



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

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Date: June 25, 2014
Case No. **Case No. 2014.0023R**
PUC sale of Easement, 98 Crown Terrace

Block/Lot No.: 2705/029

Project Sponsor: Lucy Wohltman and Michael Sweeney
98 Crown Terrace
San Francisco, CA 94114

Applicant: Josh Keene
SFPUC – Real Estate
525 Golden Gate Ave., 10th Floor
San Francisco, CA 94102

Staff Contact: Amnon Ben-Pazi – (415) 575-9077
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Recommendation: Find the project, on balance, **in conformity** with
the General Plan

Recommended
By: 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

98 Crown Terrace is a privately owned lot zoned for residential use and improved with a two-unit residential structure. The SFPUC owns a Sewer Easement on a portion of the lot, which prohibits certain types of construction. The owners of 98 Crown Terrace propose to expand the existing building into the area subject to the Sewer Easement (more details on this proposal can be found in Case No. 2013.1885E). The SFPUC has made a preliminary determination that the Sewer Easement is no longer needed, and this preliminary determination is expected to be formalized in a forthcoming Commission meeting.

The SFPUC is requesting authorization from the Board of Supervisors to quitclaim the Sewer Easement at 98 Crown Terrace at fair market value. While removal of the Sewer Easement is a necessary condition for

the proposed alteration of the residential building at the project site, any Board of Supervisors action authorizing the SFPUC to quitclaim the Sewer Easement would in no way constitute a recommendation or approval of any proposed development or future use at the site.

SITE DESCRIPTION AND PRESENT USE

The site is a privately owned lot in the Twin Peaks district, zoned for residential use and improved with a two-unit residential structure. Due to the steep terrain, several streets were improved as public stairways when the area was developed, including Pemberton Place directly across Crown Terrace from the project site. Pemberton Place originally extended as a public stairway through the project site, which slopes up from Crown Terrace. However, this section of the public right of way was vacated by the City in 1958 and has been amalgamated into the lot. A portion of the staircase remains at the site, but does not currently connect to or provide access to any other parcel or street. The SFPUC Sewer Easement runs along the former Pemberton Place right of way at the project site.

ENVIRONMENTAL REVIEW

The removal of the Sewer Easement was determined to be exempt from environmental review, Categorical Exemption, Class 1 (State CEQA Guidelines Section 15303(e)(2)), in Case No. 2013.1885E, 98 *Crown Terrace*.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The SFPUC has determined that the Sewer Easement at 98 Crown Terrace is no longer needed and is requesting authorization from the Board of Supervisors to quitclaim it at fair market value. Any such authorization would in no way constitute a recommendation or approval of any proposed development or future use on or around the Sewer Easement and the project site. The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, **in-conformity** with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

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.

Comment: The former Pemberton Place public right of way at the project site was vacated by the City in 1958 and has been amalgamated into the lot. While a portion of the staircase remains at the site, it does not currently connect to or provide access to any other parcel or street. Since the Sewer Easement does not in itself enable public access, its sale would not constitute the giving up of street area.

Eight Priority Policies Findings

The Project is to quitclaim an unneeded Sewer Easement. Overall, it is consistent with 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 site is zoned for residential use. The proposed removal of the Sewer Easement will have no effect on neighborhood serving retail.
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood.
The proposed removal of the Sewer Easement is distinct from any physical changes that may be proposed by the property owner, and thus would not in itself have any bearing on neighborhood character.
3. That the City's supply of affordable housing be preserved and enhanced.
The proposed removal of the Sewer Easement is distinct from any physical changes that may be proposed by the property owner, and would not in itself have any bearing on affordable housing.
4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.
The proposed removal of the Sewer Easement will have no effect on traffic or 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 site is zoned for residential use. The proposed removal of the Sewer Easement will have no effect on industrial or service businesses in the City.
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
The proposed removal of the Sewer Easement will have no effect on earthquake preparedness.
7. That landmarks and historic buildings be preserved.
The proposed removal of the Sewer Easement is distinct from any physical changes that may be proposed by the property owner, and thus will have no direct effect on landmarks or historic buildings.
8. That our parks and open space and their access to sunlight and vistas be protected from development.
The proposed removal of the Sewer Easement is distinct from any physical changes that may be proposed by the property owner, and thus will have no direct effect on parks and open space.

RECOMMENDATION:

**Find the Project, on balance, in-conformity
with the General Plan**

**GENERAL PLAN REFERRAL
98 CROWN TERRACE
SALE OF SEWER EASEMENT**

CASE NO. 2014.0023R

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