



# SAN FRANCISCO PLANNING DEPARTMENT

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## Letter of Determination

March 15, 2016

Robert Edmonds  
Edmonds + Lee Architects  
2601 Mission Street, #503  
San Francisco CA 94110

**Site Address:** 165 Page Street  
**Assessor's Block/Lot:** 0853/015  
**Zoning District:** Moderate Scale Neighborhood Commercial Transit (NCT-3)

**Site Address:** Central Freeway Parcel T  
**Assessor's Block/Lot:** 0853/022  
**Zoning District:** Hayes Gough Neighborhood Commercial Transit (NCT)

**Staff Contact:** Carly Grob, (415) 575-9138 or [carly.grob@sfgov.org](mailto:carly.grob@sfgov.org)  
**Record No.:** 2016-002104ZAD

Dear Mr. Edmonds:

This letter is in response to your request for a Letter of Determination regarding 165 Page Street and Central Freeway Parcel T. 165 Page Street is located in the Moderate Scale Neighborhood Commercial Transit (NCT-3) Zoning District and 50-X Height and Bulk District. Parcel T is located in the Hayes-Gough Neighborhood Commercial Transit (NCT) Zoning District and 50-X Height and Bulk District. The request is to determine if a rear yard setback is required for a proposed development which would occupy both parcels.

Per Planning Code Section 134(a)(1), the typical minimum rear yard depth in Neighborhood Commercial (NC) Zoning Districts shall be equal to 25% of total lot depth on which the building is situated, and in no cases less than 15 feet. Section 134(a)(1)(C) states that in NCT-3 and Hayes-Gough NCT Districts, rear yards shall be provided at the lowest level containing a dwelling unit. This section also states that in the Hayes-Gough NCT, lots fronting the east side of Octavia Boulevard between Linden and Market Streets (Central Freeway Parcels L, M, N, R, S, T, U, and V) are not required to provide rear yards at any level of the building, provided that the project fully meets the usable open space requirement for Dwelling Units per Planning Code Section 135, the exposure requirements of Section 140, and gives adequate architectural consideration to the light and air needs of adjacent buildings given the constraints of the project site.

A proposed project which only occupied Parcel T would not be required to provide a rear yard setback provided that the other criteria of Section 134(a)(1)(C) are met. However, merging the subject lots would

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Parcel T and 165 Page Street

not change the requirements of the underlying Zoning Districts. The rear yard exemption in Section 134(a)(1)(C) applies only to certain Central Freeway parcels along Octavia Boulevard which are located within the Hayes-Gough NCT. The property at 165 Page Street is located within the NCT-3 District, in which a rear yard is required. Therefore, a rear yard setback would be required at the lowest level containing a dwelling unit on the portion of the property that is located within the NCT-3 District.

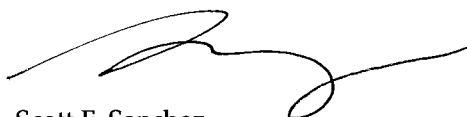
It should be noted that Section 134(e)(1) allows the Zoning Administrator to modify or waive the rear yard requirement in NC Districts pursuant to the procedures which are applicable to variances if all of the following criteria are met:

1. Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development; and
2. The proposed new or expanding structure will not significantly impede the access of light and air and views from adjacent properties; and
3. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.

**Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.**

**APPEAL:** 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  
Zoning Administrator

cc: Kate Conner, Planner  
Property Owner  
Neighborhood Groups  
BBN Requestor (if any)