

SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Full Analysis

HEARING DATE JUNE 16, 2016

Date:	June 9, 2016
Case No.:	2015-003610DRP
Project Address:	2181 9th Avenue
Permit Application:	2015.03.19.1328
Zoning:	RH-1(D) (Residential House, One-Family-Detached)
	40-X Height and Bulk District
Block/Lot:	2860/004
Project Sponsor:	Alexander Lirisman
	Forum Design
	1014 Howard Street
	San Francisco, CA 94103
Staff Contact:	Nancy Tran – (415) 575-9174
	nancy.h.tran@sfgov.org
Recommendation:	Do not take DR and approve the project as proposed

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

Reception: 415.558.6378

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Planning Information: **415.558.6377**

PROJECT DESCRIPTION

The proposal is to construct a new two-story over two level basement single-family residence on a vacant lot located at 2181 9th Avenue. The proposed structure's footprint will be approximately 4,345 gross square foot and includes excavation for the first two levels (basement), a new curb cut and associated landscaping.

SITE DESCRIPTION AND PRESENT USE

The project site is on the west side of 9th Avenue, between Mendosa and Mesa Avenues, Lot 004 in Assessor's Block 2860 and is located within the RH-1(D) (Residential House, One-Family-Detached) Zoning District with a 40-X Height and Bulk designation. The 4,234 square foot upward sloping vacant lot has 55 feet of frontage and a depth of approximately 77 feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in West of Twin Peaks within Supervisor District 7. Parcels within the immediate vicinity consist of residential single-family dwellings of varied design and construction dates. Architectural styles, building heights and building depths vary within the neighborhood.

ТҮРЕ	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	Jan 12, 2016 – Feb 11, 2016	Feb 9, 2016	June 16, 2016	128 days

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	June 6, 2016	June 6, 2016	10 days
Mailed Notice	10 days	June 6, 2016	June 6, 2016	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	3	-
Other neighbors	-	7	-
Naishharhaad	1	1	
Neighborhood groups	Petition	Forest Hill Association	-

- The Project Sponsor held a pre-application meeting with neighbors and presented the proposed project to the Forest Hill Association (FHA). The Project Sponsor also met with the FHA Architectural Review Committee, conducted additional outreach and has extensively communicated one-on-one with neighbors and other interested parties to resolve concerns.
- The Department received 12 comments from the Forest Hill Association and neighbors adjacent, within and outside the block objecting to the project's: scale (height/depth), setbacks, insufficient landscaping, design, impacts to light/privacy, neighborhood character and mid-block open space.

DR REQUESTOR

Kai & Agnes Hong, 2193 9th Avenue, San Francisco, CA 94116

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

Issue #1: The project is out-of-scale and incompatible with its surroundings. The proposed structure "exceeds the immediate adjacent property at 2193 9th Avenue by approximately 17′ in depth and 5′ in height."

Issue #2: The site design with respect to front setback is misleading and does not provide pedestrian scale or enhance the street.

Issue #3: The proposed structure will significantly reduce the mid-block open space.

Issue #4: The proposed building depth will impact light and privacy to the first floor kitchen, second floor bedroom and portion of the backyard.

Alternative Proposed: The DR Requestor recommends reducing the proposed scale (footprint) and matching front/rear setbacks with adjacent homes to adhere to the mid-block open space pattern. Window reconfiguration and materials should also be addressed to "break the line of sight between houses" and provide privacy on abutting structures.

See attached Discretionary Review Application, dated February 9, 2016.

PROJECT SPONSOR'S RESPONSE

Issue #1: The project is within the allowable height limit per Planning Code. Its height had been reduced on three occasions for a total of three feet following discussions with the DR Requestor and neighbors. The proposed structure's height is similar to the adjacent house to the right (2177 9th Avenue), shorter than the DR Requestor's adjacent house to the left (2201 9th Avenue) and shorter than a number of other residences in the area. The proposed structure is more in context with surrounding properties than the DR Requestor's, whose "own house is out of scale and character with the neighborhood in its size."

Issue #2: The project provides the minimum 15 foot legislated front yard setback. A reduction of such setback would cause the project to be noncompliant with Planning Code. The project's design provides pedestrian scale and enhances the street "by creating an interface with pedestrians, at the ground floor, that enhances the sidewalk." The project has been designed with "an articulated façade with well-defined entrances and projecting and recessed façade features."

Issue #3: The site design meets the 25% rear yard requirement per Planning Code and Forest Hill Association Agreement. Rear yard averaging is a method used to reduce rear yards required by Code, not to require increased rear yard size. There is no consistent open space pattern in the surrounding neighborhood since existing housing depths vary widely. The DR Requestor's house is atypical in that it was built with larger width than depth and does not comply with the side setback requirement of Planning Code. The Residential Design Team had no issue with the structure's proposed depth or location on the lot following its review as the site has a shallow depth and is upsloped.

Issue #4: The DR Requestor's house does not have any fenestrations facing the proposed structure for light and privacy to be impacted. Both Planning Code and the Residential Design Guidelines state "with any building expansion or new construction, some loss of light and privacy to existing neighboring structures is to be expected." The Project Sponsor made efforts to minimize impacts by proposing: landscape screening, window placement to break the line of sight between houses, glazed windows facing the DR Requestor's property with recorded Notice of Special Restrictions (DR ignored offer), a five foot shift forward at the project's left corner (DR rejected offer). The Residential Design Team reviewed

the DR Requestor's concerns and deemed that the five foot side setback and additional 5 foot deck setback provides adequate privacy. The Project Sponsor "should not be penalized" for the DR Requestor's existing two foot side yard deficiency abutting the project site.

See attached *Response to Discretionary Review*, dated May 26, 2016.

PROJECT ANALYSIS

The subject property is a vacant upsloping mid-block lot located in an area of mixed visual character and scale. Houses across and downhill from the subject property appear to be one story over garage/basement while those on the block face range from two over garage/basement to two over two garage/basement levels. Building depths in the vicinity are also varied, with similarly constructed depth and sited properties clustered together. The proposed new single-family residence will be approximately 31 feet in height (from existing grade) with two stories over two basement levels nestled in a hill that slopes up approximately 28 feet from the front to rear property lines. The new construction is approximately nine feet below the 40 foot height maximum allowed per Planning Code Section 261. Its proposed depth will be similar to the two properties to its north rather than the three properties to its south.

Building siting with respect to front setback also differs throughout the neighborhood. Houses north of Mesa Avenue on 9th Avenue's east side are aligned closer to front property lines while those south are setback as far as 50 feet. Structures on the block face provide varying setbacks and articulation due to the upslope of lots toward Mendosa Avenue. The proposed structure complies with the minimum 15 foot legislated front setback prescribed per Planning Code Section 131 and its upper massing steps up/back to provide a transition from the street.

Like building depth, existing rear yards contributing to the mid-block open space vary. Distances between buildings and rear property lines range from 15 to 40 feet and those with similarly setback dimensions appear to be clustered together. The project provides a rear yard setback of 19 feet 5 inches and complies with the minimum 25% rear yard setback as required by Planning Code Section 134.

The project is configured to provide the minimum five foot side setbacks as required by Planning Code Section 133. All proposed windows facing the DR Requestor's property and decks will likewise be located no closer than five feet from the shared side property line. Upon review of the DR Requestor's concerns, RDT does not believe that the proposal presents extraordinary or exceptional circumstances with respect to light and privacy as ample side spacing is provided.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15303 (Class Three – New Construction/Conversion of Small Structures, (a) One single-family residence).

RESIDENTIAL DESIGN TEAM REVIEW

Following submittal of the Request for Discretionary Review, the Residential Design Team (RDT) reviewed the project and finds that it meets the standards of the Residential Design Guidelines (RDGs)

and does not present any exceptional or extraordinary circumstances in regards to the rear yard, midblock open space, light or privacy. RDT deems the proposed new construction compatible with the existing context and topography. The Team evaluated setbacks of lots in the surrounding area and found that they are unusually wide with ample side and front setbacks. RDT also commends that the proposal incorporates more than adequate landscaping at the front setback to soften the transition.

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

BASIS FOR RECOMMENDATION

- The project will result in a net gain of one dwelling unit.
- Given the scale of the project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- The project is residential and has no impact on neighborhood-serving retail uses.
- The proposed project meets all applicable requirements of the Planning Code.

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

Attachments: Design Review Checklist Parcel Map Sanborn Map Zoning Map Aerial Photographs Context Photos CEQA Categorical Exemption Determination Section 311 Notice DR Notice DR Application dated February 9, 2016

Response to DR Application dated May 26, 2016

Reduced Plans

Rendering & Architectural Design Drawings

Public Comment

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

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?	L		x
Special Building Locations (pages 19 - 21)			
Is greater visual emphasis provided for corner buildings?	L		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

BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
Building Scale (pages 23 - 27)			
Is the building's height and depth compatible with the existing building scale at the street?	x		
Is the building's height and depth compatible with the existing building scale at the mid-block open space?	X		

Building Form (pages 28 - 30)		
Is the building's form compatible with that of surrounding buildings?	X	
Is the building's facade width compatible with those found on surrounding buildings?	x	
Are the building's proportions compatible with those found on surrounding buildings?	x	
Is the building's roofline compatible with those found on surrounding buildings?	X	

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?	λ		
Does the location of the building entrance respect the existing pattern of building entrances?	x		
Is the building's front porch compatible with existing porches of surrounding buildings?	x		
Are utility panels located so they are not visible on the front building wall or on the sidewalk?	x		
Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on surrounding buildings?	x		
Garages (pages 34 - 37)			
Is the garage structure detailed to create a visually interesting street frontage?	x		
Are the design and placement of the garage entrance and door compatible with the building and the surrounding area?	x		
Is the width of the garage entrance minimized?	x		
Is the placement of the curb cut coordinated to maximize on-street parking?	x		
Rooftop Architectural Features (pages 38 - 41)			
Is the stair penthouse designed to minimize its visibility from the street?			X
Are the parapets compatible with the overall building proportions and other building elements?	x		
Are the dormers compatible with the architectural character of surrounding buildings?			x
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?	x		

BUILDING DETAILS (PAGES 43 - 48)

QUESTION	YES	NO	N/A
Architectural Details (pages 43 - 44)			
Are the placement and scale of architectural details compatible with the building	X		

and the surrounding area?		
Windows (pages 44 - 46)		
Do the windows contribute to the architectural character of the building and the neighborhood?	x	
Are the proportion and size of the windows related to that of existing buildings in the neighborhood?	x	
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?	x	
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?	x	
Exterior Materials (pages 47 - 48)		
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?	x	
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?	x	
Are the building's materials properly detailed and appropriately applied?	X	

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Parcel Map



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Sanborn Map*



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



Zoning Map



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Aerial Photo



SUBJECT PROPERTY





ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109





NEIGHBOR AT 2193 9TH AVE

SUBJECT PROPERTY

NEIGHBOR AT 2177 9TH AVE



STREET SCAPE ACROSS FROM SUBJECT PROPERTY ON OPPOSITE SIDE OF STREET

ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109







NEIGHBORING PROPERTY



NEIGHBORING PROPERTY 3

ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109



NEIGHBORING PROPERTY 2





AD-2.2 NEIGHBORING SITES PHOTOGRAPHS





NEIGHBORING PROPERTY 5



NEIGHBORING PROPERTY 7

ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109



NEIGHBORING PROPERTY 6



NEIGHBORING PROPERTY 8

AD-2.3 **NEIGHBORING SITES PHOTOGRAPHS**





SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
21	181 9th Avenue	2	860/004
Case No.	Permit No.	Plans Dated	
2015-003610ENV			7/18/2014
Addition/	Demolition	New	Project Modification
Alteration	(requires HRER if over 45 years old)	Construction	(GO TO STEP 7)
Project description for	Planning Department approval.		
Construction of a for a for a for a for a for a for a format lot.	our-story, 4,945 sq. ft. single-family re	esidence with parl	king for two vehicles on

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If ne	either Class 1 or 3 applies, an Environmental Evaluation Application is required.
	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
	Class

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is	s 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?
\checkmark	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>
\checkmark	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments a	and Planner Signature (optional):
Project will review com	comply with recommendations of 1/18/14 Gruen geotechnical report. Archeological npleted.

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
	Category A: Known Historical Resource. GO TO STEP 5.
\checkmark	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.

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STEP 4: PROPOSED WORK CHECKLIST

TO BE COMPLETED BY PROJECT PLANNER

Che	ck all that apply to the project.
\Box	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.
\checkmark	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)
	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):
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:
	6: CATEGORICAL EXEMPTION DETERMINATION E COMPLETED BY PROJECT PLANNER
	Further environmental review required. Proposed project does not meet scopes of work in either (<i>check all t</i>
	apply):
	Step 2 – CEQA Impacts
	Step 5 – Advanced Historical Review

STOP! Must file an *Environmental Evaluation Application*.

No further environmental review is required. The project is categorically exempt under CEQA.

Planner Name:	Signature:		
Project Approval Action: Building Permit If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Jean	Poling	Digitally signed by Jean Poling DN: de-org, de-sfoy, de-cityplanning, ou=CityPlanning, ou=Environmental Planning, cn-Jean Poling, email=jeanie.poling@sfgov.org Date: 2015.08.04 12:12:52 -07/00'
Once signed or stamped and dated, this document constitutes a categori Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Cod 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 diffe	rent 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 Descri	ption:	- I

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compare	ed 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 leas	t one of the above boxes is checked, further environmental review is required CATEX FORM

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

	The proposed modification wo	ald not result in any of the above changes.
		re categorically exempt under CEQA, in accordance with prior project is required. This determination shall be posted on the Planning
Departmen	t website and office and mailed to the a	oplicant, City approving entities, and anyone requesting written notice.
Planner N	Name: Signatur	e or Stamp:
Planner N	Name: Signatur	e or Stamp:
Planner I	Name: Signatur	e or Stamp:



REVISED

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **March 19, 2015**, the Applicant named below filed Building Permit Application No. **2015.03.19.1328** with the City and County of San Francisco.

PROPERTY INFORMATION		APPL	APPLICANT INFORMATION	
Project Address:	2181 9 th Avenue	Applicant:	Alexander Lirisman Forum Design Ltd.	
Cross Street(s):	Mesa Ave/Mendosa Ave	Address:	1014 Howard Street	
Block/Lot No.:	2860/004	City, State:	San Francisco, CA 94103	
Zoning District(s):	RH-1(D) / 40-X	Telephone:	(415) 252-7063	

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

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

PROJECT SCOPE					
Demolition	✓ New Construction	□ Alteration			
Change of Use	Façade Alteration(s)	Front Addition			
Rear Addition	□ Side Addition	Vertical Addition			
PROJECT FEATURES	EXISTING	PROPOSED			
Building Use	Vacant	Residential			
Front Setback	N/A	15'			
Side Setbacks	N/A	5'			
Building Depth	N/A	42'			
Rear Yard	N/A	19'-5"			
Building Height	N/A	31'-1 ¼" (above existing grade)			
Number of Stories	N/A	2 stories + 2 basement floors under existing grade			
Number of Dwelling Units	0	1			
Number of Parking Spaces	0	2			

PROJECT DESCRIPTION

Please disregard the previous notice. Staff erroneously sent out an incorrect draft version.

The proposal is to construct a new 2-story over 2 basement ~1,300 SF footprint single-family dwelling on a vacant lot. The project includes excavation for the first two levels, a new curbcut and associated landscaping. 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:	Nancy Tran
Telephone:	(415) 575-9174
E-mail:	nancy.h.tran@sfgov.org
中文詢問請	電: (415) 575-9010

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

GENERAL INFORMATION ABOUT PROCEDURES

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

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

- 1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
- 2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at <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.



SAN FRANCISCO PLANNING DEPARTMENT

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

NOTICE OF PUBLIC HEARING

Hearing Date:Thursday, June 16, 2016Time:Not before 12:00 PM (noon)Location:City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400Case Type:Discretionary ReviewHearing Body:Planning Commission

PROPERTY INFORMATION

Project Address: Cross Street(s): Block /Lot No.: Zoning District(s): Area Plan:

2181 9th Avenue Mesa & Mendosa Avenues 2860 / 004 RH-1(D) / 40-X N/A Case No.: Building Permit: Applicant: Telephone: F-Mail: 2015-003610DRP 2015.03.19.1328 Alexander Lirisman (415) 252-7063 a.lirisman@forumdesign.com

APPLICATION INFORMATION

PROJECT DESCRIPTION

The request is for a Discretionary Review of Building Permit Application No. 2013.03.19.1328 proposing to construct a new two-story over two level basement single-family dwelling of 4,945 gross square feet on a vacant lot. The project includes excavation for the first two levels (basement), a new curb cut and associated landscaping.

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

ADDITIONAL INFORMATION

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

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

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:Planner:Nancy TranTelephone:(415) 575-9174E-Mail:nancy.h.tran@sfgov.org

GENERAL INFORMATION ABOUT PROCEDURES

HEARING INFORMATION

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

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

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

APPEAL INFORMATION

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

ENVIRONMENTAL REVIEW

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RECEIVED

Application for **Discretionary Review**

CASE NUMBER: 2015-00.3610 DRP

FEB - 9 2016

APPLICATION FOR CITY & COUNTY OF S.F. Discretionary Review

1. Owner/Applicant Inform	nation		
DR APPLICANT'S NAME: Kai and Agnes Hong			
dr applicant's address: 2193 9th Avenue		ZIP CODE: 94116	TELEPHONE: (415)690-0702
	PROJECT ON WHICH YOU ARE REQUESTING Living Trust, c/o Shamrock Rea		
ADDRESS: 2655 Van Ness Avenue, Ste	2	zip code: 94109	TELEPHONE: (415) 359-2405
CONTACT FOR DR APPLICATION:		1999-1999-1999-1999-1999-1999-1999-199	
Same as Above 🔤		ZIP CODE:	TELEPHONE:
E-MAIL ADDRESS;			
2. Location and Classifica	ation		
STREET ADDRESS OF PROJECT: 2181 9th Avenue			ZIP CODE:
CROSS STREETS: Mesa			94116
		oning district: RH-1(D)	HEIGHT/BULK DISTRICT: 40-X
3. Project Description			
Please check all that apply Change of Use 🗌 Change of	of Hours 🗌 New Constructi	on 🛛 Alterations 🗌	Demolition Other
	ar 🗌 Front 🗋 Height 🛙 cant Lot	🗌 Side Yard 🗌	
4,945 sq ft sir Proposed Use:	ngle family house		
Building Permit Application N	2015.03.19.1328 Jo.	Date	Filed: 03/19/2015

4. Actions Prior to a Discretionary Review Request

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

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

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project. No changes were made in the plans submitted to planning

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.
- Please 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:

Please 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?

Please see attached

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

lign Hy Signature:

_____ Date: ________

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

Agnes Hong , Owner Owner / Authorized Agent (circle one)

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 correct column)	DR APPLICATION
Application, with all blanks completed	\mathbf{X}
Address labels (original), if applicable	ø
Address labels (copy of the above), if applicable	X
Photocopy of this completed application	X
Photographs that illustrate your concerns	X exhibits
Convenant or Deed Restrictions	•
Check payable to Planning Dept.	Ľ≯.
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)	X plans

NOTES:

Optional Material

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

her Hy

RECEIVED

FEB - 9 2016

CITY & COUNTY OF S.F.

For Department Use Only Application received by Planning Department:

By: Kurt Both

Date: 2/9/16

Project: 2181 9th Avenue, 94116 Page 1 of 2

Application for Discretionary Review Responses

1. What are 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 of Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections to the Residential Design Guidelines.

Section VI of the Residential Design Guidelines calls for designing 1) the scale of the building to be compatible with the height and depth of the surrounding buildings, and 2) the height and depth of the building to be compatible with the existing building at the mid-block open space. The proposed property exceeds the immediate adjacent property at 2193 9th Avenue by approximately 17' in depth and 5' in height. The out-of-scale expansion into the rear yard by 17' would cut off mid-block open space. Although zoning requires a 25% rear yard, which appears to be minimally met, the scale of the building will be incompatible with its surroundings. [See Exhibit 1]. Houses on the block have more significant rear yards.

Section III of the Residential Design Guidelines states that the front setback should be treated so that it provides a pedestrian scale and enhances the street. The proposed project is pushed far back on the property to what we can tell to be 23' from the property line at the entry level. Drawing A001 (site plan) is misleading as it uses mostly sub-grade space (garage / media room) as well as entry deck to establish the front plane of the house. In reality, Grid line 6 marks the front face of the house which is set back 8' from the front of 2193 9th Avenue. All other houses on the block share a relatively consistent 15' setback. [See Exhibits 2A and 2B which redlines A001 and illustrates the true sitting of the house]

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of the 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:

As noted in the Residential Design Guidelines, rear yards provide open space for the residences to which they are attached, and they collectively contribute to the mid-block open space that is visible to most residents of the block, and also of the neighbors who

reside on the block above the proposed project who highly value the green space below their homes. [See Exhibit 3] The scale of the proposed project meaningfully impinges and reduces this space. Please see Exhibits 4A and 4B which illustrate the out-of scale proportions of the proposed project in relation to the adjacent property.

As the immediate adjacent neighbor at 2193 9th Avenue, we are also concerned with:

- Lighting: As the proposed project exceeds the depth of our house by 17' (and is also 4' deeper than the house to its left which the developer also owns), the new house will block light into our kitchen on the first floor, and bedroom on the second floor, and most importantly, any light that we get on the only flat section of our backyard.
- 2) Privacy: The proposed house is pushed very far back from the street such that the side yard windows will look directly into the interior of our house (kitchen on the first floor, and bedroom on the second floor), and also in to our yard. [See Exhibits 3 and 4A]

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?

As suggested in Section IV of the Residential Design Guidelines, we recommend reduction of the footprint of the proposed building to adhere to mid-block open space pattern. [See Exhibit 5] The proposed project should match the average of the front and rear setback of the two adjacent homes. Once the scale of the house is reduced to be compatible with its surroundings, care should be taken to develop window configurations that break the line of sight between houses, and employ the use of translucent glazing such as glass block or frosted glass on windows and doors facing openings on abutting structures.



Project: 2181 9th Avenue, 94116 Exhibit 1



Project: 2181 9th Avenue, 94116 Exhibit 2A




Project: 2181 9th Avenue, 94116



Exhibit 4A

Project: 2181 9th Avenue, 94116 Exhibit 4B



Project: 2181 9th Avenue, 94116 Exhibit 5



RESPONSE TO DISCRETIONARY REVIEW (DRP)





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

Project Information

Property Address: 2181 9th Avenue, San Francisco, CA

Building Permit Application(s): 2015.03.19.1328

Record Number:

Assigned Planner: Nancy Tran

Project Sponsor

Name: Trent & Elizabeth Moore

Phone: (415) 254-4638

Zip Code: 94116

Email: trent@shamrocksf.com, liz@shamrocksf.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

Project Features

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

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)		2
Basement Levels (may include garage or windowless storage rooms)		2
Parking Spaces (Off-Street)		· 2
Bedrooms		5
Height		30'-5 1/2"
Building Depth		42'
Rental Value (monthly)		Unknown
Property Value	\$1,500,000	Unknown

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

Signature:	Date:	5/25/16
Printed Name: Trent & Elizabeth Moore	Property C Authorized	

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

RESPONSE TO DISCRETIONARY REVIEW

Property Address:	2181 9 th Avenue
Building Permit Application #:	2015.03.19.1328
Project Sponsor:	Trent & Liz Moore 415.254.4638 Trent@ShamrocksSF.com
Assigned Planner:	Nancy Tran
Date of submittal:	May 26, 2016

<u>**OUESTION 1</u>**: Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved?</u>

The design of our proposed house meets (and in many cases far exceeds) the requirements of the city's Planning and Building Codes. It has been deemed by the Planning Department to comply with the city's Residential Design Guidelines. It has been deemed in compliance with Forest Hill Homeowners Agreement (which contains the Architectural Guidelines; see attached <u>Exhibit B</u>). As outlined in detail under Question 2 below, we are long-time Forest Hill residents who care about the neighborhood and to that end have been working with the DR requester and other neighbors since December of 2013. We have made numerous, significant changes to our design to address their concerns prior to the filing of the DR request. We feel that the remaining concerns of the DR Requester and other neighbors are, in some cases, based on erroneous information, and in other cases, simply unreasonable.

<u>QUESTION 2</u>: What alternatives or changes to the proposed project are you willing to make in order the 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.

Following is a list of concerns raised by the DR requester (DRR) and our responses thereto, all of which were offered to DR Applicants prior to the filing of the DR request:

1. **HEIGHT:**

- a. <u>Concern</u>: DRR claims that our house is 5' taller than hers and is not compatible with surrounding houses.
- b. <u>Response</u>: DRR incorrectly states the height of our house. Our house is 3'7'' taller than hers, not 5' (see attached <u>Exhibit B</u>). Our house is $30'5 \frac{1}{2}''$ tall. This is

<u>almost ten feet lower</u> than the allowable height of 40'. During the course of our discussions with DRR and other neighbors, we lowered the height of our home three different times for a total of a three-foot reduction.

It is misleading of DRR to claim that our house is incompatible with surrounding houses simply because it is larger than hers. In fact, her own house is out of scale and character with the neighborhood in its size, and our house is more in context with the surrounding properties (see attached <u>Exhibit C</u>, which is a rendering that depicts our home in the context of the surrounding houses). Furthermore, Forest Hill prides itself on its eclectic mix of home styles, to which our house will make a positive addition.

Our proposed home is the same height as the peak of the house adjacent to us on our right (2177 9th Avenue). The house adjacent to DRR's house on her other side (2201 9th Avenue) is higher than our proposed home. There are multiple houses on 9th Avenue and on the surrounding streets that far exceed the height of our proposed home. We feel that a home that is almost ten feet under the allowable height limit is entirely reasonable and is compatible with the neighborhood.

2. FRONT SETBACK:

- a. <u>Concern</u>: DRR would like our front setback to be smaller. She claims that our plans misleadingly indicate that our house is set 15' back from the property line. She believes that the house is actually set back 23' from the property line. In support of this, she states that our measurement of our setback uses mostly sub-grade space as well as the entry deck to establish the front plane of our house. She would like our front setback reduced to the average of the front setbacks of the two houses on either side of ours (one of which is hers).
- b. <u>Response</u>: If we were to reduce our setback as requested by DRR, we would be in violation of the Planning Code, the Residential Design Guidelines, and the Forest Hill Architectural Guidelines. Our setback was calculated at 15' in a manner acceptable to both the City and the FHA (as evidenced by our documented compliance with design guidelines of both (see again <u>Exhibit A.</u>) Reducing the setback would put us in violation of the 15' minimum.

DRR cites Section III of the Residential Design Guidelines, and says that our design does not comply with that section's recommendation that the front setback be treated so that it provides a pedestrian scale and enhances the street. In fact, our design does exactly this by creating an interface with pedestrians, at the ground floor, that enhances the sidewalk. That section of the Guidelines further states that houses should be designed "utilizing an articulated façade with well-defined entrances and projecting and recessed façade features." This is exactly what our design does.

3. **REAR YARD/MID-BLOCK OPEN SPACE:**

- a. <u>Concern</u>: DRR believes that our rear yard is too small and that this has a negative impact on mid-block open space. She proposes that our rear yard should be the average of the two adjacent properties.
- b. <u>Response</u>: The RH-1(D) district does not provide for using rear setback average to increase the size of a rear yard, as suggested by DRR. Averaging is a method used by the Code in other districts to *reduce* the rear yard as required by the Code.

Our design meets the 25% rear yard requirement stipulated by both the City and the FHA. The depth of houses in the surrounding neighborhood varies widely and there is no consistent pattern of open space. DRR's house is atypical for the neighborhood by filling in more than the allowed width of the lot, but very little depth. Its larger width is why it does not comply with the side setback requirements of the Planning Code. Furthermore, the current gardening shed and arbor roof on the property is in approximately the same location as the edge of our proposed home. The gap between our house and the houses to the rear will be over 50'.

On June 17, 2015, Planner Nancy Tran stated that "[the Residential Design Team] had no issue regarding the structure's depth or location on the lot, stating that the project conforms with its guidelines and fits in with the varying neighborhood." (see <u>Exhibit D</u> for email exchange).

4. LIGHT/PRIVACY:

- a. <u>Concern</u>: DRR claims that our home will impact light and privacy at her first floor kitchen, second floor bedroom, and a portion of her backyard.
- b. **<u>Response</u>**: It should first be noted that DRR's house has no windows or doors facing our house. Even if there were facing windows, the Planning Code and the Design Guidelines clearly state that it is understood that with any building expansion or new construction, some loss of light and privacy to existing neighboring structures is to be expected.

We have made <u>many efforts to minimize impacts</u> on DRR's house, some of which she has accepted, and some of which she has rejected or ignored:

- i. We propose to plant significant landscaping to create a screen between the two houses;
- ii. We have designed window placement with an eye to breaking the line of sight between the two houses;

- iii. We propose to glaze the windows facing DRR's house. Moreover, when DRR expressed concern that future owners might not adhere to this, we offered to record a Notice of Special Restrictions against the title to the property that would prevent any future owner of the house from eliminating such glazing. DRR ignored this offer.
- iv. We offered to slide the rear left corner of our house forward by 5 feet. DRR rejected our offer, citing her belief that that we would make that space into a deck. We reassured DRR that we would not do this, but she nonetheless rejected our offer again (please see attached <u>Exhibit E</u> for correspondence on this topic and <u>Exhibits F and G</u> for drawings.

DRR purchased her home next to a vacant lot in Forest Hill, which is one of the most desired neighborhoods in the City and where houses routinely receive an exorbitant number of offers. DRR had constructive knowledge of what could be built on the lot. Furthermore, DRR's side yard adjacent to our Property is deficient in minimum joint property line setback by about 2 feet. We should not be penalized for DRR's insufficient side yard.

In an email to DRR, Planner Nancy Tran informed DRR that the Residential Design Team had been advised on DRR's concerns about light and privacy and had "believed that that proposal provide adequate privacy through its 5 foot side yard setback and an additional deck setback (~5 ft.)" (Please see attached Exhibit <u>H</u> for email exchange).

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

As long-time Forest Hill residents, we have worked with DRR and other neighbors and the Forest Hill HOA since December of 2013. We have made numerous concessions and revisions in direct response to the concerns they articulated. We have designed our house with an eye to respecting the neighbors and our wider Forest Hill neighborhood as much as possible under the circumstances. For the reasons articulated above and listed below, we feel that our house should be approved as it is currently designed:

1. Our house is consistent with the existing scale of the neighborhood:

a. As explained above, our house is almost ten feet lower than the allowable height; we reduced the height by a total of three feet in response to the neighbors' concerns;

b. With regard to square footage, DRR cites erroneous figures (she states that our house 4,945 square feet when the livable square footage is actually 4,344 square feet). Many homes in the immediate vicinity have comparable or larger square footage.

<u>Most importantly</u>, however: to compare the square footage of our home to the square footage indicated on the tax records (the standard point of reference) of other homes in our neighborhood is to compare apples to oranges. A discussion of the size of our home must compare <u>space</u> to <u>space</u> rather than space to livable square footage.

Approximately 35% of the square footage in our proposal will be below grade. Such <u>space</u> exists in many older homes but is not included in the <u>livable square</u> <u>footage</u> indicated on the tax records; hence, apples to oranges.

To illustrate our point, consider the following: we own the house next door at 2177 9th Avenue. We remodeled this house and added <u>1600 square feet of livable</u> square footage to already-existing space. We did not expand the footprint at all. From outside, the house appears just as it always did.

Contemporary architects now capture at the outset of the design process space that in the past would have existed but would not have been finished out to livable standards. Many homeowners in Forest Hill now recognize this and are finishing out existing space in their houses, thereby increasing their livable square footage without expanding the footprint. For example, the Barad/Richtel family, who are kitty-corner to our lot, are adding space to their home within the existing footprint. We have simply included such space from the outset.

2. Over 100 Forest Hill residents have expressed their support of our project.

Please see the attached <u>Exhibit I</u>, which is a letter of support signed by over 100 residents of Forest Hill; **30 of the signatory supporters live on 9th Avenue**, where the house is located, and many more live on Mendosa, which backs onto 9th Avenue. Also attached please find the minutes from the September 8, 2014 meeting of the Forest Hill Homeowners Association (<u>Exhibit J</u>), where many neighbors spoke in support of our house and at which the HOA Board deemed our house to comply with the Forest Hill Agreement (which contains the Architectural Guidelines). Note that following this meeting, we continued to make significant concessions to the neighbors who still had concerns.

3. With regard to the Eliases, whose house is behind our lot and who have objected to the height of our proposed house:

a. The roof of our house is <u>below</u> the foundation of their house;

b. They expressed concern that our house would cast a shadow on the flowers in their rear yard. We performed a shadow study (see <u>Exhibit K</u>) that clearly demonstrated that their own fence casts more of a shadow on their yard than would our house. And that was before we lowered the height an additional two feet! (Our total reduction in response to neighbors' concerns is now three feet.) Nonetheless, the Eliases continue to maintain that the height of our house would impact them.

For all these reasons, we respectfully request that you deny the request for Discretionary Review. Thank you for your time and consideration.

exhibit a

FOREST HILL ASSOCIATION

381 Magellan Ave. San Francisco, Ca 94116 (415) 664-0542 office@foresthill-sf.org

September 18, 2014

To: **Delvin Washington**, SW District Leader San Francisco Planning Department 1650 Mission Street San Francisco CA 94103-2414

Re: 2181 9th Avenue, San Francisco, CA 94116

The Forest Hill Board of Directors does not object to the latest proposal for this property by Trent and Elizabeth Moore, as there are no conflicts with the Forest Hill Agreement.

However, the Forest Hill Board requests that it be notified and involved in all the approval processes of the San Francisco Planning Department as some of the neighbors have substantial concerns of the proposal's location, size and appropriate relationship of its architectural character to the neighborhood per the SF Residential Design Guidelines.

For the Board of Directors,

Mark Watts, President Forest Hill Association

Cc: Marcia & Mark Elias, 65 Mendosa Ave.
Diane & William Wara, 85 Mendosa Ave.
Matthew Richtel & Meredith Barad, 55 Mendosa Ave.
Robert H. & Julie K. Lustig, 70 Mendosa Ave.
Emily Schwartz, 29 Mendosa Ave.
Stuart & Deborah Oppenheim, 11 Mendosa Ave.
Agnes & Kai Hong, 2193 9th Ave.
Peter Dallman, 2201 9th Ave.
Frank E. Schimaneck & Suzanne McElwee, 2 Mesa Ave
Carla Newmeyer Cooper, 53 Santa Rita Ave.
Peter & Dorothy Levy, 2176 9th Ave.

Cc continued:

Thomas Cooke, 358 Pacheco Ave. Kathleen Farrell, 200 Montalvo Ave. Eric Buonassisi, 469 Pacheco Ave. Dave & Clorinda Aldrich, 544 Magellan Ave. Harold Wright, 2180 9th Ave. Paul Bessieres, 51 Sotelo Ave. Jim Earhart, 480 Pacheco Ave. Dena Aslanian-Williams, 293 Magellan Ave. Warren Krauss, 80 Linares Ave. Angela O'Donnell, 2216 9th Ave. Patrick & Veronica Bell, 340 Castenada Ave. Todd Darling, 180 Dorantes Ave. Deirdre & Jerry O' Leary, 50 Sola Ave. Rick Hills, 50 Marcela Ave. Chris & Jim Storm, 2 Mendosa Ave. Kathleen Darling, 180 Dorantes Ave. Francesco Lettieri, 260 Dorantes Pete & Bernie Naughton, 369 Magellan Ave. Ron Wong, 2155 9th Ave. Amy Quirk, 301 Magellan Ave. Rigo Cabezas, 245 Pacheco Ave. Trent & Elizabeth Moore, 48 Marcela Ave.



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STREET ELEVATION



EXHIBIT C

EXHIBIT

On Wed, Jun 17, 2015 at 10:29 AM, Tran, Nancy (CPC) <<u>Nancy.H.Tran@sfgov.org</u>> wrote: Mr. & Mrs. Hong,

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I apologize for the delay in responding. The Residential Design Team reviewed the project on June 4 before I received your additional notes on June 8. I did, however, bring up your concerns and RDT had no issue regarding the structure's depth or location on the lot, stating that the project conforms with its guidelines and fits in with the varying neighborhood. I have completed my Plan Check review and found that the proposal complies with Planning Code. Please be aware that §311 notification will not be sent out until environmental review has been completed.

Nancy Tran

(HIBITE (Pg. 1)

Trent Moore 48 Marcela Avenue San Francisco, CA 94166

January 14th, 2015

Mr. Kai Hong 2193 9th Avenue San Francisco, CA 94116

Dear Kai,

Thank you for meeting with me again on October 9th, 2014. I appreciate you making the effort to listen to my proposal to shift the top rear bedroom five feet forward in an attempt to satisfy your remaining concerns regarding my proposed house at 2181 9th Avenue and gain your support.

At our meeting, you rejected my proposal. I asked you what it would take to gain your support and you stated that I needed to shift the entire house forward 10 feet.

As I promised, I considered your proposal. I actually would like to shift the house forward since it would provide a larger rear yard; however, I cannot accommodate your request. To accommodate it, I would violate the 15 feet front yard setback required by the Forest Hill Association architectural guidelines. Moreover, I gained support from over 100 neighbors based in large part on how far the house would be set back from the street.

Furthermore, your request is contradictory to your initial stated concern (at our initial meeting with neighbors on February 26, 2014) that our house would block your views from the front of your house. The proposed house is progressively stepped back at each level up as an accommodation to you and the neighborhood concerns that the house would "loom over the neighborhood." The proposed house addresses those concerns.

With respect to your privacy concerns related to our rear window facing your property, we volunteered to frost that window so that no one could see into your yard at our second meeting with the neighbors on May 21, 2014. At the FHA meeting on September 8th, 2014, we further offered to record a notice of Special Restrictions that would prevent anyone from removing the frosting.

Lastly, I offered to shift forward the rear bedroom as discussed herein. Please let me know if, in the light of the impossibility of moving the house forward, you will please reconsider supporting the proposed house if I commit to moving the rear bedroom forward five feet. I'll lose the front deck but I want to do this in the spirit of compromise.

EXHIBITE (pg.2)

Please see enclosed the sketch dated September 16th, 2014 (and presented to you October 9th, 2014) with the proposed 5' shift forward of the bedrooms adjacent to your home.

I welcome your response.

Regards,

de

Trent Moore







------ Forwarded message ------ From: **Tran, Nancy (CPC)** <<u>Nancy.H.Tran@sfgov.org</u>> Date: Wed, Jun 17, 2015 at 11:49 AM Subject: RE: 2181 9th Avenue To: Agnes Leung Hong <<u>agnesleung@gmail.com</u>>

Ms. Hong,

RDT's guidelines support Planning Code §101 with respect to providing adequate light, air, privacy and convenience of access to property. I did bring up your concern regarding privacy with RDT but it believed that the proposal provides adequate privacy through its 5 foot side yard setback and additional deck setback (~5 feet). At this point, I suggest contacting the project sponsor/architect to address your concern as the proposal has been reviewed internally and deemed to meet the RDT guidelines and Planning Code. As mentioned in a previous email, you may submit a Discretionary Review (DR) application with the appropriate fee by the deadline stated in the §311 notice if you feel your concern has not been addressed. Please be aware that notification will not be sent out until environmental review has been completed. Should you have more questions regarding the DR process, you may call or visit the Planning Information Center at 415.558.6377; 1660 Mission Street. More information can be found at: http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=491 and http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=512 Nancy Tran

August 1st, 2014

Board of Directors Forest Hill Association 381 Magellan Avenue San Francisco, CA 94116

Re: 2181 9th Avenue

Dear Board Members,

We support the plans to develop 2181 9th Avenue. I have reviewed the original plans, the first revised plans, and the second revised plans. The house will fit well in our neighborhood.

Forest Hill is a single family home residential neighborhood. We are in favor of developing single family lots that meet Forest Hill Design Guidelines and meet San Francisco Planning Codes.

Please vote in favor of the second revised plans for 2181 9th Avenue.

Best Regards,

Trent Moore 48 Marcela Avenue Elizabeth Moore 48 Marcela Avenue e Gla

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2181 9th Avenue Support Letter Page 5 Norm - I Mondere lance Christine Storm, 2 mendosa ave. fins Appen II MENDUR Aue bon Appenhein 11 Mendosa 360 Porantes Ave a Ma Kily, Ma 350 Dorantes Ave anosa Man 71 Lopez, Jarletto D' Carroll 146 Tacardal St. SF Dien O'Candl 146 Tavaval 55 Mendo ser Ave. Marchip J.M. 55 Mendosa Ane. Froht 29 MENDOSA AVE. 28 Medda 444 Pacheco 50 Marcoln Ave mara V . So Marcela do. hourence Hi IC MENDO.S.A AVP nnr S2/5K BANCIS 45 Mendos A. A. 159 Castenala Are Castenal Av 59 Inh

EX. I (

HIBIT J

FOREST HILL ASSOCIATION BOARD OF DIRECTORS MEETING September 8, 2014

Board members present: Mark Watts, Kathe Farrell, Diane Wara, David Aldrich, Thomas Cooke, Eric Buonassisi, Warren Krauss

FHA Members in attendance: Clorinda Aldrich, Rigo Cabezas, Paul Bessieres, Dena Aslanian-Williams, Marcia & Mark Elias, Harold Wright, Jim Earhart, Angela O'Donnell, Patrick & Veronica Bell, Todd Darling, Deirdre & Jerry O' Leary, Rick Hills, Chris & Jim Storm, Kathleen Darling, Francesco Lettieri, Pete & Bernie Naughton, Ron Wong, Amy Quirk, Trent & Elizabeth Moore

Community Attendance: Janette Najar

Mark Watts called the meeting to order at 7:00pm.

Minutes: Draft minutes of the July 14, 2014 meeting were approved.

Treasurer's Report:

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Eric Buonassisi presented the treasurer report for the month of August, our 5th month of this fiscal year. Highlights are below, 12 page report attached.

- With the summer and 42% of the budget year in the rear view mirror, our total expenses remain under budget at 39% of the budget a 3% cushion. We know that Landscaping and Community Events will be experiencing higher than normal monthly expenses in the next two months as summer pruning costs and the successful picnic expenses are paid. Clubhouse rental income continues to be well ahead of the budget and represents 64% of our \$66,400 forecast. This is despite our first event cancellation which took \$1000 away from our August rental revenue. This was a member sponsored event in December 2014. Maintenance assessments were unchanged with 4 delinquent accounts still remaining. August late letters with added late fees were mailed to each of them last week.
- Expenses compared to prorated budgets for 42% of the year: Through 5 months of the fiscal year, expenses are 39% of the budget. We have made expenditures totaling \$132,530 at this date about \$8,090 less than budgeted on a monthly pro-rated basis. We still don't expect any difficulty in meeting our budgeted revenues and expenses which should result in a \$37,465 surplus added to our Reserves at fiscal yearend.
- Under Budget so far:
 - Personnel expenses continue below budget but have increased from last month to 36% of the annual budget.
 - Utilities are under budget at 40% with gas and electric a little over (46%) and Water, sewer and telephone under (31% to 41%)
 - Landscaping is currently well under budget at 28% but we know that extra tree removal, planting, pruning and sidewalk trimming expenses will be right around the corner
 - · Office expenses are less than 14% of the \$6,730 annual budget



- Community & Communications expenses are 38% of the \$28,150 that we have budgeted for FY 2014-2015. The picnic expense will hit the books in September and will put this category back on a more normal path.
- Over Budget so far
 - Clubhouse expenses are running at 61% of the annual budget with agreed maintenance projects front-end-loaded and this sub category representing 54% of the entire Clubhouse budget of \$37,480! Electronic security is at 50% because we just paid a quarterly invoice in August, prepaying the other 2 future months. Event Cleaning is following increased rentals and will be directly proportional as we continue to exceed rental bookings and events that require cleaning.
 - Debt Service is over budget at 44% because of the 2013 \$5000 loan origination fee that was moved from the balance sheet (capital item during the Renovation) to the operating budget (April 2014). Additionally, Union Bank corrected the June, July, and August loan payments taken from our operating account to more closely resemble the \$5321.03/month that they originally told us would be charged each month starting in June. They actually were charging \$4166.67 each month since June. Going forward, we will see \$5321.77 taken out each month in principal and interest.
 - Professional Services, at 48% of the annual \$16,600 budget, are under control and fully funded for the remaining \$8,680 that is left for planned expenditures. The tax preparation, Reserve Study and Financial Review have all been completed on budget in the first half of the year.
 - And finally, Insurance is 71% of the budgeted \$18,780 but is on target to meet the annual number. We prepay for much of our insurance with the impact felt in first 8 months of the year.
 - Harold Wright questioned why we paid \$800+ for the ice cream truck for the picnic.
 - Harold Wright questioned what Yen Bachmeier's does and why her timesheets do not say what she does?

Treasurer's report approved unanimously.

2015 Assessment increase discussion:

- Finance committee feels we can pay down \$100,000 of principal at the beginning of next fiscal year
- Finance committee suggested a 20 mill increase in the HOA dues a 23.5% hike from the previous 5 years
- In the next 10 days, a notice must go out to all FHA members and non-members notifying the FHA community of the increase to allow adequate time for feedback. FHA members have the next 2 FHA Board meetings to make comments and ask questions to the Board. After 60 days the Board will vote at the November Board meeting to accept the Finance Committee's recommendation or modify it.
- Recommendation was made to post the Forest Hill Agreement on the FHA Website.

Advisory Committee Reports:

Legal and Governance (presented by Warren Krauss):



Warren brought to the attention of the attendees that The Board violated its own policy, by giving out its members_information for the Friends of the Forest Hill mailing.

Mr Krauss stated that the Board had agreed that no communication from FFH would go out to our owners unless the language of same was expressly approved by the Board. He reminded the Board that this procedure had already been approved by the Board at the previous meeting and must be followed in the future.

Warren Krauss further reminded the Bd that it's reasoning and votes must be exposed to the owners to reduce the possibility of corruption With rare exception, there should be no more secret or so called "email votes", with all of their attendant dangers. The Board's business, (except for Claims and some personnel matters) must be conducted before the owners. Diane Wara stated her agreement to this policy.

Mr Krauss then stated that the summaries presented by Treasurer EB must be sent out to the members with a cover letter explaining the rights, timing, and obligations of the members re a potential assessment increase. Mr Krauss asked EB to quickly draft such cover letter for review by the Board. Tom Cooke indicated that such important letter must be reviewed by the Legal & Governance chair for legal sufficiency No Director voiced opposition to this procedure.

Dena Ashlania-Williams objected to the language and characterization in which Warren conveyed the discussion.

Activities (presented by Tom Cooke):

Tom Cooke discussed the great success of the attendance of the FHA Picnic on August 31st where almost 300 people attend. Lizard Lady and Ice Cream Truck was a huge success and a great number of new and young families came out. Harold Wright did bring up concern on spending \$800+ on the ice cream truck.

Clubhouse and Architectural Review Committee (ARC):

- Trent Moore discussed his ongoing attempt and intent to work with the neighbors of the FHA. He brought a document that had 102 signatures from FHA members stating they support the second revised plans to develop 2181 9th Ave. He noted that 8 of the original 19 FHA residents who originally objected to the first revised plans, were now in favor of the second revised plans, leaving 11 residents from 6 different addresses.
- The Moore's architect was also at the meeting to support the project and to confirm that they have listened to the concerns of the FHA residents and have lowered the parapets as well as the overall height. The overall height is 30'-0" (2'-0") lower than the last revision. Liz Moore stated she is working with the next door neighbors, The Hongs, to address privacy issues regarding the windows overlooking the neighbors back yard/bedroom window.
- Neighbors not in favor of the revised plan stated the new design still is too large, too tall for the lot, scale and bulk is too large as well as too modern(pattern breaker).
- The Board made a motion to send a letter to Delvin Washington, SW District Leader San Francisco Planning Department. 6 in favor 1 objection. (Letter attached as reference).
- Liz Moore asked that in the interest of fairness to state how many were in favor along with the comment of how many neighbors were not in favor.



 Board discussed that they were "not approving" the plans but rather "not objecting" to them. Discussion was also held regarding not having a caveat that several neighbors approved/object to the project As part of the Board vote to send a letter to Delvin Washington (6 in favor, 1 objection) the Board agreed to include in the letter the caveat that several neighbors objected to the project as currently designed.

Clubhouse New Rental Policy:

- 19 **-** 19 - 19

- Janette Najar discussed 4 new rental rates for the Clubhouse.
- The reduced rental rates are only available 30 days in Advance of the date of renting and only for events 4 hours in length or shorter.
- The rental rates are as follows:

Member (Monday-Thursday) : \$500 Member (Friday-Sunday): \$700 Non-Member (Monday-Thursday): \$1000 Non-member (Friday-Sunday): \$1200

- Additional verbiage added to the contracts will be: The renter may not enter the Clubhouse prior to their start time and must depart promptly. If the rental time is exceeded, the renter will be charged \$200/hour.
- If renters request delivery or pick up by a vendor outside of rental hours, the clubhouse manager may use her discretion and when possible will provide access to the clubhouse to accommodate the vendors schedule for an additional fee of \$50/hour (not prorated).
- Renter shall pay the entire Rental Fee plus the security deposit before securing the reservation.
- Member Renters are not allowed to sponsor an event for a Third Party at the reduced rate.

Communications/Newsletter: No Report

Infrastructure: (No Report)

Trees and Landscape: (No Report)

West of Twin Peaks CC: (No Report)

Garden Club: (No Report)

Mark Watts moved to delay discussion of the following agenda items:

- 1. Pocket Opera Dates for 2015
- 2. Friends of Forest Hill Procedures
- 3. Noise Sign
- 4. Board Book

FHA Board asked that the Articles of Incorporation and Bylaws of the Friends of Forest Hill be sent to the FHA Board.

There being no further business, the meeting was adjourned at 9:10pm

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Respectfully submitted, (Janette Najar)

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Clubhouse Rentals:

- Janette Najar was NOT able to present a summary of rental contracts as the meeting ran long. However, below are the rental statistics since the last Board Meeting in July. In the past two months, eight (7) new contracts have been received and the Clubhouse has been shown to 13 potential renters. The seven new contracts total \$11,700 with 43% being rented by members, 66% rented by members sponsoring non-members, and 57% rented by non-members.
- One event cancelled since last July 2014 FHA Board Meeting resulting in a loss of \$1000 rental fee.
- The "Here Comes the Guide" online advertising site was viewed 476 times in July with a click-through rate of 18.07%.

\$73,800

- 2014 statistics:
 56 Total Contracts for calendar 2014 is \$70,050 37 members
 26 nonmember 34% non member
- Projection for Calendar 2014



From:	Trent Moore & Elizabeth Naughton Moore 48 Marcela Avenue San Francisco, CA 94116
То:	San Francisco Department of City Planning
Date:	March 19, 2015
Re:	Building Permit Application 2181 9 th Avenue, San Francisco

To Whom It May Concern:

This letter accompanies the building permit application to construct a single-family home at 2181 9th Avenue, San Francisco (the "Project"). The Project is located in the Forest Hill neighborhood. We, the applicants, Trent and Elizabeth Moore, also live in Forest Hill, a few blocks from the Project. We have lived here eight years and are active members of the Forest Hill Homeowners Association (the "FHA").

Our Project site is signatory to the FHA agreement, which requires us to obtain approval from the FHA Board before applying to the City for building entitlements. After a lengthy outreach process that involved both the FHA and neighbors immediately adjacent to our project, we received project approval by a vote of the FHA Board on September 8, 2014. Attached please find a copy of the approval letter (**Exhibit A**).

Following is a summary of our neighborhood outreach and the evolution of our plans:

1. We conduct a Pre-Application Meeting

On February 26, 2014, we held a Pre-Application meeting at our home (see attached **Exhibit B** for a complete copy of the Pre-Application packet documenting compliance with Planning Department procedures).

Nine neighbors attended the meeting, including the President of the FHA (Mark Watts) and another Board member (Paul Cooper), both of whom are also members of the FHA Architectural Review Committee. Our architect presented our plans, which conformed to the San Francisco Residential Design Guidelines and the Forest Hill Architectural Guidelines. In this first iteration, our proposed project was thirty-three feet high, which is seven feet less than the forty feet allowed by both the City and the FHA. Please see attached **Exhibit C**, page EX-C for a depiction of these plans, which we shall refer to as the "**Original Design**."

There were a number of concerns raised at the meeting, which are discussed in further detail below (see Item 5).

2. We meet with the Forest Hill Association Architectural Review Committee on three separate occasions

As a follow-up to the meeting with our neighbors, on March 12, 2014, we formally met with the full FHA Architectural Review Committee, consisting of Marks Watts, Paul Cooper, and Paul Bessieres. We reviewed Original Design of the plans with them. They reiterated many of the neighbors' concerns, and we discussed ways of revising the plans to alleviate those concerns.

Following this meeting, our architect sat down with Paul Bessieres (who is also an architect) at his office to further discuss revising the plans.

Following this meeting we again met with the Architectural Review Committee to address remaining concerns about the project's height as compared to other homes in the neighborhood. At this meeting, we presented the Committee with a report (attached here as **Exhibit D**) consisting of photos of thirteen houses within the immediate vicinity of our project that have height/bulk/layouts similar to or larger than ours.

3. We submit revised plans to the Architectural Review Committee

Having noted the neighbors' and the committee's requested changes, we went back to the drawing board and made significant changes to our plans that resulted in **REVISION #1** (see page **EX-D1** through **page EX-D4** of attached **Exhibit C**.) We submitted these to the Architectural Review Committee.

Our revised plans included <u>changes in response to every single</u> <u>concern</u> raised by the neighbors and the ARC, including reducing the height by one foot so that we were eight feet below the allowable height. See item 5 below for a detailed discussion of all of the changes.

4. We receive approval of Revision #1 from Architectural Review Committee

Mark Watts, President of the FHA and a member of the ARC, advised us verbally that the ARC would advise the FHA board that our project was in compliance with the Residential Design Guidelines of the FHA.

5. We hold a second meeting with the neighbors to present Revision #1 (as mentioned above, please see pages EX-D1 through EX-D4 of Exhibit C)

Having received approval from the ARC, we then again met with our neighbors, on May 21, 2014. Following is a summary of the neighbors' concerns as voiced at our first meeting, and the resultant **changes between the Original Design and and Revision #1**:

a. Marcia and Mark Elias (the house behind ours) expressed concern that the Project would block views from the rear of their house.

We showed them the survey and the architectural section, which depict the sight line from their house over ours (see page EX-C of Exhibit C). Our roof at that time was nine feet below their lowest deck, and therefore had no impact on their view. Nonetheless, since they insisted on reducing the height, we (as seen in Revision #1) <u>reduced the height by an additional one foot</u>, <u>putting us eight feet below the allowable height and ten feet</u> <u>below the Eliases' deck</u>.

b. Agnes and Kai Hong (the neighbors to the left of us) expressed concerns about their light and privacy, based on the fact that one of our windows would overlook their yard.

We committed to <u>frosting the window</u> on their side of the house, and to working with them to develop a landscape plan between our two houses that would add additional privacy.

- c. Concerns voiced by other neighbors included massing, the design of the façade, a request for additional landscaping, placement of the windows, and concerns about the parapet at the top of the house. We made the following changes:
 - i. Changes to the internal stairwell resulting in reduced mass on the façade;
 - ii. Repositioned the windows as requested;
 - iii. Reduced the parapet;
 - iv. Added significant landscaping (please see the attached landscaping plan, EXHIBIT E)
- d. After we presented these changes, most of the neighbors voiced their approval and appreciation. The Eliases still insisted that they would be impacted by the height and requested further height reductions.

Since we had shown them architectural documents that clearly illustrated that our house would not impact them, we declined to further reduce the height at that time.

6. We receive a letter from the FHA indicating a petition is being circulated against our project by the Eliases

On July 14, 2014 we received a letter from the FHA indicating that some neighbors still had concerns (see attached **EXHIBIT F**). Attached to their letter was a copy of a petition that the Eliases had circulated to neighbors in an effort to drum up opposition to our project. Please see attached **EXHIBIT G**. (Note: the only copy we have of this is a photograph taken of the body of the letter. The petition was signed by eleven neighbors.)

The letter that the Eliases circulated to the neighbors and later submitted to the FHA <u>contained many untruths about our project and many</u> <u>mischaracterizations about our interaction with the neighbors</u> (see item 8 below for further details). Among these was a claim that our house would cast a shadow on their rear yard.

7. Shadow study confirms that <u>the Eliases' own rear fence casts more</u> <u>light on their yard than our house would</u>.

Please see attached **page EX-D4 of attached Exhibit C** for a copy of the shadow study.

8. We send a response to the FHA and the Eliases, enclosing the results of the shadow study and again revising our plans to accommodate the neighbors (REVISION #2; see C-EX-E).

On July 31, 2014, we sent a detailed response to the FHA in which we addressed each and every concern raised by the Eliases (see attached **Exhibit H**). Following is a brief summary of its contents:

- a. We attached the shadow study confirming no impact on the Eliases' yard;
- b. We explained the untruth/lack of substantiation of each of the Eliases' claims (again, please see Exhibit I for details);
- c. Despite the shadow study confirming no impact, we again changed our plans, <u>reducing the house by an additional two feet</u>, thereby making our <u>TOTAL HEIGHT REDUCTION THREE FEET</u>, and rendering our house <u>TEN FEET BELOW THE ALLOWABLE HEIGHT</u> (again, **see REVISION #2** on **Exhibit C-EX-E**).
9. We collect signatures from 100 people in support of our project.

 a. We presented Revision#2 to many neighbors. We <u>collected 100</u> <u>SIGNATURES from neighbors in support of our project</u>. ______ of these neighbors included those who had originally signed the Eliases' petition but then changed their minds after reviewing our Revision #2. Please see attached **EXHIBIT I** for a copy of our petition.

10. We appear at the FHA Association meeting, and the Board votes to approve our house.

On September 8, Revision #2 was presented at the monthly meeting of the Forest Hill Association. Following is a breakdown of what happened at that meeting. (Also attached please see the minutes from the meeting, **EXHIBIT J**.)

- a. The Eliases expressed their continuing concern about the height, despite the shadow study and the additional height reductions.
- b. The Hongs stated that they were concerned that future owners of the house would un-frost the window that we had promised to frost to protect their privacy. <u>We offered to file a Notice of Special Restrictions</u> against the house that would <u>prohibit future owners from changing the frosted window</u>.
- c. We presented the Board with our petition signed by 100 neighbors who supported the project.
- d. Many neighbors spoke in support of the project.
- e. The <u>Board voted to approve our project</u> but to note in the letter that some neighbors still had concerns. See attached **Exhibit A** for the letter.

11. Despite the Board's approval, we attempt to further alleviate the Hongs' concerns.

a. We met with Kai Hong and offered to move the rear left corner of our house forward, thereby losing a front deck. Kai declined to accept our offer.

b. We followed up with a letter reiterating our offer (please see attached **EXHIBIT K**). We received no response to our letter. We again followed up, via email, but received no response.

12. We now submit this building permit application.

We would like to make clear on the record that all of our neighbors, including the Hongs and the Eliases, have acted courteously throughout our interactions, as have we. We appreciate our neighbors' efforts to avoid rancor.

Despite their courtesy, we feel that the Hongs and the Eliases are attempting to assert property rights that <u>they do not have</u> while expecting us to surrender property rights that <u>we do have</u>, as clearly outlined in the City's planning policies and laws.

Moreover, despite the unfairness of their actions, we have made extensive changes to our project to accommodate the Hongs and the Eliases. We have gone far above and beyond what is expected of us. We live in this neighborhood and we respect our neighbors. We feel we have acted reasonably throughout this process, and we hope that you will take this into consideration when reviewing our project.

We respectfully request that you approve our house as submitted, and we thank you for your time.

Regards,

Trent Moore 415.254.4638 <u>Trent@ShamrockSF.com</u> Elizabeth Moore 415.990.2199 Liz@ShamrockSF.com

FOREST HILL ASSOCIATION

381 Magellan Ave. San Francisco, Ca 94116 (415) 664-0542 <u>office@foresthill-sf.org</u>

EXHIBIT A

September 18, 2014

To: **Delvin Washington**, SW District Leader San Francisco Planning Department 1650 Mission Street San Francisco CA 94103-2414

Re: 2181 9th Avenue, San Francisco, CA 94116

The Forest Hill Board of Directors does not object to the latest proposal for this property by Trent and Elizabeth Moore, as there are no conflicts with the Forest Hill Agreement.

However, the Forest Hill Board requests that it be notified and involved in all the approval processes of the San Francisco Planning Department as some of the neighbors have substantial concerns of the proposal's location, size and appropriate relationship of its architectural character to the neighborhood per the SF Residential Design Guidelines.

For the Board of Directors,

Mark Watts, President Forest Hill Association

Cc: Marcia & Mark Elias, 65 Mendosa Ave.
Diane & William Wara, 85 Mendosa Ave.
Matthew Richtel & Meredith Barad, 55 Mendosa Ave.
Robert H. & Julie K. Lustig, 70 Mendosa Ave.
Emily Schwartz, 29 Mendosa Ave.
Stuart & Deborah Oppenheim, 11 Mendosa Ave.
Agnes & Kai Hong, 2193 9th Ave.
Peter Dallman, 2201 9th Ave.
Frank E. Schimaneck & Suzanne McElwee, 2 Mesa Ave
Carla Newmeyer Cooper, 53 Santa Rita Ave.
Peter & Dorothy Levy, 2176 9th Ave.

Cc continued:

Thomas Cooke, 358 Pacheco Ave. Kathleen Farrell, 200 Montalvo Ave. Eric Buonassisi, 469 Pacheco Ave. Dave & Clorinda Aldrich, 544 Magellan Ave. Harold Wright, 2180 9th Ave. Paul Bessieres, 51 Sotelo Ave. Jim Earhart, 480 Pacheco Ave. Dena Aslanian-Williams, 293 Magellan Ave. Warren Krauss, 80 Linares Ave. Angela O'Donnell, 2216 9th Ave. Patrick & Veronica Bell, 340 Castenada Ave. Todd Darling, 180 Dorantes Ave. Deirdre & Jerry O' Leary, 50 Sola Ave. Rick Hills, 50 Marcela Ave. Chris & Jim Storm, 2 Mendosa Ave. Kathleen Darling, 180 Dorantes Ave. Francesco Lettieri, 260 Dorantes Pete & Bernie Naughton, 369 Magellan Ave. Ron Wong, 2155 9th Ave. Amy Quirk, 301 Magellan Ave. Rigo Cabezas, 245 Pacheco Ave. Trent & Elizabeth Moore, 48 Marcela Ave.

ABBREVIATIONS SYMBOLS GENERAL NOTES PROJECT DESCRIPTION PROJECT TEAM DRAWING INDE	
I OWNER_/ INFORMATION INFORMATIO	ABBREVIATIONS
	L Constantial cons

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2 1 8 1 9TH AVE.

SAN FRANCISCO, CALIFORNIA



1014 Howard Street San Francisco, CA 94103 F 415 . 252.9020 T 415 . 252.7063

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	10.31.2014	BUILDING PERMIT SUBMISSION
\triangle	6.15.2015	NOPDR #1 RESPONSE
	6.30.2015	REV. BLDG PERMIT SUBMISSION
\triangle	6.2.2016	SIDE YARD BAY DEPTH



BUILDING PERMIT SUBMITTAL

DRAWN BY:

DATE: 07.18.2014

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JOB NUMBER:

CHECKED BY:

SCALE:

SHEET TITLE: COVER SHEET/ BUILDING DATA

SHEET NUMBER:





City and County of San Francisco Green Building Submittal: GreenPoint Rated

INSTRUCTIONS Build If Green provides GreenPoint Raters with a GreenPoints checklist; the checklist indicates only the measures which will be completed, omitting those which are not. Paste the GreenPoints checklist below. Indicate the points that will be achieved and the locations each applicable credit is shown project documents, including plan set page & detail, or specification section name/number/location. Complete the **REQUIREMENTS** and **VERIFICATION** sections (at right). All GreenPoint prerequisites and CalGreen mandatory measures are required, and must be verified by the Green Building Compliance Professional of Record. New residential projects that choose to apply LEED must use the LEED submittal (C-3).

NPOINTRATED	NEW HOME RATING SYSTEM, VERSION 6.0							Scoresheet	
31 9th A		Points Targeted	Community	Energy	IAQ/Health	Resources	Water	Responsibl ø Party	Blueprint
Family New Ho een		13.957		Pos	sible Poi	a dealer			
Yes	CALGreen Res (REQUIRED)	4	100	1	1	1	1	And the second second second	
Yes	A2. Job Site Construction Waste Diversion A2.1 65% C&D Waste Diversion (Including Alternative Daily Cover)	2				2	-		
265%	A2.2 65% C&D Waste Diversion (Excluding Alternative Daily Cover)	2		and strength	220000	2		and the second second second	
50.22% Yes	Enter the landscape area percentage C2. Three inches of Mulch in Planting Beds	1001		_			1		-
	C3. Resource Efficient Landscapes	1				1			—
Yes Yes	C3.1 No Invasive Species Listed by Cal-IPC C3.2 Plants Chosen and Located to Grow to Natural Size	1				1			-
Yes	C4. Minimal Turf in Landscape C4.1 No Turf on Slopes Exceeding 10% and No Overhead Sprinklers Installed in						2		+
\$10%	Areas Less Than Eght Feet Wide C4.2 Turf on a Small Percentage of Landscaped Area	2					2		
Yes Yes	C6. High-Efficiency Irrigation System C7. One Inch of Compost in the Top Six to Twelve Inches of Soil	2	2		-		2		_
Yes Yes	C13. Reduced Light Pollution C16. Maintenance Contract with Certified Professional	1	1				1		-
	ME AND BUILDING ENVELOPE		all and	RICE					
Yes	D1. Optimal Value Engineering D1.2 Non-Load Bearing Door and Window Headers Sized for Load	1				1			-
Yes	D3. Engineered Lumber D3.1 Engineered Bearns and Headers	1				1			+-
Yes	D3.2 Wood I-Joists or Web Trusses for Floors	1				1			-
Yes	D3.3 Engineered Lumber for Roof Rafters D9. Reduced Pollution Entering the Home from the Garage	and the second second	_				-		+
Yes	D9.2 Mitigation Strategies for Attached Garage D10. Structural Pest and Rot Controls	1			1				
Yes JMBING	D10.1 All Wood Located At Least 12 Inches Above the Soil	1		ILESSAN	1000	1			13 190 10
	G1. Efficient Distribution of Domestic Hot Water G1.1 Insulated Hot Water Pipes	1	-	1	-				-
Yes	G2. Install Water-Efficient Fixtures	2	-		-		2		-
Yes Yes	G2.1 WaterSense Showerheads with Matching Compensation Valve G2.2 WaterSense Bathroom Faucets	1					1		
Yes	G2.3 WaterSense Toilets with a Maximum Performance (MaP) Threshold of No	THE ST					1		
	Less Than 500 Grams TION, AND AIR CONDITIONING	1	Calles.		ALL	Starte.	1		NO TE
Yes	H4. ENERGY STAR® Bathroom Fans Per HVI Standards with Air Flow Verified H6. Whole House Mechanical Ventilation Practices to Improve Indoor Air Quality	1			1				-
Yes Yes	H6,1 Meet ASHRAE 62.2-2010 Ventilation Residential Standards H11, High Efficiency HVAC Filter (MERV 8+)	Y	R	R	R	R	R		-
	MANCE AND TESTING	8.43	Sel 19	and t	1.20	Te	200	The second second	
10.57%	J5. Building Performance Exceeds Title 24 Part 6 J5.1 Home Outperforms Title 24 Part 6	26 139		60	1				-
IISHES	K1. Entryways Designed to Reduce Tracked-In Contaminants	Contraction of the	C HE S	The second	STIR-	1000	100		1000
Yes	K1.1 Individual Entryways	1			1				-
Yes PLIANCES AND	K3. Low-VOC Caulks and Adhesives		10.0	. E. S.	A PROVE	2101-23	31-10-3		13 12 12
Yes CEE Tier 2	M1. ENERGY STAR® Distwasher M2. CEE-Rated Clothes Washer	1 2		1			1 2		+
<25 cubic feet	M3. Size-Efficient ENERGY STAR Refrigerator M4. Permanent Centers for Waste Reduction Strategies	1		2					
Yes	M4.1 Built-In Recycling Center M4.2 Built-In Composing Center	1	-	-		1			-
Yes			100		2-1-1-				
Yes	N1. Smart Development N1.1 Infill Ste	2	1			1			
5500	N1.5 Home Size Efficiency Enter the area of the home, in square feet	0				9			+-
5	Enter the number of bedrooms N3. Pedestrian and Bicycle Access	-							+-
	N3.1 Pedestrian Access to Services Within 1/2 Mile of Community Services Enter the number of Tier 1 services	2	2						
5 10	Enter the number of Tier 2 services								
Yes	N4. Outdoor Gathering Places N4.1 Public or Semi-Public Outdoor Gathering Places for Residents	1	1	1					+
Yes	N5. Social Interaction N5.1 Residence Entries with Views to Callers	1	1						-
Yes Yes	N5.2 Entrances Visible from Street and/or Other Front Doors N5.3 Porches Oriented to Street and Public Space	1	1	-					+
THER		Y	R	R	R	R	R	HE CALENDARY LA SERVICE	
Yes Yes	O1. GreenPoint Rated Checklist in Blueprints O7. Green Appraisal Addendum	Y	R	R	R	R	R		
mmary	Total Available Points in Specific Categorie	\$ 342	26	131	54	83	48		
	Minimum Points Required in Specific Categorie	s 50	20	25	6	6	6		

REFERENCE ARCHITECTURAL GREEN ITEMS NOTES ARE ON SHEET A003

1.2	
Block	K/Lot 280
Addr	^{ess} 218
Prim	ary Occupancy RE
of (occupied floors TW
St Ra Ra Ra Ra (inc red Ad bu Fir me Co anu St Co anu St St St St St St St St St St St St St	ummary of Requir ting Requirement: Numbe- cluding prerequisites and at luction compared to Title 24 justment for retention / dem ilding: and number of required point ant) mstruction activity stormed d site runoff controls ormwater Control Plan: Pr uare feet must implement a letting SFPUC Stormwater C ther Efficient Irri again of new or modified SFPUC Water Efficient Irri foor Water Efficient or - Re ter by specified percentage ings. mstruction Waste Manager D comply with San Francisco bris Ordinance
	quirements and stricter lo ummarized in Administrative
Sep deta Veri Ratu Gree Gree	tructions: Select Option 1 arate "FINAL COMPLIANC ails, see Administrative Bulle fication of compliance fo ed system. No Green Bui en Point Rater – Name en Point Rater – Sign & Date mit Applicant – Sign & Date
Nan Firm Arcl	RW CONSULT
To the above document of the second s	n & Date the best of my knowledge, it is my re referenced project. I have been imments and construction property m itements, or if I am no know the C ansed Professional: Sign & it x professional stamp:

Project Name

REQUIREMENTS						
REGUIREN		<u></u>				
NEW SINGLE FAMI		t a u				
2860/004				e it i		
2181 9TH AVE SF C	A			Attachment C-4: Submittal for GreenPoint Rated		
RESIDENTIAL			_	en ub		
TWO FLOORS OVE			<u> </u>	l i o tt		
	Low-rise	High-rise	Major Alteration	< 0		
mber of GreenPoints required	75	righting	majarritorduori			
nd at least 10% energy use le 24 Part 6 2013)						
demolition of historic features /	_0_					
points (base number +/- adjust-	75					
ormwater pollution prevention	•	•	•			
n: Projects distrubing ≥ 5,000 ent a Stormwater Control Plan iter Design Guidelines	•	٠	•			
 Projects that include ≥ 1,000 dified landscape must comply with 		•	•			
Irrigation Ordinance. Reduce overall use of potable	CalGreen	SFGBC	CalGreen	⊲		
tage for plumbing fixtures and	4.303.1 (20% reduction)	4.103.2.2 (30% reduction)	4.303.1 (20% reduction)	U S		
agement – 75% Diversion ncisco Construction & Demolition	Meet C&D	•	Meet C&D			
n Building Standards Code	ordinance only	•	ordinance only			
er local requirements rative Bulletin 93 Table A-2.)	•	•	•	NEW SINGLE FAMILY DWELLING 2181 9TH AVENUE SAN FRANCISCO, CA		
				×=		
VERIFICA	TION			AP 4 4		
on 1 or Option 2 below to indicate				ZENO		
ANCE VERIFICATION" form will b Bulletin 93.	e required prior	to Certificate or	Completion. Por			
Option	1:	- 12 at - 14				
ce for this project will be provid Building Compliance Profession			r the GreenPoint			
Building Compliance Professional of Record is required.						
Contact Phone No:						
Date						
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OB	OR Option 2: pompliance Professional of Record will verify compliance: VONG PE GPR LTING ENGINEER LTING ENGINEER					
OR	2.			ine G		
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				Robert Wong PE GPR Mechanical Engineer rwconsultingengineer(
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GreenPoint Rater fied GreenPoint Rater				12.112112335 - 110L		
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I is not a Certified GreenPoint Rater, additi WONG 4	onal signature by a C		ater is required:	1) Star CHERRY & ST		
(Print & Contact Phane No	0	lia Lu I		M 21,113		
<u>u = c ~ 1/0/14</u>						
Contraction of the second seco						
s my professional opinion the green building requirements of the City of San Francisco will be met for the een retained by the project sponsor to review all submittal documents and assure that approved construction inty reflect the requirements of the San Francisco Green Building Code. I will notify the Department of Building						
of my knowledge that the project will, for any reason, not substantially comply with these green building the Green Building Compliance Professional of Record for this project.						
An of Wathington, All and a sound of a many with a sound sound of the wathington o						
n & Date						
				A002		
				9/10/14		
				9/10/14		

2181-9" Ave - Green Items Note Block

C2 3" of Mulch in Planting Beds. C3.1 No Invasive Species Listed by Cal-IPC. C3.2 Plants Chosen and Located to Grow to Natural Size. C4.2 Turf limited to 10% of Landscaped Area. C6 High-Efficiency Irrigation System. C7 One inch of Compost in the Top six to twelve inches of Soil. C13 Reduce Outdoor Light Pollution, Down Shield Lights. C16 Professional Landscape Maintenance Contract. D1.2 Non-Load Bearing Door and Window Headers Sized for Load. D9.2 Mitigation Strategies for Attached Garage. D10.1 Structural Pest and Rot Controls, all wood located 12" above soil. G1.1 Insulated Hot Water Pipes.

H4 ENERGY STAR Bathroom Fans Per HVI Standards with Air Flow Verified. H11 High Efficiency HVAC Filter (MERV 8+). K1.1 Individual Entryways Designed to Reduce Tracked-In Contaminants. K3 Use Only Low-VOC Caulks and Adhesives. M1 ENERGY STAR Dishwasher.

laundry washed and dried per 1 kWh and WF less than 4.5 gallons of water per cf of laundry. M3 ENERGY STAR Refrigerator less than 25 cubic feet. M4.1, .2 Permanent Centers for Waste Reduction. Built-In Recycling and Composting Centers. N5.1 Residence Entries with Views to Callers

A2.1, .2 Divert > 65% C&D Construction Site Waste Including & Excluding Alternative Daily.

C4.1 No Turf on Slopes Exceeding 10% and No Overhead Sprinklers in Areas Less Than Eight Feet Wide.

D3.1, .2, .3 Engineered Lumber Beams, Headers, I-Joists or Web Trusses for Floors and Roof Rafters.

G2.1, .2, .3 Water-Efficient Fixtures, WaterSense Showerheads with Matching Compensation Valve, Bathroom Faucets, Toilets with a Maximum Performance (MaP) Thresholds of No Less Than 500g.

M2 CEE (Consortium for Energy Efficiency-ENERGY STAR Clothes Washer) Tier 2: MEF more than 2.2 cf of



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JOB NUMBER:

DRAWN BY: CHECKED BY:

DATE: 07.18.2014

SCALE:

SHEET TITLE: Green Items NOTE BLOCK

SHEET NUMBER:



NEIGHBOR AT 2193 9TH AVE

SUBJECT PROPERTY

NEIGHBOR AT 2177 9TH AVE



STREET SCAPE ACROSS FROM SUBJECT PROPERTY ON OPPOSITE SIDE OF STREET

2181 9th ave.

SAN FRANCISCO, CALIFORNIA



he architecture office of Warner H. Schmalz, A.I.A

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JOB NUMBER:			DRA	WN BY: LR
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SCALE: 3/16" = 1'-0"	0 1 3	2'	4	8'
SHEET TITLE: BUILDING	PH	\bigcirc	тс	DS

SHEET NUMBER:



2181 9TH AVE

SAN FRANCISCO, CALIFORNIA



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JOB NUMBER: DRAWN BY DATE: CHECKED BY 07 18 2014 SCALE: 1/4" = 1"-0"

SHEET TITLE:

LOWER BASEMENT Plan

SHEET NUMBER:



2181 9TH AVE

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	6.30.2015	REV. BLDG PERMIT SUBMISSION

BUILDING PERMIT SUBMITTAL

JOB NUMBER: DRAWN BY DATE: 07.18.2014 CHECKED BY SCALE: $1/4^{1} = 1^{1} \cdot 0^{0}$

SHEET TITLE: UPPER BASEMENT

SHEET NUMBER

A102

Plan



- HYDRONIC HEATING O/ CONCRETE SLAB IN LOWER AND UPPER BASEMENT (SEE DET. 8/A500) AND O/ WARMBOARD ON FLOORS ABOVE (SEE DET.

2181 9TH AVE

ELEVATOR: BY CUSTOM ELEVATOR MANUFACTURING COMPANY RESIDENTIAL 4-STOP 750 LBS, MODEL RL-1 OR EQUIV. INSTALL PER ALL CODE REQTS. ALL SWING DOORS INTO ELEVATOR SHAFT SHALL BE 90 MIN. FIRE-RESISTIVE ASSEMBLY. PROVIDE IN-WALL BLOCKING AS REQ'D.

28 RAISED DECK W/ BUILT-IN BBQ, SEATING AREA W/ FIRE PIT. TRELLIS WALL, TV WALL, WALKING SURFACES, PLANTERS, IRRIGATION SYSTEM AND ALL OTHER LANDSCAPE/HARDSCAPE ELEMENTS TO BE DESIGNED BY LANDSCAPE ARCHITECT AND COORDINATED WITH OWNER.

MASTER BATH AND SAUNA: TILE O/ WATER PROOF MEMBRANE SHOWER STALL, SHOWER HEAD AT &-&" AFF (CONFIRM W/ OWNER); TEMP. GLASS ENCL @ SHOWER. ALL FIXTURES, FINISHES & ACCESSORIES & THEIR EXACT LOCATIONS TO BE PER OWNER.

ALL INTERIOR COLORS AND FINISHES, FURNISHINGS, LIGHTING AND PLUMB FIXTURES, APPLIANCES, ETC. TO BE SELECTED BY OWNER.





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	6.30.2015	REV. BLDG PERMIT SUBMISSION

BUILDING PERMIT SUBMITTAL

JOB NUMBER: DRAWN BY: DATE: CHECKED BY: 07 18 2014 SCALE: 1/4" = 1"-0" SHEET TITLE:

FIRST FLOOR PLAN

SHEET NUMBER



- HYDRONIC HEATING O/ CONCRETE SLAB IN LOWER AND UPPER BASEMENT (SEE DET. 8/A500) AND O/ WARMBOARD ON FLOORS ABOVE (SEE DET.

2181 9TH AVE

ELEVATOR: BY CUSTOM ELEVATOR MANUFACTURING COMPANY RESIDENTIAL 4-STOP 750 LBS, MODEL RL-1 OR EQUIV. INSTALL PER ALL CODE REQTS. ALL SWING DOORS INTO ELEVATOR SHAFT SHALL BE 90 MIN. FIRE-RESISTIVE ASSEMBLY. PROVIDE IN-WALL BLOCKING AS REQ'D.

T3 AT ROOF DECK #5 BOLT C.R.LAURENCE AWS STANCHIONS TO STRUCTURAL DECKING FOR 3"DIA: ROUND ALUMINUM C.R.LAURENCE POSTS SPACED AS REGYD. INSTALL 1/2" TEMPERED GLASS PANELS BETWEEN POSTS. COORDINATE COLOR OF POSTS WITH THE OWNER.

(22) NO DOMESTIC DISH WASHING MACHINE SHALL BE DIRECTLY CONNECTED TO A DRAINAGE SYSTEM OR FOOD WASTE DISPOSER WITHOUT THE USE OF AN APPROVED DISHWASHER AIRGAP FITTING ON THE DISCHARGE SIDE OF THE DISHWASHER MACHINE

28 RAISED DECK W/ BUILT-IN BBQ, SEATING AREA W/ FIRE PIT. TRELLIS WALL, TV WALL, WALKING SURFACES, PLANTERS, IRRIGATION SYSTEM AND ALL OTHER LANDSCAPE/HARDSCAPE ELEMENTS TO BE DESIGNED BY LANDSCAPE ARCHITECT AND COORDINATED WITH OWNER.

MASTER BATH AND SAUNA: TILE O/ WATER PROOF MEMBRANE SHOWER STALL, SHOWER HEAD AT 6'-6" AFF (CONFIRM W/ OWNER); TEMP. GLASS ENCL @ SHOWER. ALL FIXTURES, FINISHES & ACCESSORIES & THEIR EXACT LOCATIONS TO BE PER OWNER.

HERE DR JAMB IS LOCATED @ INTERSECTION OF WALLS, DIM FROM F.O. WALL TO INSIDE F.O. DR JAMB SHALL BE 4", U.N.O

45) ALL INTERIOR COLORS AND FINISHES, FURNISHINGS, LIGHTING AND PLUMB FIXTURES, APPLIANCES, ETC. TO BE SELECTED BY OWNER.





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	6.30.2015	REV. BLDG PERMIT SUBMISSION
2	6.2.2016	SIDE YARD BAY DEPTH
-	•	

BUILDING PERMIT SUBMITTAL

JOB NUMBER: DRAWN BY: DATE: CHECKED BY: 07 18 2014 SCALE: 1/4" = 1"-0"

SHEET TITLE: SECOND FLOOR PLAN

SHEET NUMBER





- HYDRONIC HEATING O/ CONCRETE SLAB IN LOWER AND UPPER BASEMENT (SEE DET. 8/A500) AND O/ WARMBOARD ON FLOORS ABOVE (SEE DET. 9/A500)

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JOB NUMBER: DRAWN BY:

DATE: 07.18.2014 CHECKED BY:

SCALE: 1/4 - 1-0

SHEET TITLE: ROOF PLAN

A105

SHEET NUMBER:

3 DR FROM GARAGE TO HOUSE TO BE 20 MINUTE FIRE-RATED SOLID CORE SELF-CLOSING, TIGHT FITTING WEATHER STRIPPED AND SEALED AS PER

PRIVATE STAR TO MAINTAIN 3-0" MIN CLR WIDTH OF TREAD U.O.N.: RSERS TO BE CLOSED & BE OF EQUAL HT; 10" MIN EQ. TREADS; INSTALL HANDRAILS BTWN 34" & 38" ABOVE TREAD NOSING W/1 # DIA GRIP PAIL W/1 # GAP TO F.O. WALL PRICET SPACING TO NOT EXCEED 4", MAINTAIN 6-8" MIN HORM CLEARANCE ABOVE TREAD NOSING; STAR SUPPORT TO BE OF (3) 2 × 12 STRINGERS SECURELY BOLTED TO FRAMING W/ # DIA M. B. TO'P & BOT; STAR HANDRAIL & GUARD TO WITHSTAND 20 LBS / 5. F. MIN; ALL INSTALLATIONS TO BE FER CODE.

ELEVATOR: BY CUSTOM ELEVATOR MANUFACTURING COMPANY RESIDENTIAL 4-STOP 750 LBS, MODEL RL-1 OR EQUIV. INSTALL PER ALL CODE REQTS. ALL SWING DOORS INTO ELEVATOR SHAFT SHALL BE 90 MIN. FIRE-RESISTIVE ASSEMBLY. PROVIDE IN-WALL BLOCKING AS REQD.

(8) [N] STUD WALLS: 2X6 EXT, 2X4 INT WALLS, 2 X 6 PLUMBING WALLS OR OTHER THICKNESS WHERE NECESSARY TO ACCOMMODATE STL. MOMENT FRAME, U.N.O.

T3 AT ROOF DECK #5 BOLT C.R. LAURENCE AWS STANCHIONS TO STRUCTURAL DECKING FOR 3°DIA. ROUND ALUMINUM C.R. LAURENCE POSTS SPACED AS REGYD. INSTALL 1/2" TEMPERED GLASS PANELS BETWEEN POSTS. COORDINATE COLOR OF POSTS WITH THE OWNER.

21 LAUNDRY SERVICE 1/2 HOT & COLD WATER IN RECESSED BOX, 1 1/2" WASTE 110V & 220V 2" VENT TO O.S.A. W/ WEATHER PROTECTION.

(22) NO DOMESTIC DISH WASHING MACHINE SHALL BE DIRECTLY CONNECTED TO A DRAINAGE SYSTEM OR FOOD WASTE DISPOSER WITHOUT THE USE OF AN APPROVED DISHWASHER AIRGAP FITTING ON THE DISCHARGE SIDE OF THE DISHWASHER MACHINE

28 RAISED DECK W/ BUILT-IN BBQ, SEATING AREA W/ FIRE PIT, TRELLS WALL, TV WALL, WALKING SURFACES, PLANTERS, IRRIGATION SYSTEM AND ALL OTHER LANDSCAPE/HARDSCAPE ELEMENTS TO BE DESIGNED BY LANDSCAPE ARCHITECT AND COORDINATED WITH OWNER. 29 MTL GARAGE DOOR W/ GLASS INFILLS BY BP GLASSGARAGEDOORS (www.glassgorogedoors.com) OR EQ. - MODEL BP-450, POWDER COATED FRAME AND 1/4 LAMINATED OBSCURED GLASS. COLORS T.B.D.

34 ALL ENVIRONMENTAL AIR DUCT TERMINATIONS SHALL BE 3"-0" MIN FROM PROP. LINES OR ANY OP INTO BLDG INCL. BUT NOT LIMITED TO DRS, WINDOWS, GARAGE, UNDERFLOOR & ROOF VENTS.



SHEET TITLE:

SCALE: $1/4^{\circ} = 1^{\circ} - 0^{\circ}$

DATE: 07.18.2014

DRAWN BY

CHECKED BY:

LOWER BASEMENT RCP

& POWER / SIGNAL PLAN

SHEET NUMBER:

SUBMITTAL JOB NUMBER:

BUILDING PERMIT





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SCALE: 1/4" = 1"-0"

BUILDING PERMIT SUBMITTAL

UPPER BASEMENT RCP

& POWER / SIGNAL PLAN

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10.31.2014 BUILDING PERMIT SUBMISSION

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F415.252.9020

2181 9TH AVE

SAN FRANCISCO, CALIFORNIA

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DATE: 07.18.2014

SHEET TITLE:

SCALE: 1/4" = 1"-0"

SHEET NUMBER:

BUILDING PERMIT SUBMITTAL JOB NUMBER: DRAWN BY

FIRST FLOOR RCP

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BUILDING PERMIT SUBMITTAL

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– SEE CIVIL ENG. AND STRUCT. ENG. PLANS FOR DRAINAGE AND WALL CONSTRUCTION



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2181 9TH AVE.

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JOB NUMBER: DRAWN BY: LR DATE: 07.18.2014 CHECKED BY: SCALE: 1/4' = 1'-0" 0 1' 2' 4' SHEET TITLE: NORTH ELEVATION

SHEET NUMBER:







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SHEET NUMBER:





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BUILDING PERMIT SUBMITTAL

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WINDOW / PATIO DOOR TYPES

CASEMENT / FIXED COMBOS, AWNING, FIXED WINDOWS / DOORS TO BE JELD-WEN OR EQUAL METAL CLAD WOOD U.O.N. GLAZING: LOW E COLOR: T.B.D.

GENERAL NOTES

- FIELD VERTY DIMENSIONS PRIOR TO FABRICATION, ESPECIALLY VERTICAL DIMS.
 WINDOW SUPPLIER SHALL BE RESPONSIBLE FOR COMPLIANCE W/ APPLICABLE STATE, LOCAL CODES, BUILDING CODES & THE CALIFORNIA TITLE 24 AND TITLE 19.
 ALL WIN & VIN / DR COMBO UNITS SHALL BE INSTALLED PER MFR SPECS & RECOMMENDATIONS & IN ACCORDANCE W/ ALL CODES & REGULATIONS.
 ALL WIN & VIN / DR COMBO UNITS SHALL BE INSTALLED PER MFR SPECS & RECOMMENDATIONS & IN ACCORDANCE W/ ALL CODES & REGULATIONS.
 ALL WIN DOW TYPES SHOWN ARE VIEWED FROM EXTERIOR.
 OVERALL DIMENSIONS FOR WINDOWS SHOWN ARE UNIT SIZES.





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NOTE: TO ANYONE HAVING ANY TYPE OF INTEREST IN THIS MAP PLEASE BE ADVISED AS FOLLOWS:

1. THAT ALL TITLE INFORMATION HEREON INCLUDING EASEMENTS WAS PREPARED SOLELY FOR AND IN STRICT CONFORMANCE WITH OUR CLIENTS OR HIS AGENTS REQUIREMENTS AND TITLE INFORMATION SUPPLIED TO FREDERICK T. SEMER ASSOCIATES, INC; FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITY ON THIS JOB.

2. NO PRELIMINARY ITILE REPORT WAS REVIEWED IN CONJUNCTION WITH THIS MAPPING IT IS RECOMMENDED THAT A TITLE REPORT BE RECEIVED FROM THE OWNER TO VERIFY THE EXISTENCE OF ANY ADDITIONAL EASEMENTS OF RECORD OR LOI T LINE ADJUSTMENTS THAT HANY HAVE ALTERED THE INFORMATION SHOWN HEREON PRIOR TO ANY DESIGN AND/OR CONSTRUCTION.

3. THAT THIS MAP WAS PREPARED AS A PROFESSIONAL INSTRUMENT OF SERVICE FOR TRENT MOORE AND THAT IT REMAINS THE PROPERY OF REPORTING Y, SEHER & ASSOCIATES, INC. WHETHER THE PROJECT (IF ANY PROPOSED) ON THIS SITE 5 CONSTRUCTED OR NOT.

4. THAT ANY INFORMATION ON THIS MAP AND ANY DOCUMENT(S) PREPARED BY FREDERICK T. SEHER & ASSOCIATES, INC. IN RELATION HEREO'S SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN FOR. BUILDING PERMIT AND LAND SUBDIVISION. FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES WHATSOEVER INCLUDING ENDIRERING DESIGNS OF OFFSITE OR ONSIT MERCUENDERS BEYOND THIS MAP'S PURPOSES. INTENT & CONTRACT LIABILITY SHALL REST UPON THE PARTY USING ORI INCOMING VERY ONE STATUS AND ADVICE. IN WHICH CASE FEDERICIT. SHERE & ASSOCIATES, INC. BUT ACOUNTACT LIABILITY SHALL REST WHICH CASE FEDERICIT. SHERE & ASSOCIATES, INC. BUT ACOUNTACT LIABILITY SHALL REST. BUT AND THE PARTY USING ORI INCOMING WERE SING. BUT AND ADVICE. IN WHICH CASE FEDERICIT. SHERE & ASSOCIATES, INC. BUT ACOUNTACT ADVICE.

5. THAT ANY IMPROVEMENT CHANGES WITHIN THIS SITE OR THE ADJACENT SITE THEREOF AS WELL AS TITLE TRANSFERS OF THE PROPERTY IN QUESTION (EXCEPT FOR ALTA MARS) ANDOR THE LAPSE OF 3 OR MORE YEARS FROM THE DATE OF THE MAR (WHICHER COMES FIRST) SHALL VOID ALL INFORMATION. HEREON UNLESS A RE-SURVEY IS ORDERED TO RECTIFY, UPDATE OR RE-CERTIFY THIS MAP.

6. THAT THIS INFORMATION SHALL NOT BE USED FOR ANY IMPROVEMENT STAKING UNLESS STATED IN ITEM NO. 3 ABOVE.

7. THAT THE USE OF THIS MAP BY OTHER CONSULTANTS OR CONTRACTORS ON BEHALF OF OUR CLIENT SHALL PROMIT THE IMMEDIATE FULFILLMENTS OF ALL CLIENTS OBLIGATIONS TO FREDERICK T. SEHER & ASSOCIATES, INC. UNLESS OTHERWISE AGREED TO.

8. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ALL ISSUES REGARDING PROPERTY DISPUTES WHICH MAY ARISE OUT OF INFORMATION SHOWN

9. THIS MAP WILL BE PROVIDED IN AN ELECTRONIC FORMAT AS A COURTESY TO THE CLIENT. THE DELURERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELURERY OF OUR PROFESSIONAL WORK PRODUCT. A SIGNED PRINT DELURER DT THE CLIENT OR LEINT REPRESSIONAL CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED. THE PRINT MUST BE REFERRED TO FOR THE ORIGINAL MOR CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE. OR PCR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

BOUNDARY NOTES:

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PREDICATED ON AN ANALYSIS OF EXISTING MIPROVEMENTS, RECORD DATA, FIELD TIES AND ASSESSOR'S PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. SAID RESOLUTION WOULD REQUIRE THE SETTING OF PROPERTY CORNERS AND THE FILING OF A RECORD OF SURVEY UNDER CALIFORNIA STATE LAW. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.

DATE OF FIELD SURVEY:

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON AUGUST 2, 2013.

SURVEY REFERENCE:

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEEDS:

LOT 003: RECORDED DECEMBER 21, 2010, DOCUMENT NUMBER 2010-J105806-00, ON REEL K294 AT IMAGE 0558

LOT 004: RECORDED JULY 24, 2006, DOCUMENT NUMBER 2006-1218685-00, ON REEL J188 AT IMAGE 0417

MAP REFERENCE:

"MAP OF FOREST HILL", FILED MAY 8, 1913 IN BOOK "G" OF MAPS AT PAGES 100 & 101, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO

UTILITY NOTE:

UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTERNED TO REPRESENT THEIR ACTUAL LOCATIONS, THEREFORE, ALL UTILITIES MUST BE VERHED WITH RESPECT TO SLESS, HORIZONTAL CONSTRUCTION NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CONSTRUCTION NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.

PROJECT BENCHMARK - DESCRIPTION:

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF 5TH AVENUE AND MESA AVENUE, ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM. CL MESA AVE, & WIL 9TH AVE., SURVEY MON IN WALK ELEVATION = 663.011'

GENERAL NOTE:

THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DRIPLINES THEREOF.





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FREDERICK T. SEHER & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS SURVEYING & MAPPING 841 LOMBARD STREET, SAN FRANCISCO, CA 94133 (415) 921-7690 FAX (415) 921-7655

ARCHITECTURAL SITE SURVEY 2177 9TH AVENUE, SAN FRANCISCO, CA ASSESSOR'S BLOCK 2860, LOTS 003 & 004



<u>LEGEND</u>

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SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD



Frederick 9 Scher FREDERICK T. SEHER, PLS

LICENSE NO. 6216 LICENSE EXPIRES: MARCH 31, 2016 10-31-14

DATE:

SHEE 1 OF 1 SHEETS JOB NO 1729-13

9TH AVENUE

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Note to the Planning Department

These current design drawings have been reviewed with the neighborhood community and the Forest Hill Neighborhood Association. This design has been incorporated into the building permit set of drawings for reference only. These drawings are consistent in design, detail and dimensions with the documents we have reviewed with the neighborhood and with the building permit documents dated October 31, 2014.

ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109







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32'

SCALE: 1'' = 16'-0''

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16'

ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109

1 STREET ELEVATION







ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109





ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE SAN FRANCISCO, CALIFORNIA 94109




2181 9th Avenue SAN FRANCISCO, CA

SMITH+SMITH

P: (415) 543-0332 1501 North Point Street F: (415) 543-9740 San Francisco, CA 94123 www.smith2.com

LANDSCAPE ARCHITECTS



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SCHEMATIC PLANTING PLAN

L1

JOB NUMBE 14010 DATE 08-29-2014 SCALE:

DRAWN BY: XX CHECKED BY: XX

SHEET TITLE:

SHEET NUMBER



SAN FRANCISCO, CALIFORNIA 94109

L2 COLORED LANDSCAPE PLAN OCTOBER 31, 2014 FO С

EXHIBIT I

August 1st, 2014

Board of Directors Forest Hill Association 381 Magellan Avenue San Francisco, CA 94116

Re: 2181 9th Avenue

Dear Board Members,

We support the plans to develop 2181 9th Avenue. I have reviewed the original plans, the first revised plans, and the second revised plans. The house will fit well in our neighborhood.

Forest Hill is a single family home residential neighborhood. We are in favor of developing single family lots that meet Forest Hill Design Guidelines and meet San Francisco Planning Codes.

Please vote in favor of the second revised plans for 2181 9th Avenue.

Best Regards,

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2181 9th Avenue Support Letter Page 2 utmit) mm Patrick and Angely O'Dennell 22 974 PAUC 2230 - 9th Avenue 2289- 9 M ANNE 2201 - 9th 2140 - 9th Aug LI. Are 2170 74 Ave 2220 9th Ave. Siobhan & Manrice Cersey 260 Mayallan Ave, SFCA Cie 15 9TH AVE SECN 94116 2134 Filen 2/01 9th Ave 96 Sorrio Aue en Monin 2049 9th Ave Shin Fuinor 2160 9th Ave. LONG TING JONG 99 Mendy Sn ALE Richa Janhy lis Mendosa . Ke Bobbie Dokute 19 Batevier Ct. AMA FLACINIA 2233 9th AV SF CM mall man 50 Sola 14 SF 90016 50 Sold Hub SF 94116 1979 SthAve, S.F. 94116 1979 8h Ave SF 94116 Helen

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Fonald Worg 2155 9th Ave Thing 155 gen Ave 7 181 9th Avenue Support Letter Page 4 Bill + Jerona Colla 355 Costonada que Veronica Bill 340 Castenada Are. etich Balk 346 Casterrada AVE CURALE 369 MAGELLAN AVE. Bernie Manghton 369 MAGELLAN AVE. JOAnne Shapahan 135 San Marcos Ave Loma numility 325- Custeriada ave En Manue 330 Castenada Are. Mile Many 330 Casterales Que St De Lucchi Hor Antenald ave Al milique Flemino 350 Castenada An m Heming 350 Castenada Aul with Mayrelle 2225 gth Avenue. Very Lee 2209 gth Ave. 180 Dorantes Ave. Stathleen. 180 Dovantes Ave 10 havel 1) 3 nove 140 Alton Alp 2075 9th Arene RAC Nwark 88 - Sanita Rita Are ma Bartholona 2154 9th ave un Anito 17

2181 9th Avenue Support Letter Page 5 Torsa - 7 Kandore Goos scine Storm, 2 mendosa que. uns Oppor 11 MENDUIR Aue Oppenhein 11 Mendasa <u>Ca Ch</u> 360 Porantes Ave Kiley Ma 350 Dorantes Ave lanosa utan 71 Lopez Jarletto D' Carroll 146 Taraval St. SF Dien O'Cando 146 Taraval Marclip A.M. 55 Merdesa Are. Fichte 55 Mendosa Ane. 29 MENDOSA ME. 21 medera 444 Pacheco 50 Marcoln Ave TANA V haurence Hi So Marcela do. C Mendost Arp Ka US F-AN 45 Mendost AM 9 Castenals Are Castenal Ave 59 260 DORANTES ANE

From:Agnes Leung Hong <agnesleung@gmail.com>Sent:Monday, June 08, 2015 1:29 PMTo:Tran, Nancy (CPC)Subject:Re: 2181 9th Avenue

Thank you, Nancy. Below are additional notes that we'd appreciate being passed on to the Residential Design Team.

On Jan 14, 2015, the developer Trent Moore, sent a letter to my husband, Kai Hong, stating that in an effort to work with us on our privacy concerns, he proposes shifting the top rear bedroom up by five feet forward. He also sent a diagram showing same. What the developer does not highlight, is the fact that now that the bedroom has shifted forward, a new deck is to be added to that same bedroom, and that deck will look directly into our bedroom.

In that same letter, developer insisted that we were contradictory to our initial concern that the new house would block our view down 9th Avenue from our patio, by requesting that the entire house be moved forward. He states that he is unable to accommodate our request because doing so would violate the front yard setback required by the Forest Hill Association architectural guidelines. However, those are two separate sets of concerns, which came to light as we learned more details about the plans. Yes, we are concerned that the new house will block light and view off our kitchen patio looking down 9th Ave, but we are also concerned about privacy in the back of our home. We both have lots at approximately 4K sq ft. - there's going to be issues of this kind when the developer proposes to build a house at 4350 sq ft, while ours stand at 2K sq ft. Developer can mitigate both the front and back of the house concerns simply by making the house a size more consistent with the rest of the block, and also not build decks which would look into neighbor's bedrooms. That includes not having property line windows facing directly into our yard as well. The new house as proposed is pushed very far back on the property and is inconsistent with the adjacent block form, i.e., rest of homes on block strikes a constant 15' setback from the front property line. This development appear to be double that.

Next, we understand that although the zoning for the neighborhood strictly ask for a 25% rear yard, the SF planning residential design guidelines require that the new house matches the average setback of the two adjacent homes. We do not believe that this is what is being planned at the new house.

Finally, we have a question on the height of the new house. If the project was to be pulled forward, would the new house still be in conformance with the height limit? Is this the reason why developer is pushing so hard to push the house so far back?

All in all, we believe everyone in the neighborhood will benefit from a final product that wasn't built to maximize square footage in order to be flipped, but with consideration for aesthetics and reasonableness to the immediate neighbors.

Thank you.

On Wed, May 27, 2015 at 8:52 AM, Tran, Nancy (CPC) <<u>Nancy.H.Tran@sfgov.org</u>> wrote:

Ms. Hong,

At this time, the project appears to comply with the Planning Code. The project has not yet been reviewed by the Residential Design Team. I will forward your concerns to both the team and to the project sponsor. You will receive a 311 notification via post on the design when it is finalized. If you still have concerns after receiving the information, you may submit a Discretionary Review (DR) application with the appropriate fee by the deadline stated in the notice. Should you have more questions regarding the DR process, you may call or visit the Planning Information Center at 415.558.6377; 1660 Mission Street.

More information can be found at: <u>http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=491</u> and <u>http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=512</u>. Best,

Nancy Tran

From: Agnes Leung Hong [mailto:agnesleung@gmail.com]
Sent: Tuesday, May 26, 2015 8:55 PM
To: Tran, Nancy (CPC)
Cc: Kai Hong
Subject: 2181 9th Avenue

Ms. Tran:

I wanted to reach out to you regarding a proposed new development at 2181 9th Avenue in Forest Hill. Our house is adjacent to the potential worksite so we wanted to be sure to stay in the loop regarding the approval process.

You should have received a letter from the Forest Hill Association dated September 18, 2014. The letter stated that while the FHA did not oppose the project a number of residents had significant concerns. We are one of those residents.

Our concerns are focused on the impact on privacy and mid-block open space that a house of the proposed size and scale would have - a 4,345 sqft house on an approx. 4000 sqft lot. In our opinion, the proposed house does not properly observe the San Francisco residential design guidelines, particularly with respect to its rear setback. Given the fact that this is a house built for immediate sale, the developer may not have the same sensitivity to those issues as we as residents would have.

In any case, we look forward to articulating our perspective at the review hearing. Thanks for the consideration.

Regards, Kai and Agnes Hong 2193 9th Avenue

(415) 271.3930

From: Sent: To: Cc: Subject: Agnes Leung Hong <agnesleung@gmail.com> Tuesday, May 26, 2015 8:55 PM Tran, Nancy (CPC) Kai Hong 2181 9th Avenue

Ms. Tran:

I wanted to reach out to you regarding a proposed new development at 2181 9th Avenue in Forest Hill. Our house is adjacent to the potential worksite so we wanted to be sure to stay in the loop regarding the approval process.

You should have received a letter from the Forest Hill Association dated September 18, 2014. The letter stated that while the FHA did not oppose the project a number of residents had significant concerns. We are one of those residents.

Our concerns are focused on the impact on privacy and mid-block open space that a house of the proposed size and scale would have - a 4,345 sqft house on an approx. 4000 sqft lot. In our opinion, the proposed house does not properly observe the San Francisco residential design guidelines, particularly with respect to its rear setback. Given the fact that this is a house built for immediate sale, the developer may not have the same sensitivity to those issues as we as residents would have.

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In any case, we look forward to articulating our perspective at the review hearing. Thanks for the consideration.

Regards, Kai and Agnes Hong 2193 9th Avenue

(415) 271.3930

Marcia and Mark Elias

65 Mendosa Avenue

San Francisco, CA 94116

415 664 2818 c: 3415 404 4529

marciaandmarkelias@gmail.com

Nancy Tran, M Planner

Southwest Quadrant, Current Planning

San Francisco Planning Commission

1650 Mission Street

San Francisco, CA 94103

5/27/2015

RE: PROPOSED BUILDING AT 2215 9TH AVENUE

Dear Ms. Tran;

Our home is located directly behind the proposed house, and will be negatively affected by the current plan. Our concerns are summarized below.

Structural Problems:

The soil on this hill is loose and sandy. An architect advises us that unless proper deep structural support is provided, our own home may suffer significant slippage. Who will pay for the damage and repairs to our home, as well as pay for our hotel expenses?

Adherence to Neighborhood Size and Esthetic Concerns:

9th Avenue and Forest Hill is a neighborhood of single family homes, generally two or at most three stories, and with generous green space both in front and in back, and often to the sides. People live here despite the fog because they value the space given to gardens, trees, and to the unique character of the neighborhood.

The proposed house ignores the neighborhood esthetic and the size of existing homes, squeezing as much footage into the lot as possible, and moving the house as far back as possible toward our property line to meet a minimum of green space in front. Indeed, when we, other neighbors, and members of the FH Board met to review the plans and complained about the size and the "condo look" of the building, the architect said outright that today the emphasis is from the inside out, and upon squeezing as much footage as allowable into a house for maximum profit. Then he added "Of course that's not our primary purpose."

We do not object to contemporary homes. There are three on 9th Avenue that are most attractive, and sized to harmonize with the existing homes. We do strongly object to a house that is taller especially, and wider, and deeper than all area homes, and looks like a multi-family dwelling. The proposed house

might fit comfortably into some rapidly- growing commercial San Francisco neighborhoods, but would erode the character of Forest Hill. The house is centrally located at the intersection of 9th Ave. and Mesa Avenues, and would be the dominant and hard-to-miss feature of the immediate neighborhood.

Request for Controls on Construction:

We request that the City structural engineer review plans with close attention to potential soundness of the site and adequacy of proposed safeguards to prevent slippage of our home and those of other adjacent homes.

We also request controls to be set on the times and days of construction and controls on allowed work hours, parking for workers and for future tenants.

Truck supply routes should be the shortest possible.

Standards of ongoing cleanup both in front and in back of construction should be specified.

Repair of all streets and adjacent trees damaged by construction should be specified.

Below I include casual pictures of homes and Forest Hill street scenes to illustrate the prevailing style and height coherence in our immediate area near the proposed house.

Please contact us if we may be of assistance as the review of 2181 9th Avenue plans continue. I hope that you will keep us involved and informed.

Thank you for your consideration.

Sincerely yours, Marcia Eleas

Marcia and Mark Elias Photos on following page cc/Delvin Washington





Forest Hill's many diverse home styles such as these contemporary homes on 9th Ave. unite through scale, proportion to lot size, and to other homes.



Homes on Ninth Avenue tend to be smaller in scale, and most are two stories in height. All are sized appropriately to their lot space, leaving generous garden space.



More 9th Avenue homes near Construction site, predominately two story, and with generous green space.



From:	Marcia Elias <marciaandmarkelias@gmail.com></marciaandmarkelias@gmail.com>
Sent:	Thursday, February 04, 2016 12:28 PM
То:	Tran, Nancy (CPC)
Subject:	Appeal Process for construction at 2181 9th Avenue

Nancy H, Tran, MA Planner, Southwest Quadrant, Current Planning Planning Department, City and County of San FRancisco 1650 Mission Street Suite 400 San Francisco, CA m94103

Ladies and Gentlemen:

This letter is an appeal to the San Francisco Planning Commission to limit the size of a proposed Forest Hill home to be built for speculation at 2181 9th Avenue. We have met twice with the developer, but to date he has refused all requests to reduce his proposed house to a size more compatible with the existing homes in the neighborhood. Our reasons for opposing the plan are as follows:

The house is significantly taller, wider, and deeper than the surrounding neighborhood homes. Indeed, the house is twice the size of the next door home, and yet the two lots are identical in size. The proposed house looks too tall and too big positioned with the existing 9th Avenue houses. Because of its size, the house gives the appearance of a multi-family dwelling in a single family neighborhood. The residential guidelines for new buildings in San Francisco state that a new house should have a roof-line and size compatible with that of surrounding homes, and provides schematic illustrations of proper and improper adherence.

The proposed house has a setback at the rear which ignores the established setback of the houses along 9th Avenue. Therefor the house breaks the line of green space adhered to by all the existing homes, and pushes this tall and wide structure as close as possible to our property line. We are deprived of light and green space due to the proximity of the upper stories to our property line.

We accept that new construction brings disruption for all neighbors, but that is inevitable. We do not contest the esthetics of the design.

We ask that our interests be addressed, not just those of the developer, who wishes to maximize the size and profit of his project. We live directly behind the property, and our quality of life will be most impacted by the size of the future house.

Thank you for your consideration.

Marcia and Mark Elias 65 Mendosa Avenue San Francisco CA 94116 415 664 2818 marciaandmarkelias@gmail.com

From:	Paul Bessières AIA <paul@atelierbessieres.com></paul@atelierbessieres.com>
Sent:	Friday, June 12, 2015 11:37 AM
То:	Washington, Delvin (CPC)
Cc:	Tran, Nancy (CPC)
Subject:	2181 Ninth Avenue Development Proposal

To: Delvin Washington, SouthWest Planning Manager Nancy Tran, Planner

Re: 2181 Ninth Avenue, Permit #2015.03.19.1328

Dear Mr. Washington,

Last fall the developer presented to the Forest Hill Association what they are proposing for this site. The Forest Hill Architectural Review Committee noted several issues that do not conform to the SF Planning's "Residential Design Guidelines" including the proposal's, size, scale and the proposals character's relationship to the adjacent neighborhood. The Board agreed with the Committee, but because the proposal actually does not conflict with the letter of the FH Agreement they approved a 'take no-stand' policy.

Now the developer has submitted this non-Forest Hill approved design for a SF Building Permit. The FHA Board recently reviewed this project again and raised the same issues again for the same reasons of their non-conformity to the SF Residential Design Guidelines and voted unanimously to notify the SF Planning Dept of their requests for them to insist that it does and in so doing will fit into our beloved Forest Hill Community. (Size, Height, Character)

Many of us close to the site are also concerned with the effects of the construction process. Our narrow twisting streets access difficult will require some special controls for the 12 months of the construction. Please note that Ninth Avenue is a divided and very narrow street where legal parking is not possible without using the sidewalks. A truck supply rout that limits all trucking to; in from the North on Ninth Avenue and out to the South on Ninth Avenue, and worker parking should be well off site (out side Forest Hill)

Thank you for your consideration and attention to these requests,

Paul Bessieres, AIA 51 Sotelo Avenue San Francisco, CA 94116



ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE

view of 2181 Ninth Avenue Proposed 4 story house.....3' or 8' higher that houses on either side



Forest Hill / SF Planning Comment 2181 Ninth Ave Proposal

January 2016

From:	Trent Moore <trent@shamrocksf.com></trent@shamrocksf.com>
Sent:	Tuesday, January 26, 2016 11:25 AM
То:	Tran, Nancy (CPC)
Subject:	RE: 2181 Ninth Ave. Proposed House - Setback Questions

Hi Nancy,

Thank you for both updates today. I appreciate it.

Several neighbors will be sending letters of support.

Regards,

Trent

From: Tran, Nancy (CPC) [mailto:Nancy.H.Tran@sfgov.org]
Sent: Tuesday, January 26, 2016 11:22 AM
To: Paul Bessières AIA
Subject: RE: 2181 Ninth Ave. Proposed House - Setback Questions

Please see my responses below in blue.

From: Paul Bessières AIA [mailto:paul@atelierbessieres.com]
Sent: Tuesday, January 26, 2016 10:25 AM
To: Tran, Nancy (CPC)
Subject: Re: 2181 Ninth Ave. Proposed House - Setback Questions

Ms Tran,

Yes I understand your comments, many thanks. Please note my comments/responses to your statements below.

On Jan 26, 2016, at 10:07 AM, Tran, Nancy (CPC) <<u>Nancy.H.Tran@sfgov.org</u>> wrote:

Mr. Bessières,

Please be aware that I cannot provide comment regarding application of the Residential Design Guidelines, only whether the project meets Planning Code. I will include this as public comment in the project file and forward it to the Planning Commission as well as Residential Design Team for review if/when a Discretionary Review application is filed.

Setback – The parcel is located in an area with a prescribed legislated setback of 15'. Please see Planning Code §131 and <u>http://cityplan-arc10/InfoVol/Maps/Block%20Books/2860.pdf</u> for further information. The house is situated at the required 15' setback (save for §136 permitted obstructions). Therefore, it cannot be moved forward toward the 9th Avenue right-of-way.

Yes the garage/basement can not be mored forward but...all the floors above than couldif the NOSE/stairs was resolved in another way....

SEC. 131. LEGISLATED SETBACK LINES.

(a) The legislated setback lines along specific street and alley frontages established by ordinance and resolution pursuant to former Article 4 of the City Planning Code and earlier provisions of law are hereby continued in effect as regulations of the City Planning Code, regardless of the regulations for the use districts in which such street and alley frontages are located, and said ordinances and resolutions are expressly incorporated herein by reference as though fully set forth.

(b) The obstructions permitted within such legislated setback lines shall be as described in Sections 132 and 136 of this Code. *No other obstruction shall be constructed, placed or maintained within a legislated setback line.*

(c) The procedures for establishment, abolition or modification of a legislated setback line shall be as specified in Sections 302 and 306 through 306.5 for amendments to this Code.

(d) In case of any conflict between the requirements of a legislated setback line and a front setback area established by Section 132 of this Code, *the more restrictive requirements shall prevail*.

No portion of the building may encroach within the legislated 15' setback except for obstructions listed in §132 and 136. RDT had no issue with respect to placement of the stairs.

Setback (reference to RDG pgs. 3-4) – It is unclear to me what principle in the RDG you are referring. This property is required to provide a 15' legislated front setback and 5' side setbacks. The design matches/exceeds the side setbacks of its adjacent neighbors with respect to placement of the structure. The building does not encroach within the required 19'-5" required rear setback. I cannot provide comment regarding RDG application, only whether the project meets Planning Code.

There has been the policy of the SF Planning Dept for years that the rear yard setback should aline for a block as possible to create a back yard continuioum for views and fresh air etc....

RDT reviewed the project design and had no issue with respect to the proposed depth, rear setback or mid-block open space.

Annotated removal of rear portions – I cannot provide comment regarding RDG application, only whether the project meets Planning Code.

Best, Nancy Tran

From: Paul Bessières AIA [mailto:paul@atelierbessieres.com]
Sent: Sunday, January 24, 2016 3:46 PM
To: Tran, Nancy (CPC)
Subject: 2181 Ninth Ave. Proposed House - Setback Questions

Mr Tran -Please review this with my letter...questioning the design of 2181 Ninth Ave.

Paul Bessieres, AIA Paul@AtelierBessieres.com

<signature.jpg>

<FH SF Pic & dwg.pdf>

Paul Bessieres, AIA Paul@AtelierBessieres.com

From:	Paul Bessières AIA <paul@atelierbessieres.com></paul@atelierbessieres.com>
Sent:	Monday, February 01, 2016 9:50 AM
То:	Tran, Nancy (CPC)
Cc:	Moore, Trent; Agnes Leung; Barad, Meredith; Marcia Elias
Subject:	Re: meeting

Mr. Moore & Ms Tran -

I also will concur with the other neighbors who, as yet, do not have a reason for meeting this week (this is a crazy week before the Super Bowl and next week I will be in NJ celebrating the birth of our grand daughter). Thank you for offering another meeting, but you have not offered us more than words to you help conserve funds and avoid a DR. Finding ways to remove up to 17 feet of your proposed four story MacMansion in its back yard is not accomplished with pleasant promises that so far have not been reflected with significant changes.

As recent emails show there are many neighbors who are not happy with the proposed design for 2181 Ninth Ave. for many reasons. As a representative of the Forest Hill Architectural Review committee, I would like to file a non-authorized report of the features that we find not acceptable for our wonderful community of individual single family homes on tree-lined streets. We believe that all of these issues are addressed in the SF Residential Design Guidelines.

Design Issues:

- The scale of the property: This is a MacMansion that is out of proportion to the lot size as well as to the neighboring homes. Note the extra height and stories: A garage with 8'-9' ceiling height, a "bonus basement" floor with 8'-9", Living/dining rooms with 10', bedrooms with 8'-10", and a deck with a 3' handrail which all in total can possibly be lowered by up to 4', making this new house at least 'no higher' than highest adjacent house.

- Setbacks: All the floors above the garage are currently set back in front so that both the front and the rear facades do not substantially align with block standard setbacks.

- Character: The design reflects a commercial SF condo style, rather than the adjacent 'single family style homes' on Forest Hill's Ninth Avenue. Nor does it reflect the intent of the SF Residential Design Guidelines.

- Landscaping: The building plan does not allow for sufficient landscaping, including trees, which is a requirement of our neighborhood.

Construction Coordination Issues:

How the builders will address the long term effects and costs from the extensive excavation of a 26' high retaining wall that has the potential to be the cause land movement and new settlement for adjacent houses
Forest Hill has very narrow and twisty streets with current street space can not accommodate parking that does not

accommodate large dump and/or concrete trucks well. Alternate location(s) for worker parking will be necessary, that is not in Forest Hill

- Delivery truck double parking will make all traffic especially emergency services access problematic.

- Establishment of the hours of construction and limits on noise and dust etc. which is a concern not only for access and egress, but also during construction, given the scope of this extensive project.

- Establishment of a 'standards and process' for the repair of any damaged street, sidewalks and adjacent landscapin

Paul Bessieres, AIA

On Jan 31, 2016, at 6:09 PM, Marcia Elias <<u>marciaandmarkelias@gmail.com</u>> wrote:

Dear Nancy,

Trent has suggested another meeting with you and other concerned neighbors to discuss accommodations to the plan for 2191 9th Avenue. While we have met twice with Trent and his architect, our over-riding concern, the height and overall size of the proposed building and its proximity to our property, received no attention except for Trent to say that the building height is non-negotiable.

While we appreciate Trent's efforts with regard to landscaping and other details in his proposed agenda, they do not concern us. We request that before a meeting Trent agree to limit the discussion to the issue at the heart of the matter - the height and size of his proposed building.

It seems neither productive nor fair to you to take your limited time as well as ours and that of our neighbors for a discussion that misses the point: i.e., addressing our concerns. and seeking a solution.

We look forward to hearing from Trent and to finding ways to arrive at a mutually beneficial resolution.

Marcia Elias

Paul Bessieres, AIA

From:	Paul Bessières AIA <paul@atelierbessieres.com></paul@atelierbessieres.com>
Sent:	Monday, April 25, 2016 1:37 PM
То:	Tran, Nancy (CPC); Horn, Jeffrey (CPC)
Subject:	2181 Ninth Avenue DR Presentation
Attachments:	2181 Ninth ALTERNATES.zip; ATT00001.htm

2181 Ninth Avenue - DR Hearing

I am writing to you as a member of the Forest Hill Architectural Review committee who reviewed this project last spring. At that time we gave Trent Moore a very similar list of issues because the proposal obviously does not fit into the Forest Hill community per our views and the San Francisco Residential Guidelines. The Forest Hill Board subsequently agreed with our concerns, but felt that they did not have the authority to act on issues that are not a part of the Forest Hill Agreement.

I am also writing you as a member, and pro-bono architect for the "2181 Ninth Avenue's FH Concerned Residents" committee (36+ concerned members with 18+ of them active participants within a 150' radius).

Trent Moore is developing this project as a speculative for-profit property and not as a home for his family. At this point we feel FHCR has gone more that half way in trying to work with the developer, but since he has never offered more than the smallest of alterations to his original proposal, we look forward to the DR Hearing and sharing the included attachments.

Included Attachments:

- List of Concerns

- Nine Alternate Schematic Drawings, AA, A, B, C, D, E, F, G
 - These drawings show that both the FHCR requests and the developer's design criteria are possible to be achieved.
- Note that this Alternate Schematic design is not intended to be "the way", only one way that can incorporate both sets of design requirements.

- The Alternate Design's bonus points

I look forward to receiving your comments and recommendations, Paul Bessieres, AIA

Forest Hill Neighborhood Committee Requests for the **Proposed House** at **2181 Ninth Avenue**

Design Issues:

A. Overall Size:

On the street side, it presents four levels above street grade, whereas no other building on the street presents more than 3. It is also more than **twice** the average square footage of the 12 existing houses on its block, i.e. 4,945 square feet versus 2,395, and would be **45% larger** than the next largest home on the block (i.e., 2146 9th). Similarly, the ratio of its square footage to its lot size is **more than twice the average** of the other homes on the block and **260% greater** than the average of the other seven homes on the block with similarly-sized or larger lots.

B. Setbacks:

Both the predominant front and rear facades of the building are substantially out of alignment with block standard setbacks. In the rear yard the proposed house extends much further into the rear yard than either of the neighbors homes. This both invades the mid-block greenway and results in the back of the house towering over the backyard of its neighbor to the south.

C. Character:

- In general, the building reflects more of the vertical style of a commercial SF condo building than the simple horizontal style of the other homes on Ninth Avenue.

- In addition, it has architectural features (e.g. the enormous bay overhanging the front facade, and the massive architraves surrounding the front entry and garage doors) that clash jarringly with the rest of the neighborhood.

- The building design does not allow for gracious streetside landscaping, including trees, which is a particular request of the FHA.

Proposed Design Options Include:

A. Height:

- Lower the total height so that the building is at least 'no higher' than highest adjacent house. This can be accomplished by making the ceiling height more in keeping with the standard. The proposed design contemplates non-standard ceiling heights and bonus story: garage with 8'-9' (vs. 8') ceiling height, "bonus basement" floor of 8'-9" (vs. 8'), living/dining room floor at 10' (vs. 8'), bedroom floor at 8'-10" (vs 8'), and a rooftop deck including a 3' handrail (vs. 0)] See concept plans.

B. Setbacks

- Reduce the front setback to align the main front facade with neighboring houses, and move the rear facade of the house toward the street. This can be accomplished by moving floors 3 & 4 forward some 4'. see alt. concept plans

C. Character:

- Revise front facade to give it a less jarring contrast to the rest of the neighborhood. This includes eliminating the massive front bay that encloses the stairs and the similarly massive architraves around the garage door and front entry. This can be accomplished by (1) turning the stairs so they can be enclosed behind the front wall, (2) changing the material of the recessed second basement wall to accentuate this floor's setback, and (3) reducing the size and number of the front decks, and possibly adding some sloping roofs. Each of these can aid in lowering the visual height of the structure.

D. Design Change Benefits include:

- Revising the main stairs to be only one single stairway in the house from the garage to the top floor will create *added* interior space on the 1st and 4th floors.
- Removal of the exterior entry stairs will open more space for landscaping.
- Moving the building toward the street will significantly reduce excavation costs and risks and permits a lower the rear retaining as it will be 4' further from the Property Line.
- Removal of the roof deck and its interior stairs it will add usable space inside for larger bedrooms and permit solar collectors on the roof.
- All of these recommendations we believe will reduce the cost of construction without materially affecting the sales appeal of the house.

E. Construction Control Issues include:

- How will the builders assure that the extensive excavation necessary for the project will not cause land movement and new settlement for adjacent houses?
- Forest Hill has very narrow and twisty streets with current street space that often cannot easily accommodate parking so the accommodations for large dump and/or concrete trucks will be challenging.
- Employee Parking will be challenging so the builder should locate alternate location for worker parking off of Ninth Avenue and the adjacent streets.
- The builders should coordinate vendor and delivery service to assure the residents of Forest Hill that Ninth Avenue and adjacent streets will not be blocked by trucks double parking while waiting to off-load.
- The hours and days of construction should be established which will also put limits on noise and dust.
- Bond requirement to assure prompt repair of damage to streets, sidewalks, etc.



Ninth Avenue

SITE - SETBACKS

2181 Ninth Avenue **Alternate Concepts**



9th Avenue VIEW







2181 Ninth Avenue Alternate Concepts





SECOND FLOOR

2181 Ninth Avenue Alternate Concepts



area - 1418 sq.ft.

3rd FLOOR PLAN

2181 Ninth Avenue Alternate Concepts



area - 1,378 sq.ft.

4th FLOOR PLAN

2181 Ninth Avenue Alternate Concepts



ROOF PLAN

2181 Ninth Avenue Alternate Concepts





Ms. Tran,

My name is Meredith Barad. I live at 55 Mendosa. Our home is located just behind the proposed project at 2181 Ninth Avenue in Forest Hill. We have two young children, ages 7 and 5, and I am writing to express my concerns that the development conflicts in its scale with the character of the neighborhood. The development threatens to diminish the openness, lack of density, and green sensibility that make this neighborhood exactly what is and such a draw for generations of families.

Before I elaborate, I want to be clear that I fully recognize and appreciate the right of a property owner to build on his or her land. So I am not opposing this development as a general proposition. And I think some version of this development can absolutely work. But I also appreciate that San Francisco has rules aimed at maintaining the character of our city and neighborhoods.

Our neighborhood is called Forest Hill for a reason. It has hills, of course. More than that, is about trees and its forest-like feel. It is about an open and natural environment and surroundings. The existing homes respect and fold in to that character. But the proposed spec house does two specific things that eat away at the Forest Hill neighborhood.

One is the proposed height that exceeds that of surrounding houses. That has the impact of creating the maximum density, shadows, four stories of industry amidst two and three story houses. It blocks light, openness, and it does so for every surrounding neighbor. In effect, it subverts "Forest" and character for maximum square footage.

The second problem is related. It is that the house has a significant setback. Practically speaking, this means it leads to more concrete and density and less green and space. The houses on the sides and behind it wind up facing not green or trees, not nature or space, but, again, square footage.

I can only presume that the reason for this big height and the setback is to maximize the size of the house. This makes sense, of course, from the standpoint that the developer wants to make as much money as possible. Fair enough – from the developer's standpoint. But the developer should not be able to make money at the expense of the character of the neighborhood. Moreover, this house is a "spec" house and not something that the developer plans to live in. So the motive is profit alone, not the developer's comfort. I really want to emphasize this point: it is a spec house, not a home for the family building it.

I join with my neighbors in asking for several changes to the proposal: a slight reduction in height and a lesser setback. This would allow us to keep the character of the neighborhood and prevent an arm's race among developers seeking to create the biggest spaces. We welcome another home in our neighborhood, another family, but we hope it will be a home that is built with the character of our wonderful neighborhood in mind.

Sincerely,

Meredith

650-714-1358

January 30, 2016

To: Ms. N. Tran

From: Kevin R. Gogin

RE: 2181 Ninth Avenue

The purpose of this letter is to express strong reservations regarding the proposed construction project at the above address.

The lot for the proposed home is located in Forest Hills, and the plans show a project out of character with the nature of the neighborhood. In short, the home plan shows:

- a height significantly above neighbors'homes
- the set back for both front and back is insufficient
- the style of the home, while on a block of eclectic styles, does nothing to complement the nature of the community
- insufficient landscaping.

Last, I do not believe an engineer has been consulted to determine whether the land is stable for the amount of excavation needed. Given recent rains, and the shifting of land throughout the bay area, this should be examined closely before proceeding.

Thank you for your consideration.

From: Sent: To: Subject: Ning Wen <ennew@sbcglobal.net> Wednesday, February 03, 2016 10:23 AM Tran, Nancy (CPC) 2181 Ninth Ave

Dear Ms. Tran:

I am writing to express my concerns about the current proposal for the house at 2181 Ninth Avenue.

Like my neighbors, I believe that the scale of the property is out of proportion to the lot size and more importantly, out of scale with the homes on the same block on Ninth Avenue.

As a resident of Forest Hill for many years, I would like to maintain the distinctive feature of single family style homes that are characteristic of Forest Hill.

Thank you for your consideration.

Ning Wen 68 Mendosa Ave. San Francisco, CA 94116
Tran, Nancy (CPC)

From:	Julie Lustig <julieklustig@gmail.com></julieklustig@gmail.com>
Sent:	Monday, February 08, 2016 2:34 PM
То:	Tran, Nancy (CPC)
Subject:	Opposition to Current Plans for 2181 Ninth Avenue

Dear Ms. Tran,

We are the owners of a home on Mendosa Avenue just up the hill from 9th Avenue in Forest Hill.

We recently learned that the building plans for 2181 9th Avenue have been approved by the SF Planning Commission.

My husband and I are adamantly opposed to the current plans. The house will be 4 stories high, and cover virtually the entirety of the lot. The homes around it aren't even a full 2 stories high, and have green space around them.

We in the Forest Hill Neighborhood Association purchased our homes understanding that this would be the continued character of our neighborhood, maintaining green space between homes, and keeping heights of homes consistent.

The new home as currently approved would markedly decrease the value of the surrounding homes, and remove the protection we thought the Forest Hill Association provided our properties.

Please reconsider the approval of the current building plans, and ask the owner to submit revisions for a more modest building with a footprint that allows green space in keeping with the neighborhood.

Sincerely,

Julie and Rob

Julie and Robert Lustig 70 Mendosa Ave. San Francisco, CA 94116 (Our house was sold to us as part of the Forest Hill Neighborhood Association in 2001)

Tran, Nancy (CPC)

From: Sent: To: Subject: Wara, Diane <Diane.Wara@ucsf.edu> Tuesday, February 09, 2016 2:53 AM Tran, Nancy (CPC) 2181 9th Ave

We are homeowners living at 85 Mendosa Ave. we have reviewed the proposed plans for 2181 9th Ave. We are opposed to the current plans because 1) the scale is far larger than the surrounding homes ; 2) the roof line is higher than the surrounding homes; 3) the proposed home will decrease morning sun exposure to our lot at 75 Mendosa; 4) most importantly, the rear setback is not even with the adjacent lots; 5) the size of the home precludes landscaping consistent with the neighborhood. We asked earlier that the height of the home be decreased and that the posterior setback be increased to be even with adjacent lots. No changes were made to the plans. We ask once again and thank you for your consideration of our comments/requests.

Diane and Bill Wara 75-85 Mendosa Ave

/5 05 101010050 / 100

Sent from my iPhone Diane Wara

Dirk Schenkkan

32 Mesa Avenue San Francisco, CA 94116 415-307-4306 dschenkkan@gmail.com

March 30, 2016

Nancy Tran San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Re: 2181 9th Avenue

Dear Ms. Tran,

My wife and I live at 32 Mesa Avenue at the corner of 9th Avenue, just across the street and one house south of the proposed new spec home at 2181 9th Avenue. I am writing to convey my strong objections to the current design of the project.

Initially, I join many of my neighbors in objecting to the structure's sheer out-of-scale size, mass and siting on the property. On the street side, it would present **four levels** above street grade, when no other building on the street presents more than 3. Based on the Planning Department's own records, it would also be more than **twice** the average square footage of the 12 existing houses on its block, i.e. 4,945 square feet versus 2,395, and would be **45% larger** than the next largest home on the block, 2146 9th. Similarly, the ratio of its square footage to its lot size is more than **twice** the average of the other homes on the block and **260%** greater than the average of the other seven homes on the block with similarly-sized or larger lots. It is the mammoth size of the structure that appears to account for why the developer has set the main above-grade floors so far back in the lot that the building would also tower over the neighboring property's backyard and rear windows and improperly obstruct the mid-block greenway.

In addition to these objections, I would also like to underscore a related concern about the façade design. Both through its aesthetic and scope, the house is fundamentally out of character with the other residences in the neighborhood. This is not a mere question of taste. It has to do with the design's proportions and multiple related architectural features that are disproportionate to and incompatible with the existing surrounding residences. The design might fit in among all the new commercial condominium and mixed use development south of Market. But not plunked down in Forest Hill.

To illustrate the point, I have attached a number of color photographs as exhibits.

Exhibit A is a montage, in order from south to north, of the facades of the existing residences on the west side of 9th Avenue flanking and including the project site. **Exhibit B** is a similar

montage, from north to south, of the houses on the east side of the street, i.e. across from the project site. Contrast these mostly very traditional and quiet facades with that proposed for the subject property at 2181 9th Avenue, as depicted in the rendering that is **Exhibit C**.¹ The effect is truly jarring. Its lineage is that of the contemporary commercial multi-unit condominium projects to be found (for example) on 7th Street south of Market (see **Exhibits D, E and F**), not the kind of mostly-traditional harmonious single-family residential designs that characterize Forest Hill.

The Residential Design Guidelines specifically discourage this kind of architectural dissonance. Specifically, the guidelines state as a design principle that buildings must be "responsive to the overall neighborhood context, in order to preserve the existing visual character." RDG at 7. In particular, "[a] sudden change in the building pattern can be visually disruptive. Development must build on the common rhythms and elements of architectural expression found in a neighborhood." *Id.* Even on blocks where (as here) building forms and architectural character vary, the buildings may still have a "unified character". "In these situations, buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block." *Id* at 9. In addition, "[d]esigns should draw on the best features of surrounding buildings. Existing incompatible or poorly designed buildings on the block do not free the designer from the obligation to enhance the area through sensitive development." *Id* at 10.

The current design violates these principles in a number of specific ways. Notably, in its contrasting use of mixed finishes (colorfully-stained wood, grey concrete/stucco, and black metal) and jumble of massive vertical rectilinear forms and projections, it collides jarringly with everything around it.

The design review guidelines also emphasize the importance of designing the building's architectural features to enhance the visual and architectural character of the neighborhood:

"Architectural features include building projections such as bay window, porches, garage structures, rooftop forms, and building entrances. They are a significant component of the architectural character for both the building and the neighborhood. *** In designing architectural features, *it is important to consider the type, placement and size* of architectural features on surrounding buildings, and to use features that enhance the visual and architectural character of the neighborhood. *Architectural features that are not compatible with those commonly found in the neighborhood are discouraged.*" *Id.* At 31 (emphasis added). Thus, dormers "*must* be compatible with the architectural character of surrounding buildings." *Id* at 40. So too, "[t]he length, height and types of bay windows *must* also be compatible with patterns that are prevalent in the area." *Id.* at 34 (emphasis added).

¹ This rendering was prepared by others and there may have been some slight changes to the façade design since its preparation, but it is my understanding that none of them pertain to the objectionable elements that are the subject of this letter.

DRG at 44: "In designing a building's façade, use architectural details with understanding and restraint, and with consideration for the visual character of the neighborhood.... Do not use detail that makes the building stand out as...overly decorated." (Emphasis added.)

As is evident in Exhibit C, the proposed façade of this project violates each of these principles:

- 1. Unlike most every other residence on the block, the roof line lacks any eaves, gable or other finishing details to soften its effect. It presents as a giant sharp-edged wooden box.
- 2. The façade below that roofline is dominated by an enormous 2-story cantilevered glass and steel dormer or bay (containing an interior stair) that juts 5' out into space a full four stories above the street. This feature is *way* out of scale with all the windows on the façade itself and the overall proportions of the building. Similarly, it bears no correspondence to and is flatly incompatible with the architectural features of the other buildings on the block, and is completely out of proportion to the very different features that do characterize those residences. It *shouts*. At night, lit from within, it will present as a giant glowing lighthouse dominating this quiet wooded street.
- 3. Similar to the dormer/bay is the disproportionality to and incompatibility with surrounding residences of the massive architraves surrounding the front entrance (including doorway and adjacent window) and garage entry. Like the giant dormer higher-up on the façade, these features also project far off the front of the house. Indeed, because the house itself is set back so far and so high above grade and these features project out so far, they and the massive dormer above will be pretty much the *only* things pedestrians on the sidewalk in front of the houses on the block present themselves.
- 4. Finally, there is the "mixed-media" finish of the façade, consisting of a colorfully-stained horizontal board wood exterior, stark black metal window and entry trim, and contrasting large amounts of grey concrete/stucco on the already disproportionately-sized and projecting dormer and entry architraves. This scheme is a prominent feature in itself that has no counterpart elsewhere in the neighborhood and is completely incompatible with and jarring in relation to what is already there. Again, it might work in the mixed use zone south of Market, but it has no place in quiet traditional Forest Hill.

In the final analysis, these problems with the current design are significantly a function of the neighbors' core concern about the project's disproportionate size. The Design Review Guidelines makes this connection itself: "A building's proportions are evident in the floor-to-floor heights of a building, the size and placement of windows and doors, and the scale of features such as porches, cornices and bay windows. Building features must be proportional, not only to other features on the building, but also to the features found on surrounding buildings." DRG at 31 (emphasis added).

In sum, the present design is exactly what the Design Review Guidelines prohibit: a building that is out of scale, out of proportion and out of character with the long-established neighborhood into which the developers are attempting to shoehorn it. For this reason, I respectfully join with my neighbors in asking the Planning Commission to help us preserve what makes Forest Hill distinctive by rejecting the present design and directing the developer to redesign the project in a manner that is consonant with the rest of the neighborhood.

Please let me know if I can provide any additional information.

Regards,

Dirk Schenkkan





Ex. A



East side of Ninth Avenue centered on the 2181 Ninth Ave site



Mesa Ave.





Ex.B

ARCHITECTURAL DESIGN DRAWINGS 2181 9TH AVENUE

Ex. C







FOREST HILL ASSOCIATION

381 Magellan Ave. San Francisco, Ca 94116 (415) 664-0542 <u>office@foresthill-sf.org</u>

June 8, 2015

To: Delvin Washington, SouthWest Planning Manager Nancy Tran, Planner

Re: 2181 Ninth Avenue, San Francisco: Building Permit Application #2015.03.19.1328

Dear Mr. Washington,

This memo concerns the pending building construction permit for 2181 Ninth Avenue, 94116. For the better part of a year, the immediate neighbors to the proposed building site, as well as the neighborhood association have attempted to work with the owners and Forum Design Architect to adjust the scope of the project to complement the character of the existing neighborhood. While we consider our requests to be minor adjustments to the plan, our attempts have not met with success. And while the owners have stated that the Forest Hill Association has approved the plans, this is not the case at all.

For these reasons we appeal to the Planning Department to consider the nature of the existing neighborhood before granting approval to start construction on 2191 Ninth Avenue.

In short, the consistent concerns with the project as designed have to do with the single-family neighborhood of Forest Hill. The 2191 Ninth Avenue proposal is a building out of scale with the other homes in the neighborhood: It is taller than neighboring homes, having a parapet that is 8' higher than the house on one side and 3' higher than the highest ridge of the roof of the home on the other. Further, the project's does not reflect the San Francisco Planning's Residential Design Guidelines for compatibility with the character and feel of the neighborhood. Rather than fitting into the eclectic block, the structure as designed opposes the character of the neighborhood.

Due to the above stated concerns the Forest Hill Board of Directors would be glad to support new construction at 2191 Ninth Avenue in its neighborhood when it complies with the SF Planning and Building Codes, the Residential Design Guidelines and the noted construction criteria. We remain open to working with the architect and owners of the project, and hope that the San Francisco Planning Commission will request the owners to reopen conversations on constructing a home more compatible to our neighborhood.

Sincerely,

Mark Watts, President Forest Hill Association

cc: Mr. & Mrs. Trent Moore

Tran, Nancy (CPC)

From:	Washington, Delvin (CPC)
Sent:	Wednesday, June 17, 2015 3:34 PM
То:	Suzanne McElwee
Cc:	office@foresthill-sf.org; Tran, Nancy (CPC)
Subject:	RE: Pending permit application for 2181 Ninth Avenue, 94116

I've forwarded your comments to Nancy Tran the assigned planner for this project.

F. Delvin Washington Southwest Team Leader

Planning Department, City and County of San Francisco 1650 Mission Street, Suite 400, San Francisco, CA 94103 Direct: 415-558-6443 Fax: 415-558-6409 Email: delvin.washington@sfgov.org Web: www.sfplanning.org

From: Suzanne McElwee [mailto:undici11@aol.com]
Sent: Wednesday, June 17, 2015 3:10 PM
To: Washington, Delvin (CPC)
Cc: office@foresthill-sf.org
Subject: Pending permit application for 2181 Ninth Avenue, 94116

Re: 2181 Ninth Avenue, San Francisco: Building Permit Application #2015.03.19.1328

Dear Mr. Washington,

This letter concerns the pending building permit application for 2181 Ninth Avenue, 94116. Earlier this year we were contacted by Mr. Trent Moore as he canvassed our neighborhood to gain support for the project that he planned at the above address. My husband and I were shocked by the massive size of the proposed house and expressed our reservations. Later he returned with some modifications and indicated that he had addressed concerns from the Forest Hill Assn. and had incorporated them in the redesign. Thinking that I had no further recourse I signed a paper that indicated I would not oppose the construction. In fact the Association has come out in opposition to the plans and I want to rescind my prior okay. The house as designed is still enormous and out of proportion with all the surrounding properties. It will loom over Ninth Avenue like an apartment building and crowd the homes on either side. What's more, it is not intended to be the residence of the developer, rather it is a speculative property.

I don't oppose development of the lot although I would love to see it remain as a garden. But, something more in scale with the surrounding homes, ours included, would be much more desirable. As it stands I vehemently oppose the present design. Sincerely yours,

Suzanne McElwee 2 Mesa Avenue SF 94116 415-279-8877 Trent and Elizabeth Moore 48 Marcela Avenue San Francisco, CA 94116 Liz@ShamrockSF.com, 415.990.2199 Trent@ShamrockSF.com, 415.254.4638

June 8, 2016

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

Re: Proposed Single-Family Home at 2181 9th Avenue, San Francisco

Dear President Fong and Commissioners:

We are Elizabeth and Trent Moore. We are the owners of the vacant lot at 2181 9th Avenue in Forest Hill (the "Property"). We also live in Forest Hill, a few blocks from the Property.

For the last three years, we have been working with our neighbors and the Forest Hill Homeowners Association (the "Association") to design a house for the Property that is respectful of our neighbors and the character of our neighborhood. Our proposed home is almost ten feet under the allowable height limit of the Code and of the Forest Hill Agreement and Architectural Guidelines (collectively the "Neighborhood Guidelines"). The size of our proposed house is consistent with that of numerous other homes in Forest Hill. The Planning Department's Residential Design Team has approved the project. The Board of Directors of the Association has deemed our house in compliance with the Neighborhood Guidelines (see Exhibit A). We have collected over 100 signatures from Forest Hill residents in support of our house, 30 of whom live on the same street as the proposed house, 9th Avenue (see Exhibit B).

Despite findings of compliance of the project by the Planning Department, the Residential Design Team, and the Association, and despite the support of many neighbors, we have invested significant time and energy into working with the Discretionary Review requester ("DRR") and a few other neighbors to resolve their concerns.

We have made significant changes to our proposed design to address these concerns, including (1) lowering the height by three feet; (2) reducing the mass of the façade; (3) lowering window bays and (4) reducing the height of the roof parapet, among others. (Please see attached Exhibit C for a detailed outline of all the changes.) At this point, we

feel that any remaining concerns are, in some cases, based on erroneous information, and in other cases are simply unreasonable.

For these reasons and those described below, we respectfully request that you deny the request for Discretionary Review.

I. Corrections to Staff Report

While we appreciate the time and effort that Planning Staff has put into the Staff Report, there are a couple of errors that we must first address. First, the Staff Report notes that the square footage of our proposed house is 4,945 square feet. This is not accurate as it counts the square footage of the garage. The actual livable square footage is 4,345 square feet. We understand that this error may have been corrected in the copy of the Staff Report before you tonight.

Second, the Staff Report erroneously states that the neighborhood association opposes this project. This is not the case. In September 2014, the Association sent a letter to the Planning Department explicitly noting that it *did not object* to the project and confirming the project's compliance with the Neighborhood Guidelines. (See Exhibit A). This letter was signed by Mark Watts "*For the Board of Directors*".¹

Many months later, the same person, Mark Watts (representing himself) sent a second letter to your staff claiming that the Association *had not approved* the project. (Exhibit <u>A-2</u>). He was not incorrect, since the Association neither approved nor disapproved the project - it merely confirmed the project's full compliance with the Association rules. But notably he never rescinded nor contradicted the September 2014 letter from the Association Board of Directors stating that the Association does not oppose the project. Thus, the first letter remains the Association's official statement that the Association does not oppose the project as the project is in compliance with the Neighborhood Guidelines.

II. Response to DRR Issues Raised

DRR alleges that our proposed house on the Property violates a number of Code provisions, Residential Design Guidelines ("RDG") and Neighborhood Guidelines, including height, front setback, rear yard, mid-block open space, light and privacy. None of these allegations are supported by the evidence, so it is no surprise that the project has the support of the Planning Department general staff and its Residential Design Team and has been found in compliance with the Neighborhood Guidelines by the Forest Hill Architectural Committee and the Forest Hill Association Board of Directors.

¹ This letter was sent to Planning after review of the plans by the Association Architectural Committee which found the plans in complete compliance with the Neighborhood Guidelines and a subsequent meeting of the Association Board of Directors on September 8, 2014 in which it confirmed that decision (See minutes at Exhibit A-1).

1. <u>The height of our proposed house is nearly ten feet under the allowable</u> height limit and is consistent with the scale of the neighborhood.

Our proposed house is 30' 5¹/₂", which is <u>almost ten feet under</u> the allowable height limit of 40 feet in this RH-1 (D) District. This is measured from the grade at the 15 foot front setback line. The Forest Hill Architectural Guidelines also allow a height of 40 feet under specific circumstances present here such as the slope of the lot. DRR's house is adjacent to the Property and is located at 2193 9th Avenue ("DRR Property"). DRR incorrectly states that our proposed house is 5' taller than DRR's house. In fact, our house is just 3' 7" taller than DRR's house. Our proposed house is the same height as the peak of the house adjacent to the Property on the opposite side of DRR's Property, and to the North (2177 9th Avenue). The house adjacent to DRR's house to the South side (2201 9th Avenue) is taller than both DRR's house and our proposed house. Please see the rendering attached at <u>Exhibit D</u>, which depicts our proposed house in the context of the surrounding houses.

The neighbors to the rear of the Property, Mark and Marcia Elias, have objected to the height of our house. However, their house sits at a significantly higher elevation than the Property; in fact, the foundation of their house is above the roof of our proposed house. They expressed concern that our proposed house would cast a shadow on their rear yard, which slopes down from their house towards the Property. In order to evaluate and address the Elias's concerns, we hired a consultant to perform a shadow study (see attached Exhibit E) that clearly demonstrated that there would be no such impact; in fact, their own fence casts more of a shadow on their lot than our proposed house. Nevertheless, we then lowered our house an additional two feet (making our total height reduction three feet). Please see photograph attached at Exhibit F, showing how much higher the Eliases' house sits above our proposed house.

2. <u>We have made significant efforts to minimize impacts on light and</u> privacy of our neighbors.

Ensuring adequate light and privacy is a purpose of the Planning Code (Section 101) that is accomplished through Code requirements such as height limits, setbacks and rear yard. In the RH-1(D) district in particular, the required side yards of five feet (5') significantly help to preserve light and privacy (Planning Code Sec. 133). As mentioned previously, the proposed house meets all of these Code requirements. The RDG <u>do not require</u> <u>prevention of typical and usual light impacts</u>. The RDG states that is understood that with any building expansion, some loss of light and privacy to existing neighboring buildings can be expected. RDG, p. 16-17. This is even more true when it is a new building being constructed on an empty lot.

The Planning Department clearly advised DRR that the Residential Design Team has considered her concerns on light and privacy and that the side setbacks have properly addressed any issue of privacy to DRR's Property. (Exhibit G).

The DRR's house has no windows or doors on the side of the house facing the Property, which is the usual cause of loss of light and privacy. (See <u>Exhibit F</u>). Nonetheless, we have made many efforts to further minimize impacts on DRR's house:

- a. We propose to plant significant landscaping to create a screen between the two houses;
- b. We have designed window placement with an eye to breaking the line of sight between the two houses;
- c. We proposed to frost-glaze the windows facing DRR's house. Moreover, when DRR expressed concern that future owners might not adhere to this, we offered to record a Notice of Special Restrictions against the title to the property that would prevent any future owner of the house from eliminating such glazing. DRR ignored this offer.
- d. We offered to move a few feet of the rear left corner of our house toward the street. DRR rejected our offer, citing her belief that that we would make that space into a deck. We reassured DRR that we would not do this, but she nonetheless rejected our offer again.

We would also like to note that DRR bought a house next to a vacant lot in a neighborhood where vacant lots routinely receive an exorbitant number of offers. The Planning Code makes very clear the size of what can be built on the lot, and the house we are proposing is far smaller than what is legally allowed. If DRR wished for it to remain an empty lot, DRR could have purchased the lot or petitioned the City with other neighbors to purchase the property through City provided open space funds.

3. <u>The size of our house is consistent with the scale of houses in the</u> <u>neighborhood</u>.

DRR incorrectly stated the size of our proposed house as 4,945 square feet in her DR request. Our proposed house is actually 4,345 square feet. There are numerous houses throughout Forest Hill and in the immediate vicinity that are as large as or larger than this. Please see attached <u>Exhibit H</u>, which is a partial list of houses in the immediate vicinity with comparable square footage. In fact, the Neighborhood Guidelines require a minimum square footage for a house of 1,500 square feet, yet provide no maximum to the permitted square footage.

The measure of compatibility of scale should not be taken by just looking at one adjacent property but more broadly in context with surrounding properties. When one does this, one finds that DRR's home is itself out of scale and character with the neighborhood. The houses on either side of the DRR are taller than it. DRR's home is unusual in covering less than half of the depth of the lot; and it was placed at the very front of the lot at the minimum 15 foot setback with very little articulation or front detail.

Furthermore, we have followed many recommendations of the RDG to make our proposed house feel smaller. Under the RDG:

"A building that is larger than its neighbors can still be in scale and be compatible with the smaller buildings in the area. It can often be made to look smaller by facade articulations and through setbacks to upper floors." RDG Section IV. This is exactly what has been done in the design of our proposed house, as follows by creating:

- a. well-defined building entrances;
- b. <u>many recesses in the façade;</u>
- c. many projections from the façade; and
- d. front steps with articulation.

Another way we have reduced the scale of the house was to build into the hillside, putting approximately 35% of the volume of interior space below grade. The livable square footage below grade is made into habitable space instead of the situation in many older homes, in which most underground space is used only for garage and storage purposes.²

To illustrate our point, consider the following: members of our family own the house which is just north of and adjacent to the Property, known as 2177 9th Avenue. Again, when remodeling this house, we tried to capture as much new habitable space within the existing envelope of the building. We were able to add 1,600 square feet without expanding the footprint at all. From outside, the house appears just as it always did.

4. <u>The front setback is consistent with Planning Code and Forest Hill's</u> Neighborhood Guidelines.

The Planning Code requires a legislative front setback of 15 feet in this RH-1(D) District. This is the minimum setback required (not a precise number). In averaging of adjacent homes, the setback is also 15 feet. <u>The Planning Department and Residential Design</u> <u>Team have approved the project as meeting the front setback requirements</u>. This setback is the same under the Neighborhood Guidelines and the <u>Forest Hill Association has</u> confirmed that it meets this requirement.

 $^{^{2}}$ Contemporary architects now capture at the outset of the design process space that in the past would have existed but would not have been finished out to livable standards. Many homeowners in Forest Hill now recognize this and are finishing out existing space in their houses, thereby increasing their livable square footage without expanding the footprint. For example, the Barad/Richtel family, who live kitty-corner to our lot, are adding space to their home within the existing footprint. We have simply included such space from the outset.

DRR agrees that the setback should be 15 feet but DRR incorrectly calculates the setback due to her misunderstanding of the façade articulation, the stepped back front façade and the manner in which front setback is calculated. This articulation was in part added by the architect to address the DRR's concerns of light, privacy, and view down 9th Avenue.

5. <u>Rear yard depth is consistent with Code, Neighborhood Guidelines and</u> <u>Neighborhood Pattern.</u>

The project meets the 25% rear yard required by the Code and Neighborhood Guidelines. DRR would like to require the rear yard to be the average of adjacent properties but the RH-1(D) district does not provide for using rear setback averaging to increase the size of an open rear yard. Averaging is a method used by the Code in other districts to reduce the rear yard required under the Code, but not to increase it. Planning Code Section 134(c).

In fact, it is DRR's rear yard that is not consistent with the neighborhood. DRR's house is very shallow. DRR purchased her home in 2008. She could add to the rear of her house at any time, and if she does not do so, a future owner may choose to do so.

Though DRR's own small house is unusual for the neighborhood, DRR apparently wants that to become a new standard for the neighborhood, starting with our proposed house. If creating that kind of precedent is desired by the neighborhood, then it should be done by elected officials through appropriate due process such as hearings open to the public.

The way to solve the lack of family-sized homes in San Francisco is not to try to recreate the homes of the past. Nor is the solution to repeat the outdated design of DRR's house that is out of character with the neighborhood by, among other things, significantly underutilizing the depth of the lot.

Today, families require homes that accommodate home offices, bedrooms for each child and bedrooms to accommodate aging relatives or children whose careers have a slow start. Neighbors should be encouraged to build to the area permitted on their lot and should not be constricted because one neighbor (so far) chose not to do so. In fact, DRR or a future owner of DRR's Property could decide to build back much further on the lot given so little of the allowed rear yard was used. Restricting the depth of the proposed house's built out rear yard may not only permanently affect this particular lot, but it might become justification for a new DRR to force additional lots to remain underbuilt.

6. The rear yard is consistent with mid-block open space of the area.

Though there is no Code requirement or mention of mid-block open space in the Neighborhood Guidelines, the proposed house respects the neighborhood pattern of open space. DRR has not presented a drawing that the immediate area even has a consistent mid -block open space that we typically see on blocks which are on more level ground.

Planning has found no issue of mid-block open space intrusion and no excess construction into it (<u>Exhibit I</u>). There are several homes on the same block that extend back well into what DRR defines as the mid-block open space. In fact, the planned rear yard is consistent with the line of properties extending to the end of this block in that direction. The rear yard is also consistent with that at the opposite end of this portion of 9th Avenue where the open space curves nearly ninety (90) degrees (<u>Exhibit J</u>).

Much of the mid-block open space (including the area between the neighbors to the rear and the subject property) is unusable due to the steep slope. For this reason, a reduction in depth of our proposed house would not provide any usable open space to be enjoyed by DRR or anyone else.

7. Our proposed house is supported by over 100 Forest Hill residents and has been deemed by the Association to comply with its Neighborhood Guidelines.

Please see the attached <u>Exhibit B</u>, which is a letter of support signed by over 100 residents of Forest Hill; **30 of the signatory supporters live on 9th Avenue**, where the house is located, and many more live on Mendosa, which backs onto 9th Avenue. Also attached please find the minutes from the September 8, 2014 meeting of the Forest Hill Homeowners Association (<u>Exhibit A-1</u>), where many neighbors spoke in support of our house and at which the Association Board deemed our house to comply with the Forest Hill Agreement (which contains the Architectural Guidelines). Note that following this meeting, we continued to make significant concessions to the neighbors who still had concerns.

Unfortunately, despite extensive efforts to work with neighbors and address their concerns, we were not able to please everyone. However, every process needs finality and the fact that a minority of members at the Association feel differently from the majority should not be given equal weight. A minority of members should not be encouraged to rewrite (in an ad hoc way) the Neighborhood Guidelines when an occasional example of how they are used does not please them. The Commission should follow the Neighborhood Guidelines as the Board of the Association did in its finding of compliance on September 8, 2014 (Exhibit A-2) if the Commission is to respect neighborhood regulations at all.

After all, we took the risk of building in a location subject to not just the usual City rules, but also the more stringent Neighborhood Guidelines, and we followed them even though at times those regulations and that separate approval process took a great deal more time and effort. As a result, we should be entitled to rely on these rules and the Forest Hill Association plan review process. If City Code, RDG and Neighborhood Guidelines are to be a mere starting point for a negotiation, the public should be told that in advance.

As mentioned above, we have made significant efforts to design a house that respects our neighbors and the neighborhood. We respectfully request that the Planning Commission reject the request for Discretionary Review.

Sincerely, de

Elizabeth and Trent Moore

Enclosures

Cc: Agnes Hong, DR requester

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A

EXHIBIT A

FOREST HILL ASSOCIATION

381 Magellan Ave. San Francisco, Ca 94116 (415) 664-0542 office@foresthill-sf.org

September 18, 2014

To: Delvin Washington, SW District Leader San Francisco Planning Department 1650 Mission Street San Francisco CA 94103-2414

Re: 2181 9th Avenue, San Francisco, CA 94116

The Forest Hill Board of Directors does not object to the latest proposal for this property by Trent and Elizabeth Moore, as there are no conflicts with the Forest Hill Agreement.

However, the Forest Hill Board requests that it be notified and involved in all the approval processes of the San Francisco Planning Department as some of the neighbors have substantial concerns of the proposal's location, size and appropriate relationship of its architectural character to the neighborhood per the SF Residential Design Guidelines.

For the Board of Directors,

Mark Watts, President Forest Hill Association

Cc: Marcia & Mark Elias, 65 Mendosa Ave.
Diane & William Wara, 85 Mendosa Ave.
Matthew Richtel & Meredith Barad, 55 Mendosa Ave.
Robert H. & Julie K. Lustig, 70 Mendosa Ave.
Emily Schwartz, 29 Mendosa Ave.
Stuart & Deborah Oppenheim, 11 Mendosa Ave.
Agnes & Kai Hong, 2193 9th Ave.
Peter Dallman, 2201 9th Ave.
Frank E. Schimaneck & Suzanne McElwee, 2 Mesa Ave
Carla Newmeyer Cooper, 53 Santa Rita Ave.
Peter & Dorothy Levy, 2176 9th Ave.

EXHIBIT A, CONT.

Cc continued:

Thomas Cooke, 358 Pacheco Ave. Kathleen Farrell, 200 Montalvo Ave. Eric Buonassisi, 469 Pacheco Ave. Dave & Clorinda Aldrich, 544 Magellan Ave. Harold Wright, 2180 9th Ave. Paul Bessieres, 51 Sotelo Ave. Jim Earhart, 480 Pacheco Ave. Dena Aslanian-Williams, 293 Magellan Ave. Warren Krauss, 80 Linares Ave. Angela O'Donnell, 2216 9th Ave. Patrick & Veronica Bell, 340 Castenada Ave. Todd Darling, 180 Dorantes Ave. Deirdre & Jerry O' Leary, 50 Sola Ave. Rick Hills, 50 Marcela Ave. Chris & Jim Storm, 2 Mendosa Ave. Kathleen Darling, 180 Dorantes Ave. Francesco Lettieri, 260 Dorantes Pete & Bernie Naughton, 369 Magellan Ave. Ron Wong, 2155 9th Ave. Amy Quirk, 301 Magellan Ave. Rigo Cabezas, 245 Pacheco Ave. Trent & Elizabeth Moore, 48 Marcela Ave.



EXHIBIT A-1

FOREST HILL ASSOCIATION . BOARD OF DIRECTORS MEETING September 8, 2014

Board members present: Mark Watts, Kathe Farrell, Diane Wara, David Aldrich, Thomas Cooke, Eric Buonassisi, Warren Krauss

FHA Members in attendance: Clorinda Aldrich, Rigo Cabezas, Paul Bessieres, Dena Aslanian-Williams, Marcia & Mark Elias, Harold Wright, Jim Earhart, Angela O'Donnell, Patrick & Veronica Bell, Todd Darling, Deirdre & Jerry O' Leary, Rick Hills, Chris & Jim Storm, Kathleen Darling, Francesco Lettleri, Pete & Bernie Naughton, Ron Wong, Amy Quirk, Trent & Elizabeth Moore

Community Attendance: Janette Najar

Mark Watts called the meeting to order at 7:00pm.

Minutes: Draft minutes of the July 14, 2014 meeting were approved.

Treasurer's Report:

Eric Buonassisi presented the treasurer report for the month of August, our 5th month of this fiscal year. Highlights are below, 12 page report attached.

- With the summer and 42% of the budget year in the rear view mirror, our total expenses remain under budget at 39% of the budget a 3% cushion. We know that Landscaping and Community Events will be experiencing higher than normal monthly expenses in the next two months as summer pruning costs and the successful picnic expenses are paid. Clubhouse rental income continues to be well ahead of the budget and represents 64% of our \$66,400 forecast. This is despite our first event cancellation which took \$1000 away from our August rental revenue. This was a member sponsored event in December 2014. Maintenance assessments were unchanged with 4 delinquent accounts still remaining. August late letters with added late fees were mailed to each of them last week.
- Expenses compared to prorated budgets for 42% of the year: Through 5 months of the fiscal year, expenses are 39% of the budget. We have made expenditures totaling \$132,530 at this date about \$8,090 less than budgeted on a monthly pro-rated basis. We still don't expect any difficulty in meeting our budgeted revenues and expenses which should result in a \$37,465 surplus added to our Reserves at fiscal yearend.
- Under Budget so far:
 - Personnel expenses continue below budget but have increased from last month to 36% of the annual budget.
 - Utilities are under budget at 40% with gas and electric a little over (46%) and Water, sewer and telephone under (31% to 41%)
 - Landscaping is currently well under budget at 28% but we know that extra tree removal, planting, pruning and sidewalk trimming expenses will be right around the corner
 - Office expenses are less than 14% of the \$6,730 annual budget

EXHIBIT A-1, CONT.

Warren brought to the attention of the attendees that The Board violated its own policy, by giving out its members_information for the Friends of the Forest Hill mailing.

Mr Krauss stated that the Board had agreed that no communication from FFH would go out to our owners unless the language of same was expressly approved by the Board. He reminded the Board that this procedure had already been approved by the Board at the previous meeting and must be followed in the future.

Warren Krauss further reminded the Bd that it's reasoning and votes must be exposed to the owners to reduce the possibility of corruption With rare exception, there should be no more secret or so called "email votes", with all of their attendant dangers. The Board's business, (except for Claims and some personnel matters) must be conducted before the owners. Diane Wara stated her agreement to this policy.

Mr Krauss then stated that the summaries presented by Treasurer EB must be sent out to the members with a cover letter explaining the rights, timing, and obligations of the members re a potential assessment increase. Mr Krauss asked EB to quickly draft such cover letter for review by the Board. Tom Cooke indicated that such important letter must be reviewed by the Legal & Governance chair for legal sufficiency No Director voiced opposition to this procedure,

Dena Ashlania-Williams objected to the language and characterization in which Warren conveyed the discussion.

Activities (presented by Tom Cooke):

Tom Cooke discussed the great success of the attendance of the FHA Picnic on August 31st where almost 300 people attend. Lizard Lady and Ice Cream Truck was a huge success and a great number of new and young families came out. Harold Wright did bring up concern on spending \$800+ on the ice cream truck.

Clubhouse and Architectural Review Committee (ARC):

- Trent Moore discussed his ongoing attempt and intent to work with the neighbors of the FHA. He brought a document that had 102 signatures from FHA members stating they support the second revised plans to develop 2181 9th Ave. He noted that 8 of the original 19 FHA residents who originally objected to the first revised plans, were now in favor of the second revised plans, leaving 11 residents from 6 different addresses.
- The Moore's architect was also at the meeting to support the project and to confirm that they have listened to the concerns of the FHA residents and have lowered the parapets as well as the overall height. The overall height is 30'-0" (2'-0") lower than the last revision. Liz Moore stated she is working with the next door neighbors, The Hongs, to address privacy issues regarding the windows overlooking the neighbors back yard/bedroom window.
- Neighbors not in favor of the revised plan stated the new design still is too large, too tall for the lot, scale and bulk is too large as well as too modern(pattern breaker).
- The Board made a motion to send a letter to Delvin Washington, SW District Leader San Francisco Planning Department. 6 in favor 1 objection. (Letter attached as reference).
- Liz Moore asked that in the interest of fairness to state how many were in favor along with the comment of how many neighbors were not in favor.

EXHIBIT A-1, CONT.

 Board discussed that they were "not approving" the plans but rather "not objecting" to them. Discussion was also held regarding not having a caveat that several neighbors approved/object to the project As part of the Board vote to send a letter to Delvin Washington (6 in favor, 1 objection) the Board agreed to include in the letter the caveat that several neighbors objected to the project as currently designed.

Clubhouse New Rental Policy:

2 a. ...

- Janette Najar discussed 4 new rental rates for the Clubhouse.
- The reduced rental rates are only available 30 days in Advance of the date of renting and only for events 4 hours in length or shorter.
- The rental rates are as follows:

Member (Monday-Thursday) : \$500 Member (Friday-Sunday): \$700 Non-Member (Monday-Thursday): \$1000 Non-member (Friday-Sunday): \$1200

- Additional verbiage added to the contracts will be: The renter may not enter the Clubhouse prior to their start time and must depart promptly. If the rental time is exceeded, the renter will be charged \$200/hour.
- If renters request delivery or pick up by a vendor outside of rental hours, the clubhouse manager may use her discretion and when possible will provide access to the clubhouse to accommodate the vendors schedule for an additional fee of \$50/hour (not prorated).
- Renter shall pay the entire Rental Fee plus the security deposit before securing the reservation.
- Member Renters are not allowed to sponsor an event for a Third Party at the reduced rate.

Communications/Newsletter: No Report

Infrastructure: (No Report)

Trees and Landscape: (No Report)

West of Twin Peaks CC: (No Report)

Garden Club: (No Report)

Mark Watts moved to delay discussion of the following agenda items:

- 1. Pocket Opera Dates for 2015
- 2. Friends of Forest Hill Procedures
- 3. Noise Sign
- 4. Board Book

FHA Board asked that the Articles of Incorporation and Bylaws of the Friends of Forest Hill be sent to the FHA Board.

There being no further business, the meeting was adjourned at 9:10pm



EXHIBIT A-2

FOREST HILL ASSOCIATION

381 Magellan Ave. San Francisco, Ca 94116 (415) 664-0542 <u>office@foresthill-sf.org</u>

June 8, 2015

To: Delvin Washington, SouthWest Planning Manager Nancy Tran, Planner

Re: 2181 Ninth Avenue, San Francisco: Building Permit Application #2015.03.19.1328

Dear Mr. Washington,

This memo concerns the pending building construction permit for 2181 Ninth Avenue, 94116. For the better part of a year, the immediate neighbors to the proposed building site, as well as the neighborhood association have attempted to work with the owners and Forum Design Architect to adjust the scope of the project to complement the character of the existing neighborhood. While we consider our requests to be minor adjustments to the plan, our attempts have not met with success. And while the owners have stated that the Forest Hill Association has approved the plans, this is not the case at all.

For these reasons we appeal to the Planning Department to consider the nature of the existing neighborhood before granting approval to start construction on 2191 Ninth Avenue.

In short, the consistent concerns with the project as designed have to do with the single-family neighborhood of Forest Hill. The 2191 Ninth Avenue proposal is a building out of scale with the other homes in the neighborhood: It is taller than neighboring homes, having a parapet that is 8' higher than the house on one side and 3' higher than the highest ridge of the roof of the home on the other. Further, the project's does not reflect the San Francisco Planning's Residential Design Guidelines for compatibility with the character and feel of the neighborhood. Rather than fitting into the eclectic block, the structure as designed opposes the character of the neighborhood.

Due to the above stated concerns the Forest Hill Board of Directors would be glad to support new construction at 2191 Ninth Avenue in its neighborhood when it complies with the SF Planning and Building Codes, the Residential Design Guidelines and the noted construction criteria. We remain open to working with the architect and owners of the project, and hope that the San Francisco Planning Commission will request the owners to reopen conversations on constructing a home more compatible to our neighborhood.

Sincerely,

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Mark Watts, President Forest Hill Association

cc: Mr. & Mrs. Trent Moore

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EXHIBIT B

August 1st, 2014

Board of Directors Forest Hill Association 381 Magellan Avenue San Francisco, CA 94116

Re: 2181 9th Avenue

Dear Board Members,

We support the plans to develop 2181 9th Avenue. I have reviewed the original plans, the first revised plans, and the second revised plans. The house will fit well in our neighborhood.

Forest Hill is a single family home residential neighborhood. We are in favor of developing single family lots that meet Forest Hill Design Guidelines and meet San Francisco Planning Codes.

Please vote in favor of the second revised plans for 2181 9th Avenue.

Best Regards, Trent Moore 48 Marcela Avenue Elizabeth Moore 48 Marcela Avenue Mean Mean

EXHIBIT B, CONT.

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EXHIBIT C

2181 9th Avenue, San Francisco Summary of Neighborhood Outreach

1. We conduct a Pre-Application Meeting

On February 26, 2014, we held a Pre-Application meeting at our home. Nine neighbors attended the meeting, including the President of the FHA (Mark Watts) and another Board member (Paul Cooper), both of whom are also members of the FHA Architectural Review Committee. Our architect presented our plans, which conformed to the San Francisco Residential Design Guidelines and the Forest Hill Architectural Guidelines. In this first iteration, our proposed project was thirty-three feet high, which is seven feet less than the forty feet allowed by both the City and the FHA.

There were a number of concerns raised at the meeting, which are discussed in further detail below (see Item 5).

2. We meet with the Forest Hill Association Architectural Review Committee on three separate occasions

As a follow-up to the meeting with our neighbors, on March 12, 2014, we formally met with the full FHA Architectural Review Committee, consisting of Marks Watts, Paul Cooper, and Paul Bessieres. We reviewed Original Design of the plans with them. They reiterated many of the neighbors' concerns, and we discussed ways of revising the plans to alleviate those concerns.

Following this meeting, our architect sat down with Paul Bessieres (who is also an architect) at his office to further discuss revising the plans.

Following this meeting we again met with the Architectural Review Committee to address remaining concerns about the project's height as compared to other homes in the neighborhood. At this meeting, we presented the Committee with a report consisting of photos of thirteen houses within the immediate vicinity of our project that have height/bulk/layouts similar to or larger than ours.

3. We submit revised plans to the Architectural Review Committee

Having noted the neighbors' and the committee's requested changes, we went back to the drawing board and made significant changes to our plans. Our revised plans included <u>changes in response to every single concern</u> raised by

EXHIBIT C, CONT.

the neighbors and the ARC, including reducing the height by one foot so that we were eight feet below the allowable height. See item 5 below for a detailed discussion of all of the changes.

4. Architectural Review Committee confirms compliance of Revision #1 with the FHA Agreement.

Mark Watts, President of the FHA and a member of the ARC, advised us verbally that the ARC would advise the FHA board that our project was in compliance with the Residential Design Guidelines of the FHA.

5. We hold a second meeting with neighbors to present Revision #1

Having received approval from the ARC, we then again met with our neighbors, on May 21, 2014. Following is a summary of the neighbors' concerns as voiced at our first meeting, and the resultant **changes between the Original Design and and Revision #1**:

a. Marcia and Mark Elias (the house behind ours) expressed concern that the Project would block views from the rear of their house.

We showed them the survey and the architectural section, which depict the sight line from their house over ours. Our roof at that time was nine feet below their lowest deck, and therefore had no impact on their view. Nonetheless, since they insisted on reducing the height, we (as seen in Revision #1) <u>reduced the height by an additional one foot,</u> <u>putting us eight feet below the allowable height and ten feet below the Eliases' deck.</u>

b. Agnes and Kai Hong (the neighbors to the left of us) expressed concerns about their light and privacy, based on the fact that one of our windows would overlook their yard.

We committed to <u>frosting the window</u> on their side of the house, and to working with them to develop a landscape plan between our two houses that would add additional privacy.

- c. Concerns voiced by other neighbors included massing, the design of the façade, a request for additional landscaping, placement of the windows, and concerns about the parapet at the top of the house. We made the following changes:
 - i. Changes to the internal stairwell resulting in reduced mass on the façade;
 - ii. Repositioned the windows as requested;

- iii. Reduced the parapet;
- iv. Added significant landscaping
- d. After we presented these changes, most of the neighbors voiced their approval and appreciation. The Eliases still insisted that they would be impacted by the height and requested further height reductions. Since we had shown them architectural documents that clearly illustrated that our house would not impact them, we declined to further reduce the height at that time.

6. We receive a letter from the FHA indicating a petition is being circulated against our project by the Eliases

On July 14, 2014 we received a letter from the FHA indicating that some neighbors still had concerns. Attached to their letter was a copy of a petition that the Eliases had circulated to neighbors in an effort to drum up opposition to our project.

The letter that the Eliases circulated to the neighbors and later submitted to the FHA <u>contained many untruths about our project and many</u> <u>mischaracterizations about our interaction with the neighbors</u> (see item 8 below for further details). Among these was a claim that our house would cast a shadow on their rear yard.

7. Shadow study confirms that <u>the Eliases' own rear fence casts more light</u> on their yard than our house would.

8. We send a response to the FHA and the Eliases, enclosing the results of the shadow study and again revising our plans to accommodate the neighbors (REVISION #2).

On July 31, 2014, we sent a detailed response to the FHA in which we addressed each and every concern raised by the Eliases. Following is a brief summary of its contents:

- a. We attached the shadow study confirming no impact on the Eliases' yard;
- b. We explained the untruth/lack of substantiation of each of the Eliases' claims;
- c. Despite the shadow study confirming no impact, we again changed our plans, reducing the house by an additional two feet, thereby making our

EXHIBIT C, CONT.

TOTAL HEIGHT REDUCTION THREE FEET, and rendering our house **TEN FEET BELOW THE ALLOWABLE HEIGHT**.

9. We collect signatures from 100 people in support of our project.

 a. We presented Revision#2 to many neighbors. We <u>collected 100</u> <u>SIGNATURES from neighbors in support of our project</u>. 30 of these neighbors live on 9th Avenue.

10. We appear at the FHA Association meeting, and the Board votes to confirm the decision of the Architectural Review Committee that the house is in compliance with the FHA Agreement.

On September 8, Revision #2 was presented at the monthly meeting of the Forest Hill Association. Following is a breakdown of what happened at that meeting.

- a. The Eliases expressed their continuing concern about the height, despite the shadow study and the additional height reductions.
- b. The Hongs stated that they were concerned that future owners of the house would un-frost the window that we had promised to frost to protect their privacy. <u>We offered to file a Notice of Special Restrictions</u> against the house that would <u>prohibit future owners from changing the frosted</u> <u>window</u>.
- c. We presented the Board with our petition signed by 100 neighbors who supported the project.
- d. Many neighbors spoke in support of the project.
- e. The <u>Board voted to confirm the decision of the Architectural Review</u> <u>Committee</u> but to note in the letter that some neighbors still had concerns.

11. Despite the Board's approval, we attempt to further alleviate the Hongs' concerns.

a. We met with Kai Hong and offered to move the rear left corner of our house forward, thereby losing a front deck. Kai declined to accept our offer.

EXHIBIT C, CONT.

- b. We followed up with a letter reiterating our offer. We received no response to our letter. We again followed up, via email, but received no response.
- 12. We submitted our building permit application.

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STREET ELEVATION









EXHIBIT F



Note how far up the hill the Elias's home sits to the rear of the Property. Also note blank wall of DRR's house facing Property. Source: Google Earth

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EXHIBIT G

----- Forwarded message ----- From: **Tran, Nancy (CPC)** <<u>Nancy.H.Tran@sfgov.org</u>> Date: Wed, Jun 17, 2015 at 11:49 AM Subject: RE: 2181 9th Avenue To: Agnes Leung Hong <agnesleung@gmail.com>

Ms. Hong,

RDT's guidelines support Planning Code §101 with respect to providing adequate light, air, privacy and convenience of access to property. did bring up your concern regarding privacy with RDT but it believed that the proposal provides adequate privacy through its 5 foot side yard setback and additional deck setback (~5 feet). At this point, I suggest contacting the project sponsor/architect to address your concern as the proposal has been reviewed internally and deemed to meet the RDT guidelines and Planning Code. As mentioned in a previous email, you may submit a Discretionary Review (DR) application with the appropriate fee by the deadline stated in the §311 notice if you feel your concern has not been addressed. Please be aware that notification will not be sent out until environmental review has been completed. Should you have more questions regarding the DR process, you may call or visit the Planning Information Center at 415.558.6377; 1660 Mission Street. More information can be found at: http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=491 and http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=512 Nancy Tran

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EXHIBIT H

List of comparably-sized homes in the immediate vicinity of 2181 9th Avenue:

ADDRESS	PLANNING DATABASE BLDG AREA, SF	
85 MENDOSA	4640	
68 MENDOSA	4019	
98 MENDOSA	4011	
2134 9TH AVE	4394	
2200 9TH AVE	3882	
2217 9TH AVE	3160	
279 CASTENADA	4436	

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EXHIBIT I

On Wed, Jun 17, 2015 at 10:29 AM, Tran, Nancy (CPC) <Nancy.H.Tran@sfgov.org> wrote: Mr. & Mrs. Hong,

I apologize for the delay in responding. The Residential Design Team reviewed the project on June 4 before I received your additional notes on June 8. I did, however, bring up your concerns and RDT had no issue regarding the structure's depth or location on the lot, stating that the project conforms with its guidelines and fits in with the varying neighborhood. I have completed my Plan Check review and found that the proposal complies with Planning Code. Please be aware that §311 notification will not be sent out until environmental review has been completed.

Nancy Tran

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EXHIBIT J



See slope of open space, scale of nearby homes.



Another angle showing mid-block open space consistent with planned placement of house (along line of shed/arbor shown in yard in picture). The star marks the Property.