

Planning Commission Informational Package
247 Upper Terrace CUA Hearing 2020-009146CUA

Provided by Project Sponsor/AOR/GBA

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December 1, 2021

President Joel Koppel
San Francisco Planning Commission
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

**RE: Property: 247 Upper Terrace
Planning Department Case No.: 2020-009146CUA
Hearing Date: December 9, 2021**

Dear President Koppel and Commissioners,

Our office is working with the owner (the "Owner") of 247 Upper Terrace (the "Property") on a proposed new two-unit residential building (the "Project").

The Project is seeking approval of a Conditional Use Authorization, which is required because it is located in the Corona Heights Large Residence Special Use District. New residential development in this district that exceeds 3,000 gross square feet requires Conditional Use Authorization. There is no variance required for this project.

This Project should be approved for the following reasons:

1. The Project is necessary and desirable in that it provides two new residential units on a lot zoned RH-2 which currently has no housing units.
2. The Project is not detrimental to persons or injurious to property in the vicinity. The Project is compatible with the scale and character of adjacent development, and the excavation, foundation and structure will be thoroughly evaluated through the building department slope protection review process.
3. As noted under planning code section 249.77 (e) (1), the Project meets the goals of the Corona Heights Large Residence Special Use District as it promotes housing affordability by increasing housing supply.

Existing Property and Project Overview

The Property contains a wood framed one story tall 2 car garage. The lot slopes down steeply behind the garage and there are 3 trees and no other structures on the site.

The Owner plans to create a new 4,081 gross square foot residential building with two new family sized units, each having 3 bedrooms. The lower unit is located below street level, has 1,764 square feet of living space and access to the terraced rear yard. The upper unit is at and above street level, has 2,074 square feet of living space and open space is provided by decks. There is also a 243 square foot one car garage. Currently there is a 19'-0" long curb cut serving the existing garage. This will be reduced to a 12'-0" long curb cut and so will increase the length of curb available for car parking on the street.

The Project is designed to maintain a modest scale at the street while accommodating two new 3 bedroom residential units. The ceiling height at the street level entrance to the upper unit is the code minimum (7'-6") and the street façade at the sidewalk is two stories tall. Inside the entry to the upper unit are steps down from street level providing access to two bedrooms behind the one car garage. The top floor, which is 568 square feet, is setback 14 feet from the street façade.

The Project provides setbacks and lightwells to maintain light and air to adjacent properties. A large light well is provided on the north side facing 245 Upper Terrace. Along the south side of the property facing 251 Upper Terrace, a 5'-0" deep by 14'-0" long setback is provided at the rear of the proposed new building. Windows facing the rear yard of 251 Upper Terrace are to be provided with translucent glazing. Because the Project is located to the northeast of 251 Upper Terrace, there is minimal shadow impact from the new building on the existing single family house at 251 Upper Terrace.

Neighbor Outreach

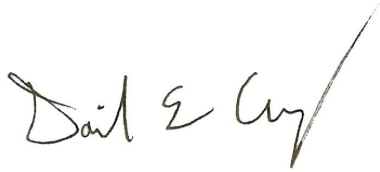
A high level of neighbor engagement has been sought, including group meetings, individual meetings and site visits to neighboring properties. First was the pre-application meeting, noticed and conducted in the format required by the planning department. There were approximately ten attendees at this meeting. Following this meeting the Owner and Architect visited the adjacent house at 251 Upper Terrace in order to hear more detail regarding the property owner's concerns about the project and see views from the rear windows of 251 Upper Terrace. After receiving recent emails, including from some neighbors not in the pre-application meeting noticing radius, the Owner offered to meet individually with each neighbor to review their questions and concerns about the Project (as of this writing, one neighbor accepted this offer). On Thursday, November 18th, a meeting was conducted at Supervisor Rafael Mandelman's office in city hall, conducted by the supervisor's aide Jacob Bintliff, with six neighbors in attendance. Throughout this process neighbor concerns have been identified, and work is ongoing with affected parties to minimize impacts from the Project. Included with the materials submitted for this application is the "Neighbor Outreach Summary" which provides more details on individual concerns and proposed mitigations.

Conclusion

The Project provides two new 3 bedroom residential units in a compact footprint with massing and setbacks tailored to maintain light and air to adjacent properties. As it is currently proposed, the Project meets the standards for a Conditional Use Authorization and is consistent with the goals of the Corona Heights Special Use District.

We look forward to presenting the Project to you on December 9th. If you have any questions before the hearing please feel free to contact me at 415-505-1536 or email david@cumbyarchitecture.com.

Regards,

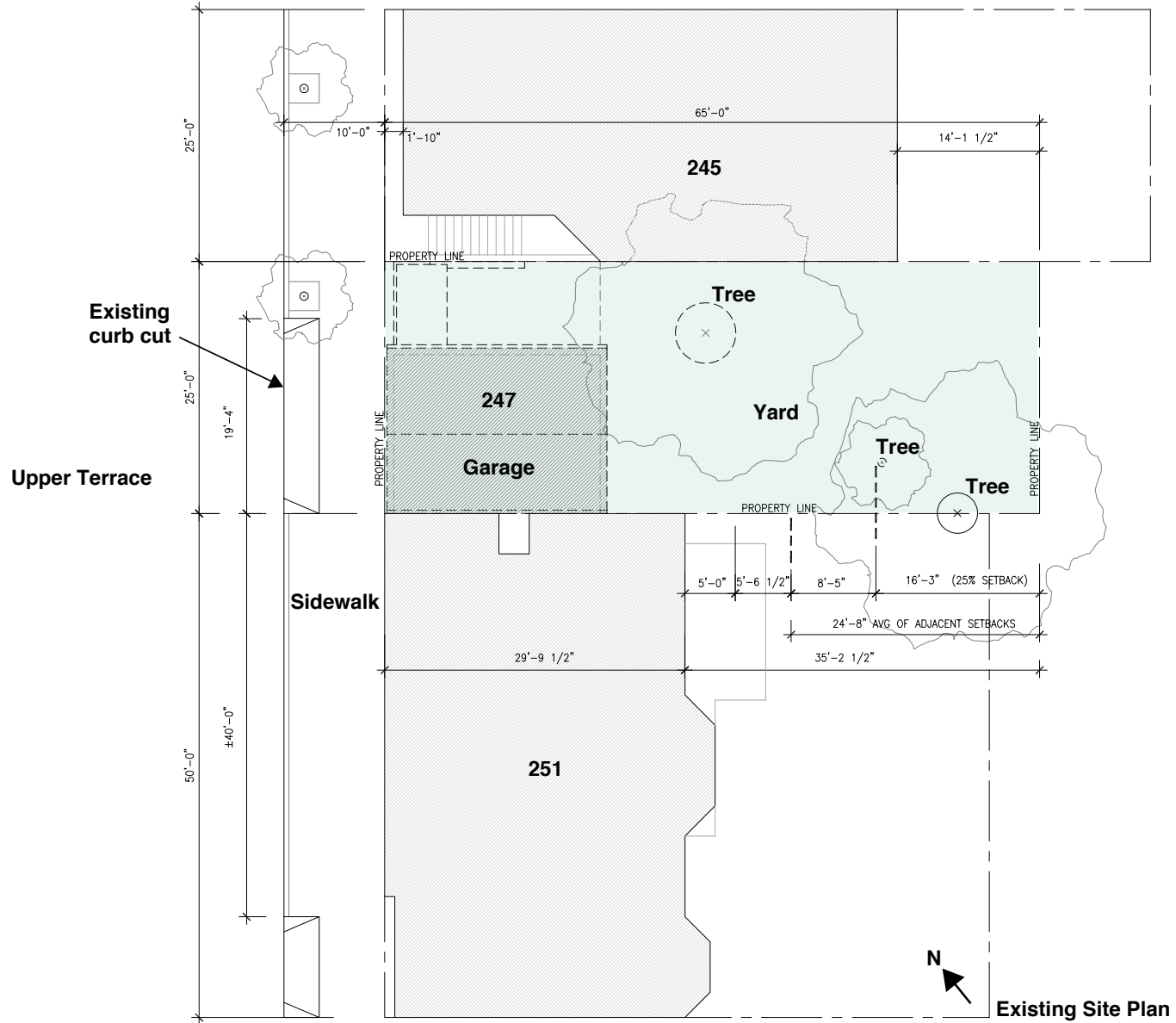
A handwritten signature in black ink that reads "David E. Cumby". The signature is written in a cursive style with a long, sweeping flourish at the end of the name.

David Cumby, Architect

cc:

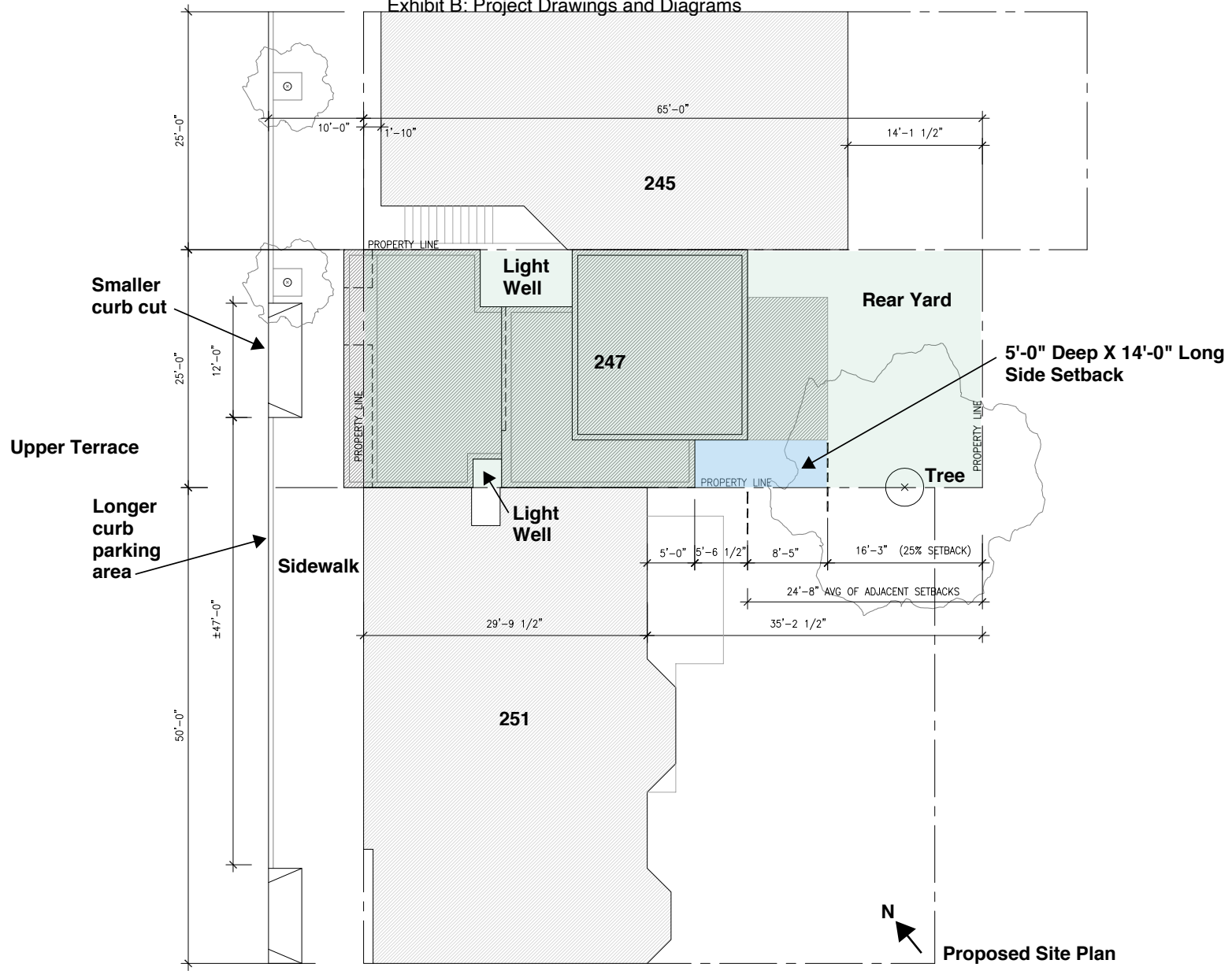
Commission Vice President Katherin Moore
Commissioner Deland Chan
Commissioner Sue Diamond
Commissioner Frank S. Fung
Commissioner Theresa Imperial
Commissioner Rachel Tanner
Commission Secretary Jonas P. Ionin
Senior Planner Jeff Horn

Exhibit B: Project Drawings and Diagrams

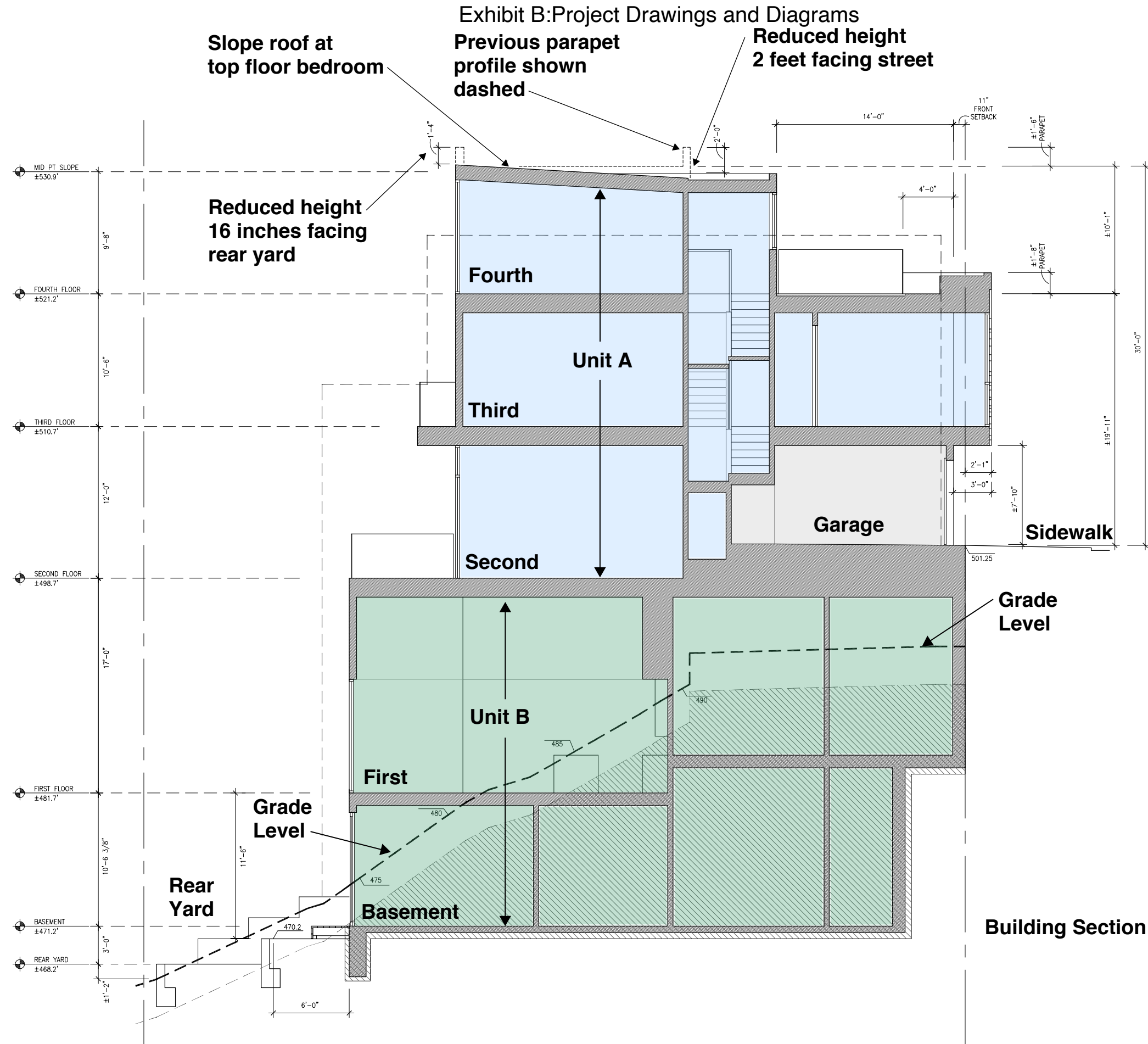


Existing Site Plan

Exhibit B: Project Drawings and Diagrams



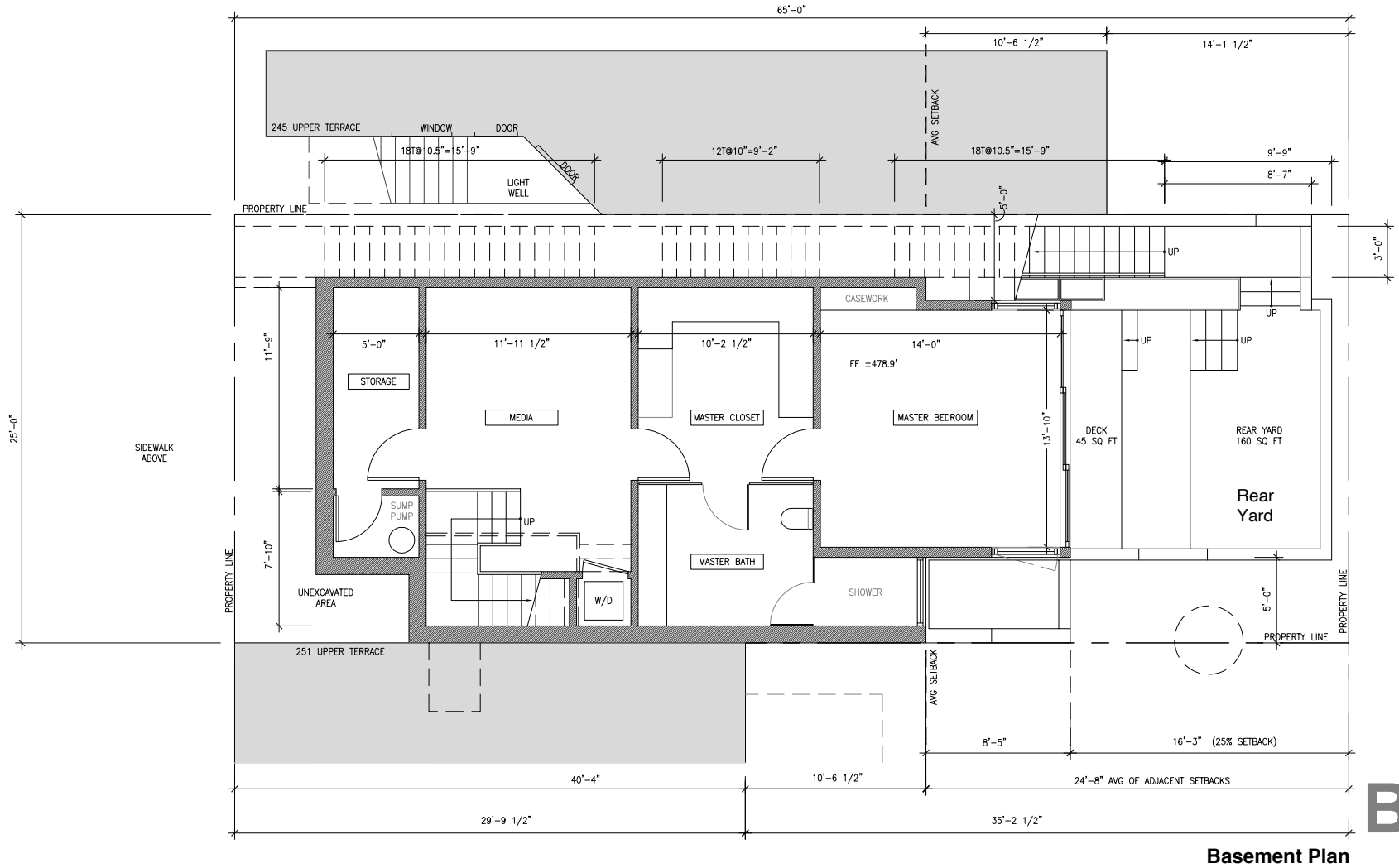
Proposed Site Plan



Update

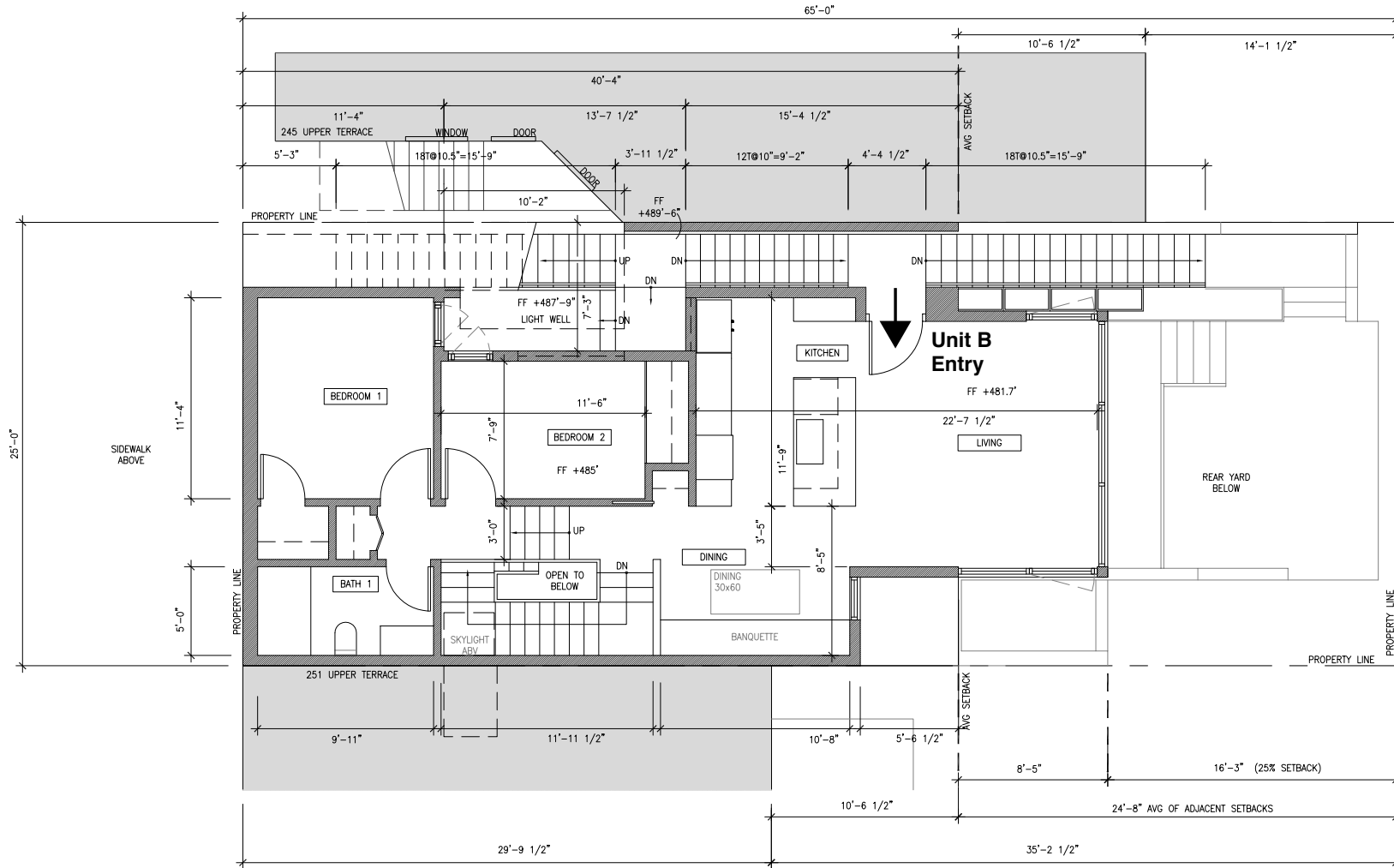
Building Section

Exhibit B: Project Drawings and Diagrams



B

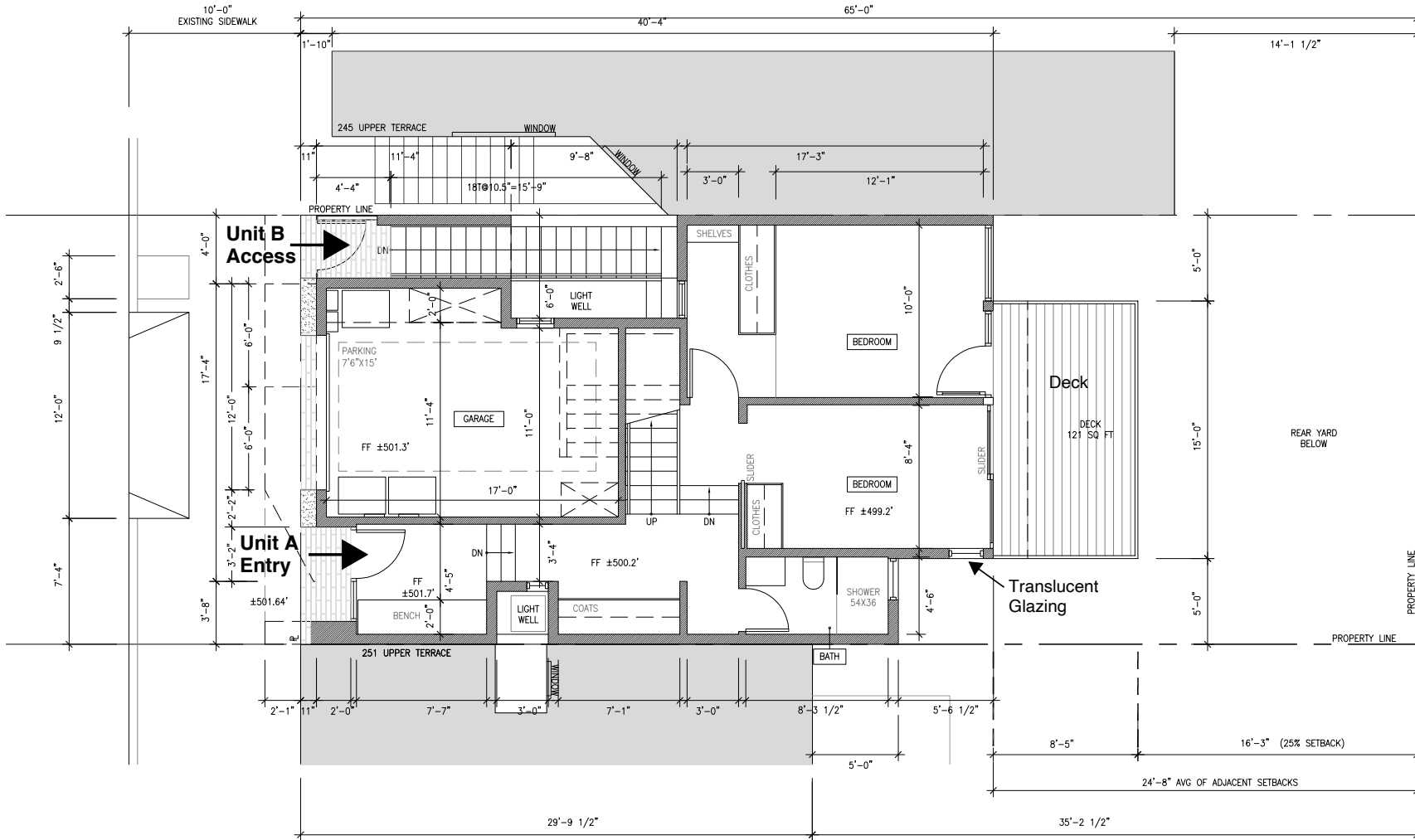
Exhibit B: Project Drawings and Diagrams



First Floor Plan

1

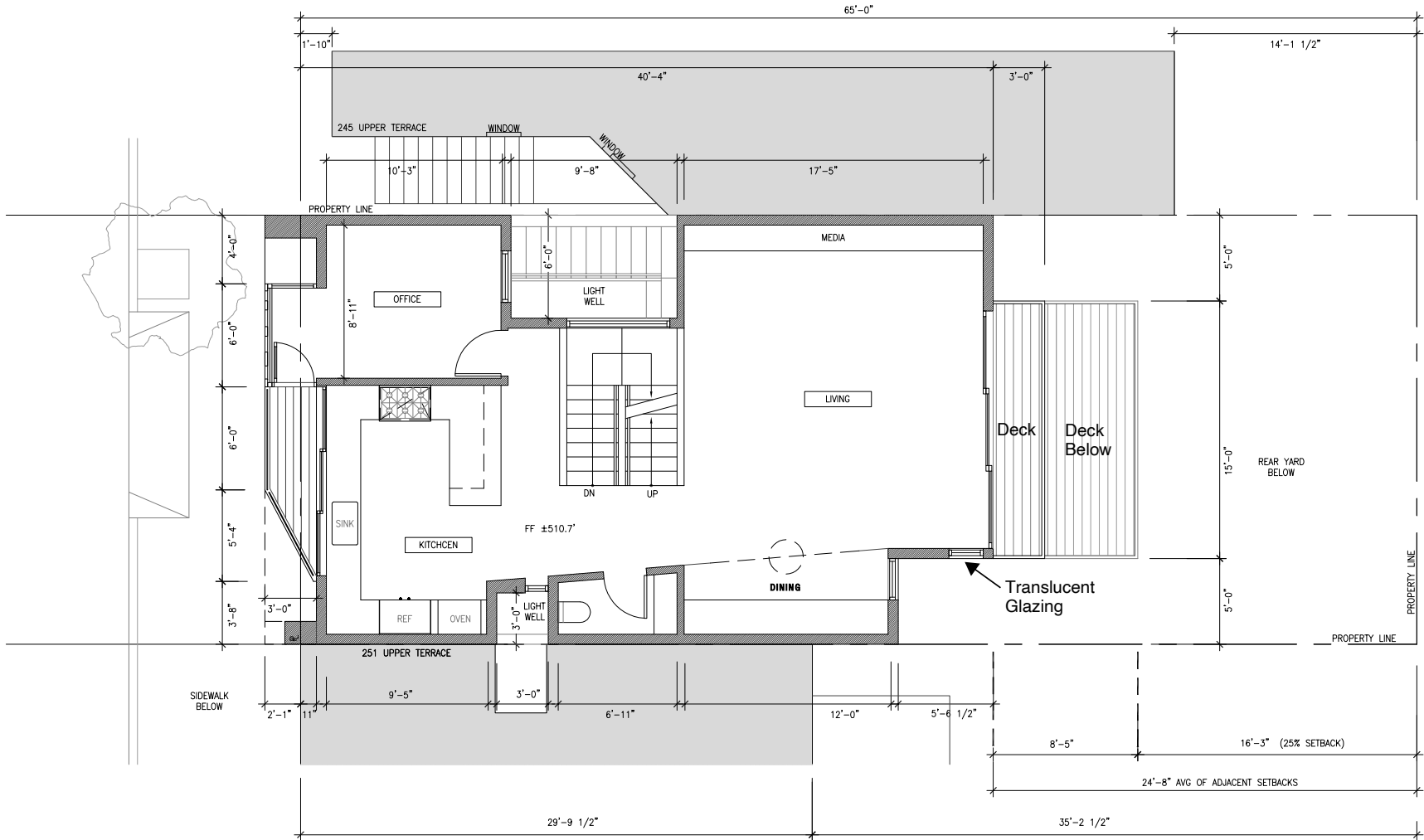
Exhibit B: Project Drawings and Diagrams



**Second Floor Plan
(Street Level)**

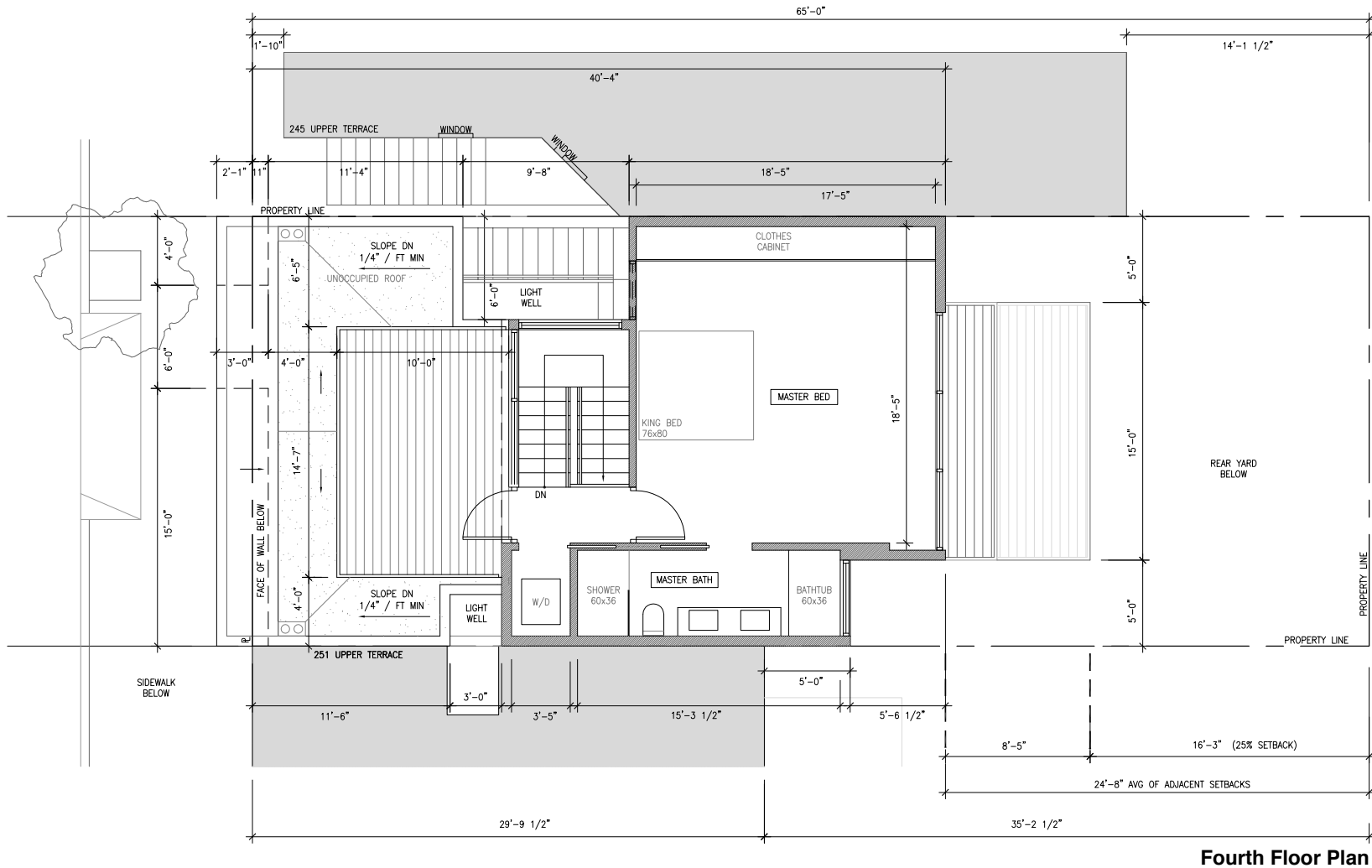
2

Exhibit B: Project Drawings and Diagrams



3
Third Floor Plan

Exhibit B: Project Drawings and Diagrams



4

Fourth Floor Plan



Street Elevation



View from down the street

Update



View from down the street

Exhibit B: Project Drawings and Diagrams

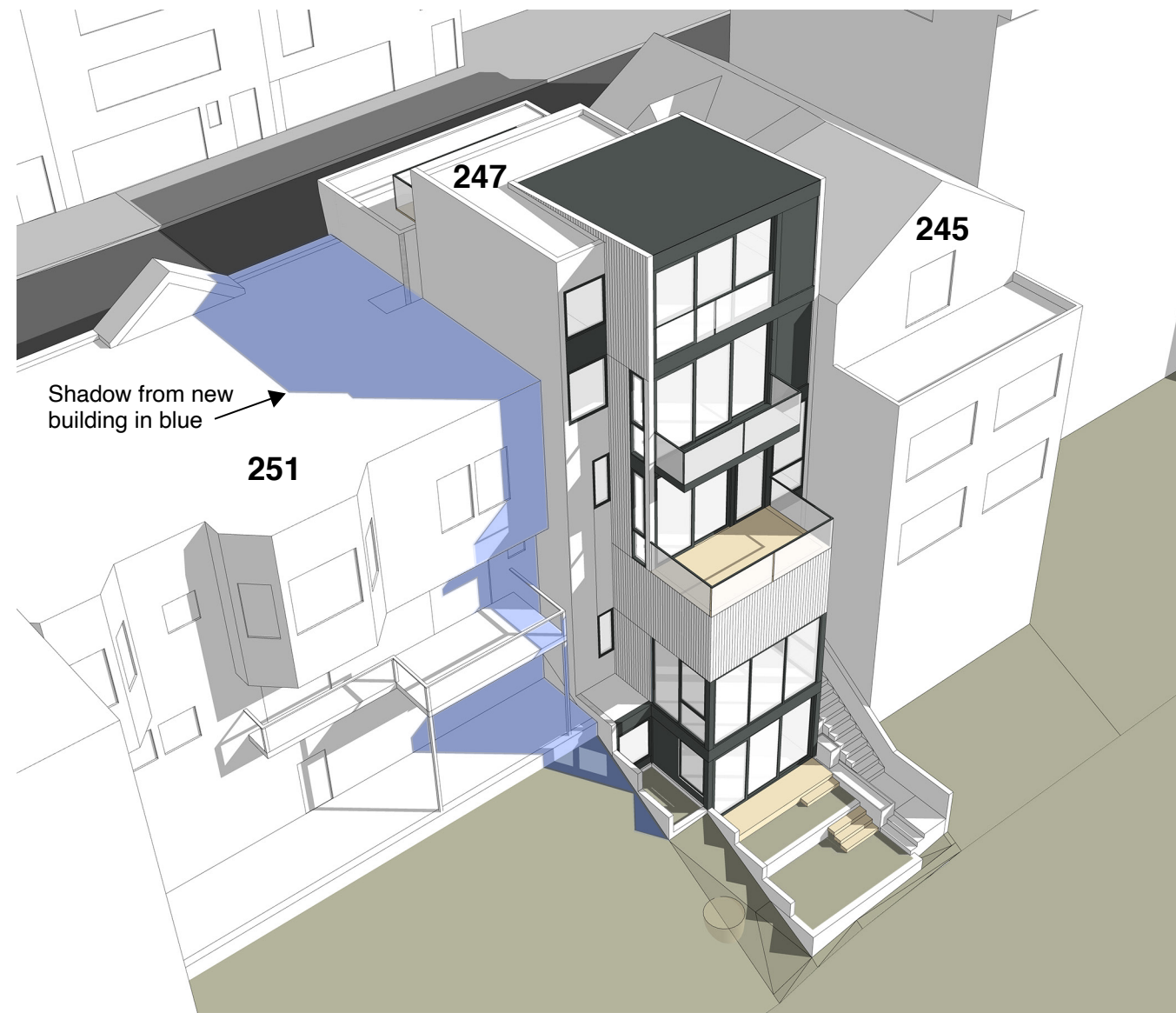


View from down the street

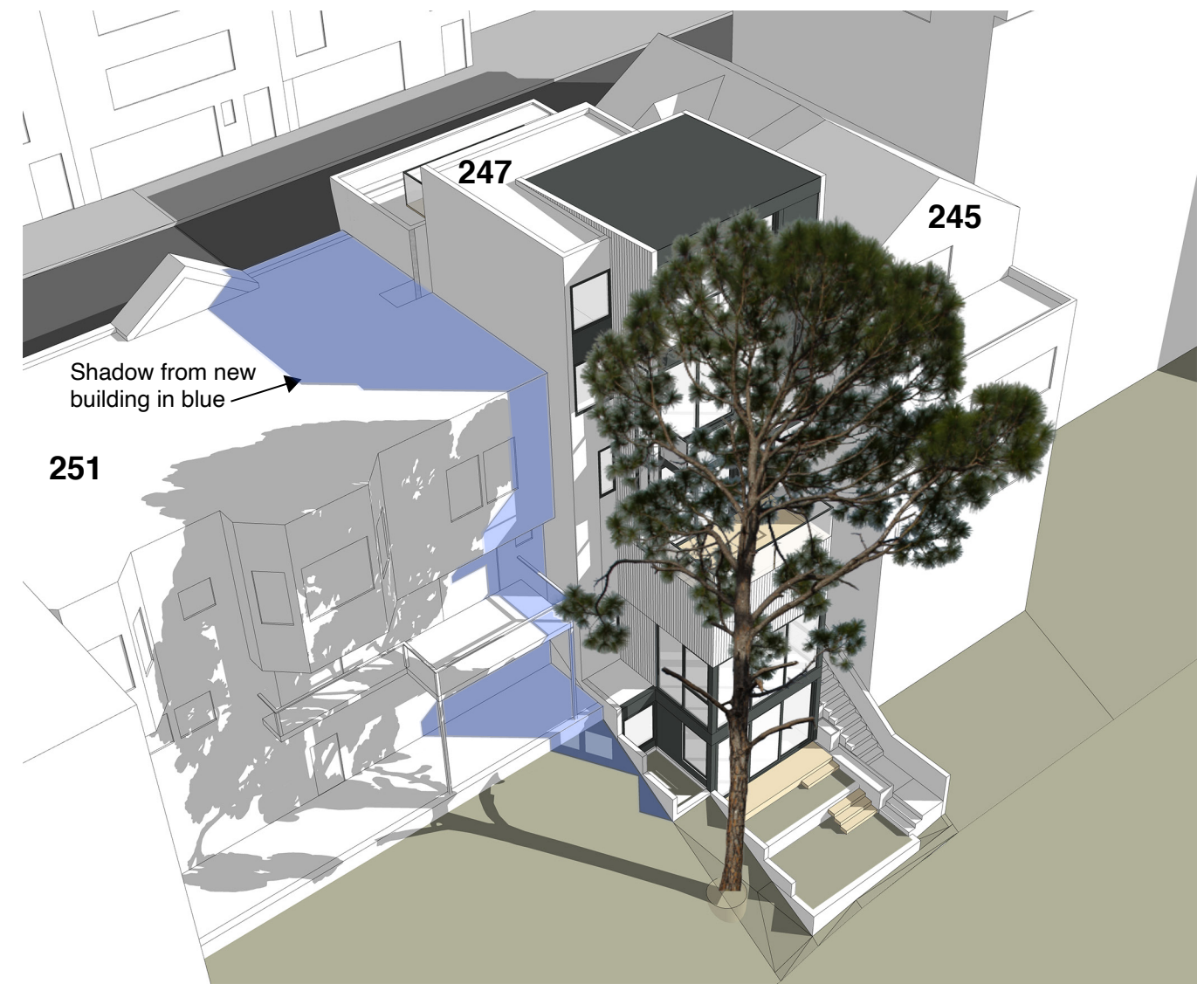
Exhibit B: Project Drawings and Diagrams



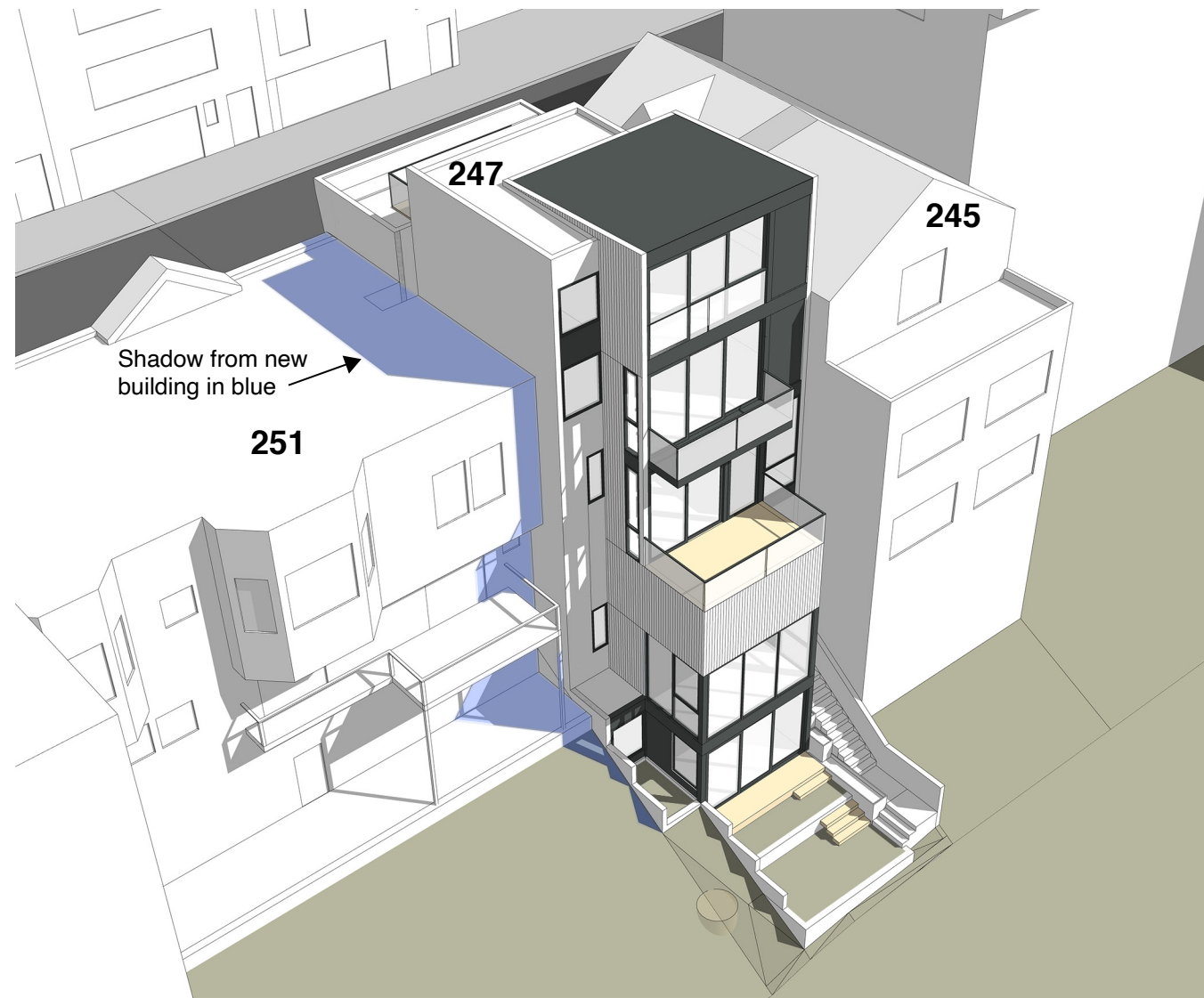
June 21, 7:30am



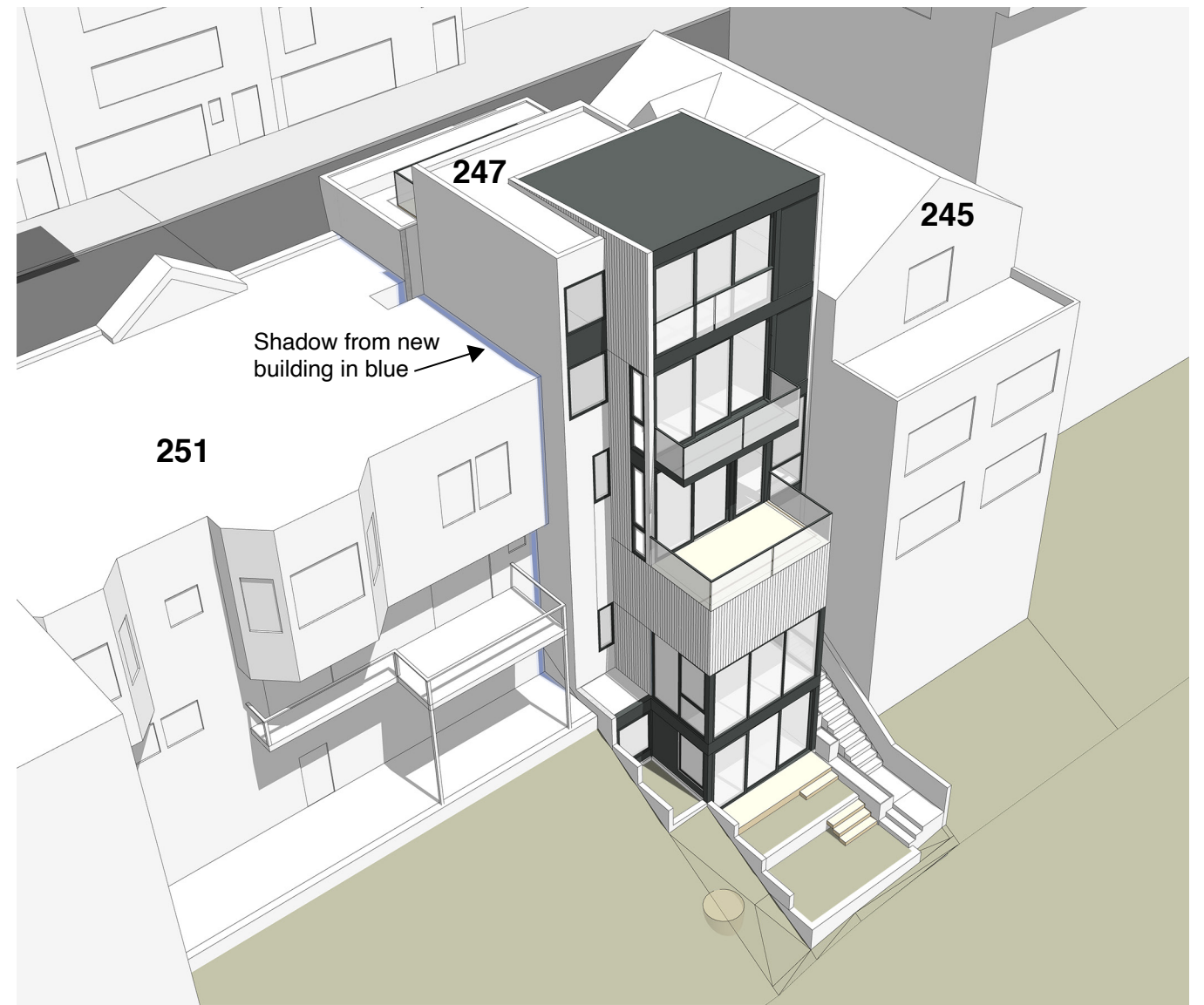
June 21, 7:30am
Tree not shown in order
to show only building
shadows



June 21, 7:30am

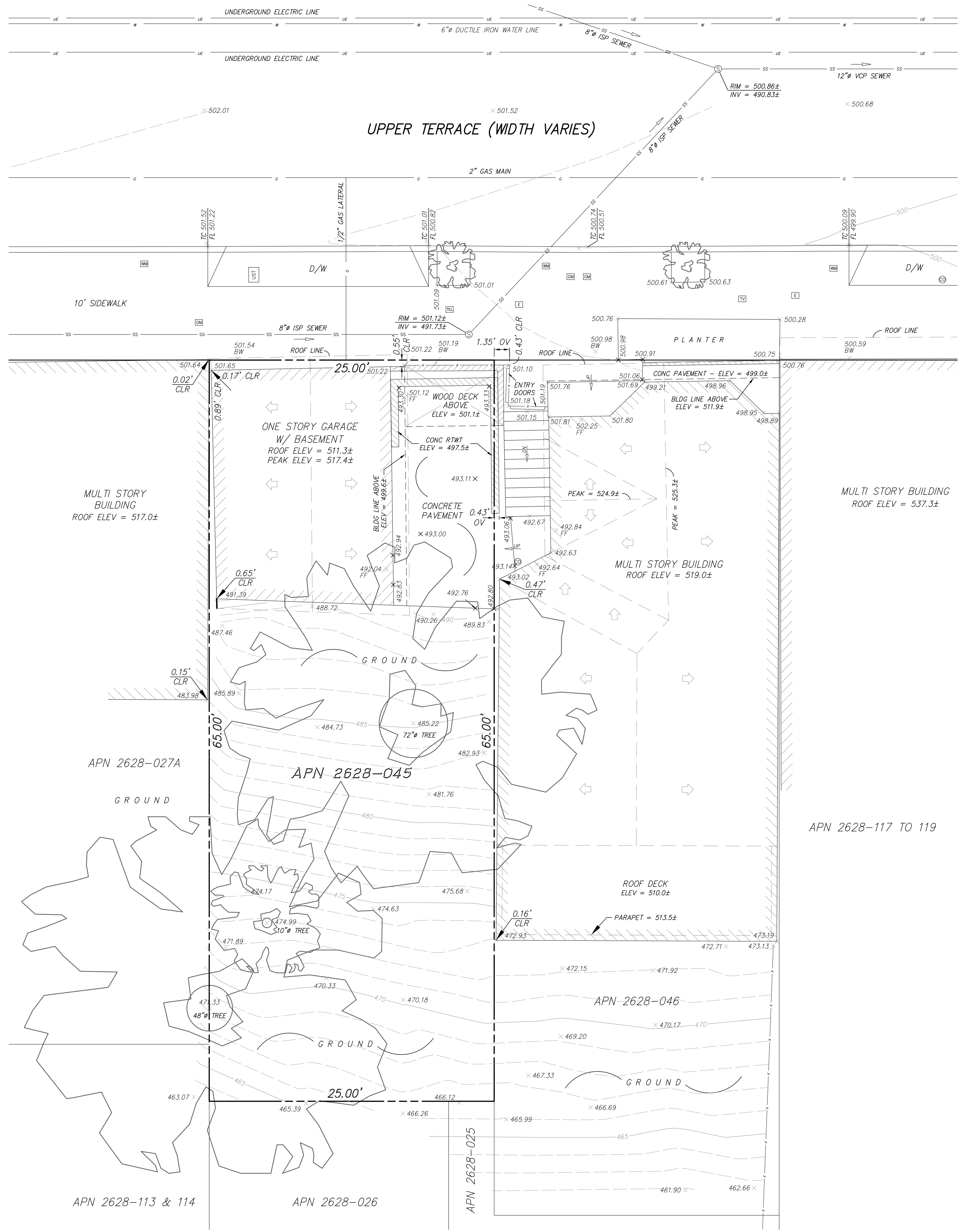


June 21, 8:30am
Tree not shown in order to show only building shadows



June 21, 10:45am

Exhibit B: Project Drawings and Diagrams



BENCH MARK
 17ST STREET & TEMPLE STREET (N.E. 8N CORNER)
 "+-" CUT ASW N SIDE DOOR ENTRANCE
 ELEV = 323.411 (CITY DATUM)

LEGEND

---	PROPERTY LINE
---	ADJACENT PARCEL LINES
---	RIGHT OF WAY LINE
---	BUILDING LINE
---	FENCE LINE
---	GAS LINE
---	UNDERGROUND ELECTRIC LINE
---	SEWER LINE
---	WATER LINE
---	CLEAN OUT
---	SEWER MANHOLE
---	WATER METER
---	GAS METER
---	ELECTRIC BOX
---	TELEPHONE BOX
---	CABLE TV BOX
---	UNDERGROUND STORAGE TANK
---	TREE

ABBREVIATIONS

APN	ASSESSOR'S PARCEL NUMBER
BLDG	BUILDING
BW	BACK OF SIDEWALK
CLR	CLEAR
CONC	CONCRETE
D/W	DRIVEWAY
ELEV	ELEVATION
FF	FINISH FLOOR
FL	FLOW LINE
FLR	FLOOR
INV	INVERSE
TC	TOP OF CURB

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- FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITIES AS BEING BEYOND OUR CONTRACT AND COMMITMENT TO OUR CLIENT.
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- FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES WHATSOEVER INCLUDING ENGINEERING DESIGNS OF OFFSITE OR ONSITE IMPROVEMENTS IS BEYOND THIS MAP'S PURPOSE, INTENT & CONTRACT. TRANSAMERICAN ENGINEERS DISAVOWS ANY AND ALL RESPONSIBILITIES, LIABILITIES WHICH SHALL REST UPON THE PARTY USING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE.
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- THAT SURFACE UTILITIES, MANHOLES, ETC. AS SHOWN HEREON WERE LOCATED BY FIELD SURVEY.
- IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ALL ISSUES REGARDING PROPERTY DISPUTES WHICH MAY ARISE OUT OF INFORMATION SHOWN HEREON.

SPECIAL NOTES

- ELEVATIONS SHOWN AS "ROOF ELEV" HEREON ARE IN FACT THE ELEVATIONS OF THE HIGHEST POINT OF SIDE WALLS. THESE ELEVATIONS MAY BE EITHER THE ROOF OR THE PARAPET ELEVATION OF SUCH ROOF. FLAT ROOF LEVELS WERE NOT VISIBLE FROM SURVEY POINT.
- "PARAPET ELEV" SHOWN HEREON ARE THE HIGHEST POINT OF SUCH PARAPET.
- "ROOF PEAK ELEV" AND "EAVES ELEV" (IF ANY SHOWN HEREON) ARE THE HIGHEST POINT OF ROOF PEAKS AND THE LOWEST POINTS OF ROOF EAVES RESPECTIVELY.
- DUE TO LIMITED ACCESS TO THE REAR OR THE ADJACENT AND/OR THE PARAPET SUBJECT BUILDING(S) AND/OR COVERED STRUCTURE(S) AT THE TIME OF THIS SURVEY, THE TOPOGRAPHIC DATA FOR THOSE BUILDING(S) AND/OR STRUCTURE(S) IS NOT SHOWN HEREON.
- IT SHALL BE THE RESPONSIBILITY OF OUR CLIENT TO CALL OUR OFFICE IN ORDER TO HAVE OUR SURVEYORS LOCATE ADDITIONAL INFORMATION AND/OR STRUCTURE(S) ONCE THE SITE HAS BEEN CLEARED. WE REQUIRE AN ADVANCE NOTICE OF FOUR (4) DAYS MORE OR LESS.
- ALSO, NOTE THAT THERE WILL BE ADDITIONAL CHARGES FOR SUCH STAKING AS IT IS NOT A PART OF THE SCOPE OF THIS JOB'S CONTRACT.

SURVEYOR'S STATEMENT

THIS CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL SURVEYOR'S ACT AND LOCAL ORDINANCE.

BY: *B. A. Pierce* DATE: 11-04-21
 BARRY A. PIERCE L.S. 6975
 MY LICENSE EXPIRES SEPTEMBER 30, 2023



Job No.	6847
Sheet No.	1 OF 1
Date	MARCH 2019
Survey	DP 03/19
Design	N/A -
Drawn	JT 03/19
Checked	BP 03/19
Scale	AS SHOWN

TRANSAMERICAN ENGINEERS

FOX PLAZA
 1390 Market St., Suite 201
 San Francisco, CA 94102
 Phone No. (415) 553-4092
 Fax No. (415) 553-4071

ARCHITECTURAL TOPOGRAPHIC SURVEY
 ASSESSOR'S PARCEL NO. 2628-045
 245 UPPER TERRACE

Approved by:	EXP.
Chief Engineer License No.	
Approved by:	
Chief Surveyor License No. 6975	
Engineer 8/30/2023	

Revisions	By:
11/04/21	BP

Location, Relative to Project Site, of Concerned Neighbors



List of concerns raised by Evelyn Mar, the owner of 251 Upper Terrace, which is adjacent to the project site to the southwest, and our proposed accommodations.

Existing bathroom fan vent will be blocked

To accommodate Evelyn's concern that her NE facing side vent will be blocked, we have offered:

Although the vent is not to code and projects onto our property, Project Sponsors will, at our own expense, reroute the vent to roof level, ensuring code-compliant implementation.

Privacy concern from small side windows facing the rear of 251 UT

See "247 Upper Terrace Presentation", slides 6 & 7

To accommodate Evelyn's concern that 247 UT SW facing windows will reduce her security and privacy, we have offered:

Installation of privacy glazing on all SW facing windows

Shadowing created by new construction

See "247 Upper Terrace Presentation", slides 14 & 15

To accommodate Evelyn's concern that the 247 UT project will cast additional shadow on her home, we have implemented:

Shadow Studies noting that shadowing due to the new construction is minimal at all hours and non-existent from 10:30am onward, even in the worst case (Summer solstice).

Tree damage

See Document "Tree Protection Plan"

To accommodate Evelyn's concern that the 247 UT project will damage the tree residing across the property line between her home and the 247 UT building, we have offered:

A formal Tree Protection Plan designed to guide all contractors and protect the tree and its root system. This plan has also been shared with the three downhill neighbors noted on the plan. We have also offered to replace the tree in the Tree Protection Plan.

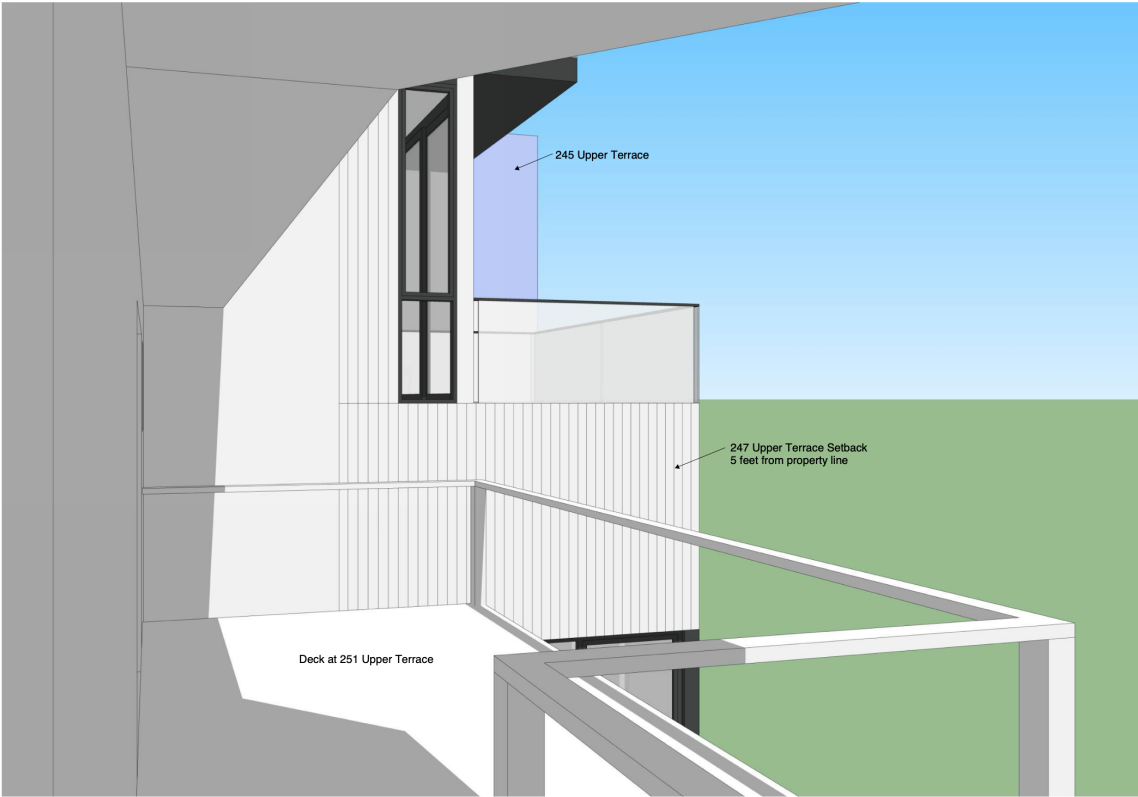
View and proximity

See "247 Upper Terrace Presentation", slide 2

To accommodate Evelyn's concern that the 247 UT project is too close and reduces the NE facing view from her home, we have implemented and accommodated:

-View Studies (see image below)

-A 5 'x 14 'set-back from the property line, visible in the diagrams



View from deck at 251 Upper Terrace

Exhibit E: Tree Protection Plan

Michael McNabb & Sarah Cooper
245 Upper Terrace
December 1 2021

Mike Stern and Kristina Rizga
Owners, 556-558 Roosevelt Way

Georg von Braunschweig
Owner, 560-562 Roosevelt Way

Chuck Still and Larry Peiperl
Owners, 564-566 Roosevelt Way

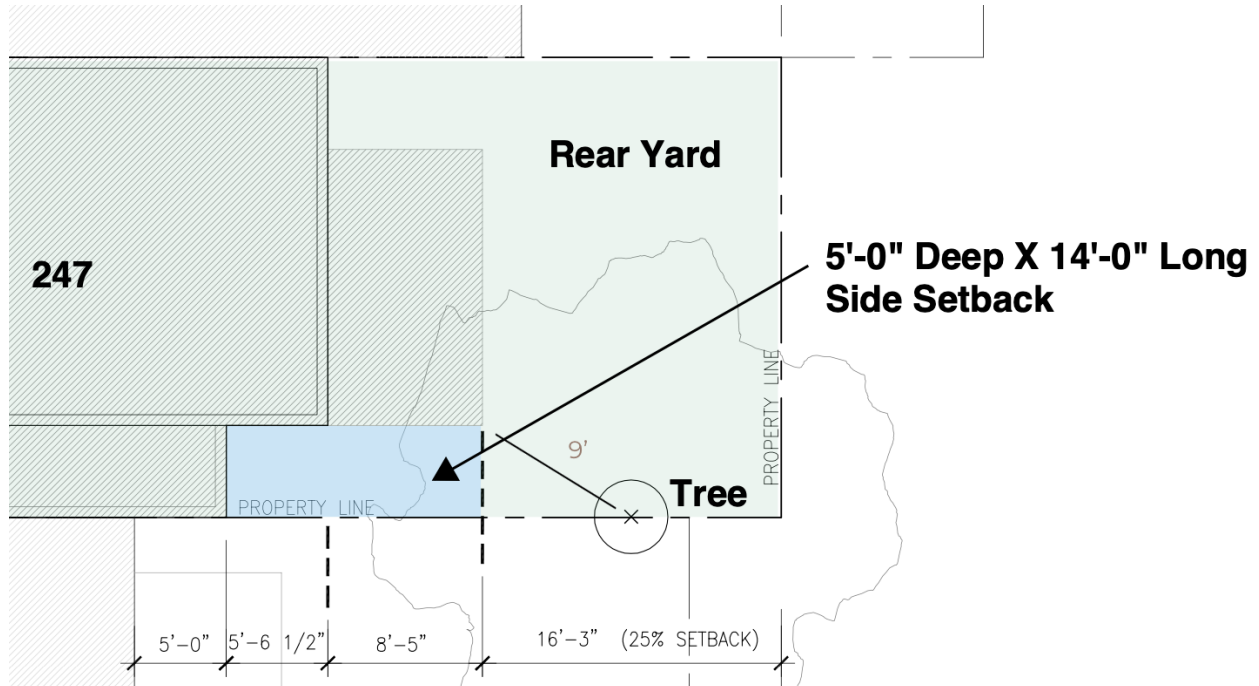
Evelyn Mar
Owner, 251 Upper Terrace

Dear Neighbors,

Thank you very much for the Arborist's report, which was very helpful and informative.

At present we are only at the stage of seeking Conditional Use Authorization for the proposed square footage. We have not yet hired a General Contractor so much of this is a bit premature and subject to future means and methods by the builder, but we wanted to take the opportunity to lay out what commitments we can offer at this time. I'd also like to remind you that we are very early in the building permit process and we are subject to the Slope Protection Act. As such our plans are to be reviewed by the heightened standards put forth by the SSPA and administered by the Department of Building Inspection, and peer-reviewed, before excavation plans are finalized and any work started. As a result, it is not yet possible to say with certainty exactly where and how much excavation will be done (a completed shoring and foundation design will be needed for this)

The tree is on the property line shared with 251 Upper Terrace, halfway along the required 25% (16' 3") setback behind the proposed lowest floor. That floor would sit roughly at the current slope at the rear. The entire building as proposed will also be set back 5' from the property line shared with 251. The tree is then roughly 9' from the nearest possible corner, and the nearest significant excavation would be further than that. So it is not even clear at this stage whether the tree will be at risk of any construction-related root damage.



That said, the overgrowth of the tree and its general condition are definitely a concern, and we all want assurances that the tree will be protected from any degradation. To that end we are prepared to make some commitments now.

We commit to having the tree trimmed at our expense as described in the last paragraph of your arborist's report, in consultation with Mrs Mar. This will be done prior to any excavation.

We commit to having a Tree Protection Plan in place before any construction is started. The Tree Protection Plan will be developed by an arborist hired by us working together with Mr. Danielson or another arborist of your choosing, and an ISA certified arborist chosen by Mrs. Mar if she so desires.

The Tree Protection Plan will include:

- Evaluation of the tree by the participating arborists.
- Tree protection and tree risk notes, specifications, and construction details for the project's construction manager, general contractor, and sub contractors to follow, including specific instructions regarding:
 - Soil compaction
 - Soil trenching, excavation, and on-site soil storage
 - Site re-grading
 - Tree trunk, limb, and critical root zone damage
 - Material and equipment delivery, staging, and storage
 - Eroding soil from rainfall or construction water use

Exhibit E: Tree Protection Plan

- Protective measures, such as barriers, to be installed according to best practices and ISA-approved methods, and the materials to be used
- A schedule of site visits by the arborists with regular inspection for damage
- Commitments to repair or mitigate any tree damage as soon as possible
- Supplemental tree watering if needed during construction
- Regular updates to all parties on the status of the tree

If for unforeseen reasons the tree has to be removed, or if we and Mrs. Mar were to agree to do so, we commit to removing it, and if Mrs. Mar desires, replacing it with a tree appropriate for the site as recommended by her arborist.

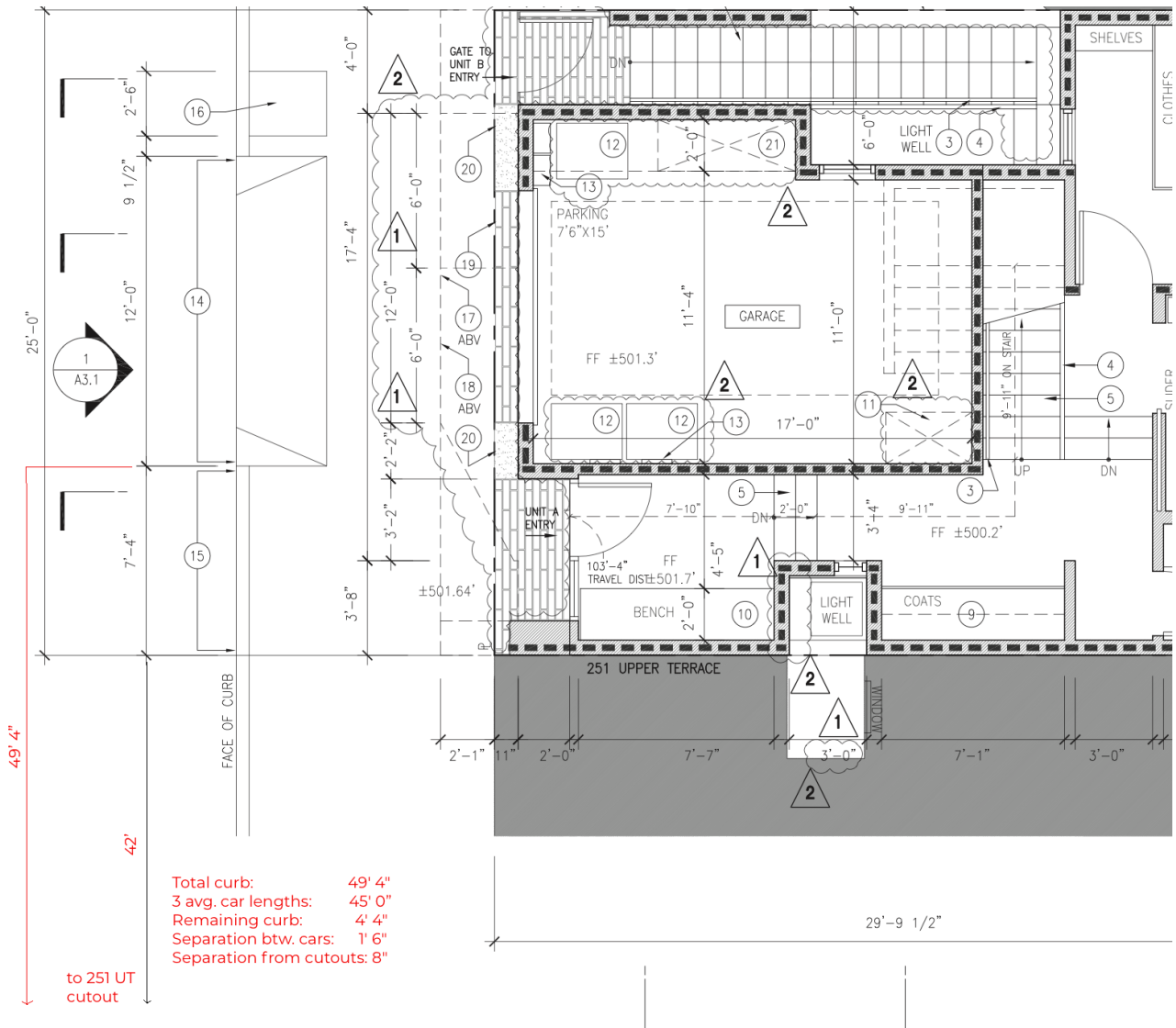
Best regards,
Mike McNabb & Sarah Cooper

Exhibit F: Parking Study

Additional Street Parking Added by 247 Upper Terrace Project

As shown in the latest plans, the existing curb cutout for the 247 garage will be reduced by 7' 4" on the south end. This will extend the existing 42' curb in front of 251 Upper Terrace to more than 49'. As the average length of a conventional sedan is 15', the curb section now long enough for only 2 cars will become long enough for 3. Therefore 2 parking spaces will be available post-construction (1 street and 1 garaged), so there will be no net loss of parking spaces.

Exhibit F: Parking Study



1 PROPOSED SECOND FLOOR PLAN (STREET LEVEL) / 1/4"=1'-0"

KEYNOTES:

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> ① (N) CONCRETE EXTERIOR STAIR W/ 11" TREAD, MAX 7" RISER ② (N) 1-HOUR RATED WALL; T.O. WALL MIN. 42" ABV. STAIR TREAD NOSING/LANDINGS ③ (N) 1-1/2" O.D. HANDRAIL, TOP OF RAIL 36" ABV STAIR TREAD NOSING ④ (N) GUARDRAIL, TOP OF RAIL 42" ABV. FIN. FLR., LESS THAN 4" CLR. BTWN. GUARDRAIL MEMBERS | <ul style="list-style-type: none"> ⑤ (N) INTERIOR STAIR W/ 10" TREADS, MAX. 7.75" RISER ⑥ (N) VANITY ⑦ (N) WALL MOUNTED TOILET, 1.28 GPF ⑧ (N) SHOWER, FULL HEIGHT CERAMIC TILE WALL FINISH AT SHOWER ENCLOSURE, TEMPERED GLASS PANEL ⑨ (N) COAT CLOSET ⑩ (N) BENCH | <ul style="list-style-type: none"> ⑪ (N) BIKE PARKING, WALL MOUNT, 24" WIDE, 40" LONG, LESS THAN 3" LIFT REQUIRED ⑫ (N) RECOLOGY BINS ⑬ (N) UTILITY METERS/PANELS ⑭ PORTION OF (E) CURB CUT TO REMAIN ⑮ PORTION OF (E) CURB CUT TO BE REMOVED; PROVIDE NEW CURB AND SIDEWALK IN THIS AREA |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Exhibit F: Parking Study



Exhibit G: Project Milestones (& Neighbor Engagement/Notice)

Neighbor Notification for 247 Upper Terrace project Nov 18, 2021, Preliminary Milestones Moving Forward

1) 11/18/2021 Neighbor Meeting with Supervisor Mandelman's Office at City Hall

2) 12/9/2021 Planning Commission Hearing on CUA for Use Size over 3000 sf.

The Planning Commission will approve, deny, or continue the item.

Site Permit review by Planning ongoing

3) 3-4 months After Formal Planning Approval, Site (entitlement) Permit review at DBI begins.

This project will be subject to the **Slope Protection Act (SPA)**; this act invokes the highest levels of review DBI has in terms of the structural design of projects. DBI will assign a Tier and review according to the SSPA ordinance .

4) Hire General Contractor

5) Design Development structural design occurs

6) 4-8 months of DBI outside agency review/could be longer depending on the SPA determinations resulting in Site and Demo Permit approval and issuance-

Existing building demolition may occur 15 days following demo and site permit issuance, but this will be held until a logical time in the construction schedule to be determined by builder.

The existing building demolition triggers **public notification** by DBI. 300' radius notification was sent in December or 2020 and will be sent again upon issuance of the demolition permit. **Upon issuance of the Site Permit, a large (36"x42") poster board will be posted at the job site for 15 days.**

** No new construction can begin until a construction permit issued; this includes any shoring and excavation permits*

7) **Final structural budget and design and work firmed up by site permit approval.**

(Comprehensive final budget dependent on architectural finishes/details and landscaping could still be subject to change, but the structural design would be pretty well baked at this point.)

8) Shortly after Site permit issuance construction permit/addendum filings will be made (submittals listed in order below)

Shoring and excavation

Foundation/Superstructure

Architectural and T24 Energy Compliance

9) **Construction permits obtained for mobilization in the field**

12-18 months from now, it is anticipated construction can begin after review and approval of first construction permits.

Notification to immediate adjacent neighbors is required prior to excavation beginning *per civil code.*

Construction milestones:

-landscape & retaining wall plan for hillside preservation

-materials confirmed and ordered

-construction schedule firmed up

-phased plan with material delivery and calendar of street interruptions

-excavation/foundation/shoring implementation plan

-water run-off plan by civil engineer for code-compliant drainage system

247 Upper Terrace: Neighbor Engagement History

Updated: Nov 12, 2021

Neighbor list

251 UT: Evelyn Mar. next door

278 UT: Bartosz Ostenda. Across the street from 245 UT, current Sponsor residence

282 UT: Carol Cox. Across the street from 247 UT

286 UT: Marianna Mao

294 UT: Aleksandar Rajkovic and Ana Malinow.

290 UT: Carol Glanville

263 UT: Susan Takaki and spouse Joe. Live 4 houses away

267 UT: Margot Leavy. Lives 5 houses away in a home w/ a closed-off double garage turned into living space.

298 UT: Patricia & Frederick

255 UT: Deb and Gregg Zipp, 2 houses away

231 UT?: Derek Claudius, 2 houses away

125 UT: Ester Marks. 2 streets away.

History of Neighborhood Engagement

December 17, 2019

Pre-Application mtg

Invited attendees:

Evelyn Mar, Carol Cox, Mariana Mao, Bartosz Ostenda, downhill neighbor Mike Stern

Additional attendees:

Carol Glanville by granted request

Stephan and Dan Slaughter. 379 UT, President of Mount Olympus Neighborhood Assoc. by granted request

Patricia & Frederick

Architect David Cumby overviewed project. Some neighbors were supportive, others had specific questions and concerns, notably the owner and resident of 251 Upper Terrace expressed concern about the impact of the project on her property. We have addressed what concerns we believe we can in subsequent neighbor engagement and in the building design.

Oct 15, 2021

Neighbor concerns taken directly to Planner Jeffrey Horn with no inquiries or requests to Project Sponsors (emails to J Horn, below)

October 2021-Ongoing

Architect David Cumby continues to reply to a variety of specific concerns emailed by neighbors. (See Summary email sent to Jacob on Oct 28). Many light, shadow and view studies implemented and shared.

Oct 24, 2021

Project Sponsors emailed neighbors listed above inviting all to set up 1-on-1 meetings.

1 neighbor responded, Susan T. and Joseph at 263 UT.

Oct 25, 2021

Esther M, requested that we request Continuance and set up a neighbor forum with written questions submitted prior.

Oct 26, 2021

We emailed neighbors committing that we would request Continuance at Hearing

Oct 28, 2021

Hearing in which Ester Marks advocated that a Continuance was insufficient and project should be delayed indefinitely.

Exhibit H: Neighbor Engagement

Nov 10, 2021

- no neighbors have accepted repeated invitations from 247 Project Sponsors to engage in 1-on-1 meetings (except Oct 25 mtg with Susan Takaki & spouse)
- Architect David Cumby has received no further inquiries since Jacob scheduled the City Hall meeting.

November 18, 2021

Meeting with Neighbors at City Hall with Supervisor's Staff and neighbors.

Perceptions:

Some neighbors blame project sponsors for the close dates of their mailing notifications and Commission Hearing, not realizing City is solely responsible.

Lack of awareness that Notice was sent to 321 residents and 26 organizations.

Perception that Project Sponsors did not fulfil obligation for noticed meetings with neighbors.

Belief that 3,000 square feet is a "maximum allowed"

Expectation that this 2-unit 4,000 sq ft 247 UT project will have similar process as the 10-unit 15,800 sq foot Dawson-Clinton project at 271 UT

Misunderstanding on the goals of the CUA

Neighbor response history

Oct 27-Nov 2, 2021

Carol Glanville

The downstairs unit would have to have access to the garage at all times in order to get to their Recology bins (12) located in it? And the adjacent bike storage could be

used for other things of theirs? Lower unit climbs up 18 steps with Recology stuff, and down with groceries, etc.?

Yes the downstairs unit will have garage access at all times, they will have access to one bike storage spot (I assume it could be used for other purposes) and will use the Stairs on the side facing 245 Upper Terrace for access to/from the street

Separate utility meters(13) Could the lower unit charge a car or bike from the garage?

Separate charging for each unit in the garage may be provided, this detail has not been finalized

The upper unit accesses the garage and their Recology bins from the interior?

Both units access the garage from the garage door, no interior door to the garage

The little patch of undecked area at the rear of the property is shared space.

Is it likely that the occupants of the upper unit would go there? Perhaps to garden?

Current plans are to have the rear yard exclusively for the use of the lower unit

Two trees are to be removed. In addition to the approximately 80 - 100 foot

Monterrey Cypress, it looks like the other is a eucalyptus, leaves seen on photo D.

The small tree to be removed is a "silver dollar eucalyptus"

What is the function of the pipes seen in photos E and D?

The pipes on the ground are discarded gutter drainage piping that was removed, they are not functioning drainage pipes

In case of fire, lower unit has one exit route?

Exhibit H: Neighbor Engagement

Yes one stair to the street, the entire building including this stair will have fire sprinklers, the walls and ceiling at the stair will be fire rated

Margot Leavy, 267 UT

Oct 25 email

Hi Mr. Horn,

I am writing in response to the notice I received from the planning department regarding a building project at 247 Upper Terrace. I understand that there is a hearing on October 28 and wanted to make a few comments as I may not be able to attend the meeting.

Currently, there is a small (351 sq ft) Victorian garage on the site where the family parks two of their three cars. Upper Terrace is a very narrow, dead end street with very limited on street parking. Often, there is none. The proposed building is intended as two large apartments and one parking space clocking in at almost twelve times that size!!! (4081 sq ft). It is too large for the lot and for the neighborhood. There will now be one parking space for three families. This is a disaster in the making. I would like to strongly recommend a downsizing to at least half of that square footage, still six times the current number, and a reduction to one unit with three spaces. I know there will be an increase of one street space according to the current plan and that should be kept. This would provide 2 spaces to the new unit and two spaces to the current home.

I would also like to suggest that the planning department carefully review the site in person. It is hard to adequately describe how grossly oversized this project is as it currently stands without viewing it.

Respectfully submitted,
Margo Leahy, MD
267 Upper Terrace

Oct 25 email

Hello Mr Horn,

As the sponsor of the 247 project, we need to correct Margo Leahy's mis-representation as below:

Currently, there is a small (351 sq ft) Victorian garage on the site where the family parks two of their three cars.

We do not and have never had 3 cars.

More than this distinct data point, I'm concerned by Margo's pro-active misrepresentation of our situation to a governing body. I do understand her concern as Margo's home has no garage parking itself.

Please confirm your receipt of this correction.

Kind regards,
Sarah Cooper & Michael McNabb
245 and 247 Upper Ter, SF

Oct 25 email

Dear Mr. Horn,

Apparently I was mistaken about the residents of 245 having three cars. It was an innocent mistake.

Margo Leahy

Exhibit H: Neighbor Engagement

Aleksandar Rajkovic

Oct 15 email

Hi Mr Horn,

I am the owner of the 294 Upper Terrace, San Francisco, CA 94117, same street and across from 247 Upper Terrace. I am opposed to the proposed razing of the garage and erecting a much taller structure in its place. The proposed project will obscure our view and make our rooms darker. The proposed project should not be higher than the current structure. Please don't hesitate to contact me if you have any questions or concerns.

Best regards,

Aleksandar Rajkovic

Oct 19 email

Aleksandar

I am the architect for the proposed project at [247 Upper Terrace](#). Our planner, Jeff Horn, indicated you contacted him about the project. I would be glad to discuss the design with you anytime.

The existing site has no residential units, we are proposing to add two new 3 bedroom units. A few notes about the project are below:

1-we have kept the height at the street front low by keeping the ground floor at street level to the code minimum ceiling height (7 feet 6 inches), so we have a modest 2 story tall façade at the street.

The uppermost floor which contains 1 bedroom and 1 bath is setback 14 feet from the street

2-the project does require removal of one of the trees, however we will be adding two new residential units on a site currently without any housing units and we are keeping the large tree down near the bottom of the site (on the right side of the property as it is viewed from the street).

3-planning does not require any car parking for this project. We have provided one garage space, if we added more car parking we would have to remove 2 bedrooms currently in the plan behind the garage.

Please note we are limited to a 10 foot wide garage door, so we could not have two parking spaces side by side directly off the street.

4-there is no variance required for the project, it is planning code compliant as proposed.

Please feel free to call or email me with any questions

Regards

David

Oct 25 email

Thank you David. The concern is also regarding significant increase in square footage from currently allowed 3K to over 4K.

Best, Aleks

Oct 26 email

Aleksandar

Exhibit H: Neighbor Engagement

Thanks for your question about the square footage. The 3,000 sq ft is not a maximum allowed. The project site is located in the "Corona Heights Special Use District" which requires a "Conditional Use" hearing if the new project exceeds 3,000 square feet on a vacant lot. We are proposing two separate 3 bedroom units, the lower unit is 1,764 square feet and all below street level, while the upper unit is 2,074 square feet, just two stories tall at the street with a top floor setback from the street. What we are proposing is consistent with the goals of the special use district, maximizing the opportunity for more housing units (the lot is zoned for 2 units) while maintaining scale compatible with the existing neighborhood. Please let me know if you have any questions.

Regards

David

Ana Malinow

Oct 15 email

Dear Mr. Horn,

I am writing as a neighbor of the proposed construction across the street from our house, 294 Upper Terrace.

My understanding is that the tree behind the property will need to be cut down. This will be a major environmental loss to the neighborhood.

In addition, the new and much taller structure will obstruct our view, decreasing the resale value of our property. I see this as a direct financial loss for which I will be seeking damages.

I hope you take these considerations into account as you decide on the future approval of the 247 Upper Terrace plans.

Sincerely,

Ana Malinow

294 Upper Terrace

Susan Takaki

Oct 15 email

Dear Jeffrey,

I just received plans for 247 Upper Ter in the mail. Spoke with several neighbors since then. A variety of issues have been raised regarding this project. What is the best way to voice our concerns? Is it more effective to have everyone with concerns to individually email commissions.secretary@sfgov.org, or a collective email signed by the neighborhood?

Can the planning commission grant approval on this project on 10/28 at the hearing even if there are concerns from the neighborhood? If you could please explain this process to me, that would be great.

Best,

Susan Takaki

263 Upper Ter

415-271-0702

Oct 25 emails

Dear Sarah and Mike,

Thank you for taking the time to meet with Joe and I. We appreciated the open and candid conversations. Let's keep the lines of communication open as you move through the process.

Best,

Susan

Exhibit H: Neighbor Engagement

Susan - Agreed and very grateful for your offer to stay connected! We're both so appreciative of you and Joe taking up your time, advising us, providing candid feedback, and giving us a chance to respond to your real concerns. You can't ask for better neighbors than that.

Thanks again,
Sarah

PS: we committed to Esther that we would respond on the Continuance on Tuesday/tmr, as she requested. We're talking to our architect about it tmr at 8:30am; we're definitely leaning in that direction as we don't want anyone to feel steamrolled.

Oct 26
Hi Sarah & Mike,

Thanks for requesting the continuance.

You guys are open to a group meeting too, right? So that everyone is all in the same room, on the same page about everything? Format of Written questions or people can ask questions if everyone is respectful and on their best behaviors? Anyone who is not will be asked to leave. Let me know!

Susan

Patricia and Frederick

Oct 30 email

Ms. Cooper,

Kindly include our emails in all future invitations to community meetings re. your project at 247 Upper Terrace (our property is well within 300' of your project).

We were notified and attended your pre-app meeting in 2019. We also recorded our request for notification updates on the project as per the architect/sponsors required action from the Planning Departments pre-app meeting report. Furthermore, we personally emailed and phoned your architect within a week following the Pre-App notification, but received nothing in the two years you worked stealthily on the project. Less than a week before receiving notice of the Public Hearing, I casually asked your husband about project's progress as I walked by your home. He provided no information.

We finally received a notice of the Public Hearing on October 12, twelve business days before the Public Hearing was scheduled.

This time around, please notify everyone who indicates an interest in your project's impact. In addition, it is customary that Community Members not be limited to pre-arranged questions or issues. The Community Meeting is designed as a forum where the sponsors outline their project, provide rationale for it and answer/respond to issues raised by the Community. The sponsors don't attempt to limit or frame the discussion to their own purposes. The Community Meeting has always been held at the project site, so that the sponsors can show specifically what they intend to do without resorting to only architectural drawings which have, at times, proven to be biased.

We look forward to getting advance notice so we may plan to attend.

Thank you.

Patricia and Frederick Holden
298 Upper Terrace

Patricia,

I have just forwarded your request to Jacob Bintliff of the office of Supervisor Mandelman, who is organizing the Neighborhood Meeting. The Supervisor's office will also be moderating the meeting. Esther Marks proposed the format and that the meeting be moderated by Supervisor Mandelman; Mike and I agreed to her proposal.

Sarah Cooper

Esther Marks

Oct 24

Hello Esther,

I want to make sure you're receiving my emails. Can you confirm on your end?

Also, would be helpful to get your response to this in my email of Oct 22:

I think what would be most fruitful at this point is for you to share the concerns that were presented to you which you felt merited an escalation to Supervisor Mandelman. He may in fact be an asset to this process, but I'd like to be clear on the specific issues that are driving the need for his involvement.

Many thanks,
Sarah

Oct 24

Sarah:

I am receiving your emails.

The reason I am asking you to have a continuance and meet with neighbors as a group is that there is concern/questions re: your proposed development.

I have also been told there are neighbors who did not received notices for demolition of the garages or the pre-application.

If you are concerned "group meeting as these sessions seem to become counterproductive attacks on individuals amid claims which lack verification", **I think it would be fair to ask questions/concerns be put in writing prior to the group meeting.**

However, it is not wise to meet as individuals where if there is a disagreement, it ends up being "she/he/they sayvs....."

Exhibit H: Neighbor Engagement

Even though it has been many many years since I was on the Planning Commission, I know all parties always want a neighborhood/community to make every diligent effort to come together and resolve differences. No one wants to end up having to bring a challenge to the Board of Supervisors.

Will you ask for a continuance and hold a meeting with your neighbors requiring questions be put in writing before the meeting?

Oct 26

Hello Esther and neighbors,

We have requested a Continuance from the Planning Commission, to postpone our hearing to a later date than their scheduled Oct 28. We understand that some neighbors felt they wouldn't have sufficient time to understand the project and explain their concerns, in the time between the Oct 8 notification and the hearing date of Oct 28.

We have requested this Continuance to be responsive and respectful of our neighbors and we look forward to further conversations with kindness and diplomacy. We continue to encourage neighbors to respond to our invitations to meet personally, as this allow us to respond most effectively to concerns.

Please note that both the continuance itself and the scheduling of the next hearing date is subject to the Commission's discretion and approval, via a vote at the original October 28 hearing time.

We will be following up with an email to Supervisor Mandelmann to provide his office with a summary of the project and the status on concerns which have been presented to us.

Sarah Cooper and Michael McNabb

Downhill tree & Neighbors

Michael Stern and Kristina Rizga
Owners, 556-558 Roosevelt Way

Charles Still
Laurence Peiperl
Owners, 564-566 Roosevelt Way

Georg von Braunschweig
Owner, 560-562 Roosevelt Way

Oct 27

Hi Mike and Sarah,

I wanted to let you know that we (the three properties below) decided to get a formal assessment about that tree from a certified arborist and a tree risk assessor. Please see his contact below and we'll split the cost among the three of our properties. Phil is coming to look at the tree tomorrow, Thursday, 10:30am. He can do this inspection from our place, but of course, it would be helpful to approach it from your property. Would you mind, if Phil and I hopped over our shared fence from our place and walked up to that tree? (We will not go into Evelyn's property, as we've been told more than once that we are not welcome there.) Apologies for the short notice! I didn't think he'd have anything open this soon given all of the tree emergencies after these epic storms.

Once we find out what this "tree risk assessor" says, we'll circle back with you two and can decide on the best next steps. As I said, we don't want to slow down your process and are happy to deal with this when the timing makes the most sense.

Thank you!

Kristina Rizga (my cell 415.350.8200)
Mike Stern (cell 415.246-0697)

Exhibit H: Neighbor Engagement

Oct 26

Nice to hear from you and thank you for sharing all of this helpful information with us. Mike and I are relieved to hear that you share our concerns and that you plan to get advice from qualified arborists on safety measures in case the tree remains in place.

For full transparency, Mike and I wanted to let you know that we (all three neighbors) submitted a request to the planning commission that any approved plans that retain the tree include measures that incorporate the advice of qualified arborists and engineers to ensure that the tree remains stable. Mike and I fully support the project and don't want to cause any delays, but we hope you can understand our safety concerns as well.

Thank you, again, for all of the facts and suggestions you provided. We'll consult as a group in the coming days and keep you posted on the next steps we might take individually or as a collective.

Wishing you resilience and the best of luck on this long journey!

Kristina Rizga and Mike Stern
556-588 Roosevelt

Oct 25

Hi Mike and everyone,

First let me say thanks for the encouragement on the project progress, it is certainly a journey and we appreciate your good will.

Sarah and I in fact share your concerns about that tree. More than one arborist has advised us to remove it and that would be our preference. However, the tree straddles the property line with Evelyn Mar at 251 UT, and she does not agree. So we show keeping the tree in the current plans so as to avoid one potential source of objection for now.

She does agree that it needs to be trimmed back especially on the downhill side, and we will at least do that, possibly ourselves as part of our negotiations over the project (I did it a few years back on my own). If we have to keep it, I don't think there will be any root damage, it must be pretty well embedded in the rock and excavation will end well before the tree's area, but it is a good idea to get some advice on that to make sure, as you suggest, and we'll do that. In any case we both definitely want to remove weight, dead branches, and wind sail on that side, and we will make sure that happens at minimum, and sooner rather than later.

You might all consider communicating your concerns to Evelyn (evelynmarsf@gmail.com), after the hearing on Thursday (so as not to confuse things with her). Then I can approach her again about getting the trimming done or removing it, or even replacing it with a more appropriate tree for the location.

And please feel free to contact us or our architect (david@cumbyarchitecture.com) at any time with questions about our project.

Best regards,
Mike & Sarah

Oct 25

Hi Sarah and Michael,

My wife, Kristina Rizga, and I, Mike Stern, are your neighbors down the hill at 558 Roosevelt Way. We hope you and your family are doing well and congratulations on making steady progress with your building project.

We are writing on behalf of us and our two neighbors on Roosevelt Way: Charles Still and Laurence Peiperl (564-566 Roosevelt Way) and Georg von Braunschweig (560-562 Roosevelt Way).

We recently received architectural plans of your project and learned that you are planning to keep the large pine tree located on the property line of your project and your neighbor. As you know, this tree is very large, mature and is leaning in the direction of our properties. We are concerned that the planned construction, which would excavate within several feet of the tree, could damage the tree's root system and compromise the tree's viability or stability thereby posing a danger to our homes and personal safety.

Exhibit H: Neighbor Engagement

We are curious to find out whether you or your architect had a chance to discuss this tree with a qualified arborist or any other relevant experts and whether these consultants recommended any measures that would ensure that the tree remains stable throughout the project and for many years to come.

Please let us know when you have a chance.

Thank you!

Michael Stern and Kristina Rizga
Owners, 556-558 Roosevelt Way

Charles Still
Laurence Peiperl
Owners, 564-566 Roosevelt Way

Georg von Braunschweig
Owner, 560-562 Roosevelt Way