



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: APRIL 7, 2016

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: March 31, 2016
Case No.: **2015-004141DRP**
Project Address: **1188 Diamond Street**
Permit Application: 2015.03.23.1599
Zoning: RH-1[Residential House, One-Family]
40-X Height and Bulk District
Block/Lot: 6556/006A
Project Sponsor: Henry Karnilowicz
1019 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 as proposed**

PROJECT DESCRIPTION

The proposal is to construct front, rear, side and vertical additions to the existing single-family dwelling. It includes lightwell infill along the northerly boundary against an adjacent blind wall, fourth level addition and roof deck (approximately 7'2" and 4'2" from the northern property line respectively). The project proposes approximately two feet of excavation at the garage and installation of a new floor plate between the existing garage and habitable floor above to create an additional level (to total as 3-story over garage). Interior remodeling and exterior changes such as new windows and rear patio excavation are also proposed.

SITE DESCRIPTION AND PRESENT USE

The project is on the western side of Diamond Street, between Clipper and 26th Streets, Block 6556, Lot 006A and located within the RH-1 (Residential House, One-Family) Zoning District with 40-X height and Bulk designation. The ~2,480 sq. ft. downward sloping lot has 31' of frontage, a depth of 80' and is developed with an existing one-story over garage single-family residence on site.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in Noe Valley, District 8 and within the RH-1 Zoning District. The closest non-RH-1 parcels are within proximity, located less than 25' from the subject property (two lots north). Parcels within the immediate vicinity consist of residential single- and two-family dwellings of varied design and construction dates.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	Oct 26, 2015 – Nov 25, 2015	Nov 25, 2015	April 7, 2016	134 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	March 28, 2016	March 27, 2016	11 days
Mailed Notice	10 days	March 28, 2016	March 28, 2016	10 days

PUBLIC COMMENT

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

Support – Progress Noe Valley – Unknown address – Progress Noe Valley believes that the proposed project meets Planning Code and expressed support for the project.

DR REQUESTOR

Jesse Fowler, 1140 Diamond Street, San Francisco, CA 94114

Requestor is the abutter located directly north of the subject property.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated November 25, 2016.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated March 24, 2016.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet). Upon review of Environmental Application No. 2015.004141ENV, the subject

property is located in an eligible historic district but was determined to be a non-contributor as it was constructed outside of the period of significance.

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) reviewed the project following the submittal of the Request for Discretionary Review and found that the proposed project meets the standards of the Residential Design Guidelines (RDGs) and that the project does not present any exceptional or extraordinary circumstances for the following reason:

1. The proposed massing is shaped to respond to topography while providing a side setback at the 4th floor and roof deck.

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

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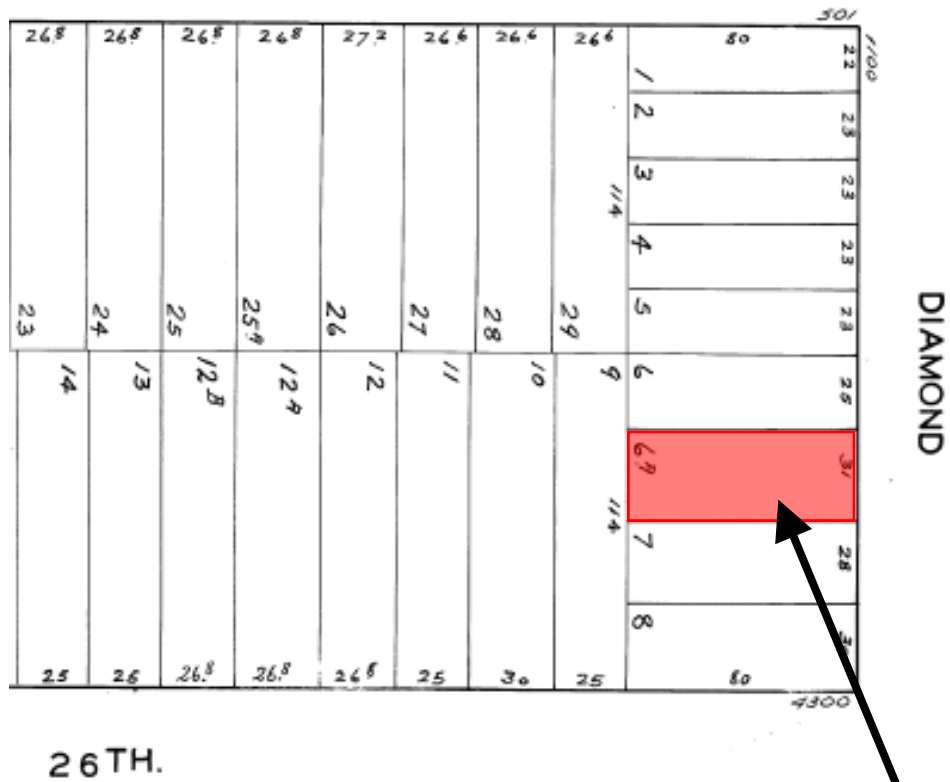
Attachments:

Parcel Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
DR Application
Response to DR Application dated March 24, 2016
Public Comment

EW: I:\Cases\2015\2015-004141DRP - Diamond St_1188\Background Documents\Compiled Files\0_DR - Abbreviated Analysis.doc

Parcel Map

CLIPPER

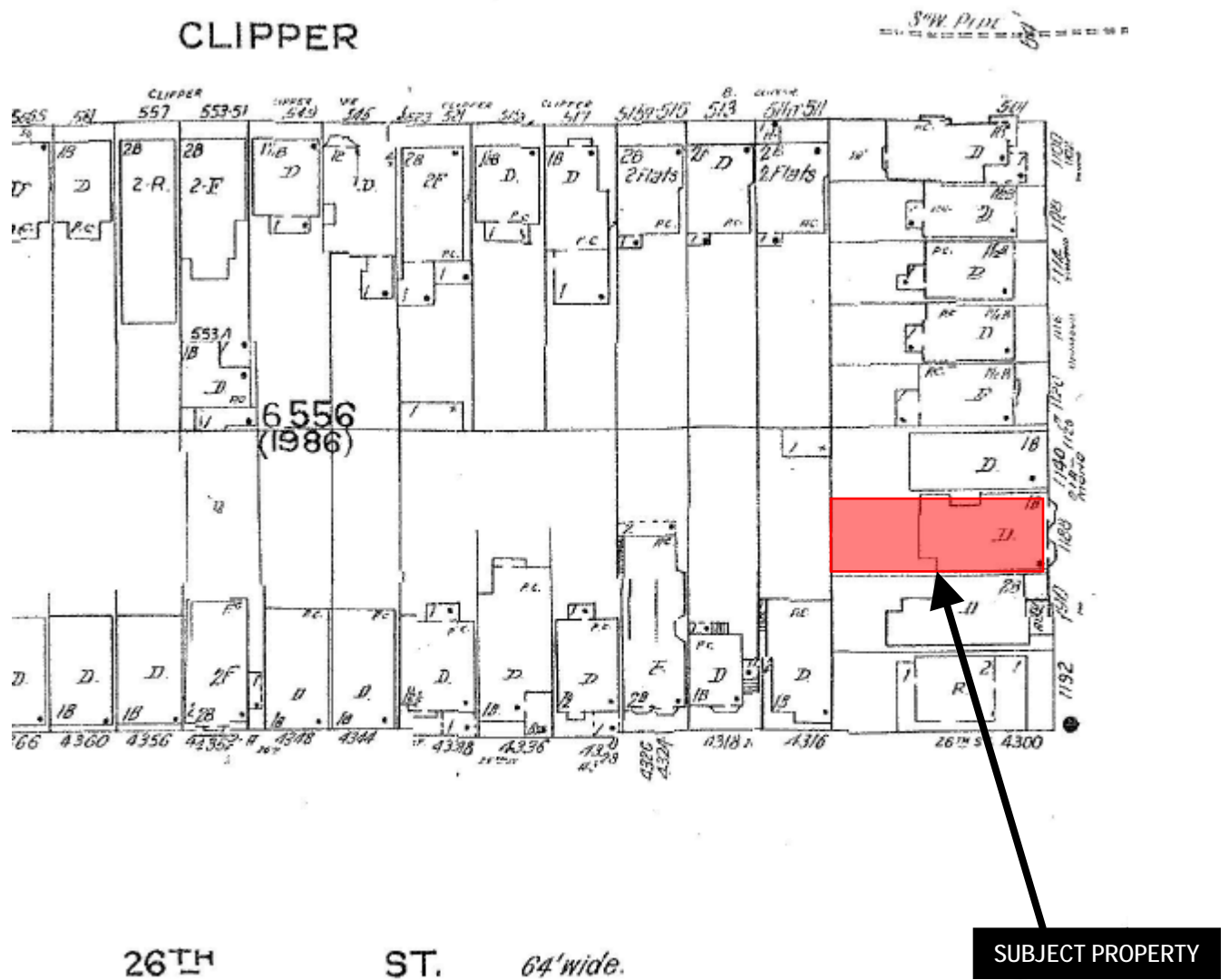


SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2015-004141DRP
1188 Diamond Street

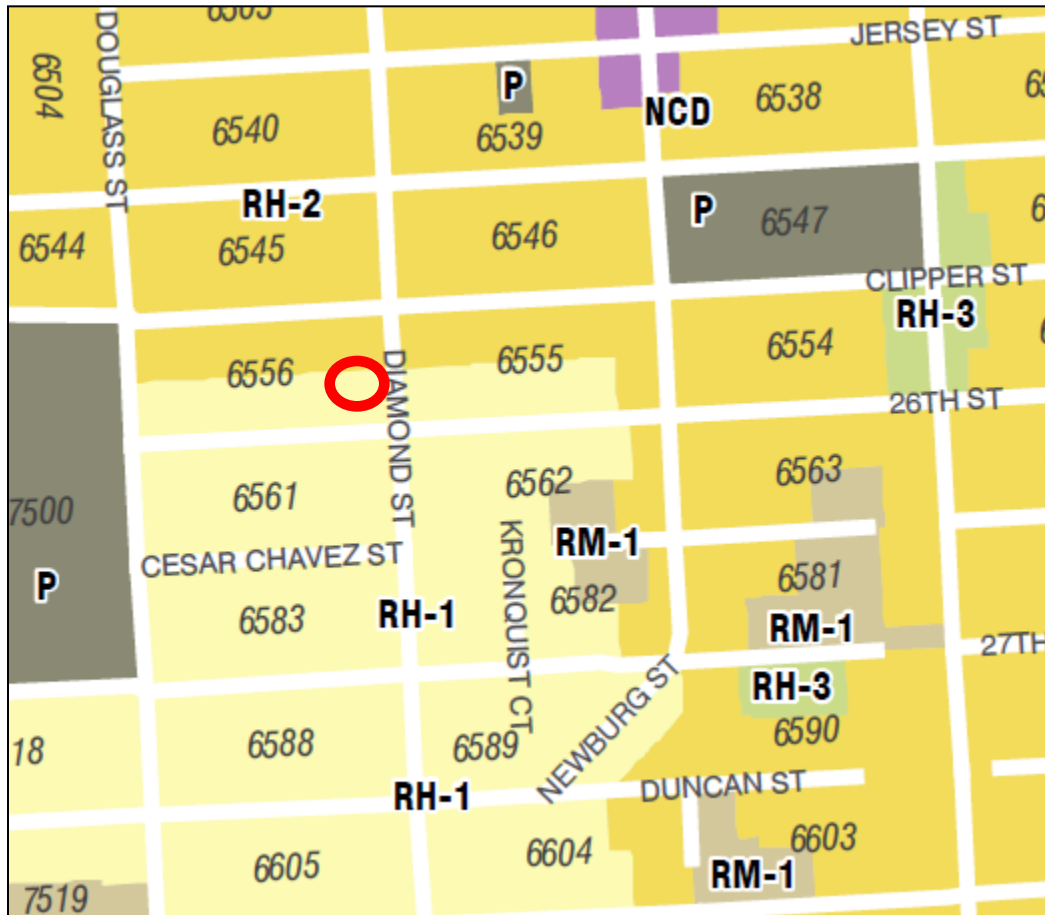
Sanborn Map*



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

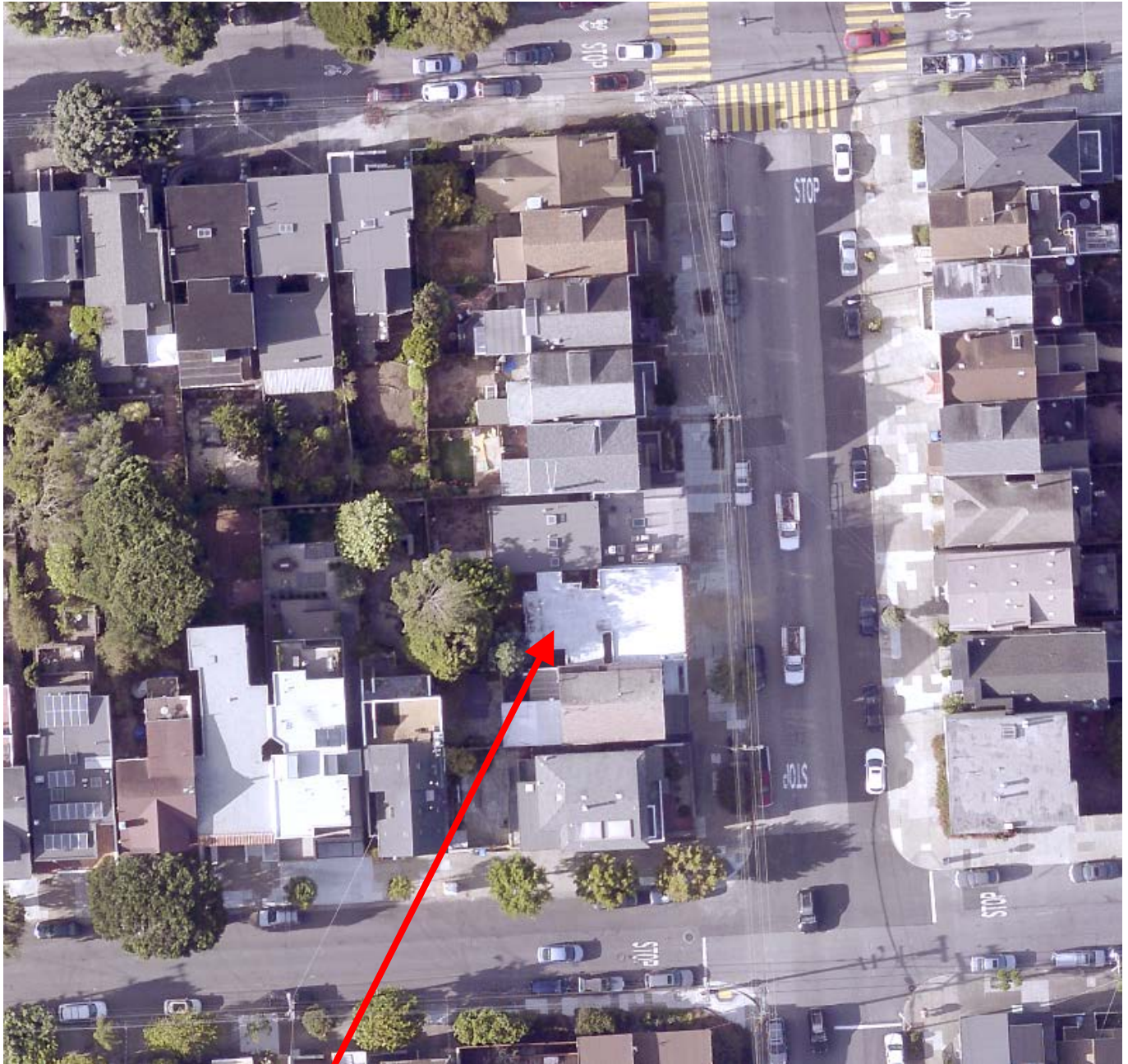


Zoning Map



Discretionary Review Hearing
Case Number 2015-004141DRP
1188 Diamond Street

Aerial Photo



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2015-004141DRP
1188 Diamond Street

CONTEXT PHOTOS



REAR OF SUBJECT PROPERTY LOOKING SOUTHEAST AT ADJACENT NEIGHBORS' PROPERTY



ON DIAMOND ISLAND ST. LOOKING NORTH WEST AT ADJ. NEIGHBORS ON RIGHT



REAR OF SUBJECT PROPERTY LOOKING NORTHEAST AT ADJ NEIGHBORS' PROPERTY



ON DIAMOND ST. LOOKING WEST AT SUBJECT PROPERTY'S FACADE



STREET CONTEXT PICTURE



REAR OF SUBJECT PROPERTY LOOKING SOUTHEAST AT SUBJECT PROPERTY AND ADJACENT NEIGHBORS' PROPERTY BEYOND



ON DIAMOND ISLAND ST. LOOKING SOUTH WEST AT ADJ. NEIGHBORS ON RIGHT

1 PHOTOS OF EXISTING CONDITION

A0.1

1188 DIAMOND ST
SAN FRANCISCO, CALIFORNIA



mcmahon architects + studio

4111 • 18th Street Suite 6 san francisco, ca 94114
415-626-5300
www.christianmcmahon.com

REVISIONS:

DATE: 06.18.2015

DRAWN BY: MC

SCALE:

PHOTOS



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **March 23, 2015**, the Applicant named below filed Building Permit Application No. **2015.03.23.1599** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	1188 Diamond Street	Applicant:	Henry Karnilowicz
Cross Street(s):	26th Street	Address:	1019 Howard Street
Block/Lot No.:	6556/006A	City, State:	San Francisco, CA 94103
Zoning District(s):	RH-1 / 40-X	Telephone:	(415) 621-7533

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

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Façade Alteration(s)	<input checked="" type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	None	No Change
Side Setbacks	None	No Change
Building Depth	52 feet 6 inches	No Change
Rear Yard	27 feet 6 inches	No Change
Building Height	29 feet 6 inches	38 feet 6 inches
Number of Stories	1 + garage	3+ garage
Number of Dwelling Units	1	No Change
Number of Parking Spaces	2	No Change
PROJECT DESCRIPTION		
The proposal is to construct front, rear, side and vertical additions to the existing single family dwelling. The project includes lightwell infill, 2 feet excavation at the garage level and installation of a new floor plate between the existing two stories to create an additional level. Interior remodeling and exterior changes such as new windows and rear patio excavation are also proposed. 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

Notice Date: 10/26/15
Expiration Date: 11/25/15

中文詢問請電: (415) 575-9010

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

GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

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

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

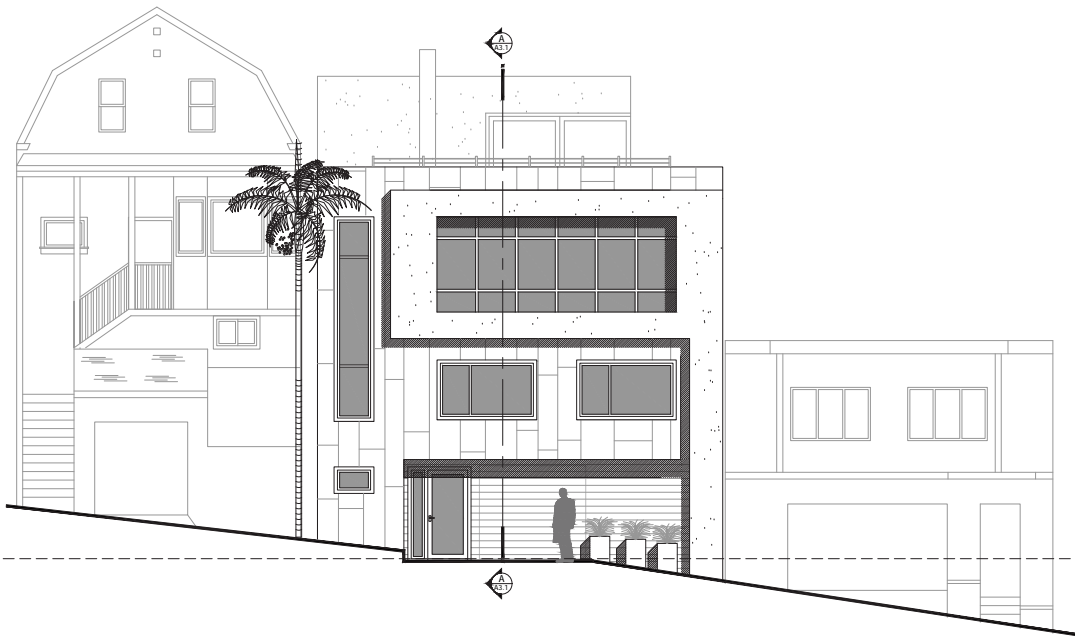
BOARD OF APPEALS

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

ENVIRONMENTAL REVIEW

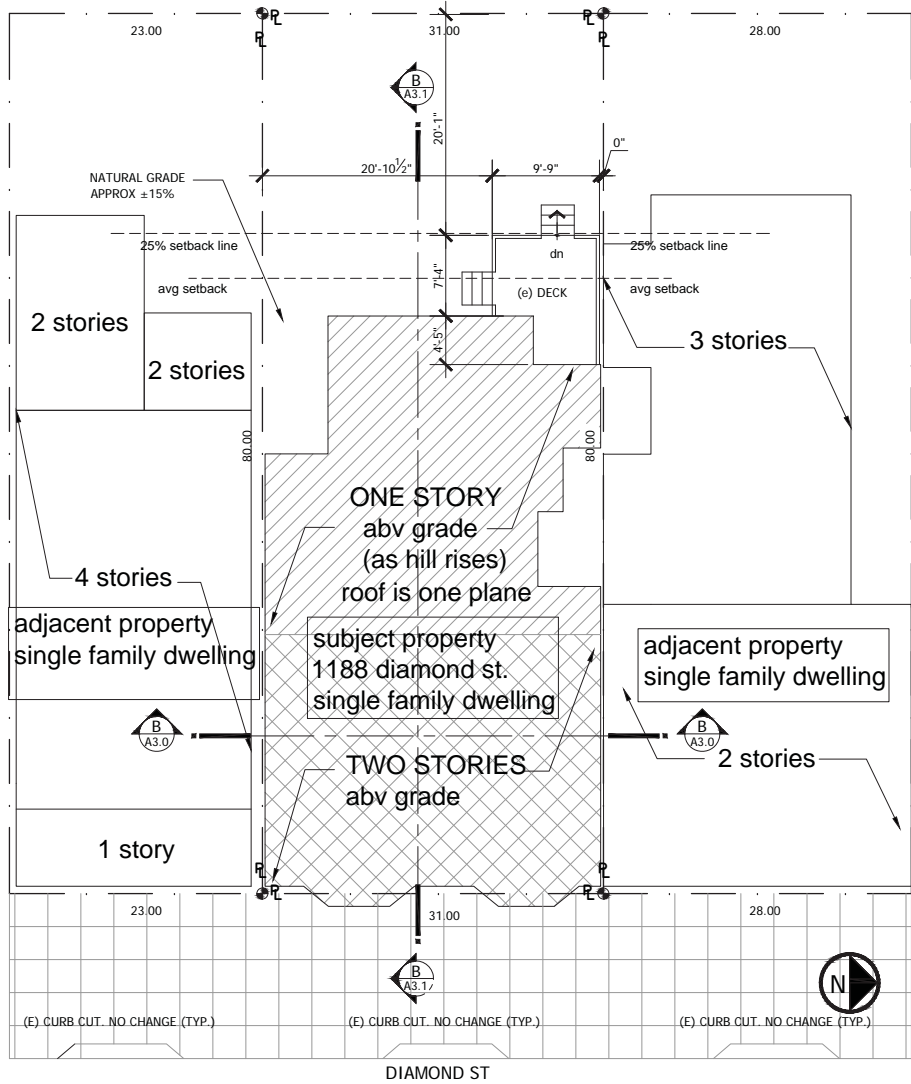
This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can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

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

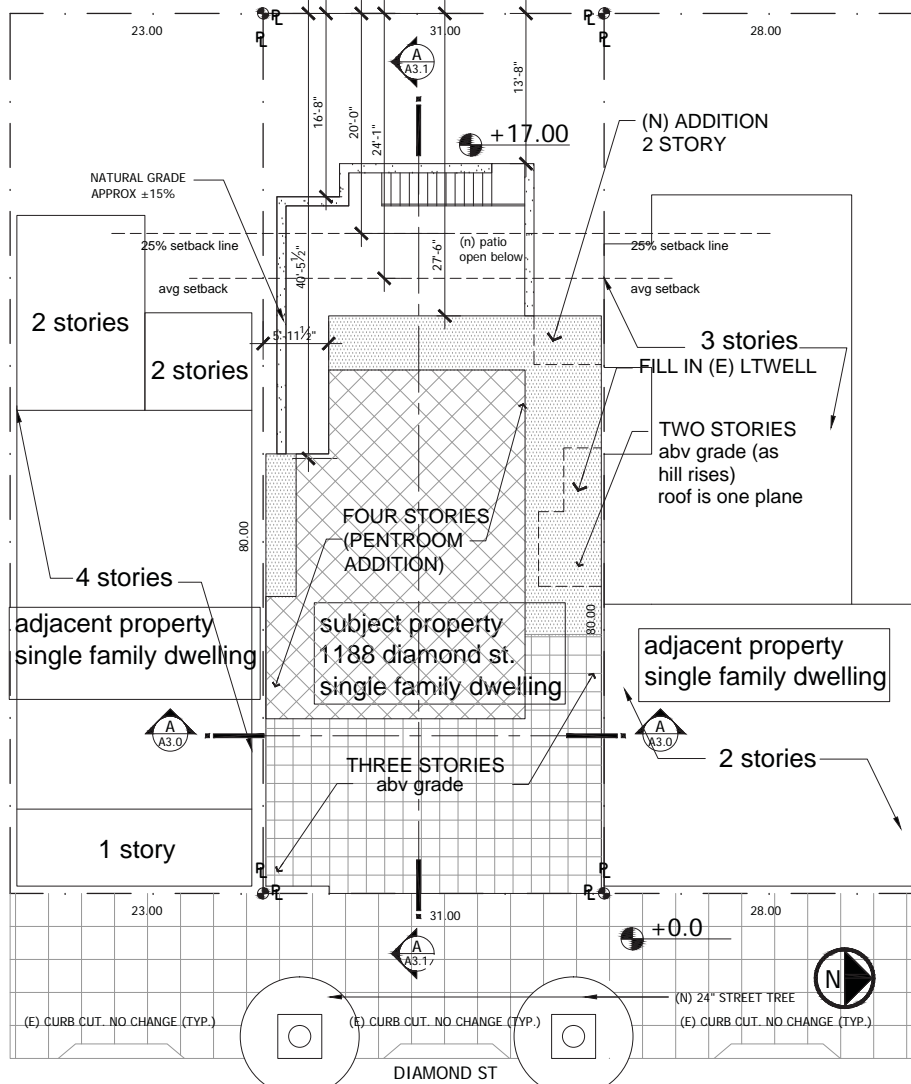


AREA CALCULATIONS			
EXISTING:			
1st FLOOR CONDITIONED	82	SF	
2nd FLOOR CONDITIONED	0	SF	
3rd FLOOR CONDITIONED	1362	SF	
TOTAL =	1,444	SF	
GARAGE:			
	541	SF	
PROPOSED:			
1st FLOOR CONDITIONED	227	SF	(+145 SF)
2nd FLOOR CONDITIONED	1,387	SF	(+1,387 SF)
3rd FLOOR CONDITIONED	1,410	SF	(+48 SF)
PENT ROOM CONDITIONED	595	SF	(+595 SF)
TOTAL SF:	3,619	SF	(+2,175 SF)
GARAGE:			
	400	SF	

3 ARTIST CONCEPTION FACADE ELEV
NTS= 1'-0"



2 EXISTING SITE PLAN
1/8" = 1'-0"



1 PROPOSED SITE PLAN
1/8" = 1'-0"

ABBREVIATIONS

1	1S&1P	1 shelf and 1 pole	46	hndrl	handrail
2	blk	blocking	47	hdwe	hardware
3	brk.	brick	48	int.	interior
4	chim.	chimney	49	L	length
5	br	bedroom	50	landsc.	landscape/landscaping
6	ba	bathroom	51	lvrd.	louvered
7	bd.	board	52	lt.	light
8	cl	closet	53	lav.	lavatory
9	conc	concrete	54	mtl.	metal
10	c.t.	ceramic tile	55	mas.	masonry
11	cab.	cabinet	56	mbr	master bedroom
12	comp	computer high speed connection	57	mba	master bathroom
13	compl	complete	58	med.	medicine cabinet
14	cem	cement	59	mldg	moulding
15	comp	composition	60	(N)	new
16	clg.	ceiling	61	ped.	pedestal or pedestrian
17	crpt./carpet	wall to wall carpeting	62	pan.	pantry
18	csmt	casement	63	plwd	plywd
19	D	deep	64	plas. Lam.	plastic laminate/formica
20	drm.	drain	65	ref.	refrigerator
21	dn.	down	66	ra	range
22	DH	double hung	67	R	stair risers
23	disp.	garbage disposal	68	rod	shower curtain rod
24	dblt	deadbolt	69	SC	solid core
25	dispn	dispenser	70	sl.gl.dr.	sliding glass door
26	dr.	door	71	s.	sink
27	eq	equal	72	shlvs	shelves
28	ext.	exterior	73	sp	space
29	(E)	existing	74	sht	sheet
30	fr.	french	75	scrnd	screened
31	flshg.	flashing	76	t.p.	toilet paper dispenser
32	frdn	foundation	77	t.b.	towel bar
33	flxt.	fixture	78	tel	telephone jack
34	flr.	floor	79	temp'd	tempered glass
35	F.F.	finished floor elevation	80	TV	cable TV Jack
36	fin.	finished	81	typ	typical
37	flr.	floor	82	U.O.N	unless otherwise noted
38	frmg	framing	83	van.	vanity
39	frmd	framed	84	vw	view
40	gyp. bd	gypsum wall board/sheetrock	85	V.I.F.	verify in field
41	gwb	gypsum wall board/sheetrock	86	vinyl	sheet vinyl flooring
42	g	gallon	87	wd	wood
43	gsm	galvanized sheet metal	88	W/D	washer & dryer machines
44	H	high	89	wdw.	window
45	hdwd.	hardwood	90	wc	water closet/ toilet

PROJECT DIRECTORY:

ARCHITECT:
MCMAHON ARCHITECTS+STUDIO
4111 18TH STREET, SUITE 6
SAN FRANCISCO, CA, 94114
415. 626.5300
CA. REG. C-22982

STRUCTURAL ENGINEER:
HAWK LEE
1609 NORIEGA STREET
SAN FRANCISCO, CA 94122
415.681.6325

PERMIT COORDINATOR
OCCIDENTAL EXPRESS
1019 HOWARD STREET
SAN FRANCISCO, CA 94103
415.621.7533

BUILDING / LOT INFORMATION:

1188 DIAMOND ST.
SAN FRANCISCO, CA, 94114
APN: 6556-006A
ZONING: RH-1

CODES APPLIED:

2013 CALIFORNIA BUILDING CODE (CBC)
2013 CALIFORNIA RESIDENTIAL CODE (CRC)
2013 CALIFORNIA ELECTRICAL CODE (CEC)
2013 CALIFORNIA PLUMBING CODE (CPC)
2013 CALIFORNIA MECHANICAL CODE (CMC)
2013 CALIFORNIA ENERGY CODE

SCOPE OF WORK:

1. EXCAVATE GARAGE LEVEL 2'-0" DOWN
2. NEW FLOOR BETWEEN (E) FIRST AND (E) SECOND STORY
3. FILL IN (E) LIGHTWELL
4. NEW ROOM AND BA AT PENTHOUSE LEVEL
5. REMODEL ALL BEDROOMS
6. REMODEL KITCHEN
7. ALL NEW WINDOWS ON EXTERIOR
8. ALL NEW ELECTRICAL
9. NEW PLUMBING FIXTURES
10. NEW GARAGE DOOR
11. NEW FOUNDATION
12. NEW STRUCTURAL WALLS
13. NEW FACADE MATERIALS

DRAWING INDEX:

ARCHITECTURAL DRAWINGS:

A0.0 - COVER SHEET
A1.0 - FLOOR PLANS
A1.1 - FLOOR PLANS
A2.0 - ELEVATIONS
A2.1 - ELEVATIONS
A2.2 - ELEVATIONS

mcmahon architects + studio

san francisco, ca 94114

4111 - 18th Street Suite 6

415-626-5300
www.chrismcmahon.com



1188 DIAMOND ST
SAN FRANCISCO, CALIFORNIA

REVISIONS:

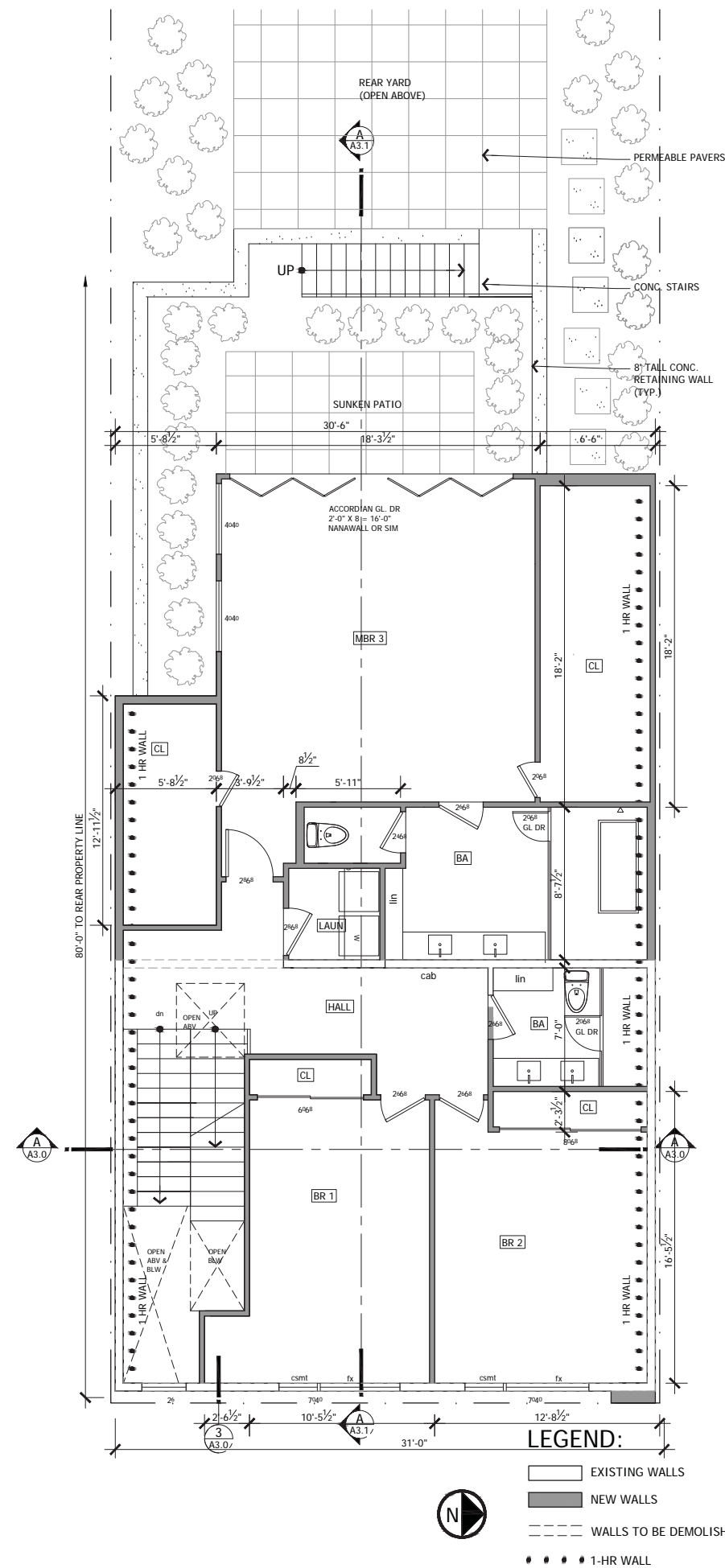
DATE: 07.15.2015

DRAWN: WC

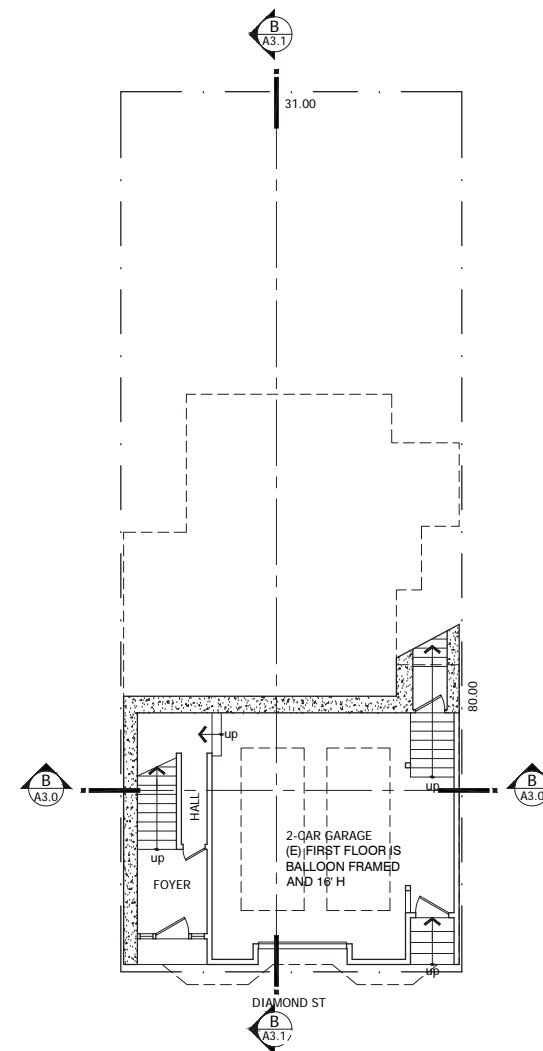
SCALE:

COVER SHEET

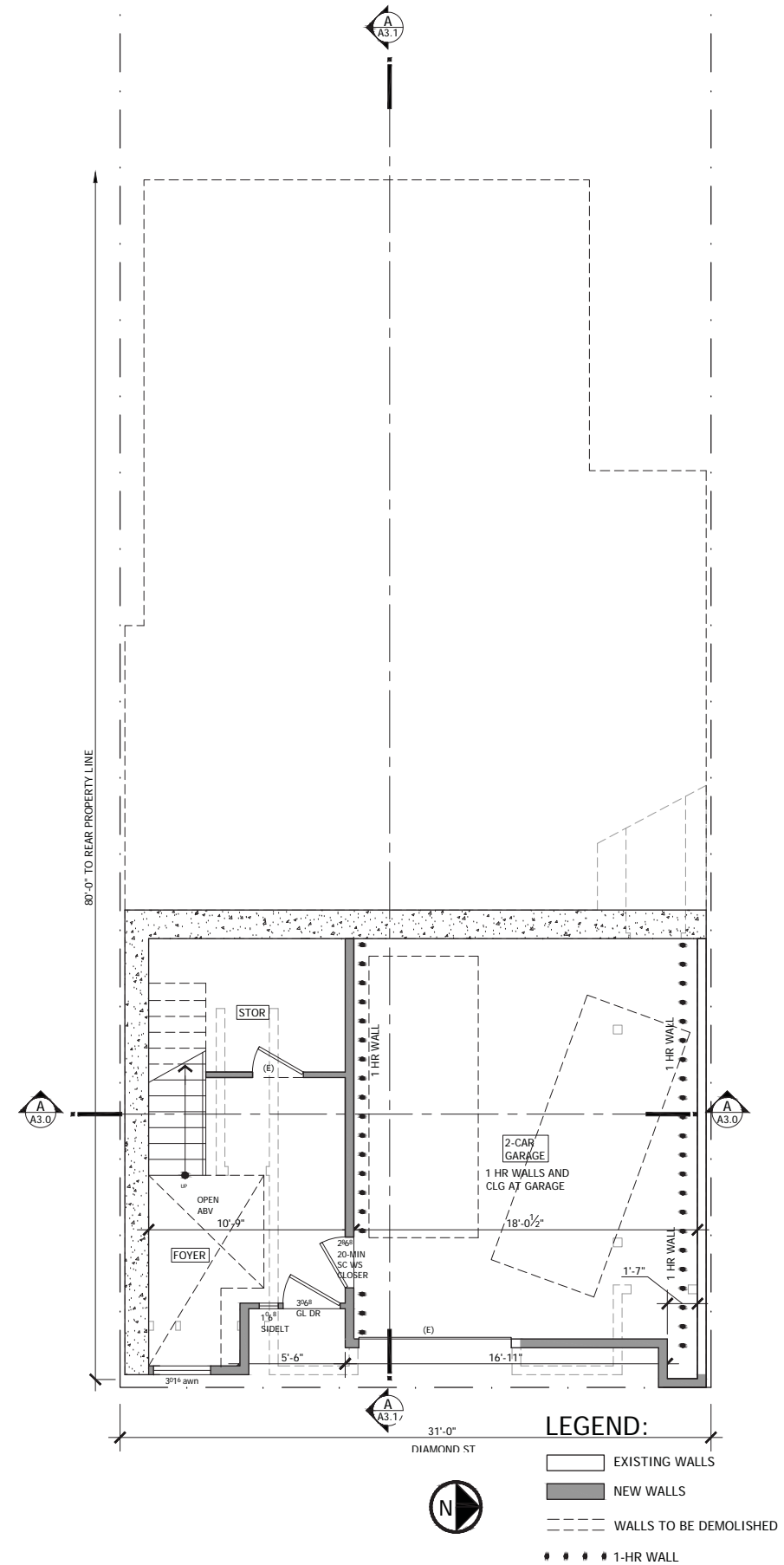
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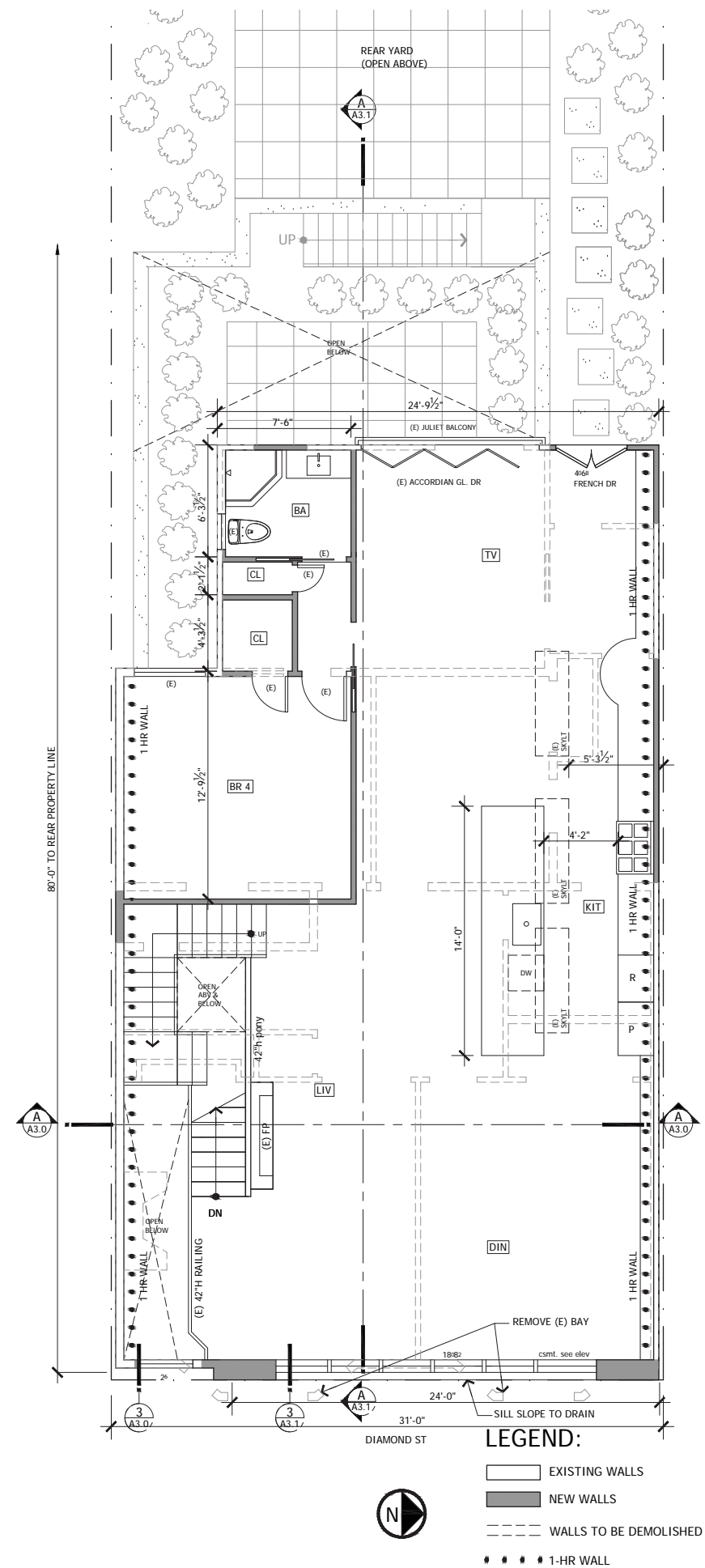
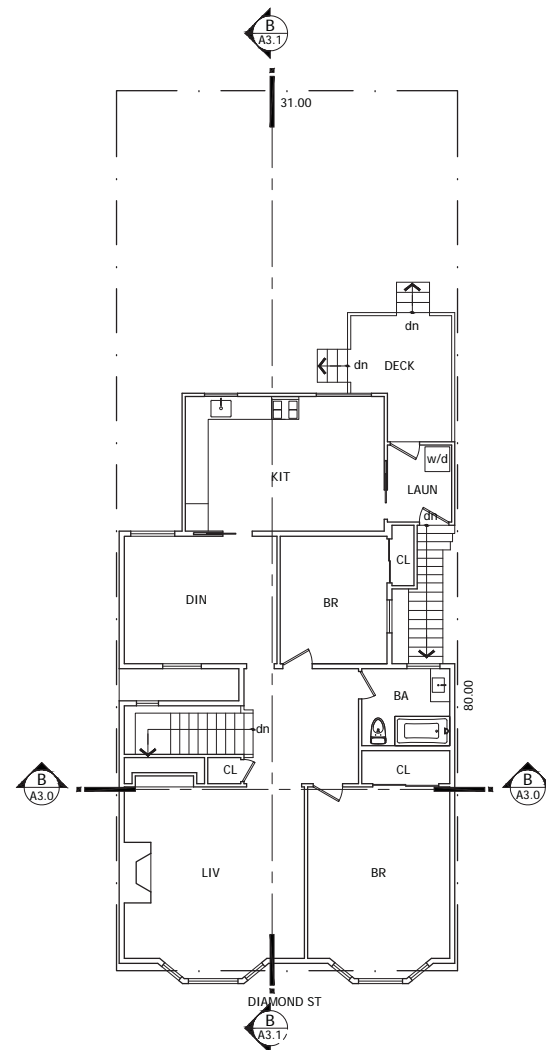
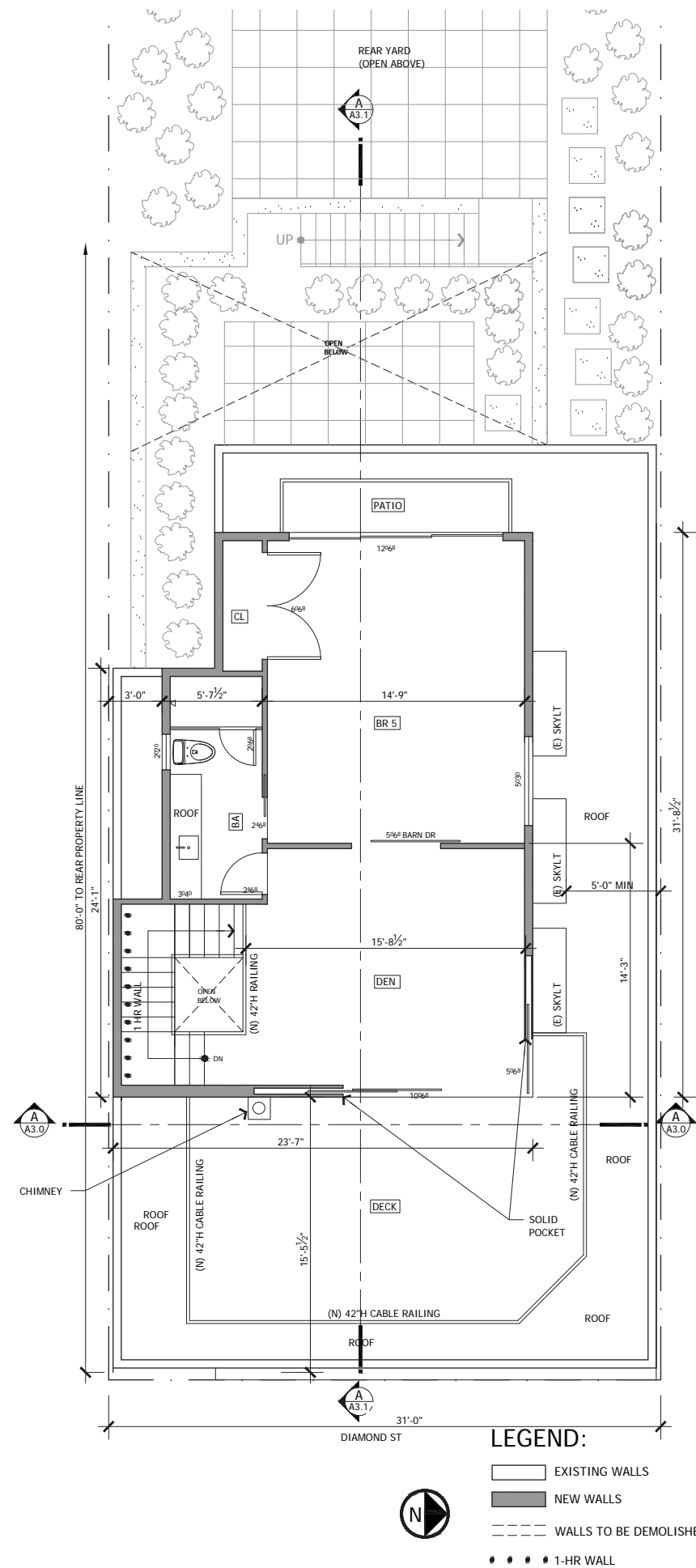
3 PROPOSED SECOND FLOOR PLAN



2 EXISTING FIRST FLOOR PLAN



1 PROPOSED FIRST FLOOR PLAN



1188 DIAMOND ST
SAN FRANCISCO, CALIFORNIA

REVISIONS:

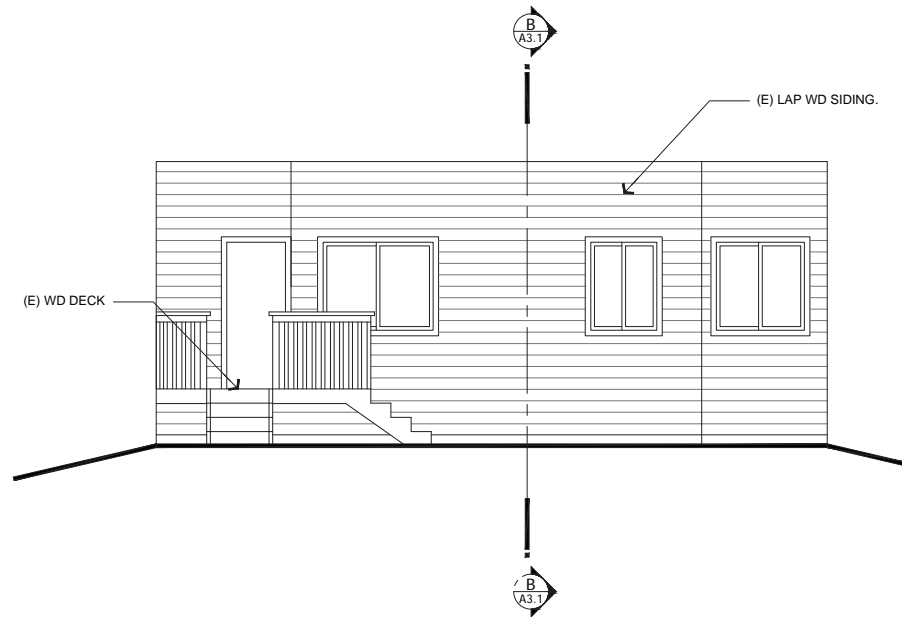
DATE: 07.15.2015

DRAWN: WC

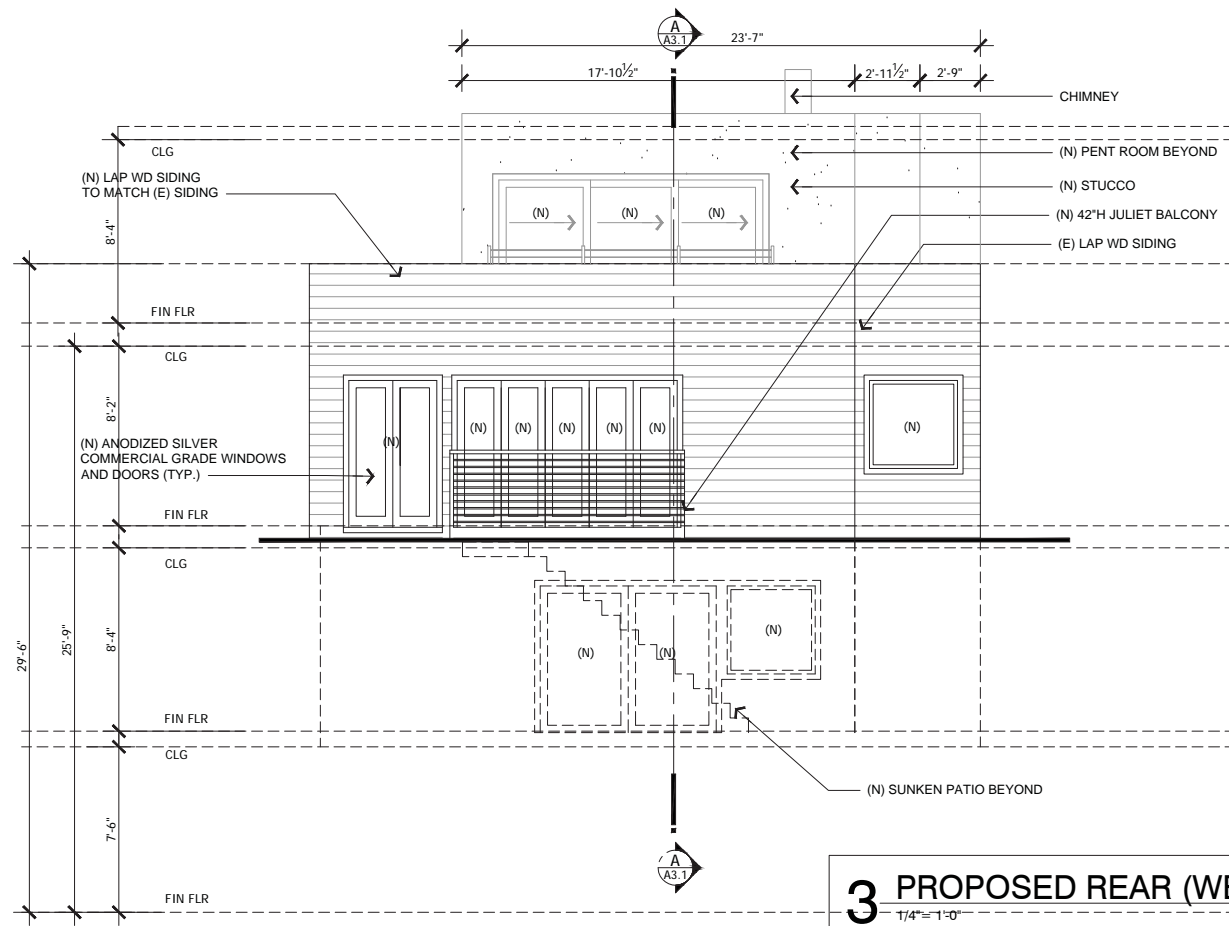
SCALE:

FLOOR PLANS

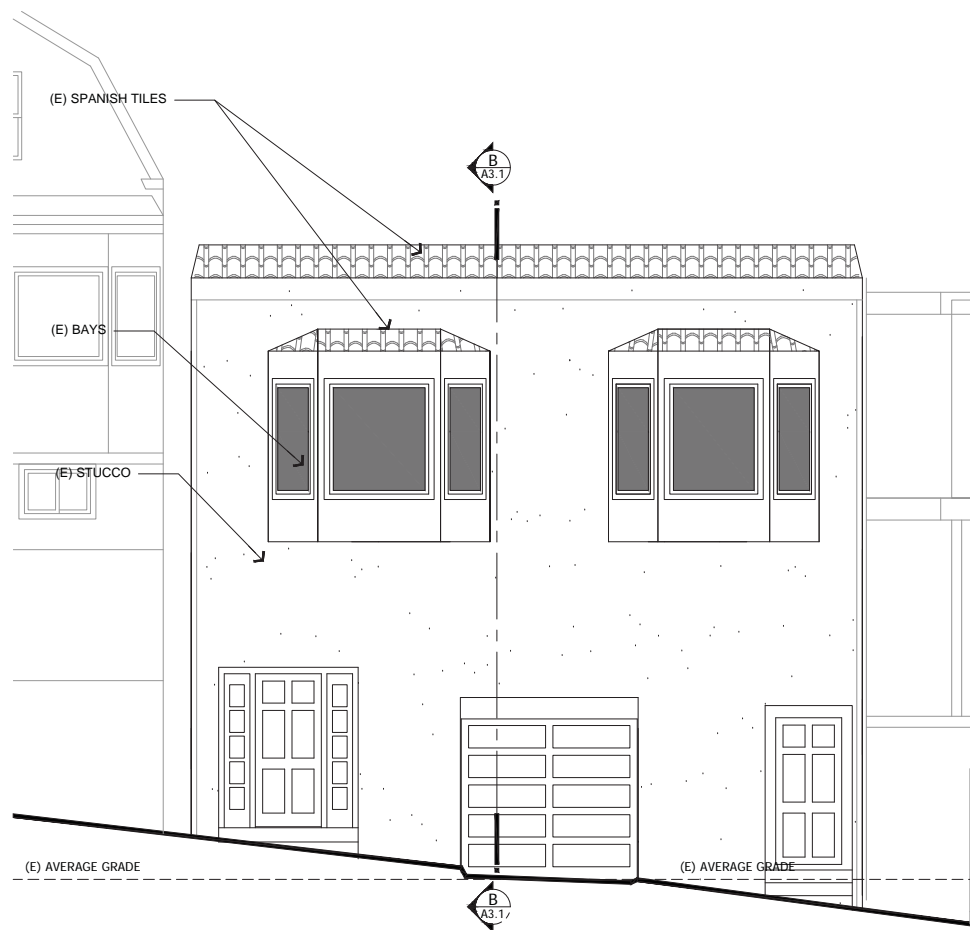
A1.1



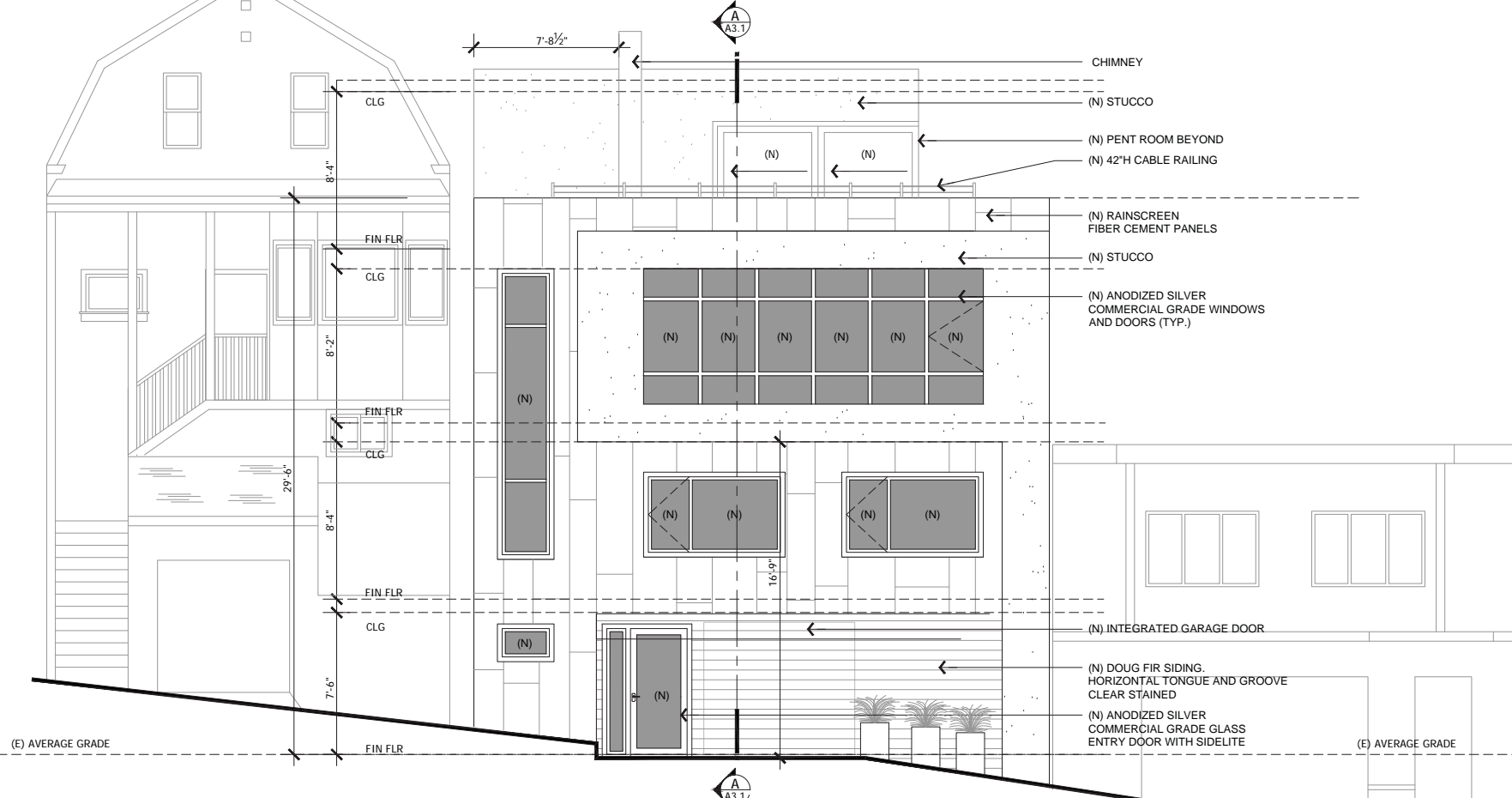
4 EXISTING REAR (WEST) ELEVATION
1/4" = 1'-0"



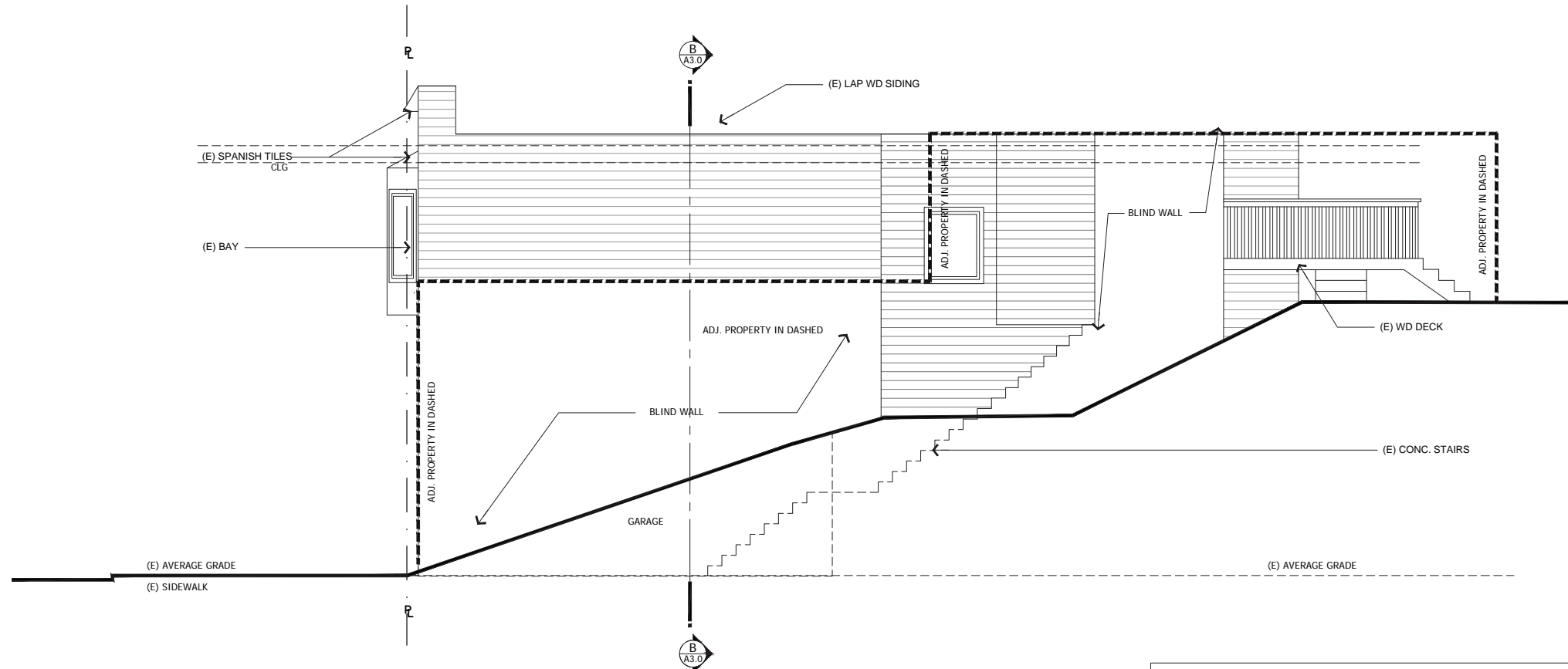
3 PROPOSED REAR (WEST) ELEVATION
1/4" = 1'-0"



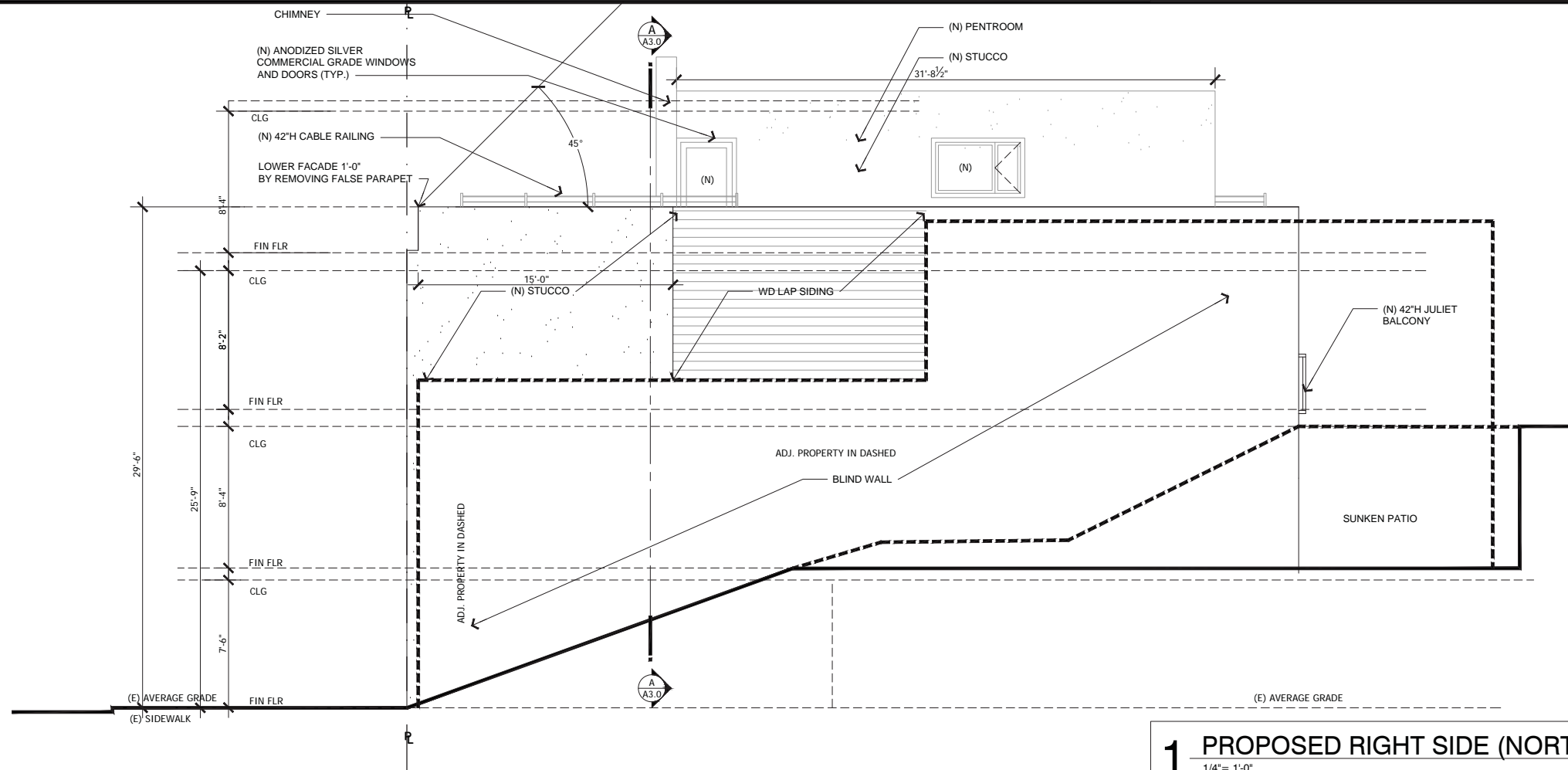
2 EXISTING FACADE (EAST) ELEVATION
1/4" = 1'-0"



1 PROPOSED FACADE (EAST) ELEVATION
1/4" = 1'-0"

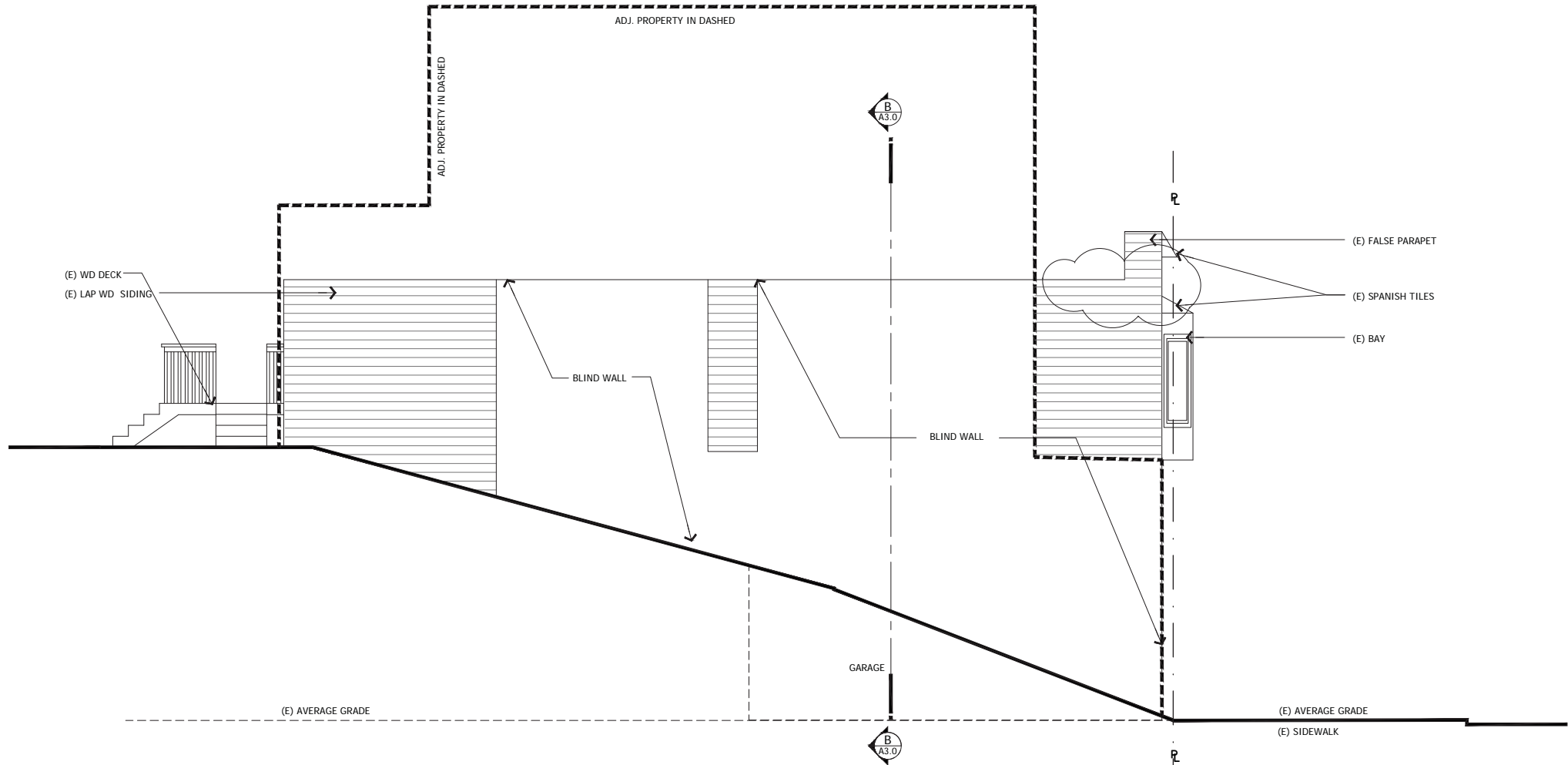


2 EXISTING RIGHT SIDE (NORTH) ELEVATION
1/4" = 1'-0"

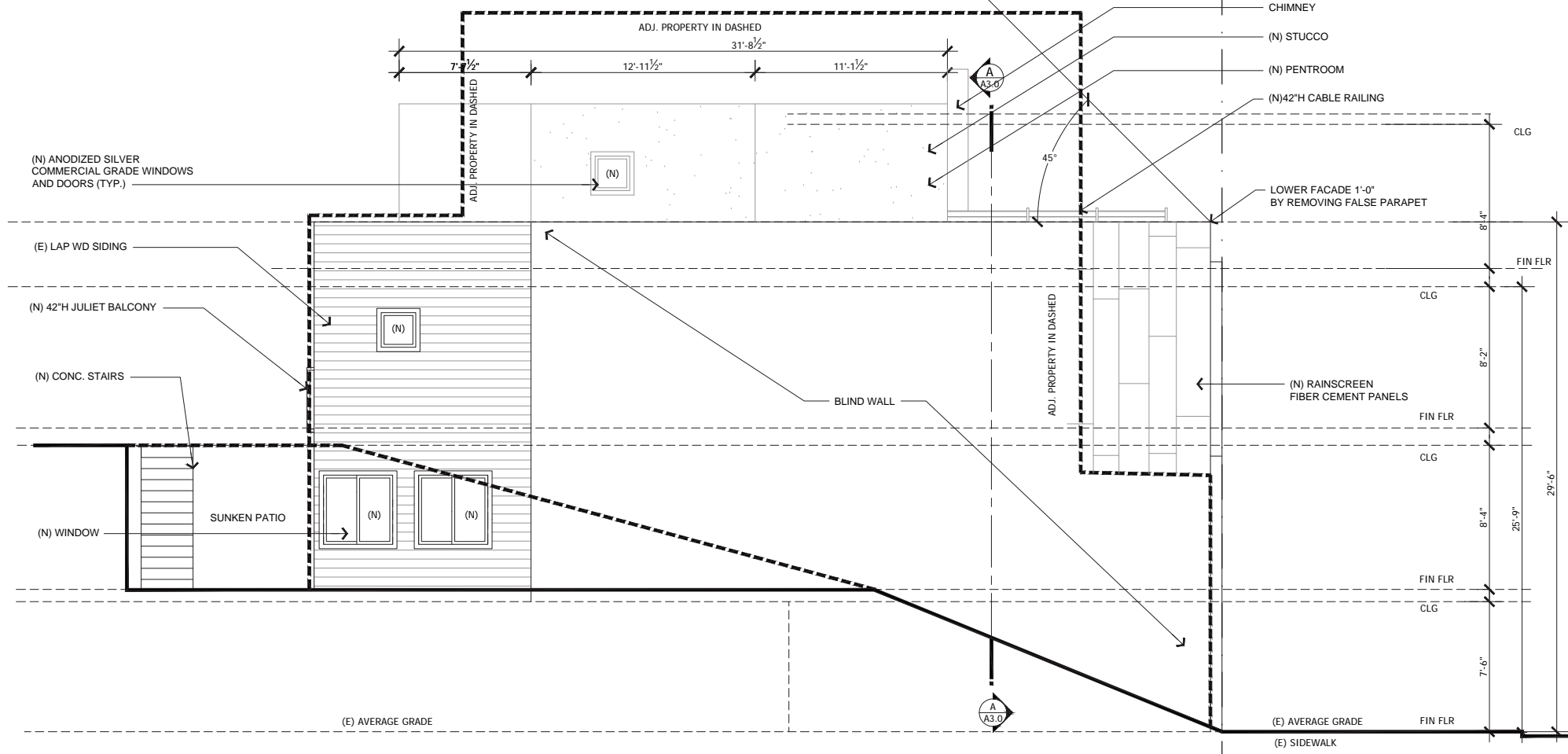


1 PROPOSED RIGHT SIDE (NORTH) ELEVATION
1/4" = 1'-0"





2 EXISTING LEFT SIDE
(SOUTH) ELEVATION 1/4" = 1'-0"



1 PROPOSED LEFT SIDE
(SOUTH) ELEVATION 1/4" = 1'-0"



APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Jesse Fowler		
DR APPLICANT'S ADDRESS: 1140 Diamond Street, San Francisco, CA	ZIP CODE: 94114-3631	TELEPHONE: (415) 652-9789
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Ravi Sadarangani, c/o Henry Karnilowicz		
ADDRESS: 1019 Howard Street, San Francisco, CA	ZIP CODE: 94103	TELEPHONE: (415) 621-7533
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Zacks & Freedman, P.C., c/o Ryan J. Patterson		
ADDRESS: 235 Montgomery Street, Suite 400, San Francisco, CA	ZIP CODE: 94104	TELEPHONE: (415) 956-8100
E-MAIL ADDRESS: ryan@zulpc.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 1188 Diamond Street, San Francisco, CA		ZIP CODE: 94114		
CROSS STREETS: Between 26th Street and Clipper Street				
ASSESSORS BLOCK/LOT: 6556 /006A	LOT DIMENSIONS: 80 x 31	LOT AREA (SQ FT): 2400	ZONING DISTRICT: RH-1	HEIGHT/BULK DISTRICT: 40-X

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☒ Demolition ☐ Other ☒Additions to Building: Rear ☒ Front ☒ Height ☒ Side Yard ☒
1 Dwelling Unit

Present or Previous Use:

Proposed Use: No Change

Building Permit Application No. 2015.03.23.1599

Date Filed: March 23, 2015

 ORIGINAL

4. Actions Prior to a Discretionary Review Request

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

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

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

No changes to the proposed project have been made. However, the DR Requestor wishes to continue discussions with the Project Sponsor with the goal of reaching a neighborly resolution.

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.

REQUEST FOR DISCRETIONARY REVIEW

- 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?***

The increased height and new mass of the proposed project is not responsive to the overall neighborhood context and will result in inadequate light and privacy for adjacent property owners (Residential Design Guidelines, p. 7; San Francisco Planning Code § 101). The increased height of the proposed project does not respect the downhill topography upon which it is situated and will have an unusual impact on privacy to neighboring interior living spaces. (Residential Design Guidelines, pp. 11, 17).

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

The proposed project will have significant adverse impacts on neighboring homes. For example, due to the proposed 9'0" addition in building height, the new top floor will now look down into the top-floor bedroom of the DR Requestor's adjoining home. This is a "special situation[] where a proposed project will have an unusual impact on privacy to neighboring interior spaces." (Residential Design Guidelines, p. 17). Additionally, the added height will have adverse shadowing impacts on neighboring property to the north of the proposed project, especially on outdoor spaces.

- 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?***

At a minimum, the project's proposed fourth-floor penthouse and deck should be deleted, to comport with neighboring properties in the immediate vicinity, and protect the privacy of adjacent neighbors. The added mass should also be reduced to ensure the continued enjoyment of adjacent neighbors' properties.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: 11/25/15

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

Ryan J. Patterson

Owner / ~~Authorized Agent~~ (circle one)

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input checked="" type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
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)	<input checked="" type="checkbox"/>

NOTES:

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

For Department Use Only

Application received by Planning Department:

By: 

11.25.15

Date:

NOV 25 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

Google Maps 1141 Diamond St



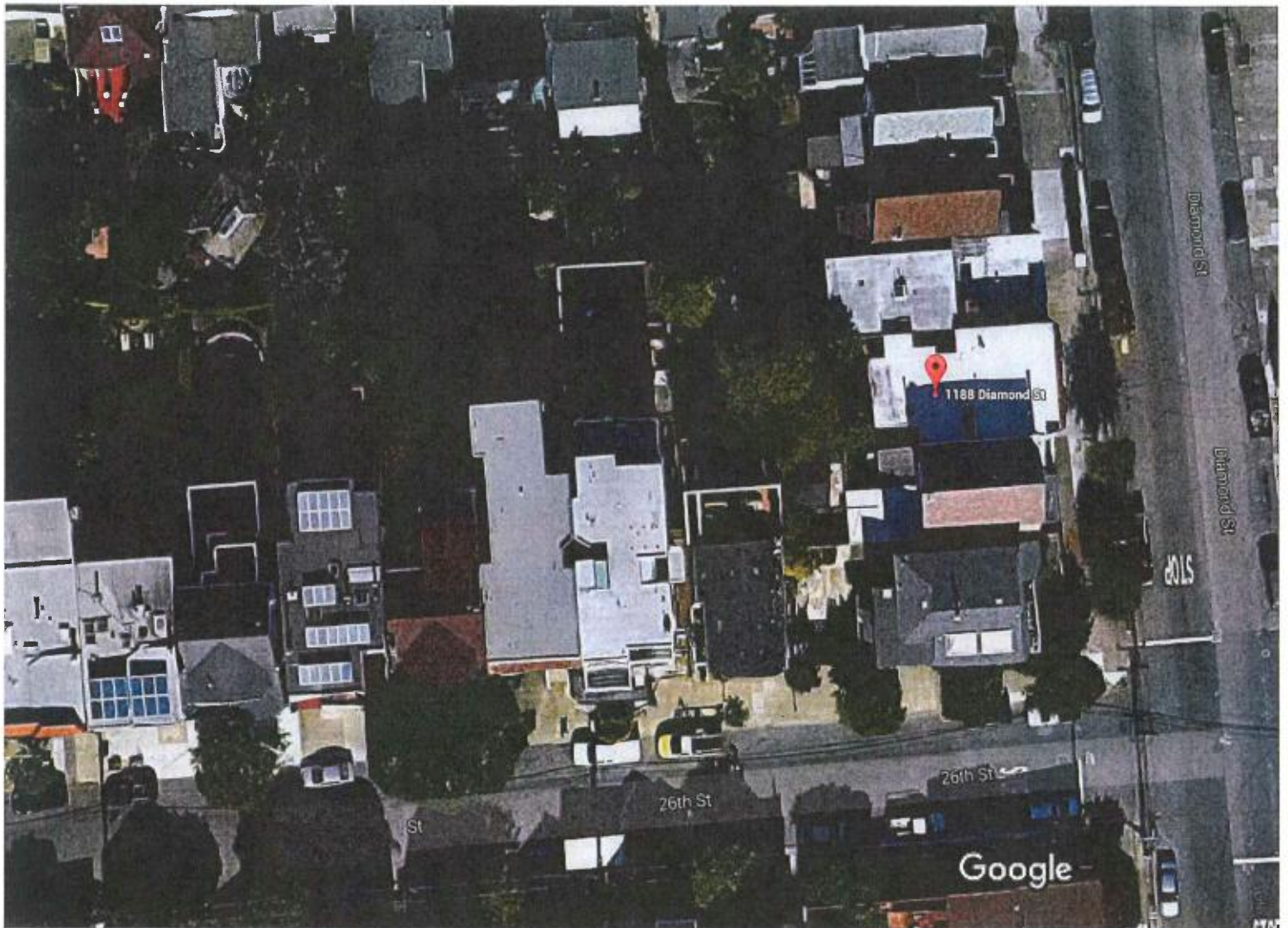
Image capture: Jul 2015 © 2015 Google

San Francisco, California

Street View - Jul 2015



Google Maps 1188 Diamond St



Imagery ©2015 Google, Map data ©2015 Google 20 ft



1188 Diamond St
San Francisco, CA 94114



**SAN FRANCISCO
PLANNING DEPARTMENT**
1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On March 23, 2015, the Applicant named below filed Building Permit Application No. 2015.03.23.15 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	1188 Diamond Street	Applicant:	Henry Karnilowicz
Cross Street(s):	28 th Street	Address:	1018 Howard Street
Block/Lot No.:	6556006A	City, State:	San Francisco, CA 94103
Zoning District(s):	RH-1 / 40-X	Telephone:	(415) 821-7533

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

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

PROJECT SCOPE			
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input type="checkbox"/> Alteration	
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Facade Alteration(s)	<input checked="" type="checkbox"/> Front Addition	
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition	
PROJECT FEATURES		PROPOSED	
Building Use	Residential	Residential	
Front Setback	None	No Change	
Side Setback	None	No Change	
Building Depth	52 feet 6 inches	No Change	
Rear Yard	27 feet 6 inches	No Change	
Building Height	29 feet 6 inches	36 feet 6 inches	
Number of Stories	1 + garage	3+ garage	
Number of Dwelling Units	1	No Change	
Number of Parking Spaces	2	No Change	

PROJECT DESCRIPTION
The proposal is to construct front, rear, side and vertical additions to the existing single family dwelling. The project includes lightwell infill, 2 feet excavation at the garage level and installation of a new floor plate between the existing two stories to create an additional level. Interior remodeling and exterior changes such as new windows and rear patio excavation are also proposed. 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

Notice Date: 10/26/15
Expiration Date: 11/25/15

中文詢問請電: (415) 575-9010

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

GENERAL INFORMATION ABOUT PROCEDURES

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

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

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3826, or online at www.communityboards.org for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

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

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

BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the Board of Appeals within 15 calendar days after the building permit is issued (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1660 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfpplanning.org. An appeal of the decision to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5186.

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

Date: 10/26/2015

The attached notice is provided under the Planning Code. It concerns property located at 1188 Diamond Street (2015.03.23.1599) ~ NT. A hearing may occur, a right to request review may expire or a development approval may become final by 11/25/2015.

To obtain information about this notice in Spanish or Chinese, please call (415) 575-9010. Please be advised that the Planning Department will require at least one business day to respond to any call.

附上的是三藩市城市規劃的法定通告。

此通告是與位於 1188 Diamond Street (2015.03.23.1599) ~ NT 的建築計劃有關。如果在 11/25/2015 之前無人申請聽證會來檢討這個建築計劃, 這計劃最終會被核准。

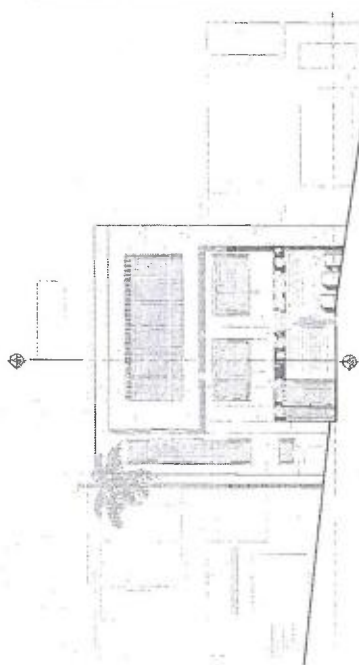
如果你需要用華語獲得關於這通告的細節, 請電 415-575-9010。

然後, 請按 "8", 及留言。城市規劃局將需要至少一個工作天回應。華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

El documento adjunto es requerido por el Código de Planeación (Planning Code) y es referente a la propiedad en la siguiente dirección: 1188 Diamond Street (2015.03.23.1599) ~ NT.

Es posible que ocurra una audiencia pública, que el derecho a solicitar una revisión se venza, o que la aprobación final de proyecto se complete el: 11/25/2015.

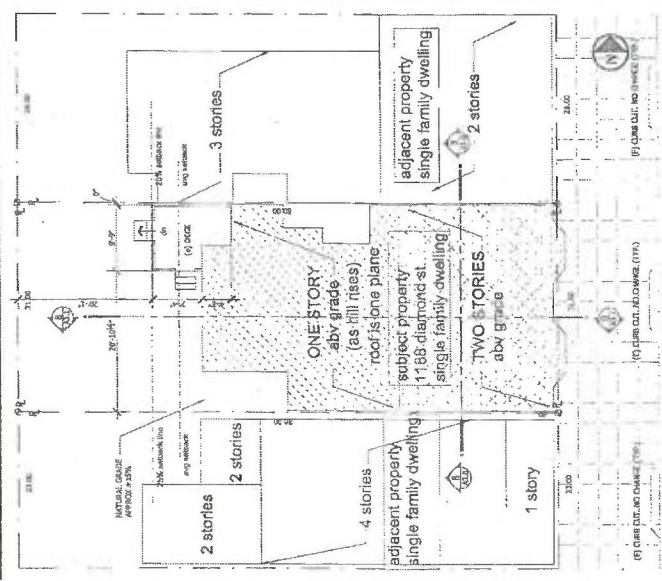
Para obtener más información sobre esta notificación en español, llame al siguiente teléfono (415) 575-9010. Por favor tome en cuenta que le contestaremos su llamada en un período de 24 horas.



AREA CALCULATIONS

EXISTING:	
1st FLOOR CONDITIONED	82 SF
2nd FLOOR CONDITIONED	0 SF
3rd FLOOR CONDITIONED	1,382 SF
TOTAL =	1,464 SF
GARAGE:	
1st FLOOR	541 SF
PROPOSED:	
1st FLOOR CONDITIONED	227 SF (+145 SF)
2nd FLOOR CONDITIONED	1,387 SF (+1,387 SF)
3rd FLOOR CONDITIONED	1,410 SF (+48 SF)
PENT HOUSE CONDITIONED	595 SF (+595 SF)
TOTAL SF:	3,619 SF (+2,175 SF)
GARAGE:	
400 SF	

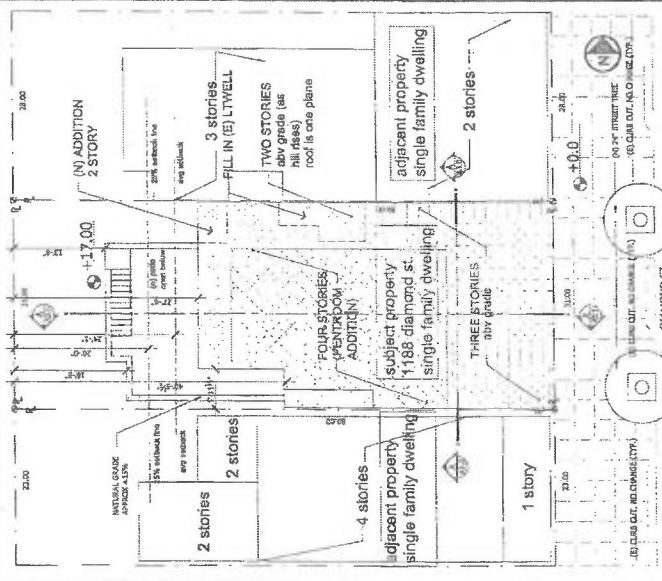
3 ARTIST CONCEPTION FACADE ELEVATION



2 EXISTING SITE PLAN



1 PROPOSED SITE PLAN



ABBREVIATIONS

1. Asphalt	1. wall and 1/2 inch	45. Frost	Handfast
2. Twp	2. brick	46. etc.	Handfast
3. Int.	3. brick	47. etc.	Handfast
4. Int.	4. brick	48. etc.	Handfast
5. Int.	5. brick	49. etc.	Handfast
6. Int.	6. brick	50. etc.	Handfast
7. Int.	7. brick	51. etc.	Handfast
8. Int.	8. brick	52. etc.	Handfast
9. Int.	9. brick	53. etc.	Handfast
10. Int.	10. brick	54. etc.	Handfast
11. Int.	11. brick	55. etc.	Handfast
12. Int.	12. brick	56. etc.	Handfast
13. Int.	13. brick	57. etc.	Handfast
14. Int.	14. brick	58. etc.	Handfast
15. Int.	15. brick	59. etc.	Handfast
16. Int.	16. brick	60. etc.	Handfast
17. Int.	17. brick	61. etc.	Handfast
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56. Int.	56. brick	100. etc.	Handfast

PROJECT DIRECTORY:

ARCHITECT:
 1188 DIAMOND ST.
 SAN FRANCISCO, CA 94114
 415.555.5555
 CA TEL. 02888
 STRUCTURAL ENGINEER:
 1188 DIAMOND ST.
 SAN FRANCISCO, CA 94114
 415.555.5555
 PERMIT COORDINATOR:
 1188 DIAMOND ST.
 SAN FRANCISCO, CA 94114
 415.555.5555

SCOPE OF WORK:

1. EXISTING GARAGE LEVEL 2' DOWN
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DRAWING INDEX:

- ARCHITECTURAL DRAWINGS:
- A0.0 - COVER SHEET
- A1.0 - FLOOR PLAN
- A2.0 - ELEVATIONS
- A3.0 - ELEVATIONS
- A4.0 - ELEVATIONS
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- A6.0 - ELEVATIONS
- A7.0 - ELEVATIONS
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- A11.0 - ELEVATIONS
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- A93.0 - ELEVATIONS
- A94.0 - ELEVATIONS
- A95.0 - ELEVATIONS
- A96.0 - ELEVATIONS
- A97.0 - ELEVATIONS
- A98.0 - ELEVATIONS
- A99.0 - ELEVATIONS
- A100.0 - ELEVATIONS

CODES APPLIED:

- 2019 CALIFORNIA BUILDING CODE (CBC)
- 2019 CALIFORNIA RESIDENTIAL CODE (CRC)
- 2019 CALIFORNIA MECHANICAL CODE (CMC)
- 2019 CALIFORNIA ELECTRICAL CODE (CEC)
- 2019 CALIFORNIA PLUMBING CODE (CPC)
- 2019 CALIFORNIA FIRE CODE (CFC)
- 2019 CALIFORNIA ENERGY CODE (CEC)

BUILDING / LOT INFORMATION:

1188 DIAMOND ST.
 SAN FRANCISCO, CA 94114
 APL 0000-0000
 ZONING: M1

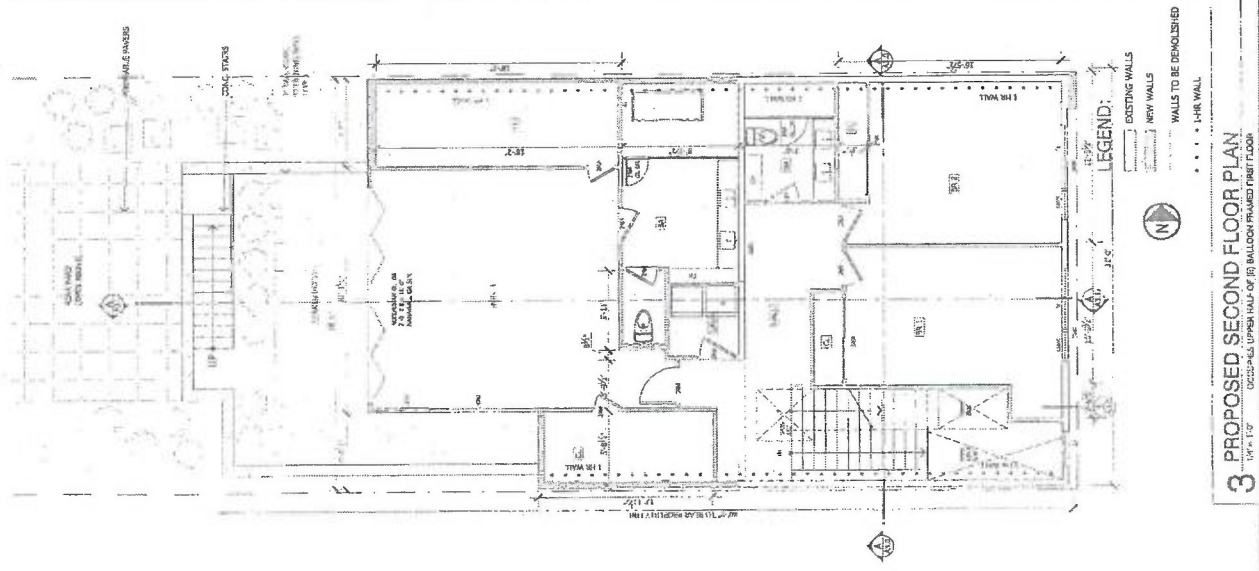
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 SAN FRANCISCO, CALIFORNIA



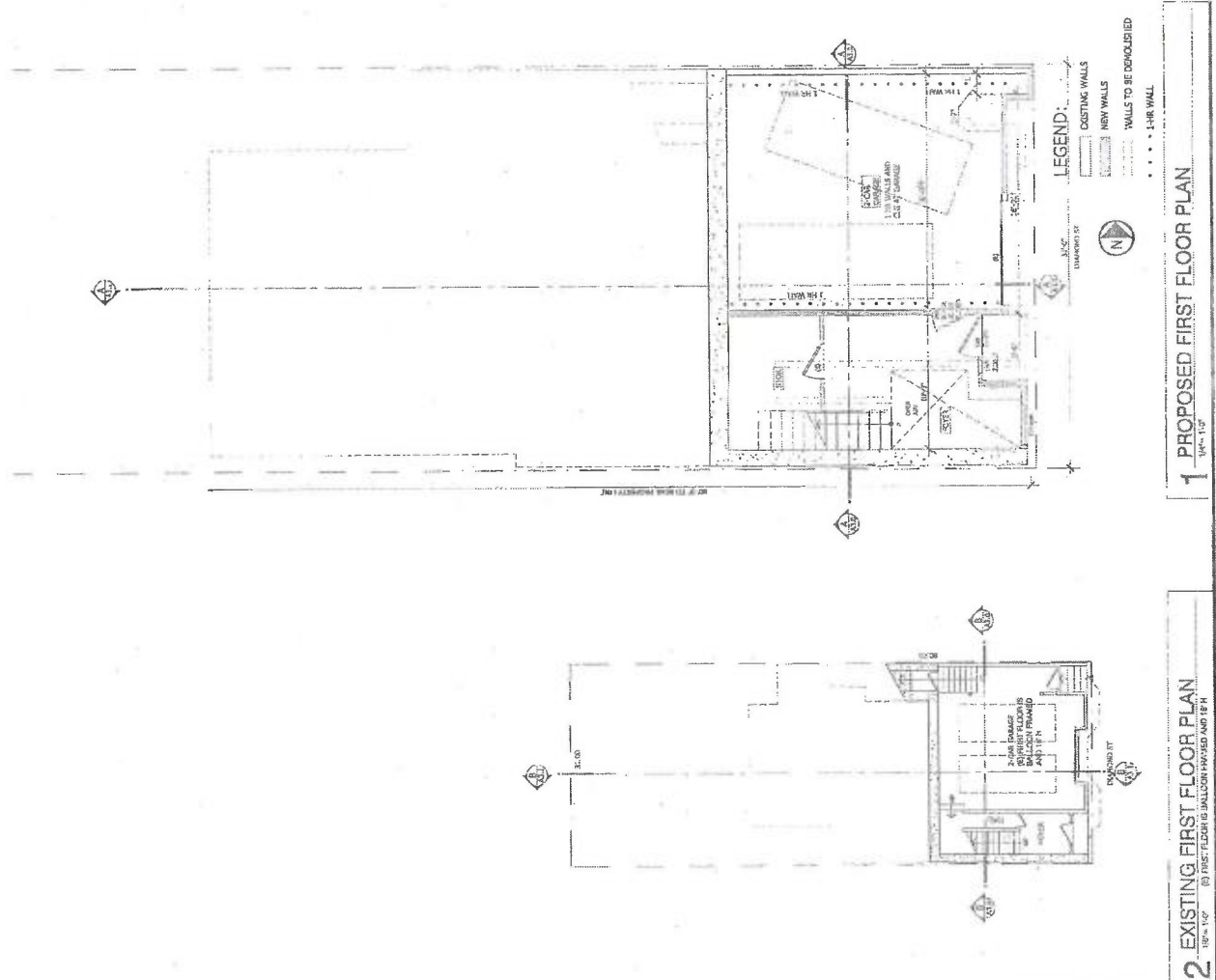
415.555.5555
 1188 DIAMOND ST.
 SAN FRANCISCO, CA 94114

DATE: 07.15.2015
 SHEET: 01
 COVER SHEET

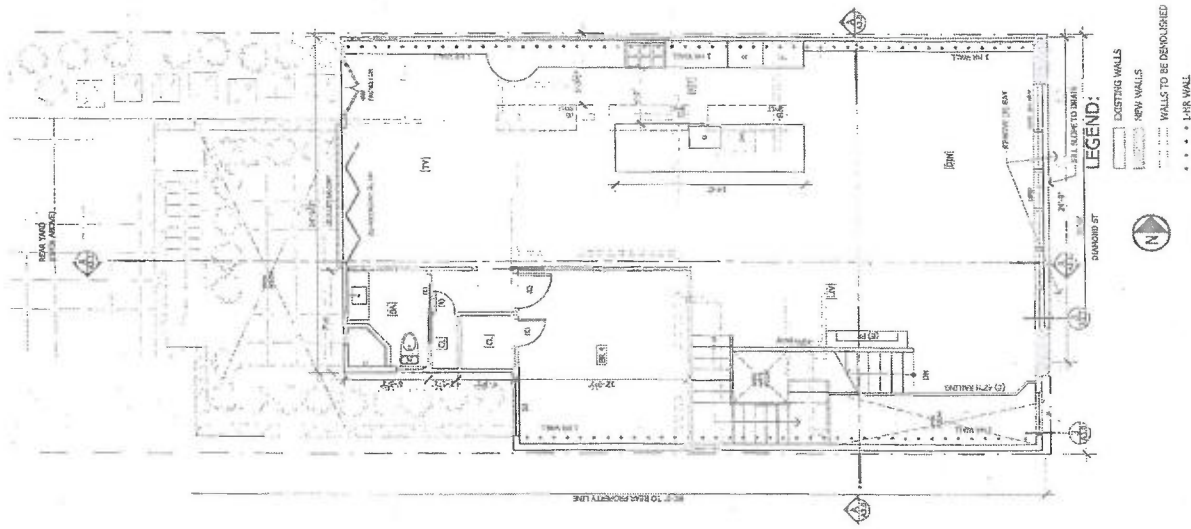
A0.0



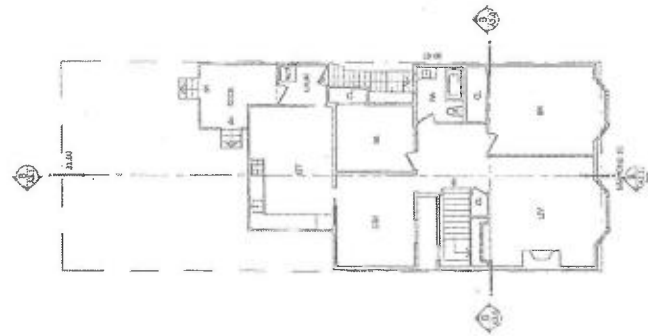
3 PROPOSED SECOND FLOOR PLAN
1/8" = 1'-0"



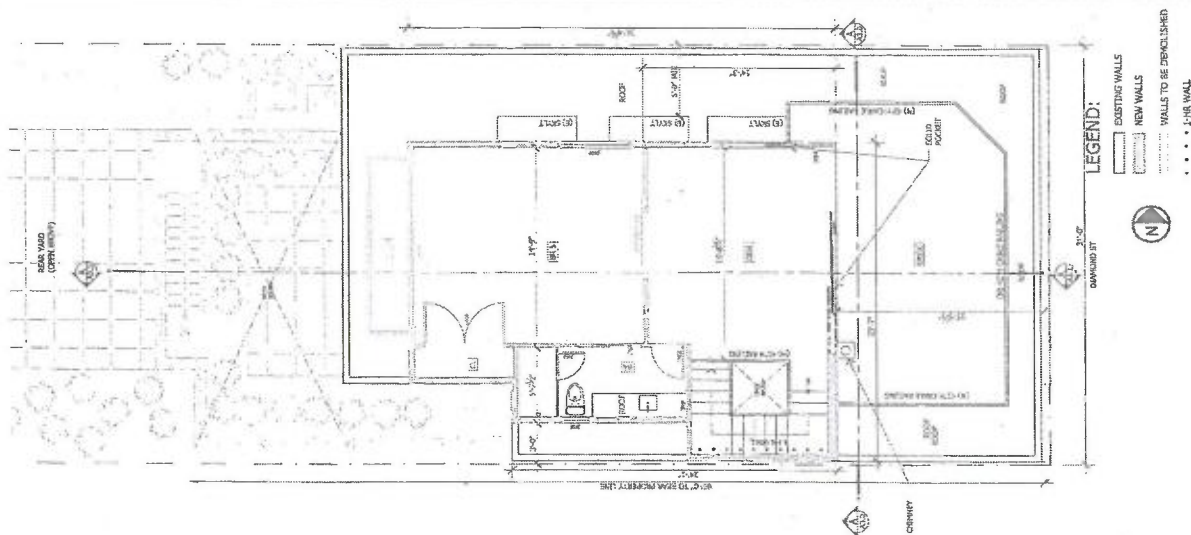
1 PROPOSED FIRST FLOOR PLAN
1/8" = 1'-0"




PROPOSED THIRD FLOOR PLAN

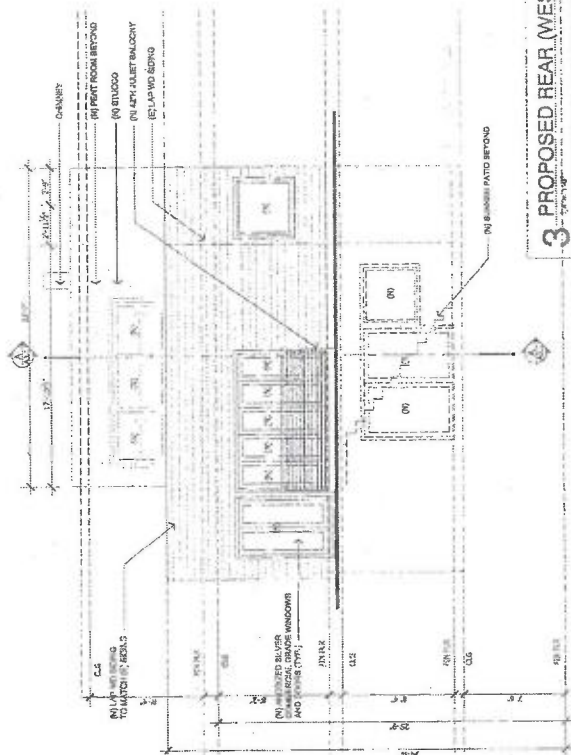


2 EXISTING THIRD FLOOR PLAN

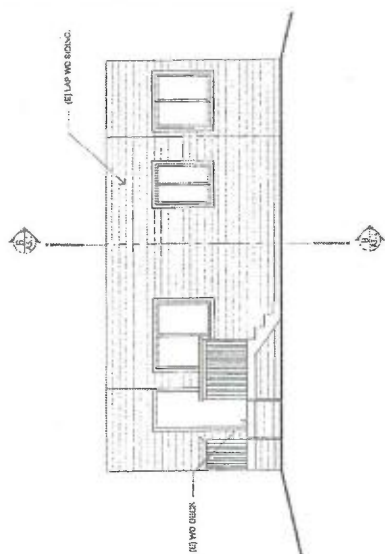


3 PROPOSED FOURTH FLOOR PLAN

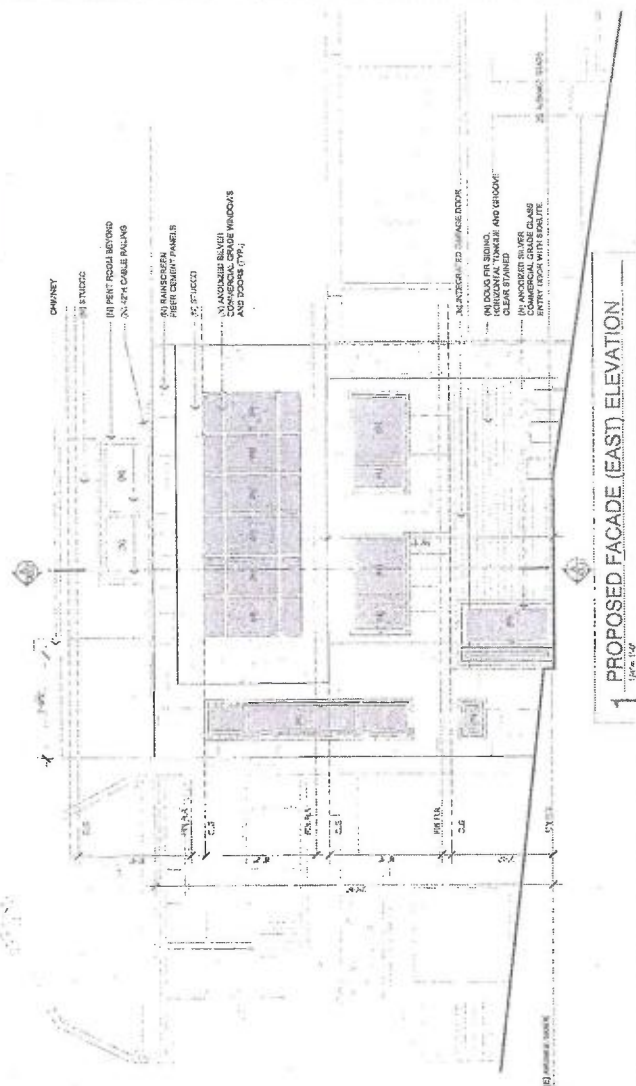

PROPOSED REAR (WEST) ELEVATION



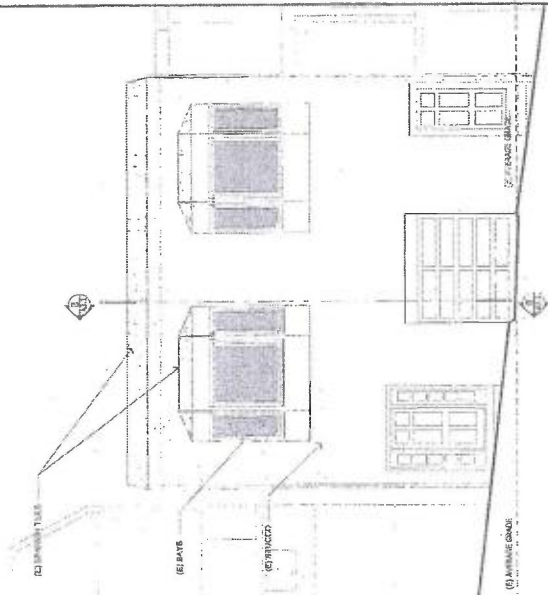
4. EXISTING REAR (WEST) ELEVATION



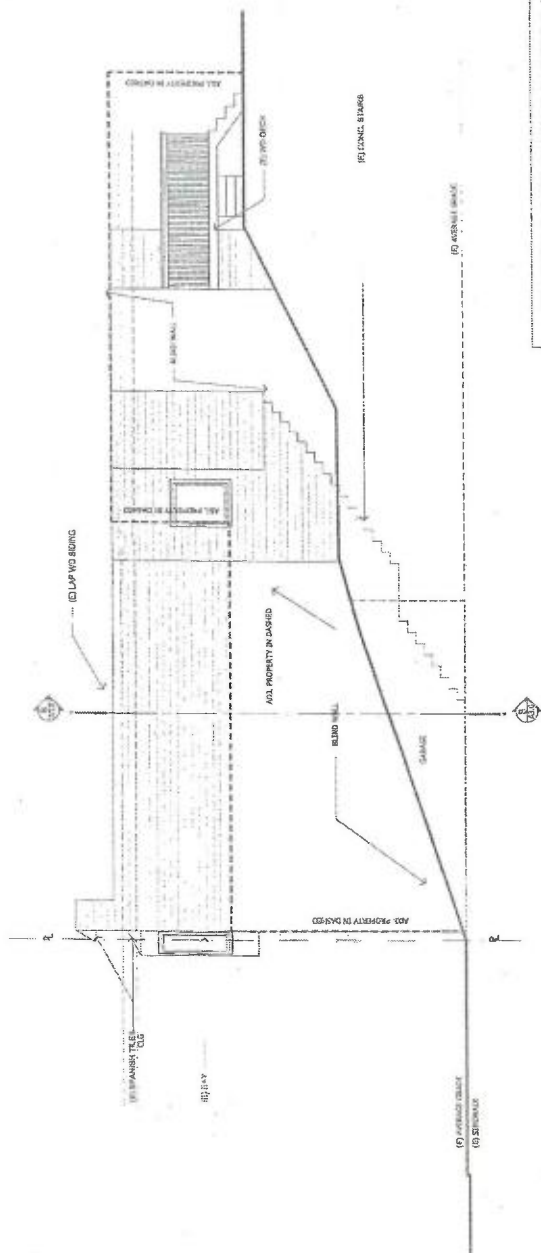
PROPOSED FACADE (EAST) ELEVATION



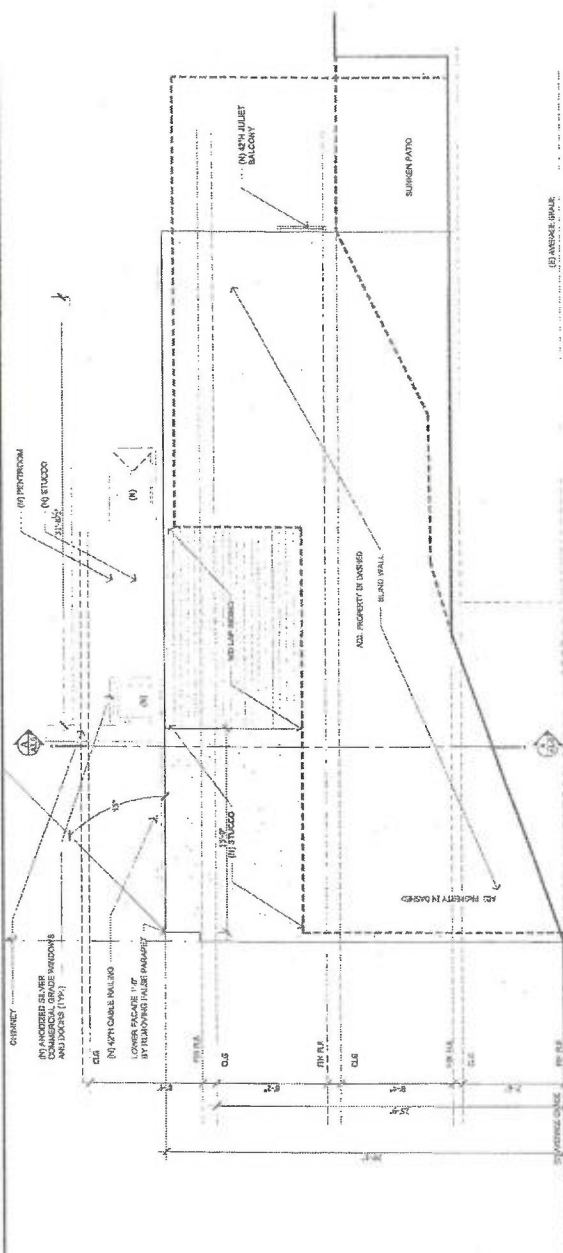
2 EXISTING FACADE (EAST) ELEVATION

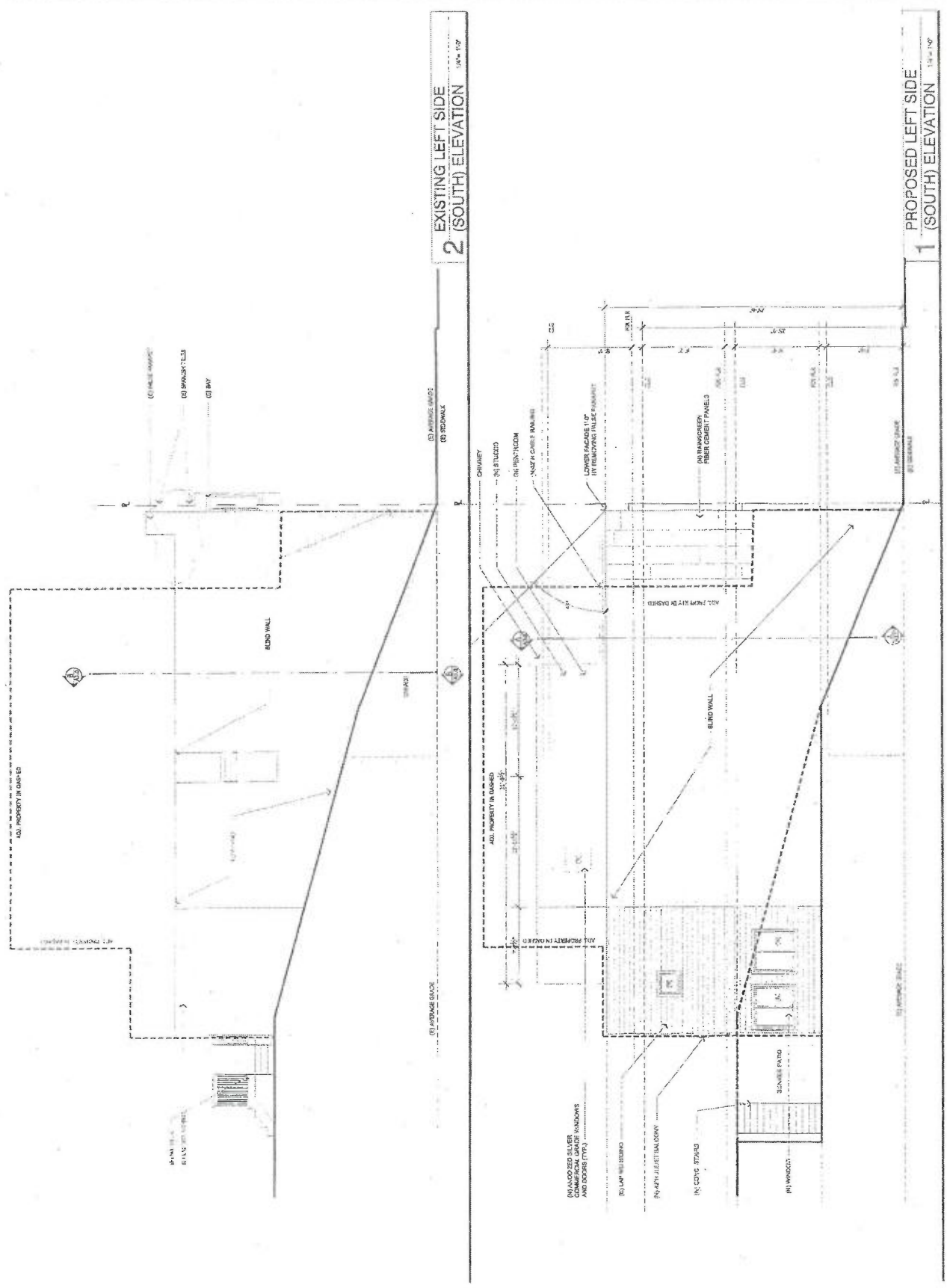


2 EXISTING RIGHT SIDE (NORTH) ELEVATION
1/8" = 1'-0"



PROPOSED RIGHT SIDE (NORTH) ELEVATION





RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

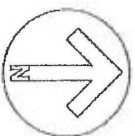
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0001	001	RADIUS SERVICES NO. 655606AT	1188 DIAMOND ST	FREEDMAN	15	1105
0001	002
0001	003	RADIUS SERVICES	1221 HARRISON ST #18	SAN FRANCISCO	CA	94103
0001	004	ZACKS & FREEDMAN	235 MONTGOMERY ST #400	SAN FRANCISCO	CA	94104
0001	005	.....	.....	.....	..	..
6555	027	R & D DENNISON	2217 YOSEMITE DR	MILPITAS	CA	95035-6649
6555	027	OCCUPANT	1149 DIAMOND ST	SAN FRANCISCO	CA	94114-3630
6555	027	OCCUPANT	1151 DIAMOND ST	SAN FRANCISCO	CA	94114-3630
6555	027A	KOHAV NIR	1143 DIAMOND ST	SAN FRANCISCO	CA	94114-3630
6555	028	M & M THOMAS	1137 DIAMOND ST	SAN FRANCISCO	CA	94114-3630
6555	029	ELIZABETH STATMORE	1131 DIAMOND ST	SAN FRANCISCO	CA	94114-3630
6555	030	DAVID GOLDFEIN	1125 DIAMOND ST	SAN FRANCISCO	CA	94114-3630
6556	006	JESSE FOWLER	1140 DIAMOND ST	SAN FRANCISCO	CA	94114-3631
6556	006A	FARALLON REAL FUND	152 YERBA BUENA AV	SAN FRANCISCO	CA	94127-1546
6556	006A	OCCUPANT	1188 DIAMOND ST	SAN FRANCISCO	CA	94114-3631
6556	007	TENBRUGGENCATE TRS	301 GREENFIELD AV	SAN MATEO	CA	94403-5011
6556	007	OCCUPANT	1190 DIAMOND ST	SAN FRANCISCO	CA	94114-3631
6556	009	R & L PRAEGER	4316 26TH ST	SAN FRANCISCO	CA	94131-1810
9999	999	.....	.....	.....	..	..



1221 Mission Street, Suite 118
San Francisco, CA 94102-4448
(415) 391-4775

BLOCK 6556
LOT 6A

San Francisco, CA



JOB NO.	DATE	INITIAL
855805AT	DRAWN	DC
	CHECKED	DC

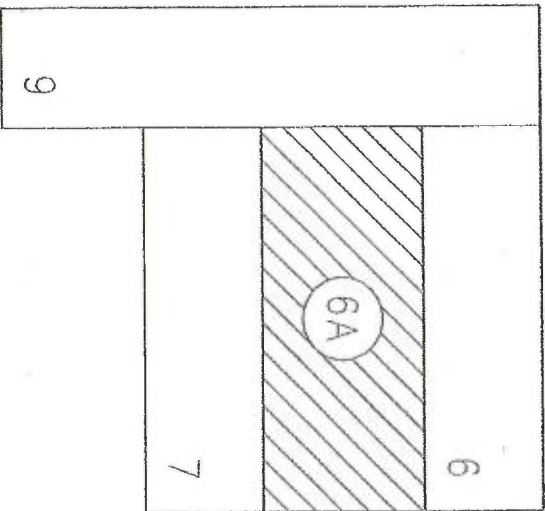
DISCRETIONARY
REVIEW
AREA MAP

BLOCK 6555

30
29
28
27A
27

DIAMOND STREET

BLOCK 6556



26TH STREET

The information contained herein has been obtained from sources that we deemed reliable and current at the time of preparation. We have no reason to doubt its accuracy but we do not guarantee it.

0000/007
RADIUS SERVICES BELIEVES THAT
THE INFORMATION CONTAINED HEREIN

6555/029
ELIZABETH STATMORE
1131 DIAMOND ST
SAN FRANCISCO CA 94114-3630

0000/008
WHILE NOT GUARANTEED HAS BEEN
SECURED FROM SOURCES DEEMED
RELIABLE

6555/030
DAVID GOLDFEIN
1125 DIAMOND ST
SAN FRANCISCO CA 94114-3630

0001/001
RADIUS SERVICES NO. 655606AT
1188 DIAMOND ST
FREEDMAN 15 1105

6556/006
JESSE FOWLER
1140 DIAMOND ST
SAN FRANCISCO CA 94114-3631

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6556/006A
FARALLON REAL FUND
152 YERBA BUENA AV
SAN FRANCISCO CA 94127-1546

0001/003
R A D I U S S E R V I C E S
1221 H A R R I S O N S T #18
SAN FRANCISCO CA 94103

6556/006A
OCCUPANT
1188 DIAMOND ST
SAN FRANCISCO CA 94114-3631

0001/004
ZACKS & FREEDMAN
235 MONTGOMERY ST #400
SAN FRANCISCO CA 94104

6556/007
TENBRUGGENCATE TRS
301 GREENFIELD AV
SAN MATEO CA 94403-5011

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6556/007
OCCUPANT
1190 DIAMOND ST
SAN FRANCISCO CA 94114-3631

6555/027
R & D DENNISON
2217 YOSEMITE DR
MILPITAS CA 95035-6649

6556/009
R & L PRAEGER
4316 26TH ST
SAN FRANCISCO CA 94131-1810

6555/027
OCCUPANT
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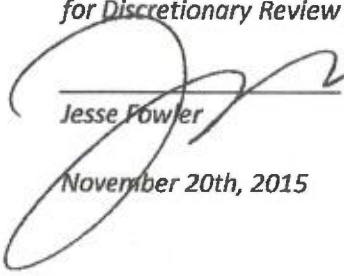
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6555/027
OCCUPANT
1151 DIAMOND ST
SAN FRANCISCO CA 94114-3630

6555/027A
KOHAV NIR
1143 DIAMOND ST
SAN FRANCISCO CA 94114-3630

6555/028
M & M THOMAS
1137 DIAMOND ST
SAN FRANCISCO CA 94114-3630

I hereby authorize Zacks & Freedman, P.C., including but not limited to Ryan J. Patterson, to file a request for Discretionary Review on our behalf for 1188 Diamond Street, BPA No. 201503231599.



Jesse Fowler

November 20th, 2015

RESPONSE TO DR APPLICATION

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

We are not proposing any increase height at the street level. While we are adding a penthouse, the visibility of the upper floor will be limited from the street due to a 15'-10" set back from the front property line so that the pent house will appear subordinate to the primary façade (Residential Design Guidelines, pp. 24). From the street level, the proposed design will be compatible with the scale of surrounding buildings.

It is understood that with any building expansion, some loss of privacy to existing neighboring buildings can and should be expected (Residential Design Guidelines, pp.17). However, we have tried to remediate the situation by decreasing the area of deck to limit any clear line of sights to neighboring properties. We have also conducted a study on how privacy will be affected should the deck on subject property be built. Through the photo documentation provided in supplemental drawings A.1 and A.2 (see attached), we have concluded that there will be no view lines that will look directly into the living spaces of the DR Requestor's home.

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

We understand that impact on light is an important concern of SF residents and that is why the proposed design has a 7'-2" setback from the north property line. We believe that the setback from the north property line will be effective in respecting the impact of light on the neighboring properties.

Again, in respect to the DR Requestor's concern for privacy, we have tried to remediate the situation by decreasing the area of deck to eliminate any clear line of sight that looks directly onto the private spaces of the interior space of the DR Requestor's home. As shown in supplemental drawings A.1 and A.2 (see attached), there are no clear lines of sight that looks directly into the living spaces the DR Requestor's home.

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

We believe that we have followed and exemplified the spirit of the Residential Design Guidelines through the creation of a sensitive design that is well detailed, uses quality materials, and will assist in creating a project that is compatible with neighborhood character and reduces the potential for conflict and delay. (Residential Design Guidelines, pp.5)

We have followed the Residential Design Guidelines in numerous ways:

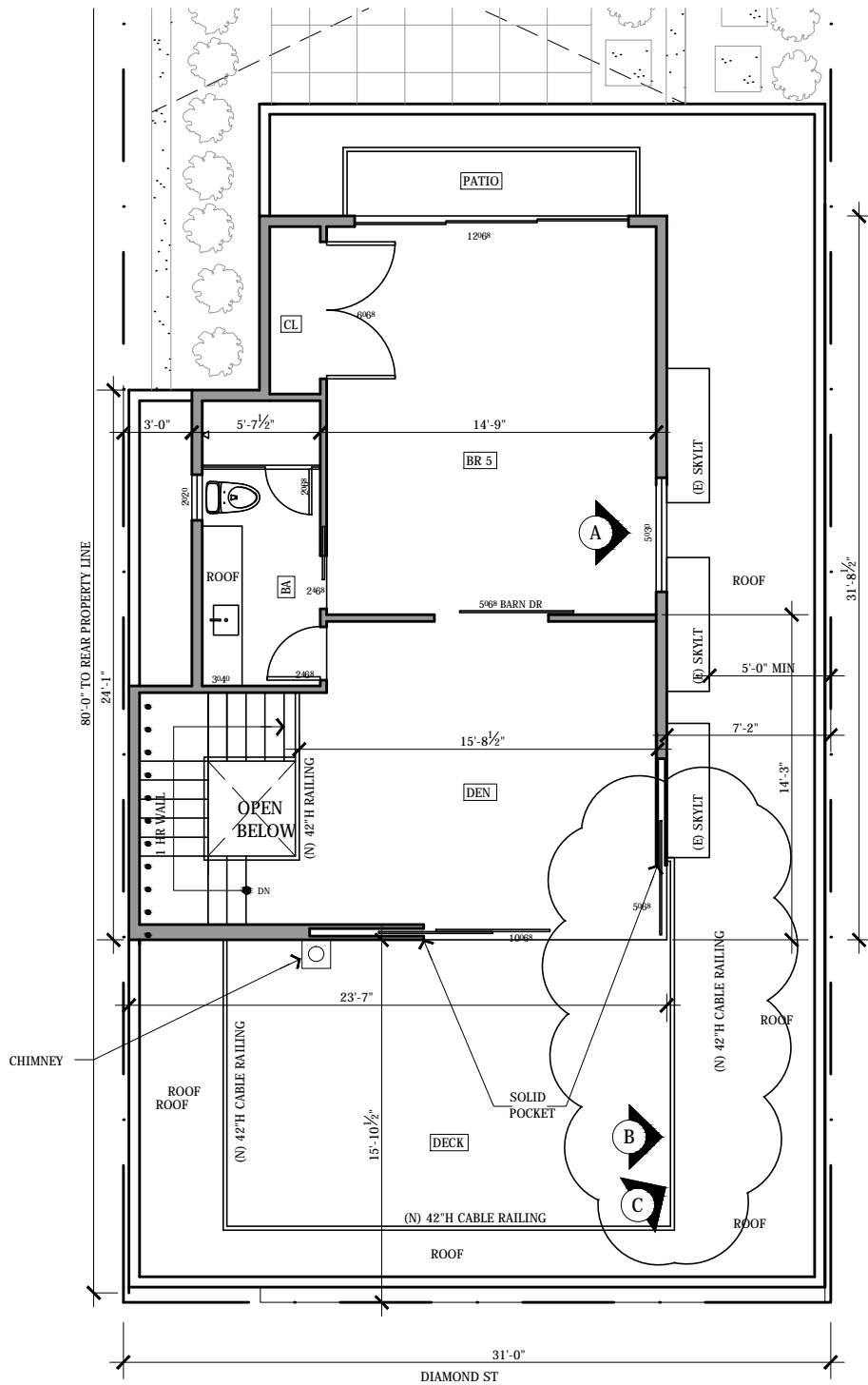
- 1) We have set back the penthouse 15'-10" from front property line in order to provide a sensitive design that will be compatible with the scale of surrounding buildings.
- 2) We have set back the penthouse 7'-2" from the north property line in order to provide a sensitive design that will respect the privacy and light of the DR Requestor. See the photo documentation provided in the supplemental drawing A.1 and A.2.
- 3) We have also decreased the area of the deck in order to limit any clear line of sight on to neighboring properties. See the photo documentation provided in the supplemental drawing A.1 and A.2.
- 4) Finally, we have created a well detailed design that uses quality materials as it has been approved by the San Francisco planning department as well as the Residential Design Team.

DATE:

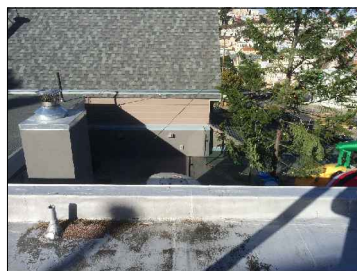
11/24/2015

1188 DIAMOND ST
San Francisco, CA 94114

A.1



VIEW A



VIEW B

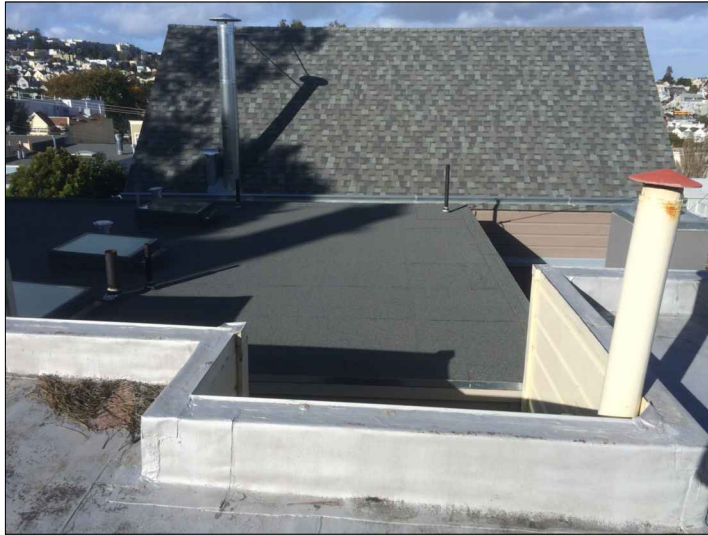


VIEW C

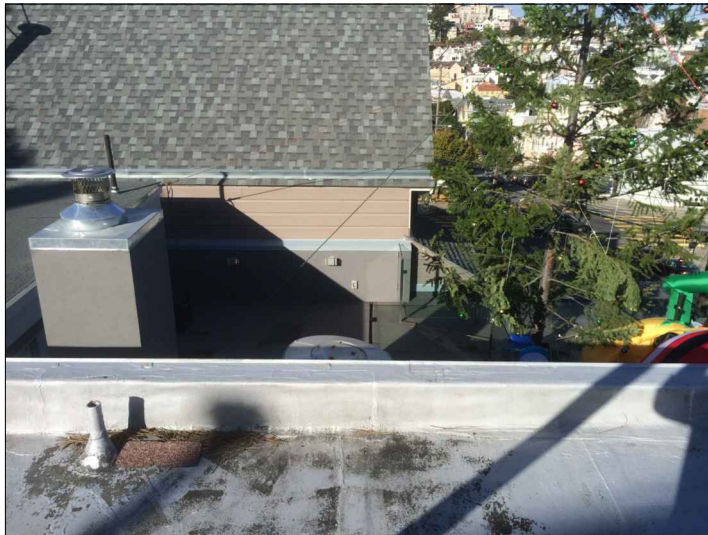
DECK RAILING TO BE 7'-0" FROM
PROPERTY LINE ON NORTH SIDE

A

1 PENTROOM PLAN
1/8" = 1'-0" AND PHOTO KEY



VIEW A



VIEW B



VIEW C

mcmahon architects + studio

415-626-5300
www.chrismcmahon.com

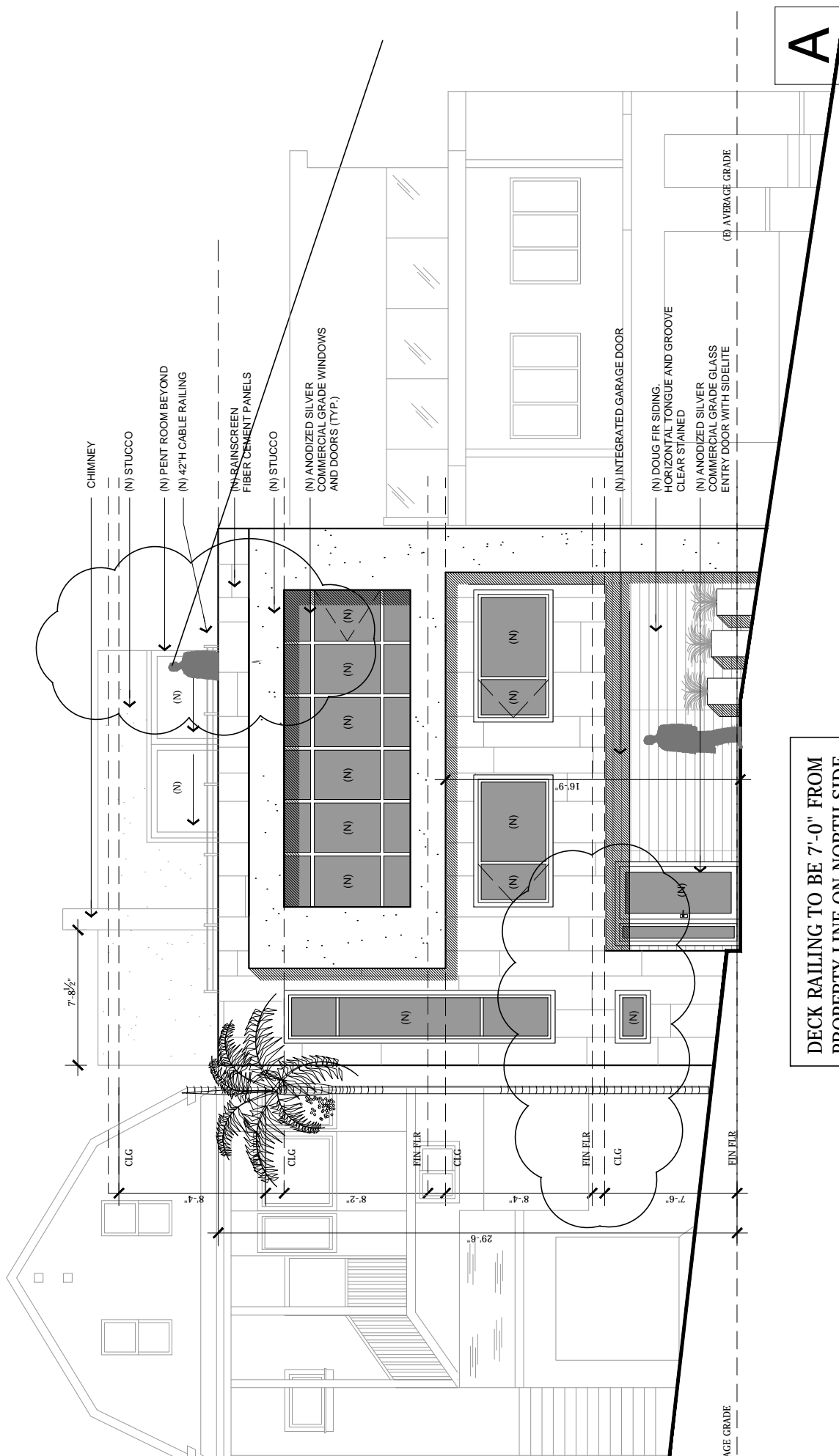
DATE:

11/24/2015

1188 DIAMOND ST
San Francisco, CA 94114

A.2

1 ENLARGED PHOTOS
NTS



DECK RAILING TO BE 7'-0" FROM
PROPERTY LINE ON NORTH SIDE

1 FACADE ELEVATION
1/8" = 1'-0"

DATE:
11/24/2015

1188 DIAMOND ST
San Francisco, CA 94114

A.3

mcmahon architects + studio
415-626-5300
www.chrismcmahon.com

PROGRESS NOE VALLEY

NEIGHBORS WHO SAY YES

March 28, 2016

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

**LETTER OF SUPPORT FOR:
1188 Diamond Street, San Francisco, CA 94114**

Dear President Fong, Vice President Richards, and Planning Commissioners,

ADVISORY BOARD

Daniel Camp
Michael Fasman
Dan Fingal-Surma
Laura Fingal-Surma
Jason Friedrichs
Kristy Friedrichs
Karin Payson

Progress Noe Valley values investment in our neighborhood and encourages improvements. We are a new neighborhood group more than 180 members strong that is part of the growing YIMBY — Yes In My BackYard — movement. We believe that creative solutions to managing growth in the city and region will include higher densities, and that our neighborhood should do its part.

We understand that the the proposed project at 1188 Diamond Street has been found to be in compliance with all relevant Planning Codes and guidelines. We trust the Planning Department's expertise in determining how to grow our city and support approval of this project.

Sincerely,

Advisory Board
Progress Noe Valley



BRETT GLADSTONE
PARTNER
DIRECT DIAL (415) 995-5065
DIRECT FAX (415) 995-3517
E-MAIL BGLadstone@hansonbridgett.com

March 24, 2016

VIA MESSENGER AND EMAIL

Rodney Fung, President
City and County of San Francisco Planning
Commission
1650 Mission Street
San Francisco, CA 94123

Re: 1188 Diamond Street Discretionary Review. Hearing of April 7, 2016.

Dear President Fung and Commissioners:

We represent Farallon Real Estate Fund 5 LLC, ("Farallon"), the owner of 1188 Diamond Street (the "Property"). Our client obtained permits to rebuild the foundation of the two (2) story building on the Property in March of 2015, and these permits were not appealed. Farallon subsequently filed a permit to add a third story. This is the permit that is the subject of this DR request.

The adjacent downhill neighbor Jesse Fowler ("DR Applicant") filed this DR request well after the foundation work was underway, and after our client submitted plans and an application to add an additional floor. DR Applicant completed a similar project to the one he is opposing (in August 2014) as to his adjacent property at 1140 Diamond ("DR Applicant's Property"). (See Exhibit A).

Furthermore, DR Applicant was the listing agent for the Property when it was sold to our client, Farallon, and he was aware of the proposed property development prior to the sale. Farallon's managing partner, Mr. Sadarangani, entered into a contract for Farallon to purchase the subject property knowing that DR Applicant lives next door. Naturally, Mr. Sadarangani asked the DR Applicant/listing agent (Jesse Fowler) how he felt about the proposal to do foundation work and add about nine feet (9') to the height of the Property. Obviously, my client would not have gone forward with the purchase and construction plans had he not believed that DR Applicant would support the proposed project.

In July 2015, our clients held a neighborhood meeting pursuant to Planning Code Section 311. The DR Applicant attended and discussed the project plans with the architect. The architect asked the DR Applicant to reach out with any questions, but the DR Applicant did not do so. Next, in September 2015, our client gave notice to neighbors regarding the commencement of work on the foundation. The DR Applicant asked for access for his inspector, Pat Buscovich, to inspect the foundation work. Our client provided access to Mr. Buscovich on multiple occasions. Each time, Mr. Buscovich advised our client to proceed with the foundation work.

To my client's shock, in November 2015, DR Applicant began waging a very aggressive campaign to stop all work and deny my client an additional story to his building (which has led to this DR request).

In fact, DR Applicant has undertaken the most aggressive opposition to a project that this author has ever seen a neighbor take, including the following:

1) Mr. Fowler asked the Department of Building Inspection (DBI) to put a stop work order on the foundation work, alleging that cracks on his building (and a door that does not close) were caused by the ongoing foundation work. DBI issued a temporary stop work order. DBI Deputy Director Dan Lowey then sent Inspector Curran and his soils expert Mr. Liu to observe the cracks on DR Applicant's Property. At the end of that visit, those DBI employees remarked that the crack in DR Applicant's building was not caused by the excavation, which is only a two foot (2') excavation at the middle of the garage¹. Inspector Curran and Inspector Liu of DBI advised DR Applicant and my client that the very small cracks inside the Fowler residence (and door that is difficult to close) was just as likely caused by the settling of DR Applicant's own 2014 construction. (See Exhibit B.)

2) Mr. Fowler filed suit against Farallon and its general contractor alleging damages to DR Applicant's building and hired Andrew Zacks, Esq. to file suit against Mr. Sadarangani personally.

3) Mr. Fowler filed this Discretionary Review action to ask that the proposed top floor be eliminated or greatly reduced after Farallon had already made accommodations to address his concerns.

PROJECT DESCRIPTION

Today, the Property contains a building which is one (1) story over garage and only twenty-nine feet six inches (29' 6") in height. The proposed building will be three (3) stories above garage. To those living next door and in the neighborhood, it will appear that only one (1) additional story is being added. That is because the architect has cleverly reduced the ceiling height of today's garage of fifteen feet (15') (and is excavating two feet (2') below the level of the garage today) so that an entire new story can be placed within the top eight feet (8') where the garage exists today. The building's new height (thirty-eight feet, six inches (38' 6")) will as a result be only about nine feet (9') higher than today's height, even though there will be two (2) added floors. Thus it will only appear to the neighbors that one (1) floor has been added.

The new floor that will be visible to the neighborhood is set back a full fifteen feet and ten inches (15' 10") from the façade of the building, in contrast to many other home additions in the neighborhood which were approved with a setback of only ten feet (10'). The new floor is also set back over seven feet (7') from the property line shared with the DR Applicant, even though the Code does not require it. (See Exhibit C).

¹ Excavation goes deeper along the property lines in order to create retaining walls within the existing garage to protect DR Applicant's foundation.

The expansion was needed as the existing home is not sufficient for a family, with just two (2) bedrooms and one (1) bathroom in 1,440 square feet. The new home will be 3,619 square feet in size. It will add bedrooms, and will create a home office/den for working parents as well. The number of garage spaces will not change.

CONCERNS OF THE DR APPLICANT

The following addresses items in the DR Applicant's request and more detailed requests made in settlement discussions with our client.

1. The new top story should be set back from the joint property line by eleven feet (11') (the proposed set back is seven feet, two inches (7', 2")), in order to avoid a shadow on DR Applicant's deck located at the front of his top story.

Response: My client has already increased the size of the new floor setback to seven feet and two inches (7' 2") due to DR Applicant's concerns (despite the fact that the Planning Code does not require any side setback), and DR Applicant did not include any side setback in his own 2014 roof deck addition. Increasing the setback would extend it to greater than one-third (1/3) of the width of the building which, coupled with the front setback, would unduly limit use of the rooms inside the new story due to size constraints. Furthermore, no significant shadowing of DR Applicant's roof deck should be expected due to the setback for both the upper story and its new deck being over seven feet (7') from the joint property line.

2. The new top story should not have a side window facing DR Applicant's top floor rooms.

Response: No privacy would be gained to the top floor or roof deck of DR Applicant's Property by such a change, as DR Applicant has no property line windows at this level. The proposed side window might enable someone inside the new top floor to see someone on DR Applicant's front deck, but the angle of sight would be extremely oblique given the distance from the upper story side window to DR Applicant's deck. Furthermore, a large chimney on the side of DR Applicant's Property would obscure any view from inside the new story.

3. The proposed joint property line roof parapet along the roof of the proposed third (3rd) floor be removed to reduce shadows on DR Applicant's roof deck.

Response: My client is willing to do this.

4. Place a diffused or frosted glass railing on the side of the deck facing his home to increase privacy, instead of the cable railing that is proposed.

Response: The seven foot two inch (7' 2") setback from the joint property line provides sufficient privacy without the need for changing the railing material. However, our client is willing to change the cable railing proposed on the side of the new deck to clear glass. This is despite the fact that the drawing on Exhibit E shows that the line of sight from the side of the deck looks beyond the deck of DR Applicant. (Exhibit D).

5. Change the drainage on the proposed new floor so that the drainage pipes are closer to the joint property line.

Response: My client's consultants recommended against this option as it would send drainage towards DR Applicant's Property, potentially creating future issues. We are not certain why DR Applicant is requesting this change.

6. Pay for construction work at DR Applicant's home to fix what DR Applicant claims to be damages caused by minor excavation in the garage of the Property to create a short retaining wall along the joint property line.

Response: My client and DBI do not believe that work on the Property created the small wall cracks in the building on DR Applicant's Property. Prior to the lawsuit against Farallon, Farallon offered to have its crew fix any visible hairline cracks, but DR Applicant did not respond in a way allowing this to occur. Farallon even offered to pay DR Applicant's consultants costs to do the work once provided a reasonable estimate, however no estimate was provided by DR Applicant. Now that DR Applicant has filed a lawsuit over this issue, Farallon has referred the matter to its litigation attorneys.

RESPONSES TO QUESTIONS ASKED IN PLANNING DEPARTMENT'S DISCRETIONARY REVIEW RESPONSE FORM.

1. Given the concerns of the DR requester and other concerned parties, why do you believe your proposed project should be approved?

While our client is adding a floor, the visibility of new third (3rd) floor from the street will be very limited due to a fifteen foot, ten inch (15' 10") setback from the front property line. (Exhibit C). As per pages 24-25 of the Residential Design Guidelines (image below) which shows what appears to be a five to seven foot (5- 7') setback, the new third (3rd) floor will appear subordinate to the primary facade. It will be deeper than shown in the drawing below. For passersby, the building envelope will appear much the same as it does today except perhaps for some glass deck railings.

The three-story scale of the block face is maintained by setting the fourth floor back so it is subordinate to the primary facade.

Subject building



San Francisco Residential Design Guidelines, p. 25.

The Residential Design Guidelines (page 17) state that it is understood that with any building expansion, some loss of privacy to existing neighboring buildings can be expected. In the case of this new floor, the only feature which could possibly reduce privacy to DR Applicant's Property is the deck within the front setback, but our client already has remediated that by increasing the side setback of the deck in a way that limits any clear line of sight to DR

Applicant's Property (and by replacing cable railing with glass railing). Through the photo documentation provided in Exhibit E, one can see that not only will there be no unusual impact on privacy as alleged by DR Applicant, there will be no view at all that will look directly into the interior spaces of DR Applicant's Property. As is clearly shown in the photos, any view of the DR Applicant's deck from the Property's third (3rd) floor would not amount to an unusual impact on privacy.

2. What alternative or changes to the proposed project are you willing to make in order to address the concerns of the DR Requestor? If you have already changed the project to meet the concerns, explain those changes and indicate whether they were made before or after the filing of an application to improve the building.

We have listed above on Page 3 some of the various changes that have been made to the project to accommodate neighbor concerns.

My client understands that impact on light and shadow is an important concern of SF residents and that is why the proposed new floor has a seven foot, two inch (7' 2") setback from the north property line shared with DR Applicant's Property. This setback will be effective in respecting the impact of light and reducing shadows. That is also why my client has set back his top floor fifteen feet, ten inches (15', 10") from the building's façade, more than a third greater than the ten foot (10') front setback of most homes' top floors in the neighborhood.

Also, to respect the DR Applicant's concern for privacy, my client has decreased the area of deck to eliminate any clear line of sight that looks down onto the interior space of the DR Applicant's Property. As shown in Exhibit C and D, there are no clear lines of sight that look directly into the living spaces or the front deck of DR Applicant's Property.

DR Applicant has requested that our client move a side bedroom window in the new floor for his privacy. However, since DR Applicant has no side windows on his top floor, we do not understand how moving this window will increase any privacy to DR Applicant's Property.

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.

The proposed size of the new building should not be changed further because the City needs new family sized housing, whether someone builds it for themselves or in this case, someone else builds it. The existing home only has two (2) bedrooms, one (1) bathroom and 1,440 square feet. After the project, it will have 3,619 square feet. With the new construction, the building will be much more typical of the size of buildings in this area of Noe Valley (See Exhibit E), *including the next door uphill property which will remain taller than our client's property after our client adds a new story*. This renovation will fit well into the neighborhood context, street topography and neighborhood character. (Exhibit G) (See also Residential Design Guidelines, page 7).

DR. APPLICANT'S RECENT CONSTRUCTION

DR Applicant remodeled his home similarly in 2014 as shown at Exhibit A. He has a third floor (which we assume he added) with no side setback at the joint property line with the Property; yet he is demanding more than the seven foot (7') side setback already provided to accommodate DR Applicant's Property. DR Applicant's project also created a roof deck with no side setback; yet he is unsatisfied by the extensive roof deck side setback that our client has made for his benefit to further preserve DR Applicant's privacy.

After representing the owner in selling this property to our client and thus profiting off of the sale of the Property with a broker's commission, and doing so with knowledge of the planned additional story and deck, DR Applicant waited until the project was underway to object, after using our client's goodwill to obtain many concessions without agreeing in return to drop opposition to the project. In the interim, he has incurred a good deal of the time of three DBI officials and when they did not believe his claim that hairline cracks were caused by my client's work, he threw the matter of alleged construction problems into Superior Court. We urge the Commission to deny this request for Discretionary Review.

Very truly yours,



Brett Gladstone

cc: Ryan Patterson, Esq.
Client

Exhibit A

DR Applicant's 1140 Diamond 2014 Project via Google Street View



November 2013



January 2014



July 2015

The above photos detail work done to DR Applicant's Property in 2013 and 2014. The new floor of DR Applicant's Property is not visible.

Exhibit B

From: occexp@aol.com

Date: February 29, 2016 at 6:04:05 PM PST

To: Dan Lowrey <daniel.lowrey@sfgov.org>

Cc: Ravi Sadarangani <rsadarangani@hotmail.com>, Brett Gladstone <bgladstone@hansonbridgett.com>, Pat & Angie Buscovich <patrick@buscovich.com>, chu.liu@sfgov.org, bernard.curran@sfgov.org

Subject: 1188 Diamond report

Dear Deputy Director Lowrey,

A follow up from this afternoon's site visit.

Among those present included senior inspector Bernie Curran and structural plan checker Chu Liu.

We walked both properties.

1188 Diamond

Senior inspector Curran commented that in his opinion the work was done as per the plans and was acceptable.

1140 Diamond

We walked up stairs where Pat said that apparently the separation in the door casing has shrunk. We were shown the hardwood floor in the dining room where only at the floor heat registers in the dining room there is minor separation. At the cabinet counter top abutting the wall its alleged that a separation in the caulking occurred. At the north front at the roof deck there is a very minor crack in the stucco.

Senior inspector Curran asked about when was the work done on 1140 and was told it was less than two years ago and he remarked that it is not unusual for expansion and contraction to occur in such a short period and also with the swings in hot, cold, wet and dry weather.

He recommended that there be a survey to determine elevations and also that a soils report be provided.

Henry Karnilowicz

Occidental Express

Consulting • Design • Construction • Management

CSL#319153

1019 Howard Street

San Francisco, CA 94103-2806

415.621.7533 office

415.621.7583 fax

415.420.8113 cell

Exhibit C

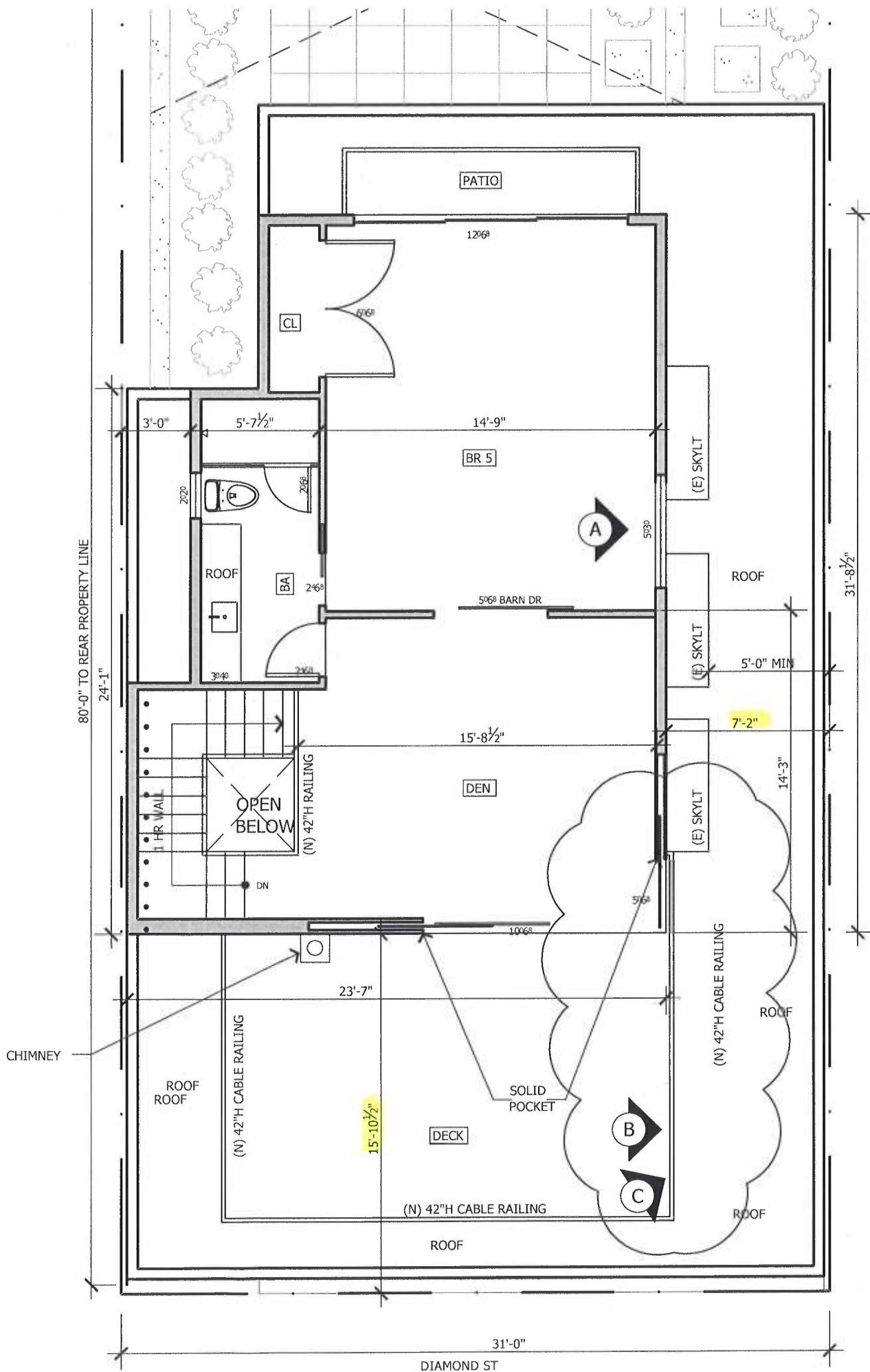
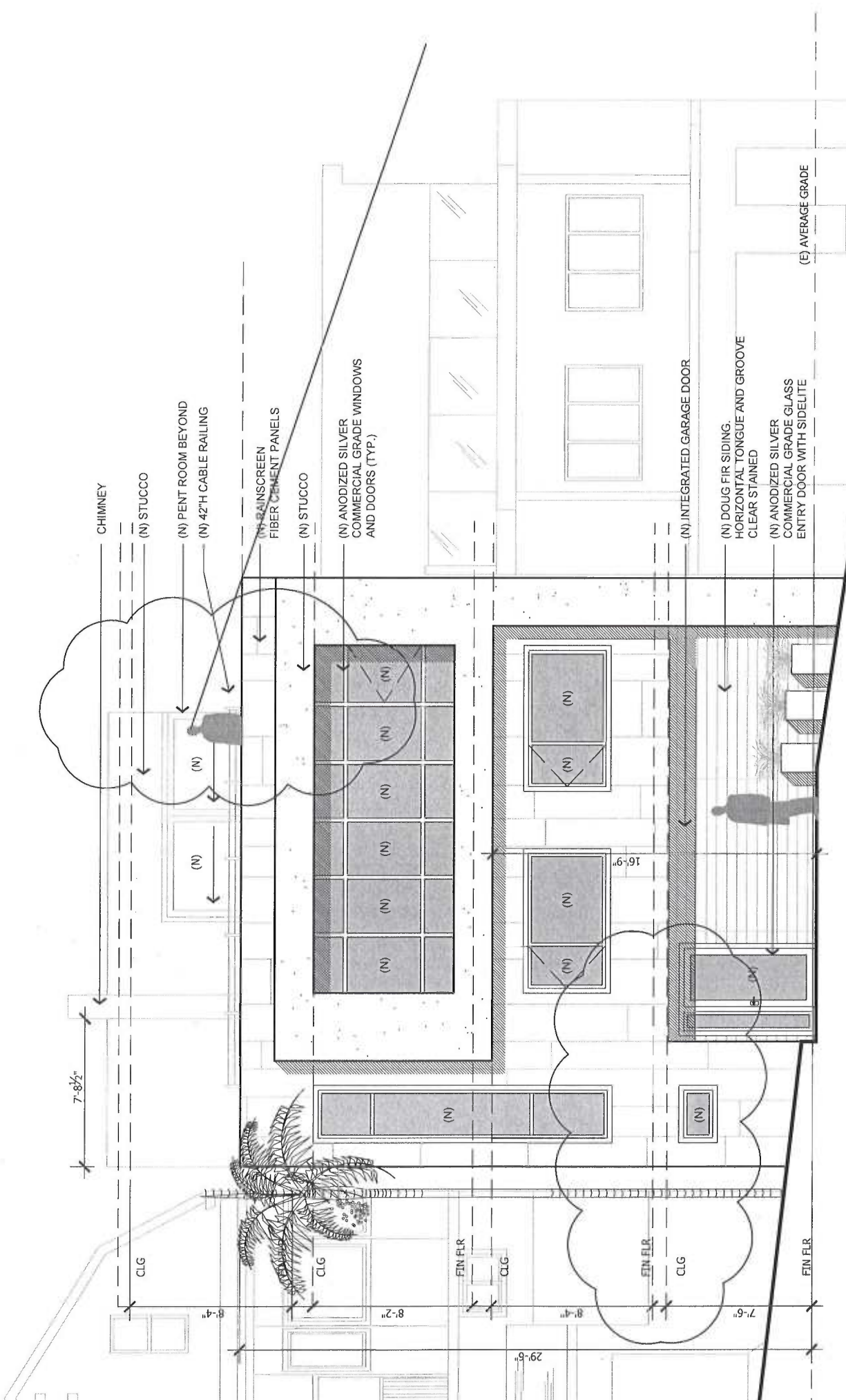


Exhibit D

A



DECK RAILING TO BE 7'-0" FROM
PROPERTY LINE ON NORTH SIDE

Exhibit E



VIEW A



VIEW B



VIEW C

Photos from top of 1188 Diamond looking North from edge of roof deck setback



This image shows the view from the closest corner of the proposed roof deck to DR Applicant's Property looking down. View will be further obscured once a railing is installed. Note large chimney obscuring view.

Photos from top of 1188 Diamond looking North from edge of roof deck setback



View from location of window to be added to top story.

Exhibit F

Noe Valley Home Remodel Comparison

4326 Cesar Chavez -

2 bedrooms, 1 bath, 1,379 sq. ft.

5 bedrooms, 5 baths, 4,200 sq. ft.

739 27th Street -

2 bedrooms, 1 bath, 994 sq. ft.

4 bedrooms, 5.5 baths, 3,995 sq. ft.

16 Vicksburg -

2 bedrooms, 1 bath

5 bedrooms, 3.5 baths, 3,200 sq. ft.

257 29th Street –

2 bedrooms, 2 baths, 1,800 sq. ft.

4 bedrooms, 3.5 baths, 3,400 sq. ft.

1612 Church Street -

2 bedrooms, 1 bath, 1,048 sq. ft.

3 bedrooms, 3.5 baths, 3,315 sq. ft.

1214 Diamond Street -

2 bedrooms, 1 bath, 1,125 sq. ft.

Was rebuilt and sold a few times

4 bedrooms, 4 baths, 3,200 sq. ft.

346 Duncan Street -

2 bedrooms, 1 bath, 1,056 sq. ft.

4 bedrooms, 3.5 baths, 3,216 sq. ft.

836 Alvarado -

2 bedrooms, 1.5 baths, 1,435 sq. ft.

4 bedrooms, 3.5 baths, 3,280 sq. ft.

1433 Diamond -

2 bedrooms, 1 bath, 1,175 sq. ft.

4 bedrooms, 3.5 baths, 3,250 sq. ft.

555 Valley Street -

2 bedrooms, 1 bath, 1,286 sq. ft.

4 bedrooms, 4.5 baths, 4,400 sq. ft.

4070 23rd Street -

2 bedrooms, 2 baths, 1,480 sq. ft.

4 bedrooms, 4.5 baths, 3,400 sq. ft.

630 27th Street -

3 bedrooms, 1 bath, 1,265 sq. ft.

4 bedrooms, 3 baths, 3,500 sq. ft.

4316 25th Street -

3 bedrooms, 2 baths, 1,258 sq. ft.

3 bedrooms, 3 baths, 2,640 sq. ft.

4 bedrooms, 5.5 baths, 4,000 sq. ft.

226 Valley -

Extensively remodeled and enlarged

Finished product – 4 bedrooms, 4
baths, 3,085 sq. ft.

4365 26th Street -

3 bedrooms, 1 bath, 810 sq. ft.

4 bedrooms, 3.5 baths, 3,300+ sq. ft.

119 Valley Street -

2 bedrooms, 1 bath, 825 sq. ft.

4 bedrooms, 3.75 baths, 3,439 sq. ft.

4069 25th Street –

5 bedrooms, 1.5 baths, 1,837 sq. ft.

5 bedrooms, 4.5 baths, 3,230 sq. ft.

4065 25th Street –

2 bedroom, 1 bath, 1,300 sq. ft.

5 bedrooms, 3.5 baths, 3,350 sq. ft.

562 28th Street –

1 bedroom, 1 bath, 860 sq. ft.

4 bedrooms, 3.5 baths, 3,100+ sq. ft.

619 Diamond –

2 bedroom, 1 bath, 1,415 sq. ft.

4 bedrooms, 2.5 baths, 3,037 sq. ft.

625 Duncan –

3 bedrooms, 1.5 baths, 1,369 sq. ft.

5 bedrooms, 5.5 baths, 5,933 sq. ft.

4173 Cesar Chavez –

2 bedrooms, 1 bath, 1,950 sq. ft.

4 bedrooms, 4 baths, 3,480 sq. ft.

752 Duncan Street –

2 bedrooms, 2 baths, 1,457 sq. ft.

5 bedrooms, 6.5 baths, 4,000 sq. ft.

90 Jersey –

2 bedrooms, 2 baths

5 bedrooms, 4.5 baths, 3,843 sq. ft.

465 Hoffman –

1 bedroom, 1 bath, 800 sq. ft.

4 bedrooms, 4.5 baths, 4,500 sq. ft.

168 Jersey –

2 bedrooms, 1 bath, 1,270 sq. ft.

4 bedrooms, 4.5 baths, 3,800 sq. ft.

471 Hoffman –

3 bedrooms, 2 baths, 1,222 sq. ft.

5 bedrooms, 4.5 baths, 4,650 sq. ft.

625 Duncan –

3 bedrooms, 1.5 baths, 1,369 sq. ft.

4 bedrooms, 5.5 baths, 5,933 sq. ft.

4352 26th – Approved project

2,480 square feet

4,608 square feet + 500 square feet
for garage

Exhibit G

Neighborhood Context and Street Topography of 1188 Diamond Street



Currently, the Property and DR Applicant's Property are out of step with the height of buildings on (and the topography of) the street. The proposed project will bring the Property more in line with both by providing an additional 9 feet of height stepped back from the street. It will be consistent with the third story setback on DR Applicant's Property (not visible here).



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
1188 Diamond Street		6556/006A	
Case No.	Permit No.	Plans Dated	
2015-004141ENV	201503231599	3/18/2015	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. EXCAVATE 2' @ GARAGE, (N) FLOOR BETWEEN (E) 1ST & (E) 2ND STORY. FILL-IN LIGHTWELL, (N) RM W/BATH @ (N) PENTHOUSE. REAR ADDITION, REMODEL INTERIOR TOTALLY REPLACE ALL WINDOWS, REPLACE ELECTRICAL & PLUMBING INCLUDING FIXTURES, (N) FOUNDATION, (N) FACADE MATERIALS.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

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

	Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input checked="" type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Jean Poling Archeological review completed. <div style="text-align: right; font-size: small;"> Digitally signed by Jean Poling DN: cn=Jean Poling, o=San Francisco Department of Public Health, email=jean.poling@sfph.org Date: 2013.07.18 10:23:43 -0700 </div>	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input checked="" type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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

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

<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input checked="" type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): See PTR form dated 9/28/2015 (see attached) (Requires approval by Senior Preservation Planner/Preservation Coordinator) <u>amaom</u>
<input type="checkbox"/>	10. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify):
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Justin Greving <small>Digitally signed by Justin Greving DN: cn=Justin Greving, o=City Planning, ou=City Planning, email=Justin.Greving@sfgov.org, c=US</small>	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.	
	Planner Name: Justin A Greving	Signature: Justin Greving <small>Digitally signed by Justin Greving DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Justin Greving, email=Justin.Greving@sfgov.org, Date: 2015.09.28 18:53:45 -0700</small>
	Project Approval Action: Building Permit If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT**TO BE COMPLETED BY PROJECT PLANNER**

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

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

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:		Date of Form Completion	9/15/2015
---------------------------------	--	-------------------------	-----------

PROJECT INFORMATION:		
Planner:	Address:	
Justin Greving	1188 Diamond Street	
Block/Lot:	Cross Streets:	
6556/006A	Clipper and 26th streets	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	n/a	2015-004141ENV

PURPOSE OF REVIEW:		PROJECT DESCRIPTION:	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input checked="" type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	3/18/2015
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Supplemental Information for Historic Resource Evaluation prepared by Tim Kelley Consulting (dated 7/17/2015)	
Proposed Project: Excavate 2' @ garage, (n) floor between (e) 1st & (e) 2nd story. Fill in lightwell, (n) rm w/bath @ (n) penthouse. Rear addition, remodel interior, replace all windows, replace electrical & plumbing incl fixtures, (n) foundation, (n) facade materials.	

PRESERVATION TEAM REVIEW:				
Historic Resource Present		<input checked="" type="radio"/> Yes	<input type="radio"/> No *	<input type="radio"/> N/A
Individual		Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture:	<input checked="" type="radio"/> Yes <input type="radio"/> No	
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Period of Significance:	n/a	Period of Significance:	1890-1914	
		<input type="radio"/> Contributor <input checked="" type="radio"/> Non-Contributor		

Complies with the Secretary's Standards/Art 10/Art 11:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> N/A
CEQA Material Impairment:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Needs More Information:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	
Defer to Residential Design Team:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	


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

PRESERVATION TEAM COMMENTS:

According to the Supplemental Information for Historic Resource Determination prepared by Tim Kelley Consulting (dated 7/17/2015) and information found in the Planning Department files, the subject property at 1188 Diamond Street contains a single-story over garage wood-frame single-family residence constructed in 1907 (source: water tap record). This stucco clad building features two angled bay windows over a garage door and two adjacent pedestrian entries. Both the bay windows and roof parapet are capped in Spanish clay tiles giving the building a slight Mediterranean revival feel to what is otherwise a flat stuccoed façade. Known exterior alterations to the property include relocation of an existing cottage towards the front of the lot and installation of 3 new rooms (1929), and rear elevation expansion and installation of new windows to an unknown elevation (1971). Although it unclear what other alterations have taken place the subject property in its current state likely bears little resemblance to the cottage built to the rear of the lot in 1907.

No known historic events occurred at the subject property (Criterion 1). Although Noe Valley experienced a building boom after the 1906 Earthquake and Fire there is no indication that this property had a direct important connection with this growth. None of the owners or occupants have been identified as important to history (Criterion 2). Most early owners and occupants had jobs related to the construction industry and occupations included plasterers and painters. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3. As a simple stucco building with little architectural detailing or interest the subject property is not a great example of any architectural style.

(continued)

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	9/28/2015

The Department previously identified an eligible historic district that includes the subject block (see HRER for Case 2011.1354E dated 4/12/2012). The district was found to be significant under Criterion 3 due to a high concentration of cohesive vernacular Victorian and Edwardian residences that includes a collection of residences with Queen Anne detailing. The period of significance for the eligible district is 1890-1914. While a formal survey has not been completed, suggested boundaries are both sides of Diamond Street between Clipper and 26th streets and the southern side of Clipper Street between Diamond and Castro streets.

Character-defining features include:

- Asymmetrical façade with entrance stairs and recessed landing area
- Front retaining wall and stepped/terrace yard
- Detached buildings with side setbacks
- Low building height consisting primarily of prominent front-facing gables
- Wood horizontal board or shingle siding, and wood double-hung windows
- Decorative trim emphasizing roof lines and separation of stories

The subject property is a non-contributor as it was constructed outside of the POS. However, the proposed project design would be required to conform with the Planning Department's Residential Design Guidelines (RDG), which mandate conformity with the neighborhood character. Therefore, the proposed alteration that would be RDG compliant would not materially impair the eligible historic district and its surroundings such that it does not retain those physical characteristics outlined above that justify its eligibility for listing.

1188 Diamond Street



West Side of Diamond Street



East Side of Diamond Street (next page)



RENDERING OF
PROPOSED
PROJECT



March 30th, 2016

Hon. Rodney Fong
President, San Francisco Planning Commission
c/o Nancy Tran (nancy.tran@sfgov.org)
1650 Mission Street, Suite 400
San Francisco, CA 94103

San Francisco Planning Commission
Attention: J.P. Ionin, Commission Secretary
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: BPA No. 201503231599 / 1188 Diamond Street

Dear Commissioners,

As a lifelong resident and Native of Noe Valley, I write this letter concerning the adverse impacts created by the plans submitted to alter (defacto demolish and rebuild) the subject property adjacent to my home at 1140 Diamond Street.

I plan to appear at the Discretionary Review hearing on April 7th, 2016 to express my opinions and concerns in person as well, but wanted to take a moment to illustrate my concerns in writing and respond to some of the inaccurate statements made by the project sponsor concerning my involvement in the project, and my objections. In brief, here are some of my concerns regarding the project:

- The proposed project is out of scale with the neighborhood's character. It is an ultra-modern design located within a neighborhood that has been formally identified as an eligible historic district due to its high concentration of Victorian and Edwardian homes.
- The proposed project does not respect the site's topography. Whereas the existing homes step down the hill in accordance with the Residential Design Guidelines, the proposed project is too tall—rising nearly to the top of the higher adjacent structure to the south.
- The proposed project would seriously impact neighbors' privacy, including my own. Between the elevated roof-deck, the wall of windows at the front, and the extensive glazing at the rear, the proposed project will peer out, over, and into the adjacent homes and pedestrian space.
- The proposed project's penthouse is excessively tall and will shade the adjacent homes and gardens. The penthouse projects up like a crow's nest, towering above its surroundings. It is highly irregular for this neighborhood.
- The proposed project constitutes a de facto demolition. By the time construction is finished, there will be virtually nothing left of the existing home. If the project sponsors wanted to demolish the home, they should have applied for a demo permit for the subject property, as opposed to using "serial permitting" to hide the fact that they are completely tearing down and rebuilding the subject site.

The project sponsor's lawyer has loudly asserted that I was the listing agent for the subject property before the sponsor purchased it, and that I therefore have no right to object to this new permit. When they acquired the property, there were multiple offers, and due to my relationship with their real estate agent, I gave them the benefit of the doubt that they were reasonable, upstanding citizens. That said, of course hindsight is always 20/20 and it was a mistake giving them that benefit.

The project sponsor has indicated that I made some type of "representation" that they could build what they now apparently intend to build on the site, to which I have 3 points I would like to make in response:

A. I (Jesse Fowler) do not decide what projects are "OK" or "buildable" or "permit-able" in San Francisco. That is the jurisdiction of this Commission and the Planning and Building Departments. Even if I did say that something was buildable (WHICH I DID NOT), it does not override the City. The project sponsor has boasted about his experience in doing projects such as these, and he has experienced architects, engineers, contractors, and a permit expeditor working for him, all of whom know the rules and how the system works.

B. The real estate agent for the buyer wrote me an e-mail AFTER the project sponsor was in contract to buy the property, and, on behalf of the project sponsor asked that I agree that I would *"... put something in writing in the event something changes and it is a better idea to build up (I doubt it because the holding costs of that second year don't make it feasible for his investors) but since that is what his guy told him I am asking you – can you do that? Just say you don't have an opposition if he builds up?"*.

I responded with an e-mail saying that I would not *"...write a "blank check" since if it were way over the top of what I would do, or consider reasonable I might have some opposition (I would tell them early during pre application meetings or before and suggest ideas that might work IF I had issues with the plans)..."*

I have included a copy of this e-mail in which they also indicated that it was not their intent to build up and *"... most likely just dig down..."*. Obviously they "changed their minds", or conversely always had an intent to build differently than they represented to me that they would and made a blatant misrepresentation in order to further their own agendas. I have no way of knowing which of those things is true, but obviously one is.

C. The project sponsor indicates that they met with me during pre-application stages of the project and that we discussed the plans, etc. This is blatantly false. The pre-application meeting was held off site in a different neighborhood. Though this is allowed within the Planning Code, it was extremely inconvenient as I am a single father with two children and could not attend the meeting. They did send me plans after the fact, though I had asked for them in advance of the proposed meeting so I could give input in the event I could not attend. I have asked for several changes and likely would have not filed a DR in the event that they had agreed to my 3 points of changes, yet they were not agreed to, so I had no choice but to file a DR with the help of counsel.

Unfortunately, the issues above are being used by the project sponsor to distract from the true issues at hand, which are that the project does not comply with the Residential Design Guidelines which are required under the Planning Code. In addition, and as mentioned above, the project sponsor began work on the project over 6 months ago through a process of "serial permitting", using over-the-counter permits to begin work on a structure that has not been approved by the Planning Department. Yet in

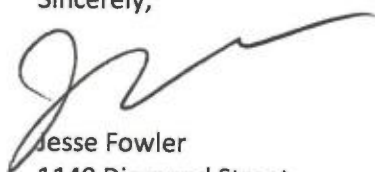
doing this, they have caused a tremendous amount of damage, both physically to my property by removing the soil support from under my foundation, on the street leaving mud and blocking the sidewalk causing issues with the Department of Public Works, and ultimately making the work process take longer than if they had simply followed the rules and waited for permit approval prior to starting their work.

Commissioners, this "serial permitting" is a blatant disregard for the system in place, and to your ability to ultimately decide what goes here in San Francisco. If for no other reason (of which there are many), the sponsor should be reprimanded for skirting the system which is in place for a reason, and for intentionally working around your jurisdiction to advance their own agenda. This is done in blatant disrespect to both the neighboring properties, the citizens of San Francisco, and the Planning Department and Commission.

All of this "back and forth" aside, I ask the Commission to send the project sponsor back to revise and resubmit the proposed plans (including the *entire* piecemealed project) after finding that Discretionary Review is warranted, and that the project should be brought into full compliance with the Residential Design Guidelines, before more work may proceed.

Thank you for your time and consideration of this important matter.

Sincerely,



Jesse Fowler
1140 Diamond Street
San Francisco, CA 94114
415-648-5800
jesse@jessefowler.com

enclosures:

E-mail dated 11/7/2014 between Fowler and Sponsor's Agent

1 thing for Diamond

Jesse Fowler <buyinsf@gmail.com>

Fri, Nov 7, 2014 at 12:42 PM

To: "Swetland, Andrea" <ASwetland@pacunion.com>

Hi Andrea-

As discussed, I generally would not be opposed to a properly build up, with a 1 level increase with set backs, however I would need to see plans before committing 100% to not oppose it.

As you know, I also do property development myself so I don't like the idea of having to oppose any projects, but also can't write a "blank check" since if it were way over the top of what I would do, or consider reasonable I might have some opposition (I would tell them early during pre application meetings or before and suggest ideas that might work IF I had issues with the plans). If they have conceptual plans I am happy to look at them any time and give you a better idea on what my response would be. I also have clients that live right behind on 26th Street and I would think they might be more opinionated than myself but they also are very reasonable as far as I know.

I wish them a lot of luck with the project as whatever they do ultimately impacts my value and obviously I want them to get a huge price on re-sale.

We will likely need to discuss underpinning issues together (whether they only go down, or go up and down) so I will be happy to meet your client any time to discuss that as well.

Sincerely,
Jesse

On Fri, Nov 7, 2014 at 9:34 AM, Swetland, Andrea <ASwetland@pacunion.com> wrote:

Dear Jesse:

Hi, will go thru the file this weekend to make sure we are all buttoned up. Ravi will most likely just dig down so as to not have to deal with 1 year of permits but his guy said he should just ask you to put something in writing in the event something changes and it is a better idea to build up (I doubt it because the holding costs of that second year don't make it feasible for his investors) but since that is what his guy told him I am asking you – can you do that? Just say you don't have an opposition if he builds up?

A

Andrea Swetland | Realtor

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March 30, 2016

VIA ELECTRONIC MAIL

Honorable Rodney Fong
President, San Francisco Planning Commission
c/o Nancy Tran
1650 Mission Street, Suite 400
San Francisco, CA 94103
nancytran@sfgov.org

Re: *BPA No. 201503231599/1188 Diamond Street*

Dear Mr. Fong:

My wife and I are the owners of the single family home at 1120 Diamond Street, two houses down from the construction project at 1188 Diamond Street (the "Project"). We have lived at 1120 Diamond since May 2009, and immediately prior to that, lived for 9 years on the 800 block of Diamond. Our oldest daughter attends Alvarado Elementary, and is slotted to start Middle School at James Lick in Fall 2017. Our hope is that our younger daughter is admitted to Alvarado beginning in Fall 2017. Either way, we care deeply about our block and surrounding neighborhood, and plan to remain long-term residents in our current home. This letter is submitted in support of the request for discretionary review of the Project. We request that the scope of the Project be reduced so that the final product is consistent with the size and scope of other homes on the block and in the surrounding neighborhood.

The Project, as currently planned and approved, far exceeds the scale of surrounding homes and its ultra modern design is equally out of character. Putting aside the loss of privacy, light and views that will result to neighboring homes from the Project, the Project will adversely affect the look and feel of the block and surrounding neighborhood. The 1100 block of Diamond largely consists of traditional Victorian and Edwardian homes. The one more modern home on the block (at 1140 Diamond) is proportionate in size to surrounding homes, and its relatively recent improvements remained consistent with the structure that previously existed at that address, and inured to the benefit of the neighborhood.

The same cannot be said of the Project. The planned home is excessively large and out of scale, and the Project is not a renovation of the existing structure, but instead a de facto demolition that will add a story that rises to the top of the house directly *uphill*. The entire interior of the 1188 Diamond has been gutted (along with resulting trash and debris and occasional flowing oil from the work site), and the planned new home retains few if any of the characteristics of the existing house at 1188 Diamond. Moreover, planting a large palm tree on the relatively steep slope is unwise. In the seven years we have lived on the 1100 block of Diamond, two much smaller trees (including one directly in front of our home) have fallen over and had to be removed. The slope is too steep to support a large tree.

//

In sum, we welcome improvements to our block and neighborhood, but not in a manner that disregards the look and feel that currently exists, or which will be detrimental to long-term residents of the neighborhood.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Holl", written in a cursive style.

Benjamin J. Holl

cc: Planning Commissioners

*1101 Diamond Street
San Francisco, California 94114*

March 29, 2016

San Francisco Planning Commission
Attention: J. P. Ionin, Commission Secretary
1650 Mission Street, Suite 400
San Francisco, CA 94103

Greetings President Fong and fellow Commissioners:

BPA No. 201503231599
1188 Diamond Street

As 34-year residents of the 1100 block of Diamond Street, we write with grave concerns over the impacts of the subject project.

1. The project, as presently designed, does not in any way comport to the Residential Design Guidelines.

The other properties on our block (as well as adjacent areas) do comprise a "Defined Visual Character." Some 80% of these homes are Victorian or Edwardian in style, and over the years, neighbors have gone to great lengths to maintain architectural integrity and respect direction from the Planning Commission and Department staff. Those homes that cannot be placed directly in these two categories still include features outlined in the Residential Design Guidelines to visually unify them with surrounding buildings. The proposal, as it stands, includes no such accommodations and is wholly out of context with the block and neighborhood.

2. The proposal is for a structure with well over 250 times the mass of the present building, already the most dominant structure on the block!

Virtually all adjacent and area homes are of approximately 2,000 square feet or less, and many have comfortably accommodated large families over the years. The proposal seeks to encroach on the neighbors' light, air, and privacy and greatly impinge upon mid-block open space. As minimums, the height and depth of the proposal should be significantly reduced, and if none has been done, a shadowing study should be conducted, as the proposal is for a significantly taller, deeper building on a northwardly sloping lot.

3. The type and sequencing of work to issuance of permits is dubious.

We have not seen effort on the part of the project's sponsors to work with neighbors toward a cohesive design and the betterment of the entire block or to minimize negative effects during the significant construction that has already been undertaken. From the Section 311 Notice of Building Permit Application, it appears that this is not an addition and remodel effort but is, for all intents and purposes, a demolition. As a consequence, we have no confidence that the interests of the neighbors and the neighborhood have been considered by the project's sponsors.

For these reasons, we must ask that the Commission find that the Discretionary Review is warranted and that the project should be brought into full compliance with the Residential Design Guidelines before work may proceed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "M. T. McCabe", followed by a small flourish.

Matthew T. McCabe and
Charles R. Wilson

Tran, Nancy (CPC)

From: Secretary, Commissions (CPC)
Sent: Wednesday, March 30, 2016 3:26 PM
To: Tran, Nancy (CPC)
Cc: Gerber, Patricia (CPC)
Subject: FW: Urgent concerns regarding BPA No. 201503231599 - 1188 Diamond Street

Office of Commission Affairs

Planning Department | City & County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-558-6309 | Fax: 415-558-6409

commissions.secretary@sfgov.org
www.sfplanning.org

-----Original Message-----

From: Elizabeth Statmore [mailto:statmore@earthlink.net]
Sent: Wednesday, March 30, 2016 2:58 PM
To: Secretary, Commissions (CPC)
Cc: planning@rodneymong.com; cwu.planning@gmail.com; wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; Richards, Dennis (CPC)
Subject: Urgent concerns regarding BPA No. 201503231599 - 1188 Diamond Street

Dear President Fong and fellow Commissioners:

Having lived on the 1100 block of Diamond Street for over 18 years, we are writing to express our outrage about the potential impact of the above-mentioned project.

Our concern is primarily that the project as it is designed — and even more worrying, as it is being implemented — are completely inconsistent with the Residential Design Guidelines.

Our three main issues as follows:

1. Inconsistent with the distinctive visual character of the block.

Our block has a very definite “Defined Visual Character.” 75-80% of the homes on our block are Victorian or Edwardian. Like many of our neighbors, we are only the third owners of our home since its construction. Our block is so distinctive it has been frequently featured on episodes of HGTV’s House Hunters as an example of the kind of unique neighborhood character we are trying to preserve here in San Francisco. To us, this is a testament to the consistency of all our neighbors in maintaining the architectural integrity of our block.

This is not to say that we are against remodeling. Quite to the contrary, most of the homes on our block have had some work done in the last 20 years. However, until now, everyone has been very careful to remain consistent with the character of the block and to be inclusive in their process of conceiving and executing their designs.

That is until this project. The current proposal is dramatically out of step with the surrounding buildings. The plans appear to be willfully deceptive of this fact, including the fanciful 40-foot palm tree which was included in the design — a tree that would necessitate ripping out the neighbors' existing 20-foot mature street tree and that would interfere with essential PG&E overhead power lines, as well as cable and internet service.

For these reasons, we believe this project will destroy the visual unity which all our neighbors have worked so hard to preserve.

2. Grossly inconsistent height and depth of project; failure to respect roofline; out of scale with all other properties on the block.

The proposed structure is immense. If completed according to the plans and permits, it will be more than 250% of the mass of the current building on the site. Almost every home on our block are 2,000 square feet or less. The proposed structure will encroach on the neighbors' light, air, and privacy and will dramatically cut down the open on the block.

Moreover, since nothing appears to be happening in concert with the approved plans or permits, we have come to question the actual intent and result of construction. The amount of excavation that have already occurred in the back yard suggest a building of much greater weight and volume than any existing structure on the block. And given the project sponsor's unwillingness even to put up a story pole, we have come to doubt the veracity and intentions of the actual work being done.

The height and depth of this building should be cut down significantly. The proposed structure appears to be almost twice the height of the next house, which will look terrible and will destroy the consistent roofline along a steeply sloping block.

3. Sequencing of work does not appear to comply with either permits issued or outstanding court injunctions.

The project's sponsors have demonstrated nothing but contempt for to the idea of working with neighbors to reach a consistent and appropriate design. In fact, the amount of work that has been undertaken appears out of scale with the permits issued. Based on the vast amounts of drilling and excavation, this appears to be a complete demolition of the property — not a remodel. In fact, we are concerned for our neighbors that their foundations may have been compromised due to the willy-nilly digging that appears to be going on without any appropriate supervision.

Given the project sponsor's hostility so far, as well as his/their complete lack of respect for the permitting and court injunction processes, we lack all confidence that the interests of the neighbors and the neighborhood will be respected.

For all of these reasons, we hereby ask that the Commission find that the Discretionary Review to be warranted. We also ask that the project be immediately brought into full compliance with the Residential Design Guidelines before work may proceed.

Sincerely yours,

Albert and Debra Tenbruggencate
1190 Diamond Street
San Francisco, CA 94114

March 1, 2016

Ravi Sadarangani
Farallon Real Estate Fund 5 LLC
152 Yerba Buena Avenue
San Francisco, CA 94127

Re: Support for your Project at 1188 Diamond Street Adjacent to My Residence at
1140 Diamond Street

Dear Ravi:

Thanks for meeting with us about your project to improve the garage and foundation of your existing building and to expand with a new floor and with additional rear yard construction.

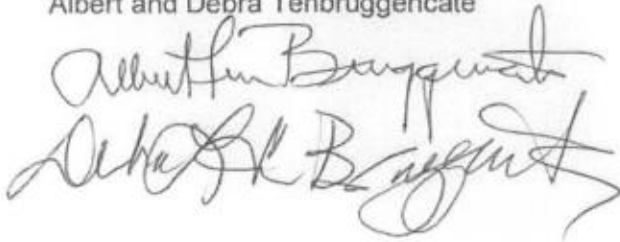
I am writing to let you know that I support this project. Feel free to provide this letter to the Planning Department when you wish.

Also, I received your notice that you are excavating along our joint property line, and that I am being given the opportunity to enter your property to perform work at my expense to make sure that my wall and foundation is not disturbed during your excavation. We will not be doing so. Please go ahead and continue to perform the work yourself. Feel free to proceed without waiting for a thirty day period to expire during which I can decide whether to perform the work.

Since I will not be performing the work, there is no need for you to wait thirty days to hear back from me on whether I intend to perform the work at my expense.

Very truly yours,

Albert and Debra Tenbruggencate

The block contains two handwritten signatures in dark ink. The top signature is 'Albert Tenbruggencate' and the bottom signature is 'Debra Tenbruggencate'. Both are written in a cursive, flowing style.