

SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Full Analysis

HEARING DATE: JULY 28, 2016

Date:	July 21, 2016
Case No.:	2015-001214VAR/DRP-02
Project Address:	3636 21st STREET
Permit Application:	201501155832
Zoning:	RH-1 [Residential House, One-Family]
	40-X Height and Bulk District
	Dolores Heights Special Use District
Block/Lot:	3605/016
Project Sponsor:	Yishai Lerner
	3636 21st Street
	San Francisco, CA 94114
Staff Contact:	Marcelle Boudreaux – (415) 575-9140
	Marcelle.Boudreaux@sfgov.org
Recommendation:	Do not take DR and approve as proposed

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

PROJECT DESCRIPTION

The project proposes alterations and expansions to an existing single-family dwelling within the Dolores Heights SUD. The scope of work includes modification of a portion of the gable roof to a flat roof, introduction of a top-level roof deck, and alterations to the façade and the interior. The scope of work also includes construction of a partial basement level in the rear, and reconfiguration and expansion of existing three-level rear decks and habitable space into a four-story rear addition comprised of habitable space and decks. Portions of this rear addition extend into the required rear yard and require a variance to proceed. The existing building is a two-story-over-full garage/living level single-family residence, built almost to the front property line. It is defined with a steeply pitched gable roof and shingle cladding with some Classical Revival detailing including columns flanking the recessed front entry and cornice and brackets.

Specifically, the proposal would retain the front 18 linear feet of the existing gable roof, and box out the remaining gable roof into a flat roof. The proposed height does not exceed the 35 foot maximum. A 490 square foot roof deck is proposed with access via roof hatch and internal stair from habitable space (kitchen) below. Façade alterations include replacing the wood shingles with horizontal wood siding, minor enlargement of window openings and window replacement, minor enlargement of garage door and garage door replacement, and entry door replacement. Because the property is located within the Dolores Heights SUD, the required rear yard is established at 45% of lot depth (51.3 feet required rear yard). The rear horizontal addition is proposed as follows:

- New partial basement level with garden room and endless pool is proposed (extends 15.5 feet into the required rear yard);
- First floor guest room and deck (extends 15.5 feet into the required rear yard line with an approximate 8 foot offset from the east neighbor; the habitable space extends 7.5 feet beyond rear yard line and the deck extends an additional 8 feet beyond the habitable space;);

- Second floor master bedroom (extends 11 feet beyond the required rear yard line, partially offset 5 feet from the east neighbor and 3 feet from the west neighbor); and
- Third floor deck with cable railing (extends 11 feet beyond the required rear yard line, with an approximate offset 5 feet from the east neighbor and 3 feet from the west neighbor).

The scope of work proposes to expand the residence from a two bedroom to a four bedroom dwelling, and from approximately 2,879 square feet to 4,495 square feet – an approximate increase of 1,616 square feet.

SITE DESCRIPTION AND PRESENT USE

The project site is a residential lot approximately 24.7 feet wide by 114 feet deep. Located on the northern side of 21st Street, the lot slopes downward to the north. 21st Street slopes steeply upward towards the west. The lot contains a two story-over-full garage and living level, single-family dwelling constructed circa 1905; the property has been determined not an historic resource through Staff determination (Case No. 2015-001214ENV dated November 10, 2015). The existing building reads as generally three stories at the front and at the rear, height measuring approximately 27 feet 2 inches, and exhibits a building depth of approximately 72 feet from the front overhang to the rearmost deck. The existing building currently encroaches beyond the 45% rear yard line, which is measured at approximately 62.7 feet of lot depth from the front property line.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject block has seen several waves of development resulting in a disparate collection of residences in a range of styles. Due to the topography of the street and of the lots, buildings vary in their arrangement to the street – some focus the garage as the primary entry with a detached residence setback on the lot, some include a strong retaining wall feature and a pedestrian entry with the residence setback on the lot, and some include the residence at the street with a garage incorporated at the lowest level, such as the subject property. On the subject block of 21st Street, there is not a cohesive group of residential buildingsin architectural style, and shaped roofs and flat roofs are extant. The environmental review for the subject property noted that this block does not appear to qualify as an historic district.

The surrounding properties are zoned RH-1, single-family residential, and this zoning district runs along the spine of Sanchez Street for about five blocks from approximately 22nd Street to Cumberland Street. This same RH-1 district has an overlay Special Use District - the Dolores Heights SUD. Within several blocks of the subject property, the zoning density increases to RH-2, RH-3 and RM-1 as the proximity to transit corridors along Church, Castro, 24th Street, Mission Street increases. At the corner of the subject block (at Castro Street), a 30-unit apartment building dates to the early 1960s.

Dolores Heights Special Use District (SUD)

This SUD, similar to the Residential Design Guidelines, seeks to preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, to prevent unreasonable obstruction of view and light by buildings or plant materials, and to encourage development in context and scale with established character and landscape. Planning Code Section 241 codifies these actions through the establishment of a minimum required rear yard setback of 45% of lot depth in any zoning district and through the establishment of a 35 foot height limit to follow an upward

or downward slope of the lot. Further, this Code section permits Variances to be requested for exceptions to the rear yard or height requirements within this SUD.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	January 19, 2016 – February 18, 2016	February 17, 2016	July 28, 2016	162 days*

*Note: This was the first mutually agreeable date available between DR Filer and the project sponsor.

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice - DR	10 days	July 18, 2016	July 8, 2016	20 days
Mailed Notice - DR	10 days	July 18, 2016	July 8, 2016	20 days
Posted Notice – Variance	20 days	July 8, 2016	July 8, 2016	20 days
Mailed Notice - Variance	20 days	July 8, 2016	July 8, 2016	20 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s) Other neighbors on the block or directly across the street Neighborhood groups	other neighbors o	id not receive comments from n the block, neighbors direct porhood groups by time of pu	ly across the street or

The Department has received one communication from a resident in the neighborhood in support of the building permit application as proposed. The neighbor felt the sponsor had been thoughtful in design, and hoped the sponsor and DR filers could come to a mutually agreeable solution.

DR REQUESTORS

- Carolyn Kenady, 3632 21st Street, is the adjacent neighbor to the east.
- David Pennabaker, 3649 21st Street, is a neighbor across the street and two parcels uphill.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

The DR Requestors noted similar concerns in their DR applications. The issues and alternatives below are the consolidated input. The individual applications are included for reference.

Issue #1: Maintain special characteristics of outstanding and unique area of Dolores Heights.

Requestor's Alternative #1: Remove the horizontal addition to the fourth story of the building. **Requestor's Alternative #2:** Use a peaked roof with dormers or a gabled design to blend with the rooflines that step down the hillside.

Issue #2: Preserve light and air for neighboring properties

Requestor's Alternative #1: Remove the horizontal addition to the fourth story of the building. **Requestor's Alternative #2:** Remove the roof deck.

Requestor's Alternative #3: Retain existing gabled roof form and insert dormers as an alternative to horizontal extension.

Requestor's Alternative #4: Maintain current depth of the building, which exceeds Dolores Heights SUD.

Issue #3: Preserve privacy of neighbors.

Requestor's Alternative #1: Eliminate windows on the east and west sides to protect bedrooms and bathrooms of adjacent neighbors.

Requestor's Alternative #2: Remove the roof deck from final plans to preserve neighbors' privacy.

Requestor's Alternative #3: Eliminate endless pool from east property line, which is adjacent to neighbor's rear deck.

Requestor's Alternative #4: Maintain current depth of the building, which exceeds Dolores Heights SUD, to maintain mid block open space.

Issue #4: Preserve view from 21st Street, especially for visitors to the "Tom & Jerry" Christmas display at 3650 21st Street.

Requestor's Alternative #1: Eliminate the horizontal addition to the fourth story and the roof deck to preserve public views.

Issue #5: Soften the proposed façade of the proposed project.

Requestor's Alternative #1: The revised façade (horizontal wood siding) is more in keeping with the neighborhood character than the original proposal, however the shingled façade would also be in keeping. Recommend maintaining a peaked or gabled roofline to blend with the "organic" step progression of each home on 21st Street.

Requestor's Alternative #2: The rear façade looks like an office building and windows needs to be scaled to fit. Scaled down windows also concern privacy inside of 3636 21st Street living areas.

Issue #6: Make other design changes to maintain character of the street and neighborhood.

Requestor's Alternative #1: Many other alternatives exist to provide the sponsor a livable home while maintaining the character and scale of the neighborhood and will provide more examples at the DR hearing.

For more details, see attached *Discretionary Review Applications*, dated February 17, 2016 (Carolyn Kenady) and dated February 16, 2016 (David Pennabaker).

PROJECT SPONSOR'S RESPONSE

The sponsor has worked with the Department, neighbors and DR filers on revisions since Pre-Application Meeting and building permit application filing on January 15, 2015. Highlights of overall project modifications are included below:

- Removal of existing deck and addition of setbacks on eastern property line to improve eastern neighbor's light and air.

-Remove exterior stairway along west wall in proposed design due to expressed design concerns from neighbor.

-Increase depth (measured from front facade) of retained gabled roof from 15' to 18' due to RDT and neighbor concerns.

- Reduce sight lines between adjacent neighbors at eastern elevation by reducing 2nd floor glazing and adding strategic horizontal louvers to 3rd floor.

-Remove glazing in the front elevation gable face due to RDT/ neighbor concerns related to neighborhood character and solid-to-void ratio.

- Return to period window styling for 2nd floor to enhance period detailing

-Retained existing entryway to maintain period detailing/existing neighborhood character

-Added more traditional gable to flat roof transition by aligning peaks.

-Allowed pruned willow tree to regrow to original size (increasing privacy to northern neighbors). Will enhance or replace with additional foliage at similar height along rear property line.

-Reduced excavation cubic volume by 70% due to concerns from northern neighbors.

-Staggered floor levels and increased setbacks on rear facade to eliminate "office building look" and concerns of neighbors regarding privacy. Also, wood and steel material were added between levels.

See attached *Response to Discretionary Review*, from Yishai Lerner, property owner, for additional information.

PROJECT ANALYSIS

The Residential Design Team (RDT) has reviewed the project two times, the first on May 13, 2015 during initial building permit application review. The proposal was again reviewed by the RDT on March 9, 2016, specifically for concerns outlined by the DR filers, as noted above.

After filing Discretionary Review, the proposal was reviewed by the RDT again with focus on the issues raised by the two DR filers. The RDT supported the rear horizontal addition at all levels at initial project review and continued to support after the DRs were filed, including the top floor (or fourth as referenced in the DR requestors' applications). The RDT noted that the addition would not overly impact light and air within the rear yard mid block open space due to topography of the block and the adjacent lots. The midblock open space is defined. The RDT found that the proposed project matches with the adjacent

pattern of rear yard encroachment into the midblock open space and supported the variance request based on this pattern.

Privacy concerns were reviewed. The RDT supported a 5 foot setback of the roof garden guardrails along the adjacent property to increase privacy between structures. The stairwell location was determined acceptable, but any roof deck not immediately dedicated to the stair or landing was requested to be setback. The sponsor submitted revisions which included a five foot setback of the roof guardrail.

The RDT further recommended the reduction of lot line glazing along the east side. It was noted that these enhancements could include added translucency, clerestory location, size reduction, or other ways to shift view lines or visibility between adjacent structures. The sponsor submitted revisions which included reduction of the glazing at the master bedroom (second floor) and introduction of internal louvers at the glazed stair and wall area to shift the view line and enhance privacy for neighbor to the east.

The sponsor is retaining approximately 18 feet of the existing gable roof at the front of the structure, and boxing out the rest of the roof to create a flat roof. No change in the roof shape was requested by the RDT in the initial project review or after the DR was filed, as the issue of roof-shape character in the rear of non-public facing portion of the proposal are not specifically addressed by the Residential Design Guidelines (RDGs). Further, the block consists of residences defined by a mix of shaped roofs and flat roofs.

The RDGs protect major public views from public spaces, with reference to the Urban Design Element of the General Plan that "identifies streets that are important for their quality of views". The publicly available views to the Bay from this portion of 21st Street have been deemed "good views" in the General Plan. The proposal does not impact the public's views from 21st Street downhill (east) to the Bay. Due to the steep grade of this section of 21st Street and the downhill slope of the subject block, there are views of downtown and the northern part of the Bay from 21st Street across the subject property. In addition, the DR filers reference the public view impact for visitors to the holiday "Tom & Jerry" house at 3650 21st Street, located two houses uphill from the subject property. Although these views are not protected by the General Plan or the Residential Design Guidelines, the proposal will continue to allow for these views from many points along 21st Street across the subject property.

The fenestration pattern of the rear elevation is not subject to the Residential Design Guidelines (RDGs). Additionally, the RDGs do not address interior use issues such as the endless pool, but the RDT noted it would not support a glazed lot line condition at the pool.

The RDT supported the proposed front façade alterations. The building has a minimal front setback from the street (approximately 4 feet). No front garden currently exists. The entry steps and driveway currently occupy this setback area, and the project does not propose to modify this footprint. The horizontal wood-siding is comptabile with the mixed architecture of the district, and the retention of the Classical Revival detailing illustrate a combination of architectural styles. The existing entry sequence, which is a covered, recessed entry, is proposed to be retained.

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). In addition, the property was determined not to be an historic resource (Case No. 2015-001214ENV).

RESIDENTIAL DESIGN TEAM REVIEW

The proposal was reviewed by the RDT on March 9, 2016, specifically for concerns outlined by the DR filers, as noted above.

- The RDT continued to support the rear horizontal addition, with the massing reduction revisions included per the initial RDT request.
- The rear yard fenestration pattern is not subject to the Residential Design Guidelines (RDGs).
- The RDGs do not address interior use issues such as the endless pool, but the RDT noted it would not support a glazed lot line condition at the pool.
- At this meeting, the RDT did request a setback at the top-level roof deck to increase privacy, allowing for the parapet condition adjacent to the roof hatch/stairwell access to remain as proposed.
- In addition, the RDT recommended the reduction of lot line glazing along the lightwell and along the east elevation for privacy concerns through the sponsor investigating a variety of methods.

To summarize, the project sponsor submitted revisions to the Section 311 plans per input from the RDT, and DR filers, which addressed revisions as follows:

- On the east elevation, reduced the glazing at the master bedroom (second floor) and introduced internal louvers at the glazed stair and wall area to enhance privacy for neighbor to the east;
- On the top-level roof deck, setback the railings five feet from edge of building to enhance privacy for neighbors.

The project does not create or contain any exceptional or extraordinary circumstances.

RECOMMENDATION: Do not take DR and approve project as proposed

Attachments: Block Book Map Sanborn Map Zoning Map Aerial Photographs Context Photographs Photographs of street view - subject property and adjacent properties CEQA Class 1 Categorical Exemption Determination *September 10, 2015* Section 311 Notice DR Applications, dated February 17, 2016 (Carolyn Kenady) and dated February 16, 2016 (David Pennabaker) **SAM FRANCISCO** Response to DR Applications by property owner Yishai Lerner 3D Renderings Reduced Plans of 3636 21st Street, *dated May 27, 2016*, revised per RDT and neighbor input since January 2015 Sponsor submittal, Support letter and exhibits

DR Filers - Submittal of Additional Materials

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

Comments: The subject block has seen several waves of development resulting in a disparate collection of residences in a range of styles. Roof styles are shaped and flat.

SITE DESIGN (PAGES 11 - 21)

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

Comments: The building retains its relationship to the street and to the steep topography. The building has a minimal front setback from the street (approximately 4 feet). No front garden currently exists. The entry steps and driveway currently occupy this setback area, and the project does not propose to modify this footprint. The addition would not overly impact light and air within that space due to topography of the block and the adjacent lots. The midblock open space is defined. The rear addition matches with the adjacent pattern of rear yard encroachment into the midblock open space and supported the variance request based on this pattern.

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	x		
the street?	~		
Is the building's height and depth compatible with the existing building scale at	x		
the mid-block open space?	~		
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?			
Is the building's facade width compatible with those found on surrounding			v
buildings?			X
Are the building's proportions compatible with those found on surrounding	Y		
buildings?	X		
Is the building's roofline compatible with those found on surrounding buildings?	X		

Comments: The building retains its existing height and relationship to the street. The addition would not overly impact light and air within that space due to topography of the block and the adjacent lots. The midblock open space is defined. Side setbacks are proposed at the rear addition adjacent to the shorter, downhill neighbor, to reduce the mass. The rear addition matches with the adjacent pattern of rear yard encroachment into the midblock open space and supported the variance request based on this pattern.

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			x
the street and sidewalk and the private realm of the building?			^
Does the location of the building entrance respect the existing pattern of			x
building entrances?			^
Is the building's front porch compatible with existing porches of surrounding			x
buildings?			^
Are utility panels located so they are not visible on the front building wall or on			x
the sidewalk?			^
Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on			x
surrounding buildings?			^
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?	•		
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		v
buildings?		^
Are the windscreens designed to minimize impacts on the building's design and		v
on light to adjacent buildings?		X

Comments: The project proposes to retain the entry and garage location and sequences, and change the entry door and garage door in slightly modified openings.

BUILDING DETAILS (PAGES 43 - 48)

QUESTION	YES	NO	N/A
Architectural Details (pages 43 - 44)			
Are the placement and scale of architectural details compatible with the building and the surrounding area?	x		
Windows (pages 44 - 46)			
Do the windows contribute to the architectural character of the building and the neighborhood?	x		
Are the proportion and size of the windows related to that of existing buildings in the neighborhood?	x		
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?	x		
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?	x		
Exterior Materials (pages 47 - 48)			
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?	x		
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?	x		
Are the building's materials properly detailed and appropriately applied?	X		

Comments: Slightly enlarged window openings are proposed, but the general location of windows is proposed for retention. The solid-to-void ratio will be maintained, compatible with the building and the district. Window replacements are high quality, in keeping with the neighborhood character. Horizontal wood siding is compatible with the mixed character of the neighborhood.

Parcel Map



Sanborn Map*



 $\mathbf{\mathbf{b}}$

Zoning Map



SUBJECT PROPERTY



Aerial Photo – DR Filers

SUBJECT PROPERTY







Aerial Photo







Front Context Photo





Rear Context Photo









REAR FACADE OF THE SUBJECT BUILDING













SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)			
3636 21st Street		3605/016			
Case No. Permit No. Plans Dated					
	2/12/2015				
Demolition	New	Project Modification			
(requires HRER if over 45 years old)	Construction	(GO TO STEP 7)			
Planning Department approval.					
	Permit No. Demolition (requires HRER if over 45 years old)	Permit No. Plans Dated Demolition New (requires HRER if over 45 years old) Construction Planning Department approval. Plans Dated			

Renovate & Expand; Horizontal & Vertical Additions; Complete Interior & seismic retrofit; Addition of basement level & roof terrace. Alterations/improvements & restoration to façade. Front & rear landscaping & improvements to street & sidewalk.

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is	f any box is checked below, an Environmental Evaluation Application is required.		
	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <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>		
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I		

Environmental Site Assessment. Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
Transportation : Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area</i>)
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>)
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>)
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.
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.
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.
are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental</i> Application is required, unless reviewed by an Environmental Planner.</u>
Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
and Planner Signature (optional): Jean Poling

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

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

STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER

Che	Check all that apply to the project.					
	1. Change of use and new construction. Tenant improvements not included.					
	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.					
	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.					
	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.					
	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.					
	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of- way.					
	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .					
	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.					
Not	e: Project Planner must check box below before proceeding.					
	Project is not listed. GO TO STEP 5.					
	Project does not conform to the scopes of work. GO TO STEP 5 .					
	Project involves four or more work descriptions. GO TO STEP 5.					
	Project involves less than four work descriptions. GO TO STEP 6.					

STEP 5: CEQA IMPACTS -- ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PRESERVATION PLANNER

Check a	Check all that apply to the project.				
	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.				
	2. Interior alterations to publicly accessible spaces.				
	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.				
	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.				
	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.				
	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.				
	7. Addition(s), including mechanical equipment that are minimally visible from a public right-of-way and meet the Secretary of the Interior's Standards for Rehabilitation.				

	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):				
	9. Other work that would not materially impair a historic district (specify or add comments):				
	(Requires approval by Senior Preservation Planner/Preservation Coordinator)				
\checkmark	10. Reclassification of property status to Category C. (<i>Requires approval by Senior Preservation Planner/Preservation Coordinator</i>)				
	a. Per HRER dated: (attach HRER)				
	b. Other (specify): Per PTR form dated 11/9/2015 (attached)				
Note	: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.				
	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.				
Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.					
Com	nents (<i>optional</i>):				
Prese	rvation Planner Signature: Allison K. Vanderslice				
STEP	6: CATEGORICAL EXEMPTION DETERMINATION				
TOB	E COMPLETED BY PROJECT PLANNER				
	Further environmental review required. Proposed project does not meet scopes of work in either (<i>check all tha apply</i>):				
	Step 2 – CEQA Impacts				
	Step 5 – Advanced Historical Review				
	STOP! Must file an Environmental Evaluation Application.				
\checkmark	No further environmental review is required. The project is categorically exempt under CEQA.				
	Signatura				

Planner Name: Allison Vanderslice	Signature:			
	Allison K.		y signed by Allison K. Vanderslice	
Project Approval Action:	Vanderslice	ou=En email=	=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, vironmental Planning, cn=Allison K. Vanderslice, Allison.Vanderslice@sfgov.org	
Building Permit If Discretionary Review before the Planning Commission is requested,	Vanuersnee	Date: 2	2015.11.10 15:39:06 -08'00'	
the Discretionary Review hearing is the Approval Action for the				
project.				
Once signed or stamped and dated, this degument constitutes a categor	cal examption pursuant to	CEOA Cuidal	ince and Chapter 31 of the	

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 Desc	ription:			

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

Result in expansion of the building envelope, as defined in the Planning Code;				
Result in the change of use that would require public notice under Planning Code Sections 311 or 312;				
Result in demolition as defined under Planning Code Section 317 or 19005(f)?				
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

1
oject otice.

SAN FRANCISCO PLANNING DEPARTMENT 2/13/15



Period of Significance: n/a

SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

			•	1650 Mission St.
Preservation Team Meeting Date:	11/9/2015	Date of Form Complet	ion 11/9/2015	San Francisco, CA 94103-2479
PROJECT INFORMATION:				Reception:
Planner:	Address:			415.558.6378
Allison Vanderslice	3636 21st Street			Fax:
Block/Lot:	Cross Streets:			415.558.6409
3605/016	Church and Sanche	z Streets		Planning
CEQA Category:	Art. 10/11:	BPA/Case N	lo:	Information: 415.558.6377
В		2015-001214	1ENV	
PURPOSE OF REVIEW:		PROJECT DESCRIPTIO	N•	
	Preliminary/PIC	Showing and the state of a state of the	Demo/New Con	istruction
		······································		I
DATE OF PLANS UNDER REVIEW:	02/12/2015			
PROJECT ISSUES:	White when these	i an 1965 seam to a f	1. Largerty	
Is the subject Property an eligi	ible historic resource	?		
If so, are the proposed change	es a significant impac	t?		
Additional Notes:				
The project proposes a horizo		-		
basement level, addition of a upgrade, and landscaping. A		-		
Determination form (Suppler				l this
review.	•			
PRESERVATION TEAM REVIEW:				
Historic Resource Present		CYes	•No *	<u>CN/A</u>
Individual		Historic Dist	rict/Context	
Property is individually eligible fo	r inclusion in a	Property is in an eligible	California Regist	er
California Register under one or n following Criteria:	nore of the	Historic District/Context the following Criteria:		
Criterion 1 - Event: (Yes No	Criterion 1 - Event:	⊖ Yes	No
Criterion 2 -Persons:	Yes No	Criterion 2 -Persons:	C Yes	• No
Criterion 3 - Architecture:	Yes 💽 No	Criterion 3 - Architecture	: C Yes	(No
Criterion 4 - Info. Potential:	Yes No	Criterion 4 - Info. Potenti	al: C Yes	€ No

Period of Significance: n/a

C Contributor C Non-Contributor

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

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

PRESERVATION TEAM COMMENTS:

Based on the Supplemental form completed for the subject property and additional research by Department staff, the subject property at 3636 21st Street is not an historical resource under CEQA.

Constructed in 1905, the building was built after the initial development of the Castro/ Upper Market neighborhood and the immediate area in the late nineteenth century. The subject building does not appear to be associated with any significant events or trends in the local area or San Francisco generally. Therefore, the subject property is not significant under Criterion 1. Based on the Supplemental form prepared for the subject property and research by Department staff, no significant persons are associated with the property. Therefore, the subject property is not significant under Criterion 2.

The building is a one-and-half-story-over-garage single-family residence with a steeply pitched gable roof and shingle cladding with some Classical Revival detailing including columns flanking the recessed front entry and cornice and brackets. Fenestration consists of the original wood double hung windows and replacement windows, include aluminum sliders. Alterations to the subject building include the the replacement and reconfiguring of windows, the addition of a garage and driveway and removal of secondary entrance and windows on the lower level of the primary facade, and replacement of shingle cladding in 1970. Due to these alterations and the lack of architectural detail, the subject building is not a good example of style, type, or period. The original architect or builder was not identified nor is the building likely to be found a significant example of the work of a master architect. Therefore, the subject property is not significant under Criterion 3.

The subject building is not significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type.

The subject property does not appear to be within an identified or eligible historic district. The subject block has seen several waves of development resulting in a disparate collection of residences in a range of styles. As the subject block faces of 21st Street do not appear to contain a cohesive group of residential buildings, and due to the fact that many of the buildings have been altered, this block does not appear to qualify as an historic district.

11-10-15

Signature of a Senior Preservation Planner / Preservation Coordinator: Date:

SAN FRANCISCO





SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco. CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **January 15**, **2015** the Applicant named below filed Building Permit Application No. **201501155832** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	3636 21 st Street	Applicant:	Sonja Navin
Cross Street(s):	Church & Sanchez Sts	Address:	1286 Sanchez St
Block/Lot No.:	3605/016	City, State:	San Francisco, CA 94114
Zoning District(s):	RH-1 / 40-X/Dolores Heights SUD	Contact:	415.641.7320/ sonja@levyaa.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			
	New Construction	□ Alteration	
Change of Use	x Façade Alteration(s)	Front Addition	
x Rear Addition	□ Side Addition	x Vertical Addition	
PROJECT FEATURES	EXISTING	PROPOSED	
Building Use	Residential	Residential	
Building Depth	~70 feet (inc deck)	~74 feet (inc deck)	
Rear Yard	~44 feet (to rear deck)	~40 feet (to rear deck)	
Building Height	~27 feet 8 inches (to midpoint of ridge); ~33 feet 7 inches (to peak of ridge)	No Change at street; finished floor of new roof deck ~ 32 feet 6 inches	
Number of Stories	3 at street	No Change at street	
Number of Dwelling Units	1	No Change	
Number of Parking Spaces	1	2	

Facade alterations include removing shingles and adding horizontal wood siding, replacing windows, and replacing garage and entry doors. The vertical addition consists of boxing out the existing gable roof starting approximately 17 feet beyond the front building wall - the top of which will not be taller than the existing peak roof ridge. A roof deck is proposed above the vertical addition. At the rear, existing habitable space and rear decks will be reconfigured into a four level rear addition comprised of habitable space and decks, parts of which project into the required rear yard. Within the Dolores Heights SUD, encroachments beyond the 45% required rear yard require obtaining a Variance to proceeed. The Variance is scheduled for a public hearing before the Zoning Administrator on February 24, 2016 and will be noticed separately. See attached plans.

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

For more information, please contact Planning Department staff:

Planner:	Marcelle Boudreaux
Telephone:	(415) 575-9140
E-mail:	marcelle.boudreaux@sfgov.org

中文詢問請電: (415) 575-9010

 Notice Date:
 1/19/16

 Expiration Date:
 2/18/16

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 <u>www.communityboards.org</u> 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 <u>www.sfplanning.org</u>). 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 <u>www.sfplanning.org</u>. If the project includes multiple building permits, i.e. demolition and new construction, a <u>separate request</u> for Discretionary Review must be submitted, with all required materials and fee, for <u>each</u> 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 <u>www.sfplanning.org</u>. 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.

DR Application 1

February 17, 2016 (Carolyn Kenady)
	Appl	ication for Discretionary Revie
	CASE NU For Staff U	MBER: Dalit Dalo
APPLICATION FOR		
Discretionary Review	l Fe	B 1 7 20 %
. Owner/Applicant Information		DOUNTY OF ST
CAROLYN KENADY		Pic
3632 21st Street	ZIP CODE: 94114	1408 218 3115
915HAI LERNER 3636 215t Street	ZIP CODE: 94114	TELEPHONE: (415) 328-9474
ame as Above X	ZIP CODE:	TELEPHONE:
Location and Classification		
REET ADDRESS OF PROJECT: 3636 21St Street		zip code: 94114
CHURCH & SANCHEZ STREETS	•	
$\frac{3605}{24'9'} \times \frac{114'}{28'21} R_{14} - 1$		HEIGHT/BULK DISTRICT: Dulores Heights Spec
Project Description		Use District
se check all that apply ange of Use 🌅 Change of Hours 🗌 New Construction 🗌 .	Alterations 🕅 🛛 I	Demolition 🗌 Other 🗌
5, 5	e Yard 🗌	
resent or Previous Use: Single fampy residence roposed Use: Single fampy residence uilding Permit Application No. 201501155832	Date Fi	led: 1/15/2015

4. Actions Prior to a Discretionary Review Request

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

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. Minor Changes to plans - Slightly increased side setback to east increased size of root dlck in latest dls. Jn, addition of soffit, cedition of endless pool, and other changes See attached Project Sponsor document dated 1/6/2015 Changes did not issues raised in the attached Disuctionary Review document.

15 8" C Garden level 16 8" at 1st + 24 (1' beyond elsisting dick 24 flow is Current roof line - Visible to us; 32 flow rol ends before setback Proposed roof line extends to aurrent 1st / 21 ferr house extent 1st / 21 ferr extend for yished at were raised were: it's 1 beyond deck line; excention proposed and relationship to underlying d, January 6, 2015 RE: Revisions to Proposed Plans for 3636 21st Street When we first met the issues that were raised were: The amount of excavation proposed and relationship to underlying

- Rost leck m top of 3d f 10- Duck on top 2 2 d H fr 3. from

geology
 The apparent mass of the proposal when viewed from the north neighbors

- The apparent mass of the proposal as experienced by the East neighbors
- The proposed changes to the period facade
- The total floor area of the proposal

In Response we have made the following revisions

- The amount of excavation was reduced by +/- 70% from 494 cu yd.s to 150 cu yd.s
- The setback from the average of adjacent neighbors line at the terrace at the main living level has been increased from 5'-0" to 10'-6" and the associated rear wall of this level has been pushed back the same amount
- Architectural elements that projected into the rear yard have been removed.
- The setback from the average of adjacent neighbors line at the roof deck has been increased from 5'-0" to 15'-0"
- The setback at the east property line, adjacent to the neighbors lightwell has been increased from 5'-0" to 8'-0"
- With these revisions the interior floor area has been reduced by 250 sq. ft. +/- from the proposed 4770 gross square feet
- With these revisions the roof deck area has been reduced by 120 sq. ft. +/-

Building Statistics are Revised as follows:

Existing # of Dwellings is 1 Existing Gross Sq. Ft. 2296 (int) Existing # of stories 3 Existing Ridge Height is 34'-6" Existing Avg Roof Height 29'-6" Height Limit 35'-0" above Grade Existing Building Depth 64'-0" Existing Building Depth 64'-0" Proposed Dwellings is 1 Proposed Gross Sq. Ft. 4520 (interior) Proposed # of stories 3 Proposed Ridge Height is 34'-6" Proposed Average Roof Height 32'-9"

Proposed Depth <u>78'-6"</u> @ basement Proposed Depth <u>73'-6"</u> @ 1st & 2nd Proposed Depth <u>63'-9"</u> @ 3rd

1/6/2015

Discretionary Review Request

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

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines. see attached sheets 2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how: See attached sheets 3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1? See attached Sheets

Page 1 of 7

DR_Application_ATTACHMENT_3636 21st_Street Filed by Carolyn Kenady - 3632 21st Street Building Permit Application No. 201501155832

Question 1: What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exception 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 cite specific sections of the Residential Design Guidelines.

 a) Height and mass: The Residential Design Guidelines - IV - Building Scale and Form - state: "Design the scale of the building to be compatible with the height and depth of surrounding buildings." (pg. 24) The proposed project at 3636 21st Street ("Proposed Project") is exceptional and extraordinary in its height and depth relative to the surrounding buildings.

Height. The proposed design is a four-story building reaching nearly 34 feet in height at sidewalk level. This is out of proportion and incompatible with the adjacent properties to the east and the west. For example, the eastern neighbor's building (3632/3632A 21st St.) is a 2-story building with height of 29 feet above the sidewalk. The western neighbor's building is a 2-story cottage that is approximately 24 feet above the sidewalk. At the rear, the proposed building will be 4 stories (including excavated basement). It will rise ~50 feet above its adjacent downhill rear yard neighbors at 3632 21st Street and 337 and 333 Liberty Street. The Residential Design Guidelines for Building Scale at Mid-Block Open Space recommend that the property owner "[d]esign the height and depth of the building to be compatible with the existing building scale at the mid-block open space." (pg. 25) Here, the Proposed Project will be significantly taller than other houses in the middle of 21st Street and Liberty Street.

Mass. The current house is 2,300 square feet with three bedrooms, living room, kitchen, dining room, and basement area. The proposed design is 4,500 square feet (95% increase in square footage.) The only added rooms appear to be a guest room at the first story (basement level) and a library at the third story level. The added 1,600 square feet of ancillary living space creates extraordinary and exceptional impacts on the adjacent neighbors which are outlined below in this application.

Depth. Adding to the mass and scale, the proposed building will extend to a depth of 78' 6" at the basement/garden level and to a depth of 73' 6" at the first and second floor levels and to a depth of 63' 9" at the third floor level. This average depth of 72' exceeds the code-allowed depth of 55% of the lot (62' 8") by ten feet. With its proposed depth 78'6" at the basement/garden level, the proposed mass reduces the rear yard open space to 35' 6" (31% of 114' deep lot.) The Dolores Heights Special Use District (hereinafter referred to as the "Dolores Heights SUD", Section 241 of the Planning Code) specifies that "[t]he minimum rear yard depth shall be equal to 45 percent of the total depth of the lot on which building is situated," which in this case should -- at a minimum -- be 51'4". In addition to the exceptional height and massing that is proposed, the

Page 2 of 7

DR_Application_ATTACHMENT_3636 21st_Street Filed by Carolyn Kenady - 3632 21st Street Building Permit Application No. 201501155832

Project Sponsor has also applied for a variance seeking to reduce the rear yard open space from 51' 4" to 35' 6" (31% of 114' deep lot).

The *mid-block open space* is significantly reduced – especially for the Liberty Street properties to the north whose backyards abut the rear of the Proposed Project, and the adjacent property to the east (3632 21st Street.) The Residential Design Guidelines note: "Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave surrounding residents feeling "boxed-in" and cut-off from the mid-block open space." [Residential Design Guidelines – IV – Building Scale and Form - Scale at the Mid-Block Open Space, page 26] The side setbacks in the proposed design do not resolve the "boxed-in" views for neighbors on Liberty and 21st Streets.

Loss of character/incompatible with the character of the neighborhood: Dolores Heights is one of five areas named as an "outstanding and unique area" in the San Francisco General Plan. Policy 2.7 recommends that the City "[r]ecognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character." It describes what makes Dolores Heights so unique: "a uniform scale of buildings, mixed with abundant landscaping in yards and steep street areas. Rows of houses built from nearly identical plans that form complete or partial block frontages, arranged on hillside streets as a stepped-down series of flat or gabled roofs. Building setbacks with gardens set before Victorian facades and interesting entryways." [Online document, no pagination]

Page 3 of 7

DR_Application_ATTACHMENT_3636 21st_Street Filed by Carolyn Kenady - 3632 21st Street Building Permit Application No. 201501155832

The predominant roofline design on the street is comprised of peaked/gabled roofs that blend in with the slope of the hill. The Residential Design Guidelines recommend "[d]esign rooflines to be compatible with those found on surrounding buildings". [Residential Design Guidelines – IV – Building Scale and Forma – Building Form – Proportions, page 29] The proposed design would replace this compatible facade/silhouette with a larger square, boxy structure extending behind the 15 foot-deep peaked roof setback. The box will be completely visible from the street, both uphill and downhill due to the grade of the street/hill. This large structure with windows on all sides - designed to take advantage of views - does not seek to mirror the scale of the neighborhood. It lacks the character of other residences in the neighborhood and is not compatible with adjacent facades. The Residential Design Guidelines recommend "design the building's proportions to be compatible with those found on surrounding buildings." The site is located on a steep slope/hill and the proposed additions disregard the existing topography and do not respect the site and surrounding area. The proposed design will break the organic step progression of rooflines on the street.

The proposed design of the façade of the property is out of character with the neighborhood and the history of the property itself. The current façade is comprised of shingles. The shingled facade appears in photos extending back to the 1940s. The shingled design is complemented by a peaked roof giving the property an appearance similar to the adjacent (west) uphill shingled cottage and of the wood shingled and varied peaked roof of the adjacent (east) downhill property. There are several homes on both sides of the street with shingled facades.

c) Loss of public views: This block of 21st Street is well-known for its views and for the "Tom & Jerry Christmas" tree which is displayed at 3650 21st St from Thanksgiving through early January every year since 1984. Many Bay Area residents and out-of-area tourists walk up and down the street daily to see the views. During the holiday season, thousands of visitors take pictures of the holiday tree and the view to the east. The proposed mass from the addition of 600 square feet to the fourth story and the new roof deck on top of the fourth story with a solid parapet will block public views of downtown, the Bay and East Bay from the 21st Street sidewalks.

This violates the Urban Design Element (Policy 1.1) of the General Plan which protects public views - "Recognize and protect major views in the city, with particular attention to those of open space and water.... Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary." [Online document, no pagination] The 21st Street block between Church and Sanchez Streets is a public space that receives many visitors throughout the day, including dozens of tourists who stop to admire and photograph the expansive city views.

Page 4 of 7

na di

DR_Application_ATTACHMENT_3636 21st_Street Filed by Carolyn Kenady - 3632 21st Street Building Permit Application No. 201501155832

Question 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 Proposed Project, with its increased depth, mass, and design choices, creates many unreasonable impacts on surrounding properties in the neighborhood. These impacts demonstrate substantively that the proposed project design and the project sponsor's variance request for rear extension should be denied. Below are the major impacts:

a) Loss of light and air: The proposed design will loom over the adjacent properties - especially those to the north and east. The additional mass on the 4th story and the roof deck on top of it will reduce light and air to four separate properties to the west, east, and north. The horizontal box extension of the 4th story to a depth of 64 feet and the additional mass of opaque guardrails on the roof deck on top of the 4th story will cast shadows into the windows, rooms, and gardens of the adjacent properties to the west and east. Because of the steeply sloping hillside the vertical extension will create an excessive towering effect on the Liberty Street neighbors to the north of the property line. Their yards are 12 feet lower than the back of the Subject Property lot. (The combined height and slope also impacts the property to the east.)

The proposed rear horizontal addition will extend 15 feet beyond the existing rear wall of the first story (basement). It will extend 10 feet beyond the rear wall of the existing second and third stories. This also reduces the light and air to the northern neighbors on Liberty Street - especially during the winter months – and to the east and west neighbors on 21st Street.

The Proposed Project includes a side setback on the east side of the property at the first story (basement) and second story. Because the setback is reduced substantially at the second and third stories, the proposed side setback does not effectively mitigate the reduced light and air to the bedrooms of the east property, whose sole windows face the light well.

b) Loss of privacy and quiet:

Decks. The building plans include three decks including a roof deck being added on top of the 4th story. These decks overlook the yards and windows of neighboring properties. The roof deck in particular will invade the privacy of the residents of those homes and increase the noise level of the neighborhood. The number and size of the decks is excessive and a burden on the neighborhood.

Anyone standing on the second floor deck of the proposed design will be able to look directly into the rear bedrooms of 337 - 341 Liberty Street and 333 Liberty Street. People standing on the roof deck will be able to look into the bedrooms and bathrooms of 3632 - 3634 21st Street to the east

Page 5 of 7

DR_Application_ATTACHMENT_3636 21st_Street Filed by Carolyn Kenady - 3632 21st Street Building Permit Application No. 201501155832

of the property. Thus, the Proposed Project will directly infringe on the privacy of surrounding neighbors within the most intimate areas of the neighbors' living areas.

Windows. The eastern-facing windows of the proposed design overlook the eastern adjacent building (3632 - 3634 21st St). Specifically, the windows overlook the eastern building's front deck (over garage), rear first floor deck, and three windows in the building's side setback. These windows significantly impact the privacy of the residents and should be removed or use opaque glass.

Rear expansion. The proposed design includes windows and decks in the rear addition to the building. This provides a direct view of the eastern neighbor's rear deck and garden and the rear garden of the neighbors at 337 Liberty Street.

Endless pool. The proposed plans also include an "endless pool" situated next to the east neighbor's property line. The east neighbor's only rear deck is located right above the fence line. People in the endless pool will have a direct view of the deck which is used for bbq, eating, and entertaining. Any noise from pool activities will carry to all neighbors.

- c) Loss of public views: As previously noted the 21st Street hill ascends over 130 feet from Church Street to the top of the hill at Sanchez Street. It provides stunning views of the San Francisco downtown skyline, the Bay, and the East Bay (including Mt. Diablo). It is visited daily by dozens of tourists and residents who come to enjoy the exceptional city views throughout the year and during the year-end holidays. "Tom & Jerry's Christmas tree" at 3650 21st Street is featured in Yelp, Trip Advisor, and Google Local as a "must-see" local attraction. The street is also featured in <u>The Stairway Walks in San Francisco</u> and other tourist guides.
- d) Risk to the stability of neighboring properties: The proposed project includes significant excavation which causes risk of flooding, soil disturbance, erosion, and seismic damage to downhill properties to the east and north. Dolores Heights has a natural spring at the top of the hill. Through the early 20th century it provided local residents and grazing animals with water. Residents on 21st Street found non-City water bubbling up through the soil when making sidewalk alterations. Owing to this existing source of water, Dolores Heights' properties have experienced more than typical flooding in lower level of buildings.

e) Risk from unmitigated wall on a slope: The building plans for a new basement include excavation of over eight vertical feet and construction of a new retaining wall. This along with the flooding risk poses risk of landslide or movement of the adjacent east property. The two properties each touch their respective property lines from the sidewalk through to the east property's side setback/light well.

Page 6 of 7

DR_Application_ATTACHMENT_3636 21st_Street Filed by Carolyn Kenady - 3632 21st Street Building Permit Application No. 201501155832

Question 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?

- a) **Maintain "special characteristics of outstanding and unique areas"** Remove the horizontal addition to the fourth story of the building. This is incompatible with the character of the neighborhood. Use a peaked roof with dormers or a gabled design to blend with the rooflines that step down the hillside.
- b) Preserve light and air for neighboring properties: Remove the extension of the 4th story to the rear of the building. The sponsor already has a large 4th story. Remove the proposed roof deck on top of the proposed 4th story. With its 42" guardrail and opaque "fire-rated wall" effectively creates a <u>fifth</u> story -- that at mid-lot is 36' 4" high (building height of 32' 6" listed on page 1 of 311 Notice + 40" fire wall.) This exceeds the 35' height allowed under the Dolores Heights SUD. In addition, the horizontal roof extension and the roof deck impact the light and air of adjacent residents and public views.

An alternative design to a horizontal extension is to add dormers to the existing peaked roof to make the top floor more usable. The roofline would blend with the slope of the hill and with the rooflines of other homes on the north side of the street. Nearly all adjacent roofs are peaked or gabled.

Maintain the current depth of the building (64') which still exceeds the Dolores Heights Special Use District allowed depth of 62' 8" (building depth of 55% in 114 deep lot.)

- c) Preserve privacy of neighbors: Revise the building plans to eliminate the roof deck from the final building to preserve the privacy of the neighbors. The remaining two decks and terraced backyard will provide ample outdoor space for the house. Eliminate the windows on the east and west sides of the proposed structure to protect the bedrooms and bathrooms of adjacent neighbors. Eliminate the "endless pool" from the east property line where it is adjacent to the neighbor's 50 square foot' rear deck. Maintain the current depth of the building (64') which exceeds the Dolores Heights SUD allowed depth of 62' 8" (building depth of 55% in 114 deep lot.) This will maintain the mid-block open space recommended by the Residential Design Guidelines and mandated by the Dolores Heights SUD.
- d) **Preserve view from 21st Street:** <u>Eliminate</u> the new proposed fourth story horizontal expansion and the roof deck on top of the 4th story to preserve the public views from the 21st Street. As Policy 1.5.16 of the Urban Design Element states: "Views from streets can provide a means for

Page 7 of 7

DR_Application_ATTACHMENT_3636 21st_Street Filed by Carolyn Kenady - 3632 21st Street Building Permit Application No. 201501155832

orientation and help the observer to perceive the city and its districts more clearly." [Online document, no pagination]

- e) Soften the proposed façade of the Proposed Project: The revised front facade is more in keeping with the existing shingled facade and is more in character with the neighborhood than the original proposed design. We recommend maintaining a peaked or gabled roofline that will blend with the "organic" step progression of each home on 21st Street. The proposed boxed roofline stands out and breaks the linear progression. A peaked/gabled roofline will also allow more air and light to adjacent properties. The rear facade of the property with its large windows looks like an office building design. The windows need to be scaled down to fit with the adjacent buildings. Scaled-down windows also avoid privacy issues with adjacent neighbors being able to see inside 3636 21st Street bedrooms and other living areas.
- f) Make other design changes to maintain character of the street and neighborhood: Many other alternatives exist to provide the sponsor with a livable home while maintaining the character and scale of the neighborhood. We will provide examples of how the sponsor can achieve this during our testimony and exhibits at the Discretionary Review hearing. We believe that the project sponsor can have a wonderful residence that he enjoys while maintaining benefits and enjoyment for his neighbors.

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: Caroly Kennedy

Date: 2/17/2016

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

CAROLYN KENADY Owner / Authorized Agent (circle one)

t in second

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	0
Address labels (copy of the above), if applicable	0
Photocopy of this completed application	
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	
Letter of authorization for agent	$\Box N/$
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)	E

NOTES: Optional Material.

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

RECENSION

FEB 1 7 2013

CITY & COULDER PLANNING DEMANDING

For Department Use Only Application received by Planning Department:

By: Kurt Botn

Date: 2/17/16

Étiquettes faciles à peler ▲ Étiquettes faciles à peler S161[®] Sens de chargement

3605-016 Yishai Lerner 3636 21st St San Francisco CA 94114

3605-017 Vince A Pera 3640 21st St San Francisco CA 94114

3620-059 Greg Montana 3639 21st St San Francisco CA 94114

3620-061 Mr. & Mrs. Dong 3633 21st St San Francisco CA 94114

3605-037 Parker Ranney 333 Liberty St San Francisco CA 94114 3605-015 Carolyn Kenady & Melissa Kenady 3632 21st St San Francisco CA 94114

3620-058 Daniel Gonzales & David Pennebaker 3649 21st St San Francisco CA 94114

3620-060 Nancy Fleishmann 3637 21st St San Francisco CA 94114

3620-062 Scorpion Properties 3627 21st St San Francisco CA 94114

3605-036A Philippe Vendrolini 337 Liberty St San Francisco CA 94114

3605-036 Benjamin Meyer 343 Liberty St San Francisco CA94114



Feed Paper ▲

DR Application 2

February 16, 2016 (David Pennebaker		•
	•)

Ap	plication	for	Discr	etion	arv	Revi	ew
ΥĽ	phoadon						

CASE NUMBER: For Staff Use only 2015-0012140PP-02

APPLICATION FOR Discretionary Review

FEB 1 7 2013

Read Charles States

1. Owner/Applicant Information

CITY & COUNTRY OF C.E. PLANNING STEPARTYCLE

David Pennebaker

David i etitlebaket		
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
3649 21st Street	94114	(415) 531-0078

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU AF	RE REQUESTING DISCRETIONARY REVIEW NAME:	
ADDRESS: 3636 21st Street	ZIP CODE: 94114	TELEPHONE: (415) 328-9474
CONTACT FOR DR APPLICATION: Same as Above		
ADDRESS:	ZIP CODE:	TELEPHONE:
		()
e-MAIL ADDRESS: davepsf@vahoo.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 3636 21st Street CROSS STREETS: Sanchez Street					ZIP CODE: 94114
ASSESSORS BLOCK/LOT. 3605 / 016	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT: RH1		DISTRICT: Heights - 35ft Use District
3. Project Description Please check all that apply Change of Use Cha	nge of Hours 🗌	New Constru	ection 🗌 Alteration	ns 🔀 Demolition	Other 🗌
Additions to Building: Present or Previous Use: One Fai	Rear X Fro One Family D mily Dwelling	ont X Heigh welling	nt 🔀 Side Yard 🗌]	
Proposed Use: Building Permit Applicat	2015011 ion No.	155832		01/1 Date Filed:	5/2015



4. Actions Prior to a Discretionary Review Request

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

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

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project. The sponsor added a swimming pool, expanded the size of the roof deck, moved the roof deck which required a firewall, added solar panels to the peak roof, changed the configuration of the lightwell to the East.

8

Discretionary Review Request

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

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

See Attached.

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

See Attached.

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

See Attached.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

a: The undersigned is the owner or authorized agent of the owner of this property.

4

- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Danid S. Tenneballes 02/16/2016 Signature:

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

David Pennebaker

Owner / Authorized Agent (circle one)

3Question 1: What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exception 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 cite specific sections of the Residential Design Guidelines.

a) Height and mass: The Residential Design Guidelines - IV - Building Scale and Form - state: "Design the scale of the building to be compatible with the height and depth of surrounding buildings." (pg. 23) The proposed project at 3636 21st Street ("Proposed Project") is exceptional and extraordinary in its height and depth relative to the surrounding buildings.

Height. The proposed design is a four-story building reaching nearly 34 feet in height at sidewalk level. This is out of proportion and incompatible with the adjacent properties to the east and the west. For example, the eastern neighbor's building (3632/3632A 21st St.) is a 2-story building with a height of 29 feet above the sidewalk. The western neighbor's building is a 2-story cottage that is approximately 24 feet above the sidewalk. At the rear, the proposed building will be 4 stories (including excavated basement). It will rise 50-feet above its adjacent downhill rear yard neighbors at 3632 21st Street and 337 and 333 Liberty Street. The Residential Design Guidelines for Building Scale at Mid-Block Open Space recommend that the property owner "[d]esign the height and depth of the building to be compatible with the existing building scale at the mid-block open space." (pg. 25) Here, the Proposed Project will be significantly taller than other houses in the middle of 21st Street and Liberty Street. This design will shade the gardens of several properites to the East, West and North.

Mass. The current house is 2,900 square feet with three bedrooms, living room, kitchen, dining room, and basement area. The proposed design is 4,500 square feet (55% increase in square footage.) The only added rooms appear to be a guest room at the first story (basement level) and a library at the third story level. The added 1,600 square feet of ancillary living space creates extraordinary and exceptional impacts on the adjacent neighbors which are outlined below in this application. The proposed size and mass of this project on a 25-foot wide lot is out of character with the neighborhood.

Depth. Adding to the mass and scale, the proposed building will extend to a depth of 78' 6'' at the basement/garden level and to a depth of 73' 6" at the first and second floor levels. This average depth of 76' exceeds the code-allowed depth of 55% of the lot (62' 8") by over 13 feet. With its proposed depth 78'6" at the basement/garden level, the proposed mass reduces the rear yard open space to 35' 6" (31% of 114' deep lot.) The Dolores Heights Special Use District (hereinafter referred to as the "Dolores Heights SUD", Section 241 of the Planning Code) specifies that "[t]he minimum rear yard depth shall be equal to 45 percent of the total depth of the lot on which building is situated,"

which in this case should -- at a minimum -- be 51'4". Thus, the proposed building exceeds the Dolores Heights SUD's minimum open space requirement by more than 30%.

The *mid-block open space* is significantly reduced – especially for the Liberty Street properties to the north whose backyards abut the rear of the Proposed Project, and the adjacent property to the east (3632 21st Street.) The Residential Design Guidelines note: "Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave surrounding residents feeling "boxed-in" and cut-off from the mid-block open space." [Residential Design Guidelines – IV – Building Scale and Form Scale at the Mid-Block Open Space, page 26] The side setbacks in the proposed design do not resolve the "boxed-in" views for neighbors on Liberty and 21st Streets.

b) Loss of character/incompatible with the character of the neighborhood:

Dolores Heights is one of five areas named as an "outstanding and unique area" in the San Francisco General Plan. Policy 2.7 recommends that the City "[r]ecognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character." It describes what makes Dolores Heights so unique: "a uniform scale of buildings, mixed with abundant landscaping in yards and steep street areas. Rows of houses built from nearly identical plans that form complete or partial block frontages, arranged on hillside streets as a stepped-down series of flat or gabled roofs. Building setbacks with gardens set before Victorian facades and interesting entryways." [Online document, no pagination]

The predominant roofline design on the street is comprised of peaked/gabled roofs that blend in with the slope of the hill. The Residential Design Guidelines recommend "[d]esign rooflines to be compatible with those found on surrounding buildings". [Residential Design Guidelines – IV – Building Scale and Form – Building Form – Proportions, page 29]

The proposed design would replace this compatible facade/silhouette with a larger square, boxy structure extending behind the 15 foot-deep peaked roof setback. The box will be completely visible from the street, both uphill and downhill due to the grade of the street/hill. This large structure with windows on all sides - designed to take advantage of views - does not seek to mirror the scale of the neighborhood. It lacks the character of other residences in the neighborhood and is not compatible with adjacent facades. The Residential Design Guidelines recommend "design the building's proportions to be compatible with those found on surrounding buildings." The site is located on a steep slope/hill and the proposed additions disregard the existing topography and do not respect the site and surrounding area. The proposed design will break the organic step progression of rooflines on the street.

The proposed design of the façade of the property is out of character with the neighborhood and the history of the property itself. The current façade is comprised of shingles. The shingled facade appears in a photograph thought to have been taken by the assessors office between 1946 and 1951. This photograph was provided by the History Center at the San Francisco Main Library. (See attached Photo and email from History Center employee). A permit to install a garage was issued in 1955. You will see that the photograph was taken prior to the garage installation. Although a permit was issued to install shingles on the façade in 1970, it is clear that they were replaced at that time, not originally installed. The shingled design is complemented by a peaked roof giving the property an appearance similar to the adjacent (West) uphill shingled cottage and of the varied peaked roof of the adjacent (East) downhill property. There are several homes on both sides of the street with shingled facades, and/or peaked/gabled roofs.

c) Loss of public views: This block of 21st Street is well-known for its views and for the "Tom & Jerry Christmas" tree which is displayed at 3650 21st St from Thanksgiving through early January every year since 1984. Many Bay Area residents and out-of-area tourists walk up and down the street daily to see the views. During the holiday season, thousands of visitors take pictures of the holiday tree and the view to the east. The proposed mass from the addition of 600 square feet to the fourth story and the new roof deck on top of the fourth story with a solid parapet wall will block public views of downtown, the Bay and East Bay from the 21st Street sidewalks.

This violates the Urban Design Element (Policy 1.1) of the General Plan which protects public views - "Recognize and protect major views in the city, with particular attention to those of open space and water.... Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary." [Online document, no pagination] The 21st Street block between Church and Sanchez Streets is a public space that receives many visitors throughout the day, including dozens of tourists who stop to admire and photograph the expansive city views.

Question 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 Proposed Project, with its increased depth, mass, and design choices, creates many unreasonable impacts on surrounding properties in the neighborhood. These impacts demonstrate substantively that the proposed project design and the project sponsor's variance request for a rear extension should be denied. Below are the major impacts:

a) Loss of light and air: The proposed design will loom over the adjacent properties especially those to the north and east. The additional mass on the 4th story and the roof deck on top of it will reduce light and air to four separate properties. The extension of the 4th story to a depth of 64 feet and the additional mass of opaque guardrails on the roof deck on top of the 4th story will cast shadows into the windows, rooms, and gardens of the adjacent properties to the west and east. Because of the steeply sloping hillside the vertical extension will create an excessive towering effect on the Liberty Street neighbors to the north of the property line. Their yards are 12 feet lower than the back of the Subject Property lot. (The combined height and slope also impacts the property to the east.)

The proposed rear horizontal addition will extend 15 feet beyond the existing rear wall of the first story (basement). It will extend 10 feet beyond the rear wall of the second and third stories. This also reduces the light and air to the northern neighbors on Liberty Street - especially during the winter months.

The Proposed Project includes a side setback on the east side of the property at the first story (basement) and second story. Because the setback is reduced substantially, the proposed side setback does not effectively mitigate the reduced light and air to the bedrooms of the East property, whose sole windows face the light well.

b) Loss of privacy and quiet:

Decks. The building plans include three decks including a roof deck being added on top of the 4th story. These decks overlook the yards and windows of neighboring properties. The roof deck in particular will invade the privacy of the residents of those homes and increase the noise level of the neighborhood. The number and size of the decks is excessive and a burden on the neighborhood.

Anyone standing on the second floor deck of the proposed design will be able to look directly into the rear bedrooms of 337 - 341 Liberty Street and 333 Liberty Street. People standing on the roof deck will be able to look into the <u>bedrooms and bathrooms</u> of 3632 - 3634 21st Street to the east of the property. People standing on the roof deck will also be able to look into the living rooms and bedrooms of the houses located across the street on 21st Street. Thus, the Proposed Project will directly infringe on the privacy of surrounding neighbors within the most intimate areas of the neighbors' living areas.

Windows. The eastern-facing windows of the proposed design overlook the eastern adjacent building (3632 - 3634 21st St). Specifically, the windows overlook the eastern building's front deck (over garage), rear first floor deck, and three windows in the building's side setback. These windows significantly impact the privacy of the residents and should be removed or use opaque glass.

Rear expansion. The proposed design includes windows and decks in the rear addition to the building. This provides a direct view of the eastern neighbor's rear deck and garden and the rear garden of the neighbors at 337-341 Liberty Street and 333 Liberty Street.

Endless pool. The proposed plans also include an "endless pool" situated next to the east neighbor's property line. The east neighbor's only rear deck is located right above the fence line. People in the endless pool will have a direct view of the deck which is used for bbq, eating, and entertaining. Any noise from pool activities will carry to all neighbors.

- c) Loss of public views: As previously noted the 21st Street hill ascends over 130 feet from Church Street to the top of the hill at Sanchez Street. It provides stunning views of the San Francisco downtown skyline, the Bay, and the East Bay (including Mt. Diablo). It is visited daily by dozens of tourists and residents who come to enjoy the exceptional city views throughout the year and during the year-end holidays. "Tom & Jerry's Christmas tree" at 3650 21st Street is featured in Yelp, Trip Advisor, and Google Local as a "must-see" local attraction. The street is also featured in <u>The Stairway Walks in</u> <u>San Francisco</u> and other tourist guides.
- d) Risk to the stability of neighboring properties: The proposed project includes significant excavation which causes risk of flooding, soil disturbance, erosion, and seismic damage to downhill properties to the east and north. Dolores Heights has a natural spring at the top of the hill. Through the early 20th century it provided local residents and grazing animals with water. Residents on 21st Street found non-City water bubbling up through the soil when making sidewalk alterations. Owing to this existing source of water, Dolores Heights' properties have experienced more than typical flooding in lower level of buildings.

e) Risk from unmitigated wall on a slope: The building plans for a new basement include excavation of over eight vertical feet and construction of a new retaining wall. This along with the flooding risk poses risk of landslide or movement of the adjacent east property. The two properties each touch their respective property lines from the sidewalk through to the East property's side setback/light well.

Question 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?

- a) Maintain "special characteristics of outstanding and unique areas" Remove the horizontal addition to the fourth story of the building. This is incompatible with the character of the neighborhood. Use a peaked roof with dormers or a gabled design to blend with the rooflines that step down the hillside.
- b) Preserve light and air for neighboring properties: Remove the extension of the 4th story to the rear of the building. The sponsor already has a large 4th story. The proposed roof deck on top of the proposed 4th story with its 42" guardrail and opaque "fire-rated wall" effectively creates a <u>fifth</u> story -- that at mid-lot is 36' 4" high (building height of 32' 6" listed on page 1 of 311 Notice + 40" fire wall.) This exceeds the 35' height allowed under the Dolores Heights SUD. In addition, the horizontal roof extension and the roof deck impact the light and air of adjacent residents and impacts public views.

An alternative design to a horizontal extension is to add dormers to the existing peaked roof to make the top floor more usable. The roofline would blend with the slope of the hill and with the rooflines of other homes on the north side of the street. Nearly all adjacent roofs are peaked or gabled.

Maintain the current depth of the building (64') which still exceeds the Dolores Heights Special Use District allowed depth of 62' 8" (building depth of 55% in 114 deep lot.)

- c) Preserve privacy of neighbors: Revise the building plans to eliminate the roof deck from the final building to preserve the privacy of the neighbors. The remaining two decks and terraced backyard will provide ample outdoor space for the house. Eliminate the windows on the east and west sides of the proposed structure to protect the bedrooms and bathrooms of adjacent neighbors. Eliminate the "endless pool" from the east property line where it is adjacent to the neighbor's 50 square foot rear deck. Maintain the current depth of the building (64') which exceeds the Dolores Heights SUD allowed depth of 62' 8" (building depth of 55% in 114 deep lot.) This will maintain the mid-block open space recommended by the Residential Design Guidelines and mandated by the Dolores Heights SUD.
- d) Preserve view from 21st Street: <u>Eliminating</u> the new proposed fourth story horizontal expansion and the roof deck on top of the 4th story will preserve the public views from 21st Street. As Policy 1.5.16 of the Urban Design Element states: "Views from streets can provide a means for orientation and help the observer to perceive the city and its districts more clearly."

- e) Soften the proposed façade of the Proposed Project: Keeping a shingled façade is more in character with the neighborhood than the proposed design. We recommend maintaining a peaked or gabled roofline that will blend with the "organic" step progression of each home on 21st Street. The proposed boxed roofline stands out and breaks the linear progression. A peaked/gabled roofline will also allow more air and light to adjacent properties. The rear facade of the property with its large windows looks like an office building design. The windows need to be scaled down to fit with the adjacent buildings. Scaled-down windows also avoid privacy issues with adjacent neighbors being able to see inside 3636 21st Street bedrooms and other living areas.
- f) Make other design changes to maintain character of the street and neighborhood: Many other alternatives exist to provide the sponsor with a livable home while maintaining the character and scale of the neighborhood. We will provide examples of how the sponsor can achieve this during our testimony and exhibits at the Discretionary Review hearing. We believe that the project sponsor can have a wonderful residence that he enjoys while maintaining benefits and enjoyment for his neighbors.

From: Thomas, Jeff (LIB) (Jeff.Thomas@sfpl.org)

To: davepsf@yahoo.com;

Date: Tuesday, July 21, 2015 5:39 PM

As best we can tell, these are the years when the date of the photo was not recorded somehow. Assessor negative from other years either have the date written on the envelope in which the negative came to us, or the photographer placed a plaque in front of the house that included the date.

Jeff

From: David Scott Pennebaker [mailto:davepsf@yahoo.com] Sent: Tuesday, July 21, 2015 5:12 PM To: Thomas, Jeff (LIB) <Jeff.Thomas@sfpl.org> Subject: Re: Photograph of 3636 21st Street

Hi Jeff,

It's very helpful. May I ask how you narrow it down? Just in case someone asks me.

Thanks so much,

David

On Tuesday, July 21, 2015 3:27 PM, "Thomas, Jeff (LIB)" < Jeff. Thomas@sfpl.org> wrote:

Hi David,

I can narrow it down a bit more.

Our best guess for when that particular photo was taken is between 1946 and 1951.

Hope this helps.

about:blank

From: David Scott Pennebaker [mailto:davepsf@yahoo.com] Sent: Tuesday, July 21, 2015 11:25 AM To: Thomas, Jeff (LIB) <<u>Jeff.Thomas@sfpl.org</u>> Subject: Re: Photograph of 3636 21st Street

Hi Jeff,

Thank you so much for the update and for working on this.

I really appreciate it.

Best Regards, David

On Friday, July 17, 2015 10:23 AM, "Thomas, Jeff (LIB)" < Jeff. Thomas@sfpl.org> wrote:

Hi David,

Sorry to take so long to get back to you.

My best estimate is that the photo was taken sometime between 1942 and 1957.

I have been intending to verify this with photo curator and to double with her to see if there was any way to narrow that down more.

She will not be in until Tuesday. However, I wanted to get back to you to let know that I am still looking into this.

If you don't hear anything further from me next week, you can assume that I could not get any more specific than 1942-1957

Let me know if you any other question.

From: David Scott Pennebaker [<u>mailto:davepsf@yahoo.com</u>] Sent: Thursday, July 09, 2015 2:14 PM To: Thomas, Jeff (LIB) <<u>Jeff.Thomas@sfpl.org</u>> Subject: Photograph of 3636 21st Street

Hi Jeff,

I've attached the photograph of the house at 3636 21st Street.

It would be wonderful to know when it was actually taken.

Thanks so much for your help.

Best Regards,

3636 21st ST.

Photo taken 1946-1951





1997 - 1987 -

CASE NUMBER: For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	0
Address labels (copy of the above), if applicable	0
Photocopy of this completed application	
Photographs that illustrate your concerns	M
Convenant or Deed Restrictions	M
Check payable to Planning Dept.	
Letter of authorization for agent	
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	

NOTES:

Required Material

Optional Material.

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

RECEVED

FEB 1 7 20%

CITY & COUNTY OF S &

For Department Use Only Application received by Planning Department:

By: KWA- Rohn

2/17/11 Date:

tramansert ah sra?

Etiquettes faciles à peler

3605-016 Yishai Lerner 3636 21st St San Francisco CA 94114

3605-017 Vince A Pera 3640 21st St San Francisco CA 94114

3620-059 Greg Montana 3639 21st St San Francisco CA 94114

3620-061 Mr. & Mrs. Dong 3633 21st St San Francisco CA 94114

3605-037 Parker Ranney 333 Liberty St San Francisco CA 94114 3605-015 Carolyn Kenady & Melissa Kenady 3632 21st St San Francisco CA 94114

3620-058 Daniel Gonzales & David Pennebaker 3649 21st St San Francisco CA 94114

3620-060 Nancy Fleishmann 3637 21st St San Francisco CA 94114

3620-062 Scorpion Properties 3627 21st St San Francisco CA 94114

3605-036A Philippe Vendrolini 337 Liberty St San Francisco CA 94114

3605-036 Benjamin Meyer 343 Liberty St San Francisco CA94114

tnamansats ak saa2

Etiquettes faciles à peler

3605-016 Yishai Lerner 3636 21st St San Francisco CA 94114

3605-017 Vince A Pera 3640 21st St San Francisco CA 94114

3620-059 Greg Montana 3639 21st St San Francisco CA 94114

3620-061 Mr. & Mrs. Dong 3633 21st St San Francisco CA 94114

3605-037 Parker Ranney 333 Liberty St San Francisco CA 94114 3605-015 Carolyn Kenady & Melissa Kenady 3632 21st St San Francisco CA 94114

3620-058 Daniel Gonzales & David Pennebaker 3649 21st St San Francisco CA 94114

3620-060 Nancy Fleishmann 3637 21st St San Francisco CA 94114

3620-062 Scorpion Properties 3627 21st St San Francisco CA 94114

3605-036A Philippe Vendrolini 337 Liberty St San Francisco CA 94114

3605-036 Benjamin Meyer 343 Liberty St San Francisco CA94114 DR RESPONSE BY OWNER

RESPONSE TO DISCRETIONARY REVIEW (DRP)



HISO MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94MI3-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address: 3636 21st St

Building Permit Application(s): 201501155832

Record Number: 2015-001214DRP (01 & 02)

Project Sponsor

Name: Yishai Lerner

Email: yishai@gmail.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

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

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 explaination of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

See Attached

Zip Code: 94114

Phone: 415-328-9474

Assigned Planner: Marcelle Boudreaux

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.

	ELSTIG	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	1	1
Occupied Stories (all levels with habitable rooms)	3	3
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	1	1
Bedrooms	2	4
Height	33' 7" (curb)	33" 7" (curb)
Building Depth	62' 7 1/2	73' 1 1/4
Rental Value (monthly)	N/A	N/A
Property Value	2.325MM	3.25MM

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

6	
Signature:	7/17/2016 Date:
Yishai Lerner Printed Name:	Property Owner 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.
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.)

We have worked diligently over the last 18 months to come to an agreement on plans with this group of neighbors (led by the two DR filers: Carolyn Kenady and David Pennebaker). They have made it abundantly clear they will not agree to any designs that alters the existing roofline of the 3rd floor. This is untenable for us, as the reason I purchased the property was primarily for the 3rd floor, and views from it. Specifically, I purchased this home because of these views with full awareness of the lower height limits specified by the planning code for the Dolores Heights SUD. By definition there is space in which for me to be able to alter and expand the 3rd floor within the allowable height limits to meet my objectives. In spite of this basic disagreement, I persevered in attempting to accommodate all the reasonable concerns my neighbors expressed, even though they made it abundantly clear they would file a DR to my project and pursue all delays possible regardless of these considerations. I worked in good faith and at significant time and effort to resolve the issues as evidenced by the project history, numerous meetings and correspondences with all interested parties.

I believe my Architect (Ross Levy) and I have come up with a set of plans that minimizes neighbor and neighborhood impact while still achieving my goals and addressing the issues brought up in these DRs and in the multiple neighbor outreach meetings.

Also to briefly comment on the specific issues specified:

1a)

Height: Not increasing the height of the building, new addition is "horizontal" per Code and does not exceed the height of the existing peak nor the height limit for the Dolores Heights Special Use District. Mass: I am expanding the existing 2900sf 2 bedroom property to 4 bedrooms (Plus a rec/gym room downstairs). This expansion will afford me the space to start and raise my family in San Francisco for the duration. Additionally, while there are no specified limits on size in the Dolores Heights SUD, this expansion is well within the extra restrictions that other districts such as Corona Heights have adopted.

Depth: While I am requesting a variance to push the north wall slightly into the Rear Yard Setback, I am only doing so to the average of my east and west neighbors and only for 2/3rds of the building width. This footprint is currently occupied by an existing non-conforming northern deck so impact to neighbors is no greater and possibly better then what they are accustomed to. For the eastside 1/3rd of the deck, I'm eliminating the existing deck mass in the interest of the DR filer Carolyn Kenady to address light and air concerns.

The RDT is supportive of the proposal as specified in the "Notice of Planning Department Requirements #3 - March 11th 2016" in response to these DRs:

"RDT supports the proposed project's rear horizontal addition as shown. The horizontal addition, significantly down-sloped from the properties on the other side of the mid-block open space, does not overly impact light and air within that space."

1b)

Loss of Character/incompatible with the character of the neighborhood:

In our CEQA Categorical exemption declaration the preservation team meeting had the following to say:

"the subject building is not a good example of style, type, or period... the subject property does not appear to be within an

identified or eligible historic district. The subject block has seen several waves of development resulting in a disparate collection of residences in a range of styles. As the subject block faces of 21st Street do not appear to contain a cohesive group of residential buildings, and due to the fact that many of the buildings have been altered, this block does not appear to qualify as an historic district."

I believe this is a good summation of why the concerns in this section are not valid. Regardless, even with the CEQA exemption we strove to leave the period facade intact/restored

1c)

This is not a Public View corridor according to RDT. Additionally, the impact to views will be insignificant

2)

Loss of light and air: Again as acknowledged by RDT (above), by enlarging the eastern setbacks and removing the eastern portion of the existing deck, I am effectively increasing the light and air to the eastern property. This was true both in the initial design and improved in response to RDT feedback (Notice of PDR #2) by reducing mass in the NE corner of the 3rd floor as requested.

Loss of privacy and quiet: I worked hard to make sure the decks do not directly look into any of the eastern neighbors windows. The only window where there was visibility was from the existing 2nd floor deck on the eastern property line which has been removed (see above). At the request of RDT in Notice of PDR #3, additional privacy enhancements were added including removing ~50% of the second floor glazing and adding privacy louvers to the 3rd floor. Visibility into rear windows of the northern neighbors on liberty st was also discussed. While this concern is limited as the structures are 100° +/- from the proposed rear wall of our project, we still included features in the interest of these

neighbors in the form of unit is unchanged of steeper sight lines to reduce visibility. Finally there was some misunderstanding of the endless pool. It is 7ft below the eastern property line fence and as such has no visibility in that direction. A new retaining wall provides sound isolation.

Additional comments:

Risk: We have reviewed the plans with both structural and geotechnical engineers with no issues raised. The nominal excavation proposed is a lower volume then the typical garage that is commonly added on the southern side of this block.

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.

We have worked diligently and consistently with our neighbors and with RDT to solve and accommodate all issues they raised (Please see attached Outreach meetings and email log). All the reasonable issues raised by our neighbors have been addressed (see project design and revision history log attached). As such we feel that there is little left to change. However we are always open to reasonable requests.

✓ Highlights of changes:

✓ Removal of existing deck and addition of setbacks on eastern property line to improve eastern neighbors light and air.

 $\checkmark \quad \text{Remove exterior stairway along west wall in proposed design due to} \\ \text{expressed design concerns from neighbor}$

✓ Increase depth (measured from front facade) of retained gabled roof from 15' to 18' due to RDT and neighbor concerns.

✓ Reduce sight lines to eastern property by reducing 2nd floor glazing and adding strategic horizontal louvers to 3rd floor.

✓ Remove triangular glass glazing facade on 3rd floor due to RDT/ neighbor concerns

✓ Return to period window styling for 2nd floor to enhance period detailing

 \checkmark Added back in removed sunken entryway to maintain existing period design

 \checkmark Added more traditional gable to flat roof transition by aligning peaks

✓ Allowed pruned willow tree to regrow to original size (increasing privacy to northern neighbors). Will enhance or replace with additional foliage at similar height along rear property line

✓ Reduced excavation cubic volume by 70% due to concerns from northern neighbors

✓ Staggered floor levels and increased setbacks on rear facade to eliminate "office building look" and concerns of neighbors regarding privacy.

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 explaination of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

As expressed above, my architect Ross Levy and I have worked exhaustively on a design that we feel meets my goals for space, adheres to the Planning Code and the additional restrictions of the Dolores Heights Special Use District. It has been approved and reviewed by the Residential Design Team, and tacitly by the interested neighbors who attended meetings but did not feel the need to file DR. This is a design that meets my living requirements as I establish my family in the city and neighborhood I have fallen for. I spent 13 years living in the Valencia corridor while trying to find a property in the surrounding hills where I enjoy a view home with my family. More than that, it is the culture of San Francisco that inspires this project. As an aspiring chef I am excited to have a space where I can cook for and host my extended family with a new modern kitchen, connected dining/living space. As a maker, the addition of the basement room provides for exercise and project space and allows for better use and access to the typical (on this side of my block due to the slope) unused garden area. On the design side we have striven to maintain/enhance the period facade/front while providing a more modern living interior and rear with clean and unassuming architectural details that are consistent with contemporary space planning and construction technique.

We feel that this is an appropriate response to the context and an equitable response to our neighbors. We began with these priorities as we sought to accommodate the program for a family home. We have refined our scheme as issues have been brought to our attention to minimize impacts whether real, or perceived. We understand that change is a difficult issue and that there is an implied sense of extended property right that comes with having lived in San Francisco for a long time. We respect our neighbors, have worked diligently with them and look forward to a fair resolution.

Pre-Application Meeting Sign-in Sheet Meeting Date: 10/28/14 Meeting Time: ____ 3636 71St Street Meeting Address: ____ Project Address: _____ 3636 215+ Property Owner Name: ____ Lecover Tishai Ross Lem Project Sponsor/Representative: ____ Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only. NAME/ORGANIZATION PHONE # ADDRESS EMAIL beglobal net clfena Curryn Kenaly 3632 215+ St DONNA WAGNER 3632 2158 ST divopienac VENOROLI PHILIPHE NEW DROLINI 337 Liberty VENERALINE DO 2 G-MAILO Ben Meyer, 343 Lb.4 S10-435-7865 Bere Benker Bon Meyor PARKER RANNEY 333 LIBENTY 415-613-9229 PARKER@ PARKER. SAM FEEISCHIMON 3437 21ST JE Sam- Fleischmon & Yahoo. Com AVIP PENNEBAKER 3/049 21st davepstrynhodcomy 415-531-0078 36 9. 10. _ 11. 12 13. 14. _ 15. 16. _ 17. 18. _

SAN FRANCISCO PLANNING DEPARTMENT V.08 23.2014

Summary of discussion from the **Pre-Application Meeting** Meeting Date: 10 28/14 Meeting Time: ____ Meeting Address:_ 3636 Project Address: _ ERNER Property Owner Name: _ 055 Project Sponsor/Representative: _ RY Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns. ALT LE AND Question/Concern #1 by (name of concerned neighbor/neighborhood group): UNDERLYING GEOLOGY IS ROCK & SAVEINGS, CONCERLA ABOUT WATER WATER ' Project Sponsor Response: WILL GET GEO-TECH, RECENTIFENDATIONS HOTE! VROUGHT "20 TEAR LOW" VERTHBORS WOULD LIKE SOTTE Question/Concern #2: _______ Project Sponsor Response: Will DEVEROY UPWISCOPE YLAN Question/Concern #3: How MUCH WILL FACADE CHANGE Project Sponsor Response: WOULD LIKE MARKE OF CONTEMPORARY GRIDCE BUT WILL LORGE IN CONTEXT Question/Concern #4: APPARENT MOSS C BOLK OF BUILDING BE Project Sponsor Response: STAIR STOP 9 ROOF VECK MAY MASS APPORENS AWARE OF AMOUNT OF SOUTH BE FACING GLASS CAN YOU STAKE OUT WEGGESTED PLAN? CAH TOU CREAME STORY DOLES FOR ROOF?

Meeting Date: 1.6.15	
Meeting Time:	
Project-Address: 3636 2.4 Speet Property Owner Name: islami Lerner	
Project Sponsor/Representative: 1055 Lavy	
Please print your name below, state your address and/or affiliation with a neighborhood gro your phone number. Providing your name below does not represent support or opposition is for documentation purposes only.	
NAME/ORGANIZATION ADDRESS PHONE # EMAIL	SEND PLANS
1. CAROLYN KENADY 3632 408-2183115 Caraynken	edge Small. Cerry
2. MELISSA RENADY 3634 310)977-3678	2 ASA BOVE
3 JAW ILLIZUNWATER SVOT LIJI S ODIA	eischman & yorhoo. c
PARICER RANNEY 333 LIREIZTY 4156139779 PAR	LERE SMULE, COM
5. WEWDY TICE-WALLNER 3655 2155 415:647.763	utice-wallner@ cumo
6. Philippe Venderdini 337 Liberty St 415 260 1369	A
7. Shan Vendrolini 337 Liberty St.	
OALLS DELUTIONUES DELLA DELLA DELLA	A76
8. UAVID FENNEBHKER 31049 2987 415-531-01	78 X
9	
10	
* 11	
12	
13	
14	
15	
16	
17	
18.	

•

Summary of discussion from the **Pre-Application Meeting** Meeting Date: 1.6.15 63636 Meeting Time: _ 2185 STREET Meeting Address:_ Project Address: _ STREET ISHA Property Owner Name: _ LERNER Ros Project Sponsor/Representative: Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns. Question/Concern #1 by (name of concerned neighbor/neighborhood group): STUL CONCERNS ABOUT had VIEWS ARE VALUABLE TO NEIGHBORS Project Sponsor Response: GRIANCE REQUIRED LOR THIRD FLOOR HATE TO LES NOT FAMILY 40 TRACE 11 REAL bared NEEDS TO EXPAND Question/Concern #2: 15 A ROOF DECK LIKELY TO WILL THERE BE FURHISHINGS? WHAT A WEATHER DOES POT SUPPORT ROOF DECKS RE USED Question/Concern #2: 15 WILL THERE ABOUT RAILLE ROP VECKS IN THIS AREA: Project Sponsor Response: RAILINGE WILL EE MINIMAI Solutes some mass proplems Bare AT VLOOF THAN SOLAR VALES TO BE INCORPORATED? Question/Concern #3: WILL THEA OTHER TECHNICAL APPLICATIONS TO Will THERE DR ADDRESS HOBE TRANSMISSION Project Sponsor Response: SOLAR PANELS NOT LIKEDY SOUND ATTENNATION WILL BE INCLUDED IN FECHALCOL DETAILS Question/Concern #4: WHAT WILL BE THE LIMNACE TO THE EAST NEIGHBORS YARD IN TERMS OF LOSS OF SUNLIGHT Project Sponsor Response: THERE WILL BE SOME /OSS OF DIRECT SULGHT CAN 300 PLOOP BE MADE NAPROWBE TO REALE APPARENT MACS HORE? CAN MASS BE MANGE TO THE WEST/UPHILL TO PRIME THE EDSJ DOWNHUL? RELIEF TO



Can you two meet me and Carolyn on weds evening

Yishai Lerner <yishai@gmail.com> To: Carolyn Kenady <ckenady@sbcglobal.net>

I agree and absolutely I can be available any time after 6 whenever works well for you

~Y is mobile

On Dec 10, 2014, at 12:12 PM, Carolyn Kenady <carolyn_kenady@yahoo.com> wrote:

Hi Yishai -

If you're home this eve (Wed Dec 10) and have a minute to talk (in between storm prep, sandbagging, etc), I'd like to stop by for a few minutes to talk live. I'm not a big fan of trying to dialog via email. LMK if that will work.

Carolyn

Carolyn Kenady 408-218-3115 ckenady@sbcglobal.net http://www.linkedin.com/in/ckenady

On Wednesday, December 10, 2014 11:19 AM, Yishai Lerner <yishai@gmail.com> wrote:

Parker, and neighbors

I am looking forward to having a dialogue with all my neighbors and I am hopeful that we can have a productive conversation about my plans for 3636 21st st. Many of us will be neighbors for a very very long time and as such I am open to whatever process is best and most friendly for all. I am interested in speaking with everyone both in smaller groups, so I can get their individual input, as well as back in a larger group for an open discussion. I feel that saying you (and the rest of the neighborhood) are in opposition to my plans without having seen the modifications I have made in good-faith given your (and David's, Sam's, Carolyn's and Philippe's) suggestions from our first meeting is not helpful in continuing our dialogue and working together to mitigate your concerns. I hope and trust we can move forward in a more productive manner.

As per your request, my house will be open next week Tuesday 12/16/14 from 6:30-8 if anyone would like to come by and chat. If then doesn't work I am happy to come meet you when and wherever is convenient to review and discuss the plans.

Thank you,

Yishai Lerner 415-328-9474

On Tue, Dec 9, 2014 at 10:52 AM, Parker Ranney <parker@smule.com> wrote: I am including our neighbors on the hill. I am not a big fan of this game of only contacting a few of us at a time. I hope you understand that we are united in our opposition to your plans.

Thanks,

Parker Ranney

Wed, Dec 10, 2014 at 12:42 PM

VP of Operations Smule Cell: 415-613-9279 On Tue, Dec 09, 2014 at 10:44:17AM -0800, Parker Ranney wrote: : Hello Yishai, : We will contact everyone on the hill but I can best guess that no one : will want to meet until after Friday. I am sure you are aware of the : pending storm that is bearing down on the Bay Area. It will hit about : that time on Wednesday. : I rather have everyone safe and truly feel that a few days will not : impact your plans. This will be a long process for all us. : Thanks, : Parker Ranney : VP of Operations : Smule : Cell: 415-613-9279 : On Mon, Dec 08, 2014 at 09:36:25PM -0800, Yishai Lerner wrote: : : I would like to show you two the latest set of plans based upon the : : feedback and get your thoughts. I was thinking 7:30 but can adjust based : : upon when works for you. I plan to invite Sam and David too once we set a ::time. :: ::Yishai : --- end guoted text ------ end quoted text ---



Reminder 1/6/2014 Architectural plan update meeting for 3636 21st st

Yishai Lerner <yishai@gmail.com>

Fri, Jan 2, 2015 at 2:04 PM

To: philippe vendrolini vendrolini @gmail.com>, David Scott Pennebaker davepsf@yahoo.com>, Wendy Tice-Wallner <wtice-wallner@comcast.net>, "ckenady@sbcglobal.net" <<kenady@sbcglobal.net>, "moopera@aol.com" <moopera@aol.com>, "sam_fleischmann@yahoo.com" <sam_fleischmann@yahoo.com>, "daniel.e.gonzales@gmail.com" <daniel.e.gonzales@gmail.com>, Parker Ranney <parker@smule.com> Cc: ross levy <ross@levyaa.com>

Thanks for bearing with me during my flight issues last month, lets try this again. :)

I will have my house open 6:30-8 next Tuesday the 6th and available to discuss the updated plans (based upon the feedback from our Oct 28th meeting) or any other comments or concerns you might have. I also have some rough renderings of what the structure of my building might look like from a few of your residences.

Looking forward to seeing you there

Yishai Lerner 415-328-9474



plans/rendering

Yishai Lerner <yishai@gmail.com> To: Philippe Vendrolini <vendrolini@gmail.com> Cc: Parker Ranney <parker@smule.com> Fri, Jan 9, 2015 at 6:26 PM

Here you go, sorry for the delay I was at CES all day.

This doesn't include any of the feedback from the last meeting though my architect and I talked afterwards and we have some ideas on how to alleviate some of the concerns discussed, including Parker's suggestion of possibly removing some of the mass on the North east corner of the 3rd floor. Looking forward to hearing what you all come up and then working together on refinements.

On Fri, Jan 9, 2015 at 10:05 AM, Philippe Vendrolini <<u>vendrolini@gmail.com</u>> wrote: Yishai,

Could send us the plans/rendering we saw on Tuesday at your house about your project? It would be helpful to have something tangible in front if us for our meeting tomorrow. Thanks,

Philippe.

2 attachments

Panderphotoset.pdf

planset.pdf 152K



Any feedback from the meeting on Saturday?

1 message

Yishai Lerner <yishai@gmail.com>

Tue, Jan 13, 2015 at 9:17 AM

To: Carolyn Kenady <carolynkenady@gmail.com>

I am planning to submit plans ASAP but wanted to hear back from you. As my architect mentioned we have until they send out notices to update the submitted plans but basically as soon as I submit it starts a clock. I hope we can work out something together. I am free tonight to discuss if you would like.

Yishai

3636 21st Street San Francisco, CA

January 13, 2015

Dear Yishai,

We have reviewed your plan extensively and feel that we are unable to support your design. San Francisco and our community specifically embodies a certain charm and consideration for its neighbors that your design does not embrace. We feel that you can build, within your current envelope, a house to meet your needs and your future family's needs.

Our concerns are based on: the reduction in view for our neighbors south and west of your home; the reduction of light and privacy for our neighbors north, east, and west of your home; and, the overall size of your plan. To maintain the historic feel and family look of Liberty Hill and the surroundings, we cannot support any "monster" home development. If your house is built as is, it will allow future development of "monster" houses. This precedent would not only impact you in the future but the neighborhood you have chosen to join.

We understand your desires to build a "dream" house in San Francisco. We feel you can do so and create a home that will fit with the look and feel of San Francisco that makes this city such a desirable place to live. Your proposed house is not in keeping with the San Francisco Planning Commission's Section 241 – Dolores Heights Special Use District – "to encourage development in context and scale with established character and landscape …"

We will compromise on extending your house to no further than the vertical beams which support your current back porch. This compromise will include each of the current levels, the "garden" room under the basement, and any porches on any of the floor levels.

We will not compromise on any changes to the height of your home or changes in the current roof-line. "Extending" the roof to add an additional floor and roof deck is not acceptable and will negatively impact your neighbors on all sides of your house. We feel you can still have your home to support your future family and your neighbors can have what they have always had, their views, light, and privacy.

If you desire to proceed with your design, we will fight you all the way and as long as needed. We are unified in this decision and have the support of the your direct neighbors and residences of this hill.

Sincerely,

Your Neighbors of 21st, Church, Hill, Liberty, and Sanchez Streets

May 15, 2015

Yishai Lerner 3636 21st Street San Francisco, CA 94114

Dear Yishai,

We're glad that you could join our meeting with the City Planner on Tuesday, May 12. To follow up on our questions at the meeting, we hope that you can provide the following:

- Verify the slope of lot based via a surveyor's measurement as suggested by Marcelle Boudreaux
 - drawn from the sidewalk edge (assuming inner towards the property) to the rear of the property (assuming an average point)
- Provide corrected drawings especially regarding
 - the roof deck
 - alignment of the front of your building relative to 3640 21st Street (Vince Pera's building)

We'd like to continue the dialog with you to see if there are areas where we can agree on a design that's compatible with the neighborhood, especially in terms of the scale and mass of the proposed structure relative to the buildings adjacent to yours. Please let us know when you can meet.

Sincerely,

Your Neighbors



Follow-up Letter Regarding the Meeting

Parker Ranney <parker@smule.com> To: Yishai Lerner <yishai@gmail.com> Cc: liberty@parker.ac, ross levy <ross@levyaa.com>

Excellent! I will propose those times and dates with everyone and will have an answer before this weekend.

Thanks,

Parker Ranney VP of Operations Smule Cell: 415-613-9279

On Tue, May 19, 2015 at 11:56:17PM -0700, Yishai Lerner wrote: : Hi All, : I am out of town all the following week. I will be back on June 2nd and : can do that night or any other night later that week with the sole caveat : that I wouldn't be able to meet Thursday until after 8:30pm. : Let me know what night and time works best for everyone. : Best. : Yishai : On Tue, May 19, 2015 at 10:09 AM, Parker Ranney com wrote: : > Hello Yishai, : > : > I forwarded your email to the neighbors. Unfortunately, most everyone : > has conflicts this week. We agree this is important and are able to meet : > next week. Would you have times available next week? :> : > Thanks, :> : > Parker Ranney : > VP of Operations : > Smule : > Cell: 415-613-9279 :> : > On Mon, May 18, 2015 at 09:23:56AM -0700, Parker Ranney wrote: : > : I am forwarding to the email list. : > : : > : Thanks, :>: : > : Parker Ranney : > : VP of Operations : > : Smule : > : Cell: 415-613-9279 : > : : > : On Sun, May 17, 2015 at 08:48:53AM -0700, Yishai Lerner wrote: : > : : Hi Parker, Neighbors and DHIC representatives, :>:: : > : : I'm happy to continue the dialog as well. How does Wednesday May 20th : > at : > : : 6:30pm or Thursday the 21st at 8:30pm work for your group? We will https://mail.google.com/mail/u/0/?ui=2&ik=970fea98e9&view=pt&q=liberty%40parker.ac&qs=true&search=query&msg=14d7259abed9380d&dsqt=1&siml=14d725... 1/2

Wed, May 20, 2015 at 10:23 AM

- : > update : > : : the plans as requested. I have requested a Survey be done but I am : > : : doubtful I will have the results this week, however I don't think that : > : : should stop us from re-engaging on these discussions. :>:: : > : : On Fri, May 15, 2015 at 1:24 PM, Parker Ranney com : > wrote: :>:: : > : : > Hello Yishai, :>::> : > : : > Attached is the letter proposed by your neighbors regarding the : > recent

 - : > : : > meeting. I have CC'd the neighbors and representatives of the DHIC.
 - :>::>
 - : > : : > Let me know if you have any questions or comments.
 - :>::>
 - : > : : > Thanks,
 - :>::>
 - : > : : > Parker Ranney
 - : > : : > VP of Operations
 - : > : : > Smule
 - : > : : > Cell: 415-613-9279
 - :>::>
 - :>::>
 - : > : --- end guoted text ---
 - : > --- end quoted text ---
 - :>
 - --- end quoted text ---



Meetings

Yishai Lerner <yishai@gmail.com>

Tue, Jun 30, 2015 at 10:06 AM

To: Parker Ranney <parker@smule.com>

Cc: ross levy <ross@levyaa.com>, liberty@parker.ac, plu@doloresheights.org, Sonja Navin <sonja@levyaa.com>, ross levy <rlevy63@gmail.com>, philippe vendrolini <vendrolini@gmail.com>, David Scott Pennebaker <davepsf@yahoo.com>, Wendy Tice-Wallner <wtice-wallner@comcast.net>, "ckenady@sbcglobal.net" <ckenady@sbcglobal.net>, "moopera@aol.com" <moopera@aol.com>, "sam_fleischmann@yahoo.com" <sam_fleischmann@yahoo.com>, "daniel.e.gonzales@gmail.com>

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

Hi Neighbors,

I wanted to update you on the current state of my plans for my home at 3636 21st St. I haven't heard back from the group on getting together to discuss your feedback so I will plan to submit updated designs to the Planning Department on July 6th. I hope we can still find a time to meet before then but if not I will try my best to accommodate my understanding of your concerns (as previously voiced in our last two meetings at my house)

Thanks and have a great holiday weekend!

Best, Yishai

On Sat, Jun 13, 2015 at 8:51 AM, Yishai Lerner <yishai@gmail.com> wrote: Hi Parker et al.

Here are the updated drawings as requested. We added the roof deck railings to all the elevations per your email and added a center line from the front sidewalk of the house to our measurement of the lot elevation at the rear. We also included the 20% CEQA slope trigger line for comparison purposes.

Please let me know if this coming Thursday the 18th after 8:30pm or anytime Tuesday the 23rd work for our next meeting.

Have a great weekend! Best,

Yishai

On Thu, Jun 11, 2015 at 2:33 PM, Parker Ranney <parker@smule.com> wrote: Excellent, thank you very much!

Thanks,

Parker Ranney VP of Operations Smule Cell: 415-613-9279

On Thu, Jun 11, 2015 at 02:31:20PM -0700, Yishai Lerner wrote: : Hi Parker et al,

: I was hoping to have the survey results you asked for so we can be more

: accurate but they are still in progress. In the meantime I had my architect

: revise the existing drawings to add the information you requested and will

: send to you and the group tomorrow. I'm hoping next Thursday will work,

: but if not I can also do Tuesday the 23rd.

: Yishai

ŝ

2

: On Tue, Jun 9, 2015 at 3:06 PM, Parker Ranney parker@smule.com> wrote: : > Hey Yishai, : > : > To reduce the time to meet and help scheduling, do you have the drawings : > we can reference before the meeting? :> : > Thanks, :> : > Parker Ranney : > VP of Operations : > Smule : > Cell: 415-613-9279 : > : > On Mon, Jun 08, 2015 at 03:06:44PM -0700, Yishai Lerner wrote: : > : I am out of town next tuesday, does 8:30pm this or next thursday work? : > : : > : Best, : > : Yishai : > : : > : On Mon, Jun 8, 2015 at 2:59 PM, Parker Ranney <parker@smule.com> wrote: : > : : > : > Hey Yishai, :>:> : > : > Would Tuesday next week work for you? Everyone is busy tonight and : > : > tomorrow.:>:> : > : > Thanks. :>:> : > : > Parker Ranney : > : > VP of Operations : > : > Smule : > : > Cell: 415-613-9279 :>:> : > : > On Thu, Jun 04, 2015 at 09:43:55PM -0700, Yishai Lerner wrote: : > : > : Hi Parker, neighbors and DHIC, :>:>: : > : > : We'll send you updates plans as requested ASAP. Also I suggest we : > put a : > : > : meeting date on the books as given everyone's busy schedules, I would : > : > : suggest Tuesday June 9th evening but am aware some of you may be : > : > basketball : > : > : fans but if that doesn't work, how about Monday June 8th? :>:>: : > : > : Best, : > : > : Yishai :>:>: : > : > : On Mon, Jun 1, 2015 at 3:38 PM, Parker Ranney com : > wrote: :>:>: : > : > : > Hello Yishai, :>:>:> : > : > : > | hope all is well. :>:>:> : > : > : > Your neighbors, the DHIC, and others met yesterday to discuss your : > : > project : > : > : > and a meeting with you and your architect to discuss a compromise. :>:>:> : > : > : > Before we can continue, we would like to ask you for updated : > drawings : > : > : > per our meeting with Marcelle Boudreaux. :>:>:> : > : > : > The most important updates to the drawings as discussed in our : > : > : > meeting would be:

010		Ghiar Meetings		
	:>:>:>			
	: > : > : >	1) slope line: a straight line drawn from the house-side of		
	:>:>:>	the sidewalk to the back of the lot and should be included		
	: > in			
	:>:>:>	all side-elevations		
	:>:>:>			
	:>:>:>	elevations: make these consistent with the floor plans,		
	:>:>:>	specifically the roof deck		
	:>:>:>			
	: > : > : > I updated everyone on your potential vacation plans. We understand			
	: > that			
	: > : > : > : > it may take some time for your architect to update these drawings.			
	: > : > Please			
	: > : > : > let us know when this work can be completed and you would be able			
	: > to			
	: > : > meet.			
	:>:>:>			
	: > : > : > Sincerely,			
	:>:>:>			
	: > : > : > Your Neighbors and the DHIC			
	:>:>:>			
	: > : > end quoted text			
	: > end quoted text			
	:>			
	end quoted text			



Meeting July 6 5:30

John O'Duinn <john@oduinn.com> Sun, Jul 5, 2015 at 1:50 PM To: Yishai Lerner <yishai@gmail.com>, Carolyn Kenady <carolynkenady@gmail.com> hi: Yep, I've adjusted schedule to fit. See you tomorrow at 5.30pm at Carolyn's house. If it turns out your architect cannot make it tomorrow (its short notice after all), please let us know when does work, ok? John. ____ On 7/5/15 10:25 AM, Yishai Lerner wrote: > Your house sounds great, see you then! > > On Sat, Jul 4, 2015 at 2:30 PM, Carolyn Kenady <carolynkenady@gmail.com > <mailto:carolynkenady@gmail.com>> wrote: > > And location ... we can meet at my home ... unless you'd prefer to host. LMK. Thx > > Carolyn > > > Carolyn Kenady > carolynkenady@gmail.com <mailto:carolynkenady@gmail.com> 408-218-3115 <tel:408-218-3115> > > http://www.linkedin.com/in/ckenady > > On Sat, Jul 4, 2015 at 2:12 PM, Carolyn Kenady <carolynkenady@gmail.com <mailto:carolynkenady@gmail.com>> wrote: > > Hi Yishai -Â > > > Confirming Monday at 5:30pm ... besides John & me we have David Pennebaker, Parker Ranney, & Melissa Kenady. Sam & Phillipe > are out of town.Â > > > Carolyn > > Carolyn Kenady carolynkenady@gmail.com <mailto:carolynkenady@gmail.com> > > 408-218-3115 <tel:408-218-3115> > http://www.linkedin.com/in/ckenady > On Sat, Jul 4, 2015 at 11:51 AM, Yishai Lerner <vishai@gmail.com > <mailto:yishai@gmail.com>> wrote: > > Same feelings here It was good to know you are all still > engaged. And nice meeting you John as well. > > > I'm still waiting for confirmation from my architect but > lets assume that Monday at 5:30 works :) > > Happy 4th of July! >

> Yishai

- >
- On Fri, Jul 3, 2015 at 4:46 PM, Carolyn Kenady >
- <carolynkenady@gmail.com <mailto:carolynkenady@gmail.com>> >
- > wrote:
- >
- > Hi Yishai -
- We were glad to see you today. I've put out an email >
- to those in town to organize a meeting w/ you Monday eve at 5:30pm. How does that work for you? >
- >

[Quoted text hidden]



Follow up re: 3636 21st St

Carolyn Kenady <carolynkenady@gmail.com> To: Yishai Lerner <yishai@gmail.com> Cc: Ross Levy <ross@levyaa.com> Thu, Sep 24, 2015 at 7:58 PM

Thanks Yishai and Ross -I forwarded on to other neighbors and will review myself over the weekend/ early part of next week. Carolyn

Sent from my iPhone

On Sep 23, 2015, at 1:19 PM, Yishai Lerner <yishai@gmail.com> wrote:

Hi Carolyn,

Sorry for the delay,

I have had spotty coverage and then it took a while to get files for you that will work well. Attached is a 3D model (in Sketchup a free app) of the roofline that is under review by the city.

Also I have attached a simplified outline of the extents of your building, the brainstorming thoughts we were discussing for m building and Vince's by level. It should give you a better idea of what was being discussed. This would require me to change my interior plans significantly but if we can come to an agreement with your group, I am willing to start over and look at how that might work on my side.

Comments about your specific questions inline below:

On Thu, Sep 17, 2015 at 4:23 AM, Carolyn Kenady <carolynkenady@gmail.com> wrote: Hi Yishai -

I hope you had a happy Rosh Hashanah. Thanks for meeting with me and other neighbors last Thursday. You were going to send over the computer program that enables better visualization/modeling of roofline. What's status on that?

And I want to review your proposed rear design changes with my sister. Can you provide the new dimensions or an overlay of the new on your current plans?

My notes on your revised rear design are incomplete ... please confirm/ edit what I have below:

• For garden & first floor: eight foot setback from east property line and building depth of ?? feet

Garden level would be unchanged and extend to the same depth as your garden room. I don't have an exact measurement on me, Ross can you provide? The First floor extends to the same depth as your first floor. I believe this to be about 68 ft but would have to verify.

 for 2d floor: five foot setback from east prop line; depth is + three feet beyond garden/first floor depth.

Correct except only from the first floor depth as mentioned above.

 For 3d floor: same setback as 2d floor; deck on top of 2d floor bump-out - extending back ~ ten feet and filling width of 2d floor. Please confirm depth of deck and depth of the 3d floor structure

If you mean same setback as existing 2nd floor not including the deck, then yes. The depth is 60ft.

All of the above hopefully are clear from the plans attached. Also I am open to creating some kind of wall/plant/ivy feature between our two first floor decks if that eases your privacy concerns. Let me know

your thoughts.					
Thanks!					
Carolyn					
Carolyn Kenady carolynkenady@gmail.com 408-218-3115 http://www.linkedin.com/in/ckenady					
On Tue, Sep 8, 2015 at 2:33 PM, Yishai Lerner <yishai@gmail.com> wrote: Perfect lets do it, sorry for the late reply I missed this email while gone and only just saw it.</yishai@gmail.com>					
~Y is mobile					
On Sep 4, 2015, at 2:49 PM, Carolyn Kenady <carolynkenady@gmail.com> wrote:</carolynkenady@gmail.com>					
Hi Yishai -					
I polled our group of neighbors and have majority who can meet on Thursday Sept. 10 at 7pm. How does that work for you?					
Carolyn					
Carolyn Kenady carolynkenady@gmail.com 408-218-3115 http://www.linkedin.com/in/ckenady					
On Tue, Sep 1, 2015 at 7:29 PM, Carolyn Kenady <carolynkenady@gmail.com> wrote: Hi Yishai -</carolynkenady@gmail.com>					
Not sure if you're still in town when we spoke on Friday you said you'd send over what you have on the roof views and your thoughts re: the rear of the building. Then you wanted to meet next week (Sept 7) before you start traveling this fall. Does that still work? What days next week are you available at 5:30pm onward? Thanks!					
Carolyn					
Carolyn Kenady carolynkenady@gmail.com 408-218-3115					

<8_5 x 11 building footprint Layout1 (1).pdf>

<proposed_9-17-2015_noint.skp>



surveyor's report

Carolyn Kenady <carolynkenady@gmail.com> To: Yishai Lerner <yishai@gmail.com> Cc: Melissa Kenady <melissakenady@gmail.com> Wed, Jan 13, 2016 at 12:05 PM

Hi Yishai -

Very nice of you to offer ... thank you. Yes, of course, would love to see the new plans. I will be out in early evening ... but Melissa's around late afternoon/evening. Call her at 310-977-3678 before stopping by to confirm she's at home. Carolyn

Carolyn Kenady carolynkenady@gmail.com 408-218-3115 http://www.linkedin.com/in/ckenady

------ Forwarded message ------From: **Yishai Lerner** <yishai@gmail.com> Date: Wed, Jan 13, 2016 at 11:59 AM Subject: Re: surveyor's report To: Carolyn Kenady <carolynkenady@gmail.com>

Hi Carolyn,

I have finalized plans with the city. I'd love to drop off a large printed set for you tonight so you can review before the city sends out the official docs next week. Does that work for you?

On Mon, Nov 30, 2015 at 8:50 PM Carolyn Kenady <carolynkenady@gmail.com> wrote: Agree - and I'm eager to hear what's changed on the plans you're submitting this week. Carolyn

Sent from my iPhone

On Nov 30, 2015, at 8:38 PM, Yishai Lerner < yishai@gmail.com> wrote:

Thanks Carolyn,

I think from my understanding surveyors only measure existing which is why it's on the existing drawings. I can see if we can overlay the height limit lines on the proposed plans but it probably makes sense to do it on the updated plans I am submitting this week.

~Y is mobile

On Nov 30, 2015, at 7:45 PM, Carolyn Kenady <carolynkenady@gmail.com> wrote:

Hi Yishai -

I hope that you enjoyed your Thanksgiving.

Thanks for sending the attached. I've just quickly printed and reviewed ... I need a magnifying glass!

One immediate question: these views of the West and North elevations measure the current building relative to the elevation/grade. It doesn't show the new plans relative to the elevation/ grade. How & where do these survey measures of the existing building line up

Gmail - surveyor's report

against the proposed project on the architectural plans that you've filed with the City.

Carolyn

Carolyn Kenady carolynkenady@gmail.com 408-218-3115 http://www.linkedin.com/in/ckenady

On Mon, Nov 30, 2015 at 4:08 PM, Yishai Lerner <yishai@gmail.com> wrote: Hi Carolyn,

Hope you had a great Thanksgiving. I just got the final version of the elevations with the surveyor data (attached). Let me know if you have any questions.

Best, Yishai

On Sun, Nov 8, 2015 at 7:15 PM, Carolyn Kenady <carolynkenady@gmail.com> wrote: Hi Yishai -

You were going to send me the surveyor's report. Following up ... can you send over? Will help greatly with reviewing your plans. Thanks! Carolyn

Carolyn Kenady carolynkenady@gmail.com 408-218-3115 http://www.linkedin.com/in/ckenady

SPONSOR SUBMITTAL

REUBEN, JUNIUS & ROSE, LLP

July 18, 2016

President Rodney Fong San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

> Re: 3636 21st Street (3605/016) Brief in Support of the Project (and in Opposition of a DR Request) Planning Department Case no. 2015-001214DRP Hearing Date: July 28, 2016 Our File No.: 10429.01

Dear President Fong and Commissioners:

Our office represents Yishai Lerner, the owner of the property at 3636 21st Street, Assessor's Block 3605, Lot 016 ("**Property**"). The Property consists of an approx. 24.7' x 114' lot, which is improved with a three-story single-family residence. The project sponsor has lived at the Property for approx. 3 years and in the neighborhood for more than 15 years, and is proposing a renovation and modest addition to his home in order to accommodate his future plans and to be able to stay in this neighborhood. The project will result in an overall renovation of the house and an approx. 1,600-sf addition to an existing approx. 2,900-sf home ("**Project**").

Discretionary Review ("**DR**") requests was filed by Carolyn Kenady (adjacent neighbor at 3632 21st Street) and David Pennebaker (uphill neighbor across the street at 3649 21st Street). Notwithstanding the DR filings and the hearing date, the Project sponsor is hopeful of being able to resolve the DR prior to the hearing date. Most recently, the Project sponsor met with Ms. Kenady and Mr. Pennebaker just yesterday (Sunday, July 17th), and the parties are working to see if a mutually agreeable project scope could be agreed upon without the necessity for a DR hearing.

The DR request should be denied and the Project should be approved because:

- Project is Code compliant and consistent with the Residential Design Guidelines;
- Project is appropriately sized and the scope is consistent with the neighborhood context without asking for more than a reasonable addition and configuration;
- Project allows the Project sponsor to increase the number of bedrooms thus being able to accommodate future plans and by making the house more appropriate for a family; and
- <u>No</u> exceptional or extraordinary circumstances have been established that would be necessary in a DR case or to justify denial of the Project.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin Tuija I. Catalano | Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben¹ | Thomas Tunny David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey Chloe V. Angelis | Louis J. Sarmiento | Jared Eigerman^{2,3} | John McInerney III² One Bush Street, Suite 600 San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480

A. <u>Project Description</u>

The existing Property is used by the Project sponsor as his home and will continue to be used as such after the completion of the Project. The existing building is a three-story home that extends up to the 45% rear yard setback line with decks extending further into the rear yard on the first and second floors. The Project will increase the building's square footage by approx. 1,600 sf, with much of the addition occurring at a new basement level (731 sf or 45% of the addition) and via a change to the shape of the building's top floor and roofline in order to expand habitable space on the third floor without adding an actual new floor (with third floor addition consisting of 564 sf or 35% of the total addition). The Project will result in an increase from a 2BR building to a 4BR building, thus resulting in a more family-friendly house.

B. <u>Outreach and Project History</u>

The Project has been pending for almost two (2) years, with the first notification to, and meeting with, the neighbors having occurred in October 2014. The Project sponsor has been responsive to many requests for further information and materials, and the Project has been revised on many occasions through-out the process. A summary of the key meetings with neighbors and an overall timeline for the Project is attached as **Exhibit A**. Even as we approach the DR hearing, the Project sponsor has met and is discussing with the DR Requestors and we remain hopeful of reaching a solution.

C. The Standard for Discretionary Review Has Not Been Satisfied

Discretionary review is a "special power of the Commission, outside of the normal building permit approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with the proposed project."¹ The discretionary review authority is based on Sec. 26(a) of the Business & Tax Regulations Code, and moreover, pursuant to the City Attorney's advice, it is a "sensitive discretion ... which must be exercised with the utmost restraint". Exceptional or extraordinary circumstances have been defined as complex topography, irregular lot configuration, unusual context, or other circumstances not addressed in the design standards.

The DR power provides the Planning Commission with the authority to modify a project that is otherwise Code compliant, and while the Commission has a lot of latitude in hearing DR cases, the DR power can be exercised only in situations that contain exceptional or extraordinary circumstances. No such circumstances exist here.

The Project sponsor had previously prepared a DR response, which is included in your packets and also as <u>**Exhibit F**</u> to this brief.

One Bush Street, Suite 600 San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480

REUBEN, JUNIUS & ROSE, LLP

¹ Planning Department publication for the Application Packet for Discretionary Review; emphasis added.

Although two (2) separate DR requests were filed, the content and reasons for the filings are substantially identical. Between the two DR Requests, the DR Requestors have not established any exceptional or extraordinary circumstances that are necessary in a DR case, and thus the DR should be denied as more particularly shown below in the analysis of the arguments made by the DR Requestors.

Proposed Height and Mass is reasonable and not inconsistent with the neighborhood. While the Project is proposing an increase in building floor area and an expansion of the existing envelope, the addition is not out of character and does not result in exceptional height or massing. With respect to height, the existing building is 33' 7" in height, which will remain the building height after the Project is completed; so that although the Project will expand the building envelope at the top floor and includes an addition of a roof deck, there will be no increase in the building's height as it is calculated and measured under the Planning Code. The existing (and the identical proposed) height and volume at the top floor are not inconsistent with the neighborhood. Other buildings on 21st street between Church and Sanchez on both sides of the street include a wide variation of heights and roofline styles. Exhibit B includes a photo collage of the different buildings on the block face and those across the street along with their approximate heights. A significant majority of the existing buildings are more than 30' in height with many reaching or exceeding 35'. The existing roofs on 21st Street (between Church and Sanchez) also include considerable variety, from gabled roof to flat roofs, so that there is no "cookie-cutter" standard or a predominant style or shape. Thus, the building height is entirely consistent with the heights on 21st Street.

With respect to massing, the greatest increase in floor area for the Project will be completed at the Project's new basement level, and thus 731 sf or 45% of the total addition will be completed at a location that minimizes any potential impacts to or visibility by the neighbors. The building's rear wall will be extended slightly, but only to an extent that complies with the Planning Code's rear yard averaging provisions. Thus, the rear expansion is reasonable and consistent with the rear yard wall locations for the two (2) adjacent properties. The expansion of the third floor allows the Project to increase habitable floor area by "boxing" out the envelope and without increasing the overall building height.

<u>Mid-block Open Space is not impacted by the Project</u>. The Project will extend slightly into the 45% rear yard setback area by averaging the rear yard setback based on existing conditions for the two neighbors (as permitted by the Code). The amount of the extension into the rear yard setback varies between the different floors and does not cover the entire width of the Property at any level. The Project does not have any sizeable impact on midblock open space, in part due to the minimal scope of the rear addition, and in part due to the fact that the Project will at no point exceed the extent to which the adjacent neighbors' improvements encroach into their rear yard setback areas. The Project results in an extremely minimal impact on mid-block open space, and in light of the location and extent of the adjacent neighbors' building walls and decks, the actual impact is negligible, if any. No neighbor will be "boxed-in" or cut-off from the mid-block open space as a result of this Project. An aerial of the subject block and the existing mid-block open space and the building Street, Suite 600

San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480

REUBEN, JUNIUS & ROSE, LLP

outlines is included as $\underline{\text{Exhibit C}}$ and evidences the minimal, if any, impact the Project will have on mid-block open space.

<u>Project is Consistent with Existing Context and Character</u>. The existing neighborhood lacks "defined visual character" that is recognized in the Residential Design Guidelines ("RDG") due to the mix of building styles, materials, shapes, rooflines, and overall design, as is illustrated in the photo collage included as **Exhibit B**. Neither the size of the Project nor the proposed features are exceptional or extraordinary for the existing context. The Project incorporates setbacks at the appropriate locations and configures the additional building areas in a way that is least impactful to the neighbors. The Property is located in the 40-X height and bulk district, and the Dolores Heights SUD (thus triggering a maximum height of 35'), on a street where majority of the buildings are similar e.g. with respect to height.

The neighborhood also contains a variety of building sizes and massing. A sample listing of nearby buildings that exceed 3,500 or 4,000 sf along with a corresponding map with locations is included as **Exhibit D**. As shown in the map/list, the neighborhood includes many similarly sized or much larger buildings through-out the immediate context. The Property will remain a three-story building and the additional floor area has been positioned and configured in a way that is intended to minimize its visibility and impact. The Project also does not include any exceptional or extraordinary features. The front façade for the building will be altered, however, the overall proportions at the front, including the location and placement of windows and other openings remains substantially similar to the current design, and the overall shape with the gabled roof shape will be retained by extinguishing the addition at the third floor. Moreover, originally the proposal was to propose a modern interpretation of the front façade, however, the Project was changed in this regard to the pending approach of reconditioning the existing façade. The Project includes a roof deck, which is neither unusual or extraordinary in this neighborhood. Photos of sample roof decks and their locations are noted in **Exhibit E**.

Overall, the Project proposes a fair and reasonable addition and renovation that is not intended to maximize building height or area, but rather to produce some additional floor area taking the neighboring buildings into consideration.

<u>No Loss of Protectable Public Views</u>. The Priority Planning Policies and the Urban Design Element of the General Plan do provide some protection for vistas. The Priority Policies call for the City to consider the impact a project could have on "<u>our parks</u> and <u>open space</u> and their access to sunlight and vistas,"² and the Urban Design Element of the General Plan states that the City should "recognize and protect <u>major views</u> in the city, with particular attention to those of open space and water."³ The Project is consistent with both of these Planning guidelines, and the expansion of the third floor does not obstruct any major views.

One Bush Street, Suite 600 San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480

REUBEN, JUNIUS & ROSE, LLP

² Plan. Code §101.1(b)(8) (emphasis added).

³ Urban Design Element, Policy 1.1 (emphasis added).

Specifically, although 21st Street is a public space, its purpose is for a pedestrian and vehicular thoroughfare, not as a park or open space. The public right of way is akin to any other right of way in the City - and views from such right of ways are not entitled any special protection from the impacts of development. While the Urban Design Element does not explicitly concern only impacts on views from public parks and open spaces, it does limit protection to only "**major views** . . . with particular attention to those of open space and water."⁴ The public right of way at 21st Street is abutted on both sides by other residential buildings, many of which are taller than the Project. The street also includes street trees and other landscaping, so that effectively the "view" any vehicle traveling downhill (or uphill) on 21st Street would have during the limited moments when the Property is within his/her sightline would be minimally impacted, if at all. Any such sightline is certainly not expansive, and thus it cannot reasonably be characterized as a "major view" that would warrant preservation pursuant to the Urban Design Element.

Admittedly, the expanded third floor may alter private views from few of the homes across the street, however, neither the Planning Code nor the Residential Design Guidelines protect views from private property.⁵

<u>There is no (exceptional or other) Loss of Light, Air or Privacy to the Neighbors</u>. The Project sponsor and architect have spent considerable time in designing the Project in a way that will have minimal impact on the most immediate neighbors. For example, with respect to the neighbor to the east (Ms. Kenady), the new building area is set back approx. 8' on the first floor and 5' on the second floor and any new decking is similarly positioned further away from Ms. Kenady's property. The existing deck on the second floor actually covers the entire width of the Property, from one side property line to other, and the Project will provide more sensitivity in this regard by providing the proposed side setbacks thereby increasing access to light and air as well as privacy to Ms. Kenady. The intent of the Project is not to result in windows, decks or other features that would unreasonably interfere with the neighbor's privacy and the Project sponsor has been open to reasonable modification that could alleviate any such issues. In sum, the Project does not unreasonably interfere with the neighbors' light, air or privacy.

<u>Project does not Jeopardize Stability of Neighboring Properties</u>. Project sponsor has been fully cooperative with the neighbors and even had a soils study completed in order to obtain additional information and address the concerns that were voiced earlier with respect to soil stability. Overall, the Project will be built in accordance with all existing Building and other Code requirements, which will be more closely reviewed during the building permit process.

One Bush Street, Suite 600 San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480

REUBEN, JUNIUS & ROSE, LLP

⁴ Urban Design Element, Policy 1.1 (emphasis added).

⁵ Residential Design Guidelines, at 18.

D. <u>Conclusion</u>

No exceptional or extraordinary circumstances relating to the Project were provided by the DR Requestors that would justify Planning Commission's exercise of its DR power. The Project is appropriate and compatible for the context, considerate to the neighbors, and as a Code compliant, minimal addition, the Project should be approved.

While we remain hopeful that as a result of pending discussions with the DR Requestors we are successful in resolving the DR prior to the hearing date, in the event the hearing takes place, for all of the above reasons, we respectfully request the Planning Commission to deny the DR and approve the Project as proposed, thus allowing the Project to move forward. Thank you for your consideration.

Please contact me should you have any questions.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

ina J. Carn

Tuija I. Catalano

Enclosures:

Exhibit A – General timeline for project and neighbor meetings Exhibit B – Photo collage of 21st Street between Church and Sanchez Exhibit C – Aerial map of the subject block (with existing buildings and mid-block OS) Exhibit D – Neighborhood map and listing of larger buildings Exhibit E – Sample photos and map of nearby roof decks and enclosures Exhibit F – Original DR Response by Project sponsor

- cc: Vice President Dennis Richards
 - Commissioner Michael Antonini Commissioner Rich Hillis Commissioner Christine Johnson Commissioner Kathrin Moore Commissioner Cindy Wu John Rahaim – Planning Director Scott Sanchez – Zoning Administrator Jonas Ionin – Commission Secretary Marcelle Boudreaux – Project Planner Russ Levy – Project Architect Yishai Lerner – Project Sponsor

One Bush Street, Suite 600 San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480

REUBEN, JUNIUS & ROSE, LLP

3636 21st St	Neighbor Meetings and Key Events	EXHIBIT
10/13/2014	Pre-Application Meeting #1 notification to neighbors	
10/28/2014	Pre-Application Meeting #1 Ross/Yishai/Neighbors	
1/6/2015	Pre-Application Meeting #2 with updated plans from issues ra Oct meeting Ross/Yishai/Neighbors	ised in
1/13/2015	David (3649 21st) and Carolyn (3632 21st) delivered letter from neighbors in opposition to any roofline changes	m
1/15/2015	Initial plans submitted to Planning & DBI (following letter from neighbors)	m
2/12/2015	CEQA Environmental Review filed	
2/12/2015	Revision #1 submitted to Planning & DBI (minor fixes)	
5/11/2015	PDR #1 received from RDT	
5/15/2015	Planner site visit to Carolyn's property - Survey and Plan Clarifications requested - Yishai/Marcelle/Neighbors	
5/21/2015	PDR #2 received from RDT	
6/13/2015	Survey slope results and plan updates sent to neighbors	
7/6/2015	Site visit to Carolyn with her architect to discuss plans - Ross/Yishai/John O'Duinn/Neighbors - Yishai proposed rear extension compromise	
7/23/2015	Sent 3D model to Carolyn of Roofline/Horizontal extensions (a requested by neighbors to propose alternative potential rooflin	
8/13/2015	Variance Intake	
9/10/2015	Site visit to Carolyn for further discussions	
11/9/2015	Categorical Exemption fom CEQA received	
12/11/2015	Revision #2 submitted to Planning & DBI (based on latest neig feedback before they stopped communication)	ghbor
2/17/2016	DR requested by David and Carolyn	
3/11/2016	PDR #3 received from RDT	
5/24/2016	Revision #3 submitted to Planning & DBI (improvements base PDR #3)	ed on
7/11/2016	Revision #4 submitted to Planning & DBI (formatting for commission hearing, demo calcs, final copy)	
7/17/2016	Met with David and Carolyn, all parties seeking if a compromis before hearing is possible	se

Α
Architectural style and roofline diversity on the 3600 block of 21st Street





31'10"









3640 21st St.

25'3"



3632 21st St. 29'2

3690 21st St. UNKNOWN

3680 21st St. 32'2"

3676 21st St. 3666 21st St. 27'4″

3660 21st St. UNDER CONSTRUCTION

3650-46 21st St. 35'8"

3636 21st St. <u>33'7"</u>



33'1"

801 Sanchez St. 3677 21st St. 3669 21st St. UNKNOWN

37'2"

55'7"

3663 21st St. 40'5"

3655 21st St. 45′1″

3651 21st St. 3649 21st St. 35'6"

3639 21st St. 35'8"

3637 21st St. 3631 21st St. 39'6" UNKNOWN

3627 21st St. 3625 21st St. 31′2″

37'4"



Images not to Scale Heights measured as peak to center line sidewalk

EXHIBIT B



3622 21st St. 37'9"

3600 21st St. 46'2"



3619 st St. 3615 21st St. 35'



3609st St. 33'2"



3605 21st St. UNKNOWN



3601 21st St. UNKNOWN



EXISTING FIGURE GROUND SITE PLAN

SUBJECT PROPERTY 3636 21ST STREET



PROPOSED FIGURE GROUND SITE PLAN

SUBJECT PROPERTY 3636 21ST STREET



SUBJECT PROPERTY 3636 21ST STREET

ZOOMED EXISTING FIGURE GROUND SITE PLAN



SUBJECT PROPERTY 3636 21ST STREET ZOOMED EXISTING FIGURE GROUND SITE PLAN

Block / Lot	Address	Conditioned SF	Distance
3605 073	3600 21ST ST	22,624	165'
3606 001	3809 20TH ST	17,552	918'
3606 084	3590 21ST ST	15,957	352'
3605 051A	390 LIBERTY ST	12,548	400'
3620 077	3618 22ND ST	11,898	601'
3606 008	211 LIBERTY ST	10,518	768'
3605 072	3939 20TH ST	7,072	405'
3606 023 3606 079	3560 21ST ST 3821 20TH ST	7,056 6,423	481' 847'
3606 034	267 - 275 LIBERTY ST	6,344	426'
3605 023	775 - 777 SANCHEZ ST	6,208	296'
3621 005	824 SANCHEZ ST	6,120	567'
3605 001A	800 CHURCH ST	5,945	479'
3606 004	730 DOLORES ST	5,920	863'
3620 005	300 HILL ST	5,778	388'
3621 006	400 HILL STREET	5,668	574'
3606 003 3606 003A	714 - 718 DOLORES ST 720 - 726 DOLORES ST	5,400	888' 875'
3606 010	770 DOLORES ST	5,400 5,156	782'
3619 016	878 DOLORES ST	4,884	955'
3606 083	841 - 849 CHURCH ST	4,875	429'
3606 082	290 - 294 LIBERTY ST	4,875	410'
3606 068	3873 - 3877 20TH ST	4,855	623'
3621 085	849 NOE ST	4,854	1014'
3621 084	490 HILL ST	4,742	965'
3620 051	801 SANCHEZ ST	4,733	351'
3619 001	800 - 804 DOLORES ST	4,653	868'
3619 083	3541 - 3543 21ST ST	4,650	645'
3620 004 3619 034	932-934 CHURCH ST 985 CHURCH ST	4,648 4,626	342' 647'
3619 034	69 CHATTANOOGA ST	4,450	819'
3619 002	806 - 808 DOLORES ST	4,442	813'
3605 063	3945 20TH ST	4,438	407'
3620 035	327-329 HILL ST	4,392	454'
3620 053	3677 - 3681 21ST ST	4,343	272'
3621 097	3707 21ST ST	4,295	509'
3621 098	3701 21ST ST	4,294	477'
3621 099	806V SANCHEZ ST	4,294	547'
3604 026A	3790 - 3792 21ST ST	4,242	953'
3621 096	3717 21ST ST	4,215	542'
3605 019 3619 014	3660 21ST ST 864 - 868 DOLORES ST	4,198	112' 946'
3620 034	333-335 HILL ST	4,180 4,179	451'
3606 076	3837 - 3839 20TH ST	4,125	795'
3621 032	891 NOE ST	4,105	1075'
3619 008	834 - 838 DOLORES ST	4,074	869'
3619 009	840 - 844 DOLORES ST	4,074	928'
3605 035	347 - 349 LIBERTY ST	4,050	124'
3606 065	3889 20TH ST	4,025	554'
3604 053A	482-484 LIBERTY ST	4,018	920'
3619 013	860 - 862 DOLORES ST 3528 - 3530 21ST ST	4,000	971'
3606 017 3606 035	259 - 265 LIBERTY ST	3,992 3,980	683' 511'
3619 047	921 - 925 CHURCH ST	3,930	383'
3619 007	832 DOLORES ST	3,928	846'
3604 019	3746 - 3748 21ST ST	3,915	692'
3619 049	909 - 917 CHURCH STREET	3,914	351'
3619 044	937 - 941 CHURCH ST	3,870	443'
3619 085	3531 - 3533 21ST ST	3,867	712'
3605 038	329-331 LIBERTY ST	3,839	124'
3605 060	3959 - 3961 20TH ST	3,827	447' 822'
3606 078 3619 042	3827 - 3831 20TH ST 947 CHURCH ST	3,784 3,782	822' 504'
3621 028	3782 - 3784 22ND ST	3,776	504 1118'
3619 078	31 - 33 CHATTANOOGA ST	3,740	700'
3619 037	971 - 973 CHURCH ST	3,720	589'
3605 071	765 SANCHEZ ST	3,720	325'
3619 080	17 - 19 CHATTANOOGA ST	3,700	681'
3619 015	870 - 872 DOLORES ST	3,700	950'
3606 012	784 - 788 DOLORES ST	3,650	792'
3605 077	300 LIBERTY ST	3,640	324'
3606 046	222 - 224 LIBERTY ST	3,624	745'
3604 002	706 SANCHEZ ST	3,600	622' 200'
3605 084 3605 058	385 LIBERTY 3971 20TH ST	3,545	300' 437'
3619 011	850 DOLORES ST	3,514 3,510	437 887'
3605 047	350 LIBERTY ST	3,500	298'
3620 090	368 HILL ST	3,500	342'
3621 086	845 NOE ST	3,498	963'

EXHIBIT D



22ND

22 ND



2210



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.)

We have worked diligently over the last 18 months to come to an agreement on plans with this group of neighbors (led by the two DR filers: Carolyn Kenady and David Pennebaker). They have made it abundantly clear they will not agree to any designs that alters the existing roofline of the 3rd floor. This is untenable for us, as the reason I purchased the property was primarily for the 3rd floor, and views from it. Specifically, I purchased this home because of these views with full awareness of the lower height limits specified by the planning code for the Dolores Heights SUD. By definition there is space in which for me to be able to alter and expand the 3rd floor within the allowable height limits to meet my objectives. In spite of this basic disagreement, I persevered in attempting to accommodate all the reasonable concerns my neighbors expressed, even though they made it abundantly clear they would file a DR to my project and pursue all delays possible regardless of these considerations. I worked in good faith and at significant time and effort to resolve the issues as evidenced by the project history, numerous meetings and correspondences with all interested parties.

I believe my Architect (Ross Levy) and I have come up with a set of plans that minimizes neighbor and neighborhood impact while still achieving my goals and addressing the issues brought up in these DRs and in the multiple neighbor outreach meetings.

Also to briefly comment on the specific issues specified:

1a)

Height: Not increasing the height of the building, new addition is "horizontal" per Code and does not exceed the height of the existing peak nor the height limit for the Dolores Heights Special Use District. Mass: I am expanding the existing 2900sf 2 bedroom property to 4 bedrooms (Plus a rec/gym room downstairs). This expansion will afford me the space to start and raise my family in San Francisco for the duration. Additionally, while there are no specified limits on size in the Dolores Heights SUD, this expansion is well within the extra restrictions that other districts such as Corona Heights have adopted.

Depth: While I am requesting a variance to push the north wall slightly into the Rear Yard Setback, I am only doing so to the average of my east and west neighbors and only for 2/3rds of the building width. This footprint is currently occupied by an existing non-conforming northern deck so impact to neighbors is no greater and possibly better then what they are accustomed to. For the eastside 1/3rd of the deck, I'm eliminating the existing deck mass in the interest of the DR filer Carolyn Kenady to address light and air concerns.

The RDT is supportive of the proposal as specified in the "Notice of Planning Department Requirements #3 - March 11th 2016" in response to these DRs:

"RDT supports the proposed project's rear horizontal addition as shown. The horizontal addition, significantly down-sloped from the properties on the other side of the mid-block open space, does not overly impact light and air within that space."

1b)

Loss of Character/incompatible with the character of the neighborhood:

In our CEQA Categorical exemption declaration the preservation team meeting had the following to say:

"the subject building is not a good example of style, type, or period... the subject property does not appear to be within an

identified or eligible historic district. The subject block has seen several waves of development resulting in a disparate collection of residences in a range of styles. As the subject block faces of 21st Street do not appear to contain a cohesive group of residential buildings, and due to the fact that many of the buildings have been altered, this block does not appear to qualify as an historic district."

I believe this is a good summation of why the concerns in this section are not valid. Regardless, even with the CEQA exemption we strove to leave the period facade intact/restored

1c)

This is not a Public View corridor according to RDT. Additionally, the impact to views will be insignificant

2)

Loss of light and air: Again as acknowledged by RDT (above), by enlarging the eastern setbacks and removing the eastern portion of the existing deck, I am effectively increasing the light and air to the eastern property. This was true both in the initial design and improved in response to RDT feedback (Notice of PDR #2) by reducing mass in the NE corner of the 3rd floor as requested.

Loss of privacy and quiet: I worked hard to make sure the decks do not directly look into any of the eastern neighbors windows. The only window where there was visibility was from the existing 2nd floor deck on the eastern property line which has been removed (see above). At the request of RDT in Notice of PDR #3, additional privacy enhancements were added including removing ~50% of the second floor glazing and adding privacy louvers to the 3rd floor. Visibility into rear windows of the northern neighbors on liberty st was also discussed. While this concern is limited as the structures are 100° +/- from the proposed rear wall of our project, we still included features in the interest of these

neighbors in the form of unit is unchanged of steeper sight lines to reduce visibility. Finally there was some misunderstanding of the endless pool. It is 7ft below the eastern property line fence and as such has no visibility in that direction. A new retaining wall provides sound isolation.

Additional comments:

Risk: We have reviewed the plans with both structural and geotechnical engineers with no issues raised. The nominal excavation proposed is a lower volume then the typical garage that is commonly added on the southern side of this block.

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.

We have worked diligently and consistently with our neighbors and with RDT to solve and accommodate all issues they raised (Please see attached Outreach meetings and email log). All the reasonable issues raised by our neighbors have been addressed (see project design and revision history log attached). As such we feel that there is little left to change. However we are always open to reasonable requests.

✓ Highlights of changes:

✓ Removal of existing deck and addition of setbacks on eastern property line to improve eastern neighbors light and air.

 $\checkmark \quad \text{Remove exterior stairway along west wall in proposed design due to} \\ \text{expressed design concerns from neighbor}$

✓ Increase depth (measured from front facade) of retained gabled roof from 15' to 18' due to RDT and neighbor concerns.

✓ Reduce sight lines to eastern property by reducing 2nd floor glazing and adding strategic horizontal louvers to 3rd floor.

✓ Remove triangular glass glazing facade on 3rd floor due to RDT/ neighbor concerns

✓ Return to period window styling for 2nd floor to enhance period detailing

 \checkmark Added back in removed sunken entryway to maintain existing period design

 \checkmark Added more traditional gable to flat roof transition by aligning peaks

✓ Allowed pruned willow tree to regrow to original size (increasing privacy to northern neighbors). Will enhance or replace with additional foliage at similar height along rear property line

✓ Reduced excavation cubic volume by 70% due to concerns from northern neighbors

✓ Staggered floor levels and increased setbacks on rear facade to eliminate "office building look" and concerns of neighbors regarding privacy.

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 explaination of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

As expressed above, my architect Ross Levy and I have worked exhaustively on a design that we feel meets my goals for space, adheres to the Planning Code and the additional restrictions of the Dolores Heights Special Use District. It has been approved and reviewed by the Residential Design Team, and tacitly by the interested neighbors who attended meetings but did not feel the need to file DR. This is a design that meets my living requirements as I establish my family in the city and neighborhood I have fallen for. I spent 13 years living in the Valencia corridor while trying to find a property in the surrounding hills where I enjoy a view home with my family. More than that, it is the culture of San Francisco that inspires this project. As an aspiring chef I am excited to have a space where I can cook for and host my extended family with a new modern kitchen, connected dining/living space. As a maker, the addition of the basement room provides for exercise and project space and allows for better use and access to the typical (on this side of my block due to the slope) unused garden area. On the design side we have striven to maintain/enhance the period facade/front while providing a more modern living interior and rear with clean and unassuming architectural details that are consistent with contemporary space planning and construction technique.

We feel that this is an appropriate response to the context and an equitable response to our neighbors. We began with these priorities as we sought to accommodate the program for a family home. We have refined our scheme as issues have been brought to our attention to minimize impacts whether real, or perceived. We understand that change is a difficult issue and that there is an implied sense of extended property right that comes with having lived in San Francisco for a long time. We respect our neighbors, have worked diligently with them and look forward to a fair resolution.







ABBRI	EVIATIONS	GENERAL NOTES
	AT CENTERLINE	I. ALL DIMENSIONS ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.
±	NUMBER DEGREE(S) DIAMETER	2. CONTRACTOR SHALL REVIEW ALL PLANS AND SPECIFICATIONS TO COORDINATE WITH EXISTING BUILDING CONDITIONS. ANY VARIANCES AND / OR
Þ	DIAMETER PLUS or MINUS ABOVE	DISCREPANCIES THAT ARISE IN THE ABOVE REVIEW SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY FOR RESOLUTION.
ABV A/C AC <i>O</i> US.	AIR CONDITIONING	3. DISCREPANCIES IN DIMENSION OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH CONSTRUCTION.
AD ADJ. ADJUS. AFF.	AREA DRAIN ADJACENT ADJISTABLE ABOVE FINISH FLOOR	4. DO NOT SCALE DRAWINGSI 5. DESIGN AND CONSTRUCTION SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES. 2010 SHALE DRAWING CONTRANSING CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES.
AMGI	ABOVE FINISH FLOOR ALTERNATE ABOVE MEAN SEA LEVEL APPROXIMATE ARCHITECT	2013 CALIFORNIA & SAN FRANCISCO CODES, INCLUDING BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, AND PLANNING. 6. ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, CONNECTED, ERECTED, USED, CLEANED, ADJUSTED, AND
APPROX. ARCH. 3D 3ET.		CONDITIONED AS DIRECTED BY THE MANUFACTURER INLESS HEREIN SPECIFIED TO THE CONTRARY. 7. ALL MATERIALS SHALL BE NEN AND UNSED, UNLESS OTHERWISE NOTED, AND OF THE HIGHEST GUALITY IN EVERY RESPECT. ALL WORK SHALL BE DONE IN A THOROUGH, WORKHAULKE MANNE COMPLITING INTH ALL APPLICABLE CODES AND ORDINANCES, WORKMANSHIP SHALL BE EQUAL TO THE BEST
SLDG SLK SLKG SM	BETWEEN BUILDING BLOCK BLOCKING BEAM	STANDARDS OF PRACTICE.
BOT. B.U.	BOTTOM BUILT UP	8. ALL DIMENSIONS NOTED VERIFY" SHALL BE CHECKED BY THE CONTRACTOR PRIOR TO CONSTRUCTION AND REPORTED TO THE ARCHITECT.
CER.	CABINET CERAMIC CIRCLE	9. FEATURES OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF SAME CHARACTER AS SHOWN FOR SIMILAR CONDITIONS.
3JJ. CAB. SAR. JIRC. JIR	CEILING CLEAR(ANCE) CLOSET	IC. ELECTRICAL SUBCONTRACTOR SHALL FIRNISH AND INSTALL, COMPLETE, ALL MATERIALS, EQUIPMENT AND LABOR AS SHOWN AND IS NECESSARY FOR A COMPLETE WORKABLE SYSTEM. ALL MATERIALS SHALL BE NEW AND FREE FROM ANY DEFECTS. ALL ELECTRICAL MATERIALS AND EQUIPMENT SHALL BE LISTED BY INDERWRITES LABORATORIES.
COL.	COUNTER COLUMN CONCRETE	II. EXHAUST SYSTEM SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES.
ONST.	CONSTRUCTION	12. MECHANICAL SUBCONTRACTOR SHALL PERFORM ALL TESTING REQUIRED BY CODES.
CONTR. CPT	CONTRACTOR	13. ELECTRICAL AND PLIMBING CONTRACTORS ARE RESPONSIBLE FOR FOR THE FILING OF THEIR OWN PERMITS.
DI. DTR DBL. DEMO	CRAMIC TILE CENTER DOUBLE DEMOLITION DETAIL DOUBLAS FIR	14. THE BUILDING, ITS GROUNDS AND THE NEIGHBORING BUILDINGS, PROPERTIES AND STREET SHALL BE PROTECTED FROM ANY DAMAGE THAT MAY OCCUR DUE TO THIS WORK, ANY DAMAGES THAT OCCUR ARE THE FINANCIAL RESPONSIBILITY OF THE GENERAL CONTRACTOR.
DET. DF DIA. DIM.	DIAMETER	IS ALL WASTE AND REFUSE CAUSED BY THE WORK SHALL BE REMOVED FROM THE PREMISES AND DISPOSED OF BY THE CONTRACTOR. THE PREMISES SHALL BE LEFT CLEAN AND CLEAR TO THE SATISFACTION OF THE ARCHITECT.
71M. 7N 75 7R 7W	DIMENSION DOWN DOWN SPOUT	16. GENERAL CONTRACTOR GUARANTIES ALL MATERIAL AND WORKMANSHIP FOR A PERIOD OF ONE YEAR AFTER SUBSTANTIAL COMPLETION.
JWG	DOOR DISHWASHER DRAWING	
OWR EA. LEC.	DRAWER EACH	CAL GREEN BUILDING STANDARDS CODE
I. IFV	DRAYNER EACH ELECTRICAL ELEVATOR ELEVATION ENCLOSE(URE) EXAN	CAL GREEN REQUIRED MEASURES - THE CA GREEN BUILDING CODE (TITLE 24 PART II) REQUIRES:
NCL.	ENCLOSE(URE) EQUAL EQUIPMENT	1. INDOOR AIR QUALITY MANAGEMENT DURING CONSTRUCTION - DUCT OPENINGS AND AIR DISTRIBUTION COMPONENT OPENINGS MUST COVERED DURING ALL PHAGES OF CONSTRUCTION. TAPE, PLASTIC, SHEET METAL OR OTHER ACCEPTABLE METHODS MAY BE USED TO REDUCE THE AMOUNT OF WATER, DUST, AND DEBRIS ENTERING THE SYSTEM.
ica, icauip, ist, ist, ist, ist, ist, ist, ist, ist	ENCLOSE(UKE) EQUAL EQUIPMENT ESTIMATE EXHAUST EXHAUST EXHAUST EXPANSION EXTERIOR EXTERIOR	2. SMART IRRIGATION CONTROLLER - AUTOMATICALLY ADJUST IRRIGATION BASED ON WEATHER AND SOIL MOISTURE. CONTROLLERS MUST HAVE EITHER AN
AT.		INTEGRAL OR SEPARATE RAIN SENSORS THAT CONNECTS OR COMMUNICATES WITH THE CONTROLLER. 3. INDOOR WATER EFFICIENCY - PLIMBING FIXTURES AND FITTINGS SHALL COMPLY WITH THE FOLLOWING: WATER CLOSETS < 1.20 GAL/FLUSH; URINALS < 0.5
-AU =IN. =.F. =L.R. =LUOR. =.O.S. =.O.S. =.O.F. =. =. =.	FINISH(ED) FINISH FLOOR FLOOR	GAL/FLISH, SHOWERHEADS (2.0 GFM @ 20 PSI, RESIDENTIAL LAVATORY FAILET (15 GFM, LAVATORY FAILETS IN COMMON AND FUELIC USE AREAS (0.5 GF) @ 60 PSI, METERING FAILETS (0.25 GAL/CYCLE, AND KITCHEN FAILETS (1.8 GFM @ 60 PSI (TEMPORARY INCREASE TO 2.2 GFM ALLOWED, BUT MIST DEFAILT
-LUÖR. 0.5.	FLUORESCENT FACE OF STUD(S)	
=.O.C. =.O.F.	FINISH FLOCK FLOCR FLOCRESCENT FACE OF STUD(S) FACE OF CONCRETE FACE OF FINISH FIREPLACE ENTREPLACE	4. BATHROOM EXHAUST FANS - MUST BE ENERGY STAR COMPLIANT, DUCTED TO TERMINATE OUTSIDE THE BUILDING, AND CONTROLLED BY HIMIDISTAT CAPABLE OF ADJUSTMENT BETWEEN RELATIVE HIMIDITY OF LESS THAN 50% TO MAXIMM OF 80% HIMIDITY CONTROL MAY BE A SEPARATE COMPONENT FROM THE
=T =TG	FOOTING	EXHAUST FAN.
T TG TG TG TG TG TG TG TG TG TG TG TG TG	FURRED/FURRING FUTURE GAGE	5. LOW-VOC WALL/CEILING PAINTS - CARB VOC LIMITS (CAL GREEN TABLE 4.504.3)
S.C. SEN.	GENERAL CONTRACTOR GENERAL	6. LOW-VOC AEROSOL PAINTS AND COATING - MEET BAAGMD VOC LIMITS (REGULATION &, RULE 44) AND PRODUCT-WEIGHTED MIR LIMITS FOR ROC (CCR TITLE 17. SECTION 44520)
9.F.I. 9L. 9YP.	GROUND FAULT INTERRUPT GLASS/GLAZING	1, SLOTION 442207 1. LOW-VOC CAULKS, CONSTRUCTION ADHESIVES, AND SEALANTS - MEET SCAOMD RULE 1168, SEE CAL GREEN TABLES 4.504.1 AND 4.504.2.
4.C. 4D	GLASS/GLAZING GYPSUM HOLLOW CORE HEAD	1. LUM-VOC CAULAS, CONSTRUCTION ADDESIVES, AND SEALANTS - MEET SCAUND RULE 100, SEE CAL GREEN TABLES 4:2041, AND 4:2042. 8. LOW-ENTITING COMPOSITE WOOD - MEET CALIFORNIA AIR RESOURCES BOARD AIRBORNE TOXIC CONTROL MEASURE FORMALDEHYDE LIMITS FOR COMPOSIT
ÍDR ÍDWR. ÍORIZ.	HEADER HARDWARE HORIZONTAL	WOOD, SEE CAL GREEN TABLE 4504.5
IGT I.V.A.C.	HEIGHT	9. LOW-EMITTING FLOORING: ALL CARPET SYSTEMS, CARPET CUSHION, CARPET ADHESIVE, AND AT LEAST 80% OF RESILIENT FLOORING MUST BE LOW-EMITTING
NGUL. NT.	HEATING VENTILATING AIR CONDITIONING INSULATION INTERIOR	10. OPERATIONS AND MAINTENANCE MANUALS AND TRAINING - PROVIDE 04M MANUAL TO BUILDING MAINTENANCE STAFF DUE AT THE TIME OF FINAL INSPECTIO
JT IST	IOINT.	II. SURFACE DRAINAGE: CONSTRUCTION PLANS SHALL INDICATE HOW THE SITE GRADING OR DRAINAGE SYSTEM WILL MANAGE SURFACE WATER FLOWS.
<pl. AM</pl. 	JOINT JOIST KITCHEN KICKPLATE LAMINATED LOUVER	12. PEST PROTECTION - ANNULAR SPACES AROUND PIPES, ELECTRIC CABLES, CONDUITS OR OTHER OPENINGS IN SOLE/BOTTOM PLATES AT EXTERIOR WALLS SHALL BE CLOSED WITH CEMENT MORTAR, CONCRETE MASONRY, OR A SIMILAR METHOD ACCEPTABLE TO DBI FOR PROTECTION AGAINST RODENTS.
_AM. _VR. MAX.		13. FIREPLACES AND WOODSTOVES - INSTALL ONLY DIRECT-VENT OR SEALED-CONDUSTION APPLIANCES; COMPLY WITH US EPA PHASE II LIMITS.
MECH. MEMB. MET.	MECHANICAL MEMBRANE METAL	14. CAPILLARY BREAK FOR CONCRETE SLAB ON GRADE - CONCRETE SLAB ON GRADE FOUNDATIONS REQUIRED TO HAVE A VAPOR RETARDER MUST ALSO
MFR MIN	MANUFACTURE(R)	HAVE A CAPILLARY BREAK, INCLUDING AT LEAST ONE OF THE FOLLOWING: I) A 4" THICK BASE OF ½" OR LARGER CLEAN AGGREGATE SHALL BE PROVIDED WITH A VAPOR RETARDER IN DIRECT CONTACT WITH CONCRETE AND A CONCRETE MIX DESIGN WHICH WILL ADDRESS BLEEDING, SHRINKAGE AND CURLING
MISC. MTD MULI	MINIMUM MISCELLANEOUS MOUNTED MULLION	SHALL BE USED. FOR ADDITIONAL INFORMATION, SEE AMERICAN CONCRETE INSTITUTE, ACI 302.2R06. 2) A SLAB DESIGN SPECIFIED BY A LICENSED DESIGN PROFESSIONAL.
YÜLL. N V	NEW NOT IN CONTRACT	15. MOISTURE CONTENT OF BUILDING MATERIALS - VERIFY WALL AND FLOOR FRAMING DOES NOT EXCEED 14% MOISTURE CONTENT PRIOR TO ENCLOSURE.
NO. N.T.S 2 A	NUMBER NOT TO SCALE OVERALL	MATERIALS WITH VISIBLE SIGNS OF MOISTURE DAMAGE SHALL NOT BE INSTALLED. MOISTURE CONTENT SHALL BE VERIFIED IN COMPLIANCE WITH THE FOLLOWING: () MOISTURE CONTENT SHALL BE DETERMINED WITH EITHER A PROBE-TYPE OR A CONTACT-TYPE MOISTURE METER. EQUIVALENT MOISTURE
0.A. 0.C. 0.D.	ON CENTER OUTSIDE DIAMETER	VERIFICATION METHODS MAY BE APPROVED BY THE ENFORCING AGENCY AND SHALL SATISFY REQUIREMENTS IN SECTION IOL.9. 2) MOISTURE READINGS SHALL BE TAKEN AT A POINT 2 FEET TO 4 FEET FROM GRADE-STAMPED END OF EACH PIECE TO BE VERIFIED. 3) AT LEAST THREE RANDOM MOISTURE READINGS
2.H. 2PP. 2BD	OVERHEAD OPPOSITE PARTICLE BOARD	SHALL BE PERFORMED ON WALL AND FLOOR FRAMING WITH DOCUMENTATION ACCEPTABLE TO THE ENFORCING AGENCY PROVIDED AT THE TIME OF APPROVA TO ENCLOSE THE WALL AND FLOOR FRAMING. INSULATION PRODUCTS WHICH ARE VISIBLY WET OR HAVE A HIGH MOISTURE CONTENT SHALL BE REPLACED OR
PPP. PBD P-LAM PLY WD PNL	OPPOSITE PARTICLE BOARD PLASTIC LAMINATE PLYWOOD	ALLONED TO DRY PRIOR TO ENCLOSURE IN WALL OR FLOOR CAVITIES. MANUFACTURERS' DRYING RECOMMENDATIONS SHALL BE FOLLOWED FOR WET-APPLIED INSULATION PRODUCTS PRIOR TO ENCLOSURE.
	PANEL REFERENCE REFLECTED REFRIGERATOR	16. HVAC INSTALLER QUALIFICATIONS - HVAC SYSTEM INSTALLERS MUST BE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS, SUCH AS VIA A STATE CERTIFIED APPRENTICESHIP PROGRAM, PUBLIC UTILITY TRAINING PROGRAM (NITH CERTIFICATION AS INSTALLER QUALIFICATION), OR OTHER
UTEL. UTEL. UTEC. UTEC.	REGISTER	PROGRAM ACCEPTABLE TO THE DEPARTMENT OF BUILDING INSPECTION.
REV.	REINFORCING REQUIRED REVISION	SAN FRANCISCO GREEN BUILDING CODE
રM ર. <i>0</i> .	ROOM ROUGH OPENING	I. CONSTRUCTION AND DEMOLITION DEBRIS DIVERSION - 100% OF MIXED DEBRIS MUST BE TRANSPORTED BY A REGISTER HAULER TO A REGISTER FACILITY AND BE PROCESSED FOR RECYCLING.
R.T.M. 5.C. 5.E. 5.ECT. 5.F.	RETAINING WALL SOLID CORE STRUCTURAL ENGINEERING SECTION	2. RECYCLING BY OCCUPANTS: PROVIDE ADEQUATE SPACE AND EQUAL ACCESS FOR STORAGE, COLLECTION AND LOADING OF COMPOSTABLE, RECYCLABLE AND LANDFILL MATERIALS.
SF SHT	SQUARE FOOT SHEET SIMILAR	3. CONSTRUCTION SITE RUNOFF POLLUTION PREVENTION - PROVIDE A CONSTRUCTION SITE STORMWATER POLLUTION PREVENTION PLAN AND IMPLEMENT SEPUC
57 5HT 5HM. 5KYLT 5PEC. 5Q. 5TD 5TL. 5TR. 5TR. 5TR. 5TR. 5TR. 5TR. 5TR.	GKYLIGHT	BEST MANAGEMENT PRACTICES.
5Q. 5TD 5TI	SPECIFICATION SQUARE STANDARD STEEL	4. STORMWATER CONTROL PLAN - PROJECTS DISTURBING ≥ 5,000 SF OF GROUND SURFACE MUST IMPLEMENT A STORMWATER CONTROL PLAN MEETING SFPUC STORMWATER DESIGN GUIDELINES.
STOR. STRUCT.	STORAGE STRUCTURAL SUSPENDED	5. WATER EFFICIENT IRRIGATION - PROJECTS THAT INCLUDE 1,000 SF OR MORE OF NEW OR MODIFIED LANDSCAPE MUST COMPLY WITH THE SAN FRANCISCO WATER EFFICIENT IRRIGATION ORDINANCE.
r.B.D.	TO BE DETERMINED TELEPHONE	
TEMP. T&G	TEMPERED TONGUE & GROOVE THICKNESS	
ihk. Thresh. T <i>.O.</i>	THRESHOLD TOP OF	
r.v. mp.		EXISTING WALL TO REMAIN EXISTING WALL TO BE REMOVED
JNFIN. U.O.N. √CT	VINTL COMPOSITE. TILE	PROPOSED WALL — (A) REFERENCE GRID LINE
VEN. VERT.	VERTICAL	FIRE RATED WALL (I-HOUR U.O.N.)
√.1.F. √V √IC	VERIFY IN FIELD WITH WATER CLOSET	
NH N.P.	WATER CLOSET WATER HEATER WATER PROOF WATER RESISTANT	(B) WINDOW SYMBOL
NR ND NT	WATER RESISTANT WOOD WEIGHT	
		PROPERTY LINE (A6) SHEET NUMBER

	PROJECT DA	YISHAI LERNER 3636 21st STREET SAN FRANCISCO, CA 94114
	ARCHITECT:	415-328-9414 LEVY ART & ARCHITECTURE INC 1286 SANCHEZ STREET SAN FRANCISCO, CA 94114 415-641-1320 FAX: 415-641-1710
	PROJECT ADDRESS:	3636 21st STREET SAN FRANCISCO, CA 94114
	ASSESSOR'S BLOCK:	3605 LOT 016
E	ZONING:	RH-I/ DOLORES HEIGHTS S.U.D.
	OCCUPANCY:	R3
	TYPE CONSTRUCTION: ALLOW, BLDG HGT:	V B 35' ABV. GRD. PER SF PLNG
	ALLOW. BLDG AREA:	UNLIMITED CODE SEC. 241
	EXIST STORY / BASEMEN PROPOSED STORY / BASEMEN NO. OF UNITS:	
	NO EXISTING BUILDING S	
2	INCLUDING:	TION: EXISTING SINGLE FAMILY HOME : 2 STORY OVER BASEMENT BY
	2. VERTICAL ADDITION: 3 3RD LEVEL	EXTEND HABITABLE SPACE ON EXISTING
	3. COMPLETE INTERIOR F	
	5. FULL SEISMIC RETROF 6. FIRE SPRINKLERS	
2	7. PROPERTY LINE WINDO	WS PER ABOO9
AN		ND PERFORMANCE UPGRADES
5	9. FACADE IMPROVEMEN	T AND RESTORATION
5 GPM FAULT	IO. FRONT AND REAR YA	
PABLE	II. STREET AND SIDEWALI	< IMPROVEMENT (AS REQ'D)
	GROSS BUILDING A	REA: AS
		EXISTING PROPOSED
TITLE	BASEMENT FLOOR: FIRST FLOOR: SECOND FLOOR: THIRD FLOOR:	0 SF 731 SF 732 SF 900 SF 1503 SF 1661 SF 644 SF 1208 SF
POSITE	TOTAL:	2879 SF 4500 SF
ITTING.	INCREASE IN AREA:	+1621 SF
ECTION.	GARAGE: DECKS:	557 SF 600 SF 383 SF 774 SF
LS		
	SHEET INDEX	<
-0	AO.I PROJECT DAT	A & NOTES
ED		ALCULATIONS
GN		ROPOSED SITE PLANS
		AGEMENT FLOOR PLAN EXISTING IST FLOOR PLANS
		EXISTING 2ND FLOOR PLANS
HALL 55 ROVAL		EXISTING 3RD FLOOR PLANS
PLIED	A2.5 PROPOSED \$	EXISTING ROOF PLANS
		EXISTING SOUTH ELEVATIONS
SUCH HER		EXISTING WEST ELEVATIONS
TΥ		TH ELEVATION EXISTING EAST ELEVATIONS
		ILDING SECTION
ABLE		DING SECTION
FPUC		
FPUC		
60		
]
		citte
		SITE 5
	SANCHEZ	CHURCH
	ش 2lst ST.	
	NOT TO SCALE	

Lerner Residence 3636 21st. Street San Francisco, CA 94114	+ C 25660 1015 H (2010) + C 25660 1017 0 C CALLON 1011 1017 0 C CALLON 1011	151 POTRERO AVE. ST SAN FRANCISCO, CA 9 415.641.7320 levyaa.com	LEV ART + ARCHITECT		PLANG REV'S	REVISIONS Image: Construction of the second seco	
	*	E 200 44103			SN	BY SN KMA	

Scale: AS NOTED Drawn: ADS/MB/SN/KMA Job LERNER Sheet AO.1

Description
PROJECT DATA & NOTES Date: 07.11.2016 Scale: AS NOTED



REVISIONS	BY

A <mark>BLE FOR DWELLING UNITS</mark> : <u>ODE SECT. 317</u> TION PERMIT REQUIRED BY DBI					
REAR FACADE = NLLS =	<u>Existing</u> 49.33 LF 169.40 LF			< 51% < 66%	
TICAL ELEMENTS	670 SF 1450 SF 749 SF <u>1233 SF</u> 4102 SF	119 SF 749 SF 22 SF	22%	< 51%	
IZONTAL ELEMENTS	1503 SF	II6 SF			
OWER ROOF=		487 SF <u>638 SF</u> 1241 SF	34%	< 51%	



151 POTRERO AVE. STE 200 SAN FRANCISCO, CA 94103 415.641.7320 levyaa.com



Lerner Residence 3636 21st. Street San Francisco, CA 94114 BLOCK 3605 LOT 016

	Description DEMO CALCULATION		
Date:	07.11.2016		
Scale:	AS NOTED		
Drawn:	ADS/MB/SN/KMA		
Job	LERNER		
Sheet			

A0.4





2 EXISTING SITE PLAN SCALE: 1/8" = 1"-0"











REV	REVISIONS	
\triangle	07.06.2015 PLAN'G REV'S	SN
\triangle	12.11.2015 PLAN'G REV'S	KMA
A	05.24.2016 LOUVERS	SN

Description ROOF PLANS	
Date:	07.11.2016
Scale:	AS NOTED
Drawn:	ADS/MB/SN/KMA
Job	LERNER
Sheet	





REV	REVISIONS	
\triangle	07.06.2015 PLAN'G REV'S	SN
\triangle	12.11.2015 PLAN'G REV'S	KMA
A	05.24.2016 LOUVERS	SN



151 POTRERO AVE. STE 200 SAN FRANCISCO, CA 94103 415.641.7320 levyaa.com



Lerner Residence 3636 21st. Street San Francisco, CA 94114 BLOCK 3605 LOT 016

Description SOUTH ELEV	
Date:	07.11.2016
Scale:	AS NOTED
Drawn:	ADS/MB/SN/KMA
Job	LERNER
Sheet	
0.1001	









BY
ys SN
VS KMA
SN



151 POTRERO AVE. STE 200 SAN FRANCISCO, CA 94103 415.641.7320 levyaa.com



Lerner Residence 3636 21st. Street San Francisco, CA 94114 BLOCK 3605 LOT 016

Description EXIST. NOR	n TH ELEVATION
Date:	07.11.2016
Scale:	AS NOTED
Drawn:	ADS/MB/SN/KMA
Job	LERNER
Sheet	





BY
SN
KMA
SN



151 POTRERO AVE. STE 200 SAN FRANCISCO, CA 94103 415.641.7320 levyaa.com



Lerner Residence 3636 21st. Street San Francisco, CA 94114 BLOCK 3605 LOT 016

Description	
Date:	07.11.2016
Scale:	AS NOTED
Drawn:	ADS/MB/SN/KMA
Job	LERNER
Sheet	





REV	ISIONS	BY
\wedge	07.06.2015 PLAN'G REV'S	SN
\triangle	12.11.2015 PLAN'G REV'S	KMA
A	05.24.2016 LOUVERS	SN

Planning Commission Discretionary Hearing and Hearing On Application for Zoning Variance for 3636 21st Street RE: Building Permit Application No. 201501155832 July 28, 2016

Supplemental Materials for

Planning Commissioner and Zoning Administrator Submitted by Carolyn Kenady and David Pennebaker, Discretionary Review filers and opponents of Zoning Variance July 19, 2016

Mr. Rodney Fong, President San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

RE: Building Permit Application No. 201501155832 (3636 21st Street)

Dear President Fong and Planning Commissioners:

David Pennebaker and I filed a request for Discretionary Review, and we oppose the rear yard Variance requested by the project sponsor for the above-listed Building Permit Application. Both actions will be heard by the Commission on July 28, 2016.

To assist you and the Commissioners as you prepare for the hearing, we are providing the following supplemental information:

- Section 1: Application for Discretionary Review submitted by David Pennebaker on February 17, 2016
- Section 2: Opposition to Variance application
- Section 3: Letters from our neighborhood organization and from our neighbors who oppose the project as proposed
- Section 4: Exhibits to be used during our presentation at the July 28 hearing

We appreciate your careful review of these materials and the time that you've afforded us to present why the Commission should take Discretionary Review and why the Zoning Administrator should deny the Application for Variance.

Thank you.

Sincerely,

wohn Kenady

Carolyn Kenady 3632 21st Street San Francisco, CA 94114

Enclosures

July 19, 2016

Scott Sanchez, Zoning Administrator Office of the Zoning Administrator 1650 Mission Street, Ste 400 San Francisco, CA 94103

RE: Building Permit Application No. 201501155832 (3636 21st Street)

Dear Mr. Sanchez:

David Pennebaker and I filed a request for Discretionary Review, and we oppose the rear yard Variance requested by the project sponsor for the above-listed Building Permit Application. Both actions will be heard by the Commission on July 28, 2016.

To assist you and the Planning Commissioners as you prepare for the hearing, we are providing the following supplemental information:

- Section 1: Application for Discretionary Review submitted by David Pennebaker on February 17, 2016
- Section 2: Opposition to Variance Application
- Section 3: Letters from our neighborhood organization and from our neighbors .
- who oppose the project as proposed Section 4: Exhibits to be used during our presentation at the July 28 hearing

We appreciate your careful review of these materials and the time that you've afforded us to present why the Commission should take Discretionary Review and why you as the Zoning Administrator should deny the Application for Variance.

Thank you.

Sincerely,

anoly Kenady

Carolyn Kenady 3632 21st Street San Francisco, CA 94114

Enclosures

APPLIC	ATION	FOR		in t	GENVE	" time is
Disc	reti	onary	Rev	iew FI	EB 1 7 2018	
1. Owner/Ap					COUNTY (JFSF
DavierPeth		anna an	andre a same the second state of the second state of the		PIC	
DR APPLICANTS A	odress:	mpangana manakananang pakakanikan kad	and Add Star (1-1)	ZIP CODE: 94114	(415)	E 531-0078
PROPERTY OWNE Yishai Lern	R WHO IS DOING	THE PROJECT ON WHIC	H YOU ARE REQUESTI	NG DISCRETIONARY REVIEW NAME:	na cun mattana an manana	an a
ADDRESS: 3636 21st S	Street	and a standard of the standard	den dan d	ZIP CODE: 94114	(415)	^{E:} 328-9474
CONTACT FOR DE		Pillengeling in a settleheterkende kon öpperandfillerender an ommannen in opperanden och settleheterken i A			ana mang dalak kana kana kana kana kana kana kana	a salati a sa
Same as Above ADDRESS:			aanadamadhadhamama araidhiyaaqiigaa maadadham	ZIP CODE:	TELEPHON	IĘ:
E-MAIL ADDRESS davepst@y	ahoo.com	at ann - mar 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 - 1996 -	genanger Systemistik alterna og valt av sette gilde genanger atteret ander			atomorphy and the starty evolution
2. Location		ification		الله والتوانية منه منها المعالية المسالية (موريس برية عمومة منهوسية) المراقي		and an
STREET ADDRES	S OF PROJECT		ng managana ka ang pangka kata na akanya kanana n		anda da ang kanang mang kanang ka	ZP CODE: 94114
cross streets Sanchez S	treet	11500000-0	миникан та тарарарарарары ил и положи или	an a		
ASSESSORS BL	осклот: / 016	LOT DIMENSIONS:	LOT AREA (SO FT):	ZONING DISTRICT:		Heights - 35

1....

Please check all that apply Change of Use	Change of Hours 🗌	New Construc	ction 🗌 🛛 Alter	rations 🔀 De	emolition 🗋	Other 🗍
Additions to Buildi	ng: Rear 😿 From One Family Dv	ht K Heigh	t 🔀 🛛 Side Ya	rd 🗆 🛰		
Present or Previous On	^{Use:} e Family Dwelling					
Proposed Use:	2015011	55832			01/15/201	15
Building Permit App	plication No.			Date File	ed:	

JUSE NOMBER

APPLICATION FOR Discretionary Review

1 Owner Applicant Information

David Pennebake	r

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME ADDRESS ADDRESS TELEPHONE (415) 328-9474 (415) 328-9474 (415) (15) (15) (15) (15) (15) (15) (15) (
ADDRESS
e MAIL ADDRESS davepsf@yahoo.com
2 Location and Classification STREET ADDRESS OF PROJECT 3636 21st Street 94114 CROSS STREETS Sanchez Street
ASSESSORS BLOCK/LOT LOT D MENSIONS LOT AREA (SQ FT) ZONING DISTRICT HEIGHT/BULK D STR CT DOIORES Heights - 35ft RH1 Dolores Heights - 35ft Special Use District
3 Project Description Please check all that apply Change of Use Change of Hours New Construction Alterations Demolition Other
Additions to Building: Rear Cone Family Dwelling Height S Side Yard Present or Previous Use: One Family Dwelling Proposed Use: 201501155832 01/15/2015 Building Permit Application No. Date Filed.

4 Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	3	
Did you discuss the project with the Planning Department permit review planner?		
Did you participate in outside mediation on this case?		3

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 sponsor added a swimming pool, expanded the size of the roof deck, moved the roof deck which required a firewall, added solar panels to the peak roof, changed the configuration of the lightwell to the East.

CASE NUMBER

Discretionary Review Request

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

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

See Attached.

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

See Attached.

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

See Attached.

DR_Application_ATTACHMENT_3636 21st_Street Building Permit Application No. 201501155832

3Question 1: What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exception 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 cite specific sections of the Residential Design Guidelines.

a) Height and mass: The Residential Design Guidelines - IV - Building Scale and Form state: "Design the scale of the building to be compatible with the height and depth of surrounding buildings." (pg. 23) The proposed project at 3636 21st Street ("Proposed Project") is exceptional and extraordinary in its height and depth relative to the surrounding buildings.

Height. The proposed design is a four-story building reaching nearly 34 feet in height at sidewalk level. This is out of proportion and incompatible with the adjacent properties to the east and the west. For example, the eastern neighbor's building (3632/3632A 21st St.) is a 2-story building with a height of 29 feet above the sidewalk. The western neighbor's building is a 2-story cottage that is approximately 24 feet above the sidewalk. At the rear, the proposed building will be 4 stories (including excavated basement). It will rise 50-feet above its adjacent downhill rear yard neighbors at 3632 21st Street and 337 and 333 Liberty Street. The Residential Design Guidelines for Building Scale at Mid-Block Open Space recommend that the property owner "[d]esign the height and depth of the building to be compatible with the existing building scale at the mid-block open space." (pg. 25) Here, the Proposed Project will be significantly taller than other houses in the middle of 21st Street and Liberty Street. This design will shade the gardens of several properites to the East, West and North.

Mass. The current house is 2,900 square feet with three bedrooms, living room, kitchen, dining room, and basement area. The proposed design is 4,500 square feet (55% increase in square footage.) The only added rooms appear to be a guest room at the first story (basement level) and a library at the third story level. The added 1,600 square feet of ancillary living space creates extraordinary and exceptional impacts on the adjacent neighbors which are outlined below in this application. The proposed size and mass of this project on a 25-foot wide lot is out of character with the neighborhood.

Depth. Adding to the mass and scale, the proposed building will extend to a depth of 78' 6'' at the basement/garden level and to a depth of 73' 6'' at the first and second floor levels. This average depth of 76' exceeds the code-allowed depth of 55% of the lot (62' 8'') by over 13 feet. With its proposed depth 78'6'' at the basement/garden level, the proposed mass reduces the rear yard open space to 35' 6'' (31% of 114' deep lot.) The Dolores Heights Special Use District (hereinafter referred to as the "Dolores Heights SUD", Section 241 of the Planning Code) specifies that "[t]he minimum rear yard depth shall be equal to 45 percent of the total depth of the lot on which building is situated,"
which in this case should -- at a minimum -- be 51'4". Thus, the proposed building exceeds the Dolores Heights SUD's minimum open space requirement by more than 30%.

The *mid-block open space* is significantly reduced – especially for the Liberty Street properties to the north whose backyards abut the rear of the Proposed Project, and the adjacent property to the east (3632 21st Street.) The Residential Design Guidelines note: "Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave surrounding residents feeling "boxed-in" and cut-off from the mid-block open space." [Residential Design Guidelines – IV – Building Scale and Form Scale at the Mid-Block Open Space, page 26] The side setbacks in the proposed design do not resolve the "boxed-in" views for neighbors on Liberty and 21st Streets.

b) Loss of character/incompatible with the character of the neighborhood:

Dolores Heights is one of five areas named as an "outstanding and unique area" in the San Francisco General Plan. Policy 2.7 recommends that the City "[r]ecognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character." It describes what makes Dolores Heights so unique: "a uniform scale of buildings, mixed with abundant landscaping in yards and steep street areas. Rows of houses built from nearly identical plans that form complete or partial block frontages, arranged on hillside streets as a stepped-down series of flat or gabled roofs. Building setbacks with gardens set before Victorian facades and interesting entryways." [Online document, no pagination]

The predominant roofline design on the street is comprised of peaked/gabled roofs that blend in with the slope of the hill. The Residential Design Guidelines recommend "[d]esign rooflines to be compatible with those found on surrounding buildings". [Residential Design Guidelines – IV – Building Scale and Form – Building Form – Proportions, page 29]

The proposed design would replace this compatible facade/silhouette with a larger square, boxy structure extending behind the 15 foot-deep peaked roof setback. The box will be completely visible from the street, both uphill and downhill due to the grade of the street/hill. This large structure with windows on all sides - designed to take advantage of views - does not seek to mirror the scale of the neighborhood. It lacks the character of other residences in the neighborhood and is not compatible with adjacent facades. The Residential Design Guidelines recommend "design the building's proportions to be compatible with those found on surrounding buildings." The site is located on a steep slope/hill and the proposed additions disregard the existing topography and do not respect the site and surrounding area. The proposed design will break the organic step progression of rooflines on the street.

The proposed design of the façade of the property is out of character with the neighborhood and the history of the property itself. The current façade is comprised of shingles. The shingled facade appears in a photograph thought to have been taken by the assessors office between 1946 and 1951. This photograph was provided by the History Center at the San Francisco Main Library. (See attached Photo and email from History Center employee). A permit to install a garage was issued in 1955. You will see that the photograph was taken prior to the garage installation. Although a permit was issued to install shingles on the façade in 1970, it is clear that they were replaced at that time, not originally installed. The shingled design is complemented by a peaked roof giving the property an appearance similar to the adjacent (West) uphill shingled cottage and of the varied peaked roof of the adjacent (East) downhill property. There are several homes on both sides of the street with shingled facades, and/or peaked/gabled roofs.

c) Loss of public views: This block of 21st Street is well-known for its views and for the "Tom & Jerry Christmas" tree which is displayed at 3650 21st St from Thanksgiving through early January every year since 1984. Many Bay Area residents and out-of-area tourists walk up and down the street daily to see the views. During the holiday season, thousands of visitors take pictures of the holiday tree and the view to the east. The proposed mass from the addition of 600 square feet to the fourth story and the new roof deck on top of the fourth story with a solid parapet wall will block public views of downtown, the Bay and East Bay from the 21st Street sidewalks.

This violates the Urban Design Element (Policy 1.1) of the General Plan which protects public views - "Recognize and protect major views in the city, with particular attention to those of open space and water... Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary." [Online document, no pagination] The 21st Street block between Church and Sanchez Streets is a public space that receives many visitors throughout the day, including dozens of tourists who stop to admire and photograph the expansive city views.

Question 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 Proposed Project, with its increased depth, mass, and design choices, creates many unreasonable impacts on surrounding properties in the neighborhood. These impacts demonstrate substantively that the proposed project design and the project sponsor's variance request for a rear extension should be denied. Below are the major impacts:

a) Loss of light and air: The proposed design will loom over the adjacent properties especially those to the north and east. The additional mass on the 4th story and the roof deck on top of it will reduce light and air to four separate properties. The extension of the 4th story to a depth of 64 feet and the additional mass of opaque guardrails on the roof deck on top of the 4th story will cast shadows into the windows, rooms, and gardens of the adjacent properties to the west and east. Because of the steeply sloping hillside the vertical extension will create an excessive towering effect on the Liberty Street neighbors to the north of the property line. Their yards are 12 feet lower than the back of the Subject Property lot. (The combined height and slope also impacts the property to the east.)

The proposed rear horizontal addition will extend 15 feet beyond the existing rear wall of the first story (basement). It will extend 10 feet beyond the rear wall of the second and third stories. This also reduces the light and air to the northern neighbors on Liberty Street - especially during the winter months.

The Proposed Project includes a side setback on the east side of the property at the first story (basement) and second story. Because the setback is reduced substantially, the proposed side setback does not effectively mitigate the reduced light and air to the bedrooms of the East property, whose sole windows face the light well.

- b) Loss of privacy and quiet:
 - Decks. The building plans include three decks including a roof deck being added on top of the 4th story. These decks overlook the yards and windows of neighboring properties. The roof deck in particular will invade the privacy of the residents of those homes and increase the noise level of the neighborhood. The number and size of the decks is excessive and a burden on the neighborhood.

Anyone standing on the second floor deck of the proposed design will be able to look directly into the rear bedrooms of 337 - 341 Liberty Street and 333 Liberty Street. People standing on the roof deck will be able to look into the bedrooms and bathrooms of 3632 - 3634 21st Street to the east of the property. People standing on the roof deck will also be able to look into the living rooms and bedrooms of the houses located across the street on 21st Street. Thus, the Proposed Project will directly infringe on the privacy of surrounding neighbors within the most intimate areas of the neighbors' living areas.

Windows. The eastern-facing windows of the proposed design overlook the eastern adjacent building (3632 - 3634 21st St). Specifically, the windows overlook the eastern building's front deck (over garage), rear first floor deck, and three windows in the building's side setback. These windows significantly impact the privacy of the residents and should be removed or use opaque glass.

Rear expansion. The proposed design includes windows and decks in the rear addition to the building. This provides a direct view of the eastern neighbor's rear deck and garden and the rear garden of the neighbors at 337-341 Liberty Street and 333 Liberty Street.

Endless pool. The proposed plans also include an "endless pool" situated next to the east neighbor's property line. The east neighbor's only rear deck is located right above the fence line. People in the endless pool will have a direct view of the deck which is used for bbq, eating, and entertaining. Any noise from pool activities will carry to all neighbors.

- c) Loss of public views: As previously noted the 21st Street hill ascends over 130 feet from Church Street to the top of the hill at Sanchez Street. It provides stunning views of the San Francisco downtown skyline, the Bay, and the East Bay (including Mt. Diablo). It is visited daily by dozens of tourists and residents who come to enjoy the exceptional city views throughout the year and during the year-end holidays. "Tom & Jerry's Christmas tree" at 3650 21st Street is featured in Yelp, Trip Advisor, and Google Local as a "must-see" local attraction. The street is also featured in <u>The Stairway Walks in</u> San Francisco and other tourist guides.
- d) Risk to the stability of neighboring properties: The proposed project includes significant excavation which causes risk of flooding, soil disturbance, erosion, and seismic damage to downhill properties to the east and north. Dolores Heights has a natural spring at the top of the hill. Through the early 20th century it provided local residents and grazing animals with water. Residents on 21st Street found non-City water bubbling up through the soil when making sidewalk alterations. Owing to this existing source of water, Dolores Heights' properties have experienced more than typical flooding in lower level of buildings.

e) Risk from unmitigated wall on a slope: The building plans for a new basement include excavation of over eight vertical feet and construction of a new retaining wall. This along with the flooding risk poses risk of landslide or movement of the adjacent east property. The two properties each touch their respective property lines from the sidewalk through to the East property's side setback/light well.

Page 7 of 8

DR_Application_ATTACHMENT_3636 21st_Street Building Permit Application No. 201501155832

Question 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?

- a) Maintain "special characteristics of outstanding and unique areas" Remove the horizontal addition to the fourth story of the building. This is incompatible with the character of the neighborhood. Use a peaked roof with dormers or a gabled design to blend with the rooflines that step down the hillside.
- b) Preserve light and air for neighboring properties: Remove the extension of the 4th story to the rear of the building. The sponsor already has a large 4th story. The proposed roof deck on top of the proposed 4th story with its 42ⁿ guardrail and opaque "fire-rated wall" effectively creates a <u>fifth</u> story that at mid-lot is 36' 4" high (building height of 32' 6" listed on page 1 of 311 Notice + 40" fire wall.) This exceeds the 35' height allowed under the Dolores Heights SUD. In addition, the horizontal roof extension and the roof deck impact the light and air of adjacent residents and impacts public views.

An alternative design to a horizontal extension is to add dormers to the existing peaked roof to make the top floor more usable. The roofline would blend with the slope of the hill and with the rooflines of other homes on the north side of the street. Nearly all adjacent roofs are peaked or gabled.

Maintain the current depth of the building (64') which still exceeds the Dolores Heights Special Use District allowed depth of 62' 8" (building depth of 55% in 114 deep lot.)

- c) Preserve privacy of neighbors: Revise the building plans to eliminate the roof deck from the final building to preserve the privacy of the neighbors. The remaining two decks and terraced backyard will provide ample outdoor space for the house. Eliminate the windows on the east and west sides of the proposed structure to protect the bedrooms and bathrooms of adjacent neighbors. Eliminate the "endless pool" from the east property line where it is adjacent to the neighbor's 50 square foot rear deck. Maintain the current depth of the building (64') which exceeds the Dolores Heights SUD allowed depth of 62' 8" (building depth of 55% in 114 deep lot.) This will maintain the mid-block open space recommended by the Residential Design Guidelines and mandated by the Dolores Heights SUD.
- d) Preserve view from 21st Street: <u>Eliminating</u> the new proposed fourth story horizontal expansion and the roof deck on top of the 4th story will preserve the public views from 21st Street. As Policy 1.5.16 of the Urban Design Element states: "Views from streets can provide a means for orientation and help the observer to perceive the city and its districts more clearly."

- e) Soften the proposed façade of the Proposed Project: Keeping a shingled façade is more in character with the neighborhood than the proposed design. We recommend maintaining a peaked or gabled roofline that will blend with the "organic" step progression of each home on 21st Street. The proposed boxed roofline stands out and breaks the linear progression. A peaked/gabled roofline will also allow more air and light to adjacent properties. The rear facade of the property with its large windows looks like an office building design. The windows need to be scaled down to fit with the adjacent buildings. Scaled-down windows also avoid privacy issues with adjacent neighbors being able to see inside 3636 21st Street bedrooms and other living areas.
- f) Make other design changes to maintain character of the street and neighborhood: Many other alternatives exist to provide the sponsor with a livable home while maintaining the character and scale of the neighborhood. We will provide examples of how the sponsor can achieve this during our testimony and exhibits at the Discretionary Review hearing. We believe that the project sponsor can have a wonderful residence that he enjoys while maintaining benefits and enjoyment for his neighbors.

CASE NUMBER:

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 corract column)	DR APPLICATION
	Application, with all blanks completed	
	Address labels (original), if applicable	0
	Address labels (copy of the above), if applicable	0
	Photocopy of this completed application	
	Photographs that illustrate your concerns	
	Convenant or Deed Restrictions	11
	Check payable to Planning Dept.	
	Letter of authorization for agent	
	Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	Ш

NOTES

C Required Maternal

O Find the interview of the set of original labels and one copy of addresses of adjacent property owners and owners of property across street

For Department Use Only Application received by Planning Department:

Date:

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.

Danid S. Pennebale Date: 02/16/2016 Signature:

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

Owner Authorized Agent (circle one.



riom: momas, sen (Lio) (sen. momas@sipi.org)

To: davepsf@yahoo.com;

Date: Tuesday, July 21, 2015 5:39 PM

As best we can tell, these are the years when the date of the photo was not recorded somehow. Assessor negative from other years either have the date written on the envelope in which the negative came to us, or the photographer placed a plaque in front of the house that included the date.

Jeff

From: David Scott Pennebaker [mailto:davepsf@yahoo.com] Sent: Tuesday, July 21, 2015 5:12 PM To: Thomas, Jeff (LIB) <Jeff.Thomas@sfpl.org> Subject: Re: Photograph of 3636 21st Street

Hi Jeff,

It's very helpful. May I ask how you narrow it down? Just in case someone asks me.

Thanks so much,

David

On Tuesday, July 21, 2015 3:27 PM, "Thomas, Jeff (LIB)" <<u>Jett. I homas a stpl.org</u>> wrote:

Hi David,

I can narrow it down a bit more.

Our best guess for when that particular photo was taken is between 1946 and 1951.

Hope this helps.

about blank

From: David Scott Pennebaker [mailto:davepsf a yahoo.com] Sent: Tuesday, July 21, 2015 11:25 AM To: Thomas, Jeff (LIB) <<u>Jeff.Thomas a sfpl.org</u>> Subject: Re: Photograph of 3636 21st Street

Hi Jeff,

Thank you so much for the update and for working on this.

I really appreciate it.

Best Regards, David

On Friday, July 17, 2015 10:23 AM, "Thomas, Jeff (LIB)" <<u>left.1homas@stp1.org</u>> wrote:

Hi David,

Sorry to take so long to get back to you.

My best estimate is that the photo was taken sometime between 1942 and 1957.

I have been intending to verify this with photo curator and to double with her to see if there was any way to narrow that down more.

She will not be in until Tuesday. However, I wanted to get back to you to let know that I am still looking into this.

If you don't hear anything further from me next week, you can assume that I could not get any more specific than 1942-1957

Let me know if you any other question.

From: David Scott Pennebaker [<u>mailto:davepsfaryahoo.com</u>] Sent: Thursday, July 09, 2015 2:14 PM To: Thomas, Jeff (LIB) <<u>leff.Thomas/a/sfpl.org</u>> Subject: Photograph of 3636 21st Street

Hi Jeff,

I've attached the photograph of the house at 3636 21st Street.

It would be wonderful to know when it was actually taken.

Thanks so much for your help.

Best Regards,

imbm.com



David P. Cincotta Direct: (415) 984-9687 Fax: (800) 365-1372 DCincotta@jmbm.com Two Embarcadero Center, 5th Floor San Francisco, California 94111-3813 (415) 398-8080 (415) 398-5584 Fax www.jmbm.com

Ref: 75004-0001

July 20, 2016

<u>VIA E-MAIL AND</u> FIRST CLASS MAIL

Scott Sanchez, Zoning Administrator Office of the Zoning Administrator 1650 Mission Street, Ste 400 San Francisco, CA 94103 scott.sanchez@sfgov.org

Dear Mr. Sanchez:

I am writing on behalf of my clients, Carolyn Kenady, David Pennebaker, and Sam Fleischmann, to oppose the Variance Application submitted by Yishai Lerner ("Applicant") dated January 15, 2015, which proposes to expand an existing single family residence located 3636 21st Street in San Francisco, California ("Property") by more than 50%, from 2800 sq. ft. to 4500 sq. ft., and extends into the 45% rear yard setback by an average of 10.75 feet from the existing two feet into the set back.

As surrounding property owners, my clients oppose the subject Application on the basis that the proposed Project does not meet the criteria set forth by Section 305(c). Planning Code Section 305(c) states that "[n]o variance shall be granted in whole or in part unless there exist and the Zoning Administrator specifies in his findings as part of a written decision, facts sufficient to establish":

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and

5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

The Project fails to meet the above criteria. Contrary to the representations made by the Applicant, the Project would cause neighbors residing in properties situated west and north of the subject Property to lose sunlight and views. The proposed expansion of the 4th floor and the expanded building depth of 70 ft. would cause the casting of additional shadows on the properties located north of the Property on Liberty Street, thereby depriving the owners of those properties of light received in their rear yards. The proposed Project design is not consistent with the features, scale of buildings, and building setbacks that are unique to the character of the Dolores Heights neighborhood, which contradicts the intent and requirements of the Planning Code and the City's General Plan. Moreover, the Applicant has not demonstrated that he will incur any extraordinary hardship if the variance is not approved. Accordingly, the Application must be denied.

1. No Exceptional or Extraordinary Circumstances that Distinguish Subject Property

The subject property is located in the Dolores Heights Special Use District (or the "District"). The District is governed by the provisions of Planning Code Section 241, which provides that the minimum rear yard depth of a property in this District must be equal to 45 percent of the total depth of the lot on which the property is situated.

The subject property is currently 2800 sq. ft. and provides a 180-degree view from the rear of the Property. These attributes are equal to, if not greater than, adjacent properties in the District. The rear exterior of the Property already encroaches 2 feet into the 45% rear setback that is typically permitted in the District on the ground level of the Property. The deck structure on the second floor of the Property encroaches 6.75 feet into the rear yard setback. According to our review of the permits issued in regard to the Property as set forth on the City's Property Information Map and Building Permit/Complaint Tracking System, there is no permit on file for the second floor deck. Accordingly, the Applicant has enjoyed the benefits of a non-permitted, second floor deck that owners of adjacent properties have not received.

In view of the foregoing, there are no exceptional or extraordinary circumstances which apply to the Property, or intended use of the property that distinguishes itself from the other properties in the same class of the District. The Applicant has only differentiated the Property from surrounding properties by obtaining benefits that other property owners in the Dolores Heights Special Use District have not accessed.



2. <u>Literal Enforcement of Planning Code Would Not Result in Practical Difficulty or</u> Hardship

The plans submitted with the Application show that limiting the Project's design to the allowed rear setback at 45% would create no unnecessary hardship. The Project proposes to horizontally expand the Property 2 stories over a new basement level, and to vertically expand the space on the existing 3rd floor level. If the depth of the Project were reduced to the allowed rear set back, Applicant would still be able to build the proposed rooms and expand the residence to approximately 3600 sq. ft., with the same room configuration as shown on the project plans, and would not require a variance. Applicant would still be able to obtain 270-degree views to the north and east of San Francisco, the downtown area, Potrero Hill, and of the Bay. Because Applicant would not suffer any loss of added rooms that would contribute to his home's usability and marketability, the Property would not lose value if the variance is denied.

Planning Code Section 241(a), which codifies the 45% rear yard setback requirement, has been in effect since 1980. Applicant has had notice of this provision since his purchase of the property. In the Pre-Application Meetings hosted by Applicant, Applicant represented to neighbors that he had searched for properties offering a view in the Dolores Heights neighborhood for five years, ultimately settling on the Property, which offers 180-degree view from the rear windows. Any difficulty or hardship that Applicant claims emanates from the restriction on the rear yard setback results from Applicant's own decision to purchase the Property.

Thus, the Applicant has failed to establish that any practical difficulty or unnecessary hardship results from the literal enforcement of Planning Code Section 241(a) that is not attributable to the Applicant himself.

3. Variance is Not Necessary for Preservation and Enjoyment of Property Right Possessed by Other Properties in the Same Class of the Dolores Heights District

Limiting the rear depth of the proposed construction to the allowed setback would still allow the Applicant to construct a spacious residence of approximately 3600 sq. ft., with an expanded view of the north and the east of the Property. The size of this Property would be larger than any single family home on a standard 25 ft. x 114 ft. lot on the 3600 block of 21st Street or in the boundaries of the Dolores Heights Special Use District. (See Exhibit 1, which shows the square footage of each residence located on each block facing 21st Street, between Sanchez Street and Church Street.) Additionally, the proposed project design also places an infinity pool adjacent to the property line next to the deck, which is not a feature developed in adjacent properties. Thus, the denial of the variance would not deprive the Applicant of any property right possessed by any other properties on a standard lot in the Dolores Heights Special Use District.

JMBM Jeffer Mangels Butier & Mitchell

4. <u>Granting of the Variance Would be Detrimental to Public Welfare and Other</u> Properties and Improvements in the Vicinity

The legislative purpose of Section 241 is set forth in the text of that provision, which provides for the creation of the Dolores Heights Special Use District based on the following:

In order to preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, to prevent unreasonable obstruction of view and light by buildings or plant materials, and to encourage development in context and scale with established character and landscape...

The requested variance, if approved, will reduce the mid-block open space which is available on the 3600 block of 21st Street. The open space allows for air, light, and room for trees and gardens that delineate the steep hilly topography and provide visual enjoyment by residents and visitors. The proposed Project increases the size of the existing residence by 56% to 4500 sq. ft., which would render the residence the largest single family residence on the standard 25 ft. x 114 ft. lot in the neighborhood. If the Application is approved, the Project would reduce the open space and light available to other properties in the vicinity, thereby adversely affecting the enjoyment of the visitors and residents and creating a condition that would be materially detrimental to the public welfare.

Furthermore, the Project poses specific, material injury to properties and improvements in the vicinity. If the variance were granted, the Project would be detrimental and injuries to many neighbors by:

- Reducing light to the east property's north-facing bedroom windows;
- Reducing light as to the east property's west-facing bathroom window in the side setback adjacent to the subject property;
- Reducing light and privacy for the only deck of the east property's lower unit;
- Depriving the west property of morning light by expanding the Property's fourth floor;
- Causing loss of light to the north properties in their rear yards, due to the additional shadow cast by the additional construction on the 4th story; and
- Reduction in privacy due to new louvers and windows on the proposed east-facing wall of the Property.

Because the granting of the requested variance would be materially injurious to the property or improvements in the vicinity, the Application should be denied.



5. Variance Is Not in Harmony with Code and Would Adversely Affect Master Plan

The General Plan recognizes Dolores Heights as one of five "outstanding and unique" areas, which is characterized by the following qualities:

A uniform scale of buildings, mixed with abundant landscaping in yards and steep street areas.

Rows of houses built from nearly identical plans that form complete or partial block frontages, arranged on hillside streets as a stepped-down series of flat or gabled roofs.

Building setbacks with gardens set before Victorian facades and interesting entryways.

Policies 1.1-1.2 of the General Plan recommend that the City recognize and protect major views in the City, and reinforce existing street patterns as they are related to topography. Policies 1.3-1.4 further recommends that the City recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts, and protects and promotes large-scale landscaping and open space that define districts and topography.

The Project will increase the residence to a depth of 74 ft. at the basement level and increase the size of the existing residence by 56% to 4500 sq. ft., which is significantly larger than either of the adjacent properties. The big box nature of the proposed project has a material impact on the "context and scale with [the] established character" of the District, as prioritized by Planning Code Section 241, and are not compatible with the uniform scale of buildings and setbacks set forth as unique qualities of properties in the District in the General Plan. The granting of the variance and authorization of the requested encroachment into the rear yard setback, when the Property Owner has not demonstrated compelling exceptional or extraordinary circumstances that would justify the variance, would contradict the intent of Section 241 and the policies of the General Plan. The approval of this variance would result in undesirable precedent that other property owners will cite as the basis for requested extensions into the 45% rear yard setback.

Thus, the granting of such variance is not in harmony with the general purpose and intent of the Planning Code and the Master Plan.

6. Planning Code Section 134(c)(2) is Not Applicable

Applicant cites to Planning Code Section 134(c)(2) as the basis for extending the rear depth of his residence to the average of the two adjacent neighbors. Section 134(c)(2), however, only modifies the rear yard requirements for "single room occupancy buildings located in either the South of Market Mixed Use or Eastern Neighborhoods Mixed Use Districts not



exceeding a height of 65 feet..." Thus, Section 134(c)(2) is not applicable and the alternative methods of averaging the reduction of a rear yard described in that statute cannot be used here.

In view of the above facts, the Application fails to meet any of the elements set forth in Section 305(c). Additionally, the requested variance violates Section 241, which controls the District in which the Property is located. If the variance is granted, such approval would upend the strict and consistent application and enforcement of the quantitative standards of the Planning Code. Applicant has also failed to make any showing that the denial of the subject Variance Application would result in practical difficulty or unnecessary hardship. Based on the foregoing, the Application should be denied.

Best regards,

UNDERG

DAVID P. CINCOTTA, Of Counsel to Jeffer Mangels Butler & Mitchell LLP

ON BEHALF OF DAVED CENCOTTA

DPC:clc Enclosures



EXHIBIT 1





>4000sqft

1



17 July 2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

RE: 3636 21Street (Building Permit Application No. 201501155832)

Dear President Fong and Planning Commissioners:

On behalf of the Board of the Dolores Heights improvement Club (DHIC) and its members, we are writing to register our opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832).

The DHIC, especially our Planning and Land Use (PLU) Committee, seeks to be a positive influence on development in Dolores Heights. We wish to fulfill the intent of the San Francisco Planning Commission Resolution No. 8472 which created the Dolores Heights Special Use District (DH SUD) and which describes our neighborhood as an "outstanding and unique area which contributes to San Francisco's visual form and character." To do this, we work with neighbors to mediate disputes, and write letters of support as well letters of objection, as appropriate.

Our PLU reviewed the proposed project relative to the DH SUD and the Dolores Heights Residential Design Guidelines. Dolores Heights neighbors and DHIC officers have attended meetings with the sponsors and have provided the sponsor with feedback relating to the proposed project. The final plans filed with the San Francisco Planning Department still represent a design that is not compatible with the DH SUD and the Dolores Heights Residential Design Guidelines or with the San Francisco Planning Code and its Residential Design Guidelines.

All adjacent neighbors met with the project sponsor and expressed their concerns. In follow up meetings, neighbors and the DHIC tried to reach a compromise but aside from

a few minor adjustments, the project retains its original rear yard encroachment, its overall size, depth, and boxy design.

We oppose this project because it creates extraordinary and exceptional impact on the immediate neighbors and on our neighborhood. We object to:

- The "Big Box" structure the building will impose on the neighborhood. With 6155 square feet inside the building, it will fill 68% of the lot and be out of scale for the neighborhood
- The squared-off roof line that destroys the pattern of houses that step down the steep 21st Street hill
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights residential design
- The impact of the proposed project on neighbors' privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear exterior
- The impact of the "big box" structure on protected public views enjoyed by thousands of residents and visitors to Tom and Jerry's Christmas Tree over the City, downtown, and the Bay

We understand that the project sponsor wants to update his property to accommodate his plans for a family and are happy to support this. Limiting the structure to the rear yard set back, matching the predominant roof line of the block, and reducing the glazing will still provide him with a spacious and enjoyable 4-bedroom, 4.5 bath home which is very large for this neighborhood and with no loss of usability or future marketability.

We therefore ask that you take DR, and do not approve the project as proposed.

Thank you.

Sincerely

John O'Duinn Chair, Dolores Heights Improvement Club San Francisco, CA 94114

July 11, 2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I reside at 3609 21st Street which is within the same block **of the proposed expansion and redesign at 3636 21st Street.** I am writing to register my opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

I oppose this project because it creates extraordinary and exceptional impact on me as a neighbor who views this home from across the street. Specifically, I object to:

- "Big Box" structure that it will impose on the neighborhood. With 6155 square feet inside the building, it will fill 68% of the lot
- The squared-off roof line destroys the pattern of houses that step down the steep 21st Street hill
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights residential design
- The impact of the proposed project on neighbors' privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear exterior
- The impact of the "big box" structure on public views enjoyed by thousands of residents and visitors – over the City, downtown, and the Bay

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Thank you.

Sincerely,

Tamva Marshall

Tamra Marshall 3609 21st Street San Francisco, CA 94114

Mr. Rodney Fong, President

San Francisco Planning Commission, 1650 Mission Street #400, San Francisco, Ca.94103

Dear President Fong and Planning Commissioners:

We reside at 3622 21st Street two doors down from the proposed project at 3636 21st St. (Building Permit application No.201501115832) We are writing to register our opposition for the following reasons:

We believe that the scale of homes in the neighborhood has been carefully preserved by the restrictions imposed by the Dolores Heights Special Use District, and that this project is inappropriate for and out of character with the block.

Specifically we feel that the roof deck and railing is unsightly, and that this and a rear set back variance would adversely affect the neighbors.

With due consideration

Nick Jarrett Don Stroh

July 13, 2016

June 29, 2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I reside at 3631 21st St which is adjacent to 3636 21st Street I am writing to register my opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

I oppose this project because it creates extraordinary and exceptional impact on our neighborhood. Specifically, I object to:

"Big Box" structure that it will impose on the neighborhood. With 6155 square feet inside the building, it will fill 68% of the lot

- The squared-off roof line destroys the pattern of houses that step down the steep 21st Street hill
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights residential design
- The impact of the proposed project on neighbor's privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass
 - proposed four-story rear exterior
- The impact of the "big box" structure on public views enjoyed by thousands of residents and visitors - over the City, downtown, and the Bay

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Thank you. Sincerely,

mala my

Janet and Ronald Dong 3631 21st St San Francisco, CA 94114 June 28, 2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I am writing to register my **opposition** to the proposed project at **3636 21st Street** (Building Permit Application No. 201501155832.)

A trust in my mother's name owns the house located at 3637 21st Street, which is directly across the street from the proposed project. I am a co-trustee of this trust and am acting on its behalf because my mother has Alzheimer's disease. I grew-up at 3637 21st Street and remain a resident of San Francisco, where I have lived my entire life.

I oppose this project because it creates extraordinary and exceptional impact on me, my family and the neighborhood. Specifically, I object to:

- "Big Box" structure that it will impose on the neighborhood. With 6155 square feet inside the building, it will fill 68% of the lot.
- The squared-off roof line destroys the pattern of houses that step down the steep 21st Street hill
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights residential design
- · The impact of the proposed project on neighbor's privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear exterior
- The impact of the "big box" structure on public views enjoyed by thousands of residents and visitors over the City, downtown, and the Bay

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Sincerely,

5 10/ 4/1

Sam Fleischmann 3637 21st Street San Francisco, CA 94114

Greg Montana 3639 - 21st Street San Francisco, CA 94114

July 11, 2016

Rodney Fong, President Planning Commissioner **San Francisco Planning Commission** 1650 Mission Street, #400 San Francisco, CA 94103

Subject: Building Permit Application No. 201501155832

Dear Rodney and Planning Commissioners:

Thank you for reading my letter.

I live at 3639 - 21st Street which is directly across the street from 3636 21st Street (Building Permit Application No. 201501155832.)

I oppose this project in its current design because the scope and scale is way beyond what is reasonable and appropriate for our residential street and this historic neighborhood. Please consider the following:

- At 6,155 square feet this remodeled single family home will fill almost 70% of the lot and be freakishly large. Its massive size will ruin the symmetry of the street and be a horrible eye-sore.
- The proposed modern, squared-off roof line with roof deck works against the pattern of every other house on the street. It will look oddly inconsistent and appear that there is no over-all design plan for this neighborhood.
- This proposed monstrosity will alter the adjacent homeowner's sense of personal space and privacy which is unfair and an inconvenience to the nearby neighbors.

Please consider the following:

• Maintaining the current peaked roof-line and limiting this structure to the rear-yard set back. This will still provide this homeowner with the same number and configuration of rooms in the proposed design without inconveniencing or harming the neighbor's quality of life.

Sincerely,

Greg Montana

Date: 07/02/2016

Dear Commissioners,

We live across the street from the proposed expansion of 3636 21st Street. Our home is located at 3651 21st Street. We feel that the plans for this project, as submitted, will negatively impact the immediate neighborhood. We feel that modifications and compromises should be made to the proposed design that afford the sponsor his right to expand and take advantage of views without impacting the neighbors so extensively. We hope you will encourage the sponsor to make more efforts to compromise with the most affected neighbors.

Thank you very much for your time and consideration.

Sincerely,

MRt any

Amy lacopi and Alex Roetter

July 12, 2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Re: 3636 21st Street, San Francisco 94114

Dear President Fong and Planning Commissioners:

I reside at 3655 21st Street which is on the south side of 21st Street with clear views of the subject property. I am writing to register my concerns about the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

I raise my concerns because the project, as currently proposed, creates exceptional impact on my home, my street, and the neighborhood. Specifically, I object to

- Its "Big Box" structure that will impose on the neighborhood.
 With 6155 square feet inside the building, it will fill 68% of the lot;
- The squared-off roof line will unnecessarily impair views from my property and destroy the pattern of houses that step down the steep 21st Street hill;
- The request for variance that will reduce by 15 feet the mid-block open space which is an important feature of Dolores Heights residential design;
- The impact of the proposed project on the neighbor's privacy, light, and air;

- The night-time light pollution that will impact neighbors quiet enjoyment of their properties caused by unnecessarily large allglass wall-windows on the proposed four-story rear exterior;
- The impact of the "big box" structure on public views which are enjoyed by thousands of residents and visitors from the City, and from other countries.

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set-back and matching the predominant roof line will provide the owner with a spacious and enjoyable 4-bedroom, 4.5 bath home with no loss of usability and marketability.

I hope the Commission will make this project a win for the neighborhood, the property owner and the City. With appropriate modifications of the current plan, that result can easily be accomplished.

Thank you.

Sincerely

Wendy L. Tice-Wallner 3655 21st Street San Francisco, CA 94114

July 16, 2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commission:

We reside at 3663 21st St. which is across the street and uphill from 3636 21st St. We are writing to register opposition to the proposed Variance request and other elements of this project which will violate the SUD requirements within Dolores Heights. We oppose this project because the SUD was set up to preserve the unique character and historical attraction of this neighborhood. Specifically, we object to:

- "Big Box" structure that will impose on the neighborhood. With 4495 square feet of conditioned space it is too large for the neighborhood and lot space. This encroaches on the 45% required rear yard specifications. •
- The squared-off roof line destroys the pattern of houses that step down the steep 21st Street hill.
- The request for Variance will not only effect the rear yard specifications but will reduce by 15 feet the mid-block
- open space, an important feature of Dolores Height residential design.
- The impact of the proposed project on neighbors' privacy, light and air. •
- The night time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear and . side exteriors.
- The proposed rood deck (one of three) that impacts privacy and quiet.
- The impact of "big box structure on public views- enjoyed by thousands of residents and visitors-Over the City, •
- downtown and the Bay.

We understand the property owner wants to upgrade his newly purchased property but, the current architectural plans for his residence do not adhere to the SUD requirements and severely jeopardize the integrity of the neighborhood. Purchasing and remodeling a home in Dolores Heights today, requires phenomenal capital outlay and reserves. The owner was well aware of the SUD requirements for this area and could have purchased a home in any area of San Francisco without an SUD.

We believe the property owner can rework his current plans and with reasonable changes, still have the Dolores Heights home of his dreams without suffering any loss of usability and marketability.

Thank you for your consideration,

Eric Holip Michele Nehyak

Fric Holub 3663 21st St. Michele Nihipali

San Francisco, CA 94114

2014 15 MR. Rodney Fong, PresidenT SAN FRANCISCO PLANNING GGM. DEAR President Fong and Commission ens, I Reside AT 3666-RIST STREET which is Four doors up The STREET FROM 3636 21ST IAM WRITING TO register My opposit To The proposed project AT. 3636 21ST STREET Building Perm APPLICATION No. 20150/155832) I oppose the prodect because it CREATES EXTRAORDINARY AND EXCEPTION GI IMPACT ON ME AS AN IMMEDIATE Neigbor and on our Neighborhood Specifically I object to. BIG Box" STRUCTURE THAT will IMPOS ON The Neigh borhood, with 6155 Squar GN The Neigh borhood, with 6155 Squar Squar Feet inside The building, it will Fill 68%. OF The LOT.

Reduce by 15 Feet The Mid-Block OPEN SPACE, And IMPORTANT FEATURE OF POLORES HEIGHTS' VESIDEN TIAL desig The IMPACT OF THE Proposed Project ON Neighbors PrivAcy, LiGht And AIR The Night Time Light Pollution Withing Neighbors rear windows From All & glass proposed Four story rear and Side exteriors The proposed roof deck (one of Three decks) THAT IMPACTS privacy Ad quiet The IMIPACT OF The "big box' STRUCTURE ON public views, enjoyed By Thousant of residents And VISITOR'S OVER TH CITY, CLOWN TOWN, AND BAY. I UNDERSTAND THAT THE Prodect SPONS WANTS TO UPDATE THE Proberty To. ACCOMMODATE MIS PLANS FOR A FAMI LIMITING his STructure to the VEAR YArd SET back And MATChing The pre domiNANET roof LINE ON 21stre STILL provides him with SPACIOUS

The squared OF ROOF LINE desTRoys Thi PATTERN OF houses THAT Step down The Steep 21st Will.

The request For VARIANCE THAT will

AND ENJOYAble 4-sbedroom, 45 Bathhou the plans still provides him with SPACIOUS AND ENJOYAble 4 Bed Room 4.5 BATH home. His plans still provide For the SAME Humber/CONFig. URATION OF rooms. So the project SPONSOR SUFFERS NO LOSS OF USAbili AN MARKETADITTY.

ThANK 1/00 SIN cerely ANOUS PerA 3666 - 215T S.F. CA 94114

July 12th, 2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I reside at 329 Liberty Street which is adjacent to 3636 21st Street. I am writing to register my opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

I oppose this project because it creates extraordinary and exceptional impact on me as an immediate neighbor [or, on our neighborhood]. Specifically, I object to:

- The squared-off roof line destroys the pattern of houses that step down the steep 21st Street hill and will create a towering effect in our garden. The hill is sloping greatly in this area and the proposed building will be looming 60 feet over our home.
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights residential design
- · The impact of the proposed project on neighbor's privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear exterior
- The impact of the "big box" structure on public views enjoyed by thousands of residents and visitors over the City, downtown, and the Bay

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Thank you.

Sincerely,

Carlos Delatorre Benni Amadi

329 Liberty Street San Francisco, CA 94114

July 18, 2016

Mr. Rodney Fong, President San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I reside at 329 Liberty Street which is adjacent to 3636 21st Street. I am writing to register my opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

I oppose this project because it creates extraordinary and exceptional impact on me as an immediate neighbor and on our neighborhood. Specifically, I object to

- "Big Box" structure that it will impose on the neighborhood. With 6155 square feet inside the building, it will fill 68% of the lot
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights' residential design
- The impact of the proposed project on my and my neighbors' privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear and side exteriors
- The proposed roof deck (one of three decks) that impacts privacy and quiet

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line on 21st Street still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Thank you.

Sincerely,

any Koss Randy Koss

Randy Koss 329 Liberty Street San Francisco, CA 94114
July 19, 2016

Mr. Rodney Fong, President San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I reside at 337 Liberty Street which shares the northern property line of 3636 21st Sreet. My wife and I are opposed to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

We own the 3-unit building to the north of 3636 21st Street. It took us many years to buy out our TIC partners. Now we have placed all our eggs in this building. My wife is a public school teacher and I'm self-employed. So besides being our home, this three-flat is our way to invest, save for retirement, and maybe pass something on to our children. We've worked hard to improve our property. And we oppose this project because of the extraordinary and exceptional impact it has upon us. Specifically, the impacts I object to:

- The "Big Box" structure that looms over our backyard and our building. With 6155 square feet inside the building, it will fill 68% of the lot
- The squared-off roof line that reduces the amount of sunlight we receive especially in the winter
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights' residential design, which for us enhances our backyard which we and our children use daily
- The impact of the proposed project on our privacy, light, and air
- The night-time light pollution hitting our rear windows from the all-glass proposed four-story rear and side exteriors
- The proposed roof deck (one of three decks) that impacts privacy and quiet
- The impact of the "big box" structure on public views enjoyed by thousands of residents and visitors over the City, downtown, and the Bay

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line on 21st Street still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability. Thank you.

Sincerely,

n71ppe Verdiction.

Philippe Vendrolini 337 Liberty Street San Francisco, CA 94114

7/10/16

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street. #400 San Francisco. CA 94103

Dear President Fong and Planning Commissioners:

We reside at 339 Liberty Street which is adjacent to 3636 21st Street. We are writing to register our opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

We oppose this project because it creates extraordinary and exceptional impact on us as an immediate neighbors. Specifically, we object to:

The impact of the proposed project on our privacy, light, and air, the proposed building will be towering our garden area and create non reversible shade in the winter time during peak sun hours.

The all-glass proposed four-story rear exterior will create great night-time light pollution and will be hitting our rear windows. We are also concerned about the loss of privacy in our back rooms, one of them being the nursery of our young daughter.

The impact of the "big box" structure on public views - enjoyed by thousands of residents and visitors - over the City, downtown, and the Bay.

We also want to voice our concerns about the quantity and size of current remodel projects affecting our neighborhood, recently we have had the next door neighbor on Liberty do an extensive remodel with a large expansion, and a couple more projects of very large scale are currently going on next to us: 351 Liberty, 357 Liberty and 3660 21st Street. All of these projects have reduced significantly our ability to enjoy our home by creating noise, dust, traffic, lack of parking. We just had our first-born daughter and the amount of construction around our home affected greatly our ability to enjoy a restful maternity leave. Staggering projects in time or limiting their size would create a more normal quality of life for us.

We understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Thank you.

San Francisco, CA 94114

Sincerely, Eric & Sarah Varady 339 Liberty Street

07/10/2016

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I reside at 341 Librity St which is adjacent to 3636 21st Street. I am writing to register my opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

I oppose this project because it creates extraordinary and exceptional impact on me as an immediate neighbor [or, on our neighborhood]. Specifically, I object to:

- "Big Box" structure that it will impose on the neighborhood. With 6155 square feet inside the building, it will fill 68% of the lot
- The squared-off roof line destroys the pattern of houses that step down the steep 21st Street hill
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights residential design
- The impact of the proposed project on neighbor's privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear exterior
- The impact of the "big box" structure on public views enjoyed by thousands of residents and visitors – over the City, downtown, and the Bay

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Thank you.

Sincerely,

San Francisco, CA 94114 Andy Bowner 341 Liberty Street

7/01/2016 .

Mr. Rodney Fong, President Planning Commissioner San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Planning Commissioners:

I reside at 351 Libry St which is adjacent to 3636 21st Street. I am writing to register my opposition to the proposed project at 3636 21st Street (Building Permit Application No. 201501155832.)

I oppose this project because it creates extraordinary and exceptional impact on me as an immediate neighbor [or, on our neighborhood]. Specifically, I object to:

- "Big Box" structure that it will impose on the neighborhood. With 6155 square feet inside the building, it will fill 68% of the lot
- The squared-off roof line destroys the pattern of houses that step down the steep 21st Street hill
- The request for Variance that will reduce by 15 feet the mid-block open space, an important feature of Dolores Heights residential design
- The impact of the proposed project on neighbor's privacy, light, and air
- The night-time light pollution hitting neighbors' rear windows from the all-glass proposed four-story rear exterior
- The impact of the "big box" structure on public views enjoyed by thousands of residents and visitors – over the City, downtown, and the Bay

I understand that the project sponsor wants to update his property to accommodate his plans for a family. Limiting his structure to the rear yard set back and matching the predominant roof line still provides him with a spacious and enjoyable 4-bedroom, 4.5 bath home. His plans still provide for the same number/configuration of rooms. So the project sponsor suffers no loss of usability and marketability.

Thank you.

Sincerely,

J Giber Vanl 351 Liberty St San Francisco, CA 94114

3636 21st STREET DIMENSIONS – FROM PROJECT SPONSOR 7/11/2016 PLAN SET

GROSS BUILDING AREA:		AA
CONDITIONED AREA	EXISTING	PROPOSED
BASEMENT FLOOR: FIRST FLOOR: SECOND FLOOR:	0 SF T32 SF 1503 SF 644 SF	731 SF 900 SF 1661 SF 1208 SF
THIRD FLOOR: TOTAL:	2879 SF	4500 SF
INCREASE IN AREA:		+1621 SF
<u>UNCONDITIONED AREA</u> GARAGE: DECKS:	557 SF 383 SF	600 SF T14 SF









EXHIB: F4



Exhibit 3











EXELONT IN









EXHIBIT 14



Exhibit 16









	REVISIONS BY
	\frown
	\smile
PEAK OF (E) ROOF FROM CIRB . (C	
	ART + ARCHITECTURE
	ART + ARCHITECTORE
27'-2"	151 POTRERO AVE. STE 200 SAN FRANCISCO, CA 94103
AVG HOT . (E) GABLE ROOF FROM CIRB .	415.641.7320
	levyaa.com
121.46'	MUNICASED ARCHITE
3RD FLOOR	\$055 H LEVA
	* (c 25660) *
	STIENDATE NITHING
	COFGALIT
109 961	
02.910 FLOOR	
	14
	6 41
	010
[01.21] ● [01.21] ●	OT CA te te
<u> </u>	enc, L(
	sid L. S S05
	and 1s and 36
	C S S S
	ern an LO
	Lerner Residence 3636 21st. Street San Francisco, CA 94114 BLOCK 3605 LOT 016
	Description
	EXISTING SECTION
	Date: 07.11.2016
	Scale: AS NOTED
	Drawn: ADS/MB/SN/KMA
	Job LERNER
	Sheet
	A4.2