



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use & Variance

HEARING DATE: SEPTEMBER 26, 2013

Date: September 19, 2013
Case No.: **2013.0675 CV**
Project Address: **2709 22ND STREET**
Zoning: RM-1 (Residential, Mixed, Low-Density)
40-X Height and Bulk District
Block/Lot: 4151/001B
Project Sponsor: Van Ly
8 Brussels Street
San Francisco, CA 94134
Staff Contact: Erika S. Jackson – (415) 558-6363
erika.jackson@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The existing church, Iglesia Roca de Salvacion, has operated at this location since May 1971. The church has a sanctuary with a capacity of 162. The church has activities and services throughout the week at scheduled times – Tuesday, Thursday, and Friday from 6:00pm to 10:00pm, Saturday from 8:00am to 1:00pm or 1:00pm to 5:00pm, and Sunday from 8:00am to 6:00pm. At the rear of the property is an approximately 350 square foot kitchen. The kitchen is used to provide food for church patrons on medication programs and children attending all-day activities. In updating the kitchen exhaust system, it was discovered that the kitchen building was constructed without the benefit of a permit. The proposal to legalize the existing kitchen building will also require the approval of a Rear Yard Variance. As part of the proposal, the kitchen exhaust system will be updated. The existing system is located along the western side property line. The new system will be located further from the property lines, will meet current Codes, and will operate a quieter motor for ventilation.

SITE DESCRIPTION AND PRESENT USE

The Project site at 2709 22nd Street is located on the south side of 22nd Street, between York and Bryant Streets and is developed with an approximately 4,800 square foot two-story building (approximately 65 feet deep and 40 feet wide) with an existing church on the ground floor and a single residential unit on the second floor. The existing building was constructed circa 1925. The ground floor was used as a retail store and deli until the church bought the property in May 1971, which was zoned R-4 at the time. Churches were considered a principally permitted use in R-4 Zoning District in 1971. The property also contains an approximately 350 square foot single story kitchen building located within the required rear yard along the rear property line. It is unclear when the building in the rear yard was constructed; however, the Project Sponsor indicates that the kitchen building was there when the property was purchased by the church in 1971. The existing building on the front of the lot contains a sanctuary, a

church office room, and several small storage rooms. The subject lot is approximately 85 feet deep, 40 feet wide, with 3,271 square-feet of area and with 40 feet of frontage along 22nd Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site is located within an RM-1 (Residential, Mixed, Low-Density) District situated within the Mission District. The immediately surrounding areas are zoned RM-1, RH-2, and RH-3. Land uses in the immediate vicinity of the site are typical of neighborhoods with primarily residential uses. Most of the buildings in the vicinity are between two and four stories tall. There is a mix of residential densities ranging from single-family to multi-family, as well as churches, schools, and some commercial businesses a few blocks from the subject lot. An elementary school is located on the subject block to the south of the subject site. The vicinity of the site is well served by public transit.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 6, 2013	September 6, 2013	20 days
Posted Notice	20 days	September 6, 2013	September 6, 2013	20 days
Mailed Notice	10 days	September 16, 2013	September 5, 2013	21 days

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- To date, the Department has received one letter in opposition to the Proposed Project. The concerns are regarding current operations – specifically regarding traffic generation, double-parking on 22nd Street, noise levels of services, and sidewalk vending (food and rummage sales).

ISSUES AND OTHER CONSIDERATIONS

- Activities at the church include church services, community meetings or lectures, bible studies, classes for a Bible Institute certificate program, high school classes, the sidewalk sale of papusas once per week, and a garage sale selling donated clothing once per month.
- People travel to the church primarily by private vehicle. Most park in the public pay lot near San Francisco General Hospital.
- The owner has expressed the intention to apply for a passenger loading zone curb along the 40 foot street frontage in front of the entrance to the church. This loading zone would discourage people from double parking their cars while loading and unloading people for church activities.

VARIANCE

The proposed project requires the approval of a Rear Yard Variance. Planning Code Section 134(a)(2) requires the minimum rear yard to be equal to 45 percent of the total lot. Section 134(c)(1) allows a reduction in the minimum rear yard to the average between the depths of the rear building walls of the two adjacent buildings, but not less than 25 percent of lot depth. For this property the rear yard requirement is 16 feet. The Proposed Project seeks to legalize a building located completely within the required rear yard and along the rear property line. Therefore, the approval of a Rear Yard Variance is required, which will be considered by the Zoning Administrator.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization to allow the expansion of an existing church (d.b.a. Iglesia Roca de Salvacion) pursuant to Planning Code Sections 209.3(j) and 303.

BASIS FOR RECOMMENDATION

- The Project is compatible with the surrounding neighborhood as the site is occupied by an existing church.
- The use is desirable as it will provide a vital service for the residents of the neighborhood.
- The Project is consistent with the General Plan.
- The Project is a reasonable expansion to an existing church.
- The church has been a long established part of the community.

RECOMMENDATION: Approval with Conditions
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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 type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Neighbor Letter | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
| | <input type="checkbox"/> Residential Pipeline |

Exhibits above marked with an "X" are included in this packet

Planner's Initials

ESJ: G:\DOCUMENTS\Projects\Combos\CV\22nd Street 2709\ExecutiveSummary_template.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE (CU) AUTHORIZATION UNDER PLANNING CODE SECTIONS 209.3(J) AND 303 TO ALLOW THE EXPANSION OF AN EXISTING CHURCH (D.B.A. IGLESIA ROCA DE SALVACION) WITHIN AN RM-1 (RESIDENTIAL, MIXED, LOW-DENSITY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT. THE PROPOSAL ALSO INCLUDES A VARIANCE REQUEST FOR REAR YARD, WHICH WILL BE HEARD BY THE ZONING ADMINISTRATOR.

PREAMBLE

On May 30, 2013, Van Ly (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 209.3(j) and 303 to allow the expansion of an existing church (d.b.a. Iglesia Roca de Salvacion) within an RM-1 (Residential, Mixed, Low-Density) Zoning District and a 40-X Height and Bulk District.

On September 26, 2013, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0675C.

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption under CEQA.

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 applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2007.0386C, 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 site at 2709 22nd Street is located on the south side of 22nd Street, between York and Bryant Streets and is developed with an approximately 4,800 square foot two-story building (approximately 65 feet deep and 40 feet wide) with an existing church on the ground floor and a single residential unit on the second floor. The existing building was constructed circa 1925. The ground floor was used as a retail store and deli until the church bought the property in May 1971, which was zoned R-4 at the time. Churches were considered a principally permitted use in R-4 Zoning District in 1971. The property also contains an approximately 350 square foot single story kitchen building located within the required rear yard along the rear property line. It is unclear when the building in the rear yard was constructed; however, the Project Sponsor indicates that the kitchen building was there when the property was purchased by the church in 1971. The existing building on the front of the lot contains a sanctuary, a church office room, and several small storage rooms. The subject lot is approximately 85 feet deep, 40 feet wide, with 3,271 square-feet of area and with 40 feet of frontage along 22nd Street.
3. **Surrounding Properties and Neighborhood.** The Project site is located within an RM-1 (Residential, Mixed, Low-Density) District situated within the Mission District. The immediately surrounding areas are zoned RM-1, RH-2, and RH-3. Land uses in the immediate vicinity of the site are typical of neighborhoods with primarily residential uses. Most of the buildings in the vicinity are between two and four stories tall. There is a mix of residential densities ranging from single-family to multi-family, as well as churches, schools, and some commercial businesses a few blocks from the subject lot. An elementary school is located on the subject block to the south of the subject site. The vicinity of the site is well served by public transit.
4. **Project Description.** The existing church, Iglesia Roca de Salvacion, has operated at this location since May 1971. The church has a sanctuary with a capacity of 162. The church has activities and services throughout the week at scheduled times – Tuesday, Thursday, and Friday from 6:00pm to 10:00pm, Saturday from 8:00am to 1:00pm or 1:00pm to 5:00pm, and Sunday from 8:00am to 6:00pm. At the rear of the property is an approximately 350 square foot kitchen. The kitchen is

used to provide food for church patrons on medication programs and children attending all-day activities. In updating the kitchen exhaust system, it was discovered that the kitchen building was constructed without the benefit of a permit. The proposal to legalize the existing kitchen building will also require the approval of a Rear Yard Variance. As part of the proposal, the kitchen exhaust system will be updated. The existing system is located along the western side property line. The new system will be located further from the property lines, will meet current Codes, and will operate a quieter motor for ventilation.

5. **Public Comment.** The Department has received one letter of opposition to the proposed expansion of the existing church.
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. **Institutions – Church.** Planning Code Section 209.3(j) requires Conditional Use authorization for a church within an RM-1 District.

The Project Sponsor seeks Conditional Use Authorization to expand an existing church within an RM-1 District.

- B. **Rear Yard.** Planning Code Section 134(a)(2) requires the minimum rear yard to be equal to 45 percent of the total lot. Section 134(c)(1) allows a reduction in the minimum rear yard to the average between the depths of the rear building walls of the two adjacent buildings, but not less than 25 percent of lot depth.

The Proposed Project seeks to legalize a building located completely within the required rear yard and along the rear property line. For this property the rear yard requirement is 16 feet. Therefore, the approval of a Rear Yard Variance is required.

7. **Planning Code Section 303** 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 Project is compatible with the surrounding neighborhood as the Proposed Project will upgrade an existing kitchen building on the site of an existing church. There is no proposed construction as part of this proposal. The Project is desirable for the neighborhood in that it provides a needed service for the neighborhood and surrounding community. The proposed use is desirable for nearby residents in that approval of this Project would enable the existing church to continue its religious services and community based activities in this neighborhood. The proposed use is also desirable in that it creates a more positive neighborhood aesthetic by providing an updated and efficient exhaust system.

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 existing buildings would not change in shape or size. No construction is proposed as part of the Project. The use will remain the same and therefore will not be detrimental to the health, safety, convenience or general welfare of the nearby residents or workers. The proposed Project will not be injurious to existing properties or improvements or potential developments in the area.

- 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 church use is intended to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips citywide.

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

No noxious or offensive emissions such as noise, glare, dust and odor are expected to be emitted during normal operations. The proposed Project is exempt from environmental review.

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

No new landscaping is proposed as part of the Project. Any proposed signage will be subject to the review and approval of the Planning Department.

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 is consistent with objectives and policies of the General Plan as detailed below.

8. **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 that has substantial undesirable consequences that cannot be mitigated.

The Project would enhance the city living and working environment by providing religious services with associated community based activities for residents and workers within the City.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

Policy 3:

Maintain a favorable social cultural climate in the city in order to enhance its attractiveness as a firm location.

The Project will enhance the diverse economic base of the City, by providing for a community serving use.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.8:

MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS.

Policy 1.8.2:

Ensure that the Mission's neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

No commercial tenant would be displaced and the Proposed Project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

Community Facilities

OBJECTIVE 7.1:

PROVIDE ESSENTIAL COMMUNITY SERVICES AND FACILITIES.

Policy 7.1.2:

Recognize the value of existing facilities, including recreational and cultural facilities, and support their expansion and continued use.

Through this Project, an existing religious and community facility will be able to continue its current operations and service to the surrounding community.

OBJECTIVE 7.3:

REINFORCE THE IMPORTANCE OF THE MISSION AS THE CENTER OF LATINO LIFE IN SAN FRANCISCO.

Policy 7.3.1:

Support efforts to preserve and enhance social and cultural institutions.

Policy 7.3.3:

Protect and support Latino and other culturally significant local business, structures, property and institutions in the Mission.

The existing church has operated as a religious, social, and cultural center for families in the Mission District since 1971.

9. **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.

No neighborhood-serving retail use would be displaced by the Project.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The existing buildings would not change in shape or size. No construction is proposed as part of the Project. Therefore, the proposed project will not adversely affect existing housing or character of the neighborhood.

- C. That the City's supply of affordable housing be preserved and enhanced,

No affordable housing will be removed for this Project.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

Because the Project proposes no new construction, there are no anticipated adverse effects upon MUNI service or on neighborhood parking.

- 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.

Approval of this Project will not adversely affect any industrial or service sector jobs.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will not impact the subject property's ability to withstand an earthquake and all improvements shall meet the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings will be adversely affected by the Project.

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

This Project will not affect any parks or open space.

9. 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.
10. 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 Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.0675C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 26, 2013, and stamped "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. XXXXX. 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 September 26, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 26, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the expansion to an existing church (d.b.a. **Iglesia Roca de Salvacion**) located at 2709 22nd Street, Lot 001B, Block 4151 pursuant to Planning Code Section(s) **209.3(j) and 303** within the **RM-1 Zoning** District and a **40-X** Height and Bulk District; in general conformance with plans, dated **December 14, 2011**, and stamped "EXHIBIT B" included in the docket for Case No. **XXXXXX** and subject to conditions of approval reviewed and approved by the Commission on **September 26, 2013** under Motion No **XXXXXX**. 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 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 **September 26, 2013** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** 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. "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.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** 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. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

6. This Conditional Use Authorization is subject to approval of a Variance for Rear Yard by the Zoning Administrator.

DESIGN – COMPLIANCE AT PLAN STAGE

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

10. **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

11. **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

12. **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 of 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>

13. **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>

14. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

15. **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 415-553-0123, www.sf-police.org

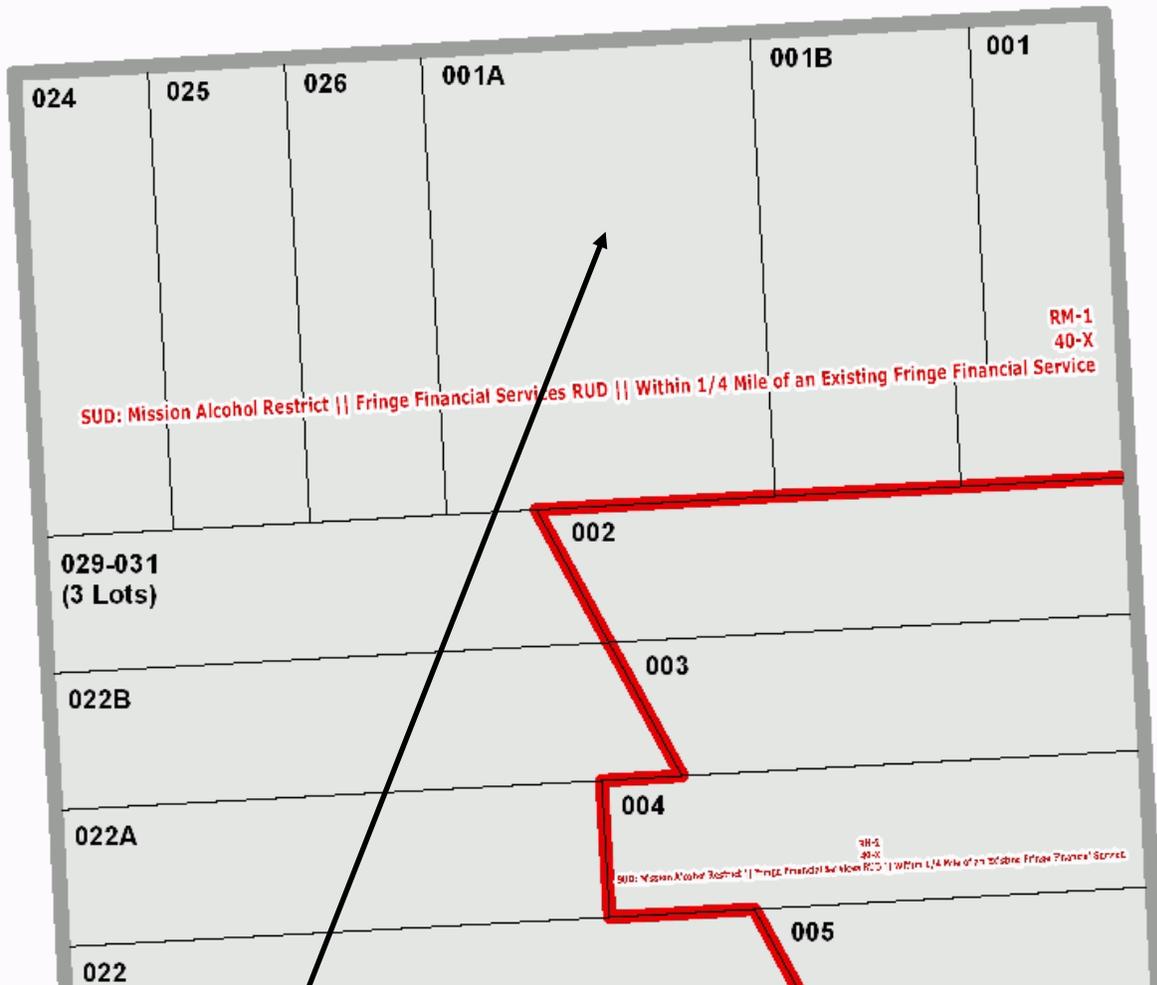
16. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information

change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

Parcel Map

22nd St



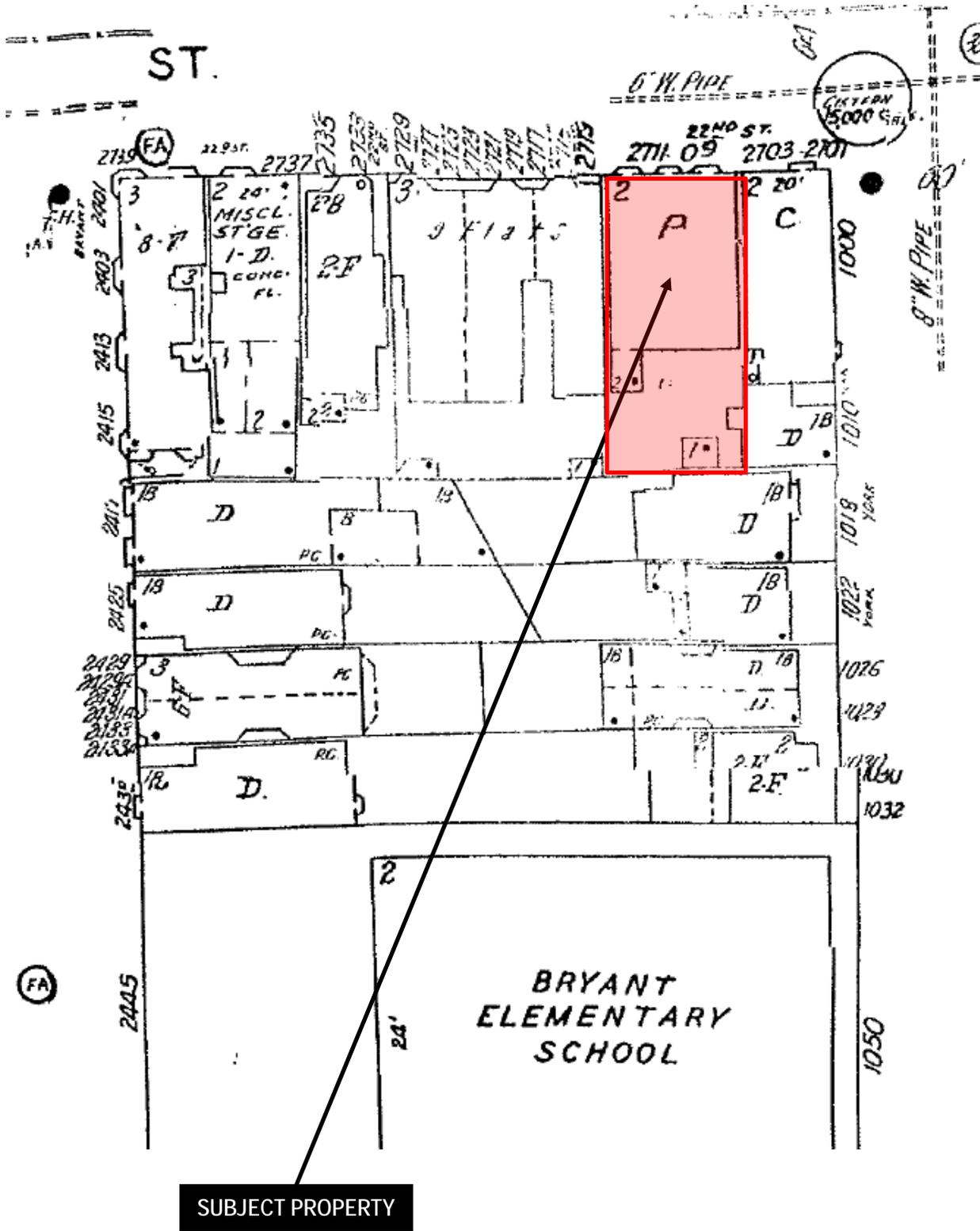
SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0675CV
2709 22nd Street
4151 / 001B

Sanborn Map*

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

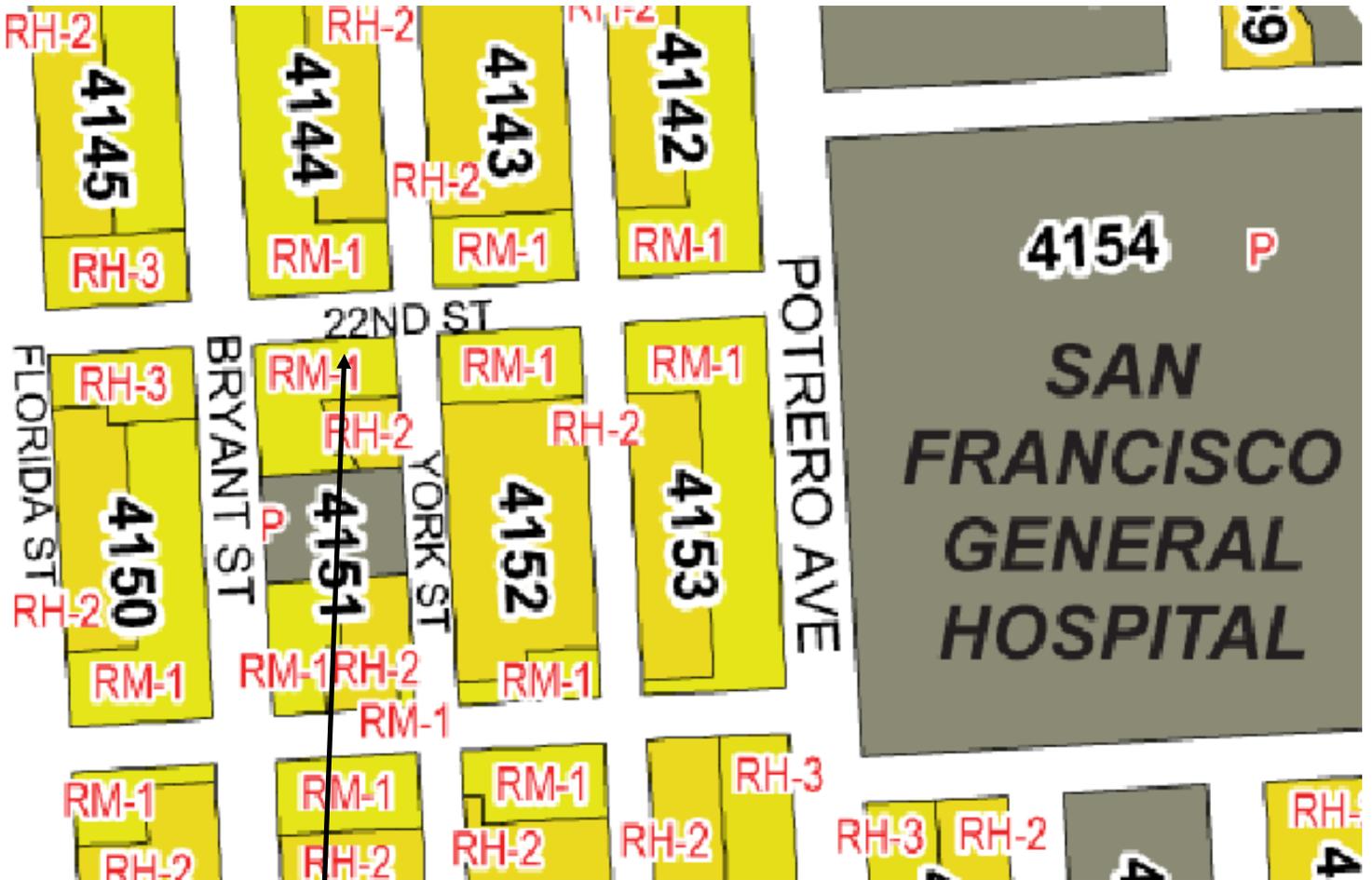


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0675CV
2709 22nd Street
4151 / 001B

Zoning Map

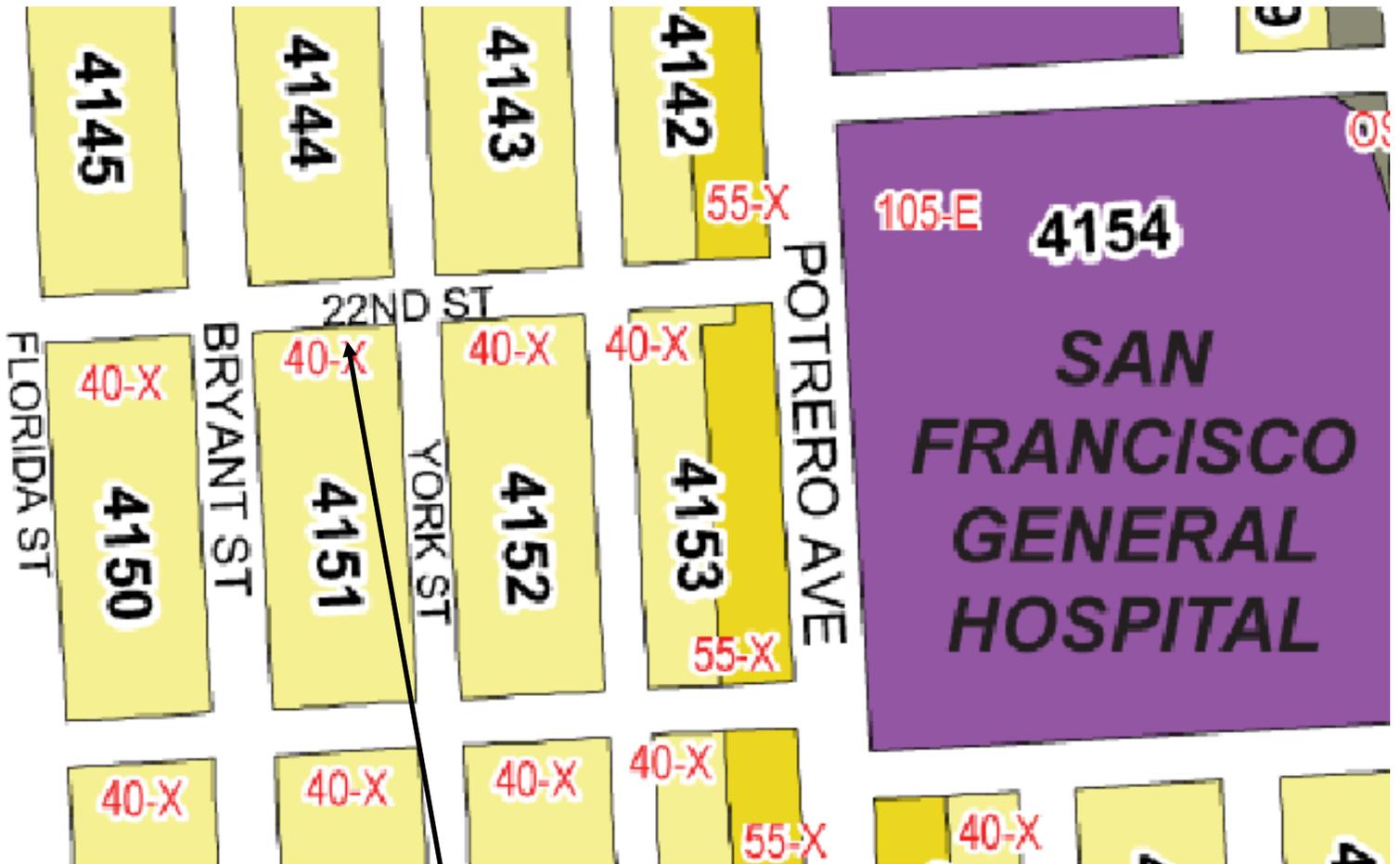


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0675CV
2709 22nd Street
4151 / 001B

Height & Bulk Map



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0675CV
2709 22nd Street
4151 / 001B

Aerial Photograph

Looking South



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0675CV
2709 22nd Street
4151 / 001B

Aerial Photograph

Looking North



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0675CV
2709 22nd Street
4151 / 001B

Site Photograph



Jeremy Battis
2662 22nd St
San Francisco CA 94110
415 283 5797

September 10, 2013

Erika Jackson, SF Planning Dept. via email

Re: Comment Letter in Protest of Proposed Project at 2709 22nd St (2013.0675CV)

Dear Ms. Jackson:

I have lived across the street from the subject property for the past six years since purchasing my first home. In this time, I have grown familiar with the activities surrounding the Iglesia Roca de Salvacion, located one half-block to the west.

I would ask that the City deny any permit that would allow for expansion of use at the facility. At minimum as a condition of approval, the Iglesia organization should be required to implement a Transportation Demand Management Plan that would provide for measures such as transit subsidy, car- and van-pools, taxis, and valet parking. A second condition of approval would be to require the Iglesia organization (management and congregation) to undergo sensitivity training about operating within a residential character area so as to lessen the members' impacts on the surrounding neighborhood.

The facility operates as a seemingly 24-7 continuous use operation that appears to be of little to no benefit to the immediate surrounding neighbors since its congregation commutes to the facility by car. In fact, our pocket of the Mission, because of this facility and its associated commuter traffic, daily experiences two rush hours in addition to the traditional peak periods. Daily at around 7 pm, there is a large influx of vehicles in to the area for services or events. Again at around 9:40 pm there is another round of heavy traffic, double parking and loading as the area empties of vehicles associated with the facility's evening activities.

The Iglesia appears to be indifferent to the impact it places on the surrounding neighbors. It conducts its loud evening "holy-roller" evangelical services with its doors wide open at all hours so as to catch any potential converts who are passersby. On Sundays, the congregation is encouraged to doorbell residents of 22nd St, cold-calling and proselytizing, as the parishioners walk back to their parked cars.

It's a regular occurrence that teen girls on their way to an evening social event at Iglesia congregate in front of my home applying last-minute makeup before making their way into their function.

The Iglesia every weekend holds an unpermitted sidewalk rummage sale. Several times a week, it has outside tables and chairs for unlawful food vending and consumption. At least once a month, the Iglesia will host a very large inflated bouncy castle for the weekend amusement of its member children without permit, which not only spills over all of the York Street sidewalk but into York Street's vehicle corridor. The bouncy castle is typically powered by portable gas generator, which results in associated unfavorable noise and air pollution emissions.

I am regretful that I am unable to attend the public hearing as I will be travelling for a work assignment. I ask that you make my concerns known to the Planning Commission and ZA.

Thank you very much for your attention to this matter and for your consideration,

Jeremy

VAN T. LY AND ASSOCIATES
ARCHITECTURE, PLANNING

8 Brussels Street, San Francisco, Ca 94134
Telephone: 415-468-3222 Fax: 415-468-3377
Cell phone: 415-867-7182
van@vantlyarchitect.com

Date: May 13, 2013

Address 2709 22nd Street
Block and Lot No. 4151/1B
Planning case #2013-0675CV

PROJECT FINDINGS

The property: According to the applicant, the building was a residential dwelling on second floor and a Deli/meat retail store on first floor. The rear cottage existed with full utilities system such as power, water, drainage, exhaust, etc. It is reasonable to believe that this cottage was used as food preparation area for the Delicatessen.

The church, Rock of Salvation Family Center A.I.C., Inc. is a non-profit religious organization found in 1971 in San Francisco. The church mission is providing necessary services to the neighborhood community. Its services umbrella various fields of community such as new immigrants, long term properties, hospital patients, rest home patients, etc... Though the years, the church has continuously provided short and long term assistance and have proven positive results.

The church routine activities and schedule are
Tuesday, Thursday, Friday from 6:00pm to 10pm
Saturday from 8:00am to 1:00pm or 1:00pm to 5:00pm
Sunday from 8:00am to 6:00pm.

The kitchen, an existing cottage at the rear yard, has a primary function of the church operation.

Food is provided for church patrons who are on medication program, children attending whole day activities, hungrier, illness, etc...

In spite of lacking a building permit, the rear cottage existed as the accessory kitchen for the previous Delicatessen store. The current church has utilized this kitchen at its original size and location to provide food in activities since the first date of services. Therefore, this kitchen cottage is not an expansion of the church use but rather an existing non-complying necessary asset to be legalized. This ready-to-use Deli kitchen is one of the key decision factor of the purchasing of the property. The kitchen has been put to work immediately at the first date of service. Its location and size has met the expectation through the years. Only the exhaust system is not as sufficient and/or adequate. This legalization application will replace and upgrade the exhaust system to an user and environmental friendly feature that ensuring it proper function.

Relocation of the kitchen is not possible without loosing the main hall, the child-care, the office/audio control room, and the necessary storage. In addition, kitchen exhaust will have to penetrate the dwelling above in order to reach the roof.

This kitchen cottage has existed for more than 42 years. It is not a new structure, not a new use, not an expansion, therefore will not surprise the neighbors. Upgrading for conformance is the best practical and feasible solution for the church to continue provide its good faith service which benefit the community in all aspect.

The proposed upgraded roof exhaust equipment is located 10 feet away from property lines and outlets back into the subject property away from all window openings. Motor model to meet noise level control by the local jurisdiction.

The remaining space between the main building and the cottage is paved. The existing pavement level will be modified to meet accessibility requirement. There is no existing landscaping and/or roof screening. There is no surrounding open space, parking, loading, service areas, lighting, and signage involved.

Without the kitchen results in practical difficulty and unnecessary hardship for the church. Food serving and contributing to the various community sectors are one of the primary mission of this church. Such mission will not be able to carry out. Continuous community service will be interrupted immediately.



ROCK OF SALVATION FAMILY CENTER A.I.C., INC.

2701 - 2709 22nd Street. San Francisco, CA 94110
 PHONE: (415) 550-1687 | EMAIL: sfrocadesalvacion@yahoo.com

Board Members

President
 Rev. José García, Pastor

Secretary
 Manuel Zelaya

Treasurer
 Blanca Zelaya

Nilsa García
 Laura Álvarez
 Ludin Estrada
 Nora García
 Rene Hernández
 Lucía Elías

To whom this may concern:

We are the participant of Rock of Salvation Family Center, A.I.C. Inc. a Pentecostal Faith Church that is preaching and teaching the Full Gospel of Christ.

Individually, I have been attending the church religious services, social gatherings and community events.

As noted below, during our gatherings, hot food was prepared and served from the KITCHEN IN THE REAR COTTAGE OF OUR BUILDING. The service that the church provide is greatly appreciated and is necessary to me personally and my family as well of those who have enjoyed a hot and delicious meal prepared by the loving people of this church. I am in full support of the kitchen renovation so this church could continue to provide its caring service, enhance its quality function and deliver its great support to the grateful community.

Sincerely yours,

<u>Name</u>	<u>Contact Address</u> <u>& Phone #</u>	<u>Prepare</u> <u>food</u>	<u>Enjoy</u> <u>food</u>	<u>Member</u> <u>since</u>
Manuel Zelaya	33 Vista Grande Ave. Daly City, CA. 94014 (650) 278-9670	✓	✓	1984
Francisco Flores	610 - B Athens St S.F. CA 94112 (415) 516-9765	✓	✓	1996
Nora Garcia	156 Irvington St Daly City CA 94014 (415) 375 2474	✓	✓	1995
Erick (Jim)	730 Baden Ave South San Fco. Ca. 94080 (415) 260-9550	✓	✓	2,000

We are a
 Pentecostal Faith
 Church.
 Preaching and
 Teaching the Full
 Gospel of Christ.



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<u>Name</u>	<u>Contact Address</u> <u>& Phone #</u>	<u>Prepare</u> <u>food</u>	<u>Enjoy</u> <u>food</u>	<u>Member</u> <u>since</u>
Danilo Garcia	945 Ridgeview Ct unit D So San Francisco, CA (415) 533-7514 94080	✓	✓	1984
Ezequiel Sandoval	724 Hillside Blvd Daly City CA 94014 (650) 255-3289	✓	✓	1992
Eva Rodriguez	3225 SEQUOIA ST SF CA 94122 TEL: 415-550-0680		✓	1980
Blanca Zelaya	560 B Moultrie St San Francisco (415) CA 94110 583679	✓	✓	1977
Laura Scavias	871 Hampshire St S.F. CA 94110 (415) 641-1982	✓	✓	1972
Nyema Truitt	211 - Putnam S.F. CA 94110 (415) 632-8850	✓	✓	1971
Jose Garcia	2708 Shore Dr Richmond, CA 94806 (415) 797-2792		✓	1971

PROJECT DATA

BLOCK, LOT 4151, 1B
 ADDRESS: 2709 22ND STREET, SAN FRANCISCO, CA
 EXISTING USE: CHURCH/RESIDENTIAL

PROPOSE PROJECT: COMPLIANCE OF N.O.V. # 201152447

SCOPE OF WORK

LEGALIZE EXISTING REAR KITCHEN RENOVATION:
 - INSTALL TYPE I HOOD AND REPLACE EXISTING COOKING EQUIPMENT.
 - PATH OF TRAVEL UPGRADE FOR ACCESSIBILITY.

PLANNING CHECK LIST

ZONING: RM-1
 LOT SIZE: 3,274 SF
 NUMBER OF STORY: 2

BUILDING CHECK LIST

TYPE OF CONSTRUCTION: 5B
 USE OCCUPANCY: FRONT STRUCTURE: R3 /A3 (RESIDENTIAL DWELLING/CHURCH)
 REAR STRUCTURE: S2 (CHURCH KITCHEN)

APPLICABLE CODE:

2010 CALIF. BLDG. CODE
 2010 CALIF. MECH. CODE
 2010 CALIF. PLMBG. CODE
 2010 CALIF. ELECTR. CODE
 2010 CALIF. TITLE 24 ENERGY CODE
 2010 CALIF. FIRE CODE

DRAWING INDEX:

A-1: (N)SITE & ROOF PLAN, (E)SITE & FIRST FLOOR PLAN
 A-2: (E) & (N)FIRST FLOOR PLANS
 A-3: DETAILS & SECTIONS
 A-4: ACCESSIBILITY FORMS & AB FORM

REVISIONS	BY
5/23/2013	

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 FAX (415)468-9377
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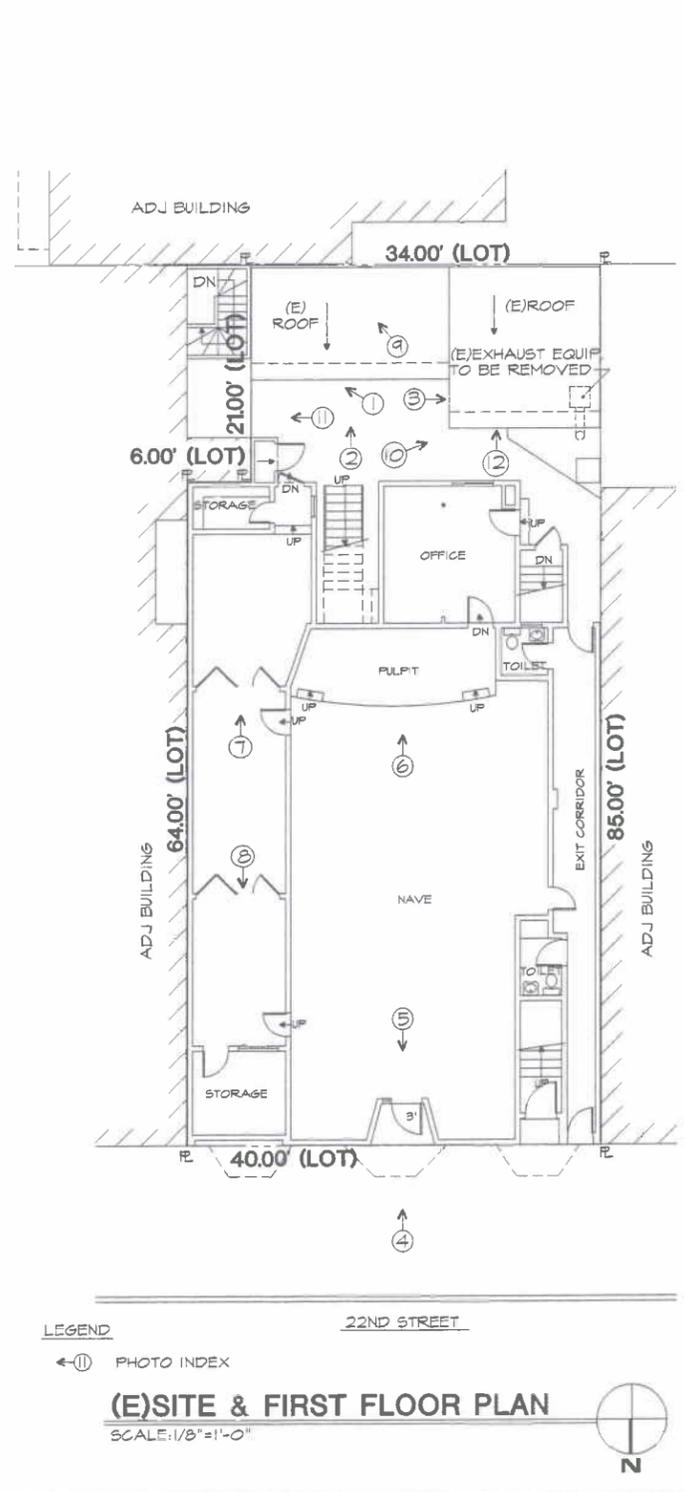
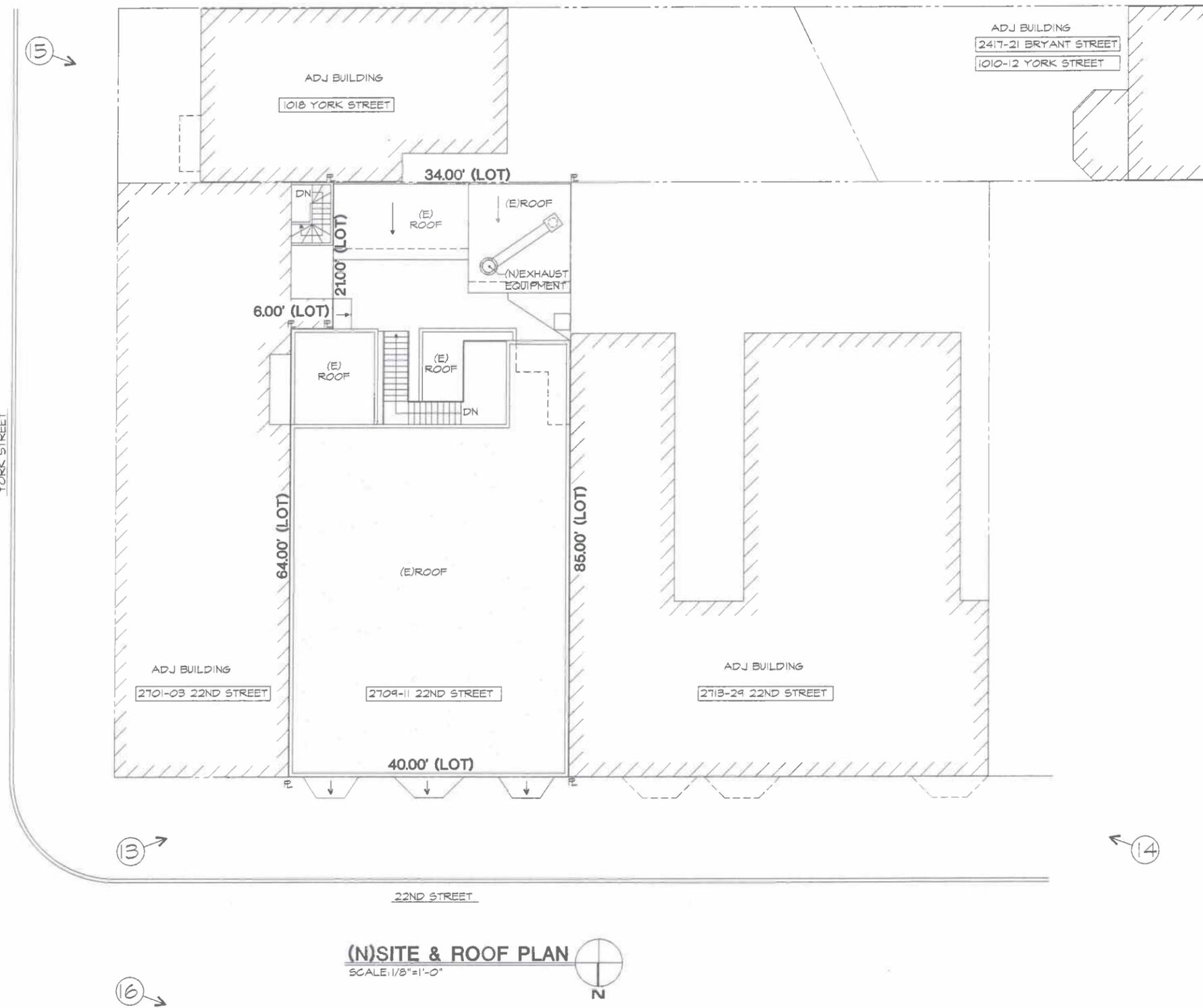


ROCK OF SALVATION FAMILY CENTER A.I.C.
 REAR KITCHEN LEGALIZATION
 2709 22ND STREET
 SAN FRANCISCO, CA

(N)SITE & ROOF PLAN
 (E)SITE & FIRST FLOOR PLAN

DRAWN: RH
 CHECKED: VTL
 DATE: 12/14/2011
 SCALE: AS NOTED
 JOB NO.

SHEET
A-1
 OF 4 SHEETS



LEGEND

← 11 PHOTO INDEX

REVISIONS	BY
5/23/2013	

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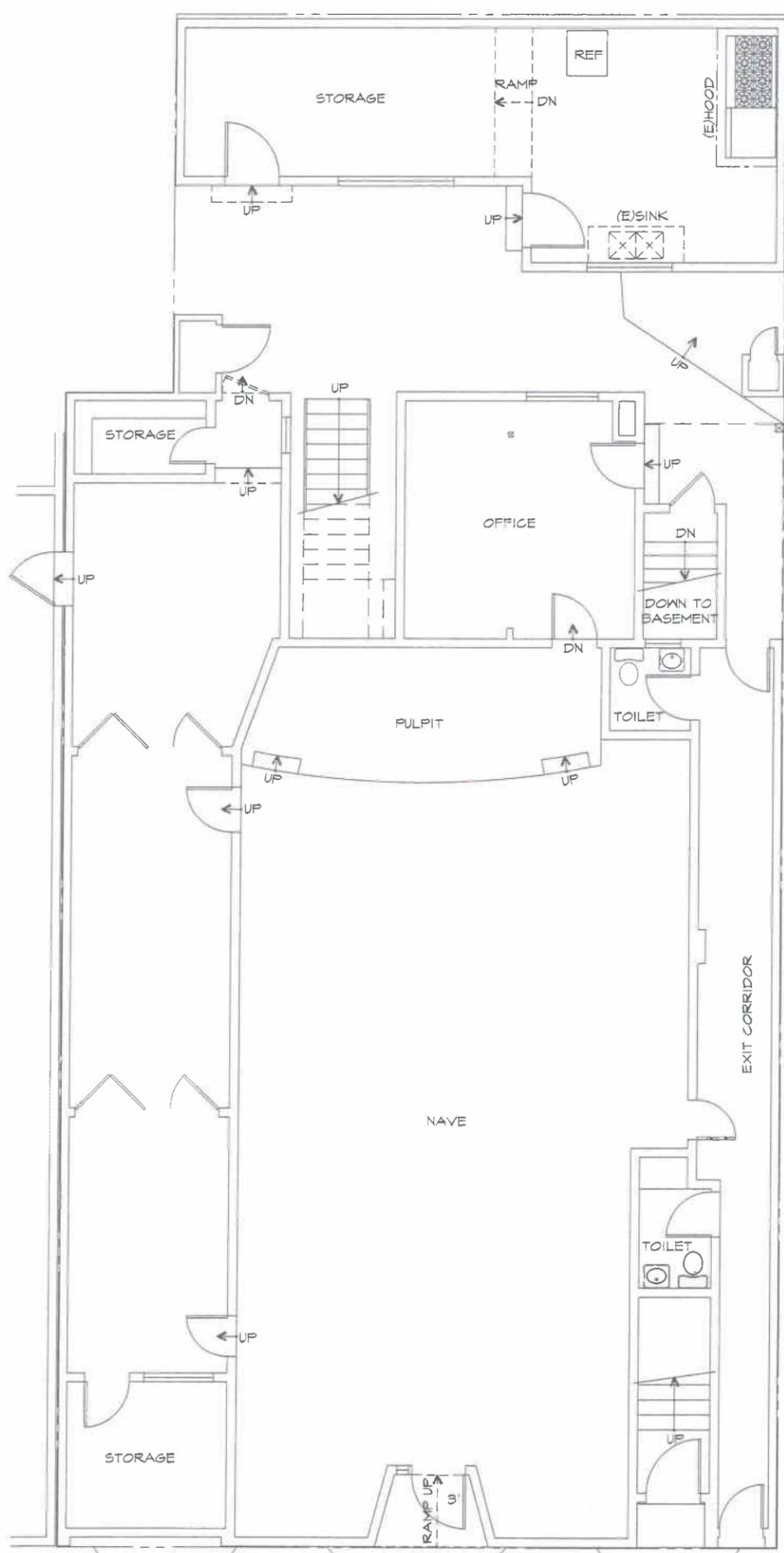


ROCK OF SALVATION FAMILY CENTER A.I.C.
 REAR KITCHEN LEGALIZATION
 2709 22ND STREET
 SAN FRANCISCO, CA

(E)FIRST FLOOR PLAN
 (N)FIRST FLOOR PLAN

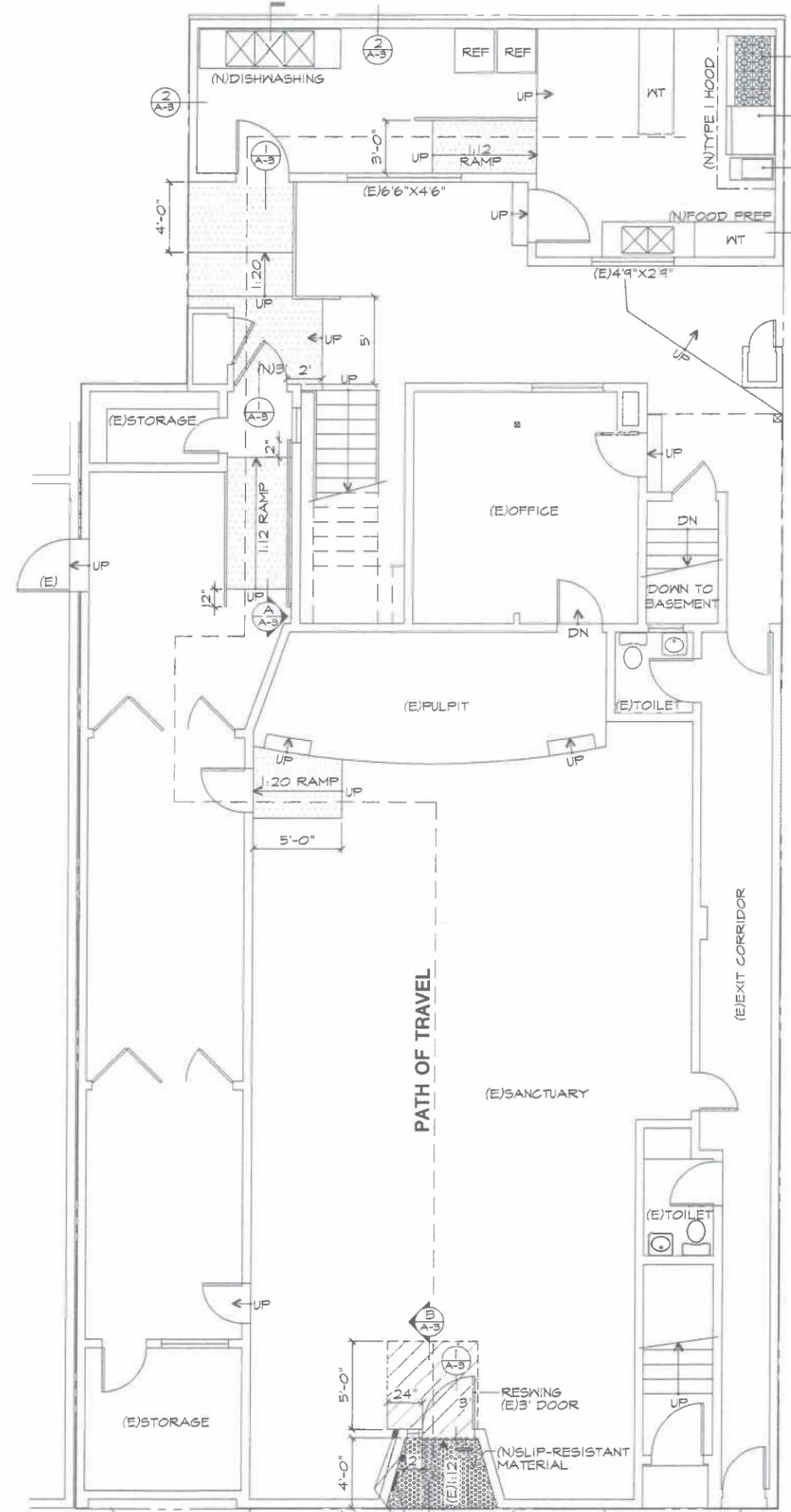
DRAWN	RH
CHECKED	VTL
DATE	12/14/2011
SCALE	AS NOTED
JOB NO.	
SHEET	

A-2
 OF 4 SHEETS



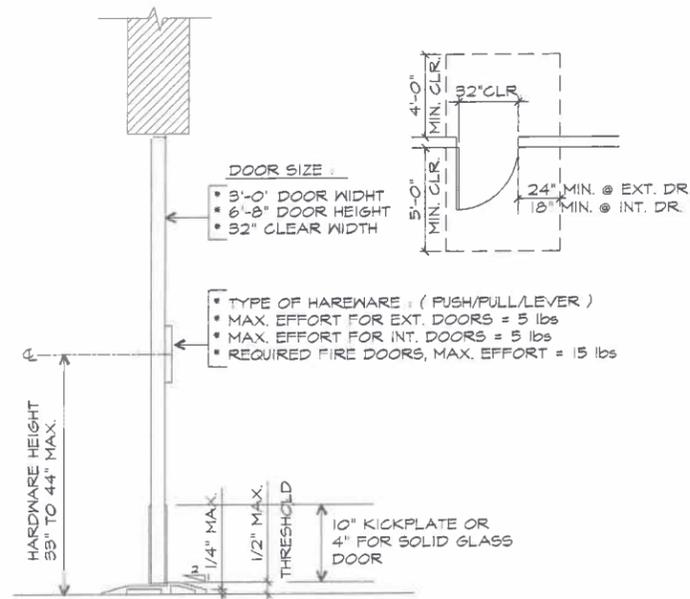
(E)FIRST FLOOR PLAN
 SCALE: 1/4"=1'-0"

LEGEND
 ——— (E)WALL/CONDITION TO REMAIN
 - - - - (E)WALL/CONDITION TO BE REMOVED

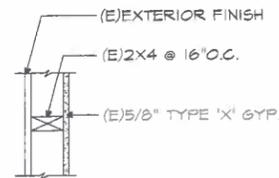


(N)FIRST FLOOR PLAN
 SCALE: 1/4"=1'-0"

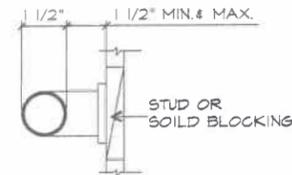
PUSH BUTTON FOR AUTO. OPEN DOOR
 INTERNATIONAL SYMBOL OF ACCESSIBILITY, SEE A-3, DETAIL 3



1 PATH OF TRAVEL AT ENTRANCE
(APPLICABLE TO ALL DOORS) N.T.S.



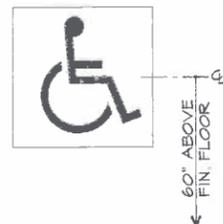
2 EXTERIOR WALL DETAIL



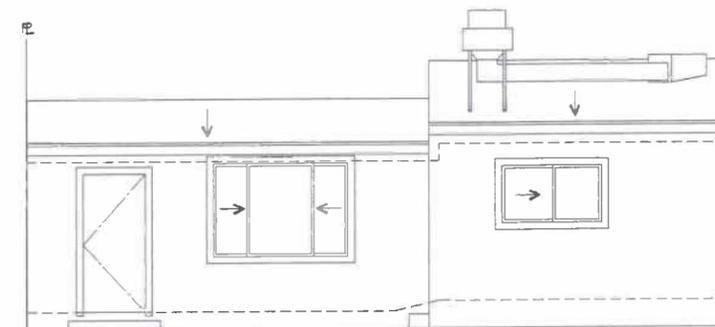
GRAB BAR/HANDRAIL DETAIL
N.T.S.



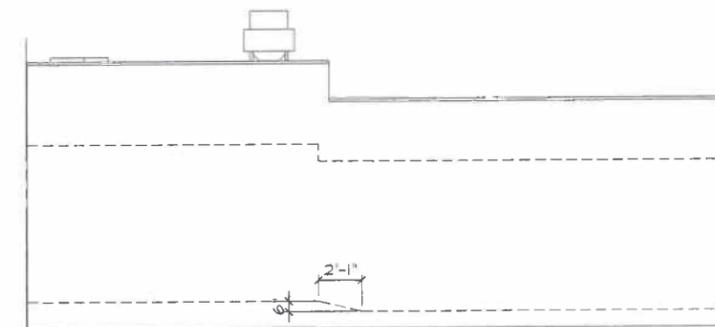
DOOR HARDWARE
N.T.S.



3 INTERNATIONAL SYMBOL OF ACCESSIBILITY



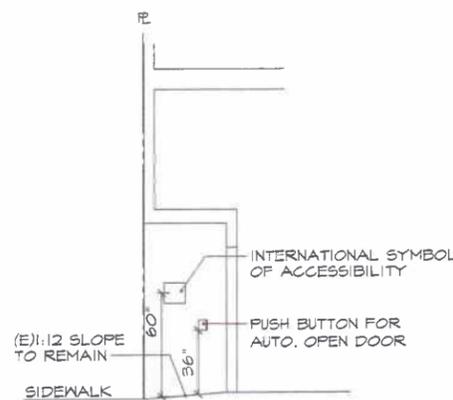
FRONT ELEVATION (NORTH)



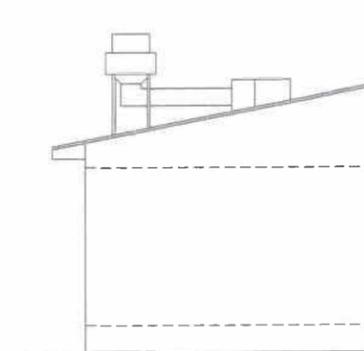
REAR ELEVATION (SOUTH)



A SECTION
SCALE: 1/4" = 1'-0"



B SECTION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION (WEST)

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5/23/2013	

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ROCK OF SALVATION FAMILY CENTER A.I.C.
REAR KITCHEN LEGALIZATION
2709 22ND STREET
SAN FRANCISCO, CA

DETAILS
SECTIONS
ELEVATIONS

DRN
TRH
CHECKED
VTL
DATE
12/14/2011
SCALE
AS NOTED
JOB NO.

SHEET
A-3
OF 4 SHEETS

1



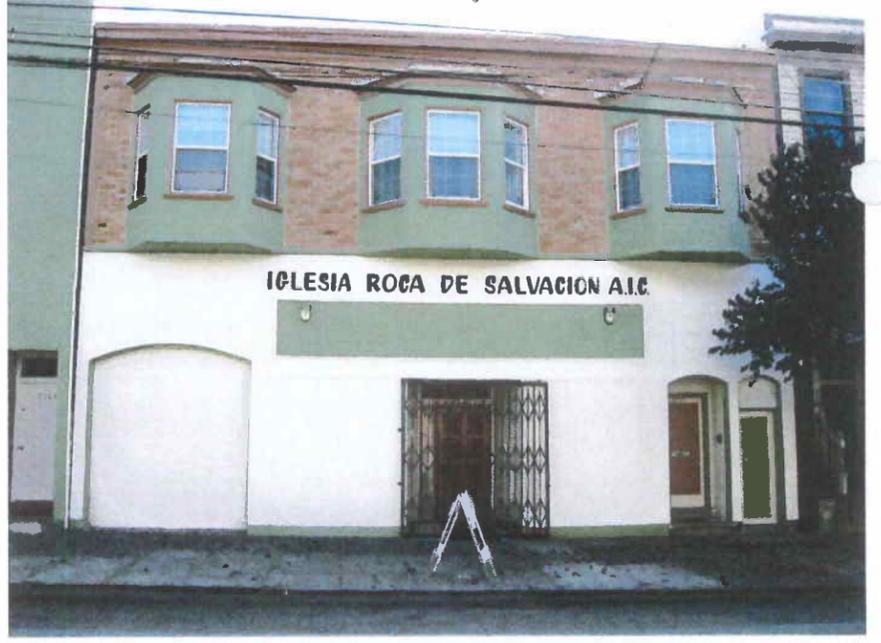
2



3



4



5



6



7



8





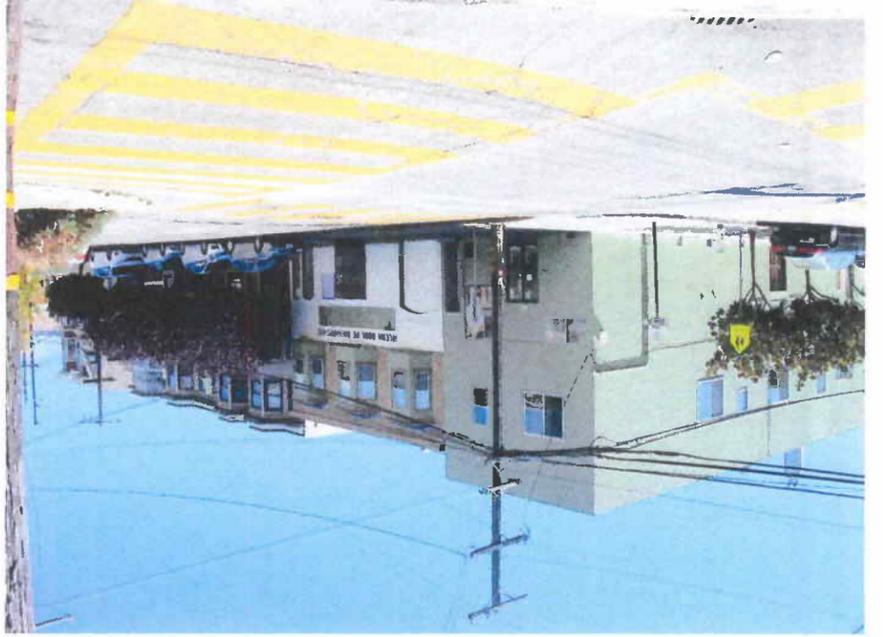
16



15



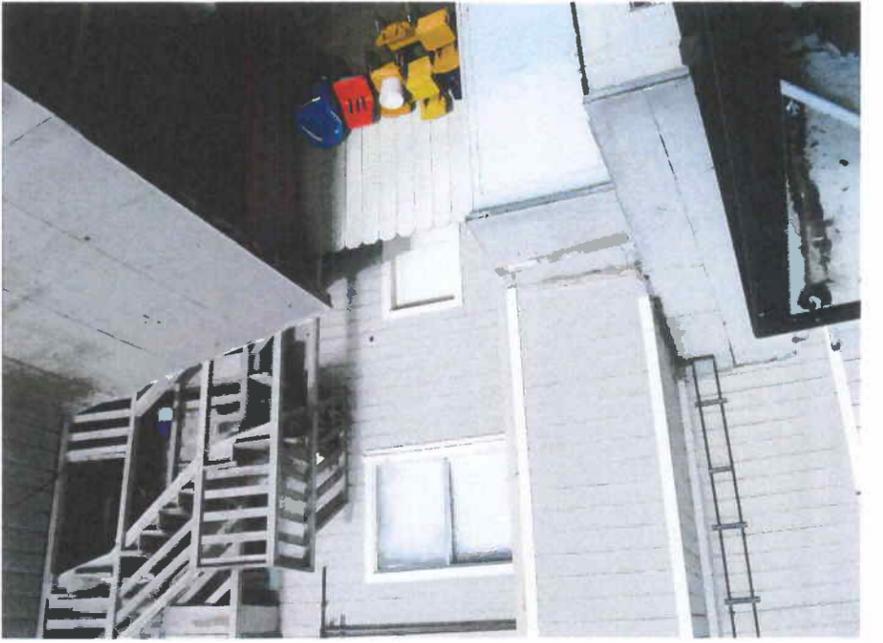
14



13



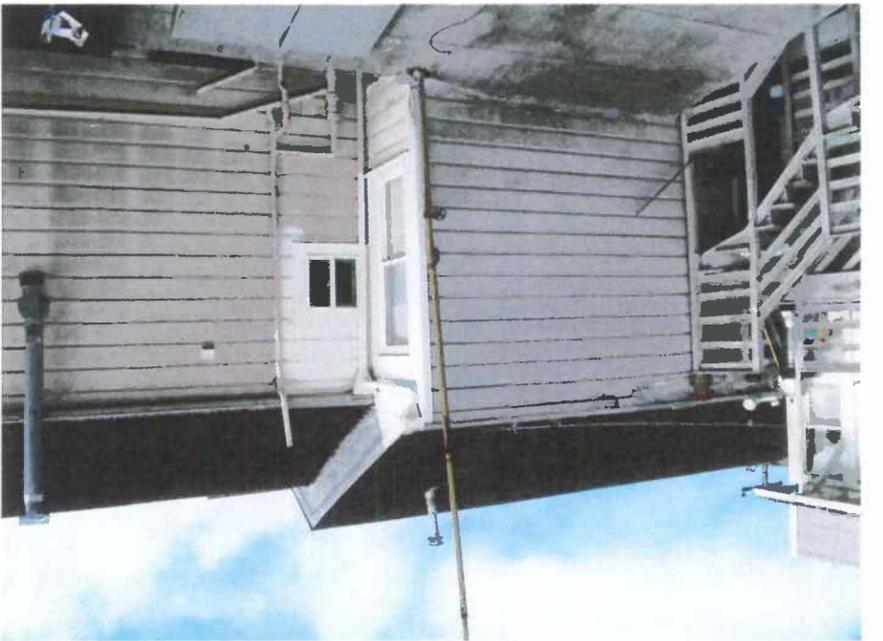
12



11



10



9