



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

July 14, 2010

Patrick Mora, Architect
Mora Architects Planning & Engineering
115 Valencia Street
San Francisco CA 94103

RE: 2791 16th Street (Aka 2011-2015 Folsom Street)
Block: 3572 Lot: 019

Dear Mr. Mora:

This is in response to your letter dated, April 26, 2010 requesting a written determination whether the Planning Code would permit an expansion to a lawful non-conforming use, dba All Star Hotel. The subject property is located within the PDR-1-G District with a 58-X Height and Bulk designation. The property is also located within the Transit Orientated Retail Special Use District. The hotel currently operates with very limited accessibility for people with disabilities and is not in compliance with ADA requirements.

The hotel is a considered legal non-conforming use because it existed lawfully at the effective date of the Planning Code, or of amendments thereto, and fails to conform to one or more of the current use limitations of the Planning Code for the district in which the property is located. In this case, housing and hotel uses are not permitted within the PDR-1-G district.

Background

The property is located at the corner of Folsom and 16th Streets and contains a three-story wood frame structure built in 1907. The hotel covers the upper two floors plus an enclosed garage area on the ground floor facing 16th Street. The ground floor is primarily retail space and occupied by four individual businesses. The property owner operates the hotel as a family owned business. The hotel portion is at present leased by the Tenderloin Housing Clinic, an organization operating under the Mayor's Care-not-Cash program and provides 86 single room units.

At present, a total of twelve units are not being used for housing and have been converted to other uses without the benefit of a permit. These units are being used as a lobby, common area, as well as manager's residence and office.

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Patrick Mora
115 Valencia Street
San Francisco CA 94103

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Project Proposal

The project proposes to move the twelve rooms being used for storage and other uses to a new partial fourth floor. The work would include upgrading accessibility to all floors by means of an elevator, providing two fully accessible units to residents with disabilities, providing an accessible roof terrace with open space for all residences, performing a full seismic upgrade of the entire building, and other fire and life safety upgrades as required.

Non-conforming Uses: Enlargements

Pursuant to Planning Code Section 181(h), in PDR Districts, no building containing a residential use shall be altered to increase the number of dwelling units or other housing units therein. However, individual dwelling units or other housing units may be expanded, subject to height, bulk, and all other provisions of this Code which would otherwise be applicable to dwelling units or other housing units in the Urban Mixed Use District.

Determination

The existing hotel use, dba All Star Hotel, is a legal non-conforming use as defined per Sections 180 and 181(h). While the size of the existing residential rooms may be *expanded, the number of residential rooms may not be increased*. The proposed relocation of twelve rooms to a new fourth floor is permitted provided that the legal non-conforming use of 1 dwelling unit (manager's unit) and 86 residential rooms remains unchanged. Per Section 181 the proposed addition is subject to height, bulk, and all other provisions of this Code, including but not limited to Eastern Neighborhoods impact fees.

If you have any questions or need further assistance, please contact Edgar Oropeza at (415) 558-6381.

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
Acting Zoning Administrator

cc: Edgar Oropeza, Planner
cc: Tenderloin Housing Clinic, Hotel operator
cc: Desua Thakor D, Property Owner

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M O R A
ARCHITECTS
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ID# 2942 SE - J. BARNACE
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APR 28 2010

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

April 26, 2010

Mr. Larry Badiner
Zoning Administrator
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Re: All Star Residential Hotel
2791 16th street. SF
(2011-2015 Folsom Street)

Dear Mr.Badiner:

With regards to the property named above, this is to request a letter of determination to establish the possibility of transferring existing unit rooms being used for storage and other uses to a new partial fourth floor. A new manager's unit and a new accessible elevator, accessible bathroom and trash areas are also proposed.

The building is a corner three story wood frame structure built in 1907. The hotel covers the upper two floors plus an enclosed garage area on the ground floor facing 16th Street. The rest of the ground floor is commercial space occupied by four local businesses. The current owner operates the facility as a family owned business. The hotel portion is currently leased by the Tenderloin Housing Clinic, an organization operating under the City Mayor's Care-not-Cash program and it provides eighty six (86) units of single room occupancy.

Previously the Wagner Hotel, the building has provided affordable housing to many different City organizations, such as patients from General Hospital, TB Clinic, people with mental disabilities, recovering from substance abuse, and many others who receive the City's general assistance. Some of the tenants have resided in the facility since August 2004.

Currently the hotel operates with very limited accessibility for people with disabilities and it does not comply with ADA. In addition, the building does not have a basement and therefore it lacks much needed storage space. There is no open space provided for the residents.

On the second floor there are several units currently used as lobby, front desk office, and manager's office. Three combined units are used as an apartment for the building manager and his family. Two additional units are proposed to be converted to areas needed for the new accessible elevator, accessible restroom and upgraded trash room.

On the third floor one unit serves as the lobby/common area while another unit is used for storage. As in the second floor, two additional units are proposed to be converted to areas for the accessible elevator, accessible restroom and trash room.

In sum, a total of twelve units on both hotel floors are not being used for housing. To alleviate some of these deficiencies and to provide accessibility as required, the owners would like to propose the following:

- Accessibility to all floors by means of a new elevator
- Provide two fully accessible units to residents with disabilities
- Transfer 12 units to the top new floor to allow for the improvements
- A trash chute and ground collection to prevent rodent and other pest infestation
- An accessible roof terrace with open space for all residents
- Move the manager's unit to the new partial fourth floor
- Full seismic upgrade of the entire building
- Other fire and life safety upgrades as required

The request would allow the facility to provide improved services to the community in need. These upgrades, mostly to comply with ADA, will give valuable safety and comfort to the occupants, in contrast to the conditions that exist today.

We hope that your letter of determination will open possibilities to achieve these intended housing improvements to the building.

Sincerely yours,


Patrick Mora
Architect

Encl. Drawings, existing and proposed
Photographs
Lease available at your request