



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use HEARING DATE: FEBRUARY 24, 2011

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

Reception:
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415.558.6409

Planning
Information:
415.558.6377

Date: February 17, 2011
Case No.: **2010.0673CE**
Project Address: **2509 BUSH STREET**
Zoning: NC-3 District
40-X Height and Bulk District
Block/Lot: 1051/032
Project Sponsor: Stretch the Imagination
c/o Ned Lawton
2509 Bush Street
San Francisco, CA 94115
Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The project sponsor proposes to convert the authorized use of the building from two dwelling units to a preschool by legalizing the existing first floor conversion from residential to preschool in 2007, and converting the second floor dwelling unit to a preschool, for a combined total of approximately 3,900 square feet. The preschool will provide day care services for up to 48 children, ages 2 to 5 years old, and operate from 8:30 a.m. to 5:30 p.m., Monday through Friday. The proposal involves primarily interior remodeling work with minimal exterior improvements, while maintaining the existing building envelope and height. The existing building contains no parking and none is proposed or required. The project sponsor currently leases four parking spaces from an adjacent parking lot to the east owned by UCSF.

SITE DESCRIPTION AND PRESENT USE

The project is located on the south side of Bush Street between Scott and Divisadero Streets; Assessor's Block 1051, Lot 032. The lot area of the site is approximately 2,500 square feet, measuring 25 feet wide by 100 feet deep. The property is developed with a two-story over basement Victorian building. The building is identified in the San Francisco Planning Department's 1976 Architectural Survey and received a summary rating of "2" on a scale of 0 to 5, 5 being the highest ranking for architectural quality. It is authorized for two dwelling units. The basement is used for storage. The first floor dwelling unit is currently used as a preschool while the second floor dwelling unit is occupied by the project sponsor's family. The property is located in the NC-3 (Moderate-Scale Neighborhood Commercial) District and 40-X Height and Bulk District.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Western Addition neighborhood, an area with a variety of neighborhood-serving uses, as well as institutional uses, such as hospitals and churches. To the west of the project site is the Divisadero Street commercial corridor, featuring a mixture of institutional uses, food establishments, personal services, and small retail establishments. The surrounding zoning is NC-2 and RH-3 to the east, NC-3 to the west, NC-2 and RH-2 to the north, and NC-3 to the south, including a mix of multi-story institutional and commercial buildings; and residential buildings ranging from two- to six-story single-family and multi-unit apartment buildings. Uses on the same block as the proposed project include the Mt. Zion/UCSF Hospital with its cancer care facility, related office and support services and a surface parking lot, a bank, and a restaurant.

Within a two-block radius north and east of the project site, there are three churches: the Philadelphian Seventh Day Adventist Church; Saint Dominic's Church, and the Macedonia Baptist Church. A 304-unit apartment complex is located one block to the south, at 2000 Post Street.

ENVIRONMENTAL REVIEW

On December 9, 2010, the project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption under CEQA as described in the determination contained in the Department files for this project.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	February 4, 2011	February 4, 2011	20 days
Posted Notice	20 days	February 4, 2011	February 1, 2011	23 days
Mailed Notice	20 days	February 4, 2011	February 4, 2011	20 days

PUBLIC COMMENT

- The Department has received 24 letters in support of the project as well as one petition in support of the project that is signed by 72 individuals. The Department is unaware of any opposition to the project

ISSUES AND OTHER CONSIDERATIONS

- The General Plan encourages the retention and provision of neighborhood-serving goods and services in the City's neighborhood commercial districts in order to enhance an diverse economic base.
- The proposed use is an independent use and locally owned, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use. The proposal is

considered a change of use and requires Section 312-neighborhood notification that was conducted in conjunction with the Conditional Use authorization notification process.

- The project would result in the loss of two residential units from the City’s housing stock. However, the proposed preschool use is desirable and appropriate for the neighborhood.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow the conversion from two residential units to a preschool for up to 48 children (dba “Stretch the Imagination”) in the NC-3 (Moderate-Scale Neighborhood Commercial) District.

BASIS FOR RECOMMENDATION

The Department believes that this project is necessary and/or desirable for the following reasons:

- Although the project would result in the loss of two dwelling units, the preschool use is desirable and appropriate for the neighborhood. Educational uses, such as a preschool, have traditionally been located throughout the various commercial neighborhoods in the city. Land uses in the subject area are mixed, including large institutional uses (i.e., hospitals and churches), an ambulance service, commercial storefronts, and residential buildings.
- At such time as the preschool vacates the property, the two dwelling units could be restored to residential use.
- The preschool program emphasizes social and development skills for children ages 2 to 5 years old. It has a waitlist for over a year.
- The project will preserve and enhance the cultural and economic diversity of the neighborhood commercial character of the NC-3 District.

RECOMMENDATION: Approval with Conditions

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Existing Site Photos |
| <input checked="" type="checkbox"/> Aerial photo | <input checked="" type="checkbox"/> Section 317 Application |
| <input checked="" type="checkbox"/> Zoning District Map | <input type="checkbox"/> |



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion HEARING DATE: FEBRUARY 24, 2011

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ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303(C), 317(F) AND 712.38 OF THE PLANNING CODE TO ALLOW THE CONVERSION FROM TWO RESIDENTIAL UNITS TO A PRESCHOOL FOR UP TO 48 CHILDREN (DBA "STRETCH THE IMAGINATION") IN AN EXISTING TWO-STORY OVER BASEMENT BUILDING, CONTAINING APPROXIMATELY 3,900 SQUARE FEET, IN THE NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL) DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 10, 2010, Ned Lawton (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303(c), 317(f) and 712.38 to allow the conversion from two residential units to a preschool for up to 48 children (an "Other Institutions, Large" as defined in Planning Code Section 790.50) in an existing two-story over basement building, containing approximately 3,900 square feet, in the NC-3 (Moderate-Scale Neighborhood Commercial) District and 40-X Height and Bulk District.

On February 24, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0673CE.

On December 9, 2010, the project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption under CEQA as described in the determination contained in the Department files for this project.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the project sponsor, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2010.0673CE, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the south side of Bush Street between Scott and Divisadero Streets; Assessor's Block 1051, Lot 032. The lot area of the site is approximately 2,500 square feet, measuring 25 feet wide by 100 feet deep. The property is developed with a two-story over basement Victorian building. The building is identified in the San Francisco Planning Department's 1976 Architectural Survey and received a summary rating of "2" on a scale of 0 to 5, 5 being the highest ranking for architectural quality. It is authorized for two dwelling units. The basement is used for storage. The first floor dwelling unit is currently used as a preschool while the second floor dwelling unit is occupied by the project sponsor's family. The property is located in the NC-3 (Moderate-Scale Neighborhood Commercial) District and 40-X Height and Bulk District.
3. **Surrounding Properties and Neighborhood.** The project site is located in the Western Addition neighborhood, an area with a variety of neighborhood-serving uses, as well as institutional uses, such as hospitals and churches. To the west of the project site is the Divisadero Street commercial corridor, featuring a mixture of institutional uses, food establishments, personal services, and small retail establishments. The surrounding zoning is NC-2 and RH-3 to the east, NC-3 to the west, NC-2 and RH-2 to the north, and NC-3 to the south, including a mix of multi-story institutional and commercial buildings; and residential buildings ranging from two- to six-story single-family and multi-unit apartment buildings. Uses on the same block as the proposed project include the Mt. Zion/UCSF Hospital with its cancer care facility, related office and support services and a surface parking lot, a bank, and a restaurant.

Within a two-block radius north and east of the project site, there are three churches: the Philadelphian Seventh Day Adventist Church; Saint Dominic's Church, and the Macedonia Baptist Church. A 304-unit apartment complex is located one block to the south, at 2000 Post Street.

4. **Project Description.** The proposal is to convert the authorized use of the building from two dwelling units to a preschool by legalizing the existing first floor conversion from residential to preschool in 2007, and converting the second floor dwelling unit to a preschool, for a combined total of approximately 3,900 square feet. The preschool will provide day care services for up to 48 children, ages 2 to 5 years old, and operate from 8:30 a.m. to 5:30 p.m., Monday through Friday. The proposal involves primarily interior remodeling work with minimal exterior improvements, while maintaining the existing building envelope and height. The existing building contains no parking and none is proposed or required. The project sponsor currently leases four parking spaces from an adjacent parking lot to the east owned by UCSF.
5. **Public Comment.** The Department has received 24 letters in support of the project as well as one petition in support of the project that is signed by 72 individuals. The Department is unaware of any opposition to the project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Other Large Institutions Use.** Planning Code Section 712.38 requires Conditional Use authorization at the second story and above for the conversion from a residential use to an "Other Institutions, Large" use, as defined by Planning Code Section 790.50.

The project sponsor proposes to convert the existing second floor dwelling unit to preschool use.

- B. **Parking.** Planning Code Section 151 requires one parking space for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.

The proposal is to provide day care services for up to 48 children, which would require the provision of two parking spaces. Since the site currently does not have any parking spaces for the two dwelling units, the deficiency in parking spaces is carried forward to the new use. Planning Code Section 150 allows any lawful deficiency in off-street parking and loading spaces existing on a site that was constructed prior to the effective date of the Planning Code controls to be carried forward for the structure or use. The building at 2509 Bush Street was built circa 1900, prior to the enactment of controls for off-street parking and loading spaces, and it has no off-street parking or loading spaces. Since it has a lawful deficit of two spaces and the required parking space for the new use is also two, no parking is required. However, the project sponsor is currently leasing and will continue to lease four off-street parking spaces for the project from an adjacent parking lot owned by UCSF Hospital.

- C. **Residential Conversion.** Planning Code Section 317(f) requires Mandatory Discretionary Review to convert residential dwelling units to other forms of occupancy unless subject to Conditional Use authorization by other code provisions. Planning Code Section 712.38 requires Conditional Use authorization for conversion of residential dwelling units to other uses in the NC-3 District. Section 317(f) establishes five criteria for consideration of residential conversions.

The project sponsor proposes to convert two dwelling units to a preschool for 48 children.

7. **Planning Code Section 303(c)** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The existing first floor level has been used as a preschool since 2007. Due to the overwhelming demand (with a waiting list for over a year) for its early learning preschool program for children, the project sponsor would like to convert the second floor level from residential to preschool for a combined total of 48 children. The preschool operates from 8:30 a.m. to 5:30 p.m. Monday through Friday. Classes are conducted in 3-hour periods: 9 a.m. to 1 p.m. for morning classes and 1 p.m. to 4 p.m. for afternoon classes. The preschool program emphasizes social and development skills for children ages 2 to 5 years old. It employs eight teachers and one program manager.

Educational uses, such as a preschool, have traditionally been located throughout the various commercial neighborhoods in the city. Land uses in the subject area are mixed, including large institutional uses (i.e., hospitals and churches), an ambulance service, commercial storefronts, and residential buildings. The proposal involves primarily interior remodeling work with minimal exterior improvements, while maintaining the existing building envelope and height.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the existing building will remain the same. The proposed work will not affect the building envelope.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The existing building contains no parking space and none is required. However, the project sponsor currently leases four off-street parking spaces from an adjacent parking lot to the east owned by UCSF. The existing drop-off and pick-up program allows parents to enter the UCSF parking lot on Bush Street, park in one of the four leased spaces, and exit out onto Scott Street. The drop-off and pick-up times are staggered 15 minutes so that cars do not queue onto Bush Street, with an average of 7 cars per 15-minute intervals. MUNI lines (#s: 1, 2, 3, 24 and 38) are

also available near the project site. According to the project sponsor, 40 percent of the children are walked to the project site and the remaining arrived in private automobiles.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed project will not generate any adverse impacts such as noxious or offensive odor or dust. Noise from outdoor playing will be staggered throughout the day. The project sponsor currently leases and will continue to lease from UCSF an adjacent outdoor activity area.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

All existing open space and the existing street tree would remain. No new signage or lighting is proposed for the project.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The project complies with all relevant requirements and standards of the Planning Code and, on balance, is consistent with objectives and policies of the General Plan as detailed below.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is in conformity with the applicable Planning Code provisions of the Neighborhood Commercial Districts.

8. **Planning Code Section 317(f)** establishes five criteria for the Planning Commission to consider in evaluating residential conversions pursuant to this new code section effective May 18, 2008. The proposed project, on balance, meets the criteria below.

1. Will the conversion of the units eliminate only owner-occupied housing, and if so, for how long has the units proposed to be removed been owner occupied?

Project Meets Criteria

According to the project sponsor, the previous owner kept the building either vacant or used it as a law office for ten years. Since the project sponsor's family purchased the building in 2007, only the top floor unit has been occupied while the lower floor unit has been operating as a preschool.

2. Will the conversion of the units provide desirable new non-residential use appropriate for the neighborhood and adjoining districts?

Project Meets Criteria

The project sponsor intends to convert the upper floor unit to a preschool, resulting in both floors devoted to a preschool for 48 children, ages 2 to 5, and operating from 8:30 a.m. to 5:30 p.m. Monday through Friday. The existing program has a waitlist for over a year. The preschool use is desirable and appropriate for the neighborhood.

3. Will the conversion of the units bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district?

Project Meets Criteria

The prevailing character in the area is mixed, including large institutional uses (i.e., hospitals and churches), an ambulance service, commercial storefronts, and residential buildings. Educational uses, such as a preschool, have traditionally been located throughout the various commercial neighborhoods in the city. The proposal involves primarily interior remodeling work with minimal exterior improvements, while maintaining the existing building envelope and height.

4. Will the conversion of the units be detrimental to the City's housing stock?

Project Does Not Meet Criteria

The subject property is authorized for two dwelling units. The conversion to a preschool use will remove two dwelling units from the City's housing stock. However, the dwelling units could be restored at some future time since the existing kitchen facilities would remain.

5. Is the conversion of the units necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected?

Project Does Not Meet Criteria

Although the existing building may not meet some of today's Building Code standards, the removal of the units is not necessary to correct any design or functional deficiencies related to a residential use; however, by converting to a preschool use, current Building Code and Fire Code standards would be triggered.

9. **General Plan Compliance.** The project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 3

ENHANCE THE PHYSICAL CONDITION AND SAFETY OF HOUSING WITHOUT JEOPARDIZING USE OR AFFORDABILITY.

Policy 3.6

Preserve landmark and historic residential buildings.

The property is developed with a two-story over basement Victorian building. The building is identified in the San Francisco Planning Department's 1976 Architectural Survey and received a summary rating of "2" on a scale of 0 to 5, 5 being the highest ranking for architectural quality. The proposal involves primarily interior remodeling work with minimal exterior improvements, while maintaining the existing building envelope and height.

RECREATION OPEN SPACE ELEMENT

OBJECTIVE 4

PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD

The proposed project would maintain existing outdoor open space and lease additional outdoor space from an adjacent lot owned by UCSF for use by its children.

TRANSPORTATION ELEMENT

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

OBJECTIVE 11

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

MUNI lines (#s: 1, 2, 3, 24 and 38) are available near the project site. According to the project sponsor, 40 percent of the children are walked to the project site and the remaining arrived in private automobiles.

OBJECTIVE 33

CONTAIN AND LESSEN THE TRAFFIC AND PARKING IMPACT OF INSTITUTIONS ON SURROUNDING RESIDENTIAL AREAS.

Policy 33.2

Protect residential neighborhoods from the parking impacts of nearby traffic generators.

The existing building contains no parking and none is required. However, the project sponsor currently leases four off-street parking spaces from an adjacent parking lot to the east owned by UCSF. The existing drop-off program allows parents to enter the UCSF parking lot on Bush Street and park in one of the four leased spaces. The drop-off times are staggered 15 minutes so that cars do not queue onto Bush Street.

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.
The proposal would not impact neighborhood-serving retail uses. The preschool employs eight teachers and one program manager.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.
The proposal will not conserve existing housing; however, the proposed change of use will not alter the neighborhood character since the existing building will be maintained and preserved.

- C. That the City's supply of affordable housing be preserved and enhanced,
While the proposal will not remove any designated affordable housing, it will remove 2 market-rate housing units that are subject to rent control. The housing units could be restored at some point in the future.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.
The proposal will not have a significant impact on traffic, transit or neighborhood parking. The existing drop-off and pick-up program allows parents to enter the UCSF parking lot on Bush Street, park in one of the four leased spaces, and exit out onto Scott Street. The drop-off and pick-up times are staggered 15 minutes so that cars do not queue onto Bush Street, with an average of 7 cars per 15-minute intervals.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.
The proposal will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
The project is designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject building is identified in the San Francisco Planning Department's 1976 Architectural Survey and received a summary rating of "2" on a scale of 0 to 5, 5 being the highest ranking for architectural quality. The proposal involves primarily interior remodeling work with minimal exterior improvements, while maintaining the existing building envelope and height.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The proposal will have no negative impact on existing parks and open spaces.

- 11. The project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Project Sponsor, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearing, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2010.0673CE** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application, dated October 27, 2010, and labeled "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. _____. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 24, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 24, 2011

Exhibit A

Conditions of Approval

AUTHORIZATION

This authorization is for a Conditional Use Authorization to change the authorized use from a two-dwelling unit building to a preschool (dba "Stretch the Imagination") for up to 48 children by legalizing the existing first floor conversion from residential to preschool in 2007, and converting the second floor to a preschool, for a combined total of approximately 3,900 square feet, and operating from 8:30 a.m. to 5:30 p.m., Monday through Friday, located at 2509 Bush Street, Assessor's Block 1051, Lot 032, pursuant to Planning Code Sections 303(c), 317(f) and 712.38, in the NC-3 (Moderate-Scale Neighborhood Commercial) District and 40-X Height and Bulk District; in general conformance with plans dated October 27, 2010 and labeled "EXHIBIT B" included in the docket for Case No. 2010.0673CE and subject to conditions of approval reviewed and approved by the Commission on February 24, 2011 under Motion No. _____. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the Building Permit Application or commencement of use for the project, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on February 24, 2011 under Motion No. _____.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the "Exhibit A" of this Planning Commission Motion No. _____ shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building Permit Application for the project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The project shall comply with all applicable City codes and requirements. If any clause, sentence, section, or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a Building Permit. The project sponsor shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A Building Permit Application from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a Site or Building Permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a Site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

MONITORING - AFTER ENTITLEMENT

3. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other City departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

4. **Monitoring.** The project requires monitoring of the conditions of approval in this Motion. The project sponsor or the subsequent responsible parties for the project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

5. **Revocation due to Violation of Conditions.** Should implementation of this project result in complaints from interested property owners, residents, or commercial lessees which are not

resolved by the project sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

OPERATION

6. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed off pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org/>.

7. **Sidewalk Maintenance.** The project sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works' Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>.

8. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org.

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, www.sf-police.org.



SAN FRANCISCO PLANNING DEPARTMENT

Date received:

RECEIVED

NOV 04 2010

Environmental Evaluation Application

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

The California Environmental Quality Act (CEQA) requires public agencies to review the environmental impacts of proposed projects. In San Francisco, environmental review under CEQA is administered by the Major Environmental Analysis (MEA) division of the Planning Department. The environmental review process begins with the submittal of a completed Environmental Evaluation (EE) Application to the Planning Department. Only the current EE Application form will be accepted. No appointment is required but staff is available to meet with applicants upon request.

The EE Application will not be processed unless it is completely filled out and the appropriate fees are paid in full. Checks should be made payable to the San Francisco Planning Department. See the current *Schedule of Application Fees* and contact the staff person listed below for verification of the appropriate fees. Fees are generally non-refundable. **Documents in italics are available online at sfgov.org/planning.**

The EE Application is comprised of four parts. Part 1 is a checklist to ensure that the EE Application is complete; Part 2 requests basic information about the site and the project; Part 3 is a series of questions to help determine if additional information is needed for the EE Application; and Part 4 is a project summary table.

The complete EE Application should be submitted to the Planning Department staff as follows: For projects greater than 10,000 square feet in size and where Part 3 Questions #3, #8, #10, or #11 are answered in the affirmative, or for projects that require mitigation measures, please send the application materials to the attention of Ms. Fordham or Ms. Pereira. For all other projects, please send the application materials to the attention of Mr. Bollinger.

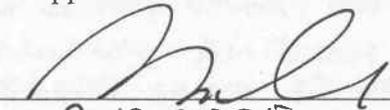
Brett Bollinger
1650 Mission Street, Suite 400
San Francisco, CA 94103
(415) 575-9024, brett.bollinger@sfgov.org

Chelsea Fordham or Jeanie Poling
1650 Mission Street, Suite 400
San Francisco, CA 94103
(415) 575-9071, chelsea.fordham@sfgov.org
(415) 575-9072, jeanie.poling@sfgov.org

PART 1 – EE APPLICATION CHECKLIST	Provided	Not Applicable
Two copies of this application with all blanks filled in	<input checked="" type="checkbox"/>	
Two sets of project drawings (see "Additional Information" at the end of page 4,)	<input checked="" type="checkbox"/>	
Photos of the project site and its immediate vicinity, with viewpoints labeled	<input checked="" type="checkbox"/>	
Fee	<input type="checkbox"/>	
<i>Supplemental Information Form for Historical Resource Evaluation</i> and/or <i>Historic Resource Evaluation Report</i> , as indicated in Part 3 Questions 1 and 2	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical Report, as indicated in Part 3 Questions 3a and 3b	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tree Disclosure Statement</i> , as indicated in Part 3 Question 4	<input type="checkbox"/>	<input type="checkbox"/>
Phase I Environmental Site Assessment, as indicated in Part 3 Question 8	<input type="checkbox"/>	<input type="checkbox"/>
Additional studies (list)	<input type="checkbox"/>	<input type="checkbox"/>

Applicant's Affidavit. I certify the accuracy of the following declarations:

- a. The undersigned is the owner or authorized agent of the owner(s) of this property.
- b. The information presented is true and correct to the best of my knowledge.
- c. I understand that other applications and information may be required.

Signed (owner or agent): 
(For Staff Use Only) Case No. 2010.0673E

Date: 10.27.10
Address: 2509/2509A BUSH ST.
Block/Lot: 1051/032

PART 2 - PROJECT INFORMATION

Owner/Agent Information

Property Owner MICHELLE/NED LAWTON Telephone No. 415-922-0104
 Address 2509A BUSH STREET Fax. No. _____
SAN FRANCISCO, CA. 94115 Email NED@STRETCHTHEIMAGINATION.COM
 Project Contact BASSEL SAMAHHA Telephone No. 415.399.8700
 Company SAMAHHA+HART ARCH. Fax No. 415.399.8712
 Address 515 PACIFIC AVE. Email BASSEL@
S.F. CA 94133 SAMAHHA-HART.COM

Site Information

Site Address(es): 2509/2509A BUSH STREET
 Nearest Cross Street(s) SCOTT
 Block(s)/Lot(s) 1051 / 032 Zoning District(s) NC-3
 Site Square Footage 2500 SF. Height/Bulk District 40-X
 Present or previous site use RESIDENTIAL (R-3) PRESENT USE
 Community Plan Area (if any) _____

Project Description - please check all that apply

- Addition Change of use Zoning change New construction
 Alteration Demolition Lot split/subdivision or lot line adjustment
 Other (describe) _____ Estimated Cost = \$50,000

Describe proposed use CONVERT TO DAY-CARE/PRESCHOOL (E).

Narrative project description. Please summarize and describe the purpose of the project.

SINCE 2007, THE OWNERS HAVE USED THE FIRST FLOOR UNIT AS A SMALL RECREATION PROGRAM FOR CHILDREN AGES 2-5. THE PROGRAM HAS BEEN HUGEY SUCCESSFUL AND CURRENTLY MAINTAINS A WAITLIST OF WELL OVER A YEAR. TO RESPOND TO THE DEMAND THE OWNERS WOULD LIKE TO CONVERT BOTH UNITS (THEY LIVE IN THE OTHER UNIT) INTO A DAY-CARE/PRESCHOOL.

THESE UNITS HAVE BEEN OWNER OCCUPIED FOR AT LEAST THE LAST 14 YEARS AND HAVE NOT BEEN USED EXCLUSIVELY FOR HOUSING DURING THAT PERIOD. THE PLANNING DEPARTMENT'S OWN PROPERTY INFORMATION REPORT STATES THAT THE ORIGINAL USE OF THE BUILDING IS UNKNOWN.

PART 3 – ADDITIONAL PROJECT INFORMATION	Yes	No
1. Would the project involve a major alteration of a structure constructed 50 or more years ago or a structure in an historic district? If yes, submit a <i>Supplemental Information Form for Historical Resource Evaluation</i> . Instructions on how to fill out the form are outlined in the <i>San Francisco Preservation Bulletin No. 16</i> (see pages 28-34 in Appendix B).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Would the project involve demolition of a structure constructed 50 or more years ago or a structure located in an historic district? If yes, a Historic Resource Evaluation Report (HREER)* will be required. The scope of the HREER will be determined in consultation with the Department's Preservation Coordinator.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3a. Would the project result in excavation or soil disturbance/modification greater than 10 feet below grade? If yes, how many feet below grade would be excavated? _____ What type of foundation would be used (if known)? _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3b. Is the project site located in an area of potential geotechnical hazard as identified in the San Francisco General Plan or on a steep slope or would the project be located on a site with an average slope of 20% or more? If yes to either Question 3a or 3b, please submit a Geotechnical Report.*	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Would the project involve expansion of an existing building envelope, or new construction, or grading, or new curb cuts, or demolition? If yes, please submit a <i>Tree Disclosure Statement</i> .	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Would the project result in ground disturbance of 5,000 gross square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project result in any construction over 40 feet in height? If yes, apply for a Section 295 (Proposition K) Shadow Study. This application is available on the Planning Department's website and should be submitted at the Planning Information Center , 1660 Mission Street, First Floor.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Would the project result in a construction of a structure 80 feet or higher? If yes, an initial review by a wind expert, including a recommendation as to whether a wind analysis* is needed, may be required, as determined by Department staff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Would the project involve work on a site with an existing or former gas station, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks? If yes, please submit a Phase I Environmental Site Assessment (ESA).* A Phase II ESA (for example, soil testing) may be required, as determined by Department staff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Would the project require any variances, special authorizations, or changes to the Planning Code or Zoning Maps? If yes, please describe. CONDITIONAL USE AUTHORIZATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Is the project related to a larger project, series of projects, or program? If yes, please describe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Is the project in Eastern Neighborhoods or Market & Octavia Community Plan Area? If yes, and the project would be over 55 feet tall or 10 feet taller than an adjacent building built before 1963, please submit an elevation or renderings showing the project with the adjacent buildings.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Report or study to be prepared by a qualified consultant who is contracted directly by the project sponsor.

PART 4 – PROJECT SUMMARY TABLE

If you are not sure of the eventual size of the project, provide the **maximum** estimates.

Gross Square Footage (GSF)	Existing Uses	Existing Uses to be Retained	Net New Construction and/or Addition	Project Totals
Residential	2580 SF	0	0	2580 SF
Retail				
Office				
Industrial				
Parking				
Other (specify use)				
Total GSF	2580 SF			2580 SF
Dwelling units	2	0	0	-2
Hotel rooms	-	-	-	-
Parking spaces	0	0	0	0
Loading spaces	0	0	0	0
Number of buildings	1	1	0	1
Height of building(s)	+/- 30'		0	+/- 30'
Number of stories	2	2	2	2

Please describe any additional project features that are not included in this table:

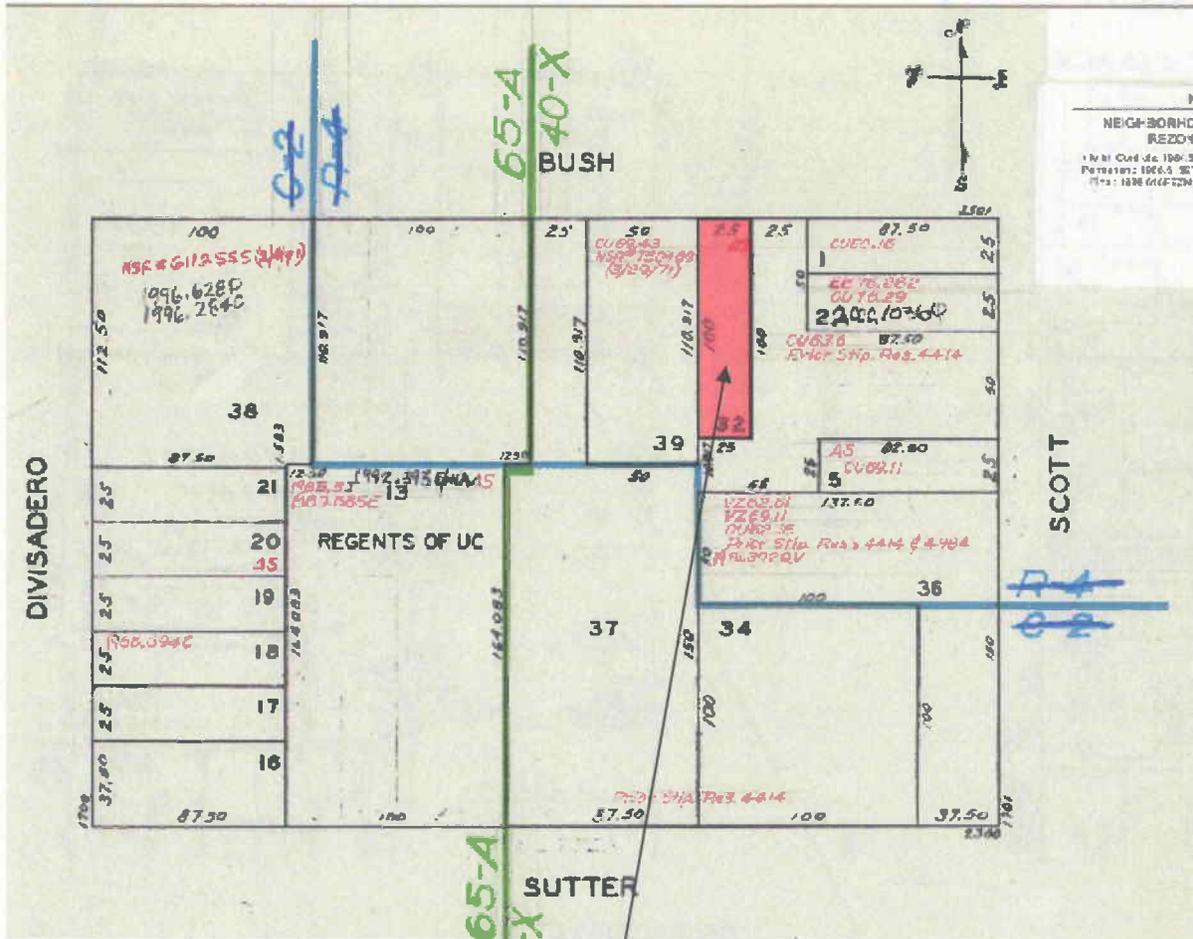
Additional Information: Project drawings in 11x17 format should include existing and proposed site plans, floor plans, elevations, and sections, as well as all applicable dimensions and calculations for existing and proposed floor area and height. The plans should clearly show existing and proposed off-street parking and loading spaces; driveways and trash loading areas; vehicular and pedestrian access to the site, including access to off-street parking and parking configuration; and bus stops and curbside loading zones within 150 feet of the site. A **transportation study** may be required, depending on existing traffic conditions in the project area and the potential traffic generation of the proposed project, as determined by the Department's transportation planners. **Neighborhood notification** may also be required as part of the environmental review processes.

**SAN FRANCISCO DEPARTMENT OF CITY PLANNING
CATEGORICALLY EXEMPT ENVIRONMENTAL REVIEW**

CLASS 1 - Existing Facilities
Change of use involving negligible
or no expansion of use.

Butt Bollinger 12/9/10
Approved Planning Dept. Butt Bollinger

Zoning / Parcel Map



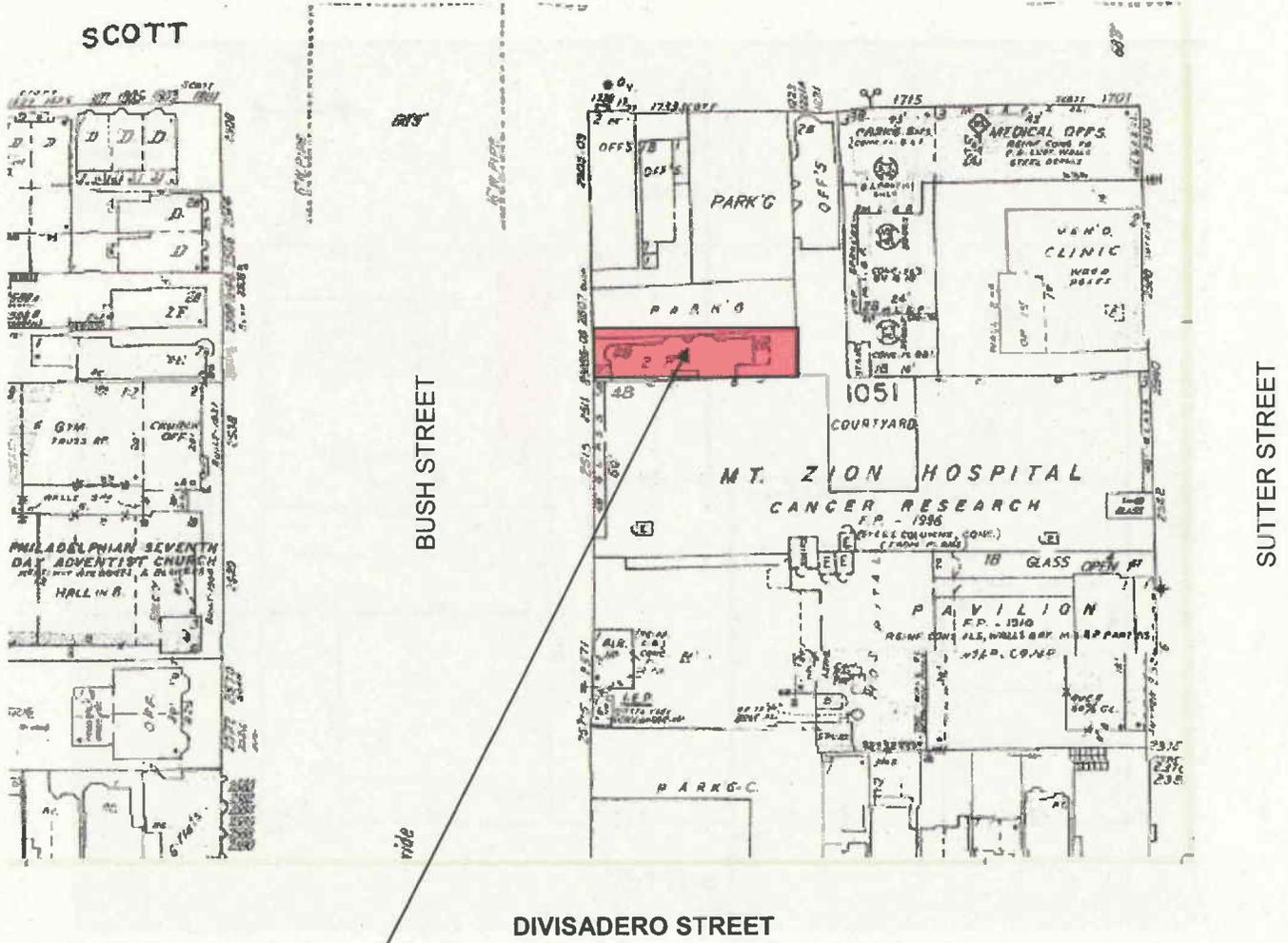
SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0673CE
2509 Bush Street

Sanborn Map*

*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0673CE
2509 Bush Street

Aerial Photo

SCOTT STREET

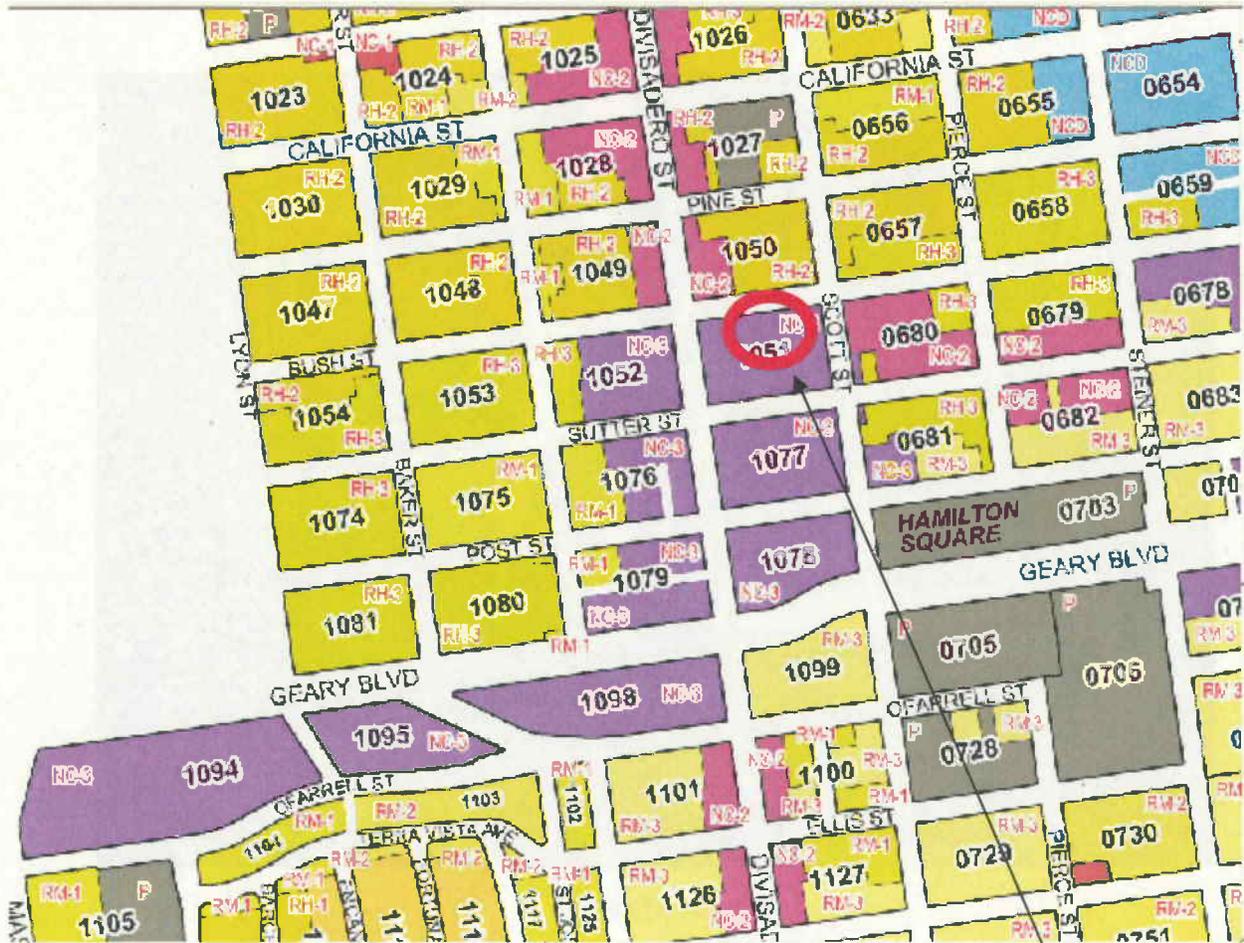


BUSH STREET

SUBJECT PROPERTY



Zoning Map



PROJECT SITE

ZONING USE DISTRICTS

RESIDENTIAL, HOUSE DISTRICTS

RH-1(D) RH-1 RH-1(S) RH-2 RH-3

RESIDENTIAL, MIXED (APARTMENTS & HOUSES) DISTRICTS

RM-1 RM-2 RM-3 RM-4

NEIGHBORHOOD COMMERCIAL DISTRICTS

NC-1 NC-2 NC-3 NCD NC-S

SOUTH OF MARKET MIXED USE DISTRICTS

SPD RED RSD SLR SLI SSO

COMMERCIAL DISTRICTS

C-2 C-3-S C-3-G C-3-R C-3-O C-3(O/S)

INDUSTRIAL DISTRICTS

C-M M-1 M-2

CHINATOWN MIXED USE DISTRICTS

CRNC CVR CCB

RESIDENTIAL-COMMERCIAL DISTRICTS

RC-3 RC-4

REDEVELOPMENT AGENCY DISTRICTS

MB-RA HP-RA

DOWNTOWN RESIDENTIAL DISTRICTS

RH-DTR TB-DTR

MISSION BAY DISTRICTS

MB-OS MB-O

PUBLIC DISTRICT

P



Conditional Use Hearing
Case Number 2010.0673CE
2509 Bush Street

SAMAHA+HART
ARCHITECTURE

515 PACIFIC STREET, 2ND FLOOR
SAN FRANCISCO, CA 94133
T 415.399.8700
F 415.399.6712

**STRETCH THE
IMAGINATION**

2509 / 2509A BUSH STREET
SAN FRANCISCO, CA 94115

ISSUES AND REVISIONS

NO.	DATE	DESCRIPTION
10	27.10	CONDITIONAL USE AUTHORIZATION

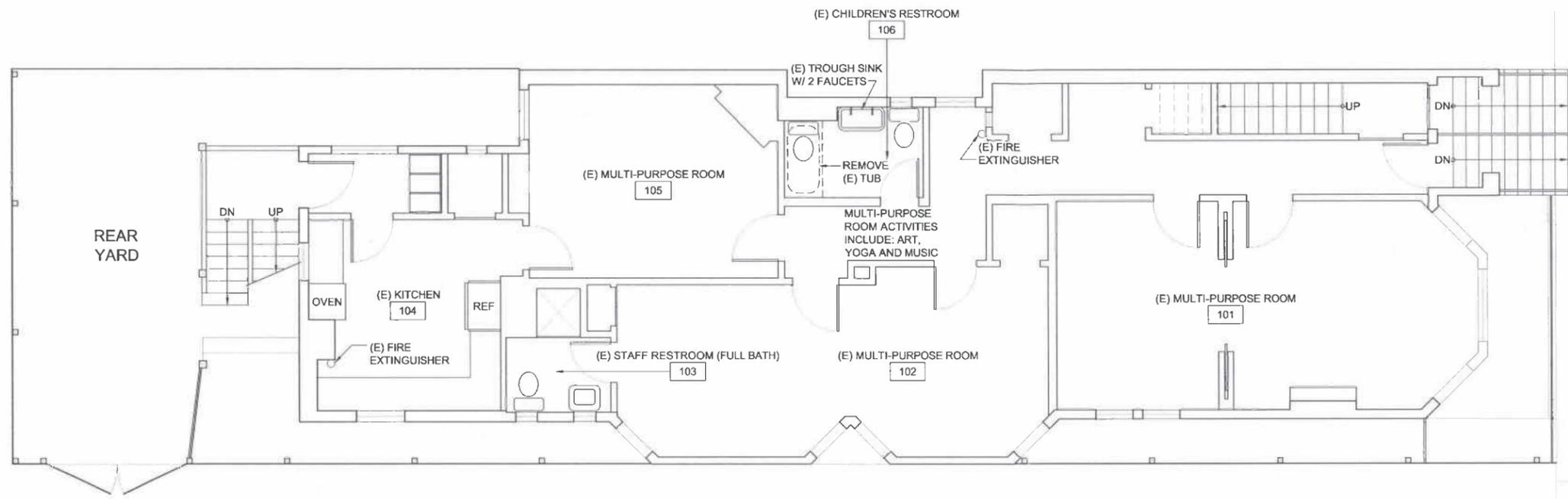
PROJECT NUMBER
2101

SHEET TITLE
**EXISTING / DEMO
FLOOR PLANS:
BASEMENT & LEVEL 1**

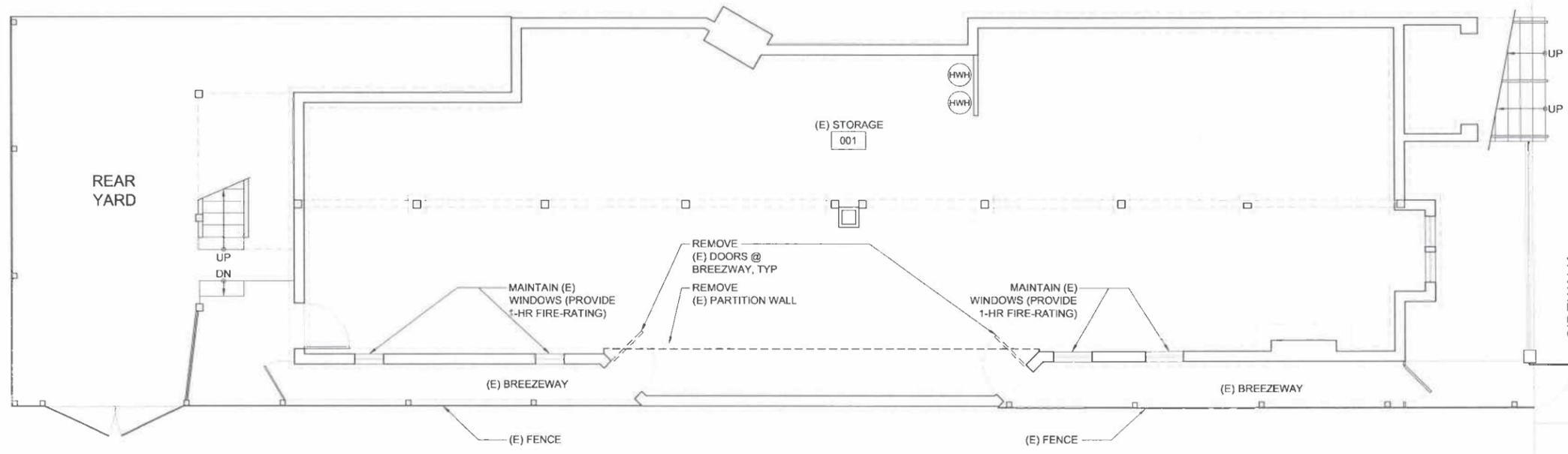
SCALE
1/4"=1'-0"

SHEET NUMBER

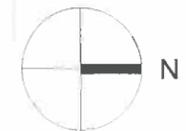
A1.1



2 LEVEL 1: 1290 SF
A1.0 SCALE: 1/4" = 1'-0"



1 BASEMENT: 1290 SF
A1.0 SCALE: 1/4" = 1'-0"



SAMAHA+HART
ARCHITECTURE

515 PACIFIC STREET, 2ND FLOOR
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**STRETCH THE
IMAGINATION**

2509 / 2509A BUSH STREET
SAN FRANCISCO, CA 94115

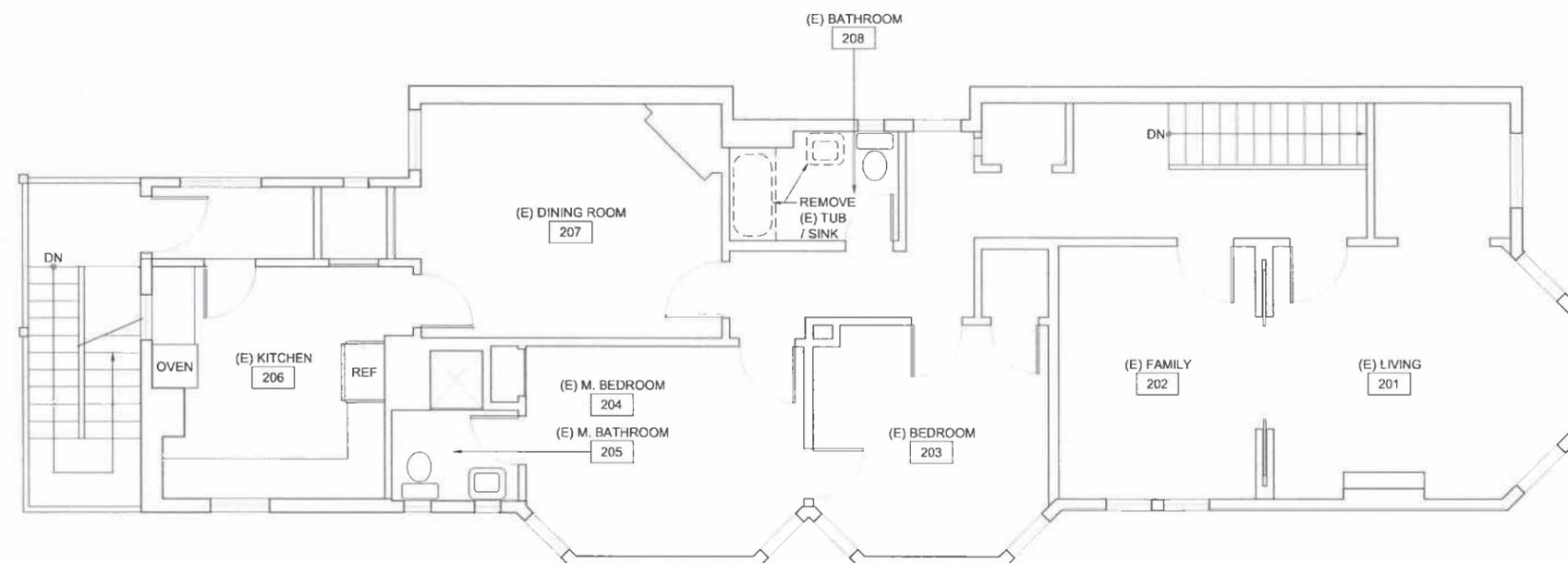
ISSUES AND REVISIONS	
NO.	DESCRIPTION
10.27.10	CONDITIONAL USE AUTHORIZATION

PROJECT NUMBER
2101

SHEET TITLE
**EXISTING / DEMO
FLOOR PLAN:
LEVEL 2**
SCALE
1/4"=1'-0"

SHEET NUMBER

A1.2



1 LEVEL 2: 1290 SF
A1.1 SCALE: 1/4" = 1'-0"



SAMAHA+HART
ARCHITECTURE

515 PACIFIC STREET, 2ND FLOOR
SAN FRANCISCO, CA 94133
T 415.399.8700
F 415.399.8712

**STRETCH THE
IMAGINATION**

2509 / 2509A BUSH STREET
SAN FRANCISCO, CA 94115

ISSUES AND REVISIONS		
NO.	DATE	DESCRIPTION
10	27.10	CONDITIONAL USE AUTHORIZATION

PROJECT NUMBER
2101

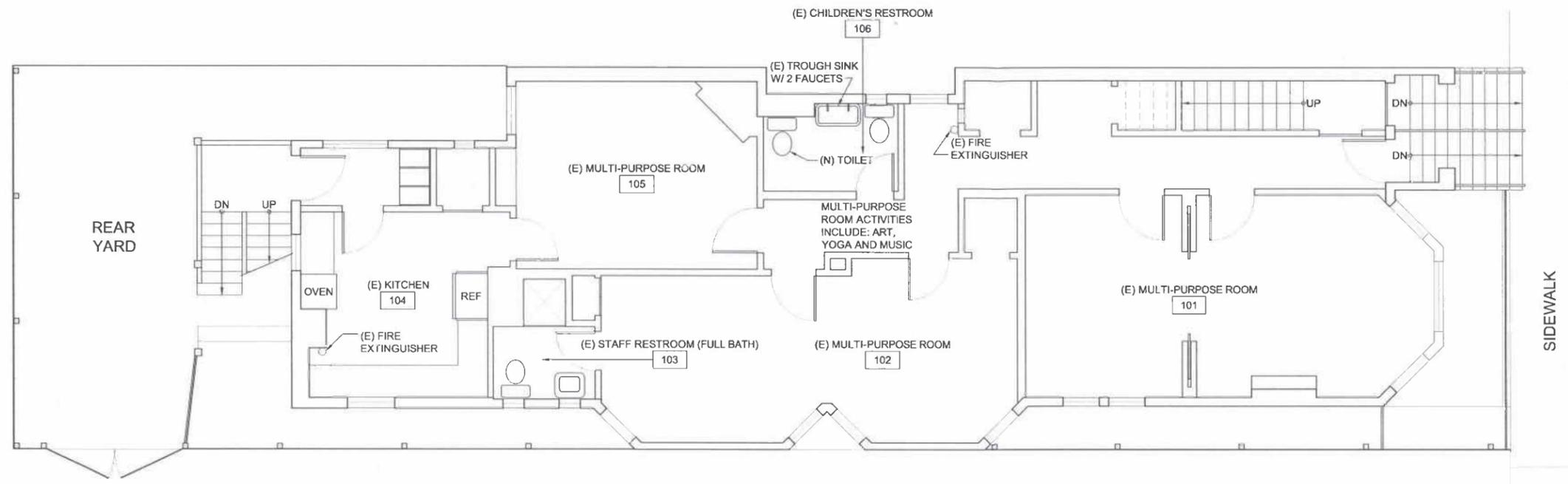
SHEET TITLE

**NEW FLOOR PLANS:
BASEMENT & LEVEL 1**

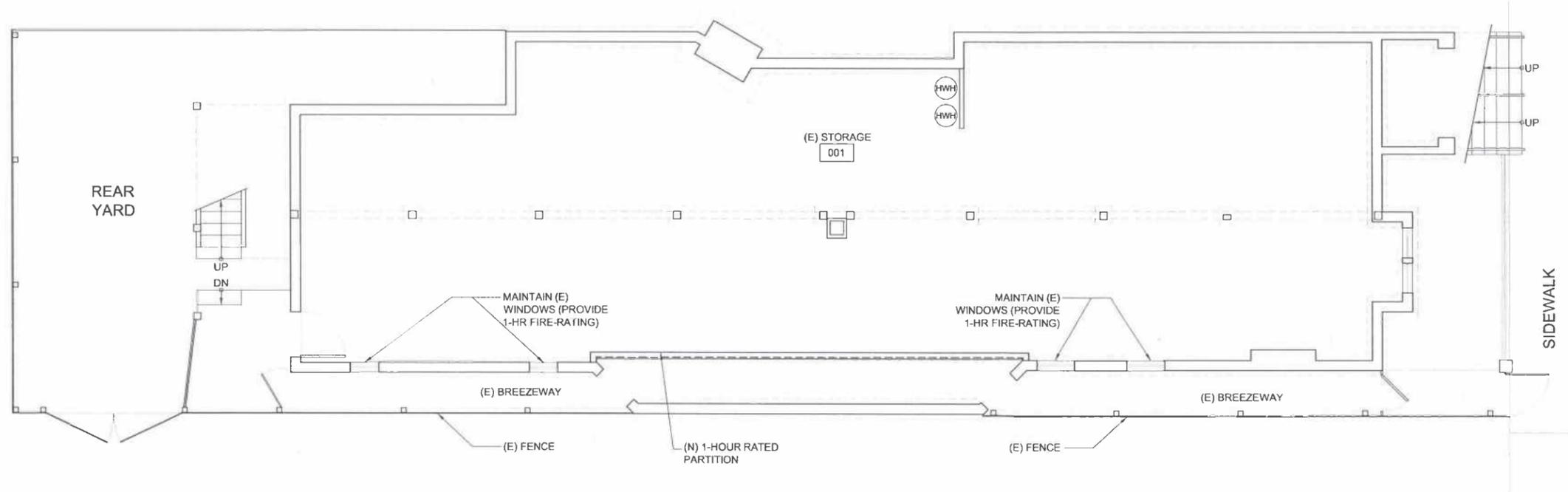
SCALE
1/4"=1'-0"

SHEET NUMBER

A2.1



2 LEVEL 1: 1290 SF
A1.0 SCALE: 1/4" = 1'-0"



1 BASEMENT 1290 SF
A1.0 SCALE: 1/4" = 1'-0"



SAMAHA+HART
ARCHITECTURE

515 PACIFIC STREET, 2ND FLOOR
SAN FRANCISCO, CA 94133
T 415.399.8700
F 415.399.8712

**STRETCH THE
IMAGINATION**

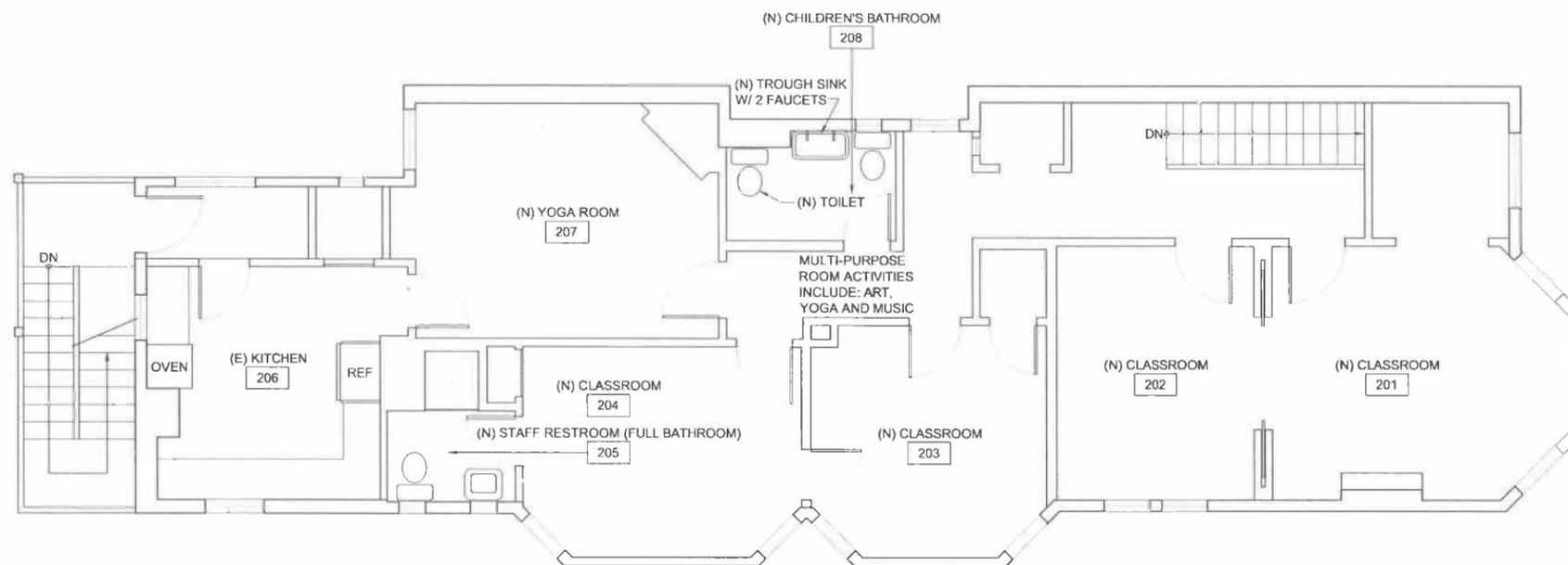
2509 / 2509A BUSH STREET
SAN FRANCISCO, CA 94115

ISSUES AND REVISIONS	
NO.	DATE DESCRIPTION
10.27.10	CONDITIONAL USE AUTHORIZATION

PROJECT NUMBER
2101

SHEET TITLE
**NEW FLOOR PLAN:
LEVEL 2**
SCALE
1/4"=1'-0"

SHEET NUMBER
A2.2



1 LEVEL 2: 1290 SF
A1.1 SCALE: 1/4" = 1'-0"

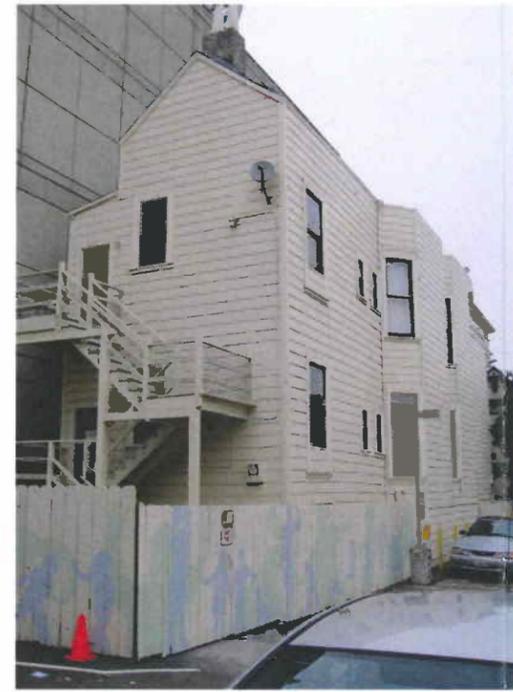




2509/2509A Bush Street
Front Facade



2509/2509A Bush Street
Side Facade



2509/2509A Bush Street
Side Facade



2509/2509A Bush Street
Rear Facade

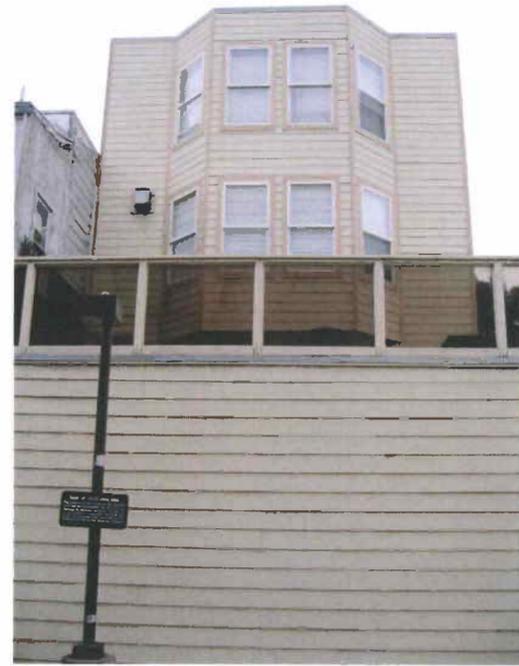
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FEB 14 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
NEIGHBORHOOD PLANNING



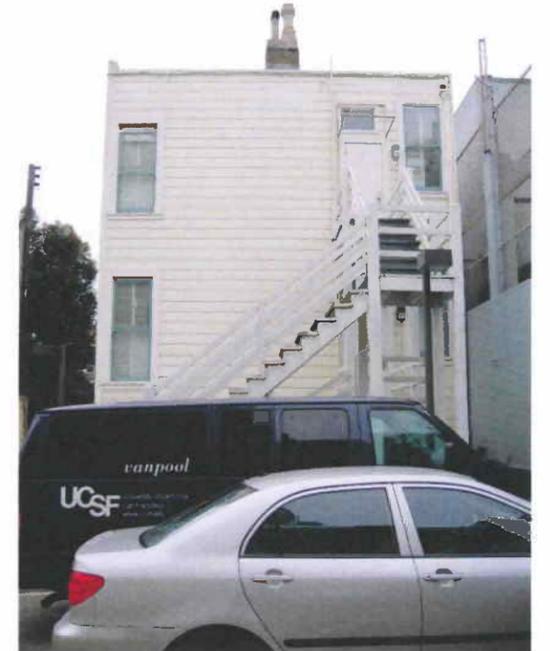
2509/2509A Bush Street
Subject Property



1733 Scott Street



1739 Scott Street



1721 Scott Street



2300 Sutter Street

← CURRENT DROP-OFF LOCATION:
4 PARKING STALLS



2511 Bush St

North Side of Bush Street



1800 Divisadero St
(Residential over Commercial)



2570 Bush Street
(Ambulance Service)



2520 Bush St
(Church)



2520 Bush St
(Church)



2510 Bush St
(Residential)



2508 Bush St
(Residential)



2504-06 Bush St
(Residential)



1801-03 Scott St
(Parking Lot)

South Side of Bush Street



1739 Scott St
(Medical Office Building)



UCSF Parking Lot



2509/2509A
Bush St
(Subject Property)



2511 Bush St
(UCSF Medical Office Building)



1750 Divisadero St
(Commercial)



SAN FRANCISCO PLANNING DEPARTMENT

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Section 317 Application

AUG 10 2010

Section 317 of the Planning Code requires that a public hearing will be held prior to approval of any permit that will remove existing housing, with certain codified exceptions. Where a project will result in the loss of one or two residential units, the project is subject to a Mandatory Discretionary Review (DR) hearing before the Planning Commission, unless the Code specifically requires Conditional Use (CU) Authorization. Projects resulting in the loss of three or more units will require a Conditional Use hearing by the Planning Commission. If a Conditional Use is required, attach this Application as a supplemental document. All projects subject to Section 317 must fill out this cover sheet and the relevant attached Form(s) (A, B, or C), and contact Georgia Powell at (415) 558-6371 to schedule an intake appointment.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT ADDRESS: 2509/2509A BUSH ST.		NAME: BASSEL SAMAHA		
BLOCK / LOT: 1051/032		ADDRESS: 515 PACIFIC AVE.		
ZONING: NC-3		CITY, STATE: S.F. CA 94133		
LOT AREA 2500 SF		PHONE: 415.399.8700		
#	PROJECT INFORMATION	EXISTING	PROPOSED	NET CHANGE
1	Total number of units	2	0	-2
2	Total number of parking spaces	0	0	0
3	Total gross habitable square footage	2580	0	0
4	Total number of bedrooms	4	0	-4
5	Date of property purchase	MARCH 2007		
6	Number of rental units	0	0	0
7	Number of bedrooms rented	0	0	0
8	Number of units subject to rent control	1	0	-1
9	Number of bedrooms subject to rent control	2	0	-2
10	Number of units currently vacant	0	0	0
11	Was the building subject to the Ellis Act within the last decade?	NO		
12	Number of owner-occupied units	2	0	0

I have read and understood the information in this Application, including the required payment of time and material fees for processing this Application. I certify that I will pay all Planning Department time and material costs for processing this Application, as required by Sections 350(c) and 352(B) of the Planning Code.

Signature:

Printed Name: BASSEL SAMAHA Date: 08.10.10

Edward B. Lawton

www.sfplanning.org

08-10-10

SAMAHA+HARTARCHITECTURE
515 Pacific Avenue, 2nd Floor
San Francisco CA 94133
T 415 399 8700
F 415 399 8712

RECEIVED

OCT 25 2010

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
NEIGHBORHOOD PLANNING

Section 317 Application for 2509/2909A Bush Street (10.27.10)
Section 317 Findings, Form C:

1. Will the conversion of the unit(s) eliminate only owner occupied housing, and if so, for how long has the unit(s) proposed to be removed been owner occupied?

Yes, the conversion of both units will only eliminate owner occupied housing. These units have been owner occupied for at least 14 years. Since 2007, the current owners (project applicants) have lived in the upper unit and used the lower unit as a small recreation program for children ages 2-5.

2. Will the conversion of the unit(s) provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s)?

Yes, the conversion to day-care will provide much needed childcare for the neighborhood. It will provide day-care services for up to 48 children ages 2-5 in a program that will operate from 8:30am-5:30pm.

3. Will the conversion of the unit(s) bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district?

Yes, the conversion will bring the building closer into conformance with the prevailing character of the immediate area. Half of the twelve buildings on the block are non-residential uses.

4. Will the conversion of the unit(s) be detrimental to the City's housing stock?

No, for at least 14 years these units have not been used exclusively for housing. The Planning Department's own Property Information Report states that the original use of the building is unknown.

5. Is the conversion of the unit(s) necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected?

Yes, the conversion is required to change the occupancy from Residential (R-3) to Day-Care (E). The conversions are the only means by which this facility can be expanded to serve up to 48 children.

(End of Section 317 Findings, Form C)