

1 [Subdivision - Intent to Adopt a Merger Ordinance and Notice - 525-31 Greenwich Street and  
2 15 Kramer Place]

3 **Resolution declaring San Francisco's intention to adopt a Merger Ordinance, pursuant**  
4 **to California Government Code Section 66451.11; declaring this Resolution as the City**  
5 **and County's Notice of Intention to Determine Status for the proposed merger of Lot**  
6 **Nos. 71 and 72 of Assessor's Block No. 0088 (525-31 Greenwich Street and 15 Kramer**  
7 **Place, respectively); establishing a hearing date to consider adopting a Merger**  
8 **Ordinance; and authorizing other official actions in connection therewith.**

9  
10 WHEREAS, The City and County of San Francisco (the "City") does not have a Merger  
11 Ordinance; and

12 WHEREAS, The Board of Supervisors (the "Board") is authorized, pursuant to  
13 California Government Code Section 66451.11, to adopt an ordinance that merges a lot with a  
14 contiguous lot held by the same owner if one of the contiguous lots does not conform to  
15 standards for minimum lot size under the zoning ordinance of the City, one of the contiguous  
16 lots is developed only with an accessory structure, and one of the contiguous lots comprises  
17 less than five thousand (5,000) square feet in area; and

18 WHEREAS, The Board finds it to be in the public interest to merge certain lots which  
19 do not conform to standards for minimum lot size under the zoning ordinance of the City  
20 because such lots detract from the surrounding neighborhood character; and

21 WHEREAS, On August 6, 2010, a Certificate of Compliance was recorded in the City's  
22 Official Records indicating that Lots 71 and 72 of Assessor's Block 0088 (525-31 Greenwich  
23 Street and 15 Kramer Place, respectively) are separate legal lots; and

24 WHEREAS, Lot 71 does not appear to conform to standards for minimum lot size  
25 under the City's Planning Code; and

1           WHEREAS, Among other factors concerning this site, the development of Lot 72 would  
2 result in excessive density and the loss light, open space, and vistas; and

3           WHEREAS, This merger ordinance will allow San Francisco to ensure the orderly  
4 development of the City and in so doing, protect and preserve the public health, safety, and  
5 welfare; now, therefore, be it

6           RESOLVED, That by this Resolution, the Board of Supervisors hereby declares its  
7 intention to adopt a Merger Ordinance, pursuant to Sections 66451.11 et. seq. of the  
8 California Government Code, to merge Lots 71 and 72 of Assessor's Block 0088 (525-31  
9 Greenwich Street and 15 Kramer Place, respectively) (the "Merger Ordinance"), a copy of  
10 which is on file with the Clerk of the Board in File No. 110234 and incorporated herein by  
11 reference; and, be it

12           FURTHER RESOLVED, In addition to the purposes specified above, the Board adopts  
13 this Resolution as its Notice of Intention to Determine Status, as required by Section 66451.13  
14 of the California Government Code (the "Notice of Intention"); and, be it

15           FURTHER RESOLVED, The Clerk of the Board, no later than two (2) business days  
16 following adoption of this Resolution, shall mail by certified mail to the then current record  
17 owner of Lots 71 and 72 of Assessor's Block 0088 a copy of this Resolution and the Notice of  
18 Intention, as required by Section 66451.13 of the California Government Code; and, be it

19           FURTHER RESOLVED, The Clerk of the Board is directed to file and record a copy of  
20 this Resolution as the Notice of Intention in the offices of the Recorder of the City and County  
21 of San Francisco on the same date that the Notice of Intention is mailed to the then current  
22 record owner of Lots 71 and 72 of Assessor's Block 0088, as required by Section 66451.13 of  
23 the California Government Code; and, be it

24           FURTHER RESOLVED, The Board of Supervisors, by and through this Notice of  
25 Intention, does hereby advise the then current record owner of Lots 71 and 72 of Assessor's

1 Block 0088 that he/she has thirty (30) days after the recording of the Notice of Intention to file  
2 with the Clerk of the Board a request for a hearing on determining the status of Lots 71 and 72  
3 of Assessor's Block 0088 and the Merger Ordinance, at which time the then current record  
4 owner of Lots 71 and 72 of Assessor's Block 0088 will have an opportunity to present  
5 evidence that the affected property does not meet the proposed Merger Ordinance's  
6 requirements for a merger; and, be it

7 FURTHER RESOLVED, Whether the affected property owner requests a hearing or  
8 not, a public hearing on the Notice of Intention and the proposed Merger Ordinance shall be  
9 held before the appropriate committee of the Board on a date and time which shall be not less  
10 than thirty (30) days nor more than sixty (60) days after adoption of this Resolution; and, be it

11 FURTHER RESOLVED, The Clerk of the Board shall cause a notice of the hearing on  
12 the Notice of Intention and the Merger Ordinance to be published at least ten (10) days prior  
13 to the hearing in at least one newspaper of general circulation within the City and County of  
14 San Francisco. Such published notice shall: (a) contain the text of this Resolution and the  
15 proposed Merger Ordinance, (b) state the time and place of the hearing, and (c) state that at  
16 the hearing all interested persons will be heard; and, be it

17 FURTHER RESOLVED, The Clerk of the Board, at least ten (10) days prior to the  
18 hearing on the Notice of Intention and the proposed Merger Ordinance, shall send notice of  
19 said hearing by certified mail to the owner of the affected property and by standard United  
20 States Mail to all owners of real property within 300 feet of the affected property. Such mailed  
21 notice shall contain the same information as required above for published notice; and, be it

22 FURTHER RESOLVED, If the Merger Ordinance is not adopted, the Clerk of the  
23 Board, within two (2) business days of the final decision that said Ordinance shall not be  
24 adopted, shall record in the offices of the Recorder of the City and County of San Francisco a  
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1 release of the Notice of Intention to Determine Status, as described above, and shall mail a  
2 clearance letter to the then current owner of record of the affected property.

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