



# SAN FRANCISCO PLANNING DEPARTMENT

## Discretionary Review Action DRA-0246, DRA-0247

HEARING DATE: DECEMBER 8, 2011

*Date:* December 12, 2011  
*Case No.:* 2005.0844DD and 2008.0224D  
*Project Address:* 42 MIRAMAR AVENUE  
*Demolition Permit:* 2005.05.16.2509  
*Building Permit:* 2005.05.16.2506  
*Zoning:* RH-1 (Residential, House, One-Family) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 7016/033  
*Project Sponsor:* Santos & Urrutia Structural Engineers  
2451 Harrison Street  
San Francisco, CA 94110  
*DR Requestor:* Jason and Qin Stone  
26 Miramar Avenue  
San Francisco, CA 94112  
*Staff Contact:* Tom Wang – (415) 558-6335  
[thomas.wang@sfgov.org](mailto:thomas.wang@sfgov.org)

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF CASE NO. 2005.0844DD AND 2008.0224D AND THE APPROVAL OF DEMOLITION PERMIT 2005.05.16.2509 AND BUILDING PERMIT 2005.05.16.2506, PROPOSING DEMOLITION OF AN EXISTING ONE-STORY OVER NON-HABITABLE CRAWL SPACE, SINGLE-FAMILY DWELLING AND CONSTRUCTION OF A TWO-STORY OVER GARAGE, SINGLE-FAMILY DWELLING WITHIN AN RH-1 (RESIDENTIAL, HOUSE, ONE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

### PREAMBLE

On May 16, 2005 Santos & Urrutia Structural Engineers filed for Demolition Permit Application No. 2005.05.16.2509, proposing demolition of an existing one-story over non-habitable space, single-family dwelling and Building Permit Application No. 2005.05.16.2506, proposing construction of a two-story over garage, single-family dwelling within an RH-1 (Residential, House, One-Family) Zoning District and a 40-X Height and Bulk District.

On August 25, 2005 Jason and Qin Stone ("Discretionary Review (DR) Requestors") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2005.0844DD) of Building Permit Application No. 2005.05.16.2506.

Pursuant to Case No. 2005.0844E, a Categorical Exemption from the California Environmental Quality Act ("CEQA") Section 15301(1)(1) and 15303 (a) on May 16, 2007.

On December 8, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application No. 2005.0844DD and 2008.0224D.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

### **ACTION**

The Commission hereby does not take Discretionary Review requested in Application No. 2005.0844DD and 2008.0224D and approves the Demolition Permit Application No. 2005.05.16.2509 and Building Permit Application No. 2005.05.16.2506.

### **BASIS FOR RECOMMENDATION**

The reasons that the Commission took the action described above include:

1. The proposed residential demolition and new single-family dwelling are not found to contain or create extraordinary or exceptional circumstances as related to issues raised by the DR Requestor.
2. The proposed residential demolition and new single-family dwelling complies with the Planning Code, the General Plan, and conforms to the Residential Design Guidelines in that:
  - (a) Building scale at the front of the proposed single-family dwelling is compatible with the surrounding context and building scale at the rear of the proposed single-family dwelling is consistent with that of both adjacent buildings. The project will have no significant impact on either the existing neighborhood character along the block-face or the current mid-block open space.
  - (b) The project will replace an unsound single-family dwelling, containing only one-bedroom and no off-street parking, with a family-sized single-family dwelling, containing four bedrooms and two tandem off-street parking spaces.
  - (c) No tenants will be displaced as a result of this project because the dwelling to be demolished is currently vacant.
  - (d) Although the project will maintain the same number of unit at the site, it will provide three additional bedrooms as compared to the existing one bedroom count and is therefore, an appropriate in-fill development.
  - (e) Given the scale of the project, there will be no significant impact on the existing capacity of the local street system or MUNI.

(f) Although the existing structure is more than 50-years old, a review of the Historic Resource Evaluation resulted in a determination that the existing building is not an historic resource or landmark.

**APPEAL AND EFFECTIVE DATE OF ACTION:** Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

I hereby certify that the Planning Commission did not take Discretionary Review and approved the demolition permit and the building permit as reference in these two Commission DR action memorandums (DRA-0246 and DRA-0247) on December 8, 2011.

Linda D. Avery  
Commission Secretary

AYES: Commissioners Antonini; Borden; Fong; Miguel; Moore

NAYS: None

ABSENT: Commissioners Olague; Sugaya

ADOPTED: December 8, 2011