



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use / Residential Demolition

HEARING DATE: MARCH 9, 2017

Date: March 2, 2017
Case No.: 2016-000075CUA
Project Address: 4043 Cesar Chavez Street
Zoning: RH-2 (Residential-House, Two-Family)
40-X Height and Bulk District
Block/Lot: 6580/035
Project Sponsor: Selander Architects
c/o Ernie Selander
2095 Jerrold Avenue
San Francisco, CA 94124
Staff Contact: Jeff Horn – (415) 575-6925
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Recommendation: Approval with Conditions

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PROJECT DESCRIPTION

The proposal is for Conditional Use Authorization, pursuant to Planning Code Sections 303 and 317, to demolish an existing two-story single-family residence and to construct a new four-story, two-unit residential structure within a Residential House - Two-Family (RH-2) Zoning District and a 40-X Height and Bulk District.

Pursuant to Planning Code Section 317 (c), “where an application for a permit that would result in the loss of one or more Residential Units is required to obtain Conditional Use Authorization by other sections of this Code, the application for a replacement building or alteration permit shall also be subject to Conditional Use requirements.” This report includes findings for a Conditional Use Authorization in addition to demolition criteria established in Planning Code Section 317. The design of the new structure is analyzed in the Design Review Checklist.

EXISTING CONDITIONS		PROPOSED CONDITIONS	
Number Of Units	1	Number Of Units	2
Parking Spaces	0	Parking Spaces	1 Vehicle 3 Bicycle
Number Of Bedrooms	2	Number Of Bedrooms	• Unit 1: 3 • Unit 2: 3
Building Area	±1,830 Sq. Ft.	Building Area	±3,408 Sq. Ft. • Unit 1: 1,977 Sq. Ft. • Unit 2: 1,431 Sq. Ft.

SITE DESCRIPTION AND PRESENT USE

The project site is on the south side of Cesar Chavez Street, between Noe and Sanchez Streets; Lot 036 in Assessor's Block 6580 and is located within the RH-2 (Residential House, Two-Family) Zoning District with a 40-X Height and Bulk designation. The 2,850 square foot downward sloping lot (from the street-face [north] and west side) has 25 feet of frontage and a depth of 114 feet. On site is an existing approximately 1,830 gross floor area, two-story single-family dwelling with no off-street parking that was constructed circa 1900.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located on the south side of Noe Valley within Supervisor District 8. Parcels within the immediate vicinity consist of residential one- to three-story, single- and multi-family dwellings constructed mostly between 1900 and the 1920s. The subject block face exhibits a great variety of architectural styles, scale and massing.

REPLACEMENT STRUCTURE

The existing one-family residence will be replaced by a two-family residence that proposes three-stories at the block-face with a 4th-Story penthouse. The structure would be a 3,408 square-foot two-family dwelling, with a three-bedroom unit of 1,977 square feet and a three-bedroom unit of 1,431 square feet. The residence will front onto Cesar Chavez Street, setback approximately five feet from the front property line. The structure will mostly be constructed entirely within the lot's buildable area, to a depth up to the required rear 45% setback line. However, an 8'-4" one-story pop-out (permitted obstruction per Planning Code Section 136), with 5 foot setbacks from both property lines will encroach into the required rear yard. The structure reaches a height of 4-stories at the rear building, but the 4-story massing does not extend past the existing uniform depth of main rear building walls shared by the subject property and the two adjacent neighbors. All additional building mass at the rear steps downward and provides side setbacks, gabled roof forms to maintain building separation with the adjacent properties to ensure protection of access to light, air and privacy. At the street, the structure will provide a gabled roof and a gabled two-story bay window centered over the garage. The façade is clad in wood shingle siding with clad wood windows. The proposed design, proportions and materials are consistent with the existing structures on the block.

ENVIRONMENTAL REVIEW

On April 28, 2016, the Department issued CEQA Categorical Exemption Determination. The Department determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 and 15303. Upon review of Environmental Application No. 2016.000075ENV, historic preservation staff concluded that the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district. Preservation staff comments associated with the exemption is included in the attached CEQA Categorical Determination document.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	February 17, 2017	February 17, 2017	20 days
Mailed Notice	20 days	February 17, 2017	February 17, 2017	20 days

The proposal requires a Section 311 neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	1	-
Other neighbors on the block or directly across the street	-	5	-
Neighborhood groups	-	1	-

The Department received 17 letters in opposition of the proposed project. One letter is from the adjacent neighbor at 4047 Cesar Chavez Street, five letters are from a neighbors on the subject block (4000 Cesar Chavez Street) and the remainder are from residents of the southern Noe Valley neighborhood (Sanchez, Noe, and 27th Streets). A letter in opposition was submitted by the Noe Neighborhood Council.

RESIDENTIAL DESIGN TEAM REVIEW

The requests for demolition and new construction were reviewed by the Department's Residential Design Team (RDT). In response to comments provided by the RDT, the Project Sponsor made changes to the project including removal of an existing rear yard encroachment, additional setback of the 4th Floor from the front building wall, and side yard setbacks and shaping of building massing along the western property line. As a result, privacy, light and the mid-block open space are protected as the project's depth and proposed rear and side setbacks appropriately responds to the adjacent building conditions. The rear building volume provides side setbacks as a response to the conditions at the building to the west. The project is within the privacy tolerances to be expected when living in a dense, urban environment such as San Francisco.

The immediate neighborhood is of mixed architectural character, with building scale and massing ranging from 1- to 3-stories in height on the block-face. The site design of the block-face has a building pattern that slopes up with the lateral topography. The project would not be disruptive to these neighborhood patterns. The proposed gable roof form (at the front façade) is in keeping with the varied roof forms in the neighborhood.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow demolition of an existing single-family residence and the new construction of a two-unit building located at 4043 Cesar Chavez Street, pursuant to Planning Code Sections 303 and 317.

BASIS FOR RECOMMENDATION

- The project will result in a net gain of one dwelling unit.
- The project will provide two family-size dwellings.
- Given the scale of the project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- The RH-2 Zoning District allows a maximum of two dwelling-units on this lot. This District is intended to accommodate a greater density than what currently exists on this underutilized lot, and several of the surrounding properties reflect this ability to accommodate the maximum density. The project is therefore an appropriate in-fill development.
- Although the structure is more than 50-years old, a review of the Historic Resource Evaluation resulted in a determination that the existing building is not an historic resource or landmark.
- The project is residential and has no impact on neighborhood-serving retail uses.
- The proposed project meets all applicable requirements of the Planning Code.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Design Review Checklist
Parcel Map
Sanborn Map
Zoning Map
Aerial Photographs
CEQA Categorical Exemption Determination
Combined Section 309 / 311 Notice
Conditional Use Authorization Application
Prop M findings
Residential Demolition Findings
Project Sponsor Supplemental Materials
Adjacent Neighbor Opposition Materials
Neighborhood Group Opposition Letter
Neighborhood Opposition Letters
3D Renderings
Reduced Plans

* All page numbers refer to the Residential Design Guidelines

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Sanborn Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Aerial Photo | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Environmental Determination | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Site Photos | |
| <input checked="" type="checkbox"/> Context Photos | |

Exhibits above marked with an "X" are included in this packet

JH

Planner's Initials

NT: I:\Cases\2016\2016-000075CUA-4043 Cesar Chavez St\CUA Case\1_Executive Summary- CU for Residential Demolition - 4043 Cesar Chavez.docx

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

Comments: The neighborhood architectural character is mixed with buildings that are typically two- to three-stories in height. Surrounding properties generally consist of residential one- to three-story, single- and multi-family dwellings constructed mostly between 1900 and the 1920s. The subject block face exhibits a great variety of architectural styles, scale and massing.

SITE DESIGN (PAGES 11 - 21)

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

Comments: The placement of the building on its site responds to the topography, its position on the block, and to the placement of the surrounding buildings. The project respects the topography of the surrounding area by stepping down the building height in relation to the sloped parcel. The site is located towards the middle of a street that has a downward lateral slope from west to east. Like most other buildings on the block, the proposed building is placed on its site in a manner that maintains a strong street wall at the front with a three-story height that relates well to its adjacent buildings. The rear of the building provide a minimum of 5 foot side setbacks from adjacent property lines for portions of the building that extend beyond the depth of the adjacent neighbors, maintaining these properties access to light, air and privacy.

BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
Building Scale (pages 23 - 27)			
Is the building's height and depth compatible with the existing building scale at the street?	X		
Is the building's height and depth compatible with the existing building scale at the mid-block open space?	X		
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?	X		
Is the building's facade width compatible with those found on surrounding buildings?	X		
Are the building's proportions compatible with those found on surrounding buildings?	X		
Is the building's roofline compatible with those found on surrounding buildings?	X		

Comments: The project scale is compatible with the height and depth of surrounding buildings within the neighborhood. Although the project is located within the 40-X Height and Bulk District, the proposed building heights range from approximately 29'-1" to 36'-2". The gabled-form is compatible with many other the gabled roofed formed surrounding properties along Cesar Chavez Street.

ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
Building Entrances (pages 31 - 33)			
Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building?	X		
Does the location of the building entrance respect the existing pattern of building entrances?	X		
Is the building's front porch compatible with existing porches of surrounding buildings?	X		
Are utility panels located so they are not visible on the front building wall or on the sidewalk?	X		

Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on surrounding buildings?	X		
Garages (pages 34 - 37)			
Is the garage structure detailed to create a visually interesting street frontage?	X		
Are the design and placement of the garage entrance and door compatible with the building and the surrounding area?	X		
Is the width of the garage entrance minimized?	X		
Is the placement of the curb cut coordinated to maximize on-street parking?	X		
Rooftop Architectural Features (pages 38 - 41)			
Is the stair penthouse designed to minimize its visibility from the street?			X
Are the parapets compatible with the overall building proportions and other building elements?			X
Are the dormers compatible with the architectural character of surrounding buildings?			X
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?			X

Comments: The raised building entrance successfully enhances the connection between the public realm of the street and the sidewalk and the private realm of the building through the use of setbacks, architectural projections in the form of bay windows and the providing of landscaping to accentuate their presence to the public realm. To further enhance the public realm, the garage door widths and associated curb cuts have been minimized.

BUILDING DETAILS (PAGES 43 - 48)

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

Are the building's materials properly detailed and appropriately applied?	X		
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Comments: In order to contribute to the architectural character of the neighborhood, the proportion and size of the proposed windows relate to that of the existing buildings in the neighborhood. The project incorporates quality materials and finishes that relate to the surrounding neighborhood, including wood shingles and wood clad windows.

SPECIAL GUIDELINES FOR ALTERATIONS TO BUILDINGS OF POTENTIAL HISTORIC OR ARCHITECTURAL MERIT (PAGES 49 – 54)

QUESTION	YES	NO	N/A
Is the building subject to these Special Guidelines for Alterations to Buildings of Potential Historic or Architectural Merit?			X
Are the character-defining features of the historic building maintained?			X
Are the character-defining building form and materials of the historic building maintained?			X
Are the character-defining building components of the historic building maintained?			X
Are the character-defining windows of the historic building maintained?			X
Are the character-defining garages of the historic building maintained?			X



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|---|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input checked="" type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

HEARING DATE: MARCH 9, 2017

Date: March 2, 2017
Case No.: **2016-000075CUA**
Project Address: **4043 Cesar Chavez Street**
Zoning: RH-2 (Residential-House, Two-Family)
40-X Height and Bulk District
Block/Lot: 6580/035
Project Sponsor: Selander Architects
c/o Ernie Selander
2095 Jerrold Avenue
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 317 REQUIRING CONDITIONAL USE AUTHORIZATION FOR THE DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE.

PREAMBLE

On January 5, 2016, Ernie Selander (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for a Mandatory Discretionary Review to demolish a residential unit, on January 17, 2017 the application was replaced with a Conditional Use Authorization under Planning Code Sections 303 and 317 to demolish a residential unit at 4043 Cesar Chavez Street within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

On March 9, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-000075CUA.

On April 28, 2016, the Project was determined by the Department to be categorically exempt from environmental review under Case No. 2016-000075ENV. The Commission has reviewed and concurs with said determination.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-000075CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The proposal is for demolition of an existing two-story single-family residence. The project proposes to construct a a new four-story, two-unit residential structure.
3. **Site Description and Present Use.** The project site is on the south side of Cesar Chavez Street, between Noe and Sanchez Streets; Lot 035 in Assessor’s Block 6580 and is located within the RH-2 (Residential House, Two-Family) Zoning District with a 40-X Height and Bulk designation. The 2,850 square foot downward sloping lot (from front and west side) has 25 feet of frontage and a depth of 114 feet. On site is an existing approximately 1,830 gross floor area, two-story single-family dwelling with no off-street parking that was constructed circa 1900.
4. **Surrounding Properties and Neighborhood.** The subject property is located on the south side of Noe Valley within Supervisor District 8. Parcels within the immediate vicinity consist of residential one- to three-story, single- and multi-family dwellings constructed mostly between 1900 and the 1920s. The subject block face exhibits a great variety of architectural styles, scale and massing.
5. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 40-foot height limit. Planning Code Section 261 further restricts height in RH-2 Districts to 30-feet at the front lot line, then at such setback, height shall increase at an angle of 45° toward the rear lot line until the prescribed 40-foot height limit is reached.

The project proposes a building that will be approximately 29 feet – 1 inches tall at the street face and has a maximum height of 36 feet – 2 inches.

- B. **Front Setback Requirement.** Planning Code Section 132 requires, in RH-2 Districts, a front setback that complies to legislated setbacks (if any) or a front back based on the average of adjacent properties (15 foot maximum).

The subject property does not have a legislated setback. The project proposes an approximately 5 foot – 4 inch front setback where a 5 foot – 4 inch setback is required based on the average of adjacent properties.

- C. **Rear Yard Requirement.** Planning Code Section 134 requires, in RH-2 Districts, a rear yard measuring 45 percent of the total depth.

The project proposes an approximately 51 foot – 4 inch rear yard setback which includes a 12 foot deep obstruction permitted under Planning Code Section 136. The building, excluding the obstruction, is equal to 45 percent of the lot depth.

- D. **Side Yard Requirement.** Planning Code Section 133 does not require side yard setbacks in in RH-2 Districts.

The project proposes constructing to both side property lines since no side setbacks are required in the RH-2 District. The property does not currently provide side setbacks as the existing building, deck and stairs are built to both side property lines.

- E. **Residential Design Guidelines.** Per Planning Code Section 311, the construction of new residential buildings and alteration of existing residential buildings in R Districts shall be consistent with the design policies and guidelines of the General Plan and with the "Residential Design Guidelines."

The Residential Design Team determined that the project complies with the Residential Design Guidelines and would not create exceptional or extraordinary circumstances.

- F. **Front Setback Landscaping and Permeability Requirements.** Planning Code Section 132 requires that the required front setback be at least 20% unpaved and devoted to plant material and at least 50% permeable to increase storm water infiltration.

The project complies with Section 132 as it provides ~36 Sq. Ft of landscaping (27%) and ~75 Sq. Ft of permeable surface (56%) in the required 133 Sq. Ft. front setback area (total excludes permitted stair obstruction under §136).

- G. **Street Frontage Requirement.** Planning Code Section 144 requires that off-street parking entrances be limited to one-third of the ground story width along the front lotline and no less than one-third be devoted to windows, entrances to dwelling units, landscaping and other architectural features that provide visual relief and interest for the street frontage.

The project complies with the street frontage requirement as it exceeds the visual relief minimum (~16.5 feet) and adheres to the off-street entrance maximum (nine feet).

- H. **Street Frontage, Parking and Loading Access Restrictions.** Off-street parking shall meet the standards set forth in Planning Code Section 155 with respect to location, ingress/egress, arrangement, dimensions, etc.

Proposed off-street parking for one vehicle will be located wholly within the property, comply with access, arrangement and street frontage dimensional standards.

- I. **Usable Open Space.** Planning Code Section 135 requires, in RH-2 Districts, usable open space that is accessible by each dwelling (125 Sq. Ft per unit if private, ~166 Sq. Ft. if shared).

The project provides usable open space that exceeds the minimum private and shared amount required.

- J. **Parking.** Planning Code Section 151 requires one parking space for each dwelling unit.

The project proposes one off-street parking space and one replacement class 1 bicycle parking per Planning Code Section 150(e).

- K. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit and one Class 2 bicycle parking space for every 20 dwelling units.

The Project requires two Class 1 bicycle parking spaces and no Class 2 bicycle parking spaces. The Project can provide three bicycle parking spaces, with the third bicycle parking space in-lieu of a vehicle parking space.

- L. **Residential Demolition – Section 317:** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to remove a residential unit. This Code Section establishes a checklist of criteria that delineate the relevant General Plan Policies and Objectives.

As the project requires Conditional Use Authorization per the requirements of the Section 317, the additional criteria specified under Section 317 have been incorporated as findings a part of this Motion. See Item 8. "Additional Findings pursuant to Section 317" below.

- M. **Residential Density, Dwelling Units.** Per Planning Code Section 209.1, up to two units per lot are principally permitted in RH-2 Districts and up to one unit per 1,500 Sq. Ft. of lot area is allowed with Conditional Use Authorization.

The project proposes demolition of the existing single-family residence and construction of two dwelling units on the 2,850 square foot parcel.

- N. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that results in additional space in an existing residential unit of more than 800 gross square feet shall comply with the imposition of the Residential Child Care Impact Fee requirement.

The project proposes two new dwelling units. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements outlined in Planning Code Section 414A.

6. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed massing allows for a higher density and better use of the site. It will provide two family-sized unit, three bedroom units on the lot, while maintaining ample rear yard open space. The project is designed to be in keeping with the existing development pattern and the neighborhood character.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposal is designed to be compatible with the surrounding neighborhood and adjacent buildings. It proposes a two-family structure with 8 foot – 4 inch rear terrace (permitted obstruction) that is set back five feet on each side of the downsloping lot to provide privacy for adjacent neighbors. The project would also remove an existing unpermitted rear yard accessory structure and provide a 51 foot – 4 inch rear yard thus contributing landscaped area to the mid-block open space.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

Planning Code requires one off-street parking space per dwelling unit. One vehicle space and one class 1 bicycle parking space are proposed, where currently there are no spaces provided for the existing building.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposal is residential and will not yield noxious or offensive emissions.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed project is residential and will be landscaped accordingly.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable RH-2 District.

The proposed project is consistent with the stated purpose of the RH-2 Districts.

7. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert Residential Buildings. On balance, the Project does comply with said criteria in that:

- i. Whether the property is free of a history of serious, continuing Code violations;

Project meets criterion.

A review of the Department of Building Inspection and the Planning Department databases showed no open enforcement cases or notices of violation for the subject property. There are two separate abated complaints, one for removal of lead paint and another for electrical repairs needed.

- ii. Whether the housing has been maintained in a decent, safe, and sanitary condition;

Project meets criterion.

The structure appears to be in decent condition.

- iii. Whether the property is an “historic resource” under CEQA;

Criterion not applicable.

The Planning Department reviewed the Historic Resource Evaluation submitted and provided a historic resource determination in a Preservation Team Review (PTR) Form. The historic resource determination concluded that the subject property is not eligible for listing in the California Register of Historical Resources (CRHR) individually or as a contributor to a historic district. Therefore, the existing structure is not a historic resource under CEQA.

- iv. Whether the removal of the resource will have a substantial adverse impact under CEQA;

Criterion not applicable.

Not applicable. The Planning Department determined that the existing structure is not a historic resource. Therefore, the removal of the structure would not result in a significant adverse impact on historic resources under CEQA.

- v. Whether the Project converts rental housing to other forms of tenure or occupancy;

Project does not meet criterion.

The single-family residence is presently rented out at market rate until the project sponsor obtains the necessary permit approvals for alteration. There are no restrictions on whether the two new units will be rental or ownership.

Project does not convert rental housing to other forms of tenure or occupancy.

- vi. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance or affordable housing;

Criterion not applicable.

The subject property is a single-family residence and not subject to rent control.

- vii. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

Project meets criterion.

Although the project proposes demolition of the two-bedroom single-family dwelling, there will be a net gain of one unit at the project site. The replacement structure proposed will include two units – both providing three bedrooms.

- viii. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

Project meets criterion.

The replacement building will conserve neighborhood character with appropriate scale, design, and materials, and improve cultural and economic diversity by appropriately increasing the number of bedrooms. The project would increase the number of dwelling units, while providing a net gain of four bedrooms to the City's housing stock.

- ix. Whether the Project protects the relative affordability of existing housing;

Project meets criterion.

The project does not protect the relative affordability of existing housing, as the project proposes demolition of the existing building, which is generally considered more affordable, and construction of two new buildings. However, the existing unit is vacant and will be replaced with a unit of comparable size and improved interior layout

- x. Whether the Project increases the number of permanently affordable units as governed by Section 415;

Criterion not applicable.

The project is not subject to the provisions of Planning Code Section 415, as the project proposes less than ten units.

- xi. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

Project meets criterion.

The project has been designed to be in keeping with the scale and development pattern of the established neighborhood character.

- xii. Whether the Project increases the number of family-sized units on -site;

Project meets criterion.

The project proposes an opportunity for family-sized housing. Two three-bedroom single-family residence are proposed within the two-unit building.

- xiii. Whether the Project creates new supportive housing;

Project does not meet criterion.

The project does not create supportive housing.

- xiv. Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

Project meets criterion.

The overall scale, design, and materials of the proposed building is consistent with the block-face and compliments the neighborhood character while preserving much of the existing architecture.

- xv. Whether the Project increases the number of on-site Dwelling Units;

Project meets criterion.

The Project will provide a net gain of one unit at the site. The proposed replacement structure is in keeping with the scale and mass of the immediately surrounding development.

- xvi. Whether the Project increases the number of on-site bedrooms;

Project meets criterion.

The project proposes two units – both containing three bedrooms – a total of four bedrooms more than the existing building.

- xvii. Whether or not the replacement project would maximize density on the subject lot; and

Project meets criterion.

The project proposes maximizes the density on the subject lot as the proposal includes two units on an RH-2 lot that is 2,850 square feet in size.

- xviii. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

Project meets criterion.

The project proposes replacing the existing unit with two new Dwelling Units of a similar size. The proposal results in two family-sized.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1:

Develop new housing, and encourage the remodeling of existing housing, for families with children.

The project proposes to demolish a single-family residence to construct two family-sized dwelling units.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The proposed replacement buildings conform to the Residential Design Guidelines and, while contemporary architecture, are appropriate in terms of scale, proportions and massing for the surrounding neighborhood.

Policy 11.4

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.5

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

URBAN DESIGN

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.2:

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

Policy 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The proposed replacement building reflects the existing mixed architectural character and development pattern of the neighborhood, particularly by proposing a construction that respects the one- to three- story heights on the block face.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

The replacement building has been designed to be compatible with the neighborhood's mixed massing, width and height. The proposed buildings reflect the pattern of the older development to have bay windows and vertically oriented projections and window form.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The project is residential and has no impact on neighborhood-serving retail uses.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

While the existing housing is proposed to be demolished, the replacement building would provide two dwelling units in a neighborhood made up of one-, two-and three units of mixed architectural character.

- C. That the City's supply of affordable housing be preserved and enhanced,

While the affordability of the existing unit is not preserved since it is proposed to be demolished, the replacement building will provide two dwelling units that are well-designed and contain a total net gain of four additional bedrooms.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The project would not have a significant adverse affect on automobile traffic congestion or create parking problems in the neighborhood. The project would enhance neighborhood parking by providing one off-street parking spaces, where none currently exist.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The proposal is a residential project in an RH-2 District; therefore the Project would not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses would not be affected by the Project.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The project will significantly strengthen the existing building, bringing it up to current building and seismic codes.

G. That landmarks and historic buildings be preserved.

Landmark or historic buildings do not occupy the project site.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The project will have no negative impact on existing parks and open spaces. The height of the proposed structure is compatible with the established neighborhood development.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-000075CUA** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this **Motion No. XXXXX**. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 9, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: March 9, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow tantamount to demolition of an existing single-family residence and construction of two replacement dwelling units located at 4043 Cesar Chavez, Block 6580, Lot 035 pursuant to Planning Code Sections 303 and 317 within the RH-2 District and a 40-X Height and Bulk District; in general conformance with plans, dated February 24, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2016-000075CUA and subject to conditions of approval reviewed and approved by the Commission on March 9, 2017 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 9, 2017 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

6. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Landscaping.** Pursuant to Planning Code Section 132, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 50% of the front setback areas shall be surfaced in permeable materials and further, that 20% of the front setback areas shall be landscaped with approved plant species. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

9. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide two independently accessible off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

10. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

11. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

12. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

13. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>

14. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

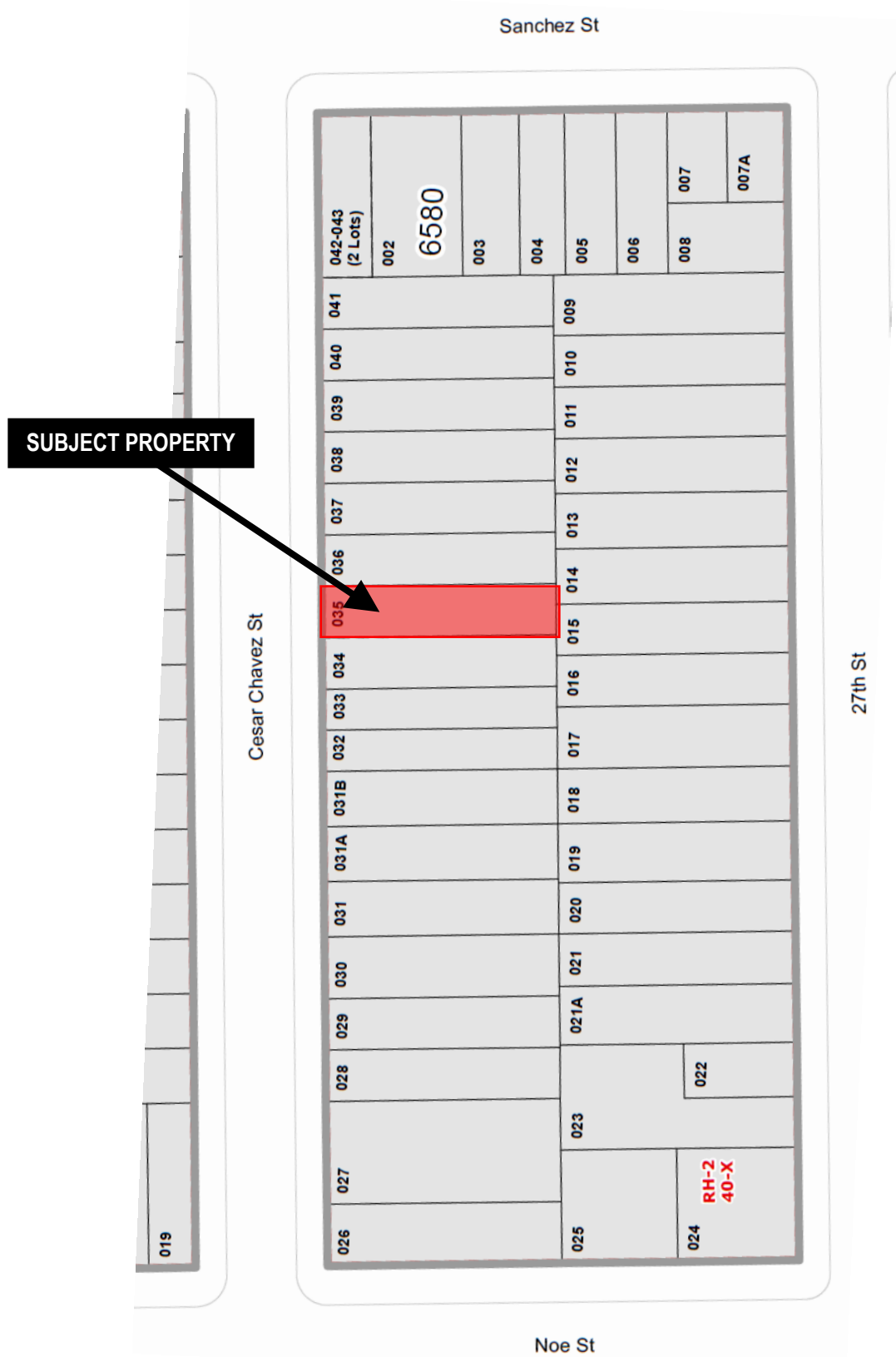
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

15. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business

address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parcel Map



Noe St



Conditional Use Authorization Hearing
Case Number 2016-000075CUA
4043 Cesar Chavez Street

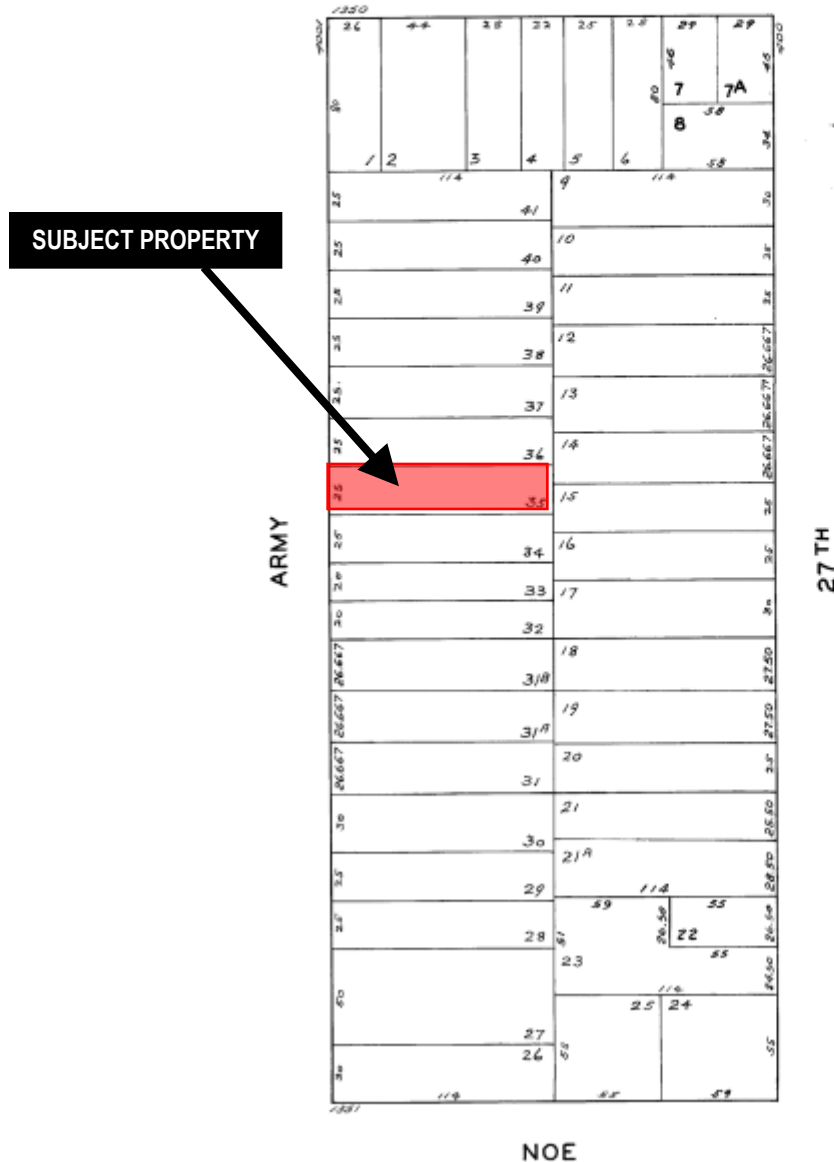
Sanborn Map*

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CITY & COUNTY ASSESSOR 1995

6580
HORNER'S ADDN BLK 123



SANCHEZ

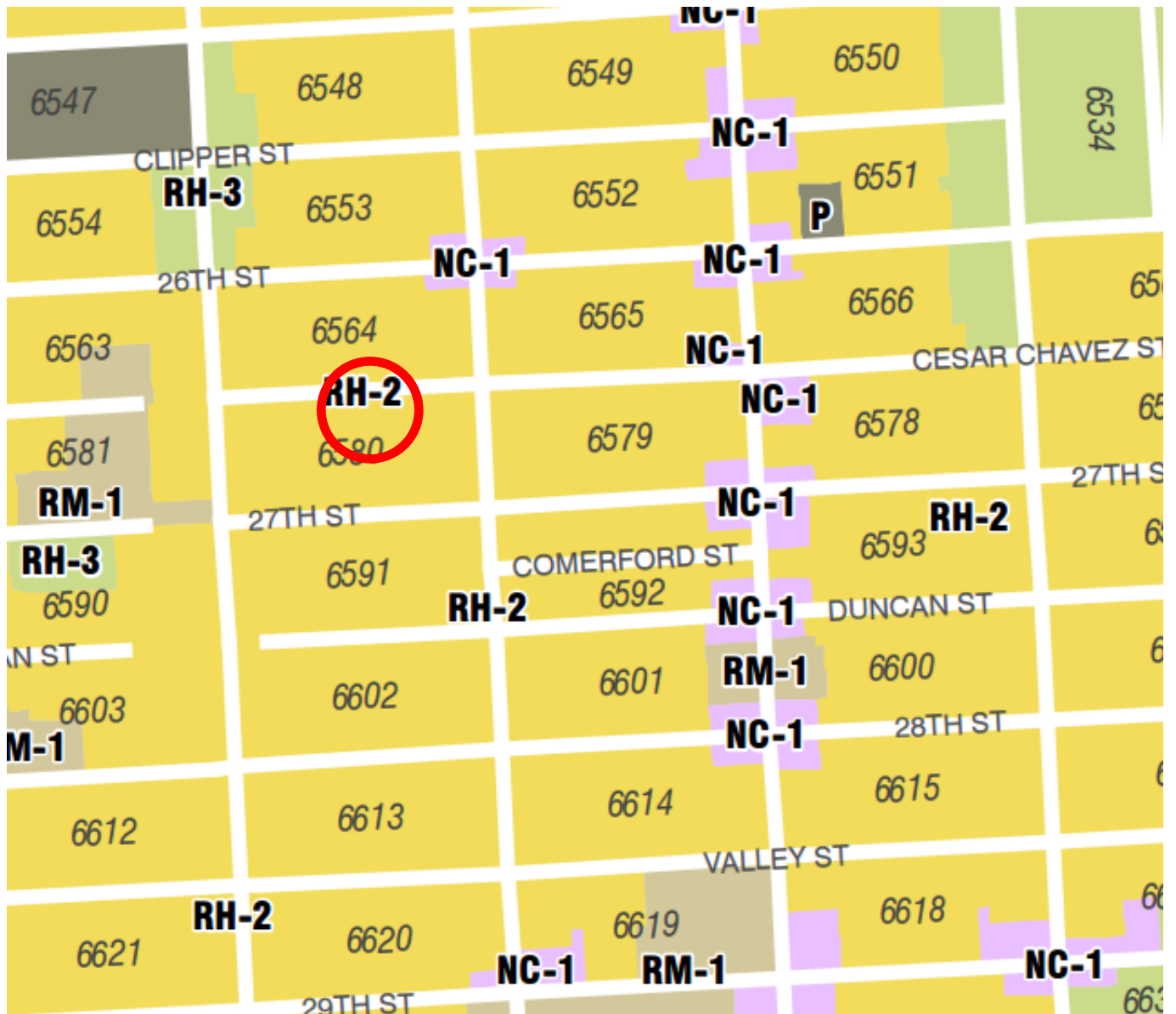


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



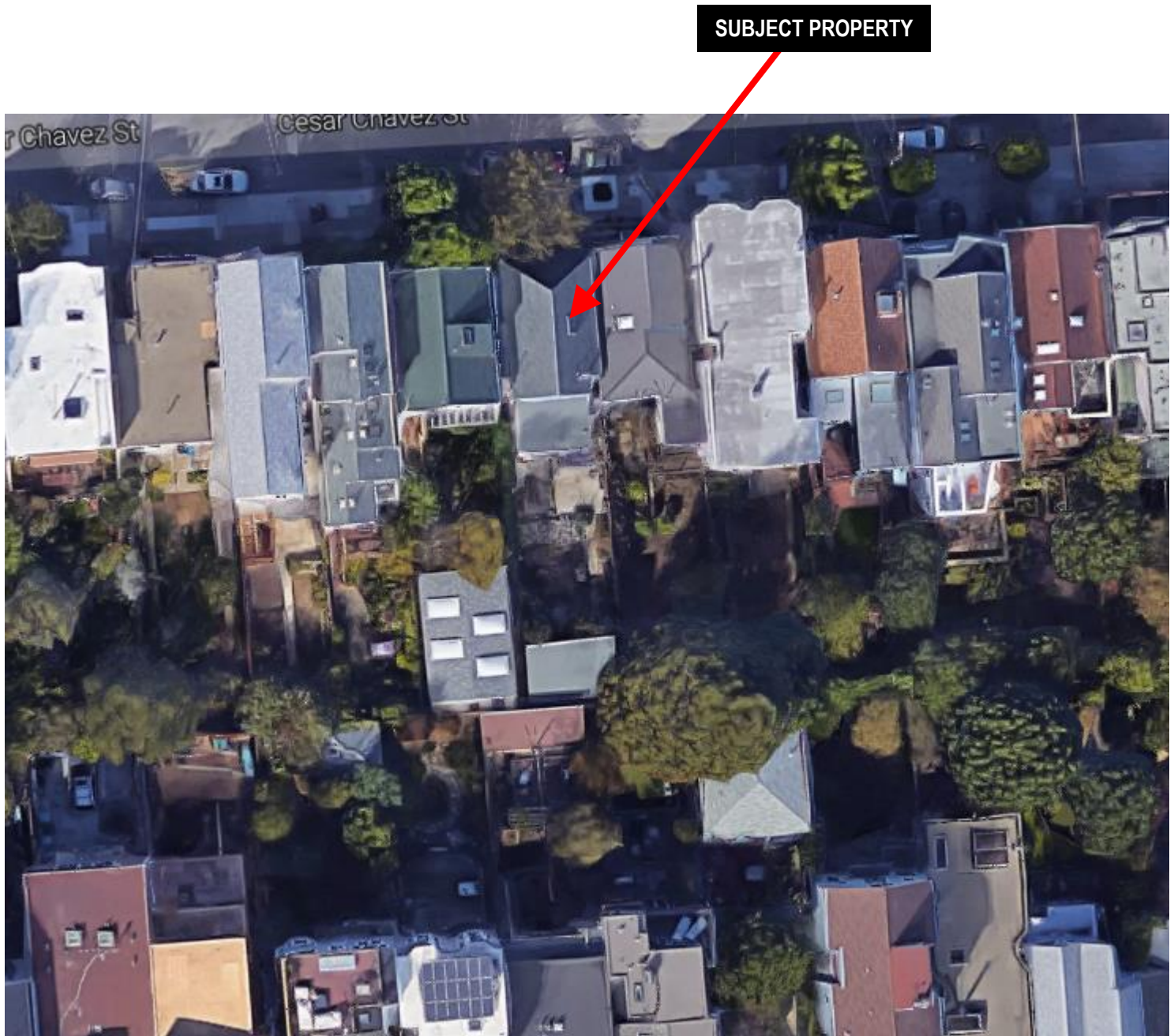
Conditional Use Authorization Hearing
Case Number 2016-000075CUA
4043 Cesar Chavez Street

Zoning Map



Conditional Use Authorization Hearing
Case Number 2016-000075CUA
4043 Cesar Chavez Street

Aerial Photo

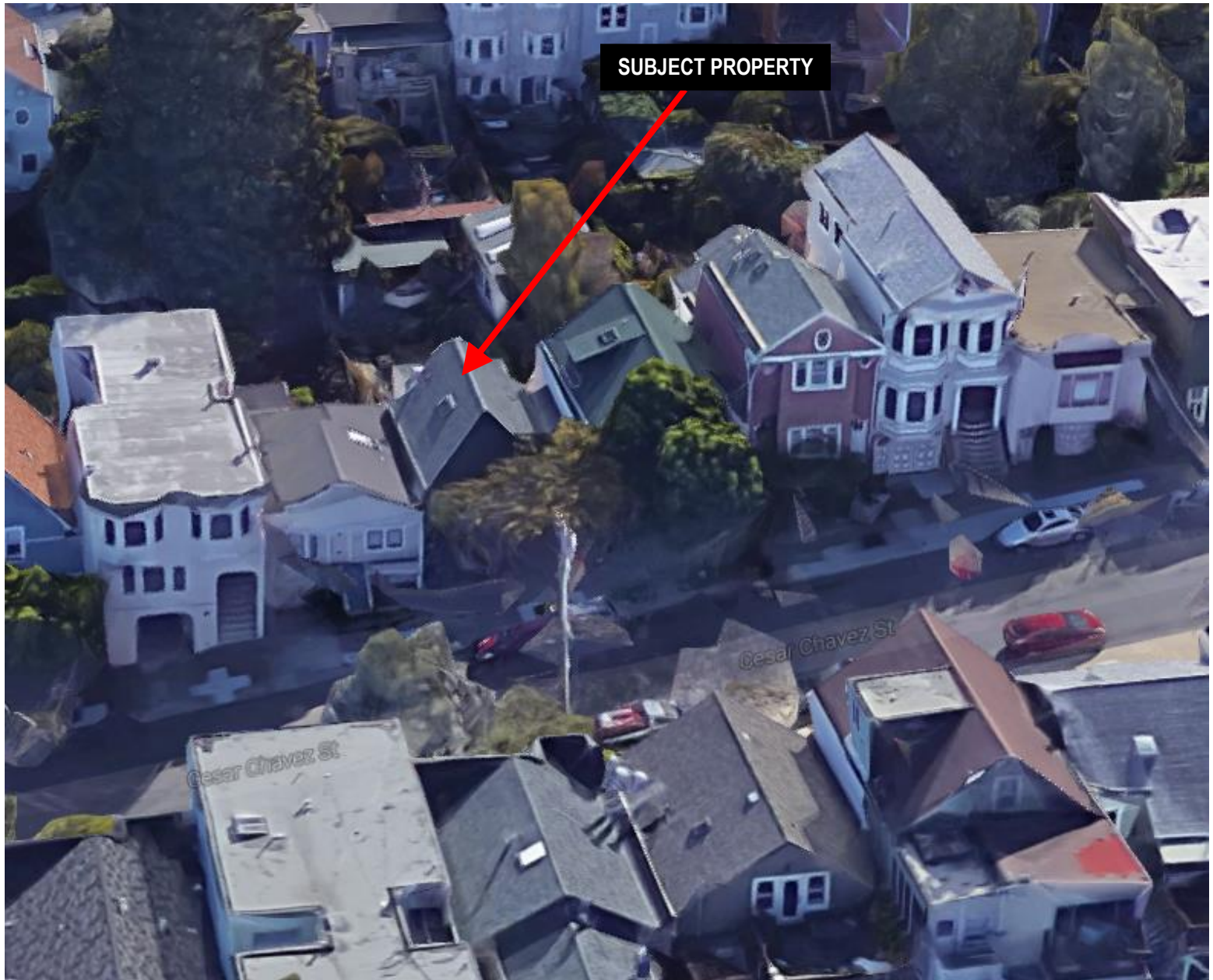


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2016-000075CUA
4043 Cesar Chavez Street

Aerial Photo



Conditional Use Authorization Hearing
Case Number 2016-000075CUA
4043 Cesar Chavez Street

Aerial Photo



Conditional Use Authorization Hearing
Case Number 2016-000075CUA
4043 Cesar Chavez Street

Existing Site Photo



Conditional Use Authorization Hearing
Case Number 2016-000075CUA
4043 Cesar Chavez Street



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
4043 Cesar Chavez Street		6580/035	
Case No.	Permit No.	Plans Dated	
2016-000075ENV		12/07/2015; Resubmitted: 01/20/2015	
<input type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Demolish existing two-story single-family dwelling with no vehicle parking. Construct a new four-story, two-family building with two vehicle parking spaces. Rehabilitate existing one-story outbuilding at the rear of the lot into an accessory dwelling unit.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an *Environmental Evaluation Application* is required.

<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" 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 *Environmental Evaluation Application* is required.

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

	Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (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. <u>If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Jean Poling <div style="float: right; font-size: small;"> Digitally signed by Jean Poling DN: cn=Jean Poling, o=San Francisco Department of Planning, ou=City Planning, email=jean.poling@sfdph.org Date: 2014.02.11 14:23:50 -0800 </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 type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input 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 type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input checked="" 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): PTR form dated 4/21/16
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: Natalia Kwiatkowska <small>Digitally signed by Natalia Kwiatkowska DN: cn=Natalia Kwiatkowska, o=City Planning, ou=Current Planning, email=Natalia.Kwiatkowska@sfgov.org Date: 2016.04.21 14:27:20 -07'00'</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: Natalia Kwiatkowska	Signature:
	Project Approval Action: Building Permit If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Natalia Kwiatkowska <small>Digitally signed by Natalia Kwiatkowska DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Natalia Kwiatkowska, email=Natalia.Kwiatkowska@sfgov.org Date: 2016.04.21 14:27:20 -07'00'</small>
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	4/19/2016
--	--	--------------------------------	-----------

PROJECT INFORMATION:		
Planner:	Address:	
Natalia Kwiatkowska	4043 Cesar Chavez Street	
Block/Lot:	Cross Streets:	
6580/035	Noe & Sanchez Streets	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2016-000075ENV

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

DATE OF PLANS UNDER REVIEW:	1/20/16
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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 Determination and Historic Resource Evaluation prepared by Tim Kelley Consulting (dated September 2015). Proposed Project: Demolition of existing two-story single-family dwelling and new construction of a four-story, two-family dwelling unit.	

PRESERVATION TEAM REVIEW:				
Historic Resource Present		<input type="radio"/> Yes	<input checked="" 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 type="radio"/> Yes <input checked="" 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:	N/A	
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor		

Complies with the Secretary's Standards/Art 10/Art 11:	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" 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 type="radio"/> Yes	<input checked="" 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:
<p>According to the Supplemental Information for Historic Resource Determination and Historic Resource Evaluation prepared by Tim Kelley Consulting (dated September 2015) and information found in the Planning Department files, the subject property at 4043 Cesar Chavez Street contains a one-story-over-basement, wood-frame, single-family dwelling designed in the Vernacular style. The building was constructed in 1906 (source: water tap records) by an unknown architect/builder. The house features an angled bay with a recessed front porch entry, clad in rustic siding and capped with a hip roof at front and shed roof at rear addition. The original owner and occupant was James J. McHugh, who lived in the house with his wife Margaret and four children. Known exterior alterations to the property include: addition of a tool shed (1955) and addition of a back porch and stairs (1959). Additional visual inspection reveals that the windows at the front facade have been replaced with aluminum windows, the front entrance was modernized and the handrails on the front porch were replaced with metal railings all at an unknown date.</p> <p>No known historic events occurred at the subject property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The McHugh family has not been determined to be of any particular historic importance. The building is not architecturally district such that it would qualify individually for listing in the California Register under Criterion 3. The subject building is a nondescript example of a vernacular single-family residence with a few Queen Anne decorative elements.</p> <p>The subject property is not located within the boundaries of any identified historic district. The subject building is located in the Noe Valley neighborhood, and the area surrounding is composed primarily of one- to three-story, single- and multi-family dwellings constructed mostly between 1900 and the 1920s. The subject block face exhibits a great variety of architectural styles, scale and massing. The area surrounding the subject property does not contain a significant concentration of historically or aesthetically unified buildings.</p> <p>Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.</p>

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	4-21-2016

HISTORICAL RESOURCE EVALUATION PART 1

4043 CESAR CHAVEZ STREET

SAN FRANCISCO, CALIFORNIA



TIM KELLEY CONSULTING, LLC

HISTORICAL RESOURCES

2912 DIAMOND STREET #330

SAN FRANCISCO, CA 94131

415.337-5824

TIM@TIMKELLEYCONSULTING.COM



SAN FRANCISCO PLANNING DEPARTMENT

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

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, March 9, 2017**
Time: **Not before 12:00 PM (noon)**
Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**
Case Type: **Conditional Use**
Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: 4043 Cesar Chavez St. Cross Street(s): Noe and Sanchez St. Block /Lot No.: 6580/035 Zoning District(s): RH-2 / 40-X Area Plan: N/A	Case No.: 2016-000075CUA Building Permit: 2015.12.21.5657 (new) & 2015.12.21.5660 (demo) Applicant: Selander Architects Telephone: (415) 335-4339 E-Mail: ernie@selanderarchitects.net

PROJECT DESCRIPTION

The proposal is for Conditional Use authorization, pursuant to Planning Code Sections 303 and 317, to demolish an existing two-story single-family residence and to construct a new four-story two-unit residence within an Residential House, Two-Family (RH-2) Zoning District and a 40-X Height and Bulk District. This notice also meets Section 311 requirements for public notification for the demolition and new construction building permits.

This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

ADDITIONAL INFORMATION

ARCHITECTURAL PLANS: If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans and Department recommendation of the proposed project will be available prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org> or by request at the Planning Department office located at 1650 Mission Street, 4th Floor.

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

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Jeff Horn** Telephone: **(415) 575-6925** E-Mail: jeffrey.horn@sfgov.org

GENERAL INFORMATION ABOUT PROCEDURES

HEARING INFORMATION

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

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

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

BUILDING PERMIT APPLICATION INFORMATION

Pursuant to Planning Code Section 311 or 312, the Building Permit Application for this proposal may also be subject to a 30-day notification of property owners and residents within 150-feet of the subject property. **This notice covers the Section 311 or 312 notification requirements, if required.**

APPEAL INFORMATION

An appeal of the approval (or denial) of a **Conditional Use application** and/or building permit application associated with the Conditional Use application may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Section 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

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

Pursuant to California Government Code Section 65009, if you challenge, in court, the decision of an entitlement or permit, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the Planning Commission prior to, or at, the public hearing.

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.

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
	()
	EMAIL:
APPLICANT'S NAME:	
Same as Above <input type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE:
	()
	EMAIL:
CONTACT FOR PROJECT INFORMATION:	
Same as Above <input type="checkbox"/>	
ADDRESS:	TELEPHONE:
	()
	EMAIL:
COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	
Same as Above <input type="checkbox"/>	
ADDRESS:	TELEPHONE:
	()
	EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT:		ZIP CODE:		
CROSS STREETS:				
ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
/				

3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify:	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE:	
		PROPOSED USE:	
		BUILDING APPLICATION PERMIT NO.:	DATE FILED:

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units				
Hotel Rooms				
Parking Spaces				
Loading Spaces				
Number of Buildings				
Height of Building(s)				
Number of Stories				
Bicycle Spaces				
GROSS SQUARE FOOTAGE (GSF)				
Residential				
Retail				
Office				
Industrial/PDR <i>Production, Distribution, & Repair</i>				
Parking				
Other (Specify Use)				
TOTAL GSF				

Please describe any additional project features that are not included in this table:
 (Attach a separate sheet if more space is needed)

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

3. That the City's supply of affordable housing be preserved and enhanced;

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

7. That landmarks and historic buildings be preserved; and

8. That our parks and open space and their access to sunlight and vistas be protected from development.

Estimated Construction Costs

TYPE OF APPLICATION:	
OCCUPANCY CLASSIFICATION:	
BUILDING TYPE:	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
ESTIMATED CONSTRUCTION COST:	
ESTIMATE PREPARED BY:	
FEE ESTABLISHED:	

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: _____

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

Owner / Authorized Agent (circle one)

Application Submittal Checklist

Applications listed below 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 and a department staff person.**

APPLICATION MATERIALS	CHECKLIST
Application, with all blanks completed	<input checked="" type="checkbox"/>
300-foot radius map, if applicable	<input type="checkbox"/>
Address labels (original), if applicable	<input type="checkbox"/>
Address labels (copy of the above), if applicable	<input type="checkbox"/>
Site Plan	<input checked="" type="checkbox"/>
Floor Plan	<input checked="" type="checkbox"/>
Elevations	<input checked="" type="checkbox"/>
Section 303 Requirements	<input checked="" type="checkbox"/>
Prop. M Findings	<input checked="" type="checkbox"/>
Historic photographs (if possible), and current photographs	<input type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Original Application signed by owner or agent	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/>

NOTES:

- ☐ Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- ☒ Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- ☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

4043 Cesar Chavez, Block 6580/Lot 35

PRIORITY GENERAL PLAN POLICIES FINDINGS – SECTION 101.1(b)

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

This is a residential project; neighborhood retail uses would not be affected.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The neighborhood is of mixed architectural character and is presently in transition. Cultural and economic diversity is preserved by the proposed mass, scale, and compatibility with the neighboring structures.

3. That the City's supply of affordable housing be preserved and enhanced.

The existing single-family residence has not been maintained and requires significant improvement and safety upgrades. The proposed project adds an additional unit to the property, as well as restores the existing unit to the housing stock. The size of the proposed units is more consistent with the General Plan.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.

The project provides two off-street parking spaces and 3 bicycle parking spaces. The new driveway is located to preserve on-street parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The project is residential and would not displace or affect any industrial or service use.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The project will be constructed subject to current seismic standards.

7. That landmarks and historic buildings be preserved.

The project would not affect any landmark or historic building.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The project would not affect parks or open space.

4043 Cesar Chavez, Block 6580/Lot 35

CONDITIONAL USE FINDINGS – SECTION 303(c)

1. That the proposed project, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood and community.

The proposed size and massing of the project allows for higher density, matching the allowed density of the Zoning Ordinance, and provides family sized units on the currently underutilized lot. Generous open space is maintained for the occupants and neighbors, and the massing at the rear is specifically stepped in both plan dimensions to accommodate the very large structure at the rear of the adjacent neighbor's property up the hill.

2. That the proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity, with respect to aspects including but not limited to the following:

- (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structures;

The proposed footprint and massing are appropriate to the adjacent neighbors, and stepped back both in plan and vertically from the uphill neighbor to afford privacy and light to their central "rear" yard. Decks are setback and screened by roofs, and side windows are setback from the property line to afford additional separation and privacy.

- (b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The development of new off-street and bicycle parking spaces will maintain available street parking.

- (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The project will not produce any noxious or offensive emissions.

- (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking, and loading areas, service areas, lighting and signs.

The project provides landscaping and open space appropriate for its residential use as well as off-street parking for each of the residences.

3. That the proposed project will comply with applicable provisions of this Code and will not adversely affect the Master Plan.

The project is consistent with the stated purpose of an RH-2 District. It complies with all of the relevant requirements and standards of the Code and is consistent with the objectives and policies of the General Plan. It also meets the additional criteria required for demolition of a building.

4043 Cesar Chavez, Block 6580/Lot 35

ADDITIONAL SECTION 317 FINDINGS

A. whether the property is free of a history of serious, continuing Code violations;

A review of relevant databases shows no enforcement cases or notices of violation for the property.

B. whether the housing has been maintained in a decent, safe, and sanitary condition;

The property has not been well maintained by the previous owner and needs significant repair and upgrading.

C. whether the property is an "historical resource" under CEQA;

The Planning Department reviewed our Supplemental Information Form/HRE and issued a CEQA Categorical Exemption Determination.

D. whether the removal of the resource will have a substantial adverse impact under CEQA;

The Planning Department reviewed our Supplemental Information Form/HRE and issued a CEQA Categorical Exemption Determination.

E. whether the project converts rental housing to other forms of tenure or occupancy;

The property has been owner occupied for the known past.

F. whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing;

As a single family dwelling the property is not subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing policies.

G. whether the project conserves existing housing to preserve cultural and economic neighborhood diversity;

The project increases the number of units on the property and allows the conservation and expansion of neighborhood diversity.

H. whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The project is designed to meet the Residential Design Guidelines; the mass, scale, design and materials preserve the neighborhood character. The two, family-size units, that replace the single unit, allow for the preservation of cultural and economic diversity.

I. whether the project protects the relative affordability of existing housing;

The project is of market rate units that only indirectly protect affordable housing by easing economic pressure on affordable units.

J. whether the project increases the number of permanently affordable units as governed by Section 415;

The project is not subject to the provisions of Section 415.

K. whether the project locates in-fill housing on appropriate sites in established neighborhoods;

The project is designed to be in scale with the neighboring properties, and compatible with the scale and development pattern of the block.

L. whether the project increases the number of family-sized units on-site;

The project will add an additional family-size unit, and greatly improve upon the desirability of the existing unit.

M. whether the project creates new supportive housing;

The project does not create any supportive housing.

N. whether the project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

The project complements and is consistent with the block face. The massing to the rear respects the interrupted mid block open space of the uphill neighbor's central "rear" yard and rear building.

O. whether the project increases the number of on-site Dwelling Units;

The project adds an additional dwelling unit to the site.

P. whether the project increases the number of on-site bedrooms;

The project creates two three-bedroom units to replace one, one/two-bedroom unit.

Q. whether or not the replacement project would maximize density on the subject lot;

The project maximizes the zoning density of two units. We had wanted to add the allowed ADU but have withdrawn that request on the demand of the neighbors.

R. and if replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

The existing building to be demolished is not subject to the Residential Rent Stabilization and Arbitration Ordinance.

Response to Submittal to the Commission by Neighbors at 4047

Our responses to the cover letter are in larger type in the body of their letter below.

We request that the following modifications be made to the proposed project at **4043 Cesar Chavez**:

1. Reduce the height of the rear of the building to 2-stories for any addition extending past the rear wall of 4047/4051 Cesar Chavez Street.

We cannot do this and provide actual family units with a minimum of two bedrooms on a given floor.

2. Modify the floor plan on the third floor. Move the bedroom to the south and move the kitchen, laundry and bath north and to the east side.

Our current plans show the kitchens and laundry rooms all on the east side of the building per this request.

3. Eliminate the rear deck on the third floor

This is the useable open space for the unit. Cutting back the mass of the rear of the building per the neighbor's and RDT request eliminated the stair access to the rear yard for the upper unit.

4. Create a light-well so our upstairs dormer bathroom window facing east will not be blocked by a wall.

Our current plans show a 1-foot notch at their property line, bathroom window per the neighbor's request.

5. Have all venting directed towards the east due to resident's documented health issue.

All plumbing stacks and kitchens are on the east side of the building.

6. Build the fence first, before the main project begins, at the builder's expense.

We intend to build the fence and new retaining wall near the beginning of construction but are unable to guarantee it will be the first item of work done.

7. Do not work on Saturday and Sunday.

Some quiet, indoor work will probably occur on Saturdays when the building is closed in.

We request that the following modifications be made on the proposed project at **4041 Cesar Chavez:**

1. Move the second floor rear deck to the east side.

We ran that by Planning staff and it was rejected because it flies in the face of any good Planning sense.

2. Eliminate the rear deck on the third floor.

It has been moved to the east side of the property so it is shielded from view.

Specific responses to the Attachments

For reference see photo page attached: Top of page looking north back at 4043 (pink) and 4041 (small yellow) Bottom of page looking west at 4047 rear building and side of 4051 looking down into 4047 yard.

A – We have kept them informed, provided drawings, and met with them after every iteration we have made. We had requested another meeting to show them the additional revisions we had done for them but have never heard back.

B – PIM is notoriously inaccurate and does not count ground-floor square footages, which our calculated areas do. Additionally this list does not include any of the larger properties, nor the recent remodels or redevelopments in the neighborhood. Our areas are also misrepresented; please see the calculations on the first sheet of the drawings

C – This existing mid-block can only be characterized as irregular. We are demolishing our building in the rear yard. Three of the abutting properties, including 4047, have substantial, non-conforming buildings in the rear yards. We were very pleased to have reached a solution with the RDT

which carves back the rear of 4043 to protect the sunlight and air in the 4047 mid-lot yard. Also note that we are on the north side of the block so we do not shade the adjacent properties; the tall properties to the south and fronting on 27th Street, by virtue of the natural, uphill topography, do all the shading.

D – These drawings show a significant redesign as we worked through the process with the 4047 neighbors. The drawings speak for themselves as to how much mass was removed to address their and the RDT's concerns.

E – We have provided a 1-foot deep notch as 4047 requested to provide light and air to their bathroom, property line window.

F – We had proposed to Planning staff to shift the top floor forward toward the street, but were told the 15 foot rule could not be relaxed in this case.

G – We project barely beyond the very large building at 4033-4035 shown in the lower of the first page of their photos, which is a better representation of most other buildings (depth) on the block. Not shown are the buildings uphill of 4047 which project back significantly beyond it. (see our photo page attached)



General response to the community opposition letters

None of the letters sent to Planning were from any properties that are directly affected by the project.

Our project has been mischaracterized as making an irregular mid-block pattern; this is patently false. The abutting properties to ours all have substantial, non-conforming structures in their rear yards and have created the irregular mid-block pattern. Our buildable envelope as defined by the RDT was severely limited due to the existing conditions. The proposed design solution does not adversely affect light and air to those abutting properties.

The adjacent neighbors have been met with on numerous occasions and have been provided with every iteration of the drawings as they have been modified. We have met their concerns as best we can, and have complied with the RDT directives as well.

Date: February 26, 2017

Hearing Date: Thursday, March 9, 2017

Project Address: **4043 Cesar Chavez St.**

Case No: 2016-000075CUA

Building Permit 2015.12.21.5657 (new) & 2015.12.21.5660 (demo)

Project Address: **4041 Cesar Chavez St.**

Case No: 2016-011332CUA

Building Permit: 2016.07.3501(new) & 2016.07.27.3499 (demo)

From: Ralph Gutlohn and Alice West, 4047 Cesar Chavez St.

To: President Rich Hillis and Fellow Members of the Planning Commission

We request that the following modifications be made to the proposed project at **4043 Cesar Chavez:**

1. Reduce the height of the rear of the building to 2-stories for any addition extending past the rear wall of 4047/4051 Cesar Chavez Street.

The RDT recommended that the height of the rear of the building be reduced but the project sponsor appealed and Senior Management overruled the RDT.

2. Modify the floor plan on the third floor. Move the bedroom to the south and move the kitchen, laundry and bath north and to the east side.
3. Eliminate the rear deck on the third floor
4. Create a light-well so our upstairs dormer bathroom window facing east will not be blocked by a wall.
5. Have all venting directed towards the east due to resident's documented health issue.
6. Build the fence first, before the main project begins, at the builder's expense.
7. Do not work on Saturday and Sunday.

We request that the following modifications be made on the proposed project at **4041 Cesar Chavez:**

1. Move the second floor rear deck to the east side.
2. Eliminate the rear deck on the third floor.

We are attaching following labeled exhibits:

- A -** Letter to Jeff Horn regarding overruling the RDT.
- B -** Size Comparison Chart on Cesar Chavez St between Noe and Sanchez.
- C -** Mid-Block Map.
- D -** Comparisons between the 12-7-15, 5-26-16 and 1-25-17 plans:
 - D (1) - East
 - D (2) - West
 - D (3) - South
- E -** Drawings showing how our dormer window will be blocked.
- F -** Photograph of how our uphill neighbor's at 4051's resolved their rear extension remodel and reduced the impact on our light and privacy.
- G -** Photographs of the existing site from our rear yard.
- H -** Photograph of the existing site from the front of our house.

Thank you for taking the time to consider our particular concerns regarding these two proposed projects next door to us. We have both lived and worked at 4047 Cesar Chavez since 1985 and our life in the house and the back yard are extremely important to us.

Sincerely,

Ralph Gutlohn and Alice West

Hi Jeff,

We are very upset about the reversal of the RDT's comments regarding not having a third story on 4043 Cesar Chavez. This is a complete surprise, especially since we asked to be informed of the progress of the project and it's not until February 25th that we learned of this very significant decision, which was made on August 16. And that there is no record of the arguments presented is alarming and suspicious.

On March 30, 2016, the RDT directed the sponsor to reduce the proposed three-story extension to two stories.

The sponsor didn't like this direction and asked for it to be overruled by senior management. Although there is an agenda from August 15, 2016, showing senior managers will consider the project; there is no record of the overruling or why it was made. We only know it was overruled because of the most recently submitted plans. We understand that the sponsor asked it to be overruled because his own similarly large project adjacent at 4041 was also under review and that even though that project had not been built or reviewed it was used as the guiding context.

We understand that when unapproved nearby projects are under review they should not be used in things like averaging. The reason behind this interpretation is obvious-it may not even be built or even approved and so may not influence existing context. If the then unapproved project at 4041 was the reason for the reversal of the RDT's direction then it is contrary to common sense. The Residential Design Guidelines are intended to apply within the context of the **existing** neighboring buildings, not within the context of another project that has not been built or even approved. We ask that the RDT's original ruling apply and we also ask that you **require** the senior managers to document RDT reversals so the public can know who made the reversal and why it occurred.

We have been actively trying to keep informed about this project since the pre-application meeting in December of 2015. We asked you often and directly to "keep us in the loop" about any changes or events regarding 4043. You agreed to do that. Yet it wasn't until February 22, 2017 that we heard anything about this reversal of the RDT ruling which occurred at a meeting on August 15, 2016.

We have asked twice through a Public Record Request for all the correspondence regarding 4041 and 4043 Cesar Chavez. At a meeting with you on July 7, 2016, you told us that Ernie did not agree with the RDT comments about reducing the rear extension to two stories. You said the Department did not like when sponsors didn't comply with RDT comments and that the Department would encourage Ernie to agree with the RDT. This was the last thing we heard. Why weren't informed earlier? Why didn't you ever let us know what had occurred at that meeting with Senior Management in August? It seems only by accident that we found out.

A

We are very upset at the reversal of the RDT's comment and the lack of transparency pertaining to the decision. We are very upset that all our concerted efforts to keep informed did not result in our discovery of this very, very important reversal. We are upset that you did not let us know until this late date that this reversal had occurred, even though we have a documented file of emails and letters and phone calls requesting all the information available regarding the progress of the proposed project at 4043 Cesar Chavez. We hope that the Planning Commission will understand our position and remedy what we feel is a disregard of our rights as residents in the City.

Sincerely,
Ralph and Alice

February 25, 2017

(B) - SIZE COMPARISON CHART

Existing Multi-Unit buildings on Cesar Chavez between Noe and Sanchez.

Information was gathered at the San Francisco Property Information Map

Address	Units	Stories	Rooms	Building Area (sq. ft.)
4082-4084	3	1	8	1,958
4044	2	2	8	1,875
4038-4040	2	2	12	2,050
4034	4	2	16	3,880
4026-4028	3	2	11	2,289
1340 Sanchez	4	2	8	2,080
4095	12	3	35	5,940
4083-4085	3	2	11	2,264
4079-4079A	2	1	8	1,640
4073-4077	3	2	11	2,674
4055-4057	2	2	9	2,196
4033-4035	2	2	11	2,904
4023	2	2	9	3,770

Proposed

4043	2	4	4,343
4041	2	4	4,751



San Francisco Property Information Map

Public Access to Useful Property Information & Resources at the Click of a Mouse

[Map Help](#) | [Your Feedback](#)

Tell us what you think of this map.

[Link](#) [Terms of Use](#) [Download Data](#)

Step 1: Search or Click on the Map

Search Examples: 400 Van Ness Ave 0787/001
Mission and Van Ness 2015-005040PRJ
Ferry Building

6580035

Q SEARCH

[Measure Distance](#) | [Street View](#) | [Map Legend](#) | [Clear Map](#)



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Step 2: Review Property Information

Click tabs below to view property or parcel information

Property

Zoning

Preservation

Planning Apps

Building Permits

Other Permits

Complaints

Appeals

BBNs

Property Report: 6580035

General information related to properties at this location.

PARCELS (Block/Lot):

6580/035

PARCEL HISTORY:

None

ADDRESSES:

4043 CESAR CHAVEZ ST, SAN FRANCISCO, CA 94131

NEIGHBORHOOD:

Noe Valley

CURRENT PLANNING TEAM:

[SW Team](#)

PLANNING DISTRICT:

Select Language Powered by Google Translate
District / : Central

SUPERVISOR DISTRICT:

[District 8 \(Jeff Sheehy\)](#)

CENSUS TRACTS:

2010 Census Tract [021500](#)

TRAFFIC ANALYSIS ZONE:

Traffic Analysis Zone: 120

RECOMMENDED PLANTS:

Would you like to grow plants that create habitat and save water? Check out the plants that we would recommend for this property at [SF Plant Finder](#).

CITY PROPERTIES:

None

PORT FACILITIES:

None

ASSESSOR'S REPORT:

Please send requests for data changes directly to the [Office of the Assessor-Recorder](#)

Address: 4043 CESAR CHAVEZ ST

(C) - SAMPLE OF STRONG MID-BLOCK
PATTERN FROM RDG GUIDELINES

*Block with a strong mid-block
open space pattern.*



*Block with an irregular mid-block
open space pattern. The rear
yards of many of the parcels are
developed with structures.*



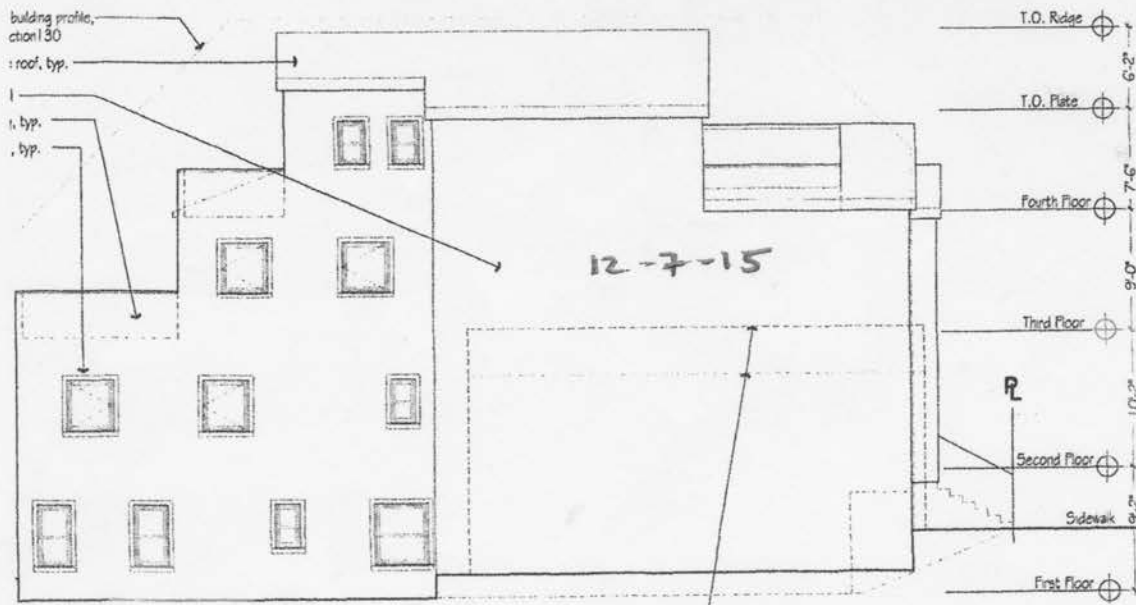
The height and depth of a building expansion into the rear yard can impact the mid-block open space. Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave surrounding residents feeling “boxed-in” and cut-off from the mid-block open space.

The following design modifications may reduce the impacts of rear yard expansions; other modifications may also be appropriate depending on the circumstances of a particular project:

- Set back upper floors to provide larger rear yard setbacks.
- Notch the building at the rear or provide setbacks from side property lines.
- Reduce the footprint of the proposed building or addition.

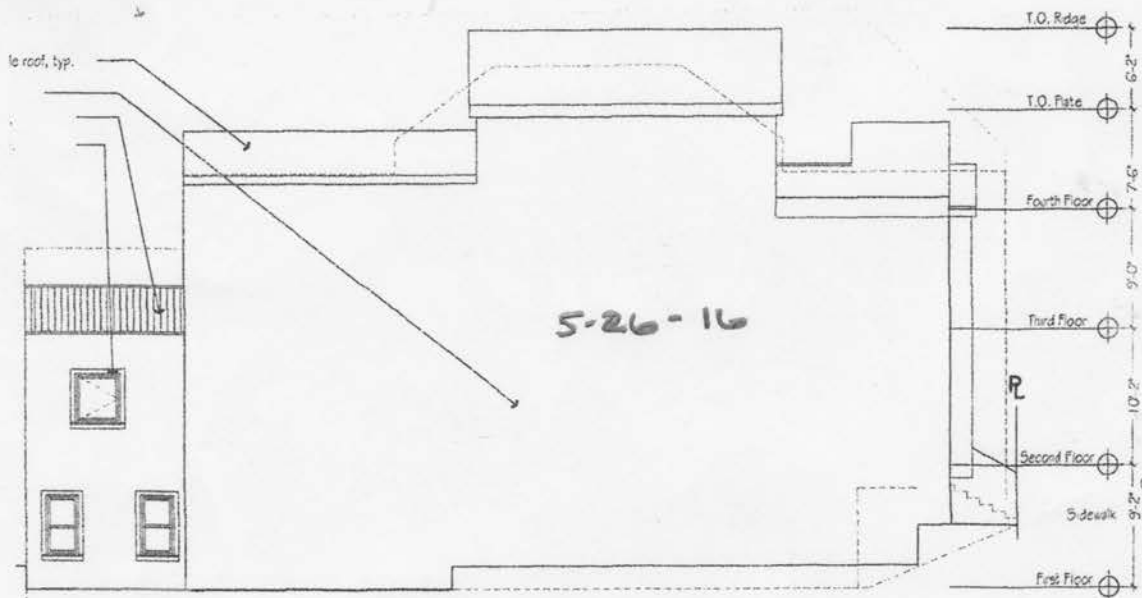
Planning Code
Section 134
establishes
minimum depths for
required rear yards
in all residential
districts. Planning
Code Section
136 summarizes
permitted rear yard
projections.

Proposed East Elevation



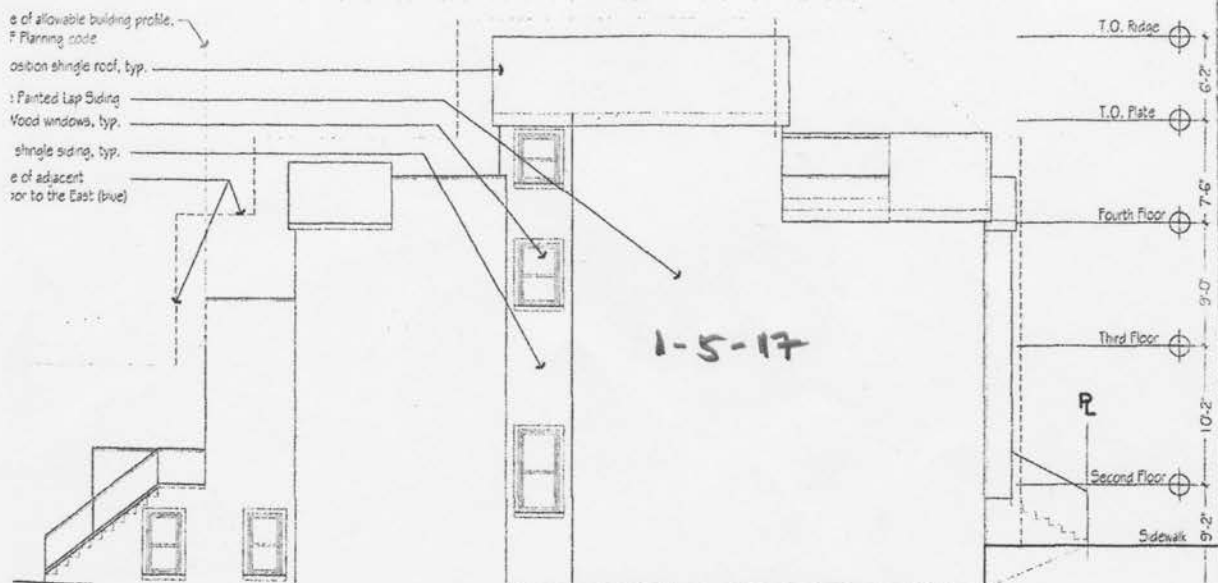
D (1) - EAST
EAST

One architect is remodeling two adjacent properties.

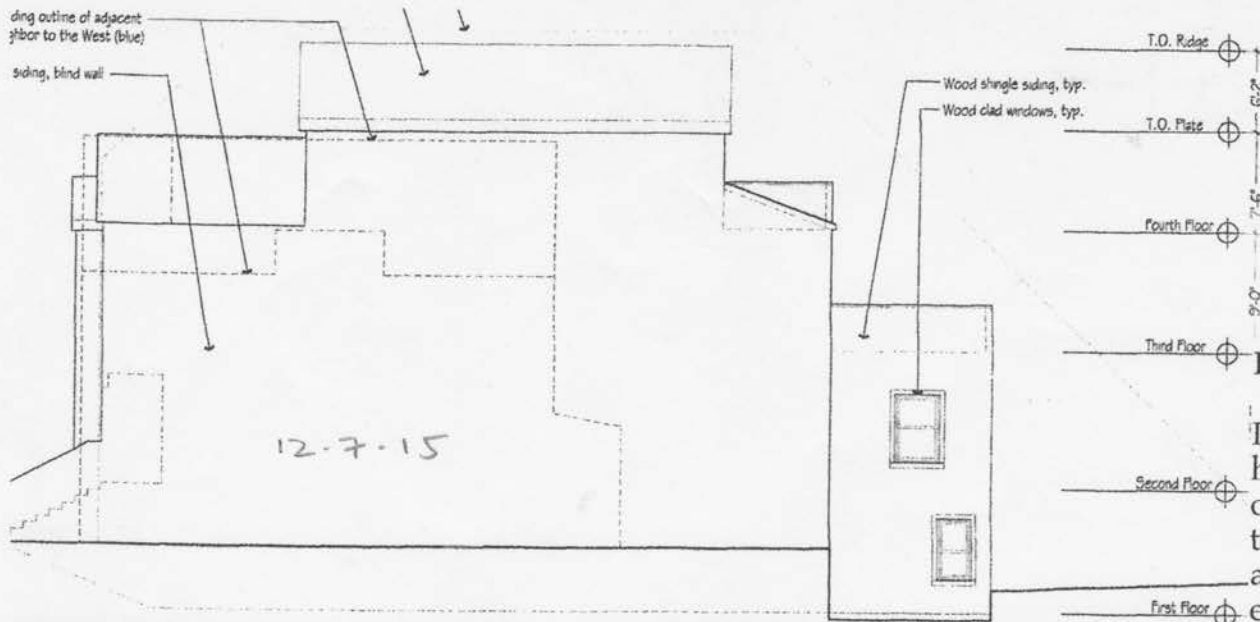


Intrusive features are placed on our side where they don't negatively impact his proposed buildings.

The West side is overloaded with windows while the East side is spared.



Proposed West Elevation

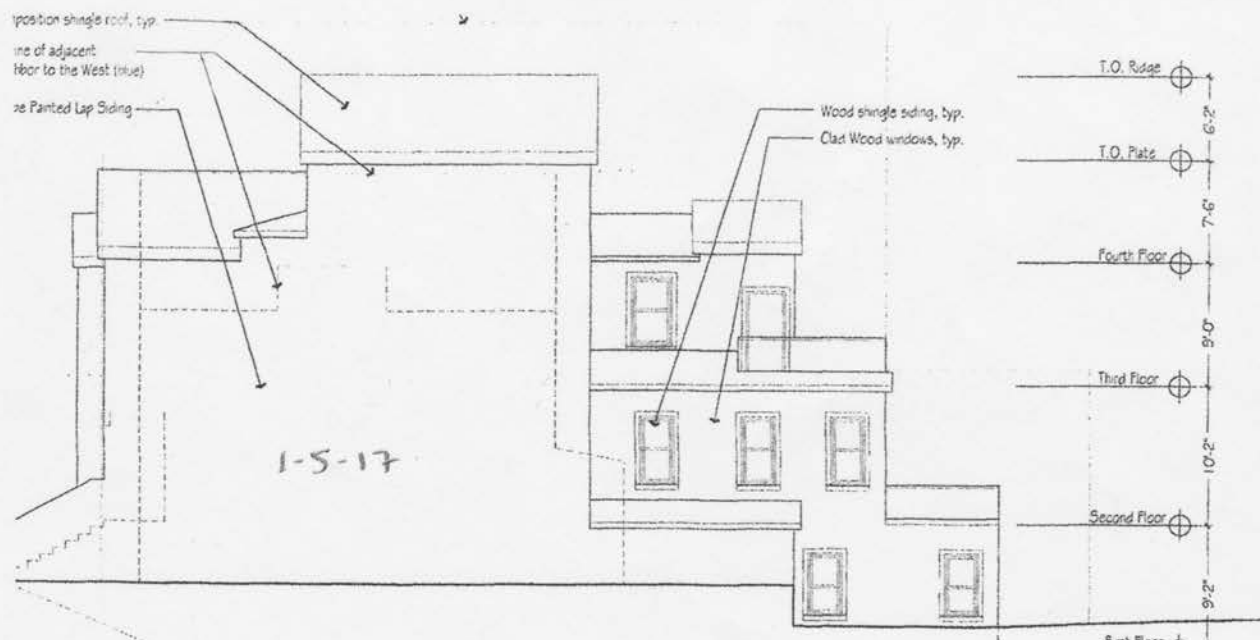
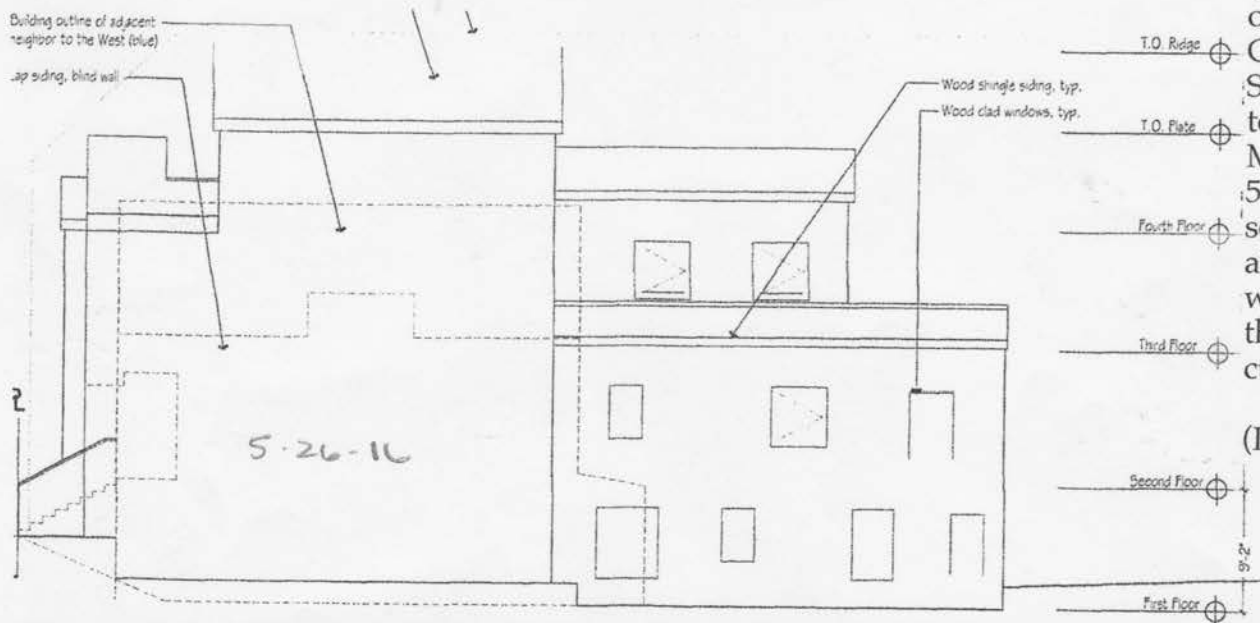


D (2) -
WEST

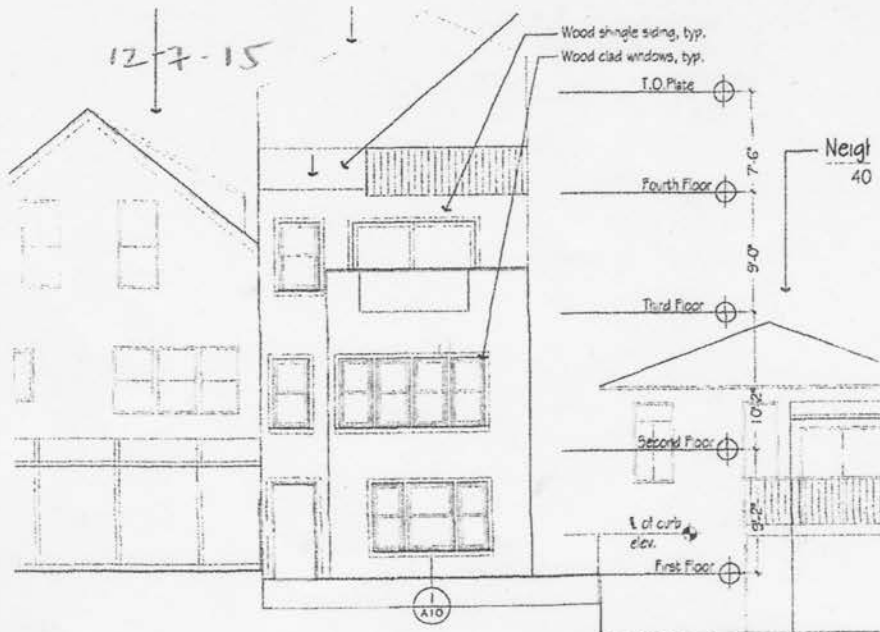
RDT Comments -

Please reduce the height of the rear of the building to 2-stories for any addition extending past the rear wall of 4047/4051 Cesar Chavez Street (neighbor to the west). Maintain the 5'-0" side setback along the west side that is currently proposed.

(RDG. Pg. 16, 26-28)

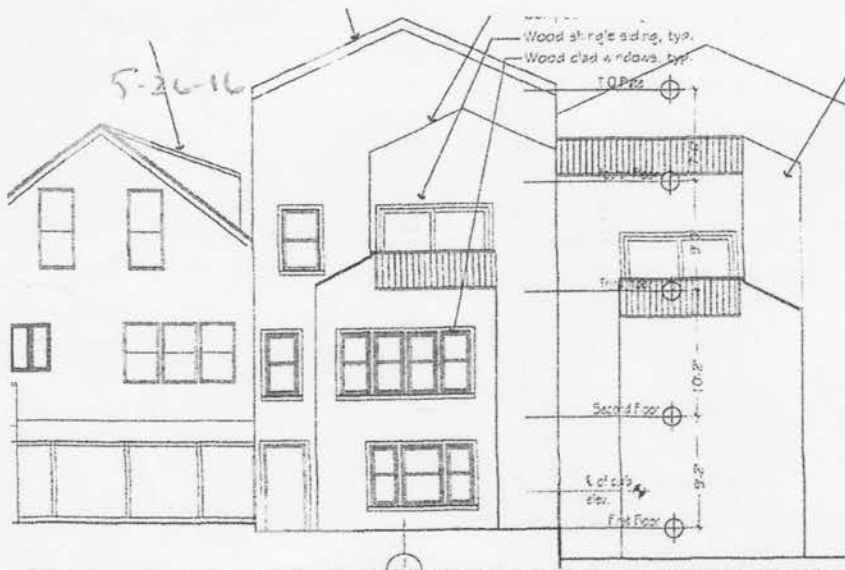


D (3) - SOUTH

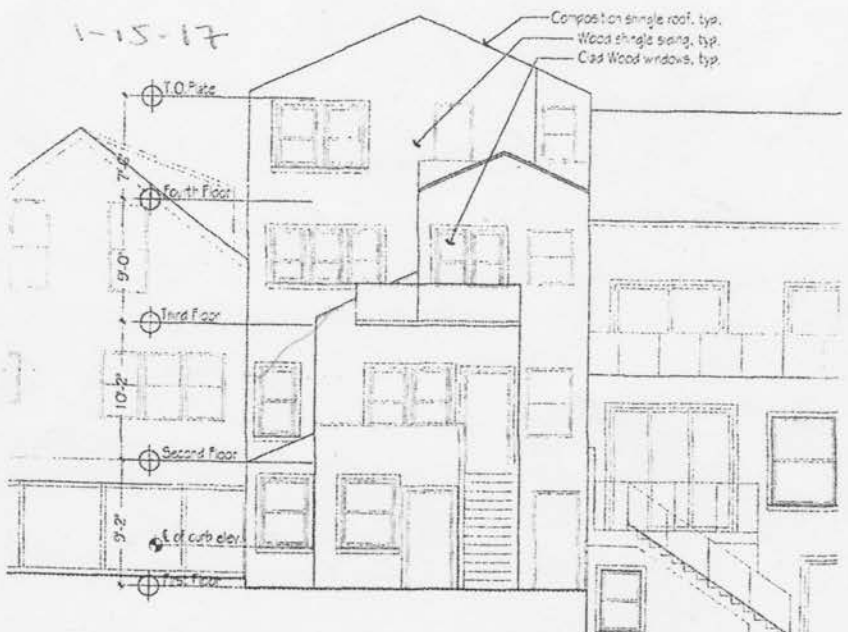


The rear design, in particular the pop out, is too large and extends way beyond the rear of our house, blocking almost all of our sun from the east.

This out of scale rear yard addition leaves us "boxed-in" and cut-off from the mid-block open space.



The front of our house has a northern exposure, there are no windows possible on the west and east. The only windows that allow sun into our house are facing the rear yard.



(E) - HOW OUR DORMER WILL BE BLOCKED



The proposed building will block our dormer window facing east. It is a source of sunlight and fresh air in the bathroom and provides light to a nearby stairwell.



(F) - SUGGESTED RESOLUTION

We suggest redesigning the property to eliminate the top floor setback. The square feet lost by eliminating the pop out could be re-gained by bringing the top floor forward, without a setback. While we know that The City encourages setbacks, we also know that it makes exceptions. Ten years ago our next door neighbor on the uphill side, 4051, added a second story and wanted to extend it beyond the rear of our house. Several neighbors wrote letters and the owners agreed to pushing the house forward. The City agreed to allow this as it quickly settled controversy out of court and out of the Planning Department.



(G)









From: [Ozzie Rohm](#)
To: planning@rodneymong.com; [Richards, Dennis \(CPC\)](#); richhillissf@yahoo.com; [Johnson, Christine \(CPC\)](#); mooreurban@aol.com; [Koppel, Joel \(CPC\)](#); [Melgar, Myrna \(CPC\)](#); [Moore, Kathrin \(CPC\)](#)
Cc: [Secretary, Commissions \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Noeneighborhoodcouncil Info](#); [Horn, Jeffrey \(CPC\)](#)
Subject: CUA Hearing for 4041 and 4043 Cesar Chavez Street - Permit Application No. 201607273501 and 201512215657
Date: Sunday, February 26, 2017 11:55:27 PM
Attachments: [4041-4043 Cesar Chavez CU Authorization Objections.pdf](#)

President Hillis and fellow Commissioners,

Please see the attached letter from Noe Neighborhood Council written in opposition to the demolition of 4041 and 4043 Cesar Chavez Street and their replacement with the proposed projects.

Sincerely,

Ozzie Rohm

Noe Neighborhood Council

Neighbors committed to fair planning for Noe Valley



Feb 26, 2017

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

Re: Objections to Conditional Use Authorization for 4041 and 4043 Cesar Chavez Street

President Hillis and Members of the Planning Commission,

On behalf of Noe Neighborhood Council, I am writing to express our opposition to the demolition of the dwellings at 4041 and 4043 Cesar Chavez Street and their replacement by the proposed projects for the following reasons:

The proposed projects are ghastly examples of out of scale and out of character houses that are an affront to the Residential Design Guidelines (RDG). These supersized dwellings stand to replace two modest homes that can accommodate families with modest means.

Furthermore, the proposed project at 4043 Cesar Chavez will greatly impact the light and privacy of the adjacent neighbors on the west side making them feel "boxed-in". Even the RDT's directions as reflected by NOPDR #1 and NOPDR #2 speak to this point:

Comments from NOPDR #1:

- In order to respect existing mid-block open space patterns and shallower neighbors on both sides, reduce the proposed three-story extension to two stories and provide a 5' setback along the north side property lines, similar to what is proposed to the on the south (RDGs pp. 16, 25-26)

Comments from NOPDR #2:

- Please reduce the height of the rear of the building to 2-stories for any addition extending past the rear wall of 4047/4051 Cesar Chavez Street (neighbor to the west). Maintain the 5'-0" side setback along the west side that is currently proposed. (RDG. Pg. 16, 26-28)

For reasons unbeknownst to us and the opposing neighbors, the above RDT directives were overturned by the senior management on August 15, 2016. There is no documented

Noe Neighborhood Council

Neighbors committed to fair planning for Noe Valley

justification as to why the directions resulting from the two RDT reviews were not good enough and had to be scrapped in favor of the sponsor's demand. To add insult to injury, the opposing neighbors who had been involved all along and had requested to be kept abreast of all developments did not learn until recently that the RDT's directions were overruled some 6 months ago. How could they have possibly been made aware of a decision that was a) made behind the scenes, b) was not documented, and c) was not supported by a written justification?

These are the reasons for which we urge you to reject the request for Conditional Use Authorization for both these projects and instead, require the project sponsor to comply with the RDT's original ruling and to re-design these houses in line with the mass and scale of the current surrounding buildings.

Sincerely,

Ozzie Rohm

On behalf of the 250+ members of Noe Neighborhood Council

From: [Ozzie Rohm](#)
To: planning@rodneyfong.com; [Richards, Dennis \(CPC\)](#); richhillissf@yahoo.com; [Johnson, Christine \(CPC\)](#); mooreurban@aol.com; [Koppel, Joel \(CPC\)](#); [Melgar, Myrna \(CPC\)](#); [Moore, Kathrin \(CPC\)](#)
Cc: [Secretary, Commissions \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Noeneighborhoodcouncil Info](#); [Horn, Jeffrey \(CPC\)](#)
Subject: Concerns Regarding the Review Process for 4043 Cesar Chavez Street
Date: Monday, February 27, 2017 1:03:08 AM

President Hillis and fellow Commissioners,

On behalf of Noe Neighborhood Council, I am writing to express our concerns regarding the review process for the project at 4043 Cesar Chavez Street.

The process was tarnished by the reversal of the RDT directions with no documented justification as to why. The RDT reviewed this project not once but twice and in both cases, they recommended the elimination of either all or a portion of the third floor to reduce the impact to the adjacent neighbors on the west side of the property. The sponsor didn't like this direction and asked for it to be overruled by senior management. Although there is an agenda of the meeting with senior managers that was held on August 15, 2016 to discuss the project sponsor's appeal, there is no record of the overruling or any justification as to why. Here is what the agenda of this meeting states:

ISSUES TO BE DISCUSSED: The project sponsor does not agree with the comments provided by the RDT. Wants proposed addition next door (same architect) to be considered for purposes of averaging and context.

Based on the above stated agenda, we understand that the project sponsor asked for overruling the RDT's directions because he had submitted plans for another similarly large project next door. It didn't matter that this project had not been built or the plans had not even been approved. He objected to the RDT's directions because he wanted to use the size of a building that didn't even exist for averaging.

The fact is that the unapproved adjacent projects from different owners are NEVER used in yard averaging as expressed by this published interpretation:

Subject: Averaging, phasing of multi-lot development

Effective Date: 11/90

Interpretation:

Averaging is used for front setback and rear yard determinations. Building limits are based upon the average setback, depth or height of the two immediately adjacent buildings. When several adjacent lots are proposed for development at the same time by the same developer, the phasing of their respective construction may affect the buildable area of the other buildings proposed for construction at the same time. In such cases, the scenario producing the smallest building volume will be used. If adjacent lots are concurrently proposed for development by different developers, conditions on adjacent lots or under construction at the time of application review will govern.

The reversal of the RDT's directions based on a building that doesn't even exist is

contrary to the above written interpretation and the Residential Design Guidelines that are intended to apply within the context of EXISTING neighboring buildings. That is why we ask that you do not authorize this project and require the RDT's original ruling to apply.

Moreover, we ask that you REQUIRE the senior managers to document RDT reversals so that the public can know who made the reversal and why it occurred. Such overrulings that are not disclosed to the public and are not documented with any supporting justification run counter to maintaining transparency.

As you are well aware, this is not the first time that the RDT's directions have been overturned with no documented justification. In the past year, you have had similar cases before you such as 2018 19th Street and 1469 Pacific Avenue. Until you require documentation, reversals will continue to happen behind the scenes, without good reasons and with no written record.

We urge you to take our above concerns into consideration and reject the Conditional Use Authorization requested for this project to send a strong message that written RDT directives deserve written justifications when overruled and such justifications must comply with the Planning Code and their interpretations.

Sincerely,

Ozzie Rohm

On behalf of the 250+ members of Noe Neighborhood Council

From: [Brad Bettinger](#)
To: [Horn, Jeffrey \(CPC\)](#)
Cc: [Ralph Gutlohn](#)
Subject: 4021 amd 4043 Cesar Chavez St New Construction
Date: Sunday, February 26, 2017 7:46:49 PM

Dear Mr. Horn,

I live almost directly across the street from the proposed construction at 4041 and 4043 Cesar Chavez St.

The height and depth will cut out the light and impact the privacy currently present in the mid-block open space.

As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit in with the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block. I do not support the large size of the proposed extensions into the rear yards because the buildings would eliminate too much privacy and light from the adjacent neighbor at 4047 Cesar Chavez St.

Such massive houses are disruptive to the character of the street and community. I do not want a precedent set that will have this kind of negative impact in the future.

Bradley Bettinger, MD, FACR
4022 Cesar Chavez St
San Francisco CA 94131

From: [Wendy S Bertrand](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: 4041 and 4043 Cesar Chavez Conditional Use
Date: Sunday, February 26, 2017 8:34:55 PM

Hello Jeffrey Horn

Request planner action to deny conditional use and direct project developer to reduce scale of building, respect neighbors privacy, and increase open space for light and landscaping for both proposed projects.

Existing neighborhood context and character matters and architectural design quality is significantly lacking in the current drawings presented for 4041 and 4043 Cesar Chavez. One alone would be outrageous but two side by side is drastic and needs to be swiftly corrected. Both projects are oversized and overbearing and are disrespectful to the neighbors that are on the block and all the residents that would have to tolerate the negative scale in the center of the block and appearance bulk impact on the public street.

We the neighbors and you the planners must insist that the good efforts to provide two units on each lot are not tools of blackmailing-type tactics to ruin the quality of life for existing and future residents. Past behavior of developers appear to leave city officials without the guts to defend our beautiful livable city. Why is that? The city planners can do better and I encourage you to use your training to insist on urban design projects that meet the intent and letter of the design guidelines that set forth the directions that quality architects would normally follow with creativity, skill, and respect. This is not the case here. I am strongly opposed to the proposed inappropriate plans.

I live in Noe Valley and I, like most of my neighbors do not want a precedent set that will have this kind of significant negative physical and mental impact on all of us and all passers. Planners have the authority and training to curb this disrespect for city fabric, visual context, historical scale, livability, blocking light, not creating gardens and much more. Please set your standards higher and enforce good urban design, and do not give in the pressure of unenlightened pushers of these projects at 4041 and 4043 Cesar Chavez. Redesign is essential, to scale back the size and bulk proposed. Deny conditional use.

Please take action to listen to and respect specific neighbors requests that will reduce the rude harshness of these projects' immediately and in the long term. We count of you to stand up to gross abuse of scale for our neighborhood, for our city, for our planet. We ALL need to build smaller not bigger.

Respectfully,

Wendy Bertrand, Architect
478 27th Street
San Francisco, 94131

From: [Mary Murphy](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: 4041 and 4043 Cesar Chavez St.
Date: Monday, February 27, 2017 11:08:10 AM

Dear Mr. Horn,

I have lived at this address for 60 years, and am a native of San Francisco.
I am opposed to the current plans for rear extensions at 4041 and 4043 Cesar Chavez St.
The height and depth will cut out the light and impact the privacy currently present in the mid-block open space.
As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit in with the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block. I do not support the large size of the proposed extensions into the rear yards because the buildings would eliminate too much privacy and light from the adjacent neighbor at 4047 Cesar Chavez St. Although I am not an immediate neighbor, I live in Noe Valley and do not want a precedent set that will have this kind of negative impact on me in the future.

Sincerely

Mary Murphy

4058 Cesar Chavez St

From: dandizo@earthlink.net
To: [Horn, Jeffrey \(CPC\)](#)
Subject: 4041 and 4043 Cesar Chavez Street
Date: Monday, February 27, 2017 11:35:07 AM

Dear Mr. Horn

I am opposed to the current plans for rear extensions at 4041 and 4043 Cesar Chavez St.

The height and depth will cut out the light and impact the privacy currently present in the mid-block open space. The south side of Cesar Chavez Street between Sanchez and Noe has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit in with the scale currently existing in this mid-block open space. The overall mass of the proposed projects will not only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block.

I do not support the large size of the proposed extensions into the rear yards because the buildings would eliminate too much privacy and light from the adjacent neighbor at 4047 Cesar Chavez St. Although I am not an immediate neighbor, I live in Noe Valley and do not want a precedent set that will have this kind of negative impact on me in the future.

Thank you

Dan Cumings
1514 Sanchez Street

From: [Aaron Winer](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: 4041 and 4043 Cesar Chavez Street
Date: Tuesday, February 28, 2017 9:54:49 AM

Mr. Horn,

We are writing to voice our opposition to elements of the current proposals for rear extensions at 4041 and 4043 Cesar Chavez Street.

It seems apparent from the plans we have seen that the height and depth of these properties will compromise the mid-block open spaces of this street. Furthermore, the large size and proportions of the proposed extensions into the rear yards, as currently designed, appear to eliminate much privacy and light from the adjacent neighbors.

As shown in zoomed aerial views of the block via Google Earth, the south side of Cesar Chavez Street between Sanchez and Noe reveals a strong mid-block open space pattern which presumably has been the case for almost 100 years. The height and depth of the proposed rear extensions seem to be in conflict with that topography, while the overall mass of the projects appear to have the effect of boxing-in the adjacent neighbors.

Although we are not immediate neighbors of said project, we are natives of Noe and Eureka Valleys and do not want to see a precedent set that will duplicate these consequences in the future. The persistent charm of Noe Valley, as represented by the existing configurations on this residential block, has a direct correlation to the value of the resident's properties, to say nothing of the quality of life that drew people to the neighborhood in the first place. We do not want to see this disappear in the interest of development or in the imperative to create new dwelling units, as important as that is.

We are not opposed in a general sense to the development, design and construction of new homes in our city, and we believe in granting as much architectural latitude as is practical, short of any measurable imposition those designs may have on individuals who would be affected by their construction. Our one and only objective in questioning these aforementioned elements of the proposals for 4041 and 4043 Cesar Chavez is to preserve a meaningful portion of the characteristics which brought and have kept people here, and which have been in existence for many decades. We depend on the planning department to be fair and reasonable in this circumstance.

Thank you.

Aaron Winer

From: [Lawrence Ratner](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: 4041 and 4043 Cesar Chavez
Date: Sunday, February 26, 2017 5:57:07 PM

Dear Mr Horn,

We are residents of Noe Valley and have become aware of the current plans for rear extensions at 4041 and 4043 Cesar Chavez St. Although we are not *directly* affected by the plans on Cesar Chavez we are very concerned about precedents being established for the area we have lived in for 32 years. A similar project in our own neighborhood/block would drastically change what has been and is presently a very pleasant and wonderful neighborhood in the City. Our concerns and objections to the proposed Cesar Chavez plans are as follows:

The height and depth as proposed in those plans will dramatically decrease the light in addition to impacting the privacy currently present in that mid-block open space. As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit with the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block.

The large size of the proposed extensions into the rear yards directly impacts the adjacent neighbor at 4047 Cesar Chavez St and would eliminate the privacy and decrease the light currently available to the residents of that property.

Concerned Noe Valley residents,

Lawrence and Carol Ratner
1531 Noe Street

From: Danduncanlaw@aol.com
To: [Horn, Jeffrey \(CPC\)](#)
Subject: 4041/4043 Cesar Chavez
Date: Monday, February 27, 2017 3:15:17 PM
Attachments: [jeffrey.horn.ltr.pdf](#)

Dear Mr. Horn,

Please see attached letter regarding the upcoming hearing regarding 4041 and 4043 Cesar Chavez Street.

Dan Duncan

Dan & Jacqueline Duncan
1122 NOE STREET
SAN FRANCISCO, CALIFORNIA 941414
Email: danduncanlaw@aol.com

February 27, 2017

Jeffrey Horn (Jeffrey.Horn@sfgov.org)
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Dear Jeffrey Horn:

It is my hope that the San Francisco Planning Department will consider the views of Noe Valley residents who object to the relentless infill of Noe Valley with huge, over scale buildings.

I have been a Noe Valley resident since 1965 and I have personal experience with the effect of razing single story homes and erecting McMansions adjacent to a property I own at 1620 Noe Street. When my wife and I bought the property at 1620 Noe Street in 1991 there were mostly single story homes within the view of our building; however, in the years since, neighboring single story buildings on 29th Street have been razed and replaced by unattractive, multistory boxlike edifices which block our view and light in our back yard and create wind currents and eddies which reduce the enjoyment of the back yard.

My wife and I are opposed to the proposed plans to demolish the two existing houses at 4041 and 4043 Cesar Chavez which are in scale with the current neighborhood buildings and construct two massive 4500 square foot, four story McMansions intended to occupy considerably more land than the present structures cover and have exterior decks which overlook the adjacent properties, interfering with the privacy of adjacent property owners.

Although we do not own property on Cesar Chavez, we own two properties on Noe Street and a property on Castro Street, all of which are threatened by the invasive infill of oversized buildings. As we learned when giant buildings were built next to our single family Edwardian at 1620 Noe Street, the proposed height and depth of these two projects on Cesar Chavez will block light and impact the privacy of neighboring homes and substantially reduce open space. The mass of the proposed projects will negatively impact the mid-block open space enjoyed by all residents of the block. Because of the lack of front yards in San Francisco, mid-block backyard open space is of paramount importance. The height and depth of the proposed rear extensions do not fit in with the scale currently existing in this block. The size of the proposed extensions into the rear yards should be reconsidered because the height and depth would negatively impact the adjacent neighbors' privacy and light.

This infill of huge, bloated over scale buildings in a neighborhood of smaller houses, where Victorian and Edwardian houses are replaced by huge edifices which are far too large for the lot,

looming over adjacent homes, is unattractive and harms the character of the neighborhood.

My (admittedly inexperienced) review of the proposed elevation drawings slated for the previously quiet and low profile block of Cesar Chavez indicates that the existing homes will be dwarfed on both sides and blocked in without regard to the concerns of the owners of the existing houses and these projects lack side windows due to the proximity to the lot lines – a feature which brings to mind the famous Crocker “spite fence”.

Noe Valley is home to the highest concentration of row houses in San Francisco, lending it an overall striking appearance - lined with classic Victorian and Edwardian residential architecture – but this is changing due to the Silicon Valley money pouring in. The Planning Department is the only entity in San Francisco which can effectively preserve the character of Noe Valley by keeping new building mass compatible scale with existing homes.

Over the past four decades the average American urban household size has shrunk significantly while the size of the average single-family house in major metropolitan areas has increased from about 1,700 square feet to about 2,500 square feet (twice that amount in these cases). I don't think that the present homeowners on the affected block of Cesar Chavez will have a chance to save themselves from these oversized behemoths unless the Planning Department reins in the size and scale of these two projects. Without sensible oversight by San Francisco planners, our city is going to turn into a featureless, bland world, where a family with a “little house” is simply going to be overwhelmed.



I am sending this to you via email, as I understand that today is that last day that the opinions of Noe Valley residents will be considered. It was my intention to appear personally to speak against these outsized buildings at the Planning Commission Hearing on March 9th; however, I will be out of town on that date. Please feel free to contact me, however.

Sincerely,

Dan Duncan

Dan Duncan

From: [Toni Nemia](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: 4041-4043 Cesar Chavez St.
Date: Sunday, February 26, 2017 8:06:34 PM

Dear Mr. Horn,

I live almost directly across the street from the proposed construction at 4041 and 4043 Cesar Chavez St.

The height and depth will cut out the light and impact the privacy currently present in the mid-block open space.

As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe

has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit in with

the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not

only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block. I do not support the large size of the proposed extensions into the rear yards because the buildings would eliminate too much privacy and light from the adjacent neighbor at 4047 Cesar Chavez St.

Such massive houses are disruptive to the character of the street and community. I do not want a precedent set that will have this kind of negative impact in the future.

Sincerely,

Antoinette Nemia
4022 Cesar Chavez St.
San Francisco, CA 94131

From: [Doug Hall](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: Against proposed extensions at 4041 and 4043 Cesar Chavez Sts.
Date: Monday, February 27, 2017 5:58:55 AM

Dear Jeffery Horn,
I was shocked to learn of the current plans for rear extensions at 4041 and [4043 Cesar Chavez Street](#) that are planned at a height and depth that will greatly alter privacy and light in the adjacent properties. I have been a resident of Noe Valley for 40 years and value the openness of our back yards that bring light and privacy while providing great swaths of green space through our neighborhoods. Looking at the drawings that were recently sent me I can see that the proposed extensions defile the intimate scale that is so important in the mid-block design of most of our [Noe Valley](#) neighborhoods.

Although my property is not directly affected, allowing this insensitive design to move forward would set a terrible precedent for our neighborhood. More specifically the design as now proposed will negatively affect all of

the adjacent properties, depriving them of light and privacy, particularly those most proximate at 4047 Cesar Chavez. For these reasons I vehemently oppose the projects currently being proposed for 4041 and 4043 Cesar Chavez and urge you to do whatever is necessary to stop them.
Sincerely, Douglas Hall

Douglas Hall
4131 23rd Street
San Francisco, CA 94114
415-264-1721

Sent from my iPad

From: [Lisa Gross](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: Building on Cesar Chavez
Date: Sunday, February 26, 2017 7:14:02 PM

Hello:

I am opposed to the current plans for rear extensions at 4041 and [4043 Cesar Chavez St.](#)

The height and depth will cut out the light and impact the privacy currently present in the mid-block open space.

As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit in with the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not

only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block. We do not support the large size of the proposed extensions into the rear yards because the buildings would eliminate too much privacy and light from the adjacent neighbor at [4047 Cesar Chavez St.](#) Although I am not an immediate neighbor, I live in [Noe Valley](#)/Glen Park and do not want a precedent set that will have this kind of negative impact. I've already experienced construction next to my house that impacted me and feel that others should not be taken advantage of in the same way by expensive development projects. These projects do not honor SF architecture or the community.

Thank you- Lisa Gross

Sent from my iPhone

From: [Mary Lou Manalli](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: Cesar Chavez St. Plans
Date: Sunday, February 26, 2017 9:10:51 PM

Dear Mr. Horn,

I am writing re: 4041 and 4043 Cesar Chavez st. The proposal, to replace two tiny houses with two massive structures, is completely out of character for the neighborhood. The most egregious violations occur in the rear portion, the height and volume of which will not only block out light but destroy the private tranquility of all the connected backyards. Could that not be moved to the front of the structure?

To call either of these homes two stories (originally) is to stretch the truth to its limits. The so called second story was a barely livable hovel. The honest square footage would be closer to 900, and now we will be dealing with a 45 hundred square foot rectangle which belongs in another part of town.

I urge you to view these plans with an eye toward what they will do to the neighborhood and what sort of precedent they will set. Certainly these plans can be altered to fit in more with the scale and the look of the street.

Thanks for your attention.

Mary Lou Manalli
4042 Cesar Chavez.

From: [Bill Snyder](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: Development on Cesar Chavez St.
Date: Sunday, February 26, 2017 9:56:15 PM

I am opposed to the current plans for rear extensions at 4041 and 4043 Cesar Chavez St. The height and depth will cut out the light and impact the privacy currently present in the mid-block open space.

As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe

has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit in with

the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not

only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents

of the block. I do not support the large size of the proposed extensions into the rear yards because the buildings would

eliminate too much privacy and light from the adjacent neighbor at 4047 Cesar Chavez St. Although I am not an immediate neighbor,

I have lived in Noe Valley and nearby Glen Park for more than 25 years and do not want a precedent set that will have this kind of negative impact on me in the future.

Thank you for your consideration,

Bill Snyder

94131

Bill Snyder

Editor, Bay News Rising

415-824-3875

mobile: 415-307-3875

www.billsnyder.biz

Follow me on Twitter: BSnyderSF

Contributing writer and columnist:

CIO -- "Consumer Tech Radar"

Contributing writer: InfoWorld

IDG Content Works

Stanford and Haas schools of business

From: zenpacific@aol.com
To: [Horn, Jeffrey \(CPC\)](#)
Subject: Fwd: 4041 and 4043 Cesar Chavez Street proposed construction project
Date: Sunday, February 26, 2017 5:31:22 PM

Jeffrey, I am re sending my e mail as I believe I used a misspelling of your name on my last e mail.

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

From: zenpacific <zenpacific@aol.com>
To: jeffery.horn <jeffery.horn@sfgov.org>
Sent: Sat, Feb 25, 2017 11:46 pm
Subject: 4041 and 4043 Cesar Chavez Street proposed construction project

To: Jeffrey Horn
S.F. Planning Dept.

Dear Mr. Horn,

We are opposed to the current plans for rear and vertical extensions at 4041 and 4043 Cesar Chavez St. The height and depth will cut out the light and impact the privacy currently present in the mid-block open space.

As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe has a strong mid-block open space pattern.

The height and depth of the proposed rear extensions do not fit in with the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block.

We strongly object to the large size of the proposed extensions into the rear yards because the buildings

would

invade and diminish too much privacy and light, not only for the adjacent neighbor at 4047 Cesar Chavez St. but for others in the vicinity. Besides the lasting inconvenience it would impose, a building this large and out-of-scale for the neighborhood would be an eyesore, likely to diminish the monetary value of the nearby properties.

We live in Noe Valley, one block down on Cesar Chavez, and do not want a precedent set that will have this kind of negative impact on us and the neighborhood in the future.

Sincerely,

David Milazzo & Marilyn Wylder
3992 Cesar Chavez Street

From: [rick bonilla](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: Planned developments at 4041 and 4043 Cesar Chavez St.
Date: Monday, February 27, 2017 12:24:32 AM

Dear Mr. Horn,

I am writing to suggest and strongly urge reconsideration of the rear lot coverage at these two sites. As designed the two buildings intrude far into the rear yard area and in doing so will cause unpleasant impacts including loss of sunlight and privacy to my friends at 4047 Cesar Chavez St. My friends make extensive use of their rear yard and have spent considerable sums improving with plantings and art. People and plants require sunlight and this impact would continue for longer than my friends will live. The value of this loss is significant.

I can see in looking at the plans that the owner has attempted to show some consideration for these issues but I would argue that these efforts are not enough. The fashion in which the rear of the building steps back from the rear of my friends house is appropriate but, after reviewing the floorplans I believe the entire rear of the new building at 4043 Cesar Chavez St., at each different floor, should come 10 feet back toward the street. Additionally, I have looked at the buildings going around the block and I don't see any four story frontages. Architecturally this seems out of place. I would urge that the fourth floor be eliminated so that these buildings can respect the existing character of this beautiful neighborhood. This would greatly reduce the negative impacts on 4047 Cesar Chavez St.

I know that you look at proposals like this everyday. You need to make decisions like this all the time. I ask that you take a few minutes to go out and take a thoughtful walk around the block and ask the owner to let you see the rear yard spaces. Please just give it some thought and try to balance the needs of those who have lived here for many years against the investors desires.

Thank you,
Rick Bonilla
Retired Union Carpenter
Former Planning Commissioner

From: [Kevin Danaher](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: proposed development at 4043 and 4041 Cesar Chavez Street
Date: Sunday, February 26, 2017 7:57:47 PM

Dear Mr. Horn,

I just want to register my opposition to the proposed demolition of the existing residential structures at 4043 and 4041 Cesar Chavez and their replacement with tall multi-unit buildings. Having lived in Noe Valley since 1985 (at 1519 Sanchez St.), I have seen lots of gentrification and money-making at the expense of the neighborliness of our neighborhood. Housing should be for people to have a home, not for outside interests to come in and make money by messing with our neighborhood.

Thanks for considering my opinion.

Sincerely,

Dr. Kevin Danaher

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[This site](#) has a number of my talks and interviews.

Please check out my blog: <http://www.huffingtonpost.com/kevin-danaher/>

Kevin Danaher, PhD

Co-Founder, Global Exchange, Green Festival, Fair Trade USA

415-902-9796

www.globalexchange.org

From: [Joseph Hughes](#)
To: [Horn, Jeffrey \(CPC\)](#)
Subject: Re: Proposed Rear Extensions at 4041 and 4043 Cesar Chavez Street
Date: Monday, February 27, 2017 8:55:50 PM

February 27, 2017

Mr. Jeffrey Horn
City Planning Department
San Francisco, CA
<Jeffrey.Horn@sfgov.org>

Re: Proposed Rear Extensions at 4041 and 4043 Cesar Chavez Street

Dear Mr. Horn:

We are opposed to the current plans for rear extensions at 4041 and 4043 Cesar Chavez Street.

The height and depth will cut out the light and impact the privacy currently present in the mid-block open space.

As shown in an aerial view of the block, the south side of Cesar Chavez Street between Sanchez and Noe has a strong mid-block open space pattern. The height and depth of the proposed rear extensions do not fit in with the scale currently existing in this particular mid-block open space. The overall mass of the proposed projects will not only box-in the adjacent neighbors, but will also negatively impact the mid-block community amenity shared by all residents of the block. We do not support the large size of the proposed extensions into the rear yards because the buildings would eliminate too much privacy and light from the adjacent neighbor at 4047 Cesar Chavez St.

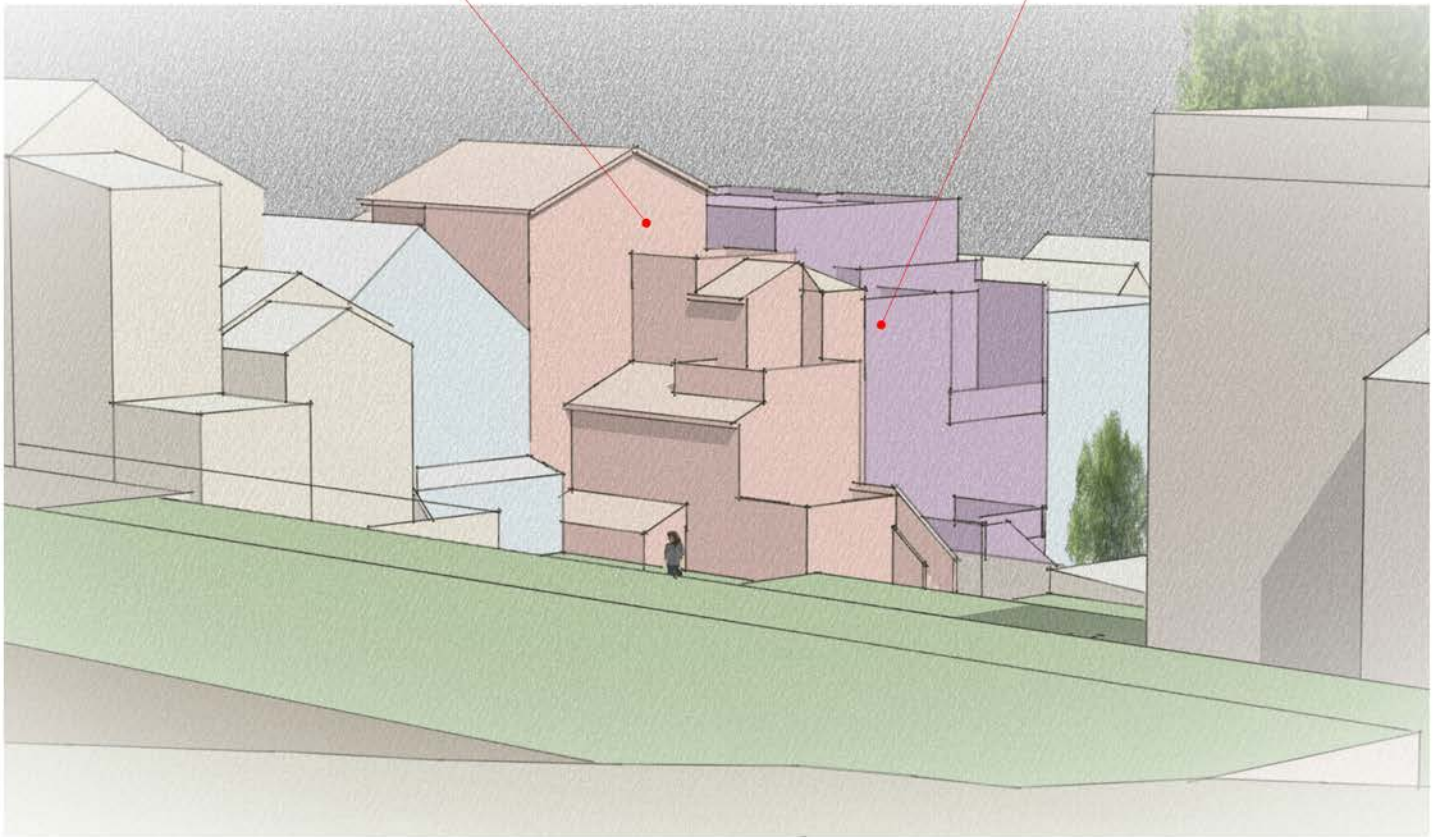
Although we are not immediate neighbors, we live in Noe Valley and do not want a precedent set that will have this kind of negative impact on us in the future.

Respectfully yours,

Joseph Hughes
<joseph.f.hughes@att.net>

4043 Cesar Chavez

4041 Cesar Chavez



4043 Cesar Chavez

4041 Cesar Chavez



4041-4043 Cesar Chavez St.
Neighborhood Study

Modified Proposal
March.1.2017

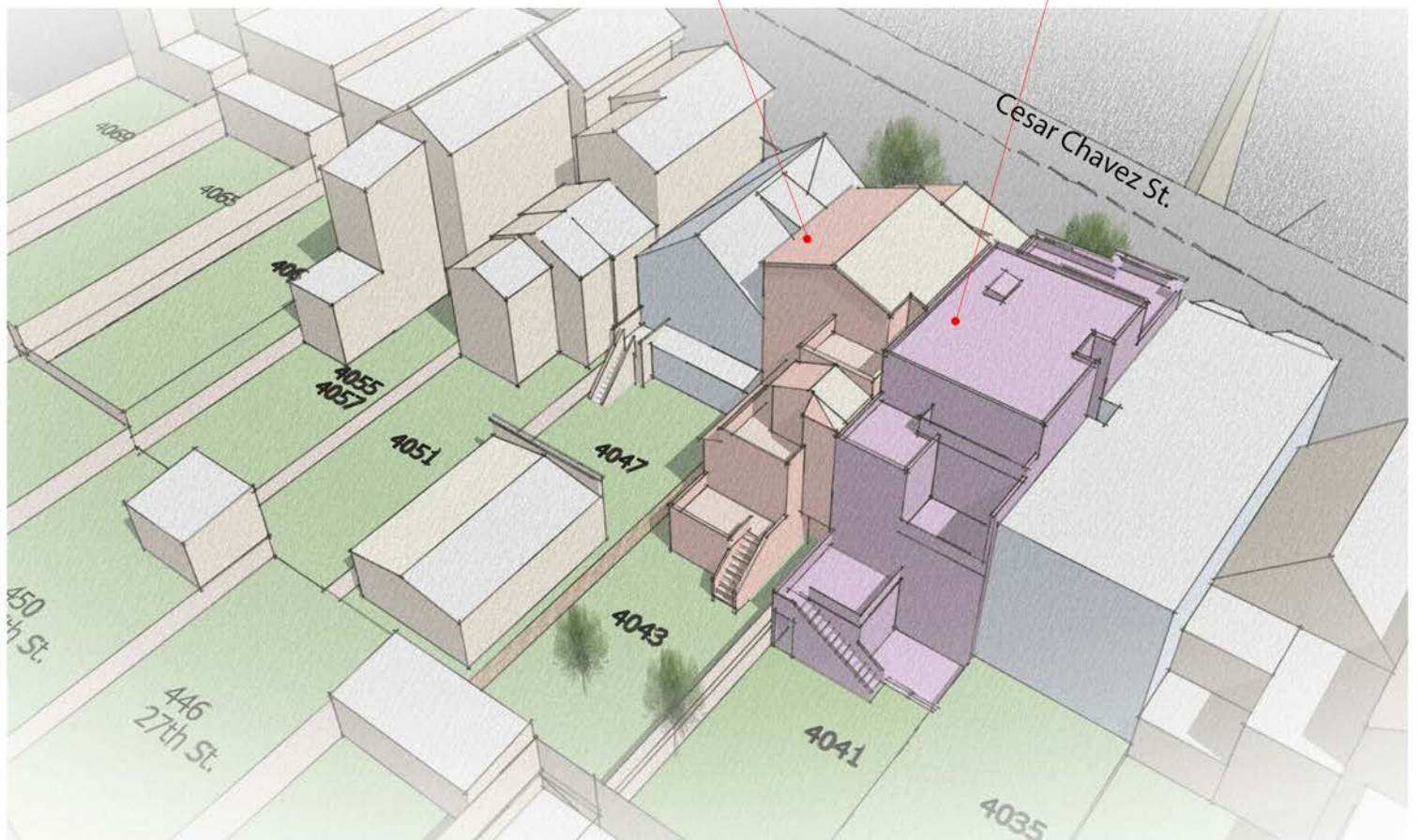
4043 Cesar Chavez

4041 Cesar Chavez



4043 Cesar Chavez

4041 Cesar Chavez



4041-4043 Cesar Chavez St.
Neighborhood Study

Modified Proposal
March.1.2017

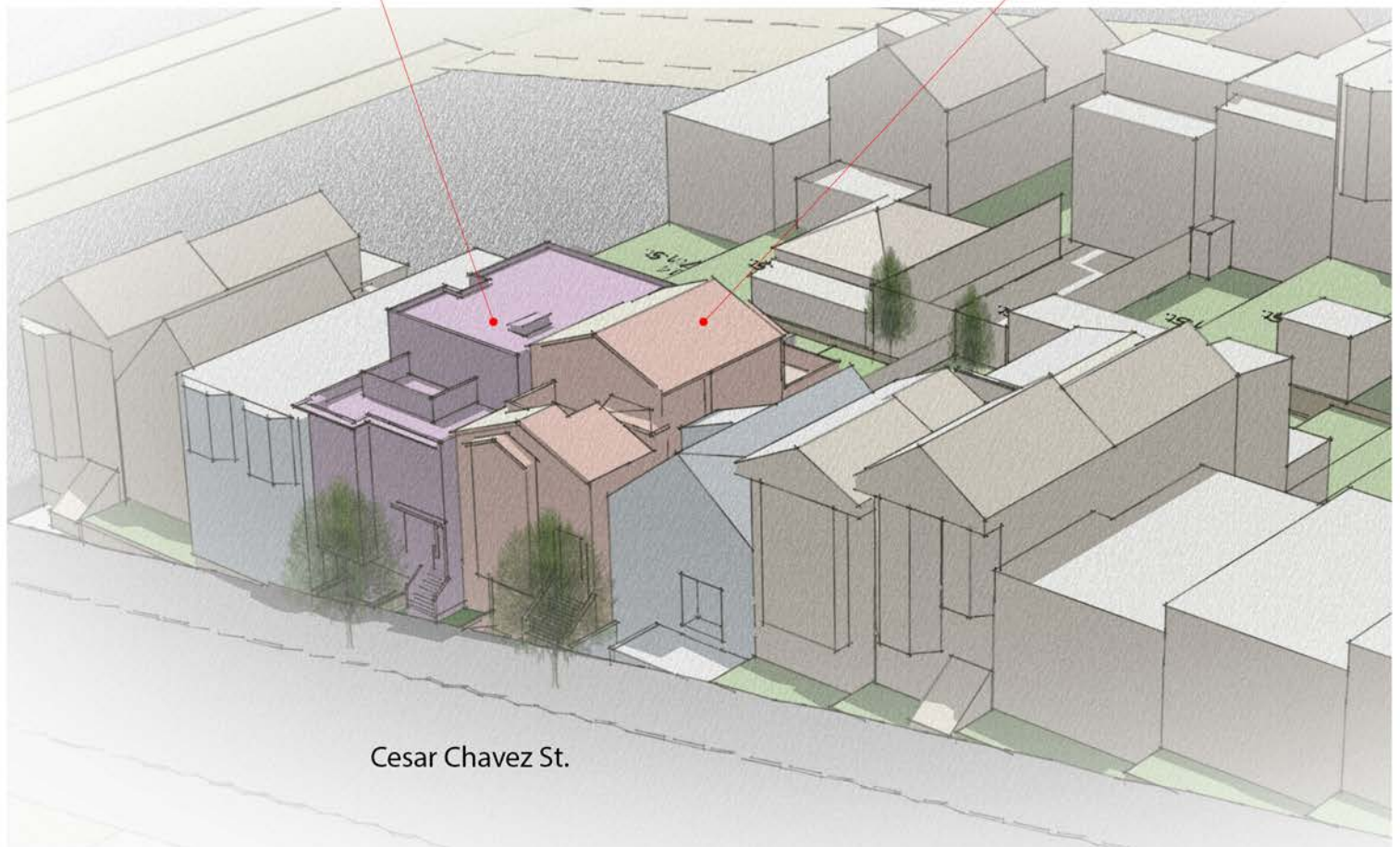
4043 Cesar Chavez

4041 Cesar Chavez



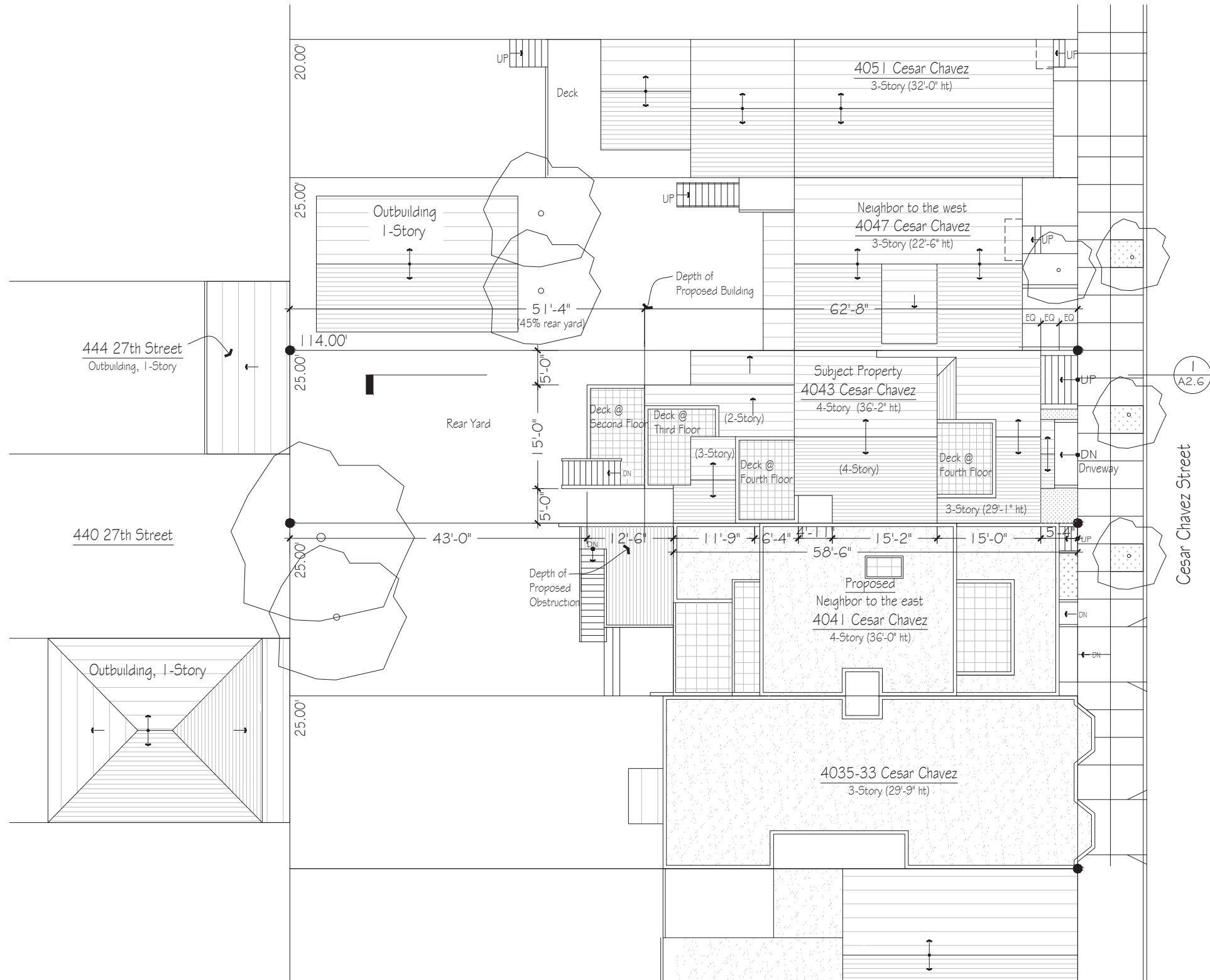
4043 Cesar Chavez

4041 Cesar Chavez



4041-4043 Cesar Chavez St.
Neighborhood Study

Modified Proposal
March.1.2017



1 Proposed Site & Roof Plan

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



Directory

Owner:
4043 Cesar Chavez LLC
4043 Cesar Chavez Street
San Francisco, CA 94131
mobile: 415-760-8108
email: mauriceoldsodinc@yahoo.com

Architect:
Ernie Selander
2095 Jerrold Ave. Suite 319
San Francisco, CA 94124
mobile: 415.385.4339
email: ernie@selanderarchitects.net

Planning Information:

Zoning District: RH-2
Height/Bulk District: 40-X
Lot Area: 2,850 sf

Building Information:

2013 CBC and all San Francisco
Building, Mechanical, Plumbing,
Electrical and Fire Code
and amendments.

Existing:

Single Family Dwelling (SFD)
w/ Outbuilding
2-Story, 17'-6" ht
Construction: Type V - B
Occupancy : R3
Area: 1st Flr - 906 sf
2nd Flr - 923 sf
Total - 1829 sf

Proposed:

2-Unit Dwelling - 4-Story,
29'-1" ht @ Cesar Chavez St.
36'-2" ht @ Setback
Construction: Type V - B
Occupancy : R3

Building Area (sq ft):	Existing	Proposed	
Garage	-	580	
Lower Unit			
First Floor	906	739	
Second Floor	924	1238	1977
Upper Unit			
Third Floor	-	968	
Fourth Floor	-	463	1431
Total	1830	3408	

Deck Area	Existing	Proposed	
First Floor	-	-	
Second Floor	76	104	
Third Floor	-	98	
Fourth Floor	-	212	
Total	-	414	

Project Location



Project Description

Demo existing Single Family Dwelling
and replace with 2-unit, 4-story dwelling.
New driveway and garage below.

Sheet Index

AO	Project Info. and Proposed Site Plan
S1	Survey
A1.1	Existing Site Plan
A1.2	Existing Floor Plans & Elevation
A1.3	Existing Elevations & Section
A2.1	Proposed 1st & 2nd Floor Plans
A2.2	Proposed 3rd & 4th Floor Plans
A2.3	Proposed Front & Rear Elevations
A2.4	Proposed West Elevation
A2.5	Proposed East Elevation
A2.6	Proposed Section

SELANDER ARCHITECTS
2095 Jerrold Avenue, Suite 319, SF, CA 94124
ernie@selanderarchitects.net 415.385.4339

4043 Cesar Chavez Street
San Francisco, CA 94131
Parcel # 6580 / 035

Issue:	Date:
Site Permit	23/12/16
Rev for CU	1/10/17
Rev for CU	2/24/17

Plot Date:
Feb 24, 2017
Scale:
As shown

AO

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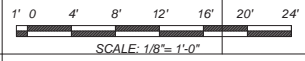
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LEGEND

ADJ	ADJACENT BUILDING
ASP	ASPHALT
BK	BACK OF WALK
BW	BOTTOM OF WALL
CL	CENTER LINE
CNC	CONCRETE
COR	CORNER
EC	EDGE OF CONCRETE
FL	FLOW LINE
GND	GROUND
GV	GAS VALVE
SMH	SEWER MANHOLE
RF	ROOF
RFP	ROOF PEAK
RFPF	ROOF PARAPET
SDI	STORM DRAIN INLET
SCO	SANITARY SEWER CLEAN OUT
TC	TOP OF CURB
TW	TOP OF WALL
WM	WATER METER

— G —	GAS LINE
— S —	SANITARY SEWER LINE
— OHE —	OVERHEAD ELECTRIC LINE
— W —	WATER LINE

Ø	DIAMETER
☆	LIGHT POST
ELEV DESC	SPOT ELEVATION



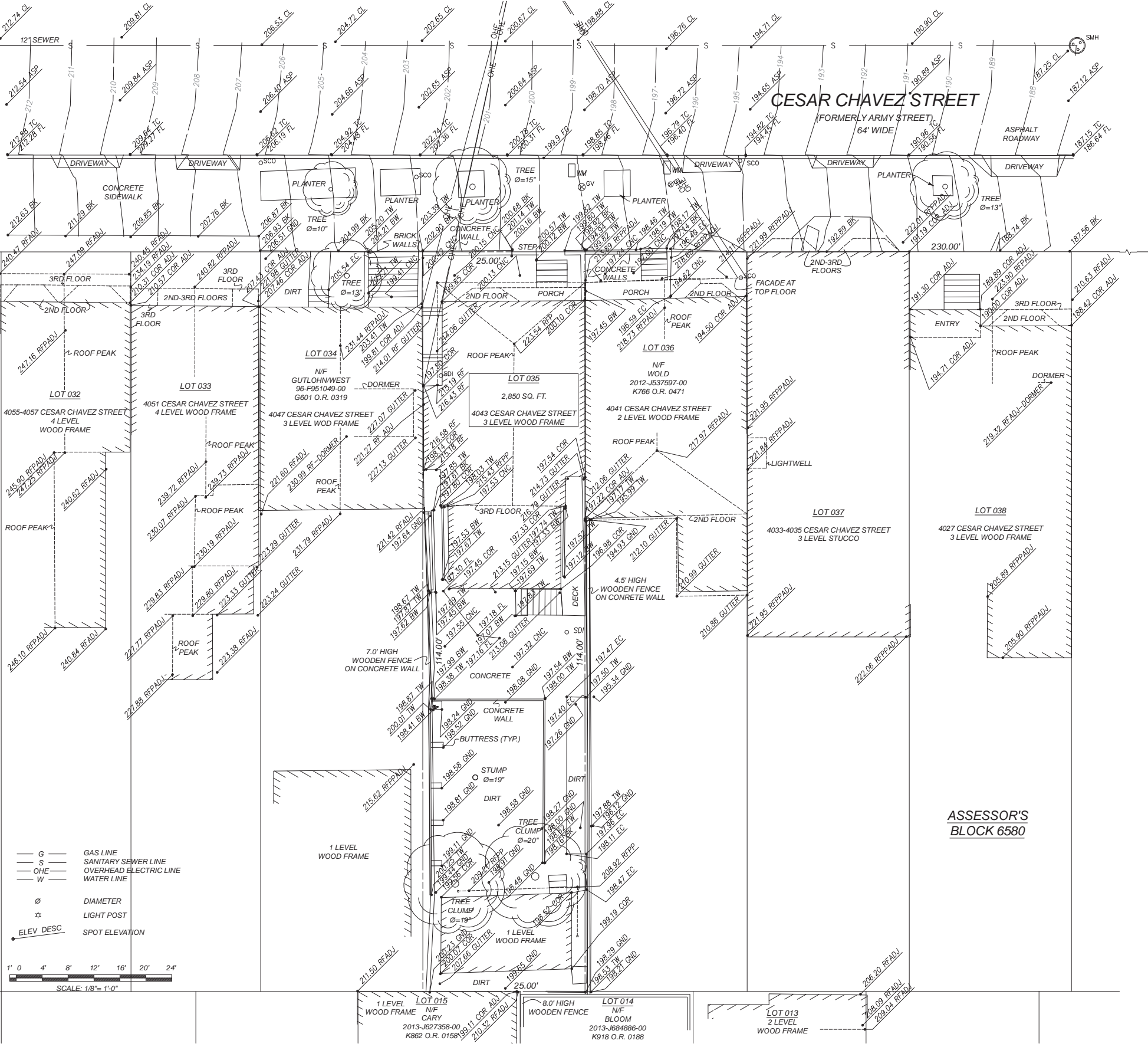
SCALE: 1/8" = 1'-0"



CESAR CHAVEZ STREET

(FORMERLY ARMY STREET)

64' WIDE



BOUNDARY NOTES:

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ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF

DATE OF FIELD SURVEY:

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON NOVEMBER 23, 2015.

SURVEY REFERENCE:

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEED:
LOT 035: RECORDED JULY 2, 2015, DOCUMENT NUMBER 2015-K085393-00.

UTILITY NOTE:

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

PROJECT BENCHMARK - DESCRIPTION:

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF CESAR CHAVEZ AND SANCHEZ STREETS, ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM, S.W. CORNER 30'S, + CUT SIDE LOWER CONC STEP.
ELEVATION = 164.146'

GENERAL NOTE:

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

SURVEYOR'S STATEMENT:

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

DATE FREDERICK T. SEHER, PLS

LICENSE NO. 6216

DATE: DECEMBER, 2015
SCALE: 1"=8'
DRAWN BY: JC
DRAWING NAME: 1935-15.DWG
SURVEYED BY: FTS
CHECKED BY: HRF

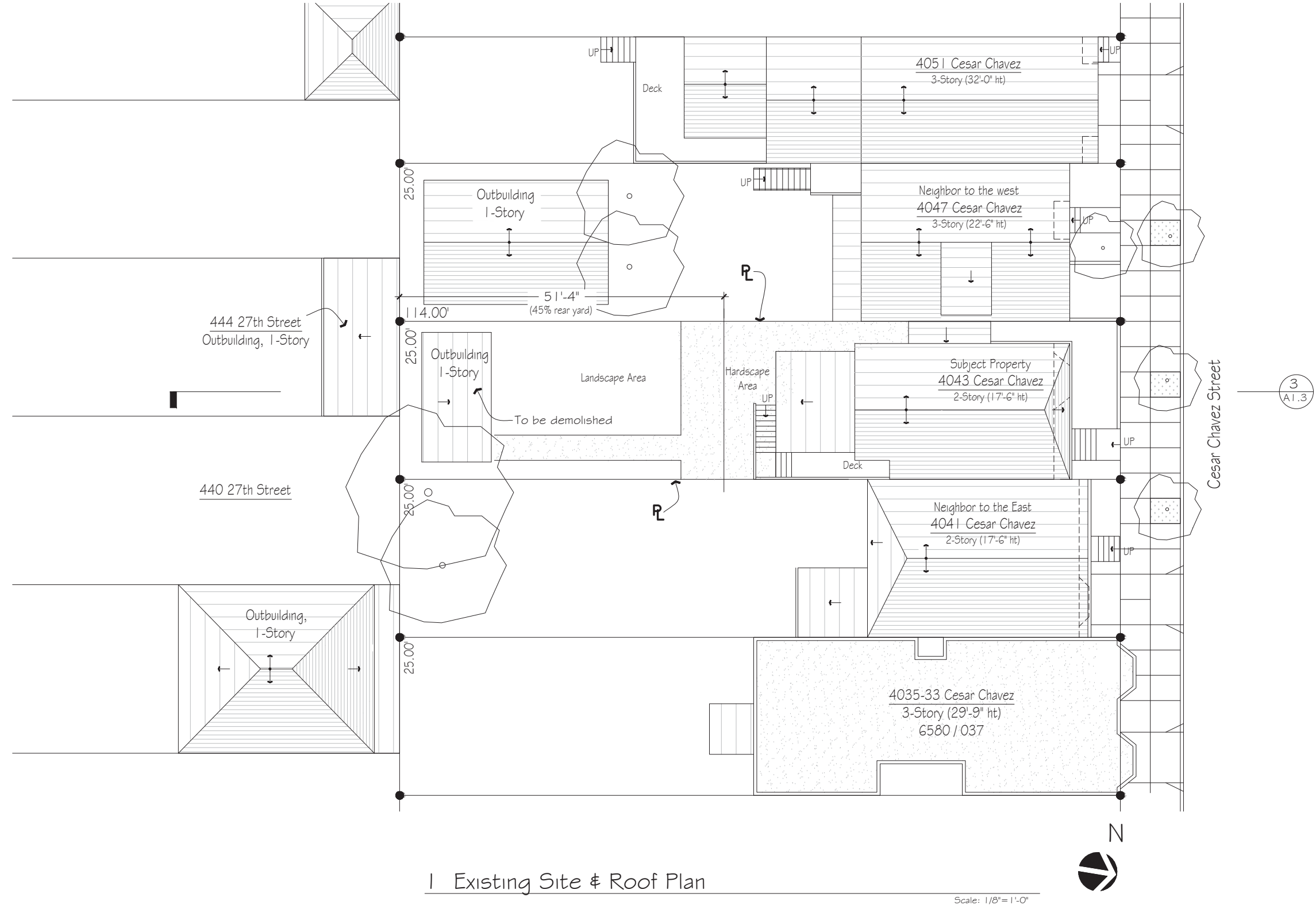
NO.	BY	DATE	REVISIONS



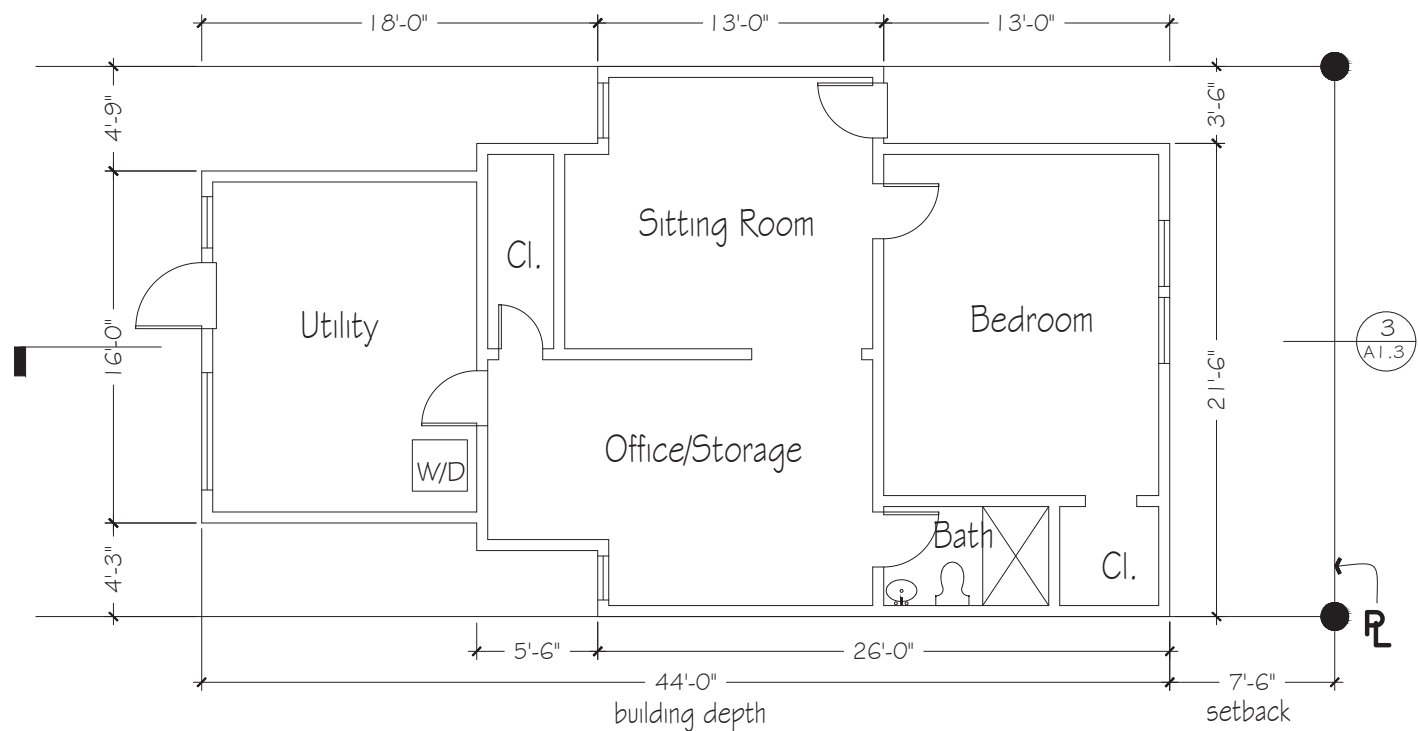
FREDERICK T. SEHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYING & MAPPING
841 LOMBARD STREET, SAN FRANCISCO, CA 94133
(415) 921-7690 FAX (415) 921-7655

ARCHITECTURAL SITE SURVEY
ASSESSOR'S BLOCK 6580, LOT 035
4043 CESAR CHAVEZ STREET, SAN FRANCISCO, CA 94131

SHEET
1
OF 1 SHEETS
JOB NO.:
1935-15

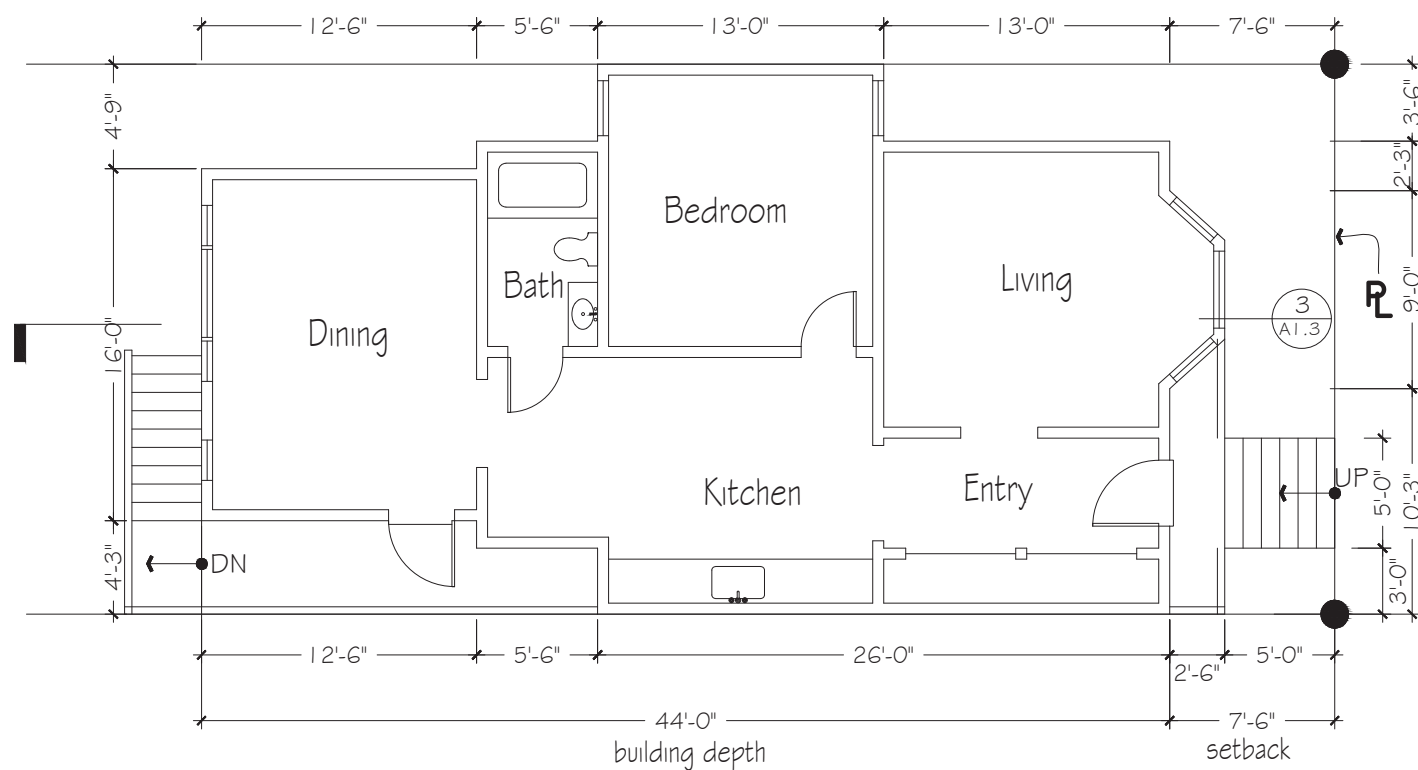


Issue:	Date:
Site Permit	23/12/16
Rev for CU	1/10/17
Rev for CU	2/24/17



2 Existing North (Front) Elevation

Scale: 1/4" = 1'-0"



4 Existing South (Rear) Elevation

Scale: 1/4" = 1'-0"

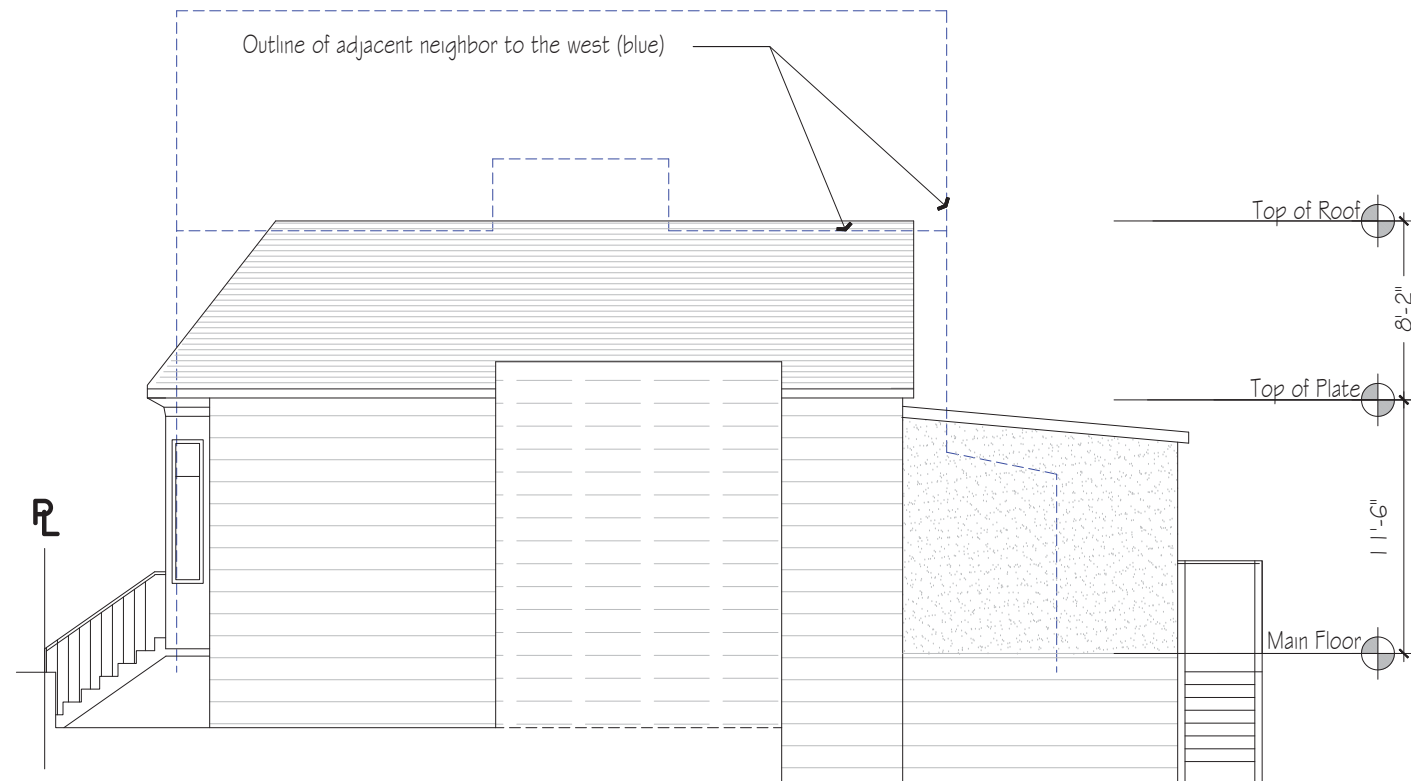
SELANDER ARCHITECTS
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emile@selanderarchitects.net 415.385.4339

4043 Cesar Chavez Street
San Francisco, CA 94131
Parcel # 6580 / 035

Issue:	Date:
Site Permit	23/12/16
Rev for CU	1/10/17
Rev for CU	2/24/17

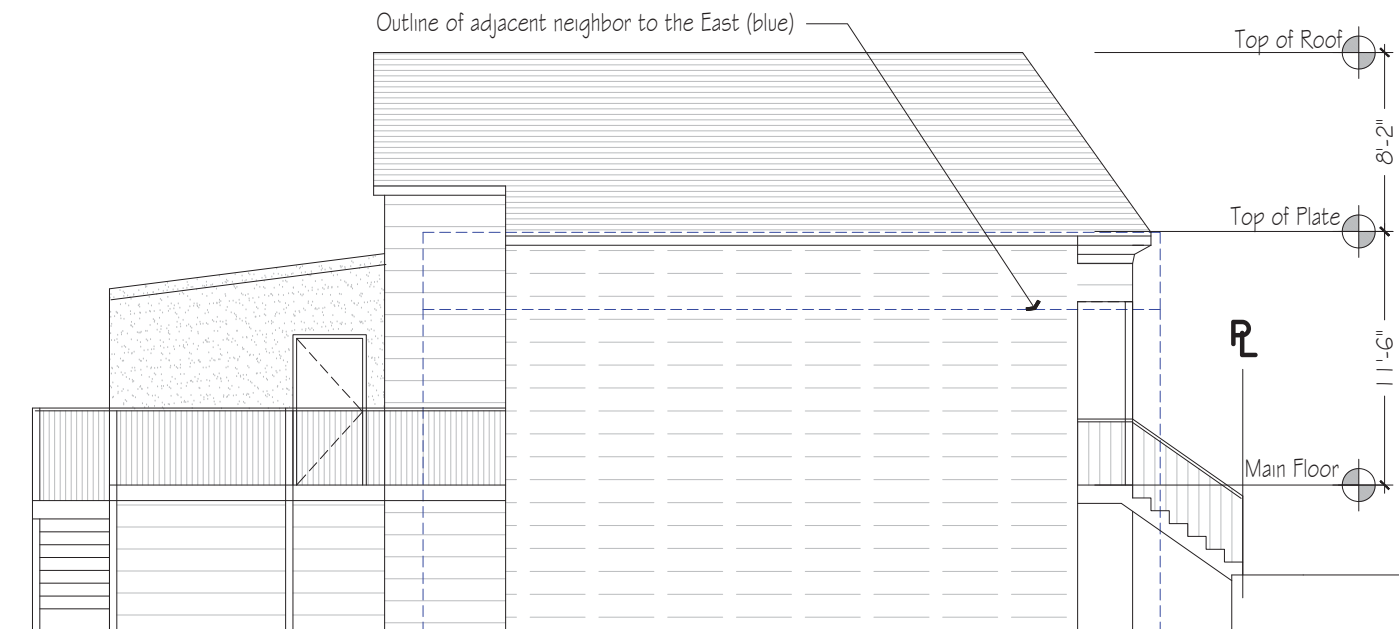
Plot Date:
Feb 24, 2017
Scale:
As shown

A1.2



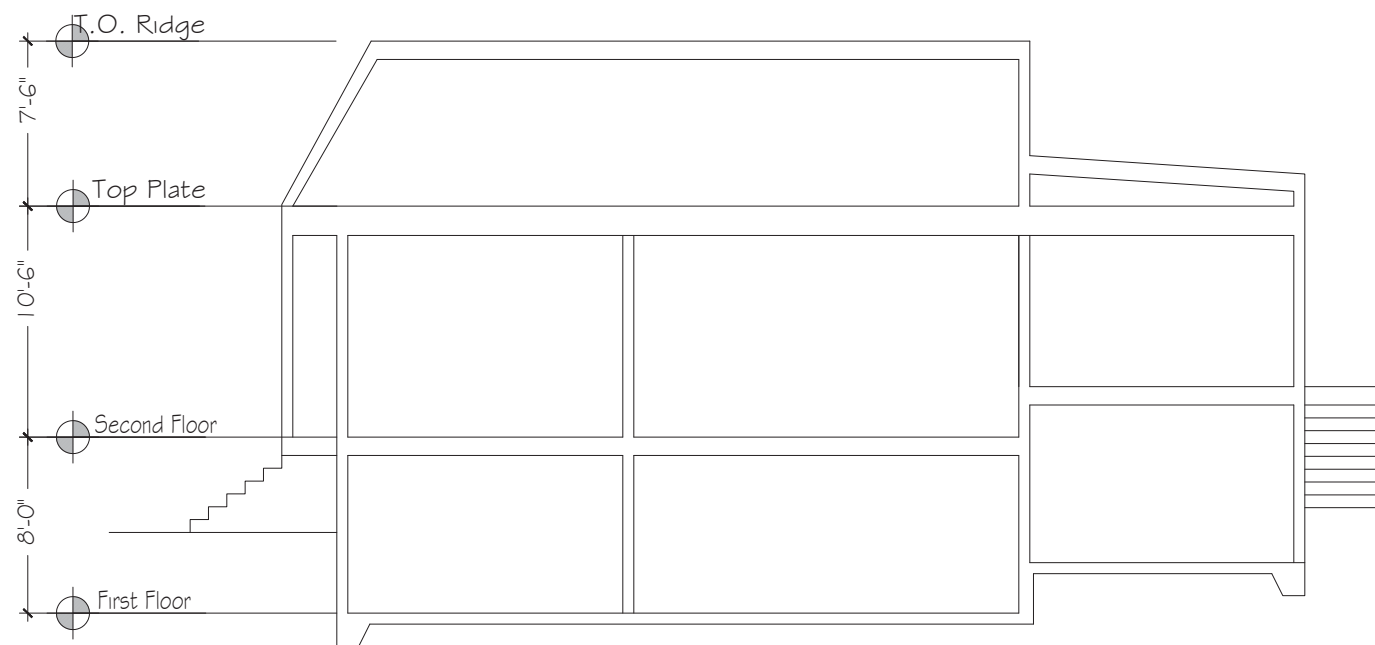
1 Existing West Elevation

Scale: 1/4"= 1'-0"



1 Existing East Elevation

Scale: 1/4"= 1'-0"



3 Existing Building Section

Scale: 1/4"= 1'-0"

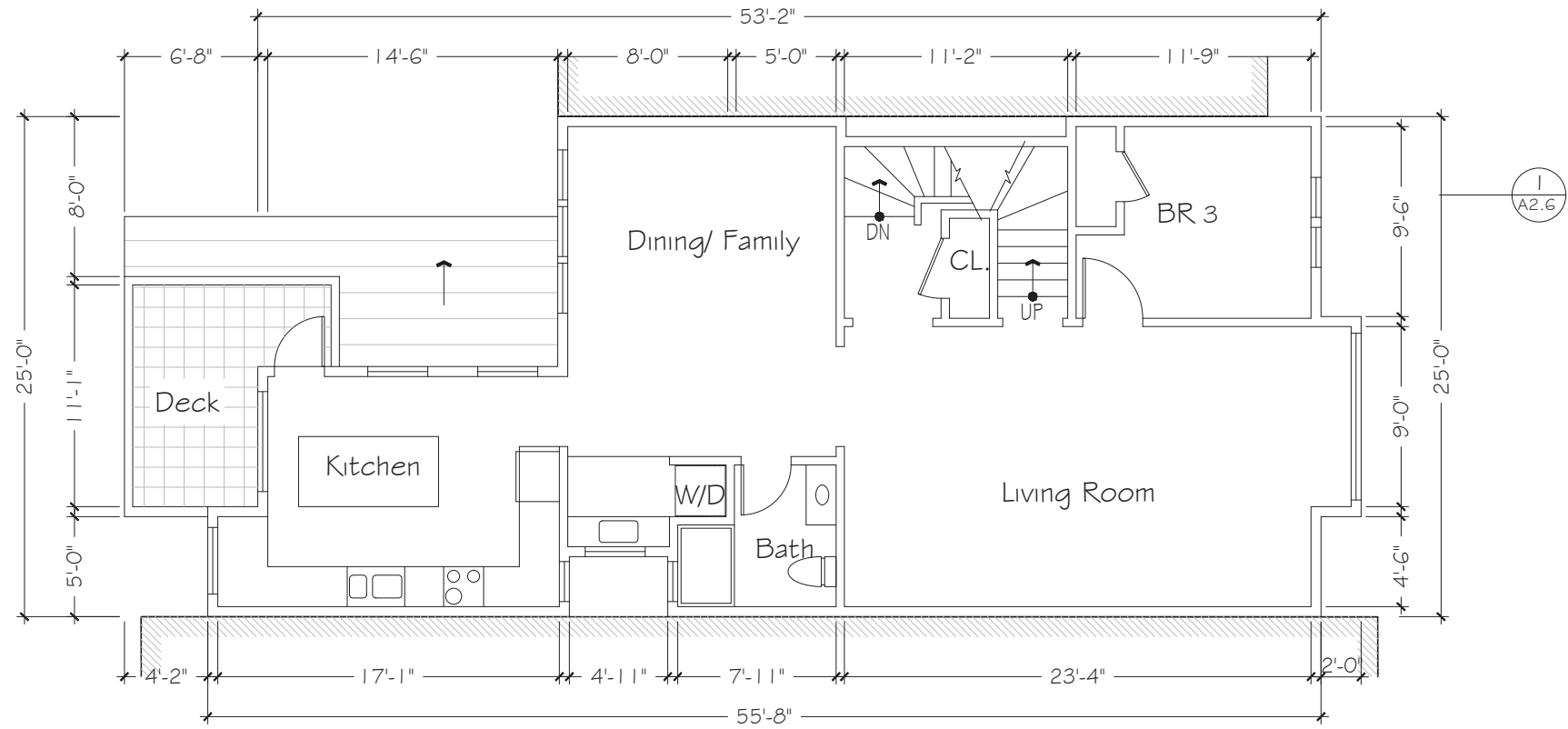
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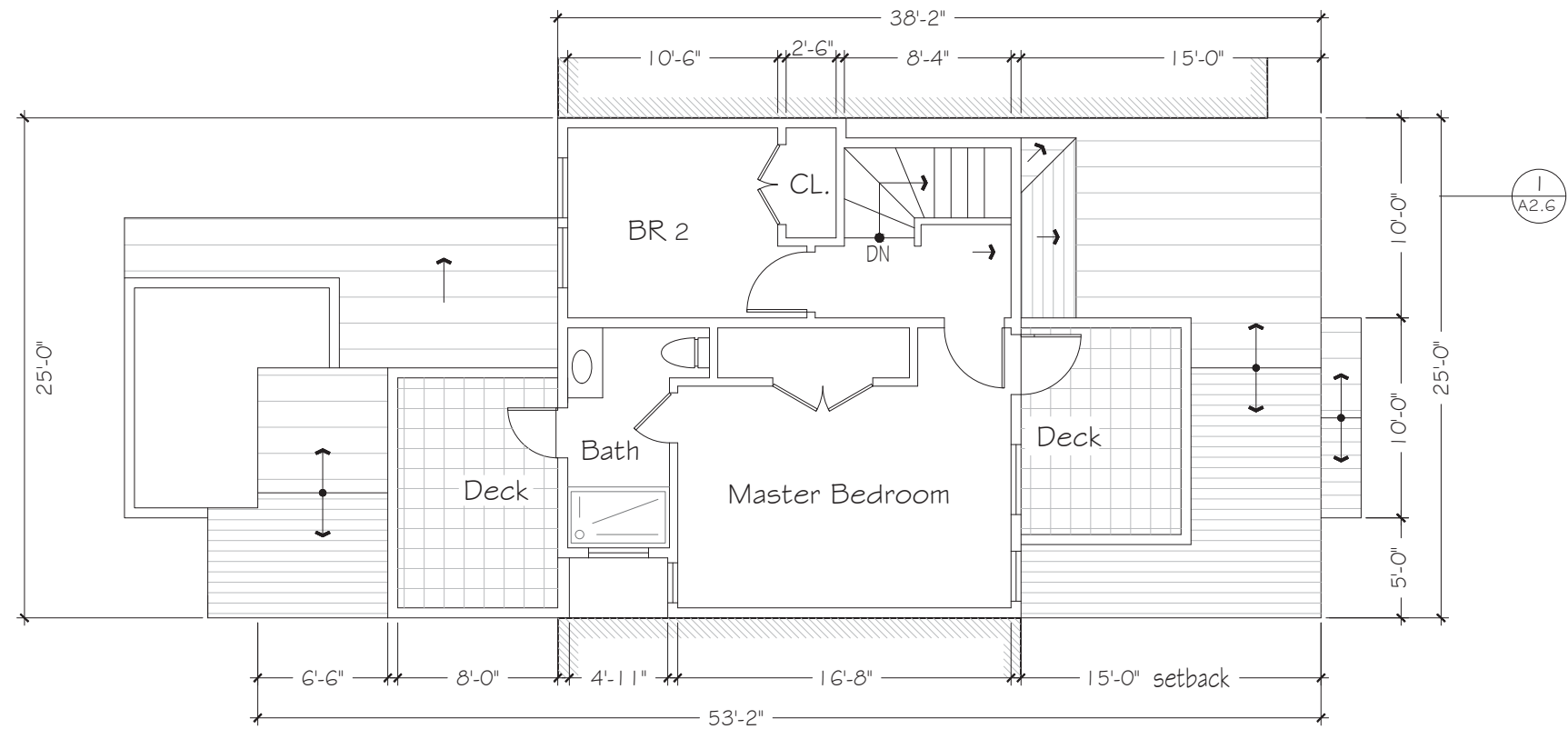
Plot Date:
Feb 24, 2017
Scale:
As shown

A1.3



1 Proposed Third Floor Plan

Scale: 1/4" = 1'-0"



2 Proposed Fourth Floor Plan

Scale: 1/4" = 1'-0"





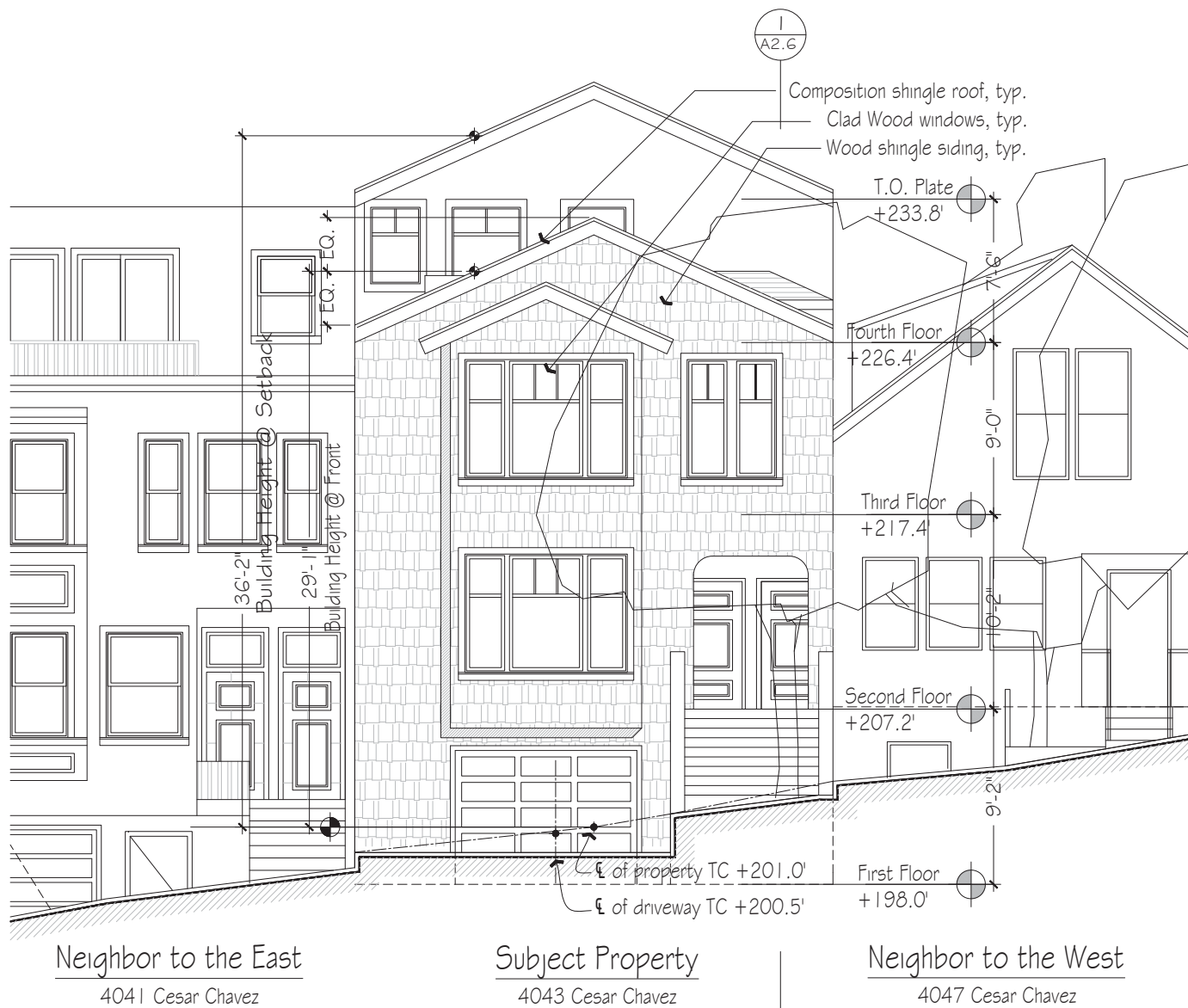
1 Proposed North (Front) Elevation

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



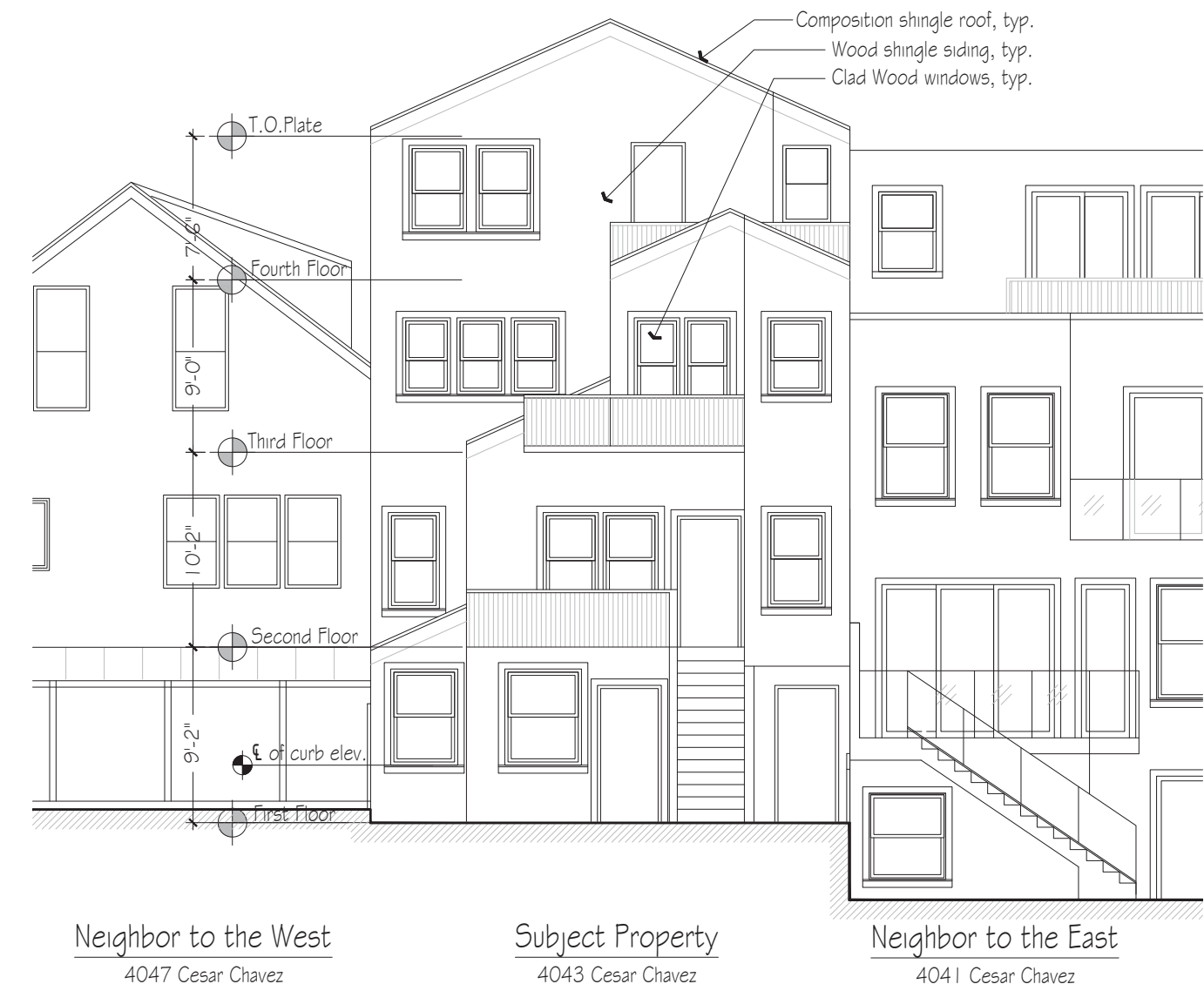
2 Proposed (South) Rear Elevation

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



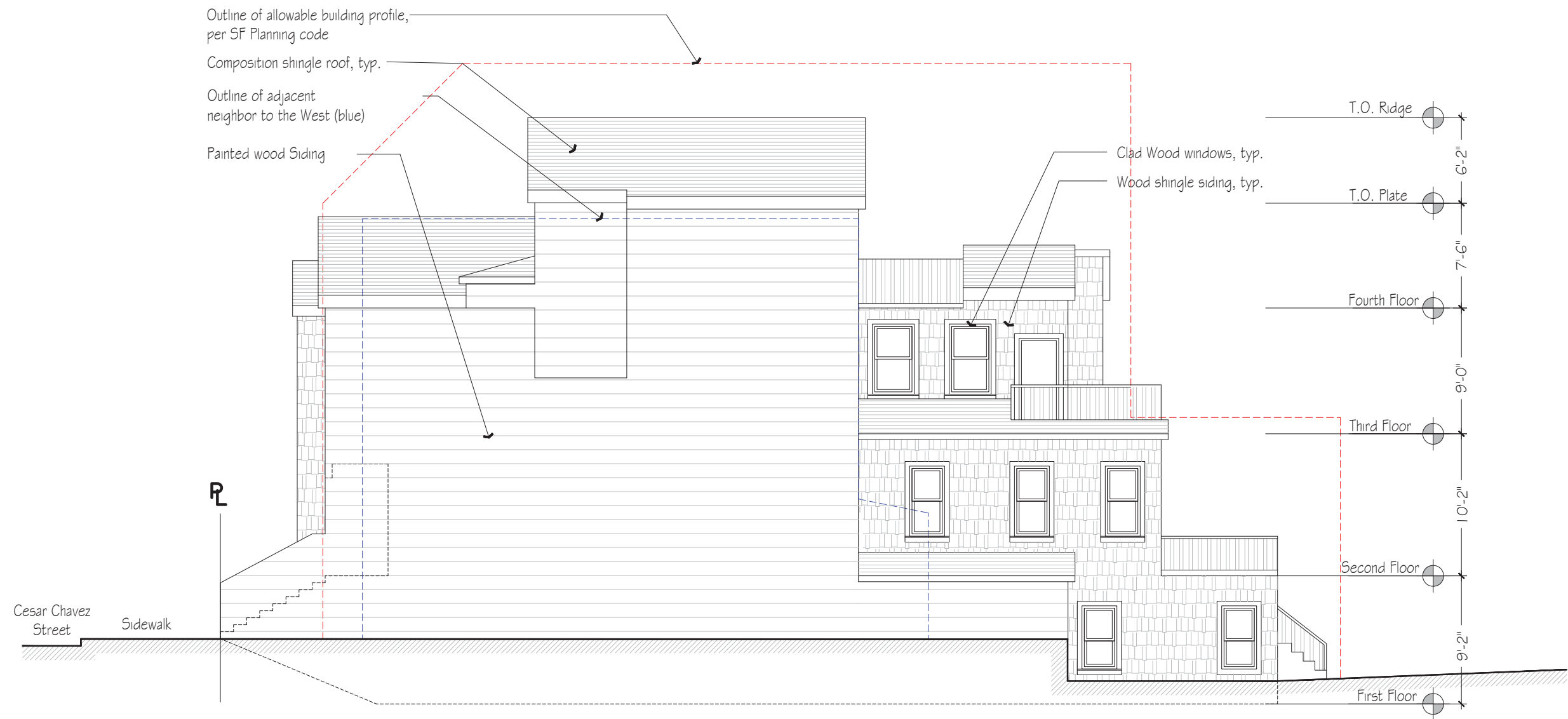
3 Proposed North (Front) Elevation

Scale: 1/4" = 1'-0"



4 Proposed (South) Rear Elevation

Scale: 1/4" = 1'-0"



I Proposed West Elevation

Scale: 1/4"= 1'-0"

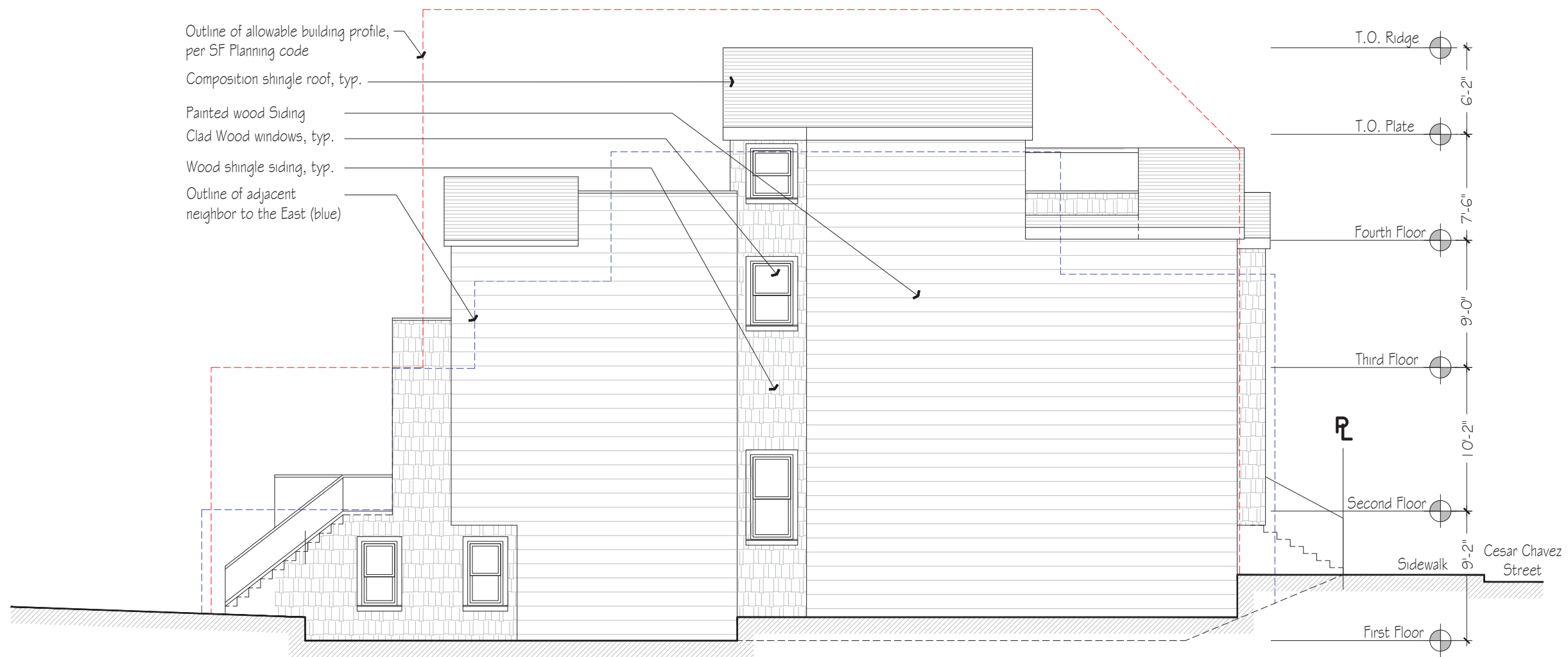
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Plot Date:
Feb 24, 2017
Scale:
As shown

A2.4



I Proposed East Elevation

Scale: 1/4"=1'-0"

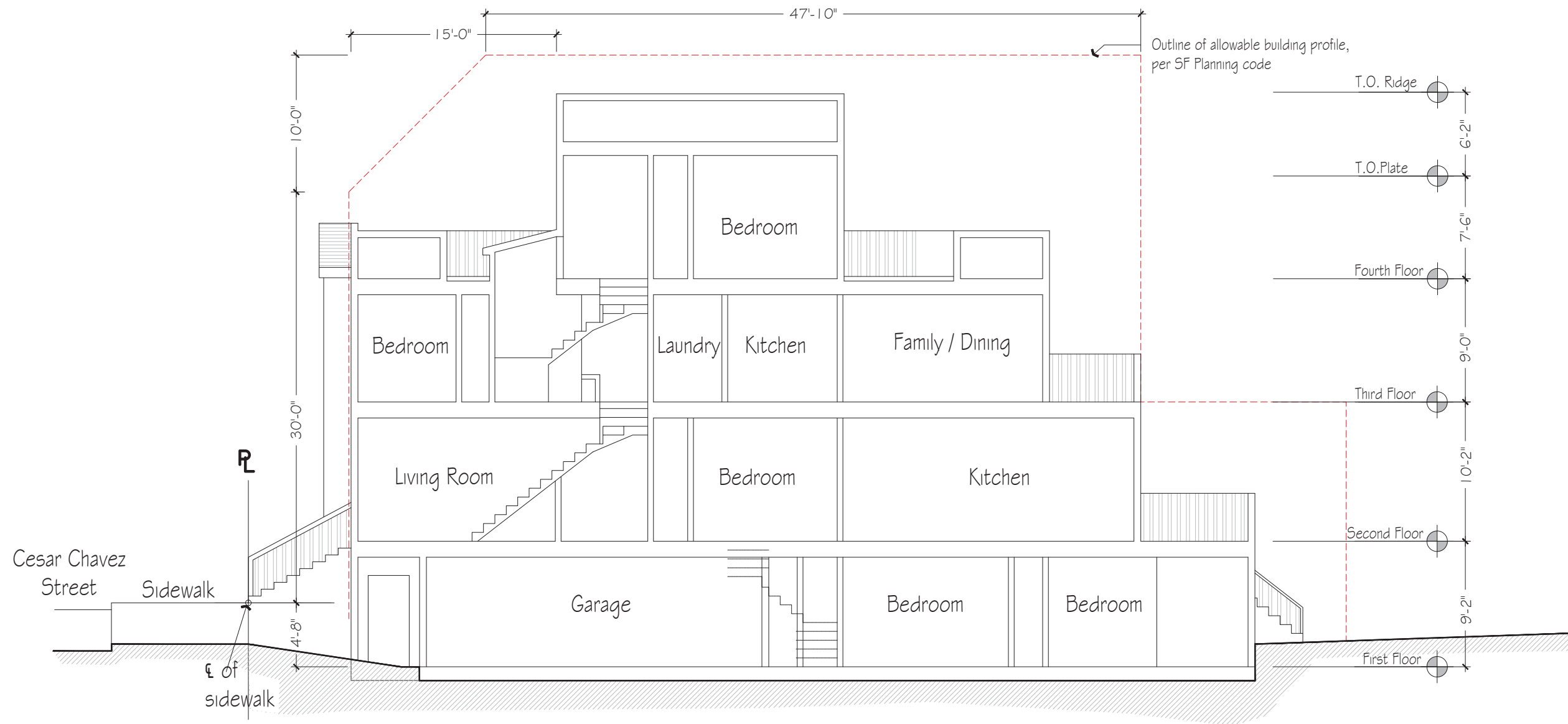
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Plot Date:
Feb 24, 2017
Scale:
As shown

A2.5



I Proposed Section

Scale: 1/4" = 1'-0"

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Plot Date:
Feb 24, 2017
Scale:
As shown

A2.6