidential use is subject to the procedures for loss of dwelling units through conversion contained in Planning Code 317. I would also point out that the conversion of residential space to nonresidential space requires the issuance of a building permit.

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

Reception:
415.558.6378

Fax:
415.558.6409

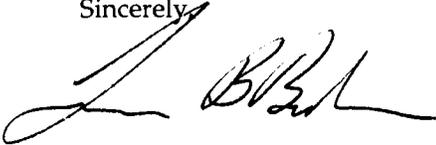
Planning
Information:
415.558.6377

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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 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Badiner', written over a horizontal line.

Lawrence B. Badiner
Zoning Administrator

cc: David Lindsay, Senior Planner

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