SAN FRANCISCO
PLANNING DEPARTMENT

Letter of Determination

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

June 5, 2009

Sabrina Fairchild
Devine and Gong, Inc.
100 Bush Street, Suite 600
San Francisco CA 94104

RE: 1619 Sutter Street – Nihonmachi Terrace Apartments
Block: 0687 Lot: 036

Dear Ms. Fairchild:

This letter is in response to your request for zoning verification regarding the property at 1619 Sutter Street, a.k.a. Nihonmachi Terrace Apartments. The subject parcel is located in an RM-4 (Residential, Mixed, High-Density) Zoning District. Section 209.1 of the Planning Code provides a maximum residential density in an RM-4 District that is equal to one dwelling unit for each 200 square feet of lot area.

According to the San Francisco Assessor's records the subject parcel currently contains 145 residential dwelling units with a lot area of 115,760 square feet. However, per a zoning verification letter from the San Francisco Redevelopment Agency (SFRA) attached to your request, 245 units exist on the entire lot. While sufficient information has not been provided to verify the existing legal unit count, the maximum unit density for an 115,760 square-foot-sized lot in an RM-4 Zoning District would allow for up to 579 dwelling units.

As the parcel was previously under the jurisdiction of the SFRA, if the project (and any alterations to the project) was legally constructed and completed under an issued building permit reviewed during the SFRA's jurisdiction, the work performed would be also be recognized as legal construction under the Planning Code. If portions of the existing building(s) were legally constructed, but are contrary to the setbacks, maximum building envelope, heights, etc. as prescribed by the Planning Code, those portions of the building are considered to be legal, noncomplying structures per Section 180 of the Planning Code.

Sabrina Fairchild
Devine & Gong, Inc.
100 Bush Street, Suite 600
San Francisco CA 94104

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

Sincerely,

Lawrence B. Badiner
Zoning Administrator

cc: Glenn Cabreros, Planner

GC G:\WP51\2009\Determination\1619 Sutter Street - Nihonmachi Terrace Determination.doc