

PLANNING DEPARTMENT

City & County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103

MAIN NUMBER (415) 558-6378 DIRECTOR'S OFFICE PHONE: 558-6411 ZONING ADMINISTRATOR PHONE: 558-6350

PLANNING INFORMATION PHONE: 558-6377 COMMISSION CALENDAR INFO: 558-6422

4TH FLOOR FAX: 558-6426

5TH FLOOR FAX: 558-6409 MAJOR ENVIRONMENTAL FAX: 558-5991

INTERNET WEB SITE WWW.SFGOV.ORG/PLANNING

January 31, 2007

Dan Paris Group I 354 Pine Street, 7th floor San Francisco, CA 94104-3229

RE: Request for Written Determination Regarding Planning Code Section 817

Street Address: 113 Stillman Street

Block/Lot: 3762 / 122

Zoning: SLI (Service/Light Industrial) Mixed Use District

Dear Mr. Paris:

In response to your letter dated January 2, 2007, requesting a written determination of the allowable uses at the above-mentioned property, the following determination has been made:

Background/Zoning Classification

The proposal is to utilize an existing building for a general contractor business and a real estate development company. This potential project site is located within an SLI (Service/Light Industrial) Mixed Use District.

Planning Code Section 817 states that the Service/Light Industrial (SLI) District is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, arts uses, light industrial activities and small design professional office firms.

Sections 817.64 through 817.67 state that the following industrial activities are principally permitted in the SLI District: Wholesale Sales; Light Manufacturing; Storage; All Other Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment.

Planning Code Section 890.124(g) states that a trade shop within South of Market Districts shall include the offices of building, plumbing, electrical, painting, masonry, roofing, furnace or pest control contractors and storage of incidental equipment and supplies used by them. This use shall be permitted if located entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of an R District.

Pursuant to Planning Code Sections 817.51 and 890.70, office uses are not permitted in the SLI District. Workspace for design professionals is permitted, pursuant to Code Section 817.49, although specifically defined in Section 890.28 to include architectural, landscape architectural, engineering, interior design, and industrial design services. Additionally, a permit history conducted for the subject lot gives no indication that office use, as a principally permitted use, was ever approved on this site. Although a 1979 building permit was approved to convert a portion of the lower floor of the building to office space, this space was less than 25-percent of

Dan Paris - Group I Letter of Determination – 113 Stillman Street January 31, 2007 Page 2.

the primary use, and would thus be considered accessory to the primary light industrial use on the site.

Determination

Therefore, the general contractor business would be permitted on the subject lot as a trade shop pursuant to Planning Code Section 890.124(g). A real estate development company would be considered an "Office Use," which is defined in Section 890.70 as persons or entities providing administrative services, design services, professional services, financial services, or medical services. This use would not be permitted in the SLI District.

Please direct any questions regarding this letter to Michelle Glueckert of my staff at (415) 558-6543.

If anyone has substantial reason to believe that there is an error in the interpretation of the Planning Code, or abuse of discretion on the part of the Zoning Administrator, this determination may be appealed to the Board of Appeals within fifteen (15) days from the date of this letter. For further information regarding the appeals process, please contact the Board of Appeals, 1660 Mission Street, Room 3036, San Francisco, or by telephone at (415) 575-6880.

Sincerely,

Lawrence B. Badiner Zoning Administrator

cc: Laruen Schall
Michelle Glueckert

G:\PROJECTS\ZA Letters\113 Stillman.doc