Discretionary Review Analysis

Dwelling Unit Merger

HEARING DATE: JULY 11, 2013

Date: July 3, 2013

Case No.: **2013.0434D**

Project Address: 1855 - 1857 GREENWICH STREET

Permit Application: 2013.0410.4198

Zoning: RH-2 (Residential, House, Two-Family)

40-X Height and Bulk District

Block/Lot: 0519/038

Project Sponsor: Nick Dutto (property owner)

1857 Greenwich Street San Francisco, CA 94123

Staff Contact: Sharon M. Young – (415) 558-6346

sharon.m.young@sfgov.org

Recommendation: Take DR and Disapprove

PROJECT DESCRIPTION

The proposal is to merge two dwelling units into one dwelling. Interior alterations are proposed which will include a new stairway and elevator providing direct access between all floor levels. The existing 1,500 square foot dwelling unit on the first floor (1857 Greenwich Street) consists of an open plan living / dining / kitchen, one bedroom and one bathroom. The existing 1,250 square foot unit on the second floor (1855 Greenwich Street) consists of an open plan living / dining / kitchen, den, two bedrooms and two bathrooms. After the merger, the single dwelling unit would be approximately 3,157 square feet; this would be inclusive of a proposed horizontal addition with approximately 400 square feet of floor area filed under a separate permit. The second floor of the single-family dwelling would consist of a family room, den, two bedrooms and two bathrooms.

SITE DESCRIPTION AND PRESENT USE

The project site is located on the south side of Greenwich Street between Laguna and Octavia Streets; Lot 038 in Assessor's Block 0519 in an RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District. The subject lot contains approximately 2,200 square feet and measures 27.6 feet wide and 80 feet deep. The subject building is a two-story over garage residential building constructed circa 1900 containing two dwelling units and two off-street parking spaces (in tandem). The existing building is not listed in the Planning Department's 1976 Architectural Survey (AS survey) or the National or California Registers as having architectural significance. Both of the existing dwelling units are currently under common ownership with 1855 Greenwich Street containing 1,250 square feet on the second floor and 1857 Greenwich Street containing 1,500 square feet on the first floor.

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located within the Marina Neighborhood. The surrounding neighborhood consists primarily of a mix of two to four-story residential buildings with single and two-units, as well as a few residential buildings with three or more units. The subject block, and the blocks around it are zoned RH-2 (Residential, House, Two-Family) District zoning and RH-3 (Residential, House, Three-Family) District zoning.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	July 1, 2013	July 1, 2013	10 days
Mailed Notice	10 days	July 1, 2013	June 28, 2013	12 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)			
Other neighbors on the			
block or directly across			
the street			
Neighborhood groups		1	

As of July 2, 2013, the Department has not received any letters or phone calls in support of or in opposition to the project.

PROJECT ANALYSIS

DWELLING UNIT MERGER CRITERIA

Below are the five criteria to be considered by the Planning Commission in evaluating dwelling unit mergers, per Planning Code Section 317:

1. Removal of the unit(s) would only eliminate owner occupied housing.

Project Meets Criterion

The owner has occupied the entire three-story, two-unit residential building for approximately 5 years (since June 2008). The removal of the unit on the second floor would only eliminate owner occupied housing.

2. Removal of the unit(s) and the merger with another is intended for owner occupancy.

Project Meets Criterion

The single unit resulting from the merger would be owner-occupied.

3. Removal of the unit(s) will bring the building closer into conformance with the prevailing density in its immediate area and the same zoning.

Project Does Not Meet Criterion

Of the 48 properties within 150' radius of the subject property that are in the same RH-2 zoning district, 14 buildings (29%) contain one unit and 34 buildings (71%) contain two or more units. The majority of the buildings in the immediate area and in the same zoning district contain two or more units. Therefore, the proposed merger will not bring the subject building closer into conformance with the prevailing density in the immediate area and in the same zoning district.

4. Removal of the unit(s) will bring the building closer into conformance with prescribed zoning.

Project Does Not Meet Criterion

The subject property is zoned RH-2 which permits two dwelling unit per lot.

5. Removal of the unit(s) is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations.

Project Does Not Meet Criterion

According to the project sponsor, the removal of the unit is not required to correct any design deficiencies. Interior alterations are proposed which will include a new stairway and elevator providing direct access to all floor levels.

GENERAL PLAN COMPLIANCE:

The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY

Policy 2.2:

Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing.

OBJECTIVE 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES

Although the merged units are intended for the occupancy of a family, the proposal will have a detrimental effect on the availability of family-sized housing options, which the Housing Element indicates as an issue facing San Francisco.

SAN FRANCISCO
PLANNING DEPARTMENT

SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

1. Existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The proposal would merge two dwelling units in a residential building. No neighborhood-serving retail uses are in the building and none would be affected by the proposal.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Department of Building Inspection authorized this building as a two unit building. The proposal would merge two units in a residential building into one unit. No neighborhood-serving retail uses are in the building and none would be affected by the proposal.

3. That the City's supply of affordable housing be preserved and enhanced.

The proposal will remove one family-sized unit from the City's housing stock.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposal will not impede MUNI service or overburden streets or neighborhood parking.

5. A diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

This is not applicable since the property is a residential use.

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposal will comply with applicable code standards.

7. Landmarks and historic buildings be preserved.

The existing building is not a landmark nor is it identified in any historic surveys.

8. Parks and open space and their access to sunlight and vistas be protected from development.

The proposal will not affect any existing parks or open spaces.

ENVIRONMENTAL REVIEW

The project is categorically exempt from the environmental review process under Section 15061(b)(3) of the State CEQA Guidelines, pursuant to Title 14 of the California Administrative Code.

BASIS FOR RECOMMENDATION

- The project is not consistent with the Housing Element of the General Plan in that the proposal will replace two dwelling units that could potentially accommodate families with one large family-sized dwelling unit that few San Francisco residents could afford. The proposed merger would not help San Francisco achieve its goal of retaining families and family-sized housing in the City.
- The project would only be consistent with Planning Code Section 317 findings that specifically relate to owner occupancy of the dwelling units. The proposed merger would not bring the project into closer conformity with the prevailing density of the area and the density allowed by the RH-2 Zoning District.

RECOMMENDATION:

Take Discretionary Review and Disapprove Merger

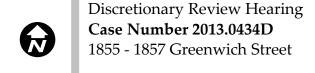
Attachments:

Parcel Map
Sanborn/Dwelling Unit Map
Zoning Map
Aerial Photographs
DUM Application
Section 311 Notice
Reduced Plans
Applicant's submittal (revised plans with sanborn map)

SMY: G:\DOCUMENTS\Projects\DR\1855-1857 Greenwich St (ExSummary 7-11-13).doc

Zoning Map





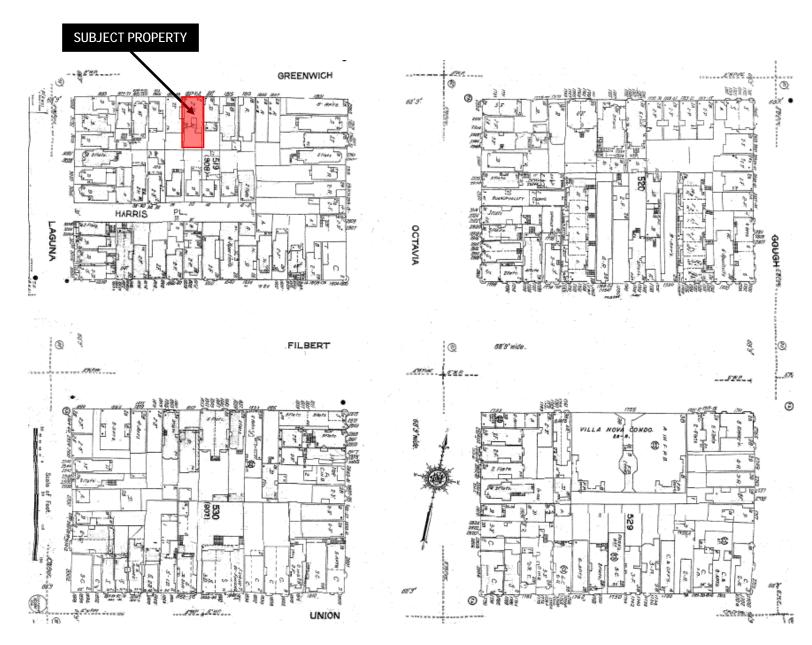
Parcel Map





Discretionary Review Hearing Case Number 2013.0434D 1855 - 1857 Greenwich Street

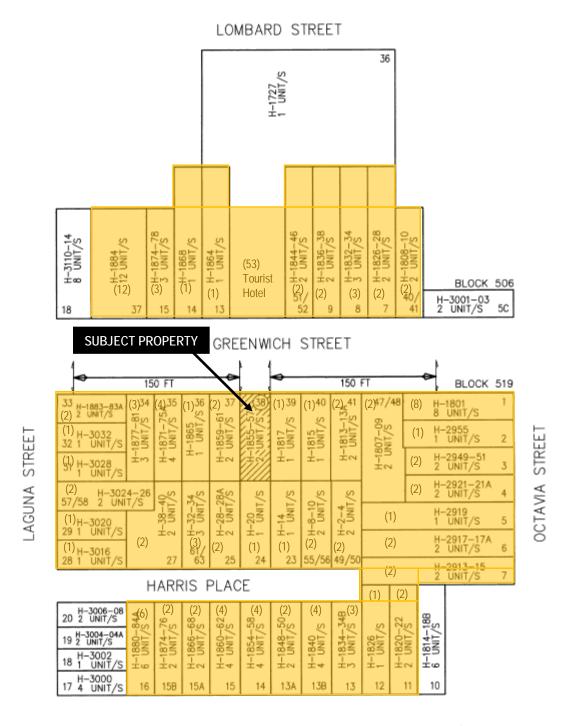
Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Density Map*



FILBERT STREET



Discretionary Review Hearing Case Number 2013.0434D 1855 - 1857 Greenwich Street

^{*} The number in parentheses indicate the number of legal units according to the property's 3R Report.

Aerial Photo



SUBJECT PROPERTY



Discretionary Review Hearing Case Number 2013.0434D 1855 - 1857 Greenwich Street

Aerial Photo



SUBJECT PROPERTY



Aerial Photo

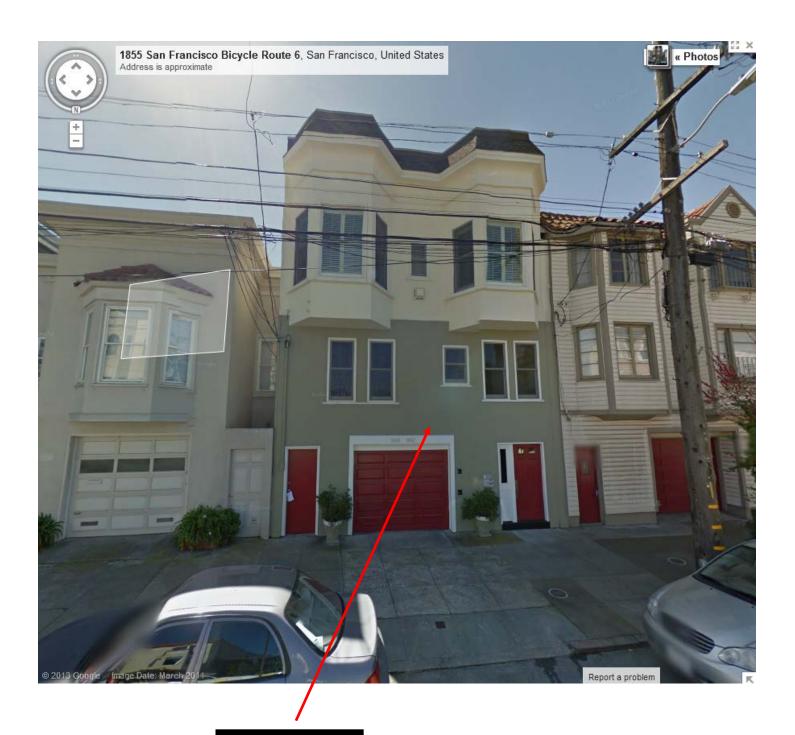


SUBJECT PROPERTY



Site Photo

SUBJECT PROPERTY ON GREENWICH STREET



SUBJECT PROPERTY

Discretionary Review Hearing Case Number 2013.0434D 1855 - 1857 Greenwich Street



APPLICATION FOR

ASSESSORS BLOCK/LOT:

/ 038

LOT DIMENSIONS:

Dwelling Unit Removal Merger, Conversion, or Demolition

PROPERTY OWNER'S NAME:				
Nick Dutto				
PROPERTY OWNER'S ADDRESS:	TELEPHONE: (415) 642-3000			
1857 Greenwich Street	email: ndutto@metroelec	ctric.com		
APPLICANT'S NAME: Stephen Antonaros		Same as Above		
APPLICANT'S ADDRESS:	(415) 864-2261	TELEPHONE		
2261 Market Street #324	EMAIL: santonaros@sbcglobal.net			
CONTACT FOR PROJECT INFORMATION:				
		Same as Above		
ADDRESS:	TELEPHONE:			
	()			
	EMAJL:			
COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE	E ZONING ADMINISTRATOR):			
ADDRESS:		Same as Above		
INDRESS:	TELEPHONE:			
	()	and the second s		
	EMAIL:			
. Location and Classification				
STREET ADDRESS OF PROJECT:		ZiP CODE:		
1857 Greenwich Street				
CROSS STREETS:				

LOT AREA (SQ FT): ZONING DISTRICT:

RH-2

HEIGHT/BULK DISTRICT:

40X

Please respond to each policy; if it's not applicable explain why:

 That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

This policy does not apply since the subject property is not in an industrial zone nor does it involve development that generates employment opportunities.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The removal of the dwelling unit will be part of a larger permit that brings the entire building up to current earthquake standards therefore this priority policy will be met

7. That landmarks and historic buildings be preserved; and

Removal of this dwelling unit is part of a larger alteration that will preserve and enhance the building's already acknowledged role as an historic resource and will contribute to improving the historic character of the surrounding neighborhood

8. That our parks and open space and their access to sunlight and vistas be protected from development.

This policy does not apply since the proposal does not involve light or shadow on public parks nor obstruction of vistas

Priority General Plan Policies – Planning Code Section 191. (APPLICABLE TO ALL PROJECTS SUBJECT TO THIS APPLICATION)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.

Please respond to each policy; if it's not applicable explain why:
 That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced; This policy is not applicable since the subject property is not within a neighborhood serving retail zone and has no retail use currently.
2. That existing housing and neighborhood character be conserved and protected in order to preserve the
cultural and economic diversity of our neighborhoods; The approval of this application will contribute to improvements in the building facade that will in turn contribute to improving and preserving neighborhood character so therefore approval of the permit is consistent with this priority policy
That the City's supply of affordable housing be preserved and enhanced;
Since this request for dwelling unit removal does not threaten an affordable unit but instead allows an extended family a housing option not available otherwise, this policy does not apply.
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
This policy is not applicable since the subject property is not within a commercial zone and/or will not impact transportation services.

Loss of Dwelling Units Through Merger (FORM B - COMPLETE IF APPLICABLE)

Pursuant to Planning Code Section 317(e), the merger of residential dwelling-units not otherwise subject to a Conditional Use Authorization shall be either subject to a Mandatory Discretionary Review hearing or will qualify for administrative approval. Administrative review criteria only apply to those Residential Units proposed for Merger that are (1) not affordable or financially accessible housing are exempt from Mandatory DR (valued by a credible appraisal within the past six months to be greater than 80% of combined land and structure value of single-family homes in San Francisco); or (2) meet a supermajority of the merger criteria listed below. Please see website under Publications for Loss of Dwelling Units Numerical Values.

Publications for Loss of Dwelling Units Numerical Values.
Please state how the project meets or does not meet the following criteria:
 Does the removal of the unit(s) eliminate only owner-occupied housing, and if so, for how long was the unit(s) proposed to be removed owner-occupied? Yes, the existing two unit building is entirely occupied, and the unit to be merged or removed is owner occupied.
2. Is the removal of the unit(s) and the merger with another intended for owner occupancy?
Yes, the merger is intended to allow the owner to occupy the whole building with extended family.
3. Will the removal of the unit(s) bring the building closer into conformance with the prevailing density in its immediate area and in the same zoning district? The removal of the one unit will not bring the building closer or farther from the prevailing since the surrounding buildings are a mix of 1 and 2 units buildings with some higher density nearby. But since 1-2 family dwellings are in themselves considered the same class of building the removal of one unit in this two family dwelling leaves the subject building in the same category as before.
4. Will the removal of the unit(s) bring the building closer into conformance with the prescribed zoning? The removal of the unit will not affect the building's conformance with the prescribed zoning.

5. Is the removal of the unit(s) necessary to correct design or functional deficiencies that cannot be corrected through interior alterations?

The removal of the unit is not required to correct any design deficiencies.

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 31

On **April 10, 2013**, the Applicant named below filed Building Permit Application No. **2013.04.10.4198** (Alteration) with the City and County of San Francisco.

	CONTACT INFORMATION	PROJECT	SITE INFORMATION
Applicant:	Stephen Antonaros (agent / architect)	Project Address:	1855 - 1857 Greenwich Street
Address:	2261 Market Street #324	Cross Streets:	Laguna Street / Octavia Street
City, State:	San Francisco, CA 94114	Assessor's Block /Lot No.:	0519 / 038
Telephone:	(415) 864-2261	Zoning District:	RH-2 / 40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

[] DEMOLITION and/or	[] NEW CONSTRUCTION or	[X] ALTERATION
[] VERTICAL EXTENSION	[X] CHANGE # OF DWELLING UNITS	[] FACADE ALTERATION(S)
[] HORIZ. EXTENSION (FRONT)	[] HORIZ. EXTENSION (SIDE)	[] HORIZ. EXTENSION (REAR
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK	±0'	No Change
BUILDING DEPTH	±57'-5"	No Change
REAR YARD	±22'-7"	No Change
NUMBER OF STORIES		No Change
NUMBER OF DWELLING UNITS	2	1
NUMBER OF OFF-STREET PARKING	SPACES2 tandem	No Change

The proposal is to merge two dwelling units into one dwelling. Interior alterations are proposed which will include a new stairway and elevator providing direct access to all floor levels. The proposal will not involve an expansion of the existing building envelope. See attached plans.

The dwelling unit merger is also subject to Mandatory Discretionary Review pursuant to Planning Code Section 317 for dwelling unit mergers under Case No. 2013.0434D, which will be considered by the Planning Commission. A public hearing before the Planning Commission to consider this request is tentatively scheduled for July 11, 2013 beginning at 12:00 p.m. (Noon) or later, at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400. Public notification of this hearing will be provided under separate notice to abutting property owners and occupants.

PLANNER'S NAME: Sharon M. Young

PHONE NUMBER: $(415)\ 558-6346$ DATE OF THIS NOTICE: 06/05/2013

EMAIL: sharon.m.young@sfgov.org EXPIRATION DATE: 07/04/2013

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

- 1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
- 2. **Call the nonprofit organization Community Boards at (415) 920-3820, or online at** <u>www.communityboards.org</u> for a facilitated discussion in a safe and collaborative environment through mediation. Community Boards acts as a neutral third party and has, on many occasions, helped parties reach mutually agreeable solutions.
- 3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request within 30 days of this notice, prior to the Expiration Date shown on the reverse side, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at www.sfplanning.org). You must submit the application to the Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check, for each Discretionary Review request payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. If the project includes multi building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the **Board of Appeals within 15 days** after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the **Board's office at 1650 Mission Street, 3rd Floor, Room 304**. For further information about appeals to the Board of Appeals, including their current fees, **contact the Board of Appeals** at **(415) 575-6880**.



1855 & 1857 Greenwich Street

no changes to exterior

DRAWING INDEX

- A-1: Site Plan A-2: Existing Floor Plans
- A-3: New Floor Plans

SCOPE of WORK: Re-configure 2 units into Single Family Dwelling (Under Dwelling Unit Removal Permit) Rebuild interior entry stair, add elevator,

Remove kitchen in second unit. No changes to exterior under this permit

CONSTRUCTION TYPE: Type 5 NR

Two Stories of Occupancy plus Basement

OCCUPANCY CLASSIFICATION :R-3

RH-2 zoning; 40X height

APPLICABLE CODES:
2007 California Building Code,
2007 Mechanical Code,
2007 Plumbing Code,
2007 Electrical Code, and

Amendments to the 2007 California Building Code 27.50' (existing) TWO-(existing) (existing) TWO-**FAMILY** TWO-**FAMILY** DWELLING **FAMILY** DWELLING /DWELLING/ BLOCK 0519 LOT 038 (Proposed)
SINGLE-**FAMILY** DWELLING 27.50'

Greenwich Street

60 FT

Site Plan / Roof Plan

Scale: 1/8" = 1'-0"



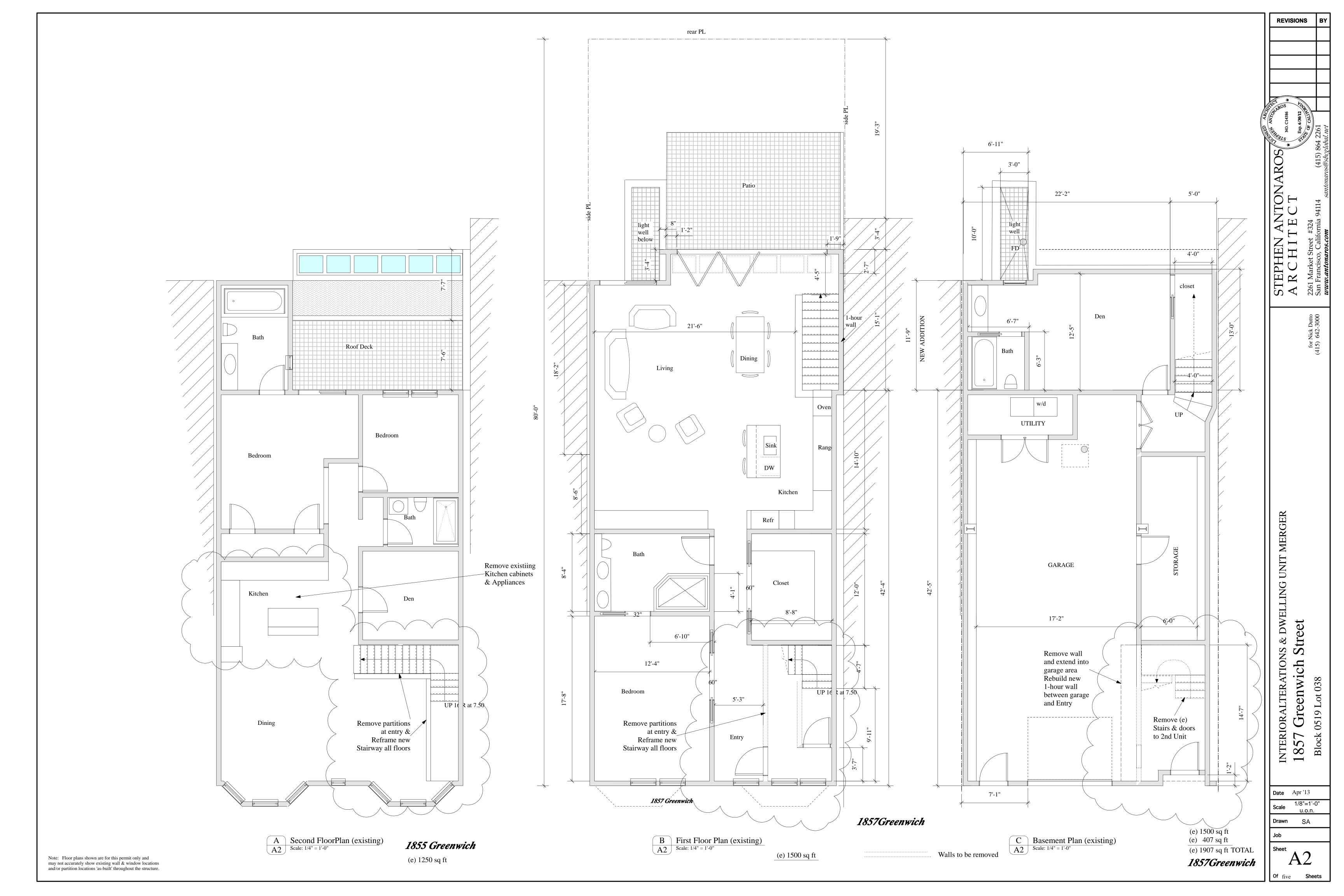
REVISIONS

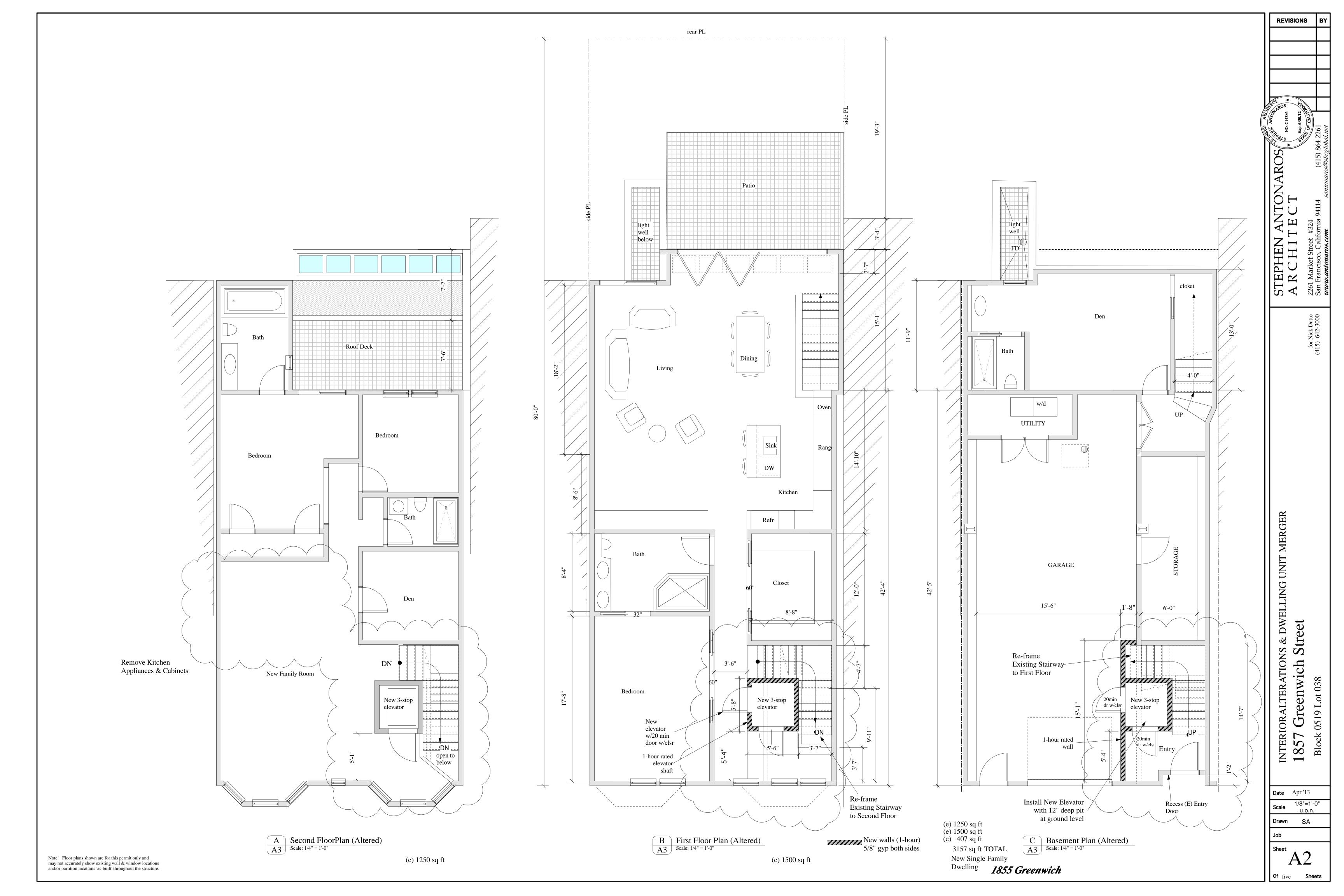
N ANTONAROS TECT

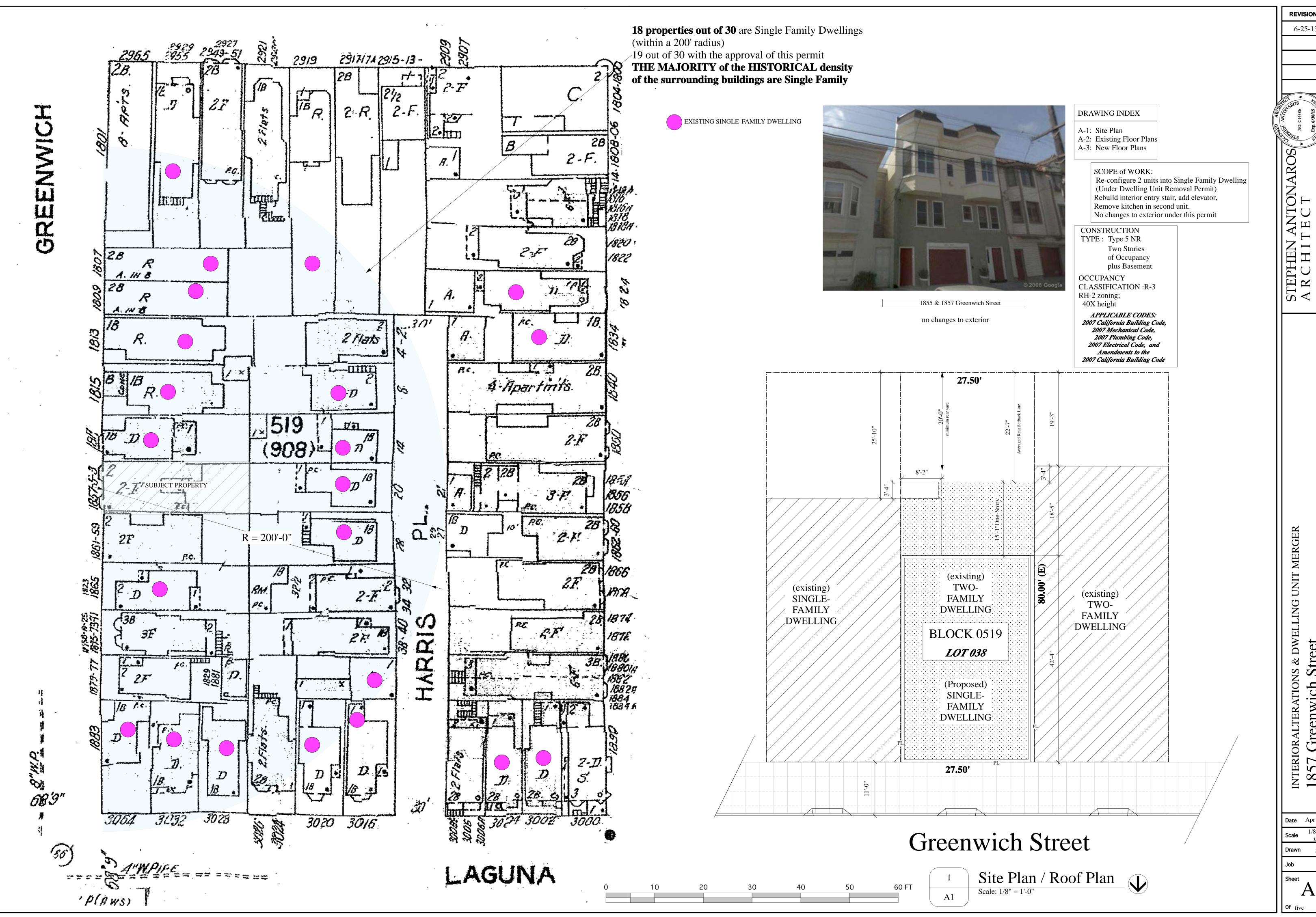
INTERIORALTERATIONS & DWELLING UNIT MERGER 1857 Greenwich Street

Block 0519 Lot 038

Date Apr '13 Scale 1/8"=1'-0" u.o.n.







6-25-13

INTERIORALTERATIONS & DWELLING 1857 Greenwich Street

Date Apr '13 Scale 1/8"=1'-0"

