



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: OCTOBER 6, 2011

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Date: September 29, 2011
Case No.: **2011.0547D**
Project Address: **577 Sanchez Street**
Permit Application: 2009.12.09.2880
Zoning: RH-3 [Residential House, Three-Family] District
40-X Height and Bulk District
Block/Lot: 3585/031
Project Sponsor: Jaffar Design
665 Minna Avenue, #C
San Francisco, CA 94103
Staff Contact: Tom Wang – (415) 588-6335
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Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The proposal is to add a 12-foot wide and 18-foot deep, one-car garage to the existing three-story, single-family dwelling. The proposed garage would be constructed beneath the second floor front entry patio by excavating into the front retaining wall. A garage door would be installed to cover the opening on the front retaining wall.

SITE DESCRIPTION AND PRESENT USE

The subject property is on the east side of Sanchez Street between Hancock Street and 19th Avenue and contains a three-story, single-family dwelling that was constructed in 1893. The subject lot measures 25 feet wide and 100 feet deep. Grade at the front property line of the subject lot slopes steeply upward toward the rear property line. The subject block-face also has a steep, lateral down slope from south to north. The subject dwelling is setback approximately 10 feet from the front property line and at an elevation averaging 8 feet above the street. It has been further verified that the subject property is not in an "archeologically sensitive area" since the project would most likely involve excavation more than three feet into the grade behind the retaining wall.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is in the Upper Market neighborhood, which consists of two-, three- and four-story buildings, containing mostly one- to three-family dwellings and some multi-family dwellings. Buildings on the subject block were built between 1890s and 1920s and contain different architectural styles with varying heights, depths and front setbacks. The adjacent lot to the south has similar dimensions as the subject lot and contains a two-family dwelling. The adjacent lot to the north is a little deeper than the subject lot and contains a single-family dwelling.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	April 15, 2011 - May 15, 2011	May 16, 2011*	October 6, 2011	144 days

*Section 311 notification expired on Sunday, May 15, 2011 and DR application was filed on Monday, May 16, 2011, the next business day.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	September 26, 2011	September 23, 2011	13 days
Mailed Notice	10 days	September 26, 2011	September 23, 2011	13 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	2	1 (DR Requestor)	
Other neighbors on the block or directly across the street	2	3 (Opposing tree removal)	
Neighborhood groups		Castro/Eureka Valley Neighborhood Association (Opposing tree removal)	

The DR Requestor is concerned that the project will not be consistent with the Residential Design Guidelines because the location of the proposed garage will result in the removal of a street tree and a privately owned tree on the subject lot and will not be compatible with the subject dwelling's front elevation and the surrounding area.

DR REQUESTOR

Edwin A. Hardy, owner of the property at 567 Sanchez Street, immediately north of the subject property.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application in the DR Requestor's packet*, dated May 15, 2011.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review in the Project Sponsor's packet*, dated September 9, 2011.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e)

Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

The Department's Residential Design Team ("RDT") has reviewed the concerns expressed in the Discretionary Review Application. The RDT's comments to the DR Requestor's concerns are as follows:

- (a) The DR Requestor is concerned that the removal of a street tree and a privately owned tree on the subject dwelling's second floor front entry patio, as a result of the location of the proposed garage, will not be consistent with the Residential Design Guidelines as to preserve the defining neighborhood characteristics such as street trees.

The RDT found that the DR Requestor's concern is germane to the DR Requestor's previous appeal filed with the Board of Appeals ("BPA") on a "Tree Removal Permit" granted by the Department of Public Works ("DPW"). Such appeal has already been heard and concluded before the BPA under Appeal No. 10-128. The BPA's Notice of Decision and Order on this appeal stated in (3) below is not within the purview of the Planning Commission hearing.

Please see the DPW Order No. 178,907 to grant the request for the "Tree Removal Permit" and related BPA hearing files in the Project Sponsor's packet.

The following is a summary of appeal hearings on the "Tree Removal Permit" granted by the DPW before the BPA:

- (1) On September 27, 2010, the DPW granted the subject property owner's request for a Tree Removal Permit for both trees described above.
- (2) On November 29, 2010, the DR Requestor filed an appeal with the BPA from the DPW's decision.
- (3) On January 26, 2011, the appeal matter came on regularly for hearing before the BPA. The BPA's Notice of Decision and Order was "Denies the Appeal and Orders that the issuance of the Tree Removal Permit by the DPW is upheld."
- (b) The DR Requestor is concerned that the location of the proposed garage will not be consistent with the Residential Design Guidelines as to place garage entrances and doors to be compatible with the building and the surrounding area.

The DR Requestor feels that locating the proposed garage near the north end of the retaining wall, the garage door would be neither centered nor balanced on the principal projecting façade of the subject dwelling as seen from the street. The DR Requestor suggests that by moving the garage location uphill to between the two street trees, near the south end of the retaining wall, would align the garage door more closely with the vertical axis of the subject dwelling's front elevation; therefore, more unity and harmony would be achieved.

The RDT found that the proposed garage addition and its location would not be inconsistent with the Residential Design Guidelines, which includes:

(1) The proposed garage door would be 10 feet wide and recessed 6 inches from the front retaining wall;

(2) Planning Code requires one street tree to be planted near the proposed curb cut when a garage addition is approved. Currently, there are two street trees in front of the retaining wall. Although one street tree would be removed as a result of the garage addition, the second street tree would remain near the proposed curb cut and comply with the Planning Code requirement. Furthermore, the Project Sponsor agreed to plant a new tree to replace a privately owned tree on the second floor front entry patio that had been approved for removal; and

(3) Due to a steep, lateral down slope from south to north along the subject block-face, placing the garage door on the front retaining wall would result in warping on the sidewalk in order to accommodate a pitch into the garage.

Placing the garage door near the north end of the front retaining wall with a greater height, as proposed by the Project Sponsor, would require gentler warping on the sidewalk to accommodate a shallower pitch into the garage, which would reduce safety hazard and inconvenience to pedestrians. The construction of the proposed garage by excavating into the front retaining wall near the end with a greater height would be a design compatible with a number of other garages installed in a similar configuration along both sides of Sanchez Street. In addition, the proposed curb cut would be coordinated with that at the DR Requestor's driveway, which would maximize the space available for on-street parking.

Placing the proposed garage door, between the two street trees, near the south end of the front retaining wall with a lesser height, in order to align it more closely with the vertical axis of the dwelling's front elevation, as suggested by the DR Requestor, would require harsher warping on the sidewalk to accommodate a deeper pitch into the garage, which would cause a safety hazard and inconvenience to pedestrians. It would require raising the current retaining wall to gain an adequate height for the garage door, which would disrupt the street appearance of the subject dwelling without complimenting the neighborhood character. In addition, the proposed curb cut would not be coordinated with that at the DR Requestor's driveway, which would reduce the space available for on-street parking.

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

RECOMMENDATION: Do not take DR and approve project as proposed

Attachments:

- Block Book Map
- Sanborn Map
- Zoning Map
- Aerial Photographs
- Context Photographs
- Section 311 Notice
- DR Application
- Response to DR Application, dated September 9, 2011
- Reduced Plans

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