



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

March 7, 2016

Reza Khoshnevisan
SIA Consulting Corporation
1256 Howard Street
San Francisco, CA 94103

Site Address: 2342-2344 Third Street
Assessor's Block/Lot: 4108/003A
Zoning District: UMU (Urban Mixed Use)
45-X Height and Bulk
Staff Contact: Kimberly Durandet, (415) 575-6914 or kimberly.durandet@sfgov.org
Record No. 2015-014220ZAD

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mr. Khoshnevisan,

This letter is in response to your request for determination regarding the property at 2342-2344 Third Street. Your request seeks clarification of the legal use of the property and requirements if a change of use to dwelling units is sought.

According to property records the existing legal use is a Residential Hotel, which is considered group housing and principally permitted in the UMU Zoning District per Planning Code Section 843.21. Residential Hotels are further defined and regulated in the Residential Hotel Unit Conversion and Demolition Ordinance, Chapter 41, of the San Francisco Administrative Code. Conversion of Residential Hotel units is subject to the procedures set forth in Chapter 41, as implemented by the Department of Building Inspection, Housing Inspection Services Division.

Any proposed dwelling units would be subject to Planning Code requirements and variances or modifications as needed for rear yard, dwelling unit exposure and usable open space. No plans were submitted with your request. The Planning Department will determine the project's compliance with Planning Code requirements upon submittal and review of plans associated with a building permit application and/or other entitlement for the subject project.


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.

Reza Khoshnevisan
SIA Consulting Corporation
1256 Howard Street
San Francisco CA 94103

March 7, 2016
Letter of Determination
2342 Third Street

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: Kimberly Durandet, Planner
Property Owner
Neighborhood Groups
BBN Requestor (if any)



R # 2015-014220ZAD
OK + 3717 \$ 645.-
J. BANALES (SE)

Office of the Zoning Administrator
Mr. Scott Sanchez
Zoning Administrator
1650 Mission Street, Suite 400
San Francisco, CA 94103

October 21, 2015

RE: 2342-2344 Third Street (Block 4108/Lot 3A) Request for Letter of Determination

Dear Mr. Sanchez,

This letter is to request clarification of aforementioned property's legal use.
Below are some project facts and information:

- Number of stories: 3
- Last Known Use: Tourist Hotel (Vacant for more many years)
- (E) Rear yard: 0%
- Lot Coverage: ± 83%
- Rent Controlled Building: No (Please see attached document, #G742577)
- Preservation Status: Historic Rated "A"

1. Since the use has been terminated and Tourist Hotel is no longer permitted in UMU zoning district (SF Planning Code 843.49), do we need go through mandatory DR to change the Tourist Hotel use?

2. Does any new proposed dwelling units in the required rear yard need variance?

3. Do we need variance for open space, exposure, and rear yard?

Please find the enclosed check payable to the San Francisco Planning Department for the amount of \$645.00.

We greatly appreciate any help in this matter. If you have any questions and/or concerns, please feel free to call us at 415-922-0200.

Thank You,

A handwritten signature in black ink, appearing to read "Reza Khoshnevisan".

Reza Khoshnevisan

RECEIVED

OCT 21 2015

**CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
ZA OFFICE**

RECORDING REQUESTED BY:

City and County of San Francisco
Residential Rent Stabilization & Arbitration Board
25 Van Ness Avenue, Suite 320
San Francisco, CA 94102
(415) 252-4602



San Francisco Assessor-Recorder
Mabel S. Teng, Assessor-Recorder
DOC- 2003-H551252-00

Acct 37-Rent Arbitration Board
Tuesday, SEP 30, 2003 11:34:53

Ttl Pd \$0.00 Nbr-0002285805
REEL I483 IMAGE 0642
oJ1/JL/1-2

WHEN RECORDED MAIL TO:

City and County of San Francisco
Residential Rent Stabilization & Arbitration Board
25 Van Ness Avenue, Suite 320
San Francisco, CA 94102
(415) 252-4602

AMENDED NOTICE OF CONSTRAINTS ON REAL PROPERTY

(to be recorded by the Rent Board)

Pursuant to Government Code Section 7060.2 and San Francisco Administrative Code Chapter 37, Section 37.9A, the City of San Francisco has determined to apply constraints to successors in interest to an owner(s) who has withdrawn residential accommodations from rent or lease. This Amended Notice of Constraints on Real Property amends and supersedes the Notice of Constraints on Real Property previously recorded on the property on March 3, 2000 as Document No 2000-G742577-00.

The real property where the accommodations are located is specifically described as:

Block: 4108 Lot: 3A

Address: 2342-2344 Third Street, San Francisco, CA 94107
(See Attachment A for legal description of property.)

Name of Owner(s): Richard L. Chiu and Shirley K. Chiu, co-trustees of the "CHIU 1996 FAMILY TRUST" under declaration of trust dated October 22, 1996

The date on which the accommodations were withdrawn from rent or lease is February 27, 2000.

The constraints set forth in the following sections apply to the units until the dates indicated:

- Government Code Section 7060.2(a)&(d) and San Francisco Administrative Code Section 37.9A(a) & (b):
February 27, 2005. (Five years from date of withdrawal)
- Government Code Section 7060.2(c) and San Francisco Administrative Code Section 37.9A(c):
February 27, 2010. (Ten years from date of withdrawal)

ALL OF THE TERMS AND OBLIGATIONS AS NAMED IN THIS DOCUMENT WILL TERMINATE AUTOMATICALLY, WITHOUT THE NECESSITY OF ANY RECORDED TERMINATION, AFTER February 27, 2010.

Joseph P. Grubb, Executive Director,
San Francisco Rent Board

Dated: September 8, 2003

EXHIBIT A

LEGAL DESCRIPTION

G742577

Property Information

2342 - 2344 Third Street
San Francisco, CA 94107

Legal Description - Assessor's Block 4108, Lot 3A

COMMENCING at a point on the westerly line of 3rd Street, distant thereon 150 feet southerly from the southerly line of 20th Street; running thence southerly along the said westerly line of 3rd Street 30 feet; thence at a right angle westerly 80 feet; thence at a right angle northerly 30 feet; thence at a right angle easterly 80 feet to the westerly line of 3rd Street and the point of commencement.

RECORDING REQUESTED BY:

City and County of San Francisco
Residential Rent Stabilization & Arbitration Board
25 Van Ness Avenue, Suite 320
San Francisco, CA 94102
(415) 252-4602

WHEN RECORDED MAIL TO:

City and County of San Francisco
Residential Rent Stabilization & Arbitration Board
25 Van Ness Avenue, Suite 320
San Francisco, CA 94102
(415) 252-4602



San Francisco Assessor-Recorder
Doris M. Ward, Assessor-Recorder
DOC- 2000-G742577-00

Acct 37-Rent Arbitration Board
Friday, MAR 03, 2000 13:20:28
Ttl Pd \$0.00 Nbr-0001368186

REEL H586 IMAGE 0329
ocr/CP/1-2

NOTICE OF CONSTRAINTS ON REAL PROPERTY

(to be recorded by the Rent Board)

Pursuant to Government Code Section 7060.2 and San Francisco Administrative Code Chapter 37, Section 37.9A, the City of San Francisco has determined to apply constraints to successors in interest to an owner(s) who has withdrawn residential accommodations from rent or lease.

The real property where the accommodations are located is specifically described as:

See Attachment A, legal description of property.

Name of Owner(s): Richard L. Chiu and Shirley K. Chiu, co-trustees of the "CHIU 1996 FAMILY TRUST" under declaration of trust dated October 22, 1996

Block: 4108 Lot: 3A

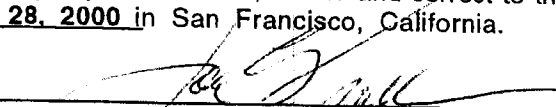
Address: 2342-2344 Third Street, San Francisco, CA 94107

The date on which the accommodations are to be withdrawn from rent or lease is February 27, 2000.

The constraints set forth in the following sections apply to the property until the dates indicated:

- Government Code Section 7060.2(b)(1) and San Francisco Administrative Code Section 37.9A(a): As long as property exists.
- Government Code Section 7060.2(a) and San Francisco Administrative Code Sections 37.9A(c)(1) and 37.9A(d): February 27, 2001. (One year from date of withdrawal)
- Government Code Section 7060.2(b)(2) and San Francisco Administrative Code Section 37.9A(c)(2): February 27, 2010. (Ten years from date of withdrawal)
- Government Code Section 7060.2(c) and San Francisco Administrative Code Section 37.9A(b): February 27, 2005. (Five years from date of withdrawal)

I declare under penalty of perjury, under the laws of the State of California, that the information provided on this Notice of Constraints, including any attachments, is true and correct to the best of my knowledge and belief. Executed on February 28, 2000 in San Francisco, California.



Joe Grubb, Executive Director of the San Francisco Rent Board

EXHIBIT A

LEGAL DESCRIPTION

G742577

Property Information

2342 - 2344 Third Street
San Francisco, CA 94107

Legal Description - Assessor's Block 4108, Lot 3A

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