



SAN FRANCISCO PLANNING DEPARTMENT

Mandatory Discretionary Review Analysis

Dwelling Unit Merger

HEARING DATE MARCH 11, 2010

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: March 4, 2010
Case No.: **2009.1067D**
Project Address: **2006 - 08 PIERCE STREET**
Zoning: RH-2 (Residential, House, Two-Family)
40-X Height and Bulk District
Block/Lot: 0634/015A
Project Sponsor: Clinton Ashford
c/o Jeremy Paul
60 Otis Street
San Francisco, CA 94103
Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org
Recommendation: **Do not take Discretionary Review and approve the application**

PROJECT DESCRIPTION

The proposal is to merge four dwelling units into two dwelling units within a two-story over basement building. The proposal will involve primarily interior renovations related to removing two kitchens and interior partitions in order to merge the units.

SITE DESCRIPTION AND PRESENT USE

The subject site is located on the east side of Pierce Street between California Street and Perine Place in the Pacific Heights neighborhood. The site has approximately 42 feet of lot frontage with a lot depth of approximately 51 feet, containing approximately 2,100 square feet. It contains a two-story over basement circa 1900 Victorian building that occupies approximately 80 percent of the site.

The building is identified in the San Francisco Planning Department's 1976 Architectural Survey and received a summary rating of "4" on a scale of 0 to 5, 5 being the highest ranking for architectural quality. It is also listed in "Here Today, San Francisco's Architectural Heritage," published by the Junior League of San Francisco, Inc., 1978.

The existing building contains four units: two one-bedroom units at the 2006 Pierce Street address and two one-bedroom units at the 2008 Pierce Street address. The proposal is to merge the two units at each address into one unit. Upon completion, two three-bedroom units will remain at the site. Each unit will contain a total area of approximately 1,500 square feet. The subject property is within an RH-2 (Residential, House, Two-Family) Zoning District with a 40-X Height and Bulk district.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The surrounding neighborhood consists of a mixture of three- and four-story buildings, containing single-family, two dwelling units, as well as larger apartment buildings. The subject block is split in terms of zoning designation. Properties to the north of Perine Place are zoned RH-3 while properties to the southeast of the project site, fronting on California Street, are zoned Upper Fillmore Neighborhood Commercial District, which allows higher density at a rate of one dwelling unit for each 600 square feet of lot area. The adjacent properties to the north, east and south of the subject property are two and four dwelling units.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice for 311	30 days	January 19, 2010	January 19, 2010	51 days
Posted Notice for DR	10 days	March 1, 2010	March 1, 2010	10 days
Mailed Notice	10 days	March 1,2010	January 19, 2010	51 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	0	0

Department staff has not received any telephone inquiries or correspondence either in support of or in opposition to the proposed project.

PROJECT ANALYSIS

DWELLING UNIT MERGER (DUM) CRITERIA

Below are the five criteria to be considered by the Planning Commission in evaluating dwelling unit mergers pursuant to Section 317 of the Planning Code, effective May 18, 2008:

1. Removal of the units would eliminate only owner occupied housing, and if so, for how long the units proposed to be removed have been owner occupied;

Project Meets Criteria

According to the project sponsor, the subject property was purchased in 1950 by the sponsor's father. Over the years, only one unit has been rented. The remaining units were owner-occupied or by family members.

2. Removal of the units and the merger with another is intended for owner occupancy;

Project Meets Criteria

The project sponsor's family and another family member will be occupying the building.

3. Removal of the units will bring the building closer into conformance with the prevailing density in its immediate area and in the same zoning district;

Project Does Not Meet Criteria

The prevailing density in the area is mixed. The density of the subject block ranges from single-family dwellings, two-family dwellings to high density apartment buildings. Within the same zoning district of RH-2 in the immediate area, two of the highest density percentages are: six dwelling units at approximately 33 percent, while two and four dwelling units are at 22 percent each.

4. Removal of the units will bring the building closer into conformance with prescribed zoning; and

Project Meets Criteria

The subject property is zoned RH-2, which permits two dwelling units.

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

Project Does Not Meet Criteria

While the existing four dwelling units may be small in terms of floor area, there are no "functional deficiencies".

GENERAL PLAN COMPLIANCE:

The Project is, on balance, consistent with the following Objective and Policy of the General Plan:

HOUSING ELEMENT

Objective and Policy

OBJECTIVE 3:

ENHANCE THE PHYSICAL CONDITION AND SAFETY OF HOUSING WITHOUT JEOPARDIZING USE OR AFFORDABILITY.

Policy 3.1:

Ensure that existing housing is maintained in a decent, safe, and sanitary condition, without increasing rents or displacing low-income households.

Policy 3.6:

Preserve landmark and historic residential buildings.

While the subject property is authorized as four dwelling units, it has primarily been used as a two-unit building since 1950.

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.

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

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

Although the subject building was authorized as a four-unit building, it has primarily been used as a two-unit building since 1950 by the sponsor's father.

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

At most, only one of the four existing units has been rented to a tenant in the past. The proposal will increase the number of bedrooms to each unit, which in turn would create more affordable family-sized units.

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. Public transit lines are available nearby on California Street.

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 building is identified in the San Francisco Planning Department's 1976 Architectural Survey and received a summary rating of "4" on a scale of 0 to 5, 5 being the highest ranking for architectural quality. It is also

listed in "Here Today, San Francisco's Architectural Heritage," published by the Junior League of San Francisco, Inc., 1978. The proposal does not involve any exterior improvements to the existing building.

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 (California Environmental Quality Act) Guidelines, pursuant to Title 14 of the California Administrative Code.

BASIS FOR RECOMMENDATION

- The project meets a majority of the dwelling unit merger criteria.
- The project is in a mixed density area; however, the proposal will bring the building into conformance with the prescribed zoning.

RECOMMENDATION: Do not take Discretionary Review and approve the application

Attachments:

Parcel Map

Sanborn Map

Aerial Photo

Zoning Map

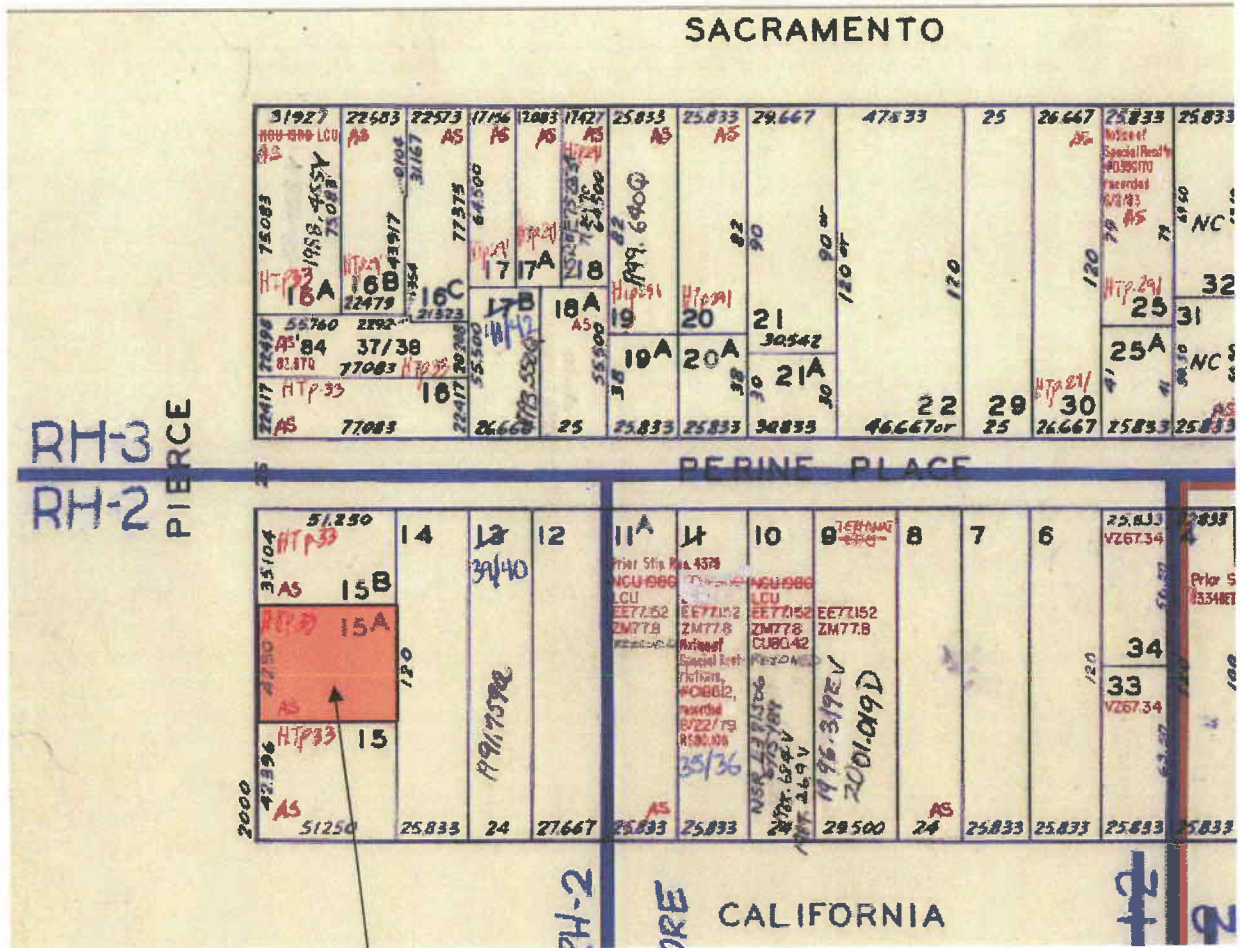
Section 311 Notice

Section 317 Application submittal by Applicant:

- DUM Criteria
- 3-R Report
- Photographs
- Reduced Plans

mw: G:\wp51\DR\2006 - 08 Pierce St\DUM per 317.doc

Zoning / Parcel Map



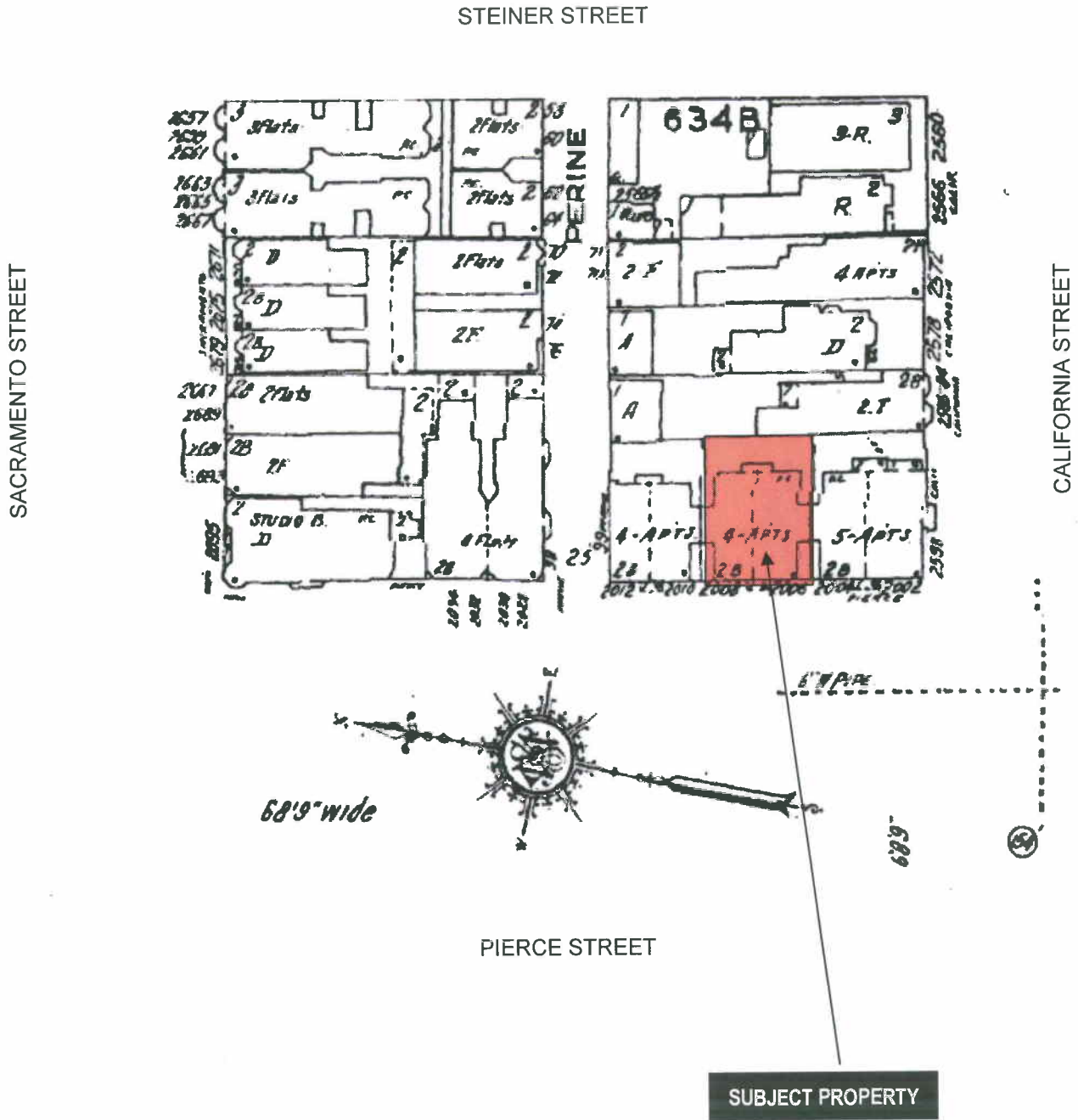
SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
 Case Number 2009.1067D
 2006 - 08 Pierce Street

Sanborn Map*

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



Mandatory Discretionary Review Hearing
Case Number 2009.1067D
2006 - 08 Pierce Street



Aerial Photo

Steiner Street

Sacramento Street



California Street

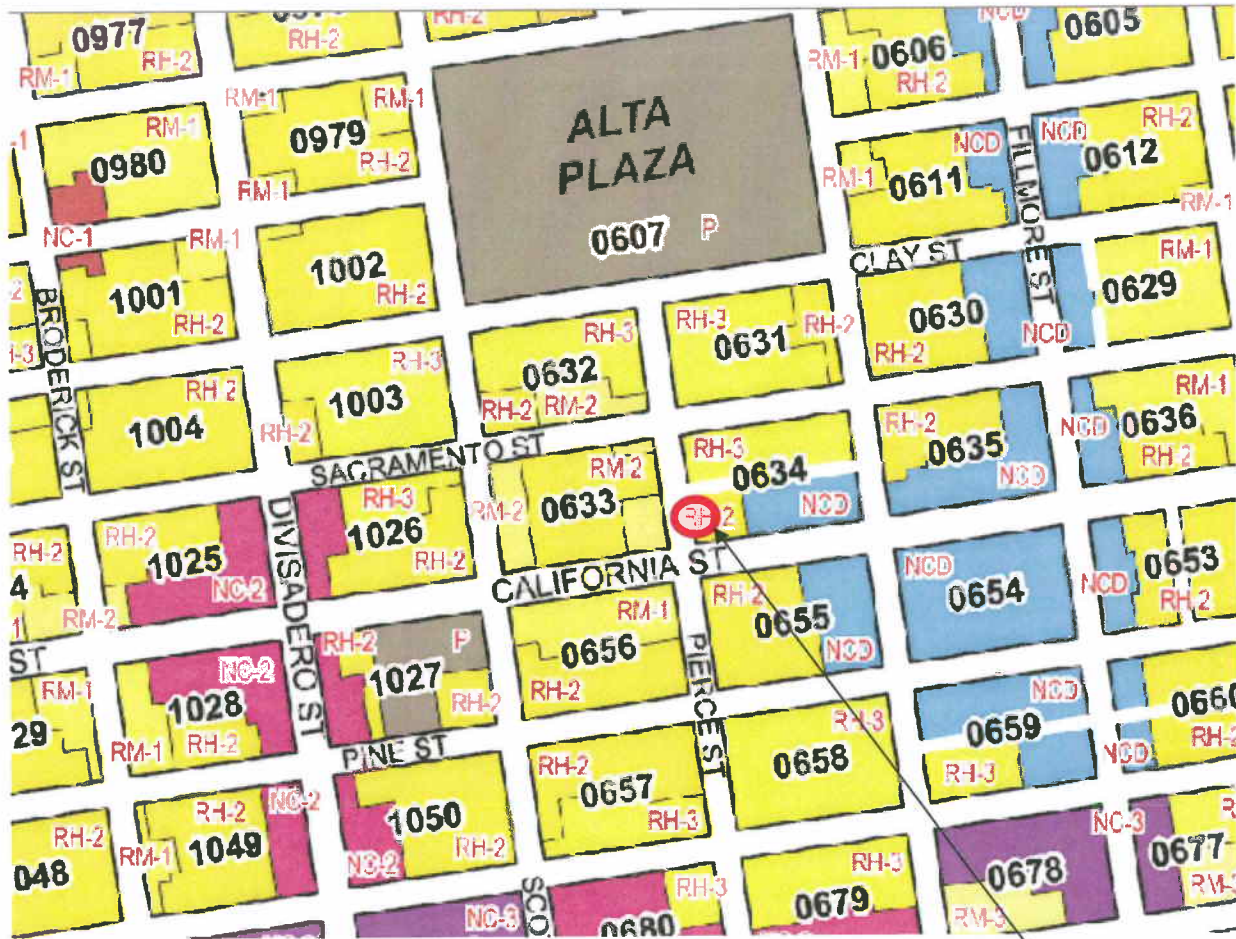
Pierce Street

SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
Case Number 2009.1067D
2006 - 08 Pierce Street

Zoning Map



PROJECT SITE

ZONING USE DISTRICTS

RESIDENTIAL, HOUSE DISTRICTS

RH-1(D) RH-1 RH-1(S) RH-2 RH-3

RESIDENTIAL, MIXED (APARTMENTS & HOUSES) DISTRICTS

RM-1 RM-2 RM-3 RM-4

NEIGHBORHOOD COMMERCIAL DISTRICTS

NC-1 NC-2 NC-3 NCD NC-S

SOUTH OF MARKET MIXED USE DISTRICTS

SPD RED RSD SLR SLI SSO

COMMERCIAL DISTRICTS

C-2 C-3-S C-3-G C-3-R C-3-O C-3-OS(D)

INDUSTRIAL DISTRICTS

C-M M-1 M-2

CHINATOWN MIXED USE DISTRICTS

CRNC CVR CCB

RESIDENTIAL-COMMERCIAL DISTRICTS

RC-3 RC-4

REDEVELOPMENT AGENCY DISTRICTS

MB-RA HP-RA

DOWNTOWN RESIDENTIAL DISTRICTS

RH-DTR TB-DTR

MISSION BAY DISTRICTS

MB-OS MB-O

PUBLIC DISTRICT

P



Mandatory Discretionary Review Hearing
Case Number 2009.1067D
2006 - 08 Pierce Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On October 4, 2007, the Applicant named below filed Building Permit Application No. 2007.10.04.4615S (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	John W. Ashford & Clinton Ashford c/o Jeremy Paul	Project Address:	2006 - 08 Pierce Street
Address:	60 Otis Street	Cross Streets:	California & Sacramento Streets
City, State:	San Francisco, CA 94103	Assessor's Block /Lot No.:	0634 / 015A
Telephone:	(415) 552-1888	Zoning Districts:	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 your concerns are unresolved, you can 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.

PROJECT SCOPE		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input checked="" type="checkbox"/> CHANGE # OF DWELLING UNITS <input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)	<input type="checkbox"/> HORIZ. EXTENSION (SIDE)	<input type="checkbox"/> HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK	0 feet	No change
BUILDING DEPTH	40 feet	No change
REAR YARD	11 feet	No change
HEIGHT OF BUILDING	33 feet	No change
NUMBER OF STORIES (at rear)	3	No change
NUMBER OF DWELLING UNITS	4	2
NUMBER OF OFF-STREET PARKING SPACES	0	No change
PROJECT DESCRIPTION		

The existing building contains four units: two units under the 2006 Pierce Street address and two units under the 2008 Pierce Street address. The proposal is to merge the two units under each address into one unit. Upon completion, two units will remain at the site. Each unit will contain a total area of approximately 1,500 square feet. The proposal will involve primarily interior renovations related to removing two kitchens and interior partitions in order to consolidate the units. This building permit application is subject to Planning Code Section 317 for dwelling unit mergers (Case No. 2009.1067D). A public hearing before the Planning Commission is scheduled for February 11, 2010 at 1:30 p.m. in City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place.

If you have any questions about this permit application, please contact the Planner listed below.

PLANNER'S NAME: Mary Woods
 PHONE NUMBER: (415) 558-6315
 EMAIL: mary.woods@sfgov.org

DATE OF THIS NOTICE:
 EXPIRATION DATE:

1/19/10
 2/18/10



SAN FRANCISCO PLANNING DEPARTMENT

Section 317 Application

Section 317 of the Planning Code requires that a public hearing will be held prior to approval of any permit that will remove existing housing, with certain codified exceptions. Where a project will result in the loss of one or two residential units, the project is subject to a Mandatory Discretionary Review (DR) hearing before the Planning Commission, unless the Code specifically requires Conditional Use (CU) Authorization. Projects resulting in the loss of three or more units will require a Conditional Use hearing by the Planning Commission. If a Conditional Use is required, attach this Application as a supplemental document. All projects subject to Section 317 must fill out this cover sheet and the relevant attached Form(s) (A, B, or C), and contact Georgia Powell at (415) 558-6371 to schedule an intake appointment.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT ADDRESS: 2006 - 2008 Pierce Street		NAME: Clinton Ashford		
BLOCK / LOT: 0634 - 15A		ADDRESS: Same		
ZONING: RH - 2		CITY, STATE:		
LOT AREA 2178 sq ft		PHONE: 552-1888		
#	PROJECT INFORMATION	EXISTING	PROPOSED	NET CHANGE
1	Total number of units	4	2	-2
2	Total number of parking spaces	0	0	0
3	Total gross habitable square footage	No change		
4	Total number of bedrooms	4	6	0
5	Date of property purchase	1950		
6	Number of rental units	1	1	0
7	Number of bedrooms rented	1	0	0
8	Number of units subject to rent control	4	2	0
9	Number of bedrooms subject to rent control	4	6	0
10	Number of units currently vacant	3	0	3
11	Was the building subject to the Ellis Act within the last decade?	NO		
12	Number of owner-occupied units	3	2	0

I have read and understood the information in this Application, including the required payment of time and material fees for processing this Application. I certify that I will pay all Planning Department time and material costs for processing this Application, as required by Sections 350(c) and 352(B) of the Planning Code.

Signature:  Printed Name: Jeremy Paul Date: 1/22/09

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 applies 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); and (2) meet a supermajority of the merger criteria listed below.

Please state how the project meets or does not meet the following criteria:

1. 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?

The subject property has been owner occupied with one unit rented to
A family friend since the 1960's

2. Is the removal of the unit(s) and the merger with another intended for owner occupancy?

The owner - Dr. Ashford passed away and his son and granddaughter wish
to live there now as 2 units - as the building was just before Dr Ashford
purchased the property

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?

Yes, There are both single, two and multiple family dwellings on the subject block.
63% of block 0634 conforms to the RH -2 zoning

4. Will the removal of the unit(s) bring the building closer into conformance with the prescribed zoning?

RH-2 zoning does not permit 4 units

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

Yes, the split from the original 2 units was hastily executed and eliminated 2 bedrooms

Priority General Plan Policies – Planning Code Section 101.1

(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.

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;
Existing neighborhood serving retail will be preserved and enhanced by
restoration of stable family housing
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
This opportunity to for the Ashford family to remain preserves the cultural and economic diversity of our neighborhoods
3. That the City's supply of affordable housing be preserved and enhanced;
The number of bedrooms in this building will increase by half overall with the merger of these units. This will be a positive impact on the supply of affordable housing
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
There will be no impact on traffic, MUNI or neighborhood parking.
5. 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;
There will be no impact on industrial or service sectors.
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;
Any code compliance work necessary will comply with current seismic safety standards.
7. That landmarks and historic buildings be preserved; and
This historic building will be restored to its original use and configuration
8. That our parks and open space and their access to sunlight and vistas be protected from development.
No parks or open space will be impacted.



The vestibule wall cuts off the unit from the stair, further disengaging the two levels. The angled walls are an obvious afterthought.



Wall at left of photo could be opened up to stair, making both stair and hallway much less claustrophobic. Hardwood floors with borders on lower level, softwood on upper, further indicating the units were originally two levels.



Area to left of photo could become small home office, instead of having to be a closet for the bedroom to the right.



Lower level bedroom would become dining room, which would be more conducive to the public nature of the first floor.



The steepness and narrowness of the stair is amplified by the solid wall. It could be opened up by removing the wall and the closet above.



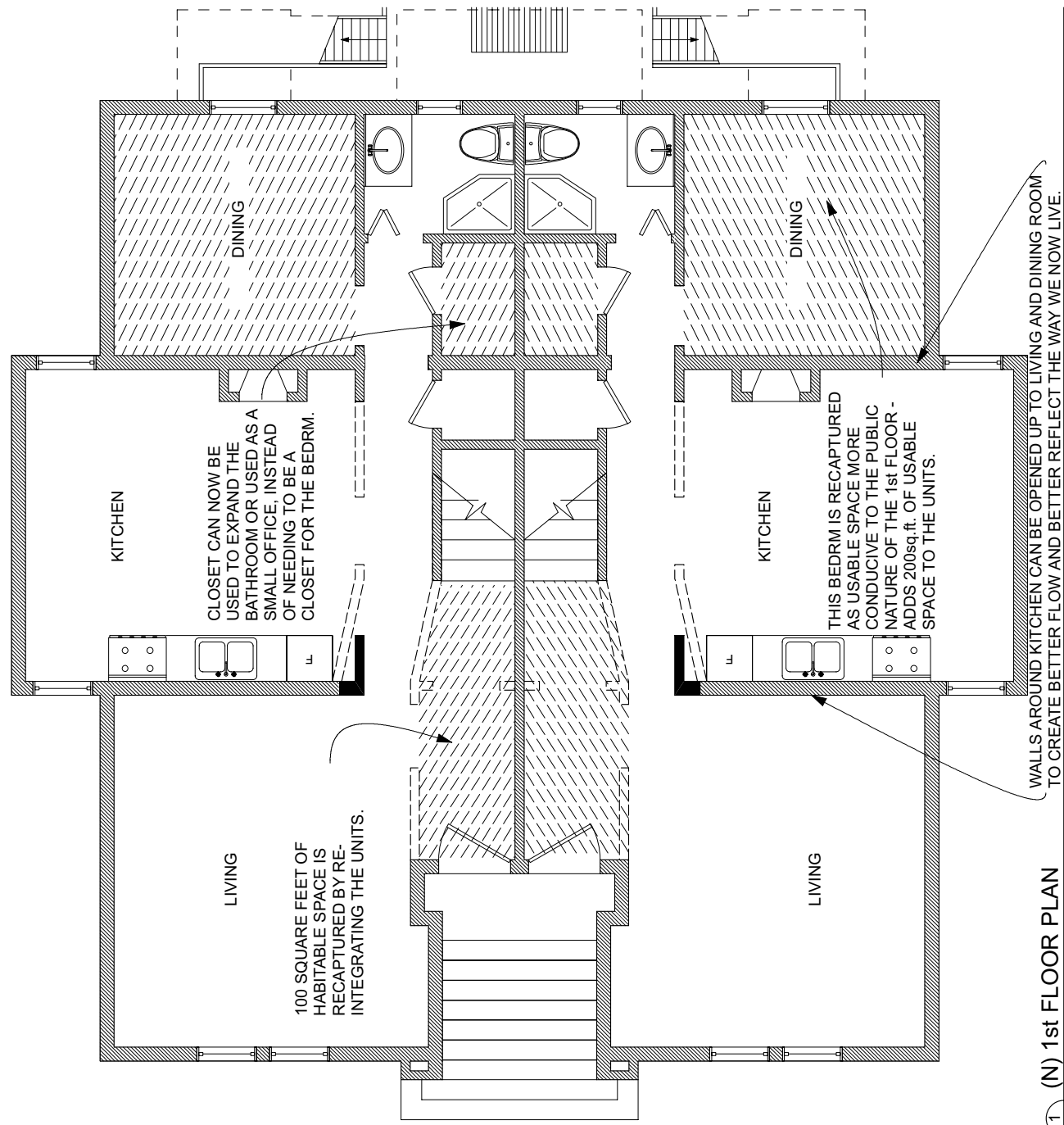
The closets in the hallway could be removed to create an open stairway, helping connect the two levels.



The ceilings are quite high, completely out of scale with the size of the units. The height creates a grander sense of scale than a small apartment can handle. Note: all of these photos are vertically oriented, trying to capture the height of the spaces.

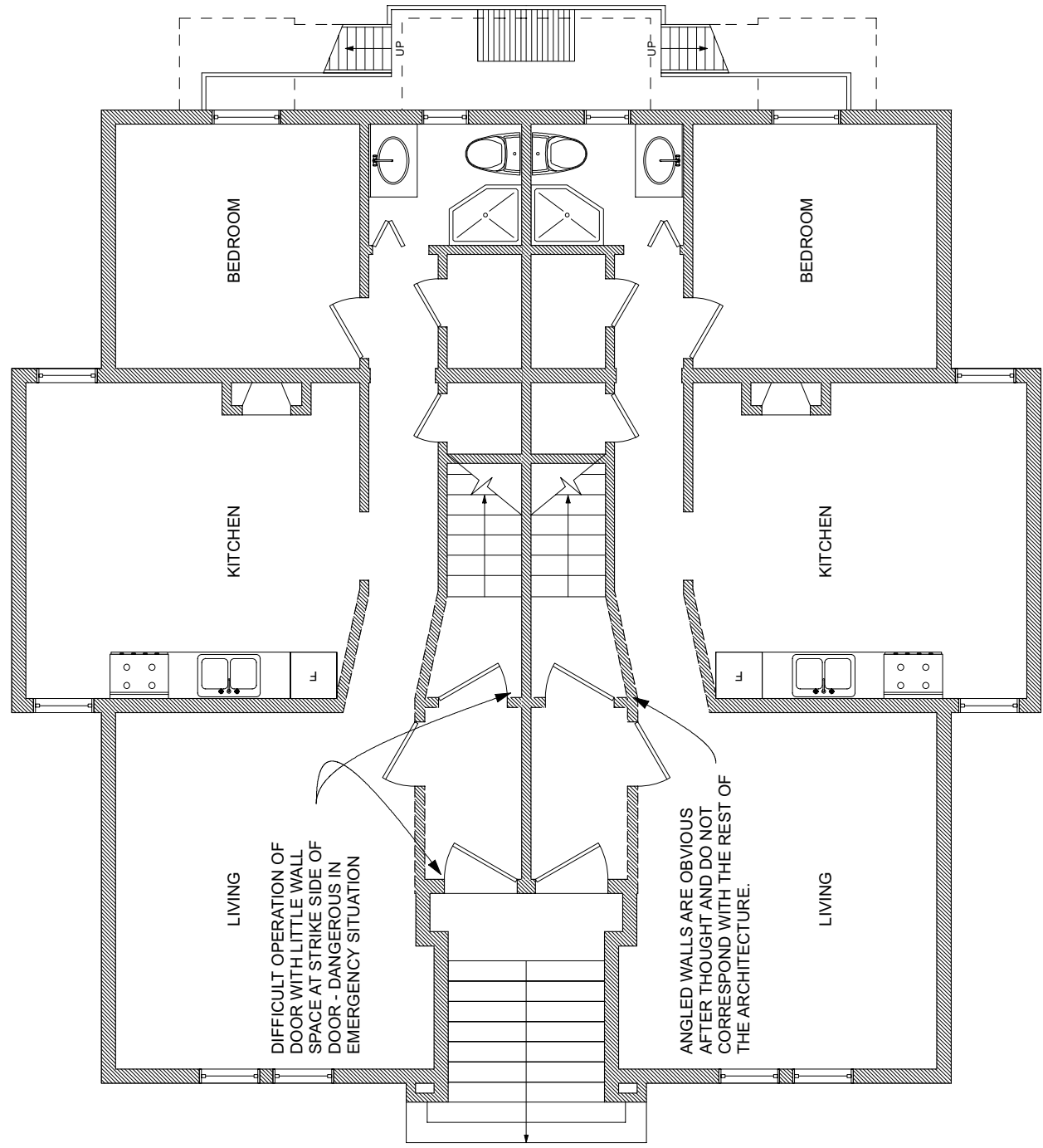
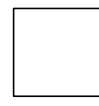
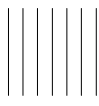


The kitchens and living rooms on the upper level are redundant to the same spaces below.

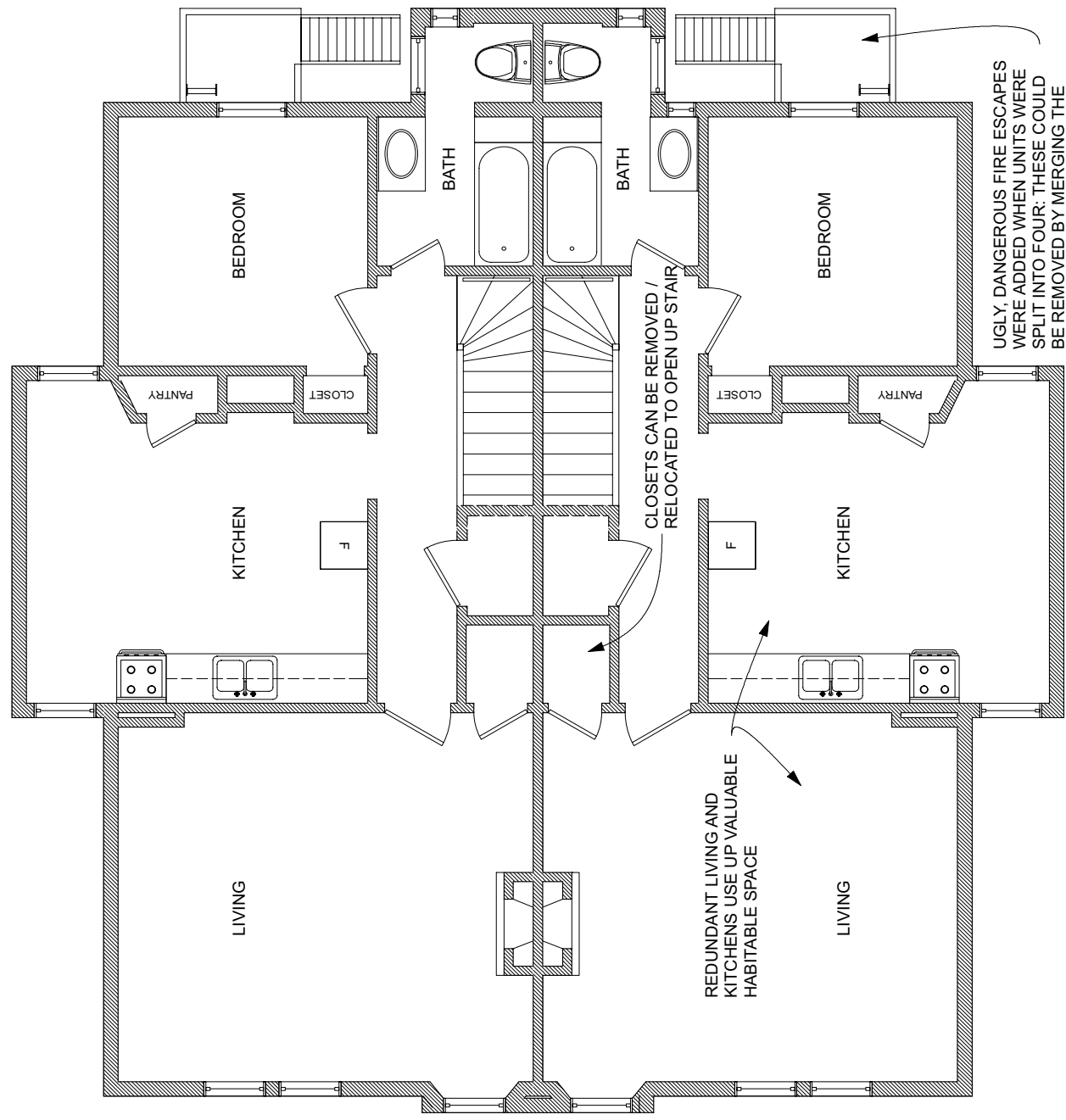


(N) 1st FLOOR PLAN

1
1.1



(E) 1st FLOOR PLAN



(E) 2nd FLOOR PLAN

1.4

