



SAN FRANCISCO PLANNING DEPARTMENT

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Planning Commission Final Motion No. 17691

HEARING DATE: SEPTEMBER 11, 2008

Date: September 4, 2008
Case No.: **2007.1142 C**
Project Address: **2162 Revere Avenue**
Zoning: RH-1 (Residential, House, Single-Family)
40-X Height and Bulk District
Block/Lot: 5334/016 & 017
Project Sponsor: Julia Liu
50 Rizal Street #517
San Francisco, CA 94107
Staff Contact: Brittany Bendix – (415) 575-9089
brittany.bendix@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE PURSUANT TO SECTIONS 121(F) AND 303 OF THE PLANNING CODE TO AUTHORIZE THE CREATION OF A LOT 24.5-FEET WIDE WHEN 25-FEET IS REQUIRED, AS THE RESULT OF A LOT LINE ADJUSTMENT IN AN RH-1 (RESIDENTIAL, HOUSE, SINGLE-FAMILY) DISTRICT WITH A 40-X HEIGHT AND BULK DESIGNATION.

PREAMBLE

On January 4, 2008, Julia Liu (Project Architect) filed an application with the Department for Conditional Use Application No. 2007.1142C on the properties at 2158-2162 Revere Avenue, Lots 016 and 017 in Assessor's Block 5334 (Project Site), to allow the creation of a lot 24.5-feet wide when 25-feet is required, as the result of a lot line adjustment in an RH-1 (Residential, House, Single-Family) District with a 40-X Height and Bulk Designation.

On September 11, 2008, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2007.1142C.

The Project was determined by the San Francisco Planning Department (hereinafter "Department") to be categorically exempt from environmental review. The Commission has reviewed and concurs with said determination.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2007.1142C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The subject lots are located in the Bayview neighborhood and are within an RH-1 (Residential, House, Single-Family) Zoning District with a 40-X Height and Bulk designation. The two adjacent lots are situated on the north side of Revere Avenue between Selby Street and Rankin Street. The topography of the site slopes upward from the west, Lot 017, to the east, Lot 016. Both lots are of standard size with depths of 100-feet, widths of 25-feet, and areas of 2,500 square-feet. A single-family dwelling, 2158 Revere Avenue, exists on Lot 016, while the adjacent Lot 017 is vacant. The dwelling unit encroaches onto Lot 017 by approximately .5-feet.
3. **Surrounding Properties and Neighborhood.** Two-story, single-family dwellings predominately characterize both the immediate and overall neighborhood context. The dwelling on Lot 016 is two-stories with an attic. Directly to the east of the subject properties is a two-story single-family dwelling. Directly to the west is a single-story with attic, single-family dwelling. Directly across the street and behind the subject lots are a series of two-story single-family dwellings.
4. **Project Description.** The proposal is to adjust the lot line shared by the two subject lots by .5-feet so that the lot boundaries match the width of the existing dwelling and subsequently construct a new two-story single-family dwelling on the vacant lot, 2162 Revere Avenue. Lots 016 and 017 will have widths of 25.5-feet and 24.5-feet, respectively. Consequentially, Lot 017 will have an area of 2,450 square-feet. Planning Code Section 121(f) requires Conditional Use authorization to establish a lot with a width less than 25-feet in an RH-1 zoning district.
5. **Public Comment.** The Department has not received any public comment.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Minimum Lot Width and Area Requirement.** Planning Code Section 121(f) requires a Conditional Use authorization for the creation of a new lot with a width less than the minimum lot width of 25-feet.

The project seeks to establish Lot 017 in Assessor's Block 5334 as a substandard lot that consists of a width that is 24.5-feet and an area of approximately 2,450 square feet.

- B. **Front Setback Requirement.** Planning Code Section 132 states that the required front setback of a building in an RH-1 District shall be the average of the two adjacent front setbacks. Additionally, Section 132(g) requires that a minimum of 20% of the front setback area must be appropriately landscaped.

The proposed dwelling has a front setback of 7-feet which is the average of the front setbacks of the two adjacent dwellings. The front setback is maintained on every level of the building. At the ground level, 20% of the front setback area is dedicated to landscaping. The proposed front setback meets the requirements of the Planning Code.

- C. **Rear Yard Requirement.** Planning Code Section 134 states that rear yards in an RH-1 District maintain a minimum depth of 25 percent of the total lot depth. The required rear yard for the subject property is 25-feet.

The proposal includes a rear yard of 34.5-feet with no proposed obstructions in the required rear yard area. The proposal meets the rear yard requirements of the Planning Code, and is consistent with the midblock open space.

- D. **Open Space Requirement.** Planning Code Section 135 requires the subject property to provide an open space area of 300 square-feet which is readily accessible to the dwelling unit.

The proposal includes more than the 300-square-feet of required open space and is readily accessible by the proposed dwelling unit.

- E. **Exposure Requirement.** Planning Code Section 140 requires all dwelling units to have at least one room, being a minimum of 120-square-feet, to face directly on an open area.

The proposal meets this requirement of the Planning Code as the proposed dwelling includes multiple rooms that are larger than 120-square-feet and have exposure to either the rear yard area or Revere Avenue.

- F. **Street Tree Requirement.** Planning Code Section 143 requires the installation of street trees by the owner/developer when constructing a new building.

The proposal meets this requirement of the Planning Code as it includes the installation of one street tree in front of the proposed dwelling unit.

- G. **Parking Requirements.** Planning Code Sections 151 and 154 require that one off-street parking space, with a minimum area of 144-square-feet be provided for each dwelling unit.

The proposed dwelling includes an individually accessible, standard size, off-street parking space and is compliant with the Planning Code.

- H. **Permitted Uses.** Planning Code Section 209 permits single-family dwellings in RH-1 (Residential, House, Single-Family) Districts.

The proposal is to construct a single-family dwelling in an RH-1 district. The proposed use meets the requirements of the Planning Code.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed width of Lot 017, 24.5-feet, deviates only slightly from the typical 25-foot-wide lots characterizing the neighborhood. Additionally, the proposed dwelling's form and scale is compatible with those in the immediate and general neighborhood. The proposal is an appropriate infill development on a vacant site and is not expected to adversely impact traffic.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in respect to:

- i. The nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed size of Lot 017 will not adversely affect the health, safety, convenience or general welfare of persons residing or working in the vicinity. The substandard lot width of 24.5-feet still allows adequate space to construct a dwelling that meets all other applicable requirements of the Planning Code and Building Code, including those pertaining to rear yard, open space, and exposure. Furthermore, the scale and form of the proposed dwelling is compatible with other dwellings in the vicinity.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The proposed dwelling will provide one off-street parking space pursuant to Planning Code Section 151. Providing this parking space will not dramatically increase the volume of traffic on

Revere Avenue or in the overall neighborhood. Additionally, the proposed curb cut is positioned so that an on-street parking space between the two subject lots is retained.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposal will not create any noxious or offensive emissions such as noise, glare, dust and odor.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

One new street tree will be provided along the Revere Avenue frontage of the property. Landscaping, screening and setbacks for open space and parking have all been designed to minimize potential adverse impacts.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- 8. **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 1:

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

Policy 1.4:

Locate infill housing on appropriate sites in established residential neighborhoods.

The proposal locates new in-fill housing construction on a vacant site that is not designated as open space and is in an established residential neighborhood and compliant with the Planning Code.

Policy 1.7:

Encourage and support the construction of quality, new family housing.

The proposed dwelling is designed to accommodate the needs of a multi-generational family. The proposed dwelling contains four bedrooms, a computer room, and a den.

OBJECTIVE 11:

IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO MAINTAIN SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

Policy 11.2:

Ensure housing is provided with adequate public improvements, services, and amenities.

Policy 11.5:

Promote the construction of well-designed housing that enhances existing neighborhood character.

The proposal includes the installation of one street tree and has been designed in a manner to compliment the existing neighborhood's residential character. Additionally, on-site usable open space is designed to reflect the existing midblock open space pattern and capture available light and air.

Policy 11.8:

Strongly encourage housing Project Sponsors to take full advantage of allowable building densities in their housing development while remaining consistent with neighborhood character.

The proposed density, form and scale of the dwelling is compatible with other dwellings in the surrounding neighborhood and meets the requirements of the Residential Design Guidelines and Planning Code.

RESIDENCE ELEMENT

Objectives and Policies

OBJECTIVE 1:

TO PROVIDE NEW HOUSING IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR HOUSING CREATED BY EMPLOYMENT GROWTH.

Policy 4:

Locate infill housing on appropriate sites.

The proposed dwelling unit is located within an predominately residential neighborhood. This housing gain comes without causing displacement or disrupting an existing neighborhood, and takes advantage of underutilized space.

OBJECTIVE 2:

TO INCREASE THE SUPPLY OF HOUSING WITHOUT OVERCROWDING OR ADVERSELY AFFECTING THE PREVAILING CHARACTER OF EXISTING NEIGHBORHOODS.

Policy 2:

Encourage higher residential density in areas adjacent to downtown and in neighborhood commercial districts where higher density will not have harmful effects.

The project creates one additional dwelling unit within an existing development pattern of residential uses.

OBJECTIVE 12:

TO PROVIDE A QUALITY LIVING ENVIRONMENT.

Policy 1:

Assure housing is provided with adequate public improvements, services and amenities.

Policy 4:

Promote construction of well-designed housing that conserves existing neighborhood character.

Policy 6:

Relate land use controls to the appropriate scale for new and existing residential areas.

The proposal includes adequate open space. The design of the dwelling maintains the integrity of the existing neighborhood context. This project would provide one new unit of housing. The character of the block is largely residential, thus the in-fill of an existing vacant space with an appropriately-designed residential structure is consistent with the neighborhood character.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.2:

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

The proposed dwelling has been designed in a manner that compliments the aesthetics of the existing neighborhood character.

Policy 3.4:

Promote building forms that will respect and improve the integrity of open spaces and other public areas.

Policy 3.5:

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The building form and massing respects the pattern of two-story single-family homes predominating in the neighborhood.

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.1:

Protect residential areas from the noise, pollution and physical danger of excessive traffic.

The proposal will bring the subject property into greater conformity with the existing neighborhood character and will not contribute to an increase in noise, pollution and physical danger of excessive traffic.

Policy 4.12:

Install, promote and maintain landscaping in public and private areas.

The project provides a front setback of which 20% of the area will be landscaped.

Policy 4.15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

The project will enhance the residential nature of the neighborhood and is compatible with the design aesthetic of adjacent and neighboring dwellings.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

No neighborhood-serving retail uses are proposed or will be eliminated by this proposal. The proposed lot line adjustment and residential unit will not augment and support current and future neighborhood-serving retail establishments.

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

The proposal preserves the character of the neighborhood by providing lot sizes that are compatible with the existing lot-size pattern. In addition, the mass and scale of the proposed dwelling contribute to the prevailing neighborhood context.

- C. That the City's supply of affordable housing be preserved and enhanced,

The project would not directly affect any existing affordable housing. However, the City's housing stock will increase as a result of the Project, potentially indirectly improving housing affordability.

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

The project includes one off-street parking space. The proposal is not expected to affect commuter traffic or MUNI transit service.

- E. 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.

The Project will not displace or alter any elements of the City's industrial or service sectors.

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

The proposed new construction will meet current seismic safety codes.

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings would be affected by the project.

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

The Project will have no adverse impact on parks or open space, or their access to sunlight or vistas.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2007.1142C** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17691. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 11, 2008.

Linda Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Moore, Olague, Sugaya

NAYS: None

ABSENT: Commissioner Miguel

ADOPTED: September 11, 2008.

Exhibit A

Conditions of Approval

1. This authorization is granted to allow a lot line adjustment that establishes a lot with a width of 24.5-feet and an area of approximately 2,450 square-feet. The Proposal includes the construction of a two-story, single-family dwelling occupying a total area of 2,493-square-feet at 2162 Revere Avenue within an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District, in general conformance with plans dated July 2008, and stamped "EXHIBIT B" included in the docket for **Case No. 2007.1142C**, reviewed and approved by the Commission on September 11, 2008.
2. Should monitoring of the Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
3. The Project Sponsor shall assure the execution and recordation of the specified conditions as a Notice of Special Restrictions at the Office of the County Recorder / County Clerk.
4. During the construction period, materials shall be stored on the project site. In no case shall materials or equipment be stored in the street or in front of neighboring properties. The Project site and the improvements shall be maintained in a neat and attractive manner.
5. Until removal by a waste disposal service, all garbage and/or waste containers shall be either (1) kept within the subject building or (2) kept in a sealed enclosure which prevents the emission of any noxious odors, and which may occupy space in the small open space at the rear of the subject property.
6. Should the implementation of this project result in complaints from interested property owners, residents or commercial lessees, which are not resolved by the Project Sponsor and are subsequently reported to the Zoning Administrator and found to be in violation of the Planning Code and/or the specific Conditions of Approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Planning Commission after which may then hold a public hearing on the matter in accordance with the hearing notification and conduct procedures as set forth in Section 174, 306.3 and 306.4 of the Planning Code to consider revocation of this Conditional Use Authorization.
7. The Planning Commission may, in a public hearing, consider the revocation of this conditional use authorization if a site or building permit has not been issued within three (3) years of the date of the Motion approving the project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued thenceforth diligently to completion. The Commission may also consider revoking this conditional use authorization if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved. This authorization may be

extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a City, state or federal agency or by appeal of the issuance of such permit.