



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

October 30, 2017

Peter F. Ziblatt
Pelosi Law Group
560 Mission Street, Suite 2800
San Francisco CA 94105

Site Address: 1850 Bryant Street
Assessor's Block/Lot: 3970/006
Zoning District: Production, Distribution & Repair – 1- General (PDR-1-G)
Staff Contact: Linda Ajello Hoagland, (415) 575-6823 or linda.ajellohoagland@sfgov.org
Record No.: 2017-011756ZAD

Dear Mr. Ziblatt:

This letter is in response to your request for a Letter of Determination regarding the property at 1850 Bryant Street. This parcel is located within the PDR-1-G (Production, Distribution & Repair – 1 – General) Zoning District, Mission Alcoholic Beverage Special Use Subdistrict, Fringe Financial Services Restricted Use District and 68-X Height and Bulk District. The request seeks a determination to confirm that a Child Care Facility would be a permitted at the subject property, within a portion of the ground floor space specified for PDR use, subject to a Conditional Use Authorization.

Background

On June 1, 2017, the Planning Commission granted Conditional Use Authorization (Case No. 2015-011211CUA – Motion No. 19933) to demolish an existing two-story building and construct a five-story, 68-foot-tall, 187,416 gross square feet (gsf) building to be used as a PDR (Production, Distribution and Repair), Social Service/Philanthropic Use and ground-floor Retail Use at 1850 Bryant Street, in the PDR-1-G District.

On September 12, 2017, the Board of Supervisors adopted amendments to the Planning Code related to Child Care Facilities (Ordinance No. 189-17). Said amendments became effective on October 17, 2017 and included modifications to the PDR-1-B, PDR-1-G and M-1 Zoning Districts to allow Child Care Facilities as a conditional use.

Determination

Based on the information provided in your request and Ordinance No. 189-17, it is my determination that a Child Care Facility is allowed as a conditional use in the PDR-1-G Zoning District pursuant to Planning

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San Francisco,
CA 94103-2479

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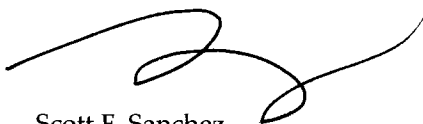
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Code Section 210.3. It should be noted that a Child Care Facility is a separate and distinct use from those approved as part of the subject project (PDR, Social Service or Philanthropic Use and Retail). As such, establishing a Child Care Facility as part of the subject project will be considered to be a change of use.

Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Linda Ajello Hoagland, Planner
Property Owner
Neighborhood Groups

R # 2017-011756 ZAD
CK # 1028 \$ 664. -
R. SUCRE (SE)



August 29, 2017

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CITY & COUNTY OF S.F.
DEPT. OF CITY PLANNING
ADMINISTRATION

Scott Sanchez
Zoning Administrator
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: **1850 Bryant Street-Request for Letter of Determination**
(3970/006)

Dear Mr. Sanchez:

We represent the developer of the approved commercial development located at 1850 Bryant Street ("Property"). We are writing to request a Letter of Determination ("LOD") to confirm that, pursuant to recently adopted Planning Code changes (File #170693), a Childcare Facility would be allowed on the Property with the approval of a Conditional Use Authorization.

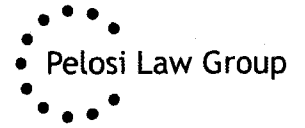
1. Background

On June 1, 2017, the Planning Commission approved development on the Property (2015 - 011211CUA) of a 68-foot tall, five-story plus basement, commercial development project with approximately 166,728 square feet of social service uses, approximately 2,285 gross square feet of retail uses and 18,400 gross square feet of production, distribution and repair uses ("Project"). The Project will demolish the existing structure on the Property.

The Project is considering inclusion of a Childcare Facility, as that term is defined in the Planning Code. The Project seeks confirmation through an LOD that a Childcare Facility is allowed, subject to Conditional Use Authorization.

2. Planning Code Analysis

On July 18, 2017, the San Francisco Board of Supervisors unanimously approved amendments to the Planning Code that, among other things, made Childcare Facilities *conditionally* permitted in the Production, Distribution and Repair (General) (PDR-1-G) zoning designation. The Property and Project is in the PDR-1-G zone. Thus, following the effective date of the Planning Code changes, based on our review of the Planning Code amendment, a Childcare Facility would be allowed in the Project upon approval of a Conditional Use Authorization.



* * * * *

Enclosed please find a check in the amount of \$664.00. If you have any questions or should you require more information please feel free to contact me at 415-273-9670.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter F. Ziblatt", with a long horizontal flourish extending to the right.

Peter F. Ziblatt