



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0283

HEARING DATE: JUNE 14, 2012

Date: June 19, 2012
Case No.: 2012.0577D
Project Address: 264 DORE STREET
Permit Application: 2012.01.27.3062
Zoning: SLI [Service/Light Industrial]
Western SoMa Special Use District
40-X Height and Bulk District
Block/Lot: 3525/046
Project Sponsor: Dan Kennedy
2930 Laguna Street
San Francisco, CA 94123
DR Requestor: 465 10th Street Homeowners Association
465 10th Street
San Francisco, CA 94103
Staff Contact: Corey Teague – (415) 575-9081
corey.teague@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 TAKING DISCRETIONARY REVIEW OF CASE NO. 2012.0577D AND THE APPROVAL OF BUILDING PERMIT 2012.01.27.3062 PROPOSING CONSTRUCTION OF A TWO-STORY AUTOMOBILE REPAIR FACILITY WITHIN THE SLI (SERVICE/LIGHT INDUSTRIAL) ZONING DISTRICT, WESTERN SOMA SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 27, 2012, Dan Kennedy filed for Building Permit Application No. 2012.01.27.3062 proposing construction of a two-story automobile repair facility within the SLI (Service/Light Industrial) Zoning District, Western Soma Special Use District, and a 40-X Height and Bulk District.

On April 30, 2012 Themistocles Michos, representing the 465 Tenth Street Condominium Homeowners Association (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2012.0577D) of Building Permit Application No. 2012.01.27.3062.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

On June 14, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2012.0577D.

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 takes Discretionary Review requested in Application No. 2012.0577D and approves the Building Permit Application 2009.12.11.3061 subject to the following conditions:

1. The rear wall of the proposed new building shall be revised so that the second floor shall have a ceiling height of no more than seven feet at the rear property line abutting the DR Requestors' property at 465 10th Street. The roof shall follow a 45 degree angle away from the rear property line until it reaches the height of the originally proposed flat roof.

BASIS FOR RECOMMENDATION

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

1. There are extraordinary or exceptional circumstances in the case. While the proposal meets all Planning Code requirements, the project design should provide at least some relief to the rear patio of the adjacent live/work building to help ensure its viability as a useable open space.

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 take Discretionary Review and approved the building permit as reference in this action memo on June 14, 2012.

Linda D. Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Miguel, Moore, Sugaya, and Wu

NAYS:

ABSENT:

ADOPTED: June 14, 2012