Discretionary Review Full Analysis

HEARING DATE FEBRUARY 5, 2015

Date: January 29, 2015

Case No.: **2014.1583D**

Project Address: 1762 12th AVENUE
Permit Application: 2013.07.15.1824

Zoning: RH-1 (Residential House, One-Family)

40-X Height and Bulk District

Block/Lot: 2038A/018

Project Sponsor: Troy Kashinapour

Troy Kashanipour Architecture 2325 Third Street Suite 401 San Francisco CA, 94107

Staff Contact: Marcelle Boudreaux – (415) 575-9140

Marcelle.Boudreaux@sfgov.org

Recommendation: Do not take DR and approve the project as proposed.

PROJECT DESCRIPTION

The proposal is a three-story, 27 foot tall, new single-family dwelling on a vacant lot. A roof deck is proposed, which includes permitted exemptions to height, such as guard railings. The residence will equal approximately 3,400 gross square foot.

SITE DESCRIPTION AND PRESENT USE

The subject lot is a vacant lot approximately 25 feet by 120 feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property is located in the Inner Sunset neighborhood. The 12th Avenue streetface exhibits a consistent pattern of primarily two-story single family dwellings, and scattered three-story single-family dwellings. As 12th Avenue dead ends into Noriega Street, the topography shifts and a retaining wall splits the lanes of traffic into two lanes. At the top of Noriega Street, a row of three-story single-family dwellings is situated.

The adjacent lot to the north of the subject property is also a vacant property, 1758 12th Avenue, and a permit for a three-story single family dwelling was approved by the Planning Department in June, 2014. To the south is an irregularly-shaped corner lot, 430 Noriega, with a three-story single-family dwelling sited in the rear yard area.

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

Reception:

415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377 **Discretionary Review - Full Analysis CASE NO. 2014.1583D** 1762 12th Avenue **Hearing Date: February 5, 2015**

BUILDING PERMIT APPLICATION NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	September 9 – October 9, 2014	October 9, 2014	February 5, 2015	130 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	January 26, 2015	January 26, 2015	10 days
Mailed Notice	10 days	January 26, 2015	January 23, 2015	13 days

PUBLIC COMMENT

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

To date, the Department has not received any communication about the Discretionary Review request.

DR REQUESTOR

Timothy Morshead, the DR requestor, resides at 469 Noriega Street. This property is approximately 115 feet, as the crow flies, up and across Noriega Street, south from the subject property.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

Issue #1: As proposed, the project will have unreasonable impacts on the public street view. In the San Francisco General Plan, map of "Quality of Street Views" this section of Noriega is listed as having an 'excellent' view. The massing of the building will impact the public view from the sidewalk.

Requestor's Alternative #1: Reduce the rear depth projection of the building by 5 feet to preserve views through rear yards.

Issue #2: The proposed roof deck is uncharacteristic of local development pattern, and extends the height above 27 feet.

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Requestor's Alternative #2: Remove the roof deck and its supporting architectural features, such as guard rails, to maintain the 27 foot height.

Reference the Discretionary Review Application for additional information. The Discretionary Review Application dated October 9, 2014, is included in the exhibits.

PROJECT SPONSOR'S RESPONSE

The owner and DR requestor have met and exchanged emails.

The proposed depth of the building in the rear is in conformance with the rear yard setback requirements under the code and the extension past the rear wall of the proposed adjacent 1758 12th Avenue is a modest one, approximately 3'-9". The mid-block open space of the block is preserved.

The owner and DR requestor have agreed to voluntary height restriction of 27 feet, however, the project sponsor did not agree to limit items that are exempted from height exemptions permitted in the code.

Please refer to the Response to Discretionary Review dated January 19, 2015 (and November 3, 2014) for additional information.

PROJECT ANALYSIS

See Residential Design Team review section.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt from environmental review, pursuant to CEQA Guideline Sections 15301(1)(4) and 15303(a).

RESIDENTIAL DESIGN TEAM REVIEW

The view from Noriega Street, which has been determined a street with "excellent views" in the General Plan, looking north down 12th Avenue toward the Bay will not be impacted by the proposed project. The gap between the proposed project and the adjacent building to the east will continue to allow for a view of the Bay between those buildings. However, private views are not protected by the Residential Design Guidelines.

With regards to the height, the proposed project is consistent with the scale of the surrounding buildings at the midblock. The proposed roof deck is within the buildable area and is beneath the allowable height limit. The guardrails are allowable exemptions to height, and are within allowable limits. No penthouse is proposed. The height of the proposed deck and guardrails is lower in height than the adjacent uphill building.

Note that the Planning Department does not oversee private agreements between a project sponsor and a member of the public. The RDT supports the project as proposed, and does not find any exceptional or extraordinary circumstances made by the DR requestor.

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Under the Commission's pending DR Reform Legislation, this project <u>would</u> be referred to the Commission, as this project involves new construction on a vacant lot.

BASIS FOR RECOMMENDATION

- The project adds a single-family residence to a vacant lot within the RH-1 zoning district.
- The building's scale is compatible with the surrounding buildings and respects the mid-block open space.
- No extraordinary or exceptional circumstances were determined by the Residential Design Team.
- Public views from a street designated in the General Plan are maintained through a public street viewshed.

RECOMMENDATION:

Do not take DR and approve the project as proposed.

Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photos

Section 311 Notice

DR Application

Project Sponsor Submittal:

Response to DR Application dated January 19, 2015 (and November 3, 2014)

3-D Rendering

Reduced Plans, including site photos

Streetscape Photos

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Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

Comments: The street face is mixed in visual character. Twelfth Avenue and Noriega Street are consistent with single-family residential dwellings ranging from one to two-story over garage. Architectural styles are reflective of construction dates from the 30s and 40s, and then later from the mid-20th century. Twelfth Avenue dead ends at Noriega Street, which is a split street due to the topography in this area.

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?			Х
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?			х
Is the building articulated to minimize impacts on light to adjacent cottages?			X

Comments: Although 1762 12th Avenue is not a corner lot, the current siting of the adjacent corner property at 430 Noriega with the residence at the rear of the property, creates open visibility at the corner

of the subject property. Thus the design of 1762 12th Avenue takes into account the high visibility from the intersection of 12th Avenue and Noriega Street.

The topography of 12th Avenue slopes downward as the street runs north. The new construction responds to this change in topography with a stepping in height as the topography of the street increases. Public views from a street designated in the General Plan are maintained through a public street viewshed looking north from Noriega Street up 12th Avenue.

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 increase in grade as 12th Avenue moves south towards Noriega Street creates a stepping effect of the existing buildings. This project is designed with the first level slightly below grade so that the height reflects a similar stepped increase in height as seen on the blockface on 12th Avenue. The building's scale is compatible with the surrounding buildings and with the mid-block open space.

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?	х		
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	X	
the building and the surrounding area?	Λ.	
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		x
building elements?		^
Are the dormers compatible with the architectural character of surrounding		x
buildings?		Λ
Are the windscreens designed to minimize impacts on the building's design and		v
on light to adjacent buildings?		Λ

Comments: The proposed roof deck is within in the buildable area and is beneath the allowable height limit. It will not involve a penthouse as the access is through a hatch. Its location on the roof is set back from the front of the building. The guardrails are the minimum height required, and are proposed as transparent glass. The contemporary architecture reflects the architectural features prominent on the block.

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	X		
and the surrounding area?	^		
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		

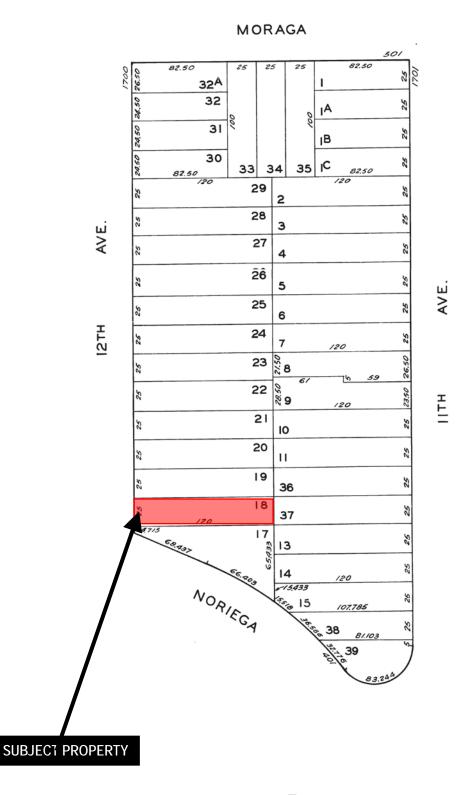
Comments: The architectural details are compatible with the surrounding area. Single family residences of mixed vintage along 12th Avenue and Noriega provide varied architectural background.

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High quality materials are proposed. The south elevation, visible from Noriega Street due to the unique adjacent property location, is appropriately detailed and proposed to be covered with quality materials and finishes.

SAN FRANCISCO
PLANNING DEPARTMENT

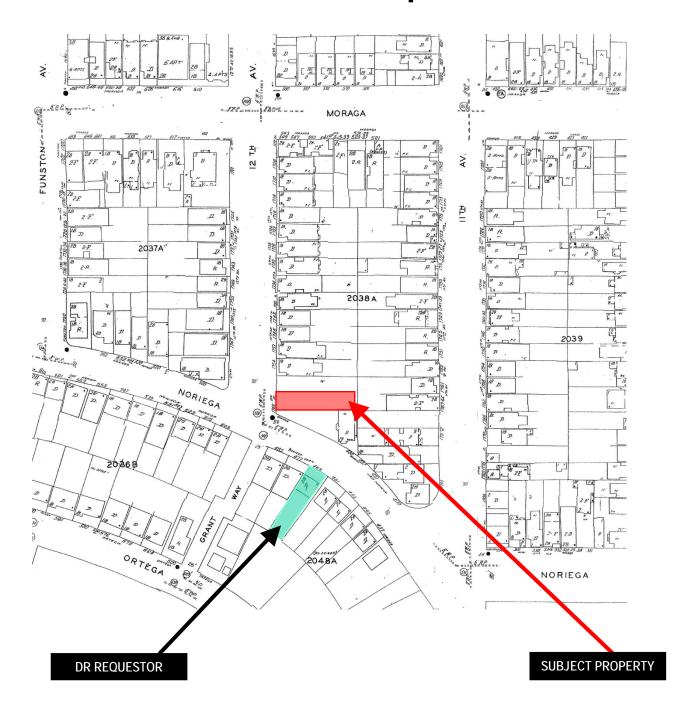
Parcel Map





Full Discretionary Review **Case Number 2014.1583D**1762 12th Avenue – New Construction

Sanborn Map*





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1762 12th Avenue – New Construction

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

Zoning Map





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1762 12th Avenue – New Construction

Aerial Photo





Context Photo



DR REQUESTOR

SUBJECT PROPERTY



1650 Mission Street Suite 400 San Francisco, CA 94103

ICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On July 15, 2013, the Applicant named below filed Building Permit Application No. 2013.07.15.1824 with the City and County of San Francisco.

PROP	ERTY INFORMATION	APPL	APPLICANT INFORMATION		
Project Address:	1762 12th Avenue	Applicant:	Troy Kashinapour		
Cross Street(s):	Noriega & Moraga	Address:	2325 3 rd St. Ste. 401		
Block/Lot No.:	2038A/018	City, State:	San Francisco, CA 94107		
Zoning District(s):	RH-1 / 40-X	Telephone:	415-431-0869 tk@tkworkshop.com		

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	x New Construction	☐ Alteration				
☐ Change of Use	☐ Façade Alteration(s)	☐ Horizontal Addition				
☐ Vertical Addition	☐ Side Addition	☐ Rear Addition				
PROJECT FEATURES	EXISTING	PROPOSED				
Building Use	Vacant Lot	Residential				
Front Setback	None	~8 feet				
Side Setbacks	None	None				
Building Depth	None	~72 feet				
Rear Yard	None	~40 feet				
Building Height	None	~27 feet at curb centerline				
Number of Stories	None	3				
Number of Dwelling Units	None	1				
Number of Parking Spaces	None	2				
	PROJECT DESCRIPT	ION				

This proposal involves new construction of a three-story, single-family dwelling on a vacant lot. This project has been reviewed by the Residential Design Team and meets Planning Code. See attached plans.

The issuance of the building permit by the Department of Building Inspection 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: Marcelle Boudreaux

Telephone: (415) 575-9140 Notice Date: 9/9/14 Expiration Date: 10/9/14 E-mail: marcelle.boudreaux@sfgov.org

中文詢問請電: (415) 575-9010

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

14.1583D

APPLICATION FOR Discretionary Review

1.	Owner/	qΑ	plicant	Inforn	nation

1. Owner/Applicant Information		
DR APPLICANT'S NAME: Timothy M. Morshead		
DR APPLICANT'S ADDRESS: 469 Noriega Street	ZIP CODE: 94122	TELEPHONE: (310)795-5666
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISK		
Troy Kashinapour (for Vladimir Chemyayskiy at JUV Investmen	its) ZIP CODE:	TELEPHONE
2325 3rd Street Ste. 401, SF, CA	94107	(415) 431-0869
CONTACT FOR DR APPLICATION:		
Same as Above 📉		
ADDRESS:	ZIP GODE:	()
E-MAIL ADDRESS:		
tmorshead@gmail.com		
2. Location and Classification		
STREET ADDRESS OF PROJECT:		ZIP CODE:
1762 12th Avenue		94122
CROSS:STREETS: Noriega & Moraga		
	DISTRICT:	HEIGHT/BULK DISTRICT:
2038A /018 25' x 120' 3000 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 H	Side Yard 🗌	
vacant lot Present or Previous Use:		
Proposed Use: single family house		
Building Permit Application No.	Date	Filed: July 15, 2013

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.

Due to complicated local topography and the near end-block position of the project site, the proposed house will have a severe and unreasonable impact on important public sidewalk views from adjacent Noriega Street. The street view quality map on SF Gen Plan page I.5.16 lists this section of street as having an 'excellent' view. URB.CON.2-17 "blocking, construction or other impairment of pleasing street views of the bay or ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting & quality of the city."

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:

The impact is unreasonable because the house design is longer than all of its neighbors on the shared block face and the design includes a roof deck which uncharacteristic of the local development pattern. The purpose of this size is to capture expansive private views around the adjacent houses. But the net effect of this out-of-context massing is to steal public sidewalk views from Noriega Street for private enjoyment.

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?

The depth of the house at the rear should be reduced by minimum 5'-0" to align with the adjacent house and preserve views through the center block to the San Francisco Bay beyond. The roof deck should be removed to comply with the agreement between applicant and owner, overseen by Tom Wang and Doug Vu at SF Planning, for a 27' overall height limit.

4. Actions Prior to a Discretionary Review Request

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

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.

The owner is developing two properties, 1762 12th Avenue (this project) and 1758 next door (already permitted). We previously agreed to a 27' overall height limit for 1758 12th Avenue and, furthermore, that the same 27' height limit would apply similarly to 1762 12th Avenue. The design of 1758 12th Avenue, on which the agreement is based, did not include a roof deck; and the parapets and railings in the design did not extend above the 27' limit. So I reasonably concluded the design of 1762 12th Avenue would have the same relationship to the agreed height limit, ie all architectural elements would be below the limit.

All communication related to the agreement for 1762 12th Avenue is included in attached Appendix A. Planning staff were kept informed. However Doug Vu was the planner during the time in which the agreement was made; then oversight over the application was transferred to Marcelle Boudreaux prior to planning staff review. Ms. Boudreaux acknowledges (see Appendix A) that she had not seen the agreement, nor was it taken into account during staff review.

My concerns have been discussed with the owner during the 311 review period. He offered to "significantly reduce size of the deck" and to "change guard rails and fire walls for rated glass." I do not feel this adequately addresses the issues at hand. No changes have been made.

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: Timothy Moon

Date: 10/9/14

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

Timothy Morshead (applicant, owner of 469 Noriegast)

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)Z C
Address labels (original), if applicable	×
Address labels (copy of the above), if applicable	×
Photocopy of this completed application	ÌЖ.
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.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

Application received by Planning Department:

By: Bow Bly

Date: 10/9/14

14-1583D

APPENDIX A

Discretionary Review Application for 1762 12th Avenue

Permit #: 2013.07.15.1824

Description: email string concerning agreement between owner, applicant, and planning staff

for 27' overall height limit.

------ Forwarded message ------

From: Boudreaux, Marcelle (CPC) <marcelle.boudreaux@sfgov.org>

Date: Mon, Sep 15, 2014 at 7:00 PM

Subject: RE: 1762 12th Ave. Height Change To: Tim Morshead <tmorshead@gmail.com>

Hi Tim:

Thanks for this information (hadn't seen this). Please keep me in the loop.

-Marcelle

Marcelle Boudreaux, AICP

Planner, Southwest Quadrant

From: Tim Morshead [mailto:tmorshead@gmail.com]

Sent: Monday, September 15, 2014 6:23 PM

To: Boudreaux, Marcelle (CPC)

Subject: Fwd: 1762 12th Ave. Height Change

Hi Marcelle,

Thanks again for returning my call. I am forwarding the email string below (with Doug Vu) for your reference.

My agreement with the owner had been for a 27' height cap. My understanding was that that cap would include all building elements. So the inclusion of the roof deck seems counter to the spirit of the agreement. I will be touch in the owner about this issue.

Best, Tim Morshead 310-795-5666 469 Noriega Street



------ Forwarded message ------

From: Vu, Doug (CPC) <doug.vu@sfgov.org>

Date: Fri, May 2, 2014 at 9:53 AM

Subject: RE: 1762 12th Ave. Height Change
To: Tim Morshead To: Tim Morshead

Cc: "vlad@juvinc.com" <vlad@juvinc.com>, "tk@tkworkshop.com" <tk@tkworkshop.com>, Leon Kemel

<kemel92@sbcglobal.net>, "Morshead, Katrina" <morshead@gmail.com>, Tom Hope

<tomhope@stanfordalumni.org>, "Wang, Thomas (CPC)" <thomas.wang@sfgov.org>, Reza Khoshnevisan

<reza@siaconsult.com>, Amir Afifi <amir@siaconsult.com>, Katy Hope katywchope@gmail.com

Tim,

Thanks for the advance notice. When the sponsor has re-submitted revised plans I'll incorporate this into my review.

-Doug

From: Tim Morshead [mailto:tmorshead@gmail.com]

Sent: Friday, May 02, 2014 6:07 AM

To: Vu, Doug (CPC)

Cc: vlad@juvinc.com; tk@tkworkshop.com; Leon Kemel; Morshead, Katrina; Tom Hope; Wang, Thomas (CPC); Reza

Khoshnevisan; Amir Afifi; Katy Hope

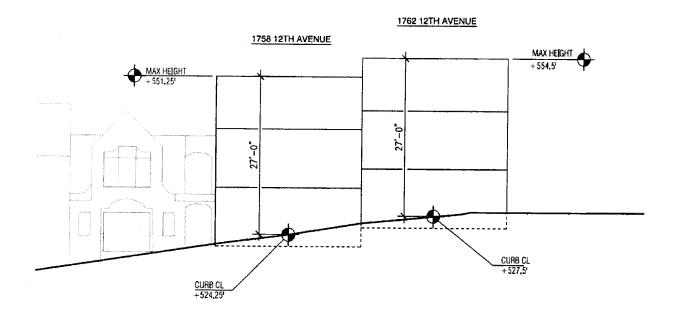
Subject: Fwd: 1762 12th Ave. Height Change

Mr. Vu:

I am a neighbor writing in regards to the proposed new single family residence at 1762 12th Avenue that is currently under planning review. The Applicant, Owner and I have reached an informal agreement (see red text below) on the overall height of the house at 27' above the top of curb centerline. This criteria is documented by the attached diagram.

I understand that your review of the project is ongoing and that 311 notifications will be sent out to neighbors prior to permit. I trust that this agreement on revised height will be formalized through the planning approval process, as you deem appropriate, prior to permit issuance. Let me know if you have any questions.

Many Thanks, Tim Morshead 469 Noriega Street 310,795,5666



FRONT ELEVATION - PROPOSED MAX BUILD HEIGHTS

SCALE: 3/32" = 1' TMM 02/01/2014

----- Forwarded message -----

From: Troy Kashanipour <tk@tkworkshop.com>

Date: Wed, Apr 30, 2014 at 5:26 PM

Subject: Re: 1762 12th Ave. Height Change

To: Tim Morshead <tmorshead@gmail.com>, vlad@juvinc.com

Cc: Leon KEMEL <kemel92@sbcglobal.net>

Hi Tim,

Doug Vu, is the Planner. I owe him revisions based on plan check comments and now the new building height. I also need to fold into my drawings revisions based on 1758 new elevations and building profile. I can have Vladimir forward to you my revised drawing set when I have incorporated the changes.

Please feel free to email with questions.

Troy

Troy Kashanipour Architecture. LEED AP 2325 Third Street Suite 401 San Francisco CA, 94107 phone/fax: 415.431.0869

cell: 415.290.8844

email: tk@tkworkshop.com

On 4/30/2014 5:10 PM, Tim Morshead wrote:

OK. Do you have the second planner's name/info? Thanks.

Tim

On Wed, Apr 30, 2014 at 3:26 PM, Vladimir Chernyavskiy <vlad@juvinc.com> wrote:

Tim

I think the options number two is acceptable for both of us.

Since we worked out 1758 without complications, I think 1762 will be easier.

Let's go for options #2
I appreciate your willingness to talk.

Thank you Vladimir

From: Tim Morshead [mailto:tmorshead@gmail.com]

Sent: Wednesday, April 30, 2014 3:15 PM

To: vlad@juvinc.com

Cc: Leon KEMEL; tk@tkworkshop.com; Reza Khoshnevisan; Amir Afifi

Subject: Re: 1762 12th Ave. Height Change

Vladimir-

We are close, I think.

The only problem I have with what you wrote is "not oppose any other issues." It is hard for me to agree with this statement without having seen any drawings for 1762 12th. So, here are two options to move forward:

1) You could email me drawings of 1762. I understand that these will not have been updated to reflect the 27' height. And I promise not to circulate these drawings, only to review internally. I just want to understand what it is that I am signing on to "not oppose."

or

2) I take you at your word and withdraw my DR for 1758, but retain the right to file a DR on 1762 over "other issues".

Either way, please give me the name and email address of the planner assigned to the 1762 project so I can cc him on my future emails to Tom Wang; then we'll on be on the same page.

Best, Tim
On Wed, Apr 30, 2014 at 12:43 PM, Vladimir Chernyavskiy <vlad@juvinc.com> wrote: Tim I discuss 27' with architect again. Yes, we can do it. My understanding is that if we will go with 27' you will support 1762 and not oppose any other issues.[note discussion on this point above] If you agree I will direct my architect to prepare drawings reflecting 27' high to the top of the roof. You can consider that e-mail as a guarantee letter and can withdraw your application on 1758 12th Ave. Vladimir</vlad@juvinc.com>
From: Tim Morshead [mailto:tmorshead@gmail.com] Sent: Tuesday, April 29, 2014 1:29 PM To: vlad@juvinc.com Cc: Leon KEMEL Subject: Re: 1758 12th Ave. Height Change
Vladimir, You misunderstood. I am not withdrawing the application until after we've discussed 1762 and agreed. You said you wanted to wait to have that discussion until the 1762 drawings have cleared planning approval and are made public to neighbors. If you prefer to discuss earlier, please email the 1762 drawings. I need some formal assurance that 1762 will match the same height criteria. Otherwise, we risk going through the same DR process again, which nobody wants (myself included).
Best, Tim
On Tue, Apr 29, 2014 at 12:50 PM, Vladimir Chernyavskiy <vlad@juvinc.com> wrote: Tim How will you proceed now? Will you sign the drawings and contact Ton Wang or we need to do it? Vladimir</vlad@juvinc.com>

From: Tim Morshead [mailto:tmorshead@gmail.com]

Sent: Tuesday, April 29, 2014 12:10 PM

To: vlad@juvinc.com

Cc: Leon KEMEL

Subject: Re: 1758 12th Ave. Height Change

Vladimir,

Good to hear. Let's talk during that 30-day review period (after neighbor notification) on 1762. Hopefully we agree on both 1758 and 1762; then you will be free and clear for construction. I have not heard of any neighbors planning to file DR on 1762; but of course I can make no guarantee. The neighbor down the hill on 12th will not be pleased if I withdraw my DR application on 1758. I think she is looking forward to speaking at the public hearing. But perhaps she will be somewhat satisfied by the reduced height. I can talk to her...

Best, Tim

On Tue, Apr 29, 2014 at 9:45 AM, Vladimir Chernyavskiy <vlad@juvinc.com> wrote:

Tim,

I think today is premature to promise anything to you.

As of today we have no entitlement/ planning approval for 1762 yet.

We do not know neighborhood respond.

But I spoke with 1762 architect and he assure me that 27' is possible.

We definitely will talk, and get to the agreement on 1762.

Vladimir

From: Tim Morshead [mailto:tmorshead@gmail.com]

Sent: Monday, April 28, 2014 2:28 PM

To: vlad@juvinc.com

Subject: Fwd: 1758 12th Ave. Height Change

Mr. Chernyavskiy:

I received these drawings last week and am satisfied with the revised design. Will the design for 1762 12th Avenue be similarly modified to reflect a 27' height limit? If we can agree and document the height limit for both houses then I will withdraw my DR application for 1758 12th Avenue as soon as possible.

Best,

Tim Morshead

----- Forwarded message ---------

From: Amir Afifi <amir@siaconsult.com> Date: Thu, Apr 24, 2014 at 4:51 PM Subject: 1758 12th Ave. Height Change

To: "tmorshead@gmail.com" <tmorshead@gmail.com>

Cc: Reza Khoshnevisan <reza@siaconsult.com>, "Thomas Wang (thomas.wang@sfgov.org)"

thomas.wang@sfgov.org

Dear Tim,

I understand that you had a meeting at the site with Thomas Wang in regards to our project (1758 12th Ave.). His assumption was that if we lower the building to the height of 27', measured from the center of the sidewalk, that you would be satisfied and will withdraw your request for discretionary review hearing.

Attached please find a schematic design that reflects the requested change. Please review and let me know if this is satisfactory so we can move ahead with the project.

Best,
Amir Afifi, Assoc. AIA
SIA Consulting Corp.
1256 Howard St.
San Francisco, CA 94103
t. 415.922.0200, ext. 104 | f. 415.922.0203



14.1583D

#2037A / #029

STEPHAN THOMPSON

1763 12th Avenue San Francisco, CA 94122

#2037A / #030

EVA SCALLA

500 Noriega Street San Francisco, CA 94122

#2038A / #021

LLOYD & GLORIA CARLSON

5465 Burton Avenue Corning, CA 96021

#2038A / #020

FOUAD & HANAN KALOTI

1754 12th Avenue San Francisco, CA 94122

#2048 / #002 - Concerned Party

WILLIAM WONG

473 Noriega Street San Francisco, CA 94122

#2048 / #004 - Concerned Party

TOM HOPE

461 Noriega Street San Francisco, CA 94122

#2038A / #011

GUAN TAK HONG or ALISON BRANDT

963 Celia Drive Palo Alto, CA 94303 #2038A / #036

LILY WOO

1761 11TH Ave

San Francisco, CA 94122

#2038A / #037

MICHAEL & HELEN YOUNG

P.O. Box 470983

San Francisco, CA 94147

Charles Head

SUNSET HEIGHTS ASSOCIATION OF RESPONSIBLE PEOPLE (SHARP)

1606 Ninth Ave

San Francisco, CA 94122

Sally Stephens

GOLDEN GATE HEIGHTS NEIGHBORHOOD

ASSOCIATION

P.O. Box 27608

San Francisco, CA 94127

#2048 / #003 - DR Applicant

TIM MORSHEAD

469 Noriega Street

San Francisco, CA 94122

Permit Applicant

SIA CONSULTING CORPORATION

1256 Howard Street

San Francisco, CA 94103

#2048 / #001

VICTORIA & NATALYA LYAPIS

477 Noriega Street

San Francisco, CA 94122

RESPONSE TO DISCRETIONARY REVIEW Case No.: 2014.1583D

1650 Mission St.

Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

415.558.6409

Fax:

Planning Information: 415.558.6377

	Building Permit No.: _2013.07.15.1824 Address: _1762 12TH Avenue
Proje	ct Sponsor's Name: Vladimir Chernyavskiy, Owner. Troy Kashanipour, Architect
Telep	phone No.: 415.431.0869 (for Planning Department to contact)
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
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. Indicate whether the changes were made before filing your application with the City or after filing the application. SEE ATTACHED
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. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by
	the DR requester. SEE ATTACHED

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

4. Please supply the following information about the proposed project and the existing improvements on the property.

Number o	<u>of</u>	Existing	Proposed			
Dwelling units (only one kitchen per unit –additional						
kitchens count as additional unit	ts)		1			
Occupied stories (all levels with	habitable rooms)	· · · · · · · · · · · · · · · · · · ·	3			
Basement levels (may include g	arage or windowless					
storage rooms)			0			
Parking spaces (Off-Street)			2			
Bedrooms		·	4			
Gross square footage (floor area fro	om exterior wall to					
exterior wall), not including baseme	ent and parking areas		_3400			
Height			27'			
Building Depth			72'			
Most recent rent received (if any	/)		NA			
Projected rents after completion of project			NA			
Current value of property						
Projected value (sale price) after completion of project (if known)						
I attest that the above information is true to the best of my knowledge.						
Jay Kashaynn	1/19/15	Troy Ka	shanipour			
Signature	Date	Name (p	Name (please print)			

November 3, 2014

To: Marcelle Boudreaux, AICP Planner, Southwest Quadrant Planning Department, City and County of San Francisco 1650 Mission Street, Suite 400, San Francisco, CA 94103

Direct: 415-575-9140 Fax: 415-558-6409 Email: marcelle.boudreaux@sfgov.org

Subject: 1762 12th Avenue DR

Dear Marcelle,

I have studied the Application for Discretionary Review from the DR requestor, Timothy Morshead, and have prepared the following response numbered per the DR request Application.

1. There is nothing extraordinary or exceptional about the topography at the intersection of 12th Avenue and Noriega. 12th Avenue slopes upward and intersects Noriega at a point where Noriega is split street with westbound traffic taking a lower branch and eastbound traffic taking an upper branch. The split condition of the road does not define a unique topographical condition at this portion of 12th Street which makes the proposed dwelling at 1762 12th Avenue somehow exceptional.

The DR requestor defines the impact on views from the street and sidewalk as "severe and unreasonable" without defining these impacts. The DR requestor cites the General Plan. It is not the position General Plan to restrict development on buildable lots based on views from streets through the mid-block open space. In fact the General Plan is quite clear that vistas from parks and open spaces are protected. The proposed building has no impact on vistas from parks and open spaces.

1762 12th Avenue is in-scale and in-context with of the surrounding homes and neighborhood. There is no exceptional or extraordinary condition. It is in conformance with the rear yard setback requirements under the code and the extension past the rear wall of adjacent 1758 12th Avenue is a modest one, 3'-9". The residential design guidelines do not require absolute alignments of rear building walls, but allow for the particular program of a building and reasonable variation of setbacks. The intent of the midblock open space requirement is not to create a view corridor from a street or public right of way but to allow open space at the midblock for the enjoyment of all houses on the block. The fact that no building occupies the corner position 430 Noriega gives the mid-block open space more exposure than is typical, but this only benefits the block. The buildable area of 1762 12th Avenue should not be penalized by this visibility. The 3'-9" extension past the rear wall of the adjacent neighbor has little impact on any other property sharing the open space and no objections have been raised by any neighbors sharing the midblock space. The DR requestor's own home benefits from open space behind his property.

2. The Project is in conformance with the residential design guidelines. The DR requestor has not demonstrated how the project causes un-reasonable impacts and to whom.

The house is not 5' longer than the approved dwelling at 1758 12th Avenue. The rear of the house shifts 3'-9" from the 1758 property. It is shifted back at front of the lot on the lot relative to this adjacent house by 8'. This shift creates room for a sloping driveway, ramping downward from the street. This setback allows the house to conform to the voluntary height restriction of 27' at the insistence of the DR requestor. The house is well within setback requirements and the requirements of the Residential Design Guidelines. The midblock open space is respected under this proposal and is in conformance with the Planning Code. The DR requestor's own home is not adjacent to this midblock open space.

The DR requestor has stated that the roof deck is uncharacteristic of the local pattern of development. The Planning Code allows roof decks in all areas of the city. A roof deck and railing on an existing building is seen as so minor that it would not even require neighborhood notification. A single family home with a roof deck does not present an extraordinary or exceptional circumstance that was not anticipated by the Planning Department or Planning Code. It does not detract from or otherwise inhibit any public enjoyment or rights of other property owners.

- 3. The Owner agreed to a voluntary height restriction on 1758 12th Avenue with the agreement that a similar height restriction would apply to 1762 12th Avenue. Indeed, the project conforms to this voluntary height restriction of 27' with building height as defined in the planning code. In an email attached, we can see that the Owner communicated that height restrictions would not apply to architectural features consistent with Planning Code Section 260 which would include the roof deck, railings, solar panels, and other exempted items.
- 4. The project owner and the DR requestor have meet to discuss the project as well as exchanged emails on numerous occasions.
- 5. The Owner has offered to reduce the size of the proposed deck and to change steel railings to glass. The DR requestor has rejected this offer.

Best regards,

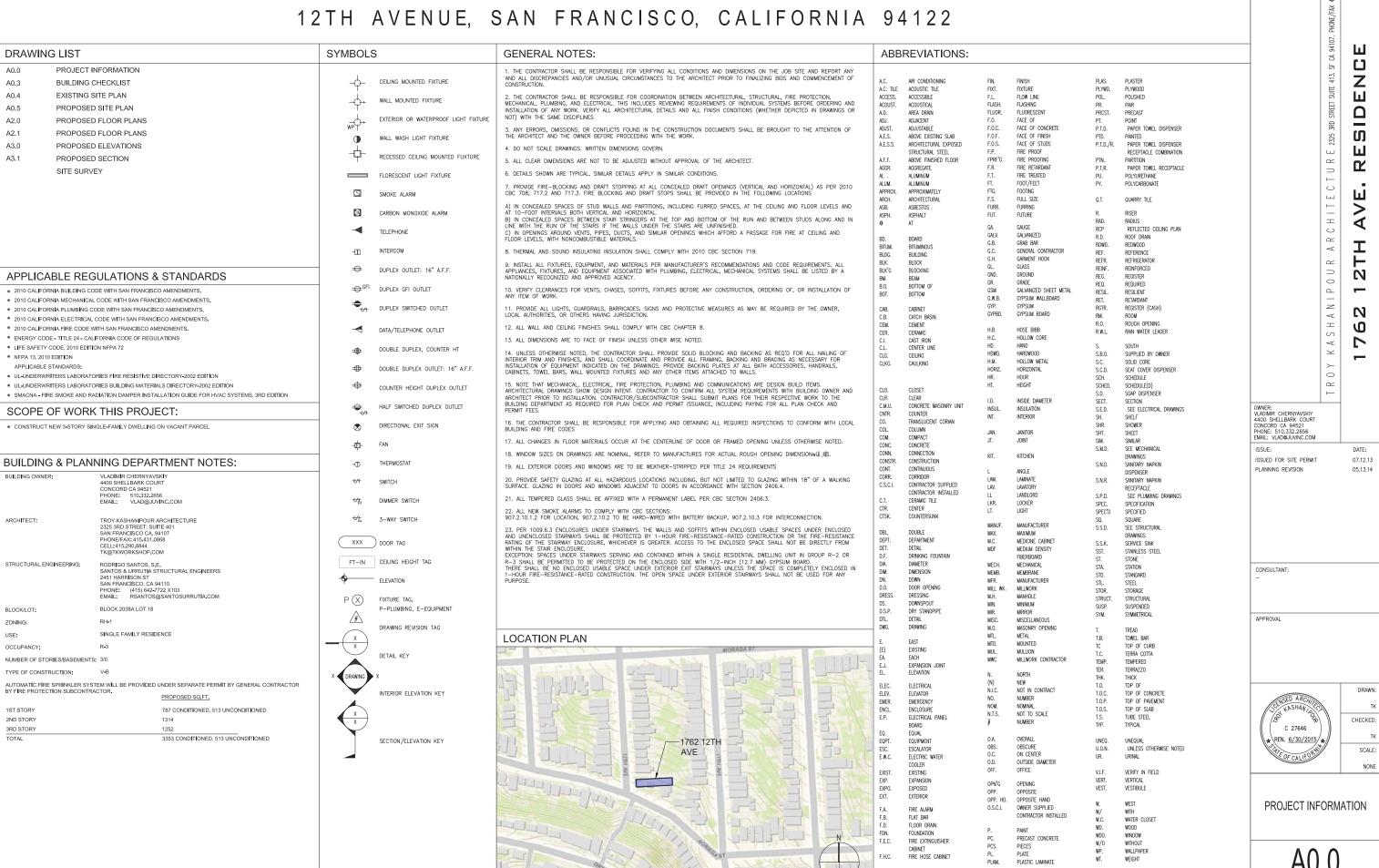
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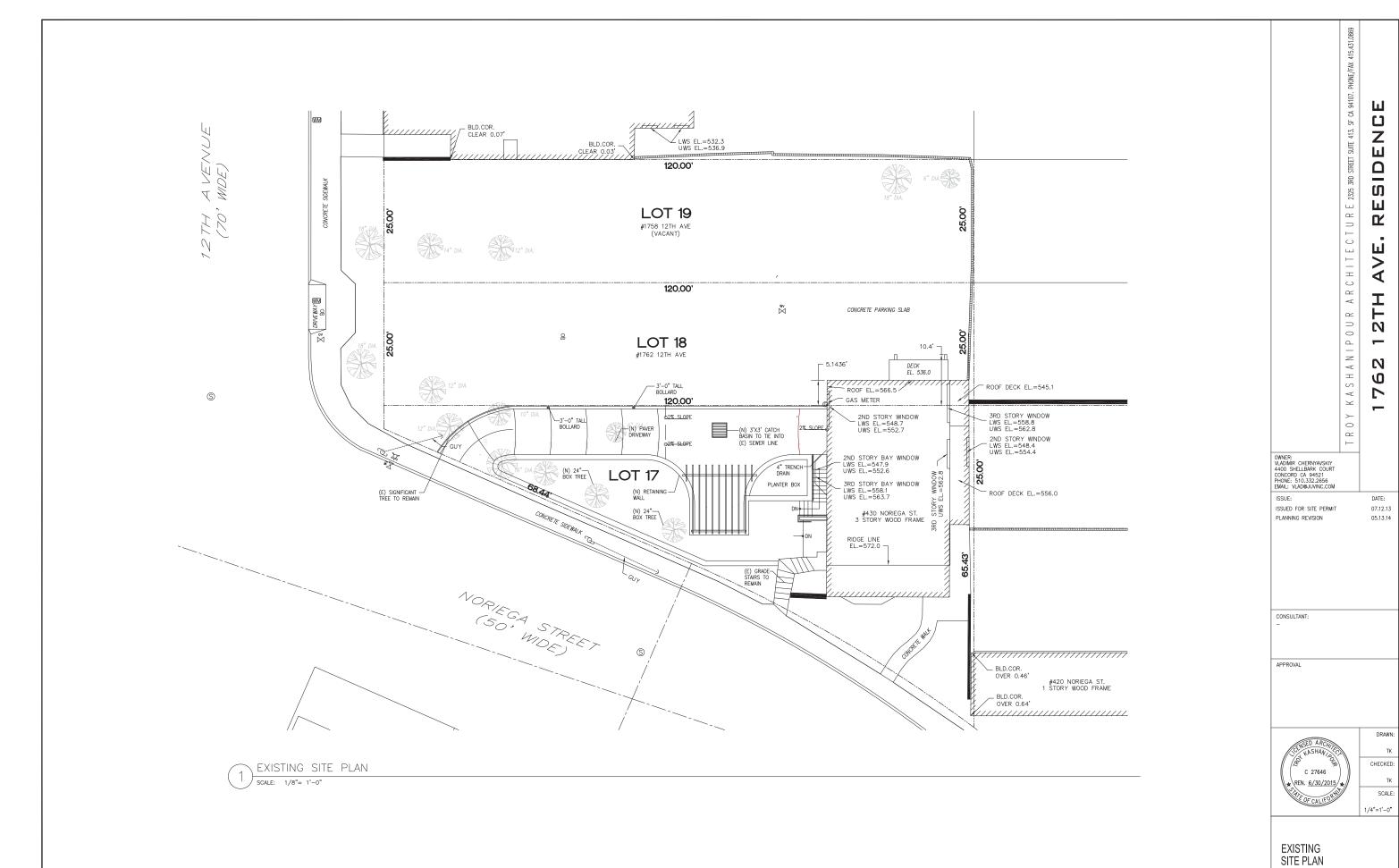
Architect



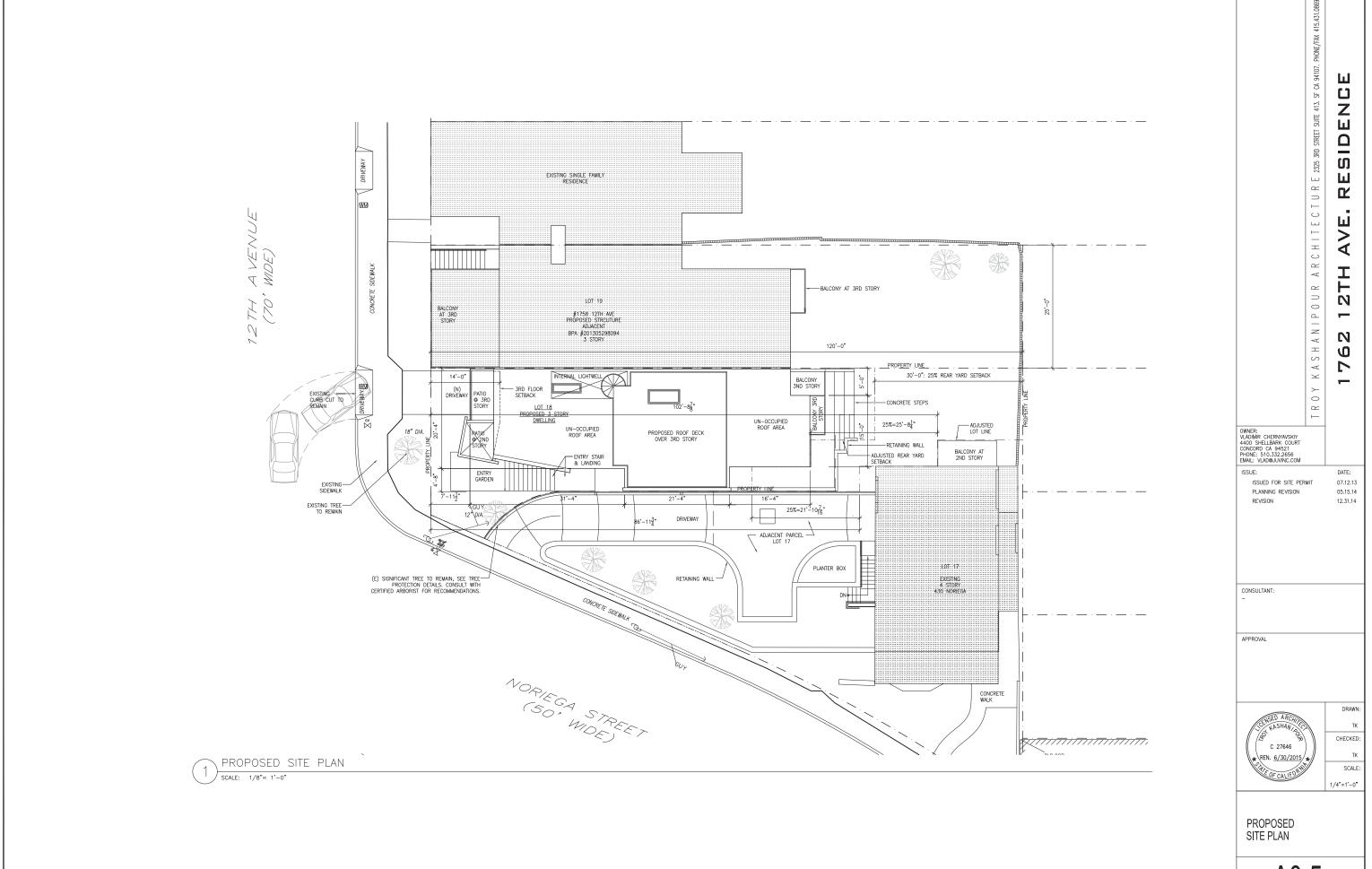


NEW CONSTRUCTION OF SINGLE - FAMILY RESIDENCE 12TH AVENUE, SAN FRANCISCO, CALIFORNIA 94122





A0.4



A0.5







SITE FROM 12TH STREET LOOKING NORTH

SCALE: NTS



SITE FROM 12TH STREET LOOKING SOUTH-EAST SCALE: NTS



SITE FROM NORIEGA STREET LOOKING EAST SCALE: NTS



SITE FROM NORIEGA STREET LOOKING NORTH



SITE FROM 12TH STREET LOOKING NORTH-EAST SCALE: NTS

| National State | A S H A N I P O U R A R C H I T E C T U R E 2325 390 STREET SUITE 413. SF CA 94107.

RESIDENCE

AVE.

2TH

762

OWNER:
VLADIMIR CHERNYAVSKIY
4400 SHELLBARK COURT
CONCORD CA 94521
PHONE: 510.332.2656
EMAIL: VLAD@JUVINC.COM

ISSUE: DATE:
ISSUED FOR SITE PERMIT 07.12.13
PLANNING REVISION 05.13.14

CONSULTAN

ADDDOV/AI



TK

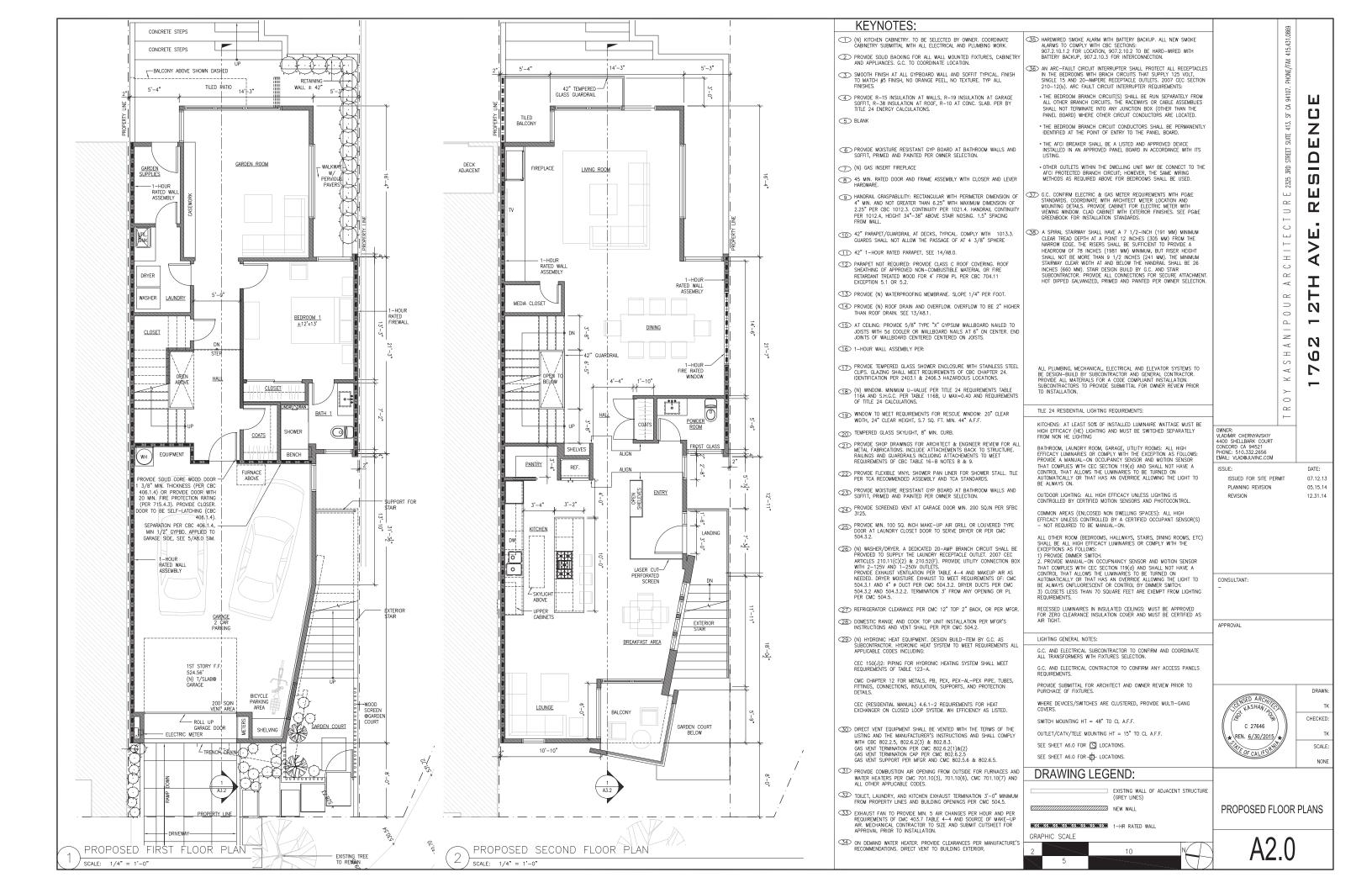
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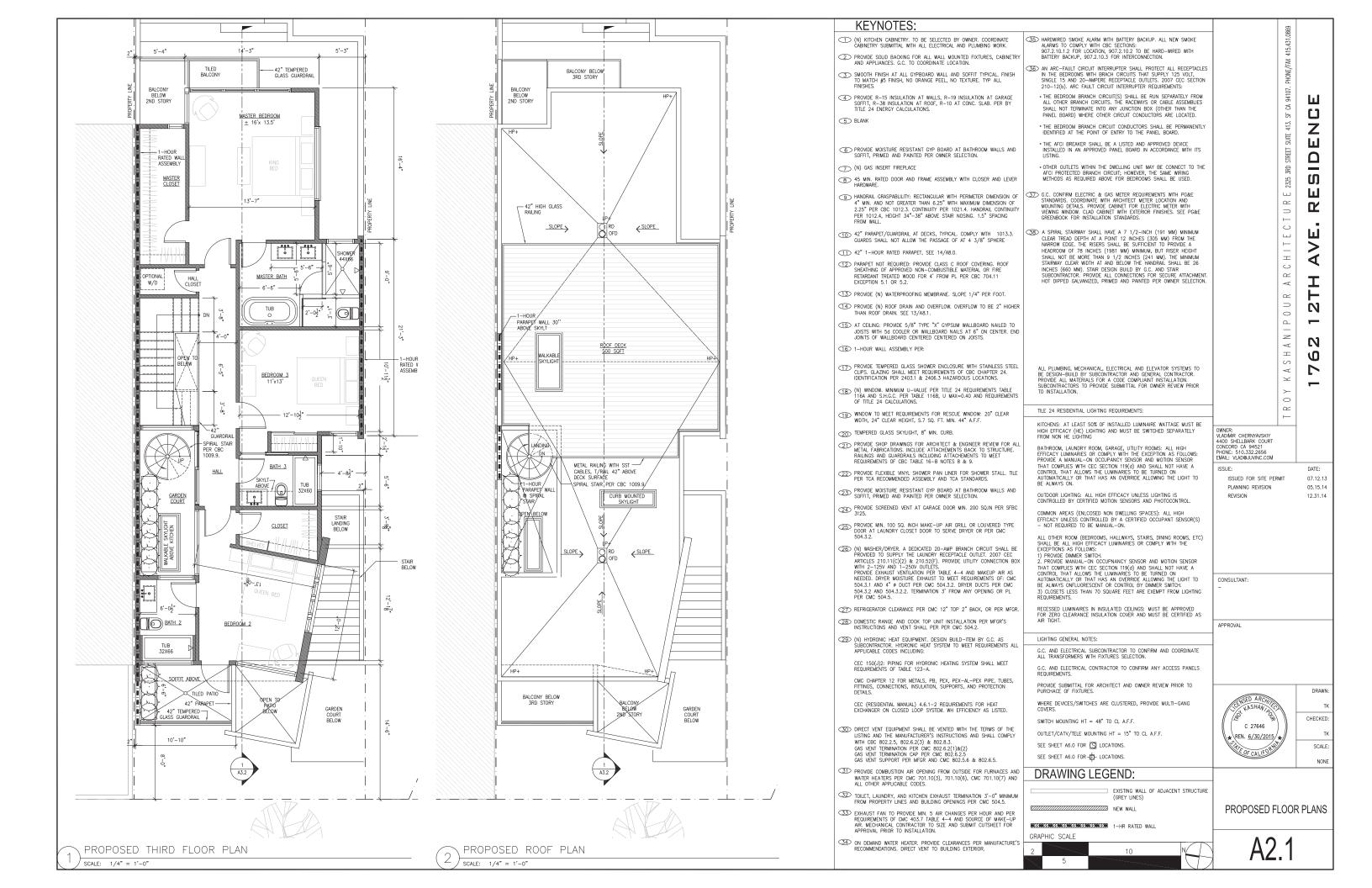
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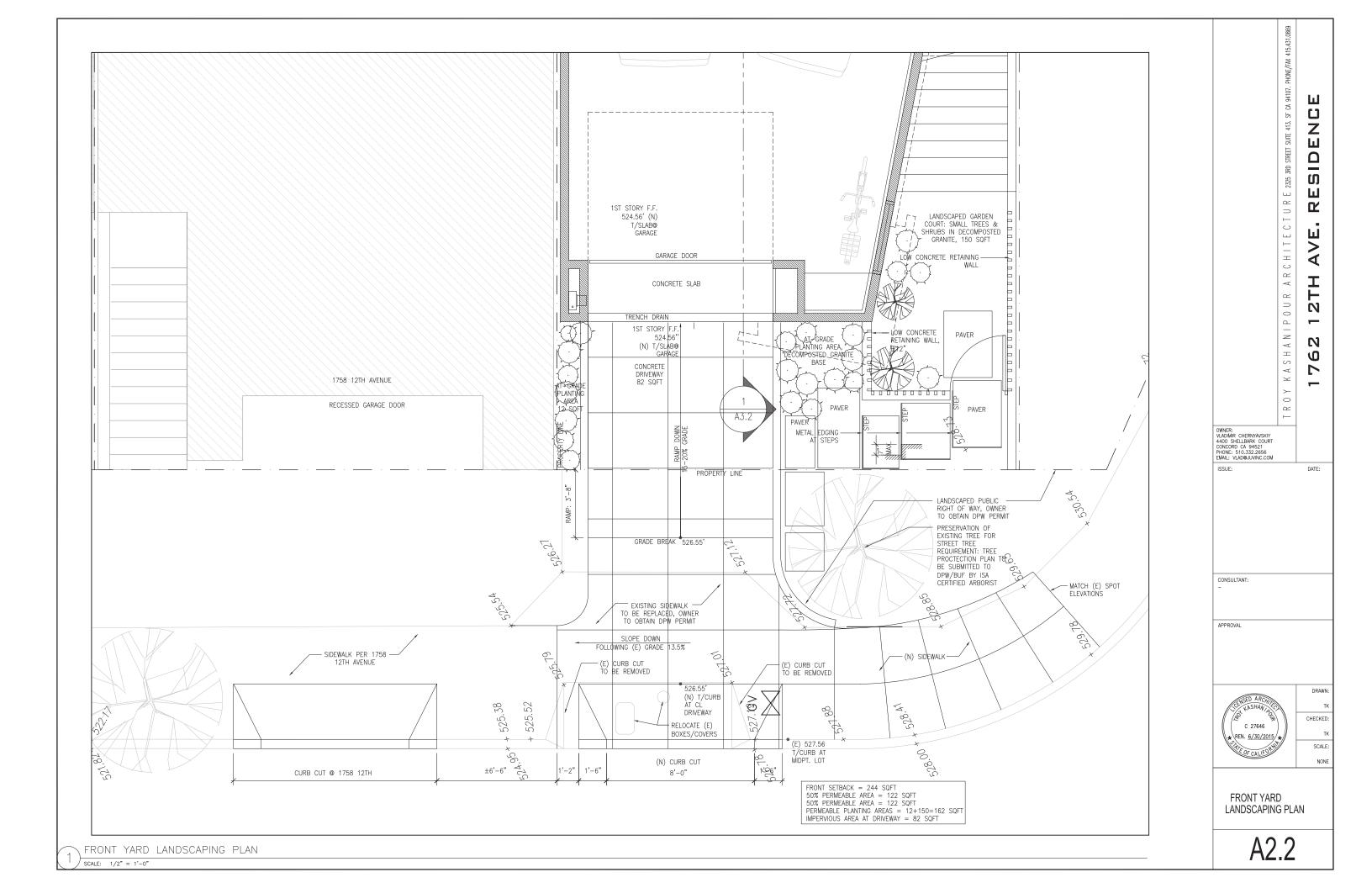
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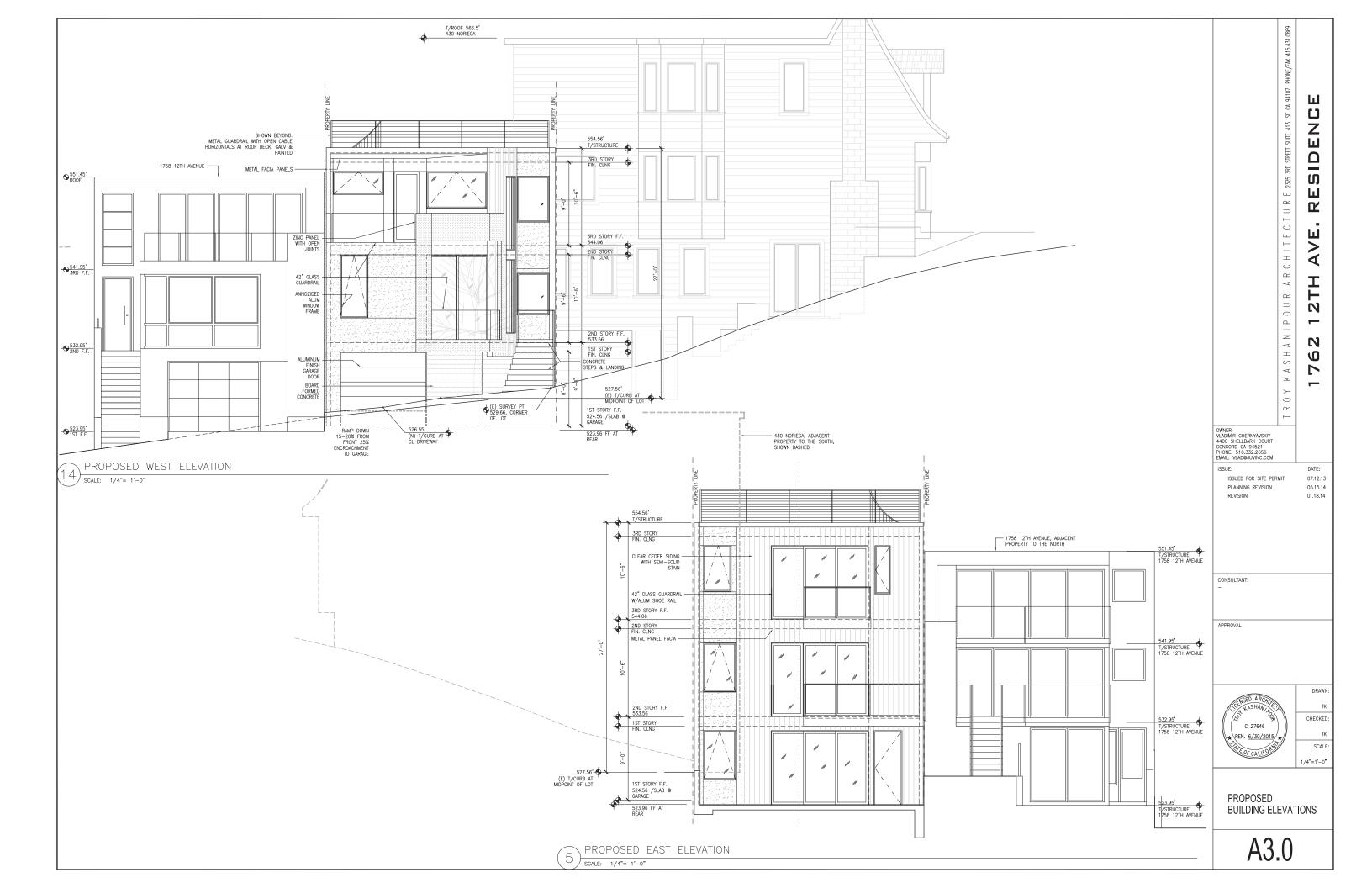
EXISTING PHOTOS

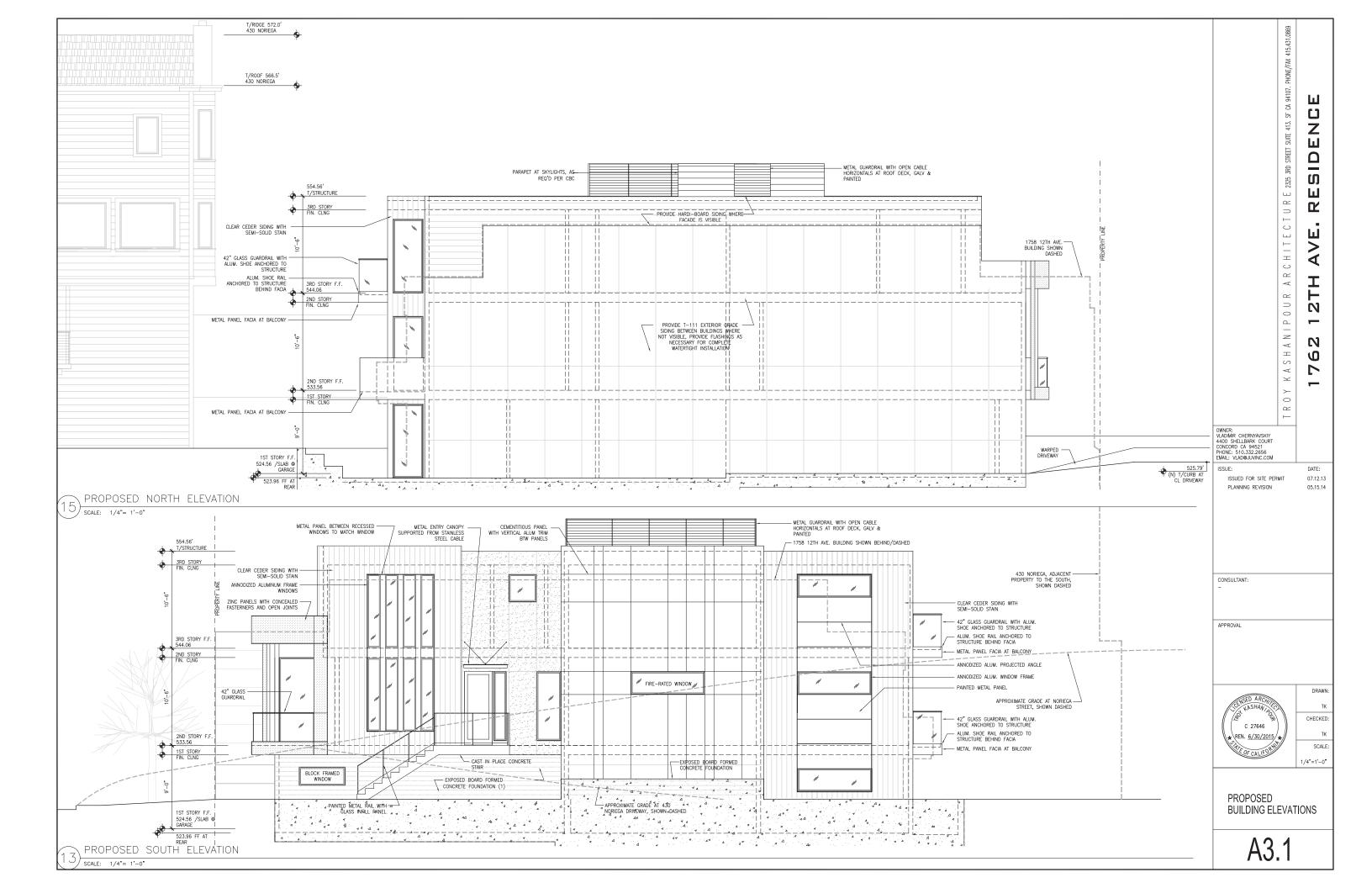
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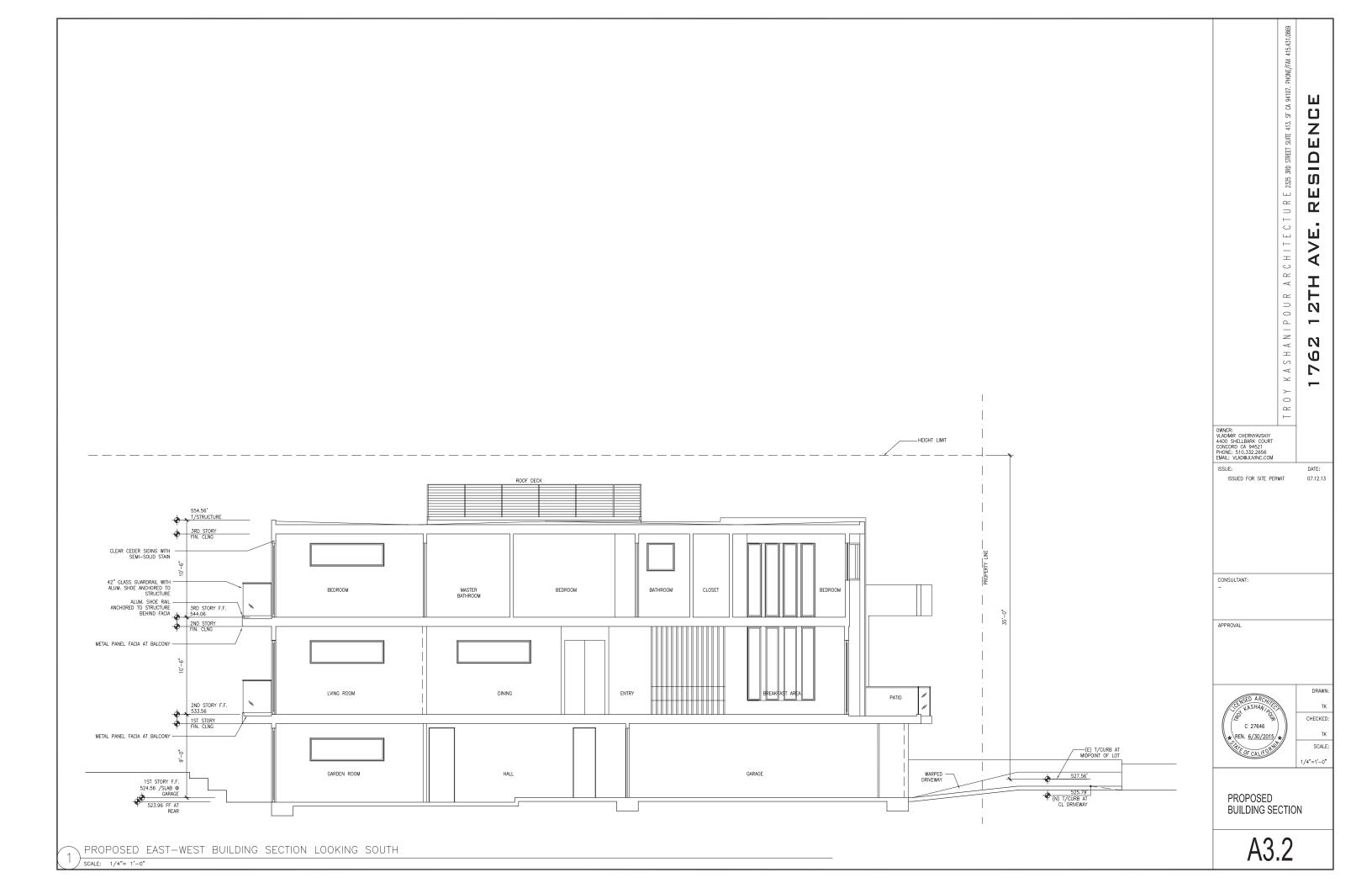




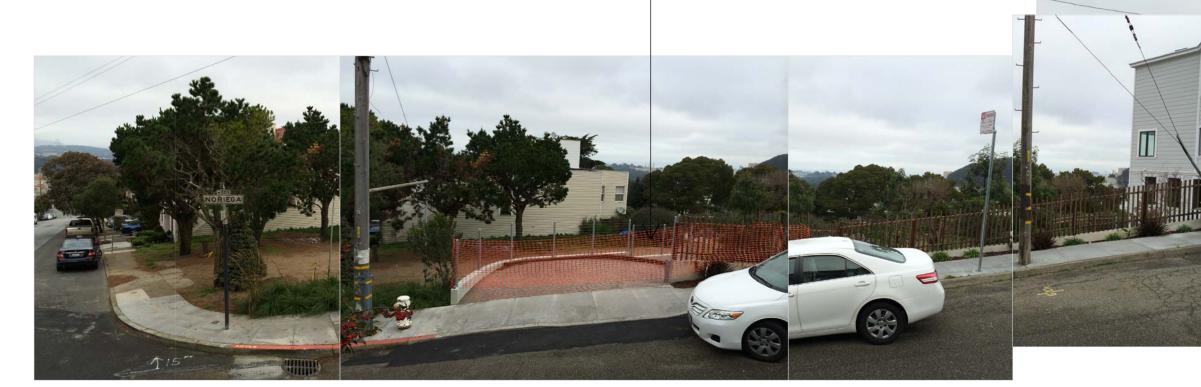








SUBJECT PROPERTY: 1762 12TH AVENUE



— SUBJECT PROPERTY: 1762 12TH AVENUE

VIEW OF NORIEGA STREET LOOKING NORTHEAST

VIEW OF 12TH AVENUE LOOKING EAST



SUBJECT PROPERTY: 1762 12TH AVENUE



VIEW OF NORIEGA STREET LOOKING NORTHEAST



VIEW OF NORIEGA STREET LOOKING NORTHEAST



VIEW OF NORIEGA STREET LOOKING SOUTHWEST



VIEW OF 12TH AVENUE LOOKING EAST SUBJECT PROPERTY: 1762 12TH AVENUE

