



PLANNING DEPARTMENT

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March 28, 2007

Cox Castle & Nicholson LLP
Attn: Sarah E. Owsowitz
555 Montgomery Street, Suite 1500
San Francisco, CA 94111

Dear Ms. Owsowitz:

**RE: Letter of Determination
301 Howard Street, San Francisco, CA
Assessor Block: 3738 Lot: 011
Zoning: C-3-O (SD)**

This letter confirms the zoning for 301 Howard Street (Block 3738, Lot 011) as C-3-O (SD) with a height limit of 200 feet and an "S" bulk limitation. Uses permitted in a C-3-O District are outlined in Planning Code Sections 215 through 227. The Howard Street property's authorized use is an office building, which is a conforming use within the C-3-O zoning district. The property is further regulated by the controls for the Redevelopment Plan for the Transbay Terminal Redevelopment Project Area (Transbay – Zone 2).

As per conditions set forth in Planning Code Section 181, an existing legal use with all applicable building permits and a Certificate of Occupancy on record with the Department of Building Inspection can be reconstructed in the event of an "Act of God" which destroys the building and its associated use.

As per conditions set forth in Planning Code Section 188, a noncomplying structure may be enlarged, altered or relocated, or undergo a change or intensification of use in conformity with the use limitations of the Code, provided that with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in the Code, and provided the remaining requirements of the Code are met. In addition, a noncomplying structure that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition.

There are no Planning Code violations; outstanding or unsatisfied conditions of approval imposed on the Property by the Planning Department, including without limitation, pursuant to Planning Commission Resolution No. 8769 and variance decision VZ 80.144; or outstanding mitigation or impact fee obligations with respect to the property.

Should you have any questions about the contents of this letter, please contact **Shaunn Mendrin** at **(415) 558-6625**.

If you believe that this determination represents an error in interpretation of the Planning Code or abuse of 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,

Lawrence B. Badiner
Zoning Administrator