

PUBLIC COMMENT

From: [aeboken](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: RE: Appeal No. 21-024 re 4326 Irving Street
Date: Wednesday, April 28, 2021 4:48:33 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

TO: San Francisco Board of Appeals

FROM: Sunset-Parkside Education and Action Committee (SPEAK)

RE: Appeal No. 21-024 re 4326 Irving Street

SPEAK is supporting the appeal to the project at 4326 Irving Street.

There has been a history of misrepresenting the project.

Initially, the project sponsor applied for ministerial approval for the addition of 5 (five) large Accessory Dwelling Units on the ground floor. These ADUs alone created a significant increase in density bringing the unit count from 12 to 17.

Despite the already approved increase in density, the project sponsor then sought permits to add a 4th story vertical addition to the site.

When the neighbors objected to yet another increase in density, the two parties negotiated a compromise.

The compromise reached was that the neighbors would not oppose the project sponsor adding even more density to the 2nd and 3rd stories in exchange for the project sponsor's commitment not to add a 4th story.

After plans were approved for increased density on the 2nd and 3rd stories, the project sponsor then violated the negotiated agreement.

The project sponsor subsequently filed for additional permits for the 4th story vertical addition.

The vertical addition includes plans for penthouses and decks connected to the 3rd story by spiral staircases.

Although the project sponsor initially claimed that this was a small sites project, property tax records indicate that the property owner is a LLC.

During the Planning Commission meetings, the project sponsor subsequently acknowledged that the project has investors and that there is a commitment to protect their return on investment.

This calls into question statements alleging that this is an affordable housing project.

Based on these facts, SPEAK is urging the Board of Appeals to uphold the appeal for 4326 Irving Street (Appeal No. 21-024).

Eileen Boken

President

Sunset-Parkside Education and Action Committee (SPEAK)

Sent from my Verizon, Samsung Galaxy smartphone

From: [Daniel Moffat](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal 21-024
Date: Sunday, May 2, 2021 11:38:47 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Dan Moffat

From: [Vody E](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Board of Appeals
Date: Sunday, May 2, 2021 2:29:45 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Erik Vodopals

From: [Owen Veit](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: DENY appeal 21-024!
Date: Sunday, May 2, 2021 11:36:05 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Sincerely,
Owen Veit

From: [Coby Sobrepena](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: DENY Appeal 21-024
Date: Sunday, May 2, 2021 3:19:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

-Coby Sobrepeña

From: [Cooper Ryan Veit](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Deny appeal 21-024
Date: Sunday, May 2, 2021 4:31:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

From: [Max Ortiz](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Deny appeal- we need housing on the westside!
Date: Sunday, May 2, 2021 11:34:27 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Max Ortiz

From: karen@froming.net
To: [BoardofAppeals \(PAB\)](#)
Subject: Deny the appeal!! # 2019/0911/1353
Date: Sunday, May 2, 2021 12:36:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

TO: boardofappeals@sfgov.org

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. I know this project well and have followed the objections of people who live nearby. I must say that there have already been concessions, by reducing the number of floors of this building. The owner is trying to do the right thing for those who are unable to afford rents while they live/work in this City. Please allow this affordable housing project move forward.

Karen Froming

Karen Bronk Froming, PhD, ABPP
Diplomate in Clinical Neuropsychology
Adjunct Professor, Palo Alto University
Correspondence Address:
175 Villa Terrace, San Francisco, CA., 94114
Phone: 415-621-8698
FAX: 844-552-3821
International Cell: 415-378-0287

From: [Shelley White](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: I'm an IRV housing SUPPORTER
Date: Sunday, May 2, 2021 11:56:14 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

I hope you make

But the greatest of these is Love. -1-Corinthians 13:13

From: [David McCavitt](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Irving Apartments
Date: Sunday, May 2, 2021 11:45:16 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side.

Thank you!

David

From: [Demetrios Anastasiou](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Please DENY appeal 21-024
Date: Sunday, May 2, 2021 7:09:45 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

From: [Nick McIntosh](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Please DENY appeal 21-024
Date: Sunday, May 2, 2021 11:44:22 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Nick McIntosh

1 Lakeside dr #402

Oakland CA

415-993-8882

From: [Saraleah Fordyce](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Sunset building appeal
Date: Sunday, May 2, 2021 2:03:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled home we can get on the west side. Thank you!

Sunset resident,
Sara Fordyce

Saraleah Fordyce
saraleah.fordyce@gmail.com
917-613-0679

From: [Paul Dorton](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: The IRV on Irving
Date: Sunday, May 2, 2021 2:02:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am 100% supportive of this project.
Please make it easy for this to be completed. It is a great example of what you should be supportive of from SF neighborhoods.

From: [Max Ortiz](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Deny appeal- we need housing on the westside!
Date: Sunday, May 2, 2021 11:34:27 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Max Ortiz

From: [blair.jeffris](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: appeal 21-024, permit 2019/0911/1353
Date: Sunday, May 2, 2021 8:52:00 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Blair Jeffris
1224 Arguello Blvd
San Francisco, CA 94122
415-533-9009

From: [Alexis Woods](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: DENY appeal 21-024
Date: Sunday, May 2, 2021 9:28:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Living in San Francisco has become so unaffordable because there are not enough places to live...

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to continue and get the permit it needs. It is so sad to see people block a good project that will open up more needed housing. Stop limiting growth for the sake of a few peoples personal financial interests...

K. Alexis Woods, 739 Cole Street, San Franciisco
415-613-1521

From: [Jason Monberg](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Please DENY appeal 21-024
Date: Sunday, May 2, 2021 9:44:59 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed.
We need every 100% rent-controlled bedroom we can get on the west side!

Thank you!

From: [Buffy Maguire](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Please DENY appeal 21-024
Date: Monday, May 3, 2021 8:06:46 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

Buffy Maguire
buffy@javabeachcafe.com
cell 415.606.1884

From: [Eva Reffell](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: In opposition to Appeal 21 - 024
Date: Monday, May 3, 2021 9:38:09 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Appeals,

In my 20 years living here in San Francisco--15 of them in the Avenues--I have watched housing project after housing project shot down by neighbors who are more concerned about their standard of living than whether their fellow city dwellers can afford to live. We seem to have more people living on the streets in tents than we ever have. We desperately need higher density housing, and here is as good a place as any.

Please deny appeal 21-024 and allow permit 2019/0911/1353 to proceed. Thank you!

Eva Crider Reffell

From: [William Froming](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Deny appeal 21--024
Date: Monday, May 3, 2021 9:47:33 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. I know this project well and have followed the objections of people who live nearby. I must say that there have already been concessions, by reducing the number of floors of this building. The owner is trying to do the right thing for those who are unable to afford rents while they live/work in this City. Please allow this affordable housing project to move forward.

Sincerely,

William J. Froming

Residence: 177 Villa Terrace, SF, CA 94114

William J. Froming, Ph. D.
Professor
Palo Alto University
Allen Calvin Campus
1791 Arastradero Road
Palo Alto, CA 94304
e-mail: wfroming@paloaltou.edu
phone: 650-433-3830
fax: 650-433-3829
<http://www.paloaltou.edu>

From: [David Hoare](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal 21-024 on permit 2019/0911/1353
Date: Monday, May 3, 2021 10:40:34 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side.

Thank you!

David.

From: [Matt Reilly](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Permit 2019/0911/1353
Date: Monday, May 3, 2021 12:24:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

--

Matt
415.269.8543
matt.reilly@gmail.com

From: [Westphal, Matt](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Deny appeal-please
Date: Monday, May 3, 2021 2:19:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Appeals-

We need all the housing we can get on the West side, especially units that will be rent controlled.

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed.

Sincerely,
Matt Westphal

From: [HEARST WELBORN](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: appeal
Date: Monday, May 3, 2021 2:58:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

John Hearst WEIborn

From: [Daniel Donahoe](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Please DENY appeal 21-024
Date: Tuesday, May 4, 2021 3:16:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Whom It May Concern:

Please DENY appeal 21-024 and allow this vital, important rent-controlled project #2019/0911/1353 to proceed. We need every 100% rent-controlled bedroom we can build and open on the West side of this city.

Thank you,

Daniel Donahoe
San Francisco resident since 1992

From: [Roger](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal 21-024
Date: Thursday, May 6, 2021 2:34:40 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Appeals,

Please DENY appeal 21-024 and allow this vital project, permit 2019/0911/1353, to proceed. We need every 100% rent-controlled bedroom we can get on the west side. Thank you!

[Sent from Yahoo Mail for iPhone](#)

From: [Robert Zwissig](#)
To: [BoardofAppeals \(PAB\)](#)
Cc: larrydelaney1@aol.com
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Saturday, May 8, 2021 2:47:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Stop the addition of a 4th story to above property.

I LIVE HERE!!!!!!

Robert Zwissig

1266-44th Ave. Next to Irving!

SF

From: [Margot Gross](#)
To: [BoardofAppeals \(PAB\)](#)
Cc: larrydelaney1@aol.com
Subject: from margot campbell gross
Date: Sunday, May 9, 2021 10:31:48 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Appeal No. 21-024
Regarding 4326 Irving Street

As neighbors living on 45th Avenue between Irving and Lincoln, we object to the proposal to add a fourth story to 4326 Irving Street, in order to create three, two story luxury units, each with a private deck, in addition to a large party deck.

We believe this violates the agreement the developers reached with neighbors: Larry and Barbara Delaney, Larry Mak, Jim Philliou and Patricia Lee.

Margot Campbell Gross
1233-45th Avenue
San Francisco
Ca 94122

From: [peter.gross](#)
To: [BoardofAppeals \(PAB\)](#)
Cc: [larrydelaney1@aol.com](#)
Subject: 4326 Irving Street
Date: Monday, May 10, 2021 10:33:06 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

> Appeal No. 21-024
> Regarding 4326 Irving Street
>
> As neighbors living on 45th Avenue between Irving and Lincoln, we object to the proposal to add a fourth story to 4326 Irving Street, in order to create three, two story luxury units, each with a private deck, in addition to a large party deck.
> We believe this violates the agreement the developers reached with neighbors: Larry and Barbara Delaney, Larry Mak, Jim Philliou and Patricia Lee.
>
> Margot Campbell Gross
> 1233-45th Avenue
> San Francisco
> Ca 94122

From: [peter.gross](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 Regarding 4326 Irving Street
Date: Monday, May 10, 2021 12:06:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Re: Appeal No. 21-024 4326 Irving Street

As neighbors living on 45th Avenue between Irving and Lincoln, we object to the proposal to add a fourth story to 4326 Irving Street, in order to create three, two story luxury units, each with a private deck, in addition to a large party deck.

We believe this violates the agreement the developers reached with neighbors: Larry and Barbara Delaney, Larry Mak, Jim Philliou and Patricia Lee.

Peter W. Gross
1233 45th Avenue
San Francisco
Ca 94122

May 10, 2021

RE: Appeal # 21-024 Regarding 4326 Irving Street

Dear Board of Appeals,

I am writing in support of my neighbors' appeal of the permit for a 4th story "pop-up" and roof decks at 4326-4336 Irving Street. The developers made an agreement with the neighbors and our neighborhood not to build a 4th story if we would not oppose the plans for the rest of the building. They reneged on this agreement when it no longer suited their purpose. This does not surprise me as they have been duplicitous about the nature of this project from the beginning - from the time when they first met with some of us in early August 2019 at Java Beach cafe on LaPlaya and told us they were building "affordable housing." They presented themselves as local boys just trying to create more housing that regular people could afford. Here is the truth:

The property belongs to at least one LLC, The Irv LLC. I think another LLC interest has been added in the past year. While one of the developers has a local address, it is in a building designated on the SF PIM as "short term rental."

The property is not affordable housing. It is a warren of bedrooms and bathrooms suitable for "roommates" (Mr. Veit's words). Each unit will be fully market rate but, shared among several income earners, it becomes affordable by the bedroom (he had stated that each bedroom would be about \$1800). It is more like a dormitory than residential housing. It is not suitable for families (most of the units have very little common space), the elderly or the physically challenged (nothing about the building is ADA compliant).

During the Planning Commission hearing on the Discretionary Review for the project (something we did not file ourselves because we did not have time after being told the 4th story was back on the table), one of the Planning Commissioners wondered aloud why the developers had not just torn it down and built something new. We suspect it was because, had they tried to build something of this density from the ground up, there would have been mandatory neighborhood notifications, CEQA reviews and ADA

requirements. Maybe there would have been a requirement that some of the units be affordable. However, they were able to by-pass all of this. The effects of this were:

1. The current ADU process does not require neighborhood notification. These developers took advantage of this by taking out the twelve parking spaces in the original building and putting in 5 ADUs, at least one of which has 4 bedrooms and 3 bathrooms and which altogether now have 13 bedrooms and 11 bathrooms.
2. The project got a Class 1 CEQA exemption as an existing building where the use was not changing. However, according to the Planning Code:

Where there is a reasonable possibility of a significant effect due to unusual circumstances surrounding the project, it is not exempt even if it clearly fits one of the categories.

<https://sfplanning.org/list> - ceqa- exemption - types

It should not have been given a CEQA exemption. A building that goes from 12 units with 20 bedrooms and 12 baths and parking to a building with 44 bedrooms, 34.5 baths and no parking seems to fit the condition of **a reasonable possibility of a significant effect due to unusual circumstances**. There could be as many as 88 people in that building which would have a severe impact on parking, services and transportation in the neighborhood. Also, the units are ideally suited for short term and transient rentals, not permanent residents. This in itself should have been noted.

When we received (March 2020) notification and sets of plans for the building and the fourth story, we were confused by the number of sets of plans and revisions that were included. It was hard to tell exactly which were the correct plans or what was being done. We got the following information about this from the Planning Department:

1. There were multiple sets of plans because plans for the 2nd and 3rd stories had been approved by DBI which should have gone to the Planning Department first. The developers had to revise the plans to the original sets and then resubmit them for planning department review. All of these iterations were included.
2. We were told the whole project was up for review because the Planning Department had serious concerns about the fourth floor but also with the layouts

of the 2nd and 3rd floors and the lack of common space in the units. They had filed a staff Discretionary Review because of this.

3. We were told we did not have to file our own DR because the whole project was up for consideration under the staff DR.

The facts from here involve the agreement the developers made with us to prevent us from opposing their project. However, at some point in late April or early May, those original plans for the 2nd and 3rd floors reappeared on the Planning website. These plans were dated December 9, 2019 and had been approved and signed by Tom Hui who no longer even worked at DBI (after being caught for unethical behavior, including fast tracking permits, in a corruption probe by the FBI). At this point, we neighbors were also told by the Planning Department that they were no longer concerned with the layouts of the 2nd and 3rd floors and that the DR would be about the 4th floor and the 4th floor only.

In summary, this project should have received a lot more review than it did. The developers seemed to have worked the system to keep it mostly hidden from serious scrutiny. Had they not tried for the fourth floor, the project would probably be completely built and rented now. However, they broke an agreement with us, submitted plans for the 4th floor, and now are having a permit appeal because of it. At the least, they should be held to their agreement not to build the 4th story “pop-ups” or the roof decks. At best, the project should also be submitted for a CEQA review to see just what the substantial increase in density of this building will have on the neighborhood around it.

Julie Rodenburg and neighbors
1275 44th Avenue

From: [Jaime M Bardacke](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Wednesday, May 12, 2021 7:08:29 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Members of the Board of Appeals,

I am writing to express my support for denying the permit to build a 4th floor on the building at 4326 Irving Street. I live one block from this building, at 1285 45th Avenue. I am dismayed by the lack of good faith the developers have demonstrated by breaking the agreement they negotiated with our community. If this behavior is allowed to stand, it eliminates protections for city residents who are willing to compromise and act in good faith, and gives complete freedom to developers to proceed with dishonesty and disregard for the communities they impact.

I also oppose bringing luxury units into the neighborhood without a focus on affordable, accessible housing. I understand that the fourth floor will be utilized to create two story luxury units, while the building itself will not be ADA compliant nor contain any affordable housing units. Again, if this project is allowed to go forward, it sets a dangerous precedent at a time when our city is desperately in need of charting an inclusive path forward for residents of all incomes and abilities.

I strongly support the denial of this permit. Please feel free to contact me if you would like to speak further at (415) 279-8643.

Thank you,
Jaime

--

[Jaime M. Bardacke, LCSW](#)
[she/her/hers](#)

Re: Appeal No. 21-024 regarding 4326 Irving Street

247 Ortega Street
San Francisco, CA 94122-4617
May 10, 2021

Board of Appeals
San Francisco Government
E-mail: boardofappeals@sfgov.org

Dear San Francisco Board of Appeals:

We are requesting that the Board of Appeals deny the permit to build a fourth floor at 4326 Irving Street foremost because the developers made an agreement with adjacent neighbors, Larry Mak, Larry and Barbara Delaney, and Jim Phillion and Patricia Lee last April not to build a fourth floor if these neighbors did not oppose the developers' second and third floor plans, which the developers broke, despite the neighbors having fulfilled their side of the agreement.

Moreover, the adjacent neighbors followed the SF Planning Department's suggestion that they try to reach a compromise with the developers. Thus the neighbors' agreement with the developers was that the developers would not build ANYTHING on the fourth floor if the adjacent neighbors did not oppose their plans for the second and third floors about which the Planning Department was notified. The neighbors kept their part of the agreement and the developers were approved to move forward with the second and third floors plans. Despite the agreement with the adjacent neighbors, the developers proceeded with a plan for adding a fourth floor in order to create luxury two story units with decks. Most informed San Franciscans would consider the developers' actions as sneaking behind the backs of the adjacent neighbors who had no experience with the Planning Department, with discretionary reviews, or with building permits. In brief, the developers took advantage of the neighbors and reneged on their agreement after the neighbors

had done their part and appear to have acted in this manner to keep neighbors from voicing any opposition or having influence over any part of their project. Their conduct was truly disgraceful.

The developers and the adjacent neighbors' agreement was not an informal or loose agreement. It was a clear agreement that was negotiated to be a win/win for both sides. As the lead developer texted "If we can avoid going to planning commission I'll gladly skip the pop-up. Let's make it happen!". And with the adjacent neighbors' support they did indeed avoid going to the Planning Commission for their increased density changes on the second and third floors. Instead the developers went to the Planning Commission for a fourth floor which was exactly what they agreed they would not do. The adjacent neighbors seem to have been played by developers with vast real estate development and ownership experience who knew the game inside and out.

Besides the reasons we have already mentioned, we would like to emphasize that a fourth floor would build three multileveled luxury units together with four new decks.

In addition, even without a fourth floor this building will already be going from twelve units to seventeen units and from twenty bedrooms to forty-three bedrooms which is a huge amount of mass and density for this building.

So too, a fourth floor would increase massing of an already over massed building that is already inconsistent with the character of the neighborhood and that comes to within ten feet of the rear property line.

Moreover, it would increase existing parking problems. All parking was removed from this building by the developers to make way for five large additional units on the ground floor.

Need we mention, the increased noise, light pollution and litter from four new fourth floor decks? Should we be silent about the coming loss of air, sun, privacy and views?

Is it unreasonable to expect the planned use of spiral staircases to access new fourth floor living spaces could cause emergency exit problems? It is shocking that the all new building interior is not ADA complaint or disability friendly, and that this omission is possible due to an immoral loophole? Forget any claim that this new structure is providing any affordable housing for San Franciscans. To the contrary, an expansion into a 4th floor would just create luxury units for affluent tenants.

It must be underscored that if this fourth story is constructed it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they do not intend to keep in order to suppress neighborhood concerns and opposition.

And although there is no zoning issue currently involved here, there are some relevant comments by the SF Zoning Administrator regarding this building from last September: "the existing building extends much further into the required rear yard than any other buildings on the subject block facing Irving Street"... "The property is already developed far beyond what is currently permitted by the Planning Code"... "The proposed project would not be in keeping with the existing housing and neighborhood character"... "The project would fail to preserve neighborhood character by adding additional height and massing to a structure that is already larger than typical buildings in the area"... "The proposed project will have no effect on the City's supply of affordable housing".

Even though the housing will be fully market rate, the developers have always promoted it as affordable housing. They even convinced Supervisor Gordon Mar of this misrepresentation until Mr. Mar realized what it was and withdrew his support for a fourth floor.

Sincerely,

J. Barry Gurdin, Ph.D.
Rita J. Jeremy, Ph.D.

From: [Karen Myers](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Wednesday, May 12, 2021 4:57:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Appeals,

I am writing to ask you to deny the permit to build on the 4th floor at 4236 Irving Street.

I live at 1285 44th Ave. Apt. 1, about 4 houses away from the construction site. As someone with a disability and severe mobility issues, I have already expressed my anger that the developers have eliminated all of the pre-existing indoor garage parking so they could pack that area with additional units and bedrooms. This was done without any neighborhood input or thought as to how this would affect the already difficult street parking situation. I am fortunate enough to have an indoor parking space, but my caretakers and friends already have difficulty finding parking when they come to work for me or visit. Adding an abundance of new units in this building with absolutely no parking spaces is going to make this situation much worse.

On a personal note, I am against the 4th story being built because it would affect the peacefulness of my outside garden and my view of the sky looking towards the ocean. I am very concerned about the large increase in noise from the 43+ tenants and their guests who would be gathering on these decks. I also don't understand how balconies for luxury units can be considered when the developers managed to not include accessible units or affordable housing.

I attended the Planning Commission virtual meeting in June where Brian Veit, the lead developer, expressed his views. Mr. Veit initially appears to be a friendly and likable guy, but it seemed to me he has been pushing the boundaries of meeting code for this building. I did not understand the details of the floor plans and the city's building rules, but in this meeting it seemed to me that even members of the planning commission called him on his attempts to skirt building code and questioned some of his practices. I found Mr. Veit to be tone deaf to many of the concerns of us neighbors and quite skilled in talking his way into getting what he wanted.

I was not part of the negotiations where he told told Larry and Barbara Delaney that he would drop the fourth floor in exchange for giving him leeway in building the lower floors, but I can support the excellent character of the Delaneys and their love of our neighborhood. I could not say the same about Mr. Veit and the developers.

Please give this situation serious consideration and hold this developer to his word (and written texts) and to the legal building codes of the city. DO NOT approve this permit.

Sincerely,

Karen Myers
1285 44th Ave. Apt. #1
San Francisco, CA 94122
415-753-2242

From: [Ginger Tulley](#)
To: [Board of Appeals \(PAB\)](#)
Cc: [Michael LoBue](#)
Subject: Appeal No. 21-024 Regarding 4326 Irving Street
Date: Wednesday, May 12, 2021 5:54:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Appeals:

Our family lives on 45th Avenue between Irving and Lincoln, and we object to the proposal to add a fourth story to 4326 Irving Street in order to create three two-story luxury units, each with a private deck, in addition to a large party deck.

We believe this violates the agreement the developers reached with neighbors Larry and Barbara Delaney, Larry Mak, Jim Philliou and Patricia Lee.

Ginger Tulley
Michael LoBue
1232 45th Avenue
San Francisco, CA 94122

From: [William Kardas](#)
To: [BoardofAppeals \(PAB\)](#)
Cc: [Larry Delaney](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Wednesday, May 12, 2021 9:56:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Appeal No. 21-024 regarding 4326 Irving Street.

Dear members of the Board of Appeals,

My name is Will Kardas and I am a long time resident of 4316 Irving Street, one door down from 4326-4336 Irving Street. I am writing to request you reconsider the approval of the 4th floor at that address.

As my neighbors who live adjacent to 4326-4336 will mention in their letters and calls, the developer has not been forthright about their plans for the building, as well as going back on their (the developer's) agreement that they established with my neighbors. I believe this sets a dangerous precedent for developments moving forward when developers ignore the concerns of the neighborhood that they are building in.

Outside of the developer's disregard for their agreement, they have also continually failed to show respect for procedure and the neighborhood by placing permits in the second-floor window upside down, or not at all, making it impossible to know what was actually going on. Parking permits were also placed without warning on the same day they became valid. They have also let the front of the building become completely covered in graffiti. Their haphazardly placed plywood looks less like a construction site and more like a dilapidated abandoned building, which only invites piles of trash and waste to accumulate in front of the building and sidewalk.

The developer made the questionable choice of taking out the parking that was already present in the building. While this does add 5 more apartments, it also forces the residents of those apartments to park their vehicles on the street. Will all those renters have cars? Probably not, but if even half of the planned 40+ bedrooms have cars, already scarce parking on this block and neighborhood will be close to impossible.

Even without the addition of the 5 apartments, the building already had 12 apartments and a total of a little over 20 bedrooms. Similar apartment buildings in the area only have between 3-8 apartments. The construction of 5 more apartments and 22 more bedrooms, will make this an incredibly dense and potentially dangerous dwelling. With nearly double the amount of previous bedrooms, and double the amount of apartments of nearby apartment buildings, is a 4th floor even necessary?

I will admit, I do have my own selfish reasons for not wanting a 4th floor. My yard will lose nearly half a day of light, there will be a lack of privacy and additional noise from 5 new 4th

floor decks and rooms, and the loss of a breathtaking sunset view from my roof. However, my own desires aside, the addition of a 4th floor in an already densely inhabited building seems like an unnecessary extravagancy that will only hurt the neighbors around it.

Thank you for your attention in this matter. Please let me know if I can answer any questions or provide additional information. I am also willing to send photographic evidence of building neglect, should you need it. You may reach me at (408)799-9203 or wkardas@mac.com.

Respectfully yours,

-Will Kardas

From: [Maureen](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal 21-024 4326 Irving Street
Date: Thursday, May 13, 2021 8:59:28 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

May 13, 2021

RE: Appeal 21-024 4326 Irving Street

To The Board of Appeals,

I am a resident of San Francisco. I write this to support the revocation of the permit for the above address. The permit should never have been approved. The building extends way beyond the neighboring properties into its rear yard. I understand the plan is to add multiple property line windows to this monstrosity as well. Adding a fourth story with roof decks will complete the illusion of a giant, landlocked cruise ship with porthole like windows peering out at neighboring properties and an upper deck for parties. The 4th story will block the views of many up the hill from the property and will not add any additional housing. I suspect it will add additional profit for the developers though.

Since the developers had agreed not to build this 4th story if neighbors did not object to the other plans for the building , they should not be allowed to build it. Duplicity, deceit and deception should not lead to project approval in this city.

PLEASE DENY THE PERMIT FOR THE 4TH STORY "POP-UP" AND DECKS.

Sincerely,
Maureen Bunting

-----Original Message-----

From: Tom Zimmeroff <tom@zimmeroff.com>

To: boardofappeals@sfgov.org

Sent: Thu, May 13, 2021 8:30 pm

Subject: Appeal No. 21-024 regarding 4326 Irving Street

To the Board Members:

I hereby request the Board of Appeals to deny any permit to build an additional 4th floor atop the property at 4326 Irving Street. The following points are grounds for your denial of a construction permit:

- The developers have willfully reneged on an existing written agreement made with residents of the Outer Sunset neighborhood adjacent to the property in question, which was entered into as a compromise for acceding to their 2nd- and 3rd-floor plans. They would also, both separately and additionally, renege on a promise made to the the Planning Commission, which stipulates that they shall NOT add or construct a 4th floor.
- Excluding the putative addition of a 4th floor, the property in question has already increased from 12 units to 17 units and from 20 bedrooms to 43 bedrooms, as per the existing compromise agreement. This increases residential density which is untenable and manifestly out of character with existing structures in the neighborhood.
- All parking spaces were removed at the whim of the developer, without approval, and contrary to the terms of the existing agreement, to construct five additional units on the ground floor.

We residents of the Outer Sunset, most of us who have lived here for more than a decade, some of for several decades, and I for fifteen years, resent the this developer's presumptuousness, expecting that you, the board members, would even entertain a notion that sets a dangerous and corrupt precedent, one that flies in the face of common sense, decency, and, it seems, contractual law.

Please deny the permit.

Respectfully yours,

Tom Zimmeroff



Tom Zimmeroff
1364 45th Avenue

San Francisco, California 94122
<https://zimberoff.medium.com>
(415) 246-2417

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Outlands Planning Council
San Francisco, CA

San Francisco Board of Appeals

boardofappeals@sfgov.org

In re Appeal No. 21-024 @ 4326 Irving Street
13 May 2021

Commissioners:

The Outlands Planning Council, its 200+ members and member organizations representing longtime residents and community members of the Outer Sunset Neighborhood supports the Appellants who have submitted Appeal No. 21-024, and who wish to deny the variance applicable to the 4 story height and roof decks of the proposed construction at 4326 Irving Street.

The 4th story addition is unsuitable for this location. Current plans maximize density for three stories on the lot and include variances for ADU's. The structure itself exceeds the normal footprint of buildings on lots in the neighborhood and the addition of a fourth story will exceed heights of neighboring buildings for absolutely no public benefit. The proposed fourth story and its accompanying roof and party decks are gratuitous, planned so that the LLC developing the property can maximize profit by constructing split-level townhouse-like luxury condos, perhaps for short-term rental, within the building envelope. Approving such a variance, would be a travesty, so far outside of the normal scope that even Planning Department staff have weighed in in opposition.

The Planning Commission erred in its discretion by approving the proposed development without even reviewing completed plans. Neighbors, who were lied to by the LLC/developer, and whose lives and investment in their community will be adversely affected if this proposed development were allowed to proceed according to the developer's plan, were right to bring this matter before the Board of Appeals. The Outlands Planning Council respectfully requests that Commissioners find in favor of the Appellants.

Respectfully,

Mike Murphy

Volunteer, Outlands Planning Council

From: [Gloriane Yi](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Thursday, May 13, 2021 11:18:41 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I am asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.

- Even without a 4th floor this building will already be going from 12 units to 17 units and from 20 bedrooms to 43 bedrooms which is a huge amount of density for this building and already out of character with the neighborhood.

- Increase of existing parking problems. Without any neighborhood notice, all parking was removed from this building to make way for five large additional units on the ground floor.

- A 4th floor would result in loss of air, sun, privacy and views. And increased noise, light pollution and litter from four new 4th floor decks.

- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,

Gloriane Yi
1272 45th Ave
San Francisco, CA 94122

gloriane@gmail.com

From: [Renita Herrmann](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Thursday, May 13, 2021 12:27:04 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Re: 4326 Irving St

To Whom It May Concern:

After following the planning and permitting process at the above address, I must say I am concerned for the neighborhood. I live on Irving Street as well, and feel it is imperative we don't rush to build or permit residences that are not in keeping with the feel and history of a neighborhood. Encouraging such an increase in units and cubic footage on this property seems like an enormous mistake.

Building structures well into what should be open space is damaging not only to the residents, but to the surrounding neighborhood as well. The closeness of the houses to this building will make its neighbors' homes less attractive, lose value, and cause, I am sure, much animosity. I have had a similar circumstance where my home lost value due to a house being built that took away our view of the Golden Gate Bridge. The people that built that home were shunned and rarely lived there. They built an ostentatious house that shadowed or obstructed views for every neighbor. This is not the kind of city in which we want to live. We must take into account the actual imposition of the building and its prospective tenants on the current and future homeowners around this property.

Parking is another concern. I have neighbors that have a single family home and have two cars parked on the street, even though they have a garage. Although neither one works, they are always following the street cleaner to reposition their cars, doing something most of their neighbors cannot. I can only imagine what trouble this kind of building will cause in the neighborhood where parking is already difficult. See the pictures attached below. It is so frustrating to have to drive around the neighborhood looking for parking, not to mention car break-ins that this generates.

These kinds of disputes that the builder engendered reveal a lack of honesty and fairness. The disregard in which the builder has shown to the neighborhood should be, even by itself, a reason to turn down this builder's approval.

The fact that the neighbors were willing to negotiate with the builder, only to be deceived, should be the final straw for this project. Please, say no to this disaster.

Thank you for your attention,

Renita Herrmann
2939 Irving St
San Francisco, CA 94122





From: [Nigel Delaney](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Thursday, May 13, 2021 2:25:31 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

May 13, 2021

Dear San Francisco Board of Appeals,

I am writing in the hope that you will deny the developers permits to add a 4th story at 4326 Irving street in order to establish and maintain the principle that developers and the communities they develop in should work towards mutually advantageous outcomes, and not accomplish their goals through lies and broken agreements.

In the manner before you, the developer has repeatedly tried to reframe this issue into a broader story of our times about how developers looking to build affordable housing are stymied by “eff-you-I-got-mine” neighbors, but his narrative doesn’t hold water when compared with the facts.

The fact is he’s turning a property the Delancy Street Foundation used for transitional housing to bring people into our community into a rent extraction machine that can operate at the highest level of efficiency, and has broken an agreement he made with the neighboring community to do that.

I grew up on 44th Ave and can confidently say the Outer Sunset community is not a group of NIMBYs opposed to all change or selfish neighbors as the developer, Brian Veit has said. For example, although I would prefer it if San Francisco was still how it was when I was growing up and my public school teachers lived in the neighborhood where we could visit or see them, I know our teachers are now struggling to find housing, and was very supportive of the new development down the block that will introduce more than 100 apartments for our local educators. This is despite the fact that I feel certain it will only exacerbate the parking problem in the neighborhood that has led people to pave over their driveways, park cars on the sidewalk, and prevent those like myself, who don't have the option to take public transportation, from parking anywhere near their homes when they get home after a long day at work. Although I’d wager the skateboard I keep in my trunk to travel from my parking spot to my house will soon be replaced by a folding bike as I need to park further away, I’m fine parking on the moon if it means the people who our teachers in our community can live in it as well.

Similarly, I haven’t opposed the expansion and remodel of the apartment down the street, or the one across the street. Change done well can be good, and it is often needed. I would have hoped the proposed design at 4326 Irving could have also been done in a manner that would be a net improvement to the area. However the developers’ intent is clearly to maximize their profits by cramming as many units and bedrooms into his project as possible.

The Sunset is built on a slope so that multiple houses have a view of the ocean. The low rise nature of the area allows many to have and enjoy ocean views.

The developer, Brian Veit, knows the construction enabled by this permit takes away these views of the ocean and would be an imposition on the surrounding neighborhood. However, his path to highest profits included building as dense housing as possible while providing no offsetting benefits to the community.

I believe this is why, in early conversations with neighbors about his proposed development, he agreed not to build a vertical addition if they didn't oppose his broader plan to add 5 units to the building and multiple bedrooms and baths to the existing units. Although I was not at all convinced that even without the 4th floor addition his project has merit, we agreed to this compromise - we wanted to get along and had been advised by the planning department to do this.

It is hard for me to read about the developer's exploits online, including his group's large profits from flipping the Reddit headquarters building downtown (1), his \$60 million dollar purchase of marquee properties in La Jolla Cove (2) and his investments in parking lots downtown (3) and not feel that Brian Veit is a sophisticated property developer who took advantage of the neighbor's inexperience in these matters to make an agreement he had no intention of keeping but which served to suppress any opposition or input from the neighborhood. He is clearly no stranger to litigation and development, and also apparently intimidation tactics as in his hardship request to the Board of Appeals he compared the appeal to a fraudulent lawsuit and said the neighbors should be liable for damages.

The facts here are clear. The LLC represented by this developer is trying to build far above what is normal in this community, on a lot the zoning administrator has deemed already overbuilt. He's doing so by violating an agreement he made with the community in which he's developing. That this agreement was made is uncontested.

As you consider this, I know there are subjective issues around this matter that reasonable people could disagree on. Should rooms have access to a window with fresh air and sunlight? How much parking is needed? What is more inclusive or exclusive - holding a line on the quality of housing or letting anything go?

However, I hope you can find clarity in your decision by distilling the issue down to the importance of integrity. Our community is for development, but not for overdeveloping a property without any offsetting benefit or broken agreements made in bad faith.

Sincerely,

Nigel Delaney
Outer Sunset
San Francisco, CA

(1) [Investors sell the Reddit headquarters at 420 Taylor St. in San Francisco on the border of Union Square and the Tenderloin - San Francisco Business Times](#)

- (2) [La Jolla Cove Shops, LLC v. Aimco Props., LP, D069038](#)
- (3) [Veit Boomerang Bisnow Talk](#)

4337 Irving Street
San Francisco, CA 94122

May 11, 2021

San Francisco Board of Appeals
49 South Van Ness, Suite 1475
San Francisco, CA 94103

RE: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I am asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

Our house sits across the street from the building undergoing renovation, so we have a clear view of it and the effects of the changes that have been and will be made to it.

As it stands now, the building at 4326 Irving feels of a piece with the rest of the neighborhood, where buildings rise no higher than three stories and where residential properties at least attempt to have a reasonable amount of space to accommodate the number of people who live there and the number of vehicles they own. And even then, parking remains an ongoing problem here.

As a single-car family using the space in our garage, we find ourselves having to remain constantly vigilant as vehicle owners repeatedly impinge on our ability to leave our own home by blocking our driveway. The parking in this neighborhood is such a problem that cars parked on the sidewalk are an everyday reality.

So to see workers eliminate all of the parking inside the apartment building across the street, with the intention of replacing it with cramped living spaces, has us concerned. We believe that what they are planning to do with the building shows little to no regard for the people who currently live in this neighborhood nor for the majority of people they are intending to house in this facility.

Sincerely,



Sandra Chan

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
- Even without a 4th floor this building will already be going from 12 units to 17 units and from 20 bedrooms to 43 bedrooms which is a huge amount of density for this building and already out of character with the neighborhood.
- Increase of existing parking problems. Without any neighborhood notice, all parking was removed from this building to make way for five large additional units on the ground floor.
- A 4th floor would result in loss of air, sun, privacy and views. And increased noise, light pollution and litter from four new 4th floor decks.
- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,



Signature(s)

DAVID C.Y. WONG

Printed Name(s)

4208 IRVING STREET SAN FRANCISCO, CA. 94122

Address

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)



Printed Name(s)



Address

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)

Hua-Qing Li

Printed Name(s)

4227 IRVING ST SF. CA 94122

Address

Hwachinglee@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)

NORA DE LA CRUZ

Printed Name(s)

4308 IRVING ST. SF CA. 94122

Address

ndlc1113@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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Sincerely,



Signature(s)

KEVIN EDDLEMAN

Printed Name(s)

4310 IRVING STREET, SAN FRANCISCO, CA 94122

Address

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,


Signature(s)

WILLIAM J. KARDAS
Printed Name(s)

4316 IRVING ST., SAN FRANCISCO, CA 94122
Address

WKARDAS@MAC.COM
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,



Signature(s)

QUANG TRINH.

Printed Name(s)

Address

4317 IRVING ST SF. CA 94122.

Email Address

4317 IRVING ST SF.

To: Board of Appeals

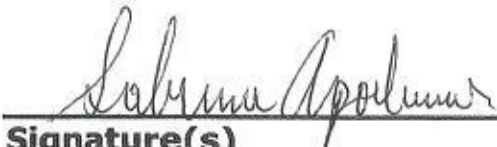
Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)

Sabrina Apolinar

Printed Name(s)

4322 Irving St, San Francisco, CA 94122

Address

SabrinaApolinar@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Amber Lopez

Printed Name(s)

4322 Irving St, San Francisco CA 94122

Address

mslopezamber@yahoo.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,

Sandra Chan

Signature(s)

SANDRA CHAN

Printed Name(s)

4337 IRVING STREET, SAN FRANCISCO, CA 94122

Address

Email Address

To: Board of Appeals

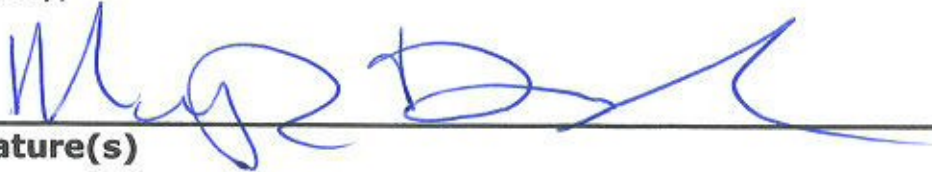
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Sincerely,



Signature(s)

Megan Rae Cornelius

Printed Name(s)

4350 Irving St. SF, CA 94122

Address

Megan@Zaziesf.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,



Signature(s)



MARIA MEIMBAN
Printed Name(s)

TYCHO MEIMBAN
Printed Name(s)

4409 IRVING ST. San Francisco, CA 94122
Address

SAN MDMeimban@gmail.com, TychoMeimban@gmail.com
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,

Shawna M. McDonald

Signature(s)

Shawna M. McDonald

Printed Name(s)

4431 Irving Street

Address

smariemcdonald@gmail.com

Email Address

To: Board of Appeals

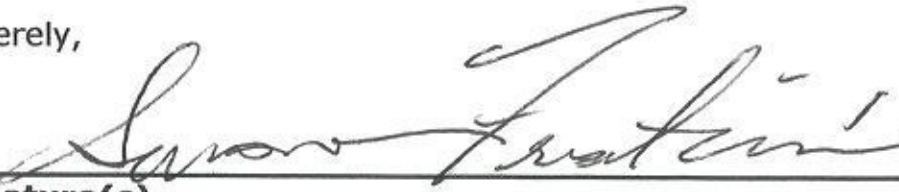
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Sincerely,



Signature(s)

Susan Fratini

Printed Name(s)

4436 Irving St.

Address

~~babiebeana~~ @AOL.com

Email Address

To: Board of Appeals

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Sincerely,


Signature(s)

JONATHAN HANSEN - WEAVER

Printed Name(s)

4443 IRVING ST

Address

Jonathan.hansenweaver@gmail.com

Email Address



BRIANNA CALABRESE

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

SHARON A. MURPHY

Printed Name(s)

1225 44TH AVE S.F. CA 94122

Address

SHARON MURPHY @ SBCGLOBAL.NET

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

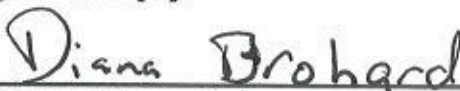
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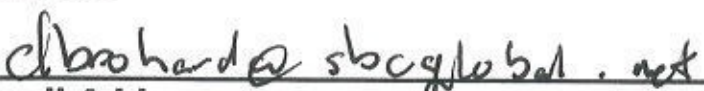
Signature(s)



Printed Name(s)

1231 44th Ave. S.F CA. 94122

Address



Email Address

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Sincerely,



Signature(s)

STANLEY NG

Printed Name(s)

1250-44th AVE S.F. CA. 94122

Address

Email Address

To: Board of Appeals

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Sincerely,



Signature(s)

WILLIAM F. GRAMLICH

Printed Name(s)

1257 44TH AVENUE SAN FRANCISCO CA 94122

Address

WILL.GRAMLICH@YAHOO.COM

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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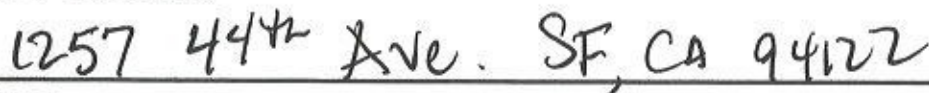
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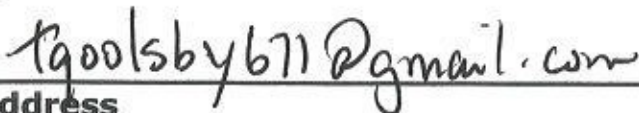
Signature(s)



Printed Name(s)



Address



Email Address

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Sincerely,


Signature(s)

AMBER SANFORD
Printed Name(s)

1259 44th AVENUE SF, CA 94122
Address

ateresas@gmail.com
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Theresa M. Cameranesi

Printed Name(s)

1262 44th Avenue, San Francisco CA

Address

tmcameranesi@gmail.com

Email Address

94122

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Anna Maria Cantwell

Printed Name(s)

1263 44th Ave SF CA 94122

Address

am.e.cantwell@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Katherine Cantwell

Printed Name(s)

1263 44th Avenue

Address

kcantwell13@yahoo.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

ZWISSIG, ROBERT W

Printed Name(s)

1266-44TH AVE SE CA 94122

Address

RZWISSIG@EARTHLINK.NET

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,

Julie Rodenburg
Signature(s)

JULIE RODENBURG
Printed Name(s)

1274 44th AVE
Address

juliebrodenburg@gmail.com
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,

MELISSA BAER

Signature(s)

MELISSA BAER

Printed Name(s)

1275 44TH AVE, SAN FRANCISCO, CA 94122

Address

heycurlylocks@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,

 
Signature(s)

Bobby Brinton Rebecca Brinton
Printed Name(s)

1278 44th Ave SF CA
Address

bobby.brinton@gmail.com
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,



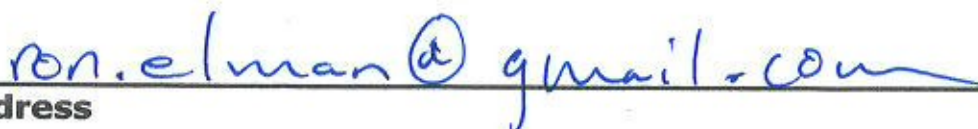
Signature(s)



Printed Name(s)



Address



Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,


Signature(s)

SHERREEN PRINCE
Printed Name(s)

1284 44th Ave SF CA 94122
Address

leilaniprince@yahoo.com
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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Sincerely,



Signature(s)

Karen Myers

Printed Name(s)

1285 44th Ave Apt. 1, SF, CA 94122

Address

karenmsf@sfglobal.net

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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Sincerely,

Suzanne M. Clarke-Gleason

Signature(s)

SUZANNE CLARKE-GLEASON

Printed Name(s)

1285 44th Ave #2

Address

suzie_clarke@hotmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

DAVID G. GEMIGNANI

Printed Name(s)

1285 44TH AVE APT. 5

Address

RANGERBEAVIS@GMAIL.COM

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,

Thomas NG
Signature(s)

THOMAS NG
Printed Name(s)

1300 44th Ave., S.F. CA 94122
Address

tigerboy7430@gmail.com
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,

John Friedlander

Signature(s)

JOHN FRIEDLANDER

Printed Name(s)

1306 - 44TH AVE SF

Address

HANSW40@GMAIL.COM

Email Address

Joan Friedlander

Joan Friedlander

1306 - 44TH AVE SF 94122

JohnjoanF@SBCGlobal.net

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,

Signature(s)



Printed Name(s)

TIFFANIE RAGASA

Address

1242 45th AVENUE S.F., CA 94122

Email Address



G0B0_@YAHOO.COM

↳ UNDERSCORE

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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Sincerely,



Signature(s)

Stephen Bowline

Printed Name(s)

1242 45th Ave. SF, CA 94122

Address

showline@disigraph.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Nichole Côté ADAM CÔTÉ

Printed Name(s)

1255 45th Ave. SF, CA 94122

Address

Email Address

To: Board of Appeals

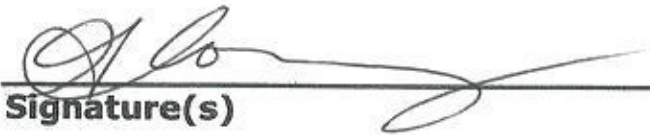
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Sincerely,



Signature(s)

Gloriane Yi

Printed Name(s)

1272 45th Ave SF CA 94122

Address

gloriane@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Eric Socolofsky

Printed Name(s)

1272 45th Ave.

Address

eric@transmote.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,

Signature(s)

Gregory Leung

Printed Name(s)

GREGORY LEUNG

Address

1276 - 45 TH AVE SF CA 94122

Email Address

leungmangregory@gmail.com

To: Board of Appeals

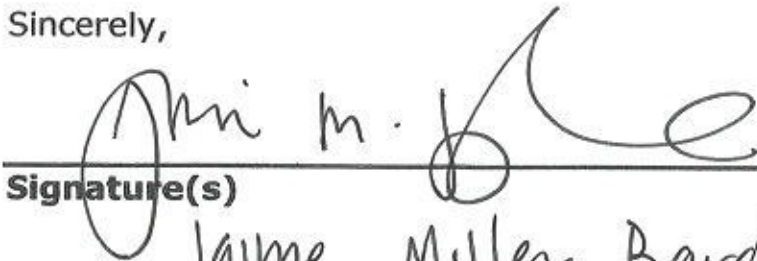
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Sincerely,



Signature(s)

Jaime Miller Bardacke

Printed Name(s)

1285 45th Ave #3, SF, CA 94122

Address

j.bardacke@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,

K. Klinger

Signature(s)

Kerry Klinger

Printed Name(s)

1310 45th Ave.

Address

kapostolo@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Maxwell Klinger

Printed Name(s)

1310 45th Ave.

Address

maxfklinger@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,

Kathleen M. Rose

Signature(s)

Kathleen M. Rose

Printed Name(s)

1324 - 45th Ave.

Address

kmkmrose @ att. net

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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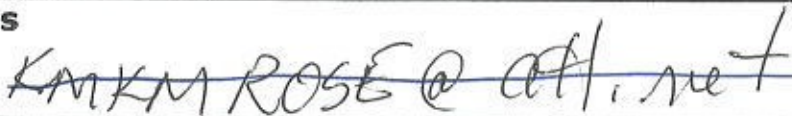
Signature(s)



Printed Name(s)



Address

 kmkmrose@att.net

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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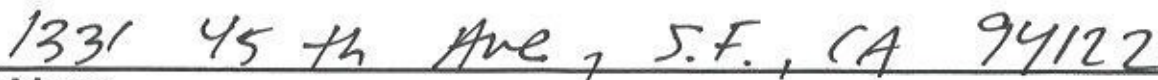
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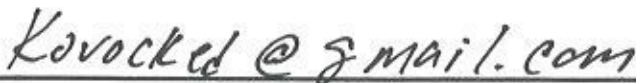
Signature(s)



Printed Name(s)



Address



Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)



Printed Name(s)



Address



Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

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Sincerely,



Signature(s)

Denise Selleck

Printed Name(s)

1375 45th Ave, SF, CA 94122

Address

deniseselleck@sbcglobal.net

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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Sincerely,

Katherine Howard

Signature(s)

Katherine Howard

Printed Name(s)

1243 42nd avenue SF CA 94122

Address

Kathyhoward@earthlink.net

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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- A 4th floor would result in loss of air, sun, privacy and views. And increased noise, light pollution and litter from four new 4th floor decks.
- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,


Signature(s)

Gregory P. Miller
Printed Name(s)

1243 Hpm Avenue, San Francisco CA 94122
Address

gm.sunset@verizon.net
Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,

Signature(s)

Elizabeth Rutzick

Printed Name(s)

1247 42nd Ave, San Francisco, CA 94122

Address

erutzick@me.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.

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- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,

Signature(s)

Ian Yutler

Printed Name(s)

1247 42nd ave, San Francisco, CA 94122

Address

iyutler@mac.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)

Katharine Bradley

Printed Name(s)

1238 43rd Ave SF CA 94122

Address

katebrad@hotmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)

Michael Litter

Printed Name(s)

1238 43rd Ave SF CA 94122

Address

mlitter@yahoo.com

Email Address

1279 44th Ave larrydelaney1@aol.com (415) 665-5067 (home) (415) 823-4770 (cell)
To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.

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Sincerely,



Signature(s)

REBECCA F. SKINNER

Printed Name(s)

1507 48th Avenue, SF 94122

Address

From: [Sylvia Ahern](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Regarding Appeal 21-024, 4326 Irving Street
Date: Thursday, May 13, 2021 3:57:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

TO: The Board of Appeals boardofappeals@sfgov.org

FROM: Sylvia Ahern, Friend of Appellants Delaney

RE: Appeal 21-024, 4326 Irving Street :

I am writing because my best friend's property adjoins the subject property at the rear. I visit her often and am very well acquainted with the neighborhood, since although now an Oakland resident, I used to live in the area.

Visiting my best friend with my disabled (Parkinson's Disease) husband is already very challenging. Nearby parking is nearly impossible to find. Adding occupants while removing offstreet parking will make an already horrible situation worse, or even impossible.

Besides the already-miserable parking situation, the misfit of this project with the neighborhood is obvious. The Planning Code states that:

"Exceptional and extraordinary circumstances occur where the common-place application of adopted design standards to a project does not enhance or conserve neighborhood character, or balance the right to develop the property with impacts on near-by properties or occupants. Does the property enhance or conserve the characteristics of the neighborhood?"

As it is, the building at 4326-4336 Irving Street is already out of character with the rest of the neighborhood. Adding a 4th story and roof decks will make it even more so. The building has always been an eyesore. It sits within 10' of the rear property line and looms over the adjacent properties with solid, dark walls. However, at least it looks like a building. What the developer proposes will look like a giant, landlocked, cruise ship with tiny bedrooms at the property line, peering out like portholes into the neighboring properties.

The neighborhood also does not have roof decks. Why? Because the weather is cool, foggy, wet and windy - very windy. Stuff blows all over even at ground level. A skylight in a nearby storage was already broken by a beer can blown from the roof of that building when the developers' "temporary" tenants were living there.

As for the developer's right to develop the property: He has put in 5 giant ADUs with no neighborhood notification even though these units are far, far bigger than the typical ADU (Granny Flat) that is usually added at the back of someone's garage. At

least one of these units has 4 bedrooms and 3 bathrooms. He has increased the potential occupancy of the building by more than 100%, even without a 4th story. He has more than exceeded his "right" to develop the property.

The developer agreed in writing not to build a fourth story, in return for the neighbors' agreement not to object to the rest of his project. Now he has reneged. He should not build it. It's very simple.

Sincerely,

Sylvia Ahern
510 339-2753

Friend of the Appellants
Former Sunset Resident

From: [Kathy Howard](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Thursday, May 13, 2021 6:36:18 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Appeals,

I live on 42nd Avenue, a few blocks from this proposed 4th floor, which I oppose.

A 4th floor would not house the diversity that we value so much in San Francisco. Lower income families would not be able to afford the 2-story luxury units with decks and views. None of the units are set aside for low-income families. None of the units are accessible -- how can this be allowed today in San Francisco?

The developer entered into an agreement with the neighbors that if they stopped opposition to the 2nd and 3rd floor plans, the developer would remove a 4th floor from his plans. One month later, the developer broke that agreement after the neighbors had fulfilled their part of the agreement. This kind of bad actor should not be rewarded.

The permit for a 4th floor should be denied. Thank you for your consideration.

Katherine Howard

42nd Avenue between Lincoln and Irving

From: [Gregory P Miller](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Please Deny: Appeal No. 21-024 regarding 4326 Irving Street
Date: Thursday, May 13, 2021 7:08:13 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board of Appeals:

I live on 42nd Avenue, a few blocks from the proposed 4th floor addition at 4326 Irving, which I oppose.

The developer entered into an agreement with the neighbors that if they stopped opposition to the 2nd and 3rd floor plans, the developer would remove a 4th floor from his plans. One month later, the developer broke that agreement after the neighbors had fulfilled their part of the agreement.

A 4th floor would not house the diversity that we value so much in San Francisco. Lower income families would not be able to afford the 2-story luxury units with decks and views. None of the units are set aside for low-income families. None of the units are accessible -- how can this be allowed today in San Francisco?

The permit for a 4th floor should be denied.

Thank you for your consideration.

Greg Miller

42nd Avenue
between Lincoln and Irving

From: [Aleta Beaupied](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Thursday, May 13, 2021 11:01:48 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Planning Commission Secretary and Members of the Commission,

I am the long term home owner of the property located at 1266 44th Avenue. I am requesting that the permit to add a 4th floor to the building located at 4326 Irving Street be denied for the reasons set forth below.

The developer entered into an agreement to drop the plan for the addition of a 4th floor in exchange for the neighbors' withdrawal of opposition to plans for the proposed restructuring of the second floor and third floor and notification to the Planning Department of said withdrawal. The opposition was withdrawn and appropriate notification was provided. Unfortunately, the developer failed to fulfill his obligation under the agreement and proceeded with the 4th floor proposal following the Planning Department's approval of plans for the second floor and third floor.

The developer should not be allowed to benefit from his breach of an agreement entered in good faith and fulfilled by those residing in the neighborhood surrounding his proposed development.

In addition, even without the 4th floor, there will be a significant increase the number of units from 12 to 17 and the number of bedrooms 20 to 43, a huge mass and density for this building. The addition of a 4th floor will only add to the mass and density. A comment made during September, 2020, by The SF Zoning Administrator is of particular interest in this regard: "The project would fail to preserve neighborhood character by adding additional height and **massing to a structure that is already larger** than typical buildings in the area". (Emphasis added.)

Several other comments made by the SF Zoning Administrator regarding this building are of continuing relevance: "...the existing building extends much further into the required rear yard than any other buildings on the subject block facing Irving Street". "The property is already developed far beyond what is currently permitted by the Planning Code". "The proposed project would not be in keeping with the existing housing and neighborhood character". "The proposed project will have **no effect on the City's supply of affordable housing**". (Emphasis added)

The term "affordable housing" has been used with the implication that those supporting this developer's proposal are in favor of providing "affordable housing" while the neighbors are against it. However, there is no set aside for "affordable" units. The units are to be rented at full market rate with the 4th floor proposal designed to create high profit multi-level luxury units with ocean views.

I would welcome and support more affordable housing in our neighborhood. That is not what this developer is proposing.

Sincerely,

Aleta Beaupied
1266 44th Avenue
San Francisco, CA 94122
415-407-8821

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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- A 4th floor would result in loss of air, sun, privacy and views. And increased noise, light pollution and litter from four new 4th floor decks.
- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,



Signature(s)

Michelle Bond

Printed Name(s)

1268 45th Ave SF CA 94122

Address

thumbellina@gmail.com

Email Address

To: Board of Appeals

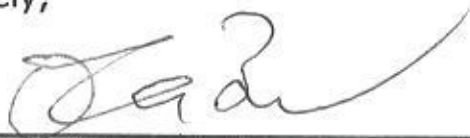
Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)

DAVID Bond

Printed Name(s)

1268 45th AVE SF CA 94121

Address

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Zimberoff", written over a horizontal line.

Signature

Tom Zimberoff

Printed Name

1364 45th Ave. S.F. 94122

Address

tom@zimberoff.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,

Signature(s)



Printed Name(s)

Anna Grajeda

Address

1251- 44th Ave. SF. CA. 94122

Email Address

nurseofthewild@yahoo.com

From: [Hong Lee](#)
To: [BoardofAppeals \(PAB\); larrydelaney1@aol.com](#)
Subject: Appeal No.21-024 4326 Irving st. opposition
Date: Friday, May 14, 2021 9:29:23 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi board members

We are opposed to the proposed additional development at the property of 4326 Irving st. SF. Attached is our opposition letter. This development will make a huge negative impact to our neighborhood. It will cause more than 100 cars fight for the street parking and destroy the peace and harmony of our lives. The expansion will increase triple times of residents, over 100 people live in this property. That will increase the risk of crimes and noises which will be a huge destruction to our healthy community. We don't have any 4 floors property in our neighborhood. This project should not be approved. Thanks so much for your consideration.

Sincerely,

Sophia Lin (1267 44th avenue, SF)

DAVID WEISSGLASS
SF Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

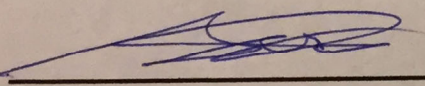
Re: PROPOSED ADDITIONAL DEVELOPMENT AT 4326-4336 IRVING STREET

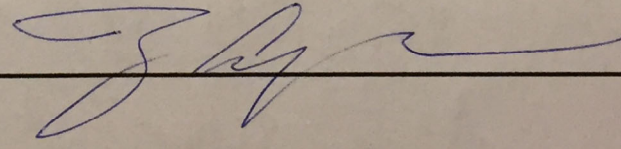
Dear Mr. Weissglass,

I/We are opposed to the proposed additional development at the property cited above. Our opposition is based on:

1. The proposal will make the property out of character with our neighborhood of two and three story homes. The property already takes up far more space than any other property on the block.
2. The excessive density of the apartments will negatively impact parking and services in the neighborhood. It also is not family friendly housing.
3. The fourth story impacts the light, air and privacy of the neighboring properties and sets a bad precedent.
4. The project does not conform to the existing planning and design codes of San Francisco. We do not want these codes to be ignored for the profit of the developer at the detriment of our neighborhood. Since the minimum standards are not met and the project is not approvable per the Planning Department, it should not be approved by the Planning Commission.

Sincerely,


Signature


SOPHIA JIE HONG LIN & Jack Lap Wing Tong
Printed Name(s)

1267 44TH AVE. San Francisco, CA 94122
Address

From: [Michelle Delaney](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Saturday, May 15, 2021 10:39:43 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Appeals,

I am asking you to please deny the permit to build on the 4th floor at 4326 Irving Street.

I have followed the saga of this project and very well remember the developers making an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor desired plans. The developers broke this agreement **after** the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and multiple decks. **This was exactly what they agreed they would not do.**

If a 4th story goes up it will set a really bad precedent that investors/developers can break agreements with neighbors without any consequences at all and in fact use agreements they don't keep in order to silence neighborhood input, concerns and opposition.

Don't reward this behavior. Please **deny** this permit.

Thank you,

--

Michelle Delaney
President and Owner
111 Minna Gallery | Red Door Coffee
San Francisco Events Co.
michelle@111minnagallery.com
(415) 823 - 9304
[Website](#)
[Twitter](#)
[Facebook](#)
[IG](#)

From: [Melissa Baer](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Monday, May 17, 2021 9:32:14 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

My name is Melissa Baer and I oppose the building of a 4th story at [4326 Irving St.](#)

The developer has gone back on their agreement to not build a 4th floor if their plans for the 2nd and 3rd floor were not opposed by the neighbors.

The back of the building looks into my backyard. The amount of bedrooms in this building is astounding for a building with no common spaces and no parking. I strongly oppose these plans. I do not want a 4th story.

Melissa Baer
[1275 44th Ave](#)
[San Francisco, CA 94122](#)

Sent from my iPhone

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,



Signature(s)

Andrea Lemos

Printed Name(s)

4244 Irving St. San Francisco, CA 94122

Address

andreaemos89@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,

Chui Keung Mak
Signature(s)

Chui Keung Mak
Printed Name(s)

4320 Irving St, San Francisco, CA 94122
Address

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,



Signature(s)

SOPHIA JIEHON LIN

Printed Name(s)

1267 44th AVENUE. San Francisco, CA 94122

Address

LIN_HSOPIA@yahoo.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
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Sincerely,


Signature(s)

LAP FONG
Printed Name(s)

1267 44TH AVE
Address

SAN FRANCISCO CA 94122
Email Address

fong-jack@hotmail.com

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

- The developers made an agreement with the neighbors to not build anything on the 4th floor if the neighbors did not oppose their 2nd and 3rd floor plans. The developers broke this agreement after the neighbors had fulfilled their side of the agreement and proceeded with a plan for adding a 4th floor in order to create luxury two story units and decks.
- Even without a 4th floor this building will already be going from 12 units to 17 units and from 20 bedrooms to 43 bedrooms which is a huge amount of density for this building and already out of character with the neighborhood.
- Increase of existing parking problems. Without any neighborhood notice, all parking was removed from this building to make way for five large additional units on the ground floor.
- A 4th floor would result in loss of air, sun, privacy and views. And increased noise, light pollution and litter from four new 4th floor decks.
- If this 4th story goes up it will set a precedent that developers can break agreements with neighbors without any consequences and use agreements that they don't intend to keep in order to suppress neighborhood concerns and opposition.

Sincerely,



Signature(s)



Printed Name(s)



Address



Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

I/We are asking the Board of Appeals to deny the permit to build on the 4th floor at 4326 Irving Street.

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Sincerely,



Signature(s)

Elton Fong

Printed Name(s)

1267 9th Ave, San Francisco, CA, 94122

Address

eltonfong2@gmail.com

Email Address

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,



Signature(s)

Celia Fong

Printed Name(s)

1267 44th Ave

Address

cecefong7@gmail.com

Email Address

From: [Aaron Nudelman](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Monday, May 17, 2021 3:14:53 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Board of Appeals,

Thank you for your time and service.

As a concerned neighbor, concerned for my neighborhood as well as the welfare of San Francisco and our city's ability to resist greed in development at the expense of a neighborhood's well-being, I'd like to strongly oppose the request of big development to build anything on or as a 4th floor adding to the top of 4326 Irving St, San Francisco. Not only would our 15 years and counting view of rooftops and ocean be erased by proposed construction, but the neighborhood would be significantly altered. Problems with the project: little common space, no parking, high rent, and 20 bedrooms becoming 44, more people with cars and none with parking, more cars whizzing around looking for parking. In addition. the value of surrounding neighbors' properties drops.

Please OPPOSE this project and certainly block the addition of the 4th floor, which seems to point to profit maximizing.

As you are aware it was originally agreed upon between developer and neighborhood they would not include a 4th floor if opposition toward the rest of the project was dropped. After upholding our end, they reneged and went ahead with plans for a 4th floor at the expense of this neighborhood's well-being.

Please do the right thing for your city and oppose this project and/or oppose construction of the 4th floor.

Thank you for your consideration.

Aaron Nudelman
1284 44th Avenue
San Francisco, CA 94122

From: [KM Rose](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 20-024 regarding 4326 Irving Street
Date: Monday, May 17, 2021 10:05:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

We are writing to you as neighbors of 4326 Irving Street to voice our strong disapproval of the permit for a 4th floor addition at this property. The developer is going beyond the agreement with the neighbors. Please do not allow this expansion.

Thank you for your consideration.

Kenneth and Kathleen Rose
1324 45th Avenue
San Francisco, CA 94122

From: [Nigel Delaney](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Tuesday, May 18, 2021 2:33:05 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Relevant comments by the Zoning Administrator on 4326 Irving Street from 9/16/20

The subject property, developed circa 1960, is a flat double-lot that 100 feet deep and 60 feet wide. The property has no natural development constraints and **the existing building extends much further into the required rear yard than any other buildings on the subject block facing Irving Street.**

As referenced above, the property has no development constraints **and is already developed far beyond what is currently permitted by the Planning Code.**

The proposed project will have no effect on the City's supply of affordable housing.

To: Board of Appeals

Re: Appeal No. 21-024 regarding 4326 Irving Street

Dear Board of Appeals,

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Sincerely,



Signature(s)

Printed Name(s)



Address



Email Address

From: [Andrea Mozolic](#)
To: [BoardofAppeals \(PAB\)](#)
Subject: Appeal No. 21-024 regarding 4326 Irving Street
Date: Tuesday, May 18, 2021 8:37:40 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Board of Appeals,

I am a resident at 44th Avenue and Irving Street and, like many of my fellow neighbors, concerned about the project at 4326 Irving Street. I do not support the proposal of the 4th story addition and encourage you to deny this project. This project will ruin the integrity of the neighborhood and is in violation of the Residential Design Guidelines.

With 17 dwellings stretching to the back of the property line, this building is much larger in scale than its neighbors in its current state. With the proposal to add even more units plus a 4th story addition and no additional parking, this will make it even more mismatched in the neighborhood. There is no regard to the current topography of the area, which houses mostly 3-5 unit building apartments or single-family homes. We have to protect the integrity and character of the Outer Sunset, and this building does not do that.

As previously stated in my May 2020 letter regarding this project, the Residential Design Guidelines states the surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes and hills. This project does not take this into account. From my observation, there are 10 four-story buildings in the corridor between Lincoln Street to Judah Street and Sunset Blvd to La Playa Street, 8 of which are west of 47th Avenue down the slope of the ocean. Building a 4th story addition at the proposed location, which is farther east from the ocean and on a hill, will make the structure look much taller than it actually is and a huge eye sore.

At the end of the day, we love our neighborhood and the many changes, new buildings, new business, and new people it brings. They help enhance the charm and appeal of the area. However, looking at this proposed project, I struggle to see the benefits this brings to our neighborhood.

Thank you for your time and concern and I look forward to the May 19 Board Meeting.

Andrea

--

Andrea Lemos

andrealemos89@gmail.com