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August 14, 2014

Commissioner Anne Lazarus
President
Board of Permit Appeals
1650 Mission Street, Suite 304
San Francisco, CA 94103

**Re: Appeal No. 14-102
3660 21st Street Variance
Respondent's Brief**

Dear Commissioner Lazarus:

Appellant and uphill neighbor Angus Pera (“Appellant”) has filed this appeal of rear yard and front yard variances granted on March 6, 2014 by the Zoning Administrator (“ZA”) in connection with a proposed renovation and addition to the existing residence at 3660- 21st Street in San Francisco (the “Project”). However, Appellant’s letter of July 31, 2014 fails to identify how or where the ZA abused his discretion, or otherwise failed to proceed in accordance with the law. Nor does the letter discuss how the Variance Decision fails to meet the requirements of Section 305(c). As a result, this appeal should be denied.

Instead of discussing the Variance Decision, Appellant raises a variety of design issues regarding a subsequent set of plans in the Planning Department file that were never officially

submitted and were not before the ZA and the Commission at the March 6 hearing, but which were provided to the assigned planner to illustrate revisions that will address the Appellant's concerns expressed to the ZA *after* the hearing. And although now couched differently, the design issues currently raised by Appellant related to those subsequent plans were actually the same as those raised at the Discretionary Review hearing before the Planning Commission, which are without merit and event not ripe for review at this time because no site permits have been issued.

PROCEEDINGS BELOW

Appellant filed a Discretionary Review ("DR") request with the Planning Commission ("Commission") in connection with the Project, which also required rear yard and front yard variances. It is the practice of the Planning Department to calendar the DR hearing and the variance hearing on the same date for the convenience of the public who wish to attend both hearings. Thus, contrary to the inference in Appellant's letter, while the Commission's DR hearing and the ZA's variance hearing were both held on March 6, 2014, the Commission had no jurisdiction over the Variance Application.

After the public hearing, the Commission acted to deny the Appellant's DR request¹, which by law cannot be appealed to this Board until the Site Permit is issued. The ZA then issued his decision granting the variances on May 15, 2014, which is the only proper subject of the appeal before this Board at this time.

¹ A copy of the Commission's DR decision is attached hereto as **Exhibit A**. The Applicants' letter to the Commission opposing the DR request is attached hereto as **Exhibit B**.

THE PROPOSED PROJECT

The proposed Project is a renovation and addition to an existing lawful non-complying single family residence located primarily in the required rear yard of the subject lot. The Project involves renovations and both vertical and horizontal additions to the existing single family residence. At the specific request of the Planning Department, the western one-car garage will be demolished and the other existing one-car garage will be expanded into a two-car garage. However, the expansion of the existing garage requires a front yard variance. The vertical expansion also includes the addition of a new master bedroom on the second floor, which requires a rear yard variance.² The variances granted by the ZA should be the only subjects of this appeal.

The renovation will require demolition of 100% of the front and rear façades, 48% of all of the exterior walls, and 48.8% of the floor and roof, and is therefore considered a *de facto* demolition by the Planning Department. However, contrary to Appellant's assertion, the proposed Project is *not* a demolition under the Building Code. For purpose of the Variance Applications, the portion of the residence located in the rear yard will be renovated and not demolished.

The maximum height of the proposed Project will be 24'-1" above the existing grade, which is 11' lower than permitted under the Dolores Height SUD and will be 16'-6" high when measured under the Planning Code. When completed, the Project will increase the size of the existing home from 2,547 sq. ft. to 4,198 sq. ft. (or an additional 1,651 sq. ft.) without the garages.

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² See pages 3-4 of Exhibit B for a complete description of the project.

ISSUES RAISED ON APPEAL

Appellant appears to allege that the ZA's Variance Decision is somehow invalid in that:

1. The Decision was based on plans labeled Revisions 4 not before the ZA on March 6, 2014.
2. The Variance Decision failed to consider the following issues:
 - A. Inferences that the Project will block Appellant's view and the Project is somehow inconsistent with the Dolores Height SUD;
 - B. The kitchen and mechanical stack locations are not shown;
 - B. Failure to place use restrictions on the roof deck;
 - C. Failure to provide details on the proposed Solar Panels;
 - D. Plants on the green roof can increase the height of the Project; and
 - F. The proposed street and yard trees are too high.

RESPONSES TO ISSUES RAISED ON APPEAL

1. ***The ZA did not base his decision on the Revision 4 Plans***

The Variance Decision with regard to the front and rear set-backs was based on the plans issued by the Project architect on January 28, 2014 (referred to as "Revision 2 Plans") with updated sheets labeled as "Revision 3 Plans" dated February 26, 2014 to correct certain height measurements on the sections and elevations³, and ***not*** on the Revision 4 plans attached as Exhibit 8 to the Appellant's brief. The updated sheets noted as Revision 3 (See Exhibit C, Sheets A1.10, A3.00, 3.10 to 3.12, 4.10 and 8.40) are the revised site permit plans with the combination of Revision 2 and

³ See bottom of page 5 of the Applicants' letter to the Commission dated February 18, 2014.

Revision 3 together with two 3-D massing graphic were submitted on February 26, 2014 to the Planning Department are attached hereto as **Exhibit C**, and are the plans subsequently acted upon by the Commission and the ZA.⁴ The Revision 2/Revision 3 Plans showed:

- Retention of the light well next to the breakfast area (see Exhibit C, Sheet A2.11);
- The roof deck is located above the family room; (see Exhibit C Sheets A2.12 and A2.13.)
- All the slope roofs are 1:12 pitch (See Exhibit C, Sheet A2.13); and
- The garage roof is a green roof. (See Exhibit C, Sheet A2.13)

The Applicants' Variance Application states that the Project will exceed the standards of the San Francisco Green Building Code, will be designed to meet LEED platinum certification, and lists the planned Green Building features as including solar panels. A copy of the Variance Application findings without attachment is attached hereto as **Exhibit D**.

On March 7, 2014, the day *after* the hearing, the Appellant e-mailed the ZA complaining that the proposed roof deck over the family room is in the 45% required rear yard and at the same elevation as their kitchen, and that the deck should be moved to protect Appellant's privacy and view. Upon being advised of that e-mail, the Project architect revised the plans to address Appellant's expressed concerns and to further clarify other aspects of the Project.

⁴ The Exhibit C plans were attached to the on-line March 6, 2014 Commission calendar for the DR and variance hearings.

The proposed modification by the Project architect included:

- Relocation of the roof deck to above the living room, which is approximately 13.5' below Appellant's ground floor window sills facing the relocated roof deck and approximately 15'+ away from Appellant's rear windows;
- Location of the solar panels;
- Location of the additional green roof areas; and
- A 3-D rendering showing the proposed modifications.

During the course of design review of this Project, the Department has requested 3-D graphics to clearly show the relationship of the various building element on this sloping site. The 3-D rendering (Exhibit 3 to Appellant's brief) was prepared to clearly show the location and angle of the solar panels and the locations of the green roofs and roof deck (also referred to as a roof garden.)

Inasmuch as the public hearing was closed, the Project architect was advised that the revised plans could not be officially submitted as revisions to the Site Permit set, but could be offered to the ZA as Conditions of Approval to address the Appellant's concerns raised at the DR hearing and in his subsequent March 7, 2014 e-mail, *if* the Applicant and the ZA was inclined to do so. Then, whatever conditions of approval were imposed as part of the Variance Decision by the ZA would be incorporated into revised site permit plans conforming to the issued Variance Decision.

The Variance Decision was issued on May 15, 2014, with Conditions of Approval. In that regard, Condition of Approval No. 6 reads as follows:

To reduce impacts on the uphill neighbor, the upper roof deck shall be eliminated, and the lower roof garden may be expanded to compensate for the loss of the upper roof deck. The low-sloping roof above the master bedroom may be extended to cover the area that was previously the upper roof deck, and

the roof above the living room may become flat to accommodate the expanded lower roof garden.

Thus, following receipt of the Variance Decision with the Conditions of Approval, the Project architect submitted to DBI a revised site permit set that is consistent with the Conditions of Approval so that a Notice of Special Restrictions can be recorded⁵. These are the Revision 4 Plans referenced in Exhibit 8 of Appellant's brief. In that regard, Appellant complains that the Project architect filed the Revision 4 Plans reflecting the Conditions of Approval with DBI after the Variance Decision was issued and before the Appellant filed this appeal on May 27, 2014. The Revision 4 Plans were submitted to DBI on May 21, 2014. However, the date of filing of the revised plans conforming to the Conditions of Approval is legally irrelevant to the validity of the original Variance Decision now on appeal. The Planning Department has not and will not approve the site permit application until the Board has acted on this appeal to insure that the site plans approved by the Department conform with this Board's decision.

2. ***The ZA did not abuse his discretion or act in excess of his jurisdiction.***

As stated above, Appellant's appeal does not allege that the ZA abused his discretion or acted in excess of his jurisdiction. Rather, this appeal is about Appellant's disagreement that the Variance Application was granted even though it contains conditions that address the concerns of Appellant as expressed at the DR hearing and in his March 7, 2014 e-mail.

⁵ A standard Condition of Approval is the requirement of the recording of a Notice of Special Restriction that includes a set of approved plans.

In any event, Appellant's apparent objections to the above-quoted Condition of Approval is bewildering as it addresses Appellant's expressed concerns related to the roof deck location, and clarifies the pitch and location for the solar panels⁶. Appellant's improper demand for additional Conditions of Approval to be imposed by this Board demonstrates Appellant's unfamiliarity of the permit process and the jurisdictional limits of the Commission, the ZA and the Department of Building Inspection ("DBI"). In effect, this appeal is nothing more than an effort to again argue discretionary review issues that were considered and rejected by the Commission at the DR hearing. We discuss those issues further below.

A. The Project will have minimum impact on Appellant's view and is consistent with the Dolores Height SUD provisions designed to govern views.

The height of the Master bedroom is slightly higher than that of the existing garage and is not visible from the street. (See **Exhibit E** for a diagram comparing the proposed renovation/addition to the outline of the existing buildings' profile.) The purpose of the Dolores Height SUD was fully discussed in the Applicant's letter opposing the DR and in the Commission's DR Decision. (See page 6 of Exhibit B and page 2 of Exhibit A.) Therefore, any attempt by Appellant to challenge the Variance Decision on these grounds must be summarily dismissed.

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⁶ Please note that the solar panels can be installed under a separate permit application that would not be subject to either 311 or variance notifications

B. The location and specifics of kitchen and mechanical stacks and vents are not required for the Variance Plans

The Applicant cannot begin construction under the Variance Application plans, the DR plans or the site permit plans. The alleged lack of specifics related to kitchen and mechanical stacks and vents are items that will be reviewed by DBI *after* the site plan or the addenda are approved by the Planning Department and routed to DBI for further processing. Thus, this asserted deficiency in the Revision 4 plans is not a proper basis for this appeal.

C. There is no basis for limiting the use on the roof deck above the living room.

As a Condition of Approval, the ZA required relocation of the roof deck to above the living room, which is one level below the family room and at the rear of the lot, within the existing building envelope with a minor increase in height. Therefore, a roof deck above the proposed living room will eliminate Appellant's concerns regarding privacy and blockage of views, even if a proper basis for objection. (See Exhibit 8, Sheet A3.11 to Appellant's letter.) In either event, this is not a proper legal or factual basis for this appeal.

D. The Conditions of Approval limits the location and pitch of the Solar Panels to be installed on the roof.

The Variance Application discloses that solar panels will be one of the features to achieve a LEED Platinum standard for this Project. The installation of solar panels is governed by state law and is encouraged in the City of San Francisco. The ZA's Conditions of Approval limits the pitch of the solar panels to 1:12. Here, the location of the solar panels should minimize Appellant's

concerns about view obstruction even though a private view corridor over adjacent private property is not protected by the Planning Code.

E. Plants on the green roof will not increase the height of the Project.

As shown in Exhibit 3 attached to Appellant's brief, and in photographs of green roof planting sample on Exhibit B, Sheet L1.02, the height of the Project will not be substantially increased by a green roof. The Planning Department will ultimately review and approve the final landscaping plan. In any event, this was not an issue raised during the DR hearing before the Commission, or in connection with the Variance Application and is not relevant here.

F. No decision on the type of street trees and trees in the yards have been made.

All street trees must be selected from a list approved by the Urban Forestry Division of DBI. Wendy Tice-Wallner, the neighbor across the street, expressed concerns that the trees in the yard should not be taller than the proposed building, but expressed no concerns about the selection of street trees. Ms. Tice-Wallner has been informed by the Project architect that she will be consulted before the final landscape plan is submitted to the Department. The project architect and Ms. Tice-Wallner have been in touch with each other since the DR hearing and Ms. Tice-Wallner is assured that she will be consulted on the selection of trees to be planted.

CONCLUSION

As discussed above, the arguments of Appellant in connection with this appeal are not related to the variances granted by the ZA, but instead are questions regarding plans subsequently submitted in connection with the Conditions of Approval. Any issues regarding those plans can and should be addressed in connection with the issuance of the Site Permit, but are not the proper basis

Commissioner Anne Lazarus
August 14, 2014
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for an appeal of the Variance Decision at this time. As a result, the appeal before this Board should be denied.

Very truly yours,


Alice Suet Yee Barkley

Exhibits

cc: Commissioner Frank Fung
Commissioner Darryl Honda
Commissioner Arcelia Hurtado
Chris Hwang
Cynthia Goldstein
Scott Sanchez
Michael Smith
Sue Hestor (via e-mail)
Bridgett Shank (via e-mail)
Jonathan Feldman (via e-mail)
Chris Cox (via e-mail)
File

TABLE OF EXHIBITS

Exhibit A	Commission's Discretionary Review ("DR") decision.
Exhibit B	Applicant's letter to Commission opposing the DR request
Exhibit C	Revised site permit plans with the combination of Review 2 and Revision 3 plans
Exhibit D	Variance Application findings without attachment
Exhibit E	Diagram comparing the proposed renovation/addition to outline of existing buildings' profile

EXHIBIT A



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0353

HEARING DATE: MARCH 6, 2014

Date: March 19, 2014
Case No.: 2013.0179DV
Project Address: 3660 21st Street
Permit Application: 2013.03.29.3348
Zoning: RH-1 (Residential House, One-Family)
Dolores Heights Special Use District
40-X Height and Bulk District
Block/Lot: 3605/019
Project Sponsor: Alice Barkley
McKenna Long & Aldridge LLP
Rincon Center II 121 Spear Street, Suite 200
San Francisco, CA 94105
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ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF CASE NO. 2013.0179D AND THE APPROVAL OF BUILDING PERMIT 2013.03.29.3348 PROPOSING TO REMOVE BOTH GARAGES AT THE FRONT OF THE PROPERTY AND CONSTRUCT A NEW TWO-CAR GARAGE AT THE EAST SIDE OF THE FRONT OF THE LOT, INFILL THE LIGHT WELL ON THE WEST SIDE OF THE BUILDING, CONSTRUCT AN ADDITION AT THE EAST SIDE OF THE BUILDING, AND CONSTRUCT A TWO-STORY ADDITION AT THE FRONT OF THE BUILDING WITH A MINIMAL INCREASE IN THE HEIGHT FOR A SINGLE-FAMILY DWELLING LOCATED WITHIN A RH-1 (RESIDENTIAL, HOUSE, ONE-FAMILY) ZONING DISTRICT, THE DOLORES HEIGHTS SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 29, 2013, Bridgett Shank of Feldman Architecture filed for Building Permit Application No. 2013.03.29.3348 proposing to remove both garages at the front of the property and construct a new two-car garage at the east side of the front of the lot, and construct additions to the existing single-family with a minimal increase in the height of the building. The property is located within a RH-1 (Residential, House, One-Family) District, the Dolores Heights Special Use District, and a 40-X Height and Bulk District.

On October 15, 2013, Arran Pera (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2013.0179D) of Building Permit Application No. 2013.03.29.3348.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On March 6, 2014, the Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2013.0179DV.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

ACTION

The Commission hereby does not take Discretionary Review requested in Application No. 2013.0179D and approves the Building Permit Application 2013.03.29.3348.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. The project would protect neighborhood character and the siting of the adjacent buildings through retention of the building's existing nonconforming "Ranch Style" layout with a minimal increase in building height.
2. The existing public view over the subject property is not protected by the Residential Design Guidelines or the Dolores Heights Special Use District. The objectives of the Dolores Heights Special Use District are enforced through the additional Code provisions for height and rear yard in Section 241 of the Planning Code. A strict application of the objectives behind the creation of the Dolores Heights Special Use District to prevent unreasonable obstruction of public and private view corridors and panoramas would pose an undue hardship on the subject property whose building height above the curb is well below the average for the neighborhood.
3. The project would consolidate the two existing detached garages at the front of the property into one structure and therefore would not result in a substantial amount of new structure at the front of the lot. The width of the garage opening is consistent with the adjacent building's garage width.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

I hereby certify that the Planning Commission did take Discretionary Review and approved the building permit as reference in this action memo on March 6, 2014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Wu, Fong, Moore, Sugaya, Antonini, Borden, and Hillis

NAYS: none

ABSENT: none

ADOPTED: March 6, 2014

EXHIBIT B

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February 18, 2014

Ms. Cindy Wu
President, Planning Commission
1650 Mission Street
San Francisco, CA 94013

Subject: Case Number 13.0179D
Discretionary Review Request of Single-Family Home Addition at
3660 21st Street, San Francisco, CA (Block 3605/019)

Dear Commissioner Wu:

This office represents 3660 21st Street LLC (the "Applicant"), which proposes to renovate and expand an existing 2,415 sq. ft. single-family home with two detached garages located at 3660 21st Street (Assessor's Block 3605, lot 019 (the "Site")). The Site is located in the Dolores Height Special Use District (the "Dolores Street SUD"). The existing single family home and garages are lawful non-complying structures as the home is located almost entirely in the required rear yard, and the two garages are located predominately in the required front set-back. The proposed project includes vertical and horizontal expansion and requires front set-back and rear yard variances (the "Project"). Copies of the existing and proposed plans are included in the case report.

On March 29, 2013, Arran Pera ("Pera"), who is the non-resident son of the adjacent property owners at 3666 21st Street and who states that he will move into the 3666 21st Street residence one day, filed a discretionary review request with the Planning Commission. Contrary to Pera's contention, the Project is consistent with the policies of the Dolores Street SUD. There are no extraordinary or exceptional circumstances that would warrant discretionary review of this project. For reasons discussed below, the discretionary review request should be denied.

PROJECT SITE

The Project Site is located mid-block on the north side of 21st Street between Church and Sanchez Streets. The 50' x 114' Site is in a 40-X height and bulk district, in an R-1 zoning district and in the Dolores Heights Special Use District (Planning Code §241). The Site is down-

sloping approximately 6' to 10' between the front and the rear property lines. The cross-slope difference from the east towards the west corner of the front property line is approximately 9.48' and decreases to less than 3' at the rear property line. The Site is improved with two detached one-car garages and a two-story single-family home with a partial basement. The entrance to the home is through a gate between the two garages. For photographs of the existing home, the Site and its vicinity see Sheet G0.10 of the plans attached to the case report.

The existing home and both garages were constructed in 1923 and are lawful non-complying structures. The garages are located within the 15' required front set-back with only 4'-4" in the buildable area. Except for a maximum depth of 9'-7", the single-family home is located within the required rear yard. The existing home was designed to step down, reflecting the grade. The maximum height of the existing home is approximately 23'-7 1/2" above existing grade (16'-1 1/2" when measured under the Planning Code). See Sheet A3.10 attached to Case Report. Open space is located on the east side of the home, between the garages and the home and the northeast corner of the Site.

The buildings on the subject block are two- and three-stories, with predominately three-story structures. Most are single-family homes with a few two and three-unit buildings, as well as a 30-unit apartment building at the northwest corner of Church and 21st Streets. The architectural styles of the buildings vary from simple late-Victorian, Edwardian, and post-1960's modern. See block face photographs attached to the case report.

PROPOSED PROJECT

The Project involves demolition of the west garage, expansion of the east one-car garage to a two-car garage, as well as vertical and horizontal additions and renovations to the existing single-family home. When completed, the Project will increase the existing home from 2,547 sq. ft. to 4,198 sq. ft. (or an additional 1,651 sq. ft.) without the garages. Specifically, the proposed Project includes:

- Demolition of the western one-car garage and expansion of the eastern one-car garage into a two-car garage at the request of the Planning Department;
- Demolition of 100% of the front and rear façades, 48% of all of the exterior walls, and 48.8% of the floor and roof;
- The addition of a new master bedroom on the second floor. The area below the new master bedroom will be open on three sides, connecting the usable open space on the east side of the Site;
- Extensive interior renovation;

- Seismic upgrades of the existing foundation; and
- Expansion of the basement level to create a mechanical room, a home office and crawl space.

See Sheet A1.11 for the proposed Site Plan and Sheets A2.10 through A2.13 for the proposed floor plans attached to the Case Report.

The Planning Department has determined that the proposed Project is a *de-facto* demolition and is permitted. See September 25, 2013 Zoning Administrator Action Memo (Administrative Review of Dwelling Unit Demolition) attached hereto as **Exhibit 1**. When completed, the Project will maintain the existing west elevation and portions of the east elevation. The maximum height of the Project will be 24'1½" above the existing grade, which is 9'-10½" lower than permitted under the Dolores Height SUD. When measured under the Planning Code, the Project will be 16'-6" high. The Project has been designed to preserve Pera's existing view and the existing view of the neighbors across the street to the maximum feasible extent. See **Exhibit 2** for the east elevation of the Project overlaid with the existing building outline, the adjacent uphill neighbor and the outline of the permissible Planning Code envelope. The Project will require variances from the front set-back and rear yard requirements. A CEQA Categorical Exemption Determination was issued on May 20, 2013 for the Project and is attached hereto as **Exhibit 3**.

Upon completion, the renovated home will be owner-occupied by Visra Vichit-Vadakan and her family.

DISCRETIONARY REVIEW STANDARD

No exceptional or extraordinary circumstances exist to justify a discretionary review by this Commission. Rather, this is a case in which Pera seeks to preserve 100% of the view across the Applicant's property. As far as the Applicants can determine, Pera's real objection is to any view blockage from their west-facing window across the Applicants' property, which was raised at the pre-application meeting. In that regard, the Applicant met with Pera and his architect, Arnie Lerner, on December 14, 2013, to discuss the issues raised in the Discretionary Review request. However, the only issues discussed by Mr. Lerner were unspecified project impacts on the neighbors across the street. Discretionary review is granted *only* if "exceptional and extraordinary circumstances" exist. The Discretionary Review before this Commission is devoid of any exceptional or extraordinary circumstances and must be denied.

CONSULTATION WITH DISCRETIONARY REVIEW APPLICANT

The Applicant first began meeting with the individual neighbors prior to November, 2012. Numerous meetings and e-mails took place between November 4, 2012, and December 14, 2013. A copy of the contacts and meetings between the Applicants, Pera and other neighbors is attached hereto as **Exhibit 4**.

ISSUES RAISED BY DISCRETIONARY REQUESTOR

Pera raises the following issues:

1. The Categorical Exemption is inadequate because the front property line has a slope greater than 20% between the east and west-side property line;
2. The Project conflicts with the policies of the Dolores Heights SUD; and the Project will have “extraordinary impacts” on the privacy, light, air and view of Pera’s property and on the Dolores Heights community at large;
3. The Project would adversely affect the neighbors across the street;
4. The existing home is in good condition and has sufficient space to meet the needs of Applicant’s future family, and/or the expansion can be located elsewhere on the lot; and
5. Plants have been removed from the existing garden.

RESPONSE TO ISSUES RAISED

1. *The Issuance of a Categorical Exemption for this Project is proper.*

Pera complains that no geotechnical investigation report was submitted to the Planning Department. When the environmental review application was submitted to the Department, the application was not accompanied by a topographic survey. Two topographic surveys were thereafter prepared and submitted to the Planning Department. See **Exhibit 5** and **Exhibit 6** for copies of the topographic surveys. The first survey dated January 18, 2013, has an incorrect slope calculation by using the diagonal dimension between the front and rear property line. When this error was brought to the attention of Michael Foster, the surveyor, he corrected the error. The updated topographic survey (Exhibit 5) and the February 7, 2013, letter from Michael Foster to the Planning Department is attached hereto as **Exhibit 7**. After reviewing the corrected survey and letter from the surveyor, the Department determined that the Site does not exceed 20% grade.

Pera presents no evidence that the planned renovation will somehow cause instability of the Site and such a claim is unsubstantiated. Issuance of a categorical exemption for this Project is proper.

2. *The Project is consistent with the Policies of the Dolores Height SUD and will have no adverse impact on the air and light and only minimum view blockage on the adjacent homes or the neighborhood.*

Among the purposes of the Dolores Heights SUD are to prevent *unreasonable obstruction of view and light by buildings* or plant materials, and to encourage development in context and scale with established character and landscape. In the Dolores Heights SUD, the rear yard is to be 45% of the lot depth for RH-1 districts and no portion of the height of a building can exceed 35 feet above the existing grade of the lot.

The Project is consistent with the aforementioned policies in that:

- Under the SUD, no portion of the project can exceed 35' from existing grade. Here, the maximum height of the Project is no more than 24'-1½" from the existing grade, and the height of the building is 16'-6". See **Exhibit 8**.
- By expanding the existing garage at the east side of the front set-back area to accommodate two cars, the Project will regain the front set-back area on the west side to provide transition from the 25'-2" front set-back of the 3666 - 21st Street building to the west and the 3650 21st Street Building to the east that has no front set-back.
- The Project, when completed, appears as a one-story building from the street and will not block the views of the neighbors across the street. The Dolores Heights SUD does not mandate or guarantee preservation of private view corridors, only that a Project does not *unreasonably obstruct view and light of the neighboring buildings*. Any view blockage to the west from Pera's home will be minimal. Exhibit 2 clearly demonstrates that the Project does not unreasonably obstruct Pera's view and will have no impact on Pera's privacy, light and air.

3. *The Project will not adversely affect the neighbors across the Street.*

The maximum height of the Project, when measured under the Planning Code, will only be approximately 6" higher than the existing height. See Exhibit 2. Therefore, it is difficult to see how the Project will adversely affect the neighbors across the Street in any manner.

4. *The Existing home will be improved to meet Current Building Code Fire, Seismic Safety and LEED Platinum standards.*

Although the Project is an extensive renovation and not new housing, the renovation includes improvements that would meet or exceed the standards of the San Francisco Green Building Code. The Project will meet LEED Platinum certification standards and has been approved for Priority Processing under San Francisco's DBI AB-004 and Planning Department Bulletin #02. Renovations include a Healthy Homes agenda that would eliminate all toxic materials, glues and solvents from the existing building and any proposed construction work. The home will have windows providing natural cross-ventilation to improve indoor air quality. To maximize energy conservation, the home will have improved insulation in the exterior walls and roof. Green Building features include:

- Reduced irrigation demand by 65% or more;
- Rainwater & Gray water systems for irrigation;
- Green Roof over garage;
- Low-flow plumbing fixtures;
- Exceed T-24 Energy Calculations by 15% or more
- Solar PV to provide 40% or more of annual electricity consumption
- Solar thermal to assist domestic hot water & radiant heating
- Extensive high-efficacy LED lighting
- Energy Star appliances
- Reuse of existing framing to the maximum extent possible & use of FSC framing for all new framing
- Use of efficient framing techniques
- Aquatherm green pipe for all domestic water supply lines
- Recycled glass batt insulation
- Diversion of 75% or more of the construction waste

While the existing home is not unsound housing as defined by the Department, it will be seismically upgraded to meet current seismic safety and fire standards. The Zoning Administrator has determined that while the Project is a *de facto* demolition, the value of the

home exempts it from the scope of the Planning Department's demolition policies. See Exhibit 1. Finally, it would be a gross invasion of the Applicant's privacy if Pera is allowed to dictate the design of the renovated home instead of the Applicant who will reside there.

5. *Plant removal and The Garden*

As part of the environmental review, on page 4 of the Historic Resource Evaluation Response, landscape architect Harlan Hand was discussed under Criterion 3. The Historic Resource Evaluation Response concluded that Mr. Hand is not a master landscape architect, nor does the Site appear to be his most significant work. Removal of the plants and the garden will not adversely affect the Site or the neighborhood. See **Exhibit 9** for a copy of the Planning Department's Historic Resource Evaluation Response.

The Applicants discussed with their landscape architect that they would like native, non-invasive and drought resistant plants that would be family-friendly in the garden. The landscape architect examined the garden, selected healthy plants that will be preserved, and removed those that were unhealthy or not suited to a native-low water garden. Plant selection for a garden is subjective and personal. There is no merit in Pera's allegation that the garden and removal of the plants merit a Discretionary Review.

CONCLUSION

There are no exceptional or extraordinary circumstances to support this Discretionary Review request. The Discretionary Review Applicant's concerns over privacy, and light and air access to their rear-yard, are negligible at best. The Project has been designed to keep the height of the renovated home similar to that of the existing home. The Project before this Commission is substantially smaller than the code-permitted building envelope in height. The Project respects the character of the block face and the existing interior block open space. The Case Report shows that the Project complies with the Residential Design Guidelines.

Based on the foregoing, it is respectfully submitted that the Discretionary Review request be denied and the Project be approved.

Very truly yours,

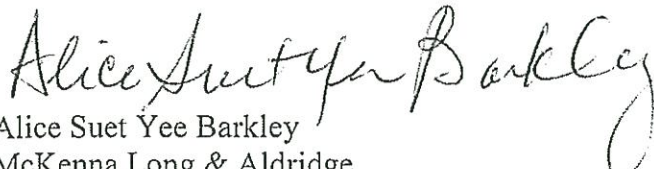

Alice Suet Yee Barkley
McKenna Long & Aldridge

TABLE OF EXHIBITS

- Exhibit 1 Zoning Administrator Action Memo dated September 25, 2013 (Administrative Review of Dwelling Unit Demolition.
- Exhibit 2 East elevation of the proposed project overlaid with the existing building outline against the adjacent uphill neighbor.
- Exhibit 3 CEQA Categorical Exemption Determination dated May 20, 2013
- Exhibit 4 Chronology is contacts with neighbors.
- Exhibit 5 Topographic survey dated January 18, 2013
- Exhibit 6 Updated Topographic survey
- Exhibit 7 February 7, 2013 letter from Michael Foster.
- Exhibit 8 Drawing showing height of proposed project above existing grade and drawing showing height of proposed project as measured under the Planning Code.
- Exhibit 9 Planning Department's Historic Resource Evaluation Response dated May 15, 2013

Commissioner Cindy Wu
February 18, 2014
Page 9

Enclosures: Exhibits

cc: Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Rodney Fong
Commissioner Rich Hillis
Commissioner Kathrin Moore
Commissioner Hisashi Sugaya
Jonas Iona, Commission Secretary
Scott Sanchez
Michael Smith
Bridgett Shank
Visra Vichit Vadakin
Sue Hestor
File

EXHIBIT 1



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Zoning Administrator Action Memo Administrative Review of Dwelling Unit Demolition

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: September 25, 2013
Case No.: 2013.0179D
Project Address: 3660 21st STREET
Permit No.: 2013.03.29.3348
Zoning: RH-1 (Residential, House - One-Family)
40-X Height and Bulk District
Block/Lot: 3605/019
Applicant: Bridgett Shank
Feldman Architecture
1005 Samsome Street, Suite 240
San Francisco, CA 94111
Owner: 3660 21st Street, LLC
3660 21st Street
San Francisco, CA 94114
Staff Contact: Michael Smith – (415) 558-6322
Michael.e.smith@sfgov.org

PROJECT DESCRIPTION:

The proposal is to remove the front garage at the west side of the property and the greenhouse structure and construct an addition to the front and east sides of the building. There would be a minimal increase in the height of the building and the light well on the west side of the building would be infilled. The project would be tantamount to demolition of the existing building which is located within a RH-1 (Residential, House-One-Family) Zoning District and 40-X Height and Bulk District.

ACTION:

Upon review of the appraisal report, the Zoning Administrator **AUTHORIZED ADMINISTRATIVE APPROVAL** of Building Permit Application No. 2013.03.29.3348, proposing a project that is tantamount to demolition of the existing single-family dwelling.

FINDINGS:

The Zoning Administrator took the action described above because the proposed demolition meets the criteria outlined in Planning Code Section 317(d) as follows:

1. No permit to demolish a Residential Building in any zoning district shall be issued until a building permit for the replacement structure is finally approved, unless the building is determined to pose a serious and imminent hazard as defined in the Building Code.

The project applicant submitted Building Permit Application 2013.03.29.3348 for the proposed building. This permit proposes a replacement building that has four bedrooms and three-and-one-half bathrooms in

approximately 4,600 square-feet. The proposed building has been reviewed by the Residential Design Team and been determined to comply with the Residential Design Guidelines.

2. If Conditional Use authorization is required for approval of the permit to Demolish a Residential Building by other sections of this Code, the Commission shall consider the replacement structure as part of its decision on the Conditional Use application. If Conditional Use authorization is required for the replacement structure by other sections of this Code, the Commission shall consider the demolition as part of its decision on the Conditional Use application. If neither permit application is subject to Conditional Use authorization, then separate Mandatory Discretion Review cases shall be heard to consider the permit applications for the demolition and the replacement structure.

Conditional Use authorization is not required by any other part of the Planning Code for this proposal. The applicant filed a Mandatory Discretionary Review application for demolition of the subject building.

3. Single-Family Residential Buildings on sites in RH-1 Districts that are demonstrably not affordable or financially accessible, that is, housing that has a value greater than at least 80% of the combined land and structure values of single-family homes in San Francisco as determined by a credible appraisal, made within six months of the application to demolish, are not subject to a Mandatory Discretionary Review hearing.

The subject building is a single-family house within a RH-1 District and is therefore eligible to be exempted from a Mandatory Discretionary Review hearing under this provision of the Planning Code. The project sponsor submitted a credible appraisal report dated 5/3/2013 that was prepared Michael Botta in accordance with the Planning Code, which was verified by the Department to demonstrate that the value of the subject property at \$3,200,000 is greater than at least 80% of the combined land and structure values of single-family homes in San Francisco. Therefore, the approval of the demolition permit does not require a Mandatory Discretionary Review hearing before the Planning Commission and can be approved administratively.

4. Residential Buildings of two units or fewer that are found to be unsound housing are exempt from Mandatory Discretionary Review hearings and may be approved administratively. "Soundness" is an economic measure of the feasibility of upgrading a residence that is deficient with respect to habitability and Housing Code requirements, due to its original construction. The "soundness factor" for a structure shall be the ratio of a construction upgrade cost to the replacement cost expressed as a percent. A building is unsound if its soundness factor exceeds 50%.

The subject building is a single-family house and has not been found to be unsound. Therefore, it is ineligible to be exempted from a Mandatory Discretionary Review hearing under this provision of the Planning Code.

You can appeal the Zoning Administrator's action to the Board of Appeals by appealing the issuance of the above-referenced Demolition Permit Application. For information regarding the appeals process,

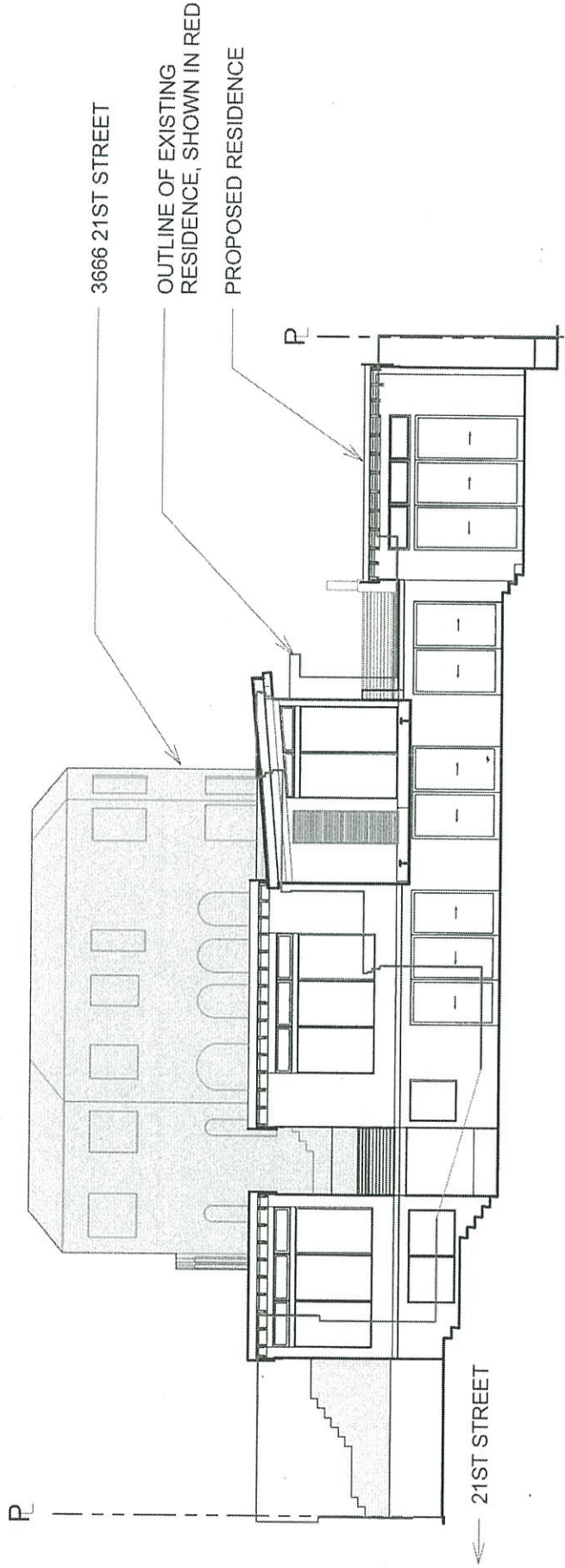
Zoning Administrator Action Memo
Administrative Review of Dwelling Unit Demolition
September 25, 2013

CASE NO. 2013.0179D
3660 21st Street

please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

cc: Zoning Administrator Files

EXHIBIT 2



EAST ELEV.

PROJECT 3660 21ST STREET
 3660 21ST STREET,
 SAN FRANCISCO, CA. 94114

TITLE PROPOSED
 ELEVATION DIAGRAM

DATE 02/12/14
 SCALE 1/16" = 1'-0"

FELDMAN
 ARCHITECTURE

1005 Sansome St, Ste 240
 San Francisco, CA 94111
 P 415 252 1441
 F 415 252 1442

EXHIBIT 3



CEQA Categorical Exemption Determination

SAN FRANCISCO
PLANNING
DEPARTMENT

Property Information/Project Description

PROJECT ADDRESS 3660 Divisadero St	BLOCK(LOT(S)) 3605/019
---------------------------------------	---------------------------

CASE NO. 2013.0179.E	PERMIT NO.	PLANS DATED
-------------------------	------------	-------------

- Addition/ Alteration (detailed below)
 Demolition (requires HREER if over 50 years old)
 New Construction

STEP 1 EXEMPTION CLASS

- Class 1: Existing Facilities
 Interior and exterior alterations; additions under 10,000 sq.ft.; change of use if principally permitted or with a CU.
- Class 3: New Construction
 Up to three (3) single family residences; six (6) dwelling units in one building; commercial/office structures under 10,000 sq.ft.; accessory structures; utility extensions.

NOTE:
If neither class applies, an *Environmental Evaluation Application* is required.

STEP 2 CEQA IMPACTS (To be completed by Project Planner)

If ANY box is initialed below an *Environmental Evaluation Application* is required.

_____ Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?

_____ Air Quality: Would the project add new sensitive receptors (specifically, schools, colleges, universities, day care facilities, hospitals, residential dwellings [subject to Article 38 of the Health Code], and senior-care facilities)?

_____ Hazardous Materials: Would the project involve 1) change of use (including tenant improvements) and/or 2) soil disturbance; on a site with a former gas station, auto repair, dry cleaners, or heavy manufacturing use, or on a site with underground storage tanks?
Phase I Environmental Site Assessment required for CEQA clearance (E.P. initials required)

AV _____ Soil Disturbance/Modification: Would the project result in the soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in non-archeological sensitive areas?

Refer to: EP ArcMap > CEQA CatEx Determination Layers > Archeological Sensitive Areas

_____ Noise: Does the project include new noise-sensitive receptors (schools, colleges, universities, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area?

Refer to: EP ArcMap > CEQA CatEx Determination Layers > Noise Mitigation Area

_____ Subdivision/Lot-Line Adjustment: Does the project site involve a subdivision or lot-line adjustment on a lot with a slope of 20% or more?

Refer to: EP ArcMap > CEQA CatEx Determination Layers > Topography

CONTINUED ON PAGE 2

Slope = or > 20%: Does the project involve excavation, square footage expansion, shoring, underpinning, retaining wall work, grading – including excavation or fill?

Exceptions: Do not check box for work performed on previously graded level portion of site; stairs, patio, deck and fence work.

Geotechnical report required and a Certificate or higher level CEQA document required – File an Environmental Application

Seismic: Landslide Zone: Does the project involve excavation, square footage expansion, shoring, underpinning, retaining wall work, grading – including excavation and fill on a landslide zone – as identified in the San Francisco General Plan?

Exceptions: Do not check box for stairs, patio, deck and fence work.

Geotechnical report required and a Certificate or higher level CEQA document required – File an Environmental Application

Seismic: Liquefaction Zone: Does the project involve excavation, square footage expansion, shoring, underpinning, retaining wall work, grading – including excavation and fill on either seismic, flooding, or liquefaction zone?

Exceptions: Do not check box for stairs, patio, deck and fence work.

Geotechnical report will likely be required. File an Environmental Application

Serpentine Rock: Does the project involve any excavation in a property containing serpentine rock?

No exceptions.

File an Environmental Application to determine the applicable level of CEQA analysis

NOTE:

Project Planner must initial box below before proceeding to Step 3.

Project Can Proceed With Categorical Exemption Review.

The project does not trigger any of the CEQA Impacts and can proceed with categorical exemption review.

GO TO STEP 4

05/22/13

Per topo survey just 20% slope.

STEP 3: PROPERTY STATUS - HISTORICAL RESOURCE

Property is one of the following: (Refer to: San Francisco Property Information Map)

Category A: Known Historical Resource GO TO STEP 5

Category B: Potential Historical Resource (over 50 years of age) GO TO STEP 4

Category C: Not a Historical Resource or Not Age Eligible (under 50 years of age) GO TO STEP 6

STEP 4: PROPOSED WORK CHECKLIST (To be completed by Project Planner)

If condition applies, please initial

1. Change of Use and New Construction (tenant improvements not included).

2. Interior alterations/interior tenant improvements. Note: Publicly-accessible spaces (i.e. lobby, auditorium, or sanctuary) require preservation planner review.

3. Regular maintenance and repair to correct or repair deterioration, decay, or damage to the building.

4. Window replacement that meets the Department's Window Replacement Standards (does not include storefront window alterations).

5. Garage work, specifically, a new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of garage door in an existing opening.

6. Deck, terrace construction, or fences that are not visible from any immediately adjacent public right-of-way.

7. Mechanical equipment installation not visible from any immediately adjacent public right-of-way.

8. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin: Dormer Windows.

9. Additions that are not visible from any immediately adjacent public right-of-way for 150' in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.

NOTE:

Project Planner must check box below before proceeding.

Project is not listed:

GO TO STEP 5

Project does not conform to the scopes of work:

GO TO STEP 5

Project involves 4 or more work descriptions:

GO TO STEP 5

Project involves less than 4 work descriptions:

GO TO STEP 6

STEP 5 CEQA IMPACTS - ADVANCED HISTORICAL REVIEW (To be completed by Preservation Planner)

If condition applies, please initial.

1. Project involves a Known Historical Resource (CEQA Category A) as determined by Step 3 and conforms entirely to Scope of Work Descriptions listed in Step 4. (Please initial scopes of work in STEP 4 that apply.)
2. Interior alterations to publicly-accessible spaces.
3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
7. Addition(s), including mechanical equipment that are minimally visible from a public right of way and meets the Secretary of the Interior's Standards for Rehabilitation.
8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties
Specify: _____
9. *not* Reclassification of property status to Category C
 - a. Per Environmental Evaluation Evaluation, dated: _____
* Attach Historic Resource Evaluation Report
 - b. Other, please specify: per HREER dated 5/15/2013
* Requires Initial by Senior Preservation Planner / Preservation Coordinator

NOTE:
If ANY box is initialed in STEP 5, Preservation Planner MUST review & initial below.

Further Environmental Review Required.

Based on the information provided, the project requires an Environmental Evaluation Application to be submitted.

GO TO STEP 6

Preservation Planner Initials

Project Can Proceed With Categorical Exemption Review.

The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review.

GO TO STEP 6

Preservation Planner Initials *AV*

STEP 6 CATEGORICAL EXEMPTION DETERMINATION (To be completed by Project Planner)

- Further Environmental Review Required.
Proposed Project does not meet scopes of work in either:

(check all that apply)

- Step 2 (CEQA Impacts) or
 Step 5 (Advanced Historical Review)

STOP!

Must file Environmental Evaluation Application.

No Further Environmental Review Required. Project is categorically exempt under CEQA.

Allison Vanderslice
Planner's Signature

5/20/2013
Date

Allison Vanderslice
Print Name

Once signed and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.



EXHIBIT 4

EXHIBIT 4

3660 21st Street – Contacts With Neighbors

1. Prior to 10.13.12: The Applicants reached out to adjacent neighbors. Email addresses were exchanged and email contact was made on 10.13.12.
2. 11.02.12: The Applicants e-mailed concept studies to neighbors. A copy is attached hereto as Exhibit A.
3. 11.04.12: The Applicant and project architects met with met with Angus and Arran Pera at 3660 21st street. The Peras expressed concerns about the Project and complained that they did not have sufficient information to understand the project. The Applicant responded that the design was at the conceptual level and the meeting was to understand their concerns before proceeding any further with the design.

The Applicants and project architects also met with Jerome Goldstein and Tom Taylor at their house at 3650 21st and presented the conceptual design. They indicated that they have no objection.

4. 2.19.13: The Applicants e-mailed the Schematic Design to the adjacent neighbors prior to the pre-app meeting.
5. 2.25.13: The Applicants sent out the pre-application notification with a cover letter inviting the neighbors to attend a meeting on March 13, 2013 between 7:30 and 8:30 PM at the Applicants' home at 537 Liberty Street. A copy of the letter is attached as Exhibit B.
6. 3.13.13: The neighbors, including the Peras, who attended the Pre-Application, expressed the following concerns:
 - Wendy Tice-Wallner, a neighbor across the street and Arran Pera, expressed concerns about view blockage.
 - Arran Pera was concerned with about the project's impact on his light and privacy.
 - The neighbors suggested that story poles be erected to help the neighbors to understand the height, scale and massing of the project.
 - Peras provided written comments including that they did not receive a mailed notice of the pre-app meeting.

Copies of the Pre-Application Meeting Notice and Sign-In Sheet are attached hereto and collectively referred to as Exhibit C.

7. 3.14.13: The Project architect determined that the incorrect owner of 3666 21st Street, not the occupant or correct owner.
8. 3.27.13: The Applicants e-mailed the neighbors who attended the pre-application meeting that the story poles will be installed on 3/29/13 and will remain until

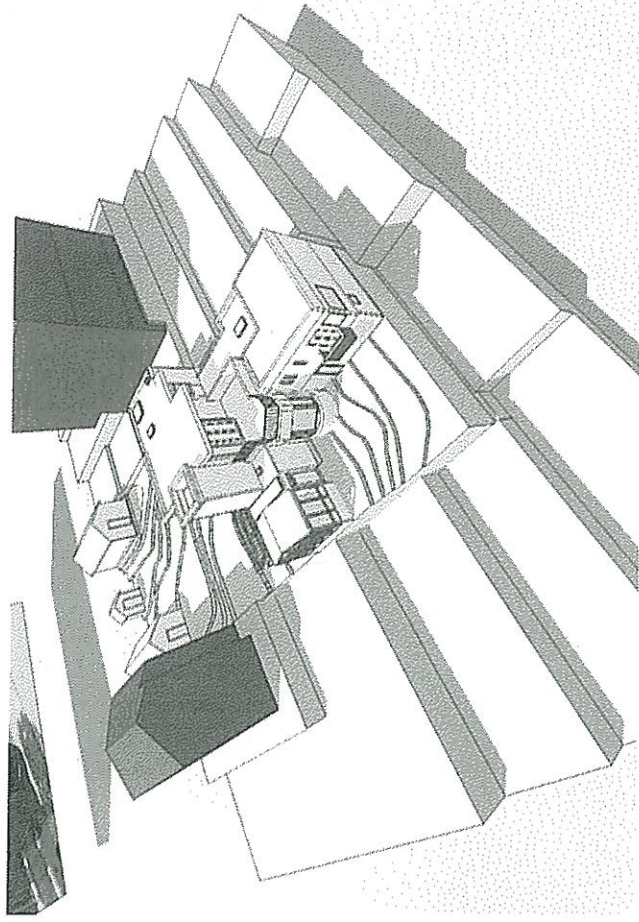
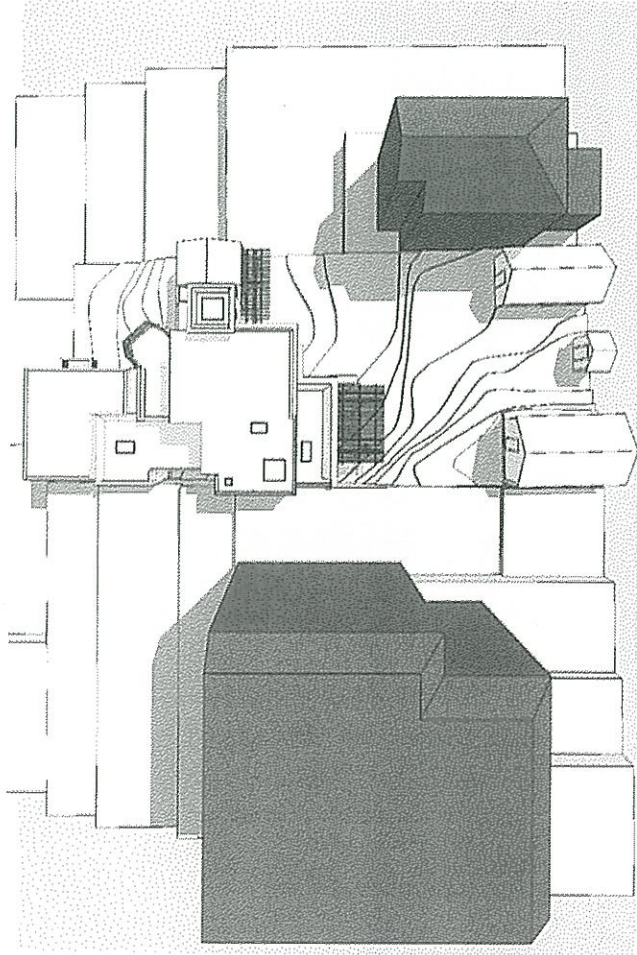
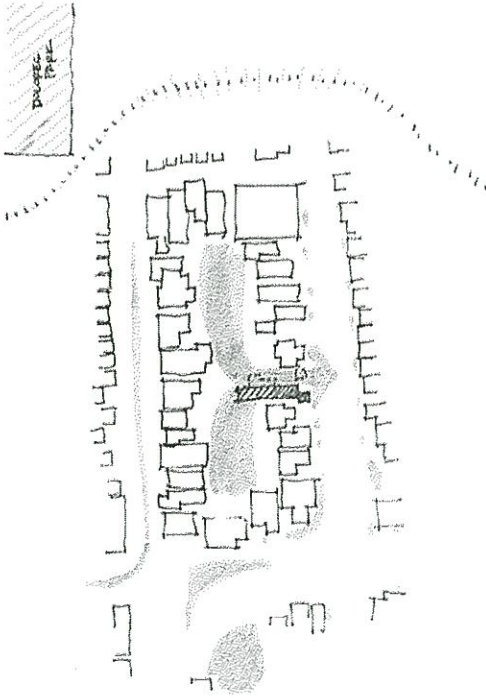
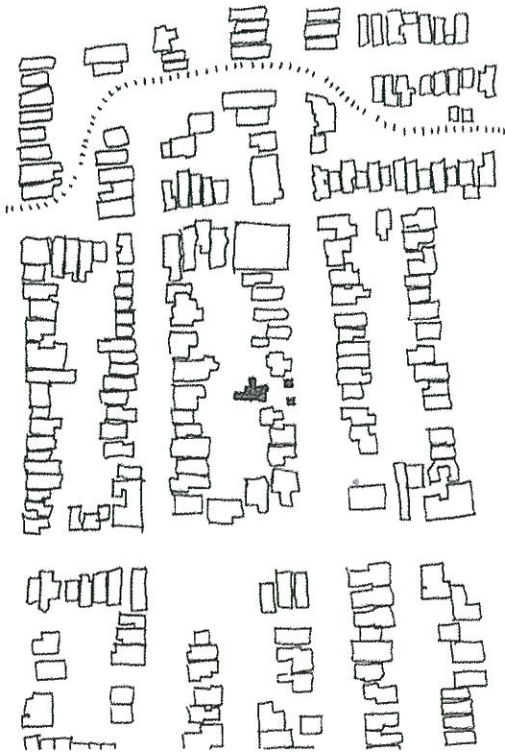
4/1/13. The neighbors were also informed of the following the design revisions made to address their concerns:

- The stair penthouse to the roof deck will be replaced by an operable skylight; and
- The roof deck guardrails will be changed to glass to minimize visual obstruction.

9. 3.29.13: Story-poles were erected
10. 4.1.13: The Applicants received an email from Arran and Angus Pera asking why no story-poles were put up for the back of the structure and asked when they would be added.
11. 4.8.13: The Applicants provided Arran with the revised plans showing the two design changes that addressed the neighbor's concerns and explaining that the story poles were unable to be affixed to the roof, only to the ground. The Applicants described the changes to the existing structure so that the neighbors with a clear understanding of the height of the proposed project. The Applicant also offered to walk through the design revisions with Arran in person.
12. 4.11.13: The Project architect received an email from Philippe Vendrolini of 337 Liberty wondering why he wasn't notified of the project and that he was informed by the City that the project was an 'interior remodel' contrary to the story poles. The Project architect responded that he did not get a pre-application notification because he resides outside the pre-application notification requirement.
13. 4.20.13 (week of): The Applicant met with Philippe Vendrolini and walked him through the proposed changes. Neither the applicant nor the project architect has from Philippe since that meeting.
14. 4.30.13: The Applicants requested access to the Goldsetin-Taylor and the Pera properties in order to measure their window and door locations. Jerry offered access anytime and to write a letter of support.
15. 5.7.13: The Peras offered access to their site on May 31st at 3 pm only and asked that the measurements be taken by a surveyor and that they be provided the survey first. They also informed the Applicants that they were hiring an architect to 'better understand the proposed plans'. The Project Architect on behalf of the Applicants agreed to use a surveyor and explained which elevations/facades would be measured. The Project Architect also requested an earlier date since the measurements can be taken outside and the Peras need not be present.
16. 5.8.13: The Peras informed the Applicants that they would be meeting with their architect, Arnie Lerner, on 5/10/13 and expressed concerns about the accuracy of first submittal showing both homes. The Peras indicated they would respond later about the date of the survey.

17. 5.9.13: The Project architect thanked the Peras for granting access and reiterated that the measurements only involved the windows and doors on the east and south facades of the home.
18. 5.14.13: In the absence of any response from Peras, the Project Architect set the survey date for 5/31/13, the date selected by Peras.
19. 5.15.13: The Project Architect asked Peras if the measurements can be taken at 1pm on 5/31 and the reasons for the measurements. The project architect informed Peras that the measurements were requested by the Planning Department.
20. 5.23.13: The Applicants, through the Project Architect informed Peras' that they are rejecting the demand that they be given the power to choose the surveyor, to review the drawings prior to undertaking the survey, or to review the survey by their surveyor of choice before giving a copy to the Applicant. The Applicant offered to provide Peras with a copy of the survey.
21. 5.24.13: Peras asked for additional items to be surveyed on surrounding properties and confirmed the 5/31/13, 3pm time for the survey.
22. 5.28.13: The Project architect confirmed the time for the survey.
23. 6.13.13: The Project architect emailed the Peras and their architect the window/door survey results.
24. 9.16.13: The Project architect informed the Peras via e-mail that the Section 311 notification has been mailed from Planning Dept.
25. 9.25.13: The project architect received an email from Melissa Pera, who is the wife of Aaran Pera, requesting two full-size hard copies of the drawings.
26. 9.26.13: The Project Architect emailed response and asked where to mail drawings.
27. 10.15.13: Peras filed Discretionary Review request of the Project.
28. 10.28.13: The Applicants offers to meet Arran Pera one on one.
29. 11.04.13: Arran Pera agreed but said that he could meet "at the end of the month" after he has met with his lawyer and his architect again.
30. 12.14.13: The Applicants met with Pera and his architect, Arnie Lerner, and asked Mr. Lerner to summarize the issues. Lerner stated only that they were concerned with the Project impact from across 21st street and asked that no additional height be added in the front of the house. Melissa Pera contended that the Applicants should have purchased a different house if they wanted to renovate and made other unspecific accusations. The Peras made no effort to arrive at a mutually acceptable resolution.

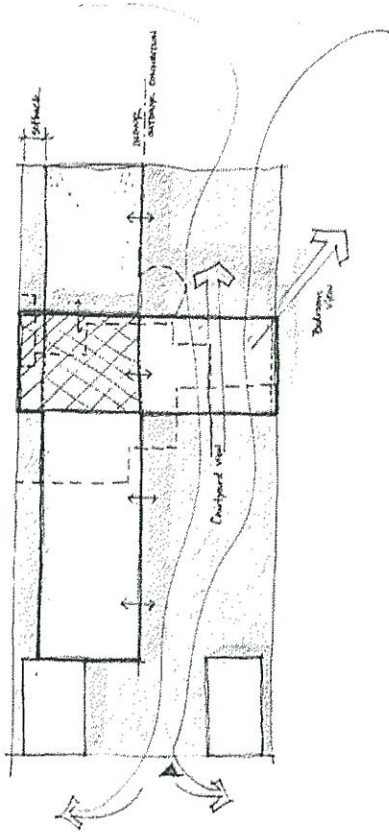
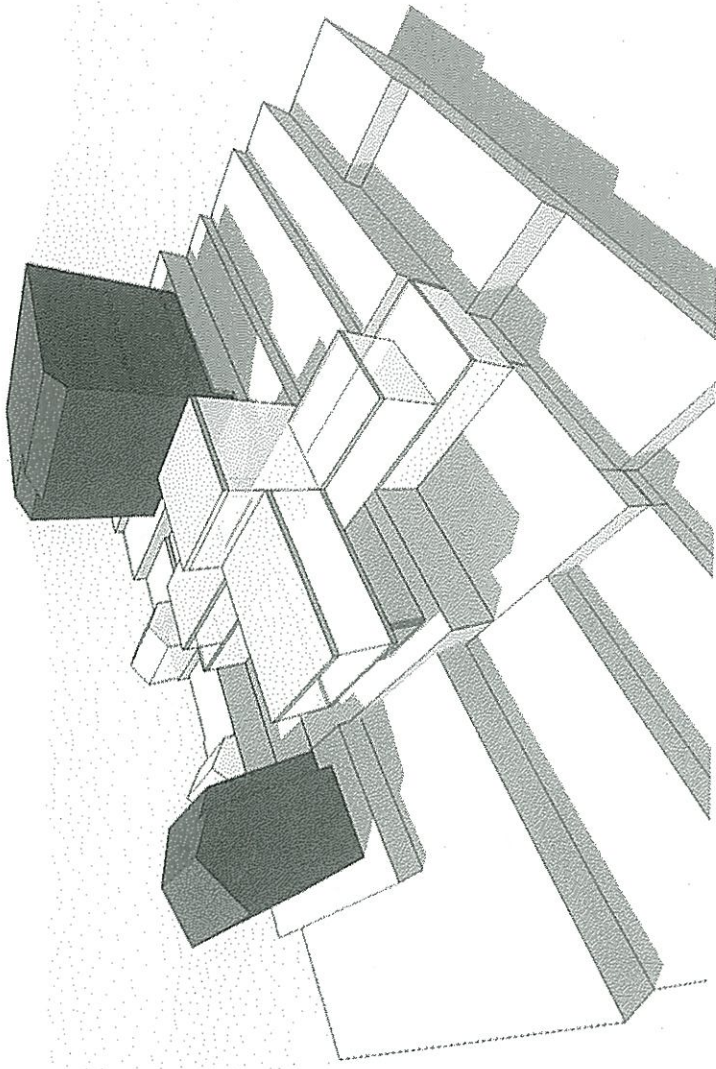
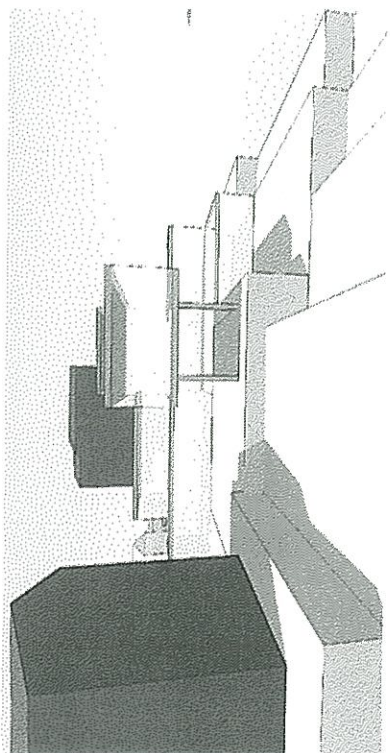
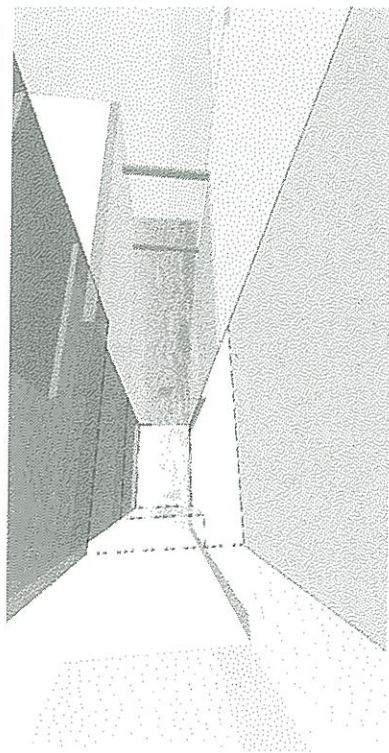
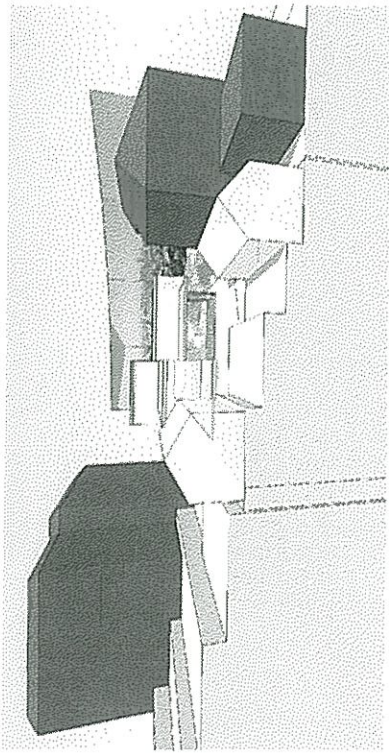
Exhibit A



1005 Sansome St, Ste 240
 San Francisco, CA 94111
 P 415 257 1441
 F 415 257 1447

FELDMAN
ARCHITECTURE

PROJECT **Coz/Vichit-Vudakan** TITLE **Concept Studies** DATE **11.07.2012**
 3560 71st Street
 San Francisco, CA



Office - Plan Diagram

1005 Sansome St, Ste 240
 San Francisco, CA 94111
 P 415 551 1441
 F 415 551 1442

FELDMAN
ARCHITECTURE

PROJECT **Case/Vichit-Vadakin** TITLE **Concept Studies** DATE **11.03.2017**
 3660 71st Street
 San Francisco, CA

Exhibit B

Dear Neighbor,

Hope this finds you well. We write this as a quick introduction of ourselves -- Visra Vichit-Vadakan and Chris Cox -- to you, our newest neighbors. We've recently purchased the home at 3660 21st. formerly owned by the beloved Bill and Ilse Gaedes. After getting to know them, having fallen in love with the property and the warmth and beauty of the neighborhood, we made the decision that this was the perfect spot to start our family and lay down our roots.

First things first: we'd love to get to know you better and introduce ourselves in person, so if you are up for a coffee or a chat please drop us a line and let us know and we'll swing by. We're currently living just up the street, so dropping by is no problem (Related: the home is currently inhabited by Visra's sister, Viria, in case you're wondering why the lights are on).

Second, and importantly, we're planning on renovating the home prior to moving in to make the space more family- and toddler-friendly and to give the space a better appreciation of the north-facing views. We've drafted preliminary plans for this remodel that we'd like to share with you as soon as possible to get feedback. To do this, we'll be hosting an event at our home, 537 Liberty st, from 7:30 pm - 8:30 pm on Wednesday, March 13th, 2013 where we'll review the plans with the neighborhood and get a first round of thoughts on what we should be thinking about. If you'd like to see our plans but are unable to come to the meeting please contact us and we can arrange another time to meet. Even if you aren't interested in the plans for house, we'd love to see you there just to say hi.

We look forward to meeting you!

Visra and Chris



Visra:
visrav@gmail.com
[\(310\) 990-9958](tel:(310)990-9958)

Chris:
christopher.k.cox@gmail.com
[\(650\)862-7133](tel:(650)862-7133)

Exhibit C

Notice of Pre-Application Meeting

FEBRUARY 25, 2013
Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 3660 21st STREET, cross street(s) CHURCH/ SANCHEZ ST. (Block/Lot#: 2605 - 019; Zoning: RH-1 DOLORES HEIGHTS GUD), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: HORIZONTAL ADDITION TO A SINGLE FAMILY RESIDENCE. REMODEL OF EXISTING RESIDENCE. RECONFIGURING TWO (E) SINGLE CAR GARAGES INTO A SINGLE TWO CAR GARAGE.

Existing # of dwelling units: <u>1</u>	Proposed: <u>1</u>	Permitted: <u>1</u>
Existing bldg square footage: <u>2768 SF</u>	Proposed: <u>3,950 SF</u>	Permitted: <u>10,260 SF</u>
Existing # of stories: <u>2</u>	Proposed: <u>2</u>	Permitted: <u>35 FT</u>
Existing bldg height: <u>23'-7.5"</u>	Proposed: <u>28'-2"</u>	Permitted: <u>35 FT</u>
Existing bldg depth: <u>62'-0"</u>	Proposed: <u>98'-11"</u>	Permitted: <u>47'-0"</u>

MEETING INFORMATION:

Property Owner(s) name(s): 3660 21st STREET, LLC
 Project Sponsor(s): CHRIS COX & VISEA VICHIT VADAKAN
 Contact information (email/phone): BRIODETT SHANK, bshank@feldmanarch.com AND 415.252.1441 x 25
 Meeting Address*: 537 LIBERTY STREET
 Date of meeting: WEDNESDAY, MARCH 13, 2013
 Time of meeting**: 7:20 - 8:30 PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-8378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

Affidavit of Conducting a Pre-Application Meeting, Sign-in Sheet and Issues/Responses submittal

I, CHRIS COX, do hereby declare as follows:

1. I have conducted a Pre-Application Meeting for the proposed new construction or alteration prior to submitting any entitlement (Building Permit, Variance, Conditional Use, etc.) in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted at 537 LIBERTY STREET (location/address) on 3/13/13 (date) from 7:30 pm (time).
3. I have included the mailing list, meeting initiation, sign-in sheet, issue/response summary, and reduced plans with the entitlement Application. I understand that I am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED ON THIS DAY, 3/13, 2013 IN SAN FRANCISCO.

[Signature]
Signature

[Signature]

CHRIS COX
Name (type or print)

Visra Vichit-Vadatan

owner
Relationship to Project (e.g. Owner, Agent)
(if Agent, give business name & profession)

3660 21st
Project Address

Pre-Application Meeting Sign-in Sheet

Meeting Date: 3/13/2013
 Meeting Time: 7:30pm
 Meeting Address: 537 LIBERTY ST.
 Project Address: 3660 21st St.
 Property Owner Name: 3660 21st STREET, LLC
 Project Sponsor/Representative: CHRIS COX & VISRA VIKHIT VADAKKAN

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1. _____	_____	_____	_____	<input type="checkbox"/>
2. Tom Given	3625 21st		tom.given@gmail.com	<input type="checkbox"/>
3. Tom Taylor	3650 21st		tomtaylor55.com	<input type="checkbox"/>
4. Linda Sundberg	3676 21st		Linda@Sundberg.com	<input type="checkbox"/>
5. WENDY TICE-WALLNER	3655 21st ST.		wtice-wallner@comcast.net	<input type="checkbox"/>
6. ARRAW PARRA	3660 21st		MOOPARRA@AOL.COM	<input type="checkbox"/>
7. Melissa Pera	3660 21st St			<input type="checkbox"/>
8. ANGUS PERA	3666 21st			<input type="checkbox"/>
9. Tom Peggan	861 Sanchez			<input type="checkbox"/>
10. Hillary Turner	369 Hill St.			<input type="checkbox"/>
11. Tom/Chai Kaulaya	385 Liberty St.			<input type="checkbox"/>
12. DAVID PENNEBAKER	3049 21st		daveps@yahoo.com	<input type="checkbox"/>
13. Daniel Gonzales	3049		danielgo@pacbell.net	<input type="checkbox"/>
14. _____	_____	_____	_____	<input type="checkbox"/>
15. _____	_____	_____	_____	<input type="checkbox"/>
16. _____	_____	_____	_____	<input type="checkbox"/>
17. _____	_____	_____	_____	<input type="checkbox"/>
18. _____	_____	_____	_____	<input type="checkbox"/>

Summary of discussion from the Pre-Application Meeting

Meeting Date: 3/13/2013
 Meeting Time: 7:30 pm
 Meeting Address: 537 LIBERTY ST.
 Project Address: Blake 21st St.
 Property Owner Name: Blake 21st STREET, LLC
 Project Sponsor/Representative: CHRIS COX & VERA VICHIT-VADAKAN

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): Wendy Tice-Wallner, neighbor: concern re: height of new structure & impact of roof deck on privacy as her property is directly across the street & new structure could impact both. She strongly suggests installation of stony poles ASAP to allow visual understanding of impact.
 Project Sponsor Response: _____

Question/Concern #2: Angus & Aeran Pera (neighbors): Not notified of meeting, was informed by other neighbor. Concerned about impacts to light, privacy & air on main living area of their home by the addition to the non-conforming structure. Problem with the roof deck; met previously twice w/us and feel their concerns not being addressed.
 Project Sponsor Response: _____

Question/Concern #3: voiced by several attendees: concern about stair penthouse to access roofdeck, do not like added height to structure that this creates.
 Project Sponsor Response: _____

Question/Concern #4: Question by Wendy Tice-Wallner: what are the impacts to curb cuts? Will the over all length of curb cut be bigger?

Project Sponsor Response: Architects met with Planners @ SF PIC and Planners encouraged combining the two driveways/garages into a single driveway garage for two cars. Current plan incorporates this, so one existing curb cut would increase but one will be removed, so the total length of curb cuts will not increase & will probably decrease by a few feet.

Summary of discussion from the Pre-Application Meeting

Meeting Date: 3-13-13
 Meeting Time: 7:30-8:30 PM
 Meeting Address: 537 LIBRARY
 Project Address: 3660 21ST ST
 Property Owner Name: _____
 Project Sponsor/Representative: _____

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): Aravis Pera / Arrian Pera
 - Not Notified of meeting today - informed by other neighbor
 - Addition to non-conforming structure impacts light, privacy + air on main living area
 - roof deck is big problem. Met previously at times and concerns not addressed
 Project Sponsor Response: _____

Question/Concern #2: _____

Project Sponsor Response: _____

Question/Concern #3: _____

Project Sponsor Response: _____

Question/Concern #4: _____

Project Sponsor Response: _____

Summary of discussion from the Pre-Application Meeting

Meeting Date: 3/13/2013
 Meeting Time: 7:30 pm
 Meeting Address: 537 LIBERTY ST.
 Project Address: 3460 21st STREET
 Property Owner Name: 3460 21st STREET, LLC
 Project Sponsor/Representative: CHRIS COX & USRA VICHIT-VADAKAN

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): WENDY TICE-WALLNER
CONCERN RE HEIGHT OF NEW STRUCTURE & IMPACT OF ROOF DECK ON PRIVACY AS MY PROPERTY IS DIRECTLY ACROSS + NEW STRUCTURE COULD IMPACT BOTH.
 Project Sponsor Response: STRONGLY SUGGEST INSTALLATION OF STONY POLES ASAP TO ALLOW VISUAL UNDERSTANDING OF IMPACT.

Question/Concern #2: _____

Project Sponsor Response: _____

Question/Concern #3: _____

Project Sponsor Response: _____

Question/Concern #4: _____

Project Sponsor Response: _____

EXHIBIT 5

EXHIBIT 6



LOT 20
PERA TRUST
(RE: K408, IM: 0241)

LOT 31

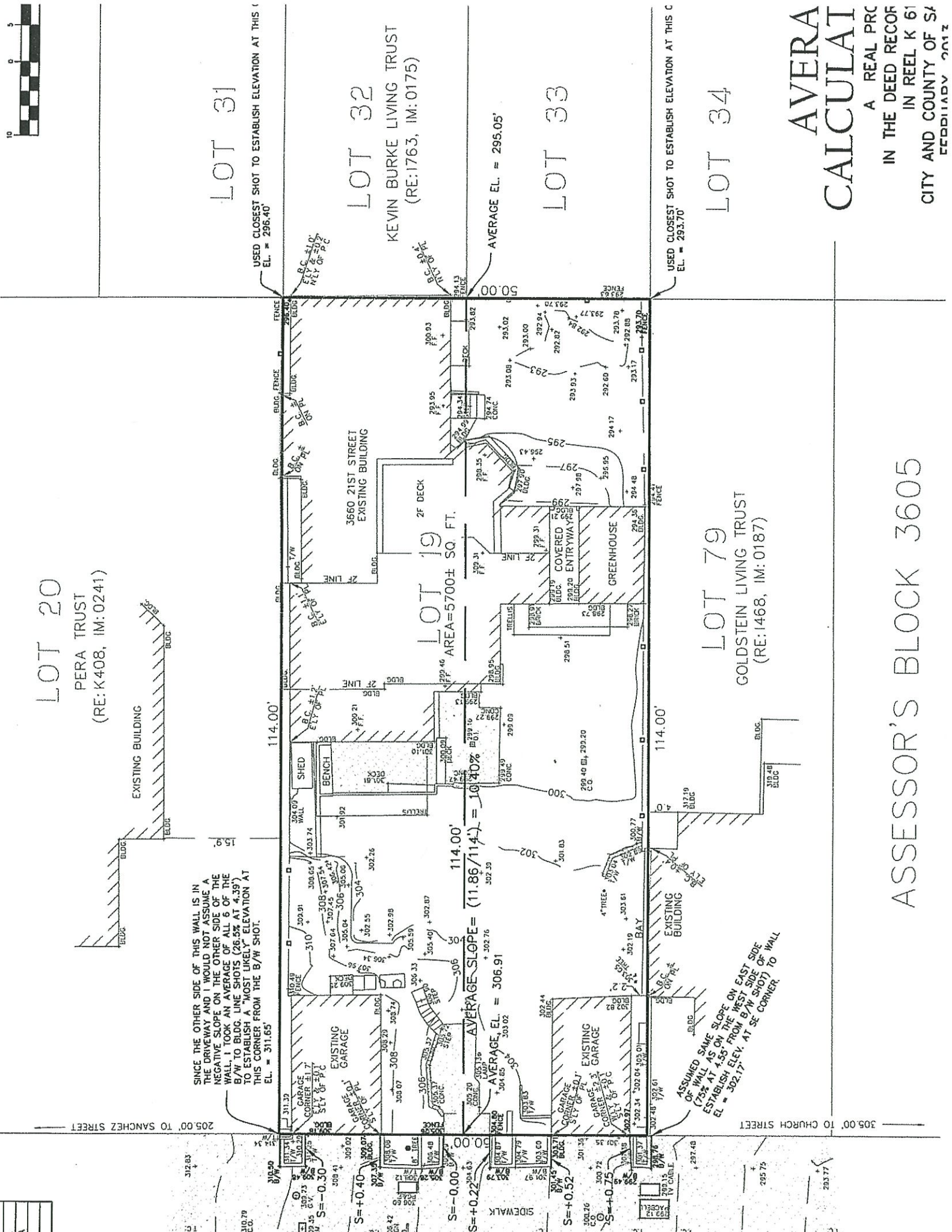
LOT 32
KEVIN BURKE LIVING TRUST
(RE: 1763, IM: 0175)

LOT 33

LOT 34

**AVERA
CALCULAI**
A REAL PRC
IN THE DEED RECOR
IN REEL K 61
CITY AND COUNTY OF SF
ECCD11ADV 2017

ASSESSOR'S BLOCK 3605



SINCE THE OTHER SIDE OF THIS WALL IS IN THE DRIVEWAY AND I WOULD NOT ASSUME A NEGATIVE SLOPE ON THE OTHER SIDE OF THE WALL, I TOOK AN AVERAGE OF ALL 6 OF THE B/W TO BLOC. LINE SHOTS (26.5% AT 4.38') TO ESTABLISH A MOST LIKELY ELEVATION AT THIS CORNER FROM THE B/W SHOT.
EL. = 311.65

$114.00' / 114.00' = 10.40\%$
AVERAGE SLOPE = 10.40%
AVERAGE EL. = 306.91

ASSUMED SAME SLOPE ON EAST SIDE OF WALL AS ON THE WEST SIDE OF WALL
ESTABLISH ELEV. AT SE CORNER
EL. = 302.17'

USED CLOSEST SHOT TO ESTABLISH ELEVATION AT THIS (EL. = 296.40

AVERAGE EL. = 295.05

USED CLOSEST SHOT TO ESTABLISH ELEVATION AT THIS (EL. = 293.70

205.00' TO SANCHEZ STREET

305.00' TO CHURCH STREET

LOT 19
AREA = 5700± SQ. FT.

LOT 79
GOLDSTEIN LIVING TRUST
(RE: 1468, IM: 0187)

3660 21ST STREET EXISTING BUILDING

2F DECK

COVERED ENTRYWAY

GREENHOUSE

SHED

BENCH

EXISTING GARAGE

EXISTING GARAGE



EXHIBIT 7



Land Surveying Inc.

961 Mitchell Way,
El Sobrante, CA 94803

PH. (510) 223-5167
FAX (510) 223-0112

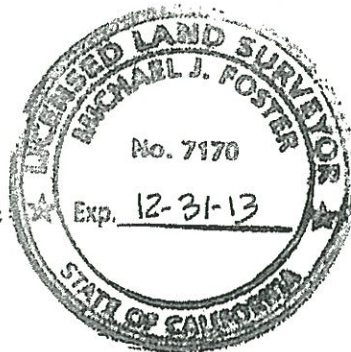
February 7, 2013
Job No. 12-2066

Monica Cristina Pereira
Environmental Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-0942

RE: Survey Slopes and Elevations 3660 21st Street, San Francisco

Ms. Pereira,

Bay Area Land Surveying Inc has surveyed the property at 3660 21st. Street in San Francisco. Elevations are based on the bench mark shown on our drawing, 3 cuts on the lower stop cock of the fire hydrant at the Northwest corner of Sanchez and 21st Streets. This benchmark has an elevation of 358.094 based upon City of San Francisco Records and is based upon City of San Francisco datum. All of the elevations shown on our drawing were shot manually with a theodolite and rod and were done in accordance with common survey standards. I calculated the slopes on the drawing as described in the notes on the drawing, using the closest elevations we had to the rear property corners and meaning the elevations at the back of sidewalk at the 2 front corners since the back of sidewalk at each property corner was obscured by a raised planter. Please note that if I had used the closest physical shots we had to those corners (309.16 and 302.97) we would have an average elevation of 306.07 for the front of the lot and we would have calculated a slope of 9.75% for the lot.



/SF 21st2066-slope.doc


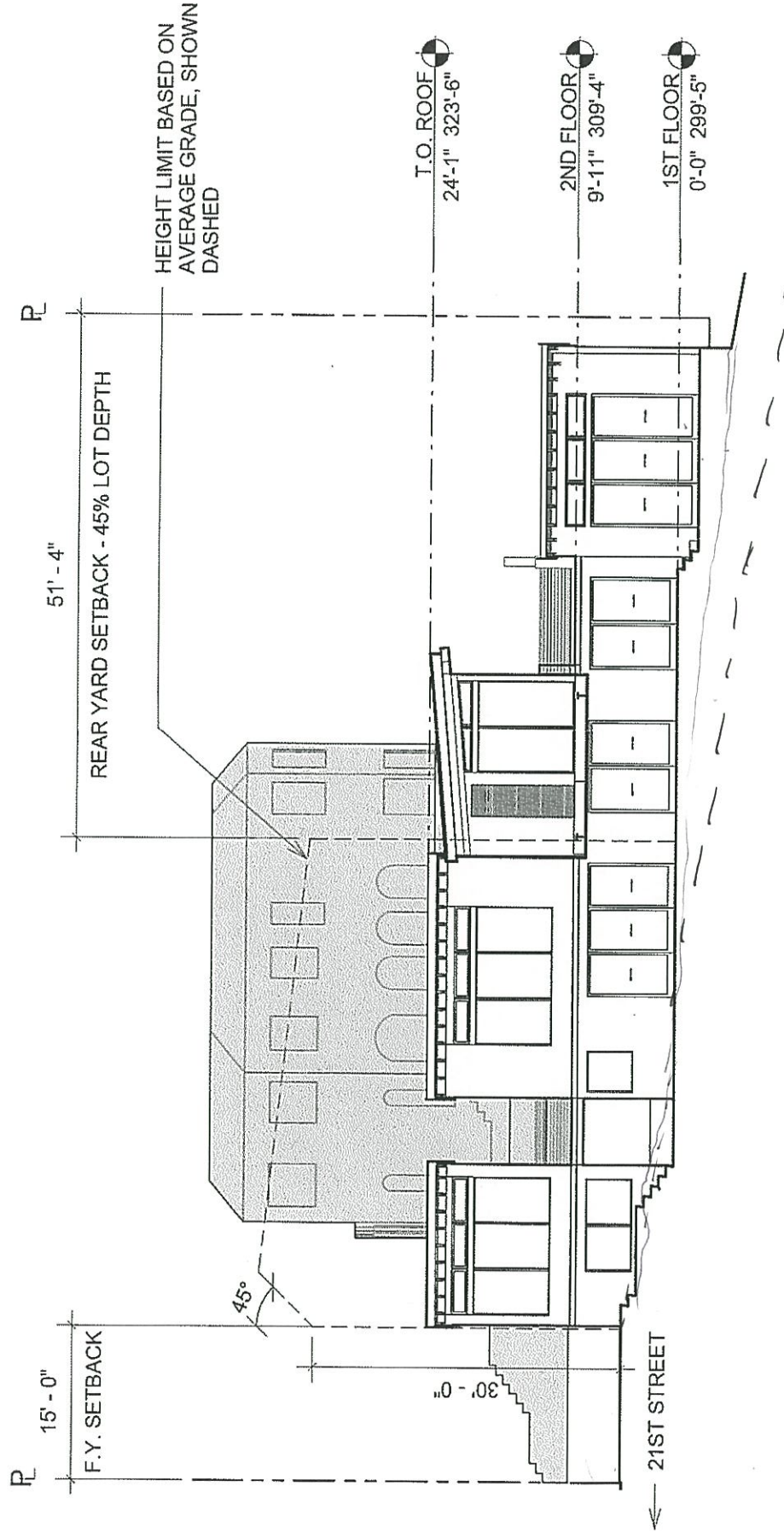
Sincerely,

Michael J. Foster, L.S. 7170
Bay Area Land Surveying, Inc.

EXHIBIT 8



1005 Sansome St, Ste 240
 San Francisco, CA 94111
 p 415 252 1441
 f 415 252 1442

PROJECT 3660 21ST STREET
 3660 21ST STREET,
 SAN FRANCISCO, CA. 94114

TITLE DOLORES HEIGHTS
 SETBACK DIAGRAM

DATE 02/12/14
 SCALE 1/16" = 1'-0"

DH-SUD

EXHIBIT 9



SAN FRANCISCO PLANNING DEPARTMENT

Historic Resource Evaluation Response

Date May 15, 2013
Case No.: 2013.0179E
Project Address: 3660 21st Street
Zoning: RH-1, 40-X Height and Bulk District
Block/Lot: 3605/019
Staff Contact: Allison Vanderslice, Preservation Planner
(415) 575 - 9075
allison.vanderslice@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PART I: HISTORIC RESOURCE EVALUATION

Building and Property Description

The subject parcel is located on the north side of 21st Street between Sanchez and Church streets in Dolores Heights, on the boundary of the Castro/Upper Market and the Noe Valley neighborhoods. The property is located within a RH-1 (Residential, House, One-Family) Zoning District and a 40-X Height and Bulk District. The subject block slopes down to the east and north.

Built in the 1920s, 3660 21st Street is a single-family residence set back from the street behind two detached, single-car garages topped with front-facing gable roofs. The property is accessed off of 21st Street through a gable-roofed entry gate that stands between the two garages. The residence is a two-story, irregular-plan wood-frame building topped with a flat roof. The building consists of several volumes that step down the hill to the north. Cladding consists of stucco, vertical wood board siding, and horizontal wood board siding. Fenestration is primarily fixed and casement windows featuring art glass or multi-lights. French doors access both the primary and rear elevations. A trellis-covered front patio extends from the north facade. A single-story, flat roof, wood and glass, green house building stands along the east property line and is connected to the house by a covered breezeway.

Landscape architect Harlan Hand designed the gardens in both the front yard between the entry gate and the house and in the rear yard. This garden, which dates to the 1980s, was included in The Garden Conservancy Open Days Program and was featured in the *San Francisco Chronicle* (April 27, 2005). Portions of this garden have been recently removed.

Based on the information provided in the *Historic Resource Evaluation* (HRE) report for the subject property prepared by Tim Kelley Consulting (April 2013), the subject building was constructed around the mid-1920s. The subject building replaced an earlier and smaller residential building shown on the 1886, 1900, and 1905 Sanborn maps. This earlier building was not shown on the 1914 Sanborn map, which shows the subject lot as a vacant. Therefore, this earlier building appears to have been demolished prior to 1914. While no permit records were found for the subject building's construction, a building permit (dated April 30, 1923) to build a brick basement for a future residence on the subject lot is likely

associated with the existing building's construction. Ethel Lynn, who purchased the property in 1923, is listed as residing at the address in the 1926 city directory, indicating that the subject building was constructed by this time. Based on this information, it appears that the subject building was constructed in c.1925 and that the building is not an early adobe structure, as suggested by residents of the neighborhood.

Pre-Existing Historic Rating / Survey

The subject property is not listed on any local, state or national registries. The building is considered a "Category B" property (Properties Requiring Further Consultation and Review) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures due to its age (constructed in c.1925).

Neighborhood Context and Description

The subject property and the surrounding area have been associated with various neighborhoods including Dolores Heights, Eureka Valley, Noe Valley and Upper Market/Castro. The initial development of the general area consisted of dairies and tanneries with scattered residences on large, irregular lots. By the 1880s, with the opening of nearby cable car lines, more intensive residential development began to occur. However, only sparse residential development is shown on the 1880s Sanborn maps of subject block and nearby blocks, due to the steep hill that defines the neighborhood. Scattered development continued through the turn of the century and the area was populated by ethnically diverse, lower to middle-class skilled laborers, small business owners, and civil servants.

After the 1906 Earthquake and Fire, further residential development occurred in the area, although larger and vacant parcels were still mixed in with the developed, standard 25-foot lots. About half of these lots were developed by the mid-1910s, in contrast to much of the nearby neighborhoods, which was primarily built out by this time. During the remaining first half of the 20th century, some single-family residences were reconfigured to contain rental units and several new homes were added during this period, including a row of homes across 21st Street that were constructed in the late 1930s and early 1940s. Additional waves of development occurred in the area following World War II and again in the 1970s and 1990s as the neighborhood transitioned way from primarily work-class families. Due to these waves of development, this area of 21st Street is characterized by one- to three-story residential structures in a mix of architectural styles including Italianate, Queen Anne, First Bay Tradition, Period Revival, Modern, and contemporary infill.

CEQA Historical Resource(s) Evaluation

Step A: Significance

Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources (California Register) or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA.

Individual	Historic District/Context
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria: Criterion 1 - Event: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Period of Significance:	Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria: Criterion 1 - Event: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Period of Significance: <input type="checkbox"/> Contributor <input type="checkbox"/> Non-Contributor

Based on the information provided in the HRE report for the subject property, additional research by Department staff, and information found in the Department's records, Department staff finds that the building on subject property is not individually eligible for inclusion on the California Register nor does it contribute to a potential historic district.

As outlined above, the subject block has seen several waves of development resulting in a disparate collection of residences in a range of styles. As the subject block faces of 21st Street do not appear to contain a cohesive group of residential buildings, and due to the fact that many of the buildings have been altered, this block does not appear to contain a potential historic district. Constructed around the mid-1920s, the subject property also post-dates the period of significance of nearby potential historic districts in Noe Valley along 21st Street. Therefore, the subject property does not appear to be eligible for listing on the California Register as a contributor to a historic district.

Criterion 1: Property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

Constructed in the 1920s, the subject property is not associated with events significant in the history of Dolores Heights, the Noe Valley neighborhood or San Francisco generally. Based on the HRE report and a review of Department records, the subject property replaced a late 19th century building on the subject property and is not associated with either the original establishment of the neighborhood or other identified local development trends or events. Staff finds that the subject property is not associated with any historically significant events and is not eligible for inclusion on the California Register individually under Criterion 1.

Criterion 2: Property is associated with the lives of persons important in our local, regional or national past.

According to the research presented in the HRE report for the subject property, no persons that are significant in the local, regional, or national past are associated with the subject property. The original owner of the building was likely Ethel Lynn, who purchased the property in 1923 and resided there in 1926. Lynn was a local physician with her own practice on Geary Street and primarily lived in Pacific Heights or Nob Hill. She authored *The Adventures of a Women Hobo*, published in 1917, about a cross country trip by her and her husband primarily on a tandem bicycle in 1908.¹ While Lynn might be considered a significant local figure as a prominent female physician and author, her association with the subject property appears to be limited. Roger and Marie Code owned and occupied the property from 1931 to 1959. According to the HRE report, Roger Code was a musician. Additional research did not identify any further information about the Codes. The HRE report did not identify any other potentially significant figures residing at or owning the property. Therefore, the subject property is not eligible under Criterion 2.

Criterion 3: Property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

Constructed around the mid-1920s, this residential building does not appear to be a significant example of a type, period, region, or method of construction. This single-family residence is a vernacular, Mediterranean Revival-style building with stucco-cladding and French doors but with very little detailing or ornamentation. The various cladding materials, additions, and alterations further detract from the building's ability to embody this or any other style. Neither the architect nor the builder of the building was identified.

Harlan Hand (1922-1998) was a local landscape designer, artist, and science teacher. Hand moved to the San Francisco Bay Area in the late 1940s and began teaching science in the 1950s. He was president of the California Horticultural Society (1974-1975), one of the founders of *Pacific Horticulture*, and a board member of the University of California Botanical Garden.² Hand focused on designing rock gardens and examples of his designs primarily from the 1980s and 1990s are still extant in San Francisco, Oakland, and El Cerrito. Hand designed portions of the garden on the subject property at least twice, with the later design dating to the mid-1980s.³ Although Hand is locally known, he does not appear to be a master landscape architect nor does the subject property appear to be his most significant work. Therefore, the property does not appear to be significant due to its association with Hand. Therefore, the subject property is not eligible under Criterion 3.

Criterion 4: Property yields, or may be likely to yield, information important in prehistory or history.

Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type.

¹ *The Bookseller, Newsdealer and Stationer*. Excelsior Publishing House, 1917 (46): 685.

² George Waters, "Harlan Hand," *Pacific Horticulture*, Spring 1999, Vol. 60, No. 1.

³ Alice Joyce, "More than a view blooms atop Dolores Heights." *San Francisco Chronicle* April 27, 2005. Accessed May 2013: www.sfgate.com/bayarea/article/More-than-a-view-blooms-atop-Dolores-Heights-2639160.php#ixzz2TPU5fgj3

Step B: Integrity

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

The subject property has retained or lacks integrity from the period of significance noted in Step A:

Location:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Association:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Feeling:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Design:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Materials:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Workmanship:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks			

Since 3660 21st Street was determined not to meet any of the criteria that would identify it as eligible for the California Register of Historical Resources, analysis of integrity was not conducted.

Step C: Character Defining Features


If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

Since 3660 21st Street was determined not to meet any of the criteria that would identify it as eligible for the California Register of Historical Resources, this analysis was not conducted.

CEQA Historic Resource Determination

- Historical Resource Present
- Individually-eligible Resource
 - Contributor to an eligible Historic District
 - Non-contributor to an eligible Historic District
- No Historical Resource Present

PART I: SENIOR PRESERVATION PLANNER REVIEW

Signature: 
Tina Tam, Senior Preservation Planner

Date: 5-20-2013

IMAGE



Source: Tim Kelley, 2013.

Steven Stept

From: Wakey Mist <wmist@northwallbuilders.com>
Sent: Friday, February 07, 2014 12:16 PM
To: Steven Stept
Cc: mmoragne@northwallbuilders.com; Jessica Stuenkel
Subject: Re: Kiwk Residence

Steven-

The Waterproofing material manufacturers representative will come out to the site and verify that the waterproofing has been installed properly, this meets the special inspection requirement. The proposed waterproofing system is as follows:

Basement Matt Slab-

- Paraseal on grade followed by WR Grace Preprufe 300

Basement Walls:

- DeNeef Injecto-Tube system with Waterproof Injectable Grout at Key Way Cold Joint of retaining walls and slab at basement
- WR Grace Procor 75 and Paraseal at walls

Renaissance Stone Care and Waterproofing does our waterproofing work if you want me to put you in contact with them to get any needed details.

Thanks,

Wakey

On Thu, Feb 6, 2014 at 2:34 PM, Steven Stept <sssept@feldmanarch.com> wrote:

Hi Wakey,

The Conditions of Approval include:

the basement. Public Works recommends a waterproofing consultant be retained design and inspect the vapor barrier and waterproofing systems for the basement

Do you have a waterproofing consultant who can perform this task - - or the subcontractor I imagine could be this person. They say 'recommends' so maybe this is a non-issue since you may have a method of having the sub or a 3rd party inspection during construction, but I would like info on your recommended method / detailing of waterproofing to place on this set of Drawings.

Please advise.

Steven Stept, AIA

Principal



1005 Sansome St, Ste 240

San Francisco, CA 94111

415 252 1441 x22

www.feldmanarchitecture.com

--

Wakey Mist

NorthWall Builders

(650) 642-1896

wmist@northwallbuilders.com