



Kimberly Rohrbach &lt;kmrohrbach@gmail.com&gt;

Received at HPC Hearing 11/7/18  
R. Salgado**Application # 2018-000571COA/Building Permit Application # 201712156648**

Kimberly Rohrbach &lt;kmrohrbach@gmail.com&gt;

Wed, Nov 7, 2018 at 12:51 PM

To: commissions.secretary@sfgov.org

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

From: **Kimberly Rohrbach** <kmrohrbach@gmail.com>

Date: Wed, Nov 7, 2018 at 12:50 PM

Subject: Re: Application # 2018-000571COA/Building Permit Application # 201712156648

To: &lt;rebecca.salgado@sfgov.org&gt;

Cc: &lt;tim.frye@sfgov.org&gt;, Richard Sucre &lt;richard.sucre@sfgov.org&gt;

Thank you again, Rebecca, for addressing my questions and providing clarification regarding the CatEx form over the phone this morning. You were quite helpful.

Following up, and with reference to Step 5, boxes 7 - 8 of the CatEx form, I'm sending you several pictures as follows: (1) A picture taken from my bedroom window, which shows the existing rear fence and gate, and the mechanized gate fixtures affixed thereto, from the interior; (2) two pictures of the gate taken from Cypress Street; (3) a close-up showing the exceedingly small space between the outer edge of the gate or gate support and my building. The Application for COA (at pdf p. 17) references a **detached** carport in the first and last paragraphs. It is unclear to me how the outer lateral side of the proposed carport (by which I mean the side immediately bordering my building) would be supported *without the external supports obstructing the passage of cars through the existing gate*. As you can see from the pictures, there is barely any space between the outer edge of the gate or gate support and my building. In the alternative, were the proposed carport supported on one side by the existing gate and fence, without any lateral supports on the outer side, then clearly the carport roof would need to be elevated above the gate and fence. However, such a construction *would not describe a "detached" carport* (at least, according to my understanding) and would appear structurally unsound. So, it seems to me that the construction of a detached carport most feasibly would involve involve the *replacement* of the existing rear fence as well as the existing gate, rather than the "modifications" referenced at p. 1 of the CatEx form. However, replacement of the existing rear fence and gate is unmentioned in the Application for COA or in the plans, to my knowledge.

By the way, the references to "my building" in any comments included on the pictures is not meant to suggest that I own the building. I am a renter, and my choice of words is only meant to indicate that I'm referring to the building I live in.

Sincerely,

Kim Rohrbach

On Tue, Nov 6, 2018 at 5:02 PM Salgado, Rebecca (CPC)

<rebecca.salgado@sfgov.org> wrote:

Hi Ms. Rohrbach,

I could speak with you for about 15 minutes tomorrow morning at 9 AM, if you think that will be enough time to address your questions. I'll need to call you from my cell phone, as I have a morning appointment I'll be going to before coming in to the office. Please let me know what number I should call you at. Thanks,

Rebecca

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**From:** Kimberly Rohrbach <kmrohrbach@gmail.com>

**Sent:** Tuesday, November 6, 2018 4:42:03 PM

**To:** Salgado, Rebecca (CPC)

**Subject:** Re: Application # 2018-000571COA/Building Permit Application # 201712156648

Thanks, Ms. Salgado, for passing on the CEQA Categorical Exemption Determination. Based on information the plans and the project description, I have several questions that I'd like to go over the phone. Might you have time, if not today, than around tomorrow at 9am? Tomorrow is rather hectic for me otherwise, as today has been.

Thank you.

On Tue, Nov 6, 2018 at 8:37 AM Salgado, Rebecca (CPC)

<rebecca.salgado@sfgov.org> wrote:

The CatEx form for the project at 1348 South Van Ness is attached to this email for your reference. Please let me know if you have any questions about the project. Thanks,

Rebecca

**Rebecca Salgado**

Senior Planner | Historic Preservation

San Francisco Planning Department

1650 Mission Street, Suite 400 San Francisco, CA 94103

Direct: 415.575.9101 | [www.sfplanning.org](http://www.sfplanning.org)

San Francisco Property Information Map

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**From:** Frye, Tim (CPC)

**Sent:** Monday, November 5, 2018 2:59:47 PM

**To:** Kimberly Rohrbach

**Cc:** Sucre, Richard (CPC); Salgado, Rebecca (CPC)

**Subject:** RE: Application # 2018-000571COA/Building Permit Application # 201712156648

Below is a link to the project information as will be presented to the HPC at its 11/7 hearing. The planner, Rebecca Salgad, is out of the office today but will forward you a copy of the CatEx form when she returns.

<http://commissions.sfplanning.org/hpcpackets/2018-000571COA.pdf>

Best,

**Timothy Frye**

**Principal Planner | Preservation—Historic Preservation Officer**

San Francisco Planning Department

1650 Mission Street, Suite 400 San Francisco, CA 94103

Direct: 415.575.6822 | [www.sfplanning.org](http://www.sfplanning.org)

San Francisco Property Information Map

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**From:** Kimberly Rohrbach [<mailto:kmrohrbach@gmail.com>]

**Sent:** Monday, November 05, 2018 2:12 PM

**To:** Frye, Tim (CPC)

**Cc:** Sucre, Richard (CPC); Salgado, Rebecca (CPC)

**Subject:** Application # 2018-000571COA/Building Permit Application # 201712156648

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Kimberly Rohrbach

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4 attachments

-  Interior view - fence, gate, fixtures.pdf  
682K
-  Exterior view 2 - gate.pdf  
678K
-  Exterior view 1 - gate.pdf  
814K
-  Exterior view 3 - negligible space.pdf  
787K

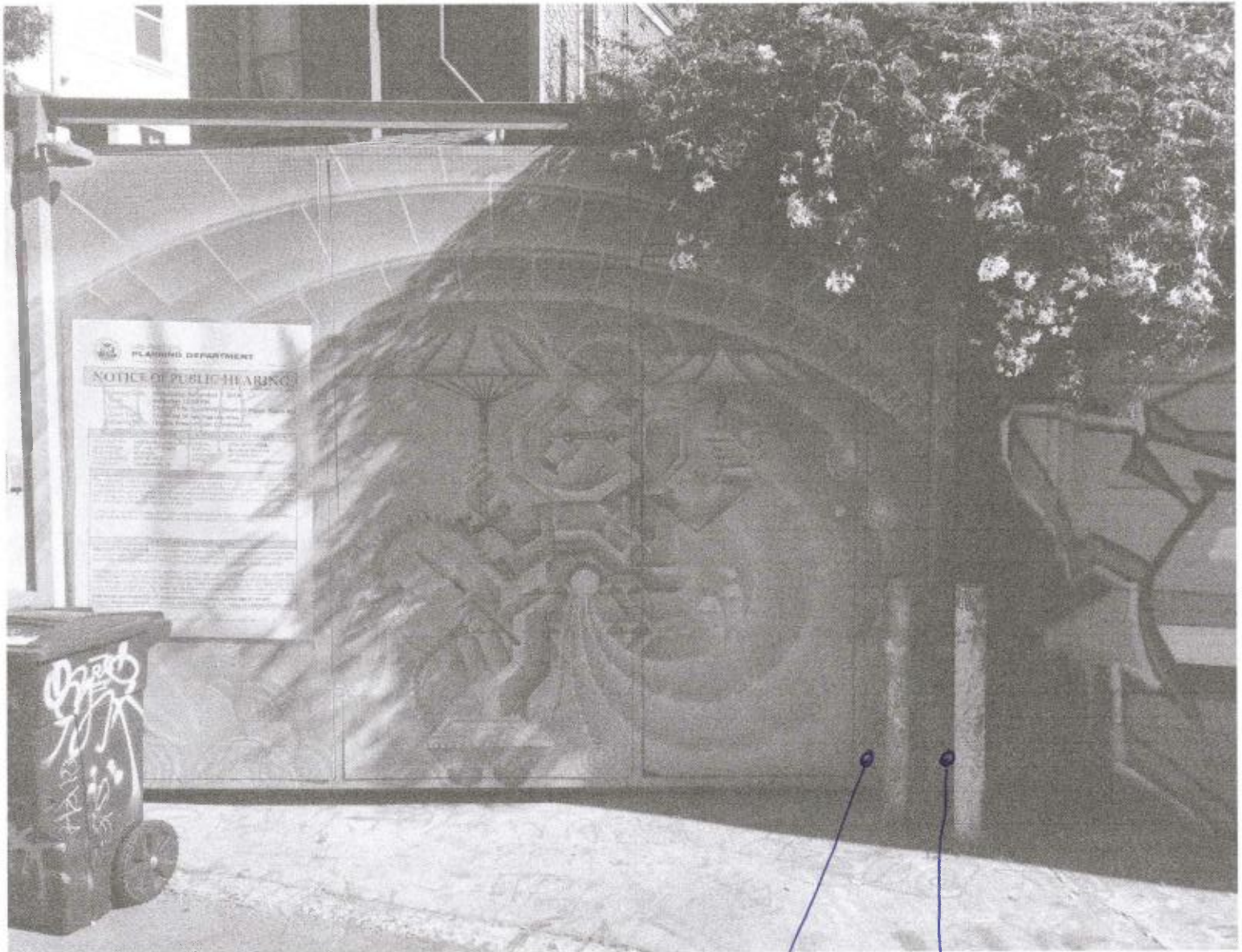
Black & white 5  
copies are  
attached  
hereto  
(the pdfs are  
in color)

GATE

FENCE



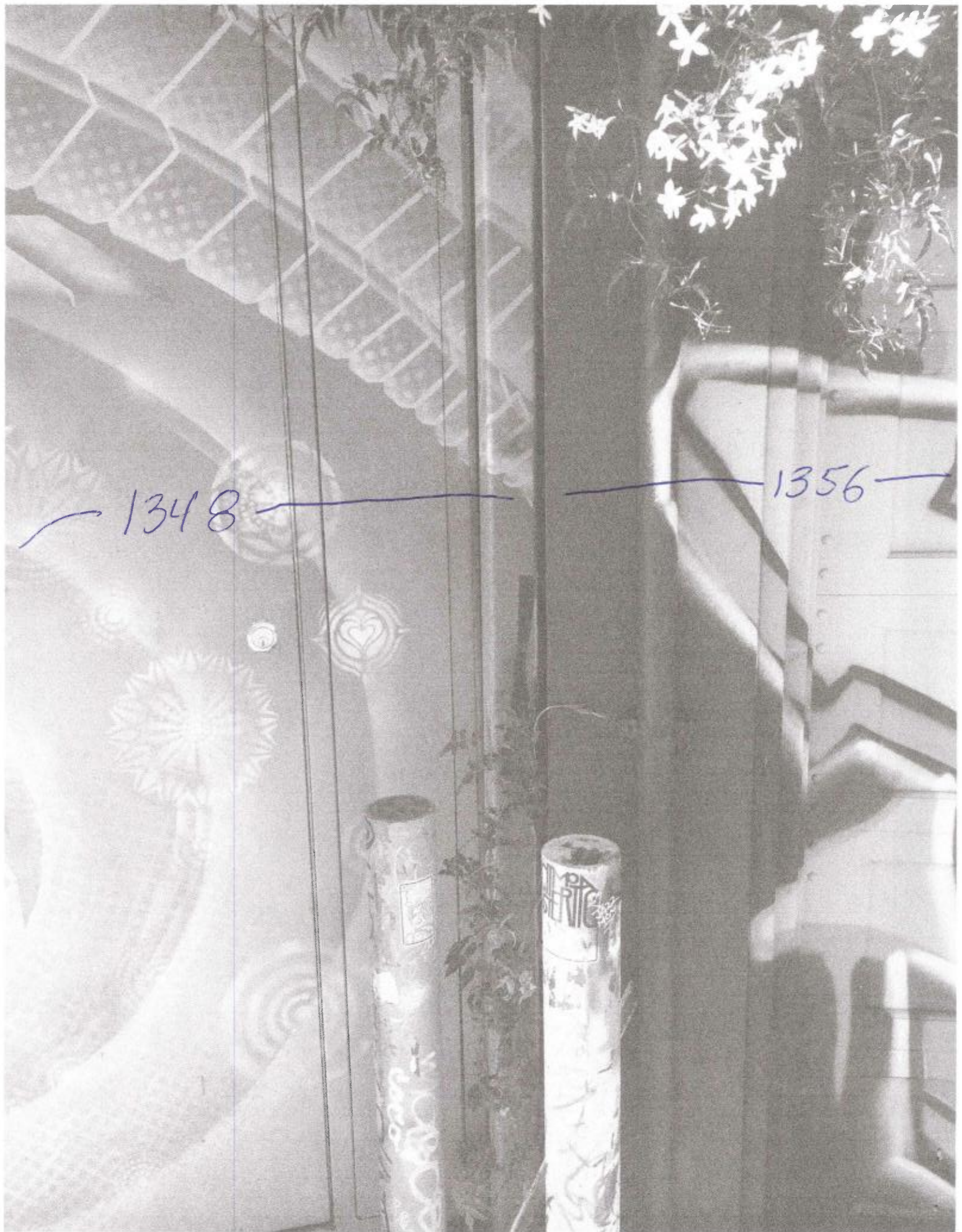




1356  
S. Van Ness Ave.

Outer gate/gate support  
at 1348 S. Van Ness Ave.





1348

1356



(close-up)

1348

1356



[Planning Code - Landmark Designation – 2 Henry Adams Street (the Dunham, Carrigan & Hayden Building)]

**Ordinance amending the Planning Code to designate 2 Henry Adams (the Dunham, Carrigan & Hayden Building), Assessor's Block No. 3910, Lot No. 001, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.**

**NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.  
**Additions to Codes** are in single-underline italics Times New Roman font.  
**Deletions to Codes** are in ~~strikethrough italics Times New Roman font~~.  
**Board amendment additions** are in double-underlined Arial font.  
**Board amendment deletions** are in ~~strikethrough Arial font~~.  
**Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) CEQA and Land Use Findings.

(1) The Planning Department has determined that the Planning Code amendment proposed in this ordinance is subject to a Categorical Exemption from the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq., "CEQA") pursuant to Section 15308 of California Code of Regulations, Title 14, Sections 15000 et seq., the Guidelines for implementation of the statute for actions by regulatory agencies for protection of the environment (in this case, landmark designation). Said determination is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference. The Board of Supervisors affirms this determination.

1 (2) Pursuant to Planning Code Section 302, the Board of Supervisors finds that  
2 the proposed landmark designation of 2 Henry Adams Street, Assessor's Block No. 3910, Lot  
3 No. 001 ("the Dunham, Carrigan & Hayden Building"), will serve the public necessity,  
4 convenience, and welfare for the reasons set forth in Historic Preservation Commission  
5 Resolution No. \_\_\_\_\_, recommending approval of the proposed designation, which is  
6 incorporated herein by reference.

7 (3) The Board of Supervisors finds that the proposed landmark designation of  
8 the Dunham, Carrigan & Hayden Building is consistent with the General Plan and with  
9 Planning Code Section 101.1(b) for the reasons set forth in Historic Preservation Commission  
10 Resolution No. \_\_\_\_\_.

11 (b) General Findings.

12 (1) Pursuant to Charter Section 4.135, the Historic Preservation Commission  
13 has authority "to recommend approval, disapproval, or modification of landmark designations  
14 and historic district designations under the Planning Code to the Board of Supervisors."

15 (2) On October 16, 2018, Supervisor Cohen introduced a Resolution under  
16 Board of Supervisors File Number 181009 to initiate landmark designation under Article 10 of  
17 the Planning Code of 2 Henry Adams Street (the Dunham, Carrigan & Hayden Building),  
18 Assessor's Parcel Block No. 3910, Lot No. 001.

19 (3) The Landmark Designation Report was prepared by Tim Kelley Consulting,  
20 Inc., and reviewed by Planning Department Preservation staff. All preparers meet the  
21 Secretary of the Interior's Professional Qualification Standards for historic preservation  
22 program staff, as set forth in Code of Federal Regulations Title 36, Part 61, Appendix A. The  
23 report was reviewed for accuracy and conformance with the purposes and standards of Article  
24 10 of the Planning Code.



1 (5) On October 24, 2018, the Board of Supervisors referred Resolution No.  
2 \_\_\_\_\_, initiating designation of the Dunham, Carrigan & Hayden Building as a San  
3 Francisco Landmark pursuant to Section 1004.1 of the Planning Code, to the Historic  
4 Preservation Commission for its review and recommendation under the Charter and the  
5 Planning Code. Said resolution is on file with the Clerk of the Board of Supervisors in File No.  
6 \_\_\_\_\_ and is incorporated herein by reference.

7 (6) On November 7, 2018, after holding a public hearing on the proposed  
8 designation and having considered the specialized analyses prepared by Planning  
9 Department staff and the Landmark Designation Report, the Historic Preservation  
10 Commission recommended approval of the proposed landmark designation of the Dunham,  
11 Carrigan & Hayden Building by Resolution No. \_\_\_\_\_. Said resolution is on file with the  
12 Clerk of the Board in File No. \_\_\_\_\_.

13 (7) The Board of Supervisors hereby finds that the Dunham, Carrigan & Hayden  
14 Building has a special character and special historical, architectural, and aesthetic interest  
15 and value, and that its designation as a Landmark will further the purposes of and conform to  
16 the standards set forth in Article 10 of the Planning Code. In doing so, the Board hereby  
17 incorporates by reference the findings of the Landmark Designation Report.

18  
19 Section 2. Designation.

20 Pursuant to Section 1004 of the Planning Code, 2 Henry Adams Street (the Dunham,  
21 Carrigan & Hayden Building), Assessor's Block No. 3910, Lot No. 001, is hereby designated  
22 as a San Francisco Landmark under Article 10 of the Planning Code. Appendix A to Article  
23 10 of the Planning Code is hereby amended to include this property.

24 ///

25 ///

1           Section 3. Required Data.

2           (a) The description, location, and boundary of the Landmark site consists of the City  
3 parcel located at 2 Henry Adams Street (the Dunham, Carrigan & Hayden Building),  
4 Assessor's Block No. 3910, Lot No. 001, in San Francisco's South of Market neighborhood.

5           (b) The characteristics of the Landmark that justify its designation are described and  
6 shown in the Landmark Designation Report and other supporting materials contained in  
7 Planning Department Case Docket No. 2018-014691DES. In brief, the Dunham, Carrigan &  
8 Hayden Building is eligible for local designation as it is associated with events that have made  
9 a significant contribution to the broad patterns of our history, and for its design and  
10 construction that embodies distinctive characteristics of a type, period or method of  
11 construction. Specifically, 2 Henry Adams Street is significant for its long-term association with  
12 the Dunham, Carrigan & Hayden Company, a business that was important to San Francisco  
13 history for decades and that contributed directly, through its products, to the Gold Rush, the  
14 post 1906 reconstruction of the City and to its growth as a metropolis of the Pacific Coast. It is  
15 also significant because of its association with the City's post-earthquake reconstruction  
16 period architecture. The heavy timber frame, masonry building was designed by architect Leo  
17 J. Delvin in 1915 in the early-twentieth century American Commercial style.

18           (c) The particular features that shall be preserved, or replaced in-kind as determined  
19 necessary, are those generally shown in photographs and described in the Landmark  
20 Designation Report, which can be found in Planning Department Docket No. 2018-  
21 014691DES, and which are incorporated in this designation by reference as though fully set  
22 forth. Specifically, the following exterior features shall be preserved or replaced in kind:

23           Overall form, structure, height, massing, materials, and architectural ornamentation of  
24 the building identified as:

- 25           (1) Generally rectangular plan and form;

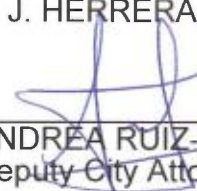


- (2) Four story height;
- (3) Flat roof and skylights;
- (4) Red brick exterior cladding;
- (5) Facades organized into bays separated by slightly projecting square piers;
- (6) Regular grid of punched windows dominating all facades and story levels;
- (7) Ground story window assemblies including widows, transoms, and wood bulkheads;
- (8) Six-part wood sash windows with divided lights in each part;
- (9) Recessed entry vestibules at northeast and southeast corners of first story;
- (10) First story brick beltcourse with peaked details near corners of building;
- (11) Blonde brick beltcourses between upper story levels;
- (12) Cast concrete details at tops and bottoms of vertical piers between bays;
- (13) Flat roofline with stepped and peaked parapets near corners of building;
- (14) Loading dock along east façade; and
- (15) Heavy timber framing.

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By:

  
ANDREA RUIZ-ESQUIDE  
Deputy City Attorney

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11/7/18

S. Cisneros

October 29, 2018

Stephanie Cisneros  
San Francisco Planning Dept.  
400 Mission St., Ste. #400  
San Francisco, Ca 94103-2479

Case No: 2016-010079 ENV  
3620 Buchanan St.

Dear Ms. Cisneros:

Enclosed is a copy of my 10/25/17 letter to you presenting some of my concerns and the effects of a toxic remediation and development projects on our ~~very~~ block. The 1598 Bay project was 27 months of cascading stress hormones for the residents.

The proposed project at 3620 Buchanan presents all of the same concerns and effects. In addition at least three significant 25foot+ sidewalk trees would have to be destroyed to accommodate all of the vehicles and equipment needed for R+E's toxic soil remediation and for construction. Buchanan St. may have to be closed or restricted for this project and Safeway trucks and other traffic rerouted in the neighborhood. That would raise a hue and cry.



to: Stephanie Cisneros Oct. 29, 2018 re: 3620 Buchanan

This project has planned one parking space. This will exacerbate the neighborhood's already tight parking situation. More cars driving around in search of a spot equals air quality pollution, congestion at intersections, and increased safety risks.

Truly

Sharon Hefle

cc: Rick Hillis

Supervisor Catherine Stefani

Matt & Ross

all with enc.

October 25, 2017

Stephanie Cisneros  
San Francisco Planning Department  
1650 Mission (400)  
San Francisco, CA. 94123

Dear Ms Cisneros:

Please do not approve yet **another** toxic cleanup and construction project (3620 Buchanan Street, 2016-010079PRJ) outside our windows! We are being enshrouded by development. We are losing light. We are losing breezes, critical in times of rising temperatures. We've lost views of the sky and Moscone Park. We've lost the relative quiet of our block. We've lost 18 mature 35' trees, their benefits, and their native birds. All of these losses are negative impacts on our lives and environment and they are significant.

The potential dangers and traffic problems at a developing 3620 Buchanan site can be envisioned by having seen the excavators, drilling rigs, trucks, cranes, caterpillars, dewatering tanks, cement trucks, supply storage areas, generators, etc. required for the 1598 Bay / Buchanan Street project. Parking lanes, sidewalks, bike lanes and traffic lanes have been blocked on Bay / Buchanan Streets since June, 2016 to accommodate this equipment. On Buchanan Street add all of the above to the MUNI 43 bus, Safeway trucks, postal vehicles, and you have gridlock and danger.

Sincerely,

Sharon Hefke

Cc: Rich Hillis, Commission President San Francisco Planning Department  
Margaux Kelly, Supervisor Mark Farrell's Office  
Matier and Ross, San Francisco Chronicle



## Cisneros, Stephanie (CPC)

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**From:** Bret Sisney <bsisney@devcon-const.com>  
**Sent:** Thursday, November 01, 2018 3:19 PM  
**To:** Cisneros, Stephanie (CPC)  
**Subject:** 3620 Buchanan Street, Case No: 2016-010079ENV  
**Attachments:** SF-#643759-v1-1598\_Bay\_Condominium\_Association\_-\_Letter\_re\_3620\_Buchanan....pdf

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Ms. Cisneros

I am a resident of 1598 Bay Street Unit 303 (next door to the Historic Building) and I would like to register my concerns over the environmental impacts of the proposed redevelopment of the Historic Property.

My concerns over environmental impacts include the following.

1. Traffic and parking impacts: The Project must meet code as it relates to parking since any reduction from code would be detrimental to the health, safety and general welfare of the neighbors.
2. Loss of historic asset should be studied more carefully under CEQA. I believe (and there is evidence to support it) that the entire Parcel or Lot including the Garden is historic not just the Gas Light Building.
3. Exposure to toxic MGP chemicals as a result of the proposed excavation of contaminated soil.

Attached is a letter from our HOA's attorney that expands upon my concerns.

**Bret Sisney**  
1598 Bay Street,  
Unit 303

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THE TRANSAMERICA PYRAMID

600 MONTGOMERY STREET, 14TH FLOOR SAN FRANCISCO, CALIFORNIA 94111

TEL 415 981 0550 FAX 415 981 4343 WEB [lubinolson.com](http://lubinolson.com)

June 1, 2018

CHARLES R. OLSON

Direct Dial: (415) 955-5020

E-mail: [colson@lubinolson.com](mailto:colson@lubinolson.com)

**E-MAIL**

Brittany Bendix, Planner ([brittany.bendix@sfgov.org](mailto:brittany.bendix@sfgov.org))

Stephanie Cisneros, Historic Preservation Planner ([stephanie.cisneros@sfgov.org](mailto:stephanie.cisneros@sfgov.org))

**2016-010079PRJ Certificate of Appropriateness, Conditional Use  
Authorization, Variance and Environmental Evaluation of 3620  
Buchanan Street**

Dear Ms. Bendix and Ms. Cisneros:

Our firm represents 1598 Bay Condominium Association ("1598 Bay"), the homeowner's association for the property located at 1598 Bay Street, which is immediately adjacent to 3620 Buchanan Street (the "Project"). 1598 Bay is strongly opposed to the Project because it compromises an important historic landmark designated by the Board of Supervisors in Ordinance No. 12-74 on January 4, 1974, known as Merryvale Antiques ("Landmark No. 58"), violates the Planning Code in numerous ways, and the design ignores various Residential Design Guidelines and good neighbor policies. In addition, as the Project would have a substantial adverse effect on a historic resource, it must be reviewed under the California Environmental Quality Act ("CEQA") before any City approvals can occur. These objections to the Project are more specifically outlined below.

*Historic Preservation and CEQA Concerns:* After reviewing the Project's Historic Resource Evaluation dated May 20, 2016 ("HRE"), it appears that the HRE attempts to obfuscate the fact that the entire lot, which includes the Merryvale Antiques building, the courtyard, and the garden house, is designated as part of Landmark No. 58. The various addresses assigned to the buildings located on the lot do not change the fact that the designation of Landmark No. 58 applies to the entirety of the location and boundaries of the Project site. Furthermore, in Ordinance No. 12-74, "the equally impressive garden shop to the south which is directly accessible from the main building," is referred to as part of the special character and special historical, architectural and aesthetic interest justifying the designation of Landmark No. 58. The garden shop is precisely the building which will be demolished as a result of the Project. The existing landscaped courtyard, which is also referred to as part of the "handsomely-landscaped and spacious areas between the buildings" in Ordinance No. 12-74, will also be significantly diminished by approximately 25% to 33%, which will impact the spatial relationships between the Merryvale Antiques historic building and the proposed Project. A substantial adverse change in the significance of the historic resource includes any "physical



demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” See CEQA Guidelines 15064.5(b)(1). Considering the historic resources present, any partial or full demolition of any element of the Landmark No. 58, which includes the landscaped courtyard and the garden house, will be a significant impact under CEQA. The Planning Department should require the Project to undergo further environmental review, including the preparation of an initial study and a focused environmental impact report to address this issue.

*NC-2 Small-Scale Neighborhood Commercial District:* As noted in Planning Code Section 711, the small-scale district controls for the NC-2 district provide for mixed-use buildings which approximate or slightly exceed the standard development pattern. Rear yard requirements above the ground story and at residential levels are required to preserve open space corridors of interior blocks. The Project will not meet the design intent of the NC-2 district as it will diminish access to light, air, and views from adjacent properties, including 1598 Bay Street.

*Subdivision:* The Project attempts to squeeze an eight unit residential building into the rear yard for the historic Merryvale Antiques building. The failure to process a subdivision of the Project site into two lots (one lot containing the historic Merryvale Antiques building and the remainder of the landscaped courtyard, the other lot containing the Project) obscures any interpretation of the Planning Code relating to required development standards such as setbacks, rear yard, and open space. It is unclear whether the development of the Project site is permissible as-is without the filing of a subdivision map.

*Rear Yard:* Because the applicant of the Project has not subdivided the Project site, it appears that the proposed Project will encroach into the required rear yard for the historic Merryvale Antiques building. Planning Code Section 134 generally requires that the Project provide a minimum rear yard depth equal to 25% of the total depth of the lot on which the building is situated, but in no case less than 15 feet. Although the rear yard requirements differ for corner lots, given the L-shaped lot configuration, we are assuming that the Project is assuming that the front of the Project is facing Buchanan Street. According to the most recent Project plans, the Project will only be providing a 3” rear yard, which would only be 2% of the required rear yard depth.

While the rear yard requirement may be modified pursuant to the procedures which are applicable to variances, the following three criteria must also be met pursuant to Planning Code Section 134(e)(1): “(A) Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development; (B) The proposed new or expanding structure will not significantly impede the access of light and air to and views from adjacent properties; and (C) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.” The Project cannot meet two of the three criteria because the Project will significantly impact 1598 Bay’s access to air, light and views, and will cast dark shadows onto the units in 1598 Bay that face onto the rear yard.

*Open Space:* Planning Code Section 135 requires 133 square feet per unit if common open space. The Project plans appear to utilize some of the existing open space for the landscaped courtyard, which is used by the Merryvale Antiques building, and double counting that open space area to meet the requirements for the proposed residential building.

*Street Frontage:* Planning Code Section 145.1 requires a 25' setback on the ground floor for any off-street parking at street grade. The Project plans do not appear to meet this requirement.

*Off-Street Parking Requirements:* Planning Code Section 151(b) requires a minimum of one off-street parking space per dwelling unit. As the Project proposes eight dwelling units, a minimum of eight parking spaces are required. The current Project plans only show one parking space. While Planning Code Section 161(f) allows the Zoning Administrator to reduce off-street parking requirements in NC districts, Planning Code Section 307(h)(2)(i) requirements must be applied to demonstrate the following: (1) the reduction in the parking requirement is justified by the reasonably anticipated automobile usage by residents of and visitors to the project; (2) the reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing in or working in the vicinity; (3) there will be a minimization of conflict of vehicular and pedestrian movements; (4) there are other transportation modes available other than the automobile; (5) the pattern of land use and character of development in the vicinity; and (6) any such other appropriate criteria given the circumstances. This drastic reduction in parking is not warranted given the limited public transportation options in the Project area, the fact that residents of the Project are also likely to be car owners and will need a place in which to park their car, and the proximity of other residential projects in the neighborhood that already crowd very limited on-street parking.

*Development of Large Lots:* Pursuant to Planning Code Section 121.1, the Planning Commission will also have to consider the extent to which the mass and façade of the Project are compatible with the existing scale of the district, and whether the façade of the Project is compatible with design features of adjacent façades that contribute to the positive visual quality of the district. The Project is unable to meet these criteria because it will introduce a large amount of stucco which the adjacent properties do not have, it is a relatively flat façade on Buchanan Street, and will provide a 40' high blank wall built right along the shared property line facing 1598 Bay Street. The Project will not improve pedestrian interest or activate the residential setting as a brick wall will be built along the sidewalk of Buchanan Street.

*General Plan Consistency:* The Project is unable to meet all of the Priority Policies of Planning Code Section 101.1(b). The Project will dwarf an important landmark and historic building by significantly diminishing the landscaped courtyard and removing the spatial relationships that have helped define the aesthetic character of the Merryvale Antiques building. As noted previously, Ordinance No. 12-74 designated the entirety of the Project lot as Landmark No. 58.

*Variance Findings:* If the Project asks for a variance for a modification to the rear yard, street frontage, open space, or other requirements, the Zoning Administrator must specify



in his findings for the variance facts sufficient to establish the following: (1) that there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district; (2) that owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property; (3) that such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district; (4) that the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and (5) that the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan. *See* Planning Code Section 305. The requirements for a variance cannot be met, because there are no exceptional or extraordinary circumstances applying to the subject property or the proposed residential use that do not apply generally to other property or uses in the same class of district. Furthermore, the granting of any variance will be materially injurious to 1598 Bay's homeowners and their ability to substantially enjoy their own property. Finally, many of the design choices for the Project are created by the applicant for the Project; it is basic law that any "hardship" supporting a variance cannot be self-imposed.

*Noncompliance with Ground Floor Residential Design Guidelines:* The ground floor residential units do not appear to be consistent with the Ground Floor Residential Design Guidelines as they do not feature walk-up dwelling units with direct access to a public sidewalk.

*Concerns with Project Design and Good Neighbor Policies:* The existing building on the Project lot, which will be demolished, has a setback to the shared property line with 1598 Bay Street of between 5.5' and 23'. The proposed Project will have a setback of 6", which will effectively lead to the construction of a 40' high wall along the shared property line between the Project and 1598 Bay's residential development, which itself provides a 15' setback to that shared property line. If the proposed Project moves forward as constructed, a dark tunnel will result that provides minimal access to light and air to the abutting residential units in 1598 Bay's residential development.

The Project's materials and design are also of concern. First, the Project has included windows that will face directly into the adjacent residential units of 1598 Bay, which causes significant privacy issues for those residents. Second, the Project's rear building façade will be an eyesore for decades to come if it is built as it is currently designed: a windowless, unattractive stucco wall, directly visible from both 1598 Bay and the building to the east (Marina Cove Apartments).

\* \* \* \* \*

Brittany Bendix, Planner  
June 1, 2018  
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These initial comments are based upon our very preliminary review of Project file materials that are currently available, and we intend to provide further comments as we receive more information about the Project's applications.

Sincerely,

*Carolyn Lee on behalf of Charles Olson*

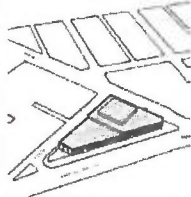
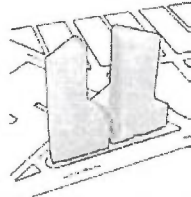
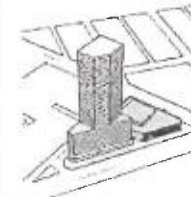
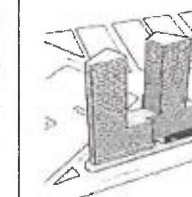
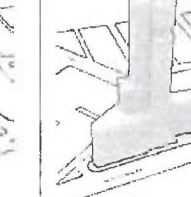
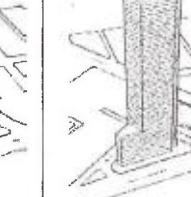
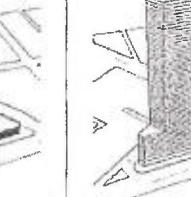
Charles R. Olson

CRO/CJL

cc: Andrew Junius, Esq. ([ajunius@reubenlaw.com](mailto:ajunius@reubenlaw.com))  
1598 Bay Condominium Association



Table 5.1: Comparison of Characteristics and Significant Impacts of the Proposed Project and Variant to the Alternatives

	No Project Alternative 1	Proposed Project	Proposed Project Full Preservation Alternative 2	Proposed Project Partial Preservation Alternative 3	Variant	Variant Full Preservation Alternative 4	Variant Partial Preservation Alternative 5
							
Retail/Commercial (gsf)	91,088	30,350	64,900	31,400	30,450	64,400	28,100
Residential (gsf)	—	935,745	435,700	707,600	935,250	619,900	770,300
Parking (gsf)	—	102,000	47,900*	73,500	101,992	65,000	78,400
Total gsf <sup>1</sup>	91,088	1,071,095	548,500	812,500	1,072,989	749,300	876,800
Residential (nsf)	—	671,380	295,700	486,200	696,468	430,100	543,700
Tower Efficiency <sup>2</sup>	—	73% North Tower/72% South Tower	72%	72% North Tower/68% South Tower	77%	74%	73%
Net Unit Size	—	682	682	682	682	702	702
Dwelling Units							
Studio		375	166	272	347	213	270
1 Bedroom		461	203	334	449	276	349
2 Bedroom		100	44	72	166	102	129
3 Bedroom		48	21	35	22	14	17
Total Units		984	434	713	984	605	765
Parking Spaces	—	518	239	367	518	325	392
Bicycle Spaces							
Class 1		336	192	257	325	235	270
Class 2		61	33	48	61	41	49
Total		386	225	305	386	276	319

**Table 5.1: Comparison of Characteristics and Significant Impacts of the Proposed Project and Variant to the Alternatives**

	No Project Alternative 1	Proposed Project	Proposed Project Full Preservation Alternative 2	Proposed Project Partial Preservation Alternative 3	Variant	Variant Full Preservation Alternative 4	Variant Partial Preservation Alternative 5
Podium Height (Max.)	—	114 Feet North Podium/120 Feet South Podium	120 Feet Podium	120 Feet Podium	139 Feet Podium/164 Feet Podium (120 Feet Average)	120 Feet Podium	120 Feet Podium
Building Height	30 – 45 Feet	400 Feet	400 Feet	400 Feet	590 Feet	590 Feet	590 Feet
Stories	2	41	41	41	55	55	55
Existing GSF Retained	91,088 plus All Façades	—	59,400 plus North Façades	North Façades	—	59,400 plus North Façades	North Façades
Excavation Required (yd <sup>3</sup> )	—	100,000 (Full Site)	50,000 (Partial Site <sup>3</sup> )	70,000 (Full Site)	100,000 (Full Site)	60,000 (Partial Site <sup>3</sup> )	80,000 (Full Site)
Ability to Meet Project Sponsor's Objectives?	No	Yes	Most	Most	Yes	Most	Most
<b>Comparison of Significant Impacts</b>							
<i>Cultural Resources (Historic Architectural)</i>							
<b>CR-1:</b> The proposed demolition of the building at 10 South Van Ness Avenue would cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5 of the CEQA Guidelines.	None	SUM	LTS	SUM	SUM	LTS	SUM

**Table 5.1: Comparison of Characteristics and Significant Impacts of the Proposed Project and Variant to the Alternatives**

	No Project Alternative 1	Proposed Project	Proposed Project Full Preservation Alternative 2	Proposed Project Partial Preservation Alternative 3	Variant	Variant Full Preservation Alternative 4	Variant Partial Preservation Alternative 5
<i>Transportation and Circulation – Cumulative Construction Impacts</i>							
<b>C-TR-7:</b> The duration and magnitude of temporary construction activities for the proposed project, the variant, or the straight-shot streetscape option, in combination with construction of past, present, and reasonably foreseeable future projects in the vicinity of the project site, could result in substantial interference with pedestrian, bicycle, or vehicular circulation and accessibility to adjoining areas, thereby resulting in a significant cumulative impact from potentially hazardous conditions to which the proposed project or variant would contribute considerably.	None	SUM	SUM	SUM	SUM	SUM	SUM



**Table 5.1: Comparison of Characteristics and Significant Impacts of the Proposed Project and Variant to the Alternatives**

	<b>No Project Alternative 1</b>	<b>Proposed Project</b>	<b>Proposed Project Full Preservation Alternative 2</b>	<b>Proposed Project Partial Preservation Alternative 3</b>	<b>Variant</b>	<b>Variant Full Preservation Alternative 4</b>	<b>Variant Partial Preservation Alternative 5</b>
<i>Noise</i>							
<b>NO-1:</b> Proposed project or variant construction would generate noise levels in excess of standards and would result in substantial temporary increases in ambient noise levels.	None	LTSM	LTSM	LTSM	LTSM	LTSM	LTSM
<b>NO-2:</b> Operation of the proposed project or variant would generate noise levels in excess of standards or result in substantial temporary increases in ambient noise levels, above levels existing without the project.	None	LTSM	LTSM	LTSM	LTSM	LTSM	LTSM
<b>C-NO-1:</b> The proposed project or variant, in combination with past, present, and reasonably foreseeable future projects, would result in a considerable contribution to significant cumulative construction noise.	None	LTSM	LTSM	LTSM	LTSM	LTSM	LTSM

**Table 5.1: Comparison of Characteristics and Significant Impacts of the Proposed Project and Variant to the Alternatives**

	No Project Alternative 1	Proposed Project	Proposed Project Full Preservation Alternative 2	Proposed Project Partial Preservation Alternative 3	Variant	Variant Full Preservation Alternative 4	Variant Partial Preservation Alternative 5
<i>Air Quality</i>							
<b>AQ-3:</b> Construction and operation of the proposed project or variant could generate toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial air pollutant concentrations.	None	LTSM	LTSM	LTSM	LTSM	LTSM	LTSM
<b>C-AQ-2:</b> The proposed project or variant, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the project site, would contribute to cumulative health risk impacts on sensitive receptors.	None	LTSM	LTSM	LTSM	LTSM	LTSM	LTSM

**Table 5.1: Comparison of Characteristics and Significant Impacts of the Proposed Project and Variant to the Alternatives**

	No Project Alternative 1	Proposed Project	Proposed Project Full Preservation Alternative 2	Proposed Project Partial Preservation Alternative 3	Variant	Variant Full Preservation Alternative 4	Variant Partial Preservation Alternative 5
<i>Wind</i>							
<b>C-WI-1:</b> The proposed project or variant, in combination with other past, present, and reasonably foreseeable future projects, would alter wind in a manner that would make a cumulatively considerable contribution to a significant cumulative wind impact.	None	SUM	SUM <sup>2</sup>	SUM	SUM	SUM	SUM

## Notes:

<sup>1</sup> Total gsf includes parking gsf and excludes rooftop mechanical.

<sup>2</sup> A typical residential tower has an efficiency factor of 70–80%, assuming a typical residential core.

<sup>3</sup> Size and geometry of basement levels create highly inefficient layouts and may not be able to accommodate parking, bicycle parking, and necessary infrastructure.

Source: SWCA/10SVN, LLC, *10 South Van Ness Avenue Preservation Alternatives Report*, prepared by Page & Turnbull, Inc., January 30, 2018. Case No. 2015-004568ENV.



**Table 5.2: Summary of Rehabilitation Standards Met by Preservation Alternatives**

Rehabilitation Standard	Proposed Project	Variant	No Project Alternative	Proposed Project		Variant	
				Full Preservation Alternative – Alternative 2	Partial Preservation Alternative – Alternative 3	Full Preservation Alternative – Alternative 4	Partial Preservation Alternative – Alternative 5
1	-	-	N/A	+	+	+	+
2	-	-	N/A	+	-	+	-
3	N/A	N/A	N/A	+	+	+	+
4	-	-	N/A	+	+	+	+
5	-	-	N/A	+	-	+	-
6	-	-	N/A	+	+	+	+
7	N/A	N/A	N/A	+	+	+	+
8	+	+	N/A	+	+	+	+
9	-	-	N/A	-	-	-	-
10	-	-	N/A	+	-	+	-

Note: N/A = not applicable; + = standard met; - = standard not met.

Source: Data compiled by AECOM in 2018

The full preservation alternatives to the proposed project and variant would call for a reduced intensity of demolition and new construction and would substantially reduce the residential and commercial land use program. As such, they would also act to reduce significant and unavoidable impacts identified for the proposed project and variant related to transportation, wind, and air quality. For these reasons, it was not necessary to develop and present separate EIR alternatives specifically for the purposes of avoiding or reducing these significant and unavoidable impacts of the proposed project and variant.

As with the proposed project and variant, the straight-shot streetscape option could be implemented with any of the alternatives studied in this chapter. There are no significant environmental impacts identified for the straight-shot streetscape option that would be different from, or unique to, that option. As such, no further analysis of the straight-shot streetscape option in the context of these alternatives is necessary.

This chapter identifies Alternative 2, the Proposed Project Full Preservation Alternative, as the environmentally superior alternative to the proposed project (i.e., the alternative that would result in the least adverse effect on the physical environment) and Alternative 4, the Variant Full Preservation Alternative, as the environmentally superior alternative to the variant. It concludes with a discussion of five alternatives that were considered but not analyzed further because they were rejected as infeasible or failed to meet the basic project objectives.

**Table 5.7: Ability of Alternatives to Meet Project Objectives**

Project Objective	Alternative 1 – No Project Alternative	Alternative 2 – Proposed Project Full Preservation	Alternative 3 – Proposed Project Partial Preservation	Alternative 4 – Variant Full Preservation	Alternative 5 – Variant Partial Preservation
	Would the alternative meet this objective?				
1. Redevelop a large, underused site at a prominent location with a residential tower that will serve as an iconic addition to the City's skyline demarking the Market Street and Van Ness Avenue intersection and including a range of residential unit types and neighborhood-serving retail uses.	No	Yes	Yes	Yes	Yes
2. Provide the maximum number of dwelling units on a site that currently has no housing, and was designated through community planning processes for higher density due to its proximity to downtown and accessibility to local and regional transit, in order to increase the city's supply of housing, contribute to the City's General Plan Housing Element goals, and the Association of Bay Area Governments' Regional Housing Needs Allocation for San Francisco.	No	Less than the proposed project <sup>a</sup>	Less than the proposed project <sup>b</sup>	Less than the proposed project <sup>c</sup>	Less than the proposed project <sup>d</sup>
3. Implement the objectives and policies of the Market & Octavia Area Plan and the proposed Market Street Hub Plan by activating a key site along the Van Ness Avenue and Market Street transit corridors, providing small business and employment opportunities, building housing that is affordable to a range of incomes, improving the quality and safety of the open space and streetscape, and providing other public benefits that would strengthen the mixed-use character of the neighborhood.	No	Yes	Yes	Yes	Yes
4. Promote transit ridership by constructing a substantial number of new housing units at a major transit hub at the development density and building	No	Less than the proposed project	Less than the proposed project	Less than the proposed project	Less than the proposed project

**Table 5.7: Ability of Alternatives to Meet Project Objectives**

Project Objective	Alternative 1 – No Project Alternative	Alternative 2 – Proposed Project Full Preservation	Alternative 3 – Proposed Project Partial Preservation	Alternative 4 – Variant Full Preservation	Alternative 5 – Variant Partial Preservation
	Would the alternative meet this objective?				
heights anticipated by the Market & Octavia Area Plan and the proposed Market Street Hub Plan.					
5. Encourage pedestrian activity and increase connectivity to the proposed Brady Park by creating a welcoming mid-block passageway that connects either South Van Ness Avenue to 12th Street under the proposed project or Market Street to 12th Street under the single tower project variant.	No	Yes	Yes	Yes	Yes
6. Construct a project that qualifies as an Environmental Leadership Development Project (as defined by the California Jobs and Economic Improvement Through Environmental Leadership Act [AB 900], as amended) to promote environmental sustainability, transportation efficiency, greenhouse gas reduction, stormwater management using green technology, substantial economic investment, and job creation.	No	Unknown	Unknown	Unknown	Unknown
7. Encourage and enliven pedestrian activity by improving 12th Street with wider sidewalks, street trees, special sidewalk paving, and bulb-outs, and developing ground-floor retail and public amenity space that serves neighborhood residents and visitors and responds to future users who will be accessing the site and future Bus Rapid Transit (BRT) stations in the area.	No	Yes	Yes	Yes	Yes
8. Improve the architectural and urban design character of the project site by replacing the existing utilitarian structures with a prominent residential tower	No	Yes	Yes	Yes	Yes



**Table 5.7: Ability of Alternatives to Meet Project Objectives**

Project Objective	Alternative 1 – No Project Alternative	Alternative 2 – Proposed Project Full Preservation	Alternative 3 – Proposed Project Partial Preservation	Alternative 4 – Variant Full Preservation	Alternative 5 – Variant Partial Preservation
	Would the alternative meet this objective?				
or towers that provide a transition between two planning districts and increase building heights at the corner of Market Street and Van Ness Avenue to demarcate the significance of this intersection.					
9. Provide publicly accessible open space on a site that would be privately owned by the project sponsor.	No	Yes	Yes	Yes	Yes
10. Provide well-designed parking, loading, and other transportation facilities and amenities with adequate access to serve the needs of the project's residents, employees, and guests, and respond to the neighborhood context and location.	No	Yes	Yes	Yes	Yes
11. Construct a high-quality project with enough residential floor area to produce a return on investment sufficient to attract private capital and construction financing.	No	Less than the proposed project	Less than the proposed project	Less than the proposed project	Less than the proposed project

**Notes:**

- <sup>a</sup> Alternative 2 provides 44% of the units proposed for the project).
- <sup>b</sup> Alternative 3 provides 72% of the units proposed for the project).
- <sup>c</sup> Alternative 4 provides 61% of the units proposed for the project).
- <sup>d</sup> Alternative 5 provides 78% of the units proposed for the project).
- <sup>e</sup> The size and geometry of the basement levels in Alternatives 2 and 4 result in less efficient layouts and may not be able to accommodate parking, bicycle parking, and necessary infrastructure.

T. Frye

Preservation Staff participating in PastForward 2018, November 13-16

Please see <https://www.pastforwardconference.org/pastforward2018/> for the agenda.

**Shelley Caltagirone**

Historic and Cultural Heritage Preservation Three-way in San Francisco – Interlocking Approaches to Historic & Cultural Preservation, Tuesday, November 13, 10am

NT Learning Lab, Cultural Districts, November 14, 2pm

NT Learning Lab, Living Heritage for Sustainable Urban Development, November 15, 2pm

NT Power Session, Legacy Business Program, November 16, 10:30am

**Jorgen Cleemann and Frances McMillen**

Preservation Leadership Training: Landscape Assessment Workshop focusing on UN Plaza and Civic Center Public Realm Plan, November 13, 8am

**Desiree Smith**

Historic and Cultural Heritage Preservation Three-way in San Francisco – Interlocking Approaches to Historic & Cultural Preservation, Tuesday, November 13, 10am

Learning Lab: Confronting Inequalities in Documentation and Survey

(Co-facilitator) Wed. Nov. 14, 2 pm

**Rich Sucre and Allison Vanderslice**

Field Study: Pier 70: Transformation of a Historic Shipyard into a 21<sup>st</sup> Century Neighborhood, November 13, 1pm

**Tim Frye**

NT Learning Lab, Cultural Districts, November 14, 2pm

TrustLive: Intangible Heritage, November 16, 915am