



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis HEARING DATE: NOVEMBER 5, 2015

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

Date: October 26, 2015
Case No.: 2014-000219DRP
Project Address: 2290 43RD AVENUE
Permit Application: 2013.10.24.0122
Zoning: RH-1 [Residential House, One-Family]
40-X Height and Bulk District
Block/Lot: 2307/021
Project Sponsor: Carson Yu
P.O. Box 320175
San Francisco, CA 94132
Staff Contact: Natalia Kwiatkowska – (415) 575-9185
natalia.kwiatkowska@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The proposal consists of a one-story horizontal addition at the rear of the existing two-story, single-family dwelling. The existing building depth is 32 feet, 6 inches and will increase by approximately 9 feet, 6 inches. The existing building is set back 24 feet, 6 inches from the rear property line, and the proposed addition will have a setback of 15 feet. The overall height and number of stories of the building will not increase as part of this project.

SITE DESCRIPTION AND PRESENT USE

The project site is located on the east side of 43rd Avenue between Rivera and Santiago Streets in the Parkside neighborhood. The subject parcel measures approximately 25 feet wide by 57.50 feet deep with an area of 1,437.5 square feet. The lot contains a two-story, single-family dwelling constructed in 1943.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

This portion of the Parkside neighborhood is characterized by one-story-over-garage, single-family residential buildings. The subject property is similar to the one-story-over-garage houses constructed in mid-1950s on that entire block and the block face across the street. The DR requestor's house is one of the similar one-story-over-garage buildings constructed in 1943 and located directly east of the subject property rear lot line, at 3138 Santiago Street.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	July 15, 2015 – August 14, 2015	August 13, 2015	November 5, 2015	84 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	October 26, 2015	October 26, 2015	10 days
Mailed Notice	10 days	October 26, 2015	October 26, 2015	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	--	1 (DR requestor)	--
Other neighbors on the block or directly across the street	--	--	--
Neighborhood groups	--	--	--

No other neighborhood comments have been received regarding this project.

DR REQUESTOR

Allen Kwan, owner of 3138 Santiago Street, adjacent to the east rear property line of the subject property.

DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated August 13, 2015.

PROJECT SPONSOR’S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated October 14, 2015.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team reviewed the project and DR Request on September 16, 2015, and found no exceptional or extraordinary circumstances related to the project or the DR requestor's concerns. The proposed one-story rear addition does not adversely affect the mid-block open space, nor does it create any unusual privacy effects on the adjacent property. No new building volume is proposed against the neighbor's lightwell and the project is consistent with the Residential Design Guidelines. Security issues are not addressed in the Residential Design Guidelines.

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

RECOMMENDATION: Do not take DR and approve project as proposed
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Attachments:

- Block Book Map
- Sanborn Map
- Zoning Map
- Aerial Photographs
- Context Photograph
- CEQA Determination
- Section 311 Notice
- DR Notice
- DR Application
- Response to DR Application dated October 14, 2015
- Reduced Plans

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SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2290 43rd Avenue		2307/021	
Case No.	Permit No.	Plans Dated	
N/A	2013.10.24.0122	3/17/15	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. New 1-story (9'-6" deep) horizontal addition (9'-10" in height) in the rear of the existing building.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	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.
<input type="checkbox"/>	Class__

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	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)? <i>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)</i>
<input type="checkbox"/>	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. <i>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).</i>
<input type="checkbox"/>	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?
<input type="checkbox"/>	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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)</i>
<input type="checkbox"/>	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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> 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>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	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.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input checked="" type="checkbox"/>	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.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input checked="" type="checkbox"/>	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.	
<input type="checkbox"/>	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.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i> .

<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input type="checkbox"/>	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.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input type="checkbox"/>	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

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.	
	Planner Name: Natalia Kwiatkowska	Signature:  Digitally signed by Natalia Kwiatkowska DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Natalia Kwiatkowska, email=Natalia.Kwiatkowska@sfgov.org Date: 2015.03.31 11:50:48 -0700
	Project Approval Action: Building Permit 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.		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

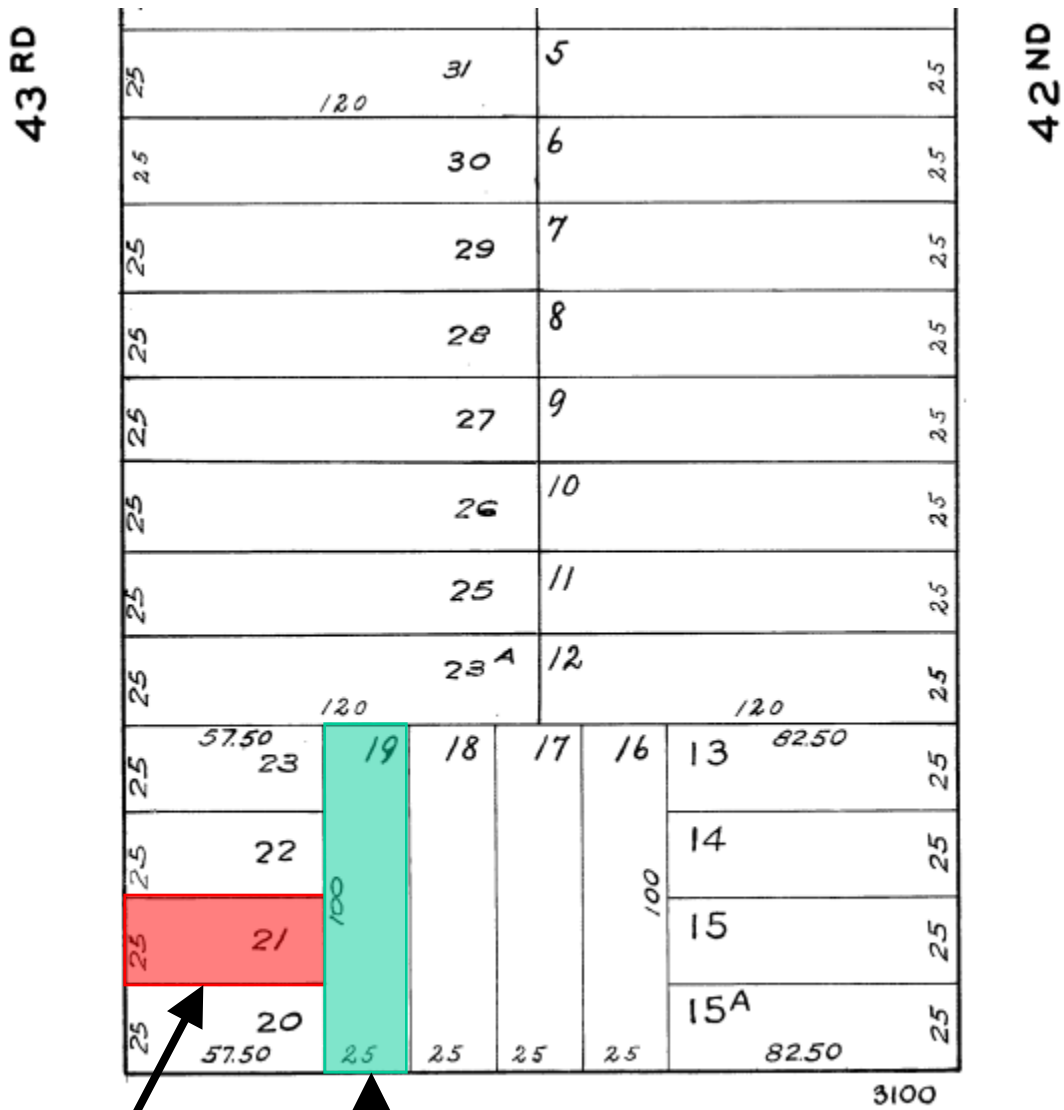
DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required CATEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:

Parcel Map



SUBJECT PROPERTY

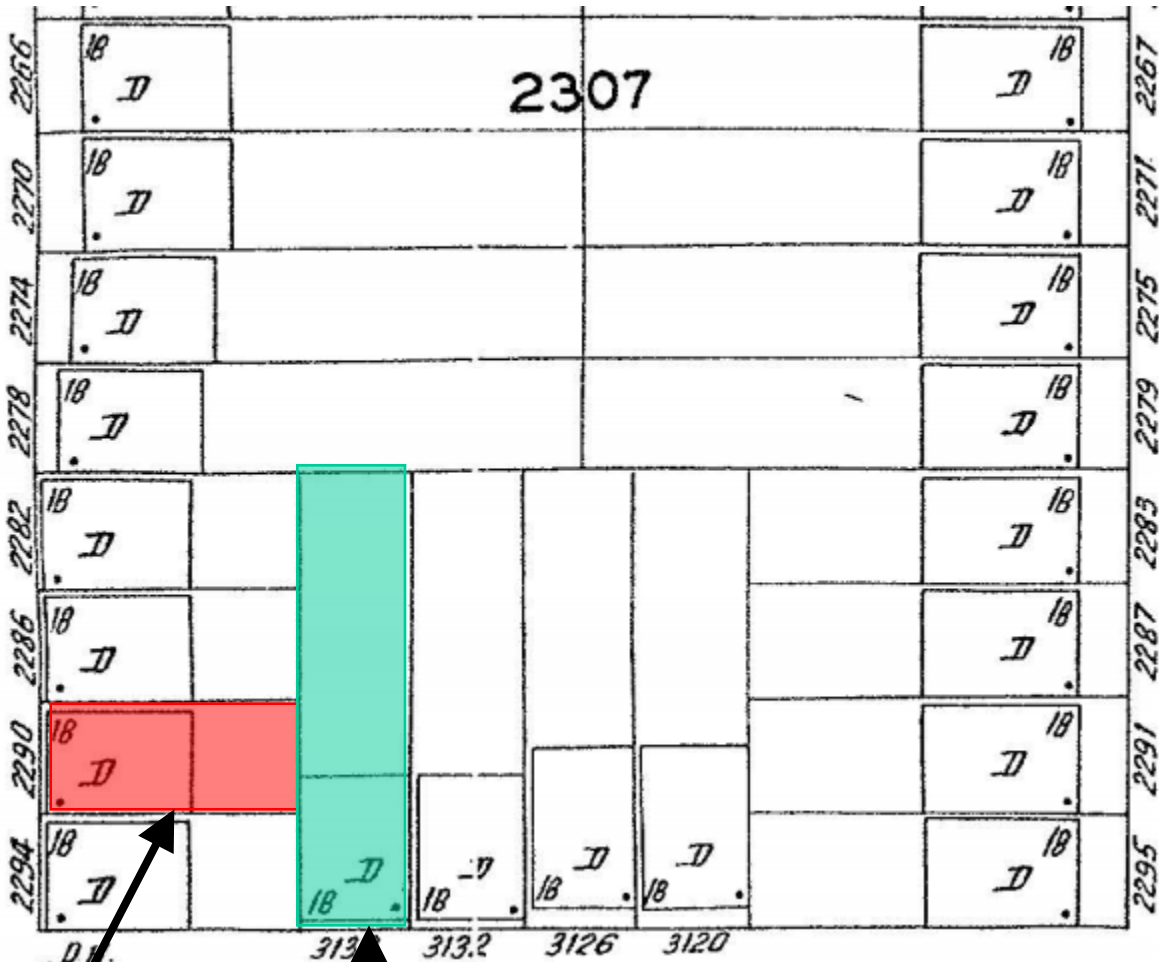
DR REQUESTOR'S PROPERTY

SANTIAGO



Discretionary Review Hearing
 Case Number 2014-000219DRP
 2290 43rd Avenue

Sanborn Map*



SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY

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

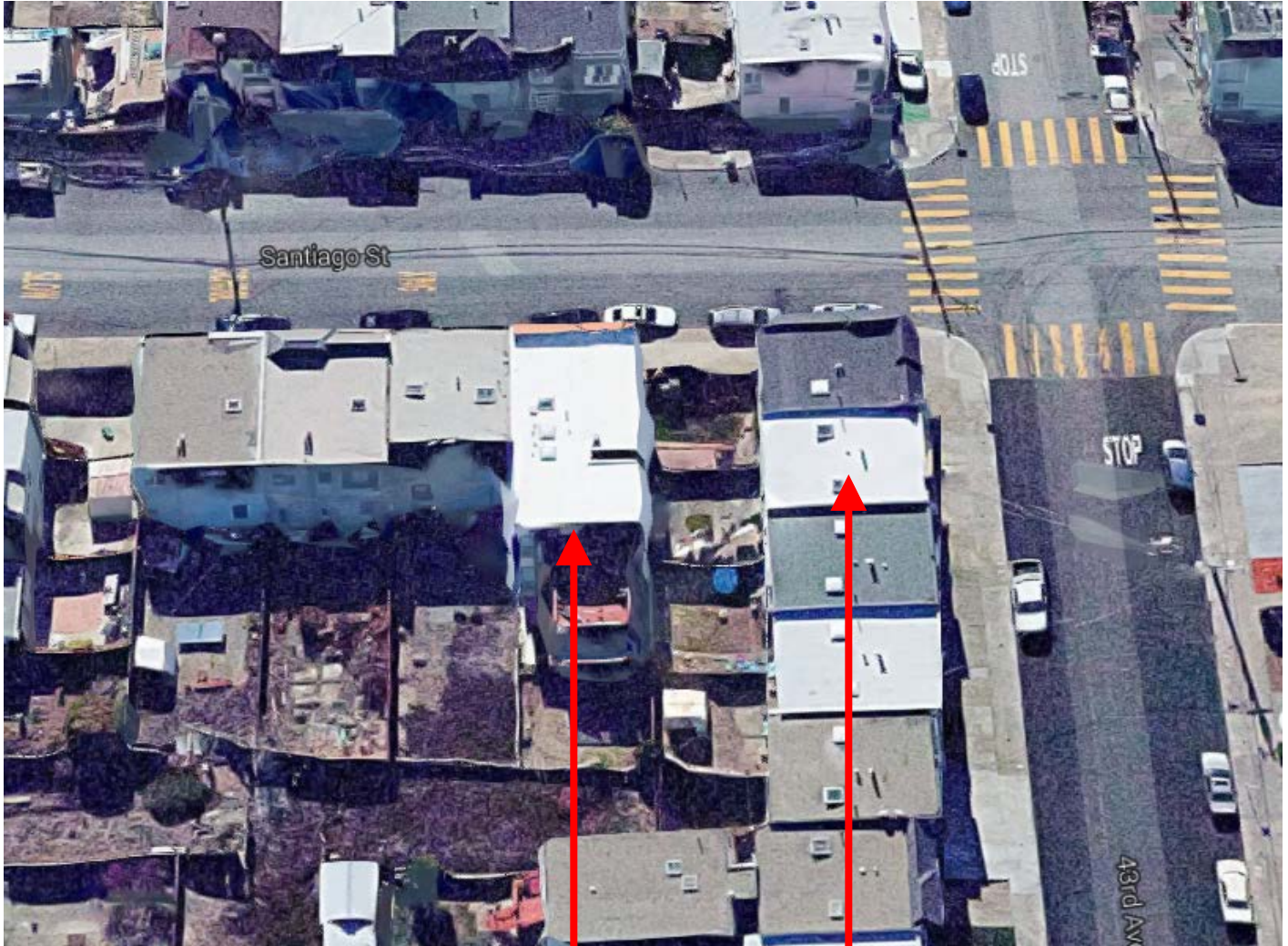


Zoning Map



Discretionary Review Hearing
Case Number 2014-000219DRP
2290 43rd Avenue

Aerial Photo



DR REQUESTOR'S
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2014-000219DRP
2290 43rd Avenue

Aerial Photo



SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY



Aerial Photo



SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



Discretionary Review Hearing
Case Number 2014-000219DRP
2290 43rd Avenue

Aerial Photo



DR REQUESTOR'S
PROPERTY

SUBJECT PROPERTY



Site Photo



SUBJECT PROPERTY

**DR REQUESTOR'S
PROPERTY**

Discretionary Review Hearing
Case Number 2014-000219DRP
2290 43rd Avenue

Site Photo



SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY

Discretionary Review Hearing
Case Number 2014-000219DRP
2290 43rd Avenue

Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2014-000219DRP
2290 43rd Avenue



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **October 24, 2013**, the Applicant named below filed Building Permit Application No. **2013.10.24.0122** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	2290 43rd Avenue	Applicant:	Carson Yu
Cross Street(s):	Rivera & Santiago	Address:	P.O. Box 320175
Block/Lot No.:	2307/021	City, State:	San Francisco, CA 94132
Zoning District(s):	RH-1 / 40-X	Telephone:	(415) 871-8278

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		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Depth	32 feet 6 inches	42 feet
Rear Yard	24 feet 6 inches	15 feet
PROJECT DESCRIPTION		
The project includes a 1-story horizontal addition at the rear of the existing building.		
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: Natalia Kwiatkowska
 Telephone: (415) 575-9185
 E-mail: natalia.kwiatkowska@sfgov.org

Notice Date: 7/15/15
 Expiration Date: 8/14/15

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.



**SAN FRANCISCO
PLANNING DEPARTMENT**

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, November 5, 2015**
 Time: **Not before 12:00 PM (noon)**
 Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**
 Case Type: **Discretionary Review**
 Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: 2290 43rd Avenue	Case No.: 2014-000219DRP
Cross Street(s): Rivera & Santiago Streets	Building Permit: 2013.10.24.0122
Block /Lot No.: 2307/021	Applicant: Peter Chiong
Zoning District(s): RH-1 / 40-X	Telephone: (415) 665-3751
Area Plan: N/A	E-Mail: chiuming9@juno.com

PROJECT DESCRIPTION

The Request is a for a Discretionary Review of Building Permit Application No. 2013.10.24.0122 proposing construction of a one-story horizontal addition at the rear of the existing two-story, single-family dwelling.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

ADDITIONAL INFORMATION

ARCHITECTURAL PLANS: If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans of the proposed project will also be available one week prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org>

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.

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Natalia Kwiatkowska** Telephone: **(415) 575-9185** E-Mail: natalia.kwiatkowska@sgov.org

中文詢問請電: (415) 575-9010

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

GENERAL INFORMATION ABOUT PROCEDURES

HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

APPEAL INFORMATION

An appeal of the approval (or denial) of a **building permit application** by the Planning Commission may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of 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.

中文詢問請電: (415) 575-9010

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

CASE NUMBER:
For Staff Use only

2014-000219.DRP

APPLICATION FOR Discretionary Review

RECEIVED

AUG 13 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P.O.

1. Owner/Applicant Information

DR APPLICANT'S NAME:

ALLAN KWAN

DR APPLICANT'S ADDRESS:

3138 SANTIAGO SAN FRANCISCO

ZIP CODE:

94116

TELEPHONE:

(415) 568-7239

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:

CARSON YU

ADDRESS:

P.O.B 320175 SAN FRANCISCO

ZIP CODE:

94132

TELEPHONE:

(415) 871-8288

CONTACT FOR DR APPLICATION:

Same as Above

ADDRESS:

ZIP CODE:

TELEPHONE:

()

E-MAIL ADDRESS:

2. Location and Classification

STREET ADDRESS OF PROJECT:

2290 43RD AVENUE SAN FRANCISCO

ZIP CODE:

94116

CROSS STREETS:

RIVER & SANTIAGO

ASSESSORS BLOCK/LOT:

2307 1021

LOT DIMENSIONS:

25'x57.5'

LOT AREA (SQ FT):

1437.5

ZONING DISTRICT:

RH-1

HEIGHT/BULK DISTRICT:

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

Proposed Use: SINGLE FAMILY

Building Permit Application No. 203-1024-0122

Date Filed: OCT 24, 2013

 ORIGINAL

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

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.

1) THE PROPOSED ADDITION IS SUBSTANTIALLY OUT OF SCALE w/ SURROUNDING ADJACENT BUILDINGS & IMPACTS THE REAR YARD OPEN SPACE 2) THE PROPOSED ADDITION IS w/IN 15' OF AN ADJACENT LIGHTWALL WINDOW & RESTRICTS PRIVACY 3) THE PROPOSED ADDITION RESTRICT SECURITY DUE TO ITS PROXIMITY TO THE CORNER STREET.

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:

1) RESTRICT PRIVACY & SECURITY TO THE ADJACENT PROPERTIES

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?

DENY CONSTRUCTION OF THE PROPOSED ADDITION DUE TO BEING OUT OF SCALE w/ THE SURROUNDING ADJACENT BUILDINGS & IMPACT TO THE REAR YARD OPEN SPACE

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: 8/12/15

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

OWNER
Owner / Authorized Agent (circle one)

RESPONSE TO
DISCRETIONARY
REVIEW (DRP)



San Francisco
Planning

SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address: 2290 43rd Avenue

Zip Code: 94116

Building Permit Application(s): 2013.10.24.0122

Record Number: 2014-000219DRP

Assigned Planner: Natalia Kwiatkowska

Project Sponsor

Name: Peter Chiong

Phone: 415-665-3751

Email: chiuming9@juno.com

Required Questions

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

SEE ATTACHED SHEET 1/2.

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

SEE ATTACHED SHEET 2/2

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

SEE ATTACHED SHEET 2/2

Project Features

Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.**

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	1	No change
Occupied Stories (all levels with habitable rooms)	1	2
Basement Levels (may include garage or windowless storage rooms)	0	0
Parking Spaces (Off-Street)	1	1
Bedrooms	2	3
Height	20'8"	9'10"
Building Depth	32'6"	42'
Rental Value (monthly)	0	0
Property Value	50K	60K

I attest that the above information is true to the best of my knowledge.

Signature: Peter Chiong	Date: 10-14-15
Printed Name: Chiong Peter	<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Authorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

Project Location: 2290-43rd Ave

Project Scope: One story horizontal rear addition.

Q1. Since this rear lot's size is 25'x57.5', it is already out of scale to the standard lot size 25'x100' in the surrounding lots within the block. This property size is only 25'x32.5' with 894 sq. ft. consisting of 2 small bedrooms, 1 living room, 1 full bath, and 1 kitchen with dining. It is too small for my family with my wife ,3 adult children, and my 94 year old mother. My 3 adult children need their own bedrooms to live in after finishing college because they cannot afford to pay the high rent for an apartment in San Francisco, and my senior mother has a very difficult time walking up the stairs now. I also cannot afford to buy a bigger house for my family with 5 adults and 1 senior mother.

The proposed rear one story addition has been conducted by the project review meeting before I applied for the building permit. The adjacent neighbors and requirement of the planning codes have been taken into consideration during the project meeting with the department staff and the supervisor. Therefore, the 15 ft. rear yard open space meets the planning code requirement and the one story extension with 9'-10" height would not affect the adjacent neighbors.

The subject property is not located at the corner of the block. The corner property has a fence that encloses their rear yard. Also, our rear property line with the wooden fence between Mr. Kwan's property located at 3138 Santiago and our rear yard. It is as private and secure as normal lots on the block, same as San Francisco all partial lots in the block map.

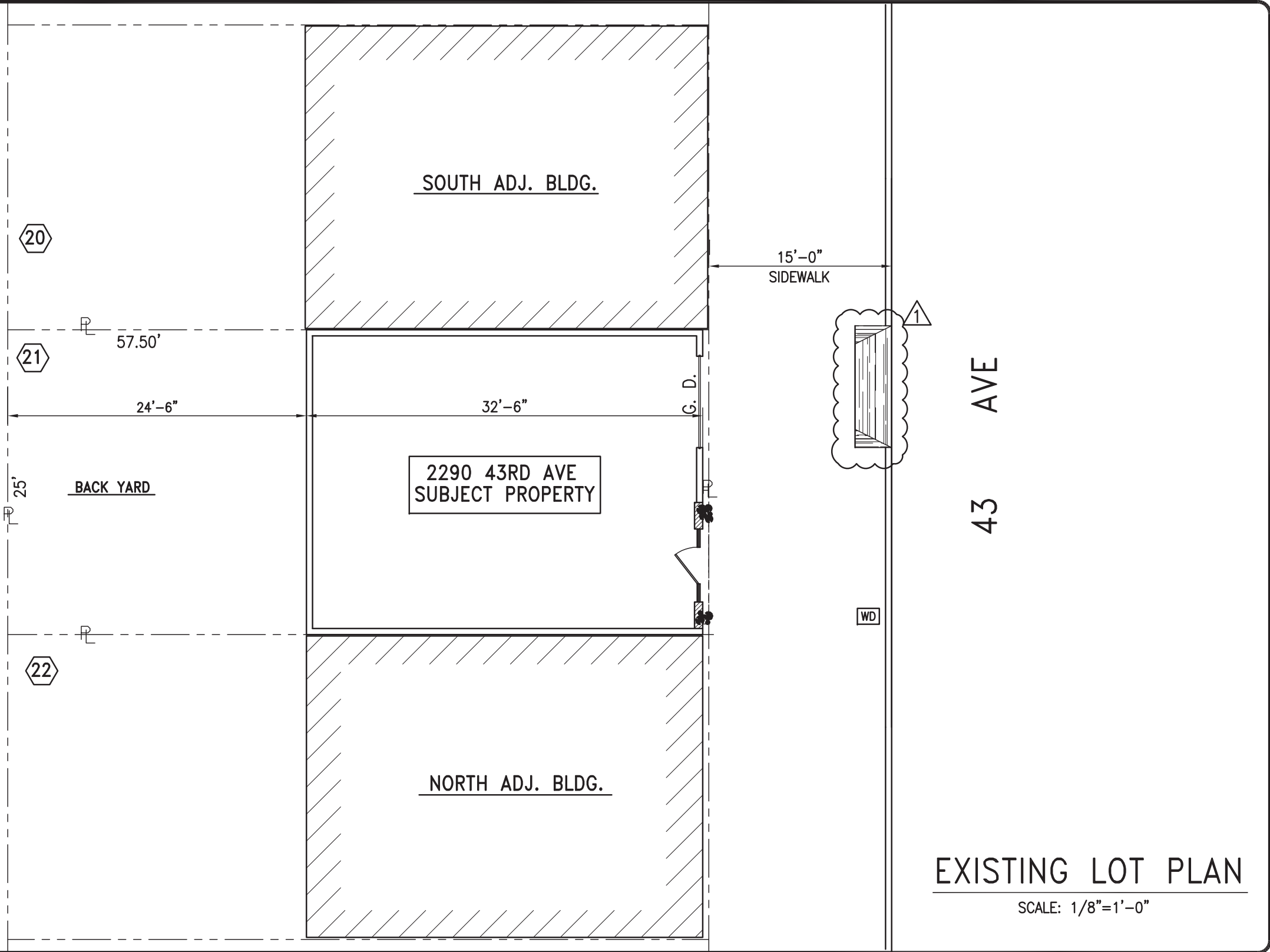
Q2. The proposed one story rear extension is only 9'-10" in height. Our lot fence's height is 6'-0". I have taken into consideration my surrounding neighbors by not making this a 2 story addition proposal. I extend one story with 237.5 sq. ft. to make just enough living space for my family.

Q3. I am respecting our surrounding neighbors. Therefore, I have consulted the Planning Department staff and supervisor during the project review before I applied for a building permit. Since my house is too small with 894 sq. ft. living space to fit 5 adults and 1 senior. I really need the extra 237.5 sq. ft. on the ground floor to fit

Sheet 1/2

my senior mother and one adult son to live in that space. I am willing to build a high wooden fence, 8'-0" in height, to maintain privacy and security for my rear yard neighbor, Mr. Kwan at 3138 Santiago Street.

Sheet 2/2



EXISTING LOT PLAN

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

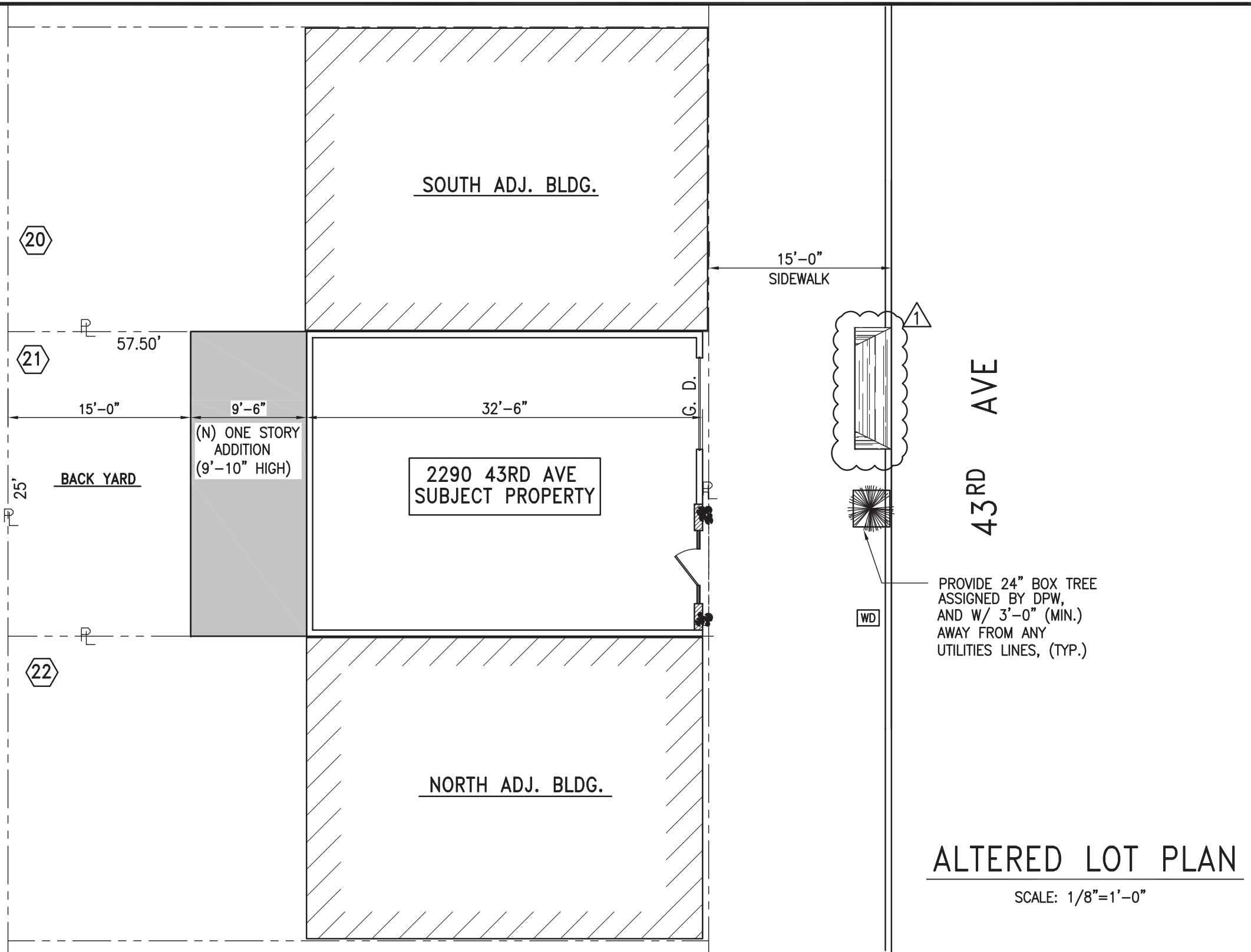
REVISIONS	BY
1/10/15	▲

BLOCK:	2307
LOT:	21
ZONE:	RH-1

CARSON YU
 P.O. BOX. 320175
 SAN FRANCISCO
 CA 94132
 TEL. 415-595-8278

EXISTING LOT PLAN
 2290 43RD AVE
 SAN FRANCISCO, CA

DATE	JUL 2013
SCALE	AS SHOWN
DRAWING NO.	
SHEET	A1
OF	



REVISIONS	BY
1/10/15	▲

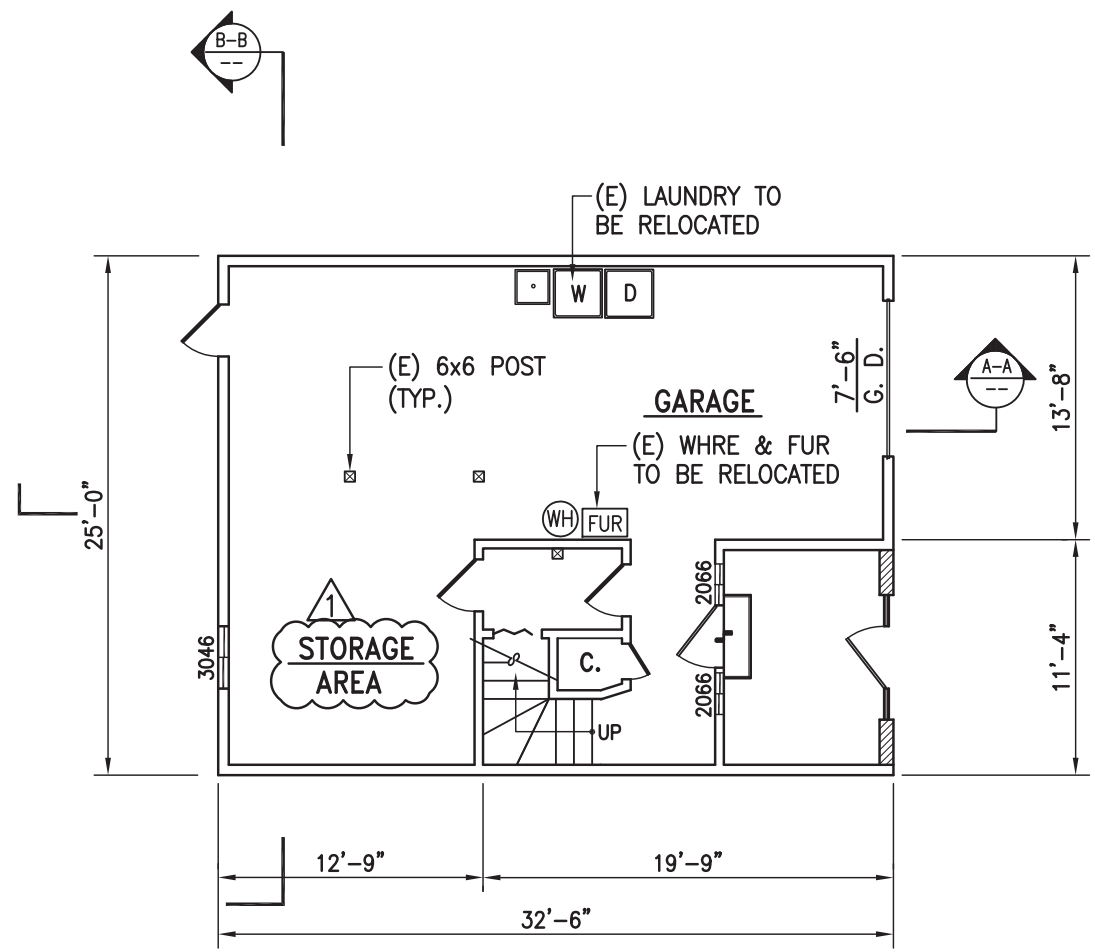
BLOCK: 2307
 LOT: 21
 ZONE: RH-1

CARSON YU
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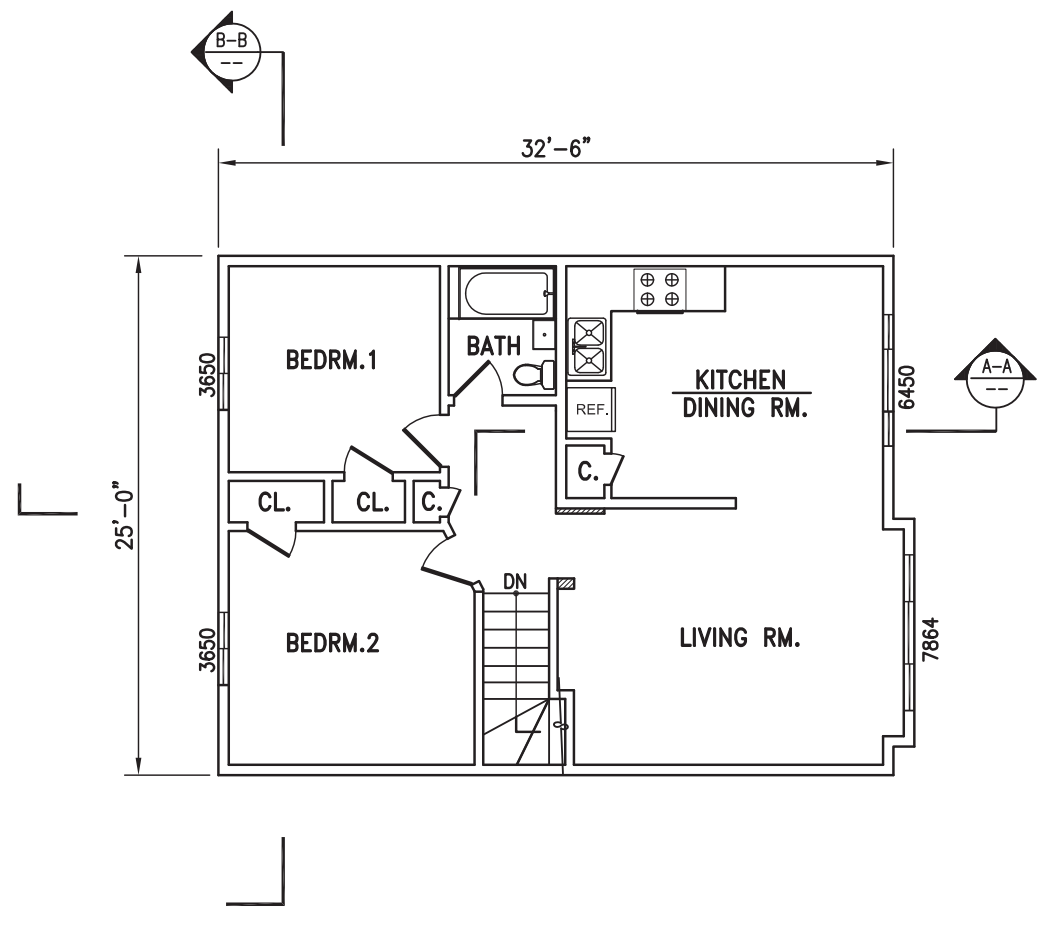
ALTERED LOT PLAN
 2290 43RD AVE
 SAN FRANCISCO, CA

ALTERED LOT PLAN
 SCALE: 1/8"=1'-0"

DR.
CHG'D
DATE JUL 2013
SCALE AS SHOWN
DRAWING NO.
SHEET
A2
OF



EXISTING GROUND FLOOR PLAN
SCALE: 1/8"=1'-0"



EXISTING UPPER FLOOR PLAN
SCALE: 1/8"=1'-0"



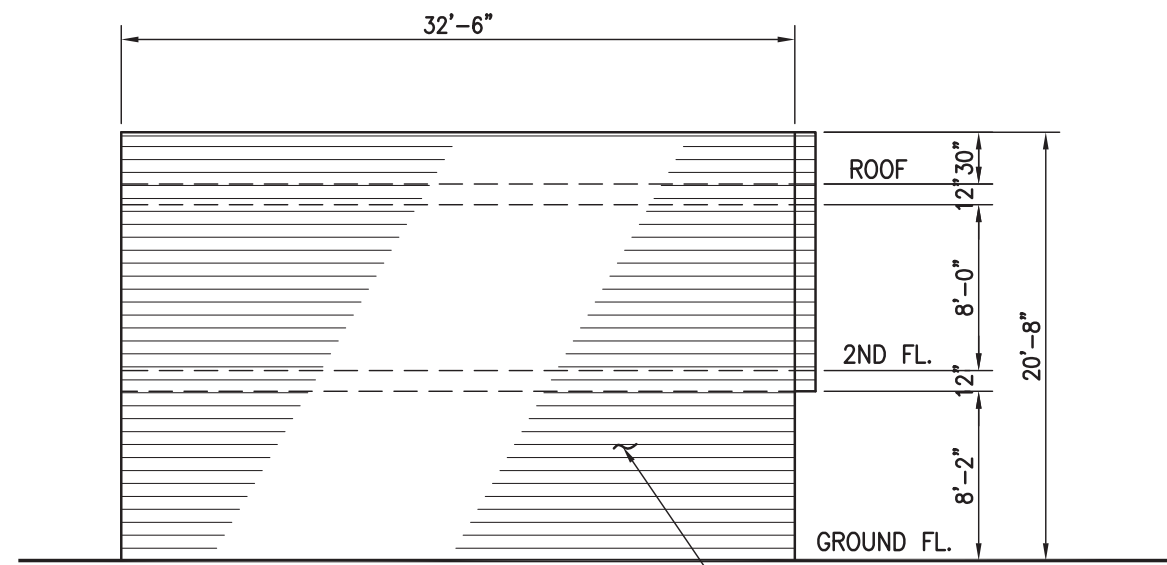
REVISIONS	BY
1/10/15	▲

BLOCK:	2307
LOT:	21
ZONE:	RH-1

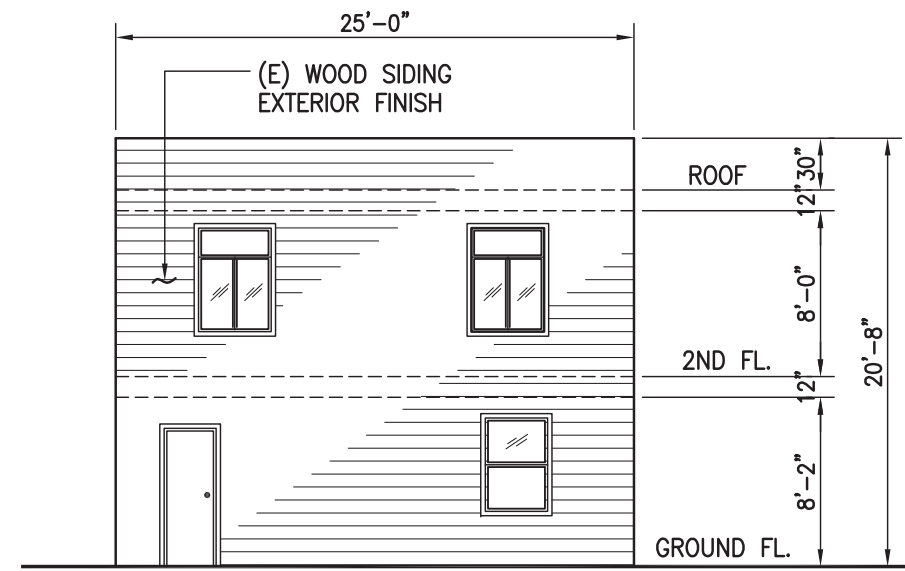
CARSON YU
P.O. BOX. 320175
SAN FRANCISCO
CA 94132
TEL. 415-595-8278

(E) GROUND & UPPER FLOOR PLAN
2290 43RD AVE
SAN FRANCISCO, CA

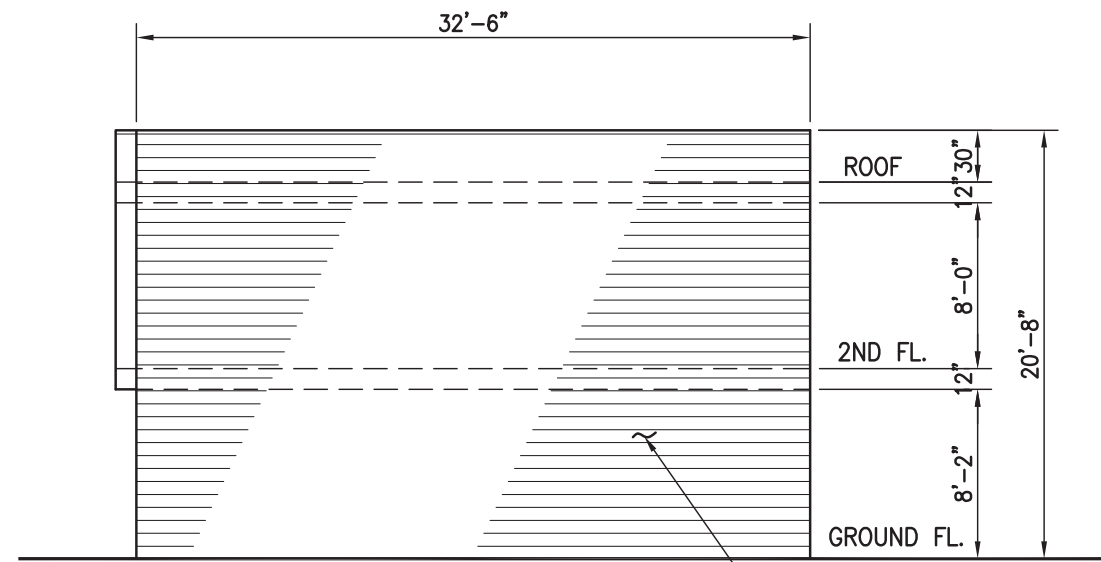
DR.	
CREED	
DATE	JUL 2013
SCALE	AS SHOWN
DRAWING NO.	
SHEET	A3
OF	



EXISTING NORTH ELEVATION
SCALE: 1/8"=1'-0"



EXISTING EAST ELEVATION
SCALE: 1/8"=1'-0"



EXISTING SOUTH ELEVATION
SCALE: 1/8"=1'-0"

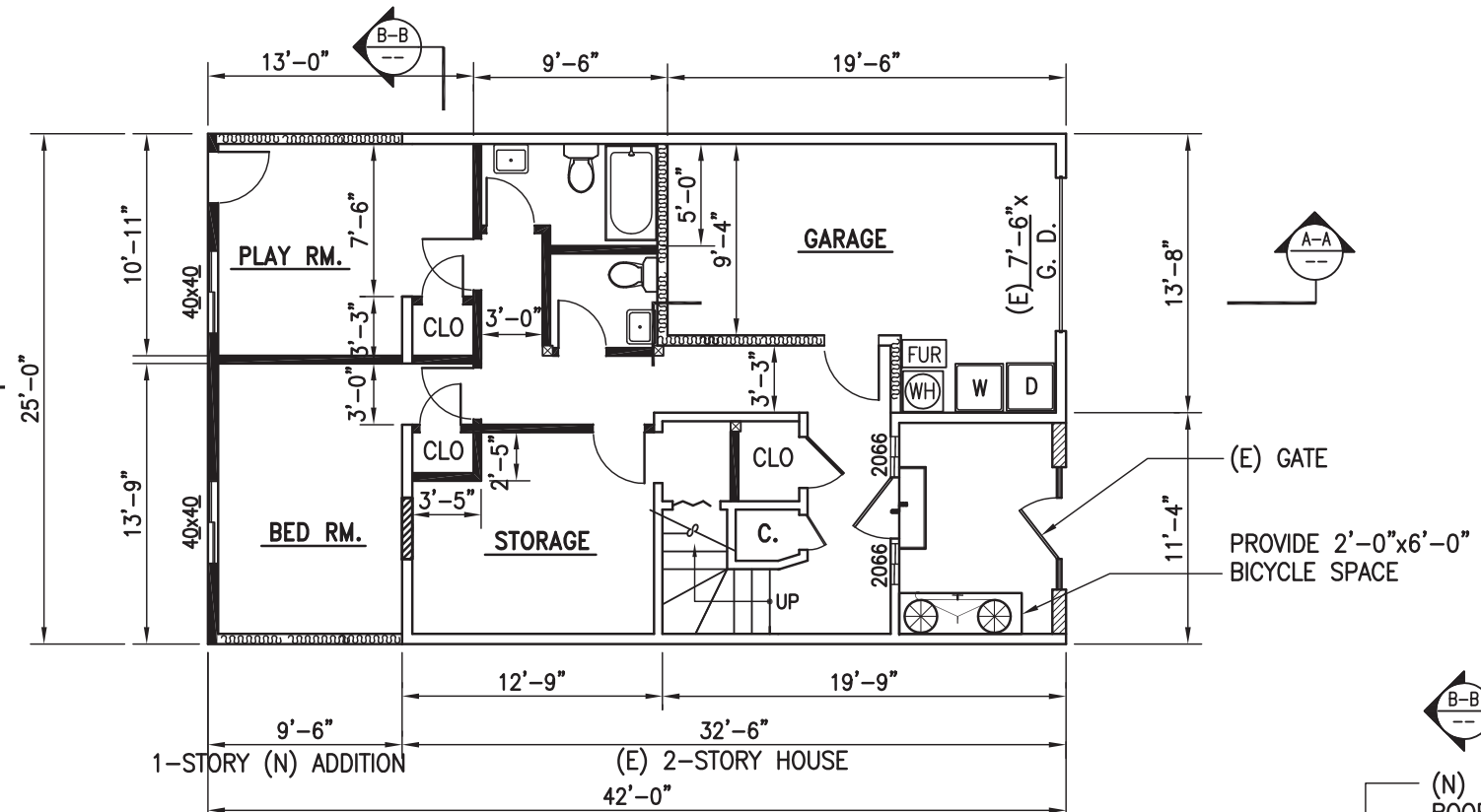
REVISIONS	BY
1/10/15	▲

BLOOR:	2307
LS#:	21
ZONE:	RH-1

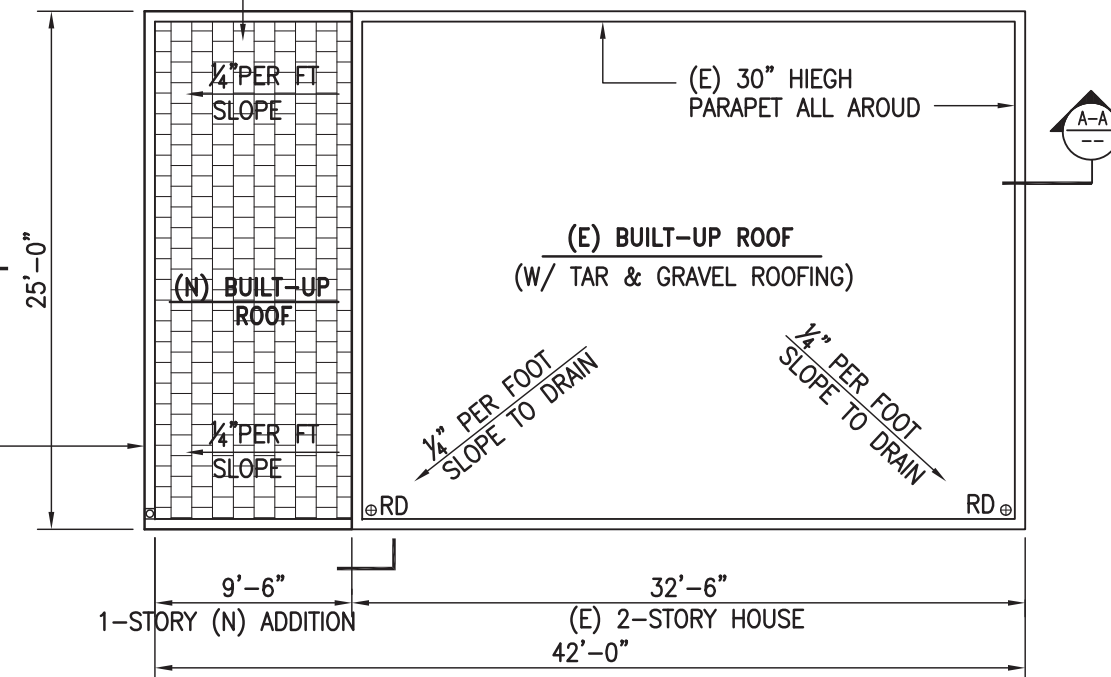
CARSON YU
P.O. BOX. 320175
SAN FRANCISCO
CA 94132
TEL. 415-595-8278

EXISTING ELEVATIONS
2290 43RD AVE
SAN FRANCISCO, CA

DR.	
CHECKED	
DATE	JUL 2013
SCALE	AS SHOWN
DRAWING NO.	
SHEET	A4
OF	



ALTERED GROUND FLOOR PLAN
SCALE: 1/8"=1'-0"



EXISTING & ALTERED ROOF PLAN
SCALE: 1/8"=1'-0"



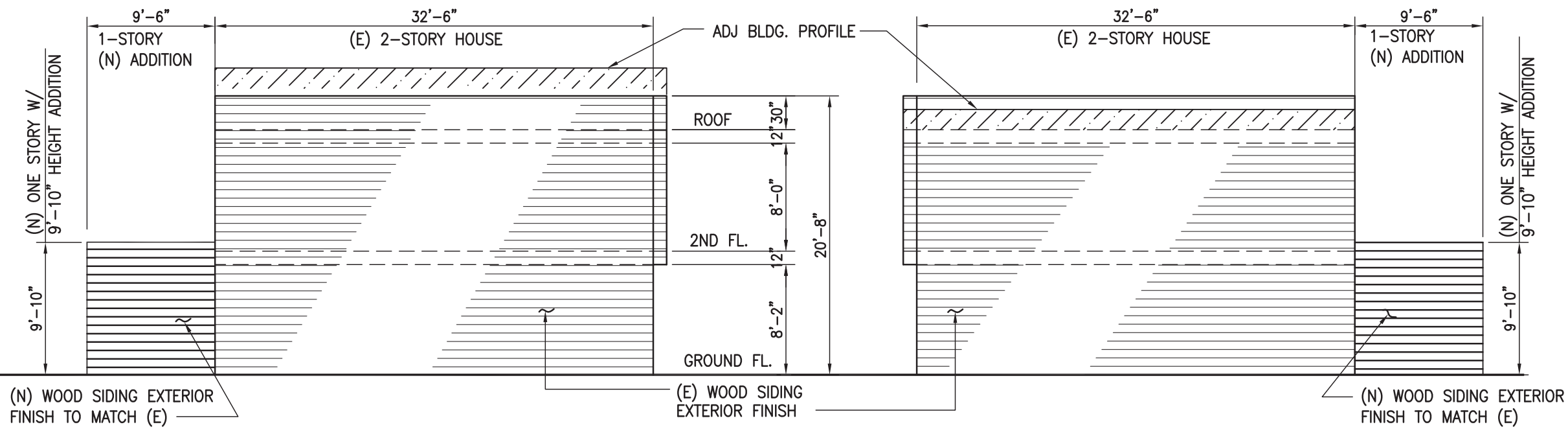
REVISIONS	BY
1/10/15	▲

BLOCK:	2307
LOT:	21
ZONE:	RH-1

CARSON YU
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SAN FRANCISCO
CA 94132
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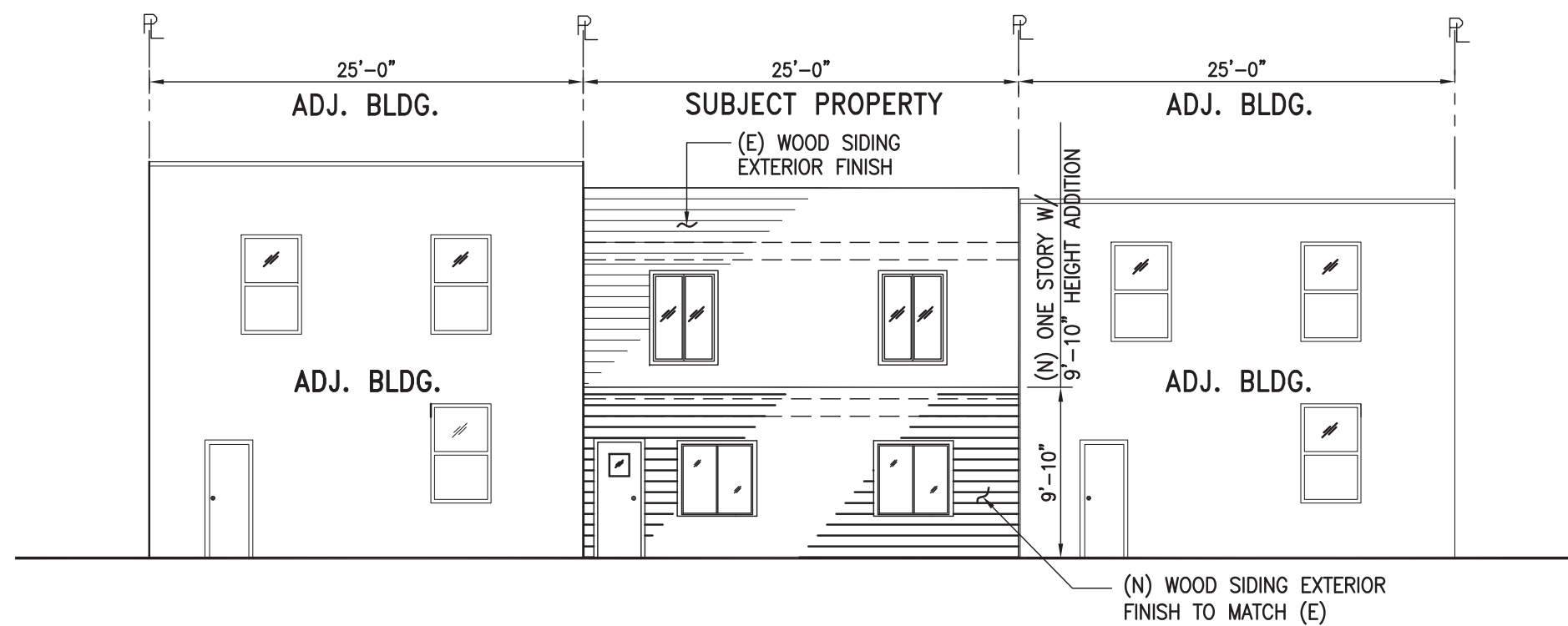
ALTERED GROUND & ROOF PLAN
2290 43RD AVE
SAN FRANCISCO, CA

DR.	
CHIEF	
DATE	JUL 2013
SCALE	AS SHOWN
DRAWING NO.	
SHEET	A5
OF	



ALTERED NORTH & ADJ. BLDG. ELEVATION
SCALE: 1/8"=1'-0"

ALTERED SOUTH & ADJ. BLDG. ELEVATION
SCALE: 1/8"=1'-0"



ALTERED EAST & ADJ BLDG. ELEVATIONS
SCALE: 1/8"=1'-0"

REVISIONS	BY

BLOCK: 2307
 LOT: 21
 ZONE: RH-1
 CARSON YU
 P.O. BOX. 320175
 SAN FRANCISCO
 CA 94132
 TEL. 415-595-8278

ALTERED ELEVATIONS
 2290 43RD AVE
 SAN FRANCISCO, CA

DR.
CHECKED
DATE JUL 2013
SCALE AS SHOWN
DRAWING NO.
SHEET
A6
9