



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: 11/29/2018

Date: November 21, 2018
Record No.: **2017-007943CUA**
Project Address: **3848 24TH STEET**
Zoning: NCD 24th Street- Noe Valley (Neighborhood Commercial District)
40-X Height and Bulk District
Block/Lot: 3651/022
Applicant: Rachel Swan
3848 24th Street
San Francisco, CA 94114
Staff Contact: Gabriela Pantoja – (415) 575-8741
Gabriela.Pantoja@sfgov.org
Recommendation: **Approval with Conditions**

1650 Mission St.
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CA 94103-2479

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415.558.6377

PROJECT DESCRIPTION

The proposal is for the legalization of an existing real estate brokerage (d.b.a. "The Agency") within an approximately 903 square-foot tenant space located at the ground floor of a three-story mixed-use building. The subject tenant space was previously occupied by a glass retail store (d.b.a. "Cradle of the Sun") in 2016. No exterior and interior alterations of the subject tenant space are proposed. The proposed real estate brokerage (d.b.a. "The Agency") will operate between the hours of 9 A.M. and 5:30 P.M. Monday through Friday, and 10 A.M. and 4 P.M. on Saturday and Sunday.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 728 for the establishment of a real estate brokerage use located at the ground floor of an existing three-story mixed-use building.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Project Sponsor completed a Pre-Application Meeting on January 11, 2018 at the subject property. Forty-four members of the public attended the Pre-Application Meeting, but no comments from the attended public members were recorded as part of the completion of the Pre-Application Meeting. To date, the Department has received 24 correspondences in support and 20 correspondences in opposition of the Project. Members of the public expressing opposition of the Project state concerns with regards to the Project's lack of

neighborhood and daily serving characteristic and its lack of ability to increase the neighborhood's foot traffic.

- **Tenant History.** The subject tenant space is currently occupied by the proposed business (d.b.a. "The Agency") and has occupied the subject space since 2016. Prior to the proposed business occupancy of the subject tenant space, the space was occupied by a glass retail store (d.b.a. "Cradle of the Sun") for approximately 33 years.

- **Code Enforcement Case No. 2017-001835ENF.** As of today, the subject property is in violation of Planning Code Section 728 for the conversion of an existing authorized retail sales and service use to a professional service use (real estate brokerage) without the proper issuance of required permits and land-use entitlements. The Planning Department has made various efforts with the Project Sponsor to abate said Planning Code violation at the subject property. Please find a timeline of the Planning Department's efforts below:
 - In February of 2017, the Planning Department received a complaint regarding the potential conversion of a retail sales and service use to a professional service use without the proper issuance of required permits. Subsequently, the Department mailed a Notice of Complaint to the subject property owners which informed the owners of an active complaint against the subject property and further advised reaching out to the Department for the abatement of the complaint.
 - In February and April of 2017, the Planning Department conducted multiple site visits at the subject property to assess the property's conditions. At the conclusion of each site visit, the Department determined that the subject property to be in violation of Planning Code Section 728 for the conversion of an existing authorized retail sales and service use into a professional service use (real estate brokerage) without the proper issuance of required permits and land-use entitlements.
 - In April of 2017, the Planning Department issued a Notice of Enforcement to the subject property owners memorializing the indicated Planning Code violation at the subject property.
 - In June of 2017, an incomplete Conditional Use Authorization Application was submitted to the Department for the abatement of aforementioned Planning Code violation at the subject property. At this time, a follow-up email was sent to the Project Sponsor requesting the remainder of the required materials for the purpose of deeming the application accepted. In the following months, the Department continuously followed-up with the Project Sponsor regarding the submittal of the outstanding materials.
 - In January of 2018, the submitted Conditional Use Authorization Application was finally deemed accepted.
 - In February of 2018, the Department issued a Notice of Planning Department Requirements (NOPDR) to the Project Sponsor requesting additional information and materials for the completion and processing of the submitted Conditional Use Authorization Application.
 - In May of 2018, the Department sent an email following up the previously issued NOPDR.
 - In July of 2018, the Department sent a second email following up the previously issued NOPDR in February of 2018.

- In August of 2018, the Department sent a second NOPDR to the Project Sponsor indicating potential cancellation of the submitted Conditional Use Authorization Application given the lack of response on behalf of the Project Sponsor.
- In the following weeks, the Project Sponsor responded to both previously issued NOPDRs.
- In October of 2018, the submitted Conditional Use Authorization Application was deemed complete, and thereafter scheduled for the November 29th Planning Commission Hearing date.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan and meets all applicable requirements of the Planning Code. The Project will provide a service that both enhances and reinforces the neighborhood's existing commercial corridor. Additionally, the Project will not displace an existing neighborhood serving retail use, but rather provide new business and job opportunities to the neighborhood. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization

Exhibit A – Conditions of Approval

Exhibit B – Plans and Renderings

Exhibit C – Environmental Determination

Exhibit D – Maps and Context Photos

Exhibit E - Public Correspondence

Exhibit F – Complete Application



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: NOVEMBER 29, 2018

Record No.: **2017-007943CUA**
Project Address: **3848 24TH STREET**
Zoning: NCD- 24th Street-Noe Valley (Neighborhood Commercial) Zoning District
40-X Height and Bulk District
Block/Lot: 3651/022
Project Sponsor: Rachel Swan
3848 24th Street
San Francisco, CA 94114
Property Owner: Iglesias Properties, LLC
Santa Cruz, CA 95060
Staff Contact: Gabriela Pantoja – (415) 575-8741
Gabriela.Pantoja@sfgov.org

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 728 TO LEGALIZE AN EXISTING REAL ESTATE BROKERAGE (D.B.A. "THE AGENCY") AT THE GROUND FLOOR OF AN EXISTING THREE-STORY MIXED-USE BUILDING LOCATED WITHIN THE 24TH STREET-NOE VALLEY NEIGHBORHOOD COMMERCIAL (NCD) ZONING DISTRICT AND 40-X BULK AND HEIGHT DISTRICT.

PREAMBLE

On June 25, 2017, Rachel Swan (hereinafter "Project Sponsor") filed Application No. 2017-007943CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to legalize an existing real estate brokerage (d.b.a. "The Agency") at the ground floor of an existing three-story mixed-use building (hereinafter "Project") at 3848 24th Street, Block 3651, Lot 022 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2017-007943CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On November 29, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2017-007943CUA.

The Project is exempt from California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption.

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 Authorization as requested in Application No. 2017-007943CUA, 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. **Project Description.** The proposal is for the legalization of an existing real estate brokerage (d.b.a. "The Agency") within an approximately 903 square-foot tenant space located at the ground floor of a three-story mixed-use building. The subject tenant space was previously occupied by a glass retail store (d.b.a. "Cradle of the Sun") in 2016. No exterior and interior alterations of the subject tenant space are proposed. The proposed real estate brokerage (d.b.a. "The Agency") will operate between the hours of 9 A.M. and 5 P.M. Monday through Friday, and 10 A.M. and 4 P.M. on Saturday and Sunday.
3. **Site Description and Present Use.** The 1,875 square-foot property is located on the north side of 24th Street, between Vicksburg and Church Streets; Lot 022 of Assessor's Block 3651. The subject property is developed with a three-story mixed-used building which measures 75 feet in length and 25 feet in width. The approximately 5,125 square-foot building consists of one commercial tenant space located at the ground floor and four dwelling units located at remainder upper two floors. The subject building, constructed in 1910, is located within the 24th Street Commercial Corridor Historic District and is considered a Historical Resource "Class A" per the California Environmental Quality Act (CEQA). The subject tenant space is currently occupied by the proposed business (d.b.a. "The Agency"). Previously, the tenant space was occupied by a glass retail store (d.b.a. "Cradle of the Sun") for over 33 years until their departure in 2016.
4. **Surrounding Properties and Neighborhood.** The subject property is located within the 24th Street-Noe Valley Neighborhood Commercial (NCD) Zoning District, the 40-X Height and Bulk District, and the Noe Valley neighborhood, adjacent to the Mission and Castro/Upper Market neighborhoods. The 24th Street-Noe Valley Neighborhood Commercial (NCD) Zoning District is located to the south, west, and east of the subject property, and the Residential-House, Two Family (RH-2) Zoning District is located to the north of the property.

The immediate neighborhood includes single-to-three story residential, commercial, and mixed-use developments with mixed-use developments consisting of commercial tenant spaces at the

ground-floor and residential units located at the remainder floors. The neighborhood includes a mix of land-uses including residential, retail, restaurants, gym, and personal service.

5. **Public Outreach and Comments.** The Project Sponsor completed a Pre-Application Meeting on January 11, 2018 at the subject property. Forty-four members of the public attended the Pre-Application Meeting. No public comments were expressed and recorded as part of the completion of the Pre-Application Meeting. To date, the Department has received 24 correspondences in support and 20 correspondences in opposition of the Project. Members of the public expressing opposition of the Project state concerns with regards to the Project's lack of neighborhood and daily serving characteristic and its lack of ability to increase the neighborhood's foot traffic.
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. **Hours of Operation.** Planning Code Section 728 principally permits business hours between 6 A.M. and 2 A.M. Operation outside of the listed business hours requires the issuance of a Conditional Use Authorization.

The proposed business (d.b.a. "The Agency") will operate within the principally permitted hours of operation. The proposed business hours are Monday through Friday 9 A.M. - 5 P.M., and Saturday through Sunday 10 A.M. - 4 P.M.; therefore, the Project complies with Planning Code Section 728.

- B. **Use Size.** Planning Code Section 728 principally permits non-residential uses up to occupy 2,499 square feet of area. Non-residential uses occupying equal to or more than 2,500 square feet of area require the issuance of a Conditional Use Authorization.

The subject tenant space is approximately 903 square feet in area and does not require the issuance of Conditional Use Authorization for use-size.

- C. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 requires in NC Districts containing specific uses, including retail stores, that building lobbies do not exceed 40 feet of building frontage, that parking entrances are no more than 20 feet wide, that ground floors have a minimum 14-foot floor-to-floor height, active uses are provided within the first 25 feet of building depth on the ground floor, and that the ground floor non-residential street frontage be at least 60% transparent in order to allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind ground floor windows, shall be at least 75 percent open to perpendicular view.

The Project will preserve an approximately 903 square-foot tenant space and active storefront, pursuant to Planning Code Section 145.1(c)(3). Additionally, the Project will maintain the

storefront's existing interior visibility. The subject tenant space spans approximately 35 linear feet of frontage along Vicksburg Street and 25 linear feet of frontage along 24th Street approximately all of which is devoted to either the space's entrance or visually open areas. There are no exterior alterations proposed to the existing commercial frontage.

D. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department pursuant to Article 6 of the Planning Code.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization. On balance, the project complies 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 proposed legalization of an existing real estate brokerage will provide a compatible development that is both necessary and desirable for the neighborhood. While not altering the character of the existing building or neighborhood, the Project will preserve and reactivate an existing commercial tenant space along a vibrant commercial corridor, complement the mix of goods and services currently available in the neighborhood, and maintain business and job opportunities for the residents of the neighborhood.

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:

(1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project will not alter the height and bulk of the existing building. No exterior or interior alterations of the subject building are proposed.

(2) 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 Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability. The subject property is located along 24th Street and is well served by public transportation; the 48-bus line runs along 24th Street and the J-Muni line is located one-block east of the Project site. Furthermore, no on-street parking spaces will be removed as part of the Project.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project will not generate noxious or offensive emissions such as noise, glare, dust, or odor.

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

The Project does not require any additional landscaping or screening, and no new off-street parking spaces, loading spaces, open spaces, or service areas are proposed at the subject property. Any proposed signage will be subject to the review and approval of the Planning Department in compliance with the Planning Code.

- 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.

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

The Project is consistent with the stated purpose of the 24th Street- Noe Valley Neighborhood Commercial District (NCD) in that the intended use will be a compatible commercial use and will be located at the ground floor of an existing mixed-use building.

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 which has substantial undesirable consequences that cannot be mitigated.

Policy 1.2

Assure that all commercial and industrial uses meet minimum reasonable performance standards.

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.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

Policy 6.3

Preserve and promote the mixed commercial-residential character in the neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

The Project will preserve and maintain an existing commercial tenant space within an existing vibrant commercial corridor without displacing an existing tenant. Additionally, the Project will enhance and reinforce the neighborhood's existing commercial corridor and provide the neighborhood with new business and job opportunities without altering the existing building or neighborhood's character. The proposed real estate brokerage use will provide a compatible use to the neighborhood's exiting mix of goods and services.

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 complies 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.

The Project will not remove an existing neighborhood serving retail use; the subject tenant space is currently occupied by the proposed business. Rather, the Project will enhance and provide a retail use, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.

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

The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The proposal will preserve an existing commercial tenant space in the neighborhood while not altering the character of the subject building.

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

The Project will not affect the City's supply of affordable housing; no affordable housing will be removed. The Project proposes the legalization of a real estate brokerage at an existing commercial tenant space.

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

The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street availability; the Project site is well served by public transit. The subject property is located along 24th Street which is served by the 48-bus line and is located one block east of Church Street which is served by the J-Muni line. On-street metered parking is available for those patrons that do choose to drive to the area.

- 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 will not displace any service or industry sectors due to commercial office development; the subject tenant space is currently occupied by the proposed business (d.b.a. "The Agency"). Instead, the Project will maintain business and job opportunities in the neighborhood.

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

The Project is designed and altered to conform to the structural and seismic safety requirements of the Building Code. The Project will not impact the subject property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject building is located within the 24th Street Commercial Corridor Historic District, however, no exterior alterations are proposed to the subject building.

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

The Project will not have impacts on existing parks and open spaces and their access to sunlight and vistas.

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 Authorization Application No. 2017-007943CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 16, 2018, 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. 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.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 29, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 29, 2018

SAN FRANCISCO
PLANNING DEPARTMENT

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use for the legalization of an existing real estate brokerage (d.b.a. "The Agency") at the ground floor of an existing three-story mixed-use building located at 3848 24th Street, Block 3651, Lot 022, pursuant to Planning Code Sections 303 and 728, and within the 24th Street-Noe Valley Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District; in general conformance with plans, dated November 16, 2018, and stamped "EXHIBIT B" included in the docket for Record No. 2017-007943CUA and subject to conditions of approval reviewed and approved by the Commission on November 29, 2018 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 November 29, 2018 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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **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

7. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.

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

MONITORING - AFTER ENTITLEMENT

8. **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

9. **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.

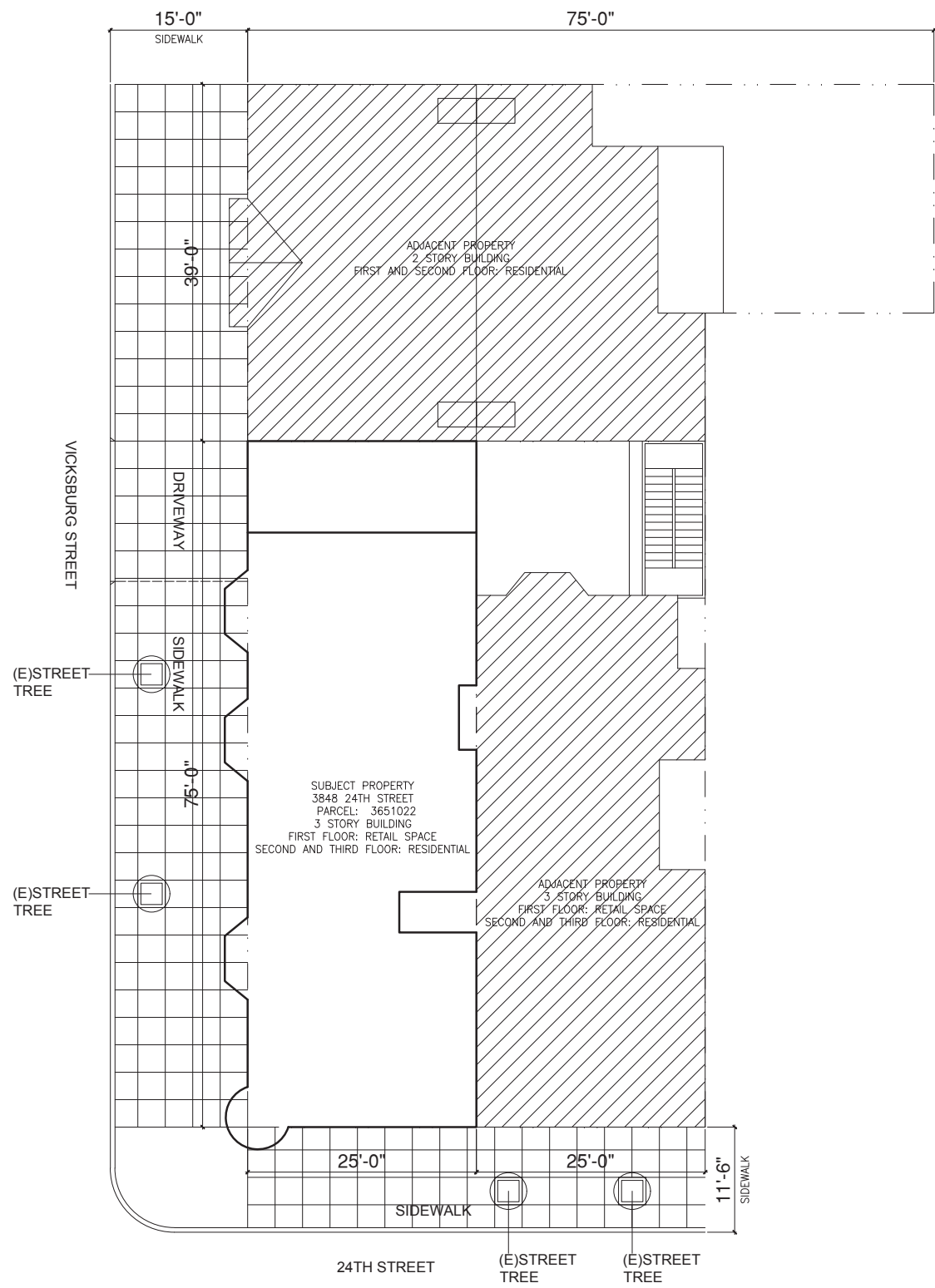
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

10. **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 the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>.

11. **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>

12. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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



SITE PLAN
Existing Conditions
1/8" = 1'-0"

North

EVOLVE DESIGN STUDIO
jeffreydoney@gmail.com
4115 19th street, San Francisco Ca.
94114
415-999-8658

REVISIONS	BY

SITE PLAN

Scale: AS NOTED

Design by: Jeffrey Doney

Drawn: Carlos Alfaro
carlosalfaro2807@gmail.com

Date: 11/16/2018

CONDITIONAL PROFESSIONAL SERVICES

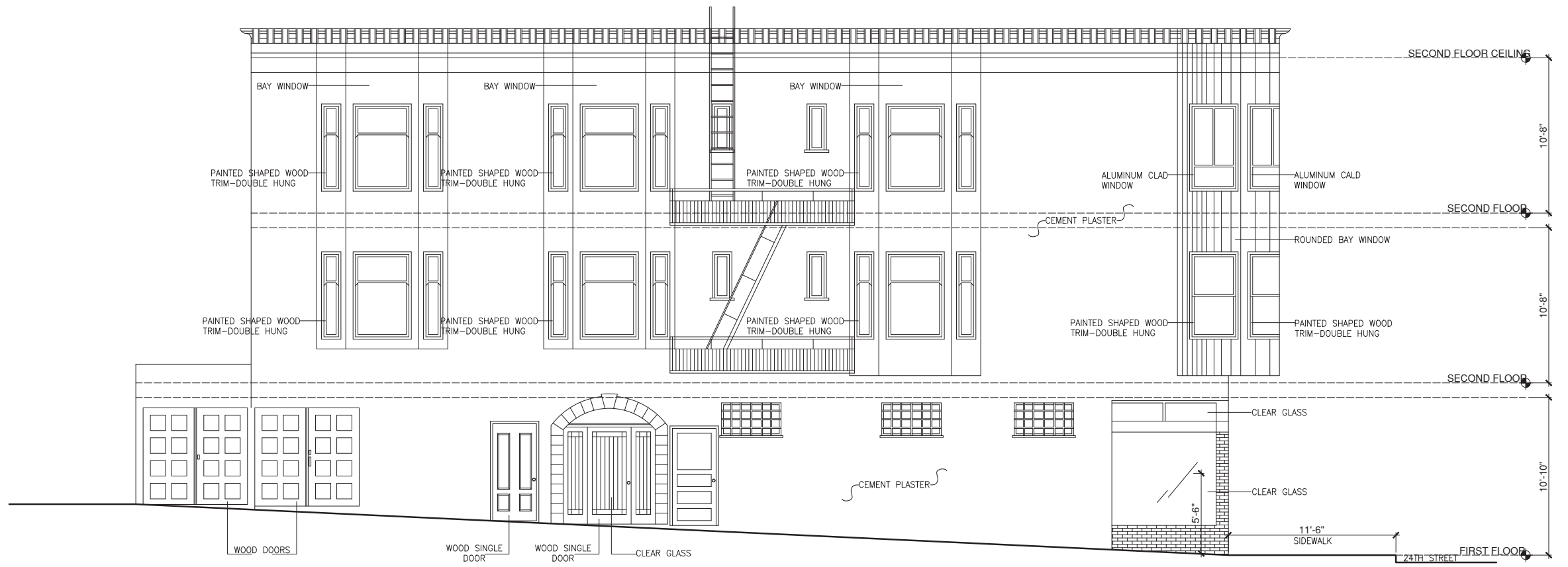
3848 24th STREET, SAN FRANCISCO, CA.
94114

SHEET
A1

REVISIONS	BY

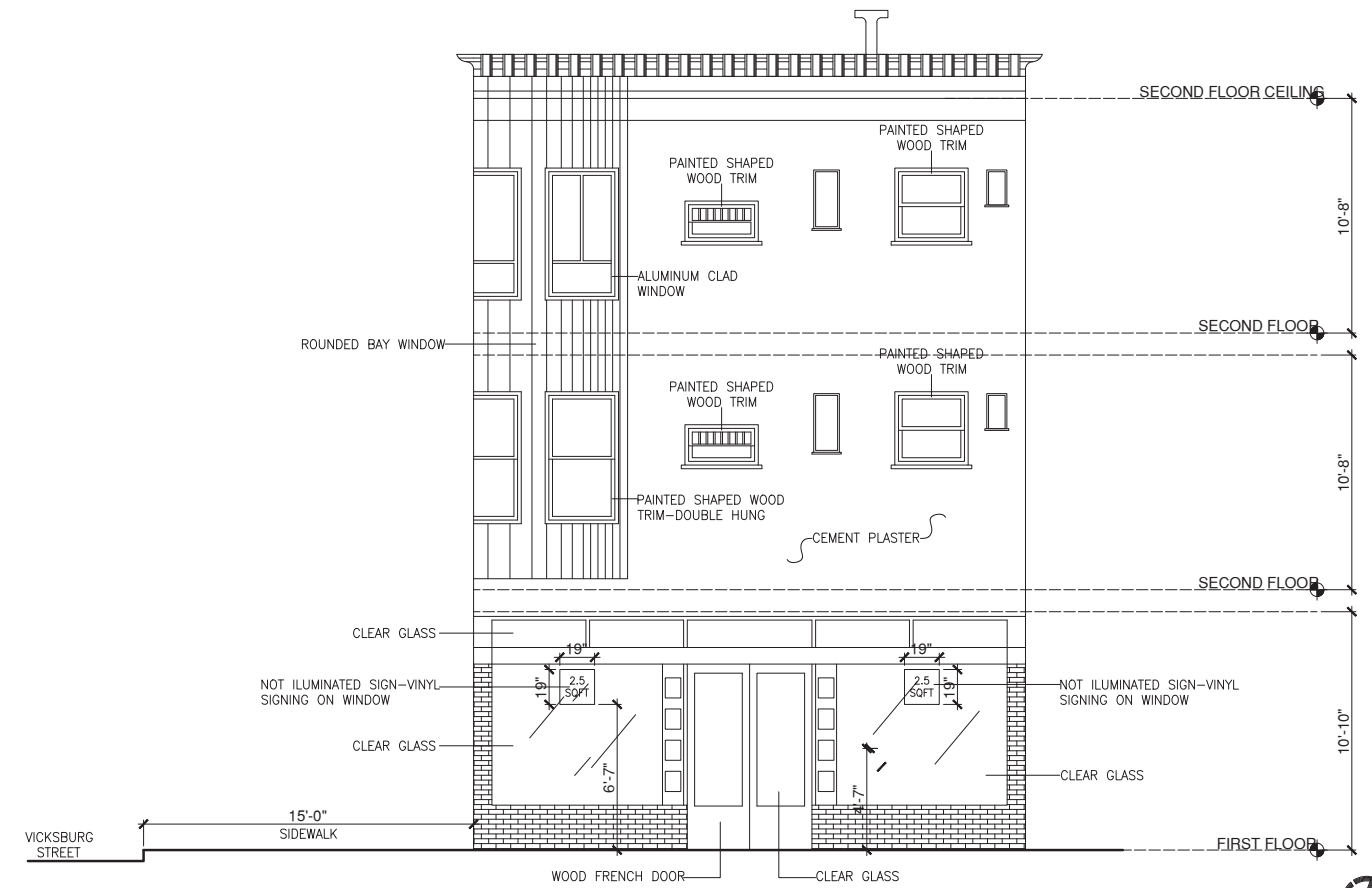
EXTERIOR ELEVATIONS	Scale: AS NOTED	Design by: Jeffrey Doney	Date: 11/16/2018
	Drawn: Carlos Alfaro	carlosalfaro2807@gmail.com	
	Drawn: Carlos Alfaro	carlosalfaro2807@gmail.com	

CONDITIONAL PROFESSIONAL SERVICES
 3848 24th STREET, SAN FRANCISCO, CA.
 94114



VICKSBURG STREET

Exterior Elevation West
 Existing and Proposed Conditions
 1/4" = 1'-0"
 NO CHANGES



24TH STREET

Exterior Elevation North
 Existing and Proposed Conditions
 1/4" = 1'-0"
 NO CHANGES



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
3848 24TH ST		3651022
Case No.		Permit No.
2017-007943PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval. Conditional Use Authorization to permit the change of use from an existing retail store to a real estate brokerage use. No interior or exterior alterations proposed to existing subject building.</p>		

STEP 1: EXEMPTION CLASS

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Class _____

STEP 2: CEQA IMPACTS
TO BE COMPLETED BY PROJECT PLANNER

<p>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</p>	
<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i></p>
<input type="checkbox"/>	<p>Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</p>
<input type="checkbox"/>	<p>Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.</p>
<p>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</p>	
<p>Comments and Planner Signature (optional): Gabriela Pantoja</p>	

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input checked="" type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C a. Per HRER dated (attach HRER) b. Other (specify):
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Building Permit	Signature: Gabriela Pantoja
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	11/19/2018
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
3848 24TH ST		3651/022
Case No.	Previous Building Permit No.	New Building Permit No.
2017-007943PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Building Permit	
Modified Project Description:		

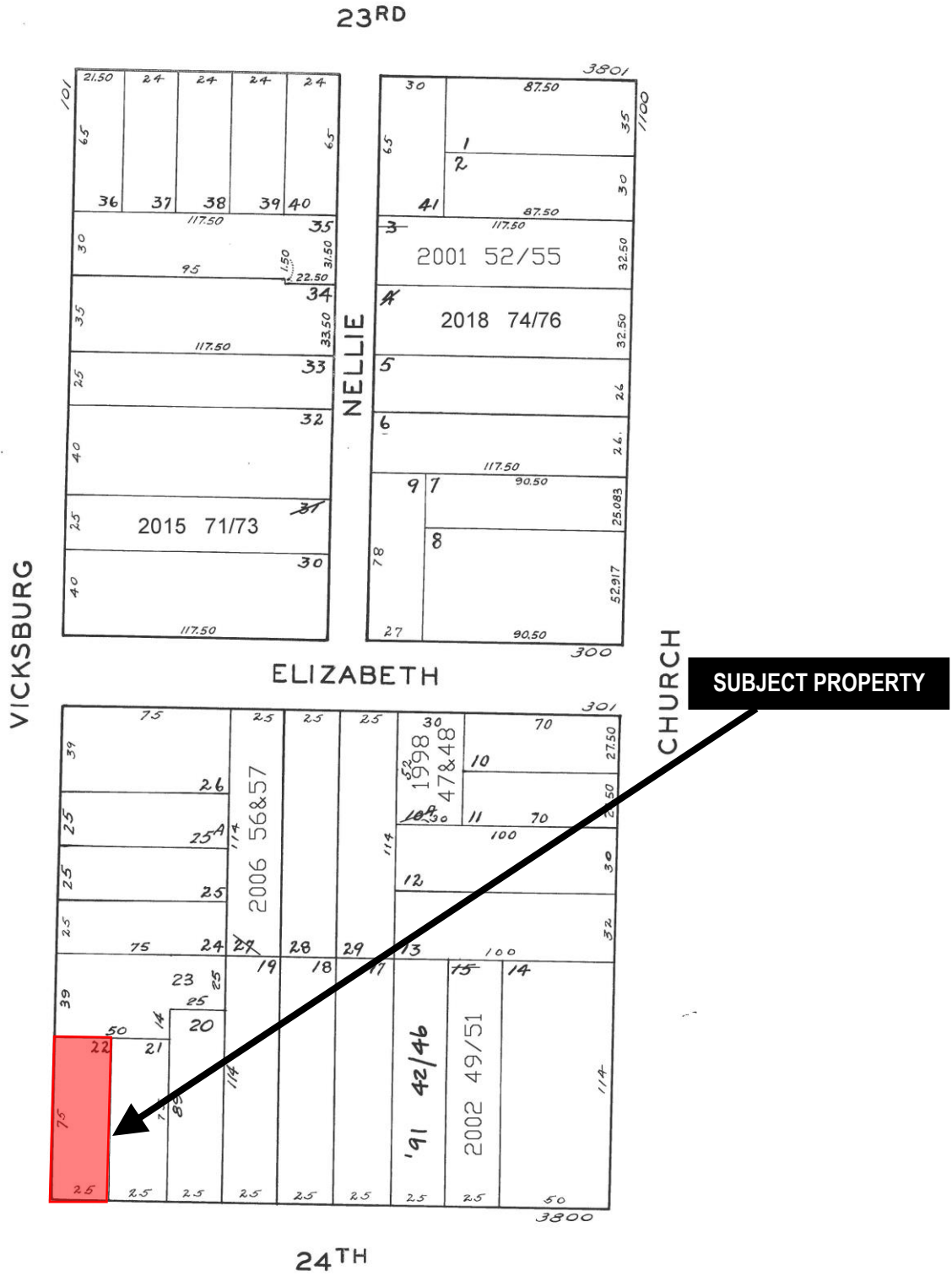
DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Date:

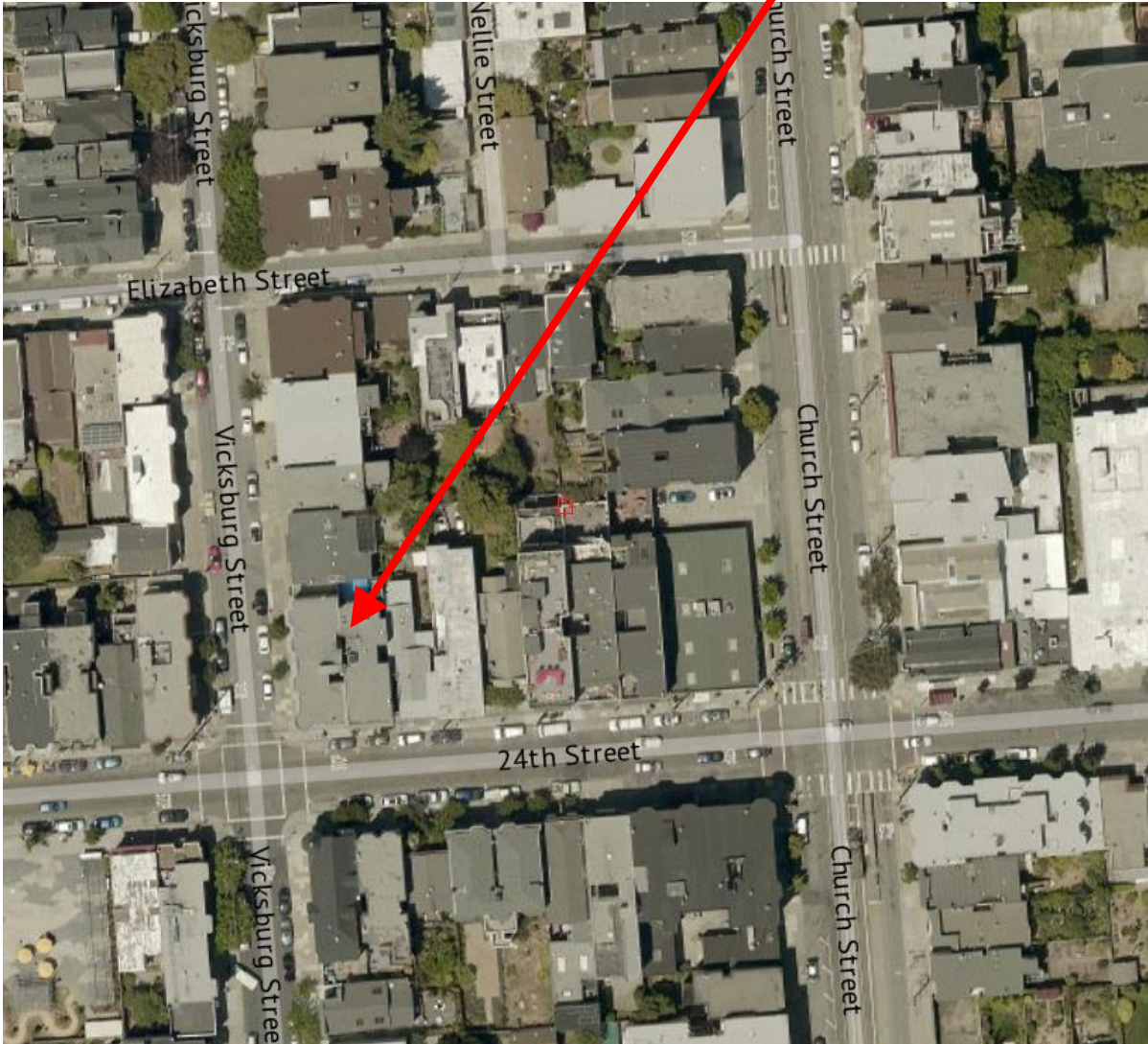
Parcel Map



Conditional Use Authorization
2017-007943CUA
3848 24th Street

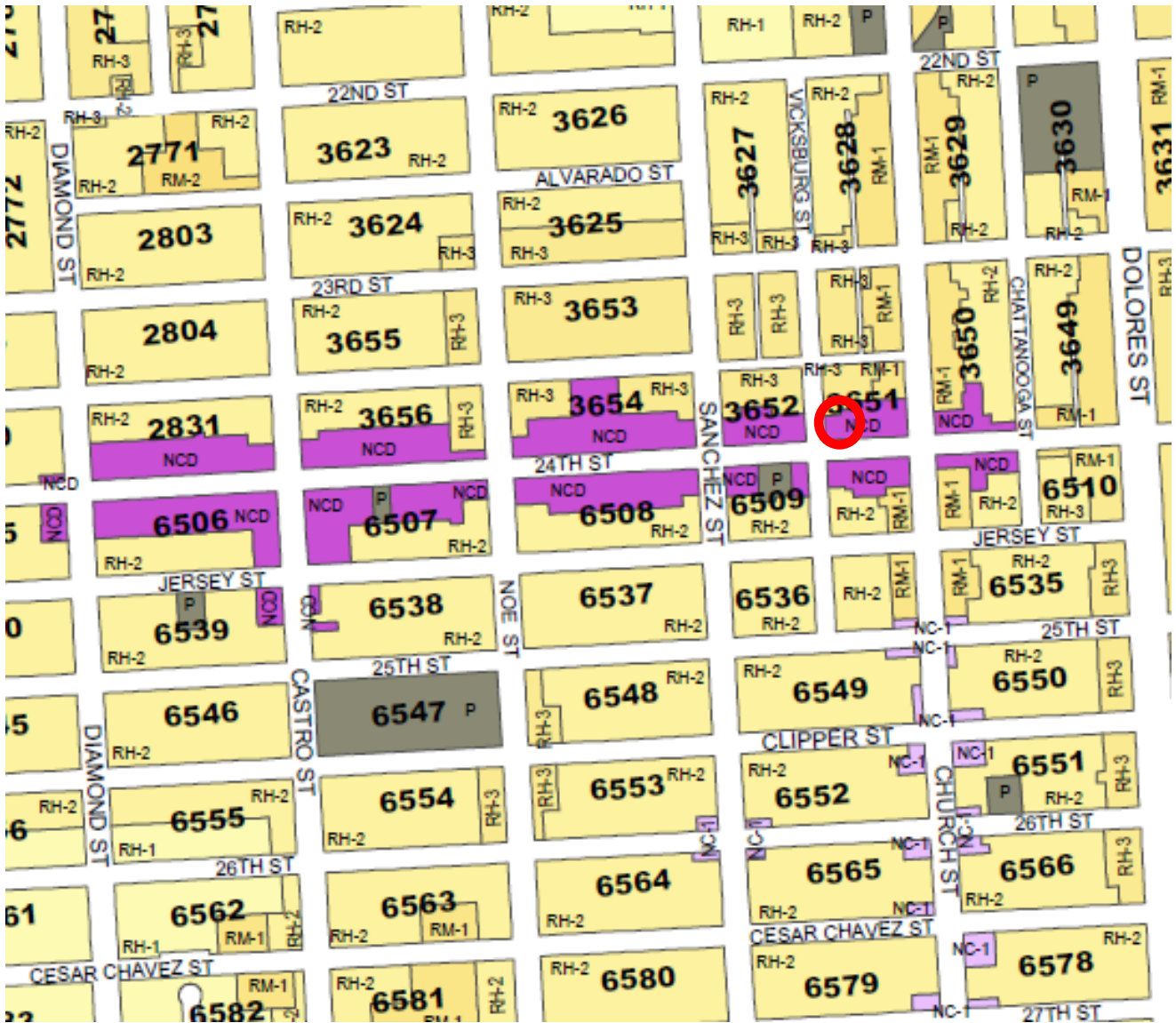
Aerial Photo

SUBJECT PROPERTY



Conditional Use Authorization
2017-007943CUA
3848 24th Street

Zoning Map



Conditional Use Authorization
2017-007943CUA
3848 24th Street

Site Photo



Conditional Use Authorization
2017-007943CUA
3848 24th Street

Exhibit E

From: Laela Sturdy
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: 24th st
Date: Friday, August 24, 2018 2:46:32 PM

Hi,

I'm a Noe Valley resident and I'm writing to voice strong opposition to the conditional use application at 3848 24th Street. 24th Street is an important retail corridor, and we'd like to retain as much pedestrian-friendly retail as possible. Please do NOT grant conditional use for a real estate brokerage that is not needed. There are already too many on 24th Street. Our neighborhood does not need this. We want and need more retail.

Please do keep me up to date on the status of this application

Thank you
Laela

From: Chandler
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Use Permit for 3848 24th Street
Date: Friday, August 24, 2018 10:52:44 AM

Gabriela: I am writing in opposition to the Conditional Use Permit application filed by The Agency, a real estate brokerage firm based in Los Angeles. My understanding is that neighborhood commercial zoning on 24th Street in Noe Valley is designed to promote retail uses on the ground floor and professional offices above the ground floor. The intent of this zoning is to encourage a healthy mix of neighborhood serving retail uses that generate foot traffic and provide for local residents' daily needs. I rely on retail services on 24th Street every day and have for 25 years. I believe that allowing any more professional offices on the ground floor is contrary to the intent of existing zoning on 24th Street.

Thank you for your consideration!

Chandler Lee
940 Diamond Street
Noe Valley

From: Stephanie Soler
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: opposition to 3848 24th Street conditional use application
Date: Thursday, August 23, 2018 2:09:53 PM

I'm a Noe Valley resident and I'm writing to voice strong opposition to this conditional use application. 24th Street is an important retail corridor, particularly to people in the neighborhood who choose not to drive. We'd like to retain as much retail as possible. We do NOT need to grant conditional use for a real estate brokerage that is not needed. There are already too many on 24th Street. Our neighborhood does not need this.

Please do keep me up to date on the status of this application.

Thank you,
Stephanie Soler
Duncan Street

From: Raffaella V.
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Local resident of 24th Street opposing conditional application for the agency
Date: Thursday, September 06, 2018 6:17:42 AM

Dear Ms. Patoja,

I am a local resident of 24th street, I have lived here for more than 15 years and I oppose this conditional use application. We want to retain retail on 24th Street for our local shopping needs, not turn it into a string of banks and professional offices that local residents don't use or need for daily living.

Sincerely,

Raffaella Wilson



Noe Valley Association
A Community Benefit District
noevalleyassociation.org

November 12, 2018

Gabriela Pantoja
gabriela.pantoja@sfgov.org
Southwest Team, Current Planning Division
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Support for removal of CU at 3848 24th Street

Dear Gabriela and SF Planning Commissioners

As Executive Director of the Noe Valley Association (NVA), a Community Benefit District (CBD), I am in full support for the The Agency, a real estate company, currently located at 3848 24th street, to remove a conditional use from this property.

Rachel Swann who manages this office has been a thoughtful, contributing business member to the Noe Valley Community since she moved in. She and her team have produced many events at the new Noe Valley Town Square starting with a Spooktacular in 2017 and 2018 which drew over 2,000 people to Noe Valley. As if that was not enough she and her team also served ice-cream at every event we produced at NV Town Square for FREE and again she and her crew helped clean up from barbecues to musical events and Bingo night, Rachel Swann and The Agency have donated their time, money and good will to creating a stronger and vibrant commercial district. She and her company need to stay!

We understand there is a Planning Commission Hearing on November 20 and want our letter of support for removal of this designation to be included in the file for this item on the agenda.

Thank you,

Debra Niemann
Executive Director
415-519-0093

1330 Castro Street • San Francisco • CA • 94114
www.noevalleyassociation.org

From: Andrew Keeler
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Opposition to 3848 24th Street conditional use application
Date: Wednesday, August 29, 2018 8:23:38 AM

Hi,

We have lived in Noe Valley for 21 years and have seen lots of the changes to 24th Street. I was on the Friends of Noe Valley board for years and worked to beautify and enhance the corridor. Please do NOT grand the conditional use permit for a real estate brokerage. We want and need more retail.

Thank You,
Andrew Keeler and Sharon Gillenwater
26th street

From: Anna Burke
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: The Agency on 24th Street
Date: Friday, August 24, 2018 1:56:46 PM

Hi Gabriela,

I am a long time resident in Noe Valley and would like to voice my opposition to the application for mixed use at 3848 24th Street. Over the past 30 years, I have seen a dramatic decrease in the number of retail stores on 24th street and a decrease in foot traffic. If we continue to have store front real estate agencies and medical offices, all of our remaining retail will fold.

Please deny the request for mixed use and please help us to retain and build our retail.

Thank you for your consideration,

Anna Burke.

Sent from my iPhone

From: [Carol yenne](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: richhillissf@gmail.com; [Secretary, Commissions \(CPC\)](#)
Subject: Support for Rachel Swann CU at 3848 24th Street NOE VALLEY
Date: Thursday, November 15, 2018 12:08:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

November 15, 2018

Dear Gabriela Pantoja and Planning Commissioners

I am writing to you **in support of the conditional use request for 3848 24th Street** that would allow the current tenant, Rachel Swann and The Agency, to continue to stay in the location that they are in now.

The conditional use policy allows the neighborhood to make decisions one by one on the businesses that can be granted an exception to the zoning use and I support this exception for Rachel Swann to be able to stay at the location she is at. Previously I supported the CU requests for Sterling Bank and Circle Bank who both needed neighborhood support to get the CU request to stay in Noe Valley as I saw the need for small banks in the community in much the same way as I see the value in the offices of Rachel Swann to continue to stay in Noe Valley. As expected those banks have proven to be good neighbors to our community as I believe that Rachel Swann and her business have.

Rachel has participated in our small business community in many ways over the years. She ran the Harvest Festival for many years and for the last two years she has been a small business leader and her firm has produced very popular Halloween events for the community that have benefited everyone in Noe Valley.

The generosity that she and her firm have shown the community in both time, talent and financial support, has been really wonderful and would not be easily replaced if she were not here. She has proven herself to be a good neighbor and a great supporter of small businesses and diversity of business for Noe Valley.

Therefore I support conditional use approval be given to Rachel and The Agency to remain at 3848 24th Street.

Sincerely,

Carol Yenne
Owner

Small Frys Children's Store (since 1984)
3985 24th Street
San Francisco, Ca 94114

From: [Great Tan SF](#)
To: [Pantoja, Gabriela \(CPC\)](#); [Hicks, Bridget \(CPC\)](#)
Subject: SUPPORT of The Agency conditional use permit at 3512 16th Street
Date: Wednesday, October 17, 2018 12:57:10 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Planning Commission, Ms. Gabriela Pantoja, Ms. Bridget Hicks,

We are a business in the Castro area and **we support The Agency and their location at 3848 24th Street and we are thrilled to hear and also strongly support The Agency's Conditional Use application to open a new location at 3512 16th Street.** The Agency is a great company, who currently houses the Noe Valley Merchant Association Offices in Noe Valley and they have a huge focus on the neighborhood and community service in Noe Valley, Castro and beyond. I know they will bring energy and revitalize a portion of 16th Street that has been vacant for far too long. In fact, the long vacant location at 3512 16th Street has only encouraged encampments to settle and grow which has had a severe impact on the neighborhood and the nearby merchants and residents with crime and neighborhood fear.

I have every confidence that The Agency's presence on 24th and what they have done in our communities is an excellent predictor of what kind of partner they will also be on 16th Street. They improve the general quality of the lives of those who live in the neighborhood, as well as those who own small businesses. Having as many as 100 new professionals in the neighborhood during the day will be a huge benefit to our neighborhood, to Castro restaurants, coffee shops and even bars that are far too quiet during the day and early evening.

I am thrilled and look forward to call The Agency my neighbor and urge the San Francisco Planning Department and Commission to approve their permits as soon as possible.

Sincerely,

Craig Joyner
Owner of Great Tan
329 Noe Street

--

Great Tan San Francisco
www.gr8tan.com
Top 250 USA Tanning Salons, Looking Fit Magazine

From: Dan Connelly
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: [Stephanie Soler](#)
Subject: 3848 24th Street conditional use permit
Date: Wednesday, September 12, 2018 11:09:26 AM

Gabriela:

I want to discourage you from providing a conditional use permit of 2848 24th Street to become a real estate agency. Real estates do little to add to the livability and pedestrian friendliness of a neighborhood, and Noe Valley already has several. What Noe Valley needs is more dense housing, and that will require more local retail to support the increased population, certainly not real estate agents.

thanks,
Dan Connelly
1047 Dolores Street

May 31, 2018

Via Email

Gabriela Pantoja, Staff Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Conditional Use Authorization, Case No. 2017-007943 CUA for proposed change of use retail to office. 3848 24th Street

Dear Ms. Pantoja,

Small independent retailers in San Francisco are under the gun. We are seeing former retail space being turned into offices all over the City as office space is in short supply and there is available retail space. This is disturbing for the following reasons.

- 1) Professional offices can pay more rent. How long until property owners choose higher rent paying office tenants over traditional retailers? What property owner wouldn't prefer \$10/sf/month from an office vs. \$5/sf/month from a retailer for the same space.
- 2) This tenant is a realtor. Realtors should know better than anyone what the planning codes are and follow them.
- 3) The planning department should not accept the beg of forgiveness over asking for permission, model of doing business. This is an abuse of the zoning system.
- 4) Office spaces create dead zones at night in our neighborhood commercial districts. They do not generate a lot of foot traffic needed for retail success especially at night and on weekends.
- 5) 24th street has over five real estate office. How many does the community need?
- 6) This real estate office is neither necessary nor desirable.

I support small retailers and oppose this change of use.

Very Truly yours,

A handwritten signature in black ink, appearing to read 'Daniel Bergerac', written in a cursive style.

Daniel Bergerac

From: Diane Merkadeau
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: 24th Street shopping
Date: Friday, August 24, 2018 12:23:28 PM

Dear Gabriela,

It has been brought to my attention that that the real estate brokerage firm called "The Agency" at [3848 24th St.](#), has been operating as an unpermitted real estate firm in a retail location. And is now applying for a conditional use permit to change the zoning from retail.

As a Noe Valley resident of 20+ years, I oppose this conditional use application. I believe [24th Street](#) should serve local shopping and service needs. At this point, it is increasingly turning into a string of banks and other professional offices that local residents don't use.

Please register my opposition to this zoning change.

Thank you.
Diane Merkadeau
Church Street
merkadeau@gmail.com
415.298.7132

Sent from my iPhone

November 11, 2018

To Whom It May Concern,

I'm a resident of Noe Valley and have been so for nearly six (6) years. In recent months I have seen community leaders come together to try and bring more retail, restaurants, and businesses into the neighborhood to enhance the sense of local community. One of these businesses has been a real estate company called, "The Agency," who has been front and center in hosting community events such as the Spooktacular and drumming up a sense of excitement about the neighborhood. This has been a welcomed change from prior years.

I fully support The Agency's office in our neighborhood and on the 24th street corridor. Not only has the business itself given back to the community in numerous ways but businesses of all types should be welcomed, not shunned.

Picture this scenario --- A homebuyer comes into the neighborhood for an appointment with a real estate agent from the Agency at the 24th street office. After the meeting, the homebuyer then takes an opportunity to walk down the street to *Martha's* or even further to *Just for Fun* to pick up a gift for a party she is going to later. This homebuyer then goes home and tells family members and friends about their lunch in Noe Valley and how it was such a relaxing afternoon.

Bringing people into the community for whatever reason increases foot traffic for all businesses and provides these non-Noe Valley residents an opportunity to experience our thriving town square and our (mostly) sunny weather.

I support The Agency's presence in our community.

Elizabeth Moreno



Noe Valley Resident
Sanchez St.

From: [Ellen Little](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: request on behalf of The Agency
Date: Saturday, November 17, 2018 3:38:43 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Gabriela Pantoja and Planning Commissioners,

Please consider our request to remove the conditional use (CU) requirement for 3848 24th Street, currently occupied by The Agency, a locally owned real estate company.

The CU requires that a retail store replace a vacating retail store. But no retail was interested in renting the space formerly occupied by a small stained glass shop. Frankly, most people were unaware that the shop was there because it was open for short, sporadic times during the week.

The fact is that rising commercial rents and online shopping discourage most shop owners (other than big chain stores) from locating on 24th Street. And as much as it might be nice to roll back the clock 30 years, that's not going to happen. We have about 7 or 8 retail stores left on the street; some of them plan to leave in the next year or two.

The next best thing, in our view, is to have services on the street that support our community. Under Rachel's leadership, The Agency donated both money and volunteer time to enlivening the Noe Valley Town Square. They organized the big Halloween events for the past two years, sponsored ice cream tastings, and helped clean up after events. As president of the Noe Valley Merchants Association, Rachel has worked to bring in some new retail and an affordable, locally owned burger joint.

Please remove the CU from 3848 24th Street. Rachel Swann and The Agency are valuable contributors to our community, and we want them to stay.

Thank you,

Ellen Little and Howard Klein

From: Ellen Schatz
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: 24th Street Retail Concerns
Date: Friday, August 24, 2018 8:54:13 AM

Dear Ms Pantoja,

As someone who frequents [24th Street](#), I feel that street should serve neighborhood dining, shopping and service needs, instead it seems to be turning into a street of professional offices that local residents don't use or need for daily living.

An example of this is the real estate brokerage firm called "The Agency" at [3848 24th St.](#), which has been operating as an unpermitted real estate firm in a retail location and is applying for a conditional use permit to change the zoning from retail. I oppose this conditional use application.

Please register my opposition to this zoning change.

Thank you.

Ellen Schatz

From: [Gillian Hanson](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: [Rachel Swann](#)
Subject: In support of The Agency, Noe Valley
Date: Saturday, November 17, 2018 1:50:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Gillian Hanson
Owner of Honeycomb Salon 3915 24th Street, Suite C San Francisco, CA 94114
415-401-0100

Dear Ms. Pantoga and Commissioners,

I stand in support of The Agency, owned by Rachel Swann, located at 3848 24th Street, San Francisco, CA 94114.

The Agency is a small business, whose owner lives within the community it serves and is active in the development of the neighborhood. The staff employed at The Agency also represents the socio-economic and multi-cultural diversity of San Francisco with a focus that supports women in Real Estate. The Agency also empowers young women from the local high school Immaculate Conception Academy. It employs interns from ICA and helps them get work experience that would help them in their future career endeavors. Rachel is a role model for these women and an inspiration for what they may also be able to accomplish.

The Agency also helps support the greater Noe Valley community by offering its space for the Noe Valley Merchants and Professionals Association meetings. Rachel and her staff at The Agency have been instrumental in revitalizing the regrowth of the NVMPA by being a fixture in the community. They have helped facilitate the creation of the Noe Valley Town Square and the coordination of the many community events that occur there throughout the year. The Town Square has really helped brighten the Noe Valley corridor as a place for neighborhood families and friends to come together.

The presence of The Agency is more than just about the retail revenue it generates but more importantly about how it complements the current progress Noe Valley is making towards being a true San Francisco destination neighborhood again.

Please consider allowing some leniency in the zoning of the space that The Agency occupies. The energy and motivation it is creating through community involvement will be sorely missed should they lose their location due to zoning restrictions.

Sincerely,
Gillian Hanson

From: Janell Pekkain
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Opposition to Conditional Use Change for The Agency
Date: Friday, August 24, 2018 8:41:54 AM

Hello Gabriela,

I am a concerned merchant in Noe Valley about the changing face of our shopping corridor. I now have three real estate agencies located in previously designated retail spaces on the corner of 24th and Vicksburg - none of which encourage foot traffic along the block or down the street to my shop.

I oppose the conditional use application submitted by The Agency at 3848 24th St. because Noe Valley does not need another real estate or professional service office along our prime shopping corridor.

Thank you for your attention and consideration.

Best,
Janell Pekkain
Olive This Olive That
304 Vicksburg St.

From: Jill A Antoine MD
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: The Agency and their proposal on 24th Street.
Date: Sunday, August 26, 2018 4:47:18 PM

As a local resident and 24th Street visitor, I oppose this conditional use application. We want to retain retail on 24th Street for our local shopping needs, not turn it into a string of banks and professional offices that local residents don't use or need for daily living.

I hope you realize how important this is to our community and don't allow real estate offices and banks to take over 24th street.

Sincerely,

Jill A. Antoine MD
Noe Valley Resident

From: Jo Cummins
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Conditional Use Permit for 3848 24th Street
Date: Monday, August 27, 2018 7:54:39 AM

Dear Gabriela:

I am writing to oppose the conditional use permit application of The Agency (located at 3848 24th Street, San Francisco) requesting a zoning change.

I am a 30-year resident of Noe Valley who lives two blocks from 24th Street. Needless to say, I have seen many changes in the neighborhood in the years I have lived here. While banks and other professional offices are necessary services in the neighborhood, an excess of them can detract from street traffic to support the retail vendors I want in my neighborhood. I would like to see a healthy mix including many retail locations that encourages people to see Noe Valley as a destination for great shopping. That very nature was what brought me to the neighborhood in the first place.

Thank you for your consideration.

Sincerely,

Jo

From: john stassen
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: opposition to 3848 24th street conditional use app
Date: Friday, August 24, 2018 9:54:55 AM

Dear Gabriela,

I am writing to oppose the conditional use permit application from "The Agency" to change the zoning from retail at 3848 24th Street.

As a San Francisco resident who frequents 24th Street, I oppose this conditional use application. The 24th Street corridor should serve local shopping and service needs. 24th Street is what the character of San Francisco is all about. People walk and shop along the street, run into neighbors, and make new friends. The corridor is increasingly turning into a string of banks and real estate office, the only ones who can afford the increasing rents from the greedy landlords. Local residents don't use or need these offices for their daily living.

Please register my opposition to this zoning change.

Thank you.
John Stassen

From: [Kristen Gianaras](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: richhillissf@gmail.com; [CPC-Commissions Secretary](#)
Subject: 3848 24th Street - The Agency - Conditional Use Letter
Date: Thursday, November 15, 2018 4:52:32 PM

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Dear Gabriela Pantoja and Planning Commissioners,

We're writing to support removing the conditional use (CU) for 3848 24th Street, and allowing its current occupant, The Agency, to stay.

As you may know, there were no retail stores interested in that space when The Agency rented it. Rachel Swann, owner of The Agency, has contributed to Noe Valley in many deep ways. We don't want to lose her enthusiastic volunteer efforts for our neighborhood. And given the trends toward online retail, we don't think she would be replaced by a store that would contribute as much to our community.

You may be aware that services are gradually replacing some of the retail on 24th Street. Some of that is inevitable with the trend toward online shopping. Few independent store owners can make it on 24th Street these days. In fact, none were interested in renting 3848 24th Street when the old stained glass workshop closed. But The Agency is next best thing: It's a locally owned service company committed to supporting the neighborhood. They deserve to stay. And we deserve to keep them as valued members of our community.

Rachel and her staff have volunteered for most of the major events at the Noe Valley Town Square. They produced the Halloween events in 2017 and 2018 that drew over 2,000 parents and children. They sponsored free cream and snacks at other events, and volunteered their time to clean up after the events. They have helped enliven 24th Street and made Noe Valley a strong community, something no other real estate firm on the street has done in recent years. In addition, The Agency hosts interns from the local high school, Immaculate Conception Academy (ICA) at 24th Street & Guerrero Street, and is teaching these young girls valuable career experience through their work-study program.

Rachel is President of the Noe Valley Merchants Association, and in this volunteer job, she's worked hard to try to bring new retail and restaurants to 24th Street. It's a tough challenge. Faced with high rents and online shopping, few independently owned stores are interested. Still, she helped convince Urban Remedy and Hi-Way Burger to come to the neighborhood. And she is currently in discussions with a hardware store.

Her company has helped Noe Valley in many ways. We don't want to lose her!

Kindly,
Kristen Gianaras
Owner: NOVY Restaurant

and Vice President of the Noe Valley Merchants Association

Kristen Gianaras
Owner



4000 24th Street
San Francisco, CA 94114

www.novysf.com

p. [415.829.8383](tel:4158298383)

f. [415.829.8657](tel:4158298657)

c. [415.672.3600](tel:4156723600)

kristen@novysf.com

From: Lori Bessacini
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: 3848 24th Street
Date: Sunday, August 26, 2018 10:47:49 AM

Dear Gabriela,

It has come to my attention that you are considering a "conditional use" permit for the above location. As a resident of the Noe Valley neighborhood I am very much in disagreement of this idea. I value our local retail stores... it is what keeps our neighborhood unique and to be direct one of the key reasons I live here. There are plenty of options for non-retail...

Please retain 3848 for our local shopping!!

Thank you,
Lori Bessacini

From: Mary Kucel
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Oppose Conditional Use
Date: Friday, August 24, 2018 8:51:47 AM

Dear Gabriela,

I am a merchant in Noe Valley and oppose the Conditional Use change for The Agency at 3848 24th St. We don't need more professional services and real estate agencies on our shopping corridor and want to continue offering a shopping experience to our neighbors and visitors. Thank you for your consideration.

Sincerely,
Mary Kucel

From: [Melanie Holt \(NC NOE\)](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: [Rachel Swann](#)
Subject: Support for The Agency use of Retail Space in Noe Valley
Date: Sunday, November 18, 2018 9:30:40 PM
Attachments: [image001.png](#)

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Dear Gabriela Pantoja and Planning Commissioners,

I am writing to express my support in allowing The Agency and Rachel Swann to remain and conduct business at 3848 24th Street. Rachel and The Agency have been amazing community partners, actively making Noe Valley the best place to live and do business. They participate in community conversations and events, and find ways to bring the community together.

There are a lot of empty available retail spaces in Noe Valley, that have stayed vacant over the 9 years that I have run the Whole Foods Market in the neighborhood. We don't need another empty space! It's not good for the neighborhood and it would be a huge loss to the community for The Agency to have to leave because of conditional use.

I am asking that the Conditional Use be removed from 3848 24th Street so that The Agency and Rachel Swann can continue to conduct business in that space as the strong supporters of the Noe Valley neighborhood and the Noe Valley community that they have shown themselves to be.

Thank you,

Melanie Holt
Store Team Leader
Whole Foods Market
415-282-4700 ext 501



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please consider the environment before printing this e-mail

From: [Michelle Long](#)
To: [Pantoja, Gabriela \(CPC\)](#); [Hicks, Bridget \(CPC\)](#)
Subject: Support of The Agency office Noe Valley
Date: Friday, November 16, 2018 2:37:50 PM

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Ms. Gabriela Pantoja & Ms. Bridget Hicks,

I am a third generation SF native and my children are fourth generation Noe Valley residents. I currently own my home at 244 Duncan Street, SF, CA and I **strongly support The Agency's Conditional Use application at 3848 24th Street.** I have been a Realtor on 24th Street for over 15 years and currently work at The Agency. It is a great company, with a focus on the neighborhood, and our company brings energy and revitalizes the 24th Street businesses. We have been involved with supporting all of the local events such as the Spooktacular, Wine Walk, Photos with Santa, the Vodka and Ladka event to name a few. We also allow non-profits to use our conference room for meetings as a way of opening up our space and giving back. During our work day we bring business into the local shops and we meet clients for lunch and coffee in the restaurants.

I am thrilled and look forward to call The Agency my place of business and neighbor to my home and urge the San Francisco Planning Department and Commission to approve this permit as soon as possible.

Sincerely,
Michelle Long

From: Molly Graves
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Conditional Use Application on 24th St.
Date: Friday, August 24, 2018 8:12:59 AM

Dear Gabriela,

I understand there is a conditional use application for 3848 24th Street and I'd like to voice my opposition to this specifically, and to non retail use in general, on 24th street. This is an important shopping area for our local community and we need it retained as such. Diverting use for non retail space dilutes the shopping density we needed for it to be to fully support our community's local daily shopping. (vs. going elsewhere).

Thank you,
Molly Graves
51 Dalewood Way, SF

From: [Spectacles for Humans](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Letter of support
Date: Friday, November 16, 2018 2:44:37 PM

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Dear Ms. Gabriella Pantoja and Commissioners,

I am writing in support of my neighbor merchant, THE AGENCY. My store is just a block away from them. They have been great neighbors, contribute greatly to the community, and bring business to our stores in Noe Valley. I have been in this location since 2006, and notice many changes- some are good but some are not too much. Many businesses closed and empty spaces are sitting unoccupied for many years. I would not want to see yet another business close. It would affect all of us on 24th street.

I'm asking you to approve their conditional use.

Olga Terry, Owner of Spectacles for Humans.
3862 24th street, SF CA 94114

Sent from my iPad

November 15th, 2018
Xela Imports
3925 24th Street, San Francisco, CA 94114

Dear Gabriela Pantoja,

We are a fellow merchant and we support The Agency being in their location at 3848 24th Street, where the Noe Valley Merchants Office is housed.

Thank you,

 415 606 4272

Paola Heines

From: Raffaella V.
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Local resident of 24th Street opposing conditional application for the agency
Date: Thursday, September 06, 2018 6:17:42 AM

Dear Ms. Patoja,

I am a local resident of 24th street, I have lived here for more than 15 years and I oppose this conditional use application. We want to retain retail on 24th Street for our local shopping needs, not turn it into a string of banks and professional offices that local residents don't use or need for daily living.

Sincerely,

Raffaella Wilson

ROBERT T. RODDICK
Attorney at Law
NOE VALLEY LAW OFFICES
1330 Castro Street
San Francisco, CA 94114
(415) 641- 8687 • Fax 641-4737

January 11, 2018

Chaska Berger, Planner
Zoning and Compliance Division
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Berger,

I am writing this letter in support of SF Planning Department giving approval for a conditional use permit for Rachel Swann and The Agency at their storefront located at 3848 24th Street.

Ms. Swann has been a responsible leader in taking over the presidency of the Noe Valley Merchants and Professional Group. I was the immediate past president of this group and had been in this volunteer position for the past 18 years. Rachel came in with new ideas and energized the association. She brought in new board members and initiated support from larger corporations for merchant activities, attracting more people to come to 24th street and shop. She is a powerful advocate for 24th street and all the merchants. And remember, this is not a paid position. As president, Ms. Swann dedicates her time and energy to an important community volunteer position with elections by the current board.

On several occasions, Rachel has engaged with other community institutions such as ICA and received funding from private corporations to build a much-needed new infrastructure for the NVM&PA.

Rachel is bringing the association into the 21st century with much enthusiasm, thoughtfulness, intelligence and “go-getter” spirit as anyone could ask for in a community leader. She also brings the same spirit to her work with community groups and the Noe Valley CBD, for which I am the board president. With care and thoughtfulness for the community, Rachel co-produces numerous 24th street and merchant events with the CBD. She has many successes this district can be proud of.

I applaud her efforts. I cheer her good work and I am asking that the SF Planning Department to do the same by approving her petition for a conditional use permit. Rachel initially came in with a retailer who left before she opened. She then engaged a high-end interior design firm like the consultant who moved in across the street from her office and now occupies the former retail space which belonged to The Ark, children’s toy store. Unfortunately, the interior design firm re-located and she was left with applying for a conditional use permit.

Rachel Swann deserves the support of the Noe Valley community and as past president of the NVM&PA, I whole heartedly ask that you approve her application.

Sincerely,


Robert T. Roddick

From: sara stassen
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Opposition to 3848 24th Street conditional use application
Date: Friday, August 24, 2018 7:52:50 PM

To: Pantoja, Gabriela (CPC)
Subject: opposition to 3848 24th Street conditional use application

I'm writing to voice strong opposition to this conditional use application. 24th Street is an important retail corridor, particularly to people in the neighborhood who choose not to drive of which I am one. We'd like to retain as much retail as possible. We do NOT need to grant conditional use for a real estate brokerage that is not needed. There are already too many on 24th Street. Our neighborhood does not need this.

Please do keep me up to date on the status of this application.

Thank you.

From: Sharon Gillenwater
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Conditional Use Permit for The Agency at 3848 24th Street
Date: Thursday, August 23, 2018 2:39:29 PM

Dear Gabriela,

I understand that the real estate brokerage firm called "The Agency" at 3848 24th St., has been operating as an unpermitted real estate firm in a retail location and has now applied for a conditional use permit to change the zoning from retail.

As a Noe Valley resident who frequents 24th Street, I oppose this conditional use application. The 24th Street corridor, which should serve local shopping and service needs, is increasingly turning into a string of banks and professional offices that local residents don't use or need for daily living.

Please register my opposition to this zoning change.

Thank you.

Best,

|

From: [Stacy Lin](#)
To: [Pantoja, Gabriela \(CPC\)](#); [Hicks, Bridget \(CPC\)](#)
Subject: Support for The Agency office
Date: Sunday, November 18, 2018 2:22:17 PM

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Ms. Gabriela Pantoja & Ms. Bridget Hicks,

I am a longtime resident of Noe Valley and a small business owner currently resides at 3943 26th St., San Francisco, CA.

I strongly support The Agency's Conditional Use application at 3848 24th Street. The Agency is a great company, with a focus on the community and they bring energy and support to the neighborhood. They have been involved with supporting many local community building events such as the Spooktacular, Wine Walk, Photos with Santa, the Vodka and Ladka event to name a few. They also allow non-profits and neighborhood groups to use their conference room for meetings as a way of opening up our space and giving back.

During our work day they bring business into the local shops and meet clients for lunch and coffee in the restaurants.

I feel that their presence improves the general quality of life of those who live in the neighborhood, as well as those who own small businesses in the Noe Valley.

I am thrilled and look forward to call The Agency my neighbor and urge the San Francisco Planning Department and Commission to approve this permit as soon as possible.

Sincerely,

Stacy Lin
Architect | LEED AP

T: +1 415 613 1859

E: Stacy@arkichik.com

Stephanie Moriarty

CA INS LIC #0167008

3045 Jackson Street #401, San Francisco, CA 94115 stephaniemoriarty@mac.com

101 Second St. Suite 525, San Francisco, CA 94105 stephanie.moriarty@newfrontinsurance.com

November 15, 2018

Members of the Planning Commission (Gabriela Pantoja)
gabriela.pantoja@sfgov.org

Dear Members of the Planning Commission (Gabriela Pantoja):

I am a San Francisco **native**, born at Children's Hospital on California, not far from where I currently reside now in Pacific Heights, District 2. Even though I am not a Noe Valley resident, many of my insurance clients are business owners, and private residents in Castro and Noe Valley. In my time working with other business owners in Noe Valley, and Castro, I have seen how Rachel Swann and her team at The Agency are active participants in the community in their physical presence, as well as their social media marketing and exuberant support of Noe Valley.

As an esteemed member of the LGBTQ community and a successful entrepreneur myself, I wholeheartedly support The Agency's Conditional Use application at 3848 24th Street. In my 15 years of varying business transactions with Rachel Swann, I was especially proud to see her launch The Agency in Noe Valley, and this expansion to the Castro is a testament to her hard work, her leadership, and her incredible ability to bring so many people together to organically grow local businesses.

I believe The Agency's continued presence on 24th street will provide great benefit to those in the neighborhood, as well as many of my small business clients (restaurants, retail, coffee shops) in the Noe Valley.

I strongly urge the San Francisco Planning Department and Commission to approve this permit promptly.

Sincerely,

Stephanie Moriarty

Principal

Newfront Insurance Services LLC

From: [Stephanie Taylor](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: [CPC-Commissions Secretary](#); richhillssf@gmail.com
Subject: Concerned Noe Valley Resident
Date: Sunday, November 18, 2018 2:53:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am writing to enthusiastically support allowing The Agency and Rachel Swann to remain and conduct business at 3848 24th Street. It is my understanding that, by San Francisco code, a retail business must replace a vacating retail business. Anyone who lives in this neighborhood knows that there already are way to many EMPTY retail spaces up, down and around 24th Street! Retail is fleeing as Internet shopping has taken over. By enforcing this code all that is accomplished is another space will be available for rent. Do we need one more empty store front? My opinion is NO, we do not.

In the meantime, The Agency employees and Rachel Swann herself have shown what a great resident and business owner who loves and cares about their neighborhood can, and should, do! Rachel not only generously donates money to neighborhood activities and events, where she is often the Lead Sponsor, but she also puts her boots on the ground, donates her time and energy and helps make the events happen. She is a regular sponsor of the Noe Valley Garden Tour as well as almost EVERY event held at the Noe Valley Town Square. She has produced the wildly successful Halloween events held in 2017 and 2018. She has scooped ice cream, passed out balloons, and handed out snacks at multiple events. The office is used for Gallery Nights for new artists in the neighborhood. Basically, The Agency and Rachel Swann are building and supporting the Noe Valley community in ways that are extremely helpful. In my opinion that's better than another empty store front.

There is an article in the November 2018 issue of the Noe Valley Voice that states that the San Francisco Planning Commission "has given developers permission to convert the former Real Food Company grocery store into retail space. At it's meeting Oct. 4, the commission approved the owners request to lift a long-standing zoning requirement that the property at 3939 24th St. only be used for general grocery store operations." The developers are converting the space to three retail stores. This has the effect of adding even more retail spaces to the neighborhood. And it points out that zoning CAN be changed.

I am asking that the Conditional Use be removed from 3848 24th Street so that The Agency and Rachel Swann can continue to conduct business in that space as the strong supporters of the Noe Valley neighborhood and the Noe Valley community that they have shown themselves to be.

Thank you,

Stephanie Young
651 29th Street

From: Steve May
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: 24th Street retail (Noe Valley)
Date: Friday, August 24, 2018 3:38:59 PM

Hi Gabriela,

I'm a resident of Noe Valley (25th Street) since 1993. I've become increasingly frustrated with the retail services on 24th Street. More than ever, the retail space is allocated to banks, large medical groups and real estate agents.

Meanwhile, the services that create buzz, foot traffic and a vibrancy for our neighborhood are squeezed out. I've learned that a real estate agency, The Agency (3848 24th St.) is applying for a conditional use permit to change that location from retail. I'm not entirely clear how The Agency is occupying that space as a non-retailer, but please know that we do not need to lose another retail space for a high end real estate broker.

I would appreciate your attention to this matter and ask that you think of the greater good of the neighborhood and its residents when assessing this conditional use permit.

Thank you,

Steve May

--

Steve
415 654 3827

From: [Dara Papo](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: richhillissf@gmail.com; [CPC-Commissions Secretary](#); [Tara Brant](#)
Subject: Conditional Use removal re 3848 24th Street
Date: Friday, November 16, 2018 3:55:09 PM

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Gabriela Pantoja, Planner
Southwest Team, Current Planning Division
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Gabriela Pantoja and Planning Commissioners,

As long term Noe Valley residents, we have been increasingly concerned about the number of empty store fronts on and around the 24th Street shopping corridor. We strongly support allowing The Agency and Rachel Swann to remain and conduct business at 3848 24th Street. It is our understanding that, by San Francisco code, a retail business must replace a vacating retail business however keeping solid anchors in place on 24th Street should be a priority.

Rachel Swann and The Agency employees clearly love Noe Valley as demonstrated by their involvement in - and often lead sponsorship of, most every event that occurs at the Noe Valley Square as well as their involvement with the wine walk, halloween events, and garden tours. Additionally, the Agency helps host the work of local artists.

The changes that the Planning Commission has allowed the developers of the Real Food Grocery store to make (Noe Valley Voice, Nov 2018) from grocery to retail should be precedent setting of the Commission's wisdom regarding making zoning changes that are clearly in the best interest of the community. And while we are thrilled to soon have the Real Foods space *finally* again occupied, it is not the time to risk having another vacant storefront at 3848 24th Street.

Please consider this request that the Conditional Use be removed from 3848 24th Street so that The Agency and Rachel Swann can continue to conduct business and remain strong supporters of the Noe Valley community.

Thank you,

Tara Brant and Dara Papo
436 Clipper Street
San Francisco, CA 94114

d_papo@hotmail.com
tara.brant@gmail.com

From: [Todd David](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: [Rich Hillis](#); [Richards, Dennis \(CPC\)](#); [Melgar, Myrna \(CPC\)](#); [Koppel, Joel \(CPC\)](#); planning@rodneymfong.com; [Johnson, Milicent \(CPC\)](#); [Moore, Kathrin \(CPC\)](#)
Subject: Support for removal of CU at 3848 24th Street
Date: Thursday, November 15, 2018 8:39:40 AM

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Dear Gabriela and SF Planning Commissioners

I am writing in support of removing the CU from the property at 3848 24th Street, currently The Agency a real estate firm occupies this space.

As an active and involved member of the Noe Valley community we are grateful for the work Rachel Swann, current manager of The Agency at 3848 24th Street has done for our neighborhood. She has produced major Halloween events for two years at the NV Town Square and contributed time and money and staff resources to other events like a barbecue, jazz concert and Holiday Tree Lighting. To deny a merchant to stay at this location in favor of a “retail” store instead of a real estate office would be a major loss to our community.

Rachel Swann and her team set an excellent example for how to be a contributing business member to 24th Street. Hands down The Agency and its staff have enlivened 24th Street by bringing more people to the street because of all the events they have co-produced and volunteered for and cleaned up after! Certainly no other real estate firm or merchant has done more to create a positive experience on 24th Street.

Please remove the CU form this building and let The Agency stay in place, it would be a major blow to the community if they had to move.

Sincerely,

Todd David, *President*
Noe Valley Dems

--

Giving a powerful voice to parents in SF politics: sfparentpac.com

From: Wendy Carrillo
To: [Pantoja, Gabriela \(CPC\)](#); [Hicks, Bridget \(CPC\)](#)
Subject: Letter In Support of The Agency's Conditional Use Application
Date: Wednesday, October 03, 2018 1:13:22 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Planning Commission: Ms. Gabriela Pantoja & Ms. Bridget Hicks,

I am a resident of Noe Valley. My husband and I currently own the property at 433 Day Street. **I strongly support The Agency's Conditional Use application to open a new location at 3512 16th Street and their current office at 3848 24th Street.** The Agency is a great company, with a focus on the neighborhood. My family, friends and I have attended several events in Noe Valley sponsored by The Agency, including the October Festival, Photos with Santa and the Wine Walk -- all of which have brought the community together in a fun way and helped boost local businesses. The Agency will help revitalize a part of 16th street that has been suffering for far too long. In fact, the long vacant location at 3512 16th street, has only encouraged encampments to settle and grow, which has had a severe impact on the neighborhood and the nearby merchants. In addition, having as many as 100 new professionals in the neighborhood during the day, will be a huge benefit to the block and to local restaurants, cafes, and shops that are far too quiet during the day and early evening. I have seen the positive energy that The Agency has brought to Noe Valley and welcome it in the Castro as well.

I urge the San Francisco Planning Department and Commission to approve this permit, as soon as possible.

Sincerely,

Wendy Carrillo

Owner of 433 Day Street

San Francisco, Ca 94131



WILLIAM ADAMS
Interior Architecture & Design

November 16, 2018

Gabriela Pantoja, Planner
Southwest Team, Current Planning Division
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103

To Whom It May Concern:

I want to pledge my full support for Rachel Swann and The Agency, office located at 24th Street in Noe Valley. IS Design and myself came on board to share the space with Rachel and her team, when the former confirmed original retail tenant decided to back out on her last minute. We were originally hired to complete the design for her space to accommodate retail and herself, so we already had developed a good relationship - it only seemed natural to join The Agency in Noe Valley.

We had occupied the space with The Agency for almost a year - but had run into several issues with the City Planning department, due to our company selling artwork and what the city said was the lack of not having a gallery permit to sell our art, despite that we sold a host of other home items. Because of these problems and lack of cooperation with the original planner, we needed to vacate the space and relocate to a different neighborhood who would welcome us, unfortunately.

The Agency has always been a valuable addition to Noe Valley and the community around it. Rachel Swann has done a lot to bring the community into her space and even teach young people valuable job skills, with high school interns working within in her company from the ICA Academy.

I still work in Noe Valley, as I eventually went and opened my own small business. I see no reason why The Agency should not continue to occupy their space on 24th Street, in fact it would be a disservice to not have her in Noe Valley to the community, merchants and residents.

Best,

William Adams

W. Adams

WILLIAM ADAMS
Interior Architecture & Design

Owner, William Adams Design

From: peggy.cling
To: richhillissf@gmail.com; [Pantoja, Gabriela \(CPC\)](#); [CPC-Commissions Secretary](#)
Subject: Conditional Use 3848 24th Street
Date: Thursday, November 15, 2018 5:50:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Gabriela Pantoja and Planning Commissioners,

I am writing to enthusiastically support allowing The Agency and Rachel Swann to remain and conduct business at 3848 24th Street. It is my understanding that, by San Francisco code, a retail business must replace a vacating retail business. Anyone who lives in this neighborhood knows that there already are way to many EMPTY retail spaces up, down and around 24th Street! Retail is fleeing as Internet shopping has taken over. By enforcing this code all that is accomplished is another space will be available for rent. Do we need one more empty store front? My opinion is NO, we do not.

In the meantime, The Agency employees and Rachel Swann herself have shown what a great resident and business owner who loves and cares about their neighborhood can, and should, do! Rachel not only generously donates money to neighborhood activities and events, where she is often the Lead Sponsor, but she also puts her boots on the ground, donates her time and energy and helps make the events happen. She is a regular sponsor of the Noe Valley Garden Tour as well as almost EVERY event held at the Noe Valley Town Square. She has produced the wildly successful Halloween events held in 2017 and 2018. She has scooped ice cream, passed out balloons, and handed out snacks at multiple events. The office is used for Gallery Nights for new artists in the neighborhood. Basically, The Agency and Rachel Swann are building and supporting the Noe Valley community in ways that are extremely helpful. In my opinion that's better than another empty store front.

There is an article in the November 2018 issue of the Noe Valley Voice that states that the San Francisco Planning Commission "has given developers permission to convert the former Real Food Company grocery store into retail space. At it's meeting Oct. 4, the commission approved the owners request to lift a long-standing zoning requirement that the property at 3939 24th St. only be used for general grocery store operations." The developers are converting the space to three retail stores. This has the effect of adding even more retail spaces to the neighborhood. And it points out that zoning CAN be changed.

I am asking that the Conditional Use be removed from 3848 24th Street so that The Agency and Rachel Swann can continue to conduct business in that space as the strong supporters of the Noe Valley neighborhood and the Noe Valley community that they have shown themselves to be.

Thank you,

Peggy Cling
870 Sanchez Street
415-823-4144

Bob Dylan just might have said it best "For the times they are a-changin'."

From: Debra Niemann <debranemo@gmail.com>
Sent: Tuesday, January 09, 2018 5:48 PM
To: Berger, Chaska (CPC) <Chaska.Berger@sfgov.org>
Subject: CU for 3848 24th Street - Noe Valley

Hello Chaska,

I am writing to you because I am unable to attend this Thursday's CU hearing for Rachel Swann and The Agency at 3848 24th Street in Noe Valley.

I want to express my complete support for a conditional use permit for Ms. Swann and the real estate firm she works with. I am very familiar with the planning code for 24th Street as I was President of Friends of Noe Valley for four years and also co-chaired the committee to renovate our local library. For what its worth I have lived in Noe for 30 years.

Rachel Swann has been a thoughtful and proactive business leader for 24th Street. She is an asset to our community based on her volunteer contributions to the Noe Valley Town Square, working with the Noe Valley Merchants group to build an infrastructure for merchants to know each other and promote their businesses in social media. She has engaged services by tapping large and successful companies such as AirBNB and asked them to support funding for Noe Valley Merchant and Professional Association staff and events which would bring more customers to 24th Street.

Rachel is an amazing go getter, who at times may rub people the wrong way because she is driven, but her heart is in the right place. She cares deeply about the lack of foot traffic on 24th Street. She initially had a retail partner who had to drop out at the last minute and then she had an interior design firm which sold pillows, artwork and beautiful items for the home. I purchased two of their pillows myself. But like many merchants on 24th Street, they could not make a go of it even sharing space and rent with Ms. Swann.

Rachel has also re-modeled the garage area and has allowed community groups to hold meetings in that space, because the only other meeting space is the community room at our local library which has very limited dates and times for meetings. So in a pinch she provides the use of her space for free, even her office area has held community meetings, something no other merchant on 24th Street has done.

In summary, thank you for doing your job it is important and it is respected, but the value of the volunteer time, effort and other corporate sponsorships for events such as sponsoring free ice cream at barbecue nights and producing the Spooktacular event for Halloween and 24 HoliDays on 24th Street, make her an exception to 24th Street and I whole heartedly vote for her to have the exception of a CU to remain at 3848 24th Street.

Thank you for your consideration,
Debra

Debra Niemann
debranemo@gmail.com
415-519-0093

From: elle98@earthlink.net
To: [Pantoja, Gabriela \(CPC\)](#); [Hicks, Bridget \(CPC\)](#)
Subject: Support for The Agency office
Date: Tuesday, October 02, 2018 9:11:51 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Gabriela Pantoja & Ms. Bridget Hicks,

We are longtime residents of Noe Valley and we currently own our home at 244 Duncan Street, SF, CA and **we strongly support The Agency's Conditional Use application to open a new location at 3512 16th Street and their current office at 3848 24th Street.** The Agency is a great company, with a focus on the neighborhood, and they will bring energy and revitalize a portion of 16th street that has been vacant for far too long. In fact, the long vacant location at 3512 16th street has only encouraged encampments to settle and grow which has had a severe impact on the neighborhood and the nearby merchants with crime and neighborhood fear. We have seen the positive energy that The Agency has brought to Noe Valley and welcome it in the Castro as well.

We have every confidence that The Agency's presence on 16th street will improve the general quality of life of those who live in the neighborhood, as well as those who own small businesses in the Castro – as it has in Noe Valley. Having as many as 100 new professionals in the neighborhood during the day will be a huge benefit to our block and to restaurants, coffee shops and even bars that are far too quiet during the day and early evening.

I am thrilled and look forward to call The Agency my neighbor and urge the San Francisco Planning Department and Commission to approve this permit as soon as possible.

Sincerely,

Chris Nicholson and Family

Owners of 244 Duncan Street, SF CA 94131

From: [Adrienne Digiesi](#)
To: [Pantoja, Gabriela \(CPC\)](#); [Hicks, Bridget \(CPC\)](#)
Subject: Support for The Agency office
Date: Monday, November 19, 2018 8:04:07 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Gabriela Pantoja & Ms. Bridget Hicks,

We are longtime residents of Ashbury heights area and we own our home at 134 Upper Terrace. I am a San Francisco native and have seen many changes through my years here. **We strongly support The Agency's Conditional Use application to open a new location at 3512 16th Street and their current office at 3848 24th Street.**

The Agency is great company that will improve and revitalize this area of 16th street which has been neglected for some time. With The Agency's office on this street, it will help many small business owners, along with restaurants, and coffee shops, to improve and keep some of the homeless and crime out. They will focus on neighborhood and bring energy that is much needed to 16th street.

The area in which The Agency is requesting its application, has been vacant for way too long. With the vacancy, it has opened up for many people who are homeless to post up their encampments which unfortunately brings in crime and drugs to this neighborhood. We don't want our Castro streets to be overwhelmed by crime and have our streets littered with needles. We need more businesses to help bring growth to this area of San Francisco and I feel The Agency will do that.

We would be incredibly happy to have The Agency as our neighbor and hope the San Francisco Planning Department and commission approve this permit as soon as possible!

Sincerely,
Adrienne Digiesi and Dave Atkin
134 Upper Terrace San Francisco, 94117

Sent from my iPhone

From: [Carly DaCosta](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Cc: richhillissf@gmail.com; [CPC-Commissions Secretary](#)
Subject: 3848 24th Street: The Agency Conditional Use
Date: Monday, November 19, 2018 1:57:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Gabriela Pantoja and Planning Commissioners,

I am writing to show my support for The Agency and Rachel Swann to remain at 3848 24th Street by approving a Conditional Use permit. There are empty and struggling retail spaces already along 24th St - let's keep not only a productive and flourishing business in place, but also show support for a very active member of the Noe Valley community, Rachel Swann.

I have no idea the amount of money put into the community by The Agency, but I can say for sure it is a business that has only been around for a short time and I've seen more from The Agency and Rachel than I have of any retail store in Noe Valley. They are generous with their resources to fit in with such a family-friendly community. Most recently they put on the family friendly Halloween extravaganza in Noe Square. Frankly, I don't even think most of The Agency employees have kids so it shows how important they think it is to be involved in the community! It would be a blow to morale of the neighborhood should The Agency not be allowed to stay.

If the old grocery store (that has been sitting there for forever) can get permission to change zoning to retail (when there are plenty of empty retail stores that could have been used, oddly enough), then The Agency should be able to stay where they are and continue to be a productive business within the Noe Valley society.

I imagine you've received quite a few requests like mine on behalf of Rachel and The Agency. And I also imagine you to be very reasonable, level-headed people who will use common sense in conjunction with the spirit of any laws/codes when making this decision.

Thank you very much for your own service to the community and taking the time to read letters like these.

Best,

Carly & Jered DaCosta

3838 26th St
SF CA 94131

--

Carly DaCosta
706.577.6084
[@carlyadacosta](#)
[LinkedIn](#)

From: [Brian Curry](#)
To: [Pantoja, Gabriela \(CPC\); richhillissf@gmail.com](#)
Cc: [CPC-Commissions Secretary](#)
Subject: In support of Rachel Swann/The Agency/3848 24th Street San Francisco
Date: Monday, November 19, 2018 12:59:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings Ms. Pantoja and Commissioners,

I am writing on behalf of the The Noe Valley Cub Scouts, Pack 88, in support of Rachel Swann and her offices at 3848 24th Street. Rachel has been a tireless supporter of the Cub Scouts. The Pack has been grateful for her enthusiastic and creative contributions to the enhancement of the Packs activities.

The Pack leadership is grateful for her generous offer to host Pack 88 meetings in the rooms at 3848 24th Street, San Francisco, CA 94114. We have used her spaces in the recent past as executive planning space, to map out future Pack activities such as camp outs or community support such as the Noe Valley clean up. I doubt there is any other business on 24th street that has the space and the willingness to support Pack 88 in this way. It was a dramatically more efficient space in operate in than a member's kitchen table.

Rachel has shown that there are great synergies to be had between Pack 88 and her knowledge and commitment to Noe Valley, and we know we are only one of many local groups she supports wholeheartedly. She has plugged Pack 88 into activities and events in Noe Valley that we would otherwise not be aware of, providing our scouts opportunities to contribute and be of service through volunteer and community building activities she coordinates that benefit the Noe Valley community. Our pack leadership has found her actions and know-how invaluable and our collaborations always resulting in synergies for positive results, benefiting both the young boys and girls of the Cub Scouts and the Noe Valley community.

If the Agency was denied the opportunity to continue to operate at 3848 24th Street, the effect on Pack 88 would be severe. The loss of those spaces to operate in, as well as the possible loss of Rachel's expertise and commitment, would be a harsh blow to the community in Noe Valley and to Pack 88.

We trust that the leadership making this decision is weighing both the significant contributions Rachel Swann has personally made as a community organizer in addition to the contributions from the company she operates out of this space, The Agency, which supports community events nearly every month. We are truly grateful for her commitment and collaboration and wish she and The Agency continued success as she helps fuel a thriving and vibrant 24th Street in Noe Valley.

Sincerely,

Pack 88 Team
(Brian Curry, Pack Member)



PROJECT APPLICATION (PRJ)

GENERAL INFORMATION

Property Information

Project Address:

Block/Lot(s):

Property Owner's Information

Name:

Address:

Email Address:

Telephone:

Applicant Information

✓ Same as above

Name:

Company/Organization:

Address:

Email Address:

Telephone:

Please Select Billing Contact:

Owner

Applicant

Other (see below for details)

Name: _____ Email: _____ Phone: _____

Please Select Primary Project Contact:

Owner

Applicant

Billing

RELATED APPLICATIONS

Related Building Permit Applications

N/A

Building Permit Applications No(s):

Related Preliminary Project Assessments (PPA)

N/A

PPA Application No(s):

PPA Letter Date:

PROJECT INFORMATION

Project Description:

Please provide a narrative project description that summarizes the project and its purpose. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable.

Project Details:

Change of Use New Construction Demolition Facade Alterations ROW Improvements
Additions Legislative/Zoning Changes Lot Line Adjustment-Subdivision Other _____

Residential: Senior Housing 100% Affordable Student Housing Dwelling Unit Legalization
Inclusionary Housing Required State Density Bonus Accessory Dwelling Unit

Indicate whether the project proposes rental or ownership units: Rental Units Ownership Units Don't Know

Non-Residential: Formula Retail Medical Cannabis Dispensary Tobacco Paraphernalia Establishment
Financial Service Massage Establishment Other: _____

Estimated Construction Cost: _____

PROJECT AND LAND USE TABLES


		Existing	Proposed
General Land Use	Parking GSF		
	Residential GSF		
	Retail/Commercial GSF		
	Office GSF		
	Industrial-PDR		
	Medical GSF		
	Visitor GSF		
	CIE (Cultural, Institutional, Educational)		
	Useable Open Space GSF		
	Public Open Space GSF		
Project Features	Dwelling Units - Affordable		
	Dwelling Units - Market Rate		
	Dwelling Units - Total		
	Hotel Rooms		
	Number of Building(s)		
	Number of Stories		
	Parking Spaces		
	Loading Spaces		
	Bicycle Spaces		
	Car Share Spaces		
Other: _____			
Land Use - Residential	Studio Units		
	One Bedroom Units		
	Two Bedroom Units		
	Three Bedroom (or +) Units		
	Group Housing - Rooms		
	Group Housing - Beds		
	SRO Units		
	Micro Units		
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.		


ENVIRONMENTAL EVALUATION SCREENING FORM





This form will determine if further environmental review is required.

If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Environmental Topic	Information	Applicable to Proposed Project?		Notes/Requirements
1a. General	Estimated construction duration (months):	N/A		
1b. General	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc)	Yes	No	
2. Transportation	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	Yes	No	If yes, submit an Environmental Supplemental- School and Child Care Drop-Off & Pick-Up Management Plan .
3. Shadow	Would the project result in any construction over 40 feet in height?	Yes	No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.) An additional fee for a shadow review may be required.
4a. Historic Preservation 	Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	Yes	No	If yes, submit a complete Historic Resource Determination Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
4b. Historic Preservation	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	Yes	No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with CPC-HRE@sfgov.org .

 Please see the [Property Information Map](#) or speak with Planning Information Center (PIC) staff to determine if this applies.

Environmental Topic	Information	Applicable to Proposed Project?		Notes/Requirements
5. Archeology 	Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	Yes	No	If Yes, provide depth of excavation/disturbance below grade (in feet*): <i>*Note this includes foundation work</i>
6. Geology and Soils 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 20% or greater? ----- Area of excavation/disturbance (in square feet): _____ Amount of excavation (in cubic yards): _____	Yes	No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project: <ul style="list-style-type: none"> ● The project involves: <ul style="list-style-type: none"> ○ excavation of 50 or more cubic yards of soil, or ○ building expansion greater than 1,000 square feet outside of the existing building footprint. ● The project involves a lot split located on a slope equal to or greater than 20 percent. <i>A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.</i>
7. Air Quality 	Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollutant Exposure Zone?	Yes	No	If yes, the property owner must submit copy of initial filed application with department of public health. More information is found here .
8a. Hazardous Materials	Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	Yes	No	If yes, submit a Phase I Environmental Site Assessment prepared by a qualified consultant.
8b. Hazardous Materials 	Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	Yes	No	If yes, submit a copy of the Maher Application Form to the Department of Public Health. Also submit a receipt of Maher enrollment with the Project Application. For more information about the Maher program and enrollment, refer to the Department of Public Health's Environmental Health Division . <i>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</i>

 Please see the [Property Information Map](#) or speak with Planning Information Center (PIC) staff to determine if this applies.

PRIORITY GENERAL PLAN POLICIES FINDINGS

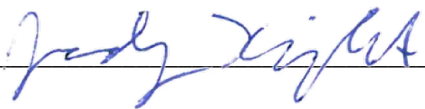
Please state how the project is consistent or inconsistent with each policy, or state that the policy is not applicable:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
3. That the City's supply of affordable housing be preserved and enhanced;
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
5. 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;
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;
7. That landmarks and historic buildings be preserved; and
8. That our parks and open space and their access to sunlight and vistas be protected from development.

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.

Signature 

Name (Printed)

Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



CONDITIONAL USE AUTHORIZATION

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.

Pursuant to Planning Code Section 303, the Planning Commission shall hear and make determinations regarding Conditional Use Authorization applications.

For questions, call 415.558.6377, email pic@sfgov.org, or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

中文: 如果您希望獲得使用中文填寫這份申請表的幫助，請致電415.575.9010。請注意，規劃部門需要至少一個工作日來回應。

Tagalog: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9120. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

WHAT IS A CONDITIONAL USE AUTHORIZATION?

A Conditional Use refers to a use that is not principally permitted in a particular Zoning District. Conditional Uses require a Planning Commission hearing in order to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan. During this public hearing the Planning Commission will “condition” the use by applying operational conditions that may minimize neighborhood concerns as well as other conditions that may be required by the Department and the Planning Code. Conditional Use Authorizations are entitlements that run with the property, not the operator.

WHEN IS A CONDITIONAL USE AUTHORIZATION NECESSARY?

For each Zoning District, the Planning Code contains use charts that list types of uses and whether each is permitted as of right (P), conditionally permitted (C), or not permitted (NP or blank). In addition to those particular uses, the Conditional Use Authorization process is utilized for various other applications included but not limited to dwelling unit removal, Planned Unit Developments (PUD's), and for off-street parking in certain Zoning Districts. Please consult a planner at the Planning Information Counter (PIC) for additional information regarding these applications.

Fees

Please refer to the [Planning Department Fee Schedule](#) available at www.sfplanning.org or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at 415.558.6377.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.



CONDITIONAL USE AUTHORIZATION

SUPPLEMENTAL APPLICATION

Property Information

Project Address:

Block/Lot(s):

Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed 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. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).

2. That such 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 aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. 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;
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

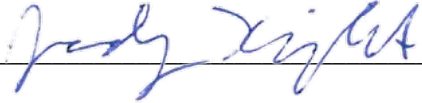
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.

Signature 

Name (Printed)

Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

APPLICANT'S SITE VISIT CONSENT FORM

I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.

Signature

Name (Printed)

Date

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

3848 24th Street
Conditional Use Authorization – Attachment A

A. Project Description

The project site at 3848 24th Street (Assessor’s Block 3651/022) is a 1,875 square-foot lot on the corner of 24th Street and Vicksburg Street in the Noe Valley neighborhood (the “Property”). The Property is located in the 24th Street – Noe Valley Neighborhood Commercial (“NCD”) zoning district and the 40-X height and bulk district. The site is developed with a three-story mixed-use building with ground floor commercial space.

The Agency (the “Project Sponsor”) seeks conditional use authorization under Planning Code Sections 728 and 303 to allow a change of use to a retail professional services use in the 24th Street – Noe Valley NCD zoning district (the “Project”). The space is occupied by The Agency, a real estate brokerage company. The use will accommodate 20 employees and the hours of operation will be 7am-8pm Monday through Friday, with some Saturday hours as well. The Project will not include any new construction, demolition, or additions to the Property.

This is an application for a development project pursuant to the Permit Streamlining Act (Section 65920 et seq of the California Government Code).

B. Priority General Plan Policies Findings

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project is consistent with each of these policies as follows:

- 1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.**

Allowing a stable and community-serving tenant at this location will draw foot traffic from employees, real estate agents, and clients to the neighborhood, thereby boosting the potential customer base for surrounding businesses.

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

No housing would be removed by the Project. The Project will help preserve the existing historic building, thus preserving the cultural character of the neighborhood.

- 3. That the City’s supply of affordable housing be preserved and enhanced.**

The Project will not have any impact on affordable housing.

4. That commuter traffic not impedes Muni transit service or overburdens our streets or neighborhood parking.

The Project will not overburden streets or neighborhood parking due to its close proximity to numerous public transit options. The Property is within walking distance of the 24th Street Mission Bart station and the J train line. Numerous bus lines, including the 12, 14, 14R, 27, 36, and 49 lines also serve the Property.

5. 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 will not displace any industrial or service sector uses.

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

The Project does not involve any structural changes to the existing building.

7. That landmarks and historic buildings be preserved.

The Property is designated as a historic resource. The proposed Project will help support the preservation of this historic resource by adding a stable tenant to the ground floor that will maintain the historic features of the building and keep it from falling into disrepair.

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

The Project will have no impact on parks and open space.

C. Conditional Use Findings

Under Planning Code Section 303(c), the City Planning Commission shall approve the application and authorize a conditional use if the facts presented establish the following:

1. That the proposed 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.

The Project is necessary, desirable, and compatible with the neighborhood at the proposed location. The Project proposes a real estate office that will provide a stable, established tenant and an active presence to the ground floor of the building. The Project is beneficial for the community because the addition of employees, real estate agents, and clients coming in and out of the space will help support the viability of the nearby neighborhood-serving retail uses.

This is the ideal location for a retail professional services use. The use's hours of operation are compatible with the daytime-oriented, small-scale mixed-use neighborhood commercial character, and the site's proximity to a variety of public transportation options makes it a convenient location for the use.

The Agency is a community-focused company with strong ties to the neighborhood. The 24h Street space is regularly made available to community groups in an area lacking in community meeting space. The Agency also sponsors and hosts many events for the community.

2. That such 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 injuries to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.**

The Project proposes no alteration to the size, shape, or structure of the existing building at the Property. Changing the use of 3848 24th Street will provide for an established and active use at this Property, with no adverse effects to the health, safety, convenience, or general welfare of persons in the vicinity.

- (b) 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 Project will not provide parking, and it is expected that the employees will utilize alternative modes of transportation such as walking, public transportation, and bicycles. The Project is well served by multiple public transportation options. The site is within walking distance of the 24th Street Mission Bart station and the J train line. Numerous bus lines, including the 12, 14, 14R, 27, 36, and 49 lines also serve the Property.

- (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.**

The Project will comply with all applicable regulations regarding construction noise and dust, and will not produce, or include, any uses that will generate substantial levels of noxious or offensive emissions such as excessive noise, glare, dust, and odor.

- (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.**

Because the Project proposes a change of use of space within an existing building, it will not involve new landscaping, screening, open space, parking/loading, service areas, or lighting. The signage will conform to the requirements set forth in the Planning Code.

- 3. That such use or feature as proposed will comply with the applicable provisions of the Code and will not adversely affect the General Plan.**

The Project is consistent with the objectives and policies of the General Plan, as detailed in Section D, below.

- 4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.**

Planning Code Section 303(g), et seq. does not list any criteria specific to new retail professional services uses.

D. General Plan Findings

The Project is, on balance, consistent with the following Objectives and Policies of the General Plan, including the Commerce and Industry Element as well as the Market and Octavia Area Plan:

Commerce and Industry Element

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.

Policy 1.3: Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed Project will provide net benefits to the City and the community in the form of a stable tenant in a ground floor retail space, as well as community meeting space. The change of use will provide employment opportunities in the City, and the employees will help support the existing neighborhood-serving retail in the area.

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

The increased activity at the site will help enhance the attractiveness of this area as a firm location, especially given its location near public transportation in the Noe Valley neighborhood.

Market and Octavia Area Plan

OBJECTIVE 1.1: CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD'S POTENTIAL AS A MIXED-USE URBAN NEIGHBORHOOD.

Policy 1.1.2: Concentrate more intense uses and activities in those areas best served by transit and most accessible on foot.

The Project will enhance the mixed-use character of the neighborhood. This location is ideal for a use of this size because of its proximity to public transportation and neighborhood-serving retail uses that are accessible on foot. The site is within walking distance of the 24th Street Mission Muni Metro and Bart station and the J train line. Numerous bus lines, including the 12, 14, 14R, 27, 36, and 49 lines also serve the Property.

OBJECTIVE 3.2: PROMOTE THE PRESERVATION OF NOTABLE HISTORIC LANDMARKS, INDIVIDUAL HISTORIC BUILDINGS, AND FEATURES THAT HELP TO PROVIDE CONTINUITY WITH THE PAST.

Policy 3.2.1: Preserve landmark and other buildings of historic value as invaluable neighborhood assets.

Policy 3.2.2: Encourage rehabilitation and adaptive reuse of historic buildings and resources.

The Project will promote this policy by using the historic building's ground floor space as a retail professional services use. Allowing this use at the Property will help maintain the condition of the building by preserving and using the ground floor space

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Please see the following responses in order to proceed with the review of the Conditional Use Authorizations Application 2017-007943CUA as requested.

1. ~~General Plan Submittal~~

- a. The number of stories and land use for all adjacent properties, the existing curb cuts and street trees are shown on the site plan-see sheet A1.
- b. Existing floor plan for the ground floor of the subject building has been shown-see sheet A2.
- c. Existing floor plan for all floors of the subject building including each unit for reference have been provided-see sheet A2.
- d. ~~Exterior elevations including windows details, door details, window trimming and the subject building features have been added to the set of drawings-see sheet A3.~~

2. Business Narrative

We are a retail storefront and real estate office with a storefront, so we sell Agency-branded merchandise with our logos (hats, shirts, puffy jackets, water bottles, bags, computer storage, shot glasses, lockboxes, etc.) We have a total of 22 people (including the ICA work study interns we employ) working in the office which includes, a Managing Partner for the Agency, assistants to the managing partner, office manager and 4 ICA Interns that work as sales associates for the storefront and 4 ICA Interns that work for the Noe Valley Merchants and Professionals Association of Noe Valley. Our managing partner is the President of Noe Valley Merchants and Professionals and her assistant is the secretary. All of our employees volunteer in the community and we are the #1 funder of the organization and major funder of the events in the Noe Valley Town Square. We house their operations and meetings here and host the community room, that is free of charge to use for community groups. We employ people that live near or are in close proximity to our office, all but one lives in the city and many live in Noe Valley. Our one employee was living in SF before but moved to Vallejo as she could not afford city rents. Our regular business hours are from 9:00 AM to 5:30 PM, Monday through Friday and 10:00 AM to 4:00 PM, Saturday and Sundays.

Previously the space was occupied by a place called Cradle of The Sun. It was a stained-glass workshop where they blew stained glass and sold it. They also taught stained glass blowing classes. Their company relocated to Ocean Avenue, we keep in touch with them as we kept the age old stained-glass entry flooring and have them service it.

The space was vacant for well over a year before we entered into an agreement with the landlord to rent it. Many spaces around us remain vacant or have high turnover.

Friday, March 16, 2018

3. Transparency and Fenestration

The calculations to demonstrate that the project is compliant with Section 145.1 have been added to the drawings, see sheet A3.

4. Formula Retail Signage

- a. The wall sign illumination treatment has been shown on the drawings-see sheet A3
- b. Dimensions of the building frontage and notate width of sidewalks have been added to the drawings-see sheet A3
- c. Installation height of each sign on front elevations have been added to the drawings-see sheet A3.
- d. Sizes of each sign in square feet have been added to the drawings-see sheet A3

Sincerely
Henry Karnilowicz
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