



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

March 22, 2010

Jason Chin
2405 Greenwich Street
San Francisco CA 94123

RE: 2181 Union Street
Block: 0540 Lot: 019

Dear Mr. Chin:

This letter is in response to your request for a letter of determination regarding the property at 2181 Union Street. This parcel is located in the Union Street Neighborhood Commercial District (NCD) with a 40-X height and bulk limitation. The request is whether a grocery store with accessory take-out food is a permitted use in this zoning district and, if so, whether neighborhood notification is required.

A general or specialty grocery store is classified as "Sales and Services, Other Retail" in Planning Code Section 790.102, a use category which is principally permitted at the first and second story in the Union Street NCD pursuant to Planning Code Section 725.40.

Pursuant to Planning Code Section 703.2(b)(1)(C)(iii), a take-out food use which occupies 100 square feet or less (including the area devoted to food preparation and service and excluding storage and waiting areas) is permitted as an accessory use to a general or specialty grocery store. According to Zoning Administrator interpretations of Planning Code Section 703.2(b)(1)(C)(iii), no seating is permitted as part of the accessory take-out use, although cooking is permitted, provided the area used for cooking is for the purpose of and counted within the same 100 square foot limit allowed for take-out food service.

Section 312 (c) of the Planning Code specifies which changes of use require neighborhood notification. A change of use to a general or specialty grocery store does not require neighborhood notification under Section 312 of the Planning Code.

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

Reception:
415.558.6378

Fax:
415.558.6409

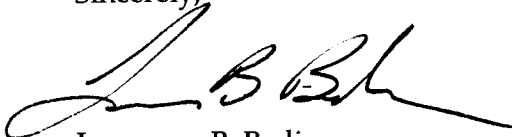
Planning
Information:
415.558.6377

Jason Chin
2405 Greenwich Street
San Francisco, CA 94123

March 22, 2010
Letter of Determination
2181 Union Street

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,



Lawrence B. Badiner
Zoning Administrator

cc: David Lindsay, Neighborhood Planning
Kevin Brusatori, Neighborhood Planning

N:\ZA\DETERMIN\2010\2181 Union Street