



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

July 24, 2017

Steven Suzuki
Asian Neighborhood Design
1245 Howard Street
San Francisco, CA 94103

Site Address: 5016 Mission Street
Assessor's Block/Lot: 6968/011
Zoning District: Divisadero Street NCT (Neighborhood Commercial Transit)
Staff Contact: Cathleen Campbell, (415)575-8732 or cathleen.campbell@sfgov.org
Record Number: 2017-006225ZAD

Dear Mr. Steven Suzuki:

This letter is in response to your request for a Letter of Determination regarding the property at 5016 Mission Street. This parcel is located in the Excelsior Outer Mission Neighborhood Commercial Zoning District (NCD) and 40-X height and Bulk District. The request seeks a determination as to whether "Other Institutions, Large" as defined in Planning Code Section 745.81 & 790.50, is the last legal use in the existing commercial space of the subject building, as well as a determine as to whether neighborhood notification pursuant to Planning Code Section 312 would be required for a proposed change of use.

Permitting Procedures

Planning Code Section 312 was adopted on December 15, 2000 (Ordinance No. 279-00). Per Planning Code Section 745.81, Other Institutions, Large uses (as defined in Planning Code Section 790.50) are principally permitted in the Excelsior Outer Mission NCD. Further, per Planning Code Section 312(c), neighborhood notification is required in all NC Districts to establish an Other Institutions, Large use.

Building History

The subject building was constructed circa 1952. You have provided information which states that institutional uses operated at 5016 Mission Street between 2000-2005 and 2010-2016. Although the information provided references institutional uses, a review of the building permit history for the property failed to return any permits to authorize such uses on the subject property. Specifically, no permits were located which established an Other Institutions, Large use (as defined in Planning Code Section 790.50) on the subject property. The permit history indicated that the last legal use of the subject property was "Other Retail Sales and Service" (as defined in Planning Code Section 790.102), as established through Building Permit Application No. 9401663. Based upon a review of available information, the retail use associated with this permit (dba Drum World) operated at the subject site from

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Suite 400
San Francisco,
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1995-2000. As noted previously, the Planning Department could not find any subsequent permits to authorize an institutional use on the subject property.

Determination

Based on a review of available records, I have determined that the last legal use of the property is Other Retail Sales and Services as defined in Planning Code Section 790.102. Therefore, a building permit to establish an Other Institutions, Large and associated neighborhood notification pursuant to Planning Code Section 312 are required to legally establish an institutional use on the subject property.

Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

APPEAL: 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,



Scott F. Sanchez
Zoning Administrator

cc: Property Owner
Neighborhood Groups
BBN Holder
Cathleen Campbell, Planner

April 18, 2017

Mr. Scott Sanchez
Zoning Administrator
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

R# 2017-006225ZAD
CK # 32877 \$497.- } \$664.-
5196 167.- }
D. WASHINGTON (SW)

RE: Request for a Letter of Determination

Dear Mr. Sanchez:

This is a request a Letter of Determination regarding the need to undergo a change of use and the 312 Neighborhood Notification process to create a Family Resource Center with Childcare services at the proposed site of 5016 Mission Street in the Excelsior District.

Block: 6968 Lot: 011

Background Information

From 2000 to 2005, the Blind Babies Foundation and the California Deaf and Blind Services were located at the site. The Blind Babies Foundation offers family-centered services that provide critical early intervention and education to infants and preschoolers in Northern California who are blind or visually impaired. California Deaf and Blind Services collaborates with individuals and family resource centers to offer personalized support, training, and technical assistance. Both organizations are considered large institutions that have benefited the community by managing necessary resources that recognized commonly ignored needs.

The most recent occupants were the Tabernaculo Biblico Bautista Congregational Church from 2010 to 2015, who utilized the space to create a safe family environment for some community members to practice their faith as well as offered childcare services.

In 2015, the site was purchased by Portola Family Connection Center Inc and is currently vacant. Formally, it has never changed use and has been a B Occupancy/Retail Use. Excelsior Family Connections is permitted by zoning to be classified as a large institution. During the pre-application review of the project a year with representatives from the Department of Building Inspection and the Fire Department, they mentioned a change of use would not be necessary from church to family resources center. However, there is no building permit or formal record that has documented a change of use from commercial to church/institution.

Determination Requested:

We recognize that there would be a need to change of use; however, since a large institution was in place during 2000, we write to receive confirmation that this predates the 312 Neighborhood Notification requirement for change of use in a NC district.

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— AsianNeighborhoodDesign

1245 Mission Street
San Francisco, CA 94103
(415) 575-0423, Fax (415) 575-0424
www.andnet.org
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Enclosed you will find: 1) a check for the fee associated with this request; and (2) a table of the former uses of the property during our period of concern.

Please feel free to contact our office by phone at (415) 575-0423 ext. 213 or by email at bjee@andnet.org if you have any concerns or questions.

Thank you for your time,



Babette Jee, Co-Principal Architect

Former Uses of 5016 Mission St

Year(s)	Name of Business/Organization	Use Type	Ownership
1995 - 2000	Drum World	Retail	Donald Sfarzo & Constance
<u>2000 - 2005</u>	<u>Blind Babies Foundation</u>	Family Res.	Donald Sfarzo & Constance
	<u>California Deaf and Blind Services</u>		Donald Sfarzo & Constance
2005		Vacant	Yeh-Jen Fu
2006		Vacant	Yeh-Jen Fu
2006		Vacant	Zhuo Hui Li
2007 - 2008	Platinum Bay Inc	Retail	Zhuo Hui Li
2009		Vacant	Zhuo Hui Li
<u>2010 - 2016</u>	<u>Tabernaculo Biblico Bautista Congregation</u>	Church	Zhuo Hui Li
2015	Tabernaculo Biblico Bautista Congregation	Church	Portola Family Connection Center Inc
2016 - Present		Vacant	Portola Family Connection Center Inc

Sources:

1. Haines & Co. 1900. *San Francisco city & suburban criss-cross directory*. South San Francisco, Calif: Haines & Co.
2. SF CITY & COUNTY: OFFICE OF THE ASSESSOR-RECORDER