



SAN FRANCISCO PLANNING DEPARTMENT

August 20, 2007

Ahmad Mohazab
Tecta Associates
2747 19th Street
San Francisco, CA 94110

**RE: Letter of Determination
1100 Junipero Serra Boulevard
Assessor's Block 7081B/Lot 001**

Dear Mr. Mohazab:

I am writing in response to your letter of June 25, 2007, received by the Planning Department July 20, 2007. In that letter, you requested a determination regarding the number of dwelling units that could be developed on the property and the rear yard requirement under the current zoning classification. The subject property is within an NC-1 (Neighborhood Commercial Cluster) District and within the 26-X Height and Bulk District.

The subject property appears to be 6,599 square feet in area. The NC-1 District permits a residential density of 1 dwelling unit per 800 square feet of lot area. This density would allow 8 dwelling units to be developed on the property. The adjacent property owned by the City and County of San Francisco is within a P, Public Use, district. Residential dwellings are not a permitted use in the P district. Combining the two parcels, without changing the zoning classification for the City parcel would not increase the number of units allowed on the site above 8 unless the zoning of the City lot was reclassified from Public Use to a district that permitted residential dwelling units.

Property that is not under the ownership control of the developer of an adjacent property, such as property leased from the City, cannot be used for increasing density, or compliance with Planning Code requirements such as rear yards or usable open space. The leased property could be sold or the lease terminated at any time creating a situation on the developed lot that would not comply with the requirements of the Planning Code. The Planning Code does not permit the creation of such circumstances.

The configuration of the lot and the NC-1 zoning classification allow a couple of options for location of the required rear yard. The NC-1 district requires a rear yard equal to 25% of the lot depth at the first residential level. For a project with ground floor commercial uses and residential uses on the upper floors the rear yard would only be required on the upper, residential, floors.

The rear yard for the subject property can be taken from one of two locations. Because of the triangular shape of the lot the rear yard under either option would be measured from a

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Ahmad Mohazab
Letter of Determination –1100 Junipero Serra Boulevard
August 13, 2007
Page 2.

hypothetical 5 foot long rear lot line projected out from the angle formed by the two side lot lines. First the rear yard could be opposite the 19th Avenue frontage and measured from the angle of intersection of the Randolph Street side property line and the interior side property line adjacent to the City owned lot. The rear yard depth would be measured from the midpoint of the 19th Avenue lot line to the midpoint of a line five feet long forming a triangle with the Randolph Street and the interior property lines. The required rear yard would be 25% of the length of this rear yard depth line.

Under the second option, the yard could be opposite Randolph Street and measured from the angle of the 19th Avenue side property line and the interior side property line. The rear yard depth would be measured from the midpoint of the Randolph Street lot line to the midpoint of a line five feet long forming a triangle with the 19th Avenue and the interior property lines. The required rear yard would be 25% of the length of this rear yard depth line. The Department would not support a rear yard setback at the corner of 19th Avenue and Juniero Serra Boulevard for urban design reasons. I have attached examples of both options to for further clarification. The property address could be from Randolph Street or 19th Avenue under either option.

In addition, Planning Code Section 134(e) allows the rear yard to be modified or waived by the Zoning Administrator for projects in Neighborhood Commercial districts that include residential units. The option that would require the least commitment of lot area might be to take the triangular area required for a yard opposite 19th Avenue and place it in another location per the Zoning Administrator option in Section 134(e) or to eliminate the yard all together as additionally provided under Section 134(e).

If anyone has substantial reason to believe that there was an error in interpretation of the provisions of the Planning Code, or abuse of discretion on the part of the Zoning Administrator, they may file an appeal with the Board of Appeals (1660 Mission Street, Room 3036 telephone: 575-6880) within fifteen (15) days of the date of this letter.

I hope this letter adequately addresses the questions in your letter. If you have any questions regarding this determination, please feel free to contact Rick Crawford of my staff, (415) 558-6358.

Sincerely,

Lawrence B. Badiner,
Zoning Administrator

cc: Rick Crawford, Planner

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