



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0276

HEARING DATE: MAY 3, 2012

Date: May 16, 2012
Case No.: 2011.1151D
Project Address: 640-642 Hayes Street
Permit Application: 2010.12.08.6310
Zoning: RTO [Residential Transit Oriented]
40-X Height and Bulk District
Block/Lot: 0806/008
Project Sponsor: Darren Lee
1148 Fell Street
San Francisco, CA 94117
DR Requestor: Matteo Garbelottoe
648 Hayes Street
San Francisco, CA 94102
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ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2011.1151D AND THE APPROVAL WITH CONDITIONS OF BUILDING PERMIT 2010.12.08.6310 PROPOSING TO ADD A NEW DWELLING UNIT AT THE GROUND FLOOR, RECONSTRUCT THE BAY AT THE FRONT OF THE GROUND FLOOR IN ORDER TO REMOVE THE GARAGE OPENING THAT WAS APPROVED UNDER A SEPARATE PERMIT, LEGALIZE THE ENCLOSURE OF THE GROUND FLOOR AT THE REAR OF THE BUILDING THAT WAS DONE SEVERAL YEARS AGO WITHOUT PERMIT, AND INTERIOR ALTERATIONS TO A THREE-STORY, TWO-FAMILY DWELLING WITHIN THE RTO (RESIDENTIAL TRANSIT ORIENTED) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 8, 2010, Darren Lee filed for Building Permit Application No. 2010.12.08.6310 to add a new dwelling unit at the ground floor, reconstruct the bay at the front of the ground floor in order to remove the garage opening that was approved under a separate permit, legalize the enclosure of the ground floor at the rear of the building that was done several years ago without permit, and interior alterations to a three-story, two-family dwelling within the RTO (Residential Transit Oriented) District and a 40-X Height and Bulk District.

On October 5, 2011 Matteo Garbelottoe (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2011.1151D) of Building Permit Application No. 2010.12.08.6310.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On May 3, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2011.1151D.

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.

ACTION

The Commission hereby takes Discretionary Review requested in Application No. 2011.1151D and approves the Building Permit Application 2010.12.08.6310 subject to the following conditions:

1. All windows must be the size shown on the plans that were submitted to the Planning Department, except for the property line windows at the west side of the building, which must be clerestory windows raised as high as possible that are no more than 10 inches tall by 36 inches wide.
2. Property line windows shall be non-operable and will comply with the Building Code, as determined by the Department of Building Inspection.
3. Siding on the west side elevation will be replaced or repaired in-kind, i.e. it will match the existing siding in style, width and material.
4. The existing deck and stairs at the east side of the property will be removed.
5. The base of the bay window will be restored to its original configuration.
6. The curb in front of the subject property will be restored using granite to match the rest of the block.
7. The sidewalk and tree well will be restored to the original configuration using similar materials that match the rest of the sidewalk.
8. Adjacent property owners at 632-634 Hayes St., 644-648 Hayes St., and 539-541 Ivy St. shall receive from the project sponsor copies of the final plans to be submitted to the San Francisco Planning Department.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. The proposal complies with the Planning Code, the General Plan, and conforms to the Residential Design Guidelines. However, given the long history of violations on the subject property the Commission took Discretionary Review and placed specific conditions on the subject permit, which are listed above.
2. The Commission instructed staff to approve the project per plans marked Exhibit A on file with the Planning Department with the conditions listed above.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

I hereby certify that the Planning Commission took Discretionary Review and approved with conditions the building permit as referenced in this action memo on May 3, 2012.

Linda D. Avery
Commission Secretary

AYES: Commissioners Moore, Sugaya, Antonini, Fong, Wu, Miguel and Borden

NAYS: none

ABSENT: none

ADOPTED: May 3, 2012