

Date: Jan. 5, 2010

Item No. 15 & 16  
File No. 09078

## SUNSHINE ORDINANCE TASK FORCE

### AGENDA PACKET CONTENTS LIST\*

- Anonymous Tenants against Planning Department**
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Completed by: Chris Rustom

Date: Dec. 30, 2009

**\*This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

\*\* The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

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<complaints@sfgov.org>

11/17/2009 08:44 AM

To <sotf@sfgov.org>

cc

bcc

Subject Sunshine Complaint

To:sotf@sfgov.orgEmail:complaints@sfgov.orgDEPARTMENT:Planning Department

CONTACTED:Mr. Brian Smith, Ms. Lulu Hwang

PUBLIC\_RECORDS\_VIOLATION:Yes

PUBLIC\_MEETING\_VIOLATION:No

MEETING\_DATE:

SECTIONS\_VIOLATED:67.21, 67.26, 67.27, etc.

DESCRIPTION: We repeatedly requested for the public record as following: 1) Material that Architect Mr. Robert Mittelstadt submitted to the Planning Commission; 2) the "Label photo, 3-R and similar (non-plan) documents with the project address" that Mr. Robert Mittelstadt submitted in order to met Planning Dept's requirement stated in Planning Dept.'s letter of February 2, 2009. Planning failed to produce these public records. Planning failed to provide them.

HEARING:Yes

PRE-HEARING:No

DATE:

NAME:

ADDRESS:

CITY:

ZIP:

PHONE:

CONTACT\_EMAIL:

ANONYMOUS [REDACTED]@yahoo.com

CONFIDENTIALITY\_REQUESTED:Yes



Tenants 769NorthPoint  
[redacted]@yahoo.com>

11/17/2009 10:08 AM

To SOTF@sfgov.org

cc kimo <kimo@webnetic.net>, chaffeej@pacbell.net,  
dougcoms@aol.com, grossman356@mac.com, Pro-SF  
<home@prosf.org>, joelynn114@hotmail.com,

bcc

Subject Re: complaint vs. Planning Department

Dear Mr. Rustom:

We emailed you the complaint this morning but the form did not ask for any document to be attached to the complaint.

We therefore are forwarding some supporting documents to you for the case. Please attach them to our complaint.

Thank you very much.



SO vs. Planning 11-17-09 (1).JPG



SO vs. Planning 11-17-09 (2).JPG



SO vs. Planning 11-17-09 (3).JPG



SO vs. Planning 11-17-09 (4).JPG



SO vs. Planning 11-17-09 (5).JPG

**From:** Tenants 769NorthPoint ([REDACTED]@yahoo.com)  
**To:** Lulu.Hwang@sfgov.org  
**Date:** Wed, October 21, 2009 9:13:29 AM  
**Cc:** kimo; chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF; joelynn114@hotmail.com; libraryusers2004@yahoo.com; mail@csrsf.com; Reception DCP; rwhartzjr@sbcglobal.net; Susan L Wong; Brian Smith; Tenants 769NorthPoint  
**Subject:** 2642-44 Hyde Street

Lulu:

Please e-mail us:

- 1) each and every material that Mr. Robert Mittelstadt submitted to Planning Commission.
- 2) In the emails/electronic communications that you provided, Planning Department requirements of February 2, 2009 required Mr. Robert Mittelstadt to "label the photos, 3-R reports, and similar (non-plan) documents with the project address", would you please e-mail us these labeled items?
- 3) In Mr. Robert Mittelstadt's letter October 31, 2008 to Planner Jonas: "In a letter dated November 23, 2004, you advised us to apply for variance." Please e-mail us this letter of November 23, 2004.

Thank you.

**From:** Tenants 769NorthPoint ([REDACTED]@yahoo.com)  
**To:** Lulu Hwang; Susan L. Wong  
**Date:** Thu, October 22, 2009 11:39:32 AM  
**Cc:** kimo; chaffeej@pacbell.net; dongcoms@aol.com; grossman356@mac.com; Pro-SF; joelynn114@hotmail.com; libraryusers2004@yahoo.com; mail@csrsf.com; Reception DCP; rwhartzjr@sbcglobal.net; Brian Smith; Tenants 769NorthPoint  
**Subject:** Re: Documents requested re: 2642-44 Hyde Street

Lulu and Susan:

Thank you for Susan's e-mail. The documents we listed as #1, #2 and #3 were not in the box and were not produced by Planning Dept. However, these documents are mentioned in the e-mail communications between the Planner and others. Yesterday, Lulu e-mailed us document #3 but did not e-mail us #1 and #2.

Again, please produce the documents as following:

#1) each and every material that Mr. Robert Mittelstadt submitted to Planning Commission.

#2) "The label photos, 3-R reports, and similar (non-plan) documents with the project address" that Mr. Robert Mittelstadt Robert submitted in order to meet Planning Department's requirements stated in Planning's letter of February 2, 2009.

Please identify these documents and e-mail them to us ASAP.

Thank you.\

**From:** Susan L Wong <Susan.L.Wong@sfgov.org>  
**To:** Tenants 769NorthPoint ([REDACTED]@yahoo.com)  
**Cc:** Brian Smith <Brian.Smith@sfgov.org>; chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF <home@prosf.org>; joelynn114@hotmail.com; kimo <kimo@webnetic.net>; libraryusers2004@yahoo.com; Lulu Hwang <Lulu.Hwang@sfgov.org>; mail@csrsf.com; Reception DCP <reception.dcp@sfgov.org>; rwhartzjr@sbcglobal.net; Tenants 769NorthPoint <tenants769np@yahoo.com>  
**Sent:** Thu, October 22, 2009 10:51:22 AM  
**Subject:** Re: Documents requested re: 2642-44 Hyde Street

Hi Tenants 769North Point,

There is a whole box of the materials for the property address 2642-44 Hyde. Please stop by 1650-Mission street in room 400 Planning Department to review it. If you have any question, my contact number is (415) 558-6368. Thank you.

Susan

**From:** Tenants 769NorthPoint ([redacted]@yahoo.com)  
**To:** Brian Smith; Lulu Hwang  
**Date:** Tue, October 27, 2009 1:08:17 PM  
**Cc:** kimo; chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF; joelynn114@hotmail.com; libraryusers2004@yahoo.com; mail@csrsf.com; Reception DCP; rwhartzjr@sbcglobal.net; Tenants 769NorthPoint  
**Subject:** Re: Documents requested re: 2642-44 Hyde Street

Dear Mr. Smith:  
 Thank you for your e-mail. The items #1 and #2 are not in the box. These items are stated in the e-mail correspondence between the Planner and the Architect. This case went to Planning Commission but whatever the Architect submitted to Planning Commission as #1 and other documents as #2 are in Planning Dept.'s possession but are not be placed in the box. Please locate these documents and e-mail to us.  
 Thank you.

**From:** Brian Smith <Brian.Smith@sfgov.org>  
**To:** Tenants 769NorthPoint <[redacted]@yahoo.com>  
**Cc:** chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF <home@prosf.org>; joelynn114@hotmail.com; kimo <kimo@webnetic.net>; libraryusers2004@yahoo.com; Lulu Hwang <Lulu.Hwang@sfgov.org>; mail@csrsf.com; Reception DCP <reception.dcp@sfgov.org>; rwhartzjr@sbcglobal.net; Susan L Wong <Susan.L.Wong@sfgov.org>; Tenants 769NorthPoint <tenants769np@yahoo.com>  
**Sent:** Tue, October 27, 2009 10:48:25 AM  
**Subject:** Re: Documents requested re: 2642-44 Hyde Street

Tenants, records request for items #1 and #2 can only be ascertained by reviewing the complete case docket, we have found no items that relate to these two submitted request's and you are encouraged to go through the case material for your own review. The case material is available for review at 1650 Mission St Suite 400.

Sincerely, Brian smith

Brian Smith  
 IT / Operations Sr. Manager  
 San Francisco Planning Department  
 1650 Mission St Suite 400  
 415-575-6835  
[Brian.Smith@SFgov.org](mailto:Brian.Smith@SFgov.org)

Tenants  
 769NorthPoint  
 <[redacted]@yah  
 oo.com> To  
 Lulu Hwang <[Lulu.Hwang@sfgov.org](mailto:Lulu.Hwang@sfgov.org)>

**From:** Tenants 769NorthPoint ([REDACTED]@yahoo.com)  
**To:** Brian Smith; Lulu Hwang  
**Date:** Wed, October 28, 2009 7:10:58 PM  
**Cc:** kimo; chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF; joelynn114@hotmail.com; libraryusers2004@yahoo.com; mail@csrsf.com; Reception DCP; rwhartzjr@sbcglobal.net; Tenants 769NorthPoint  
**Subject:** Re: Documents requested re: 2642-44 Hyde Street

Dear Mr. Smith and Lulu:

We did not request a box of documents. We requested documents listed as #1 and #2: #1) each and every material that Mr. Robert Mittelstadt submitted to Planning Commission for the Planning Commission Hearing.

#2) "The label photos, 3-R reports, and similar (non-plan) documents with the project address" that Mr. Robert Mittelstadt submitted in order to meet Planning Department's requirements stated in Planning's letter of February 2, 2009.

Please produce the documents requested and e-mail them to us.

Thank you.

**From:** Brian Smith <Brian.Smith@sfgov.org>  
**To:** Tenants 769NorthPoint <[REDACTED]@yahoo.com>  
**Cc:** chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF <home@prosf.org>; joelynn114@hotmail.com; kimo <kimo@webnetic.net>; libraryusers2004@yahoo.com; Lulu Hwang <Lulu.Hwang@sfgov.org>; mail@csrsf.com; Reception DCP <reception.dcp@sfgov.org>; rwhartzjr@sbcglobal.net; Tenants 769NorthPoint <tenants769np@yahoo.com>  
**Sent:** Wed, October 28, 2009 2:50:18 PM  
**Subject:** Re: Documents requested re: 2642-44 Hyde Street

Tenants, the case material is complete and available for review at 1650 Mission St Suite 400.

Brian Smith  
 IT / Operations Sr. Manager  
 San Francisco Planning Department  
 1650 Mission St Suite 400  
 415-575-6835  
[Brian.Smith@SFgov.org](mailto:Brian.Smith@SFgov.org)

Tenants  
 769NorthPoint  
 <[REDACTED]@yah  
 oo.com> Brian Smith

To



**From:** Kimo Crossman ()  
**To:** Tenants 769NorthPoint  
**Date:** Wed, October 28, 2009 8:26:57 PM  
**Cc:** Brian Smith; Lulu Hwang; chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF; joelynn114@hotmail.com; libraryusers2004@yahoo.com; mail@csrsf.com; Reception DCP; rwhartzjr@sbcglobal.net  
**Subject:** Re: Documents requested re: 2642-44 Hyde Street

SF Staff - please be aware that retrieving records under State and Local law is part of your job duties and no fee may be charged for this service.

67.26

The work of responding to a public-records request and preparing documents for disclosure shall be considered part of the regular work duties of any city employee, and no fee shall be charged to the requester to cover the personnel costs of responding to a records request.

On Wed, Oct 28, 2009 at 7:10 PM, Tenants 769NorthPoint <[REDACTED]@yahoo.com> wrote:  
Dear Mr. Smith and Lulu:

We did not request a box of documents. We requested documents listed as #1 and #2:  
#1) each and every material that Mr. Robert Mittelstadt submitted to Planning Commission for the Planning Commission Hearing.

#2) "The label photos, 3-R reports, and similar (non-plan) documents with the project address" that Mr. Robert Mittelstadt submitted in order

to meet Planning Department's requirements stated in Planning's letter of February 2, 2009.

Please produce the documents requested and e-mail them to us.

Thank you.

**From:** Brian Smith <Brian.Smith@sfgov.org>  
**To:** Tenants 769NorthPoint <[REDACTED]@yahoo.com>  
**Cc:** chaffeej@pacbell.net; dougcoms@aol.com; grossman356@mac.com; Pro-SF <home@prosf.org>; joelynn114@hotmail.com; kimo <kimo@webnetic.net>; libraryusers2004@yahoo.com; Lulu Hwang <Lulu.Hwang@sfgov.org>; mail@csrsf.com; Reception DCP <reception.dcp@sfgov.org>; rwhartzjr@sbcglobal.net; Tenants 769NorthPoint <tenants769np@yahoo.com>  
**Sent:** Wed, October 28, 2009 2:50:18 PM

**Subject:** Re: Documents requested re: 2642-44 Hyde Street

Tenants, the case material is complete and available for review at 1650 Mission St Suite 400.

Brian Smith



Tenants 769NorthPoint  
<[REDACTED]@yahoo.com>

12/29/2009 03:45 PM

To SOTF@SFGov.org

cc Kimo Crossman <kimo@webnetic.net>, Peter Warfield  
<libraryusers2004@yahoo.com>, James Chaffee  
<chaffeej@pacbell.net>, dougcoms@aol.com,

bcc

Subject Re: Case #09078, additional documentation,

Dear Mr. Rustom:

Please include the following and 3 attachments in the meeting package for complaint #09078. Thank you.

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Dear Members:

Planning Department did not respond at all to the complaint #09078 as required by SOTF. Without Planning Department's response to the complaint, we can only submit additional documents as following:

- 1) Planner Jonas Ionin's email of 09/16/2009 to the architect: "Robert, Please send an 11X17 pdf version of the plans. ..." (attached as Exh. A);
- 2) Notice of Planning Department Requirements No. 2. of February 2, 2009 "Label photo, 3-R and similar (non-plan) documents with the project address....." (attached as Exh. B on page 2).

Thank you very much.



Exh. A - Planner Jonas email to Robert.JPG



Exh. B page 2 - Planning Dept letter to Robert.JPG



Exh. B page 1 - Planning Dept letter to Robert.JPG

**From:** Lulu Hwang (Lulu.Hwang@sfgov.org)  
**To:** Tenants 769NorthPoint  
**Date:** Fri, October 9, 2009 2:50:41 PM  
**Subject:** Fw: 2642-44 Hyde

----- Forwarded by Lulu Hwang/CTYPLN/SFGOV on 10/09/2009 02:50 PM -----

Jonas  
Ionin/CTYPLN/SFGO  
V To  
rm@rmarch.net  
09/16/2009 08:12 cc  
AM  
Subject  
Re: 2642-44 Hyde(Document link:  
PRR\_2642-2644\_Hyde\_St)

Robert,

Please send an 11x17 .pdf version of the plans. I will make the copies necessary for transmittal to the Planning Commission. Or you could drop off 16 copies of reduced plans (11x17). Did you have any submittal you wanted to become part of the packet?



Jonas P. Ionin  
Senior Planner, SF Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
415.558.6309 phone  
415.558.6409 facsimile

<http://www.sfgov.org/planning>

**EXH. A**

# EXH. B

- Please label photos, 3-R reports, and similar (non-plan) documents with the project address and mail them to 1650 Mission St, Suite 400, San Francisco 94103-2414, or submit them to the Planning Department Receptionist on the Fourth Floor, in either case directed to the attention of the Planner named below.
- The Planning Commission adopted the **2003 Residential Design Guidelines** on December 4, 2003 with their effective date on January 1, 2004. All residential permit applications in the RH and RM zoning districts filed or reviewed after January 1, 2004 are subject to these Guidelines. You can download a copy of the Guidelines from our website at <http://www.sfgov.org/planning> or purchase for \$3.00 per copy at the Planning Department office, Ground Floor Lobby or 5<sup>th</sup> floor.

Please contact Planner Jonas P. Jonin at (415) 558-6309  
with any questions concerning this notice.



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF PLANNING DEPARTMENT REQUIREMENTS No. 2

February 2, 2009

Robert Mittelstadt, Architect  
1736 Stockton Street, Studio 4  
San Francisco, CA 94133

PROPERTY ADDRESS	2642-2644 Hyde Street
ASSESSOR'S PARCEL #	Blk 0027 Lot 017
ZONING DISTRICT	RH-3 and Northern Waterfront SUD No. 2/ 40-X
PERMIT APPLICATION NO.	2004.11.02.8353 SR-10

The subject permit application is under Planning Department review. The application is now on hold, until we receive the information, revisions and/or materials listed below, and verify their accuracy.

1. The submitted revision does not comply with the Variance Decision Letter issued to legalize the subject balcony and reducing its depth.
  2. The attached Variance Decision Letter grants a replacement balcony approximately 12 feet wide, 3 feet deep, and setback approximately 5 feet from each side property line. Please comply with said Decision Letter.
  3. Please include the full address of the subject property in the title (2642-2644 Hyde Street).
  4. The accuracy of the rear elevation has been disputed. Please correct the rear elevation if not accurate, and submit a picture of the rear elevation for verification.
- Please provide the information, revisions and/or materials requested above within thirty days of the date of this Notice. This application may be sent to the Department of Building Inspection for cancellation if a complete response is not received in that time.
  - You may file any plan revisions responding to this notice at the Plans Approval Division, 1660 Mission Street, 1<sup>st</sup> Floor, at no extra charge. (Please do not submit plans directly to the Planning Department – they will not be accepted.)
  - Please be advised that failure to address all the items listed above, leading to additional requests for revisions beyond those filed in response to this notice, will require a Back Check Fee for permit revisions per Planning Code Section 355(a)(2) and Administrative Code Section 10F.1). If you file additional plan revisions in the future, those plan revisions may be subject to the Back Check Fee.
  - All plans submitted must be to an appropriate scale, e.g., plot plan 1" = 10', or 20'; floor plans 1/8" or 1/4" = 1' with the uses of all rooms and spaces labeled. Plans must be signed and stamped by the architect or engineer who prepared them, in accord with Department of Building Inspection requirements.

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

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