BOARD OF APPEALS
Date Filed: April 25, 2022

City & County of San Francisco

REHEARING REQUEST FOR APPEAL NO. 22-013

Susy Chen, Appellant(s) seeks a rehearing of **Appeal No**. **22-013** which was decided on **April 13, 2022.** This request for rehearing will be considered by the Board of Appeals on Wednesday, **May 11, 2022**, at **5:00 p.m**. **at City Hall, Room 416, 1 Dr. Carlton B. Goodlett Place. The parties have the option of attending remotely via Zoom.**

Pursuant to Article V, § 9 of the Rules of the Board of Appeals, the **response** to the written request for rehearing must be submitted by the opposing party and/or Department no later than **10 days from the date of filing, on or before May 5, 2022** and must not exceed six (6) double-spaced pages in length, with unlimited exhibits. The brief shall be double-spaced with a minimum 12-point font size. An electronic copy should be e-mailed to: boardofappeals@sfgov.org, julie.rosenberg@sfgov.org, tina.tam@sfgov.org, and corey.teague@sfgov.org.

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from each side will be allowed. Except in extraordinary cases, and to prevent manifest injustice, the Board may grant a Rehearing Request only upon a showing that new or different material facts or circumstances have arisen, where such facts or circumstances, if known at the time, could have affected the outcome of the original hearing.

Based on the evidence and testimony submitted, the Board will make a decision to either grant or deny your request. Four votes are necessary to grant a rehearing. If your request is denied, a rehearing will not be scheduled and the decision of the Board will become final. If your request is granted, a rehearing will be scheduled, the original decision of the Board will be set aside, and after the rehearing, a second decision will be made. Only one request for rehearing and one rehearing are permitted under the Rules of the Board.

Requestor or Agent (Circle One)

Signature: Via Email

Print Name: Ryan Patterson, attorney for appellant

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SUSY CHEN

SAN FRANCISCO BOARD OF APPEALS

SUSY CHEN,

Appellant,

v.

CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION,

Respondents.

STEVE MARTISAUSKAS,

Determination Holder.

REHEARING REQUEST

Hearing Date: April 13, 2022
Appeal No.: 22-013
BPA No.: 201810092526
Address: 436 Eureka Street

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SAN FRANCISCO, CALIFORNIA 94111

The Appellant requests a rehearing because:

1. **The Planning Code requires a Declaration of Mailing to confirm that 311 Notice was properly mailed. No declaration was provided.**
2. **The Permit Holder introduced false and misleading information into the record after the public hearing had closed, which did not give the Appellant an opportunity to respond.**
3. **New and different facts, including a shading impact study and an analysis from a structural engineer, confirm that the project will have significant impacts to the Appellant's lightwell that could be easily avoided.**

II. INTRODUCTION

Susy Chen, the Appellant in Appeal No. 22-013, is the owner and resident of the home at 430-432 Eureka Street that is directly adjacent to the project site. The project includes a vertical addition that will block the lightwell on Ms. Chen's property – the only source of natural light for six different bedroom windows. The Planning Department was unable to provide any evidence that notice was properly issued and incorrectly stated that a Declaration of Mailing was not necessary. To the contrary, the Planning Code requires that 311 Notification be verified by a Declaration of Mailing signed under penalty of perjury. This procedural misstep prevented Ms. Chen from seeking Discretionary Review from the Planning Commission and is a clear violation of law that constitutes manifest injustice.

The manifest injustice was exacerbated by the Permit Holder's statements during the appeal hearing. During the Board's deliberations on the appeal, the Permit Holder – for the very first time – introduced false and misleading information into the record ***after*** the public hearing had closed. These misstatements misled the Board into believing the project would not impact Ms. Chen's windows and that a compromise solution proposed by Ms. Chen was infeasible. Ms. Chen did not have an opportunity to review or respond to the misleading and false evidence, which violated Ms. Chen's due process rights and constitutes manifest injustice.

Moreover, expert consultants have reviewed the Permit Holder's newly introduced evidence and determined that the claims made to this Board were inaccurate. Olivier Pennetier, founder of

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Symphysis Bioclimatic Design Consulting, has completed a shading impact study (see **Pannatier Declaration**) that confirms the project will cause significant shading impacts on several of Ms. Chen's single-window bedrooms, directly contradicting the Permit Holder's statements to this Board. Additionally, structural engineer Andrew Scott, principal of Degenkolb Engineers, has completed an analysis that confirms the simple design modification proposed by Ms. Chen is entirely feasible (see **Scott Declaration**), directly refuting the Permit Holder's statements to this Board. These new and different facts could have affected the outcome if known by the Board at the time of the original hearing.

III. REASONS FOR REHEARING REQUEST

A. Manifest Injustice

1. No 311 Notice or Declaration of Mailing

The Planning Code's procedures for providing notice to neighbors is a critical step to ensure that concerns about a project are properly identified and resolved. Planning Code Section 311(d) defines the "notification group" that must be mailed notice, including the project sponsor, tenants of the subject property, relevant neighborhood organizations, and occupants of all properties within 150 feet of the subject lot. Planning Code Section 311(d) requires that "Notice to these groups **shall** be verified by a declaration of mailing signed under penalty of perjury." (Emph. added.) Mailing of a 311 notice was completely missed for this project, perhaps due to the beginning of the COVID pandemic lockdown. Overwhelming evidence from neighbors confirming that they never received 311 Notification was provided, and more continues to be submitted. (See **Exhibit.**) The Planning Department has provided no evidence that 311 Notice was properly mailed and could not produce a Declaration of Mailing.

During the appeal hearing, the Planning Department misstated to the Board that a Declaration of Mailing is not mandatory, despite a clear Planning Code requirement for such a declaration. Moreover, there are twenty neighborhood organizations that have requested notice for projects within the Noe Valley neighborhood. (See **Exhibit.**) There is no evidence that any of these groups were properly notified. This procedural failure prevented Ms. Chen and other members of the public from raising concerns to the Planning Commission and violated their due process rights.

2. False Statements Regarding Project Impacts

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Ms. Chen's lost opportunity to raise objections regarding the project's impacts to the Planning Commission due to the lack of notice were only made worse by the introduction of incorrect evidence at the appeal hearing. During the Board's deliberations, and after the public hearing had closed, Commissioner Honda explained that shading was a "contentious issue" and questioned why he "didn't see a shadow report" in the Permit Holder's brief. To the Appellant's surprise, the Permit Holder told the Board that a shadow report had been conducted and was allowed to introduce this never-before-seen shadow analysis into evidence after the Board's deliberations had already begun. The Appellant had no opportunity to review or respond to the Permit Holder's shadow report.

Moreover, the shading report that was introduced was, at best, misleading. The shading report only showed the impact of the project at one point in time during the afternoon on six days of the year, failed to show the impact throughout the day, and failed to include a quantitative analysis of the light impact at all. The Permit Holder falsely stated that the Appellant's windows do not receive direct sunlight and that the shadow impact of the project was "negligible." As confirmed by the shading impact study conducted by Mr. Pennetier of Symphysis Bioclimatic Design Consulting (see **Pannatier Dec.**), these statements are entirely inaccurate. Photographic evidence shows that the Permit Holder statements that the Appellant's windows do not receive direct sunlight is demonstrably false. (See **Exhibit.**) The introduction of new, false evidence at the hearing during deliberations without providing the Appellant with an opportunity to respond is a manifest injustice.

3. False Statements on the Feasibility of Alternatives

The Permit Holder also falsely claimed that the design modification proposed by Ms. Chen was infeasible and introduced statements from a structural engineer into evidence during deliberations. In response to Commissioner Lazarus' question whether the Permit Holder was open to further negotiations with Ms. Chen, the Permit Holder claimed that there was an email from a structural engineer who confirmed that the proposed compromise solution was not feasible due to the project's structural design. Despite the fact that Ms. Chen had identified potential compromise solutions much earlier, the Permit Holder did not introduce the statements from a structural engineer until the hearing. The Permit Holder has not provided a report or analysis from the structural engineer, has not submitted structural drawings, nor has the Permit Holder even identified the

structural engineer who purportedly made the statement regarding feasibility. As confirmed by the report from structural engineer Andrew Scott of Degenkolb Engineering (see **Scott Dec**.), this statement was also inaccurate. The introduction of new, uncorroborated evidence at the hearing during deliberations without providing the Appellant with an opportunity to respond is a manifest injustice.

B. New and Different Facts that Could Have Affected the Outcome

1. New and Different Facts Regarding Project Impacts

Olivier Pennetier, founder of Symphysis Bioclimatic Design Consulting, has completed a shading impact study that confirms the project as modified by the Board will still cause significant shading impacts on the light that reaches several of Ms. Chen's single-window bedrooms. (See **Exhibit**.) Mr. Pennetier has been a bioclimatic consultant since 2003 and has provided shading analyses for hundreds of residential and commercial projects. Mr. Pennetier's report confirms that the proposed project would cause significant shading impacts. The report concludes that shading will increase by over 20% for the bottom windows in the lightwell. The proposed project would reduce the number of sun hours by 212 hours over the entire year on the bottom center window facing the proposed project, averaged to a reduction of 35 minutes of sunlight per day. The top two windows facing the project would see an averaged sunlight reduction of 24 and 22 minutes per day. The shading impact would be most acute during winter months when the sun angle is at its lowest. The shading impact study confirms that the Permit Holder's statements to this Board were inaccurate, and these new and different facts could have affected the outcome of this appeal.

2. New and Different Facts Regarding Project Alternatives

Ms. Chen discussed a proposed solution with the Permit Holder to reduce potential impacts to her home that would include a sloped roof above the staircase adjacent to her lightwell. Ms. Chen also offered to pay for any resulting increase in construction costs from the proposed solution. Structural engineer Andrew Scott (License No. S4809) has reviewed the project plans and the proposed compromise. Mr. Scott has concluded that the proposed compromise is entirely feasible with engineering design and detailing of the timber framing and associated hardware/fasteners. The proposed compromise solution is similar to the other engineering challenges on the project and

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presents less of a concern as the sloped roof is at the topmost floor where the accumulated seismic forces are the lowest. (See **Scott Dec**.) In short, Mr. Scott's analysis confirms that the Permit Holder's statements to this Board were inaccurate, and these new and different facts could have affected the outcome of this appeal.

IV. CONCLUSION

The proposed project would block the Appellant's lightwell and substantially impact her tenants' only source of natural light for multiple single-window bedrooms. The Permit Holder introduced new and misleading information to the Board at the hearing, which misled the Board to believe that the project would not significantly impact the Appellant's windows and that there were no feasible solutions available. Ms. Chen was not given an opportunity to respond to this new evidence, which was a manifest injustice. Moreover, new and different facts have arisen that confirm the significant impact of the project on the Appellant's lightwell and the feasibility of the Appellant's compromise solution could have affected the outcome if known by the Board at the time of the original hearing. We therefore respectfully request that the Board grant this rehearing request to correct this manifest injustice and to consider all relevant available facts.

Dated: April 25, 2022

Respectfully submitted,

ZACKS, FREEDMAN & PATTERSON, PC

/s/ Brian O'Neill

Brian O'Neill
Attorneys for Appellant
SUSY CHEN

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SAN FRANCISCO BOARD OF APPEALS

SUSY CHEN,

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v.

CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION,

Respondents.

STEVE MARTISAUSKAS,

Determination Holder.

DECLARATION OF OLIVIER PENNETIER IN SUPPORT OF REHEARING REQUEST

Hearing Date: April 13, 2022
Appeal No.: 22-013
BPA No.: 201810092526
Address: 436 Eureka Street

I, Olivier Pennetier, declare as follows:

1. I am the founder of Symphysis Bioclimactic Design Consulting hired by Susy Chen to evaluate the subject construction project at 436 Eureka Street, San Francisco, CA. I make this declaration based on my own personal knowledge of the following facts, except to those matters stated on information and belief, and as to those matters, I believe them to be true. If called as a witness herein, I can and will competently testify thereto.

2. I am a LEED certified architectural professional specializing in solar access and shading issues with over 20 years' experience conducting shading assessments for a wide range of commercial and residential projects.

3. I have reviewed all of the project plans for Building Permit Application Number 201810092526 (BPA No. 201810092526) for the residential expansion project at 436 Eureka Street, as modified by the Board of Appeals, as well as site photos, project visuals, and measurements of the lightwell at 430-432 Eureka.

4. Based upon my years of experience and knowledge of the project, I have conducted an analysis of the shading impact of the project on the lightwell windows at 436 Eureka Street.

5. A true and correct copy of my shading impact report is attached hereto as Exhibit 1.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 25, 2022 in San Francisco, CA.

DocuSigned by:
Olivier Pennetier
10E4FADBCFF647F...

By: Olivier Pennetier

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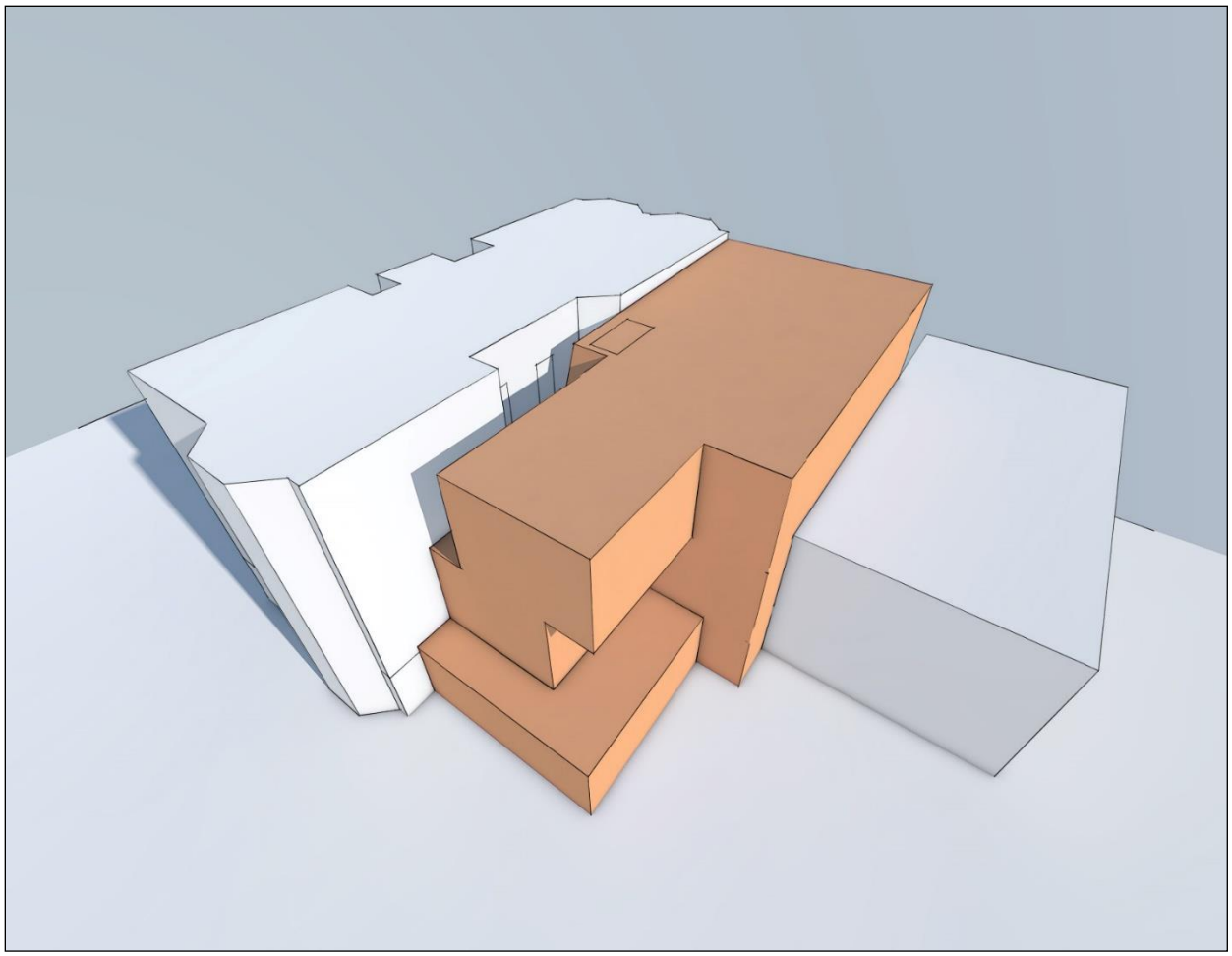
SHADING IMPACT ANALYSIS REPORT

FOR **430 EUREKA STREET** | APRIL 2022



Report prepared by
Olivier PENNETIER, M.Arch, LEED AP, CEA
SYMPHYSIS
Bioclimatic Design Consulting
olivier@symphysis.net

I. INTRODUCTION & ANALYSIS SUMMARY

SYMPHYSIS was asked to perform a shading analysis to assess the shading impact of a proposed remodeling project at 436 Eureka Street, upon the adjacent lightwell windows at 430 Eureka Street.

After performing the analysis, SYMPHYSIS concludes that **the proposed remodeling project at 436 Eureka Street would substantially (>20% shading) shade some of lightwell windows .** At worst, the proposed project would reduce the number of sun hours by 212 hours over the entire year on the bottom center window facing the proposed project. This can be averaged to a reduction of 35 minutes of sunlight per day on that particular window E. This shading would occur from the end of May through the end of August between 12:30 and 2:00 pm. Three out of 6 impacted windows (the three bottom windows) would experience a sunlight hour reduction of over 20% compared to the existing conditions (-29%, -43% and -26% respectively). The top 2 windows facing the proposed project ("A" and "B") would experience a loss of sunlight equivalent to 24 and 22 minutes per day respectively.

The report herein shows shading diagrams within the lightwell, throughout summer solstice, spring/fall equinox, and winter solstice. The yellow shading highlights the additional shading cast by the proposed project over the existing conditions. Note that the diagrams assume the existing roof parapet has been removed. The last page D02 shows the analysis numbers for the proposed project with the remaining parapet. ■

Olivier A. Pennetier, M.Arch, LEED AP, CEA
SYMPHYSIS Principal
04/25/2021

CABEC
California Association of Building Energy Consultants
CERTIFIED ENERGY ANALYST
CEA# R19-22-30107

Our services consist of professional opinions and conclusions developed in accordance with generally accepted environmental design, solar engineering and daylighting design principles and practices. Our conclusions and recommendations are based on the information provided by the clients, USGS Digital Elevation Model and publicly available Geographic Information System database.

A01

JUNE 21ST

SUMMER SOLSTICE SHADING IMPACT

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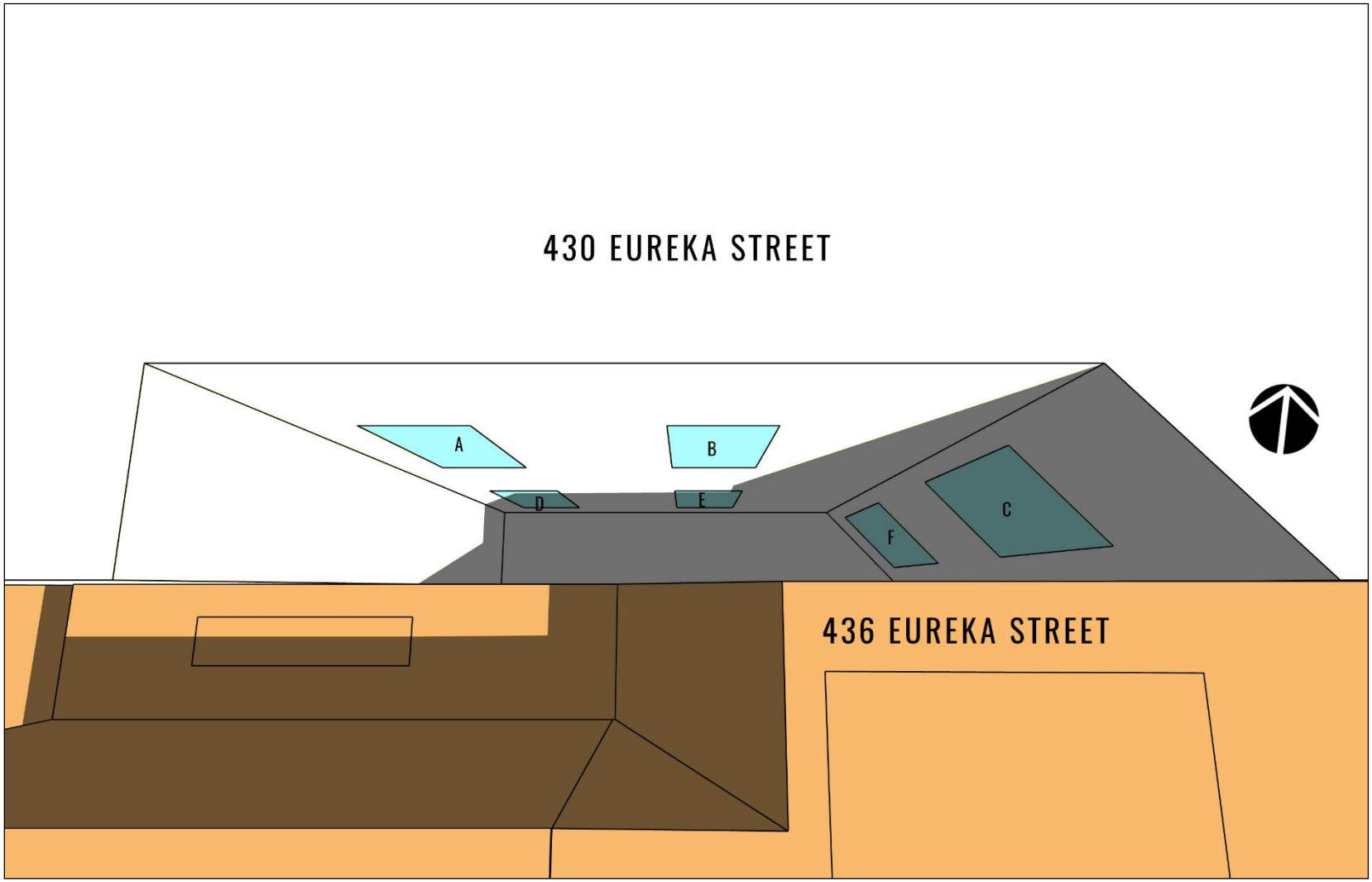

A02

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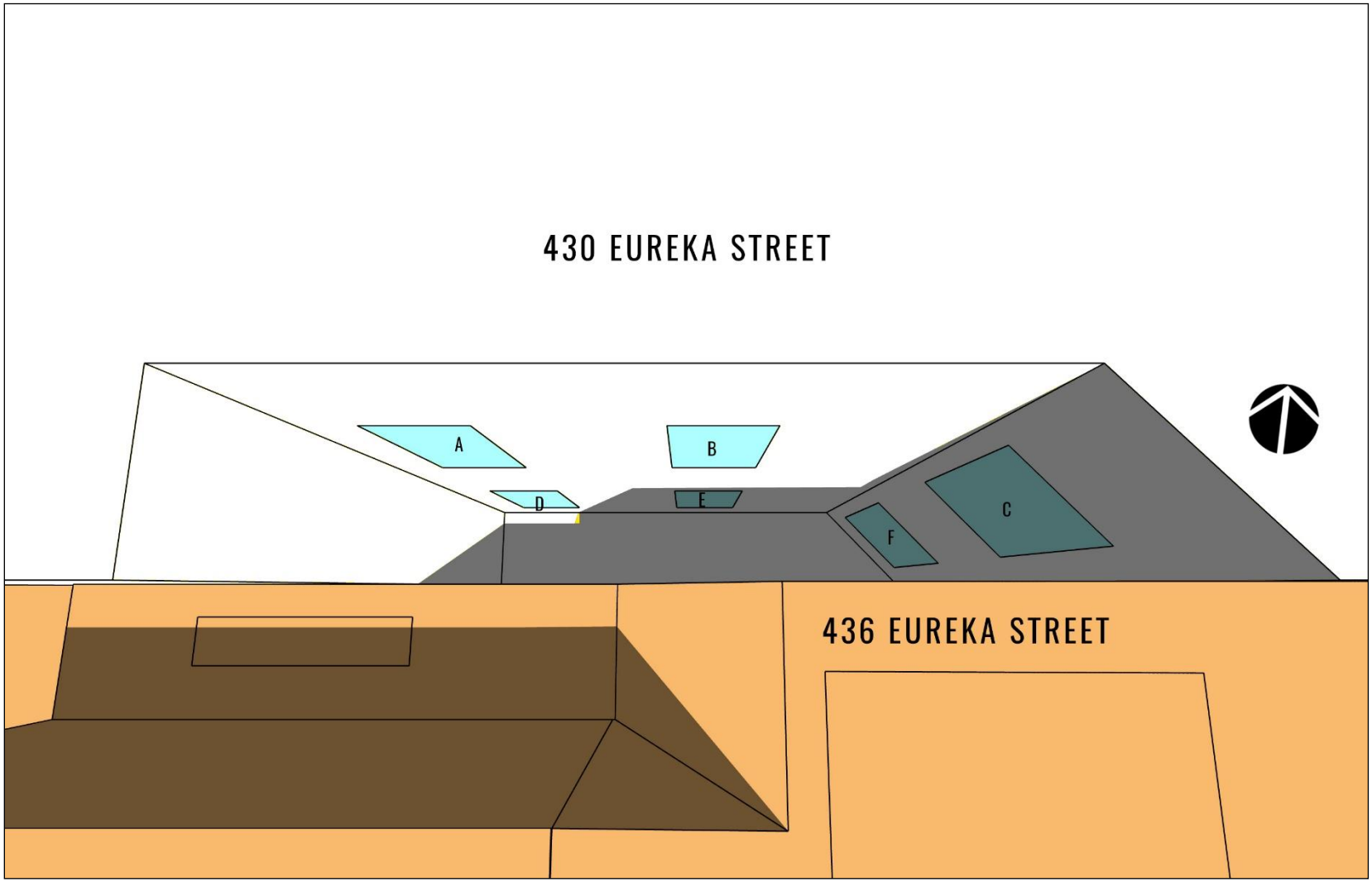

A03

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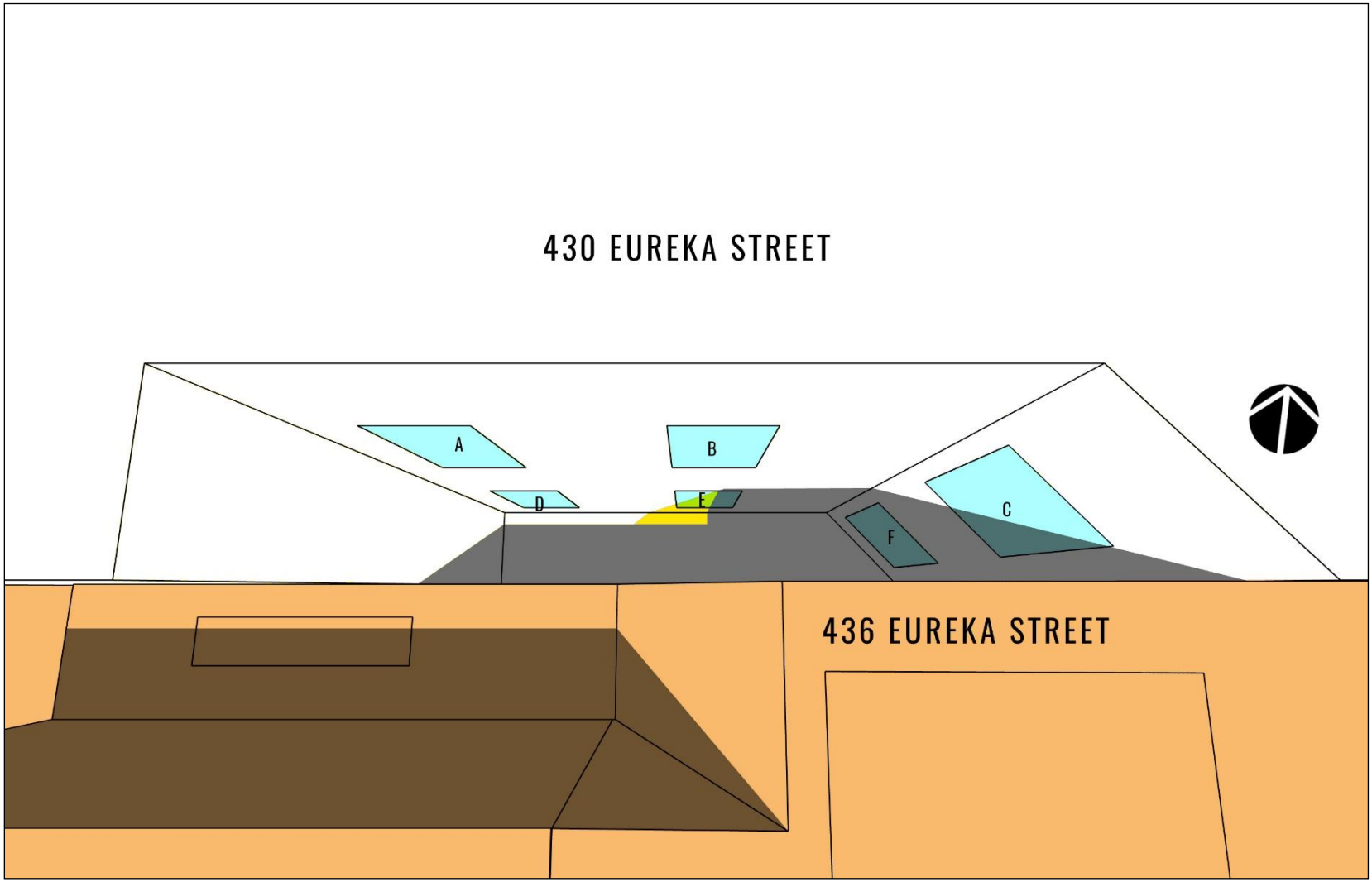

PROPOSED PROJECT EXISTING SHADOWS NEW ADDITIONAL SHADOWS CAUSED BY PROPOSED PROJECT

A04

SUMMER SOLSTICE SHADING IMPACT

JUNE 21ST

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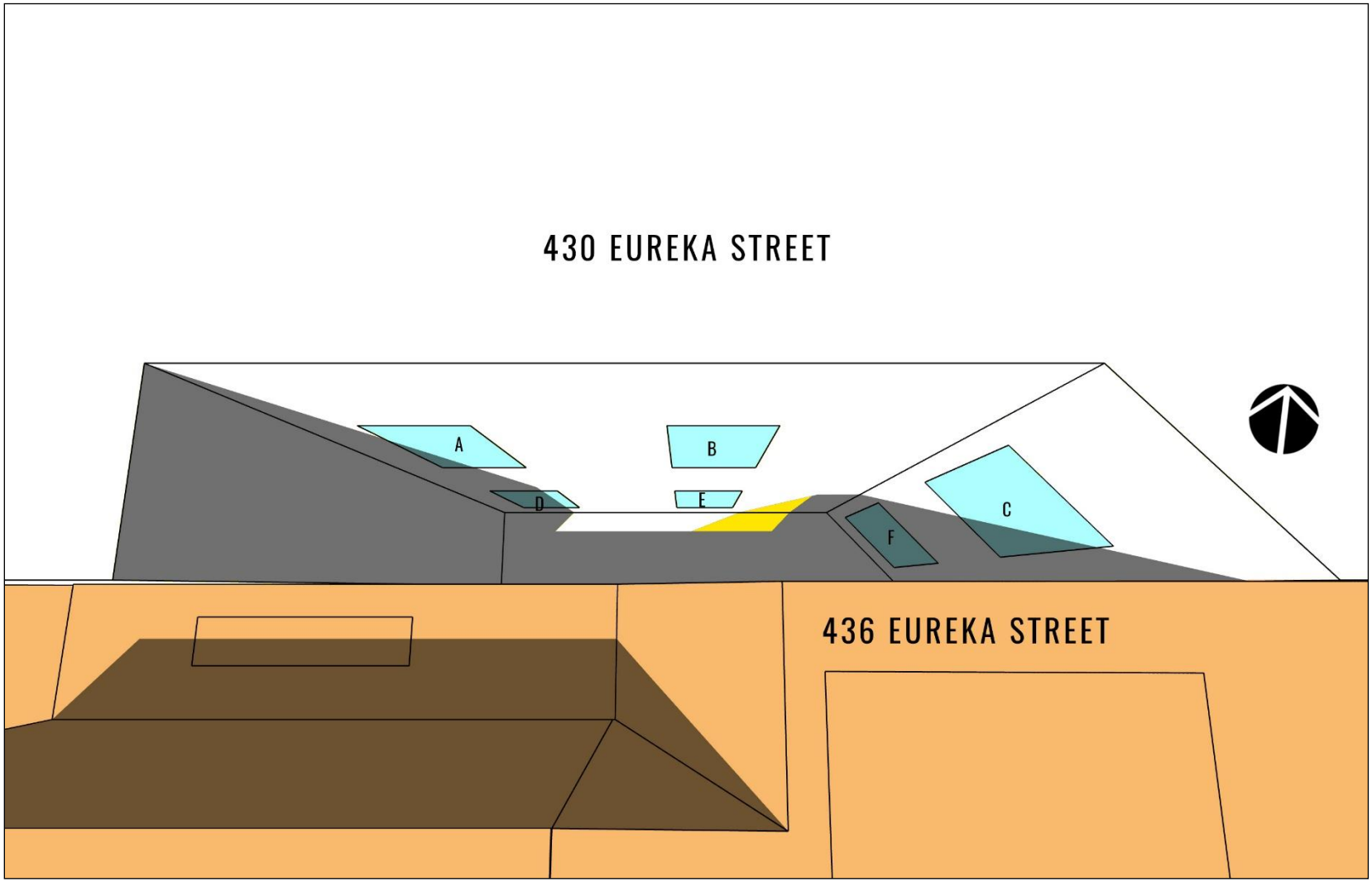

A05

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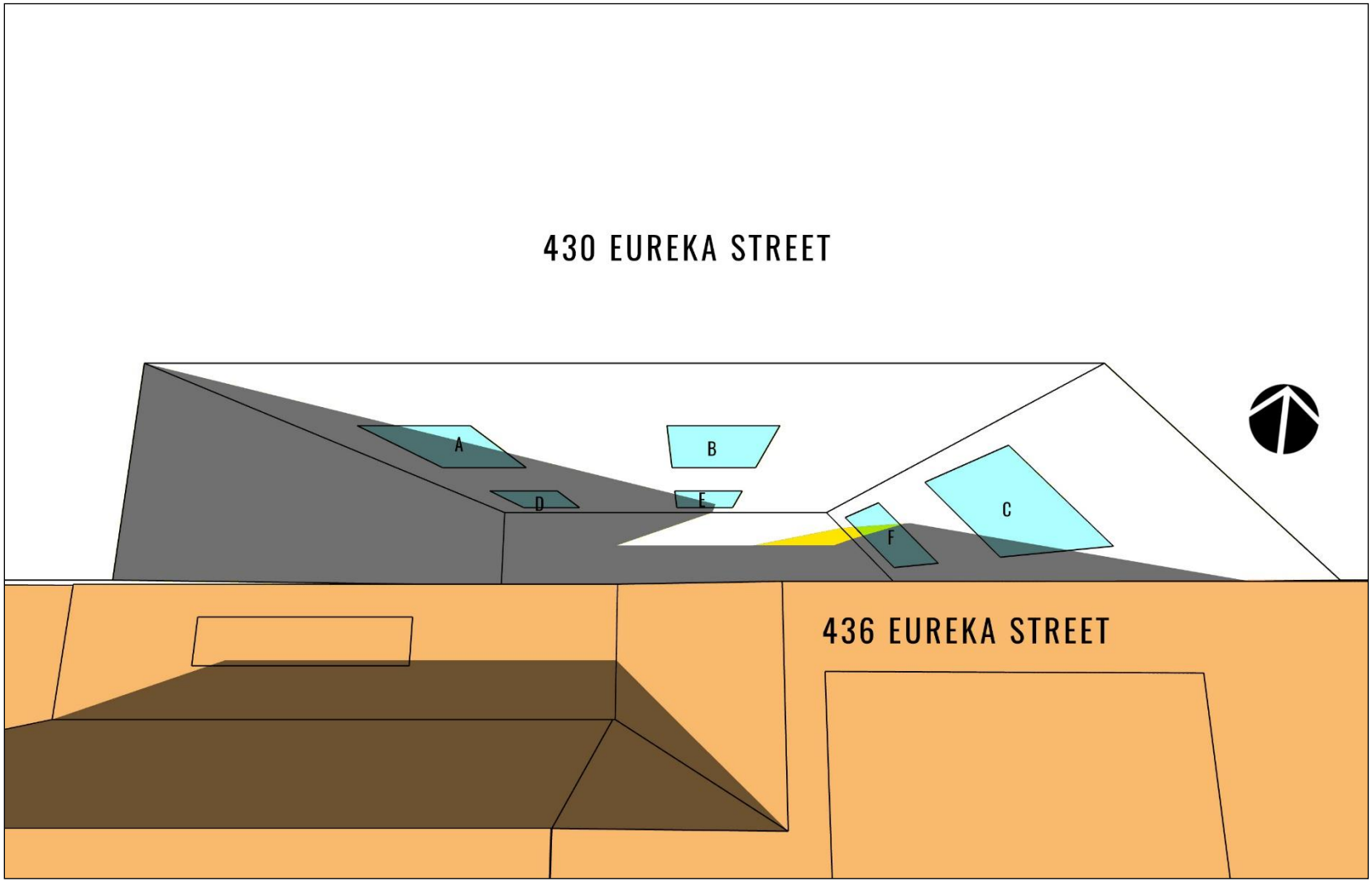

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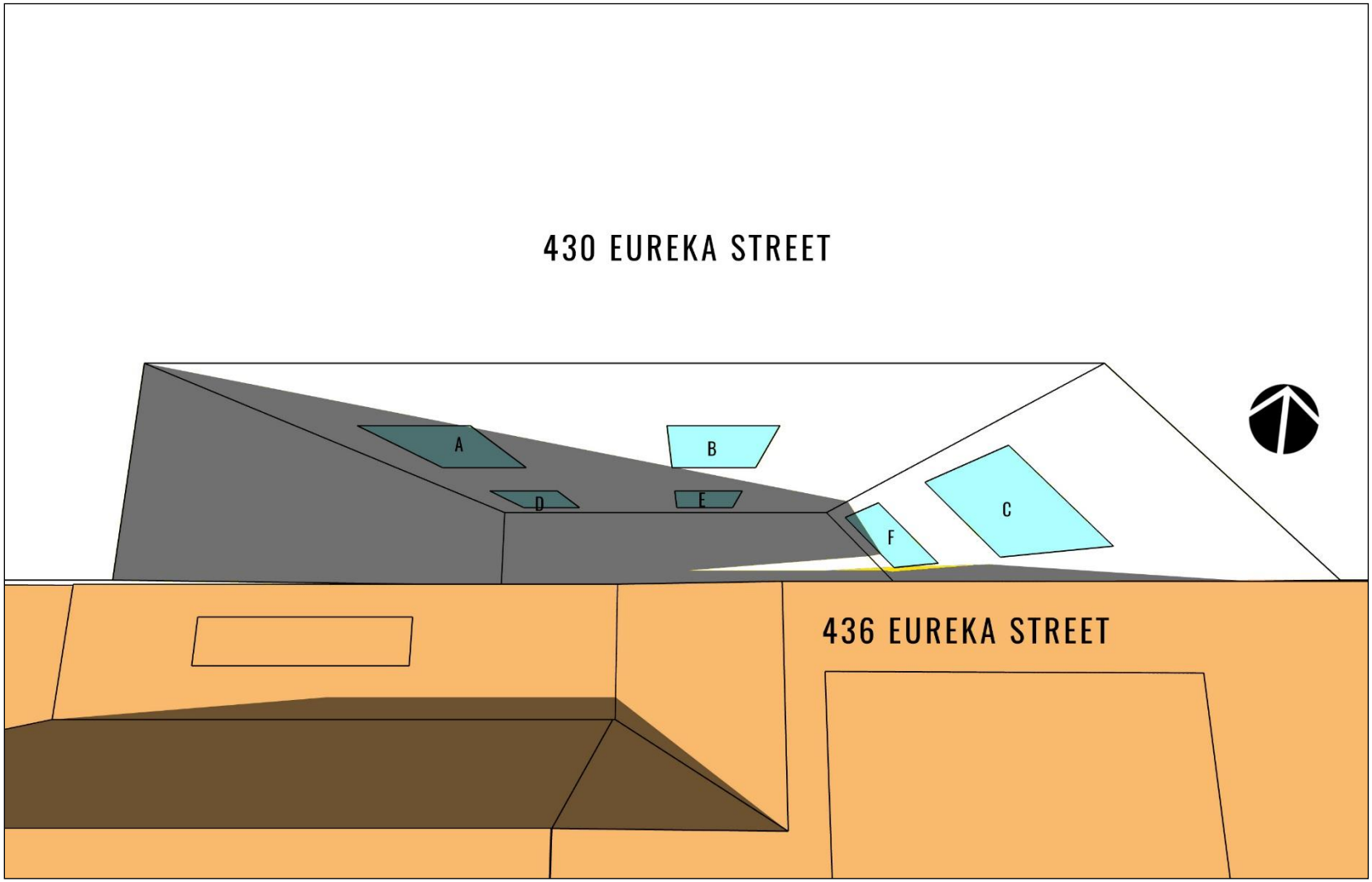

PROPOSED PROJECT EXISTING SHADOWS NEW ADDITIONAL SHADOWS CAUSED BY PROPOSED PROJECT

A07

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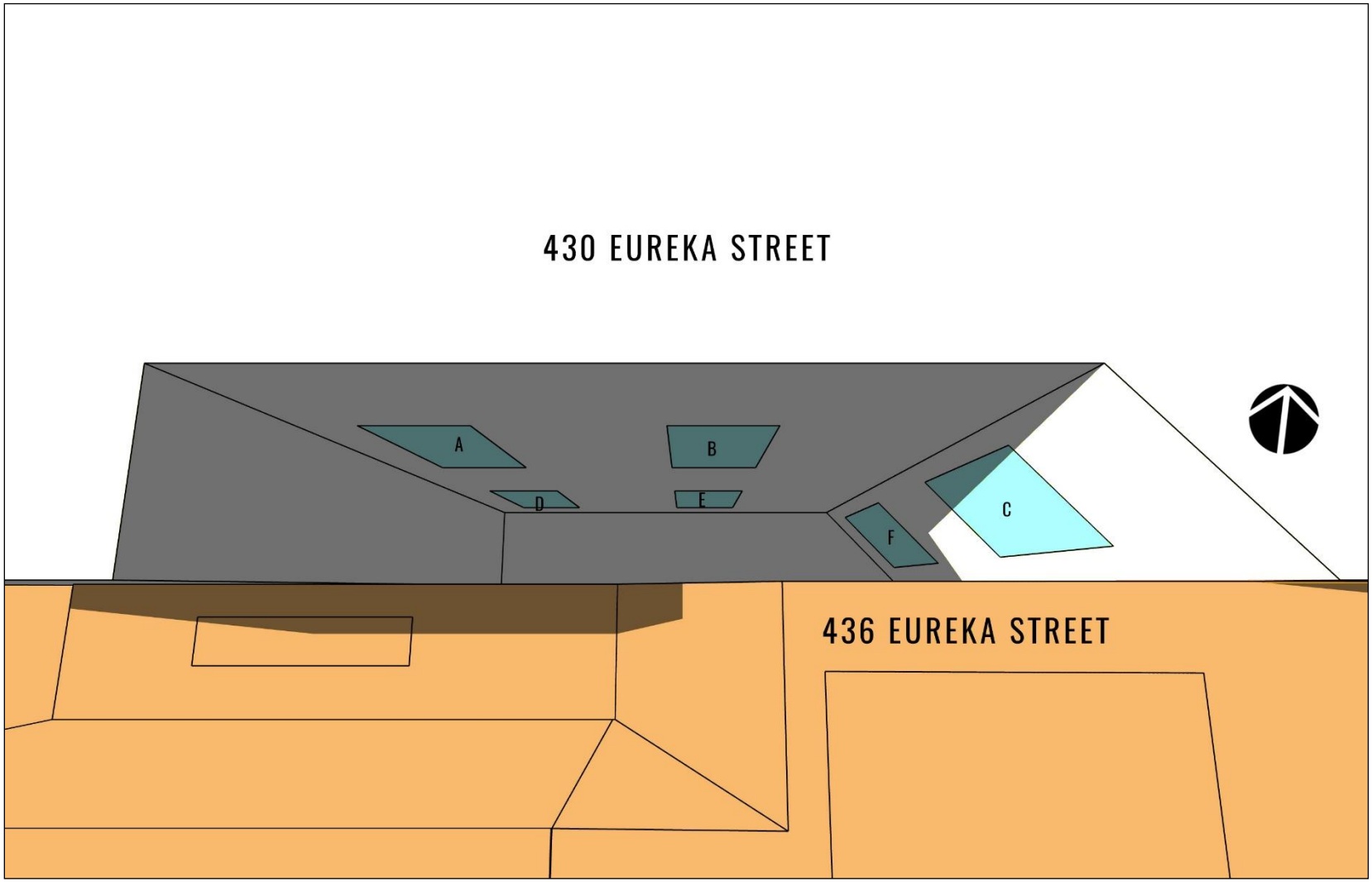

B01

SPRING / FALL EQUINOX SHADING IMPACT

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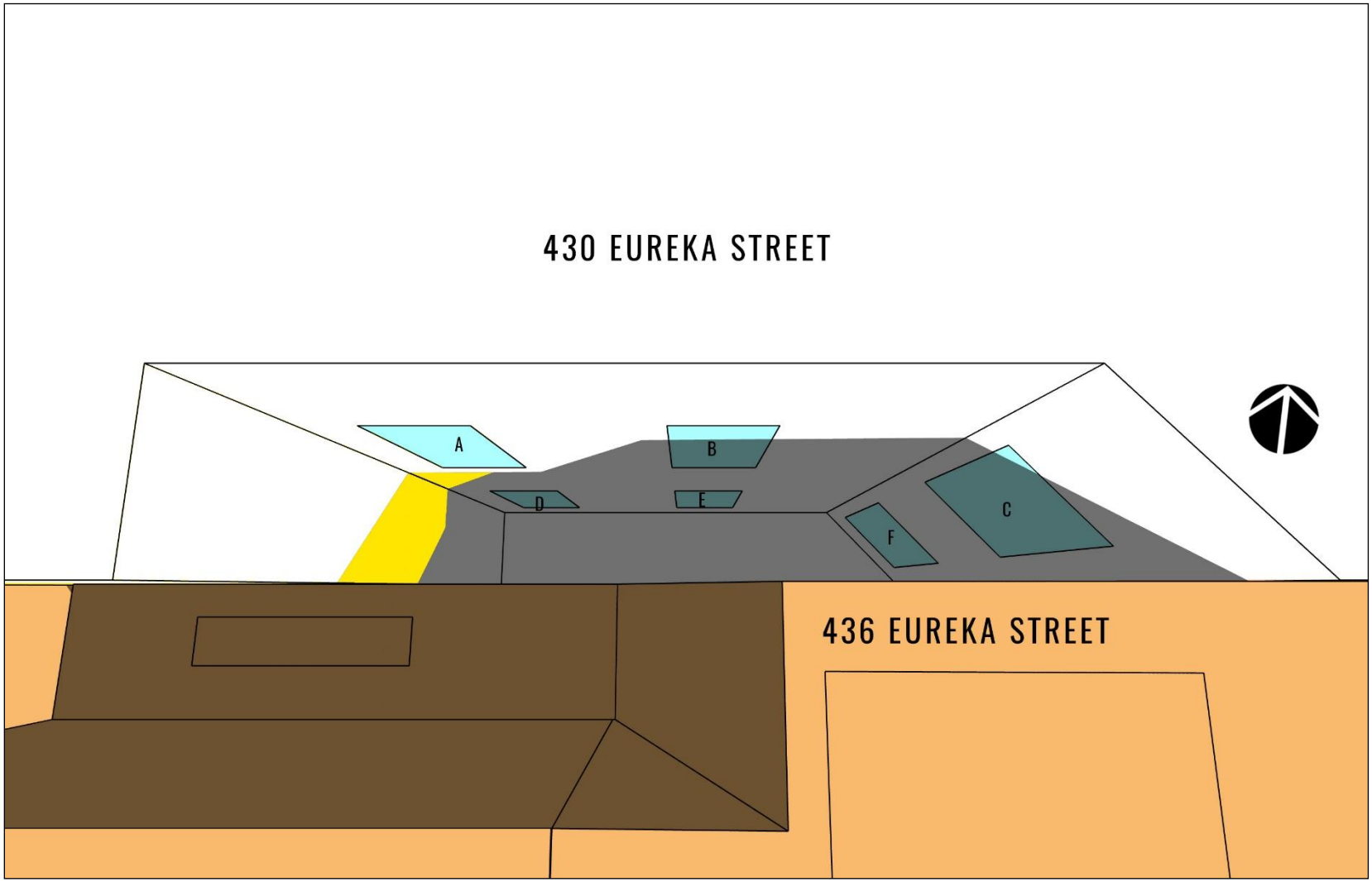

B02

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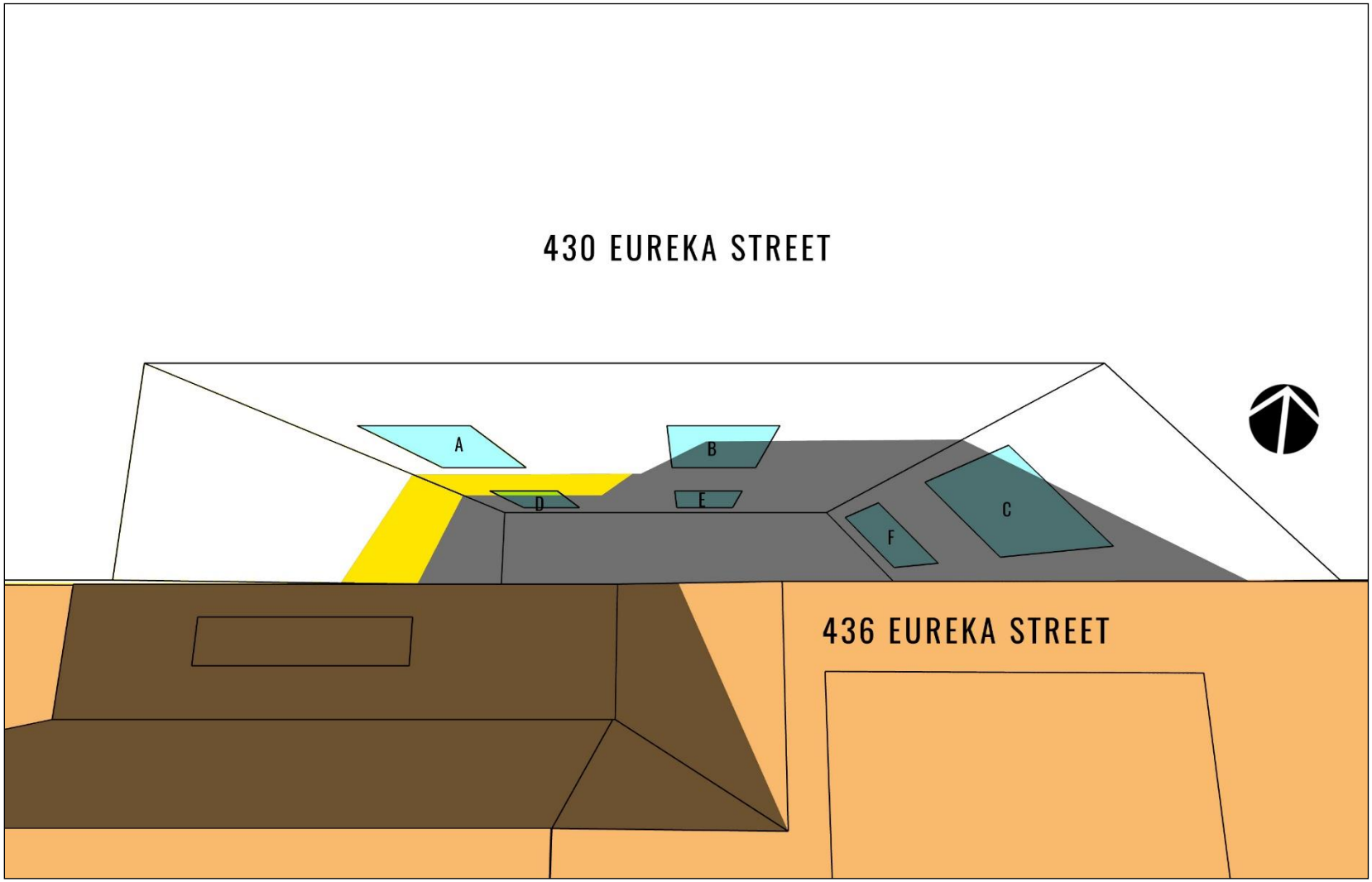

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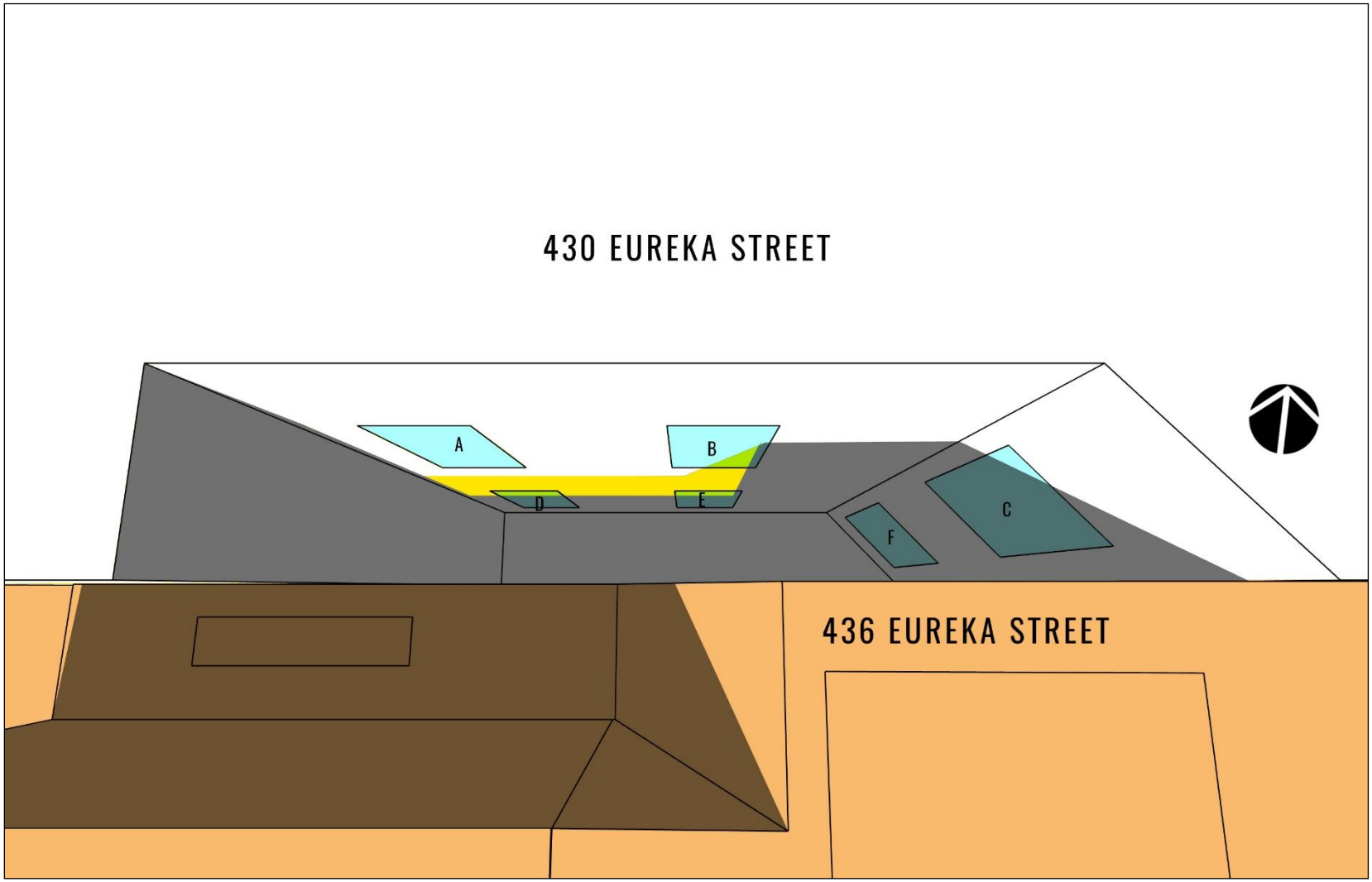

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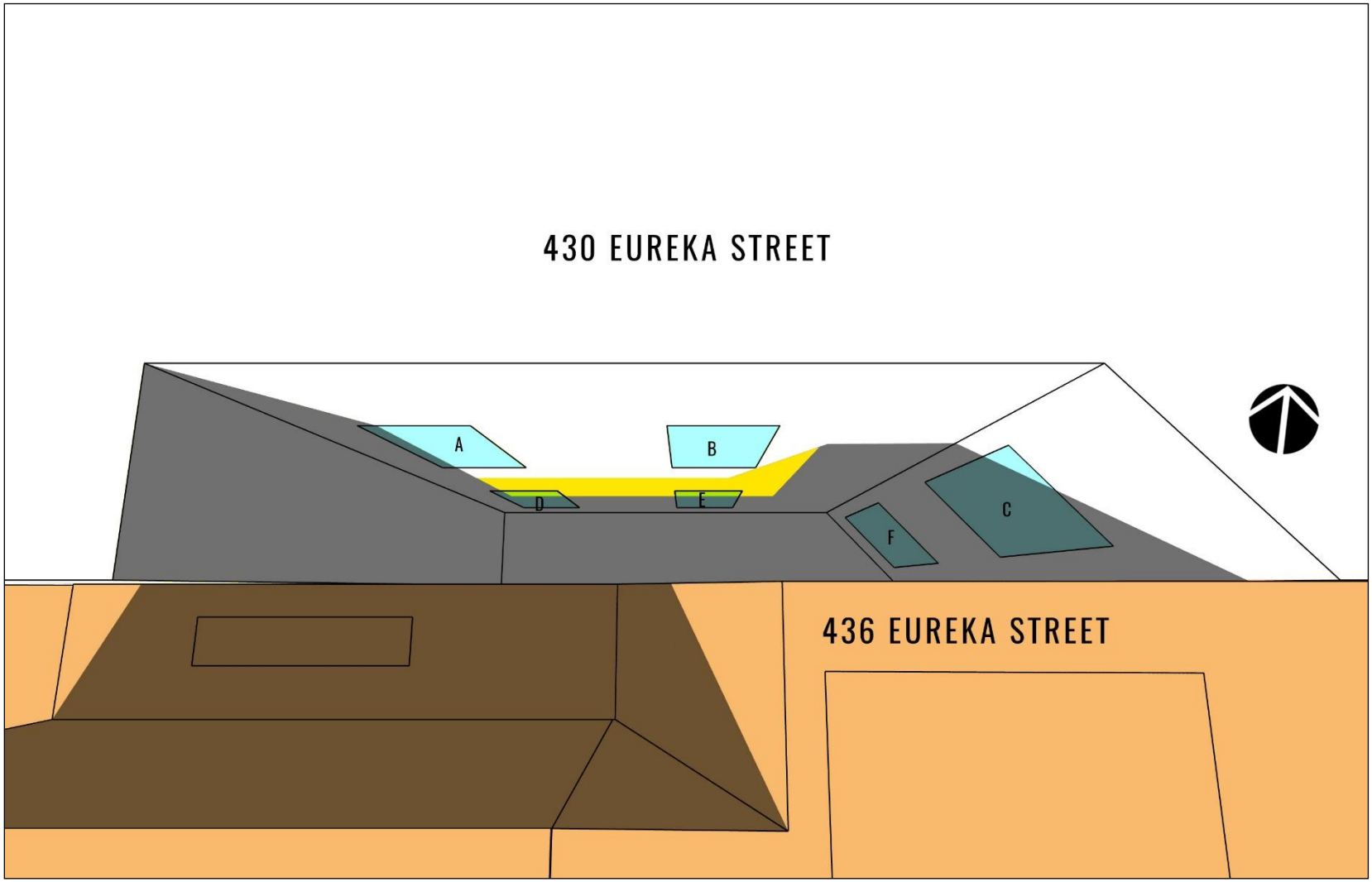

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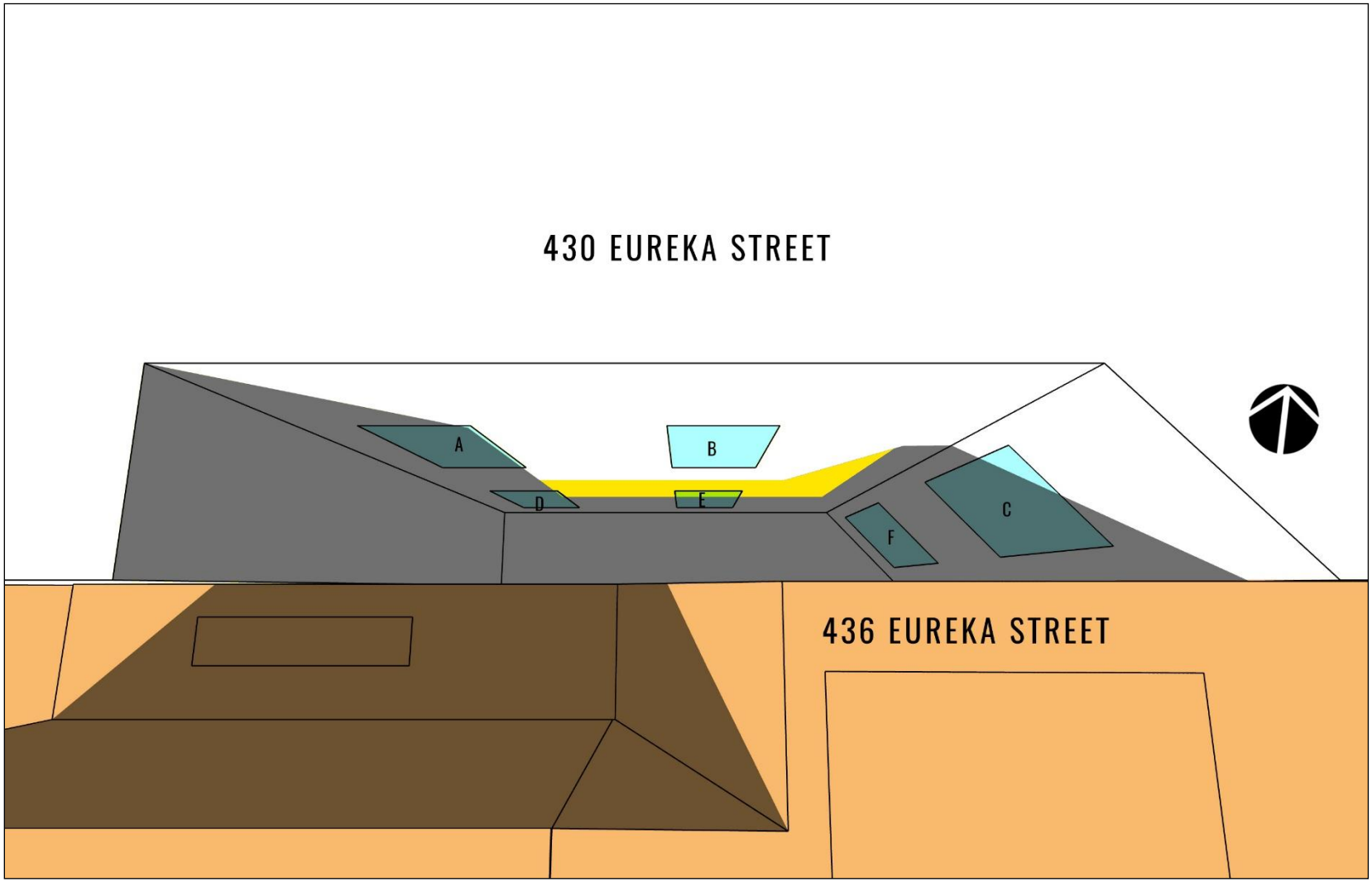

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SPRING / FALL EQUINOX SHADING IMPACT

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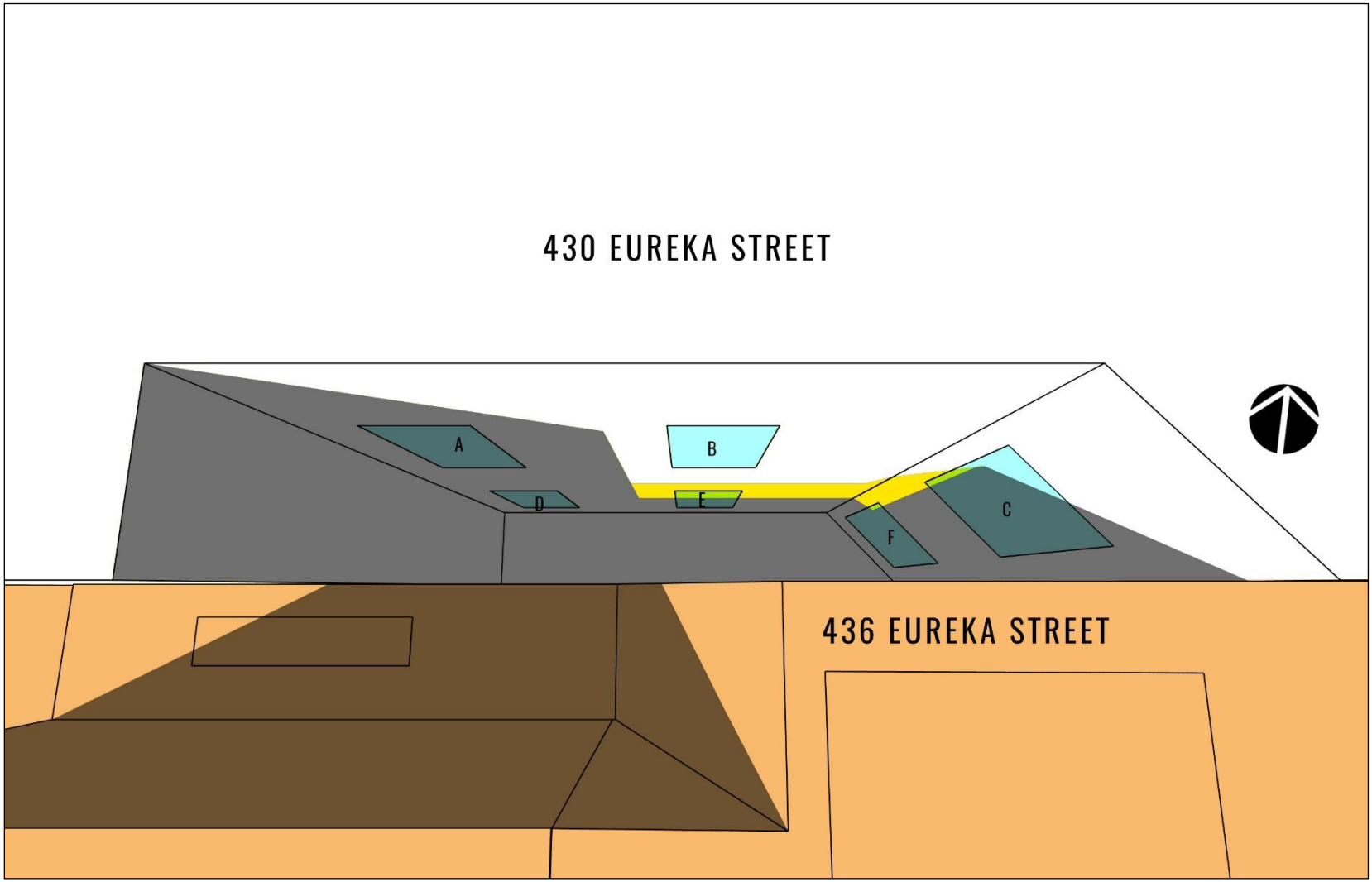

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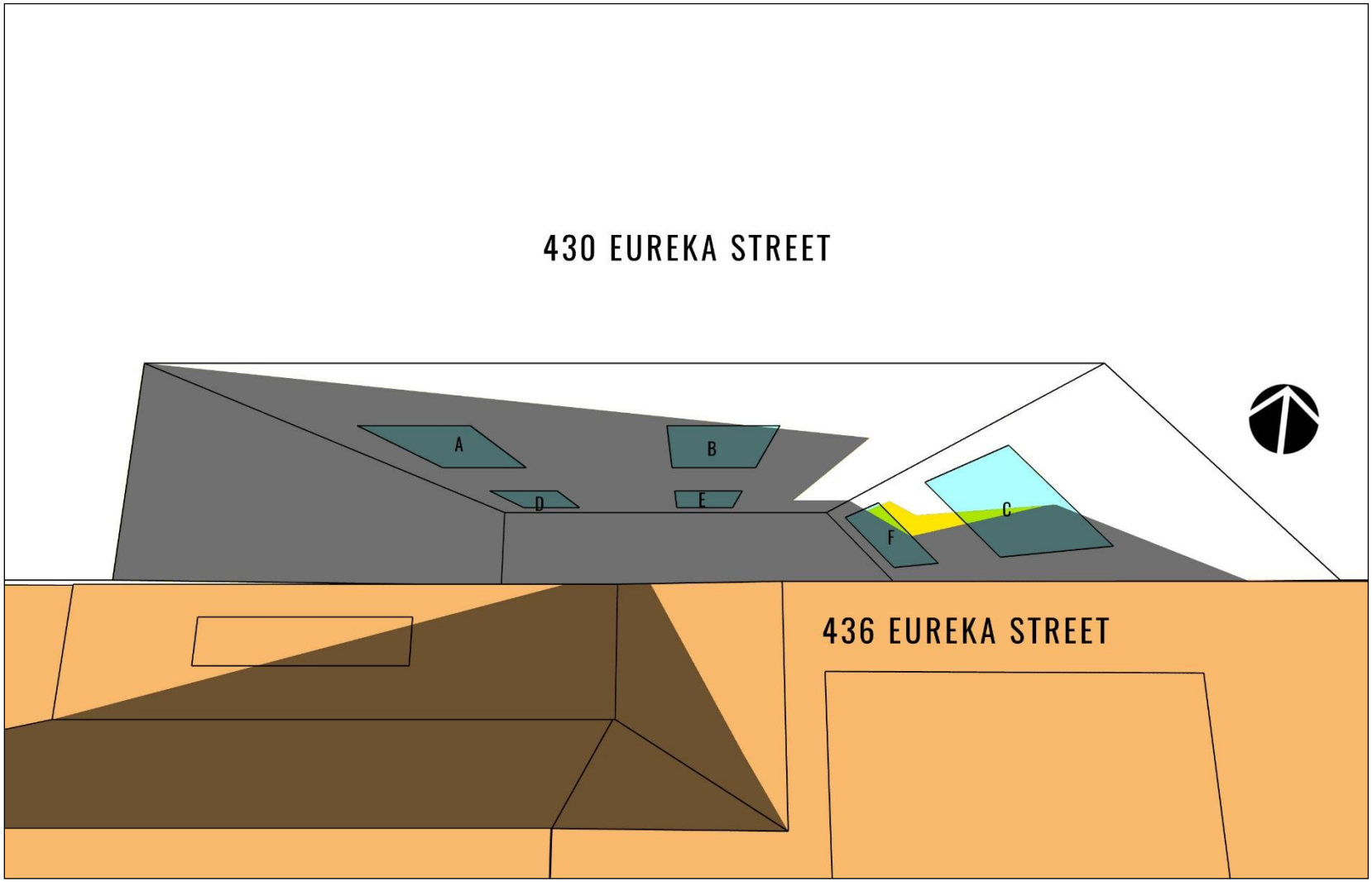

C01 WINTER SOLSTICE SHADING IMPACT

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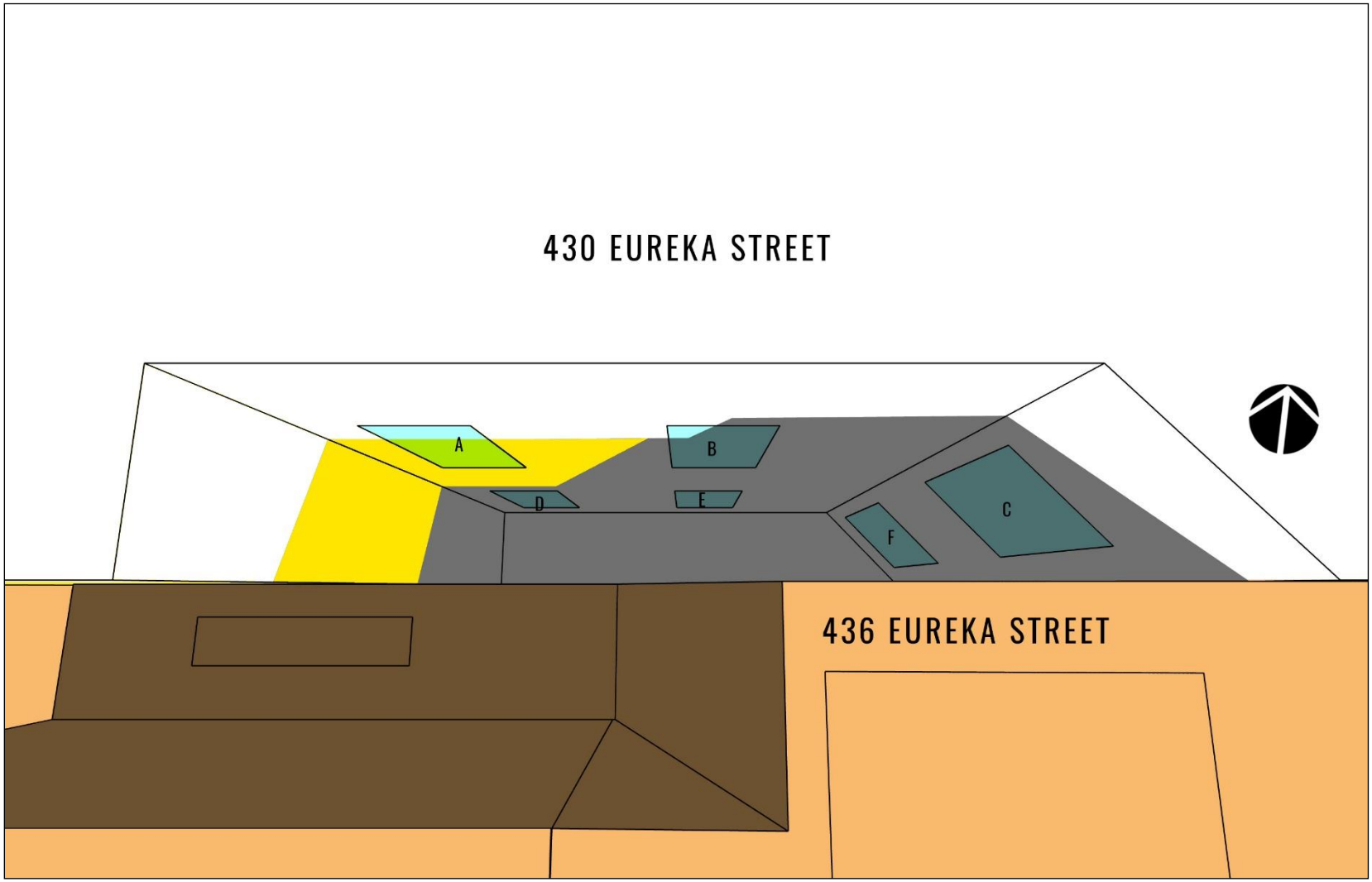

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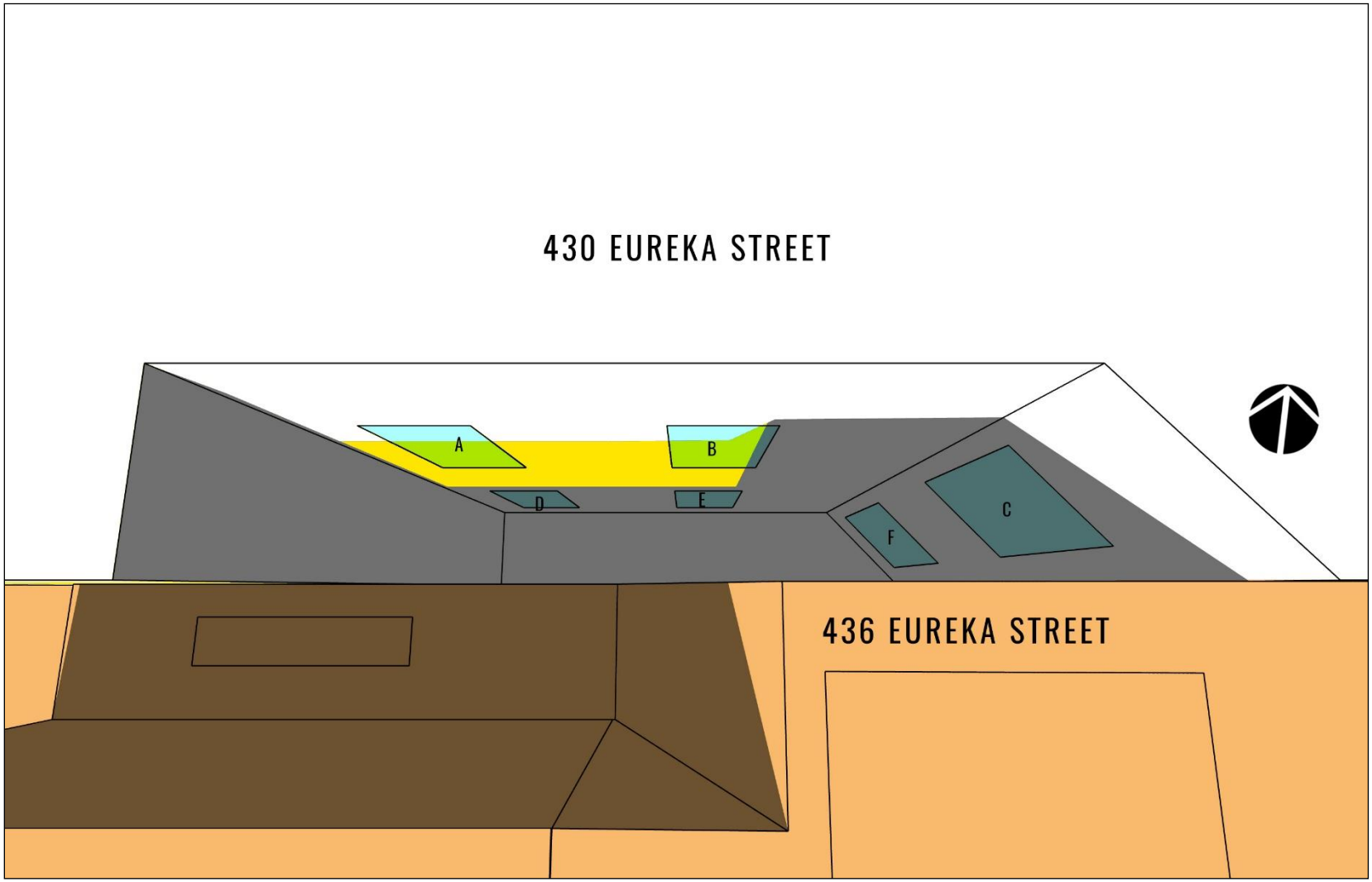

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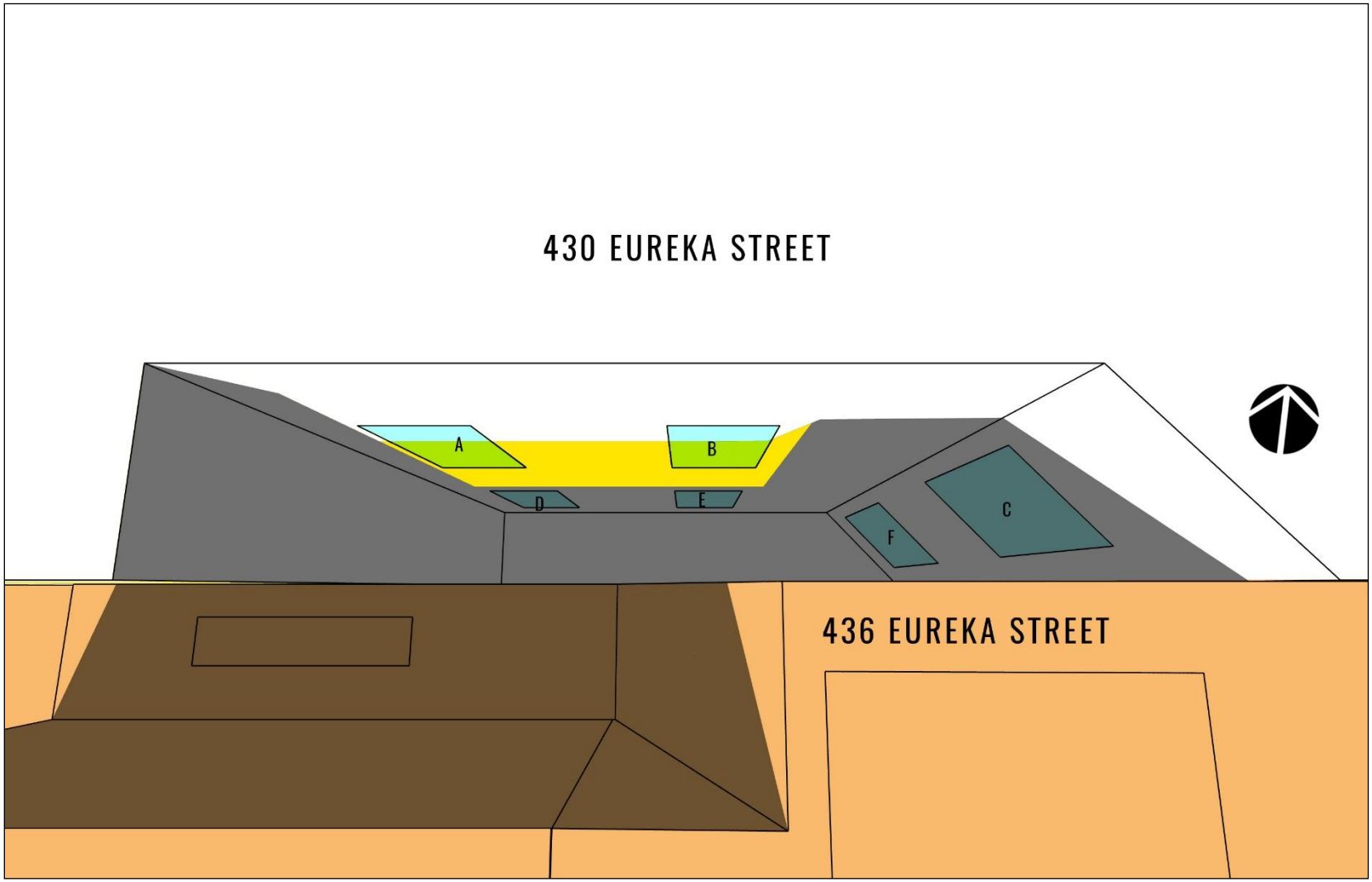

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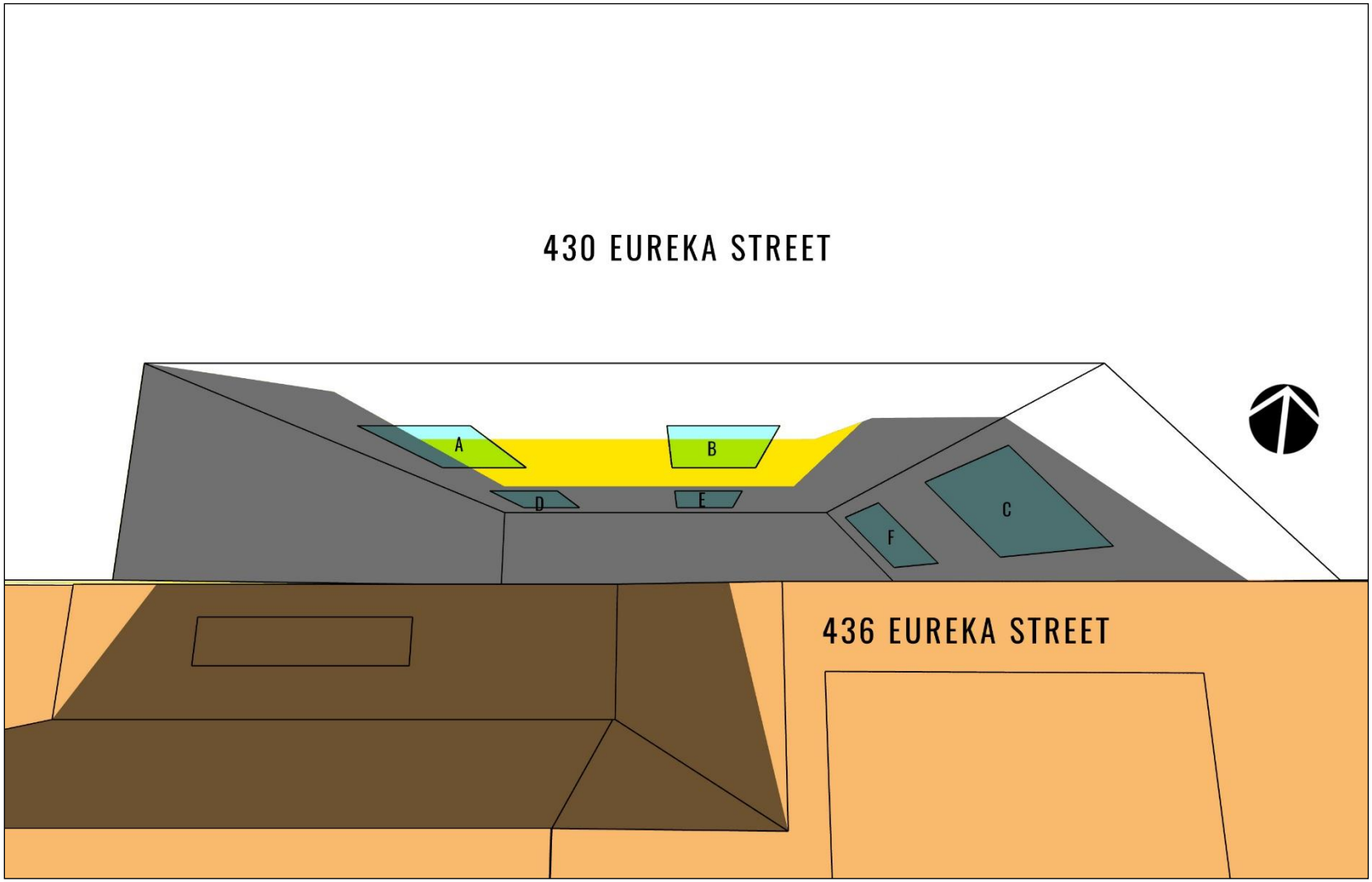

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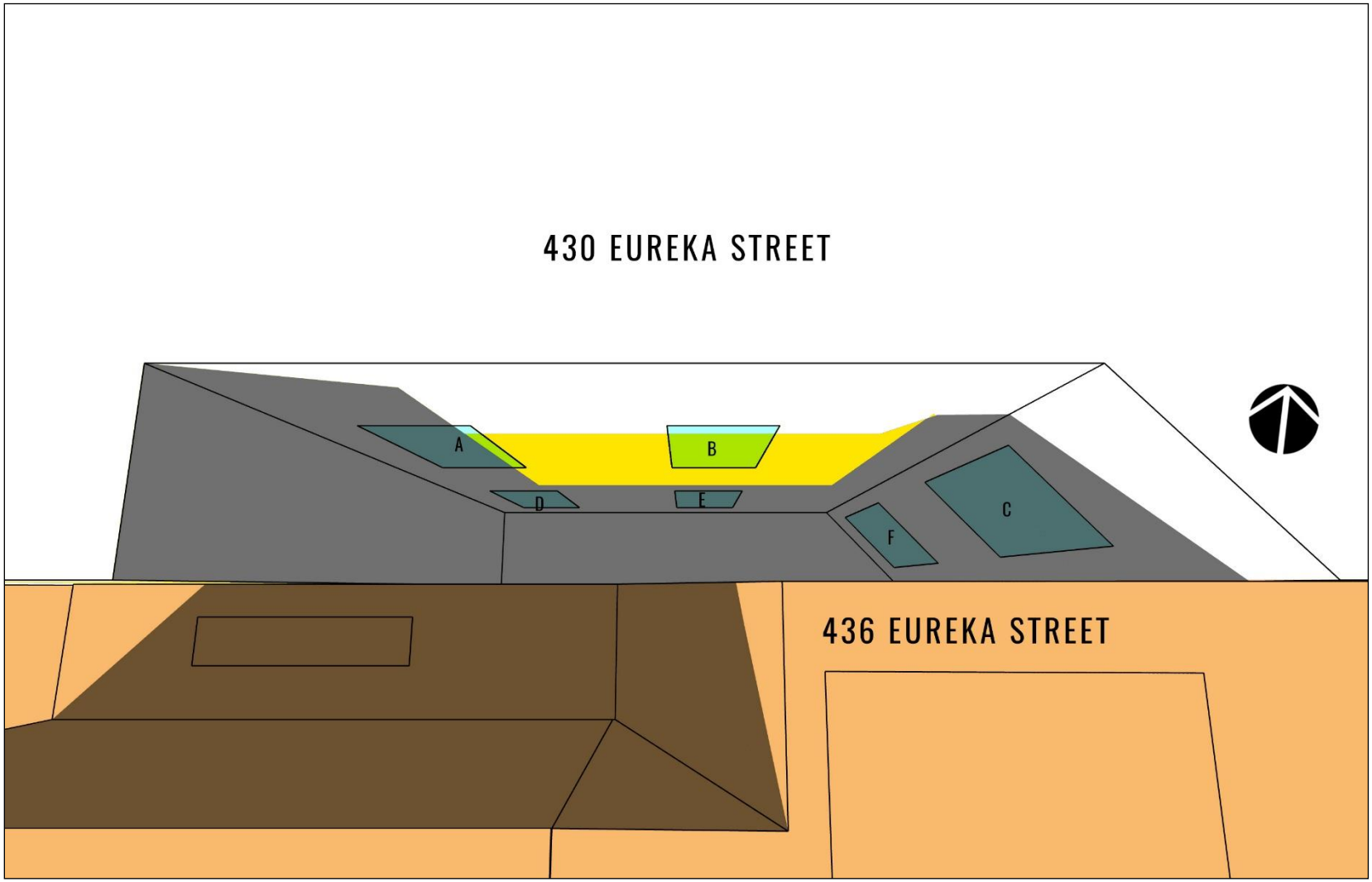

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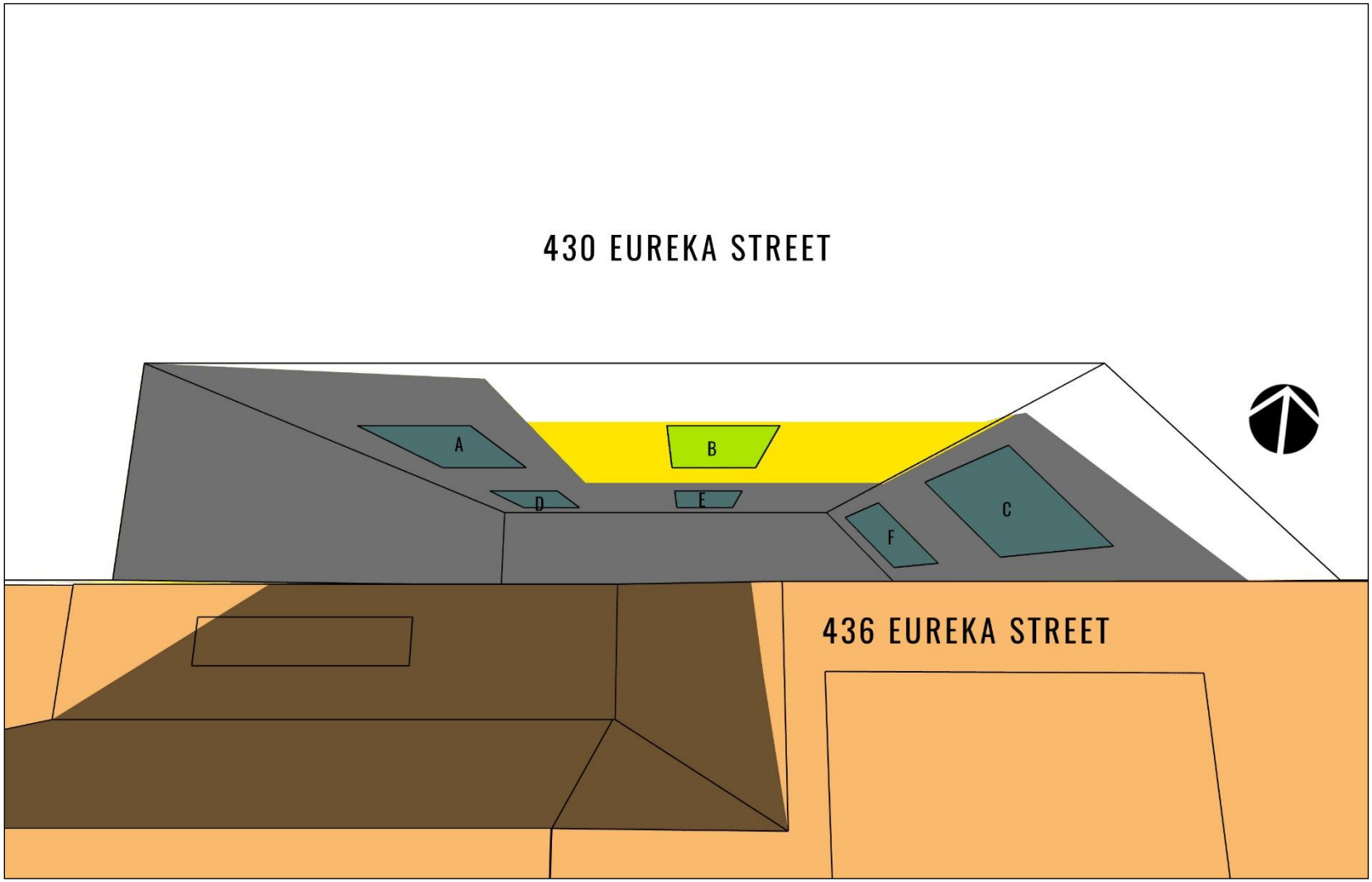

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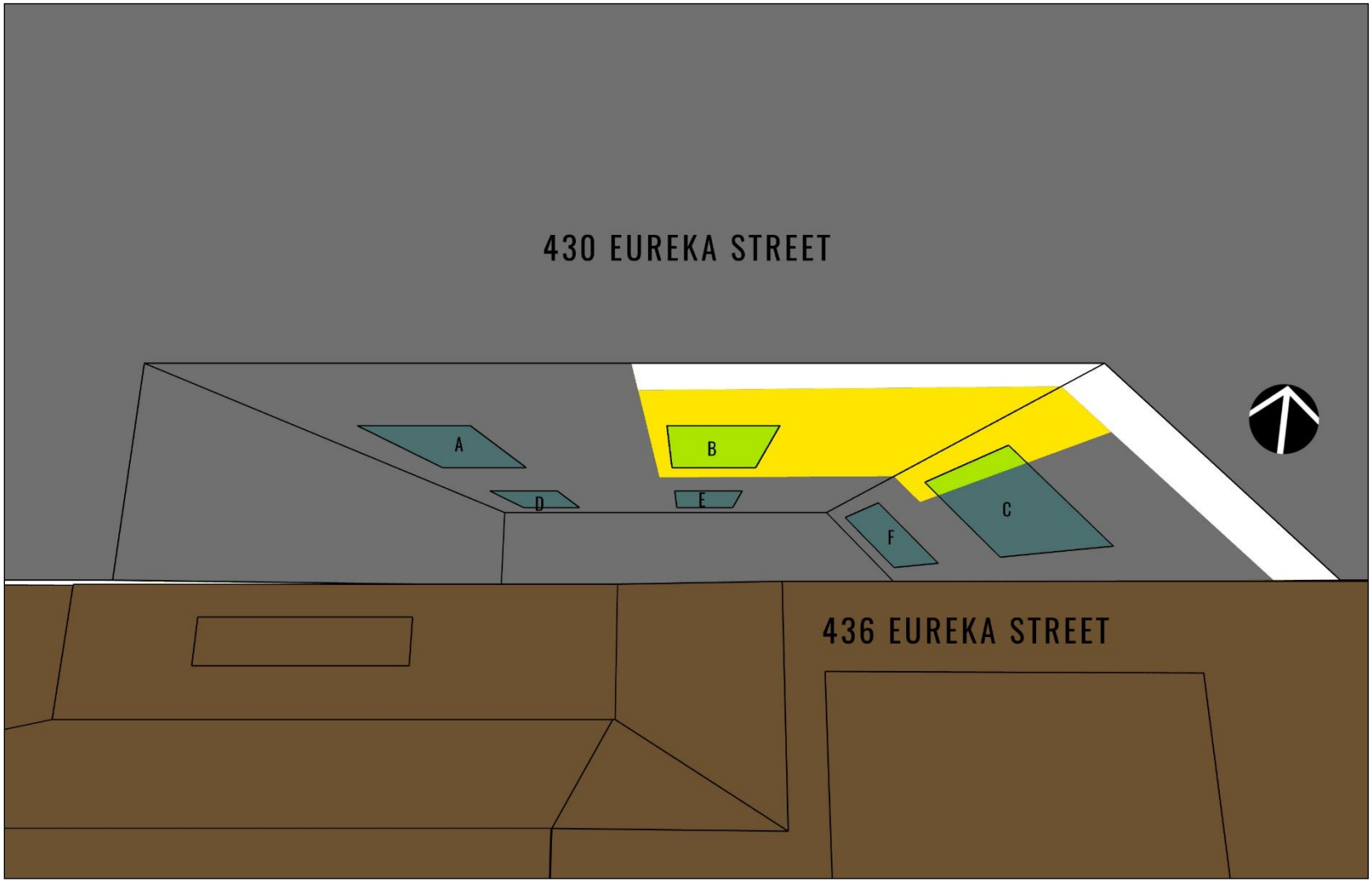

PROPOSED PROJECT EXISTING SHADOWS NEW ADDITIONAL SHADOWS CAUSED BY PROPOSED PROJECT

D01

SHADING IMPACT ON 430 EUREKA LIGHTWELL – SUN HOUR REDUCTION

+150	+114	+77	+40	+4	-32	-69	-106	-142	-178	-215

HOURS OF SUNLIGHT LOST FOR THE ENTIRE YEAR

D02

SHADING IMPACT ON 430 EUREKA LIGHTWELL – SUN HOUR REDUCTION

[w/ PARAPET]

-37	-87	-138	-188	-239	-289	-339	-390	-440	-491	-541

HOURS OF SUNLIGHT LOST FOR THE ENTIRE YEAR

SYMPHYSIS
Bioclimatic Design Consulting
435 S. ALEXANDRIA AVENUE #308
LOS ANGELES CA 90020
www.symphysis.net
info@symphysis.net

RYAN J. PATTERSON (SBN 277971)
BRIAN J. O'NEILL (SBN 298108)
ZACKS, FREEDMAN & PATTERSON, PC
601 Montgomery Street, Suite 400
San Francisco, CA 94111
Tel: (415) 956-8100
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ryan@zfplaw.com
brian@zfplaw.com

Attorneys for Appellant,
SUSY CHEN

SAN FRANCISCO BOARD OF APPEALS

SUSY CHEN,

Appellant,

v.

CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION,

Respondents.

STEVE MARTISAUSKAS,

Determination Holder.

DECLARATION OF ANDREW SCOTT IN SUPPORT OF REHEARING REQUEST

Hearing Date: April 13, 2022
Appeal No.: 22-013
BPA No.: 201810092526
Address: 436 Eureka Street

ZACKS, FREEDMAN & PATTERSON, PC
601 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94111

I, Andrew Scott, declare as follows:

1. I am a principal at Degenkolb Engineers, hired by Susy Chen to evaluate the subject construction project at 436 Eureka Street, San Francisco, CA. I make this declaration based on my own personal knowledge of the following facts, except to those matters stated on information and belief, and as to those matters, I believe them to be true. If called as a witness herein, I can and will competently testify thereto.

2. I am a licensed structural engineer (License No. S4809) and civil engineer (License No. C61655) with over 22 years' experience in the engineering profession designing, evaluating, and reviewing a wide range of commercial and residential projects.

3. I have reviewed relevant excerpts of the project plans for Building Permit Application Number 201810092526 (BPA No. 201810092526) for the residential expansion project at 436 Eureka Street, as well the proposed compromise solution by Ms. Chen, the owner of 430-432 Eureka Street.

4. Based upon my years of experience and knowledge of the project, I have conducted an analysis to consider the feasibility of the structural engineering for the proposed compromise solution.

5. A true and correct copy of a memorandum containing my analysis and my resume are attached hereto as Exhibit 1.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 25, 2022 in San Francisco, CA.

DocuSigned by:
Andrew Scott
2045EAEE6C36419...

By: Andrew Scott

ZACKS, FREEDMAN & PATTERSON, PC
601 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94111

EXHIBIT 1

Degenkolb Engineers

375 Beale Street, Suite 500
San Francisco, CA 94105
Phone: 415.392.6952

Memorandum

Date	April 25, 2022	**Job**	430 Eureka, Consultation re Adjacent Construction at 436 Eureka
To	Susy Chen susychen@gmail.com	**Job Number**	C2425016.00
From	Andrew Scott, SE	**Subject**	Proposed compromise – structural feasibility

Report:

The following presents our observations and findings regarding proposed modifications to the proposed project at 436 Eureka in San Francisco, California. Our scope of work is to consider the structural engineering associated with the modified compromise proposed by 430 Eureka.

Information Considered

A. *Approved project plans – 436 Eureka*, Rev. 3, 12/21/21, 16 pages

B. *436 Eureka, Exhibit 9 – Permit Holder's Proposal*, 15 pages

C. *436 Eureka Plans (Rev 4 from owner),* 44 pages

D. *4.12.22 Proposed compromise – 436 Eureka*, dated 4.12.22, 1 page (attached)

Observations

1. The proposed project at 436 Eureka is an addition and renovation project of a 3-story wood-frame residential building.

2. The proposed project includes a rear horizontal addition at the Third Level that creates a vaulted ceiling above the stairwell. The proposed horizontal addition consequently increases the obstruction of the adjacent lightwell at 430 Eureka.

3. The proposed compromise submitted by the 436 Eureka project team consists of a canted wall at the rear of the proposed horizontal addition. The canted wall reduces the obstruction of the adjacent lightwell.

4. The proposed modified compromise submitted by the 430 Eureka consultants (see attached, in blue) consists of an inset vertical wall at the rear of the proposed addition, transitioning to a sloped low roof at the Third Level. The inset vertical wall further reduces the obstruction of the adjacent lightwell.

Signed Andrew N. Scott, SE

Copies to Ryan Patterson, Brian O'Neill/Zacks Friedman & Patterson, PC;
Michael Garavaglia, Ambrose Wong/Garavaglia Archtiecture, Inc.

Degenkolb

Degenkolb Engineers

375 Beale Street, Suite 500
San Francisco, CA 94105
Phone: 415.392.6952

Findings

5. The proposed project at 436 Eureka appears to have structural offsets in walls, diaphragms, framing and the lateral force resisting (seismic, wind) system, especially at the rear portion of the structure.

6. While the structural drawings were not available for review, we envision these offsets will require project-specific engineering design and detailing. We believe this engineering will be accomplished with standard approaches to wood-frame residential construction.

7. The lateral force resisting system (LFRS) will require cascading accumulation of lateral forces from the Roof to the First Level, including code-required amplification forces on discontinuous elements.

8. The proposed modified compromise, as identified in Document D (referenced above and attached), creates a horizontal offset in the associated wall line. If this wall is used as part of the LFRS, it will require engineering consideration of the offset lateral load-path. We believe this is characteristic of other engineering challenges on the project.

9. The proposed modified compromise occurs at the top story, such that the accumulated lateral forces are only from the Roof.

Conclusions

10. We believe the proposed modified compromise, as identified in Document D (referenced above and attached) is:

    - Feasible with engineering design and detailing characteristic of other locations on the project. It will require a beam below the offset wall section, supported within the adjacent bearing walls, and a diaphragm offset resolving into the Third Level diaphragm.

    - Feasible with timber framing and associated hardware and fasteners to transfer the appropriate loads to the Third Level diaphragm and the shearwalls below.

    - Compartmentalized to this location, after which the cascading seismic forces are assimilated into the overall engineering of the structure.

Signed Andrew N. Scott, SE

Copies to Ryan Patterson, Brian O'Neill/Zacks Friedman & Patterson, PC;
Michael Garavaglia, Ambrose Wong/Garavaglia Archtiecture, Inc.

Degenkolb Engineers

375 Beale Street, Suite 500
San Francisco, CA 94105
Phone: 415.392.6952

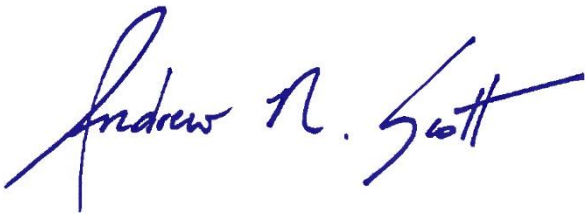
Limitations & Disclaimer

We have performed only a preliminary review and assessment of the structural aspects of the project. We have not performed a detailed review of the structural framing or lateral force resisting system.

In performing our review and providing this letter, it shall not be construed that we are supplanting or joining with the Structural Engineer of Record in their professional responsibility for the design and adequacy of the structural system. The opinions we've expressed shall not be construed as warranties or guarantees.

If you have any questions or would like to discuss further, please contact us.

Respectfully submitted,



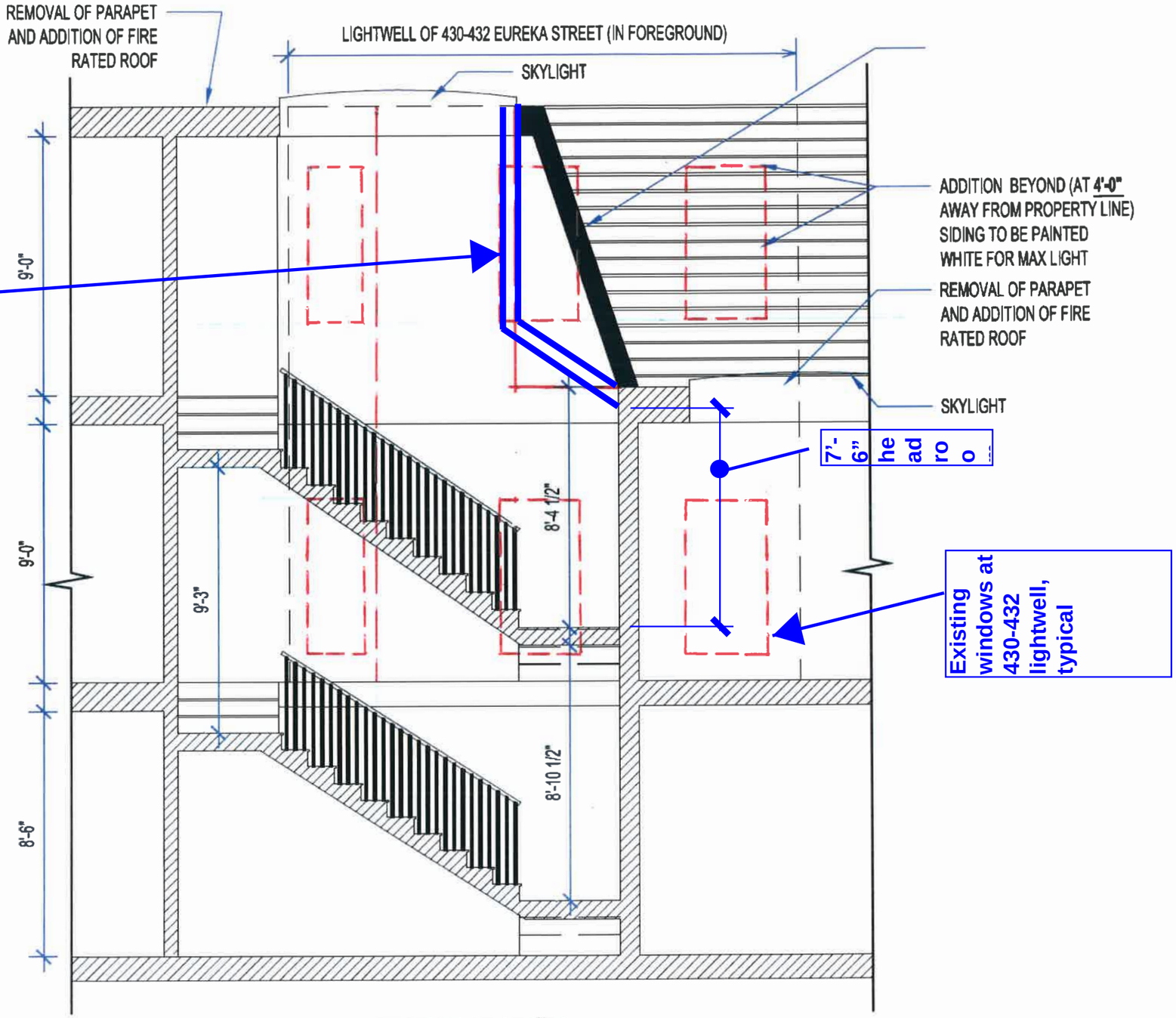
Signed 4/25/22

Andrew N. Scott, SE 4809

Exp. 6/30/23

Signed Andrew N. Scott, SE

Copies to Ryan Patterson, Brian O'Neill/Zacks Friedman & Patterson, PC;
Michael Garavaglia, Ambrose Wong/Garavaglia Archtiecture, Inc.



SECTION AT STAIRS
PROPOSED COMPROMISES TO NEIGHBOR

PROOF 4 22 22

RESUME

Andrew N. Scott, SE

Principal

Education

B.S., Magna Cum Laude Structural Engineering, University of California, San Diego, 1997

M.S. Structural Engineering, University of California, San Diego, 1998

Professional Registration

California Structural Engineer, 2004 License No. 4809

California Civil Engineer, 2001 License No. 61655

Utah — Structural Engineer, 2009 License No. 7272327-2203

Qualifications

Andrew Scott joined Degenkolb in 1999 after receiving his Master of Science degree in Structural Engineering from the University of California, San Diego. Andrew's portfolio represents an interest in complex and challenging projects spanning the broad range of Degenkolb market sectors. He has particular interests in seismic strengthening and renovation of existing buildings, as well as excavation shoring, construction means and methods engineering, and construction phase project support. He has additional experience in new design, complex analysis, and peer review of concrete, steel, timber, masonry structural systems and excavation shoring systems. Andrew was also a member of the Degenkolb post-earthquake reconnaissance team that surveyed L'Aquila, Italy in April 2009.

Andrew N. Scott, SE

Principal

Licensing Agreements / Peer Review of Adjacent Construction

390 Fremont, Adjacent Construction at 340 Fremont, San Francisco CA

Consulted to Owner of 390 Fremont, an existing historic concrete structure, relative to protection of existing improvements and negotiation of a Licensing Agreement with the adjacent construction project. Provided Peer Review of adjacent excavation shoring, developed Monitoring Program and worked directly with Owner's Attorney to finalize Licensing Agreement. Project resulted in successful execution of an Agreement, a productive working relationship between adjacent Owners, minimal damage to 390 Fremont and completed construction of the adjacent residential tower at 340 Fremont.

1525 Pine Street, Adjacent Construction at 1545 Pine Street, San Francisco, CA

Consulted to HOA of 430 Hayes Street, an existing multi-unit residential structure during enforcement of a previously executed Licensing Agreement. Provided construction period monitoring of construction and consultation related to repair of minor damage.

430 Hayes Street, Adjacent Construction at 450 Hayes, San Francisco CA

Consulted to HOA of 430 Hayes Street, an existing multi-unit residential structure during enforcement of a previously executed Licensing Agreement. Provided construction period monitoring of construction and consultation related to repair of minor damage.

915 Folsom Street, Adjacent Construction at 923 Folsom Street, San Francisco, CA

Consulted to Owner of 915 Folsom, an existing multi-unit residential building constructed circa 1920, relative to protection of existing improvements and negotiation of a Licensing Agreement with the adjacent construction project. Project resulted in execution of a Licensing Agreement, successful protection of 915 Folsom and completed construction of the adjacent structure.

3986 20th Street, Adjacent Construction at 3984 20th Street, San Francisco CA

Consulted to Owner of 3986 20th Street, an existing single family home, relative to adjacent construction on a steep sloping site. Project included replacement of existing shallow foundations along the property line with a retaining wall for basement expansion. Project resulted in successful protection of 3986 20th Street and completed construction of the adjacent structure.

14 Laidley, Slope Protection Act Review, San Francisco

Performed third-party review of proposed construction as required by San Francisco Department of Building Inspection relative to the Slope Protection Act for this steep hillside residential development

Highland Hospital, Acute Tower Replacement Project, Oakland CA

Developed Monitoring Program for historic structures adjacent to Acute Tower Replacement Project in response to EIR-required Cultural Resources Mitigation Measures. Program include a Vibration Control Plan, a Crack Control Plan and Pre-Construction Condition Survey. The program was implemented and the adjacent Tower project was completed with minimal impacts to the adjacent historic structures.

Andrew N. Scott, SE

Principal

945 Bryant, Adjacent Construction at 975 Bryant, San Francisco, California
Performed an evaluation along the property line with 945 Bryant. 945 Bryant is a 3-story commercial building with a surrounding surface parking lot and a drive aisle along the property line with 975 Bryant. 975 Bryant is a new multi-story residential development.

180 Grand Garage, Adjacent Construction at 2300 Valdez, Oakland, California
Conducted a primary Peer Review of all available documents for adjacent construction with an itemized list of comments, as appropriate, and periodic observation of construction progress during critical stages of construction, with a focus on below-grade construction adjacent to the Garage footings

2520 Regent Street, Adjacent Construction at 2539 Telegraph, Berkeley, California
Reviewed the excavation shoring, construction logistics, new building, and advising regarding design and construction for a 70-unit multi-story development. Work included observing the construction to monitor progress and advise regarding any follow-up items, such as repairs to the adjacent 3-story residential structure.

Promenade Apartments, 1455 4th Street, Santa Monica, California
Peer reviewed the shoring and structural documents related to the shoring of an adjacent building.

Old Tavern and Presbyterian Church, Adjacent Construction at Sutter Hospital, Sacramento, California
Provided structural protection of two existing buildings due to construction at the adjacent medical center.

San Francisco PUC Bay Division Pipeline Reliability Upgrade Project, San Francisco Bay Area, CA
Historic Resource Protection for existing historic resources along 20 miles of new large-diameter pipeline placement, including adjacent cut/cover and tunneling operations. Scope included Peer Review of adjacent construction and development of vibration and deformation monitoring plans for existing historic structures.

Andrew N. Scott, SE

Principal

Litigation Support/Expert Witness

1043 Electric Ave, Insurance Claim

Perform Peer Review on documents available to-date, including report prepared by underwriter's Structural Engineer, Thornton Tomasetti. Attend meeting in-person in Virginia.

Jackson Rancheria Casino and Hotel, Litigation Support

The project began with the discovery of mold in several exterior walls. Soon after, one-third of the casino was closed due to concerns for long-span laterally- unbraced ceiling support beams. We joined the team and provided a second opinion that the ceiling beams were potentially hazardous and their design was deficient. We were subsequently hired to lead the continuing structural investigation that discovered numerous construction and design deficiencies. Over the next 3 years, we provided design services to correct these structural deficiencies along with litigation support services. Some programmatic upgrades were also incorporated to improve casino operations.

Confidential Multi-Housing Units

We were asked to join the Plaintiff's expert team after significant work had been performed to assess a materials deficiency. Materials used on the project were degrading at an unexpected rate, though degradation was hidden from view and Plaintiffs were not incurring present-day costs. We collaborated with the diverse expert team to perform a Structural Assessment of the conditions of the 300,000 square-foot facility, to clarify the Life-Safety implications of the degradation, and to establish a timeframe for potential Life-Safety hazards. In this regard, we processed the complex technical work of the expert team into a tangible, Code-based understanding of the claim. The claim subsequently settled after deposition.

Confidential Post-Tensioned Concrete Parking Garage

We supplanted prior engineering firms to bring closure to a number of outstanding issues related to the structural integrity of the existing 140,000 square-foot structure. The issues were potential Life-Safety hazards and needed to be addressed prior to selling the building. We performed an independent assessment, developed innovative testing and observation approaches, and then prepared a comprehensive expert report. We subsequently developed construction documents, to mitigate the deficiencies which were transferred to the new owners and we're hired by the new owners to implement the mitigation work.

1211 Embarcadero, Litigation Support

Provided full service litigation support related to failure of the stucco skin system on this recently completed structure.

Calisle v. Norris, Litigation Support

Provided litigation support and structural design related to property line support issues due to an adjacent construction project.

Azevedo v. Thomas Ward, Litigation Support

Provided litigation support for defense against construction defect claims for a recently completed custom residence.

2433 Franklin, Litigation Support

Providing litigation support for plaintiff against the landlord related to a garage expansion project in this existing building.

655 Sutter, Academy of Art, Litigation Support

Provided litigation support related to an adjacent excavation shoring project.

Strata Development, Peer Review and Litigation Support

Provided peer review and litigation support related to the excavation support for this new building adjacent to an existing hotel.

Law Offices of George W. Nowell

Expert Witness services related to structural damage and repair of an existing structure (pier).

Equity Residential

Renovation of existing buildings, including investigation and mitigation of fire damage and investigation and mitigation of Contractor-related foundation damage.

McNear's Beach Pier, Litigation Support

Provided full service litigation support, including Expert Witness deposition, related to the repair of an existing structure damaged by marine vessel impact. The case settled In favor of our client.

Degenkolb

Andrew N. Scott, SE

Principal

Relevant Experience

Bishops Central Storage
Salt Lake City, Utah
New design of the 500,000 SF LDS Bishop Central Storehouse with a focus on seismic design. Facility includes bulk storage bays, racked storage bays, refrigeration/freezer bays, and administrative building.

Beehive Clothing
Salt Lake City, Utah
Seismic evaluation and strengthening of an existing 300,000 SF manufacturing facility. Including both Structural and Non-Structural elements using ASCE 31 and 41. The Performance Objective for the project is to return to operation shortly after a major seismic event.

VA San Francisco, Building 203
San Francisco, California
Seismic retrofit of the existing 336,000 square foot main medical center building to an Immediate Occupancy performance level. The building is four stories plus a basement and sub-basement.

VA San Francisco, Building 22
San Francisco, California
Design of new 14,000 square foot building. The structural system is light gauge metal.

VA San Juan, Seismic Corrections
San Juan, Puerto Rico
Seismic evaluation and upgrade of this existing 1960s acute care hospital. The building will remain occupied during construction.

Piilani Village
Kihei, Maui, Hawaii
Designed a panelized roofing system and provided construction administration support for 10 single story CMU buildings in a new commercial development.

UC Berkeley, Berkeley Art Museum and Pacific Film Archive Berkeley, California
Provide construction means and methods engineering for the renovation of the University of California Press Building and the demolition of the Statewide Office Building parking structure, both located on the block bounded by Oxford, Addison, and Center Streets. Use elements of the new structure, installed in an appropriate sequence, to facilitate the construction means and methods. Work with BIM (Revit) to maximize our collaboration with the design team and will make our Revit model available for coordination.

Stanford Hospital + Clinics Lucile Packard Children's Hospital Stanford, California
Provide a multi-phase approach to complex shoring design project. The first phase will be a Schematic Design study to understand the project constraints, establish the design criteria, and identify the potential shoring systems. The second phase will proceed with development of Construction Documents in close collaboration with the Design Assist Contractor. The third phase will support the construction project with Construction Administration services during construction.

Highland Hospital
County of Alameda, California
Currently a member of the design team for the rebuild of Highland Hospital, including development of structural drawings and calculations to comply with the applicable Codes of the County of Alameda.

Andrew N. Scott, SE

Principal

690 Market, Ritz-Carlton, Shoring and Means & Methods
San Francisco, California
Provided construction means and methods engineering services related to partial demolition and adaptive reuse of this historic San Francisco structure. Prepared Construction Documents for temporary shoring and sequencing to remove all but the facade of this 12 and 16 story structure, excavate a new basement level and mat foundation, and build a modern steel frame building behind the existing facade. This challenging project required close coordination with the design team for the new structure as well as the construction team, and required safe support of both gravity and lateral loads at all stages of demolition and new construction. The project is a 2006 SEAOC award winner.

Presidio PHSH Adaptive Re-use, Construction Means & Methods
San Francisco, California
Provided construction means and methods engineering services for the adaptive re-use of the Public Health Service Hospital in the Presidio.

Old Tavern and Presbyterian Church Adjacent to Sutter Medical Center
Sacramento, California
Structural protection of two existing buildings due to construction at the adjacent medical center.

942 Market Street
San Francisco, California
Provided structural design and construction administration for the residential conversion of this historic office building, as well as construction means and methods engineering.

Carnegie Mellon University, Moffet Field
Sunnyvale, California
Seismic strengthening and adoptive re-use of an existing historic structure for use as a branch campus for the university of this existing building.

Walt Disney Museum, Seismic Strengthening
San Francisco, California
Design strengthening schemes for four historic buildings located in the Presidio National Park land. The four buildings will be used as a museum to Walt Disney and supporting functions for the museum.

Historic Bank Building
Salt Lake City, Utah
Seismic evaluation and strengthening of this classic downtown Salt Lake City structure. Advanced analysis was used, in accordance with ASCE 31 and 41, to minimize the work necessary to achieve the desired performance objective. The structural costs, which were initially cost-prohibitive, were sufficiently reduced to allow the project to move forward.

Beresford Hotel, 635 Sutter St.
San Francisco, California
Performed a seismic evaluation and prepared construction documents to bring this unreinforced masonry building, located in San Francisco's historic hotel district, into compliance with the City's Unreinforced Masonry (URM) Ordinance.

40 Gold Street
San Francisco, California
Prepared a structural evaluation and designed the seismic strengthening and structural renovations of a four-story concrete building that was originally constructed around 1910. The scheme brought the building into compliance with the City of San Francisco requirements for existing buildings.

Andrew N. Scott, SE

Principal

St. Patrick's Seminary
Menlo Park, California
Served as lead engineer for the Phase III construction, consisting of the Chapel and A wing buildings. This unique project consisted of seismically strengthening complicated historic unreinforced masonry buildings. Work consisted of adding a supplemental steel diaphragm in the Chapel attic, a series of new multistory shotcrete shearwalls, and anchorage connections throughout the buildings.

The Church of Jesus Christ Latter-day Saints, Granite Mountain Vault, Seismic Evaluation
Alta, Utah
Seismically evaluate the Granite Mountain Vault complex. The evaluation includes structural, nonstructural, geological and geotechnical considerations. The complex is a series of lined tunnels excavated into the granite formation on the north side of a canyon. The complex contains large quantities of important information on a variety of storage media.There are corrosion issues at isolated locations on the tunnel lining.

800 Market Street, Means & Methods Engineering
San Francisco, California
Provided construction means and methods engineering for temporary shoring and demolition workduring the renovation and seismic strengthening of the existing building.

UC Berkeley CITRIS Building, Shoring Revisions
Berkeley, California
Review and revise designs for shoring with regards to the redesigned building to proceed into construction.

Arpeggio of Berkeley, Peer Review
Berkeley, California
Peer review of shoring and underpinning with a focus on protection of existing adjacent structures.

Davis Hall North University of California, Berkeley
Berkeley, California
Provided full service structural engineering services related to the demolition of the existing Davis Hall North and excavation shoring for the new Davis Hall North Replacement. Prepared construction documents for temporary shoring bulkheads including both soldier beam and tieback systems and soil nail systems. This required close coordination with existing construction, including the building to be demolished, the existing adjacent buildings to remain, existing campus and City utilities, as well as the new building. Provided full service support to the project during construction.

Terrabay Condominiums
South San Francisco, California
Structural design of a 50-foot tall permanent retaining wall to facilitate a flat building foundation on this steep hillside site.

Berkeley YMCA - Complete Seismic Upgrade
Berkeley, California
Degenkolb Engineers has been providing consulting services to the Berkeley YMCA for the County of Alameda since the 1970s. The YMCA consists of a historic turn of the century unreinforced masonry building and a 1959 precast concrete structure. In the late 1980s, the YMCA embarked on a largescale improvement project for the complex that included seismic retrofit and construction of a new building. Degenkolb provided the consulting services for the seismic retrofit project, completed in 2001, and for various tenant improvement projects in the older buildings.

VA San Francisco, Building 22
San Francisco, California
Design of new 14,000 square foot addition. The structural system is light gauge metal.

Andrew N. Scott, SE

Principal

Berkeley YMCA - Complete Seismic Upgrade
Berkeley, California
Degenkolb Engineers has been providing consulting services to the Berkeley YMCA for the County of Alameda since the 1970s. The YMCA consists of a historic turn of the century unreinforced masonry building and a 1959 precast concrete structure. In the late 1980s, the YMCA embarked on a largescale improvement project for the complex that included seismic retrofit and construction of a new building. Degenkolb provided the consulting services for the seismic retrofit project, completed in 2001, and for various tenant improvement projects in the older buildings.

First Church of Christ, Scientist, Renovations and Seismic Strengthening
Berkeley, California
Degenkolb performed a seismic evaluation of this famous Bernard Maybeck structure in accordance with the State Historic Building Code (SHBC) and recommended seismic strengthening. The goal of our seismic strengthening scheme was to improve the life-safety performance of the building in a major earthquake. We implemented our scheme through phased design and construction administration services for the seismic strengthening of the First Church of Christ, Scientist.

St. Michael's Parish
Livermore, California
Performed seismic strengthening design and construction administration for the retrofit of the Parish's large reinforced concrete church, as well as two smaller classroom buildings.

Church of Jesus Christ of Latter-day Saints Temple
Oakland, California
Performed a detailed seismic evaluation using advanced analysis techniques and performance based earthquake engineering to minimize the required seismic strengthening.

Church of Jesus Christ of Latter-day Saints Temple
Jordan River, Utah
Performed a detailed seismic evaluation using advanced analysis techniques and performance based earthquake engineering to minimize the required seismic strengthening.

Church of Jesus Christ of Latter-day Saints Temple
Bern, Switzerland
Performed a seismic evaluation of the structural and nonstructural systems to assess the seismic risk of the building.

Church of Jesus Christ of Latter-day Saints Manufacturing Facility
Salt Lake City, Utah
Seismic evaluation and recommended strengthening of an existing manufacturing facility, including both Structural and Non-Structural elements using ASCE 31 and 41. The Performance Objective for the project is to return to operation shortly after a major seismic event. We are working with the client to understand the overall vision of "operational" performance for the facility, including utility service, outside infrastructure, and workforce issues.

Department of Veterans Affairs (VA), Buildings 9,10,13
San Francisco, California
Seismic retrofit of multiple existing buildings on the campus.

A San Francisco, Building 203
San Francisco, California
Seismic retrofit of the existing 336,000 square foot main medical center building to an Immediate Occupancy performance level. The building is four stories plus a basement and sub-basement.

Andrew N. Scott, SE

Principal

VA San Juan, Seismic Corrections
San Juan, Puerto Rico
Seismic evaluation and upgrade of this existing 1960's acute care hospital. The building will remain occupied during construction.

First Church of Christ Scientist, 1700 Franklin Street
San Francisco, California
Feasibility study of seismic strengthening concepts of an unreinforced masonry building to comply with the City's UMB Ordinance.

UC Merced Sierra Terraces, Structural Peer Review
Merced, California
Peer reviewed the structural design and construction documents of a residential complex for the UC Merced campus.

Metropolis Development, Peer Review
Los Angeles, California
Peer Reviewed a 34 story high rise building to comply with the City of LA requirements for alternative design procedures.

Sunrise of Torrance, 25535 Hawthorne Boulevard, Peer Review Torrance, California
Peer reviewed the design of a four-story assisted living facility.

San Jose Civic Center Peer Review
San Jose, California
Peer reviewed the San Jose Civic Center. The building program included an 18 story, 400,000 sq ft office building, a 13,000 sq. ft Rotunda dome, 93,000 sq. ft of council space and 160,000 sq. ft of parking. The structural systems include concrete and steel framing with steel moment resisting frames, steel eccentrically braced frames and concrete shear walls to resist seismic loads.

2770 Green Street,
San Francisco, California
Provided consulting for the owners of a property to inspect whether the building was damaged.

1455 Market, Adjacent Construction at 1411 Market Street,
San Francisco, California
Provided a review for the excavation shoring at the new condo project adjacent to the owner's building. The adjacent property includes shoring along the shared property line.

1693 Market Street, Adjacent Construction at 1699 Market Street,
San Francisco, California
Supported client in developing and negotiating Licensing Agreement between two structures for temporary easement to install tiebacks under the building. Performed a technical review of the available documents as it related to excavation shoring along the property line between the two buildings.

221 Main Street, Adjacent Construction at 160 Folsom Street,
San Francisco, California
Supported a client team in developing and negotiating a License Agreement to add a third building, which is a high-rise adjacent to 221 Main Street, which required excavation shoring that included tiebacks under 221 Main Street. Performed a technical review of the available documents related to excavation shoring along the property line. The review focused on protecting the existing structure at 221 Main Street, giving consideration to excavation, tiebacks, dewatering, vulnerability of exterior site and the unique challenges of the soils in the area.

RYAN J. PATTERSON (SBN 277971)
BRIAN J. O'NEILL (SBN 298108)
ZACKS, FREEDMAN & PATTERSON, PC
601 Montgomery Street, Suite 400
San Francisco, CA 94111
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brian@zfplaw.com

Attorneys for Appellant,
SUSY CHEN

SAN FRANCISCO BOARD OF APPEALS

SUSY CHEN,

Appellant,

v.

CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION,

Respondents.

STEVE MARTISAUSKAS,

Determination Holder.

DECLARATION OF BRIAN O'NEILL IN SUPPORT OF REHEARING REQUEST

Hearing Date: April 13, 2022
Appeal No.: 22-013
BPA No.: 201810092526
Address: 436 Eureka Street

I, Brian O'Neill, declare as follows:

1. I am an attorney of Zacks, Freedman, and Patterson, PC, the law firm hired to represent the Appellant, Susy Chen, in this rehearing request. I make this declaration based on my own personal knowledge of the following facts, except to those matters stated on information and belief, and as to those matters, I believe them to be true. If called as a witness herein, I can and will competently testify thereto.

ZACKS, FREEDMAN & PATTERSON, PC
601 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94111

2. The Planning Department maintains excel spreadsheets containing contact details for all neighborhood groups that have expressed interest in receiving Planning Department notices within particular neighborhoods.

3. A true and correct copy of the neighborhood groups that have expressed interest in receiving Planning Department notices within Noe Valley is attached hereto as Exhibit 1.

4. A true and correct copy of photographs that show the direct sunlight that reaches the bedroom windows in the lightwell at 430-432 Eureka Street, San Francisco are attached hereto as Exhibit 2.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 25, 2022 in San Francisco, CA.

By: Brian O'Neill

ZACKS, FREEDMAN & PATTERSON, PC
601 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94111

EXHIBIT 1

ORGANIZATION	NAME	ADDRESS	CITY	STATE	ZIP	EMAIL	NOTIFICATION PREFERENCES	NEIGHBORHOOD OF INTEREST
PHYSICAL NOTICES								
Coleridge St. Neighbors	Buddy Choy	157 Coleridge Street	San Francisco	CA	94110	choytate@gmail.com	Physical	Bernal Heights, Mission, Noe Valley
Diamond Street Neighborhood Association (DSNA)	Judd Winick	1615 Diamond Street	San Francisco	CA	94131	chakabutt@yahoo.com	Physical	Noe Valley
Oak Grove Group	Billy Lee	2505 Oak Street	Napa	CA	94559	leeway_e@yahoo.com	Physical	Pacific Heights, Russian Hill, Marina, Nob Hill, Presidio, Presidio Heights, Sea Cliff, Noe Valley, Western Addition
Progress Noe Valley	Attention Advisory	1146 Castro Street	San Francisco	CA	94114	progressnoevalley@gmail.com; hello@progressnoe.com	Physical	Noe Valley
San Francisco Citizens for Considered Development	Christina Hanson	355 11th St. Suite 200	San Francisco	CA	94103	northbaycitizens@gmail.com	Physical	Bernal Heights, Castro/Upper Market, Diamond Heights, Marina, Noe Valley, Pacific Heights, Potrero Hill, Presidio, Presidio Heights, Russion Hill, Seacliff, South of Market
Sherwin Williams	Francesca Panullo	1415 Ocean Ave	San Francisco	CA	94112	sw8644@sherwin.com	Physical	Bayview, Bernal Heights, Crocker Amazon, Diamond Heights, Excelsior, Glen Park, Inner Sunset, Lakeshore, Noe Valley, Ocean View, Outer Mission, Outer Sunset, Parkside, Potrero Hill, South Bayshore, Twin Peaks, Visitacion Valley, West of Twin Peaks
-	Georgia Schuttish	460 Duncan Street	San Francisco	CA	94131	schuttishtr@sbcglobal.net	Physical	Noe Valley
Lady Bird on 27th Street	Brian Welch	533 27th Street	San Francisco	CA	94131	bwelch711@gmail.com	Physical	Noe Valley
Corbett Heights Neighbors	William Holtzman	P.O. Box 14493	San Francisco	CA	94114	info@corbettneighbors.com	Physical	Castro/Upper Market, Noe Valley, West of Twin Peaks
BOTH PHYSICAL & ELECTRONIC NOTICES								
Board of Supervisors	Rafael Mandelman	1 Dr. Carlton B Goodlett Place, Room #284	San Francisco	CA	94102-4689	Rafael.Mandelman@sfgov.org; Kyle.Smeallie@sfgov.org; Tom.Temprano@sfgov.org; jacob.bintliff@sfgov.org; mandelmanstaff@sfgov.org	Both	Castro/Upper Market, Diamond Heights, Glen Park, Noe Valley, Twin Peaks
ELECTRONIC NOTICES								
Castro Upper Market Community Benefit District	Andrea Aiello	693 14th Street	San Francisco	CA	94114	ExecDirector@CastroCBD.org	Electronic	Castro/Upper Market, Haight Ashbury, Noe Valley
Diamond Heights Community Association	Betsy Eddy	P.O. Box 31529	San Francisco	CA	94131	dhcasf@gmail.com	Electronic	Diamond Heights, Glen Park, Noe Valley
Dolores Heights Improvement Club-DRC	Planning and Land Use Committee	P.O. Box 14426	San Francisco	CA	94114	plu@doloresheights.org	Electronic	Castro/Upper Market, Mission, Noe Valley
Kronquist Court/27th Street Neighborhood Association	April Asai	P.O. Box 460432	San Francisco	CA	94146-0040	kronquist@asai-sf.com	Electronic	Noe Valley
Noe Neighborhood Council	Ozzie Rohm	1101 Diamond Street	San Francisco	CA	94114	info@noeneighborhoodcouncil.com	Electronic	Noe Valley
Respect Noe Valley Neighbors	Jonathan Axelrad	1 Jade Place	San Francisco	CA	94131	respectnoevalleyneighbors@gmail.com	Electronic	Noe Valley
San Francisco Land Use Coalition (SFLUC)	Gary Weiss	78 Mars Street	San Francisco	CA	94114	garysfx@gmail.com	Electronic	Castro/Upper Market, Diamond Heights, Glen Park, Haight Ashbury, Mission, Noe Valley, South of Market, Twin Peaks, Upper Market, Western Addition
Upper Noe Neighbors	Andy Levine	447 29th Street	San Francisco	CA	94131	andy@levinearch.com	Electronic	Noe Valley
Castro LGBTQ Cultural District	Jesse Sanford & Stephen Torres	1800 Market Street	San Francisco	CA	94102	landuse@castrolgbtq.org	Electronic	Bernal Heights, Castro/Upper Market, Downtown/Civic Center, Mission, Noe Valley, South of Market

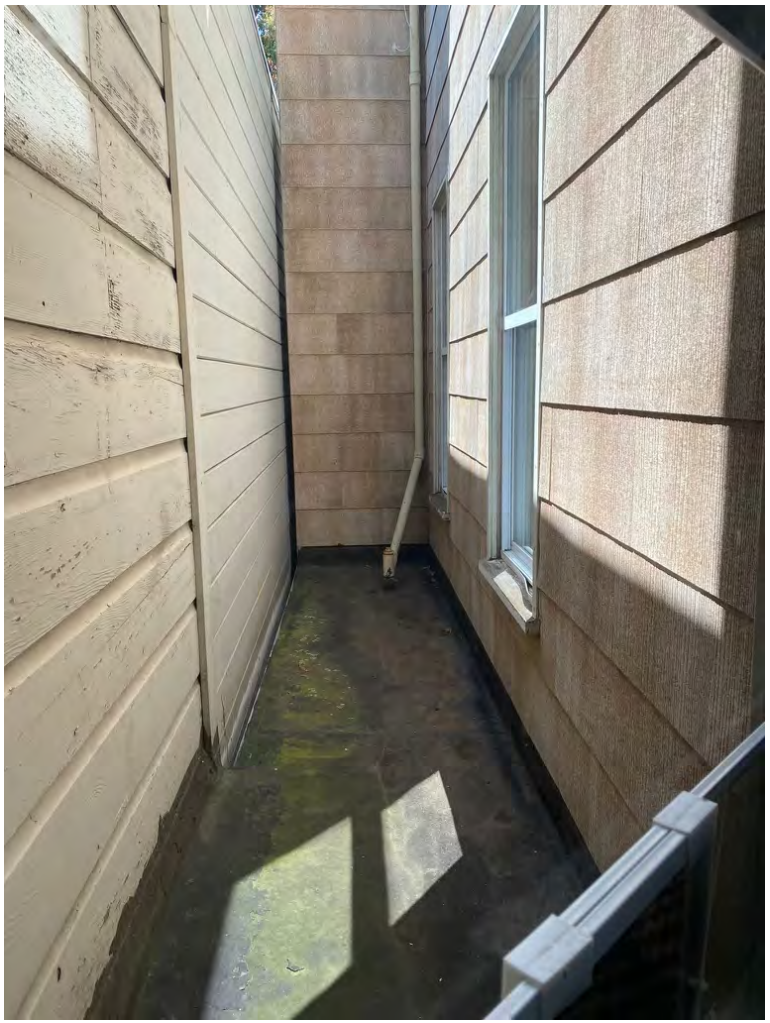
EXHIBIT 2

432 Eureka
Direct Sunlight

First Floor Bedroom

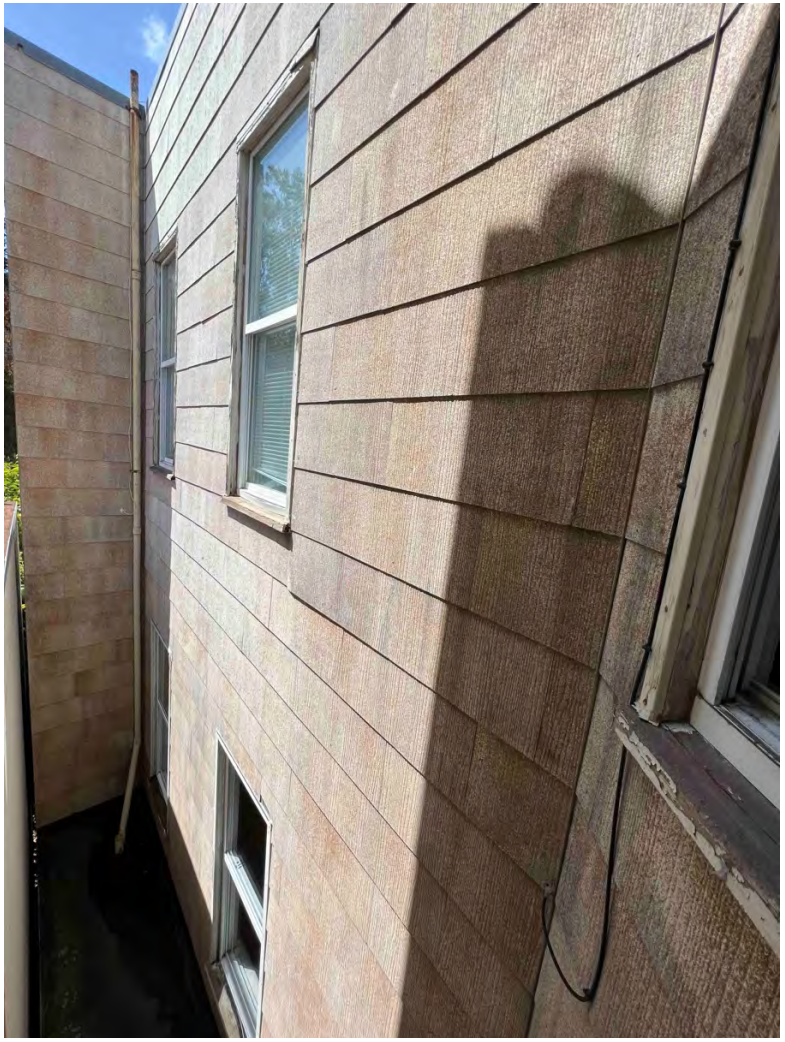
2:10 PM on April 18, 2022

First Floor Windows

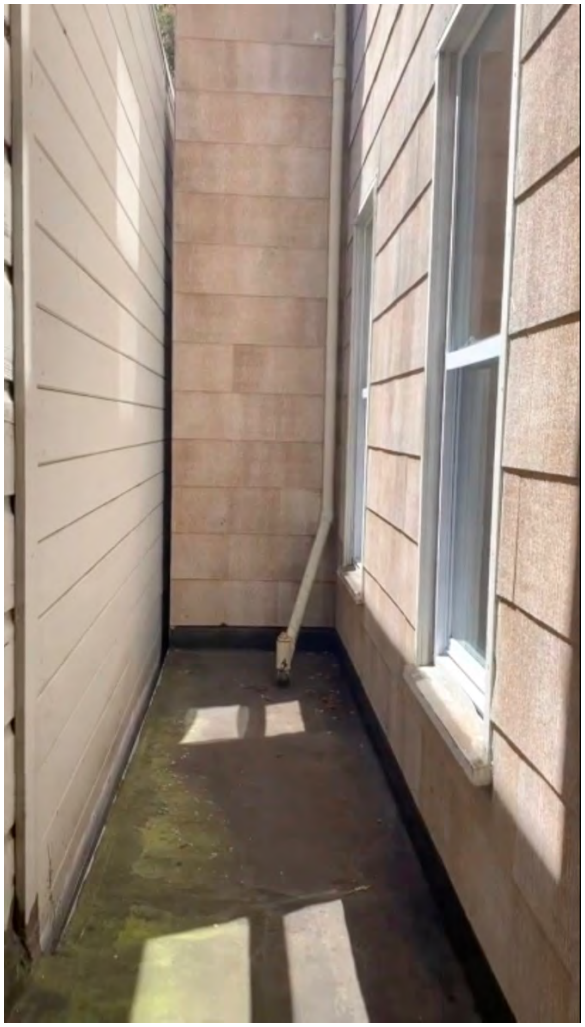


2:05 PM on April 20, 2022

430-432 Eureka
Direct Sunlight



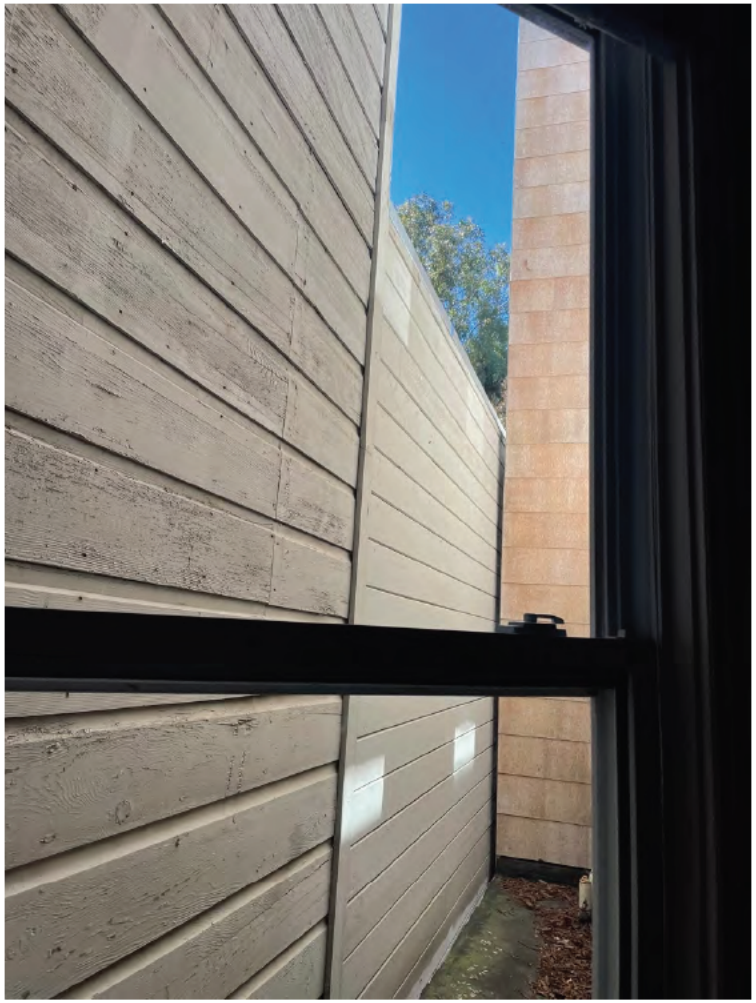
2:40 PM on April 21, 2022



1:57 PM on August 6, 2020

432 Eureka
Window 1

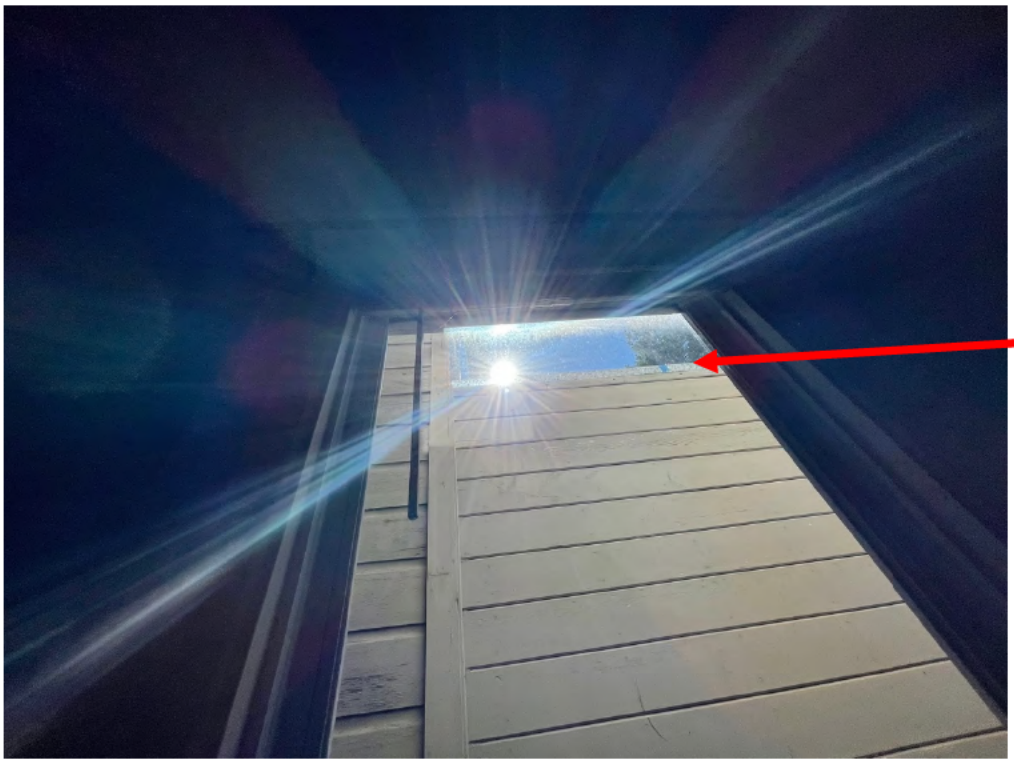
CURRENT



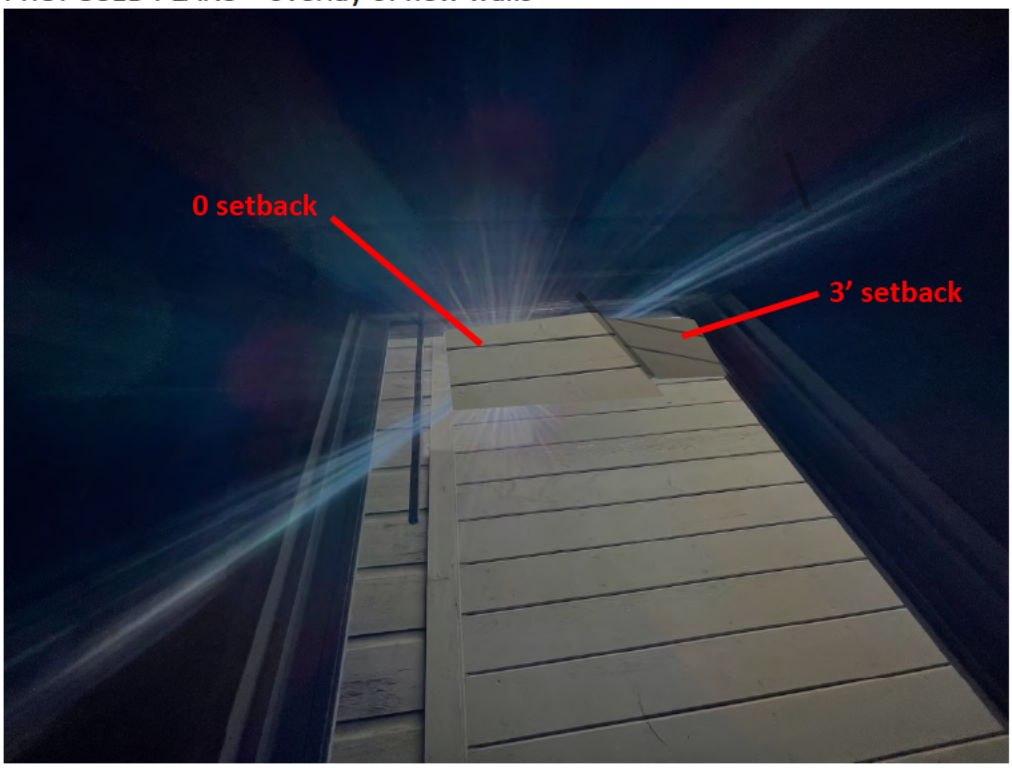
PROPOSED PLANS

432 EUREKA

Window 2
Direct Sunlight - March 10, 2022 at 12:32 PM



PROPOSED PLANS – overlay of new walls



THE PERMIT HOLDER'S RESPONSE BRIEF WAS NOT ACCEPTED BY THE BOARD AS IT WAS SUBMITTED LATE.