



# PLANNING DEPARTMENT

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February 2, 2005

Mr. Todd Kimes  
CASE Architects  
1033 Polk Street  
San Francisco, CA 94109

**RE: Request for Written Determination Pursuant to Planning Code Sections 132, 303 & 311  
390 Missouri Street, San Francisco—St. Teresa of Avila Church  
Assessor's Block: 4036; Lot: 017  
Zoning: RH-2 (House, Two-Family) District  
Height/Bulk: 40-X**

Dear Mr. Kimes:

This is in response to your letter of December 16, 2004, requesting a written determination concerning how to determine the "front" of the subject building for rear yard calculation purposes, whether the two exit stair additions would constitute an intensification of use (therefore requiring a conditional use authorization), and whether the proposed new construction would require Section 311 neighborhood notification.

## Background

The 12,500 square-foot lot is bounded by Connecticut and Missouri Streets between 18<sup>th</sup> and 19<sup>th</sup> Streets in an RH-2 Zoning District, and a 40-X Height and Bulk District. The lot is currently occupied by a two-story over basement church building, located on the corner of 19<sup>th</sup> and Connecticut Streets. The current church use is a legal use that would require a Conditional Use Authorization under the existing zoning.

## Proposal

The Project Sponsor proposes to construct two new emergency exit stairs to comply with current Building Code standards. The proposed exterior stair would be located at the northeast corner of the building, towards the rear, and the interior exit stair would be located at the rear, northwest corner of the building. To create headroom, the new interior stair would require a vertical expansion approximately five and a half feet above the lowered roof at that area.

## Determination

The prevailing pattern of the block has building frontage on Connecticut Street, and therefore the proposed additions are within the buildable area of the lot.

The proposed alterations, which are being carried out to comply with Building Code requirements for emergency exiting, do not create new area for the church use, and would not be construed as an intensification of the church use. Therefore, these minor additions would not trigger the Conditional Use process.

Mr. Todd Kimes  
CASE Architects  
Re: 390 Missouri Street  
February 2, 2005  
Page 2

The proposed alterations would not require Section 311 neighborhood notification, since that notification only applies to residential buildings in RH and RM Districts; however, we would suggest you discuss the proposed additions with the property owner to the north.

Please direct any questions regarding this letter to Winslow Hastie at (415) 558.6381 or via email at [winslow.hastie@sfgov.org](mailto:winslow.hastie@sfgov.org).

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: Winslow Hastie, SF Planning Department

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