



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Full Analysis

HEARING DATE MARCH 26, 2015

*Date:* March 19, 2015  
*Case No.:* 2012.0978DRP  
*Project Address:* 896 DE HARO STREET  
*Permit Application:* 2012.0424.9018  
*Zoning:* RH-2 (Residential House, Two-Family)  
40-X Height and Bulk District  
*Block/Lot:* 4095/018  
*Project Sponsor:* Michael Leavitt Architecture  
Michael Leavitt  
1327 Mason Street  
San Francisco, CA 94133  
*Staff Contact:* Chris Townes – (415) 575-9195  
[Chris.Townes@sfgov.org](mailto:Chris.Townes@sfgov.org)  
*Recommendation:* **Take DR and approve the project as modified by the Project Sponsor.**

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

Reception:  
**415.558.6378**

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### PROJECT DESCRIPTION

The project proposal is to construct a new three-story, 36-foot tall, two-dwelling unit townhome on a vacant corner lot. The building has a total area of 8,374 sf and features two private roof decks, as well as, front, rear and side decks.

### SITE DESCRIPTION AND PRESENT USE

The project site is a vacant, triangular-shaped, corner lot located at the intersection of De Haro Street and Southern Heights Avenue in the Potrero Hill neighborhood. The lot occupies 3,448 sf and measures approximately 53 feet in width and 100 feet in length. The street frontage along Southern Heights Avenue is relatively even while the De Haro Street frontage is laterally down sloping going north with a grade elevation change of approximately 9 feet.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Potrero Hill neighborhood within the RH-2 (Residential House, Two-Family) and 40-X Height and Bulk District. The surrounding properties are largely composed of single and multi-family residences. The neighborhood architectural character is mixed and buildings are typically two to three stories in height. Surrounding properties to the north, east and south are similarly zoned RH-2 (Residential House, Two-Family) while properties to the west are zoned RH-3 (Residential House, Three Family). All surrounding properties in the neighborhood are within the 40-X Height and Bulk District. Topographically, the project site sits atop a hill at the intersection of Southern Heights Avenue and De Haro Street. De Haro Street is a laterally sloping street in which neighboring property

heights generally step down as the hillside descends to the north and south. The property located immediately across De Haro Street to the east is the Potrero Hill Neighborhood House Community Center, a designated landmark constructed in 1922 and designed by architect Julia Morgan. This community center serves the community with a variety of youth, senior and outreach programs.

## BUILDING PERMIT APPLICATION NOTIFICATION

| TYPE       | REQUIRED PERIOD | NOTIFICATION DATES                 | DR FILE DATE      | DR HEARING DATE | FILING TO HEARING TIME |
|------------|-----------------|------------------------------------|-------------------|-----------------|------------------------|
| 311 Notice | 30 days         | October 9, 2014 – November 8, 2014 | November 24, 2014 | March 26, 2015  | 122 days               |

## HEARING NOTIFICATION

| TYPE          | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|---------------|-----------------|----------------------|--------------------|---------------|
| Posted Notice | 10 days         | March 16, 2015       | March 16, 2015     | 10 days       |
| Mailed Notice | 10 days         | March 16, 2015       | March 13, 2015     | 13 days       |

## PUBLIC COMMENT

|   | SUPPORT | OPPOSED | NO POSITION |
|---|---------|---------|-------------|
| Adjacent neighbor (located at 894 De Haro Street- immediately adjacent to the north)            | X       |         |             |
| Adjacent neighbor(s) (located at 120 Southern Heights Avenue- immediately adjacent to the rear) |         |         | X           |
| Other neighbors on the block or directly across the street                                      |         |         | X           |
| Neighborhood groups   |         |         | X           |

The Project Sponsor and the DR Requestor have been in contact regarding the possibility of achieving a mutually agreeable design alternative that would mitigate concerns. Despite subsequent negotiations, a mutually agreeable design alternative was not reached.

## DR REQUESTOR

Edward Miller, DR Requestor, resides at 111 Southern Heights Avenue. His property is located just southwest of the subject property across Southern Heights Avenue.

## DR REQUESTOR CONCERNS AND PROPOSED ALTERNATIVES

**Issue #1:** The proposed development will displace an existing park which is an amenity for the neighborhood.



**Issue #2:** The subject property was sold under questionable circumstances. For example, there was no public notice of the sale, no open bids and the property was sold for an amount 3-5 times below its estimated value at a time when the ownership, the Potrero Hill Neighborhood House, was under financial and organizational distress.

**Issue #3:** Good-faith negotiations including an alternate, more reductive proposal developed by neighbors with the aid of an independent architect to mitigate concerns with mass and scale were ignored by the Project Sponsor.

**Issue #4:** The project is too large. It's mass and scale is not compatible with the surrounding neighborhood.

**Requestor's Alternative:** The DR Requestor proposes two alternatives:

Option #1: Restore the land to park use.

Option #2: Adopt the reductive design alternative developed by an independent architect to address concerns with mass and scale and to improve neighborhood compatibility.

Reference the *Discretionary Review Application* for additional information. The *Discretionary Review Application* dated December 3, 2014 is an attached document.

## **PROJECT SPONSOR'S RESPONSE-**

### **Issue #1 Response:**

The property is a privately-owned parcel and is not a dedicated public park. The Potrero Hill Neighborhood House sold it explicitly aware of the future development of the parcel as a residential project and the group has stated that it is supportive of such development.

### **Issue #2 Response:**

The property was sold pursuant to an arms-length transaction.

### **Issue #3 Response:**

Project Sponsor and DR Requestor have met in person to discuss the project no less than 5 times. The Project Sponsor has reduced the height of the building by 2 feet and has eliminated all roof penthouses in response to DR Requestor's concerns. The Project Sponsor has been able to achieve a compromise agreement with the other DR Requestor, the adjacent neighbor to the north, by incorporating the following modifications to the project: (1) Matching their light well in the east-west direction at all floors, with a minimum of 5 foot depth; (2) Squaring off the chamfered wall at the Second Level; (3) Pulling back the front deck 3 feet off the shared property line at the upper floor; (4) Matching their rear wall at the First and Second Level. This demonstrates the Project Sponsor's commitment to seeking a project that fulfills their goals while being sensitive to neighbors' concerns.

The DR Requestor's main concern appears to be "sight lines" (i.e., private views). They have expressly indicated such in email correspondence. There is no protection for private views in any City code, guideline, or policy.

**Issue #4 Response:**

The proposed project is roughly 34 feet in height, and steps down with the slope of De Haro Street (and is at least 5 feet shorter in height than the DR requestor's property). Its depth is comparable to that of its north adjacent neighbor. It has been reviewed several times by the Residential Design Team and has been determined consistent with the existing character of the neighborhood.

**Response to DR Requestor's Alternative:**

**Option #1:** The Project Sponsor's goal of providing two new dwelling units would not be achieved by leaving the property as open space.

**Option #2:** The Project Sponsor has already made significant modifications to the project, including a 2 foot height reduction in response to the DR Requestor's concerns regarding his views. The DR Requestor has asked for an additional height reduction of 3 feet, which is not reasonable, considering the purpose is to protect his private views.

**PROJECT ANALYSIS**

With regard to the DR Requestor's concern with the displacement of an existing public park serving as a neighborhood amenity, Planning Department staff has confirmed with the San Francisco Recreation and Park Department (SFRPD) staff that SFRPD does not own the subject property. In 2013 Stephen Williams, the lawyer representing the DR (since withdrawn) filed by Mr. McCullough (Case No. 2012.09782DRP) submitted a suggestion form to SFRPD to recommend acquisition of the subject property, however such acquisition was not pursued. On March 18, 2015, SFRPD staff confirmed that there is no plan to pursue future acquisition of the subject property.

The DR Requestor concerns pertaining to the legality of the real estate transaction of the subject property are not within the purview of the Planning Code; however, the County Assessor records indicate that the current ownership of the subject property lies with the Project Sponsor.

With regard to negotiations to develop a plan alternative to mitigate neighbor concerns, the Project Sponsor has kept Planning Department staff abreast of such negotiations since DR filing. These negotiations successfully resulted in a request to withdraw the DR filed by the immediately adjacent neighbor (Mr. McCullough, Case No. 2012.09782DRP) on March 16, 2015. During the course of the DR review process, the Project Sponsor has cited a minimum of 5 meetings with the remaining DR Requestor and has provided the DR Requestor with the plan alternative resulting from successful negotiations with the other DR Requestor.

With regard to the Project Sponsor's concerns with the overall project design, mass and scale, please see the Residential Design Team Review section of this report for further detail.

## **ENVIRONMENTAL REVIEW**

The Department has determined that the proposed project is exempt from environmental review pursuant to CEQA Guideline Section 15303(b).

## **RESIDENTIAL DESIGN TEAM REVIEW**

A meeting with the Residential Design Team (RDT) was held on February 11, 2015 to re-evaluate the project (as 311 noticed, plans dated March 19, 2012), as well as an alternate, more reductive plan proposed by the DR Requestor in relation to the Residential Design Guidelines and in light of the DR Requestor concerns. As a result of this review, the RDT cited that the design issues raised by the DR Requestor are neither exceptional nor extraordinary in nature. The RDT reaffirmed its previous stance that the proposed building scale at the mid-block complies with the Residential Design Guidelines because it projects a minimal amount (3.5 feet) beyond that of the adjacent building to the north and the deepest portion of the building is set back 5 feet from the north side property line. The RDT also reaffirmed that the proposed building height is appropriate because the building height steps down from the corner, transitioning to the lower scale adjacent building along the laterally sloping De Haro Street. Lastly, to strengthen architectural compatibility with the Julia Morgan designed landmark located across the street, the Potrero Hill Neighborhood House Community Center building, the RDT recommended the use of wood or metal railings (as opposed to glass guardrails) to provide a more crafted character that would better complement the Craftsman-style landmark.

With regard to the alternate plan proposed by the DR requestor, although reductive in nature, the RDT felt the 311-noticed plan version was consistent with the Residential Design Guidelines in a manner that does not warrant the alternate version proposed.

However, since the RDT review referenced above, the Project Sponsor has proactively modified the project in response to similar design concerns expressed by a separate DR Requestor (Mr. McCullough, Case No. 2012.09782DRP). The alternate plan (plans dated March 6, 2015) now proposed by the Project Sponsor resulted in a withdrawal on March 16, 2015 of the DR filed by Mr. McCullough who resides at the immediately adjacent property (894 De Haro Street), to the north of the project site. This alternate plan, supported by the Planning Department, is Code-compliant and includes the following changes:

1. Reducing the overall building height by 2 feet;
2. Matching the light well in the east-west direction at all floors, with a minimum of 5 foot depth;
3. Squaring off the chamfered wall at the shared side property line light well;
4. Pulling back the front private deck 3 feet off shared property line at the upper level;
5. Aligning the rear wall depth of the immediately adjacent property, to the north of the subject property, at the First and Second Level;
6. Use of metal railings at the Second Level to improve compatibility with the Julia Morgan designed landmark located across the street, the Potrero Hill Neighborhood House Community Center building. The project maintains clear glass railings at the Third and Roof Levels to protect the visual transparency of sightlines through the project from surrounding properties.

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

## BASIS FOR RECOMMENDATION

Please describe the basis for the Department's recommendation.

- The project adds two residential townhome units to a vacant lot within the RH-2 Zoning District.
- The building's overall design, mass and scale is compatible with the surrounding neighborhood and respects the mid-block open space in a manner that is consistent with the Residential Design Guidelines.
- No extraordinary or exceptional circumstances were determined by the Residential Design Team.
- Planning Department staff has confirmed with Recreation and Park Department staff that the subject property is not a public park; therefore the project does not displace a public park neighborhood amenity. Furthermore, there is no plan to acquire the subject property for future park use. Despite DR Requestor concerns with the sale of the subject property, the Planning Department does not have purview over private real estate transactions. Furthermore, the County Assessor's Office records confirm the ownership of the subject property lies with the Project Sponsor.

|                        |  |
|------------------------|--|
| <b>RECOMMENDATION:</b> | <b>Take DR and approve the project as modified by the Project Sponsor.</b> |
|------------------------|--|

### Attachments:

- Block Book Parcel Map
- Sanborn Map
- Zoning Map
- Aerial Photograph
- Site Photos
- Section 311 Notice
- DR Application (with plan alternative submitted by DR Requestor)
- Response to DR Application dated March 17, 2015
- Plans:
  - Project Sponsor Modified Plans (dated March 6, 2015)
  - 311 Noticed Plans (dated March 19, 2012)

## Design Review Checklist

### NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

**Comments:** The neighborhood architectural character is mixed with buildings that are typically two to three stories in height. Surrounding properties generally consist of single and multi-family residences whose construction dates span the past century with clusters built in the early 1900's- 1920's, late 1970's and within the past decade.

### SITE DESIGN (PAGES 11 - 21)

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

**Comments:** The placement of the building on its site responds to the topography, its position on the block, and to the placement of the surrounding buildings. The project respects the topography of the surrounding area by stepping the building height down along the laterally sloping street frontage (along De Haro Street) to better transition to the immediately adjacent building to the north. At the rear yard,

the project articulates the building to minimize impacts on light and privacy to adjacent properties by only projecting a minimal amount beyond the building footprint of the adjacent property to the north and providing a 5 foot side setback of the deepest portion from the shared side property line. The project successfully addresses its corner location by designing both street facades with fenestration articulated and finished as “front” facades. In addition, the design incorporates projecting facade elements and special building features such as a vertical corner element, angled planes and numerous decks and balconies to embrace the public realm with a greater visual emphasis.

## BUILDING SCALE AND FORM (PAGES 23 - 30)

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

**Comments:** The proposed building scale is compatible with the height and depth of surrounding buildings. Although this property is within a 40-X Height and Bulk District, the proposed building height is only 34 feet at the highest roof level and the building height steps down along the laterally sloping De Haro Street to strengthen compatibility with the surrounding properties. A partial third-story setback provides a transitional height to the adjacent two-story building and maintains the scale of the buildings at the street level.

## ARCHITECTURAL FEATURES (PAGES 31 - 41)

| QUESTION   | YES | NO | N/A |
|--|-----|----|-----|
| <b>Building Entrances (pages 31 - 33)</b>  |     |    |     |
| Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building? | X   |    |     |
| Does the location of the building entrance respect the existing pattern of building entrances?   | X   |    |     |
| Is the building's front porch compatible with existing porches of surrounding buildings?   | X   |    |     |
| Are utility panels located so they are not visible on the front building wall or on the sidewalk?  |     |    | X   |
| <b>Bay Windows (page 34)</b>   |     |    |     |

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

**Comments:** The building entrances successfully enhance the connection between the public realm of the street and sidewalk and the private realm of the building through the use of broad porch widths along each street frontage that feature direct stair access from the sidewalk. To further enhance the public realm, the garage door width and associated curb cut has been minimized. The roof decks have been sensitively designed to provide roof access without the use of stair penthouses that project above the roof line. The project uses clear glass railings at the Third and Roof Levels to protect the visual transparency of sightlines through the project from surrounding properties.

#### BUILDING DETAILS (PAGES 43 - 48)

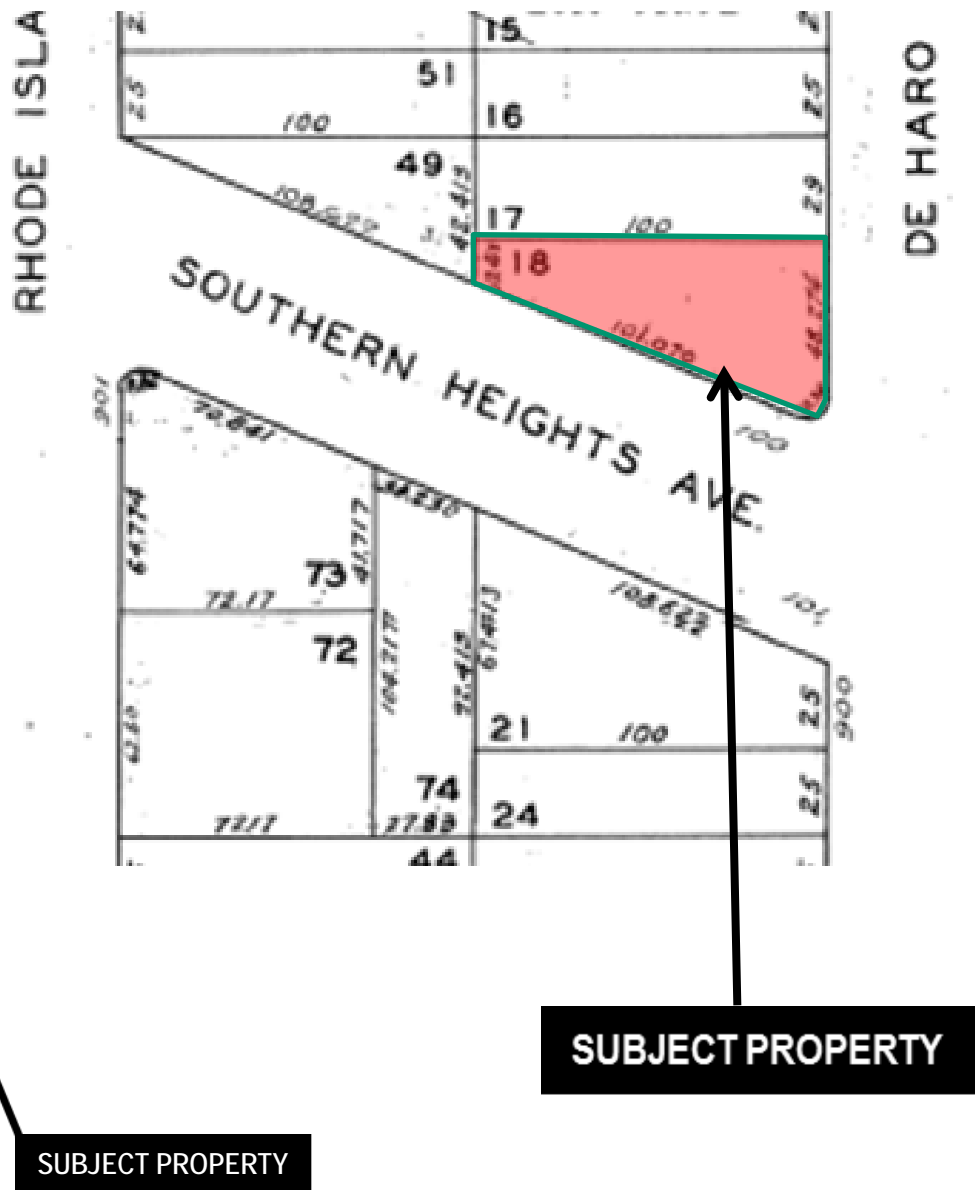
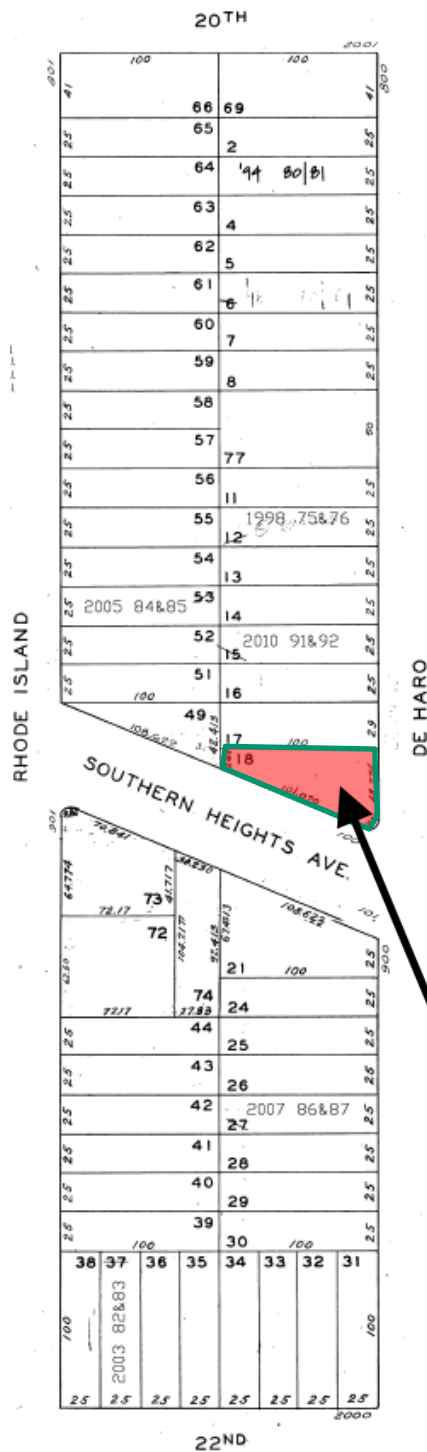
| QUESTION   | YES | NO | N/A |
|--|-----|----|-----|
| <b>Architectural Details (pages 43 - 44)</b>   |     |    |     |
| Are the placement and scale of architectural details compatible with the building and the surrounding area?                                    | X   |    |     |
| <b>Windows (pages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

|  |   |  |  |
|--|---|--|--|
| Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings? | X |  |  |
| Are the building's materials properly detailed and appropriately applied?  | X |  |  |

**Comments:** In order to contribute to the architectural character of the neighborhood, the proportion and size of the proposed windows relate to that of existing buildings in the neighborhood. The project incorporates quality materials and finishes that relate to the surrounding neighborhood, including smooth stucco, horizontal wood siding, aluminum-framed windows with clear glazing, metal and glass railings.



# Parcel Map



Discretionary Review Hearing  
Case Number 2012.0978DRP  
New 4-level 2-du townhome  
896 De Haro Street

# Sanborn Map\*



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



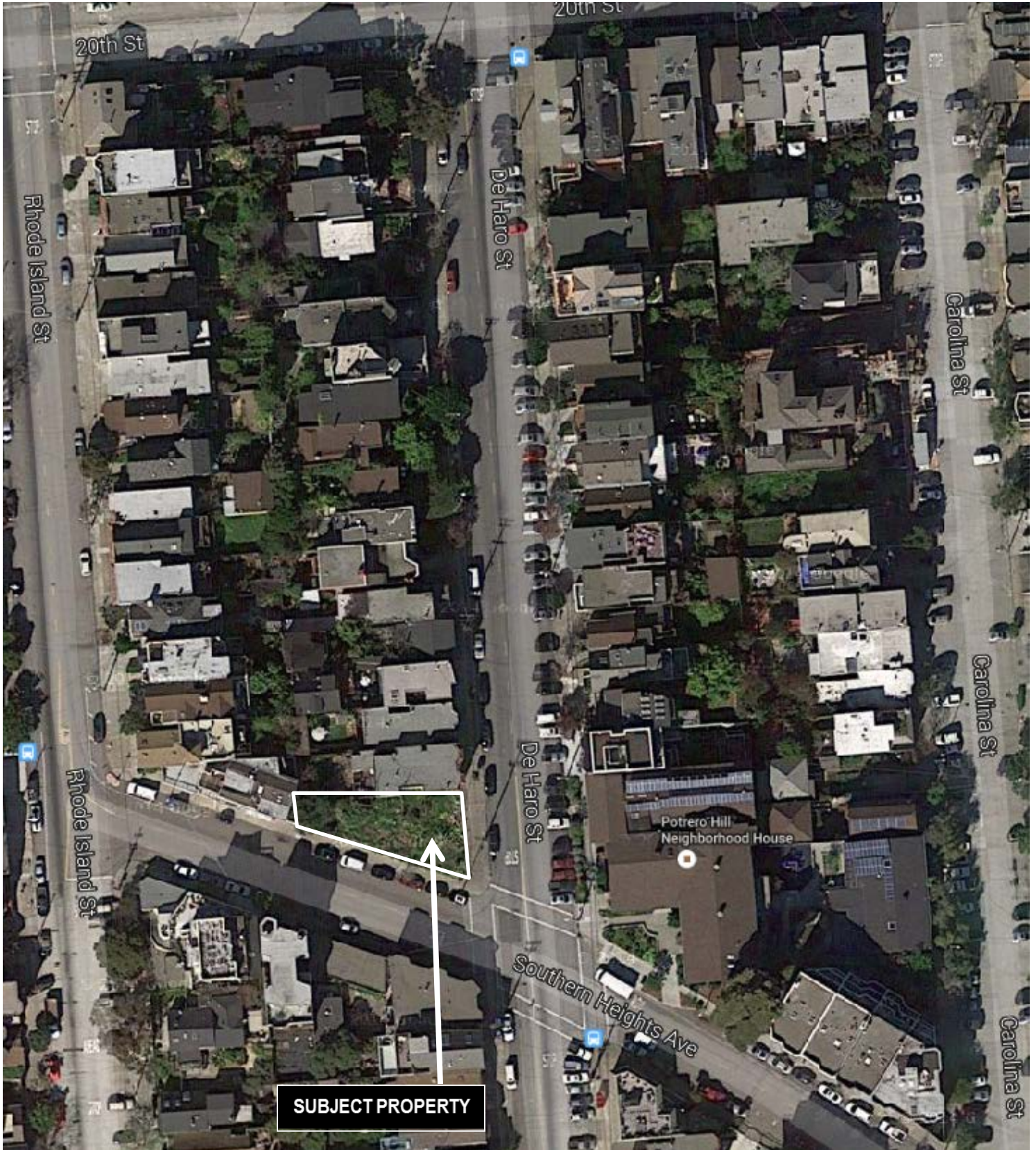
# Zoning Map



Discretionary Review Hearing  
 Case Number 2012.0978DRP  
 New 4-level 2-du townhome  
 896 De Haro Street



# Aerial Photo





# Site Photos



Discretionary Review Hearing  
Case Number 2012.0978DRP  
New 4-level 2-du townhome  
896 De Haro Street



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (AMENDED) (SECTION 311)

On 4/24/2012, the Applicant named below filed Building Permit Application No. 2012.0424.9018 with the City and County of San Francisco.

| PROPERTY INFORMATION |                                   | APPLICANT INFORMATION |  |
|----------------------|-----------------------------------|-----------------------|--|
| Project Address:     | 896 De Haro Street                | Applicant:            | Michael Leavitt Architecture               |
| Cross Street(s):     | De Haro St./Southern Heights Ave. | Address:              | Attn: Michael Leavitt<br>1327 Mason Street |
| Block/Lot No.:       | 4095/018                          | City, State:          | San Francisco, CA 94133                    |
| Zoning District(s):  | RH-2/40-X                         | Telephone:            | (415) 674-9100                             |

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

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

| PROJECT SCOPE  |  |  |
|--|--|--|
| <input type="checkbox"/> Demolition  | <input checked="" type="checkbox"/> New Construction | <input type="checkbox"/> Alteration                      |
| <input type="checkbox"/> Change of Use   | <input type="checkbox"/> Façade Alteration(s)        | <input type="checkbox"/> Front Addition                  |
| <input type="checkbox"/> Rear Addition   | <input type="checkbox"/> Side Addition               | <input type="checkbox"/> Vertical Addition               |
| PROJECT FEATURES   | EXISTING   | PROPOSED   |
| Building Use   | Vacant lot   | Multi-family residential;<br>(2) townhome dwelling units |
| Front Setback  | NA   | 3"   |
| Side Setback   | NA   | Abuts  |
| Building Depth   | NA   | 66'-9"   |
| Rear Yard Setback  | NA   | 33'-0"   |
| Building Height  | NA   | 35'-10"  |
| Number of Stories  | NA   | 4 levels (3-story with basement)                         |
| Number of Dwelling Units   | NA   | 2  |
| Number of Parking Spaces   | NA   | 2  |
| PROJECT DESCRIPTION  |  |  |
| The project proposes the construction of a new four-level (3-story with basement), two-unit residential townhome building with two off-street parking spaces on a currently vacant corner lot (project plans available upon request for further detail). |  |  |

For more information, please contact Planning Department staff:

Planner: Chris Townes  
Telephone: (415) 575-9195  
E-mail: [Chris.Townes@sfgov.org](mailto:Chris.Townes@sfgov.org)

Notice Date:  
Expiration Date:

中文詢問請電: (415) 575-9010

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



## GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at [www.sfplanning.org](http://www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org). If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.**

**Incomplete applications will not be accepted.**

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

### BOARD OF APPEALS

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

### ENVIRONMENTAL REVIEW

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

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

## Application for Discretionary Review

CASE NUMBER:  
For Staff Use only

2012.0978DRR

oing

APPLICATION FOR  
Discretionary Review

## 1. Owner/Applicant Information

|  |           |                 |
|--|-----------|-----------------|
| DR APPLICANT'S NAME:   |           |                 |
| Edward F. Miller   |           |                 |
| DR APPLICANT'S ADDRESS:  | ZIP CODE: | TELEPHONE:      |
| 111 Southern Heights Avenue  | 94107     | (415 )821-2006  |
| PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: |           |                 |
| Leavitt Architecture/Keegan Construction   |           |                 |
| ADDRESS:   | ZIP CODE: | TELEPHONE:      |
| 1326 Mason   | 94133     | (415 ) 674-9100 |
| CONTACT FOR DR APPLICATION:  |           |                 |
| Same as Above <input checked="" type="checkbox"/>  |           |                 |
| ADDRESS:   | ZIP CODE: | TELEPHONE:      |
|  |           | ( )             |
| E-MAIL ADDRESS:  |           |                 |
|  |           |                 |

## 2. Location and Classification

|                            |                 |                       |
|----------------------------|-----------------|-----------------------|
| STREET ADDRESS OF PROJECT: |                 | ZIP CODE:             |
| 896 deHaro Street          |                 | 94107                 |
| CROSS STREETS:             |                 |                       |
| Southern Heights Avenue    |                 |                       |
| ASSESSORS BLOCK/LOT:       | LOT DIMENSIONS: | LOT AREA (SQ FT):     |
| 4095 /018                  |                 |                       |
| ZONING DISTRICT:           |                 | HEIGHT/BULK DISTRICT: |
| RH-2/40X                   |                 |                       |

## 3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☒ Alterations ☐ Demolition ☐ Other ☐

Additions to Building: Rear ☐ Front ☐ Height ☐ Side Yard ☐  
Public Park

Present or Previous Use:

Proposed Use: 2 Residences

Building Permit Application No. 2012.0424.9018

Date Filed: 04/24/2012

RECEIVED

NOV 24 2014

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
PIC



#### 4. Actions Prior to a Discretionary Review Request

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

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

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

See attached document.

## Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

See attached document.

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

See attached document.

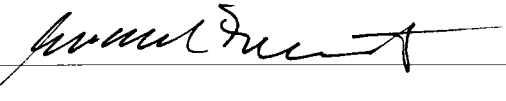
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

See attached document.

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: 

Date: 24 Nov 14

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

Edward F. Miller (Owner)

Owner / Authorized Agent (circle one)

## Application for Discretionary Review

CASE NUMBER:  
For Staff Use onlyDiscretionary Review Application  
Submittal Checklist

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

| REQUIRED MATERIALS (please check correct column)  | DR APPLICATION                      |
|---|-------------------------------------|
| Application, with all blanks completed  | <input checked="" type="checkbox"/> |
| Address labels (original), if applicable  | <input checked="" type="checkbox"/> |
| Address labels (copy of the above), if applicable   | <input checked="" type="checkbox"/> |
| Photocopy of this completed application   | <input checked="" type="checkbox"/> |
| Photographs that illustrate your concerns   | <input type="checkbox"/>            |
| Covenant or Deed Restrictions   | <input type="checkbox"/>            |
| Check payable to Planning Dept.   | <input checked="" type="checkbox"/> |
| Letter of authorization for agent   | <input checked="" type="checkbox"/> |
| Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors) | <input type="checkbox"/>            |


## NOTES:

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

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_



Date: \_\_\_\_\_

12/3/14

# **Southern Heights Community Park 896 deHaro Street**

## **D E T A I L E D     A R G U M E N T**

### **Summary**

The proposed project, if approved and constructed, would permanently alter the character of the neighborhood, and negatively affect the quality of life on Potrero Hill. In addition, the City would lose a parcel that has historically been a park.

We believe that the Commission should assist in returning the land to its original use or, if that is impossible, to assist in having the developers scale the structure down so that it will be in scale with the neighborhood in terms of bulk and mass.

**Detailed Arguments** Here are the detailed arguments pertaining to this proposed project.

#### **1. Park Use From 1944 And Earlier**

This parcel has never been developed. It was owned by the predecessor organization to the what is now the Potrero Hill Neighborhood House, having been gifted to them in 1944.  
→ [Exhibit 01]

The parcel shows on city maps as a park.  
→ [Exhibit 02]

That the land was viewed as a park is attested by the creation, from an SF Arts Commission park beautification grant, of the "Enola Maxwell Bench," which had been located in the park. [Exhibit 03]

A news article from February 2011 refers to the parcel as a park, affirming the community belief that the parcel was parkland.  
→ [Exhibit 04]

#### **2. Land Sale Concluded Under Questionable Circumstances**

It became widely known that Potrero Hill Neighborhood House was in financial and organizational distress in 2010, as evidenced by a story in the Potrero View.  
→ [Exhibit 05]

In an action that did not include public notice or open bids the land was transferred to developers for a purchase price of \$330K.  
→ [Exhibit 06]

Estimates are that the parcel is worth 3-5 times that amount. Questions about the propriety of that transactions were raised in the Potrero View issue of DATE.  
→ [Exhibit 07]  
→ [Exhibit 08]

Neighbors also questioned the validity of the sale with NABE management.  
→ [Exhibit 09]

***Note:** Although legal action seeking to question the validity of the sale of this property by Potrero Hill Neighborhood House has been discussed no action as yet been taken.*

### 3. **Good-faith Meetings Met Resistance, No Change**

From the time of the original meeting until the present, neighbors met with the developers with the goal of reducing the scale of the building. This set of 3-D renderings provided by the developers makes the scale of the proposal evident and formed the centerpiece of the neighbors' objections.  
→ [Exhibit 10]

Neighbors questioned the project on many levels and provided detailed analysis of the parcel.

→ [Exhibit 11]

→ [Exhibit 12]

→ [Exhibit 13]

At one point the developers promised to build a "story pole" but the resulting construction was a sad approximation. Two photos compare what was delivered and a "typical" actual story pole installation.  
→ [Exhibit 14]

Our requests to the developer for an a more complete and fully accurate representation of the proposed plan was ignored. What was constructed is deceptive, inaccurate, and misleading.

### 4. **Planned Building Out of Scale**

Using public data, we analyzed the relative size of the proposed building compared with other spaces nearby. The proposed structure is 2X the volume of others, as shown in the spreadsheet. This document also provides a complete explanation of how this analysis was done.  
→ [Exhibit 15]

### 5. **Alternative Plan Created**

We engaged an architect to create a plan that would meet the dual criteria of being acceptable to the neighbors, but also would provide the opportunity for increased profit (lower costs, higher margins).  
→ [Exhibit 16]

We presented this plan to the developers and got no response. Here are the particulars of the plan and some reasons why it should have been of interest to the developers:

- ~3,000 ft<sup>2</sup> per unit (vs. > 4,000 ft<sup>2</sup>).
- Single level to simplify construction complexity.
- Better organized interior space to reduce construction cost.
- Similar program in terms of number of rooms and general layout.
- Retains view decks and outdoor space.
- Reduced scale.
- Likely to be more profitable.

→ [Exhibit 17]

### 6. **What Is Requested**

We emailed a summary of these arguments to the Planning Department on 31 October 2014.

→ [Exhibit 18] We are asking for one of two alternatives, both of which are with the power of the commission to either approve or request other City agencies to accomplish.

- **Option 1:** Restore this land to park use. Otherwise, the precedent is set that developers will build every last available square inch of the City.
- **Option 2:** Revise the developer's plan according to our proposed alternative plan. At the very least, this keeps the project in scale and preserves the overall quality of the neighborhood.

## Inventory of Documents

Here are the documents referenced in the above.

1. Grant Deed G. Samaduroff & Wife to California Synodical Society, 13 November 1944 ([Link](#))
2. Snap of City Website showing parcel as a park. ([Link](#))
3. Photo of "Sophie Maxwell Bench," SF Art Commission Park Beautification Grant (2005?) ([Link](#))
4. Potrero View: NABE Reeling under City Budget Cuts (October 2010) ([Link](#))
5. Potrero View: Neighborhood House Sells Pocket Park (February 2011) ([Link](#))
6. Grant Deed Potrero Hill Neighborhood House to Keegan Trust, 20 December 2010 ([Link](#))
7. Potrero View: Potrero Hill Neighborhood House Faces Financial Challenge (February 2013) ([Link](#))
8. Potrero View: Short Cuts (June 2013) ([Link](#))
9. Neighbors Letter, 18 November 2013 ([Link](#))
10. 3-D Images from Original Keegan Plan ([Link](#))
11. Comments on Proposed Project at 896 deHaro Street (Williams) (14 January 2013) ([Link](#))
12. Williams Letter to Planning Commission 31 October 2014) ([Link](#))
13. Tree Inventory (11 September 2013) ([Link](#))
14. Story Pole Presentation: Actual, Typical ([Link](#))
15. Relative Size Comparison ([Link](#))
16. Alternative Plan: Architectural Drawings ([Link](#))
17. Alternative Plan: Overview ([Link](#))
18. Miller letter to Planning Department, Planner Townes, 31 October 2014 ([Link](#))

---

Discretionary Review Packet

101

250

SECTION-2: The Director of Property has made an appraisal of said real property and estimates the value of the land to be disposed of to be equal to the value of the land to be acquired by the City.

SECTION-3: The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, a municipal corporation, are hereby authorized and directed to execute a quitclaim deed relinquishing to the Company all interest of the City in said Parcel A. The Director of Property is hereby authorized and directed to deliver said deed to the grantee upon receipt of a quitclaim deed from the Company relinquishing all of its interest in Parcel B to the City and to accept and record the latter deed.

PASSED FOR SECOND READING - BOARD OF SUPERVISORS, San Francisco, Aug. 28, 1944.

AYES: Supervisors Brown, Gallagher, Gartland, Green, MacPhee, Mancuso, Mead, Meyer, Sullivan, Uhl.

ABSENT: Supervisor Colman.

DAVID A. BARRY, Clerk.

NOTICE OF FINAL PASSAGE. Bill No. 3049 Ordinance No. 2881 (Series of 1939)  
AUTHORIZING EXCHANGE OF QUITCLAIM DEEDS TO CERTAIN LANDS  
IN ASSESSOR'S BLOCK 3573.

READ SECOND TIME AND FINALLY PASSED - BOARD OF SUPERVISORS, San Francisco, September 11, 1944.

AYES: Supervisors Brown, Colman, Gallagher, Gartland, Green, MacPhee, Mancuso, Mead, Meyer, Sullivan, Uhl.

I HEREBY CERTIFY that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

DAVID A. BARRY, Clerk.

APPROVED: San Francisco, Sept. 13, 1944.

R. D. LAPHAM, Mayor.

RECORDED at request of Title I. & G. Co. Nov. 14, 1944 at 30 min. past 8 A.M.  
No. T-24011 Fee \$5.70 Vol. 33

Compared - Book *William* Compared - Document *P*

\*\*\*\*\*

G. SAMADUROFF & Wife

TO

CALIF. SYNDICAL SOC. OF HOME MISSIONS )

1 \$2. 1 \$.50 1 \$.25 USIRS Cancelled

GEORGE SAMADUROFF and MARY SAMADUROFF, his wife, the first parties, hereby grant to CALIFORNIA SYNDICAL SOCIETY OF HOME MISSIONS, a corporation, the second party, all that real property situated in the City and County of San Francisco, State of California, and bounded and described as follows:

COMMENCING at a point on the westerly line of De Haro Street distant thereon 372.724 feet Northerly from the Northerly line of 22nd Street; running thence Northerly and along said line of De Haro Street 48.274 feet; thence at a right angle westerly 100 feet; thence at a right angle southerly 13.413 feet to the Northeasterly line of Southern Heights Avenue; thence Southeasterly along said line of Southern Heights Avenue 101.070 feet; thence Easterly and Northeasterly oak curve to the left tangent to the preceding course with a radius of 5 feet, 10.360 feet to the tangency with the westerly line of De Haro Street at the point of commencement.

BEING part of Potrero Nuevo Block No. 159.

IN WITNESS WHEREOF, the said first parties have executed this conveyance this 31st day of October, 1944.

GEORGE SAMADUROFF  
MARY SAMADUROFF

State of California )  
City and County of San Francisco ) ss

ON this 15th day of November in the year one thousand nine hundred and forty-four, before me EMI Eggers Del Bono a Notary Public in and for said City and County, residing therein, duly commissioned and sworn, personally appeared Samaduroff and Mary Samaduroff, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, in said City and County of San Francisco, the day and year in this certificate first above written.

(Seal)

EMI EGERS-DEL BONO, Notary Public  
in and for said City and County of San Francisco, State of California.

RECORDED at request of Title I. & G. Co. Nov. 14, 1944 at 30 min. past 8 A.M.  
No. T-24012 Fee \$1.00 Vol. 5

Compared - Book *William* Compared - Document *P*

\*\*\*\*\*



2

20

Southern



De Haro St

De Haro St



Southern Heights Ave

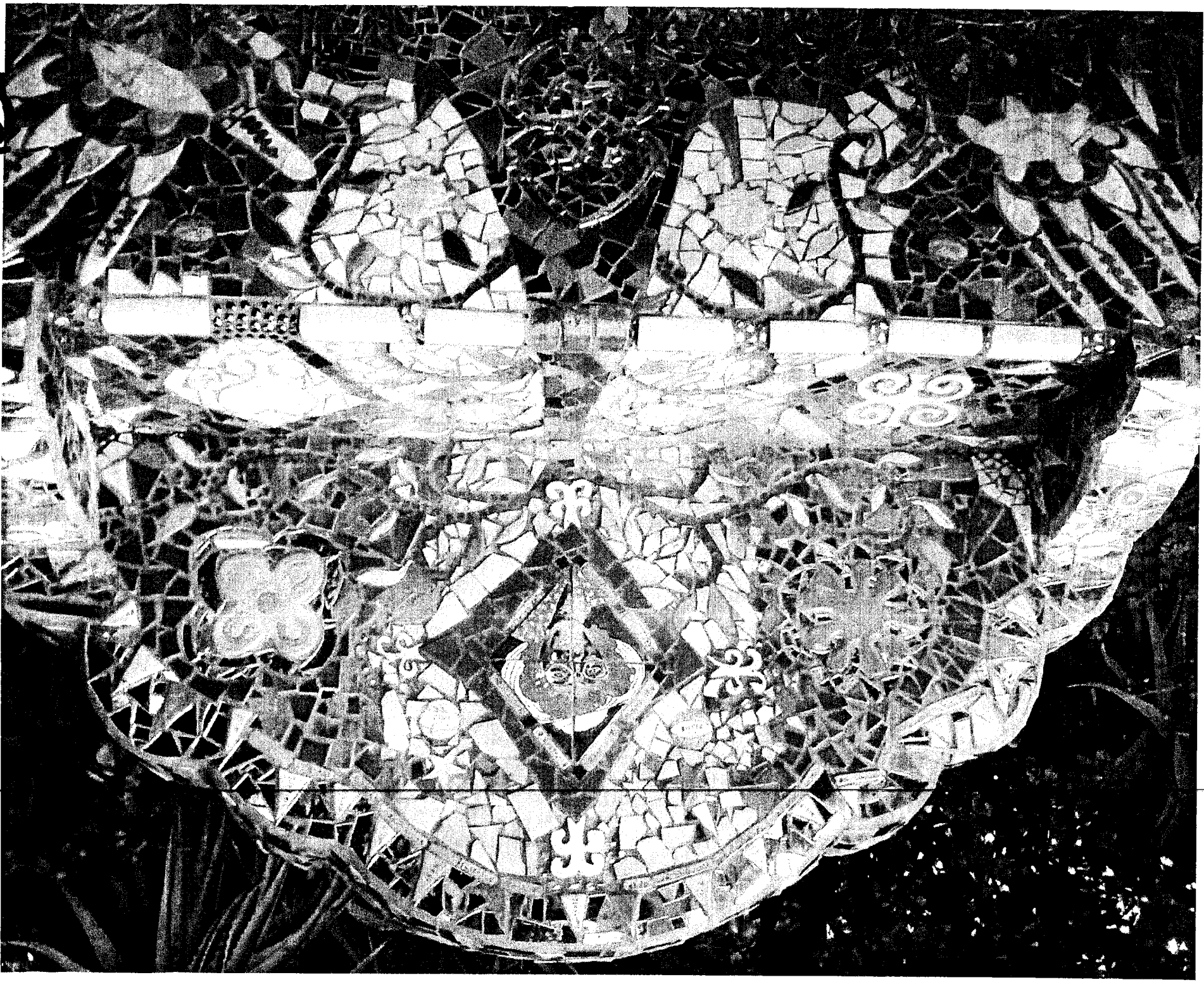
Rhode Island St

500

Rhode Island St

Rhode Island St

103



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February 2011

**Neighborhood House Sells Pocket Park**

By Sasha Lekach

With little public notice, late last year the Potrero Hill Neighborhood House (Nabe) sold the De Haro Street corner garden located across the road from the neighborhood center. The 3,362 square-foot property is zoned for a two family building, though for years it's been an empty lot. Although many residents assumed the plot was vacant park space, it was actually privately owned by the Nabe. "We had intentions to build space for additional program space," said the Nabe's executive director Edward Hatter. "But all we could do was pay liability insurance on it."

Public records indicate that on December 28, 2010 the deed to the property was transferred from the Nabe to Thomas G. Keegan, Krista Henry Keegan, Eugene J. Keegan and Miriam McGuinness. The Nabe sold the De Haro Street and Southern Heights Avenue lot to make up for a steep decline in City funding over the past two years. "Signing the papers on the last day was a struggle for me in the first place," Hatter said. "It was either do or die." The property sold for roughly \$330,000 two months after it was placed on the market, significantly less than other recent lot sales in the neighborhood. The Keegans and McGuinness have proposed to build a two-unit house on the property, according to Hatter.

The sale of the corner garden came as a surprise to residents; the only clue of the change was a missing mosaic bench that had stood in the lot for eight years. Carolina Street resident David Glober understands the short-term reasoning to sell the property, but "the Nabe will cover a budget shortfall for one year, but this urban respite will be lost to us forever. Privately-held, publicly-accessible open space is a community asset that promotes neighborhood health and well-being. Adults and children need access to the natural world within City limits."

Dogpatch Neighborhood Association president Janet Carpinelli expressed outrage over the sale. "The open space is a resource for the whole City," Carpinelli said. "It's a devastation to the neighborhood." Carpinelli is concerned about the lack of communication between the Nabe board and the neighborhood, and believes that the sale of the space should have been publicly vetted. Glober agreed, adding, "The Nabe could have worked dynamically with community members on Potrero Hill, where there is much deep experience working with city planning and supervisors in setting up land swaps or other arrangements that have protected open areas and provided for financial hardships."

More than a year ago Hatter had casually mentioned to a number of community activists that the Nabe might have to resort to selling the property, an action Carpinelli had vehemently discouraged. She hopes it's not too late to negotiate with the buyers to keep the area as open space.

The mosaic bench wasn't included in the sale, and has been placed in front of former supervisor Sophie Maxwell's house on Jerrold Avenue. The home had previously been occupied by the Nabe's first woman and African-American executive director, Enola D. Maxwell. A community artist in 2003 dedicated the concrete-covered-in-mosaic-glass bench to Enola, who was appointed the Nabe's executive director in 1972, serving in that position until her death in 2003.

Despite the loss of property, Hatter is focusing on the positive in these tough times. "We still have our building, still have our childcare facilities. We are open, that's the bottom line for me," Hatter said.

**This Month's Stories**[Historical Maps Tell Hill's Story](#)[Publisher's View: Changing Times](#)[Southside Neighborhoods Evolving Fast](#)[Potrero Hill Property Prices Surge by 50 Percent](#)[Irish Hill: Gone, and Mostly Forgotten](#)[Getting in Front of Technology](#)[New Solutions Needed to Solve Homelessness Problem on the Hill](#)[Hill Residents Can't Digest 'Hairball'](#)[16th Street Likely to be a Center of Growth](#)[Fiction: Mission Bay Rises Again](#)[Good Night Tips for Parents to Get Through Daylight Savings](#)[Rick Alber 1952 - 2014](#)[Contributors](#)**On-going Features**[Short Cuts](#)[Letters to the Editor](#)[Library News](#)[Getting Involved](#)[Community Calendar](#)


Serving the Potrero Hill, Dogpatch, Mission Bay, &amp; SOMA neighborhoods since 1970

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October 2010

## NABE Reeling Under City Budget Cuts

By Michael Condit

Deep reductions in City funding and plunging donations have decimated teen programs and other services that have historically been offered at the Potrero Hill Neighborhood House (NABE). The cuts will likely trigger a doubling of rates for use of the facility by community groups and others. "We're reeling," said Edward Hatter, who has served as the NABE's executive director since 2003. "We've been through the highs and lows of public funding before... but never anything this severe, where entire programs are being wiped out."

Amid massive City cutbacks for the 2010-11 fiscal year, the Neighborhood House has lost nearly \$400,000 in funding from the Department of Human Services (DHS) and the Department of Children, Youth and Their Families. With an operating budget of \$874,000 – down from \$1.2 million last year – the nonprofit has been forced to eliminate teen-focused programming, reduce elementary school offerings by 25 percent, lay-off staff and impose pay cuts.

Compounding the issue is a 75 percent drop in individual donations, down to \$10,000 from \$40,000 a year ago, the second consecutive year donations have faded. The NABE also lost its annual \$3,000 seed money from the San Francisco Arts Commission to assist in organizing the Potrero Hill Festival. The festival, held in October, is one of the NABE's largest fundraising activities

"We're doing what we have to do to maintain, and we know we're not alone in that regard; times are tough for a lot of people," said Hatter. "But it hurts all of us to see people not getting the services they need. Just as a human being, it starts to get to you. Personally, I don't sleep these days."

According to Hatter the loss of teen-focused programming has caused most of his insomnia. Eliminated were the Youth Moving Forward program, which assisted 60 predominantly African-American youth with substance abuse and anger management issues, and the Save Our Schools program, a truancy and drop-out prevention effort that was to begin operating at International Studies Academy and Downtown High School this year. Both programs were funded by DHS.

"We didn't really have a choice (in cutting those programs)," said Skip Charbonneau, who has been active with the Neighborhood House since 1970, and president of the organization's board of directors for the past two years. "When the funds for a particular program go away, the program goes away. That's sort of the position we put ourselves in by relying too much on City contracts and not finding more diversity in our funding. Moving forward, that's something we will have to do, and that should give the NABE more flexibility in terms of which programs to grow and which programs to cut."

The Experiment in Diversity program was a temporary victim of budget cuts; a \$71,000 grant – sponsored by the San Francisco Board of Supervisors and distributed through the Department of Children, Youth and Their Families – announced in late-August has given it new life. Experiment in Diversity is an after-school life skills program for youth ages 12 to 18 who are either on probation or considered disadvantaged.

"The real worry with losing these programs is that now you have just that many more teens loose on the streets with fewer positive outlets for their energy," said Hatter. "The community is always concerned with something violent erupting with teens, and a lack of ongoing, orchestrated activities just kindles the fire."

To illustrate the potential impact on the community of teens with idle time, Hatter said the NABE has been burglarized six times this year. "There's nothing here to steal, but it's the destruction that is alarming and that we can't handle," said Hatter. "These are the types of things young people do when they have nothing else to do."

According to Hatter the loss of teen programming effects some of the NABE's other work. For example, profits from fundraising activities in the youth programs helped finance the senior nutrition program, which provides daily lunch to 28 people throughout the week. To make up the difference, Hatter said the NABE will likely substantially increase its rates for use of the facility beginning in January.

Organizations like the Potrero Hill Boosters, Potrero Hill Democratic Club and Rebuild Potrero use the NABE's theatre for their monthly meetings. Currently, the theatre rents out at \$110 per hour. Hatter said he expects the new rate will be \$200 per hour. Other organizations, like Alcoholics Anonymous and Narcotics Anonymous, rent rooms at the NABE for weekly meetings at a \$50 per hour rate. According to Hatter that rate will likely double next year.

"It's definitely not something we want to do," Hatter said. "But when the lights go on, the light bill goes up. Given our financial situation, we just cannot afford to subsidize the nonprofits anymore."

The NABE is also considering selling a small lot it owns across the street from the center. "It's the last piece of property [the Neighborhood House] owns," Charbonneau said. "We were hoping to put that money away for a rainy day, but the rainy day is here. We desperately need the money right now."



Photograph by Emily Payne

October is Potrero Hill Month. The Potrero Hill Festival celebrates its 20th anniversary on October 16th. Potrero Hill History Night is October 23rd. Farley's Pet Parade, also celebrating its 20th anniversary, is October 30th.

## This Month's Stories

Historical Maps Tell Hill's Story

Publisher's View: Changing Times

Southside Neighborhoods Evolving Fast

Potrero Hill Property Prices Surge by 50 Percent

Irish Hill: Gone, and Mostly Forgotten

Getting in Front of Technology

New Solutions Needed to Solve Homelessness Problem on the Hill

Hill Residents Can't Digest 'Hairball'

18th Street Likely to be a Center of Growth

Fiction: Mission Bay Rises Again

Good Night Tips for Parents to Get Through Daylight Savings

Rick Aiber 1952 - 2014

Contributors

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Order No.: 0224020162-CB

APN: Lot 018; Block 4095

When Recorded Mail Document and Tax Statements to:

The Keegan Revocable Trust

PO Box 460730

San Francisco, CA 94146



San Francisco Assessor-Recorder

Phil Ting, Assessor-Recorder

DOC- 2010-J108206-00

Acct 4-OLD REPUBLIC Title Company

Tuesday, DEC 28, 2010 08:00:00

Ttl Pd \$2,268.00 Rcpt # 0004860978

REEL K299 IMAGE 0010

par/AB/1-3

06

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

## Corporation Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$2,244.00

(X) computed on full value of property conveyed, or

( ) computed on full value less of liens and encumbrances remaining at time of sale.

( ) Unincorporated area: (X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
Potrero Hill Neighborhood House, a California non-profit corporation, formerly known as and who acquired title as California  
Synodical Society of Home Missions, a corporation  
hereby GRANT(S) to

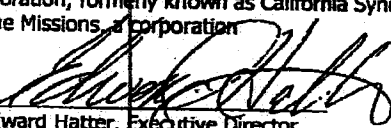
Thomas Gerard Keegan and Krista Henry Keegan, Trustees of The Keegan Revocable Trust 2004; and Eugene J. Keegan and Miriam  
T. McGuinness, husband and wife, as community property with right of survivorship, all as tenants in common  
that property in City of San Francisco, San Francisco County, State of California, described as:  
See "Exhibit A" attached hereto and made a part hereof. Property: 896 De Haro Street, San Francisco, CA

Date: December 20, 2010

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be  
executed by its duly authorized officers.

Potrero Hill Neighborhood House, a California non-profit  
corporation, formerly known as California Synodical Society of  
Home Missions, a corporation

By:

  
Edward Hatter, Executive Director

State of California

County of San Francisco

On Dec 20 2010 before me, Cidney Bryan, a  
Notary Public, personally appeared Edward Hatcher

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Name

Cidney Bryan  
(typed or printed)



(Area reserved for official notarial seal)

**ORDER NO. : 0224020162-CB**

**EXHIBIT A**

The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

Commencing at a point on the Westerly line of De Haro Street distant thereon 372.726 feet Northerly from the Northerly line of 22<sup>nd</sup> Street; running thence Northerly and along said line of De Haro Street 48.274 feet; thence at a right angle Westerly 100 feet; thence at a right angle Southerly 13.413 feet to the Northeasterly line of Southern Heights Avenue; thence Southeasterly along said line of Southern Heights Avenue 101.070 feet; thence Easterly and Northeasterly on a curve to the left tangent to the preceding course with a radius of 5 feet, 10.360 feet to the tangency with the Westerly line of De Haro Street at the point of commencement.

Being part of Potero Nuevo Block No. 159.

Assessor's LOT 018; BLOCK 4095

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February 2013

## Potrero Hill Neighborhood House Faces Financial Challenges

Keith Burbank

Concerns about the Potrero Hill Neighborhood House's (NABE) financial condition were prompted last year after the nonprofit suspended its popular seniors' lunch program between Christmas and New Year's, when the rest of the nonprofit was closed. "I think it's time for an expose on the financial condition of the NABE," Edward Hatter, the NABE's executive director, said. It's "poor. One of my worst nightmares."

The NABE recently closed a roughly \$4,000 deficit for fiscal year 2012, with a total budget of \$946,000. Forty-three percent of the nonprofit's income comes from the San Francisco Department of Children, Youth and Their Families, which funds case management services for youth involved in the juvenile justice system, anger management counseling, and Experiment in Diversity, an afterschool tutoring and enrichment program. Other significant funders include the Bayview Hunters Point Foundation, which supports a counseling program for youth and young adult substance abusers, and the Golden Gate Regional Center, which pays for programs for mentally and physically disabled seniors. The balance of expenses are covered through earned income, such as renting space for events, or fundraising, through the annual Potrero Hill Festival and other activities.

In the face of the NABE's intermittent financial troubles—three years ago the nonprofit sold a parcel it owned across the street from its building for \$875,000 to help balance its books—some Hill residents question the management's capacity to effectively operate the institution, which opened on June 11, 1922. "Basic business principles were not being followed," said one resident, who preferred not to be named. And Skip Charbonneau, the NABE's board president, is "unable to meet the challenges of his board position."

For his part, Charbonneau, who has been board president for about four years, said he's capable of handling the job, particularly now that he's retired. "I know now I can. I have the time," Charbonneau said. "We are in the black...Barely." However, now that the NABE has sold the last of its land holdings it has virtually no financial reserves. "We don't have any more to sell," Charbonneau said. The View's calls to the other five board members—Paulette Spencer, secretary, Allen Meadows, sergeant of arms, and Gloria Fisher, Barbara Topps, and Jeremy Hunter—were not returned.

According to Hatter, the NABE is working to address its fiscal challenges, in part, by contracting with the Urban Group to "republicize" the community resource. The Urban Group is being paid \$5,000 to help the NABE raise money, reorganize its board, and update program descriptions. And Hatter plans to increase fundraising. In addition to the annual Beers, Blues and BBQ event, which raises \$3,500 to \$5,000, the nonprofit is considering holding a "gospel explosion," featuring gospel choirs singing at the NABE. "Items like that," Hatter said. And the NABE may do more mass mailings and find other ways to reach out to its neighbors, including contacting dot.coms, medical companies and academic institutions. "On top of that is writing proposals for additional funding," Hatter added. The NABE is currently responding to a request for proposals that would bring \$300,000 annually for three years.

"Most of our plight is due to the fact that we are heavily dependent on grants from the City and County of San Francisco. And as administrations change, so does our bottom line," said Hatter. This year the NABE received a 1.9 percent cost of living adjustment from DCYF and the San Francisco Department of Public Health. "This is the first COLA we've had in over ten years," Hatter said.

According to Hatter, the NABE's poor financial condition is partially due to the need to maintain its building, an historic landmark. He said the organization is dependent on federal grants to pay for most capital improvements. However, the NABE recently received funding from the Southeast Community Betterment Fund to replace the floors in the main hall, game and art rooms. The NABE is working on a capital campaign to renovate its basketball court, which has water damage. A decade ago the Feorr family sponsored sanding and refinishing of the court and painting the walls. "Those are the contributions and support that the NABE has survived on," Hatter said.

We're in the "process of re-educating people what the NABE is about. We serve everybody," Hatter said, "not just the poor or specific groups. And that's what we're trying to express to the entire community."

Serving the Potrero Hill, Dogpatch, Mission Bay, &amp; SOMA neighborhoods since 1970

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June 2013

## Short Cuts

Steven J. Moss

### Aggressive Headlines

After last month's *View* went to print—with an article headlined "District 10 Supervisor Dodges *View's* Inquiry About Development"—the paper was contacted by Andrea Bruss, an aide to District 10 Supervisor Malia Cohen. Bruss emailed the following about the subject of the story, a proposed development on Hooper Street: "I would say that we discussed this proposal when the project sponsor, Dan Murphy, filed his Preliminary Project Application (PPA) with the Planning Department about a year ago. As we discussed on the phone, the Planning Department provided extensive comments on this PPA. I would defer to the Planning Department's comments, but I believe that as proposed today, this project would need zoning changes in order to move forward as currently proposed. Before the Supervisor would consider supporting or sponsoring any re-zoning of this property, the project sponsor would need community support and to continue to work to address the concerns raised by the Planning Department. Apart from Mr. Murphy's project, the Supervisor has been working with Planning Department staff to look at potential changes to the code that would facilitate construction of new PDR space, given the significant demand we are seeing in San Francisco for PDR." A pretty fulsome answer, which can hardly be considered a dodge. Perhaps, as described in the article, the fact that the developer immediately called the *View* back after the paper contacted the supervisor's office, while the *View* didn't hear back from the supervisor until its deadline had passed, was merely a coincidence.

### Stop Signs

Earlier this year the San Francisco Municipal Transportation Agency (SFMTA) decided to place stop signs at 17th and Missouri streets, making that intersection an all-way stop. However, SFMTA doesn't want to install "cross traffic does not stop" signs on Pennsylvania Avenue at Mariposa and 18th Streets, and Texas and 18th streets, based on a review of collision history, which suggests the intersections are operating safely. In addition, a northbound stop message on Pennsylvania Avenue at 18th Street is being restored, an 18 foot red zone on the south side of 18th Street, just west of Pennsylvania Avenue, is being repainted and extended to a new total length of 20 feet, and transverse crosswalk markings at this intersection are being modified to the more visible staggered continental style.

### Neighborhood House

In late-2010, with little public notice, the Potrero Hill Neighborhood House (Nabe) sold the almost century-old corner garden, located across the road from the nonprofit, to Thomas G. Keegan, Krista Henry Keegan, Eugene J. Keegan and Miriam McGuinness. The Nabe cashed in the De Haro Street and Southern Heights Avenue lot to make up for a steep decline in City funding. The 3,362 square-foot property, which is zoned for a two unit building, was purchased for roughly \$330,000 two months after it was placed on the market, significantly less than other lot sales in the neighborhood. Now, a four-story building with two 4,000 square feet units is being planned for the site. Each unit will have six bedrooms, multiple decks, an indoor elevator to the fourth floor rooftop deck on top, and a nice view of the Nabe's less well-off clients as they enter the nonprofit. Seniors who rely on the Nabe's lunch program are concerned that the development will make nearby parking that much harder. In the meantime, the Nabe is facing a \$17,000 budget shortfall this year, and has no more land to sell. According to executive director Edward Hatter, the San Francisco Department of Public Health (DPH) unexpectedly cut funding for the Nabe's youth substance abuse program. DPH is experiencing a multi-million deficit itself, which may have contributed to the cuts. "We've been here before," Hatter said. "We've got to meet the mission." Blues, Brews, and BBQ, a Nabe fundraiser, is scheduled for June 15, 2013. Tickets are \$35 a person, dinner included.

### No Pony

Last April, 1,570 San Francisco Youth Baseball League (SFYBL) players showed up at AT&T Park for the San Francisco Giant's tribute to youth baseball, known as "PONY day." But Potrero Hill's t-ball team, the Jackson Park Spartans, was turned away from the event. Although the team made a timely request for tickets, they were told that PONY day was "sold out." "I was talking to my friend from Pac. Heights," said Pennsylvania Street resident Justin Hughes, who has sons on the team. "I go, so are you going to PONY day? He said, yes, of course, we got all the tickets we asked for. 'I'm just wondering if they only picked the people on the good side of town.'" According to Connie Chan, director of public affairs at the San Francisco Recreation and Parks Department, which runs SFYBL in partnership with the San Francisco Fire Department, the tickets were distributed first come, first serve by a computer system. Last year 500 tickets had been more than enough to meet demand; this year the departments hadn't considered that they'd run out, with 1,500 tickets available. On behalf of both departments Chan expressed deep regrets to the children who didn't get to attend. For his part, Hughes brought the Spartans to the event without tickets, and they were let in, but left before the game started.

### More Police

The San Francisco Police Department just added 43 graduates from its Academy. The new officers range in age from 22 to 49, and include many with masters and bachelor degrees. Eight of the freshman police have been assigned to the Bayview District...A pilot program was launched this month in which 10 officers will carry Samsung smartphones, with either Verizon or Sprint service, to see which one has the best reception in Potrero Hill. It's hoped that the phones will keep officers on the street longer, since they won't have to go to the station to send emails, and will have quick access to mug shots, California Department of Motor Vehicle

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#### Vignettes

Last month, Hill-based Skbna Advertising, Inc., launched a series of one-minute vignettes chronicling the people and businesses that embody the plucky, artsy spirit of Southside San Francisco. The collection of videos features 10 businesses and organizations that express the artisan, learned-hand ideals that characterize the community. "What once was an industrial, downtrodden area is now such a hot spot that *The Wall Street Journal* and *New York Times* have taken notice, but the spirit of the neighborhood has remained unchanged," said Scott Springer, Skbna Advertising, Inc.'s creative director and partner. The vignettes include Recchuiti Confections, Rickshaw Bagworks and Papa November. The series also showcases the people behind the Taste of Potrero, an annual food event and fundraiser for Daniel Webster Elementary School. The shorts can be viewed at [vignettesf.com](http://vignettesf.com).

#### Pizza Delivery

For those who want to take a brief break from Goat Hill Pizza, Dogpatch resident Jared Doumani has convinced Amici's East Coast Pizzeria to deliver to the neighborhood, at least until 8 p.m. After three of its drivers were mugged several years ago, Amici's stopped delivering to Dogpatch. Doumani brokered a meeting with the pizzeria's owner, Mike Forter, a police lieutenant at the Bayview station and Amici's head driver... Five Markets, the post office cum video store on 24th and Bryant streets has replaced the videos—felled by Netflix and other new-fangled services—with organic groceries, including vegetables and refrigerated items...

#### Serving the Potrero Hill, Dogpatch, Mission Bay, & SOMA neighborhoods since 1970

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09

Theodore C. McCullough

894 De Haro St.

San Francisco, CA 94107

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VIA ELECTRONIC & CERTIFIED MAIL

18 November 2013

Edward Hatter- Executive Director

Potrero Hill Neighborhood House

953 De Haro St.

San Francisco, CA 94107

Re: Sale of the Neighborhood Park Located at 896 De Haro St.

Dear Mr. Hatter:

I am writing you on behalf of the undersigned neighbors ("Neighbors") of the Potrero Hill Neighborhood House ("NABE") to inquire as to the circumstances surrounding the sale of the neighborhood park ("Neighborhood Park") located at 896 De Haro St. Our current understanding of these circumstances is based upon reports by the local media and discussions between you and some of these Neighbors. The purpose of this letter is to seek a meeting with you the focus of which will be to clarify these circumstances so that the Neighbors can begin to understand the fact around the sale of the Neighborhood Park. Currently, the purchasers of the Neighborhood Park ("Keegan Construction") have proposed building an 8,400 sq. ft. two-unit structure on the Neighborhood Park. The Neighbors intend to vigorously fight this development and have hired legal counsel to assist us in this fight.

**The Facts as Understood by the Neighbors**

The Neighbors' current understanding of the sale of the Neighborhood Park is based upon reports in the local media and discussions between you and some of the Neighbors. An article ("Potrero View Article") dated February 2011 <<http://www.potreroview.net/news10481.html>>, states that the Neighborhood Park was sold in December of 2010 after being on the market for two months. Further, the Neighbors are under the impression that you have represented that the

NABE approached several buyers, but only Keegan Construction was willing to buy the Neighborhood Park. As neighbors of the NABE, we are impacted by the decisions of the NABE and hence would like additional information related to the following points.

**Neighborhood Park Was Sold for Less Than 40% of the Market Value**

The Neighborhood Park was sold for \$330,000, this according to the Potrero View Article. At the time of the sale, the assessed value of a lot of the size of the Neighborhood Park was typically in the \$800,000+ range. Note, this is assessed value and not the actual sales price for an undeveloped lot in Potrero Hill which would have likely been considerably higher. The Neighbors would like to better understand how this sales price was arrived at by the NABE in light of the fact that it represented less than 40% of the then current assessed value of comparable properties in the neighborhood.

**None of the Neighbors Were Ever Approached About Purchasing the Neighborhood Park**

It is the Neighbors' understanding that you have represented that several potential buyers were approached about purchasing the Neighborhood Park. Notwithstanding this representation, none of the Neighbors were ever approached regarding the sale of the Neighborhood Park. Indeed, despite the fact that my wife and I own the property adjacent to the Neighborhood Park, we were never contacted regarding your interest in selling the Neighborhood Park. It goes without saying that at \$330,000 the Neighbors, if they had been given the opportunity, would have been able to purchase the Neighborhood Park and maintain it for the benefit of not only the neighborhood, but also for the general public including those receiving services from the NABE.

**Sale of the Neighborhood Park Was Never Listed on the Multiple Listing Service (MLS)**

There is no record of the Neighborhood Park being listed on the Multiple Listing Service (MLS) prior to the sale. It is common practice for a property that is to be sold to be listed on the MLS. The benefits of such a listing are obvious and include promoting the sale to a wide audience of potential buyers, thus raising the sales price via competing bids. Given the fact that the Neighborhood Park was never placed on the MLS we can only conclude that letting the public know that the Neighborhood Park was for sale and maximizing the sales price of the property and was not a primary goal of the NABE. Rather, it appears that an effectively secret, below market sale was the primary goal.

**Unclear Relationship between Keegan Construction and the NABE**

The relationship between the purchasers, none of whom we believe reside on Potrero Hill, and NABE is unclear. Our current understanding is that an attorney on the board of the NABE, who resigned from the board of the NABE shortly after the sale, facilitated the introduction of NABE to Keegan Construction the purchasers of the Neighborhood Park. The Neighbors would like the

opportunity to review the records, including the meeting minutes for the NABE, relating to the decision to the sell the Neighborhood Park so as to validate or invalidate our current understanding.

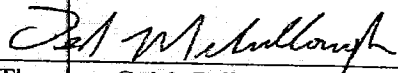
**Neighbors are Unclear as to How the Sale to Keegan Construction Was Authorized by the NABE**

The process that authorized the sale of the Neighborhood Park is unclear to the Neighbors. Currently, we believe that you Mr. Hatter made the decision to sell the Neighborhood Park with little or no input from the NABE board. We are under the impression that the NABE must have in place rules and processes (e.g., by-laws for the NABE) relating to the divestiture of assets by the NABE. The Neighbors would like to understand what these rules and processes were at the time of the sale so as to judge the propriety of the sale.

\* \* \* \*

As your neighbors, it is important that we have an honest and open relationship regarding matters that affect this neighborhood. We would like to verify that our understanding of the above circumstances is correct, and if not correct we would like to know the facts surrounding the sale. Please contact our attorney Stephen Williams <[smw@stevewilliamsllaw.com](mailto:smw@stevewilliamsllaw.com)> (415.292.3656) to discuss your availability to meet with us to discuss the above circumstances surrounding the sale of the Neighborhood Park.


Respectfully,



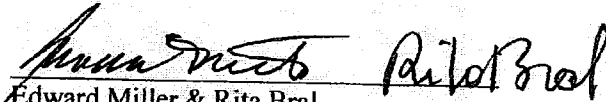
Theodore C. McCullough &  
Stephana Patton  
894 De Haro, St., San Francisco, CA  
94107



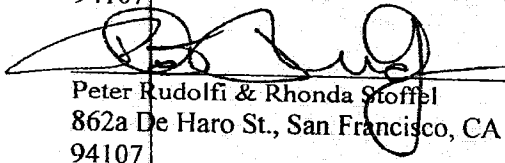
Matt & Meghan Litchfield  
890 De Haro, St., San Francisco, CA  
94107



Gary & Lone Foss  
890 De Haro, St., San Francisco, CA  
94107



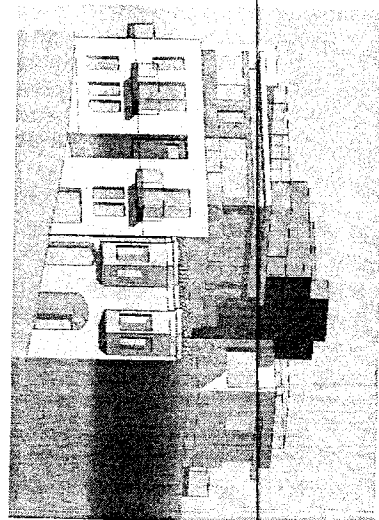
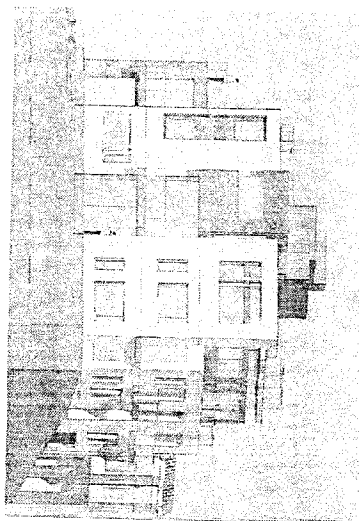
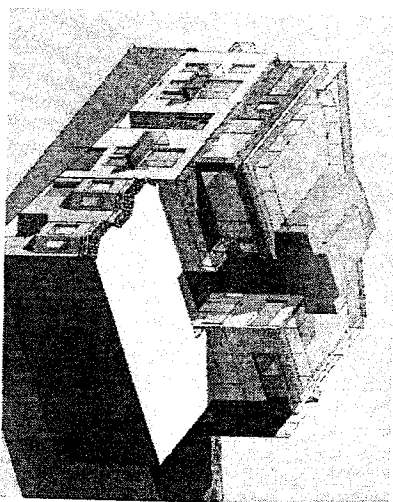
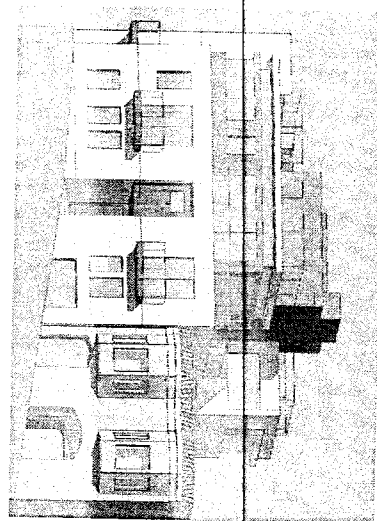
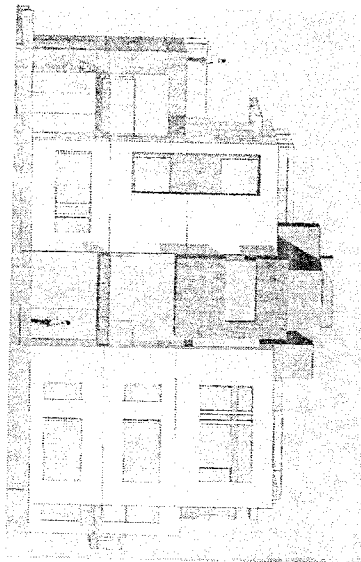
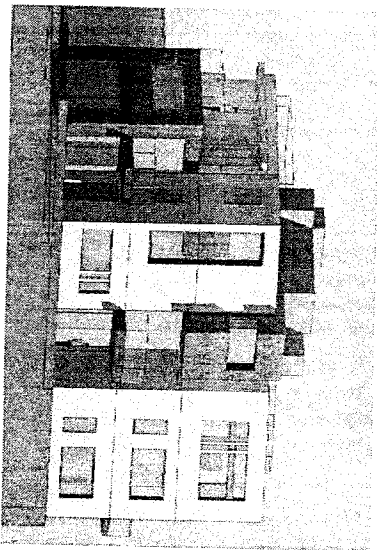
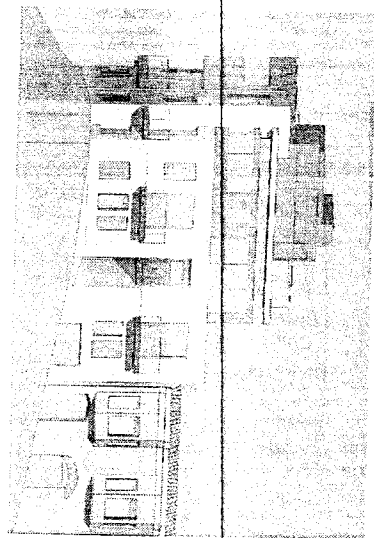
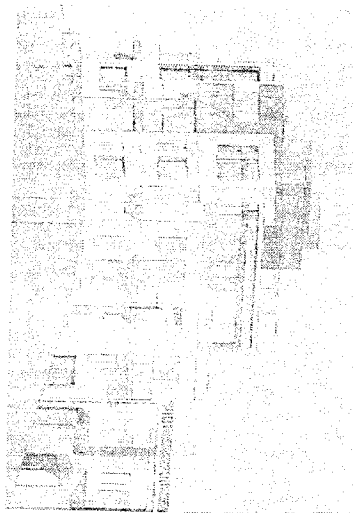
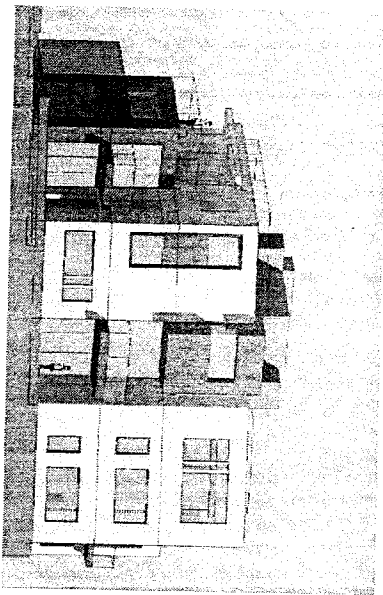
Edward Miller & Rita Bral  
111 Southern Heights, San Francisco, CA  
94107



Peter Rudolphi & Rhonda Stoffel  
862a De Haro St., San Francisco, CA  
94107

Cc: Malia Cohen, District 10 Supervisor-City and County of San Francisco

Steven Moss- Editor and Publisher- The Potrero View  
Stephen Williams, Esq.



A9

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA BLOCK 4095 / LOT 018

3-D BUILDING MODELS

100% FINISHED  
100% PERMITTED  
100% BUILT  
100% SOLD

LEAVITT  
architecture

Architect  
LEAVITT & ASSOCIATES

10



LAW OFFICES OF  
STEPHEN M. WILLIAMS



1934 Divisadero Street | San Francisco, CA 94115 | TEL: 415.292.3656 | FAX: 415.776.8047 | smw@stevewilliamslaw.com

January 14, 2013

via e-mail Laura.Lynch@sfgov.org

Laura Lynch, Environmental Planning  
San Francisco Planning Department  
1650 Mission Street, Fourth Floor  
San Francisco, CA 94103

RE: Comments on Proposed Project at 896 De Haro Street

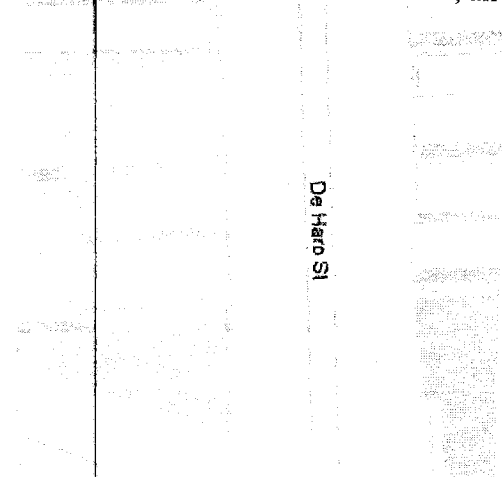
Dear Ms. Lynch:

This office represents the neighbors of the proposed project at 896 De Haro Street. We are submitting comments on their behalf in response to the recently circulated *Notice of Project Receiving Environmental Review*. We believe that there is a fair argument that this project requires an initial study and further environmental review.

Nature and History of the Subject Site

The site is an extraordinary lot at the very top of Potrero Hill. It is located at the North West corner of De Haro Street and Southern Heights Avenue. Because of its size and location, the development on this parcel will visually define the entire area for the future. It is a visually dominant parcel that has *never been developed* in the past 100 years as the Potrero Hill community developed around it.

The site has been a community park for the past 60-70 years and appears as a "green" area and a park or open space on San Francisco City websites. The park was complete with walking paths and a community-dedicated bench (which has since been removed by the developers). Until its recent sale, all of the surrounding neighbors believed it was a



City-sponsored park. For example, this is how it appears on the Planning Department's San Francisco Property Information Map.



The property was gifted to the California Synodical Society of Home Missions in October of 1944 and has been held as a open space and park for use by the neighborhood ever since. The Synodical Society of Home Missions was a very active organization of Presbyterian Church women engaged in social service, mostly to recent immigrants. The Synodical Society is the "ladies auxiliary" arm of the church and it decided to make Potrero Hill its first unit of social service in 1918. This decision resulted in the design and construction of the Potrero Hill Neighborhood House, which was completed in 1922.

The Potrero Hill Neighborhood House was designed by famed architect Julia Morgan, (she also designed, among other structures, Hearst Castle) and it became San Francisco Landmark #86 in July 1977. The Presbyterian Church had long before donated the property and it became a California non-profit community benefit corporation in the 1960's. When the Neighborhood House took over the former California Synodical Society of Home Missions building, it also assumed control of the subject lot directly across the street at 896 De Haro Street.

### **Project and Site Specific Impacts**

This project is not a typical in-fill development project. The site is unique in all of Potrero Hill and perhaps the City. The potential impacts of this proposed project on the neighborhood and the entire surrounding area are project specific and site-specific. These potential and certain impacts have not been generally or specifically addressed in an area plan FEIR.

### **Potential Impacts of Natural Resources**

Because the site has been a park for the past 60 + years, it is covered with lush vegetation including some significant trees. This greenery is an important asset to the community and the impacts of its complete removal should be included in any review of the project. The neighbors are so concerned with this impact and the loss of the park that they commissioned a tree inventory and arborist's report, which is attached as part of the comments on this proposed project. The developers submitted a Tree Disclosure Report that stated there are no trees on the lot.

There is also a family of skunks and other small wildlife and birds that live on the parcel. The loss of the trees and wildlife is a degradation of the neighborhood environment and an irreversible loss of biological resources for the whole area. The project will damage and remove trees, rock outcroppings and other features of the natural environment that are currently part of a scenic public setting. The project will degrade and impact the site and its surroundings.

### **Potential Impacts on Historic Resources and Impact to Neighborhood Aesthetics /**

The Project will significantly alter the visual character of the project site and the "feel" and look of the whole neighborhood and hilltop. As noted above, this site is located directly across the street from one of the City's treasured historic landmarks, the Potrero

Hill Neighborhood House. Currently and for the past Ninety (90) since the Neighborhood house was built, IT has been the dominant structure on Potrero Hill. IT has visually defined this neighborhood for all that time. IT is the only San Francisco landmark on Potrero Hill. The project will impact and change all that forever.

In this regard, CEQA calls for extra protection for historic resources and any project that might affect the historic resource **and its surrounding environment**. A categorical exemption is inappropriate. California Public Resources Code Section 21084 (e) identifies which projects may not receive a categorical exemption because of historic resources. It states as follows:

**"No project that may cause a substantial adverse change in the significance of an historical resource, as specified in Section 21084.1, shall be exempted from this division pursuant to subdivision (a)."**

Because this project is directly across the street from the historic Potrero Hill Neighborhood House, and because the developer plans to build a very large building in excess of 8300 square feet on De Haro (the department is letting the developer "front" the building up the steep hill on De Haro even though most of the frontage will be on Southern Heights Avenue, resulting in a building over 40 feet tall on De Haro) the project will be taller and will over shadow and dwarf all buildings in the vicinity. The other buildings in the area near the Neighborhood House are much smaller--approx. 20-30 feet maximum height and approximately one-quarter of the square footage . This appearance in height and bulk will make the Neighborhood House (which currently dominates and is the most preeminent structure on the hill top) appear much less significant, and could result in a substantial adverse change to its significance as a historic resource. This issue should at least be addressed by the Department and the developer in a mitigation plan and no blanket exemption (from the Eastern Neighborhood Plan) should be issued because of this massive project's sheer proximity to, and visual impact upon, one of the City's best known historic landmarks. It will also cast substantial shadow on the Neighborhood House.

The project, if approved, could result in a substantial adverse change in the significance of a historical resource; namely the Landmark Potrero Hill Neighborhood House and other nearby historic buildings and potentially historic buildings which were built around the same time as the Neighborhood House in the 1920's and 1930's. The adversity would result primarily from the potential for incongruity with the neighborhood of the proposed construction and visual interference with the existing buildings and character of the existing neighborhood. This construction would not technically be required to adhere to preservation guidelines and does not now conform to neighborhood guidelines for compatible character. The jarring visual impact of the modern steel and glass building--when compared to its surroundings--cannot be overstated and the impact on the visual aesthetic of the existing neighborhood will be profound. Its juxtaposition with the Landmark Neighborhood House must be reconciled to comply with the provisions of CEQA for the protection of historic resource and their surrounding context and environment.

**Scenic Resources Also Protected by CEQA Could Be Adversely Affected:**

The project, if approved, could result in a significant impact to a historic landmark and a potential historic district and other scenic resources based upon its incongruity with the neighborhood. The stark modernity of the proposed construction and its potential for visual interference with the existing buildings and character and the neighborhood should be reviewed and considered. As noted above, CEQA specifically provides that a categorical exemption is not appropriate in such circumstances and the neighbors ask that at least an initial study be conducted to flesh out and address the impacts of this project.

Other factors that militate against the granting of a Categorical Exemption and should require Environmental Review:

- ***Neighborhood Preservation.*** The current site is a park and what is proposed is a very large building of 8,400 square foot and 40 foot tall (as perceived and measured from De Haro) structure that would dwarf all current structures, abutting and within a 300 ft radius of the proposed building. The size, bulk and density of the proposed building would significantly change the character, nature, and uniformity of this Potrero Hill residential neighborhood.
- ***Sunlight and Air Space.*** The project does not seek a rear yard variance but because of the odd shape of the lot, the required rear yard is a fraction of the "normal" code requirement. Such a configuration will greatly reduce the already limited sunlight and air in the rear yards of the immediately neighboring homes.
- ***Scarcity of Parking.*** The nature of the units (at least four to six-bedrooms) will most likely attract owners and residents who own more than one or two cars, thereby worsening the already difficult parking situation in the neighborhood. The project has what appears to be 10 + bedrooms and space to park two cars while removing parking spaces for 1-2 cars.
- ***Public Views and Vistas.*** This project will eliminate sweeping views from Southern Heights Avenue and the surrounding area. The project is not sensitive to the adjacent uses and was not designed to preserve adjacent "private views," where feasible, by separating the units of by orientation of on-site structures. The building is one large mass.

**Release of Hazardous Material**

At a project very close by (less than one block) at 752 Carolina Street, the Planning Department required an initial study and a Mitigated Negative Declaration for a small addition to an existing single family home and construction of a garage due to the presence of naturally-occurring asbestos resulting from the on-site excavation that will occur during the project. Because of the proximity of this site (it is the same hill and rock

Laura Lynch, Environmental Planning  
San Francisco Planning Department

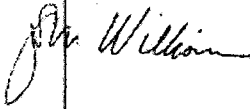
896 De Haro Street  
January 14, 2013

formations) and the existence of the same rock formations on this site, there is no doubt that, the same materials will be present for the excavation and clearing of the rock formations from this lot. Accordingly, an initial study should be required along with the geotechnical and soils reports for the site. There are small children and schools nearby and the Neighborhood House has after-school programs and other attractions for children of all ages.

**Conclusion**

For these reasons, the neighbors request that the Department require an initial study from the project sponsors. We respectfully request that the San Francisco Planning Department require the planned clearing of the park and the construction of any new building on the lot to undergo environmental impact review as required by CEQA.

VERY TRULY YOURS,



STEPHEN M. WILLIAMS

CC: Neighbors of 896 De Haro  
Potrero Hill Boosters  
Malia Cohen, District Ten Supervisor

## S. Williams Email, 31 October 2014

12  
12

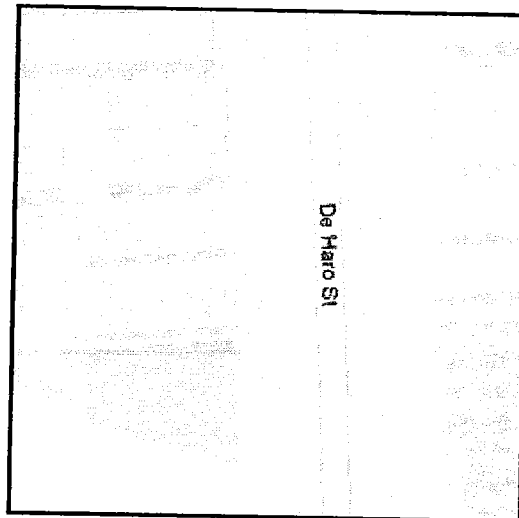
From: "Stephen M. Williams" <smw@stevewilliamsllaw.com>  
Date: October 31, 2014 at 11:53:11 PDT  
To: <chris.townes@sfgov.org>, "Sanchez, Scott \CPC\" <scott.sanchez@sfgov.org>  
Subject: 896 De Haro Street; Error in 311 Notification and Posting--Request for Re-evaluation of Proposed Project and Community Meeting

Chris and Scott:

I am writing as a follow-up to a message I left Chris this morning. I am working with a number of neighbors of the proposed project at 896 De Haro Street. At a meeting last night, it was brought to my attention that there is a rather glaring error in the 311 Notification and posting at the site which will require the site and project to be re-posted, re-noticed and re-mailed to the surrounding community. The Project Description and the Project Features are incorrect. The 311 Notice describes the proposal as a "3-level (2-story over basement)" building when in fact it is a 4-level (3-story over basement) project. This error appears in the Project Description and in the proposed Project Features of the 311 Notification---(see attached). Obviously with such a crucial error of substance the 311 process will have to be repeated with the correct information for the public.

On another topic, we would also like the Dept to re-visit the evaluation of the proposed project at the site. This is a most unusual location, perhaps the most extraordinary I have encountered in my 25+ years of this type of land-use work in San Francisco. The site is an extraordinary lot at the very top of Potrero Hill. It is located at the North West corner of De Haro Street and Southern Heights Avenue. Because of its size and location, the development on this parcel will visually define the entire area for the future. It is a visually dominant parcel that has never been developed in the past 100 years as the Potrero Hill community developed around it.

The site has been a community park open to the public for the past 60-70 years and appears as a "green" area and a park or open space on San Francisco City websites. The park was complete with walking paths and a community-dedicated bench honoring Enola Maxwell (which has since been removed by the developers). Until its recent sale, all of the surrounding neighbors believed it was a City park.



For example, this is how it appears on the Planning Department's San Francisco Property Information Map. The property was gifted to the California Synodical Society of Home Missions in October of 1944 by a neighbor and has been held as a open space and park for use by the neighborhood ever since. The Synodical Society of Home Missions was a very active organization of Presbyterian Church women engaged in social service, mostly to recent immigrants. The Synodical Society is the "ladies auxiliary" arm of the church and the Society decided to make Potrero Hill its first unit of social service in 1918 to serve Russian immigrants on Potrero Hill. This decision resulted in the design and construction of the Potrero Hill Neighborhood House, which was completed in 1922 and is directly across De Haro Street from the site.

The Potrero Hill Neighborhood House was designed by famed architect Julia Morgan, (she also designed, among other structures, Hearst Castle and the Fairmont Hotel) and it became San Francisco Landmark #86 in July 1977. The Presbyterian Church had long before donated the property and it became a California non-profit community benefit corporation in the 1960's. When the Neighborhood House("N'abe") took over the former California Synodical Society of Home Missions building, it also assumed control of the subject lot directly across the street at 896 De Haro Street.

For unknown and rather suspicious reasons, the N'abe sold the lot to professional developers for a fraction of its value (it was sold for \$340,000 and is worth at least \$1M). The lot was never on the multiple listings and had only one bidder. The development of this lot, if it occurs at all, should be undertaken with the utmost delicacy and consideration. Because of its location and size, it will define this neighborhood once it is completed. The neighbors have tried very hard to work with the developers without much success. They even took the unusual step of retaining an architect and creating an alternative plan. I am attaching that plan for your consideration. It provides the same "program" and square footage and the current plan but reduces the height of the building and its extension into the rear yard.

We would like the Dept to review the alternative plans and host a community meeting with the District Supervisor to discuss the development of the lot. This issue is of critical importance to the entire community and deserves an extraordinary effort. Thank you for considering this request.

Steve Williams

Stephen M. Williams  
Law Offices of Stephen M. Williams  
1934 Divisadero Street  
San Francisco, CA 94115  
Phone: (415) 292-3656  
Fax: (415) 776-8047

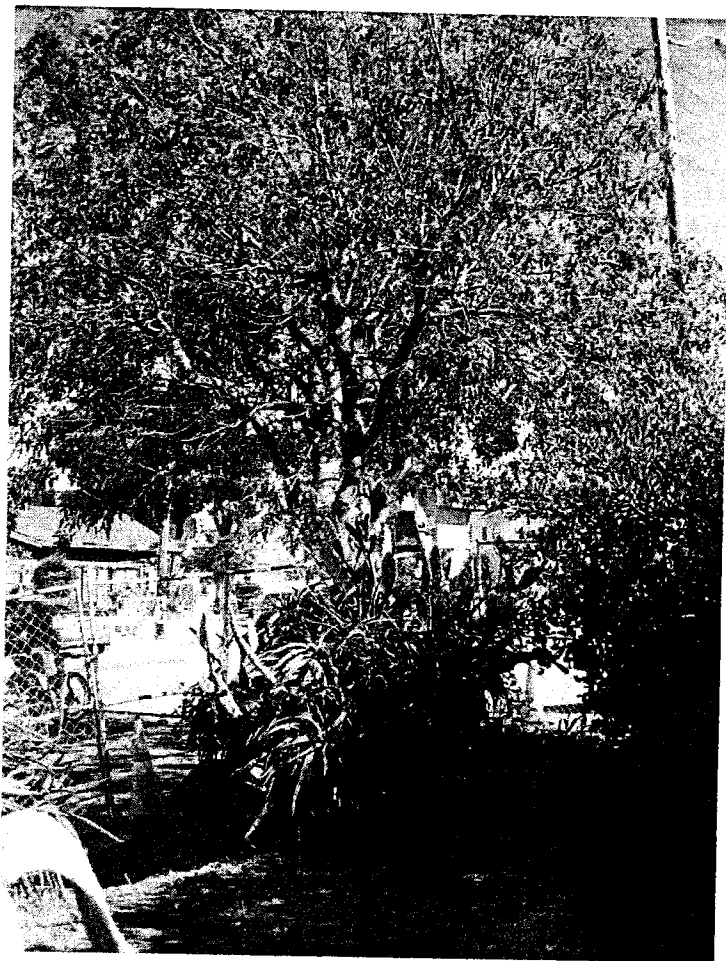
Typo on 311 Form Identified

Alternative Plan [PDF]

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# Tree Inventory

Prepared for  
Theodore McCullough  
Site address: 896 De Haro Street, SF, CA



11 SEP 2012

**Prepared by Deva Braden**

ISA Certified Arborist # WE-7046A

CSLB # 878691



September 11, 2012

VIA EMAIL

Theodore McCullough  
894 De Haro St. San Francisco, CA.  
<theo702000@yahoo.com>

Re: 896 De Haro St- Basic Site Inventory of Parcel Lot

Dear Mr. McCullough:

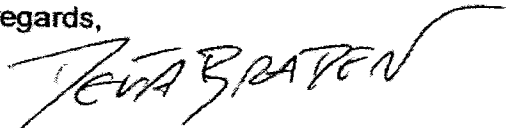
The following are the results of a basic tree inventory I performed on the parcel lot located at 896 De Haro, San Francisco, CA. The trees identified in this inventory are those meeting the Urban Forestry Ordinance of the Public Works Code (rev. 2007) ("the Code"). As discussed, under the Code certain trees on private property that are close to the public right-of-way receive additional consideration when subjected to development. Per the code, significant trees are those within 10 feet of the public right-of-way and which also meet one of the following size requirements:

- 20 feet or greater in height,
- 15 feet or greater canopy width, or
- 12 inches or greater diameter of trunk measured at 4.5 feet above grade.

As discussed below, five (5) (Nos. 1, 2, 5, 6, and 7) of the seven (7) trees located on the 896 De Haro St. parcel lot meet one or more of these requirements.

Should you have any additional questions or concerns, please do not hesitate to contact me.

Best regards,



Deva Braden

**Site Address:**

896 DeHaro St. SF, CA. Located at the intersection of De Haro St. and Southern Heights St. in San Francisco, CA.

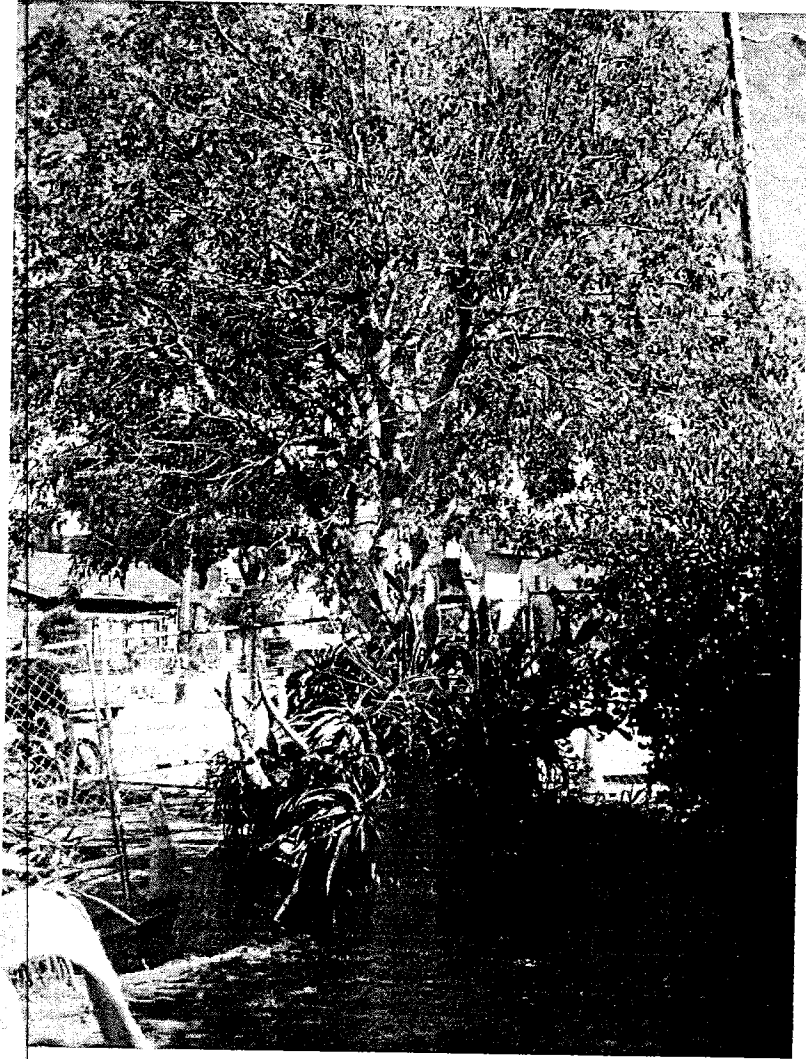
**Scope of work:**

Perform a site visit and perform a basic tree inventory of the parcel lot. Work conducted on Saturday, September 8, 2012. I arrived for the site visit at 4pm. Visibility was good, temperature was 70 F, the wind was 5-10 mph.

There are 7 trees located on the parcel at 896 DeHaro St, SF, CA. The trees are separated east and west sides of the lot with an empty portion in the middle. Trees 1, 2, 3 and 4 are on the east side while the remainder 5, 6, and 7 are on the west side.

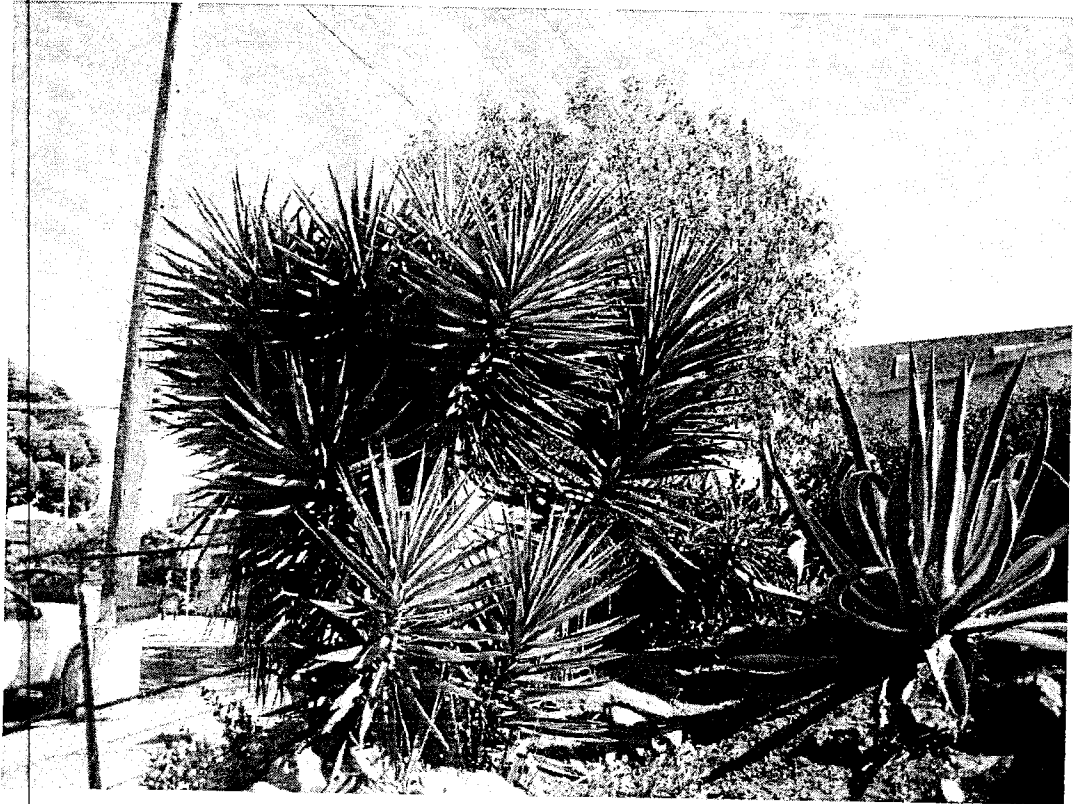
**Tree #1**

Ash tree, approx. height 25'. Diameter at breast height is 13.5" Canopy width is 15'. Tree trunk located one foot from public sidewalk.



**Tree #2**

Cordyline Palm tree with large Agave plant located to the right, approx. height 12', four stems measuring 5", 5", 4" and 4" combines to 18" diameter total measured at breast height (4.5'). Canopy width is 12'. Distance from public sidewalk is 2-3'.



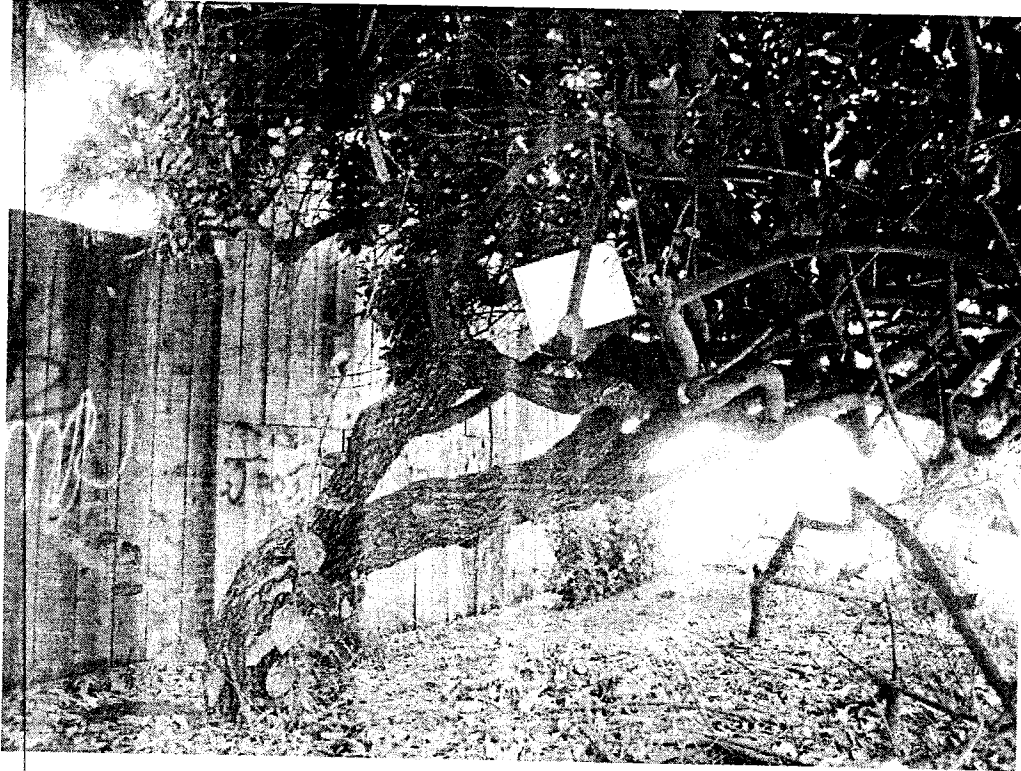
**Tree #3**

Fremontodendron sps. Approx. height 10'. Diameter at breast height (dbh) 4.5". Canopy width is 20'. Distance from public sidewalk is 30'.



**Tree #4**

Photinia tree. Approx. height is 15'. Dbh is 8.5". Canopy width is 20'. Distance from public sidewalk is 20'. Tree has a large lean and located at the back gate of 894 DeHaro.



**Tree #5**

Catalina Cherry. Approx. height is 30'. Three stems measuring 5", 6", 7" dbh. Total dbh is 18". Canopy width is 24'. The canopy extends up to 5' from the public sidewalk.





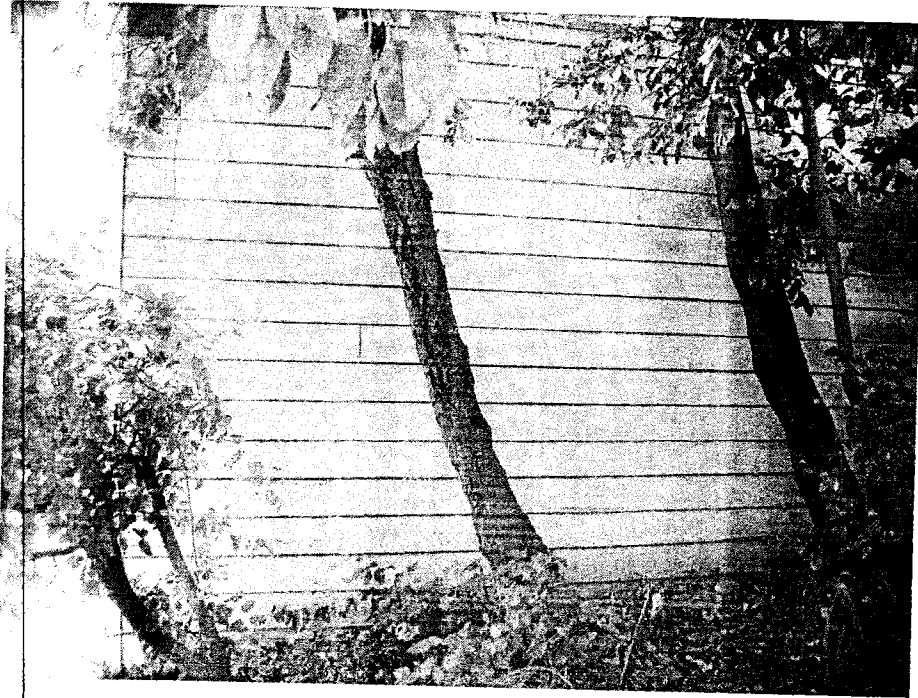
**Tree #6**

Catalina Cherry. Approx. height is 30'. The single stem measured 8" dbh. Canopy width is 15' and extends up to the public sidewalk while the trunk is 10' from the public sidewalk.

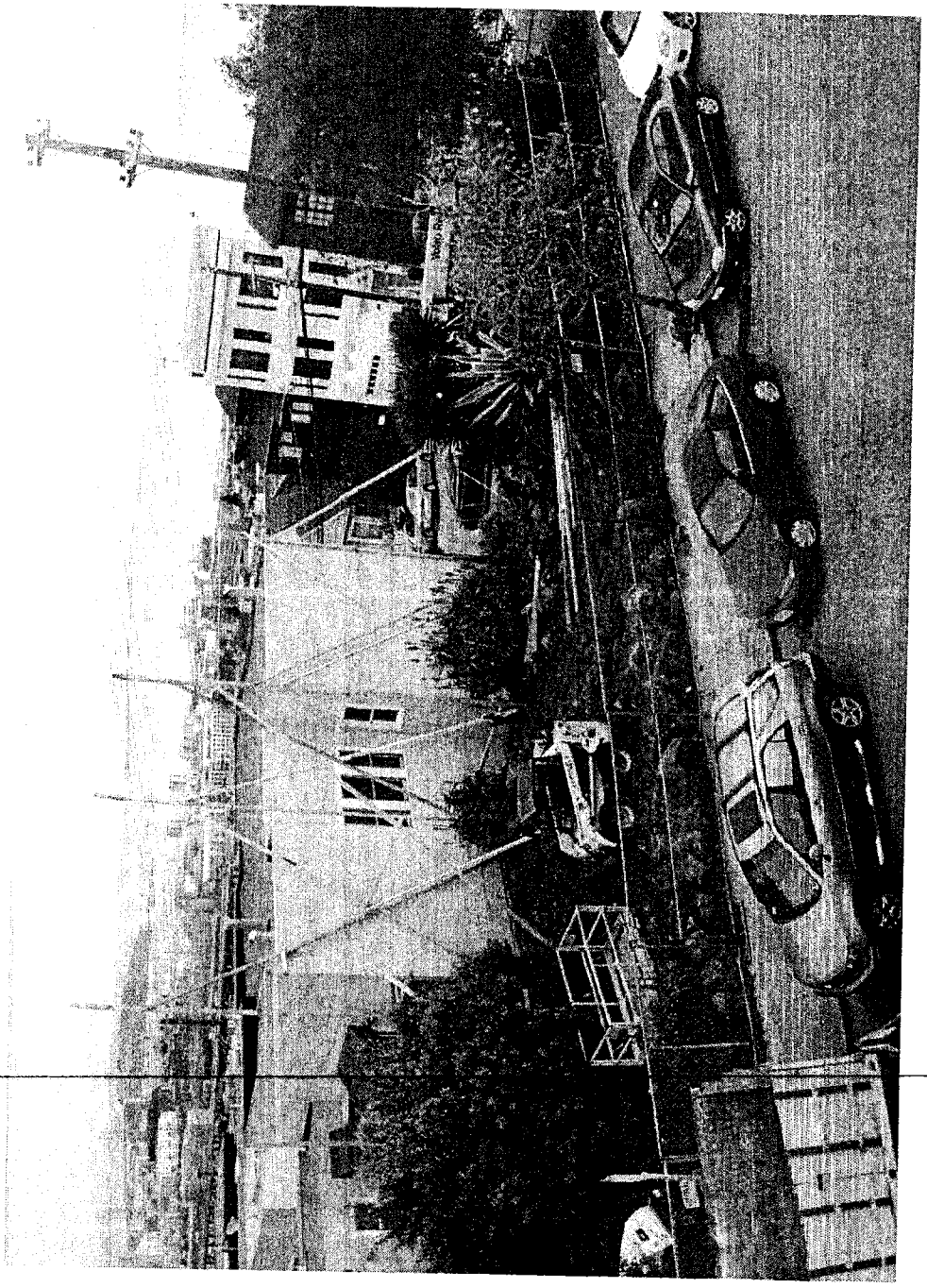
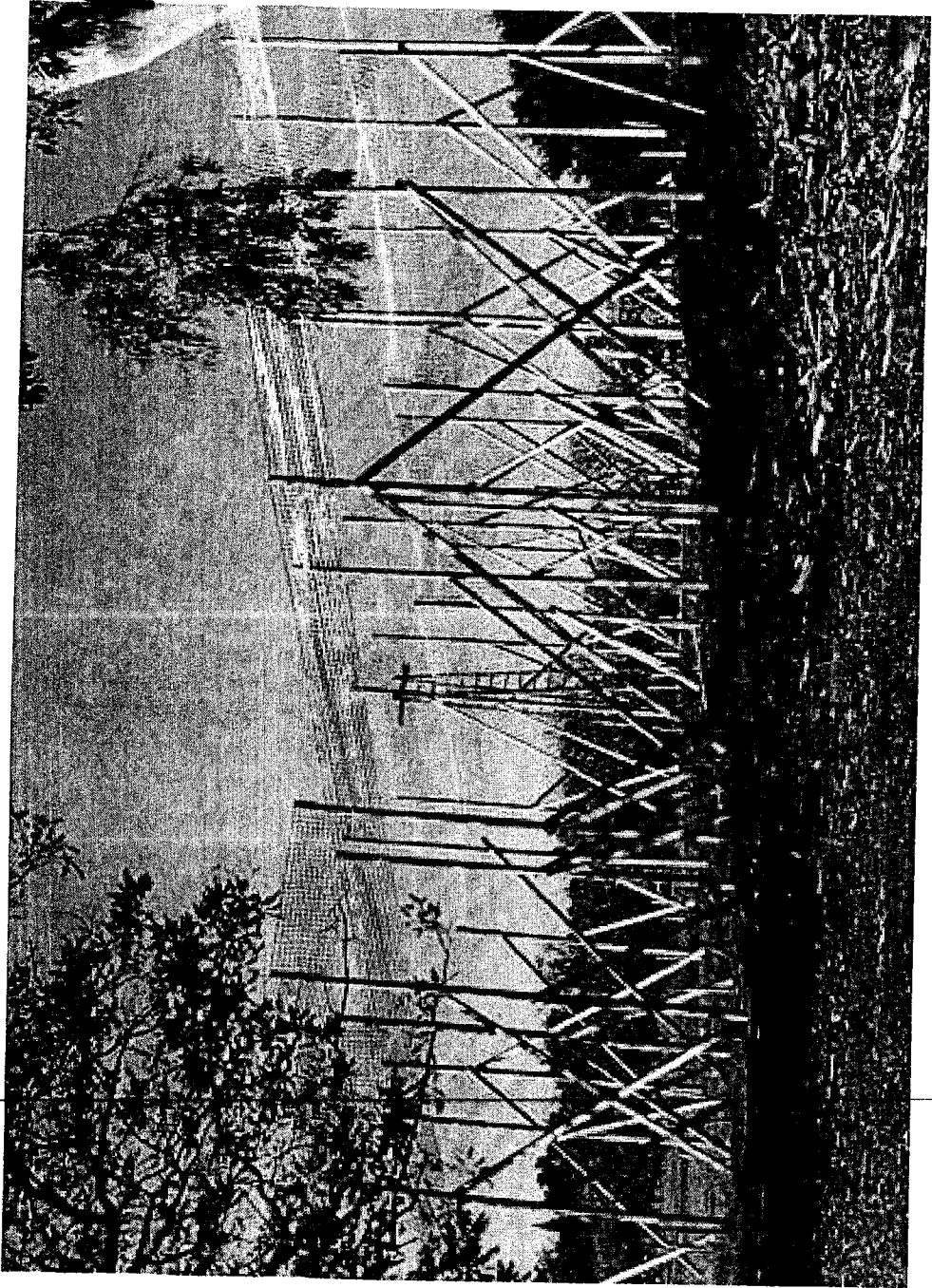


**Tree #7**

Callery Pear. Approx. height 20' and dbh is 8.25". Canopy width is 8'. Distance of the trunk to public sidewalk is 6' and the canopy hangs over the sidewalk.



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# 896 deHaro Project – Relative Size Analysis Updated: 02Sep12

| Street                | Address | Land Area | Building Area | Ratio | Owners      | Zoning | Historic |
|-----------------------|---------|-----------|---------------|-------|-------------|--------|----------|
| de Haro               | 884     | 2500      | 2350          | 0.940 |             | RH2    | Yes      |
|                       | 880     | 2500      | 1782          | 0.713 | Rudolf      | RH2    | Yes      |
|                       | 884/886 | 2500      | 3883          | 1.545 | Forrest     | RH2    | Yes      |
|                       | 880     | 2500      | 1517          | 0.607 | David       | RH2    | No       |
|                       | 884     | 2900      | 2182          | 0.752 | McCulloch   | RH2    | Yes      |
| Avg. North            |         | 2580      | 2339          | 0.907 |             |        |          |
| S. Heights            | 120     | 2117      | 1788          | 0.845 | Bob C.      | RH3    | Yes      |
|                       | 111     | 2738      | 4098          | 1.498 | Miller/Bral | RH3    | No       |
|                       | 45      | 1973      | 2468          | 1.246 | Clarke      | RH2    | Yes      |
| R. Island             | 917     | 3842      | 3298          | 0.858 | Steele      | RH3    | Yes      |
|                       | 929     | 4518      | 1636          | 0.362 | Anvan       | RH3    | Yes      |
| deHaro                | 928     | 4617      | 3580          | 0.771 | McAuley     | RH2    | Yes      |
|                       | 946     | 2500      | 2800          | 1.120 |             | RH2    | Yes      |
|                       | 948     | 2485      | 1052          | 0.422 | Daniels     | RH2    | Yes      |
|                       | 950     | 2485      | 1408          | 0.564 |             | RH2    | Yes      |
| Avg E-W & South       |         | 3033      | 2455          | 0.810 |             |        |          |
| Average All Buildings |         | 2871      | 2414          | 0.841 |             |        |          |

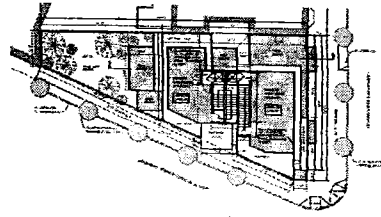
The proposed building has the following proportions:

**deHaro 896 3362 6400 1.904 Proposal is +2X Yes**

Bottom line: 1.904 is 2.264 times 0.841, the area average.

All data taken from SF Property Information Map

## 896 deHaro Project Scale Analysis

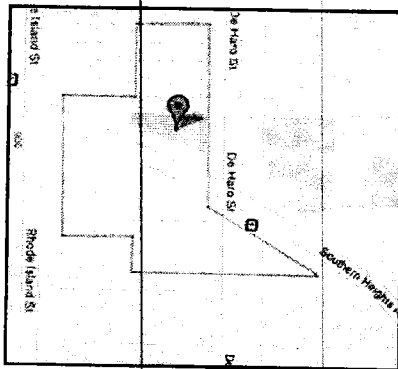


### Overview

An analysis was done of the floor-area ratios (FARs) of existing building size to lot size along deHaro Street, North and South of the subject property, and of buildings on Southern Heights Avenue that are adjacent to the subject property (see diagram below).

The purpose of this analysis is to establish a quantitative value of scale for the neighborhood surrounding the subject property.

A map of the properties involved, and the results of the analysis are shown below.



### 896 deHaro Project – Relative Size Analysis Updated: 02Sep12

| Street                | Address | Land Area | Building Area | Ratio | Owners      | Zoning | Historic |
|-----------------------|---------|-----------|---------------|-------|-------------|--------|----------|
| de Haro               | 884     | 2000      | 2360          | 0.940 |             | RH2    | Yes      |
|                       | 880     | 2500      | 1782          | 0.713 | Rudolph     | RH2    | Yes      |
|                       | 894/886 | 2000      | 3863          | 1.545 | Foss        | RH2    | Yes      |
|                       | 880     | 2500      | 1517          | 0.607 | David       | RH2    | No       |
|                       | 894     | 2600      | 2182          | 0.762 | McCulloch   | RH2    | Yes      |
| Avg. North            |         | 2580      | 2339          | 0.907 |             |        |          |
| S. Heights            | 120     | 2117      | 1788          | 0.845 | Bob C.      | RH3    | Yes      |
|                       | 111     | 2738      | 4068          | 1.488 | Miles/Brail | RH3    | No       |
|                       | 45      | 1673      | 2458          | 1.249 | Clarke      | RH2    | Yes      |
| R. Island             | 917     | 3942      | 3298          | 0.868 | Steele      | RH3    | Yes      |
|                       | 929     | 4518      | 1636          | 0.362 | Anvan       | RH3    | Yes      |
| deHaro                | 928     | 4917      | 3600          | 0.771 | McAuley     | RH2    | Yes      |
|                       | 945     | 2500      | 2800          | 1.120 |             | RH2    | Yes      |
|                       | 948     | 2426      | 1052          | 0.422 | Daniels     | RH2    | Yes      |
|                       | 950     | 2426      | 1408          | 0.584 |             | RH2    | Yes      |
| Avg E-W & South       |         | 3033      | 2455          | 0.810 |             |        |          |
| Average All Buildings |         | 2871      | 2414          | 0.841 |             |        |          |

The proposed building has the following proportions:

deHaro 896 3362 6400 1.904 Proposal is +2X Yes

Bottom line: 1.904 is 2.264 times 0.841, the area average.

All data taken from SF Property Information Map

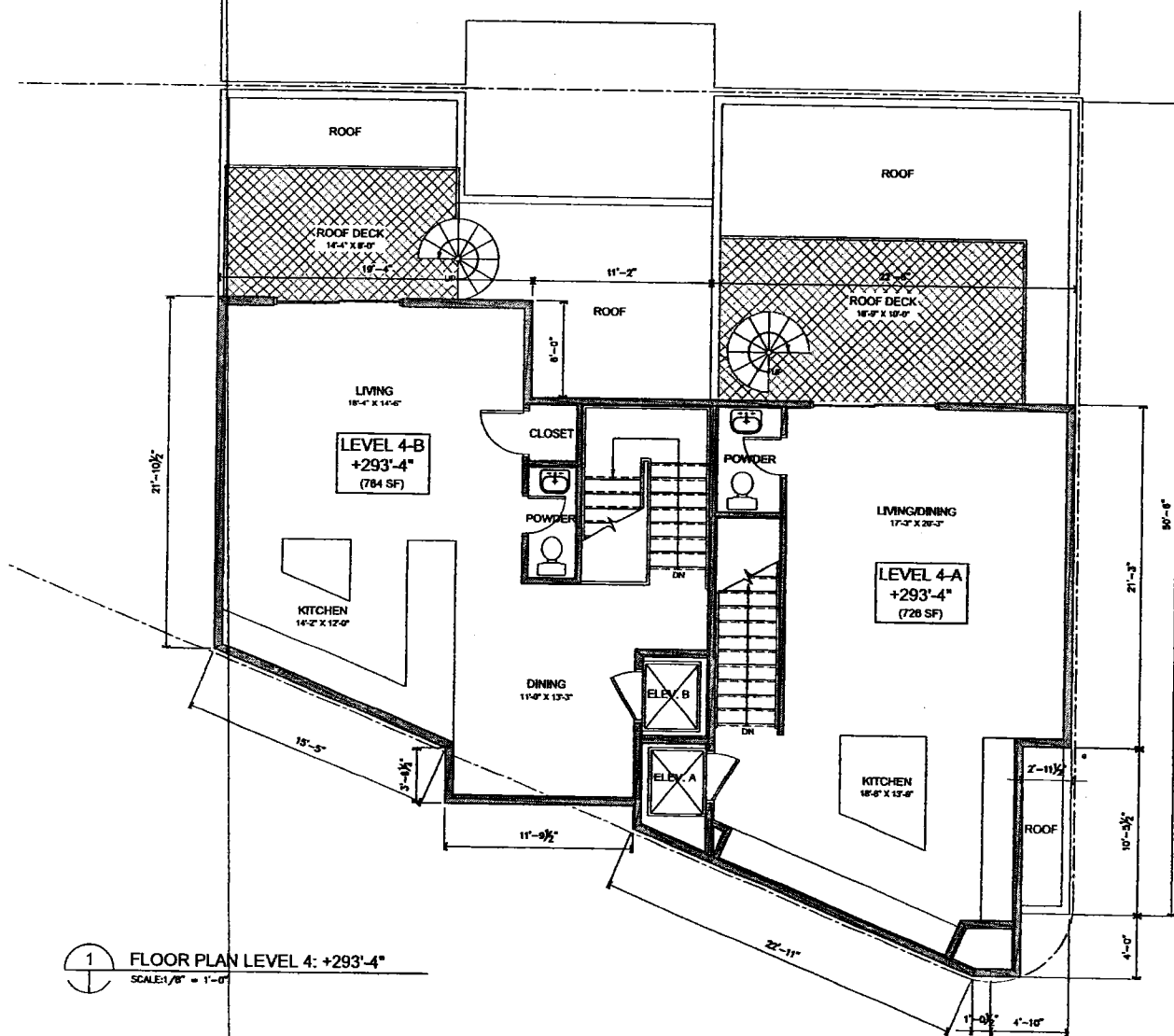
### Main Points

1. The average size of a lot for all 14 properties analyzed is 2871 sq. ft. The sizes range from 1973 to 4617 sq. ft.
2. The average ratio of building size to the size of the lot is 0.841. The ratios range from 0.422 to 1.545.
3. The largest two buildings in the sector are: 884/886 deHaro, zoned RH-2; 111 Southern Heights, zoned RH-3.
4. Scaling the average floor-area ratio value of surrounding property into the available square footage of the subject lot shows that the new building SHOULD be 2827 sq. ft.
5. What is proposed for the site, at 6400 sq. ft. is therefore **2.27 times** what would be in scale for the deHaro X Southern Heights intersection.

### Notes & References

1. This link lets you look up the details of any property in SF by clicking on a map: [San Francisco PIM](#). The subject property is 4095/018. This was the

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1 FLOOR PLAN LEVEL 4: +293'-4"  
SCALE: 1/8" = 1'-0"

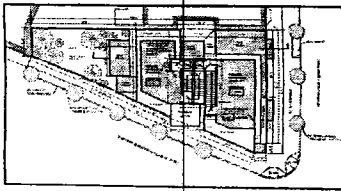
896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA 94107



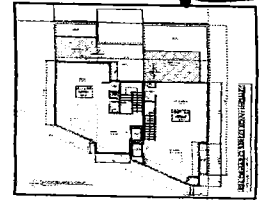








## 896 deHaro Project Alternative Plan



This 896 deHaro Street Alternative Architectural Plan [PDF] is proposed to replace the originally proposed plan.

This plan was prepared by **Scott A. Dergance, AIA, LEED, NCARB**, who has extensive experience in residential home design and decades of experience in general architectural planning and optimized use of urban building sites.

This alternative plan was developed with the following factors in mind:

1. The plan uses the same basic programmatic elements as the original proposal: elevators, great rooms, open-plan, 5/6 bedrooms in each unit, roof-top viewing, etc.
2. In the alternative plan total finished size of each unit is ~**3,300** sq.ft.
3. Having both units on the same level means lowered construction costs (less total building surface, simpler construction).
4. The West popout from the original plan is moved East by 9'-6" to minimize blockage of light to the Northern neighbors.
5. The West popout from the original plan is only one story high to minimize blockage of light to the Northern neighbors.
6. The floor-to-floor heights on the alternative plan are:
  - o Level 1: 265'-0" -- (8' ceiling)
  - o Level 2: 274'-0" -- (8' ceiling)
  - o Level 3: 283'-8" -- (8' ceiling)
  - o Level 4: 293'-4" -- (9' ceiling)
  - o Level 5: 303'-4" -- Roof (Observation Deck)
7. The total building height is thus reduced so that the top-level roof is at ~4' below that of the original plan.
8. Spiral steps lead from each unit's private deck to the expansive roof deck areas. This saves extra stops on the elevators.
9. The roofline on the North side of the building is moved South by ~12' (West unit) and ~18' (East unit). This further limits light blockage to the residences to the North of the site.
10. The revised basement is a much better use of approximately the same total area.
11. The plan does not address placement of windows nor exterior finishes. It is anticipated that such treatments can be adopted from the original plan.
12. Here are the square footages per floor and totals:

| Floor | "B" (West)   | "A" (East)   |
|-------|--------------|--------------|
| 4     | 784          | 726          |
| 3     | 1,099        | 1,172        |
| 2     | 1,179        | 1,127        |
| 1     | 259          | 224          |
| Total | <b>3,321</b> | <b>3,249</b> |

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896 deHaro Street Project - Edward F. Miller - Gmail - Google Chrome

https://mail.google.com/mail/u/0/?ui=2&view=bt&ver=v0f5m5r5c17&search=inbox&th=1496702e83d40

Edward Miller <edward.f.miller@gmail.com> 9:26 AM (2 minutes ago) to chris.townes, Bob, Bob, Gary, Gary, Jonathan, Laurie, Lori, Matt, Meghan, Michael, Peter, Rita, Stu

Dear Mr. Townes,

(1) Beginning in February 2012, when the first Pre-Application Meeting was held on deHaro Street, we began analyzing the 896 deHaro Street project plans.

We had numerous meetings with the developers outlining our concerns and asking for modifications to their project.

(2) The main objection was that the proposed building would be **out of scale** with the neighborhood's character and style. Here is a details analysis of why we believe this is true:

<http://www.southernheightspark.com/Documents/scale02.html>

(3) To demonstrate our good will and reasonableness to the developers, we engaged a licensed architect, Scott Dergance, to provide an alternative plan, based on the same criteria as portrayed in the original 896 deHaro blueprints. The goal was to offer an alternative that would **meet the objections of the neighbors**, but which would still provide them the profitability that they seek in their development.

Here is the alternative plan we proposed:

<http://www.southernheightspark.com/Alternative/C.alternative.plan.pdf>

The advantages of this plan are given in some detail in this document:

<http://www.southernheightspark.com/Alternative/plan.advantages.html>

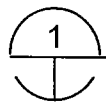
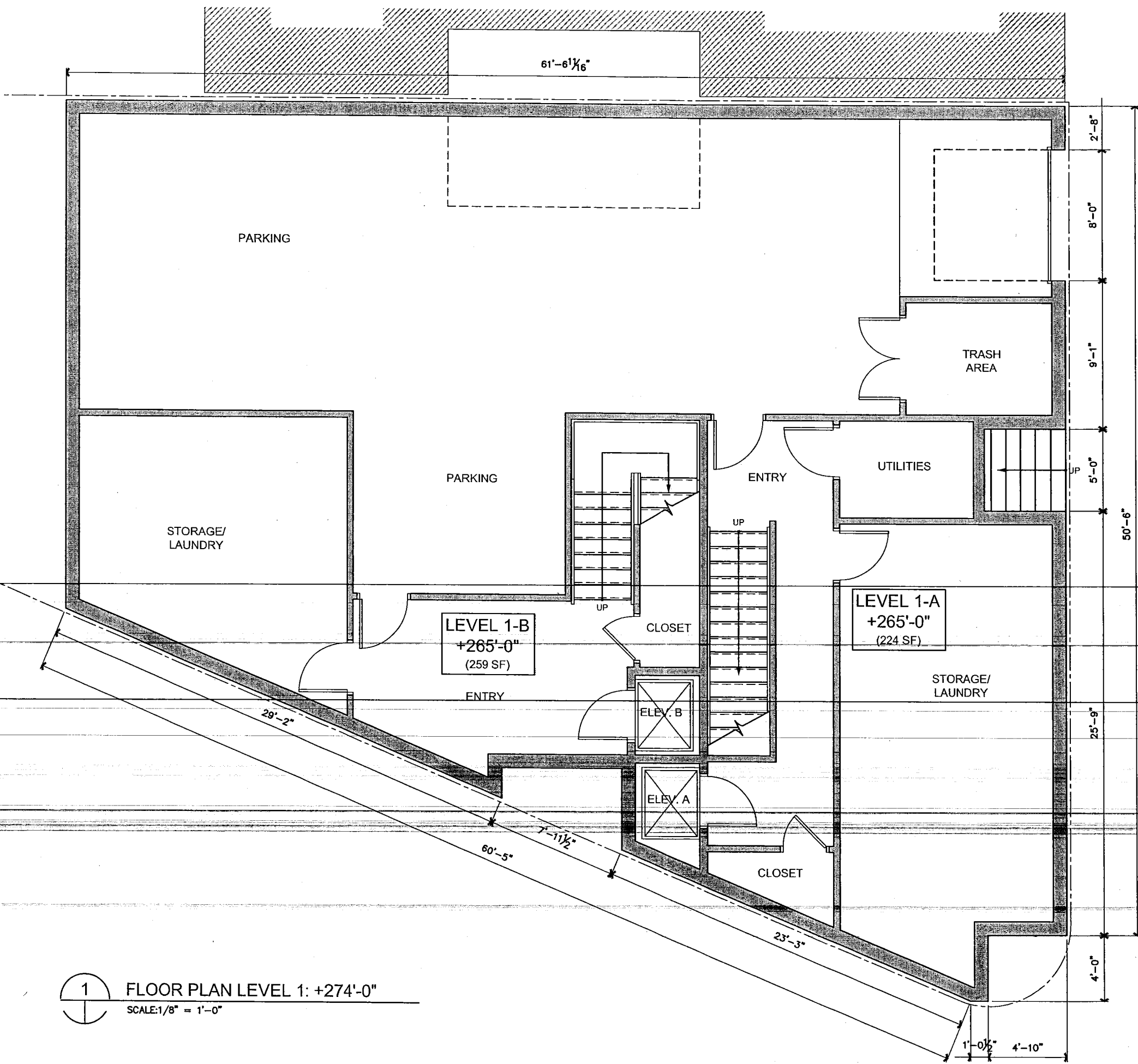
Even though this material was forwarded to the developers in December 2013, the suggestions made **were not adopted**, as reflected in the material in the "311" notice which reflects no substantial change from the original.

(4) Please make sure that all of the above material is put in your project file records.

Sincerely yours,

Edward Miller  
111 Southern Heights  
San Francisco, CA 94107

(415) 821-2006



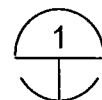
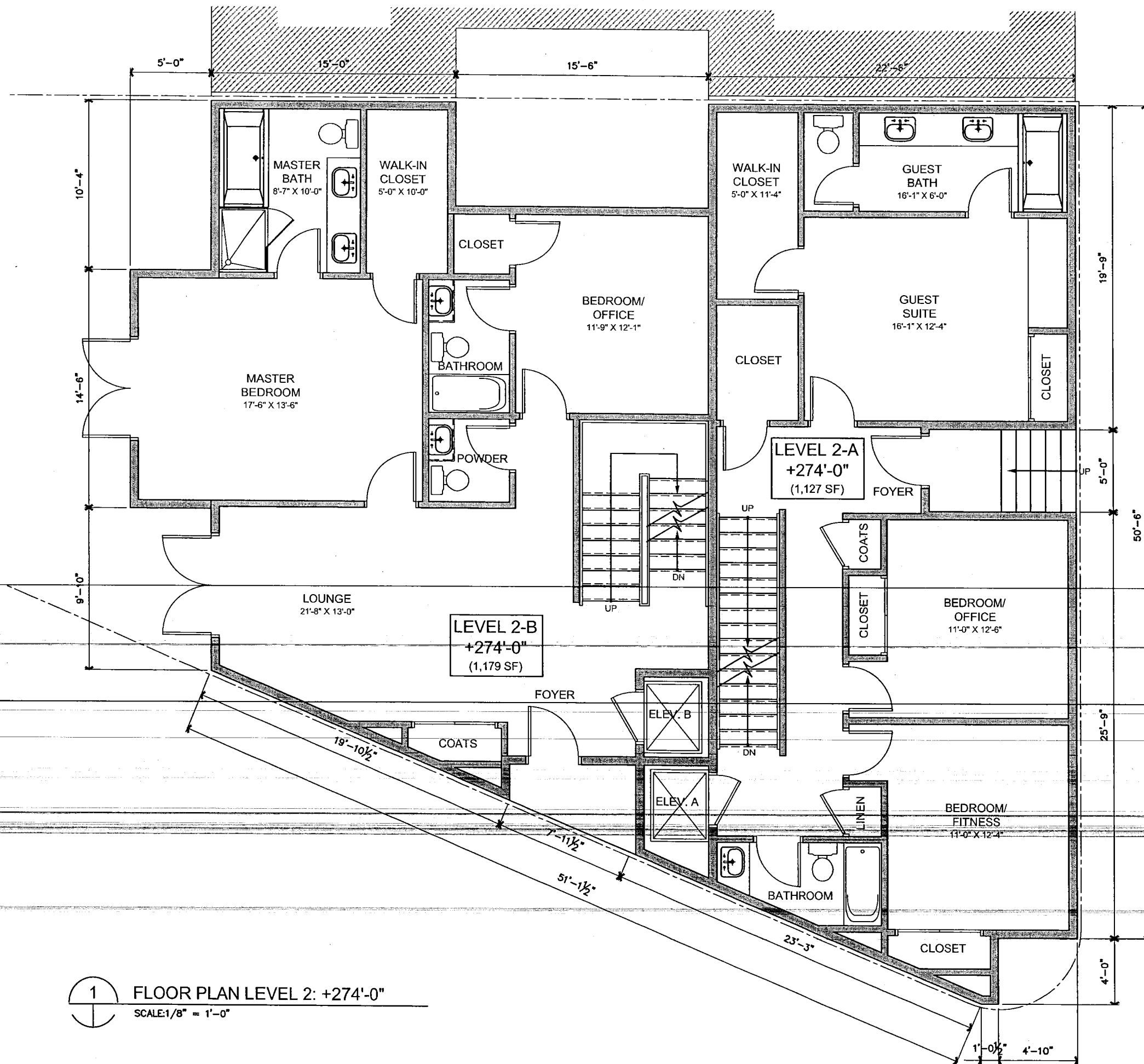
FLOOR PLAN LEVEL 1: +274'-0"

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

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA 94107

PLAN ALTERNATIVE SUBMITTED BY  
DR REQUESTOR

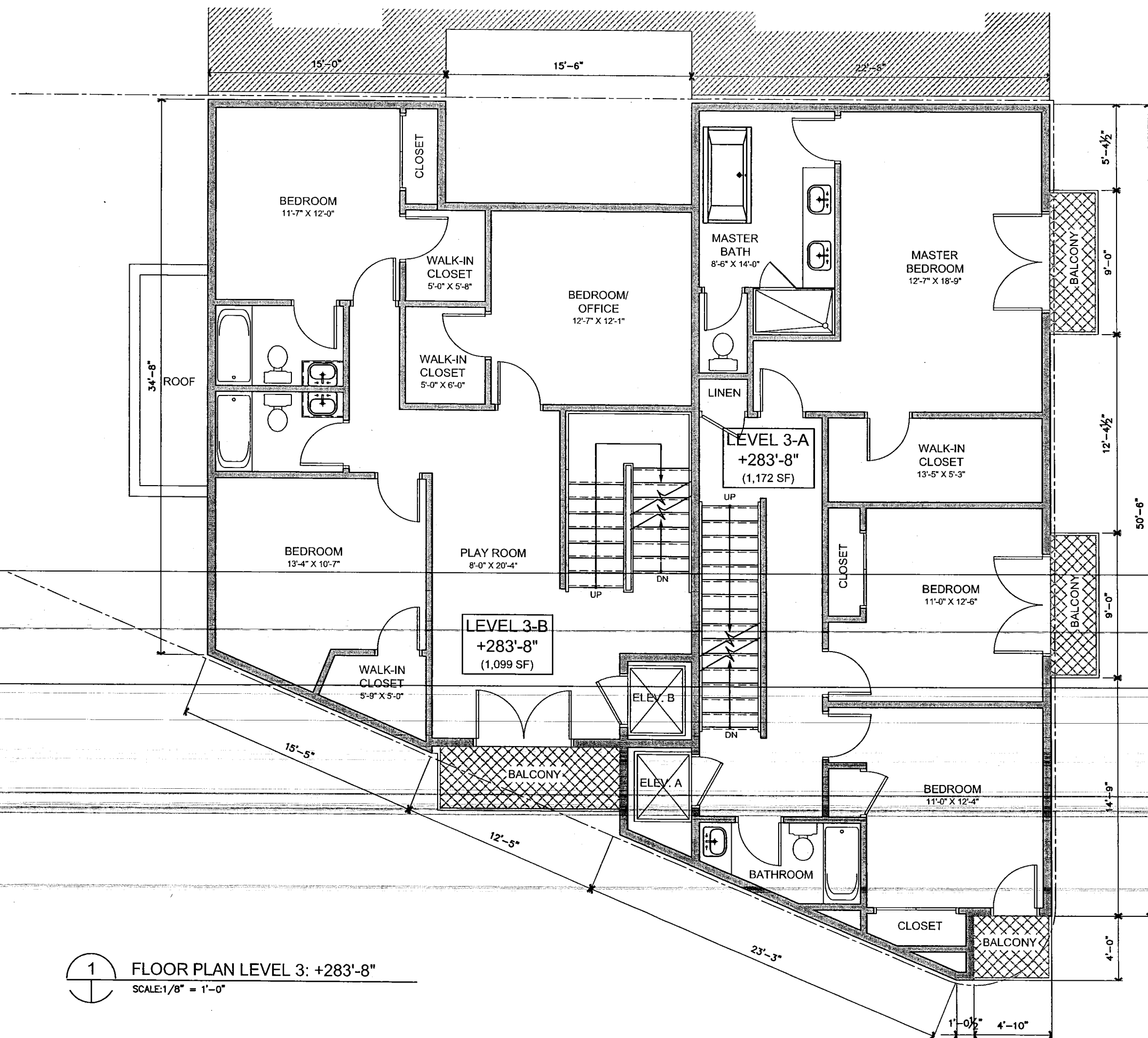


FLOOR PLAN LEVEL 2: +274'-0"

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

896 DEHARO STREET TOWNHOMES

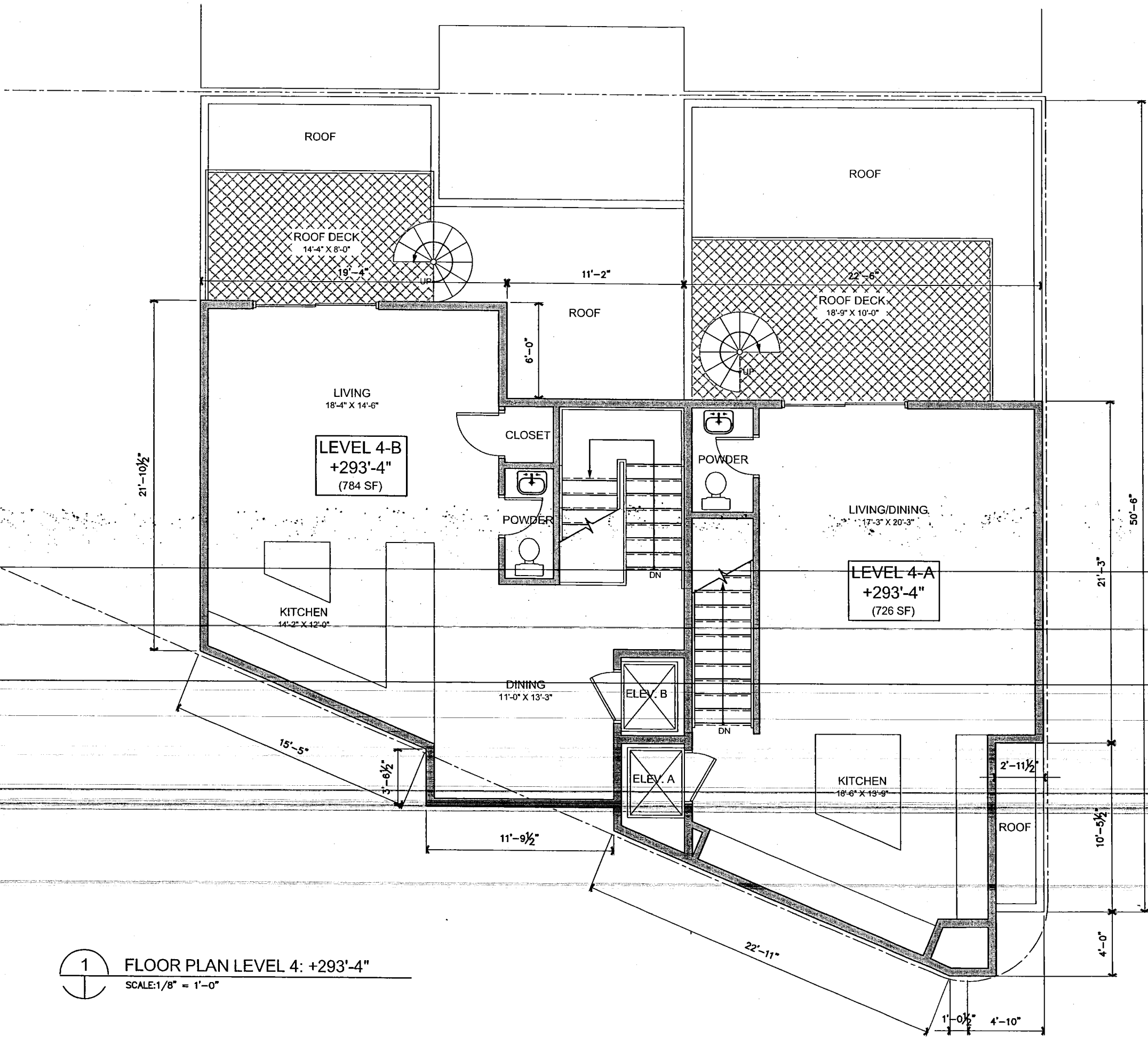
SAN FRANCISCO, CA 94107



1 FLOOR PLAN LEVEL 3: +283'-8"  
SCALE: 1/8" = 1'-0"

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA 94107



1 FLOOR PLAN LEVEL 4: +293'-4"  
SCALE: 1/8" = 1'-0"

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA 94107



## **PROJECT SPONSOR RESPONSE TO DR REQUESTOR CONCERNS (DATED March 17, 2015)**

**Issue #1: The proposed development will displace an existing park which is an amenity for the neighborhood.**

**RESPONSE:** The property is a privately-owned parcel and is not a dedicated public park. The Potrero Hill Neighborhood House sold it explicitly aware of the future development of the parcel as a residential project, and the group has stated that it is supportive of such development.

**Issue #2: The subject property was sold under questionable circumstances. For example, there was no public notice of the sale, no open bids and the property was sold for an amount 3-5 times below its estimated value at a time when the ownership, the Potrero Hill Neighborhood House, was under financial and organizational distress.**

**RESPONSE:** The property was sold pursuant to an arms-length transaction.

**Issue #3: Good-faith negotiations including an alternate, more reductive proposal developed by neighbors with the aid of an independent architect to mitigate concerns with mass and scale were ignored by the Project Sponsor.**

**RESPONSE:** The Project Sponsor has made significant attempts to achieve a compromise with DR requestors. The Project Sponsor and DR requestor have met in person to discuss the project no less than 5 times. The Project Sponsor has reduced the height of the building by two feet and has eliminated all roof penthouses in response to DR requestor's concerns. The Project Sponsor has been able to achieve a compromise agreement with the other DR requestor, the adjacent neighbor to the north, by incorporating the following modifications to the project: (1) Matching their light well in the east-west direction at all floors, with a minimum of 5 foot depth; (2) Squaring off the chamfered wall at the Second Level; (3) Pulling back the deck 3 feet off shared property line at the Fourth Level; (4) Matching their rear wall at the First and Second Level. This demonstrates the Project Sponsor's commitment to seeking a project that fulfills their goals while being sensitive to neighbors' concerns.

The DR requestor's main concern appears to be "sight lines" (i.e., private views). They have expressly indicated such in email correspondence. There is no protection for private views in any city code, guideline or policy.

**Issue #4: The project is too large. It's mass and scale is not compatible with the surrounding neighborhood.**

**RESPONSE:** The proposed project is roughly 32 feet in height, and steps down with the slope of De Haro Street (and is at least 5 feet shorter in height than the DR requestor's property). Its depth is comparable to that of its north adjacent neighbor. It has been reviewed several times by the Residential Design Team and has been determined consistent with the existing character of the neighborhood.

**Requestor's Alternative: The DR Requestor proposes two alternatives:**

**Option #1: Restore the land to park use.**

**Option #2: Adopt the reductive design alternative developed by an independent architect to address concerns with mass and scale and to improve neighborhood compatibility.**

**RESPONSE:** The project sponsor's goal of providing two new dwelling units would not be achieved by leaving the property as open space.

The Project sponsor has already made significant modifications to the project, including a two-foot height reduction in response to DR requestor's concerns regarding his views. The DR requestor has asked for an additional height reduction of 3 feet, which is not reasonable, considering the purpose is to protect his private views.

PLANNING DEPARTMENT NOTES

PROJECT LOCATION:  
SOUTHWEST CORNER OF DE HARO STREET  
AND SOUTHERN HEIGHTS AVENUE.  
ASSESSOR'S BLOCK 4095, LOT 018

ZONING DISTRICT:  
RH-2

NEIGHBOURHOOD:  
POTRERO HILL

EXISTING USE:  
VACANT LOT

PROPOSED BUILDING USE:  
TWO ATTACHED TOWNHOUSE  
UNITS WITH SHARED PARKING GARAGE

ALLOWABLE UNIT DENSITY:  
TWO UNITS PER LOT ALLOWED

LOT SHAPE:  
IRREGULAR, TRIANGULAR-SHAPED LOT

HEIGHT & BULK DISTRICT:  
40-X

BUILDING HEIGHT LIMIT:  
PROPOSED BUILDING HEIGHT LIMIT : 40 FEET,  
IN ACCORDANCE WITH PLANNING CODE SECTION 261(c)  
(ADDITIONAL HT. LIMITS APPLICABLE TO CERTAIN USE DISTRICTS

LOT AREA:  
3448 SQ.FT.

FRONT SETBACK:

AVERAGE OF ADJACENT BUILDING SETBACKS. ADJACENT  
BUILDINGS TO EACH SIDE HAVE NO SETBACKS, THEREFORE  
NO SETBACK REQUIRED

REAR SETBACK:

45% OF LOT DEPTH. LOT DEPTH IS 100' AND  
PROPOSED REAR YARD IS 45' IN DEPTH,  
THEREFORE REAR YARD IS IN COMPLIANCE.  
A TWO STORY, 12' DEEP EXTENSION IS ALSO  
PROPOSED PER SECTION 136.

SIDE YARD SETBACKS:  
NONE REQUIRED

USABLE OPEN SPACE:

125 S.F. PRIVATE USABLE OPEN SPACE REQUIRED. PRIVATE  
YARD AND ROOF DECKS PROVIDED IN EXCESS OF 125 S.F. PER  
UNIT, THEREFORE BUILDING COMPLIES.

VEHICULAR PARKING REQUIRED:

ONE SPACE PER DWELLING UNIT. 2 REQUIRED  
AND PROVIDED, THEREFORE BUILDING COMPLIES.

BICYCLE PARKING REQUIRED:

ONE CLASS 1 SPACE FOR EVERY ONE DWELLING UNITS REQUIRED PER  
SECTION 155.5, 2/1 = 2, THEREFORE 2 CLASS 1 PARKING SPACES REQ'D.  
2 CLASS 1 BICYCLE PARKING SPACES PROVIDED WITHIN  
PARKING GARAGE.

NET BUILDING AREA CALCULATIONS:

TOTAL RESIDENTIAL AREA (UNIT A & B) = 5,298 N.S.F.  
GARAGE = 970 N.S.F.  
TOTAL NET BUILDING AREA = 6,268 N.S.F.

SCOPE OF WORK

CONSTRUCTION OF A NEW TWO UNIT RESIDENTIAL  
BUILDING ON THREE LEVELS ABOVE BASEMENT GARAGE.  
SITE IS CURRENTLY VACANT.

LOCATION MAP



DRAWING INDEX

- A0 COVER SHEET/ SITE/ ROOF PLANS
- A0.1 SITE SURVEY
- A0.2 AERIAL VIEW
- A0.3 BLOCKFACE PHOTOS - SOUTHERN HEIGHTS AVE.
- A0.4 BLOCKFACE PHOTOS - DE HARO ST.
- A0.5 PHOTOS OF PROJECT SITE
- A0.6 TREE FORMS AND PERMITS
- A0.7 PROJECT RENDERINGS
- A1 PROPOSED BASEMENT LEVEL PLAN
- A2 PROPOSED FIRST LEVEL PLAN
- A3 PROPOSED SECOND LEVEL PLAN
- A4 PROPOSED THIRD LEVEL PLAN
- A5 PROPOSED ROOF PLAN
- A6 PROPOSED SOUTH ELEVATION
- A7 PROPOSED EAST ELEVATION
- A8 PROPOSED WEST ELEVATION
- A9 PROPOSED NORTH ELEVATION
- A10 PROPOSED BUILDING SECTION AA
- A11 PROPOSED BUILDING SECTION BB

Revisions By

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architecture

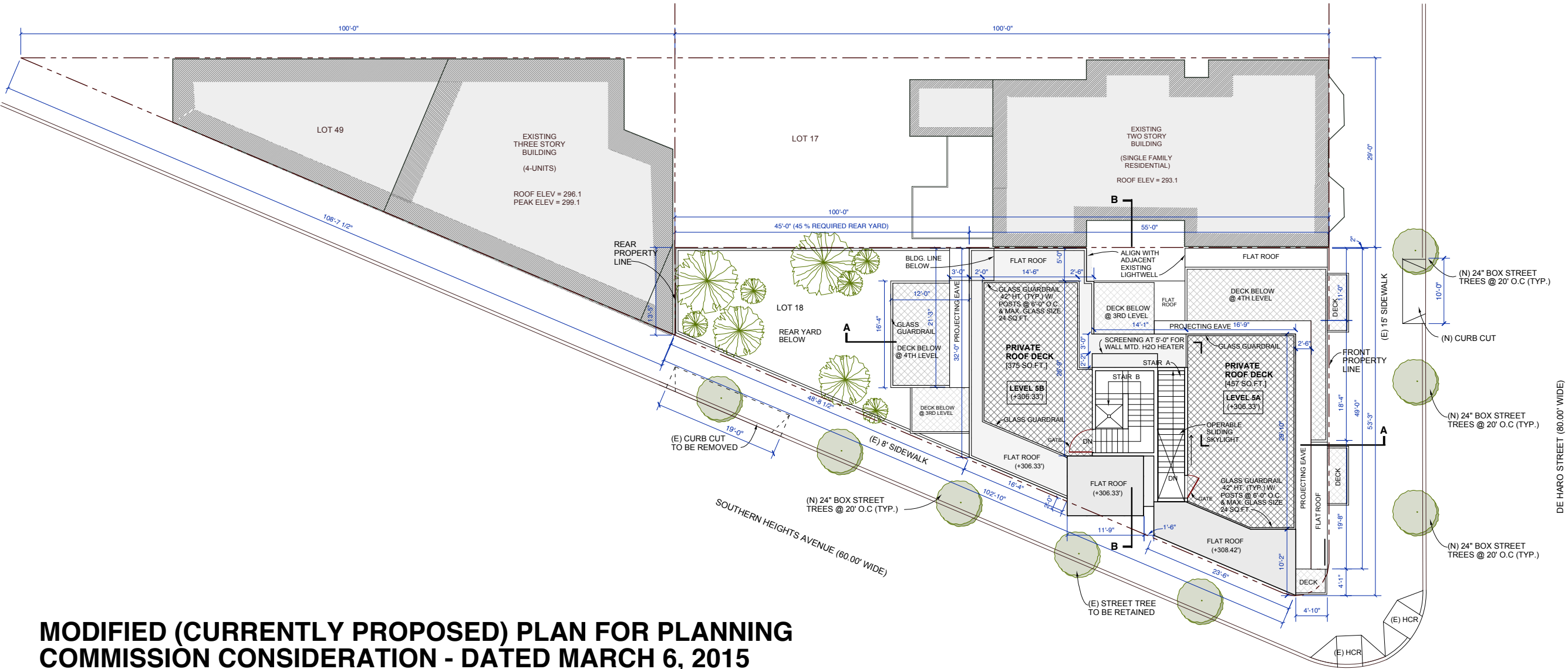
1327 mason st.  
san francisco  
california 94133  
t: 415 674 9100  
f: 415 674 9101

COVER SHEET /  
SITE & ROOF PLAN

896 DEHARO STREET TOWNHOMES  
BLOCK 4095 / LOT 018  
SAN FRANCISCO, CA

DATE: 6 MARCH 2015  
SCALE: 1/8"=1'-0"  
DRAWN: ML  
SHEET:

A0



MODIFIED (CURRENTLY PROPOSED) PLAN FOR PLANNING  
COMMISSION CONSIDERATION - DATED MARCH 6, 2015



**LEAVITT**  architecture

# PROPOSED BASEMENT LEVEL PLAN

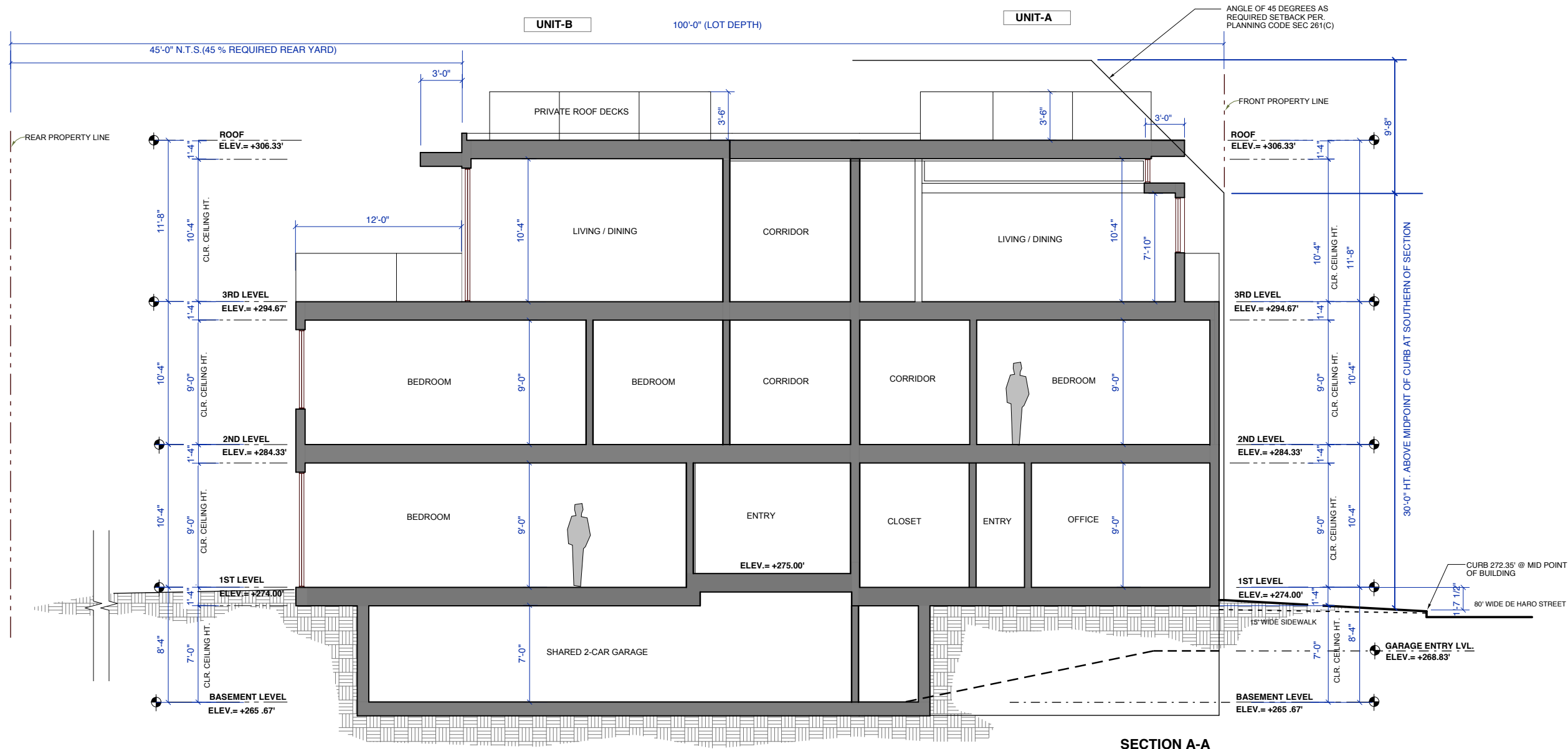
**SAN FRANCISCO, CA**

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**BLOCK 4095 / LOT 018**

# A1





SECTION A-A

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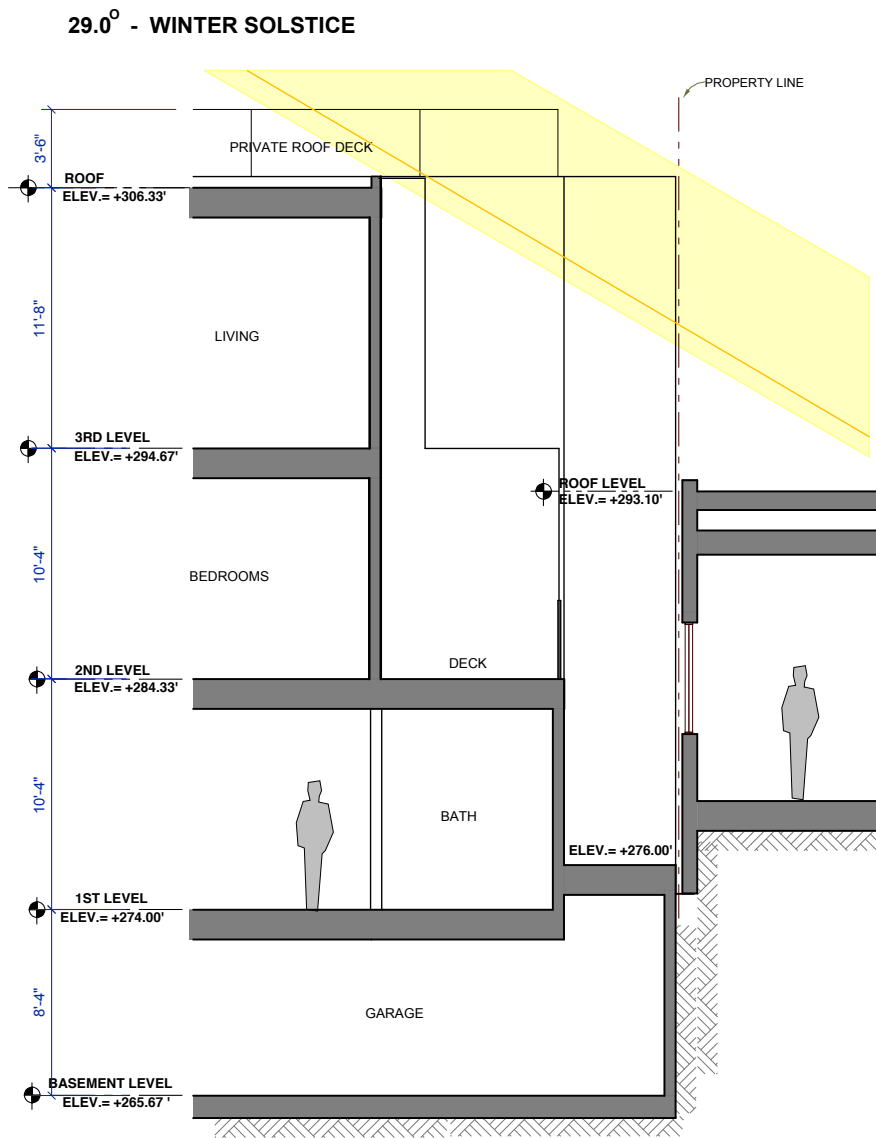
SECTION A-A

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

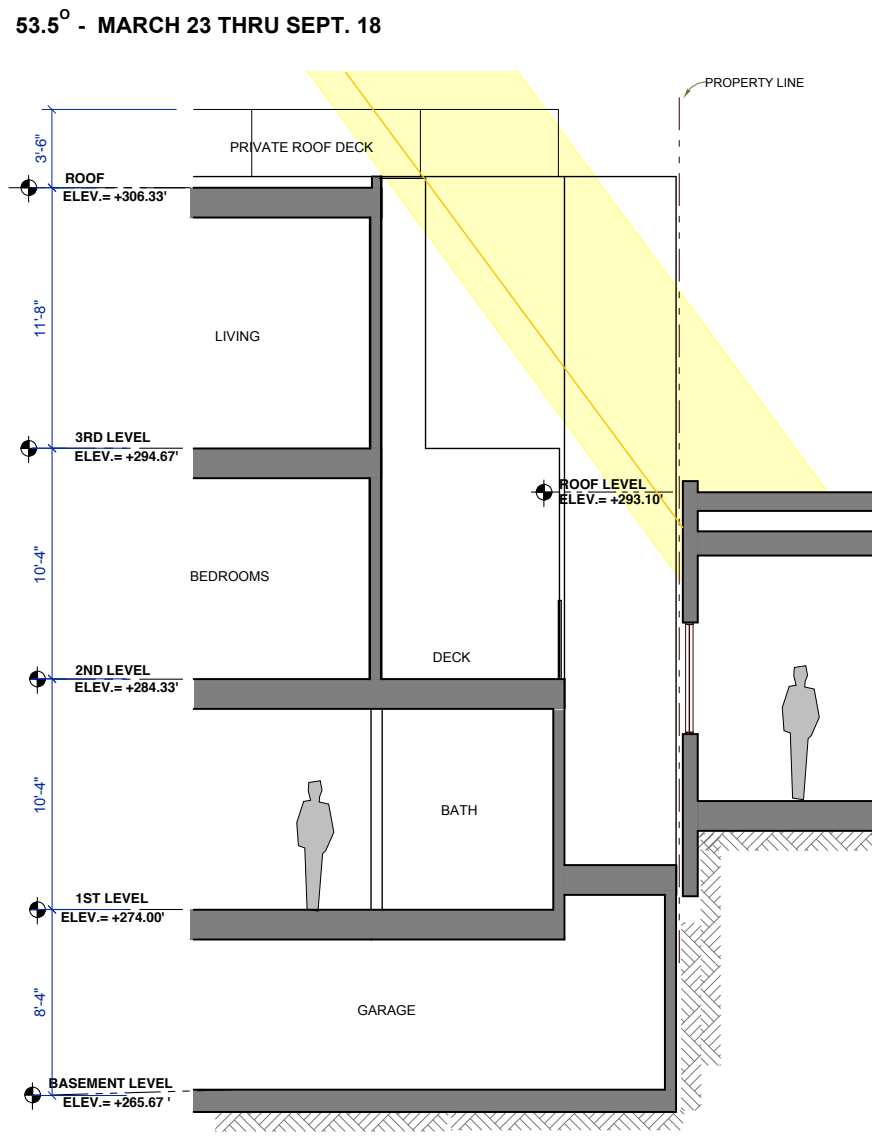
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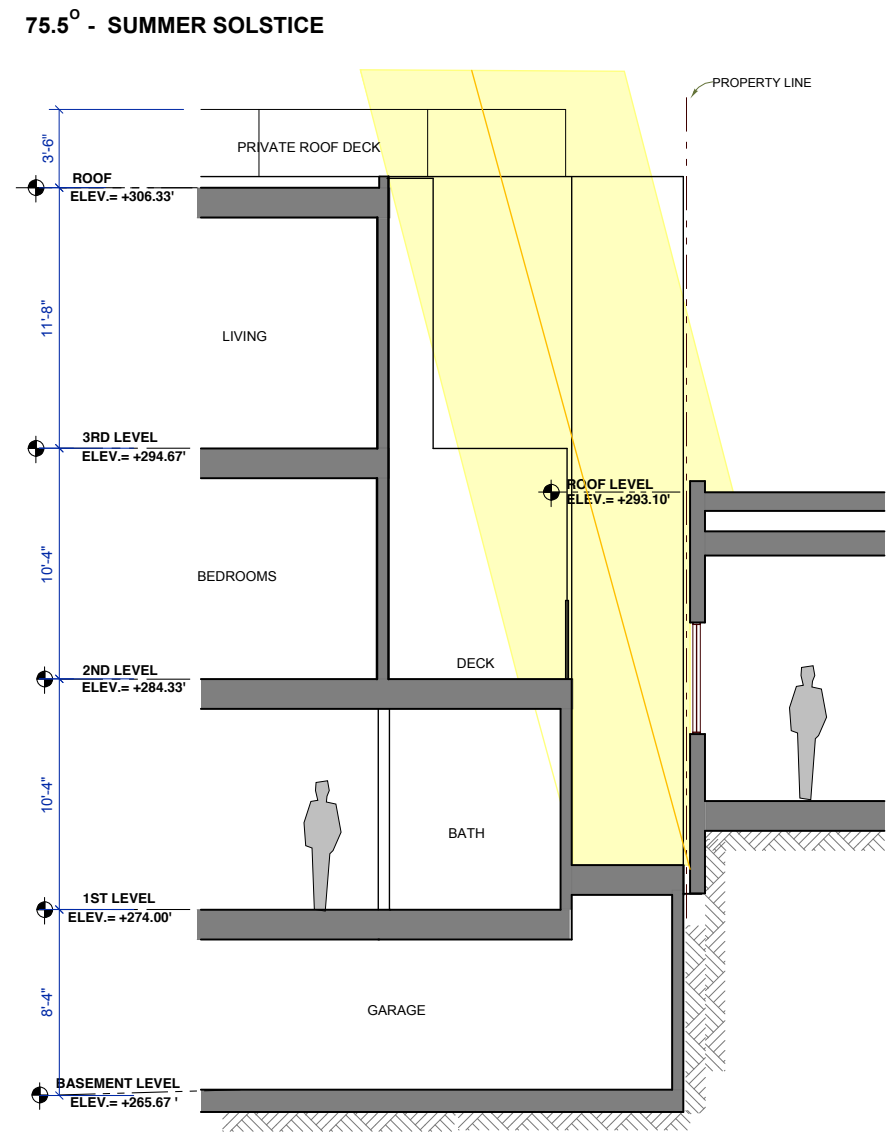
MODIFIED (CURRENTLY PROPOSED) PLAN FOR PLANNING COMMISSION CONSIDERATION - DATED MARCH 6, 2015



SECTION B-B



SECTION B-B



SECTION B-B

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SECTION B-B

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

DATE: 6 MARCH 2015  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:

**A11**





PROPOSED BUILDING LOOKING NORTH EAST ON SOUTHERN HEIGHTS AVE.

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PROJECT RENDERING-1

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA

BLOCK 4095 / LOT 018

DATE: 6 MARCH 2015

SCALE:

DRAWN: ML

SHEET:

A12





PROPOSED BUILDING LOOKING SOUTH WEST ON DE HARO STREET

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PROJECT RENDERING - 2

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

DATE: 6 MARCH 2015  
SCALE: \_\_\_\_\_  
DRAWN: ML  
SHEET:

A13





PROPOSED BUILDING LOOKING WEST ON DE HARO STREET

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PROJECT RENDERING - 3

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA

BLOCK 4095 / LOT 018

DATE: 6 MARCH 2015

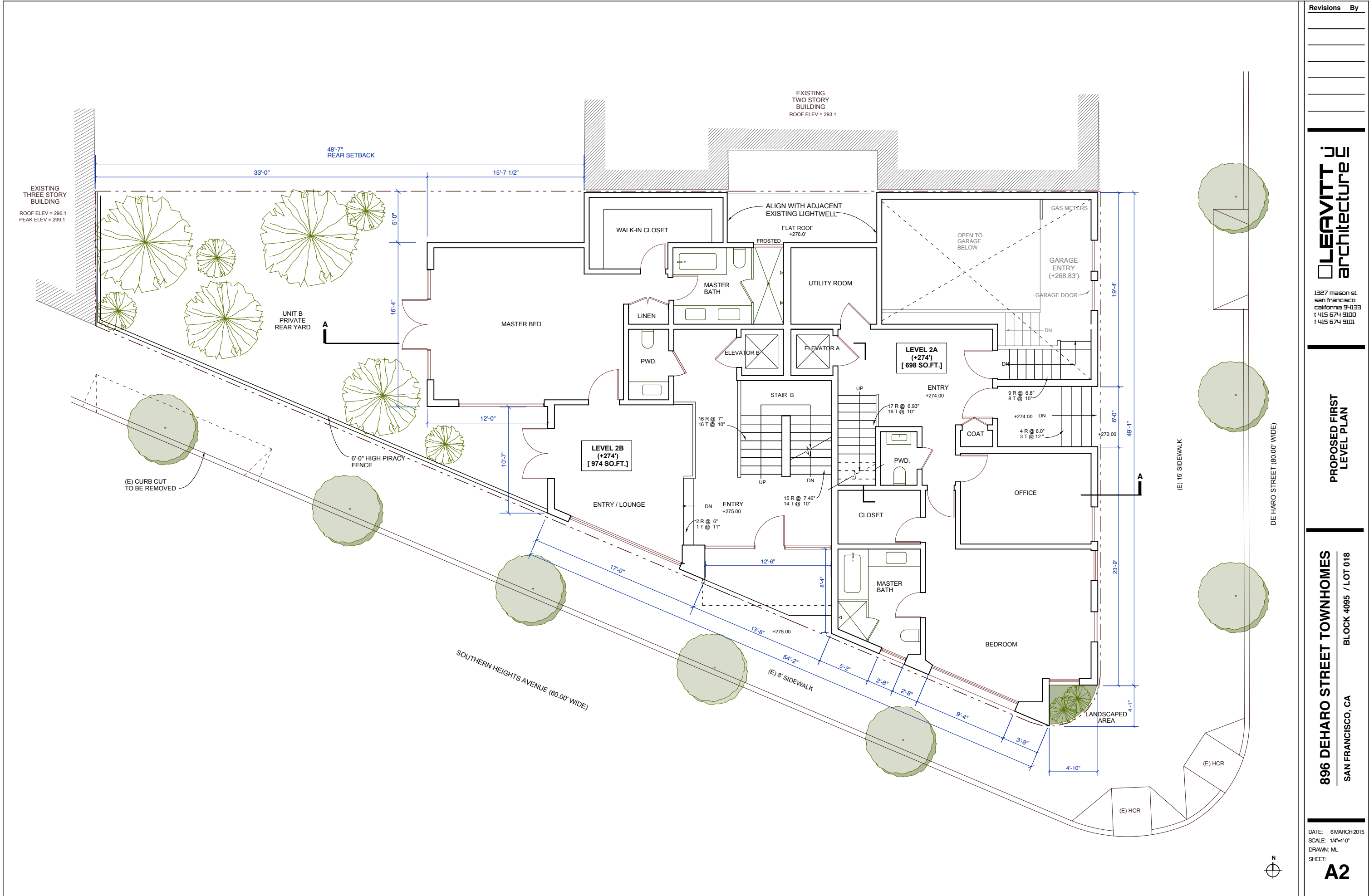
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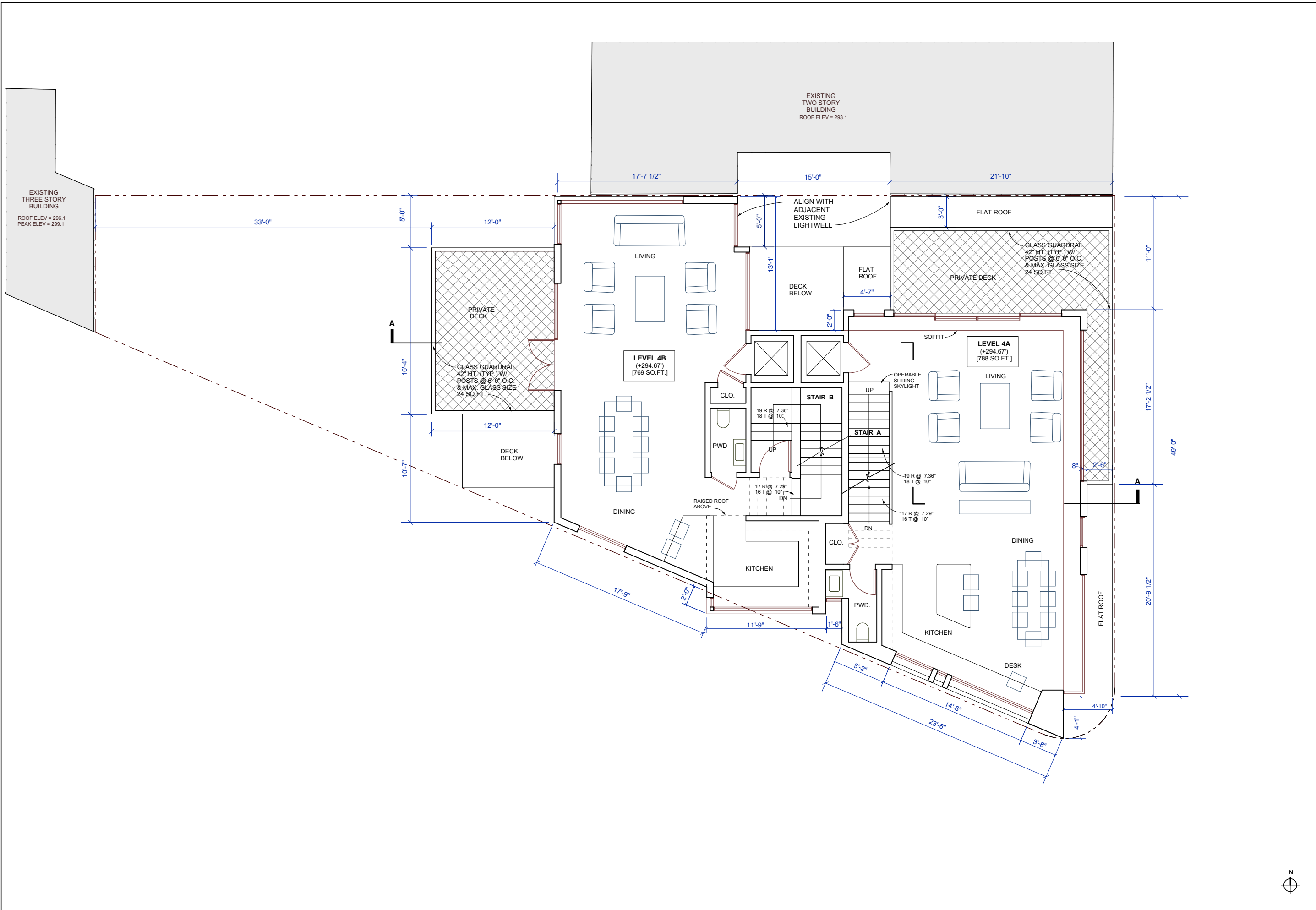
SHEET:

A14









Revisions

By

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PROPOSED THIRD  
LEVEL PLAN

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA

BLOCK 4095 / LOT 018

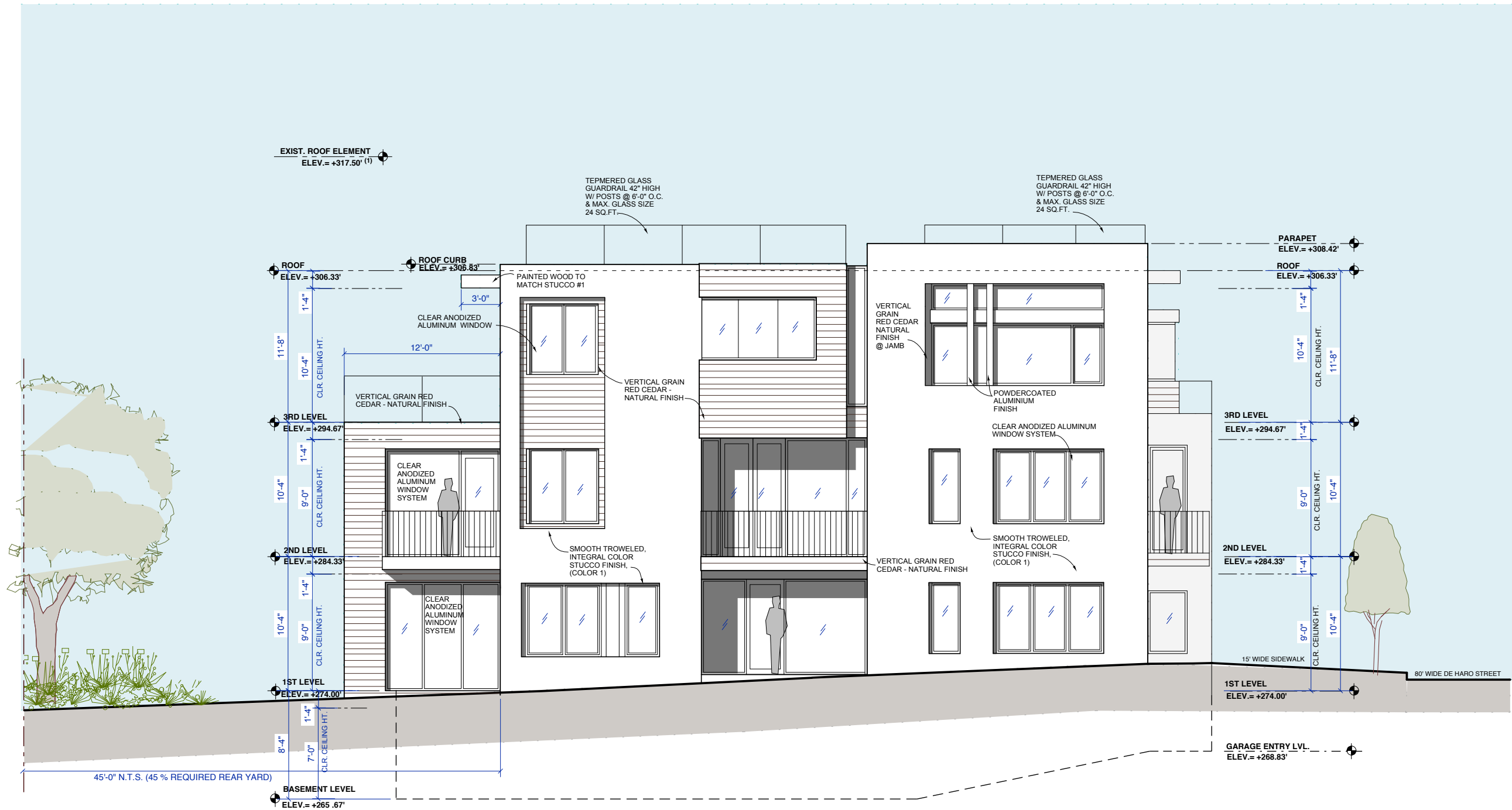
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A4

MODIFIED (CURRENTLY PROPOSED) PLAN FOR PLANNING COMMISSION CONSIDERATION - DATED MARCH 6, 2015



DATE: 6 MARCH 2015  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:  
**A5**



SOUTHERN HEIGHTS AVE. (SOUTH) ELEVATION

Revisions By



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SOUTHERN HEIGHTS AVE.  
(SOUTH) ELEVATION

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

DATE: 4 MARCH 2015  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:

A6



DE HARO STREET (EAST) ELEVATION

EXISTING ADJACENT 2-STORY  
RESIDENTIAL BUILDING

Revisions By

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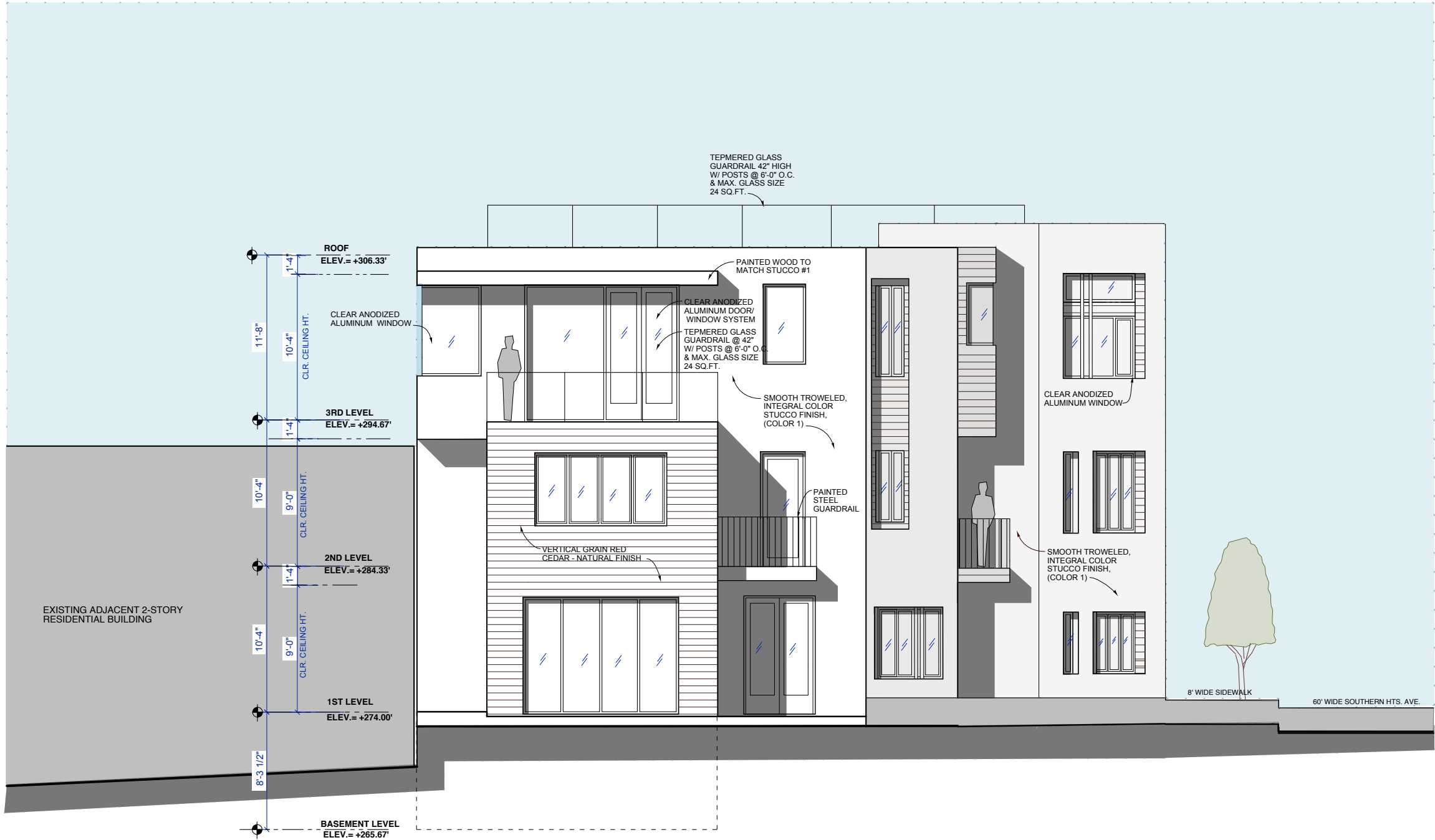
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san francisco  
california 94133  
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f 415 674 9101

DE HARO STREET  
(EAST) ELEVATION

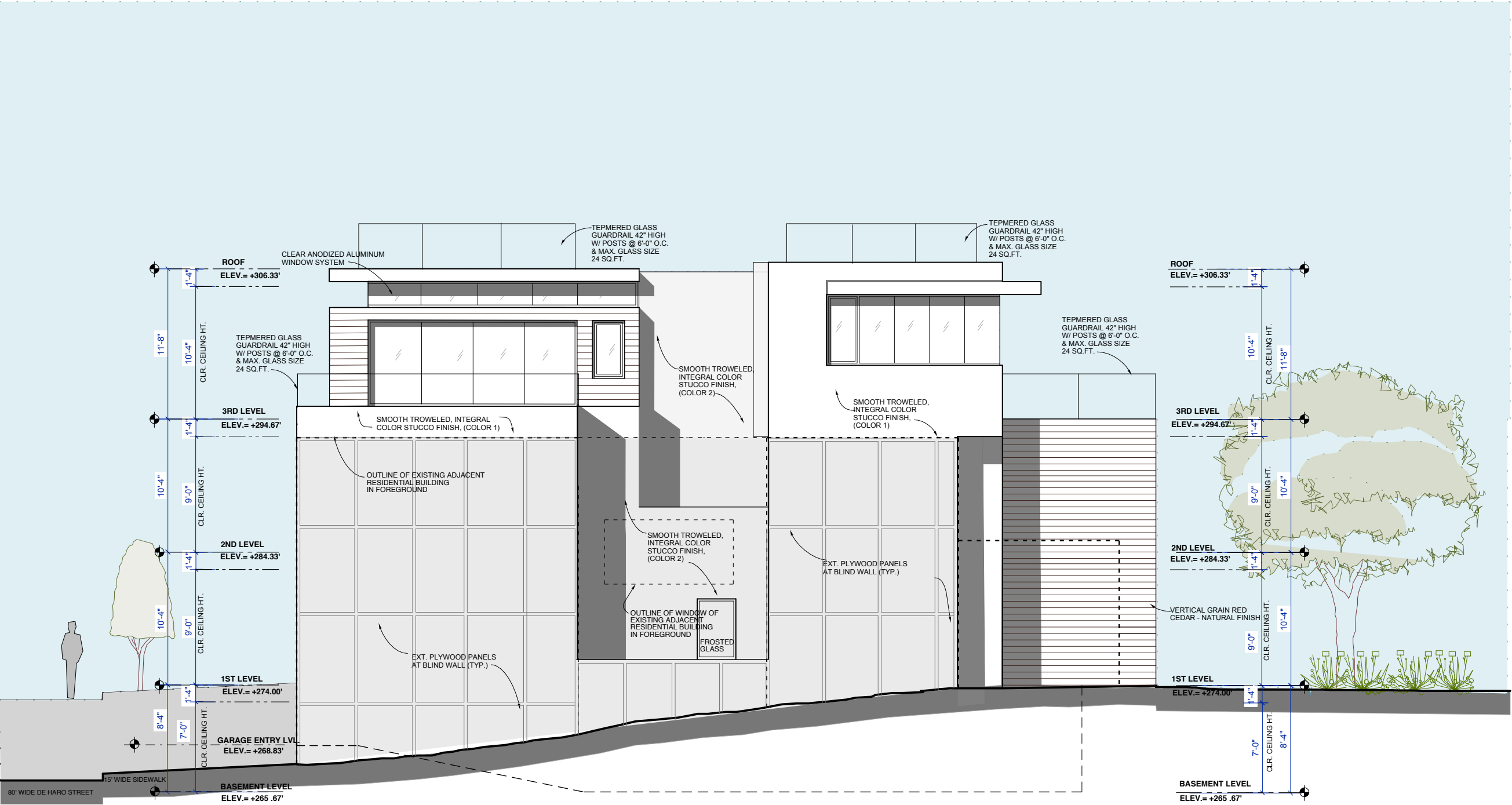
896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

DATE: 6 MARCH 2015  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:  
**A7**





WEST ELEVATION



NORTH ELEVATION

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NORTH ELEVATION

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

DATE: 6 MARCH 2015  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:



PLANNING DEPARTMENT NOTES

**PROJECT LOCATION:**  
SOUTHWEST CORNER OF DE HARO STREET  
AND SOUTHERN HEIGHTS AVENUE.  
ASSESSOR'S BLOCK 4095, LOT 018

**ZONING DISTRICT:**  
RH-2

**NEIGHBOURHOOD:**  
POTRERO HILL

**EXISTING USE:**  
VACANT LOT

**PROPOSED BUILDING USE:**  
TWO ATTACHED TOWNHOUSE  
UNITS WITH SHARED PARKING GARAGE

**ALLOWABLE UNIT DENSITY:**  
TWO UNITS PER LOT ALLOWED

**LOT SHAPE:**  
IRREGULAR, TRIANGULAR-SHAPED LOT

**HEIGHT & BULK DISTRICT:**  
40-X

**BUILDING HEIGHT LIMIT:**  
PROPOSED BUILDING HEIGHT LIMIT : 40 FEET,  
IN ACCORDANCE WITH PLANNING CODE SECTION 261(c)  
(ADDITIONAL HT. LIMITS APPLICABLE TO CERTAIN USE DISTRICTS)

**LOT AREA:**  
3448 SQ.FT.

**FRONT SETBACK:**  
AVERAGE OF ADJACENT BUILDING SETBACKS. ADJACENT  
BUILDINGS TO EACH SIDE HAVE NO SETBACKS, THEREFORE  
NO SETBACK REQUIRED

**REAR SETBACK:**  
45% OF LOT DEPTH. LOT DEPTH IS 100' AND  
PROPOSED REAR YARD IS 45' IN DEPTH,  
THEREFORE REAR YARD IS IN COMPLIANCE.  
A TWO STORY, 12' DEEP EXTENSION IS ALSO  
PROPOSED PER SECTION 136.

**SIDE YARD SETBACKS:**  
NONE REQUIRED

**USABLE OPEN SPACE:**  
125 S.F. PRIVATE USABLE OPEN SPACE REQUIRED. PRIVATE  
YARD AND ROOF DECKS PROVIDED IN EXCESS OF 125 S.F. PER  
UNIT, THEREFORE BUILDING COMPLIES.

**VEHICULAR PARKING REQUIRED:**  
ONE SPACE PER DWELLING UNIT. 2 REQUIRED  
AND PROVIDED, THEREFORE BUILDING COMPLIES.

**BICYCLE PARKING REQUIRED:**  
ONE CLASS 1 SPACE FOR EVERY ONE DWELLING UNITS REQUIRED PER  
SECTION 155.5, 2/1 = 2, THEREFORE 2 CLASS 1 PARKING SPACES REQ'D,  
2 CLASS 1 BICYCLE PARKING SPACES PROVIDED WITHIN  
PARKING GARAGE.

**NET BUILDING AREA CALCULATIONS:**  
TOTAL RESIDENTIAL AREA (UNIT A & B) = 6,411 N.S.F.  
GARAGE = 1,108 N.S.F.  
STORAGE = 855 N.S.F.  
TOTAL NET BUILDING AREA = 8,374 N.S.F.

SCOPE OF WORK

CONSTRUCTION OF A NEW TWO UNIT RESIDENTIAL  
BUILDING ON THREE LEVELS ABOVE BASEMENT GARAGE  
AND STORAGE AREA. SITE IS CURRENTLY VACANT.

LOCATION MAP



Revisions By

1

07/10/12 ML

2

01/30/14 ML

3

06/09/14 ML

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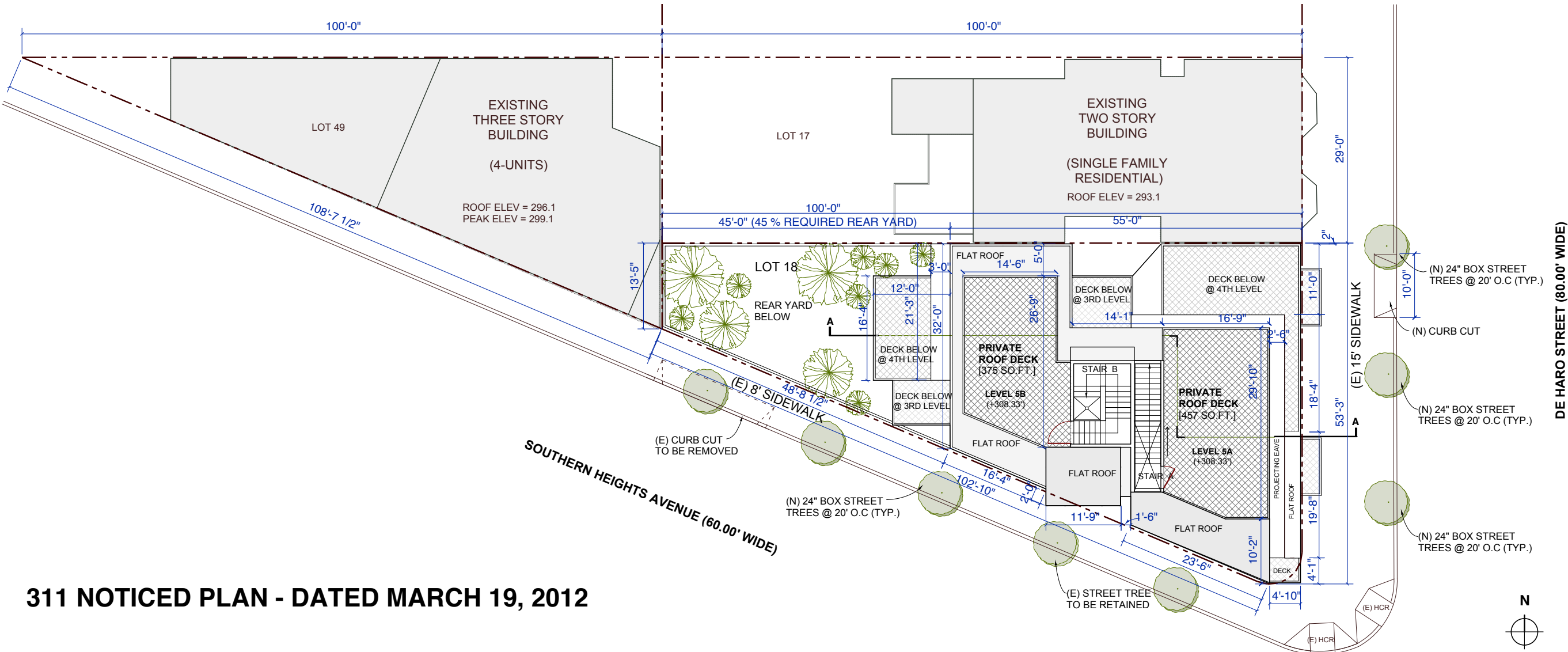
COVER SHEET /  
PROPOSED SITE  
& ROOF PLAN

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

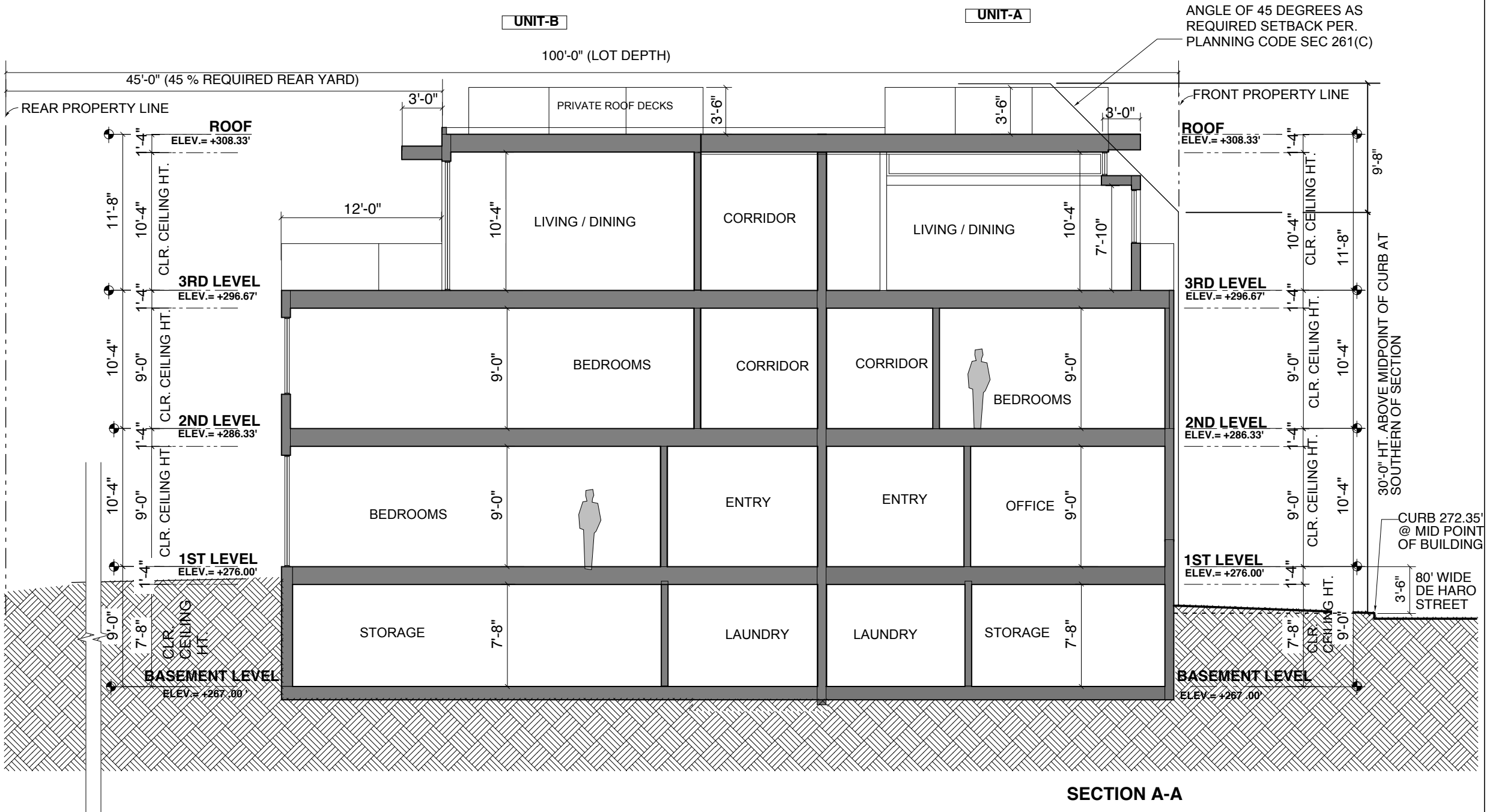
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DRAWN: ML  
SHEET:

A1

311 NOTICED PLAN - DATED MARCH 19, 2012



311 NOTICED PLAN - DATED MARCH 19, 2012



| Revisions By |             |
|--------------|-------------|
| 1            | 07/10/12 ML |
| 2            | 01/30/14 ML |
| 3            | 06/09/14 ML |
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SECTION A-A

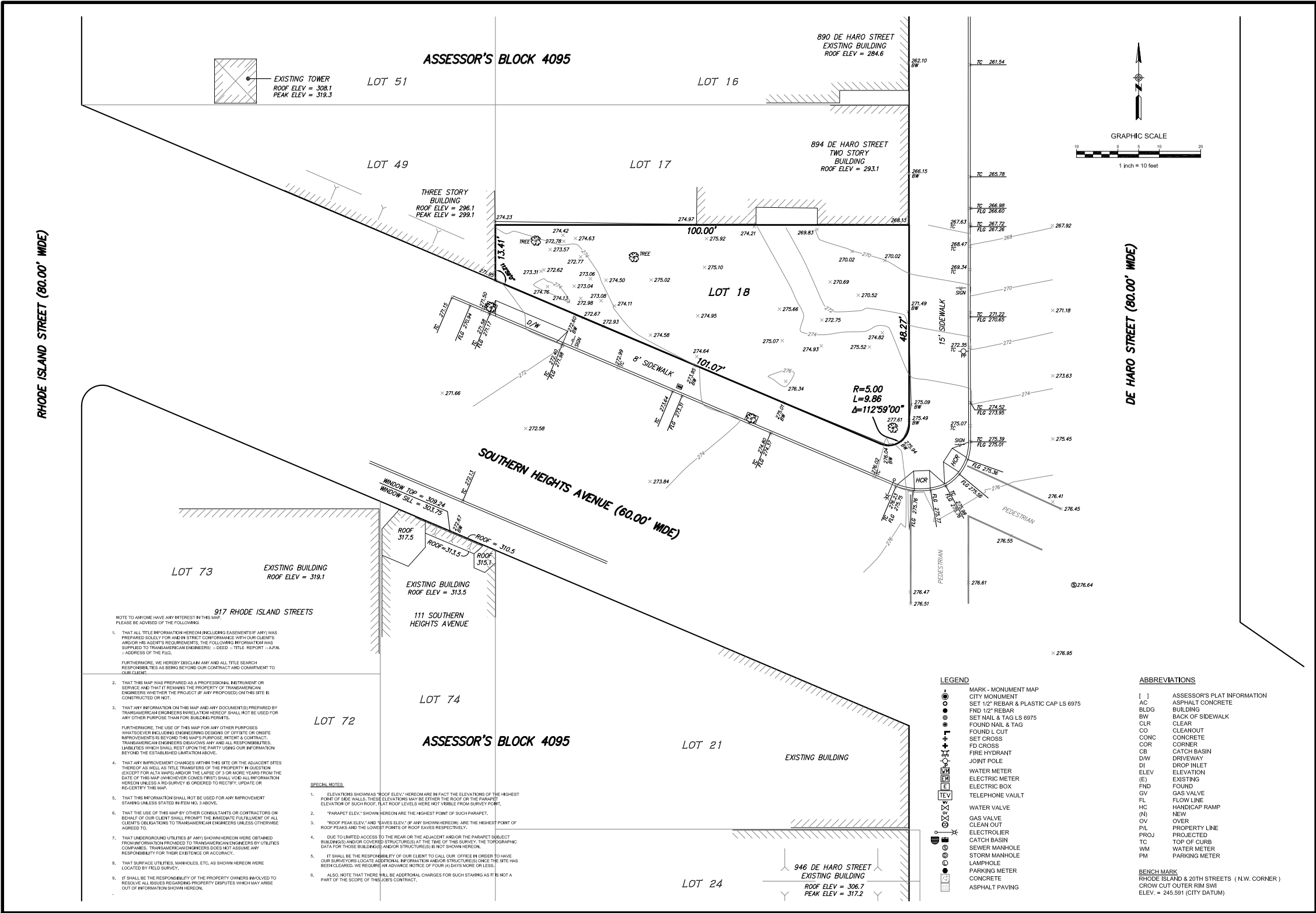
896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA

BLOCK 4095 / LOT 018

DATE: 19 MARCH 2012  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:

A10



Job No.  
6241.1  
Sheet No.  
1 OF 1  
Date  
01/17/11  
Survey  
BP 01/12/11  
Design  
N/A -  
Drawn  
JT/BP 01/17/11  
Checked  
BP 01/20/11  
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 BLOCK No. 4095  
LOT No. 18  
896 DE HARO STREET  
SAN FRANCISCO, CALIFORNIA

Approved by:  
Chief Engineer License No. 8775  
10/28/12  
05/19/14

By:  
JT  
BP

| Revisions | By          |
|-----------|-------------|
| 1         | 07/10/12 ML |
| 2         | 01/30/14 ML |
| 3         | 06/09/14 ML |

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f 415 674 9101

SITE SURVEY

896 DEHARO STREET TOWNHOMES  
BLOCK 4095 / LOT 018  
SAN FRANCISCO, CA

DATE: 19 MARCH 2012  
SCALE:  
DRAWN: ML  
SHEET:

A11





PROPOSED BUILDING LOOKING NORTH EAST ON SOUTHERN HEIGHTS AVE.



PROPOSED BUILDING LOOKING SOUTH WEST ON DE HARO STREET



PROPOSED BUILDING LOOKING WEST ON DE HARO STREET

| Revisions | By          |
|-----------|-------------|
| 1         | 07/10/12 ML |
| 2         | 01/30/14 ML |
| 3         | 06/09/14 ML |

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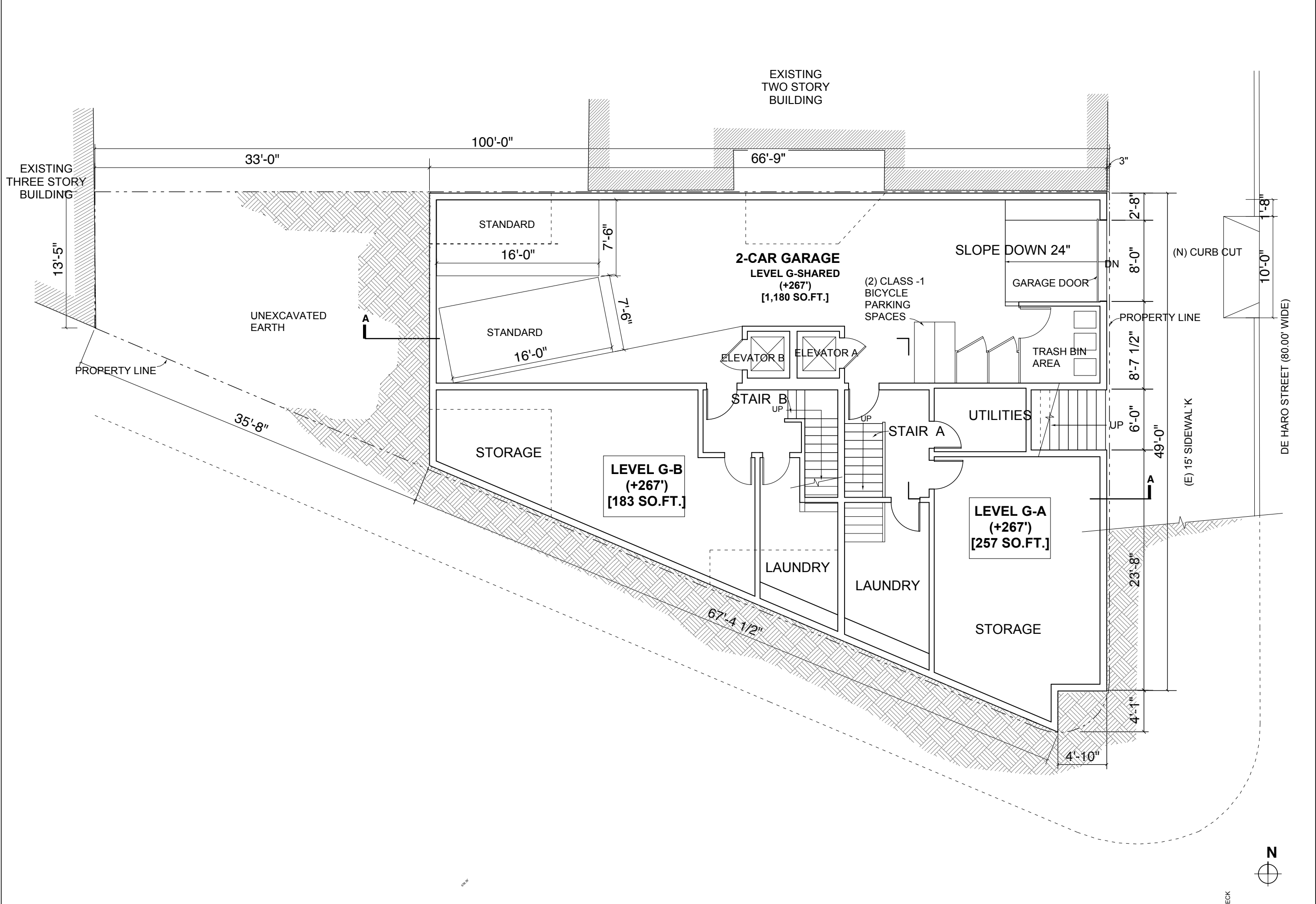
**PROJECT  
RENDERINGS**

**896 DEHARO STREET TOWNHOMES**  
BLOCK 4095 / LOT 018  
SAN FRANCISCO, CA

DATE: 19 MARCH 2012  
SCALE:  
DRAWN: ML  
SHEET:

**A12**





Revisions

By

1

07/10/12

ML

2

01/30/14

ML

3

06/09/14

ML

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california 94139

1 415 674 9100

1 415 674 9101

PROPOSED BASEMENT

LEVEL PLAN

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA

BLOCK 4095 / LOT 018

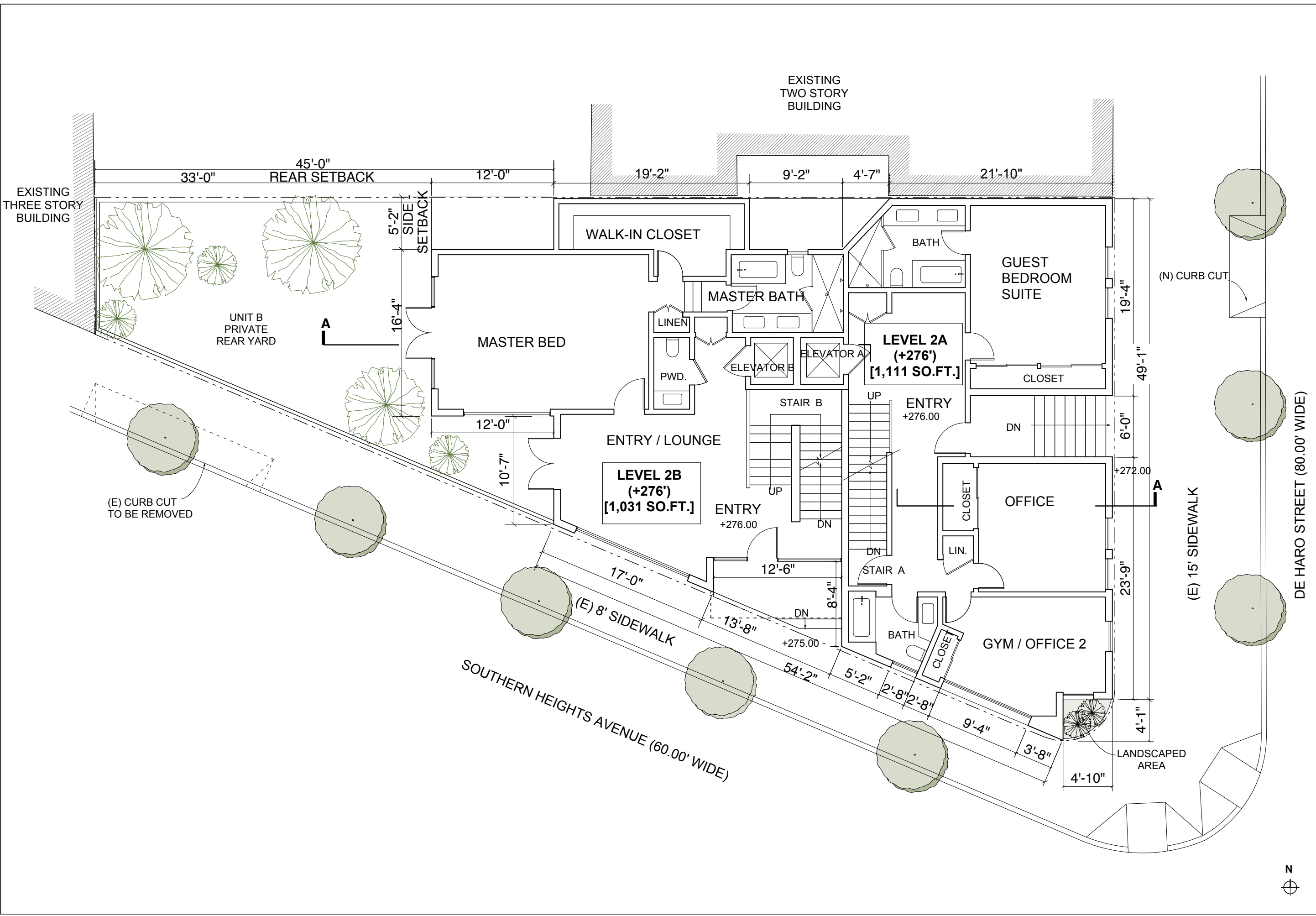
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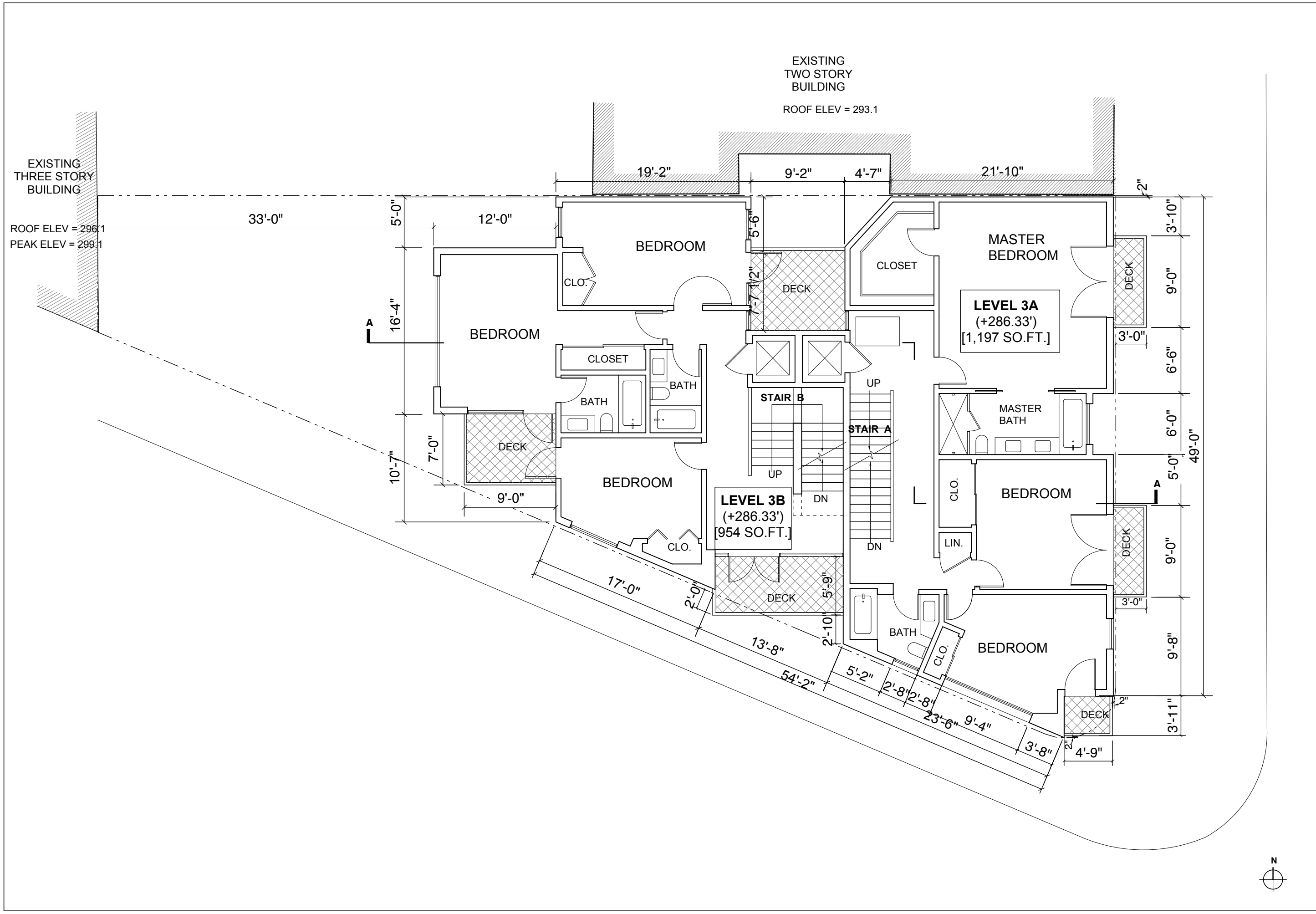
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| 3         | 06/09/14 ML |

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f 415 674 9101

PROPOSED FIRST  
LEVEL PLAN

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018



Revisions

By

1

07/10/12

ML

2

01/30/14

ML

3

06/09/14

ML

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PROPOSED SECOND

LEVEL PLAN

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA

BLOCK 4095 / LOT 018

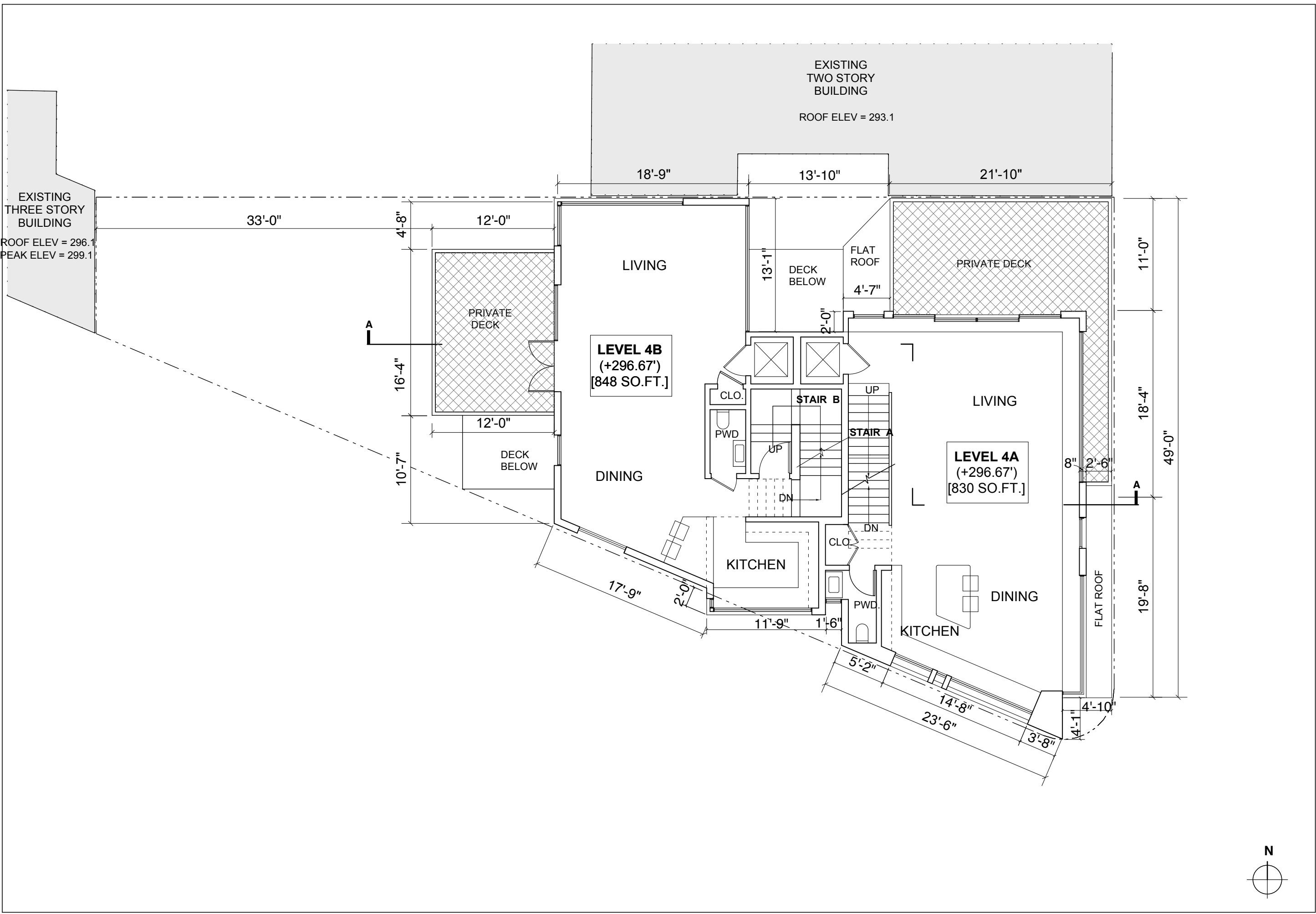
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A4



Revisions

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| 2 | 01/30/14 ML |
| 3 | 06/09/14 ML |
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|   |             |
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PROPOSED THIRD  
LEVEL PLAN

896 DEHARO STREET TOWNHOMES

SAN FRANCISCO, CA

BLOCK 4095 / LOT 018

DATE: 19 MARCH 2012  
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DRAWN: ML  
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A5





**896 DEHARO STREET TOWNHOMES**

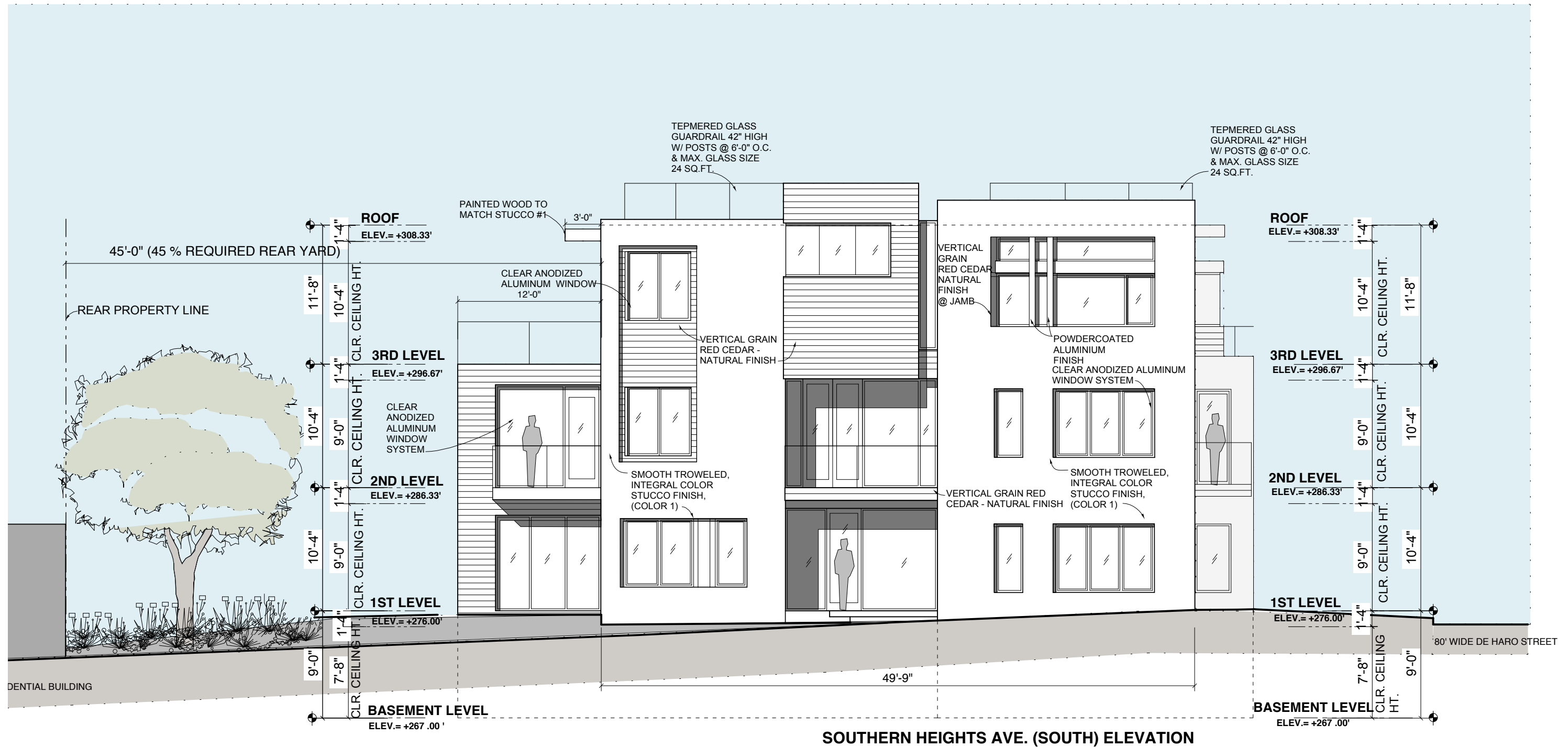
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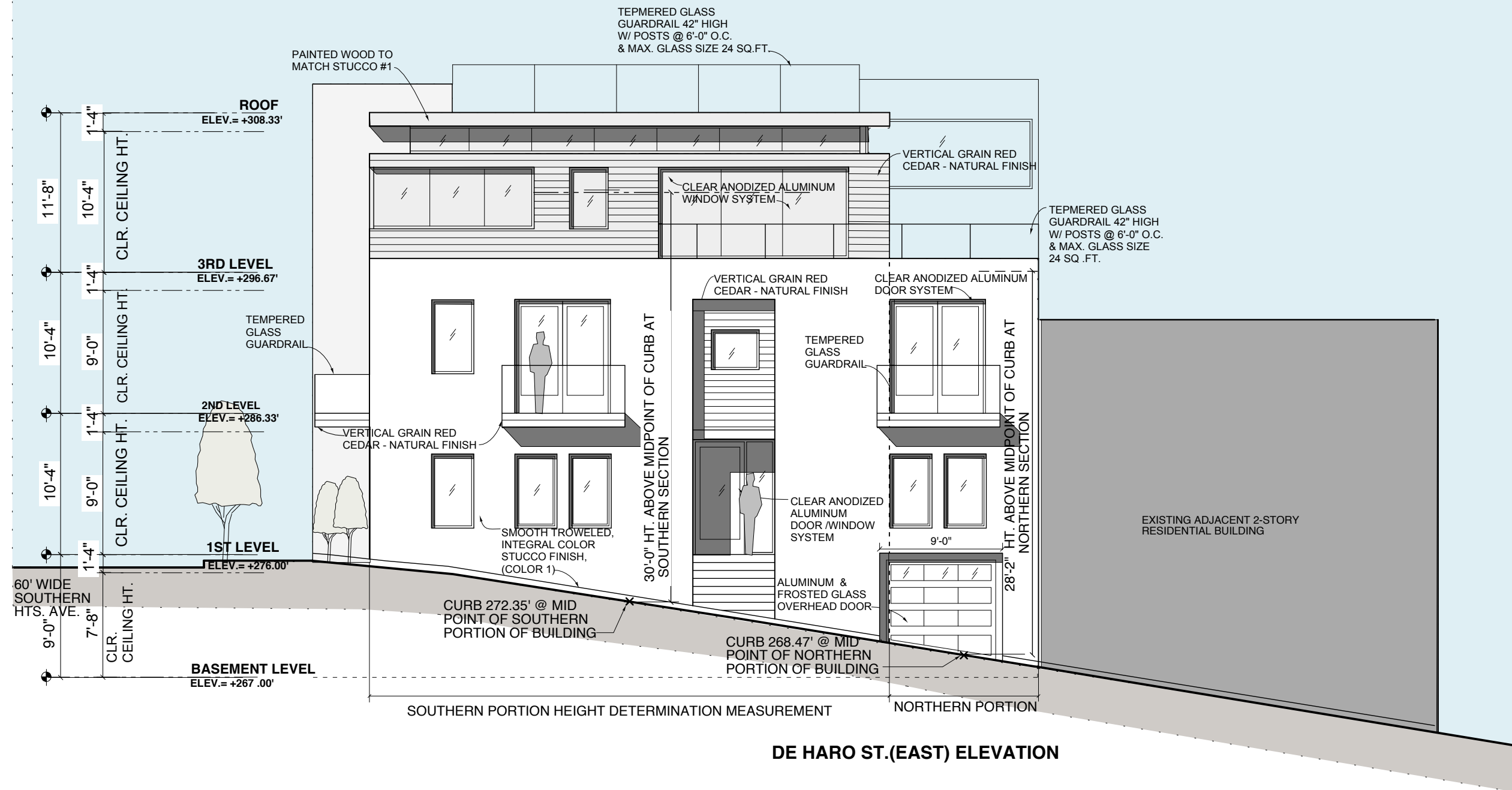
**SAN FRANCISCO, CA      BLOCK 4095 / LOT 018**

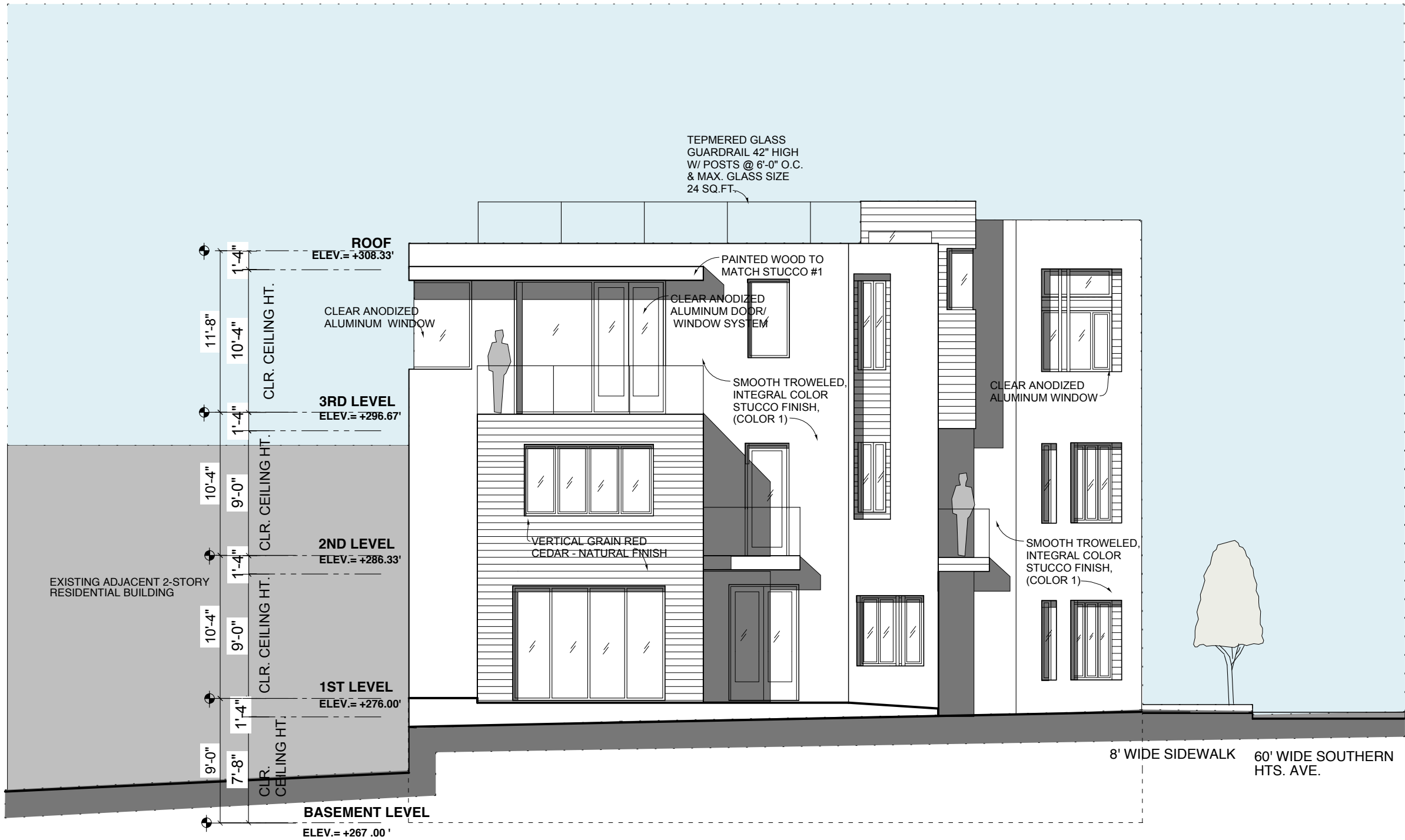
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# A6

**311 NOTICED PLAN - DATED MARCH 19, 2012**







WEST ELEVATION

| Revisions | By          |
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| 2         | 01/30/14 ML |
| 3         | 06/09/14 ML |



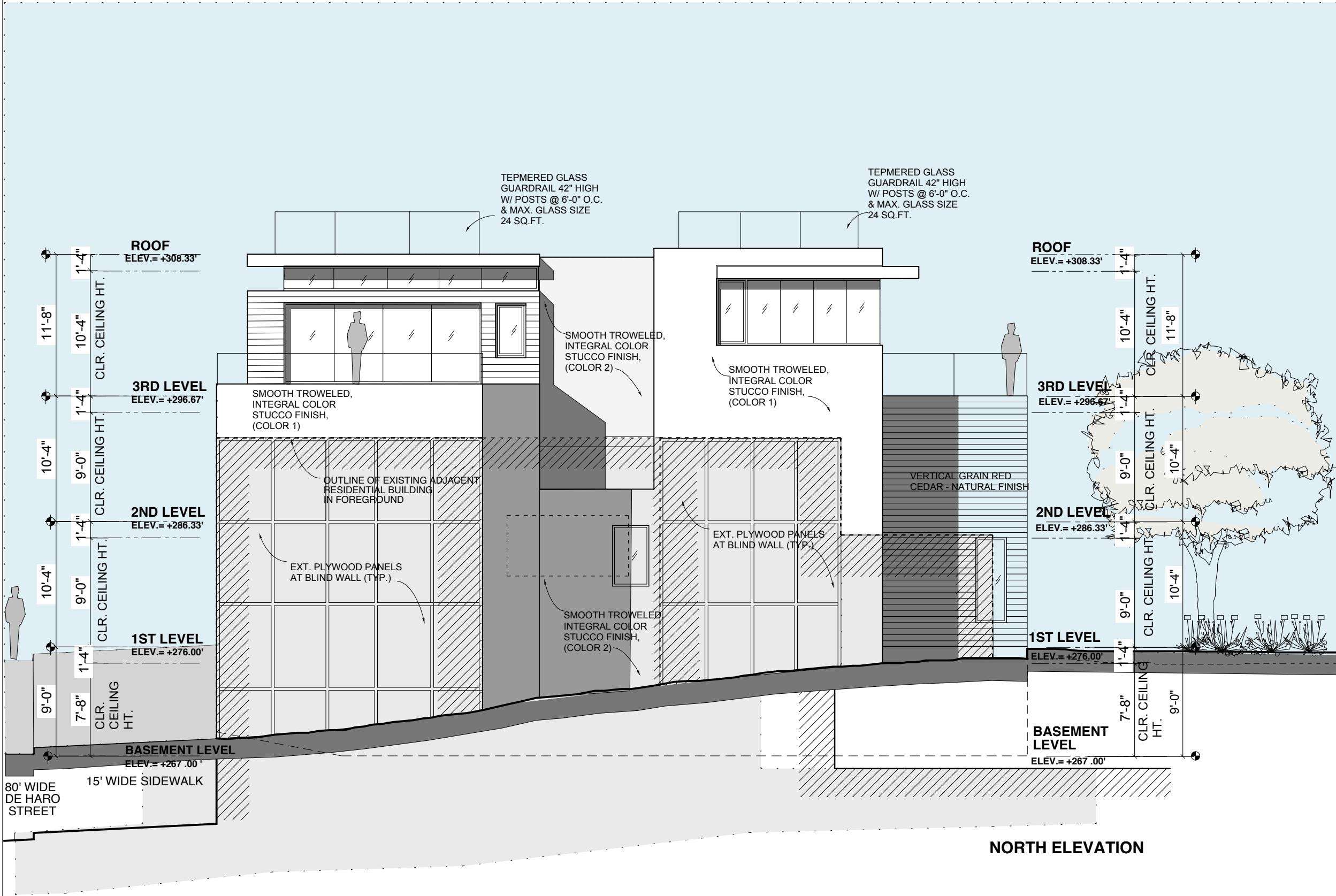
1327 mason st.  
san francisco  
california 94133  
t 415 674 9100  
f 415 674 9101

WEST ELEVATION

896 DEHARO STREET TOWNHOMES  
SAN FRANCISCO, CA  
BLOCK 4095 / LOT 018

DATE: 19 MARCH 2012  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:

A8



| revisions by |             |
|--------------|-------------|
| 1            | 07/10/12 ML |
| 2            | 01/30/14 ML |
|              |             |
|              |             |
|              |             |
|              |             |
|              |             |

**LEAVITT**  
architecture

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**NORTH ELEVATION**

**896 DEHARO STREET TOWNHOMES**

BLOCK 4095 / LOT 018

SAN FRANCISCO, CA

DATE: 19 MARCH 2012  
SCALE: 1/4"=1'-0"  
DRAWN: ML  
SHEET:

**A9**

311 NOTICED PLAN - DATED MARCH 19, 2012