



SAN FRANCISCO PLANNING DEPARTMENT

Mandatory Discretionary Review Analysis

Dwelling Unit Merger

HEARING DATE JUNE 10, 2010

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Date: June 3, 2010
Case No.: 2010.0210D
Project Address: 2037 - 39 JEFFERSON STREET
Zoning: RH-2 (Residential, House, Two-Family)
40-X Height and Bulk District
Block/Lot: 0915/012C
Project Sponsor: Lee Banks
2039 Jefferson Street
San Francisco, CA 94123
Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org
Recommendation: Take Discretionary Review and disapprove the application

PROJECT DESCRIPTION

The proposal is to merge two dwelling units into a single-family residence within a two-story over garage building. The proposal will involve interior renovations related to removing a kitchen and interior partitions in order to merge the units.

SITE DESCRIPTION AND PRESENT USE

The subject site is located on the south side of Jefferson Street between Broderick and Baker Streets in the Marina neighborhood. The site has approximately 25 feet of lot frontage with a lot depth of approximately 137 feet, containing approximately 3,400 square feet. It contains a two-story over garage circa 1920 vernacular building that occupies approximately 55 percent of the site.

The building is comprised of an entrance lobby and tandem parking for two cars on the ground floor, a three-bedroom flat on the second floor, containing approximately 1,700 square feet, and an identical second flat on the third floor. The proposal is to merge the two flats into a single-family dwelling. Upon completion, the proposed dwelling unit will consist of approximately 4,900 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 predominantly consists of single-family residences and some two-unit and larger apartment buildings. The subject block is split in terms of zoning designation. Properties to the west fronting on Baker Street are zoned RH-1 while properties to the east of the project site, fronting

on Broderick Street, are zoned RM-2 and RH-3, which allows higher density at a rate of three or more units. The adjacent properties to the west, east and south of the subject property are single-family residences.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice for 311	30 days	May 3, 2010	May 3, 2010	36 days
Posted Notice for DR	10 days	May 31, 2010	May 31, 2010	10 days
Mailed Notice for DR	10 days	May 31,2010	May 3, 2010	36 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 Does Not Meet Criteria

According to the project sponsor, the subject property was purchased in January, 2009. The unit on the third floor, proposing to be merged with the lower unit, has been and is currently occupied by a tenant.

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

Project Meets Criteria

The project sponsor's family 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 Meets Criteria

The prevailing density in the area is predominantly single-family residences. 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: single-family residences at approximately 48 percent, while two dwelling units are at 28 percent.

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

Project Does Not Meet 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

The existing dwelling units (identical in layout) contain three bedrooms each with separate rooms for dining, living and kitchen, and one full-bath and a half bath. There are no "functional deficiencies".

GENERAL PLAN COMPLIANCE:

The Project is not consistent with the following Objective and Policy of the General Plan:

HOUSING ELEMENT

Housing Retention

Objective and Policy

OBJECTIVE 2:

RETAIN THE EXISTING SUPPLY OF HOUSING.

Policy 2.2:

Control the merger of residential units to retain existing housing.

The City's general Plan discusses the fact that existing rental housing stock is virtually irreplaceable given the cost of new construction. One family-sized unit will be removed from the City's rental housing stock.

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 does not comply 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 originally a single-family residence, it was converted with permit to a two-unit building in 1981.

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

One family-sized unit will be removed from the City's rental 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. Public transit lines are available nearby on Divisadero 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 not a landmark nor identified in any survey ratings.

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 does not meet a majority of the dwelling unit merger criteria.

- The project will remove a family-sized unit, and will not bring the building into conformance with the prescribed zoning.

RECOMMENDATION: Take Discretionary Review and disapprove the application

Attachments:

Parcel Map

Sanborn Map

Aerial Photo

Zoning Map

Section 311 Notice

Section 317 Application submittal by Applicant:

- DUM Criteria
- Photographs
- Reduced Plans

mw: G:\Documents\DR\2037 - 39 Jefferson St\DUM per 317.doc

