

## PLANNING DEPARTMENT

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January 24, 2007

UBS Real Estate Securities, Inc., Its Successors and / or assigns 1285 Avenue of the Americas New York, New York 10019

**Attention: Oliver Striker** 

RE: ZONING LETTER FOR THE PROPERTY AT 180 –190 O'FARRELL STREET San Francisco, CA.

BLOCK: 0314 LOT: 006

Dear Mr. Striker:

This letter is in response to your correspondence received December 15, 2006, requesting zoning information for the property at 180-190 O'Farrell Street. This property is located in the C-3-R (Downtown Retail) zoning district with 80-130 feet height and "F" bulk limitation. The Downtown Retail District is a regional center for comparison-shopping retailing and direct consumer services. The subject site is 4,303 square feet of lot area.

The subject property is not in any Special Use District. The subject building is noted as a Category IV (Contributory Building) within the Kearny-Market-Mason-Sutter conservation district as designated in Article 11 of the Planning Code. It is also noted in the 1976 Survey of Architecturally Significant buildings conducted by the San Francisco Planning Department, Unreinforced Masonry building listing and the Heritage Foundation Survey as a building of contextual importance. Because the building is subject to Article 11 controls, any façade alterations must undergo a review process to determine whether the proposed work is "major" or "minor" alteration. If the alteration is "minor", then the permit is reviewed administratively. If the alteration is "major", then the applicant must file a Permit to Alter, which is reviewed by the Landmarks and Preservation Advisory Board, and acted upon by the Director of Planning.

Our records do not indicate any variances, special exceptions or conditional use permit granted for Planned Unit Development or other uses on the subject property. Our assessor's record shows that the subject property is occupied by a Hotel. The current use of the subject property as a Hotel is permitted only by conditional use authorization from the Planning Commission. There are no complaints noted on our Planning Enforcement Tracking records for this property.

To the best of our knowledge the subject building complies with all applicable laws and regulations. Also, if the subject building is destroyed, it can be replaced or re-built to its original condition and use.

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Information regarding violations of the Building Code as well as the Certificate of Occupancy is the jurisdiction of the Department of Building Inspection. For violations please contact this department at:

Department of Building Inspection 1660 Mission Street San Francisco, CA 94103

This letter and the attached information sheets should provide you with a summary of the information requested in your letter received on December 15, 2006. The Planning Department has not made a site inspection to determine the existence of possible unabated violations of the Planning Code. Our records do not indicate any Planning Code violations. Any additional research needed shall be subject to time and materials billing at the standard Planning Department rates. If you should have any further questions please contact Valentine Isoken Omokaro at 415-558-6403.

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 Permit Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Permit Appeals located at 1660 Mission Street, Room 3036, San Francisco, or call (415) 575-6880.

Sincerely,

Lawrence B. Badiner (Zoning Administrator)

n:/za/determine/2007/180-1900'FarrellStreet.