



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Inclusionary Housing (Sec. 315)
- ☐ Jobs Housing Linkage Program (Sec. 313)
- ☐ Downtown Park Fee (Sec. 139)

- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 314)
- ☐ Other

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Planning Commission Final Motion No. 17638

HEARING DATE: JUNE 26, 2008

Date: June 26, 2008
Case No.: **2008.0481C**
Project Address: **378-382 18th AVENUE**
Zoning: NC-3 (Neighborhood Commercial, Moderate-Scale)
40-X Height and Bulk District
Block/Lot: 1449/021B & 022
Project Sponsor: Golden Gate Christian Church
380-382 18th Avenue
San Francisco, CA 94121
Staff Contact: Jonas P. Ionin – (415) 558-6309
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ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.2, 303 AND 712.21 OF THE PLANNING CODE TO ALLOW A NON-RESIDENTIAL USE (D.B.A. AGAPE COMMUNITY CENTER AND GOLDEN GATE CHRISTIAN CHURCH) THAT EXCEEDS 5,999 SQUARE FEET IN AREA WITHIN THE NC-3 (MODERATE-SCALE, NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 25, 2008 Lincoln Lue Associates (Applicant) filed an application with the Department for Conditional Use Authorization under Planning Code Sections 121.2 and 712.21 of the Planning Code to allow non-residential use that exceeds 5,999 square feet in area within the NC-3 (Moderate-Scale, Neighborhood Commercial) District and a 40-X Height and Bulk District.

On June 26, 2008, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2008.0481C.

The Project was determined by the San Francisco Planning Department (hereinafter "Department") to be categorically exempt from environmental review. The Commission has reviewed and concurs with said determination.

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. 2008.0481C, 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 east side of 18th Avenue, between Geary Boulevard and Clement Street, Block 1449, Lots 021B and 022. The properties are located within the NC-3 (Neighborhood Commercial, Moderate-Scale) District, and 40-X height and bulk district. The properties are developed with two separate three-story buildings. The building at 378 18th Avenue is currently occupied by the Golden Gate Christian Church and used for religious services and a community center. Although the building at 380-382 18th Avenue is currently vacant it was originally developed as a retail shopping center and was most recently occupied by medical uses on the ground floor and a dance school on the upper two floors. The subject lots measure approximately 45' x 80.667' (Lot 021B) and 50' x 120.667' (Lot 022). Both lots are fully developed with nearly 100% lot coverage.
3. **Surrounding Properties and Neighborhood.** The project site is one lot away from the intersection at Geary Boulevard and 18th Avenue. A two-story mixed-use building occupies the corner property. Directly to the west across 18th Avenue is the former Alexandria Theater and parking lot. Two doors north is the Richmond District YMCA. South of the site is the Geary Boulevard NC-3 corridor with a variety of neighborhood-serving uses. A mix of food establishments, personal services, and small retail establishments defines the corridor in the immediate vicinity. The surrounding properties are located within the NC-3, RH-2 (Residential House, Two-Family), RM-1 (Residential Mixed, Low Density), and NC-1 (Neighborhood Commercial, Cluster) Districts.
4. **Project Description.** The proposal is to connect the Golden Gate Christian Church with the adjacent vacant commercial building to the south by installing connecting doors on the second and third levels. The Agape Community Center, currently operating out of the 378 18th Avenue building would be expanded and moved into the 380-382 18th Avenue building. The proposal includes the removal of a defunct fire escape on the façade and filling in a lightwell of 380-382 18th Avenue and interior tenant improvements to both buildings. The three-story building which is proposed to be connected to the church building has approximately 8,000 square feet of floor area. The combined use size of the church and community center would be approximately 20,000 square feet.

The proposed uses for the connected buildings are religious services, bible study, community activities, senior activities, meeting rooms, accessory offices and a bookstore open to the general public.

5. **Public Comment.** The Department has not received any correspondence in support of or 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. **Use Size Limits (Non-Residential), Neighborhood Commercial Districts.** Planning Code Sections 121.2 and 712.21 state that a Conditional Use Authorization is required for a non-residential use that exceeds 5,999 square feet, as defined by Planning Code Section 790.130, in an NC-3 zoned district and in addition to the criteria of Section 303(c) of the Code requires the Commission to consider the extent to which the following criteria are met:

1. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

The existing building being connected to the Golden Gate Christian Church is currently vacant and therefore, will not displace any other neighborhood-serving uses in the area. The addition of the adjacent building to the Church building will allow for its community center (the Agape Community Center) to expand the services it already provides to the neighborhood and enable them to provide for an increased demand.

2. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

The Agape Community Center currently operating from the Church building has experienced an increase in demand for services and activities. The expansion into the adjacent building will allow the Community Center to enhance their existing program by expanding or adding services and activities such as senior activities, English as a second language courses, Tai-Chi classes, computer learning services and ballroom dancing.

3. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

The structures already exist and the Project Sponsor intends for interior tenant improvements and only minor exterior modifications. Therefore, the existing scale of development in the district will be preserved.

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 use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

Although, the size of the proposal is approximately 3.5 times the principally permitted use size for non-residential uses, the proposal to expand the existing Agape Community Center in order to enhance existing services and provide new services is necessary and desirable for and compatible with the community.

- B. The proposed use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspect including but not limited to the following:

- i. The 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 and will not alter the existing appearance or character of the project site. The proposed work is primarily interior with only nominal exterior modifications that include the removal of a defunct fire escape and the filling-in of a light well.

- 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 Planning Code requires additions to structures and uses to provide off-street parking in the case of a major addition (any enlargement, alteration, change of occupancy or increase in intensity of use, which would increase the number of off-street parking spaces required for uses other than dwelling units by at least 15 percent or five spaces, whichever is greater) to such structure or uses, only in the amount required for the major addition itself. Any lawful deficiency in off-street parking or loading may be carried forward. The site has a deficiency of 16 off-street parking spaces. The change in use does not amount to a major addition and therefore does not trigger any parking to be provided. The site is well served by public transit by the 38 Geary, the 2 Clement and the 1 California MUNI lines.

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

The proposed use is subject to the standard construction requirements of the Building Code that pertain to offensive emissions. The proposal does not include significant exterior work.

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

There are no proposed changes to existing conditions as they relate to landscaping, screening, open spaces, parking and loading areas, service areas and lighting. New signage will adhere to the provisions of Article 6 of the Code.

- C. That the use or feature 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.

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

The proposed project is consistent with the stated purposed of NC-3 Districts in that the larger-scale use will provide services to the immediate and surrounding neighborhoods.

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

COMMUNITY FACILITIES

Objectives and Policies

OBJECTIVE 3

ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

POLICY 3.1

Provide neighborhood centers in areas lacking adequate community facilities.

POLICY 3.2

Assure that neighborhood centers complement and do not duplicate existing public and private facilities.

POLICY 3.5

Develop neighborhood centers that are multipurpose in character, attractive in design, secure and comfortable, and inherently flexible in meeting the current and changing needs of the neighborhood served.

POLICY 3.6

Base priority for the development of neighborhood centers on relative need.

POLICY 3.7

Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services

The proposed expansion of the Agape Community Center will contribute to the quality of the living environment as a facility designed to meet the cultural, social and recreational needs of neighborhood residents. As a multi-purpose neighborhood center it will not only provide needed services, but will be a place where neighbors can gather and socialize. The spaces and rooms are sufficiently flexible to lend themselves to various activities in response to the many and changing needs of this community.

A preliminary program with a variety of activities has been developed to accommodate the needs and desires of the community that include: religion and worship; arts and crafts; exercise; dance; English as a second language; basic computer classes; and seasonal tax filing assistance.

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 3

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

POLICY 3.3

Emphasize job training and retraining programs that will impart skills necessary for participation in the San Francisco labor market.

The community center's program includes job training skills in the form of classes teaching English as a second language and computer learning center.

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.

One component of the community center includes a ground floor bookstore that will add a new retail use to the neighborhood. The bookstore and community center will provide resident employment opportunities and the community center will provide basic job training.

- 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 structure will not be significantly altered and has always been used for commercial purposes. Therefore, the community center would displace any housing, but will provide for cultural and economic diversity.

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

Affordable housing would not be affected by the proposal.

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

The site is on 18th Avenue perpendicular to Geary Boulevard, Clement Street and California Street, which are all well served by transit. It can be anticipated that a certain number of employees and community members would commute by transit thereby mitigating impacts on street 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.

The Project would 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 proposal would not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The project would have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

10. 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.
11. 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. 2008.0481C** subject to the following conditions attached hereto as "EXHIBIT A" 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. 17638. 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 **June 26, 2008**.

Linda Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Miguel, Moore, Olague and Sugaya

NAYS: None

ABSENT: Commissioner Lee

ADOPTED: June 26, 2008

Exhibit A

Conditions of Approval

1. This authorization is for a Conditional Use Authorization under Planning Code Sections 121.2, 303 and 712.21 of the Planning Code to allow a non-residential use (d.b.a. Agape Community Center and Golden Gate Christian Church) that exceeds 5,999 square feet in area within the NC-3 (moderate-scale, neighborhood commercial) District and a 40-X Height and Bulk District, in general conformance with plans filed with the Application submitted on April 25, 2008 and stamped "EXHIBIT B" included in the docket for **Case No. 2008.0481C**, reviewed and approved by the Commission on **June 26, 2008**.
2. The Project Sponsor shall ensure that all proposed façade treatments, including window replacement and mortar repair will be in kind and in keeping with the original materials.
3. Prior to the issuance of the Building Permit 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 premises (Assessor's Block 1449, Lots 021B and 022), which notice shall state that construction has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.
4. Violation of the conditions contained in this Motion or of any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$500 a day in accordance with Planning Code Section 176.
5. Should monitoring of the Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
6. The property owner shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at a minimum, daily litter pickup and disposal, and washing or steam cleaning of the main entrance and abutting sidewalks at least once each week.
7. Signs and exterior lighting shall be reviewed and approved by the Planning Department before they are installed.
8. The Project Sponsor shall maintain an attractive storefront providing visibility of the interior through the storefront windows.

9. The Project shall appoint a Community Liaison Officer to address issues of concern to neighbors related to the operation of this Project. The Project Sponsor shall report the name and telephone number of this Officer to the Zoning Administrator and the neighborhood for reference. The Applicant will keep the above parties apprised should a different staff liaison be designated.
10. An enclosed garbage area shall be provided within the establishment. All garbage containers shall be kept within the building until pick-up by the disposal company.
11. The Project Sponsor shall assure the execution and recordation of the specified conditions as a Notice of Special Restrictions at the Office of the County Recorder / County Clerk.
12. The Planning Commission may, in a public hearing, consider the revocation of this conditional use authorization if a site or building permit has not been issued 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 thenceforth diligently to completion. The Commission may also consider revoking this conditional use authorization 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. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a City, state or federal agency or by appeal of the issuance of such permit.

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