



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

August 5, 2010

Andy Levine
Levine Architects
447 – 29th Street
San Francisco CA 94131

**RE: 2001 Union Street
Block: 0541 Lot: 024**

Dear Mr. Levine:

This letter is in response to your request for a letter of determination regarding the property at 2001 Union Street, constructed between 1969 and 1971. This parcel is located in the Union Street Neighborhood Commercial District with a 40-X height and bulk limitation.

The request is whether the three following building alterations would affect the Floor Area Ratio (FAR) calculation: (a) creating rentable space from circulation/corridor space; (b) creating rentable space by constructing a new floor plate to separate an existing double-height retail space on the ground floor; (c) infilling an existing interior stairwell. Your letter indicates that the building currently exceeds the FAR limit of 3.0 to 1 for the Union Street Neighborhood Commercial District. Planning Code Section 102.9 defines the areas of a building subject to the FAR calculation and how to calculate the gross floor area.

If the building were proposed today with current Planning Code requirements, the Department would use the floor area subject to Section 102.9 in its FAR calculation, and the floor area of the second-floor "void" would be subtracted from the gross floor area. If the second-floor "void" were to be subsequently filled in, the Department would then calculate the new gross floor area subject to the FAR to determine the building's compliance with Section 102.9.

Since the floor area related to alterations (a) and (c) above currently exists, and altering the use of the areas does not change the way these areas are considered in the FAR calculation, the conversion of these spaces as described in your letter would be permitted. However, any additional floor space created that is subject to the FAR calculation would exacerbate a noncomplying situation for which there is no remedy, since exceeding the FAR limitation is tantamount to a zoning reclassification. Alteration (b) proposed above would not be permitted unless the underlying zoning were to be changed to permit the proposed FAR.

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San Francisco,
CA 94103-2479

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Andy Levine
Levine Architects
447 – 29th Street
San Francisco CA 94131

August 5, 2010
Letter of Determination
2001 Union Street

If you have any questions or need further assistance, please contact Sara Vellve at (415) 558-6263.

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,



Scott F. Sanchez
Acting Zoning Administrator

cc: Sara Vellve, Planner

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June 14, 2010

Zoning Administrator
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

ID # 9005 N.W. D. LINDSAY
CK # 391 \$ 549.50
(0541/024)

RECEIVED

Re: Request for Letter of Determination
In-fill four floor areas on 2nd Floor
Union Street Plaza, 2001 Union Street

JUN 16 2010

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

Dear Zoning Administrator:

We would like to request your assistance to issue a Letter of Determination regarding the calculations for the Floor Area Ratio (FAR) at Union Street Plaza, 2001 Union Street. We have enclosed a check in the amount of \$549.50 for departmental processing fees.

Preliminary Code analysis

As shown on the attached drawings of the existing and proposed conditions, we would like to modify the four areas on the 2nd floor, indicated by a crosshatched pattern. In preliminary discussions with senior planners at the Planning Information Counter, we believe that these proposed changes do not affect the FAR calculations. The proposed changes are all within the existing exterior envelop of the building, and thus the changes do no alter the calculations of the "gross floor area."

Background information about the building

Union Street Plaza is a six story office building located at 2001 Union Street, at the corner of Union and Buchanan Streets in San Francisco. The building was built from 1969 to 1971 and has exterior walls covered with brick facing. There are retail stores on the ground floor, with professional offices on the upper five floors, and four levels of parking below grade. The property is within the Union Street Neighborhood Commercial District, and has a FAR limit of 3.0 to 1.

Proposed in-fill areas

There are four areas that we propose to change on the 2nd floor, as follows:

Areas #1 and 2 exist as open corridor areas that would be converted to rentable areas for office or storage use for tenants.

Area #3 is a double-height space, open to the ground floor retail space. We propose to construct a new floor slab to make this a rentable area accessible from the 2nd floor.

Area #4 is an existing convenience stair. We propose to remove this stair, and construct a new floor slab to make this a rentable area accessible from the 2nd floor.

Our intent is that all four of these areas would be leased as office space or tenant storage space, either individually or combined into a larger space.

Code analysis

Based on our review and analysis of Planning Code Section 102.9, we determined that:

- 1) Converting from circulation/corridor space to rentable space does not alter the FAR calculation. The existing and the proposed uses are both included in the calculation of the “gross floor area.”
- 2) In-filling the floor at the double-height mezzanine does not alter the FAR calculation. Per subsection (5) of Section 102.9, interior mezzanines are included in the “gross floor area” so there is no impact on the FAR by in-filling this floor to make it part of the 2nd floor.
- 3) In-filling the floor at the existing convenience stair does not alter the FAR calculation. Per subsection (2) of Section 102.9, interior stairwells are included in the “gross floor area” so there is no impact on the FAR by in-filling this floor to make it part of the 2nd floor.

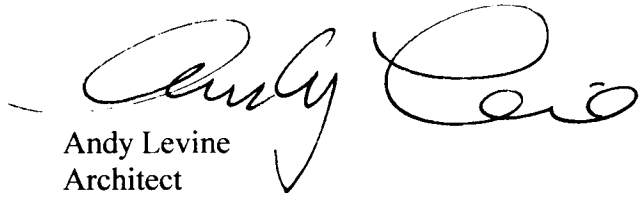
Summary

The FAR for the existing six-story building at 2001 Union Street exceeds the current allowable FAR limit of 3.0 to 1. The proposed four changes at the interior of the 2nd floor do not increase the existing FAR calculation. We hope that you concur with our code interpretation and that you will issue a Letter of Determination indicating that the Planning department will allow these four proposed areas of change.

We appreciate your review of these matters. Please call me at (415) 282-4643 with any comments or questions. Thank you very much.

*Request for Letter of Determination
In-fill floor areas on 2nd Floor
Union Street Plaza, 2001 Union Street, San Francisco
June 14, 2010*

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Levine". The signature is fluid and cursive, with the first name "Andy" written in a larger, more prominent script than the last name "Levine".

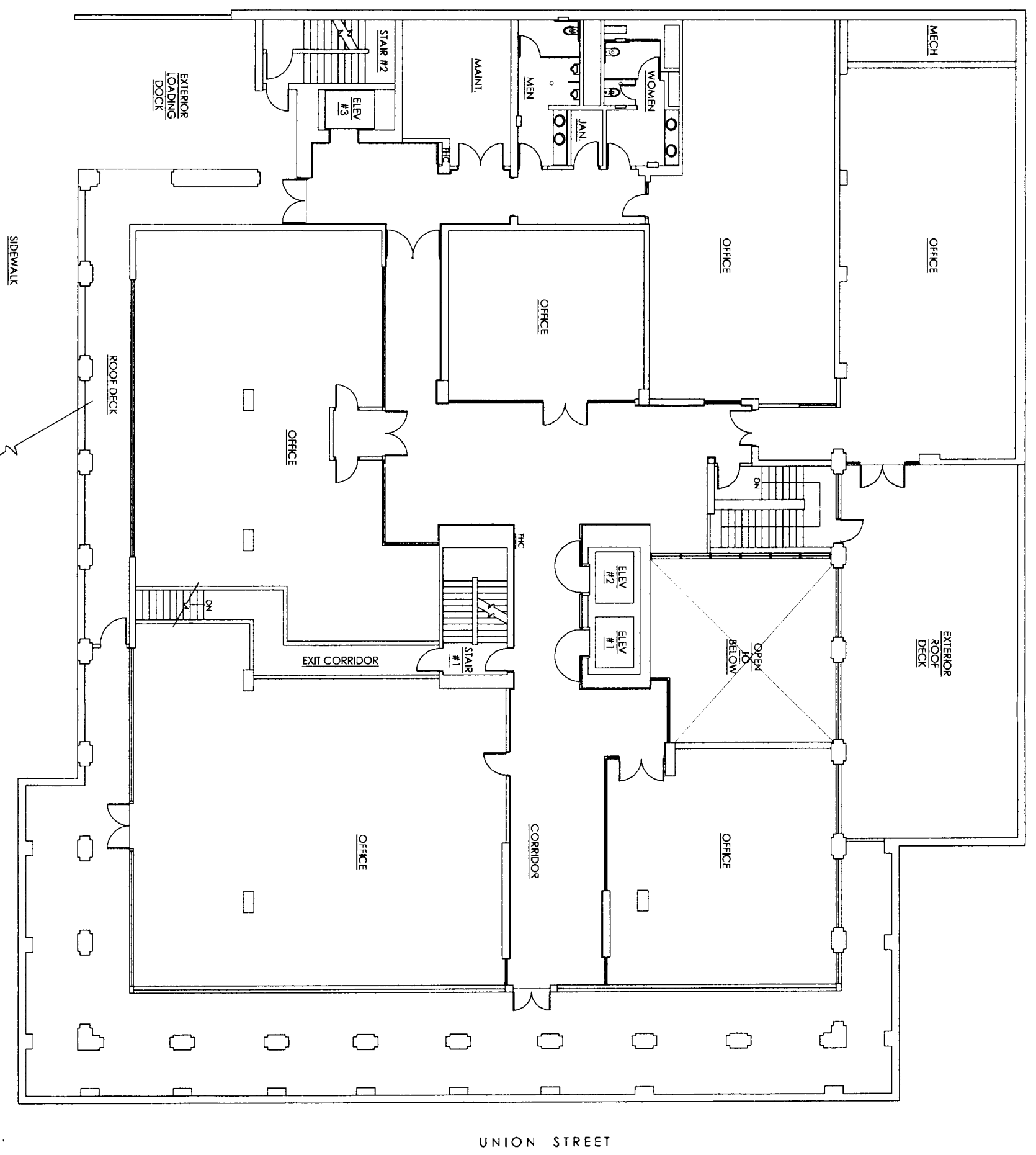
Andy Levine
Architect

Cc: Ron Harris, Cantrell Harris & Associates

1

EXISTING SECOND FLOOR PLAN

BUCHANAN STREET



SCALE: 1/8" = 1'-0"



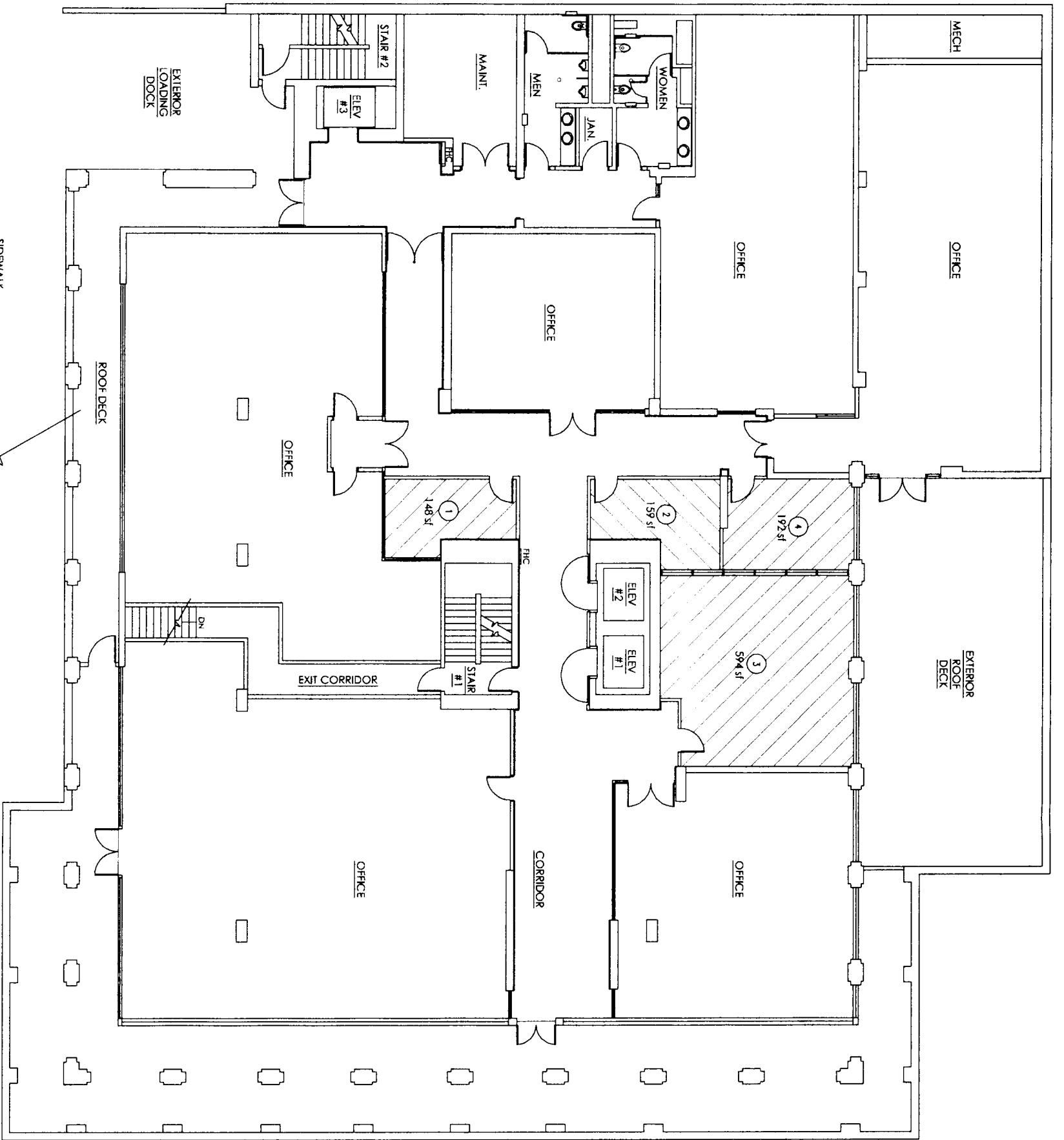
SHEET NO.
A-1.0

Union Street Plaza
 2001 Union Street
 San Francisco, CA

SHEET TITLE:
**EXISTING
 SECOND FLOOR PLAN**

LEVINE ARCHITECTS
 447 29TH STREET
 SAN FRANCISCO, CA
 (415) 282-4643

REVISIONS	DATE



UNION STREET

1

PROPOSED SECOND FLOOR PLAN

BUCHANAN STREET

SCALE: 1/16" = 1'-0"



SHEET NO.
A-1.1.1

Union Street Plaza
2001 Union Street
San Francisco, CA

SHEET TITLE:
**PROPOSED
SECOND FLOOR PLAN**

LEVINE ARCHITECTS
447 29TH STREET
SAN FRANCISCO, CA
(415) 282-4643

REVISIONS	DATE