## **Letter of Determination**

April 24, 2009

Jim Fagler, AIA Gelfand Partners Architects 450 Geary Street, Suite 100 San Francisco CA 94102

RE:

1624 Eddy Street, Block: 730 Lot: 044

1625 Eddy Street, Block: 751 Lot: 001 (AKA 1150 Pierce Street)

Dear Mr. Fagler:

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

This letter is in response to your request for a letter of determination regarding the properties at 1624 and 1625 Eddy Street (AKA 1150 Pierce). Parcel 730/044 (1624 Eddy Street) is split zoned with the southwest corner of the parcel zoned Neighborhood Commercial Cluster District (NC-1) and the balance of the parcel zoned Residential, Mixed Moderate Density (RM-2) with a 65-A height and bulk limit. Parcel 751/001 (1625 Eddy Street/1500 Pierce Street) is zoned Residential, Mixed Moderate Density (RM-2) with a 65-A height and bulk limit. The request is to determine the review process to construct laundry and trash facilities on the sites, the open space and rear yard requirements, and notification process for the proposed alterations.

At 1625 Eddy Street (AKA 1150 Pierce Street), a one-story, 1400 square-foot laundry and maintenance/storage building is proposed to be constructed in the asphalt sport court located in the central open area of the complex and a new trash compactor with 6-foot tall fence would be located in the parking lot adjacent to Pierce Street, at the west end of the complex. At 1624 Eddy Street, a one-story, 500 square-foot laundry room is proposed to be constructed where an existing ramp to the community center is currently located. Existing play structures would be replaced in their current central courtyard locations at both complexes.

The arrangement of the buildings on the two sites, with residential buildings generally located at the sites' perimeters and open space generally located within the central portions of each site, lead me to the determination that the properties' "rear yard" equivalents would be within the sites' centers. Therefore, the construction of laundry buildings and the placement of the trash compactor within the "rear yards" of the sites would be contrary to the Planning Code's rear yard requirement.

Due to the large lot sizes of the two properties, the construction of the laundry buildings would require that Planned Unit Development (PUD)/Conditional Use (CU) entitlements be approved by the Planning Commission. Planning Code Section 305(a) specifically restricts the use of a variance to exempt a project from Planning Code requirements when a Conditional Use procedure is provided by the Code. In the

Jim Fagler, AIA Gelfand Partners Architects 450 Geary Street, Suite 100 San Francisco CA 94102 April 24, 2009 Letter of Determination 1624, 1625 Eddy Street

case of these projects, the PUD/CU process allows for the modification of the rear yard requirement to locate structures within the properties' rear yard equivalent areas.

The PUD/CU process would require that notices of the Planning Commission hearing be posted on both sites. Notices would also be mailed to residents of the sites, property owners within 300 feet of the sites and, to comply with Planning Code Section 311 regarding notification for building permit applications associated with the projects, occupants within 150 feet of the sites.

Planning Code Section 136(c)(20) permits play equipment to be located within required rear yards and open space. Section 311 exempts such structures from neighborhood notification.

Generally speaking, with existing development concentrated around the properties' perimeters, the Planning Department would encourage any proposed development to conform to this pattern in order to preserve the interiors of the sites as open/mid-block spaces.

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: Sara Vellve, Planner

G:\WP51\1624, 1625 Eddy Street.doc