



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

September 12, 2008

Brett Gladstone, Esq.
Gladstone & Associates
177 Post Street, Penthouse
San Francisco, CA 94108
415.434.9500

**Re: 2773 Folsom St
Block 3640/Lot 088**

Dear Mr. Gladstone:

This is in response to your letter requesting to verify that a digital photography studio with sleeping and bathing facilities at the address listed above is a permitted use per the Planning Code and Planning Commission Motion No. 15969.

PAST AND PRESENT USE

Prior to the approval of Planning Commission Motion No. 15969, the subject property contained a one-story light industrial building. Per Motion No. 15969, this existing building was reduced in size and approved as office space as a Limited Conforming Use (LCU) regulated by Section 186 of the Planning Code. It was subsequently occupied by a law and real estate consulting business. The building has been vacant since March of 2006.

ZONING AND PERMITTED USES

The property is currently zoned RH-2 (Residential, House Districts, Two-Family). However, the subject building is regulated as a LCU under Section 186(b). As such, the building may contain uses permitted in the NC-1 (Neighborhood Commercial Cluster District) and any individual area Neighborhood Commercial District within ¼ mile. In this case, the 24th Street–Mission Neighborhood Commercial District is within ¼ mile of the subject property. Among other uses, this district permits "Trade Shops" and "Other Retail Sales and Personal Services," defined in Sections 790.124 and 790.102 respectively.

DETERMINATION

It is my determination that a digital photography studio falls under the definition of both "Trade Shop" and "Other Retail Sales and Personal Services" and that minimal sleeping and bathing facilities are reasonable components due to the varied work hours typically associated with such use. These facilities are not considered accessory residential space.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

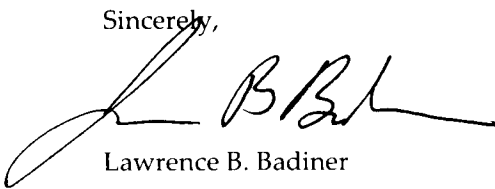
Brett Gladstone
Gladstone & Associates
177 Post Street, Penthouse
San Francisco, CA 94108

September 12, 2008
Letter of Determination
2773 Folsom Street

If you have any questions regarding this matter, please contact Corey Teague at 415.575.9081 or via e-mail at corey.teague@sfgov.org.

If anyone has substantial reason to believe that there is an error in the implementation 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, 1650 Mission Street, Room 304, San Francisco, or by telephone at 415.575.6880.

Sincerely,

A handwritten signature in black ink, appearing to read "LBB", written over a horizontal line.

Lawrence B. Badiner
Zoning Administrator

cc: Corey Teague, Planner

G:\documents\Letters of Determination\2008\2773 Folsom St.doc