



# SAN FRANCISCO PLANNING DEPARTMENT

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## General Plan Referral

*Date:* August 26, 2013  
*Case No.* Case No. 2013.0727R  
DPW-1410 Stanyan St Major Encroachment

*Block/Lot No.:* 2706/035  
*Project Sponsor:* Nick Elsner  
San Francisco Department of Public Works  
1155 Market Street, 3<sup>rd</sup> Floor  
San Francisco, CA 94103

*Applicant:* Mark Brand  
Mark Brand Architecture  
681 Harrison Street  
San Francisco, CA 94107

*Staff Contact:* Neil Hrushowy – (415) 558-6471  
[neil.hrushowy@sfgov.org](mailto:neil.hrushowy@sfgov.org)

*Recommendation:* Finding the project, on balance, is **in conformity** with the General Plan

*Recommended  
By:*

  
John Rahaim, Director of Planning

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### PROJECT DESCRIPTION

The project sponsor proposes to construct a new driveway, vehicle carousel and retaining walls to provide access to a newly constructed house at 1410 Stanyan Street. Proposed landscape work includes the planting of ground cover, shrubs, trees and concrete stairs leading to compacted gravel public sitting area within the Stanyan Street right-of-way. Stanyan Street, because of the steep grade along this part of the hill, remains an unimproved street. This project would build in the Stanyan Street right-of-way to provide a private driveway to a recently constructed property. The submittal is for a General Plan Referral to recommend whether the Project is in conformity with the General Plan, pursuant to Section 4.105 of the Charter, and Section 2A.52 and 2A.53 of the Administrative Code.

## **SITE DESCRIPTION AND PRESENT USE**

The project sponsor filed a General Plan Referral in 2004 (2004.1167R) with a different design. It was found not in-conformity with the General Plan and the Planning Department submitted comments to the project sponsor requesting changes. Those changes were made and a new design was submitted. The Planning Department found the new design in-conformity with the General Plan.

The current design makes further improvements to the design by reducing the amount of paved driveway and adding landscaping, as well as providing a public seating area. The improvements from the original 2004 design, including a 10' curb cut for the drive way, remain intact.

## **ENVIRONMENTAL REVIEW**

On June 17, 2013, the Environmental Planning Division of the Planning Department determined that the "Stanyan Major Encroachment" is Categorically Exempt from Environmental Review as Categorical Exemption Class (c) Existing highway and streets, sidewalks, gutters, bicycle and pedestrian ways and similar facilities.

## **GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION**

The Project is to construct a new driveway to provide vehicular access to a recently constructed residential building. The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter. The Project is, on balance, **in-conformity** with the following Objectives and Policies of the General Plan:

### **URBAN DESIGN ELEMENT**

#### **City Pattern**

#### **OBJECTIVE 1**

**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

#### **Conservation, Street Space**

#### **POLICY 2.8**

**Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.**

Street areas have a variety of public values in addition to the carrying of traffic. They are important, among other things, in the perception of the city pattern, in regulating the scale and organization of building development, in creating views, in affording neighborhood open space and landscaping, and in providing light and air and access to properties.

**POLICY 2.9**

**Review proposals for the giving up of street areas in terms of all the public values that streets afford.**

Every proposal for the giving up of public rights in street areas, through vacation, sale or lease of air rights, revocable permit or other means, shall be judged with the following criteria as the minimum basis for review:

a. No release of a street area shall be recommended which would result in:

- (2) Interference with the rights of access to any private property;
- (3) Inhibiting of access for fire protection or any other emergency purpose, or interference with utility lines or service without adequate reimbursement;
- (12) Release of a street area in any situation in which the future development or use of such street area and any property of which it would become a part is unknown.

b. Release of a street area may be considered favorably when it would not violate any of the above criteria and when it would be:

- (5) In furtherance of the public values and purposes of streets as expressed in The Urban Design Element and elsewhere in the General Plan.

*The Project, as revised, would include construction of a driveway, stairway, public seating area, retaining walls and installation of landscaping in the Stanyan Street right-of-way to access a private lot.*

*However, the Project, if approved and implemented, would provide access to a private property and would enable the City to provide fire protection and emergency services to the private property. Also, the project design has been revised to increase the amount of landscaping in the right-of-way as a public benefit.*

*Should the City require use of the right-of-way in the future, it can require the applicant to remove the improvements (at the applicant's expense) as part of this project as part of the Major Encroachment permit process.*

## Neighborhood Environment

### OBJECTIVE 4

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

San Francisco draws much of its strength and vitality from the quality of its neighborhoods. Many of these neighborhoods offer a pleasant environment to residents of the city, while others have experienced physical decline and still others have never enjoyed some of the amenities common to the city as a whole. Measures must be taken to stabilize and improve the health and safety of the local environment, the psychological feeling of neighborhood, the opportunities for recreation and other fulfilling activities, and the small-scale visual qualities that make the city a comfortable and often exciting place in which to live.

#### FUNDAMENTAL PRINCIPLES FOR NEIGHBORHOOD ENVIRONMENT

These fundamental principles and their illustrations reflect the needs and characteristics with which this Plan is concerned, and describe measurable and critical urban design relationships in the neighborhood environment:

4. Open space and landscaping can give neighborhoods an identity, a visual focus and a center for activity.

*Providing access to 1410 Stanyan Street on this steep portion of Stanyan Street challenges any designer. A good design to access this dwelling would fit within the neighborhood's topography, scale and existing urban pattern.*

*The revised Project would add landscaping, improve views and outlooks from the public right-of-way, and blend well into the undeveloped portion of the street. These improvements are consistent with General Plan policies.*

**TRANSPORTATION ELEMENT**

**General**

**POLICY 1.2**

**Ensure the safety and comfort of pedestrians throughout the city.**

Safety is a concern in the development and accommodation of any part of the transportation system, but safety for pedestrians (which includes disabled persons in wheelchairs and other ambulatory devices) should be given priority where conflicts exist with other modes of transportation.

**Pedestrian**

**OBJECTIVE 23**

**IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.**

**POLICY 23.9**

**Implement the provisions of the Americans with Disabilities Act and the City's curb ramp program to improve pedestrian access for all people.**

*As proposed, the project would install a driveway and related improvements, which would access a single private property.*

**OBJECTIVE 26**

**CONSIDER THE SIDEWALK AREA AS AN IMPORTANT ELEMENT IN THE CITYWIDE OPEN SPACE SYSTEM.**

**POLICY 26.1**

**Retain streets and alleys not required for traffic, or portions thereof, for through pedestrian circulation and open space use.**

*Since there is no sidewalk on this portion of Stanyan Street because the public right-of-way is not yet developed, there is no pedestrian circulation.*

*The City however, can require the applicant to remove the improvements should the City require use of the public right-of-way in the future, as part of the Encroachment Permit.*

**RECREATION AND OPEN SPACE ELEMENT**

**Citywide System**

**POLICY 2.2**

**Preserve existing public open space.**

San Francisco's public open space system is fairly extensive. It ranges from large parks to undeveloped street rights-of-way.

*Currently this portion of the undeveloped Stanyan Street is considered a public resource to provide access to private property and as an informal part of the citywide system of open space.*

*The modified design for the driveway on the public-right-of-way provides subtle landscaping that would help soften the edges of retaining walls for the driveway, helping the new driveway blend into the right-of-way, most of which will remain landscaped and undeveloped.*

**PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1**

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project, demolition and replacement of the Chinese Recreation Center, is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

**Eight Priority Policies Findings**

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

The proposed project is found to be consistent with the eight priority policies of Planning Code Section 101.1 in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

*The Project would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.*

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

*The Project would have no adverse effect on the City's housing stock or on neighborhood character. The existing housing and neighborhood character will not be negatively affected*

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

*The Project would have no adverse effect on the City's supply of affordable housing.*

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

*The Project would not result in commuter traffic impeding MUNI's transit service, overburdening the streets or altering current 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 residential employment and ownership in these sectors be enhanced.

*The Project would not affect the existing economic base in this area.*

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

*The Project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake. It would improve the City's ability to respond to injuries caused by earthquakes and other emergencies.*

7. That landmarks and historic buildings be preserved.

*This site and building are not landmarks or of historic significance. The structure was constructed in the last 20-30 years.*

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

*The Project would have no adverse effect on parks and open space or their access to sunlight and vista. If the City purchases or leases the site for use by the Department of Technology, no new structures would be added to the site*

<b>RECOMMENDATION:</b>	<b>Finding the Project, on balance, in-conformity with the General Plan</b>
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**Attachments:**  
Proposed Design

cc: Nick Elsner, SFDPW

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MAINTAIN MINIMUM SLOPE OF 1/8" PER FOOT AWAY FROM CURB (GARAGE). IF ANY CONFLICT BETWEEN ELEVATION NOTES ON THIS DRAWING ARE DISCOVERED, CONTACT ARCHITECT FOR CLARIFICATION.

