



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JUNE 14, 2012

Date: June 7, 2012
Case No.: 2011.1285 C
Project Address: 2641-2645 Lincoln Way
Zoning: RH-1(D) (Residential, House – One-Family Detached Dwelling)
40-X Height and Bulk District
Block/Lot: 1723/048
Project Sponsor: M. Brett Gladstone, Gladstone & Associates
177 Post Street, Penthouse
San Francisco, CA 94108
Staff Contact: Doug Vu – (415) 575-9120
doug.vu@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project necessitates a Conditional Use Authorization pursuant to Planning Code Sections 209.3(j) and 303, to establish a religious institution (San Fran Dhammaram Temple) within an existing two-family dwelling structure. Although the Subject Property currently operates as a religious institution in an accessory capacity, the granting of this Conditional Use Authorization would establish the dual use of this property as a residential structure and a religious institution, without the loss of any dwelling units.

The building is currently leased to San Fran Dhammaram Temple, a non-profit Buddhist religious organization, and the Project does not propose any interior or exterior alterations to the building aside from the installation of signage. The Project Sponsor requests Conditional Use Authorization to allow the religious institution to utilize more than 25% of the floor area of the dwelling units for religious purposes, employ an individual that does not reside at the property, and install signage that complies with Article 6 of the Planning Code, all of which are not permitted as an accessory use pursuant to Section 204.1.

SITE DESCRIPTION AND PRESENT USE

The Subject Property is located on the south side of Lincoln Way between 27th and 28th Avenues. The relatively flat lot is 81.5' wide by 75' deep and is developed with a 4,036 sq. ft., three-story residential building constructed circa 1917 that is divided into two legal dwelling units, 2641 and 2645 Lincoln Way. The subject property is within the RH-1(D) Zoning District and 40-X Height and Bulk District.

Since 2009, the Property has been leased to San Fran Dhammaram Temple, a non-profit Buddhist group that has utilized it as a residence for two monks and a religious facility where members of the group can congregate to pray and receive Buddhist teachings. The two living rooms on the main floor are used as discussion and prayer rooms, while the dining and family rooms on the basement level are used as

classrooms for small group teachings, primarily for members who are college students that reside in the City. There is currently no signage that identifies the religious institution.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Subject Property is located in the Outer Sunset Neighborhood immediately south of Golden Gate Park. The neighborhood is residential in character with primarily single-family houses and a few multi-family dwellings. An NC-2 Small-Scale Neighborhood Commercial District along Irving Street is at the end of the block to the southeast.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|--------------------|------------------------|-----------------------------|---------------------------|----------------------|
| Classified News Ad | 20 days | May 25, 2012 | May 23, 2012 | 22 days |
| Posted Notice | 20 days | May 25, 2012 | May 24, 2012 | 21 days |
| Mailed Notice | 10 days | June 4, 2012 | May 31, 2012 | 14 days |

PUBLIC COMMENT

- To date, the Department has received two letters of support and is not aware of any opposition to this project. The Project Sponsor conducted community outreach by inviting neighbors to an open house at the Property on May 31, 2012 to review the proposal and discuss concerns and comments.

ISSUES AND OTHER CONSIDERATIONS

- Pursuant to Planning Code Section 204.1, an accessory use to a dwelling unit prohibits the employment of persons that are not residents of the property, utilization of more than 25% of the total floor area for non-residential purposes, and the installation of signage, among other restrictions. Since the Sponsor would like the ability to do these things, the Project requires Conditional Use Authorization as specified in Section 209.3(j).
- Although the Subject Property is located in an RH-1(D) Zoning District, the existing two dwelling units were established lawfully, prior to the existing zoning designation. Several other lots on the subject block also have legally established multiple dwelling units.
- The Subject Property is currently being used as an accessory religious institution and has operated in that capacity without complaint since 2009, other than the unpermitted installation of signage that was promptly removed upon a Notice of Violation by the City.

- San Fran Dhammaram Temple currently receives up to five visitors who are members per weekday, up to 20 individuals per Sunday, and up to 50 individuals during holiday events that revolve around prayer and meditation, which occur five times annually. Larger events that include more than 50 individuals take place at a larger facility off site. Aside from the request to accommodate up to 75 individuals during holiday events that will occur no more than five times annually, the Sponsor does not anticipate any other increase in visitors throughout the week, who are primarily college students that arrive by public transportation.
- The Project Sponsor has conducted community outreach to address any potential concerns.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization to modify the previously imposed Conditions of Approval pursuant to Planning Code Section 303.

BASIS FOR RECOMMENDATION

- San Fran Dhammaram Temple has operated as an accessory religious institution at the Subject Property since 2009 without complaints regarding noise or traffic.
- Aside from the installation of signage consistent with Article 6, the Project does not propose any exterior or interior alterations.
- San Fran Dhammaram Temple will be limited to no more than five large events annually that revolve around prayer and meditation, and may accommodate a maximum of 75 individuals.
- San Fran Dhammaram Temple is compatible with the surrounding low density residential districts. The dual residential/religious institutional use will not involve a high volume of visitors on a regular basis or generate traffic or parking problems. The Outer Sunset Neighborhood is well served by the Muni N light-rail line and the 29 bus line.
- The project meets all applicable requirements of the Planning Code and is consistent with the General Plan.

| | |
|------------------------|---------------------------------|
| RECOMMENDATION: | Approval with Conditions |
|------------------------|---------------------------------|

Attachments:

- Block Book Map
- Sanborn Map
- Aerial Photographs
- Zoning Map
- Site Photograph
- Project Sponsor Correspondence
- Public Comment

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials

G:\Documents\CUs\2645 Lincoln Way_2011.1285C\Reports\Exec Sum.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: JUNE 14, 2012

Date: June 7, 2012
Case No.: **2011.1285 C**
Project Address: **2641-2645 LINCOLN WAY**
Zoning: RH-1(D) (Residential, House – One-Family Detached Dwelling)
40-X Height and Bulk District
Block/Lot: 1723/048
Project Sponsor: M. Brett Gladstone, Gladstone & Associates
177 Post Street, Penthouse
San Francisco, CA 94108
Staff Contact: Doug Vu – (415) 575-9120
doug.vu@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(j) AND 303 OF THE PLANNING CODE, TO ESTABLISH THE DUAL USE OF A RELIGIOUS INSTITUTION (SAN FRAN DHAMMARAM TEMPLE) WITHIN AN EXISTING TWO-FAMILY DWELLING STRUCTURE IN AN RH-1(D) (RESIDENTIAL, HOUSE – ONE-FAMILY DETACHED DWELLING) DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On November 10, 2011, M. Brett Gladstone (hereinafter “Project Sponsor”) filed an application (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for Conditional Use Authorization pursuant to Planning Code Sections 209.3(j) and 303, on the property located at 2641-2645 Lincoln Way, Assessor’s Lot 048 in Block 1723 (hereinafter “Property”), to establish the dual use of a religious institution (San Fran Dhammaram Temple) within an existing two-family dwelling structure, in an RH-1(D) (Residential, House – One-Family Detached Dwelling) Zoning District and 40-X Height and Bulk District, in general conformity with the plans filed with the application and labeled “EXHIBIT B” (hereinafter “Project”).

On June 14, 2012, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2011.1285C.

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

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the Sponsor, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2011.1285C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The Subject Property is located on the south side of Lincoln Way between 27th and 28th Avenues. The relatively flat lot is 81.5' wide by 75' deep and is developed with a 4,036 sq. ft., three-story residential building constructed circa 1917 that is divided into two legal dwelling units, 2641 and 2645 Lincoln Way. The subject property is within the RH-1(D) Zoning District and 40-X Height and Bulk District.

Since 2009, the Property has been leased to San Fran Dhammaram Temple, a non-profit Buddhist group that has utilized it as a residence for two monks and a religious facility where members of the group can congregate to pray and receive Buddhist teachings. The two living rooms on the main floor are used as discussion and prayer rooms, while the dining and family rooms on the basement level are used as classrooms for small group teachings, primarily for members who are college students that reside in the City. There is currently no signage that identifies the religious institution.

3. **Surrounding Properties and Neighborhood.** The Subject Property is located in the Outer Sunset Neighborhood immediately south of Golden Gate Park. The neighborhood is residential in character with primarily single-family houses and a few multi-family dwellings. An NC-2 Small-Scale Neighborhood Commercial District along Irving Street is at the end of the block to the southeast.
4. **Project Description.** The Project necessitates a Conditional Use Authorization pursuant to Planning Code Sections 209.3(j) and 303, to establish a religious institution (San Fran Dhammaram Temple) within an existing two-family dwelling structure. Although the Subject Property currently operates as a religious institution in an accessory capacity, the granting of this Conditional Use Authorization would establish the dual use of this property as a residential structure and a religious institution, without the loss of any dwelling units.

The building is currently leased to San Fran Dhammaram Temple, a non-profit Buddhist religious organization, and the Project does not propose any interior or exterior alterations to the building aside from the installation of signage. The Project Sponsor requests Conditional Use Authorization to allow the religious institution to utilize more than 25% of the floor area of the dwelling units for religious purposes, employ an individual that does not reside at the property, and install signage that complies with Article 6 of the Planning Code, all of which are not permitted as an accessory use pursuant to Section 204.1.

5. **Public Comment.** The Department has received two letters of support and is not aware of any opposition to this project. The Project Sponsor conducted community outreach by inviting neighbors to an open house at the Property on May 31, 2012 to review the proposal and discuss concerns and comments.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Institutions – Church or Other Religious Institution.** Planning Code Section 209.3(j) specifies that Conditional Use Authorization is required for the use of a property as a church or other religious institution in all residential zoning districts.

This Conditional Use Authorization seeks to establish the dual use of the existing residentially zoned property to include a religious institution which has a tax-exempt status as a religious institution granted by the United States government and which institution is used primarily for the collective worship or ritual observance of common religious beliefs.

- B. **Off-Street Parking.** Planning Code Section 151 contains the schedule of required off-street parking spaces.

Planning Code Section 151 requires one off-street parking space for each 20 seats by which the number of seats in the main auditorium exceeds 200. The Project will establish the dual use of the Property as a religious institution and a two-family dwelling structure. Although San Fran Dhammaram Temple will not have an auditorium with seats, the large events that will occur at the Property will be limited to a maximum of 75 individuals and therefore, no off-street parking is required

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project will provide a use that is necessary and desirable for the neighborhood in that it is conveniently located to members of the religious organization who are students. The Property has

been utilized as an accessory religious institution since 2009 and is compatible with the existing residential uses in the general vicinity of the Property. The envelope of the existing building will not be enlarged, and aside from signage that will identify the temple, the façade of the building will not be altered to maintain its residential character.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

Aside from signage to identify the temple, there are no proposed modifications to the exterior of the structure on the Property. The interior layout of the building will also not be modified to accommodate teachings and gatherings for religious members.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

Two existing off-street parking spaces will be maintained on the Subject Property. Traffic conditions will remain substantially unaltered by this Project because of the small number of visitors that are received by the temple on a daily basis, who primarily arrive by public transportation. During the five events per year that will be attended by no more than 75 individuals, parking along Lincoln Way will not adversely impact the supply of parking in the neighborhood. Finally, off-street parking is not required for religious institutions that do not provide more than 200 seats in its auditorium.

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

The Property will continue to function as a residence for Buddhist monks and a facility for religious teachings and gatherings. Therefore, the Project will not create any noxious or offensive emissions such as glare, dust or odors and will be subject to the Conditions of Approval contained in Exhibit A.

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

There are no proposed changes to the landscaping, screening, parking or lighting. Any newly proposed signage shall be subject to review by the Department and required to meet all applicable provisions set forth in Article 6.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

The Project will help enhance and continue desirable institutional and community, social and educational services to the neighborhood.

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO MAINTAIN SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

Policy 11.4:

Avoid or minimize disruption caused by expansion of institutions, large-scale uses and auto-oriented development into residential areas.

Although the Property has been used as an accessory religious institution since 2009, any potential minor disruption to the residential area caused by the expansion will be minimized by limiting the number of large events to five per year, and the number of participants to no more than 75 per event.

INSTITUTIONAL FACILITIES ELEMENT

Objectives and Policies

OBJECTIVE 9:

ASSURE THAT INSTITUTIONAL USES ARE LOCATED IN A MANNER THAT WILL ENHANCE THEIR EFFICIENT AND EFFECTIVE USE.

Policy 9.1:

Locate institutional uses according to the Institutional Facilities Plan.

San Fran Dhammaram Temple is located on Lincoln Way, a main thoroughfare and in a neighborhood that is primarily residential. The location of this institutional use is convenient for members that live in the surrounding neighborhoods and nearby colleges and universities.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

No retail uses exist on the Property. The Project is intended to enable religious members to visit the temple for Buddhist teachings, cook for the monks that reside at the Property and to attend occasional gatherings. The Project will enhance an existing accessory religious institutional use that has been established since 2009.

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

The neighborhood is characterized predominantly by single-family dwellings, with a few multi-family dwellings. No changes are proposed to the existing building envelope and no existing housing will be removed. The Project will allow for the dual use of the Property as a residential structure and a small religious institution that will continue to serve the neighborhood and the Buddhist community.

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

No housing will be removed as a result of this Project.

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

The intensity of the use on the Property will not be significantly changed with the approval of this Conditional Use Authorization. The temple receives less than twenty visitors daily, and the number of large events for up to 75 visitors will be limited to five per year. Since many visitors to the temple already utilize public transportation, the Project will not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The area is well served by the Muni N light rail line and 29 bus line. The Project will not impede Muni transit nor will it overburden the City's streets or neighborhood parking.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace any industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

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

The Property will comply with all required seismic and life safety codes in order to achieve the possible preparedness to protect against injury and loss of life in the event of an earthquake.

- G. That landmarks and historic buildings be preserved.

The existing structure is not a designated landmark or historic building, and the Project does not propose any exterior alterations.

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

The Project does not include any changes to the existing building envelope and will have no negative impact on existing parks and open spaces.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2011.1285C** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 14, 2012.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 14, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use, pursuant to Planning Code Sections 209.3(j) and 303, to establish the dual use of a religious institution (San Fran Dhammaram Temple) within an existing two-family dwelling structure, located at 2641-2645 Lincoln Way (Block 1723, Lot 048) within an RH-1(D) (Residential, House – One-Family Detached Dwelling) and 40-X Height and Bulk District; in general conformance with the plans stamped “EXHIBIT B” included in the docket for Case No. 2011.1285C and subject to Conditions of Approval reviewed and approved by the Commission on June 14, 2012 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 June 14, 2012 under Motion No XXXXXX.

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 and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within

the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

DESIGN

3. **Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code.

MONITORING

4. **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

5. **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

6. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>

7. **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>
8. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.
*For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org
For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org
For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org*
9. **Community Liaison.** Prior to the implementation of 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 community liaison officer will be Neecha Thian-Ngern, who can be contacted at (415) 828-0660. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
10. **Large Events.** The subject property shall be limited to no more than five large events per calendar year, and each large event shall accommodate no more than 75 individuals.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parcel Map

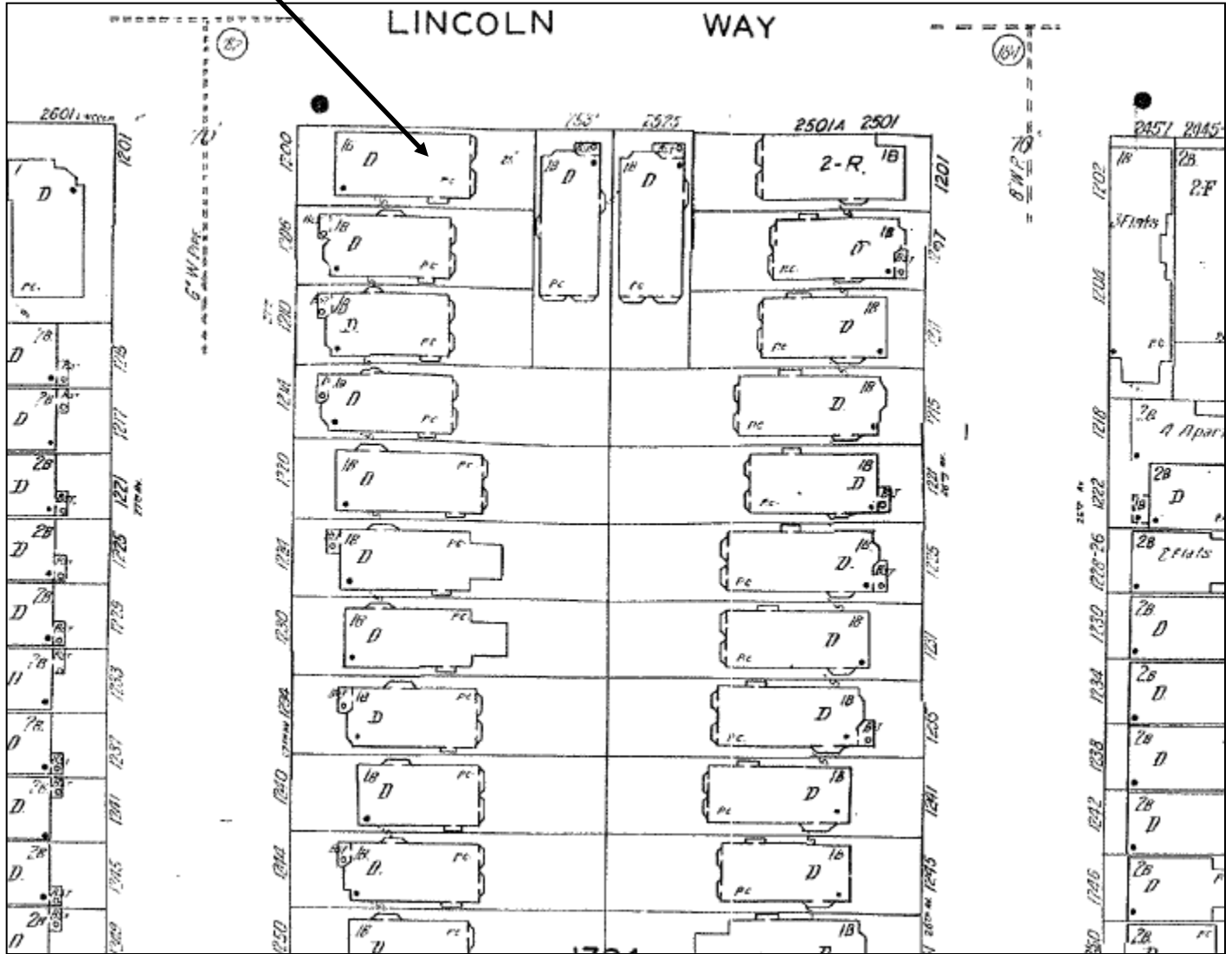
SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2011.1285C
Religious Institution
2645 Lincoln Way

Sanborn Map*

SUBJECT PROPERTY



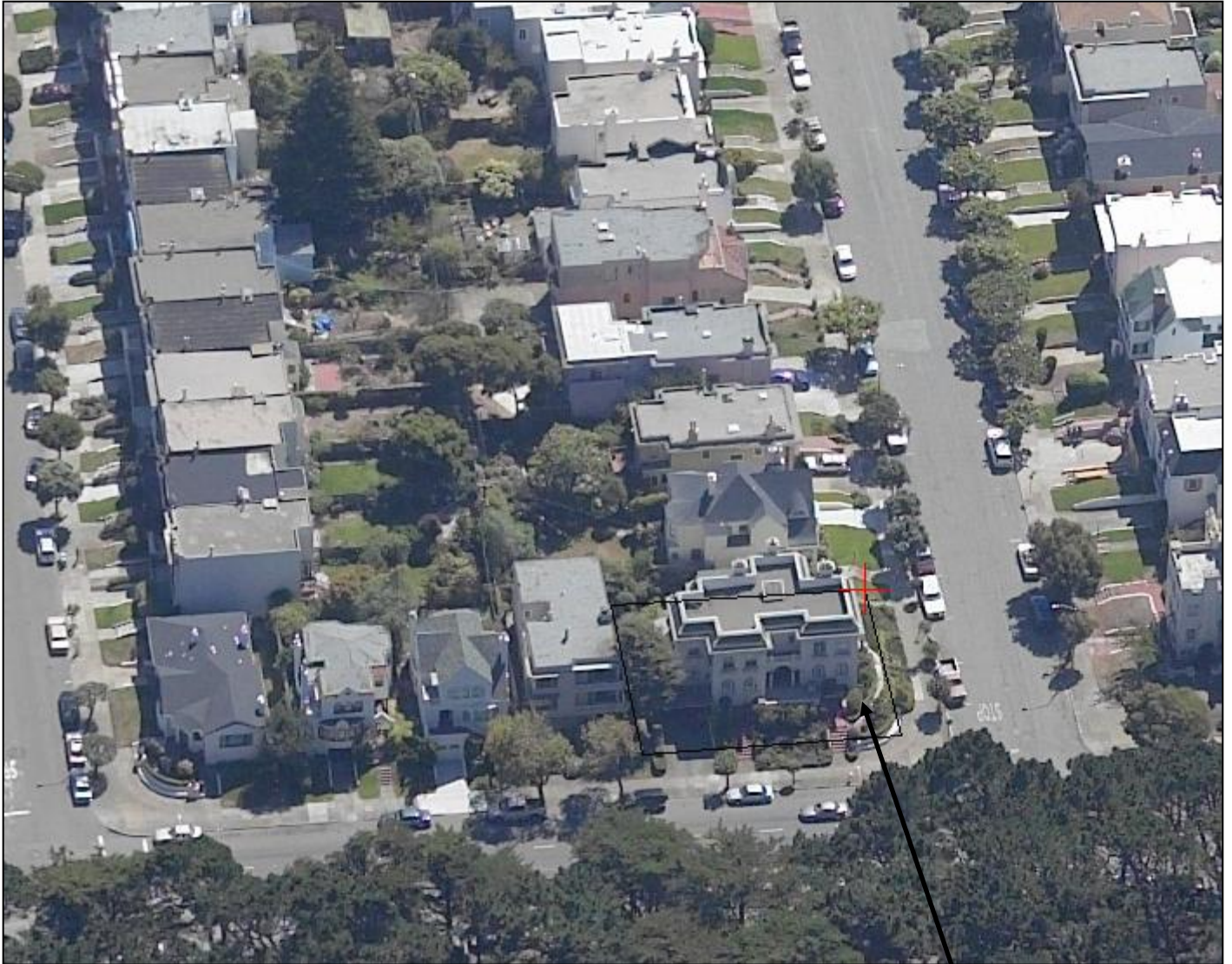
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
Case Number 2011.1285C
Religious Institution
2645 Lincoln Way

Aerial Photo

view facing south



SUBJECT PROPERTY

Conditional Use Authorization
Case Number 2011.1285C
Religious Institution
2645 Lincoln Way

Aerial Photo

view facing west

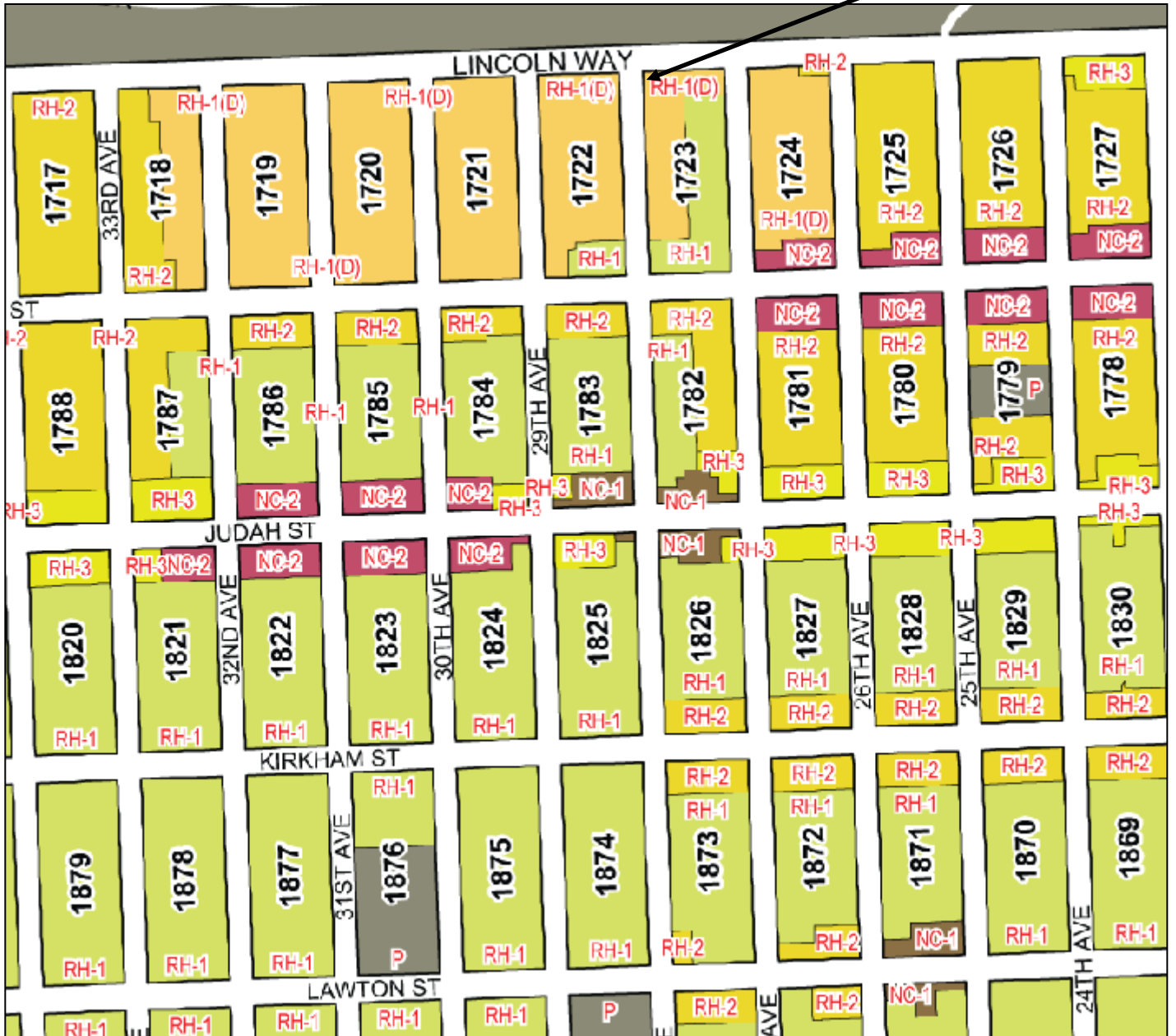


SUBJECT PROPERTY

Conditional Use Authorization
Case Number 2011.1285C
Religious Institution
2645 Lincoln Way

Zoning Map

SUBJECT PROPERTY



Conditional Use Authorization
 Case Number 2011.1285C
 Religious Institution
 2645 Lincoln Way

Site Photo



Conditional Use Authorization
Case Number 2011.1285C
Religious Institution
2645 Lincoln Way

Site Photo



Conditional Use Authorization
Case Number 2011.1285C
Religious Institution
2645 Lincoln Way

President Fong and Commissioners
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94013

Re: 2645 Lincoln Way
Conditional Use Application, Case No. 2011.1285C
Hearing on June 14, 2012

Dear President Fong and Commissioners:

San Francisco Dhammaram Temple is a non-profit religious organization. The organization rents the two-dwelling units (in one building) at 2641-2645 Lincoln Way from two of its members, Saranya and Thammasak Thian-Ngern. A monk resides in each of the two units. One of the monks is the son of the above-referenced property owners.

The main purpose of the organization is to provide guidance and resources for individuals in the community. Certain members of the organization, mostly younger persons who are in college in the area, visit the two monks for counseling, discussion groups, and small classes. Sometimes there are prayers in small groups during or after these sessions; however, this particular subgroup within the Buddhist tradition do not recite mantras together.

The Temple uses the ground floor (and sometimes lower level) of the units for gatherings. The Temple wishes to continue to do so and, given its goals of reduction of worldly stresses, wishes to be proactive to make sure it is operating within the boundaries of the Planning Code. We are not seeking this conditional use approval in response to a Notice of Violation of complaint from neighbors.¹

The dwelling units will not be removed. The institutional use activity (a religious organization) will be together with the residential use, since the Planning Staff has confirmed that one space can indeed have two legal uses under the Planning Code.

Creating the secondary use, the use of religious facility (called Institutional under the Planning Code) requires conditional use approval. The two residential units would remain; thus, the property would have a dual use: residential and institutional.

The addition of the institutional use would not have a negative effect on the neighborhood. The organization would host Buddhist events during the year in which there will be a moderate gathering of members on site. Since most of the members who visit for instruction and prayer

¹ A complaint had been filed by an anonymous neighbor in the past when a big canvas banner went up outside the building but the neighbor appeared to be only concerned about the banner and not the use. The Planning Department looked into this a year ago but then told us that our building was being used in accordance with the zoning. We removed the banner at the Department's direction.

President Fong and Commissioners

June 4, 2012

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are students from outside the Bay Area who are now studying here, a majority of members use public transportation and thus would not overburden the on-street parking. As these gatherings revolve around prayer and meditation, the noise impact on neighboring surroundings is negligible.

We are not proposing any physical changes to the building. The two residential units would remain. During the gatherings; however, we would like to open the locked doors that separate the units. One door is a double-locked pocket door on the main floor that separates the units. The second door is on the main floor of unit 2645 Lincoln and leads to the lower level. Opening the doors would allow for a larger space for the gatherings and access to a second kitchen. The doors would be closed and locked at all other times.

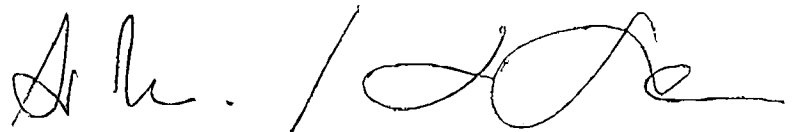
Large events would be hosted at a different location. Currently a nearby school, and another building nearby, is used for gatherings that cannot be accommodated in our small ground floor area. We intend to continue to do so. (Members of the public are not allowed, according to our religious rules, to visit the upstairs where the monks reside). Each Buddhist organization or temple is only allowed one major fundraising event per year. For the last ten years, we have been holding this event off site due to the fact that 150-250 people attend per year. We have no intention of ever holding this event at the property due to such highly anticipated attendance.

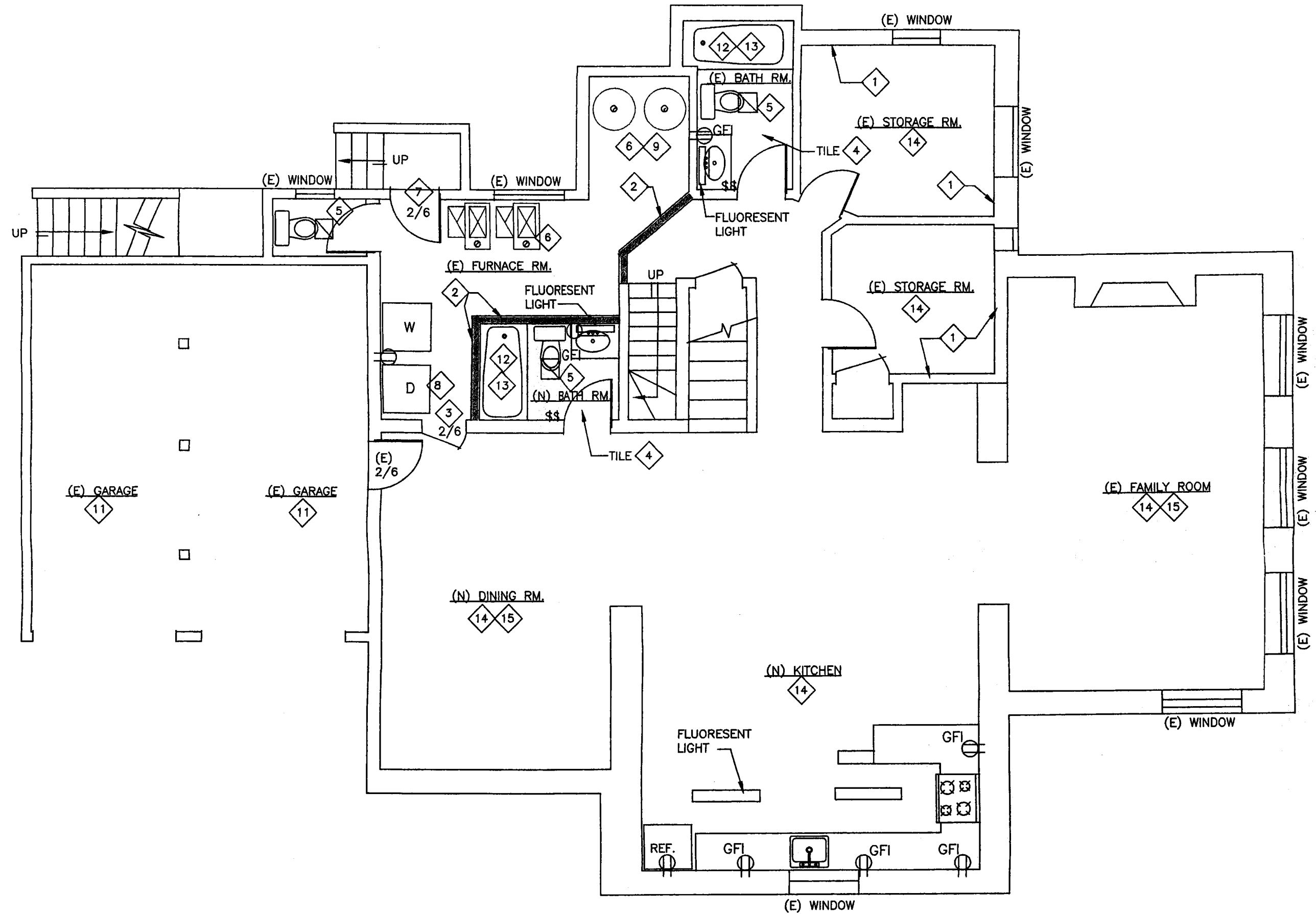
We invited several neighborhood associations and neighbors receiving notice of the conditional use hearing to meet with us at the property to discuss any questions or concerns they may have. We have received two letters of support from the adjoining property owners. We are not aware of any opposition. At the meeting, the residents of the house at the rear were the only ones to attend. They mainly were interested in viewing the inside of the house because it apparently had been abandoned in the past and since remodeled. They were pleased that the property is being taken care of by the owners. They did want to know where visitors park. We explained that most of the visitors are young college students who rely on public transportation. One of the reasons we chose this property is its close proximity to public transit, which accommodates most visitors as well as the monks, who are not allowed to drive. We believe they were satisfied with this response.

Since being here and conducting the same activities since 2009, the only indication of concern was one neighbor who objected to the banner going up outside.

For the above reasons, we respectfully request that the Planning Commission approve the conditional use application.

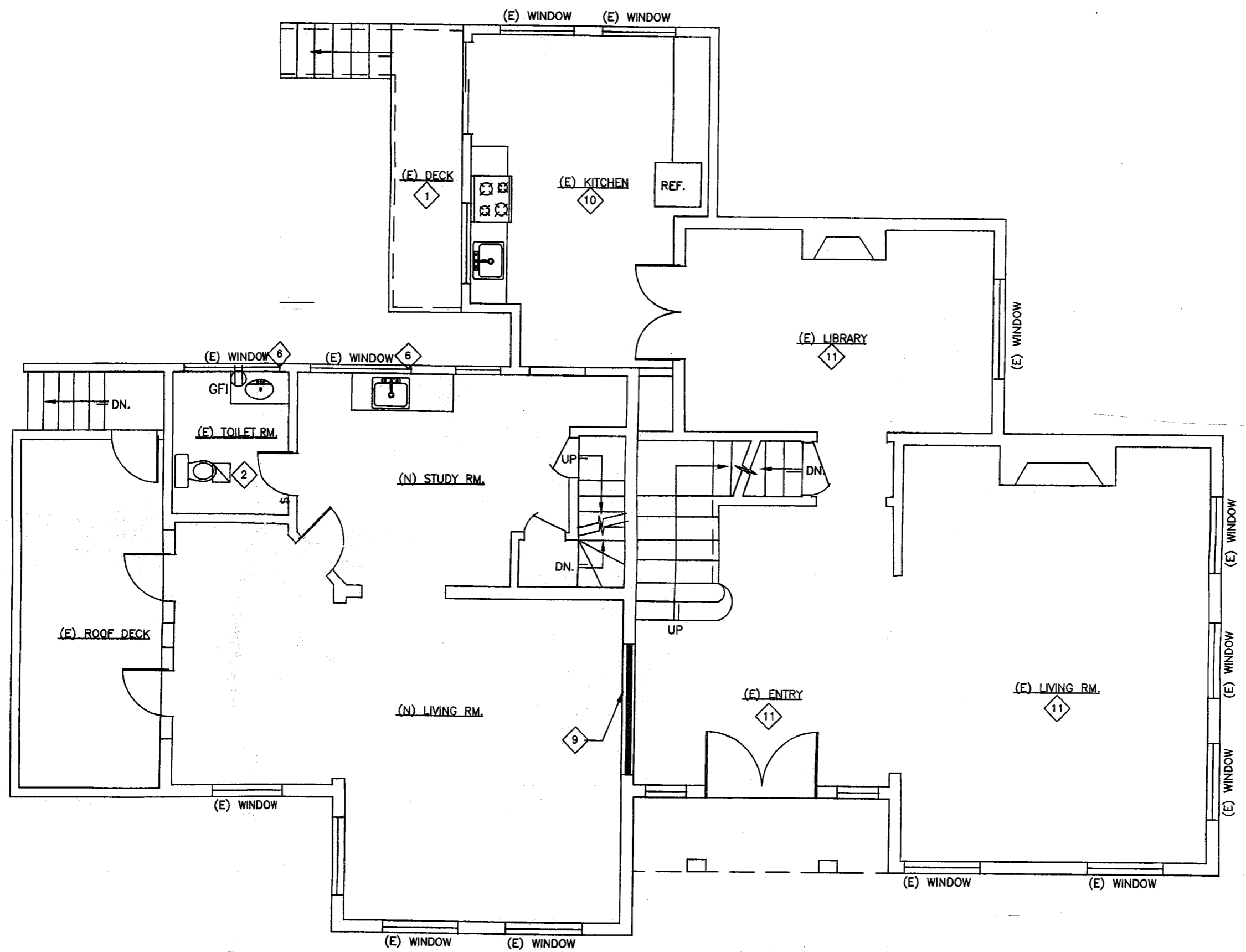
Sincerely,

A handwritten signature in black ink, appearing to be 'A. H. / [unclear]', written over a horizontal line.



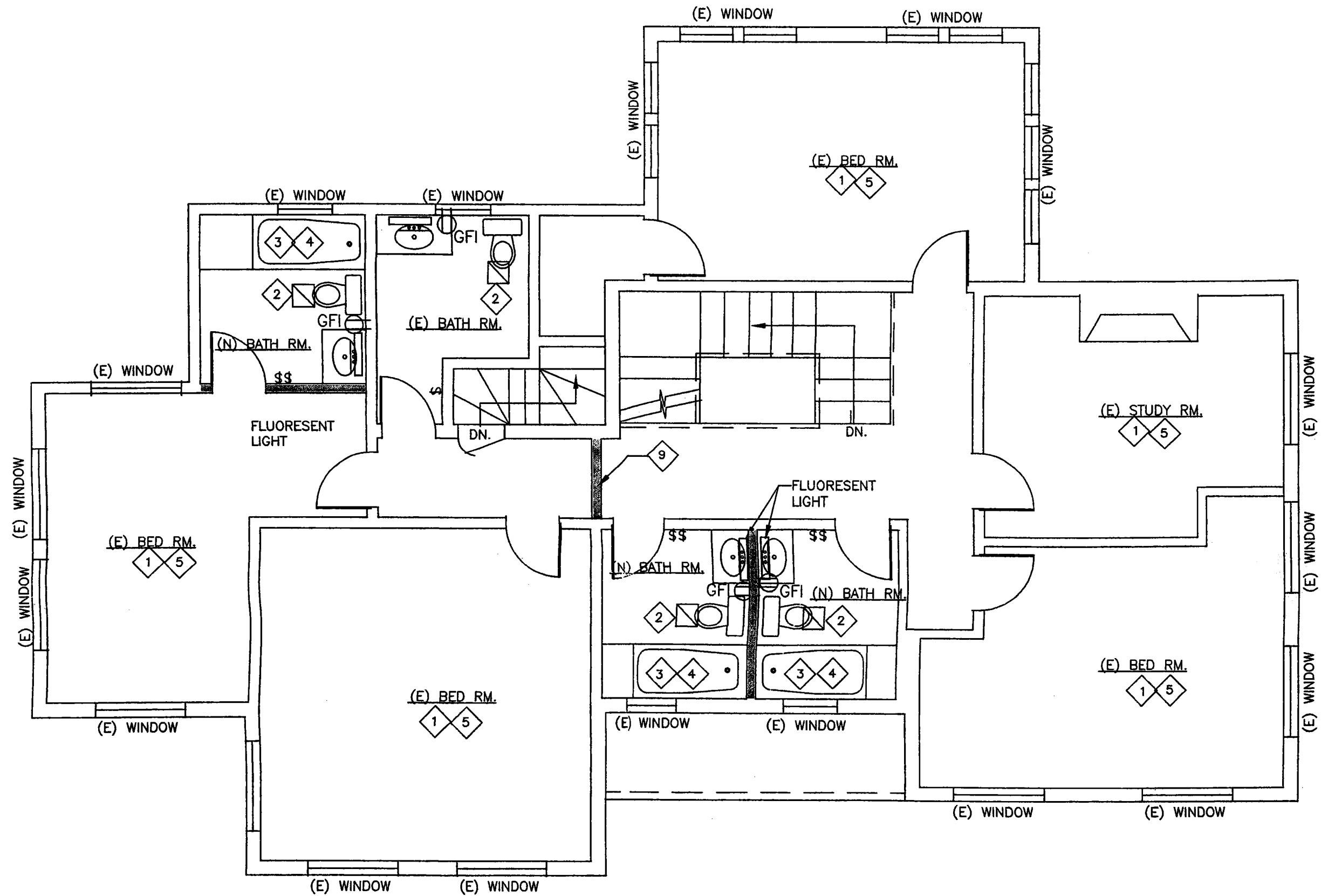
Existing Lower Floor Plan $\frac{1}{4}'' = 1' - 0''$

2641-2645 Lincoln Way, SF CA 94122



Existing Main Floor Plan $\frac{1}{4}'' = 1' - 0''$

2641-2645 Lincoln Way, SF CA 94122



Existing Second Floor Plan $\frac{1}{4}'' = 1' - 0''$

2641-2645 Lincoln Way, SF CA 94122

Many thanks for keeping
your neighbors posted
of your plans for the temple.
Please do not hesitate
to let us know if we
can support your request
with the planning department.
in any way. Maice & Theresa Clark
2631-3 Lincoln Hwy



To:
Cc:
Bcc:
Subject: Fw: 2645 Lincoln Way

Letter from a neighbor

----- Forwarded message -----

From: "Sylvia Nissim" <sylvianissim@comcast.net>

Date: Jun 2, 2012 12:53 PM

Subject: 2645 Lincoln Way

To: <thianngern@gmail.com>

Hello Saranya and Thammasak Thian-Ngern:

I'm your neighbor at 2625 Lincoln Way. I received your letter of May 23rd and also the City Planning Dept notice of hearing.

I'm sorry I was unable to join you on Thursday, but I want to let you know that I have no objections to the planned use of your building as both your residence and a part time church, especially as it does not seem that there will be any substantial change from the way things are now.

Sincerely yours,

Sylvia Nissim
2625 Lincoln Way
San Francisco CA
[415-564-2349](tel:415-564-2349)



Letter of Support.pdf