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DATE: March 18, 2011

TO: Planning Commission

CC: Board President Chiu; Supervisor Farrell; Supervisor Wiener; Supervisor Mar; Supervisor Cohen; Jason Elliott , Mayor's Office

FROM: Kelley Amdur, Director of Neighborhood Planning KJA

RE: Update on DR Reform

It has been approximately one year since the Land Use Committee (LUC) of the Board of Supervisors tabled the proposed DR Reform legislation. At that time the LUC asked Planning Department staff to report back in one year on the effectiveness of several procedural improvements staff had made as part of the DR Reform policy adopted by the Planning Commission (PC) on June 18, 2009, and updated on March 04, 2010. These procedural improvements include an expanded and formalized Pre-Application process, establishment of thresholds to require review of projects by the Department's Residential Design Team, establishment of a definition for "exceptional and extraordinary circumstances", and timelines for review of DR Applications.

In preparation for the requested 1-year report, Planning staff has begun to assemble some statistics for DR cases that were heard in 2010. Attached is a list of DR cases acted on by the Planning Commission in 2010, and a summary of DR results. This document shows two significant statistics:
1) The Commission agreed with staff recommendation for 83% of the cases, and
2) The Commission voted NOT to take DR on 75% of the cases.
Also notable is the fact that of the 24 DR cases[1] acted on by the Planning Commission in 2010, the Commission agreed with staff that 92% percent did NOT meet the criteria of being "exceptional or extraordinary." To state it another way, for only 2 of the 24 cases did the Commission disagree with staff on the need for the project to be reviewed by the Commission.

Staff has been notified that Supervisor Mark Farrell is interested in sponsoring DR Reform legislation. Also, Supervisor Scott Wiener has informed Planning staff of his interest in DR Reform and will be working with Supervisor Farrell. Planning staff have provided both Supervisor Farrell and Supervisor Wiener with some background information, including some of the case reports and presentation materials developed over the course of the previous DR Reform effort, which ran from mid-2008 to June, 2010. Many of these materials can be found on the Department's DR Reform website: http://www.sf-planning.org/index.aspx?page=1891.

During the next few weeks, staff will develop a public outreach program in consultation with Supervisor Farrell's office. We will offer briefings to Supervisor Mar, who is the current chair of the Land Use Committee, as well as the Board President, other members of the Board and Mayor Lee. Please feel free to contact me if you have any questions: I can be reached at (415) 558-6351 or kelley.amdur@sfgov.org.

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[1] Public and Staff-initiated, not Mandatory

SUMMARY OF DR RESULTS: 2007-2010

	2007	2008	2009	2010
NEW CONSTRUCTION & ALTERATION PERMITS	1905	1564	1292	
NEW/ALTERATION PERMITS AS A PERCENT OF 2006	90%	74%	61%	
AS A PERCENT OF PREVIOUS YEAR	90%	82%	83%	
CASES HEARD	44	53	34	24
PUBLICLY FILED	42	51	32	23
STAFF-INITIATED	2	2	2	1
CASE OUTCOMES: DO NOT TAKE DR	44	53	34	24
STAFF RECOMMENDATIONS:	31	39	27	22
COMMISSION AGREES W. STAFF	17	26	20	18
AS A PERCENT OF CASES HEARD	39%	49%	59%	75%
AS A PERCENT OF STAFF RECOMMENDATIONS	55%	67%	74%	82%
CASE OUTCOMES: TAKE DR & MODIFY	44	53	34	24
STAFF RECOMMENDATIONS:	13	13	5	2
COMMISSION AGREES W. STAFF	12	12	4	2
AS A PERCENT OF CASES HEARD	27%	23%	12%	8%
AS A PERCENT OF STAFF RECOMMENDATIONS	92%	92%	80%	100%
CASE OUTCOMES: TAKE DR & DISAPPROVE	44	53	34	25
STAFF RECOMMENDATIONS:	0	1	2	0
COMMISSION AGREES W. STAFF	-2	1	1, -1	0
AS A PERCENT OF CASES HEARD	0%	2%	1%	0%
AS A PERCENT OF STAFF RECOMMENDATIONS	0%	100%	50%	N/A
CASE OUTCOMES: OVERALL AGREEMENT	44	53	34	24
TOTAL CASES WITH SUBSTANTIVE AGREEMENT	29	39	28	20
AS A PERCENT OF CASES HEARD	66%	74%	82%	83%

2010 PUBLIC AND STAFF DRs

	CASE #	ADDRESS	STAFF RECOMMENDATION	COMMISSION			PLANNER
				ACTION	VOTE	DATE	
1	2009.0716D	708 VERMONT ST	no DR & approve	no DR & approve	+4-3	01/14/10	P. LaValley
2	2009.0124D	1376 FLORIDA ST	no DR & approve	no DR & approve	+6-0	01/21/10	P. LaValley
3	2009.0738DDD	154 MIRALOMA DR	no DR & approve	no DR & approve	+6-1	01/21/10	A. Putra
4	2009.1123D	4639 19th ST	no DR & approve	no DR & approve	+5-0	01/28/10	C. Jaroslawsky
5	2009.1165DDDD	251 ARKANSAS ST	no DR & approve	no DR & approve	+6-1	02/18/10	C. Teague
6	2009.1028D	1017 GREEN ST	no DR & approve	no DR & approve	+6-0	02/25/10	T. Frye
7	2009.0914D	424 FRANCISCO ST	no DR & approve	no DR & approve	+3-3	02/25/10	T. Frye
8	2009.0927DV	1345 MASONIC AVE	no DR & approve	no DR & approve	+6-0	03/11/10	S. Young
9	2009.0694DV	356-358 ELIZABETH ST	no Dr & approve	no DR & approve	+6-0	03/25/10	S. Lai
10	2010.0092DD	675 ARKANSAS ST	no DR & approve	no DR & approve	+5-0	04/22/10	E. Oropeza
11	2009.0981D	449-451MISSISSIPPI	no DR & approve	no DR & approve	+4-0	06/07/10	C. Teague
12	2009.0085D	160 SAN MARCOS AVE	no DR & approve	no DR & approve	+6-0	06/10/10	S. Smith
13	2009.0535D	2296-2298 VALLEJO ST	no DR & approve	no DR & approve	+4-1	06/17/10	G. Cabreros
14	2010.0197D	3948 Clay Street	DR & modify	DR & Modify	+4-2	40353	S. Caltegeroni
15	2009.1124DDV	136 ORD ST	no DR & approve	no DR & approve	+4-3	07/08/10	S. Hayward
16	2010.0084DDD	30 EDITH ST	no DR & approve	DR & Modify	+4-1	07/22/10	R. Crawford
17	2008.0871D	203 LOS PALMOS DR	no DR & approve	no DR & approve	+7-0	08/05/10	E. Watty
18	2010.0490D	5 SEYMOUR ST	no DR & approve	no DR & approve	+4-0	09/16/10	S. Caltagirone
19	2010.0097D	30 PRESCOTT ST	no DR & approve	no DR & approve	+3-1	09/16/10	T. Frye
20	2010.0323D	640-642 SHOTWELL	no DR & approve	DR & Modify	+4-2	10/07/10	P. LaValley
21	2010.0754D	2645 BALBOA ST	no DR & approve	DR & Modify	+4-1	10/07/10	G. Cabreros
22	2010.0482D	940 ELIZABETH ST	no DR & approve	DR & Modify	+5-1	10/14/10	M. Smith
23	2009.0909D	253 PARKER AVE	no DR & approve	no DR & approve	+6-0	10/14/10	A. Starr
24	2010.0770D	2278 WASHINGTON ST	DR & modify	DR & modify	+7-0	12/16/10	S. Vellve

PUBLIC DR	COLOR LEGEND	no DR & approve	DR & disapprove
STAFF DR		DR & modify	DR & modify

1 proposing to construct a one-story, vertical addition, construct new rear deck, and alter the façade
2 proposing to construct horizontal and vertical additions and add a garage on an existing sf dwelling
3 proposing to construct a new single-family dwelling on a vacant lot
4 to extend the rear wall of a two-story-over-garage, single-family structure approximately 13 feet at the second and third levels.
5 to construct a 4-story, 3-unit residential building with 3 off-street parking spaces provided in a ground floor garage as a replacement to the home proposed for demolition
6 to expand the existing penthouse structure and enclose an existing roof deck to add approximately 267 square feet of enclosed habitable space to the penthouse structure
7 to insert a garage opening within the subject building to accommodate 6 off□street parking spaces.
8 proposing to replace and expand a three-story sunroom at the rear of the four-story, single-family dwelling
9 proposing to expand the existing 2-unit building by constructing horizontal additions at the second and a vertical expansion at the third floors to raise the height by approximately 5-feet
10 proposing a one story vertical addition to the existing two story single family dwelling
11 to replace the existing deck and stairs at the rear of the building with new decks at the 1st and 2nd floors, a spiral staircase accessing all three floors, and property line firewalls
12 proposing to construct a three-story over garage sf dwelling on a vacant lot.
13 proposing various alterations to a three-story building, including enclosure of existing stairs along the Fillmore Street facade and construction of rooftop dormers and structures
14 Staff Intiated DR, proposing to widen the curb cut and widen the existing garage located in the front setback area of the□subject three□story, single□family house.
15 to construct a new sf home at the front of the subject lot - The new building would be located in front of the existing building on the lot, with a courtyard maintained between the two structures
16 limited height to 33' / to construct a 9 feet 10 inch wide addition to the east side and a two story vertical addition to the existing two story single family dwelling
17 proposing the construction of a new sf dwelling on a vacant lot, in conjunction with a four lot subdivision and the construction of two other new sf dwellings on Los Palmos Drive.
18 proposing to legalize alterations made without permit, including a dormer on the north slope of the roof, a trellis above the rear deck at the second floor level and windows at the front and rear fac
19 motion to not take DR failed/ to construct a horizontal and a vertical addition on the subject building. Project also requires a rear yard variance
20 approved the project with no horizontal build out in the side yard / proposing to demolish an existing one-story rear addition and construct a three-story, flat-roofed, horizontal and vertical rear adc
21 remove the proposed 4th floor / proposing to construct a two-story vertical addition and a rear horizontal addition to an existing two-story, single-family residence resulting in a four-story, two-unit
22 required the proposed light well to extend down to the window sill of the lower window level of 936 Elizabeth and removed the proposed fourth floor / to construct a vertical addition, add a garage
23 proposing to add one residential unit, construct a rear horizontal addition and construct a one-story vertical addition onto an existing two-story-over-basement, two-family house
24 proposing to re-authorize a curb cut and parking pad, for which a previous permit has expired, and to construct a new gate to screen parking in the buildable area at the front of the seven-unit bui