



# SAN FRANCISCO PLANNING DEPARTMENT

## Letter of Determination

October 18, 2016

Lucia McDonald  
Embarcadero 4, Suite 1400  
San Francisco, CA 94114

**Site Address:** 1750 Harrison Street  
**Assessor's Block/Lot:** 3529/051  
**Zoning District:** Production, Distribution and Repair -1- General  
**Staff Contact:** Esmeralda Jardines, (415) 575-9144 or [esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org)  
**Record No.:** 2016-016077ZAD

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Dear Ms. MacDonald:

This letter is in response to your request for a Letter of Determination regarding the property at 1750 Harrison Street. This parcel is located in the PDR-1-G (Production, Distribution and Repair – General) Zoning District and 58-X Height and Bulk District. The request is to determine if a Conditional Use Authorization is required for a public parking lot to service Office Max (1750 Harrison Street), Rainbow Grocery (1745 Folsom Street) and other retail uses in the vicinity.

The subject property at 1750 Harrison Street was constructed in 1996 under Building Permit Application No. 9602085. At that time, the subject property was located within an M-1 (Light Industrial) Zoning District which required a minimum of 54 off-street parking spaces for the 25,000 square feet of retail space in the project. The environmental review for the project (Case No. 1995.621E) found that the project was expected to generate a parking demand of approximately 34 parking spaces. The project included a parking lot with 83 off-street parking spaces, which exceeded the 54 spaces required by the Planning Code. The records do not indicate that any portion of the subject parking lot were used for any purpose other than serving uses on the subject lot.

In January, 2009, the subject property was rezoned from M-1 to PDR-1-G. Per Planning Code Section 151.1, the subject property is now subject to a parking maximum (rather than a parking minimum). Section 151.1 allows up to 83 off-street parking spaces as an accessory use to serve uses on the subject property. As such, all existing parking on the lot is considered to be legal accessory parking serving uses on the subject lot.

Planning Code Section 102 defines Public Parking Lot as follows:

*A Retail Automotive Use that provides temporary parking accommodations for private automobiles, trucks, vans, bicycles, or motorcycles on an open lot or lot surrounded by a fence or wall open to the general public, without parking of recreational vehicles, motor homes, boats, or other vehicles, or storage of vehicles, goods, or equipment. Provisions regulating automobile parking are set forth in Sections 155, 156, 157, and other provisions of Article 1.5 of this Code.*

Lucia MacDonald  
4 Embarcadero Center Suite 1400  
San Francisco CA 94111

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1750 Harrison Street

Per Planning Code Section 210.3, a public parking lot is conditionally permitted with the PDR-1-G Zoning District. Therefore, the proposal to convert the existing parking to a Public Parking Lot would require a Conditional Use Authorization.

**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: Esmeralda Jardines, Planner  
Property Owner  
Neighborhood Groups  
BBN Holder (if any)

COMB

Find your spot

R # 2015 - 016077 ZAD  
CK # 1051 \$ 645, -  
J. BANALES (SE)

December 6, 2015

Zoning Administrator Office of San Francisco  
1650 Mission Street  
Suite 400  
San Francisco, CA 94103

### Request for Letter of Determination

Dear Zoning Administrator and Mr. Sanchez,

Happy holidays. My name is Lucia MacDonald and I'm a principal of COMB Parking, a San Francisco based parking management company.

3529/051

The San Francisco Planning Department staff directed me to request a letter of determination from your office for 1750 Harrison Street, which is the Office Max retail building and associated parking lot. Our correspondence with the Planning Department is attached for your reference. The purpose of this request is as follows.

Office Max has asked COMB to manage their parking lot at 1750 Harrison Street. 1750 Harrison Street is a parking lot that serves not only Office Max retail customers, but also customers or clients of neighboring businesses. Customers of Rainbow Grocery, Wag Hotel, food truck customers, and customers of other neighboring businesses also park at this location. Rainbow Grocery customers overrun the Office Max lot (at the risk being towed). It's functionally a public parking lot and has operated this way for many years.

In addition, Office Max has asked COMB to remedy other problems at this site. There is a high rate of car break-ins here, homeless encampments, and debris build up on this lot. It's been a significant problem for Office Max.

Office Max has asked COMB to manage this parking lot as follows:

- Manage a relationship between Rainbow Grocery and Office Max in order to alleviate the traffic jam of Rainbow Grocery customers on Harrison Street and direct them to designated parking spots on the Office Max lot;
- Have an attendant present to monitor the lot thereby preventing car break-ins;
- Have an attendant present to monitor and report homeless encampments on site;
- Have an attendant manage any car towing needs.

Of course, these services cost money. Money would be exchanged between COMB and Office Max for these services. And, Rainbow Grocery would pay to reserve a

designated and limited number of parking spaces at the 1750 Harrison Street parking lot because managing that costs money too. The appropriate parking taxes would be paid to the City.

Here is the question. Is a conditional use required for the above envisioned operations, even though 1750 Harrison Street is an existing parking lot that, for many years, has functioned as a public parking lot?

This is a great opportunity to improve this area. The 1750 Harrison Street parking lot would become safer for all customers, and the Rainbow Grocery traffic jam (and corresponding environmental injury caused by idling cars) would be alleviated, and the appropriate taxes would be rendered to the City. However, COMB would not be able to provide these services and alleviate these issues if a CU is required.

Thank you and I look forward to your response.

Best regards,

A handwritten signature in black ink, appearing to read 'Lucia MacDonald', with a long horizontal line extending to the right.

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Lucia MacDonald  
lucia.m@comb-parking.com  
COMB