SAN FRANCISCO
PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: MARCH 31, 2016
Continued from the February 4, 2016 Hearing

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Date:	March 24, 2016
Case No.:	**2013.1213CUA**
Project Address:	**313-323 Cumberland Street**
Permit Application:	2014.0627.9813 and 2014.0627.9820
Zoning:	RH-1 (Residential - House, One-Family) 40-X Height and Bulk District Dolores Heights Special Use District
Block/Lot:	3601/043-044
Project Sponsor:	Tuija Catalano Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104
Staff Contact:	Erika Jackson – (415) 558-6363 erika.jackson@sfgov.org
Recommendation:	**Approval with Conditions**

BACKGROUND

The Proposed Project is to merge lots 043 and 044, demolish the existing dwelling on lot 043, and construct a new three-story over garage, two-family dwelling. Lot 044 is currently vacant. A small portion of the building would extend 12' towards the rear below grade level. The proposal requires a Conditional Use Authorization for the construction dwelling units at a density of one unit per 3,000 square feet of lot area. The proposed combined lots result in an area of 5,700 square feet.

The Proposed Project was initially filed with the Planning Department as the merger of lots 043 and 044 into one 5,700 square foot lot, the demolition of the existing single-family dwelling on lot 043, and construction of a new three-story over garage, single-family dwelling. The dwelling unit demolition was reviewed and approved administratively on February 3, 2015 because the structure has a value greater than 80% of the combined land and structure values of single-family homes in San Francisco. Neighborhood notification for the new construction pursuant to Planning Code Section 311 was mailed on May 7, 2015 and expired on June 8, 2015. Two neighbor initiated Discretionary Review Applications were filed on June 8, 2015. The concerns of the Discretionary Review Requestor are outlined in the Motion. The applications were subsequently superseded by the Conditional Use Application.

Prior to the February 4, 2016 Planning Commission hearing, the Planning Department encouraged the Project Sponsor to modify the proposal to construct a two-family structure instead of a single-family structure for two reasons. First, to replace the existing dwelling unit proposed for demolition with a unit comparable in size, and second, to preserve the predominant density in the neighborhood (one unit per 25 foot wide lot) on a 50 foot wide lot that can support the density of two units.

CURRENT PROPOSAL

The proposal submitted to the Planning Commission in the January 28, 2016 packets was for construction of a new two-family dwelling with one 6,107 square foot three-bedroom unit and one 680 square foot studio unit. The proposal has since been modified to create two more equally sized units. The current proposal is for construction of a new two-family dwelling with one 1,546 square foot two-bedroom unit and one 5,543 square foot three-bedroom unit. No changes to the exterior of the building are being proposed.

Planning Staff has received one additional letter of opposition since the January 28, 2016 Planning Commission packets were distributed.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization under Planning Code Section(s) 207, 209.1, 303 and 317 to demolish a single-family structure and construct a new two-family structure on a 5,700 square foot lot in an RH-1 (Residential - House, One-Family) Zoning District and a 40-X Height and Bulk District.

BASIS FOR RECOMMENDATION

The Department recommends that the demolition of the existing single-family dwelling and construction of a new two-family dwelling be approved as proposed. The Project is consistent with the Objectives and Policies of the General Plan and complies with the Residential Design Guidelines and Planning Code. The Project meets the criteria set forth in Section 101.1 of the Planning Code in that:

- The Project will create a family-sized dwelling unit with three bedrooms plus an additional studio unit.
- No tenants will be displaced as a result of this Project. The building is currently vacant.
- Given the scale of the Project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- With the addition of two units on a 50 foot wide lot, the Proposed Project maintains the existing density of the surrounding neighborhood. The Project is therefore an appropriate in-fill development.
- The existing building is not an historical resource or landmark.
- The Project will create a new a two-family dwelling to replace an existing single-family dwelling that is compatible with the surrounding development pattern and neighborhood character.
- The Residential Design Team supports the project as proposed with the suggested changes to the glazing, solid to void ratios, façade materials, and railing heights on the front façade.

RECOMMENDATION:	**Approve with Conditions**

Attachments:
Updated Draft Motion
One additional letter of opposition dated 02/01/16
Revised Plans received 04/18/16
Updated Renderings received 04/18/16
Planning Commission Packet dated 01/28/16

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Affordable Housing (Sec. 415)
☐ Jobs Housing Linkage Program (Sec. 413)
☐ Downtown Park Fee (Sec. 412)
☐ First Source Hiring (Admin. Code)
☐ Child Care Requirement (Sec. 414)
☐ Other

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Planning Commission Draft Motion

HEARING DATE: MARCH 31, 2016

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 207, 209.1, 303, AND 317 OF THE PLANNING CODE TO DEMOLISH A SINGLE-FAMILY STRUCTURE AND CONSTRUCT A NEW TWO-FAMILY STRUCTURE ON A 5,700 SQUARE FOOT LOT WITHIN AN RH-1 (RESIDENTIAL - HOUSE, ONE-FAMILY) ZONING DISTRICT, A 40-X HEIGHT AND BULK DISTRICT, AND THE DOLORES HEIGHTS SPECIAL USE DISTRICT.

PREAMBLE

On December 9, 2015 Tuija Catalano (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 207, 209.1, 303 and 317 to demolish a single-family structure and construct a new two-family structure on a 5,700 square foot lot in an RH-1 (Residential - House, One-Family) Zoning District, a 40-X Height and Bulk District, and the Dolores Heights Special Use District.

On March 31, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1213CUA.

On January 21, 2016 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.1213CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The project is located on the southern side of Cumberland Street, between Noe and Sanchez Streets, Block 3601, Lots 043-044. The property is located within a RH-1 (Residential – House, One-Family) Zoning District and a 40-X Height and Bulk District. The property consists of two lots measuring 25 feet by 114 feet. Lot 043 is developed with a two-story single-family residence and lot 044 is vacant.

3. **Surrounding Properties and Neighborhood.** The Project site is located within an RH-1 (Single-Family Residential) District situated in the Castro/Upper Market Neighborhood. Land uses in the immediate vicinity of the site are typical of an RH-1 District with primarily residential uses. Most of the buildings in the vicinity range from one to three stories over garage. Ground level open space and landscaping at the front and rear are usually abundant. The Project site is located within a cluster of RH-1 (Residential – House, One-Family) zoned lots approximately 5 blocks long by 2 blocks wide surrounded by blocks zoned RH-2 (Residential House, Two-Family) Districts, RH-3, and RM-1. Lots in the area have widths ranging from 25 to 75 feet, although the majority are 25 feet wide. The lot immediately across the street and the lot immediately behind the subject property are 50 feet wide, however, the adjacent lot on Cumberland Street is 25 feet wide.

4. **Project Description.** The Proposed Project is to merge lots 043 and 044, demolish the existing dwelling on lot 043, and construct a new three-story over garage, two-family dwelling. Lot 044 is currently vacant. A small portion of the building would extend 12' towards the rear below grade level. The proposal requires a Conditional Use Authorization for the construction dwelling units at a density of one unit per 3,000 square feet of lot area. The proposed combined lots result in an area of 5,700 square feet.

5. **Project History.** The Proposed Project was initially filed with the Planning Department as the merger of lots 043 and 044 into one 5,700 square foot lot, the demolition of the existing single-family dwelling on lot 043, and construction of a new three-story over garage, single-family dwelling. The dwelling unit demolition was reviewed and approved administratively on February 3, 2015 because the structure has a value greater than 80% of the combined land and structure values of single-family homes in San Francisco. Neighborhood notification for the new construction pursuant to Planning Code Section 311 was mailed on May 7, 2015 and expired on June 8, 2015. The proposal has since been modified to propose the construction of a two-family structure to replace the existing dwelling unit with a comparable unit and preserve the predominant density in the neighborhood of one unit per 25 foot wide lot.

6. **Discretionary Review Applications.** Two neighbor initiated Discretionary Review Applications were filed on June 8, 2015. The concerns of the Discretionary Review Requestor are outlined in the Motion. The DR Applications are attached to this packet. The applications were subsequently superseded by this Conditional Use Application. The Discretionary Review Applications were withdrawn and the fees refunded to the applicants.

7. **Residential Design Team Review.** The RDT reviewed the DR requestor's concerns related to building scale and massing, neighborhood compatibility, rooflines, and front setback of the new structure. The RDT requested several revisions in order for the proposed new construction to be compatible with the Residential Design Guidelines. The Project Sponsor modified the project to comply with the following comments:
    - In order to improve upon the vertical proportions of the building, and reinforce a more neighborhood-compatible scale and proportion:
        - On first floor, remove the interior storage area located at the NW corner of the building. (RDG, pg. 28-29)
        - Remove the wall to the east of the front entry, or limit it to a minimum railing height. (RDG, pg. 12-13, 28-29)
        - Limit the amount of glazing on the front façade; RDT recommends eliminating the panels of glass along the west side of the façade at the first and second floors, replacing them with a solid material. This will help to reduce the apparent width of the façade, minimize the overall glazing, and improve the solid-to-void ratio to be consistent with the neighborhood pattern. (RDG, pg. 28-29, 43-45)
        - Please provide additional information about the specific material choices for the metal finishes and colors. (RDG, pg. 46-48)

8. **Public Comment**. The Department has received 15 letters of support of the project, including letters from property owners of all immediately adjacent lots on Cumberland Street and Sanchez Street. The Department has received 2 neighbor Discretionary Review Applications, and 20 letters in opposition to the proposed project, including a letter from the Dolores Heights Improvement Club. The Department has also received petitions both in support and in opposition of the proposed project.

9. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Front Setback**. Planning Code Section 132 requires front setbacks so that buildings relate to the setbacks provided by adjacent buildings.

The proposed building is setback 7 feet 10 inches from the front property line, which is the average front setback between the two adjacent buildings.

B. **Rear Yard.** Planning Code Section 134 establishes rear yard requirements for all districts. In the RH-1 District, a minimum 25 percent rear yard is required. Planning Code Section 241 states that properties within the Dolores Heights Special Use District must maintain a minimum rear yard of 45 percent of lot depth. The subject lot is required to maintain a 51 foot rear yard.

The subject building provides a rear yard setback that is 45 percent of lot depth of approximately 51 feet 3 inches.

C. **Open Space.** Section 135 requires 300 square feet of private open space for each dwelling unit or 399 square feet of common open space for each dwelling unit.

The proposed rear yard provides approximately 2,550 square feet of open space and is directly accessible by both units and approximately 950 square feet of private open space that is accessible to one unit.

D. **Exposure.** Section 140 requires that every dwelling unit have windows in at least one 120-square-foot-minimum-size room face directly onto an open area, such as a public street, public alley, an open area measuring 25 feet wide by 25 feet deep, or rear yard meeting the requirements of the Code.

Both dwelling units would face onto Cumberland Street.

E. **Street Trees.** Section 143 requires street trees be planted in certain districts, including the RH-1 District. One street tree is required for each 20 feet of lot frontage and for each remaining segment of 10 feet.

Three street trees are required for the new 50 foot wide lot.

F. **Parking**. Planning Code Section 151 establishes off-street parking requirements for all uses. One parking space per dwelling unit is required.

The project proposes two off-street parking spaces in a garage.

G. **Height.** Section 260 establishes height limits in all districts, with height being measured to the highest point on the finished roof in the case of a flat roof and at the mid-point of the roof

pitch in the case of a pitched roof. The Project site is within the 40-X Height and Bulk District, which allows buildings up 40 feet in height. For upsloping lots, the maximum height should be measured from curb level within the first 10 feet of the lot from the front property line; and at every other point should be taken from the average existing grade. Planning Code Section 241 states that properties within the Dolores Heights Special Use District cannot exceed 35 feet above grade.

For upsloping lots, the height is measured from curb level within the first 10 feet. At all other points on the lot, the height is measured at a cross-section from the average existing grade. The height of the proposed building is approximately 32 feet 10 inches within the first 10 feet of the lot as measured from curb level, and does not exceed 34 feet 9 inches on all other points on the lot as measured from average existing grade.

10. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project will result in two dwelling units on a 5,700 square foot (50 feet by 114 feet) which is compatible with the density in this neighborhood. Although the subject block and immediate vicinity predominantly consists of 25 foot wide lots, there are several other lots that are similarly sized to the subject property, including one immediately across the subject property on Cumberland (Block 3601, Lot 45), another immediately behind the subject property (fronting 20th Street) (Block 3601, Lot 15) and one adjacent thereto (Block 3601, Lot 16) and another just few properties from the subject property on Cumberland (Block 3601, Lot 50). The project will be compatible with the surrounding neighborhood density by proposing two units on a double-wide lot.

The existing project site consists of a vacant lot (at 313 Cumberland), which is proposed to be merged with the adjacent lot that is currently improved with an approximately 877 square foot one-story over basement building (at 323 Cumberland). By including two units in the proposed project, the project is desirable by avoiding any potential loss or elimination of dwelling units or potential sites for dwelling units. The project will construct two new dwelling units, including one family-sized unit, and replace a vacant and debilitated single-family residence. The new residential units, and in particular the unit suitable for a family, is in dire need in San Francisco, which currently has an unmet need for housing and a decreasing number of families.

The Project is further necessary and desirable because it will create a high-quality residential building with two units within an established residential neighborhood, complying with existing zoning control standards, and General Plan policies that encourage quality housing.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project

that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project has been designed to be compatible with its surroundings, and the project sponsors have worked closely with the neighbors to ensure compatibility and neighborhood support. The project includes a significant front setback, with an additional setback at the top floor. The replacement structure's proposed approximate height of approximately 32 feet 10 inches within the first 10 feet of the lot as measured from curb level, and approximately 34 feet 9 inches on all other points on the lot as measured from average existing grade is below the maximum height permitted in the 40-X Height and Bulk District, and is appropriate for the site location and size. The proposed size, shape, and arrangement of the project will also match that of neighboring structures and the project overall will aesthetically enhance the neighborhood.

By demolishing the existing structure and constructing a new replacement structure, the project will increase the structural and seismic safety.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code requires two off-street parking spaces for a proposed two-unit project. The project is compliant with the off-street parking requirements by proposing a two-car garage. The project will also result in the elimination of one existing curb cut along Cumberland Street, thus contributing to the increase of street parking.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project consists of a high-quality single-family residence, and is not expected to generate any noxious or offensive emissions, noise, glare, dust or odors.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed project is intended to result in a high-quality residential building providing an attractive, safe and comfortable environment. The Project included a number of landscaping and other design features to ensure that the project massing, size and overall design is desirable and compatible with the context.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is not located within a Neighborhood Commercial District.

11. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish Residential Buildings. On balance, the Project does comply with said criteria in that:

i. Whether the value of the existing land and structure of the single-family dwelling affordable or financially accessible housing (below the 80% average price of single-family homes in San Francisco, as determined by a credible appraisal within six months).

Project meets criterion.
The Project Sponsor has prepared an appraisal report, dated December 14, 2015, that valued the home at $1,680,000, which is above the 80% average price of single-family homes (currently set at $1,630,000).

ii. Whether the Project Sponsor has demonstrated that the residential structure is unsound, where *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 to the replacement cost, expressed as a percent. A building is unsound if its soundness factor exceeds 50-percent. A residential building that is unsound may be approved for demolition.

Project does not meet criterion.
The Project Sponsor has not submitted a soundness report.

iii. Whether the property is free of a history of serious, continuing code violations;

Project meets criterion.
A review of the Department of Building Inspection and the Planning Department databases showed no enforcement cases or notices of violation for the subject property.

iv. Whether the housing has been maintained in a decent, safe, and sanitary condition;

Project meets criterion.
The structures appear to be in decent condition, although the property is vacant and is not maintained on a daily basis.

v. Whether the property is an "historic resource" under CEQA;

Project meets criterion.
Although the existing structures are more than 45 years old, a review of the supplemental information resulted in a determination that the structure is not an historical resource.

vi. Whether the removal of the resource will have a substantial adverse impact under CEQA;

Project meets criterion.
Not applicable. The structures are not historical resources.

vii. Whether the Project converts rental housing to other forms of tenure or occupancy;

Project meets criterion.
The Project does not convert rental housing to other forms of tenure or occupancy, as existing building is currently vacant. There are no restrictions on whether the two new units will be rental or ownership.

viii. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

Project meets criterion.
No rent controlled units will be removed.

ix. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

Project meets criterion.
Although the Project proposes demolition of a one-bedroom single-family unit, the number of units is maintained at the project site increases by one. The replacement structure will contain two units – a two-bedroom and a three-bedroom unit.

x. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

Project meets criterion.
The replacement building conserves neighborhood character with appropriate scale, design, and materials, and improves cultural and economic diversity by appropriately increasing the number of bedrooms from one to five, which provides family-sized housing. The project would result in a net gain of one unit by adding a new two-bedroom unit and provides a net gain of four bedrooms to the City's housing stock.

xi. Whether the Project protects the relative affordability of existing housing;

Project does not meet criterion.
The Project does not protect the relative affordability of existing housing, as the project proposes demolition of the existing building and construction of a new building. However, it should be taken into consideration that the existing building is not considered to be affordable or financially accessible housing because it is below the 80% average price of single-family homes in San Francisco. The proposed structure also offers a variety of unit sizes.

xii. Whether the Project increases the number of permanently affordable units as governed by Section 415;

Project meets criterion.
The Project is not subject to the provisions of Planning Code Section 415, as the project proposes less than ten units.

xiii. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

Project meets criterion.
The Project has been designed to be in keeping with the scale and development pattern of the established neighborhood character.

xiv. Whether the Project creates quality, new family housing;

Project meets criterion.
The Project proposes one opportunity for family-sized housing on a lot that previously had none. One three-bedroom unit and one two-bedroom unit is proposed within a two-unit building.

xv. Whether the Project creates new supportive housing;

Project does not meet criterion.
The Project does not create supportive housing.

xvi. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;

The overall scale, design, and materials of the proposed buildings are consistent with the block-face and compliment the neighborhood character with a contemporary design.

xvii. Whether the Project increases the number of on-site dwelling units;

Project meets criterion.
The Project would increase the number of on-site units from one to two.

xviii. Whether the Project increases the number of on-site bedrooms.

Project meets criterion.
The project proposes five bedrooms; four bedrooms more that the existing building.

12. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING

Objectives and Policies

OBJECTIVE 1
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1
Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

The Project site is underused and is near underutilized. The Project site is an ideal infill site that is currently vacant and partially undeveloped. The project site is zoned RH-1. The proposed project will replace a one-bedroom single-family unit with one two-bedroom unit and one three-bedroom within a two-family residence.

OBJECTIVE 2
RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1
Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

The project proposes demolition of one existing single-family structure and construction of a new two-family structure, thus creating new family housing.

OBJECTIVE 4
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1
Develop new housing, and encourage the remodeling of existing housing, for families with children.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2
Ensure implementation of accepted design standards in project approvals.

Policy 11.3
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4
Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.5
Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

Policy 11.6
Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8
Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

As described above, the Project would develop a partially empty site that is zoned for single-family residential development. The Project appropriately locates housing units at a site zoned for residential use and increases the supply of housing in conformity with the allowable density limits of the RH-1 zoning district. The Project provides housing that has a range of unit types for residents with different needs.

The Project's architectural design is compatible with the existing scale and character of the neighborhood given the unique characteristics and scale of the Project site. The proposed building massing is considerably smaller than the maximum allowable under the Planning Code with 40 foot height and 50 foot width limits. The proposed structure is setback from the front to the average of the two adjacent structures and provides several setbacks along the east side property line. The proposed structure height is stepped to provide a transition between the heights of the adjacent structures. The top floor of the proposed structure is setback to visually reduce the massing of the structure.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 4
PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

Policy 4.5
Require private usable outdoor open space in new residential development.

The Project will create approximately 2,550 square feet of common open space area and approximately 950 square feet in a new residential development. The project will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2
Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.4
Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Cumberland Street. The Project would improve the appearance of the neighborhood. At present, the Project site comprises of one improved and one unimproved lot. The height of the proposed building is approximately 32 feet 10 inches within the first 10 feet of the lot as measured from curb level, and does not exceed approximately 34 feet 9 inches on all other points on the lot as measured from average existing grade, which is within the legally permissible height range of 40 feet, and is in conformity will the low-scale horizon of neighboring buildings in the area. The landscaping and ample open space would improve the aesthetic appeal of the neighborhood. The building is setback approximately 8 feet from the front property line and the top floor is setback an additional approximately 20 feet from the front building wall to provide a smaller massing at the pedestrian scale.

OBJECTIVE 28
PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1
Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3
Provide parking facilities which are safe, secure, and convenient.

The Project includes two Class 1 bicycle parking spaces in the garage area.

OBJECTIVE 34
RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1
Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3
Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Policy 34.5
Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

The Planning Code requires two off-street parking spaces for a proposed two-unit project. The project is compliant with the off-street parking requirements by proposing a two-car garage. The project will also result in the elimination of one existing curb cut along Cumberland Street, thus contributing to the increase of street parking.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.7
Recognize the natural boundaries of districts, and promote connections between districts.

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6

Respect the character of older development nearby in the design of new buildings.

The Subject Property is located in the Castro/Upper Market neighborhood. The Property is located on a residential block that is predominantly defined by single-family dwellings constructed between the 1900's and 2000's in a mix of architectural styles, ranging from modern to historic constructed with a variety of building materials. Building heights are generally one to three stories over garage, with most buildings having ground floor garage entrances.

The replacement building is compatible with the established building scale at the street. The proposed height at the street is approximately 32 feet 10 inches. The top floor is setback approximately 28 feet from the front property line. The neighborhood building scale at the street is mixed with taller three-story over garage buildings and shorter single-story buildings. Although the building is larger than its neighbors, it is compatible in scale to the surrounding smaller buildings because of this mixed character. The height and depth of the building are compatible with the existing mid-block open space. The subject lots are located adjacent to lots that front on Sanchez Street; and therefore, the subject lots are near the corner of the mid-block open space. The proposed building has been designed at a depth less than the adjacent building to the east and has incorporated setbacks along the eastern side property line that abuts rear yards. The building's form, façade width, proportions, and roofline are compatible with the mixed neighborhood context. The proposed side setbacks along the eastern side property line give the proposed building a width that is less than the full 50 foot lot width by stepping back 3 feet on the first, 4 feet on the second, and 14 feet on the third. The roof deck is located entirely within the buildable area of the property and does not directly face any adjacent windows. The roofline on the proposed building, which reads as 40 feet wide on the third floor, is compatible with other longer rooflines in the immediate vicinity ranging up to 50 feet wide.

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.5
Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13
Improve pedestrian areas by providing human scale and interest.

The Project will improve the neighborhood environment by providing a high quality residential development. The new building will be compatible in use and design with other buildings in the neighborhood. The Project will result in an improvement to the neighborhood by eliminating the existing empty and un-landscaped lot that exists on the Project site.

13. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

    A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

No neighborhood-serving retail use would be displaced by the Project.

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The replacement building conserves neighborhood character with appropriate scale, design, and materials, and improves cultural and economic diversity by appropriately increasing the number of bedrooms from one to five, which provides family-sized housing. The project would result in a net gain of one unit by adding a new two-bedroom unit and provides a net gain of four bedrooms to the City's housing stock.

C. That the City's supply of affordable housing be preserved and enhanced,

No affordable housing is removed for this Project.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

Due to the nature of the Project there are no anticipated adverse effects upon MUNI service or on neighborhood parking.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

14. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

15. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1213CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 10, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth**.**

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 31, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 31, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a two-family residence located at 313-323 Cumberland Street, Block 3601, Lots 043-044 pursuant to Planning Code Section(s) 207, 209.1, 303, and 317 within a RH-1 Zoning District, a 40-X Height and Bulk District, and the Dolores Heights Special Use District; in general conformance with plans, dated December 10, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1213CUA and subject to conditions of approval reviewed and approved by the Commission on March 31, 2016 under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 31, 2016 under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

Validity. The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Expiration and Renewal. Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Diligent pursuit. Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Extension. All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Conformity with Current Law. No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

Final Materials. The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department

staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Landscaping. Pursuant to Planning Code Section 132, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 50% of the front setback areas shall be surfaced in permeable materials and further, that 20% of the front setback areas shall be landscaped with approved plant species. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Landscaping, Screening of Parking and Vehicular Use Areas. Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

Bicycle Parking. The Project shall provide no fewer than two Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parking Requirement. Pursuant to Planning Code Section 151, the Project shall provide two (2) independently accessible off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Managing Traffic During Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

Community Liaison. Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

From:	Darby Auerbach-Morris
To:	planning@rodneyfong.com; Richards, Dennis (CPC); wordweaver21@aol.com; Johnson, Christine (CPC); mooreurban@aol.com; cwu.planning@gmail.com
Cc:	Jackson, Erika
Subject:	Case#2013-1213CUA
Date:	Monday, February 01, 2016 1:23:43 PM

To President Commission, Rodney Fong and the Commission Committee Case# 2013-1213CUA
February 1, 2016

I am in **opposition** of the proposed project on sites 313-323 Cumberland Street for its large scale size, and I appreciate the opportunity to voice my opposition. I bought my home ten years ago in this marvelous, peaceful neighborhood of Dolores Heights. Whereas I know building will occur, I value thoughtfulness in developing structures, looking at the character on the block and surrounding areas, and to its effect the structure would have to other residents.

A large scale project of this size will effect the community. I live on 20th Street, the main artery to this proposed work site. I am concerned with heavy trucks traveling up the hill with many small children on our block and animals. Other home projects a quarter of the size have taken over a year on my street. This proposed project of 8,300 square feet will undoubtedly take longer. Another example of a home out of scale to the character of the neighborhood is on the corner of Hill and 21st Streets. This project began years ago, and looks like it has a few more years of development.

I know my neighbors on Cumberland Street have concerns as to the large scale and its consequences to their quality of life and character of their block. I request listening to their opposition this Thursday, February 4, and make compromises to the size of the project.

I am in favor of people building in our neighborhood, just not so huge to overtake the neighborhood. I trust you will be thoughtful in the process of setting size limits to this intended project at 313-323 Cumberland.

Thank you for your time and consideration of my letter,

Sincerely,
Darby Auerbach-Morris, Educational Specialist

GENERAL NOTES

1. CONTRACTOR SHALL PROVIDE ALL MATERIALS AND WORKMANSHIP FOR ALL CONSTRUCTION REQUIRED HEREIN AND SHALL BE IN ACCORDANCE WITH THE:

   2013 SAN FRANCISCO BUILDING CODE
   2013 SAN FRANCISCO ELECTRICAL CODE
   2013 SAN FRANCISCO ENERGY CODE
   2013 SAN FRANCISCO HOUSING CODE
   2013 SAN FRANCISCO MECHANICAL CODE
   2013 SAN FRANCISCO PLUMBING CODE
   2013 CALIFORNIA FIRE CODE

   COORDINATE ALL WORK WITH STRUCTURAL DRAWINGS

2. IN THE EVENT THE CONTRACTOR ENCOUNTERS ON THE SITE MATERIAL REASONABLY BELIEVED TO BE ASBESTOS. POLYCHLORINATED BIPHENYL (PCB) OR ANY OTHER HAZARDOUS MATERIAL WHICH HAS NOT BEEN RENDERED HARMLESS OR PREVIOUSLY IDENTIFIED, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE AND THE ARCHITECT IN WRITING.

3. MANUFACTURER'S DESIGNATIONS ARE NOTES TO INDICATE PATTERN, COLOR AND PERFORMANCE.

4. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS IN THE FIELD AND, IN THE EVENT OF DISCREPANCY, REPORTING SUCH DISCREPANCY TO THE ARCHITECT, BEFORE COMMENCING WORK.

5. CONTRACTOR SHALL NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL ALWAYS GOVERN. CONTRACTOR REQUIRING DIMENSIONS NOT NOTED, SHALL CONTACT THE ARCHITECT FOR SUCH INFORMATION PRIOR TO PROCEEDING WITH THE WORK RELATED TO THOSE DIMENSIONS.

6. ALL PLAN DIMENSIONS INDICATED ARE TO COLUMN CENTERLINE, TO FACE OF CONCRETE, TO FINISHED FACE OF GYP. BD., OR TO FACE OF MASONRY U.O.N.

7. CONTRACTOR SHALL PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGERS AND/OR OTHER SUPPORTS FOR ALL FIXTURES, EQUIPMENT CASEWORK, FURNISHINGS AND ALL OTHER ITEMS REQUIRING SAME.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CUTTING AND PATCHING REQUIRED FOR PROPER INSTALLATION OF MATERIAL AND EQUIPMENT.

9. CONTRACTOR SHALL TAKE SUITABLE MEASURES TO PREVENT INTERACTION BETWEEN DISSIMILAR METALS.

10. "ALIGN" AS USED IN THESE DOCUMENTS SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE.

11. "TYPICAL" OR "TYP." MEANS FOR ALL SIMILAR CONDITIONS, U.O.N.

12. DETAILS ARE USUALLY KEYED ONLY ONCE (ON PLANS OR ELEVATIONS WHEN THEY FIRST OCCUR) AND ARE TYPICAL FOR SIMILAR CONDITIONS THROUGHOUT, U.O.N.

13. CONSTRUCTION AREA MUST BE BROOM CLEANED DAILY AND ALL MATERIALS SHALL BE STACKED OR PILED IN AN ORDERLY FASHION OUT OF TRAFFIC PATTERNS.

14. AT COMPLETION OF THE WORK, CONTRACTOR SHALL REMOVE ALL MARKS, STAINS, FINGERPRINTS, DUST, DIRT, SPLATTERED PAINT, AND BLEMISHES RESULTING FROM THE VARIOUS OPERATIONS THROUGHOUT THE PROJECT.

15. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING DAMAGED AREAS THAT OCCUR DURING CONSTRUCTION THAT ARE WITHIN THE SCOPE OF WORK OR OUTSIDE SCOPE OF WORK, THAT ARE CAUSED BY HIM/HER OR SUBCONTRACTORS.

16. WHERE ADJOINING DOORS HAVE DISSIMILAR FLOORING, MAKE CHANGE UNDER CENTERLINE OF DOOR, U.O.N.

17. ALL PIPE, CONDUIT AND DUCT PENETRATIONS THROUGH FLOORS AND FIRE-RATED WALL AND CEILING SHALL BE SEALED WITH FIREPROOFING PLASTER OR FIRESTOPPING TO FULL DEPTH OF SLAB OR THICKNESS OF WALL/CEILING.

18. ENTERING INTO AN AGREEMENT WITH THE OWNER INDICATES THAT THE CONTRACTOR(S) HAS VISITED THE SITE, FAMILIARIZED HIM/HERSELF WITH THE EXISTING CONDITIONS, AND REVIEWED SAME WITH REQUIREMENTS OF THE CONTRACT DOCUMENTS.

19. CONTRACTOR SHALL COORDINATE ALL WORK WITH ALL SUB-CONTRACTORS, INCLUDING THOSE UNDER SEPARATE CONTRACT WITH THE OWNER.

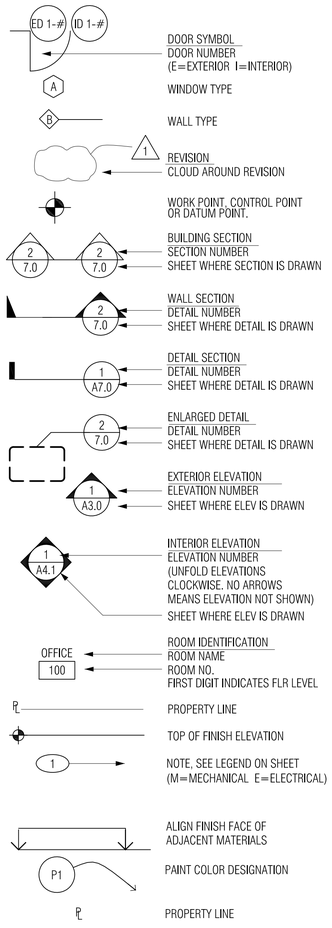
20. CONTRACTOR SHALL SUBMIT CONFIRMATION WITH DELIVERY DATES ON ORDERS OF MATERIALS AND EQUIPMENT OF ANY LONG LEAD TIME ORDER ITEMS.

21. A 6'-8" MINIMUM HEADROOM SHALL BE PROVIDED AT ALL STAIRS.

22. CONTRACTOR SHALL PROTECT ALL EXCAVATION AND CONSTRUCTION FROM RAIN OR WATER DAMAGE.

23. COMMON ABBREVIATIONS:
   (E) = EXISTING, (N) = NEW/ PROPOSED
   (P.A.) = PREVIOUSLY APPROVED
   GWB = GYP. BD. = GYPSUM WALLBOARD,
   MTL = METAL, S.S. = STAINLESS STEEL,
   GSM = GALVANIZED SHEET METAL
   GM = GALVANIZED METAL
   SSD = SEE STRUCTURAL DRAWINGS,
   AFF = ABOVE FINISHED FLOOR,
   BUR = BUILT-UP ROOFING

LEGEND



CODE NOTES

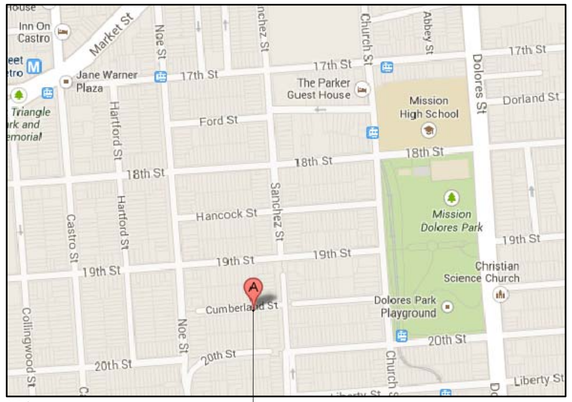
1. PER SFBC 907.2.10.1.2, PROVIDE SMOKE DETECTORS ON EVERY FLOOR AND IN EVERY SLEEPING ROOM AND HALLWAY OUTSIDE OF SLEEPING ROOMS

2. PER SFBC TABLE 602, PROVIDE ONE HOUR RATED STRUCTURE EVERYWHERE WITHIN 5 FEET OF AND PARALLEL TO THE PROPERTY LINE.

3. PER SFBC 406.1.4, PROVIDE GWB ASSEMBLIES BETWEEN PRIVATE GARAGE AND HABITABLE ROOMS (MIN. 1/2" GWB BETWEEN THE DWELLING & ITS ATTIC AREA. GARAGES BENEATH HABITABLE ROOMS SHALL BE SEPERATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN A 5/8" TYPE 'X' GWB OR EQ).

4. PROVIDE MIN. 1 EMERGENCY ESCAPE & RESCUE WINDOW PER SFBC 1026 AT ALL SLEEPING ROOMS.

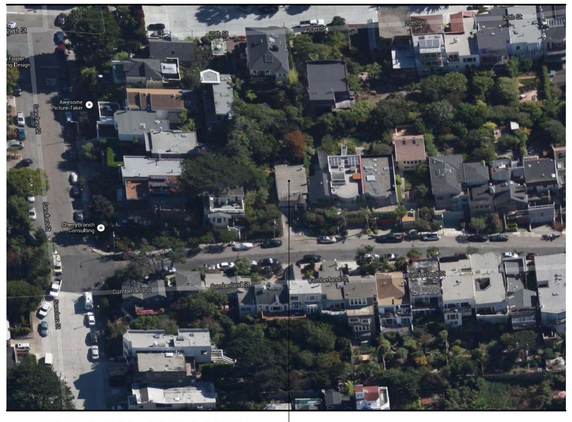
VICINITY MAP



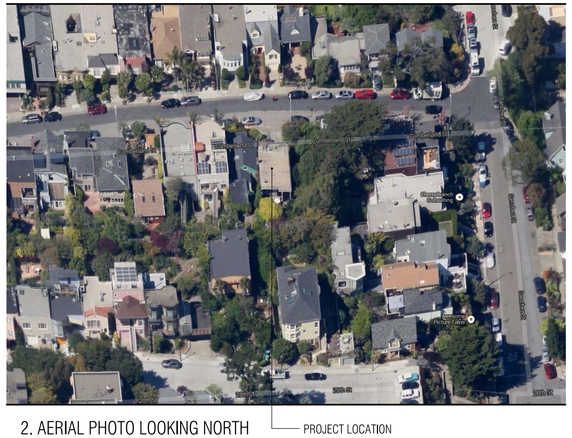
N.T.S.

N

AERIAL PHOTOS



1. AERIAL PHOTO LOOKING SOUTH



2. AERIAL PHOTO LOOKING NORTH

PROJECT DESCRIPTION

DEMOLISH (E) STRUCTURE.

THE PROPOSED PROJECT AT 323 CUMBERLAND STREET CONSISTS OF A 3 STORY (OVER BASEMENT), NEW TWO FAMILY DWELLING.

PROJECT DIRECTORY

OWNER: RSAA LLC
244 JACKSON STREET #3
SAN FRANCISCO, CA 94111

ARCHITECT: JOHN MANISCALCO ARCHITECTURE
JOHN MANISCALCO, A.I.A. - PRINCIPAL
442 GROVE STREET, S.F., CA 94102
T. 415.864.9900 F. 415.864.0830

PROJECT DATA

ADDRESS:	313 & 323 CUMBERLAND STREET SAN FRANCISCO, CA, 94131	BUILDING HEIGHT:	EXISTING	PROPOSED
		T.O. ROOF:	19'-11"	32'-10 1/2"
BLOCK:	3601		O/(E) GRADE	
LOT:	043, 044	NO. OF STORIES:	1 + BASEMENT	3 + BASEMENT
ZONING:	RH-1			
CONSTR. TYPE:	TYPE V-B			
OCCUPANCY:	R-3			
LOT SIZE:	5,700 SF (2,850 + 2,850)			

BUILDING AREA:

(E) BASEMENT LEVEL	0 SF	(+364 SF GARAGE) (+531 SF CRAWL)
(E) FIRST LEVEL	877 SF	
TOTAL (E) AREA:	877 SF	(+364 SF GARAGE) (+531 SF CRAWL)

	UNIT 1	UNIT 2	GARAGE
PROPOSED BASEMENT LEVEL	389 SF	1,546 SF	933 SF
PROPOSED FIRST LEVEL	2,096 SF		
PROPOSED SECOND LEVEL	1,944 SF		
PROPOSED THIRD LEVEL	1,114 SF		
UNIT TOTALS:	5,543 SF	1,546 SF	933 SF

CONDITIONED TOTAL: 7,089 SF

INDEX OF DRAWINGS

323 CUMBERLAND

323 CUMBERLAND STREET, SAN FRANCISCO, CA. 94114

20140627981 3

JOHN MANISCALCO
ARCHITECTURE

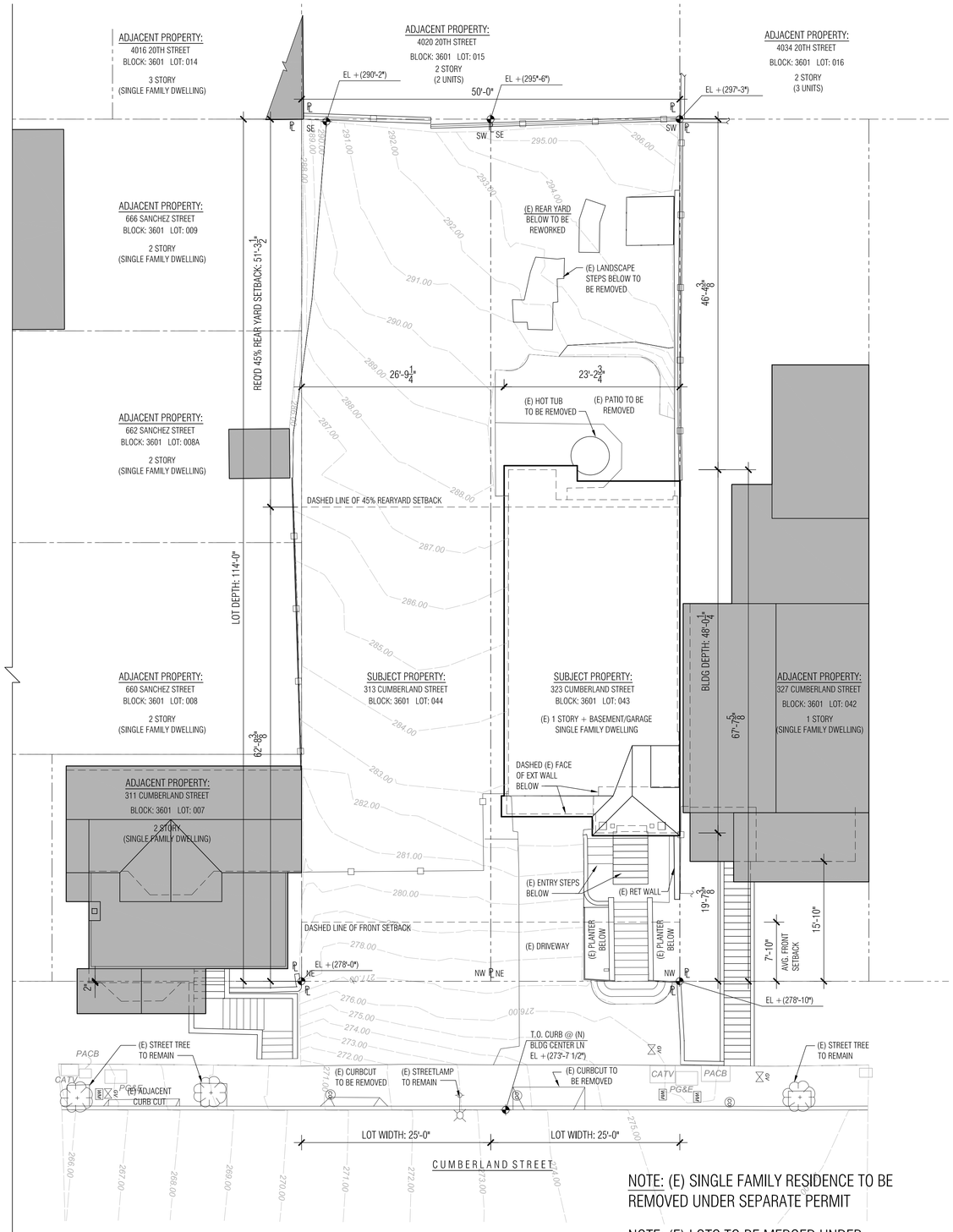
442 GROVE STREET
SAN FRANCISCO, CA 94102
t 415.864.9900
f 415.864.0830

LICENSED ARCHITECT
JOHN P. MANISCALCO
C-25148
Exp. 6-30-2017
STATE OF CALIFORNIA

1.	EE APPLICATION	
2.	SITE PERMIT -DCP 311	08.14.13
3.	SITE PERMIT -DCP 311 REVISION 1	06.18.14
4.	SITE PERMIT -DCP 311 REVISION 2	03.10.15
5.	SITE PERMIT -DCP 311 REVISION 3	10.22.15
6.	CONDITIONAL USE PERMIT	12.10.15
7.	CONDITIONAL USE PERMIT REVISION 1	03.18.16

DRAWING INDEX, PROJECT DATA, GENERAL NOTES, AERIAL PHOTOS

A0.1



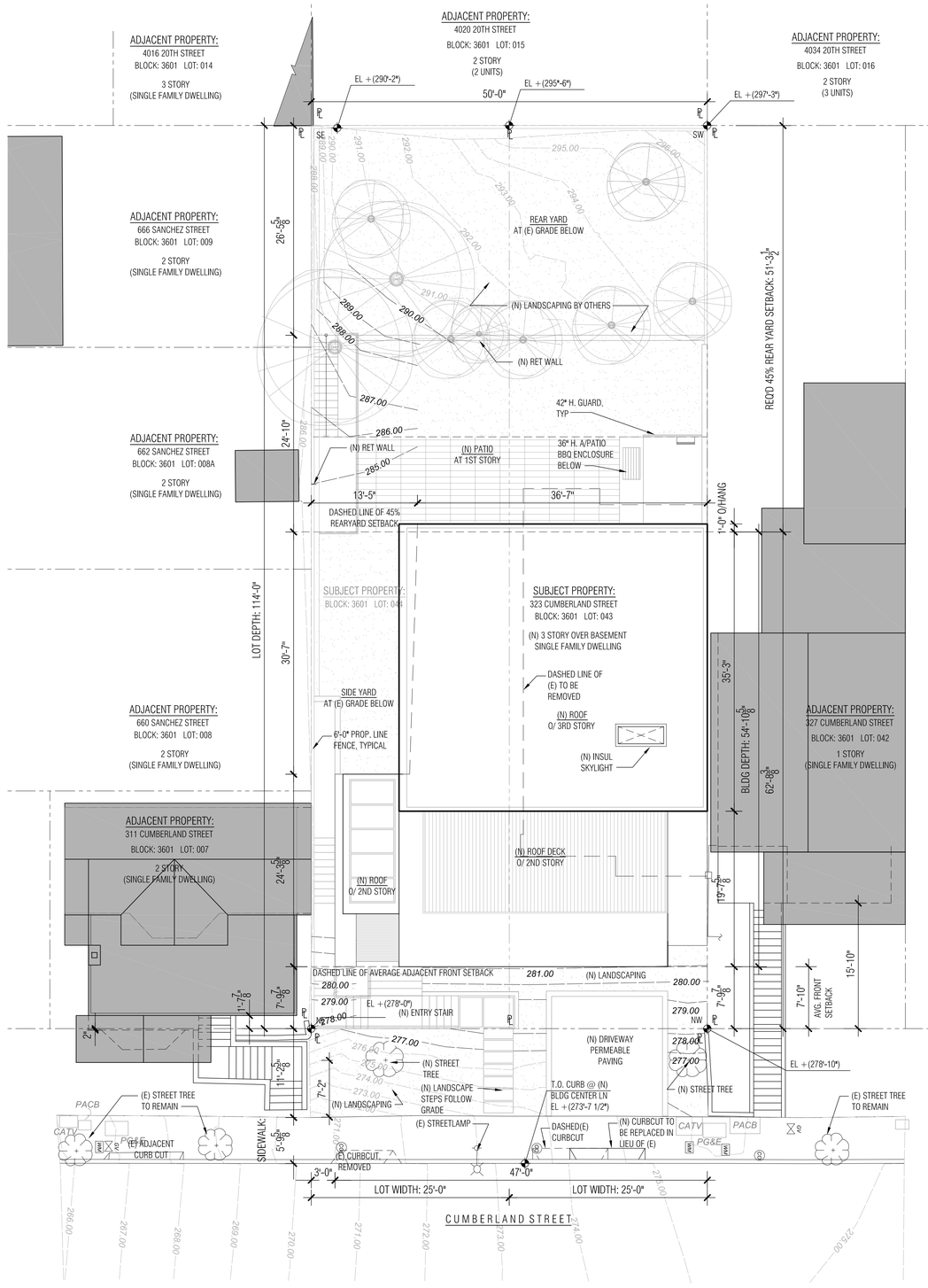
NOTE: (E) SINGLE FAMILY RESIDENCE TO BE REMOVED UNDER SEPARATE PERMIT

NOTE: (E) LOTS TO BE MERGED UNDER SEPARATE APPLICATION

1 EXISTING PLOT PLAN

1/8"=1'-0"

SCALE: 1/8" = 1'-0"



2 PROPOSED PLOT PLAN

1/8"=1'-0"

SCALE: 1/8" = 1'-0"

323 CUMBERLAND

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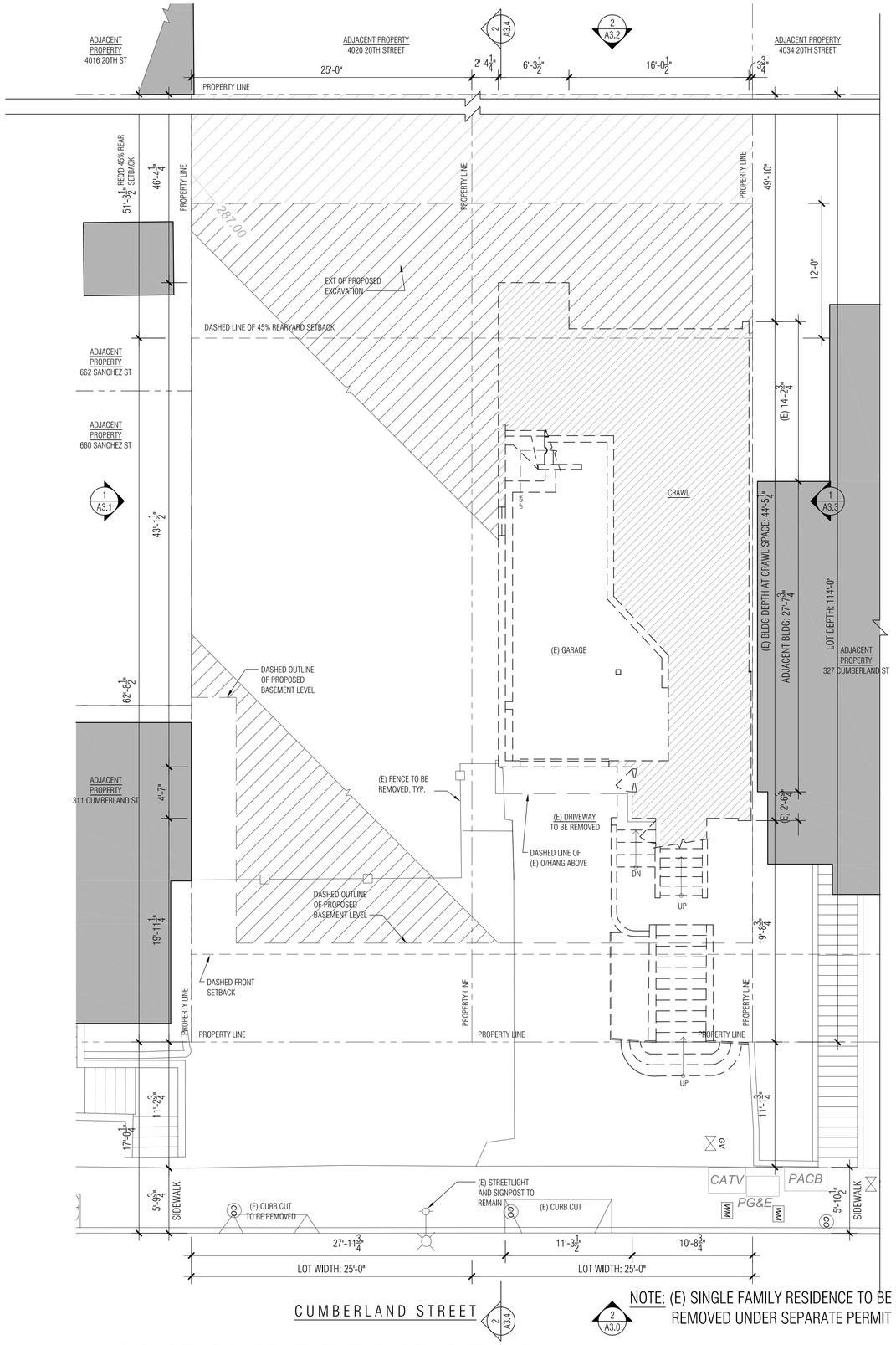
5.	SITE PERMIT -DCP 311 REVISION 3	10.22.15
6.	CONDITIONAL USE PERMIT	12.10.15
7.	CONDITIONAL USE PERMIT REVISION 1	03.18.16

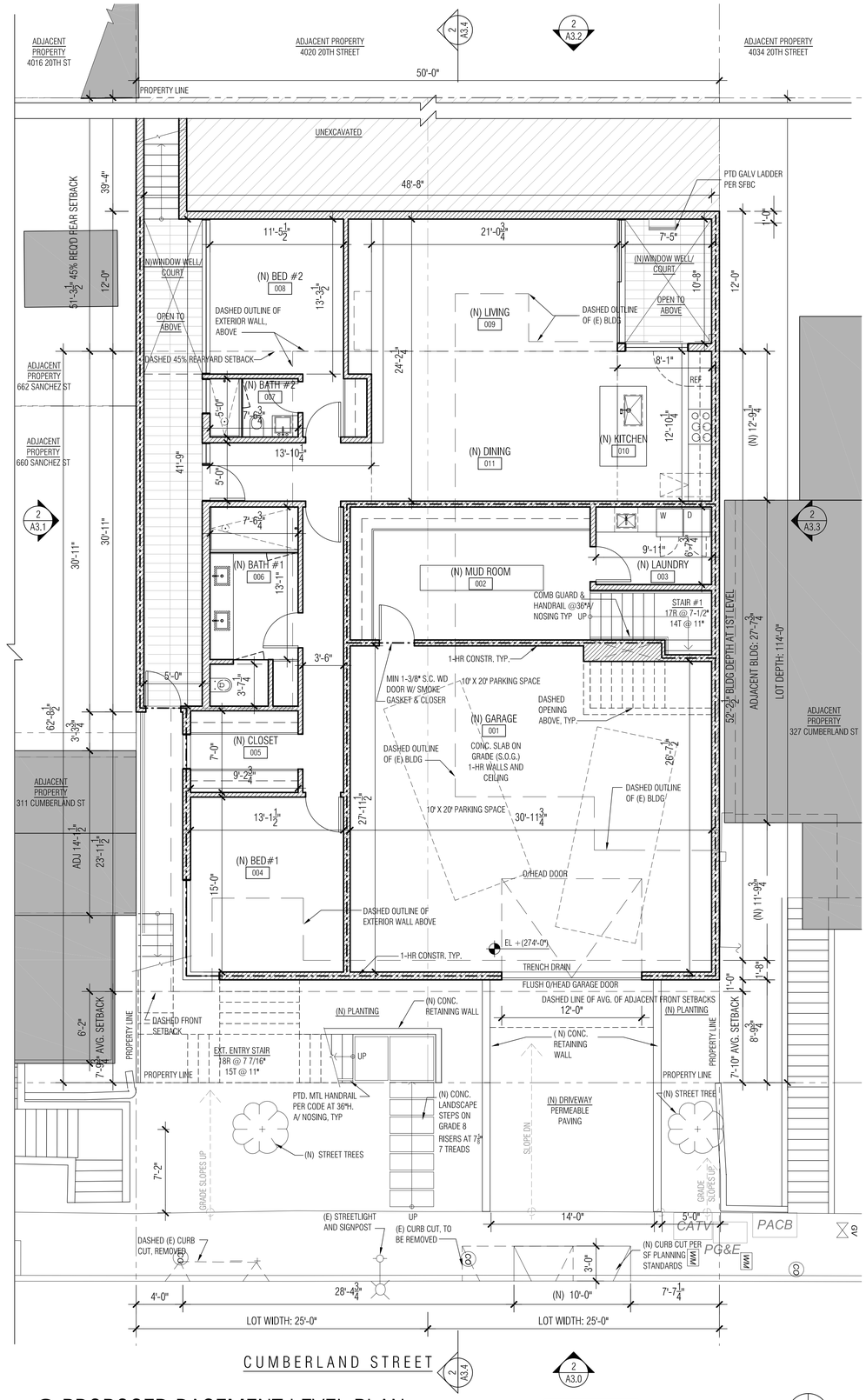
EXISTING &
PROPOSED
PLOT PLANS

A1.0



1 EXISTING BASEMENT LEVEL DEMOLITION PLAN

3/16"=1'-0"



2 PROPOSED BASEMENT LEVEL PLAN

3/16"=1'-0"

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LICENSED ARCHITECT
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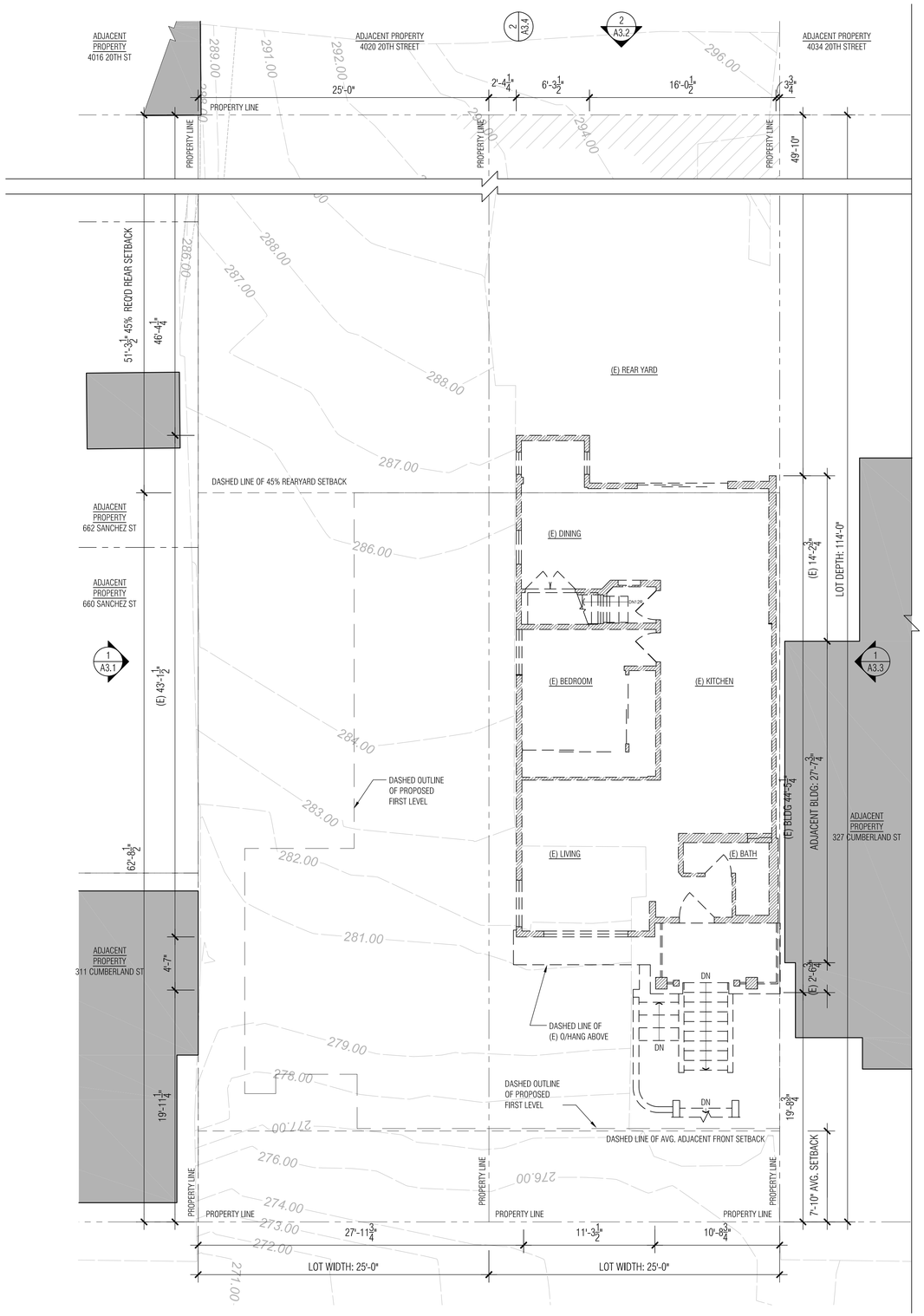
EXISTING & PROPOSED BASEMENT LEVEL FLOOR PLANS

A2.0



CUMBERLAND STREET

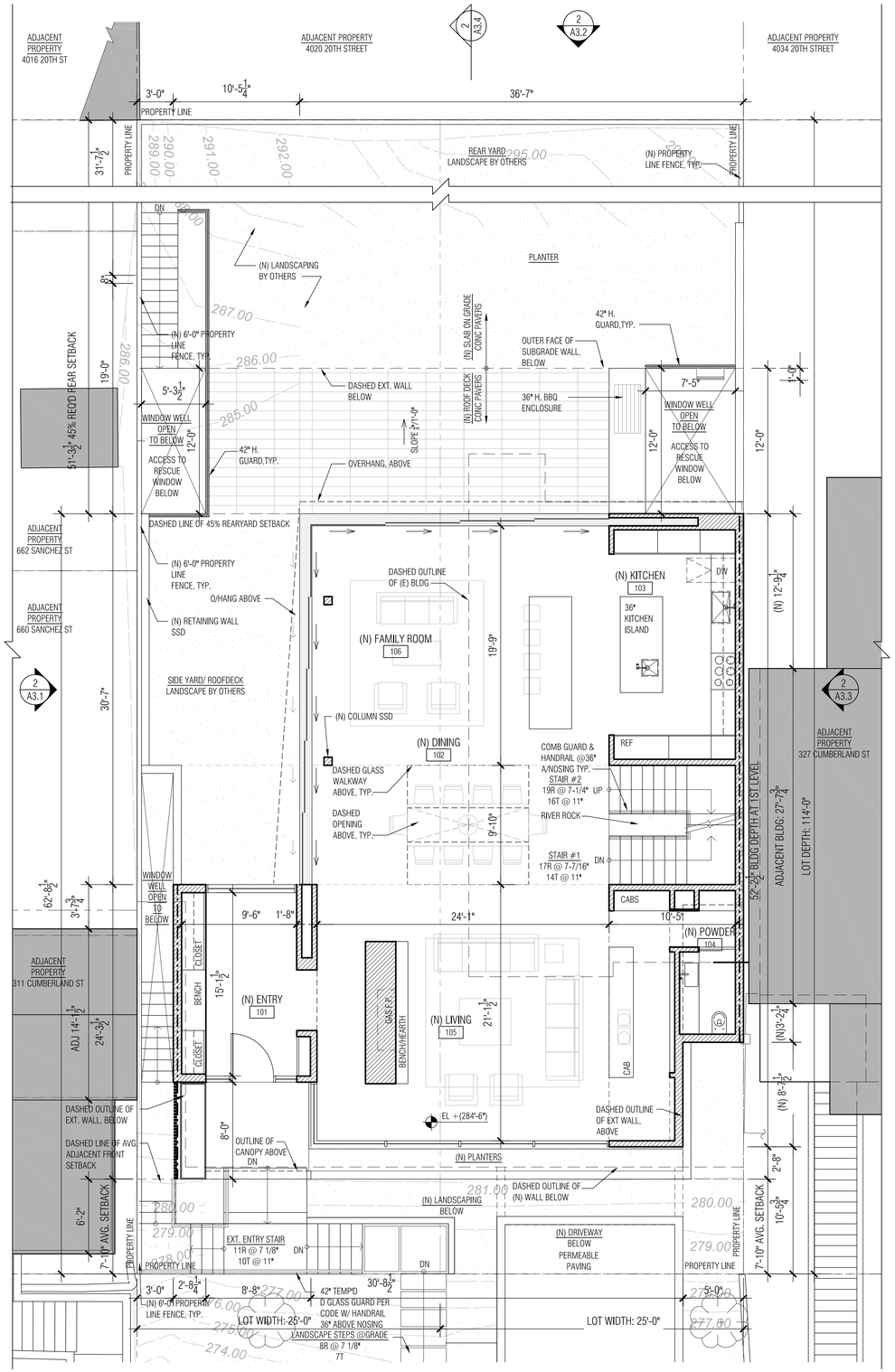
NOTE: (E) SINGLE FAMILY RESIDENCE TO BE REMOVED UNDER SEPARATE PERMIT

EXISTING WALL

TO BE DEMOLISHED

1 EXISTING FIRST FLOOR DEMOLITION PLAN

3/16"=1'-0"



CUMBERLAND STREET

2 PROPOSED FIRST FLOOR PLAN

3/16"=1'-0"

EXISTING WALL

NEW WALL

1-HOUR WALL (N) UPGRADE (E)

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

N

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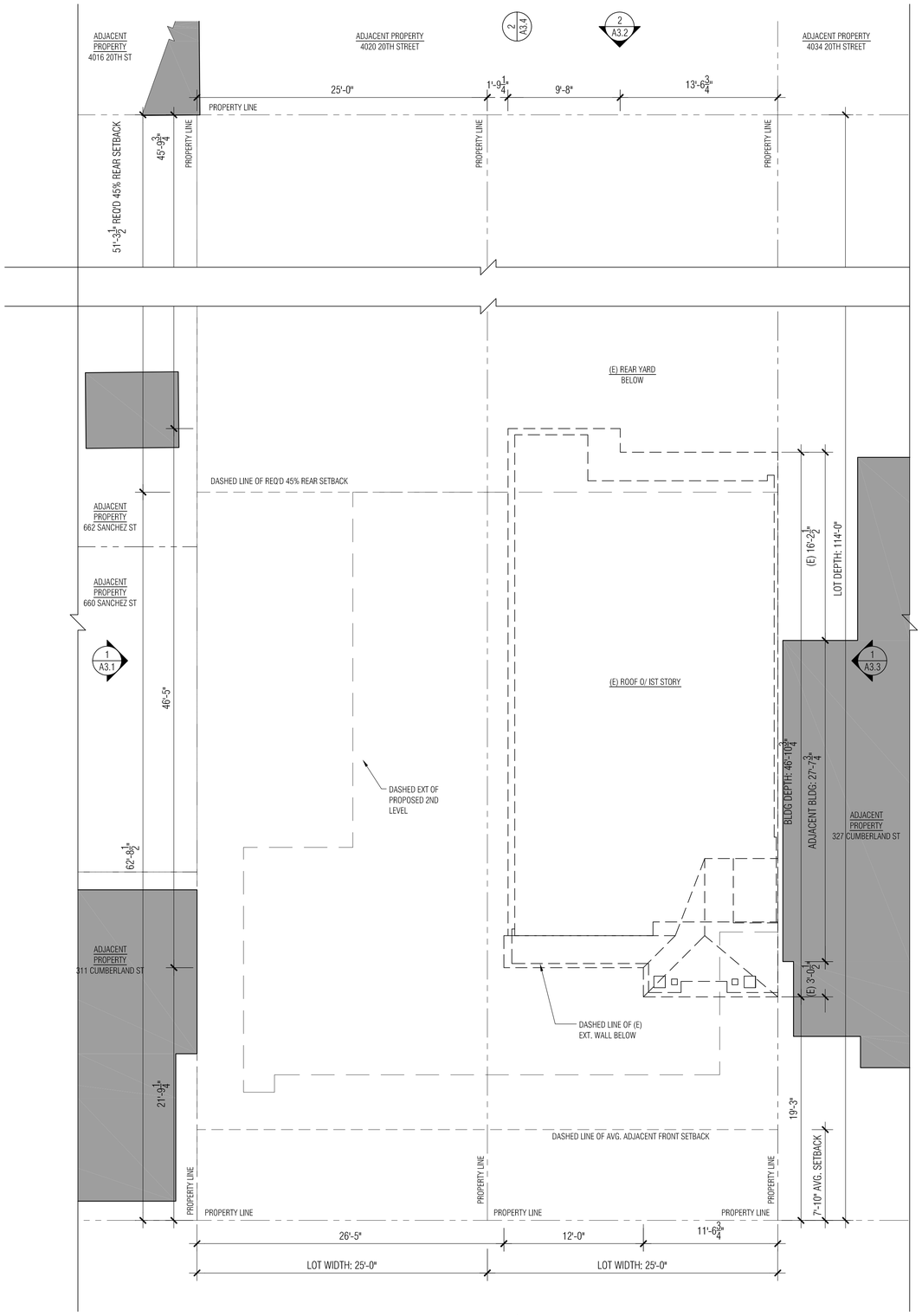
EXISTING & PROPOSED FIRST FLOOR PLANS

A2.1



CUMBERLAND STREET 2 A3.4 | 2 A3.0

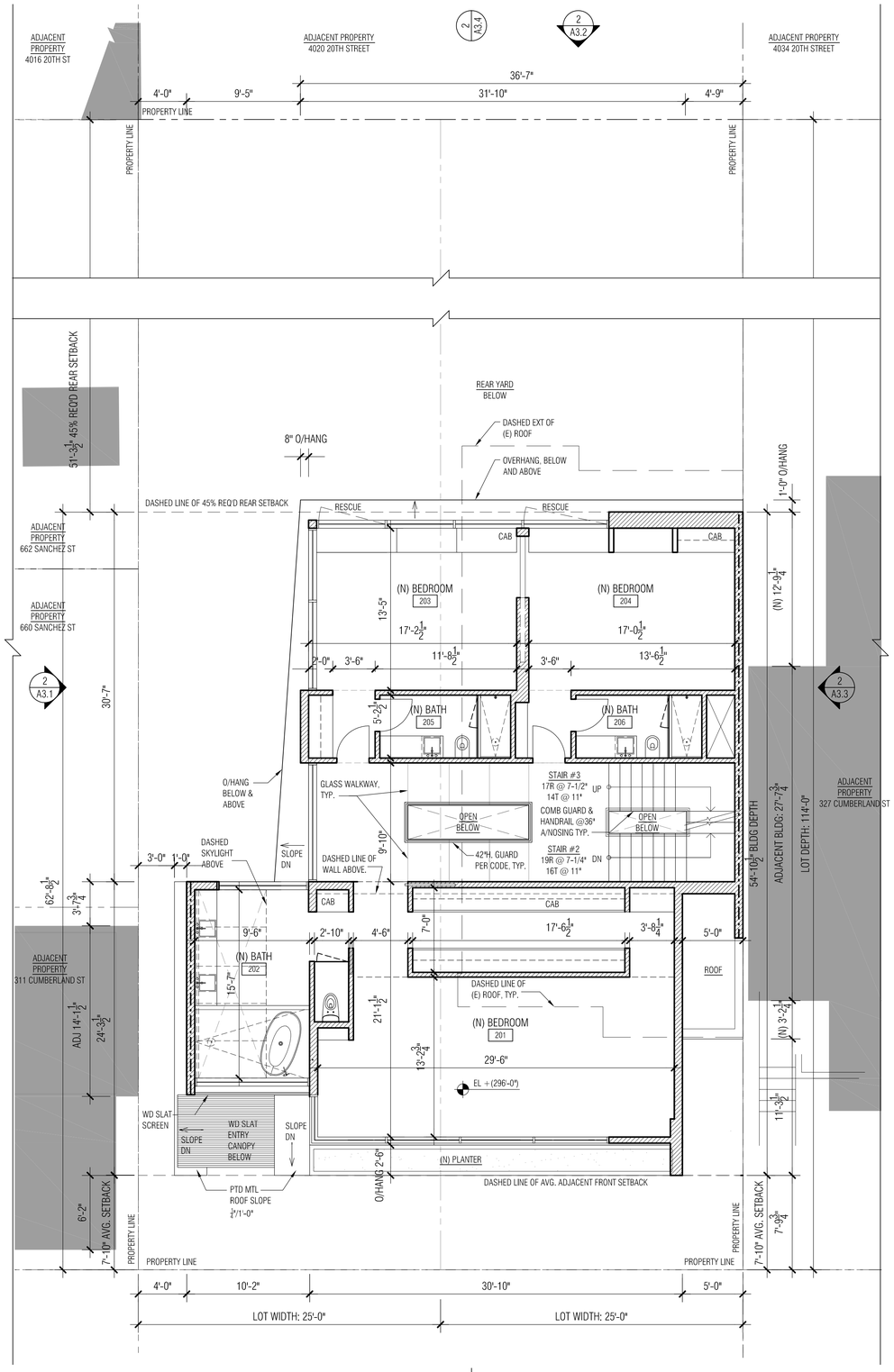
NOTE: (E) SINGLE FAMILY RESIDENCE TO BE REMOVED UNDER SEPARATE PERMIT

EXISTING WALL

TO BE DEMOLISHED

1 EXISTING ROOF DEMOLITION PLAN

3/16"=1'-0"



CUMBERLAND STREET 2 A3.4 | 2 A3.0

EXISTING WALL

NEW WALL

1-HOUR WALL

(N) UPGRADE (E)

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

N

2 PROPOSED SECOND FLOOR PLAN

3/16"=1'-0"

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EXISTING & PROPOSED SECOND FLOOR PLANS

A2.2

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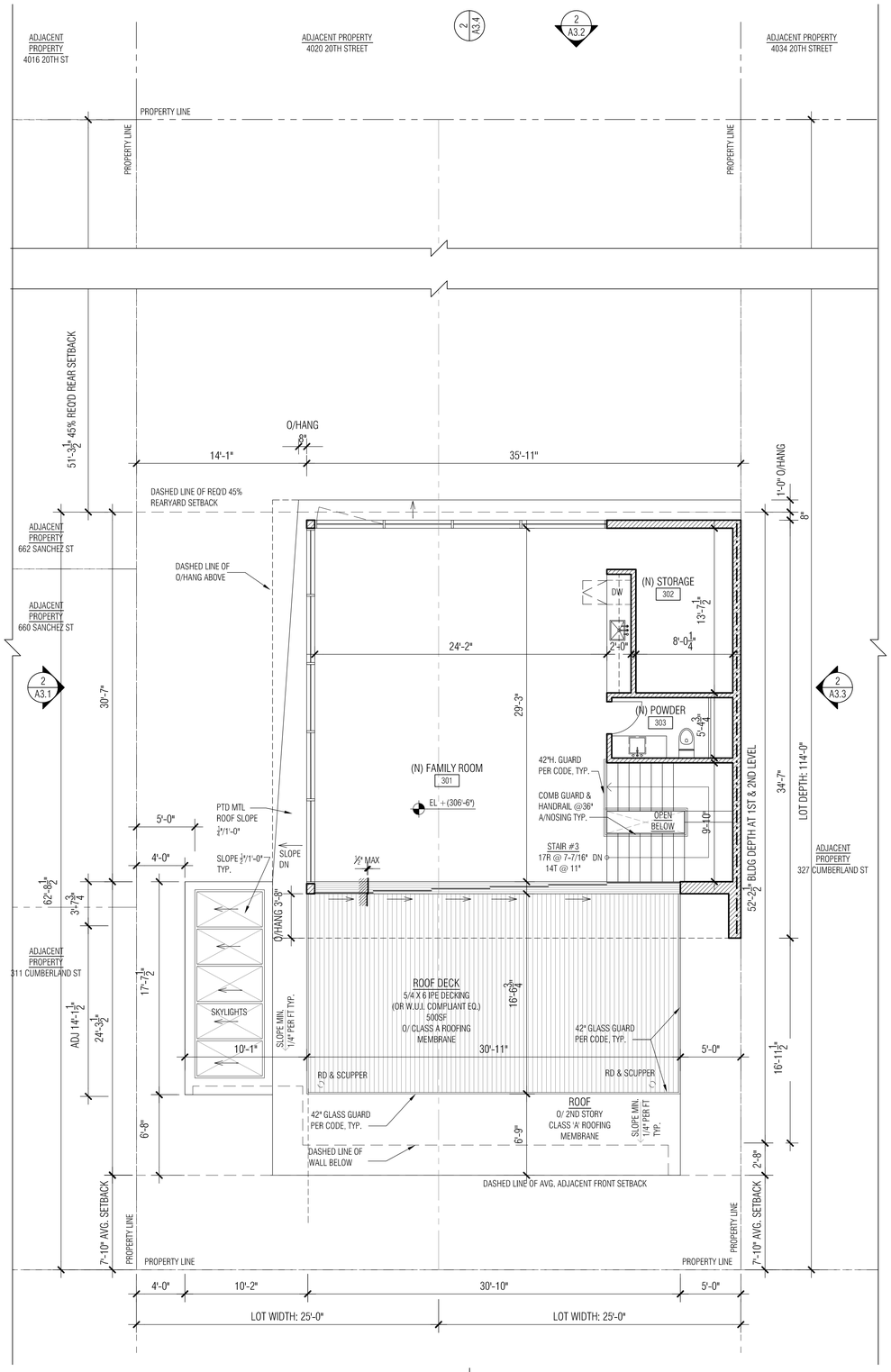

CUMBERLAND STREET

EXISTING WALL
NEW WALL
1-HOUR WALL
(N) UPGRADE (E)

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

N

1 N/A
3/16"=1'-0"

2 PROPOSED THIRD FLOOR PLAN
3/16"=1'-0"

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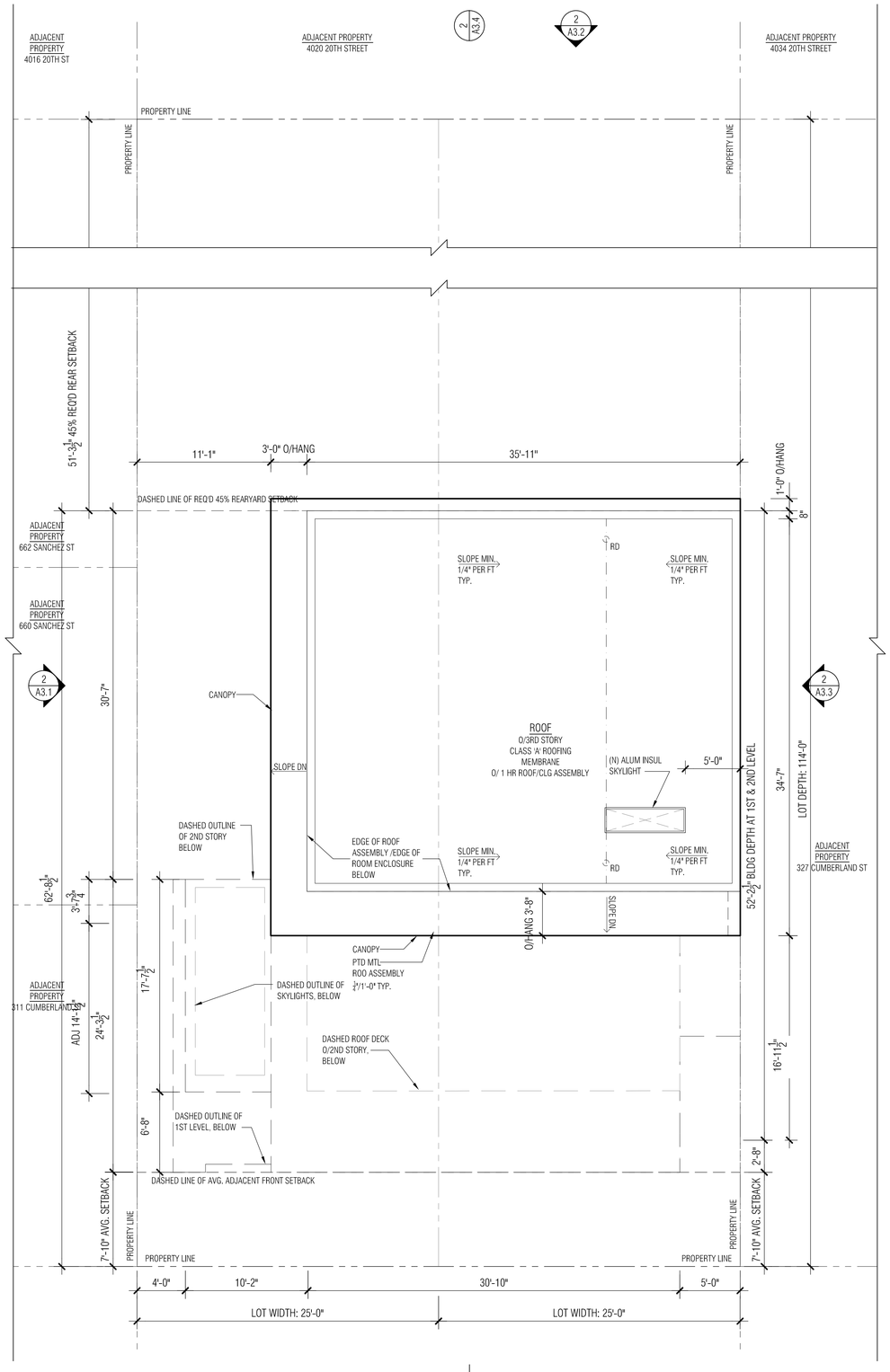
PROPOSED THIRD FLOOR PLAN

A2.3



CUMBERLAND STREET

2 A3.4

2 A3.0

EXISTING WALL
NEW WALL
1-HOUR WALL
(N) UPGRADE (E)

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

N

1 N/A
3/16"=1'-0"

2 PROPOSED ROOF PLAN
3/16"=1'-0"

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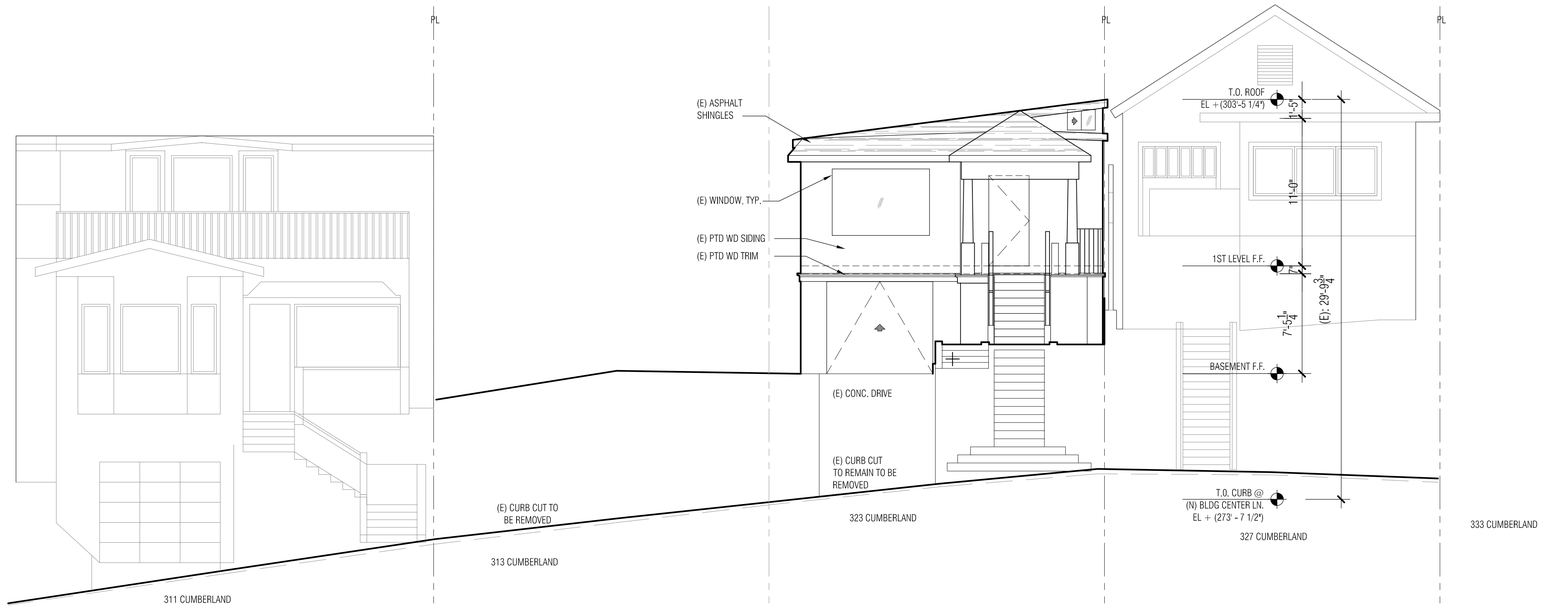
PROPOSED
ROOF PLAN

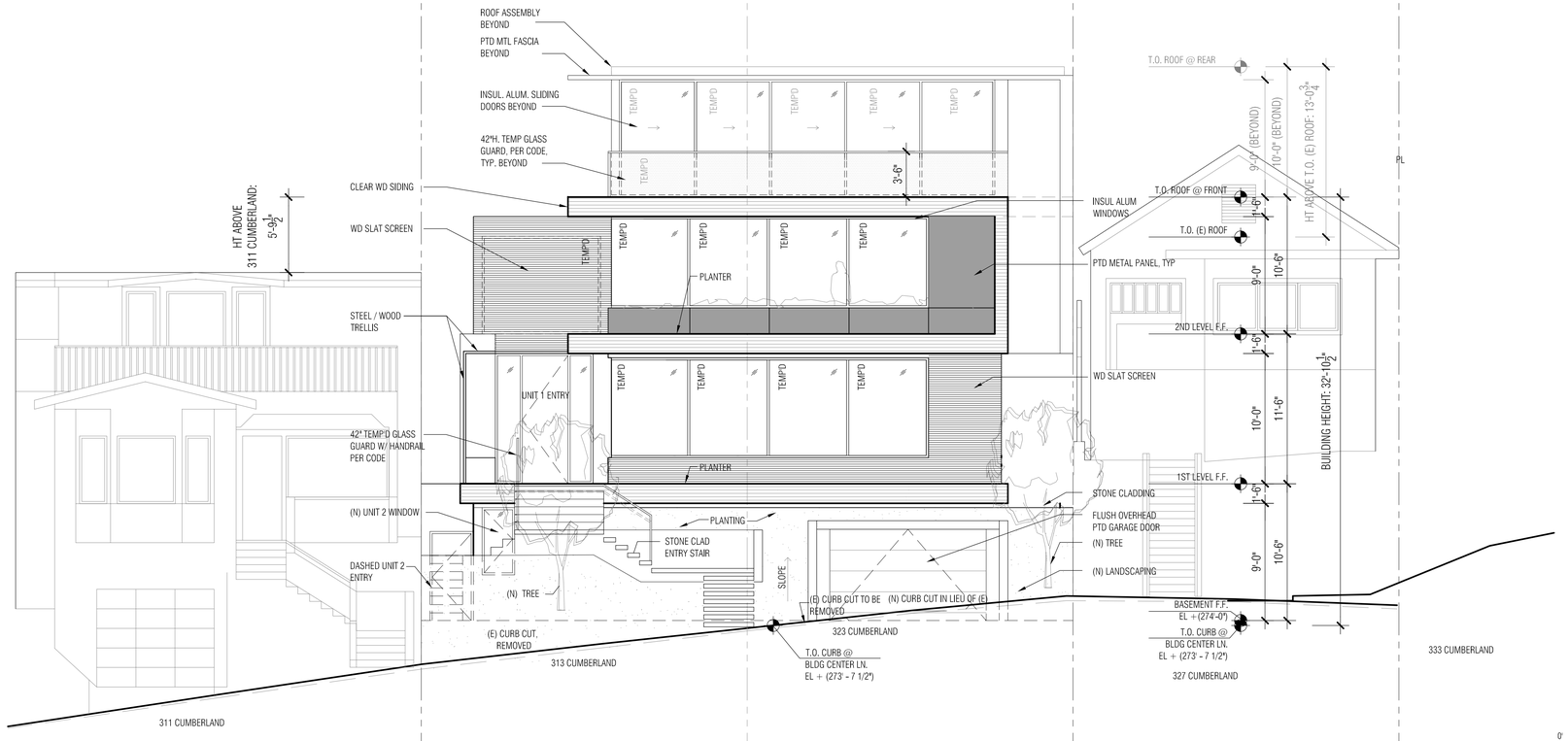
A2.4



1 EXISTING NORTH (FRONT) ELEVATION

3/16"=1'-0"

NOTE: REMOVAL OF (E) SINGLE FAMILY HOUSE & REAR RET. WALLS UNDER SEPARATE PERMIT



2 PROPOSED NORTH (FRONT) ELEVATION

3/16"=1'-0"

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

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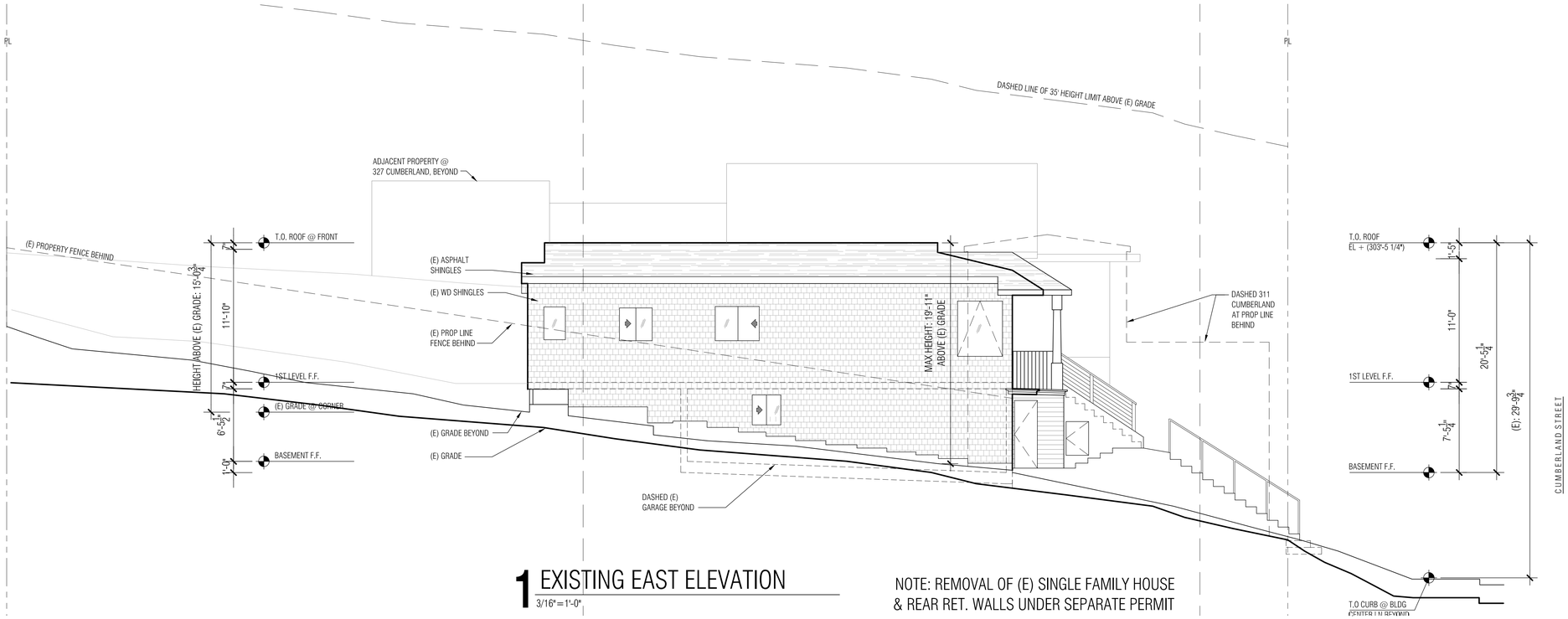
EXISTING & PROPOSED NORTH (FRONT) ELEVATIONS

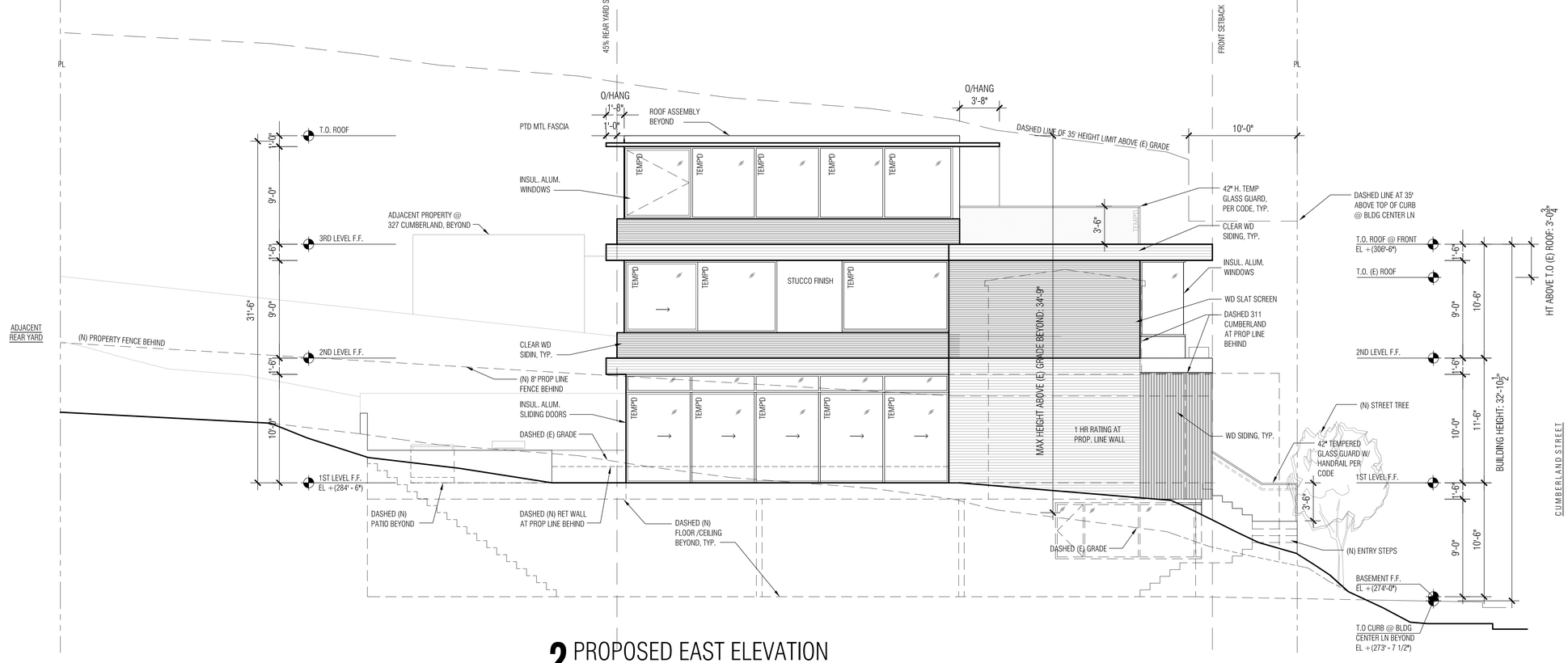
A3.0



1 EXISTING EAST ELEVATION

3/16"=1'-0"

NOTE: REMOVAL OF (E) SINGLE FAMILY HOUSE
& REAR RET. WALLS UNDER SEPARATE PERMIT



2 PROPOSED EAST ELEVATION

3/16"=1'-0"

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

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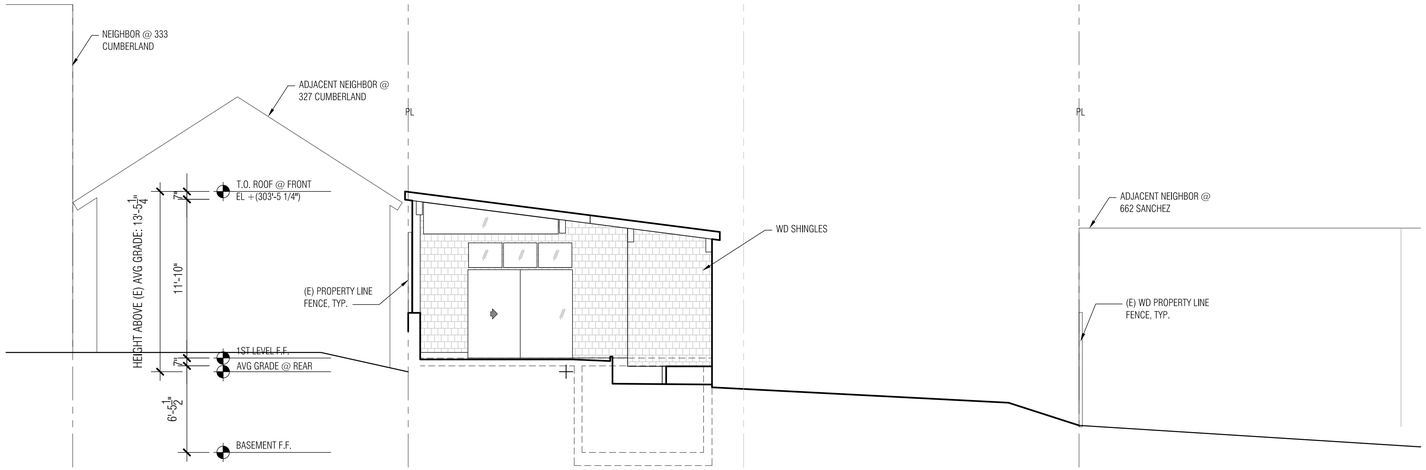
7.	CONDITIONAL USE PERMIT REVISION 1	03.18.16

EXISTING &
PROPOSED
EAST ELEVATIONS

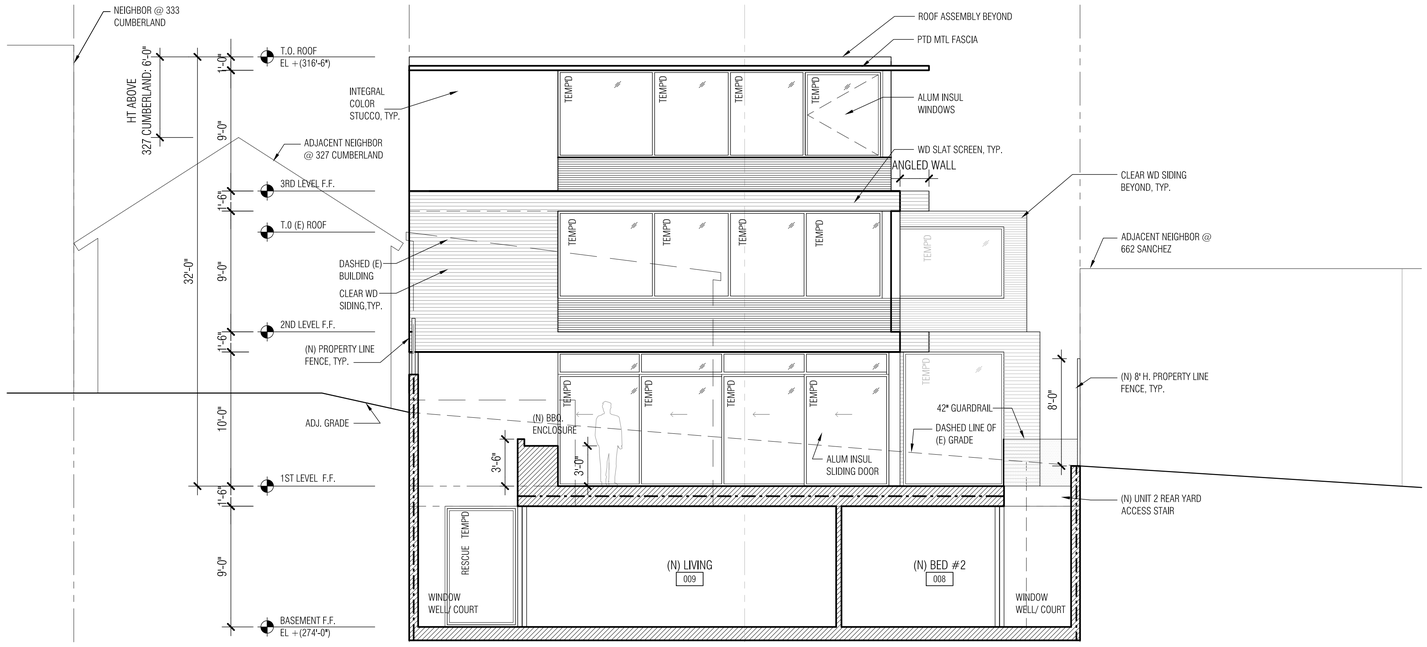
A3.1



1 EXISTING SOUTH (REAR) ELEVATION

3/16"= 1'-0"

NOTE: REMOVAL OF (E) SINGLE FAMILY HOUSE & REAR RET. WALLS UNDER SEPARATE PERMIT



2 PROPOSED SOUTH (REAR) ELEVATION

3/16"= 1'-0"

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

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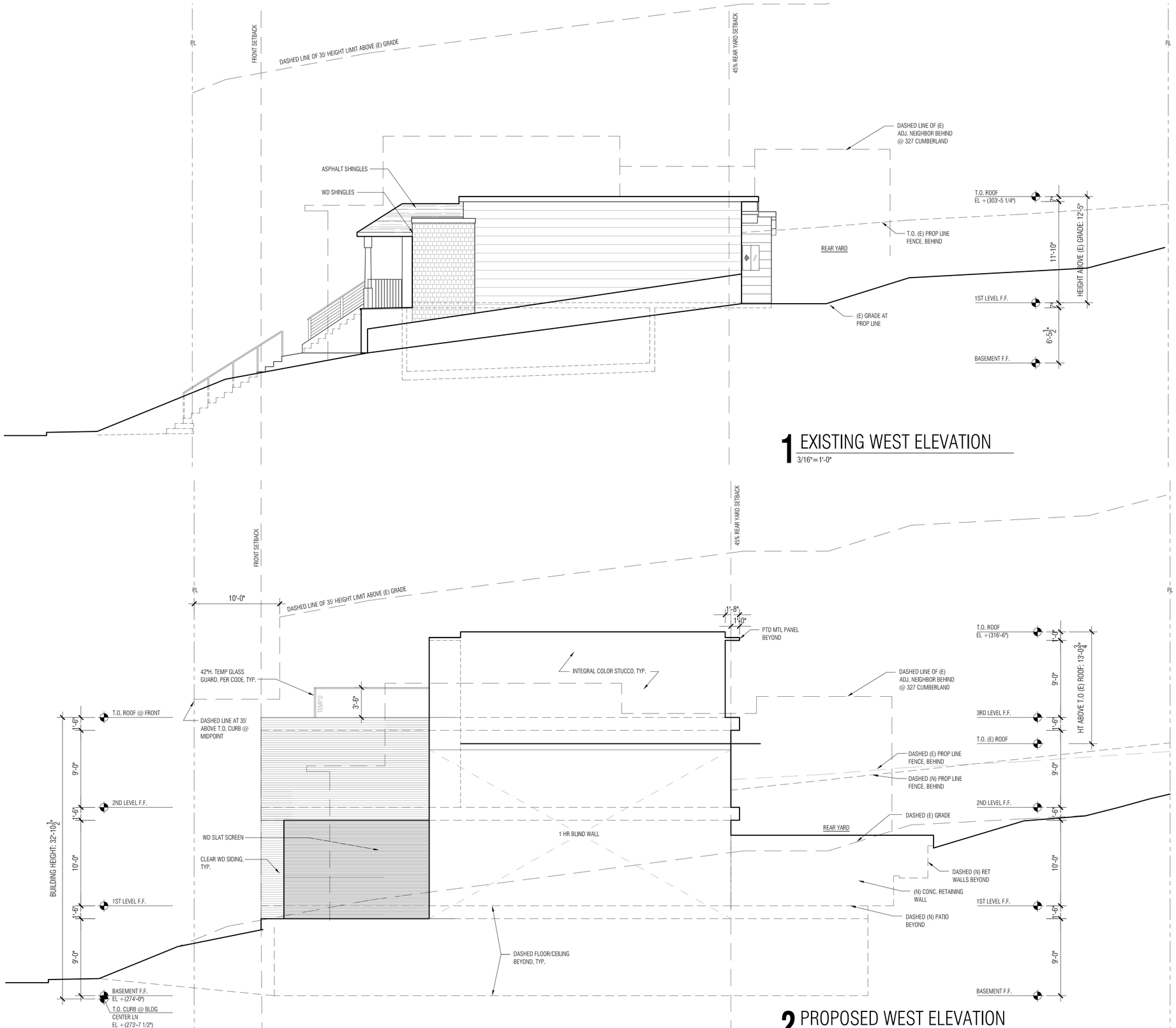
EXISTING & PROPOSED SOUTH (REAR) ELEVATIONS

A3.2



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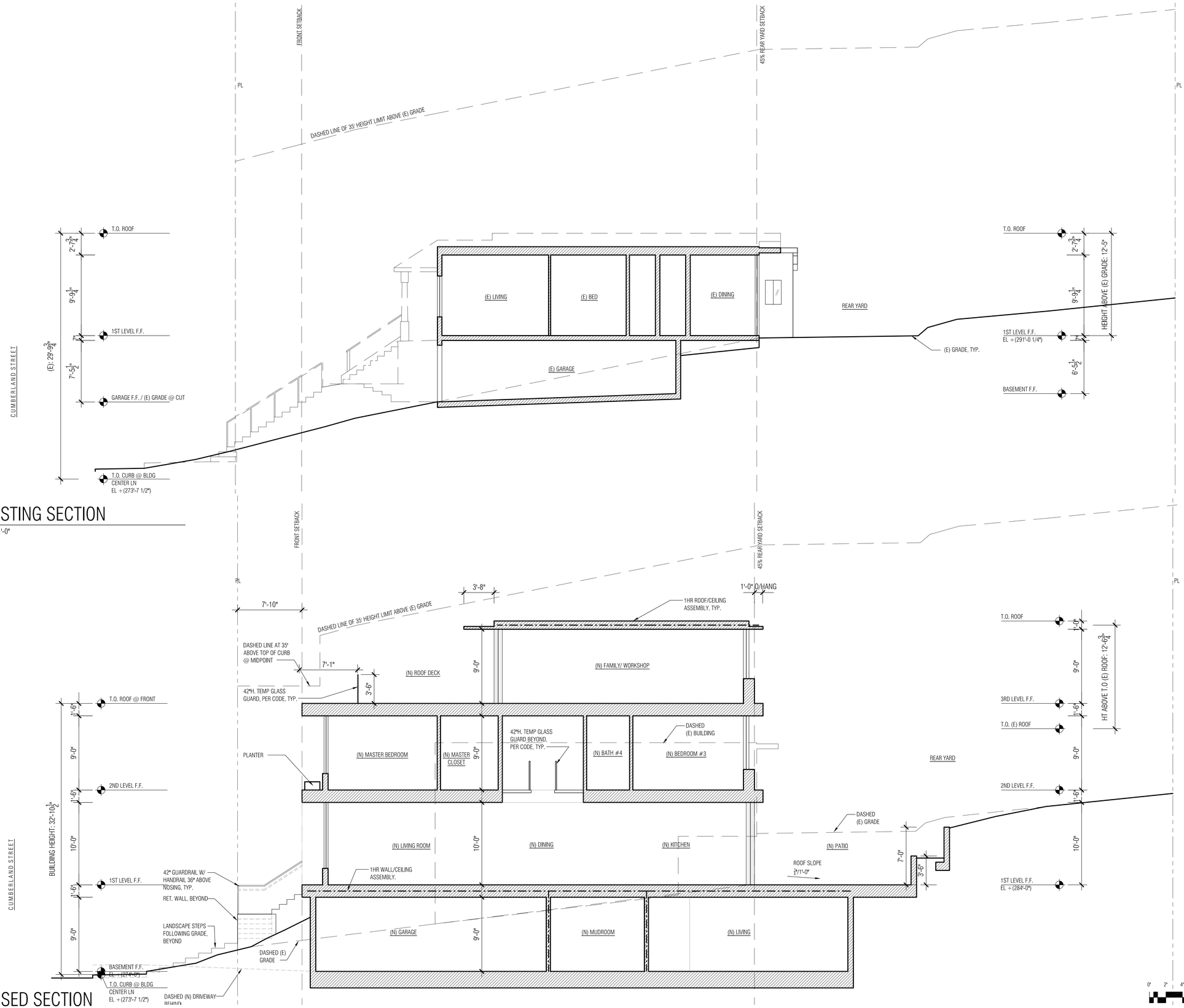
EXISTING & PROPOSED WEST ELEVATIONS

A3.3



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EXISTING & PROPOSED SECTION

A3.4

SUBJECT PROPERTY

CUMBERLAND STREET LOOKING SOUTHEAST

SUBJECT PROPERTY

CUMBERLAND STREET LOOKING SOUTHWEST

1 PROPOSED 3D MODEL VIEWS

N.T.S.

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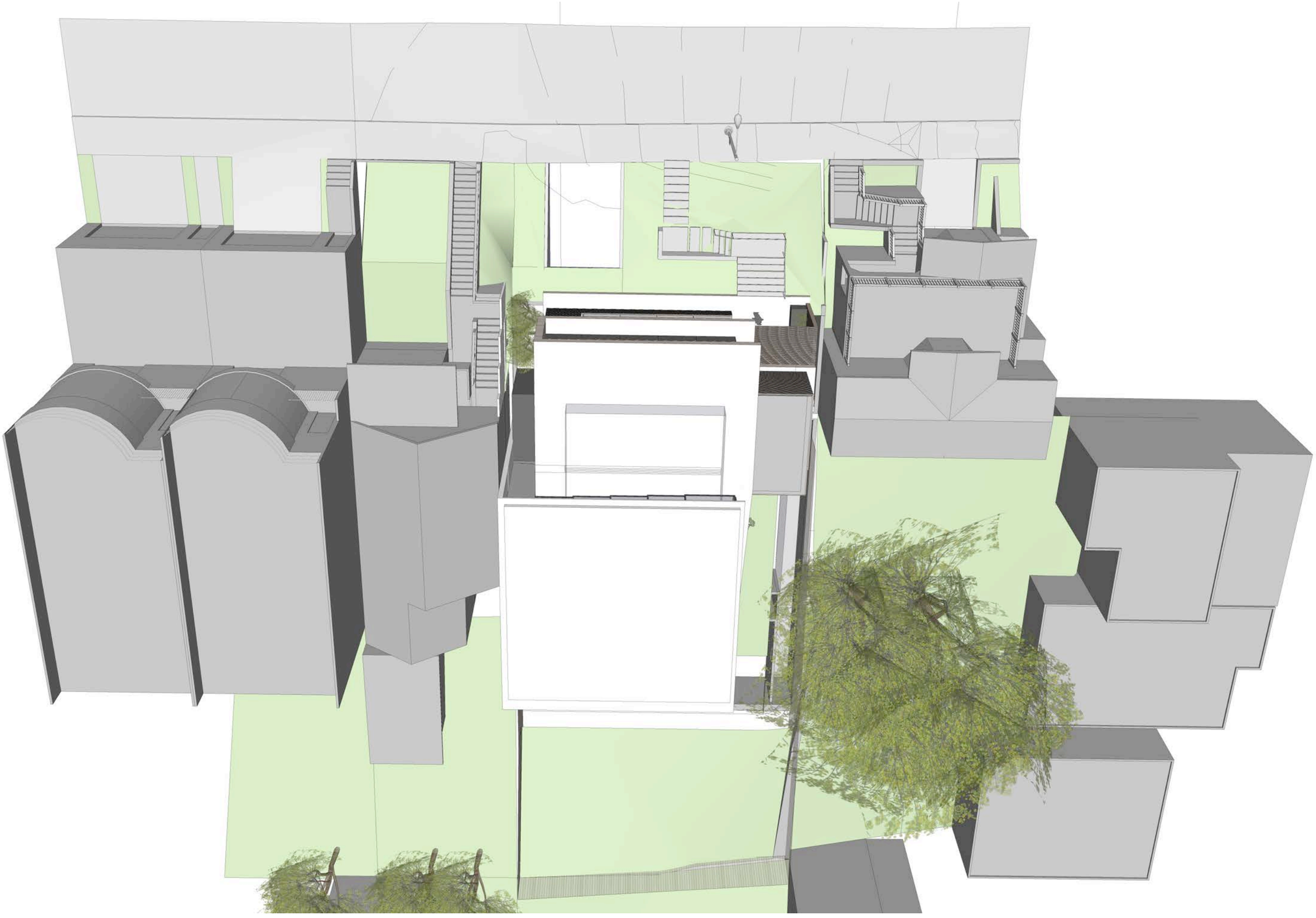
PROPOSED 3D
MODEL VIEWS

A3.5

02/22/2016

02/22/2016



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Planning
Information:
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Executive Summary
Conditional Use / Residential Demolition
HEARING DATE: FEBRUARY 4, 2016

Date:	January 28, 2016
Case No.:	**2013.1213CUA**
Project Address:	**313-323 Cumberland Street**
Permit Application:	2014.0627.9813 and 2014.0627.9820
Zoning:	RH-1 (Residential - House, One-Family) 40-X Height and Bulk District
Block/Lot:	3601/043-044
Project Sponsor:	Tuija Catalano Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104
Staff Contact:	Erika Jackson – (415) 558-6363 erika.jackson@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The Proposed Project is to merge lots 043 and 044, demolish the existing dwelling on lot 043, and construct a new three-story over garage, two-family dwelling. Lot 044 is currently vacant. A small portion of the building would extend 12' towards the rear below grade level. The proposal requires a Conditional Use Authorization for the construction dwelling units at a density of one unit per 3,000 square feet of lot area. The proposed combined lots result in an area of 5,700 square feet.

Pursuant to Planning Code 317 (c), "where an application for a permit that would result in the loss of one or more Residential Units is required to obtain Conditional Use Authorization by other sections of this Code, the application for a replacement building or alteration permit shall also be subject to Conditional Use requirements." This report includes finding for a Conditional Use Authorization in addition to Demolition Criteria established in Planning Code Section 317. The design of the new structure is analyzed in the Design Review Checklist.

DEMOLITION APPLICATION		NEW BUILDING APPLICATION	
Demolition Case Number	2013.1213DRM	New Building Case Number	2013.1213DRM
Recommendation	Do Not Take DR	Recommendation	Do Not Take DR
Demolition Application Number	2014.06.27.9820	New Building Application Number	2014.06.27.9813
Number Of Existing Units	1	Number Of New Units	2

Existing Parking	1	New Parking	2
Number Of Existing Bedrooms	1	Number Of New Bedrooms	3
Existing Building Area	±877 Sq. Ft.	New Building Area	±6787 Sq. Ft.
Public DR Also Filed?	No	Public DR Also Filed?	No
311 Expiration Date	8/27/08	Date Time & Materials Fees Paid	N/A

SITE DESCRIPTION AND PRESENT USE

The project is located on the southern side of Cumberland Street, between Noe and Sanchez Streets, Block 3601, Lots 043-044. The property is located within a RH-1 (Residential – House, One-Family) Zoning District and a 40-X Height and Bulk District. The property consists of two lots measuring 25 feet by 114 feet. Lot 043 is developed with a two-story single-family residence and lot 044 is vacant.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site is located within an RH-1 (Single-Family Residential) District situated in the Castro/Upper Market Neighborhood. Land uses in the immediate vicinity of the site are typical of an RH-1 District with primarily residential uses. Most of the buildings in the vicinity range from one to three stories over garage. Ground level open space and landscaping at the front and rear are usually abundant. The Project site is located within a cluster of RH-1 (Residential – House, One-Family) zoned lots approximately 5 blocks long by 2 blocks wide surrounded by blocks zoned RH-2 (Residential House, Two-Family) Districts, RH-3, and RM-1. Lots in the area have widths ranging from 25 to 75 feet, although the majority are 25 feet wide. The lot immediately across the street and the lot immediately behind the subject property are 50 feet wide, however, the adjacent lot on Cumberland Street is 25 feet wide.

REPLACEMENT STRUCTURE

The replacement structure will provide two dwelling units with a two-car garage, and would rise to a height of approximately 32 feet 10 inches in the first 10 feet of the lot and 34 feet 9 inches at other points on the lot. The ground level would contain a studio dwelling unit, a two-car garage, a storage area, a laundry room, a bathroom, and a living room. The first floor will contain the entrance to the three-bedroom unit, a living room, a dining room, a kitchen, and a half bathroom. The second floor will contain three bedrooms and three bathrooms. The third floor will contain a family room, a storage area, a half bathroom, and a roof deck.

The Project proposes a rear yard of approximately 51 feet. The overall scale, design, and materials of the proposed replacement structure are compatible with the block-face and are complementary with the residential neighborhood character. The materials for the front façade are contemporary in style, with painted metal panels, aluminum windows and doors, clear wood siding, wooden screens, and stone cladding.

ENVIRONMENTAL REVIEW

On January 21, 2016 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	January 15, 2016	January 15, 2016	20 days
Posted Notice	20 days	January 15, 2016	January 15, 2016	20 days
Mailed Notice	20 days	January 15, 2016	January 15, 2016	20 days

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received 15 letters of support of the project, including letters from property owners of all immediately adjacent lots on Cumberland Street and Sanchez Street. The Department has received 2 neighbor Discretionary Review Applications, which were subsequently superseded by the Conditional Use Application. The Department also received 20 letters in opposition to the proposed project, including a letter from the Dolores Heights Improvement Club. Please note that one letter of opposition has subsequently been replaced by a letter of support from the same person. The Department has also received petitions both in support and in opposition of the proposed project.

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	X	0	X
Other neighbors on the block or directly across the street	X	X	X
Neighborhood groups	0	X	X

ISSUES AND OTHER CONSIDERATIONS

- The Proposed Project was initially filed with the Planning Department as the merger of lots 043 and 044 into one 5,700 square foot lot, the demolition of the existing single-family dwelling on lot 043, and construction of a new three-story over garage, single-family dwelling. The dwelling unit demolition was reviewed and approved administratively on February 3, 2015 because the structure has a value greater than 80% of the combined land and structure values of single-family homes in San Francisco. Neighborhood notification for the new construction pursuant to Planning Code Section 311 was mailed on May 7, 2015 and expired on June 8, 2015. The proposal has since been modified to propose the construction of a two-family structure to replace the

existing dwelling unit with a comparable unit and preserve the predominant density in the neighborhood of one unit per 25 foot wide lot.

- Two neighbor initiated Discretionary Review Applications were filed on June 8, 2015. The concerns of the Discretionary Review Requestor are outlined in the Motion. The DR Applications are attached to this packet. The applications were subsequently superseded by this Conditional Use Application. The Discretionary Review Applications were withdrawn and the fees refunded to the applicants.

RESIDENTIAL DESIGN TEAM REVIEW

The request(s) for demolition and new construction was reviewed by the Department's Residential Design Team (RDT). The RDT also reviewed the DR requestor's concerns related to building scale and massing, neighborhood compatibility, rooflines, and front setback of the new structure. The RDT requested several revisions in order for the proposed new construction to be compatible with the Residential Design Guidelines:

- In order to improve upon the vertical proportions of the building, and reinforce a more neighborhood-compatible scale and proportion:
  - On first floor, remove the interior storage area located at the NW corner of the building. (RDG, pg. 28-29)
  - Remove the wall to the east of the front entry, or limit it to a minimum railing height. (RDG, pg. 12-13, 28-29)
  - Limit the amount of glazing on the front façade; RDT recommends eliminating the panels of glass along the west side of the façade at the first and second floors, replacing them with a solid material. This will help to reduce the apparent width of the façade, minimize the overall glazing, and improve the solid-to-void ratio to be consistent with the neighborhood pattern. (RDG, pg. 28-29, 43-45)
  - Please provide additional information about the specific material choices for the metal finishes and colors. (RDG, pg. 46-48)

The Project Sponsor made the above changes to the proposal per RDT comments. The RDT supports the project as proposed with the suggested changes to the glazing, solid to void ratios, façade materials, and railing heights on the front façade.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization under Planning Code Section(s) 207, 209.1, 303 and 317 to demolish a single-family structure and construct a new two-family structure on a 5,700 square foot lot in an RH-1 (Residential - House, One-Family) Zoning District and a 40-X Height and Bulk District.

BASIS FOR RECOMMENDATION

The Department recommends that the demolition of the existing single-family dwelling and construction of a new two-family dwelling be approved as proposed. The Project is consistent with the Objectives and Policies of the General Plan and complies with the Residential Design Guidelines and Planning Code. The Project meets the criteria set forth in Section 101.1 of the Planning Code in that:

- The Project will create a family-sized dwelling unit with three bedrooms plus an additional studio unit.
- No tenants will be displaced as a result of this Project. The building is currently vacant.
- Given the scale of the Project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- With the addition of two units on a 50 foot wide lot, the Proposed Project maintains the existing density of the surrounding neighborhood. The Project is therefore an appropriate in-fill development.
- The existing building is not an historical resource or landmark.
- The Project will create a new a single-family dwelling that is compatible with the surrounding development pattern and neighborhood character.

RECOMMENDATION:	**Approval with Conditions.**

Attachment Checklist

- ☒ Executive Summary
- ☒ Draft Motion
- ☒ Environmental Determination
- ☒ Zoning District Map
- ☒ Height & Bulk Map
- ☒ Parcel Map
- ☒ Sanborn Map
- ☒ Aerial Photo
- ☒ Site Photo
- ☒ Context Photos
- ☒ Section 311 Notice
- ☒ DR Requestor Application Submittals
- ☒ Neighbor Letters and Petitions in Opposition
- ☒ Project Sponsor Brief
- ☒ Neighbor Letters and Petitions in Support
- ☒ Project sponsor submittal

Drawings: Existing Conditions

- ☒ Check for legibility

Drawings: Proposed Project

- ☒ Check for legibility

3-D Renderings (new construction or significant addition)

- ☒ Check for legibility

Exhibits above marked with an "X" are included in this packet _____

Planner's Initials

ESJ: G:\DOCUMENTS\Projects\CU\Cumberland 313-323\Executive Summary- CU for Residential Demolition.doc

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

QUESTION	
The visual character is: (check one)	
Defined	
Mixed	X

Comments: The Subject Property is located in the Castro/Upper Market neighborhood. The Property is located on a residential block that is predominantly defined by single-family dwellings constructed between the 1900's and 2000's in a mix of architectural styles, ranging from modern to historic constructed with a variety of building materials. Building heights are generally one to three stories over garage, with most buildings having ground floor garage entrances.

SITE DESIGN (PAGES 11 - 21)

QUESTION	YES	NO	N/A
Topography (page 11)			
Does the building respect the topography of the site and the surrounding area?	X		
Is the building placed on its site so it responds to its position on the block and to the placement of surrounding buildings?	X		
Front Setback (pages 12 - 15)			
Does the front setback provide a pedestrian scale and enhance the street?	X		
In areas with varied front setbacks, is the building designed to act as transition between adjacent buildings and to unify the overall streetscape?	X		
Does the building provide landscaping in the front setback?	X		
Side Spacing (page 15)			
Does the building respect the existing pattern of side spacing?			X
Rear Yard (pages 16 - 17)			
Is the building articulated to minimize impacts on light to adjacent properties?	X		
Is the building articulated to minimize impacts on privacy to adjacent properties?	X		
Views (page 18)			
Does the project protect major public views from public spaces?			X
Special Building Locations (pages 19 - 21)			
Is greater visual emphasis provided for corner buildings?			X
Is the building facade designed to enhance and complement adjacent public spaces?			X
Is the building articulated to minimize impacts on light to adjacent cottages?			X

Comments: The new building respects the topography and is compatible with other buildings on the street. The subject lots are near the crest of a hill on Cumberland Street. The proposed building responds

to the downsloping topography along Cumberland Street by stepping down the façade of the new building. The subject lots are upsloping lots and the proposed structure is built into the hillside and is setback approximately 8 feet from the front property line, which is the average of the two adjacent building setbacks and serves as a transition between the two adjacent properties. The site design respects this upsloping nature of the subject lots. The subject lots are adjacent to lots that front on Sanchez Street along the eastern side property line. Along that side, the building has been designed with a series of setbacks to transition between the adjacent building on the west side at 327 Cumberland Street and the adjacent rear yards on the east side. This design also minimizes privacy and light impacts to the adjacent building to the east at 311 Cumberland Street. The overall scale of the proposed replacement structure is consistent with the block face and is complementary to the neighborhood character.

BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
Building Scale (pages 23 - 27)			
Is the building's height and depth compatible with the existing building scale at the street?	**X**		
Is the building's height and depth compatible with the existing building scale at the mid-block open space?	**X**		
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?	**X**		
Is the building's facade width compatible with those found on surrounding buildings?	**X**		
Are the building's proportions compatible with those found on surrounding buildings?	**X**		
Is the building's roofline compatible with those found on surrounding buildings?	**X**		

Comments: The replacement building is compatible with the established building scale at the street. The proposed height at the street is approximately 32 feet 10 inches. The top floor is setback approximately 28 feet from the front property line. The neighborhood building scale at the street is mixed with taller three-story over garage buildings and shorter single-story buildings. Although the building is larger than its neighbors, it is compatible in scale to the surrounding smaller buildings because of this mixed character. The height and depth of the building are compatible with the existing mid-block open space. The subject lots are located adjacent to lots that front on Sanchez Street; and therefore, the subject lots are near the corner of the mid-block open space. The proposed building has been designed at a depth less than the adjacent building to the east and has incorporated setbacks along the eastern side property line that abuts rear yards. The building's form, façade width, proportions, and roofline are compatible with the mixed neighborhood context. The proposed side setbacks along the eastern side property line give the proposed building a width that is less than the full 50 foot lot width by stepping back 3 feet on the first, 4 feet on the second, and 14 feet on the third. The roof deck is located entirely within the buildable area of the property and does not directly face any adjacent windows. The roofline on the proposed building, which reads as 40 feet wide on the third floor, is compatible with other longer rooflines in the immediate vicinity ranging up to 50 feet wide.

ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
Building Entrances (pages 31 - 33)			
Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building?	X		
Does the location of the building entrance respect the existing pattern of building entrances?	X		
Is the building's front porch compatible with existing porches of surrounding buildings?	X		
Are utility panels located so they are not visible on the front building wall or on the sidewalk?			X
Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on surrounding buildings?			X
Garages (pages 34 - 37)			
Is the garage structure detailed to create a visually interesting street frontage?	X		
Are the design and placement of the garage entrance and door compatible with the building and the surrounding area?	X		
Is the width of the garage entrance minimized?	X		
Is the placement of the curb cut coordinated to maximize on-street parking?	X		
Rooftop Architectural Features (pages 38 - 41)			
Is the stair penthouse designed to minimize its visibility from the street?			X
Are the parapets compatible with the overall building proportions and other building elements?			X
Are the dormers compatible with the architectural character of surrounding buildings?			X
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?			X

Comments: The location of the entrance is consistent with the predominant pattern of elevated entrances with a covered porch found on the south side of Cumberland Street. The length and type of windows along the primary façade is compatible with the mixed character found throughout the neighborhood. The garage door is limited to a width of 12 feet and the curb cut is limited to 10 feet.

BUILDING DETAILS (PAGES 43 - 48)

QUESTION	YES	NO	N/A
Architectural Details (pages 43 - 44)			
Are the placement and scale of architectural details compatible with the building and the surrounding area?	X		
Windows (pages 44 - 46)			
Do the windows contribute to the architectural character of the building and the neighborhood?	X		

Are the proportion and size of the windows related to that of existing buildings in the neighborhood?	X		
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?	X		
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?	X		
Exterior Materials (pages 47 - 48)			
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?	X		
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?	X		
Are the building's materials properly detailed and appropriately applied?	X		

Comments: The placement and scale of the architectural details are compatible with the residential character of this neighborhood. The proposed windows are contemporary but residential in character, and are compatible with the window patterns found on neighboring buildings. The materials for the front façade are contemporary in style, with painted metal panels, aluminum windows and doors, clear wood siding, wooden screens, and stone cladding; however, they are compatible with the existing buildings in the neighborhood. The exterior materials articulate the building's structure and mass.

SPECIAL GUIDELINES FOR ALTERATIONS TO BUILDINGS OF POTENTIAL HISTORIC OR ARCHITECTURAL MERIT (PAGES 49 – 54)

QUESTION	YES	NO	N/A
Is the building subject to these Special Guidelines for Alterations to Buildings of Potential Historic or Architectural Merit?			X
Are the character-defining features of the historic building maintained?			X
Are the character-defining building form and materials of the historic building maintained?			X
Are the character-defining building components of the historic building maintained?			X
Are the character-defining windows of the historic building maintained?			X
Are the character-defining garages of the historic building maintained?			X

Comments: The Project is not an alteration, and the dwelling that will be demolished has been determined not to be an historical resource for the purposes of CEQA.

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Affordable Housing (Sec. 415)
☐ Jobs Housing Linkage Program (Sec. 413)
☐ Downtown Park Fee (Sec. 412)
☐ First Source Hiring (Admin. Code)
☐ Child Care Requirement (Sec. 414)
☐ Other

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Planning Commission Draft Motion

HEARING DATE: FEBRUARY 4, 2016

Date:	January 28, 2016
Case No.:	**2013.1213CUA**
Project Address:	**313-323 Cumberland Street**
Permit Application:	2014.0627.9813 and 2014.0627.9820
Zoning:	RH-1 (Residential - House, One-Family) 40-X Height and Bulk District
Block/Lot:	3601/043-044
Project Sponsor:	Tuija Catalano Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104
Staff Contact:	Erika Jackson – (415) 558-6363 erika.jackson@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 207, 209.1, 303, AND 317 OF THE PLANNING CODE TO DEMOLISH A SINGLE-FAMILY STRUCTURE AND CONSTRUCT A NEW TWO-FAMILY STRUCTURE ON A 5,700 SQUARE FOOT LOT WITHIN AN RH-1 (RESIDENTIAL - HOUSE, ONE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 9, 2015 Tuija Catalano (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 207, 209.1, 303 and 317 to demolish a single-family structure and construct a new two-family structure on a 5,700 square foot lot in an RH-1 (Residential - House, One-Family) Zoning District and a 40-X Height and Bulk District.

On February 4, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1213CUA.

On January 21, 2016 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.1213CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The project is located on the southern side of Cumberland Street, between Noe and Sanchez Streets, Block 3601, Lots 043-044. The property is located within a RH-1 (Residential – House, One-Family) Zoning District and a 40-X Height and Bulk District. The property consists of two lots measuring 25 feet by 114 feet. Lot 043 is developed with a two-story single-family residence and lot 044 is vacant.

3. **Surrounding Properties and Neighborhood.** The Project site is located within an RH-1 (Single-Family Residential) District situated in the Castro/Upper Market Neighborhood. Land uses in the immediate vicinity of the site are typical of an RH-1 District with primarily residential uses. Most of the buildings in the vicinity range from one to three stories over garage. Ground level open space and landscaping at the front and rear are usually abundant. The Project site is located within a cluster of RH-1 (Residential – House, One-Family) zoned lots approximately 5 blocks long by 2 blocks wide surrounded by blocks zoned RH-2 (Residential House, Two-Family) Districts, RH-3, and RM-1. Lots in the area have widths ranging from 25 to 75 feet, although the majority are 25 feet wide. The lot immediately across the street and the lot immediately behind the subject property are 50 feet wide, however, the adjacent lot on Cumberland Street is 25 feet wide.

4. **Project Description.** The Proposed Project is to merge lots 043 and 044, demolish the existing dwelling on lot 043, and construct a new three-story over garage, two-family dwelling. Lot 044 is currently vacant. A small portion of the building would extend 12' towards the rear below grade level. The proposal requires a Conditional Use Authorization for the construction dwelling units at a density of one unit per 3,000 square feet of lot area. The proposed combined lots result in an area of 5,700 square feet.

5. **Project History.** The Proposed Project was initially filed with the Planning Department as the merger of lots 043 and 044 into one 5,700 square foot lot, the demolition of the existing single-family dwelling on lot 043, and construction of a new three-story over garage, single-family dwelling. The dwelling unit demolition was reviewed and approved administratively on February 3, 2015 because the structure has a value greater than 80% of the combined land and structure values of single-family homes in San Francisco. Neighborhood notification for the new construction pursuant to Planning Code Section 311 was mailed on May 7, 2015 and expired on June 8, 2015. The proposal has since been modified to propose the construction of a two-family structure to replace the existing dwelling unit with a comparable unit and preserve the predominant density in the neighborhood of one unit per 25 foot wide lot.

6. **Discretionary Review Applications.** Two neighbor initiated Discretionary Review Applications were filed on June 8, 2015. The concerns of the Discretionary Review Requestor are outlined in the Motion. The DR Applications are attached to this packet. The applications were subsequently superseded by this Conditional Use Application. The Discretionary Review Applications were withdrawn and the fees refunded to the applicants.

7. **Residential Design Team Review.** The RDT reviewed the DR requestor's concerns related to building scale and massing, neighborhood compatibility, rooflines, and front setback of the new structure. The RDT requested several revisions in order for the proposed new construction to be compatible with the Residential Design Guidelines. The Project Sponsor modified the project to comply with the following comments:
    - In order to improve upon the vertical proportions of the building, and reinforce a more neighborhood-compatible scale and proportion:
        - On first floor, remove the interior storage area located at the NW corner of the building. (RDG, pg. 28-29)
        - Remove the wall to the east of the front entry, or limit it to a minimum railing height. (RDG, pg. 12-13, 28-29)
        - Limit the amount of glazing on the front façade; RDT recommends eliminating the panels of glass along the west side of the façade at the first and second floors, replacing them with a solid material. This will help to reduce the apparent width of the façade, minimize the overall glazing, and improve the solid-to-void ratio to be consistent with the neighborhood pattern. (RDG, pg. 28-29, 43-45)
        - Please provide additional information about the specific material choices for the metal finishes and colors. (RDG, pg. 46-48)

8. **Public Comment**. The Department has received 15 letters of support of the project, including letters from property owners of all immediately adjacent lots on Cumberland Street and Sanchez Street. The Department has received 2 neighbor Discretionary Review Applications, and 20 letters in opposition to the proposed project, including a letter from the Dolores Heights Improvement Club. The Department has also received petitions both in support and in opposition of the proposed project.

9. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Front Setback**. Planning Code Section 132 requires front setbacks so that buildings relate to the setbacks provided by adjacent buildings.

The proposed building is setback 7 feet 10 inches from the front property line, which is the average front setback between the two adjacent buildings.

B. **Rear Yard.** Planning Code Section 134 establishes rear yard requirements for all districts. In the RH-1 District, a minimum 25 percent rear yard is required, which, for the subject site, represents a rear yard depth of approximately 25 feet.

The subject building provides a rear yard setback that is 45 percent of lot depth of approximately 51 feet 3 inches.

C. **Open Space.** Section 135 requires 300 square feet of private open space for each dwelling unit or 399 square feet of common open space for each dwelling unit.

The proposed rear yard provides approximately 2,550 square feet of open space and is directly accessible by both units and approximately 950 square feet of private open space that is accessible to one unit.

D. **Exposure.** Section 140 requires that every dwelling unit have windows in at least one 120-square-foot-minimum-size room face directly onto an open area, such as a public street, public alley, an open area measuring 25 feet wide by 25 feet deep, or rear yard meeting the requirements of the Code.

Both dwelling units would face onto Cumberland Street.

E. **Street Trees.** Section 143 requires street trees be planted in certain districts, including the RH-1 District. One street tree is required for each 20 feet of lot frontage and for each remaining segment of 10 feet.

Three street trees are required for the new 50 foot wide lot.

F. **Parking**. Planning Code Section 151 establishes off-street parking requirements for all uses. One parking space per dwelling unit is required.

The project proposes two off-street parking spaces in a garage.

G. **Height.** Section 260 establishes height limits in all districts, with height being measured to the highest point on the finished roof in the case of a flat roof and at the mid-point of the roof pitch in the case of a pitched roof. The Project site is within the 40-X Height and Bulk District, which allows buildings up 40 feet in height. For upsloping lots, the maximum

height should be measured from curb level within the first 10 feet of the lot from the front property line; and at every other point should be taken from the average existing grade.

For upsloping lots, the height is measured from curb level within the first 10 feet. At all other points on the lot, the height is measured at a cross-section from the average existing grade. The height of the proposed building is approximately 32 feet 10 inches within the first 10 feet of the lot as measured from curb level, and does not exceed approximately 34 feet 9 inches on all other points on the lot as measured from average existing grade.

10. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project will result in two dwelling units on a 5,700 square foot (50 feet by 114 feet) which is compatible with the density in this neighborhood. Although the subject block and immediate vicinity predominantly consists of 25 foot wide lots, there are several other lots that are similarly sized to the subject property, including one immediately across the subject property on Cumberland (Block 3601, Lot 45), another immediately behind the subject property (fronting 20th Street) (Block 3601, Lot 15) and one adjacent thereto (Block 3601, Lot 16) and another just few properties from the subject property on Cumberland (Block 3601, Lot 50). The project will be compatible with the surrounding neighborhood density by proposing two units on a double-wide lot.

The existing project site consists of a vacant lot (at 313 Cumberland), which is proposed to be merged with the adjacent lot that is currently improved with an approximately 877 square foot one-story over basement building (at 323 Cumberland). By including two units in the proposed project, the project is desirable by avoiding any potential loss or elimination of dwelling units or potential sites for dwelling units. The project will construct two new dwelling units, including one family-sized unit, and replace a vacant and debilitated single-family residence. The new residential units, and in particular the unit suitable for a family, is in dire need in San Francisco, which currently has an unmet need for housing and a decreasing number of families.

The Project is further necessary and desirable because it will create a high-quality residential building with two units within an established residential neighborhood, complying with existing zoning control standards, and General Plan policies that encourage quality housing.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project has been designed to be compatible with its surroundings, and the project sponsors have worked closely with the neighbors to ensure compatibility and neighborhood support. The project includes a significant front setback, with an additional setback at the top floor. The replacement structure's proposed approximate height of approximately 32 feet 10 inches within the first 10 feet of the lot as measured from curb level, and approximately 34 feet 9 inches on all other points on the lot as measured from average existing grade is below the maximum height permitted in the 40-X Height and Bulk District, and is appropriate for the site location and size. The proposed size, shape, and arrangement of the project will also match that of neighboring structures and the project overall will aesthetically enhance the neighborhood.

By demolishing the existing structure and constructing a new replacement structure, the project will increase the structural and seismic safety.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code requires two off-street parking spaces for a proposed two-unit project. The project is compliant with the off-street parking requirements by proposing a two-car garage. The project will also result in the elimination of one existing curb cut along Cumberland Street, thus contributing to the increase of street parking.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project consists of a high-quality single-family residence, and is not expected to generate any noxious or offensive emissions, noise, glare, dust or odors.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed project is intended to result in a high-quality residential building providing an attractive, safe and comfortable environment. The Project included a number of landscaping and other design features to ensure that the project massing, size and overall design is desirable and compatible with the context.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is not located within a Neighborhood Commercial District.

11. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish Residential Buildings. On balance, the Project does comply with said criteria in that:

i. Whether the value of the existing land and structure of the single-family dwelling affordable or financially accessible housing (below the 80% average price of single-family homes in San Francisco, as determined by a credible appraisal within six months).

Project meets criterion.
The Project Sponsor has prepared an appraisal report, dated December 14, 2015, that valued the home at $1,680,000, which is above the 80% average price of single-family homes (currently set at $1,630,000).

ii. Whether the Project Sponsor has demonstrated that the residential structure is unsound, where *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 to the replacement cost, expressed as a percent. A building is unsound if its soundness factor exceeds 50-percent. A residential building that is unsound may be approved for demolition.

Project does not meet criterion.
The Project Sponsor has not submitted a soundness report.

iii. Whether the property is free of a history of serious, continuing code violations;

Project meets criterion.
A review of the Department of Building Inspection and the Planning Department databases showed no enforcement cases or notices of violation for the subject property.

iv. Whether the housing has been maintained in a decent, safe, and sanitary condition;

Project meets criterion.
The structures appear to be in decent condition, although the property is vacant and is not maintained on a daily basis.

v. Whether the property is an "historic resource" under CEQA;

Project meets criterion.

Although the existing structures are more than 45 years old, a review of the supplemental information resulted in a determination that the structure is not an historical resource.

vi. Whether the removal of the resource will have a substantial adverse impact under CEQA;

Project meets criterion.
Not applicable. The structures are not historical resources.

vii. Whether the Project converts rental housing to other forms of tenure or occupancy;

Project meets criterion.
The Project does not convert rental housing to other forms of tenure or occupancy, as existing building is currently vacant. There are no restrictions on whether the two new units will be rental or ownership.

viii. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

Project meets criterion.
No rent controlled units will be removed.

ix. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

Project meets criterion.
Although the Project proposes demolition of a one-bedroom single-family unit, the number of units is maintained at the project site increases by one. The replacement structure will contain two units – a studio and a 3-bedroom unit.

x. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

Project meets criterion.
The replacement building conserves neighborhood character with appropriate scale, design, and materials, and improves cultural and economic diversity by appropriately increasing the number of bedrooms from one to three, which provides family-sized housing. The project would result in a net gain of one unit by adding a new studio unit and provides a net gain of two bedrooms to the City's housing stock.

xi. Whether the Project protects the relative affordability of existing housing;

Project does not meet criterion.
The Project does not protect the relative affordability of existing housing, as the project proposes demolition of the existing building and construction of a new building. However, it should be

taken into consideration that the existing building is not considered to be affordable or financially accessible housing because it is below the 80% average price of single-family homes in San Francisco. The proposed structure also offers a variety of unit sizes.

xii. Whether the Project increases the number of permanently affordable units as governed by Section 415;

Project meets criterion.
The Project is not subject to the provisions of Planning Code Section 415, as the project proposes less than ten units.

xiii. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

Project meets criterion.
The Project has been designed to be in keeping with the scale and development pattern of the established neighborhood character.

xiv. Whether the Project creates quality, new family housing;

Project meets criterion.
The Project proposes one opportunity for family-sized housing on a lot that previously had none. One three-bedroom single-family residence is proposed, and one studio unit is proposed within a two-unit building.

xv. Whether the Project creates new supportive housing;

Project does not meet criterion.
The Project does not create supportive housing.

xvi. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;

The overall scale, design, and materials of the proposed buildings are consistent with the block-face and compliment the neighborhood character with a contemporary design.

xvii. Whether the Project increases the number of on-site dwelling units;

Project meets criterion.
The Project would increase the number of on-site units from one to two.

xviii. Whether the Project increases the number of on-site bedrooms.

Project meets criterion.

The project proposes three bedrooms; two bedrooms more that the existing building.

12. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING

Objectives and Policies

OBJECTIVE 1
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1
Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

The Project site is underused and is near underutilized. The Project site is an ideal infill site that is currently vacant and partially undeveloped. The project site is zoned RH-1. The proposed project will replace a one-bedroom single-family unit with one studio unit and one three-bedroom single-family unit.

OBJECTIVE 2
RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1
Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

The project proposes demolition of one existing single-family structure and construction of a new two-family structure, thus creating new family housing.

OBJECTIVE 4
FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1
Develop new housing, and encourage the remodeling of existing housing, for families with children.

OBJECTIVE 11
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2
Ensure implementation of accepted design standards in project approvals.

Policy 11.3
Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4
Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.5
Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

Policy 11.6
Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8
Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

As described above, the Project would develop a partially empty site that is zoned for single-family residential development. The Project appropriately locates housing units at a site zoned for residential use and increases the supply of housing in conformity with the allowable density limits of the RH-1 zoning district. The Project provides housing that has a range of unit types for residents with different needs.

The Project's architectural design is compatible with the existing scale and character of the neighborhood given the unique characteristics and scale of the Project site. The proposed building massing is considerably smaller than the maximum allowable under the Planning Code with 40 foot height and 50 foot width limits. The proposed structure is setback from the front to the average of the two adjacent structures and provides several setbacks along the east side property line. The proposed structure height is stepped to provide a transition between the heights of the adjacent structures. The top floor of the proposed structure is setback to visually reduce the massing of the structure.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 4
PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

Policy 4.5
Require private usable outdoor open space in new residential development.

The Project will create approximately 2,550 square feet of common open space area and approximately 950 square feet in a new residential development. The project will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2
Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.4
Preserve pedestrian-oriented building frontages.

The Project will install new street trees along Cumberland Street. The Project would improve the appearance of the neighborhood. At present, the Project site comprises of one improved and one unimproved lot. The height of the proposed building is approximately 32 feet 10 inches within the first 10 feet of the lot as measured from curb level, and does not exceed approximately 34 feet 9 inches on all other points on the lot as measured from average existing grade, which is within the legally permissible height range of 40 feet, and is in conformity will the low-scale horizon of neighboring buildings in the area. The landscaping and ample open space would improve the aesthetic appeal of the neighborhood. The building is setback approximately 8 feet from the front property line and the top floor is setback an additional approximately 20 feet from the front building wall to provide a smaller massing at the pedestrian scale.

OBJECTIVE 28
PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1
Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3
Provide parking facilities which are safe, secure, and convenient.

The Project includes two Class 1 bicycle parking spaces in the garage area.

OBJECTIVE 34

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1
Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3
Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Policy 34.5
Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

The Planning Code requires two off-street parking spaces for a proposed two-unit project. The project is compliant with the off-street parking requirements by proposing a two-car garage. The project will also result in the elimination of one existing curb cut along Cumberland Street, thus contributing to the increase of street parking.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.7
Recognize the natural boundaries of districts, and promote connections between districts.

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6
Respect the character of older development nearby in the design of new buildings.

The Subject Property is located in the Castro/Upper Market neighborhood. The Property is located on a residential block that is predominantly defined by single-family dwellings constructed between the 1900's

and 2000's in a mix of architectural styles, ranging from modern to historic constructed with a variety of building materials. Building heights are generally one to three stories over garage, with most buildings having ground floor garage entrances.

The replacement building is compatible with the established building scale at the street. The proposed height at the street is approximately 32 feet 10 inches. The top floor is setback approximately 28 feet from the front property line. The neighborhood building scale at the street is mixed with taller three-story over garage buildings and shorter single-story buildings. Although the building is larger than its neighbors, it is compatible in scale to the surrounding smaller buildings because of this mixed character. The height and depth of the building are compatible with the existing mid-block open space. The subject lots are located adjacent to lots that front on Sanchez Street; and therefore, the subject lots are near the corner of the mid-block open space. The proposed building has been designed at a depth less than the adjacent building to the east and has incorporated setbacks along the eastern side property line that abuts rear yards. The building's form, façade width, proportions, and roofline are compatible with the mixed neighborhood context. The proposed side setbacks along the eastern side property line give the proposed building a width that is less than the full 50 foot lot width by stepping back 3 feet on the first, 4 feet on the second, and 14 feet on the third. The roof deck is located entirely within the buildable area of the property and does not directly face any adjacent windows. The roofline on the proposed building, which reads as 40 feet wide on the third floor, is compatible with other longer rooflines in the immediate vicinity ranging up to 50 feet wide.

OBJECTIVE 4
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.5
Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13
Improve pedestrian areas by providing human scale and interest.

The Project will improve the neighborhood environment by providing a high quality residential development. The new building will be compatible in use and design with other buildings in the neighborhood. The Project will result in an improvement to the neighborhood by eliminating the existing empty and un-landscaped lot that exists on the Project site.

13. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

    A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

    No neighborhood-serving retail use would be displaced by the Project.

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The replacement building conserves neighborhood character with appropriate scale, design, and materials, and improves cultural and economic diversity by appropriately increasing the number of bedrooms from one to three, which provides family-sized housing. The project would result in a net gain of one unit by adding a new studio unit and provides a net gain of two bedrooms to the City's housing stock.

C. That the City's supply of affordable housing be preserved and enhanced,

No affordable housing is removed for this Project.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

Due to the nature of the Project there are no anticipated adverse effects upon MUNI service or on neighborhood parking.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

14. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

15. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1213CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 10, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth**.**

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 4, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 4, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a two-family residence located at 313-323 Cumberland Street, Block 3601, Lots 043-044 pursuant to Planning Code Section(s) 207, 209.1, 303, and 317 within a RH-1 Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated December 10, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1213CUA and subject to conditions of approval reviewed and approved by the Commission on February 4, 2016 under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on February 4, 2016 under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

Validity. The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Expiration and Renewal. Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Diligent pursuit. Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Extension. All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Conformity with Current Law. No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

Final Materials. The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department

staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Landscaping. Pursuant to Planning Code Section 132, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 50% of the front setback areas shall be surfaced in permeable materials and further, that 20% of the front setback areas shall be landscaped with approved plant species. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Landscaping, Screening of Parking and Vehicular Use Areas. Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

Bicycle Parking. The Project shall provide no fewer than two Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parking Requirement. Pursuant to Planning Code Section 151, the Project shall provide two (2) independently accessible off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Managing Traffic During Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, http://sfdpw.org

Community Liaison. Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

SAN FRANCISCO
PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
313-323 Cumberland St.		3601/043 and 3601/044	
Case No.	Permit No.	Plans Dated	
2013.1213E	201406279813 & 201406279820	12/22/15	
☐ Addition/ Alteration	☑ Demolition (requires HRER if over 45 years old)	☑ New Construction	☐ Project Modification (GO TO STEP 7)

Project description for Planning Department approval.

Merge lots 043 and 044, demolish the existing dwelling on lot 043, and construct a new three-story-over-garage, two-family dwelling. Lot 044 is currently vacant. A small portion of the new building would extend 12 feet towards the rear below-grade level. The proposed lot merger would result in one 5,700-square-foot lot.

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an *Environmental Evaluation Application* is required.	
☑	**Class 1 – Existing Facilities.** Interior and exterior alterations; additions under 10,000 sq. ft.
☑	**Class 3 – New Construction/ Conversion of Small Structures.** Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
☐	**Class**__

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.	
☐	**Air Quality:** Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? *Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP _ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)*
☐	**Hazardous Materials:** If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I

	Environmental Site Assessment. *Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).*
☐	**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?
☑	**Archeological Resources:** Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)*
☐	**Noise:** Does the project include new noise-sensitive receptors (schools, 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 average of 20% or more? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)*
☑	**Slope = or > 20%:** Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)* **If box is checked, a geotechnical report is required.**
☐	**Seismic: Landslide Zone:** Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)* **If box is checked, a geotechnical report is required.**
☐	**Seismic: Liquefaction Zone:** Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)* **If box is checked, a geotechnical report will likely be required.**
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.</u>	
☑	**Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.**
Comments and Planner Signature (*optional*): No archeological effects. The project will follow recommendations of Rollo & Ridley 10/7/15 geotechnical report. No historic resource present per the attached PTR form.	

STEP 3: PROPERTY STATUS – HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: *(refer to Parcel Information Map)*	
☐	**Category A:** Known Historical Resource. **GO TO STEP 5.**
☐	**Category B:** Potential Historical Resource (over 45 years of age). **GO TO STEP 4.**
☑	**Category C:** Not a Historical Resource or Not Age Eligible (under 45 years of age). **GO TO STEP 6.**

STEP 4: PROPOSED WORK CHECKLIST

TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
☐	1. **Change of use and new construction.** Tenant improvements not included.
☐	2. **Regular maintenance or repair** to correct or repair deterioration, decay, or damage to building.
☐	3. **Window replacement** that meets the Department's *Window Replacement Standards*. Does not include storefront window alterations.
☐	4. **Garage work.** A new opening that meets the *Guidelines for Adding Garages and Curb Cuts*, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
☐	5. **Deck, terrace construction, or fences** not visible from any immediately adjacent public right-of-way.
☐	6. **Mechanical equipment installation** that is not visible from any immediately adjacent public right-of-way.
☐	7. **Dormer installation** that meets the requirements for exemption from public notification under *Zoning Administrator Bulletin No. 3: Dormer Windows*.
☐	8. **Addition(s)** that are not visible from any immediately adjacent public right-of-way for 150 feet 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 **four or more** work descriptions. **GO TO STEP 5.**
☐	Project involves **less than four** work descriptions. **GO TO STEP 6.**

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
☐	1. Project involves a **known historical resource (CEQA Category A)** as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
☐	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 meet 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 or add comments*):
☐	9. **Other work** that would not materially impair a historic district (specify or add comments): *(Requires approval by Senior Preservation Planner/Preservation Coordinator)* _____
☐	10. **Reclassification of property status** to Category C. *(Requires approval by Senior Preservation Planner/Preservation Coordinator)* a. Per HRER dated: _____ *(attach HRER)* b. Other *(specify)*:
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
☐	**Further environmental review required.** Based on the information provided, the project requires an *Environmental Evaluation Application* to be submitted. **GO TO STEP 6.**
☐	**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.**
Comments (*optional*):	
Preservation Planner Signature:	

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 ☐ Step 5 – Advanced Historical Review **STOP! Must file an *Environmental Evaluation Application.***
☑	**No further environmental review is required. The project is categorically exempt under CEQA.**

Planner Name:	**Signature:** Jean Poling Digitally signed by Jean Poling DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Environmental Planning, cn=Jean Poling, email=jeanie.poling@sfgov.org Date: 2016.01.21 15:21:14 -08'00'
Project Approval Action: Planning Commission Hearin If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	

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

In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.

SAN FRANCISCO
PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:	10/23/2013	**Date of Form Completion**	10/23/2013

PROJECT INFORMATION:		
Planner:	Address:	
Allison Vanderslice	313-323 Cumberland	
Block/Lot:	Cross Streets:	
3601/043-044	Sanchez and Noe	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B		2013.1213E

PURPOSE OF REVIEW:			**PROJECT DESCRIPTION:**	
◉ CEQA	○ Article 10/11	○ Preliminary/PIC	○ Alteration	◉ Demo/New Construction

DATE OF PLANS UNDER REVIEW:	08/14/2013

PROJECT ISSUES:	
☒	Is the subject Property an eligible historic resource?
☐	If so, are the proposed changes a significant impact?
	Additional Notes:

PRESERVATION TEAM REVIEW:			
Historic Resource Present	○ Yes	◉ No *	○ N/A

Individual	Historic District/Context
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:
Criterion 1 - Event: ○ Yes ◉ No	Criterion 1 - Event: ○ Yes ◉ No
Criterion 2 -Persons: ○ Yes ◉ No	Criterion 2 -Persons: ○ Yes ◉ No
Criterion 3 - Architecture: ○ Yes ◉ No	Criterion 3 - Architecture: ○ Yes ◉ No
Criterion 4 - Info. Potential: ○ Yes ◉ No	Criterion 4 - Info. Potential: ○ Yes ◉ No
Period of Significance:	Period of Significance:
	○ Contributor ○ Non-Contributor

Complies with the Secretary's Standards/Art 10/Art 11:	○ Yes	○ No	◉ N/A
CEQA Material Impairment:	○ Yes	◉ No	
Needs More Information:	○ Yes	◉ No	
Requires Design Revisions:	○ Yes	◉ No	
Defer to Residential Design Team:	◉ Yes	○ No	

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

PRESERVATION TEAM COMMENTS:

Department staff agree with the findings of the Carey & Co. Historic Resource Evaluation (HRE) report dated May 20, 2013 for 313-323 Cumberland Street that the subject properties are not eligible for listing in the California Register of Historical Resources. 323 Cumberland Street is a single-family residence constructed in 1908 on the south side of Cumberland Street in the Eureka Valley area of the Caster/Upper Market neighborhood. This one-story-over-raised-basement, rectangular-plan building is topped with a shallow hipped roof and has seen substantial alterations. 313 Cumberland Street is a vacant lot adjacent to 323 Cumberland.

The subject block faces along Cumberland Street consists of a range of residential building styles and types. Due to the lack of cohesion on the block, this block does not appear to be part of a potential historical district. No previously identified historical district was found in this area.

Constructed in 1908, the subject building post-dates the initial development of the Eureka Valley neighborhood and is generally, but not significantly, associated with the post-earthquake reconstruction era. Therefore, the subject building at 323 Cumberland Street does not appear to be significant under Criterion 1. The subject building does not appear to be eligible under Criterion 2, as the building does not appear to be associated with any significant individuals, as outlined in the Carey & Co. HRE report. The subject property is not significant under Criterion 3. The building has seen multiple waves of additions and alterations and does not appear to be a significant example of a type or period. It is unlikely that the building was architect-designed and the original builder was not identified.

The subject building at 323 Cumberland Street is not 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. This form does not address archeological resources and archaeological review of the subject properties was completed on 9/5/2013.

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
Smara	10-25-2013

SUBJECT PROPERTY
313 CUMBERLAND ST

SUBJECT PROPERTY
323 CUMBERLAND ST

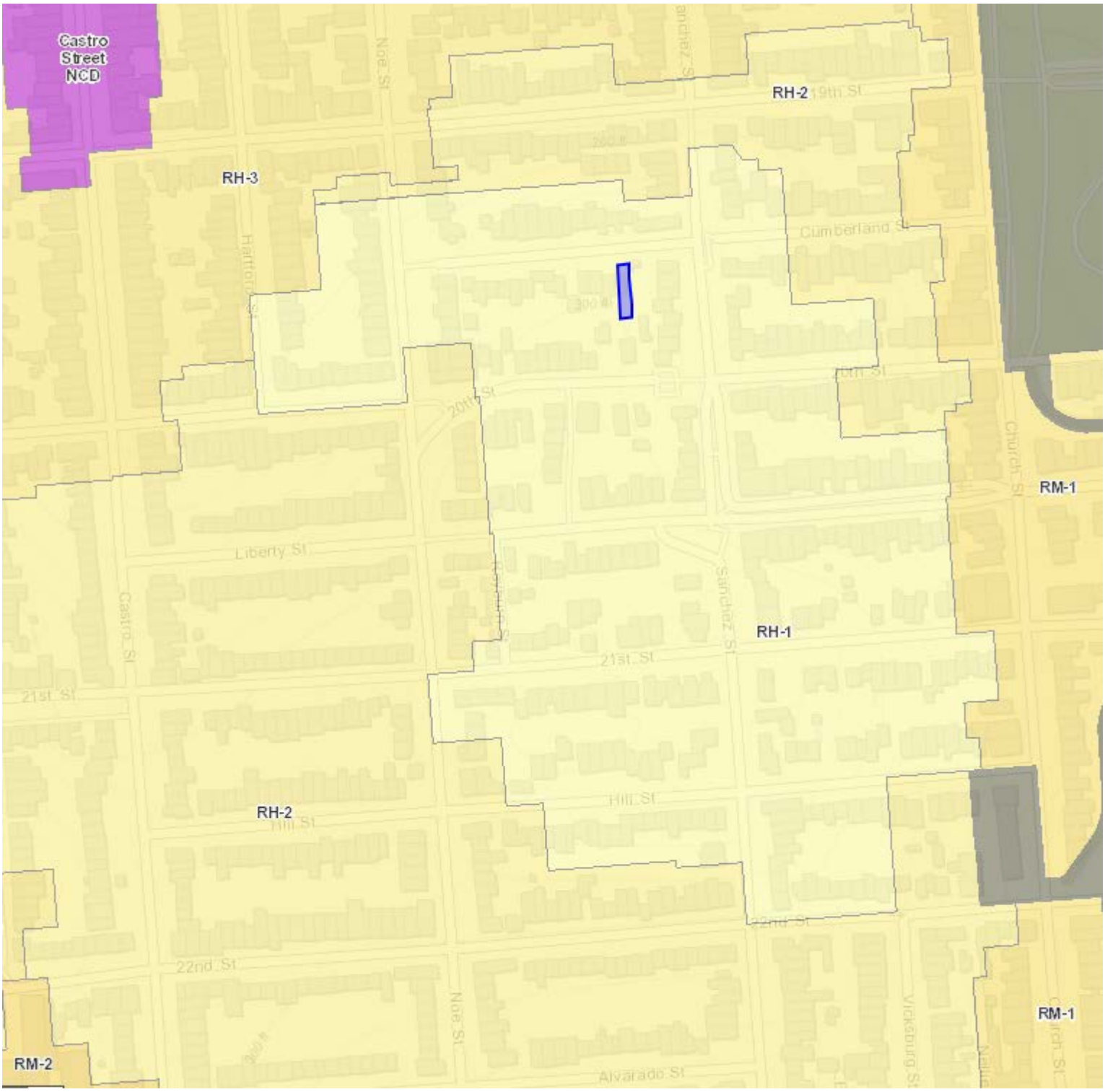
ADJACENT PROPERTY
327 CUMBERLAND ST

(A) FRONT FACADE

SITE PHOTOGRAPHY

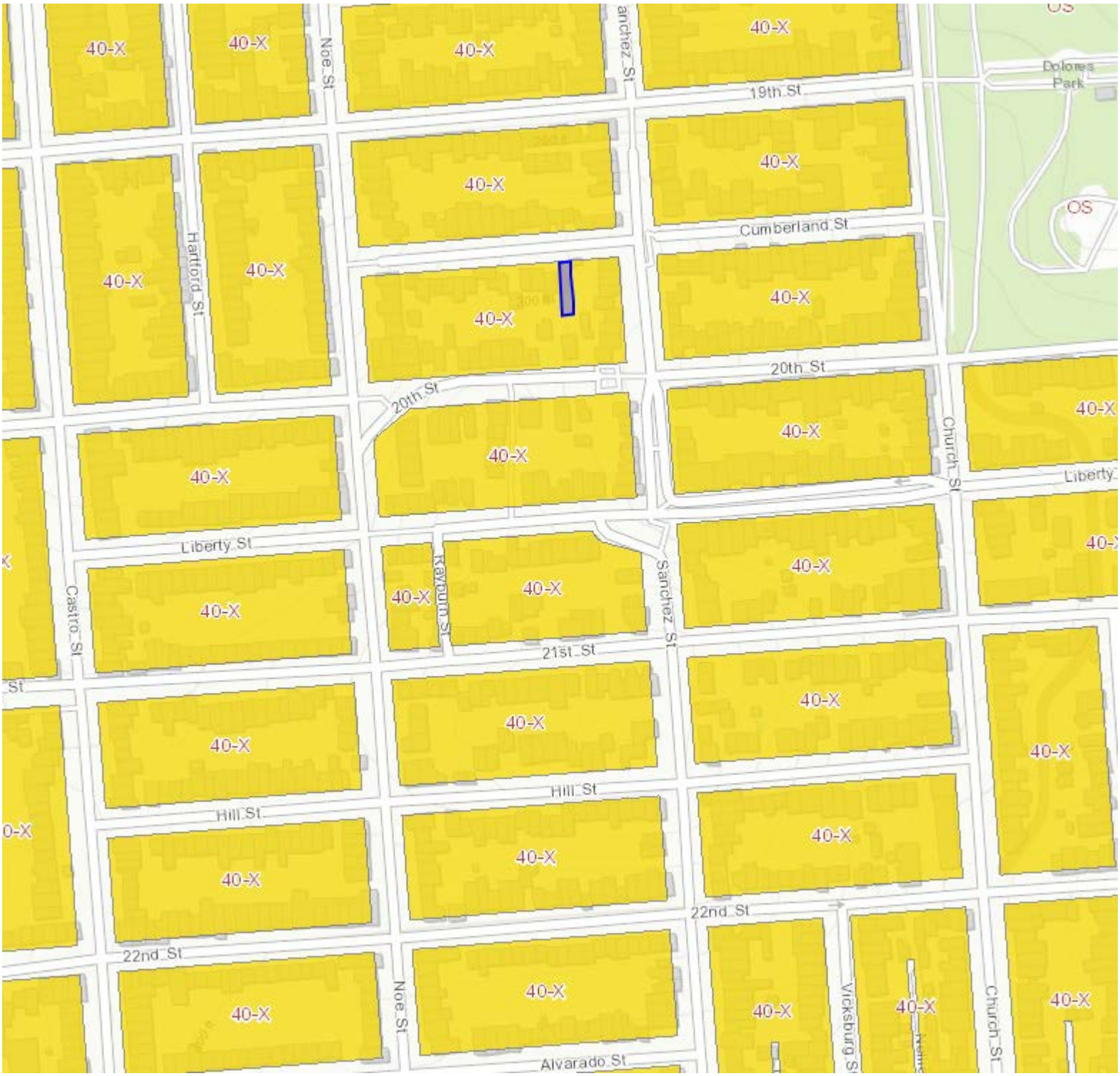
313-323 CUMBERLAND STREET, SAN FRANCISCO, CA

Zoning Map



Conditional Use Hearing
Case Number 2013.1213CUA
313-323 Cumberland Street
February 4, 2016

Height and Bulk Map



Conditional Use Hearing
Case Number 2013.1213CUA
313-323 Cumberland Street
February 4, 2016

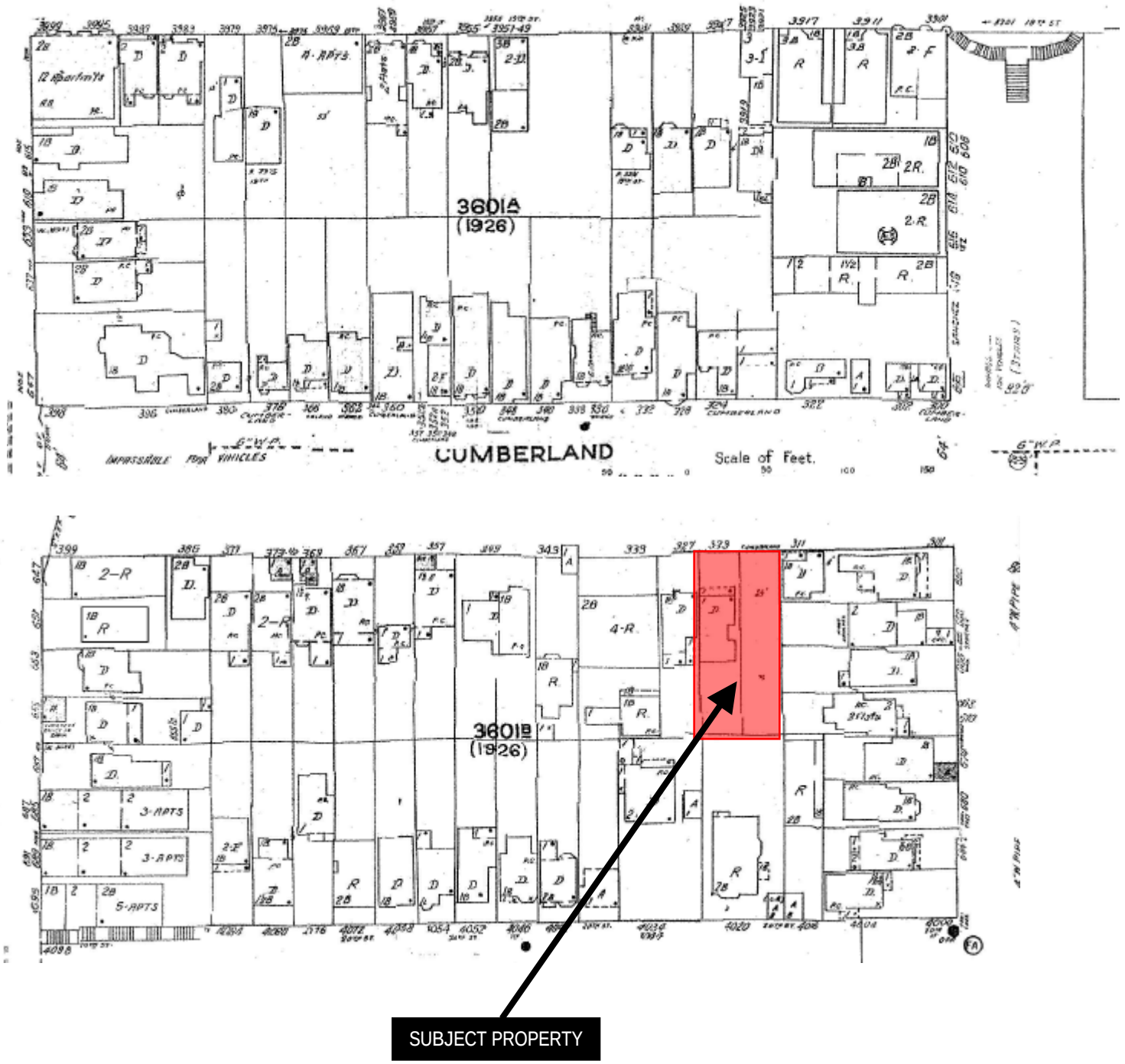
SAN FRANCISCO
PLANNING DEPARTMENT

Parcel Map

Conditional Use Hearing
Case Number 2013.1213CUA
313-323 Cumberland Street
February 4, 2016

SAN FRANCISCO
PLANNING DEPARTMENT

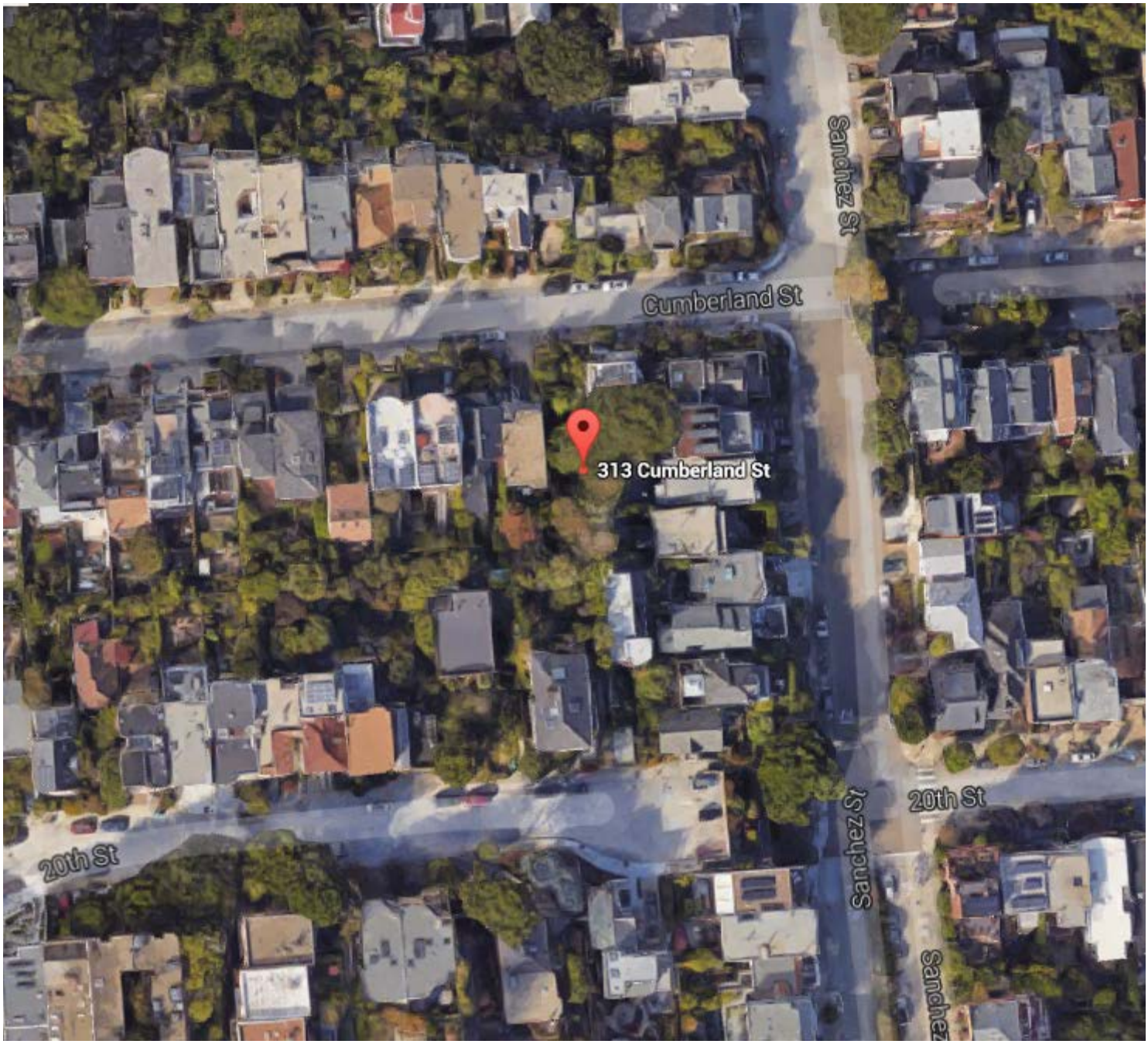
Sanborn Map*



**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*

Conditional Use Hearing
Case Number 2013.1213CUA
313-323 Cumberland Street
February 4, 2016

Aerial Photo



Conditional Use Hearing
Case Number 2013.1213CUA
313-323 Cumberland Street
February 4, 2016

SAN FRANCISCO
PLANNING DEPARTMENT

Site Photo

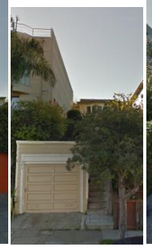
Conditional Use Hearing
Case Number 2013.1213CUA
313-323 Cumberland Street
February 4, 2016

650 Sanchez

311 Cumberland

327

333 -339



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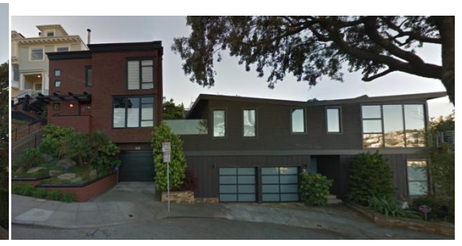
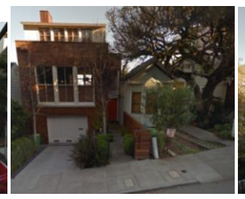
359 367 369 373 377



385 393-393

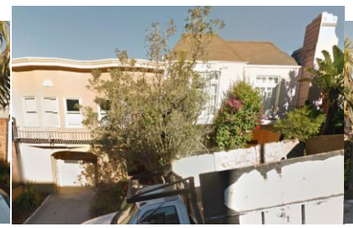
396



380 378

366 362

360 352



350

348 340

336-338

332 328

324

300-322

Source: Google Street View Maps (not to scale)

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco. CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311/312)

On **June 27, 2014**, the Applicant named below filed Building Permit Application No. **2014.06.27.9813 (New Construction)** and Demolition Permit Application No **2014.06.27.9820** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	**323 Cumberland Street**	Applicant:	**John Maniscalco**
Cross Street(s):	**Noe and Sanchez Streets**	Address:	**442 Grove Street**
Block/Lot No.:	**3601/043 and 044**	City, State:	**San Francisco, CA 94102**
Zoning District(s):	**RH-1 / 40-X / Dolores Heights SUD**	Telephone:	**(415) 864.9900**

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
☒ Demolition	☒ New Construction	☐ Alteration
☐ Change of Use	☐ Façade Alteration(s)	☐ Front Addition
☐ Rear Addition	☐ Side Addition	☐ Vertical Addition

PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	19 feet, 7 inches	7 feet, 10 inches
East Side Setbacks	2 feet, 4 inches	3 feet
Building Depth	48 feet	54 feet, 11 inches (portion above grade)
Rear Yard	46 feet, 4 inches	51 feet, 4 inches
Building Height (measured above curb)	29 feet, 10 inches	42 feet, 10 inches
Number of Stories	1	3 over garage
Number of Dwelling Units	1	No Change
Number of Parking Spaces	0	2

PROJECT DESCRIPTION

The proposal is to merge lots 043 and 044, demolish the existing dwelling on lot 043, and construct a new three-story over garage, single-family dwelling. Lot 044 is currently vacant. A small portion of the building would extend 12' towards the rear below grade level. Pursuant to Section 317 of the Code, the proposed demolition has been administratively approved pursuant to case No. 2013.1213D because it has a value greater than at least 80% of the combined land and structure values of single-family homes in San Francisco. Therefore, there will be no mandatory public hearing for the demolition. This does not preclude a member of the public from requesting discretionary review for any portion of the project. See attached plans.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner: Michael Smith
Telephone: (415) 558-6322
E-mail: michael.e.smith@sfgov.org

Notice Date: 5/7/15
Expiration Date: 6/6/15

中文詢問請電: **(415) 575-9010**

Para información en Español llamar al: **(415) 575-9010**

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.**

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at www.communityboards.org for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Application for **Discretionary Review**

CASE NUMBER: For Staff Use only

APPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
Bruce Bowen		
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
4016 20th Street, San Francisco CA	94114	(415) 533-0586

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:		
RSAA LLC		
ADDRESS:	ZIP CODE:	TELEPHONE:
394 Pacific Ave, 2nd Floor, San Francisco CA	94111	(415) 967-7764

CONTACT FOR DR APPLICATION:		
Same as Above ☒		
ADDRESS:	ZIP CODE:	TELEPHONE:
		( )
E-MAIL ADDRESS:		
bruce.r.bowen@gmail.com		

2. Location and Classification

STREET ADDRESS OF PROJECT:	ZIP CODE:
323 Cumberland Street	94114
CROSS STREETS:	
Noe and Sanchez	

ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
3601 /043	25 x 114	2850	RH-1	40-x

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☐ Demolition ☒ Other ☒

Additions to Building: Rear ☐ Front ☐ Height ☐ Side Yard ☐

Present or Previous Use: Single Family Residence

Proposed Use: Single Family Residence on merged lot after merger with 313 Cumberland St Block 3601 Lot 044

Building Permit Application No. 2014.06.27.9820 Date Filed: 06/27/2014

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	☒	☐
Did you discuss the project with the Planning Department permit review planner?	☒	☐
Did you participate in outside mediation on this case?	☐	☒

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

None (no changes)

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

See Attached.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

See Attached.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

See Attached.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:
a: The undersigned is the owner or authorized agent of the owner of this property.
b: The information presented is true and correct to the best of my knowledge.
c: The other information or applications may be required.

Signature: Bruce K Bowen Date: 6/6/2015

Print name, and indicate whether owner, or authorized agent:

Bruce Bowen/Owner
Owner / Authorized Agent (circle one)

Application for **Discretionary Review**

CASE NUMBER:
For Staff Use only

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	☑
Address labels (original), if applicable	○
Address labels (copy of the above), if applicable	○
Photocopy of this completed application	☑
Photographs that illustrate your concerns	■
Convenant or Deed Restrictions	■
Check payable to Planning Dept.	☑
Letter of authorization for agent	☐
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	■

NOTES:
☐ Required Material.
■ Optional Material.
○ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only
Application received by Planning Department:

By: _____ Date: _____

Continuation -- DEMOLITION DR on permit application: 201406279820, 323 Cumberland Street

PLEASE NOTE: WE UNDERSTAND IT IS THE DEPARTMENT'S PRACTICE TO SEND DR APPLICATIONS TO THE RESIDENTIAL DESIGN TEAM TO RE-EXAMINE THE PROPOSED REPLACEMENT BUILDING. THIS DR APPLICATION FOCUSES ON GENERAL PLAN POLICIES HAVING TO DO WITH LOSS OF AFFORDABILITY AND THE LOSS OF AN IN-FILL HOUSING OPPORTUNITY SITE. WE ASK THAT IT BE REVIEWED BY THE PLANNERS WHO RECENTLY COMPLETED THE HOUSING ELEMENT UPDATE.

1. ***We are requesting Discretionary Review on the demolition permit because the proposed demolition is not consistent with General Plan Policies regarding (i) affordability and (ii) retention of existing housing.***

General Plan Housing Element: Objective 2: Retain Existing Housing Units, and Promote Safety and Maintenance Standards, without Jeopardizing Affordability. Also *General Plan Housing Element: Objective 3: Protect the Affordability of the Existing Housing Stock, Especially Rental Units.*

The project proposes demolishing a sound existing home of approximately 950 sf at 323 Cumberland Street and then merging it with a vacant, buildable lot at 313 Cumberland, to build one new home on a double-wide lot that will have an interior area of over 8000 sf total space and over 5800 sf of habitable space (see Exhibit A, tax assessor's lots). Although the demolition was granted an administrative exemption from Mandatory Discretionary Review because it was shown with a value over the $1.506 million threshold, there are a number of important issues to consider with respect to both affordability and housing potential.

First, the two properties (313 and 323 Cumberland) were listed together and separately but were purchased together. The listing noted the following, "*Also being offered separately 323 Cumberland Street-view cottage for $1,275,000. 313 Cumberland Street-view lot offered at $1,125,000" (see http://www.zillow.com/homedetails/323-Cumberland-St-San-Francisco-CA-94114/15145121_zpid/).* The listing price for 323 Cumberland alone, then, was $1.275 million, well under the $1.506 million threshold.

Second, the Tax Assessor took the total sales price, which Zillow listed as $3.55 million (http://www.zillow.com/homedetails/323-Cumberland-St-San-Francisco-CA-94114/15145121_zpid/) and broke it down by property such that 323 Cumberland is valued at $1.6 million, just over the threshold (see Exhibit B). Distinguishing meaning between the $1.506 million threshold figure determined over a year ago and a current value of $1.6 million is impossible. The difference is not only arbitrary but not meaningful given the fact that actual housing values are rising so rapidly and the $1.506 million figure is by City and not by neighborhood and because the threshold figure is static between infrequent changes.

Third, regardless of the threshold figure, it is undeniable that the home proposed for demolition is vastly more affordable than the building proposed to replace it. The difference between today's value of the existing building and the $1.506 million threshold is minimal; the difference between the value of the existing building and the proposed building will be immense.

Fourth, the combination of demolition and lot merger not only removes a relatively more affordable unit from the housing stock, it also removes a vacant lot that could accommodate a separate new unit. Effectively, this project will result in the net *loss* of one housing unit. The recently revised Housing Element took stock of all vacant parcels in the City and identified them as housing availability sites (see table I-57 in the Housing Element). Regarding this table and its sites, the Element states, "*Locating new housing development in these districts makes sense, as housing should go where other housing already exists.... The build-out assumptions for these districts takes into account typical housing types (single-family homes in RH-1, for example)*" (page I-72). Why would we as a City identify such vacant lots as housing sites and then remove them by merger so housing cannot be built? With regard to housing retention, the Housing Element notes that "*Planning shall require Discretionary Review (DR) for all dwelling unit merger applications*" (page C.6, Housing Element). Planning Code Section 317(e) incorporates this statement by strictly regulating housing mergers; its criteria ensure mergers will be the exception and not the rule and will not occur except in highly unusual circumstances. It is an oversight that Section 317 does not also include a subsection on lot mergers because merging two lots in a low density residential district has the *SAME EFFECT* as merging two residential units -- it results in the loss of housing. If the demolition application is disapproved, as it should be, the lots will not be merged and another housing unit will be built at 313 Cumberland, resulting in two housing units on the project site instead of one. See Exhibit C.

It is this fourth aspect of the project that is the **exceptional and extraordinary** circumstance required for a DR. Both the General Plan and Section 317 have a strong bias against ***unit*** mergers. That there is not a similar policy in place for ***lot mergers*** is an oversight because the result of both types of mergers has appreciably the same effect. A dwelling unit merger results in the net loss of one unit of housing. A lot merger results in a net loss of one potential unit of housing. Given the scarcity of buildable lots in the western neighborhoods it is obvious any given vacant lot will be developed. This is why vacant lots such as 313 Cumberland were identified as housing sites in the recent 2014 Housing Element inventory.

2. **Our property and all of our neighbors' properties will be adversely affected by the demolition because it will result in the relative loss of affordability, the net loss of one unit of housing, and is the first step in a process that would leave the neighborhood with a 47-foot wide home on a block characterized by 25-foot wide homes.**

3. **We ask for a proposal that improves and adds thoughtfully to the existing building.** General Plan policies promote the retention of the existing building and of the buildable lot --a prime housing opportunity site for an infill home.

EXHIBIT A

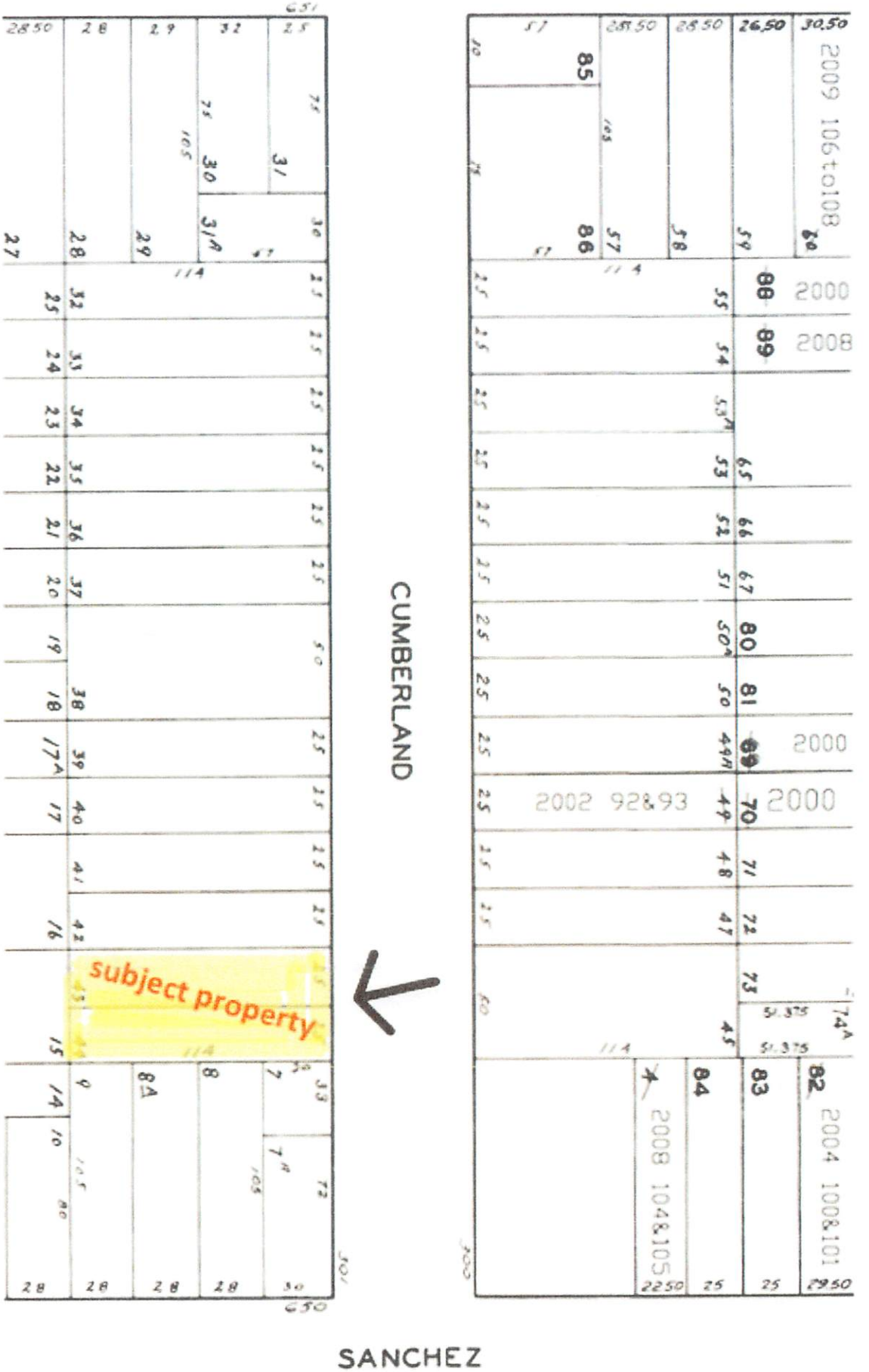

NOE
CUMBERLAND
SANCHEZ
subject property
2009 106to108
2000
2008
2002 92&93
2000
2000
2004 100&101
2008 104&105

EXHIBIT B

ASSESSOR'S REPORT: MAP

Send Feedback to the Assessors Office

Address:	313V CUMBERLAND ST
Parcel:	3601044
Assessed Values:	
Land:	$1,958,853.00
Structure:	-
Fixtures:	-
Personal Property:	-
Year Built:	-
Building Area:	-
Parcel Area:	2,848 sq ft
Units:	-
Stories:	-

Merger of vacant lot to create 5855 sf home represents the loss of a potential additional unit of housing.

ASSESSOR'S REPORT: MAP

Send Feedback to the Assessors Office

Address:	323 CUMBERLAND ST
Parcel:	3601043
Assessed Values:	
Land:	$1,125,084.00
Structure:	$482,179.00
Fixtures:	-
Personal Property:	-
Year Built:	1908
Building Area:	950 sq ft
Parcel Area:	2,848 sq ft
Units:	1
Stories:	1

$1.6 million total just over the $1.506 mil. threshold. Replacement home likely to be over $6 million.

Recorded Documents for this property:

SUBJECT PROPERTY

Vacant lot proposed for merger

Existing home proposed for demolition

The lot merger represents the effective loss of one unit of housing

+

The demolition represents the relative loss of affordability on the block.

=

Loss of 2 units (one affordable and one potential) to build a single unaffordable unit.

EXHIBIT C

Application for **Discretionary Review**

CASE NUMBER For Staff Use only

APPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
Henrietta S. Currier		
DR APPLICANT'S ADDRESS:	**ZIP CODE:**	**TELEPHONE:**
324 Cumberland Street, San Francisco, Ca.	94114	(415) 699-4031

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:		
RSAA, LLC (Ruchi Sangvi & Aditya Agarwal)		
ADDRESS:	**ZIP CODE:**	**TELEPHONE:**
394 Pacific Ave, 2nd Fl, SF CA. (1068 Sanchez St, SF CA 94114)	94111	(415) 967-7764

CONTACT FOR DR APPLICATION:		
Same as Above ☒		
ADDRESS:	**ZIP CODE:**	**TELEPHONE:**
		( )
E-MAIL ADDRESS:		
rhettcurrier@yahoo.com		

2. Location and Classification

STREET ADDRESS OF PROJECT:	ZIP CODE:
323 Cumberland Street, San Francisco, Ca.	94114
CROSS STREETS:	
19/20th Streets, Sanchez/Noe Streets	

ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
3601 / 043, 044	25x114 each	5700 total	RH-1, Dolores Heights SUD	40-X

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☒ Alterations ☐ Demolition ☒ Other ☐

Additions to Building: Rear ☐ Front ☐ Height ☐ Side Yard ☐

Present or Previous Use: vacant lot +1 single family home

Proposed Use: merger of 2 lots into a single lot with a 8090 sf Single family house

Building Permit Application No. 2014.06.27.9813 Date Filed: June 27, 2014

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	☒	☐
Did you discuss the project with the Planning Department permit review planner?	☒	☐
Did you participate in outside mediation on this case?	☐	☒

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

No changes were made in response to any of my comments.

Application for **Discretionary Review**

CASE NUMBER
For Staff Use only

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

See attached.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

See attached.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

See attached.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:
a: The undersigned is the owner or authorized agent of the owner of this property.
b: The information presented is true and correct to the best of my knowledge.
c: The other information or applications may be required.

Signature: _____ Date: June 6, 2015

Print name, and indicate whether owner, or authorized agent:

Henrietta S. Currier, owner

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	☑
Address labels (original), if applicable	⊘
Address labels (copy of the above), if applicable	⊘
Photocopy of this completed application	☑
Photographs that illustrate your concerns	■
Convenant or Deed Restrictions	■
Check payable to Planning Dept.	☑
Letter of authorization for agent N/A	☐
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	■

NOTES:
☐ Required Material.
■ Optional Material.
○ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only
Application received by Planning Department:

By: _____ Date: _____

SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **http://www.sfplanning.org**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
Planning staff are available by phone and at the PIC counter.
No appointment is necessary.

Continuation -- DR on 323 Cumberland Street New Construction DR on permit no.: 201406279813

1. **We are requesting Discretionary Review because the proposed building is too large for the neighborhood, violates the pattern of 25-foot wide lots and homes that are or appear to be no wider than 25 feet in width, is additionally out of character with the neighborhood in materials, glazing, style, horizontal emphasis, fenestration pattern and details and replaces an existing affordable starter home with a 5855 sf home unaffordable to even very wealthy families in the City.**

The proposal violates the following Residential Design Guideline:

> ***Design Principle: Design buildings to be responsive to the overall neighborhood context, in order to preserve the existing visual character*** *(p. 7).* The first of six underlying principles in the City's Residential Guidelines (RDGs), this statement, more than any other, is the reason the Guidelines were developed in the late 1980's. In terms of hierarchy, the design *principles* are the first order of direction in the RDGs, under which design *guidelines* are organized.
>
> The zoning controls in the City's western neighborhoods are now almost 40 years old, having been all but ignored as the City has reconsidered and fine tuned controls in the Eastern Neighborhoods several times over during the past 20 years. It is this principle alone that stands between the preservation of the unique and charming character of the City's individual Western Neighborhoods and the demise of affordability, small-scale, historic architectural styles and details in favor of monolithic monster homes constructed for no other purpose than to make a profit at the highest end of the single-family home market.
>
> The existing homes on this block of Cumberland are of a rich variety of architectural styles, a majority of which date from before 1940 and many of which date from between 1907 and 1910. These styles incorporate charming detail and modest scale in height, depth and width. (See Exhibit D.) Although interior square footage is not regulated in San Francisco, as it is in many other communities in California and across the nation (which is perhaps a function of zoning controls that are 40-years old), unless square footage is largely subterranean it is the single most telling leading indicator of scale and mass. According to Tax Assessor records, the average square footage of homes on this block of Cumberland is 1895 sf (Exhibit B). This figure excludes garage and other non-habitable space, which commonly adds up to no more than 1000 sf in older homes. The proposed home is 5855 sf plus an additional 2255 sf of garage and storage space. At 8090 total sf and a width of 47 feet at street front, the proposed home will detract from the existing character of the street in a major way (Exhibit C). Because it is so very massive and monolithic, this building will then become the block's unaffordable icon, paving the way to the obliteration of what's left of the block's smaller scale character.
>
> The RDGs explicitly include block pattern and lot pattern in its explanation of neighborhood character (page 7). This block of Cumberland is composed of 26 interior lots (13 on each side of the street, excluding corner-area lots), all but two of which are 25-feet wide (Exhibit A). The only two lots that are 50-feet wide are developed with buildings that are broken up into two and three vertical components such that they appear to be two or three smaller buildings (bottom of Exhibit D and Exhibit E).

Design Principle: Place the building on its site so it responds to the topography of the site, its position on the block, and to the placement of surrounding buildings (p.11). This is the second underlying design principle of the RDGs. As noted above, all but two (non-corner area) lots on this block are 25 feet wide. The two lots that are 50-feet wide have been designed with two homes that are designed in discrete vertical elements that read as though they were two or three separate buildings each so as not to conflict with the 25-foot lot pattern (bottom of Exhibit D and Exhibit E). The subject property consists of two 25-foot-wide lots, one of which is occupied by a 950 sf home and one of which is vacant (Exhibit B). Given the character of the block, and especially the two immediately adjacent homes, the appropriate development would consist of retaining the existing home and building a new home with a 25-foot frontage facade and set back between 311 and 323 Cumberland. The demolition of the existing home, merging with a vacant lot and construction with a monolith consuming 47 of 50 feet of new lot frontage violates the immediately adjacent lot pattern and the pattern of building frontages along the entire block.

Front Setback. Guidelines: Treat the front setback so that it provides a pedestrian scale and enhances the street and ***In areas with varied front setbacks, design building setbacks to act as a transition between adjacent buildings and to unify the overall streetscape (p.12).*** The immediately adjacent home at 311 Cumberland is a 33-foot wide by 30-feet deep lot carved out of the corner of Cumberland and Sanchez Streets (Exhibit A -- lot 7 next to the project site). Its forward wall, which is at the property line, determined that site's front setback as zero feet. You can see, however (Exhibit C), that this home steps back from the street such that the facade is broken into smaller parts leading back into the vacant lot. The new building ignores the stepped pattern of 311 Cumberland and ignores the large setback at 327 Cumberland with a double-wide front facade on a single plane. A home that respected this guideline would be built in two discrete 25-foot-wide portions with the westernmost half set back much closer to the front wall of 327 Cumberland.

Facade Width. Guideline: Design the building's facade width to be compatible with those found on surrounding buildings (p.28). As noted above and seen in the plans, photos and montage (Exhibit C), the proposed facade will be 47 feet wide. Immediately adjacent to the west (327 Cumberland) the facade is 25 feet; immediately adjacent to the east (311 Cumberland) the facade is broken into vertical elements that read as no larger than 15 feet wide (and total across the lot 33 feet) (see Exhibit C).

Rooflines. Guideline: Design rooflines to be compatible with those found on surrounding buildings (p. 30). Rooflines on the block are varied (see Exhibit D). Nowhere on the block is a flat unbroken roofline 31- or 39-feet wide, which is how wide the 3rd and 4th floor rooflines will be respectively. Because of the horizontal emphasis of the building, the second floor roofline actually read as though it will be 47 feet long because of the overhead entry detail. There are no buildings on this block that present such a long horizontal pattern.

Design Principle: Design the building's architectural features to enhance the visual and architectural character of the neighborhood (p. 31). Modern buildings can be modern without flying in the face of established architectural character. In its immense horizontal

nature (found nowhere else on this block) and in its massing, this building is immensely out of character with the neighborhood. It additionally fails to incorporate *anything* about the block in materials, glazing, fenestration and detail (Exhibits C and D). It's as if this building was designed for another place entirely.

The **exceptional and extraordinary circumstances** which justify this DR are as follows:

1. The proposal requires a lot merger that will result in the loss of one one-unit housing opportunity infill site at a time when the City has policies in place to preserve existing housing and prevent the loss of housing, especially the ***NET LOSS*** of housing which results from a lot merger in which two homes could occupy the space proposed for only one unit. (See separate DR on the demolition permit application).

2. The proposal results in a lot width and building width out of character with the predominant pattern on the street. Only two existing lots (out of 26) are as wide as the one proposed and the buildings on both those lots have been designed in discrete narrow sections to appear as though they did occupy two separate lots. The proposed home will be the **ONLY** building on this block that will appear so wide -- at least twice as wide as every other building appears.

3. The scale of this building, as demonstrated by both its envelope and its proposed square footage, is not just out of character with the block; it is massively out of character.

4. By removing a 950-sf home and a separate buildable vacant lot and replacing these two entities with a single 5855 sf (plus 2255 sf of garage and storage space) building it will change the comparative affordability of the neighborhood and bolster the cause of speculators to demolish what this neighborhood has left of starter, comparatively affordable homes.

2. **Unreasonable impacts and description of impacts.**

The impacts described above negatively affect the entire neighborhood, as demonstrated by the petition and letters attached to this DR. A majority of neighborhood residents believe the precedent of allowing the merger of two RH-1 lots is fundamentally contrary to important City policies to promote housing while the single proposed home on a double-wide lot is massively out of scale and character with the neighborhood.

3. **What alternatives and changes would respond to the exceptional and extraordinary circumstances?**

Any project requiring both the demolition of sound housing and the merger of two buildable lots for the construction of only a single unit fly in the face of every City policy that serves to protect existing and potential housing sites. This is a project that requires an outright denial so that a young family can move into the existing sound starter home at 323 Cumberland and the sponsor can build a 25-foot wide home at 313 Cumberland.

NOE

EXHIBIT A

SUBJECT PROPERTY: Proposed demolition of a 950 sf home, merger with vacant, buildable lot for replacement with a single 5855 sf home (8100 sf w/garage and storage)

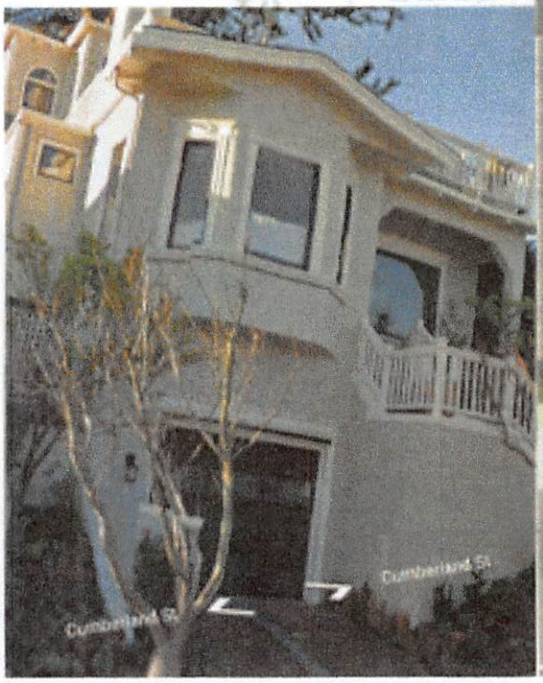
Numbers in blue are from tax assessment records, modified upwardly from MLS records. Proposed building would be approximately 5855 sf by tax assessor plus 2256 sf garage and storage. (Tax Assessor's records exclude garage and non-habitable space.)

AVERAGE HOME SIZE ON THIS BLOCK IS 2027 SF. PROPOSED HOME IS ALMOST 300 PERCENT LARGER. SQUARE FOOTAGE, WHILE NOT REGULATED, IS A DIRECT REFLECTION OF MASSING AND ENVELOPE.

THE PROPOSED PROJECT WILL NOT ONLY DEMOLISH A HOME THAT IS REALTIVE MUCH MORE AFFORDABLE THAN ITS REPLACEMENT BUILDING BUT WILL ALSO REMOVE A BUILDABLE VACANT LOT, RESULTING IN THE EFFECTIVE LOSS OF 2 UNITS FOR THE REPLACEMENT WITH ONE.

Proposed home -- 5855 sf (8090 sf including garage and storage)

311 Cumberland



327 Cumberland

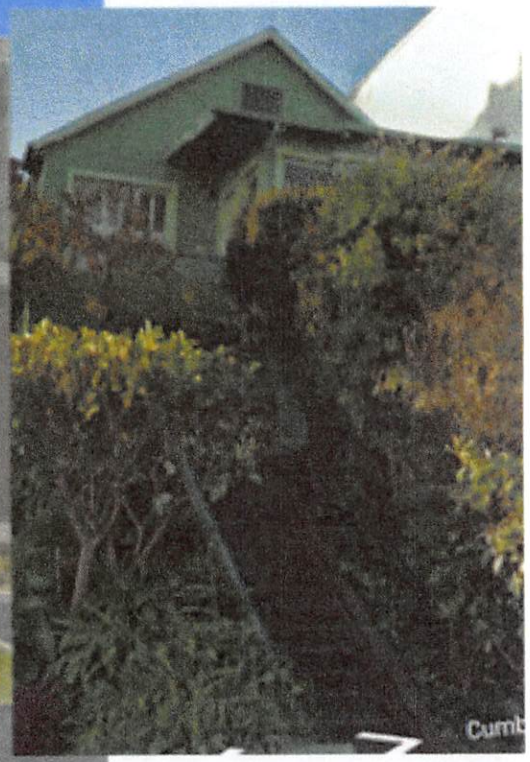
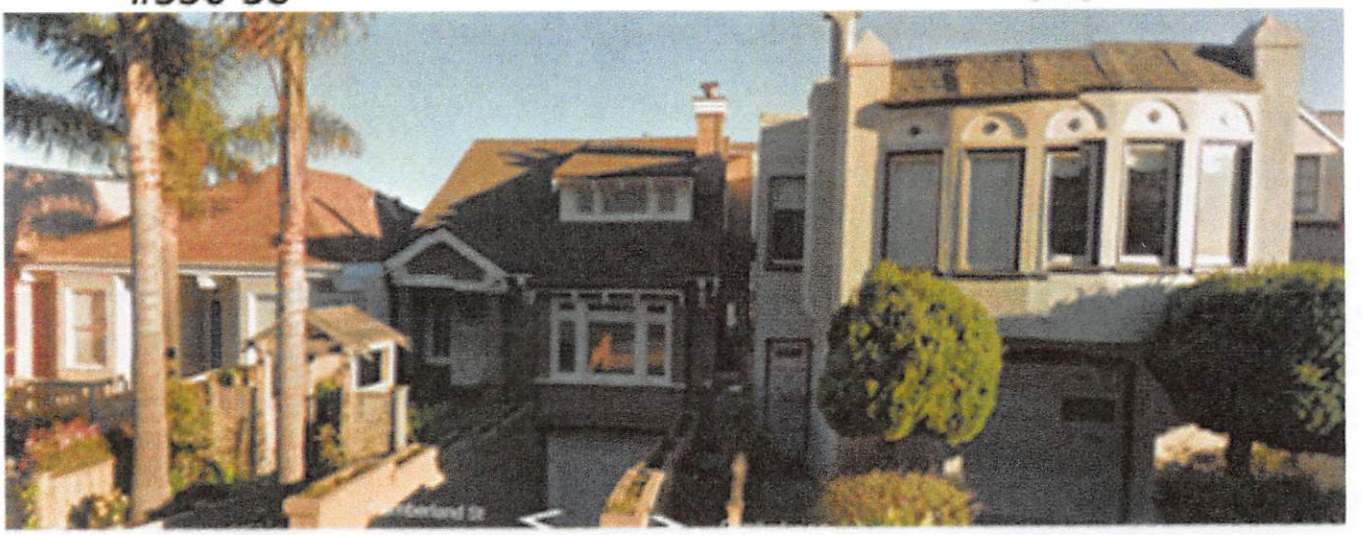


EXHIBIT C

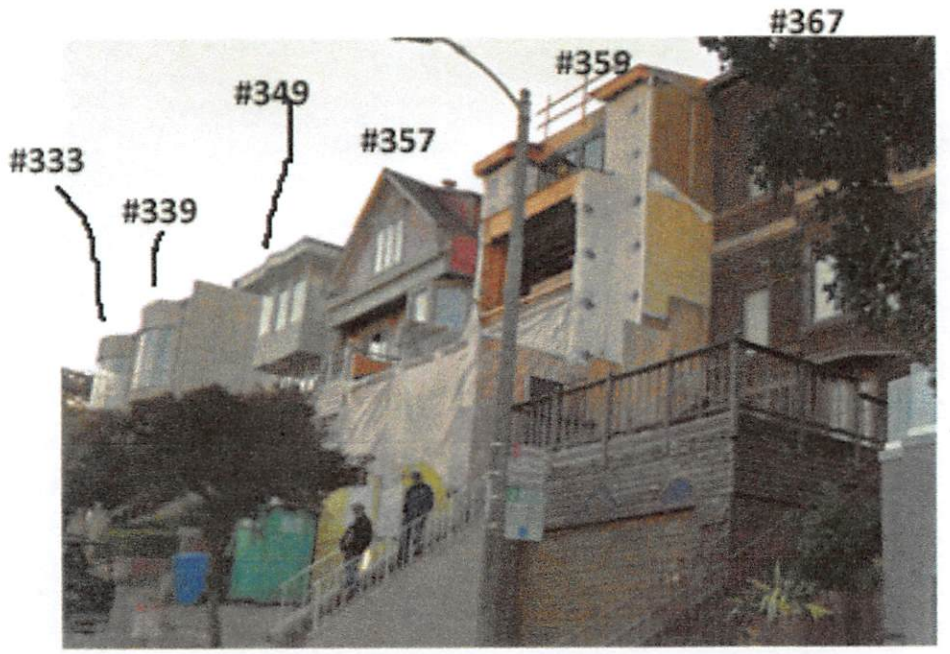
Lot is 33 feet wide by 30 feet deep. Facade is broken up and stepped in two pieces to reduce visual impact.	Proposed merged lot is 50 feet wide by 114 feet deep. Facade is barely articulated and fails to relate in any way (scale, materials, massing, details, or fenestration pattern) to immediately adjacent neighbors or most other buildings on the block.	Lot is 25 feet wide by 114 feet deep. Facade is stepped.

EXHIBIT D

#336-38 #332 #328



Typical building scale across the street: 25-wide facades on 25-foot wide lots.



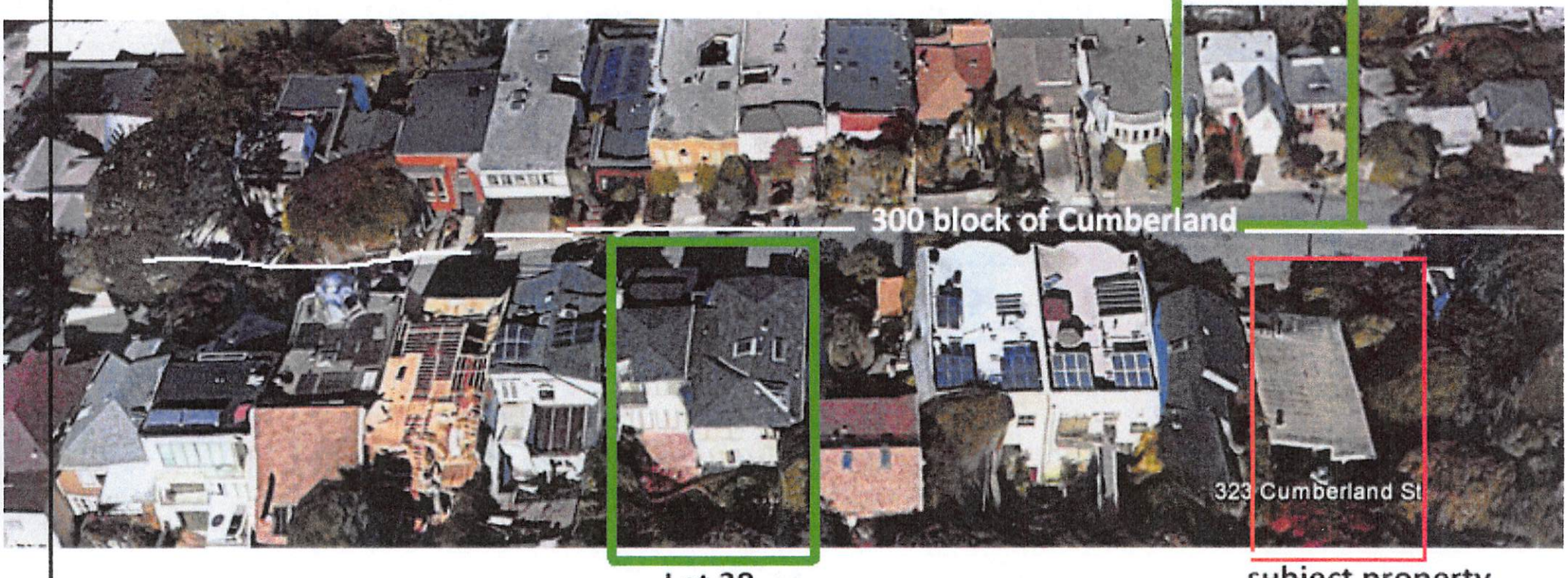
Taller on south side of the street but still either 25-feet wide lots and buildings or reading as 25-feet wide.

#349

Even the only two buildings on 50-foot wide lots are broken up to look like they two buildings of 25-foot width

#324

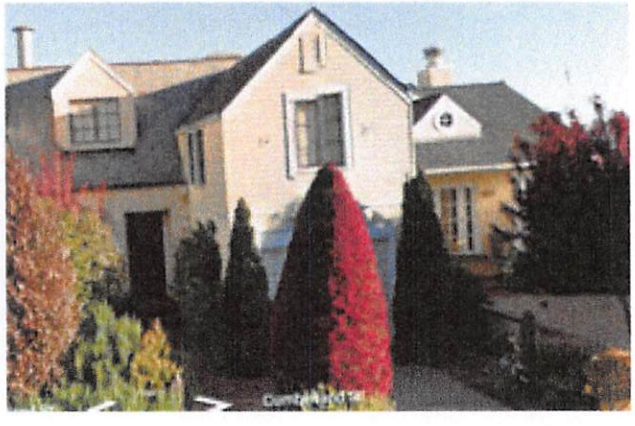
Lot 45



Lot 38

subject property

There are only two lots on this block that are 50 feet wide -- lot 38 and lot 45. Homes on both these lots are under 2300 sf each and are broken up into two discrete frontages to read like two separate buildings.



Home on lot 45 -- also broken into parts

Lot 38 home broken into two parts

EXHIBIT E

Greg Roberts
322 Cumberland Street
San Francisco, Ca. 94114

June 8, 2015

Michael Smith
City Planner, San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103
Email: michael.e.smith@sfgov.org

Re: 323 Cumberland Street, Building Permit Application No. 2014.06.27.9813 and Demolition Permit Application No. 2014.06.27.9820

Dear Mr. Smith,

I am writing to express my strong opposition to the project proposed for 323 Cumberland Street.

The project design is "out of scale and context" with the existing character of the Dolores Heights Special Use District. The project is tremendously excessive. It is especially offensive when placed between two modest cottages.

It should be against public policy to allow a lot merger to create an 8300+ square foot structure for a single family of two when we have a housing crisis in our City. I oppose the lot merger on both grounds.

The proposed builders did not respond to the neighborhood's issues with the design. They thwarted inquiry and misled on the intentions while adding even more square footage to what would be, by far, the largest single residence in our expanded neighborhood.

Please review and restrict the plan for this massive structure sprawled across two lots.

Sincerely,

Gregory R Roberts

Greg Roberts
322 Cumberland Street
San Francisco, Ca
94114

May 8, 2015

Michael Smith
City Planner, San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103
Email: michael.e.smith@sfgov.org

Re: 323 Cumberland Street -Permit No. 2014.06.27.9813 (new construction), and
Permit No. 2014.06.27.9820 (demolition)

Dear Mr. Smith,

We are writing as concerned neighbors. Ms. Moran's properties at 300 and 322 Cumberland Street and Ms. Currier's property at 324 Cumberland Street are across the street to the north from 323 Cumberland. Ms. Moran grew up in this neighborhood; Ms. de Cossio's mother was a childhood playmate of Ms. Moran, and Ms. Currier purchased her property in 1996 – our properties are one of the things that makes San Francisco cool and Dolores Heights quaint.

We are writing to express our opposition to the proposed project at 323 Cumberland Street.

The dimensions and character of the proposed project do not mesh with the character of the neighborhood. It has a negative impact on privacy, air and light of surrounding homes, and sets a very poor precedent that will only erode the integrity of the Dolores Heights Special Use District. It is completely out of scale and character for the neighborhood.

We are also concerned with the proposed lot merger, which adversely affects the City's housing stock by removing a vacant, buildable lot. In addition, by merging the lots at 313 and 323 Cumberland, the resulting building would be much wider than any home in the neighborhood. Two individual homes, built to scale for the neighborhood and with potential impact on neighbors kept in mind, would not have the impact of this excessively wide structure.

How would the owners feel if the north side of the street decided to build to the maximum height/building envelope or very close to it? How about a merger of several lots for an even longer facade? (We take it to the extreme to make out point.) Then perhaps the owners, Ruchi and Aditya, would be in our shoes.

This isn't personal, the owners seem like very nice people. We are open to discussion, but they have not engaged in any meaningful way. The have answered questions, but have not offered solutions to the issues we have raised.

Very Truly Yours,

D. Moran

Diane Moran
35 Lacosta Court
Novato Ca 94947

Henrietta S. Currier & Renee F. de Cossio
324 Cumberland Street
San Francisco Ca. 94114

Richard Lynch & Shelley Gardner
327 Cumberland Street
San Francisco, Ca. 94114

May 7, 2015

Michael Smith
City Planner, San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 323 Cumberland Street, Building Permit Application No. 2014.06.27.9813
and Demolition Permit Application No. 2014.06.27.9820

Dear Mr. Smith,

I am writing to express our opposition to the above referenced project. I am specifically withdrawing a letter of support that I submitted in 2014. Earlier this year I signed a petition in opposition to this project, but I want to be clear. My wife and I want to express our opposition to certain aspects of the project. I don't mind that it is on two lots; we would prefer that, as it would mean more parking for the street.

The project design, however, is ***out of context and scale*** with existing character of the Dolores Heights Special Use District. The project, as planned, is excessively large, especially placed between two cottages. It doesn't fit in with the neighborhood.

The owners had made an earlier concession to set back the back wall of the project by about six feet – but this change only allowed them to apply for permits without a rear yard variance; so it was not much of an accommodation at all.

We would like the owners to make an accommodation to our adjacent property. The project's second above-grade story will extend well beyond the front of our home and will block the light and air to our modest front deck and entryway. My wife has been very ill, and the deck is the one place she can get to easily in order to enjoy the sunshine. Not only will the project block our light in the front, but also our air in the front and it will invade our privacy. I'm no expert, but it appears from the drawings that the project will have a deck that will look down onto our deck, front door and into our living room windows. We hope to be able to work something out with the owners.

I am personally fond of the owners, but I don't think they are looking at this project from the neighborhood's perspective.

Very Truly Yours,

Richard V. Lynch III

Richard Lynch & Shelley Gardener

June 7, 2015

Michael Smith
City Planner, San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103
Email: michael.e.smith@sfgov.org

Re: 323 Cumberland Street
Permit No. 2014.06.27.9813 (new construction), and
Permit No. 2014.06.27.9820 (demolition)

Dear Mr. Smith,

Our home at 4020 20th Street abuts 323 Cumberland directly to the South.

We are writing to express our opposition to the proposed project at 323 Cumberland Street.

The dimensions and character of the proposed house plans do not mesh with the rest of the neighborhood. The proposal does not fit in with the character of the neighborhood, has a negative impact on privacy, air and light of surrounding homes, and sets a very poor precedent that will only erode the integrity of the Dolores Heights Special Use District. It is completely our of scale and not responsive to the neighborhood context.

We are also concerned with the proposed lot merger, which adversely affects the City's housing stock by removing a vacant, buildable lot. In addition, by merging the lots at 313 and 323 Cumberland, the resulting building would be much wider than any home in the neighborhood, resulting in a wide expanse of 3 story south-facing glass which has the potential to cause significant glare for neighbors to the south. Two individual homes, built to scale for the neighborhood and with potential impact on neighbors kept in mind, would not have the impact of this excessively wide structure.

Very Truly Yours,

Peter Larsen
Joan Wulf

4020 20th Street, San Francisco, CA 94114

DOLORES HEIGHTS IMPROVEMENT CLUB
Post Office Box 14426, San Francisco, CA 94114

Hand-delivered to SF Planning Department

June 4, 2015

Mr. Michael Smith
City Planner
San Francisco City Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: 323 Cumberland Street (Building Permit App No 2014.06.27.9813 and Demolition Permit App No 2014.06.27.9820)

Dear Mr. Smith:

We are writing regarding the above-referenced proposed project on behalf of the board and members of the Dolores Heights Improvement Club (DHIC). Our organization seeks to be a positive influence on development in Dolores Heights. The San Francisco Planning Commission Resolution No. 8472 which created the Dolores Heights Special Use District (DH SUD) describes our neighborhood as an "outstanding and unique area, which contributes to San Francisco's visual form and character."

Our Planning and Land Use Committee (PLU) reviewed the proposed project relative to the DH SUD and the Dolores Heights Residential Design Guidelines (DH RDG). Dolores Heights neighbors and DHIC officers have attended meetings with the sponsors of the Project and have provided the sponsors with feedback relating to the Project. The final plans filed with the San Francisco Planning Department still represent a design that is not compatible with the DH SUD and the Dolores Heights Residential Design Guidelines (DH RDG) or with the San Francisco Planning Code and its Residential Design Guidelines. We ask you as the City Planner assigned to this Project, your colleagues at the San Francisco Planning Department, and the Planning Commission to request that the sponsors make design changes to address the following concerns and objections.

Building Bulk and Massing. The project is a massive structure. With total gross square footage of over 8,300 square feet, it is more than twice the size the buildings on the 300 block of Cumberland and on adjacent blocks. In the DH SUD, the average single residence is approximately 1,815 and largest single residence is 4,733 which was built in 1900 and predates the creation of the DH SUD. These numbers include houses on double-lots as if such houses were on

single lots. At over 8,300 sq.ft, this project is out of context for this neighborhood. In order to preserve neighborhood character, the SF Planning Department's Residential Guidelines provide that sponsors should "design the scale of the building to be compatible with the height and depth of surrounding buildings." At four floors (one below grade in whole or in part), the building will loom over the two neighboring homes. The Dolores Heights Residential Design Guidelines also recommend that new buildings on double lots be limited to 3,847.5 square feet of interior living area, as provided in the DH RDG. The proposed building greatly exceeds the DH RDG. We recommend reducing both the height and the width of the building to be compatible with the neighboring homes.

Building Width and Front Façade. Care must be taken when developing a double-wide lot to ensure that the new building is compatible with the 25' width of surrounding buildings. The SF Planning Department's Residential Design Guidelines recommend that sponsors "articulate the facade to respect traditional facade widths. For example, a facade may be broken into separate forms that match the widths of surrounding buildings." The proposed building has a horizontally oriented façade, which is monolithic. It includes a wall on the west side that protrudes beyond the front of the neighboring home (327 Cumberland) – blocking their light and air from the east. We recommend that the project sponsor follow the SF Planning Department's Residential Design Guidelines, which recommend "design the building's proportions to be compatible with those found on surrounding buildings."

Building Height. To ensure that the new development complements the size and texture of the surrounding buildings the DH RDG recommends limiting the building height to 25 feet for the last 16 feet of building depth on up sloping lots. Where a lot slopes uphill away from the front property line, the Guidelines recommend that the building step up the hill in increments following the slope of the hill. We recommend these changes to the proposed project to be compatible with the Dolores Heights neighborhood.

Preservation of Light and Air. The DH RDG also recommend incorporating "good neighbor" gestures including partial setbacks to prevent blocking a neighbor's light and air. The second above-grade story of the proposed project blocks the view of the neighbor to the west (327 Cumberland Street - the Gardiner/Lynch home). Again, a tiered structure, where the second above-grade story does not extend beyond the Gardiner/Lynch home's deck would not block this neighbor's view, air and light. The sponsor has incorporated a partial setback since their initial proposal, while at the same time increasing overall square footage through subterranean excavation. We recommend that the

sponsor increase the setback at the second above-grade story level, so that the west wall does not block their neighbor's light and air.

Excavations. This project involves significant excavations across the entire lot. The owners of another adjacent lot at 660 Sanchez, who are friends of this project sponsor, plan similar excavations. Both of these excavations will be very near to each other and raise concerns relating to their impact on foundations of adjacent neighbors. Furthermore, we note for the record that Dolores Heights has an underground spring. We are aware of at least one project (on nearby 21st street) which did excavate, and caused adjacent neighbors to get redirected stream flooding into their basement, for which the neighbors had to install a sump pump, increasing their ongoing operating and insurance expenses. We understand that the Planning Department is not responsible for this part of the Project, but we recommend these issues be addressed by the Building Department before any excavation starts.

Summary

The proposed project will have an extraordinary impact on an "outstanding and unique area" with a steep topography that has created an irregular pattern of streets, seven public stairways, and buildings. Dolores Heights is filled with interesting houses and cottages set into the hillside's gardens and tree-filled open spaces. It provides San Franciscans and visitors with access to stunning public views of the City and the Bay at every corner.

The project sponsors have not cited any exceptional or extraordinary circumstances, practical difficulties or unnecessary hardship that justify a building of this mass, size and design. The DH SUD was created in order to:

> "Preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, 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."

The sponsors have told neighbors that they purchased the property because they love the Dolores Heights neighborhood for its quaint cottages and front yard gardens... Yet they propose a structure that is wholly incompatible with the neighborhood for the reasons cited above. A project of this size and scale will detract from the character of Dolores Heights neighborhood, and set a precedent for other developments that will rapidly transform Dolores Heights from a charming hillside into a monolithic neighborhood.

DOLORES HEIGHTS IMPROVEMENT CLUB
Post Office Box 14426, San Francisco, CA 94114

We urge you to require these changes in the project design.

Sincerely,

John O'Duinn
Chair, Dolores Heights Improvement Club
384 Liberty Street

Carolyn Kenady
Chair, Planning and Land Use Committee
Dolores Heights Improvement Club
3632 21st Street

From: **Brent Horowitz** brent_horowitz@yahoo.com
Subject: Fwd: Letter Responding to Proposed Construction at 313-323 Cumberland St
Date: June 5, 2015 at 3:39 PM
To: Rhett Currier rhettcurrier@gmail.com

Sent from a tiny keyboard

Begin forwarded message:

From: Brent Horowitz <brent_horowitz@yahoo.com>
Date: May 14, 2015 at 9:51:23 PM PDT
To: Ruchi Sanghvi <rsanghvi@gmail.com>, Aditya Agarwal <aditya@dropbox.com>
Cc: Michael Smith <michael.e.smith@sfgov.org>, John O'Duinn <john@oduinn.com>, Heather Thompson <heatherthompsonhorowitz@gmail.com>
Subject: Letter Responding to Proposed Construction at 313-323 Cumberland St
Reply-To: Brent Horowitz <brent_horowitz@yahoo.com>

Ruchi & Aditya,

Attached please find a letter outlining our thoughts & concerns on the currently proposed project.

Best regards,

Brent & Heather

Brent Horowitz
Heather Thompson Horowitz
328 Cumberland Street
San Francisco, CA 94114

Letter to Ruchi-Aditya from Horow...rland.docx

Brent & Heather Horowitz
328 Cumberland Street
San Francisco, Ca. 94114

May 14, 2015

Dear Ruchi & Aditya,

Thank you for hosting a follow-up meeting on April 21st to present your revised plans for the double lot at 313-323 Cumberland Street. As Brent told the group and each of you after the meeting, we appreciate your engagement and willingness to hear feedback from your future neighbors – and longtime residents – here in Dolores Heights

As Brent also stated, we can tell that much thought was given by your architect, John Maniscalco, to incorporate feedback from the first design version that was presented to the neighborhood months ago. In particular, breaking up some of the façade with a bit of a step-back; adding design features to further break up the monolithic front; and lowering and/or pushing back the side walls (particularly on the East) have certainly improved a very imposing and shade-producing structure in an otherwise quaint neighborhood.

With all of that said, **we continue to have significant concerns** about several aspects of the project as outlined below. While we speak for ourselves, our concerns are without question shared by many, as you all heard at the well-attended April 21st meeting.

Size
First and foremost, the architectural design presented on April 21st is now for a house that is even *larger* than the original proposal. We recognize that some of this space is now underground as proposed, and that the above-ground structure has been reduced a bit to a (still-significant) ~5200 square feet. But Mr. Maniscalco seemed perturbed by the repeated feedback regarding the floor space from multiple attendees of the meeting saying, "you all seem a bit hung up on an abstract number."

Numbers and words are by nature abstractions, yes. But numbers are also as objective as any description; the fact is that **at approximately 8300 square feet the home proposed will be *more than twice the size* of any other structure on the block**, and all but a few in the surrounding neighborhood. That includes BOTH of the other double lots on the 300 block of Cumberland, one of which is just over 3000 sq. feet and the other closer to 2000. In one of the original letters you sent to your future neighbors, you expressed wanting to live in this neighborhood given how "quaint and charming" it was. Imagine if in 10-15 years from now most of the homes on this block were of the size and scale of what you are proposing here. How "quaint" would this historic and unique street be then? We ask you to please re-consider whether you truly need this much space – keeping in mind we are a family of four living comfortably in a 1500 square foot home – and if so whether this is the right neighborhood for that kind of scale.

Light & Aesthetic Space
Square footage aside, the other main problem we have being directly across the street (on the downslope to the North) is what we see, and what light reaches our house especially in the Winter (when your property is in the path of the mid-day sun). Given the slope of the hill, anything you build up and out will loom over our daughter's room in the front of our house.

Today, we read her stories before her nap and see greenery across the street. Under this design, we'll look out our original bay windows and see into a mass of modern wood, concrete and glass. **Our hope is that the plans can evolve further, with (at least) the second story set back further; more emphasis on breaking up the façade; and more greenery throughout.**

One of the under-appreciated and also brilliant aspects of the only two other double lots on the street (that of Rhett Currier at 324 Cumberland and Bernie Katzmann at 349 Cumberland) is that both homes are **purposely designed** (and remodeled in Bernie's case) **to look like <u>two</u> different structures.** Specifically, one side of each home is actually set a good deal further back than the other side. Also, both are significantly set back from the street overall to mitigate the effect of one joined home. Please consider the effect your current design will have on the feel of the street – for those that drive home every day with your structure towering over the apex of the hill, as well as those that live directly across and below from your home.

The good news is we feel that this aspect is relatively easy to address given the experience and talent of your design team, so we are hopeful that you and they will act on this feedback.

Excavation & Safety
In order to accommodate the amount of space you are looking for without having to ask for a variance, it seems like the order of the day is to dig. While we appreciate the added cost as well as the effort to rein in the above-ground scale, there are other considerations.

We are not sure you are aware, but directly North of and below our property and that of Ms. Currier and the Nadlers (@332 Cumberland) there is a long-standing proposal pending (@ 3927-3931 19th St) to dig 25 feet horizontally into the very steep hillside and create a 60-foot-high retaining wall for three new 4-story houses. They are asking to drill major supports underneath our property to do so. That conversation is ongoing.

But **with the hillside potentially being excavated below our home, with a natural spring on your property being diverted directly above us per your plan, and living in a home that was constructed in 1928, one can appreciate that this is not an idle concern.** Brent was knocked to the ground in Marin County as a teenager during the 1989 quake; we live on a hill (i.e. rock) for more reasons than the view. Whatever your digging plans, we ask that you give thorough consideration to any runoff and/or destabilized earth that might affect those directly next to your property. We would also like to meet with your geotechnical engineer to understand these aspects of your overall plans in detail.

Longevity & Character
Finally, based on the interactions with you and your design team, **we don't believe you truly appreciate the intangibles of this small and historic collection of blocks that comprise Liberty Hill and Dolores Heights.** As we believe you know, the address of your proposed house lies inside of the Dolores Heights Special Use District and therefore is subject to the guidelines unanimously adopted by the San Francisco City Planning Commissioners under the following preamble: *"Whereas, Dolores Heights is listed in the Urban Design Element of the Comprehensive Plan as one of the five examples of outstanding and unique areas which contribute to San Francisco's visual form and character and in which neighborhood associations should be encouraged to participate in a cooperative effort to maintain the established character..."*

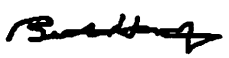
However much money or time or thought has been spent getting your proposal to this point, we do not see how it in any way seeks to "maintain the established character" of Dolores Heights overall let alone the 300 block of Cumberland. Further, it seems that there have been efforts made to move *away* from that heritage. The small existing home at 323 was owned by a lovely old man named Bob Jacks who used to bring us plums from the tree his once wife planted in his side yard. He lived there for over 40 years. After he passed away and the property became yours, we observed a team come over one afternoon and re-roof the house – which is interesting considering no-one lived it in and it was intended for demolition – and we noticed the original architectural feature above the door (the eyebrow dormer) was removed during the roofing and not replaced. We have no way to know whether this was intentional, nor can we find permits for the job, but it is fair to say that not much if any effort was made in the way of preservation.

In Summary...
While we have only owned 328 Cumberland Street for six years (we closed six days before our first child was born), we were also renters for five years before that. We bought the home we'd already lived in. We see tourists daily as they quietly explore our sunny dead-end street, stopping to look at Rhett's garden and the small fishpond in front of the cottage across from Bernie's house. They often pause at the apex – directly in front of your property – to turn around slowly, taking pictures of the fog being held up by Twin Peaks, spilling like a slow wave into a very unique city that is changing dramatically.

You now wield an important hand in shaping San Francisco's architectural legacy. We welcome you to the neighborhood and sincerely hope that you realize none of this feedback has to do with you as individuals – as one of your friends mistakenly (and unfortunately) suggested at the meeting. Instead it is all about protecting this neighborhood's heritage as well as the value and enjoyment of our home.

We hope that you will continue to engage with the community and find a compromise that on the one hand gives you your dream home while on the other does so with a lighter, more appropriate footprint on this very unique street in San Francisco.

Best regards,



Brent & Heather

cc: Michael Smith, City Planner
John O'Duinn, Board Chair, Dolores Heights Improvement Club

From: **David Nadler** denadler@gmail.com
Subject: Letter concerning the proposed project at 313-323 Cumberland
Date: June 1, 2015 at 9:47 AM
To: Ruchi Sanghvi rsanghvi@gmail.com, Aditya Agarwal aditya@dropbox.com
Cc: Michael Smith michael.e.smith@sfgov.org, Laura Nadler laurabnadler@gmail.com
Bcc: rhettcurrier@gmail.com

Dear Ruchi and Aditya,

Please find attached a brief letter with our thoughts about the currently proposed project. We look forward to your continued engagement with the community and appreciate your attention to its concerns.

Best regards,
David & Laura Nadler
332 Cumberland

Letter to Ruchi-Aditya from Nadle…d copy.docx

David & Laura Nadler
332 Cumberland Street
San Francisco, Ca. 94114

June 1, 2015

Dear Ruchi & Aditya,

Thank you for your continued engagement with the community. Our neighborhood is a wonderful place to live, with caring thoughtful residents, and we look forward to sharing it with your family.

As nearby neighbors at 332 Cumberland, we have **strong concerns** about the current form of your plans at 323 Cumberland and the adjacent lot. But we do not see these worries or those of our neighbors as insurmountable. We welcome continued investment by families in the neighborhood and share an appreciation with you for its unique appeal. But we feel its wonderful character is not guaranteed to survive the coming years without careful stewardship.

Here is a brief summary of challenges we feel your project presents to the continued health of Cumberland St and more broadly Dolores Heights.

Size
Our street is not one of imposing structures. We fell in love with our house at 332 Cumberland in large part because while large at 2500sqft (and in fact one of the largest houses on Cumberland), its facade is that of a small cottage with one full floor at street level and only a dormer window above. Outside of a below grade garage entry, what the house presents to the street is not different from when it was built in 1916. The existing house at 323 Cumberland is similar in scale. Both are set back far from the street with welcoming walkways and surrounding plantings. The house next door to us to the west has a large front yard with a fish pond!

As currently proposed, your project presents a radical change with its monolithic facade, both in height and expanse. Unlike the other homes on double lots on Cumberland, the proposed design makes no effort to integrate this massing into the rhythm of the street. In one of the original letters you sent to your future neighbors, you expressed wanting to live in this neighborhood given how "quaint and charming" it is. This seems inconsistent with the current proposed design, and we worry about the precedent it will set.

Excavation
We understand that the current proposed design places more of the square footage underground. While this addresses some of the concerns with its presented massing, it raises significant new ones. First, the integrity of the hill itself, a valuable asset both for the large trees it supports and for its safety in an earthquake zone, is continuing to be compromised. There is a long-standing proposal pending (@ 3927-3931 19th St) to dig 25 feet horizontally into the very steep hillside and create a 60-foot-high retaining wall for three new 4-story houses. They are asking to drill major supports underneath our properties and our neighbors to do so. That conversation is ongoing and your project will set a further precedent for what developers will seek.

We also are strongly concerned about what such an excavation will mean for those of us who will live nearby to it. While there are other projects in the neighborhood, most are limited to the rehabilitation of older structures, and none is close to the scale you propose. Your excavation will no doubt require major machinery to work for long periods on our small dead end street. This is where our son and many other children (at least 5 who are 6 years old or younger live within 100 feet of your lots) play and explore without concerns about their safety. They ride bikes, play catch, draw chalk pictures, and garden in front yards. Your project promises a long and significant impact, which will turn their play area into a construction zone.

Preservation of streetscape

Cumberland St has a unique character. Blocks from Castro St, it is quiet and offers beautiful vistas which all can enjoy from the sidewalks and the street. Tourists come and stand in the middle of the street to take pictures of Sutra Tower. The street is surrounded by large trees and residents have supported plantings all along the sidewalks. Its houses are set back, often with front gardens, including some historic earthquake shacks hidden behind deep foliage. Rather than embrace this heritage, your proposed project seems to move in the other direction. **For a small amount of space, your project could have beautiful greenery in front and contribute to the heritage of Cumberland St rather than take it in a dramatically new direction.**

We hope that you will continue to engage with the community and realize your dream home with a lighter, more appropriate footprint on this unique street in San Francisco.

Best regards,

David & Laura

cc: Michael Smith, City Planner
John O'Duinn, Board Chair, Dolores Heights Improvement Club

From: **elizabeth kantor** elizkantor@gmail.com
Subject: 323 Cumberland plans
Date: May 5, 2015 at 5:33 PM
To: rsanghvi@gmail.com, aditya@dropbox.com
Cc: john@m-architecture.com, michael.e.smith@sfgov.org

Elizabeth Kantor
348 Cumberland Street
San Francisco, CA 94114

May 5, 2015

Ruchi Sanghvi and Aditya Agarwal
rsanghvi@gmail.com, aditya@dropbox.com
323 Cumberland Street
San Francisco, CA 94114

Dear Ms. Sanghvi and Mr. Agarwal:

I have lived on Cumberland Street for the past 15 years, and I have long admired and appreciated the lovely home at 323 Cumberland, and the open space around it. I have not attended most of the meetings to review and discuss the project for the new building on your two lots there, but I have seen your plans for the property as they have been developed and shared with the neighbors.

I moved here, thrilled to be on this unique block of friendly neighbors, and part of an iconic, traditional San Francisco neighborhood. The charm and warmth of the homes and gardens on our quiet dead end street are a treasure hiding within the larger lovely Dolores Heights area.

Your most recent plans for the new house, that will have 8,000 interior square feet after the demolition of the historic one of about one tenth of its floor space, are a drastic violation of the neighborhood you have chosen. The huge glass and cement structure does not acknowledge or conform to the scale, context, beauty or style of the area, and will encroach upon the light and privacy of it's neighbors. Rather than delight and appeal, it offends and alienates with harsh institutional coldness. The bunker-style box appears to belong in a suburban office park. Is this what you intended?

Please change your plans and make a home that will respect the history, character and charm of our neighborhood, and add to it. I am sure that you have the creativity and capacity to design and build a residence that will satisfy all your needs and desires while pleasing and impressing your new community. I encourage you to develop a plan for a house that will fit in with the tradition and charm of this exceptional street and neighborhood, rather than stand as an antagonistic monument.

thank you
sincerely,

Elizabeth Kantor

cc. John Maniscalco, Architect john@m-architecture.com
Michael E. Smith, City Planner michael.e.smith@sfgov.org

From: **Rhett Currier** rhettcurrier@gmail.com
Subject: 313 - 323 Cumberland Street - Planning Application No. 2013:1213
Date: March 27, 2015 at 2:33 PM
To: Michael Smith michael.e.smith@sfgov.org
Cc: Rodney Fong planning@rodneyfong.com, Cindy Wu cwu.planning@gmail.com, Michael Antonini wordweaver21@aol.com, Rich Hillis richhillissf@yahoo.com, Christine Johnson christine.johnson@sfgov.org, Kathrin Moore mooreurban@aol.com, Dennis Richards dennis.richards@sfgov.org, Scott Wiener Scott.Wiener@sfgov.org, Scott Sanchez scott.sanchez@sfgov.org
Bcc: rhettcurrier@gmail.com

Mr. Smith,

I am submitting this petition against the 323 Cumberland Street project with over 60 signatures along with a letter of protest.

If the project sponsors would communicate with the neighborhood, I think that would go a very long way of solving issues without wasting City resources and to encouraging smart development.

I will be sending a hard copy in regular email.

Respectfully,

Henrietta S. Currier
324 Cumberland Street

Petition March 2014.pdf

ltr M Smith planning 03272015.pdf

Petition dated as of March 2015, regarding
Proposed new construction at 323 Cumberland Street and
Dolores Heights Improvement Club review of building permits and
variances, and new regulations for Monster Homes in Dolores Heights

Judith Hedgpeth	650 Sanchez St.	JUDITH HEDGPETH
Karl Leichum	3917 19th Street	Karl Leichum
Name	**Address**	**Signature**
Susi Harbutt	343 Cumberland St	[illegible]
Chris Harbutt	343 Cumberland St	[illegible]
LINDY JOFFE	377 CUMBERLAND St	[illegible]
Cate Kellison	377 Cumberland	[illegible]
San Tran	395 Cumberland	[illegible]
Frank Nolan / Tom Bailey	373 CUMBERLAND	[illegible]
Bruce Munch	336 Cumberland	[illegible]
DAN COFFEY	380 [illegible]	[illegible]
Erik Abeggler	380 Cumberland	Erik Abeggler
Lorin Bender	366 Cumberland	
Aulim Chaulin	360 Cumberland St	Aulim Chaulin
Cyril Meusillon	357 Cumberland	[illegible]
ANGELIKA JOAST	357 CUMBERLAND	
SUZANNE TURLEY	678 SANCHEZ	Suzanne C Turley
Michael LANZ	674 Sanchez	Michael Lanz
Frank Heintz	706 Sanchez	[illegible]
David Ligon	725 Sanchez	[illegible]
Casey Nelson	725 Sanchez	Casey Nelson
STEPHEN LOMICKA	336 CUMBERLAND ST.	[illegible]
·ARRY LOMICKA	338 CUMBERLAND ST	Harry Lomicka
HANS KOLBE	3722-21st ST 94114	Hans Kolbe
ANDREA SEABAUM	378 CUMBERLAND ST	Andrea Seabaum
STEVEN DEUTSCH	378 CUMBERLAND ST	Steven Deutsch
allen sinclair chen	311 CUMBERLAND ST	[illegible]
CECILY GALLUP	311 CUMBERLAND ST	Cecily Gallup
RICHARD V. LYNCH III	327 CUMBERLAND ST	Richard V Lynch III

Petition dated as of March 2015, regarding
Proposed new construction at 323 Cumberland Street and
Dolores Heights Improvement Club review of building permits and
variances, and new regulations for Monster Homes in Dolores Heights

Name	Address	Signature
JOHN O'DUINN	384 LIBERTY ST	[illegible]
Junona Jonas	4016-20th St	[illegible]
Heather Thompson	328 Cumberland St.	[illegible]
Bruce Bowen	4016 20th St	[illegible]
Les Clark	721 Sanchez	[illegible]

Petition dated as of March 2015, regarding Proposed new construction at 323 Cumberland Street and Dolores Heights Improvement Club review of building permits and variances, and new regulations for Monster Homes in Dolores Heights

We, the undersigned, as residents of Dolores Heights and/or members of the local Neighborhood Association, the Dolores Heights Improvement Club (DHIC), are alarmed by a recent trend of the Planning Department failing to encourage the Sponsors of numerous construction projects in our neighborhood to observe the Residential Design Guidelines, including the goals of Section 241 of the City Planning Code, which created the Dolores Heights Special Use District. Section 241 provides in part: "In order to ...encourage development in context and scale with established character and landscape, there shall be a Dolores Heights Special Use District."

We specifically disagree with the Zoning Administrator's Action Memo of February 3, 2015 (Case No. 2013.1213D, Building Permits 2014.06.27.9813 and 2014.06.27.9820), which states "*The proposed building has been reviewed by Department staff and been determined to comply with the Residential Design Guidelines.*" We can identify several specific elements of the proposed building which we find clearly do not comply with the Guidelines.

Any new project that, like the one at 323 Cumberland St., proposes replacing a house of 877 gross square feet with a house of 7,181 gross square feet (data according to the project sponsor's Application, dated October 1, 2014) is not in compliance with the principles and intent of either the Residential Design Guidelines or Section 241.

A few further examples among the many such instances in the Dolores Heights SUD include projects at ~~400 Hill St.~~, 3721 21st St., 3660 Hill St., and 359 Cumberland St.

We believe, in addition, that the Planning Department's pattern of approving building permits and granting variances for projects that so dramatically violate the Guidelines' and Code's requirements regarding development in "context and scale" with our neighborhood only creates precedents to grant similar variances more easily, creating a "slippery slope" effect and destroying the integrity of Section 241 and the Residential Design Guidelines.

Therefore, we hereby request that:

1) The Planning Department protect the Dolores Heights Special Use District (SUD) by enforcing the intent as well as the specific provisions of Section 241 of the City Planning Code, demanding the observance of the Residential Design Guidelines, and encouraging the participation of the DHIC in the consideration of any projects and variances in the boundaries of the Dolores Heights SUD, all as contemplated by the preamble of the San Francisco City Planning Commission Resolution No. 8472; and

2) Our representative to the San Francisco Board of Supervisors, the Hon. Scott Wiener, draft a bill similar to Board of Supervisors Resolution 150192 (applying controls to development in Corona Heights that alters the character of the neighborhood) and/or take whatever other measure that he deems appropriate to protect the Dolores Heights SUD and to avoid the destruction of an "outstanding and unique area which contributes to San Francisco's visual form and character" as provided in Resolution No. 8472.

Name	Address	Signature
Gregory R. Robertt	322 Cumberland St	Gregory R Robertt
GARY PATTERSON	322 CUMBERLAND ST.	
Laura Nadler	332 Cumberland St	

Petition dated as of March 2015, regarding
Proposed new construction at 323 Cumberland Street and
Dolores Heights Improvement Club review of building permits and
variances, and new regulations for Monster Homes in Dolores Heights

Name	Address	Signature	
David Nadler	332 Cumberland	[signature]	
Elizabeth Kantor	348 Cumberland	[signature]	
~~Suzanne Furley Olesen~~	~~603 Sanchez~~	~~[signature]~~	duplicate;
Reneé de Cossio	324 Cumberland St.	[signature]	
Henrietta S Currier	324 Cumberland St	[signature]	
Robert DiBaccu	340 Cumberland St	[signature]	
Tom Still	340 Cumberland	[signature]	
Bruce Fraser	286 Cumberland	[signature]	
Meredith Osborne	286 Cumberland St.	[signature]	
Antonio Fusco.	617 Sanchez	[signature]	Giovanni
Beth Rogozinski	655 Sanchez	[signature]	
Christine Nahnsen	3992 - 20th St.	[signature]	
Claire A. Janiak	3992-20th St.	[signature]	
Brent Horowitz	328 Cumberland St.	[signature]	
Scott Herbst	3911 19th St	[signature]	* By Proxy
Anna Etkin	3919 19th St	[signature]	
David Scott Pennebaker	3649 21st St	[signature]	
Daniel Gonzales	3649 21st St	[signature]	
Carolyn Kenady	3632 21st St	[signature]	
David Goldsmith	759 Noe St	[signature]	
Phil Soloklin	695 Noe St #2	[signature]	
Gary Ford	695 Noe St #2	[signature]	
Rob Levy	3991 20th St	[signature]	
~~Jon~~			
Jon Langmead	4080 20th St	[signature]	
Shannon Fogh	4080 20th St	[signature]	

Petition dated as of March 2015, regarding Proposed new construction at 323 Cumberland Street and Dolores Heights Improvement Club review of building permits and variances, and new regulations for Monster Homes in Dolores Heights

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and surrounding neighborhoods

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2) Our representative to the San Francisco Board of Supervisors, the Hon. Scott Weiner, draft a bill similar to Board of Supervisors Resolution 150192 (applying controls to development in Corona Heights that alters the character of the neighborhood) and/or take whatever other measure that he deems appropriate to protect the Dolores Heights SUD and to avoid the destruction of an "outstanding and unique area which contributes to San Francisco's visual form and character" as provided in Resolution No. 8472.

Name	Address	Signature
Roy Pekrokofsky	4245 25th St 94114	Roy Pekrokofsky
Ozzie Rohm	471 Clipper 94114	Ozzie Rohm

Henrietta S. Currier
324 Cumberland Street
San Francisco, Ca 94114

Michael Smith
City Planner
San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103
P: 415.558.6322
michael.e.smith@sfgov.org

Via Email and Regular Mail

March 27, 2015

Re: 323 Cumberland Street - Planning Application No. 2013:1213

Mr. Smith,

I am writing to express my concerns about the above reference project.

At a meeting last summer (where many neighbors, did not get notice until afterwards, if they got it at all), Ruchi Sanghvi and Aditya Agarwal aka RSAA LLC (the "Sponsors") and their architect showed their plans and renderings for a 5,600 square foot home for 313-323 Cumberland Street. Multiple neighbors expressed concerns about the Project's scale (especially in light of the average size of homes being more like 2200 Sq feet), architecturally not fitting in with the neighborhood, negative impact on privacy and light, reduction in value of surrounding homes, and a very poor precedent that will only erode the integrity of the Dolores Heights Special Use District. Lastly, the Project completely ignores the Dolores Heights Residential Design Guidelines.

Since that time, the Sponsors have only met with the neighbors at 311 Cumberland and 327 Cumberland. I have requested information from the Sponsor at least three times since the summer meeting, and have been given no information. They have responded to other emails (covering topics from the hazardous waste discovered after I reported to the police that people were living in the house and using injecting drugs, and most recently the notice from the Water Department about a steady leak - a condition that has existed for over a year). I requested that you encourage the Sponsors to communicate with me and provide architectural renderings and elevations, and nothing was forthcoming.

I think communication with me and the rest of the neighborhood would go a long way to solving the issues. I am not anti- development; I am pro intelligent development. I don't think in a city where housing is in short supply that it makes sense to allow for lot mergers, however!

In reviewing the information on file at City Hall with other neighbors, the only number we could find about the size of the project was 7,181 in the Application for Dwelling Unit Removal. I realize that number has probably changed. Even at 5,600, it is still much larger than any other house in the Dolores Heights Special Use District.

We notice the trend for overdevelopment all over the neighborhood, not just with this project, however. So on behalf of the neighborhood I am submitting a petition with over 60 signatures gathered over just a few hours last weekend. Only a few of the signatures are outside of Dolores Heights, most on the 300 block of Cumberland, the 600 blocks of Sanchez, and the 4000 block of 20th Street.

Please note that the immediate neighbors of 323 Cumberland Street - at 327 Cumberland and at 311 Cumberland have also signed the petition. The Sponsors had characterized these neighbors as not being in opposition to the Project.

The Sponsors removed the unique eyebrow dormer over the porch after the purchase of the house when they had their roof redone. It may have been done with or without a permit, and it may or may not be historically significant. Such features as an eyebrow dormer are in keeping with the neighborhood; there are similar eyebrow dormers up on 20th street that I have noticed. The matter is not described correctly in the Historic Resource Evaluation Report prepared May 20, 2013 by Carey & Co. The historic significance of the eyebrow dormer feature needs to be properly reviewed.

I am also concerned that the Engineer's report does not properly address a very well known spring in the hillside. Their report describes free groundwater as surface water infiltration (at page 2) and then carves out from the scope of the report the presence of groundwater. The Sponsors project could cause damage to other neighbors' property, and it is my understanding that if the City issues a permit and damage is caused by the spring, the City that would have to pay to repair the damage to the affected properties. While my property is not at risk, my taxpayer dollars are. I think an Engineer's report needs to include consideration of the spring in our hillside.

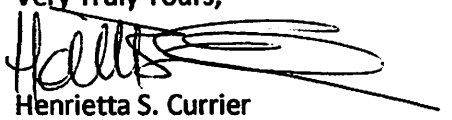
Also, as can be seen in the most recent renderings of the Project on file as of March 16, 2015, the Project does not comply with San Francisco Planning's own Residential Guidelines with respect to building scale and form, per the following link, starting on page 23.
http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=5356
Note page 29, the Project looks like the top drawing (an example of what you should not do), where the "horizontal emphasis of the windows and lack of façade articulation

results in a building that disrupts the character of the street and is inconsistent with the proportions of surrounding buildings."

Last, I would like to see some attempt by the Sponsors to review the Dolores Heights Residential Design Guidelines, and work to make the design fit in with the neighborhood. The Sponsors have indicated they love the feel and style of the neighborhood and all of its cottages and planting; so why does their Project not fit in with the majority of homes that they have indicated they love?

I would like the Planning Department to encourage the Sponsors to hold a proper pre-application meeting (unlike their defective pre-application meeting held last summer) and share their current plans with the whole neighborhood. I would like for the Sponsors to reach a consensus with the surrounding neighborhood. And I would like to see some intelligent development.

Very Truly Yours,



Henrietta S. Currier
324 Cumberland Street

cc. Scott Sanchez, Commissioners Rodney Fong, Cindy Wu, Michael J. Antonini, Rich Hillis, Christine D. Johnson, Katherin Moore, Dennis Richards and the Hon. Scott Wiener

Jackson, Erika

From: Bruce Bowen <bruce.r.bowen@gmail.com>
Sent: Friday, December 18, 2015 12:00 PM
To: Jackson, Erika
Cc: planning@rodneyfong.com; cwu.planning@gmail.com; wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); Mooreurban@aol.com; Richards, Dennis (CPC); Sanchez, Scott (CPC); Rhett Currier
Subject: 323 Cumberland New Conditional Use Authorization Questions

Erika:

On Wednesday, December 16, you informed us that the Project Sponsor for 323 Cumberland St. proposes to construct a two-family structure rather than a single family structure, and the Sponsor has now filed a CU Application, as required for a two-family structure on a lot in a RH-1 zone.

I ask that you postpone the hearing so that the many procedural and substantive questions brought about by this material change to the proposed project can be thoroughly reviewed.

I am one of the two neighbors who have filed applications for DR on this project. The project proposes demolition of the existing single family house, merger with the adjacent vacant lot, and construction of a single structure of more than 8,300 gross square feet. Until this week, the project proposed a single family residence for this structure. The Sponsor now proposes that the structure include a 680 square foot studio apartment, triggering the CU requirement.

A hearing on the DRs is scheduled for January 14, 2016.

We have a number of procedural, notice and scheduling questions that this change brings up.

As noted above, there are two separate DRs -- one for the demolition and one for the new construction. The purpose of the CU is for two units and has no bearing on the demolition. Therefore we believe the demolition DR should still be calendared if the case is heard January 14.

We understand that a CU application requires notification of neighbors within 300 feet, and the prior 311 notice was sent within only a 150 foot radius, so the legal requirement for neighborhood notification has not been met for this new application.

In addition, the neighborhood will not have enough time time to review the new proposal or findings.

We are also wondering how, if the CU was just filed on 12/14/2015 and you have noted you and presumably others at the Department will be on vacation much of the intervening time between now and the current hearing date of 1/14/2016, you even have time to do a new environmental review and thoroughly review the Section 303 findings? Other CU applications take up to six months to be scheduled before the Commission. We are deeply concerned that there has been a behind-the-scenes review that has been purposefully hidden from the public.

Additionally, the proposed Ordinance on unit removal, reviewed and approved by the Commission earlier this month, is going to the Board in January and may be effective in February. This legislation will require a CU for the demolition whether or not the CU for the new construction was previously heard by the Commission. Why

would the Planning Department take a recently filed CU application out of order and rush it to a hearing in January knowing new legislation will require it to be reheard in February?

Please postpone the hearing until these and the many other procedural and substantive questions brought about by this material change to the proposed project can be thoroughly reviewed.

Thank you.

Bruce Bowen

cc: Planning Commissioners
Scott Sanchez, Zoning Administrator

Jackson, Erika

From: Sam Fleischmann <sam_fleischmann@yahoo.com>
Sent: Saturday, December 19, 2015 6:56 AM
To: Jackson, Erika
Subject: 323 Cumberland Street

Dear Ms. Jackson:

I am writing in reference to 323 Cumberland Street and the proposed 680 square foot in law unit within the proposed 8,300 square foot house.

The addition of a 680 square foot house does not compensate for the demolition of the single family home in the property.

San Francisco needs more housing, and the city should allow the demolition of existing homes --particularly where the demolition is to create a 8,300 square foot house for one family.

Thank you.

Sam Fleischmann
(415) 425-2852

Jackson, Erika

From: Lillian Johnson <kinshiplillianj@yahoo.com>
Sent: Saturday, December 19, 2015 11:24 AM
To: Jackson, Erika
Subject: 323 Cumberland 301

Dear Ms Jackson.

My name is Lillian Johnson and I live at 650 Sanchez St. My property is on the corner of Cumberland and Sanchez St. This is one parcel away from the 323 project. I am one of the many residents who strongly object to the building of this Monster" home on 2 parcels where there should be 2 reasonably sized homes for families. Not only is this plan by the owner enormous in scope, the design is that of some office building that should be downtown. Totally not in keeping with even the biggest homes in this area. Obviously I cannot dictate taste, but this couple have made almost no effort to accommodate the neighborhood in design or size. Now, we have heard they are trying to RUSH through an additional 680 foot 2nd unit on the property in this RH-1 district.

There is a lot of press about housing in this city and for the planning commission to consider allowing the combining of 2 parcels for a 8200 sq, foot house for a couple with out children is outrageous.

Although this is not of interest or concern of the Planning Commission, I would like to add that during the period of ownership of this property which has been a few years, they have left the property to go to rot and ruin. The police have had to come to remove squatters on at least one occasion. They drugs, needles and candles for light (an enormous fire hazard to the neighboring houses. The grounds are overrun, water often leaks from the house and is major draw for the homeless who roam our quiet neighborhood. Despite their apparent affluence they have not seen fit to have a caregiver at least make the property less appealing to those who are looking for a place to sleep. It is hard to consider how they would handle the building process or be as neighbors. But again, that is not your concern.

I sincerely hope you will review this carefully and hopefully your recommendation would be to reduce the size and scope of this project,

I will be attending the January 14th meeting as will many of our neighbors.

Sincerely

Lillian Johnson

Jackson, Erika

From: Bernie Katzmann <katzmannsf@aol.com>
Sent: Saturday, December 19, 2015 5:37 PM
To: Jackson, Erika
Cc: rhettcurrier@gmail.com
Subject: 323 Cumberland Street, San Francisco

Dear Ms. Jackson,

I am writing with respect to the DR hearing and request for a Conditional Use Permit for the property at 323 Cumberland. While I agree with many of my neighbors that the property is outrageously large for our block, I was overall accepting of the design as viewed from the street.

I am sure that you have been inundated with references to the Dolores Heights Special Use District and the limitations therein. Not only does this project overwhelm the other properties on the block but to add an auxiliary unit in this RH-1 District and create a second unit is totally unacceptable. This is not legalizing a second unit but adding one and this second unit will not provide any additional needed housing but merely satisfy the wants of the project sponsors who apparently do not seem to care about the rules that have been established by the City and County of San Francisco or their neighbors. I am also very surprised that I was noticed on the Conditional Use Permit application for the additional unit.

I am writing this email somewhat reluctantly. I am supportive of reasonable development in San Francisco and until I found out about the Conditional Use Permit application today I was not planning to oppose the project as planned. After finding out about this today, I wish to notify you of my strong opposition to the entire project.

Bernard Katzmann
349 Cumberland Street
San Francisco, CA 94114

Elizabeth Kantor
348 Cumberland Street
San Francisco, CA 94114

December 19, 2015

Erika Jackson
SF Planning Department

Dear Ms. Jackson;

I am the owner and resident at 348 Cumberland Street, and have just been made aware of the new spin on the plans for the demolition and megastructure development at 323 Cumberland. Apparently the addition of a small 'in-law' unit to the plans may make the >8000 square foot building more acceptable to the City.

I am not an architect, or attorney, but I hope my response to the plans can be recognized despite it's absence of the professional semantics. Cumberland Street between Noe and Sanchez has been a quiet and picturesque haven of colorful cottages with front gardens and friendly neighbors. The planned structure is a huge, industrial sized, out-of-scale glass and steel box which will violently alter the character and charm of our community.

I am completely baffled as to why any one would purchase such a lovely piece of property in this neighborhood to so brutally reshape the environment for themselves, their neighbors, and the City.

With the help of the City, a creative and sensitive architect could design a home in keeping with the history, character and charm of our neighborhood that should be able to satisfy the evident desire of the owners to expand the footprint as much as possible.

Please support our community and our City by saving Cumberland Street from this permanent and offensive transformation; do not approve the plan as submitted.

Thank you,

Elizabeth Kantor

Jackson, Erika

From: Sam Fleischmann <sam_fleischmann@yahoo.com>
Sent: Sunday, December 20, 2015 10:01 AM
To: Jackson, Erika
Subject: Re: 323 Cumberland Street

Ms. Jackson:

I omitted the word "not" from my last sentence below. It should read:

"San Francisco needs more housing, and the city should not allow the demolition of existing homes --particularly where the demolition is to create a 8,300 square foot house for one family."

Thank you.

Sam Fleischmann

From: Sam Fleischmann <sam_fleischmann@yahoo.com>
To: erika.jackson@sfgov.org
Sent: Saturday, December 19, 2015 8:55 AM
Subject: 323 Cumberland Street

Dear Ms. Jackson:

I am writing in reference to 323 Cumberland Street and the proposed 680 square foot in law unit within the proposed 8,300 square foot house.

The addition of a 680 square foot house does not compensate for the demolition of the single family home in the property.

San Francisco needs more housing, and the city should allow the demolition of existing homes -- particularly where the demolition is to create a 8,300 square foot house for one family.

Thank you.

Sam Fleischmann
(415) 425-2852

Jackson, Erika

From: Pam Hemphill <pam.hemphill@gmail.com>
Sent: Monday, December 21, 2015 2:09 PM
To: Jackson, Erika
Subject: 323 Cumberland

Ms Jackson,
I have lived in the Dolores Heights Special Use District for almost 40 years. We are a neighborhood of single family homes and we would like to preserve that character. No extra unit should be added to the project at 323 Cumberland to counteract the loss of housing in the lot merger. That can't be taken seriously. This is a house that will again drive up the prices and be affordable to only a select few. The lot merger should not be allowed and then, at least, there could be two houses instead of one oversized one.

The scale of the project does not fit with the neighboring houses, or with the guidelines of the DHSUD. The architect, John Maniscalco, has designed another out of scale house on merged lots at 400 Hill Street. Everyone thinks it is an apartment building.

The design for 323 Cumberland is lacking in imagination, with the standard big glass windows and the same rainforest woods that do not seem to age well in our city, not to mention the environmental issues. These boxy similar houses have sprouted up all over the neighborhood. And, it is towering. This is all to maximize square footage. It should have more attention to detail and less to size.

In summary, I ask for your support for the following:
No second unit
No lot merger
Reduce the scale of this proposed house
Question the monotony of the design.

Thanks for your attention to this.
Pam Hemphill

Jackson, Erika

From: David Scott Pennebaker <davepsf@yahoo.com>
Sent: Monday, December 21, 2015 10:45 AM
To: Jackson, Erika
Subject: 323 Cumberland Street - Development

Hi Erika,

I truly believe that adding a small second unit to the plans to build a monster home at 323 Cumberland Street is a ridiculous attempt to derail the neighbors who oppose the sponsors plans. This will not compensate for the demolition of the single family home that is currently there.

I also do not understand how this change to their development plans can be heard before the Planning Commission so quickly without proper notice to the surrounding neighborhood.

Can you please confirm receipt of this email and make sure that my opposition is included in your case report?

Thank you,
David S. Pennebaker
3649 21st Street
SF, CA 94114

Jackson, Erika

From: Rhett Currier <rhettcurrier@yahoo.com>
Sent: Monday, December 21, 2015 5:22 AM
To: Jackson, Erika
Subject: 323 Cumberland street

Erika,

I am writing to note my continued opposition to the proposed project at 323 Cumberland st. The procedural shift of filing a CU is unsettling. Carving out part of the garage for a small unit not designed to be a single family home is such an obvious sham. The unit is more suited as an air bnb or housing for the sponsor's staff or a guest you don't want staying very long

My reasons for opposition remain the same: the city should not allow demolition of sound moderate-sized and moderate-priced existing housing; the project proposal creates an au pair unit that will never house a separate family, the proposal is completely out of scale for the neighborhood, the proposal is out of character with the neighborhood, the proposal will serve as a precedent for lot mergers citywide -- removing true family housing.

I would like my opposition recorded in your report for the CU. When is that report due? Tuesday, dec 22? Seems rather hasty - given I was only informed of this massive change a few days ago.

Also I note no case number on any of the correspondence- can you give this information to me please?

Thank you.

Best,

Typos by iPhone

REUBEN, JUNIUS & ROSE, LLP

January 19, 2016

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 313-323 Cumberland Street (3601/043 and 044)
Brief in Support of the Project (and in Opposition of a DR Request)
Planning Department Case no. 2013.1213C(DRP)
Hearing Date: February 4, 2016
Our File No.: 8920.01

Dear President Fong and Commissioners:

Our office represents RSAA, LLC, the owner of the properties at 313 and 323 Cumberland Street, Assessor's Block 3601, Lots 043 and 044 ("**Property**"). The Property consists of two 25' x 114' lots one of which is improved with a one-story over basement single-family residence (323 Cumberland) and the other being a vacant lot (313 Cumberland). The project will result in the demolition of the existing 877-sf structure, merger of the two lots, and new construction of a building that will contain one family-sized unit for the personal use of the owners of the Property and a second, smaller unit ("**Project**").

The opposition to the Project was submitted in the form of two (2) DR requests: by Ms. Henrietta Currier, who lives across the street from the Property at 324 Cumberland, and Bruce Bowen, who does not live on the subject street, but instead at street parallel to Cumberland (at 20th Street). The Property shares a common property boundary with six (6) other properties, although, neither of the two DR Requestors shares any common boundary with the Property. More importantly, five (5) of the six (6) neighbors who have some common property boundary with the Property have expressed their support for the Project as indicated in the letters attached to this brief; and to our understanding the sixth neighbor does not live at his property full time.

The Project should be approved, because:

- Project is Code compliant and consistent with the Residential Design Guidelines <u>without</u> requesting or needing <u>any</u> variances or other modifications;
- Project sponsors have conducted extensive neighborhood outreach and made many changes to the Project in response to neighbors' requests. As a result, the <u>Project has significant support</u> from immediate neighbors, who would be most impacted by the Project;
- <u>No</u> exceptional or extraordinary circumstances have been established that would be necessary in a DR case or to justify denial of the Project;
- Recent Project revisions and the inclusion of a second unit address all of the concerns raised by one of the DR requestors (Mr. Bowen) in his DR application; and
- Project is appropriate and desirable in use, massing and overall scope, and has been carefully designed in order to be compatible with the existing context.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben[1] | Tuija I. Catalano | Thomas Tunny
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey
Chloe V. Angelis | Louis J. Sarmiento | Jared Eigerman[2,3] | John McInerney III[2]
1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

One Bush Street, Suite 600
San Francisco, CA 94104

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A. Project Description

The existing Property consists of a vacant lot (at 313 Cumberland), which is proposed to be merged with the adjacent lot that is currently improved with an approx. 877-sf one-story over basement building (at 323 Cumberland) with one single-family residence. The merger of the existing lots will result in an approx. 5,700-sf, 50' x 114' lot. The project proposes to demolish the existing structure and construct a new building with 6,787 sf of residential uses, within an almost 33-ft tall three-story over basement building that will include two (2) units. The two (2) new units will include an approx. 6,107-sf family-sized unit for the project sponsor's own use, a second approx. 680-sf unit, and a garage with an additional 1,586 sf of area.

Inclusion of a second unit. The existing Property contains only one (1) unit, however, due to the proposed merger of the lot with the adjacent vacant lot the Project has, at the Department's request, been revised to include two (2) units thereby avoiding any potential loss or elimination of a dwelling unit that could potentially be constructed on the vacant portion of the Property. Mr. Bowen's DR focused on the "loss of affordability and the loss of an in-fill housing opportunity site."[1] With the Department requested revisions to the Project, i.e. the addition of the smaller second unit, the Project now addresses Mr. Bowen's concerns about the Project "remov[ing] a relatively more affordable unit … [and] also remov[ing] a vacant lot that could accommodate a separate new unit."[2] The completion of the Project will effectively transform the existing 1-unit/2-lot configuration into a 2-unit/1-lot property.

Proposed 2-unit/1-building/1-lot Project vs. The construction of a single building on the merged Property is also preferred by several neighbors and will result in a smaller building that could, and very likely would, be constructed if the existing two (2) parcels were constructed with two (2) separate structures. The benefits of the Project as compared to constructing two (2) buildings on two (2) lots include the following:

- 2-unit/2-lot project would not require any side yard setbacks, as compared to the Project, which is required to provide a 3-ft side setback on one side due to the width of the merged property. Above and beyond the actual side yard setback requirements, the Project proposes significantly larger setbacks along with eastern property boundary starting with a 3-ft setback at the front and increasing to over 13 feet towards the back of the Property;
- By constructing a single building on two lots, the Project does not need to, and does not, utilize the maximum height or building envelope that is be possible under the zoning. The proposed Project also provides for a larger front setback than is required by the Code, which was incorporated pursuant to the adjacent neighbor's request (Mr. Lynch at 327 Cumberland), and in order to minimize to the Project's overall size and massing and the appearance thereof. A 2-unit/2-building/2-lot project would quite likely result in Code compliant larger buildings than the single building proposed by the Project; and
- 2-unit/2-lot project would result in two (2) curb cuts along the 50-ft street frontage for the required vehicular access. In contract, the Project proposed only one (1) ten-foot wide curb cut, thereby increasing the amount of available street parking for the neighborhood and decreasing conflicts between pedestrians and vehicles.

[1] See DR application by Bruce Bowen, p. 1 of the attachment, dated June 6, 2015.
[2] Id., at p. 2 of the attachment.

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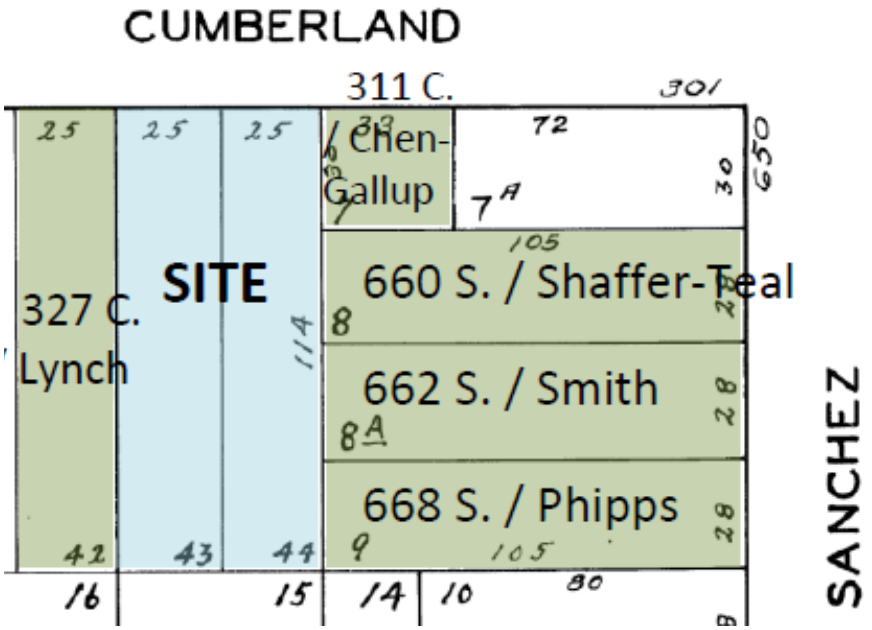
B. Extensive Neighborhood Support

The Project has been carefully designed to be compliant with all Planning Code requirements and, equally importantly, the Project's massing and design has been revised multiple times in order to ensure compatibility with the existing neighborhood and to address the requests by immediate neighbors.

The project sponsor has worked very closely with the neighbors holding three (3) separate neighborhood meetings and 12 individual meetings with different neighbors, as well as being available and responsive to many more emails and phone calls. A timeline with some of the key meetings and events is included in Exhibit A. After many revisions, the original Project was larger and overall quite different from the Project that is before the Planning Commission today. The revised and current Project is the product of collaboration with the neighbors and the project sponsor's willingness and interest in creating a project that the neighbors can and will support.

As of today, 12 different neighbors have written support letters, which have been attached in Exhibit B. In addition to the letters, Exhibit C includes a petition with a total of 64 signatures of which 55 are additional signatures in support of the Project.

The Project sponsor has worked particularly closely with the immediate neighbors, who share common property boundary with the Property. The support from the immediate neighbors is shown in green color in the block map below. It is quite common for the immediate neighbors to be the DR requestors or project opponents, and thus the extensive support from all five (5) side neighbors should be not down played since it is precisely these neighbors who would arguably be most impacted by the Project.



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C. CU to allow a second unit at the Property

The Project is requesting a conditional use authorization in order to allow two (2) units at the Property consistent with Section 209.1 of the Planning Code. Although the Property is currently improved with only one (1) unit, the Property consists of two (2) parcels that will be merged as part of the Project. The Project, as originally proposed, included only one (1) unit, however, the Project has been since revised in order to include two (2) units at the Department's request in order to account for the potential loss of a unit that could result if a second unit were constructed on the currently vacant portion of the Property in the absence of the proposed lot merger.

The Project will result in two (2) dwelling units on a 5,700-sf, 50' x 114' lot, which is compatible with the density in this neighborhood. Although the subject block and the immediate vicinity predominantly consists of 25-ft wide lots, there are several other lots that are similarly sized to the Property, including one immediately across the subject property on Cumberland (Block 3601, Lot 45, owned by one of the DR Requestors), another immediately behind the subject property (fronting 20th Street) (Block 3601, lot 15) and one adjacent thereto (Block 3601, lot 16) and another just few properties from the subject property on Cumberland (Block 3601, lot 50). The Project will be compatible with the surrounding neighborhood density by proposing two (2) units on a double-wide lot.

The Project is necessary and desirable because it will create a high-quality residential building with two (2) units within an established residential neighborhood, complying with existing zoning controls, and General Plan policies that encourage provision of quality housing. The Project includes one family-sized unit, replacing a vacant and debilitated single-family residence, and a second, smaller unit that is arguably a relatively more affordable unit (also consistent with the requests made by the DR Requestors).

D. The Standard for Discretionary Review Was Not Met

We understand that the Department has concluded that the conditional use authorization request and process superseded the DR request process. Nevertheless, we would like to emphasize that the DR Requestors did not at any point establish any exceptional or extraordinary circumstances that would have been necessary in a DR case. Moreover, the opposition by Ms. Currier and Mr. Bowen, as noted in their DR applications, does not provide any reasons that would justify denial of the Project (and/or the prior request for the taking of DR), as more specifically outlined below:

DR Standard of Review. Discretionary review is a "special power of the Commission, outside of the normal building permit approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with the proposed project."[3] The discretionary review authority is based on Sec. 26(a) of the Business & Tax Regulations Code, and moreover, pursuant to the City Attorney's advice, it is a "sensitive discretion … which must be

[3] Planning Department publication for the Application Packet for Discretionary Review; emphasis added.

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exercised with the utmost restraint". Exceptional or extraordinary circumstances have been defined as complex topography, irregular lot configuration, unusual context, or other circumstances not addressed in the design standards.

No violation of existing lot pattern. One of the DR Requestors, Ms. Currier, asserted that the Project violates "…the pattern of 25-foot wide lots…"[4] The neighborhood contains many other similar double-wide lots, including Ms. Currier's own property, located immediately across the Property, and several others, including the property adjacent to Ms. Currier's property (3601/103) at the intersection of Cumberland and Sanchez, the property at 349 Cumberland (3601/038) just four (4) lots from the Property, and the two properties at the rear of the Property and adjacent to Mr. Bowen's property (3601/015 and 016). The existing pattern provides for a mix of lot widths and sizes and the Project does not creation any inconsistencies. More importantly, the Project has been carefully designed to be compatible with the existing context (e.g. via use of setbacks and materials) and consistent with the pedestrian scale and residential character of the neighborhood.

No inconsistencies with the neighborhood character. The existing neighborhood lacks "defined visual character" that is recognized in the Residential Design Guidelines ("RDG") due to the mix of both modern and historic/older homes, including a varied mix of building materials, as is illustrated in the block photo montage below. For example, with respect to the roofline, there are a variety of different types of rooflines, including other horizontal rooflines as proposed by the Project.

Source: Google Streetview, not in scale

The Project incorporates a sizeable front setback at the ground level, consistent with the front setbacks for the adjacent buildings, and provides an appropriate transition between the street and the building, with a more than 10-foot front setback for primary building façade/wall. An additional front setback is provided at the third story of the building, which is set back approx. 15 feet from the front property line. The Property is located in the 40-X height and bulk district, yet the proposed total building height is only approx. 33 feet. Last but not least, the primary rear yard mass is significantly offset from the eastern property line, protecting mid-block open space for the keylot properties on Sanchez Street.

It is also important to note that the merger of the two (2) lots and the construction of one building is more compatible and sensitive than the construction of two (2) separate homes on two (2) separate lots. With a single lot, the Project is able to provide the significant sideyard setback

[4] See DR application by Harriet Currier, p. 1 of the attachment, dated June 6, 2015.

REUBEN, JUNIUS & ROSE, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
tel: 415-567-9000
fax: 415-399-9480
www.reubenlaw.com

noted above and eliminate one of the existing curb cuts, thereby increasing the availability of on-street parking in the neighborhood.

No loss of housing. Mr. Bowen argued that the Project should be disapproved due to an exceptional and extraordinary circumstance caused by the Project "…resulting in two housing units on the project site instead of one,"[5] which was echoed by Ms. Currier in her DR application.[6] With the recent revisions, the Project before the Commission includes two (2) units, and thus does not result in actual or potential loss of housing units.

No justification for taking DR. No exceptional or extraordinary circumstances relating to the Project were provided by the DR Requestors that would have justified Planning Commission's exercise of its DR power. The Project is exceptional only in a positive sense by being able to create a family-sized unit and a second, smaller unit in within a building envelope and design that is sensitive to the neighbors and compatible with the existing neighborhood without the need for any exceptions, variances or other modifications from Planning Code requirements.

E. Conclusion

The conditional use authorization should be approved in order to allow the second unit to be constructed at the Property consistent with the Planning Department staff's request. The addition of the second unit will ensure that the Project does not result any loss of potential dwelling units due to the merger of the existing two (2) lots.

The Project is appropriate and compatible for the context, considerate to the neighbors, extensively supported by the neighbors (particularly the immediate neighbors adjacent to the Property) and by Planning Department staff, and as a Code compliant project should be approved pursuant to the conditional use authorization. The Project will result in the creation of a family-sized unit, and with the addition of a second unit, the Project does not result in the loss of any existing or potential units.

For all of the above reasons, we respectfully request the Planning Commission to approved the Project, including the conditional use authorization, and allow the Project to move forward. Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Tuija I. Catalano

[5] See DR application by Bruce Bowen, p. 3 of the attachment, dated June 6, 2015.
[6] See DR application by Henrietta Currier, p. 3 of the attachment, dated June 6, 2015.

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Enclosures:

Exhibit A – General timeline for project
Exhibit B – Support letters
Exh. B1 - Richard Lynch at 327 Cumberland (Block 3601, Lot 42)
Exh. B2 - Allen Chen-Cecily Gallup at 311 Cumberland (Block 3601, Lot 7)
Exh. B3 - Annabel Teal-Justin Shaffer at 660 Sanchez (Block 3601, Lot 8)
Exh. B4 - Ken Smith at 662 Sanchez (Block 3601, Lot 8A)
Exh. B5 - Bill Phipps at 668 Sanchez (Block 3601, Lot 9)
Exh. B6 - Michael Jahr-Wei Wang at 339 Cumberland (Block 3601, Lot 40)
Exh. B7 - Viskin Vadakan-Patrick Amihood at 352 Cumberland (Block 3601, Lot 51)
Exh. B8 - Sarah and Lee Clancy at 369 Cumberland (Block 3601, Lot 34)
Exh. B9 - Nina Khosla at 391-393 Cumbeland (Block 3601, Lots 30 and 31)
Exh. B10 - John Bokelman at 655 Sanchez (Block 3600, Lot 29)
Exh. B11 - Paul and Myle Saab at 677 Sanchez (Blok 3600, Lot 28)
Exh. B12 - Jessica Lessin at 41 Cumberland Block 3598, Lot 40)
Exhibit C – Petition in support of the Project
(Includes 55 unique signatures beyond those supporters who provided a letter)

cc: Vice President Cindy Wu
Commissioner Michael Antonini
Commissioner Rich Hillis
Commissioner Christine Johnson
Commissioner Kathrin Moore
Commissioner Dennis Richards
John Rahaim – Planning Director
Scott Sanchez – Zoning Administrator
Jonas Ionin – Commission Secretary
Erika Jackson – Project Planner
John Maniscalco – Project Architect
Jim Reuben, Esq.

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EXHIBIT A

313-323 CUMBERLAND STREET

3/24/14	Preapplication Meeting 1
4/25/14	Met with adjacent neighbors (Alan and Cecily – 311 Cumberland, Richard – 327 Cumberland) - heard concerns
5/2/14	Met with adjacent neighbors (Alan and Cecily, Richard) - presented proposed revision
6/19/14	Submitted initial scheme to Planning Department (reflecting neighbor modifications)
8/27/14	Received Comments from Planning (Notice of Planning Department Requirements #1)
9/24/14	Categorical Exemption from CEQA signed and completed
10/16/14	Revised project is taken before the RDT and found to have addressed the Department's concerns
10/27/14	Met with Ken Smith (662 Sanchez) and discussed fencing and property line issues
11/7/14	Submitted revision 1 to Planning Department
12/1/14	R and A request that we revisit the design to find a more cohesive design solution
2/3/15	ZA issues approval of demo permit
2/4/15	Redesigned scheme informally presented to Planner for review
2/6/15	Met with adjacent neighbors (Alan and Cecily, Richard) - presented proposed revision
2/25/15	Redesigned scheme is taken before the RDT - slight modifications requested
3/9/15	Modified scheme is taken before the RDT and found to have addressed the Department's concerns
3/13/15	Submitted revision 2 to Planning Department
4/5/15	Letter sent to neighbors to present the revised proposal
4/21/15	Preapplication meeting 2
4/27/15	John/Ruchi met with Richard to discuss his concerns
5/25/15	Aditya/Ruchi met with Richard over dinner
5/28/15	Invite sent to neighbors to meet with Frank Rollo to answer their geo tech questions
6/8/15	DRs filed by Rhett Currier and Bruce Bowen

8/19/15	Met with Rhett, Junona, Bruce to see if we could reach a compromise
8/3/15	Jim/Aditya met with Rob Levy
9/10/15	Met with Rob Levy to show him plans and see if he could broker compromise
9/11/15	Additional comments received from Planning after another RDT review
10/1/15	Meeting with Planning regarding RDT comments and revisions
10/15	Request by Planning to include a second unit in the project
11/16/15	Submitted revisions to Planning Department addressing RDT comments
12/3/15	Original hearing date
12/14/15	CU application filed for the second unit with revised plans
1/14/16	Subsequent continued hearing date
2/4/16	Subsequent further continued hearing date

EXHIBIT B1

December 12th, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Erica Jackson,

My wife and I are the owners of the residential property at 327 Cumberland Street which is directly adjacent (to the west) of the above mentioned project.

The owners have met with me on a number of occasions to walk me through their proposed plans and have incorporated various changes that I have asked for. Some particular changes that have been important to me are:

- Maintaining light and views from my deck
- Having a large front setback on their project
- The setback (on the West) between our properties

The owners Aditya and Ruchi and their architect John have been very accommodating and I am very appreciative of their thoughtfulness towards addressing my concerns.

My wife has been very ill and we appreciate the owners' sensitivity to our needs. With the new changes she can continue to enjoy the views and sunshine from our deck.

Ruchi and Aditya have also promised to construct the building with minimum disruption to accommodate my wife's needs. We are very fond of them and urge planning to approve their project.

Very Truly Yours,

Richard V. Lynch III

Name: Richard Lynch
Address: 327 Cumberland Street, San Francisco

EXHIBIT B2

Date: 12/14, 2015

Planning Commission and Department
% Erica Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Jackson,

We are the owners of 311 Cumberland Street, which is directly adjacent to the east of 313- 323 Cumberland Street. We had previously written a letter of support to Michael Smith who we understand is no longer at the planning commission.

Ruchi and Aditya have met with us several times over the last year in addition to organizing several neighborhood meetings. Early on, they even visited our house with their architect so they could more deeply see and understand our concerns with respect to views, privacy and light from our deck. Their designs have evolved over time and we believe they've satisfactorily addressed our concerns They even organized a meeting with the geo-tech surveyors so they could answer all neighbors' concerns about excavations.

We appreciate the additional setback on the east and the front which has both resulted in good separation between our properties and protected our light, privacy and views from our deck.

We believe the construction of one residence across the two lots is better than two separate buildings. Two buildings would inevitably result in a larger footprint than the current design. With a single house, they've also managed to include a 3 feet setback on the western side which would not be required in a two-lot, two-building scenario.

We would like to express our support for the project and we hope the planning department approves the project as proposed by Ruchi and Aditya. We look forward to having them as neighbors.

Thank you for taking the time to read this letter.
Sincerely,

Allen Chen

Cecily Gallup

Address: 311 Cumberland St
SF, CA 94114

EXHIBIT B3

12.4.15

Dear Members of the Planning Commission,

I'm writing in support of Ruchi Sanghvi and Aditya Agarwal's proposed project at 313-323 Cumberland Street.

My husband and I live at 660 Sanchez, which is around the corner, but is adjacent to the east of the proposed site via our backyard. I've attached a photo from our kitchen to show you. As you can see, the view from our kitchen (and family room) is a lovely one, and it happens to look right at the spot where Ruchi and Aditya would like to build their house. As you can imagine, we have some very strong feelings regarding their proposal and hope you will take some of them into consideration when making your decision.

They happen to be our friends (though we didn't realize our properties touched when we bought our house), and we're of course excited by the prospect of living next to them, but more than that, we really do support what they're trying to do, and would support the plan even if we didn't know them.

Here's why: out of all of the neighbors, we're pretty sure we are the most impacted by what happens on the two lots they wish to combine and build on. We completely appreciate that whatever gets built on the empty lot is going to feel jarring for the people who live across the street simply because there's never been anything there before. It's an overgrown green space, but it likely won't stay that way no matter what happens. If the two

lots get built on separately, what they'll be looking at has the potential to be a lot bigger than what Ruchi and Aditya are proposing because those individual lots will likely be built to the max.

And here's where we really get scared. If two individual homes get built, that house that will potentially sit on the empty lot can come right up to our back fence, and we'll have a huge wall looming over us the same way we do on the north side of our yard. If that happens we'll be totally boxed in on two sides, and could even lose a good dose of privacy if that house has ~~[illegible]~~ five windows along the property line. Ruchi and Aditya are proposing to have more than a thirteen-foot setback from our shared fence, which is amazing. We'll still see their house, of course, but it won't be right against the fence. This is beyond huge for us.

For myself, I'm a writer and a filmmaker, and the work I do is mainly from home. So nearly every day, every time I go into the kitchen or family room (where I work from) I'll be looking at whatever is built on their empty lot. I've seen enough spec houses thrown up in this city to know that one of those would be a travesty. What Ruchi and Aditya are proposing is beautiful, with natural materials, and again, not right up against our fence. I can't stress enough how much this means to us, and to me in particular.

On a slightly separate note, we do completely appreciate that some of our

neighbors don't want their neighborhood to change even a little bit, but we think that preserving the character of a place is about so much more than keeping old houses intact (though that can be important too, at times, depending on the house). Here's where we think it's even more of a shame that a couple of neighbors are opposing their plans. You would be hard-pressed to find better people than Ruchi and Aditya. They're the kind who bring character to a place, not take it away. They care deeply about their friends, about their city, and about making the world a better place. There's a gate between our lots right now and we plan to keep it there because when we all have kids we want them to be free to zip back and forth. To us that's as good as it gets.

Cities are living, breathing things which change and grow. We have so much respect for preserving the past, but also believe that each generation should be allowed to make its mark in a thoughtful way. So many things are crafted without much care, but Ruchi and Aditya are trying to build something very thoughtful that feels fresh and beautiful in a neighborhood that already has a wide array of homes. For us, we couldn't imagine a better fit for the lots next door, and we truly hope you'll approve their plans.

Sincerely,

Annabel Teal and

Justin Shaffer

EXHIBIT B4

Date: December 8, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Jackson:

I'm writing to indicate my support for Ruchi and Aditya's plans for the construction of a single family home at 313-323 Cumberland Street.

My property at 662 Sanchez Street is directly adjacent to the east of Ruchi and Aditya's property. I have met with Ruchi, Aditya and their architect to review the plans for the proposed project. I appreciate that they were sensitive to the four neighbors bordering their property on the east and selected a design with a 14-feet set back from that property line, resulting in a house with a smaller footprint. They've been iterating on the project in response to feedback for the last two years, and I also appreciate the design improvements with regards to the facade. I have no objection to these plans and support the project's application.

Sincerely,

Ken Smith
662 Sanchez Street
San Francisco

December 14th, 2015

EXHIBIT B5

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Erica Jackson,

We are residents at the residential property at 668 Cumberland Street which is directly adjacent (to east) of the above mentioned project.

We have the plans for the proposed project and very much appreciate their willingness to adjust those plans to accommodate additional set-backs and other design changes. We believe the proposed design is elegant and beautiful and will enhance our neighborhood.

I would officially like to state that I support their project.

Very Truly Yours,

Name: Bill Phipps
Address: 668 Sanchez St, San Francisco, CA 94114

EXHIBIT B6

Michael Jahr
339 Cumberland St, SF, CA 94114

Date: December 3, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Jackson,

We are the owners of 339 Cumberland Street, a few doors down from the proposed construction of the single-family residence at 313-323 Cumberland. We are strongly in favor of allowing the project to proceed without any further delay.

Ruchi and Aditya have organized multiple meetings with the neighborhood, and we've seen their plans for the new construction of a 3-story over basement dwelling. We think the project is a positive addition to the neighborhood and the house above ground fits in quite nicely with the rest of the neighborhood. The project is well designed without being too intrusive or overwhelming. We very much appreciate the single construction across the two lots versus two buildings on two lots, which would result in a larger footprint.

We would like to express our strong support for the project and to urge the Planning Commission to approve the project as proposed by the project sponsor. We look forward to welcoming Ruchi and Aditya to the neighborhood.

Regards,

Michael Jahr and Wei Wang

EXHIBIT B7

Date: Dec 6, 2015

Planning Commission and Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820

Dear Ms. Jackson:

We own 352 Cumberland Street, which is a few houses down from 313-323 Cumberland Street. We are happy to see the project site improved. The project is able to take the vacant lot and build a more sensitive design for single family home that is compatible with the neighborhood. The neighborhood has many different types of homes from Modern to Victorian and we feel their project fits in nicely with the varied character of the neighborhood. We especially appreciate that they chose to build a smaller home across the two lots than they otherwise would have been allowed that is in scale with the neighborhood and sensitive to the neighbors.

We've known Ruchi and Aditya for a few years now and believe they've engaged the neighbors numerous times and have provided an opportunity for an open dialogue. We have been saddened by the number of hoops they've had to jump through the get their project approved. We would like to express our support for the project and urge the Planning Commission to approve the project without delay.

Sincerely,

Visrin Vichit Vadakan

P. Amihood

Visrin Vichit Vadakan

Patrick Amihood

Address: 352 Cumberland Street, San Francisco, CA 94114

EXHIBIT B8

Sarah and Lee Clancy
369 Cumberland Street
San Francisco, CA 94114

Date: December 9th, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

To Whom It May Concern:

I'm writing to indicate my support for the proposed construction of a single family home at 313-323 Cumberland. I reside at 369 Cumberland Street, which is in close proximity to the proposed project. The project sponsors Ruchi, Aditya and their architect have been available to meet with the neighbors and have been iterating on the design to address everyone's concerns for a while now. We believe the house is well designed and is a great addition to the neighborhood. We like their use of wood and the use of setbacks on the front which is sensitive to the neighbors. We prefer the construction of a single home across two lots because of which the project sponsors have been able to include the generous setbacks. Having recently renovated our house, we appreciate that the project sponsors have designed a code compliant project and are not seeking any exceptions from Planning Code requirements.

I appreciate Ruchi and Aditya's sensitivity to the neighbors and hope the planning commission approves their project as proposed.

Regards,

Sarah Clancy

Lee Clancy

EXHIBIT B9

Date: December 9th, 2015

Planning Commission and Department
c/o Erika Jackson
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213; Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Jackson,

I'm writing to express my strong support for the project at 313-323 Cumberland Street. I own a house on the same block a few houses west of Ruchi and Aditya's property. My address is 391-393 Cumberland Street. Ruchi and Aditya have hosted two neighborhood meetings and also organized a meeting with their geo-tech surveyors to answer any questions we the neighbors might have.

There are many single-family homes across double lots in the neighborhood (including my own home) and Ruchi and Aditya's project across the double lots fits right in. I really like the plans because they worked hard to design a home that was appropriate in scale with the rest of the neighborhood. I appreciate the setback in the front and the additional setback on the third floor because of which the house simply looks like single family home with 2 floors. I was surprised to learn of all the additional setbacks in the sideyard which seemed very generous to their adjacent neighbors. I also like the façade and aesthetics which adds to the varied character of the neighborhood.

I hope the Planning Commission approves their project as proposed.

Sincerely,

Name: Nina Khosla

Address: 391-393 Cumberland Street.
San Francisco, CA 94114

EXHIBIT B10

December 15, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

To Whom It May Concern:

I reside in close proximity to the proposed project, and have seen the plans for the new construction 3-story over basement single-family residence at 313-323 Cumberland.

I think the exterior design will be a positive addition to the neighborhood and see no reason to oppose. I would like to express my support for the project and I urge the Planning Commission to approve the project as proposed by the project sponsor.

Sincerely,

John Bokelman
655 Sanchez St
San Francisco, CA 94114

EXHIBIT B11

Dec 13th, 2015

To:
Planning Commission and Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject:
Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820

Dear Ms. Jackson:

We are the owners of 677 Sanchez which is located a few houses away from Ruchi and Aditya's project.

We are writing to you in support of their project. We believe that their house will be a significant improvement both over the existing structure as well as to the neighborhood at large.

My wife and I find the design of the house to be great and we are excited to have such a building on the same block as us.

Their project is within the planning code and we appreciate that they have not asked for a single exception or variance. Given that the project is within code, we are very supportive of the construction. We believe that it is very important that the city approves such projects without delay because it will also help with the housing crisis.

Ruchi and Aditya have been incredibly welcoming of feedback through the course of their project (which has now been under design for 18 months). They have held multiple neighborhood meetings, commissioned multiple geo-tech reports. We have been very impressed with how approachable and open they have been throughout the whole process.

We strongly urge the Planning department to approve Ruchi and Aditya's project given all the positive aspects that it will bring to the neighborhood.

Paul Saab  Myle Saab 

Address:677 Sanchez, San Francisco, CA 94114

EXHIBIT B12

Date: ___December 14_____, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

To Whom It May Concern:

I reside in close proximity to the proposed project, and have seen the plans for the new construction 3-story over basement single-family residence at 313-323 Cumberland.

I would like to express my support for the project and I urge the Planning Commission to approve the project as proposed by the project sponsor. I think the combining of two lots makes a lot of sense and will add more to the community than two separate houses going up on the individual lots.

Sincerely,

Jessica E. Lessin

Name: _____Jessica Lessin_____

Address: ___41 Cumberland St_____

_____SF CA 94110_____

Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and **we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.**

Printed Name	Signature	Address	Comment, if any	Date
ANYA ANDREESSEN		4072 CESAR CHAVEZ ST, CA 94131	Aditya + Ruchi are a wonderful, Neighborful family	12/2/15
RYAN KRUFT		4072 CESAR CHAVEZ SF, CA 94131		12/2/15
LEAH CHAVER		380 Pt 20th St Apt 201 SF CA 94114		12/3/15
Simi Sohi		325 Fillmore st SF 94117	I trust that	12/3/15
Michelle Lee		43-B Vicksburg St. SF CA 94114	Aditya and Ruchi will be respectful neighbors.	12/3/15
EMMA KRUFT		4072 CESAR CHAVEZ St, CA 94131		12/3/15
Emma Dawson		4235 23rd St SF CA 94114		12/3/15
[illegible]		4236 23rd St, SF CA 94114		12/3/15
Michael Petrov		179 Collingwood St, SF CA 94114	Ruchi and Aditya are kind people that will make any neighbourhood better!	12/7/15
Alon Levi		275 Diamond St SF CA 94114		12/8/15

EXHIBIT C

Petition <u>in Support</u> of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and **we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.**

Printed Name	Signature	Address	Comment, if any	Date
Chiapei Huang		522 Alvarado St., SF 94114	I've seen the plan, and all are within the code, so I'm support the project.	12-12-15
Noelle Salmi		400 Hill St. SF-94114	We think this house will be a beautiful addition to the neighborhood	12-12-15
Mika Soh		400 Hill St SF 94114	this property deserves a beautiful home	12-12-15
Nathaniel Roman		174 Hartford St 94114	An improvement for the neighborhood	12/13/15
Emily Barlow		174 Hartford St 94114		12/13/15
Myle Saab		677 Sanchez St.		12/13/15
Paul Saab		677 Sanchez St		12/13/15
Sriniras Narayanan		3601 21st St		12/13/15
Ari Doman		3601 21st Street		12/13/15
Peter Martinani		608 NOE ST		12/13/15

Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and **we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.**

Printed Name	Signature	Address	Comment, if any	Date
ADAM MOSSERI		137 FAIR OAKS ST		
Monica Mosseri		137 Fair Oaks St	We're incredibly supportive as they are a wonderful addition to community	
JUSTIN SHAFFER		660 Sanchez Street	We know the project and Ruchi and Aditya well. We are immediate neighbors and are very supportive!	
Sage Beamen		446 Eureka St	best neighbors!	12/6/15
Annabel Teal	Annabel Teal	660 Sanchez Street	We live right next door and completely support this!	
Olaoluwa Okelola	Okelola	530 Sanchez Street	Aditya is a catch! very supportive!	12/8/15
PETER RUSSELL-CLARK		4001 20th St.	THIS BUILDING NEEDS TO BE BUILT BY THIS COUPLE	12/10/15
NINA KHOSLA		391-393 CUMBERLAND	REALLY BEAUTIFUL BUILDING PLAN I WOULD LOVE TO LIVE NEAR!	12/9/15
MICHAEL NOURAFI		530 SANCHEZ ST #1		12/11/15
Steven Grimm		577 Alvarado St	This fits in with other modern designs in the neighborhood.	12/12/15

Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and **we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.**

Printed Name	Signature	Address	Comment, if any	Date
Chris Cox		4231 20th St.	Very supportive	12/6/15
JESS FOWN		824 Douglass St	supportive	12/6/15
Laurie Young		265 Dorland St.	supportive	12/6/15
PATRICK AMIHOOD		352 CUMBERLAND ST	SUPPORTIVE	12/6/15
Visrin Vichit-Vadakan		352 cumberland St.	supportive	12/6/15
Sue Young		3620 19th St. #34	SUPPORTIVE	12/6/15
Aaron Schwartz		3620 19th st #34	Very Supportive! Great neighbors	12/6/15
Visra Vichit Vadakan		3609 st st.	very supportive	12/6/15
Alejandro Young		824 DOUGLASS ST.	YES!	12/6/15
Tyrone Anderson		265 Dorland St.	Supportive!	12/6/15

Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and **we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.**

Printed Name	Signature	Address	Comment, if any	Date
Ken Smith		662 Sanchez St., SF		12/8/15
Aditya Kaolwal		70 Hancock St #1, SF	I support the plans	12/8/15
Priyanka Agarwal		70 Hancock St. # 1 SF	the plans are great	12/8/15
Jared Morgenstern		3835 20th St	beautiful plans, will benefit the neighborhood	12/11/15
Ben Blumenfeld		836 Alvarado St	I support this	12/12/15
Jocelyn Ross		836 Alvarado St	I support the plans	12/12/15
Vaughn Hester		73A Lapidge St.	LOVE THE PLAN	12/12/15
Sarah Pollet		808 Guerrero St. Apt 4	I support this	12/12/15
Nisna Gulati		3010 18th Street, SF	I support the plans	12/12/15
Okori M. Puryear		73a Lapidge Street		12/12/15

Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and **we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.**

Printed Name	Signature	Address	Comment, if any	Date
Noelle Moseley		Elizabeth Street resident 4104 24th St #511, SF, CA 94114	Full support of this project – considerate neighbors trying to do the right thing. And a critical opportunity for our gov. to protect our freedoms.	12/13/15
Brian Singelman		4104 24th St. #511 SF	Project is within the law, 100% supported	12/13/15
Breanna deGeare		418 Liberty ST. SF, CA 94114	Project is to code. Shald be approved.	12/14/15
Wayne de Geare		418 Liberty, SF CA 94114	Fully support this project	12/14/15
John Bekelman		655 Sanchez St SF CA 94114	Project within code & all support	12/14/15

Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and **we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.**

Printed Name	Signature	Address	Comment, if any	Date
Jerry Brooner		4417 20th Street	Great neighbors, project improves neighborhood	12/3/15
Amber Hamilton		4417 20th Street		12/3/15.
Todd Jackson		1039 Noe St.	Ruchi & Aditya are good people and good neighbors, positive for the community.	12/5/15
Nipun Kaeranadi		524 Guerrero Street		12/5/15
Vikram Adukia		2319-15th St		12/9/2015
Neeraj Wahi		3420A 16th St		12/9/2015
Erik Hope		1402 Church St		12/14/15
JONATHAN YING		721 GUERRERO		12/14/15
BRYAN REED		127 27th St		12/15/15

December 9, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

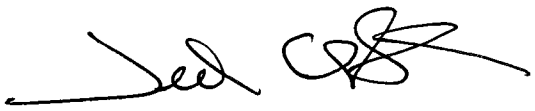
To Whom It May Concern:

We reside at 414 Liberty Street, in close proximity to the proposed project, and have seen the plans for the new construction 3-story over basement single-family residence at 313-323 Cumberland.

After speaking with Ruchi and Aditya, carefully reviewing the plans, and attending a neighborhood meeting they held to answer neighbors' questions, we are highly supportive of the project. We believe the project is well designed and fits wonderfully with the eclectic character of the neighborhood. We're eager for the site to be improved after being unoccupied for so long, and we're happy to see the lots merged, so that a larger home can be built that is more appropriate for family housing than the existing small cottage. We've been impressed by the extent to which Ruchi and Aditya have sought out neighbors' feedback and made adjustments to the project in response to their feedback.

We would like to express our support for the project and urge the Planning Commission to approve the project as proposed by the project sponsor.

Sincerely,



Name: Leeks, LLC, a California limited liability company

Address: 414 Liberty Street
San Francisco, CA 94

Mailing address:
P.O. Box 2548
San Francisco, CA 94126

Jackson, Erika

From: Visrin Vichit-Vadakan <visrinv@gmail.com>
Sent: Monday, December 21, 2015 6:47 PM
To: Jackson, Erika
Subject: Supportive of 323 Cumberland Street

Dear Ms. Jackson,

I'm writing to you with respect to 323 cumberland Street. We live on the same block and we'd like to indicate our continued support for the project. We understand that in response to feedback, the project sponsors added an additional unit and applied for a conditional use permit. The project is able to take the vacant lot and build a more sensitive design for a home that is compatible with the neighborhood. The neighborhood has many different types of homes from Modern to Victorian and we feel their project fits in nicely with the varied character of the neighborhood.

We have been saddened by the number of hoops they've had to jump through the get their project approved. We would like to express our support for the project and urge the Planning Commission to approve the project without delay.

Thank you,
Visrin Vichit-Vadakan

Jackson, Erika

From: ninakhosla@gmail.com on behalf of Ninakix <ninak@kissedbyrain.com>
Sent: Tuesday, December 22, 2015 11:50 AM
To: Jackson, Erika
Subject: Supportive of 323 Cumberland Street

Dear Ms. Jackson,

I'm writing to you with respect to 323 Cumberland Street, I live at 393 Cumberland. I live a few houses down and would like to indicate my support for the project. I understand that in response to feedback, the project sponsors added an additional unit and applied for a conditional use permit which doesn't really impact the facade. The house visible from the street is sensitive to the neighborhood in scale and design. They made tremendous efforts to accommodate all impacted neighbors. I hope planning approves their project without further delay.

Sincerely,
Nina Khosla

GENERAL NOTES

1. CONTRACTOR SHALL PROVIDE ALL MATERIALS AND WORKMANSHIP FOR ALL CONSTRUCTION REQUIRED HEREIN AND SHALL BE IN ACCORDANCE WITH THE:

   2013 SAN FRANCISCO BUILDING CODE
   2013 SAN FRANCISCO ELECTRICAL CODE
   2013 SAN FRANCISCO ENERGY CODE
   2013 SAN FRANCISCO HOUSING CODE
   2013 SAN FRANCISCO MECHANICAL CODE
   2013 SAN FRANCISCO PLUMBING CODE
   2013 CALIFORNIA FIRE CODE

   COORDINATE ALL WORK WITH STRUCTURAL DRAWINGS

2. IN THE EVENT THE CONTRACTOR ENCOUNTERS ON THE SITE MATERIAL REASONABLY BELIEVED TO BE ASBESTOS, POLYCHLORINATED BIPHENYL (PCB) OR ANY OTHER HAZARDOUS MATERIAL WHICH HAS NOT BEEN RENDERED HARMLESS OR PREVIOUSLY IDENTIFIED, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE AND THE ARCHITECT IN WRITING.

3. MANUFACTURER'S DESIGNATIONS ARE NOTES TO INDICATE PATTERN, COLOR AND PERFORMANCE.

4. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS IN THE FIELD AND, IN THE EVENT OF DISCREPANCY, REPORTING SUCH DISCREPANCY TO THE ARCHITECT, BEFORE COMMENCING WORK.

5. CONTRACTOR SHALL NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL ALWAYS GOVERN. CONTRACTOR REQUIRING DIMENSIONS NOT NOTED, SHALL CONTACT THE ARCHITECT FOR SUCH INFORMATION PRIOR TO PROCEEDING WITH THE WORK RELATED TO THOSE DIMENSIONS.

6. ALL PLAN DIMENSIONS INDICATED ARE TO COLUMN CENTERLINE, TO FACE OF CONCRETE, TO FINISHED FACE OF GYP. BD., OR TO FACE OF MASONRY U.O.N.

7. CONTRACTOR SHALL PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGERS AND/OR OTHER SUPPORTS FOR ALL FIXTURES, EQUIPMENT CASEWORK, FURNISHINGS AND ALL OTHER ITEMS REQUIRING SAME.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CUTTING AND PATCHING REQUIRED FOR PROPER INSTALLATION OF MATERIAL AND EQUIPMENT.

9. CONTRACTOR SHALL TAKE SUITABLE MEASURES TO PREVENT INTERACTION BETWEEN DISSIMILAR METALS.

10. "ALIGN" AS USED IN THESE DOCUMENTS SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE.

11. "TYPICAL" OR "TYP." MEANS FOR ALL SIMILAR CONDITIONS, U.O.N.

12. DETAILS ARE USUALLY KEYED ONLY ONCE (ON PLANS OR ELEVATIONS WHEN THEY FIRST OCCUR) AND ARE TYPICAL FOR SIMILAR CONDITIONS THROUGHOUT, U.O.N.

13. CONSTRUCTION AREA MUST BE BROOM CLEANED DAILY AND ALL MATERIALS SHALL BE STACKED OR PILED IN AN ORDERLY FASHION OUT OF TRAFFIC PATTERNS.

14. AT COMPLETION OF THE WORK, CONTRACTOR SHALL REMOVE ALL MARKS, STAINS, FINGERPRINTS, DUST, DIRT, SPLATTERED PAINT, AND BLEMISHES RESULTING FROM THE VARIOUS OPERATIONS THROUGHOUT THE PROJECT.

15. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING DAMAGED AREAS THAT OCCUR DURING CONSTRUCTION THAT ARE WITHIN THE SCOPE OF WORK OR OUTSIDE SCOPE OF WORK, THAT ARE CAUSED BY HIM/HER OR SUBCONTRACTORS.

16. WHERE ADJOINING DOORS HAVE DISSIMILAR FLOORING, MAKE CHANGE UNDER CENTERLINE OF DOOR, U.O.N.

17. ALL PIPE, CONDUIT AND DUCT PENETRATIONS THROUGH FLOORS AND FIRE-RATED WALL AND CEILING SHALL BE SEALED WITH FIREPROOFING PLASTER OR FIRESTOPPING TO FULL DEPTH OF SLAB OR THICKNESS OF WALL/CEILING.

18. ENTERING INTO AN AGREEMENT WITH THE OWNER INDICATES THAT THE CONTRACTOR(S) HAS VISITED THE SITE, FAMILIARIZED HIM/HERSELF WITH THE EXISTING CONDITIONS, AND REVIEWED SAME WITH REQUIREMENTS OF THE CONTRACT DOCUMENTS.

19. CONTRACTOR SHALL COORDINATE ALL WORK WITH ALL SUB-CONTRACTORS, INCLUDING THOSE UNDER SEPARATE CONTRACT WITH THE OWNER.

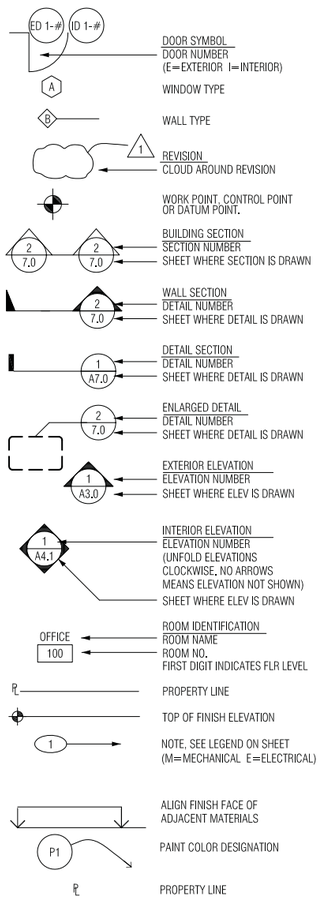
20. CONTRACTOR SHALL SUBMIT CONFIRMATION WITH DELIVERY DATES ON ORDERS OF MATERIALS AND EQUIPMENT OF ANY LONG LEAD TIME ORDER ITEMS.

21. A 6'-8" MINIMUM HEADROOM SHALL BE PROVIDED AT ALL STAIRS.

22. CONTRACTOR SHALL PROTECT ALL EXCAVATION AND CONSTRUCTION FROM RAIN OR WATER DAMAGE.

23. COMMON ABBREVIATIONS:
   (E) = EXISTING, (N) = NEW/ PROPOSED
   (P.A.) = PREVIOUSLY APPROVED
   GWB = GYP. BD. = GYPSUM WALLBOARD,
   MTL = METAL, S.S. = STAINLESS STEEL,
   GSM = GALVANIZED SHEET METAL
   GM = GALVANIZED METAL
   SSD = SEE STRUCTURAL DRAWINGS,
   AFF = ABOVE FINISHED FLOOR,
   BUR = BUILT-UP ROOFING

LEGEND



CODE NOTES

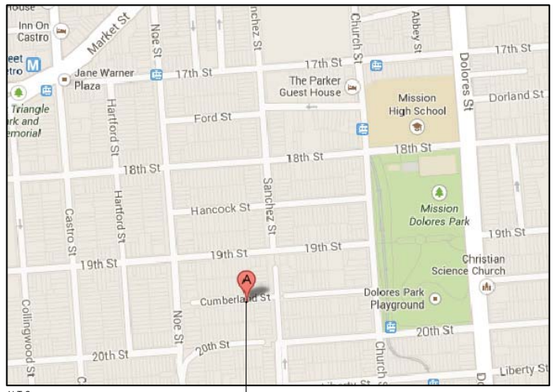
1. PER SFBC 907.2.10.1.2, PROVIDE SMOKE DETECTORS ON EVERY FLOOR AND IN EVERY SLEEPING ROOM AND HALLWAY OUTSIDE OF SLEEPING ROOMS

2. PER SFBC TABLE 602, PROVIDE ONE HOUR RATED STRUCTURE EVERYWHERE WITHIN 5 FEET OF AND PARALLEL TO THE PROPERTY LINE.

3. PER SFBC 406.1.4, PROVIDE GWB ASSEMBLIES BETWEEN PRIVATE GARAGE AND HABITABLE ROOMS (MIN. 1/2" GWB BETWEEN THE DWELLING & ITS ATTIC AREA. GARAGES BENEATH HABITABLE ROOMS SHALL BE SEPERATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN A 5/8" TYPE 'X' GWB OR EQ).

4. PROVIDE MIN. 1 EMERGENCY ESCAPE & RESCUE WINDOW PER SFBC 1026 AT ALL SLEEPING ROOMS.

VICINITY MAP



N.T.S.

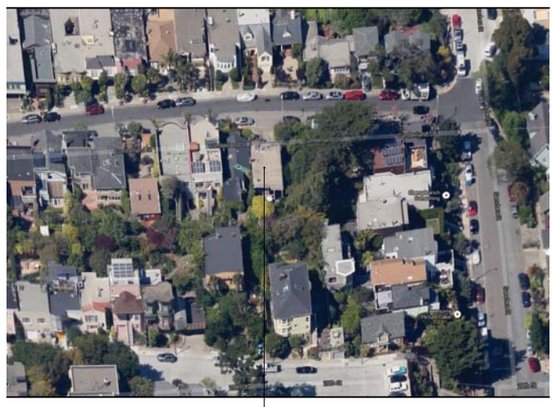
PROJECT LOCATION

N

AERIAL PHOTOS

1. AERIAL PHOTO LOOKING SOUTH

PROJECT LOCATION



2. AERIAL PHOTO LOOKING NORTH

PROJECT LOCATION

PROJECT DESCRIPTION

DEMOLISH (E) STRUCTURE.

THE PROPOSED PROJECT AT 323 CUMBERLAND STREET CONSISTS OF A 3 STORY (OVER BASEMENT), NEW TWO FAMILY DWELLING.

PROJECT DIRECTORY

OWNER: RSAA LLC
244 JACKSON STREET #3
SAN FRANCISCO, CA 94111

ARCHITECT: JOHN MANISCALCO ARCHITECTURE
JOHN MANISCALCO, A.I.A. - PRINCIPAL
442 GROVE STREET, S.F., CA 94102
T. 415.864.9900 F. 415.864.0830

PROJECT DATA

ADDRESS:	313 & 323 CUMBERLAND STREET SAN FRANCISCO, CA, 94131	BUILDING HEIGHT:	EXISTING	PROPOSED
		T.O. ROOF:	19'-11"	32'-10 1/2"
BLOCK:	3601		O/(E) GRADE	
LOT:	043, 044	NO. OF STORIES:	1 + BASEMENT	3 + BASEMENT
ZONING:	RH-1			
CONSTR. TYPE:	TYPE V-B			
OCCUPANCY:	R-3			
LOT SIZE:	5,700 SF (2,850 + 2,850)			

BUILDING AREA:

(E) BASEMENT LEVEL	0 SF	(+364 SF GARAGE) (+531 SF CRAWL)
(E) FIRST LEVEL	877 SF	
TOTAL (E) AREA:	877 SF	(+364 SF GARAGE) (+531 SF CRAWL)

	UNIT 1	UNIT 2	GARAGE
PROPOSED BASEMENT LEVEL	953 SF	680 SF	1,586 SF
PROPOSED FIRST LEVEL	2,096 SF		
PROPOSED SECOND LEVEL	1,944 SF		
PROPOSED THIRD LEVEL	1,114 SF		
UNIT TOTALS:	6,107 SF	680 SF	1,586 SF

CONDITIONED TOTAL: 6,759 SF

INDEX OF DRAWINGS

323 CUMBERLAND

323 CUMBERLAND STREET, SAN FRANCISCO, CA. 94114

20140627981 3

JOHN MANISCALCO
ARCHITECTURE

442 GROVE STREET
SAN FRANCISCO, CA 94102
t 415.864.9900
f 415.864.0830

LICENSED ARCHITECT
JOHN P. MANISCALCO
C-25148
Exp. 6-30-2017
STATE OF CALIFORNIA

1.	EE APPLICATION	
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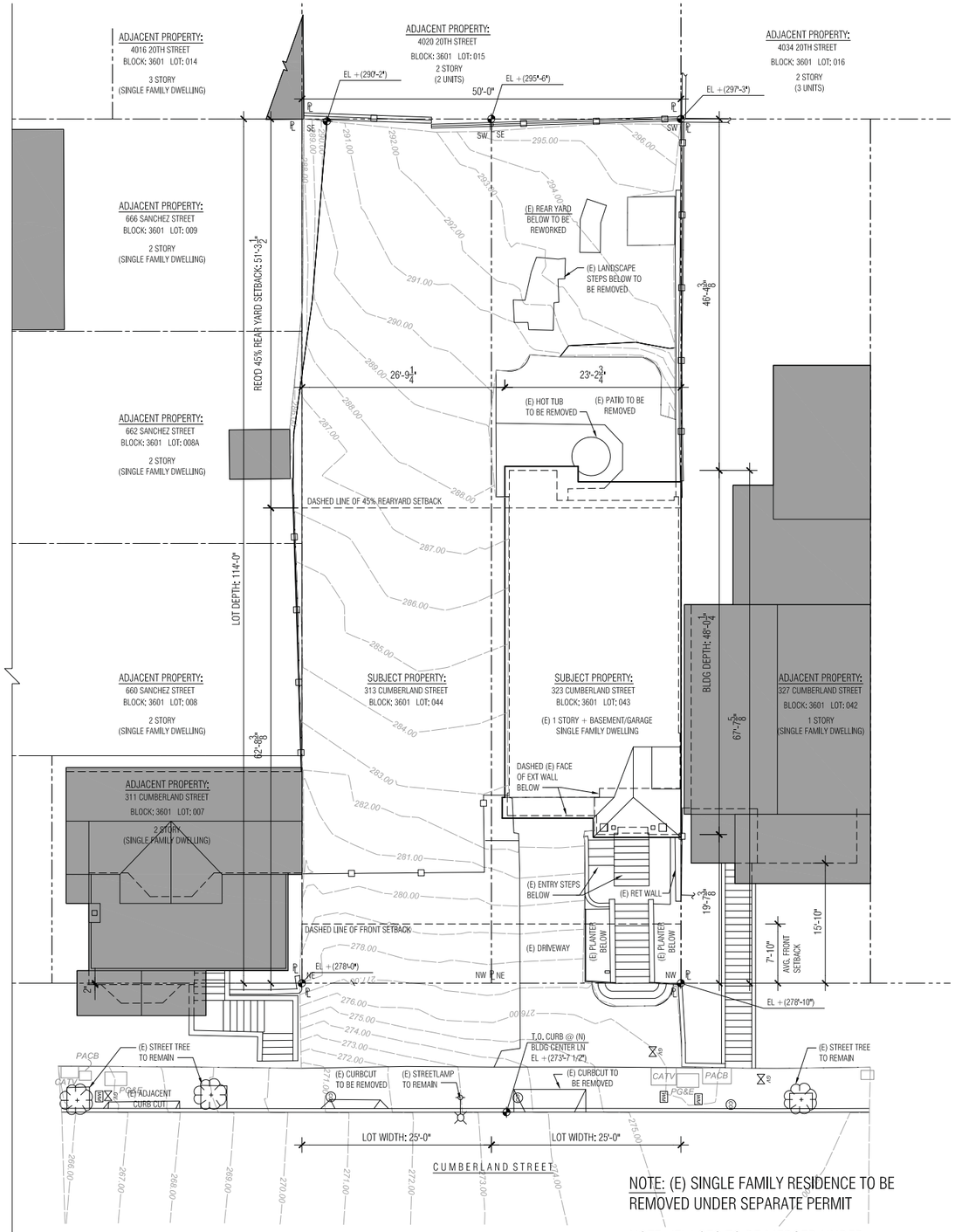
3.	SITE PERMIT -DCP 311 REVISION 1	06.18.14
4.	SITE PERMIT -DCP 311 REVISION 2	03.10.15
5.	SITE PERMIT -DCP 311 REVISION 3	10.22.15
6.	CONDITIONAL USE PERMIT	12.10.15

DRAWING INDEX, PROJECT DATA, GENERAL NOTES, AERIAL PHOTOS

A0.1



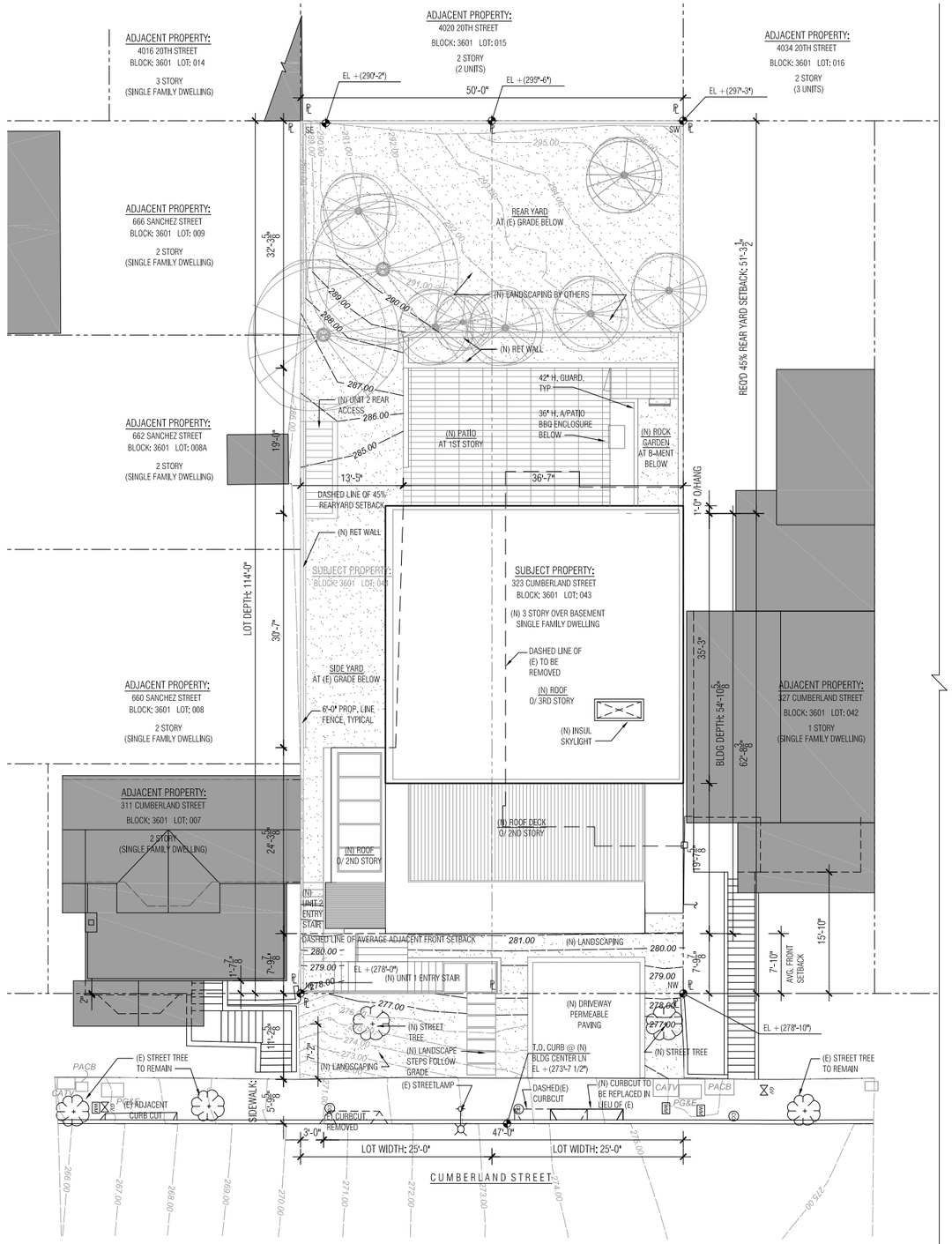
NOTE: (E) SINGLE FAMILY RESIDENCE TO BE REMOVED UNDER SEPARATE PERMIT

NOTE: (E) LOTS TO BE MERGED UNDER SEPARATE APPLICATION

1 EXISTING PLOT PLAN

1/8"=1'-0"

SCALE: 1/8" = 1'-0"



2 PROPOSED PLOT PLAN

1/8"=1'-0"

SCALE: 1/8" = 1'-0"

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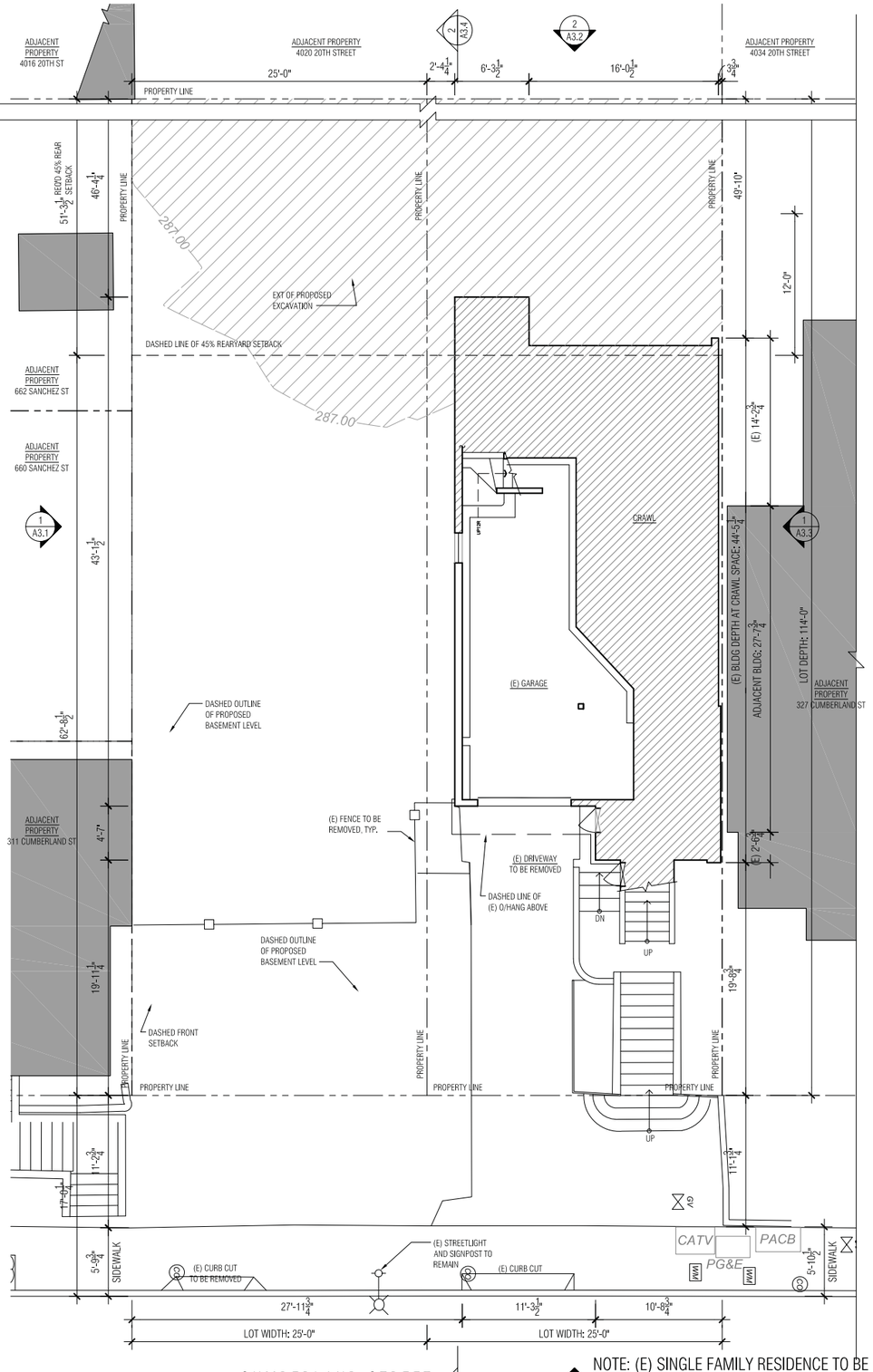
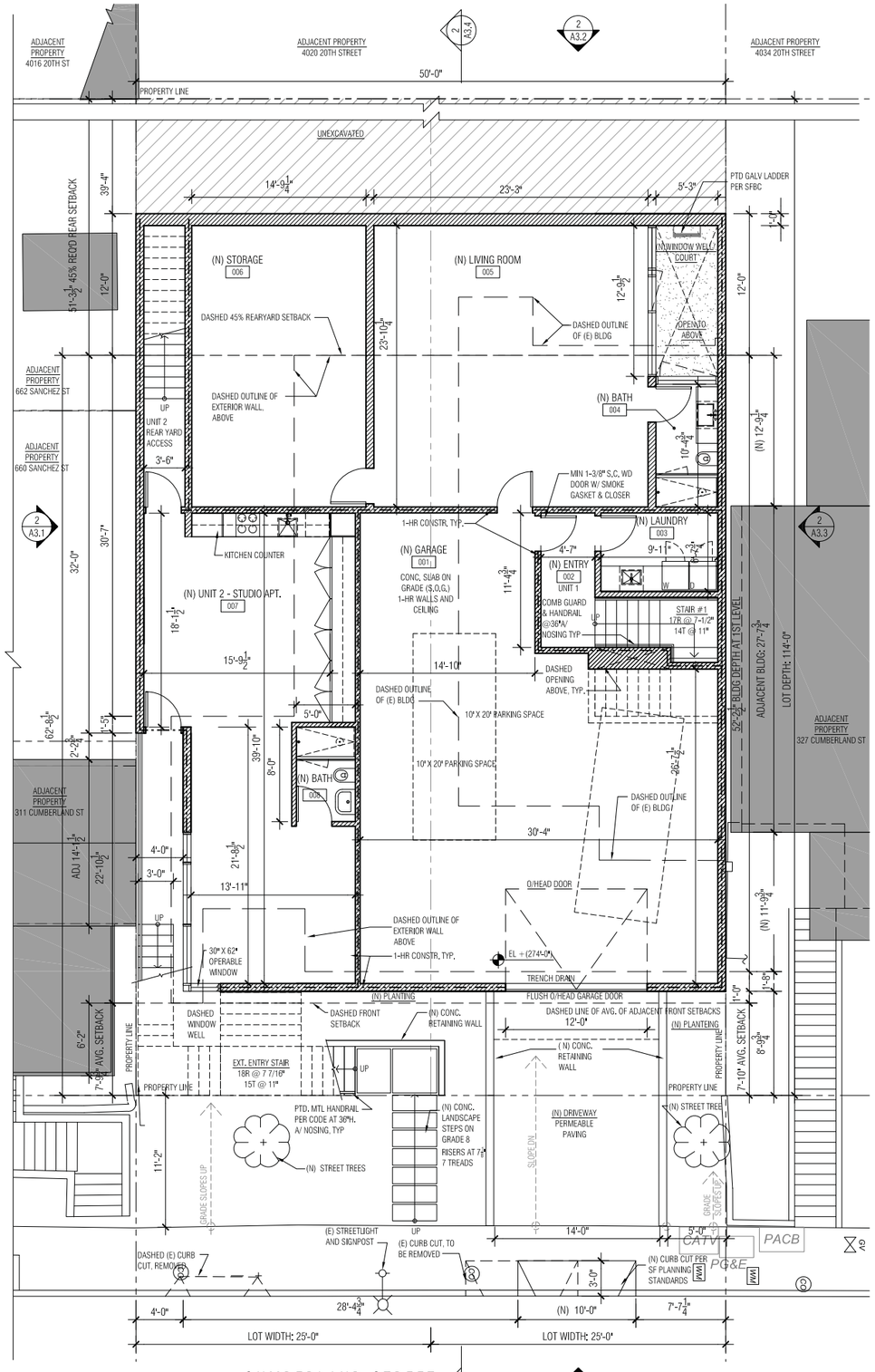
EXISTING & PROPOSED PLOT PLANS

A1.0



1 EXISTING BASEMENT LEVEL DEMOLITION PLAN

3/16"=1'-0"



2 PROPOSED BASEMENT LEVEL PLAN

3/16"=1'-0"

EXISTING WALL
NEW WALL
1-HOUR WALL
(N) UPGRADE (E)

0' 2' 4' 8'
SCALE: 3/16" = 1'-0"

N

323 CUMBERLAND

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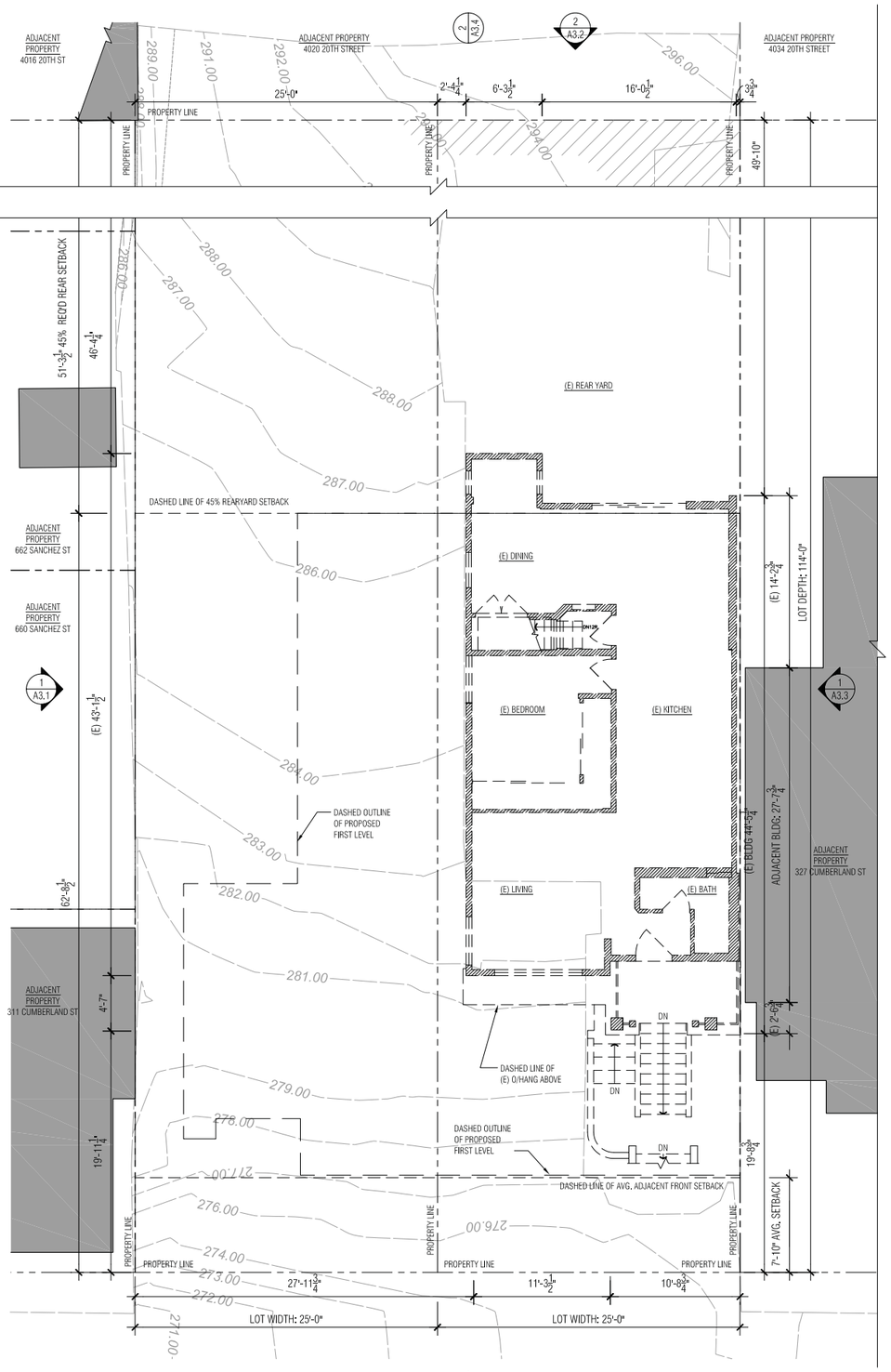
EXISTING & PROPOSED BASEMENT LEVEL FLOOR PLANS

A2.0



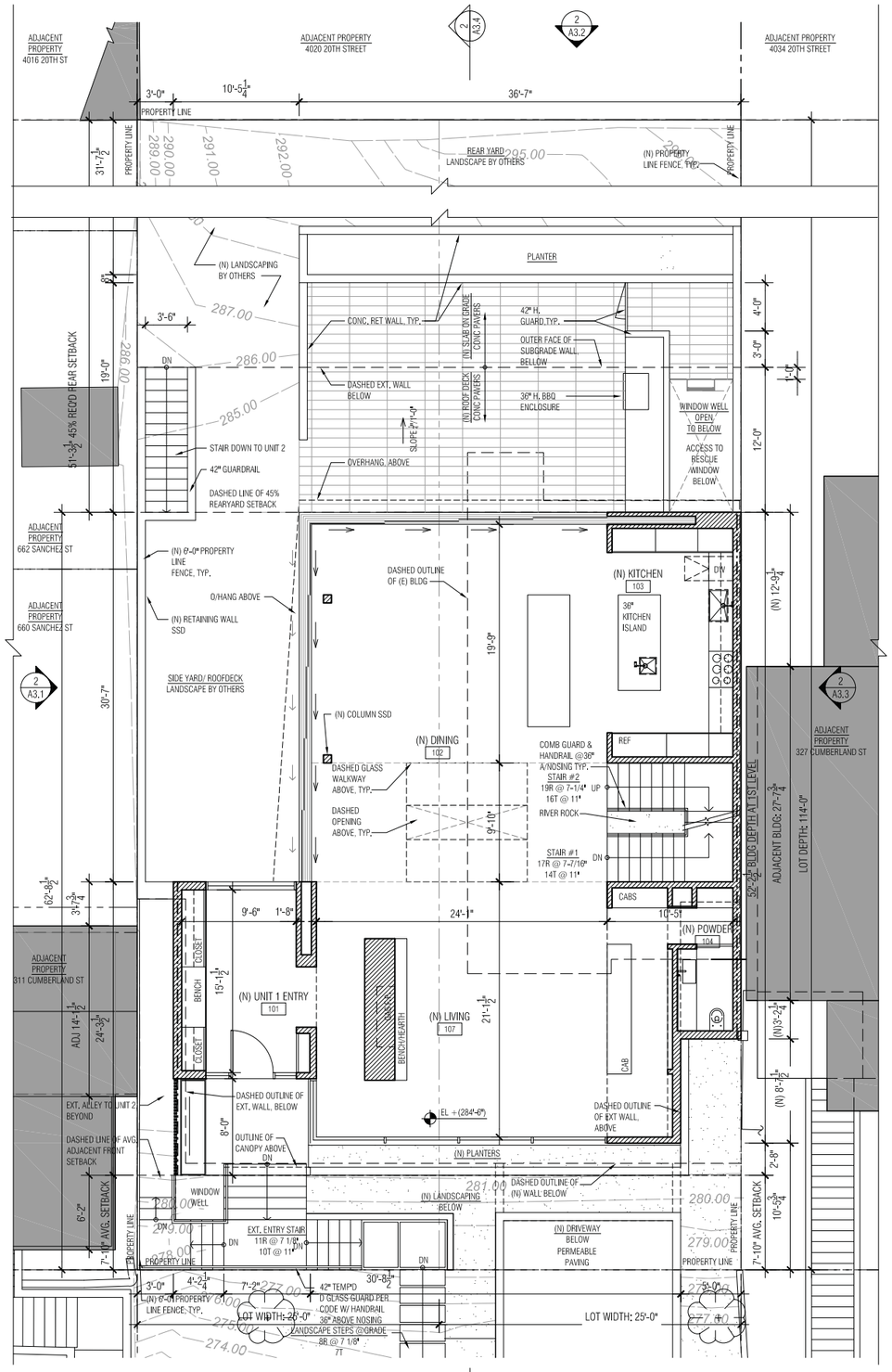
CUMBERLAND STREET

NOTE: (E) SINGLE FAMILY RESIDENCE TO BE REMOVED UNDER SEPARATE PERMIT

EXISTING WALL
TO BE DEMOLISHED

1 EXISTING FIRST FLOOR DEMOLITION PLAN

3/16"=1'-0"



CUMBERLAND STREET

EXISTING WALL
NEW WALL
1-HOUR WALL
(N) UPGRADE (E)

SCALE: 3/16" = 1'-0"

2 PROPOSED FIRST FLOOR PLAN

3/16"=1'-0"

323 CUMBERLAND

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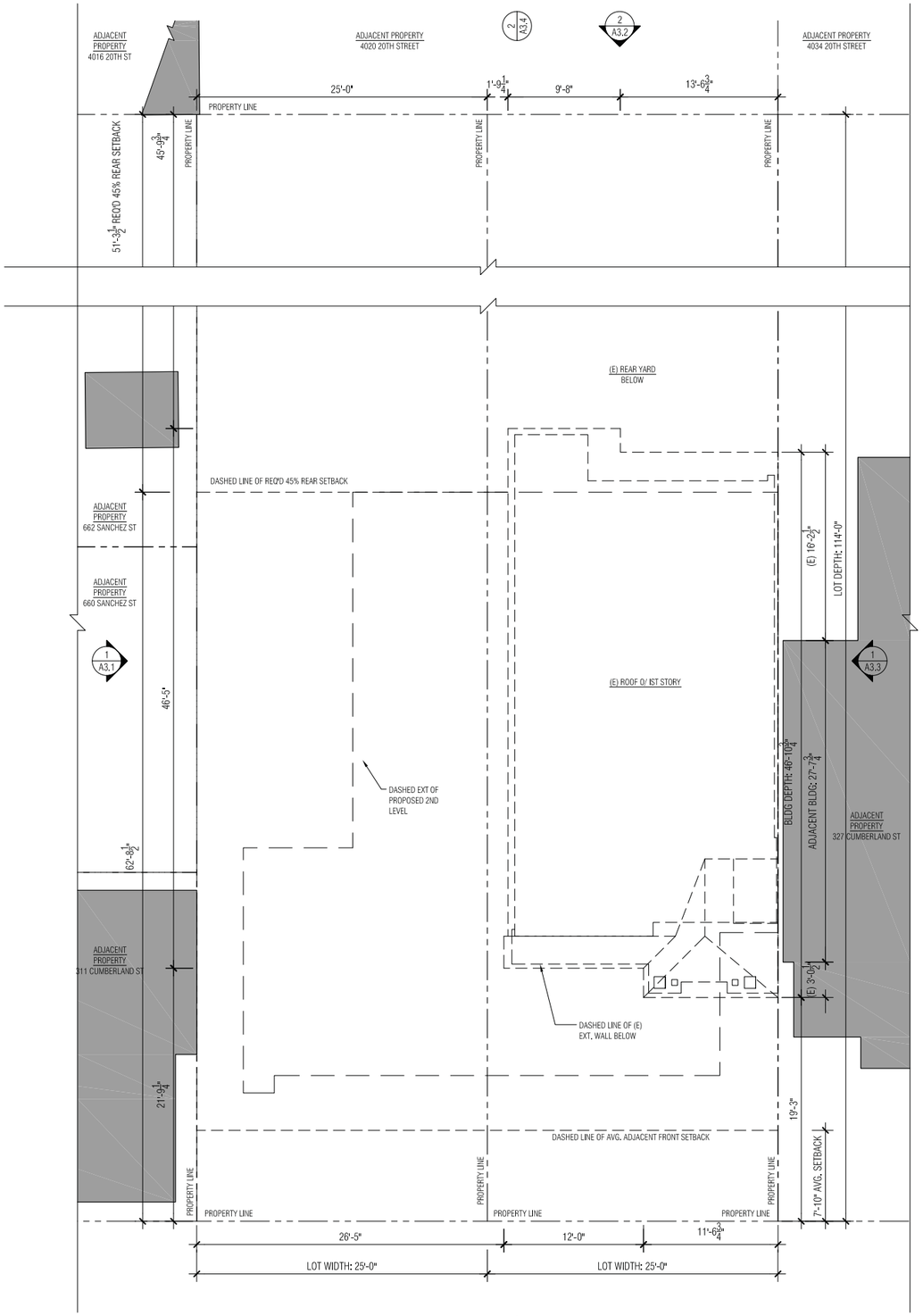
EXISTING & PROPOSED FIRST FLOOR PLANS

A2.1



CUMBERLAND STREET

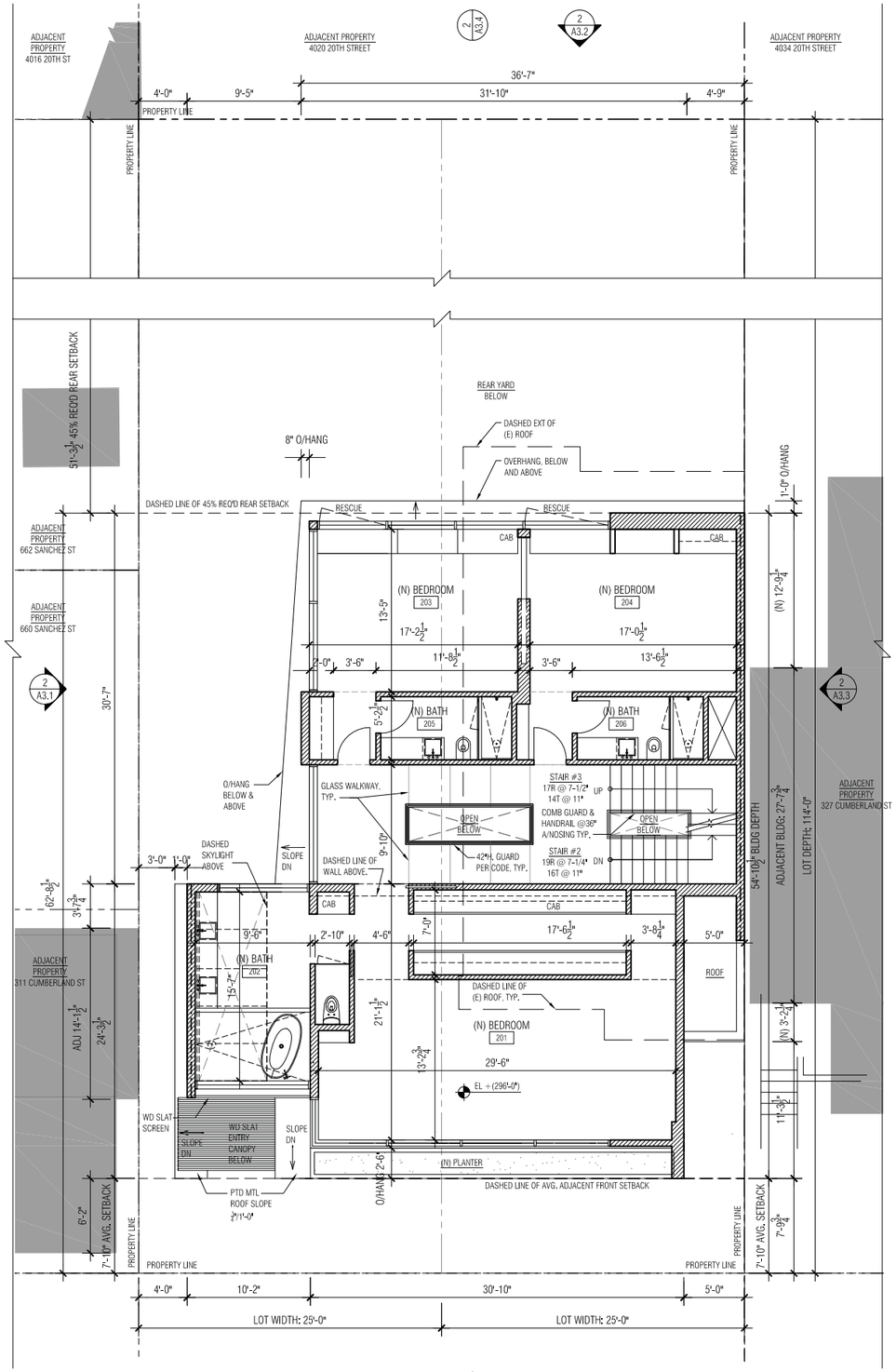
NOTE: (E) SINGLE FAMILY RESIDENCE TO BE REMOVED UNDER SEPARATE PERMIT

EXISTING WALL

TO BE DEMOLISHED

1 EXISTING ROOF DEMOLITION PLAN

3/16"=1'-0"



CUMBERLAND STREET

2 PROPOSED SECOND FLOOR PLAN

3/16"=1'-0"

EXISTING WALL

NEW WALL

1-HOUR WALL

(N) UPGRADE (E)

SCALE: 3/16" = 1'-0"

N

323 CUMBERLAND

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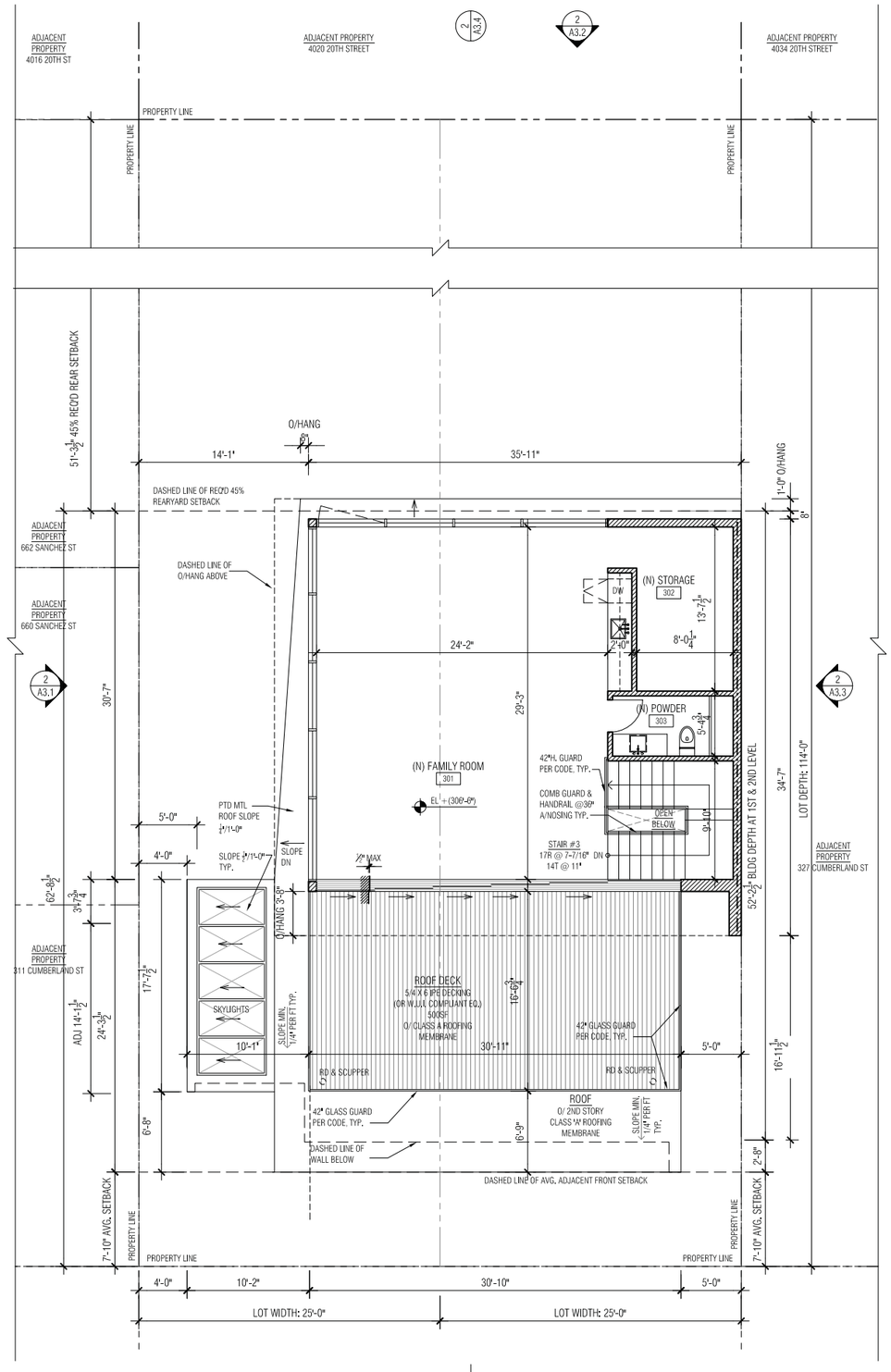
EXISTING & PROPOSED SECOND FLOOR PLANS

A2.2

323 CUMBERLAND

323 CUMBERLAND STREET, SAN FRANCISCO, CA. 94114



1 N/A

3/16"=1'-0"

2 PROPOSED THIRD FLOOR PLAN

3/16"=1'-0"

JOHN MANISCALCO
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LICENSED ARCHITECT
JOHN P. MANISCALCO
C-25148
Exp. 6-30-2017
STATE OF CALIFORNIA

1.	EE APPLICATION	
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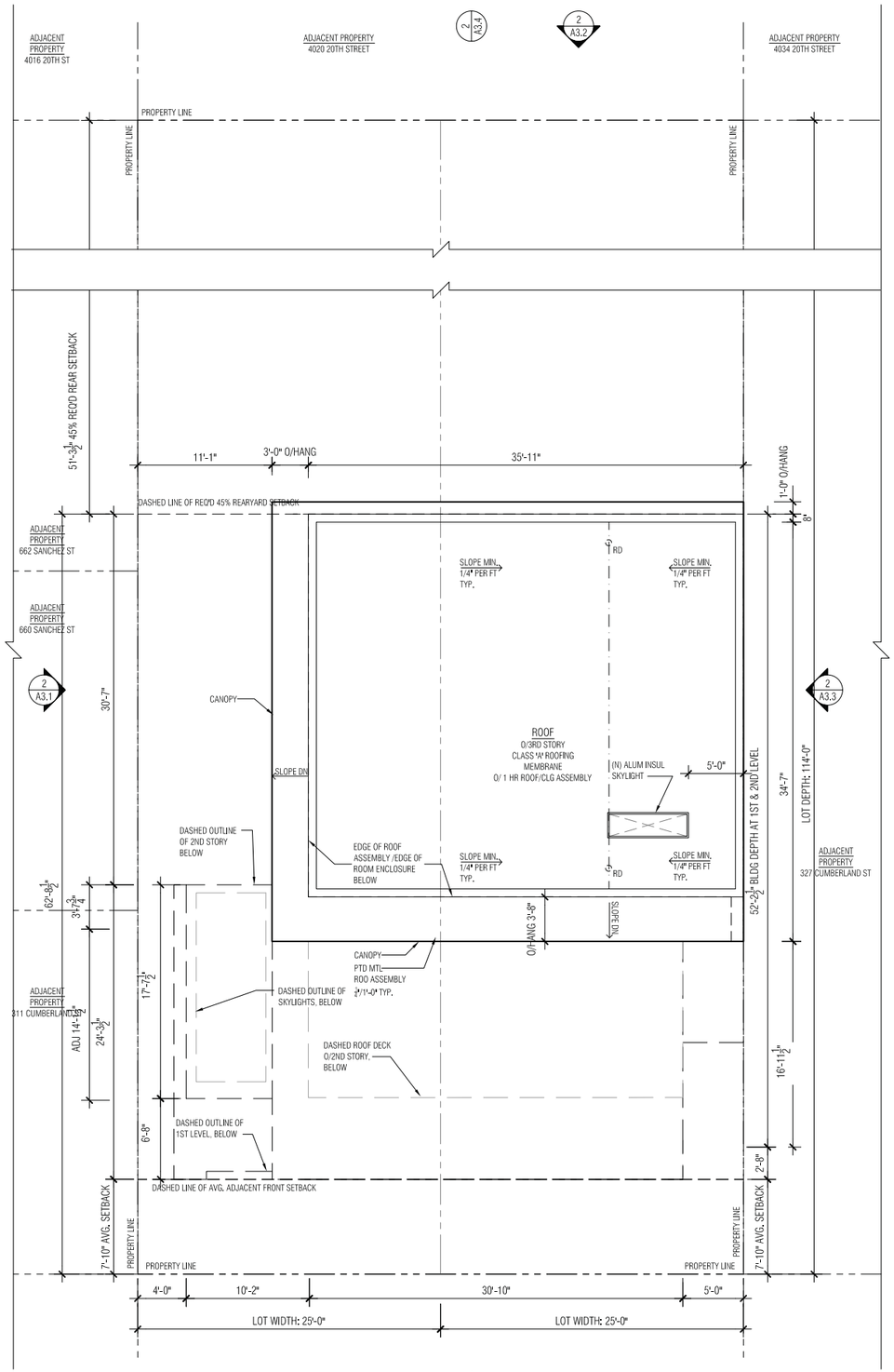
6.	CONDITIONAL USE PERMIT	12.10.15

PROPOSED THIRD FLOOR PLAN

A2.3



CUMBERLAND STREET

2 A3.4

2 A3.0

EXISTING WALL
NEW WALL
1-HOUR WALL
(N) UPGRADE (E)

0" 2" 4" 8"

SCALE: 3/16" = 1'-0"

N

1 N/A
3/16"=1'-0"

2 PROPOSED ROOF PLAN
3/16"=1'-0"

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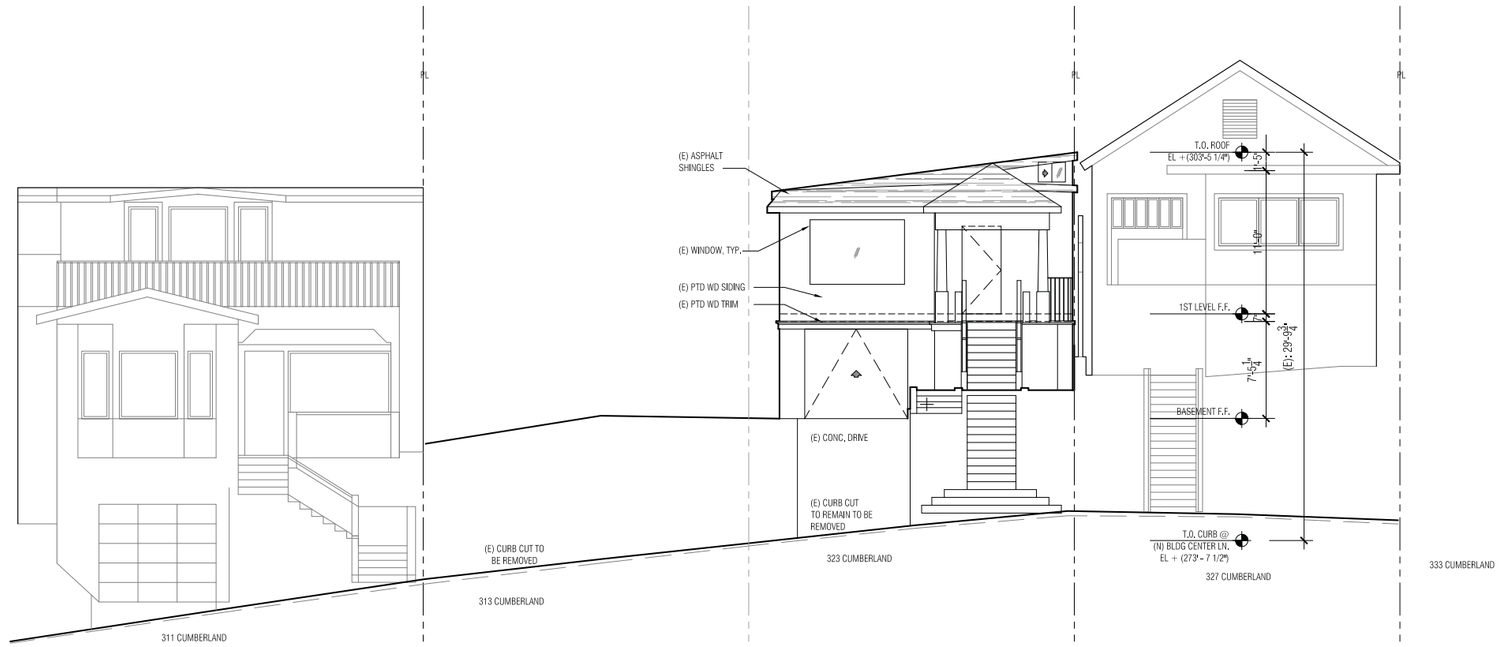
PROPOSED
ROOF PLAN

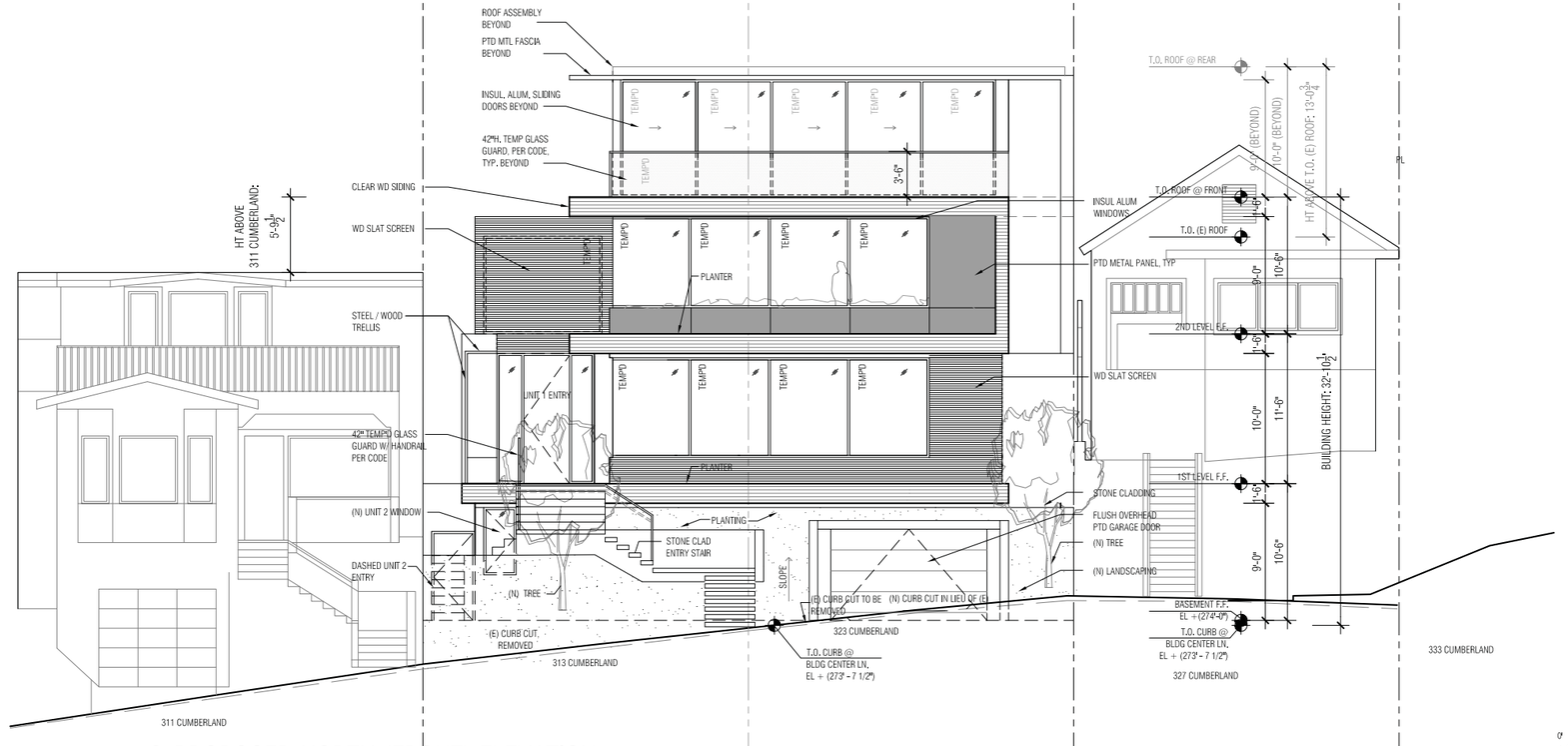
A2.4



1 EXISTING NORTH (FRONT) ELEVATION

3/16"= 1'-0"

NOTE: REMOVAL OF (E) SINGLE FAMILY HOUSE & REAR RET. WALLS UNDER SEPARATE PERMIT



2 PROPOSED NORTH (FRONT) ELEVATION

3/16"= 1'-0"

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

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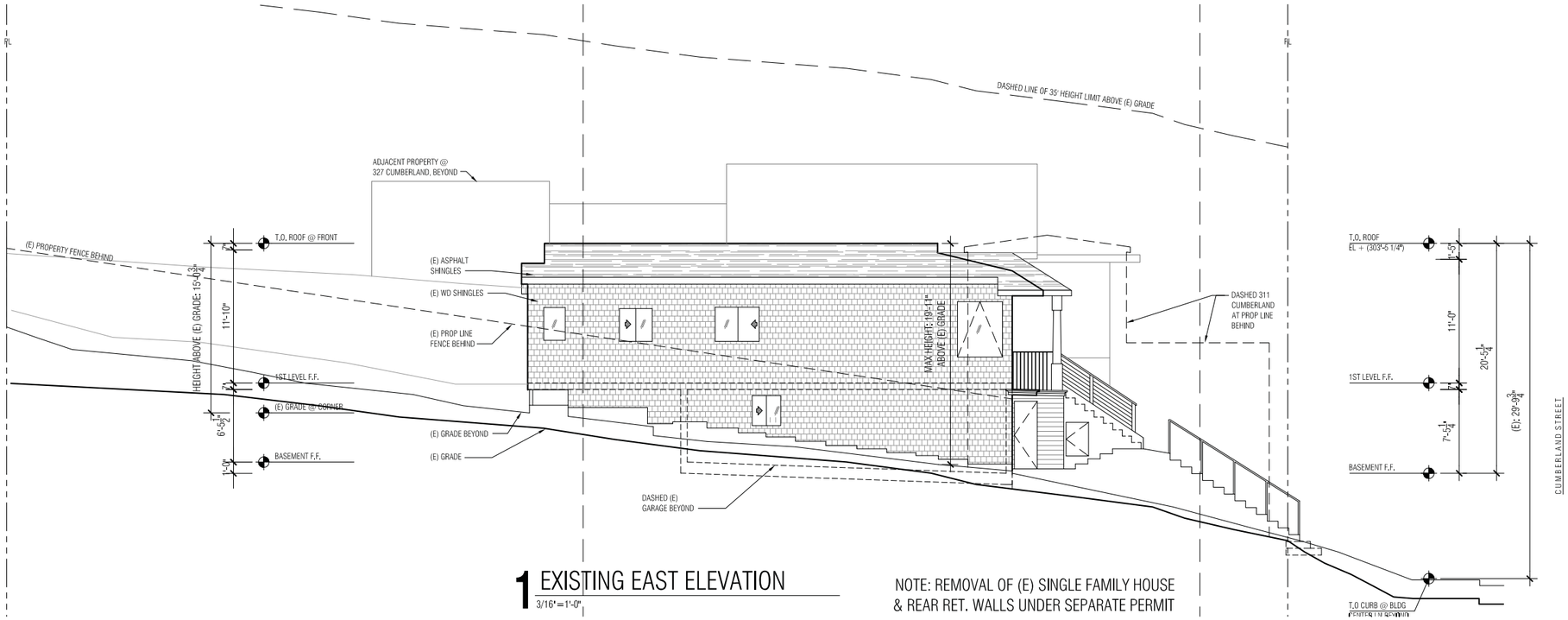
EXISTING & PROPOSED NORTH (FRONT) ELEVATIONS

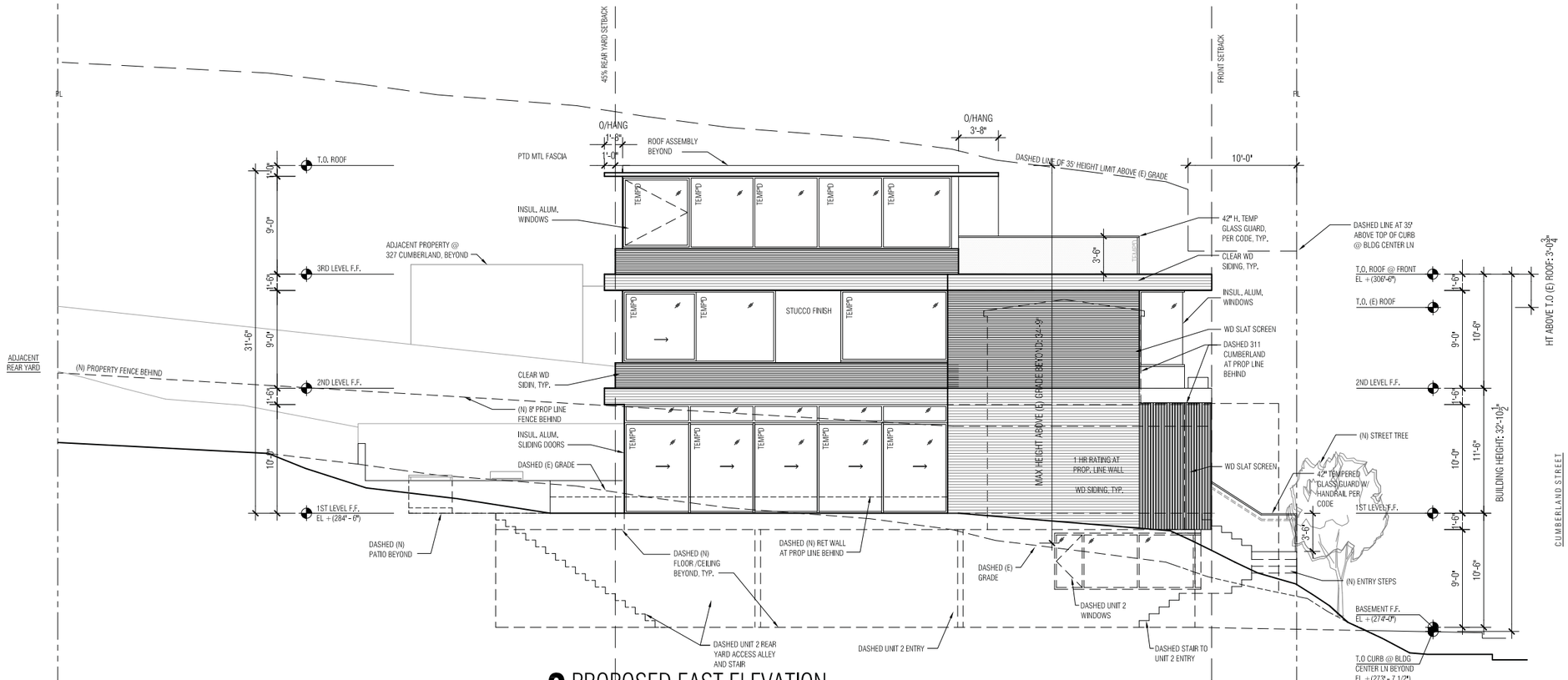
A3.0



1 EXISTING EAST ELEVATION

3/16" = 1'-0"

NOTE: REMOVAL OF (E) SINGLE FAMILY HOUSE & REAR RET. WALLS UNDER SEPARATE PERMIT



2 PROPOSED EAST ELEVATION

3/16" = 1'-0"

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

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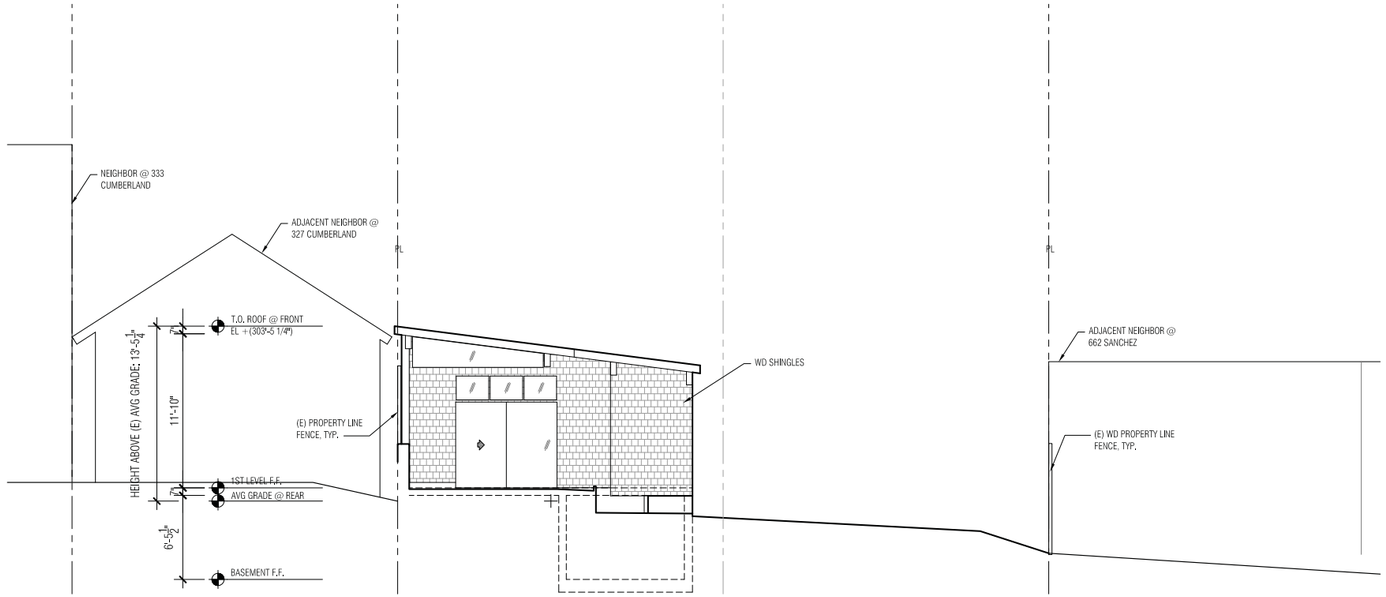
EXISTING & PROPOSED EAST ELEVATIONS

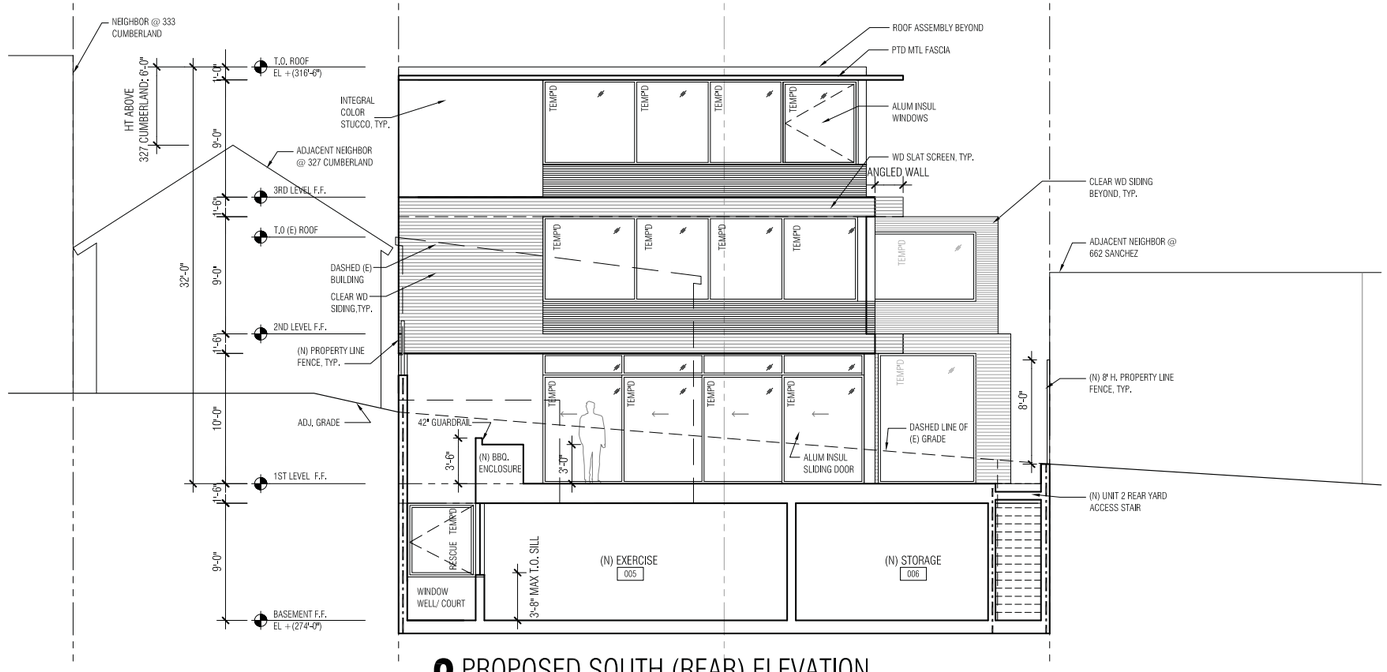
A3.1



1 EXISTING SOUTH (REAR) ELEVATION

3/16"= 1'-0"

NOTE: REMOVAL OF (E) SINGLE FAMILY HOUSE & REAR RET. WALLS UNDER SEPARATE PERMIT



2 PROPOSED SOUTH (REAR) ELEVATION

3/16"= 1'-0"

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

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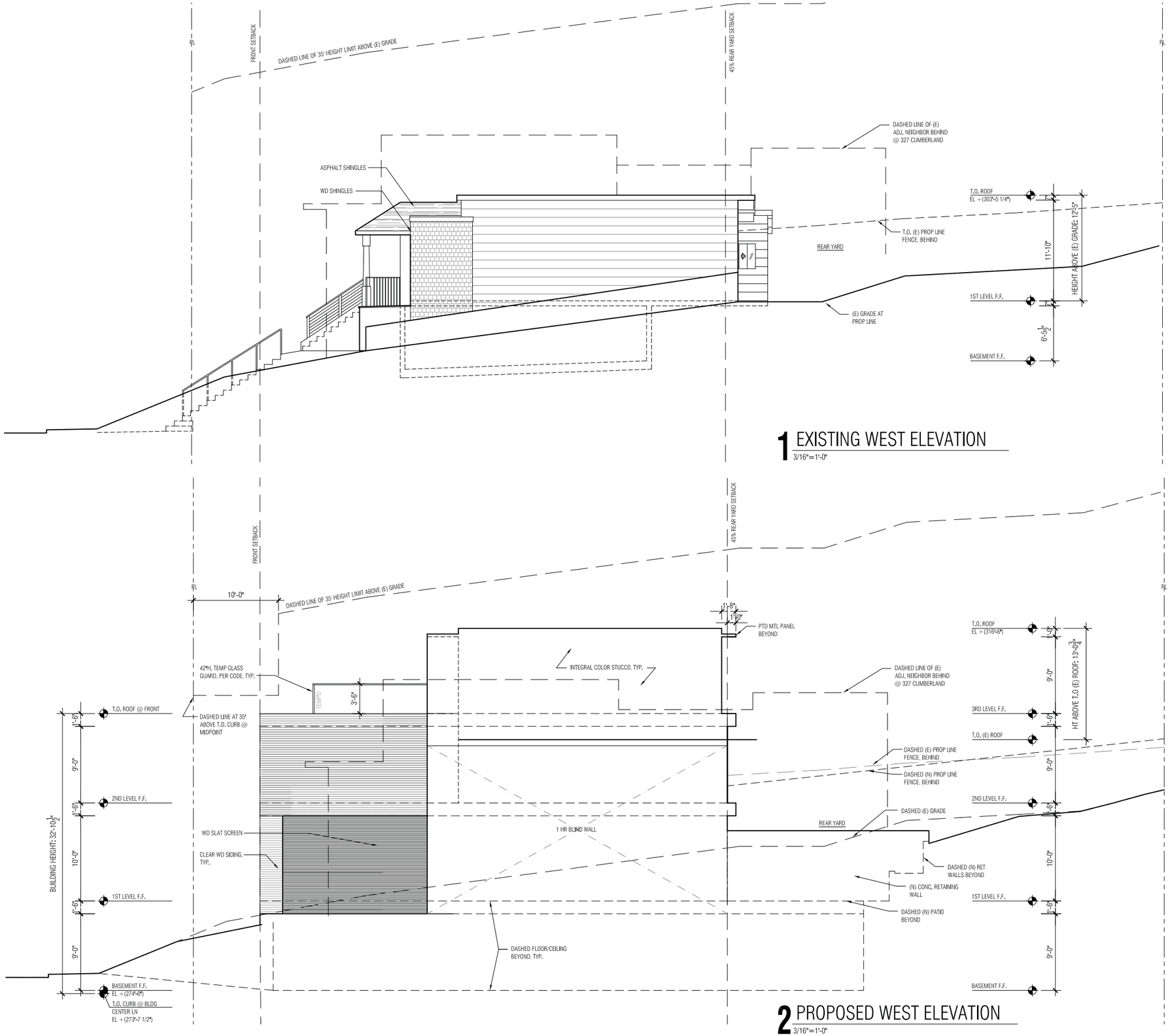
EXISTING & PROPOSED SOUTH (REAR) ELEVATIONS

A3.2



1 EXISTING WEST ELEVATION
3/16"=1'-0"

2 PROPOSED WEST ELEVATION
3/16"=1'-0"

0' 2' 4' 8'
SCALE: 3/16" = 1'-0"

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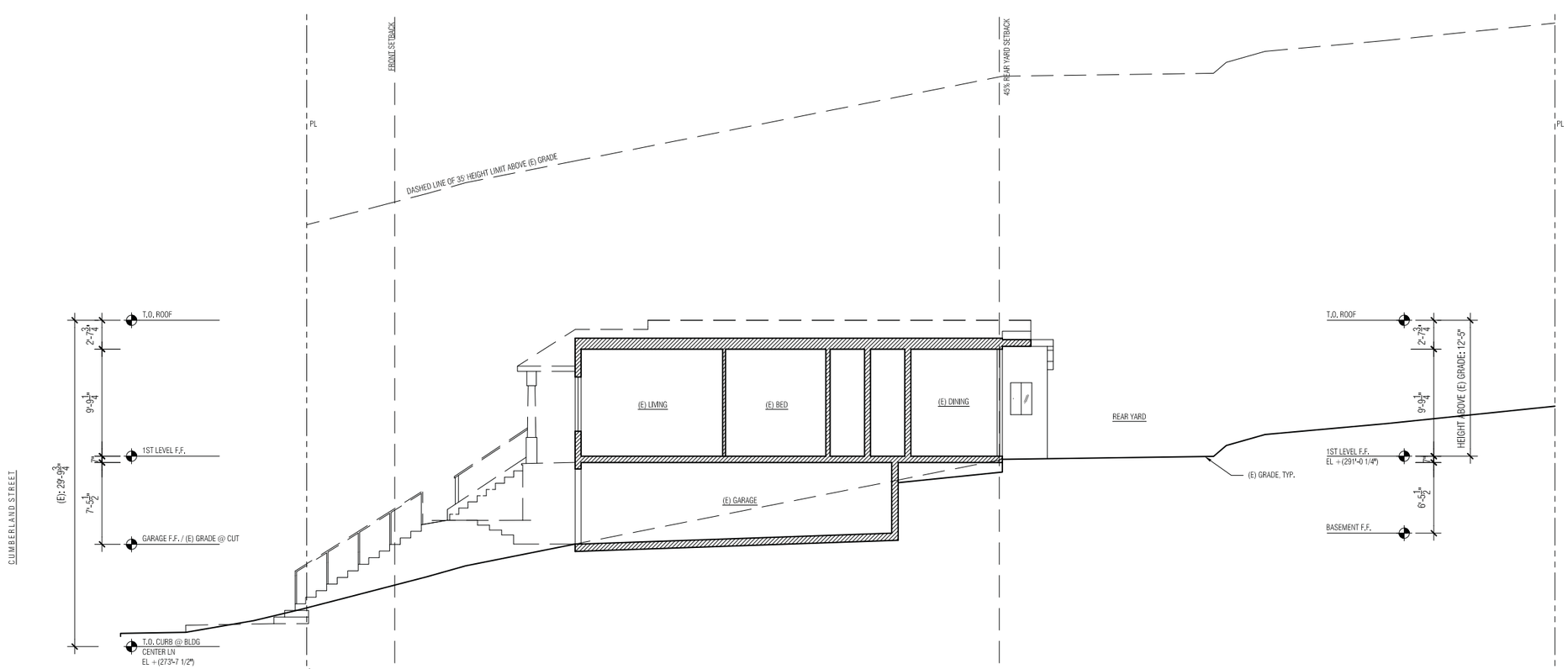
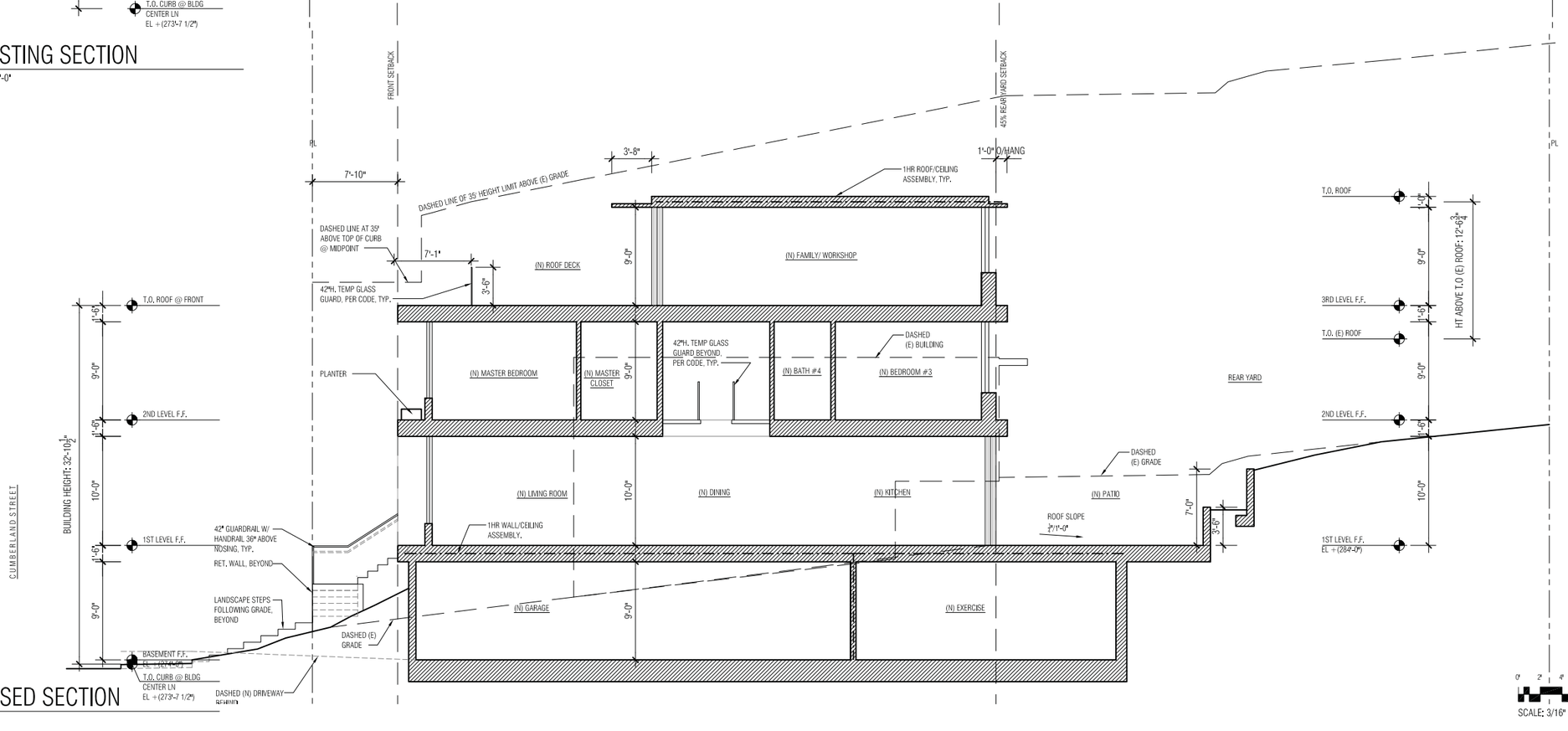
EXISTING & PROPOSED WEST ELEVATIONS

A3.3



1 EXISTING SECTION

3/16"=1'-0"



2 PROPOSED SECTION

3/16"=1'-0"

0' 2' 4' 8'

SCALE: 3/16" = 1'-0"

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EXISTING & PROPOSED SECTION

A3.4

SUBJECT PROPERTY

CUMBERLAND STREET LOOKING SOUTHEAST

SUBJECT PROPERTY

CUMBERLAND STREET LOOKING SOUTHWEST

1 PROPOSED 3D MODEL VIEWS

N.T.S.

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PROPOSED 3D
MODEL VIEWS

A3.5