Discretionary Review Analysis

Dwelling Unit Conversion HEARING DATE OCTOBER 6, 2011

Date:

September 29, 2011

Case No .:

2011.0254D

Project Address:

4205 24th Street

Permit Application: 2011.03.17.2284

Zoning:

24th Street - Noe Valley Neighborhood Commercial District

1650 Mission St. Suite 400 San Francisco.

CA 94103-2479

415.558.6409

Reception: 415.558.6378

Fax:

Planning

Information:

415.558.6377

40-X Height and Bulk District

Block/Lot:

6505/001

Project Sponsor:

Lisa Wong

1213 Folsom Street

San Francisco, CA 94103

Staff Contact:

Michael Smith - (415) 558.6322

michael.e.smith@sfgov.org

Recommendation:

Do not take discretionary review and approve

PROJECT DESCRIPTION

The proposal is to convert the vacant ground floor dwelling into commercial space and merge the space with the adjacent commercial space that was formerly occupied by a laundromat. The new commercial space would be approximately 1,000 square-feet and occupied by a new indoor children's play facility d.b.a. "The Little Lounge". Pursuant to Section 317 of the Code, the project is subject to mandatory staff initiated discretionary review for the conversion of a legal dwelling unit to commercial space.

SITE DESCRIPTION AND PRESENT USE

4205 24th Street is located on the southwest corner at Diamond Street at the western boundary of the 24th Street - Noe Valley Neighborhood Commercial District. The property is improved with a three-story, mixed-use building that contains six dwellings and two commercial spaces. The primary commercial space is accessed from the corner entry and was formerly occupied by a Laundromat but is currently vacant. A second commercial space and two off-street parking spaces are located at the property's 24th Street frontage. There are five smaller dwellings ranging in size from 423 square-feet to 525 square-feet and a 900 square-foot, 2 bedroom, penthouse unit. The subject dwelling is located at the ground floor southeast corner of the building. The unit is approximately 500 square-feet and comprised of two rooms. The second room is likely used as a bedroom though it does not have a closet or meet DBI light and ventilation requirements.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property is located at the western boundary of the 24th Street – Noe Valley Neighborhood Commercial District. The property abuts residential uses within a RH-2 District to the west. To the south are three small-scale mixed-use buildings with ground floor commercial space including a day care type facility and a hair salon. Across the street to the east are a group of infill apartment buildings. And across the street to the north and northeast are mixed-use buildings with ground floor commercial spaces including a café.

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	September 26, 2011	September 26, 2011	20 days
Mailed Notice	10 days	September 26, 2011	September 23, 2011	23 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	1		
Other neighbors on the			
block or directly across			X
the street		3.0	
Neighborhood groups			X

The Department has not received any comments from the neighborhood regarding this project.

PROJECT ANALYSIS

DWELLING UNIT MERGER CRITERIA

Below are the five criteria to be considered by the Planning Commission in evaluating dwelling unit conversions, per Planning Code Section 317:

1. Whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;.

Project Does Not Meet Criteria

The existing unit is currently vacant but was previously tenant occupied. The unit has been vacant prior to the current owner purchasing the property in 2010.

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

Project Meets Criteria

The proposed children's indoor play area is a compatible use for the neighborhood. It is designed to provide an indoor play alternative for families within a neighborhood that has many families.

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

Project Meets Criteria

In general, the commercial district is defined by mixed-use buildings with ground floor retail. The more immediate neighborhood is within a commercial zoning district and a residential zoning district. The adjacent properties within the commercial zoning district have ground floor commercial uses with storefronts similar to the project. The adjacent building to the south also has a ground floor garage that interrupts the commercial frontage. Beyond the three adjacent properties to the south are low-density residential properties. Across the street to the east are also low density residential properties. And across the street to the north and northeast are mixed-use buildings with ground floor commercial spaces including a café. Within this context the project is consistent with the prevailing character of the neighborhood and the district. Furthermore, the added commercial frontage helps to strengthen the overall district because the property is located on a corner within a commercial district.

The removal of the dwelling unit will bring the property into closer conformance with the Code. The property is a nonconforming use because it contains six dwellings where the Code would only permit four dwellings.

4. Whether conversion of the unit(s) will be detrimental to the City's housing stock;

Project Does Not Meets Criteria

The project would result in the loss of one legal dwelling unit from the City's housing stock.

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

Project Partially Meets Criteria

The dwelling in question is approximately 500 square-feet and comprised of two rooms. The second room is likely used as a bedroom though it does not have a closet or meet DBI light and ventilation requirements. This deficiency does not affect the dwellings habitability because it could be categorized as a studio instead of a one-bedroom.

GENERAL PLAN COMPLIANCE:

The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The project would eliminate a vacant ground floor dwelling in a district that is defined by ground floor commercial uses. The proposed family oriented use is appropriate within a neighborhood that contains many families.

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1:

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

The proposal would provide employment opportunities for three semi-skilled workers.

SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

- 1. Existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.
 - The project would retain and strengthen an existing neighborhood-serving commercial space. The proposed use would be owned and operated by a neighborhood resident.
- 2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.
 - The project would result in the loss of an existing rent-controlled dwelling but the property contains three other dwellings of similar size that help preserve the cultural and economic diversity of the neighborhood.
- 3. That the City's supply of affordable housing be preserved and enhanced.
 - The project would result in the loss of an existing rent-controlled dwelling.
- 4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

There is a bus stop adjacent to the property's 24th Street frontage which provides a transit option for patrons and employees alike. The potential increase in transit usage is not expected to overburden transit service or neighborhood parking. The use does not have quick turnover so patrons aren't expected to impede transit service by temporarily parking in the bus stop.

5. 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 project will add to the City's service sector employment opportunities.

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The project will be constructed according to Building Code seismic requirements.

7. Landmarks and historic buildings be preserved.

The existing building was determined not to be historic through previous historic evaluation.

8. Parks and open space and their access to sunlight and vistas be protected from development.

There are no parks or open spaces that would be affected by the project.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt from environmental review, pursuant to CEQA Guideline Sections 15301.

BASIS FOR RECOMMENDATION

- The Code encourages ground floor commercial uses within the District and the property is located adjacent to ground floor commercial uses to the south.
- The project would be owned and operated by a neighborhood resident.
- The project would provide an innovative neighborhood serving use that is not currently available within the district.
- The project would provide semi-skilled service sector employment opportunities for five individuals.
- The project would bring the property into closer conformance with the Code.
- The project would eliminate a vacant dwelling that is not particularly desirable due to its lack of light and ventilation and its ground floor location amongst commercial uses.

RECOMMENDATION:

Do not take discretionary review and approve

Attachments:

Parcel Map Sanborn Map Zoning Map Photographs Section 312 Notice Reduced Plans There is a bus stop adjacent to the property's 24th Street frontage which provides a transit option for patrons and employees alike. The potential increase in transit usage is not expected to overburden transit service or neighborhood parking. The use does not have quick turnover so patrons aren't expected to impede transit service by temporarily parking in the bus stop.

5. 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 project will add to the City's service sector employment opportunities.

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The project will be constructed according to Building Code seismic requirements.

7. Landmarks and historic buildings be preserved.

The existing building was determined not to be historic through previous historic evaluation.

8. Parks and open space and their access to sunlight and vistas be protected from development.

There are no parks or open spaces that would be affected by the project.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt from environmental review, pursuant to CEQA Guideline Sections 15301.

BASIS FOR RECOMMENDATION

- The Code encourages ground floor commercial uses within the District and the property is located adjacent to ground floor commercial uses to the south.
- The project would be owned and operated by a neighborhood resident.
- The project would provide an innovative neighborhood serving use that is not currently available within the district.
- The project would provide semi-skilled service sector employment opportunities for five individuals.
- The project would bring the property into closer conformance with the Code.
- The project would eliminate a vacant dwelling that is not particularly desirable due to its lack of light and ventilation and its ground floor location amongst commercial uses.

RECOMMENDATION:

Do not take discretionary review and approve

Attachments:

Parcel Map

Sanborn Map

Zoning Map

Aerial Photographs

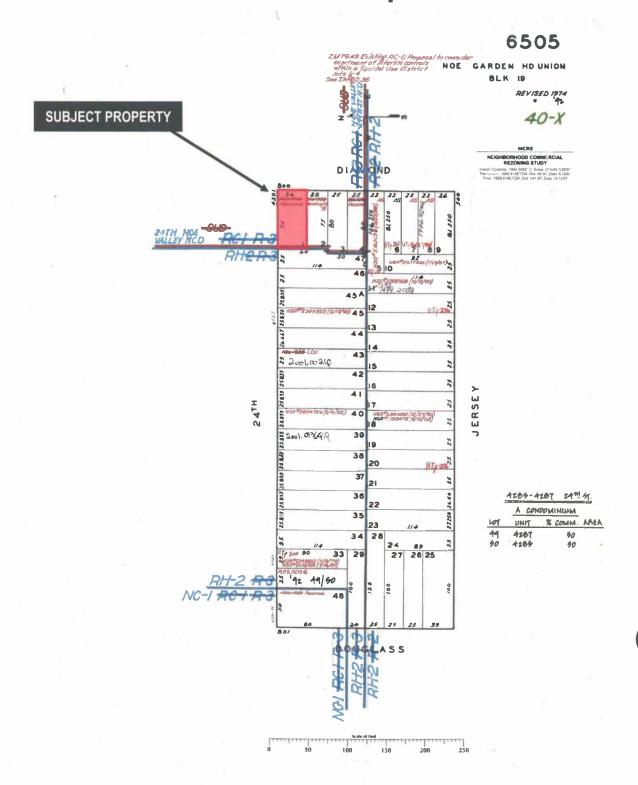
Photographs

Sponsor's Submittal

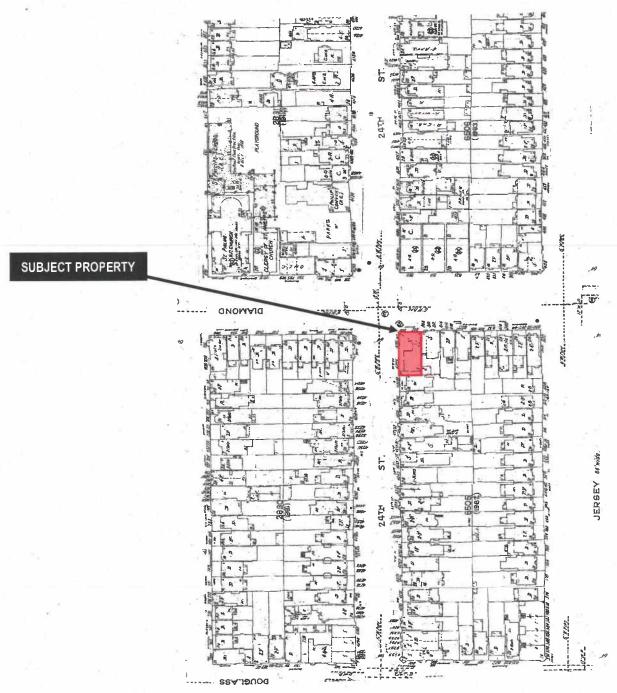
Section 312 Notice

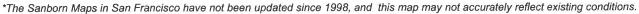
Reduced Plans

Parcel Map



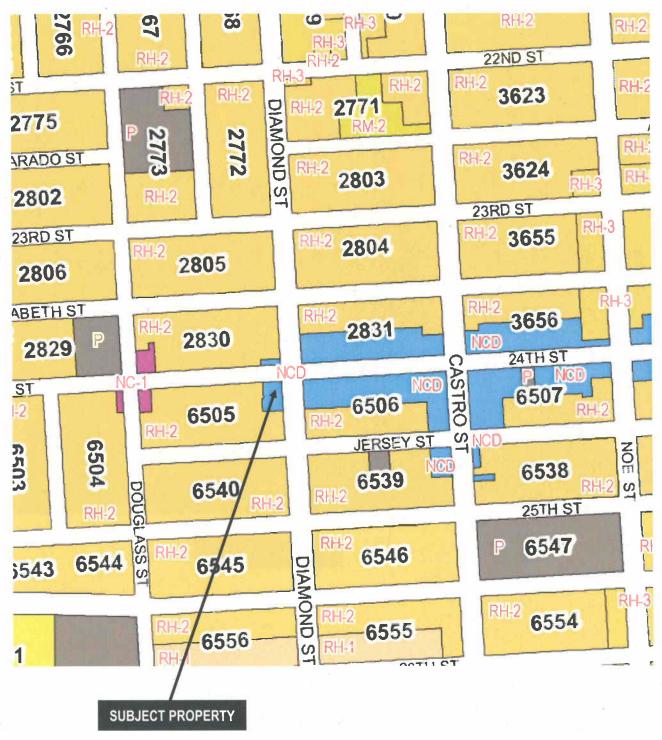
Sanborn Map*







Zoning Map





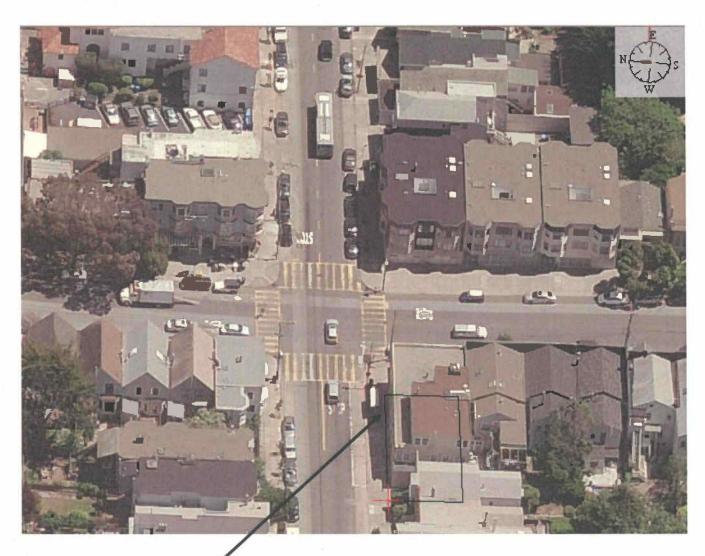
Aerial Photo



SUBJECT PROPERTY



Aerial Photo



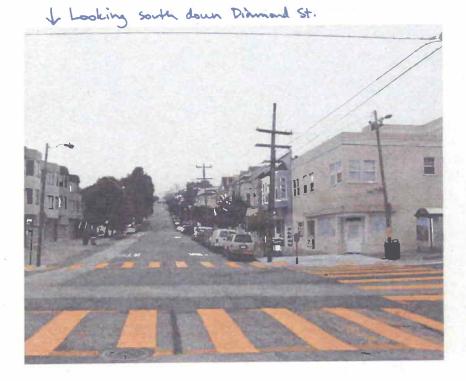
SUBJECT PROPERTY



	a little and		
			× ,

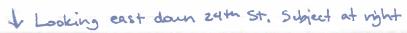


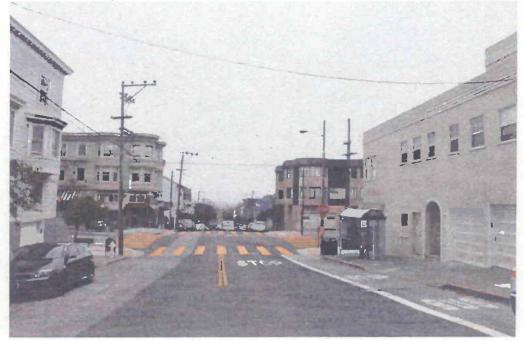
1 24th St frontege of subject property.





1. Proporties to the south of the subject property.





WHO WE SERVE

The Little Lounge is an indoor play space designed for children and toddlers aged 6 and under. Our facility is on 24th and Diamond Streets. Our guests include children from nearby Noe Valley, Bernal Heights, The Mission, Glen Park, Castro and other San Francisco neighborhoods. Locally owned/operated, not a franchise, Little Lounge provides a family-friendly play environment that is convenient, secure, safe, and clean.

PLAY ACTIVITIES

Our mission is to give the gift of play to young children: indoor play structure, pretend play with dress up costumes, kitchen, doll houses, train tables, ride-on cars, blocks, soft play area for smaller children (infants and babies), and more. We do birthday parties. For parents, complimentary coffee and tea station; free Wi-Fi wireless internet access.

ADMISSION

Each child must be accompanied and supervised by an adult. We are not a daycare center and do not allow unaccompanied children in our facility. We are open seven days a week. Admission is \$18 per child; additional siblings who enter at the same time are \$12. Babies under one year of age are free when accompanied by a paid sibling; there must be at least one paid child per family. Parents/caregivers are free and must accompany and supervise their children. Admission fees are good for the whole day. A \$3 discount per child is available if you arrive 90 minutes before closing – perfect for working parents! We offer gift certificates in any denominations. Multi-visit Cards 10-visit prepaid card at a discount rate of \$150. There is no expiration date on the prepaid cards. The sibling rate drops to \$11 per child for holders of prepaid cards.

Similar children's play space in the bay area:
Peekadoodle Kidsclub - Fisherman's Warf, San Francisco
Recess Urban Recreation - Potrero Hill, San Francisco
Habitot - Berkeley
Studio Grow - Berkeley

SYSTEM WINDOWS

Configuration of the spaning of participation of the deficiency of the state of the

MARKET AND AND

in a solution of the state of t

PRINCIPAL

Consider the same and considered to the second of the second of the following the same the same and the same that the same the same that the same the same that the same that

na distribution in grey gregoria della compania del



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

OF BUILDING PERMIT APPLICATION

On March 17, 2011, the Applicant named below filed Building Permit Application No. 2011.03.17.2284 (Alteration) with the City and County of San Francisco.

	CONTACT INFORMATION	PROJECT	SITE INFORMATION
Applicant:	Lisa Wong	Project Address:	4205 24 th Street
Address:	1213 Folsom Street	Cross Streets:	SW corner at Diamond Street
City, State:	San Francisco, CA 94103	Assessor's Block /Lot No.:	6505/001
Telephone:	(415) 621.1280	Zoning Districts:	24 th /Noe NCD /40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

	PROJECT SCOPE	
[] DEMOLITION and/or	[] NEW CONSTRUCTION or	[X] ALTERATION
[] VERTICAL EXTENSION	[X] CHANGE # OF DWELLING UNITS	[X] FACADE ALTERATION(S)
[] HORIZ. EXTENSION (FRONT)	[] HORIZ. EXTENSION (SIDE)	[] HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
BUSINESS NAME COMMERCIAL SQUARE-FOOTAGE FRONT SETBACK BUILDING DEPTH REAR YARD HEIGHT OF BUILDING (measured from NUMBER OF STORIES NUMBER OF DWELLING UNITS	Laundromat. Diamond Suds 400 square feet 0 feet 75 feet 0 feet 1 grade) 31 feet, 6 inches 3 6 SPACES 2	The Little Lounge1,052 square feetNo ChangeNo ChangeNo ChangeNo ChangeNo ChangeNo ChangeNo Change
STAN IN THE REPORT OF THE PARTY.	PROJECT DESCRIPTION	

The proposal is to remove the vacant ground floor dwelling, convert the space into commercial use, and the merge the space with the existing commercial space that was formerly occupied by a laundromat. The proposed personal service use is an indoor play area that caters to children, d.b.a. "The Little Lounge". Pursuant to Section 317 of the Code, the project is subject to mandatory staff initiated discretionary review for the elimination of a legal dwelling unit. If the Department determines that a discretionary review hearing is necessary it will be noticed to the public at a later date.

PLANNER'S NAME:

Michael Smith

PHONE NUMBER:

(415) 558-6322

DATE OF THIS NOTICE:

EMAIL:

michael.e.smith@sfgov.org

EXPIRATION DATE:

6/1/11

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

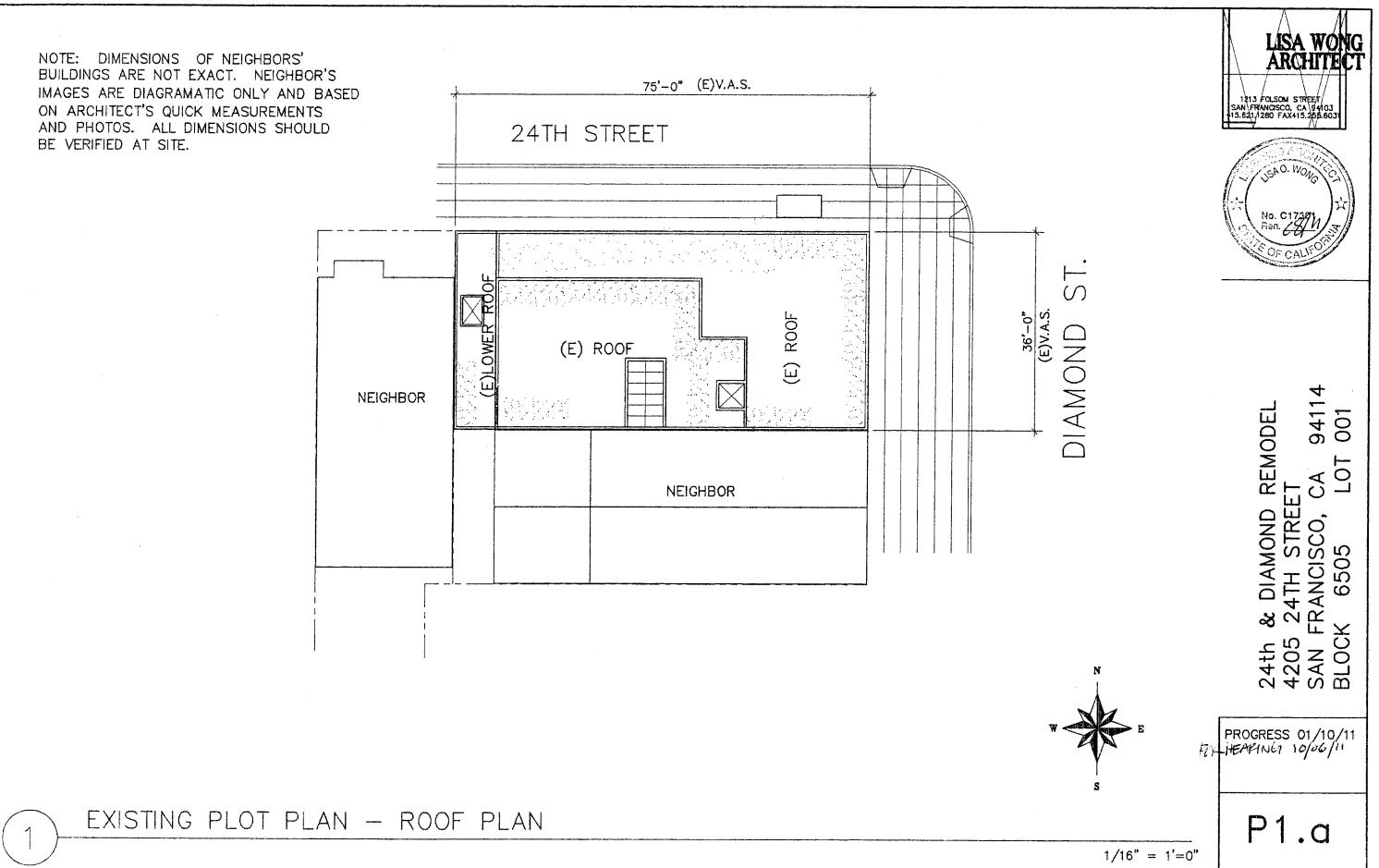
- 1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
- 2. Call the nonprofit organization Community Boards at (415) 920-3820. They are specialists in conflict resolution through mediation and can often help resolve substantial disagreement in the permitting process so that no further action is necessary.
- 3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request within 30 days of this notice, prior to the Expiration Date shown on the reverse side, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at www.sfplanning.org). You must submit the application to the Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check, for each Discretionary Review request payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. If the project includes multi building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

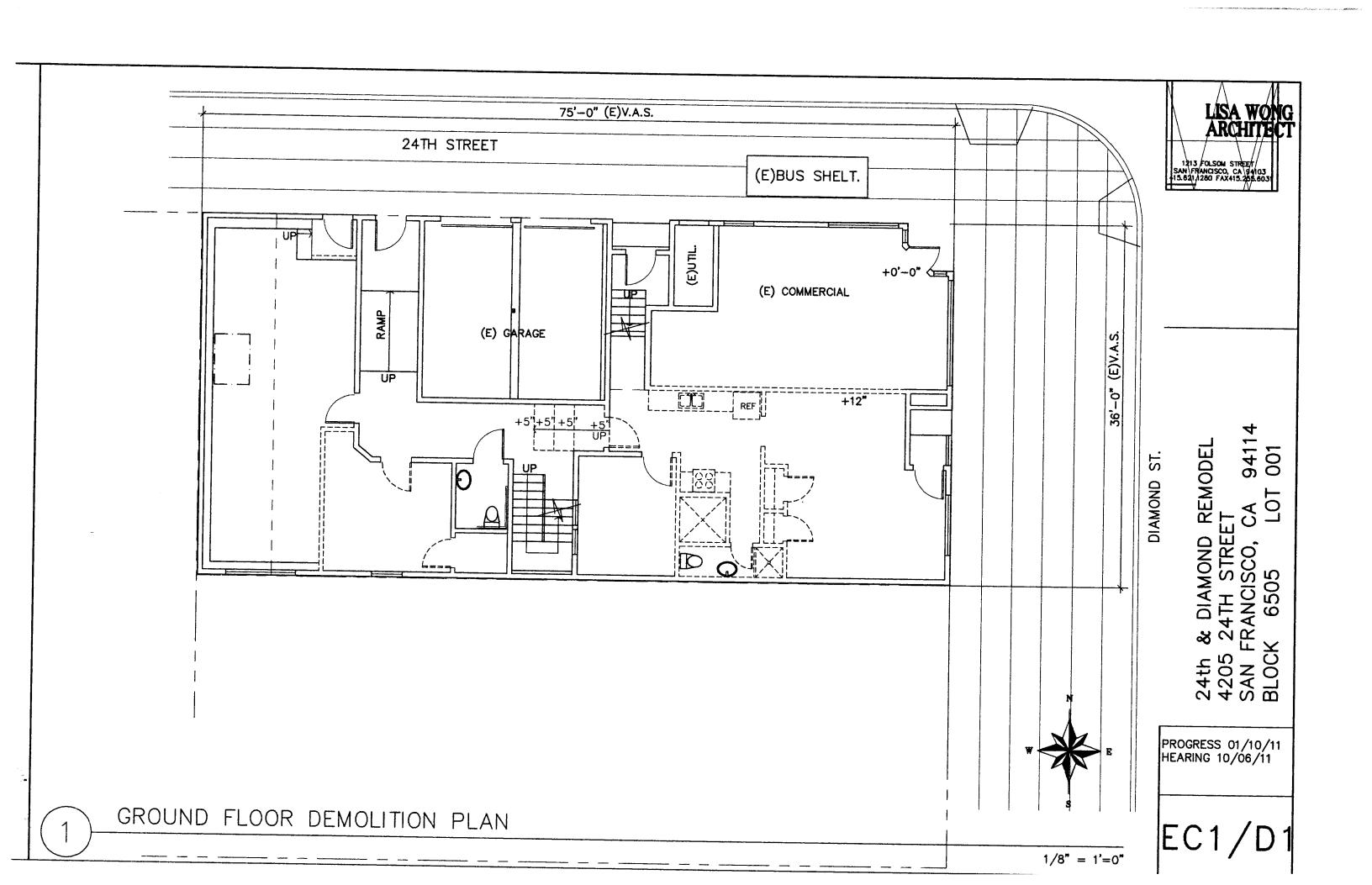
If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

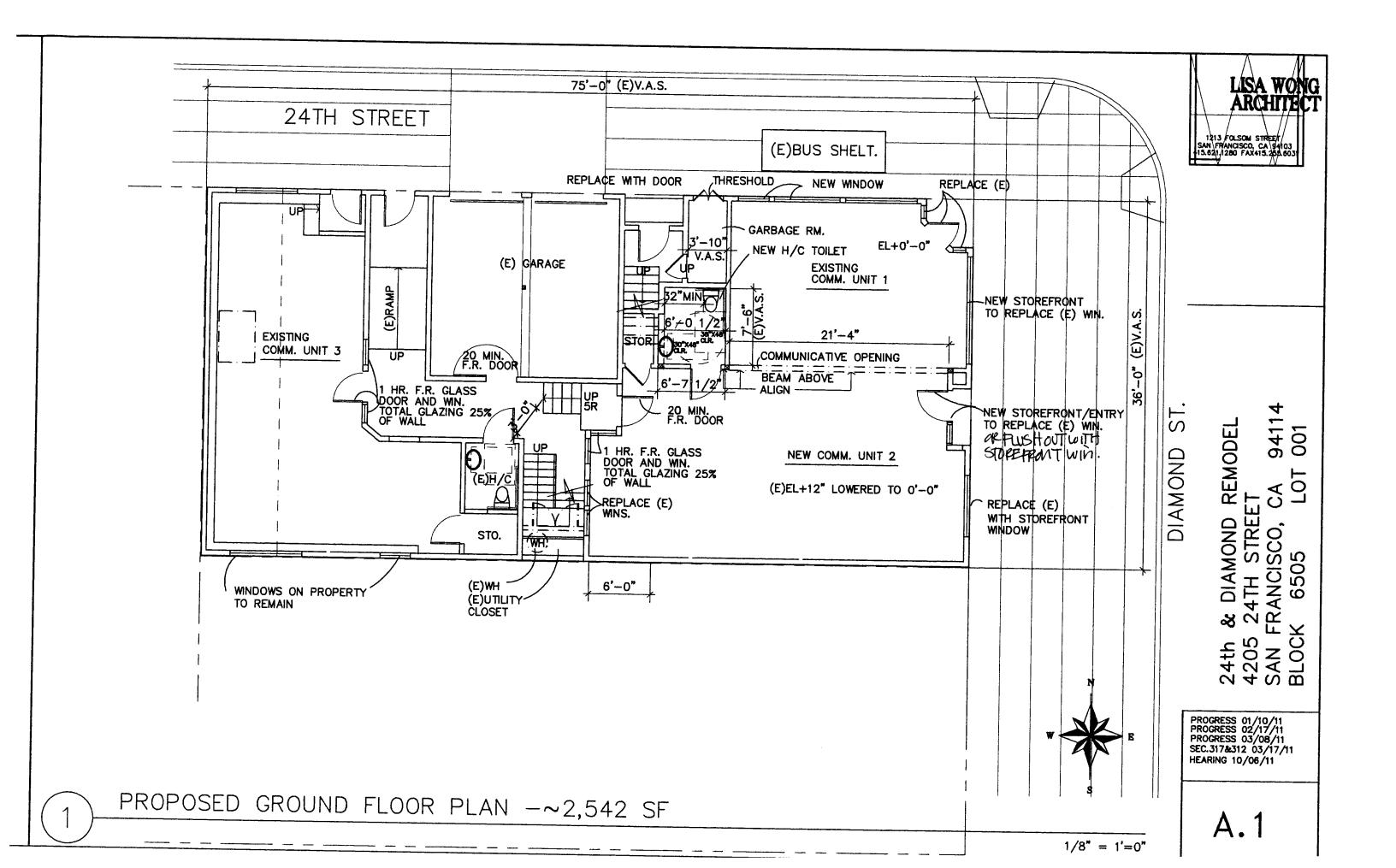
An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the **Board of Appeals within 15 days** after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the **Board's office at 1650 Mission Street**, **3rd Floor**, **Room 304**. For further information about appeals to the Board of Appeals, including their current fees, **contact the Board of Appeals** at **(415) 575-6880**.

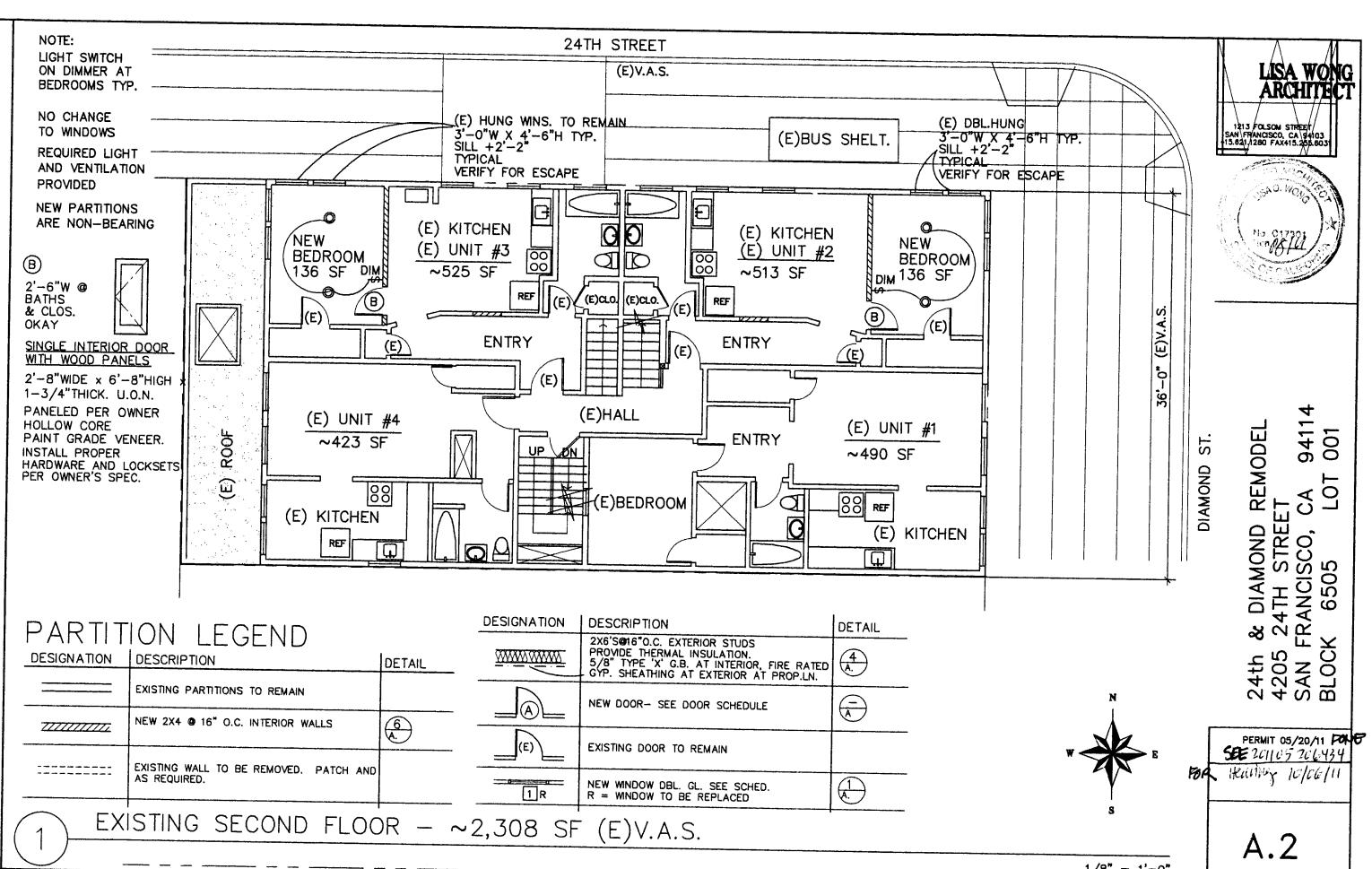


DECADO DIL CET









1/8" = 1'=0"

