



City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378

PLANNING COMMISSION FAX: 558-6409

ADMINISTRATION FAX: 558-6426

CURRENT PLANNING/ZONING FAX: 558-6409

LONG RANGE PLANNING FAX: 558-6426

April 8, 2005

Mr. Joel Yodowitz Reuben & Junius, LLP 235 Pine St. Suite 1600 San Francisco CA 94104

RE: Request for Written Determination Pursuant to Planning Code Section 307(a) 2500 18th Street, San Francisco Assessor's Block 4014, Lot 002 M-1 (Light Industrial) Zoning District

Dear Mr. Yodowitz,

This is in response to your letter of March 25, 2005, requesting a written determination concerning the existing legal use of the above-referenced property and the possible need for a Planning Commission hearing for any proposed office use at that site. I have reviewed the information in your letter and based upon my examination and analysis of the circumstances have made the determination discussed below.

Building Permit Application Number 9921303, which was filed on October 8, 1999 to execute certain internal improvements and seismically upgrade the subject building, listed the property as containing a then-present use of "light industrial/office" and a then-proposed use of "office." The application also indicated a change of building occupancy class from "F-2/B" (an industrial and office classification) to "B," (a strictly office classification). This application was approved by the Planning Department on June 14, 2000 and was issued as Permit Number 913580 by the Department of Building Inspection on June 17, 2000. This Building Permit lists the building's use as "office." Eight subsequent permit applications and unrelated permit applications made for the subject property list the building's use as "office."

As such, it is my determination that the existing use of the building in guestion is an office use. In general terms, any new proposal for an office occupancy of the subject property would not constitute a change of use and as such would not be subject to the Discretionary Review requirement for projects which result in a loss of production, distribution, and repair (PDR) space as set forth in Planning Commission Resolution Number 16727.

It should also be noted that the proposed new tenant of the space, the Homeless Prenatal Program, provides an essential service to San Francisco. Since 1989, the Homeless Prenatal Program has been providing homeless parents and pregnant women with the support and access to care necessary to have a healthy baby. This includes perinatal care, counseling, and advocacy as well as referrals for housing, substance abuse problems and legal aid. The nature and operations of the Homeless Prenatal Program have informed portions of this determination; without this tenant a reassessment of the circumstances would likely be required.

Please direct any questions regarding this letter to Daniel Sider of my staff at (415) 558.6697 or at dan.sider@sfgov.org.

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If anyone has substantial reason to believe that there is an error in the interpretation of the Planning Code, or abuse of discretion on the part of the Zoning Administrator, this determination may be appealed to the Board of Appeals within fifteen (15) days from the date of this letter. For further information regarding the appeals process, please contact the Board of Appeals, 1660 Mission Street, Room 3036, San Francisco, or by telephone at (415)575.6880.

Sincerely,

Lawrence B. Badiner Zoning Administrator

cc: Daniel A. Sider, SF Planning Department Sue Hestor

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