



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

August 21, 2008

Marie Zeller, AICP
Patri Marker Architects
400 Second Street, Suite 400
San Francisco CA 94107

RE: 201 CALIFORNIA STREET, Block: 0262 Lot: 021

Dear Ms. Zeller:

This letter is in response to your request for a zoning letter of determination for the property at 201 California Street in the C-3-O (Downtown Office) Zoning District. Your letter asks whether an area of approximately 770 square feet that would be created by enclosing part of the existing ground floor colonnade of the building would increase the building FAR.

Building FAR is the ratio of the building's Gross Floor Area to the lot area. Thus, barring a reduction in lot size (e.g. as the result of a lot split), FAR can only increase as a result of a net increase in Gross Floor Area. Pursuant to Section 102.9 of the Planning Code, the floor area of "arcades, plazas, walkways, porches, breezeways, porticos and similar features" is excluded from Gross Floor Area, as is "space devoted to personal services, restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75 percent of the area of the ground floor of the building plus the ground level, on-site open space". The plans attached to your letter show that the area that would be enclosed would be added to three separate commercial spaces, each measuring less than 5,000 square feet, and the total floor area of the commercial spaces shown in the plans does not exceed 75 percent of the lot area. Enclosing the colonnade, if carried out according to the plans attached to your letter, would thus not lead to a net increase the Gross Floor Area, provided the commercial spaces are occupied by establishments meeting the above definition.

The plans attached to your letter also show a "property management office" that would occupy 1,809 square feet in what is presently a commercial space measuring 9,539 square feet. Since this commercial space measures more than 5,000 square feet, it is included in the current building Gross Floor Area. Per Section 102.9, "Ground floor area in the C-3-0, C-3-O(SD), C-3-S, C-3-S(SU) and C-3-G Districts devoted to building or pedestrian circulation and building service" is excluded from Gross Floor Area. An office devoted to the management of the building would appear to belong to this last category. The creation of the property management office as shown in the plans would thus in itself reduce the Gross Floor Area of the building by 1,809 square feet.

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In total, the plans attached to your letter would result in: a) a possible increase of 770 square feet in the building's Gross Floor Area and b) a reduction of 1,809 square feet in the building's Gross Floor Area. Enclosing the colonnade and otherwise altering the building as shown in these plans thus would not result in a net increase in Gross Floor Area., and thus would not increase the building FAR.

This determination does not imply that the plans attached to your letter represent a project that would be approvable by the Planning Department. The building was granted a "corner bonus" of 38,678 square feet of Gross Floor Area, apparently for providing covered pedestrian queuing space in the corner of the colonnade, and thus must continue to provide this amenity. Planning Department evaluation of a project that would fill in the colonnade would also consider, among other factors, urban design principles that encourage additional pedestrian queuing space at busy downtown intersections with narrow sidewalks.

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 1660 Mission Street, Room 3036, San Francisco, or call (415) 575-6880.

Sincerely,



Craig Nikitas
Acting Zoning Administrator

cc: Amnon Ben-Pazi, Planner

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