

SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Full Analysis

HEARING DATE: OCTOBER 13, 2016

Date:	October 4, 2016
Case No.:	2013.1383DRP-10 & 2013.1768DRP-09
Project Address:	3516 & 3526 Folsom Street
Permit Application:	2013.12.16.4318 & 2013.12.16.4322
Zoning:	RH-1 (Residential, House, One-Family) Zoning District
	40-X Height and Bulk District
	Bernal Heights Special Use District
Block/Lot:	5626/013 & 014
Project Sponsor:	Fabien Lannoye, NOVA designs builds
	297C Kansas Street
	San Francisco, CA 94103
Staff Contact:	Richard Sucre – (415) 575-9108
	Richard.Sucre@sfgov.org
Recommendation:	Do Not Take DR & Approve As Proposed.

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PROJECT DESCRIPTION

The proposed scope of work includes the new construction of two single-family residences on two vacant lots within the Bernal Heights neighborhood.

At 3516 Folsom Street, the project would construct a two-and-one-half-story, single-family residence with two off-street parking spaces and a roof deck. The project incorporates a bay window on the front façade and has a side yard along the north lot line. The proposed project would possess 2,227 gross square feet.

At 3526 Folsom Street, the project would construct a two-and-one-half-story, single-family residence with two off-street parking spaces and a roof deck. The project incorporates a recessed entry along the north lot line and a side yard along the south lot line. The proposed project would possess 2,204 gross square feet.

Since publication of the 311 notification, the Project Sponsor has updated the design of the proposed project at 3516 Folsom Street to reduce the amount of off-street parking from three to two. Similarly, the off-street parking at 3526 Folsom Street has been rearranged to allow for independent access for the two required off-street parking spaces. Revised plans have been included. The reduction in off-street parking allows for maneuverability and independent access for the two vehicles. Therefore, the projects do not require a variance from the parking access requirements outlined in Planning Code Section 242(e)(4).

Since the public hearing on May 5, 2016, the Project Sponsor has revised the design of the north façade of 3516 Folsom Street to address comments from the Planning Commission. The Project Sponsor has submitted new architectural drawings, which address the revised design.

SITE DESCRIPTION AND PRESENT USE

Currently, the two parcels are vacant and the project site does not possess any physical improvements. The project site is located on the west side of Folsom Street between Bernal Heights Boulevard and Chapman Street. This portion of Folsom Street does not have a direct connection to Bernal Heights Boulevard. Each of the subject lots measure 25-ft by 70-ft (or 1,750 square feet). Currently, these parcels do not have vehicular street access or direct pedestrian access via sidewalks or other street improvements.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The surrounding neighborhood is primarily residential in character. The majority of the nearby buildings are primarily two-story single- or two-family residences. The project site is located off of a paper street (a portion of Folsom Street) across from the Bernal Heights Community Garden, and is located to the south of Bernal Heights Park. To the north of Powhattan Avenue, Folsom Street curves and becomes Chapman Street. To the south of the project site is a vacant lot and the two-story residence at 3574 Folsom Street. Around the project site, the zoning is primarily RH-1 (Residential, House, One-Family) or P (Public).

ISSUES & CONSIDERATIONS

- <u>Categorical Exemption/New Hearing</u>: The Environmental Review Officer rescinded the previously published Categorical Exemption for the Project at 3516 & 3526 Folsom Streets dated March 26, 2014. The Environmental Planning Division published a new Categorical Exemption to address the project's scope of work, including the proposed street extension. Since the prior environmental determination was rescinded, the Planning Commission is required to conduct a new Discretionary Review Hearing for the projects at 3516 & 3626 Folsom Streets, and adopt the CEQA Findings as part of the discretionary review.
- <u>Proposed Street Extension</u>: As noted in the public hearing on May 5th, 2016, the Project Sponsor has undertaken additional consultation with the Department of Public Works (DPW) and the Department of Building Inspection (DBI), and the San Francisco Fire Department (SFFD).

DPW has confirmed that the road layout is feasible, and the Project Sponsor has submitted a street improvement permit and the associated grading plan. The Planning Department (Department) has confirmed that a tentative approval has been given to the road layout. The road layout requires additional review by the SFFD.

DBI confirmed that their jurisdiction is limited to the two residences, and that they will not review the proposed street extension.

The Project Sponsor has included additional attachments including:

- Steetscape Design Advisory Team (SDAT) notes and sketch
- Email from Rahul Shad, DPW
- Street and Utility Improvement Plan, 3516 & 3526 Folsom Street
- Email from Joseph Ospital, Building Inspector, DBI
- Email from CDD Engineering, SFPUC
- PG&E, Bernalwood Q&A, May 27, 2014

- PG&E Responses to May 28, 2014 from Austin Sharp, Expert Customer Impact Specialist, PG&E
- PG&E Gas & Electric Maps

Although not under the purview of the Planning Commission's review, the Project Sponsor conducted additional revisions to the proposed street. The project was reviewed by the Streetscape Design Advisory Team (SDAT), and staff from the Department of Public Works (DPW). In response, the Project Sponsor has enlarged the proposed street extension from 15-ft 6-in to to 19-ft 5-in, and added stairs on the sidewalk.

BUILDING PERMIT APPLICATION NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE
311 Notice	30 days	August 17, 2015 – September 16, 2015	September 15, 2015	March 31, 2016; May 5, 2016; October 13, 2016

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	October 3, 2016	October 3, 2016	10 days
Mailed Notice	10 days	October 3, 2016	October 3, 2016	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent Neighbor(s)	-	2	-
Other Neighbors on the block or directly across the street	See Below	See Below	-
Neighborhood Groups	-	2	-

Support:

- Raffi Momjian, 347 Mullen Avenue
- Ramon Romero, 66 Banks Street
- Tom Saffell, 307 Mullen Avenue
- Fred & Wendy Testu, 319 Mullen Avenue

Opposed:

None Received

DR REQUESTOR (FOR 3516 & 3526 FOLSOM STREET)

- **Bernal Heights South Slope Organization**, neighborhood organization (Representative: Kathy Angus)
- **Bernal Heights East Slope Design Review Board**, neighborhood organization (Representative: Terry Milne)
- Herb Felsenfeld, 3574 Folsom Street
- Gail Newman, 3574 Folsom Street
- Nais Raulet, 75 Gates Street
- **Cyrena Torrey Simons & Marcus Sangho Ryu**, 55 Gates Street (Representative: Ryan Patterson, Zacks & Freedman)

DR REQUESTOR (FOR 3516 FOLSOM STREET ONLY)

- Ann Lockett, 61 Gates Street
- Steven Piccus, 3580 Folsom Street

DR REQUESTOR (FOR 3526 FOLSOM STREET ONLY)

- Marilyn Waterman, 61 Gates Street
- Sam Orr, 61 Gates Street
- Linda Ramey, 65 Gates Street

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

Issue #1 – Paving of Folsom Street: The DR Requestors have concern over the street design and the paving/extension of Folsom Street towards Bernal Heights Park. Currently, this portion of Folsom Street is a paper street and is not improved. The project site does not have vehicular or pedestrian access. The DR Requestors note the steepness of the proposed street (37 degrees), and the difficulty in providing adequate access to the proposed residences.

Issue #2 – Emergency & Infrastructure Access: The DR Requestors have concern over the street design, and the lack of emergency access for firefighters and public safety officers, as well as the lack of access for garage trucks, which will not be able to navigate the proposed steep street. The DR Requestors note that the proposed street extension would hinder emergency access and emergency response times.

Issue #3 – Infrastructure/PG&E Pipeline: The DR Requestors have concern over a PG&E gas transmission pipeline, which is currently beneath Folsom Street. The DR Requestors have concern over construction adjacent to this pipeline, particularly given the steep slope. The DR Requestors note the lack of risk assessment relative to public safety. The DR Requestors note that unreasonable impacts during construction would occur during the construction of the right-of-way.

Issue #4 – Additional Vacant Lots along Folsom Street: The DR Requestors have concern over potential future development, which could occur on the other four lots located off of this portion of Folsom Street.

In conjunction with 3516 & 3526 Folsom Street, a total of six vacant lots along Folsom Street could be developed if street access is given.

Issue #5 – Impact on Neighboring Residences: The DR Requestors have concern over the access to the existing garages associated with the neighboring residences along Folsom Street, particularly the driveways for 3574 & 3577 Folsom Street. The DR Requestors have concern over the lack of information regarding the paving plan and street design of this portion of Folsom Street. The DR Requestors have concern over the potential water damage to the properties below the proposed project. Water sluices down steep streets, and the proposed development will alter the current natural drainage systems.

Issue #6 – On-Street Parking: The DR Requestors have concern over the development and its impact on availability of on-street parking. The DR Requestors note that access to the proposed garages will be difficult; therefore, the future occupants will likely park vehicles on Folsom and Chapman Streets.

Issue #7 – Construction Traffic: The DR Requestors have concern over construction traffic and its impact upon their ability to access their residences.

Issue #8 – Compliance with Bernal Heights East Slope Design Guidelines: The DR Requestors have concern over the compliance of the proposed project with the Bernal Heights East Slope Design Guidelines.

Issue #9 – Size/Scale of New Residences: The DR Requestors have concern over the size of the new residences relative to the majority of the surrounding residences. Based upon information provided by the DR Requestors, the average size of the surroundings residences is 1,329 square feet. The adjacent residence is 1,050 square feet. The DR Requestors note that these new residences are out of size, scale, mass and character with the surrounding neighborhood context, particularly along Folsom and Gates Streets.

Issue #10 – Sideyard Setback of New Residences: The DR Requestors have concern over the side yard setback and its consistency with the existing block pattern and neighboring residences. The DR Requestors note that side yard pattern contributes to a sense of open space.

Issue #11 – Off-Street Parking: The DR Requestors have concerns over the variance and the three-car garage and tandem parking arrangement. The DR Requestors note that tandem-style garage parking on a narrow and steep street is difficult.

Issue #12 – Rooftop Stair Penthouse: The DR Requestors have concern over the size and visibility of a penthouse stairwell, which is adjacent to Bernal Heights Park, Bernal Heights Boulevard, and the Bernal Heights Community Garden. The DR Requestors note that public views are impeded by the rooftop penthouse.

Issue #13 – North Elevation & Public Views from Bernal Heights Park: The DR Requestors have concerns over the design of the north elevation facing Bernal Heights Park. The DR Requestors note that the project would create a wall within the public view of Bernal Heights Park. Further, the facades would not have visually interest, as identified in the Bernal Heights East Slope Design Guidelines.

Issue #14 – 3D Model: The DR Requestors have concern over the lack of a 3D Model, which represents the proposed project at 3516 & 3526 Folsom Street.

Issue #15 – **Affordability:** The DR Requestors have concerns over the affordability of the proposed residences, and the changes in the economic diversity of the surrounding neighborhood.

Issue #16 – Impact on Open Space: The DR Requestors have concerns over the proposed project and its impact upon open space. As noted by one of the DR Requestors, the project will "create a total effect that forever alters the unique, rural and special character of this particular piece of undeveloped land. It will obliterate the unique, rural and special character of the land; the total effect will be to ruin, negate and destroy its distinctive natural beauty."

Issue #17 – Alternatives: The DR Requestors have requested the following alternatives:

- The project should incorporate side yards that extend the length of the lot.
- The project should construct small-scale housing that is consistent with the neighborhood character. The project should be reduced in height to one- or two-stories. In addition, the total square footage should be comparable to the neighbors along Folsom Street.
- The project should have animated planes, materials and elements that step down along the hillside, along with carve-outs and appropriate changes in roof treatment.
- The project should eliminate the garage, external stairways and roof garden.
- The project should maintain the existing public trail through the project site, install stairs to Bernal Heights Boulevard, and contribute to the expansion of the existing community garden.
- The project should resolve the public safety issues regarding the pipeline by having the pipeline lowered, which would allow for a safely graded street.
- The project should retain the project site as open space given Bernal Hill's dangerous terrain. The project site is currently part of a hillside, which is a natural area with diverse native and non-native plants and wildlife within City limits.

Please refer to the Discretionary Review Application for additional information (See Attached).

PROJECT SPONSOR'S RESPONSE

Issue #1 – Paving of Folsom Street (Response): The Project Sponsor notes that numerous layouts were reviewed by the Department of Public Works (DPW) and the Planning Department. Better Streets requested a straight layout. DPW Bureau of Streets & Mapping (BSM) will not permit a retaining wall, which has the potential to reduce the steepness of the slope. Due to the public garden, a road with direct access to Bernal Heights Boulevard is not feasible. Per state requirements, one driveway is allowed to access a maximum of two lots. The road extension will provide new driveway access to the two existing residences (at 3574 & 3577 Folsom Street), as well as the two proposed residences.

Issue #2 – Emergency & Infrastructure Access (Response): The Project Sponsor notes that Bernal Heights has many steep access roads due to its topography and density, which limit the size of trucks and access. The Project Sponsor has been in contact with Recology to determine how trash would be picked up from the proposed residences. The Project Sponsor has contacted San Francisco Fire Department (SFFD), who has reviewed the application and deemed the project acceptable for distance to the nearby fire hydrants. The proposed residences will be equipped with a full fire protection sprinkler system.

Issue #3 – Infrastructure/PG&E Pipeline (Response): The Project Sponsor notes that the pipeline was installed in 1981. The pipeline runs along the entire length of Folsom Street on the south slope of Bernal Hill from Alemany Boulevard to Bernal Heights Boulevard. The proposed project will require exploration of the pipeline and further assessment of its current condition. This work would occur as part of the street improvement permit. DPW Street Improvement Permit Review is reviewing the PG&E issues. A PG&E spokesperson attended one of the East Slope Design Review Board (ESDRB) meetings, and answered questions and comments.

Issue #4 – Additional Vacant Lots along Folsom Street (Response): The Project Sponsor notes that the vacant lots along this portion of Folsom Street were laid out and created at the same time as the surrounding neighborhood. The Project Sponsor has no involvement with the remaining four vacant lots.

Issue #5 – Impact on Neighboring Residences (Response): The Project Sponsor has consulted with the three neighbors whose driveways are impacted by the proposed street extension/paving. DPW-BSM has requested additional time to review the street extension. The Project Sponsor has offered to pay for all driveway improvements associated with the impacted neighbors.

Issue #6 – On-Street Parking (Response): No Response.

Issue #7 – Construction Traffic (Response): No Response.

Issue #8 – Compliance with Bernal Heights East Slope Design Guidelines (Response): The Project Sponsor notes that the proposed project meets the Bernal Heights East Slope Design Guidelines. Relative to the adjacent 23 houses on Blocks 5626 and 5627, only two have pitched roofs. All others have flat roofs and box-like volumes. The proposed project offers roofs composed of green planting, and deck and solar panels, thus making them visually more pleasant.

To address comments on the south façade of 3526 Folsom Street, the Project Sponsor intends to engage artist, Mona Caron, to create a mural on this façade.

Issue #9 – Size/Scale of New Residences (Response): The Project Sponsor notes that the proposed project is two-stories-over-basement, and is not three-stories tall. The proposed project provides the required amount of off-street parking (two per residence). The proposed driveway slopes 14.46% on the downhill side, while sloping down 19.53% on the uphill side of the driveway. At 3516 Folsom Street, the project meets the mass reduction requirement with 856 square feet of reduced mass from the buildable volume. At 3526 Folsom Street, the project meets the mass reduction requirement with 735 square feet of reduced mass from the buildable volume.

At 3516 Folsom Street, the Project Sponsor notes that the proposed residences are smaller or equal to 15 of the 39 adjacent residences. In addition, the proposed project at 3516 Folsom Street is 1,762 square feet (or 1,942 gross square feet) above ground.

At 3526 Folsom Street, the Project Sponsor notes that the proposed residences are smaller or equal to 19 of the 39 adjacent residences.

Issue #10 – Sideyard Setback of New Residences (Response): The Project Sponsor notes that the side yard setback is not a requirement of the Planning Code; rather, side yards are required by the Bernal Heights East Slope Design Guidelines. The ESDRB has reviewed and accepted the proposed design as complying with the side yard requirements of the Bernal Heights East Slope Design Guidelines. The Project Sponsor notes that Block 5626 has 16 lots. On this block, 3 lots (including 3516 & 3526 Folsom Street) are undeveloped, and 4 out of the 13 developed lots have side yards. The other 9 lots/buildings on this block do not possess side yards. Similarly, Block 5627 has 14 lots. On this block, 4 lots are undeveloped, and 10 out of 10 developed lots have no side yards.

Issue #11 – Off-Street Parking (Response): The Project Sponsor notes that the proposed project provides the required amount of off-street parking, as defined in Planning Code Section 242.

Issue #12 – Rooftop Stair Penthouse (Response): The Project Sponsor notes that the rooftop stair penthouses have been removed from the proposed project.

Issue #13 – North Elevation & Public Views from Bernal Heights Park (Response): The Project Sponsor notes that the north elevation has partial setbacks, is composed of various materials and has several windows. Therefore, this wall does provide visual interest.

The Project Sponsor notes that the proposed project does not impact views from Bernal Heights Park, and would not impact the adjacent Bernal Heights Community Garden. Based upon renderings, the proposed project would have minimum impact on the views from the public areas. The proposed roof sits below the elevation of Bernal Heights Boulevard. Green roof-planted areas are proposed to maximize a positive presence, and provide a visual continuum with the natural planting. In addition, a shadow study was prepared and provided to demonstrate no shadow impact.

Issue #14 – 3D Model (Response): The Project Sponsor notes that a 3D Model and renderings have been prepared.

Issue #15 – Affordability (Response): See Response to 2013.1383DRP-04.

Issue #16 – Impact on Open Space (Response): The Project Sponsor notes that the vacant lots are undeveloped, privately-owned residential lots.

Issue #17 – Alternatives (Response): The Project Sponsor notes that the proposed project at 3516 Folsom Street was reduced from 2,396 gross square feet to 2,227 gross square feet in size. In addition, the amount of off-street parking was reduced from 3 to 2. The proposed project at 3526 Folsom Street was reduced from 2,364 square feet to 2,204 square feet in size.

Please refer to the Response to Discretionary Review for additional information (See Attached).

PROJECT ANALYSIS

Department staff reviewed the DR Requestor's concerns with the proposed project and presents the following comments:

Issue #1 – Paving of Folsom Street (Department Response): The Department of Public Works (DPW) is the responsible agency for the extension or paving of Folsom Street. This issue is beyond the purview of the Planning Commission.

Issue #2 – Emergency & Infrastructure Access (Department Response): The Department of Public Works (DPW), Department of Building Inspection (DBI), and San Francisco Fire Department (SFFD) are the responsible agencies for emergency access and infrastructure. This issue is beyond the purview of the Planning Commission.

Issue #3 – Infrastructure/PG&E Pipeline (Department Response): The Department of Public Works (DPW) is the responsible agency for the construction of new infrastructure. This issue is beyond the purview of the Planning Commission.

Issue #4 – Additional Vacant Lots along Folsom Street (Department Response): Currently, the Department has not received any development applications for the other four vacant parcels off Folsom Street.

Issue #5 – Impact on Neighboring Residences (Department Response): The Department of Public Works (DPW) is the responsible agency for the extension or paving of Folsom Street. This issue is beyond the purview of the Planning Commission.

Issue #6 – On-Street Parking (Department Response): The Department finds that the proposed project would not cause any unusual or extraordinary impacts to on-street parking.

Issue #7 – **Construction Traffic (Department Response):** The Department finds that the proposed project would not cause any unusual or extraordinary impacts due to construction traffic.

Issue #8 – Compliance with Bernal Heights East Slope Design Guidelines (Response): The Department finds that the proposed project meets the Bernal Heights East Slope Design Guidelines. The proposed project incorporates a 10-ft wide garage door, landscaping, a raised entry, an articulated massing with a code-complying rear yard, and the appropriate side yard setbacks. The proposed project incorporates a useable flat roof with landscaping.

Issue #9 – Size/Scale of New Residences (Department Response): The Department is in support of the overall height, scale and form of the proposed project, since it is in alignment with the underlying zoning district and height/bulk limits. The proposed project appropriately incorporates mass reduction, which is

a unique requirement in the Bernal Heights Special Use District. In addition, the subject block has several other examples of two-story buildings, including the two neighboring properties to the south.

Issue #10 – Sideyard Setback of New Residences (Department Response): Currently, the Planning Code does not require side yard setbacks for the proposed project. Per the Bernal Heights East Slope Design Guidelines, side yard setbacks are required to reduce the building bulk and provide access to rear yards. The Bernal Heights East Slope Design Guidelines provide a variety of options for meeting the side yard setback requirement. 3516 Folsom Street incorporates the appropriate side yard zones (Zone 1, 4 and 5) along the north lot line. 3526 Folsom also incorporates the appropriate side yard zones (Zone 1, 4, and 5) along the south lot line. Therefore, the Department finds that the proposed project appropriately meets the side yard setback requirement.

Issue #11 – Off-Street Parking (Department Response): Planning Code Section 242 requires off-street parking for new residential properties within the Bernal Heights Special Use District. For new construction with 1,301 to 2,250 square feet of useable floor area, two off-street parking spaces are required. The project provides two code-complying off-street parking spaces within each new residence. Since publication of the 311 Notification, the project plans have been refined to provide independent access for each parking space. Therefore, the proposed projects do not require a variance from Planning Code Section 242(e)(4).

Issue #12 – Rooftop Stair Penthouse (Department Response): The Project Sponsor has eliminated the rooftop stair penthouses from the proposed project.

Issue #13 – North Elevation & Public Views from Bernal Heights Park (Department Response): The Department finds that the proposed project does not obstruct views from Bernal Heights Park. Further, the Department finds that the north elevation meets the Bernal Heights East Slope Design Guidelines, and the requirements of the Planning Code.

Issue #14 – 3D Model (Department Response): The Department has received renderings and a 3D Model of the proposed project at 3516 & 3526 Folsom Street from the Project Sponsor. This information has been included in the Commission's hearing packet.

Issue #15 – Affordability (Department Response): The Project Sponsor has states that the proposed project is not an affordable housing project. Further, the proposed project is not required to provide affordable housing, per Planning Code Section 415.

Issue #16 – Impact on Open Space (Department Response): The Department concurs with the Project Sponsor regarding the characterization of the six vacant lots, which are undeveloped, privately-owned lots located within the RH-1 Zoning District.

Issue #17 – Alternatives (Department Response): The Department is in general support of the proposed project. The Project Sponsor has consistently conducted outreach and has attempted to address comments from the community. The Project Sponsor has revised the project to present a code-complying project, which addresses all of the requirements of the Planning Code.

ENVIRONMENTAL REVIEW

The proposed project received an exemption from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption (CEQA Guideline Section 15303(a)) on July 8, 2016.

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) finds that the project does not create extraordinary or exceptional circumstances. The proposed buildings are consistent with the scale for the area and topography. Further, the project provides an appropriate architectural response when viewed against the predominant neighborhood context.

Under the Commission's pending DR Reform Legislation, this project <u>would</u> be referred to the Commission, as this project involves new construction.

BASIS FOR RECOMMENDATION

- The overall architectural expression of the project is in keeping with the neighborhood's residential character.
- The proposed two-story massing of the two residences is compatible with the surrounding neighborhood in height, scale and form.
- The proposed project provides two new, family-sized, single-family residences, thus contributing to the mix of housing within the City.
- The proposed project is located within a transit-rich corridor and supports recent initiatives to support the use of public transportation and the bicycle network.
- The Project Sponsor has modified and reduced the scope of the project to avoid a variance from the parking access requirements.
- The proposed density, height, and parking are consistent with the Bernal Heights Special Use District.
- The proposed project meets the requirements of the San Francisco Planning Code, and does not seek any additional entitlements or exceptions.

RECOMMENDATION: Do Not Take DR and Approve the Project As Proposed.

Attachments:

Block Book Map Sanborn Map Zoning Map Height & Bulk Map Aerial Photographs Site Photos Project Sponsor Letter (10/03/16) Revised Plans (09/30/16) Renderings (March 2016) Section 311 Notice 311 Plans
DR Applications (x19)
Additional Material provided by DR Requestors
Response to DR Applications
Public Correspondence, including additional letter from Barbara Underberg (received October 3rd, 2016)
Categorical Exemption

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

Comments: The surrounding neighborhood has a defined neighborhood character consisting predominantly of two-story single-family residences designed in a variety of architectural styles. The surrounding neighborhood also has a few three-story residences.

SITE DESIGN (PAGES 11 - 21)

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

Comments: The immediate neighborhood is located on a steeply sloped street. Currently, this portion of Folsom Street slopes upward to the north, and is not improved. The project site is currently vacant, and there is another vacant lot in between the nearest adjacent property to the south (3574 Folsom Street). Some of the nearby buildings possess a side yard; however, this feature is not consistently found in all nearby residential properties. The project is located to the south of Bernal Heights Park. As evidenced by

the proposed renderings, the project would not extend past the elevation of Bernal Heights Boulevard, and is within the permitted height and bulk.

BUILDING SCALE AND FORM (PAGES 23 - 30)

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

Comments: Most of the properties on the adjacent block and within the immediate neighborhood are primarily two-stories in height. The proposed buildings would be two-and-one-half-stories in height, and would maintain a code-complying rear yard. The building form is similar in nature to the other residences on the subject block.

ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
Building Entrances (pages 31 - 33)			
Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building?	x		
Does the location of the building entrance respect the existing pattern of			
building entrances?	X		
Is the building's front porch compatible with existing porches of surrounding			x
buildings?			^
Are utility panels located so they are not visible on the front building wall or on			x
the sidewalk?			~
Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on surrounding buildings?	x		
Garages (pages 34 - 37)			
Is the garage structure detailed to create a visually interesting street frontage?	X		
Are the design and placement of the garage entrance and door compatible with			
the building and the surrounding area?	X		
Is the width of the garage entrance minimized?	X		

Is the placement of the curb cut coordinated to maximize on-street parking?	X	
Rooftop Architectural Features (pages 38 - 41)		
Is the stair penthouse designed to minimize its visibility from the street?		X
Are the parapets compatible with the overall building proportions and other building elements?	x	
Are the dormers compatible with the architectural character of surrounding buildings?		x
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?		x

Comments: The building entrances and garage location of the proposed project are consistent with the other nearby properties on the subject block. The proposed project provides a code-complying bay window. The project does feature a roof deck, which will be landscaped according to the Project Sponsor. The proposals do not feature stair penthouses.

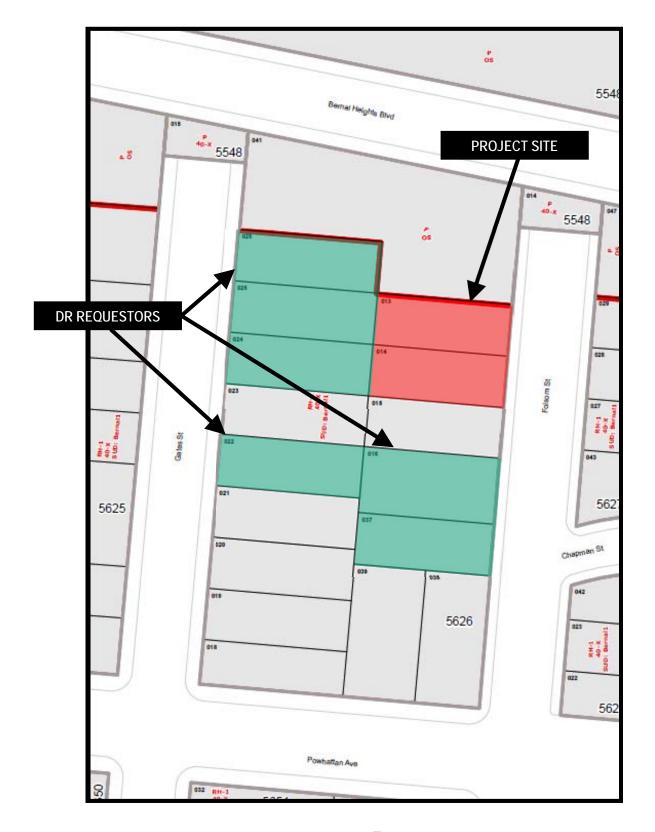
BUILDING DETAILS (PAGES 43 - 48)

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

Comments: The proposed windows and exterior materials compliment the surrounding neighborhood. The project provides an appropriate architectural response to the surrounding neighborhood.

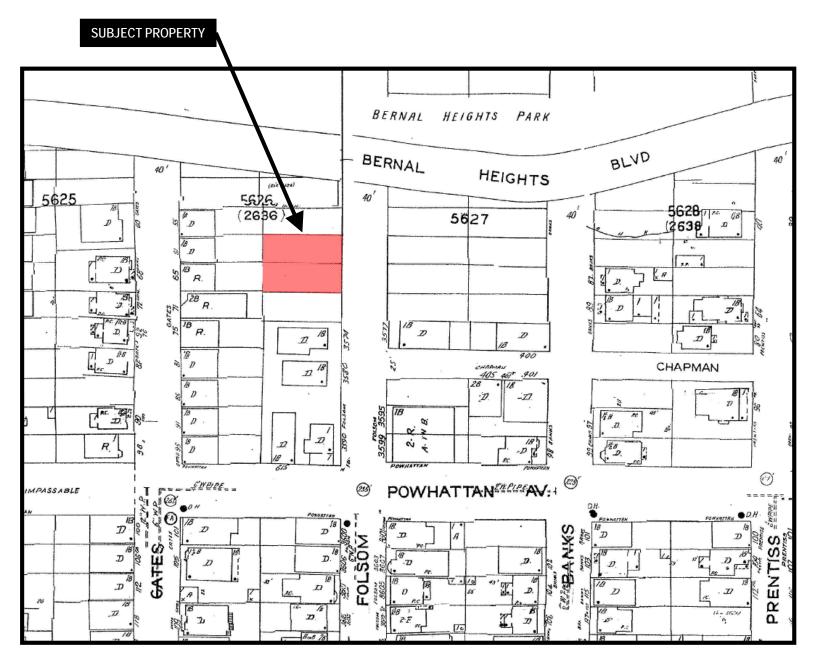
RS: G:\Documents\DR\2013.1383DRP 3516 Folsom St\DR_3516 Folsom St-3526 Folsom St.docx

Parcel Map





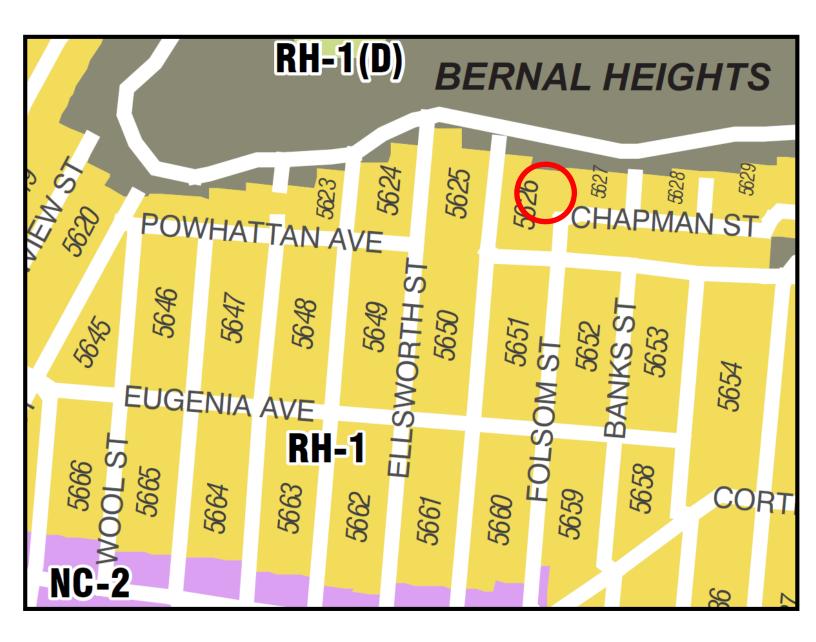
Sanborn Map*



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

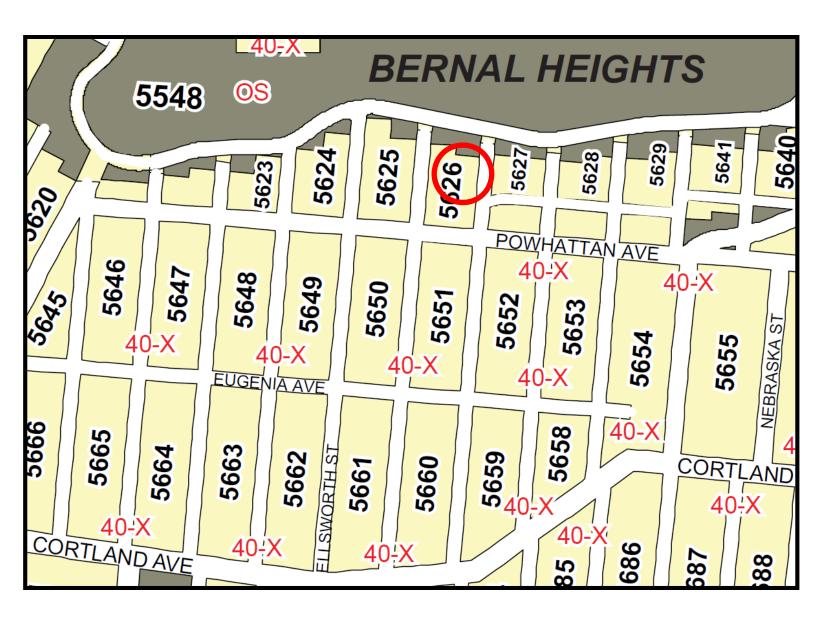


Zoning Map





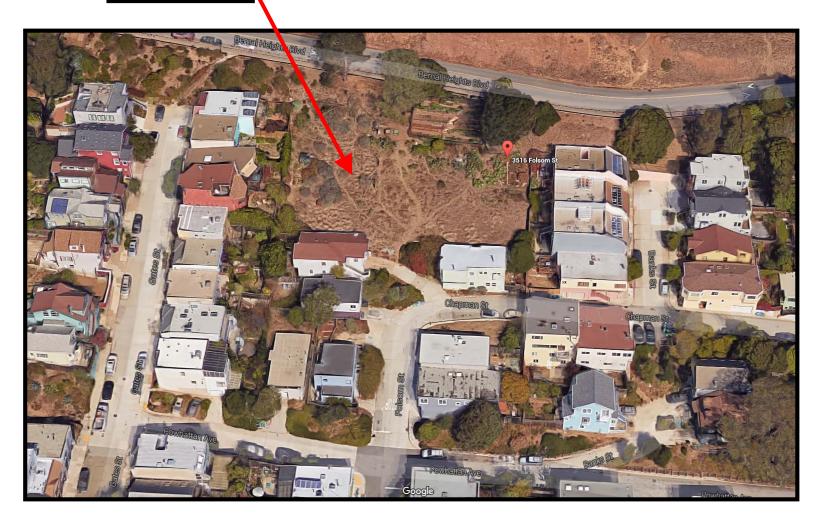
Height & Bulk Map





Aerial Photo

PROJECT SITE





PROJECT SITE



View of Folsom Street (looking up to Project Site) (Source: Google Maps, July 2015; Accessed March 18, 2016)



View of Intersection of Folsom and Chapman Streets (Source: Google Maps, July 2015; Accessed March 18, 2016)

3577 FOLSOM ST



View of Intersection of Folsom and Chapman Streets (Source: Google Maps, July 2015; Accessed March 23, 2016)



View from Bernal Heights Boulevard, near intersection with Folsom Street (Source: Google Maps, July 2015; Accessed March 23, 2016)



View of Bernal Heights Boulevard, showing entrance to Bernal Heights Community Garden (Source: Google Maps, July 2015; Accessed March 23, 2016)

LUBIN OLSON & NIEWIADOMSKI LLP

THE TRANSAMERICA PYRAMID 600 MONTGOMERY STREET, 14TH FLOOR SAN FRANCISCO, CALIFORNIA 94111 TEL 415 981 0550 FAX 415 981 4343 WEB lubinolson.com

> CHARLES R. OLSON Direct Dial: (415) 955-5020 E-mail: colson@lubinolson.com

VIA HAND DELIVERY

October 3, 2016

San Francisco Planning Department 1650 Mission Street, #400 San Francisco, CA 94103 Attn: President Rodney Fong & Planning Commission Members

RE: Response to Discretionary Review Applications Concerning 3516 and 3526 Folsom Street

Dear President Fong and Members of the Planning Commission,

This firm represents two couples, Fabien Lannoye and Anna Limkin, and James and Patricia Fogarty (collectively, the "Project Sponsors"), who are the owners respectively of two vacant lots located at 3516 and 3526 Folsom Street, upon which they propose to build two single family homes (the "Project"). The two lots are located above the Chapman Street terminus of Folsom Street in the Bernal Heights neighborhood. There are four other adjacent vacant lots; the Project Sponsors have no ownership interest in or control over those lots.

Despite the Project's Sponsors' thorough and cautious approach over the past three years to constructing two single family residences, the Planning Department's Section 311 Notice issued on August 17, 2015, resulted in the filing of nineteen Discretionary Review ("DR") applications from neighbors.

The Planning Commission first reviewed the DR requests on March 31, 2016. At that hearing, the Commission requested additional information from the Project Sponsors regarding the feasibility of constructing the extension of Folsom Street and certain other matters and continued the hearing until May 5, 2016. Following additional consultation between the Project Sponsors and DPW, the Department of Building Inspection, the Fire Department, the Public Utilities Commission, and PG&E, at the May 5, 2016, Planning Commission hearing, the Commission unanimously approved the Project by not taking DR and approving the Project as proposed and in accordance with Chapter 31 of the San Francisco Administrative Code. In doing so, the

Commission found that there were no extraordinary or exceptional circumstances in the case, no modifications to the Project were necessary, and it encouraged the Project Sponsors to work with Planning Department staff on refining the design of the north façade.

Having failed to stop the Project at the Planning Department and the Planning Commission, the DR Requestors then turned their attention to CEQA and challenged the Department's determination that the Project is categorically exempt under CEQA. Specifically, on March 26, 2014, the Environmental Review Officer ("ERO") of the Planning Department issued a Certificate of Determination: Exemption from Environmental Review finding that the Project was categorically exempt from CEQA review under Class 3: New Construction or Conversion of Small Structures (CEQA Guidelines Section 15303(a)) ("2014 Determination"). In the 2014 Determination, the ERO also concluded that the Project Site is not located in a particularly sensitive or hazardous area and that there were no unusual circumstances surrounding the proposed Project that suggested a reasonable possibility of a significant effect.

Prior to the Board of Supervisor's hearing on the CEQA approval scheduled for July 19, 2016, the Department determined that the 2014 Determination should be withdrawn and a new Categorical Exemption issue, which it did on July 8, 2016.

The issues in this case have been the subject of extensive briefing and discussion before the Planning Commission late in 2015 and earlier this year. The Project Sponsors' positions were set forth in the filed responses to the 19 DR requests and in our letter dated March 21, 2016, a copy of which is attached hereto as <u>Exhibit A</u>. The Department's and the Commission's positions were set forth in the Discretionary Review Full Analysis dated March 24, 2016, the staff report dated April 28, 2016, and the Discretionary Review Action DRA-0461 dated May 5, 2016. Thousands of pages of material have been submitted to the Commission. As the only changes to the Project (discussed below) since the Commission's decision not to take Discretionary Review are all positive, we believe that the DR requests should again be denied.

Since May 2016, the following changes have occurred:

- 1. The Project Sponsors worked with the Planning Department, Better Streets and SDAT to revise the street extension layout in response to some of the neighbors' concerns as follows:
 - Enlarged the proposed street extension to 19.5' wide (previously it was 15.5')
 - Enlarged the proposed curb cuts from 10' to 12' wide to allow easier turning onto the driveways
 - Added stairs on the sidewalk to improve sidewalk walkability and improve driveway transition from street slope to garage.
- 2. The Project Sponsors submitted some proposed revisions to the north facade of 3516 Folsom and the south elevation of 3526 Folsom to Department Staff in response to the

comments of the Planning Commission requesting that the Project Sponsors rework the visible side elevations, as per ESDRB's request. The Planning Department staff is supportive of the proposed revisions.

3. The Department's July 8, 2016 [Reissued] Certificate of Determination Exemption from Environmental Review (the "2016 Determination") determines once again that the Project is exempt from environmental review under a Class 3 Categorical Exemption for construction of new small structures and that none of the exceptions to reliance on a Categorical Exemption exist. Contrary to the claims of the DR Requestors, the 2016 Determination raises no new issues germane to the Planning Commission's review; it simply provides a more robust environmental analysis to support any Commission action and Project approvals issued by the City.

Accordingly, based upon the above, the materials previously submitted by the Project Sponsors, and the Planning Department's recommendation, we respectfully request that the Planning Commission again not take Discretionary Review, not require any further changes to the proposed Project and allow the Project Sponsors to build these homes. There are no exceptional and extraordinary circumstances associated with the proposed Project.

Very truly yours,

Sharles & Olson

Charles R. Olson

Cc: Jonas P. Ionin, Planning Commission Secretary John Rahaim, Planning Director Richard Sucre, Planner

Exhibit A

LUBIN OLSON & NIEWIADOMSKI LLP

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> CHARLES R. OLSON Direct Dial: (415) 955-5020 E-mail: colson@lubinolson.com

March 21, 2016

San Francisco Planning Department 1650 Mission Street, #400 San Francisco, CA 94103 Attn: President Rodney Fong & Planning Commission Members

RE: Response to Discretionary Review Applications Concerning 3516 and 3526 Folsom Street

Dear President Fong and Members of the Planning Commission,

This firm represents two couples, Fabien Lannoye and Anna Limkin, and James and Patricia Fogarty (collectively, the "Project Sponsors"), who are the owners respectively of two vacant lots located at 3516 and 3526 Folsom Street, upon which they propose to build two single family homes. The two lots are located at the Chapman Street terminus of Folsom Street in the Bernal Heights neighborhood. There are four other adjacent vacant lots; the Project Sponsors have no ownership interest in or control over those lots.

Seeking to build modest homes for their families, the Project Sponsors purchased the lots in June 2013 after discussing the feasibility of their development with the Planning Department and other City agencies. Satisfied by the responses from the City, the Project Sponsors proceeded to design two residences that comply with the City's Residential Design Guidelines, the Planning Code, including the Bernal Heights Special Use District provisions, the General Plan, and the East Slope Design Review Guidelines. They worked with the Planning Department on the designs and made modifications in response to Planning Department suggestions. They met five times with the East Slope Design Review Board ("ESDRB") and further modified the project designs in response to the ESDRB's suggestions.

The Project Sponsors also worked with the Department of Public Works ("DPW"), SF Planning "Better Streets" and the Fire Department on an extension of Folsom Street that could serve the two residences and the adjacent vacant lots, if developed in the future.

President & Planning Commission Members March 21, 2016 Page 2

As a PG&E natural gas transmission pipeline runs along the length of Folsom Street on the south slope of Bernal through the proposed project site, the Project Sponsors have been working with PG&E and DPW to ensure that the construction and occupation of the two residences will not cause any safety issues for the neighborhood.

Yet despite this thorough and cautious approach to constructing two single family residences, the Planning Department's Section 311 Notice has resulted in the filing of nineteen Discretionary Review ("DR") applications from neighbors. The DR requests cover mostly the same issues and have been fully responded to by the Project Sponsors. Due to the volume of paper that has been filed with the Planning Commission, this letter simply intends to highlight some of the major issues raised in this proceeding.

Two of the major issues raised by the DR requestors are outside the jurisdiction of the Planning Commission—the design of the Folsom Street extension and the presence of the PG&E pipeline.

Nonetheless, the Project Sponsors have responded to these issues.

As to the PG&E natural gas transmission pipeline, it was constructed and installed in 1981 and runs along the side of Folsom Street from Alemany Boulevard to Bernal Heights Boulevard. In the area of the proposed projects, the pipeline runs between Folsom Street and the adjacent homes, either beneath the sidewalk or front yard setbacks. A representative of PG&E attended one of the ESDRB meetings to discuss the design of the pipeline, PG&E's testing protocols and measures that PG&E will take to protect the pipeline during construction of the proposed residences. The pipeline issues will be addressed under the Street Improvement Permit. The Project Sponsors are working with DPW, PG&E and the Projects Sponsors' structural engineers. The Project Sponsors are equally concerned about public safety as their neighbors and will take all required precautions in the construction of the two residences.

On the extension of Folsom Street, the Project Sponsors have worked with their structural engineers and City departments in designing the street extension. While the street extension will be steep due to the topography of the site and the City's unwillingness to allow a retaining wall at the end of the extension below the community garden and Bernal Heights Boulevard, there are many steep streets in Bernal Heights and throughout the City. The Project Sponsors have expressed a willingness to design and stub out utility connections to the other four vacant lots if allowed to do so by the City and utility providers in order to avoid future disruption of the street as a benefit to neighbors. Three existing homes have driveways that will connect to the new street extension; the Project Sponsors have offered to pay all costs for designing, permitting and constructing new driveways for these three neighbors. The Project Sponsors cannot do more without the cooperation of the neighbors.

President & Planning Commission Members March 21, 2016 Page 3

The proposed residences are not out of scale with the neighborhood.

In spite of the hyperbole referring to the proposed residences as "McMansions" and "luxury homes," they are modest two-story over garage homes with three bedrooms and two baths. 3516 Folsom is proposed to be 2,227 gross square feet (1,942 gross square feet above grade), and 3526 Folsom is proposed to be 2,204 gross square feet (1,884 gross square feet above grade). While larger than some homes in the neighborhood, they are also smaller than others. The Project Sponsors' submittals demonstrate that the proposed residences are generally consistent with neighborhood properties in terms of gross square footage, number of stories and side yard setbacks. To the extent that some older homes in the neighborhood may be smaller than the proposed residences, there is, of course, no guarantee and no legal requirement that they remain so as existing or future owners could expand their homes to the extent allowed by the Planning Code.

In fact, compliance with Section 242 of the Planning Code, which established the Bernal Heights Special Use District, ensures that new residences will be reasonably sized for the neighborhood by limiting height to 30 feet above grade and by requiring a mandatory mass reduction of at least 650 square feet of usable floor area, further reducing the size of any new structures. Both residences comply with this and other provisions of Section 242. The Planning Department's Residential Design Team made no comments on the proposed projects.

Other issues raised by the DR requestors can be easily resolved.

Issues such as garbage collection, parking logistics and emergency vehicle access can all be resolved. The Project Sponsors will work with Recology on a trash/recycling plan that will not inconvenience the immediate neighbors. The Project Sponsors have worked with the Fire Department regarding emergency access, and both homes will have full fire suppression systems, unlike other homes in the neighborhood. The Project Sponsors will have no difficulty entering and exiting their garages without blocking Folsom Street or Chapman Street and inconveniencing the neighbors.

No amount of design changes would satisfy some of the DR requestors as they want the vacant lots to remain vacant.

Although there are not many vacant residential lots in San Francisco, where they exist and have been vacant for any length of time, they tend to be perceived as public or neighborhood open space that should be preserved. Such is the case here, as indicated in many of the DR applications. But the facts remain that these two lots, and the adjacent four vacant lots, have long been privately owned and zoned for residential development, and no one has offered to purchase the lots to maintain them as neighborhood open space. The Project Sponsors have the same legal right to develop homes on these lots as the DR requestors, or their predecessors in interest, did to develop their lots.

President & Planning Commission Members March 21, 2016 Page 4

Based upon the above, the materials submitted by the Project Sponsors, and the Planning Department's recommendation, we respectfully request that the Planning Commission not require any further changes to the proposed projects and allow the Project Sponsors to build these homes. There are no exceptional and extraordinary circumstances associated with the proposed projects.

Very truly yours,

Sharles & Olson

Charles R. Olson

Cc: Jonas P. Ionin, Planning Commission Secretary John Rahaim, Planning Director Richard Sucre, Planner Ryan Patterson, Esq.



SAN FRANCISCO PLANNING DEPARTMENT

мемо

DATE:	6/30/2016	1 S
TO:	Justin Horner (Environmental Planning); Don Lewis (Environmental Planning): Richard Sucre (Current Planning)	S C
CC:	SF Public Works: Simon Bertrang; Chris Buck; Brent Cohen; Lynn Fong; Kevin Jensen; Suzanne Levine; Kathy Liu; Kelli Rudnick; Rahul Shah;	R 4
	SFMTA: Damon Curtis; Becca Homa; Charles Rivasplata; Mike Sallaberry; James Shahamiri; Dustin White; Greg Rissen;	F: 4 P
	SF Planning: Ben Caldwell; Tina Chang; Paul Chasan; Neil Hrushowy; Matthew Priest; Maia Small; Lana Russell; David Winslow;	ı Ir 4
	SFPUC: Jessica Arm; Josh Bardet ; Joan Ryan; Sam Young;	
FROM:	The Street Design Advisory Team (SDAT)	
RE:	SDAT Review Case NO. 2013.1383E Address: 3500 Folsom Street Neighborhood: Bernal Heights Zoning: RH-1 (Residential House One Family) Area Plan: None Block/Lot: 5626/013 & 5626/014	

The Street Design Advisory Team (SDAT) provides design review and guidance to private developments working within the City's public right-of-way. SDAT is composed of representatives from the San Francisco Planning Department (SF Planning) Department of Public Works (SF Public Works), and the San Francisco Municipal Transportation Agency (SFMTA).

The 3500 Folsom Street project came to SDAT on February 28, 2014. The project returned to SDAT on June 20, 2016. Below are the SDAT comments from the 2nd SDAT meeting.

The proposed project would construct two single-family homes on unimproved lots in Bernal Heights. The project includes the establishment of a paved road on a current "paper street" extension of Folsom Street. The project would include a new publicly accessible stair path that would connect to Bernal Heights Boulevard/Bernal Hill (along the west side of the Community Garden.

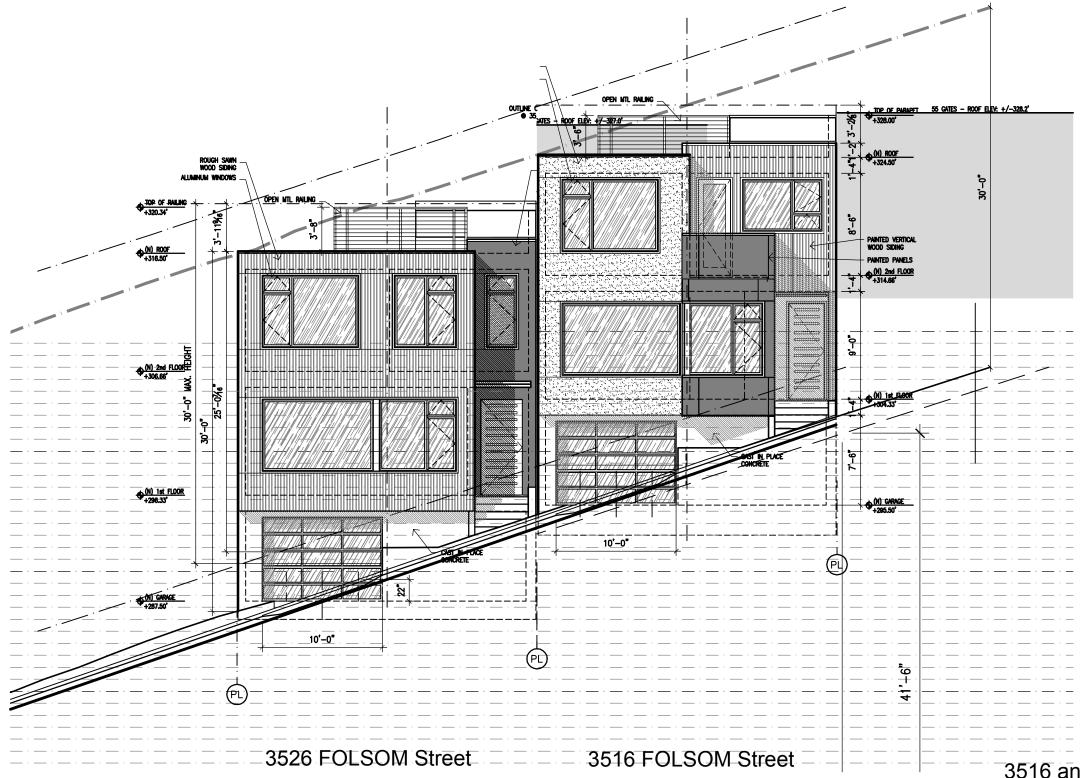
SDAT COMMENTS

- 1. SDAT supports the revised design. SDAT applauds the project team for addressing and incorporating our comments into the design.
- 2. **Curb Cuts.** SDAT recommends that the proposed project's curb cuts be between 10' to 12' wide.

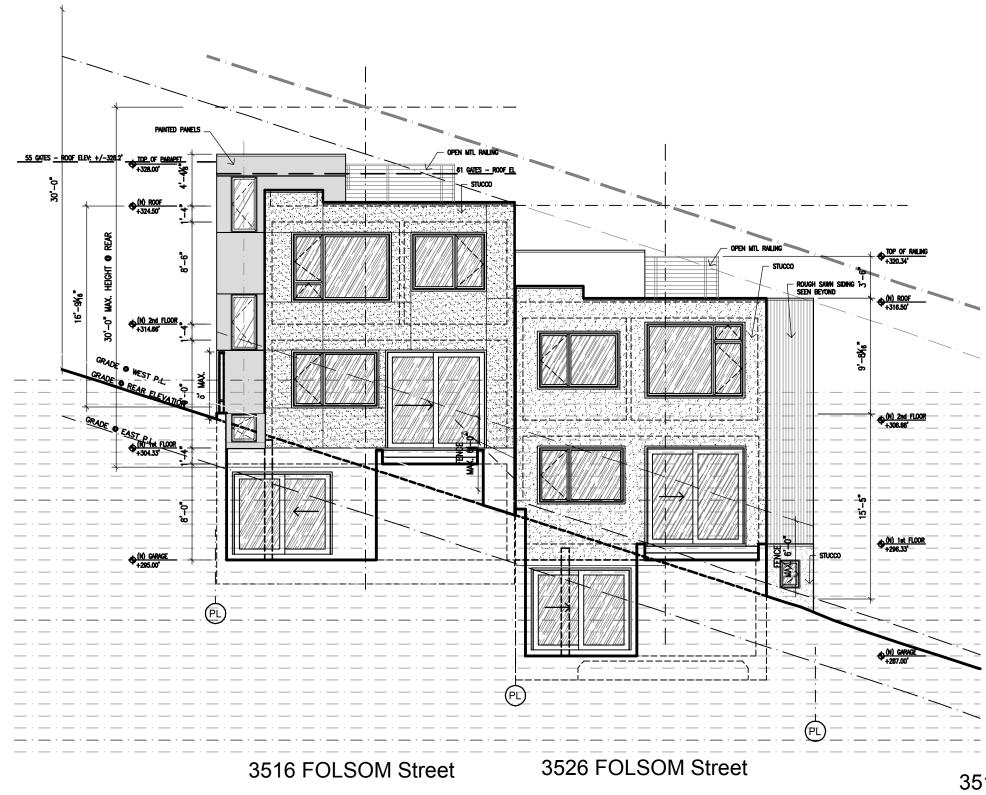
Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

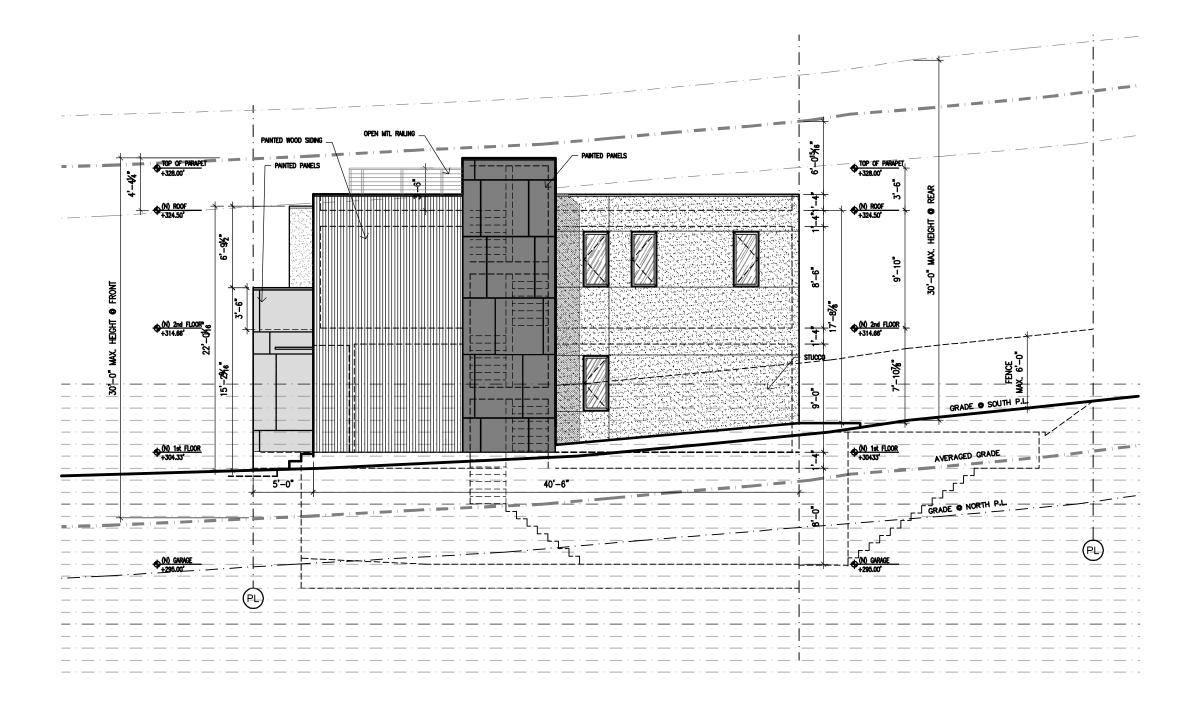


3516 and 3526 FOLSOM Street Site Permit submitted Elevations 09/30/2016



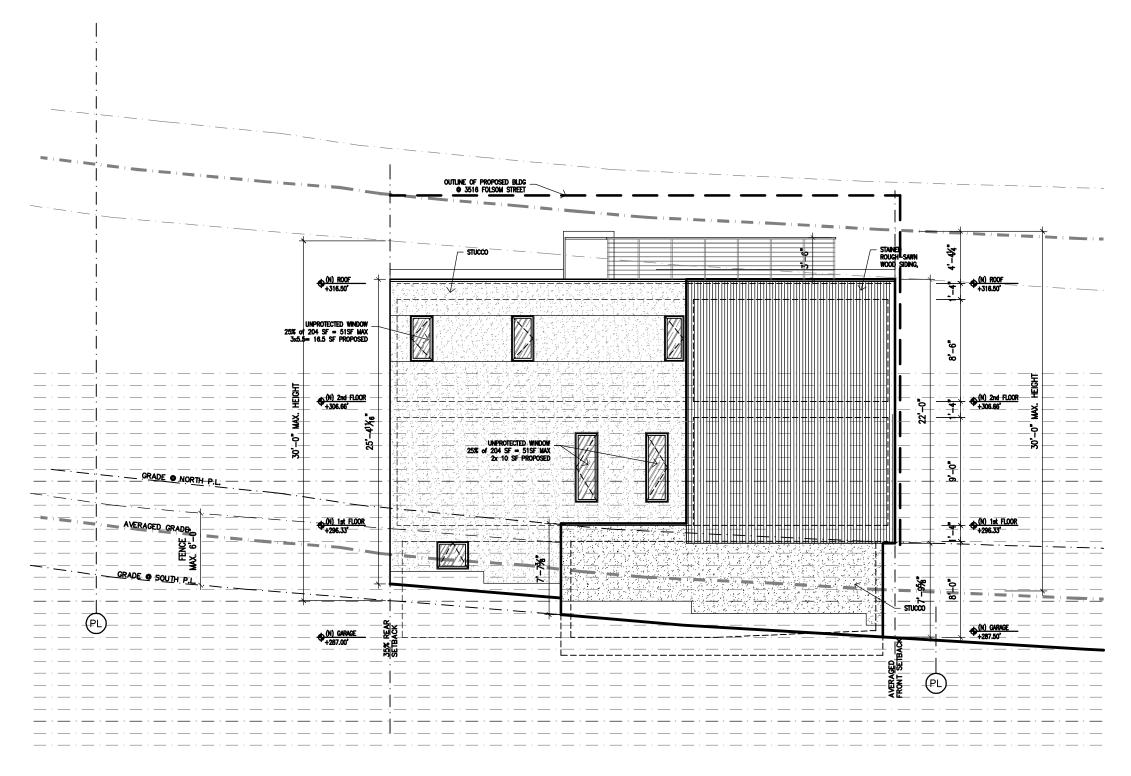
3516 and 3526 FOLSOM Street Rear (West) ELEVATIONS

3516 and 3526 FOLSOM Street Site Permit submitted Elevations 09/30/2016



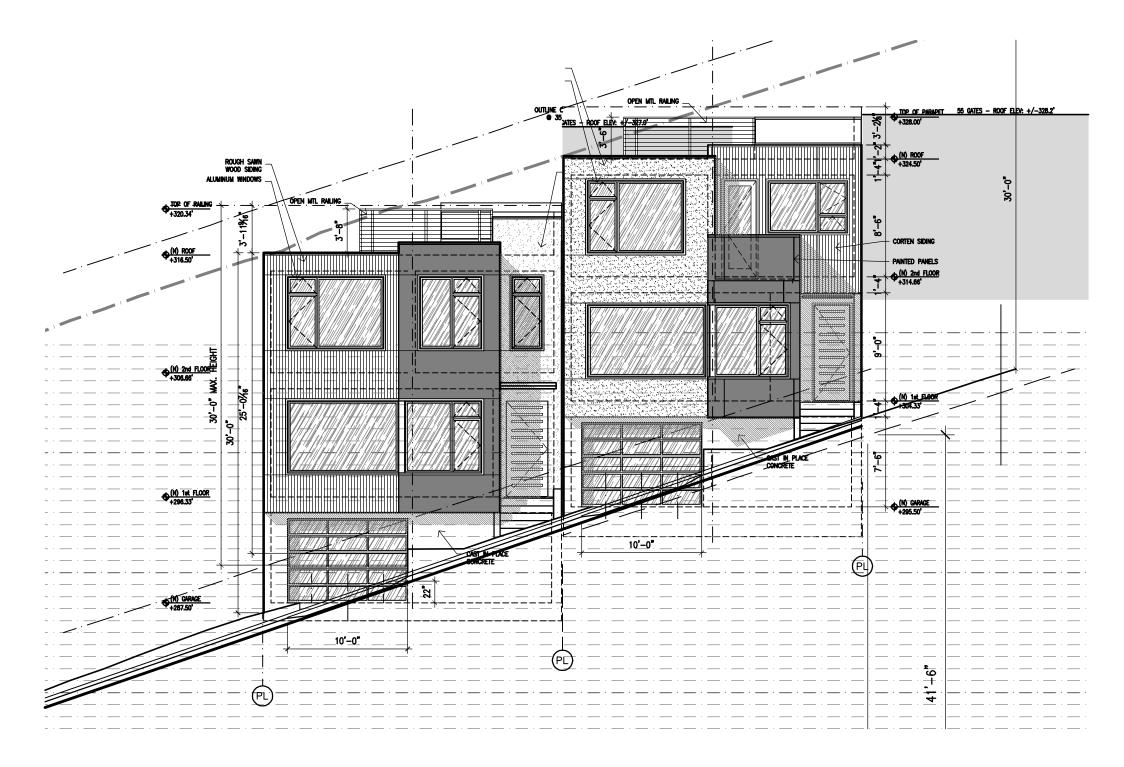
3516 FOLSOM Street - Side (North) ELEVATION

3516 and 3526 FOLSOM Street Site Permit submitted Elevations 09/30/2016



3526 FOLSOM Street - Side (South) ELEVATION

3516 and 3526 FOLSOM Street Site Permit submitted Elevations 09/30/2016

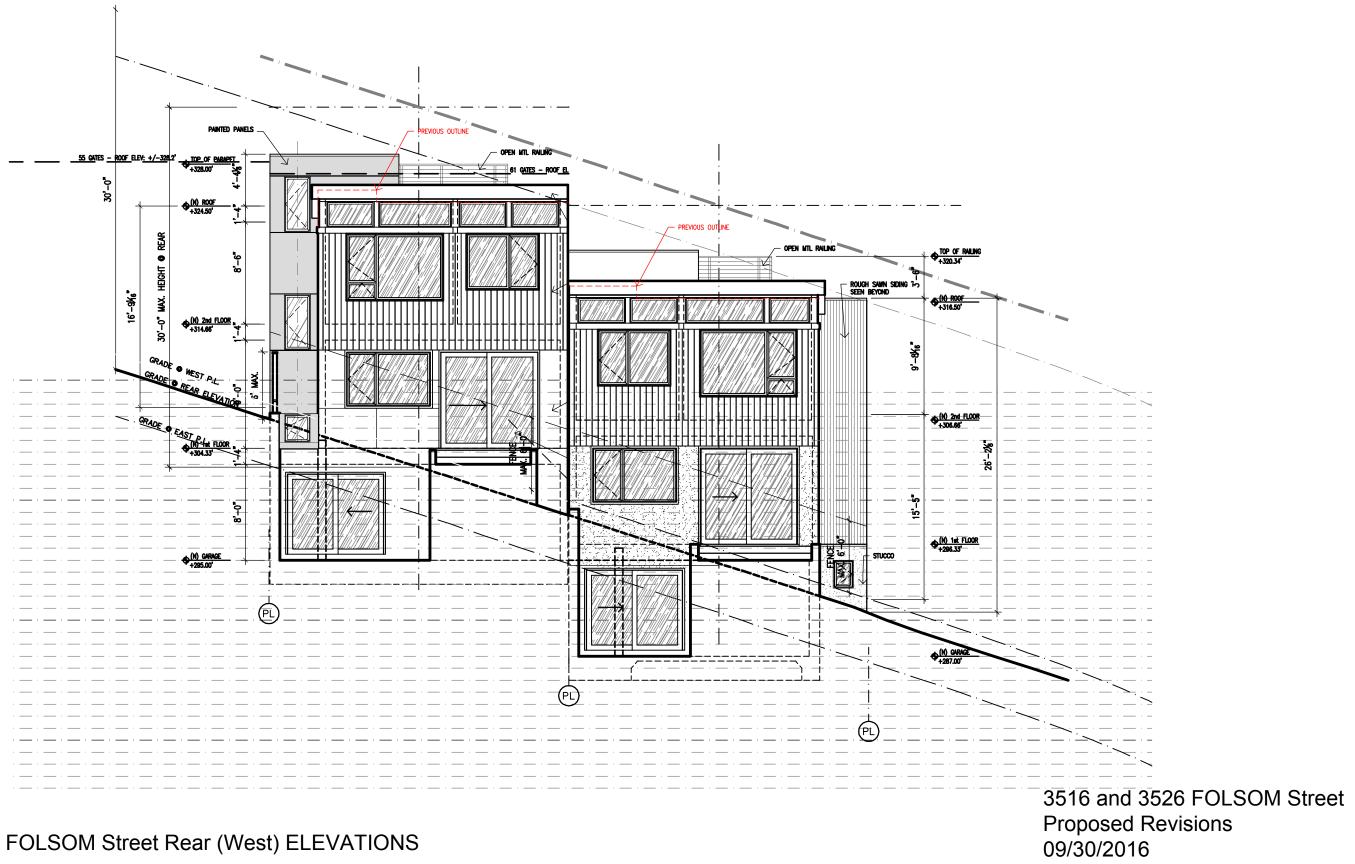


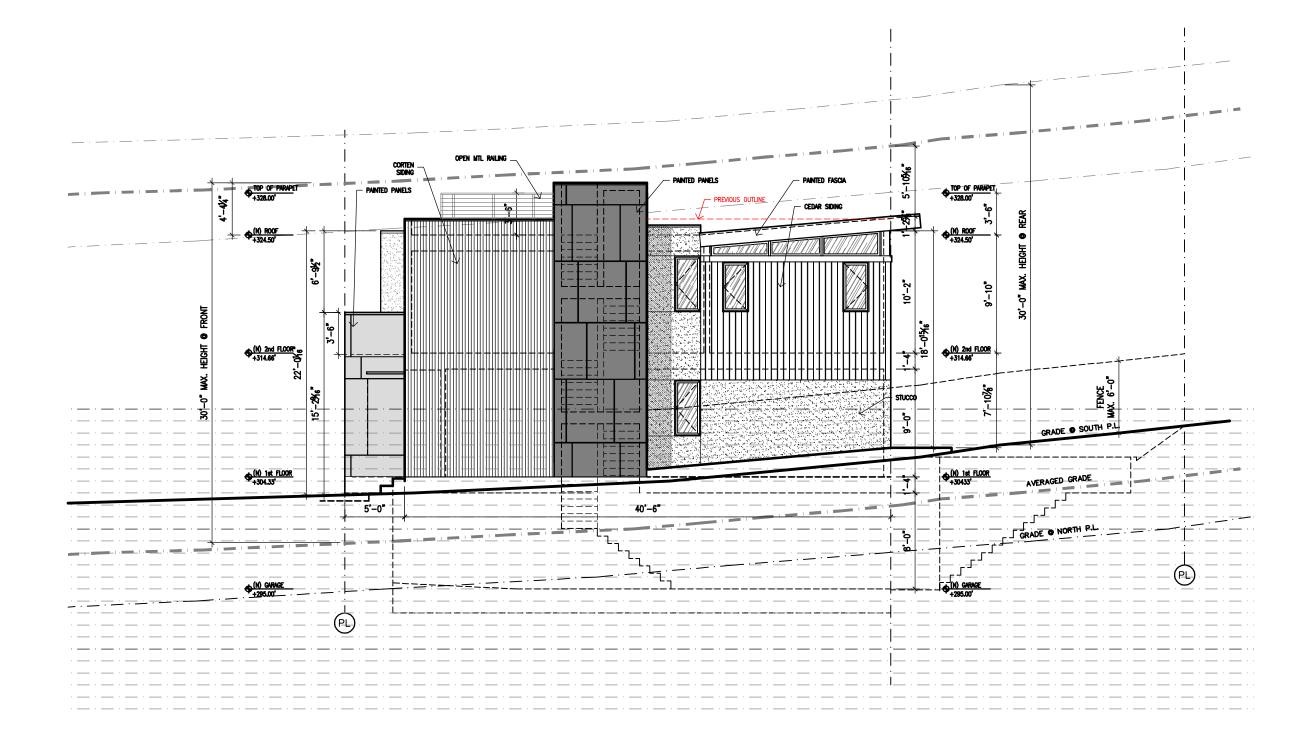
3526 FOLSOM Street

3516 FOLSOM Street

3516 and 3526 FOLSOM Street (East) ELEVATION

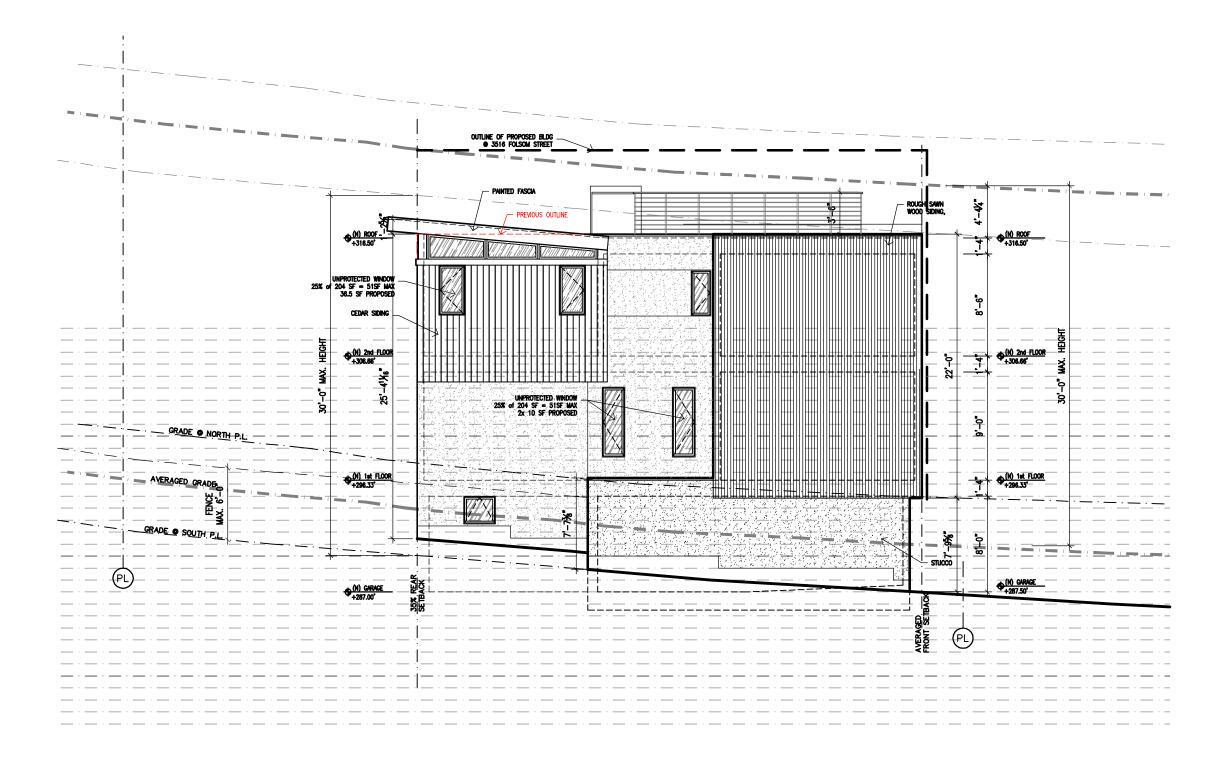
3516 and 3526 FOLSOM Street Proposed Revisions 09/30/2016





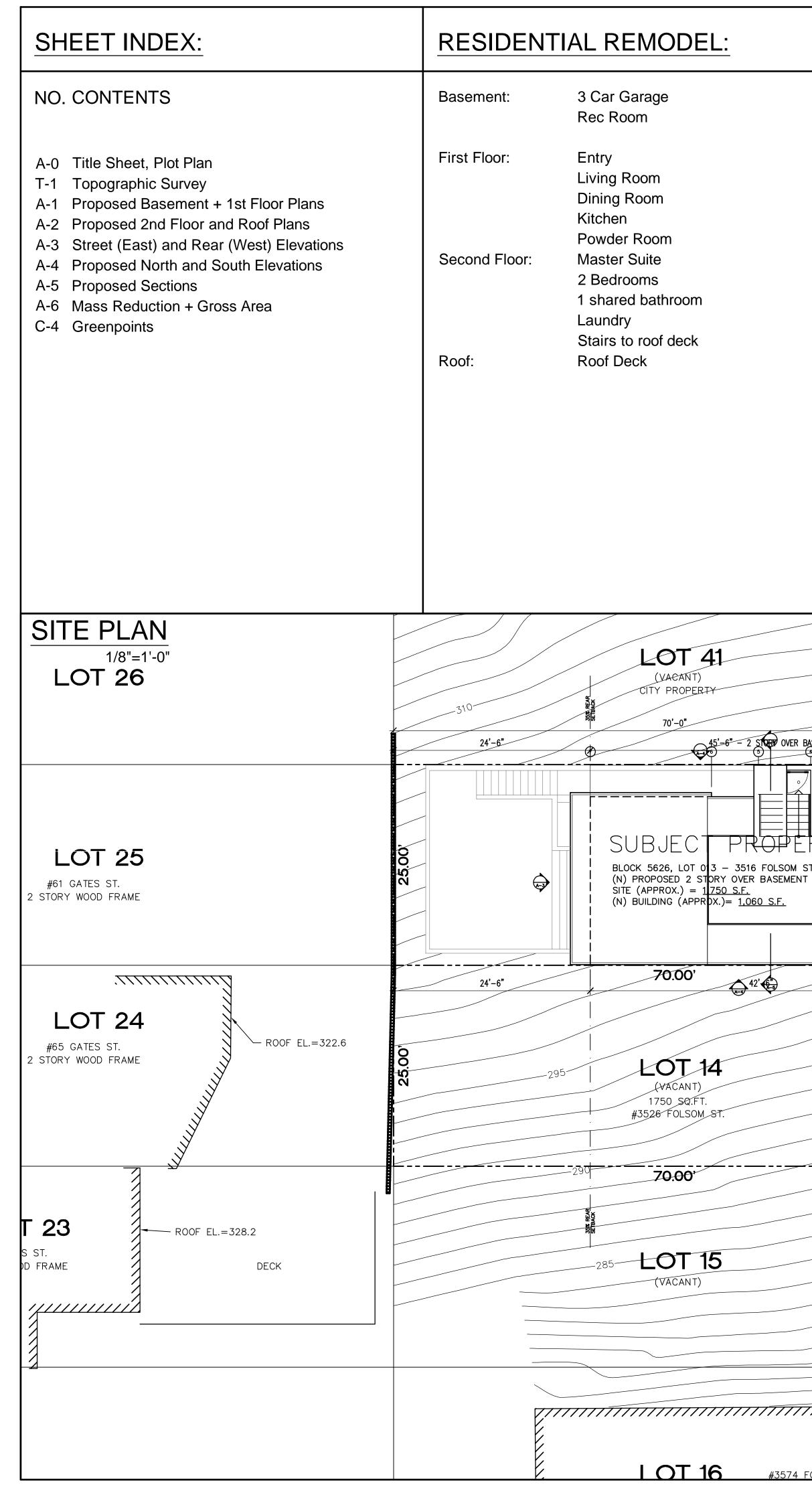
3516 FOLSOM Street - Side (North) ELEVATION

3516 and 3526 FOLSOM Street Proposed Revisions 09/30/2016

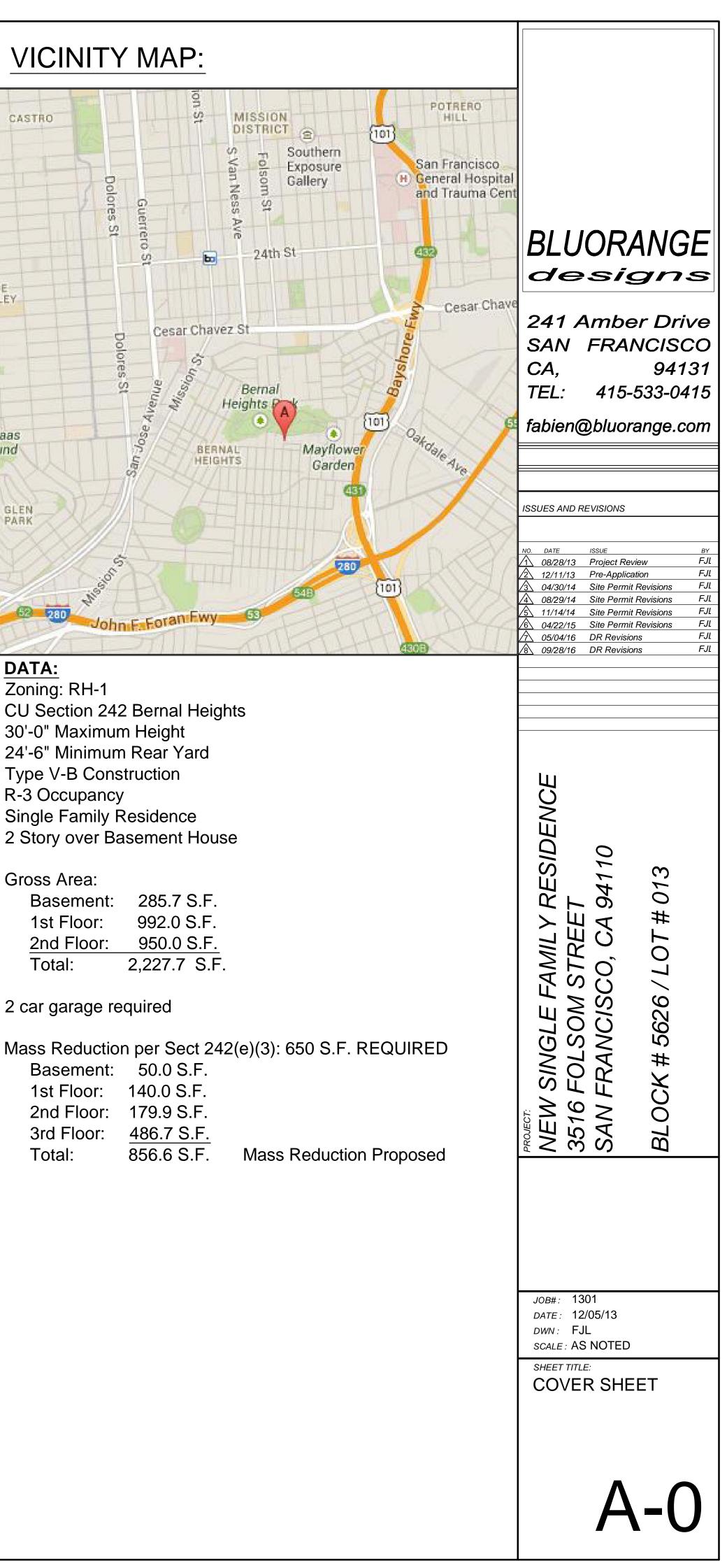


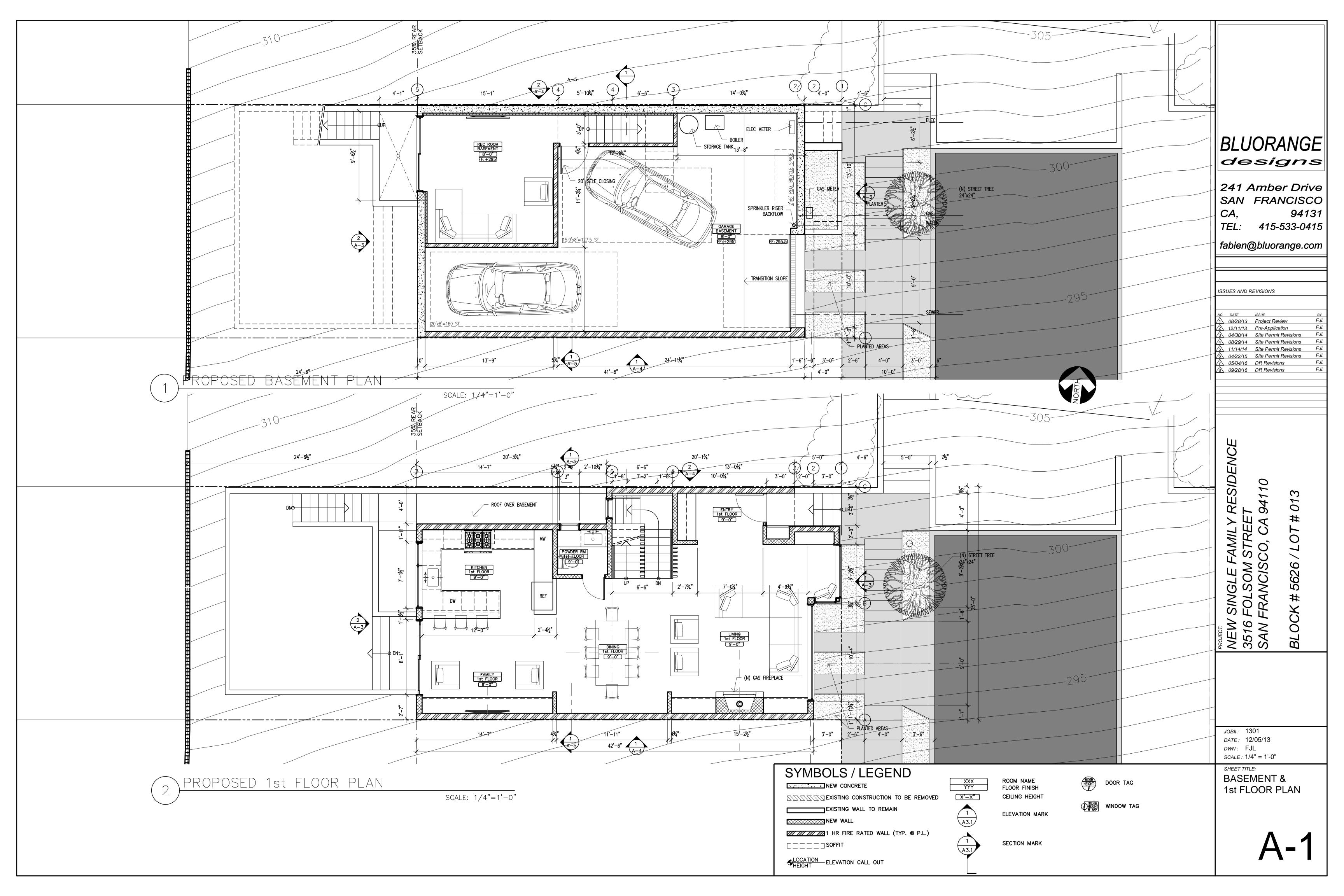
3526 FOLSOM Street - Side (South) ELEVATION

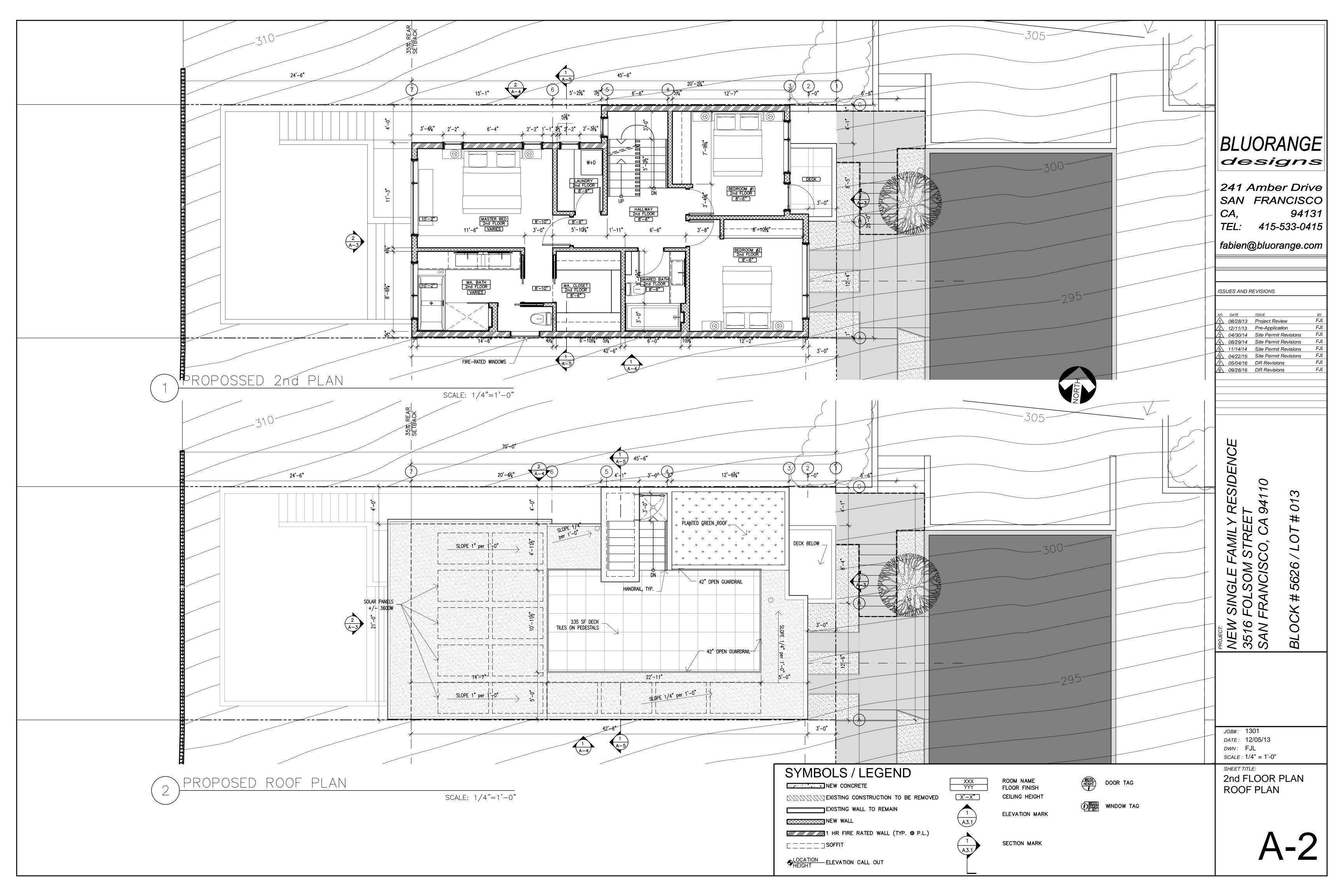
3516 and 3526 FOLSOM Street Proposed Revisions 09/30/2016

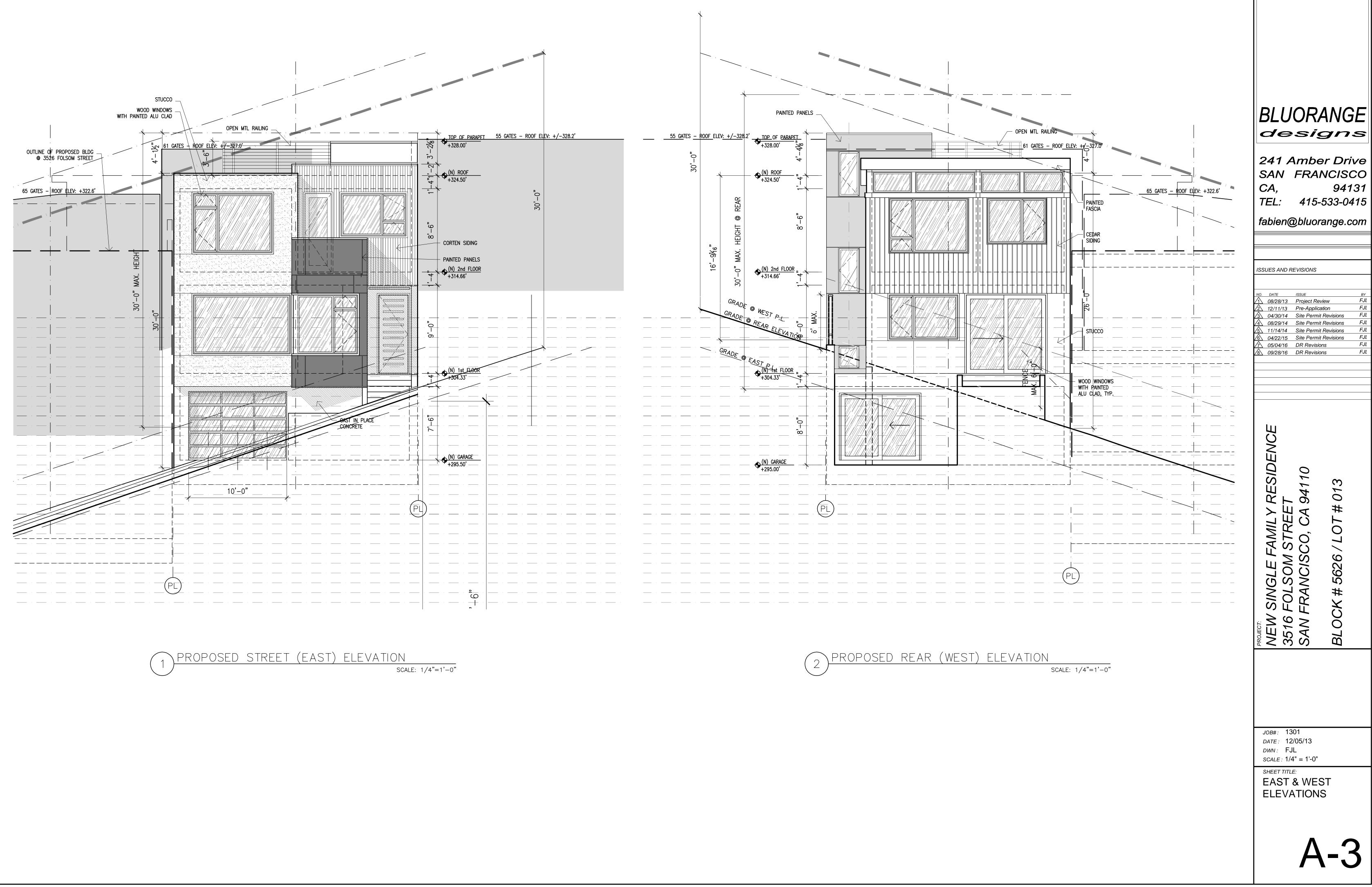


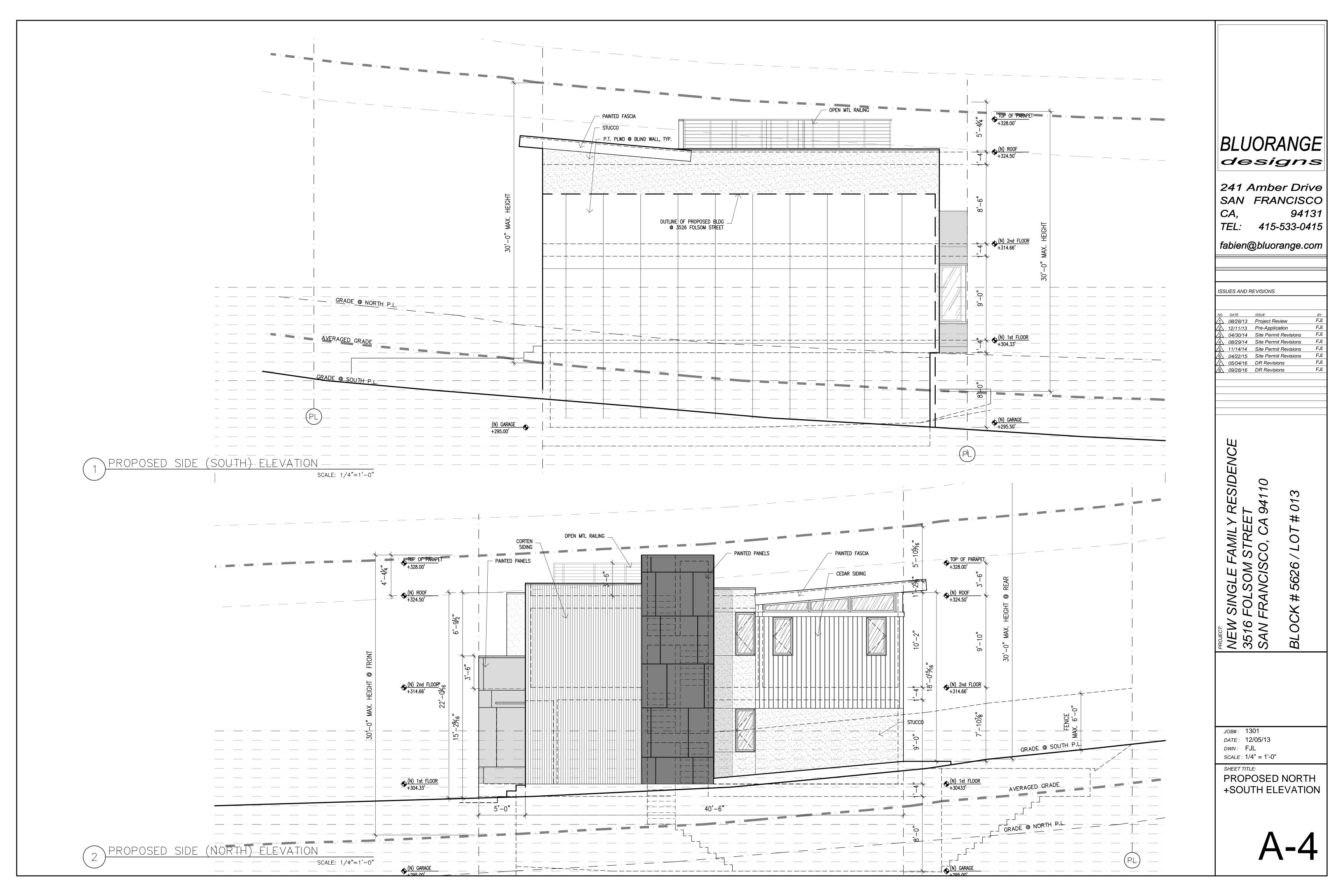
			OCCUPANCY LOADS:						
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2nd F	loor	R-3	870 S.F.	200	5	1	E		
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FOLSOM ST.			10.19 Se9.40 268.52	270-	ROOF EL.=28	35.9			

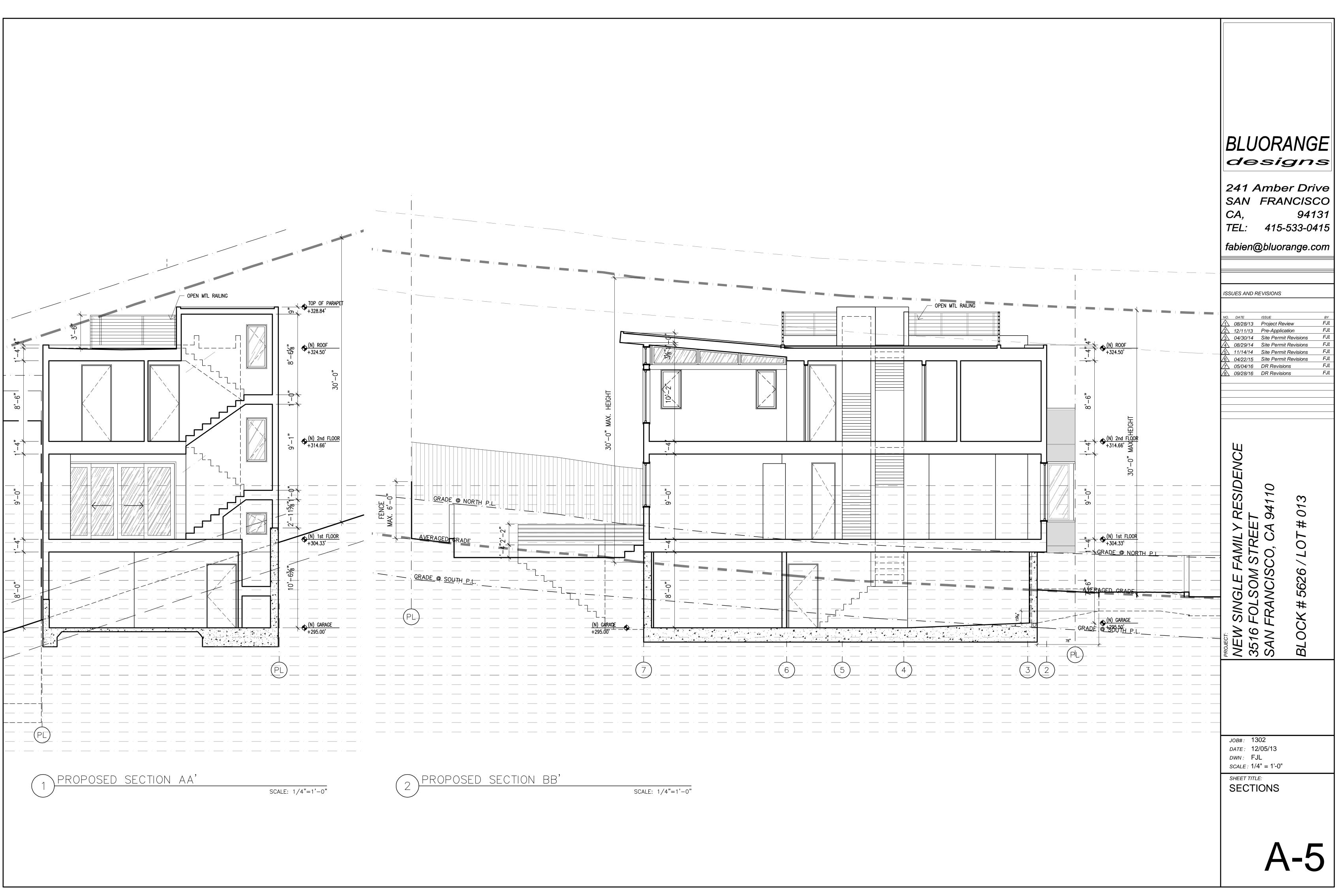


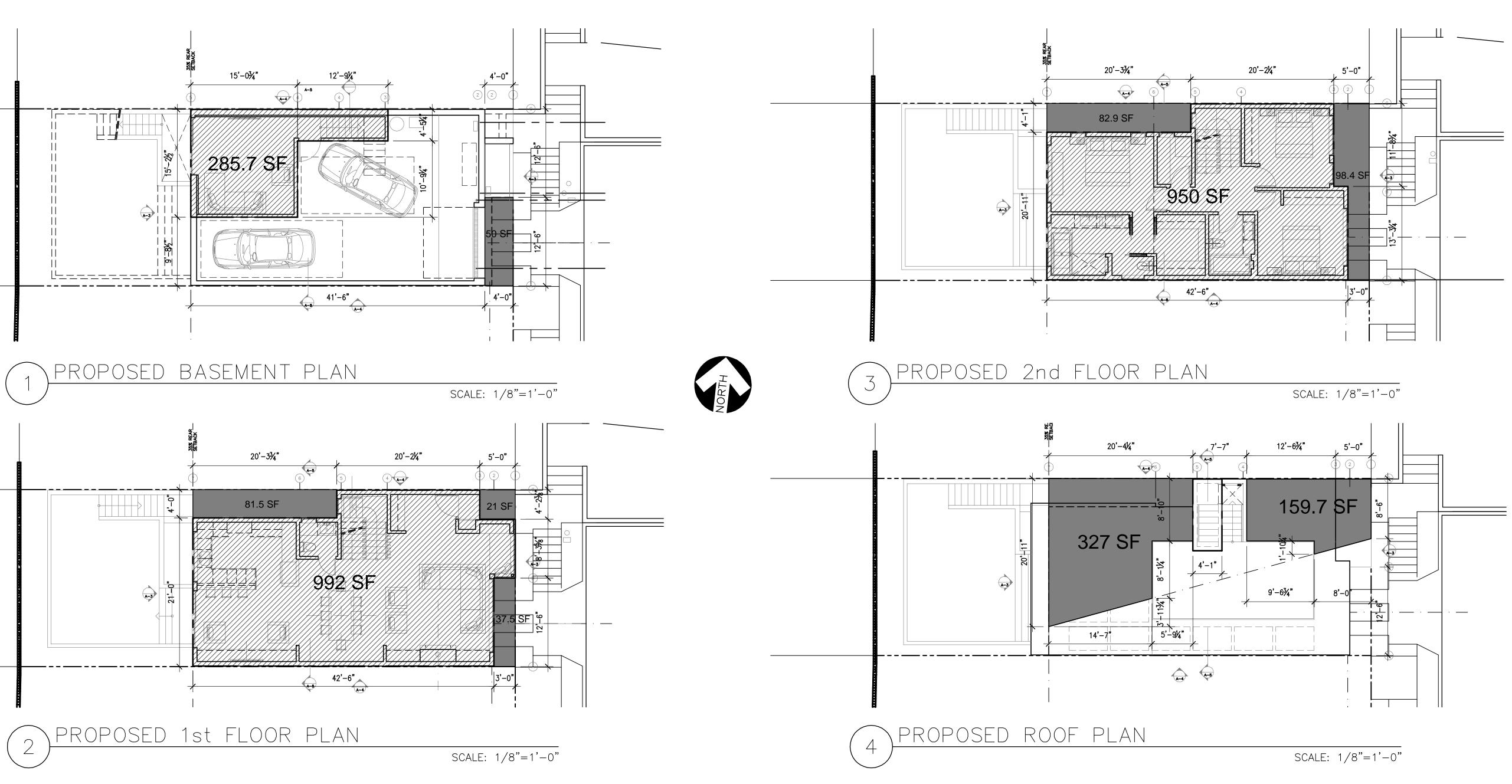














GROSS AREA:

Basement:	285.7 S.F.
1st Floor:	992 S.F.
2nd Floor:	950 S.F.
Total:	2,227.7 S.F.

2 car garage required



MASS REDUCTION:

Mass Reduction per Sect 242(e)(3): 650 S.F. REQUIRED

Basement: 1st Floor: 2nd Floor: 3rd Floor:	50.0 S.F. 140.0 S.F. 179.9 S.F. <u>486.7 S.F.</u>	(81.5 + 37.5 + 21) (98.4 + 81.5) (327 + 159.7)
	<u>486.7 S.F.</u>	
Total:	856.6 S.F.	Mass Reductio

ion Proposed

CA, TEL: fabien@	sig mber RANG 415-53 bluorar	Drive CISCO 94131 33-0415 oge.com
<u>S</u> 11/14/14 <u>S</u> <u>A</u> 04/22/15 <u>S</u> <u>A</u> 05/04/16 <u>E</u> <u>A</u> 09/28/16 <u>E</u> <u>A</u> 09/28/16 <u>E</u>	Cite Permit Rev Site Permit Rev OR Revisions OR Revisions	risions FJL
JOB#: 130' DATE: 04/1 DWN: FJL SCALE: 1/8" SHEET TITLE: BASEM MASS F	7/15 = 1'-0" ENT SI	

GENERAL NOTES

1. ELEVATIONS ARE BASED ON CITY OF SAN FRANCISCO DATUM AND THE TOPOGRAPHIC SURVEY PERFORMED BY WESTOVER SURVEYING, DATED JUNE 20, 2013.

2. CONTRACTOR SHALL COMPLY WITH ALL CITY AND COUNTY OF SAN FRANCISCO LAWS AND ORDINANCES; REGULATIONS OF THE DEPARTMENT OF INDUSTRIAL RELATIONS, O.S.H.A. AND INDUSTRIAL ACCIDENT COMMISSION RELATIONS TO THE SAFETY AND CHARACTER OF THE WORK, EQUIPMENT AND PERSONNEL.

3. STREET IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY AND COUNTY OF SAN FRANCISCO STANDARD SPECIFICATIONS AND STANDARD PLANS.

4. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL EASEMENTS, RIGHTS OF ENTRY, ETC. NECESSARY TO CONSTRUCT ANY WORK SHOWN HEREON.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL ENCROACHMENT, EXCAVATION, CONCRETE, ELECTRICAL, IRRIGATION, PLUMBING, ETC. PERMITS NECESSARY PRIOR TO BEGINNING CONSTRUCT FOR ANY WORK SHOWN HEREON.

6. CONTRACTOR SHALL POST EMERGENCY TELEPHONE NUMBERS FOR PUBLIC WORKS, AMBULANCE, POLICE AND FIRE DEPARTMENTS, AND THE CONTRACTOR.

7. CONTRACTOR SHALL HAVE A SUPERINTENDENT OR REPRESENTATIVE ON SITE AT ALL TIMES DURING CONSTRUCTION.

8. THE LOCATION AND PROTECTION OF ALL UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR. CONTACT U.S.A. UNDERGROUND SERVICE ALERT 48 HOURS PRIOR TO ANY EXCAVATION (800 - 422 - 4133).

9. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES, PIPELINES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SURVEY OR BY REVIEW OF EXISTING PLANS. APPROVAL OF THESE PLANS BY FRANCO CIVIL ENGINEERING OR REVIEW BY CITY ENGINEER DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF THE LOCATION OR EXISTENCE OR NON-EXISTENCE OF ANY UNDERGROUND UTILITIES, PIPELINES OR STRUCTURES WITHIN THE LIMITS OF WORK. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO BEGINNING WORK.

10. THE CONTRACTOR AND SUBCONTRACTORS AGREE THAT THEY ASSUME SOLE RESPONSIBILITY AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER, FRANCO CIVIL ENGINEERING, FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OR WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

11. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE CONSTRUCTION WITH THE UTILITY AGENCIES AND THE SUBCONTRACTORS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY FRANCO CIVIL ENGINEERING OF ANY DIFFERENCES OF LOCATION OF EXISTING UTILITIES FROM THAT SHOWN, OR ANY CONFLICTS WITH THE DESIGN BEFORE CONTINUING WORK IN THAT AREA.

12. A SURVEYOR LICENSED IN THE STATE OF CALIFORNIA SHALL SET ALL STAKES AND PROVIDE CUT SHEETS FOR THIS PROJECT. THE CONTRACTOR SHALL REQUEST STAKES 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL CAREFULLY PRESERVE STAKES AND MARKERS. IN CASE SUCH STAKES AND MARKERS ARE DESTROYED OR DAMAGED THEY WILL BE REPLACED AT THE ENGINEER'S EARLIEST CONVENIENCE. THE CONTRACTOR WILL BE CHARGED FOR THE COST OF NECESSARY REPLACEMENT OR RESTORATION OF STAKES AND MARKERS WHICH IN THE JUDGMENT OF THE ENGINEER WERE CARELESSLY OR FULLY DESTROYED OR DAMAGED BY THE CONTRACTOR'S OPERATIONS.

13. PRIOR TO PLACING CURB, SIDEWALK, ASPHALT CONCRETE, SUBBASE OR BASE MATERIAL, ALL UNDERGROUND UTILITIES SHALL BE INSTALLED, BACKFILL COMPLETED.

14. THE CONTRACTOR SHALL EXPOSE (I.E. BY POTHOLING) AND CHECK INVERTS ON EXISTING SEWERS, STORM DRAINS, AND CLEARANCES OF KNOWN CROSSINGS OF OTHER UTILITIES BEFORE CONSTRUCTING NEW PIPELINES. IF THE CONTRACTOR DETERMINES THE EXISTING INVERTS ARE NOT IN CONFORMANCE WITH THE PLANS, OR CROSSING CONFLICTS ARISE, HE SHALL NOTIFY THE ENGINEER BEFORE PERFORMING ANY WORK.

15. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING HIS WORK TO AVOID CONFLICTS BETWEEN MAINS AND LATERALS (I.E., STORM DRAINS, SANITARY SEWERS AND WATER MAINS).

16. SHOULD IT APPEAR THAT THE WORK TO BE DONE, OR ANY MATTER RELATIVE THERETO, IS NOT SUFFICIENTLY DETAILED OR EXPLAINED ON THESE PLANS THE CONTRACTOR SHALL CONTACT FRANCO CIVIL ENGINEERING FOR SUCH FURTHER EXPLANATION AS MAY BE NECESSARY.

17. IT IS THE DEVELOPER'S AND/OR CONTRACTOR'S RESPONSIBILITY TO NOTIFY FRANCO CIVIL ENGINEERING UPON FINDING CONDITIONS IN THE FIELD WHICH ARE AT VARIANCE WITH THE PLANS AND/OR WHICH MAY REQUIRE ALTERING OF THE PLANS PRIOR TO COMMENCEMENT OF WORK.

18. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY FIELD CHANGES MADE WITHOUT WRITTEN AUTHORIZATION FROM FRANCO CIVIL ENGINEERING.

19. COMPACTION TESTS WILL BE PERFORMED ON ALL TRENCHES AND STREET WORK INCLUDING BUT NOT LIMITED TO SUB-GRADE SOILS, AGGREGATE SUBBASE AND BASE COURSE MATERIALS TO VERIFY THAT COMPACTION CONFORMS TO THE PLANS. TESTING SERVICES SHALL BE PERFORMED BY A CERTIFIED TESTING LABORATORY IN CONFORMANCE WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS). SOIL SAMPLING AND TESTING FREQUENCY SHALL CONFORM TO CHAPTER 8 OF THE CALTRANS CONSTRUCTION MANUAL. ALL TESTING WILL BE AT THE CONTRACTOR'S EXPENSE.

20. ANY EXISTING IMPROVEMENTS DAMAGED BY THE CONTRACTOR SHALL BE REPAIRED AND/OR REPLACED BY THE CONTRACTOR AT HIS EXPENSE.

21. CONTRACTOR SHALL BE RESPONSIBLE FOR RESPONDING TO ANY LOCAL COMPLAINTS ABOUT CONSTRUCTION NOISE.

22. CONSTRUCTION EQUIPMENT, TOOLS, ETC. SHALL NOT BE CLEANED OR RINSED INTO A STREET, GUTTER, STORM DRAIN OR STREAM. SHOVEL OR VACUUM SAW-CUT SLURRY AND REMOVE FROM SITE.

23. A CONTAINED AND COVERED AREA ON-SITE SHALL BE USED FOR STORAGE OF CEMENT BAGS, PAINTS, FLAMMABLES, OILS, FERTILIZERS, PESTICIDES, OR ANY OTHER MATERIALS THAT HAVE POTENTIAL FOR BEING DISCHARGED TO THE STORM DRAIN SYSTEM BY WIND OR IN THE EVENT OF A MATERIAL SPILL.

24. ALL CONSTRUCTION DEBRIS SHALL BE GATHERED ON A REGULAR BASIS AND PLACED IN A DUMPSTER WHICH IS EMPTIED OR REMOVED WEEKLY. WHEN FEASIBLE, TARPS SHALL BE USED ON THE GROUND TO COLLECT FALLEN DEBRIS OR SPLATTERS THAT COULD CONTRIBUTE TO STORMWATER POLLUTION. ANY TEMPORARY ON-SITE CONSTRUCTION PILES SHALL BE SECURELY COVERED WITH A TARP OR OTHER DEVICE TO CONTAIN DEBRIS.

25. CONCRETE/GUNITE TRUCKS AND CONCRETE/PLASTER FINISHING OPERATIONS SHALL NOT DISCHARGE WASH WATER INTO THE STREET GUTTERS OR DRAINS.

26. TRASH AND DEBRIS SHALL BE CLEANED UP DAILY IN THE PROJECT VICINITY AND ALONG HAUL ROUTES. SWEEP AS NEEDED.

GRADING AND PAVING NOTES

1. ALL GRADING SHALL BE PERFORMED IN ACCORDANCE THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) STANDARD SPECIFICATIONS, LATEST EDITION.

2. ALL MANHOLE FRAMES AND COVERS, MONUMENT BOXES AND VALVE BOXES SHALL BE SET TO GRADE AFTER FINAL PAVING. THE CONTRACTOR SHALL NOTIFY UTILITY COMPANIES, GIVING THEM ADEQUATE NOTICE TO ALLOW THEM TO ADJUST THEIR FACILITIES TO GRADE.

3. ASPHALT CONCRETE - SURFACE COURSE SHALL BE 3 / 4 INCH (30MM) MAXIMUM AGGREGATE SIZE ASPHALT CONCRETE AND SHALL MEET THE REQUIREMENTS OF SECTION 39 OF THE CALTRANS STANDARD SPECIFICATIONS. ASPHALT CONCRETE SHALL BE TYPE 'A'. COMPACTING EQUIPMENT SHALL CONFORM TO SECTION 39-5.02, "COMPACTING EQUIPMENT", OF THE STANDARD SPECIFICATIONS.

4. AGGREGATE BASE SHALL BE FURNISHED AS REQUIRED TO CONSTRUCT STREET BASE AND SHALL CONFORM TO SECTION 26, ARTICLES, 26-1.01, 26-1.02, 26-1.02A, 26-1.035, 26-1.04 AND 26-1.05 OF THE CALTRANS STANDARD SPECIFICATIONS. MAXIMUM AGGREGATE SIZE SHALL BE 1-1/2 INCHES (60MM).

5. ALL PAVEMENT CONFORMS SHALL BE MADE WITH A SMOOTH BUTT JOINT.

6. PAVEMENT RESTORATION SHALL EXTEND TO A MAXIMUM 18" BEYOND THE STANDARD PLAN LIMITS WHERE EXISTING ADJACENT PAVEMENT IS RAVELED OR ALLIGATORED. PAVEMENT RESTORATION SHALL INCLUDE SAWCUT, REMOVAL OF ASPHALT CONCRETE, AND REPLACEMENT IN KIND IN CONJUNCTION WITH TRENCH RESTORATION PAVING OR STREET PAVING.

7. THE CONTRACTOR IS RESPONSIBLE FOR MATCHING EXISTING STREETS. SURROUNDING LANDSCAPE AND OTHER IMPROVEMENTS WITH A SMOOTH TRANSITION IN PAVING, CURBS, GUTTER, SIDEWALKS, GRADING, ETC., AND TO AVOID ANY ABRUPT OR APPARENT CHANGES IN GRADES OR CROSS SLOPES, LOW SPOTS OR HAZARDOUS CONDITIONS.

8. SURFACE DRAINAGE MUST SLOPE AWAY FROM ALL BUILDINGS. THE MINIMUM ACCEPTABLE GRADE FOR SURFACE FLOW, EXCEPT PAVED AREAS, AFTER SUBSIDENCE IS 1%.

9. GRADING ALONG THE EXTERIOR BOUNDARIES SHALL NOT INTERFERE WITH THE NATURAL DRAINAGE OF THE SURROUNDING AREA.

CONCRETE IMPROVEMENTS NOTES

1. ALL CONCRETE SHALL BE CLASS 'B' UNLESS OTHERWISE SPECIFIED AND SHALL MEET THE REQUIREMENTS OF SECTION 90 OF THE CALTRANS STANDARD SPECIFICATIONS. ALL CONCRETE IMPROVEMENTS SHALL CONFORM TO SECTION 73 OF THE CALTRANS STANDARD SPECIFICATIONS.

2. AGGREGATE BASE SHALL BE PROPERLY WATERED AND ROLLED WITH A FULL SIZE ROLLER IN CONFORMANCE WITH THE APPLICABLE PORTIONS OF SECTION 26 OF THE CALTRANS STANDARD SPECIFICATIONS.

LEGEND

BO	BLOW OFF
BVC	BEGIN VERTICAL CURVE
CL	CENTER LINE
СО	CLEAN OUT
ELEV	ELEVATION
EVC	END VERTICAL CURVE
FL	FLOW LINE
G	GAS
GV	GAS VALVE
INV	INVERT
JT	JOINT SERVICE TRENCH
мн	MAN HOLE
PL	PROPERTY LINE
STA	STATION
SS	SEWER SANITARY & STORM
TC	TOP OF CURB
VC	VERTICAL CURVE
W	WATER
WM	WATER METER
WV	WATER VALVE

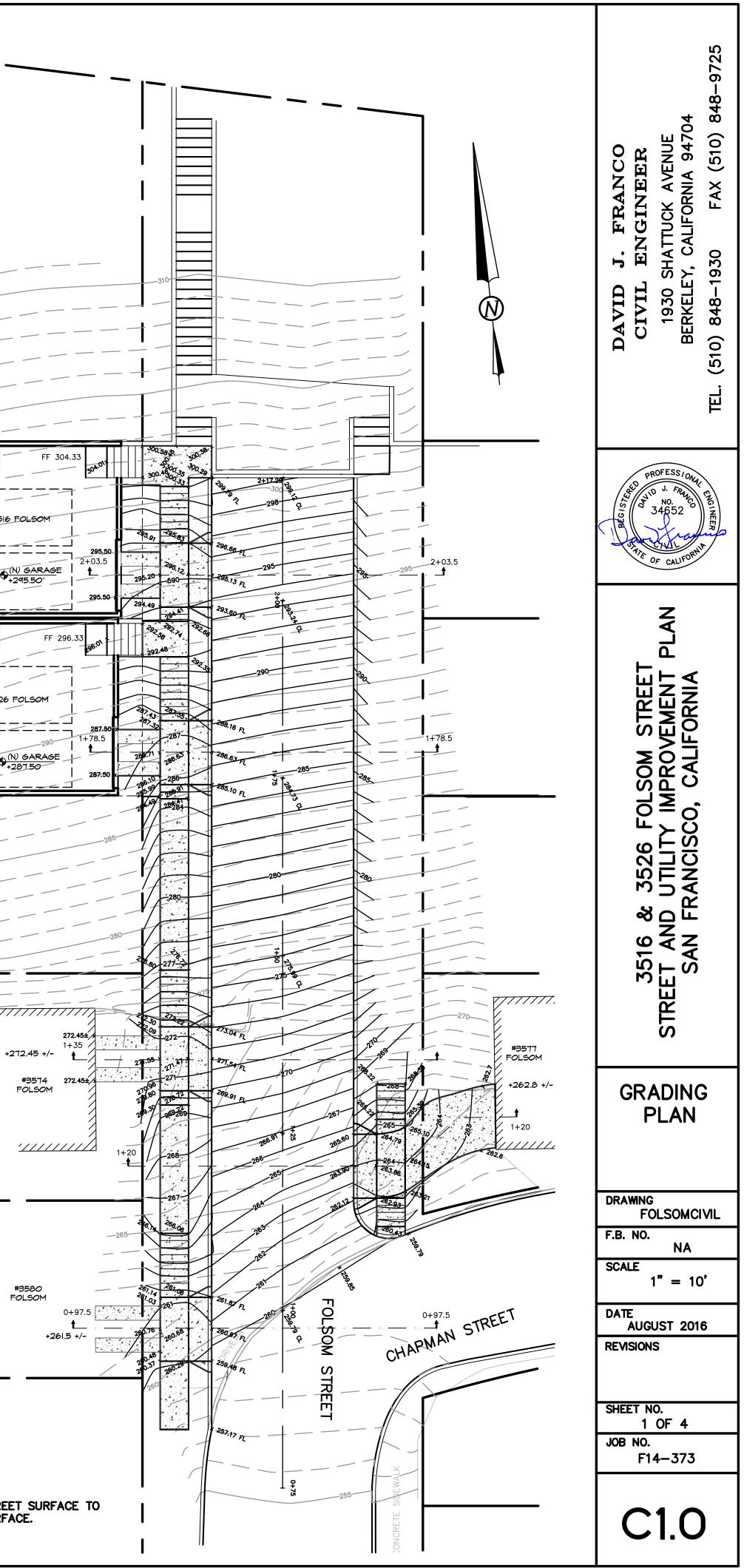
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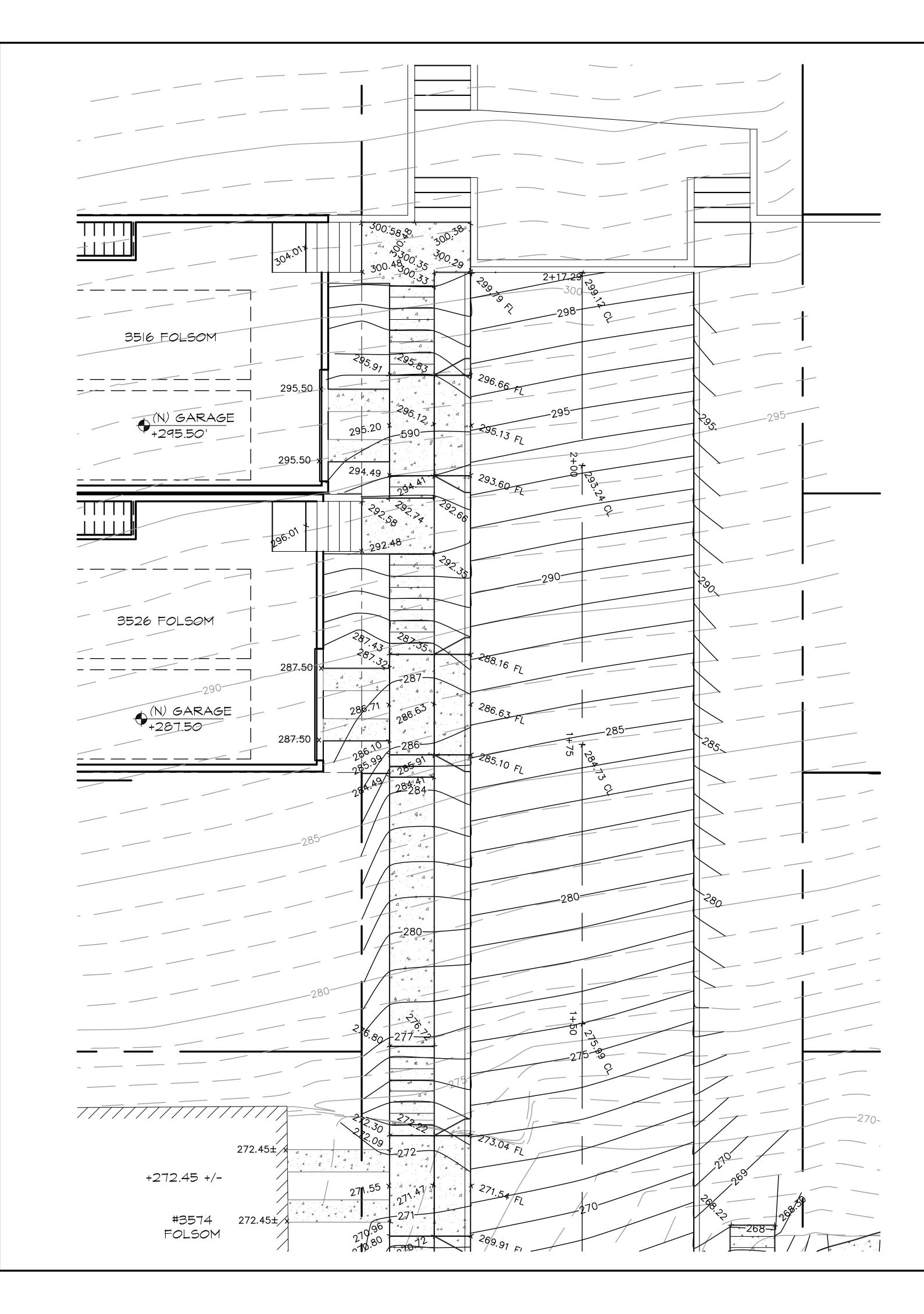
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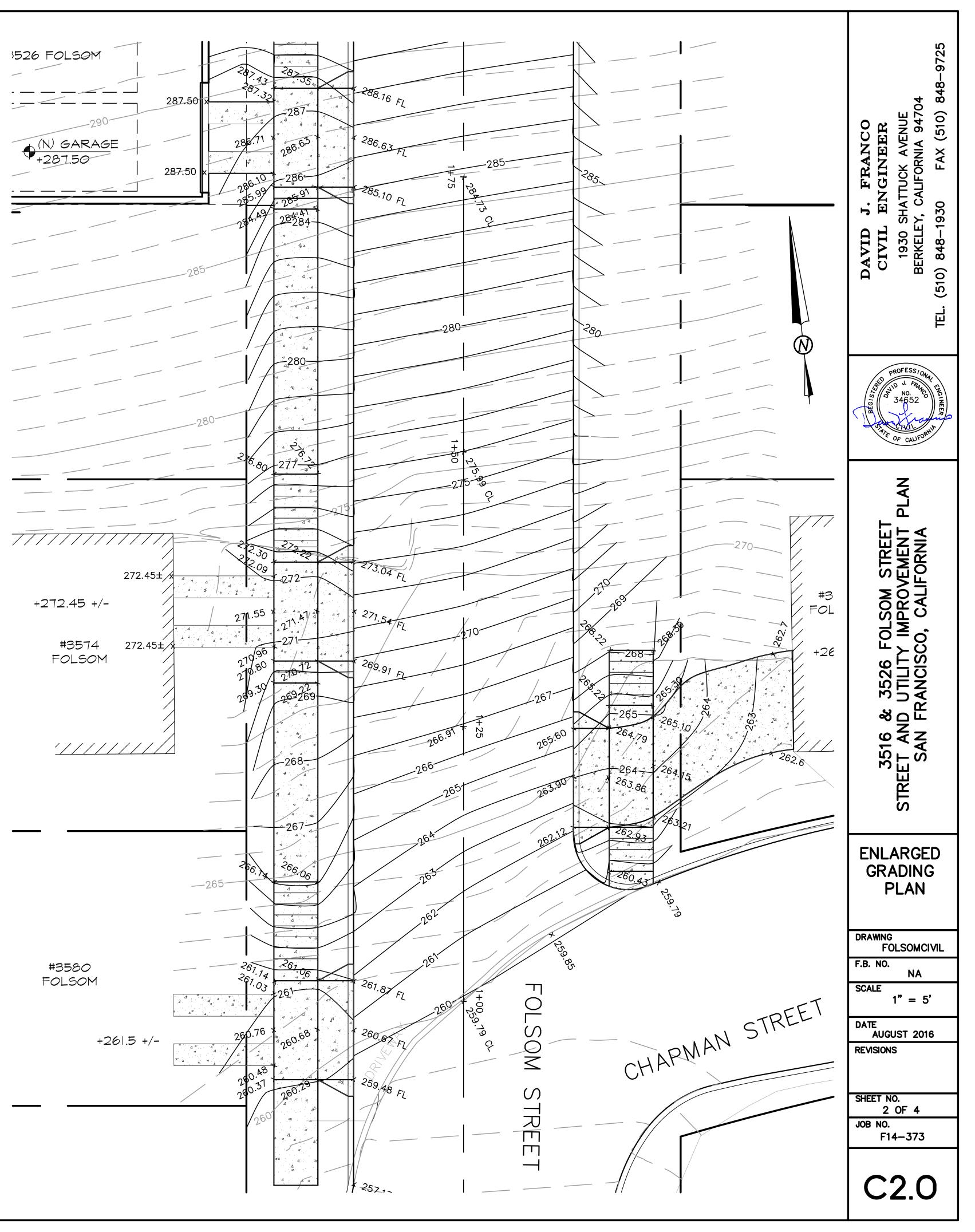


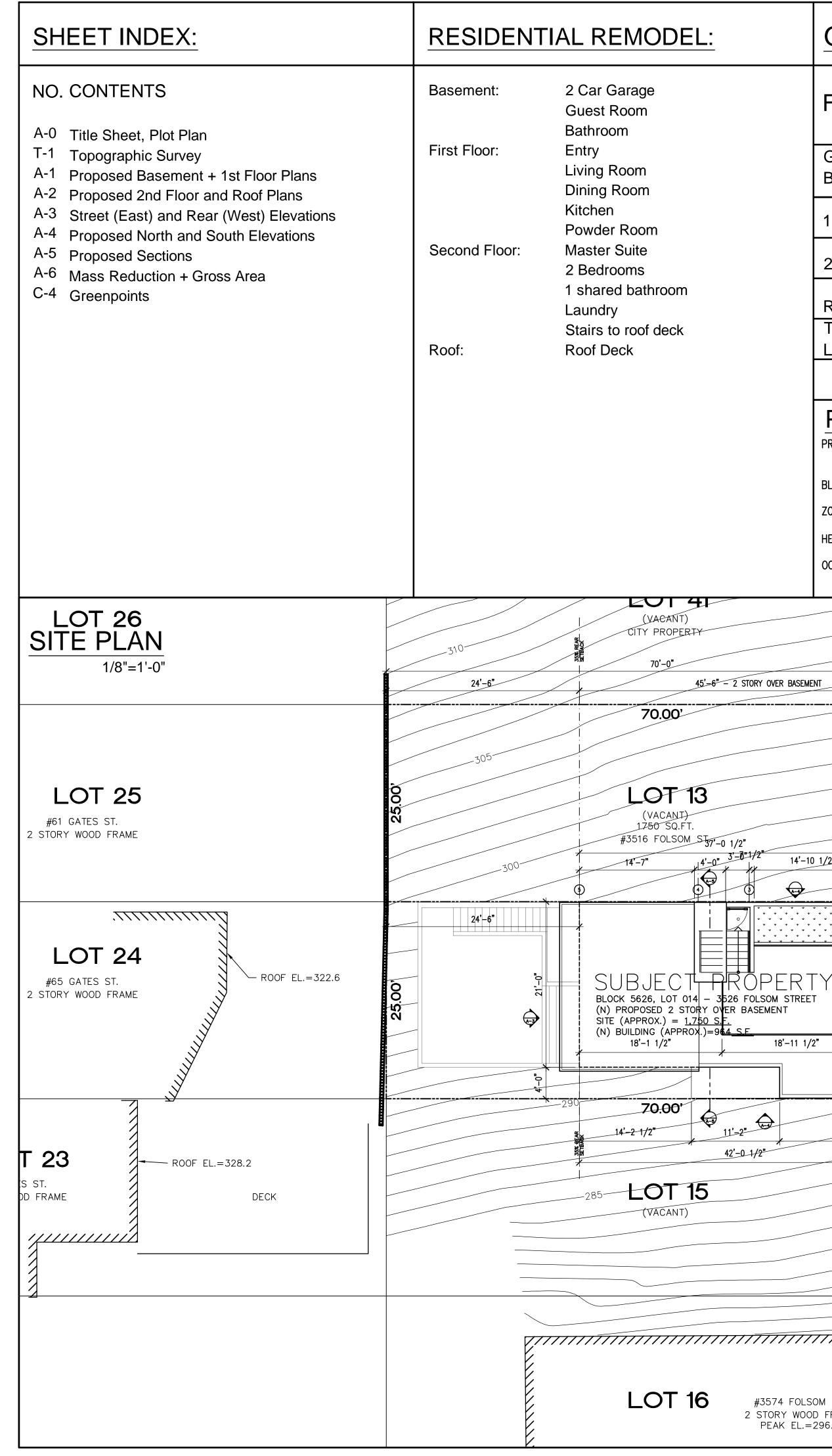
(IN FEET) 1 inch = 10 ft.

NOTE: NEW PAVING FOR FOLSOM STREET SURFACE TO BE CONCRETE WITH A TEXTURED SURFACE.

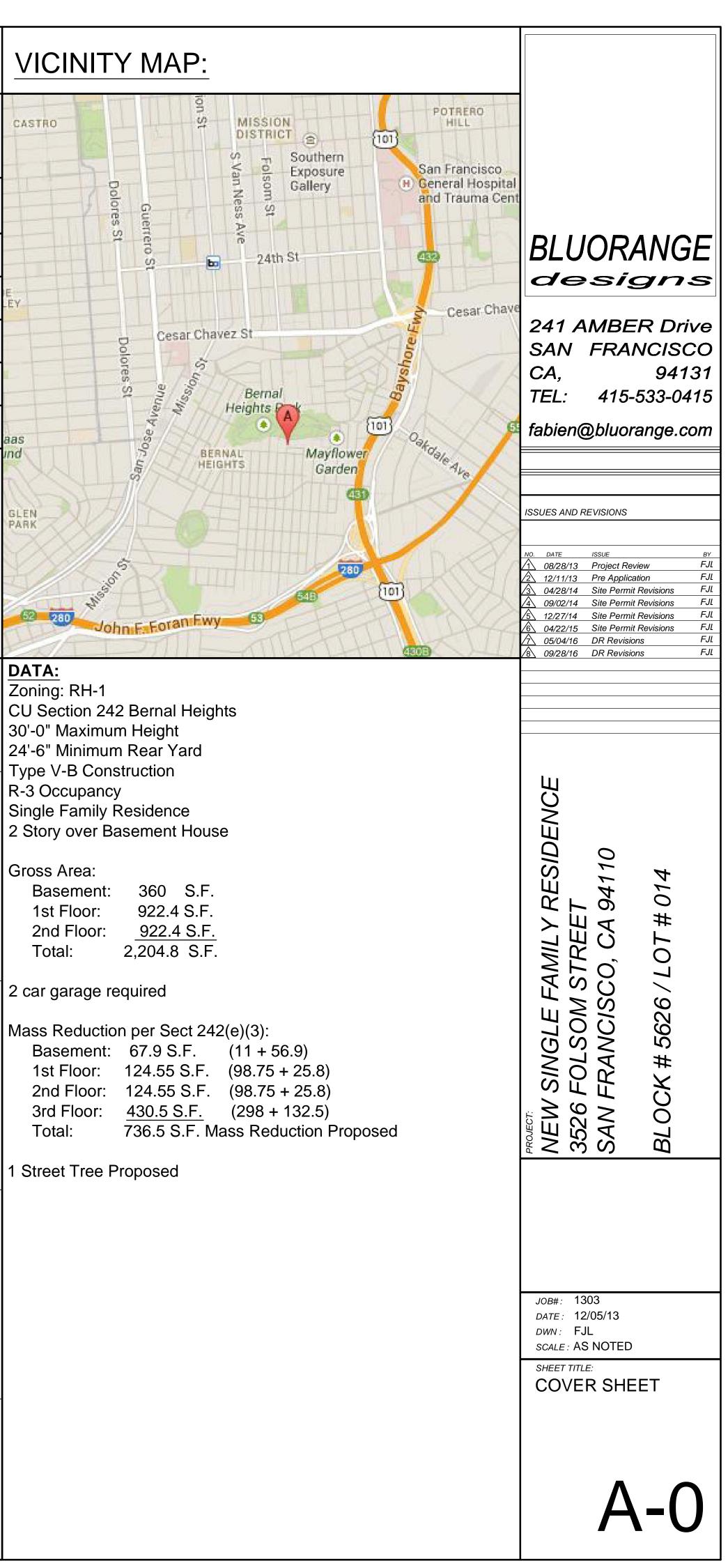


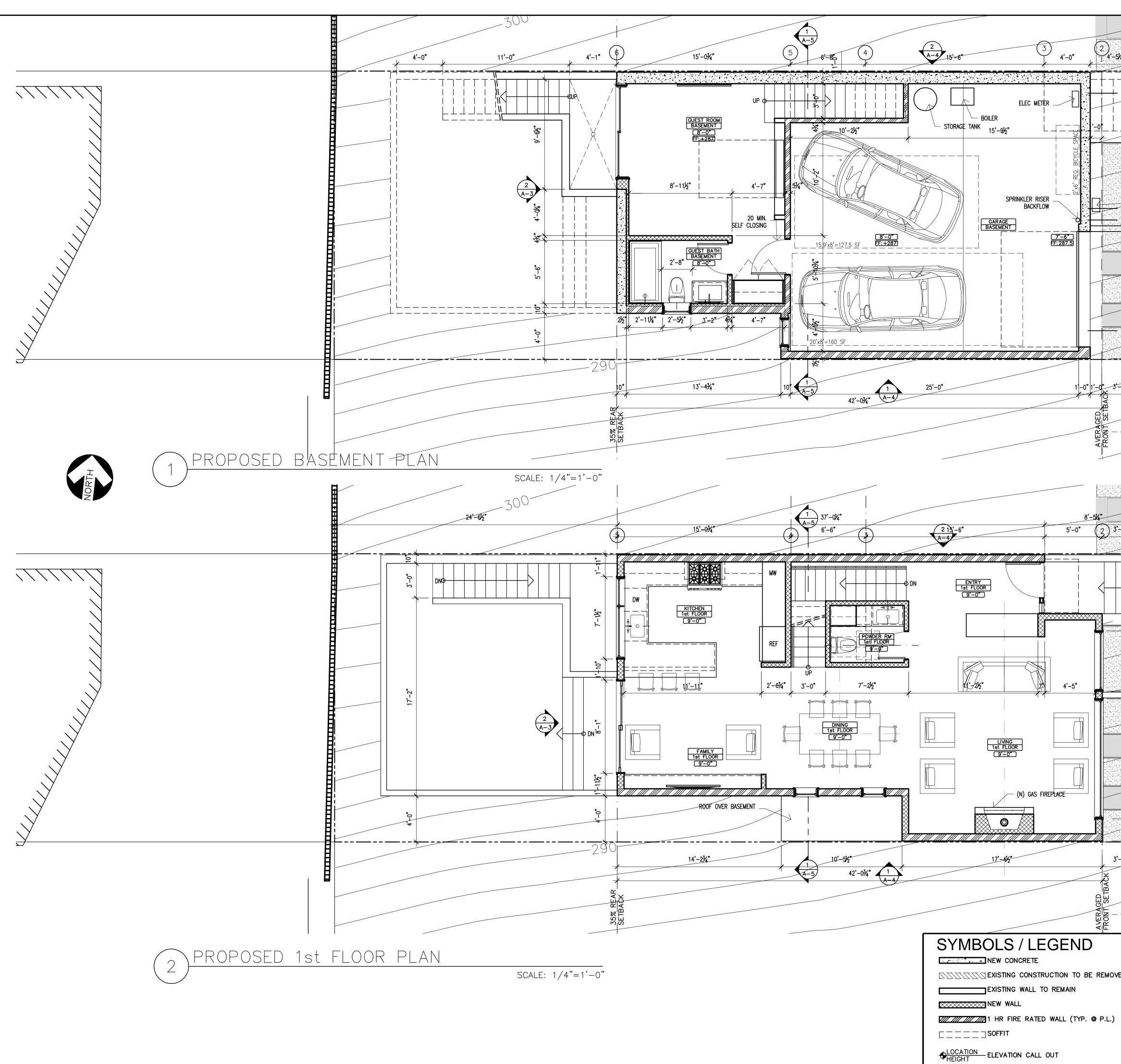






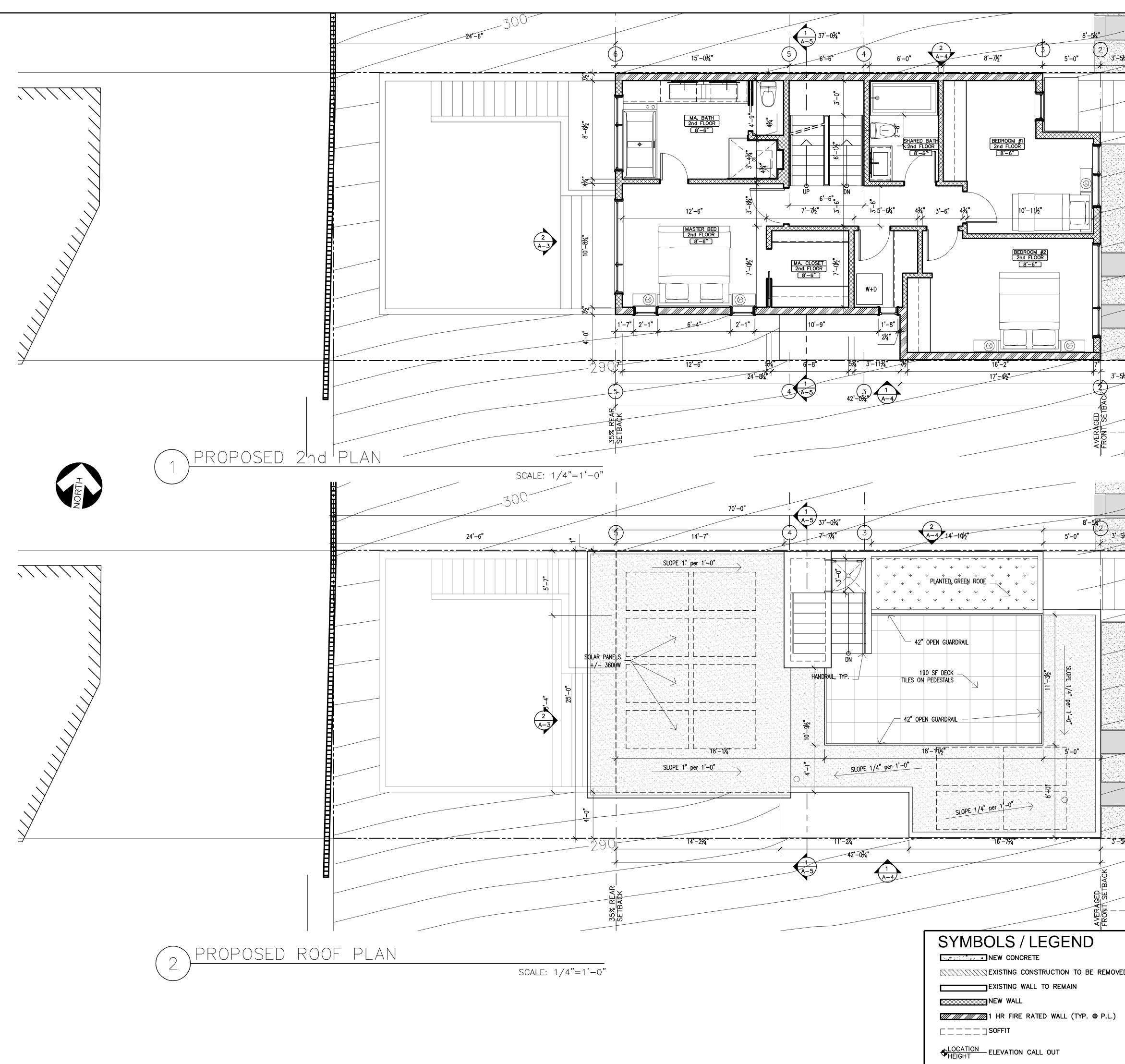
	OCCUPANCY LOADS:						
	FLOOR	OCCUP.	AREA.	OCCUP LOAD FACTOR	OCCUP. LOAD	REQUIRED MEANS OF EGRESS	
	Garage/ Basement	U-1 GARAGE R-3	641 S.F. 288 S.F.	200 200	4 2	1	
	1st Floor	R-3	842 S.F.	200	5	1	
	2nd Floor	R-3	842 S.F.	200	5	1	EL
	Roof Deck	R-3	190 S.F.	200	1	1	
	Total Liv. Space		1,972 S.F.				
	PROJECT ADDRESS BLOCK / LOT ZONING DISTRICT HEIGHT/BULK LIMITS OCCUPANCY	CT INFORM 3526 FOLSOM St San Francisco, C 5626 / 014 RH-1 30'-X R-3 Single RES U-1 GARAGE	reet A 94110	Co 20 20 + <u>PROJECT DESCRIPTION:</u> NEW SINGLE FAMILY RES <u>SEPARATE PERMIT REQUIRED:</u> SPRINKLER ALL FLOORS		ndments e ordinances and regulations EMENT	
				* 28 NT)			
FOLS WOO	OM ST. D FRAME 296.4	SZ 1/27 +	10.19 509.40 268.52 2.68 CONCRETE		ROOF EL.=28 LOT #3577 FOI 2 STORY WO	в5.9 43 LSOM ST.	



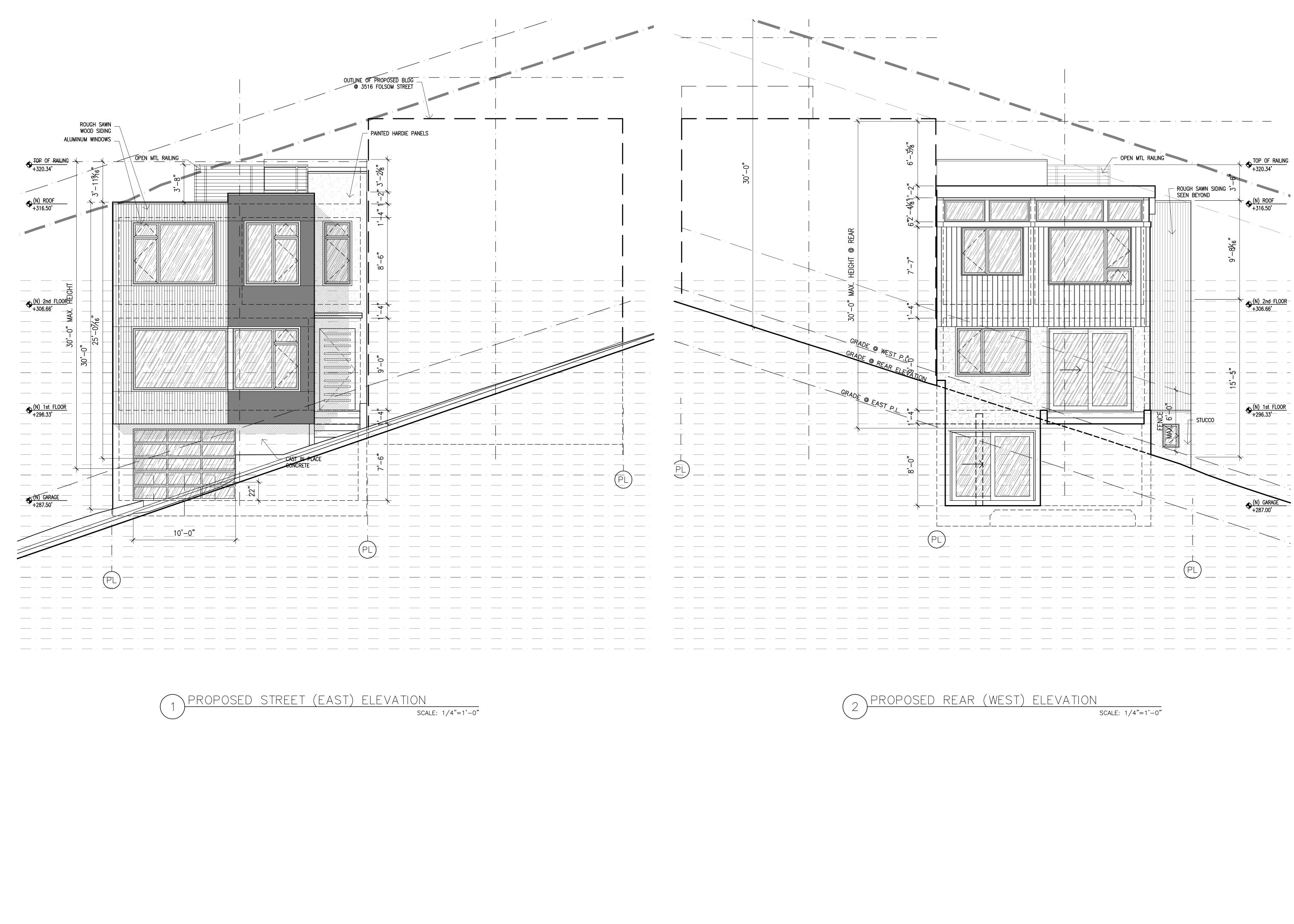


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	GAS METER		25'-0"		
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					CA, 94131
					TEL: 415-533-0415
		.0-,6			fabien@bluorange.com
		SEWER			
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E1/2	PLANTED AREAS				NO. DATE ISSUE BY
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[YYY	ROOM NAME FLOOR FINISH	DOOR TAG		BASEMENT & 1st FLOOR PLAN
ED		CEILING HEIGHT	WINDOW TAG		-
	(1) (A3.1)	ELEVATION MARK			
		SECTION MARK			Λ
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	295	BLUORANGE
		241 AMBER Drive SAN FRANCISCO CA, 94131 TEL: 415-533-0415 fabien@bluorange.com Issues AND REVISIONS NO. DATE ISSUE NO. DATE ISSUE 12/11/13 Project Review FJL
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54"		
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1 A3.1	SECTION MARK	A-2



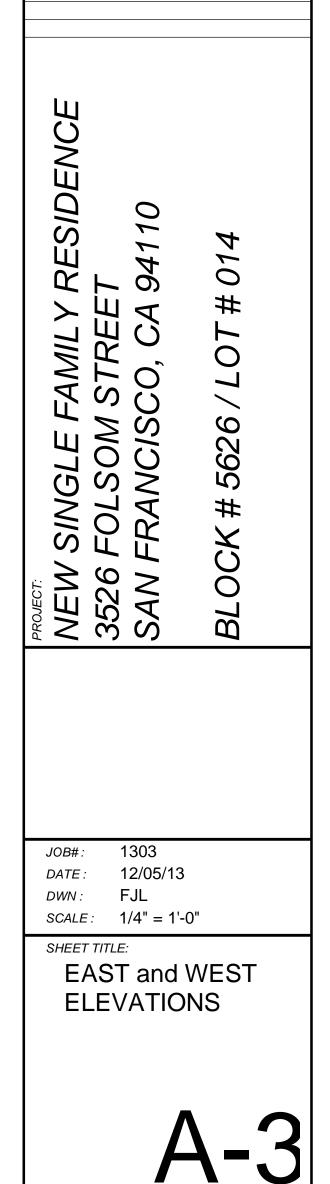
BLUORANGE designs

241 AMBER Drive SAN FRANCISCO CA, 94131 TEL: 415-533-0415

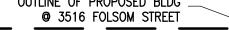
fabien@bluorange.com

ISSUES AND REVISIONS

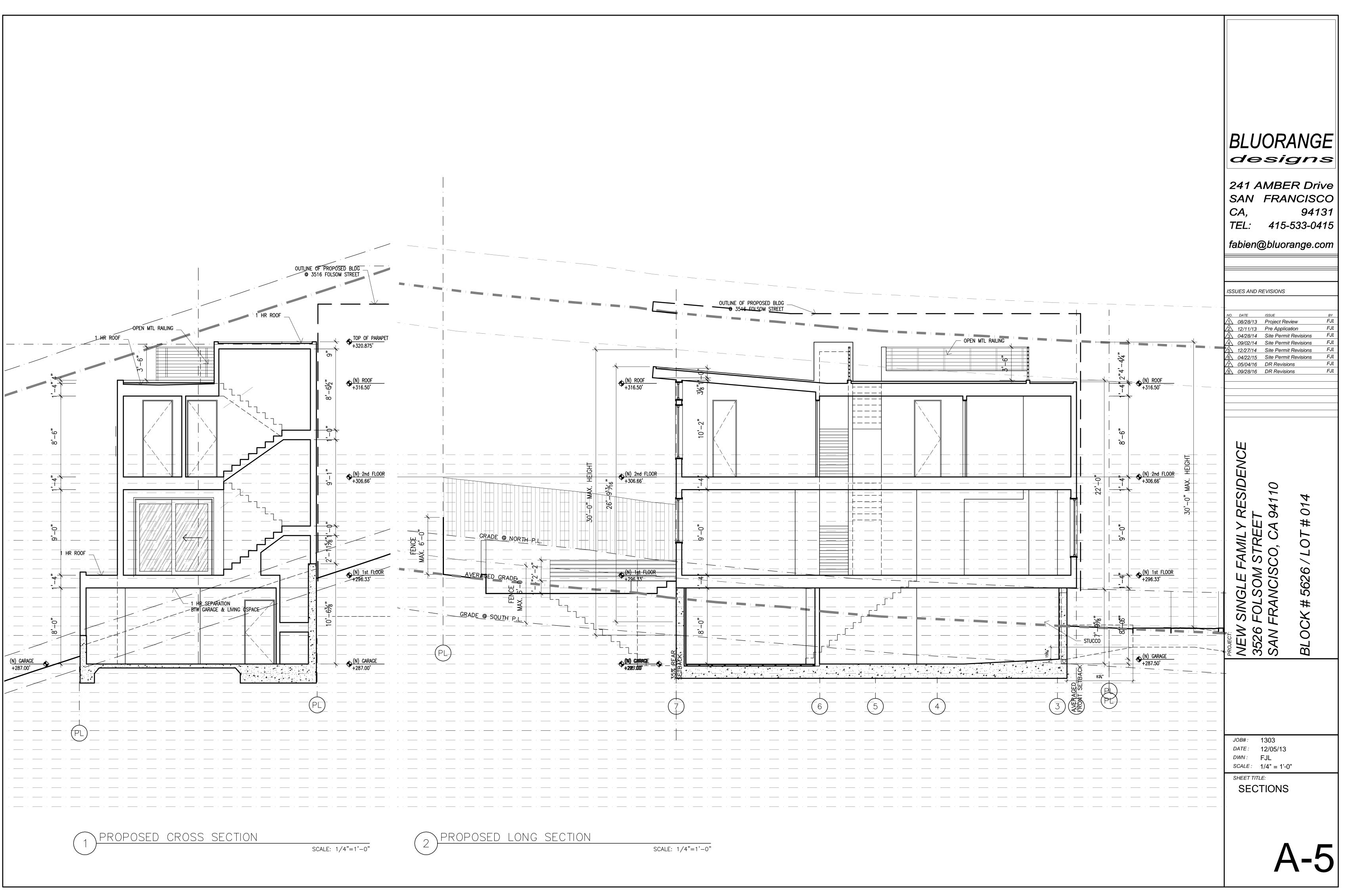
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$\overline{\mathbb{S}}$	12/27/14	Site Permit Revisions	FJL
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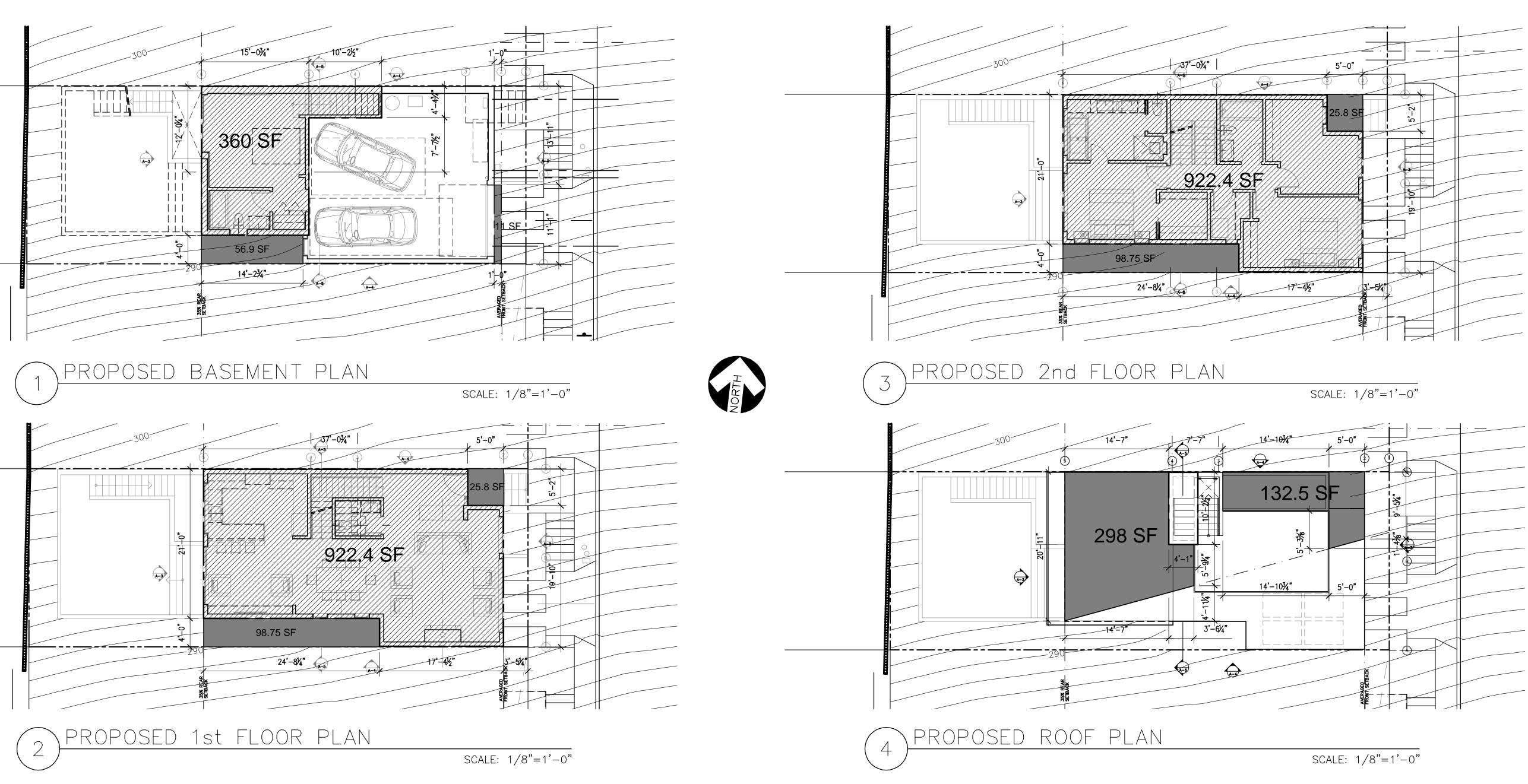


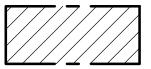




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	×*	● <mark>(N) ROOF</mark> +316.50'	· · · · · ·		BLUORANGE
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	6	· · · · _			ISSUES AND REVISIONS
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SETBACK		(N) GARAGE +287.50'			
546" FRONT	PL	9'-10" 3'-6"			PROJECT NEW SINGLE FAMILY RESIDENCE 3526 FOLSOM STREET SAN FRANCISCO, CA 94110 BLOCK # 5626 / LOT # 014
-0,	(<u>N) 2nd F</u> +306.66'				
			GRADE @ SOUTH P.L.		JOB#: 1303 DATE: 12/05/13 DWN: FJL SCALE: 1/4" = 1'-0"
	● (N) 1st F +296.33'		AVERAGED GRADE		SCALE: 1/4" = 1'-0" SHEET TITLE: NORTH and SOUTH ELEVATIONS
SE IBACK	(N) GARA(+287.00'		<u>GRADE @ NORTH P.L.</u>		A-4







GROSS AREA:

Basement:	360.0 S.F.
1st Floor:	922.4 S.F.
2nd Floor:	922.4 S.F.
Total:	2,204.8 S.F.

2 car garage required



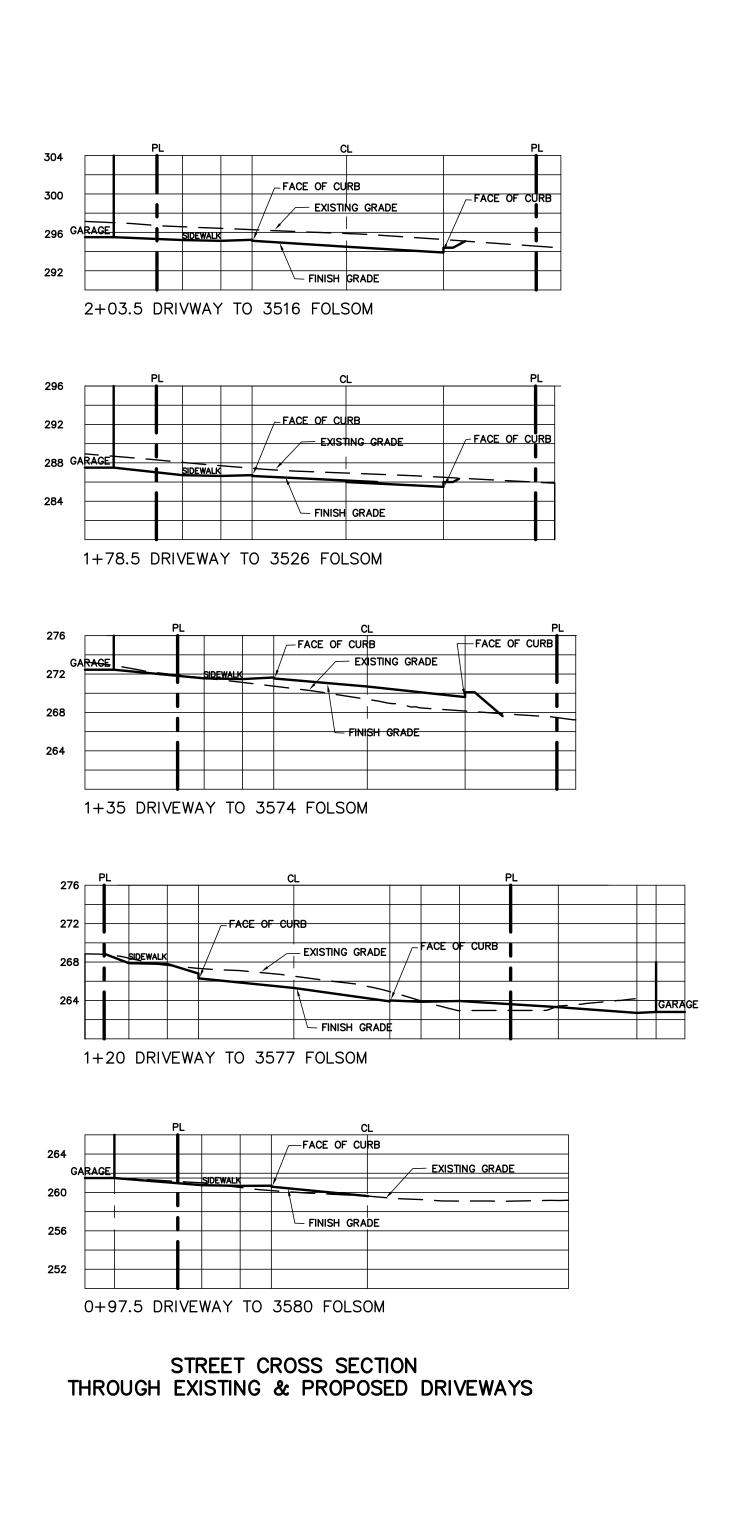
MASS REDUCTION:

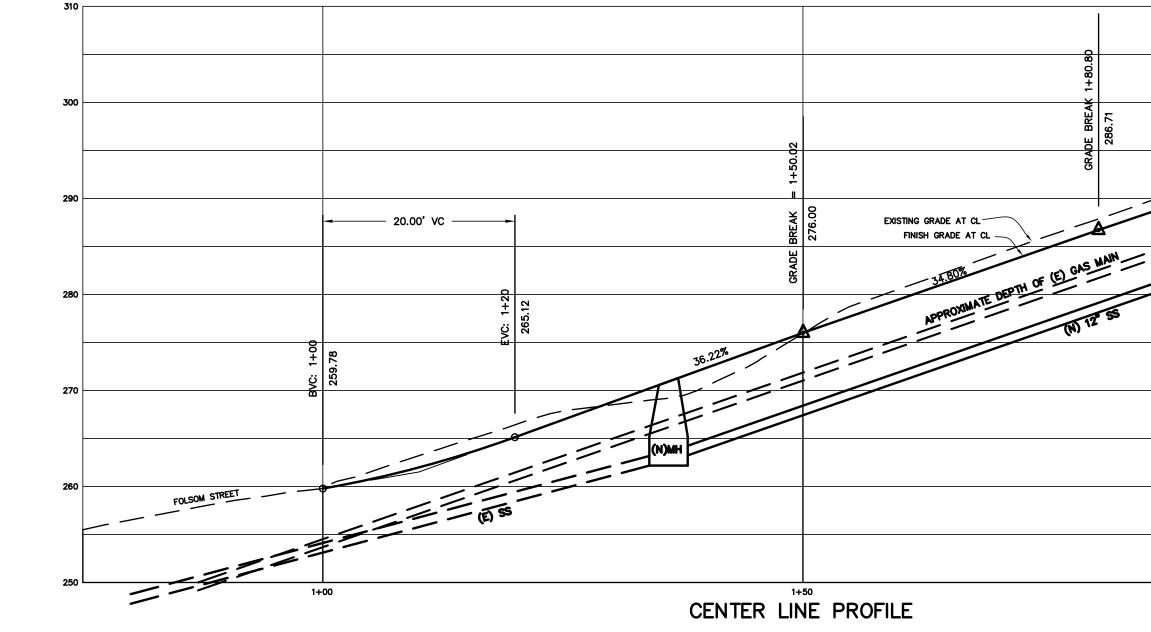
Mass Reduction per Sect 242(e)(3): 650 S.F. REQUIRED

Basement 1st Floor: 2nd Floor: 3rd Floor:	67.9 S.F. 124.55 S.F. 124.55 S.F. 430.5 S.F.	(11 + 56.9) (98.75 + 25.8) (98.75 + 25.8) (298 + 132.5)
3rd Floor:	<u>430.5 S.F.</u>	(298 + 132.5)
Total:	747.5 S.F.	Mass Reductio

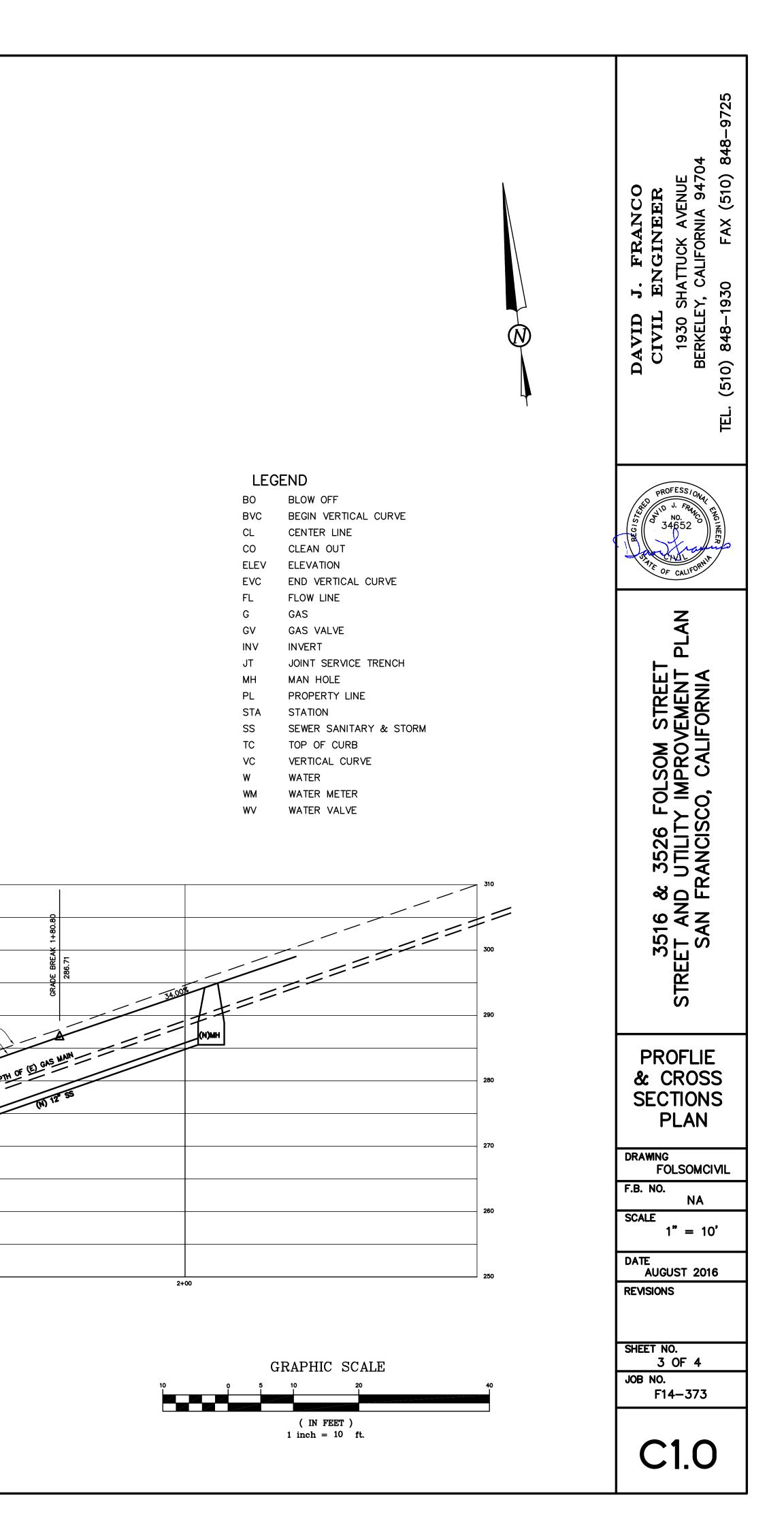
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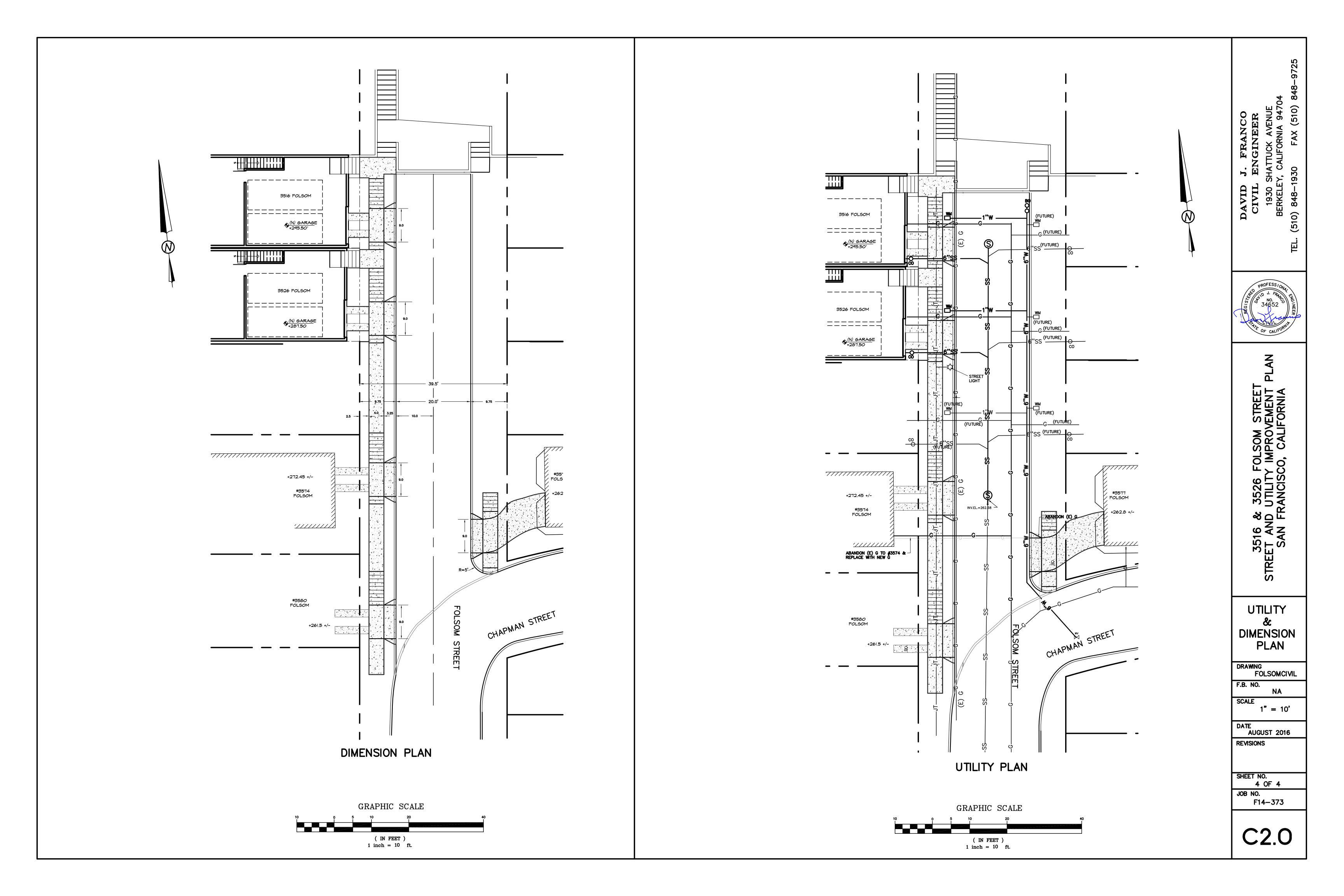
BLUORANG 241 AMBER Dr SAN FRANCISC CA, 947 TEL: 415-533-04 fabien@bluorange.c	ive CO 131 415
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PROJECT NEW SINGLE FAMILY RESIDENCE 3526 FOLSOM STREET SAN FRANCISCO, CA 94110 BLOCK # 5626 / LOT # 014	
JOB#: 1301 DATE: 04/17/15 DWN: FJL SCALE: 1/8" = 1'-0" SHEET TITLE: BASEMENT SF MASS REDUCTION	N
A-6	5





CENTER LINE PROFILE









CAMERA 1: View from Bernal Hill looking West.



CAMERA 2: View from Bernal Hill looking South.



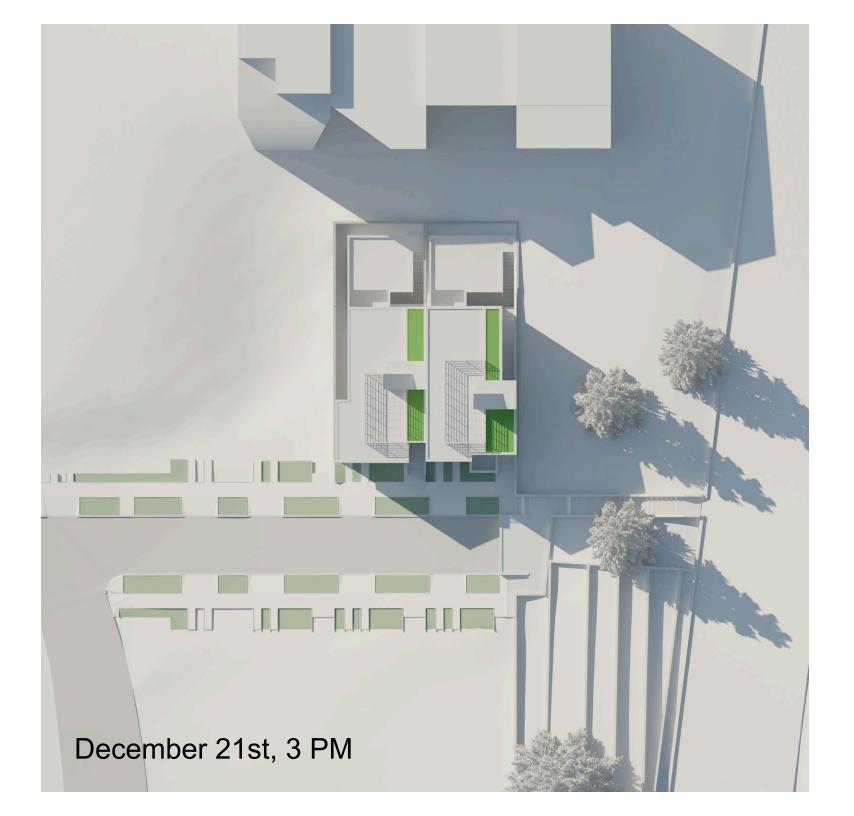
CAMERA 3: View from Public Garden looking South-West.

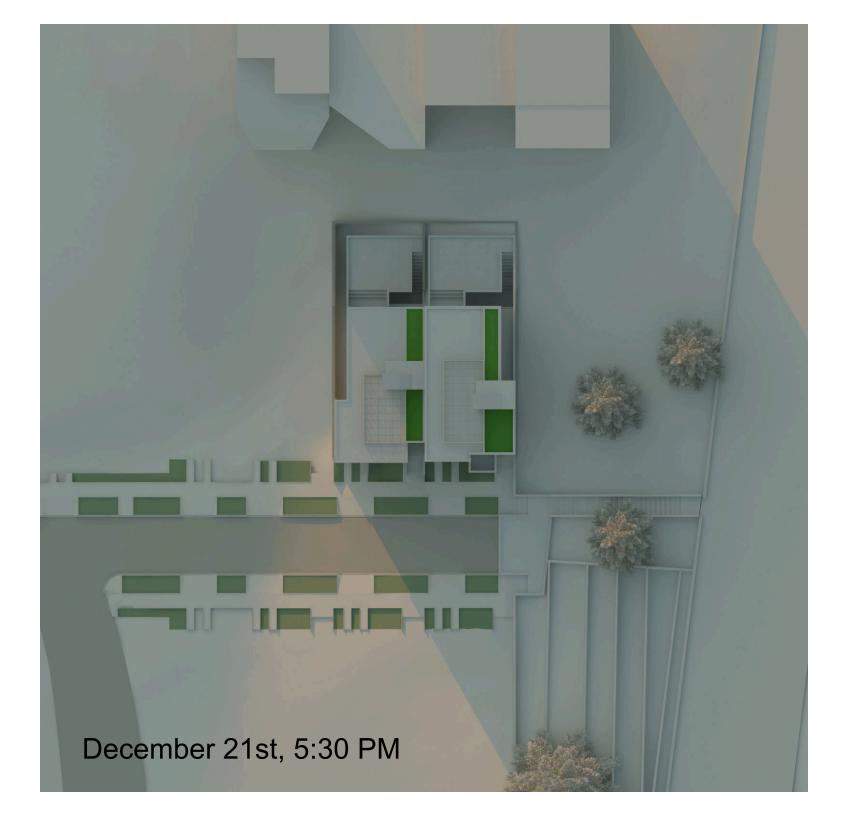


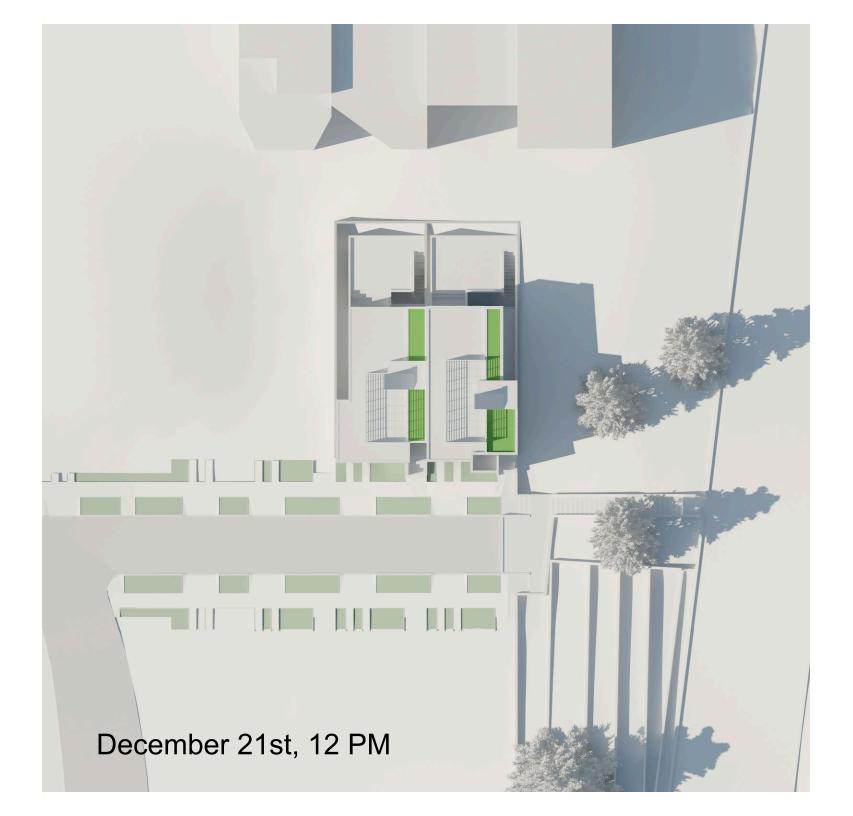
CAMERA 4: View from Bernal Blvd looking South-East.



CAMERA 5: View from Chapman Street at Folsom Street looking North-West





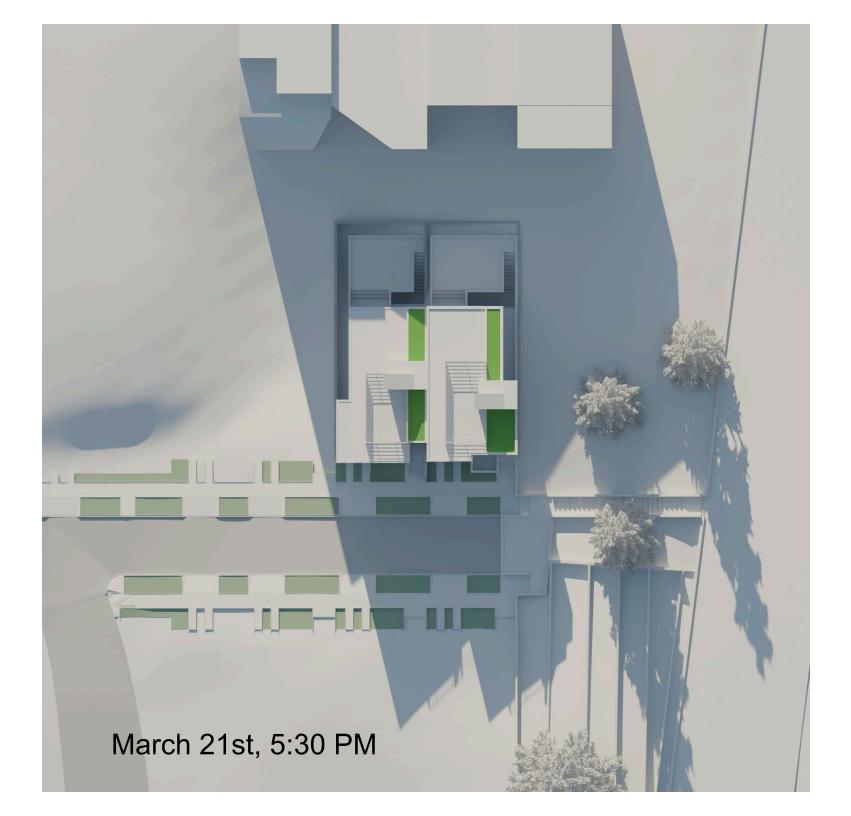


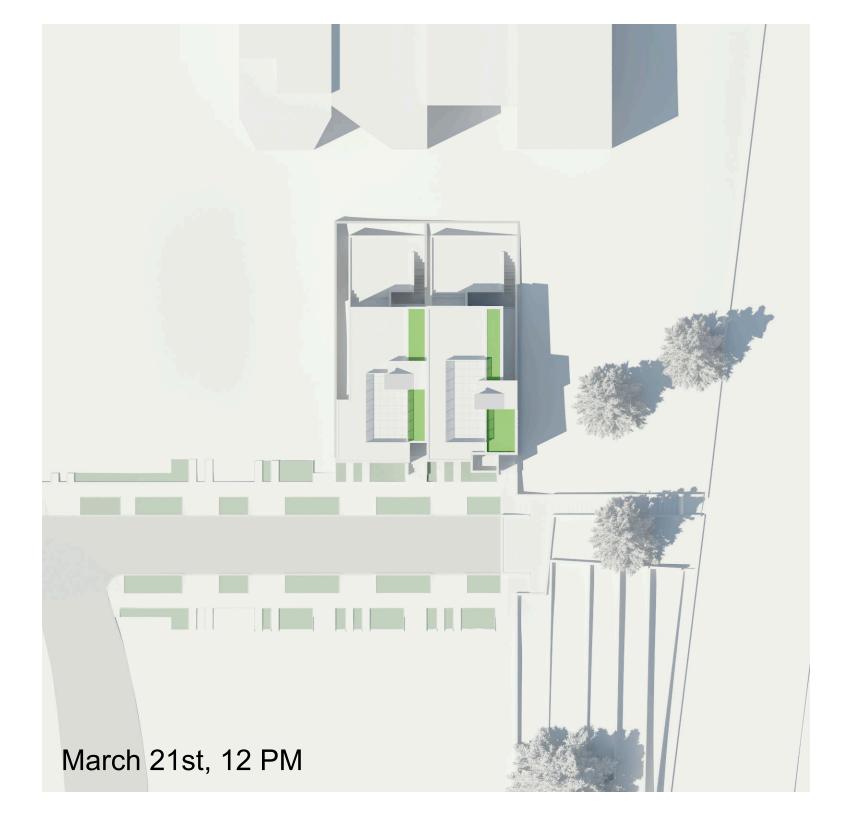




















SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco. CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **December 17, 2013**, the Applicant named below filed Building Permit Application No. **2013.12.16.4322** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION		
Project Address:	3516 Folsom Street	Applicant:	Fabien Lannoye	
Cross Street(s):	Chapman Street	Address:	297c Kansas Street	
Block/Lot No.:	5626/013	City, State:	San Francisco, CA 94103	
Zoning District(s):	RH-1 / 40-X / Bernal Heights SUD	Telephone:	(415) 626-8868	

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	
Demolition	New Construction	□ Alteration
Change of Use	Façade Alteration(s)	Front Addition
□ Rear Addition	□ Side Addition	Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Vacant Lot	Single-Family Dwelling
Front Setback	n/a	None
Side Setback	n/a	None
Building Depth	n/a	45-ft 6-in
Rear Yard (To Rear Wall)	n/a	24-ft 6-in
Building Height (from Average Grade to Top of Stair Penthouse)	n/a	29-ft
Number of Stories	n/a	2.5
Number of Dwelling Units	n/a	1
Number of Parking Spaces	n/a	3
	PROJECT DESCRIPTION	

The proposal includes new construction of a two-and-one-half-story, single-family residence with three off-street parking spaces and a roof deck. The project incorporates a bay window on the front façade and has a side yard along the north lot line.

The project also requires a variance from the Zoning Administrator to address the Planning Code requirements for parking access (Planning Code Section 242(e)(4); See Case No. 2013.1383V). Separate notice of the variance will occur. The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner:Rich SucreTelephone:(415) 575-9108E-mail:richard.sucre@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 <u>www.communityboards.org</u> 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 <u>www.sfplanning.org</u>). 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 <u>www.sfplanning.org</u>. If the project includes multiple building permits, i.e. demolition and new construction, a <u>separate request</u> for Discretionary Review must be submitted, with all required materials and fee, for <u>each</u> permit that you feel will have an impact on you.

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.

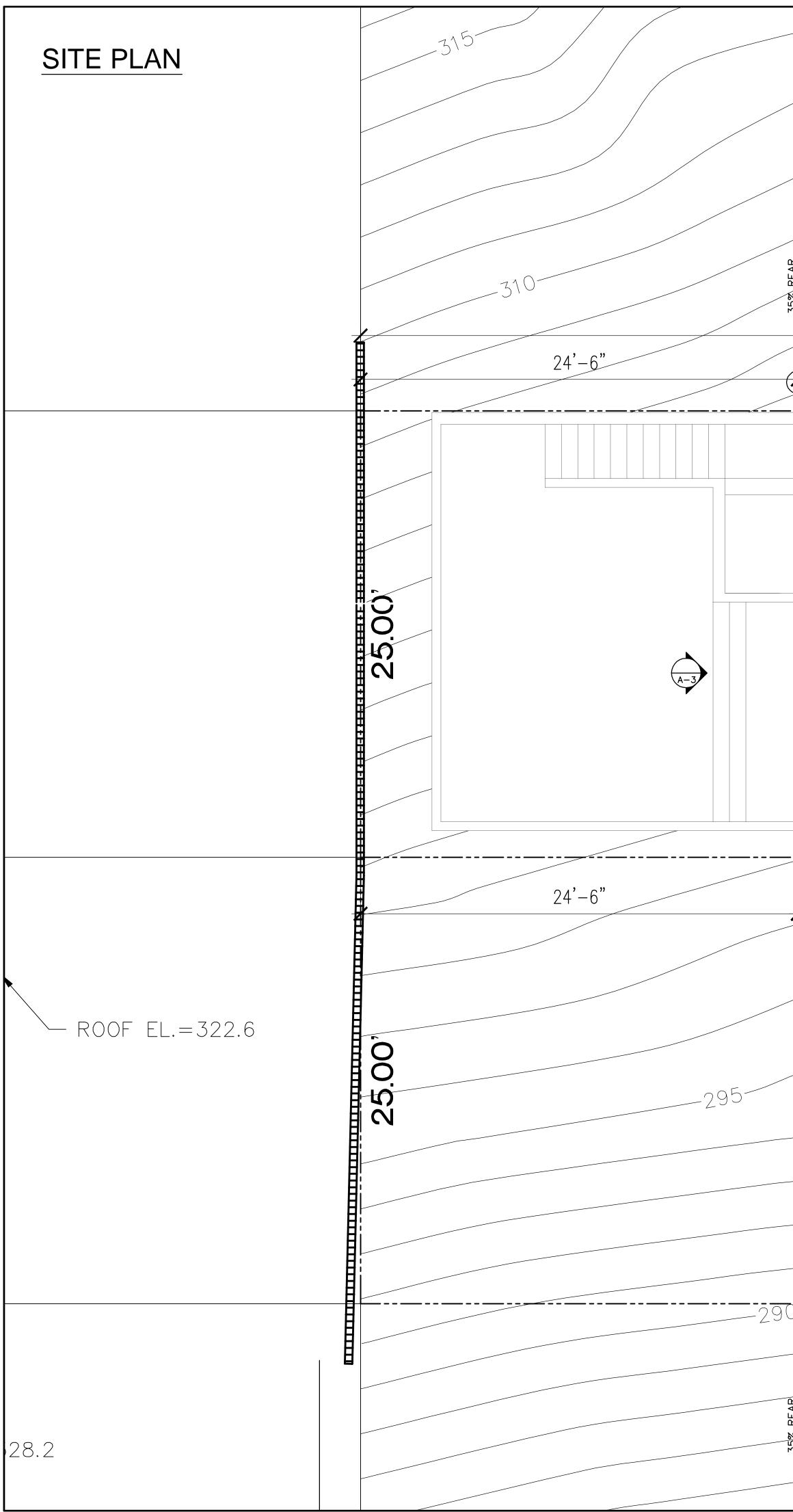
BOARD OF APPEALS

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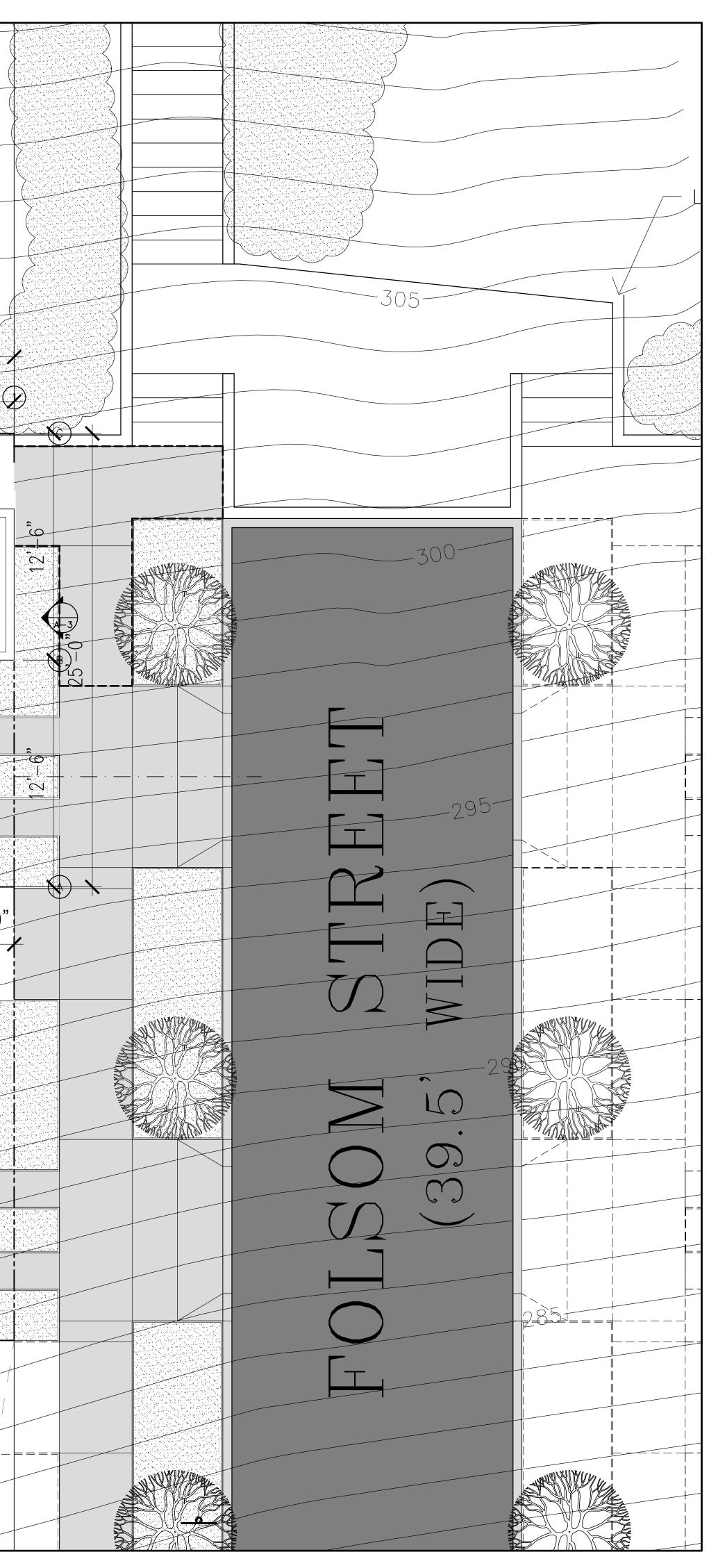
ENVIRONMENTAL REVIEW

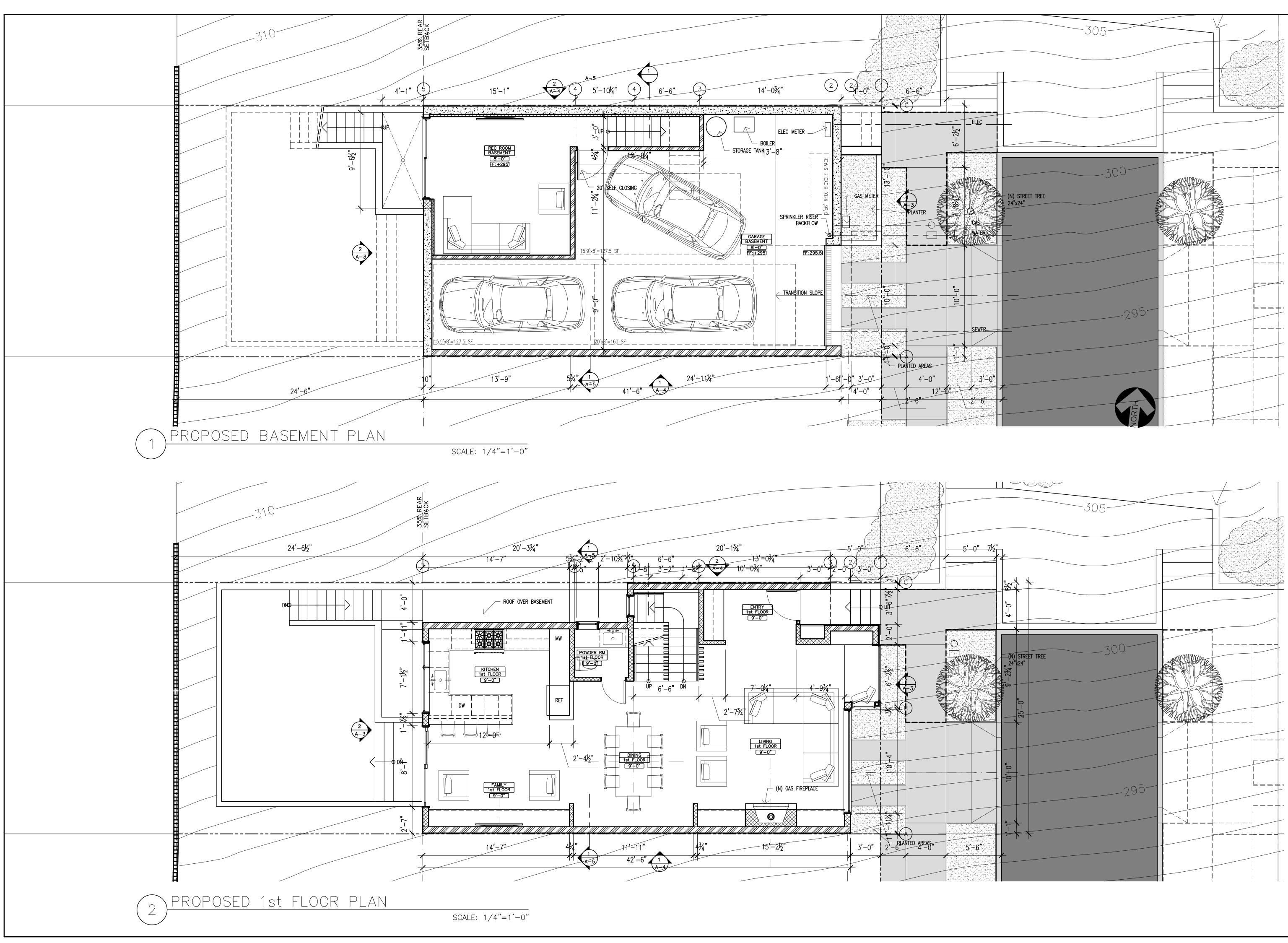
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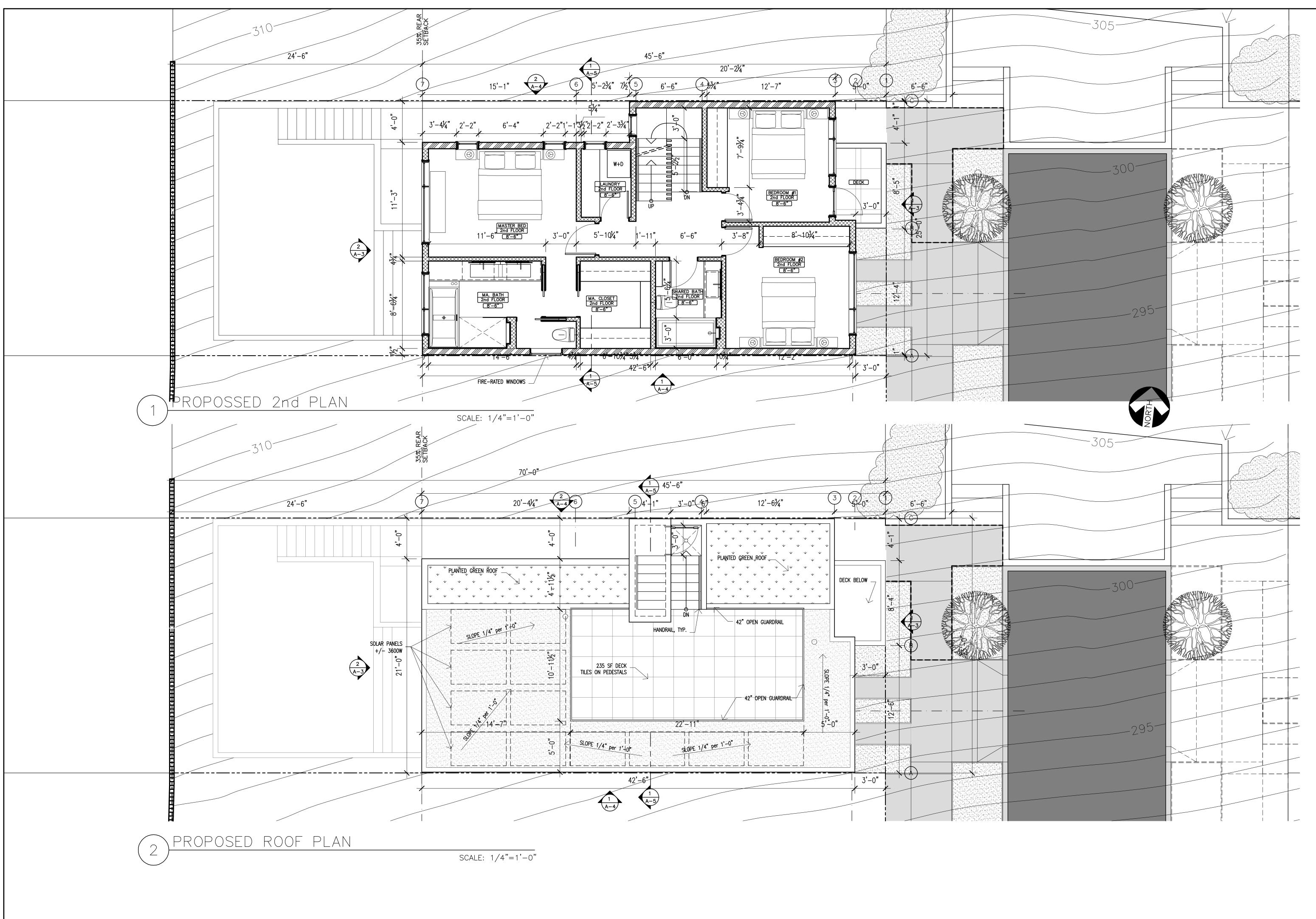
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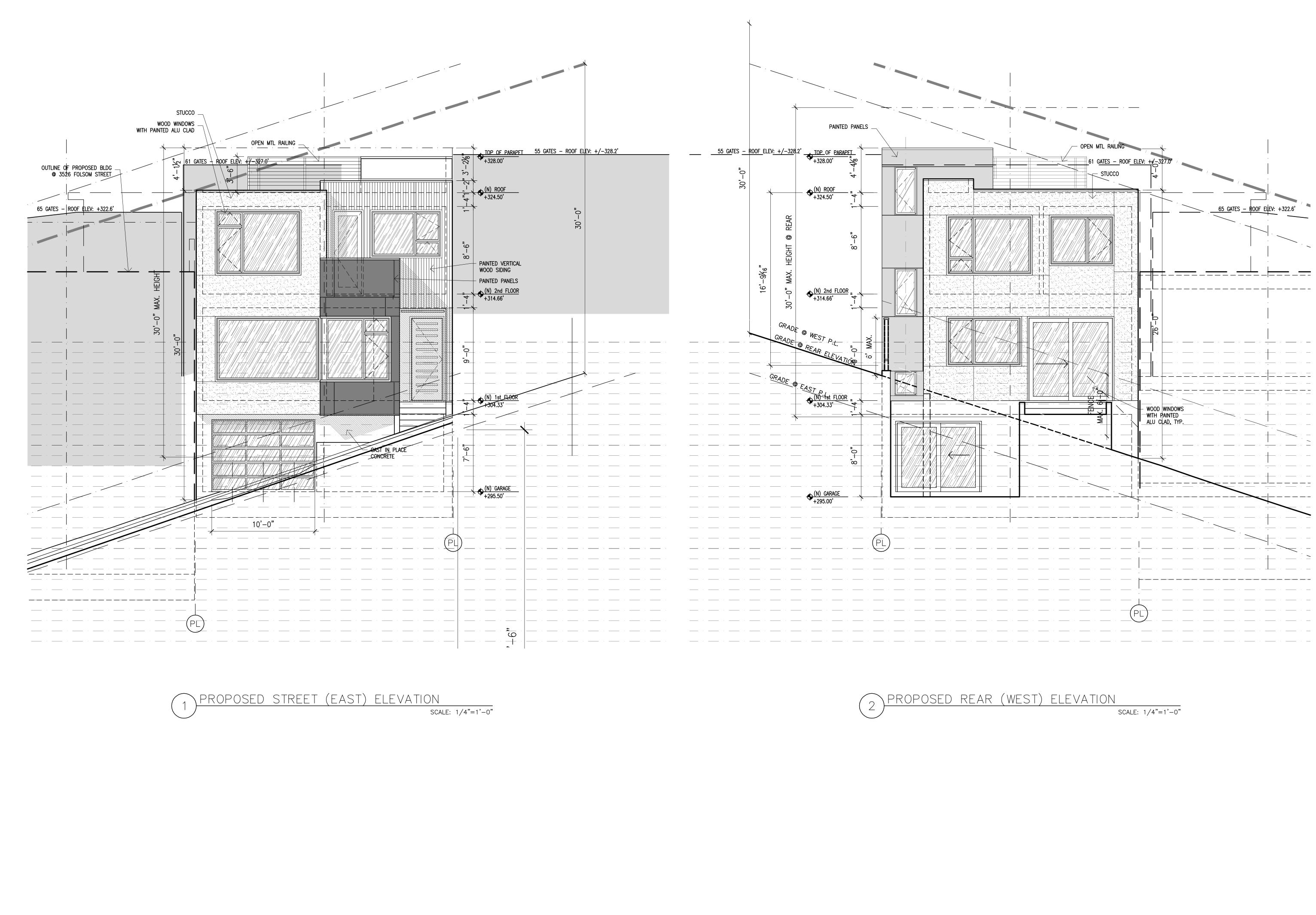


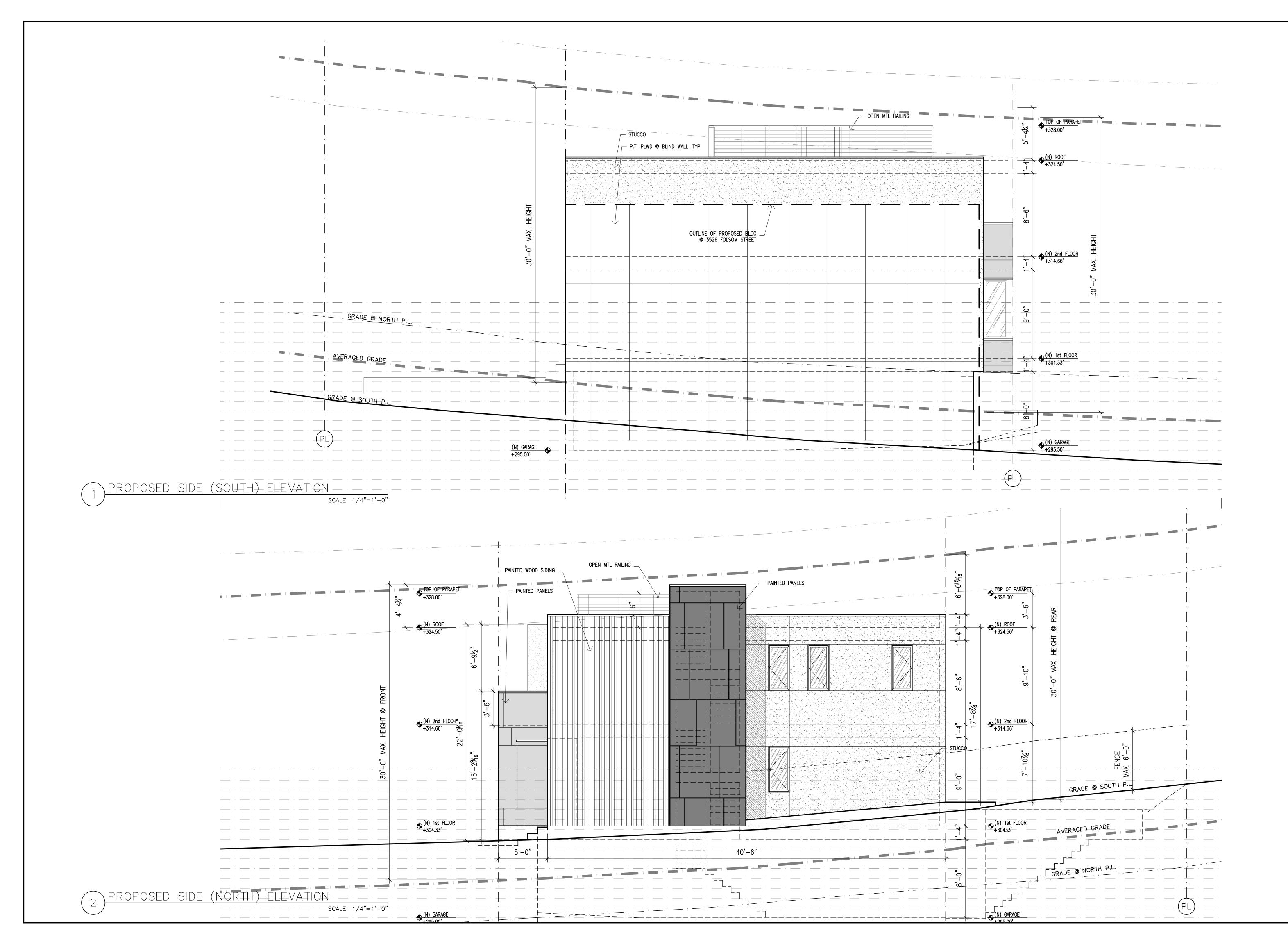
LOT (VACANT) CITY PROPERI R NO N 70'-0" OVER BASEMENT 32 $\widehat{\mathbf{A}}$ A-4 _/·_· 2<u>5</u> SUBJECT PROPERTY BLOCK 5626, LOT 013 – 3516 FOLSOM STREET (N) PROPOSED 2 STORY OVER BASEMENT SITE (APPROX.) = <u>1,750 S.F.</u> (N) BUILDING (APPROX.)= <u>1,060 S.F.</u> 1 70.00' 42' 6" A-4 3'-0" Ö 5 (VACANT 1750 SQ.FT #3526 FOLSOM_81 70.00* SET SET AVER LAT 15

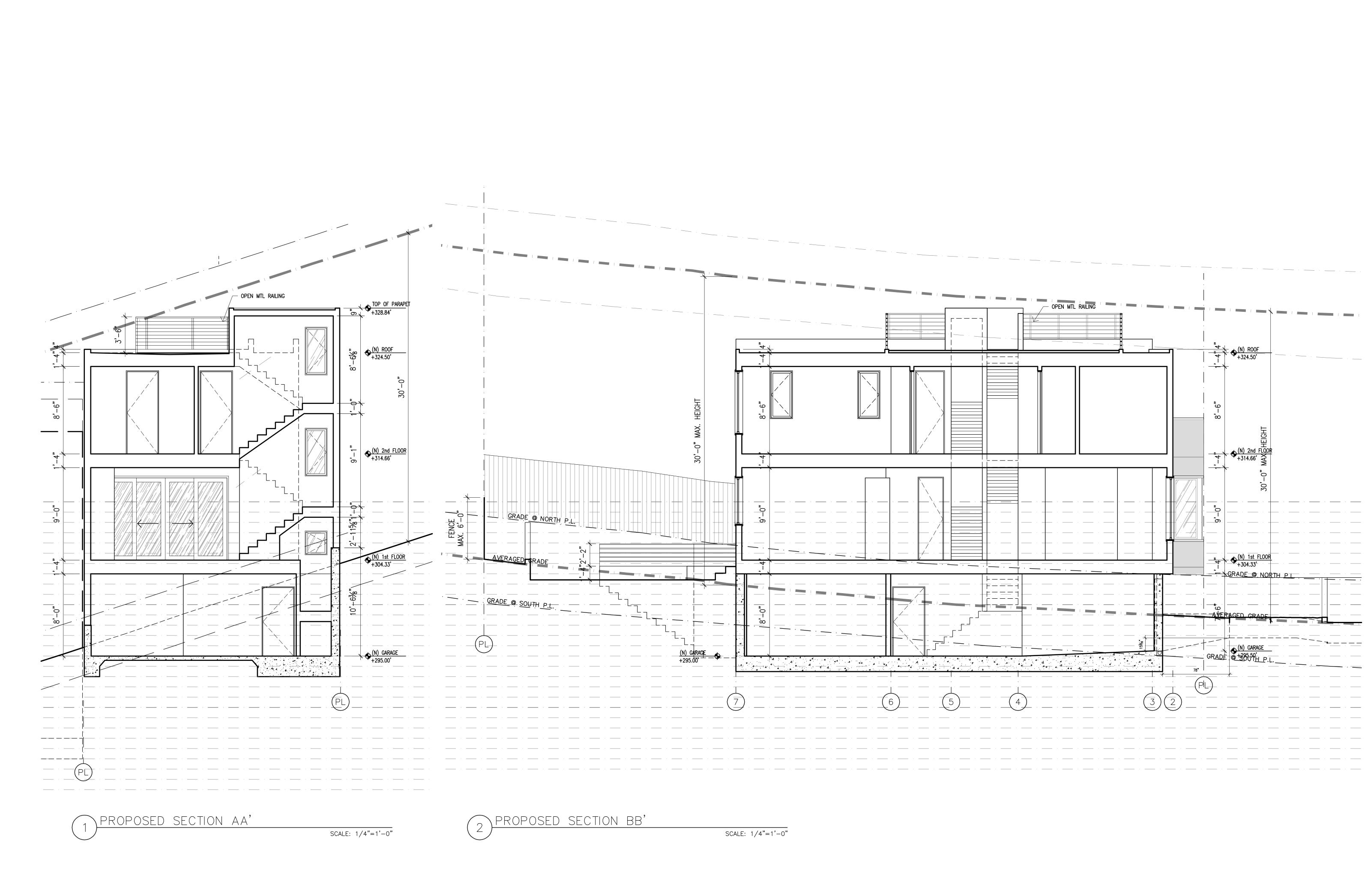














SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco. CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **December 17, 2013**, the Applicant named below filed Building Permit Application No. **2013.12.16.4318** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION		
Project Address:	3526 Folsom Street	Applicant:	Fabien Lannoye	
Cross Street(s):	Chapman Street	Address:	297c Kansas Street	
Block/Lot No.:	5626/014	City, State:	San Francisco, CA 94103	
Zoning District(s):	RH-1 / 40-X / Bernal Heights SUD	Telephone:	(415) 626-8868	

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	
Demolition	New Construction	□ Alteration
Change of Use	Façade Alteration(s)	Front Addition
Rear Addition	□ Side Addition	Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Vacant Lot	Single-Family Dwelling
Front Setback	n/a	3-ft 5-in
Side Setback	n/a	None
Building Depth	n/a	42-ft
Rear Yard (To Rear Wall)	n/a	24-ft 6-in
Building Height (from Average Grade to Top of Stair Penthouse)	n/a	28-ft 7-in
Number of Stories	n/a	2.5
Number of Dwelling Units	n/a	1
Number of Parking Spaces	n/a	2
	PROJECT DESCRIPTION	

The proposal includes new construction of a two-and-one-half-story, single-family residence with two off-street parking spaces and a roof deck. The project incorporates a recessed entry along the north lot line and a side yard along the south lot line.

The project also requires a variance from the Zoning Administrator to address the Planning Code requirements for required offstreet parking and parking access (Planning Code Section 242(e)(4); See Case No. 2013.1768V). Separate notice of the variance will occur. The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner:	Rich Sucre
Telephone:	(415) 575-9108
E-mail:	richard.sucre@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 <u>www.communityboards.org</u> 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 <u>www.sfplanning.org</u>). 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 <u>www.sfplanning.org</u>. If the project includes multiple building permits, i.e. demolition and new construction, a <u>separate request</u> for Discretionary Review must be submitted, with all required materials and fee, for <u>each</u> permit that you feel will have an impact on you.

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.

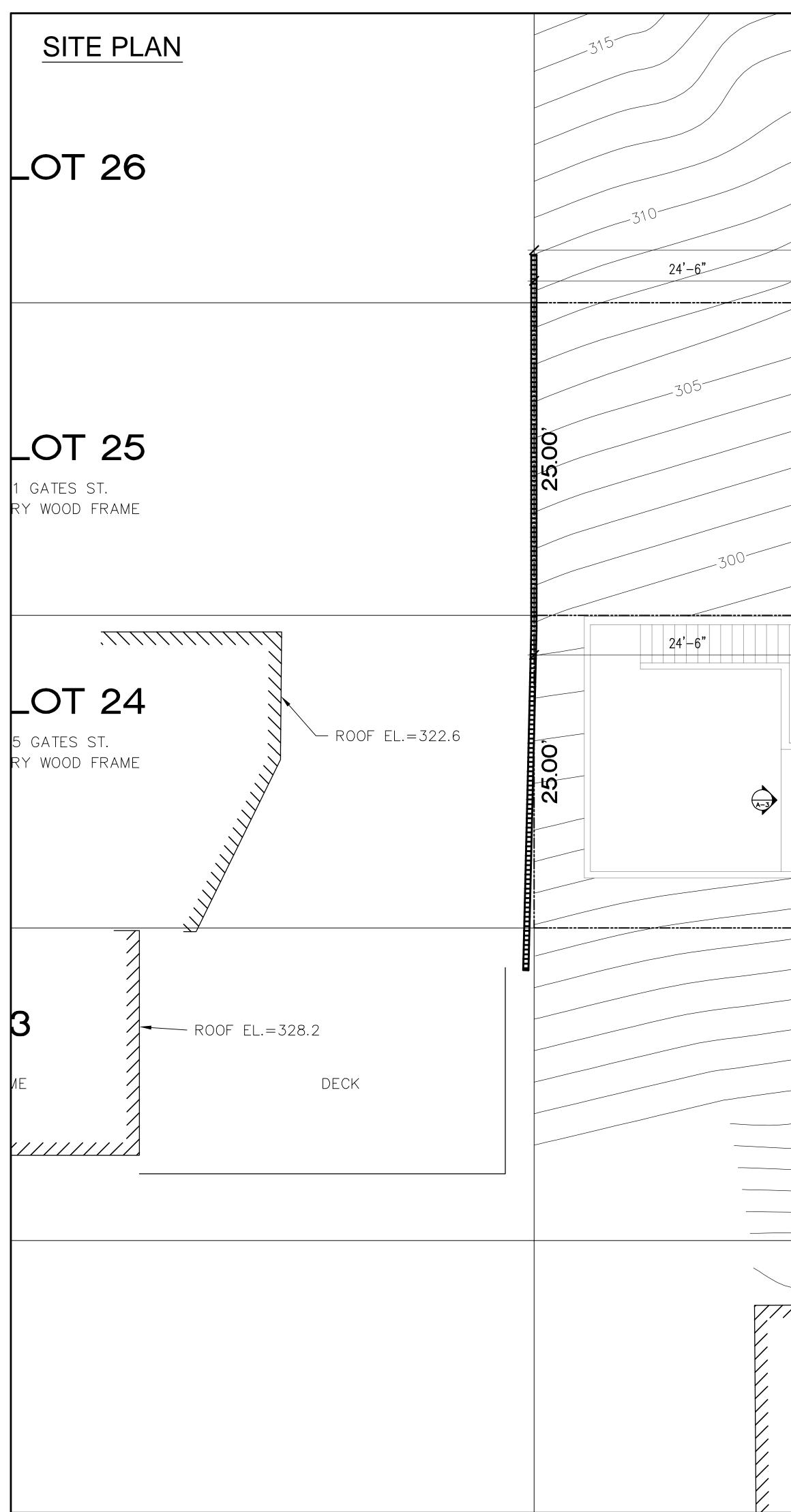
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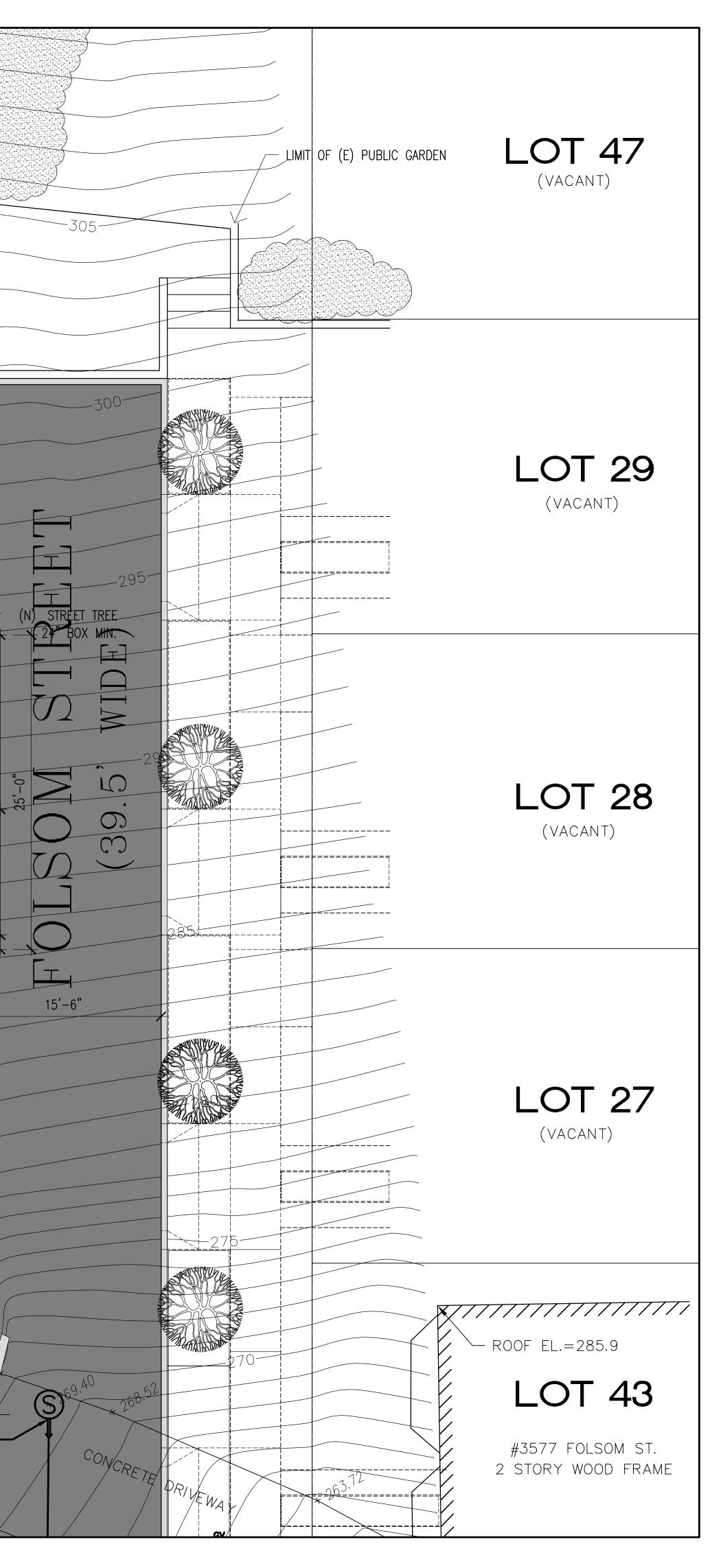
ENVIRONMENTAL REVIEW

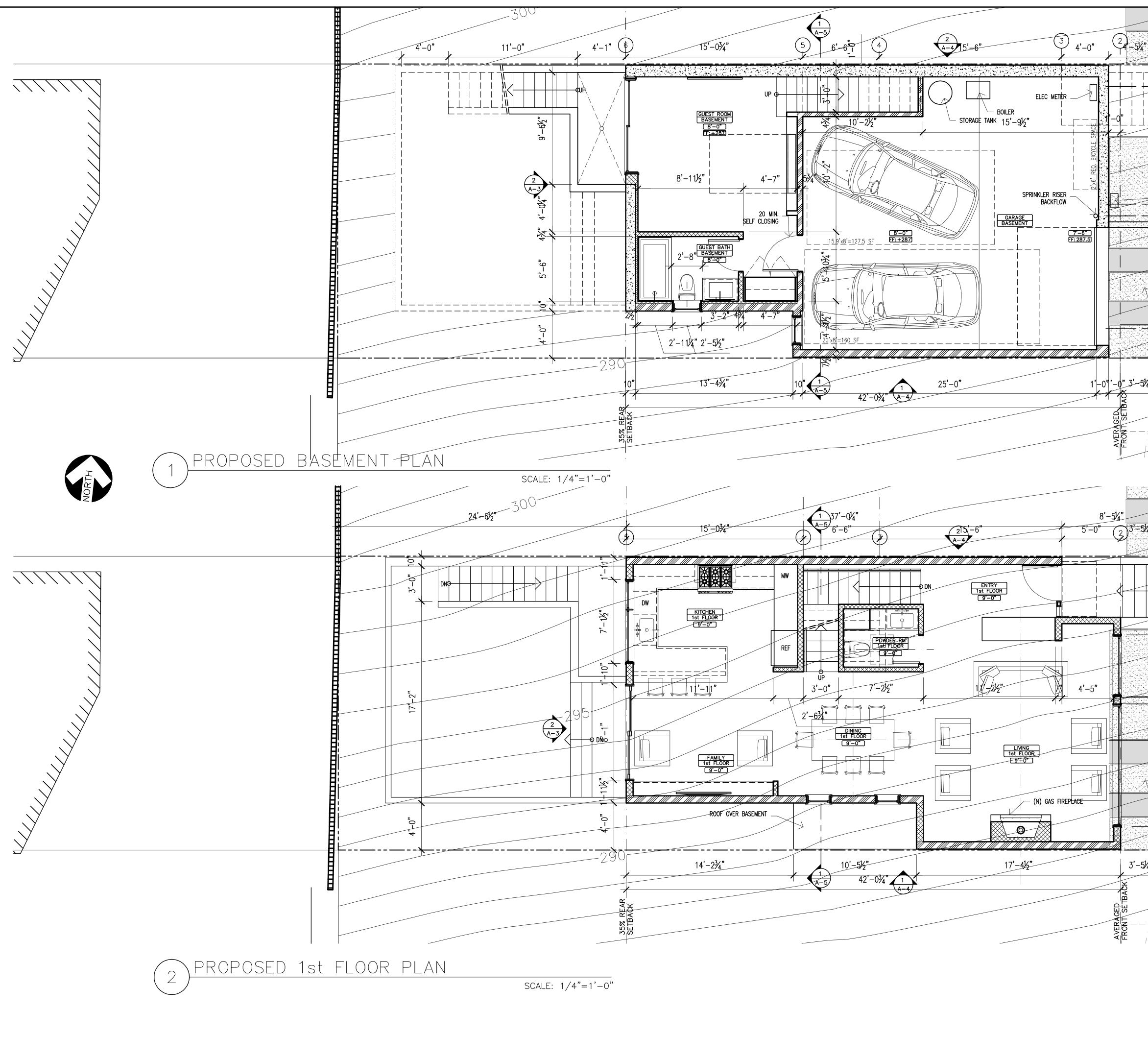
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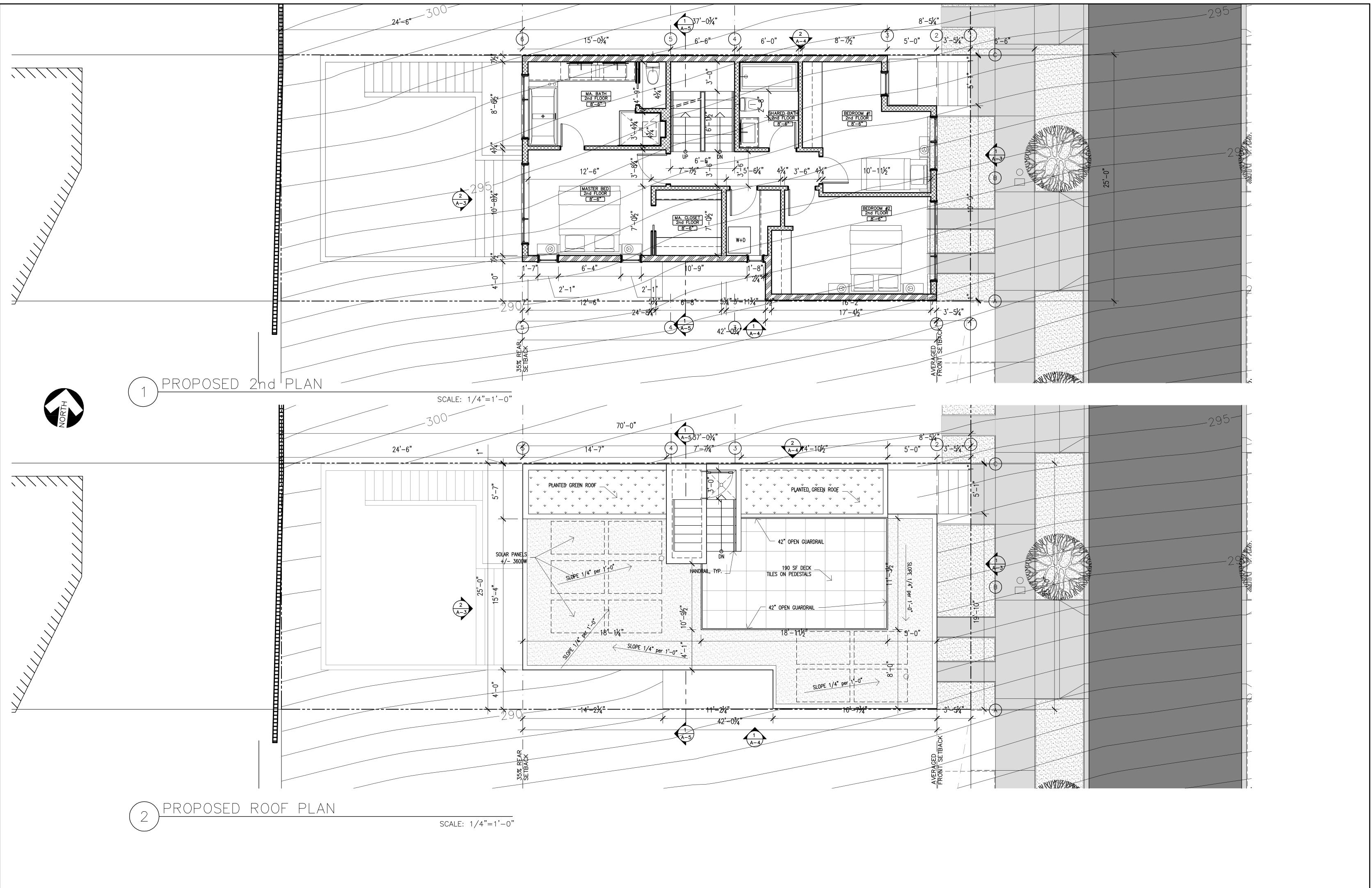
	LOT 41 (VACANT)					
35% REAR	CITY PROPERTY	VER BASEMENT				
	LOT 13 (VACANT) 1750 SQ.FT. #3516 FOLSOM ST37'-0.1/2"			25.00°		
5,-7"	4'-0" $4'-0"$ $1/2"$	$ \begin{array}{c} 14'-10 \ 1/2" \\ \hline & & & & & & & & & & & & & & & & & & $	5'-0" 2 3'-			
15'-4"	SUBJECT PROPERTY BLOCK 5626, LOT 014 – 3526 FOLSOM STREET (N) PROPOSED 2 STORY OVER BASEMENT SITE (APPROX.) = <u>1.750 S.F.</u> (N) BUILDING (APPROX.)=964 <u>S.F.</u> 18'-1 1/2"	^۴ 1 1 18'-11 1/2"	5'-0"	25.00'		10'-0"
35% REAR	70.00^{3} $14'-2 1/2"$ $11'-2"$ $42'-0 1/2"$	<u>16'-8"</u>	AVERACED - 2.2	1/2"2'-6"	4'-0" 5'-6	11-2"
	-285 LOT 15 (VACANT)		3'-3 1/2"			
			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		NORTH	
	2 ST(- DRY WOOD FRAME TAK EL.=296.4		- 271.75	INV.EL.=	262.68

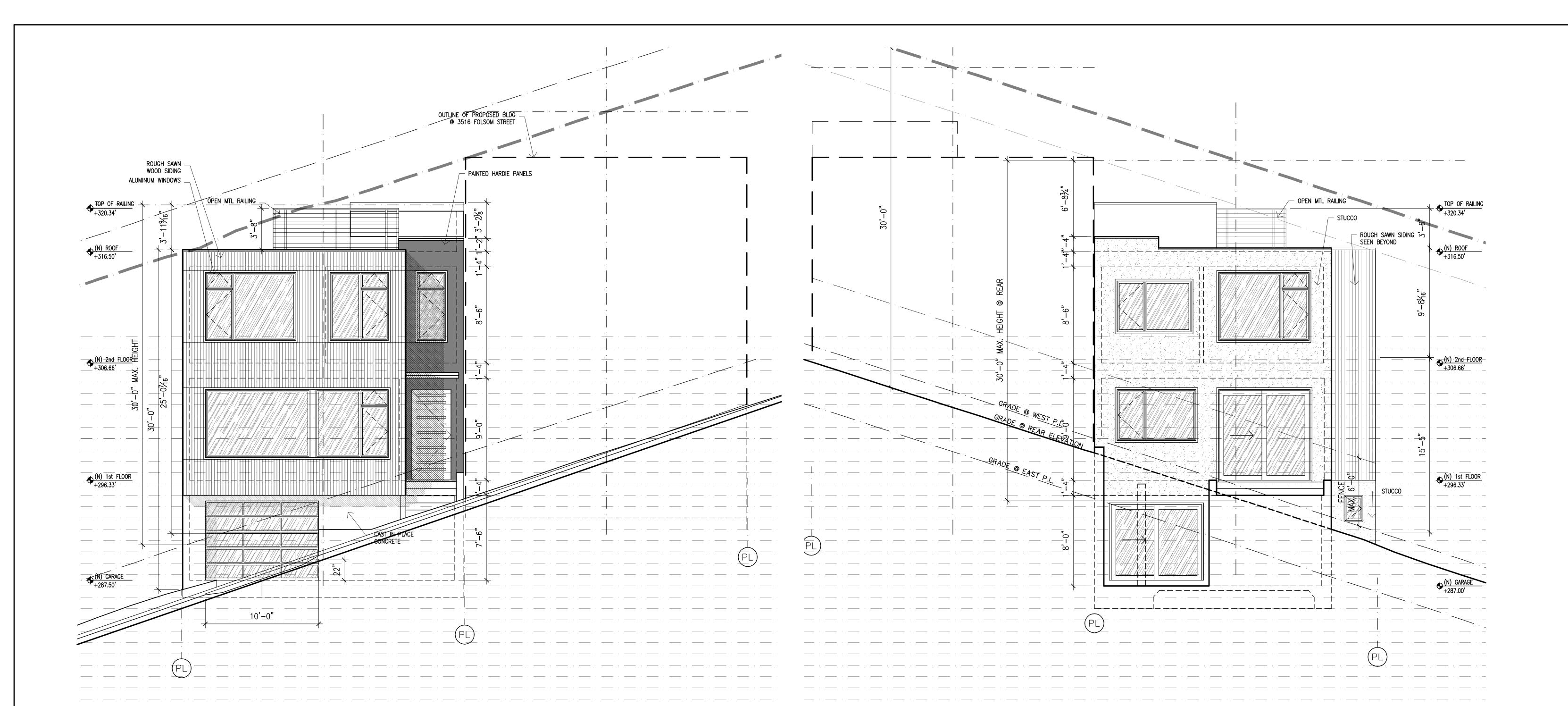




	295
° <u>6'-6</u> "	
PLANTER	(N) STREET TREE 24"x24"
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4'-0"	5'-6"
2'-6"	
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		5
6'-6"	29	
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	The second se	
-234	(N) STREET TREE 24"x24"	-79
	25'-0"	
-934"		
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PLANTED AREAS, 4 -0	5'-6"	
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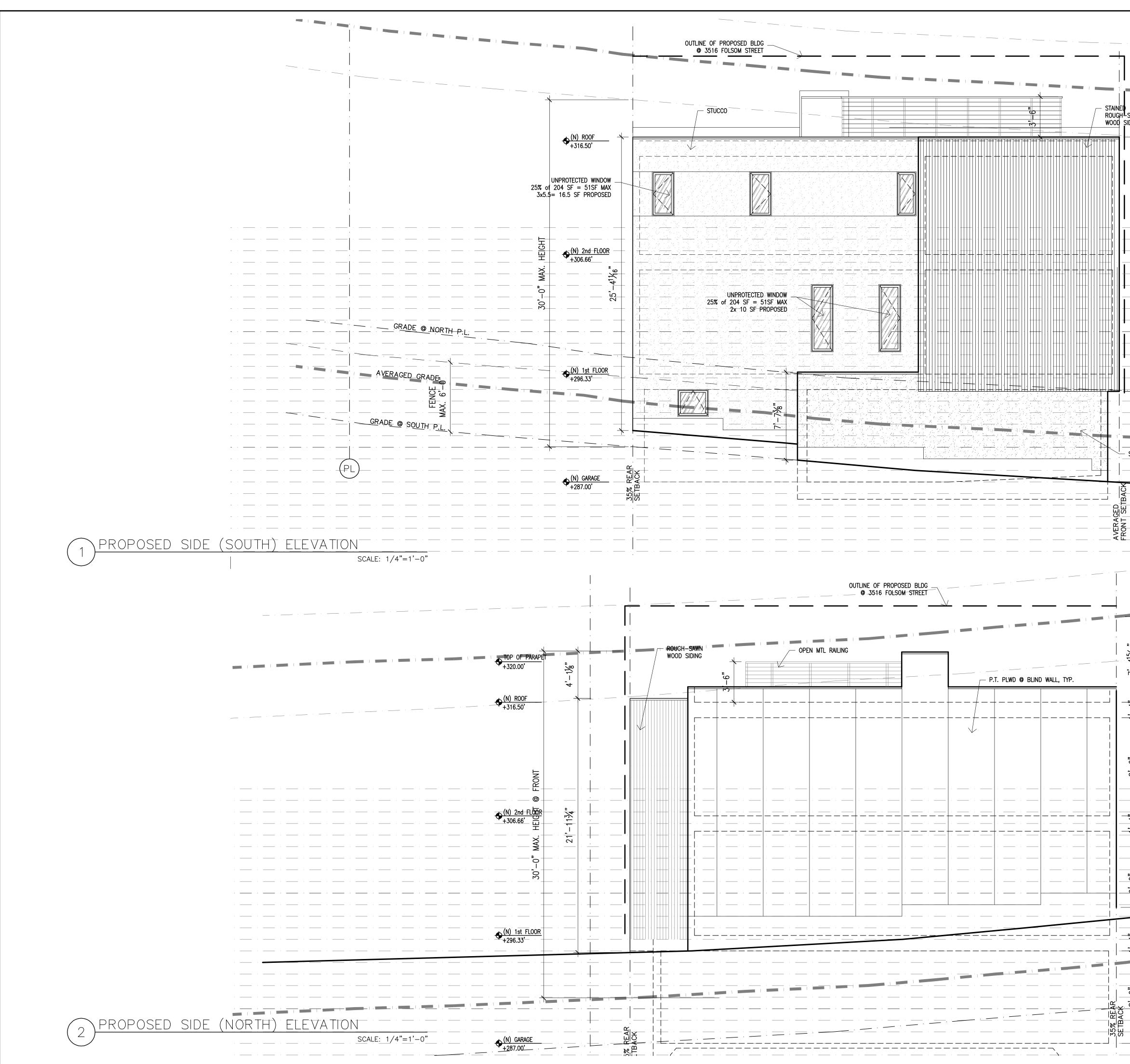


PROPOSED STREET (EAST) ELEVATION

2

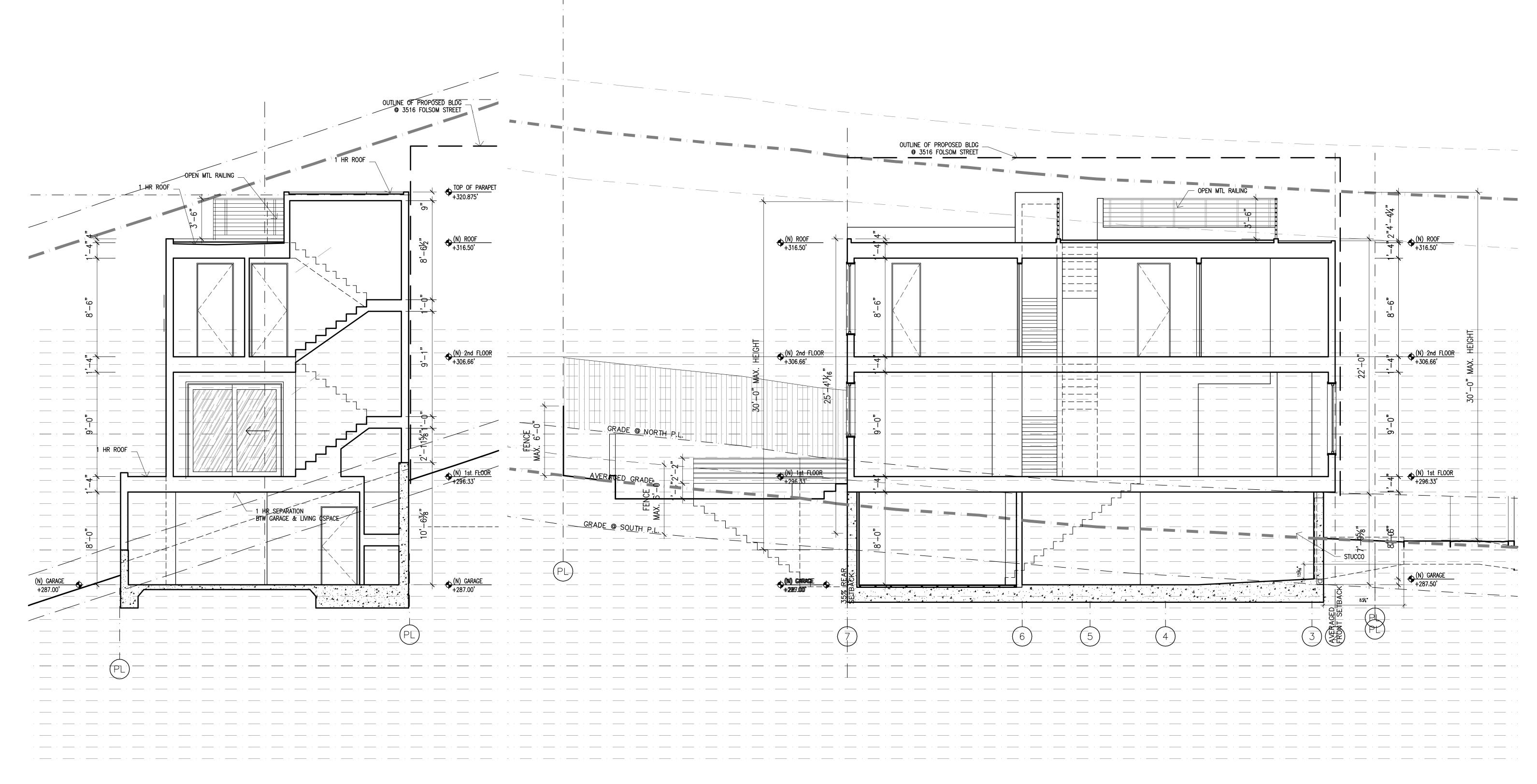
PROPOSED REAR (WEST) ELEVATION

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



VN IG, -	,'-4 [*] , 4'-4 [*] ,	● <u>(N) ROOF</u> +316.50'			· · · ·		
22'-0"	8'-6"	N) 2nd FL +306.66'	30'-0" MAX. HEIGHT			·	
	 -	(N) 1st FL +296.33					
007'-95%		(N) GARAGE +287.50'					
	TOP OF PARA +320.00' (N) ROOF +316.50'	PET 3,					
	<u>(N) 2nd FLO</u> +306.66'	10%" 9'-10"	30'-φ" MAX. HEIGHT @ REAR				·
	(N) 1st FLOC +296.33'			GRADE - C	SOUTH F		
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Application for **Discretionary Review**

CASE NUMBER.

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

2

DR APPLICANT'S NAME: Various Neighbors - Bernal Safe and Livable (c/o Sam Orr)		(415)816-5140
DR APPLICANT'S ADDRESS: See attched List (C/O 61 Gates Street) - 5(L.NATURE LIST ATTACHED	ZIP CODE: 94110	TELEPHONE:
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONA Fabien Lannoye	RY REVIEW NAME:	
ADDRESS 297c Kansas Street, San Francisco	ZIP CODE: SF	TELEPHONE: (415) 626-8868
CONTACT FOR DR APPLICATION: Same as Above		
ADDRESS:	ZIP CODE:	TELEPHONE:
E-MAIL ADDRESS:		

2. Location and Classification

STREET ADDRESS OF PROJECT: 3516 Folsom Street					ZIP CODE:
cross streets: Chapman Street					
ASSESSORS BLOCK/LOT: 5626 / 013	LOT DIMENSIONS: 25X70	LOT AREA (SQ FT): 1750	ZONING DISTRICT: RH-1/40-XBernal Hts. SUD	HEIGHT/BULI	K DISTRICT:
Project Description	1				
ease check all that apply					
ease check all that apply	nge of Hours 🗌	New Constru	ction 🛛 Alterations 🗌	Demolitior	n 🗌 Other 🗌
ease check all that apply Change of Use 🗌 Cha	nge of Hours 🗌 Rear 🗌 👘 Froi	nt 🗌 🛛 Heigh	nt Side Yard		n 🗌 Other 🗌
lease check all that apply Change of Use . Cha Additions to Building:	nge of Hours 🗌 Rear 🗌 👘 Froi	nt 🗌 🛛 Heigh			n 🗌 Other 🗌
Additions to Building: Present or Previous Use:	nge of Hours 🗌 Rear 🗌 👘 Froi	nt 🗌 🛛 Heigh	nt Side Yard		n 🗌 Other 🗌

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	×	
Did you discuss the project with the Planning Department permit review planner?		×
Did you participate in outside mediation on this case?		

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.



CASE NUMBER: For Staff Line

Discretionary Review Request

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

- 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.
- 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.		

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.

5. Changes made to project as a result of mediation.

Bernal Heights East Slope Special Use District met at least five times with the developer. Meetings were attended by large numbers of residents. Changes made to project were incremental at best, a fact underscored by Bernal Heights East Slope Design Review Board not supporting the project. Developer was asked to meet with neighbors but did not follow through. Neighborhood character issues remain outstanding, dominated by a three-story house with threecar garage (variance required) - notably out-of-proportion to small neighboring houses - and vaguely fleshed out access issues impacting neighbors' homes and garages on steep ROW. Despite concerns about maintaining public views from Bernal Heights Blvd., developer added a penthouse stairwell in last rendition of publicly presented plans. North elevations were minimally changed but not enough to address objections to wall-like exterior facing Bernal Park.

Proposed street design changes remain confusing, obfuscating actual implementation of plans regarding: access to existing garages and homes impacted by proposed new street; right-of-way construction on a major aging PG&E gas transmission pipeline (with lost PGE records and tree intrusions); break-over angles; and the addition of another dangerously steep street in Bernal with emergency and regular vehicle access issues.

1. What are the reason for requesting Discretionary Review? Exceptional and extraordinary circumstances? How does the project conflict with the City's General Plan Planning Code's Priority Policies or Residential Guidelines? Cite specific sections of the SFRDG.

Reason #1 - Proposed three-story/three-car garage (variance required) project is out-ofscale to predominantly two-story/single-car garage homes and threatens Bernal East Slope's SUD protected small-house neighborhood character and socio-economic diversity by creating a de facto speculation zone of tear-downs to be replaced by larger, more profitable developments.

According to SF Assessor's data base, the size of Bernal houses within a 300 foot radius of project is 1329 square feet (see enclosed chart). The adjacent house is 1050 sf (3580 Folsom St. within 50 feet). Current docs/design do not include project's size but it is sizably out of scale.

Codes cited:

 General Plan Priority #2 - Existing housing and neighborhood character be conserved and protected in order to preserve cultural and economic diversity.

General Plan Priority #3 - That the city's supply of affordable housing be preserved and enhanced.

Sec. 242,b - In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.
SFRDG, Pg. 8 - When considering the immediate context of a project, the concern is how the proposed project relates to the adjacent buildings.

SFRDG, PG. 8 - When considering the broader context of a project, the concern is how the proposed project relates to the visual character created by other buildings in the general vicinity.
SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city

• Bernal Heights East Slope Guidelines, Pg. 2 - Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result the East Slope's rural characteristics rapidly are disappearing along with views, open space"

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•Bernal Heights East Slope Guidelines, Pg. 15, sec. 4 - Intent: Promote harmony in the visual relationship and transitions between new an older buildings.

•Sec. 242, pg. 7, Garage variance required for square footage above 1300 square feet of living space. Usable floor space to parking space ratios: 0 to 1300 square feet for the first parking space. 1301 - 2250 for the second parking space. 2251 to 2850 for the third parking space.

Reason #2 - Exceptional and Extraordinary conditions exist (as defined by the Planning Commission's definition for DR) due to "unusual context" and "complex topography" "not addressed in the design standards:" An aging, major PGE Gas Transmission Pipeline - one of three feeding natural gas into SF - runs through the proposed access area up a dangerously steep grade, the main reason this site has never been developed. <u>The catastrophic risk is further heightened by the threat of earthquakes during construction.</u>

No risk-assessment has been done regarding the public safety concerns surrounding this project. The proposed new access road would be a ROW over aging and troubled PGE Gas Transmission Pipeline 109 (with lost maintenance records and pre-existing tree intrusions violating federal guidelines, <u>see photo</u>). Encased under asphalt, the aging pipeline is typically unreactive - but this area is unpaved. The pipeline is on a pitched, undeveloped patch of Bernal hill. Pipeline 109 is the same type of transmission pipeline that exploded catastrophically in San Bruno and Fresno - and caused serious accidents in Carmel, Walnut Creek and at least four other local cities (see articles and letter by Carmel Mayor).

Federally recommended safe practices that use additional site-specific safety precautions have not been incorporated into final designs (see citation). The Planning Department has approved a building permit without knowing the pipeline's depth and exact location, located within a few feet of the property, which may substantially change project design, including garage access, building location and break-over angle - against recommended federal safe practices (see citation).

Developer proposes creating the third steepest street in SF at 37 degrees (actual grade unknown since depth of pipeline is unknown) - and he will be responsible for grading over transmission pipeline with heavy-duty equipment (see Fresno explosion photo).

An accidental gas leak of PG&E's Gas Transmission 109 Pipeline would be catastrophic to local residents, Community Garden users, and Bernal Park visitors (see photos). Noted gas transmission pipeline expert, Robert Bea, confirmed neighbor's concern regarding danger as legitimate (see letter). In 2007, during street construction at the exact base of this location, a cement truck overturned while trying to make a turn, rupturing a waterline. (See photo)

Citations:

 General Plan Priority #5 - That the City achieve the greatest possible preparedness to protect against injury and the loss of life during an earthquake.

• US Department of Transportation PHPSA "Consultation Zones and Planning Areas" pg. 1 -Local governments should consider implementing "planning areas" to enhance safety when new land uses and property development are planned near transmission pipelines....these are areas where additional development regulations, standards or guidelines to ensure safety should be considered."

• Pipelines and Informed Planning Alliance (PIPA) "Partnering to Further Enhance Pipeline Safety through Risk-Informed Land Use Planning," Appendix C, Ex. 14 and 15a,b,c "Trees should be avoided." "Tree roots may damage transmission pipeline." (See photo)

REASON #3 - "Unusual context" of location of proposed development, next to Bernal Heights Park, threatens public views - and creates a "wall" where there was once open space.

The north elevation of this house is adjacent to Bernal Heights Park and Bernal Heights Blvd and Community Garden, where hundreds of visitors walk, bike, garden and drive every day. A

penthouse stairwell - taller than the railing of the rooftop garden and extending into the public viewing vista - was added to the plans at the last ESDRB meeting. It rises up on the north side of the house, adjacent to the park, impeding views. Since then, the penthouse stairwell has been enlarged and broaden, further impeding views.

The ESDRB letter to the developer informing him of why his project was not in compliance with ESDRB Guidelines specifically notes the elevations facing Bernal are "visually prominent" and remain "largely undeveloped and uncomposed." (See letter)

Citations:

 SF General Plan Urban Design Element, Fundamental Principles of Conservation, Pg. 27, #17 -Blocking, construction or other impairment of pleasing views of the Bay or Ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting and quality of the city.

• SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city

• SFRDG pg 38 - Limit the size of the penthouse in order to reduce its visibility from the street....Stair penthouses may also be entirely eliminated.

Reason #4 - Three-car garage with tandem parking (variance required) is out of character for neighborhood and out of compliance with sec. 242.

This is a particularly perplexing aspect of proposed project, given the predominant neighborhood character of small houses and single car-garages and a few, rare two-car garages with side by side access. It also adds to an already dangerous traffic situation (See overturned cement truck photo.) The fact the house is located on a 37 degree slope makes it particularly improbable that actual tandem parking will be utilized - and/or done safely. (Try maneuvering on a street that steep.) This appears to be a way to circumvent the system in order to maximize the building

actual tandem parking will be utilized - and/or done safely. (Try maneuvering on a street that steep.) This appears to be a way to circumvent the system in order to maximize the building

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actual tandem parking will be utilized - and/or done safely. (Try maneuvering on a street that steep.) This appears to be a way to circumvent the system in order to maximize the building envelope and make this house as large as possible.

Codes cited:

• Sec. 242 pg.7, No tandem parking are permitted for the first two parking spaces for new construction.

Sec. 242, pg. 7, Usable floor space to parking space ratios: 0 to 1300 square feet for first parking space. 1301 - 2250 sf for second parking space. 2251 to 2850 sf for third parking space.
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Sec. 242,b - In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.
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 Bernal Heights East Slope Guidelines, Pg. 2 - Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result the East Slope's rural characteristics rapidly are disappearing along with views, open space"

2) Unreasonable impacts during construction:

Of particular concern, construction will happen over and close to an aging transmission pipeline on an unusually steep grade in an urban area with high-risk consequences if an accident happens. Bernal residents have a reasonable expectation not to live in fear of a catastrophic explosion - and so far no government entity is taking responsibility for ensuring citizens safety. Additionally, construction activities will block access for emergency vehicles to this section of Bernal. The development will open up hill to further development of all six lots, prolonging the development period and *significant public safety concerns* of nearby neighbors.

3) What alternatives...would reduce the adverse effects noted above in question #1?

First, resolve public safety issues and final design questions regarding pipeline and dangerously steep street. Lower pipeline so street can be safely graded to match the slope of parallel streets that have been graded down for safe vehicle access. Reduce the size of house to a scale that conforms and enhances neighborhood character.

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: 9/15 15

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

SAM DRR C coordina Agent (grate one) Sernal Shfe + Livable neighborhood ad hac group representing 82 supporters Berna is fime

CASE NUMBER: For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	Í
Address labels (copy of the above), if applicable	Ø
Photocopy of this completed application	
Photographs that illustrate your concerns	10
Convenant or Deed Restrictions	
Check payable to Planning Dept.	V
Letter of authorization for agent	
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)	10

NOTES:

Required Material.

Optional Material.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

RECEIVED

SEP 1 5 2015

CITY & COUNTY OF S.F.

For Department Use Only Application received by Planning Department:

soken Omokan By:

Date: 9-15-15

September 15

We, the undersigned Bernal Heights neighbors, support the Application for Discretionary Review by **Bernal Safe and Livable-**-residents concerned about proposed development of a street and houses on a dangerously steep undeveloped hill over a major gas transmission pipeline in our residential area.

NAME	ADDRESS	SIGNATURE
Beth Albrans	123 Gater Street	Bett abams
RAALGER KUN	334 Banks St.	And free of the second second
DREW TAMOR		
Robert La Mitte	and find free for the for the former and the second s	lefester and the second s
CHARLES STATE	14 - Construction of the second secon	hand
CIX Plant	15 Gates St.	AD-7
TUNAS LERMAN	734 Analish	mues U
	187 Crescent Ave	JOH A.
David Knepp Atussa Jose	3633 FOISOM ST	AAL
LESUR QUILOS	3633 Folsowict	part Jazz
Mercedes Quilos	36233 FOISOM St	Mither
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VI.K. Valiente	3639 Folsom St	that
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. Chally Chilling Chill	2715 FOILM	Ching alignet
Linnie Weny	270 CLUSWIRTH	Come Lopp
The Long 1	3686 Frisonit	12:14
DARREN MORGAN	201 GATES ST 249 A Brantis St. (1 And
Susan Maiorana	LAS Gates st	- SAN 1914
Tavije Metver-Dicte Mateo Jaramillo	195 Grates St	Main
MAXILUN WATERMY		Jan
anna Kichert		all incredit

We the undersigned Bernal Heights neighbors support the Application for Discretionary Review by BERNAL SAFE AND LIVABLE, an organization concerned about proposed development of a road and hpuses on steep open space over a major gas transmission pipeline in our residential area.

NAME

ADDRESS

SIGNATURE

LINDA RAMES GATE ST. 65 94110 BASHLIAN 60 94110 RAFFI GATES ST. PAMELA GATES ST 94110 LOPINTO Kelly Purdom 266 Gates ST 94110 203 Brites 94110 rol Cantwell 3580 FOLSOMST. GMILU STEVE PILCUS 3580 FULSOM ST 94110 MIDORI DKUBA 24110 Damis Marple 151 Andwson SI Kniete arganet 199 Moul 10 1649 10 RK 94110 the UP chornwild 3 94110 ZIZ ELSIE unnaha SF94110 158 Wool 375 7175 KH nst 15 94110 9410 des 221 Gatess 94110 94110 Bender ryn 94110 100 57 MARK HES

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NAME ADDOCKS SIGNATURE Giuliana Hilanose 9410 ROBERT WEISBLAT 140 MULLENAUE 94/10 302 Winfield Laurel MUDIZ 94110 NUMIZ 21 EINER uITZ 192 DOCTORC 280 24 CYRENA TORREY SIMONS GATES 7410 50 MARENS SAVERTO RYU 74110 3 GTANES 35

September 2015

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NAME	· ADDRESS	SIGNATURE
SAM ORR ANN LOCKETT Ofelin Ling Talya Contrary Lisa Bishop GERRY COURTNEY John Hogey	61 GATOS St. 61 Satos St. 3101 21St St. 5 135 Park St., S 135 PARK St., S 135 PARK ST. ST 139 PALX ST. ST.	ACT
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September 2015

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NAME	· ADDRESS	SIGNATURE
MARK HESHER	60 GATES ST	MAC
James Pendle	81 GATES ST.	2
Barbara Tell	563 Peralta Ave 39 EUSWORTH St	Barlash del 1
. Julie KenoAll	39 EUSWORTH SI	Mily Angal
Maline Kendall	39 Aciconths	
Martha Sutop	105 Manchester	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Joy Eppel	185 ANDERSO	hst fry Eppel
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The proposed project addresses are 3516 & 3526 Folsom Street.

NAME TOPE ADDRESS NULTRIE ST. IL) YMAN mar 27 .

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ADDOFSS SIGNATI GATES SI Pendl 81 ame GATES ST. CHULZ 6 12

Additional Supporters of the Bernal Safe and Livable Discretionary Review Application

(authorizing emails attached)

Paul Hessinger 212 Gates Street

Elaine Elinson 100 Winfield Street

Nancy Slepicka 608 Peralta Aveevue

Giuliana Milanese 137 Anderson Street

Connie Ewald 76 Gates St.

Peter Ewald 76 Gates St.

Rosanne Liggett 125 Gates Street

Malcolm Gaines 85 Gates St

September 14, 2015 9:19 PM

Sam Orr <sam.orr1@gmail.com> To...Ann Lockett Fwd: Folsom Development

Begin forwarded message:

From: Llewellyn Keller <<u>llewkeller@icloud.com</u>> Subject: Folsom Development Date: September 12, 2015 at 6:33:06 PM PDT To: "sam.orr1@gmail.com" <sam.orr1@gmail.com>

Hi Sam - I responded to Gail a few days ago with my name & address to be added, but if this new solicitation isn't the same thing - please feel free to list my support - Llew Keller - 90 Gates

Sent from my iPhone

September 14, 2015 9:21 PM

Sam Orr <sam.orr1@gmail.com> Toc.Ann Lockett Fwd: Bernal Safe

Begin forwarded message:

From: Rosanne Liggett <<u>rosanneadana@hotmail.com</u>> Subject: Bernal Safe Date: September 13, 2015 at 1:51:03 PM PDT To: "sam.orr1@gmail.com" <sam.orr1@gmail.com>

Please add my name and address to the list of people concerned (and opposed) to the building project on the site next to the community garden:

Rosanne Liggett 125 Gates Street SF 94110

Thanks for the heroic community work to stop this project!

Rosanne

September 14, 2015 9:18 PM

Sam Orr <sam.orr1@gmail.com> To:: Ann Lockett Fwd: Support

Begin forwarded message:

From: Connie Ewald <<u>ewaldconnie@yahoo.com</u>> Subject: Support Date: September 13, 2015 at 1:05:31 PM PDT To: "sam.orr1@gmail.com" <sam.orr1@gmail.com>

Hello Sam,

We are traveling at the moment but want to lend support in any way that we can, so please add our names to the list of those supporting a discretionary review:

Connie Ewald 76 Gates St. ewaldconnie@yahoo.com

Peter Ewald 76 Gates St. pewald31545@gmail.com

Sent from Yahoo Mail for iPad

September 14, 2015 9:19 PM

Sam Orr <sam.orr1@gmail.com> To:: Ann Lockett Fwd: Petition

Begin forwarded message:

From: Elaine Elinson <<u>eelinson@gmail.com</u>> Subject: Petition Date: September 12, 2015 at 3:09:19 PM PDT To: sam.orr1@gmail.com

Hi Sam -- You can add my name to the petition -- Elaine Elinson, 100 Winfield Street, S.F. 94110. I misunderstood Ann's earlier e-mail, I thought I had to sign in person. Thanks! and good luck! Elaine

September 14, 2015, 9:19 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: I support review

Begin forwarded message:

From: <u>5jaguar5@comcast.net</u> Subject: I support review Date: September 12, 2015 at 2:48:21 PM PDT To: "sam.orr1@gmail.com" <sam.orr1@gmail.com>

I support the petition for review this is Paul Hessinger 212 Gate St.

Sent from my iPhone

September 14, 2015, 9.31 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: Request for Planning Commission review -- Due Tuesday

Begin forwarded message:

From: Giuliana Milanese <<u>gfmilanese@gmail.com</u>> Subject: Re: Request for Planning Commission review -- Due Tuesday Date: September 12, 2015 at 2:38:59 PM PDT To: Sam Orr <<u>sam.orr1@gmail.com</u>>

please my name Giuliana Milanese 137 Anderson sT 94110

On Sat, Sep 12, 2015 at 2:24 PM, Sam Orr <<u>sam.orr1@gmail.com</u>> wrote: Dear Neighbor,

With apologies, we are e-mailing you because you signed earlier petitions expressing concern about a proposed development below the Community Garden on Bernal Heights.

The Planning Commission has recently approved the design for two houses at what would be 3516 and 3526 Folsom, currently an open slope with no street. In doing this the Commission overrode the Bernal Heights East Slope Design Review Board's unwillingness to approve the designs.

We are gathering support for an application — due this Tuesday — for what is called a Discretionary Review by the Planning Commission. The review offers the opportunity for a public hearing and the presentation of concerns about the proposed development by the people affected. The focus of our ad hoc neighborhood group, Bernal Safe and Livable, is the out-of-character size of the proposed houses for this neighborhood and the extreme safety issues arising from construction on the steep slope over a major PG&E trunk pipeline.

Neighbors comprising Bernal Safe and Livable have been circulating petitions of support for this application. About 40 people have signed. If you have signed already, THANK YOU. If you would like to offer email support for Bernal Safe and Livable's application requesting a review by the Planning Commission, please join the list of supporters by sending your name and address to <u>sam.orr1@gmail.com</u>.

The list of supporters will be enclosed with the Bernal Safe and Livable Discretionary Review Application that is due Tuesday morning, September 15.

Thanks much, Bernal Safe and Livable

September 14, 2015 9:33 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: support Bernal Safe and Livable application

Begin forwarded message:

From: Nancy Slepicka <<u>nrslepicka@gmail.com</u>> Subject: support Bernal Safe and Livable application Date: September 12, 2015 at 2:29:14 PM PDT To: sam.orr1@gmail.com

Nancy Slepicka 608 Peralta Ave. SF 94110 Malcolm Gaines <malcolm@malcolmgaines.us>

Sam Orr <sam.orr1@gmail.com>

Co: Marilyn Waterman <yaviene@yahoo.com>, Ann Lockett <lockett7@gmail.com>

Re: Request for Planning Commission review -- Due Tuesday

Thanks so much, Sam, for working on this with everyone else. I'd like to lend my support to the DR application.

Malcolm Gaines 85 Gates St SF 94110

Malcolm Gaines malcolm@malcolmgaines.us

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1



September 14, 2015 9:33 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: support Bernal Safe and Livable application

Begin forwarded message:

From: Nancy Slepicka <<u>nrslepicka@gmail.com</u>> Subject: support Bernal Safe and Livable application Date: September 12, 2015 at 2:29:14 PM PDT To: sam.orr1@gmail.com

Nancy Slepicka 608 Peralta Ave. SF 94110

September 14, 2015 - 2:48 PM

Malcolm Gaines <malcolm@malcolmgaines.us> for Sam Orr <sam.orr1@gmail.com>

Co: Marilyn Waterman <yaviene@yahoo.com>, Ann Lockett <lockett7@gmail.com>

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Thanks much, Bernal Safe and Livable SFGATE http://www.sfgate.com/bayarea/article/PG-E-s-Line-109-also-seen-as-posing-safety-risks-2375453.php

PG&E's Line 109 also seen as posing safety risks

SAN BRUNO BLAST Missing records, vulnerable welds for pipe from South Bay to S.F.

By Jaxon Van Derbeken Published 4:00 am, Sunday, April 10, 2011

#1 Reason Men Pull Away

beirresistible.com

The Biggest Mistake Women Make That Kills A Man's Attraction



IMAGE 1 OF 3

An exposed section of PG&E's Line 109 gas transmission pipeline spans a creek on a steep hillside in Redwood City, Calif. on Friday, April 1, 2011.

(Published Apr. 10, 2011)

The other pipeline that Pacific Gas and Electric Co. has long relied on to deliver natural gas up the Peninsula has problems similar to the ruptured line in San Bruno - flawed or missing records and at-risk welds, including 80-year-old technology recognized as prone to earthquake failures, The Chronicle has learned.

Like PG&E transmission Line 132 - the pipe that ruptured and exploded in San Bruno on Sept. 9 - Line 109 runs from Milpitas through the South Bay and Peninsula and up to San Francisco, where it terminates in the Dogpatch neighborhood.

ADVERTISING

Since the blast that killed eight people and destroyed 38 homes, PG&E has avoided service disruptions in the upper Peninsula by using a part of Line 109 to route gas around the blast site, thus keeping most of Line 132 in service.

Federal investigators have keyed into PG&E's inaccurate records on Line 132 in San Bruno - records that showed the 1956-vintage pipe had no seam when, in fact, it had a flawed seam weld since tied to the rupture. The company vouched for the line's safety using a method in 2009 that wa incapable of finding bad welds.

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#1 Reason Men Pull Away

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Line 109 may be equally problematic for the company, documents show. Like all the lines running into San Francisco, PG&E has cut the pressure on Line 109 by 20 percent in the wake of the San Bruno disaster, but experts say that given its questionable state, the cut affords little assurance o safety.

"You don't know the right level of safety to begin with, so you don't know if you are cutting pressure by enough," said Richard Kuprewicz, a pipelir safety expert in Redmond, Wash.

Missing records

Perhaps the most damaging revelation about Line 109 came last month when the utility acknowledged that it lacks any records for a 5-mile segment in San Bruno that was installed by 1995. The undocumented segment starts south of the rupture site on Skyline Boulevard at San Bruno Avenue, and heads inland to Junipero Serra Boulevard and hooks up to the old route on Skyline at Hickey Boulevard.

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The 5-mile part of the line is among 140 miles of transmission pipe for which PG&E has said it has so far found no documents to prove it is operating safely. PG&E has until the end of August to look for the records as part of a \$3 million fine settlement still pending and slated to be argued Monday before the California Public Utilities Commission.

The undocumented part of the line apparently was installed to route around three active earthquake faults in the area on Skyline Boulevard, PG&I records show. The replacement route is now reflected on PG&E's current maps, but the utility lacks records of construction documents and has no proof that it did legally mandated high-pressure water tests.

UC engineering Professor Bob Bea said the lack of records for a 1995-era project is "astounding."

"To have that long a section of an important pipeline without records on its condition - that would be alarming," he said. "I think we have a problem, Houston."

PG&E has acknowledged that the line has other identified risks, but says it inspected the line in 2009 and found no leaks over the past decade.

Brittle welds

PG&E has noted that a 2-mile portion of Line 109 along Alemany Boulevard in San Francisco dates from 1932 and was constructed using oxyacetylene welds, notoriously brittle and susceptible to failure in earthquakes. The at-risk part of the line runs under the street roughly from Sickles Avenue to Rousseau Street.

Oxyacetylene technology - which dates to the early part of the 20th century - is problematic because the hot gases used in the welding process generate bubbles in the welding bond, Bea said.

"It's difficult to get a weld with high integrity," he said. "You end up with a lot of gas and bubbles trapped in the metal."

Kuprewicz added, "Oxyacetylene welds are like glass. They don't bend, they snap. They are very brittle."

Dozens of those welds failed in the 1971 quake in Sylmar (Los Angeles County), according to a 2008 seismic report done for the U.S. Geological Survey on the vulnerability of that kind of weld. The report also found that in the 1989 Loma Prieta quake, PG&E had three transmission line failures involving such welds, and in the 1994 quake in Northridge (Los Angeles County), more than two dozen such welds failed or were damaged

The 2008 report recommended replacement with upgraded pipes, or at least using automatic shutoff valves, pointing out that oxyacetylene welds were almost 100 times more likely to fail in a quake than more modern technology.

PG&E has long downplayed the usefulness of automatic valves, citing industry data showing most blast damage is done in the first 30 seconds of a explosion, but since the San Bruno blast has said it will install them in many high-risk areas.

Rehab versus replace

PG&E had been replacing dozens of miles a year of old pipes since 1985 - including the 5-mile reroute near San Bruno - but told regulators in 1995 that it now intended to begin finding ways to rehab old lines rather than replace them.

One of its first efforts in that vein was to install, that year, a plastic liner in Line 109 under Alemany Boulevard that had 1932-vintage oxyacetylene welds. The purpose of the liner was to create an internal membrane to contain any gas release if vulnerable girth welds failed in an earthquake.

PG&E bought the liner from Paltem Systems Inc. of Missouri, and it was touted as being able to withstand pressures up to 900 pounds per square inch. Paltem is not currently in business in the United States.

"The purpose of this project was to install a safe composite lining, in order to provide additional support and protection," PG&E spokesman Joe Molica said about the liner.

Before installing the liner, he said, PG&E had tested that part of the line using high-pressure water. At the time, the company said it would track any leaks and inspect the line a year after installation.

PG&E recently told San Francisco City Attorney Dennis Herrera, who asked for details about the project, that it did an initial camera inspection bu did not do a follow-up inspection. PG&E says the inspection could have damaged the liner and there had been no leaks in the past decade.

Inspection aside, experts question the value of the liner in a major quake. Glen Stevick, a Berkeley engineer and pipeline safety expert, said such a interior liner "does provide a lot of flexibility and it can take a certain amount of leakage without rupture."

But, he said, substantial ground movement during a quake could have a "guillotine" action in severing a circumferential weld, slicing the liner in the process.

Doug Honegger, an Arroyo Grande (San Luis Obispo County) consultant on pipeline seismic safety, agreed the liner's value is limited.

"The question is why they put the liner in. If the threat was from large ground movement, I'm not sure the (liner) would be what they needed," he said. "The preferred option would be to replace that section."

Vulnerable welds

Still other parts of Line 109 were constructed with low-frequency electric resistance welds, considered vulnerable during normal operations and tied to more than 100 failures nationwide.

PG&E inspected Line 109 in 2009 using a method that was incapable of finding flawed seam welds. Yet two stretches of the line have such welds, according to PG&E records. PG&E officials have said they had been intentionally boosting the pressure on lines with such welds every five years or so since 2003, but stopped the practice after the San Bruno explosion. The company says it had been elevating the pressure because federal regulations - based on peak pressure levels - would otherwise kick in and limit its ability to meet peak demand.

Federal officials say they don't understand why PG&E was boosting pressure on vulnerable lines.

PG&E last spiked the pressure on the San Francisco part of Line 109 on April 12 of last year to 147 pounds per square inch; the line's maximum capacity is 150 psi. It first spiked the pressure on the line in December 2003 to 150 psi. Experts have questioned the safety of the spiking practice on such vulnerable welds, saying they could make them more prone to failure.

Portion above ground

Outside San Francisco, at the higher-pressure segment of the line, experts point to another potential problem spot: an above-ground, 50-foot spar where Line 109 crosses a dry creek bed. PG&E inspected the line in 2009 and said any safety concerns were addressed.

But UC Berkeley's Bea said erosion on the creek banks during recent storms could potentially weaken support on either side spanning the creekbed. He worries the line has no underpinnings to support the crossing.

Experts point to the totality of Line 109 problems as warning signs that the older, untested lines in PG&E's system are fraught with potential risks

PG&E had largely stopped replacing old lines by 2000, when it cut back on miles replaced in favor of inspection efforts to assure safety, document show.

"With the age and the risk factors they have, why aren't they judiciously replacing these pipes?" pipeline safety expert Kuprewicz said. "You are playing Russian roulette with a six-shooter, and you have five bullets in the gun."

"I frankly don't feel very comfortable with their whole" system, said Robert Eiber, another pipeline integrity expert. "It's a mess. You need to find out what you have in the ground."

Herrera said he wants to know more about the line before he is satisfied it is safe.

"It's quite clear that we haven't received all the records that would give us that complete confidence," he said. He added that he intends to make every effort to make sure "we are getting the records we need."

E-mail Jaxon Van Derbeken at jvanderbeken@sfchronicle.com.

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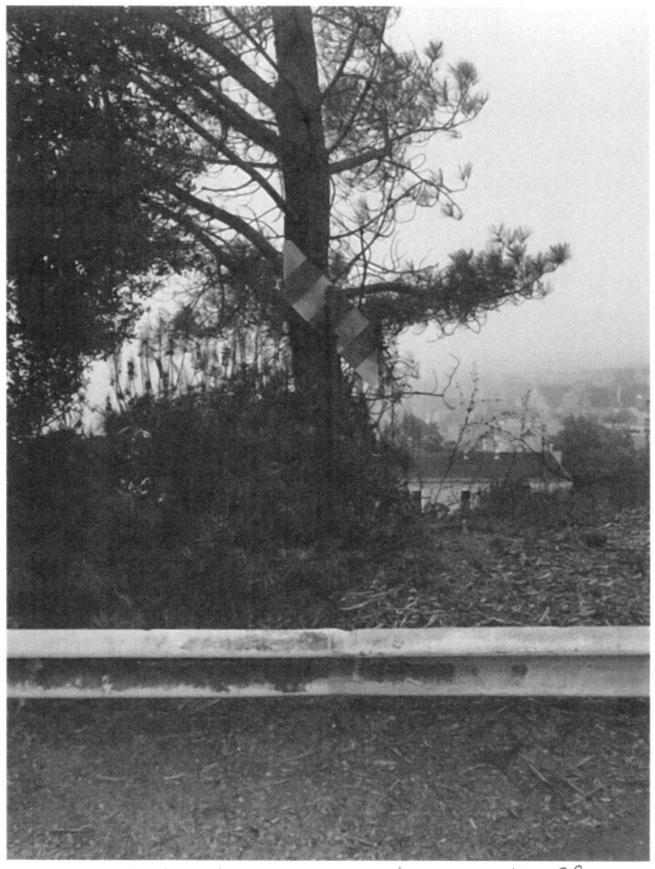
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For Propo	rties within 300 Feet	of 3516 and 3526	Folsom Stree	t		
Data from	CCSF Assessor's Prop	berty Search Datab	ase as of 9/	//15		
A						
Address House #	Street	Bldg sq ft	Parcel sf	Bldg:Lot	Notes	
	Gates St	1540	1746	88%		
	Gates St	180		10%		
	Gates St	1250		72%		
	Gates St	1690		97%		
	Gates St	1207	1746	69%		-
	Gates St	1016	1750	58%		
113	Gates St	1626	1750	93%		
115	Gates St	1780	1750	102%	includes 117 Gates	
118	Gates St	1411	1750	81%		
119	Gates St	1101	1750	63%		
124	Gates St	1185	1746	68%		
130	Gates St	1200	1746	69%		
132	Gates St	2258	1750	129%		
515	Powhattan	800	2378	34%		
688	Powhattan	2250	1750	129%		
40	Prentiss	1750	3496	50%		
80	Prentiss	625	1746	36%		
96	Prentiss	950	3500	27%		
Average S	quare Footage	1329	1838	74%	A CONTRACTOR OF A CONTRACTOR	



TREE ON TRANSMISSION PIPELINE 109 TOP OF FOLSON STREET IN DEANAL HEIGHTS

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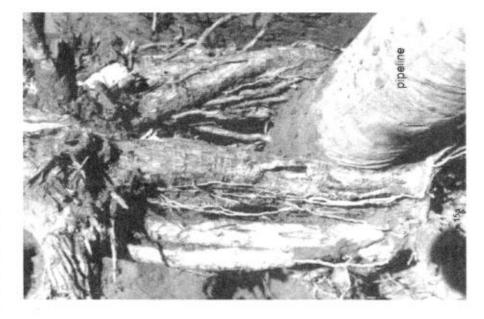
APPENDIX C

PIPA Report, November 2010

Examples 15a, 15b and 15c - Tree roots may damage transmission pipelines.

These pictures illustrate situations on the transmission pipeline right-of-way that <u>should be avoided</u>

These pictures illustrate why trees should not be allowed in the right-of-way. The tree roots have impeded the pipeline operator's ability to access and evaluate the condition of the transmission pipeline. Pipeline coatings may also be damaged by tree roots. Coatings need to remain intact to protect the transmission pipeline from external corrosion.



PIPA REPORT SHOWING TREE DANACE

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PG&E gas explosion leaves at least 11 hurt

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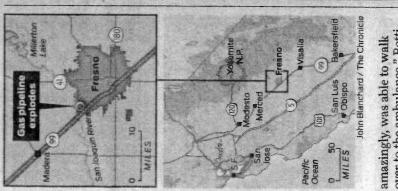
The tractor was being operated by a county public works employee who was using it to reinforce a berm behind the targets at the Fresno County Peace Officers' Range, according to spokesman Tony Botti of the Fresno County Sheriff's Office. Three lanes and about 30 feet away, more than a dozen inmates were digging bullets out of the berm.

It was not immediately clear whether the tractor operator knew the gas transmission line was there. Anyone who digs with heavy equipment is supposed to check with local utilities in advance. PG&E spokeswoman Nicole Liebelt said the company had not received a call on its digging hotline from anyone working nearby.

But, according to Botti, the tractor operator was not engaged in digging at the time of the explosion. "All the indications are that he was driving and the explosion happened," Botti said, perhaps because the front-end loader was scraping the ground.

Whatever the cause, the explosion was immense – flaring more than 100 feet into the air, according to onlookers, and spilling outward in heat and flames that injured at least to of the inmates. One was in such critical condition that he had to be airlifted to a nearby hospital.





amazingly, was able to walk over to the ambulance," Botti said. He added a smaller example of the fireball's intensity: plastic trash cans zoo feet away from the explosion, in an area where deputies clean their guns, melted. "They looked like trash-can lids," Botti said. Fortunately, most of the area

Fortunately, most of the area around the explosion was grassland, the shooting range and an equestrian center. Another factor that kept the

Another factor that kept the toll from being more severe is that deputies were at the shooting range. "Hats off to them." Botti said. "They

trucks each containing roughly 2,000 gallons for the engines to

draw on.

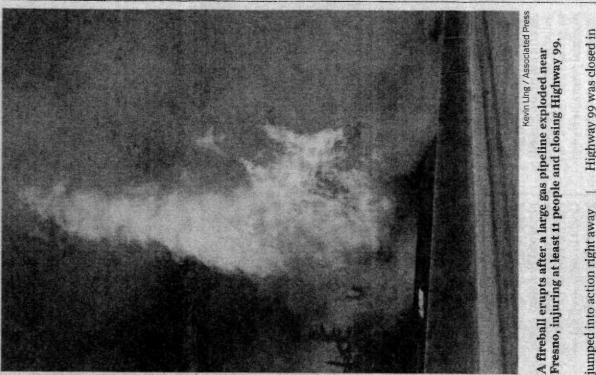
to the fireball included 15 fire engines, fire trucks and water

Fire Department, the response

a spokesman for the Fresno

According to Pete Martinez,

to get aid."



Highway 99 was closed in both directions until 4:30 p.m. A railroad line running alongside the shooting range sustained damage.

Last week, the California Public Utilities Commission slapped PG&E with a record \$1.6 billion penalty for the September 2010 explosion of a

natural gas pipeline beneath San Bruno, which killed eight people. The blast erupted from a 1950s-era pipeline that had been installed with substandard welds that failed, said federal investigators. Since then, PG&E has spent

Since then, PG&E has spent or committed to spend \$2.8 billion on repairing and upgrading its vast network of natural gas pipes, which spans most of Northern and Central California. The utility has replaced more than 800 miles of cast-iron pipe and installed 200 automatic or remotely controlled shut-off valves, as well as invested in new leakdetection technology. Those investments, however,

Those investments, however, cannot prevent other people from digging into and puncturing gas lines – the most common cause of natural gas pipeline accidents nationwide.

But if the tractor in fact was not engaged in scooping dirt out of the ground, that raises the question of how close the 12-inch transmission line was to the surface.

Late Friday, the utilities commission reported that it had dispatched a team to Fresno and would conduct a full investigation of the explosion. The commission had already begun coordinating with the federal Pipeline and Hazardous Materials Safety Administration, said spokeswoman Terrie Prosper. John King, David R. Baker and Kale Williams are San Francisco Cbronicle staff writers. E-mail: jking@sfebronicle.com, dbaker@ sfcbronicle.com, kwilliams@ sfcbronicle.com Twitter; @JohnKingSFCbron, @DavidBakerSF, @SFFKale

created 500-foot "buffer zones," Berkeley's ver- sion is more sweeping and applies to many more products. If passed by the City Council on May 12, it would turn tobacco into an obscure, big-ticket item, since the proposed buffer zones would <i>Tobacco continues on AB</i>	Gas pipeline blast injures 11 near Fresno	By John King, David R. Baker and Kale Williams A Pacific Gas and Electric Co. natural gas pipeline near Fresno erupted in a fireball Friday afternoon – injuring at least 11 people and tem- porarily closing down Highway 99 – after a tractor operator accidentally punctured the	 12-inch line, authorities said. 12-inch line, authorities said. Eleven victims were transported to hospitals, where officials said four were in critical condition, two were in serious condition and the remainder suffered minor injuries. The explosion, which sent flames surging past the tops of nearby trees, happened shortly before 2:30 p.m. on a shooting range close to busy Highway 99, one of the San Joaquin Valley's two main freeways. 	r- lice, other oros- the o-
created 500-foot sion is more swe products. If passed by th would turn tobac item, since the pr	Gas p blast 11 ne:	By John King, David R. Baker and Kale Williams A Pacific Gas and Electric Co. pipeline near Fresno erupted in afternoon – injuring at least 11 p porarily closing down Highway tractor operator accidentally pur	12-inch line, authorities said. Eleven victims were trans where officials said four wer tion, two were in serious con remainder suffered minor in The explosion, which sent past the tops of nearby trees, before 2:30 p.m. on a shootin busy Highway 99, one of the ley's two main freeways. Bu	Syria fighting: In a ay in the Swedish dail
			Terray Sylvester / The Chronicle San Francisco Public Utilities Commission employees Tim Ramirez and Betsy Lauppe Rhodes walk on the Fifield-Cahill Ridge Trail, which will open for expanded uses and be extended farther through the watershed land.	Syria fighting: In an interview published Fri- day in the Swedish daily Expressen, Syrian Presi- kille
			"The area is full of trails that go back to the 1860s. They belong to the people in perpetuity." Andy House, founder of the group Open the SF Watershed	Cameroon attack: Boko Haram militants killed at least 12 people in attacks on two
2016 and build connec- tions to other trails along the spectacular coast mountains of the Penin- sula. It would be the first time the San Francisco utility has lifted restric- tione the San Prancisco	land surrounding the reservoir, opening 23,000 acres of scenery for the public to admire. The proposal was hailed by Bay Area residents who have long sought access to the trails in the water- shed.	"I'm very encouraged," said Jim Sullivan, a do- cent for the Golden Gate National Recreation Area and San Mateo County parks. "These are exist- ing corridors that have been accessed by patrol vehicles, horseback rid- ers and utility workers	Ca ĝ	 U.N. Human Rights Commissioner's office said at least 6,116 people have been killed since the fighting broke out a year ago. 9 Rights abuses: Bahrain is hitting back at an Annesty International report alleging that government reforms have failed to end serious violations of human rights in the Gulf country

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Regulatory Changes: San Bruno Explosion Mirrors 2004 Walnut Creek Pipeline Blast

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Getty Images / Justin Sullivan

The aftermath of the lethal San Bruno explosion has begun to replicate regulatory and safety changes that were products of the 2004 Walnut Creek pipeline blast, a case we represented for our client who suffered burns over 30% of his body.

New Safety Regulations

San Bruno: Yesterday U.S. Rep. Jackie Speier, (D-Hillsborough) announced

legislation that would require pipeline operators across the country to equip their lines with automatic shut-off valves. This technology could have significantly reduced the devastation of the San Bruno pipeline explosion.

Walnut Creek: In 2006, the federal Pipeline and Hazardous Materials Safety Administration's Office of Pipeline Safety and Kinder Morgan, an energy company involved with the Walnut Creek explosion, agreed that Kinder Morgan would provide system-wide SFGATE http://www.sfgate.com/news/article/PG-amp-E-Carmel-home-explosion-blamed-on-bad-5316064.php

PG&E Carmel home explosion blamed on bad pipeline records

By Jaxon Van Derbeken Updated 7:55 am, Friday, March 14, 2014 ADVERTISEMENT

Best Wrinkle Creams 2015

iskincarereviews.com

Full reviews of anti-aging creams. The truth on what really works



IMAGE 1 OF 2

A house at Guadalupe and Third streets in Carmel after a gas explosion in March.

Pacific Gas and Electric Co.'s faulty pipeline records, which the utility promised to fix after the deadly San Bruno disaster more than three years ago, are being blamed in a natural-gas explosion that destroyed a home last week in Carmel.

No one was home and there were no injuries when the explosion destroyed the one-bedroom cottage March 3. The owner said that was largely attributable to good luck: A work crew was supposed to be in the house but never got there because of traffic.

PG&E says gas crews working around the house were misled by company records about the type of

Can PG&E Be Trusted? Carmel Puts Pacific Gas & Electric Co. on Notice in Carmel Explosion



Jason Burnett, Mayor of Carmel, California

Five years after a devastating pipeline explosion ripped through the city of San Bruno, killing eight, and a year after another explosion destroyed a house in Carmel-by-the-Sea, the Pacific Gas & Electric Co. still doesn't have accurate records of the gas pipes around our homes, neighborhoods and businesses, the business practices to compensate for their inaccurate records, or the tools in place to immediately halt a gas leak. Each day this situation is not fixed puts the public's safety at risk.

That's not my opinion alone, but the concern of the California Public Utilities Commission, which opened a formal investigation of PG&E's practices and record-keeping after recent pipeline accidents in Carmel, Mountain View, Milpitas, Morgan Hill and Castro Valley highlighted the risk to public safety of PG&E not having accurate records or maps of its vast pipeline network. The proceeding — which could lead to more penalties and fines against PG&E — follows a report by the CPUC's Safety Enforcement Division finding that PG&E's pipeline records are too inadequate and too flawed to be trusted when making critically important, ongoing safety decisions. The public remains at risk until these issues are resolved. several potentially lifesaving safety measures to prevent future pipeline breaches from threatening this community again.

These include better training of construction crews with the necessary emergency tools to make sure gas leaks are stopped quickly. Crews must respond to odor calls in a timely fashion, and a project manager must be designated to monitor construction projects and make regular site visits for possible pipeline interference.

As we prepare to participate in the upcoming CPUC investigation of PG&E's record-keeping and safety practices, we intend to require these measures as part of any penalties levied. We simply can't trust that PG&E will impose these measures on its own. The safety of our communities and the lives of our residents depend on our diligence.

Re: Inquiry about Gas Transmission Pipeline 109 from concerned SF residents

Robert G. BEA

May 5 at 10:26 AM

To

Marilyn Waterman
Happy Monday Marilyn,

given the background you provided in your email, yes - you should be concerned.

there are several points in your summary that provide a good basis for your concerns:
1) old (1980s) PG&E gas transmission pipeline installed in area with highly variable topography,
2) no records on the construction, operation, and maintenance of the pipeline,
3) no definitive guidelines to determine if the pipeline is 'safe' and 'reliable',
4) apparent confusion about responsibilities (government, industrial - commercial) for the pipeline safety, reliability, and integrity.

this list is identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.

the fundamental 'challenge' associated with your concern is tied to the word 'safe'. unfortunately, it has been very rare that i have encountered organizations that have a good understanding of what that word means, and less of an understanding of how to demonstrate that a given system is 'safe enough'.

during my investigation of the San Bruno disaster, i did not find a single document (including trial deposition transcripts) that clearly indicated PG&E or the California PUC had a clear understanding of the word 'safe': freedom from undue exposure to injury and harm.

much of this situation is founded in 'ignorance'. it is very rare for me to work with engineers who have a comprehensive understanding of what the word safe means - and no clue about how to determine if a system is either safe or unsafe. the vast majority of governmental regulatory agencies are even worse off.

i have attached a graph that helps me explain the important concepts associated with determining if a system is safe or unsafe. the vertical scale is the likelihood of a failure. the horizontal scale is the consequences associated with a failure. the diagonal lines separate the graph into two quadrants: safe and not safe. if the potential consequences associated with a failure are low, then the likelihood of the failure can be high. if the potential consequences are very high, then the probability of failure must be very low. uncommon common sense.

on the graph, i shown a system that was designed for a particular 'risk' (combination of likelihood and consequences of failure). when it was constructed, the risk increased due to construction 'malfunctions' - like bad welding. when the system was put into service, the risk increased further - perhaps due to poor corrosion protection and due to the area around the pipeline being populated with homes, businesses, schools and other things that increase the potential consequences of a major failure. once it is determined that the system that was originally designed to be safe, is no longer safe, then it is necessary to do things that will allow the system to be safely operated....reduce the likelihood of failure (e.g. repair the corrosion) and reduce the consequences of failure (e.g. install pressure control shut off sensors and equipment that can detect a loss of gas and rapidly shut the system down)....or replace the segment of the pipeline that no longer meets safety - reliability requirements.

All of this makes many of us very uneasy. Should we be?

We would greatly appreciate your perspective.

Regards, Marilyn Waterman

PS - If you want to google the proposed development the addresses are: 3516 and 3526 Folsom St., San Francisco

Robert Bea Professor Emeritus Center for Catastrophic Risk Management University of California Berkeley Email: <u>bea@ce.berkeley.edu</u>

Risk Assessment & Management Services 60 Shuey Drive Moraga, CA 94556 925-631-1587 (office) 925-699-3503 (cell) Email: <u>BeaRAMS@gmail.com</u> <u>http://buy.norton.com/specialoffers?VENDORID=YAHOO</u> acceptable risks

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SFGATE http://www.sfgate.com/bayarea/article/Cement-truck-mixes-poorly-with-city-water-2545528.php

Cement truck mixes poorly with city water

Chronicle staff report Published 4:00 am, Wednesday, August 22, 2007

CENENT TRUCK OVERTORNED DURING 2007 STREET RECONSTRUCTION



Chronicle / Katy Raddatz

IMAGE 1 OF 2

WATERMAIN_027_RAD.jpg SHOWN: Broken water main and fallen cement truck at the corner of Powhattan and Folsom Streets in San Francisco, CA., where undergrounding and sewer repair work have been ongoing. (Katy Raddatz/The Chronicle) **

A cement truck overturned, below, and ruptured a water line in San Francisco's Bernal Heights neighborhood Tuesday, knocking out service to four blocks for seven hours.

The accident happened a little after 10 a.m. and slightly injured the cement truck driver.

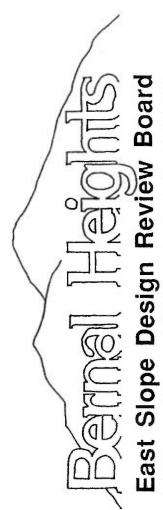
At left, an Atlas Towing worker rigs cables to the fallen truck.

Righting the truck took several hours more than expected, but the job was finally accomplished at 3 p.m. with the help of two heavy-duty tow trucks. Two hours later, water was flowing to all in the neighborhood once again, said Tony Winnicker, a spokesman for the city Public Utilities Commission.

RELATED STORIES



Water service restored in Bernal Heights The affected area is bounded by Powhattan Avenue, Cortland Avenue, Folsom Street and Gates Street.



Terry Milne, external secretary • 321 Rutledge • San Francisco 94110 • [285-8978]

April 28, 2015

Fabien Lannoye BluOrange Designs 241 Amber Drive San Francisco CA 94131 fabien@bluorange.com

Re: 3516 & 3526 Folsom Street Block/Lots: 5626/013 & 014

Dear Mr. Lannoye:

review the latest designs for two proposed houses at 3516 and 3526 Folsom Street. This was a follow The Bernal Heights East Slope Design Review Board held a Board-only meeting on April 22, 2015 to up to five neighborhood meetings attended by large groups of neighbors and a series of comment letters written by the Board. The sites are currently undeveloped and without vehicular access.

While we believe that the process has resulted in some improvements to the project, the Board cannot support the project as being in alignment with the Bernal Heights East Slope Building Guidelines.

for potential development of adjacent lots on the Folsom Street extension, and there are a number of If the two proposed houses and associated street improvements are built, they will set a precedent issues that we continue to believe are not in compliance with the Guidelines or consistent with neighborhood character:

- <u>Bulk and Massing of Elevations</u>: while the front façade of #3516 is animated with changes in plane, materials and elements that step down in height along with the hillside, the front facade of #3526 Folsom remains very boxy, flat and unresponsive to the hillside.
- <u>Elevations facing Chapman Street and Bernal Boulevard</u>: these will be visually prominent in the neighborhood. These facades remain largely underdeveloped and uncomposed, with large expanses of blank wall where there are opportunities for windows, carve-outs, changes in roof treatment and/or other elements that could add visual interest.

In addition to these items, neighbors have raised a number of concerns that are beyond the purview easements, existing PG&E gas line, Fire Department access to the neighborhood during construction of the Board (construction impact, slope and break-over angle at the Folsom Street extension, etc.).

Since the Board is not a City agency, it does not have the power to either approve or disapprove the



LOOKING DOWN FOLSOM ST FROM POWHATTEN.



THIS IS THE PART OF FOLSON - LOOKING DOWN TO CORTLAND ST FROM POWHATTEN -THAT ONE DRIVES UP TO PROPOSE SITE. - NOTE: SMALL HOUSES W/ SINGLE CAR CARAGES. THREE ADJACENT HOUSES (TOP HOUSE IS 3580 FOLSOM, CLOSEST TO PROPOSED PROJECT.)



· Note side yard of adjudnt houses that allow air and light.

· Note scale of house - one story over garage.

CASE NUMBER: For Staff Use only

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
61 Gates Street	94110	(650)387-9918

ADDRESS:	ZIP CODE:	TELEPHONE:
297c Kansas Street, San Francisco	SF	(415) 626-8868

Same as Above 🛛 🗙		
ADDRESS:	ZIP CODE:	TELEPHONE:
		()
E-MAIL ADDRESS:		

2. Location and Classification

STREET ADDRE					ZIP CODE:
cross stree Chapman					
ASSESSORS BI	LOCK/LOT: / 013	LOT DIMENSIONS: 25X70	LOT AREA (SQ FT): 1750	ZONING DISTRICT: RH-1/40-XBernal Hts. SUD	HEIGHT/BULK DISTRICT:
iease check all t					
Lhange of L	Jse 📙 Cha	nge of Hours 🗌	New Constru	action 🛛 Alterations 🗌	Demolition 🗌 Other
Additions t	to Building: Previous Use:	Rear 🗌 Fro PGE Gas transr	ont 🗌 Heigh	nt Side Yard Side Yard () ROW; paths to Community (
Additions t	o Building: Previous Use: Single fa	Rear From From From From From From From Fro	ont 🗌 Heigh Nission pipeline	nt 🗌 Side Yard 🗌	
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Present or P Proposed U	revious Use: Single fa	Rear From From From From From From From Fro	ont E Heigh nission pipeline 16.4322	nt Side Yard AROW; paths to Community (Date F	Garden/Bernal Hts. Park iled: 12/17/13

4. Actions Prior to a Discretionary Review Request

Prior Action		NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?		×
Did you participate in outside mediation on this case?		X

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.

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.

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.		and a second state of the	Construction of the second statement	himilian harring a subsection.
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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.

5) Changes made to project as a result of mediation:

Changes made to project were painful tiny steps and the house remains supersized for the area. Bernal Heights East Slope Special Use District met at least five times with the developer. The developer made it clear he was maximizing his building envelope regardless of small-house character of neighborhood; project remains at three stories with three-car garage in need of a variance. Developer never followed through on talking with neighbors, even though he said he would. Penthouse stairwell was added at last meeting on North elevation in full view from Bernal Hts. Blvd and Bernal Park. North elevation toward Bernal Park got some decorative material added to try to make it look more than a wall but BHESDRB felt it wasn't enough. The BHESDRB did not approve project as proposed.

Other infrastructure and public safety issues linger unresolved: major gas transmission pipeline with a troubled history runs through proposed access area to houses and latest street design only adds to apprehension about catastrophic accident during construction; proposed street will be the second or third steepest in SF, adding to a list of dangerous streets with emergency vehicle access issues in Bernal. Street design also remains murky in terms of access to existing houses during and after construction.

1) What are the reasons for requesting a DR? What are the exceptional and extraordinary circumstances that justify the DR the project? How does this project conflict with SF General Plan, Planning Code's Priority Policies or SFRDG? Cite specific sections of Residential Design Guidelines.

Reason #1 - This is an exceptionally and extraordinarily out-of-scale-for-the neighborhood house at three stories, three-car garage with penthouse stairwell that threatens neighborhood character and economic diversity. The SUD came into being to protect the East Slope's diverse population and small houses. (See pixs of neighoborhood.) The profitable super-sizing of East Slope houses threatens to turn the entire neighborhood into a neighborhood of tear-downs unless SUD protections are respected.

Houses within a 300 foot radius average 1329 square feet. The adjacent house is 1050 sf (3580 Folsom St. within 50 feet). (See SF Assessor's chart). Developer seems to be gaming system to maximize housing envelope.

Codes cited:

 General Plan Priority #2 - Existing housing and neighborhood character be conserved and protected in order to preserve cultural and economic diversity. • General Plan Priority #3 - That the city's supply of affordable housing be preserved and enhanced.

• Sec. 242,b - In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

• SFRDG, Pg. 8 - When considering the immediate context of a project, the concern is how the proposed project relates to the adjacent buildings.

• SFRDG, PG. 8 - When considering the broader context of a project, the concern is how the proposed project relates to the visual character created by other buildings in the general vicinity.

• SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city

• Bernal Heights East Slope Guidelines, Pg. 2 - Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result the East Slope's rural characteristics rapidly are disappearing along with views, open space"

Bernal Heights East Slope Guidelines, Pg. 15, sec. 4 - Intent: Promote harmony in the visual relationship and transitions between new an older buildings.
Sec. 242, pg. 7, Garage variance required for square footage above 1300 square feet of living space. Usable floor space to parking space ratios: 0 to 1300 square feet for the first parking space. 1301 - 2250 for the second parking space. 2251 to 2850 for the third parking space.

REASON #2 - Side yard setback does not respect the existing pattern on block - which allows for along the sides and create a sense of open space. This would seem critical since the houses would be replacing what is now open space. Developer is maximizing the building envelope at the expense of neighborhood character.

SFRDG pg 15 - Respect the existing pattern of side spacing.

Reason #3 - Three-car garage with tandem parking (variance required) is out of character for neighborhood character - and threatens economic diversity. Tandem-style garage parking on narrow street is diffcult at best and impossibly hard on narrow, steep street. Garage size is being used to make the house as big as possible.

Codes cited:

• Sec. 242 pg.7, No tandem parking are permitted for the first two parking spaces for new construction.

• Sec. 242, pg. 7, Usable floor space to parking space ratios: 0 to 1300 square feet for first parking space. 1301 - 2250 sf for second parking space. 2251 to 2850 sf for third parking space.

2.

General Plan Priority #2 - Existing housing and neighborhood character be conserved and protected in order to preserve cultural and economic diversity.
Sec. 242,b - In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

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• Bernal Heights East Slope Guidelines, Pg. 2 - Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result the East Slope's rural characteristics rapidly are disappearing along with views, open space"

• Bernal Heights East Slope Guidelines, Pg. 15, sec. 4 - Intent: Promote harmony in the visual relationship and transitions between new and older buildings.

REASON #4 - Wall-like exterior of North elevation next to Bernal Heights Park is used to create maximum envelope for building size and does not enhance neighborhood view from Bernal Park. Public views are impeded by penthouse stairwell.

The ESDRB letter to the developer listed the wall-like elevation facing Bernal as one reason the project is not being supported. (See letter)

Citations:

SF General Plan Urban Design Element, Fundamental Principles of Conservation, Pg. 27, #17 - Blocking, construction or other impairment of pleasing views of the Bay or Ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting and quality of the city.
SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city
SFRDG pg 38 - Limit the size of the penthouse in order to reduce its visibility from the street....Stair penthouses may also be entirely eliminated.

Reason #5 - Exceptional and Extraordinary conditions exist (as defined by the Planning Commission's definition for DR) due to "unusual context" and "complex topography" "not addressed in the design standards:" An aging,

major PGE Gas Transmission Pipeline - one of three feeding natural gas into SF - runs through the proposed access area up a dangerously steep grade, the main reason this site has never been developed. <u>The</u> <u>catastrophic risk is further heightened by the threat of earthquakes during</u> <u>construction.</u>

No risk-assessment has been done regarding the public safety concerns surrounding this project. The proposed new access road would be a ROW over aging and troubled PGE Gas Transmission Pipeline 109 (with lost maintenance records and pre-existing tree intrusions violating federal guidelines, <u>see photo</u>). Encased under asphalt, the aging pipeline is typically un-reactive - but this area is unpaved. The pipeline is on a pitched, undeveloped patch of Bernal hill. Pipeline 109 is the same type of transmission pipeline that exploded catastrophically in San Bruno and Fresno - and caused serious accidents in Carmel, Walnut Creek and at least four other local cities (see articles and letter by Carmel Mayor).

Federally recommended safe practices that use additional site-specific safety precautions have not been incorporated into final designs (see citation). The Planning Department has approved a building permit without knowing the pipeline's depth and exact location, located within a few feet of the property, which may substantially change project design, including garage access, building location and break-over angle - against recommended federal safe practices (see citation).

Developer proposes creating the third steepest street in SF at 37 degrees (actual grade unknown since depth of pipeline is unknown) - and he will be responsible for grading over transmission pipeline with heavy-duty equipment (see Fresno explosion photo). <u>.</u>

An accidental gas leak of PG&E's Gas Transmission 109 Pipeline would be catastrophic to local residents, Community Garden users, and Bernal Park visitors (see photos). Noted gas transmission pipeline expert, Robert Bea, confirmed neighbor's concern regarding danger as legitimate (see letter). In 2007, during street construction at the exact base of this location, a cement truck overturned while trying to make a turn, rupturing a waterline. (See photo)

Citations:

General Plan Priority #5 - That the City achieve the greatest possible preparedness to protect against injury and the loss of life during an earthquake.
US Department of Transportation PHPSA "Consultation Zones and Planning Areas" pg. 1 - Local governments should consider implementing "planning areas" to enhance safety when new land uses and property development are planned near transmission pipelines....these are areas where additional development regulations, standards or guidelines to ensure safety should be considered."

• Pipelines and Informed Planning Alliance (PIPA) "Partnering to Further Enhance Pipeline Safety through Risk-Informed Land Use Planning," Appendix C, Ex. 14 and 15a,b,c "Trees should be avoided." "Tree roots may damage transmission pipeline." (See photo)

Citations:

SF General Plan Urban Design Element, Fundamental Principles of Conservation, Pg. 27, #17 - Blocking, construction or other impairment of pleasing views of the Bay or Ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting and quality of the city.
SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city
SFRDG pg 38 - Limit the size of the penthouse in order to reduce its visibility from the street....Stair penthouses may also be entirely eliminated.

* * * * * * * * *

2) Unreasonable impacts during construction:

Residents have a right to live in San Francisco free from the fear of a catastrophic accident - which won't happen during construction unless the pipeline safety issue is dealt with. Most pipeline accidents happen on ROW during construction, according to data from the US Department of Transportation. Heavy duty construction equipment and construction vehicle will block neighbor's access to their houses and emergency vehicle access on Chapman Street.

3) Alternatives:

Alt. 1 - Resolve public safety issues and final design questions regarding pipeline and dangerously steep street. Lower pipeline so street can be safely graded to match the slope of parallel streets that have been graded down for safe vehicle access. Build small-scale housing that is in line with neighborhood character and won't create a neighborhood of tear-downs.

Alt. 2 - Acknowledge this particular patch of Bernal's hill's dangerous terrain and pipeline public safety issues by keeping it open space.

3516 Foisom St.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

a: The undersigned is the owner or authorized agent of the owner of this property.

b: The information presented is true and correct to the best of my knowledge.

c: The other information or applications may be required.

Signature:

Date:

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

Owner / Authorized Agent (circle one)

CASE NUMBER: For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	0
Address labels (copy of the above), if applicable	0
Photocopy of this completed application	
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	
Letter of authorization for agent	
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)	

NOTES:

Required Material.

Optional Material.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

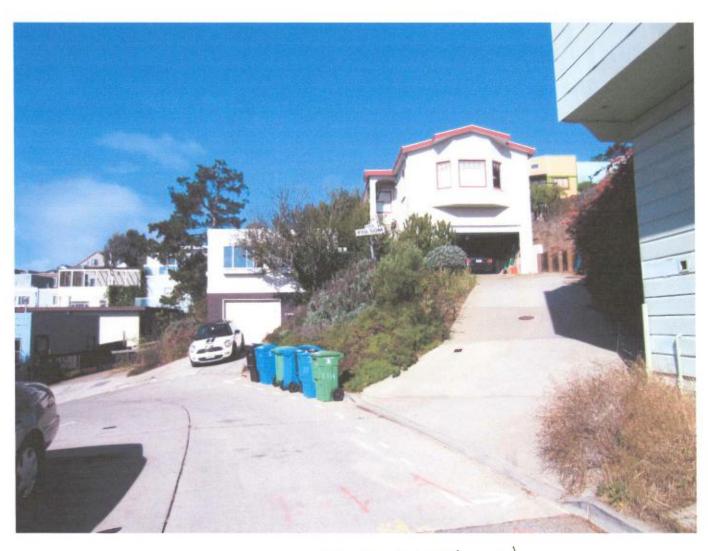
For Department Use Only Application received by Planning Department:

Date:



ann lockett <lockett514@icloud.com>@ (No Subject) September 15, 2015 2:09 PM

1 Attachment, 329 KB

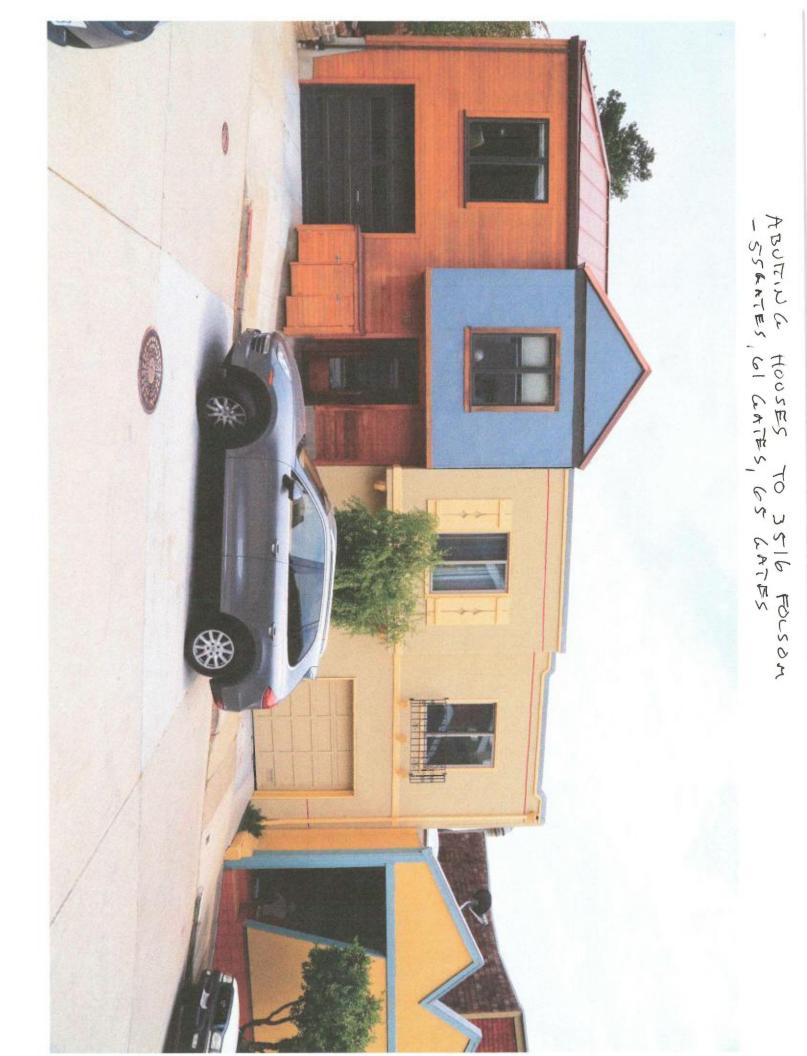


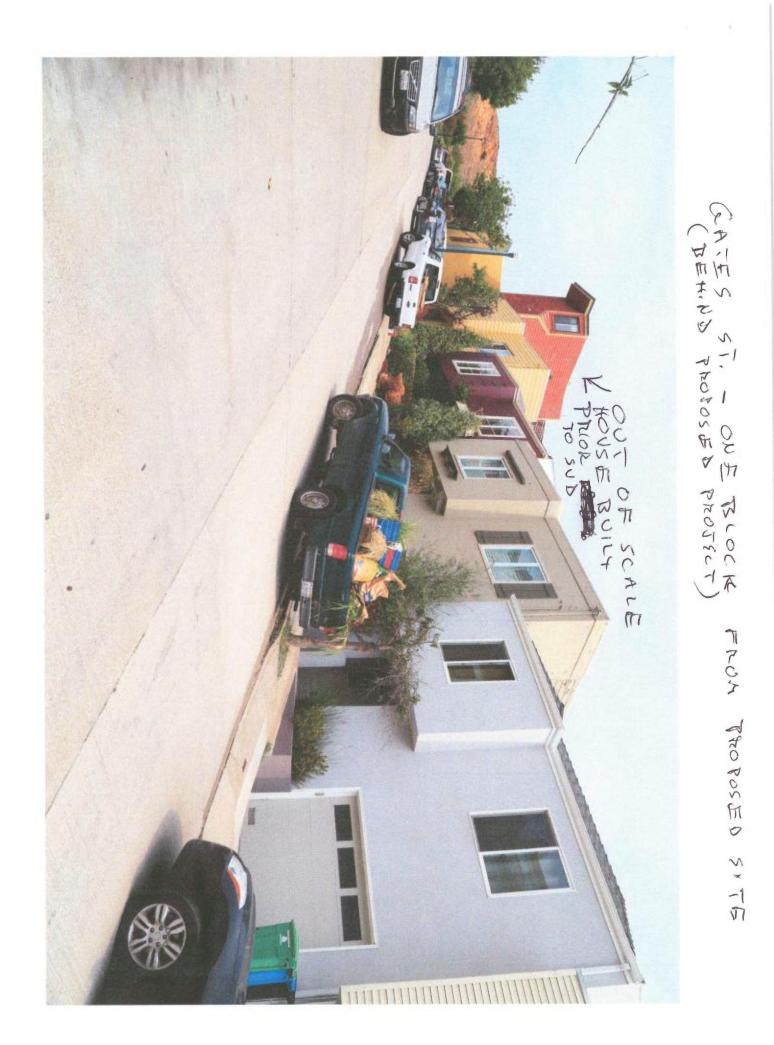
ADJACENT HOUSING ON UPPER FOLSOM LOOKING DOWN FOLSOM ST FROM POWHATTEN.



This is the part of Folsom that medrives up to proposed site.

NOK: Small houses w/ single cargarages.





SFASSESSOR'S CHART

	rties within 300 Feet of						
Data from	CCSF Assessor's Prope	erty Search Datab	ase as of 9/	7/15			
Address			D 1 6	Didatat	Natas		
House #	Street	Bldg sq ft	Parcel sf	Bldg:Lot	Notes		
	Banks	2749		157%			
	Banks	2749	1750	157%			
	Banks	2749		157%	1.4	11750	
	Banks	2025				, used 1750	
	Banks	2365			no parcel si	, used 1750	
	Banks	1000		57%			
	Banks	1200		69%			
	Banks	1295		74%			
	Banks	1200		69%			
	Banks	1069		61%		4	1
	Banks	1276	1	73%		~ (r	
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107	Banks	1035	1782	58%	6	11	1
114	Banks	1650	1750	94%		14 7	11
116	Banks	1233	1746	71%			4
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	Chapman	2180	1746	125%			
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J A

Data fuque	rties within 300 Feet of CCSF Assessor's Prope	rty Soarch Datah	ase as of 9/	7/15			
Jata from	CCSF Assessor S Proper	ity Search Datab		115			
Address							
	Street	Bldg sq ft	Parcel sf	Bldg:Lot	lotes		
	Ellsworth	1029	2100	49%			
	Ellsworth	840	1398	60%			
	Folsom	1125	2240	50%			
	Folsom	1125	2077	54%			
-	Folsom	1050	1750	60%			
	Folsom	760	2380	32%			
	Folsom	1600	1746	92%			
	Folsom	1600	1750	91%			
	Folsom	800		46%			
	Folsom	1050		60%			
	Folsom	1127					
	Folsom	1250					
	Folsom	1050		60%			
	Folsom	750		43%			
	Folsom	1500					
	Folsom	1423					
	Folsom	1350					
	Folsom	938					
	Folsom	1350					
	Folsom	875					
	Folsom	1275					
	Folsom	1725					
	Folsom	875					
	Folsom	1250					
	Gates St	1373					
	Gates St	1534					
		1221					
	Gates St	1492					
	Gates St	750					
	Gates St	213:					
	L Gates St	1690					
L	2 Gates St	77					
	Gates St	215					
	6 Gates St	77					
	1 Gates St				no parcel sf	used 1750	ea lot
	2 Gates St	125				, 4304 1750	
	5 Gates St						
	O Gates St	132					
	1 Gates St	77					
	5 Gates St	185					
	8 Gates St	97					
10	0 Gates St	80					+

For Prope	rties within 300 Feet o	of 3516 and 3526	Folsom Stre	ot		
-	CCSF Assessor's Prop					
Data Irom	CUSF Assessor's Prop	erty Search Datab		//15		
Address						
House #	Street	Bldg sq ft	Parcel sf	Bldg:Lot	Notes	
	Gates St	1540	1746	88%		
	Gates St	180	1746			
	Gates St	1250	1746			
109	Gates St	1690	1750	97%		
111	Gates St	1207	1746	69%		
112	Gates St	1016	1750	58%		
113	Gates St	1626	1750	93%		
115	Gates St	1780	1750	102%	includes 117 Gates	
118	Gates St	1411	1750	81%		
119	Gates St	1101	1750	63%		
124	Gates St	1185	1746	68%		
130	Gates St	1200	1746			
	Gates St	2258				
515	Powhattan	800	2378			
688	Powhattan	2250	1750			
	Prentiss	1750				
	Prentiss	625				
96	Prentiss	950			· / · · ·	
Average S	quare Footage	1329	1838	74%	A COLORED	



Terry Milne, external secretary • 321 Rutledge • San Francisco 94110 • [285-8978]

April 28, 2015

Fabien Lannoye BluOrange Designs 241 Amber Drive San Francisco CA 94131 fabien@bluorange.com

Re: 3516 & 3526 Folsom Street Block/Lots: 5626/013 & 014

Dear Mr. Lannoye:

review the latest designs for two proposed houses at 3516 and 3526 Folsom Street. This was a follow The Bernal Heights East Slope Design Review Board held a Board-only meeting on April 22, 2015 to up to five neighborhood meetings attended by large groups of neighbors and a series of comment letters written by the Board. The sites are currently undeveloped and without vehicular access.

While we believe that the process has resulted in some improvements to the project, the Board cannot support the project as being in alignment with the Bernal Heights East Slope Building Guidelines.

for potential development of adjacent lots on the Folsom Street extension, and there are a number of If the two proposed houses and associated street improvements are built, they will set a precedent issues that we continue to believe are not in compliance with the Guidelines or consistent with neighborhood character:

- <u>Bulk and Massing of Elevations</u>: while the front façade of #3516 is animated with changes in plane, materials and elements that step down in height along with the hillside, the front façade of #3526 Folsom remains very boxy, flat and unresponsive to the hillside.
- <u>Elevations facing Chapman Street and Bernal Boulevard</u>: these will be visually prominent in the neighborhood. These facades remain largely underdeveloped and uncomposed, with large expanses of blank wall where there are opportunities for windows, carve-outs, changes in roof treatment and/or other elements that could add visual interest.

In addition to these items, neighbors have raised a number of concerns that are beyond the purview easements, existing PG&E gas line, Fire Department access to the neighborhood during construction of the Board (construction impact, slope and break-over angle at the Folsom Street extension, etc.).

Since the Board is not a City agency, it does not have the power to either approve or disapprove the

BHESDRY LETTER OF NON-SUPPORT OF PROJECT TO DEVELOPER PIPA-Final Report 2015.pdf

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APPENDIX C

PIPA Report, November 2010

Examples 15a, 15b and 15c - Tree roots may damage transmission pipelines.

These pictures illustrate situations on the transmission pipeline right-of-way that should be avoided.

pipeline. Pipeline coatings may also be damaged by tree roots. Coatings need to remain intact to protect These pictures illustrate why trees should not be allowed in the right-of-way. The tree roots have impeded the pipeline operator's ability to access and evaluate the condition of the transmission the transmission pipeline from external corrosion.



SHOWING TREE TOOT DAMAGE PIPA PHOTO

PC SE CLANAS HAS NO LARGE TREE 20 SELNAL FAS TRANSAISS 10 N PIPELINE ON 1- 20 155UES, PLANTED 10h

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Adobe Export

Convert PDF File or Excel Online

Select PDF File

Convert to

Microsoft Word

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TREE ON TRANSMISSION PIPELINE 109 TOP OF FOLSON STREET IN DEANAL HEIGHTS

SFGATE http://www.sfgate.com/news/article/PG-amp-E-Carmel-home-explosion-blamed-on-bad-5316064.php

PG&E Carmel home explosion blamed on bad pipeline records

By Jaxon Van Derbeken Updated 7:55 am, Friday, March 14, 2014 ADVERTISEMENT

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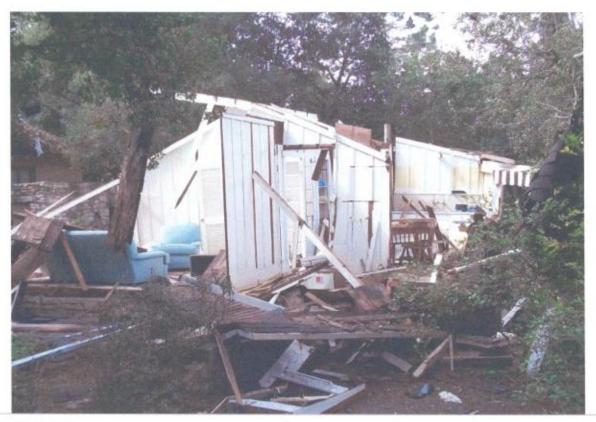


IMAGE 1 OF 2

A house at Guadalupe and Third streets in Carmel after a gas explosion in March.

Pacific Gas and Electric Co.'s faulty pipeline records, which the utility promised to fix after the deadly San Bruno disaster more than three years ago, are being blamed in a natural-gas explosion that destroyed a home last week in Carmel.

No one was home and there were no injuries when the explosion destroyed the one-bedroom cottage March 3. The owner said that was largely attributable to good luck: A work crew was supposed to be in the house but never got there because of traffic.

PG&E says gas crews working around the house were misled by company records about the type of

pipe they were dealing with.

MORE BY JAXON VAN DERBEKEN



Emergency water supply used to fight San Francisco fire



Huge San Francisco fire destroys six-story apartment project



Tesoro refinery acid accident burns 2 workers "We didn't have the (accurate) maps, and we don't know what happened," said company spokesman Greg Snapper.

As a result of the explosion, PG&E has ordered a halt in its entire Northern and Central California service area to the type of work that crews were doing before the blast - linking pipes together while both are pressurized with gas. A company official conceded that PG&E lacks a "high degree of confidence" that such work can be done safely without changes.

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Key to San Bruno

Inaccurate PG&E records were a major factor in the September 2010 explosion of a gastransmission pipeline that killed eight people and destroyed 38 homes in San Bruno. Because company documents inaccurately described the characteristics of the 1950s-vintage line, PG&E never conducted tests that could have detected the type of problem - an incomplete seam weld that led to the pipeline's rupture.

The California Public Utilities Commission, which regulates PG&E, ordered the company to test or replace thousands of miles of pipeline after the blast. Alleged record-keeping violations are a large part of a legal case now before the commission that could result in PG&E being fined as much as \$2.5 billion for the disaster.

The Carmel explosion happened in the middle of the day as crews were replacing a street distribution gas line, a smaller pipe than the type that ruptured in San Bruno. The replacement line was supposed to be hooked up to a separate pipeline, which PG&E records showed was made of steel.

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However, sometime after the pipe was made in 1997, PG&E or a contractor inserted a plastic pipe inside the steel one. In doing so, workers made slices in the steel line, rendering it useless for carrying natural gas.

Last week, workers drilling into the old steel main pierced the plastic line inside, unaware it was there. Gas then flowed out of the pierced plastic line and into the surrounding steel line.

The gas escaped through a cut in the steel line and eventually got into the cottage at Third Avenue and Guadalupe Street, possibly via a sewer pipe. A pilot light apparently touched off the explosion that leveled the cottage and damaged three nearby homes.

The cottage's owner, Josef Baumgartner of Palo Alto, said the blast could have easily been deadly, because workers he had hired to do maintenance were supposed to be inside. They turned back, however, after getting caught in traffic created by the gas-line work.

"I'm very glad no one was hurt," said Baumgartner, who uses the cottage as a vacation and weekend home. "It was for the grace of God that it was not worse - those vendors were scheduled to be inside."

A woman who was 50 feet away when the blast happened said the gas crews, working with a PG&E contractor called Underground Construction, had been shielded from the force of the explosion by their trucks, which may have saved their lives.

"It is a miracle that no one was killed, a double miracle that no one was injured," Mayor Jason Burnett said.

Burnett said PG&E officials have led him to believe the root of the problem was the inaccurate records.

'Raises whole new issues'

"If it is in fact a record-keeping problem, as it sounds like it may be, it raises whole new issues about potential problems on tens of thousands of miles of pipe," Burnett said.

Sumeet Singh, vice president in charge of PG&E's asset management, said that "the information that we have right now is that the map they had did not show the inserted plastic line."

He would not answer questions about who installed the plastic line or when, as well as why PG&E maps were not accurate, pending the outcome of an investigation that the company has commissioned.

Last week's work was being done as part of PG&E's systemwide replacement of distribution pipe made out of a plastic called Aldyl-A, which has been linked to several explosions around the country since the 1970s. PG&E began replacing Aldyl-A pipes after an August 2011 blast leveled a Cupertino condominium whose owner had just left to go to lunch.

The Carmel explosion happened after the gas crew started splicing into the live, plastic-inside-steel pipeline to connect the new pipe, a process known as tapping. Kevin Knapp, PG&E's vice president of gas operations, said the utility has halted the practice until the company has a "high degree of confidence" that it has protocols in place to avoid explosions.

PG&E said the halt would not slow the replacement of Aldyl-A pipe.

The state Public Utilities Commission has opened an investigation into the Carmel blast and said the issue of flawed records would be central to the probe.

"A big concern is PG&E's mapping issue," the commission said in a statement. "It is PG&E's responsibility and duty to know what they have in the ground and where it's located."

Singh said PG&E is digitizing its records for 42,000 miles of distribution lines, a project expected to be completed by next year.

PG&E apology

Knapp said he has met with Carmel officials to "impress upon them how seriously we are taking this" and "how deeply I regretted that it had occurred. We're really, really grateful that the house was unoccupied. It was by the sheer grace of God that that happened."

Mayor Burnett said that "we don't want PG&E to continue similar work until they know what went wrong here. The records issue is much more difficult - if in fact the maps cannot be relied upon, that's the larger question, and I'm not sure how they are going to solve that."

Jaxon Van Derbeken is a San Francisco Chronicle staff writer. E-mail: jvanderbeken@sfchronicle.com Twitter: @jvanderbeken

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The resource could not be found.

Can PG&E Be Trusted? Carmel Puts Pacific Gas & Electric Co. on Notice in Carmel Explosion



Jason Burnett, Mayor of Carmel, California

Five years after a devastating pipeline explosion ripped through the city of San Bruno, killing eight, and a year after another explosion destroyed a house in Carmel-by-the-Sea, the Pacific Gas & Electric Co. still doesn't have accurate records of the gas pipes around our homes, neighborhoods and businesses, the business practices to compensate for their inaccurate records, or the tools in place to immediately halt a gas leak. Each day this situation is not fixed puts the public's safety at risk.

That's not my opinion alone, but the concern of the California Public Utilities Commission, which opened a formal investigation of PG&E's practices and record-keeping after recent pipeline accidents in Carmel, Mountain View, Milpitas, Morgan Hill and Castro Valley highlighted the risk to public safety of PG&E not having accurate records or maps of its vast pipeline network. The proceeding — which could lead to more penalties and fines against PG&E — follows a report by the CPUC's Safety Enforcement Division finding that PG&E's pipeline records are too inadequate and too flawed to be trusted when making critically important, ongoing safety decisions. The public remains at risk until these issues are resolved. It's the same problem that caused tragedy in 2010, when PG&E's recordkeeping errors led to a fatal fire and explosion in San Bruno. PG&E is now facing a \$1.6 billion penalty and fine for its mistakes.

And it's the reason that another explosion shook Carmel, when in 2014 bad records misled construction crews replacing a gas-distribution line at Guadalupe and Third Street. The pressurized "live" line was punctured, causing gas to escape into a nearby house. PG&E knew it had caused a leak but allowed this dangerous situation to persist for more than 30 minutes without calling 911. Our police and firefighters were therefore not alerted and were not able to evacuate the area. The house exploded, sending building debris just over the heads of crews and residents walking nearby. Shrapnel was hurled into neighboring houses and windows were blown in by shock waves. It was a miracle nobody was killed, but we cannot rely on miracles to protect the public safety. The incident should have been prevented.

Yet bad records seem to be only part of the problem with PG&E in the Carmel region, which has suffered a string of incidents and life-threatening service delays since the initial incident.

Immediately prior to the 2014 explosion, construction crews realized they had accidentally tapped into an inserted plastic main, a main that records did not indicate existed. Once the main started leaking, PG&E did not have the "squeezer" tools in place to immediately stop gas flow.

PG&E crews were forced to halt the leak manually and it took them more than 60 minutes to do so. It was too late — the house exploded within 30 minutes. PG&E has since been fined \$10.8 million for its role in the Carmel explosion, with more penalties to come, depending on the outcome of the CPUC investigation.

Despite PG&E's lip service and empty promises of recovery, five subsequent pipeline accidents and leaks in the Carmel area have shaken our confidence in the company's commitment to safety.

Last year, shortly after the house explosion, another gas leak was reported in a major hotel. PG&E took more than five hours to respond. Weeks later another gas leak threatened Carmel when a third-party construction crew hit a pipe outside another hotel. A 20-foot gas cloud lingered for 20 minutes before PG&E crews finally arrived and they took over an hour to stop the leak.

While PG&E was able to halt these leaks before tragedy struck in the crowded area, the incidents underscored our urgency to make sure PG&E implements

several potentially lifesaving safety measures to prevent future pipeline breaches from threatening this community again.

These include better training of construction crews with the necessary emergency tools to make sure gas leaks are stopped quickly. Crews must respond to odor calls in a timely fashion, and a project manager must be designated to monitor construction projects and make regular site visits for possible pipeline interference.

As we prepare to participate in the upcoming CPUC investigation of PG&E's record-keeping and safety practices, we intend to require these measures as part of any penalties levied. We simply can't trust that PG&E will impose these measures on its own. The safety of our communities and the lives of our residents depend on our diligence.

SFGATE http://www.sfgate.com/bayarea/article/PG-E-s-Line-109-also-seen-as-posing-safety-risks-2375453.php

PG&E's Line 109 also seen as posing safety risks

SAN BRUNO BLAST Missing records, vulnerable welds for pipe from South Bay to S.F. By Jaxon Van Derbeken Published 4:00 am, Sunday, April 10, 2011



IMAGE 1 OF 3

An exposed section of PG&E's Line 109 gas transmission pipeline spans a creek on a steep hillside in Redwood City, Calif. on Friday, April 1, 2011.

(Published Apr. 10, 2011)

The other pipeline that Pacific Gas and Electric Co. has long relied on to deliver natural gas up the Peninsula has problems similar to the ruptured line in San Bruno - flawed or missing records and at-risk welds, including 80-year-old technology recognized as prone to earthquake failures, The Chronicle has learned.

Like PG&E transmission Line 132 - the pipe that ruptured and exploded in San Bruno on Sept. 9 - Line 109 runs from Milpitas through the South Bay and Peninsula and up to San Francisco, where it terminates in the Dogpatch neighborhood.

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Since the blast that killed eight people and destroyed 38 homes, PG&E has avoided service disruptions in the upper Peninsula by using a part of Line 109 to route gas around the blast site, thus keeping most of Line 132 in service.

Federal investigators have keyed into PG&E's inaccurate records on Line 132 in San Bruno - records that showed the 1956-vintage pipe had no seam when, in fact, it had a flawed seam weld since tied to the rupture. The company vouched for the line's safety using a method in 2009 that wa incapable of finding bad welds.

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1

Line 109 may be equally problematic for the company, documents show. Like all the lines running into San Francisco, PG&E has cut the pressure on Line 109 by 20 percent in the wake of the San Bruno disaster, but experts say that given its questionable state, the cut affords little assurance o safety.

"You don't know the right level of safety to begin with, so you don't know if you are cutting pressure by enough," said Richard Kuprewicz, a pipelir safety expert in Redmond, Wash.

Missing records

Perhaps the most damaging revelation about Line 109 came last month when the utility acknowledged that it lacks any records for a 5-mile segment in San Bruno that was installed by 1995. The undocumented segment starts south of the rupture site on Skyline Boulevard at San Bruno Avenue, and heads inland to Junipero Serra Boulevard and hooks up to the old route on Skyline at Hickey Boulevard.

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The 5-mile part of the line is among 140 miles of transmission pipe for which PG&E has said it has so far found no documents to prove it is operating safely. PG&E has until the end of August to look for the records as part of a \$3 million fine settlement still pending and slated to be argued Monday before the California Public Utilities Commission.

The undocumented part of the line apparently was installed to route around three active earthquake faults in the area on Skyline Boulevard, PG&l records show. The replacement route is now reflected on PG&E's current maps, but the utility lacks records of construction documents and has no proof that it did legally mandated high-pressure water tests.

UC engineering Professor Bob Bea said the lack of records for a 1995-era project is "astounding."

"To have that long a section of an important pipeline without records on its condition - that would be alarming," he said. "I think we have a problem, Houston."

PG&E has acknowledged that the line has other identified risks, but says it inspected the line in 2009 and found no leaks over the past decade.

Brittle welds

PG&E has noted that a 2-mile portion of Line 109 along Alemany Boulevard in San Francisco dates from 1932 and was constructed using oxyacetylene welds, notoriously brittle and susceptible to failure in earthquakes. The at-risk part of the line runs under the street roughly from Sickles Avenue to Rousseau Street.

Oxyacetylene technology - which dates to the early part of the 20th century - is problematic because the hot gases used in the welding process generate bubbles in the welding bond, Bea said.

"It's difficult to get a weld with high integrity," he said. "You end up with a lot of gas and bubbles trapped in the metal."

Kuprewicz added, "Oxyacetylene welds are like glass. They don't bend, they snap. They are very brittle."

Dozens of those welds failed in the 1971 quake in Sylmar (Los Angeles County), according to a 2008 seismic report done for the U.S. Geological Survey on the vulnerability of that kind of weld. The report also found that in the 1989 Loma Prieta quake, PG&E had three transmission line failures involving such welds, and in the 1994 quake in Northridge (Los Angeles County), more than two dozen such welds failed or were damaged

The 2008 report recommended replacement with upgraded pipes, or at least using automatic shutoff valves, pointing out that oxyacetylene welds were almost 100 times more likely to fail in a quake than more modern technology.

PG&E has long downplayed the usefulness of automatic valves, citing industry data showing most blast damage is done in the first 30 seconds of a explosion, but since the San Bruno blast has said it will install them in many high-risk areas.

Rehab versus replace

PG&E had been replacing dozens of miles a year of old pipes since 1985 - including the 5-mile reroute near San Bruno - but told regulators in 1995 that it now intended to begin finding ways to rehab old lines rather than replace them.

One of its first efforts in that vein was to install, that year, a plastic liner in Line 109 under Alemany Boulevard that had 1932-vintage oxyacetylene welds. The purpose of the liner was to create an internal membrane to contain any gas release if vulnerable girth welds failed in an earthquake.

PG&E bought the liner from Paltem Systems Inc. of Missouri, and it was touted as being able to withstand pressures up to 900 pounds per square inch. Paltem is not currently in business in the United States.

"The purpose of this project was to install a safe composite lining, in order to provide additional support and protection," PG&E spokesman Joe Molica said about the liner.

Before installing the liner, he said, PG&E had tested that part of the line using high-pressure water. At the time, the company said it would track any leaks and inspect the line a year after installation.

PG&E recently told San Francisco City Attorney Dennis Herrera, who asked for details about the project, that it did an initial camera inspection bu did not do a follow-up inspection. PG&E says the inspection could have damaged the liner and there had been no leaks in the past decade.

Inspection aside, experts question the value of the liner in a major quake. Glen Stevick, a Berkeley engineer and pipeline safety expert, said such a interior liner "does provide a lot of flexibility and it can take a certain amount of leakage without rupture."

But, he said, substantial ground movement during a quake could have a "guillotine" action in severing a circumferential weld, slicing the liner in the process.

Doug Honegger, an Arroyo Grande (San Luis Obispo County) consultant on pipeline seismic safety, agreed the liner's value is limited.

"The question is why they put the liner in. If the threat was from large ground movement, I'm not sure the (liner) would be what they needed," he said. "The preferred option would be to replace that section."

Vulnerable welds

Still other parts of Line 109 were constructed with low-frequency electric resistance welds, considered vulnerable during normal operations and tied to more than 100 failures nationwide.

PG&E inspected Line 109 in 2009 using a method that was incapable of finding flawed seam welds. Yet two stretches of the line have such welds, according to PG&E records. PG&E officials have said they had been intentionally boosting the pressure on lines with such welds every five years or so since 2003, but stopped the practice after the San Bruno explosion. The company says it had been elevating the pressure because federal regulations - based on peak pressure levels - would otherwise kick in and limit its ability to meet peak demand.

Federal officials say they don't understand why PG&E was boosting pressure on vulnerable lines.

PG&E last spiked the pressure on the San Francisco part of Line 109 on April 12 of last year to 147 pounds per square inch; the line's maximum capacity is 150 psi. It first spiked the pressure on the line in December 2003 to 150 psi. Experts have questioned the safety of the spiking practice on such vulnerable welds, saying they could make them more prone to failure.

Portion above ground

Outside San Francisco, at the higher-pressure segment of the line, experts point to another potential problem spot: an above-ground, 50-foot spar where Line 109 crosses a dry creek bed. PG&E inspected the line in 2009 and said any safety concerns were addressed.

But UC Berkeley's Bea said erosion on the creek banks during recent storms could potentially weaken support on either side spanning the creekbed. He worries the line has no underpinnings to support the crossing.

Experts point to the totality of Line 109 problems as warning signs that the older, untested lines in PG&E's system are fraught with potential risks

PG&E had largely stopped replacing old lines by 2000, when it cut back on miles replaced in favor of inspection efforts to assure safety, document show.

"With the age and the risk factors they have, why aren't they judiciously replacing these pipes?" pipeline safety expert Kuprewicz said. "You are playing Russian roulette with a six-shooter, and you have five bullets in the gun."

"I frankly don't feel very comfortable with their whole" system, said Robert Eiber, another pipeline integrity expert. "It's a mess. You need to find out what you have in the ground."

Herrera said he wants to know more about the line before he is satisfied it is safe.

"It's quite clear that we haven't received all the records that would give us that complete confidence," he said. He added that he intends to make every effort to make sure "we are getting the records we need."

E-mail Jaxon Van Derbeken at jvanderbeken@sfchronicle.com.

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created 500-foot "buffer zones," Berkeley's ver- sion is more sweeping and applies to many more products. If passed by the City Council on May 12, it would turn tobacco into an obscure, big-ticket item, since the proposed buffer zones would <i>Tobacco continues on AB</i>	Gas pipeline blast injures 11 near Fresno	By John King, David R. Baker and Kale Williams A Pacific Gas and Electric Co. natural gas pipeline near Fresno erupted in a fireball Friday afternoon – injuring at least 11 people and tem- porarily closing down Highway 99 – after a tractor operator accidentally punctured the	 I2-inch line, authorities said. Eleven victims were transported to hospitals, where officials said four were in critical condition, two were in serious condition and the remainder suffered minor injuries. The explosion, which sent flames surging past the tops of nearby trees, happened shortly before 2:30 p.m. on a shooting range close to busy Highway 99, one of the San Joaquin Valley's two main freeways. Blast continues on A9 	failed to convict jour- nalists who paid police, prison guards and other officials for stories. After the verdicts, pros- ecutors told most of the journalists facing up- coming cash-for-scoops trials that charges
iter- along st enin- tric- isco tric-	the shoot the sh	aged." do- do- Gate Area ist. ave troi froi froi froi froi froi froi	With a real is full of trails that go Terray Sylvester / The Chronicle With a real is full of trails that go San Francisco Public Utilities Ising a back to the 186Os. They belong San Francisco Public Utilities Ising a back to the 186Os. They belong San Francisco Public Utilities Ising a back to the 186Os. They belong Ramirez and Betsy Lauppe Ising a back to the people in perpetuity." Rhodes walk on the Ising a dup House, founder of the group Open the SF Watershed Principe (Cahill Ridge Trail, which will open for expanded uses and be extended farther through the watershed land.	O Syria fighting: In an interview published Friday in the Swedish daily Expressen, Syrian Presing in the swedish daily Expressen, Syrian Presing in attack: Boko Haram militants killed at least 12 people in attacks on two interview of the second attacks on the second attacks on two interview of the second attacks on two interview of the second attacks on two interview of the second at
2016 and build connec- tions to other trails along the spectacular coast mountains of the Penin- sula. It would be the first time the San Francisco utility has lifted restric- tions on accord of the	turns out access to the land surrounding the reservoir, opening 23,000 acres of scenery for the public to admire. The proposal was hailed by Bay Area residents who have long sought access to the trails in the water- shed.	"I'm very encouraged," said Jim Sullivan, a do- cent for the Golden Gate National Recreation Area and San Mateo County parks. "These are exist- ing corridors that have been accessed by patrol vehicles, horseback rid- ers and utility workers	for many years." The proposal brings park advocates closer to their dream of creating a giant network of trails through the watershed and connecting with federal, state and local Trails continues on A9	 U.N. Human Rights Commissioner's office said at least 6,116 people have been killed since the fighting broke out a year ago. 9 Rights abuses: Bahrain is hitting back at an Amnesty International report alleging that government reforms have failed to end serious violations of human rights in the Gulf country comment of the Gulf country comment.

leaves at least 11 hurt PG&E gas explosion

Blast from page AI

ing to spokesman Tony Botti of ated by a county public works Peace Officers' Range, accord-The tractor was being operemployee who was using it to 30 feet away, more than a doz-Office. Three lanes and about en inmates were digging bulreinforce a berm behind the targets at the Fresno County the Fresno County Sheriff's ets out of the berm.

knew the gas transmission line It was not immediately clear ities in advance. PG&E spokescall on its digging hotline from woman Nicole Liebelt said the posed to check with local utilwith heavy equipment is supwhether the tractor operator was there. Anyone who digs company had not received a anyone working nearby.

Botti said, perhaps because the gaged in digging at the time of and the explosion happened," front-end loader was scraping the explosion. "All the indica-But, according to Botti, the tions are that he was driving tractor operator was not enthe ground.

the air, according to onlookers, and flames that injured at least flaring more than 100 feet into 10 of the inmates. One was in such critical condition that he had to be airlifted to a nearby and spilling outward in heat Whatever the cause, the explosion was immense hospital.





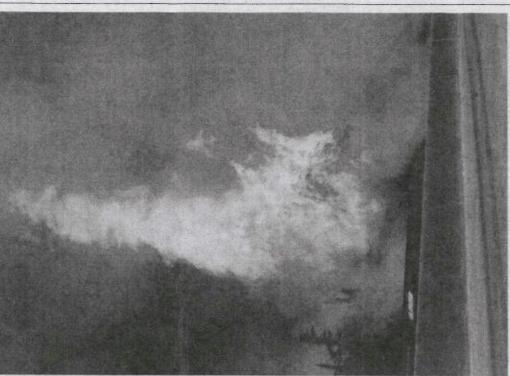


John Blanchard / The Chronicle

ample of the fireball's intensity: away from the explosion, in an area where deputies clean their like trash-can lids," Botti said. over to the ambulance," Botti amazingly, was able to walk said. He added a smaller exguns, melted. "They looked plastic trash cans 200 feet

Fortunately, most of the area Another factor that kept the grassland, the shooting range around the explosion was and an equestrian center.

toll from being more severe is shooting range. "Hats off to them," Botti said. "They that deputies were at the



Kevin Ling / Associated Press

both directions until 4:30 p.m. Highway 99 was closed in jumped into action right away

Fresno, injuring at least 11 people and closing Highway 99. A fireball erupts after a large gas pipeline exploded near

A railroad line running alongside the shooting range sus-Last week, the California tained damage.

September 2010 explosion of a slapped PG&E with a record Public Utilities Commission \$1.6 billion penalty for the

> trucks each containing roughly 2,000 gallons for the engines to

draw on.

engines, fire trucks and water to the fireball included 15 fire

Fire Department, the response

a spokesman for the Fresno

According to Pete Martinez,

to get aid."

people. The blast erupted from San Bruno, which killed eight Since then, PG&E has spent natural gas pipeline beneath a 1950s-era pipeline that had been installed with substandard welds that failed, said federal investigators.

Those investments, however, natural gas pipes, which spans most of Northern and Central replaced more than 800 miles of cast-iron pipe and installed controlled shut-off valves, as well as invested in new leakbillion on repairing and upgrading its vast network of or committed to spend \$2.8 200 automatic or remotely California. The utility has detection technology.

from digging into and puncturing gas lines - the most common cause of natural gas pipecannot prevent other people line accidents nationwide.

But if the tractor in fact was 12-inch transmission line was out of the ground, that raises the question of how close the not engaged in scooping dirt to the surface.

had dispatched a team to Fresous Materials Safety Adminisinvestigation of the explosion. The commission had already federal Pipeline and Hazardbegun coordinating with the no and would conduct a full commission reported that it tration, said spokeswoman Late Friday, the utilities Terrie Prosper.

Kale Williams are San Francisco jking@sfchronicle.com, dbaker@ John King, David R. Baker and Chronicle staff writers. E-mail: sfcbronicle.com, kwilliams@ @DavidBakerSF, @SFKale sfcbronicle.com Twitter: @JohnKingSFChron,





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Regulatory Changes: San Bruno Explosion Mirrors 2004 Walnut Creek Pipeline Blast

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Getty Images / Justin Sullivan

The aftermath of the lethal San Bruno explosion has begun to replicate regulatory and safety changes that were products of the 2004 Walnut Creek pipeline blast, a case we represented for our client who suffered burns over 30% of his body.

New Safety Regulations

San Bruno: Yesterday U.S. Rep. Jackie Speier, (D-Hillsborough) announced

legislation that would require pipeline operators across the country to equip their lines with automatic shut-off valves. This technology could have significantly reduced the devastation of the San Bruno pipeline explosion.

Walnut Creek: In 2006, the federal Pipeline and Hazardous Materials Safety Administration's Office of Pipeline Safety and Kinder Morgan, an energy company involved with the Walnut Creek explosion, agreed that Kinder Morgan would provide system-wide Re: Inquiry about Gas Transmission Pipeline 109 from concerned SF residents

Robert G. BEA

May 5 at 10:26 AM

To

Marilyn Waterman
Happy Monday Marilyn,

given the background you provided in your email, yes - you should be concerned.

there are several points in your summary that provide a good basis for your concerns:
1) old (1980s) PG&E gas transmission pipeline installed in area with highly variable topography,
2) no records on the construction, operation, and maintenance of the pipeline,
3) no definitive guidelines to determine if the pipeline is 'safe' and 'reliable',
4) apparent confusion about responsibilities (government, industrial - commercial) for the pipeline safety, reliability, and integrity.

this list is identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.

the fundamental 'challenge' associated with your concern is tied to the word 'safe'. unfortunately, it has been very rare that i have encountered organizations that have a good understanding of what that word means, and less of an understanding of how to demonstrate that a given system is 'safe enough'.

during my investigation of the San Bruno disaster, i did not find a single document (including trial deposition transcripts) that clearly indicated PG&E or the California PUC had a clear understanding of the word 'safe': freedom from undue exposure to injury and harm.

much of this situation is founded in 'ignorance'. it is very rare for me to work with engineers who have a comprehensive understanding of what the word safe means - and no clue about how to determine if a system is either safe or unsafe. the vast majority of governmental regulatory agencies are even worse off.

i have attached a graph that helps me explain the important concepts associated with determining if a system is safe or unsafe. the vertical scale is the likelihood of a failure. the horizontal scale is the consequences associated with a failure. the diagonal lines separate the graph into two quadrants: safe and not safe. if the potential consequences associated with a failure are low, then the likelihood of the failure can be high. if the potential consequences are very high, then the probability of failure must be very low. uncommon common sense.

on the graph, i shown a system that was designed for a particular 'risk' (combination of likelihood and consequences of failure). when it was constructed, the risk increased due to construction 'malfunctions' - like bad welding. when the system was put into service, the risk increased further - perhaps due to poor corrosion protection and due to the area around the pipeline being populated with homes, businesses, schools and other things that increase the potential consequences of a major failure. once it is determined that the system that was originally designed to be safe, is no longer safe, then it is necessary to do things that will allow the system to be safely operated....reduce the likelihood of failure (e.g. repair the corrosion) and reduce the consequences of failure (e.g. install pressure control shut off sensors and equipment that can detect a loss of gas and rapidly shut the system down)....or replace the segment of the pipeline that no longer meets safety - reliability requirements.

after i completed my investigation of the San Bruno disaster, i prepared a series of 'graphics' that summarized my findings. because the graphics file is very large, i have sent the file to you as a Google Document with a link you can use to view or download the document to your computer.

The San Bruno Root Cause Analysis.pdf

i know this has been a long answer to your short question. i hope it will help you understand how to better communicate your valid concerns regarding this development.

bob bea

On Mon, May 5, 2014 at 9:37 AM, Marilyn Waterman <<u>yaviene@yahoo.com</u>> wrote: Dear Mr. Bea,

I am writing to you on behalf of a group of concerned Bernal Heights residents in San Francisco. We have been very interested in your published comments on San Francisco Bay Area's gas transmission pipelines and are wondering if you could offer us an idea of whether we should question the public safety of a proposed development. Many of us in Bernal Heights think the project - two luxury houses with four more down the line - unwisely puts speculator's interests before public safety.

The particular details are these: Gas Transmission Pipeline 109, built in the early 80's, runs under several Bernal streets before it rises up an incline under Folsom Street toward the top of Bernal Heights hill.

Toward the top of Folsom Street, the hill enters an undeveloped section of about 100 feet with a 35-degree grade - for years, deemed too steep to develop by the Department of Public Works. Within San Francisco, it is a rare spot of steep unpaved land over Pipeline 109.

The Department of Public Works has now designated this 35-degree grade section of Folsom Street a 'right of way' - which exempts the developers from City public street safety grading codes - and paves the way for development. Public street safety standards set the grade of new streets in San Francisco at 25 degrees. Indeed, the two public streets running parallel to this section of Folsom were safely graded to 25 degrees or less. Under this designation, private contractors in conjunction with PG&E will do all construction and maintenance over the pipeline.

We think this is a questionably risky development - given the location in a densely urban neighborhood, the steepness of the grade for heavy earth-moving equipment, the lack of records about the pipeline in this undeveloped area, and the fact the City has no risk assessment guidelines in place for construction around gas transmission pipelines that we are aware of.

Indeed, several years ago at the very spot where this development is proposed to begin, a cement truck overturned while trying to make a turn and ruptured a water main.

We have written to the Department of Public Works and PG&E about our concerns - and have been alarmed at the casual attitude we have encountered. The City Planning Department has already issued a perfunctory waiver from an Environmental Review. The DPW maintains they have nothing to do with a right of way development except issue a permit and inspect excavation. PG&E has so far offered no records of this section of the pipeline. The City of San Francisco itself, as far as we know, has no guidelines for assessing risk of construction around transmission pipelines.

All of this makes many of us very uneasy. Should we be?

We would greatly appreciate your perspective.

Regards, Marilyn Waterman

.

PS - If you want to google the proposed development the addresses are: 3516 and 3526 Folsom St., San Francisco

Robert Bea Professor Emeritus Center for Catastrophic Risk Management University of California Berkeley Email: <u>bea@ce.berkeley.edu</u>

Risk Assessment & Management Services 60 Shuey Drive Moraga, CA 94556 925-631-1587 (office) 925-699-3503 (cell) Email: <u>BeaRAMS@gmail.com</u> <u>http://buy.norton.com/specialoffers?VENDORID=YAH00</u> acceptable risks

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Cement truck mixes poorly with city water

Chronicle staff report Published 4:00 am, Wednesday, August 22, 2007



IMAGE 1 OF 2

WATERMAIN_027_RAD.jpg SHOWN: Broken water main and fallen cement truck at the corner of Powhattan and Folsom Streets in San Francisco, CA., where undergrounding and sewer repair work have been ongoing. (Katy Raddatz/The Chronicle) **

A cement truck overturned, below, and ruptured a water line in San Francisco's Bernal Heights neighborhood Tuesday, knocking out service to four blocks for seven hours.

The accident happened a little after 10 a.m. and slightly injured the cement truck driver.

At left, an Atlas Towing worker rigs cables to the fallen truck.

Righting the truck took several hours more than expected, but the job was finally accomplished at 3 p.m. with the help of two heavy-duty tow trucks. Two hours later, water was flowing to all in the neighborhood once again, said Tony Winnicker, a spokesman for the city Public Utilities Commission.

RELATED STORIES



Water service restored in Bernal Heights ADVERTISING

The affected area is bounded by Powhattan Avenue, Cortland Avenue, Folsom Street and Gates Street.

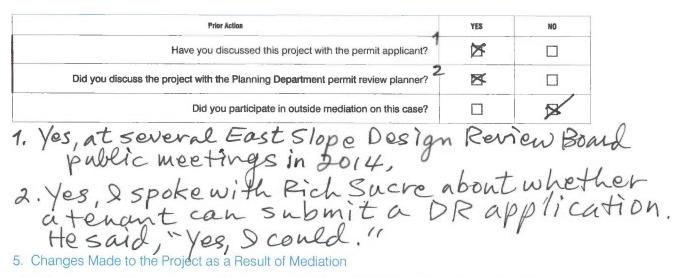
APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
ANN LOCKETT	ZIP CODE:	TELEPHONE:
61 GATES ST., SAN FRANCISC	0 94110	(45824-2776
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONAL		
ABIEN LANNOYE	ZIP CODE:	TELEPHONE:
241 AMBER AVE. SAN FRANCISCO	94131	(415 626-8868
CONTACT FOR DR APPLICATION:		
Same as Above M ADDRESS:	ZIP CODE:	TELEDUONE
	ZIP CODE.	TELEPHONE:
E-MAIL ADDRESS:		
Pockett7@gmail.com		
2. Location and Classification		
3516 FOLSOM ST. SAN FRAM	Veisco, e	A 94110
CHAPMAN		
ASSESSORS BLOCK/LOT: 56261013 25×70 1750 59.4. RH-1/40×	T: I	HEIGHT/BULK DISTRICT:
56261013 25×70 1750 59.14. Rtf-1/40×	HEIGHTS 5	OD
3. Project Description		
Please check all that apply Change of Use Change of Hours New Construction A	lterations 🗌 D	Pemolition 🗌 Other 🗌
Additions to Building: Rear 🗌 Front 🗌 Height 🗌 Side	Yard	
Present or Previous Use: Open 5pace, foot the	els.	
Proposed Use: Suigle family house		
Building Permit Application No. 2013.12.16.4322		ed: 12-17-13
	REG	CEIVED

SEP 1 5 2015 CITY & COUNTY OF S.F. PLANNING DEPARTMENT

4. Actions Prior to a Discretionary Review Request



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.



3516 Folsom St.

Application for **Discretionary Review**

CASE NUMBER: For Staff Use only

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 Discretignary 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.

The massive size of the proposed house at 2516 Folsom Street, three stories of living space including a 3-car garage, is <u>exceptionally out of scale and character</u> with with this mixed socio-economic neighborhood of predominantly low to middle income owners and renters occupying modest houses built for working families in the early to mid 20th century. Presented to neighbors by the architect as just a one-family house, it must be considered in its <u>extraordinary site context</u>: six lots proposed for development on a steep (approx. 35–37% grade) open space slope located over a major PG&E gas transmission line. **It conflicts with:**

Residential Design Guidelines, p. 22: it is not "compatible in size and scale with surrounding buildings" on Block 5626. The neighborhood character of the south slope area of Bernal Heights is notably unpretentious with predominantly small one and two story houses with 1-car garages or no garage at all. (see attached sheet)

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

The plan for 3516 Folsom St. unreasonably impacts the neighborhood in creating a tipping point to an unacceptable change in neighborhood character. The out-of-scale house proposed, with its unworkable 3-car garage on a dangerously steep slope, sets a highly undesirable precedent for equally grandiose houses on the other five lots on this hillside open space. It would be a slippery slope towards filling Bernal Heights with expensive, out-of-character boxes, eventually making every older house a potential teardown, an unacceptable impact adversely affecting the entire neighborhood which has so far gentrified in ways that retain neighborhood character. General Plan Priority Policy #2 emphasizes that "neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."

There is real danger in bringing heavy construction equipment onto this very steep and uneven hillside slope over a major PG&E gas transmission pipeline--many neighbors, their friends and relatives, and walkers on Bernal Hill fear for their personal safety, not to mention the potential loss of their homes.

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?

<u>One or two story houses could be an alternative and fit the neighborhood character</u> if three fundamental conditions were met: 1)PG&E determines the depth and integrity of the major gas transmission pipeline under the site's slope; 2) if PG&E repairs or replaces it as necessary; and 3) if independent experts certify its safety.

Open space, permanently designated, is the best alternative

-leave this entire hillside as it is, a natural area with diverse native and non-native plants and wildlife within the city limits

-currently it is and should remain a valuable and unusual resource for the neighborhood, visitors to the neighborhood, and neighborhood public elementary school children and their families many of whom are low income and have few opportunities to experience undeveloped natural areas

3516 Folsore St.

Discretionary Review Request - page 2 - Lockett

Question 1. (continued)

It conflicts with:

Planning Code Priority Policy #8, that "out parks and open spaces and their access to sunlight and vistas be protected from development." This project is proposed for a never paved, never built upon very steep hillside that has an informal foot trail system through a natural area with native and nonnative plants and wildlife. It is used by neighbors and hikers for recreation and local public elementary school children on nature study field trips. (see attached list of local birds and wildlife of the San Francisco Bay Area seen on this slope)

It conflicts with:

East Slope Design Review Board Guidelines, p. 12, regarding building bulk and massing, which warns against "the maximum-building-envelope-shoebox more characteristic of apartment units than of a house form." The architect, despite neighbors' comments and ESDRB input at community meetings, refused to reduce the height and size of the house and to provide side yards.

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.

Com forkett Signature:

Date: Sept. 15, 20/5

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

ANN LOCKETT Owner / Authorized Agent (circle one)

1 () SAN FRANCISCO PLANNING DEPARTMENT V.08 07 2012

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	P
Address labels (original), if applicable	Ø
Address labels (copy of the above), if applicable	Ø
Photocopy of this completed application	
Photographs that illustrate your concerns	V
Convenant or Deed Restrictions	
Check payable to Planning Dept.	B
Letter of authorization for agent	
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)	

NOTES:

Required Material.

Optional Material. O 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:

3576 Folsom St. app ann lockett <lockett514@icloud.com>@

September 15, 2015 11:58 AM

2-story house at top of Gates St. fits neighborhood character and is visually appealing, has side yards

1 Attachment, 358 KB



RECEIVED

SEP 15

35/6 Folsover St. app ann lockett <lockett514@icloud.com> \mathcal{B} another attractive 2-story modern house at top of Gates St.

September 15, 2015 11:28 AM

1 Attachment, 94 KB

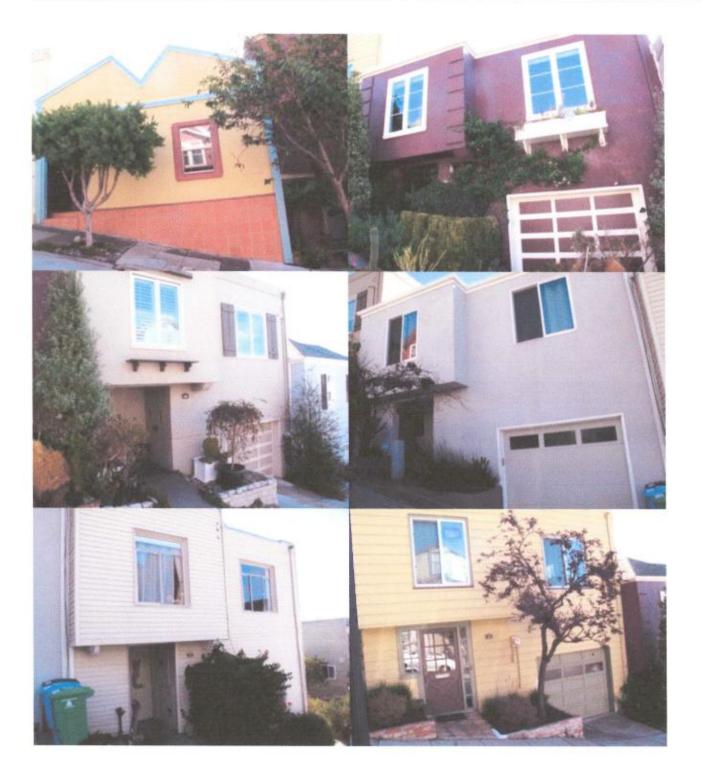


3516 Folson A. app

ann lockett <lockett514@icloud.com>& Gates St. one and two story houses in Block 5626 Neighborhood character

September 15, 2015 11:46 AM

6 Attachments, 185 KB

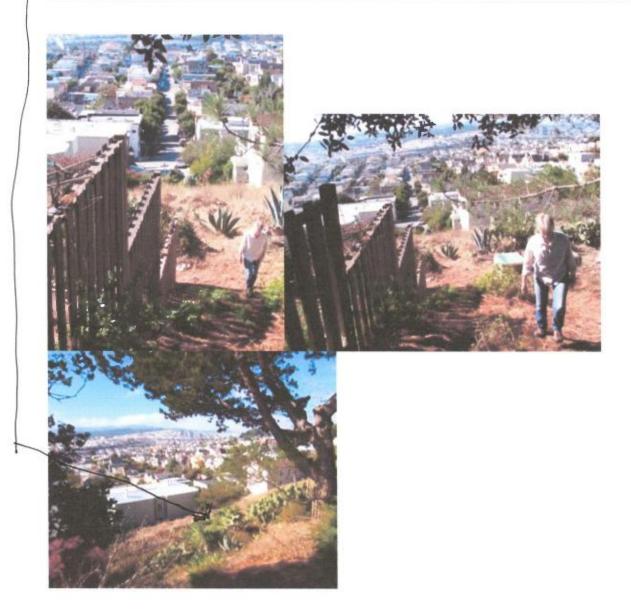


3516 Folsom St. app

ann lockett <lockett514@icloud.com>@ Steep slope of Folsom St, from top of hill by Community Garden

September 15, 2015 11:53 AM

3 Attachments, 144 KB



3516 Folson St. app

ann lockett <lockett514@icloud.com>@ 5216 project board (notice on right) by PG&E gas line warning sign

September 15, 2015 11:37 AM

1 Attachment, 168 KB



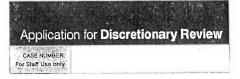
3516 Folsona St. app

ann lockett <lockett514@icloud.com>@ PG&E gas pipeline warning sign facing down slope toward Folsom St.

September 15, 2015 12:21 PM

1 Attachment, 450 KB





APPLICATION FOR Discretionary Review

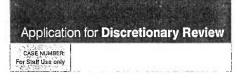
1. Owner/Applicant Information

 $\mathcal{C}(0)$

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DR APPLICANT'S NAME. HEKD FELSEN FELD (For DR APPLICANT'S ADDRESS:	Neishbors Against Th	e Upper Folsony street	E Xtension)
3574 FOLSOI	MSTreet 914/14	0 (41560)-5062	
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU Fabien Lanney		E:	
2970 Kensas	street 941	03 1415 626 8868	
		an i tradiciona de Santa en la companya de la comp La companya de la comp	
Same as Above 🔀 ADDRESS:	ZIP CODE!	TELEPHONE:	
EMAIL ADDRESS: Ner bfelsen Se	12 @ smail.co	M	
2. Location and Classification			
STREET ADDRESS OF PROJECT. 3516 FOISOM	street	ZIP CODE: 99110	
STREET ADDRESS OF PROJECT: 3576 Folsom CROSS STREETS: UNDEVELOPED HOUND	a man a family and a state of the state of t	9410	Streets
3516 Folsom CROSS STREETS:- Undeveloped land ASSESSORS BLOCKLOT: LOT DIMENSIONS: LOT	a man a family and a state of the state of t	of Folion't Chapman HEIGHT/BULK DISTRICT.	Streets
3516 Folgom CROSS STREETS- Undeveloped land	AREA (SQ FT): ZONING DISTRICT:	of Folion't Chapman HEIGHT/BULK DISTRICT.	streets
3516 Folsom CROSS STREETS: Undeveloped found ASSESSORS BLOCK/LOT: 5626 / 014 25 × 70 1 3. Project Description Please check all that apply	AREA (SQ FT): ZONING DISTRICT:	9916 of Folion tohapman HEIGHT/BULK DISTRICT. 20171	streets
3516 Folsom CROSS STREETS: Undeveloped ford ASSESSORS BLOCK/LOT: 5626 / 014 35 × 70 1 3. Project Description Please check all that apply	AREA (SQ FT): ZONING DISTRICT: TOTAL SQ FT): ZONING DISTRICT: TOTAL SOLUTION SUD New Construction Alterations	9916 of Folion tohapman HEIGHT/BULK DISTRICT. 20171	Streets
3516 Folsom CROSS STREETS: Undeveloped fond ASSESSORS BLOCK/LOT: 5626 / 614 AST & To I 3. Project Description Please check all that apply Change of Use Change of Hours N	AREA (SQ FT): ZONING DISTRICT: THE SOLFT: ZO	9916 of Folion tohapman HEIGHT/BULK DISTRICT. 20171	Streets
3516 Folsom CROSS STREETS: Undeveloped found ASSESSORS BLOCK/LOT: 5626 / 614 25 × 70 1 3. Project Description Please check all that apply Change of Use Change of Hours N Additions to Building: Rear Front [AREA (SQ FT): ZONING DISTRICT: THE SOLFT: ZO	9916 of Folion tohapman HEIGHT/BULK DISTRICT. 20171	Streets

7



9

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.

Attached See 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

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

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	×	
Did you discuss the project with the Planning Department permit review planner?	X	 ,
Did you participate in outside mediation on this case?		

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.

	- 5 + A

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8 SAN FRANCISCO PLANNING DEPARTMENT V 08.07.2012

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.

MEDOU E - ElG Signature:

Date: 09/15/2015

Print name, and indicate whether owner, or authorized agent Herbert E. Felsenseld Owner / Authorized Agent (circle one)

10 SAN FRANCISCO PLANNING DEPARTMENT V.08.07.2012

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	Ø
Address labels (copy of the above), if applicable	Ģ
Photocopy of this completed application	L
Photographs that illustrate your concerns	2
Convenant or Deed Restrictions	网
Check payable to Planning Dept.	Z
Letter of authorization for agent	DN
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for ne elements (i.e. windows, doors)	w 📓

NOTES:

. 1

Required Material.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

RECEIVED

SEP 1 5 2015

CITY & COUNTY OF S.F.

For Department Use Only Application received by Planning Department:

By: Soken Omokaro

Date: 9-15-15

11

ATTACH MENT

development. The Bernal Heights East Slope is a special neighborhood and the qualities that make it that way are cherished by all those whose commitment to seeing them preserved has produced these building guidelines. 1.

The history of the East Slope has been one of benign neglect by the City of San Francisco, however, while dirt roads and undeveloped hillsides have given the East Slope its rural character, the lack of roads and services has periodically presented real danger to the residents.

Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result, the East Sope's rural characteristics rapidly are disappearing along with views, open space and trees. Some new buildings have created "canyons" blocking sunlight and presenting building facades, which are all copies of a single undistinguished design.

In preparing these guidelines we have made a thorough inventory of present housing stock, vacant lots, open spaces, public areas, and streets, loth developed and undeveloped.

Predominant architectural components have been examined along with the relationship of individual buildings to their toxs and their immediate neighbors. These guidelines are an effort to retain the spirit of our neighborhood and to establish criteria for new housing design that will ensure, as much as possible, the continued existence of the East Slope's unique character.

Page 2

Hot

minimizing monotony and enhancing the visual appeal of new housing.

We have tried very hard to make the guidelines prescriptive rather than restrictive. The intent is not to induce dull uniformity but rather to encourage inventive diversity while conforming to the patterns of development which have made Bernal Heights as humanly scaled as it is today

In an interview recorded earlier in 1986, architect Hugh Jacobsen, a four-time winner of the National Honor Award of the American Institute of Architects is quoted as saying:

"From the beginning, I've looked at all architecture as a matter of good manners, being part of the whole street, being part of the fabric of the city. Good architecture, rather than beating its chest or shouting at neighbors, behaves like a well-mannered lady. There is politeness in every great city— Florence, Rome, and especially Paris. The streets have continuity but each building also has its own individuality. The buildings are at once proud and humane, standing strong in their mutual respect "

Certainly San Francisco is considered one of the great cities of the world. We fervently hope that newcomers to the East Slope, as part of a great city, will be architecturally polite so that we, the old and the new, can stand strong in our mutual respect.

ATTACHMENT A-2

SUMMARY OF DESIGN GUIDELINES

1. 9'-0" CURB CUT/SINGLE CAR GARAGE DOOR:

Carage doors shall be limited to a 10-0" width. Curb cuts shall be 9-0" and placed so as to create a 16-0" curb space within the 25-0" width of the lot to provide one full parking space on the street. In addition, the garage door shall be placed a minimum of 16-0" from the inside edge of the sidewalk so as to provide one additional parking space per residence in the driveway.

2. LANDSCAPING • FRONT YARD SETBACKS • STREET TREES

50% of the Front Yard Setback area (not including the driveway up to the garage) shall have provision for landscaping (i.e. trees, shrubs, flower beds, ground cover, vines, etc.).

One Street Tree shall be planted at the time of construction in front of each tot within the street right-of-way, and close to the front property line. 'Frees shall be 15-gallon size.

3. ENTRY TREATMENT

Make the entry of the house something special — a celebration — more than just a front door. Create a transition between the street and the doorway. Give special attention to the treatment of the framing of the opening itself.

Fences or walls which enclose a lot or a portion of a lot, which run parallel to the property line on the street side, and are not structural portions of the buildings or the stair leading to it, shall not be completely solid at eye level.

4. BUILDING AND ARCHITECTURAL MASSING

Step the building with the slope of the lot. Building shall not exceed 32-0" from any point on natural grade. This height shall be measured to the average height of a pitched roof of to the highest point of a flat roof. In addition, no point of the last 10'-0" depth of the building may exceed 2/3 the height of the highest point of the structure. Highest point, once again, is defined as the average height of the pitch on a sloped roof or the highest point of a flat roof.

At the rear, a minimum 17-6" rearyard is required.

ATTACHMEN A-3

5. SIDEYARDS

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A 4"-0" sideyard is required on one side of each 25"-0" lot. The first 5"-0" back from the street facade shall be completely open. Beyond that, two of the four additional sideyard zones must be left open (See Guideline for discussion of "zones".)

6. ROOF TREATMENT • STEP WITH SLOPE ALONG STREET

Any roof which is not pitched at a ratio of at least one in four must be designed and surfaced so as to be usable.

Any flat roof must be accessible from a prime living space without the necessity of climbing a special set of stairs to reach it.

Step rooflines of adjacent buildings up or down in initiation of the slope of the street.

7. FACADE ELEMENTS

Any balcomy, porch, deck or terrace above ground level must be at least 6'-0" deep and a minimum of 36 square feet in total area.

8. COLORS & MATERIALS

No specific guidelines but suggestions and recommendations.

Page 32

ATTACHMENT A-4

DESIGN GUIDELINES CONCLUSION

There are a number of topics which need to be addressed and yet do not fit into the form of a guideline. The issue of security and crime is one of these. None of the guidelines deals with insuring the safety of a home. Nowhere do we mention the use of metal grills at the entry or the elimination of landscaping to cut down on the possible hiding places. In fact, on both social-psychological and aesthetic grounds, these measures are not encouraged. It has been proven that the isolation created when people live barricaded behind fortress-like walls stimulates incidents of criminal activity more than security systems deter them.

We do not believe that the solution to crime, particularly breaking and entering, is an architectural one. The long-term solution will only come from changes in society at large, with the best short-term defense being a cohesive, responsive community which looks out for and protects its members. The basis for this sort of open communication network among neighbors presently exists in this section of Bernal treights, much as it has in small towns of old.

All of the guidelines assume the construction of one house per lot. Though not specifically encouraged, it would certainly be acceptable to build one house on two lots, especially when the topography of a site or the existence of trees made a portion of a given lot unusable. Several guidelines would have to be amended if applied to a double lot and this would be handled on a case-by-case basis, as the need arose.

> The question of whether adherence to these guidelines would increase the construction costs of prospective new homes has often been raised. Since a major goal of this report is the maintenance of Bernal Heights as an area which is financially accessible to people of low and moderate incomes, there have been cottsiderable concerns over this point. In an effort to arrive at an answer, many people in the construction business have been presented with our concepts and asked to try to assess, as nearly as possible, what the economic consequences might be. We have been assured to our satisfaction that our recommendations in and of themselves, would not impose undue financial burden on the developers and owners of new housing. There is nothing in the guidelines which call for a deviation from standard construction practice or necessitates the introduction of expensive architectural services. If, in the process of planning a new structure, one can demonstrate that compliance is significantly raising his or her costs for some unforeseen and treconcilable reason, there would be grounds for proposing a compromise solution.

These guidelines have been developed because of specific conditions on the East Slope of Bernal Heights. They were mandated by the City Planning Department in conjunction with a temporary building moratorium. The guidelines were adapted from those successfully in use for the Elsie Street neighborhood in northwest Bernal Heights. Residents, vacant lot owners and representatives of several city departments contributed to the development of these guidelines.

ATTACHWEN B-1

More

1

SEC. 242. BERNAL HEIGHTS SPECIAL USE DISTRICT.

(a) **General.** A Special Use District entitled the Bernal Heights Special Use District, the boundaries of which are shown on Sectional Map. Nos. 7SU, 8SU, and 11SU of the <u>Zoning Map</u>, is hereby established for the purposes set forth below.

(b) **Purposes.** In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

(c) The provisions of this Section 242 shall not apply to building permit applications or amendments thereto, or to conditional use, variance or environmental evaluation applications filed on or before January 7, 1991. Such applications shall be governed by the ordinances in effect on January 7, 1991, unless the applicant requests in writing that an application be governed by the provisions of this Section 242.

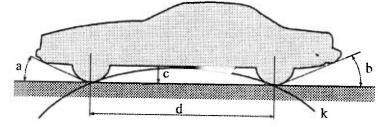
(d) **Definitions.** For purposes of this Section 242, the following definitions apply:

(1) "Adjacent building" shall mean a building on a lot adjoining the subject lot along a side lot line. Where the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building." A corner lot shall have only one adjacent building located along its side lot line.

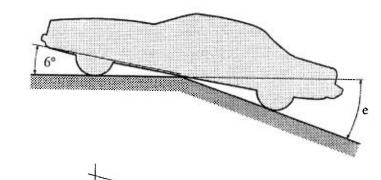
(2) "Usable floor area" is the sum of the gross areas of the several

ATTACH C-1





- Maximum approach angle a =
- Maximum departure angle b =
- = Minimum running ground clearance = С
- Design vehicle wheelbase d =
- Maximum ramp breakover angle e =
- k =Crest of curve arc



11' 10.5% or 6° 21.25% or 12 32.5% or 18°

 $20.2^{\circ} = 36.8\%$ $9.2^{\circ} = 16.2\%$

- 4.3"
- 10.8' (Salt Lake City Design = 11') =
- 8.2° (Salt Lake City Design = 10.5% (6°)) =
- $d \div e$ (Salt Lake City Design = 1.05) =

16%(9.09°) Maximum

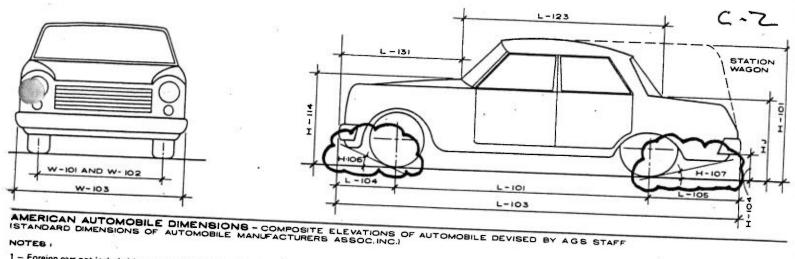
 $\frac{11}{4.5\% \text{ or } 24^{\circ}} \frac{11}{32.5\% \text{ or } 18^{\circ}} \frac{11}{21.25\% \text{ or } 12^{\circ}} \frac{11}{10.5\% \text{ or } 6^{\circ}}$

Driveways leaving a public right-ofway should not exceed a maximum slope of 8% (4.57°) from gutter to property line. The slope should be transitioned beyond the property line no more than a maximum of 16% (9.09°) average grade to the parking pad. Driveway cross slopes of 4 % to 6% (2.3° to 3.4°) maximum.

> 11 0% or 0.0°

Date	Revisions
8/12/91	changed layout/assigned #
7/31/02	revised data
2/24/03	revised data
5/04/05	revised data

11' 0% or 0.0°

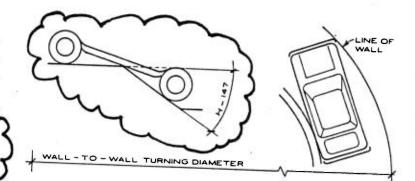


1 - Foreign cars not included (except Volkswagen, see below). 2 - Dimensions are for 1968 models.

3 - Dimensions cover: sedans, coupes and stationwagons.

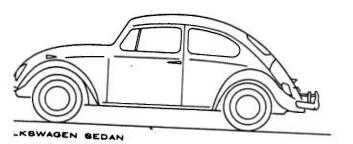
OVERALL DIMENSIONS	MINIMUM			
W-103 Overall width	the second s	and the second second	MAXIMUN	6
H-101 Overall height	Corvette	5'-9 1/4"	Buick	6'-8"
neight	Corvette	3'-11 3/4"		
L-101 Wheelbase	Corvette	D		5'-3 13/16"
L-103 Overall length	The second se	8'-2"	Cadillac	11'-0"
H-166 Canada I	AMC AMX	14'-10 1/4"	Cadillac	
H-156 Ground clearance	Pontiac	0'-3 11/16"	lass	19'-0 1/4"
		· · · · · / / 0	IJEBO	D' 7 11/100

ANGLES, RAMPS & DIAMS H-106 Angle of approach (degrees	MINIMUM	19.24	MAXIMUM	
H-107 Angle of departure	Mercury	10.8	Jeep	39.0°
(degrees)		10.8	Javelin	23.8°
H-147 Ramp breakover angle	Tempest	9.0*		
(degrees)	rempest	9.0	Jeep	24.0°
Wall to wall turning diam. (ft.)	Jeep	0.01		
•	Ineeh	37'8"	Oldsmobile	49'-7"
REAP OF CAR DIMENSIONS	MINIMUM			0.000
I at rear window to grnd.			MAXIMUM	-
	Firebird	2'-9 13/16"	Checker	A.
- Util Uverhang room			CULCCKCI .	3-10 1/2"
- Too Overhang rear	Camaro	3'-4"		
V-102 Tread width - distance	Camaro Rambier		Imperial	5'-4"
V-102 Tread width - distance etween & of tires at ground		3'-4"		3'-10 1/2" 5'-4" 5'-4"
V-102 Tread width - distance etween ⊈ of tires at ground I-104 Bottom of rear bumper		3'-4" 4'-7"	Imperial Pontiac	5'-4'' 5'-4''
V-102 Tread width - distance etween & of tires at ground I-104 Bottom of rear bumper > ground	Rambler AMC	3'-4" 4'-7" 0'-9 11/16"	Imperial	5'-4"
V-102 Tread width - distance etween ⊈ of tires at ground I-104 Bottom of rear bumper	Rambler	3'-4" 4'-7" 0'-9 11/16"	Imperial Pontiac	5'-4'' 5'-4''

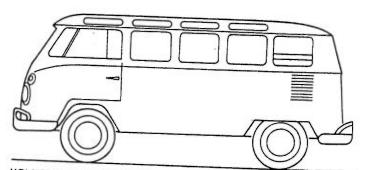


FRONT OF CAR DIMENSIONS MINIMUM

H-114 Hand at much	IO MINIMUN	4	MAXIMUN	4
H-114 Hood at rear to ground	Corvette	2'-2 1/2"	Checker	
L-104 Overhang front	Jeep	2'-4 3/4"	Eldorado	3'-10 1/2"
L-131 Front of car to base	Jeep			3'-8"
of windshield		4'-4 3/4"	Toronado	6'-0"
W-101 Tread width-distance	Rambler	41 011		
between ⊄ of tires at ground	. and beer	4'8''	Toronado	6'-3 1/2"
L-123 Upper structure	Conver			
	Corvette	4'-7 1/2"	Rebel	11'-11 3/16"



ENBIONS - BEDAN all height 4'-11" all length 13'- 3" Ibase 7'-10 1/2" L En d width 4'- 3 1/2" width 4'- 5" Il width 5'- 1'



VOLKEWAGEN MICROBUS

DIMENSIONS - MICROBUS

Overall height	
Overall length	6'- 5"
Wheelbase	14'- 6"
Front tread width	7'-10 1/2"
Rear tread width	4'- 6 1/2"
Overall width	4'- 8"
	5'- 91/2"

Bureau of Street Use & Managempit-- prease over angle for shapman & Folsom -

,	The Engineering Society For Advancing Mobility Land Sea Air and Space N T E R N A T I O N A L Surface VEHICLE DECOMMENDED	SAE 1689	REV. JUN9
40	Commonwealth Drive, Warrendale, PA 15096-0001 RECOMMENDED PRACTICE	Issued 1960-00 Revised 1996-00	
-	Submitted for recognition as an American National Standard	Superseding J689 DE	C89
	(R) CURBSTONE CLEARANCE, APPROACH, DEPARTURE, BREAKOVER ANGLES PASSENGER CAR AND LIGHT TRUCK	AND RAMP	
1.	Scope—This SAE Recommended Practice applies to rigid bumper or rig components of passenger cars, multipurpose passenger vehicles, and light tru as a guide toward standard practice and is subject to change to keep pace advances.	d structure points and icks. This document is i with experience and t	flexible ntended echnical
1.1	Purpose—The purpose of this document is to provide minimum static de clearance, approach, departure, and ramp breakover angles. This is to mini- vehicle use conditions. This document also encompasses all current worldwide	esign guidelines for cu mize damage, if any, in pregulations and require	rbstone normal ments
1.2	Field of Application	o o o o o o o o o o o o o o o o o o o	inonta.
1.2.1	Passenger Car, Multipurpose Passenger Vehicle (MPV), and Light Truc	ĸ	
1.2.2	MINIMUM ANGLES AND CLEARANCES—Under the manufacturer's most severe particular load condition, the minimum approach, departure, ramp breakover height, as indicated in Figure 1, shall be as follows:	e vehicle design load fo angles, and bumper-to-	r each ground
	When measuring these dimensions, flexible bumper components such as ail and fascias should be considered. The allowable approach angle to flexible nonstructural damage should be 13 degrees.	r cams, lower valance a components that are a	oanels, illowed
•	References—There are no referenced publications specified herein.		
	Definitions	2).	
.1	Passenger Car-Vehicles with motive power, except multipurpose passent trailers, designed for carrying 10 persons or less.	ger vehicles, motorcyc	es, or

raye i ur 4

C-3

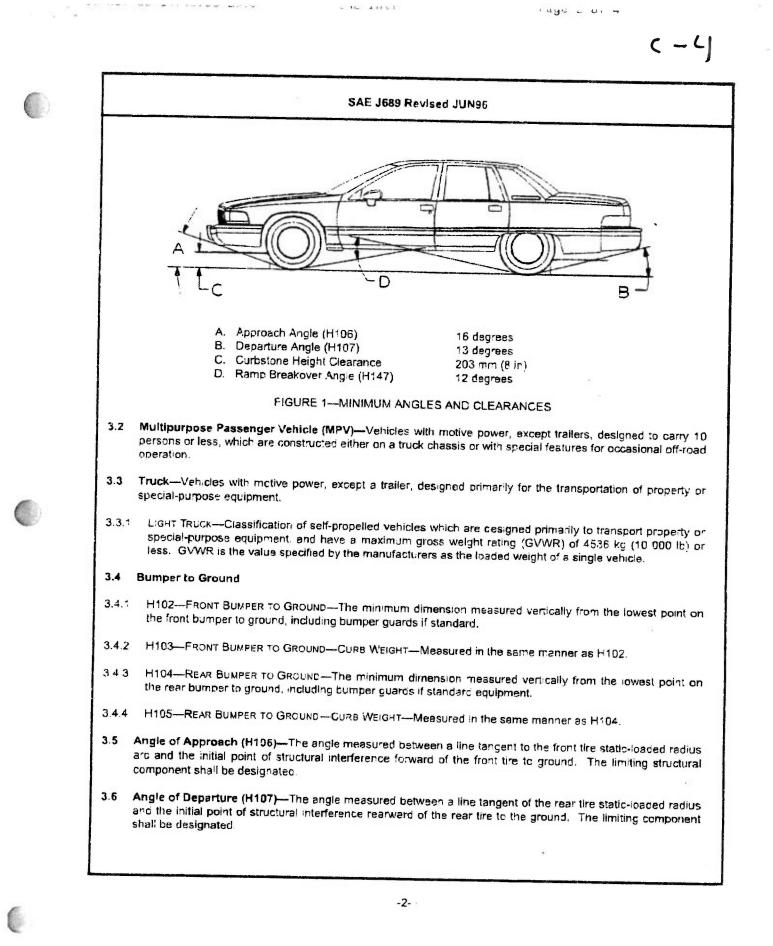
SAE reviews such technical report at least every five years at which time it may be reaffirmed revised, or cancelled. SAE invites your written comments and suggestions.

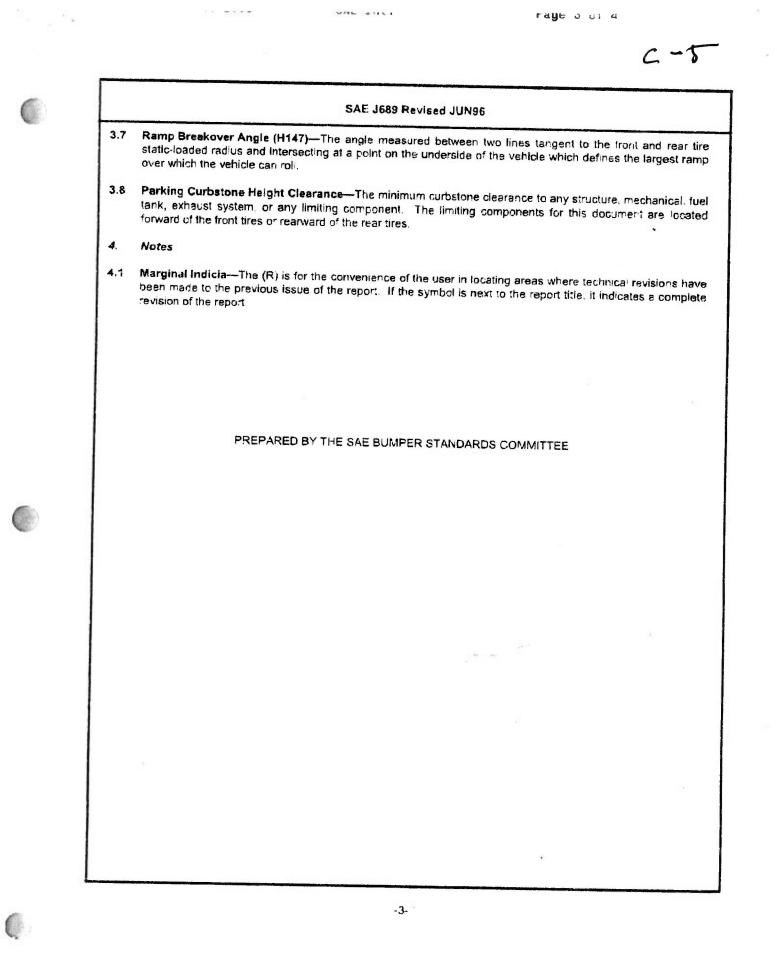
QUESTIONS REGARDING THIS DOCUMENT' (724) 772-8512 FAX: (724) 776-0243 TO PLACE A DOCUMENT ORDER: (724) 776-4270 FAX: (724) 776-0790 SAE WEB ADDRESS http://www.sae.org

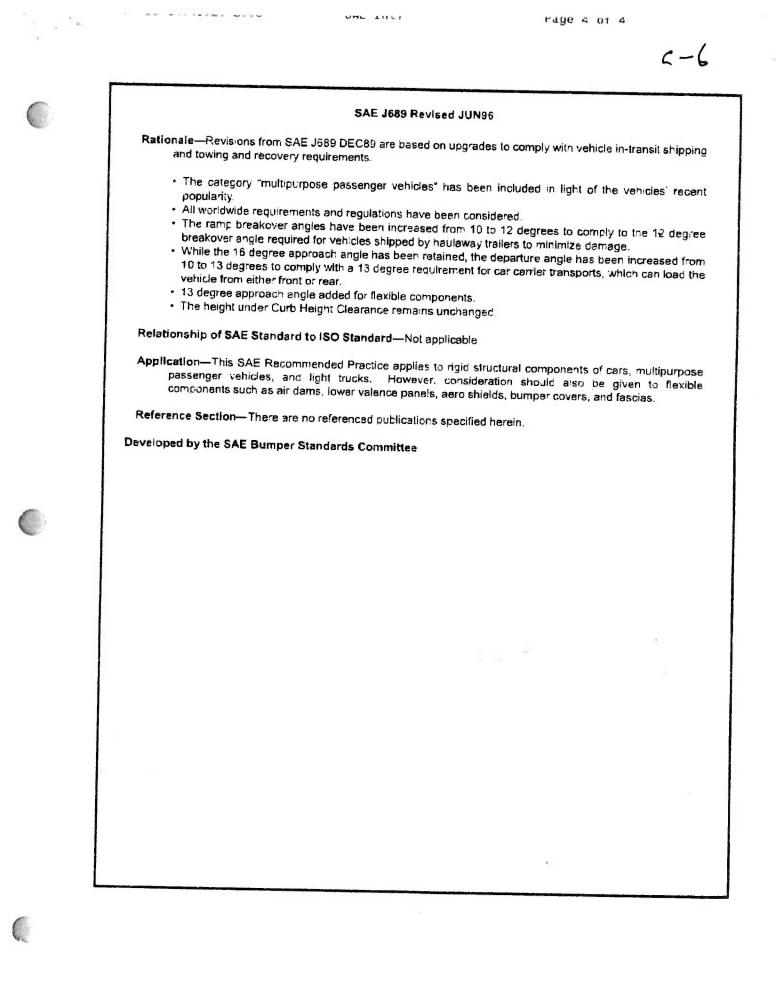
Copyrigh 1996 Society of Automative Engineers, Inc. All rights reserved

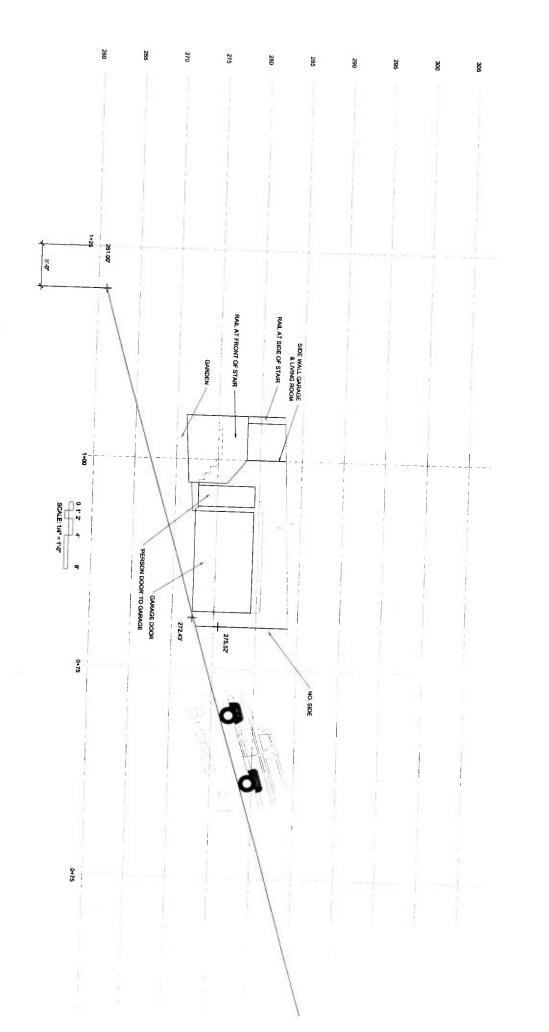
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Printed in U.S.A









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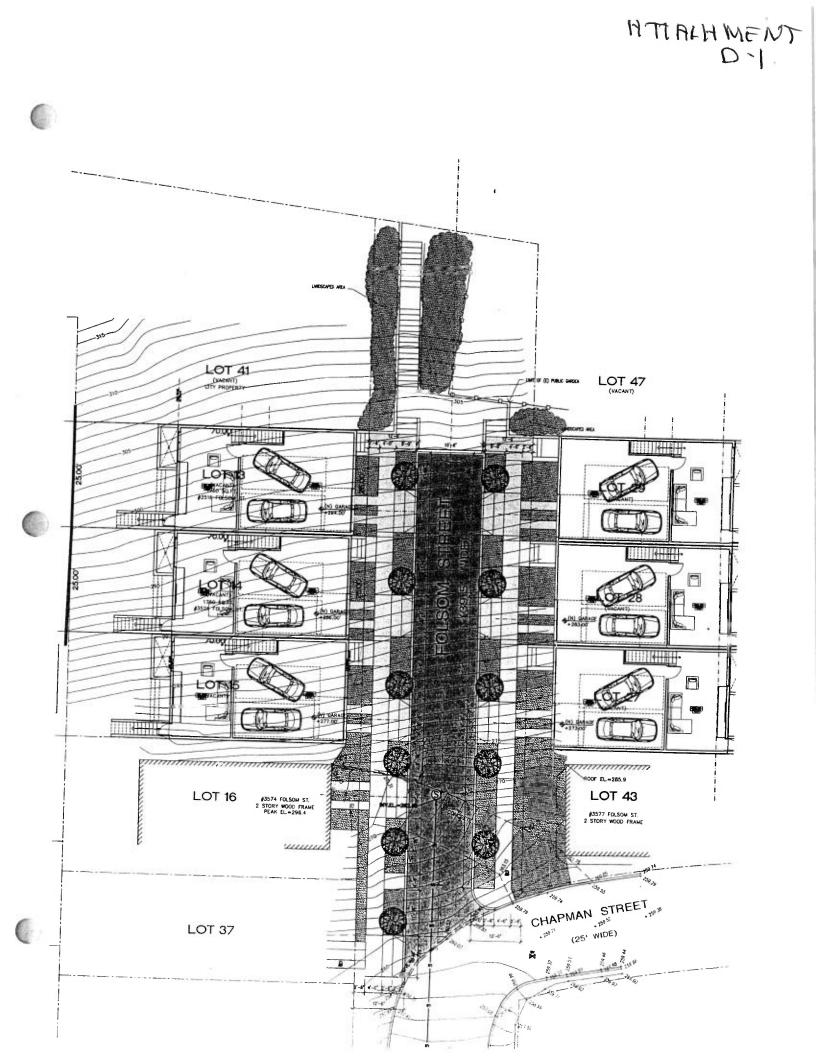
C

DRIVEWAY SLOPE LIMITS

The following table presents dimensions affecting performance of cars entering a driveway, for cars selected at random from autos.yahoo.com. Generally, a lower ratio of wheelbase to clearance indicates better performance at the top of the driveway (breakover). The attached sheet, copied from Architectural Graphic Standards (Sixth Edition) provides a range of approach, breakover, and departure angles.

Vehicle (03 Models)	Length (inches)	Wheelbase (inches)	Clearance (inches)	Ratio – Wheelbase to Clearance
Acura RSX	172.2	101.2	6.0	16.87
Audi A4	179.0	104.3	4.2	24.83
Buick Park Ave	206.8	113.8	5.5	20.69
Chevy Blazer	177.3	100.5	8.1	12.41
Chevy Suburban	219.3	130	8.4	15.48
Ford Taurus	197.6	108.5	5.4	20.09
Honda Civic	174.6	103.1	5.9	17.47
Infiniti I35	193.7	108.3	6.3	17.19
Infiniti Q45	199.6	113.0	5.7	19.82
Jeep Gr Cherokee	181.6	105.9	8.3	12.76
Mazda 6	186.8	105.3	5.1	20.65
Mazda Miata	155.7	89.2	4.0	22.3
Mercedes C Class	171.0	106.9	5.8	18.43
Mitsu Diamante	194.1	107.1	4.6	23.28
Nissan Maxima	191.5	108.3	5.9	18.36
Olds Aurora	199.3	112.2	5.5	20.4
Porsche 911	174.5	92.6	4.3	21.53
Saab 9-5	190.0	106.4	6.7	15.88
Subaru Legacy	187.4	104.3	6.3	16.56
Toyota Avalon	191.9	107.1	5.1	21.00
Toyota Camry	189.2	107.1	5.4	19.83
Toyota Tacoma	184.4	103.3	8.5	12.15
Volks Passat	185.2	106.4	5.8	18.34
Volvo S70	185.4	108.5	5.3	20.47

Table of worst



Hi,

I just received this back from Robert Bea, a UC Berkley professor emeritus in civil engineering.... -Marilyn

ATTACHMENT

Sent from my iPhone with apologies for typos

Begin forwarded message:

From: "Robert G. BEA" <bea@ce.berkeley.edú> Date: May 5, 2014, 10:26:47 AM PDT To: Marilyn Waterman <yaviene@yahoo.com> Subject: Re: Inquiry about Gas Transmission Pipeline 109 from concerned SF residents Reply-To: bea@ce.berkeley.edu

Happy Monday Marilyn,

given the background you provided in your email, yes - you should be concerned.

there are several points in your summary that provide a good basis for your concerns:

1) old (1980s) PG&E gas transmission pipeline installed in area with highly variable topography,

2) no records on the construction, operation, and maintenance of the pipeline,

3) no definitive guidelines to determine if the pipeline is 'safe' and 'reliable',

4) apparent confusion about responsibilities (government, industrial - commercial) for the pipeline safety, reliability, and integrity.

this list is identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.

the fundamental 'challenge' associated with your concern is tied to the word 'safe'. unfortunately, it has been very rare that i have encountered organizations that have a good understanding of what that word means, and less of an understanding of how to demonstrate that a given system is 'safe enough'. E-2

1

during my investigation of the San Bruno disaster, i did not find a single document (including trial deposition transcripts) that clearly indicated PG&E or the California PUC had a clear understanding of the word 'safe': freedom from undue exposure to injury and harm.

much of this situation is founded in 'ignorance'. it is very rare for me to work with engineers who have a comprehensive understanding of what the word safe means - and no clue about how to determine if a system is either safe or unsafe. the vast majority of governmental regulatory agencies are even worse off.

i have attached a graph that helps me explain the important concepts associated with determining if a system is safe or unsafe. the vertical scale is the likelihood of a failure. the horizontal scale is the consequences associated with a failure. the diagonal lines separate the graph into two quadrants: safe and not safe. if the potential consequences associated with a failure are low, then the likelihood of the failure can be high. if the potential consequences are very high, then the probability of failure must be very low. uncommon common sense.

on the graph, i shown a system that was designed for a particular 'risk' (combination of likelihood and consequences of failure). when it was constructed, the risk increased due to construction 'malfunctions' - like bad welding. when the system was put into service, the risk increased further - perhaps due to poor corrosion protection and due to the area around the pipeline being populated with homes, businesses, schools and other things that increase the potential consequences of a major failure. once it is determined that the system that was originally designed to be safe, is no longer safe, then it is necessary to do things that will allow the system to be safely operated....reduce the likelihood of failure (e.g. repair the corrosion) and reduce the consequences of failure (e.g. install pressure control shut off sensors and equipment that can detect a loss of gas and rapidly shut the system down)....or replace the segment of the pipeline that no longer meets safety reliability requirements.

after i completed my investigation of the San Bruno disaster, i prepared a series of 'graphics' that summarized my findings. because the graphics file is very large, i have sent the file to you as a Google Document with a link you can use to view or download the document to your computer.

The San Bruno Root Cause Analysis.pdf

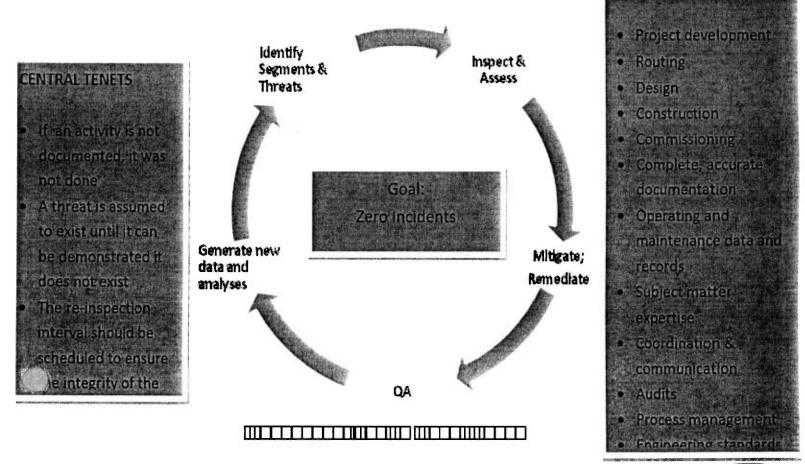
i know this has been a long answer to your short question. i hope it will help you understand how to better communicate your valid concerns regarding this development.

bob bea

Robert Bea Professor Emeritus Center for Catastrophic Risk Management University of California Berkeley Email: bea@ce.berkeley.edu

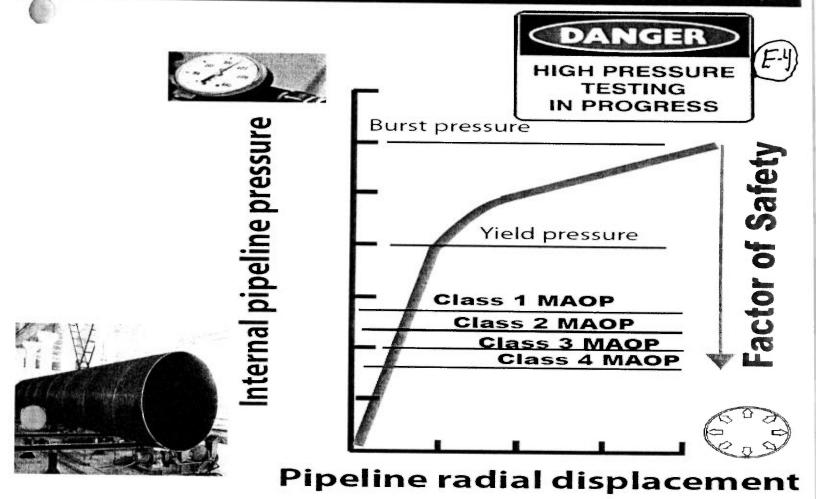
Risk Assessment & Management Services 60 Shuey Drive Moraga, CA 94556 925-631-1587 (office)

Zero Significant Incidents (Interstate Natural Gas Association of America)





Pipeline Integrity Management. (MAOP – Maximum Allowable Operating Pressure)

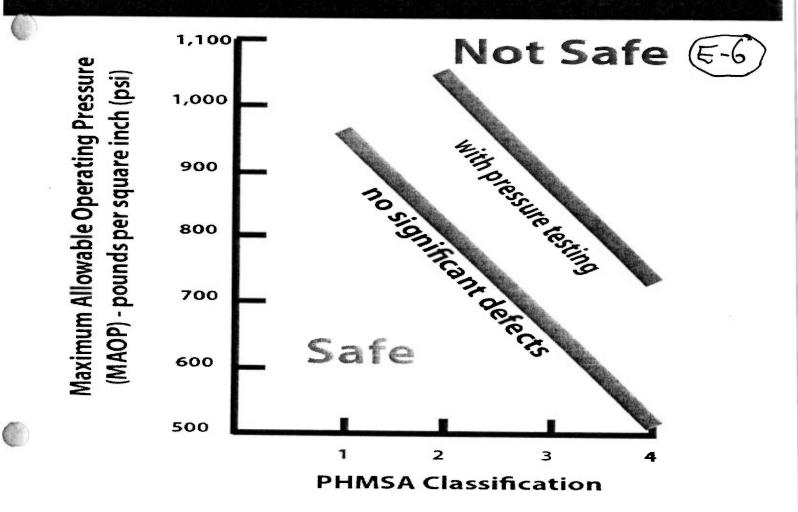


Pipeline and Hazardous Materials Safety Administration (PHMSA)
Integrity Management requirements
(49 CFR 192)
Identification of High Consequence Areas
Baseline assessment plans
Identification of threats to segments
Direct assessment plans
Defects remediation plans
Plans for continual Integrity Management assessment
Plans for confirming direct assessments
Provisions for protection of High Consequence Areas
Performance plans and measures
Record keeping provisions
Management of change processes
Quality assurance and control plans
Communications plans
vision of Integrity Management plans
Procedures to minimize environmental and safety risks

Process for identification and assessment of newly identified High Consequence Areas

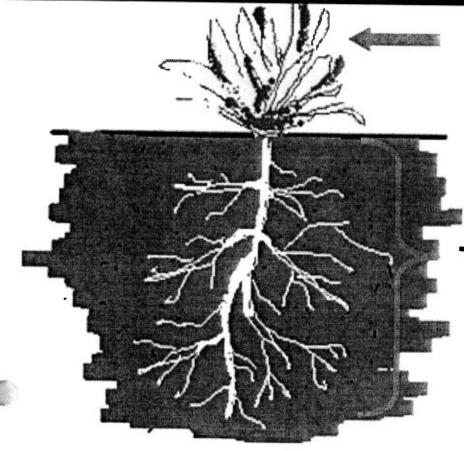
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Pipeline Integrity Management



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For ensic Engineering [] Root Cause Analysis[]

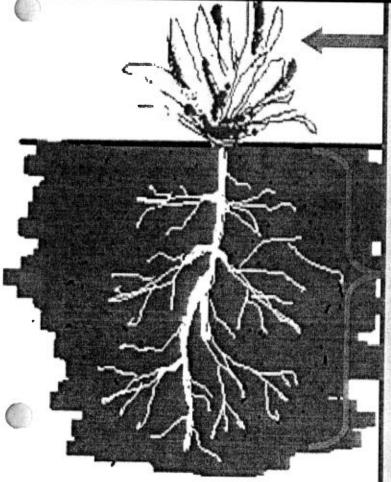


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"The Weed" E→ Above the surface (obvious)

The <u>Underlying Causes</u> "The Root" Below the surface (not obvious)

For ensic Engineering [] Root Cause Analysis[]



- Root cause analysis helps identify what, how and why something happened, thus preventing recurrence.
- Root causes are underlying, are reasonably identifiable, can be controlled by management and allow for generation of recommendations.
- The process involves data collection, cause charting, root cause identification and recommendation generation and implementation.



Crestmoor High Consequence Area



(



Summary of Testimony

PG&E was responsible and accountable for the INTEGRITY MANAGEMENT (SAFETY) of Line 132 Segment 180 (the pipeline)

Summary of Testimony

E.I

PG&E knew if *the pipeline* ruptured and ignited there would be deaths, injuries, property and productivity losses

Summary of Testimony

PG&E designed and constructed *the pipeline* during a 1956 relocation project with multiple geometric, material, and welding defects

DISCRETIONARY REVIEW REQUEST

#1 - " ... reasons for requesting DR ... what are the exceptional and extraordinary circumstances that justify DR ... How does it conflict with the General Plan or Priority Policies or Residential Guidelines ... cite sections ..."

The exceptional and extraordinary circumstances that prompt this DR Request come from our close examination of the following documents: (1) the City's General Plan (2) the Planning Code's Priority Policies; (3) Urban Design Elements; (4) the Residential Design Guidelines; (5) The East Slope Design Review Board (ESDRB) Guidelines; and (6) The Bernal Heights Special Use District provisions of Section 242. We will take these documents in order, as per below.

(1) General Plan

"San Francisco is a special place ... the center, the soul of the region, and co-operative efforts to maintain the areas quality of life are imperative (p. 1/7)." The project is a collection of undistinguished buildings that are unresponsive to the surrounding environment. As well they mar a "hilltop that reveals extraordinary vistas (ibid.)." These building are an intrusion on the "dramatic physical beauty (ibid.)" of this section of Bernal Heights. This area is one with "qualities that make San Francisco unique" and are to be "preserved and enhanced (p.2/7)." The project will disturb those qualities by creating houses that are out of character with the surrounding hillside. Large-scale development with undistinguished design, totally separate from other houses on the block and nearby are particularly unappealing and intrusive. They permanently disturb the "creative consensus concerning ... environmental issues (p. 2/7)." These houses are out of step with "the attainment of the following goals;

09/2105 DR Request 2

- Protection, preservation, and enhancement of the ... esthetic values that establish the desirable quality and unique character of the city.
- Improvement of the city as a place for living by aiding in making it more healthful, safe, pleasant, and satisfying with housing representing good standards ... and adequate open spaces ... (p.3/7)."

Because these houses are out of scale, size, mass, and character with the houses and surrounding environment they will intrude in, and work against the esthetic values that establish Bernal Heights as a unique, special neighborhood. They will be created on a new street that is not healthy, not safe, not pleasant and not satisfying. Therefore, the project does not represent "good standards ... and adequate open spaces." In fact, it subverts good standards and adequate open spaces.

(2) Priority Policies - and -<u>URB.CPN.1.9 Section 101.1 (b)</u> This section designates two General Plan Priority Policies related to housing: (1) "affordable housing" and (2) "neighborhood character".

These policies and objectives state:

- "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods (p. 4/7)." The sheer mass, size, scale, and overall design of this proposed house is totally at variance with the small-scale, rural nature of the neighborhood dwellings surrounding it. It will not conserve and protect neighborhood character since it is so out of scale with the neighbors. It is out of the economic range of diverse low-income families.
- "That the City's supply of affordable housing be preserved and enhanced" and "open space and their access to sunlight and vistas be protected from development (p. 4/7)." The proposed house will fly in the face of affordable housing. It will likely sell for upwards of \$2,000,000.00. This is not what the framers of the Priority Policies had in mind for the goal of "affordable housing". In fact this proposed house would be the polar opposite of affordable.

If the intent of the goal is to protect "open space (ibid.)", then this project will run counter to that goal. A house that is twice as large as its neighbors will consume - not protect, preserve and enhance open space.

(3) General Plan – Urban Design Elements – Introduction, City Pattern URB.CPN.1.3

"Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts." (i.e., Bernal Heights)

Attachment A shows a plan to build six (6) houses on the current available lots on Upper Folsom Street. The applicant prepared these plans at the instruction of City staff and they were presented at an ESDRB community meeting. They show what <u>could</u> be done in the future on this parcel of undeveloped land. We contend that when this occurs the entire area of undeveloped land will be in violation of the <u>URB.CPN.1.3</u>.

Building on the six (6) lots will create a total effect that forever alters the unique, rural and special character of this particular piece undeveloped land. It will obliterate the unique, rural and special character of the land; the total effect will be to ruin, negate, and destroy its distinctive natural beauty. Qualities that have been nurtured and conserved for many decades will be lost.

(4) Residential Design Guidelines

Visual Character

a. "... buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block (p. 9)." The proposed building is (as per the table listed on page 9) completely incompatible with scale of the buildings below it on Folsom Street, as well as on Gates Street. This is due to inappropriate massing, lack of detail, boxy appearance, flat front facade and architectural unresponsiveness to the hillside. Unlike the houses around it, this house maximizes every inch of available space making it unlike its neighbor houses in pattern and architectural features.

b. " ... designer has a greater opportunity and responsibility to help define, unify, and contribute positively to the existing visual context (p. 10)." The applicant shirks his responsibility and avoids the opportunity to contribute positively to the existing context. The houses do not draw on the best (most logical, most neighborhood friendly) characteristics of neighboring dwellings. Once again the applicant does not use sensitive development to allow this proposed house to fit in well with its neighbors.

Side Spacing Between Buildings

"Side spacing helps establish the individual character of each building. It creates a rhythm to composition of a proposed project. Projects must respect the existing pattern of side spacing (p.15)." The project opposes the open character of the houses around it. The surrounding houses have side yards that travel the length of the house. This project does not. Thus it ignores neighbor character, creating a dysfunctional rhythm that is jarring and visually unpleasant. The project is designed to disrespect the existing pattern of side spacing.

Building Scale

"It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character. Poorly scaled buildings will seem incompatible (too large) and inharmonious with their surroundings (see table, p. 17)." This building is out of scale with its neighbor's small architectural footprint. It forces a new and disruptive character on a small-scale, unique, rural space. The incompatibility with neighboring buildings is glaring and obvious. It does not preserve neighborhood character.

(5) East Slope Design Review Board Guidelines (Attachment A)

"The Bernal Heights East Slope is a special neighborhood and the qualities that make it that way are cherished by all those (with a) commitment to seeing them preserved ... (p.2)." The large scale of these proposed buildings are not in keeping with the special neighborhood characteristics (small dwellings, visually interesting design elements, unique rural attributes, etc.) that have traditionally been a feature of this Bernal neighborhood.

"Much recent development is not only inconsistent but often at odds with the smaller existing structures. ... East Slope's rural characteristics rapidly are disappearing along with views, open space, and trees. Some new buildings have created "canyons" blocking sunlight and presenting building facades which are copies of a single undistinguished design (ibid.)." This proposed building is a prime example of one that is "inconsistent and at odds with smaller existing structures." It simply does not fit in with the character of the neighborhood and its surrounding buildings. As well the building façade of 3516 Folsom is undistinguished (as noted by the ESDRB).

" ... architecture (is) a matter of good manners, being part of the whole street, being part of the fabric of the

city (ibid.)." The proposed house does not fit in with the whole street, or the surrounding houses. It has the opposite effect of "beating its chest or shouting at neighbors (ibid)."

(6) Sec. 242. Special Use District (Attachment B) " (b) Purposes. In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other lowdensity areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District (http://planning.sanfranciscocode.org/2/242/)". This section of the San Francisco Planning Code encourages development "in context and scale with the established character (ibid.)" of Bernal Heights. The proposed development is clearly - from the facts that have been presented previously and the facts contained in the following pages - not in context or in scale with the established character of this neighborhood.

#2 "... unreasonable impacts ... adverse effects ... who would be affected ... how?"

There are many unreasonable impacts and adverse effects of this project on our neighborhood. One, among many, that affects us most critically is the driveway shared by 3574 and 3577 Folsom Street.

The applicant has refused to provide accurate, complete and detailed visual information on this portion, or indeed any portion of his project. No engineered drawings exist.

As a result of this refusal neighbors have received **no information** on the following:

- A detailed design of the areas in front of 3577/3574 Folsom Street?
- A detailed design of the walks and driveways, walls if any, and landscaping?
- A detailed design of what will remain of our current walk/driveway, our walls, or our landscaping?
- A description of who will do the designs? Who will direct and approve the designs? Who will pay for it? Who will supervise the plan check and permit fees for any alternation or change in configuration of the driveway at 3577/3574 Folsom Street?

- Who will build this driveway? Who will pay for it?
 Who will certify that the work will have warranties, and that the warranties will be enforced?
- Will the applicant allow the owners of 3574/77
 Folsom Street to select the designer and
 contractor for design and construction of the
 driveway? Will the applicant pay the costs incurred
 by the selected designer and contractor?
- Will any unforeseen expense and effort be offloaded to the owners of the houses at 3577/74
 Folsom Street? Or will all expenses be borne by the applicant?
- What are the specific and detailed inconveniences that the owners of 3577/74 Folsom Street will have to live with during construction? How long will the owners of these properties be unable to use their garage? If the owners have to park down the hill, during the months that construction takes place, how will they get into their house? What provisions will be made for neighbor parking during the construction process?
- What are the remedies if any of the homes at 3577/74 Folsom Street are damaged by construction operations? What provisions are made for settlement due to slope failure in front of these houses as a result of excavation for the new street?

09/2105 <u>DR Request</u>

- Why is the break-over angle, where the new block starts up from the Chapman Street intersection, not shown on any of the applicant's drawings? Is the slope of the new block of Folsom Street greater than 36%?
- The applicant is on record as stating (at the last public ESDRB meeting), "the driveway at 3574 Folsom Street will have to be raised two (2) feet". If this project is approved how will cars be prevented from bottoming out as they traverse the driveway and garage.
- What is the new break-over angle at the 3574 Folsom Street garage?
- How high will the new entrance be to the garages at 3574/77 Folsom Street? How will a car be able to traverse the new grade changes?
- How much higher will the new grade be over the existing grade?
- How will new drainage problems be handled at the 3574/77 Folsom Street homes?
- What is the break-over angle for the new houses proposed for 3516 and 3536 Folsom Street? They appear to approach 100%/45 degrees on the right side (see attachment C). The difficulty of the traverse seems to be compounded by the height of the garage door, i.e., a car traversing the driveway may be too high to fit under the garage door opening. A sedan can likely get scraped top and

bottom driving in to one of those garages. Will the proposed garages by impassable by automobile?

INCOMPLETE STREET DESIGN AND LACK OF NEIGHBORHOOD REVIEW OF STREET DESIGN

There will also be unreasonable impacts and adverse effects on the intersection of Chapman and Folsom Streets. The East Slope Design Review Board is on record as stating that the existing character of the intersection must be maintained.

- The applicant's design, or design information is incomplete because the grading for the street is not shown. This includes information for the proposed driveways for the new proposed homes (as previously mentioned above).
- How steep will this new street be?
- We request complete design information, including spot elevations and slopes at both sides of each driveway.

Until site design drawings for the re-design of the proposed extension of Upper Folsom Street, and the intersection of Chapman/Folsom has been submitted and approved, we believe this application is incomplete.

We believe this to be true because:

1. The new contours and the new grades are unknown.

- 2. Neighbors have been denied access to a proposed new topographic map
- 3. We have never seen how the entire new proposed street is being changed from the Community Garden all the way down to the intersection of Chapman and Folsom.
- 4. We have never seen how cars will enter and exit the garage at 3526 and 3516 Folsom Street. How will these five (5) cars enter & exit their respective garages? How will they then backup and/or go down Upper Folsom to access the intersection and "Lower" Folsom Street? How will these five (5) cars address the increased traffic coming at them from the following:
 - a. Chapman Street -West
 - b. 3574 Folsom entering/exiting garage
 - c. 3580 Folsom entering/exiting garage
 - d. Folsom Street North/South traffic
- 5. Where is the full size to scale drawing for the proposed new street?

The proposed design of the intersection of Folsom and Chapman Streets appears too narrow to allow two vehicles to pass each other when cars are parked on Chapman facing east. Emergency vehicles (Fire, Ambulance, Police) and service vehicles (Garbage and Recology, Fed Ex, UPS, etc.) will struggle - or be absolutely unable - to have access and egress. Please do not to add more unsafe traffic conditions to our local streets. This particular block is populated with children, as well as elderly and disabled people. Each of these populations is endangered by the proposed street design.

FUTURE DEVELOPMENT - "Six Lots Not Two"

All six (6) lots on Upper Folsom are capable of being developed (Attachment D). It stands to reason that once 3526 and 3516 Folsom Street are approved and a fully functioning road is put in, the owners of the four (4) other lots will be in an ideal and resource-rich position to develop their lots as well. When - **not if** - that happens, what is the plan for solving the problems and answering the multitude of questions noted previously?

LACK OF A 3-D MODEL

With only selected computer drawings, a developer can show the buildings in the most favorable light - and obfuscate any unfavorable perspectives. (For instance, garage access, true sense of bulk and mass, neighbors' driveways, Community Garden erosion concerns, side elevations in relation to Bernal Heights Blvd., and relationship to existing houses on Gates St., and so on.) At a previous neighborhood meeting, many neighbors viewed the computer renditions, of the project as misleading - casting doubt on other perspectives presented by the developer.

Although specifically requested by the ESDRB to provide a physical model, the applicant said it was too expensive. We request the Commission not be taken in by this argument and respect the community need to fully understand how the proposed development will impact local residents - from Gates Street, Folsom/Chapman, Bernal Heights Blvd. and the Community Garden.

We ask the applicant to stand by the ESDRB request of a physical model - and honor the neighbors' needs to view the proposed houses in ways they can trust. This is a sound and reasonable request. Indeed we cannot assess the worthiness of this project without such critical visual information.

NEIGHBORHOOD CHARACTER

The proposed houses with, one with a 3-car garage at 3526 Folsom, loom out of scale for the neighborhood and are in defiance of both ESDRB Guidelines and the City's Transit First policy. They are in direct contrast to Bernal's distinctive smaller-scale housing and, specifically, the neighboring houses on this block of Folsom. The too-big-for-the-neighborhood proposed houses although adorned with latest trends in building material disturbingly fit specific criticism found in the Guidelines: "The 'new vernacular form' is the maximum-buildingenvelope-shoebox... it is a solution without a context which isolates itself from its setting by not acknowledging its neighbors...." (ESDRB).

Bulk, Massing, and Elevations:

"Much recent development is not only inconsistent but often at odds with smaller scale existing structures." (ESDRB)

a) **Overall square footage**: It is disingenuous to think the latest blueprints reduce the square footage of the houses in any appreciable manner - or that they substantially improve elevations facing Chapman and Bernal Heights Blvd.

We respectfully request the Commission to restrict the proposed projects' square footage in relationship to existing nearby housing. The table below shows the typical Bernal dwelling on Folsom Street below the proposed houses. These houses reflect the distinctive rural character of Bernal. The data will show that in terms of square footage, the new proposed homes do not.

Address	Livable space	Garage	Total Space
3516 Folsom St.	2125 sq. ft.	787 sq. ft.	2912 sq. ft.
3526 Folsom St.	2158 sq.ft.	775 sq. ft.	2933 sq. ft.
3574 Folsom St.	1150 sq. ft.	300 sq. ft.	1450 sq. ft.
3580 Folsom St.	1050 sq. ft.	210 sq. ft.	1310 sq. ft.
3590 Folsom St.	800 sq. ft. (appx.)	180 sq. ft. (appx.)	980 sq. ft. (appx.)

b) Three-car garages: The proposed two projects both have either a three-car, or a two-car garage, unlike any neighboring homes on Folsom Street - within 50 feet or, for that matter, in most of Bernal Heights. Indeed, a variance will be needed for the three-car garage, since it does not meet code.

Again, this is in defiance of the City's Transit First policy. Given the times we live in, new construction condoning a three-car garage house in a city trying to wean people off cars is irresponsible and ecologically immoral.

Please note: It was with the following rebuke that the pro-development real estate website, SF Curbed, described the applicant's 3,000 sq. ft. house that he built

and sold in another part of Bernal Heights in 2011: "Notso-green features include a 3-car garage."

c) Side elevations: After five (5) ESDRB meetings, minimal – and nothing substantial – was done to address the ESDRB's request to improve side view elevations from Chapman and Bernal Heights Blvd. (The ESDRB even gave the applicant addresses of suggested side elevation treatments in the neighborhood to review.)

The new designs put lipstick on what are essentially big walls. To use their own language, the applicants designs are the "new vernacular" that allow for "maximum building envelope shoeboxes (ESDRB)."

Disturbingly, without a physical model, the neighbors are left to decipher architectural language and blueprints, which they are not trained to do. The pattern of sometimes "improving" designs with the smallest effort and then touting these tiny steps as meeting the ESDRB's requests - underscores the need for physical models.

d) Side yards: For both safety and sunlight issues, neighbors requested side yards that went all the way through to the backyard. In fact, all the other houses on this block have such side yards - and the Guidelines specifically talk about the "relationship of individual buildings to their lots and their immediate neighbors (ESDRB)".

Since Sept. 10, 2014 the applicant through the **ESDRB** has known about acceptable side yards for Bernal. Examples were given to the developer. An open side yard promotes an airy, not-so-urban feeling that would help mitigate the loss of sunlight and open space so close to Bernal Park. We request this style of side yard be recommended for the two proposed projects.

e) Public Safety - Rear Yard Access: There is a lack of backyard access for firefighters and public safety officers - especially along this vulnerable section of the gas transmission line. We are not satisfied that public safety officers can navigate the corner in case of a fire, health, or safety emergency.

f) Roof treatments: Despite repeated concerns from neighbors and community garden members about views and sunlight, the applicant has added an imposing new structure to the top of the proposed buildings.

This particular action follows a pattern of maximizing house size and mass - and being insensitive to neighbors and a smaller-scale neighborhood. This new structure underscores the necessity for a physical model of the proposed projects. Below is the directive from a recent **ESDRB** letter:

"Plans presented have so far not clearly addressed how the new Folsom Street Extension will incorporate access to existing homes at 3574, 3577, and 3580 Folsom Street. We reiterate: develop detailed plans (with grading spot elevations), sections and elevations, and meet with these neighbors to review and agree upon driveway access and design in front of these houses."

g) Safety of Main Trunk Transmission Line (109)

- Gas transmission line 109, built in 1981, runs underneath this proposed street.
- The proposed street, flowing as it does over this 26" transmission line poses numerous dangerous safety risks. Neighbors are very worried.
- This is a densely urban neighborhood surrounding a steep, at least, 35-degree hill. Heavy earth moving equipment is known to topple over on such a steep grade, causing huge amounts of damage. Several years ago a cement truck did just that, on Folsom Street, while trying to make a turn. It resulted in a broken water main.
- The City has incomplete records about the safety of this Bernal Heights pipeline.

• The City also has no risk assessment guidelines, in the event of an accident, around gas transmission lines.

We are so concerned about the gas transmission line that we have requested advice from an internationally known engineering safety consultant, Dr. Robert G. Bea, Professor, UC-Berkeley and co-director of the Marine Technology and Management Group Center for Risk Mitigation. Professor Bea agrees with our concerns and finds them valid. His response is attached along with several slides showing the dangers of ignoring concerns regarding pipeline safety (see attachment E) 09/2105 DR Request

3. "Alternatives or changes to the proposed project ... "

We suggest a smaller house, no more than two (2) stories high, animated plane, materials, and elements that step down along the hillside, a developed and composed front façade with windows, carve-outs and appropriate changes in roof treatment (as per the ESDRB letter to the applicant on April 28, 2015), with square footage comparable to that of the neighbors on Folsom Street (see table above, p. 17), no garage, no external stairway, no roof garden, appropriate side yards and set-backs as per the ESDRB Guidelines. These houses, if designed and built correctly, would fit in perfectly with the neighborhood. They would enhance and complement the character of Bernal Heights. Almost all of the safety, traffic, and construction concerns would be eliminated. Most of the neighbor concerns would be addressed. The house would therefore conform to all elements of the ESDRB Guidelines.

5. "CHANGES MADE AS RESULT OF MEDIATION" In July of 2014, at the suggestion of the **ESDRB** the applicant requested a meeting with neighbors whose driveway will be impacted by the new road. The driveway is shared and used by many neighbors and community members to not only access houses also the Community Garden, Bernal Heights Blvd. and Bernal Park. Thus our concerns stem from a group, not a few individuals. Our hope was to have an inclusive group meeting. We responded as such. No answer was forthcoming from the applicant.

We attended at least five (5) community meetings called by the ESDRB, with the applicant, over a period of eighteen (18) months. We discussed our concerns and fielded questions/responses back and forth. As a result the applicant did make some alterations to the 3516 Folsom project. The façade is more animated, changes in plane, materials, and stepped down design elements are present. No changes at all were made to 3526 Folsom.

These changes are relatively slight, relatively minimal and largely cosmetic. They do not for a moment alter the deep-seated and strongly felt concerns of the neighbors. The multiple and interconnected issues of: public safety, neighborhood character, and accessibility are as prominent now as they were when our pubic meetings began in December 2013.

Application to Request a Discretionary Review Fee Waiver

CASE NUMBER: For Shell Use only

APPLICATION FOR Discretionary Review Fee Waiver

1. Applicant and Project Information (Gichae) APPI KANT NAME thereast leaves APPLICANT ADD s street 24/110 NEIGHBORHOOD ORGANIZATION NAME: O egold utto ercen ANIZATION ADDRESS TELEPHONE NEIGHBORHOOD) (Some EMAL: PROJECT ADDRESS: Son Francisco, UA 94110 som 516 1091 DATE OF DECISION (IF ANY): BUILDING PERMI

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.

The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.

The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

For Department Use Only Application received by Planning Department:

By:

Date:

Submission Checklist:

APPELLANT AUTHORIZATION

CURRENT ORGANIZATION REGISTRATION

MINIMUM ORGANIZATION AGE

PROJECT IMPACT ON ORGANIZATION

WAIVER APPROVED

WAIVER DENIED



SAN FRANCISCO PLANNING DEPARTMENT FOR MORE INFORMATION: Call or visit the San Francisco Planning Department

Central Reception 1650 Mission Street, Suite 400 San Francisco CA 94103-2479

TEL: 415.558.6378 FAX: 415.558.6409 WEB: http://www.sfplanning.org Planning Information Center (PIC) 1660 Mission Street, First Floor San Francisco CA 94103-2479

TEL: **415.558.6377** Planning staff are available by phone and at the PIC counter. No appointment is necessary.

Application for **Discretionary Review**

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S ADDRESS:		an zeode	TELEPHONE:	6
40 44 BOULS	Suber	Advisio 4411		90
PROPERTY OWNER WHO IS DOING THE PROJECT ON W	HICH YOU ARE REQUESTING	DISCRETIONARY REVIEW NAME:	4	
PROPERTY OWNER WHO IS LOUNG THE PROJECT OWN		ngeDesigns		
Fabien Lannoy	6 Differio	ZIP CODE	TELEPHONE:	
ADDRESS:		OUNIAN	(415) 282-9323	
Amber Drive SF	-, CA	14121	170,202 10-1	
	-	an a		
CONTACT FOR DR APPLICATION:				
Same as Above		ZIP CODE:	TELEPHONE:	
ADDRESS:		ZIF CODE.		
			()	
E-MAIL ADDRESS:			THE REPORT OF A DECISION OF A DECISIONO OF A	

2. Location and Classification

STREET ADDRESS OF PROJECT: 3516 Folsom Street, Sauffray	RUS CO 9410
CROSS STREETS: Chapman and Bernal Heights 1	
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SQ FT): ZONING DISTRICT: 5626/1325x701750778RH-1/40X	HEIGHT/BULK DISTRICT:
Renjal. Heisnei	
3. Project Description SVD	
Change of Use Change of Hours New Construction Alterations	Demolition D Other
Additions to Building: Rear Front Height Side Yard	
Present or Previous Use: Vacant Cat	
Proposed Use: Single Canily Kesiden	ce I laur
Building Permit Application No. 02013, 12, 16, 4322 Date	e Filed: 12/17/2013

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. 90 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: 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?

From Bernal Heights South Slope Organization Discretionary Review for 3516 and 3526 Folsom Street - Attachment

Question #1

The East Slope of Bernal Heights has been designated a Special Use District (*Planning Code* Section 242) with specific guidelines for the South Slope (id.@§242(f)) for good reason. The 25' x 70" lot size is among the smallest in the City, so the average square footage of homes is closer to 1200 to 1500 than the proposed 2,500 – 3,000 square feet. The result will be homes that are completely out of scale for the neighborhood. They will be highly visible from the heavily travelled Bernal Heights Boulevard, as well as by their neighbors, and will have an impact on the overall character of Bernal. In addition to the sheer bulk, the Boulevard-facing side, where dozens of walkers and joggers pass each day will replace a view of the Bay with a static and uncharacteristically flat, boxy and unarticulated north wall of the structure. Additionally, the stairs to the roof and roof deck will be the only such uncharacteristic, intrusive, and highly visible roof feature in the immediate area.

The "Additional Controls Applicable to Bernal South Slope" state that "The Planning Commission shall only approve an application for a conditional use authorization if facts are presented to establish that the proposed development would not harm the pubic health, safety, or welfare of the Bernal South Slope and surrounding areas,..." (id. @ 242(f)(3)).

We are mystified by the access to the garage and the tandem parking situation. It not only presents an access problem, but also a safety problem as other streets will need to be blocked in order for the tandem cars to be backed out. Take the upper lot as an example. The grade of the new street, sidewalk and access to driveway is an approximately 35° slope. If the street is only 10 or even 15' wide, the first car will back out. Then, since this is a one-way street with no parking (too narrow for 2 cars to safely pass), in order to make room for the second car to back out, the first car will have to back all the way down the 35° driveway, leave the car on Chapman (where it's highly unlikely parking will available and double parking is impossible (or dangerous) since it would cut off the only access of emergency and any other vehicles to the several blocks off Chapman Street.) Then, they can walk back up 100 feet to the garage and back the second car all the way down to Chapman, find another place to park and then take the first car back up to the garage and park it. Then walk back down to the car you intend to drive. The reasons for this? A one-way street too narrow for parking and tandem parking in the garage.

Question #2

There are two urgently serious and many merely serious concerns about the impact on others in the neighborhood who would be adversely affected.

The first is the fact that there is a PG&E primary transmission line, measuring 26", bringing gas into San Francisco (one of 3 coming into the city) directly under the fragile and steep hillside of the Folsom Street right-of-way exactly under the new construction. PG&E cannot verify the depth of the transmission line, making it difficult to assess the safety. This pipeline is approximately the same size and functionality as the one that exploded in San Bruno, and construction creates *the most* hazardous situation for those living nearby. There has been no plan submitted providing evidence of maintaining absolute safety of the residents in the Blast Zone (see attached).

The second reason involves emergency access. "The development and construction-related activities in the Bernal South Slope will not meaningfully hinder impact emergency vehicle access and emergency response times..." (id. @ §242(f)(3)(D)) There are only two streets that lead to the homes on Folsom, Banks, Chapman, Prentiss and Nevada Streets above Chapman. They are Folsom, which joins Chapman at the west end, and Prentiss Street, which joins Chapman 2 blocks farther east. Prentiss Street, while recently improved, is of similar steepness to the proposed extension of Folsom. This spring, I witnessed a fire truck bottomed out at Prentiss and Powhattan, blocking access until it was finally powered off over an hour later, leaving deep divots in the street. (I have video of similar long trucks and even an errant City Bus being stuck for long periods of time and needing to be towed off, also leaving deep divots and blocking access to Chapman Street for hours.) In fact, the steepness of the proposed Folsom extension will create a similar issue for trucks. They will bottom out as they back down the steep slope.

On Saturday, August 1st, a hook and ladder was responding to an emergency on Bradford (?) and mistakenly came all the way up Folsom and turned right on Chapman. They must have thought it went through, because they drove all the way to the end of Chapman before they realized they could not reach the emergency. They began to back down, taking at least 15 or 20 minutes to figure out a route, back all the way down Chapman (they couldn't take Prentiss because of the previous experience), and all the way back down Folsom to at least Powhattan. By the time they reached a place to turn around, the other vehicles were already leaving the scene. This was scary. If the street was blocked in any way, or if access was in any way impaired to this part of the hill, lives and homes would be put at risk. Waiting for construction equipment to move would make access seriously impaired, especially since most of it would need to use Folsom Street instead of the steeper Prentiss.

The project will most definitely impact the parking availability in the neighborhood (see note above), which is a specific concern of the Special Use District Additional Controls, "The development will not substantially impact neighborhood parking availability" (id. @ §242(f)(3)(G)). Although garage space is allocated in each house, the reality is that access to the garages will be difficult and no parking will be available on the street extension. Both occupants and guests will be parking on upper Folsom and Chapman Streets, where parking is rarely available right now. These are narrow streets with parking on one side only.

Question #3

Because of the fragile, erosion-prone nature of the hill, and the imminent danger of construction over a major gas pipeline, I feel the street right-of-way should be protected from any construction vehicles. According to all published reports and the Transportation Research Board of the National Academies' Special *Report 281, Transmission Pipelines and Land Use, A Risk-Informed Approach,*" (the entire report can be found at trb.org/publications/sr/sr281.pdf) minimizing impact on the land above an near a transmission line is foremost in protecting the line from leakages or explosions.

For transmission pipelines, there are limits on construction or excavation that involve separating activities such as 38 Transmission Pipelines and Land Use: A Risk-Informed Approach planting of trees or digging foundations some number of feet from the pipeline. API recommends setbacks of 50 feet from petroleum and hazardous liquids lines for new homes, businesses, and places of public assembly (API 2003). It also recommends 25 feet for garden sheds, septic tanks, and water wells and 10 feet for mailboxes and

yard lights. As of the most recent report examining these issues, setbacks of 25 feet from residential property were the most common examples in practice (TRB 1988). (id. @ p. 38)

100

For this reason it only makes sense to keep the neighborhood most safe by not allowing any construction over a PGE major transmission line on this exceedingly steep and fragile hill. The incidents in San Bruno are still fresh in our minds and we are deeply concerned that moving trucks and materials over this line will put all of us in the blast zone at risk.

While we recognize the desire of the land owners to build on this property, the risk imposed to the neighbors is the greater consideration. I would therefor hope we could find an environmentally friendly and safe purpose, for example, the extension of the community garden that local schools can use for environmental education purposes.

Information from federal pipeline safety regulators, representatives of pipeline companies, and local officials provided to the committee over the course of its meetings indicated a few examples of actions taken by local governments. For instance, some only allow the lowest-density development around transmission pipelines and locate walking paths, bike paths, and recreational areas along pipeline rights-of-way. Some local government proposals have gone considerably further, often in reaction to spills and explosions. In general, however, the few examples of Potential Land Use Approaches to Pipeline Safety and Environmental Management 37 local governments' attempting more stringent controls have not been based on a systematic analysis of risk or of benefits and costs. (id. @ p. 36)

We are concerned that San Francisco has not been able to reassure us with a risk analysis of construction on and near this site and until the Planning Commission can insure the safety of neighbors within the Blast Zone, we do not believe any construction should take place.

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?		X
Did you participate in outside mediation on this case?		×

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.

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Applicant's Affidavit

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

Signature:

Date:

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

ASSO cle one)

BERNAL PUBLIC SAFETY ALERT!

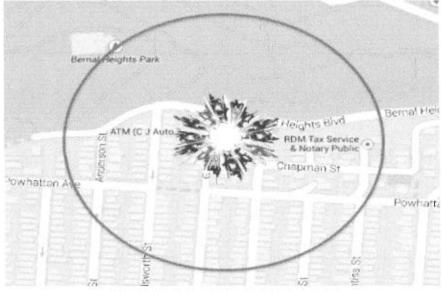
CRITICAL MEETING APRIL 9, 7PM!!! PRECITA NEIGHBORHOOD CENTER

PROPOSED DEVELOPMENT PUTS LUXURY HOUSING AHEAD OF PUBLIC SAFETY

Major PG&E Gas Line Runs Through Once "Undevelopable" Land. Not Your Typical Vacant Lots - But City Acts Like They Are.

ARE YOU WITHIN THE BLAST & FIRE ZONE?

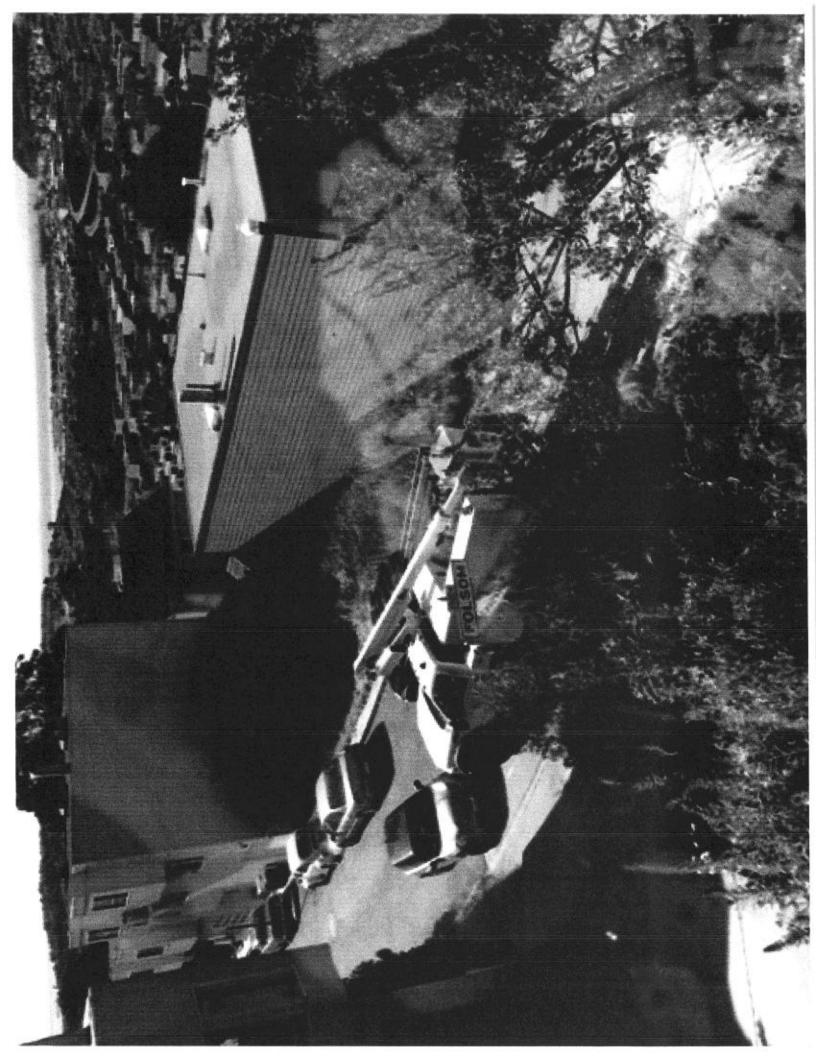
If you live, walk, run, garden, ride your bike, push your stroller, or fly your kite around Bernal Heights, you may have entered **the 600-foot Radius Blast/Fire Zone** of a proposed Bernal southeast slope development of two luxury homes below the Community Garden. A 26-inch PG&E gas pipeline runs through it - **the same type that blew up in San Bruno**. Many residents think this development which benefits from a **questionable exemption of SF street safety grading codes** - would recklessly endanger public safety.



Approximate fire zone inside red circle

PUT OUR SAFETY FIRST! PLEASE ATTEND!!

EAST SLOPE DESIGN REVIEW BOARD MEETING DEVELOPER PRESENTATION AND PUBLIC INPUT <u>WEDNESDAY, APRIL 9TH, 7PM</u> PRECITA NEIGHBORHOOD CENTER 534 PRECITA AVENUE



together of del cuss issues of new construction on currently vacant of Barnal Hills San Francisco of townation. So. Stoke Org. we bring neighbors as chair (co-chair of Barnet Height I have sourced 2095 JERROLD AVE, SUITE 319 SELANDER ARCHITECTS SAN FRANCISCO, CA 94124 (coally SAN FRANCISCO, CA 94103-2479 **1650 MISSION STREET, SUITE 400** 出品稿 学习组织的过去分词 好記品牌 预销的名词形的名词复数形式 San Francisco, CA 94110 Bernal Heights South Slope Organization 99 Banks Street Kathy Angus 941105668999 San Francisco, CA 94110 99 Banks Street Bernal Heights South Slope Organization Kathy Angus SAN FRANCISCO CA 940 SAN FRANCISCO 1. S. W. S. 31 MLKS 15 CA SAU US SEP 2015 FMAL աներություններ անկեսեներեն են հերենեն անհենին անհենին ALLED FROM A SPONDE SH 682.00

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Bernal Heights South Slope Organization 99 Banks Street San Francisco, CA

September 14, 2015

San Francisco Planning Department

I hereby authorize Herb Felsenfeld to file requests for Discretionary Review on behalf of our organization, Bernal Heights South Slope Organization for 3516 and 3526 Folsom Street, San Francisco, CA.

Kathy Angus, Co Chair, B.H. South Slope Organization

September 14, 2015

CASE NUMBER: For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	0
Address labels (copy of the above), if applicable	0,
Photocopy of this completed application	M
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	9
Letter of authorization for agent	
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)	

NOTES:

C Required Material.

Optional Material.

O 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:

CASE NUMBER: For Staff Use only

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

drapplicant's name: Jais Marie Raulet		ne do Como analysia	
DR APPLICANT'S ADDRESS:		ZIP CODE:	TELEPHONE:
75 Gates Street		94110	(415)641-0644
PROPERTY OWNER WHO IS DOING THE	PROJECT ON WHICH YOU ARE REQUES	TING DISCRETIONARY REVIEW NAME:	
Fabien Lannoye			
ADDRESS:		ZIP CODE:	TELEPHONE:
297c Kansas Street		94103	(415) 626-8868
CONTACT FOR DR APPLICATION:			
Same as Above 🗙			
ADDRESS:		ZIP CODE:	TELEPHONE:
		and the second	()
E-MAIL ADDRESS: raulet@att.net			
			,
101 10			
2. Location and Classific	ation		
STREET ADDRESS OF PROJECT:	ation		ZIP CODE:
STREET ADDRESS OF PROJECT: 3516 Folsom Street	ation		ZIP CODE: 94110
STREET ADDRESS OF PROJECT: 3516 Folsom Street cross streets:	ation		
street address of project: 3516 Folsom Street cross streets: Chapman Street	ation ot dimensions: Lot area (SQ FT):		94110 HEIGHT/BULK DISTRICT:
STREET ADDRESS OF PROJECT: 3516 Folsom Street cross streets: Chapman Street		zoning district: RH-1/40-X Bernal Hts SU	94110 HEIGHT/BULK DISTRICT:
3516 Folsom Street cRoss streets: Chapman Street ASSESSORS BLOCK/LOT:	OT DIMENSIONS: LOT AREA (SQ FT):		94110 HEIGHT/BULK DISTRICT:
street address of project: 3516 Folsom Street cross streets: Chapman Street Assessors BLOCK/LOT: 5626 / 013 3. Project Description	OT DIMENSIONS: LOT AREA (SQ FT):	RH-1/40-X Bernal Hts SU	94110 HEIGHT/BULK DISTRICT:
STREET ADDRESS OF PROJECT: 3516 Folsom Street CROSS STREETS: Chapman Street ASSESSORS BLOCKLOT: LI 5626 / 013 3. Project Description Nease check all that apply Change of Use Change Additions to Building: Reference	ot dimensions: Lot Area (so ft): 1750 of Hours New Constr ear Front Heig	RH-1/40-X Bernal Hts SU	94110 HEIGHT/BULK DISTRICT: D
STREET ADDRESS OF PROJECT: 3516 Folsom Street CROSS STREETS: Chapman Street ASSESSORS BLOCKLOT: U 5626 / 013 3. Project Description Nesse check all that apply Change of Use Change Additions to Building: Re O	ot dimensions: Lot area (sq ft): 1750	RH-1/40-X Bernal Hts SU uction 🛛 Alterations 🗌	94110 HEIGHT/BULK DISTRICT: D
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For Staff Use only

Discretionary Review Request

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

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

Please see attachment

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

Please see attachment

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

Please see attachment

DR Hearing Request for 3526 Folsom Street Nais Marie Raulet, 75 Gates Street Page One

1.

After reviewing the San Francisco General Plan, Residential Design Guidelines, and the Bernal Heights SUD guidelines, I question whether this project does in fact meet minimum planning standards. It appears that the building plans have been reviewed without consideration of context. The guidelines were written to ensure that development in SF does not violate principles of preservation of neighborhood character, open space, and public safety (Sec 242 (b)). I've lived in Bernal Heights for 21 years and my family has been in San Francisco since 1896. I believe property ownership and development should not supersede the guidelines that are in place to protect the community and the unique nature of San Francisco.

The project did not pass the ESDRB review which is mandated by the City to protect the unique character of Bernal Heights. The findings of the Board have not been respected by the Planning Department.

I am requesting a review of this proposed project due to the following issues:

There is and should be no vehicular access to the lot because of the prohibitive steepness of the hill.

The project is purely speculative and sized for maximum profitability; its negative impact on the community and environment outweigh any contribution it makes to the housing shortage in San Francisco. It provides housing for one wealthy family and takes away from everyone else. If a house or a road already existed, one might see the value of developing this area, but as the area is currently open space, the good brought from this building being permitted does not justify the negative effects on the area.

The presence of existing, steep streets in Bernal Heights has been cited in public meetings by the developer as a rationale for building another, even more steep street. This is faulty logic. This is not a reason to make a dangerous decision.

The massing effect of the building will interfere with public views and a sense of natural space for those enjoying the commons of Bernal Heights Park and the public garden. Planning code protects public views and public spaces. Public vistas are prohibited from development. (URB.CPN 1.1) Bernal Hill Park and the path around Bernal Heights Boulevard together is one of the few open spaces (URB CON 2) in a very tight, crowded community with very small lots with comparatively less space for greenery in front and back. This is heavily used open space with views of the Bay and San Bruno Mountain and it will be impacted by the mass and height of the proposed building with its lack of architectural relief.

Approval of this house opens the floodgate for development of a one-way road and a six-unit subdivision with implications for parking, vehicular safety, fire safety, garbage collection, and erosion.

DR Hearing Request for 3526 Folsom Street Nais Marie Raulet, 75 Gates Street Page Two

2.

One unreasonable impact of this project is traffic congestion. Roads in Bernal Heights are steep, winding, congested, and, essentially, one-lane in my area due to parked cars on both sides. Should this property receive a building permit it would authorize the extension of Folsom Street and, inevitably, the development of the five adjacent lots. Traffic congestion in the area will be increased in an area that is already overly populated.

A major consideration for this project is hazards related to ingress and egress. I live on a dead-end street, not nearly as steep as the one proposed for this project. My neighbors and I are routinely trapped from exiting our street by construction, garbage (Sec 242 (f) (3) (E)), and delivery trucks. Vehicles come up my one-way street regularly driven by people who are lost or drunk. They turn around at the top of the street and hit parked cars, or back down hitting parked cars. Should a one-lane road be put in to access this proposed building, damage to property is inevitable and there is risk of personal injury. (Sec 242 (f) (3) (I))

Approving a building permit for this house would appear to inevitably lead to the approval of the extension of Folsom Street. A civil engineer has reviewed the preliminary street extension plan and, due to the steepness and topography of the hill questions its feasibility. The take-off angle from the ADA-required flat street intersection at Chapman and Folsom, the access to driveways for existing properties at 3574 and 3577 Folsom Street, and the angles of access that would impede a vehicle from entering the proposed building's garage render the street dangerous and unusable.

A major concern that already exists in this area of Bernal Heights is fire truck access. Building this and another new home along what would be the steepest street in the City in an area that already has poor fire access is asking for trouble. Hook and ladder trucks will be unable to access this street. Without side yards between this and the adjacent proposed new home, access for fire personnel will be further limited and the risk of fire spread from house to house will increase thereby endangering the surrounding neighborhood. (Sec 242 (f) (3) (D) and E), (Bernal Heights East Slope Building Guidelines, pp17-18)

Another unreasonable impact is that no adequate contingency is being made for the water damage that property owners below this proposed home will experience. Water sluices down these steep streets. This development will alter current natural drainage systems and inevitably require remedial efforts, such as installation of trench drains and regrading of sidewalks and driveways, on the part of homeowners below Powhattan Street.

An unreasonable risk associated with this permit is the major PG&E gas transmission pipe that sits under the construction site. The pipeline will not be exposed to determine its condition or depth until construction has commenced. I am fearful of potential of explosion and fire from the activity of heavy construction over this pipeline. It has happened before.

Due to the steepness of the hill, construction vehicles may become stuck or may roll down causing damage or injury. They will not be able to turn around and will have to back down the street.

DR Hearing Request for 3526 Folsom Street Nais Marie Raulet, 75 Gates Street Page Three

The scale and form of the house leads me to think that the goal was to maximize every possible square foot of the lot. The height and depth of the building is not to scale with the existing buildings in the neighborhood. Bernal is still largely a modest working and middle class community. Luxury homes crammed into any available space do not blend in or enhance the character of the neighborhood. (URB.NEN 4.5)

3. Reduce the size and height of the proposed building to conform with the square footages and heights of surrounding homes and to preserve the views from the park and Bernal Heights Boulevard loop.

Provide side yards and architectural relief on all sides of the building.

Remove the garage from the building plans, making the homes smaller and transit-friendly, and thereby eliminating the need for an access road.

Maintain the existing public trail through the open space, install stairs to Bernal Heights Boulevard, and contribute to the expansion of the existing community garden.

Common sense dictates resolving street and sidewalk issues before issuing a building permit.

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?		X
Did you participate in outside mediation on this case?		ß

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.

Project was discussed with applicant at public meetings of the East Slope Planning Guidelines Board. No substantial changes were made to the project to bring it in to conformity with the guidlines.

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: Nois Marie Rayet Date: 9/8/15

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

Owner / Authorized Agent (circle one)

San Francisco Manning Dypartment I hearby anthonize Herb Felsenfeld to file requests for discreting review on my behalf for 3516 and 3524 Folson Streets, An Francisco, Ct. Noi marie Ranlet Nai's Marie Raulet 75 Sats St A Moncisco CA 94110

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANTS NAME: CF AIL NEWNAN DR APPLICANT'S ADDRESS;		TELEPHONE:
3574 Folsom Street	94110	(41572857636
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRE Fablen Lannage		
297c Kansas Street	21P CODE: 94103	1415626 8868
Same as Above AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	ZIP CODE:	TELEPHONE:
E-MAIL ADDRESS:		()
2. Location and Classification		
3516 FOLSOM Street		ZIP CODÉ:
CROSS STREETS:	- Schause	1 Eden Goodo
Undeveloped land near the corn	ener napmo	ultrosom stiert
ASSESSORS BLOCKLOT: LOT DIMENSIONS: LOT AREA (SQ FT): ZONING C LOT AREA (SQ FT): ZON	-1/40-X/. -1/40-X/. 29181Hersht	HEIGHT/BULK DISTRICT: スタレーキリ
3. Project Description S	Qu	
Please check all that apply Change of Use 🗌 Change of Hours 🗌 New Construction 🕱	Alterations 🗍 🛛 I	Demolition 🗌 Other 🗌
Additions to Building: Rear 🗌 Front 🗌 Height 🗌	Side Yard 🗌	
Present or Previous Use: Vacant Lot	anter a successioner successioner and	nama atalanan'
Proposed Use: SFD		
Building Permit Application No. 2013.12.16.432	Date Fi	led: 12.17.

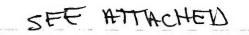
7

9

Discretionary Review Request

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

- 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
 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:
- 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?



4. Actions Prior to a Discretionary Review Request

· . .

Prior Action	YES	NC
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?	A	C
Did you participate in outside mediation on this case?		

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

8

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: Hail Neuman

Date: Scotember 15, 2015

Print name, and indicate whether owner or authorized agent:

Gail Newman Owner / Authorized Agent (circle one)

10 SAN FRANCISCO PLANNING DEPARTMENT V.08.07.2012

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	29
Address labels (original), if applicable	ø
Address labels (copy of the above), if applicable	R
Photocopy of this completed application	[]
Photographs that illustrate your concerns	20
Convenant or Deed Restrictions	躙
Check payable to Planning Dept.	M 🖬
Letter of authorization for agent	D NA
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim) Specifications (for cleaning, repair, etc.) and/or Product cut sheets fo elements (i.e. windows, doors)	

NOTES:

-

4 4 7

Required Material.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

RECEIVED

SEP 1 5 2015

CITY & COUNTY OF S.F.

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For Department Use Only Application received by Planning Department:

By: Soken Omo Kan

Date: 9-15-15

150

DISCRETIONARY REVIEW REQUEST

#1 - " ... reasons for requesting DR ... what are the exceptional and extraordinary circumstances that justify DR ... How does it conflict with the General Plan or Priority Policies or Residential Guidelines ... cite sections ..."

The exceptional and extraordinary circumstances that prompt this DR Request come from our close examination of the following documents: (1) the City's General Plan (2) the Planning Code's Priority Policies; (3) Urban Design Elements; (4) the Residential Design Guidelines; (5) The East Slope Design Review Board (ESDRB) Guidelines; and (6) The Bernal Heights Special Use District provisions of Section 242. We will take these documents in order, as per below.

(1) General Plan

"San Francisco is a special place ... the center, the soul of the region, and co-operative efforts to maintain the areas quality of life are imperative (p. 1/7)." The project is a collection of undistinguished buildings that are unresponsive to the surrounding environment. As well they mar a "hilltop that reveals extraordinary vistas (ibid.)." These building are an intrusion on the "dramatic physical beauty (ibid.) " of this section of Bernal Heights. 09/2105 DR Request

This area is one with "qualities that make San Francisco unique" and are to be "preserved and enhanced (p.2/7)." The project will disturb those qualities by creating houses that are out of character with the surrounding hillside. Large-scale development with undistinguished design, totally separate from other houses on the block and nearby are particularly unappealing and intrusive. They permanently disturb the "creative consensus concerning ... environmental issues (p. 2/7)." These houses are out of step with "the attainment of the following goals;

- Protection, preservation, and enhancement of the ... esthetic values that establish the desirable quality and unique character of the city.
- Improvement of the city as a place for living by aiding in making it more healthful, safe, pleasant, and satisfying with housing representing good standards ... and adequate open spaces ... (p.3/7)."

Because these houses are out of scale, size, mass, and character with the houses and surrounding environment they will intrude in, and work against the esthetic values that establish Bernal Heights as a unique, special neighborhood. They will be created on a new street that is not healthy, not safe, not pleasant and not satisfying. Therefore, the project does not represent "good standards ... and adequate open spaces." In fact, it subverts good standards and adequate open spaces. (2) Priority Policies - and -<u>URB.CPN.1.9 Section 101.1 (b)</u> This section designates two General Plan Priority Policies related to housing: (1) "affordable housing" and (2) "neighborhood character".

These policies and objectives state:

- "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods (p. 4/7)." The sheer mass, size, scale, and overall design of this proposed house is totally at variance with the small-scale, rural nature of the neighborhood dwellings surrounding it. It will not conserve and protect neighborhood character since it is so out of scale with the neighbors. It is out of the economic range of diverse low-income families.
- "That the City's supply of affordable housing be preserved and enhanced" and "open space and their access to sunlight and vistas be protected from development (p. 4/7)." The proposed house will fly in the face of affordable housing. It will likely sell for upwards of \$2,000,000.00. This is not what the framers of the Priority Policies had in mind for the goal of "affordable housing". In fact this proposed house would be the polar opposite of affordable.

If the intent of the goal is to protect "open space (ibid.)", then this project will run counter to that goal. A house that is twice as large as its neighbors will consume - not protect, preserve and enhance open space.

(3) General Plan - Urban Design Elements -Introduction, City Pattern URB.CPN.1.3

"Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts." (i.e., Bernal Heights)

Attachment A shows a plan to build six (6) houses on the current available lots on Upper Folsom Street. The applicant prepared these plans at the instruction of City staff and they were presented at an ESDRB community meeting. They show what <u>could</u> be done in the future on this parcel of undeveloped land. We contend that when this occurs the entire area of undeveloped land will be in violation of the <u>URB.CPN.1.3</u>.

Building on the six (6) lots will create a total effect that forever alters the unique, rural and special character of this particular piece undeveloped land. It will obliterate the unique, rural and special character of the land; the total effect will be to ruin, negate, and destroy its distinctive natural beauty. Qualities that have been nurtured and conserved for many decades will be lost.

(4) Residential Design Guidelines

Visual Character

a. "... buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block (p. 9)." The proposed building is (as per the table listed on page 9) completely incompatible with scale of the buildings below it on Folsom Street, as well as on Gates Street. This is due to inappropriate massing, lack of detail, boxy appearance, flat front facade and architectural unresponsiveness to the hillside. Unlike the houses around it, this house maximizes every inch of available space making it unlike its neighbor houses in pattern and architectural features.

b. "... designer has a greater opportunity and responsibility to help define, unify, and contribute positively to the existing visual context (p. 10)." The applicant shirks his responsibility and avoids the opportunity to contribute positively to the existing context. The houses do not draw on the best (most logical, most neighborhood friendly) characteristics of neighboring dwellings. Once again the applicant does not use sensitive development to allow this proposed house to fit in well with its neighbors.

Side Spacing Between Buildings

"Side spacing helps establish the individual character of each building. It creates a rhythm to composition of a proposed project. Projects must respect the existing pattern of side spacing (p.15)." The project opposes the open character of the houses around it. The surrounding houses have side yards that travel the length of the house. This project does not. Thus it ignores neighbor character, creating a dysfunctional rhythm that is jarring and visually unpleasant. The project is designed to disrespect the existing pattern of side spacing.

Building Scale

"It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character. Poorly scaled buildings will seem incompatible (too large) and inharmonious with their surroundings (see table, p. 17)." This building is out of scale with its neighbor's small architectural footprint. It forces a new and disruptive character on a small-scale, unique, rural space. The incompatibility with neighboring buildings is glaring and obvious. It does not preserve neighborhood character.

(5) East Slope Design Review Board Guidelines (Attachment A)

"The Bernal Heights East Slope is a special neighborhood and the qualities that make it that way are cherished by all those (with a) commitment to seeing them preserved ... (p.2)." The large scale of these proposed buildings are not in keeping with the special neighborhood characteristics (small dwellings, visually interesting design elements, unique rural attributes, etc.) that have traditionally been a feature of this Bernal neighborhood.

"Much recent development is not only inconsistent but often at odds with the smaller existing structures. ... East Slope's rural characteristics rapidly are disappearing along with views, open space, and trees. Some new buildings have created "canyons" blocking sunlight and presenting building facades which are copies of a single undistinguished design (ibid.)." This proposed building is a prime example of one that is "inconsistent and at odds with smaller existing structures." It simply does not fit in with the character of the neighborhood and its surrounding buildings. As well the building façade of 3516 Folsom is undistinguished (as noted by the ESDRB).

" ... architecture (is) a matter of good manners, being part of the whole street, being part of the fabric of the

city (ibid.)." The proposed house does not fit in with the whole street, or the surrounding houses. It has the opposite effect of "beating its chest or shouting at neighbors (ibid)."

(6) Sec. 242. Special Use District (Attachment B) " (b) Purposes. In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other lowdensity areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District (http://planning.sanfranciscocode.org/2/242/)". This section of the San Francisco Planning Code encourages development "in context and scale with the established character (ibid.)" of Bernal Heights. The proposed development is clearly - from the facts that have been presented previously and the facts contained in the following pages - not in context or in scale with the established character of this neighborhood.

#2 "... unreasonable impacts ... adverse effects ... who would be affected ... how?"

There are many unreasonable impacts and adverse effects of this project on our neighborhood. One, among many, that affects us most critically is the driveway shared by 3574 and 3577 Folsom Street.

The applicant has refused to provide accurate, complete and detailed visual information on this portion, or indeed any portion of his project. No engineered drawings exist.

As a result of this refusal neighbors have received <u>no</u> <u>information</u> on the following:

- A detailed design of the areas in front of 3577/3574 Folsom Street?
- A detailed design of the walks and driveways, walls if any, and landscaping?
- A detailed design of what will remain of our current walk/driveway, our walls, or our landscaping?
- A description of who will do the designs? Who will direct and approve the designs? Who will pay for it? Who will supervise the plan check and permit fees for any alternation or change in configuration of the driveway at 3577/3574 Folsom Street?

09/2105 <u>DR Request</u>

- Who will build this driveway? Who will pay for it? Who will certify that the work will have warranties, and that the warranties will be enforced?
- Will the applicant allow the owners of 3574/77
 Folsom Street to select the designer and
 contractor for design and construction of the
 driveway? Will the applicant pay the costs incurred
 by the selected designer and contractor?
- Will any unforeseen expense and effort be offloaded to the owners of the houses at 3577/74
 Folsom Street? Or will all expenses be borne by the applicant?
- What are the specific and detailed inconveniences that the owners of 3577/74 Folsom Street will have to live with during construction? How long will the owners of these properties be unable to use their garage? If the owners have to park down the hill, during the months that construction takes place, how will they get into their house? What provisions will be made for neighbor parking during the construction process?
- What are the remedies if any of the homes at 3577/74 Folsom Street are damaged by construction operations? What provisions are made for settlement due to slope failure in front of these houses as a result of excavation for the new street?

- Why is the break-over angle, where the new block starts up from the Chapman Street intersection, not shown on any of the applicant's drawings? Is the slope of the new block of Folsom Street greater than 36%?
- The applicant is on record as stating (at the last public ESDRB meeting), "the driveway at 3574 Folsom Street will have to be raised two (2) feet". If this project is approved how will cars be prevented from bottoming out as they traverse the driveway and garage.
- What is the new break-over angle at the 3574 Folsom Street garage?
- How high will the new entrance be to the garages at 3574/77 Folsom Street? How will a car be able to traverse the new grade changes?
- How much higher will the new grade be over the existing grade?
- How will new drainage problems be handled at the 3574/77 Folsom Street homes?
- What is the break-over angle for the new houses proposed for 3516 and 3536 Folsom Street? They appear to approach 100%/45 degrees on the right side (see attachment C). The difficulty of the traverse seems to be compounded by the height of the garage door, i.e., a car traversing the driveway may be too high to fit under the garage door opening. A sedan can likely get scraped top and

bottom driving in to one of those garages. Will the proposed garages by impassable by automobile?

INCOMPLETE STREET DESIGN AND LACK OF NEIGHBORHOOD REVIEW OF STREET DESIGN

There will also be unreasonable impacts and adverse effects on the intersection of Chapman and Folsom Streets. The East Slope Design Review Board is on record as stating that the existing character of the intersection must be maintained.

- The applicant's design, or design information is incomplete because the grading for the street is not shown. This includes information for the proposed driveways for the new proposed homes (as previously mentioned above).
- How steep will this new street be?
- We request complete design information, including spot elevations and slopes at both sides of each driveway.

Until site design drawings for the re-design of the proposed extension of Upper Folsom Street, and the intersection of Chapman/Folsom has been submitted and approved, we believe this application is incomplete.

We believe this to be true because:

1. The new contours and the new grades are unknown.

- 2. Neighbors have been denied access to a proposed new topographic map
- 3. We have never seen how the entire new proposed street is being changed from the Community Garden all the way down to the intersection of Chapman and Folsom.
- 4. We have never seen how cars will enter and exit the garage at 3526 and 3516 Folsom Street. How will these five (5) cars enter & exit their respective garages? How will they then backup and/or go down Upper Folsom to access the intersection and "Lower" Folsom Street? How will these five (5) cars address the increased traffic coming at them from the following:
 - a. Chapman Street -West
 - b. 3574 Folsom entering/exiting garage
 - c. 3580 Folsom entering/exiting garage
 - d. Folsom Street North/South traffic
- 5. Where is the full size to scale drawing for the proposed new street?

The proposed design of the intersection of Folsom and Chapman Streets appears too narrow to allow two vehicles to pass each other when cars are parked on Chapman facing east. Emergency vehicles (Fire, Ambulance, Police) and service vehicles (Garbage and Recology, Fed Ex, UPS, etc.) will struggle - or be absolutely unable - to have access and egress. Please do not to add more unsafe traffic conditions to our local streets. This particular block is populated with children, as well as elderly and disabled people. Each of these populations is endangered by the proposed street design.

FUTURE DEVELOPMENT - "Six Lots Not Two"

All six (6) lots on Upper Folsom are capable of being developed (Attachment D). It stands to reason that once 3526 and 3516 Folsom Street are approved and a fully functioning road is put in, the owners of the four (4) other lots will be in an ideal and resource-rich position to develop their lots as well. When - **not if** - that happens, what is the plan for solving the problems and answering the multitude of questions noted previously?

LACK OF A 3-D MODEL

With only selected computer drawings, a developer can show the buildings in the most favorable light - and obfuscate any unfavorable perspectives. (For instance, garage access, true sense of bulk and mass, neighbors' driveways, Community Garden erosion concerns, side elevations in relation to Bernal Heights Blvd., and relationship to existing houses on Gates St., and so on.) At a previous neighborhood meeting, many neighbors viewed the computer renditions, of the project as misleading - casting doubt on other perspectives presented by the developer.

Although specifically requested by the ESDRB to provide a physical model, the applicant said it was too expensive. We request the Commission not be taken in by this argument and respect the community need to fully understand how the proposed development will impact local residents - from Gates Street, Folsom/Chapman, Bernal Heights Blvd. and the Community Garden.

We ask the applicant to stand by the ESDRB request of a physical model - and honor the neighbors' needs to view the proposed houses in ways they can trust. This is a sound and reasonable request. Indeed we cannot assess the worthiness of this project without such critical visual information.

NEIGHBORHOOD CHARACTER

The proposed houses with, one with a 3-car garage at 3526 Folsom, loom out of scale for the neighborhood and are in defiance of both ESDRB Guidelines and the City's Transit First policy. They are in direct contrast to Bernal's distinctive smaller-scale housing and, specifically, the neighboring houses on this block of Folsom. The too-big-for-the-neighborhood proposed houses although adorned with latest trends in building material disturbingly fit specific criticism found in the Guidelines: "The 'new vernacular form' is the maximum-buildingenvelope-shoebox... it is a solution without a context which isolates itself from its setting by not acknowledging its neighbors...." (ESDRB).

Bulk, Massing, and Elevations:

"Much recent development is not only inconsistent but often at odds with smaller scale existing structures." (ESDRB)

a) Overall square footage: It is disingenuous to think the latest blueprints reduce the square footage of the houses in any appreciable manner - or that they substantially improve elevations facing Chapman and Bernal Heights Blvd.

We respectfully request the Commission to restrict the proposed projects' square footage in relationship to existing nearby housing. The table below shows the typical Bernal dwelling on Folsom Street below the proposed houses. These houses reflect the distinctive rural character of Bernal. The data will show that in terms of square footage, the new proposed homes do not.

Address	Livable space	Garage	Total Space
3516 Folsom St.	2125 sq. ft.	787 sq. ft.	2912 sq. ft.
3526 Folsom St.	2158 sq.ft.	775 sq. ft.	2933 sq. ft.
3574 Folsom St.	1150 sq. ft.	300 sq. ft.	1450 sq. ft.
3580 Folsom St.	1050 sq. ft.	210 sq. ft.	1310 sq. ft.
3590 Folsom St.	800 sq. ft. (appx.)	180 sq. ft. (appx.)	980 sq. ft. (appx.)

b) Three-car garages: The proposed two projects both have either a three-car, or a two-car garage, unlike any neighboring homes on Folsom Street - within 50 feet or, for that matter, in most of Bernal Heights. Indeed, a variance will be needed for the three-car garage, since it does not meet code.

Again, this is in defiance of the City's Transit First policy. Given the times we live in, new construction condoning a three-car garage house in a city trying to wean people off cars is irresponsible and ecologically immoral.

Please note: It was with the following rebuke that the pro-development real estate website, SF Curbed, described the applicant's 3,000 sq. ft. house that he built

and sold in another part of Bernal Heights in 2011: <u>"Not-</u> so-green features include a 3-car garage."

c) Side elevations: After five (5) ESDRB meetings, minimal – and nothing substantial – was done to address the ESDRB's request to improve side view elevations from Chapman and Bernal Heights Blvd. (The ESDRB even gave the applicant addresses of suggested side elevation treatments in the neighborhood to review.)

The new designs put lipstick on what are essentially big walls. To use their own language, the applicants designs are the "new vernacular" that allow for "maximum building envelope shoeboxes (ESDRB)."

Disturbingly, without a physical model, the neighbors are left to decipher architectural language and blueprints, which they are not trained to do. The pattern of sometimes "improving" designs with the smallest effort and then touting these tiny steps as meeting the ESDRB's requests - underscores the need for physical models.

d) Side yards: For both safety and sunlight issues, neighbors requested side yards that went all the way through to the backyard. In fact, all the other houses on this block have such side yards - and the Guidelines specifically talk about the "relationship of individual buildings to their lots and their immediate neighbors (ESDRB)".

Since Sept. 10, 2014 the applicant through the **ESDRB** has known about acceptable side yards for Bernal. Examples were given to the developer. An open side yard promotes an airy, not-so-urban feeling that would help mitigate the loss of sunlight and open space so close to Bernal Park. We request this style of side yard be recommended for the two proposed projects.

e) Public Safety - Rear Yard Access: There is a lack of backyard access for firefighters and public safety officers - especially along this vulnerable section of the gas transmission line. We are not satisfied that public safety officers can navigate the corner in case of a fire, health, or safety emergency.

f) Roof treatments: Despite repeated concerns from neighbors and community garden members about views and sunlight, the applicant has added an imposing new structure to the top of the proposed buildings.

This particular action follows a pattern of maximizing house size and mass - and being insensitive to neighbors and a smaller-scale neighborhood. This new structure underscores the necessity for a physical model of the proposed projects. 09/2105 DR Request

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Below is the directive from a recent ESDRB letter:

"Plans presented have so far not clearly addressed how the new Folsom Street Extension will incorporate access to existing homes at 3574, 3577, and 3580 Folsom Street. We reiterate: develop detailed plans (with grading spot elevations), sections and elevations, and meet with these neighbors to review and agree upon driveway access and design in front of these houses."

g) Safety of Main Trunk Transmission Line (109)

- Gas transmission line 109, built in 1981, runs underneath this proposed street.
- The proposed street, flowing as it does over this 26" transmission line poses numerous dangerous safety risks. Neighbors are very worried.
- This is a densely urban neighborhood surrounding a steep, at least, 35-degree hill. Heavy earth moving equipment is known to topple over on such a steep grade, causing huge amounts of damage. Several years ago a cement truck did just that, on Folsom Street, while trying to make a turn. It resulted in a broken water main.
- The City has incomplete records about the safety of this Bernal Heights pipeline.

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• The City also has no risk assessment guidelines, in the event of an accident, around gas transmission lines.

We are so concerned about the gas transmission line that we have requested advice from an internationally known engineering safety consultant, Dr. Robert G. Bea, Professor, UC-Berkeley and co-director of the Marine Technology and Management Group Center for Risk Mitigation. Professor Bea agrees with our concerns and finds them valid. His response is attached along with several slides showing the dangers of ignoring concerns regarding pipeline safety (see attachment E) 09/2105 DR Request

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3. "Alternatives or changes to the proposed project ... "

We suggest a smaller house, no more than two (2) stories high, animated plane, materials, and elements that step down along the hillside, a developed and composed front facade with windows, carve-outs and appropriate changes in roof treatment (as per the ESDRB letter to the applicant on April 28, 2015), with square footage comparable to that of the neighbors on Folsom Street (see table above, p. 17), no garage, no external stairway, no roof garden, appropriate side yards and set-backs as per the ESDRB Guidelines. These houses, if designed and built correctly, would fit in perfectly with the neighborhood. They would enhance and complement the character of Bernal Heights. Almost all of the safety, traffic, and construction concerns would be eliminated. Most of the neighbor concerns would be addressed. The house would therefore conform to all elements of the ESDRB Guidelines.

5. "CHANGES MADE AS RESULT OF MEDIATION" In July of 2014, at the suggestion of the **ESDRB** the applicant requested a meeting with neighbors whose driveway will be impacted by the new road. The driveway is shared and used by many neighbors and community members to not only access houses also the Community Garden, Bernal Heights Blvd. and Bernal Park. Thus our concerns stem from a group, not a few individuals. Our hope was to have an inclusive group meeting. We responded as such. No answer was forthcoming from the applicant.

We attended at least five (5) community meetings called by the ESDRB, with the applicant, over a period of eighteen (18) months. We discussed our concerns and fielded questions/responses back and forth. As a result the applicant did make some alterations to the 3516 Folsom project. The façade is more animated, changes in plane, materials, and stepped down design elements are present. No changes at all were made to 3526 Folsom.

These changes are relatively slight, relatively minimal and largely cosmetic. They do not for a moment alter the deep-seated and strongly felt concerns of the neighbors. The multiple and interconnected issues of: public safety, neighborhood character, and accessibility are as prominent now as they were when our pubic meetings began in December 2013.

ATTACH MENT

guidelines commitment to seeing them preserved has produced these building and the qualities that make it that way are cherished by all those whose development. The ternal Heights liast Slope is a special neighborhood h

and services has periodically presented real danger to the residents. hillsides have given the East Slope its rural character, the lack of roads City of San Francisco, however, while dirt roads and undeveloped The history of the East Slope has been one of benign neglect by the

undistinguished design. and presenting building facades, which are all copies of a single and trees. Some new buildings have created "canyons" blocking sunlight rural characteristics rapidly are disappearing along with views, open space with the smaller scale existing structures. As a result, the East Stope's Much recent development is not only inconsistent but often at odds

Each developed and undeveloped. present housing stock, vacant lots, open spaces, public areas, and streets, In preparing these guidelines we have made a thorough inventory of

our neighborhood and to establish criteria for new housing design that Slope's unique character will ensure, as much as possible, the continued existence of the East Predominant architectural components have been examined along with the relationship of individual buildings to their lots and their immediate neighbors. These guidelines are an effort to retain the spirit of

Pape 2

minimizing monotony and enhancing the visual appeal of new housing

Hoy

encourage inventive diversity while conforming to the patterns of develthan restrictive. The intent is not to induce dull uniformity but rather to We have tried very hard to make the guidelines prescriptive rather

four-time winner of the National Honor Award of the American Institute In an interview recorded earlier in 1986, architect Hugh Jacobsen, a opment which have made formal Heights as humanly scaled as it is today

of Architects is quoted as saying:

are at once proud and humane, standing strong in their mutual respect continuity but each building also has its own individuality. The buildings every great city— Florence, Rome, and especially Paris. The structs have neighbors, behaves like a well-mannered lady. There is politeness in city. Good architecture, rather than beating its chest or shouting at good manners, being part of the whole street, being part of the fabric of the "From the beginning, I've looked at all architecture as a matter of

stand strong in our mutual respect. great dty, will be architecturally polite so that we, the old and the new, can world. We fervently hope that newcomers to the East Slope, as part of a Certainly San Francisco is considered one of the great cities of the

ATTACHMENT A-2

SUMMARY OF DESIGN GUIDELINES

1. 9'-0" CURB CUT/SINGLE CAR GARAGE DOOR:

Garage doors shall be limited to a 10-0" width. Curb cuts shall be 9-0" and placed so as to create a 16-0" curb space within the 25-0" width of the lot to provide one full parking space on the street. In addition, the garage door shall be placed a nunimum of 16'-0" from the inside edge of the sidewalk so as to provide one additional parking space per residence in the driveway.

2. LANDSCAPING • FRONT YARD SETBACKS • STREET TREES

50% of the Front Yard Setback area (not including the driveway up to the garage) shall have provision for landscaping (i.e. trees, shrubs, flower beds, ground cover, vines, etc.).

One Struct Tree shall be planted at the time of construction in front of each lot within the street right-of-way, and close to the front property line. Trees shall be 15-gallon size.

3. ENTRY TREATMENT

Make the entry of the house something special — a celebration — more than just a front door. Create a transition between the street and the doorway. Cive special attention to the treatment of the framing of the opening itself.

Fences or walls which enclose a lot or a portion of a lot, which run parallel to the property line on the street side, and are not structural portions of the buildings or the stair leading to it, shall not be completely solid at eye level.

4. BUILDING AND ARCHITECTURAL MASSING

Step the building with the slope of the lot. Building shall not exceed 32-0" from any point on natural grade. This height shall be measured to the average height of a pitched roof of to the highest point of a flat roof. In addition, no point of the last 10-0" depth of the building may exceed 2/3 the height of the highest point of the structure. Highest point, once again, is defined as the average height of the pitch on a sloped roof or the highest point of a flat roof.

At the rear, a minimum 17-6" rearyard is required.

ATTACHMEN A-3

5. SIDEYARDS

A 4-0" sideyard is required on one side of each 25-0" lot. The first 5-0" back from the street facade shall be completely open. Beyond that, two of the four additional sideyard zones must be left open (See Guideline for discussion of "zones".)

$\mathbf{6}_{\star}$ roof treatment \star step with slope along street

Any roof which is not pitched at a ratio of at least one in four must be designed and surfaced so as to be usable.

Any flat roof must be accessible from a prime living space without the necessity of climbing a special set of stairs to reach it.

Step rooflines of adjacent buildings up or down in imitation of the slope of the street.

7. FACADE ELEMENTS

Any balcomy, porch, deck or terrace above ground level must be at least 6'-0" deep and a minimum of 36 square feet in total area.

8. COLORS & MATERIALS

No specific guidelines but suggestions and recommendations.

Page 32

ATTACHMENT A-4

DESIGN GUIDELINES CONCLUSION

There are a number of topics which need to be addressed and yet do not fit into the form of a guideline. The issue of security and crime is one of these. None of the guidelines deals with insuring the safety of a home. Nowhere do we mention the use of metal grills at the entry or the elimination of landscaping to cut down on the possible hiding places. In fact, on both social-psychological and aesthetic grounds, these measures are not encouraged. It has been proven that the isolation created when people live barricaded behind fortress-like walls stimulates incidents of criminal activity more than security systems deter them.

We do not believe that the solution to crime, particularly breaking and entering, is an architectural one. The long-term solution will only come from changes in society at large, with the best short-term defense being a cohesive, responsive community which looks out for and protects its members. The basis for this sort of open communication network among neighbors presently exists in this section of Bernal Heights, much as it has in small towns of old.

All of the guidelines assume the construction of one house per lot. Though not specifically encouraged, it would certainly be acceptable to build one house on two lots, especially when the topography of a site or the existence of trees made a portion of a given lot unusable. Several guidelines would have to be amended if applied to a double lot and this would be handled on a case-by-case basis, as the need arose.

> one can demonstrate that compliance is significantly raising his or her asked to try to assess, as nearly as possible, what the economic consequences might be. We have been assured to our satisfaction that grounds for proposing a compromise solution. costs for some unforeseen and irreconcilable reason, there would be architectural services. If, in the process of planning a new structure, construction practice or necessitates the introduction of expensive is nothing in the guidelines which call for a deviation from standard construction business have been presented with our concepts and over this point. In an effort to arrive at an answer, many people in the our recommendations in and of themselves, would not impose undue low and moderate incomes, there have been considerable concerns Bernal Heights as an area which is financially accessible to people of been raised. Since a major goal of this report is the maintenance of increase the construction costs of prospective new homes has often financial burden on the developers and owners of new housing. There The question of whether adherence to these guidelines would

These guidelines have been developed because of specific conditions on the East Slope of Bernal Heights. They were mandated by the City Planning Department in conjunction with a temporary building moratorium. The guidelines were adapted from thuse successfully in use for the Elsie Street neighborhood in northwest Bernal Heights. Residents, vacant lot owners and representatives of several city departments contributed to the development of these guidelines.

ATTACHMEN B-1

More

1

SEC. 242. BERNAL HEIGHTS SPECIAL USE DISTRICT.

(a) **General.** A Special Use District entitled the Bernal Heights Special Use District, the boundaries of which are shown on Sectional Map. Nos. 7SU, 8SU, and 11SU of the <u>Zoning Map</u>, is hereby established for the purposes set forth below.

(b) **Purposes.** In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

(c) The provisions of this Section 242 shall not apply to building permit applications or amendments thereto, or to conditional use, variance or environmental evaluation applications filed on or before January 7, 1991. Such applications shall be governed by the ordinances in effect on January 7, 1991, unless the applicant requests in writing that an application be governed by the provisions of this Section 242.

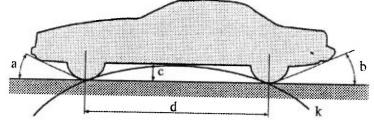
(d) **Definitions.** For purposes of this Section 242, the following definitions apply:

(1) "Adjacent building" shall mean a building on a lot adjoining the subject lot along a side lot line. Where the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building." A corner lot shall have only one adjacent building located along its side lot line.

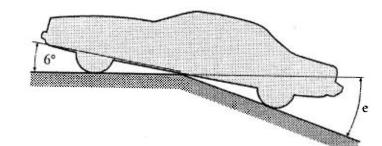
(2) "Usable floor area" is the sum of the gross areas of the several

ATTACH C-1





- = Maximum approach angle a
- b = Maximum departure angle
- = Minimum running ground clearance С
- d = Design vehicle wheelbase
- Maximum ramp breakover angle e =
- $\mathbf{k} = \mathbf{Crest} \, \mathbf{of} \, \mathbf{curve} \, \mathbf{arc}$



11' 10.5% or 6° 21.25% or 129 32.5% or 18°

- = $20.2^{\circ} = 36.8\%$
 - $9.2^{\circ} = 16.2\%$
- 4.3" =
- 10.8' (Salt Lake City Design = 11') Ξ
- 8.2° (Salt Lake City Design = 10.5% (6°)) Ξ
- $d \div e$ (Salt Lake City Design = 1.05) =

16%(9.09°) Maximum

Average Grade

11

11

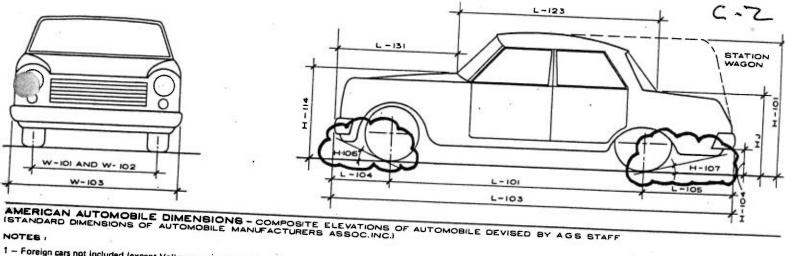
10.5% or 6° 0% or 0.0°

4.5% or 240 32.5% or 180 21.25% or 120

Driveways leaving a public right-ofway should not exceed a maximum slope of 8% (4.57°) from gutter to property line. The slope should be transitioned beyond the property line no more than a maximum of 16% (9.09°) average grade to the parking pad. Driveway cross slopes of 4 % to 6% $(2.3^{\circ} \text{ to } 3.4^{\circ}) \text{ maximum}.$

Date	Revisions	
8/12/91	changed layout/assigned #	
7/31/02	revised data	
2/24/03	revised data	
5/04/05	revised data	

11' 0% or 0.0°

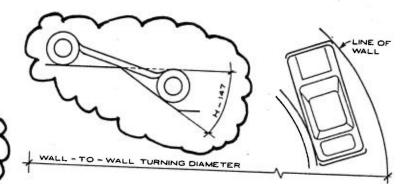


1 - Foreign cars not included (except Volkswagen, see below).

2 - Dimensions are for 1968 models.

3 - Dimensions cover: sedans, coupes and stationwagons.

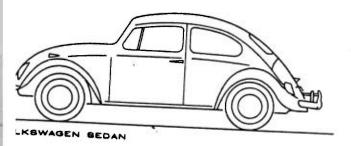
W-103 Overall width	MINIMUN	4	MAXIMU	
H 101 0	Corvette	5'-9 1/4"	Buick	
H-101 Overall height	Corvette	3'-11 3/4"		6'-8"
L-101 Wheelbase	Corvette	8'-2"		5'-3 13/16'
L-103 Overall length	AMC AM		Cadillac	11'0"
H-156 Ground clearance	Pontiac		" Cadillac	19'-0 1/4"
\sim	Fontiac	0'-3 11/16	" Jeep	0'-7 11/16"
ANGLES, RAMPS & DIAMS	MINIMUM	\sim		5
H-106 Angle of approach (degrees) Cadillac	19.2°	MAXIMUN	
H-107 Angle of departure	Mercury	10.8°	Jeep	39.0°
(degrees)		10.0	Javelin	23.8°
H-147 Ramp breakover angle	Tempest	9.0°	-	
degrees)	rumpeat	9.0	Jeep	24.0°
Vall to wall turning diam. (ft.)	Jeep			
		37'-8"	Oldsmobile	49'-7"
EAP OF CAR DIMENSIONS	MINIMUM			
IJ at rear window to grnd.			MAXIMUM	
- Tuo Overhang rear	Firebird	2'-9 13/16"	Checker	2' 10 1 /00
100 Overhang rear	Camaro	3'-4"	Imperial	3'-10 1/2"
-102 Tread width - distance	Rambler	4'-7"	and the second se	5'-4"
etween & of tires at ground			Pontiac	5'-4"
-104 Bottom of rear bumper	AMC	0'-9 11/16"		
ground	Ambassador	0-911/16"	Camaro	0'-17"
	Buick	AL		
ound	- GIGK	0'-5"	Chrysler	0'-7 1/2"



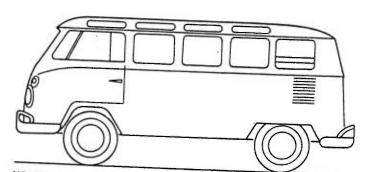
FRONT OF CAR DIMENSIONS MINIMUM

H-114 Hood at rear to ground				4	
104 Owner to ground	Corvette	2'-2 1/2"	Checker		
L-104 Overhang front	Jeep	2'-4 3/4"	Eldorado	3'-10 1/2"	
L-131 Front of car to base	Jeep			3'-8"	
of windshield	-cep	4 -4 3/4"	Toronado	6'0"	
W-101 Tread width-distance	Rambier		-		
between C of tires at ground	Nambier	4'8"	Toronado	6'-3 1/2"	
L-123 Upper structure	Corvette	4'-7 1/2"	Rebel	11'-11 3/16"	

2



ENBIONS - BEDAN	•
all height	· · · · ·
all length	4'-11"
Ibase	. 13'- 3"
t 📁 🚽 width	7'-10 1/2"
width	4'- 3 1/2"
II width	4'- 5"
	5'- 1'



VOLKEWAGEN MICROBUS

DIMENSIONS - MICROBUS

Overall height	
Overall length	6'- 5"
Wheelbase	14'- 6"
Front tread width	7'-10 1/2"
Rear tread width	4'- 6 1/2"
Overall width	4'- 8"
	5'- 91/2"

- prease of Street Use & Monagement-- prease over angle for she prease - Folsom -

.,	The Engineering Society For Advancing Mobility Land Sea Air and Space o N T E R N A T I O N A L	SURFACE VEHICLE	SAE , 1689	REV. JUN96		
40	0 Commonwealth Drive, Warrendale, PA 15096-0001	RECOMMENDED PRACTICE	Issued 1960-03 Revised 1996-06			
	Submitted for recogn	ilion as an American National Standard	Superseding J689 DEC	289		
	Dr.	ANCE, APPROACH, DEPARTURE, EAKOVER ANGLES- SER CAR AND LIGHT TRUCK	AND RAMP			
1.	Scope—This SAE Recommended Practice applies to rigid bumper or rigid structure points and flexible components of passenger cars, multipurpose passenger vehicles, and light trucks. This document is intended as a guide toward standard practice and is subject to change to keep pace with experience and technical advances.					
1.1	Purpose—The purpose of this docume clearance, approach, departure, and ramy vehicle use conditions. This document als	nt is to provide minimum static de p breakover angles. This is to minir o encompasses all current worldwide	esign guidelines for cur mize damage, if any, in regulations and requirer	bstone normal nents.		
	vehicle use conditions. This document als	o encompasses all current worldwide	mize damage, if any, in a regulations and requirer	bstone normal nents.		
1.2	Vehicle use conditions. This document als Field of Application Passenger Car, Multipurpose Passen	GER VEHICLE (MPV), AND LIGHT TRUC	mize damage, if any, in a regulations and requirer	normal nents.		
1.1 1.2 1.2.1 1.2.2	Vehicle use conditions. This document als Field of Application Passenger Car, MULTIPURPOSE Passen	GER VEHICLE (MPV), AND LIGHT TRUC	mize damage, if any, in regulations and requirer	ments.		
1.2 1.2.1	Vehicle use conditions. This document als Field of Application Passenger Car, MULTIPURPOSE Passen MINIMUM Angles And Clearances—Und particular load condition, the minimum at	GER VEHICLE (MPV), AND LIGHT TRUC der the manufacturer's most severe oproach, departure, ramp breakover as follows:	mize damage, if any, in regulations and requirer k vehicle design load for angles, and bumper-to-g	nents. nents. r each Jround		
1.2 1.2.1	Vehicle use conditions. This document als Field of Application PASSENGER CAR, MULTIPURPOSE PASSEN MINIMUM ANGLES AND CLEARANCES—Und particular load condition, the minimum ap height, as indicated in Figure 1, shall be a When measuring these dimensions. flexi and fascias should be considered. The nonstructural damage should be 13 degree	GER VEHICLE (MPV), AND LIGHT TRUC der the manufacturer's most severe oproach, departure, ramp breakover as follows: while bumper components such as air allowable approach angle to flexible ees.	mize damage, if any, in regulations and requirer k vehicle design load for angles, and bumper-to-g	nents. nents. r each Jround		
1.2 1.2.1 1.2.2	Vehicle use conditions. This document als Field of Application PASSENGER CAR, MULTIPURPOSE PASSEN MINIMUM ANGLES AND CLEARANCES—Und particular load condition, the minimum ap height, as indicated in Figure 1, shall be a When measuring these dimensions. flexi and fascias should be considered. The	GER VEHICLE (MPV), AND LIGHT TRUC der the manufacturer's most severe oproach, departure, ramp breakover as follows: while bumper components such as air allowable approach angle to flexible ees.	mize damage, if any, in regulations and requirer k vehicle design load for angles, and bumper-to-g	nents. nents. r each Jround		
1.2 1.2.1 1.2.2 2. 3.	Vehicle use conditions. This document als Field of Application PASSENGER CAR, MULTIPURPOSE PASSEN MINIMUM ANGLES AND CLEARANCES—Und particular load condition, the minimum applicated in Figure 1, shall be a when measuring these dimensions. flexi and fascias should be considered. The nonstructural damage should be 13 degree References—There are no referenced pub-	GER VEHICLE (MPV), AND LIGHT TRUC der the manufacturer's most severe oproach, departure, ramp breakover as follows: the bumper components such as air allowable approach angle to flexible ses.	Trize damage, if any, in regulations and requirer k vehicle design load for angles, and bumper-to-g r cams, lower valance p components that are ai	nents. nents. r each fround anels, llowed		
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1.2 1.2.1 1.2.2 2. 3.	Vehicle use conditions. This document als Field of Application PASSENGER CAR, MULTIPURPOSE PASSEN MINIMUM ANGLES AND CLEARANCES—Und particular load condition, the minimum application of the minimum applicat	GER VEHICLE (MPV), AND LIGHT TRUC der the manufacturer's most severe oproach, departure, ramp breakover as follows: the bumper components such as air allowable approach angle to flexible ses.	Trize damage, if any, in regulations and requirer k vehicle design load for angles, and bumper-to-g r cams, lower valance p components that are ai	aormal nents. r each fround anels, ilowed		

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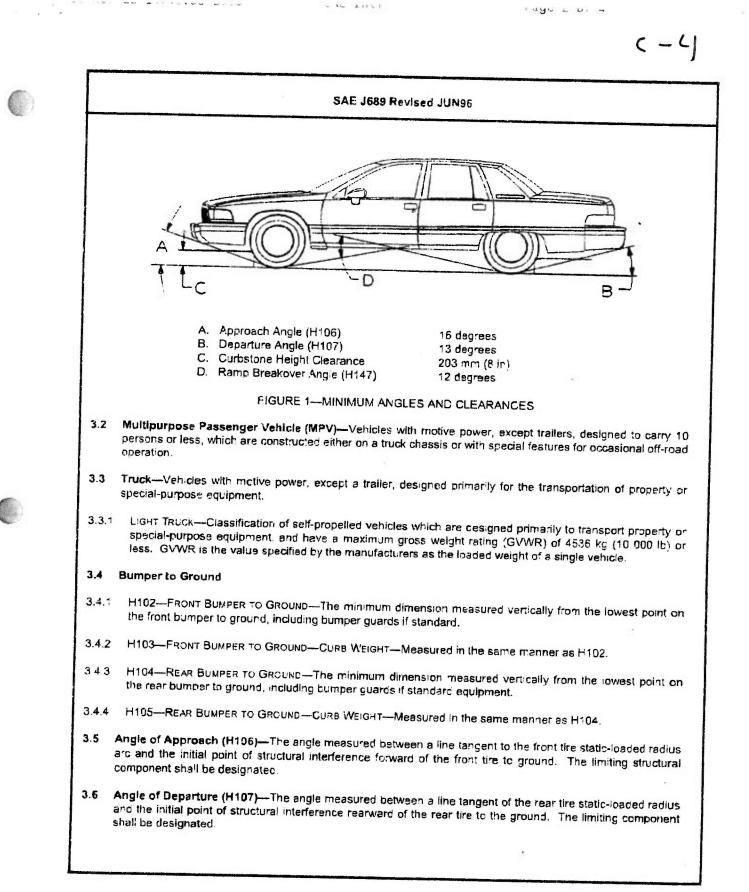
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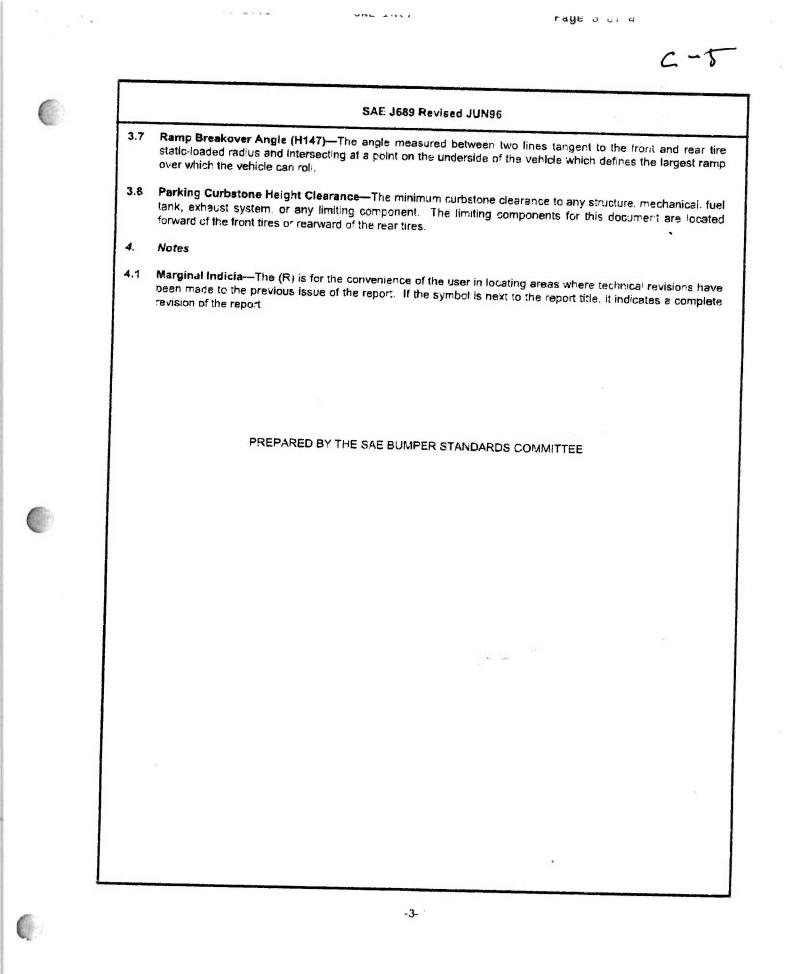
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Printed in U.S.A.



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WHE ARES

Rationale—Revisions from SAE J689 DEC89 are based on upgrades to comply with vehicle in-transit shipping and towing and recovery requirements.

 The category "multipurpose passenger vehicles" has been included in light of the vehicles' recent popularity.

Fage 4 of 4

6-6

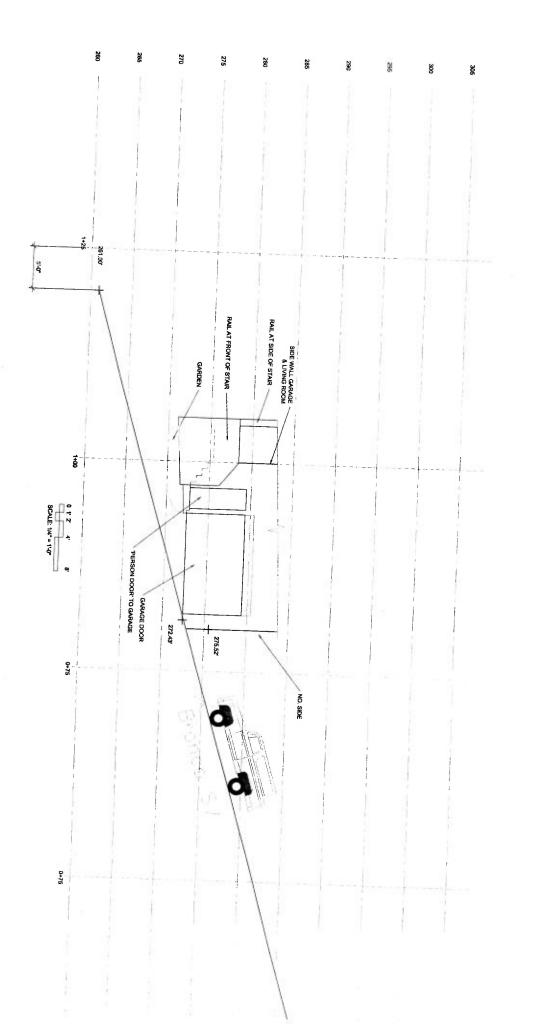
- All worldwide requirements and regulations have been considered.
- The ramp breakover angles have been increased from 10 to 12 degrees to comply to the 12 degree breakover angle required for vehicles shipped by haulaway trailers to minimize damage.
- While the 16 degree approach angle has been retained, the departure angle has been increased from 10 to 13 degrees to comply with a 13 degree requirement for car carrier transports, which can load the vehicle from either front or rear.
- 13 degree approach angle added for flexible components.
- The height under Curb Height Clearance remains unchanged

Relationship of SAE Standard to ISO Standard-Not applicable

Application—This SAE Recommended Practice applies to rigid structural components of cars, multipurpose passenger vehicles, and light trucks. However, consideration should also be given to flexible components such as air dams, lower valence panels, aero shields, bumper covers, and fascias.

Reference Section—There are no referenced publications specified herein.

Developed by the SAE Bumper Standards Committee



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11 June 2003

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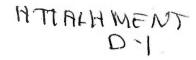
DRIVEWAY SLOPE LIMITS

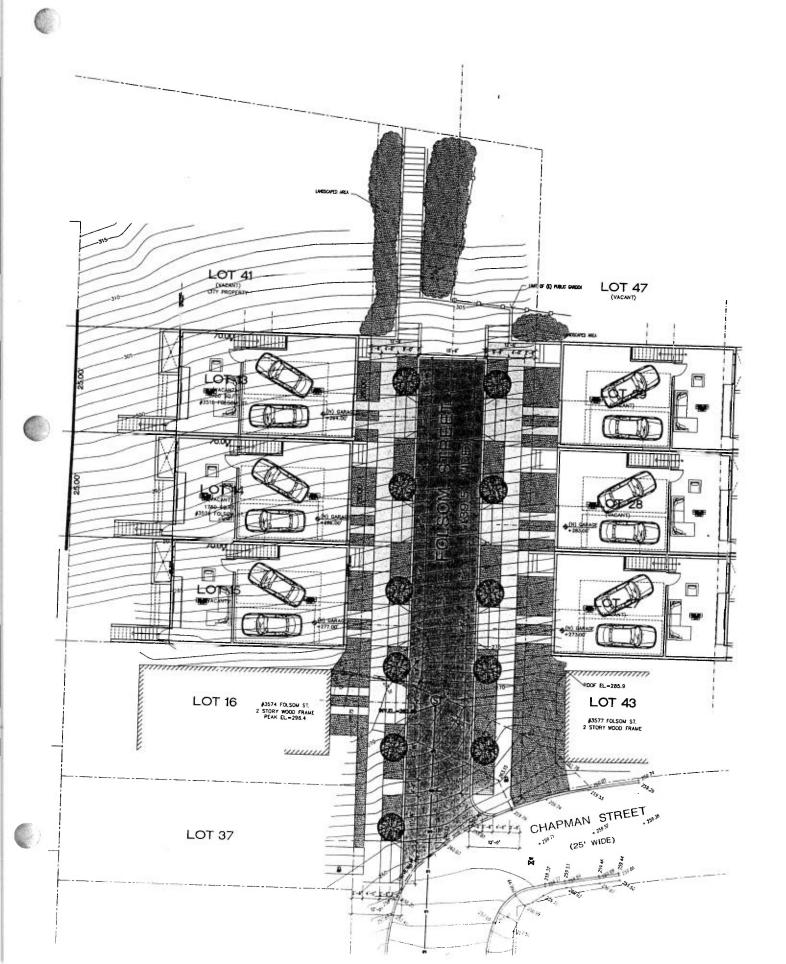
The following table presents dimensions affecting performance of cars entering a driveway, for cars selected at random from autos.yahoo.com. Generally, a lower ratio of wheelbase to clearance indicates better performance at the top of the driveway (breakover). The attached sheet, copied from Architectural Graphic Standards (Sixth Edition) provides a range of approach, breakover, and departure angles.

+	(inches)	(inches)	Ratio – Wheelbase to Clearance
172.2	101.2	60	16.87
179.0			24.83
206.8	and the second s	the state of the s	20.69
177.3			12.41
219.3			15.48
197.6		the second se	20.09
174.6			17.47
193.7			17.19
199.6			19.82
181.6			19.82
			20.65
			20.03
171.0	and the second se		18.43
194.1			23.28
191.5	the second s	and the second s	18.36
199.3			20.4
174.5	the second se		21.53
190.0			15.88
			16.56
			21.00
			19.83
		the second se	12.15
		the second se	18.34 20.47
	179.0 206.8 177.3 219.3 197.6 174.6 193.7 199.6 181.6 186.8 155.7 171.0 194.1 191.5 199.3 174.5	$\begin{array}{ c c c c c c c c c c c c c c c c c c c$	179.0 104.3 4.2 206.8 113.8 5.5 177.3 100.5 8.1 219.3 130 8.4 197.6 108.5 5.4 174.6 103.1 5.9 193.7 108.3 6.3 199.6 113.0 5.7 181.6 105.9 8.3 186.8 105.3 5.1 155.7 89.2 4.0 171.0 106.9 5.8 194.1 107.1 4.6 191.5 108.3 5.9 199.3 112.2 5.5 174.5 92.6 4.3 190.0 106.4 6.7 187.4 104.3 6.3 191.9 107.1 5.1 189.2 107.1 5.1 189.2 107.1 5.4 184.4 103.3 8.5 185.2 106.4 5.8

Table of worst

conditions.





ATTACHMENT

Hi,

I just received this back from Robert Bea, a UC Berkley professor emeritus in civil engineering.... -Marilyn

Sent from my iPhone with apologies for typos

Begin forwarded message:

From: "Robert G. BEA" <bea@ce.berkeley.edú> Date: May 5, 2014, 10:26:47 AM PDT To: Marilyn Waterman <yaviene@yahoo.com> Subject: Re: Inquiry about Gas Transmission Pipeline 109 from concerned SF residents Reply-To: bea@ce.berkeley.edu

Happy Monday Marilyn,

given the background you provided in your email, yes - you should be concerned.

there are several points in your summary that provide a good basis for your concerns:

1) old (1980s) PG&E gas transmission pipeline installed in area with highly variable topography,

2) no records on the construction, operation, and maintenance of the pipeline,

3) no definitive guidelines to determine if the pipeline is 'safe' and 'reliable',

4) apparent confusion about responsibilities (government, industrial - commercial) for the pipeline safety, reliability, and integrity.

this list is identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.

the fundamental 'challenge' associated with your concern is tied to the word 'safe'. unfortunately, it has been very rare that i have encountered organizations that have a good understanding of what that word means, and less of an understanding of how to demonstrate that a given system is 'safe enough'. 5-2

during my investigation of the San Bruno disaster, i did not find a single document (including trial deposition transcripts) that clearly indicated PG&E or the California PUC had a clear understanding of the word 'safe': freedom from undue exposure to injury and harm.

much of this situation is founded in 'ignorance'. it is very rare for me to work with engineers who have a comprehensive understanding of what the word safe means - and no clue about how to determine if a system is either safe or unsafe. the vast majority of governmental regulatory agencies are even worse off.

i have attached a graph that helps me explain the important concepts associated with determining if a system is safe or unsafe. the vertical scale is the likelihood of a failure. the horizontal scale is the consequences associated with a failure. the diagonal lines separate the graph into two quadrants: safe and not safe. if the potential consequences associated with a failure are low, then the likelihood of the failure can be high. if the potential consequences are very high, then the probability of failure must be very low. uncommon common sense.

on the graph, i shown a system that was designed for a particular 'risk' (combination of likelihood and consequences of failure). when it was constructed, the risk increased due to construction 'malfunctions' - like bad welding. when the system was put into service, the risk increased further - perhaps due to poor corrosion protection and due to the area around the pipeline being populated with homes, businesses, schools and other things that increase the potential consequences of a major failure. once it is determined that the system that was originally designed to be safe, is no longer safe, then it is necessary to do things that will allow the system to be safely operated....reduce the likelihood of failure (e.g. repair the corrosion) and reduce the consequences of failure (e.g. install pressure control shut off sensors and equipment that can detect a loss of gas and rapidly shut the system down)....or replace the segment of the pipeline that no longer meets safety reliability requirements.

after i completed my investigation of the San Bruno disaster, i prepared a series of 'graphics' that summarized my findings. because the graphics file is very large, i have sent the file to you as a Google Document with a link you can use to view or download the document to your computer.

The San Bruno Root Cause Analysis.pdf

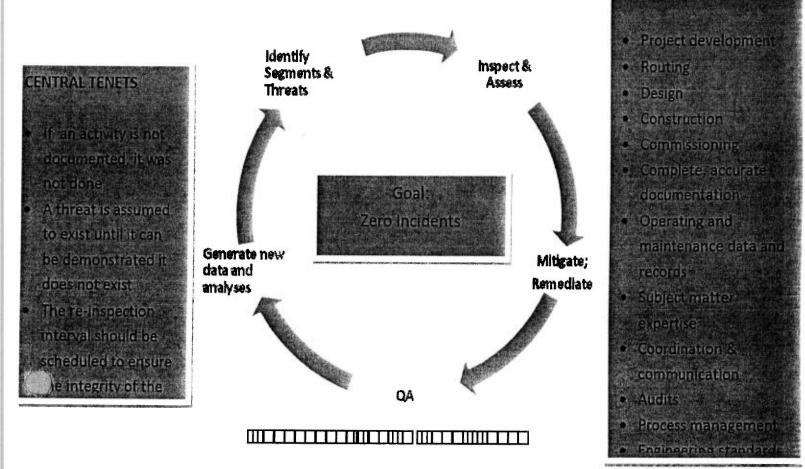
i know this has been a long answer to your short question. i hope it will help you understand how to better communicate your valid concerns regarding this development.

bob bea

Robert Bea Professor Emeritus Center for Catastrophic Risk Management University of California Berkeley Email: <u>bea@ce.berkeley.edu</u>

Risk Assessment & Management Services 60 Shuey Drive Moraga, CA 94556 925-631-1587 (office)

Zero Significant Incidents (Interstate Natural Gas Association of America)





ENABLERS

Pipeline Integrity Management. (MAOP – Maximum Allowable Operating Pressure) DANGER E-y HIGH PRESSURE TESTING IN PROGRESS nternal pipeline pressure Burst pressure Factor of Safety Yield pressure Class 1 MAOP Class 2 MAOP Class 3 MAOP Class 4 MAOP

0

Pipeline radial displacement

Pipeline and Hazardous Materials Safety Administration (PHMSA) Integrity Management requirements (49 CFR 192) Identification of High Consequence Areas Baseline assessment plans

Management of change processes

Performance plans and measures

Quality assurance and control plans

Communications plans

Record keeping provisions

Direct assessment plans Defects remediation plans

vision of Integrity Management plans

Plans for confirming direct assessments

Procedures to minimize environmental and safety risks

Plans for continual Integrity Management assessment

Provisions for protection of High Consequence Areas

Process for identification and assessment of newly identified High Consequence Areas

Pipeline Integrity Management

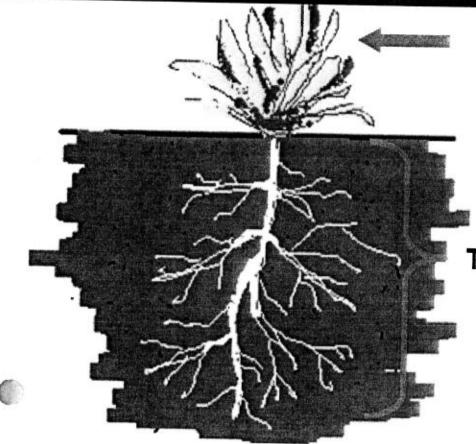
Maximum Allowable Operating Pressure (MAOP) - pounds per square inch (psi)

0



PHMSA Classification

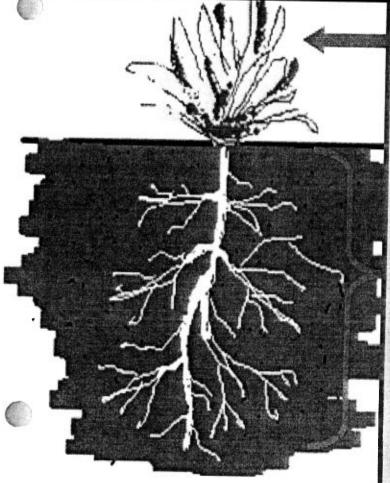
For ensic Engineering [] Root Cause Analysis[]



"The Weed" E→ Above the surface (obvious)

The <u>Underlying Causes</u> "The Root" Below the surface (not obvious)

For ensic Engineering



0

- Root cause analysis helps identify what, how and why something happened, thus preventing recurrence.
- Root causes are underlying, are reasonably identifiable, can be controlled by management and allow for generation of recommendations.
- The process involves data collection, cause charting, root cause identification and recommendation generation and implementation.



Crestmoor High Consequence Area



C

E.9)

Summary of Testimony

PG&E was responsible and accountable for the INTEGRITY MANAGEMENT (SAFETY) of Line 132 Segment 180 (the pipeline)

Summary of Testimony

EII

PG&E knew if *the pipeline* ruptured and ignited there would be deaths, injuries, property and productivity losses

Summary of Testimony

PG&E designed and constructed *the pipeline* during a 1956 relocation project with multiple geometric, material, and welding defects

APPLICATION FOR Discretionary Review

SEP 1 5 20:5 CITY & COUNTY OF S.F. PLANNING DEPARTMENT PTC

RECEIVED

CASE NUMBER: For Staff Use only mentering meeting

1. Owner/Applicant Information

Steven Piccus & Midori Okubo	EDRIK	ALUNAN	¿ NANCY	ZECHES
DR APPLICANT'S ADDRESS:			ZIP CODE:	TELEPHONE:
3580 Folsom Street San Francisco	1		94110	(415) 794 8167

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUES	TING DISCRETIONARY REVIEW NAME:	
Fabien Lannoye		
ADDRESS:	ZIP CODE:	TELEPHONE:
	94103	(415) 626 8266
297c Kansas Street San Francisco, CA		()

Same as Above Steven Riccus ADDRESS:	ZIP CODE:	TELEPHONE:
3580 FOLSOM ST.	94110	(415)79-18167
E-MAIL ADDRESS:		h

stevepiccus@yahoo.com

2. Location and Classification

STREET ADDRI	ESS OF PROJECT:				ZIP CODE:
3516 Fols cross stree		an Francisco. C	A		94110
Chapmar	Street				
ASSESSORS B	LOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
5626	/ 013		1750	RH-1 40-X BER	WAL HEIGHD SUD

3. Project Description

Please check all that apply Change of Use	Change of Hours 🗌	New Construction 🔀	Alterations 🗌	Demolition 🗌	Other 🗌
Additions to Buildin	g: Rear 🗌 From	nt 🗌 Height 🗌	Side Yard 🗌		
Present or Previous U	se: Open Land			and the second statement of the	
Proposed Use: Sing	le Family Dwelling		an management of the second states are supply as a second state of the second states of the second states of th		
Building Permit Appl	ication No. 2013.12.	16.4322	Date	Filed: Dec 17 2	013

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?		
Did you participate in outside mediation on this case?		

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.

Applicant made cosmetic changes to the design but did not address the size/scale of project, the lack of side yards, lack of street parking and lack of adequate roads.

Applicant did not provide details on proposed access driveway to project including the grade and impact on the existing driveways of the neighboring homes whose driveways will be repurposed for his project.

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 attachment

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 attachment

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 attachment

1. Reasons for Requesting Discretionary Review:

Proposed buildings are too large in size for the steep site and the neighborhood and as such do not meet the Residential Design Guidelines.

- · Slope is too steep to build an adequate road to access proposed homes.
- · Adjacent homes are all smaller. My home at 3580 Folsom is 1050 sq. ft.
- No side yards as required by ESDRB
- No street parking as required by ESDRB
- · Tandem parking used due to steep and inadequate driveway access.
- Buildings of this size will set a bad precedent for the adjacent build able lots resulting in a cul de sac of 2300 sq.ft. homes with no side yards or street parking.
- The eventual construction of 6 large homes with no side yards or road on this steep hill is not in character with the neighborhood as per all the ESDRB requirements

Proposed site is too steep to build and existing PG&E pipelines prevent building a retaining wall to reduce the steep slope or grade. All the adjacent streets that have been developed have retaining walls to reduce the slope to a reasonable grade. This is not possible on this street due to the PG&E pipelines. Development of this scale, especially considering the adjacent 5 additional lots to be developed, should not be allowed with out adequate road access for residents, emergency vehicles and service vehicles e.g. garbage trucks and delivery trucks.

- This project does not include a real road for access to the two proposed developments and the four additional lots that will be built.
- The proposed access is via a shared driveway that is not wide enough for street parking or cars to turn around.
- No reasonable access for fire, ambulance or police vehicles. If more than one emergency vehicle access this home, the first one will be stuck until the second vehicle backs out.
- Garbage trucks will not be able to drive up. As a result these 6 proposed homes will likely bring their garbage and recycling bins to down to Chapman Street creating an unsanitary situation. There is no room for the bins from so many large homes on our steep and narrow streets.
- Delivery vehicles will not be able to drive up without backing down a steep driveway.
- The proposed driveway or access road will be so steep and narrow that the homes will not be able to use their proposed garages as designed.

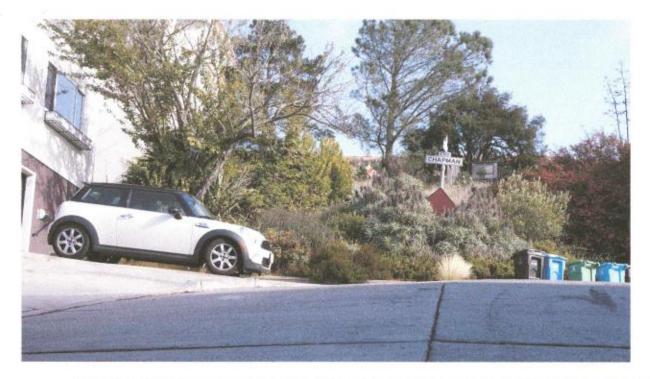
2. Who will be affected and how?

Our neighbors on the block of Folsom between Chapman and Powhatten will be adversely affected by this proposed development and the future development that will follow.

- Steep access road will be a safety issue for all neighbors as the proposed access road is too steep and narrow to turn around and requires cars and trucks to back down a very steep road.
- If garbage trucks cannot access these homes, the residents will be forced to drag their bins down to Chapman St and create a health and sanitation hazard.
- If this proposed project goes forward as designed it will open the door to 5 additional developments that will will dramatically change the neighborhood and exacerbate the above referenced concerns.
- The construction impact of even these initial two proposed developments will cause unreasonable burden on the neighborhood because of the lack of adequate road and the steep slope.

3. Proposed Alternatives

- Build a proper road down from Bernal Heights Blvd so as not to impact or endanger existing neighborhood. It should only be stair access to Chapman Street.
- Build smaller homes with side yards and street parking in line with the neighborhood (1250 1500 sq.ft.).
- If a safe and adequate road cannot be built to access these lots, they should not be built as large homes. It is not safe or reasonable.



This where the proposed access road would go. It is very steep and would impact driveways of 3 homes at 3580, 3577 and 3574 Folsom St. It is impossible to build a retaining wall between Chapman and Bernal Heights Blvd. due to PG&E pipeline, so slope is too steep for road or homes.



This is the next street, Banks St, and shows how a retaining wall is necessary to reduce the grade and allow proper road access for residential dwellings. This is not possible on Folsom St.



Construction truck stuck in 3580 Folsom St driveway due to steep slope during a renovation on Banks St.

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: SEPT. 15, 2015

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

Steven Piccus



Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	Q
Address labels (copy of the above), if applicable	Ø
Photocopy of this completed application	
Photographs that illustrate your concerns	100
Convenant or Deed Restrictions	101
Check payable to Planning Dept.	
Letter of authorization for agent	
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)	100

NOTES:

Required Material.

Optional Material.

O 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:

Sir

By:

Date: 9/15/15



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco. CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On December 17, 2013, the Applicant named below filed Building Permit Application No. 2013.12.16.4322 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION		
Project Address:	3516 Folsom Street	Applicant:	Fabien Lannoye	
Cross Street(s):	Chapman Street	Address:	297c Kansas Street	
Block/Lot No .:	5626/013	City, State:	San Francisco, CA 94103	
Zoning District(s):	RH-1 / 40-X / Bernal Heights SUD	Telephone:	(415) 626-8868	

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	
Demolition	New Construction	Alteration
Change of Use	Façade Alteration(s)	Front Addition
Rear Addition	□ Side Addition	Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Vacant Lot	Single-Family Dwelling
Front Setback	n/a	None
Side Setback	n/a	None
Building Depth	n/a	45-ft 6-in
Rear Yard (To Rear Wall)	n/a	24-ft 6-in
Building Height (from Average Grade to Top of Stair Penthouse)	n/a	29-ft
Number of Stories	n/a	2.5
Number of Dwelling Units	n/a	1
Number of Parking Spaces	n/a	3
The state of the state of the state of the state	PROJECT DESCRIPTI	ON

The proposal includes new construction of a two-and-one-half-story, single-family residence with three off-street parking spaces and a roof deck. The project incorporates a bay window on the front façade and has a side yard along the north lot line.

The project also requires a variance from the Zoning Administrator to address the Planning Code requirements for parking access (Planning Code Section 242(e)(4); See Case No. 2013.1383V). Separate notice of the variance will occur. The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner:Rich SucreTelephone:(415) 575-9108E-mail:richard.sucre@sfgov.org

Notice Date: 8/17/15 Expiration Date: 9/16/15

中文詢問請電: (415) 575-9010

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

CASE NUMBER: For Staff Use only

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

1.

DR APPLICANT'S NAME:		
Cyrena Torrey Simons and Marcus Sangho Ry	u	
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
55 Gates Street	94110	(415)956-8100

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Fabien Lannoye

ADDRESS:	ZIP CODE:	TELEPHONE:
297c Kansas Street	94103	(415) 626-8868

CONTACT FOR DR APPLICATION:		
Same as Above 📋 Zacks & Freedman, P.C. c/o Ryan J. Pa	tterson, Esq.	
ADDRESS:	ZIP CODE:	TELEPHONE:
235 Montgomery Street, Suite 400	94104	(415) 956-8100
E-MAIL ADDRESS:		
ryan@zulpc.com		

2. Location and Classification

STREET ADDRESS OF PROJECT:					ZIP CODE:
3516 Folsom Street					94110
CROSS STREETS:					
Chapman Street	entre 11				
ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGH	IT/BULK DISTRICT:
5626 /013	<				
Please check all that apply	ange of Hours 🗌	New Constru	uction 🛛 Alterations 🗌	Demo	olition 🗌 Other [
Please check all that apply Change of Use Ch	ange of Hours 🗌			Demo	olition 🗌 Other [
Please check all that apply Change of Use Ch	ange of Hours 🗌 Rear 🗌 Fro	New Constru ont 🗌 Heigh		Demo	olition 🗌 Other [
Please check all that apply Change of Use C Ch. Additions to Building:	ange of Hours 🗌			Demo	olition 🗌 Other [
Additions to Building: Present or Previous Use:	ange of Hours 🗌 Rear 🗌 Fro			Demo	olition 🗌 Other [

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SEP 1 5 2015 CITY & COUNTY OF S.F.

7

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?	X	
Did you participate in outside mediation on this case?		X

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

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

No substantial changes have been made to address neighbors' concerns.

Discretionary Review Request

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

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

Please see attached.

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

Please see attached.

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

Please see attached.

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: 9/15/15

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

Ryan J. Patterson, Esq. Owner / Authorized Agen (circle one)

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	v v
Address labels (original), if applicable	Ø
Address labels (copy of the above), if applicable	Ø
Photocopy of this completed application	
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	R
Letter of authorization for agent	
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)	W

NOTES:

Required Material.

Optional Material.

O 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:

REQUEST FOR DISCRETIONARY REVIEW

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

This project will destroy significant open space in favor of two McMansions, at the cost of damaging a City-owned community garden, public safety, and neighborhood character.

San Francisco's General Plan states that "co-operative efforts to maintain the area's quality of life are imperative" (p. 1/7) and specifically refers to "hilltop(s) that reveals extraordinary vistas" (ibid.). The proposed plans for 3516 and 3526 Folsom Street neither honor the spirit expressed in this General Plan nor many of the more details requirements seen in the Priority Policies or highlighted by the East Bernal Slope Design Review Board ("ESDRB") process. These houses clash with the surrounding houses, erode the character of the neighborhood, and are to be built on a new street that is of dubious safety and usability.

Priority Policy 2 requires that "existing housing and neighborhood character be conserved and protected to preserve the cultural and economic diversity of our neighborhoods." Per Planning Code Section 242, the project site falls within the Bernal Heights Special Use District. Lot sizes in this area tend to be small, and common square footage of homes ranges from 800 to 1,500 square feet. The proposed buildings are to be between 2,500 and 3,000 square feet. As such, they are dramatically out of scale with the surrounding homes and in direct conflict with the Special Use District mandate for development "in context and scale with the established character" including hillside setting, low density, and unusually small lots. The Residential Design Guidelines state that "buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block (p. 9)."

Not only are the proposed buildings too large, they also do not share the architectural vocabulary of the neighborhood: they lack side yards, and would have roof decks and three car garages (which will require a variance to be built). The houses are architecturally out of character, as the architecture's primary goal seems to be to fill every inch of the available envelope. In particular, the boxy, flat North wall of the development would destroy the stunning (and protected) public view of the Bay enjoyed daily by the dozens of joggers and walkers on Bernal Boulevard and the existing open space. (Residential Design Guidelines p. 18.)

The East Slope Design Review Board met five times regarding 3516 and 3526 Folsom Street and still does not support the project. Their guidelines stress similar priorities to those described above for the General Plan, the Priority Policies, the Special Use District, and the Residential Design Guidelines. According to the Bernal Heights East Slope Building Guidelines, "Much recent development is not only inconsistent but often at odds with the smaller existing structures. . . . East Slope's rural characteristics rapidly are disappearing along with views, open space, and trees. Some new buildings have created 'canyons' blocking sunlight and presenting building facades which are copies of a single undistinguished design." (ESDRB Guidelines p. 2). 3516 and 3526 Folsom would significantly erode the unique character of Bernal Heights and be further examples of the type of development that public policy seeks to prevent.

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.

Unlike the DR Requestors' home, which enjoyed a modest recent renovation *within* the context of existing neighborhood character, this project will stick out like a sore thumb architecturally. Their architectural style and roof decks are very rare in the neighborhood and highly out of character. They are also designed in a manner that will severely impact the privacy of the DR Requestors' property. Of additional concern is emergency access to the proposed homes – including fire, police, ambulance, etc. – an issue that affects everyone in the surrounding area.

The proposed road will have an approximately 35-degree slope and be a one-way dead-end street with no on-street parking and no turn-around at the end. Various emergency access vehicles already have difficulty navigating upper Prentiss Street, a section of road that is about as steep as the proposed new section of Folsom. Trucks have literally tipped over, needed to be towed, and have been unable to reach their destination due to the steepness of Prentiss.

Building even more homes and more exceptionally steep streets in an areas with already fragile access could significantly hinder emergency vehicle access and emergency response times.

Furthermore, given the narrowness of the new proposed stretch of Folsom, the lack of on-street parking, and the multi-car garages (to presumably be filled with multiple cars), the intersection of Folsom and Chapman would be further congested whenever someone tried to get a second car out of one of the proposed new homes. Because of the narrowness of the road, to get a second car out of a garage, the driver would have to back the first car down the entirety of the new stretch of Folsom, park somewhere on the lower part of Folsom or Chapman (which often lacks available on-street parking) or double-park. They would then have to walk back up the hill, repeat the process with the second car, and then drive the first car back up to the house and park it in the garage. This will be a safety hazard, given the current congestion and safety concerns of double-parking on unusually narrow streets; at worst it could block the access of emergency vehicles, assuming they can access the street at all. Moreover, the complete lack of on-street parking and nonfunctional off-street parking means that the project will divert vehicles to neighboring streets, taking up valuable on-street parking spaces.

While the current development is purportedly for two homes, it is likely that once the Folsom Street extension is built, the additional four vacant lots will also be developed. If two homes are going to strain access for emergency vehicles and local parking capacity, six would further increase the risks and the strain.

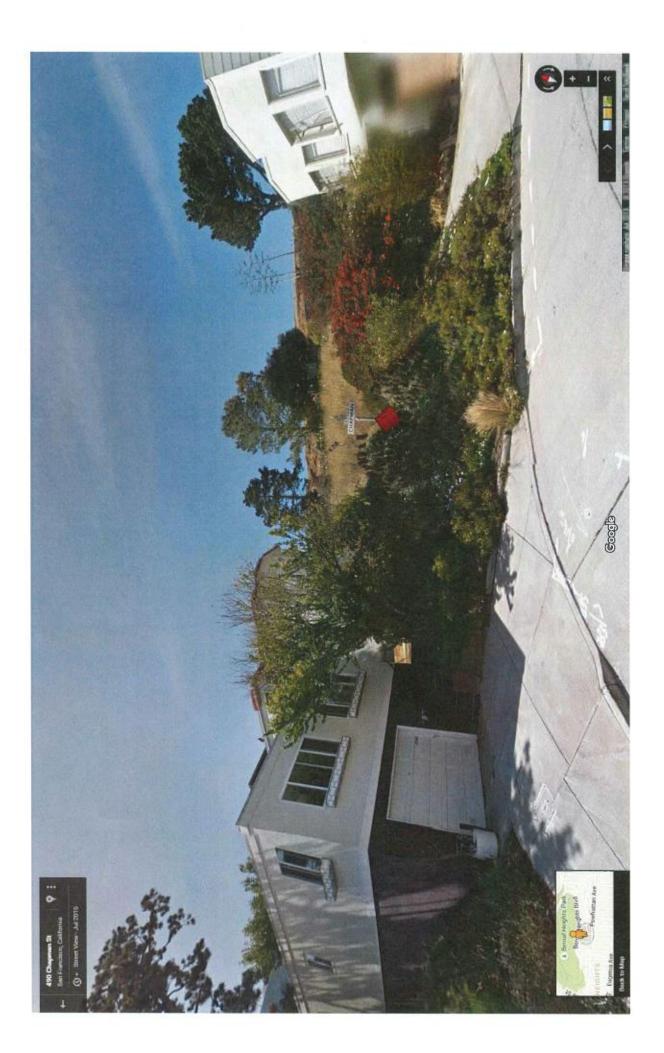
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above?

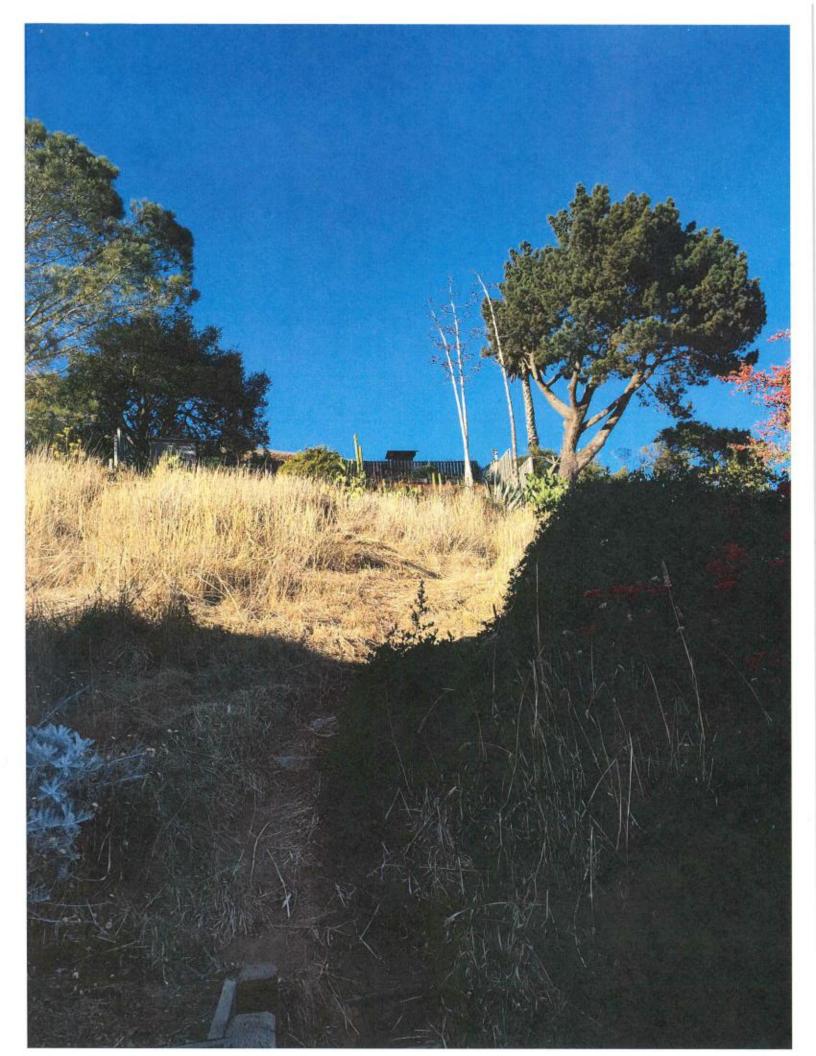
The ESDRB suggested a number of common-sense changes to the project. The project would be better designed as smaller houses, no more than two (2) stories high, animated plane, materials, and elements that step down along the hillside, a developed and composed front façade with windows, carve-outs and appropriate changes in roof treatment (as per the ESDRB letter to the applicant on April 28, 2015), with square footage comparable to that of the neighbors on Folsom Street, no garage, no external stairway, no roof garden, appropriate side yards and set-backs as per the ESDRB Guidelines. These houses, if designed

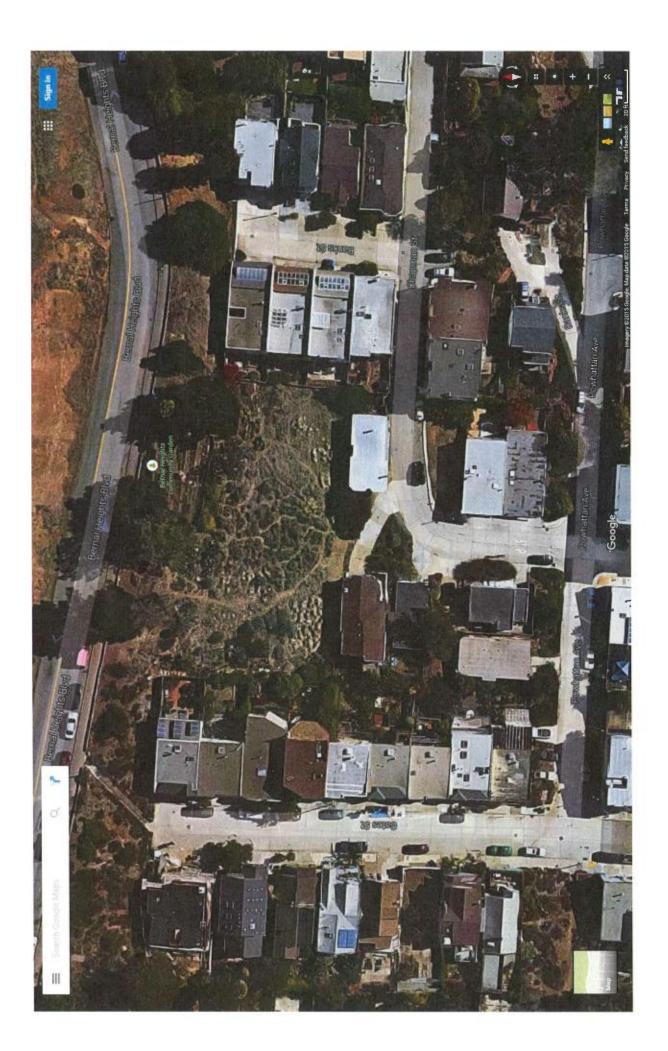
and built correctly, would fit in better with the neighborhood. While the ESDRB proposal would certainly be preferable to the current plan, any building on this site cannot account for the safety concern of emergency vehicle access. The best option may well be no project at all.

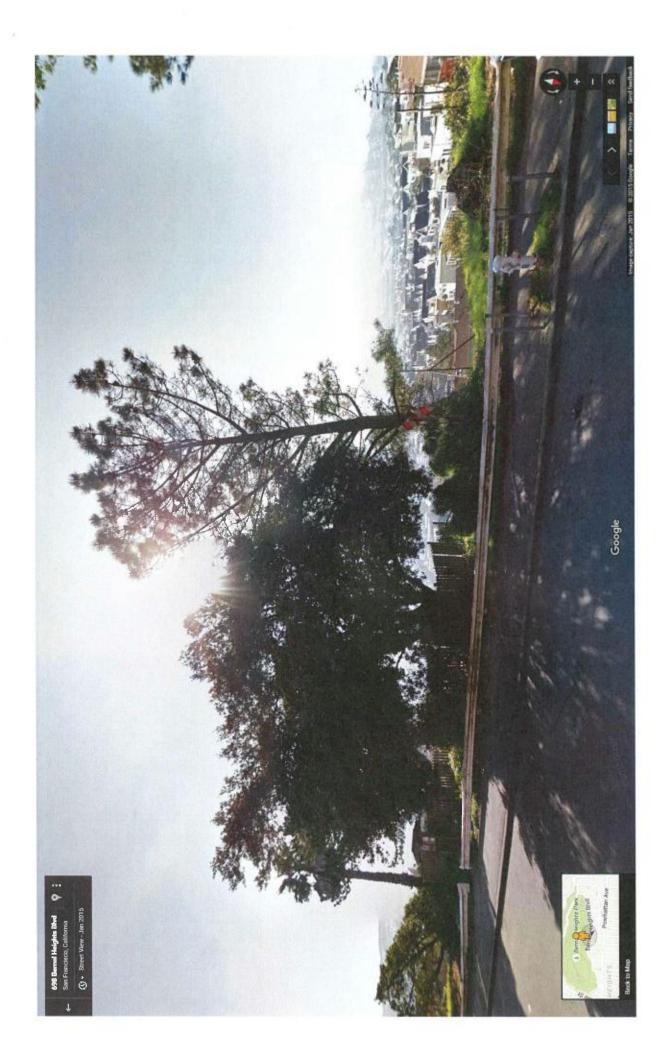
5. Please summarize any and all discussions and meeting with the Permit applicant.

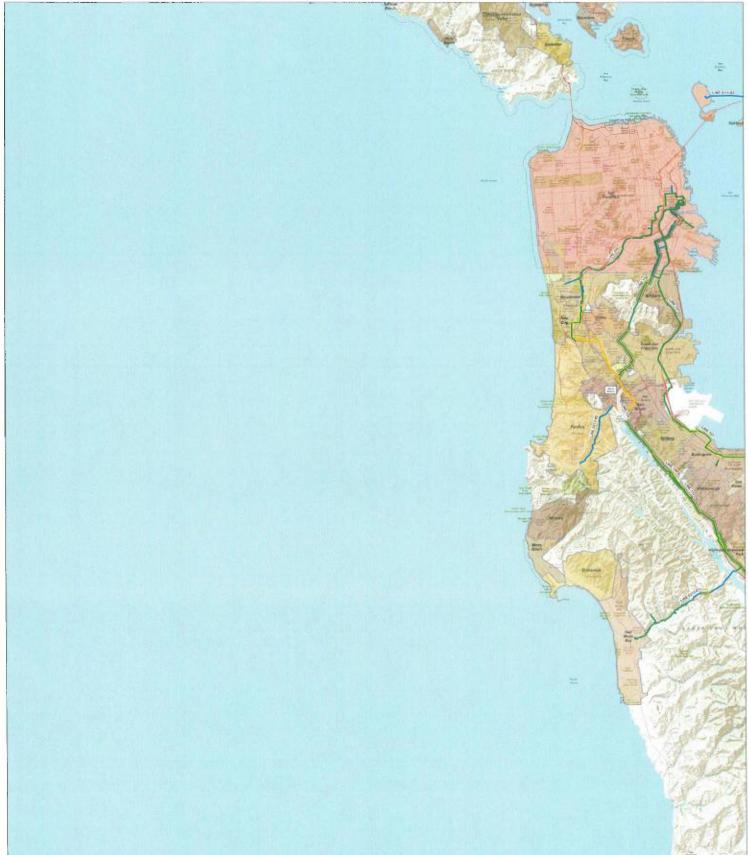
We have participated in a series of five public meeting regarding the project over the course of 18 months. No substantive changes were made to the project to address neighbors' concerns. Ultimately, the East Slope Design Review Board determined that it could not recommend approval of the project.







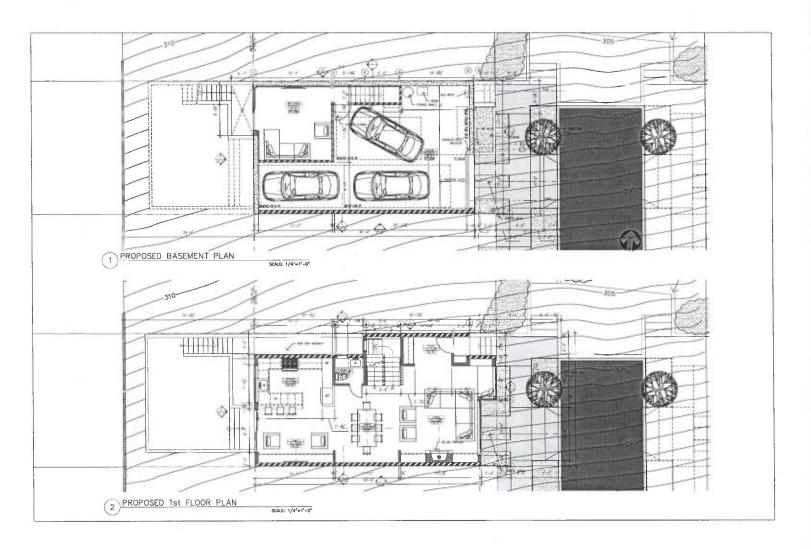


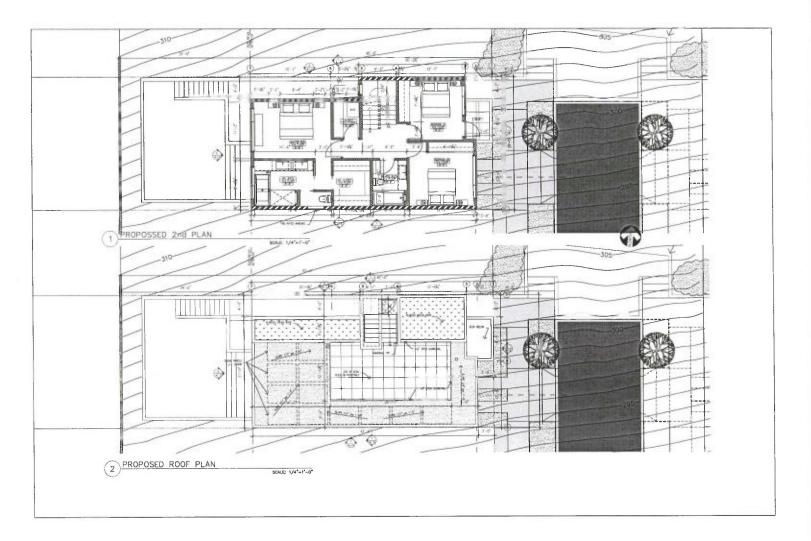


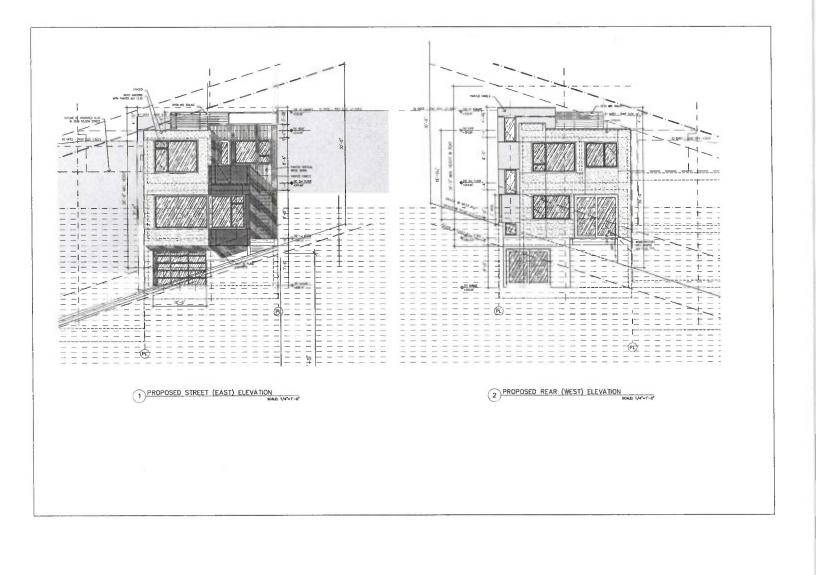
PG&E Gas Transmission Pipelines
 Natural Gas Transmission Pipelines (Pipelines)
 Reduced Pressure Zones
 Pipelines in HCAs with Pressure Test Records
 2011 Testing and Replacement Plan
 Pipeline Segments in High Consequence Areas Under Review

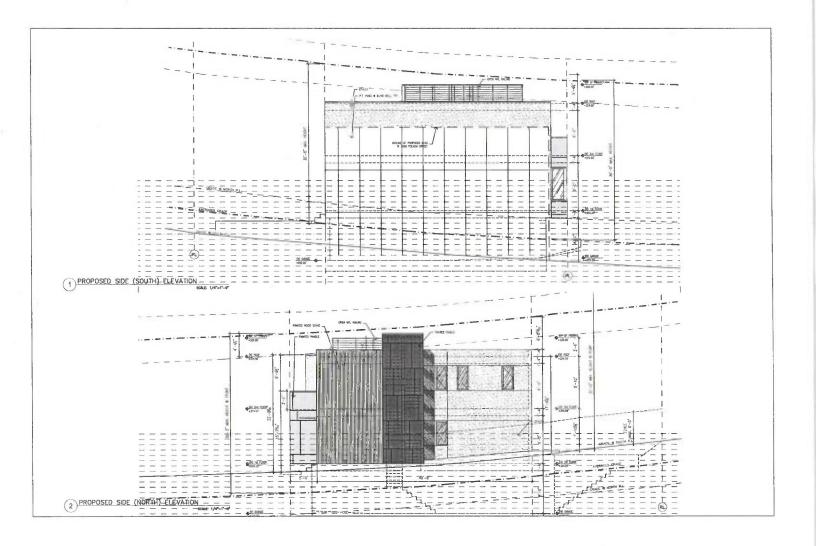


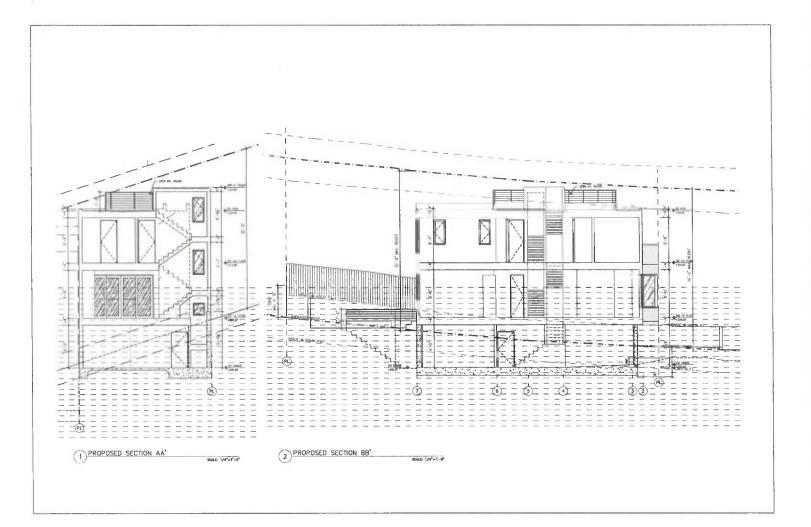
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		35
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	230 70.00°	
28.2		











We, Marcus Ryu and Torrey Simons, hereby authorize Zacks & Freedman, P.C., including but not limited to Ryan J. Patterson, to file a request for Discretionary Review on our behalf for 3516 and 3526 Folsom Street, San Francisco, CA.

Signed DJ.12.10

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CITY & COUNTY OF S.F.



APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

6. 3

DR APPLICANT'S NAME:	ni na stanovnom pljeta kali g	
LINDA RAMEY	ZIP CODE:	TELEPHONE:
65 GATES ST. SAN FRANCISCO	94110	(415)647-330
		<u></u>
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETION	ARY REVIEW NAME:	
FABIEN LANNOYE	ZIP CODE:	TELEPHONE:
297 C KANSAS ST. S.F.	94103	
CONTACT FOR DR APPLICATION:		
Same as Above 🗹		
ADDRESS:	ZIP.CODE:	
E-MAIL ADDRESS:	m	
lindaraney 5 agnail, ce		
2. Location and Classification		
		ZIP CODE:
STREET ADDRESS OF PROJECT:	5.F.	
3526 FOLSOM ST.	3.1.	
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SQ FT): ZONING DISTR	RICT:	HEIGHT/BULK DISTRICT:
562101014 25470' 1750 50 HRH-1		284t. 7 in.
56261014 25×70' 1750 St RH-1 BERNAL	HEIGHTS	SUD
3. Project Description		
Please check all that apply Change of Use Change of Hours New Construction 🗹	Alterations 🗍	Demolition 🗌 Other 🗌
Change of Use 🗌 Change of Hours 📙 New Construction 🗷		
Additions to Building: Rear 🗌 Front 🗌 Height 🗌 Si	de Yard 🗌	
Present or Previous Use:		
Proposed Use:		
Building Permit Application No	Date	Filed:

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	×	
Did you discuss the project with the Planning Department permit review planner?	X	
Did you participate in outside mediation on this case?		X

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

Sel

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.

attached page

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question. I RESIDE AT 45 GATES ST., DIRECTLY BEHIND PROPOSED HOUSE A 3526 FOLSOM ST. 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. THE PROPOSED BUILDING IS OUT OF SCALE AND NOT IN CHARACTER WITH EXISTING HOMES IN THE NEIGHBORHOOD AND DOES NOT CONFORM WITH THE ESDRB'S GUIDELINES. THE STRUCTURE IS VERY MASSIVE AND TALL (2.5 STORIES), MADE EVEN BY A STAIR PENTHOUSE. THE HOUSE IS MUCH LARGER THAN HOUSES IN THE IMMEDIATE NEIGHBORHOOD (2900 SP.FT AS COMPARED WITH AN AVERAGE OF 1,000-1500 SQ FT. IN NEARBY HOMES). THERE IS NERY LITTLE ARTICULATION IN THE DESIGN BOTH IN THE FRONT FACADE SETBACKS, AS WELL AS THE BACK & SIDE DESIGN. THERE I NOT ENOUGH SIDE-YARD SHICE BETWEEN THE BUILDINGS . * 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: THERE ARE A NUMBER OF UNREASONABLE IMPACTS THAT WOULD BE CAUSED BY THIS PROTECT. THE GRADE ON WHICH THE PROPOSED HOUSES WOULD BE BUILT IS EXTREMELY STEEP (A 37% GRADE) -- ONE OF THE STEEPEST SLOPES IN S.F. THE PROPOSED STREET WOULD DEAD-END DIRECTLY BELOW THE COMMUNITY GARDEN. GRADE CHANGES AT THIS CULDE SAC COULD OPEN UP THE POSSIBILITY OF SERIOUS EROSION BELOW THE COMMUNITY GARDEN SINCE NO RETAINING WALLS ARE BEING REQUIRED AT THE PRESENT TIME ANOTHER EXTREMELY SERIOUS CONCERN RELATED TO THE PROPOSED CONSTRUCTION IS THE EXISTENCE OF & MAJOR GAS, PIPELINE WHICH RUNS UF 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? THE HEIGHT AND SQUARE FOOTAGE OF THESE HOUSES CAULD BE REDUCED. NOT ONLY WOULD THIS CHANGE BRING THE HOMES MORE IN CONFORMITY WITH OTHER HOMES IN THE NEIGHBORHOOD, BUT THESE REDUCTIONS 2-CAR, PATHER THAN WOULD ENABLE THE UPPER HOUSE TO HAVE A 3-CAR GARAGE, IN FACT, MR. LANNOVE STATED AT ONE OF OUR ESDRB MEETINGS THAT HE DESIGNED A 3-CAR GARAGE SU THAT HE WOULDN'T HAVE TO REDUCE THE SIZENHIS HOUSE. MR. LANNOVE COULD WORK ON A MORE ATTRACTIVE DESIGN WITH MORE ARTICULATION ON THE ENTRY AND FRONT FAGADE. THE SIDE OF THE BUILDING FACING BERNAL BLND. SHOULD BE SCALED - DOWN BY USING MORE UNIQUE MATERIALS. THE SIDE VIEW STILL WEEDS MUCH MORE ARTICULATION TO REDUCE THE MASSING EFFECT. *

* see attacked sheet

Applicant's Affidavit

62.4

10

SAN FRAN

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.

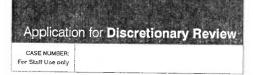
c: The other information or applications may be required.

Signature: amey

9 Date:

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

RAME OWNER Owner / Authorized Agent (circle one)



Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	Ø
Address labels (original), if applicable	Ø
Address labels (copy of the above), if applicable	ø
Photocopy of this completed application	
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	
Letter of authorization for agent	DNA
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)	

NOTES: Required Material.

O 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:

ansa Uchida By: n

9/1/15 Date:

p.9a 3526 FOLSOM ST.

1.(cont.) The houses would be particularly unsightly as seen from Bernal Heights Blvd. The viewer would be confronted with massive, block-like structures, designed with very little articulation to break up the bulkiness.

2.(cont.) exactly where an extension of Folsom St. is being proposed. Moving heavy construction equipment over this pipeline, whose depth is not accurately known, would cause a community-wide threat to public safety. A similar pipeline in San Bruno exploded in recent years and caused the loss of lives and considerable damage to property.

Parking is another serious problem that would result from this project going ahead. Our neighborhood is already very congested, and people often have problems finding parking places near their residences. Often they are forced to park on Bernal Heights Blvd. where break-ins are a common occurrence. These buildings will impact the parking situation on all neighboring streets.

Lannoye's proposed tandem garage parking for three cars is not workable. The drive-ways shown on the drawings are so steep that cars could not drive into the proposed garages without bottoming out. It would be next to impossible to maneuver cars out of the garage and down the proposed street without blocking the street and causing a serious traffic hazard.

A three -car garage is also inappropriate for this neighborhood, where most houses have only one garage, and many people do not even use their one-car garage because of the difficulty getting their car in and out on steep streets and driveways.

Also of great concern is the fact that approval for the building of these two homes would open the gateway for a major development on a hill that has an inadequate street, is inaccessible and creates safety hazards on a gigantic scale. There are another four vacant lots on this hill. Should approval be given for these two houses, the other four owners would definitely follow suit.

5. Finally, in all of our ESDRB meetings (five in all), Mr. Lannoye was very unresponsive to neighborhood concerns. He did not adequately answer our questions and made only insignificant changes to the design elements of his project. In fact, the ESDRB did not recommend approval of his plans as they stand.

It should be noted that I am applying for Discretionary Review on only one house - the one directly behind my property-- because I am a senior living on a fixed income and cannot afford to file on both houses. I would HAVE FILED FOR DR. ON 3516 AS WELL HAD I SUFFICIENT FUNDS.

Application to Request a Discretionary Review Fee Waiver

CASE NUMBER For Staff Use only

APPLICATION FOR Discretionary Review Fee Waiver

1. Applicant and Project Information (co, chares APPLICANT NAME: Bornal Head 5 Street (415) 28 24/10 NEIGHBORHOOD ORGANIZATION NAME: with slope Organization erce NEIGHBORHOOD ORGANIZATION ADDRESS (415) 282-9323 Same Kathyangus Ocomcast, net PROJECT ADDRESS: Treet, Som Francisco, UA 94110 an 3626 DATE OF DECISION (IF ANY): BUILDING PERMIT APPLICATION NO.

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

For Department Use Only Application received by Planning Department:

By:

1.5.1

Date:

Submission Checklist:

APPELLANT AUTHORIZATION

CURRENT ORGANIZATION REGISTRATION

MINIMUM ORGANIZATION AGE

PROJECT IMPACT ON ORGANIZATION

WAIVER APPROVED

WAIVER DENIED



SAN FRANCISCO PLANNING DEPARTMENT FOR MORE INFORMATION: Call or visit the San Francisco Planning Department

Central Reception 1650 Mission Street, Suite 400 San Francisco CA 94103-2479

TEL: 415.558.6378 FAX: 415.558.6409 WEB: http://www.sfplanning.org Planning Information Center (PIC) 1660 Mission Street, First Floor San Francisco CA 94103-2479

TEL: 415.558.6377 Planning staff are available by phone and at the PIC counter. No appointment is necessary.

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:	0.	1	+	N	
DEMOL PLUMS DO. SOF	2001	danis	MON .	Kather	Angu
% 99 Banks Street	San	ZIE ODDE	(415) 64	0-45	CONIC
PRODEDTY OWNED WILD IS DOING THE DRO IEST ON MULTICLI VOLLARS DESCRIPTION	·) [·]				90

annoye Bluerange Dievi TELEPHONE: ZIP CODE: 241 (415) 626 8868 9413 Homber Drive, SF, CH CONTACT FOR DR APPLICATION: Same as About X

DDRESS:	ZIP CODE:	TELEPHONE:
		() ·
-MAIL ADDRESS:		

2. Location and Classification

STREET ADDRESS OF PROJECT: ZIP CODE:
3526 Folsom Street, ScenFrancisco 94110
Chapman and Bernal Heights Blud,
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SQ FT): ZONING DISTRICT: HEIGHT/BULK DISTRICT:
5636/14 25x70 1750H RH.1/40-X 28'-7"
Bernal Heights
3. Project Description B Wcł
Please check all that apply Change of Use Change of Hours New Construction Alterations Demolition Other
Additions to Building: Rear 🗌 Front 🗌 Height 🗌 Side Yard 🗌
Present or Previous Use: Vacant Cot
Proposed Use: Single family Cesidence
Building Permit Application No. 2013, 12,16).4318 Date Filed: 12/17/201

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. 90 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: 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?

From Bernal Heights South Slope Organization Discretionary Review for 3516 and 3526 Folsom Street - Attachment

Question #1

The East Slope of Bernal Heights has been designated a Special Use District (*Planning Code* Section 242) with specific guidelines for the South Slope (id.@§242(f)) for good reason. The 25' x 70" lot size is among the smallest in the City, so the average square footage of homes is closer to 1200 to 1500 than the proposed 2,500 – 3,000 square feet. The result will be homes that are completely out of scale for the neighborhood. They will be highly visible from the heavily travelled Bernal Heights Boulevard, as well as by their neighbors, and will have an impact on the overall character of Bernal. In addition to the sheer bulk, the Boulevard-facing side, where dozens of walkers and joggers pass each day will replace a view of the Bay with a static and uncharacteristically flat, boxy and unarticulated north wall of the structure. Additionally, the stairs to the roof and roof deck will be the only such uncharacteristic, intrusive, and highly visible roof feature in the immediate area.

The "Additional Controls Applicable to Bernal South Slope" state that "The Planning Commission shall only approve an application for a conditional use authorization if facts are presented to establish that the proposed development would not harm the pubic health, safety, or welfare of the Bernal South Slope and surrounding areas,..." (id. @ 242(f)(3)).

We are mystified by the access to the garage and the tandem parking situation. It not only presents an access problem, but also a safety problem as other streets will need to be blocked in order for the tandem cars to be backed out. Take the upper lot as an example. The grade of the new street, sidewalk and access to driveway is an approximately 35° slope. If the street is only 10 or even 15' wide, the first car will back out. Then, since this is a one-way street with no parking (too narrow for 2 cars to safely pass), in order to make room for the second car to back out, the first car will have to back all the way down the 35° driveway, leave the car on Chapman (where it's highly unlikely parking will available and double parking is impossible (or dangerous) since it would cut off the only access of emergency and any other vehicles to the several blocks off Chapman Street.) Then, they can walk back up 100 feet to the garage and back the second car all the way down to Chapman, find another place to park and then take the first car back up to the garage and park it. Then walk back down to the car you intend to drive. The reasons for this? A one-way street too narrow for parking and tandem parking in the garage.

Question #2

There are two urgently serious and many merely serious concerns about the impact on others in the neighborhood who would be adversely affected.

The first is the fact that there is a PG&E primary transmission line, measuring 26", bringing gas into San Francisco (one of 3 coming into the city) directly under the fragile and steep hillside of the Folsom Street right-of-way exactly under the new construction. PG&E cannot verify the depth of the transmission line, making it difficult to assess the safety. This pipeline is even larger than the one in San Bruno and construction creates *the most* hazardous situation for those living nearby. There has been no plan submitted providing evidence of maintaining absolute safety of the residents in the Blast Zone (see attached).

The second reason involves emergency access. "The development and construction-related activities in the Bernal South Slope will not meaningfully hinder impact emergency vehicle access and emergency response times..." (id. @ §242(f)(3)(D)) There are only two streets that lead to the homes on Folsom, Banks, Chapman, Prentiss and Nevada Streets above Chapman. They are Folsom, which joins Chapman at the west end, and Prentiss Street, which joins Chapman 2 blocks farther east. Prentiss Street, while recently improved, is of similar steepness to the proposed extension of Folsom. This spring, I witnessed a fire truck bottomed out at Prentiss and Powhattan, blocking access until it was finally powered off over an hour later, leaving deep divots in the street. (I have video of similar long trucks and even an errant City Bus being stuck for long periods of time and needing to be towed off, also leaving deep divots and blocking access to Chapman Street for hours.) In fact, the steepness of the proposed Folsom extension will create a similar issue for trucks. They will bottom out as they back down the steep slope.

On Saturday, August 1st, a hook and ladder was responding to an emergency on Bradford (?) and mistakenly came all the way up Folsom and turned right on Chapman. They must have thought it went through, because they drove all the way to the end of Chapman before they realized they could not reach the emergency. They began to back down, taking at least 15 or 20 minutes to figure out a route, back all the way down Chapman (they couldn't take Prentiss because of the previous experience), and all the way back down Folsom to at least Powhattan. By the time they reached a place to turn around, the other vehicles were already leaving the scene. This was scary. If the street was blocked in any way, or if access was in any way impaired to this part of the hill, lives and homes would be put at risk. Waiting for construction equipment to move would make access seriously impaired, especially since most of it would need to use Folsom Street instead of the steeper Prentiss.

The project will most definitely impact the parking availability in the neighborhood (see note above), which is a specific concern of the Special Use District Additional Controls, "The development will not substantially impact neighborhood parking availability" (id. @ §242(f)(3)(G)). Although garage space is allocated in each house, the reality is that access to the garages will be difficult and no parking will be available on the street extension. Both occupants and guests will be parking on upper Folsom and Chapman Streets, where parking is rarely available right now. These are narrow streets with parking on one side only.

Question #3

Because of the fragile, erosion-prone nature of the hill, and the imminent danger of construction over a major gas pipeline, I feel the street right-of-way should be protected from any construction vehicles. According to all published reports and the Transportation Research Board of the National Academies' Special *Report 281, Transmission Pipelines and Land Use, A Risk-Informed Approach,*" (the entire report can be found at trb.org/publications/sr/sr281.pdf) minimizing impact on the land above an near a transmission line is foremost in protecting the line from leakages or explosions.

For transmission pipelines, there are limits on construction or excavation that involve separating activities such as 38 Transmission Pipelines and Land Use: A Risk-Informed Approach planting of trees or digging foundations some number of feet from the pipeline. API recommends setbacks of 50 feet from petroleum and hazardous liquids lines for new homes, businesses, and places of public assembly (API 2003). It also recommends 25 feet for garden sheds, septic tanks, and water wells and 10 feet for mailboxes and

yard lights. As of the most recent report examining these issues, setbacks of 25 feet from residential property were the most common examples in practice (TRB 1988). (id. @ p. 38)

For this reason it only makes sense to keep the neighborhood most safe by not allowing any construction over a PGE major transmission line on this exceedingly steep and fragile hill. The incidents in San Bruno are still fresh in our minds and we are deeply concerned that moving trucks and materials over this line will put all of us in the blast zone at risk.

While we recognize the desire of the land owners to build on this property, the risk imposed to the neighbors is the greater consideration. I would therefor hope we could find an environmentally friendly and safe purpose, for example, the extension of the community garden that local schools can use for environmental education purposes.

Information from federal pipeline safety regulators, representatives of pipeline companies, and local officials provided to the committee over the course of its meetings indicated a few examples of actions taken by local governments. For instance, some only allow the lowest-density development around transmission pipelines and locate walking paths, bike paths, and recreational areas along pipeline rights-of-way. Some local government proposals have gone considerably further, often in reaction to spills and explosions. In general, however, the few examples of Potential Land Use Approaches to Pipeline Safety and Environmental Management 37 local governments' attempting more stringent controls have not been based on a systematic analysis of risk or of benefits and costs. (id. @ p. 36)

We are concerned that San Francisco has not been able to reassure us with a risk analysis of construction on and near this site and until the Planning Commission can insure the safety of neighbors within the Blast Zone, we do not believe any construction should take place.

4. Actions Prior to a Discretionary Review Request

Prior Action	YÈS	NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?		X
Did you participate in outside mediation on this case?		X

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.

attended five meetings of the East aviace Board NDIZICAN 91 ONO Main reD Bf held in n 3 ina 105 5 3 autela 0 cont changes an d 00 S odt concorns 2 reco

Applicant's Affidavit

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

Signature:

Date:

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

3HSSO CVV / Authorized Agent (or cle one)



BERNAL PUBLIC SAFETY ALERT!

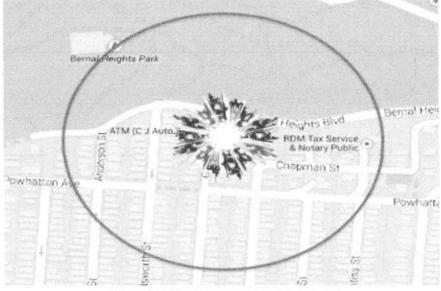
CRITICAL MEETING APRIL 9, 7PM!!! PRECITA NEIGHBORHOOD CENTER

PROPOSED DEVELOPMENT PUTS LUXURY HOUSING AHEAD OF PUBLIC SAFETY Major PG&E Gas Line Runs Through Once "Undevelopable"

Land. Not Your Typical Vacant Lots - But City Acts Like They Are.

ARE YOU WITHIN THE BLAST & FIRE ZONE?

If you live, walk, run, garden, ride your bike, push your stroller, or fly your kite around Bernal Heights, you may have entered **the 600-foot Radius Blast/Fire Zone** of a proposed Bernal southeast slope development of two luxury homes below the Community Garden. A 26-inch PG&E gas pipeline runs through it - **the same type that blew up in San Bruno**. Many residents think this development which benefits from a **questionable exemption of SF street safety grading codes** - would recklessly endanger public safety.



Approximate fire zone inside red circle

PUT OUR SAFETY FIRST! PLEASE ATTEND!!

EAST SLOPE DESIGN REVIEW BOARD MEETING DEVELOPER PRESENTATION AND PUBLIC INPUT <u>WEDNESDAY, APRIL 9TH, 7PM</u> PRECITA NEIGHBORHOOD CENTER 534 PRECITA AVENUE

We bring varables together & delacoss issues of new construction con curvently varant of Barnal Hill San Francisco of townation. So. Stope Org. as chair (co-chair of Barnet Height I have sorved 2095 JERROLD AVE, SUITE 319 SELANDER ARCHITECTS SAN FRANCISCO, CA 94124 loan SAN FRANCISCO, CA 94103-2479 **1650 MISSION STREET, SUITE 400** 目在操作的系统运行区位的 医乳肉酸酶 动脉中的 建丁基苯乙酸 Bernal Heights South Slope Organization San Francisco, CA 94110 Kathy Angus 99 Banks Street 941105668999 San Francisco, CA 94110 99 Banks Street Bernal Heights South Slope Organization Kathy Angus SAN FRANCISCO CA 940 A State 31 MLKS '15 SAM FRANKLISCO CA 90 DS SEP 2015 FM 4 L PARED FROMS 2P COMP 3-00.480

94110-566699

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Bernal Heights South Slope Organization 99 Banks Street San Francisco, CA

September 14, 2015

San Francisco Planning Department

I hereby authorize Herb Felsenfeld to file requests for Discretionary Review on behalf of our organization, Bernal Heights South Slope Organization for 3516 andf 3526 Folsom Street, San Francisco, CA.

Kathy Angus, Co-Chair, B.H. South Slope Organization

September 14, 2015

CASE NUMBER: For Staff Unix only

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
Jais Marie Raulet		
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
75 Gates Street	94110	(415)641-0644
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUES	TING DISCRETIONARY REVIEW NAME:	
Fabien Lannoye		
ADDRESS:	ZIP CODE:	TELEPHONE:
297c Kansas Street	94103	(415) 626-8868
CONTACT FOR DR APPLICATION:		
Same as Above 🕱		
ADDRESS:	ZIP CODE:	TELEPHONE:
		()
E-MAIL ADDRESS: raulet@att.net		
street address of project: 3526 Folsom Street		ZIP CODE: 94110
cross streets: Chapman Street		
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SO FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
5626 /014 1750	RH-1/40-X Bernal Hts SUI	
3. Project Description		
lease check all that apply		
Change of Use 🗌 Change of Hours 🗌 New Constru	uction X Alterations	Demolition Other
Additions to Building: Rear 🗌 Front 🗌 Heig	;ht 🗌 Side Yard 🗌	
Open Space Present or Previous Use:	 A server and a server server and the server ser server server serv	
Single Family Home		
roposed Use:		
2013.12.16.4318 Building Permit Application No.	Data	Filed: 12-17-13
renaring remain Application No.	Date	r neu.

CASE NUMBER For Stuff Use only

Discretionary Review Request

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

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

Please see attachment

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

Please see attachment

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

Please see attachment

DR Hearing Request for 3516 Folsom Street Nais Marie Raulet, 75 Gates Street Page One

1

1.

After reviewing the San Francisco General Plan, Residential Design Guidelines, and the Bernal Heights SUD guidelines, I question whether this project does in fact meet minimum planning standards. It appears that the building plans have been reviewed without consideration of context. The guidelines were written to ensure that development in SF does not violate principles of preservation of neighborhood character, open space, and public safety (Sec 242 (b)). I've lived in Bernal Heights for 21 years and my family has been in San Francisco since 1896. I believe property ownership and development should not supersede the guidelines that are in place to protect the community and the unique nature of San Francisco.

The project did not pass the ESDRB review which is mandated by the City to protect the unique character of Bernal Heights. The findings of the Board have not been respected by the Planning Department.

I am requesting a review of this proposed project due to the following issues:

There is and should be no vehicular access to the lot because of the prohibitive steepness of the hill.

The project is purely speculative and sized for maximum profitability; its negative impact on the community and environment outweigh any contribution it makes to the housing shortage in San Francisco. It provides housing for one wealthy family and takes away from everyone else. If a house or a road already existed, one might see the value of developing this area, but as the area is currently open space, the good brought from this building being permitted does not justify the negative effects on the area.

The presence of existing, steep streets in Bernal Heights has been cited in public meetings by the developer as a rationale for building another, even more steep street. This is faulty logic. This is not a reason to make a dangerous decision.

The massing effect of the building will interfere with public views and a sense of natural space for those enjoying the commons of Bernal Heights Park and the public garden. Planning code protects public views and public spaces. Public vistas are prohibited from development. (URB.CPN 1.1) (Residential Design Guidelines, p. 20) Bernal Hill Park and the path around Bernal Heights Boulevard together is one of the few open spaces (URB CON 2) in a very tight, crowded community with very small lots with comparatively less space for greenery in front and back. This is heavily used open space with views of the Bay and San Bruno Mountain and it will be impacted by the mass and height of the proposed building with its lack of architectural relief.

Approval of this house opens the floodgate for development of a one-way road and a six-unit subdivision with implications for parking, vehicular safety, fire safety, garbage collection, and erosion.

DR Hearing Request for 3516 Folsom Street Nais Marie Raulet, 75 Gates Street Page Two

2.

One unreasonable impact of this project is traffic congestion. Roads in Bernal Heights are steep, winding, congested, and, essentially, one-lane in my area due to parked cars on both sides. Should this property receive a building permit it would authorize the extension of Folsom Street and, inevitably, the development of the five adjacent lots. Traffic congestion in the area will be increased in an area that is already overly populated.

A major consideration for this project is hazards related to ingress and egress. I live on a dead-end street, not nearly as steep as the one proposed for this project. My neighbors and I are routinely trapped from exiting our street by construction, garbage (Sec 242 (f) (3) (E)), and delivery trucks. Vehicles come up my one-way street regularly driven by people who are lost or drunk. They turn around at the top of the street and hit parked cars, or back down hitting parked cars. Should a one-lane road be put in to access this proposed building, damage to property is inevitable and there is risk of personal injury. (Sec 242 (f) (3) (I))

Approving a building permit for this house would appear to inevitably lead to the approval of the extension of Folsom Street. A civil engineer has reviewed the preliminary street extension plan and, due to the steepness and topography of the hill questions its feasibility. (URB.CPN. 1.2) The take-off angle from the ADA-required flat street intersection at Chapman and Folsom, the access to driveways for existing properties at 3574 and 3577 Folsom Street, and the angles of access that would impede a vehicle from entering the proposed building's garage render the street dangerous and unusable.

A major concern that already exists in this area of Bernal Heights is fire truck access. Building this and another new home along what would be the steepest street in the City in an area that already has poor fire access is asking for trouble. Hook and ladder trucks will be unable to access this street. Without side yards between this and the adjacent proposed new home, access for fire personnel will be further limited and the risk of fire spread from house to house will increase thereby endangering the surrounding neighborhood. (Sec 242 (f) (3) (D) and E), (Bernal Heights East Slope Building Guidelines, pp17-18)

Another unreasonable impact is that no adequate contingency is being made for the water damage that property owners below this proposed home will experience. Water sluices down these steep streets. This development will alter current natural drainage systems and inevitably require remedial efforts, such as installation of trench drains and regrading of sidewalks and driveways, on the part of homeowners below Powhattan Street.

An unreasonable risk associated with this permit is the major PG&E gas transmission pipe that sits under the construction site. The pipeline will not be exposed to determine its condition or depth until construction has commenced. I am fearful of potential of explosion and fire from the activity of heavy construction over this pipeline. It has happened before.

Due to the steepness of the hill, construction vehicles may become stuck or may roll down causing damage or injury. They will not be able to turn around and will have to back down the street.

The scale and form of the house leads me to think that the goal was to maximize every possible square foot of the lot. The height and depth of the building is not to scale with the existing buildings in the neighborhood. Bernal is still largely a modest working and middle class community. Luxury homes crammed into any available space do not blend in or enhance the character of the neighborhood. (URB.NEN 4.5)

3. Reduce the size and height of the proposed building to conform with the square footages and heights of surrounding homes and to preserve the views from the park and Bernal Heights Boulevard loop.

Provide side yards and architectural relief on all sides of the building.

Remove the garage from the building plans, making the homes smaller and transit-friendly, and thereby eliminating the need for an access road.

Maintain the existing public trail through the open space, install stairs to Bernal Heights Boulevard, and contribute to the expansion of the existing community garden.

Common sense dictates resolving street and sidewalk issues before issuing a building permit.

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?		X
Did you participate in outside mediation on this case?		[3

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. Project was discussed with applicant at public meetings of the East Slope Planning Guidelines Board. No substantial changes were made to the project to bring it in to conformity with the guidlines.

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: May Marie Raulet

Date: 9/8/15

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

Owner / Authorized Agent (circle one)

75 Gates Street San Francisco, CA 94110

September 8, 2015

San Francisco Planning Department

I hereby authorize Herb Felsenfeld to file requests for Discretionary Review on my behalf for 3516 and 3526 Folsom Street, San Francisco, CA.

Signature Mais marie Raulet

Name Nais Marie Raulet

Date 9/8/15

For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	9
Address labels (original), if applicable	€
Address labels (copy of the above), if applicable	0
Photocopy of this completed application	
Photographs that illustrate your concerns	10
Convenant or Deed Restrictions	10
Check payable to Planning Dept.	
Letter of authorization for agent	
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)	2010 2010

NOTES:

Optional Material.

O 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:

Date:

By:

11

CASE NUMBER. For Staff Use only

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
Eyrena Torrey Simons and Marcus Sangho Ry	u la	
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
55 Gates Street	94110	(415)956-8100

 PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:

 Fabien Lannoye
 Image: Colspan="2">Image: Colspan="2"

 ADDRESS:
 ZIP CODE:
 TELEPHONE:

 297c Kansas Street
 94103
 (415)
 626-8868

CONTACT FOR DR APPLICATION:		
Same as Above Zacks & Freedman, P.C. c/o Ryan J. F	Patterson, Esq.	
ADDRESS:	ZIP CODE:	TELEPHONE:
235 Montgomery Street, Suite 400	94104	(415) 956-8100
E-MAIL ADDRESS:		
ryan@zulpc.com		

2. Location and Classification

STREET ADDRESS OF PROJECT:				ZIP CODE:
3526 Folsom Street				94110
CROSS STREETS:				
Chapman Street				
ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
5626 /014	70 x 25	1,750	RH-1/40-X/Bernal Heights	40-X
Please check all that apply Change of Use 🗌 Cha	unge of Hours 🗌	New Constru	uction 🛛 Alterations 🗌	Demolition 🗌 Other 🗌
Change of Use Char		New Constru ont 🗌 Heigh		Demolition 🗌 Other 🗌
Change of Use Change of Use Change of Use Change Ch	Rear 🗌 🛛 Fro Vacant Lot			Demolition 🗌 Other 🗌
Change of Use Change of Use Change of Use Change Ch	Rear 🗌 🛛 Fro			Demolition 🗌 Other 🗌

SEP 1 5 2015 CITY & COUNTY OF S.F.

RECEIVED

7

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?	X	
Did you participate in outside mediation on this case?		X

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

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

No substantial changes have been made to address neighbors' concerns.

Discretionary Review Request

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

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

Please see attached.

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

Please see attached.

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

Please see attached.

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: 2

Date: 9/15/15

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

Ryan J. Patterson, Esg. Owner / Authorized Agent (circle one)

CASE NUMBER: For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	Ø
Address labels (copy of the above), if applicable	Ø
Photocopy of this completed application	
Photographs that illustrate your concerns	N.
Convenant or Deed Restrictions	
Check payable to Planning Dept.	
_etter of authorization for agent	V
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)	×

NOTES:

Required Material.

Optional Material.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

RECEIVED

SEP 1 5 2015

CITY & COUNTY OF S.F.

For Department Use Only Application received by Planning Department:

By: Soken Omokano

Date: 9-15-15

REQUEST FOR DISCRETIONARY REVIEW

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

This project will destroy significant open space in favor of two McMansions, at the cost of damaging a City-owned community garden, public safety, and neighborhood character.

San Francisco's General Plan states that "co-operative efforts to maintain the area's quality of life are imperative" (p. 1/7) and specifically refers to "hilltop(s) that reveals extraordinary vistas" (ibid.). The proposed plans for 3516 and 3526 Folsom Street neither honor the spirit expressed in this General Plan nor many of the more details requirements seen in the Priority Policies or highlighted by the East Bernal Slope Design Review Board ("ESDRB") process. These houses clash with the surrounding houses, erode the character of the neighborhood, and are to be built on a new street that is of dubious safety and usability.

Priority Policy 2 requires that "existing housing and neighborhood character be conserved and protected to preserve the cultural and economic diversity of our neighborhoods." Per Planning Code Section 242, the project site falls within the Bernal Heights Special Use District. Lot sizes in this area tend to be small, and common square footage of homes ranges from 800 to 1,500 square feet. The proposed buildings are to be between 2,500 and 3,000 square feet. As such, they are dramatically out of scale with the surrounding homes and in direct conflict with the Special Use District mandate for development "in context and scale with the established character" including hillside setting, low density, and unusually small lots. The Residential Design Guidelines state that "buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block (p. 9)."

Not only are the proposed buildings too large, they also do not share the architectural vocabulary of the neighborhood: they lack side yards, and would have roof decks and three car garages (which will require a variance to be built). The houses are architecturally out of character, as the architecture's primary goal seems to be to fill every inch of the available envelope. In particular, the boxy, flat North wall of the development would destroy the stunning (and protected) public view of the Bay enjoyed daily by the dozens of joggers and walkers on Bernal Boulevard and the existing open space. (Residential Design Guidelines p. 18.)

The East Slope Design Review Board met five times regarding 3516 and 3526 Folsom Street and still does not support the project. Their guidelines stress similar priorities to those described above for the General Plan, the Priority Policies, the Special Use District, and the Residential Design Guidelines. According to the Bernal Heights East Slope Building Guidelines, "Much recent development is not only inconsistent but often at odds with the smaller existing structures. . . . East Slope's rural characteristics rapidly are disappearing along with views, open space, and trees. Some new buildings have created 'canyons' blocking sunlight and presenting building facades which are copies of a single undistinguished design." (ESDRB Guidelines p. 2). 3516 and 3526 Folsom would significantly erode the unique character of Bernal Heights and be further examples of the type of development that public policy seeks to prevent.

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.

Unlike the DR Requestors' home, which enjoyed a modest recent renovation *within* the context of existing neighborhood character, this project will stick out like a sore thumb architecturally. Their architectural style and roof decks are very rare in the neighborhood and highly out of character. They are also designed in a manner that will severely impact the privacy of the DR Requestors' property. Of additional concern is emergency access to the proposed homes – including fire, police, ambulance, etc. – an issue that affects everyone in the surrounding area.

The proposed road will have an approximately 35-degree slope and be a one-way dead-end street with no on-street parking and no turn-around at the end. Various emergency access vehicles already have difficulty navigating upper Prentiss Street, a section of road that is about as steep as the proposed new section of Folsom. Trucks have literally tipped over, needed to be towed, and have been unable to reach their destination due to the steepness of Prentiss.

Building even more homes and more exceptionally steep streets in an areas with already fragile access could significantly hinder emergency vehicle access and emergency response times.

Furthermore, given the narrowness of the new proposed stretch of Folsom, the lack of on-street parking, and the multi-car garages (to presumably be filled with multiple cars), the intersection of Folsom and Chapman would be further congested whenever someone tried to get a second car out of one of the proposed new homes. Because of the narrowness of the road, to get a second car out of a garage, the driver would have to back the first car down the entirety of the new stretch of Folsom, park somewhere on the lower part of Folsom or Chapman (which often lacks available on-street parking) or double-park. They would then have to walk back up the hill, repeat the process with the second car, and then drive the first car back up to the house and park it in the garage. This will be a safety hazard, given the current congestion and safety concerns of double-parking on unusually narrow streets; at worst it could block the access of emergency vehicles, assuming they can access the street at all. Moreover, the complete lack of on-street parking and nonfunctional off-street parking means that the project will divert vehicles to neighboring streets, taking up valuable on-street parking spaces.

While the current development is purportedly for two homes, it is likely that once the Folsom Street extension is built, the additional four vacant lots will also be developed. If two homes are going to strain access for emergency vehicles and local parking capacity, six would further increase the risks and the strain.

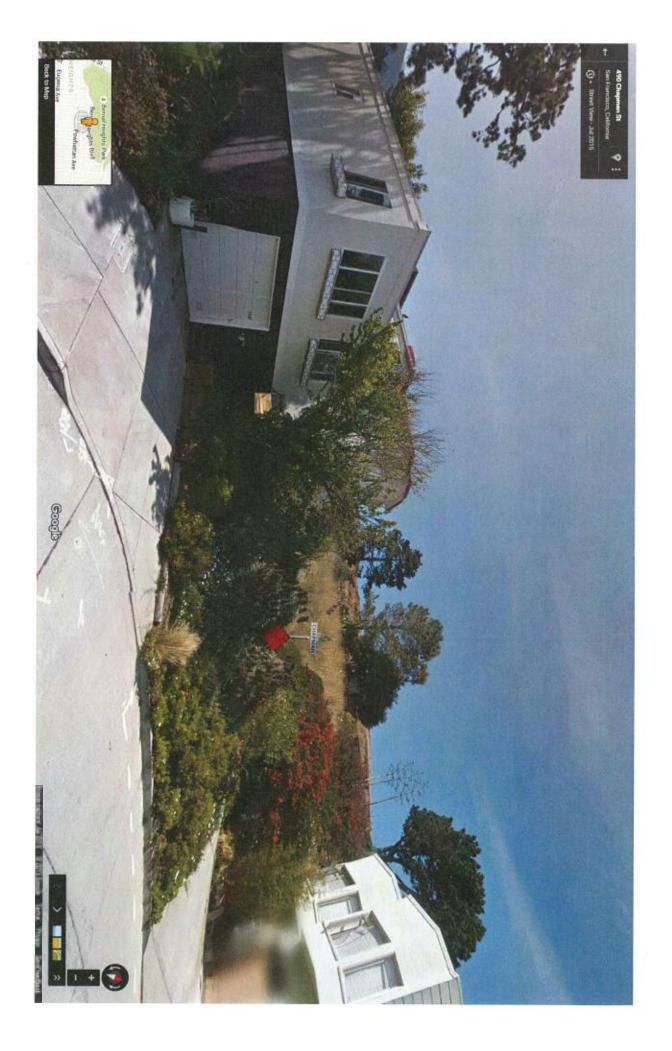
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above?

The ESDRB suggested a number of common-sense changes to the project. The project would be better designed as smaller houses, no more than two (2) stories high, animated plane, materials, and elements that step down along the hillside, a developed and composed front façade with windows, carve-outs and appropriate changes in roof treatment (as per the ESDRB letter to the applicant on April 28, 2015), with square footage comparable to that of the neighbors on Folsom Street, no garage, no external stairway, no roof garden, appropriate side yards and set-backs as per the ESDRB Guidelines. These houses, if designed

and built correctly, would fit in better with the neighborhood. While the ESDRB proposal would certainly be preferable to the current plan, any building on this site cannot account for the safety concern of emergency vehicle access. The best option may well be no project at all.

5. Please summarize any and all discussions and meeting with the Permit applicant.

We have participated in a series of five public meeting regarding the project over the course of 18 months. No substantive changes were made to the project to address neighbors' concerns. Ultimately, the East Slope Design Review Board determined that it could not recommend approval of the project.





PLANNING DEPARTMENT PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **December 17, 2013**, the Applicant named below filed Building Permit Application No. **2013.12.16.4318** with the City and County of San Francisco.

ИОІТАМЯОЛИІ ТИАЗІЛЯЧА		ИОІТАМЯОЧИІ ҮТЯЭ9ОЯ9		
Fabien Lannoye	Applicant:	3526 Folsom Street	Project Address:	
297c Kansas Street	:ssərbbA	Chapman Street	Cross Street(s):	
San Francisco, CA 94103	City, State:	2626/014	Block/Lot No.:	
8988-929 (917)	Telephone:	GUS strigiaH Isrnag / X-04 / r-HA	Zoning District(s):	

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 request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications 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 businees on the Expiration Date shown below, or the next businees 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 made available to the public for inspection and copying upon request and may appear on the Department's website or in other made available to the public for inspection and copying upon request and may appear on the Department's website or in other made available to the public for inspection and copying upon request and may appear on the Department's website or in other made available to the public for inspection and copying upon request and may appear on the Department's website or in other made available to the public for inspection and copying upon request and may appear on the Department's website or in the department's

NO	PROJECT DESCRIPTI	
5	B/U	Number of Parking Spaces
L	e/u	Number of Dwelling Units
2.5	e/u	Number of Stories
ni-7 J -82	ទ/ប	Building Height (from Average Grade to Top of Stair Penthouse)
ni-ð ħ-42	e/u	Rear Yard (To Rear Wall)
42-ft	e/u	Building Depth
anoN	e/u	Side Setback
ni-ð ft-6	u/a	Front Setback
Single-Family Dwelling	Vacant Lot	əsU gnibling
ркорозер	EXISTING	PROJECT FEATURES
D Vertical Addition	noitibbA sbiS	П Rear Addition
Front Addition	ם Façade Alteration(s)	□ Change of Use
□ Alteration	New Construction	Demolition
	PROJECT SCOPE	

The proposal includes new construction of a two-and-one-half-story, single-family residence with two off-street parking spaces and a root deck. The project incorporates a recessed entry along the north lot line and a side yard along the south lot line.

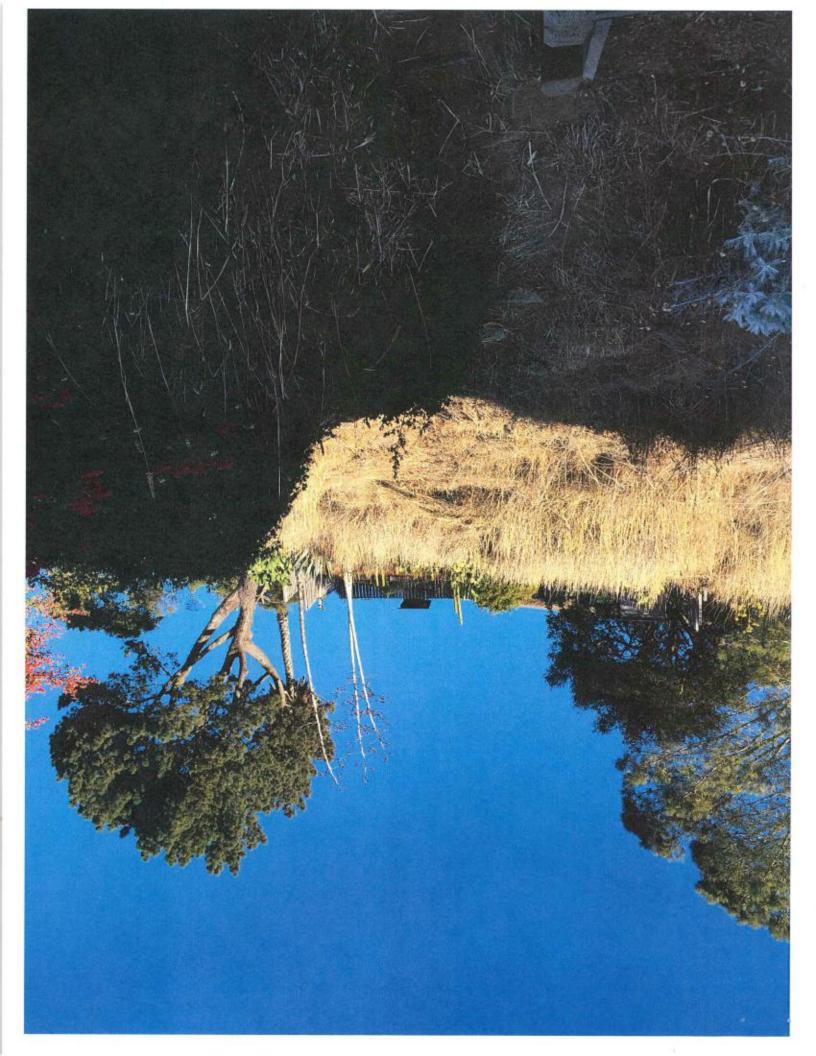
The project also requires a variance from the Zoning Administrator to address the Planning Code requirements for required offstreet parking and parking access (Planning Code Section 242(e)(4); See Case No. 2013.1768V). Separate notice of the variance will occur. The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

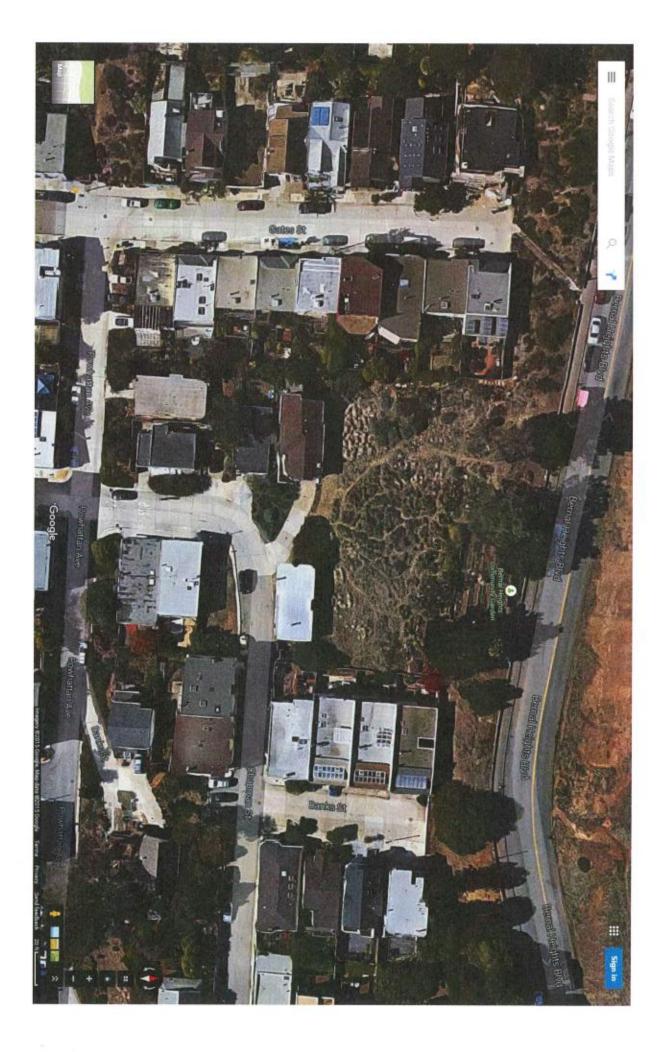
For more information, please contact Planning Department staff:

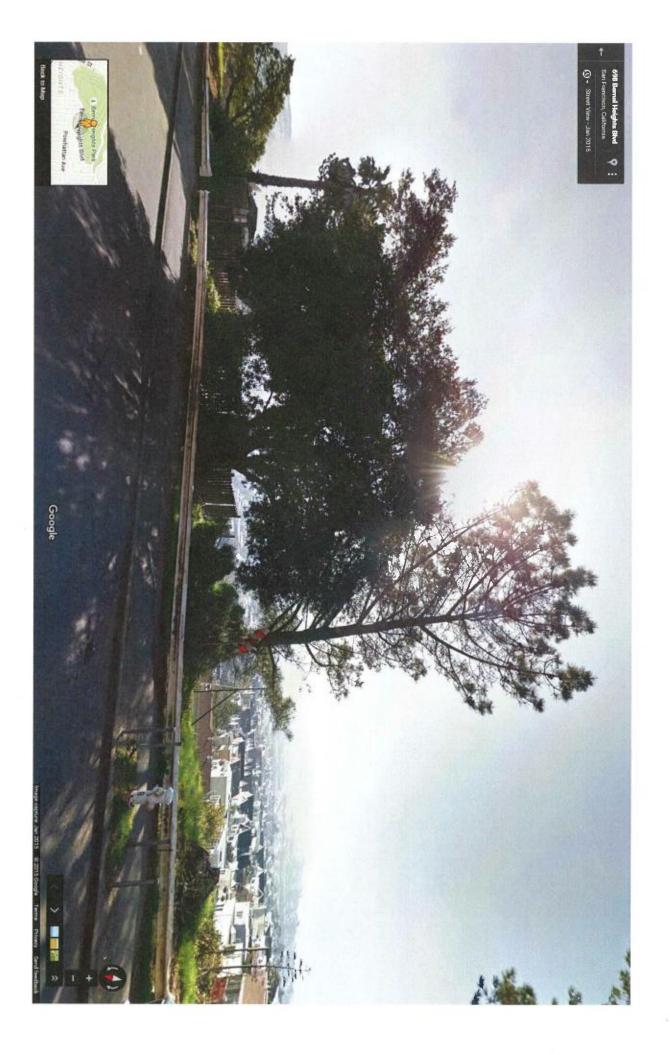
Planner: Rich Sucre Telephone: (415) 575-9108 E-mail: richard.sucre@sfgov.org

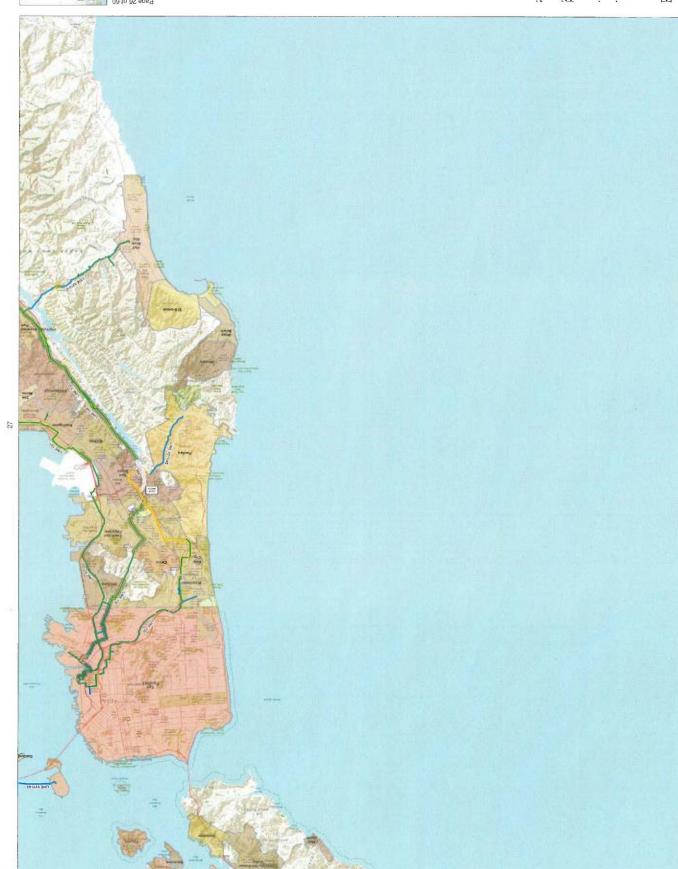
Notice Date: 9/15/15 Expiration Date: 9/16/15 0106-878 (814): 35 18 間 皓文中

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









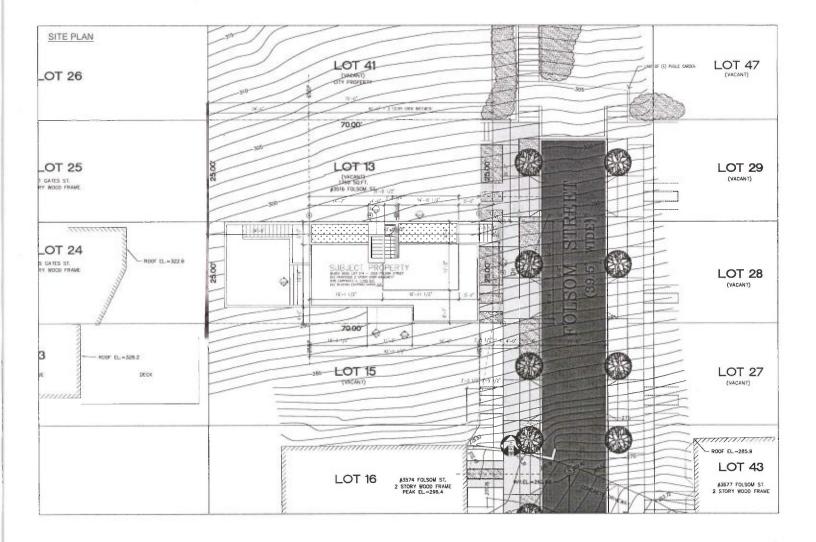
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Pipeline Segments in High Consequence Areas Under Review

Pipelines in HCAs with Pressure Test Records and Cection 619(c) Documentation and or Section 619(c) Documentation

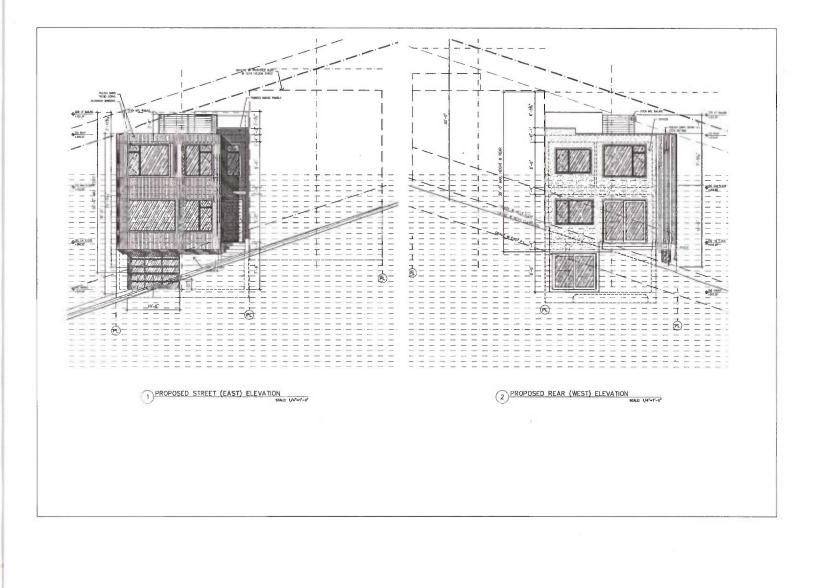


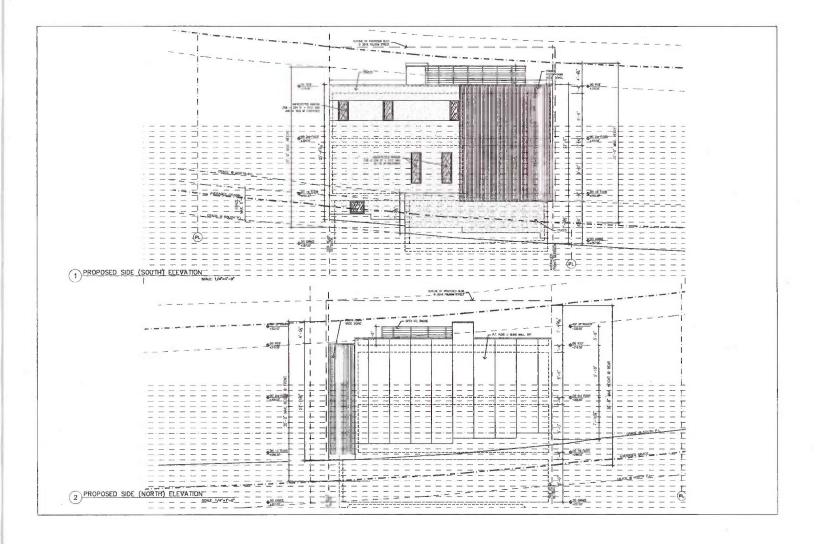


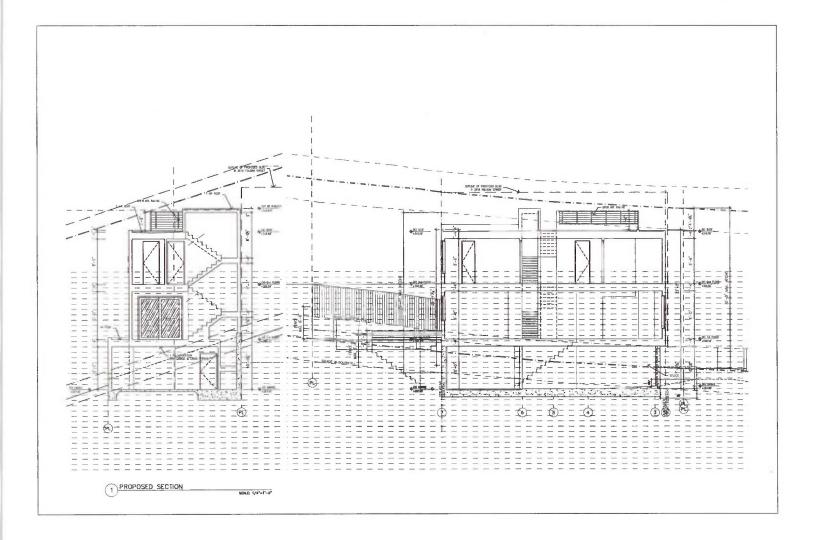












We, Marcus Ryu and Torrey Simons, hereby authorize Zacks & Freedman, P.C., including but not limited to Ryan J. Patterson, to file a request for Discretionary Review on our behalf for 3516 and 3526 Folsom Street, San Francisco, CA.

Signed 05.12.18

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

Gail New Man		
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE
3574 Folsom Street	94110	(415 285-7636
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISC	RETIONARY REVIEW NAME:	
Fabien Lanno je	ZIP CODE:	TELEPHONE:
2976 Kansas Street		(415) 626-8868
CONTACT FOR DR APPLICATION:		TRANS CONTENDED
Same as Above		
ADDRESS	ZIP CODE:	TELEPHONE
		()
E-MAIL ADDRESS:		
3526 FOLSON Street CROSS STREETS: Undeveloped land near the corr	new of Cha	pman and follow
		HEIGHT/BULK DISTRICT:
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SO FT): ZONING	DIL -1 140x	18' - 7"
36 20 10/4 252 10 1750 30.	1 Havinto	001
$\frac{5626}{10/4} = \frac{10}{25 \times 10} = \frac{10}{150} = \frac{10}{56}$ 3. Project Description	ernal neights	
3. Project Description	702	
Please check all that apply	_	internal function
Change of Use Change of Hours New Construction	Alterations 🗌 🛛	Demolition 🗌 Other 🗌
Additions to Building: Rear Front Height	Side Yard 🗌	
Present or Previous Use: Vacant Lot		
Proposed Use: 5ingle Family Reside	nce	
Building Permit Application No. 2013.12.16. 7	210	12 17 2017
Building Permit Application No.	Date Fi	led: 12-17.2013

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. 800 asno 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 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

4. Actions Prior to a Discretionary Review Request

Prior Action		NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?		
Did you participate in outside mediation on this case?		X

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	Attack	red	
and the second	and the second	Analysis and a second se	una contra c	
	with the second standard of the second standard of the second standard of the second standard stand	1111-11-11		An unit Properties (* 14

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.

Hail Derman ≯ Signature:

Date: 9 15 2015

Print name, and indicate whether owner or authorized agent:

Gail Newman Owner / Authorized Agent (circle one)

10 SAN FRANCISCO PLANNING DEPARTMENT V 08.07.2012

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	×
Address labels (original), if applicable	ø
Address labels (copy of the above), if applicable	
Photocopy of this completed application	
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	1
Letter of authorization for agent	- NIK
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)	

NOTES:

Required Material.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

RECEIVED

SEP 1 5 2015

CITY & COUNTY OF S.F.

For Department Use Only Application received by Planning Department: By: SOKEN OmoKano

Date: 9-15-15

1.00

DISCRETIONARY REVIEW REQUEST

#1 - " ... reasons for requesting DR ... what are the exceptional and extraordinary circumstances that justify DR ... How does it conflict with the General Plan or Priority Policies or Residential Guidelines ... cite sections ..."

The exceptional and extraordinary circumstances that prompt this DR Request come from our close examination of the following documents: (1) the City's General Plan (2) the Planning Code's Priority Policies; (3) Urban Design Elements; (4) the Residential Design Guidelines; (5) The East Slope Design Review Board (ESDRB) Guidelines; and (6) The Bernal Heights Special Use District provisions of Section 242. We will take these documents in order, as per below.

(1) General Plan

"San Francisco is a special place ... the center, the soul of the region, and co-operative efforts to maintain the areas quality of life are imperative (p. 1/7)." The project is a collection of undistinguished buildings that are unresponsive to the surrounding environment. As well they mar a "hilltop that reveals extraordinary vistas (ibid.)." These building are an intrusion on the "dramatic physical beauty (ibid.)" of this section of Bernal Heights. 09/2105 DR Request

This area is one with "qualities that make San Francisco unique" and are to be "preserved and enhanced (p.2/7)." The project will disturb those qualities by creating houses that are out of character with the surrounding hillside. Large-scale development with undistinguished design, totally separate from other houses on the block and nearby are particularly unappealing and intrusive. They permanently disturb the "creative consensus concerning ... environmental issues (p. 2/7)." These houses are out of step with "the attainment of the following goals;

- Protection, preservation, and enhancement of the ... esthetic values that establish the desirable quality and unique character of the city.
- Improvement of the city as a place for living by aiding in making it more healthful, safe, pleasant, and satisfying with housing representing good standards ... and adequate open spaces ... (p.3/7)."

Because these houses are out of scale, size, mass, and character with the houses and surrounding environment they will intrude in, and work against the esthetic values that establish Bernal Heights as a unique, special neighborhood. They will be created on a new street that is not healthy, not safe, not pleasant and not satisfying. Therefore, the project does not represent "good standards ... and adequate open spaces." In fact, it subverts good standards and adequate open spaces. (2) Priority Policies - and -<u>URB.CPN.1.9 Section 101.1 (b)</u>
This section designates two General Plan Priority
Policies related to housing: (1) "affordable housing" and (2) "neighborhood character".

These policies and objectives state:

- "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods (p. 4/7)." The sheer mass, size, scale, and overall design of this proposed house is totally at variance with the small-scale, rural nature of the neighborhood dwellings surrounding it. It will not conserve and protect neighborhood character since it is so out of scale with the neighbors. It is out of the economic range of diverse low-income families.
- "That the City's supply of affordable housing be preserved and enhanced" and "open space and their access to sunlight and vistas be protected from development (p. 4/7)." The proposed house will fly in the face of affordable housing. It will likely sell for upwards of \$2,000,000.00. This is not what the framers of the Priority Policies had in mind for the goal of "affordable housing". In fact this proposed house would be the polar opposite of affordable.

If the intent of the goal is to protect "open space (ibid.)", then this project will run counter to that goal. A house that is twice as large as its neighbors will consume - not protect, preserve and enhance open space.

(3) General Plan - Urban Design Elements -Introduction, City Pattern URB.CPN.1.3

"Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts." (i.e., Bernal Heights)

Attachment A shows a plan to build six (6) houses on the current available lots on Upper Folsom Street. The applicant prepared these plans at the instruction of City staff and they were presented at an ESDRB community meeting. They show what <u>could</u> be done in the future on this parcel of undeveloped land. We contend that when this occurs the entire area of undeveloped land will be in violation of the <u>URB.CPN.1.3</u>.

Building on the six (6) lots will create a total effect that forever alters the unique, rural and special character of this particular piece undeveloped land. It will obliterate the unique, rural and special character of the land; the total effect will be to ruin, negate, and destroy its distinctive natural beauty. Qualities that have been nurtured and conserved for many decades will be lost.

(4) Residential Design Guidelines

Visual Character

a. "... buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block (p. 9)." The proposed building is (as per the table listed on page 9) completely incompatible with scale of the buildings below it on Folsom Street, as well as on Gates Street. This is due to inappropriate massing, lack of detail, boxy appearance, flat front facade and architectural unresponsiveness to the hillside. Unlike the houses around it, this house maximizes every inch of available space making it unlike its neighbor houses in pattern and architectural features.

b. " ... designer has a greater opportunity and responsibility to help define, unify, and contribute positively to the existing visual context (p. 10)." The applicant shirks his responsibility and avoids the opportunity to contribute positively to the existing context. The houses do not draw on the best (most logical, most neighborhood friendly) characteristics of neighboring dwellings. Once again the applicant does not use sensitive development to allow this proposed house to fit in well with its neighbors.

Side Spacing Between Buildings

"Side spacing helps establish the individual character of each building. It creates a rhythm to composition of a proposed project. Projects must respect the existing pattern of side spacing (p.15)." The project opposes the open character of the houses around it. The surrounding houses have side yards that travel the length of the house. This project does not. Thus it ignores neighbor character, creating a dysfunctional rhythm that is jarring and visually unpleasant. The project is designed to disrespect the existing pattern of side spacing.

Building Scale

"It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character. Poorly scaled buildings will seem incompatible (too large) and inharmonious with their surroundings (see table, p. 17)." This building is out of scale with its neighbor's small architectural footprint. It forces a new and disruptive character on a small-scale, unique, rural space. The incompatibility with neighboring buildings is glaring and obvious. It does not preserve neighborhood character.

(5) East Slope Design Review Board Guidelines (Attachment A)

"The Bernal Heights East Slope is a special neighborhood and the qualities that make it that way are cherished by all those (with a) commitment to seeing them preserved ... (p.2)." The large scale of these proposed buildings are not in keeping with the special neighborhood characteristics (small dwellings, visually interesting design elements, unique rural attributes, etc.) that have traditionally been a feature of this Bernal neighborhood.

"Much recent development is not only inconsistent but often at odds with the smaller existing structures. ... East Slope's rural characteristics rapidly are disappearing along with views, open space, and trees. Some new buildings have created "canyons" blocking sunlight and presenting building facades which are copies of a single undistinguished design (ibid.)." This proposed building is a prime example of one that is "inconsistent and at odds with smaller existing structures." It simply does not fit in with the character of the neighborhood and its surrounding buildings. As well the building façade of 3516 Folsom is undistinguished (as noted by the ESDRB).

" ... architecture (is) a matter of good manners, being part of the whole street, being part of the fabric of the

city (ibid.)." The proposed house does not fit in with the whole street, or the surrounding houses. It has the opposite effect of "beating its chest or shouting at neighbors (ibid)."

(6) Sec. 242. Special Use District (Attachment B) " (b) Purposes. In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other lowdensity areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District (http://planning.sanfranciscocode.org/2/242/)". This section of the San Francisco Planning Code encourages development "in context and scale with the established character (ibid.)" of Bernal Heights. The proposed development is clearly - from the facts that have been presented previously and the facts contained in the following pages - not in context or in scale with the established character of this neighborhood.

#2 "... unreasonable impacts ... adverse effects ... who would be affected ... how?"

There are many unreasonable impacts and adverse effects of this project on our neighborhood. One, among many, that affects us most critically is the driveway shared by 3574 and 3577 Folsom Street.

The applicant has refused to provide accurate, complete and detailed visual information on this portion, or indeed any portion of his project. No engineered drawings exist.

As a result of this refusal neighbors have received <u>no</u> information on the following:

- A detailed design of the areas in front of 3577/3574 Folsom Street?
- A detailed design of the walks and driveways, walls if any, and landscaping?
- A detailed design of what will remain of our current walk/driveway, our walls, or our landscaping?
- A description of who will do the designs? Who will direct and approve the designs? Who will pay for it? Who will supervise the plan check and permit fees for any alternation or change in configuration of the driveway at 3577/3574 Folsom Street?

- Who will build this driveway? Who will pay for it? Who will certify that the work will have warranties, and that the warranties will be enforced?
- Will the applicant allow the owners of 3574/77
 Folsom Street to select the designer and
 contractor for design and construction of the
 driveway? Will the applicant pay the costs incurred
 by the selected designer and contractor?
- Will any unforeseen expense and effort be offloaded to the owners of the houses at 3577/74
 Folsom Street? Or will all expenses be borne by the applicant?
- What are the specific and detailed inconveniences that the owners of 3577/74 Folsom Street will have to live with during construction? How long will the owners of these properties be unable to use their garage? If the owners have to park down the hill, during the months that construction takes place, how will they get into their house? What provisions will be made for neighbor parking during the construction process?
- What are the remedies if any of the homes at 3577/74 Folsom Street are damaged by construction operations? What provisions are made for settlement due to slope failure in front of these houses as a result of excavation for the new street?

- Why is the break-over angle, where the new block starts up from the Chapman Street intersection, not shown on any of the applicant's drawings? Is the slope of the new block of Folsom Street greater than 36%?
- The applicant is on record as stating (at the last public ESDRB meeting), "the driveway at 3574
 Folsom Street will have to be raised two (2) feet".
 If this project is approved how will cars be prevented from bottoming out as they traverse the driveway and garage.
- What is the new break-over angle at the 3574 Folsom Street garage?
- How high will the new entrance be to the garages at 3574/77 Folsom Street? How will a car be able to traverse the new grade changes?
- How much higher will the new grade be over the existing grade?
- How will new drainage problems be handled at the 3574/77 Folsom Street homes?
- What is the break-over angle for the new houses proposed for 3516 and 3536 Folsom Street? They appear to approach 100%/45 degrees on the right side (see attachment C). The difficulty of the traverse seems to be compounded by the height of the garage door, i.e., a car traversing the driveway may be too high to fit under the garage door opening. A sedan can likely get scraped top and

bottom driving in to one of those garages. Will the proposed garages by impassable by automobile?

INCOMPLETE STREET DESIGN AND LACK OF NEIGHBORHOOD REVIEW OF STREET DESIGN

There will also be unreasonable impacts and adverse effects on the intersection of Chapman and Folsom Streets. The East Slope Design Review Board is on record as stating that the existing character of the intersection must be maintained.

- The applicant's design, or design information is incomplete because the grading for the street is not shown. This includes information for the proposed driveways for the new proposed homes (as previously mentioned above).
- How steep will this new street be?
- We request complete design information, including spot elevations and slopes at both sides of each driveway.

Until site design drawings for the re-design of the proposed extension of Upper Folsom Street, and the intersection of Chapman/Folsom has been submitted and approved, we believe this application is incomplete.

We believe this to be true because:

1. The new contours and the new grades are unknown.

- 2. Neighbors have been denied access to a proposed new topographic map
- 3. We have never seen how the entire new proposed street is being changed from the Community Garden all the way down to the intersection of Chapman and Folsom.
- 4. We have never seen how cars will enter and exit the garage at 3526 and 3516 Folsom Street. How will these five (5) cars enter & exit their respective garages? How will they then backup and/or go down Upper Folsom to access the intersection and "Lower" Folsom Street? How will these five (5) cars address the increased traffic coming at them from the following:
 - a. Chapman Street -West
 - b. 3574 Folsom entering/exiting garage
 - c. 3580 Folsom entering/exiting garage
 - d. Folsom Street North/South traffic
- 5. Where is the full size to scale drawing for the proposed new street?

The proposed design of the intersection of Folsom and Chapman Streets appears too narrow to allow two vehicles to pass each other when cars are parked on Chapman facing east. Emergency vehicles (Fire, Ambulance, Police) and service vehicles (Garbage and Recology, Fed Ex, UPS, etc.) will struggle - or be absolutely unable - to have access and egress. Please do not to add more unsafe traffic conditions to our local streets. This particular block is populated with children, as well as elderly and disabled people. Each of these populations is endangered by the proposed street design.

FUTURE DEVELOPMENT - "Six Lots Not Two"

All six (6) lots on Upper Folsom are capable of being developed (Attachment D). It stands to reason that once 3526 and 3516 Folsom Street are approved and a fully functioning road is put in, the owners of the four (4) other lots will be in an ideal and resource-rich position to develop their lots as well. When - **not if** - that happens, what is the plan for solving the problems and answering the multitude of questions noted previously?

LACK OF A 3-D MODEL

With only selected computer drawings, a developer can show the buildings in the most favorable light - and obfuscate any unfavorable perspectives. (For instance, garage access, true sense of bulk and mass, neighbors' driveways, Community Garden erosion concerns, side elevations in relation to Bernal Heights Blvd., and relationship to existing houses on Gates St., and so on.) At a previous neighborhood meeting, many neighbors viewed the computer renditions, of the project as misleading - casting doubt on other perspectives presented by the developer.

Although specifically requested by the ESDRB to provide a physical model, the applicant said it was too expensive. We request the Commission not be taken in by this argument and respect the community need to fully understand how the proposed development will impact local residents - from Gates Street, Folsom/Chapman, Bernal Heights Blvd. and the Community Garden.

We ask the applicant to stand by the ESDRB request of a physical model - and honor the neighbors' needs to view the proposed houses in ways they can trust. This is a sound and reasonable request. Indeed we cannot assess the worthiness of this project without such critical visual information.

NEIGHBORHOOD CHARACTER

The proposed houses with, one with a 3-car garage at 3526 Folsom, loom out of scale for the neighborhood and are in defiance of both ESDRB Guidelines and the City's Transit First policy. They are in direct contrast to Bernal's distinctive smaller-scale housing and, specifically, the neighboring houses on this block of Folsom. The too-big-for-the-neighborhood proposed houses although adorned with latest trends in building material disturbingly fit specific criticism found in the Guidelines: "The 'new vernacular form' is the maximum-buildingenvelope-shoebox... it is a solution without a context which isolates itself from its setting by not acknowledging its neighbors...." (ESDRB).

Bulk, Massing, and Elevations:

"Much recent development is not only inconsistent but often at odds with smaller scale existing structures." (ESDRB)

a) **Overall square footage**: It is disingenuous to think the latest blueprints reduce the square footage of the houses in any appreciable manner - or that they substantially improve elevations facing Chapman and Bernal Heights Blvd.

We respectfully request the Commission to restrict the proposed projects' square footage in relationship to existing nearby housing. The table below shows the typical Bernal dwelling on Folsom Street below the proposed houses. These houses reflect the distinctive rural character of Bernal. The data will show that in terms of square footage, the new proposed homes do not.

Address	Livable space	Garage	Total Space	
3516 Folsom St.	2125 sq. ft.	787 sq. ft.	2912 sq. ft.	
3526 Folsom St.	2158 sq.ft.	775 sq. ft.	2933 sq. ft.	
3574 Folsom St.	1150 sq. ft.	300 sq. ft.	1450 sq. ft.	
3580 Folsom St.	1050 sq. ft.	210 sq. ft.	1310 sq. ft.	
3590 Folsom St.	800 sq. ft. (appx.)	180 sq. ft. (appx.)	980 sq. ft. (appx.)	

b) Three-car garages: The proposed two projects both have either a three-car, or a two-car garage, unlike any neighboring homes on Folsom Street - within 50 feet or, for that matter, in most of Bernal Heights. Indeed, a variance will be needed for the three-car garage, since it does not meet code.

Again, this is in defiance of the City's Transit First policy. Given the times we live in, new construction condoning a three-car garage house in a city trying to wean people off cars is irresponsible and ecologically immoral.

Please note: It was with the following rebuke that the pro-development real estate website, SF Curbed, described the applicant's 3,000 sq. ft. house that he built

and sold in another part of Bernal Heights in 2011: "Notso-green features include a 3-car garage."

c) Side elevations: After five (5) ESDRB meetings, minimal – and nothing substantial – was done to address the ESDRB's request to improve side view elevations from Chapman and Bernal Heights Blvd. (The ESDRB even gave the applicant addresses of suggested side elevation treatments in the neighborhood to review.)

The new designs put lipstick on what are essentially big walls. To use their own language, the applicants designs are the "new vernacular" that allow for "maximum building envelope shoeboxes (ESDRB)."

Disturbingly, without a physical model, the neighbors are left to decipher architectural language and blueprints, which they are not trained to do. The pattern of sometimes "improving" designs with the smallest effort and then touting these tiny steps as meeting the ESDRB's requests - underscores the need for physical models.

d) Side yards: For both safety and sunlight issues, neighbors requested side yards that went all the way through to the backyard. In fact, all the other houses on this block have such side yards - and the Guidelines specifically talk about the "relationship of individual buildings to their lots and their immediate neighbors (ESDRB)".

Since Sept. 10, 2014 the applicant through the **ESDRB** has known about acceptable side yards for Bernal. Examples were given to the developer. An open side yard promotes an airy, not-so-urban feeling that would help mitigate the loss of sunlight and open space so close to Bernal Park. We request this style of side yard be recommended for the two proposed projects.

e) Public Safety - Rear Yard Access: There is a lack of backyard access for firefighters and public safety officers - especially along this vulnerable section of the gas transmission line. We are not satisfied that public safety officers can navigate the corner in case of a fire, health, or safety emergency.

f) Roof treatments: Despite repeated concerns from neighbors and community garden members about views and sunlight, the applicant has added an imposing new structure to the top of the proposed buildings.

This particular action follows a pattern of maximizing house size and mass - and being insensitive to neighbors and a smaller-scale neighborhood. This new structure underscores the necessity for a physical model of the proposed projects. 09/2105 DR Request

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Below is the directive from a recent ESDRB letter:

"Plans presented have so far not clearly addressed how the new Folsom Street Extension will incorporate access to existing homes at 3574, 3577, and 3580 Folsom Street. We reiterate: develop detailed plans (with grading spot elevations), sections and elevations, and meet with these neighbors to review and agree upon driveway access and design in front of these houses."

g) Safety of Main Trunk Transmission Line (109)

- Gas transmission line 109, built in 1981, runs underneath this proposed street.
- The proposed street, flowing as it does over this 26" transmission line poses numerous dangerous safety risks. Neighbors are very worried.
- This is a densely urban neighborhood surrounding a steep, at least, 35-degree hill. Heavy earth moving equipment is known to topple over on such a steep grade, causing huge amounts of damage. Several years ago a cement truck did just that, on Folsom Street, while trying to make a turn. It resulted in a broken water main.
- The City has incomplete records about the safety of this Bernal Heights pipeline.

• The City also has no risk assessment guidelines, in the event of an accident, around gas transmission lines.

We are so concerned about the gas transmission line that we have requested advice from an internationally known engineering safety consultant, Dr. Robert G. Bea, Professor, UC-Berkeley and co-director of the Marine Technology and Management Group Center for Risk Mitigation. Professor Bea agrees with our concerns and finds them valid. His response is attached along with several slides showing the dangers of ignoring concerns regarding pipeline safety (see attachment E) 09/2105 DR Request

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3. "Alternatives or changes to the proposed project ... "

We suggest a smaller house, no more than two (2) stories high, animated plane, materials, and elements that step down along the hillside, a developed and composed front façade with windows, carve-outs and appropriate changes in roof treatment (as per the ESDRB letter to the applicant on April 28, 2015), with square footage comparable to that of the neighbors on Folsom Street (see table above, p. 17), no garage, no external stairway, no roof garden, appropriate side yards and set-backs as per the ESDRB Guidelines. These houses, if designed and built correctly, would fit in perfectly with the neighborhood. They would enhance and complement the character of Bernal Heights. Almost all of the safety, traffic, and construction concerns would be eliminated. Most of the neighbor concerns would be addressed. The house would therefore conform to all elements of the ESDRB Guidelines.

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5. "CHANGES MADE AS RESULT OF MEDIATION" In July of 2014, at the suggestion of the **ESDRB** the applicant requested a meeting with neighbors whose driveway will be impacted by the new road. The driveway is shared and used by many neighbors and community members to not only access houses also the Community Garden, Bernal Heights Blvd. and Bernal Park. Thus our concerns stem from a group, not a few individuals. Our hope was to have an inclusive group meeting. We responded as such. No answer was forthcoming from the applicant.

We attended at least five (5) community meetings called by the ESDRB, with the applicant, over a period of eighteen (18) months. We discussed our concerns and fielded questions/responses back and forth. As a result the applicant did make some alterations to the 3516 Folsom project. The façade is more animated, changes in plane, materials, and stepped down design elements are present. No changes at all were made to 3526 Folsom.

These changes are relatively slight, relatively minimal and largely cosmetic. They do not for a moment alter the deep-seated and strongly felt concerns of the neighbors. The multiple and interconnected issues of: public safety, neighborhood character, and accessibility are as prominent now as they were when our pubic meetings began in December 2013. development. The Bernal Heights East Slope is a special neighborhood and the qualities that make it that way are cherished by all those whose commitment to seeing them preserved has produced these building guidelines.

The history of the East Slope has been one of benign neglect by the City of San Francisco, however, while dirt roads and undeveloped hillsides have given the East Slope its rural character, the lack of roads and services has periodically presented real danger to the residents.

Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result, the East Slope's rural characteristics rapidly are disappearing along with views, open space and trees. Some new buildings have created "canyons" blocking sunlight and presenting building facades, which are all copies of a single undistinguished design.

In preparing these guidelines we have made a thorough inventory of present housing stock, vacant lots, open spaces, public areas, and streets, both developed and undeveloped.

Predominant architectural components have been examined along with the relationship of individual buildings to their lots and their immediate neighbors. These guidelines are an effort to retain the spirit of our neighborhood and to establish criteria for new housing design that will ensure, as much as possible, the continued existence of the East Slope's unique character.

Page 2

How

minimizing monotony and enhancing the visual appeal of new housing.

We have tried very hard to make the guidelines prescriptive rather than restrictive. The intent is not to induce dull uniformity but rather to encourage inventive diversity while conforming to the patterns of development which have made Bernal Heights as humanly scaled as it is today.

In an interview recorded earlier in 1986, architect Hugh Jacobsen, a four-time winner of the National Honor Award of the American Institute of Architects is quoted as saying:

"From the beginning, I've looked at all architecture as a matter of good manners, being part of the whole street, being part of the fabric of the city. Good architecture, rather than beating its chest or shouting at neighbors, behaves like a well-mannered lady. There is politeness in every great city— Florence, Rome, and especially Paris. The streets have continuity but each building also has its own individuality. The buildings are at once proud and humane, standing strong in their mutual respect "

Certainly San Francisco is considered one of the great cities of the world. We fervently hope that newcomers to the East Slope, as part of a great city, will be architecturally polite so that we, the old and the new, can stand strong in our mutual respect.

ATTACHMENT A-2

SUMMARY OF DESIGN GUIDELINES

1. 9'-0" CURB CUT/SINGLE CAR GARAGE DOOR:

Garage doors shall be limited to a 10'-0" width. Curb cuts shall be 9'-0" and placed so as to create a 16'-0" curb space within the 25'-0" width of the lot to provide one full parking space on the street. In addition, the garage door shall be placed a minimum of 16'-0" from the inside edge of the sidewalk so as to provide one additional parking space per residence in the driveway.

2. LANDSCAPING • FRONT YARD SETBACKS • STREET TREES

50% of the Front Yard Setback area (not including the driveway up to the garage) shall have provision for landscaping (i.e. trees, shrubs, flower beds, ground cover, vines, etc.).

One Street Tree shall be planted at the time of construction in front of each lot within the street right-of-way, and close to the front property line. Trees shall be 15-gallon size.

3. ENTRY TREATMENT

Make the entry of the house something special — a celebration — more than just a front door. Create a transition between the street and the doorway. Give special attention to the treatment of the framing of the opening itself.

Fences or walls which enclose a lot or a portion of a lot, which run parallel to the property line on the street side, and are not structural portions of the buildings or the stair leading to it, shall not be completely solid at eye level.

4. BUILDING AND ARCHITECTURAL MASSING

Step the building with the slope of the lot. Building shall not exceed 32'-0" from any point on natural grade. This height shall be measured to the average height of a pitched roof of to the highest point of a flat roof. In addition, no point of the last 10'-0" depth of the building may exceed 2/3 the height of the highest point of the structure. Highest point, once again, is defined as the average height of the pitch on a sloped roof or the highest point of a flat roof.

At the rear, a minimum 17'-6" rearyard is required.

ATTACHMEN A-3

5. SIDEYARDS

A 4'-0" sideyard is required on one side of each 25'-0" lot. The first 5'-0" back from the street facade shall be completely open. Beyond that, two of the four additional sideyard zones must be left open (See Guideline for discussion of "zones".)

6. ROOF TREATMENT · STEP WITH SLOPE ALONG STREET

Any roof which is not pitched at a ratio of at least one in four must be designed and surfaced so as to be usable.

Any flat roof must be accessible from a prime living space without the necessity of climbing a special set of stairs to reach it.

Step rooflines of adjacent buildings up or down in imitation of the slope of the street.

7. FACADE ELEMENTS

Any balcony, porch, deck or terrace above ground level must be at least 6'-0" deep and a minimum of 36 square feet in total area.

8. COLORS & MATERIALS

No specific guidelines but suggestions and recommendations.

Page 32

ATTACHMENT A-4

DESIGN GUIDELINES CONCLUSION

There are a number of topics which need to be addressed and yet do not fit into the form of a guideline. The issue of security and crime is one of these. None of the guidelines deals with insuring the safety of a home. Nowhere do we mention the use of metal grills at the entry or the elimination of landscaping to cut down on the possible hiding places. In fact, on both social-psychological and aesthetic grounds, these measures are not encouraged. It has been proven that the isolation created when people live barricaded behind fortress-like walls stimulates incidents of criminal activity more than security systems deter them.

We do not believe that the solution to crime, particularly breaking and entering, is an architectural one. The long-term solution will only come from changes in society at large, with the best short-term defense being a cohesive, responsive community which looks out for and protects its members. The basis for this sort of open communication network among neighbors presently exists in this section of Bernal Heights, much as it has in small towns of old.

All of the guidelines assume the construction of one house per lot. Though not specifically encouraged, it would certainly be acceptable to build one house on two lots, especially when the topography of a site or the existence of trees made a portion of a given lot unusable. Several guidelines would have to be amended if applied to a double lot and this would be handled on a case-by-case basis, as the need arose.

The question of whether adherence to these guidelines would increase the construction costs of prospective new homes has often been raised. Since a major goal of this report is the maintenance of Bernal Heights as an area which is financially accessible to people of low and moderate incomes, there have been considerable concerns over this point. In an effort to arrive at an answer, many people in the construction business have been presented with our concepts and asked to try to assess, as nearly as possible, what the economic consequences might be. We have been assured to our satisfaction that our recommendations in and of themselves, would not impose undue financial burden on the developers and owners of new housing. There is nothing in the guidelines which call for a deviation from standard construction practice or necessitates the introduction of expensive architectural services. If, in the process of planning a new structure, one can demonstrate that compliance is significantly raising his or her costs for some unforeseen and irreconcilable reason, there would be grounds for proposing a compromise solution.

These guidelines have been developed because of specific conditions on the East Slope of Bernal Heights. They were mandated by the City Planning Department in conjunction with a temporary building moratorium. The guidelines were adapted from those successfully in use for the Elsie Street neighborhood in northwest Bernal Heights. Residents, vacant lot owners and representatives of several city departments contributed to the development of these guidelines.

ATTACHMEN

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SEC. 242. BERNAL HEIGHTS SPECIAL USE DISTRICT.

(a) **General.** A Special Use District entitled the Bernal Heights Special Use District, the boundaries of which are shown on Sectional Map. Nos. 7SU, 8SU, and 11SU of the <u>Zoning Map</u>, is hereby established for the purposes set forth below.

(b) **Purposes.** In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

(c) The provisions of this Section 242 shall not apply to building permit applications or amendments thereto, or to conditional use, variance or environmental evaluation applications filed on or before January 7, 1991. Such applications shall be governed by the ordinances in effect on January 7, 1991, unless the applicant requests in writing that an application be governed by the provisions of this Section 242.

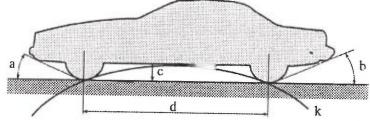
(d) **Definitions.** For purposes of this Section 242, the following definitions apply:

(1) "Adjacent building" shall mean a building on a lot adjoining the subject lot along a side lot line. Where the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building." A corner lot shall have only one adjacent building located along its side lot line.

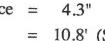
(2) "Usable floor area" is the sum of the gross areas of the several

ATTACH C-1





- a = Maximum approach angle
- b = Maximum departure angle
- c = Minimum running ground clearance
- d = Design vehicle wheelbase
- e = Maximum ramp breakover angle
- k = Crest of curve arc



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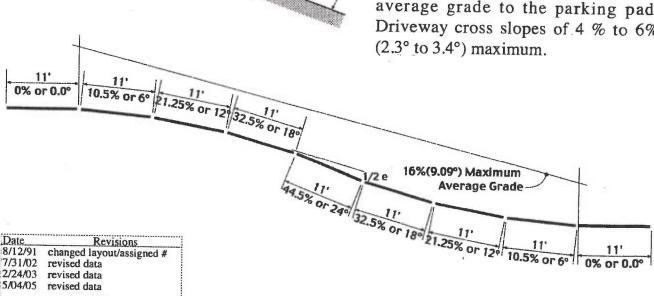
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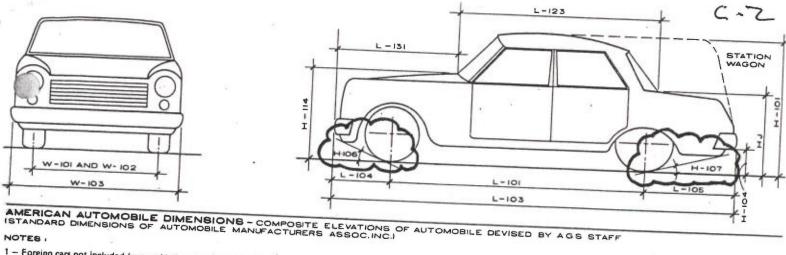
 $20.2^{\circ} = 36.8\%$

 $9.2^{\circ} = 16.2\%$

- = 10.8' (Salt Lake City Design = 11')
- = 8.2° (Salt Lake City Design = 10.5% (6°))
- = $d \div e$ (Salt Lake City Design = 1.05)

Driveways leaving a public right-ofway should not exceed a maximum slope of 8% (4.57°) from gutter to property line. The slope should be transitioned beyond the property line no more than a maximum of 16% (9.09°) average grade to the parking pad. Driveway cross slopes of 4 % to 6% (2.3° to 3.4°) maximum.



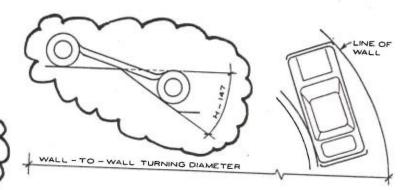


NOTES .

- 1 Foreign cars not included (except Volkswagen, see below).
- 2 Dimensions are for 1968 models.

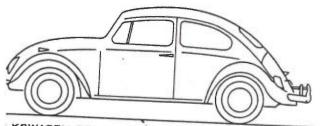
3 – Dimensions cover: sedans, coupes and stationwagons.

W-103 Overall width	MINIMUN	4	MAXIMU	
H 10(Overall width	Corvette	5'-9 1/4"	Buick	
H-101 Overall height	Corvette	3'-11 3/4"	Jeep	6'-8"
L-101 Wheelbase	Corvette	8'-2"	Cadillac	5'-3 13/16"
L-103 Overall length	AMC AMX		The second s	11'-0"
H-156 Ground clearance	Pontiac	10 1/4		19'-0 1/4"
\sim	5	0'-3 11/16	Inceb	0'-7 11/16"
ANGLES, RAMPS & DIAMS	MINIMUM		~	S
H-106 Angle of approach (decrees	Cadillac	10.00	MAXIMUM	
H-107 Angle of departure	the second se	19.2	Jeep	39.0°
(degrees)	Mercury	10.8°	Javelin	23.8°
H-147 Ramp breakover angle	Terret	+		
degrees)	Tempest	9.0*	Jeep	24.0°
Vall to wall turning diam. (ft.)				
a contracting chant. (IC.)	Jeep	37'-8"	Oldsmobile	49'-7"
EAP OF CAR DIMENSIONS				
I at rear window to grnd.			MAXIMUM	
- Too Overhang rear	Firebird	2'-9 13/16"	Checker	3'-10 1/2"
102 Tread with a	Camaro	3'-4"	Imperial	
-102 Tread width - distance	Rambler	4'-7"	Pontiac	5'-4"
etween & of tires at ground		19 R.	r ontiac	5'-4"
-104 Bottom of rear bumper	AMC	0'-9 11/16"	0	0'-17"
ground	Ambassador		Camaro	
-153 Rear axle differential to	Buick	0'-5"		
ound		0-0	Chrysler	0'-7 1/2"



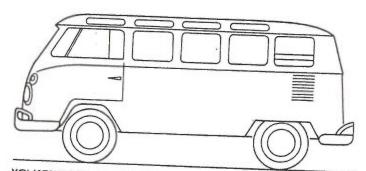
FRONT OF CAR DIMENSIONS MINIMUM

H-114 Hood at rear to ground			MAXIMUN	4
1 104 C at lear to ground	Corvette	2'-2 1/2"	Checker	3'-10 1/2"
L-104 Overhang front	Jeep	2'-4 3/4"	Eldorado	the second se
L-131 Front of car to base	Jeep	the second s	the second se	3'-8"
of windshield	-cep	4'-4 3/4"	Toronado	6'-0"
W-101 Tread width-distance	Rambler	11	-	
between C of tires at ground	manipier	4'-8"	Toronado	6'-3 1/2"
L-123 Upper structure	0			
	Corvette	4'-7 1/2"	Rebel	11'-11 3/16"



LKSWAGEN BEDAN

ENGIONS - SEDAN	
all height	
all length	4'-11"
Ibase	. 13'- 3"
width	7'-10 1/2"
width	4'- 3 1/2"
II width	4'- 5"
	5'- 1'



VOLKEWAGEN MICROBUS

DIMENSIONS - MICROBUS

Overall height	
Overall length	6'- 5"
Wheelbase	14'- 6"
Front tread width	7'-10 1/2"
Rear tread width	4'- 6 1/2"
Overall width	4'- 8"
	5'- 91/2"

- prease of street Use & Monorevient-- prease of angle for she priate & Folson -

1 4 ye + U: 4

C-3

,	The Engineering Society For Advancing Mobility Land Sea Air and Space N T E R N A T I O N A L	SURFACE VEHICLE	SAE , J689	REV. JUN9
400	0 Commonwealth Drive, Warrendale, PA 15096-0001	RECOMMENDED PRACTICE	Issued 1960-03 Revised 1996-06	
	Submitted for recogn	ation as an American National Standard	Superseding J689 DEC	89
		ANCE, APPROACH, DEPARTURE, EAKOVER ANGLES SER CAR AND LIGHT TRUCK	AND RAMP	
1.	Scope—This SAE Recommended Prac components of passenger cars, multipurp as a guide toward standard practice and advances.	tice applies to rigid bumper or rig ose passenger vehicles, and light tru d is subject to change to keep pace	d structure points and icks. This document is in with experience and tec	lexible lended chnical
1.1	Purpose—The ourpose of this docume clearance, approach, departure, and ram vehicle use conditions. This document als	nt is to provide minimum static d p breakover angles. This is to mini o encompasses all current worldwide	esign guidelines for cur mize damage, if any, in r eregulations and requirem	ostone Iomal
1.2	Field of Application			ionto.
1.2.1	PASSENGER CAR, MULTIPURPOSE PASSEN	IGER VEHICLE (MPV), AND LIGHT TRUC	ж	
1.2.2	MINIMUM ANGLES AND CLEARANCES—Un particular load condition, the minimum a height, as indicated in Figure 1, shall be	der the manufacturer's most severe		each round
	When measuring these dimensions, fiex and fascias should be considered. The nonstructural damage should be 13 degr	ible bumper components such as ai allowable approach angle to flexible ees.	ir cams, lower valance pa components that are ail	owed
2.	References—There are no referenced put	lications specified herein.		
3.	Definitions		8 (1)	
3 .1 1	Passenger Car—Vehicles with motive parallers, designed for carrying 10 persons of	ower, except multipurpose passen; r less.	ger vehicles, motorcycle	S, Dr

voluntary, and its applicability and suitability for any particular use, including any petent infingement ansing therefrom, is the sole responsibility of the user."

SAE reviews each technical report at least every five years at which time it may be reaffirmed revised, or cancelled. SAE invites your written comments and suggestions.

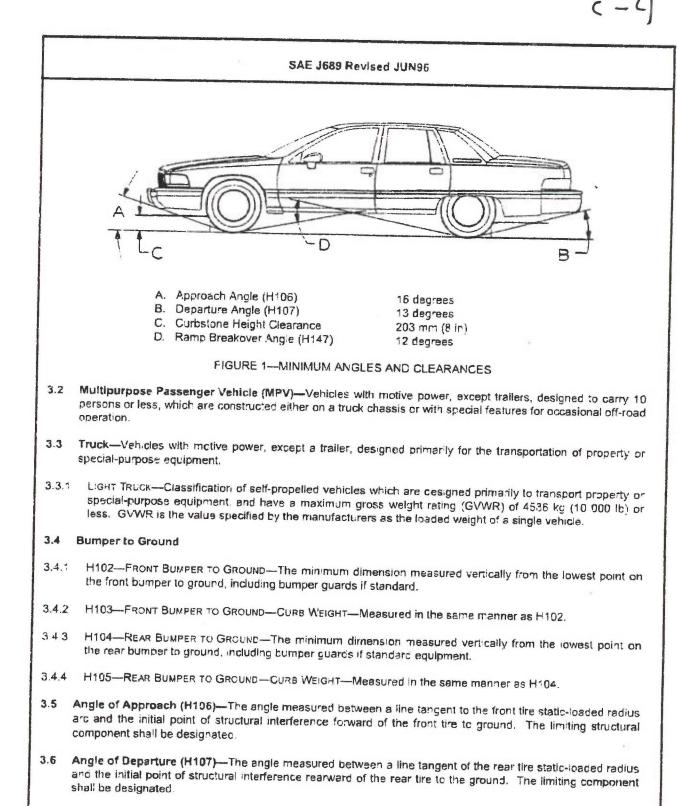
QUESTIONS REGARDING THIS DOCUMENT' (724) 772-8512 FAX: (724) 776-0243 TO PLACE A DOCUMENT ORDER: (724) 776-4270 FAX: (724) 776-0790 SAE WEB ADDRESS http://www.see.org

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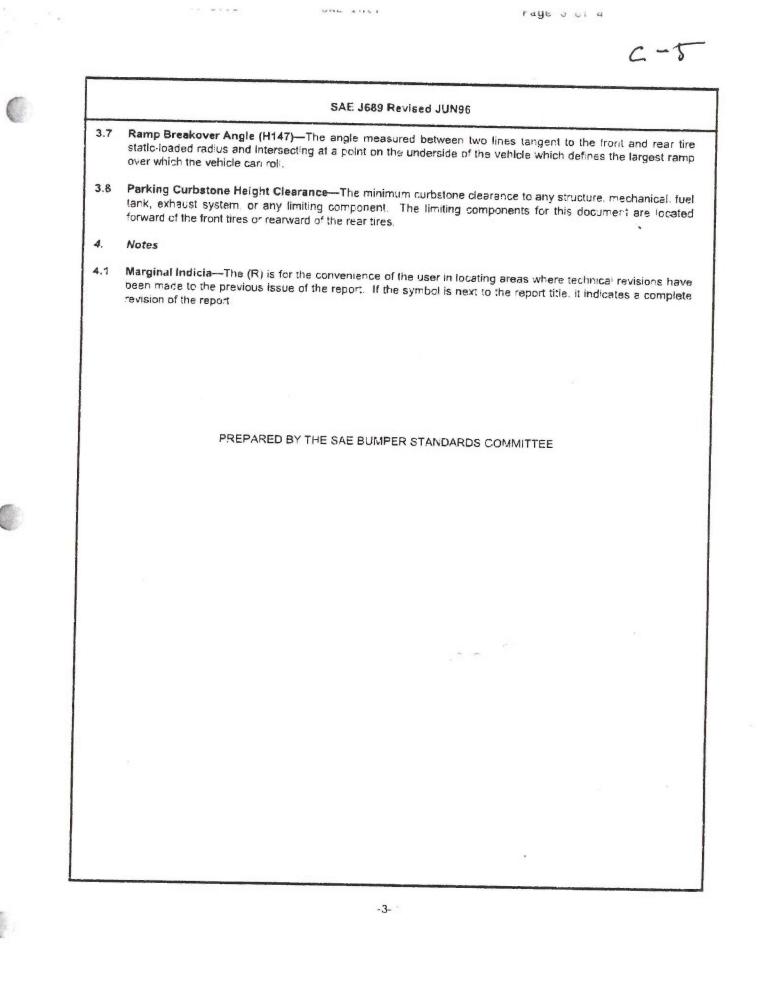
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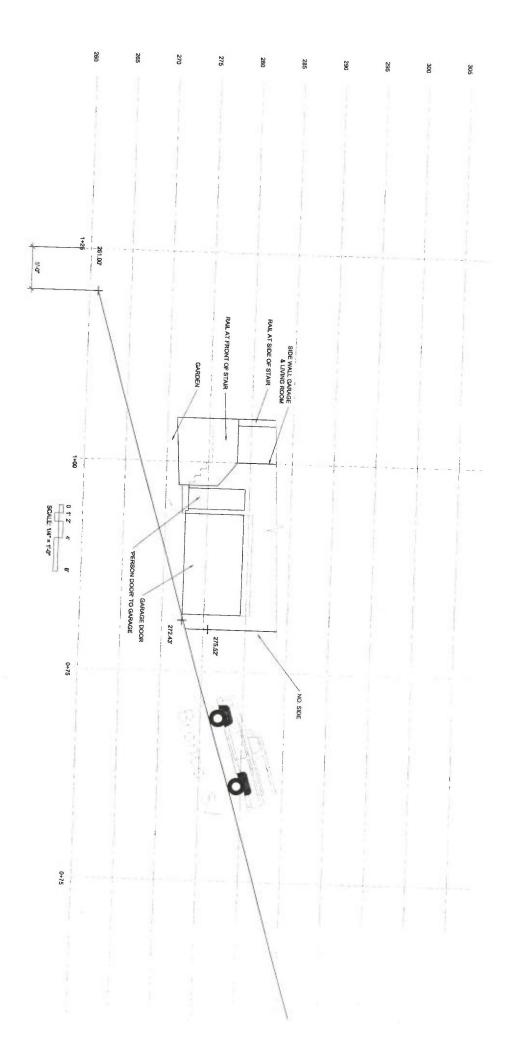
-2-



6-6 SAE J689 Revised JUN96 Rationale-Revisions from SAE J589 DEC89 are based on upgrades to comply with vehicle in-transit shipping and towing and recovery requirements. · The category "multipurpose passenger vehicles" has been included in light of the vehicles' recent popularity. All worldwide requirements and regulations have been considered. The ramp breakover angles have been increased from 10 to 12 degrees to comply to the 12 degree breakover angle required for vehicles shipped by haulaway trailers to minimize damage. · While the 16 degree approach angle has been retained, the departure angle has been increased from 10 to 13 degrees to comply with a 13 degree requirement for car carrier transports, which can load the vehicle from either front or rear. 13 degree approach angle added for flexible components. The height under Curb Height Clearance remains unchanged. Relationship of SAE Standard to ISO Standard-Not applicable Application-This SAE Recommended Practice applies to rigid structural components of cars, multipurpose passenger vehicles, and light trucks. However, consideration should also be given to flexible components such as air dams, lower valence panels, aero shields, bumper covers, and fascias. Reference Section-There are no referenced publications specified herein. Developed by the SAE Bumper Standards Committee

UML LING!

Page 4 of 4



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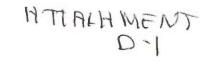
11 June 2003

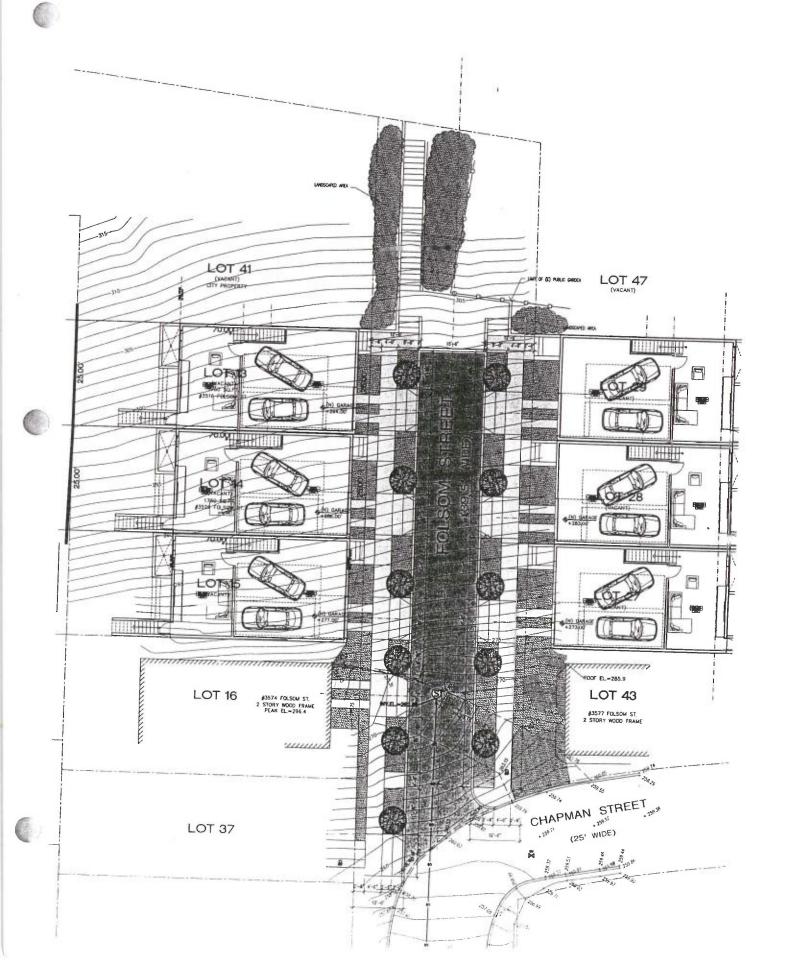
DRIVEWAY SLOPE LIMITS

The following table presents dimensions affecting performance of cars entering a driveway, for cars selected at random from autos.yahoo.com. Generally, a lower ratio of wheelbase to clearance indicates better performance at the top of the driveway (breakover). The attached sheet, copied from Architectural Graphic Standards (Sixth Edition) provides a range of approach, breakover, and departure angles.

Vehicle (03 Models)	Length (inches)	Wheelbase (inches)	Clearance (inches)	Ratio – Wheelbase to Clearance
Acura RSX	172.2	101.2	6.0	16.87
Audi A4	179.0	104.3	4.2	24.83
Buick Park Ave	206.8	113.8	5.5	20.69
Chevy Blazer	177.3	100.5	8.1	12.41
Chevy Suburban	219.3	130	8.4	15.48
Ford Taurus	197.6	108.5	5.4	20.09
Honda Civic	174.6	103.1	5.9	17.47
Infiniti I35	193.7	108.3	6.3	17.19
Infiniti Q45	199.6	113.0	5.7	19.82
Jeep Gr Cherokee	181.6	105.9	8.3	12.76
Mazda 6	186.8	105.3	5.1	20.65
Mazda Miata	155.7	89.2	4.0	20.03
Mercedes C Class	171.0	106.9	5.8	18.43
Mitsu Diamante	194.1	107.1	4.6	23.28
Nissan Maxima	191.5	108.3	5.9	18.36
Olds Aurora	199.3	112.2	5.5	20.4
Porsche 911	174.5	92.6	4.3	21.53
Saab 9-5	190.0	106.4	6.7	15.88
Subaru Legacy	187.4	104.3	6.3	16.56
Toyota Avalon	191.9	107.1	5.1	21.00
Toyota Camry	189.2	107.1	5.4	19.83
Toyota Tacoma	184.4	103.3	8.5	
Volks Passat	185.2	105.5	5.8	12.15
Volvo S70	185.4	108.5	5.3	18.34 20.47

Table of worst





ATTACHMENT

Hi,

I just received this back from Robert Bea, a UC Berkley professor emeritus in civil engineering.... -Marilyn

Sent from my iPhone with apologies for typos

Begin forwarded message:

From: "Robert G. BEA" <bea@ce.berkeley.edú> Date: May 5, 2014, 10:26:47 AM PDT To: Marilyn Waterman <yaviene@yahoo.com> Subject: Re: Inquiry about Gas Transmission Pipeline 109 from concerned SF residents Reply-To: bea@ce.berkeley.edu

Happy Monday Marilyn,

given the background you provided in your email, yes - you should be concerned.

there are several points in your summary that provide a good basis for your concerns:

1) old (1980s) PG&E gas transmission pipeline installed in area with highly variable topography,

2) no records on the construction, operation, and maintenance of the pipeline,

3) no definitive guidelines to determine if the pipeline is 'safe' and 'reliable',

4) apparent confusion about responsibilities (government, industrial - commercial) for the pipeline safety, reliability, and integrity.

this list is identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.

the fundamental 'challenge' associated with your concern is tied to the word 'safe'. unfortunately, it has been very rare that i have encountered organizations that have a good understanding of what that word means, and less of an understanding of how to demonstrate that a given system is 'safe enough'. 5-2

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during my investigation of the San Bruno disaster, i did not find a single document (including trial deposition transcripts) that clearly indicated PG&E or the California PUC had a clear understanding of the word 'safe': freedom from undue exposure to injury and harm.

much of this situation is founded in 'ignorance'. it is very rare for me to work with engineers who have a comprehensive understanding of what the word safe means - and no clue about how to determine if a system is either safe or unsafe. the vast majority of governmental regulatory agencies are even worse off.

i have attached a graph that helps me explain the important concepts associated with determining if a system is safe or unsafe. the vertical scale is the likelihood of a failure. the horizontal scale is the consequences associated with a failure. the diagonal lines separate the graph into two quadrants: safe and not safe. if the potential consequences associated with a failure are low, then the likelihood of the failure can be high. if the potential consequences are very high, then the probability of failure must be very low. uncommon common sense.

on the graph, i shown a system that was designed for a particular 'risk' (combination of likelihood and consequences of failure). when it was constructed, the risk increased due to construction 'malfunctions' - like bad welding. when the system was put into service, the risk increased further - perhaps due to poor corrosion protection and due to the area around the pipeline being populated with homes, businesses, schools and other things that increase the potential consequences of a major failure. once it is determined that the system that was originally designed to be safe, is no longer safe, then it is necessary to do things that will allow the system to be safely operated....reduce the likelihood of failure (e.g. repair the corrosion) and reduce the consequences of failure (e.g. install pressure control shut off sensors and equipment that can detect a loss of gas and rapidly shut the system down)....or replace the segment of the pipeline that no longer meets safety reliability requirements.

after i completed my investigation of the San Bruno disaster, i prepared a series of 'graphics' that summarized my findings. because the graphics file is very large, i have sent the file to you as a Google Document with a link you can use to view or download the document to your computer.

📓 The San Bruno Root Cause Analysis.pdf

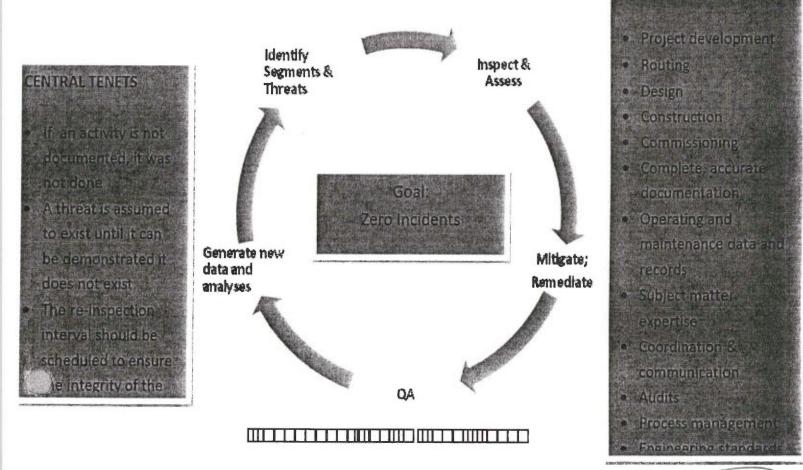
i know this has been a long answer to your short question. i hope it will help you understand how to better communicate your valid concerns regarding this development.

bob bea

Robert Bea Professor Emeritus Center for Catastrophic Risk Management University of California Berkeley Email: bea@ce.berkeley.edu

Risk Assessment & Management Services 60 Shuey Drive Moraga, CA 94556 925-631-1587 (office)

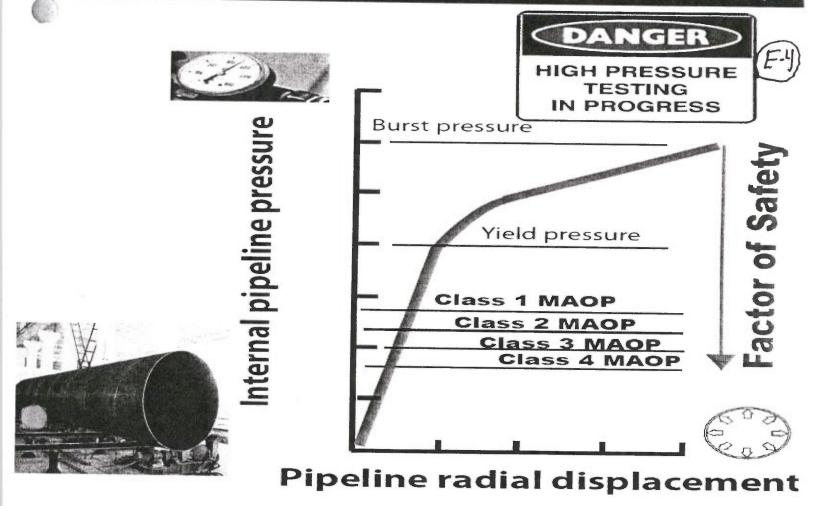
Zero Significant Incidents (Interstate Natural Gas Association of America)





ENABLERS

Pipeline Integrity Management (MAOP – Maximum Allowable Operating Pressure)



0

Pipeline and Hazardous Materials Safety Administration (PHMSA) Integrity Management requirements (49 CFR 192)

Identification of High Consequence Areas

Baseline assessment plans

Identification of threats to segments

Direct assessment plans

Defects remediation plans

Plans for continual Integrity Management assessment

Plans for confirming direct assessments

Provisions for protection of High Consequence Areas

Performance plans and measures

Record keeping provisions

Management of change processes

Quality assurance and control plans

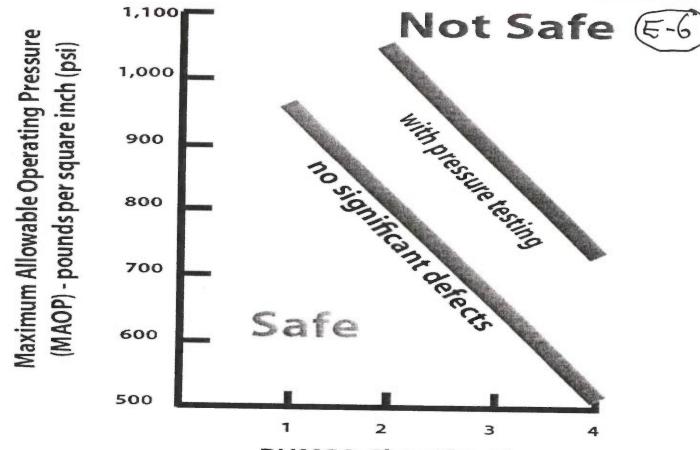
Communications plans

Nision of Integrity Management plans

Procedures to minimize environmental and safety risks

Process for identification and assessment of newly identified High Consequence Areas

Pipeline Integrity Management

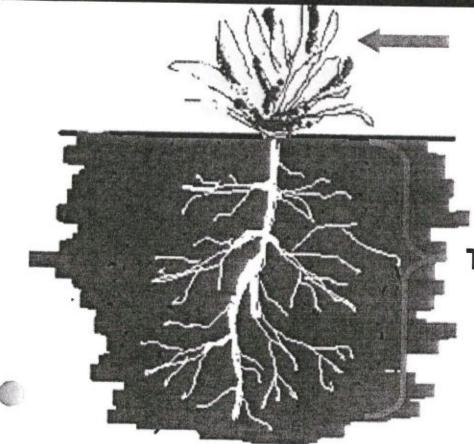


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PHMSA Classification

For ensic Engineering [] Root Cause Analysis[]

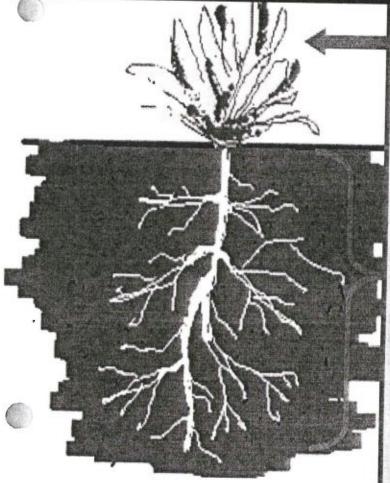


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"The Weed" E→ Above the surface (obvious)

The <u>Underlying Causes</u> "The Root" Below the surface (not obvious)

For ensic Engineering [] Root Cause Analysis[]



- Root cause analysis helps identify what, how and why something happened, thus preventing recurrence.
- Root causes are underlying, are reasonably identifiable, can be controlled by management and allow for generation of recommendations.
- The process involves data collection, cause charting, root cause identification and recommendation generation and implementation.



Crestmoor High Consequence Area



E.g

Summary of Testimony

E. 10

PG&E was responsible and accountable for the INTEGRITY MANAGEMENT (SAFETY) of Line 132 Segment 180 (the pipeline)

Summary of Testimony

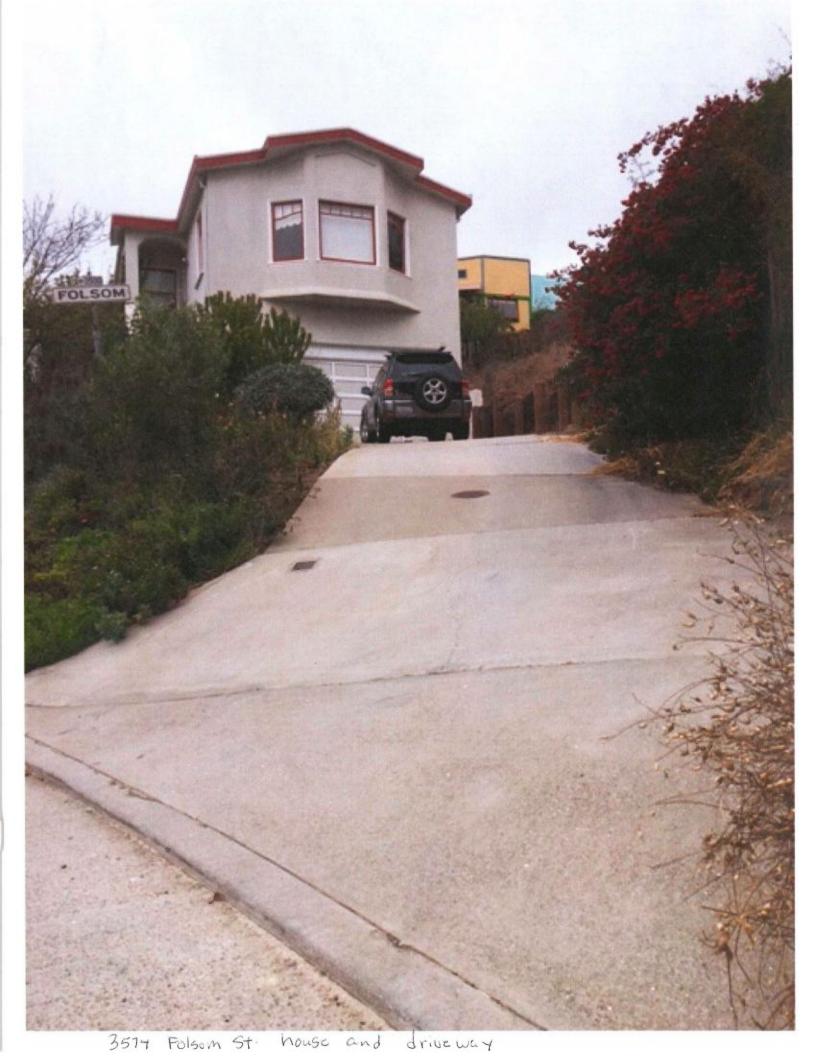
PG&E knew if the pipeline ruptured and ignited there would be deaths, injuries, property and productivity losses

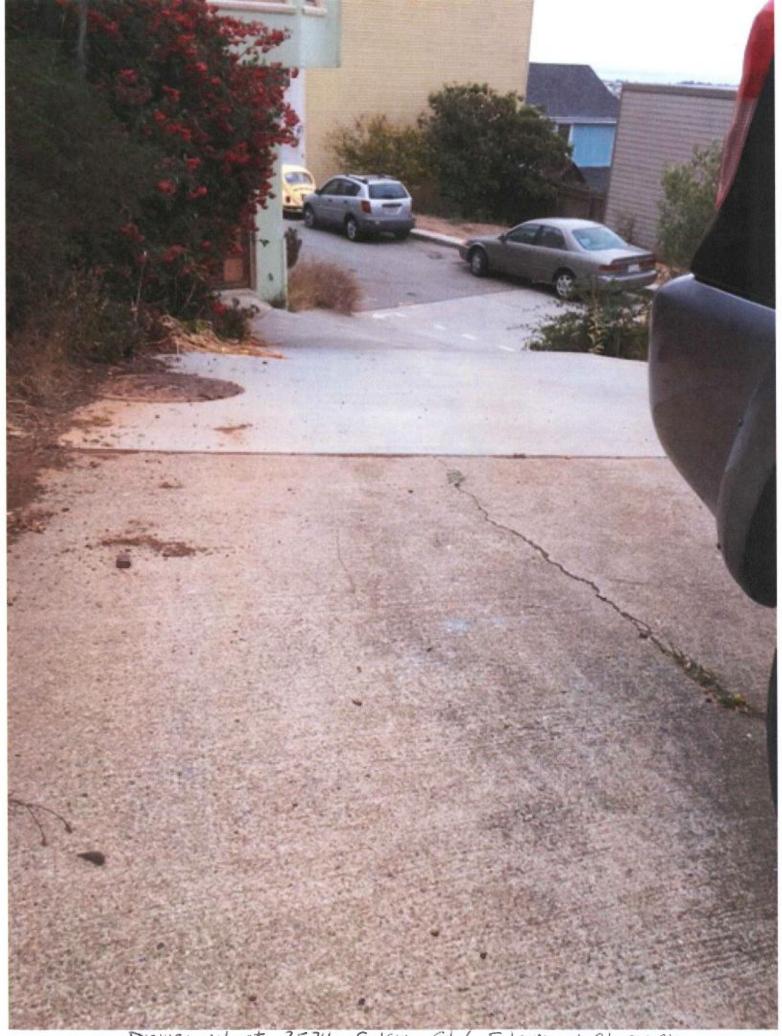
Summary of Testimony

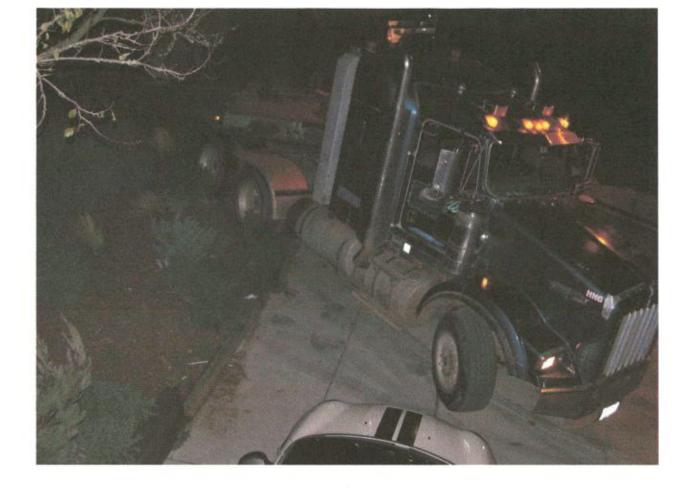
PG&E designed and constructed the pipeline during a 1956 relocation project with multiple geometric, material, and welding defects

E)

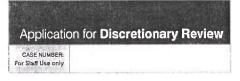








Construction truck stuck in 3580 Folsom St driveway due to steep slope during a renovation on Banks St.



APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

4

. .

DRAPPLICANT'S NAME: HERB FELSENFELD (for Ne OR APPLICANT'S ADDRESS: 3574 FOISOM Street	ishbors Again	nst Upp	per Folsom Street
3574 Folson Street	94110	(415	601-5062 CXHC
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISC Fablen Lamnoye	RETIONARY REVIEW NAME:		1.534.65386
297c Kansas Street	ZIP CODE: 94110	TELEPHONE (41) () (626-8802
CONTACT FOR DR APPLICATION:	100120		TO STATE THE PARTY
Same as Above 24	ZIP CODE:	TELEPHONE	
E-MAIL ADDRESS: herb felsenfeld @gmail	P aminor	Stort and	and the second second
3526 FOISOM Street			ZIP CODE: 94110
undeveloped land, near ch	apman St.	and F	also in Streets
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SQ FT): ZONING 5626 / 014 25' X 70 1750 59.54 R		HEIGHT/BULK D 28	
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 🗌		
Present or Previous Use: Vacant Lot			
Proposed Use: Single Family	D welling		
Building Permit Application No. 2017.12.16.43	2	Filed: 12	

Discretionary Review Request

۰°.

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

 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.

A cheo pp 0 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

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 Attacher

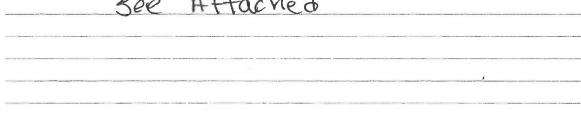
4. Actions Prior to a Discretionary Review Request

 $\hat{\sigma}^{\dagger}$

Prior Action	YES	NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?	×	
Did you participate in outside mediation on this case?		1

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 mide to the proposed project.



8 SAN FRANCISCO PLANNING DEPARTMENT V 08 07.2012

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: September 15, 2015

Print name, and indicate whether owner or authorized a cent Active of the second secon

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	S
Address labels (original), if applicable	ø
Address labels (copy of the above), if applicable	0 >
Photocopy of this completed application	19
Photographs that illustrate your concerns	盔
Convenant or Deed Restrictions	131
Check payable to Planning Dept.	12
Letter of authorization for agent	DNA
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)	

• • •

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

RECEIVED SEP 15 2015 CITY & COUNTY OF S.F. Date: 9-15-15

For Department Use Only Application received by Planning Department:

Soken Omokaro By:

DISCRETIONARY REVIEW REQUEST

#1 - " ... reasons for requesting DR ... what are the exceptional and extraordinary circumstances that justify DR ... How does it conflict with the General Plan or Priority Policies or Residential Guidelines ... cite sections ..."

The exceptional and extraordinary circumstances that prompt this DR Request come from our close examination of the following documents: (1) the City's General Plan (2) the Planning Code's Priority Policies; (3) Urban Design Elements; (4) the Residential Design Guidelines; (5) The East Slope Design Review Board (ESDRB) Guidelines; and (6) The Bernal Heights Special Use District provisions of Section 242. We will take these documents in order, as per below.

(1) General Plan

"San Francisco is a special place ... the center, the soul of the region, and co-operative efforts to maintain the areas quality of life are imperative (p. 1/7)." The project is a collection of undistinguished buildings that are unresponsive to the surrounding environment. As well they mar a "hilltop that reveals extraordinary vistas (ibid.)." These building are an intrusion on the "dramatic physical beauty (ibid.) " of this section of Bernal Heights. 09/2105 DR Request

This area is one with "qualities that make San Francisco unique" and are to be "preserved and enhanced (p.2/7)." The project will disturb those qualities by creating houses that are out of character with the surrounding hillside. Large-scale development with undistinguished design, totally separate from other houses on the block and nearby are particularly unappealing and intrusive. They permanently disturb the "creative consensus concerning ... environmental issues (p. 2/7)." These houses are out of step with "the attainment of the following goals;

- Protection, preservation, and enhancement of the ... esthetic values that establish the desirable quality and unique character of the city.
- Improvement of the city as a place for living by aiding in making it more healthful, safe, pleasant, and satisfying with housing representing good standards ... and adequate open spaces ... (p.3/7)."

Because these houses are out of scale, size, mass, and character with the houses and surrounding environment they will intrude in, and work against the esthetic values that establish Bernal Heights as a unique, special neighborhood. They will be created on a new street that is not healthy, not safe, not pleasant and not satisfying. Therefore, the project does not represent "good standards ... and adequate open spaces." In fact, it subverts good standards and adequate open spaces. (2) Priority Policies - and -<u>URB.CPN.1.9 Section 101.1 (b)</u>
This section designates two General Plan Priority
Policies related to housing: (1) "affordable housing" and (2) "neighborhood character".

These policies and objectives state:

- "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods (p. 4/7)." The sheer mass, size, scale, and overall design of this proposed house is totally at variance with the small-scale, rural nature of the neighborhood dwellings surrounding it. It will not conserve and protect neighborhood character since it is so out of scale with the neighbors. It is out of the economic range of diverse low-income families.
- "That the City's supply of affordable housing be preserved and enhanced" and "open space and their access to sunlight and vistas be protected from development (p. 4/7)." The proposed house will fly in the face of affordable housing. It will likely sell for upwards of \$2,000,000.00. This is not what the framers of the Priority Policies had in mind for the goal of "affordable housing". In fact this proposed house would be the polar opposite of affordable.

If the intent of the goal is to protect "open space (ibid.)", then this project will run counter to that goal. A house that is twice as large as its neighbors will consume – not protect, preserve and enhance open space.

(3) General Plan - Urban Design Elements -Introduction, City Pattern URB.CPN.1.3

"Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts." (i.e., Bernal Heights)

Attachment A shows a plan to build six (6) houses on the current available lots on Upper Folsom Street. The applicant prepared these plans at the instruction of City staff and they were presented at an ESDRB community meeting. They show what <u>could</u> be done in the future on this parcel of undeveloped land. We contend that when this occurs the entire area of undeveloped land will be in violation of the <u>URB.CPN.1.3</u>.

Building on the six (6) lots will create a total effect that forever alters the unique, rural and special character of this particular piece undeveloped land. It will obliterate the unique, rural and special character of the land; the total effect will be to ruin, negate, and destroy its distinctive natural beauty. Qualities that have been nurtured and conserved for many decades will be lost.

(4) Residential Design Guidelines

Visual Character

a. "... buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block (p. 9)." The proposed building is (as per the table listed on page 9) completely incompatible with scale of the buildings below it on Folsom Street, as well as on Gates Street. This is due to inappropriate massing, lack of detail, boxy appearance, flat front facade and architectural unresponsiveness to the hillside. Unlike the houses around it, this house maximizes every inch of available space making it unlike its neighbor houses in pattern and architectural features.

b. "... designer has a greater opportunity and responsibility to help define, unify, and contribute positively to the existing visual context (p. 10)." The applicant shirks his responsibility and avoids the opportunity to contribute positively to the existing context. The houses do not draw on the best (most logical, most neighborhood friendly) characteristics of neighboring dwellings. Once again the applicant does not use sensitive development to allow this proposed house to fit in well with its neighbors.

Side Spacing Between Buildings

"Side spacing helps establish the individual character of each building. It creates a rhythm to composition of a proposed project. Projects must respect the existing pattern of side spacing (p.15)." The project opposes the open character of the houses around it. The surrounding houses have side yards that travel the length of the house. This project does not. Thus it ignores neighbor character, creating a dysfunctional rhythm that is jarring and visually unpleasant. The project is designed to disrespect the existing pattern of side spacing.

Building Scale

"It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character. Poorly scaled buildings will seem incompatible (too large) and inharmonious with their surroundings (see table, p. 17)." This building is out of scale with its neighbor's small architectural footprint. It forces a new and disruptive character on a small-scale, unique, rural space. The incompatibility with neighboring buildings is glaring and obvious. It does not preserve neighborhood character.

(5) East Slope Design Review Board Guidelines (Attachment A)

"The Bernal Heights East Slope is a special neighborhood and the qualities that make it that way are cherished by all those (with a) commitment to seeing them preserved ... (p.2)." The large scale of these proposed buildings are not in keeping with the special neighborhood characteristics (small dwellings, visually interesting design elements, unique rural attributes, etc.) that have traditionally been a feature of this Bernal neighborhood.

"Much recent development is not only inconsistent but often at odds with the smaller existing structures. ... East Slope's rural characteristics rapidly are disappearing along with views, open space, and trees. Some new buildings have created "canyons" blocking sunlight and presenting building facades which are copies of a single undistinguished design (ibid.)." This proposed building is a prime example of one that is "inconsistent and at odds with smaller existing structures." It simply does not fit in with the character of the neighborhood and its surrounding buildings. As well the building façade of 3516 Folsom is undistinguished (as noted by the ESDRB).

" ... architecture (is) a matter of good manners, being part of the whole street, being part of the fabric of the

city (ibid.)." The proposed house does not fit in with the whole street, or the surrounding houses. It has the opposite effect of "beating its chest or shouting at neighbors (ibid)."

(6) Sec. 242. Special Use District (Attachment B) " (b) Purposes. In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other lowdensity areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District (http://planning.sanfranciscocode.org/2/242/)". This section of the San Francisco Planning Code encourages development "in context and scale with the established character (ibid.)" of Bernal Heights. The proposed development is clearly - from the facts that have been presented previously and the facts contained in the following pages - not in context or in scale with the established character of this neighborhood.

#2 "... unreasonable impacts ... adverse effects ... who would be affected ... how?"

There are many unreasonable impacts and adverse effects of this project on our neighborhood. One, among many, that affects us most critically is the driveway shared by 3574 and 3577 Folsom Street.

The applicant has refused to provide accurate, complete and detailed visual information on this portion, or indeed any portion of his project. No engineered drawings exist.

As a result of this refusal neighbors have received <u>no</u> <u>information</u> on the following:

- A detailed design of the areas in front of 3577/3574 Folsom Street?
- A detailed design of the walks and driveways, walls if any, and landscaping?
- A detailed design of what will remain of our current walk/driveway, our walls, or our landscaping?
- A description of who will do the designs? Who will direct and approve the designs? Who will pay for it? Who will supervise the plan check and permit fees for any alternation or change in configuration of the driveway at 3577/3574 Folsom Street?

- 09/2105 <u>DR Request</u>
 - Who will build this driveway? Who will pay for it? Who will certify that the work will have warranties, and that the warranties will be enforced?
 - Will the applicant allow the owners of 3574/77
 Folsom Street to select the designer and
 contractor for design and construction of the
 driveway? Will the applicant pay the costs incurred
 by the selected designer and contractor?
 - Will any unforeseen expense and effort be offloaded to the owners of the houses at 3577/74 Folsom Street? Or will all expenses be borne by the applicant?
 - What are the specific and detailed inconveniences that the owners of 3577/74 Folsom Street will have to live with during construction? How long will the owners of these properties be unable to use their garage? If the owners have to park down the hill, during the months that construction takes place, how will they get into their house? What provisions will be made for neighbor parking during the construction process?
 - What are the remedies if any of the homes at 3577/74 Folsom Street are damaged by construction operations? What provisions are made for settlement due to slope failure in front of these houses as a result of excavation for the new street?

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- Why is the break-over angle, where the new block starts up from the Chapman Street intersection, not shown on any of the applicant's drawings? Is the slope of the new block of Folsom Street greater than 36%?
- The applicant is on record as stating (at the last public ESDRB meeting), "the driveway at 3574 Folsom Street will have to be raised two (2) feet". If this project is approved how will cars be prevented from bottoming out as they traverse the driveway and garage.
- What is the new break-over angle at the 3574 Folsom Street garage?
- How high will the new entrance be to the garages at 3574/77 Folsom Street? How will a car be able to traverse the new grade changes?
- How much higher will the new grade be over the existing grade?
- How will new drainage problems be handled at the 3574/77 Folsom Street homes?
- What is the break-over angle for the new houses proposed for 3516 and 3536 Folsom Street? They appear to approach 100%/45 degrees on the right side (see attachment C). The difficulty of the traverse seems to be compounded by the height of the garage door, i.e., a car traversing the driveway may be too high to fit under the garage door opening. A sedan can likely get scraped top and

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bottom driving in to one of those garages. Will the proposed garages by impassable by automobile?

INCOMPLETE STREET DESIGN AND LACK OF NEIGHBORHOOD REVIEW OF STREET DESIGN

There will also be unreasonable impacts and adverse effects on the intersection of Chapman and Folsom Streets. The East Slope Design Review Board is on record as stating that the existing character of the intersection must be maintained.

- The applicant's design, or design information is incomplete because the grading for the street is not shown. This includes information for the proposed driveways for the new proposed homes (as previously mentioned above).
- How steep will this new street be?
- We request complete design information, including spot elevations and slopes at both sides of each driveway.

Until site design drawings for the re-design of the proposed extension of Upper Folsom Street, and the intersection of Chapman/Folsom has been submitted and approved, we believe this application is incomplete.

We believe this to be true because:

1. The new contours and the new grades are unknown.

- 2. Neighbors have been denied access to a proposed new topographic map
- 3. We have never seen how the entire new proposed street is being changed from the Community Garden all the way down to the intersection of Chapman and Folsom.
- 4. We have never seen how cars will enter and exit the garage at 3526 and 3516 Folsom Street. How will these five (5) cars enter & exit their respective garages? How will they then backup and/or go down Upper Folsom to access the intersection and "Lower" Folsom Street? How will these five (5) cars address the increased traffic coming at them from the following:
 - a. Chapman Street -West
 - b. 3574 Folsom entering/exiting garage
 - c. 3580 Folsom entering/exiting garage
 - d. Folsom Street North/South traffic
- 5. Where is the full size to scale drawing for the proposed new street?

The proposed design of the intersection of Folsom and Chapman Streets appears too narrow to allow two vehicles to pass each other when cars are parked on Chapman facing east. Emergency vehicles (Fire, Ambulance, Police) and service vehicles (Garbage and Recology, Fed Ex, UPS, etc.) will struggle - or be absolutely unable - to have access and egress. Please do not to add more unsafe traffic conditions to our local streets. This particular block is populated with children, as well as elderly and disabled people. Each of these populations is endangered by the proposed street design.

FUTURE DEVELOPMENT - "Six Lots Not Two"

All six (6) lots on Upper Folsom are capable of being developed (Attachment D). It stands to reason that once 3526 and 3516 Folsom Street are approved and a fully functioning road is put in, the owners of the four (4) other lots will be in an ideal and resource-rich position to develop their lots as well. When - **not if** - that happens, what is the plan for solving the problems and answering the multitude of questions noted previously?

LACK OF A 3-D MODEL

With only selected computer drawings, a developer can show the buildings in the most favorable light - and obfuscate any unfavorable perspectives. (For instance, garage access, true sense of bulk and mass, neighbors' driveways, Community Garden erosion concerns, side elevations in relation to Bernal Heights Blvd., and relationship to existing houses on Gates St., and so on.) At a previous neighborhood meeting, many neighbors viewed the computer renditions, of the project as misleading - casting doubt on other perspectives presented by the developer.

Although specifically requested by the ESDRB to provide a physical model, the applicant said it was too expensive. We request the Commission not be taken in by this argument and respect the community need to fully understand how the proposed development will impact local residents - from Gates Street, Folsom/Chapman, Bernal Heights Blvd. and the Community Garden.

We ask the applicant to stand by the ESDRB request of a physical model - and honor the neighbors' needs to view the proposed houses in ways they can trust. This is a sound and reasonable request. Indeed we cannot assess the worthiness of this project without such critical visual information.

NEIGHBORHOOD CHARACTER

The proposed houses with, one with a 3-car garage at 3526 Folsom, loom out of scale for the neighborhood and are in defiance of both ESDRB Guidelines and the City's Transit First policy. They are in direct contrast to Bernal's distinctive smaller-scale housing and, specifically, the neighboring houses on this block of Folsom. The too-big-for-the-neighborhood proposed houses although adorned with latest trends in building material disturbingly fit specific criticism found in the Guidelines: "The 'new vernacular form' is the maximum-buildingenvelope-shoebox... it is a solution without a context which isolates itself from its setting by not acknowledging its neighbors...." (ESDRB).

Bulk, Massing, and Elevations:

"Much recent development is not only inconsistent but often at odds with smaller scale existing structures." (ESDRB)

a) Overall square footage: It is disingenuous to think the latest blueprints reduce the square footage of the houses in any appreciable manner - or that they substantially improve elevations facing Chapman and Bernal Heights Blvd.

We respectfully request the Commission to restrict the proposed projects' square footage in relationship to existing nearby housing. The table below shows the typical Bernal dwelling on Folsom Street below the proposed houses. These houses reflect the distinctive rural character of Bernal. The data will show that in terms of square footage, the new proposed homes do not.

Address	Livable space	Garage	Total Space
3516 Folsom St.	2125 sq. ft.	787 sq. ft.	2912 sq. ft.
3526 Folsom St.	2158 sq.ft.	775 sq. ft.	2933 sq. ft.
3574 Folsom St.	1150 sq. ft.	300 sq. ft.	1450 sq. ft.
3580 Folsom St.	1050 sq. ft.	210 sq. ft.	1310 sq. ft.
3590 Folsom St.	800 sq. ft. (appx.)	180 sq. ft. (appx.)	980 sq. ft. (appx.)

b) Three-car garages: The proposed two projects both have either a three-car, or a two-car garage, unlike any neighboring homes on Folsom Street - within 50 feet or, for that matter, in most of Bernal Heights. Indeed, a variance will be needed for the three-car garage, since it does not meet code.

Again, this is in defiance of the City's Transit First policy. Given the times we live in, new construction condoning a three-car garage house in a city trying to wean people off cars is irresponsible and ecologically immoral.

Please note: It was with the following rebuke that the pro-development real estate website, SF Curbed, described the applicant's 3,000 sq. ft. house that he built

and sold in another part of Bernal Heights in 2011: <u>"Not-</u> so-green features include a 3-car garage."

c) Side elevations: After five (5) ESDRB meetings, minimal – and nothing substantial – was done to address the ESDRB's request to improve side view elevations from Chapman and Bernal Heights Blvd. (The ESDRB even gave the applicant addresses of suggested side elevation treatments in the neighborhood to review.)

The new designs put lipstick on what are essentially big walls. To use their own language, the applicants designs are the "new vernacular" that allow for "maximum building envelope shoeboxes (ESDRB)."

Disturbingly, without a physical model, the neighbors are left to decipher architectural language and blueprints, which they are not trained to do. The pattern of sometimes "improving" designs with the smallest effort and then touting these tiny steps as meeting the ESDRB's requests - underscores the need for physical models.

d) Side yards: For both safety and sunlight issues, neighbors requested side yards that went all the way through to the backyard. In fact, all the other houses on this block have such side yards - and the Guidelines specifically talk about the "relationship of individual buildings to their lots and their immediate neighbors (ESDRB)".

Since Sept. 10, 2014 the applicant through the **ESDRB** has known about acceptable side yards for Bernal. Examples were given to the developer. An open side yard promotes an airy, not-so-urban feeling that would help mitigate the loss of sunlight and open space so close to Bernal Park. We request this style of side yard be recommended for the two proposed projects.

e) Public Safety - Rear Yard Access: There is a lack of backyard access for firefighters and public safety officers - especially along this vulnerable section of the gas transmission line. We are not satisfied that public safety officers can navigate the corner in case of a fire, health, or safety emergency.

f) Roof treatments: Despite repeated concerns from neighbors and community garden members about views and sunlight, the applicant has added an imposing new structure to the top of the proposed buildings.

This particular action follows a pattern of maximizing house size and mass - and being insensitive to neighbors and a smaller-scale neighborhood. This new structure underscores the necessity for a physical model of the proposed projects. 09/2105 <u>DR Request</u>

1 1 E

Below is the directive from a recent ESDRB letter:

"Plans presented have so far not clearly addressed how the new Folsom Street Extension will incorporate access to existing homes at 3574, 3577, and 3580 Folsom Street. We reiterate: develop detailed plans (with grading spot elevations), sections and elevations, and meet with these neighbors to review and agree upon driveway access and design in front of these houses."

g) Safety of Main Trunk Transmission Line (109)

- Gas transmission line 109, built in 1981, runs underneath this proposed street.
- The proposed street, flowing as it does over this 26" transmission line poses numerous dangerous safety risks. Neighbors are very worried.
- This is a densely urban neighborhood surrounding a steep, at least, 35-degree hill. Heavy earth moving equipment is known to topple over on such a steep grade, causing huge amounts of damage. Several years ago a cement truck did just that, on Folsom Street, while trying to make a turn. It resulted in a broken water main.
- The City has incomplete records about the safety of this Bernal Heights pipeline.

• The City also has no risk assessment guidelines, in the event of an accident, around gas transmission lines.

We are so concerned about the gas transmission line that we have requested advice from an internationally known engineering safety consultant, Dr. Robert G. Bea, Professor, UC-Berkeley and co-director of the Marine Technology and Management Group Center for Risk Mitigation. Professor Bea agrees with our concerns and finds them valid. His response is attached along with several slides showing the dangers of ignoring concerns regarding pipeline safety (see attachment E) 09/2105 DR Request

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3. "Alternatives or changes to the proposed project ... "

We suggest a smaller house, no more than two (2) stories high, animated plane, materials, and elements that step down along the hillside, a developed and composed front façade with windows, carve-outs and appropriate changes in roof treatment (as per the ESDRB letter to the applicant on April 28, 2015), with square footage comparable to that of the neighbors on Folsom Street (see table above, p. 17), no garage, no external stairway, no roof garden, appropriate side yards and set-backs as per the ESDRB Guidelines. These houses, if designed and built correctly, would fit in perfectly with the neighborhood. They would enhance and complement the character of Bernal Heights. Almost all of the safety, traffic, and construction concerns would be eliminated. Most of the neighbor concerns would be addressed. The house would therefore conform to all elements of the ESDRB Guidelines.

5. "CHANGES MADE AS RESULT OF MEDIATION" In July of 2014, at the suggestion of the **ESDRB** the applicant requested a meeting with neighbors whose driveway will be impacted by the new road. The driveway is shared and used by many neighbors and community members to not only access houses also the Community Garden, Bernal Heights Blvd. and Bernal Park. Thus our concerns stem from a group, not a few individuals. Our hope was to have an inclusive group meeting. We responded as such. No answer was forthcoming from the applicant.

We attended at least five (5) community meetings called by the ESDRB, with the applicant, over a period of eighteen (18) months. We discussed our concerns and fielded questions/responses back and forth. As a result the applicant did make some alterations to the 3516 Folsom project. The façade is more animated, changes in plane, materials, and stepped down design elements are present. No changes at all were made to 3526 Folsom.

These changes are relatively slight, relatively minimal and largely cosmetic. They do not for a moment alter the deep-seated and strongly felt concerns of the neighbors. The multiple and interconnected issues of: public safety, neighborhood character, and accessibility are as prominent now as they were when our pubic meetings began in December 2013. development. The Bernal Heights East Slope is a special neighborhood and the qualities that make it that way are cherished by all those whose commitment to seeing them preserved has produced these building guidelines.

The history of the East Slope has been one of benign neglect by the City of San Francisco, however, while dirt roads and undeveloped hillsides have given the East Slope its rural character, the lack of roads and services has periodically presented real danger to the residents.

Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result, the East Slope's rural characteristics rapidly are disappearing along with views, open space and trees. Some new buildings have created "canyons" blocking sunlight and presenting building facades, which are all copies of a single undistinguished design.

In preparing these guidelines we have made a thorough inventory of present housing stock, vacant lots, open spaces, public areas, and streets, both developed and undeveloped.

Predominant architectural components have been examined along with the relationship of individual buildings to their lots and their immediate neighbors. These guidelines are an effort to retain the spirit of our neighborhood and to establish criteria for new housing design that will ensure, as much as possible, the continued existence of the East Slope's unique character.

Page 2

How

minimizing monotony and enhancing the visual appeal of new housing.

We have tried very hard to make the guidelines prescriptive rather than restrictive. The intent is not to induce dull uniformity but rather to encourage inventive diversity while conforming to the patterns of development which have made Bernal Heights as humanly scaled as it is today.

In an interview recorded earlier in 1986, architect Hugh Jacobsen, a four-time winner of the National Honor Award of the American Institute of Architects is quoted as saying:

"From the beginning, I've looked at all architecture as a matter of good manners, being part of the whole street, being part of the fabric of the city. Good architecture, rather than beating its chest or shouting at neighbors, behaves like a well-mannered lady. There is politeness in every great city— Florence, Rome, and especially Paris. The streets have continuity but each building also has its own individuality. The buildings are at once proud and humane, standing strong in their mutual respect "

Certainly San Francisco is considered one of the great cities of the world. We fervently hope that newcomers to the East Slope, as part of a great city, will be architecturally polite so that we, the old and the new, can stand strong in our mutual respect.

ATTACHMENT A-2

SUMMARY OF DESIGN GUIDELINES

1. 9'-0" CURB CUT/SINGLE CAR GARAGE DOOR:

Garage doors shall be limited to a 10'-0" width. Curb cuts shall be 9'-0" and placed so as to create a 16'-0" curb space within the 25'-0" width of the lot to provide one full parking space on the street. In addition, the garage door shall be placed a minimum of 16'-0" from the inside edge of the sidewalk so as to provide one additional parking space per residence in the driveway.

2. LANDSCAPING • FRONT YARD SETBACKS • STREET TREES

50% of the Front Yard Setback area (not including the driveway up to the garage) shall have provision for landscaping (i.e. trees, shrubs, flower beds, ground cover, vines, etc.).

One Street Tree shall be planted at the time of construction in front of each lot within the street right-of-way, and close to the front property line. Trees shall be 15-gallon size.

3. ENTRY TREATMENT

Make the entry of the house something special — a celebration — more than just a front door. Create a transition between the street and the doorway. Give special attention to the treatment of the framing of the opening itself.

Fences or walls which enclose a lot or a portion of a lot, which run parallel to the property line on the street side, and are not structural portions of the buildings or the stair leading to it, shall not be completely solid at eye level.

4. BUILDING AND ARCHITECTURAL MASSING

Step the building with the slope of the lot. Building shall not exceed 32'-0" from any point on natural grade. This height shall be measured to the average height of a pitched roof of to the highest point of a flat roof. In addition, no point of the last 10'-0" depth of the building may exceed 2/3 the height of the highest point of the structure. Highest point, once again, is defined as the average height of the pitch on a sloped roof or the highest point of a flat roof.

At the rear, a minimum 17'-6" rearyard is required.

ATTACHMEN A-3

5. SIDEYARDS

A 4'-0" sideyard is required on one side of each 25'-0" lot. The first 5'-0" back from the street facade shall be completely open. Beyond that, two of the four additional sideyard zones must be left open (See Guideline for discussion of "zones".)

6. ROOF TREATMENT · STEP WITH SLOPE ALONG STREET

Any roof which is not pitched at a ratio of at least one in four must be designed and surfaced so as to be usable.

Any flat roof must be accessible from a prime living space without the necessity of climbing a special set of stairs to reach it.

Step rooflines of adjacent buildings up or down in imitation of the slope of the street.

7. FACADE ELEMENTS

Any balcony, porch, deck or terrace above ground level must be at least 6'-0" deep and a minimum of 36 square feet in total area.

8. COLORS & MATERIALS

No specific guidelines but suggestions and recommendations.

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ATTACHMENT A-4

DESIGN GUIDELINES CONCLUSION

There are a number of topics which need to be addressed and yet do not fit into the form of a guideline. The issue of security and crime is one of these. None of the guidelines deals with insuring the safety of a home. Nowhere do we mention the use of metal grills at the entry or the elimination of landscaping to cut down on the possible hiding places. In fact, on both social-psychological and aesthetic grounds, these measures are not encouraged. It has been proven that the isolation created when people live barricaded behind fortress-like walls stimulates incidents of criminal activity more than security systems deter them.

We do not believe that the solution to crime, particularly breaking and entering, is an architectural one. The long-term solution will only come from changes in society at large, with the best short-term defense being a cohesive, responsive community which looks out for and protects its members. The basis for this sort of open communication network among neighbors presently exists in this section of Bernal Heights, much as it has in small towns of old.

All of the guidelines assume the construction of one house per lot. Though not specifically encouraged, it would certainly be acceptable to build one house on two lots, especially when the topography of a site or the existence of trees made a portion of a given lot unusable. Several guidelines would have to be amended if applied to a double lot and this would be handled on a case-by-case basis, as the need arose.

The question of whether adherence to these guidelines would increase the construction costs of prospective new homes has often been raised. Since a major goal of this report is the maintenance of Bernal Heights as an area which is financially accessible to people of low and moderate incomes, there have been considerable concerns over this point. In an effort to arrive at an answer, many people in the construction business have been presented with our concepts and asked to try to assess, as nearly as possible, what the economic consequences might be. We have been assured to our satisfaction that our recommendations in and of themselves, would not impose undue financial burden on the developers and owners of new housing. There is nothing in the guidelines which call for a deviation from standard construction practice or necessitates the introduction of expensive architectural services. If, in the process of planning a new structure, one can demonstrate that compliance is significantly raising his or her costs for some unforeseen and irreconcilable reason, there would be grounds for proposing a compromise solution.

These guidelines have been developed because of specific conditions on the East Slope of Bernal Heights. They were mandated by the City Planning Department in conjunction with a temporary building moratorium. The guidelines were adapted from those successfully in use for the Elsie Street neighborhood in northwest Bernal Heights. Residents, vacant lot owners and representatives of several city departments contributed to the development of these guidelines.

ATTACHWEN B-J

More

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SEC. 242. BERNAL HEIGHTS SPECIAL USE DISTRICT.

(a) **General.** A Special Use District entitled the Bernal Heights Special Use District, the boundaries of which are shown on Sectional Map. Nos. 7SU, 8SU, and 11SU of the <u>Zoning Map</u>, is hereby established for the purposes set forth below.

(b) **Purposes.** In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

(c) The provisions of this Section 242 shall not apply to building permit applications or amendments thereto, or to conditional use, variance or environmental evaluation applications filed on or before January 7, 1991. Such applications shall be governed by the ordinances in effect on January 7, 1991, unless the applicant requests in writing that an application be governed by the provisions of this Section 242.

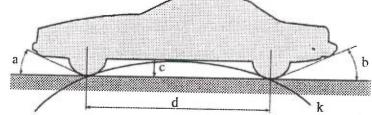
(d) **Definitions.** For purposes of this Section 242, the following definitions apply:

(1) "Adjacent building" shall mean a building on a lot adjoining the subject lot along a side lot line. Where the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building." A corner lot shall have only one adjacent building located along its side lot line.

(2) "Usable floor area" is the sum of the gross areas of the several

ATTACH C-1





- a = Maximum approach angle
- b = Maximum departure angle
- c = Minimum running ground clearance
- d = Design vehicle wheelbase
- e = Maximum ramp breakover angle
- k = Crest of curve arc



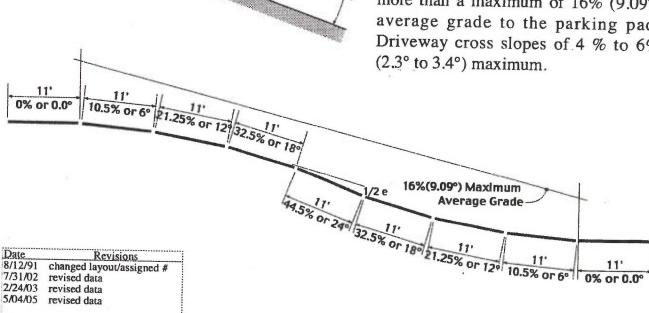
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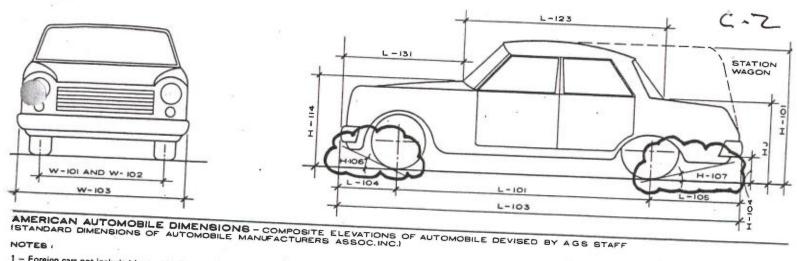
 $20.2^{\circ} = 36.8\%$

 $9.2^{\circ} = 16.2\%$

- = 10.8' (Salt Lake City Design = 11')
- = 8.2° (Salt Lake City Design = 10.5% (6°))
- = $d \div e$ (Salt Lake City Design = 1.05)

Driveways leaving a public right-ofway should not exceed a maximum slope of 8% (4.57°) from gutter to property line. The slope should be transitioned beyond the property line no more than a maximum of 16% (9.09°) average grade to the parking pad. Driveway cross slopes of 4 % to 6% (2.3° to 3.4°) maximum.

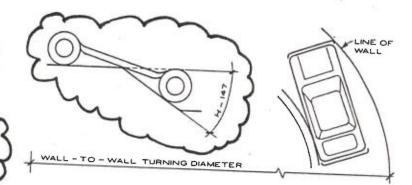




- 1 Foreign cars not included (except Volkswagen, see below).
- 2 Dimensions are for 1968 models.

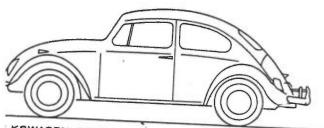
3 - Dimensions cover: sedans, coupes and stationwagons.

W-103 Overall width	MINIMUN		MAXIMU	u
H-101 Overall height	Corvette	5'-9 1/4"	Buick	6'-8"
L-101 Wheelbase	Corvette	3'-11 3/4"		
L-103 Overall length	Corvette	8'-2"	Cadillac	5'-3 13/16' 11'-0"
H-156 Ground clearance	AMC AM)	(14'-10 1/4		
n=150 Ground clearance	Pontiac	0'-3 11/16		19'-0 1/4"
ANGLES, RAMPS & DIAMS	MINIMUM	\sim		0'-7 11/16"
H-107 Angle of departure	the second se	19.2	Jeep	39.0°
(degrees)	Mercury	10,8°	Javelin	23.8°
H-147 Ramp breakover angle degrees)	Tempest	9.0°	Jeep	24.0°
Vall to wall turning diam. (ft.)	Jeep	37'-8"	Oldsmobile	49'-7"
LAP OF CAR DIMENSIONS	MINIMUM		MAXIMUM	-
- TO UT WINDOW LO UTNO.	Firebird	2'-9 13/16"	Checker	21 40 110
- foo Overhang rear	Camaro	3'-4"	Imperial	3'-10 1/2"
-102 Tread width - distance	Rambler	4'-7"	and the second se	5'-4"
etween & of tires at ground		22040 9 -04	Pontiac	5'-4"
- 104 Bottom of rear bumper ground	AMC Ambassador	0'-9 11/16"	Camaro	0'-17"
-153 Rear axle differential to	Buick	0'-5"	Chrysler	



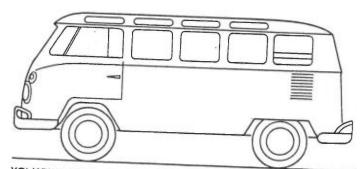
FRONT OF CAR DIMENSIONS MINIMUM

H-114 Hood at rear to ground		·	MAXIMUN	4
1 101 O st rear to ground	Corvette	2'-2 1/2"	Checker	
L-104 Overhang front	Jeep	2'-4 3/4"	Eldorado	3'-10 1/2"
L-131 Front of car to base	Jeep	4'-4 3/4"	the second s	3'-8"
of windshield	-cep	4-4 3/4	Toronado	6'-0"
W-101 Tread width-distance	Rambler	44		
between C of tires at ground	mamplet	4'-8"	Toronado	6'-3 1/2"
L-123 Upper structure	10			
	Corvette	4'-7 1/2"	Rebet	11'-11 3/16"



LKEWAGEN BEDAN

ENBIONS - SEDAN	•
all height	· · · · · · · · · · · · · · · · · · ·
all length	4'-11"
Ibase	. 13'- 3"
t i d width	7'-10 1/2"
e width	4'- 3 1/2"
ll width	4'- 5"
	5'- 1"



VOLKSWAGEN MICROBUS

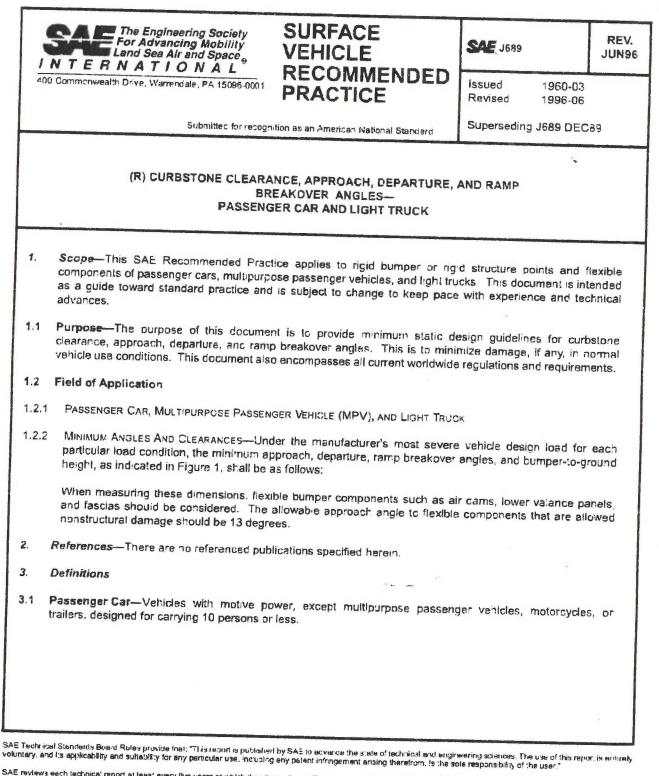
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DIMENSIONS - MICROBUS

Overall height	· · · · · · · · · · · · · · · · · · ·
Overall length	6'- 5"
Wheelbase	14'- 6"
Front tread width	7'-10 1/2"
Rear tread width	4'- 6 1/2"
Overall width	4'- 8"
	5'- 91/2"

Bureau of Strent Use à Menagement-- break angle son shepman à Folsom-

LANE I UL 4

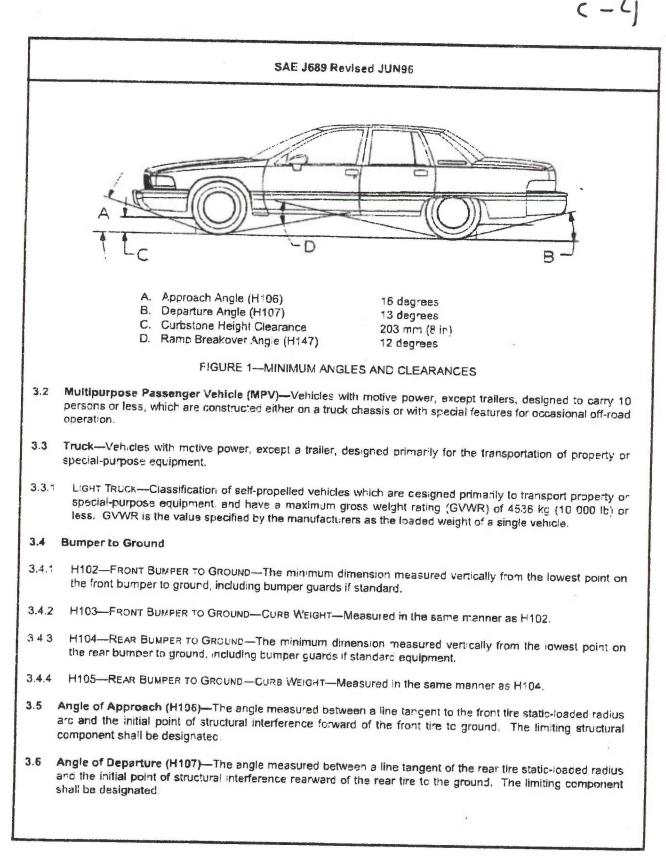


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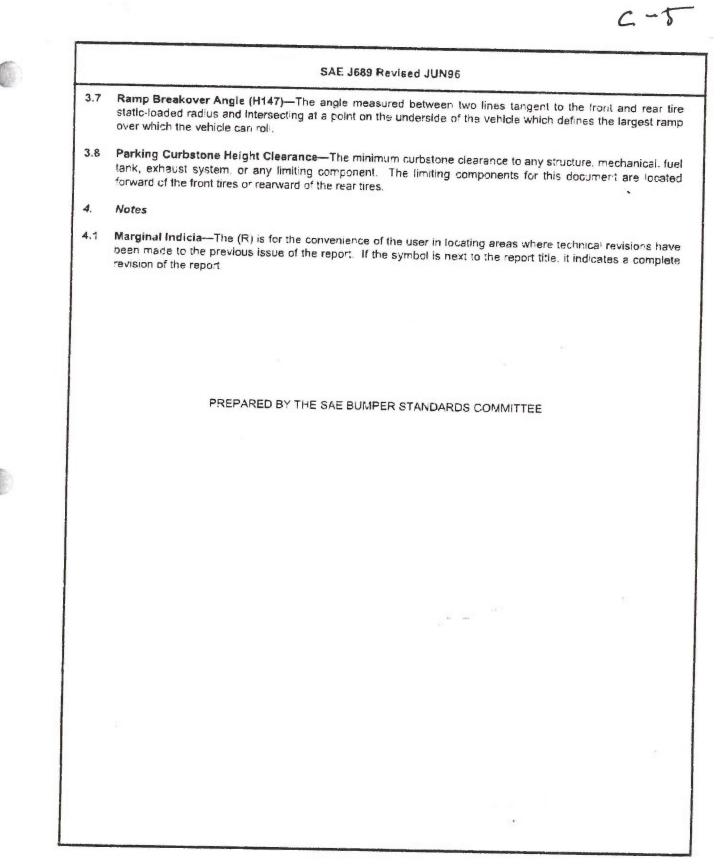
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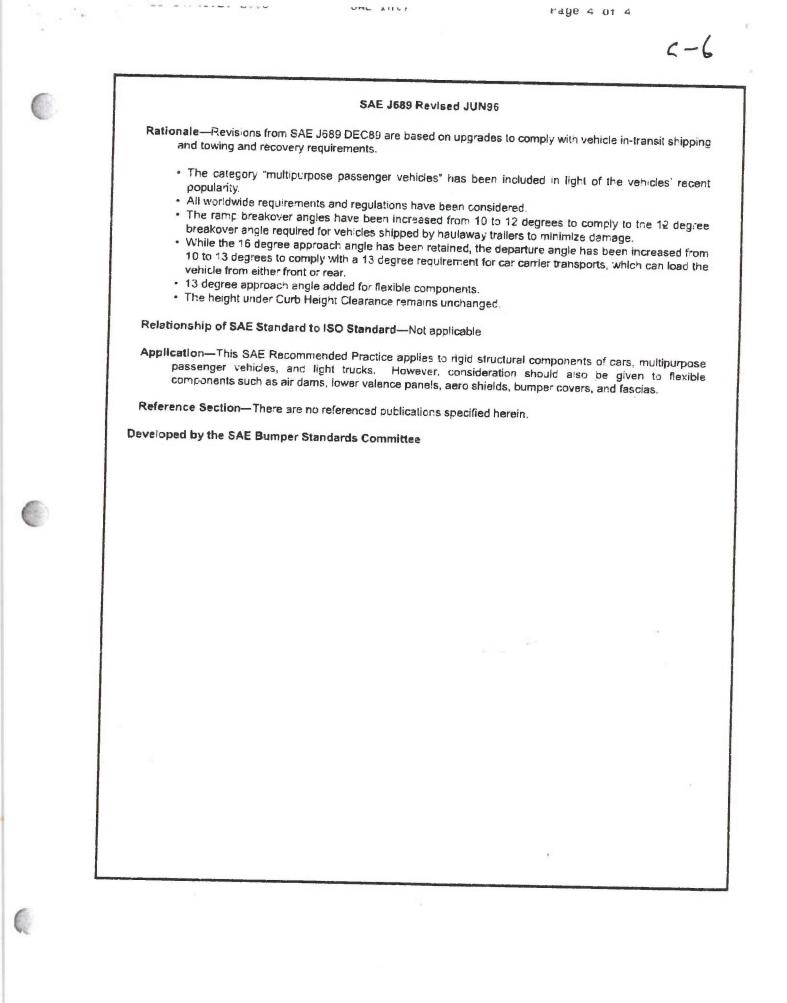
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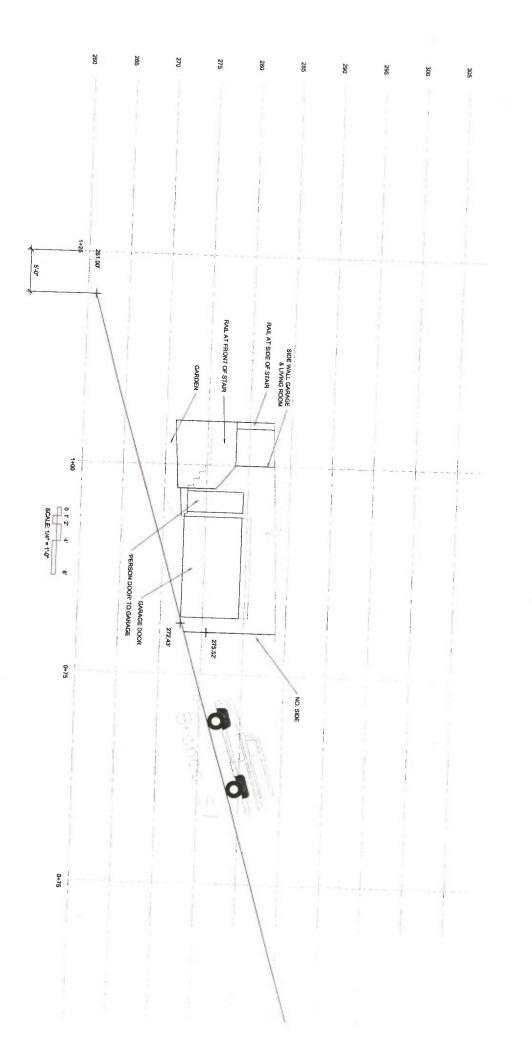
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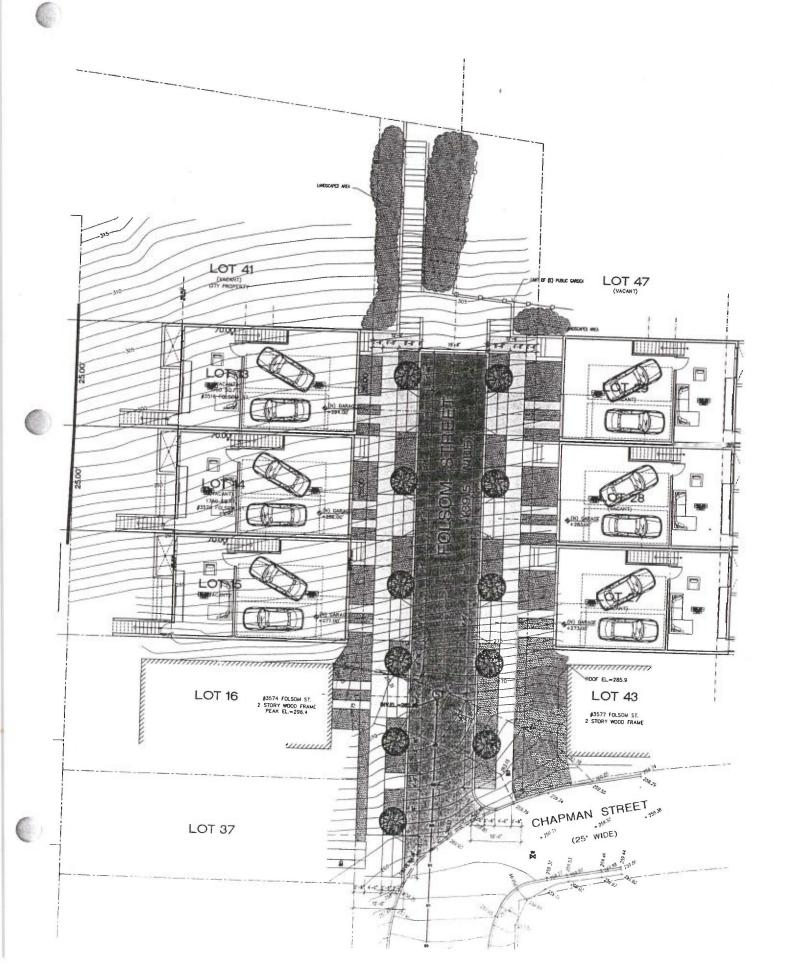
DRIVEWAY SLOPE LIMITS

The following table presents dimensions affecting performance of cars entering a driveway, for cars selected at random from autos.yahoo.com. Generally, a lower ratio of wheelbase to clearance indicates better performance at the top of the driveway (breakover). The attached sheet, copied from Architectural Graphic Standards (Sixth Edition) provides a range of approach, breakover, and departure angles.

Vehicle (03 Models)	Length (inches)	Wheelbase (inches)	Clearance (inches)	Ratio – Wheelbase to Clearance
Acura RSX	172.2	101.2	6.0	16.87
Audi A4	179.0	104.3	4.2	24.83
Buick Park Ave	206.8	113.8	5.5	20.69
Chevy Blazer	177.3	100.5	8.1	12.41
Chevy Suburban	219.3	130	8.4	15.48
Ford Taurus	197.6	108.5	5.4	20.09
Honda Civic	174.6	103.1	5.9	17.47
Infiniti I35	193.7	108.3	6.3	17.19
Infiniti Q45	199.6	113.0	5.7	19.82
Jeep Gr Cherokee	181.6	105.9	8.3	12.76
Mazda 6	186.8	105.3	5.1	20.65
Mazda Miata	155.7	89.2	4.0	20.03
Mercedes C Class	171.0	106.9	5.8	18.43
Mitsu Diamante	194.1	107.1	4.6	23.28
Nissan Maxima	191.5	108.3	5.9	18.36
Olds Aurora	199.3	112.2	5.5	20.4
Porsche 911	174.5	92.6	4.3	21.53
Saab 9-5	190.0	106.4	6.7	15.88
Subaru Legacy	187.4	104.3	6.3	16.56
Toyota Avalon	191.9	107.1	5.1	21.00
Toyota Camry	189.2	107.1	5.4	19.83
Toyota Tacoma	184.4	103.3	8.5	19.83
Volks Passat	185.2	106.4	5.8	12.15
Volvo S70	185.4	108.5	5.3	20.47

Table of worst

conditions.



ATTACHMENT

Hi,

I just received this back from Robert Bea, a UC Berkley professor emeritus in civil engineering.... -Marilyn

Sent from my iPhone with apologies for typos

Begin forwarded message:

From: "Robert G. BEA" <bea@ce.berkeley.edú> Date: May 5, 2014, 10:26:47 AM PDT To: Marilyn Waterman <<u>yaviene@yahoo.com</u>> Subject: Re: Inquiry about Gas Transmission Pipeline 109 from concerned SF residents Reply-To: bea@ce.berkeley.edu

Happy Monday Marilyn,

given the background you provided in your email, yes - you should be concerned.

there are several points in your summary that provide a good basis for your concerns:

1) old (1980s) PG&E gas transmission pipeline installed in area with highly variable topography,

2) no records on the construction, operation, and maintenance of the pipeline,

3) no definitive guidelines to determine if the pipeline is 'safe' and 'reliable',

4) apparent confusion about responsibilities (government, industrial - commercial) for the pipeline safety, reliability, and integrity.

this list is identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.

the fundamental 'challenge' associated with your concern is tied to the word 'safe'. unfortunately, it has been very rare that i have encountered organizations that have a good understanding of what that word means, and less of an understanding of how to demonstrate that a given system is 'safe enough'. E-)-

during my investigation of the San Bruno disaster, i did not find a single document (including trial deposition transcripts) that clearly indicated PG&E or the California PUC had a clear understanding of the word 'safe': freedom from undue exposure to injury and harm.

much of this situation is founded in 'ignorance'. it is very rare for me to work with engineers who have a comprehensive understanding of what the word safe means - and no clue about how to determine if a system is either safe or unsafe. the vast majority of governmental regulatory agencies are even worse off.

i have attached a graph that helps me explain the important concepts associated with determining if a system is safe or unsafe. the vertical scale is the likelihood of a failure. the horizontal scale is the consequences associated with a failure. the diagonal lines separate the graph into two quadrants: safe and not safe. if the potential consequences associated with a failure are low, then the likelihood of the failure can be high. if the potential consequences are very high, then the probability of failure must be very low. uncommon common sense.

on the graph, i shown a system that was designed for a particular 'risk' (combination of likelihood and consequences of failure). when it was constructed, the risk increased due to construction 'malfunctions' - like bad welding. when the system was put into service, the risk increased further - perhaps due to poor corrosion protection and due to the area around the pipeline being populated with homes, businesses, schools and other things that increase the potential consequences of a major failure. once it

F-3

is determined that the system that was originally designed to be safe, is no longer safe, then it is necessary to do things that will allow the system to be safely operated....reduce the likelihood of failure (e.g. repair the corrosion) and reduce the consequences of failure (e.g. install pressure control shut off sensors and equipment that can detect a loss of gas and rapidly shut the system down)....or replace the segment of the pipeline that no longer meets safety reliability requirements.

after i completed my investigation of the San Bruno disaster, i prepared a series of 'graphics' that summarized my findings. because the graphics file is very large, i have sent the file to you as a Google Document with a link you can use to view or download the document to your computer.

The San Bruno Root Cause Analysis.pdf

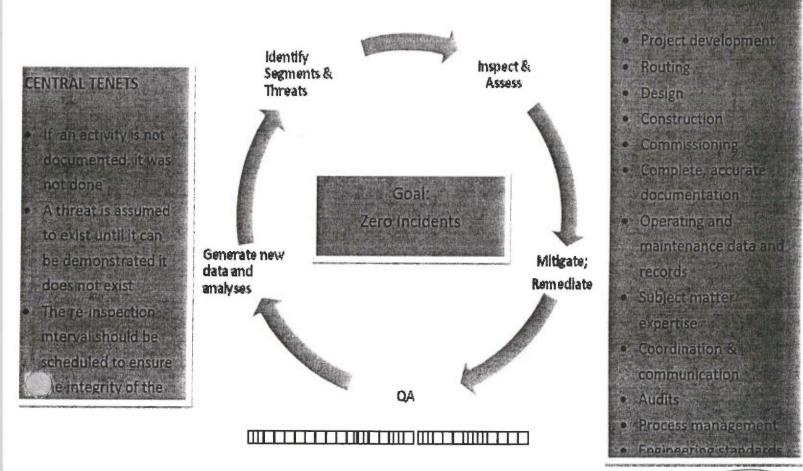
i know this has been a long answer to your short question. i hope it will help you understand how to better communicate your valid concerns regarding this development.

bob bea

Robert Bea Professor Emeritus Center for Catastrophic Risk Management University of California Berkeley Email: <u>bea@ce.berkeley.edu</u>

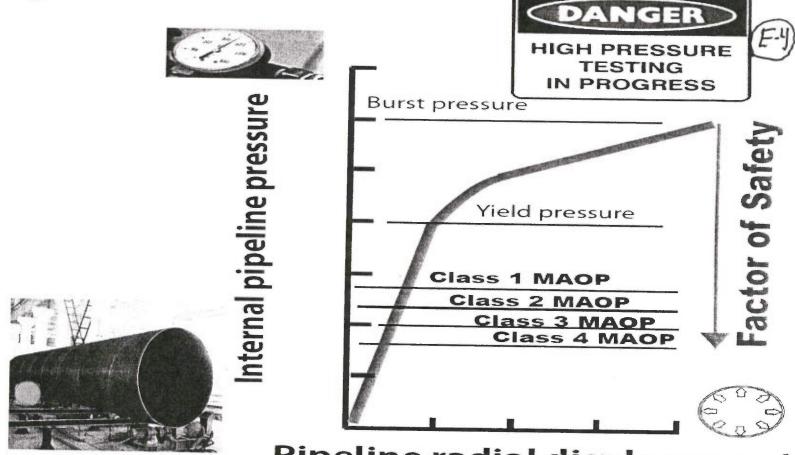
Risk Assessment & Management Services 60 Shuey Drive Moraga, CA 94556 925-631-1587 (office)

Zero Significant Incidents (Interstate Natural Gas Association of America)





Pipeline Integrity Management (MAOP – Maximum Allowable Operating Pressure)



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Pipeline radial displacement

Pipeline and Hazardous Materials Safety Administration (PHMSA) Integrity Management requirements (49 CFR 192)

E.S

Identification of High Consequence Areas

Baseline assessment plans

Identification of threats to segments

Direct assessment plans

Defects remediation plans

Plans for continual Integrity Management assessment

Plans for confirming direct assessments

Provisions for protection of High Consequence Areas

Performance plans and measures

Record keeping provisions

Management of change processes

Quality assurance and control plans

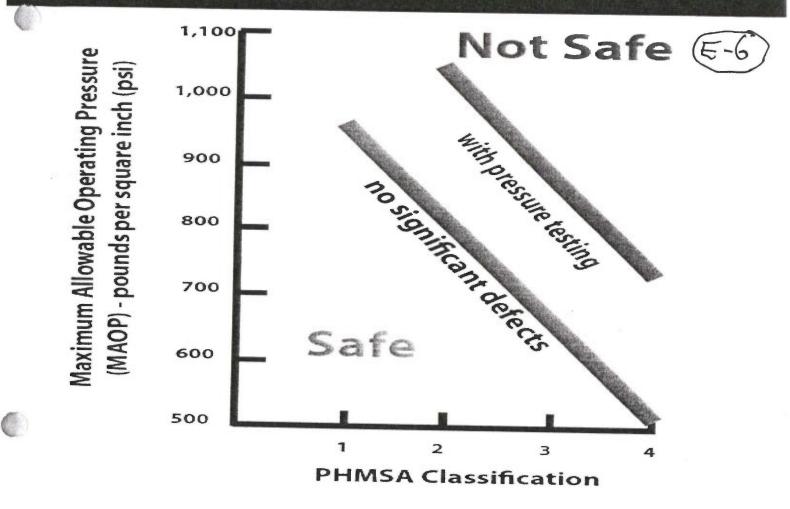
Communications plans

wision of Integrity Management plans

Procedures to minimize environmental and safety risks

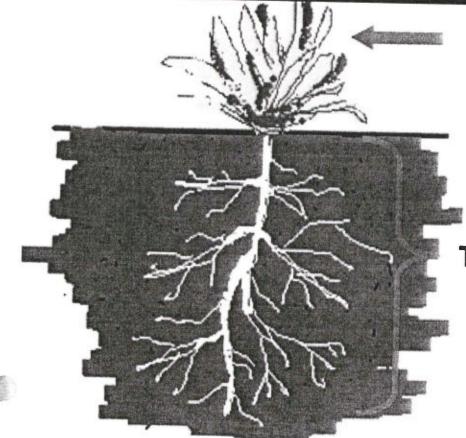
Process for identification and assessment of newly identified High Consequence Areas

Pipeline Integrity Management



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For ensic Engineering [] Root Cause Analysis[]

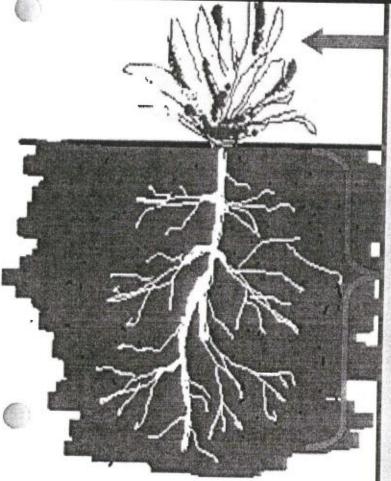


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"The Weed" E→ Above the surface (obvious)

The <u>Underlying Causes</u> "The Root" Below the surface (not obvious)

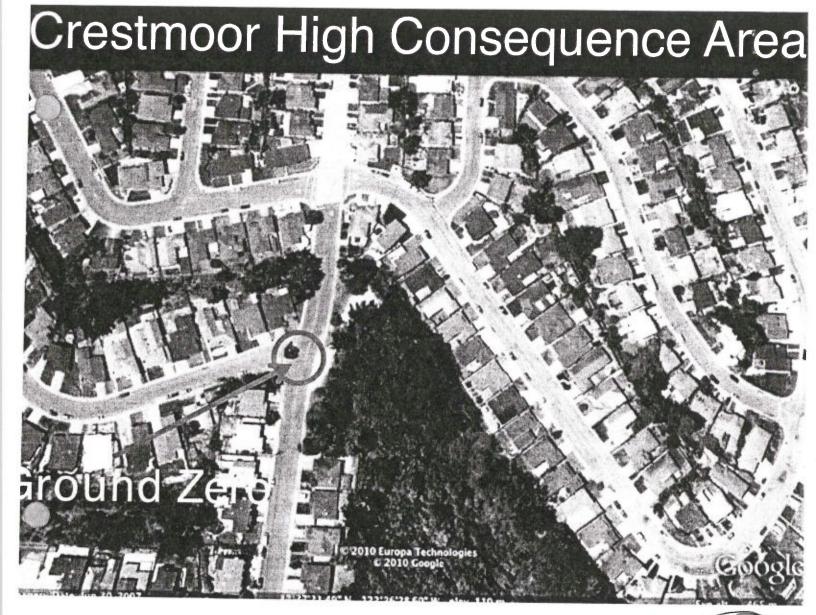
Forensic Engineering



6

- Root cause analysis helps identify what, how and why something happened, thus preventing recurrence.
- Root causes are underlying, are reasonably identifiable, can be controlled by management and allow for generation of recommendations.
- The process involves data collection, cause charting, root cause identification and recommendation generation and implementation.





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(E.9)

Summary of Testimony

E.10

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PG&E was responsible and accountable for the INTEGRITY MANAGEMENT (SAFETY) of Line 132 Segment 180 (the pipeline)

Summary of Testimony

(E. II

PG&E knew if *the pipeline* ruptured and ignited there would be deaths, injuries, property and productivity losses

Summary of Testimony

PG&E designed and constructed the pipeline during a 1956 relocation project with multiple geometric, material, and welding defects

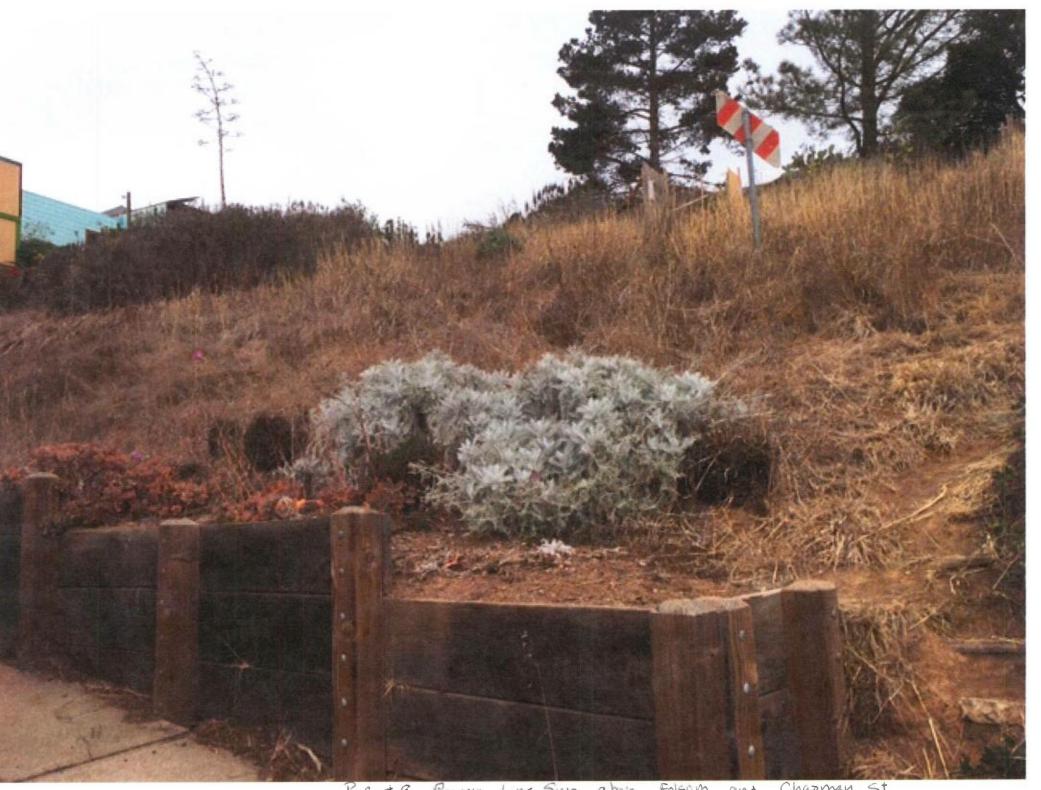
Name	Address
Gail Newman	3574 Folsom St S.F. 94110
Patricia Hughes	3577 Folsom St. SF 94110
Steven Picus	3580 FOLSONST. 94110
MIDDEITATRO	3580 FOLSOM 51 94110
Cristina Melero	3607 Folson St. 94110
Jan Holliclay	
MILEY HOLMAN	3615 FOLSOM ST 94110
Sheichtam	U 1, (1
Ke Bellig	3625 Fason
PATNURDHY	70 BANKY
ANDY BRADEN	70 BANKS

Name	Address
Laurent	3619 FOLSOM ST
SANCHEZ	SAN FRANCISCO
julie	3625 FOLSOM ST
Glant	ST CA 9410
Aram Agrapetian	515 Powhattan Ave.
rancy zeches	405 Chapman St, SF CA
GA	405 Chapman St, SF Ca
flow Unoch	390 CHAPMAN ST
DIANA 5. AMODIA	SAN FRANCISCO, CA SHILO
JERRY SCHLAMMEL	40 PRENTISS ST.
Berlind	SON FRAN, 94110
JOYA MYER	77 NEVADA ST
Jap My	SF, CA 94110
Robyn Talman	42 Nevada St
	SF. (194110
Mike Boss	42 Nevada St.
	SF.CA 94110
Jesse Boss	42 Nevada St.
UESSE DOSS	SE CA 94110

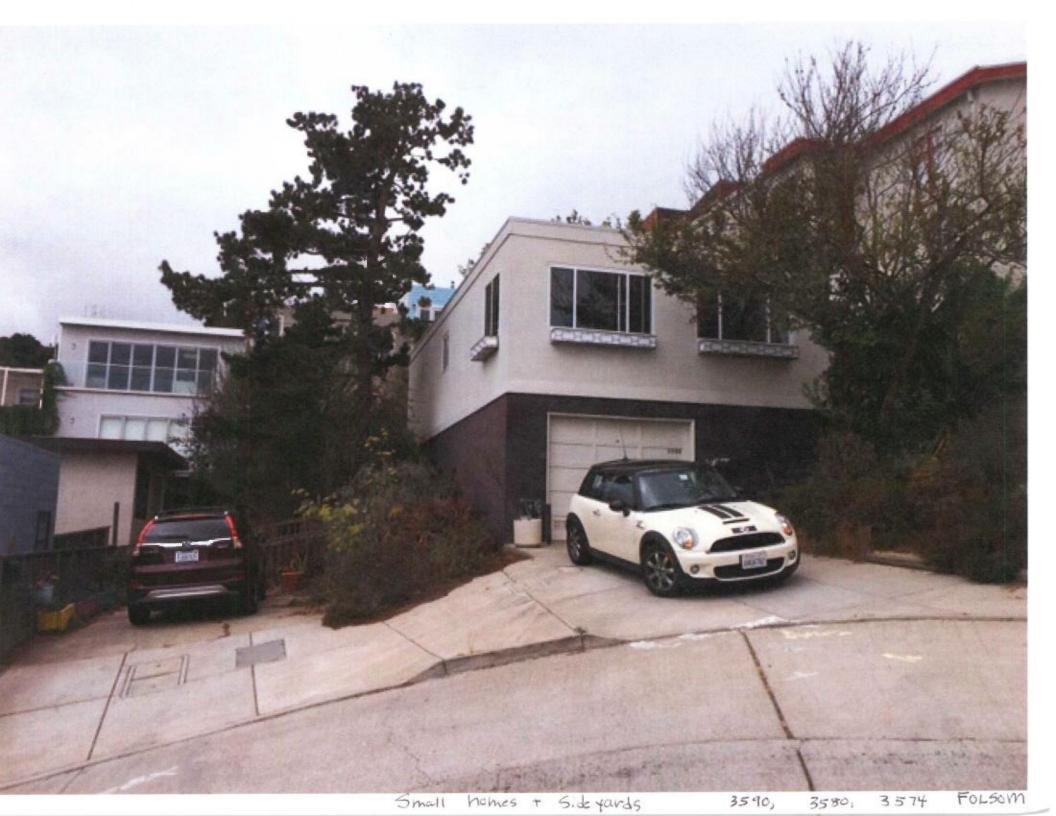
Name	Address	
Ray A. Casto	67 PRENtiss JT	
	SAN FRANCISCO 94110	
TAKE BOWERS	SI PRENTISS ST. SATUR	
SRIJELL KELBON	SANFRANCISE CA 94110 ADDRESS	
MICHAELINE BUNTNY	64 Prentss Street	
Jay GREER	SAN Francisco 94110	
ARTURO SCHWARTL	77 NEVADA ST	
AKIVIT DERG	SE 9×110	-
ar sur	74 Nevada Street	
Harran SEDAR	SF 94110	-
may Consolv	80 ROSENKRAN	
They conster	51 14/10	-
Paul De Melle	73 Nevada St 94/100	
V.M. Garan	= 98 Nevadaulio	
Flug Carlow	SF, (A G4/10	
Saupe Parlin		
Sande 124	4 Prentin	str.
Charle CL	96 Prentiss ST.	
Christin Chi	SI (A 94110	
CHARLONE	390 CHAPMAN ST 9410	
WILLIAMS		7

Name	Address
Hope Meng	74 Banks Street
WA	Son Francisco, CA 94110
Jeremy Harmann	74 Bank's Street San Francesco, CA 94110
Thomas Kin	3898 Po(50m St
	San Francisco, CA 94110
Urcti Mg	3595 Folson St
U U	Son Francisco, CA 94110
Cortwey Hoecherl	3590 Folsom St
	Son Francisco, CA 94110
Deborah Gerson	
I an Williams	131 Mullen
Leslie Simon	117 Brewster
Donald Schaan	117 Brewster
Caya Schaan	642 Peralta Auc #1, SF 94110
Notan Rodriguez	642 Peralta Auz *1, SF 94110

Name	Address
Dennis Hayes- Bernal Heights Comm Gardon Coordinator	unity 41 Stoneman St SF 94110
Nicola Griffin	101 Prentiss ST 94110
Theresa Markle	56 Nebraska St, SF 94/10
Ken Garrett	56 Nebraska St. SF 94110
Nancy Slepicka	608 Peralta Auc, SF 94110
Arash Bateki	13 Carver St. SanFrancisco 94110
Lellew Reller	90 Gater St SF94110
Kim Kacerc	3601 Fulson St SF 94110
Barbara Underberg	76 Rosenkvanz SF 94116

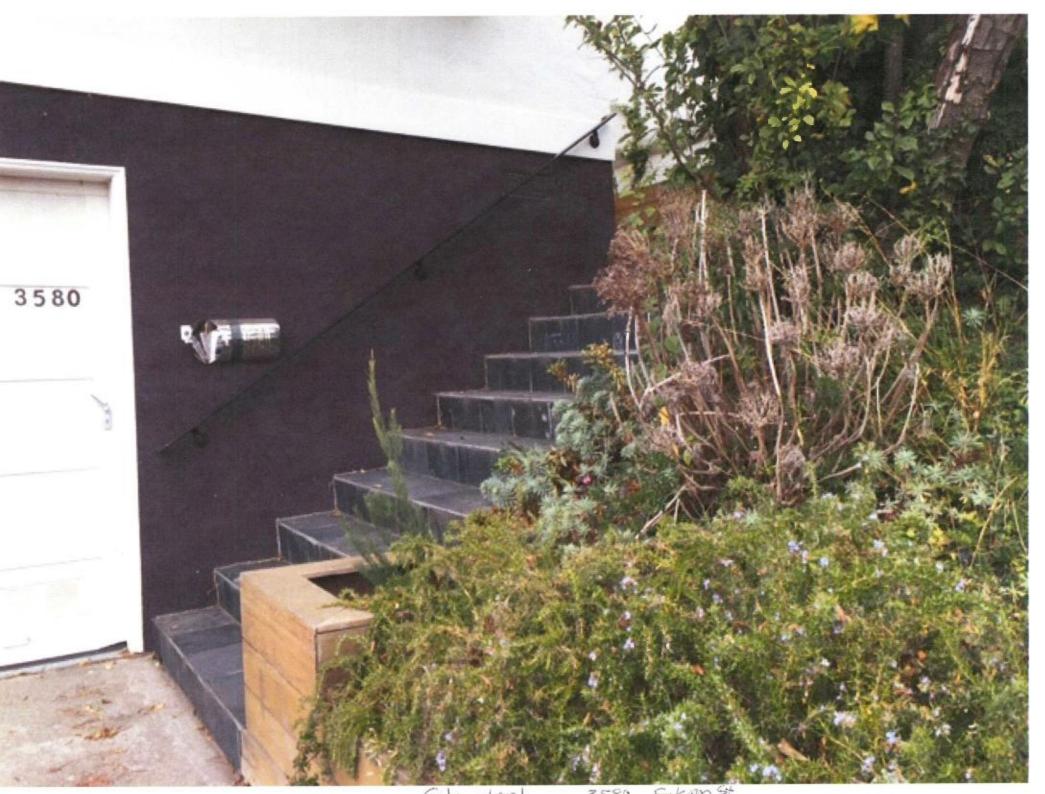


P.G. + & Power Line Sign above Folsom and Chapman St









Side Hard 3580 Folsom St



Small homes on Gatos St (back)

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
61 Gates Street	94110	(650)387-9918
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE RE	QUESTING DISCRETIONARY REVIEW NAME:	
Fabien Lannoye		
ADDRESS:	ZIP CODE:	TELEPHONE:
297c Kansas Street, San Francisco	SF	(415) 626-8868
CONTACT FOR DR APPLICATION:		
Same as Above		
ADDRESS:	ZIP CODE:	TELEPHONE:
		()

2. Location and Classification

STREET ADDR	ESS OF PROJECT:				ZIP CODE:	
CROSS STREE						
			11 11 12 12 12 12 12 12 12 12 12 12 12 1			
ASSESSORS BLOCK/LOT:		LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:	
5626	/ 014	25X70	1750	RH-1/40-XBernal Hts. SUD		
Please check all			New Constru	ction 🗙 Alterations	Demolition Other	
Please check all Change of I	that apply	nge of Hours 🗌 Rear 🗌 Fro	ont 🗌 Heigh	nt 🗌 Side Yard 🗌	Demolition 🗌 Other 🗌	
Please check all Change of P Additions	that apply Use . Cha	nge of Hours 🗌 Rear 🗌 Fro	ont 🗌 Heigh			
Please check all Change of P Additions	that apply Use Cha to Building: Previous Use: Single fa	nge of Hours 🗌 Rear 🗌 Fro	ont 🗌 Heigh	nt 🗌 Side Yard 🗌		

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	X	
Did you discuss the project with the Planning Department permit review planner?		X
Did you participate in outside mediation on this case?		8

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.

CASE NUMBER: For Staff Use only

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.

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.

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.

5) Changes made to project as a result of mediation:

Changes made to project were painful tiny steps and the house remains supersized for the area. Bernal Heights East Slope Special Use District met at least five times with the developer. The developer made it clear he was maximizing his building envelope regardless of small-house character of neighborhood; project remains at three stories with large garage in need of a variance. Developer never followed through on talking with neighbors, even though he said he would. Penthouse stairwell was added at last meeting on North elevation in full view from Bernal Hts. Blvd and Bernal Park. North elevation toward Bernal Park got some decorative material added to try to make it look more than a wall but BHESDRB felt it wasn't enough. The BHESDRB did not approve project as proposed.

Other infrastructure and public safety issues linger unresolved: major gas transmission pipeline with a troubled history runs through proposed access area to houses and latest street design only adds to apprehension about catastrophic accident during construction; proposed street will be the second or third steepest in SF, adding to a list of dangerous streets with emergency vehicle access issues in Bernal. Street design also remains murky in terms of access to existing houses during and after construction.

1) What are the reasons for requesting a DR? What are the exceptional and extraordinary circumstances that justify the DR the project? How does this project conflict with SF General Plan, Planning Code's Priority Policies or SFRDG? Cite specific sections of Residential Design Guidelines.

Reason #1 - This is an exceptionally and extraordinarily out-of-scale-for-the neighborhood house at three stories and garage variance with penthouse stairwell that threatens neighborhood character and economic diversity. The SUD came into being to protect the East Slope's diverse population and small houses with single car garages. (See pixs of neighborhood.) The profitable super-sizing of East Slope houses threatens to turn the entire neighborhood into a neighborhood of tear-downs unless SUD protections are respected.

Houses within a 300 foot radius average 1329 square feet. The adjacent house is 1050 sf (3580 Folsom St. within 50 feet). (See SF Assessor's chart). Developer seems to be gaming system to maximize housing envelope.

Codes cited:

 General Plan Priority #2 - Existing housing and neighborhood character be conserved and protected in order to preserve cultural and economic diversity.

1

• General Plan Priority #3 - That the city's supply of affordable housing be preserved and enhanced.

• Sec. 242,b - In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

• SFRDG, Pg. 8 - When considering the immediate context of a project, the concern is how the proposed project relates to the adjacent buildings.

• SFRDG, PG. 8 - When considering the broader context of a project, the concern is how the proposed project relates to the visual character created by other buildings in the general vicinity.

• SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city

• Bernal Heights East Slope Guidelines, Pg. 2 - Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result the East Slope's rural characteristics rapidly are disappearing along with views, open space"

Bernal Heights East Slope Guidelines, Pg. 15, sec. 4 - Intent: Promote harmony in the visual relationship and transitions between new an older buildings.
Sec. 242, pg. 7, Garage variance required for square footage above 1300 square feet of living space. Usable floor space to parking space ratios: 0 to 1300 square feet for the first parking space. 1301 - 2250 for the second parking space. 2251 to 2850 for the third parking space.

REASON #2 - Side yard setback does not respect the existing pattern on block - which allows for along the sides and create a sense of open space. This would seem critical since the houses would be replacing what is now open space. Developer is maximizing the building envelope at the expense of neighborhood character.

SFRDG pg 15 - Respect the existing pattern of side spacing.

Reason #3 -

Large garage (variance required) is out of character with houses on this block - and in most of Bernal. Garage size is being used to make the house as big as possible.

Codes cited:

• Sec. 242, pg. 7, Usable floor space to parking space ratios: 0 to 1300 square feet for first parking space. 1301 - 2250 sf for second parking space. 2251 to 2850 sf for third parking space.

• General Plan Priority #2 - Existing housing and neighborhood character be conserved and protected in order to preserve cultural and economic diversity.

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• Bernal Heights East Slope Guidelines, Pg. 15, sec. 4 - Intent: Promote harmony in the visual relationship and transitions between new and older buildings.

REASON #4 - Wall-like exterior of North elevation next to Bernal Heights Park is used to create maximum envelope for building size and does not enhance neighborhood view from Bernal Park. Public views are impeded by penthouse stairwell.

The ESDRB letter to the developer listed the wall-like elevation facing Bernal as one reason the project is not being supported. (See letter)

Citations:

SF General Plan Urban Design Element, Fundamental Principles of Conservation, Pg. 27, #17 - Blocking, construction or other impairment of pleasing views of the Bay or Ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting and quality of the city.
SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city
SFRDG pg 38 - Limit the size of the penthouse in order to reduce its visibility from the street....Stair penthouses may also be entirely eliminated.

Reason #5 - Exceptional and Extraordinary conditions exist (as defined by the Planning Commission's definition for DR) due to "unusual context" and "complex topography" "not addressed in the design standards:" An aging,

major PGE Gas Transmission Pipeline - one of three feeding natural gas into SF - runs through the proposed access area up a dangerously steep grade, the main reason this site has never been developed. <u>The</u> <u>catastrophic risk is further heightened by the threat of earthquakes during</u> <u>construction.</u>

No risk-assessment has been done regarding the public safety concerns surrounding this project. The proposed new access road would be a ROW over aging and troubled PGE Gas Transmission Pipeline 109 (with lost maintenance records and pre-existing tree intrusions violating federal guidelines, <u>see photo</u>). Encased under asphalt, the aging pipeline is typically un-reactive - but this area is unpaved. The pipeline is on a pitched, undeveloped patch of Bernal hill. Pipeline 109 is the same type of transmission pipeline that exploded catastrophically in San Bruno and Fresno - and caused serious accidents in Carmel, Walnut Creek and at least four other local cities (see articles and letter by Carmel Mayor).

Federally recommended safe practices that use additional site-specific safety precautions have not been incorporated into final designs (see citation). The Planning Department has approved a building permit without knowing the pipeline's depth and exact location, located within a few feet of the property, which may substantially change project design, including garage access, building location and break-over angle - against recommended federal safe practices (see citation).

Developer proposes creating the third steepest street in SF at 37 degrees (actual grade unknown since depth of pipeline is unknown) - and he will be responsible for grading over transmission pipeline with heavy-duty equipment (see Fresno explosion photo).

An accidental gas leak of PG&E's Gas Transmission 109 Pipeline would be catastrophic to local residents, Community Garden users, and Bernal Park visitors (see photos). Noted gas transmission pipeline expert, Robert Bea, confirmed neighbor's concern regarding danger as legitimate (see letter). In 2007, during street construction at the exact base of this location, a cement truck overturned while trying to make a turn, rupturing a waterline. (See photo)

Citations:

General Plan Priority #5 - That the City achieve the greatest possible preparedness to protect against injury and the loss of life during an earthquake.
US Department of Transportation PHPSA "Consultation Zones and Planning Areas" pg. 1 - Local governments should consider implementing "planning areas" to enhance safety when new land uses and property development are planned near transmission pipelines....these are areas where additional development regulations, standards or guidelines to ensure safety should be considered."

• Pipelines and Informed Planning Alliance (PIPA) "Partnering to Further Enhance Pipeline Safety through Risk-Informed Land Use Planning," Appendix C, Ex. 14 and 15a,b,c "Trees should be avoided." "Tree roots may damage transmission pipeline." (See photo)

Citations:

SF General Plan Urban Design Element, Fundamental Principles of Conservation, Pg. 27, #17 - Blocking, construction or other impairment of pleasing views of the Bay or Ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting and quality of the city.
SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city
SFRDG pg 38 - Limit the size of the penthouse in order to reduce its visibility from the street....Stair penthouses may also be entirely eliminated.

* * * * * * * * * *

2) Unreasonable impacts during construction:

Residents have a right to live in San Francisco free from the fear of a catastrophic accident - which won't happen during construction unless the pipeline safety issue is dealt with. Most pipeline accidents happen on ROW during construction, according to data from the US Department of Transportation. Heavy duty construction equipment and construction vehicle will block neighbor's access to their houses and emergency vehicle access on Chapman Street.

3) Alternatives:

Alt. 1 - Resolve public safety issues and final design questions regarding pipeline and dangerously steep street. Lower pipeline so street can be safely graded to match the slope of parallel streets that have been graded down for safe vehicle access. Build small-scale housing that is in line with neighborhood character and won't create a neighborhood of tear-downs.

Alt. 2 - Acknowledge this particular patch of Bernal's hill's dangerous terrain and pipeline public safety issues by keeping it open space.

CASE NUMBER: For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	0
Address labels (copy of the above), if applicable	0
Photocopy of this completed application	
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	
Letter of authorization for agent	
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)	

NOTES:

Required Material.

III Optional Material.

O 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:

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

a: The undersigned is the owner or authorized agent of the owner of this property.

b: The information presented is true and correct to the best of my knowledge.

c: The other information or applications may be required.

Signature:

Date:

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

Owner / Authorized Agent (circle one)

gates St. - one block from proposed site (behind proposed project)



ADJACENT HOUSING



1 Attachment, 329 KB

ann lockett <lockett514@icloud.com>@ (No Subject) September 15, 2015 2:09 PM

FROM POWHATEN.



This is the part of folsom that one driver up to proposed site. Note: small hours W/ single car garager.

SF ASSESSOR'S CHART

For Prope	rties within 300 Feet of :	3516 and 3526	Folsom Stree	et			
	CCSF Assessor's Proper						
Address							
	Street	Bldg sq ft	Parcel sf	Bldg:Lot	Notes		
	Banks	2749	1750	157%			
70	Banks	2749	1750	157%			
74	Banks	2749	1750	157%			
83	Banks	2025	1750	116%	no parcel sf	, used 1750	
	Banks	2365	1750	135%	no parcel sf	, used 1750	
89	Banks	1000	1750	57%			
	Banks	1200	1750	69%			
	Banks	1295	1750	74%			
	Banks	1200	1750	69%			
	Banks	1069	1750	61%		1,	
	Banks	1276	1750	73%			
	Banks	1450	1750	83%		R	
	Banks	625	1750	36%		TV'	
	Banks	1000	1750	57%	11	i , p	
	Banks	899	1750	51%		N 1	4 11
	Banks	1035	1782	58%	A	UGI	
	Banks	1650	1750	94%	11	VV	9
	Banks	1233		71%	6	98	9
	Chapman	1338		76%	.0	· Ph	
	Chapman	1130		65%		0 1	
	Chapman	1660		95%		5	
	Chapman	2180		125%		11	
	Ellsworth	1340		77%			
	Ellsworth	1526		87%			
	Ellsworth	1180		67%			
	Ellsworth	1193			1		
	Ellsworth	1105					
	Ellsworth	1205					
	Ellsworth	696					
	Ellsworth	1265					
	Ellsworth	1382					
	Ellsworth	1382					
	Ellsworth	1480					
	Ellsworth	1480					
	Ellsworth	1275					
	Ellsworth	2025					
	Ellsworth	1250					+
		1250					
	Ellsworth	1275					
	Ellsworth				1		
	Ellsworth Ellsworth	1250 1275					
	LE UCHACTER	17/5	1/46	1 15%		1	1

	Building to Parce		_	ot		
	rties within 300 Feet					
Data from	CCSF Assessor's Prop	erty Search Datab	ase as of 9/	//15		
Address			D	Distant		
House #	Street	Bldg sq ft	Parcel sf	Bldg:Lot	Notes	
105	Gates St	1540		88%		
105	Gates St	180	1746	10%		
106	Gates St	1250	1746	72%		
109	Gates St	1690	1750	97%		
111	Gates St	1207	1746	69%		
112	Gates St	1016	1750	58%		
113	Gates St	1626	1750	93%		
115	Gates St	1780	1750	102%	includes 117 Gates	
118	Gates St	1411	1750	81%		
119	Gates St	1101	1750	63%		
124	Gates St	1185	1746	68%		
130	Gates St	1200	1746	69%		
132	Gates St	2258	1750	129%		
515	Powhattan	800	2378	34%		
688	Powhattan	2250	1750	129%		
40	Prentiss	1750	3496	50%		
80	Prentiss	625	1746	36%		
96	Prentiss	950	3500	27%		
Average S	quare Footage	1329	1838	74%	A CONTRACTOR OF CONTRACTOR	



Terry Milne, external secretary • 321 Rutledge • San Francisco 94110 • [285•8978]

April 28, 2015

Fabien Lannoye BluOrange Designs 241 Amber Drive San Francisco CA 94131 fabien@bluorange.com

Re: 3516 & 3526 Folsom Street Block/Lots: 5626/013 & 014

Dear Mr. Lannoye:

review the latest designs for two proposed houses at 3516 and 3526 Folsom Street. This was a follow The Bernal Heights East Slope Design Review Board held a Board-only meeting on April 22, 2015 to up to five neighborhood meetings attended by large groups of neighbors and a series of comment etters written by the Board. The sites are currently undeveloped and without vehicular access.

While we believe that the process has resulted in some improvements to the project, the Board cannot support the project as being in alignment with the Bernal Heights East Slope Building Guidelines.

for potential development of adjacent lots on the Folsom Street extension, and there are a number of If the two proposed houses and associated street improvements are built, they will set a precedent ssues that we continue to believe are not in compliance with the Guidelines or consistent with neighborhood character

- Bulk and Massing of Elevations: while the front façade of #3516 is animated with changes in plane, materials and elements that step down in height along with the hillside, the front façade of #3526 Folsom remains very boxy, flat and unresponsive to the hillside.
- 2. <u>Elevations facing Chapman Street and Bernal Boulevard</u>: these will be visually prominent in the neighborhood. These facades remain largely underdeveloped and uncomposed, with large expanses of blank wall where there are opportunities for windows, carve-outs, changes in roof treatment and/or other elements that could add visual interest.

easements, existing PG&E gas line, Fire Department access to the neighborhood during construction In addition to these items, neighbors have raised a number of concerns that are beyond the purview of the Board (construction impact, slope and break-over angle at the Folsom Street extension, etc.).

Since the Board is not a City agency, it does not have the power to either approve or disapprove the



PIPA-Final Report 2015.pdf

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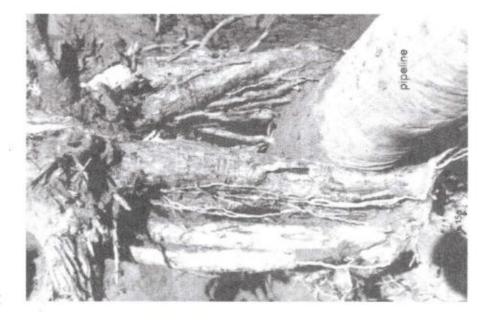
APPENDIX C

PIPA Report, November 2010

Examples 15a, 15b and 15c - Tree roots may damage transmission pipelines.

These pictures illustrate situations on the transmission pipeline right-of-way that should be avoided.

These pictures illustrate why trees should not be allowed in the right-of-way. The tree roots have impeded the pipeline operator's ability to access and evaluate the condition of the transmission pipeline. Pipeline coatings may also be damaged by tree roots. Coatings need to remain intact to protect the transmission pipeline from external corrosion.



PIPA REPORT SHOWING TREE ROOT DAMAGE.

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PG&E gas explosion leaves at least 11 hurt

Blast from page AI

The tractor was being operated by a county public works employee who was using it to reinforce a berm behind the targets at the Fresno County Peace Officers' Range, according to spokesman Tony Botti of the Fresno County Sheriff's Office. Three lanes and about 30 feet away, more than a dozen inmates were digging bullets out of the berm.

It was not immediately clear whether the tractor operator knew the gas transmission line was there. Anyone who digs with heavy equipment is supposed to check with local utilifies in advance. PG&E spokeswoman Nicole Liebelt said the company had not received a call on its digging hotline from anyone working nearby.

But, according to Botti, the tractor operator was not engaged in digging at the time of the explosion. "All the indications are that he was driving and the explosion happened," Botti said, perhaps because the front-end loader was scraping the ground.

Whatever the cause, the explosion was immense – flaring more than 100 feet into the air, according to onlookers, and spilling outward in heat and flames that injured at least 10 of the inmates. One was in such critical condition that he had to be airlifted to a nearby hospital.

"The driver of the tractor,





natural gas pipeline beneath San Bruno, which killed eight people. The blast erupted from a 1950s-era pipeline that had been installed with substandard welds that failed, said federal investigators. Since then, PG&E has spent

Since then, PG&E has spent or committed to spend \$2.8 billion on repairing and upgrading its vast network of natural gas pipes, which spans most of Northern and Central California. The utility has replaced more than 800 miles of cast-iron pipe and installed 200 automatic or remotely controlled shut-off valves, as well as invested in new leakdetection technology. Those investments, however,

Those investments, however, cannot prevent other people from digging into and puncturing gas lines – the most common cause of natural gas pipeline accidents nationwide. But if the tractor in fact was

But if the tractor in fact wa not engaged in scooping dirt out of the ground, that raises the question of how close the 12-inch transmission line was to the surface.

Late Friday, the utilities commission reported that it had dispatched a team to Fres no and would conduct a full investigation of the explosion. The commission had already begun coordinating with the federal Pipeline and Hazardous Materials Safety Adminis. tration, said spokeswoman Terrie Prosper. John King, David R. Baker and Kale Williams are San Francisco Chronicle staff writers. E-mail: jking@sfchronicle.com, dbaker@ sfchronicle.com, kwilliams@ sfchronicle.com Twitter: @JohnKingSFChron, @DavidBakerSF, @SFYKale

September 2010 explosion of a

slapped PG&E with a record

trucks each containing roughly 2,000 gallons for the engines to

draw on

engines, fire trucks and water

Another factor that kept the

toll from being more severe is

shooting range. "Hats off to

them," Botti said. "They

that deputies were at the

grassland, the shooting range

and an equestrian center.

around the explosion was

\$1.6 billion penalty for the

Public Utilities Commission

FROM THHE	FROM THE COVER	B.COM AANAA.		and the second se
Land altered				
before blast				
Blast from page A1 closer to the surface than any- one realized. Among the critically burned victims was the county Depart- ment of Public Works employee who was driving the front-end loader that struck and punc- tured the 12-inch-wide gas pipe, sending a fireball more than 100		A		
feet into the air, according to witnesses. The unidentified driver had been building up a	A front-end loader sits on a be	Pacific Gas and Electric C A front-end loader sits on a berm behind a firing range Friday after causing a blast near Fresno. At right is part of the pipeline.	tter causing a blast near Fresno. A	Pacific Gas and Electric Co. At right is part of the pipeline.
dirt berm behind a sherifr's firing range near Highway 99. Binmates injured Eight of the injured were immates from the Fresno Coun- ty Jail who were digging bullets out of the berm. Six inmates remained hospitalized on Satur- day, including one with life- threatening injuries, said Tony Botti, a spokesman for the Fres- no County Sheriff's Office. Two deputies were treated at a local hospital and released Friday night. How and why the explosion occurred is under investigation by the California Public Utilities Commission, working with the federal Pipeline and Hazardous Materials Safety Administra-	been scraped and hauled and maneuvered to build up the backdrop for the targets, said Botti of the sheriff's office. "The whole area has changed significantly over the past year," Botti said. "There's been con- stant construction." PG&E's Boyles said the pipe- line was well marked with a pair of orange and white warning signs in the area. The driver "was directly between the two line markers," Boyles said, with the warning signs about 100 feet on either signs and photograph them, Boyles ordered the re- porter to leave the premises.	Gas pribute as pr	physical inspection of the pipe is involved. State law requires workers who use digging and grading equipment to call 811 two work- ing days before beginning their work, said another PG&E spokesman, Nijk Stimmel. That call alerts PG&E and other utilities to send someone out to identify the location of under- ground pipes and equipment. No call before dig Stimmel said its 811 call cen- ter, USA North, never received such a call. "Offentimes it's a lack of awareness" that causes workers not to make the crucial call, Stimmel said. "Sometimes peo- ple inst dor't work to make the	3:20 pm — because the area had not been upgraded to have an automatic shut-off valve, which can be closed from a remote location. Since the San Bruno explo- sion, PG&E has installed 200 automatic or remotely con- trolled shut-off valves as part of its \$2.8 billion effort to improve its network of natural gas pipe- lines across Northern and Cen- tral California. At the shooting range Friday, fames burned until nearly 4 p.m. On Saturday morning, Union Pacific Railroad crews worked to repair 400 feet of nearby track that was bent, melted and twisted by the blast. They had

created 500-foot "buffer zones," Berkeley's ver- sion is more sweeping and applies to many more products. If passed by the City Council on May 12, it would turn tobacco into an obscure, big-ticket item, since the proposed buffer zones would Tobacco continues on A8	Gas pipeline blast injures 11 near Fresno	By John King, David R. Baker and Kale Williams A Pacific Gas and Electric Co. natural gas pipeline near Fresno erupted in a fireball Friday afternoon — injuring at least 11 people and tem- porarily closing down Highway on _ after 3	tractor operator accidentally punctured the 12-inch line, authorities said. Eleven victims were transported to hospitals, where officials said four were in critical condi- tion, two were in serious condition and the remainder suffered minor injuries. The explosion, which sent flames surging past the tops of nearby trees, happened shortly before 2:30 p.m. on a shooting range close to busy Highway 99, one of the San Joaquin Val- ley's two main freeways.	failed to convict jour- nalists who paid police, prison guards and other officials for stories. After the verdicts, pros- ecutors told most of the journalists facing up- coming cash-for-scoops trials that charges
created 500-foot "bu sion is more sweepin products. If passed by the Ci would turn tobacco i item, since the propo	Gas pi blast i 11 near	By John King, David R. Baker and Kale Williams A Pacific Gas and Electric Co. pipeline near Fresno erupted in afternoon – injuring at least 11 porarily closing down Highway	tractor operator accidentally punct 12-inch line, authorities said. Eleven victims were transported where officials said four were in cr tion, two were in serious condition remainder suffered minor injuries. The explosion, which sent flame past the tops of nearby trees, happe before 2:30 p.m. on a shooting rang busy Highway 99, one of the San Jo ley's two main freeways.	O Syria fighting: In an day in the Swedish daily
			Terray Sylvester / The Chronicle San Francisco Public Utilities Commission employees Tim Ramirez and Betsy Lauppe Rhodes walk on the Fifield-Cahill Ridge Trail, which will open for expanded uses and be extended farther through the watershed land.	9 Syria fighting: In an interview published Fri- day in the Swedish daily Expressen, Syrian Presi-
			The area is full of trails that go ack to the 1860s. They belong R o the people in perpetuity." ww	Cameroon attack: Boko Haram militants killed at least 12 people in attacks on two

2016 and build connections to other trails along the spectacular coast mountains of the Peninsula.

It would be the first time the San Francisco utility has lifted restrictions on access to the land surrounding the reservoir, opening 23,000 acres of scenery for the public to admire. The scress of scenery for the public to admire. The publ

"Tim very encouraged," "Tim very encouraged," said Jim Sullivan, a docent for the Golden Gate National Recreation Area and San Mateo County parks. "These are existing corridors that have been accessed by patrol vehicles, horseback riders and utility workers for many years."

The proposal brings park advocates closer to their dream of creating a giant network of trails through the watershed and connecting with federal, state and local

leral, state and local Trails continues on A9 1.07

Rights abuses: Bahrain is ing back at an Anmesty Innational report alleging that ernment reforms have failed nd serious violations of hun rights in the Gulf country 4. Human Rights Commisner's office said at least 6,116 ple have been killed since the nting broke out a year ago. SFGATE http://www.sfgate.com/news/article/PG-amp-E-Carmel-home-explosion-blamed-on-bad-5316064.php

PG&E Carmel home explosion blamed on bad pipeline records

By Jaxon Van Derbeken Updated 7:55 am, Friday, March 14, 2014 ADVERTISEMENT

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IMAGE 1 OF 2

A house at Guadalupe and Third streets in Carmel after a gas explosion in March.

Pacific Gas and Electric Co.'s faulty pipeline records, which the utility promised to fix after the deadly San Bruno disaster more than three years ago, are being blamed in a natural-gas explosion that destroyed a home last week in Carmel.

No one was home and there were no injuries when the explosion destroyed the one-bedroom cottage March 3. The owner said that was largely attributable to good luck: A work crew was supposed to be in the house but never got there because of traffic.

PG&E says gas crews working around the house were misled by company records about the type of

Can PG&E Be Trusted? Carmel Puts Pacific Gas & Electric Co. on Notice in Carmel Explosion



Jason Burnett, Mayor of Carmel, California

Five years after a devastating pipeline explosion ripped through the city of San Bruno, killing eight, and a year after another explosion destroyed a house in Carmel-by-the-Sea, the Pacific Gas & Electric Co. still doesn't have accurate records of the gas pipes around our homes, neighborhoods and businesses, the business practices to compensate for their inaccurate records, or the tools in place to immediately halt a gas leak. Each day this situation is not fixed puts the public's safety at risk.

That's not my opinion alone, but the concern of the California Public Utilities Commission, which opened a formal investigation of PG&E's practices and record-keeping after recent pipeline accidents in Carmel, Mountain View, Milpitas, Morgan Hill and Castro Valley highlighted the risk to public safety of PG&E not having accurate records or maps of its vast pipeline network. The proceeding — which could lead to more penalties and fines against PG&E — follows a report by the CPUC's Safety Enforcement Division finding that PG&E's pipeline records are too inadequate and too flawed to be trusted when making critically important, ongoing safety decisions. The public remains at risk until these issues are resolved. several potentially lifesaving safety measures to prevent future pipeline breaches from threatening this community again.

These include better training of construction crews with the necessary emergency tools to make sure gas leaks are stopped quickly. Crews must respond to odor calls in a timely fashion, and a project manager must be designated to monitor construction projects and make regular site visits for possible pipeline interference.

As we prepare to participate in the upcoming CPUC investigation of PG&E's record-keeping and safety practices, we intend to require these measures as part of any penalties levied. We simply can't trust that PG&E will impose these measures on its own. The safety of our communities and the lives of our residents depend on our diligence.

(510) 832-641

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Regulatory Changes: San Bruno Explosion Mirrors 2004 Walnut Creek Pipeline Blast

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Your are here: Home » Regulatory Changes: San Bruno Explosion Mirrors 2004 Walnut Creek Pipeline Blast



Getty Images / Justin Sullivan

The aftermath of the lethal San Bruno explosion has begun to replicate regulatory and safety changes that were products of the 2004 Walnut Creek pipeline blast, a case we represented for our client who suffered burns over 30% of his body.

New Safety Regulations

San Bruno: Yesterday U.S. Rep. Jackie Speier, (D-Hillsborough) announced

legislation that would require pipeline operators across the country to equip their lines with automatic shut-off valves. This technology could have significantly reduced the devastation of the San Bruno pipeline explosion.

Walnut Creek: In 2006, the federal Pipeline and Hazardous Materials Safety Administration's Office of Pipeline Safety and Kinder Morgan, an energy company involved with the Walnut Creek explosion, agreed that Kinder Morgan would provide system-wide SFGATE http://www.sfgate.com/bayarea/article/PG-E-s-Line-109-also-seen-as-posing-safety-risks-2375453.php

PG&E's Line 109 also seen as posing safety risks

SAN BRUNO BLAST Missing records, vulnerable welds for pipe from South Bay to S.F.

By Jaxon Van Derbeken Published 4:00 am, Sunday, April 10, 2011

ADVERTISEMENT

#1 Reason Men Pull Away

beirresistible.com

The Biggest Mistake Women Make That Kills A Man's Attraction



IMAGE 1 OF 3

An exposed section of PG&E's Line 109 gas transmission pipeline spans a creek on a steep hillside in Redwood City, Calif. on Friday, April 1, 2011.

(Published Apr. 10, 2011)

The other pipeline that Pacific Gas and Electric Co. has long relied on to deliver natural gas up the Peninsula has problems similar to the ruptured line in San Bruno - flawed or missing records and at-risk welds, including 80-year-old technology recognized as prone to earthquake failures, The Chronicle has learned.

Like PG&E transmission Line 132 - the pipe that ruptured and exploded in San Bruno on Sept. 9 - Line 109 runs from Milpitas through the South Bay and Peninsula and up to San Francisco, where it terminates in the Dogpatch neighborhood.

ADVERTISING

Since the blast that killed eight people and destroyed 38 homes, PG&E has avoided service disruptions in the upper Peninsula by using a part of Line 109 to route gas around the blast site, thus keeping most of Line 132 in service.

Federal investigators have keyed into PG&E's inaccurate records on Line 132 in San Bruno - records that showed the 1956-vintage pipe had no seam when, in fact, it had a flawed seam weld since tied to the rupture. The company vouched for the line's safety using a method in 2009 that wa incapable of finding bad welds.

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Man's Attraction

#1 Reason Men Pull Away

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Line 109 may be equally problematic for the company, documents show. Like all the lines running into San Francisco, PG&E has cut the pressure on Line 109 by 20 percent in the wake of the San Bruno disaster, but experts say that given its questionable state, the cut affords little assurance o safety.

"You don't know the right level of safety to begin with, so you don't know if you are cutting pressure by enough," said Richard Kuprewicz, a pipelir safety expert in Redmond, Wash.

Missing records

Perhaps the most damaging revelation about Line 109 came last month when the utility acknowledged that it lacks any records for a 5-mile segment in San Bruno that was installed by 1995. The undocumented segment starts south of the rupture site on Skyline Boulevard at San Bruno Avenue, and heads inland to Junipero Serra Boulevard and hooks up to the old route on Skyline at Hickey Boulevard.

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day by using this 1 weird old tip

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The 5-mile part of the line is among 140 miles of transmission pipe for which PG&E has said it has so far found no documents to prove it is operating safely. PG&E has until the end of August to look for the records as part of a \$3 million fine settlement still pending and slated to be argued Monday before the California Public Utilities Commission.

The undocumented part of the line apparently was installed to route around three active earthquake faults in the area on Skyline Boulevard, PG&I records show. The replacement route is now reflected on PG&E's current maps, but the utility lacks records of construction documents and has no proof that it did legally mandated high-pressure water tests.

UC engineering Professor Bob Bea said the lack of records for a 1995-era project is "astounding."

"To have that long a section of an important pipeline without records on its condition - that would be alarming," he said. "I think we have a problem, Houston."

PG&E has acknowledged that the line has other identified risks, but says it inspected the line in 2009 and found no leaks over the past decade.

Brittle welds

PG&E has noted that a 2-mile portion of Line 109 along Alemany Boulevard in San Francisco dates from 1932 and was constructed using oxyacetylene welds, notoriously brittle and susceptible to failure in earthquakes. The at-risk part of the line runs under the street roughly from Sickles Avenue to Rousseau Street.

Oxyacetylene technology - which dates to the early part of the 20th century - is problematic because the hot gases used in the welding process generate bubbles in the welding bond, Bea said.

"It's difficult to get a weld with high integrity," he said. "You end up with a lot of gas and bubbles trapped in the metal."

Kuprewicz added, "Oxyacetylene welds are like glass. They don't bend, they snap. They are very brittle."

Dozens of those welds failed in the 1971 quake in Sylmar (Los Angeles County), according to a 2008 seismic report done for the U.S. Geological Survey on the vulnerability of that kind of weld. The report also found that in the 1989 Loma Prieta quake, PG&E had three transmission line failures involving such welds, and in the 1994 quake in Northridge (Los Angeles County), more than two dozen such welds failed or were damaged

The 2008 report recommended replacement with upgraded pipes, or at least using automatic shutoff valves, pointing out that oxyacetylene welds were almost 100 times more likely to fail in a quake than more modern technology.

PG&E has long downplayed the usefulness of automatic valves, citing industry data showing most blast damage is done in the first 30 seconds of a explosion, but since the San Bruno blast has said it will install them in many high-risk areas.

Rehab versus replace

PG&E had been replacing dozens of miles a year of old pipes since 1985 - including the 5-mile reroute near San Bruno - but told regulators in 1995 that it now intended to begin finding ways to rehab old lines rather than replace them.

One of its first efforts in that vein was to install, that year, a plastic liner in Line 109 under Alemany Boulevard that had 1932-vintage oxyacetylene welds. The purpose of the liner was to create an internal membrane to contain any gas release if vulnerable girth welds failed in an earthquake.

PG&E bought the liner from Paltern Systems Inc. of Missouri, and it was touted as being able to withstand pressures up to 900 pounds per square inch. Paltern is not currently in business in the United States.

"The purpose of this project was to install a safe composite lining, in order to provide additional support and protection," PG&E spokesman Joe Molica said about the liner.

Before installing the liner, he said, PG&E had tested that part of the line using high-pressure water. At the time, the company said it would track any leaks and inspect the line a year after installation.

PG&E recently told San Francisco City Attorney Dennis Herrera, who asked for details about the project, that it did an initial camera inspection bu did not do a follow-up inspection. PG&E says the inspection could have damaged the liner and there had been no leaks in the past decade.

Inspection aside, experts question the value of the liner in a major quake. Glen Stevick, a Berkeley engineer and pipeline safety expert, said such a interior liner "does provide a lot of flexibility and it can take a certain amount of leakage without rupture."

But, he said, substantial ground movement during a quake could have a "guillotine" action in severing a circumferential weld, slicing the liner in the process.

Doug Honegger, an Arroyo Grande (San Luis Obispo County) consultant on pipeline seismic safety, agreed the liner's value is limited.

"The question is why they put the liner in. If the threat was from large ground movement, I'm not sure the (liner) would be what they needed," he said. "The preferred option would be to replace that section."

Vulnerable welds

Still other parts of Line 109 were constructed with low-frequency electric resistance welds, considered vulnerable during normal operations and tied to more than 100 failures nationwide.

PG&E inspected Line 109 in 2009 using a method that was incapable of finding flawed seam welds. Yet two stretches of the line have such welds, according to PG&E records. PG&E officials have said they had been intentionally boosting the pressure on lines with such welds every five years or so since 2003, but stopped the practice after the San Bruno explosion. The company says it had been elevating the pressure because federal regulations - based on peak pressure levels - would otherwise kick in and limit its ability to meet peak demand.

Federal officials say they don't understand why PG&E was boosting pressure on vulnerable lines.

PG&E last spiked the pressure on the San Francisco part of Line 109 on April 12 of last year to 147 pounds per square inch; the line's maximum capacity is 150 psi. It first spiked the pressure on the line in December 2003 to 150 psi. Experts have questioned the safety of the spiking practice on such vulnerable welds, saying they could make them more prone to failure.

Portion above ground

Outside San Francisco, at the higher-pressure segment of the line, experts point to another potential problem spot: an above-ground, 50-foot spar where Line 109 crosses a dry creek bed. PG&E inspected the line in 2009 and said any safety concerns were addressed.

But UC Berkeley's Bea said erosion on the creek banks during recent storms could potentially weaken support on either side spanning the creekbed. He worries the line has no underpinnings to support the crossing.

Experts point to the totality of Line 109 problems as warning signs that the older, untested lines in PG&E's system are fraught with potential risks

PG&E had largely stopped replacing old lines by 2000, when it cut back on miles replaced in favor of inspection efforts to assure safety, document show.

"With the age and the risk factors they have, why aren't they judiciously replacing these pipes?" pipeline safety expert Kuprewicz said. "You are playing Russian roulette with a six-shooter, and you have five bullets in the gun."

"I frankly don't feel very comfortable with their whole" system, said Robert Eiber, another pipeline integrity expert. "It's a mess. You need to find out what you have in the ground."

Herrera said he wants to know more about the line before he is satisfied it is safe.

"It's quite clear that we haven't received all the records that would give us that complete confidence," he said. He added that he intends to make every effort to make sure "we are getting the records we need."

E-mail Jaxon Van Derbeken at jvanderbeken@sfchronicle.com.

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Re: Inquiry about Gas Transmission Pipeline 109 from concerned SF residents

Robert G. BEA

• May 5 at 10:26 AM

To

Marilyn Waterman

Happy Monday Marilyn,

given the background you provided in your email, yes - you should be concerned.

there are several points in your summary that provide a good basis for your concerns:
1) old (1980s) PG&E gas transmission pipeline installed in area with highly variable topography,
2) no records on the construction, operation, and maintenance of the pipeline,
3) no definitive guidelines to determine if the pipeline is 'safe' and 'reliable',
4) apparent confusion about responsibilities (government, industrial - commercial) for the pipeline safety, reliability, and integrity.

this list is identical to the list of concerns that summarized causation of the San Bruno Line 132 gas pipeline disaster.

the fundamental 'challenge' associated with your concern is tied to the word 'safe'. unfortunately, it has been very rare that i have encountered organizations that have a good understanding of what that word means, and less of an understanding of how to demonstrate that a given system is 'safe enough'.

during my investigation of the San Bruno disaster, i did not find a single document (including trial deposition transcripts) that clearly indicated PG&E or the California PUC had a clear understanding of the word 'safe': freedom from undue exposure to injury and harm.

much of this situation is founded in 'ignorance'. it is very rare for me to work with engineers who have a comprehensive understanding of what the word safe means - and no clue about how to determine if a system is either safe or unsafe. the vast majority of governmental regulatory agencies are even worse off.

i have attached a graph that helps me explain the important concepts associated with determining if a system is safe or unsafe. the vertical scale is the likelihood of a failure. the horizontal scale is the consequences associated with a failure. the diagonal lines separate the graph into two quadrants: safe and not safe. if the potential consequences associated with a failure are low, then the likelihood of the failure can be high. if the potential consequences are very high, then the probability of failure must be very low. uncommon common sense.

on the graph, i shown a system that was designed for a particular 'risk' (combination of likelihood and consequences of failure). when it was constructed, the risk increased due to construction 'malfunctions' - like bad welding. when the system was put into service, the risk increased further - perhaps due to poor corrosion protection and due to the area around the pipeline being populated with homes, businesses, schools and other things that increase the potential consequences of a major failure. once it is determined that the system that was originally designed to be safe, is no longer safe, then it is necessary to do things that will allow the system to be safely operated....reduce the likelihood of failure (e.g. repair the corrosion) and reduce the consequences of gas and rapidly shut the system down)....or replace the segment of the pipeline that no longer meets safety - reliability requirements.

All of this makes many of us very uneasy. Should we be?

We would greatly appreciate your perspective.

Regards, Marilyn Waterman

PS - If you want to google the proposed development the addresses are: 3516 and 3526 Folsom St., San Francisco

--Robert Bea Professor Emeritus Center for Catastrophic Risk Management University of California Berkeley Email: <u>bea@ce.berkeley.edu</u>

Risk Assessment & Management Services 60 Shuey Drive Moraga, CA 94556 925-631-1587 (office) 925-699-3503 (cell) Email: <u>BeaRAMS@gmail.com</u> <u>http://buy.norton.com/specialoffers?VENDORID=YAHOO</u> acceptable risks

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SFGATE http://www.sfgate.com/bayarea/article/Cement-truck-mixes-poorly-with-city-water-2545528.php

Cement truck mixes poorly with city water

Chronicle staff report Published 4:00 am, Wednesday, August 22, 2007



Chronicle / Katy Raddatz

IMAGE 1 OF 2

WATERMAIN_027_RAD.jpg SHOWN: Broken water main and fallen cement truck at the corner of Powhattan and Folsom Streets in San Francisco, CA., where undergrounding and sewer repair work have been ongoing. (Katy Raddatz/The Chronicle) **

A cement truck overturned, below, and ruptured a water line in San Francisco's Bernal Heights neighborhood Tuesday, knocking out service to four blocks for seven hours.

The accident happened a little after 10 a.m. and slightly injured the cement truck driver.

At left, an Atlas Towing worker rigs cables to the fallen truck.

Righting the truck took several hours more than expected, but the job was finally accomplished at 3 p.m. with the help of two heavy-duty tow trucks. Two hours later, water was flowing to all in the neighborhood once again, said Tony Winnicker, a spokesman for the city Public Utilities Commission.

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Water service restored in Bernal Heights The affected area is bounded by Powhattan Avenue, Cortland Avenue, Folsom Street and Gates Street.

CASE NUMBER: For Staff Use only

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

or applicant's NAME: arious Neighbors - Bernal Safe and Livable (c/o Sam Orr)		(415)816-514
DR APPLICANT'S ADDRESS: See attched List (c/o 61 Gates Street) SIGNATURE LIST	ZIP CODE: 94110	TELEPHONE:
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIC Solution $Fabien Lannoye$	NARY REVIEW NAME:	
	ZIP CODE:	TELEPHONE:
^{ADDRESS:} 297c Kansas Street, San Francisco	SF	(415) 626-8868
CONTACT FOR DR APPLICATION:		
Same as Above	ZIP CODE:	TELEPHONE:
ADDRESS:		()
E-MAIL ADDRESS:		

2. Location and Classification

STREET ADDRESS OF PROJECT: 3526 Folsom Street				ZIP CODE:	
cross streets: Chapman Street					
ASSESSORS BLOCK/LOT: 5626 / 014	LOT DIMENSIONS: 25X70	LOT AREA (SQ FT): 1750	ZONING DISTRICT: RH-1/40-XBernal Hts. SUD	HEIGHT/BULK DISTRICT:	

Please check all that apply Change of Use 🗌 Change of Hours 🗌 New Construction 🔀 Alterations 🗌 Demo	olition 🗌 Other 🗌
Additions to Building: Rear Front Height Side Yard Open space, walking paths to Bernal park; school children field	trips
Single family house	
Proposed Use: 2013.12.16.4318 Date Filed:	12/17/13
Date Filed:	and a province of the second
Building Permit Application No.	

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	×	
Did you discuss the project with the Planning Department permit review planner?		X
Did you discuss the project that are project to a project that are project that are project to a project that are project to a project that are project to a project to a project to a project that are project to a project to project to a project to project to a project to a project to a p		X

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.

3526 Folsome St.

CASE NUMBER: For Staff Use only

Discretionary Review Request

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

 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.

- 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.
- 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.

9

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: 9/15/15

Print name, and indicate whether owner, or authorized agent: SAM OPR COOVAINATOR Owner / Authorized Agent (circle one) Bornal Safe + fivple (an ad ho e neighborhood group representing 82 Neighbors at this fime)

5. Changes made to project as a result of mediation.

Bernal Heights East Slope Special Use District met at least five times with the developer. Meetings were attended by large numbers of residents. Changes made to project were incremental at best, a fact underscored by Bernal Heights East Slope Design Review Board not supporting the project. Developer was asked to meet with neighbors but did not follow through. Neighborhood character issues remain outstanding, dominated by a three-story house with large garage (variance required) - notably out-of-proportion to small neighboring houses - and vaguely fleshed out access issues impacting neighbors' homes and garages on steep ROW. Despite concerns about maintaining public views from Bernal Heights Blvd., developer added a penthouse stairwell in last rendition of publicly presented plans. North elevations were minimally changed but not enough to address objections to wall-like exterior facing Bernal Park.

Proposed street design changes remain confusing, obfuscating actual implementation of plans regarding: access to existing garages and homes impacted by proposed new street; right-of-way construction on a major aging PG&E gas transmission pipeline (with lost PGE records and tree intrusions); break-over angles; and the addition of another dangerously steep street in Bernal with emergency and regular vehicle access issues.

1. What are the reason for requesting Discretionary Review? Exceptional and extraordinary circumstances? How does the project conflict with the City's General Plan Planning Code's Priority Policies or Residential Guidelines? Cite specific sections of the SFRDG.

Reason #1 - Proposed three-story/large garage (variance required) project is out-of-scale to predominantly two-story/single-car garage homes and threatens Bernal East Slope's SUD protected small-house neighborhood character and socio-economic diversity by creating a de facto speculation zone of tear-downs to be replaced by larger, more profitable developments.

According to SF Assessor's data base, the size of Bernal houses within a 300 foot radius of project is 1329 square feet (see enclosed chart). The adjacent house is 1050 sf (3580 Folsom St. within 50 feet). Current docs/design do not include project's size but it is sizably out of scale.

Codes cited:

• General Plan Priority #2 - Existing housing and neighborhood character be conserved and protected in order to preserve cultural and economic diversity.

 General Plan Priority #3 - That the city's supply of affordable housing be preserved and enhanced.

• Sec. 242,b - In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.

• SFRDG, Pg. 8 - When considering the immediate context of a project, the concern is how the proposed project relates to the adjacent buildings.

SFRDG, PG. 8 - When considering the broader context of a project, the concern is how the proposed project relates to the visual character created by other buildings in the general vicinity.
 SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A - A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city

• Bernal Heights East Slope Guidelines, Pg. 2 - Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result the East Slope's rural characteristics rapidly are disappearing along with views, open space"

•Bernal Heights East Slope Guidelines, Pg. 15, sec. 4 - Intent: Promote harmony in the visual relationship and transitions between new an older buildings.

•Sec. 242, pg. 7, Garage variance required for square footage above 1300 square feet of living space. Usable floor space to parking space ratios: 0 to 1300 square feet for the first parking space. 1301 - 2250 for the second parking space. 2251 to 2850 for the third parking space.

Reason #2 - Exceptional and Extraordinary conditions exist (as defined by the Planning Commission's definition for DR) due to "unusual context" and "complex topography" "not addressed in the design standards:" An aging, major PGE Gas Transmission Pipeline - one of three feeding natural gas into SF - runs through the proposed access area up a dangerously steep grade, the main reason this site has never been developed. <u>The</u> catastrophic risk is further heightened by the threat of earthquakes during construction.

No risk-assessment has been done regarding the public safety concerns surrounding this project. The proposed new access road would be a ROW over aging and troubled PGE Gas Transmission Pipeline 109 (with lost maintenance records and pre-existing tree intrusions violating federal guidelines, <u>see photo</u>). Encased under asphalt, the aging pipeline is typically unreactive - but this area is unpaved. The pipeline is on a pitched, undeveloped patch of Bernal hill. Pipeline 109 is the same type of transmission pipeline that exploded catastrophically in San Bruno and Fresno - and caused serious accidents in Carmel, Walnut Creek and at least four other local cities (see articles and letter by Carmel Mayor).

Federally recommended safe practices that use additional site-specific safety precautions have not been incorporated into final designs (see citation). The Planning Department has approved a building permit without knowing the pipeline's depth and exact location, located within a few feet of the property, which may substantially change project design, including garage access, building location and break-over angle - against recommended federal safe practices (see citation).

Developer proposes creating the third steepest street in SF at 37 degrees (actual grade unknown since depth of pipeline is unknown) - and he will be responsible for grading over transmission pipeline with heavy-duty equipment (see Fresno explosion photo).

An accidental gas leak of PG&E's Gas Transmission 109 Pipeline would be catastrophic to local residents, Community Garden users, and Bernal Park visitors (see photos). Noted gas transmission pipeline expert, Robert Bea, confirmed neighbor's concern regarding danger as legitimate (see letter). In 2007, during street construction at the exact base of this location, a cement truck overturned while trying to make a turn, rupturing a waterline. (See photo)

Citations:

• General Plan Priority #5 - That the City achieve the greatest possible preparedness to protect against injury and the loss of life during an earthquake.

• US Department of Transportation PHPSA "Consultation Zones and Planning Areas" pg. 1 -Local governments should consider implementing "planning areas" to enhance safety when new land uses and property development are planned near transmission pipelines....these are areas where additional development regulations, standards or guidelines to ensure safety should be considered."

• Pipelines and Informed Planning Alliance (PIPA) "Partnering to Further Enhance Pipeline Safety through Risk-Informed Land Use Planning," Appendix C, Ex. 14 and 15a,b,c "Trees should be avoided." "Tree roots may damage transmission pipeline." (See photo)

REASON #3 - "Unusual context" of location of proposed development, next to Bernal Heights Park, threatens public views - and creates a "wall" where there was once open space.

The north elevation of this house is adjacent to Bernal Heights Park and Bernal Heights Blvd and Community Garden, where hundreds of visitors walk, bike, garden and drive every day. A

penthouse stairwell - taller than the railing of the rooftop garden and extending into the public viewing vista - was added to the plans at the last ESDRB meeting. It rises up on the north side of the house, adjacent to the park, impeding views. Since then, the penthouse stairwell has been enlarged and broaden, further impeding views.

The ESDRB letter to the developer informing him of why his project was not in compliance with ESDRB Guidelines specifically notes the elevations facing Bernal are "visually prominent" and remain "largely undeveloped and uncomposed." (See letter)

Citations:

• SF General Plan Urban Design Element, Fundamental Principles of Conservation, Pg. 27, #17 -Blocking, construction or other impairment of pleasing views of the Bay or Ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting and quality of the city.

 SF General Plan Urban Design Element, Fundamental Principles of Conservation, pg. 23, #4A -A plan seeking to avoid excessive bulkiness must consider the existing scale of development in each area of the city

• SFRDG pg 38 - Limit the size of the penthouse in order to reduce its visibility from the street....Stair penthouses may also be entirely eliminated.

Reason #4 - Large garage for two cars (variance required) is out of character for neighborhood and threatens economic diversity.

This is a particularly perplexing aspect of proposed project, given the predominant neighborhood character of small houses and single car-garages and a few, rare two-car garages with outside side by side access. It also adds to an already dangerous traffic situation (See overturned <u>cement truck photo</u>.) The fact the house is located on a 37 degree slope makes it particularly improbable that actual double parking will be utilized - and/or done safely. (Try maneuvering on a street that steep.) This appears to be a way to circumvent the system in order to maximize the building envelope and make this house as large as possible.

Codes cited:

Sec. 242, pg. 7, Usable floor space to parking space ratios: 0 to 1300 square feet for first parking space. 1301 - 2250 sf for second parking space. 2251 to 2850 sf for third parking space.
General Plan Priority #2 - Existing housing and neighborhood character be conserved and protected in order to preserve cultural and economic diversity.

Sec. 242,b - In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the City, and to encourage development in context and scale with the established character, there shall be a Bernal Heights Special Use District.
SFRDG, Pg. 8 - When considering the immediate context of a project, the concern is how the proposed project relates to the adjacent buildings.

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• Bernal Heights East Slope Guidelines, Pg. 2 - Much recent development is not only inconsistent but often at odds with the smaller scale existing structures. As a result the East Slope's rural characteristics rapidly are disappearing along with views, open space"

• Bernal Heights East Slope Guidelines, Pg. 15, sec. 4 - Intent: Promote harmony in the visual relationship and transitions between new and older buildings.

* * * * * * * * *

2. Unreasonable impacts during construction:

Of particular concern, construction will happen over and close to an aging transmission pipeline on an unusually steep grade in an urban area with high-risk consequences if an accident happens. Bernal residents have a reasonable expectation not to live in fear of a catastrophic explosion - and so far no government entity is taking responsibility for ensuring citizens safety. Additionally, construction activities will block access for emergency vehicles to this section of Bernal. The development will open up hill to further development of all six lots, prolonging the development period and *significant public safety concerns* of nearby neighbors.

3. What alternatives...would reduce the adverse effects noted above in question #1?

Alt 1 - First, resolve public safety issues and final design questions regarding pipeline and dangerously steep street. Lower pipeline so street can be safely graded to match the slope of parallel streets that have been graded down for safe vehicle access. Reduce the size of house to a scale that conforms and enhances neighborhood character.

CASE NUMBER: For Staff Use only

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	Y
Address labels (original), if applicable	V,
Address labels (copy of the above), if applicable	ø
Photocopy of this completed application	¥,
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	
Letter of authorization for agent	
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)	

NOTES:

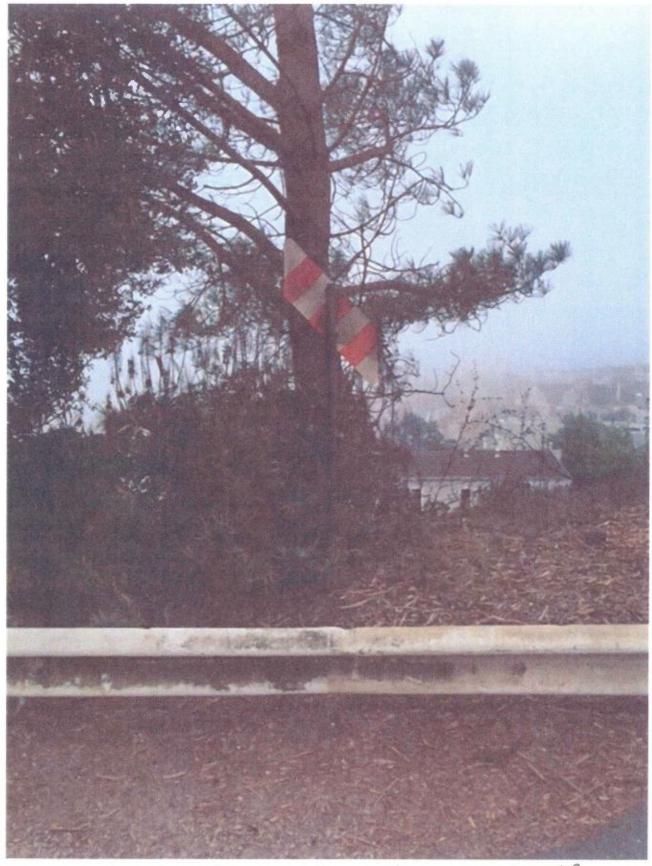
Required Material.

Optional Material.
 O 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:



TREE ON TRANSMISSION PIPELINE 109 TOP OF FOLSON STREET IN DEANAL HEIGHTS

	J Electric Co. peline.	urea had we an e, which note explo- d 200 on- explo- d 200 on- friday, rly 4 rly 4 rly 4 rly 4 rly 4 vorked vy ted and ay ay had ay
	Pacific Gas and Electric Co.	 3:20 pm – because the area had not been upgraded to have an automatic shut-off valve, which can be closed from a remote location. Since the San Bruno explo- sion, PG&E has installed 200 automatic or remotely con- trolled shut-off valves as part of its \$2.8 billion effort to improve its network of natural gas pipe- lines across Northern and Cen- tral California. At the shooting range Friday, flames burned until nearly 4 p.m. On Saturday morning, Union Pacific Railroad crews worked to repair 400 feet of nearby track that was bent, melted and twisted by the blast. They had been working since Friday
	fter causing a blast near Fresno.	physical inspection of the pipe is involved. State law requires workers who use digging and grading equipment to call 811 two work- ing days before beginning their work, said another PG&E spokesman, NE& Stimmel. That call alerts PG&E and other utilities to send someone out to identify the location of under- ground pipes and equipment. No call before dig Stimmel said its 811 call cen- ter, USA North, never received such a call. "Offentimes it's a lack of such a call. "Offentimes it's a lack of such a call. "Offentimes it's a lack of such a call. "Offentimes it's a lack of pie just don't want to wait" for
.com tatata	A front-end loader sits on a berm behind a firing range Friday after causing a blast near Fresno. At right is part of the pipeline.	Gas produce ex ploate an load with river San load with River Mit ES Mit E
A12 Sunday, April 19, 2015 SFCHRONICLE.COM AND SFGATE.COM PROM THIE COVER Land land altered before blast	A front-end loader sits on a ber	been scraped and hauled and maneuvered to build up the backdrop for the targets, said Botti of the sheriff's office. "The whole area has changed significantly over the past year," Botti said. "There's been con- stant construction." PG&E's Boyles said the pipe- line was well marked with a pair of orange and white warning signs in the area. The driver "was directly between the two line markers," Boyles said, with the warning sign about 100 feet on either side of the vehicle. But when a reporter asked to see the signs and photograph them, Boyles ordered the re- porter to leave the premises. The area "was an active in- vestivation site and we had heen
A12 Sunday, April 19, 2015 FROM THE FROM THE Land altered before blast	Blast from page A1 closer to the surface than any- one realized. Arnong the critically burned victims was the county Depart- ment of Public Works employee who was driving the front-end loader that struck and punc- tured the 12-inch-wide gas pipe, sending a fireball more than 100 feet into the air, according to witnesses. The unidentified driver had been building up a	dirt berm behind a sheriff's firing range near Highway 99. Binmates injured Eight of the injured were inmates from the Presno Coun- ty Jail who were digging bullets out of the berm. Six inmates remained hospitalized on Satur- day, including one with life- threatening injuries, said Tony Botti, a spokesman for the Fres- no County Sheriff's Office. Two deputies were treated at a local hospital and released Friday night. How and why the explosion occurred is under investigation by the California Public Utilities Commission, working with the federal Pipeline and Hazardous Materials Safety Administra-tion.

13.00







tions to other trails along 2016 and build connecmountains of the Peninthe spectacular coast sula.

reservoir, opening 23,000 Bay Area residents who to the trails in the water acres of scenery for the have long sought access time the San Francisco utility has lifted restricproposal was hailed by It would be the first land surrounding the public to admire. The tions on access to the shed.

National Recreation Area cent for the Golden Gate "I'm very encouraged, said Jim Sullivan, a doparks. "These are existbeen accessed by patrol and San Mateo County ing corridors that have vehicles, horseback riders and utility workers for many years."

Trails continues on A9 their dream of creating a park advocates closer to The proposal brings through the watershed giant network of trails federal, state and local and connecting with

PG&E gas explosion leaves at least 11 hurt

Blast from page A1

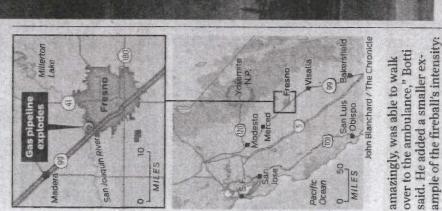
The tractor was being operated by a county public works employee who was using it to reinforce a berm behind the targets at the Fresno County Peace Officers' Range, according to spokesman Tony Botti of the Fresno County Sheriff's Office. Three lanes and about 30 feet away, more than a dozen inmates were digging bullets out of the berm.

It was not immediately clear whether the tractor operator knew the gas transmission line was there. Anyone who digs with heavy equipment is supposed to check with local utilities in advance. PG&E spokeswoman Nicole Liebelt said the company had not received a call on its digging hotline from anyone working nearby.

But, according to Botti, the tractor operator was not engaged in digging at the time of the explosion. "All the indications are that he was driving and the explosion happened," Botti said, perhaps because the front-end loader was scraping the ground.

Whatever the cause, the explosion was immense – flaring more than 100 feet into the air, according to onlookers, and spilling outward in heat and flames that injured at least 10 of the immates. One was in such critical condition that he had to be airlifted to a nearby hospital.

"The driver of the tractor,



amazingty, was able to walk over to the ambulance," Botti said. He added a smaller example of the fireball's intensity, plastic trash cans 200 feet away from the explosion, in an area where deputies clean their guns, melted. "They looked like trash-can lids," Botti said. Fortunately, most of the area around the explosion was

grassland, the shooting range and an equestrian center. Another factor that kept the toll from being more severe is that deputies were at the shooting range. "Hats off to them." Botti said. "They



Highway 99 was closed in both directions until 4:30 p.m. A railroad line running alongside the shooting range sus-

According to Pete Martinez,

jumped into action right away

to get aid."

Fire Department, the response

a spokesman for the Fresno

tained damage. Last week, the California Public Utilities Commission slapped PG&E with a record \$1.6 billion penalty for the September 2010 explosion of a

trucks each containing roughly 2,000 gallons for the engines to

draw on.

to the fireball included 15 fire engines, fire trucks and water

natural gas pipeline beneath San Bruno, which killed eight people. The blast erupted from a 1950s-era pipeline that had been installed with substandard welds that failed, said federal investigators. Since then, PG&E has spent

Since then, PG&E has spent or committed to spend \$2.8 billion on repairing and upgrading its vast network of natural gas pipes, which spans most of Northern and Central California. The utility has replaced more than 800 miles of cast-iron pipe and installed 200 automatic or remotely controlled shut-off valves, as well as invested in new leakdetection technology. Those investments, however

Those investments, however, cannot prevent other people from digging into and puncturing gas lines - the most common cause of natural gas pipeline accidents nationwide. But if the tractor in fact was

But if the tractor in fact was not engaged in scooping dirt out of the ground, that raises the question of how close the 12-inch transmission line was to the surface.

Late Friday, the utilities Late Friday, the utilities commission reported that it had dispatched a team to Fres no and would conduct a full investigation of the explosion. The commission had already begun coordinating with the federal Pipeline and Hazardous Materials Safety Administration, said spokeswoman Terrie Prosper. John King, David R. Baker and Kale William are San Francisco Chronicle staff writers. E-mail: iking@sfcbronicle.com, dbaker@ sfcbronicle.com, kwilliams@ sfcbronicle.com, Twitter: @JohnKingSFCbron, @DavidBakerSF, @SFVAde (510) 830-5441

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Regulatory Changes: San Bruno Explosion Mirrors 2004 Walnut Creek Pipeline Blast

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Getty Images / Justin Sullivan

The aftermath of the lethal San Bruno explosion has begun to replicate regulatory and safety changes that were products of the 2004 Walnut Creek pipeline blast, a case we represented for our client who suffered burns over 30% of his body.

New Safety Regulations

San Bruno: Yesterday U.S. Rep. Jackie Speier, (D-Hillsborough) announced

legislation that would require pipeline operators across the country to equip their lines with automatic shut-off valves. This technology could have significantly reduced the devastation of the San Bruno pipeline explosion.

Walnut Creek: In 2006, the federal Pipeline and Hazardous Materials Safety Administration's Office of Pipeline Safety and Kinder Morgan, an energy company involved with the Walnut Creek explosion, agreed that Kinder Morgan would provide system-wide SFGATE http://www.sfgate.com/news/article/PG-amp-E-Carmel-home-explosion-blamed-on-bad-5316064.php

PG&E Carmel home explosion blamed on bad pipeline records

By Jaxon Van Derbeken Updated 7:55 am, Friday, March 14, 2014 ADVERTISEMENT

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IMAGE 1 OF 2

A house at Guadalupe and Third streets in Carmel after a gas explosion in March.

Pacific Gas and Electric Co.'s faulty pipeline records, which the utility promised to fix after the deadly San Bruno disaster more than three years ago, are being blamed in a natural-gas explosion that destroyed a home last week in Carmel.

No one was home and there were no injuries when the explosion destroyed the one-bedroom cottage March 3. The owner said that was largely attributable to good luck: A work crew was supposed to be in the house but never got there because of traffic.

PG&E says gas crews working around the house were misled by company records about the type of

Can PG&E Be Trusted? Carmel Puts Pacific Gas & Electric Co. on Notice in Carmel Explosion



Jason Burnett, Mayor of Carmel, California

Five years after a devastating pipeline explosion ripped through the city of San Bruno, killing eight, and a year after another explosion destroyed a house in Carmel-by-the-Sea, the Pacific Gas & Electric Co. still doesn't have accurate records of the gas pipes around our homes, neighborhoods and businesses, the business practices to compensate for their inaccurate records, or the tools in place to immediately halt a gas leak. Each day this situation is not fixed puts the public's safety at risk.

That's not my opinion alone, but the concern of the California Public Utilities Commission, which opened a formal investigation of PG&E's practices and record-keeping after recent pipeline accidents in Carmel, Mountain View, Milpitas, Morgan Hill and Castro Valley highlighted the risk to public safety of PG&E not having accurate records or maps of its vast pipeline network. The proceeding — which could lead to more penalties and fines against PG&E — follows a report by the CPUC's Safety Enforcement Division finding that PG&E's pipeline records are too inadequate and too flawed to be trusted when making critically important, ongoing safety decisions. The public remains at risk until these issues are resolved. several potentially lifesaving safety measures to prevent future pipeline breaches from threatening this community again.

These include better training of construction crews with the necessary emergency tools to make sure gas leaks are stopped quickly. Crews must respond to odor calls in a timely fashion, and a project manager must be designated to monitor construction projects and make regular site visits for possible pipeline interference.

As we prepare to participate in the upcoming CPUC investigation of PG&E's record-keeping and safety practices, we intend to require these measures as part of any penalties levied. We simply can't trust that PG&E will impose these measures on its own. The safety of our communities and the lives of our residents depend on our diligence.

SFGATE http://www.sigate.com/bayarea/article/Cement-truck-mixes-poorly-with-city-water-2545528.php

Cement truck mixes poorly with city water

Chronicle staff report Published 4:00 am, Wednesday, August 22, 2007

CEMENT TRUCK OVERTURNED DURING CON-STRUCTION AT FOLSOM and POWHATJAN



Chronicle / Katy Faddatz

IMAGE 1 OF 2

WATERMAIN_027_RAD.jpg SHOWN: Broken water main and fallen cement truck at the corner of Powhattan and Folsom Streets in San Francisco, CA., where undergrounding and sewer repair work have been ongoing. (Katy Raddatz/The Chronicle) **

A cement truck overturned, below, and ruptured a water line in San Francisco's Bernal Heights neighborhood Tuesday, knocking out service to four blocks for seven hours.

The accident happened a little after 10 a.m. and slightly injured the cement truck driver.

At left, an Atlas Towing worker rigs cables to the fallen truck.

Righting the truck took several hours more than expected, but the job was finally accomplished at 3 p.m. with the help of two heavy-duty tow trucks. Two hours later, water was flowing to all in the neighborhood once again, said Tony Winnicker, a spokesman for the city Public Utilities Commission.

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Water service restored in Bernal Heights The affected area is bounded by Powhattan Avenue, Cortland Avenue, Folsom Street and Gates Street.

PIPA-Final Report 2015.pdf

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APPENDIX C

PIPA Report, November 2010

Examples 15a, 15b and 15c -- Tree roots may damage transmission pipelines

These pictures illustrate situations on the transmission pipeline right-of-way that should be avoided.

the transmission pipeline from external corrosion. pipeline. Pipeline coatings may also be damaged by tree roots. Coatings need to remain intact to protect impeded the pipeline operator's ability to access and evaluate the condition of the transmission These pictures illustrate why trees should not be allowed in the right-of-way. The tree roots have



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Terry Milne, external secretary • 321 Rutledge • San Francisco 94110 • [285•8978]

April 28, 2015

Fabien Lannoye BluOrange Designs 241 Amber Drive San Francisco CA 94131 fabien@bluorange.com

Re: 3516 & 3526 Folsom Street Block/Lots: 5626/013 & 014

Dear Mr. Lannoye:

review the latest designs for two proposed houses at 3516 and 3526 Folsom Street. This was a follow The Bernal Heights East Slope Design Review Board held a Board-only meeting on April 22, 2015 to up to five neighborhood meetings attended by large groups of neighbors and a series of comment etters written by the Board. The sites are currently undeveloped and without vehicular access.

While we believe that the process has resulted in some improvements to the project, the Board cannot support the project as being in alignment with the Bernal Heights East Slope Building Guidelines.

for potential development of adjacent lots on the Folsom Street extension, and there are a number of If the two proposed houses and associated street improvements are built, they will set a precedent issues that we continue to believe are not in compliance with the Guidelines or consistent with neighborhood character:

- Bulk and Massing of Elevations: while the front façade of #3516 is animated with changes in plane, materials and elements that step down in height along with the hillside, the front façade of #3526 Folsom remains very boxy, flat and unresponsive to the hillside.
- 2. Elevations facing Chapman Street and Bernal Boulevard: these will be visually prominent in the neighborhood. These facades remain largely underdeveloped and uncomposed, with large expanses of blank wall where there are opportunities for windows, carve-outs, changes in roof treatment and/or other elements that could add visual interest.

easements, existing PG&E gas line, Fire Department access to the neighborhood during construction In addition to these items, neighbors have raised a number of concerns that are beyond the purview of the Board (construction impact, slope and break-over angle at the Folsom Street extension, etc.).

Since the Board is not a City agency, it does not have the power to either approve or disapprove the

LOOKING DOWN FOLSOM ST FROM POWHATEN.



This is the part of Folsom that one drives up to proposed site. Nok: small houses w/ one car garages.

ABURING HOUSES TO JSIG TULSON - SSENTES GI GATES OS GATES B the second X.

THREE ADJACENT HOUSES (TOP HOUSE IS 3580 FOLSOM, CLOSEST TO PROPOSED PROJECT.)



NOTE: Sideyard of adjacent hourses that allow air and light.

NOTE: Scale of house - one story we over garage. SFGATE http://www.sfgate.com/bayarea/article/Cement-truck-mixes-poorty-with-city-water-2545528.php

Cement truck mixes poorly with city water

Chronicle staff report Published 4:00 am, Wednesday, August 22, 2007



Chronicle / Katy Raddat:

IMAGE 1 OF 2

WATERMAIN_027_RAD.jpg SHOWN: Broken water main and fallen cement truck at the corner of Powhattan and Folsom Streets in San Francisco, CA., where undergrounding and sewer repair work have been ongoing. (Katy Raddatz/The Chronicle) **

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Water service restored in Bernal Heights The affected area is bounded by Powhattan Avenue, Cortland Avenue, Folsom Street and Gates Street.

SFGATE http://www.sfgate.com/bayarea/article/PG-E-s-Line-109-also-seen-as-posing-safety-risks-2375453.php

PG&E's Line 109 also seen as posing safety risks

SAN BRUNO BLAST Missing records, vulnerable welds for pipe from South Bay to S.F.

By Jaxon Van Derbeken Published 4:00 am, Sunday, April 10, 2011 ADVERTISEMENT



IMAGE 1 OF 3

An exposed section of PG&E's Line 109 gas transmission pipeline spans a creek on a steep hillside in Redwood City, Calif. on Friday, April 1, 2011.

(Published Apr. 10, 2011)

The other pipeline that Pacific Gas and Electric Co. has long relied on to deliver natural gas up the Peninsula has problems similar to the ruptured line in San Bruno - flawed or missing records and at-risk welds, including 80-year-old technology recognized as prone to earthquake failures, The Chronicle has learned.

Like PG&E transmission Line 132 - the pipe that ruptured and exploded in San Bruno on Sept. 9 - Line 109 runs from Milpitas through the South Bay and Peninsula and up to San Francisco, where it terminates in the Dogpatch neighborhood.

ADVERTISING

Since the blast that killed eight people and destroyed 38 homes, PG&E has avoided service disruptions in the upper Peninsula by using a part of Line 109 to route gas around the blast site, thus keeping most of Line 132 in service.

Federal investigators have keyed into PG&E's inaccurate records on Line 132 in San Bruno - records that showed the 1956-vintage pipe had no seam when, in fact, it had a flawed seam weld since tied to the rupture. The company vouched for the line's safety using a method in 2009 that wa incapable of finding bad welds.

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Line 109 may be equally problematic for the company, documents show. Like all the lines running into San Francisco, PG&E has cut the pressure on Line 109 by 20 percent in the wake of the San Bruno disaster, but experts say that given its questionable state, the cut affords little assurance o safety.

"You don't know the right level of safety to begin with, so you don't know if you are cutting pressure by enough," said Richard Kuprewicz, a pipelir safety expert in Redmond, Wash.

Missing records

Perhaps the most damaging revelation about Line 109 came last month when the utility acknowledged that it lacks any records for a 5-mile segment in San Bruno that was installed by 1995. The undocumented segment starts south of the rupture site on Skyline Boulevard at San Bruno Avenue, and heads inland to Junipero Serra Boulevard and hooks up to the old route on Skyline at Hickey Boulevard.

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The 5-mile part of the line is among 140 miles of transmission pipe for which PG&E has said it has so far found no documents to prove it is operating safely. PG&E has until the end of August to look for the records as part of a \$3 million fine settlement still pending and slated to be argued Monday before the California Public Utilities Commission.

The undocumented part of the line apparently was installed to route around three active earthquake faults in the area on Skyline Boulevard, PG&I records show. The replacement route is now reflected on PG&E's current maps, but the utility lacks records of construction documents and has no proof that it did legally mandated high-pressure water tests.

UC engineering Professor Bob Bea said the lack of records for a 1995-era project is "astounding."

"To have that long a section of an important pipeline without records on its condition - that would be alarming," he said. "I think we have a problem, Houston."

PG&E has acknowledged that the line has other identified risks, but says it inspected the line in 2009 and found no leaks over the past decade.

Brittle welds

PG&E has noted that a 2-mile portion of Line 109 along Alemany Boulevard in San Francisco dates from 1932 and was constructed using oxyacetylene welds, notoriously brittle and susceptible to failure in earthquakes. The at-risk part of the line runs under the street roughly from Sickles Avenue to Rousseau Street.

Oxyacetylene technology - which dates to the early part of the 20th century - is problematic because the hot gases used in the welding process generate bubbles in the welding bond, Bea said.

"It's difficult to get a weld with high integrity," he said. "You end up with a lot of gas and bubbles trapped in the metal."

Kuprewicz added, "Oxyacetylene welds are like glass. They don't bend, they snap. They are very brittle."

Dozens of those welds failed in the 1971 quake in Sylmar (Los Angeles County), according to a 2008 seismic report done for the U.S. Geological Survey on the vulnerability of that kind of weld. The report also found that in the 1989 Loma Prieta quake, PG&E had three transmission line failures involving such welds, and in the 1994 quake in Northridge (Los Angeles County), more than two dozen such welds failed or were damaged

The 2008 report recommended replacement with upgraded pipes, or at least using automatic shutoff valves, pointing out that oxyacetylene welds were almost 100 times more likely to fail in a quake than more modern technology.

PG&E has long downplayed the usefulness of automatic valves, citing industry data showing most blast damage is done in the first 30 seconds of a explosion, but since the San Bruno blast has said it will install them in many high-risk areas.

Rehab versus replace

PG&E had been replacing dozens of miles a year of old pipes since 1985 - including the 5-mile reroute near San Bruno - but told regulators in 1995 that it now intended to begin finding ways to rehab old lines rather than replace them.

One of its first efforts in that vein was to install, that year, a plastic liner in Line 109 under Alemany Boulevard that had 1932-vintage oxyacetylene welds. The purpose of the liner was to create an internal membrane to contain any gas release if vulnerable girth welds failed in an earthquake.

PG&E bought the liner from Paltem Systems Inc. of Missouri, and it was touted as being able to withstand pressures up to 900 pounds per square inch. Paltem is not currently in business in the United States.

"The purpose of this project was to install a safe composite lining, in order to provide additional support and protection," PG&E spokesman Joe Molica said about the liner.

Before installing the liner, he said, PG&E had tested that part of the line using high-pressure water. At the time, the company said it would track any leaks and inspect the line a year after installation.

PG&E recently told San Francisco City Attorney Dennis Herrera, who asked for details about the project, that it did an initial camera inspection bu did not do a follow-up inspection. PG&E says the inspection could have damaged the liner and there had been no leaks in the past decade.

Inspection aside, experts question the value of the liner in a major quake. Glen Stevick, a Berkeley engineer and pipeline safety expert, said such a interior liner "does provide a lot of flexibility and it can take a certain amount of leakage without rupture."

But, he said, substantial ground movement during a quake could have a "guillotine" action in severing a circumferential weld, slicing the liner in the process.

Doug Honegger, an Arroyo Grande (San Luis Obispo County) consultant on pipeline seismic safety, agreed the liner's value is limited.

"The question is why they put the liner in. If the threat was from large ground movement, I'm not sure the (liner) would be what they needed," he said. "The preferred option would be to replace that section."

Vulnerable welds

Still other parts of Line 109 were constructed with low-frequency electric resistance welds, considered vulnerable during normal operations and tied to more than 100 failures nationwide.

PG&E inspected Line 109 in 2009 using a method that was incapable of finding flawed seam welds. Yet two stretches of the line have such welds, according to PG&E records. PG&E officials have said they had been intentionally boosting the pressure on lines with such welds every five years or so since 2003, but stopped the practice after the San Bruno explosion. The company says it had been elevating the pressure because federal regulations - based on peak pressure levels - would otherwise kick in and limit its ability to meet peak demand.

Federal officials say they don't understand why PG&E was boosting pressure on vulnerable lines.

PG&E last spiked the pressure on the San Francisco part of Line 109 on April 12 of last year to 147 pounds per square inch; the line's maximum capacity is 150 psi. It first spiked the pressure on the line in December 2003 to 150 psi. Experts have questioned the safety of the spiking practice on such vulnerable welds, saying they could make them more prone to failure.

Portion above ground

Outside San Francisco, at the higher-pressure segment of the line, experts point to another potential problem spot: an above-ground, 50-foot spar where Line 109 crosses a dry creek bed. PG&E inspected the line in 2009 and said any safety concerns were addressed.

But UC Berkeley's Bea said erosion on the creek banks during recent storms could potentially weaken support on either side spanning the creekbed. He worries the line has no underpinnings to support the crossing.

Experts point to the totality of Line 109 problems as warning signs that the older, untested lines in PG&E's system are fraught with potential risks

PG&E had largely stopped replacing old lines by 2000, when it cut back on miles replaced in favor of inspection efforts to assure safety, document show.

"With the age and the risk factors they have, why aren't they judiciously replacing these pipes?" pipeline safety expert Kuprewicz said. "You are playing Russian roulette with a six-shooter, and you have five bullets in the gun."

"I frankly don't feel very comfortable with their whole" system, said Robert Eiber, another pipeline integrity expert. "It's a mess. You need to find out what you have in the ground."

Herrera said he wants to know more about the line before he is satisfied it is safe.

"It's quite clear that we haven't received all the records that would give us that complete confidence," he said. He added that he intends to make every effort to make sure "we are getting the records we need."

E-mail Jaxon Van Derbeken at jvanderbeken@sfchronicle.com.

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We, the undersigned Bernal Heights neighbors, support the Application for Discretionary Review by **Bernal Safe and Livable-**-residents concerned about proposed development of a street and houses on a dangerously steep undeveloped hill over a major gas transmission pipeline in our residential area.

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We the undersigned Bernal Heights neighbors support the Application for Discretionary Review by BERNAL SAFE AND LIVABLE, an organization concerned about proposed development of a road and houses on steep open space over a major gas transmission pipeline in our residential area.

NAME

ADDRESS

SIGNATURE

LINDA RAMEY 94110 45 GATE ST. 2 60 GATES ST. 94110 RAFFI BASHLIAN 75 GATES ST 94110 LOPINTO PAMELA Kelly Purdom 266 Gates ST 94110 203 Botes St 94110 avol Cantwell 3580 FOLSOMST. GMILO STEVE PILCUS 3580 FOLSOM ST 94110 MIDORI DENBA 151 Anderson St 94110 James Marple arganet Kniete 199 Moutrie p Bever W Gavin 1649 YORK ST 94110 Schoenwald 37 7 tranconias 5 SF 94118 41. ZIZELSIE SCOTT Cummahan 158 Wool SF94110 Foncin 375 CRESCENT AVE Sates St 94110 75 , des ST 9410 ns 8 Gates St 9410 20ndermar Grates (+ 94110 hryn Bender 94110 PHAZEN 109 Ceater ST CIA 60 GATES ST 94112 MARK HESHER

We the undersigned Bernal Heights neighbors support the Application for Discretionary Review by **Bernal Safe and Livable**, an organization concerned about proposed development of a street and houses on steep open space over a major gas transmission pipeline in our residential area.

NAME	ADDRESS.	SIGNATURE
Giuliana Milanose	137 Anderson:	5-1 94110 gan nu
ROBERT WEISBLATT	140 MULLENAUE	94/10 Addies
Laurel MUDIZ	302 Winfield St.	94110 augen Muniz
TOMGALLAGHER	239 MULTENAUE	9410 ton Sallage
JOSE L MULTE	302 WINALOD ST	94110 Aspendet
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We the undersigned Bernal Heights neighbors support the Application for Discretionary Review by **Bernal Safe and Livable**, an organization concerned about proposed development of a street and houses on steep open space over a major gas transmission pipeline in our residential area.

SIGNATURE NAME ADDRESS . OCKET 2 2 Park SF Park St. 135 PARE ST. COURTNEY GERRY 139 PACK ST 9

We the undersigned Bernal Heights neighbors support the Application for Discretionary Review by **Bernal Safe and Livable**, an organization concerned about proposed development of a street and houses on steep open space over a major gas transmission pipeline in our residential area.

IGNATURE NAME ADDRESS HESHER 60 GATES ST MARK Rende GAT65 James 81 r7 Barb 1280h 5 DERSON M

We, the undersigned Bernal Heights neighbors, support the Application for Discretionary Review by **Bernal Safe and Livable--**residents concerned about proposed development of a street and houses on a dangerously steep undeveloped hill over a major gas transmission pipeline in our residential area.

NAME GNATURE ADDRE MOULTRIE ST. IWYMAN 7. Mailt

We the undersigned Bernal Heights neighbors support the Application for Discretionary Review by **Bernal Safe and Livable**, an organization concerned about proposed development of a street and houses on steep open space over a major gas transmission pipeline in our residential area.

ADDRESS IGNAT KIENada GATES Pend 8 ame 1.8

Additional Supporters of the Bernal Safe and Livable Discretionary Review Application

(authorizing emails attached)

Paul Hessinger 212 Gates Street

Elaine Elinson 100 Winfield Street

Nancy Slepicka 608 Peralta Aveevue

Giuliana Milanese 137 Anderson Street

Connie Ewald 76 Gates St.

Peter Ewald 76 Gates St.

Rosanne Liggett 125 Gates Street

Malcolm Gaines 85 Gates St

September 14, 2015 9:19 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: Folsom Development

Begin forwarded message:

From: Llewellyn Keller <<u>llewkeller@icloud.com</u>> Subject: Folsom Development Date: September 12, 2015 at 6:33:06 PM PDT To: "sam.orr1@gmail.com" <sam.orr1@gmail.com>

Hi Sam - I responded to Gail a few days ago with my name & address to be added, but if this new solicitation isn't the same thing - please feel free to list my support - Llew Keller - 90 Gates

Sent from my iPhone

September 14, 2015 9:21 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: Bernal Safe

Begin forwarded message:

From: Rosanne Liggett <<u>rosanneadana@hotmail.com</u>> Subject: Bernal Safe Date: September 13, 2015 at 1:51:03 PM PDT To: "<u>sam.orr1@gmail.com</u>" <<u>sam.orr1@gmail.com</u>>

Please add my name and address to the list of people concerned (and opposed) to the building project on the site next to the community garden:

Rosanne Liggett 125 Gates Street SF 94110

Thanks for the heroic community work to stop this project!

Rosanne

Malcolm Gaines <malcolm@malcolmgaines.us>

To: Sam Orr <sam.orr1@gmail.com>

Co: Marilyn Waterman <yaviene@yahoo.com>, Ann Lockett <lockett7@gmail.com>

Re: Request for Planning Commission review -- Due Tuesday

Thanks so much, Sam, for working on this with everyone else. I'd like to lend my support to the DR application.

Malcolm Gaines 85 Gates St SF 94110

Malcolm Gaines malcolm@malcolmgaines.us

On Sep 12, 2015, at 2:24 PM, Sam Orr < sam.orr1@gmail.com> wrote:

Dear Neighbor,

With apologies, we are e-mailing you because you signed earlier petitions expressing concern about a proposed development below the Community Garden on Bernal Heights.

The Planning Commission has recently approved the design for two houses at what would be 3516 and 3526 Folsom, currently an open slope with no street. In doing this the Commission overrode the Bernal Heights East Slope Design Review Board's unwillingness to approve the designs.

We are gathering support for an application — due this Tuesday — for what is called a Discretionary Review by the Planning Commission. The review offers the opportunity for a public hearing and the presentation of concerns about the proposed development by the people affected. The focus of our ad hoc neighborhood group, Bernal Safe and Livable, is the out-of-character size of the proposed houses for this neighborhood and the extreme safety issues arising from construction on the steep slope over a major PG&E trunk pipeline.

Neighbors comprising Bernal Safe and Livable have been circulating petitions of support for this application. About 40 people have signed. If you have signed already, THANK YOU. If you would like to offer email support for Bernal Safe and Livable's application requesting a review by the Planning Commission, please join the list of supporters by sending your name and address to <u>sam.orr1@gmail.com</u>.

The list of supporters will be enclosed with the Bernal Safe and Livable Discretionary Review Application that is due Tuesday morning, September 15.

Thanks much, Bernal Safe and Livable Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: support Bernal Safe and Livable application

September 14, 2015 9:33 PM

Begin forwarded message:

From: Nancy Slepicka <<u>nrslepicka@gmail.com</u>> Subject: support Bernal Safe and Livable application Date: September 12, 2015 at 2:29:14 PM PDT To: sam.orr1@gmail.com

Nancy Slepicka 608 Peralta Ave. SF 94110

September 14, 2015 9:31 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: Request for Planning Commission review -- Due Tuesday

Begin forwarded message:

From: Giuliana Milanese <<u>qfmilanese@gmail.com</u>> Subject: Re: Request for Planning Commission review -- Due Tuesday Date: September 12, 2015 at 2:38:59 PM PDT To: Sam Orr <<u>sam.orr1@gmail.com</u>>

please my name Giuliana Milanese 137 Anderson sT 94110

On Sat, Sep 12, 2015 at 2:24 PM, Sam Orr <<u>sam.orr1@gmail.com</u>> wrote: Dear Neighbor,

With apologies, we are e-mailing you because you signed earlier petitions expressing concern about a proposed development below the Community Garden on Bernal Heights.

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The list of supporters will be enclosed with the Bernal Safe and Livable Discretionary Review Application that is due Tuesday morning, September 15.

Thanks much, Bernal Safe and Livable

September 14, 2015 9:19 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: I support review

Begin forwarded message:

From: <u>5jaguar5@comcast.net</u> Subject: I support review Date: September 12, 2015 at 2:48:21 PM PDT To: "sam.orr1@gmail.com" <sam.orr1@gmail.com>

I support the petition for review this is Paul Hessinger 212 Gate St.

Sent from my iPhone

September 14, 2015 9:19 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: Petition

Begin forwarded message:

From: Elaine Elinson <<u>eelinson@gmail.com</u>> Subject: Petition Date: September 12, 2015 at 3:09:19 PM PDT To: <u>sam.orr1@gmail.com</u>

Hi Sam -- You can add my name to the petition -- Elaine Elinson, 100 Winfield Street, S.F. 94110. I misunderstood Ann's earlier e-mail, I thought I had to sign in person. Thanks! and good luck! Elaine

September 14, 2015 9:18 PM

Sam Orr <sam.orr1@gmail.com> To: Ann Lockett Fwd: Support

Begin forwarded message:

From: Connie Ewald <<u>ewaldconnie@yahoo.com</u>> Subject: Support Date: September 13, 2015 at 1:05:31 PM PDT To: "sam.orr1@gmail.com" <sam.orr1@gmail.com>

Hello Sam,

We are traveling at the moment but want to lend support in any way that we can, so please add our names to the list of those supporting a discretionary review:

Connie Ewald 76 Gates St. ewaldconnie@yahoo.com

Peter Ewald 76 Gates St. pewald31545@gmail.com

Sent from Yahoo Mail for iPad

THE PARTY SAME		6
CASE NUMBER: For Staff Uses enty	2013, 17680PP	09

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

Terry Milne, Bernal Heights East Slope Design Review	/ Board	
DR APPLICANT'S ADDRESS: 321 Rutledge Street, San Francisco CA	ZIP CODE: 94110	TELEPHONE: (415) 285-8978
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQ	UESTING DISCRETIONARY REVIEW NAME:	
Fabien Lannoye		
ADDRESS: 241 Amber Drive, San Francisco, CA	ZIP CODE: 94131	(415) 626-8868
CONTACT FOR DR APPLICATION:		
CONTACT FOR DR APPLICATION: Same as Above		
	ZIP CODE:	TELEPHONE
Same as Above	ZIP CODE:	TELEPHONE:

2. Location and Classification

STREET ADDRESS OF PROJECT: 3526 Folsom Street, San Francisco CA							CODE:
CROSS STREETS Bernal Heig	hts Bou	llevard and Chapmar	Street			- en en en en en en en en	
ASSESSORS BLC 5626	оск/Lot: / 014	LOT DIMENSIONS: 4 25' x 70'	LOT AREA (SQ FT): 1750	ZONING DIST Rh-1 (Be	RICT: Prnal Heights	HEIGHT/BULK DISTRI 40-X	ICT:
3. Project E)escrip	tion					
Please check all tha Change of Us		Change of Hours 🗌	New Constru	ction 🔀	Alterations 🗌	Demolition	Other

Additions to Building:	Rear 🗌	Front 🗌	Height 🗌	Side Yard 🗌
Present or Previous Use:	vacant lot			
Proposed Use: Resident	ial			
Building Permit Applicati	on No. 2013	3.12.16.4318		Date Filed: _8/17/15

RECEIVED



SEP 1 6 2015

CITY & COUNTY OF S.F. PLANNING DEPARTMENT NEIGHBORHOOD PLANNING

Discretionary Review Request

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

 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 Building Permit Application No. 2013.12.16.4318 3526 Folsom Street

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 Building Permit Application No. 2013.12.16.4318 3526 Folsom Street

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 Building Permit Application No. 2013.12.16.4318 3526 Folsom Street

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?		
Did you participate in outside mediation on this case?		3

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. Some changes were made to the project as a result of neighborhood review meetings. A number of issues concerning infrastructure and utilities were clarified.

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.

Hernz / heights cest slope design review Signature:

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

TERRY MILNE Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	B
Address labels (original), if applicable	Ø
Address labels (copy of the above), if applicable	P
Photocopy of this completed application	P
Photographs that illustrate your concerns	~
Convenant or Deed Restrictions	2
Check payable to Planning Dept.	
Letter of authorization for agent	
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)	

NOTES:

Coptional Material.

O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

RECEIVED

For Department Use Only Application received by Planning Department:



By:

Discretionary Review Request

Building Permit Application No. 2013.12.16.4318 (3526 Folsom Street)

 The site for this project is a special location in the Bernal Heights neighborhood. It is in the midst of a series of six vacant lots, next to a Community Garden and to City park land, on a steep, undeveloped street right-of-way. The design for a new residence can be effective in enhancing what looks like hillside open space.

The project will have extraordinary precedence and influence on several future residences on other lots on Folsom Street. The influence is magnified because the lots are unusually small – 25ft by 70ft.

The south and east façades will be visually prominent in the neighborhood because they will face Chapman Street and be seen from Bernal Heights Park and boulevard. The façade remains largely under-developed and uncomposed – expanses of blank wall where there are opportunities for windows or setbacks to add visual interest.

2. According to the Bernal Heights East Slope Guidelines, facades should have visual interest and enrichment. Breaking up a solid-wall effect on the street also reduces bulk. A box is the wrong image for hillside lots. It appears particularly boxy because it does not step down with the slope of the street. (The East Slope Design Review extensively surveyed and indexed and mapped the neighborhood characteristics to devise the Guidelines and to establish parameters of "neighborhood character.")

"The City Planning Commission does ...accept the Bernal Heights East Slope Building Guidelines a neighborhood study ... and intends to take into consideration the recommendations contained therein when reviewing proposals for construction of new housing." (CPC Resolution No. 10854)

3. The south and east façades could be revised by enlarging the entry notch or recessing to frame more windows. There are opportunities to add visual interest. More substantial side yards could be provided, breaking down the mass of the building rather than filling the site from property line to property line. This would avoid a solid wall effect where there is currently open space.

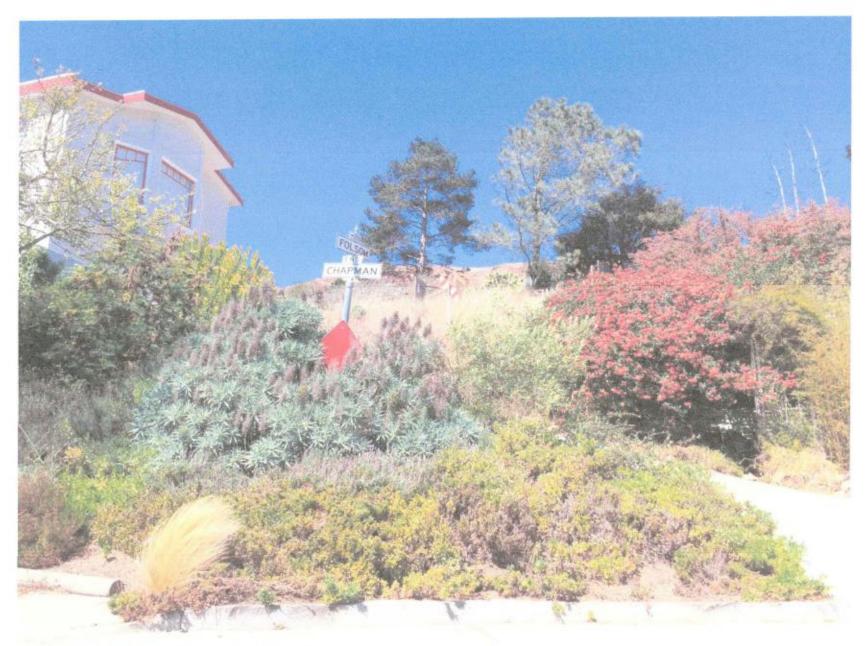
Neighbors have raised a number of concerns (slope of Folsom Street extension, construction impact, easements, and PG&E gas line) that are beyond the purview of the Review Board.

1 of 6



3516 & 3526 Folsom Vicinity and Views 9/10/15

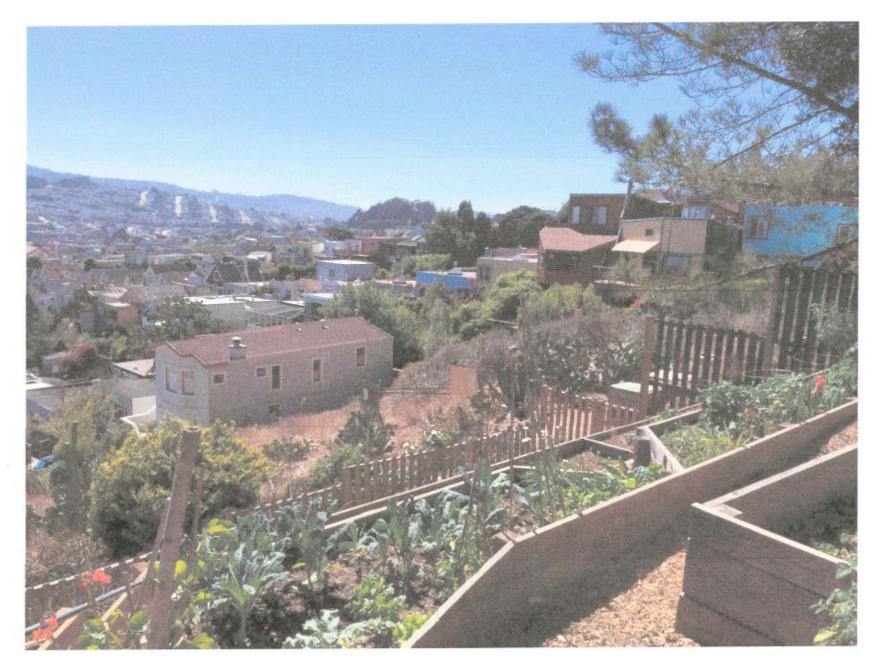
2 of 6



View 1: From Folsom and Chapman looking up at sites

3526 Folsom Street

3 of 6



View 2: From Bernal Heights Boulevard at gate of Community Garden, looking down at sites

3526 Folsom Street

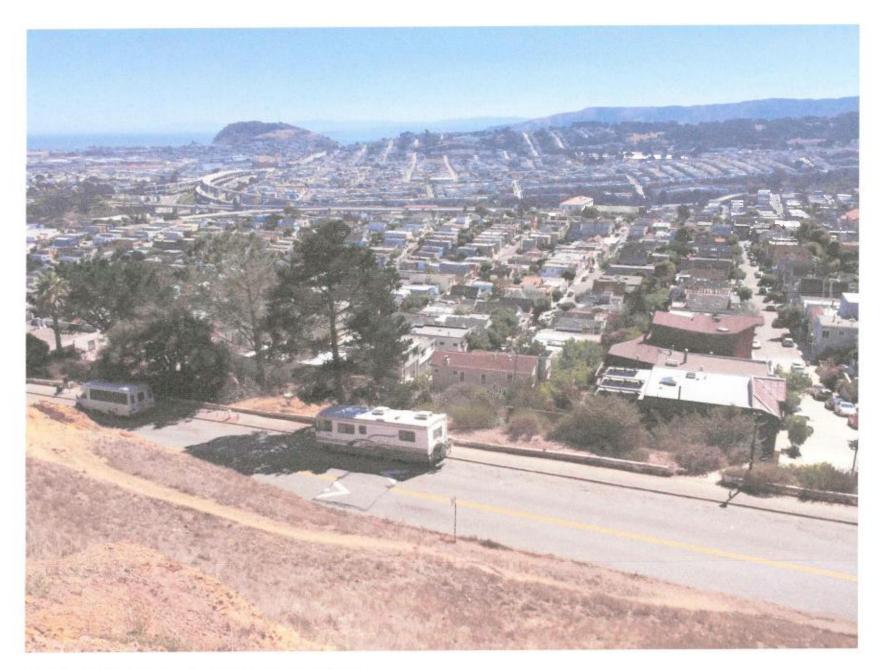
4 of 6



View 3: From Bernal Heights Boulevard directly above sites

3526 Folsom Street

5.f6



View 4: From path on the hill, looking down towards sites View South 3526 Folsom Street

6 . f 6

ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

235 Montgomery Street, Suite 400 San Francisco, California 94104 Telephone (415) 956-8100 Facsimile (415) 288-9755 www.zfplaw.com

March 23, 2016

VIA EMAIL AND U.S. MAIL

Hon. Rodney Fong President, San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103 Commissions.Secretary@sfgov.org

Re: 3516 & 3526 Folsom Street Case Nos. 2013.1768DRP & 2013.1383DRP

Dear President Fong and Commissioners:

Our office represents neighbors of the proposed development at 3516-3526 Folsom Street (the "Project").

Requests for Discretionary Review have been filed by the East Slope Design Review Board, the Bernal Heights South Slope Organization, Neighbors Against the Upper Folsom Street Extension, and Bernal Safe & Livable. Moreover, hundreds of neighbors have signed statements of opposition to this Project, and for good reason.

Enclosed, please find expert reports regarding the Project's noncompliance with Fire and Emergency Response access requirements, as well as the nonfunctionality of the Project's street and driveways as presently proposed.

Please do not hesitate to contact me if I can provide any further information.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

Ryan J. Patterson

CC: Rich Sucre, San Francisco Planning Department Project Sponsor, c/o Charles Olson

Encl.

Mario Ballard & Associates

Building and Fire Code Consultants

March 23, 2016

Subject: 3516-3526 Folsom Street Fire Department Access

References:

-California Fire Code Section 503 "Fire Apparatus Access Roads"
-San Francisco Fire Department Informational Bulletin 5.01
-Department of Public Works 2015 Subdivision Regulation
-Table of contents Appendix-Technical Specifications Related to Engineering Document Section XII-B-3

The California Fire Code, San Francisco Fire Department Technical Bulletin 5.01 and the DPW 2015 Subdivision regulation include specific guidelines and requirements related to street widths, grade, angles of approach and departure and maximum grade related to Ariel truck operation.

Based on the information reviewed, the proposed development of Folsom Street North of Chapman will not meet the required specifications for Fire Department apparatus (See SFFD Bulletin 5.01) or Fire Department ambulance (EMR) access. All equipment, ladders, hoses as well as emergency medical equipment and supplies will need to be manually transported to the incident site which could impact firefighting operations and EMR response.

Mario Ballard

your Ballord

MARIO BALLARD & Associates 1335 Sixth Avenue, San Francisco, California 94122 (415) 640-4283 marioballardsf@aol.com

Mario Ballard, Principal

CAREER SUMMARY

Principal, Mario Ballard and Associates	5/1/2007-Present
Principal, Zari Consulting Group	1/1/2013-Present
Captain, Bureau of Fire Prevention, Plan Review Division	2001- 4/21/2007
Lieutenant, Bureau of Fire Prevention, Plan Check Division	1994 - 2001
Inspector, San Francisco Fire Department	1991 - 1994
Firefighter, San Francisco Fire Department	1974 - 1991
Linebarger Plumbing and Construction, SF CA	1974 - 1980
Servadei Plumbing Company, SF CA	1974
United States Army, Army Security Agency	1972 - 1974

LICENSES

ICC, International Code Conference Certified Building Plans Examiner

CERTIFICATIONS

ICC Advanced Occupancy ICC Advanced Schematic Design ICC Building Areas and Fire Design ICC Advanced Types of Construction ICC Advanced Means of Egress CFCA Certificate of Training of Locally Adopted Ordinances and Resolutions IFC Institute Certificate Application of the UBC for Fire Code Enforcement ICBO Certificate on Course Completion on Fundamentals of Exiting ICBO Certificate on Course Completion Complex Exiting ICBO Certificate on Course Completion Building Use and Construction Type ICBO Certificate on Course Completion Fire Protection, Building Size and Location ICBO Course Overview of the Uniform Building Code California Fire Chief's Association Fire Prevention Officers' Section Fire Alarm Levels I & II Fire Sprinkler Advisory Board of Northern California & Sprinkler Fitter Local 483 Fire Sprinkler Seminar National Fire Sprinkler Association, Inc., Hydraulics for Sprinklers EDI Code International, Innovative Code Enforcement Techniques Certification State of California Title 19/Title 24

Mario Ballard & Associates

EDUCATION

Fire Strategy & Tactics Fire Service Supervision Fire Prevention 1A, 1B, 1C Fire Prevention 2A, 2B Fire Prevention Officer Level One Firefighter Level One and Two Arson 1A, 1B Hazardous Materials 1A, 1B Instructor 1A Fire Management 1A

City College of San Francisco

COMMITTEE INVOLVEMENT

Building Code Advisory Committee Hunters Point Development Team Mission Bay Task Force Treasure Island Development Team Trans-Bay Transit Center Muni Metro, Light Rail Third Street Corridor Department of Building Inspection MIS Case Development San Francisco Board of Examiners Fire Department Representative Member California Fire Chief's Association Fire Prevention Officers **BOMA Code Advisory Committee** Mayor's Office of Economic Development Bio-Teck Task Force Hunters Point Redevelopment Task Force Building Code Standards Committee 1996-1999 Participant in the Eighth Annual California Fire Prevention-Institute Workshop, "Providing the Optimum in Fire and Life Safety Training" Participant North/South California Fire Prevention Officers Workshops 1996 - 1998 Guest Speaker at SMACNA (Sheet Metal and Air Conditioning Contractors National Association)

PUBLIC SERVICE

Rooms That Rock For Chemo (RTR4C), Director Secretary	2011-Present
San Francisco Spina Bifida Association, (Past) Vice President	

1981-1993

1970-1972

California Fire Code Section 503 "Fire Apparatus Access Roads"

FIRE COMMAND CENTER. FIRE DEPARTMENT MASTER KEY. FIRE LANE. KEY BOX.

TRAFFIC CALMING DEVICES.

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

- 1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
- 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
- 3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

[California Code of Regulations, Title 19, Division 1, §3.05(a)] Fire Department Access and Egress. (Roads)

(a) Roads. Required access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) right-of-way not less than 20 feet in width. Such right-of-way shall be unobstructed and maintained only as access to the public street.

Exception: The enforcing agency may waive or modify this requirement if in his opinion such all-weather

hard-surfaced condition is not necessary in the interest of public safety and welfare.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than **20 feet (6096** mm), exclusive of shoulders, except for approved security gates in accordance with **Section 503.6**, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official.

503.2.5 Dead ends. Dcad-end fire apparatus access roads in excess of 150 fect (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in **Section 503.2.1** shall be maintained at all times.

San Francisco Fire Department Informational Bulletin 5.01

5.01 Street Widths for Emergency Access

Reference: 2010 S.F.F.C. Sections 503 and Appendix D, Section D105

The Division of Planning and Research of the San Francisco Fire Department has established requirements for minimum street widths to facilitate emergency equipment access. These requirements are specified as follows:

Minimum Street Widths and Access Roads

- 1. The San Francisco Fire Code (503.2.1) requires a minimum of 20 feet of unobstructed roadway and a vertical clearance of not less than 13' 6' for existing roadways. While a 20 foot wide roadway is permissible, past practice has shown that making ninety degree turns are not possible without the trucks moving into oncoming traffic. The vehicles can make the turn only on one way streets.
- The San Francisco Fire Code (503.2.5) requires a turnaround for all dead-end fire access roads in excess of 150'. The San Francisco Fire Department has determined an 80 foot turnaround and a 40' radius to be sufficient.
- 3. The San Francisco Fire Code requires a minimum 26' wide street for new developments where the new buildings are greater than 30' in height from the lowest level of fire department vehicle access and are unsprinklered. These streets shall be located a minimum of 15' and a maximum of 30' from the buildings and shall be parallel to one entire side of the buildings.

SAN FRANCISCO FIRE DEPARTMENT VEHICLE SPECIFICATIONS

	ENGINES	TRUCKS
Outside tire extremity	8 ft. 2 in.	8 ft. 3 in.
Vehicle width (with mirrors)	10 ft. 4 in.	10 ft 1 in.
Truck width with one jack extended	n/a	12 ft. 9 in.
Truck width with two jacks extended	n/a	17 ft. 9 in.
Vehicle height	11 ft.	12 ft.
Length of vehicle	30 ft.	57 ft.
Gross vehicle weight	40,400 lbs.	70,000 lbs.
Street grades maximum	26% maximum	26% maximum
Approach and departure	15% maximum	15% maximum
Truck aerial operations	n/a	14% maximum

The Fire Department will determine, on a case-by-case review, where the truck aerial operations may not be required.

Department of Public Works 2015 Subdivision Regulation

C. STREET GUIDELINES

1. Alignment

All streets shall, as far as practicable, align with existing streets. The Subdivider shall justify any deviations based on written environmental and design objectives.

2. Intersecting Streets

Intersecting streets shall meet at right angles or as nearly so as practicable.

3. Naming

Streets of a proposed subdivision which are in alignment with existing streets shall bear the names of the existing streets. The Department of Public Works shall approve names for all new streets.

4. Street Grades

DPW shall not approve street grades in excess of 17% except as an exception and under unusual conditions.

Streets having grades in excess of 14% shall require separate consultation with the Fire Department prior to use for fire access purposes.

No gutter grade shall be less than 0.5%. The Subdivider shall provide concrete on any pavement grade less than 1.0%.

The Subdivider shall connect all changes in street grades, the algebraic sum of which exceeds 1.5%, with vertical curves of DPW-approved length sufficient to provide safe stopping sight distances and good riding quality. All changes in street grades shall have an absolute value of the algebraic difference in grades which does not exceed fifteen percent (15%), regardless of any vertical curves.

The Director with the consent of the SFFD may approve of any design modification to this standard on a case-by-case basis.

5. Surface Drainage

- a. Subdivider shall grade streets to provide a continuous downhill path.
- b. At low end cul-de-sacs and sumps, in addition to sewer drainage facilities, Subdivider shall provide surface drainage channels in dedicated easements as relief of overflow to prevent flooding of adjoining property.
- c. Subdivider shall design street and drainage channel cross-sections to provide a transport channel for overland or surface flow in excess of the 5-years storm capacity of the sewer system. The channel capacity shall be the difference between the sewer capacity and the quantity of runoff generated by a 100-year storm as defined by the NOAA National Weather Service or by City-furnished data, applied over the tributary area involved.
- d. Subdivider shall round street curb intersections by a curve generally having a radius equivalent to the width of the sidewalk and the design shall be in accordance with the Better Streets Plan. While allowing vehicle movements for emergency vehicles, the Subdivider shall use the smallest possible radius.

D. PRIVATE STREETS

Private streets shall have a minimum right-of-way width of 40 feet for through streets. Dead-end private streets shall have a minimum right-of-way width of 60 feet. The Subdivider shall consult with the Fire Department and Department of Building Inspection for all designs that might result in less than the minimum width.

E. BLOCKS

Technical Specifications Related to Engineering Document Section XII-B-3

DPW Disabilities Coordinator for specific provisions related to pavement materials, passenger loading zones, and path of travel for disabled persons.²⁷

3. Fire Department Operations.

- a. All streets shall provide a minimum clear width of 20 feet of travel way between obstructions. Obstructions may include parked vehicles, certain curbs greater than 6 inches in height²⁸ or any other fixed object that prevents emergency vehicular travel.
- b. For purposes of calculating the clear width of the travel way, such width may include any combination of the following:
 - i. That portion of any adjacent curbside parking space having a width greater than 7 feet,
 - a bike lane or any other adjacent pavement capable of supporting emergency vehicles where such lane or pavement is separated from the vehicular lanes by paint striping (Class II) or a mountable curb being no more than 2 inches in height (Class I), or other forms of pavement separation that may vary in material type, color, and texture.
- c. Where adjacent buildings are greater than 40 feet in height and not of Type 1 (fire resistive) building construction, and the building entrance locations are not yet specified, the Director may require an operational width of at least 26 feet to accommodate Fire Department operational requirements along each street fronting such a building.
 - i. "Operational width" shall be the combined total of the clear width of the travel way together with those unobstructed portions of adjacent pavement or sidewalks (if

²⁷ See also *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* as published by the United States Access Board.

²⁸ See San Francisco Fire Code Sec. 503.4, providing additional guidance on what may be considered an obstruction; see also Board of Supervisors Ordinance No. 116-13.

capable of supporting emergency vehicles).Reservation of portions of curbside parking for fire-only access or use of alternative mountable curb designs that allow for safe fire vehicle access to the sidewalk may accomplish this goal. The Fire Department, in consultation with other affected City agencies, may approve other proposals developed in the future.

- ii. In such cases, the Subdivider shall provide sufficient right-of-way width on all abutting sides of a proposed development block to accommodate the foreseeable street design alternatives.
- iii. Where DPW requires the portion of the block to have additional operational width (greater than 20 feet clear), the design engineer shall be locate this in segments along the building frontages with a maximum length of 200 feet for any one segment. Segments may have a minimum length of as little as 100 feet. The Subdivider shall ensure the existence of adequate space for emergency vehicles to pass each other and set up operations at the front entrance of the building. In addition, the design shall provide for meaningful traffic calming measures to ensure safe vehicle speeds along the street, including returning to the standard 20 foot travel way between widened segments. This provision shall not apply to blocks less than 200 feet in length.
- iv. Subdividers are encouraged to consult with the Fire Department early in the subdivision process in advance of when the Subdivider anticipates the construction of such buildings. Information such as building access points, size of building and type of building construction are essential elements needed for constructive agency review.

v. Any decision to accommodate street widths having greater than 20 feet of travel way shall be approved by the Director only after consultation with and approval by an interagency working group composed of the Fire Department, the Municipal Transportation Agency, the Planning Department and any other affected city agency. When discussing the most appropriate widths of the travel way, the interagency working group shall consider such factors as the role and intended character of the street in the overall street network, the width of adjacent streets, the length of the street(s) in question, the anticipated traffic volume, and emergency and medical response.

4. Bicycle Lanes

All bicycle facilities shall meet or exceed the minimum lane widths provided in the *California Highway Design Manual*, the *California Manual on Uniform Traffic Control Devices*. Subdivider's shall design bicycle facilities in accordance with the *NACTO Urban Bikeway Design Guide*.

5. Parking Lane

The width of a curbside parallel parking lane shall be 8 feet. SFMTA may approve on a case by case basis angled curbside parking designs.

6. Curb Intersection Radii and Turning Movements

Subdividers shall design intersections for and accommodate turning vehicles in accordance with the Better Streets Plan.²⁹

²⁹ <u>http://www.sfbetterstreets.org/find-project-types/pedestrian-safety-and-traffic-calming/traffic-calming-overview/curb-radiuschanges/</u>



March 23, 2016

Ryan J. Patterson Zacks & Freedman A Professional Corporation 235 Montgomery Street, Suite 400 San Francisco, CA 94104 Email:ryanp@zulpc.com

Re: 3516 & 3526 Folsom Street San Francisco

Dear Mr. Patterson:

I have reviewed the grading plan, sheet C1.0 and the utility and dimension plan, sheet C2.0 prepared by David J. Franco for the extension of Folsom Street north from Chapman Street.

This is presently an ungraded and unimproved street which is legislated for a 5' 6" wide sidewalk on each side of the 39' 6" wide street right-of-way with a 28' 6" wide paved travel way for two way traffic, which is shown on the City and County of San Francisco grade map number 266.

The proposal by Mr. Franco is for a 4 foot wide sidewalk on the west side of the street in an area that is 12 feet wide between the curb and the property line; no sidewalk in a 12 foot wide area between the curb and property line on the east side of the street; and a street paving width of 15' 6" for vehicular traffic. In addition, the proposed vehicle curb ramps (driveway ramps) are proposed to be 5' 6" deep instead of the standard 3'-0" designated in the City standards. The grade of the paving for the street is proposed to vary between 34% and 36%.

The proposed street will be one of the steepest in the City. There are two streets in the vicinity of the subject section of Folsom Street that are about the same steepness as the proposed street. The first is Prentiss between Chapman and Powhattan and the other is Nevada above Chapman.

I did not attempt to drive on either of these streets. I did observe something that concerned me which was the large quantity of trash bins at Chapman and Nevada. If Recology will not pick up at the individual buildings for the extension of Folsom, there is no location at the intersection with Chapman to put two to three garbage cans for each of the seven residential lots fronting on proposed Folsom.

6016



KCA ENGINEERS, INC. CONSULTING ENGINEERS • SURVEYORS • PLANNERS

Re: 3516 & 3526 Folsom Street San Francisco 6016 March 23, 2016 Page 2 of 3

Traffic movement is another concern. With only a 15' 6" travel lane, it does not appear wide enough to accommodate a car going uphill and one going downhill at the same time. Therefore, the car going uphill will block the whole intersection of Folsom and Chapman while someone is driving downhill in the proposed new street.

Another traffic concern is how a vehicle would turn around. Due to the narrow width of the street, it will be necessary to drive over the sidewalk and then back-up uphill. This will be difficult and not a comfortable task to perform, especially in wet weather.

In addition to the above concerns, the following items should be addressed prior to a final review of this street construction.

- 1. Mail delivery may not be feasible to the proposed residences. If it is not, it may be necessary to install mailboxes at the Chapman and Folsom intersection. It should be required that the post office agree to deliver, or that a proposed mailbox location be shown on the plans.
- 2. There is a gas trunk line located in this street at an unknown depth. PG&E has special requirements relative to the construction of utility services that cross this gas line. A cross section should be supplied that shows the actual elevation of the gas line and the lateral crossings, approved by PG&E.
- 3. Storm water will be flowing down the new street and needs to be picked up in catch basins prior to crossing over the intersection of Chapman and Folsom. These need to be shown so that they do not impact the proposed driveways to the existing two homes. Their design also has to consider the steepness of the street.
- 4. The plans do not make any provision for a place for a package delivery truck to park, or a taxi to wait to pick up a resident. Should a loading zone be provided on Chapman, since there is insufficient width on the new street to park a vehicle?
- 5. What provision is being made for guest parking, or will they be allowed to park in the driveway to the garage and block the sidewalks.
- 6. The plans do not indicate that this will be a private street, so it is assumed that it will be publicly maintained. Will the maintenance of the street and utilities be by the City?
- 7. A garbage can pick up spot needs to be designated and shown on the plans. It should take into consideration that all of the existing lots may be improved with residences, and that the area is acceptable to Recology.
- 8. Due to the narrow width of the street between curbs, it will probable be regulated for no parking. How will this be enforced by the City?
- 9. A street lighting plan should be required to be submitted for review, including information about how the light will affect the existing residents and the City open space.
- 10. A signage and striping plan should be provided which will address items such as a stop sign or stop bar, that the street is not a through street, parking restrictions, etc.

Re: 3516 & 3526 Folsom Street San Francisco 6016 March 23, 2016 Page 3 of 3

This project requires that substantially more information needs to be resolved and addressed on the plans before it should be formally considered for review by the Planning Department. Without this additional information having first been submitted for review by the project sponsor the proposed street may create an inadequate project.

Very truly yours, KCA ENGINEERS, NC Peter N. Bel President 1

pbekey@kcaengineers.com RCE #14786





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CURRICULUM VITAE

Peter J. Bekey President KCA Engineers, Inc. 318 Brannan Street 2nd Floor San Francisco, CA 94107 Phone: (415)546-7111 Fax: (415)546-9472 Email: pbekey@kcaengineers.com

EDUCATION

Graduated from University of Southern California at Los Angeles 1957 Bachelor of Engineering

LICENSES

Registered Professional Engineer #14786. Received July 1, 1964. License is current through March 31, 2017. License is for Civil Engineering and Surveying.

RELATED EXPERIENCE

1953 - 1958	C D & E Engineering, Los Angeles, CA Utility Systems Design.
1958 – 1967	MW Finley Co., Los Angeles, CA Land Development Design, Land Surveying and Construction Surveying.
1967-Present	KCA Engineers, Inc., San Francisco, CA Land Development Design, Contract City Engineer, Public Works Design, Land Surveying, Construction Surveys and Business Management.

235 MONTGOMERY STREET, SUITE 1140, SAN FRANCISCO, CALIFORNIA 94104 • TEL: (415) 760-0636 • E-Mail: patrick@buscovich.com

March 23, 2016

Job Number: 14.145

Patrick Buscovich Civil Engineer

The following is a Civil Engineering analysis of the proposed "Street":

- The Bureau of Street Use and Mapping (BSUM) have standards for street design and construction for the city to maintain the street. The current design is so out of conformance with city standards, the city will never accept this street. The street has varying slope from the intersection and the sidewalks are not level with each other. Warping of a street is not allowed. The fronting property owner will have to maintain this street in perpetuity.
- This proposed street will be one of the steepest streets in San Francisco at 36% slope. It will be 16 feet wide with no vehicle turn around at the top. It is a dead end street. Streets this steep are almost always thru streets.
- Most vehicles, other than a specialized car, will not be able to drive onto the dead end street and to the houses. Most passenger cars will stop at the corner of Folsom & Chapman and park.
- It will be a challenge to turn around and change direction on this street in a vehicle, based upon the narrow width of 16 feet and extreme slope. Average cars length range from 15 feet to 18 feet long. It will be difficult to have an average car turn from uphill, to 90° to curb, to down hill. At 16' wide, an 18 foot car does not fit in the 90° position. Further, at 36° slope, vehicles with a medium to high center of mass will experience "tipping over" when turning around in the 90° position. Thus any vehicle that are tall (i.e. mail truck, pick up, delivery van, garbage truck, etc) or have a long wheel base (sedan) will not be able to drive onto this dead end street. The only passenger car that could use this dead end street is low height, short wheel base, compact cars. Backing down the hill is not going to be a viable or safe solution due to pedestrian. Ironically, the only vehicle that can turn around on this street (i.e. compact car) will not be able to transverse

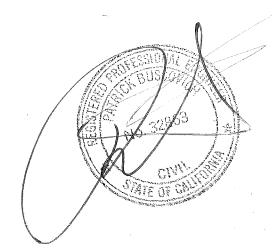
the base of the dead end street. The base is a flat intersection, a transition section and a steep hill (36°). Most cars will bottom out the tail pipe going uphill or the front fender going down. Even with a transition section of the street going from flat 0° , a short transition of 18° and then street 36° is not enough. No extension of car beyond the rear wheel or front wheel will work. To cross the intersection and go up/down this street will require a car with no front or rear end. This vehicle will also need to cross a very steep sidewalk; this will require a high undercarriage. A compact car with a high undercarriage and no front or rear end. The only vehicle that meets this description is a off road Jeep. It is short, has a low center of mass, high undercarriage clearance and no front or rear end. It is not a passenger vehicle. It is for off road driving which is what will be required to drive this hill.

It is also important to note that garbage truck will not go up this street and Recology will not walk up the street to pick up recycling. Recycling bins will have to be left at the corner of Folsom and Chapman. With two homes now and two proposed with 4 more sites ready, the size of this garbage zone will be large. There is no sidewalk envision at the corner so no garbage zone is available. This is problem that needs to be addressed now in the street design for these homes to be livable.

Additionally, the mail truck will not go up this street. The mailman will have to hike up this street leaving his truck at the corner. This will potentially create a traffic issue at the intersection of Folsom and Chapman. I also hope that the project sponsor has talked to the US Postal Service to confirm they will hike the street to deliver the mail. Otherwise, a mail boxe will be required by the USPS at the intersection of Chapman and Folsom. There is no location I see that works for a mail box, let alone the recycle garbage bin zone. The proposed two homes will need off street vehicle parking. Plausibly one vehicle could be a true off road Jeep, which could drive this street. The jeep will also be able to traverse the sidewalk cross slope. At a minimum, a second car will be used at this house. Due to the steepness of Bernal I question the viability of a bike to replace a car but at a minimum, one addition car will be used for a house of this size. This second car is not going to be a jeep but a mid size or larger car. This car will not be able to use the garage parking in the house but will use Street Parking. For planning purpose, six home time 1 car per home need to be accounted for neighborhood parking. For guest visits, more parking will be require. A simple study shows the need for 10 additional street parking spot in a neighbor with an acute shortage for on street parking. These "10 cars" not go up and down the street or across the sidewalk. There is no street parking in front of these homes. These 10 cars are going to park in a 200 foot walking radius on the adjoining block of Folsom street below the intersection or the adjoining block of Chapman. The garage in these homes will not work and a 16 foot wide Street with no street parking in front of homes will congest parking in this neighbor and will cause issues with Prop. Statement 2 "neighborhood character is conserved and protected".

In summary, the vehicle issue and parking demand will create a traffic mess for this neighborhood. This problem has simply not even been addressed by the project sponsor. It will be borne by the neighborhood. This problem is exacerbating by the size/number of bedroom proposed by the project by the project sponsor. Reducing the size of the house/reducing the number of bedroom will correspondingly reduce the parking demand and traffic congestion. Reducing the size of the home will not solve the parking problem, just make it less severe.\

Issue	Car Features
16 wide street	Short car
36° slope on street	Low center mass
Intersection transition	No front or rear end
Steep sidewalk	High undercarriage
- 44820	



N:\Letter\2014\14.145 - BSUM Vehicle Access Standards.doc

Patrick Buscovich & Associates structural Engineers, Inc.



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Patrick Buscovich S.E.

Patrick Busc	OVICN S.E.
Education:	University of California, Berkeley ~ Bachelors of Science, Civil Engineering 1978 ~ Masters of Science, Structural Engineering 1979
Organizational:	State of California, Building Standards Commission
0	Commissioner 2000 – 2002
	City & County of San Francisco, Department of Building Inspection (DBI)
	Commissioner/Vice President 1995 – 1996
	Chair, SF Housing Code Update 1995 UMB Appeals Board 2005 – 2006
	Code Advisory Committee 1990 – 1992
	Chair of Section 104 Sub-Committee.
	Structural Engineers Association of Northern California (SEAONC)
	President 1997 – 1998
	Vice President 1996 – 1997 Board of Directors 1994 – 1999
	College of Fellows Elected 2002
	Edwin Zacher Award 1999
	Structural Engineers Association of California (SEAOC)
	Board of Directors 1996 – 2000 Applied Technology Council (ATC)
	President 2007 – 2008
	Board of Directors 2000 – 2009
Licenses:	California, Civil Engineer C32863, 1981
Livenses.	Structural Engineer S2708, 1985
Experience:	Putrick Buscovich and Associates, Structural Engineer – Senior Principal (1990 to Present)
	Specializing in Existing Buildings, Seismic Strengthening/Structural Rehabilitation, Building Code/Permit Consultation, Peer Review, Expert Witness/Forensic Engineering
	 Code Consulting and Peer Review for projects in San Francisco (Planning Department, Fire Preventing, Street Use & Mapping, Building Department,
	Board of Appeals).
	Permit Consultant in San Francisco (DBI, DCP, SFFD, BSUM & BOA).
	Expert Witness/Forensic Engineering/Collapse & Failure Analysis
	 Seismic Retrofit Consultation. Member of the following SEAONC/DBI Committees:
	Committee to revise San Francisco Building Code Section 104F/3304.6.
	1988-1990 Committee to draft San Francisco UMB ordinance.
	1993 Committee to revise the San Francisco UMB ordinance.
	SEONC Blue-Ribbon panel to revise earthquake damage trigger, 1998 Secretary, Blue Ribbon Panel on seismic amendments to the 1998 SFBC.
	Secretary, Blue Ribbon Panel Advising The San Francisco Building Department on CAPSS.
	Co-Authored of the following SF Building Code Sections.
	EQ damage trigger SFBC 3404.7.2, Repair 3405.1.3, Change of Occupancy 3408.4.1., Lateral Forces Existing Building 1604.11.1
	Author SFBC Administrative Bulletin: AB102 (Seismic alteration) & AB103 (CFC)
	 Coordinator/Speaker for SEAONC San Francisco UMB Seminars 1992, 1993 & 1994. Speaker at 2009 SEAONC Seminar on San Francisco UMB Code, 1850 to Present.
	Member of 1993 San Francisco UMB Bond Advisory Board.
-	Speaker at numerous San Francisco Department of Building Inspection Seminars on UMB.
	 Speaker at numerous code workshops for the San Francisco Department Building Inspection.
	Co-author of 1990 San Francisco UMB Appeals Board Legislation.
	Co-author of San Francisco Building Code Earthquake Damage Trigger for Seismic Upgrade, Committee Rewrite 2008.
	As a San Francisco Building Commissioner: Directed formulation of Building Occupancy Resumption Plan (BORP)
	Chaired the 1995 update on the San Francisco Housing Code.
	Directed formulation of UMB tenant protection program
	 Consultant to the City of San Francisco for evaluation of buildings damaged in the Loma Prieta Earthquake (October 17, 1989) to assist the Bureau of Building Inspection regarding shoring or demolition of "Red-Tagged" structures (SOHA).
	 Consultant to San Francisco Department of Building Inspection on the Edgebill Land Slide 1997.
	 Consultant to 100's of private clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to the private Clients for evaluating of damage to the private Clients for evaluating the October 17, 1989 Long Private Clients for evaluating of damage to the private Clients for evaluating the private Clients for evaluating of damage to the private Clients for evaluating the priv
	• Project Administrator for multi-team seismic investigation of San Francisco City-owned Buildings per Proposition A, 1989 (\$350 million bond).
	 (SOHA). Project Manager for seismic strengthening of the Marin Civic Center (SOHA).
	 Structural Engineer for the Orpheum Theater, Curran Theater and Golden Gate Theater.
	Consultant on numerous downtown SF High Rise Buildings.
	 Rehabilitation & Seismic Strengthening design for 1000's of commercial and residential buildings in San Francisco.
	Commercial Tenant Improvement
	 Structure Rehabilitation of Historic Building. Structural consultant for 1000's of single family homes and apartment buildings alteration in San Francisco
Previous Employr	
Trenous Employ	SOHA 1980-1990, Associate
	PMB 1979-1980, Senior Designer
Public Service:	Association of Bay Area Government – Advisory Panels
	Holy Family Day Home – Board of Director
	Community Action Plan for Seismic Safety (CAPPS), Advisory Panel.
Awards:	Congressional Award, 2003.
	SFDBI Certificate of Recognition, 1996.

ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

235 Montgomery Street, Suite 400 San Francisco, California 94104 Telephone (415) 956-8100 Facsimile (415) 288-9755 www.zfplaw.com

March 23, 2016

VIA EMAIL AND U.S. MAIL

Hon. Rodney Fong President, San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103 Commissions.Secretary@sfgov.org

Re: 3516 & 3526 Folsom Street Case Nos. 2013.1768DRP & 2013.1383DRP

Dear President Fong and Commissioners:

Our office represents neighbors of the proposed development at 3516-3526 Folsom Street (the "Project").

Requests for Discretionary Review have been filed by the East Slope Design Review Board, the Bernal Heights South Slope Organization, Neighbors Against the Upper Folsom Street Extension, and Bernal Safe & Livable. Moreover, hundreds of neighbors have signed statements of opposition to this Project, and for good reason.

Enclosed, please find expert reports regarding the Project's noncompliance with Fire and Emergency Response access requirements, as well as the nonfunctionality of the Project's street and driveways as presently proposed.

Please do not hesitate to contact me if I can provide any further information.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

Ryan J. Patterson

CC: Rich Sucre, San Francisco Planning Department Project Sponsor, c/o Charles Olson

Encl.

Mario Ballard & Associates

Building and Fire Code Consultants

March 23, 2016

Subject: 3516-3526 Folsom Street Fire Department Access

References:

-California Fire Code Section 503 "Fire Apparatus Access Roads"
-San Francisco Fire Department Informational Bulletin 5.01
-Department of Public Works 2015 Subdivision Regulation
-Table of contents Appendix-Technical Specifications Related to Engineering Document Section XII-B-3

The California Fire Code, San Francisco Fire Department Technical Bulletin 5.01 and the DPW 2015 Subdivision regulation include specific guidelines and requirements related to street widths, grade, angles of approach and departure and maximum grade related to Ariel truck operation.

Based on the information reviewed, the proposed development of Folsom Street North of Chapman will not meet the required specifications for Fire Department apparatus (See SFFD Bulletin 5.01) or Fire Department ambulance (EMR) access. All equipment, ladders, hoses as well as emergency medical equipment and supplies will need to be manually transported to the incident site which could impact firefighting operations and EMR response.

Mario Ballard

your Ballord

MARIO BALLARD & Associates 1335 Sixth Avenue, San Francisco, California 94122 (415) 640-4283 marioballardsf@aol.com

Mario Ballard, Principal

CAREER SUMMARY

Principal, Mario Ballard and Associates	5/1/2007-Present
Principal, Zari Consulting Group	1/1/2013-Present
Captain, Bureau of Fire Prevention, Plan Review Division	2001- 4/21/2007
Lieutenant, Bureau of Fire Prevention, Plan Check Division	1994 - 2001
Inspector, San Francisco Fire Department	1991 - 1994
Firefighter, San Francisco Fire Department	1974 - 1991
Linebarger Plumbing and Construction, SF CA	1974 - 1980
Servadei Plumbing Company, SF CA	1974
United States Army, Army Security Agency	1972 - 1974

LICENSES

ICC, International Code Conference Certified Building Plans Examiner

CERTIFICATIONS

ICC Advanced Occupancy ICC Advanced Schematic Design ICC Building Areas and Fire Design ICC Advanced Types of Construction ICC Advanced Means of Egress CFCA Certificate of Training of Locally Adopted Ordinances and Resolutions IFC Institute Certificate Application of the UBC for Fire Code Enforcement ICBO Certificate on Course Completion on Fundamentals of Exiting ICBO Certificate on Course Completion Complex Exiting ICBO Certificate on Course Completion Building Use and Construction Type ICBO Certificate on Course Completion Fire Protection, Building Size and Location ICBO Course Overview of the Uniform Building Code California Fire Chief's Association Fire Prevention Officers' Section Fire Alarm Levels I & II Fire Sprinkler Advisory Board of Northern California & Sprinkler Fitter Local 483 Fire Sprinkler Seminar National Fire Sprinkler Association, Inc., Hydraulics for Sprinklers EDI Code International, Innovative Code Enforcement Techniques Certification State of California Title 19/Title 24

Mario Ballard & Associates

EDUCATION

Fire Strategy & Tactics Fire Service Supervision Fire Prevention 1A, 1B, 1C Fire Prevention 2A, 2B Fire Prevention Officer Level One Firefighter Level One and Two Arson 1A, 1B Hazardous Materials 1A, 1B Instructor 1A Fire Management 1A

City College of San Francisco

COMMITTEE INVOLVEMENT

Building Code Advisory Committee Hunters Point Development Team Mission Bay Task Force Treasure Island Development Team Trans-Bay Transit Center Muni Metro, Light Rail Third Street Corridor Department of Building Inspection MIS Case Development San Francisco Board of Examiners Fire Department Representative Member California Fire Chief's Association Fire Prevention Officers **BOMA Code Advisory Committee** Mayor's Office of Economic Development Bio-Teck Task Force Hunters Point Redevelopment Task Force Building Code Standards Committee 1996-1999 Participant in the Eighth Annual California Fire Prevention-Institute Workshop, "Providing the Optimum in Fire and Life Safety Training" Participant North/South California Fire Prevention Officers Workshops 1996 - 1998 Guest Speaker at SMACNA (Sheet Metal and Air Conditioning Contractors National Association)

PUBLIC SERVICE

Rooms That Rock For Chemo (RTR4C), Director Secretary	2011-Present
San Francisco Spina Bifida Association, (Past) Vice President	

1981-1993

1970-1972

California Fire Code Section 503 "Fire Apparatus Access Roads"

FIRE COMMAND CENTER. FIRE DEPARTMENT MASTER KEY. FIRE LANE. KEY BOX.

TRAFFIC CALMING DEVICES.

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:

- 1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
- 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
- 3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

[California Code of Regulations, Title 19, Division 1, §3.05(a)] Fire Department Access and Egress. (Roads)

(a) Roads. Required access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) right-of-way not less than 20 feet in width. Such right-of-way shall be unobstructed and maintained only as access to the public street.

Exception: The enforcing agency may waive or modify this requirement if in his opinion such all-weather

hard-surfaced condition is not necessary in the interest of public safety and welfare.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than **20-feet (6096** mm), exclusive of shoulders, except for approved security gates in accordance with **Section 503.6**, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official.

503.2.5 Dead ends. Dcad-end fire apparatus access roads in excess of 150 fect (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in **Section 503.2.1** shall be maintained at all times.

San Francisco Fire Department Informational Bulletin 5.01

5.01 Street Widths for Emergency Access

Reference: 2010 S.F.F.C. Sections 503 and Appendix D, Section D105

The Division of Planning and Research of the San Francisco Fire Department has established requirements for minimum street widths to facilitate emergency equipment access. These requirements are specified as follows:

Minimum Street Widths and Access Roads

- 1. The San Francisco Fire Code (503.2.1) requires a minimum of 20 feet of unobstructed roadway and a vertical clearance of not less than 13' 6' for existing roadways. While a 20 foot wide roadway is permissible, past practice has shown that making ninety degree turns are not possible without the trucks moving into oncoming traffic. The vehicles can make the turn only on one way streets.
- The San Francisco Fire Code (503.2.5) requires a turnaround for all dead-end fire access roads in excess of 150'. The San Francisco Fire Department has determined an 80 foot turnaround and a 40' radius to be sufficient.
- 3. The San Francisco Fire Code requires a minimum 26' wide street for new developments where the new buildings are greater than 30' in height from the lowest level of fire department vehicle access and are unsprinklered. These streets shall be located a minimum of 15' and a maximum of 30' from the buildings and shall be parallel to one entire side of the buildings.

SAN FRANCISCO FIRE DEPARTMENT VEHICLE SPECIFICATIONS

	ENGINES	TRUCKS
Outside tire extremity	8 ft. 2 in.	8 ft. 3 in.
Vehicle width (with mirrors)	10 ft. 4 in.	10 ft 1 in.
Truck width with one jack extended	n/a	12 ft. 9 in.
Truck width with two jacks extended	n/a	17 ft. 9 in.
Vehicle height	11 ft.	12 ft.
Length of vehicle	30 ft.	57 ft.
Gross vehicle weight	40,400 lbs.	70,000 lbs.
Street grades maximum	26% maximum	26% maximum
Approach and departure	15% maximum	15% maximum
Truck aerial operations	n/a	14% maximum

The Fire Department will determine, on a case-by-case review, where the truck aerial operations may not be required.

Department of Public Works 2015 Subdivision Regulation

C. STREET GUIDELINES

1. Alignment

All streets shall, as far as practicable, align with existing streets. The Subdivider shall justify any deviations based on written environmental and design objectives.

2. Intersecting Streets

Intersecting streets shall meet at right angles or as nearly so as practicable.

3. Naming

Streets of a proposed subdivision which are in alignment with existing streets shall bear the names of the existing streets. The Department of Public Works shall approve names for all new streets.

4. Street Grades

DPW shall not approve street grades in excess of 17% except as an exception and under unusual conditions.

Streets having grades in excess of 14% shall require separate consultation with the Fire Department prior to use for fire access purposes.

No gutter grade shall be less than 0.5%. The Subdivider shall provide concrete on any pavement grade less than 1.0%.

The Subdivider shall connect all changes in street grades, the algebraic sum of which exceeds 1.5%, with vertical curves of DPW-approved length sufficient to provide safe stopping sight distances and good riding quality. All changes in street grades shall have an absolute value of the algebraic difference in grades which does not exceed fifteen percent (15%), regardless of any vertical curves.

The Director with the consent of the SFFD may approve of any design modification to this standard on a case-by-case basis.

5. Surface Drainage

- a. Subdivider shall grade streets to provide a continuous downhill path.
- b. At low end cul-de-sacs and sumps, in addition to sewer drainage facilities, Subdivider shall provide surface drainage channels in dedicated easements as relief of overflow to prevent flooding of adjoining property.
- c. Subdivider shall design street and drainage channel cross-sections to provide a transport channel for overland or surface flow in excess of the 5-years storm capacity of the sewer system. The channel capacity shall be the difference between the sewer capacity and the quantity of runoff generated by a 100-year storm as defined by the NOAA National Weather Service or by City-furnished data, applied over the tributary area involved.
- d. Subdivider shall round street curb intersections by a curve generally having a radius equivalent to the width of the sidewalk and the design shall be in accordance with the Better Streets Plan. While allowing vehicle movements for emergency vehicles, the Subdivider shall use the smallest possible radius.

D. PRIVATE STREETS

Private streets shall have a minimum right-of-way width of 40 feet for through streets. Dead-end private streets shall have a minimum right-of-way width of 60 feet. The Subdivider shall consult with the Fire Department and Department of Building Inspection for all designs that might result in less than the minimum width.

E. BLOCKS

Technical Specifications Related to Engineering Document Section XII-B-3

DPW Disabilities Coordinator for specific provisions related to pavement materials, passenger loading zones, and path of travel for disabled persons.²⁷

3. Fire Department Operations.

- a. All streets shall provide a minimum clear width of 20 feet of travel way between obstructions. Obstructions may include parked vehicles, certain curbs greater than 6 inches in height²⁸ or any other fixed object that prevents emergency vehicular travel.
- b. For purposes of calculating the clear width of the travel way, such width may include any combination of the following:
 - i. That portion of any adjacent curbside parking space having a width greater than 7 feet,
 - a bike lane or any other adjacent pavement capable of supporting emergency vehicles where such lane or pavement is separated from the vehicular lanes by paint striping (Class II) or a mountable curb being no more than 2 inches in height (Class I), or other forms of pavement separation that may vary in material type, color, and texture.
- c. Where adjacent buildings are greater than 40 feet in height and not of Type 1 (fire resistive) building construction, and the building entrance locations are not yet specified, the Director may require an operational width of at least 26 feet to accommodate Fire Department operational requirements along each street fronting such a building.
 - i. "Operational width" shall be the combined total of the clear width of the travel way together with those unobstructed portions of adjacent pavement or sidewalks (if

²⁷ See also *Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way* as published by the United States Access Board.

²⁸ See San Francisco Fire Code Sec. 503.4, providing additional guidance on what may be considered an obstruction; see also Board of Supervisors Ordinance No. 116-13.

capable of supporting emergency vehicles).Reservation of portions of curbside parking for fire-only access or use of alternative mountable curb designs that allow for safe fire vehicle access to the sidewalk may accomplish this goal. The Fire Department, in consultation with other affected City agencies, may approve other proposals developed in the future.

- ii. In such cases, the Subdivider shall provide sufficient right-of-way width on all abutting sides of a proposed development block to accommodate the foreseeable street design alternatives.
- iii. Where DPW requires the portion of the block to have additional operational width (greater than 20 feet clear), the design engineer shall be locate this in segments along the building frontages with a maximum length of 200 feet for any one segment. Segments may have a minimum length of as little as 100 feet. The Subdivider shall ensure the existence of adequate space for emergency vehicles to pass each other and set up operations at the front entrance of the building. In addition, the design shall provide for meaningful traffic calming measures to ensure safe vehicle speeds along the street, including returning to the standard 20 foot travel way between widened segments. This provision shall not apply to blocks less than 200 feet in length.
- iv. Subdividers are encouraged to consult with the Fire Department early in the subdivision process in advance of when the Subdivider anticipates the construction of such buildings. Information such as building access points, size of building and type of building construction are essential elements needed for constructive agency review.

v. Any decision to accommodate street widths having greater than 20 feet of travel way shall be approved by the Director only after consultation with and approval by an interagency working group composed of the Fire Department, the Municipal Transportation Agency, the Planning Department and any other affected city agency. When discussing the most appropriate widths of the travel way, the interagency working group shall consider such factors as the role and intended character of the street in the overall street network, the width of adjacent streets, the length of the street(s) in question, the anticipated traffic volume, and emergency and medical response.

4. Bicycle Lanes

All bicycle facilities shall meet or exceed the minimum lane widths provided in the *California Highway Design Manual*, the *California Manual on Uniform Traffic Control Devices*. Subdivider's shall design bicycle facilities in accordance with the *NACTO Urban Bikeway Design Guide*.

5. Parking Lane

The width of a curbside parallel parking lane shall be 8 feet. SFMTA may approve on a case by case basis angled curbside parking designs.

6. Curb Intersection Radii and Turning Movements

Subdividers shall design intersections for and accommodate turning vehicles in accordance with the Better Streets Plan.²⁹

²⁹ <u>http://www.sfbetterstreets.org/find-project-types/pedestrian-safety-and-traffic-calming/traffic-calming-overview/curb-radiuschanges/</u>



March 23, 2016

Ryan J. Patterson Zacks & Freedman A Professional Corporation 235 Montgomery Street, Suite 400 San Francisco, CA 94104 Email:ryanp@zulpc.com

Re: 3516 & 3526 Folsom Street San Francisco

Dear Mr. Patterson:

I have reviewed the grading plan, sheet C1.0 and the utility and dimension plan, sheet C2.0 prepared by David J. Franco for the extension of Folsom Street north from Chapman Street.

This is presently an ungraded and unimproved street which is legislated for a 5' 6" wide sidewalk on each side of the 39' 6" wide street right-of-way with a 28' 6" wide paved travel way for two way traffic, which is shown on the City and County of San Francisco grade map number 266.

The proposal by Mr. Franco is for a 4 foot wide sidewalk on the west side of the street in an area that is 12 feet wide between the curb and the property line; no sidewalk in a 12 foot wide area between the curb and property line on the east side of the street; and a street paving width of 15' 6" for vehicular traffic. In addition, the proposed vehicle curb ramps (driveway ramps) are proposed to be 5' 6" deep instead of the standard 3'-0" designated in the City standards. The grade of the paving for the street is proposed to vary between 34% and 36%.

The proposed street will be one of the steepest in the City. There are two streets in the vicinity of the subject section of Folsom Street that are about the same steepness as the proposed street. The first is Prentiss between Chapman and Powhattan and the other is Nevada above Chapman.

I did not attempt to drive on either of these streets. I did observe something that concerned me which was the large quantity of trash bins at Chapman and Nevada. If Recology will not pick up at the individual buildings for the extension of Folsom, there is no location at the intersection with Chapman to put two to three garbage cans for each of the seven residential lots fronting on proposed Folsom.

6016



KCA ENGINEERS, INC. CONSULTING ENGINEERS • SURVEYORS • PLANNERS

Re: 3516 & 3526 Folsom Street San Francisco 6016 March 23, 2016 Page 2 of 3

Traffic movement is another concern. With only a 15' 6" travel lane, it does not appear wide enough to accommodate a car going uphill and one going downhill at the same time. Therefore, the car going uphill will block the whole intersection of Folsom and Chapman while someone is driving downhill in the proposed new street.

Another traffic concern is how a vehicle would turn around. Due to the narrow width of the street, it will be necessary to drive over the sidewalk and then back-up uphill. This will be difficult and not a comfortable task to perform, especially in wet weather.

In addition to the above concerns, the following items should be addressed prior to a final review of this street construction.

- 1. Mail delivery may not be feasible to the proposed residences. If it is not, it may be necessary to install mailboxes at the Chapman and Folsom intersection. It should be required that the post office agree to deliver, or that a proposed mailbox location be shown on the plans.
- 2. There is a gas trunk line located in this street at an unknown depth. PG&E has special requirements relative to the construction of utility services that cross this gas line. A cross section should be supplied that shows the actual elevation of the gas line and the lateral crossings, approved by PG&E.
- 3. Storm water will be flowing down the new street and needs to be picked up in catch basins prior to crossing over the intersection of Chapman and Folsom. These need to be shown so that they do not impact the proposed driveways to the existing two homes. Their design also has to consider the steepness of the street.
- 4. The plans do not make any provision for a place for a package delivery truck to park, or a taxi to wait to pick up a resident. Should a loading zone be provided on Chapman, since there is insufficient width on the new street to park a vehicle?
- 5. What provision is being made for guest parking, or will they be allowed to park in the driveway to the garage and block the sidewalks.
- 6. The plans do not indicate that this will be a private street, so it is assumed that it will be publicly maintained. Will the maintenance of the street and utilities be by the City?
- 7. A garbage can pick up spot needs to be designated and shown on the plans. It should take into consideration that all of the existing lots may be improved with residences, and that the area is acceptable to Recology.
- 8. Due to the narrow width of the street between curbs, it will probable be regulated for no parking. How will this be enforced by the City?
- 9. A street lighting plan should be required to be submitted for review, including information about how the light will affect the existing residents and the City open space.
- 10. A signage and striping plan should be provided which will address items such as a stop sign or stop bar, that the street is not a through street, parking restrictions, etc.

Re: 3516 & 3526 Folsom Street San Francisco 6016 March 23, 2016 Page 3 of 3

This project requires that substantially more information needs to be resolved and addressed on the plans before it should be formally considered for review by the Planning Department. Without this additional information having first been submitted for review by the project sponsor the proposed street may create an inadequate project.

Very truly yours, KCA ENGINEERS, NC Peter N. Bel President 1

pbekey@kcaengineers.com RCE #14786





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CURRICULUM VITAE

Peter J. Bekey President KCA Engineers, Inc. 318 Brannan Street 2nd Floor San Francisco, CA 94107 Phone: (415)546-7111 Fax: (415)546-9472 Email: pbekey@kcaengineers.com

EDUCATION

Graduated from University of Southern California at Los Angeles 1957 Bachelor of Engineering

LICENSES

Registered Professional Engineer #14786. Received July 1, 1964. License is current through March 31, 2017. License is for Civil Engineering and Surveying.

RELATED EXPERIENCE

1953 - 1958	C D & E Engineering, Los Angeles, CA Utility Systems Design.
1958 – 1967	MW Finley Co., Los Angeles, CA Land Development Design, Land Surveying and Construction Surveying.
1967-Present	KCA Engineers, Inc., San Francisco, CA Land Development Design, Contract City Engineer, Public Works Design, Land Surveying, Construction Surveys and Business Management.

235 MONTGOMERY STREET, SUITE 1140, SAN FRANCISCO, CALIFORNIA 94104 • TEL: (415) 760-0636 • E-Mail: patrick@buscovich.com

March 23, 2016

Job Number: 14.145

Patrick Buscovich Civil Engineer

The following is a Civil Engineering analysis of the proposed "Street":

- The Bureau of Street Use and Mapping (BSUM) have standards for street design and construction for the city to maintain the street. The current design is so out of conformance with city standards, the city will never accept this street. The street has varying slope from the intersection and the sidewalks are not level with each other. Warping of a street is not allowed. The fronting property owner will have to maintain this street in perpetuity.
- This proposed street will be one of the steepest streets in San Francisco at 36% slope. It will be 16 feet wide with no vehicle turn around at the top. It is a dead end street. Streets this steep are almost always thru streets.
- Most vehicles, other than a specialized car, will not be able to drive onto the dead end street and to the houses. Most passenger cars will stop at the corner of Folsom & Chapman and park.
- It will be a challenge to turn around and change direction on this street in a vehicle, based upon the narrow width of 16 feet and extreme slope. Average cars length range from 15 feet to 18 feet long. It will be difficult to have an average car turn from uphill, to 90° to curb, to down hill. At 16' wide, an 18 foot car does not fit in the 90° position. Further, at 36° slope, vehicles with a medium to high center of mass will experience "tipping over" when turning around in the 90° position. Thus any vehicle that are tall (i.e. mail truck, pick up, delivery van, garbage truck, etc) or have a long wheel base (sedan) will not be able to drive onto this dead end street. The only passenger car that could use this dead end street is low height, short wheel base, compact cars. Backing down the hill is not going to be a viable or safe solution due to pedestrian. Ironically, the only vehicle that can turn around on this street (i.e. compact car) will not be able to transverse

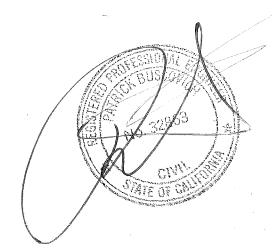
the base of the dead end street. The base is a flat intersection, a transition section and a steep hill (36°). Most cars will bottom out the tail pipe going uphill or the front fender going down. Even with a transition section of the street going from flat 0° , a short transition of 18° and then street 36° is not enough. No extension of car beyond the rear wheel or front wheel will work. To cross the intersection and go up/down this street will require a car with no front or rear end. This vehicle will also need to cross a very steep sidewalk; this will require a high undercarriage. A compact car with a high undercarriage and no front or rear end. The only vehicle that meets this description is a off road Jeep. It is short, has a low center of mass, high undercarriage clearance and no front or rear end. It is not a passenger vehicle. It is for off road driving which is what will be required to drive this hill.

It is also important to note that garbage truck will not go up this street and Recology will not walk up the street to pick up recycling. Recycling bins will have to be left at the corner of Folsom and Chapman. With two homes now and two proposed with 4 more sites ready, the size of this garbage zone will be large. There is no sidewalk envision at the corner so no garbage zone is available. This is problem that needs to be addressed now in the street design for these homes to be livable.

Additionally, the mail truck will not go up this street. The mailman will have to hike up this street leaving his truck at the corner. This will potentially create a traffic issue at the intersection of Folsom and Chapman. I also hope that the project sponsor has talked to the US Postal Service to confirm they will hike the street to deliver the mail. Otherwise, a mail boxe will be required by the USPS at the intersection of Chapman and Folsom. There is no location I see that works for a mail box, let alone the recycle garbage bin zone. The proposed two homes will need off street vehicle parking. Plausibly one vehicle could be a true off road Jeep, which could drive this street. The jeep will also be able to traverse the sidewalk cross slope. At a minimum, a second car will be used at this house. Due to the steepness of Bernal I question the viability of a bike to replace a car but at a minimum, one addition car will be used for a house of this size. This second car is not going to be a jeep but a mid size or larger car. This car will not be able to use the garage parking in the house but will use Street Parking. For planning purpose, six home time 1 car per home need to be accounted for neighborhood parking. For guest visits, more parking will be require. A simple study shows the need for 10 additional street parking spot in a neighbor with an acute shortage for on street parking. These "10 cars" not go up and down the street or across the sidewalk. There is no street parking in front of these homes. These 10 cars are going to park in a 200 foot walking radius on the adjoining block of Folsom street below the intersection or the adjoining block of Chapman. The garage in these homes will not work and a 16 foot wide Street with no street parking in front of homes will congest parking in this neighbor and will cause issues with Prop. Statement 2 "neighborhood character is conserved and protected".

In summary, the vehicle issue and parking demand will create a traffic mess for this neighborhood. This problem has simply not even been addressed by the project sponsor. It will be borne by the neighborhood. This problem is exacerbating by the size/number of bedroom proposed by the project by the project sponsor. Reducing the size of the house/reducing the number of bedroom will correspondingly reduce the parking demand and traffic congestion. Reducing the size of the home will not solve the parking problem, just make it less severe.\

Issue	Car Features
16 wide street	Short car
36° slope on street	Low center mass
Intersection transition	No front or rear end
Steep sidewalk	High undercarriage
- 44820	



N:\Letter\2014\14.145 - BSUM Vehicle Access Standards.doc

Patrick Buscovich & Associates structural Engineers, Inc.



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Patrick Buscovich S.E.

Patrick Busc	OVICN S.E.
Education:	University of California, Berkeley ~ Bachelors of Science, Civil Engineering 1978 ~ Masters of Science, Structural Engineering 1979
Organizational:	State of California, Building Standards Commission
0	Commissioner 2000 – 2002
	City & County of San Francisco, Department of Building Inspection (DBI)
	Commissioner/Vice President 1995 – 1996
	Chair, SF Housing Code Update 1995 UMB Appeals Board 2005 – 2006
	Code Advisory Committee 1990 – 1992
	Chair of Section 104 Sub-Committee.
	Structural Engineers Association of Northern California (SEAONC)
	President 1997 – 1998
	Vice President 1996 – 1997 Board of Directors 1994 – 1999
	College of Fellows Elected 2002
	Edwin Zacher Award 1999
	Structural Engineers Association of California (SEAOC)
	Board of Directors 1996 – 2000 Applied Technology Council (ATC)
	President 2007 – 2008
	Board of Directors 2000 – 2009
Licenses:	California, Civil Engineer C32863, 1981
Livenses.	Structural Engineer S2708, 1985
Experience:	Putrick Buscovich and Associates, Structural Engineer – Senior Principal (1990 to Present)
	Specializing in Existing Buildings, Seismic Strengthening/Structural Rehabilitation, Building Code/Permit Consultation, Peer Review, Expert Witness/Forensic Engineering
	 Code Consulting and Peer Review for projects in San Francisco (Planning Department, Fire Preventing, Street Use & Mapping, Building Department,
	Board of Appeals).
	Permit Consultant in San Francisco (DBI, DCP, SFFD, BSUM & BOA).
	Expert Witness/Forensic Engineering/Collapse & Failure Analysis
	 Seismic Retrofit Consultation. Member of the following SEAONC/DBI Committees:
	Committee to revise San Francisco Building Code Section 104F/3304.6.
	1988-1990 Committee to draft San Francisco UMB ordinance.
	1993 Committee to revise the San Francisco UMB ordinance.
	SEONC Blue-Ribbon panel to revise earthquake damage trigger, 1998 Secretary, Blue Ribbon Panel on seismic amendments to the 1998 SFBC.
	Secretary, Blue Ribbon Panel Advising The San Francisco Building Department on CAPSS.
	Co-Authored of the following SF Building Code Sections.
	EQ damage trigger SFBC 3404.7.2, Repair 3405.1.3, Change of Occupancy 3408.4.1., Lateral Forces Existing Building 1604.11.1
	Author SFBC Administrative Bulletin: AB102 (Seismic alteration) & AB103 (CFC)
	 Coordinator/Speaker for SEAONC San Francisco UMB Seminars 1992, 1993 & 1994. Speaker at 2009 SEAONC Seminar on San Francisco UMB Code, 1850 to Present.
	Member of 1993 San Francisco UMB Bond Advisory Board.
-	Speaker at numerous San Francisco Department of Building Inspection Seminars on UMB.
	 Speaker at numerous code workshops for the San Francisco Department Building Inspection.
	Co-author of 1990 San Francisco UMB Appeals Board Legislation.
	Co-author of San Francisco Building Code Earthquake Damage Trigger for Seismic Upgrade, Committee Rewrite 2008.
	As a San Francisco Building Commissioner: Directed formulation of Building Occupancy Resumption Plan (BORP)
	Chaired the 1995 update on the San Francisco Housing Code.
	Directed formulation of UMB tenant protection program
	 Consultant to the City of San Francisco for evaluation of buildings damaged in the Loma Prieta Earthquake (October 17, 1989) to assist the Bureau of Building Inspection regarding shoring or demolition of "Red-Tagged" structures (SOHA).
	 Consultant to San Francisco Department of Building Inspection on the Edgebill Land Slide 1997.
	 Consultant to 100's of private clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to their buildings from the October 17, 1989 Long Private Clients for evaluating of damage to the private Clients for evaluating of damage to the private Clients for evaluating the October 17, 1989 Long Private Clients for evaluating of damage to the private Clients for evaluating the private Clients for evaluating of damage to the private Clients for evaluating the priv
	• Project Administrator for multi-team seismic investigation of San Francisco City-owned Buildings per Proposition A, 1989 (\$350 million bond).
	 (SOHA). Project Manager for seismic strengthening of the Marin Civic Center (SOHA).
	 Structural Engineer for the Orpheum Theater, Curran Theater and Golden Gate Theater.
	Consultant on numerous downtown SF High Rise Buildings.
	 Rehabilitation & Seismic Strengthening design for 1000's of commercial and residential buildings in San Francisco.
	Commercial Tenant Improvement
	 Structure Rehabilitation of Historic Building. Structural consultant for 1000's of single family homes and apartment buildings alteration in San Francisco
Previous Employr	
Trenous Employ	SOHA 1980-1990, Associate
	PMB 1979-1980, Senior Designer
Public Service:	Association of Bay Area Government – Advisory Panels
	Holy Family Day Home – Board of Director
	Community Action Plan for Seismic Safety (CAPPS), Advisory Panel.
Awards:	Congressional Award, 2003.
	SFDBI Certificate of Recognition, 1996.

Sucre, Richard (CPC)

From:	Linda Ramey <lindaramey5@gmail.com></lindaramey5@gmail.com>
Sent:	Tuesday, March 22, 2016 3:30 PM
То:	Sucre, Richard (CPC)
Subject:	House next to mine at 71 Gates
Attachments:	DSCN0706.JPG; ATT00001.txt; DSCN0703.JPG; ATT00002.txt

This three story house looms above all of the one story houses next to it. It was built around 1980. The neighbors had met with the builder and thought he was working with them. They were totally shocked at the final building and still feel betrayed. I am dismayed every time I drive up Gates St. and see it looming above all of the other houses. So out of character with the neighborhood, as Mr. Lannoye's designs would also be.





Sucre, Richard (CPC)

From:Linda Ramey <lindaramey5@gmail.com>Sent:Tuesday, March 22, 2016 3:37 PMTo:Sucre, Richard (CPC)Subject:House just beyond the Community GardenAttachments:DSCN0697.JPG; ATT00001.txt

An example of massive, wall-like design that destroys the view from the hill. The other photo shows the view from the hill close to our houses as it currently exists. Mr. Lannoye's massive, bulky design as seen from the park and Bernal Blvd. has the same potential to destroy the view of the valley which is enjoyed by hundreds of park visitors every day,



Sucre, Richard (CPC)

From:	Linda Ramey <lindaramey5@gmail.com></lindaramey5@gmail.com>
Sent:	Tuesday, March 22, 2016 3:39 PM
То:	Sucre, Richard (CPC)
Subject:	View from Bernal Blvd.
Attachments:	DSCN0699.JPG; ATT00001.txt; DSCN0700.JPG; ATT00002.txt

Whoops!! These photos got left off my last email.





Foreword:

The Project Sponsors, Anna Limkin and Fabien Lannoye, purchased the vacant lot at 3516 Folsom Street in the hope of building their personal residence. The lot had been listed for a year.

Anna and Fabien have two children, both attending San Francisco Public Schools. Both Anna and Fabien work full time in the City, where they have been living and working for many years, where they met and where their two children were born.

As we reach(ed) our fifties, we are finally able to afford a house in the City we call home. We can't afford a huge house, just a 3 bedroom house, which seems a fair request for a family of 4. After doing our due diligence to verify with the Planning Department, with DPW, with SFFD and all concerned parties, we decided to proceed and purchased the lot.

We designed our house and scheduled a Project Review meeting with the Planning Department to make certain that the proposed project would comply with the restrictive Special Use District for Bernal Heights, Planning Code Section 242. Planning reviewed the project in detail and advised on a few improvements, which we immediately incorporated into the project.

At the suggestion of the Planning Department, we contacted the ESDRB to schedule a pre-application meeting with the neighbors. The Planning Department recommended contacting the ESDRB, although they told us we were not in the ESDRB area and did not need to comply with the ESDRB Guidelines.

Prior to the meetings with the ESDRB, we discovered that flyers had been posted around Bernal, rallying Bernal residents to attend a meeting to oppose a project which would create a "600-foot Radius Blast/Fire Zone" by building "luxury homes" on "Undevelopable land". (see attached photo).

The first meeting, as well as the next four, were very hostile, but we continued to participate. Every answer we gave the neighbors was called "a lie."

The 19 DR were filed against the two proposed residences, 10 of them against 3516 Folsom Street. Some of the neighbors even managed to file 4 identical DRs per household. 5 other DRs were filed by another household.

Anna and I still hope all can be reasonable and that we can collaborate together to resolve the issues, as good neighbors would. We hope we will be given the chance to show our appreciation of others' understanding and fairness.

Given the similarities between most of the DR issues and in an attempt to simplify and unify the DR process for this project, we suggest responding to the main issues in a common set of responses, while 2013.1383DRP-10, filed by the ESDRB, which is different from the other DRs, will get is own set of responses.

<u>1-</u> <u>Site:</u> Several of the DR requestors suggest that the 6 vacant lots are open space which should not be developed. Although the DR requestors have enjoyed the adjacent lots as undeveloped land for many years, the

these lots were created and laid out at the same time as the DR Requestors' lots and zoned for residential use. This has never changed.

The proposed project does not impact the views from the Park, nor does it have any negative impact on the Public Garden. Renderings were provided, demonstrating minimum impact on the views from the public areas around the proposed project. Shadow studies were prepared and provided, demonstrating no shadow impact.

Project Sponsor has no ties or involvement of any sort to the remaining adjacent four vacant lots.

2- Proposed extension of Folsom Street:

- a. Numerous layouts were proposed to DPW and the Planning Department. Better Streets Department requested that we follow the straight layout which has since been developed in accordance with their recommendations.
- b. DPW-BSM did not allow a retaining wall in order to minimize the slope of the proposed road. A retaining wall was allowed on Banks Street(next block) to reduce its slope.
- c. There are several streets in San Francisco which are steeper than the proposed street (please see attached document: "Steepest Streets of San Francisco").
- d. The suggestion to build a road from Bernal Heights was considered but deemed impossible due to the public garden.
- e. State requirement only allows one driveway to access a maximum of two lots. The proposed road extension will provide access to the two existing houses, as well as to the two proposed houses.
 Project sponsor has offered a road solution that will provide access up front to all adjacent vacant lots, avoiding rework in the future, if/when other lot owners should decide to develop their lots. This is of benefit to all concerned neighbors.
- f. Bernal Heights has many steep access roads due to its topography and density, which naturally limits the size of trucks and access.
- g. As to garbage trucks, project sponsor has contacted Recology several times. There are solutions to this problem and project sponsor will resolve it, but at this point, project sponsor cannot get a confirmed solution as Recology does not provide a proposal to a house which does not exist.
- h. SFFD has reviewed the application and deemed the project acceptable for distance to the nearby fire hydrants and for the fact that the proposed house will be equipped with a full fire protection sprinkler system. Most of Bernal Heights is problematic for fire access; this house will be one of the very few equipped with a full fire protection sprinkler system.

DRIVEWAYS of Impacted Neighbors:

Project sponsor has offered to meet with the 3 neighbors whose driveways would be impacted, their consultant and DPW-BSM in order to discuss the details and specifics of the process. At this point, DPW-BSM has requested more time in order to get all comments from the various department consulted, as all of them have not responded. DPW and Streets and Highways have reviewed and approved proposed Street Improvement drawings.

- a. DR requestor states that project sponsor has refused to share information, which is not true.
- b. Project sponsor has offered to pay for all costs for the DR driveway, which was stated at several of the ESDRB meetings.
- c. Proposed Street Improvement is currently being reviewed by DPW. Neighbors have hired a consultant to review the proposed road extension and project sponsor has been e-mailing any and

all information as it is produced. Given the sensitive nature of this project and huge backlog with DPW, the proposed street improvement is being processed slowly. Project Sponsor is not withholding any information and is open to discuss any issues in a constructive and respectful way. Project sponsor is very sensitive to neighbor's concerns, and driveways and road being proposed are being designed to minimize difficulties and improve current conditions. Proposed driveways will be an improvement over existing non-permitted conditions.

d. As stated previously, project sponsor has no involvement in any of the adjacent vacant lots.

3- PG&E Pipeline:

<u>"An aging, major PG&E Gas Transmission Pipeline":</u>

Prior to the first meeting at the ESDRB, some neighbors posted inflammatory posters, inciting Bernal residents to oppose the project, stating it would create a "600-foot Radius Blast/Fire Zone". This created a difficult and hostile climate at the various ESDRB meetings. (Copy of the poster is part of DR#05, page 10).

The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not a SF Planning issue. DPW Street Improvement Permit Review is reviewing PG&E issues. Project Sponsor is working with SFDPW, PG&E and Civil Engineers.

A PG&E spokesperson attended one of the ESDRB meetings and answered all questions and comments. ESDRB appreciated the clarifications, but DR requestors continue to misrepresent the situation (please see attached PG&E responses to comments).

Several DR requestors indicate that the proposed project will be built directly above the Pipeline, which is not accurate: the Pipeline runs under Folsom Street from Alemany Blvd to Bernal Height Blvd. The proposed road extension will only require minimal surface grading and solely the driveways will be installed over the existing Pipeline, landscaped areas will be covering the intermediate sections between driveways. The proposed house will sit approximately 14' away from the Pipeline.

The PG&E Pipeline and the proposed Road extension are under DPW-BSM jurisdiction and a Street Improvement permit is currently under review. (Please see attached Q&A from PG&E).

4- Proposed Residence:

a. PROPOSED RESIDENCE IS OUT OF SCALE AND OUT OF CHARACTER WITH ADJACENT PROPERTIES:

DR Requestors characterize the proposed residence as a "3 Story / 3 Car garage...out of scale to predominantly 2 story homes with single car garages".

The proposed residence is a 2 story over basement (not a 3 story) with a required 2 car garage (not 3 car). The definition of Story and Basement can be found in the California Building Code.

The 2 car garage is required by SFPC Section 242(e)(4). Most adjacent houses were built prior to the Planning Code and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage. Some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street); some are 3 story over basement (see address 405 Chapman Street).

Several DR requestors produced a document showing sizes of adjacent houses, but the square footages provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated Assessor-Recorder records which are neither verified nor updated. The listed square footages are most likely livable SF

rather than [gross][Fabien, as you know, Section 242 uses "usable floor area," not "gross"] SF as defined in Planning Code Section 242 (which factors any exterior walls, undeveloped areas having more than 5' of ceiling height,...). The list, however, clearly shows that the proposed project is <u>not</u> out of scale with its adjacent neighbors, as the proposed residence is smaller or equal to 15 of the 39 adjacent residences.

SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade. This limits the building height on a steep lot. And Section 242(e)(3) mandates a mass reduction of 650 square feet of usable floor area, further reducing the size of any new structure.

The proposed 2 car garage is required by Planning Code Section 242 (e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built prior to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the Code. In order to comply, each house over 1,300 gross SF would be required to have a 2 car, side-by-side independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.

The proposed residence will not be any more visible than its adjacent neighbors. In regards to the garage, the proposed project requires a variance due to a conflict in the Planning Code: the proposed project complies to the 2 car parking required by Planning Code Section 242, but does not allow the first two cars to be independently accessible: the newer garage requirements limit the garage door width to 10' (which makes side by side parking nearly impossible in Bernal), compared to when 12' was allowed per Section 242 (which made side by side parking possible). The proposed driveway slopes up 14.46% on the downhill side while sloping down 19.53% on the uphill side of the driveway, not "35%" as mistakenly stated by some of the DR Requestors.

Special attention is given to the roof of the proposed project, specifically following ESDRB guidelines. The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. The roofs of neighboring existing houses are devoid of vegetation, and most of them do not comply with the ESDRB guidelines.

There were no substantial changes required by the Planning Department or ESDRB as the proposed project was reasonable to begin with. Nonetheless, the project, was reduced from 2,396 SF to 2,227 Gross SF, reducing the parking requirement from 3 to 2 cars, while increasing the required Mass reduction from 651 SF to 856 SF.

DR Requestor describes the proposed residence as a Mac Mansion, but the proposed residence is 1,762 SF above-ground (1,942 gross SF), 3 bedroom with 2.5 bathrooms, which is smaller or equal in size to 15 out of the 39 adjacent houses (please see attached "Adjacent Houses spreadsheet). Project sponsor has demonstrated by shadow study that the proposed project will not impact the public gardens. Planning Department, RDT and ESDRB have reviewed the proposed project and found it to be Code complaint.

- b. <u>"...out-of-character boxes":</u> Of the adjacent 23 houses on blocks 5626 and 5627, only 2 have pitched roofs, all others have flat roofs and box-like volumes. The proposed project offers roofs composed of green planting, deck and solar panels, making them visually more pleasant than adjacent existing roofs.
- <u>"Wall-like exterior of North elevation" and "public views impeded by penthouse stairwell":</u> Correction: The North elevation has partial setbacks, is composed of various materials, and has several windows. Please see response to DR-10.
 - Correction: The proposed Penthouse stairwell was <u>removed</u> from the project prior to ESDRB's last meeting.
- d. <u>"Side Yard setback does not respect existing pattern":</u> (please see attached "Side Yards" exhibits.)

Despite the fact that both the Planning Department and ESDRB have scrupulously reviewed the project and found no conflict with the Planning Code, DR requestors continue to assert that the proposed project does not comply with several of the code requirements.

The side yard setback requirement is not a Planning Code requirement, but an ESDRB Guideline suggestion (ESDRB Guidelines page 19). ESDRB has reviewed and accepted the proposed design as complying with the Side Yard requirements.

As for Existing properties, note that most adjacent properties do not have any side yard setbacks:

- Block 5626 is composed of 16 lots. Three lots (including 3516 and 3526 Folsom) are undeveloped. Out of the 13 built lots, only 4 of the existing houses have side yards, the other 9 have <u>no</u> side yard. The proposed project conforms to the ESDR Guidelines side yard requirements. Nine of the adjacent properties <u>do not</u> comply.
- b. Block 5627 is composed of 14 lots. Four lots are currently undeveloped. The 10 existing houses are built from property line to property line and have <u>no</u> side yards.

Attachments:

- Adjacent properties story count
- Adjacent properties side yards
- Adjacent properties Square Footage
- San Francisco steepest streets
- PG&E responses
- Shadow Study
- Proposed project renderings
- DPW Street Improvement drawings



STORY COUNT (based on CBC definition of Story)



X: no side yard

....:: Partial side yard (as required by ESDRB Guidelines)

A	DDRESS					
		BLDG SF PER	Revised		Actual GROSS TOTAL SF	
IOUSE #	STREET	ASSESSOR'S RECORD	Total SF	Garage SF	PER Section 242	NOTES
	ANKS	2,749.00				3 STORY HOUSE BUILT IN 1991
	ANKS	2,749.00				3 STORY HOUSE BUILT IN 1991
	ANKS	2,749.00				3 STORY HOUSE BUILT IN 1991
	ANKS	2,025.00				3 STORY HOUSE BUILT IN 2012
	ANKS	2,365.00				3 STORY HOUSE BUILT IN 2013
	ANKS	1,000.00			1,000.00	
	ANKS	1,200.00	400.00			2 STORY - PA 200403199139 ADD POWDER AT 1ST FLOOR
	ANKS	1,295.00			1,295.00	
	ANKS	1,200.00	1 000 00	1/0	1,200.00	
101 B		1,069.00	1,988.00	160		2 STORY - PA 8402970 ADD BATHROOM + BEDROOM ON GROUND FLOOR
102 B		1,276.00	500.00		1,276.00	
103 B		1,450.00	500.00			3 STORY - PA 201208288455 - ADD BEDROOM, BATHROOM, CLOSET IN "BASEMENT" - ATTIC SPACE
104 B		625.00	0.000.00	1/0	625.00	
105 B		1,000.00	2,000.00	160		2 STORY - PA 9801646: LEGALIZE DOWNSTAIRS BATH + BEDROOM
106 B		899.00	1 000 00	1/0	899.00	
107 B		1,035.00	1,000.00	160		2 STORY + BASEMENT? PA 8711632: VERTICAL + HORIZONTAL ADDITION
114 B		1,650.00			1,650.00	
116 B	HAPMAN	1,233.00 1,338.00			1,233.00 1,338.00	
	HAPMAN	1,130.00			1,338.00	
	HAPMAN	1,130.00	2,100.00	300		2 STORY + BASEMENT - NOV INTENSE INTERIOR WORK
	HAPMAN	2,180.00	3,150.00	300		2 STORY + BASEMENT - NOV INTENSE INTERIOR WORK 3 STORY + BASEMENT - SEVERAL PERMITS FOR NEW INTERIOR WORK?
	ATES	1,373.00	2,050.00	160		2 STORY - BASEMENT - SEVERAL PERMITS FOR NEW INTERIOR WORK? 2 STORY - PA 2004-1019-7138 ALTER ENTRANCE, ADD BATRHOOM DOWNSTAIRS
55 6	IATLS	1,373.00	2,000.00	100	1,070.00	2 STORT - PA 2004-1019-7138 ALTER ENTRANCE, ADD BATRHOUM DOWNSTAIKS PA 2010-0520-2891: CONVERT 130 SF GARAGE TO INTERIOR SPACE, ADD SPIRAL STAIRS
61 G	ATES	1,221.00			1 221 00	2 STORY - PA 941128: ENLARGE EXISTING GROUND FLOOR BEDROOM + ADD (N) BATHROOM
	ATES	1,492.00			1,492.00	
	ATES	2,131.00				3 STORY HOUSE BUILT in 1983
	ATES	775.00	1,550.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	ATES	775.00	1,550.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	ATES	775.00	1,550.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	ATES	775.00	1,950.00	160		PA 2011-0413-3969: ADD BATHROOM DOWNSTAIRS - OLD 2 STORY REAR ADDITION
	ATES	1,850.00	1,750.00	100		2 STORY - ASSESSOR RECORDS SEEMS ACCURATE
	OWAHATTAN	800.00	1,600.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	OWAHATTAN	2,250.00	1,000.00	100		3 STORY - MISSING FROM NEIGHBOR'S SPREADSHEET
	OLSOM	760.00	1,520.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
3599 F		1,600.00	.,			2 STORY - Recent house, SF appears correct
3595 F		1,600.00				2 STORY - Recent house, SF appears correct
3580 F		1,050.00	2,100.00	160		2 STORY - PA 2010-0706-6044 ADD STAIRS TO DOWNSTAIRS
3574 F		1,125.00	2,250.00	320		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
3577 F		1,125.00	2,000.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
		FF 2F4 00			66,530.00	
	Total					
_	# of houses				39	
	Average	1,419.33	Revis	sed Average	1,705.90	
				BELOW		
		TOTAL GROSS SF		GRADE	ABOVE GRADE	
3516 F	OLSOM	2,227.00		285.70	1,941.30	EQUAL OR SMALLER TO 15 OF 39 HOUSES
3210 F	OLJUIVI	2,227.00	F0/			
			-5%			EQUAL (+/-5%) TO 9 OF 39 ADJACENT HOUSES
			5%			SMALLER THAN 6 OF 39 ADJACENT HOUSES
3526 F	OLSOM	2,204.80		360.00	1,844.80	
			-5%			EQUAL (+/-5%) TO 13 OF 39 ADJACENT HOUSES
			5%		1 0 2 7 0 /	SMALLER THAN 6 OF 39 ADJACENT HOUSES

DEFINITIONS SF PLANNING "Usable floor area" is the sum of the gross areas of the several floors of a building, measured from the exterior walls or from the center lines of common walls separating two buildings. "Usable floor CODE Section devoted to off-street parking or any space or area which is not readily accessible and which has not more than five feet vertical clearance at any point.

CBC 2013 DEFIN

BASEMENT A story that is not a story above grade plane (see "Story above grade plane").

STORY That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above...

GRADE PLANE Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is:

More than 6 feet above grade plane; or
 more than 12 feet above the finished ground level at any point

por area" shall not include that floor area

DATA POINTED

More Steeps Of San Francisco

A New Steepest Street Is Born

BY STEPHEN VON WORLEY ON FEBRUARY 4, 2010

L AST NOVEMBER, as previously detailed, we searched San Francisco's less-photogenic neighborhoods for under-appreciated inclines, rewrote the City's "official" list of steepest streets, and discovered Prentiss Street, which, at a maximum grade of 37%, matches Pittsburgh's Canton Avenue as the most-tilted urban thoroughfare in the world.

Afterwards, I boarded the couch for a welldeserved weekend in pro sports vacationland. All the while, loose ends whispered in the wind, open leads nagged, and unexplored territory begged for attention. With a tap of the volume button, I could drown them out, but...

Did **George Washington** dip his finger into the Delaware and whine "maybe I'll come back when it's warmer?" Did, daily at noon, **Rosie the Riveter** betray her trusty gun for the factory masseuse? Did **Pee-wee** shirk his Big Adventure under the duress of potato chips and beer?

Hell no! Like them, my moral marching orders were to press onward, and thus compelled, with much pressure, onward with the *Steepest Search* did I proceed...

Romolo

At the dawn of the **Gold Rush**, San Franciscans bore witness to an infamous boxing match, wherein Haste, cheered by 50,000 rabid forty-niners, knocked out Foresight in the first round.

Foresight's defeat scuttled grand plans of swooping avenues and Parisian boulevards. Seemingly overnight, Haste's rudimentary rectangular street grid clung to the hillsides like an early autumn snow, peppered with a motley assortment of taverns, storefronts, pleasure dens, and flophouses:



24th Street on Potrero Hill

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An 1857 survey of San Francisco's North Beach neighborhood. North is to the right. Modern landmarks in color: Yellow=Coit Tower, Green=Columbus Avenue (built in 1873), Purple=Vallejo Street, Red=Romolo Place

Mother Nature has long since **folded**, **spindled**, **and mutilated** those first buildings, but the streets survive. Today, they leap and dive the same crazy ups and downs as they first did, 160 years ago, in the neighborhood known as...

North Beach! Perhaps you've come to sample a bowl of **cioppino**, get your **Beat** on at **Vesuvio**, do some **Barbary Coast**-style carousing along Broadway, or simply wander the streets in search of companionship and adventure. Whatever your poison, it's gonna be fun!

But first, you gotta park. You've already climbed **Telegraph Hill** three times over, tracing and retracing every goddamned back street and alleyway within half a mile, and still nothing. Fiddlesticks! Then, on your fifteenth pass down Vallejo, you notice a narrow gap in the apartments to the left, marked by an inconspicuous sign as *Romolo Place*.

Maybe there's a parking space down there?

As you approach, Romolo itself hides behind a lip of pavement. It must be a bit of a slope, so you shed some speed and begin the turn. Then, that mysterious red light under the odometer – you always wondered what it was for – starts to blink. Split-seconds later, a panicked siren squawks: ah-rooga, ah-rooga, ah-rooga! What's going on? Suddenly...

The pavement drops out of view and you're staring into space then oh no! the car lurches down and then right and you stomp the brakes and the tires squeal and it's gonna roll and holy shit! you're almost on the stairs and into the building on the right and then the left and the proximity sensor bings as the pavement flies up at you and scraaaaaape... Romolo gives your car a love peck as it screeches to rest at the bottom.

Did that really just happen?! A glance in the rear-view explains everything...



Romolo Place. Mind the tilt!

Romolo pitches precipitously, at a 32.5% grade along the centerline, but also a terrifying twenty inches downward, sideways, from left-to-right, over its twelve foot width. Together, these tilts send a spicy North Beach meatball skittering down the fall line at a sauce-splattering 40%!

Under the influence of Romolo's sinfully improper grade, our on-site survey team began to **speak in tongues**. Drawn by the commotion, a roving band of drunkards joined the chorus, and guided by their strangely-therapeutic ramblings, the gibberish slowly yielded to Consensus. In Romolo's close quarters, your car would never be far enough askew to feel the full 40%, but as entering from Vallejo, you'd briefly pitch downwards close to it: somewhere between 37 and 38%.

We split the difference – 37.5% – and christened Romolo as the Super Steep Street Most Likely To Inflict Coffee Crotch On Early Morning Delivery Truck Drivers.

"Crotch," my team giggled, over and over again. My, were they – randy? I handed them a roll of dollar bills wrapped in a twenty, gestured downhill towards Big Daddy's, and made myself scarce.

Bradford

When the esteemed **Sir Poskanzer** recommends that you do something, you do it, lest an unfortunate online "accident" cut you down a few months later. So, there I was, per his "suggestion" at the base of **Bernal Heights**, measuring Bronte Street's quite-respectable 29%. Thanks Jef!

Next door, Bronte's less-sophisticated neighbor, *Bradford Street*, climbs eagerly from Tompkins Avenue at twenty-percent grade. Then, after 150 feet, the slope doubles, and the concrete poops out. "Anyone wanna take over?!" it yells.

"I does!" hollers the insane asphalt driveway. And lickety split, there's a perilous, oil-stained jump to the private property above: not "country club" private, mind you, but the *other* kind, wherein the gap-toothed inhabitants take mighty unkindly to camera-waving interlopers.



The insane driveway at the top of Bradford Street. Photo courtesy of MapJack.

I'd seen the driveway before – at the tail end of the previous episode – and clearly, it required investigation. However, it also had me spooked, so I played the oops-out-of-time card and returned home to a pleasant dinner.

On this visit, I had no such excuse...

Before the Journalists Club would dispense my credentials, they made me swear on the Holy Notepad that I would always Do Whatever Whatever It Takes To Get The Story. Up there might be the World's Most Extreme Driveway, and I must document it for the benefit of you, my Loyal Reader, no matter what the danger.

To buy myself a precious few seconds of extra escape time, I cooked up a crude verbal diversion:

Hey look, Hatfields!

Then, with a deep breath, I exited the vehicle and began what might be my final few steps uphill. Ever. Gulp.

Hey, something looked different. Where was the asphalt? What were those orange cones and construction barricades doing there? And why was it all so much *whiter* than before?

OMFG, the "driveway" was actually part of Bradford Street, and it'd been repaved!

Lately, Public Works must be mainlining their **Wheaties**, because, as part of the same Bernal Heights Street Improvement Project that yielded Prentiss, they had replaced the ugly asphalt ramp with a tilted concrete slab, and a very special one at that:



Bradford Street's 41% grade

Carefully, I scaled the beast and measured it: a solid 30 feet of *sustained 41% grade*. On such a slope, gravity alone pulls a one-ton car downhill with 800 pounds of force, accelerating it from *zero to sixty* in 7.2 seconds. Whoa Nellie!

Congratulations, Bradford Street above Tompkins, for, having Bravely Thrust into the Forty-Percent-Plus Frontier, you now stand alone atop the Peak Of Maximum Grades as the Most Tilted Paved Urban Thoroughfare In The World!

All drivers of cars with golden tires, please travel to Bradford and apply commemorative golden skid marks, forthwith!

A New List

Now, our list of Steepest Streets needs an overhaul. Shoot the confetti, release the balloons, and spotlights center stage in five, four, three, two, one...

The Steepest Streets In San Francisco

- 1. Bradford above Tompkins (41% grade)
- 2. Romolo between Vallejo and Fresno (37.5% grade)
- 3. Prentiss between Chapman and Powhattan (37% grade)
- 4. Nevada above Chapman (35% grade)
- 5. Baden above Mangels (34% grade) *
- 6. Ripley between Peralta and Alabama (31.5% grade)
- 7. 24th between De Haro and Rhode Island (31.5% grade)
- 8. Filbert between Hyde and Leavenworth (31.5% grade)
- 9. 22nd between Vicksburg and Church (31.5% grade)
- 10. Broadway above Taylor (31% grade)
- 11. 23rd above Carolina (31% grade)
- Source: Stephen Von Worley.
- Notes: Ranked by maximum grade, as of February 2010.
- Ties are broken by the length of maximum slope.
- * Crude, single lane pseudo-street

With that, we shift the Steepest Search into Maintenance Gear, wherein we'll monitor Bernal for further developments and field other leads as they pop up. If you see anything interesting, don't hesitate to ring our **tip line**, please!

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Bernalwood's questions, and PG&E's responses, are provided here in their entirety:

1. When was the section of pipeline under the the proposed home site installed? When was it last upgraded? The line was installed in 1981. PG&E has a comprehensive inspection and monitoring program to ensure the safe operation of this line.

2. How often is this section of 109 inspected? What does the inspection entail? When did the last inspection take place? What were the results of that inspection? This section of L-109 was successfully strength tested (via a hydrostatic pressure test) at the time of installation. PG&E records show no history of leaks for L-109 in this area.

PG&E has a comprehensive inspection and monitoring program to ensure the safety of its natural gas transmission pipeline system. PG&E regularly conducts patrols, leak surveys, and cathodic protection (corrosion protection) system inspections for its natural gas pipelines. Any issues identified as a threat to public safety are addressed immediately. PG&E also performs integrity assessments of certain gas transmission pipelines in urban and suburban areas.

Patrols: PG&E patrols its gas transmission pipelines at least quarterly to look for indications of missing pipeline markers, construction activity and other factors that may threaten the pipeline. L-109 through the [Bernal Heights] neighborhood was last aerially patrolled in May 2014 and no issues were found.

Leak Surveys: PG&E conducts leak surveys at least annually of its natural gas transmission pipelines. Leak surveys are generally conducted by a leak surveyor walking above the pipeline with leak detection instruments. L-109 in San Francisco was last leak surveyed in April 2014 and no leaks were found.

Cathodic Protection System Inspections: PG&E utilizes an active cathodic protection (CP) system on its gas transmission and steel distribution pipelines to protect them against corrosion. PG&E inspects its CP systems every two months to ensure they are operating correctly. The CP systems on L-109 in this area were last inspected in May 2014 and were found to be operating correctly.

Integrity Assessments: There are three federally-approved methods to complete a transmission pipeline integrity management baseline assessment: In-Line Inspections (ILI), External Corrosion Direct Assessment (ECDA) and Pressure Testing. An In-Line Inspection involves a tool (commonly known as a "pig") being inserted into the pipeline to identify any areas of concern such as potential metal loss (corrosion) or geometric abnormalities (dents) in the pipeline. An ECDA involves an indirect, above-ground electrical survey to detect coating defects and the level of cathodic protection. Excavations are performed to do a direct examination of the pipe in areas of concern as

required by federal regulations. Pressure testing is a strength test normally conducted using water, which is also referred to as a hydrostatic test.

PG&E performed an ECDA on L-109 in this area in 2009 and no issues were found. PG&E plans to perform another ECDA on L-109 in this area in 2015. This section of L-109 also had an ICDA (Internal Corrosion Direct Assessment) performed in 2012, and no issues were found.

Automated Shut-off Valves: There are two types of automated shut-off valves recognized within the natural gas industry: Remote Controlled Valves (RCV's), which can be operated remotely from PG&E's Gas Control Center, and Automatic Shutoff Valves (ASV's) that will close automatically as a result of rapidly falling pipeline pressures and/or increased flows at the valve location. There is an RCV on L-109 in Daly City that can be used to isolate the section of L-109 that runs through this neighborhood.

3. Is this section of pipeline 109 "the same type that blew up in San Bruno?" No. Line 109 operates at a much lower pressure and is smaller in diameter, and is of a much more recent vintage.

4. What safety procedures does PG&E put in place when home or street contruction occurs on the site of a major gas pipeline like 109?

Anytime a contractor or resident makes an excavation on franchise or private property, they must call 811 (State Law for Underground Service Alerts [USA]) in advance so we can identify and properly locate our UG facilities. When our Damage Prevention group gets the USA request and identifies a critical facility like a gas transmission line in the scope of work, they notify the caller that they must contact PG&E for a standby employee. PG&E must observe a safe excavation around our lines if any digging is within 10' of it. We must be present when they dig around this line. Our standby inspector will instruct and guide the excavating party to avoid damage. Excavators who violate this Law are subject to fines.

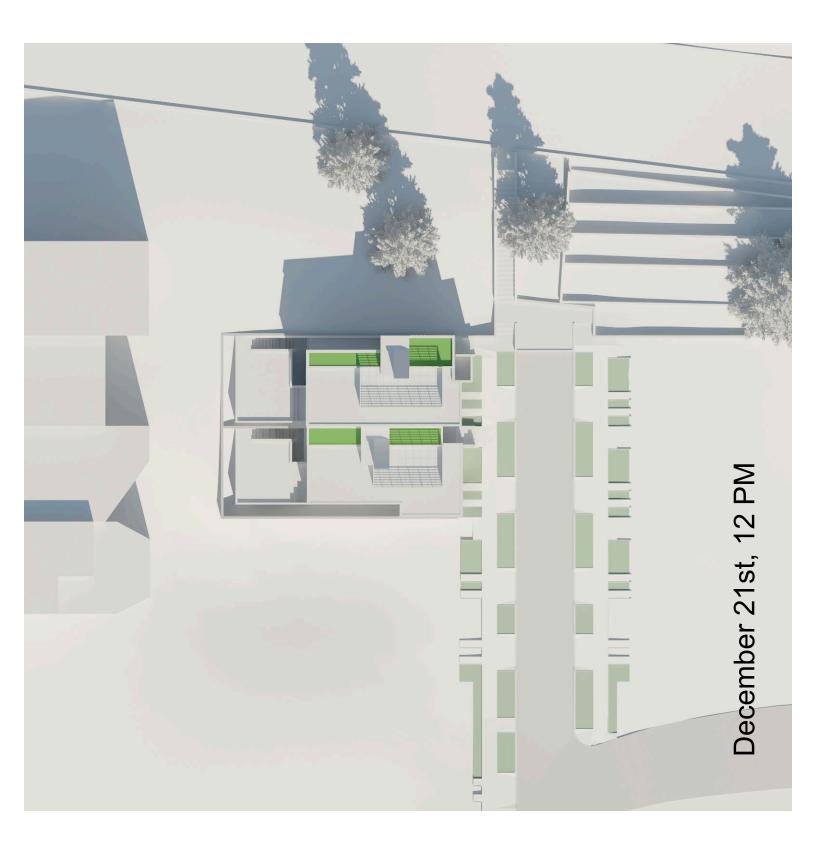
5. Does the steep grade of the Folsom site have any impact on Pipeline 109? Given the grade at the proposed site, are any special provisions or procedures required to ensure the safety of the pipeline during construction? The grade of the street have no impacts on the operation of the line. If the cover is not removed or disturbed within 10' of the line, there are no special precautions needed.

6. Are there any specific technical or safety challenges posed by the proposed home site, and if so, how does PG&E plan to address them? As long as the structures are built within the property lines similar to the existing [homes on Folsom Street], they will not pose any issues for us patrolling and maintaining that line. The proposed home sites are not on top of line 109, and are no closer to the line than existing homes in the neighborhood.

Additional Background: In the area outlined in the map [Bernalwood sent PG&E, shown above], PG&E's natural gas transmission pipeline L-109 runs down Folsom Street and turns east to follow Bernal Heights Blvd. Line 109 in this area is a 26-inch diameter steel pipeline installed in 1981 and has a maximum allowable operating pressure (MAOP) of 150 pounds per square inch gage (psig), which is 19.8% of the pipe's specified minimum yield strength (SMYS). This provides a considerable margin of safety, since it would take a pressure over 750 psig to cause the steel in the pipe to begin to deform.













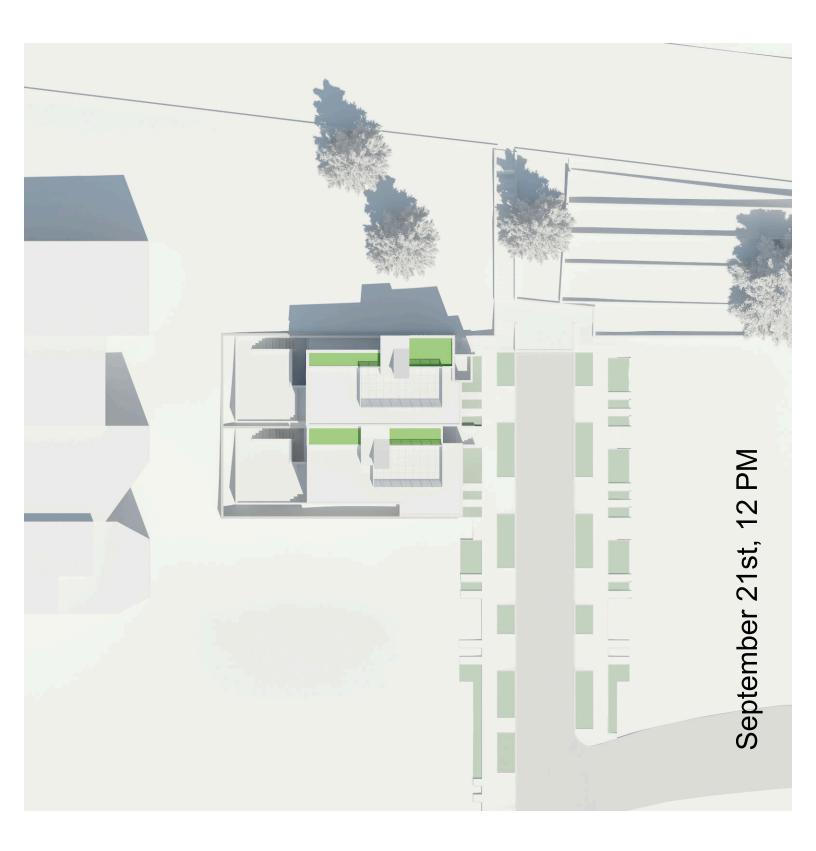




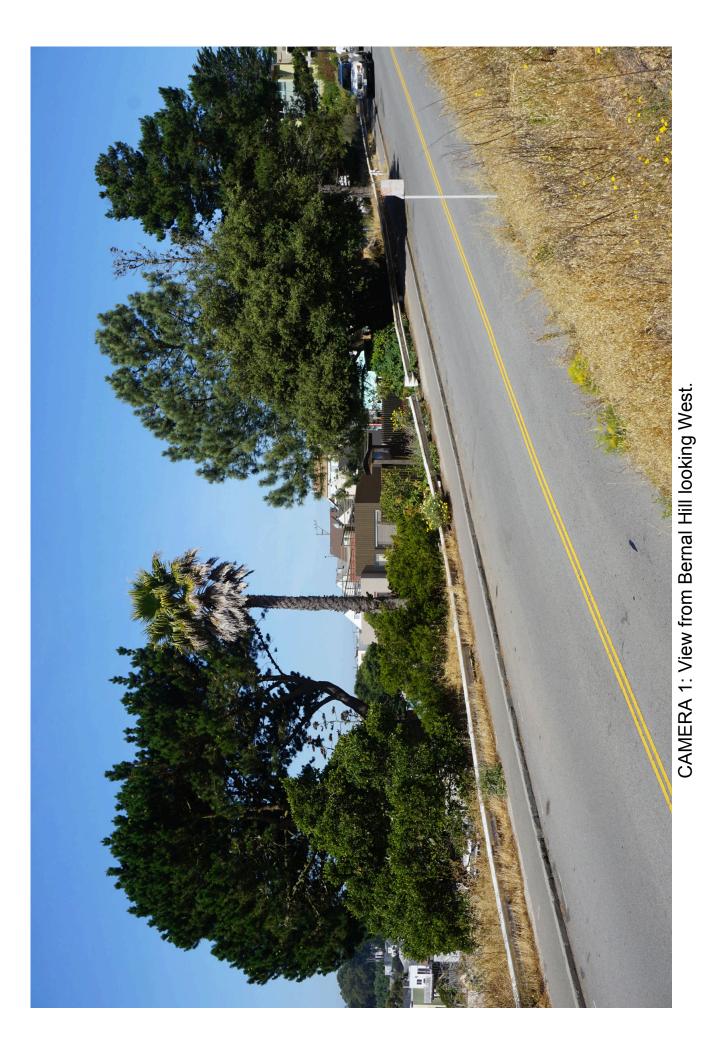


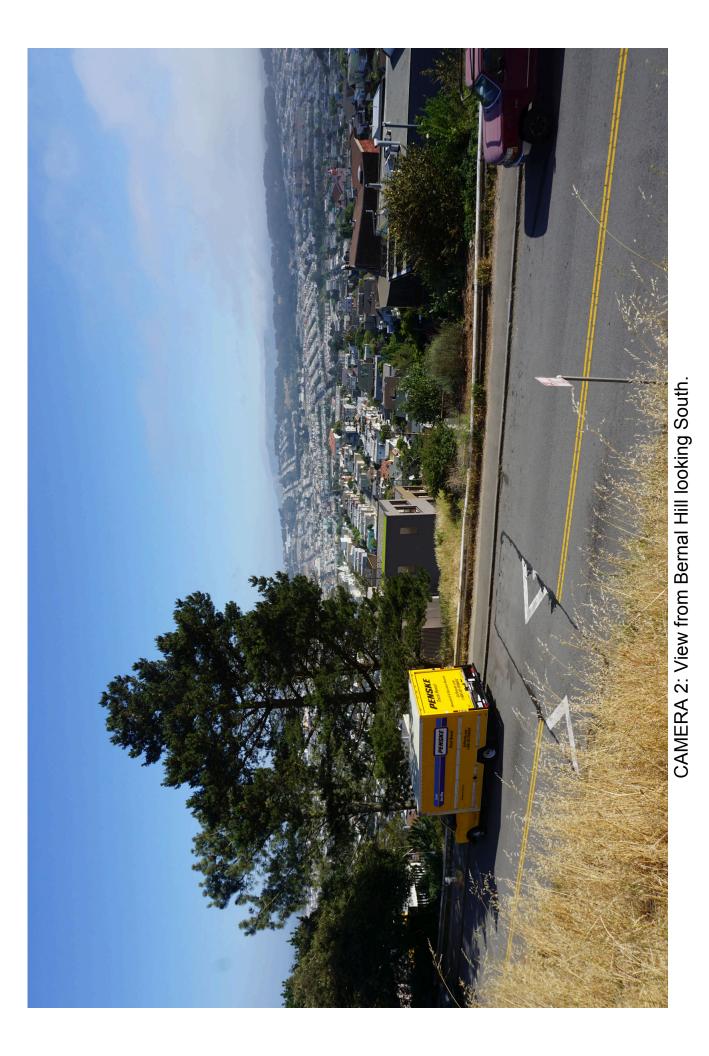


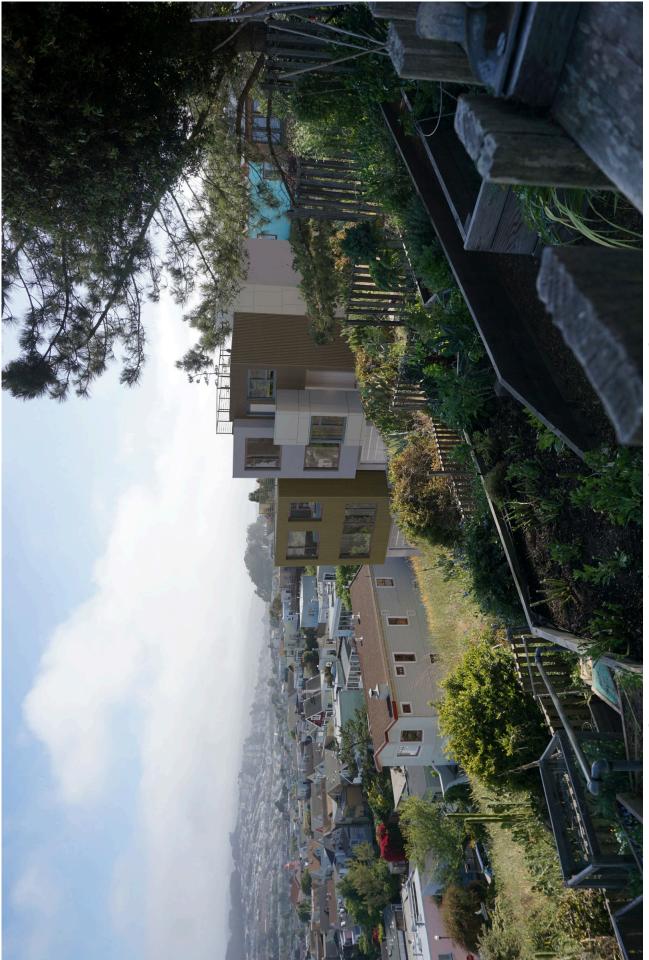








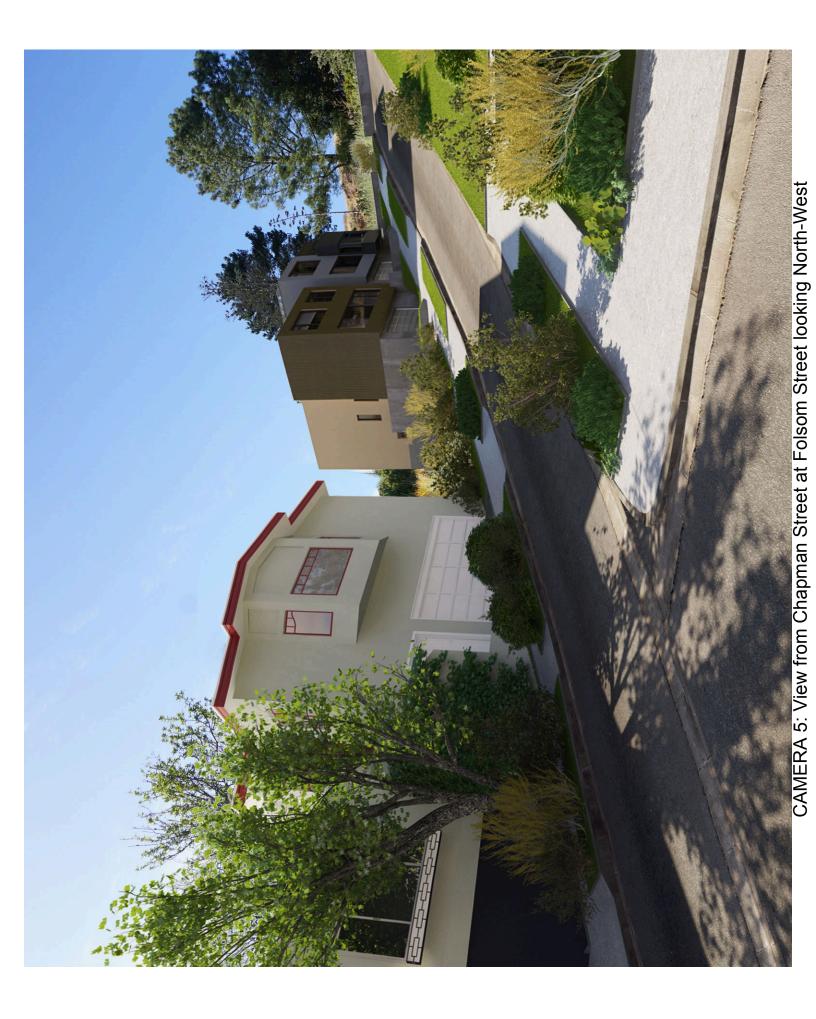




CAMERA 3: View from Public Garden looking South-West.



CAMERA 4: View from Bernal Blvd looking South-East.



BERNAL PUBLIC SAFETY ALERT

CRITICAL MEETING - WEDNESDAY, MAY 28, 7PM!!! PRECITA NEIGHBORHOOD CENTER 534 PRECITA AVENUE

PROPOSED DEVELOPMENT PUTS LUXURY HOUSING AHEAD OF PUBLIC SAFETY

Major PG&E Gas Line Runs Through Once "Undevelopable" Land. Not Your Typical Vacant Lots - But City Acts Like They Are.

ARE YOU WITHIN THE BLAST & FIRE ZONE?

Ivou ive, walk, run, garden, ride your bike, push your stroller, or fly your kite aund Bernal Heights, you may have entered the 600-foot Radius Blast/Fire Zone of a proposed Bernal southeast slope development of two luxury homes teaw the Community Garden. An aging 26-inch PG&E gas pipeline runs through t-the same type that blew up in San Bruno. Many think this development which benefits from a questionable exemption of SF street safety grading codes - would recklessly endanger public safety.

PUT OUR SAFETY FIRST! PUBLIC INPUT WANTEDI

Bernalwood

Broadcasting from glamorous Bernal Heights, San Francisco (Elev. 443 ft.)

Wednesday: Community Meeting to Review Home Construction Plans Below Bernal Hill

Posted on December 10, 2013 by Todd_Lappin



Neighbor Alicia is spreading the word about a community meeting that will happen tomorrow, Wesdnesday December 11 at 7 pm at the Precita Neighborhood Center, to review a proposal to build two single-family homes on a patch of undeveloped land on Folsom near Chapman, on the south side of the hill just below Bernal Heights Blvd.

Here's the meeting announcement:

PROPOSED BERNAL HOUSING DEVELOPMENT



Please attend a neighborhood meeting to view plans and voice your thoughts about two single family homes planned on undeveloped land adjacent to Bernal Heights Park and the Community Garden.

Wednesday, December 11, 7 PM Precita Neighborhood Center 534 Precita Avenue

Organized by East Slope Design Review Board Contact Terry Milne for more info: 415-285-8978

Lot addresses: 3516 and 3526 Folsom Street, at Chapman.



15 Responses to Wednesday: Community Meeting to Review Home Construction Plans Below Bernal Hill



SER *says:* December 10, 2013 at 10:28

I thought there was a big PG&E line or something underneath that patch (and that that was the reason why it hadn't been developed yet). Anyone know the scoop?

Reply



Brandon says:

According to trusted source Bernalwood, you are absolutely correct about the location of the pipeline: http://bernalwood.wordpress.com/2011/10/05/gulp-troubled-pge-gas-pipeline-with-a-history-of-trouble-runs-through-bernal-heights/

Reply



GreenGirl *says:* December 11, 2013 at 08:33

Yikes! That was some nasty damage in 1963!

Reply



Wendy says: December 11, 2013 at 22:

Bernalwood's follow up to this story is also worth looking at. Good factual info about the gas line from a PG&E rep , and a hotline number to call if you want more info.

http://bernalwood.wordpress.com/2011/10/12/an-safety-update-from-pge-about-that-anxiety-generating-gas-pipeline-in-bernal-hill/

Reply



Noemonkey says:

More nimbys who can't deal with change. They've got their houses near the hill, but no one shall be allowed to build. Such bullshit.

Reply



Bernalese, man says: December 11, 2013 at 11:12

Throw those puppies up, and make them the Playboy Playmate Bunny houses.

Reply



Sam Bowman says: December 11, 2013 at 15:38

If anyone here makes it, I'm quite curious what these boards actually do in practice. I'm worried it's particularly NIMBYish, but the city mandates both these meeting and a pretty strict set of size and aesthetic guidelines for Bernal Heights, so I imagine that nothing too substantial is likely to happen.

More:

http://masonkirby.com/bernal-heights-resources/northwest-bernal-heights/

Reply



Actually, this property is covered by the East Slope Design Review Board, but you're right, there are extra requirements. Anyone making a substantial change to their property in this area has to go through the review process before the Planning Department will do anything. I recommend the meetings. I've been to a few over the years and they are often heated and lengthy, but are a real look at democracy in action.; https://maps.google.com/maps/ms?

<u>ie=UTF8&t=p&oe=UTF8&msa=0&msid=115222306031936564540.00048206628ac4688229b</u>

Reply



Wendy says: December 11, 2013 at 21:4:

The proposed houses are actually located on the west side of the Folsom Street right of way - about where the word "site" is written on the aerial photo - not where the arrow is pointing.

Repl



David Kaye says: December 12, 2013 at 13:1

I have/had several computer tech support customers in the Crestmoor neighborhood, three who lost their homes. That explosion was from a mere THREE-INCH pipeline. Goodness knows what could happen in Bernal Heights. Obviously that

land was not built upon for a reason.

Reply

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Art *says:* December 16, 2013 at 14:04

Actually, the San Bruno explosion was from a 30 inch pipeline.

Reply



jack *says:* December 16, 2013 at 11:09

Is there any update on this? Thanks.

Reply



Art says: December 16, 2013 at 14:

Yesterday, I chatted with the neighbor in the last house on the west side of Folsom, who is organizing opposition to the houses. She is setting up an email loop to keep people informed.

Unfortunately, I didn't get her contact info. Nothing was decided at the meeting, and I believe a second meeting is going to be scheduled by the Design Review Board.

I suspect the gas pipeline doesn't have anything to do with why the lots above Chapman have not been developed to date. After all, there has been lots of development along the pipeline route over the years. The bigger problem is that anyone who wants to build there is going to have to put in a paved street, presumably at their own expense. Economically, that probably made the lots unbuildable until the recent runup in home prices.

Reply



Todd Lappin says:

December 16, 2013 at 14:24

Did the neighbor explain the reasons for her opposition?

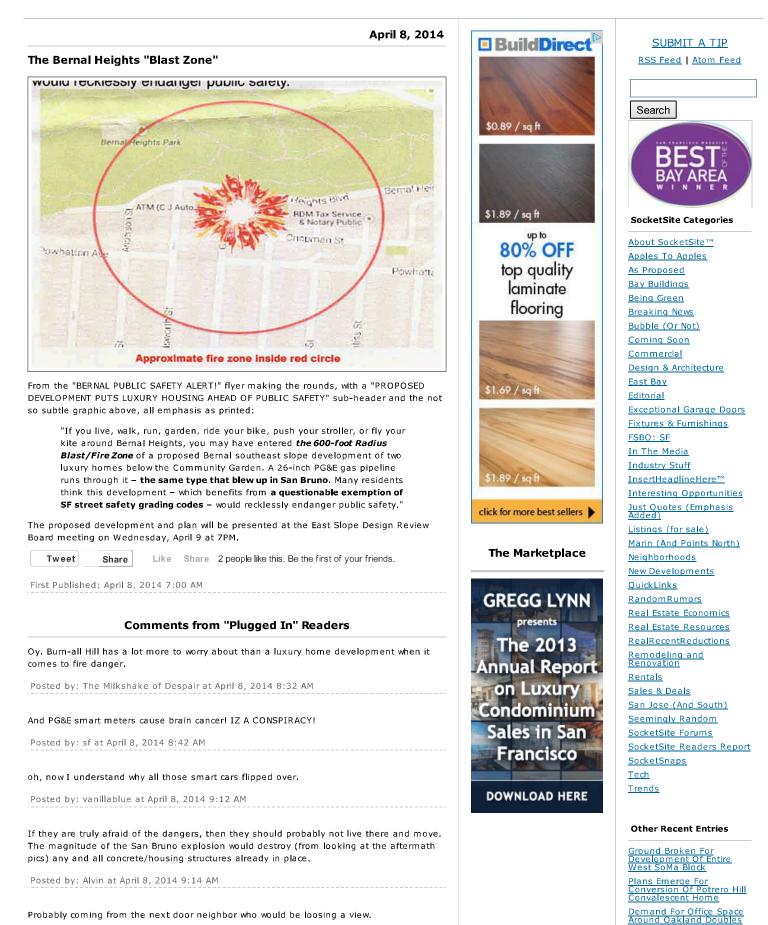
Reply



Well, I don't want to speak for her, but from our short conversation, it was mostly in the nature of "it's always been open space and wouldn't it be nice to keen it that way."

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Bernalwood The Twenty Ten Theme. Blog a	Get every new post delivered to your Inbox.
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Posted by: Derek at April 8, 2014 9:22 AM

http://www.socketsite.com/archives/2014/04/the_bernal_heights_blast_zone.html#comments

The Gentrification Of San

The Bernal Heights "Blast Zone" at SocketSite™

That pipeline bisects Bernal running from Alemany along Folsom to Bernal Heights Blvd to Alabama to Precita.

Both PG&E and the National Pipeline Mapping System have viewers showing major pipelines like this one.

http://www.pge.com/safety/systemworks/gas/transmissionpipelines/

Posted by: Jake at April 8, 2014 9:22 AM

Poor poor Bernal people, having to put up with someone's freedom and choice to build new housing.

Can't wait to see these two new homes built and sell for record prices.

Posted by: Futurist at April 8, 2014 9:47 AM

These people are seriously pathetic.

Posted by: Rob at April 8, 2014 9:56 AM

The gas line is only 26 inches wide-- I doubt it goes directly under the homes. Since the builders are well aware of the pipeline, I'm sure they'll take care to avoid it.

Posted by: Dan at April 8, 2014 10:29 AM

"Since the builders are well aware of the pipeline, I'm sure they'll take care to avoid it. "

Don't you bring your logic here! We are panicked! They're trying to blow up babies and grandmas just to make a buck! We must stop them.

Posted by: R at April 8, 2014 10:36 AM

They learned from the "No Wall on the Waterfront" campaign, which spread fear that the development would disrupt high pressure sewage pipes.

Posted by: Dan at April 8, 2014 10:51 AM

Maybe these NIMBYs can give me a job, I can make much better propaganda than them.

"Research has shown that the use of any and all types of construction equipment/tools not only reflects the light of Venus in such a way that confuses migratory birds into committing suicide, but it ALSO can alter the tides and cause a run away nuclear reaction, which would level the entire city in a combined tsunami and nuclear explosion. That's right, drowning and burning, AT THE SAME TIME. Stop all construction forever, and save the pretty birds and the city of SF from certain doom at the hands of greedy developers!"

Posted by: cfb at April 8, 2014 11:11 AM

I think that people are genuinely concerned about the PGE line being a potential explosive hazard, i.e. struck by excavation equipment for foundation work. The 1963 explosion was not that long ago for many Bernal residents.

That being said I'm sure PG&E would be on site during work to oversee the dig and/or reject building plans as needed.

Views are [not] protected.

Posted by: RonMonster at April 8, 2014 11:37 AM

I see the crazies are at it again.

Posted by: Brad at April 8, 2014 11:38 AM

OH MY GOD! SF General Hospital was built in a BLAST ZONE too! (There are high-pressure gas lines surrounding the hospital!) Evacuate the patients now!

Thankfully, my tinfoil hat will protect me.

Posted by: Dubocian at April 8, 2014 1:52 PM

Opportunistic? Perhaps. But this is not tin-foil hat territory. The SF Gate story about the PG&E explosion on Bernal from back in the day is in my name URL.

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Francisco And Oakland By Neighborhood <u>A New Peek Inside And</u> <u>Around Tishman's 222</u> <u>Second Street Tower</u>

New In-Law Legislation Expected To Create 400 Units In The Castro <u>A Quick \$500,000 Cut For</u> <u>The Postcard Row Home</u> <u>On The Corner</u>

The Bernal Heights "Blast

The Descendants (And City) Fare Well In Presidio Heights

Berkeley High-Rise Hotel Ready For Review And Design Debate

SocketSite Archives

April 2014 March 2014 February 2014 January 2014 December 2013 November 2013 October 2013 September 2013 August 2013 July 2013 June 2013 <u>May 2013</u> April 2013 March 2013 February 2013 January 2013 December 2012 November 2012 October 2012 September 2012 August 2012 July 2012 June 2012 <u>May 2012</u> April 2012 March 2012 February 2012 January 2012 December 2011 November 2011 October 2011 September 2011 August 2011 July 2011 June 2011 May 2011 April 2011 March 2011 February 2011 January 2011 December 2010 November 2010 October 2010 September 2010 <u>August 2010</u> July 2010 June 2010 May 2010 April 2010 March 2010 February 2010 January 2010 December 2009





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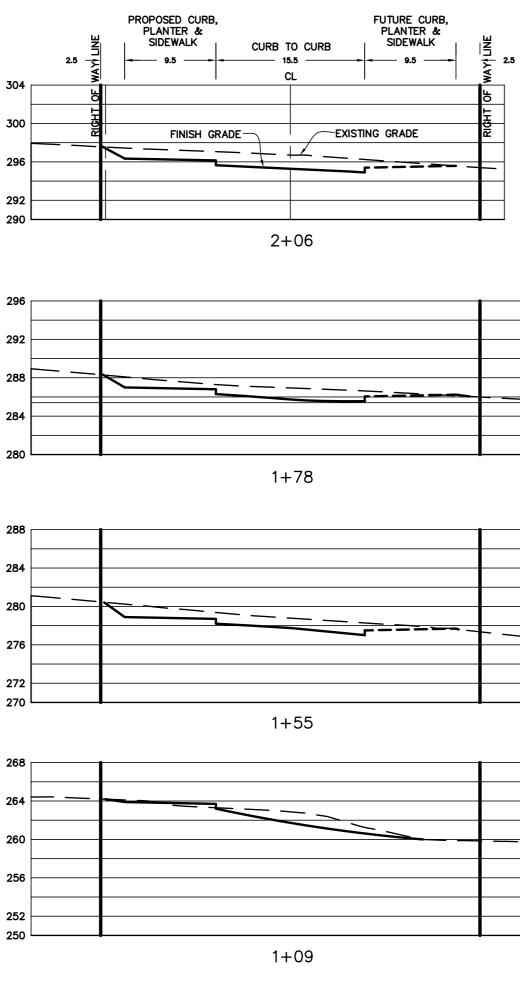
/9/2014	The Bernal Heights "Blast Zon
Posted by: <u>Mr. E.</u> at April	8, 2014 2:46 PM
worried about a breach du to ensure that the gas line perhaps even at a random was the case in San Bruno	is some risk from pipelines like these. But I would not be so ring construction – when there will be extraordinary steps taken as are untouched. Now during or after a major earthquake, or in time if PG&E failed to test and properly maintain the pipes (as) But I don't think the proposed homes are really a factor that han is already present. That's the craziness I was not-so-clearly
Posted by: Dubocian at A	pril 8, 2014 3:11 PM
	fread. During or after a major earthquake, or perhaps even at a d to test and properly maintain the pipes — THAT'S what I would
opportunistic and even sill	pipeline to the issue of this new construction is completely ly, though the underlying pipeline issues are ones which ald certainly take seriously,
Posted by: Dubocian at A	pril 8, 2014 3:20 PM
don't know if I'm asking Juestion there could be fo	a stupid question, or maybe the most intelligent, relevant or this situation, but:
How, exactly, would the pr pipe?	esence of two houses here increase the 'explodability' of this gas
Posted by: anon at April 8	3, 2014 5:42 PM
If you think about it. Almo the gas to every house an	ost every major street has a high pressure line. You have to get Id business.
Annon 5:42 The nimbys n out of their arces.	oobees and hippies twist and lie and twist the facts and pull stuff
Posted by: inclinejj at Apr	il 8, 2014 7:14 PM
much smaller than the big	e standard high pressure lines beneath almost every street are 1 fat trunk pipes. When a smaller pipeline breaks it is not volume of gas that was involved in the San Bruno disaster.
Posted by: The Milkshake	e of Despair at April 9, 2014 8:40 AM
because it would harm the winning and if it works, you behavior - that's been the	, people wouldn't even consider fabricating something like this ir reputation for credibility in the future. Now, it is all about u're a genius. Guess the BOS could pass a law prohibiting such approach they take when people can't get along on their own y, Board of Permit Appeals, dog leash laws, Castro nudity)
Posted by: Rome is Burni	ng at April 9, 2014 9:05 AM
	Post a comment
Name:	
	(required - will be published)
Email Address:	(required - will not be published, sold, or shared)
URL:	(optional - your "Posted by" name will link to this URL)

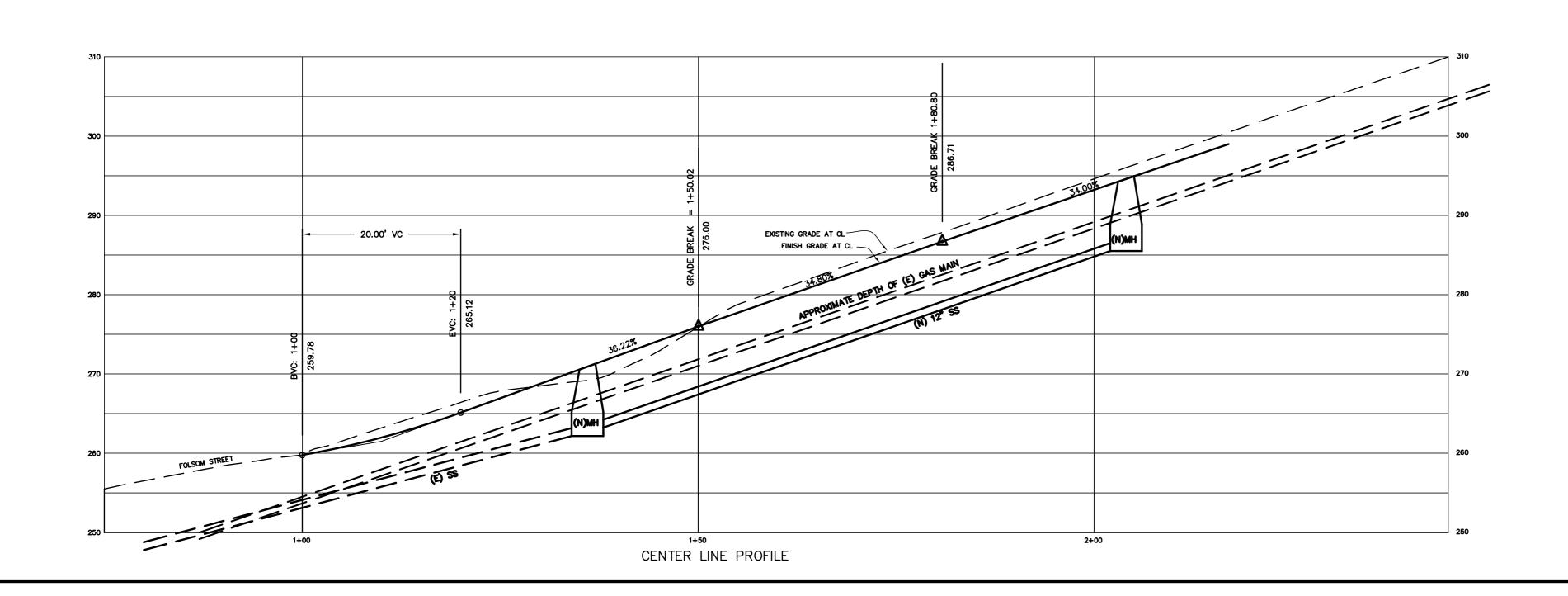
Remember Me? OYes ONO

Your Comment: (you may use HTML tags for style)

November 2009 October 2009 September 2009 August 2009 <u>July 2009</u> June 2009 <u>May 2009</u> April 2009 March 2009 February 2009 January 2009 December 2008 November 2008 October 2008 September 2008 August 2008 July 2008 June 2008 <u>May 2008</u> <u>April 2008</u> March 2008 February 2008 January 2008 December 2007 November 2007 October 2007 September 2007 August 2007 <u>July 2007</u> June 2007 <u>May 2007</u> <u>April 2007</u> March 2007 February 2007 January 2007 December 2006 November 2006 October 2006 September 2006 <u>August 2006</u> <u>July 2006</u> June 2006 <u>May 2006</u> April 2006 March 2006 February 2006 January 2006 December 2005 November 2005 October 2005 September 2005 August 2005 <u>July 2005</u> June 2005 <u>May 2005</u> February 2005





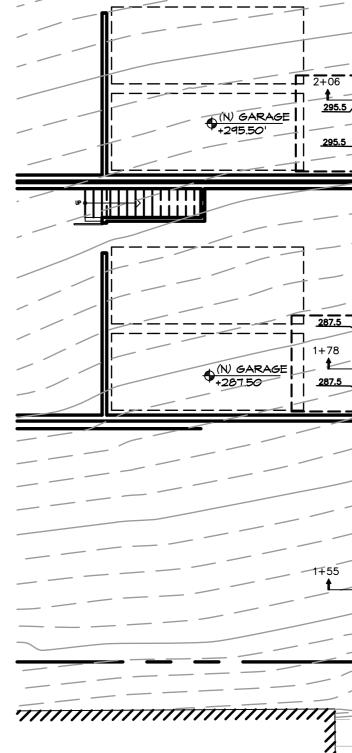




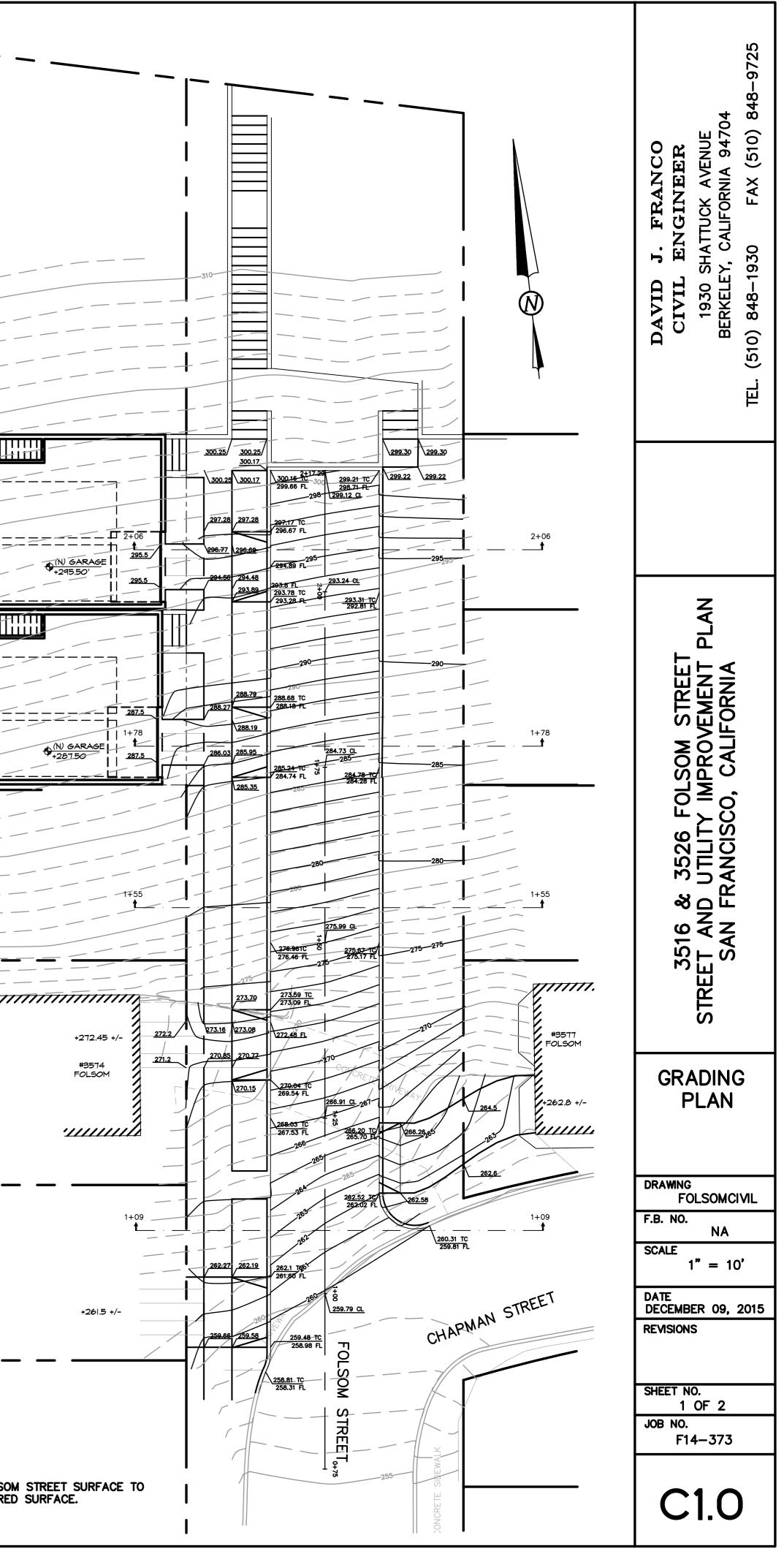
BO	BLOW OFF
BVC	BEGIN VERTICAL CURVE
CL	CENTER LINE
CO	CLEAN OUT
ELEV	ELEVATION
EVC	END VERTICAL CURVE
FL	FLOW LINE
G	GAS
GV	GAS VALVE
INV	INVERT
JT	JOINT SERVICE TRENCH
MH	MAN HOLE
STA	STATION
SS	SEWER SANITARY & STORM
TC	TOP OF CURB
VC	VERTICAL CURVE
W	WATER
WM	WATER METER
WV	WATER VALVE

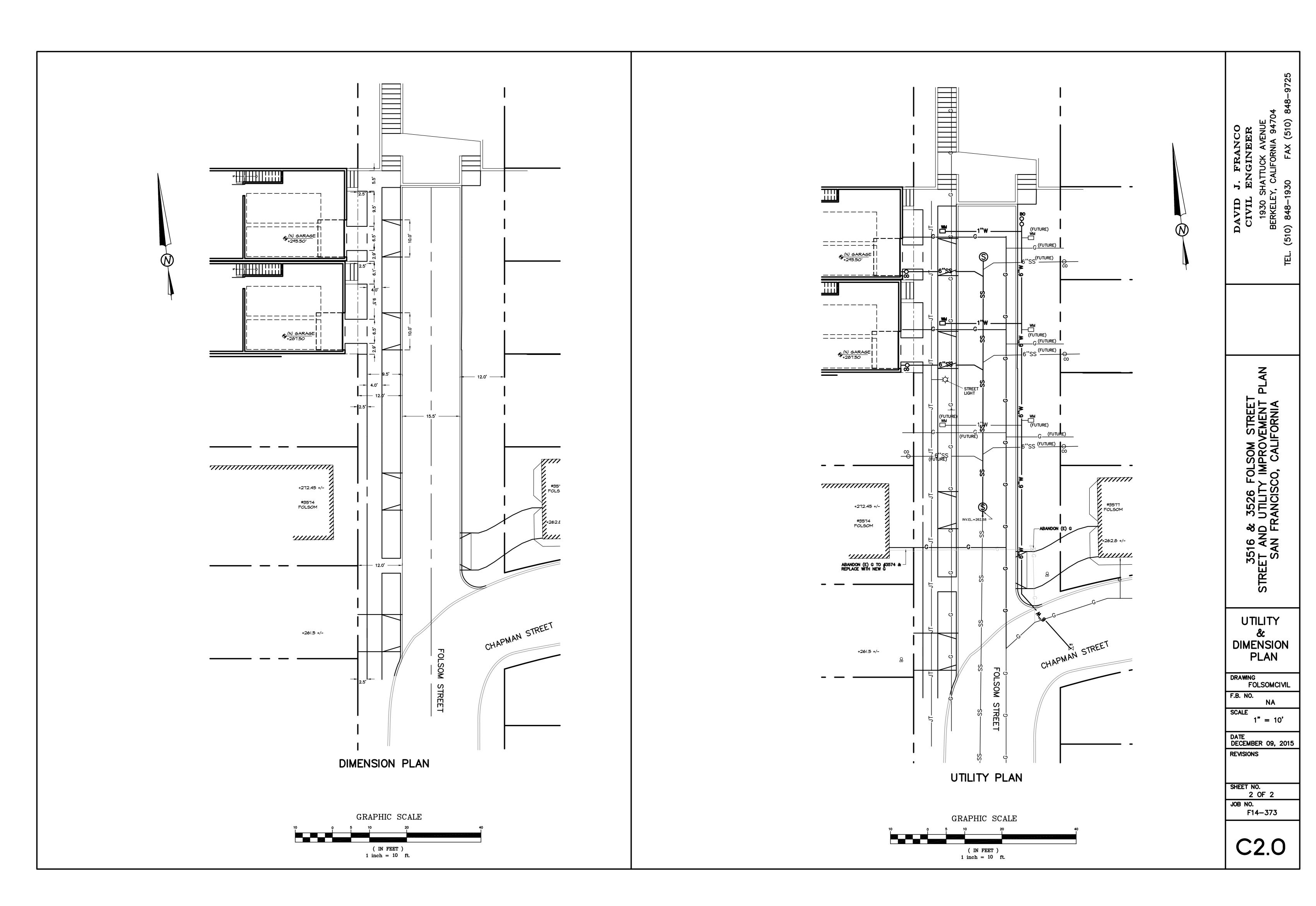
GRAPHIC SCALE

(IN FEET) 1 inch = 10 ft.



NOTE: NEW PAVING FOR FOLSOM STREET SURFACE TO BE CONCRETE WITH A TEXTURED SURFACE.







Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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Assigned Planner:

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Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR-2013.1381DRP-01:

1- "3 Story / 3 Car garage is out of scale to predominantly 2 story / single car garage homes":

Correction: The proposed residence is a 2 story over basement with a 2 car garage. The 2 car garage is required by San Francisco Planning Code Section 242(e)(4). Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage requirement. Some of the adjacent houses are three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street). Please note that the Square Footage provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated building records and is not a correct apple-to-apple comparison to the proposed project, though it clearly shows that the proposed project is not at all out of scale with its adjacent neighbors. The SF Planning Department and ESDRB reviewed the project and concurred that the project complies with all requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,227 SF and is smaller or similar in size to 15 of the 39 adjacent properties.

2- "An aging, major PG&E Gas Transmission Pipeline":

The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not an SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW is reviewing currently reviewing the proposed Street Improvement Permit. Project Sponsor is working with SFDPW, SFPUC, PG&E and Civil Engineers. We, of course, are equally concerned about safety.

3- "Unusual Context":

The DR requestor inaccurately states the 6 undeveloped lots to be Open Space. These lots were legally established with all other adjacent built lots at the same time. The proposed project does not impact the views from the Park: shadow studies were prepared and provided, demonstrating no shadow impact on the Public Garden. Special attention is given to the roof of the proposed project, specifically following ESDRB guidelines. The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. The roofs of neighboring existing houses are devoid of vegetation, and most of them do not comply with the ESDRB guidelines.

4- "Three-car garage is out of character":

The proposed 2 car garage is required by Planning Code Section 242(e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2

car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.

5- "Changes made to project as result of mediation":

The proposed project had been found to comply with SF Planning Code section 242. Some changes were made to comply with ESDRB Guidelines.

Numerous changes were made: the project was reduced from 2,396 SF to 2,227 SF, reducing the 3 car garage down to a 2 car garage. Side setbacks were added, Mass reduction increased from 650 SF to 856.6 SF, facades were redesigned, etc.

The Project Sponsor is working with all City Agencies involved in DPW Street Improvement permit and will keep on working with neighbors whose driveways will be affected to reach an acceptable agreement. DPW and Streets and Highways Department have already approved the proposed Street Improvement design. We are currently working with SFPUC, PG&E and Recology to design utilities.



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Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR-2013.1381-02-DRP:

1- "exceptionally and extraordinarily out-of-scale-for-the-neighborhood 3-story 3-car garage w/ penthouse stairwell

Correction: The proposed residence is a 2 story over basement with a 2 car garage. The 2 car garage is required by San Francisco Planning Code Section 242(e)(4). Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage requirement. Some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street). Please note that the Square Footage provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated building records and is not a correct apple-to-apple comparison to the proposed project, though it clearly shows that the proposed project is not at all out of scale with its adjacent neighbors.

The SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,227 SF and is smaller or similar in size to 15 of the 39 adjacent properties.

2- "Side Yard setback does not respect existing pattern":

- a. Block 5626 is composed of 16 lots. Three lots (including 3516 and 3526 Folsom) are undeveloped. Out of the 13 built lots, only 4 of the existing houses have side yards, the other 9 have <u>no</u> side yard. The proposed project conforms to the ESDR Guidelines side yard requirements. Nine of the adjacent properties <u>do not</u> comply.
- b. Block 5627 is composed of 14 lots. Four lots are currently undeveloped. The 10 existing houses are built from property line to property line and have <u>no</u> side yards.
- c. The proposed Side Yard setback has been accepted by ESDRB and RDT as complying to the ESDR Guidelines.

3- "Three-Car garage with tandem parking":

The proposed 2 car garage is required by Planning Code Section 242(e)(4). Most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242 and do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2 car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.

4- "Wall-like exterior of North elevation" and "public views impeded by penthouse stairwell": Correction: The North elevation has partial setbacks, is composed of various materials, and has several windows.

Correction: The proposed Penthouse stairwell was <u>removed</u> from the project prior to ESDRB's last meeting.

5- "Aging PG&E Pipeline": The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not a SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW Street Improvement Permit Review is reviewing PG&E issues. Project Sponsor is working with SFDPW, PG&E and Civil Engineers. We, of course, are equally concerned with safety.



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Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

RESPONSES TO DR-2013.1381DRP-03:

1- Size and scale: Correction:

Correction: The proposed residence is a 2 story over basement with a 2 car garage.

The 2 car garage is required by San Francisco Planning Code Section 242(e)(4). Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage requirement. Some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street). Please note that the Square Footage provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated building records and is not a correct apple-to-apple comparison to the proposed project, though it clearly shows that the proposed project is not at all out of scale with its adjacent neighbors. SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. Planning Code Section 242(e)(3) further mandates a 650 square foot reduction of usable floor area. The proposed house is 2,227 SF and is smaller or similar in size to 15 of the 39 adjacent properties.

- 2- "...out-of-character boxes": Of the adjacent 23 houses on blocks 5626 and 5627, only 2 have pitched roofs, all others have flat roofs and box-like volumes. The proposed project offers roofs composed of green planting, deck and solar panels, making them visually more pleasant than adjacent existing roofs.
- 3- Proposed alternatives
 - a. "One or two story houses could be an alternative and fit the neighborhood character": Correction: The proposed house is a 2 story over basement, with a real basement which is 75% buried, utilizing the topography to encompass most of it.
 - "Open space, permanently designated": The DR requestor seems to consider the site is and should remain open space: these are six undeveloped, privately owned residential lots. These lots were listed for sale for over a year before project sponsor made an offer which was eventually accepted by the seller.



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Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR-2013.1381DRP-04: (Identical to DR-2013.1381DRP-07)

- 1- "Exceptional circumstances":
 - 1- The Planning Department and the ESDRB did not find that the proposed project conflicts with any of the referenced documents. DR requestor wants to keep the area as an open space when these are 6 privately owned lots. We are only asking for the right to build a two story house as have done our neighbors who too at one time, enjoyed those same rights. Our lot was legally created along with their lots. We respectfully request the right to build a house for our family.
 - 2- Supply of affordable housing: the DR requestor is misinterpreting this Priority Policy. What the house might be worth is supposition. We want to build a house we can finally own. We are sensitive to the price of housing in San Francisco. Both Anna and I work full time, with two kids in San Francisco public schools, and at 50 we hope to finally claim ownership of a house in San Francisco. Blocking the creation of housing suitable for families only serves to drive prices up for families, if demand exceeds available supply.
 - 3- General Plan: when working on the proposed street Layout, the Planning Department and DPW requested that we produce this document for Planning (Better Streets) for their review of the various proposed <u>street layouts</u>, to show that access to the other adjacent vacant lots would be feasible without requiring changes to the proposed road.
 - 4- Residential Guidelines: we have done our best to propose a reasonably sized and designed house. RDT did not make any comments. The Planning Department took time to thoroughly review the project over the course of 18 months, parallel to which we further delved into refining the design and answering any and all of the planning department's concerns, as well as the concerns from the ESDRB. The proposed building is similar in scale and footprint to existing neighboring homes. It complies with all Planning Code requirements when most adjacent properties do not, as these adjacent existing homes were built prior to the establishment of those requirements.
 - 5- East Slope Design Review Guidelines: contrary to what the DR requestor is saying, the ESDRB found that the project sponsor did comply with the all of the guidelines, with the single exception of subjective interpretation which will be discussed in response to the ESDRB's DR.
 - 6- San Francisco Planning Code Section 242: The Planning Department has scrupulously reviewed the proposed project and found it to comply with Planning Code Section 242.
- 2- <u>Unreasonable impacts:</u> I contacted the DR requestor, at the ESDRB's suggestion, asking if we could meet privately or with the 2 other concerned parties to discuss the proposed driveways The DR requestor first responded he had no interest in meeting in any other avenue than the large group meetings. I have subsequently addressed any updated or relevant information concerning the proposed road extension to Mr Peter Bekey of KCA Engineers, a consultant who has been retained as consultant by the DR Requestors' consultants. After the Mediation meetings, we recently tried to schedule a meeting with DPW, the neighbors with impacted driveways and their consultant, but DPW has requested more time as they do not have all responses from all contacted Departments. AT this point, we know DPW and "Streets and Highways" have approved the proposed street layout.
 - i. We cannot proceed until given approval for the layout from DPW.
 - ii. We cannot proceed without neighbors' approval.

- iii. We cannot discuss process, etc., unless DR requestor agrees to discuss it.
- iv. We have stated at each ESDRB meeting that we would be willing to cover the costs of the new driveways and will be happy to come to a complete agreement regarding design, costs, etc.
- v. All contractors working in San Francisco have to be properly insured. The work being done will be supervised by the Building Department and DPW.

The proposed new driveways will be an improvement over the existing non-conforming and unpermitted driveways. It should be noted that there never was any permit recorded to build DR requestor's driveway, nor was any encroachment permit been filed for the retaining wall which was erected above the Gas Pipeline.

Project sponsor has stated numerous times that he will pay for cost of Street Improvements design, permits, new driveways and sidewalks.

- 3- Future development: as stated previously, project sponsor has no involvement with or control over any of the four adjacent vacant lots.
- 4- Lack of 3D model: project sponsor has provided shadow studies and multiple 3D renderings as well as installed story-poles on site.
- 5- Neighborhood character:
- a. Overall Square Footage: SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,227 SF and is smaller or similar in size to 15 of the 39 adjacent properties.
- <u>b.</u> <u>Three Car Garages:</u> The proposed 2 car garage is required by Planning Code Section 242(e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2 car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.
- c. <u>Side Elevations:</u> The North elevation has partial setbacks, is composed of various materials, and has several windows.

- d. <u>Side Yards:</u> Despite the fact that both the Planning Department and ESDRB have scrupulously reviewed the project and found no conflict with the Planning Code, DR requestors continue to assert that the proposed project does not comply with several of the code requirements. The side yard setback requirement is not a Planning Code requirement, but an ESDRB Guideline suggestion (ESDRB Guidelines page 19). ESDRB has reviewed and accepted the proposed design as complying with the Side Yard requirements.
- e. <u>Public Safety:</u> Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109.
- f. <u>Roof treatments:</u> The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. Roof treatments are following ESDRB guidelines.
- g. <u>Safety of Main Trunk Transmission Line (109)</u>: Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109. We, of course, are equally concerned about safety.
- <u>6-</u><u>Alternatives or changes to the project:</u> Proposed project is indeed 2 story (over basement), like most of the adjacent residences. The square footage is smaller or similar to 15 of the 39 adjacent residences.
- <u>7-</u> <u>Changes made as a result of mediation:</u> The proposed project had been found to comply with SF Planning Code section 242. Some changes were made to comply with ESDRB Guidelines.

Numerous changes were made: project was reduced from 2,396 SF to 2,227 SF, reducing the 3 car garage down to a 2 car garage. Side setbacks were added, Mass reduction increased from 650 SF to 856.6 SF, facades were redesigned, etc.



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR-2013.1381DRP-05:

- 1- The 2 car garage is required by San Francisco Planning Code Section 242(e)(4). Most adjacent houses were built prior to adoption of the Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage requirement. Some of the adjacent houses are three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street). Please note that the Square Footage provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated building records and most likely livable SF rather than usable SF (which factors any exterior walls, undeveloped areas having more than 5' of ceiling height, ...) The attached list is based on old records and is not a correct apple-to-apple comparison to the proposed project, though it clearly shows that the proposed project is not at all out of scale with its adjacent neighbors. The San Francisco Planning Department and ESDRB reviewed the project and concurred that the project complies with all requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area.
- 2- The proposed residence will not be any more visible than its adjacent neighbors. In regards to the garage the proposed project requires a variance due to a conflict in the Planning Code, but the proposed project meets the parking requirements of Planning Code Section 242. The proposed driveway slopes up 14.46% on the downhill side while sloping down 19.53% on the uphill side of the driveway, not 35%. The DR requestor mistakenly assumes that a Conditional Use is being requested, which is not the case.
- 3- The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not a SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW is currently reviewing the proposed Street Improvement Permit. Project Sponsor is working with SFDPW, SFPUC, PG&E and Civil Engineers. We, of course, are equally concerned about safety. SFFD has reviewed the application and deemed the project acceptable for distance to the nearby fire hydrants and for the fact that the proposed house will be equipped with a full fire protection sprinkler system. Most of Bernal Heights is problematic for fire access, this house is one of the very few equipped with fire protection sprinkler system.
- 4- DR Requestor has since participated in two mediation meetings.

5- Changes made as a result of the mediation: numerous changes were made during the various meetings with the ESDRB: façade revisions, side yard setbacks, material changes, adjustments to the street improvement, reduction of the size of the house from 2,396 SF to 2,227 SF, reducing the number of required parking spaces from 3 to 2, and mass reduction increased from 651 SF to 856.6 SF).



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Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

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Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR-2013.1381DRP-06:

1- "The proposed project does meet Section 242":

DR requestor presumes the residential lots as Open Space, which they are not. The lots are designated residential building lots originating from same time as all other adjacent built residential lots.

There are several streets in San Francisco which are steeper than the proposed street. DR requestor speculates on the goal of this proposed residence. We simply want to build a home for our own family, which adds to the quality of a neighborhood and increases the supply of family housing in this city.

- 2- Traffic, PG&E pipeline: The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not a SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW is reviewing currently reviewing the proposed Street Improvement Permit. Project Sponsor is working with SFDPW, SFPUC, PG&E and Civil Engineers. We, of course, are equally concerned about safety.
- 3- Proposed project complies to Planning Code section 242 and is smaller or equal in size with 15 of 39 adjacent neighboring properties.
- 4- Project Sponsor and most DR requestors participated in two Mediation Meetings since DR was filed.
- 5- There were no substantial changes required by the Planning Department or ESDRB as the proposed project was reasonably sized and designed to begin with. Nonetheless, the project, was reduced from 2,396 to 2,227 Gross SF, reducing the 3 car garage down to a 2 car garage, while increasing the Mass reduction from 651 SF to 856.6 SF. Partial Side Yard Setbacks were added, facades were revised in response to ESDRB's request that the houses follow the slope better.



Zip Code:

Phone:



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Project Information

Property Address:

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Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR-2013.1381DRP-07: (Identical to DR-2013.1381DRP-04)

- 1- "Exceptional circumstances":
 - 1- The Planning Department and the ESDRB did not find that the proposed project conflicts with any of the referenced documents. DR requestor wants to keep the area as an open space when these are 6 privately owned lots. We are only asking for the right to build a two story house as have done our neighbors who too at one time, enjoyed those same rights. Our lot was legally created along with their lots. We respectfully request the right to build a house for our family.
 - 2- Supply of affordable housing: the DR requestor is misinterpreting this Priority Policy. What the house might be worth is supposition. We want to build a house we can finally own. We are sensitive to the price of housing in San Francisco. Both Anna and I work full time, with two kids in San Francisco public schools, and at 50 we hope to finally claim ownership of a house in San Francisco. Blocking the creation of housing suitable for families only serves to drive prices up for families, if demand exceeds available supply.
 - 3- General Plan: when working on the proposed street Layout, the Planning Department and DPW requested that we produce this document for Planning (Better Streets) for their review of the various proposed <u>street layouts</u>, to show that access to the other adjacent vacant lots would be feasible without requiring changes to the proposed road.
 - 4- Residential Guidelines: we have done our best to propose a reasonably sized and designed house. RDT did not make any comments. The Planning Department took time to thoroughly review the project over the course of 18 months, parallel to which we further delved into refining the design and answering any and all of the planning department's concerns, as well as the concerns from the ESDRB. The proposed building is similar in scale and footprint to existing neighboring homes. It complies with all Planning Code requirements when most adjacent properties do not, as these adjacent existing homes were built prior to the establishment of those requirements.
 - 5- East Slope Design Review Guidelines: contrary to what the DR requestor is saying, the ESDRB found that the project sponsor did comply with the all of the guidelines, with the single exception of subjective interpretation which will be discussed in response to the ESDRB's DR.
 - 6- San Francisco Planning Code Section 242: The Planning Department has scrupulously reviewed the proposed project and found it to comply with Planning Code Section 242.
- 2- <u>Unreasonable impacts</u>: I contacted the DR requestor, at the ESDRB's suggestion, asking if we could meet privately or with the 2 other concerned parties to discuss the proposed driveways The DR requestor first responded he had no interest in meeting in any other avenue than the large group meetings. I have subsequently addressed any updated or relevant information concerning the proposed road extension to Mr Peter Bekey of KCA Engineers, a consultant who has been retained as consultant by the DR Requestors' consultants. After the Mediation meetings, we recently tried to schedule a meeting with DPW, the neighbors with impacted driveways and their consultant, but DPW has requested more time as they do not have all responses from all contacted Departments. AT this point, we know DPW and "Streets and Highways" have approved the proposed street layout.
 - i. We cannot proceed until given approval for the layout from DPW.
 - ii. We cannot proceed without neighbors' approval.

- iii. We cannot discuss process, etc., unless DR requestor agrees to discuss it.
- iv. We have stated at each ESDRB meeting that we would be willing to cover the costs of the new driveways and will be happy to come to a complete agreement regarding design, costs, etc.
- v. All contractors working in San Francisco have to be properly insured. The work being done will be supervised by the Building Department and DPW.

The proposed new driveways will be an improvement over the existing non-conforming and unpermitted driveways. It should be noted that there never was any permit recorded to build DR requestor's driveway, nor was any encroachment permit been filed for the retaining wall which was erected above the Gas Pipeline.

Project sponsor has stated numerous times that he will pay for cost of Street Improvements design, permits, new driveways and sidewalks.

- 3- Future development: as stated previously, project sponsor has no involvement with or control over any of the four adjacent vacant lots.
- 4- Lack of 3D model: project sponsor has provided shadow studies and multiple 3D renderings as well as installed story-poles on site.
- 5- Neighborhood character:
- a. <u>Overall Square Footage:</u> SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,227 SF and is smaller or similar in size to 15 of the 39 adjacent properties.
- <u>Three Car Garages:</u> The proposed 2 car garage is required by Planning Code Section 242(e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2 car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.
- c. <u>Side Elevations:</u> The North elevation has partial setbacks, is composed of various materials, and has several windows.

- d. <u>Side Yards:</u> Despite the fact that both the Planning Department and ESDRB have scrupulously reviewed the project and found no conflict with the Planning Code, DR requestors continue to assert that the proposed project does not comply with several of the code requirements. The side yard setback requirement is not a Planning Code requirement, but an ESDRB Guideline suggestion (ESDRB Guidelines page 19). ESDRB has reviewed and accepted the proposed design as complying with the Side Yard requirements.
- e. <u>Public Safety:</u> Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109.
- f. <u>Roof treatments:</u> The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. Roof treatments are following ESDRB guidelines.
- g. <u>Safety of Main Trunk Transmission Line (109)</u>: Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109. We, of course, are equally concerned about safety.
- <u>6-</u><u>Alternatives or changes to the project:</u> Proposed project is indeed 2 story (over basement), like most of the adjacent residences. The square footage is smaller or similar to 15 of the 39 adjacent residences.
- <u>7-</u> <u>Changes made as a result of mediation:</u> The proposed project had been found to comply with SF Planning Code section 242. Some changes were made to comply with ESDRB Guidelines.

Numerous changes were made: project was reduced from 2,396 SF to 2,227 SF, reducing the 3 car garage down to a 2 car garage. Side setbacks were added, Mass reduction increased from 650 SF to 856.6 SF, facades were redesigned, etc.



Zip Code:

Phone:



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Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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	EXISTING	PROPOSED
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Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
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Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR 2013.1381DRP-08:

- 1- Reasons for DR:
 - a. Slope is too steep: most of Bernal Heights has steep lots.
 - b. Adjacent homes are smaller: some are indeed smaller, several are bigger. Some of the proposed livable SF is below grade, which does not impact the size of the proposed residence.
 - c. No side yard: proposed project has partial side yard setbacks as suggested by ESDRB guidelines.
 - d. No street parking: per Planning Better Streets department and due to the narrow width and steep grade of the public right of way, no street parking could safely be offered. This is the case in most steep streets in the City and on Bernal Heights.
 - e. Tandem Parking: proposed 2 car parking project complies to Planning Code Section 242, but requires a variance due to the fact that only a 10' garage door can be provided, which does not allow independently accessible side by side parking.
 - f. Building of this size: several of the directly adjacent houses are larger than the proposed project.
 - g. Construction of 6 houses: project sponsor has no involvement with or control over any of the four remaining adjacent vacant lots.
- 2- Who will be affected:
 - a. Steep access road: Bernal Heights has many access issues, which naturally limits the size of trucks and access.
 - b. Garbage trucks: Project sponsor has contacted Recology several times. There are solutions to this problem and project sponsor will look forward to solving this problem, but at this point, project sponsor has not been able to get clear solution as Recology cannot provide a proposal to a house which does not exist.
 - c. Because the proposed project might open the door to several additional houses, project sponsor has taken this concern to heart and offered a road solution that will provide access to all adjacent vacant lots rather than proposing a driveway that could only provide access to the subject properties at 3516 and 3526 Folsom, which would ultimately lead to more impact on all concerned neighbors in the future if the other vacant lots are developed.
- 3- Proposed alternative:
 - a. Build a road from Bernal Heights Boulevard: that option was considered but not possible due to the existing public garden between the street and the proposed site.
 - b. Smaller homes: proposed residences are not out of scale with neighborhood. The square footage listed for most adjacent houses are incorrect as evidence is unverified, based on outdated building records, and is not a correct apple-to-apple comparison. Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements.
 - c. Link of size of house to safer conditions seems purely speculative.



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

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Required Questions

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

Assigned Planner:

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Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

3516 FOLSOM Street - RESPONSES TO DR 2013.1381DRP-09:

- 1- <u>DR reasons</u>: DR requestor perceives the proposed residence as a Mac Mansion, but the proposed residence is only 1,991 SF (2,227 gross SF), 3 bedrooms with 2.5 bathrooms; 285 SF of living space is completely below grade. Project sponsor has demonstrated by shadow study that proposed project will not impact the public gardens. Planning Department, RDT and ESDRB have reviewed the proposed project and found it to be Code compliant.
- 2- DR requestor's home is two story tall with a single car garage, which was built prior to Planning Code section 242 and does not meet the requirements of said Code section. Proposed project is subject to more restrictive code, sections and limitations. Grading of the site is no longer permitted due to the presence of Pipeline 109. Nonetheless, the proposed project complies with the Planning Code, the Residential Guidelines and with the ESDRB guidelines, despite some subjective aesthetical concerns from the ESDRB regarding the proposed North façade.
- 3- <u>Alternative changes:</u> DR requestor is suggesting changes which have already been made and reviewed by ESDRB, which has found the proposed project to conform to the ESDRB. DR requestor is mistakenly suggesting that ESDRB stated that the project should not have a garage (which is required by code section 242 and ESDR guidelines), should not have a roof deck (which is described in ESDR guidelines, page 21-22, as a possible improvement to a flat roof, along with the proposed solar panels and green roof features).
- 4- Project Sponsor and DR requestor's representative have since participated at 2 mediation meetings. The DR requestors were not present at these meetings.
- 5- <u>Discussions with Permit Applicant</u>: Because the initially proposed project was reasonably sized and designed to begin with, we did not need to make any substantial changes. Planning Code section 242 limits the possible size of a house. Nonetheless, several changes were made: the house size was reduced from 2,396 SF to 2,227 SF, reducing the parking space requirement from 3 to 2; partial side yard setbacks were added and facades were redesigned.

DR requestor fails to mention that we privately met. During that meeting, DR requestor Markus Ryu suggested that I should "do the right thing" by selling him the lot or "understand that he will do everything he can to fight the project".

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:

-Printed Name: Fabien Lannoye

Date: V Property Owner Authorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

3516 FOLSOM Street – Responses to DR-2013.1381DRP-10:

<u>1-</u> <u>Underdeveloped North Façade:</u> At the suggestion of ESDRB, the proposed North Façade was revised, animated by side setbacks and various material changes. Windows were added, despite the impact on privacy as the house lies below the Bernal Heights pedestrian sidewalk. Given the animosity of the neighbors and the difficulty to discuss the project at the ESDRB, project sponsor suggested meeting privately with ESDRB to discuss solutions which would make the project as fully acceptable to the ESDRB, but ESDRB members indicated a seeming lack of interest in finding solutions that would lead to full support of the project. The project meets all objective ESDRB requirements and comments such as "the façade remains largely underdeveloped and uncomposed" and "where there are opportunities for windows" when windows were added where Building Code permits them, seem highly subjective.

Project Sponsor proposed to hire Artist Mona Caron to create a mural (see: http://www.monacaron.com/weeds/dandelion-mendrisio)

- 2- ESDRB describes the proposed project as a "box", though project sponsor has followed all ESDRB guidelines and created numerous setbacks, changes in materials and added visual interest. Planning and RDT reviewed ESDRB comments prior to finding the proposed project conforms and is acceptable for 311 Notification.
- 3- ESDRB member Terry Milne is asking for more windows to be located directly below a public sidewalk, which would have an unreasonable impact on the privacy of the bedrooms. The proposed North Façade is more animated and composed than the adjacent buildings with a North Façade facing Bernal Heights BLVD. Project sponsor would entertain art work to add visual interest, but adding windows is an unfair request which would unfairly impact our privacy.
- 4- Members of the ESDRB did not participate at either Mediation Meetings.
- 5- Numerous changes were made in response to ESDRB comments: proposed house size was reduced from 2,396 SF to 2,227 SF, reducing the parking requirement from 3 to 2 parking spaces, mass reduction areas were increased from 651 SF to 835.5 SF, facades were redesigned to incorporate setbacks, Side setbacks were added. Project sponsor tried to continue discussion with ESDRB outside of the Community meetings, which were not conductive to constructive discussions, but ESDRB did not show any interest in exploring further revisions.

Project sponsor remains open to working directly with ESDRB members willing to meet to find reasonable and acceptable solutions to their comments about the North Facade.

Re: [Contact Mona] Mural in San Francisco

From:	Mona Caron <mona.caron@gmail.com></mona.caron@gmail.com>	
То:	Fabien Lannoye <fabien@bluorange.com></fabien@bluorange.com>	
Priority:	Normal	
Date	11-04-2015 02:47 PM	

Ok so,

there is a certain flexibility on price which depends on complexity of the image. to give you a fast number, I'm only giving you a ballpark of my fee for the artwork itself, which does not include scaffold or boom lift ect.

I think that the smartest thing would be to time it so I can paint using the same scaffold your workers will use to actually stucco/paint the wall, if they allow it.

having said that, here are 3 main levels of scope:

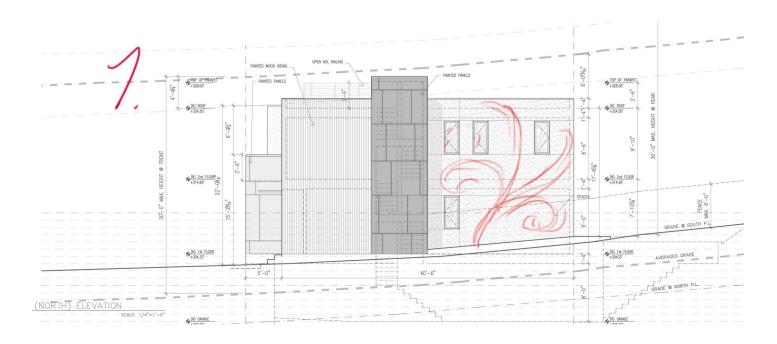
1. contained within stucco wall -9-18K depending greatly on complexity, less on size

2. larger. Spill over into side wall of stairway and maybe a little beyond, wrapping corner – 17-22K

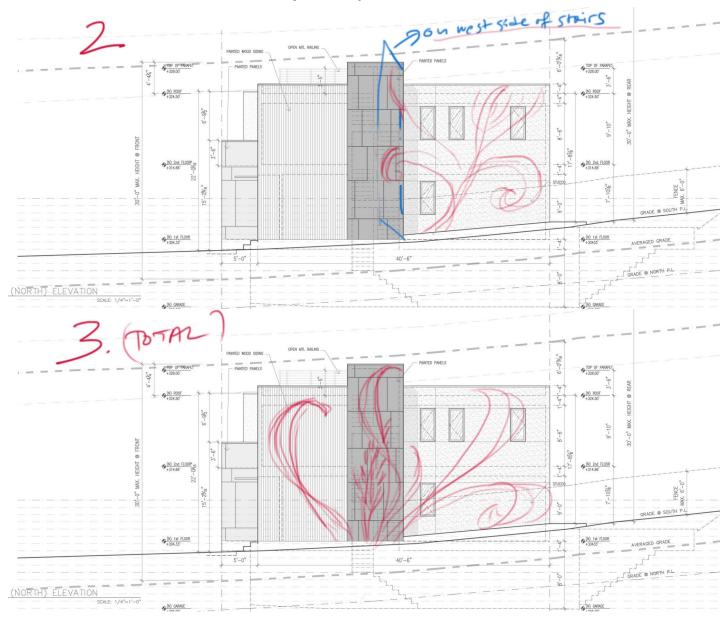
3. "Total". ;-) wrapping entire north side, very large scale - 25-30K

let me know what you think

Mona



Re: [Contact Mona] Mural in San Francisco



www.monacaron.com facebook.com/mona.caron.artist

On Nov 4, 2015, at 10:20 AM, Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Thanks Mona.

Fabien

On November 4, 2015 at 12:41 PM Mona Caron <<u>mona.caron@gmail.com</u>> wrote:

great! this helps! Hold on I'll get back to you shortly www.monacaron.com facebook.com/mona.caron.artist

On Nov 4, 2015, at 9:38 AM, Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Mona.

There are three sections on the North elevation. I am thinking that the Stucco section would be the easiest, see attached drawing.

The left side being painted wood siding might not work as well, though it could. The stair section would be some painted panels, could also work.

There could be one on each section?

All depending on your suggestions...

Anna (my wife) and I really like your weeds, dandelions, artichokes...

Let me know what you think.

Thank you,

Fabien

On November 4, 2015 at 11:56 AM Mona Caron < mona.caron@gmail.com > wrote:

Hi, sorry for the delay,

I'm looking at the north elevation drawings, and would you be open to a mural that reaches across the various parts of it, or would it be have to be contained within one of sections? (I see a painted wood siding section, a panel section, then a stucco section...)?

Mona 415-255-8488

www.monacaron.com facebook.com/mona.caron.artist

On Nov 4, 2015, at 8:21 AM, Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Mona,

Did you get my e-mail? Could you give me a ball park figure? Not asking you for a bit, just a rough estimate so I can see if I can afford your services?

Thank you for letting me know.

Best,

Fabien

On October 30, 2015 at 10:08 PM Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Mona,

You are correct, the house is not built yet, it might take another 18 to 24 months... I am patient.

The house would be built at 3516 Folsom Street, just below the public garden on Bernal Heights Blvd.

Take a look at the attached renderings and drawings.

l like the idea of a mural of a few plants/weeds on the North wall.

Please take a look and let me know your thoughts.

Thank you,

Fabien

On October 30, 2015 at 9:46 PM Mona Caron <mona.caron@gmail.com> wrote:

Nice, thanks for reaching out!

yes, if you could send me drawings that would help, and also the exact street address so I can check out the visual context on Google street view (the house doesn't exist yet, from what I understand?)

thanks! Mona

Mona Caron 3452 16th Street, Apt. 103 San Francisco, CA 94114 USA

+1 (415) 255-8488

mona@monacaron.com

www.monacaron.com Facebook.com/mona.caron.artist

On Oct 30, 2015, at 6:43 PM, <u>fabien@bluorange.com</u> wrote:
Fabien Lannoye (<u>fabien@bluorange.com</u>) sent a message using the contact form
at http://www.monacaron.com/contact.
Mona,
We have been admiring your murals in San Francisco and just came across
an article on Bernalwood, about a recent mural you did in Bernal.
We are working on the plans of a ground up house to be built in Bernal. The house would have a mostly blind wall facing North to Bernal Heights Blvd and
could use a beautiful mural. Could you give us an idea of what you would charge for a mural?
If you e-mail me, I can e-mail you some drawings and renderings to give you a
better idea of the scale of the project. The wall would be two story tall, nothing crazy
Looking forward to hear from you.
Best,
Fabien

<3516-FOLSOM-NORHT-ELEV-MURAL.pdf>

1.jpg	Content-Type: image/jpeg; x-unix-mode=0644 Size: 521.33 KB					
2.jpg	Content-Type: image/jpeg; x-unix-mode=0644 Size: 542.74 KB					
3.jpg	Content-Type: image/jpeg; x-unix-mode=0644					
	Size: 537.77 KB					

Foreword:

When the project sponsor, James and Patricia Fogarty, purchased the vacant lot at 3526 Folsom Street, the lot had been listed for a year.

After doing our due diligence to verify with the Planning Department, with DPW, with SFFD and all concerned parties, we decided to proceed and purchased the lot.

We designed our house and scheduled a Project Review meeting with the Planning Department to make certain that the proposed project would comply with the restrictive Special Use District for Bernal Heights, Planning Code Section 242. Planning reviewed the project in detail and advised on a few improvements, which we immediately incorporated into the project.

At the suggestion of the Planning Department, we contacted the ESDRB to schedule a pre-application meeting with the neighbors. The Planning Department recommended contacting the ESDRB, although they told us we were not in the ESDRB area and did not need to comply with the ESDRB Guidelines.

Prior to the meetings with the ESDRB, we discovered that flyers had been posted around Bernal, rallying Bernal residents to attend a meeting to oppose a project which would create a "600-foot Radius Blast/Fire Zone" by building "luxury homes" on "Undevelopable land". (see attached photo).

The first meeting, as well as the next four, were very hostile, but we continued to participate. Every answer we gave the neighbors was called "a lie."

The 19 DR were filed against the two proposed residences, 9 of them against 3526 Folsom Street. Some of the neighbors even managed to file 4 identical DRs per household. 5 other DRs were filed by another household.

Anna and I still hope all can be reasonable and that we can collaborate together to resolve the issues, as good neighbors would. We hope we will be given the chance to show our appreciation of others' understanding and fairness.

Given the similarities between most of the DR issues and in an attempt to simplify and unify the DR process for this project, we suggest responding to the main issues in a common set of responses, while 2013.1768DRP-09, filed by the ESDRB, which is different from the other DRs, will get is own set of responses.

<u>1-</u> <u>Site:</u> Several of the DR requestors suggest that the 6 vacant lots are open space which should not be developed. Although the DR requestors have enjoyed the adjacent lots as undeveloped land for many years, these lots were created and laid out at the same time as the DR Requestors' lots and zoned for residential use. This has never changed.

The proposed project does not impact the views from the Park, nor does it have any negative impact on the Public Garden. Renderings were provided, demonstrating minimum impact on the views from the public

areas around the proposed project. Shadow studies were prepared and provided, demonstrating no shadow impact.

Project Sponsor has no ties or involvement with or control over any sort to the remaining adjacent four vacant lots.

2- Proposed extension of Folsom Street:

- a. Numerous layouts were proposed to DPW and the Planning Department. Better Streets Department requested that we follow the straight layout which has since been developed in accordance with their recommendations.
- b. DPW-BSM did not allow a retaining wall in order to minimize the slope of the proposed road. A retaining wall was allowed on Banks Street (next block) to reduce its slope.
- c. There are several streets in San Francisco which are steeper than the proposed street (please see attached document: "Steepest Streets of San Francisco").
- d. The suggestion to build a road from Bernal Heights was considered but deemed impossible due to the public garden which is located between Bernal Heights Boulevard and the proposed building site.
- e. State requirement only allows one driveway to access a maximum of two lots. The proposed road extension will provide access to the two existing houses, as well as to the two proposed houses. Project sponsor has offered a road solution that will provide access up front to all adjacent vacant lots, avoiding rework in the future, if/when other lot owners should decide to develop their lots. This is of benefit to all concerned neighbors.
- f. Bernal Heights has many steep access roads due to its topography and density, which naturally limits the size of trucks and access.
- g. As to garbage trucks, project sponsor has contacted Recology several times. There are solutions to this problem and project sponsor will resolve it, but at this point, project sponsor cannot get a confirmed solution as Recology does not provide a proposal to a house which does not exist.
- h. SFFD has reviewed the application and deemed the project acceptable for distance to the nearby fire hydrants and for the fact that the proposed house will be equipped with a full fire protection sprinkler system. Most of Bernal Heights is problematic for fire access; this house will be one of the very few equipped with a full fire protection sprinkler system.

DRIVEWAYS of Impacted Neighbors:

Project sponsor has offered to meet with the 3 neighbors whose driveways would be impacted, their consultant and DPW-BSM in order to discuss the details and specifics of the process. At this point, DPW-BSM has requested more time in order to get all comments from the various department consulted, as all of them have not responded. DPW and Streets and Highways have reviewed and approved proposed Street Improvement drawings.

- a. DR requestor states that project sponsor has refused to share information, which is not true.
- b. Project sponsor has offered to pay for all costs for the DR driveway, which was stated at several of the ESDRB meetings.
- c. Proposed Street Improvement is currently being reviewed by DPW. Neighbors have hired a consultant to review the proposed road extension and project sponsor has been e-mailing any and all information as it is produced. Given the sensitive nature of this project and huge backlog with DPW, the proposed street improvement is being processed slowly. Project Sponsor is not withholding any information and is open to discuss any issues in a constructive and respectful way.

Project sponsor is very sensitive to neighbor's concerns, and driveways and road being proposed are being designed to minimize difficulties and improve current conditions. Proposed driveways will be an improvement over existing non-permitted conditions.

d. As stated previously, project sponsor has no involvement with or control over any of the adjacent vacant lots.

3- PG&E Pipeline:

"An aging, major PG&E Gas Transmission Pipeline":

Prior to the first meeting at the ESDRB, some neighbors posted inflammatory posters, inciting Bernal residents to oppose the project, stating it would create a "600-foot Radius Blast/Fire Zone". This created a difficult and hostile climate at the various ESDRB meetings. (Copy of the poster is part of DR#05, page 10).

The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not a SF Planning issue. DPW Street Improvement Permit Review is reviewing PG&E issues. Project Sponsor is working with SFDPW, PG&E and Civil Engineers.

A PG&E spokesperson attended one of the ESDRB meetings and answered all questions and comments. ESDRB appreciated the clarifications, but DR requestors continue to misrepresent the situation (please see attached PG&E responses to comments).

Several DR requestors indicate that the proposed project will be built directly above the Pipeline, which is not accurate: the Pipeline runs under Folsom Street from Alemany Blvd to Bernal Height Blvd. The proposed road extension will only require minimal surface grading and solely the driveways will be installed over the existing Pipeline, landscaped areas will be covering the intermediate sections between driveways. The proposed house will sit approximately 14' away from the Pipeline.

The PG&E Pipeline and the proposed Road extension are under DPW-BSM jurisdiction and a Street Improvement permit is currently under review. (Please see attached Q&A from PG&E).

4- Proposed Residence:

a. PROPOSED RESIDENCE IS OUT OF SCALE AND OUT OF CHARACTER WITH ADJACENT PROPERTIES:

DR Requestors characterize the proposed residence as a "3 Story / 3 Car garage...out of scale to predominantly 2 story homes with single car garages".

The proposed residence is a 2 story over basement (not a 3 story) with a required 2 car garage (not 3 car). The definition of Story and Basement can be found in the California Building Code.

The 2 car garage is required by SFPC Section 242(e)(4). Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage. Some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street); some are 3 story over basement (see address 405 Chapman Street).

Several DR requestors produced a document showing sizes of adjacent houses, but the square footages provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated Assessor-Recorder records which are neither verified nor updated. The listed square footages are most likely livable SF rather than [gross][Fabien, as you know, Section 242 uses "usable floor area," not "gross"] SF as defined in Planning Code Section 242 (which factors any exterior walls, undeveloped areas having more than 5' of ceiling

height,...). The list, however, clearly shows that the proposed project is <u>not</u> out of scale with its adjacent neighbors, as the proposed residence is smaller or equal to 15 of the 39 adjacent residences.

SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade. This limits the building height on a steep lot. And Section 242(e)(3) mandates a mass reduction of 650 square feet of usable floor area, further reducing the size of any new structure.

The proposed 2 car garage is required by Planning Code Section 242 (e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built prior to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the Code. In order to comply, each house over 1,300 gross SF would be required to have a 2 car, side-by-side independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.

The proposed residence will not be any more visible than its adjacent neighbors. In regards to the garage, the proposed project requires a variance due to a conflict in the Planning Code: the proposed project complies to the 2 car parking required by Planning Code Section 242, but does not allow the first two cars to be independently accessible: the newer garage requirements limit the garage door width to 10' (which makes side by side parking nearly impossible in Bernal), compared to when 12' was allowed per Section 242 (which made side by side parking possible). The proposed driveway slopes up 14.46% on the downhill side while sloping down 19.53% on the uphill side of the driveway, not "35%" as mistakenly stated by some of the DR Requestors.

Special attention is given to the roof of the proposed project, specifically following ESDRB guidelines. The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. The roofs of neighboring existing houses are devoid of vegetation, and most of them do not comply with the ESDRB guidelines.

There were no substantial changes required by the Planning Department or ESDRB as the proposed project was reasonable to begin with. Nonetheless, the project, was reduced from 2,364 SF to 2,204 Gross SF, reducing the parking requirement from 3 to 2 cars, while increasing the required Mass reduction from 651 SF to 735 SF.

DR Requestor describes the proposed residence as a Mac Mansion, but the proposed residence is 1,972 SF (2,204 gross SF), 288 SF completely below grade, with , 3 bedroom with 2.5 bathrooms, which is smaller or equal in size to 15 out of the 39 adjacent houses (please see attached "Adjacent Houses spreadsheet). Project sponsor has demonstrated by shadow study that the proposed project will not impact the public gardens. Planning Department, RDT and ESDRB have reviewed the proposed project and found it to be Code complaint.

- b. <u>"...out-of-character boxes":</u> Of the adjacent 23 houses on blocks 5626 and 5627, only 2 have pitched roofs, all others have flat roofs and box-like volumes. The proposed project offers roofs composed of green planting, deck and solar panels, making them visually more pleasant than adjacent existing roofs.
- c. <u>"Wall-like exterior of South elevation" and "public views impeded by penthouse stairwell":</u> Correction: The South elevation has partial setbacks, is composed of various materials, and has several windows. Please see response to DR-09.

Correction: The proposed Penthouse stairwell was <u>removed</u> from the project prior to ESDRB's last meeting.

d. <u>"Side Yard setback does not respect existing pattern":</u> (please see attached "Side Yards" exhibits.)

Despite the fact that both the Planning Department and ESDRB have scrupulously reviewed the project and found no conflict with the Planning Code, DR requestors continue to assert that the proposed project does not comply with several of the code requirements.

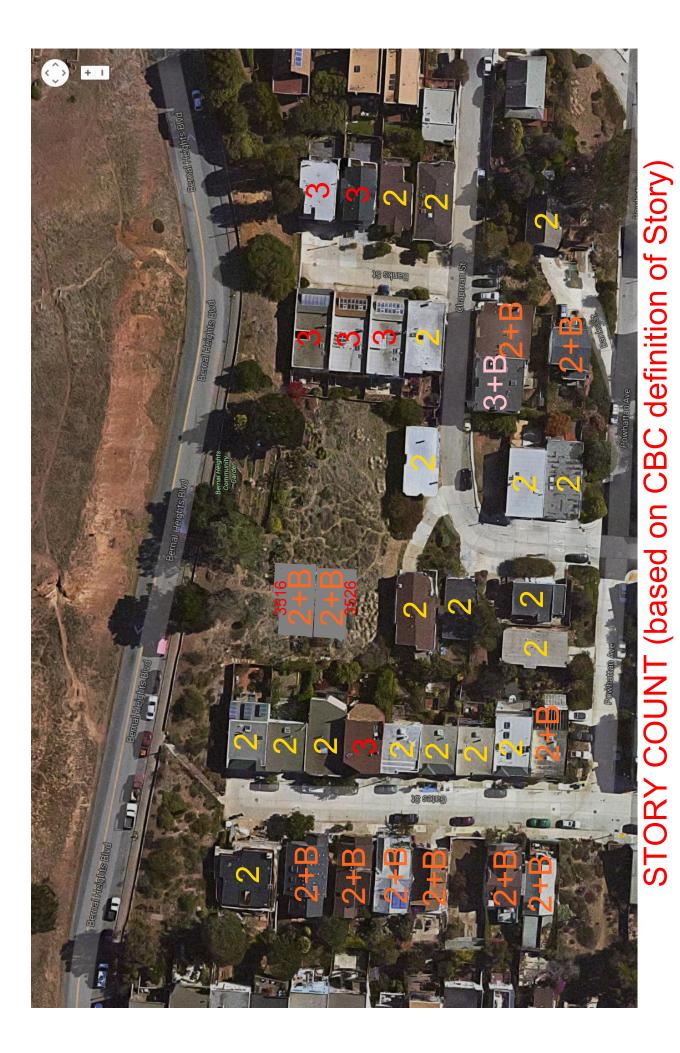
The side yard setback requirement is not a Planning Code requirement, but an ESDRB Guideline suggestion (ESDRB Guidelines page 19). ESDRB has reviewed and accepted the proposed design as complying with the Side Yard requirements.

As for Existing properties, note that most adjacent properties do not have any side yard setbacks:

- Block 5626 is composed of 16 lots. Three lots (including 3516 and 3526 Folsom) are undeveloped. Out of the 13 built lots, only 4 of the existing houses have side yards, the other 9 have <u>no</u> side yard. The proposed project conforms to the ESDR Guidelines side yard requirements. Nine of the adjacent properties <u>do not</u> comply.
- b. Block 5627 is composed of 14 lots. Four lots are currently undeveloped. The 10 existing houses are built from property line to property line and have <u>no</u> side yards.

Attachments:

- Adjacent properties story count
- Adjacent properties side yards
- Adjacent properties Square Footage
- San Francisco steepest streets
- PG&E responses
- Shadow Study
- Proposed project renderings
- DPW Street Improvement drawings





A	DDRESS					
		BLDG SF PER	Revised		Actual GROSS TOTAL SF	
IOUSE #	STREET	ASSESSOR'S RECORD	Total SF	Garage SF	PER Section 242	NOTES
	ANKS	2,749.00				3 STORY HOUSE BUILT IN 1991
	ANKS	2,749.00			· · · · · · · · · · · · · · · · · · ·	3 STORY HOUSE BUILT IN 1991
	ANKS	2,749.00				3 STORY HOUSE BUILT IN 1991
	ANKS	2,025.00				3 STORY HOUSE BUILT IN 2012
	ANKS	2,365.00				3 STORY HOUSE BUILT IN 2013
	ANKS	1,000.00			1,000.00	
	ANKS	1,200.00	400.00			2 STORY - PA 200403199139 ADD POWDER AT 1ST FLOOR
	ANKS	1,295.00			1,295.00	
	ANKS	1,200.00	1 000 00	1/0	1,200.00	
101 B		1,069.00	1,988.00	160		2 STORY - PA 8402970 ADD BATHROOM + BEDROOM ON GROUND FLOOR
102 B		1,276.00	500.00		1,276.00	
103 B		1,450.00	500.00			3 STORY - PA 201208288455 - ADD BEDROOM, BATHROOM, CLOSET IN "BASEMENT" - ATTIC SPACE
104 B		625.00	0.000.00	1/0	625.00	
105 B		1,000.00	2,000.00	160		2 STORY - PA 9801646: LEGALIZE DOWNSTAIRS BATH + BEDROOM
106 B		899.00	1 000 00	1/0	899.00	
107 B		1,035.00	1,000.00	160		2 STORY + BASEMENT? PA 8711632: VERTICAL + HORIZONTAL ADDITION
114 B		1,650.00			1,650.00	
116 B	HAPMAN	1,233.00 1,338.00			1,233.00 1,338.00	
	HAPMAN	1,130.00			1,338.00	
	HAPMAN	1,130.00	2,100.00	300		2 STORY + BASEMENT - NOV INTENSE INTERIOR WORK
	HAPMAN	2,180.00	3,150.00	300		2 STORY + BASEMENT - NOV INTENSE INTERIOR WORK 3 STORY + BASEMENT - SEVERAL PERMITS FOR NEW INTERIOR WORK?
	ATES	1,373.00	2,050.00	160		2 STORY - BASEMENT - SEVERAL PERMITS FOR NEW INTERIOR WORK? 2 STORY - PA 2004-1019-7138 ALTER ENTRANCE, ADD BATRHOOM DOWNSTAIRS
55 6	IATLS	1,373.00	2,000.00	100	1,070.00	2 STORT - PA 2004-1019-7138 ALTER ENTRANCE, ADD BATRHOUM DOWNSTAIKS PA 2010-0520-2891: CONVERT 130 SF GARAGE TO INTERIOR SPACE, ADD SPIRAL STAIRS
61 G	ATES	1,221.00			1 221 00	2 STORY - PA 941128: ENLARGE EXISTING GROUND FLOOR BEDROOM + ADD (N) BATHROOM
	ATES	1,492.00			1,492.00	
	ATES	2,131.00				3 STORY HOUSE BUILT in 1983
	ATES	775.00	1,550.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	ATES	775.00	1,550.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	ATES	775.00	1,550.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	ATES	775.00	1,950.00	160		PA 2011-0413-3969: ADD BATHROOM DOWNSTAIRS - OLD 2 STORY REAR ADDITION
	ATES	1,850.00	1,750.00	100		2 STORY - ASSESSOR RECORDS SEEMS ACCURATE
	OWAHATTAN	800.00	1,600.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
	OWAHATTAN	2,250.00	1,000.00	100		3 STORY - MISSING FROM NEIGHBOR'S SPREADSHEET
	OLSOM	760.00	1,520.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
3599 F		1,600.00	.,			2 STORY - Recent house, SF appears correct
3595 F		1,600.00				2 STORY - Recent house, SF appears correct
3580 F		1,050.00	2,100.00	160		2 STORY - PA 2010-0706-6044 ADD STAIRS TO DOWNSTAIRS
3574 F		1,125.00	2,250.00	320		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
3577 F		1,125.00	2,000.00	160		2 STORY (TOP FLOOR + FULL "BASEMENT") - GARAGE
		FF 2F4 00			66,530.00	
	Total					
_	# of houses				39	
	Average	1,419.33	Revis	sed Average	1,705.90	
				BELOW		
		TOTAL GROSS SF		GRADE	ABOVE GRADE	
3516 F	OLSOM	2,227.00		285.70	1,941.30	EQUAL OR SMALLER TO 15 OF 39 HOUSES
3210 F	OLJUIVI	2,227.00	F0/			
			-5%			EQUAL (+/-5%) TO 9 OF 39 ADJACENT HOUSES
			5%			SMALLER THAN 6 OF 39 ADJACENT HOUSES
3526 F	OLSOM	2,204.80		360.00	1,844.80	
			-5%			EQUAL (+/-5%) TO 13 OF 39 ADJACENT HOUSES
			5%		1 0 2 7 0 /	SMALLER THAN 6 OF 39 ADJACENT HOUSES

DEFINITIONS SF PLANNING "Usable floor area" is the sum of the gross areas of the several floors of a building, measured from the exterior walls or from the center lines of common walls separating two buildings. "Usable floor CODE Section devoted to off-street parking or any space or area which is not readily accessible and which has not more than five feet vertical clearance at any point.

CBC 2013 DEFIN

BASEMENT A story that is not a story above grade plane (see "Story above grade plane").

STORY That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above...

GRADE PLANE Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is:

More than 6 feet above grade plane; or
 more than 12 feet above the finished ground level at any point

por area" shall not include that floor area

DATA POINTED

More Steeps Of San Francisco

A New Steepest Street Is Born

BY STEPHEN VON WORLEY ON FEBRUARY 4, 2010

L AST NOVEMBER, as previously detailed, we searched San Francisco's less-photogenic neighborhoods for under-appreciated inclines, rewrote the City's "official" list of steepest streets, and discovered Prentiss Street, which, at a maximum grade of 37%, matches Pittsburgh's Canton Avenue as the most-tilted urban thoroughfare in the world.

Afterwards, I boarded the couch for a welldeserved weekend in pro sports vacationland. All the while, loose ends whispered in the wind, open leads nagged, and unexplored territory begged for attention. With a tap of the volume button, I could drown them out, but...

Did **George Washington** dip his finger into the Delaware and whine "maybe I'll come back when it's warmer?" Did, daily at noon, **Rosie the Riveter** betray her trusty gun for the factory masseuse? Did **Pee-wee** shirk his Big Adventure under the duress of potato chips and beer?

Hell no! Like them, my moral marching orders were to press onward, and thus compelled, with much pressure, onward with the *Steepest Search* did I proceed...

Romolo

At the dawn of the **Gold Rush**, San Franciscans bore witness to an infamous boxing match, wherein Haste, cheered by 50,000 rabid forty-niners, knocked out Foresight in the first round.

Foresight's defeat scuttled grand plans of swooping avenues and Parisian boulevards. Seemingly overnight, Haste's rudimentary rectangular street grid clung to the hillsides like an early autumn snow, peppered with a motley assortment of taverns, storefronts, pleasure dens, and flophouses:



24th Street on Potrero Hill

😏 Tweet

Data Pointed is the home of artist and scientist Stephen Von Worley's data visualization research; a journal of interesting information imagery and news from around the world; and a place where you can spend a few minutes, have a laugh or two, and discover something new. Learn more!

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An 1857 survey of San Francisco's North Beach neighborhood. North is to the right. Modern landmarks in color: Yellow=Coit Tower, Green=Columbus Avenue (built in 1873), Purple=Vallejo Street, Red=Romolo Place

Mother Nature has long since **folded**, **spindled**, **and mutilated** those first buildings, but the streets survive. Today, they leap and dive the same crazy ups and downs as they first did, 160 years ago, in the neighborhood known as...

North Beach! Perhaps you've come to sample a bowl of **cioppino**, get your **Beat** on at **Vesuvio**, do some **Barbary Coast**-style carousing along Broadway, or simply wander the streets in search of companionship and adventure. Whatever your poison, it's gonna be fun!

But first, you gotta park. You've already climbed **Telegraph Hill** three times over, tracing and retracing every goddamned back street and alleyway within half a mile, and still nothing. Fiddlesticks! Then, on your fifteenth pass down Vallejo, you notice a narrow gap in the apartments to the left, marked by an inconspicuous sign as *Romolo Place*.

Maybe there's a parking space down there?

As you approach, Romolo itself hides behind a lip of pavement. It must be a bit of a slope, so you shed some speed and begin the turn. Then, that mysterious red light under the odometer – you always wondered what it was for – starts to blink. Split-seconds later, a panicked siren squawks: ah-rooga, ah-rooga, ah-rooga! What's going on? Suddenly...

The pavement drops out of view and you're staring into space then oh no! the car lurches down and then right and you stomp the brakes and the tires squeal and it's gonna roll and holy shit! you're almost on the stairs and into the building on the right and then the left and the proximity sensor bings as the pavement flies up at you and scraaaaaape... Romolo gives your car a love peck as it screeches to rest at the bottom.

Did that really just happen?! A glance in the rear-view explains everything...



Romolo Place. Mind the tilt!

Romolo pitches precipitously, at a 32.5% grade along the centerline, but also a terrifying twenty inches downward, sideways, from left-to-right, over its twelve foot width. Together, these tilts send a spicy North Beach meatball skittering down the fall line at a sauce-splattering 40%!

Under the influence of Romolo's sinfully improper grade, our on-site survey team began to **speak in tongues**. Drawn by the commotion, a roving band of drunkards joined the chorus, and guided by their strangely-therapeutic ramblings, the gibberish slowly yielded to Consensus. In Romolo's close quarters, your car would never be far enough askew to feel the full 40%, but as entering from Vallejo, you'd briefly pitch downwards close to it: somewhere between 37 and 38%.

We split the difference – 37.5% – and christened Romolo as the Super Steep Street Most Likely To Inflict Coffee Crotch On Early Morning Delivery Truck Drivers.

"Crotch," my team giggled, over and over again. My, were they – randy? I handed them a roll of dollar bills wrapped in a twenty, gestured downhill towards Big Daddy's, and made myself scarce.

Bradford

When the esteemed **Sir Poskanzer** recommends that you do something, you do it, lest an unfortunate online "accident" cut you down a few months later. So, there I was, per his "suggestion" at the base of **Bernal Heights**, measuring Bronte Street's quite-respectable 29%. Thanks Jef!

Next door, Bronte's less-sophisticated neighbor, *Bradford Street*, climbs eagerly from Tompkins Avenue at twenty-percent grade. Then, after 150 feet, the slope doubles, and the concrete poops out. "Anyone wanna take over?!" it yells.

"I does!" hollers the insane asphalt driveway. And lickety split, there's a perilous, oil-stained jump to the private property above: not "country club" private, mind you, but the *other* kind, wherein the gap-toothed inhabitants take mighty unkindly to camera-waving interlopers.



The insane driveway at the top of Bradford Street. Photo courtesy of MapJack.

I'd seen the driveway before – at the tail end of the previous episode – and clearly, it required investigation. However, it also had me spooked, so I played the oops-out-of-time card and returned home to a pleasant dinner.

On this visit, I had no such excuse...

Before the Journalists Club would dispense my credentials, they made me swear on the Holy Notepad that I would always Do Whatever Whatever It Takes To Get The Story. Up there might be the World's Most Extreme Driveway, and I must document it for the benefit of you, my Loyal Reader, no matter what the danger.

To buy myself a precious few seconds of extra escape time, I cooked up a crude verbal diversion:

Hey look, Hatfields!

Then, with a deep breath, I exited the vehicle and began what might be my final few steps uphill. Ever. Gulp.

Hey, something looked different. Where was the asphalt? What were those orange cones and construction barricades doing there? And why was it all so much *whiter* than before?

OMFG, the "driveway" was actually part of Bradford Street, and it'd been repaved!

Lately, Public Works must be mainlining their **Wheaties**, because, as part of the same Bernal Heights Street Improvement Project that yielded Prentiss, they had replaced the ugly asphalt ramp with a tilted concrete slab, and a very special one at that:



Bradford Street's 41% grade

Carefully, I scaled the beast and measured it: a solid 30 feet of *sustained 41% grade*. On such a slope, gravity alone pulls a one-ton car downhill with 800 pounds of force, accelerating it from *zero to sixty* in 7.2 seconds. Whoa Nellie!

Congratulations, Bradford Street above Tompkins, for, having Bravely Thrust into the Forty-Percent-Plus Frontier, you now stand alone atop the Peak Of Maximum Grades as the Most Tilted Paved Urban Thoroughfare In The World!

All drivers of cars with golden tires, please travel to Bradford and apply commemorative golden skid marks, forthwith!

A New List

Now, our list of Steepest Streets needs an overhaul. Shoot the confetti, release the balloons, and spotlights center stage in five, four, three, two, one...

The Steepest Streets In San Francisco

- 1. Bradford above Tompkins (41% grade)
- 2. Romolo between Vallejo and Fresno (37.5% grade)
- 3. Prentiss between Chapman and Powhattan (37% grade)
- 4. Nevada above Chapman (35% grade)
- 5. Baden above Mangels (34% grade) *
- 6. Ripley between Peralta and Alabama (31.5% grade)
- 7. 24th between De Haro and Rhode Island (31.5% grade)
- 8. Filbert between Hyde and Leavenworth (31.5% grade)
- 9. 22nd between Vicksburg and Church (31.5% grade)
- 10. Broadway above Taylor (31% grade)
- 11. 23rd above Carolina (31% grade)
- Source: Stephen Von Worley.
- Notes: Ranked by maximum grade, as of February 2010.
- Ties are broken by the length of maximum slope.
- * Crude, single lane pseudo-street

With that, we shift the Steepest Search into Maintenance Gear, wherein we'll monitor Bernal for further developments and field other leads as they pop up. If you see anything interesting, don't hesitate to ring our **tip line**, please!

SHARE \rightarrow 🔁 TWITTER **If** FACEBOOK **Image Email**

Bernalwood's questions, and PG&E's responses, are provided here in their entirety:

1. When was the section of pipeline under the the proposed home site installed? When was it last upgraded? The line was installed in 1981. PG&E has a comprehensive inspection and monitoring program to ensure the safe operation of this line.

2. How often is this section of 109 inspected? What does the inspection entail? When did the last inspection take place? What were the results of that inspection? This section of L-109 was successfully strength tested (via a hydrostatic pressure test) at the time of installation. PG&E records show no history of leaks for L-109 in this area.

PG&E has a comprehensive inspection and monitoring program to ensure the safety of its natural gas transmission pipeline system. PG&E regularly conducts patrols, leak surveys, and cathodic protection (corrosion protection) system inspections for its natural gas pipelines. Any issues identified as a threat to public safety are addressed immediately. PG&E also performs integrity assessments of certain gas transmission pipelines in urban and suburban areas.

Patrols: PG&E patrols its gas transmission pipelines at least quarterly to look for indications of missing pipeline markers, construction activity and other factors that may threaten the pipeline. L-109 through the [Bernal Heights] neighborhood was last aerially patrolled in May 2014 and no issues were found.

Leak Surveys: PG&E conducts leak surveys at least annually of its natural gas transmission pipelines. Leak surveys are generally conducted by a leak surveyor walking above the pipeline with leak detection instruments. L-109 in San Francisco was last leak surveyed in April 2014 and no leaks were found.

Cathodic Protection System Inspections: PG&E utilizes an active cathodic protection (CP) system on its gas transmission and steel distribution pipelines to protect them against corrosion. PG&E inspects its CP systems every two months to ensure they are operating correctly. The CP systems on L-109 in this area were last inspected in May 2014 and were found to be operating correctly.

Integrity Assessments: There are three federally-approved methods to complete a transmission pipeline integrity management baseline assessment: In-Line Inspections (ILI), External Corrosion Direct Assessment (ECDA) and Pressure Testing. An In-Line Inspection involves a tool (commonly known as a "pig") being inserted into the pipeline to identify any areas of concern such as potential metal loss (corrosion) or geometric abnormalities (dents) in the pipeline. An ECDA involves an indirect, above-ground electrical survey to detect coating defects and the level of cathodic protection. Excavations are performed to do a direct examination of the pipe in areas of concern as

required by federal regulations. Pressure testing is a strength test normally conducted using water, which is also referred to as a hydrostatic test.

PG&E performed an ECDA on L-109 in this area in 2009 and no issues were found. PG&E plans to perform another ECDA on L-109 in this area in 2015. This section of L-109 also had an ICDA (Internal Corrosion Direct Assessment) performed in 2012, and no issues were found.

Automated Shut-off Valves: There are two types of automated shut-off valves recognized within the natural gas industry: Remote Controlled Valves (RCV's), which can be operated remotely from PG&E's Gas Control Center, and Automatic Shutoff Valves (ASV's) that will close automatically as a result of rapidly falling pipeline pressures and/or increased flows at the valve location. There is an RCV on L-109 in Daly City that can be used to isolate the section of L-109 that runs through this neighborhood.

3. Is this section of pipeline 109 "the same type that blew up in San Bruno?" No. Line 109 operates at a much lower pressure and is smaller in diameter, and is of a much more recent vintage.

4. What safety procedures does PG&E put in place when home or street contruction occurs on the site of a major gas pipeline like 109?

Anytime a contractor or resident makes an excavation on franchise or private property, they must call 811 (State Law for Underground Service Alerts [USA]) in advance so we can identify and properly locate our UG facilities. When our Damage Prevention group gets the USA request and identifies a critical facility like a gas transmission line in the scope of work, they notify the caller that they must contact PG&E for a standby employee. PG&E must observe a safe excavation around our lines if any digging is within 10' of it. We must be present when they dig around this line. Our standby inspector will instruct and guide the excavating party to avoid damage. Excavators who violate this Law are subject to fines.

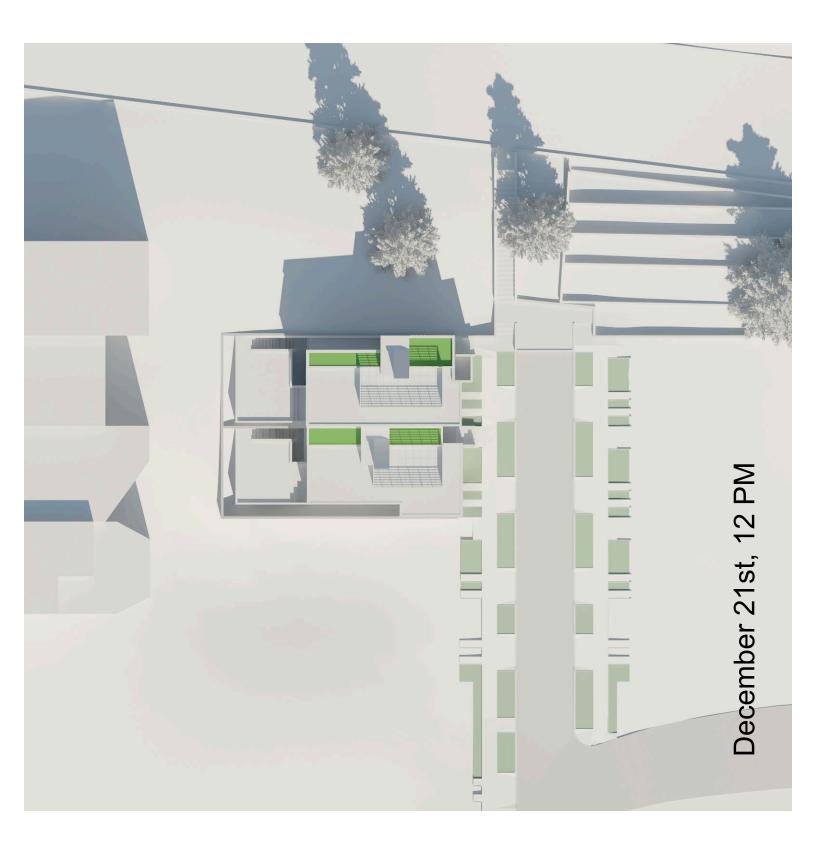
5. Does the steep grade of the Folsom site have any impact on Pipeline 109? Given the grade at the proposed site, are any special provisions or procedures required to ensure the safety of the pipeline during construction? The grade of the street have no impacts on the operation of the line. If the cover is not removed or disturbed within 10' of the line, there are no special precautions needed.

6. Are there any specific technical or safety challenges posed by the proposed home site, and if so, how does PG&E plan to address them? As long as the structures are built within the property lines similar to the existing [homes on Folsom Street], they will not pose any issues for us patrolling and maintaining that line. The proposed home sites are not on top of line 109, and are no closer to the line than existing homes in the neighborhood.

Additional Background: In the area outlined in the map [Bernalwood sent PG&E, shown above], PG&E's natural gas transmission pipeline L-109 runs down Folsom Street and turns east to follow Bernal Heights Blvd. Line 109 in this area is a 26-inch diameter steel pipeline installed in 1981 and has a maximum allowable operating pressure (MAOP) of 150 pounds per square inch gage (psig), which is 19.8% of the pipe's specified minimum yield strength (SMYS). This provides a considerable margin of safety, since it would take a pressure over 750 psig to cause the steel in the pipe to begin to deform.













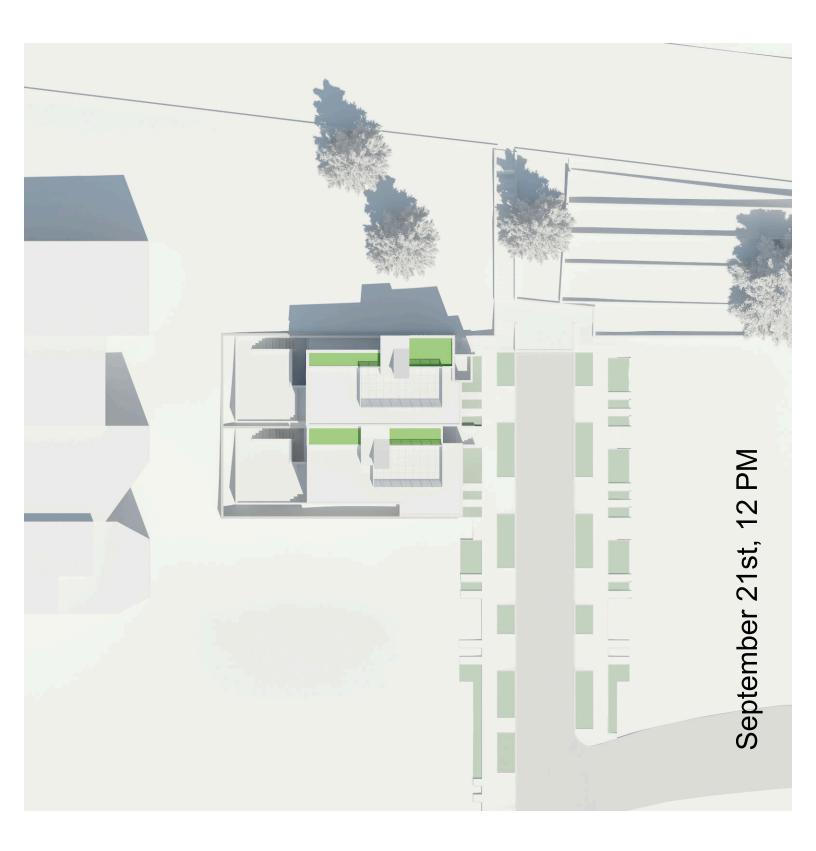




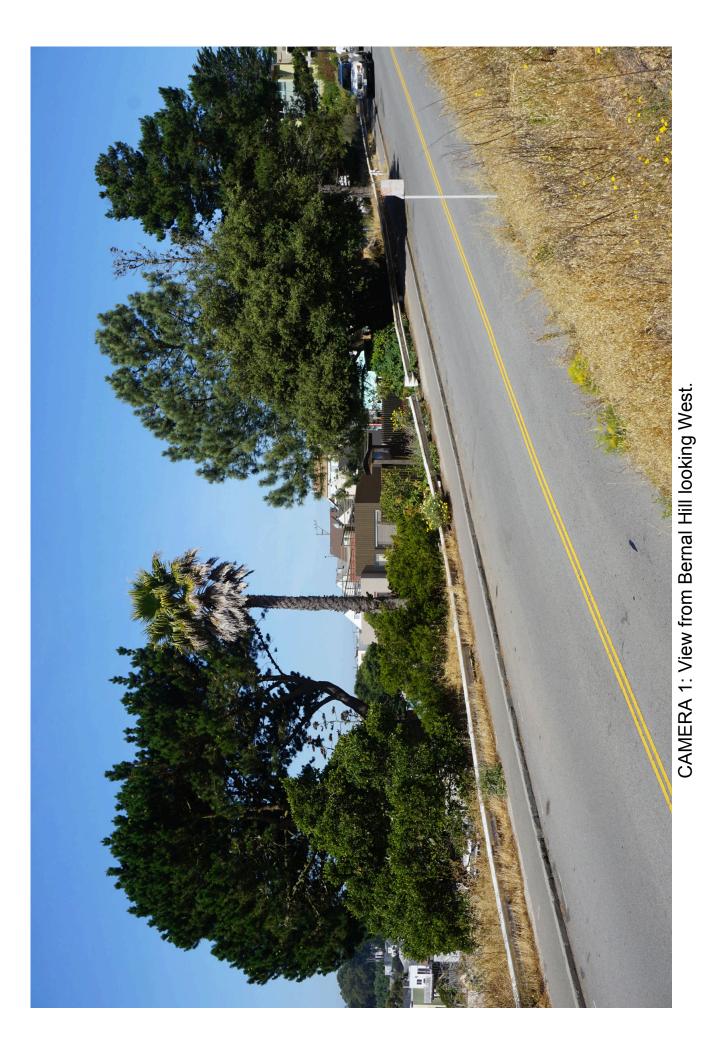


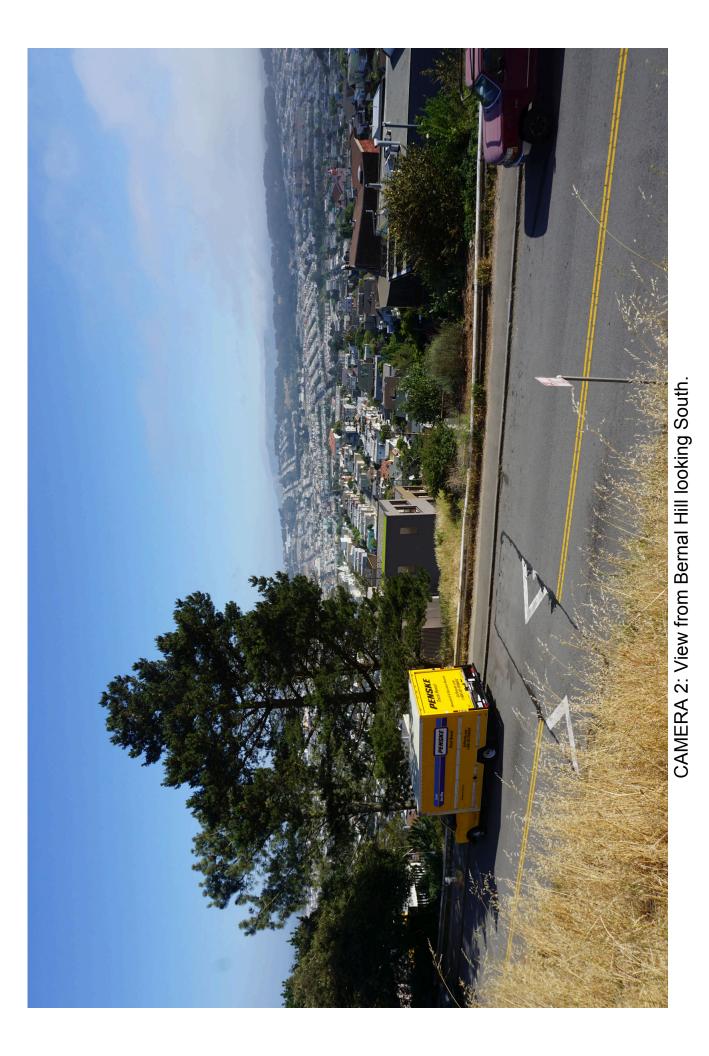


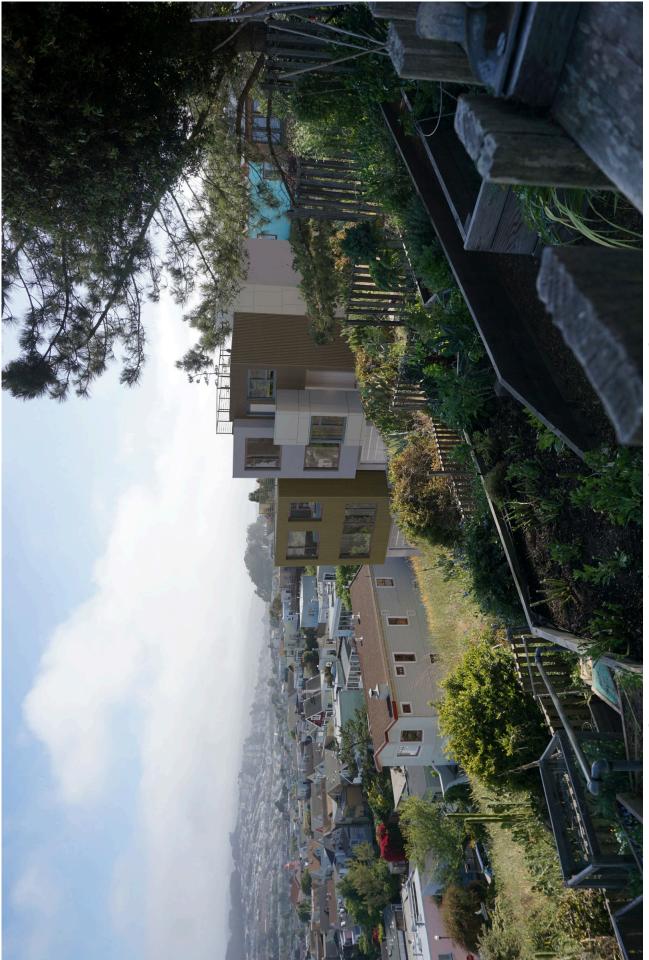








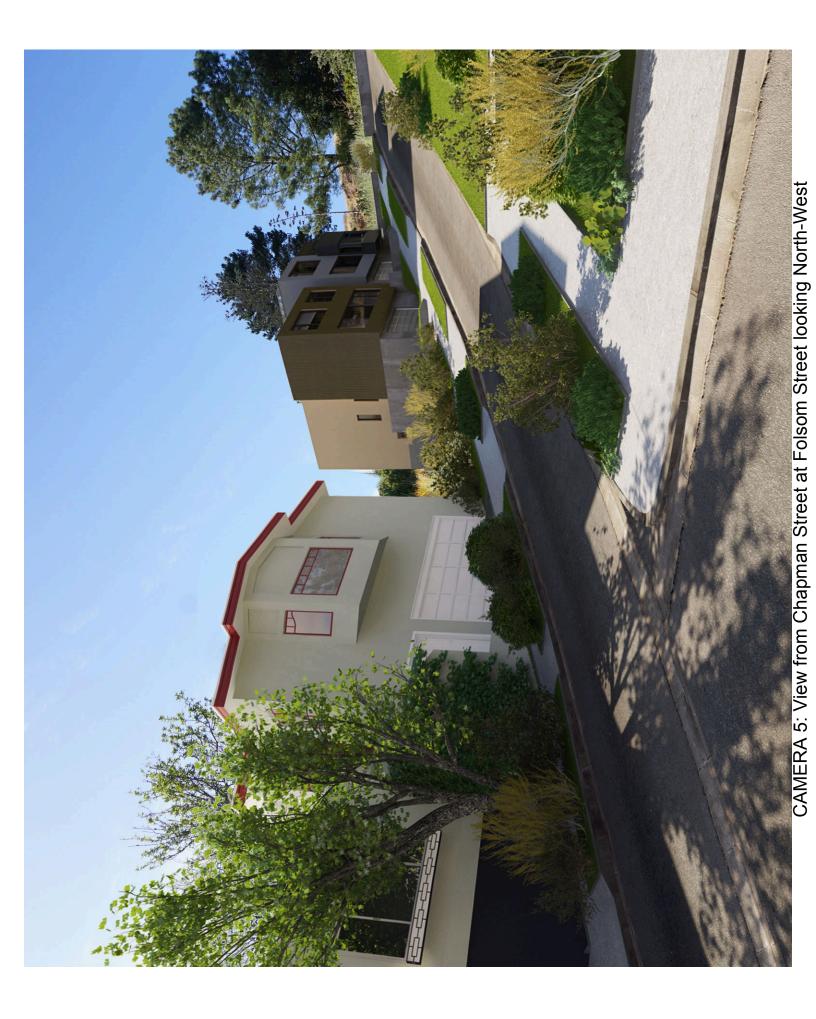




CAMERA 3: View from Public Garden looking South-West.



CAMERA 4: View from Bernal Blvd looking South-East.



BERNAL PUBLIC SAFETY ALERT

CRITICAL MEETING - WEDNESDAY, MAY 28, 7PM!!! PRECITA NEIGHBORHOOD CENTER 534 PRECITA AVENUE

PROPOSED DEVELOPMENT PUTS LUXURY HOUSING AHEAD OF PUBLIC SAFETY

Major PG&E Gas Line Runs Through Once "Undevelopable" Land. Not Your Typical Vacant Lots - But City Acts Like They Are.

ARE YOU WITHIN THE BLAST & FIRE ZONE?

Ivou ive, walk, run, garden, ride your bike, push your stroller, or fly your kite aund Bernal Heights, you may have entered the 600-foot Radius Blast/Fire Zone of a proposed Bernal southeast slope development of two luxury homes teaw the Community Garden. An aging 26-inch PG&E gas pipeline runs through t-the same type that blew up in San Bruno. Many think this development which benefits from a questionable exemption of SF street safety grading codes - would recklessly endanger public safety.

PUT OUR SAFETY FIRST! PUBLIC INPUT WANTEDI

Bernalwood

Broadcasting from glamorous Bernal Heights, San Francisco (Elev. 443 ft.)

Wednesday: Community Meeting to Review Home Construction Plans Below Bernal Hill

Posted on December 10, 2013 by Todd_Lappin



Neighbor Alicia is spreading the word about a community meeting that will happen tomorrow, Wesdnesday December 11 at 7 pm at the Precita Neighborhood Center, to review a proposal to build two single-family homes on a patch of undeveloped land on Folsom near Chapman, on the south side of the hill just below Bernal Heights Blvd.

Here's the meeting announcement:

PROPOSED BERNAL HOUSING DEVELOPMENT



Please attend a neighborhood meeting to view plans and voice your thoughts about two single family homes planned on undeveloped land adjacent to Bernal Heights Park and the Community Garden.

Wednesday, December 11, 7 PM Precita Neighborhood Center 534 Precita Avenue

Organized by East Slope Design Review Board Contact Terry Milne for more info: 415-285-8978

Lot addresses: 3516 and 3526 Folsom Street, at Chapman.



15 Responses to Wednesday: Community Meeting to Review Home Construction Plans Below Bernal Hill



SER *says:* December 10, 2013 at 10:28

I thought there was a big PG&E line or something underneath that patch (and that that was the reason why it hadn't been developed yet). Anyone know the scoop?

Reply



Brandon says:

According to trusted source Bernalwood, you are absolutely correct about the location of the pipeline: http://bernalwood.wordpress.com/2011/10/05/gulp-troubled-pge-gas-pipeline-with-a-history-of-trouble-runs-through-bernal-heights/

Reply



GreenGirl *says:* December 11, 2013 at 08:33

Yikes! That was some nasty damage in 1963!

Reply



Wendy says: December 11, 2013 at 22:

Bernalwood's follow up to this story is also worth looking at. Good factual info about the gas line from a PG&E rep , and a hotline number to call if you want more info.

http://bernalwood.wordpress.com/2011/10/12/an-safety-update-from-pge-about-that-anxiety-generating-gas-pipeline-in-bernal-hill/

Reply



Noemonkey says:

More nimbys who can't deal with change. They've got their houses near the hill, but no one shall be allowed to build. Such bullshit.

Reply



Bernalese, man says: December 11, 2013 at 11:12

Throw those puppies up, and make them the Playboy Playmate Bunny houses.

Reply



Sam Bowman says: December 11, 2013 at 15:38

If anyone here makes it, I'm quite curious what these boards actually do in practice. I'm worried it's particularly NIMBYish, but the city mandates both these meeting and a pretty strict set of size and aesthetic guidelines for Bernal Heights, so I imagine that nothing too substantial is likely to happen.

More:

http://masonkirby.com/bernal-heights-resources/northwest-bernal-heights/

Reply



Actually, this property is covered by the East Slope Design Review Board, but you're right, there are extra requirements. Anyone making a substantial change to their property in this area has to go through the review process before the Planning Department will do anything. I recommend the meetings. I've been to a few over the years and they are often heated and lengthy, but are a real look at democracy in action.; https://maps.google.com/maps/ms?

<u>ie=UTF8&t=p&oe=UTF8&msa=0&msid=115222306031936564540.00048206628ac4688229b</u>

Reply



Wendy says: December 11, 2013 at 21:4:

The proposed houses are actually located on the west side of the Folsom Street right of way - about where the word "site" is written on the aerial photo - not where the arrow is pointing.

Repl



David Kaye says: December 12, 2013 at 13:1

I have/had several computer tech support customers in the Crestmoor neighborhood, three who lost their homes. That explosion was from a mere THREE-INCH pipeline. Goodness knows what could happen in Bernal Heights. Obviously that

land was not built upon for a reason.

Reply

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			-

Art *says:* December 16, 2013 at 14:04

Actually, the San Bruno explosion was from a 30 inch pipeline.

Reply



jack *says:* December 16, 2013 at 11:09

Is there any update on this? Thanks.

Reply



Art says: December 16, 2013 at 14:

Yesterday, I chatted with the neighbor in the last house on the west side of Folsom, who is organizing opposition to the houses. She is setting up an email loop to keep people informed.

Unfortunately, I didn't get her contact info. Nothing was decided at the meeting, and I believe a second meeting is going to be scheduled by the Design Review Board.

I suspect the gas pipeline doesn't have anything to do with why the lots above Chapman have not been developed to date. After all, there has been lots of development along the pipeline route over the years. The bigger problem is that anyone who wants to build there is going to have to put in a paved street, presumably at their own expense. Economically, that probably made the lots unbuildable until the recent runup in home prices.

Reply



Todd Lappin says:

December 16, 2013 at 14:24

Did the neighbor explain the reasons for her opposition?

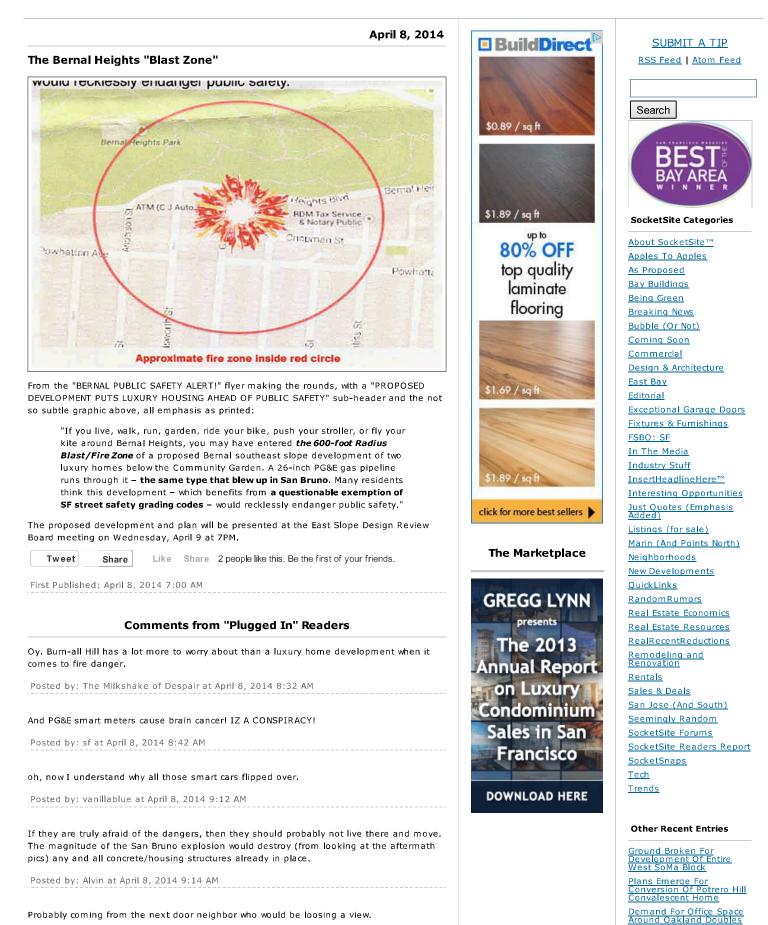
Reply



Well, I don't want to speak for her, but from our short conversation, it was mostly in the nature of "it's always been open space and wouldn't it be nice to keen it that way."

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Bernalwood The Twenty Ten Theme. Blog	Get every new post delivered at to your Inbox.	
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	Enter your email address	
	Sign me up	

Follow



Posted by: Derek at April 8, 2014 9:22 AM

http://www.socketsite.com/archives/2014/04/the_bernal_heights_blast_zone.html#comments

The Gentrification Of San

The Bernal Heights "Blast Zone" at SocketSite™

That pipeline bisects Bernal running from Alemany along Folsom to Bernal Heights Blvd to Alabama to Precita.

Both PG&E and the National Pipeline Mapping System have viewers showing major pipelines like this one.

http://www.pge.com/safety/systemworks/gas/transmissionpipelines/

Posted by: Jake at April 8, 2014 9:22 AM

Poor poor Bernal people, having to put up with someone's freedom and choice to build new housing.

Can't wait to see these two new homes built and sell for record prices.

Posted by: Futurist at April 8, 2014 9:47 AM

These people are seriously pathetic.

Posted by: Rob at April 8, 2014 9:56 AM

The gas line is only 26 inches wide-- I doubt it goes directly under the homes. Since the builders are well aware of the pipeline, I'm sure they'll take care to avoid it.

Posted by: Dan at April 8, 2014 10:29 AM

"Since the builders are well aware of the pipeline, I'm sure they'll take care to avoid it. "

Don't you bring your logic here! We are panicked! They're trying to blow up babies and grandmas just to make a buck! We must stop them.

Posted by: R at April 8, 2014 10:36 AM

They learned from the "No Wall on the Waterfront" campaign, which spread fear that the development would disrupt high pressure sewage pipes.

Posted by: Dan at April 8, 2014 10:51 AM

Maybe these NIMBYs can give me a job, I can make much better propaganda than them.

"Research has shown that the use of any and all types of construction equipment/tools not only reflects the light of Venus in such a way that confuses migratory birds into committing suicide, but it ALSO can alter the tides and cause a run away nuclear reaction, which would level the entire city in a combined tsunami and nuclear explosion. That's right, drowning and burning, AT THE SAME TIME. Stop all construction forever, and save the pretty birds and the city of SF from certain doom at the hands of greedy developers!"

Posted by: cfb at April 8, 2014 11:11 AM

I think that people are genuinely concerned about the PGE line being a potential explosive hazard, i.e. struck by excavation equipment for foundation work. The 1963 explosion was not that long ago for many Bernal residents.

That being said I'm sure PG&E would be on site during work to oversee the dig and/or reject building plans as needed.

Views are [not] protected.

Posted by: RonMonster at April 8, 2014 11:37 AM

I see the crazies are at it again.

Posted by: Brad at April 8, 2014 11:38 AM

OH MY GOD! SF General Hospital was built in a BLAST ZONE too! (There are high-pressure gas lines surrounding the hospital!) Evacuate the patients now!

Thankfully, my tinfoil hat will protect me.

Posted by: Dubocian at April 8, 2014 1:52 PM

Opportunistic? Perhaps. But this is not tin-foil hat territory. The SF Gate story about the PG&E explosion on Bernal from back in the day is in my name URL.

Apartment Rental Agency

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D

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San Francisco property management apartment & office rental agent Francisco And Oakland By Neighborhood

<u>A New Peek Inside And</u> <u>Around Tishman's 222</u> <u>Second Street Tower</u>

<u>New In-Law Legislation</u> Expected To Create 400 Units In The Castro A Quick \$500,000 Cut For The Postcard Row Home On The Corner

The Bernal Heights "Blast

<u>The Descendants (And</u> <u>City) Fare Well In Presidio</u> Heights

Berkeley High-Rise Hotel Ready For Review And Design Debate

SocketSite Archives

April 2014 March 2014 February 2014 January 2014 December 2013 November 2013 October 2013 September 2013 August 2013 July 2013 June 2013 <u>May 2013</u> April 2013 March 2013 February 2013 January 2013 December 2012 November 2012 October 2012 September 2012 August 2012 July 2012 June 2012 <u>May 2012</u> April 2012 March 2012 February 2012 January 2012 December 2011 November 2011 October 2011 September 2011 August 2011 July 2011 June 2011 May 2011 April 2011 March 2011 February 2011 January 2011 December 2010 November 2010 October 2010 September 2010 <u>August 2010</u> July 2010 June 2010 May 2010 April 2010 March 2010 February 2010 January 2010 December 2009

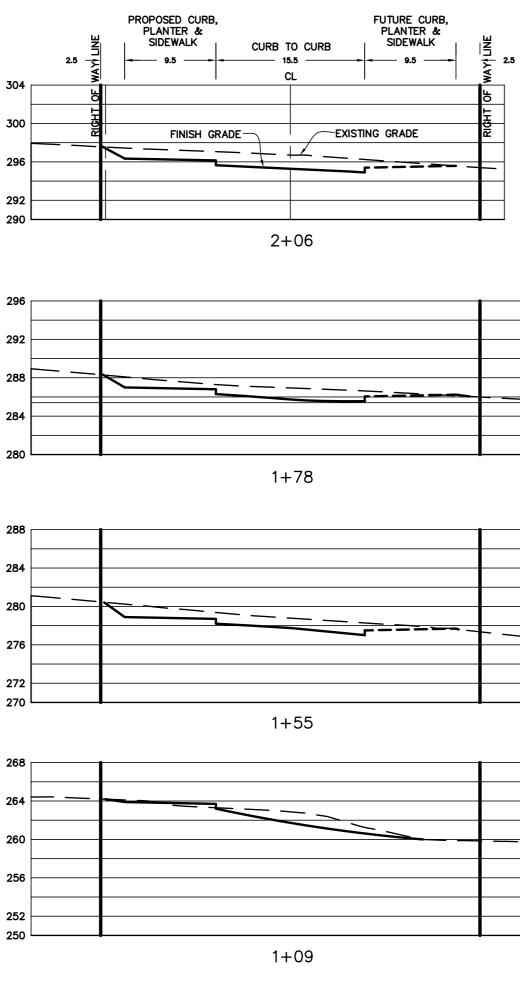
/9/2014	The Bernal Heights "Blast Zon
Posted by: <u>Mr. E.</u> at April	8, 2014 2:46 PM
worried about a breach du to ensure that the gas line perhaps even at a random was the case in San Bruno	is some risk from pipelines like these. But I would not be so ring construction – when there will be extraordinary steps taken as are untouched. Now during or after a major earthquake, or in time if PG&E failed to test and properly maintain the pipes (as) But I don't think the proposed homes are really a factor that han is already present. That's the craziness I was not-so-clearly
Posted by: Dubocian at A	pril 8, 2014 3:11 PM
	fread. During or after a major earthquake, or perhaps even at a d to test and properly maintain the pipes — THAT'S what I would
opportunistic and even sill	pipeline to the issue of this new construction is completely ly, though the underlying pipeline issues are ones which ald certainly take seriously,
Posted by: Dubocian at A	pril 8, 2014 3:20 PM
don't know if I'm asking Juestion there could be fo	a stupid question, or maybe the most intelligent, relevant or this situation, but:
How, exactly, would the pr pipe?	esence of two houses here increase the 'explodability' of this gas
Posted by: anon at April 8	3, 2014 5:42 PM
If you think about it. Almo the gas to every house an	ost every major street has a high pressure line. You have to get Id business.
Annon 5:42 The nimbys n out of their arces.	oobees and hippies twist and lie and twist the facts and pull stuff
Posted by: inclinejj at Apr	il 8, 2014 7:14 PM
much smaller than the big	e standard high pressure lines beneath almost every street are 1 fat trunk pipes. When a smaller pipeline breaks it is not volume of gas that was involved in the San Bruno disaster.
Posted by: The Milkshake	e of Despair at April 9, 2014 8:40 AM
because it would harm the winning and if it works, you behavior - that's been the	, people wouldn't even consider fabricating something like this ir reputation for credibility in the future. Now, it is all about u're a genius. Guess the BOS could pass a law prohibiting such approach they take when people can't get along on their own y, Board of Permit Appeals, dog leash laws, Castro nudity)
Posted by: Rome is Burni	ng at April 9, 2014 9:05 AM
	Post a comment
Name:	
	(required - will be published)
Email Address:	(required - will not be published, sold, or shared)
URL:	(optional - your "Posted by" name will link to this URL)

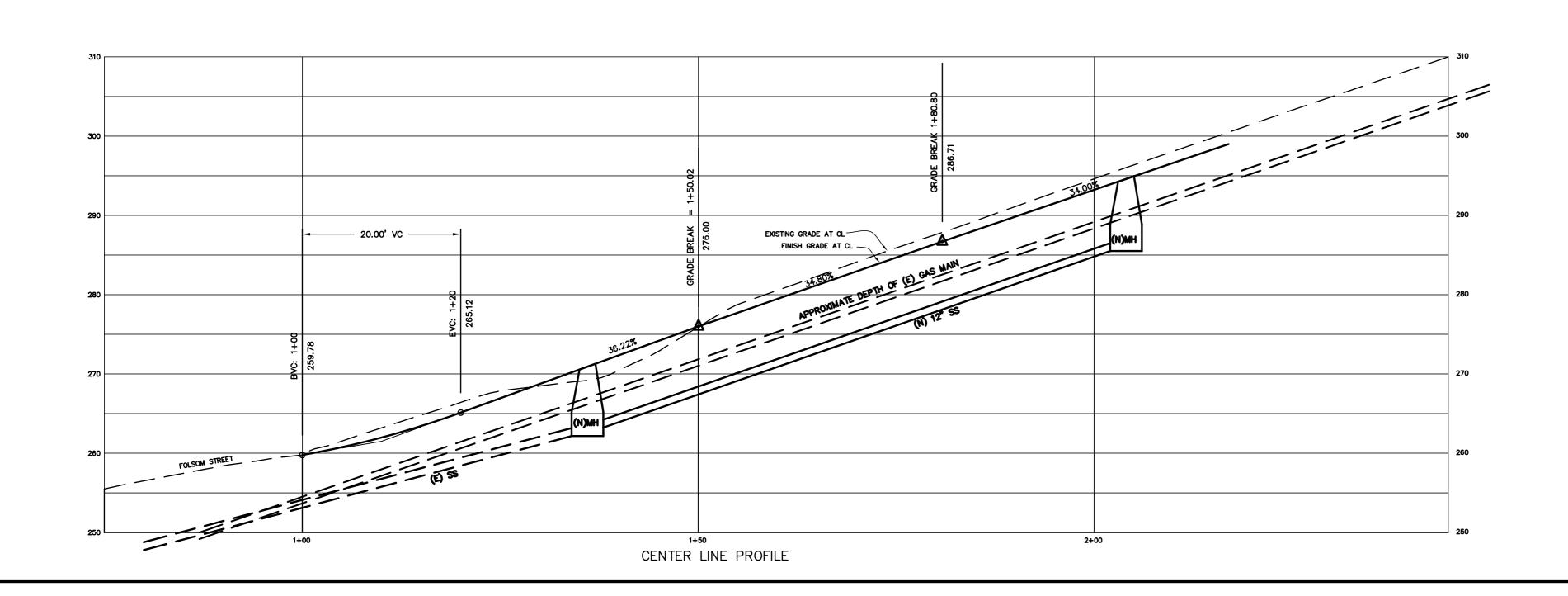
Remember Me? OYes ONO

Your Comment: (you may use HTML tags for style)

November 2009 October 2009 September 2009 August 2009 <u>July 2009</u> June 2009 <u>May 2009</u> April 2009 March 2009 February 2009 January 2009 December 2008 November 2008 October 2008 September 2008 August 2008 July 2008 June 2008 <u>May 2008</u> <u>April 2008</u> March 2008 February 2008 January 2008 December 2007 November 2007 October 2007 September 2007 August 2007 <u>July 2007</u> June 2007 <u>May 2007</u> <u>April 2007</u> March 2007 February 2007 January 2007 December 2006 November 2006 October 2006 September 2006 <u>August 2006</u> <u>July 2006</u> June 2006 <u>May 2006</u> April 2006 March 2006 February 2006 January 2006 December 2005 November 2005 October 2005 September 2005 August 2005 <u>July 2005</u> June 2005 <u>May 2005</u> February 2005





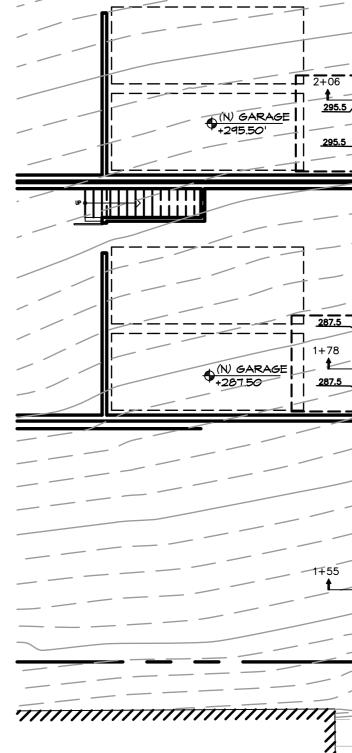




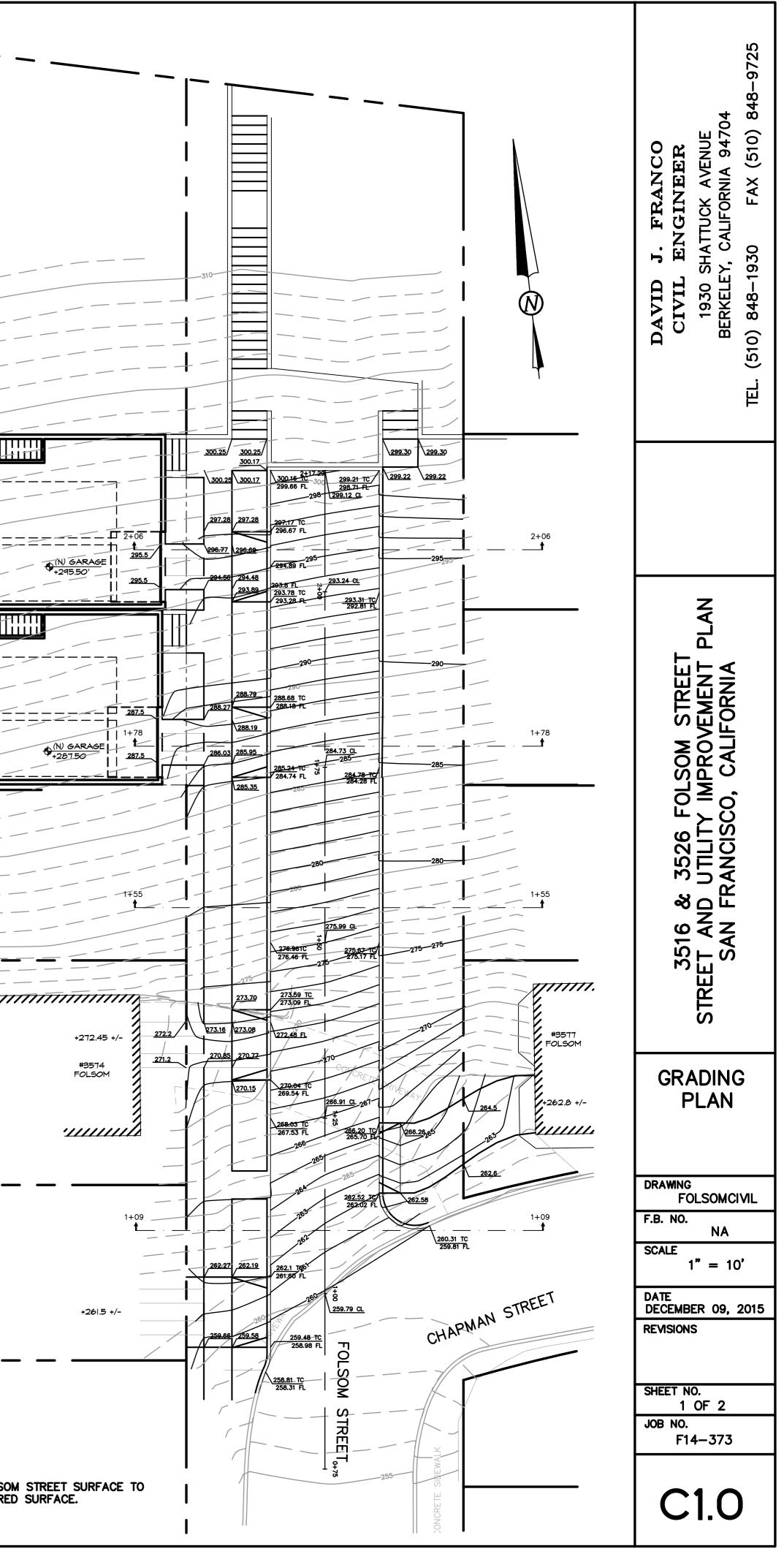
BO	BLOW OFF
BVC	BEGIN VERTICAL CURVE
CL	CENTER LINE
CO	CLEAN OUT
ELEV	ELEVATION
EVC	END VERTICAL CURVE
FL	FLOW LINE
G	GAS
GV	GAS VALVE
INV	INVERT
JT	JOINT SERVICE TRENCH
MH	MAN HOLE
STA	STATION
SS	SEWER SANITARY & STORM
TC	TOP OF CURB
VC	VERTICAL CURVE
W	WATER
WM	WATER METER
WV	WATER VALVE

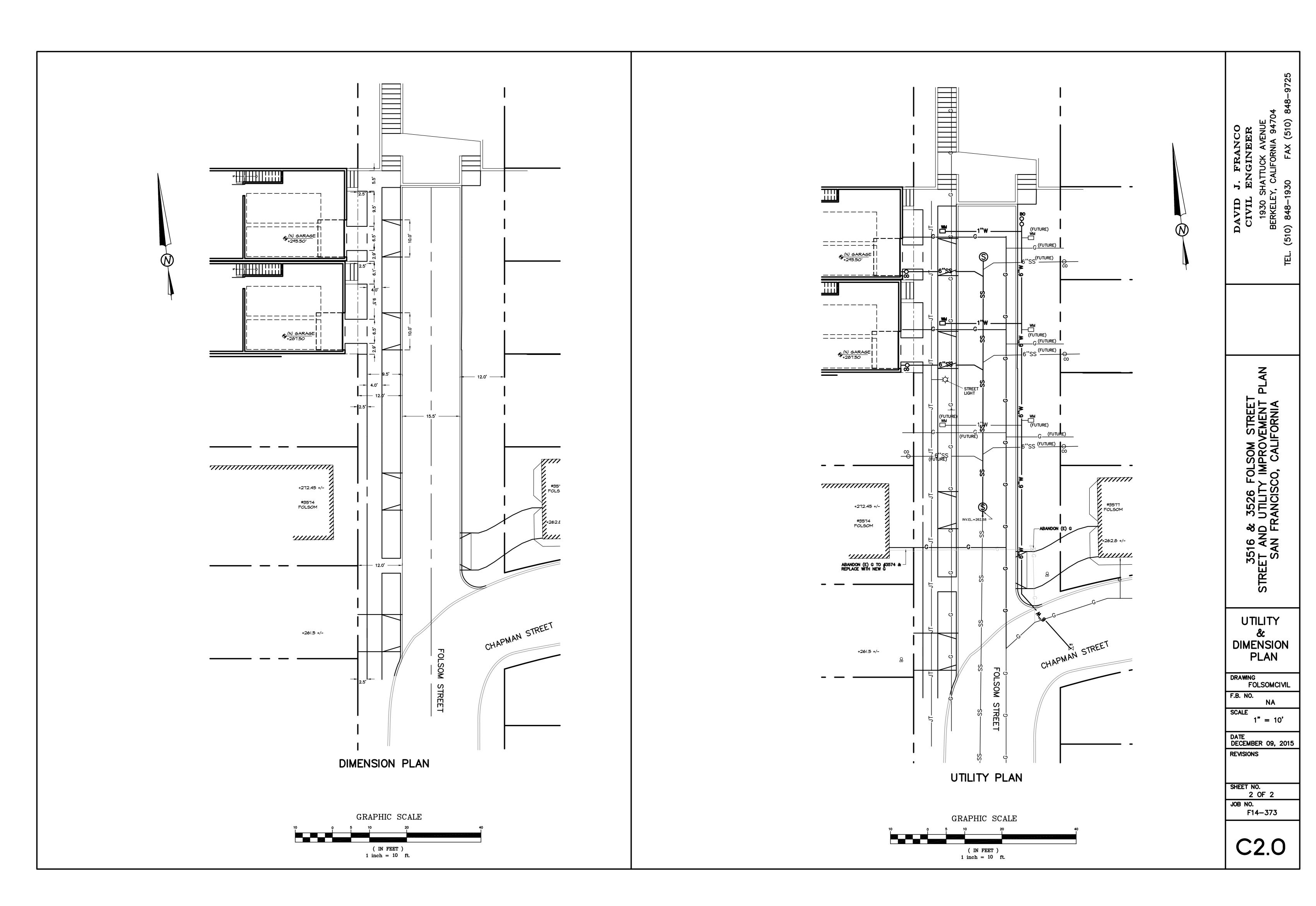
GRAPHIC SCALE

(IN FEET) 1 inch = 10 ft.



NOTE: NEW PAVING FOR FOLSOM STREET SURFACE TO BE CONCRETE WITH A TEXTURED SURFACE.





RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR-2013.1768DRP-01:

1- "proposed building is out-of-scale and not in character..."

The proposed residence fits both in scale and character to the neighborhood. Most adjacent residences are 2 story or 2 story above basement, some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street).

SF Planning Department, RDT and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,204 SF (not 2,900 SF as DR requestor states) with a Mass reduction of 735.5 SF and is smaller or similar in size to 19 of the 39 adjacent properties.

Stair Penthouse was removed from the project, a change made and presented during one of the last ESDRB meetings. The house proposes articulations in the volumes, required site setbacks were incorporated in the project and meet ESDRB guidelines.

The proposed residence will mostly be hidden by the proposed house at 3516 Folsom, which sits below Bernal Heights BLVD. Renderings were produced to show the minimal impact on the views from Bernal Heights BLVD.

2- "Steep slope, erosion":

Most of this area of Bernal Heights sits on steep slopes. The proposed Street Improvement is under review at DPW-BSM, who, along with Streets and Highways department, has already approved the proposed layout, but awaits reviews from several other departments. DPW has instructed that grading and retaining walls would not be permitted, which makes sense given the presence of PG&E pipeline 109: avoiding grading seems to be the wisest solution, though it makes for a steeper grade.

The proposed street extension will create more stability and control erosion.

The proposed 2 car garage is required by SF Planning Code Section 242(e)(4). Most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242 and do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2 car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage. The garage accessibility is limited by the maximum 10' garage door permitted by SF Planning Code.

The project sponsor and the owner have no ties or involvement of any sort to the remaining adjacent four vacant lots.

3- "Alternatives":

Requesting a reduced height when the proposed heights is similar to most adjacent properties is unfair. The project was reduced in size from 2,364 to 2,204 Gross SF, reducing the off street parking from 3 to 2, while increasing the Mass reduction from 650 SF to 735.5

SF. Partial Side Yard Setbacks were added, facades were revised in response to ESDRB's request that the houses follow the slope better. Articulations were created and various materials combined to propose what the project sponsor believes to be an attractive residence.

- 4- Project sponsor, owners and DR requestor have participated in 2 mediation meeting with the Community Board after the DR was filed.
- 5- "very unresponsive to neighborhood concerns."

Project sponsor has spent an incredible amount of time and energy to try to respond to all neighbors and ESDRB's concerns.

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR-2013.1768DRP-02:

1- The 2 car garage is required by San Francisco Planning Code Section 242(e)(4). Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage requirement. Some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street). Please note that the Square Footage provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated building records and most likely livable SF (which factors any exterior walls, undeveloped areas having more than 5' of ceiling height,) The attached list is based on old records and is not a correct apple-to-apple comparison to the proposed project, though it clearly shows that the proposed project is not at all out of scale with its adjacent neighbors.

San Francisco Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. Furthermore, Section 242(e)(3) mandates a 650 square foot reduction of usable floor area.

- 2- The proposed residence will not be any more visible than its adjacent neighbors. In regards to the garage, the proposed project requires a variance due to a conflict in the Planning Code, but the proposed project meets the parking requirements of Planning Code Section 242. The proposed driveway slopes up 14.46% on the downhill side while sloping down 19.53% on the uphill side of the driveway, not 35%. The DR requestor mistakenly assumes that a Conditional Use is being requested, which is not the case.
- 3- The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not an SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW is reviewing currently reviewing the proposed Street Improvement Permit. Project Sponsor is working with SFDPW, SFPUC, PG&E and Civil Engineers. We, of course, are equally concerned about safety. SFFD has reviewed the application and deemed the project acceptable for distance to the nearby fire hydrants and for the fact that the proposed house will be equipped with a full fire protection sprinkler system. Most of Bernal Heights is problematic for Fire Access, this house is one of the very few equipped with fire protection sprinkler system.
- 4- DR Requestor has since participated in two mediation meetings.

5- Changes made as a result of the mediation: numerous changes were made during the various meetings with the ESDRB: façade revisions, side yard setbacks, material changes, adjustments to the street improvement, reduction of the size of the house from 2,364 SF to 2,204 SF, reducing the number of required parking spaces from 3 to 2, mass reduction increased from 650 SF to 735.5 SF), and revised facades.

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR-2013.1768DRP-03:

1- "The proposed project does meet Section 242":

DR requestor presumes the residential lots as Open Space. The lots are designated residential building lots originating from the same time as all other adjacent built residential lots.

There are several streets in San Francisco which are steeper than the proposed street. DR requestor speculates on the goal of this proposed residence. We simply want to build a home which adds to the quality of a neighborhood and increases the supply of family housing in this city.

- 2- Traffic, PG&E pipeline: The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not an SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW is reviewing currently reviewing the proposed Street Improvement Permit. Project Sponsor is working with SFDPW, SFPUC, PG&E and Civil Engineers. We, of course, are equally concerned with safety.
- 3- Proposed project complies to Planning Code Section 242 and is smaller or equal in size with 19 of 39 adjacent neighboring properties.
- 4- Project Sponsor and most DR requestors participated in two Mediation Meetings since DR was filed.
- 5- There were no substantial changes required by the Planning Department or ESDRB as the proposed project was reasonably sized and designed to begin with. Nonetheless, the project, was reduced from 2,364 to 2,204 Gross SF, reducing the off street parking from 3 to 2, while increasing the Mass reduction from 650 SF to 735.5 SF. Partial Side Yard Setbacks were added, and facades were revised in response to ESDRB's request that the houses follow the slope better.

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
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Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR 2013.1768DRP-04:

- 1- <u>DR reasons:</u> DR requestor perceives the proposed residence as a Mac Mansion, but the proposed residence is 1,762 SF above ground (1,942 gross SF), 3 bedroom with 2.5 bathrooms. Project sponsor has demonstrated by shadow study that the proposed project will not impact the public gardens. Planning Department, RDT and ESDRB have reviewed the proposed project and found it to be Code complaint.
- 2- DR requestor's home is two story tall with a single car garage, which was built prior to adoption of Planning Code Section 242 and does not meet the requirements of said Code section. The proposed project is subject to more restrictive code sections and limitations. Grading of the site is no longer permitted due to the presence of Pipeline 109. Nonetheless, the proposed project complies to the Planning Code, the Residential Guidelines and with the ESDRB guidelines, despite some subjective aesthetical concerns from the ESDRB regarding the proposed North façade.
- 3- <u>Alternative changes:</u> DR requestor is suggesting changes which have already been made and reviewed by ESDRB, which has found the proposed project to conform to the ESDRB. DR requestor is mistakenly suggesting that ESDRB stated that the project should not have a garage (when in fact, a garage is required by Planning Code Section 242 and ESDR guidelines), should not have a roof deck (which is described in ESDR guidelines, page 21-22, as a possible improvement to a flat roof, along with the proposed solar panels and green roof features).
- 4- Project Sponsor and DR requestor's representative have since participated at 2 mediation meetings. The DR requestors were not present at these meetings.
- 5- <u>Discussions with Permit Applicant</u>: Because the initially proposed project was reasonably sized and designed to begin with, there was no need to make substantial changes. Planning Code Section 242 limits the possible size of a house. Nonetheless, several changes were made: the house size was reduced from 2,364 SF to 2,204 SF, reducing the parking space requirement from 3 to 20; partial side yard setbacks were added, and facades were redesigned.

DR requestor fails to mention that we privately met. During that meeting, DR requestor Markus Ryu suggested that I should "do the right thing" by selling him the lot or "understand that he will do everything he can to fight the project".

RESPONSE TO DISCRETIONARY REVIEW (DRP)



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Phone:



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Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR-2013.1768DRP-05: (Identical to DR-2013.1768DRP-06)

- 1- "Exceptional circumstances":
 - 1- The Planning Department and the ESDRB did not find that the proposed project conflicts with any of the referenced documents. DR requestor wants to keep the area as open space when these are 6 privately owned lots. We are only asking for the right to build a two story house as have done our neighbors who too at one time, enjoyed those same rights. Our lot was defined along with their lots. We respectfully request the right to build a house for our family.
 - 2- Supply of affordable housing: the DR requestor is misinterpreting this Priority Policy. What the house might be worth is supposition. We want to build a house we can finally own. We are sensitive to the price of housing in San Francisco. Both Anna and I work full time, with two kids in San Francisco public schools, and at 50 we hope to finally claim ownership of a house in San Francisco. Blocking the creation of housing suitable for families only serves to drive prices up for families, if demand exceeds available supply.
 - 3- General Plan: when working on the proposed street Layout, the Planning Department and DPW requested that we produce this document for Planning (Better Streets) for their review of the various proposed <u>street layouts</u>, to show that access to the other adjacent vacant lots would be feasible without requiring changes to the proposed road.
 - 4- Residential Guidelines: we have done our best to propose a reasonably sized and designed house. RDT did not make any comments. The Planning Department took time to thoroughly review the project over the course of 18 months, parallel to which we further delved into refining the design and answering any and all of the planning department's concerns, as well as the concerns from the ESDRB. The proposed building is similar in scale and footprint to existing neighboring homes. It complies with all current Planning Code requirements when most adjacent properties do not, as these adjacent existing homes were built prior to the adoption of these requirements.
 - 5- East Slope Design Review Guidelines: contrary to what the DR requestor is saying, the ESDRB found that the project sponsor did comply with the all of the guidelines, with the single exception of subjective interpretation which will be discussed in response to the ESDRB's DR.
 - 6- Section 242: The Planning Department has scrupulously reviewed the proposed project and found it to comply with Section 242.
- 2- <u>Unreasonable impacts:</u> I contacted the DR requestor, at the ESDRB's suggestion, asking if we could meet privately or with the 2 other concerned parties to discuss the proposed driveways The DR requestor first responded he had no interest in meeting in any other avenue than the large group meetings. I have subsequently addressed any updated or relevant information concerning the proposed road extension to Mr Peter Bekey of KCA Engineers, a consultant who has been retained as consultant by the DR Requestors' consultants. After the Mediation meetings, we recently tried to schedule a meeting with DPW, the neighbors with impacted driveways and their consultant, but DPW has requested more time as they do not have all responses from all contacted Departments. AT this point, we know DPW and "Streets and Highways" have approved the proposed street layout.
 - i. We cannot proceed until given approval for the layout from DPW.
 - ii. We cannot proceed without neighbors' approval.

- iii. We cannot discuss process, etc., unless DR requestor agrees to discuss it.
- iv. We have stated at each ESDRB meeting that we would be willing to cover the costs of the new driveways and will be happy to come to a complete agreement regarding design, costs, etc.
- v. All contractors working in San Francisco have to be properly insured. The work being done will be supervised by the Building Department and DPW.

The proposed new driveways will be an improvement over the existing non-conforming and unpermitted driveways. It should be noted that there never was any permit recorded to build DR requestor's driveway, nor was any encroachment permit been filed for the retaining wall which was erected above the Gas Pipeline.

Project sponsor has stated numerous times that he will pay for cost of Street Improvements design, permits, new driveways and sidewalks.

- 3- Future development: as stated previously, project sponsor has no involvement with or control over any of the four adjacent vacant lots.
- 4- Lack of 3D model: project sponsor has provided shadow studies and multiple 3D renderings as well as installed story-poles on site.
- 5- Neighborhood character:
- a. Overall Square Footage: SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,204 SF and is smaller or similar in size to 19 of the 39 adjacent properties.
- <u>b.</u> <u>Three Car Garages:</u> The proposed 2 car garage is required by Planning Code Section 242(e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2 car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.
- c. <u>Side Elevations:</u> The North elevation has partial setbacks, is composed of various materials, and has several windows.

- d. <u>Side Yards:</u> Despite the fact that both the Planning Department and ESDRB have scrupulously reviewed the project and found no conflict with the Planning Code, DR requestors continue to assert that the proposed project does not comply with several of the code requirements. The side yard setback requirement is not a Planning Code requirement, but an ESDRB Guideline suggestion (ESDRB Guidelines page 19). ESDRB has reviewed and accepted the proposed design as complying with the Side Yard requirements.
- e. <u>Public Safety:</u> Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109.
- <u>f.</u> <u>Roof treatments:</u> The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. Roof treatments are following ESDRB guidelines.
- g. <u>Safety of Main Trunk Transmission Line (109)</u>: Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109.
- <u>6-</u><u>Alternatives or changes to the project:</u> Proposed project is indeed 2 story (over basement), like most of the adjacent residences. The square footage is smaller or similar to 19 of the 39 adjacent residences.
- <u>7-</u> <u>Changes made as a result of mediation:</u> The proposed project had been found to comply with SF Planning Code section 242. Some changes were made to comply with ESDRB Guidelines.

Numerous changes were done: project was reduced from 2,364 SF to 2,204 SF, reducing the 3 car garage down to a 2 car garage. Side setbacks were added, Mass reduction increased from 650 SF to 735.5 SF, facades were redesigned, etc.

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

Phone:



SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR-2013.1768DRP-06: (Identical to DR-2013.1768DRP-05)

- 1- "Exceptional circumstances":
 - 1- The Planning Department and the ESDRB did not find that the proposed project conflicts with any of the referenced documents. DR requestor wants to keep the area as open space when these are 6 privately owned lots. We are only asking for the right to build a two story house as have done our neighbors who too at one time, enjoyed those same rights. Our lot was defined along with their lots. We respectfully request the right to build a house for our family.
 - 2- Supply of affordable housing: the DR requestor is misinterpreting this Priority Policy. What the house might be worth is supposition. We want to build a house we can finally own. We are sensitive to the price of housing in San Francisco. Both Anna and I work full time, with two kids in San Francisco public schools, and at 50 we hope to finally claim ownership of a house in San Francisco. Blocking the creation of housing suitable for families only serves to drive prices up for families, if demand exceeds available supply.
 - 3- General Plan: when working on the proposed street Layout, the Planning Department and DPW requested that we produce this document for Planning (Better Streets) for their review of the various proposed <u>street layouts</u>, to show that access to the other adjacent vacant lots would be feasible without requiring changes to the proposed road.
 - 4- Residential Guidelines: we have done our best to propose a reasonably sized and designed house. RDT did not make any comments. The Planning Department took time to thoroughly review the project over the course of 18 months, parallel to which we further delved into refining the design and answering any and all of the planning department's concerns, as well as the concerns from the ESDRB. The proposed building is similar in scale and footprint to existing neighboring homes. It complies with all current Planning Code requirements when most adjacent properties do not, as these adjacent existing homes were built prior to the adoption of these requirements.
 - 5- East Slope Design Review Guidelines: contrary to what the DR requestor is saying, the ESDRB found that the project sponsor did comply with the all of the guidelines, with the single exception of subjective interpretation which will be discussed in response to the ESDRB's DR.
 - 6- Section 242: The Planning Department has scrupulously reviewed the proposed project and found it to comply with Section 242.
- 2- <u>Unreasonable impacts:</u> I contacted the DR requestor, at the ESDRB's suggestion, asking if we could meet privately or with the 2 other concerned parties to discuss the proposed driveways The DR requestor first responded he had no interest in meeting in any other avenue than the large group meetings. I have subsequently addressed any updated or relevant information concerning the proposed road extension to Mr Peter Bekey of KCA Engineers, a consultant who has been retained as consultant by the DR Requestors' consultants. After the Mediation meetings, we recently tried to schedule a meeting with DPW, the neighbors with impacted driveways and their consultant, but DPW has requested more time as they do not have all responses from all contacted Departments. AT this point, we know DPW and "Streets and Highways" have approved the proposed street layout.
 - i. We cannot proceed until given approval for the layout from DPW.
 - ii. We cannot proceed without neighbors' approval.

- iii. We cannot discuss process, etc., unless DR requestor agrees to discuss it.
- iv. We have stated at each ESDRB meeting that we would be willing to cover the costs of the new driveways and will be happy to come to a complete agreement regarding design, costs, etc.
- v. All contractors working in San Francisco have to be properly insured. The work being done will be supervised by the Building Department and DPW.

The proposed new driveways will be an improvement over the existing non-conforming and unpermitted driveways. It should be noted that there never was any permit recorded to build DR requestor's driveway, nor was any encroachment permit been filed for the retaining wall which was erected above the Gas Pipeline.

Project sponsor has stated numerous times that he will pay for cost of Street Improvements design, permits, new driveways and sidewalks.

- 3- Future development: as stated previously, project sponsor has no involvement with or control over any of the four adjacent vacant lots.
- 4- Lack of 3D model: project sponsor has provided shadow studies and multiple 3D renderings as well as installed story-poles on site.
- 5- Neighborhood character:
- a. Overall Square Footage: SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,204 SF and is smaller or similar in size to 19 of the 39 adjacent properties.
- <u>b.</u> <u>Three Car Garages:</u> The proposed 2 car garage is required by Planning Code Section 242(e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2 car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.
- c. <u>Side Elevations:</u> The North elevation has partial setbacks, is composed of various materials, and has several windows.

- d. <u>Side Yards:</u> Despite the fact that both the Planning Department and ESDRB have scrupulously reviewed the project and found no conflict with the Planning Code, DR requestors continue to assert that the proposed project does not comply with several of the code requirements. The side yard setback requirement is not a Planning Code requirement, but an ESDRB Guideline suggestion (ESDRB Guidelines page 19). ESDRB has reviewed and accepted the proposed design as complying with the Side Yard requirements.
- e. <u>Public Safety:</u> Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109.
- <u>f.</u> <u>Roof treatments:</u> The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. Roof treatments are following ESDRB guidelines.
- g. <u>Safety of Main Trunk Transmission Line (109)</u>: Project Sponsor is working on Street Improvement permit, which will have all recommendations on how to approach, protect Line 109.
- <u>6-</u><u>Alternatives or changes to the project:</u> Proposed project is indeed 2 story (over basement), like most of the adjacent residences. The square footage is smaller or similar to 19 of the 39 adjacent residences.
- <u>7-</u> <u>Changes made as a result of mediation:</u> The proposed project had been found to comply with SF Planning Code section 242. Some changes were made to comply with ESDRB Guidelines.

Numerous changes were done: project was reduced from 2,364 SF to 2,204 SF, reducing the 3 car garage down to a 2 car garage. Side setbacks were added, Mass reduction increased from 650 SF to 735.5 SF, facades were redesigned, etc.

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

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Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR-2013.1768DRP-07:

1- "exceptionally and extraordinarily out-of-scale-for-the-neighborhood 3-story 3-car garage w/ penthouse stairwell

Correction: The proposed residence is a 2 story over basement with a 2 car garage. The 2 car garage is required by San Francisco Planning Code Section 242(e)(4). Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage requirement. Some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street). Please note that the Square Footage provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated building records and is not a correct apple-to-apple comparison to the proposed project, though it clearly shows that the proposed project is not at all out of scale with its adjacent neighbors.

SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,204 SF and is smaller or similar in size to 19 of the 39 adjacent properties.

2- "Side Yard setback does not respect existing pattern":

- a. Block 5626 is composed of 16 lots. Three lots (including 3516 and 3526 Folsom) are undeveloped. Out of the 13 built lots, only 4 of the existing houses have side yards, the other 9 have <u>no</u> side yard. The proposed project conforms to the ESDR Guidelines side yard requirements. Nine of the adjacent properties <u>do not</u> comply.
- b. Block 5627 is composed of 14 lots. Four lots are currently undeveloped. The 10 existing houses are built from property line to property line and have <u>no</u> side yards.
- c. The proposed Side Yard setback has been accepted by ESDRB and RDT as complying to the ESDR Guidelines.

3- "Three-Car garage with tandem parking":

The proposed 2 car garage is required by Planning Code Section 242(e)(4). Most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242 and do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2 car, side-by-side, independently accessible garage; over 2,251 SF, each house would be required to have a 3 car garage.

4- "Wall-like exterior of North elevation" and "public views impeded by penthouse stairwell": Correction: The North elevation has partial setbacks, is composed of various materials, and has several windows.

Correction: The proposed Penthouse stairwell was <u>removed</u> from the project prior to ESDRB's last meeting.

5- "Aging PG&E Pipeline": The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not an SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW Street Improvement Permit Review is reviewing PG&E issues. Project Sponsor is working with SFDPW, PG&E and Civil Engineers. We, of course, are equally concerned with safety.

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Zip Code:

Phone:



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Project Information

Property Address:

Building Permit Application(s):

Record Number:

Project Sponsor

Name:

Email:

Required Questions

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

Assigned Planner:

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

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

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	0	1
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street - RESPONSES TO DR-2013.1768DRP-08:

1- "3 Story / 3 Car garage is out of scale to predominantly 2 story / single car garage homes":

Correction: The proposed residence is a 2 story over basement with a 2 car garage. The 2 car garage is required by San Francisco Planning Code Section 242(e)(4). Most adjacent houses were built prior to the adoption of Planning Code Section 242 and do not comply with its parking requirements. The proposed project has a full below-grade basement, employing the topography of the site to encompass the required 2 car garage requirement. Some of the adjacent houses <u>are</u> three stories (see addresses 66, 70, 74, 83 and 87 Banks Street), some are 3 story over basement (see address 405 Chapman Street). Please note that the Square Footage provided as opponent's evidence for the adjacent houses sizes is unverified, based on outdated building records and is not a correct apple-to-apple comparison to the proposed project, though it clearly shows that the proposed project is not at all out of scale with its adjacent neighbors.

SF Planning Department and ESDRB reviewed the project and concurred that the project complies with <u>all</u> requirements. Both Planning Code Section 242 and ESDRB Guidelines make it impossible to create an out of scale building since no part of the building may be taller than 30' above adjacent grade, which limits the building height on a steep lot. And Section 242(e)(3) mandates a 650 square foot reduction of usable floor area. The proposed house is 2,204.8 SF and is smaller or similar in size to 19 of the 39 adjacent properties.

2- "An aging, major PG&E Gas Transmission Pipeline":

The PG&E Pipeline was installed in 1981, and is continuously monitored by PG&E. This pipeline runs along the entire length of Folsom Street on the South Slope of Bernal. The proposed project will require exploration of the pipeline and further assessment of its current condition. The Pipeline issues will be addressed under the Street Improvement permit and are not an SF Planning issue. During one of the ESDRB meetings, a PG&E representative was present to answer all questions. DPW is reviewing currently reviewing the proposed Street Improvement Permit. Project Sponsor is working with SFDPW, SFPUC, PG&E and Civil Engineers. We, of course, are equally concerned about safety.

3- "Unusual Context":

The DR requestor inaccurately states the 6 undeveloped lots to be Open Space. These lots were laid out with all other adjacent built lots at the same time and have continuously been zoned for residential use. The proposed project does not impact the views from the Park: shadow studies were prepared and provided, demonstrating no shadow impact on the Public Garden. Special attention is given to the roof of the proposed project, specifically following ESDRB guidelines. The proposed roof sits <u>below</u> Bernal Blvd sidewalk elevation. Green roof-planted areas are proposed to maximize positive presence, providing a visual continuum of natural planting. The roofs of neighboring existing houses are devoid of vegetation, and most of them do not comply with the ESDRB guidelines.

4- "Three-car garage is out of character":

The proposed 2 car garage is required by Planning Code Section 242(e)(4). If the proposed garage is "out of character", it is because most adjacent houses were built <u>prior</u> to the implementation of Planning Code Section 242. Adjacent houses do not comply with this section of the code. In order to comply, each house over 1,300 Gross SF would be required to have a 2

car, side-by-side, independently accessible garage; over 2,251 SF, each house would be 46130002/561600v3 46130002/570925v2

required to have a 3 car garage.

5- "Changes made to project as result of mediation":

The proposed project had been found to comply with SF Planning Code section 242. Some changes were made to comply with ESDRB Guidelines.

Numerous changes were done: project was reduced from 2,364 SF to 2,204 SF, reducing the 3 car garage down to a 2 car garage. Side setbacks were added, Mass reduction increased from 650 SF to 735.5 SF, facades were redesigned, etc.

Project Sponsor is working with all City Agencies involved in DPW Street Improvement permit and will keep on working with neighbors whose driveways will be affected to reach an acceptable agreement. DPW and Streets and Highways Department have already approved the proposed Street Improvement design. We are currently working with SFPUC, PG&E and Recology to design utilities.

RESPONSE TO DISCRETIONARY REVIEW (DRP)



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Parking Spaces (Off-Street)	0	2
Bedrooms	0	3
Height	0	26'-3"
Building Depth	0	42'-6"
Rental Value (monthly)	0	\$6,000
Property Value	\$500,000	\$2,000,000

I attest that the above information is true to the best of my knowledge.

Signature:	3/17/2016 Date:
Printed Name: James Fogarty	Property OwnerAuthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1

3526 FOLSOM Street – Responses to DR-2013.1768DRP-09:

<u>1-</u> <u>Underdeveloped South and East Façades:</u> At the suggestion of ESDRB, the proposed South Façade was revised, animated by side setbacks and various material changes. Windows were added, nice materials selected. South Elevation is likely to get obstructed by future residence on downhill vacant lot. Given the animosity of the neighbors and the difficulty to discuss the project, project sponsor suggested meet privately with ESDRB to discuss solutions which would make the project as fully acceptable to the ESDRB, but ESDRB members indicated lack of interest in finding solutions that would lead to fully supporting the project. The project meets all objective ESDRB requirements and comments such as "the façade remains largely underdeveloped and uncomposed" and "where there are opportunities for windows" when windows were added where Building Code permits them, seem highly subjective.

Project Sponsor proposed to hire Artist Mona Caron to create a mural (see: http://www.monacaron.com/weeds/dandelion-mendrisio)

- 2- ESDRB describes the proposed project as a "box", though project sponsor has followed all ESDRB guidelines and created numerous setbacks, changes in materials and added visual interest. Planning and RDT reviewed ESDRB comments prior to finding the proposed project conforms and is acceptable for 311 Notification.
- 3- ESDRB member Terry Milne is asking for more windows to be located directly below a public sidewalk, which would have an unreasonable impact on the privacy of the bedrooms. The proposed South Façade is more animated. Project sponsor would entertain art work to add visual interest, but adding windows is an unfair request which would unfairly impact our privacy as a residence will likely be proposed on the downhill vacant lot.
- 4- Members of the ESDRB did not participate at either Mediation Meetings.
- 5- Numerous changes were done in response to ESDRB comments: proposed house size was reduced from 2,364 SF to 2,204 SF, reducing the parking requirement from 3 to 2 parking spaces, mass reduction areas were increased from 650 SF to 735.5 SF, facades were redesigned to incorporate setbacks, Side setbacks were added. Project sponsor tried to continue discussion with ESDRB outside of the Community meetings, which were not conductive to constructive discussions, but ESDRB did not show any interest in exploring further revisions.

Project sponsor remains open to working directly with ESDRB members willing to meet to find reasonable and acceptable solutions.

Re: [Contact Mona] Mural in San Francisco

From:	Mona Caron <mona.caron@gmail.com></mona.caron@gmail.com>	
То:	Fabien Lannoye <fabien@bluorange.com></fabien@bluorange.com>	
Priority:	Normal	
Date	11-04-2015 02:47 PM	

Ok so,

there is a certain flexibility on price which depends on complexity of the image. to give you a fast number, I'm only giving you a ballpark of my fee for the artwork itself, which does not include scaffold or boom lift ect.

I think that the smartest thing would be to time it so I can paint using the same scaffold your workers will use to actually stucco/paint the wall, if they allow it.

having said that, here are 3 main levels of scope:

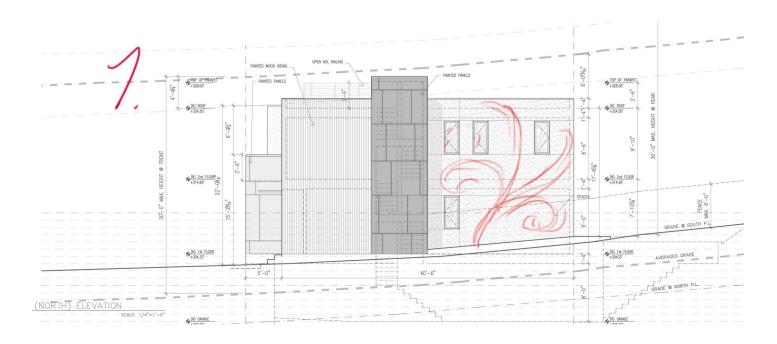
1. contained within stucco wall -9-18K depending greatly on complexity, less on size

2. larger. Spill over into side wall of stairway and maybe a little beyond, wrapping corner – 17-22K

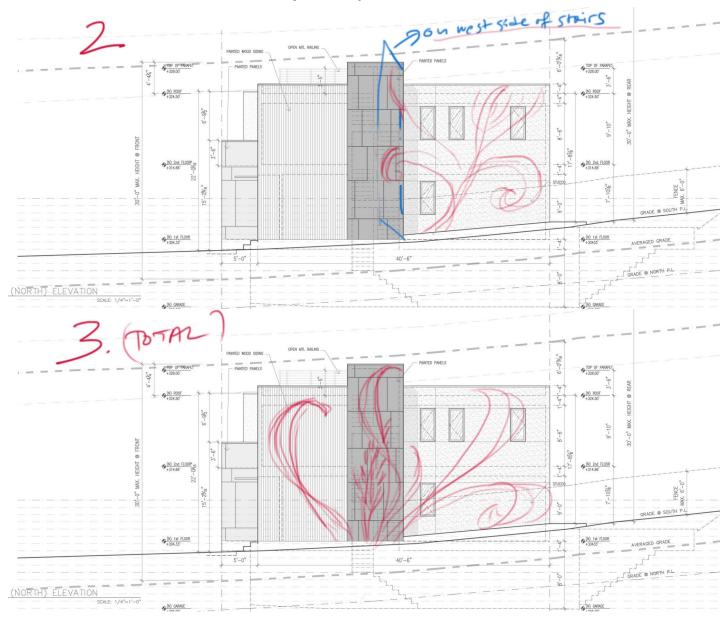
3. "Total". ;-) wrapping entire north side, very large scale - 25-30K

let me know what you think

Mona



Re: [Contact Mona] Mural in San Francisco



www.monacaron.com facebook.com/mona.caron.artist

On Nov 4, 2015, at 10:20 AM, Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Thanks Mona.

Fabien

On November 4, 2015 at 12:41 PM Mona Caron <<u>mona.caron@gmail.com</u>> wrote:

great! this helps! Hold on I'll get back to you shortly www.monacaron.com facebook.com/mona.caron.artist

On Nov 4, 2015, at 9:38 AM, Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Mona.

There are three sections on the North elevation. I am thinking that the Stucco section would be the easiest, see attached drawing.

The left side being painted wood siding might not work as well, though it could. The stair section would be some painted panels, could also work.

There could be one on each section?

All depending on your suggestions...

Anna (my wife) and I really like your weeds, dandelions, artichokes...

Let me know what you think.

Thank you,

Fabien

On November 4, 2015 at 11:56 AM Mona Caron < mona.caron@gmail.com > wrote:

Hi, sorry for the delay,

I'm looking at the north elevation drawings, and would you be open to a mural that reaches across the various parts of it, or would it be have to be contained within one of sections? (I see a painted wood siding section, a panel section, then a stucco section...)?

Mona 415-255-8488

www.monacaron.com facebook.com/mona.caron.artist

On Nov 4, 2015, at 8:21 AM, Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Mona,

Did you get my e-mail? Could you give me a ball park figure? Not asking you for a bit, just a rough estimate so I can see if I can afford your services?

Thank you for letting me know.

Best,

Fabien

On October 30, 2015 at 10:08 PM Fabien Lannoye <<u>fabien@bluorange.com</u>> wrote:

Mona,

You are correct, the house is not built yet, it might take another 18 to 24 months... I am patient.

The house would be built at 3516 Folsom Street, just below the public garden on Bernal Heights Blvd.

Take a look at the attached renderings and drawings.

l like the idea of a mural of a few plants/weeds on the North wall.

Please take a look and let me know your thoughts.

Thank you,

Fabien

On October 30, 2015 at 9:46 PM Mona Caron <mona.caron@gmail.com> wrote:

Nice, thanks for reaching out!

yes, if you could send me drawings that would help, and also the exact street address so I can check out the visual context on Google street view (the house doesn't exist yet, from what I understand?)

thanks! Mona

Mona Caron 3452 16th Street, Apt. 103 San Francisco, CA 94114 USA

+1 (415) 255-8488

mona@monacaron.com

www.monacaron.com Facebook.com/mona.caron.artist

On Oct 30, 2015, at 6:43 PM, <u>fabien@bluorange.com</u> wrote:
Fabien Lannoye (<u>fabien@bluorange.com</u>) sent a message using the contact form
at http://www.monacaron.com/contact.
Mona,
We have been admiring your murals in San Francisco and just came across
an article on Bernalwood, about a recent mural you did in Bernal.
We are working on the plans of a ground up house to be built in Bernal. The house would have a mostly blind wall facing North to Bernal Heights Blvd and
could use a beautiful mural. Could you give us an idea of what you would charge for a mural?
If you e-mail me, I can e-mail you some drawings and renderings to give you a
better idea of the scale of the project. The wall would be two story tall, nothing crazy
Looking forward to hear from you.
Best,
Fabien

<3516-FOLSOM-NORHT-ELEV-MURAL.pdf>

1.jpg	Content-Type: image/jpcg; x-unix-modc=0644 Size: 521.33 KB	
2.jpg	Content-Type: image/jpeg; x-unix-mode=0644 Size: 542.74 KB	
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- Jpg	Size: 537.77 KB	

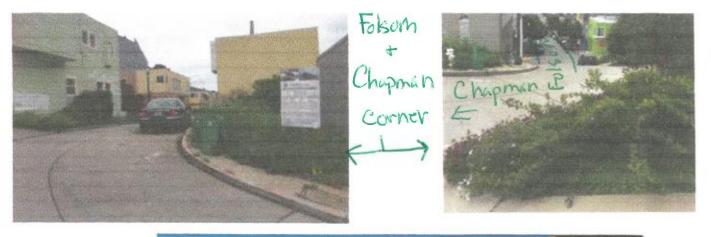
To: Rich Sucre (cc: Mr. Jonas, Commission Secretary)

San Francisco Planning Department

Re: 3516 Folsom 2013.1383 3526 Folsom 2013.1768

Discretionary Review attachments: Photos

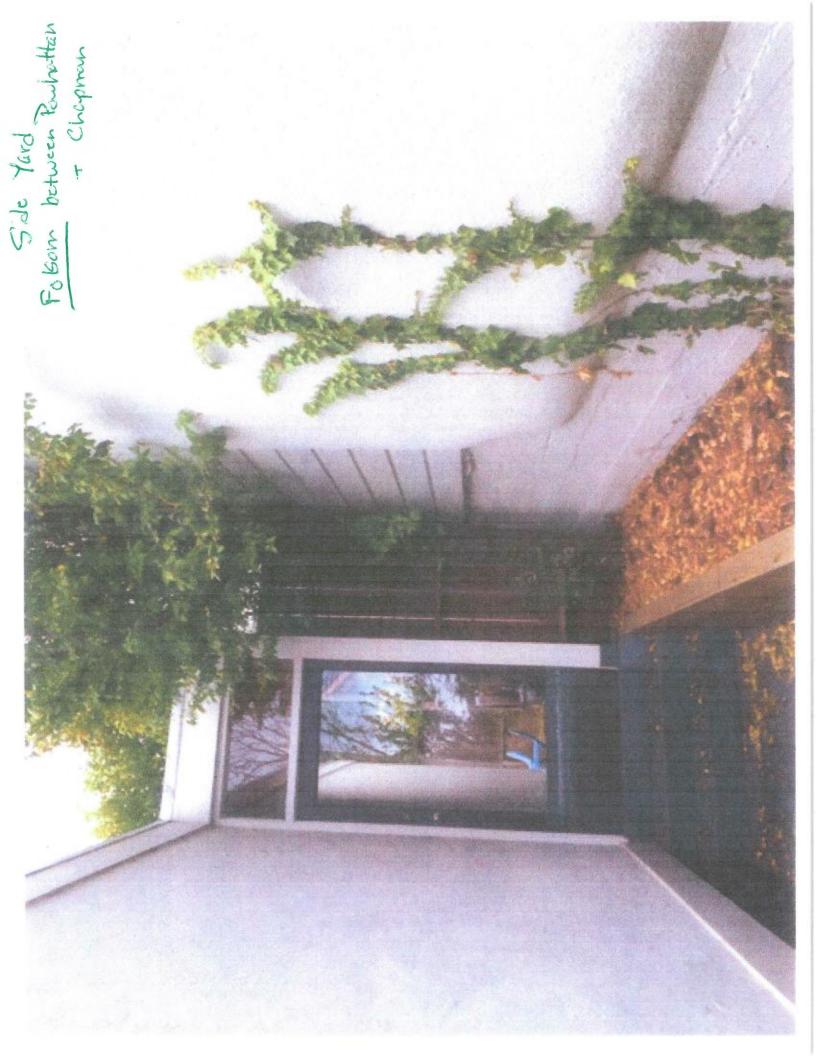
From: Gail Newman, Herb Felsenfeld 3574 Folsom St. San Francisco, CA 94110 <u>g-newman@comcast.net</u> (415) 285-7636

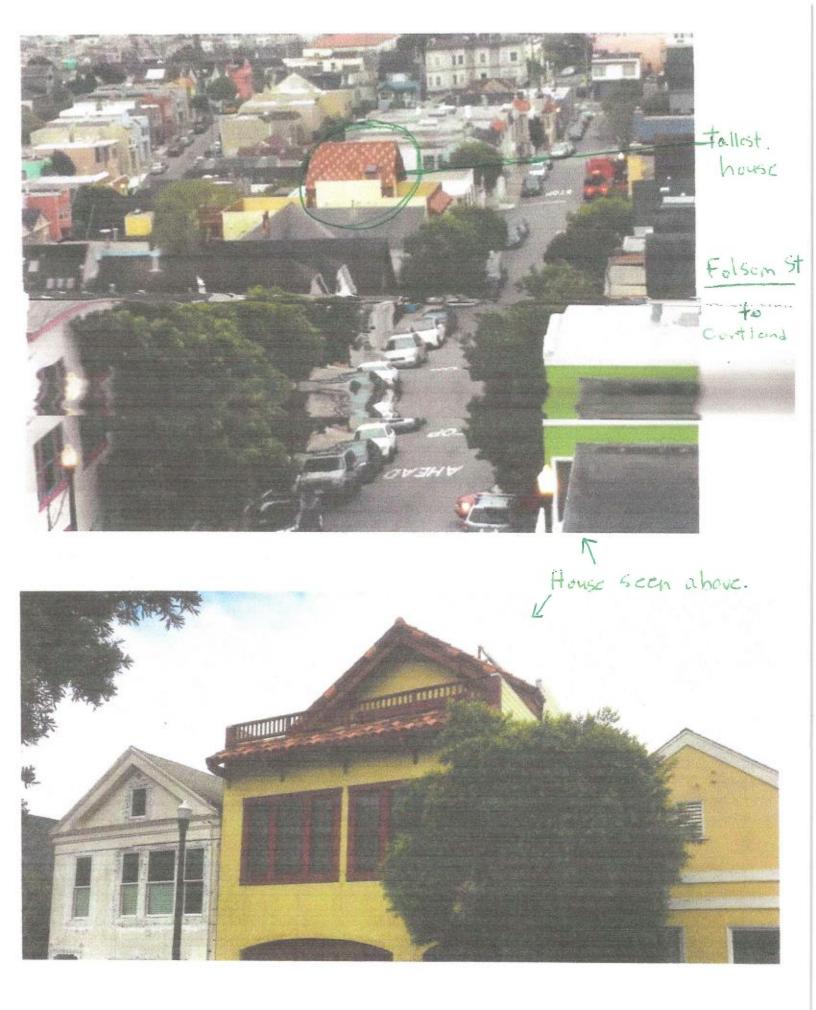




Driveway at 3574 Folsom St











Sucre, Richard (CPC)

From:	Linda Ramey <lindaramey5@gmail.com></lindaramey5@gmail.com>
Sent:	Tuesday, March 22, 2016 3:30 PM
То:	Sucre, Richard (CPC)
Subject:	House next to mine at 71 Gates
Attachments:	DSCN0706.JPG; ATT00001.txt; DSCN0703.JPG; ATT00002.txt

This three story house looms above all of the one story houses next to it. It was built around 1980. The neighbors had met with the builder and thought he was working with them. They were totally shocked at the final building and still feel betrayed. I am dismayed every time I drive up Gates St. and see it looming above all of the other houses. So out of character with the neighborhood, as Mr. Lannoye's designs would also be.





Sucre, Richard (CPC)

From:Linda Ramey <lindaramey5@gmail.com>Sent:Tuesday, March 22, 2016 3:37 PMTo:Sucre, Richard (CPC)Subject:House just beyond the Community GardenAttachments:DSCN0697.JPG; ATT00001.txt

An example of massive, wall-like design that destroys the view from the hill. The other photo shows the view from the hill close to our houses as it currently exists. Mr. Lannoye's massive, bulky design as seen from the park and Bernal Blvd. has the same potential to destroy the view of the valley which is enjoyed by hundreds of park visitors every day,



Sucre, Richard (CPC)

From:	Linda Ramey <lindaramey5@gmail.com></lindaramey5@gmail.com>
Sent:	Tuesday, March 22, 2016 3:39 PM
То:	Sucre, Richard (CPC)
Subject:	View from Bernal Blvd.
Attachments:	DSCN0699.JPG; ATT00001.txt; DSCN0700.JPG; ATT00002.txt

Whoops!! These photos got left off my last email.







March 6, 2016

Mr. Rich Sucre, Staff Planner San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103 RE: 3526 + 3516 Folsom Street Block/Lot # 5626/013 + 014 Discretionary Review

Dear Mr. Sucre and Members of the Planning Commission,

The Bernal Heights East Slope Design Review Board requests that you disapprove the permit applications for two new homes on Folsom Street between Chapman and Bernal Heights Boulevard. The proposals are not consistent with the Bernal Heights East Slope Building Guidelines, and since these homes would occupy two of six currently undeveloped lots on this block, they would establish an undesirable precedent for future development that seems likely to follow.

The Board does not make this request lightly; in fact, we cannot recall the last time we requested Discretionary Review of a project within our area of jurisdiction. Since 1986, when the Guidelines developed by neighborhood residents were accepted by the Planning Commission, we have brought together neighbors and project sponsors to discuss projects and encourage development that is consistent with the unique character of our area. Our process has resulted in the constructive refinement of numerous projects over the years, has contributed to preserving and enhancing the special qualities of our neighborhood, and has been valued by Planning Department staff.

Beginning in December 2013, the Board held five meetings with neighbors and the project sponsor for the two Folsom Street homes. After each meeting we wrote a letter detailing aspects of the projects that we believed were not compliant with the Guidelines. Some refinements were made in response to the comments, though there were significant concerns that remained unaddressed as we wrote our fifth and final letter in April 2015.

Specifically, the Guidelines discourage the "maximum building envelope shoebox" and outline preferred massing and design strategies based on existing neighborhood character. Below we summarize these strategies, provide applicable diagrams from the Guidelines, and demonstrate ways in which the two Folsom Street projects do not comply.

1. Relate to site topography by stepping down with hillsides:

- Guidelines: Stepping massing down the slope avoids visually dominating surroundings and promotes harmony between new and older buildings. *See Figure 1A from Guidelines.*
- 3526 + 3516 Folsom: Each building has flat roofs and boxy forms that do not acknowledge the steep cross slope in a meaningful way. This massing, in combination with the extremely steep slope, will result in buildings that loom over their surroundings. *See Figure 1B from Building Permit Application*.

- 2. Incorporate side yards to break up the solid wall effect on the street:
 - Guidelines: A three or four foot wide side yard on one side of each lot creates visual relief between buildings, reduces building bulk, and provides increased opportunity for architectural articulation. The side yard does not have to be completely open, but should have three of five open zones. *See Figures 2A and 2C from Guidelines*.
 - 3526 + 3516 Folsom: While neither home proposes a through sideyard that would provide full visual separation between the buildings, and neither design uses the sideyard to effectively increase articulation and visual interest, the sideyard zones at 3516 Folsom comply. The sideyards at 3526 do not. The end result would be a solid wall effect on Folsom Street. *See Figures 2B, 2D and 2E from Building Permit Application*.
- 3. <u>Use façade elements to break up massing, provide three-dimensional interest and give scale</u> <u>and texture</u>:
 - Guidelines: Varying architectural elements such as bays, recesses, terraces, entry porches, roof forms, etc. further break up building mass, enrich designs, and relate new construction to the historic scale and texture of the neighborhood. Thoughtfully detailed buildings in a contemporary style can add to rather than detract from local character. *See Figure 3A from Guidelines.*
 - 3526 + 3516 Folsom: The primary façades fronting Folsom Street, the south façade facing Chapman (for 3526 Folsom), and the north façade facing Bernal Heights Boulevard (for 3516 Folsom) will be visually prominent in the neighborhood. These façades are under-developed and uncomposed, lacking thoughtful detail, and very similar to one another. The façade facing the Boulevard, in particular, seems neither to take advantage of the view to the hill for the resident, nor to offer passersby anything more interesting than a series of flat planes with a few randomly placed, identical windows. *See Figures 1B, 3B and 3C*.

All of these comments were conveyed repeatedly to the project sponsor in our series of meetings and letters, and have remained unaddressed. The nature of these two building sites (currently undeveloped and adjacent to four more undeveloped sites), and their unique surroundings (a community garden, and City open space along the Boulevard and on the hill) merit sensitive and thoughtful design solutions. The Board is not against development on these sites. But we cannot support development that disregards the special character of our neighborhood, and the Guidelines that were developed to protect and enhance it.

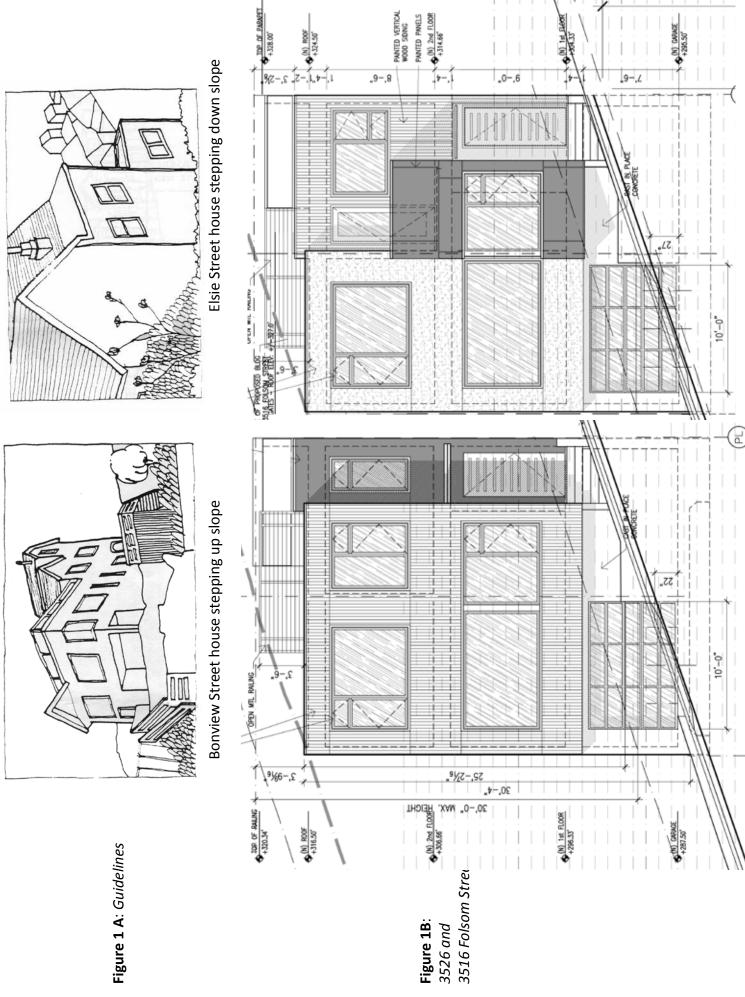
Finally, we have included a few images of recent projects reviewed and supported by the Board, which we feel successfully addressed the issues enumerated in this letter. *See Figures 4A, 4B and 4C.*

We respectfully request that you disapprove the permit applications for these two new homes as currently designed and mandate alterations.

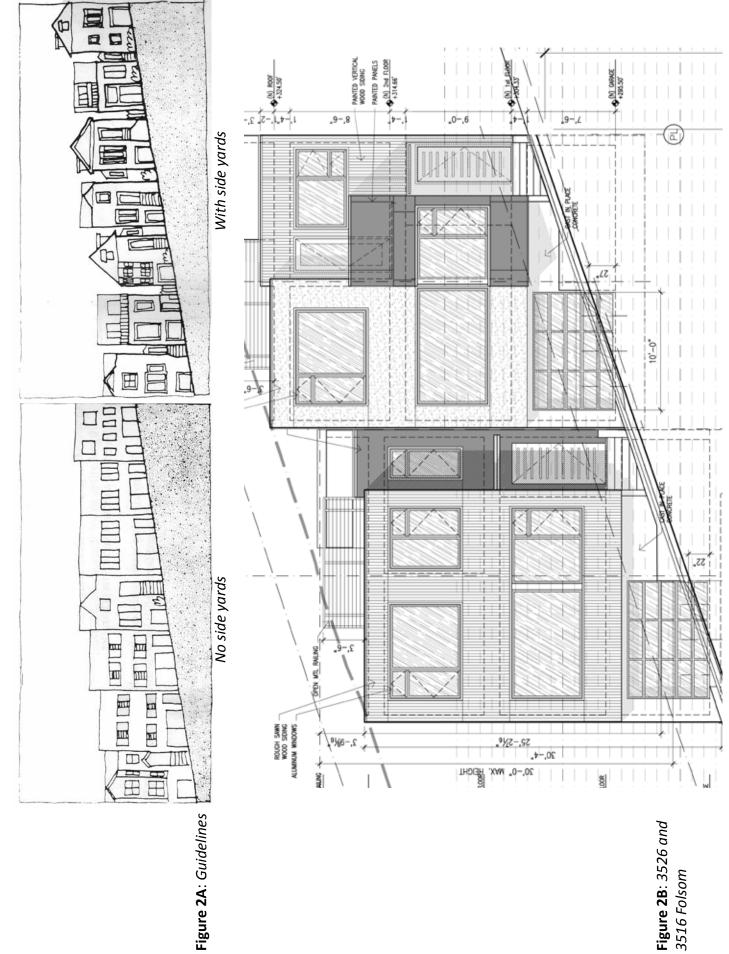
Cordially,

hendy cowles

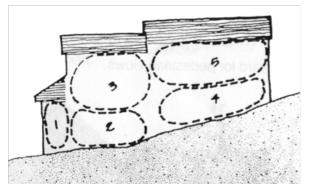
Wendy Cowles, Chair On Behalf of the Bernal Heights ESDRB

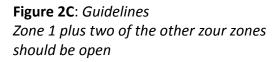


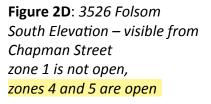
1. Relate to site topography by stepping down with hillsides:



2. Incorporate side yards to break up the solid wall effect on the street (continued)









3. <u>Use façade elements to break up massing, provide three-dimensional interest and give scale and texture.</u>

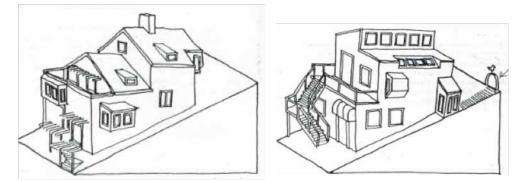


Figure 3A: Guidelines

Figure 3B: 3526 Folsom

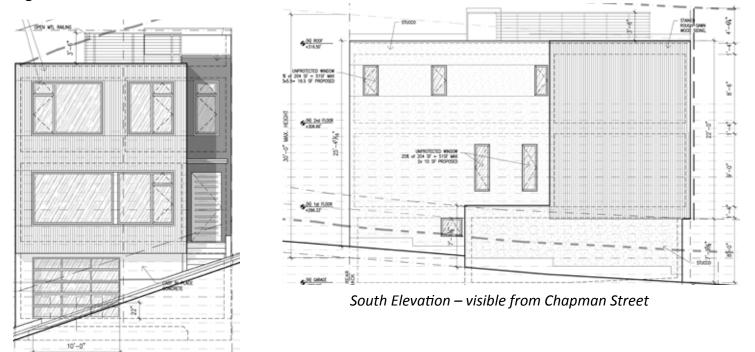
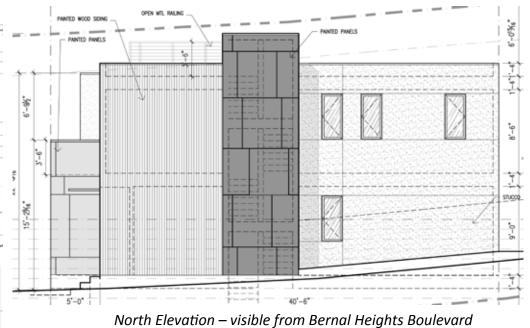


Figure 3C: 3516 Folsom





4. <u>Recent projects which have successfully addressed Guideline issues enumerated:</u>



Figure 4A: 83 and 87 Banks



Figure 4B: 179, 185 and 187 Ripley



Figure 4C: 171 Ripley and 3407 Folsom viewed from adjacent public open space

Raffi Momjian 347 Mullen Avenue San Francisco, CA 94110 (415) 664-4334

March 23, 2016

President Rodney Fong & Planning Commission Members San Francisco Planning Department 1650 Mission Street, #400 San Francisco, CA 94103

Dear President Fong and Members of the Planning Commission:

I am writing in support of the proposed residences of Fabien Lannoye and Anna Limkin at 3516 Folsom Street and James and Patricia Fogarty at 3526 Folsom Street.

My wife and I purchased our current home in Bernal Heights from Fabien and Anna back in 2013 and still love it as much as, if not more than, when we first saw it and decided to make it our home for us and our two children. In addition to this, Fabien and Anna have since also became our very good friends.

We have followed Fabien's and Anna's attempt to move back into Bernal Heights and are very concerned with the unwarranted resistance they are experiencing by a few vocal residents. It seems once again a few individuals in our great and usually open and accepting neighborhood have hijacked the planning process based on their own personal and biased motives. As I recently learned, some of the most adamant and vocal opposition is actually being raised by residents that do not live anywhere close to the proposed constructions sights and are very unlikely to be impacted in any way by Fabien and Anna nor by Mr. and Mrs. Fograrty building their homes there and moving into our neighborhood.

The two proposed houses are modest two-story over garage homes with three bedrooms and two baths, less than 2,000 square feet above grade. All of the current homes adjacent to the construction sights are at least two stories high and several of these houses are equal or larger than the two homes that will be built. The two proposed residences also comply with the City's Residential Design Guidelines, the Planning Code, including the Bernal Heights Special Use District provisions, the General Plan, and the East Slope Design Review Guidelines. Therefore, I see no reasonable or rational reason why these projects should be prevented from moving forward. There are no exceptional and extraordinary circumstance which justify the neighbors' opposition to this project. Allowing a few "noisy" residents to have more of say than everyone else in how our neighborhood grows and is developed is not only wrong but also goes totally against the inclusivity and openness of our great City that we are so proud of.

I hope you will allow our friends and their children to move close to us and our kids in Bernal Heights.

omjian

Cc: Richard Sucre, Planner

307 Mullen Ave San Francisco CA 94110

San Francisco Planning Department 1650 Mission Street, #400 San Francisco, CA 94103

March 23rd, 2016

Attn: President Rodney Fong & Planning Commission Members

Dear President Fong and Members of the Planning Commission,

I am writing to you regarding the proposed residences at 3516 Folsom Street, by Fabien Lannoye and Anna Limkin.

I first met Fabien at the site of 347 Mullen Ave just as he was beginning the ground-work for the house he built there. From that first interaction, Fabien was kind, engaging and considerate. I.e. Fabien's treated me -- a total stranger, who lived seven houses away -- as a neighbor from the very first time I met him. It was clear that Fabien intended to build his house, and then live it, as a *member* of the local community, not merely a visitor. Since then Fabien and I have become good friends, so I can vouch that this is not an act - Fabien is indeed that kind and genuine person.

I have attended two ESDRB meetings where Fabien presented his plans for 3516 Folsom Street, and in both cases was astonished by the militancy of the opposition towards the project. Those opposing the project have attempted to use every argument under the sun (including gas-line explosion fear tactics) to prevent these houses from being built. In so doing, they have revealed their true motive: they want to keep things as they are; they'll say whatever it takes to try to achieve that. Frankly, I find their behavior to be nothing but self serving, and the antithesis of neighborly generosity. It also concerns me that the city's processes enable this. Most of all, I'm saddened that at time when this city is desperately short of housing, a good and honest man may be prevented from building a house for himself and his family on land that he owns, because of the self-serving actions of his future neighbors.

The house that Fabien built at 347 Mullen Ave is truly an asset to our neighborhood. Fabien took a piece of land that was delivering zero societal benefit and transformed it in an elegant family home. That home is now lived in by a wonderful family, who contribute greatly to the local community. That building's aesthetics and proportions fit perfectly into our block. That dwelling unit is alleviating San Francisco's housing shortage, and those property taxes are funding San Francisco's city budget. In short, by developing 347 Mullen Ave, Fabien contributed greatly to our community.

In summary, Fabien is a good man, trying to do a good thing, being victimized by short-sighted neighbors. He is helping solve a critical problem for this city, all the while being a kind and generous neighbor. This city needs more Fabien Lannoyes.

I hope that you allow Fabien and Anna to build at 3516 Folsom St, so that they may move back to their beloved Bernal. But more than that, I hope that good-heartedness triumphs over shortsightedness, and that progress triumphs over *pulling up the ladder*-ness.

Thank you for taking my views into consideration,

Sincerely,

wall

Tom Saffell, MA, MEng (Cantab)

Cc: Richard Sucre, Planner

March 23, 2016

San Francisco Planning Department 1650 Mission Street, #400 San Francisco, CA 94103

Attn: President Rodney Fong & Planning Commission Members

Dear Mr. Fong and Members of the Planning Commission,

I am writing in support for the proposed residences Fabien Lannoye and Anna Limkin (3516 Folsom Street), and James and Patricia Fogarty (3526 Folsom Street).

I have known Anna and Fabien for about 7 years, when they started building their house at 347 Mullen, which is two houses away from mine. I've lived in Bernal Heights for over 17 years and in this house on Mullen for 15 years. They have always been wonderful neighbors and people. While they were building their house they were very respectful to the neighbors during construction and became great neighbors and close friends with several of us. We were sad that they had to sell their house, but glad they were then able to find a new lot on Bernal Heights not to far from us.

I have been following their progress through the long and difficult process of getting the permits to build their new house.

When they started to have meetings at the Community house to meet their future neighbors, I saw flyers posted around Bernal, notifying neighbors that a greedy developer was planning to "blow up the hill" which set a bad tone to the subsequent meetings. They are the farthest thing from greedy developers. They aren't developers at all, they want to build a family home.

The two proposed residences comply with the City's Residential Design Guidelines, the Planning Code, including the Bernal Heights Special Use District provisions, the General Plan, and the East Slope Design Review Guidelines.

The two proposed houses are modest two-story over garage homes with three bedrooms and two baths. Anna and Fabien have two wonderful children, a girl and a boy. Their plans for their proposed house seem very reasonable and not out of scale with the neighborhood. The house they built next to us is a beautiful modern addition to the neighborhood, I wish other architects and builders in Bernal would follow in their design footsteps.

There are no exceptional and extraordinary circumstances associated with the proposed projects.

We hope you will allow our friends Anna and Fabien to move back close to us on our Bernal Heights.

They were great neighbors and we know they will be the same wonderful neighbors to everyone who welcomes them.

Thank you for supporting their project.

Sincerely,

Wendy Testu

Cc: Richard Sucre, Planner

March 23, 2016

San Francisco Planning Department 1650 Mission Street, #400 San Francisco, CA 94103

Attn: President Rodney Fong & Planning Commission Members

Dear President Fong and Members of the Planning Commission,

I am writing in support for the proposed residences Fabien Lannoye and Anna Limkin (3516 Folsom Street), and James and Patricia Fogarty (3526 Folsom Street).

I have known Anna and Fabien for about 7 years, when they started building their house at 347 Mullen. They were extremely responsive and respectful to the neighbors during construction and became great neighbors and close friends. We were sad that they had to sell their house, but glad they were then able to find a new lot on Bernal Heights.

I have been following their progress through the long and difficult process of getting the permits to build their new house.

When they started to have meetings at the Community house to meet their future neighbors, I saw flyers posted around the Bernal, notifying neighbors that a greedy developer was planning to "blow up the hill" which set a bad tone to the subsequent meetings.

The two proposed residences comply with the City's Residential Design Guidelines, the Planning Code, including the Bernal Heights Special Use District provisions, the General Plan, and the East Slope Design Review Guidelines.

The two proposed houses are modest two-story over garage homes with three bedrooms and two baths. Anna and Fabien have two wonderful children, a girl and a boy. Their plans for their proposed house seem very reasonable and not out of scale with the neighborhood.

There are no exceptional and extraordinary circumstances associated with the proposed projects.

I hope you will allow our friends Anna and Fabien to move back close to us on our Bernal Heights.

They were great neighbors and we know they will be the same wonderful neighbors to everyone who welcomes them.

Thank you for supporting their project.

Sincerely,

Fred Testu

Cc: Richard Sucre, Planner

RAMON E. ROMERO

66 Banks Street San Francisco, CA 94110

March 22, 2016

Rodney Fong, President and Members of the San Francisco Planning Commission San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

RE: Discretionary Review - 3516 & 3526 Folsom Street

Dear President Fong and Commission Members,

I am the resident and homeowner of 66 Banks Street located near the abovereferenced lots. I have resided at that address since May of 1994. I am also the owner of the vacant lot (Lot 29) located directly across from 3516 Folsom and directly behind my home. I am writing to comment on the matters before you.

First, please let me inform you that I am a former member of the San Francisco Redevelopment Commission which, of course, dealt extensively with real estate development projects both for residential and commercial purposes. I was appointed to the Redevelopment Commission in 1998 by Mayor Willie L. Brown, Jr. and reappointed by him in 2001. I was subsequently reappointed to the Commission in 2005 by Mayor Gavin Newsom. During my tenure, I was twice elected President of the Commission and had the honor of being the first Latino to serve in that capacity. My 11 ½ years of service on the Commission is described in detail in the resolution that was adopted at the time of my resignation. I have enclosed that resolution for your convenience should you choose to review it. See Item 4(b) of the enclosed minutes.

During 2015, I attended two meetings of the Bernal Heights East Slope Design Review Board at which Mr. Fabien Lannoye presented his plans for development at the two sites in question. I found Mr. Lannoye to be congenial, cooperative, attentive, and understanding of the input provided by Bernal Heights residents who were in attendance. He presented his building plans in writing for everyone to review and answered questions directly and without equivocation. His behavior was professional and friendly at all times without exception. This was all true in the face of sometimes hostile, emotional, and irrational attacks from some, but certainly not all, of the individuals in attendance. Such attacks were unwarranted and cast a pall on the proceedings making it more difficult for Mr. Lannoye to take into account and respond to the attendees who had positive suggestions and requests that they hoped would ensure that the character of the neighbor hood was preserved. Mr. Lannoye was nothing, but cooperative with those who had positive attitudes.

I recognized one of the more hostile individuals present and know that he did not live anywhere near the lots in question. Frankly, that individual's attempts to dominate the meeting and speak over the others in attendance were so difficult to bear that some of the attendees departed from one of the meetings in disgust. In short, the atmosphere I have described above stirred very vivid memories of controversial development projects that came before the Redevelopment Commission that were sometimes met with hostile, emotional, and irrational opposition.

I should add that the development of the house that I reside in at 66 Banks, as well as the two houses next to mine, met similar hostile resistance from the neighbors when they went through the planning process in the early-1990's. My house and the two next to me were built on the same hillside field where Mr. Lannoye seeks to build. Similarly, the developer, Mr. Aldo Stemberga, was required to build a street in order to build the houses he eventually completed. Even though I was totally unaware and uninvolved in Mr. Stemberga's development, I was met with hostility from some of the neighbors simply because I purchased and moved into my house. I was shocked to see that kind of a reaction from otherwise rational San Franciscans who live in a dense urban environment and should accept the fact that privately owned, vacant, buildable lots will ultimately be developed as our city grows.

It is my understanding that Mr. Lannoye has cooperated with Planning Agency staff and Department of Public Works staff in advancing his development plans. In particular, he has expressed to me his willingness to mitigate as much as possible any potential adverse effect on the two houses that are located at the bottom of the extension of Folsom Street that he intends to construct.

In short, unless there are planning code violations for Mr. Lannoye's houses or public works codes violations for the street that needs to be constructed, I do not object to the issuance of the building permits before you.

Very truly yours,

Ramon & Doment

Ramon E. Romero

MINUTES OF A REGULAR MEETING OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO HELD ON THE 20TH DAY OF OCTOBER 2009

The Commissioners of the Redevelopment Agency of the City and County of San Francisco met in a regular meeting at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, in the City of San Francisco, California, at 4:00 p.m. on the 20TH day of October 2009, at the place and date duly established for holding of such a meeting.

President Ramon Romero called the meeting to order at 4:00 p.m.

Mr. Romero welcomed members of the public and radio listening audience and asked that all electronic devices including pagers and cellular telephones be turned off during the meeting. Mr. Romero asked members of the public who wished to address the Commission to fill out speaker cards, and to state their names for the record, and to limit their remarks to three minutes. Mr. Romero stated that the appropriate time for members of the public to address the Commission on matters not on the current Agenda, but related to general Agency business, would be Item 6 on the agenda. This portion of the Agenda is not intended for debate or discussion with the Commission or staff, and members of the public should simply state their business or matter they wish the Commissioners during a break or after adjournment. It is not appropriate for Commissioners to engage in a debate or respond on issues not properly set in a publicly-noticed meeting agenda.

1. <u>RECOGNITION OF A QUORUM</u>

The Commission Secretary announced the presence of a quorum with the following Commissioners present:

Ramon Romero, President Rick Swig, Vice President London Breed Linda Cheu Francee Covington Leroy King Darshan Singh

Fred Blackwell, Executive Director, and staff members were also present.

- 2. <u>REPORT ON ACTIONS TAKEN AT PREVIOUS CLOSED SESSION</u> <u>MEETING, IF ANY</u>. No Reportable Action.
- 3. <u>MATTERS OF UNFINISHED BUSINESS</u>. None.
- 4. MATTERS OF NEW BUSINESS:

P 5/9

REGULAR AGENDA

(a) Commending and expressing appreciation to Learlene Wright for her services on the occasion of her retirement from the Redevelopment Agency of the City and County of San Francisco. (Resolution No. 111-2009)

Presenter: Jim Walter, Agency Staff

Speakers: None

Commissioner Covington extended her warmest congratulations to Ms. Wright on the occasion of her retirement. Ms. Covington stated she enjoyed interacting with Ms. Wright whenever she had the opportunity of visiting the Harbor, and stated that Ms. Wright was a treasure at the agency.

Ms. Covington put forth a motion to move item 4(b).

Commissioner Breed seconded Ms. Covington's motion. Ms. Breed congratulated Ms. Wright on the occasion of her retirement and thanked her for her 39 years of commitment and service to the City and County of San Francisco which she stated was commendable.

Commissioner King congratulated Ms. Wright for her good work and commitment for the past 39 years of service to the City and County of San Francisco.

Commissioner Cheu stated that 39 years of dedication is admirable, and stated that Ms. Wright was very welcoming, professional and always very friendly. Ms. Cheu congratulated Ms. Wright and wished her the best of luck.

Commissioner Swig stated that because of her warmth and welcoming manner, Ms. Wright made the South Beach Harbor a warm and loving place as if it were her own home. Mr. Swig congratulated and thanked Ms. Wright for her 39 years of service to the City and County of San Francisco.

Commissioner Singh stated Ms. Wright was always very warm and accommodating to the Commissioners, congratulated and thanked her for her 39 years of service.

Commissioner Romero stated he appreciated how Ms. Wright welcomed the Commissioners at the South Beach Harbor, commended and congratulated Ms. Wright for the 39 years of service to the City and County of San Francisco.

Ms. Wright stated that it was a wonderful experience working for 39 years at the Agency and thanked everyone for their best wishes and kind words.

ADOPTION: IT WAS MOVED BY MS. COVINGTON, SECONDED BY MS. BREED, AND UNANIMOUSLY CARRIED, THAT RESOLUTION 111-2009, COMMENDING AND EXPRESSING APPRECIATION TO LEARLENE WRIGHT FOR HER SERVICES ON THE OCCASION OF HER RETIREMENT FROM THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO BE ADOPTED.

(b) Commending and expressing appreciation to Ramon E. Romero for his dedicated service upon his occasion of his departure from the Redevelopment Agency of the City and County of San Francisco. (Resolution No. 112-2009)

Presenter: Fred Blackwell, Director

Mr. Blackwell stated on behalf of the staff of the Redevelopment Agency, he will be missed. Mr. Blackwell read the following resolution:

"Ramon E. Romero has served as a Commissioner of the Redevelopment Agency of the City and County of San Francisco ("Agency") since March 1998. Mayor Willie L. Brown, Jr. first appointed him and subsequently re-appointed him in 2001; Mayor Gavin Newsom re-appointed him to a third term in 2005. He has served the City and County of San Francisco ("City") and the Mayors who appointed him with distinction, loyalty, and intelligence.

During his tenure, Mr. Romero's colleagues on the Commission twice elected him as Commission President. He presided over the Commission meetings with fairness, efficiency, and diplomacy. He emphasized the importance of following rules of decorum during public comment and Commission deliberations to ensure that the debate over important and sometimes controversial issues occurred in a smooth and orderly manner. Mr. Romero was the first Latino to serve as President of the Agency Commission.

Mr. Romero approached each issue and project before the Commission with objectivity, analytical rigor, and astuteness. His comments always demonstrated the thoroughness of his preparation and his understanding of the complexities of redevelopment activities in a politically-fragmented urban environment. He publicly acknowledged and appreciated the professionalism and technical knowledge of Agency Executive Directors and staff members in their recommendations to the Commission, even when he disagreed with those recommendations.

In his eleven and one-half (11¹/₂) years of public service on the Commission, Mr. Romero has supported, and the Commission has adopted, numerous redevelopment plans and specific development projects that have improved, and will continue to improve, the economic vitality, urban landscape, and quality of life in San Francisco. With his oversight and approval, the Agency adopted the Mission Bay, Transbay, Bayview Hunters Point, and Visitacion Valley Redevelopment Plans. These thirty (30) year plans commit the City and the Agency to use the significant powers under redevelopment law to create positive changes in blighted areas where tens of thousands of San Franciscans live and work.

Minutes of a Regular Meeting, October 20, 2009

Mr. Romero's commitment to economic justice and equal opportunity has been demonstrated through his strong support for affordable housing development and for tangible public benefits required of private development. Since Mr. Romero's appointment, the Agency has expanded its affordable housing program and approved the development or preservation of thousands of units of affordable housing. He has also strongly supported the targeting of contracting and employment opportunities created by Agency-approved development to persons of color and those who are economically-disadvantaged.

Mr. Romero has served as an important link between the Agency and the City's Latino community. Although the Agency does not have a project area in any neighborhood where large numbers of Latinos live, Mr. Romero has promoted opportunities for the Latino community in specific projects. In particular, he has been a stalwart of the Mexican Museum's efforts to move to the Yerba Buena Center Redevelopment Project Area and provide a world-class facility for Mexican and other Latino art.

Mr. Romero has also served the City in other capacities during his Commission tenure. Most significantly, Mayor Newsom appointed him as a member of the Ten Year Planning Council that prepared, after numerous public meetings, The San Francisco Plan to Abolish Chronic Homelessness, which established the goal of providing 3000 supportive housing units for the chronically homeless. Mr. Romero served as chair of the Permanent Supportive Housing Committee.

Upon his departure from the Agency Commission, Mr. Romero will continue to serve the public interest through his work as an attorney for the California Teachers Association, a hoard member of the California Rural Legal Assistance, and other civic and community activities.

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Agency of the City and County of San Francisco, on behalf of the Agency's past and present Commissioners, Executive Directors, and Employees, recognizes Ramon Romero's significant public service that he has provided to the City and Agency and hereby expresses its sincerest appreciation and best wishes to him in all of his future endeavors."

Speakers: Eli Aramburo, Dr. Cancino, Jim Salinas, Sr., Frank Fernandez, Jose R. Padilla, Charles Range, Oscar James, Francisco DaCosta

Commissioner King made a motion to adopt item 4(b). Mr. King stated that both he and President Romero have been on the Commission together for many years, they didn't always see eye to eye on some issues, but over the years their relationship grew into an understanding of what each other stood for which resulted in what is now a close and respectful admiration for each other and a bond that will continue. Mr. King congratulated Mr. Romero for his service as President of the Commission and hopes to continue to work with him in the future. Mr. King thanked Mr. Romero for his commitment and service to the City and County of San Francisco. Commissioner Swig thanked Mr. Romero for mentoring him in the relatively brief two years serving on the Commission, for teaching him the rules which were very valuable, and expressed his appreciation for his mentorship. Mr. Swig stated that Mr. Romero took on the responsibility of public service regardless of race, creed, color, and culture; he set a spectacular example of a role model for others who Mr. Swig stated, should follow in his footsteps. Mr. Swig congratulated Mr. Romero for his service to the City and County of San Francisco and wished him well.

Commissioner Cheu stated it had been a great pleasure working with Mr. Romero on the Commission and expressed that he will truly be a loss to the Commission. Ms. Cheu stated that Mr. Romero was very level headed, reasonable, objective, smart, and had an ability to see what the key issues were. Ms. Cheu stated that Mr. Romero spoke on the issues clearly and diplomatically, always articulate, and maintaining at the same time a level of compassion for people in their situations and comments, and always treated everyone with respect. Ms. Cheu stated that Mr. Romero has been a model to her and to all Commissioners. Ms. Cheu thanked Mr. Romero and wished him well.

Commissioner Singh stated that he has known President Romero for the past 11 years, and expressed that he has been a great Commissioner, President, and a good friend. Mr. Singh congratulated Mr. Romero and wished him well.

Commissioner Breed wished President Romero the best and expressed that she was sorry to see him go. Ms. Breed stated they often have had conversations about a number of issues they did not agree on, but she respected his opinion, respected the value he brought to the decisions they had to make because they affect so many lives with their decisions. Ms. Breed stated during the time Mr. Romero committed to the City, he kept in mind in his decision making process to fight for organizations that were small who did not have the capacity to fight for themselves. Ms. Breed stated that Mr. Romero's work on the Commission was commendable and has been a great asset to the Commission.

Commissioner Covington thanked Mr. Romero for his service and expressed that she will miss their disagreements, and will miss him at the Giants games. Ms. Covington stated that serving on the Commission for 12 years was quite an accomplishment and expressed her appreciation for his service to the City and County of San Francisco.

Mr. Blackwell stated in addition to the resolution, a Certificate of Honor from Mayor Gavin Newsom was also presented to him which read as follows: ⁴ Certificate of Honor, presented to Ramon E. Romero, October 20, 2009,

Whereas, on behalf of the City and County of San Francisco, I am pleased to recognize and honor Ramon E. Romero for his dedicated service as Commissioner of the Redevelopment Agency of the City and County of San Francisco since March 1998 when he was first appointed by Mayor Brown. Ramon has shown fairness, efficiency and diplomacy. During his tenure, Ramon's colleagues on the Commission twice elected him as Commission President making him the first Latino to serve as President of the Redevelopment Commission. His stewardship in commitment to economic justice and equal opportunity is truly commendable. Thank you for your service to our City, and best wishes on all your future endeavors."

President Romero stated the following: "I will not be able to name everyone that I would like to recognize for the wonderful time serving on this Commission. Everything that was said about me, except to those references of being a male or Latino could be said about anyone up here. It is such an honor to serve with a talented and dedicated group of people who have everything in common with my interests for what we think we should be doing. We all do it in a different way, we all have different personalities. Meeting Leroy and serving on the Commission with him and seeing how he works, there is only one other person he has known in his lifetime like him, and that's Caesar Chavez, which Leroy knew and marched with him. I worked with Caesar's union for four years, went to law school, and worked in his office, and he too argued with me as Leroy did. The values and personalities and how hard you fight, what a wonderful honor it has been to serve. I would like to thank the three Executive Directors I've worked with, Jim Morales - don't think I don't knew who wrote this resolution - you hit every single thing that would be important to me and you didn't leave a single thing out except what an honor it was to work with you when you were a Director, and now as Counsel. Marcia Rosen, enjoyed working with her. There are so many talented people in the city who are willing to volunteer their time, and Fred, it's been a pleasure working with you. I can't believe how well we've gotten along, we were in sync with our ideas of how this Commission should work, understanding and getting to know all the different parties. People who have said about being sensitive to the Community, hits right there. Oscar, thank you very much."

ADOPTION: IT WAS MOVED BY MR. KING, SECONDED BY MR. SWIG, AND UNANIMOUSLY CARRIED THAT RESOLUTION 112-2009, COMMENDING AND EXPRESSING APPRECIATION TO RAMON E. ROMERO FOR HIS DEDICATED SERVICE UPON HIS OCCASION OF HIS DEPARTURE FROM THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO BE ADOPTED. October 3, 2016

VIA EMAIL

Honorable Rodney Fong President, San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103 <u>Commissions.Secretary@sfgov.org</u>

Re: 3516 and 3526 Folsom Street Case Nos. 2013.1768DRP and 2013.1383DRP

Dear President Fong and Commissioners:

On 7/8/16, the Clerk of the Board of Supervisors received an updated Categorical Exemption Determination from the Planning Department's Environmental Review Officer, effectively rescinding the March 26, 2014 exemption determination and voiding the May 5, 2016 Planning Commission project approval.

The new Categorical Exemption expands the scope of the project beyond the two lots under review to acknowledge the Folsom Street right-of-way and six undeveloped lots. However, according to the project planner, Rich Sucre, "although the original CEQA document was rescinded and a new document was published, the Planning Commission's review is still limited to the building itself and its compliance with the Planning Code and other applicable guidelines."

Although the Planning Commission review is limited to the building itself (which is addressed in the following section), we first want to state the reasons why the CEQA Exemption that is tied to these projects should not apply:

- 1. There is substantial evidence of an unusual circumstance and that that there is a reasonable possibility that the unusual circumstance will have a significant environmental impact.
- 2. The CEQA Exemption does foresee the development of all six lots in the area identified in the project description; this exemption cannot apply because it applies to projects with three or fewer homes.
- 3. The project is being handled "piecemeal," since only two of the six undeveloped lots are being considered. All owners of the remaining four lots have expressed interest in developing them. Representatives for three of these lots spoke in favor of the project at the last Discretionary Review Hearing, and the remaining one has informed several neighbors of their intent to build. The CEQA Exemption acknowledges that all six lots will be provided with utilities and street access; therefore, the "cumulative" impact of the development of all six lots over time should be considered when evaluating for the CEQA Exemption.

4. A revised proposal for the Folsom Street extension has been submitted recently, but not evaluated as of 10/2/16. The approval for the street extension is based on the CEQA Exemption; however the proposed street development endangers public safety in ways that are both within and beyond its scope. For example, the development of all six lots would potentially increase existing traffic volumes on streets in its vicinity by at least 5 percent. The proposed street extension has not had adequate review by the Community or all affected agencies, including but not limited to: Bureau of Street Use and Mapping, PG&E, Recreation and Park, Department of Parking and Traffic, and SFPUC, to name a few. Traffic impact, emergency access, and storm water management are three of many outstanding issues for which the impact will be far greater than stated in the CEQA Exemption.

Since the Planning Department acknowledges mistakes were made in the assessment of the initial CEQA determination, we want to use this opportunity to revisit problematic design issues of this project that also may have been overlooked in the current pressure to get new housing on the market.

LIST OF OUTSTANDING DESIGN CONCERNS

Because your review is limited to the buildings alone, we would like to reiterate three recommendations of the Bernal Heights East Slope Design Review Board (BHESDRB) and two other concerns:

- "Relate to site topography by stepping down with hillsides" (from BHESDRB letter in 3/31/16 Commission packet – see pdf pages 847, 849 and 853)
- 2. "Incorporate side yards to break up the solid wall effect on the street" (from BHESDRB letter in 3/31/16 Commission packet see pdf pages 848, 850-851 and 853)
- "Use façade elements to break up massing, provide three-dimensional interest and give scale and texture" (from BHESDRB letter in 3/31/16 Commission packet – see pdf pages 848 and 852-853)
- 4. Protect the scenic view from Bernal Heights Boulevard by reducing mass and size
- 5. Resolve the break-over angles of the garages before approving this project. (See letters from KCA Engineers, Inc. and Pat Buscovich Civil Engineer in 3/31/16 Commission packet, pdf pages 644-652. An excerpt follows the San Francisco General Plan cites below.) If the Planning Commission approves the current plan and it is subsequently determined that the garages cannot be used due to the inability to reconcile the necessary driveway slope with the actual elevation of PG&E Gas Transmission Pipeline 109, we request that the Planning Commission require that the overall square footage of the building be reduced by the amount of space that would have been dedicated to the parking of cars in the garage.

Links to the Commission packets from the hearings held on 3/31/16 and 5/5/16:

http://commissions.sfplanning.org/cpcpackets/2013.1383DRP.pdf http://commissions.sfplanning.org/cpcpackets/2013.1383DRP_2016-04-28.pdf

SAN FRANCISCO GENERAL PLAN URBAN DESIGN ELEMENT

Our first four concerns above are supported by recommendations of the San Francisco General Plan Urban Design Element. These concerns are substantiated and consonant with the city's own urban design objectives, principles and policies as highlighted in the excerpts below:

[URB.CPN.1] CITY PATTERN Human Needs OBJECTIVE 1:

San Francisco has an image and character in its city pattern which depend especially upon views, topography, streets, building form and major landscaping. This pattern gives an organization and sense of purpose to the city, denotes the extent and special nature of districts . . . The city pattern should be recognized, protected and enhanced.

Principles for City Pattern		
These fundamental principles and their illustrations reflect the needs and characteristics with which this plan is concerned, and describe measurable and critical urban design relationships in the city pattern.		
2.	Street layouts and building forms which do not emphasize topography reduce the clarity of the city form and image.	
	A: Tall, slender buildings at the tops of hills and low buildings on the slopes and in valleys accentuate the form of the hills.	
4.	Where large parks occur at tops of hills, lowrise buildings surrounding them will preserve views from the park and maintain visibility of the park from other areas of the city.	

[URB.CPN.1.1] CITY PATTERN Image and Character POLICY 1.1

Recognize and protect major views in the city, with particular attention to those of open space and water.

Views contribute immeasurably to the quality of the city and to the lives of its residents. Protection should be given to major views whenever it is feasible, with special attention to the characteristic views of open space and water that reflect the natural setting of the city and give a colorful and refreshing contrast to man's development.

Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary.

[URB.CPN.1.2] CITY PATTERN Image and Character POLICY 1.2 Recognize, protect and reinforce the existing street pattern, especially as it is related to topography. Streets and development bordering open spaces are especially important with respect to the strength and order in their design.

Special consideration should be given to the quality of buildings and other features closing major vistas at the ends of these and other streets.

[URB.CPN.1.3] CITY PATTERN Image and Character POLICY 1.3 Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Buildings, which collectively contribute to the characteristic pattern of the city, are the greatest variable because they are most easily altered by man. Therefore, the relationships of building forms to one another and to other elements of the city pattern should be moderated so that the effects will be complementary and harmonious.

The general pattern of buildings should emphasize the topographic form of the city and the importance of centers of activity. It should also help to define street areas and other public open spaces. Individual buildings and other structures should stand out prominently in the city pattern only in exceptional circumstances, where they signify the presence of important community facilities and occupy visual focal points that benefit from buildings and structures of such design.

[URB.CON.] CONSERVATION Human Needs

Good views are another product of the street system. A majority of the city's streets may be said to have pleasing views of the Bay, the Ocean, distant hills or other parts of the city.

[Bernal Heights Boulevard, the street immediately above the project, is identified as a street having good views in the map "Quality of Street Views." See http://generalplan.sfplanning.org/images/I5.urban_design/URB_Quality_of_Street_Views.pdf.]

[URB.CON.2] CONSERVATION Human Needs OBJECTIVE 2: CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Fundamental Principles for Conservation

These fundamental principles and their illustrations reflect the needs and characteristics with which this Plan is concerned, and describe measurable and critical urban design relationships for conservation.

1.	C: The value of natural areas can be diminished by views of buildings, parking lots and trafficways in adjacent areas.
2.	New development can enhance and preserve SanFrancisco's distinctive qualities if it is designed with consideration for the prevailing design character and the effect on

	surroundings.
3.	External details in building facades, entries, stairways, retaining walls and other features provide visual interest and enrichment and are consistent with the historic scale and texture of San Francisco.
	A: Richly detailed facades enhance the character of the street by giving it greater visual variety. Such detail often reduces building facades and textures to a more human scale and makes the street a more pleasant place to be.
	B: Even blank walls may possess visual interest if they are textured and scaled.
4.	D: Visually strong buildings which contrast severely with their surroundings impair the character of the area.
17.	Blocking, construction or other impairment of pleasing street views of the Bay or Ocean, distant hills, or other parts of the city can destroy an important characteristic of the unique setting and quality of the city.

[URB.MND] MAJOR NEW DEVELOPMENT Human Needs

The fitting in of new development is, in a broad sense, a matter of scale. It requires a careful assessment of each building site in terms of the size and texture of its surroundings, and a very conscious effort to achieve balance and compatibility in the design of the new building. Good scale depends upon a height that is consistent with the total pattern of the land and of the skyline, a bulk that is not overwhelming, and an overall appearance that is complementary to the building forms and other elements of the city. Scale is relative, therefore, since the height, bulk and appearance of past development differ among the districts of the city.

The remaining aspect of building scale to be considered is that of bulk, or the apparent massiveness of a building in relation to its surroundings. A building may appear to have great bulk whether or not it is of extraordinary height, and the result can be a blocking of near and distant views and a disconcerting dominance of the skyline and the neighborhood. The users of modern building space may find these bulky forms more efficient, and the forms may seem logical for combining several uses in a single development, but such considerations do not measure the external effects upon the city. Neither height limits nor limits upon the amounts of floor space permitted will directly control excessive bulk, and therefore specific attention to this problem is called for.

The apparent bulk of a building depends primarily upon two factors: the amount of wall surface that is visible, and the degree to which the structure extends above its surroundings. Accordingly, a plan seeking to avoid excessive bulkiness must consider the existing scale of development in

each area of the city and the effects of topographic form in exposing building sites to widespread view.

[URB.MND.3] MAJOR NEW DEVELOPMENT Human Needs OBJECTIVE 3: MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

As San Francisco grows and changes, new development can and must be fitted in with established city and neighborhood patterns in a complementary fashion. Harmony with existing development requires careful consideration of the character of the surroundings at each construction site. The scale of each new building must be related to the prevailing height and bulk in the area, and to the wider effects upon the skyline, views and topographic form. Designs for buildings on large sites have the most widespread effects and require the greatest attention.

Fundamental Principles for Major New Development		
These fundamental principles and their illustrations reflect the needs and characteristics with which this Plan is concerned, and describe measurable and critical urban design relationships in major new development.		
1.	The relationship of a building's size and shape to its visibility in the cityscape, to important natural features and to existing development determines whether it will have a pleasing or a disruptive effect on the image and character of the city.	
	A. Tall, slender buildings near the crown on a hill emphasize the form of the hill and preserve views.	
	B. Extremely massive buildings on or near hills can overwhelm the natural land forms, block views, and generally disrupt the character of the city.	
	C. Low, smaller-scale buildings on the slopes of hills, at their base and in the valleys between complement topographic forms and permit uninterrupted views.	
	E. Larger, taller buildings can blend pleasantly with small-scaled areas if the change in scale is not excessive and if their form or surface pattern is articulated to reflect the existing scale.	
2.	Building siting and massing with respect to street pattern influence the quality of views from street space.	
	B. Tall buildings on slopes of hills severely restrict views from above.	
11.	A building situated in a visually dominant position, whose exterior is blank and uninteresting, does not relate to surrounding development and tends to repel the observer's attention.	
12.	A long or wide building becomes excessively bulky in appearance when its height	

	significantly exceeds that of buildings in the surrounding area.	
13.	B. A bulky building creates the most visual disruption when seen from a distance as the	
	dominant silhouette against a background and/or foreground of much smaller structures.	
14.	Bulky buildings that intrude upon or block important views of the Bay, Ocean or other	
	significant citywide focal points are particularly disruptive.	

[URB.MND.3.1] MAJOR NEW DEVELOPMENT Visual Harmony POLICY 3.1 Promote harmony in the visual relationships and transitions between new and older buildings.

New buildings should be made sympathetic to the scale, form and proportion of older development. This can often be done by repeating existing building lines and surface treatment. Where new buildings reach exceptional height and bulk, large surfaces should be articulated and textured to reduce their apparent size and to reflect the pattern of older buildings.

[URB.MND.3.2] MAJOR NEW DEVELOPMENT Visual Harmony POLICY 3.2 Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

[URB.MND.3.3] MAJOR NEW DEVELOPMENT Visual Harmony POLICY 3.3 Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Certain buildings will achieve prominence, whatever their design, because of their exposed locations. Among such locations are those at tops of hills; those fronting on permanent open space such as the Bay, parks, plazas and areas with height limits; those facing wide streets or closing the vista at the end of a street; and those affording a silhouette against the sky, a muted background or a formal order such as in the Civic Center.

At locations of such prominence, the quality of building design is of special significance, and special efforts should be made to promote the best architectural solutions in both public and private buildings. In such solutions, the positive potentials of the site should be emphasized.

[URB.MND.3.4] MAJOR NEW DEVELOPMENT Height and Bulk POLICY 3.4 Promote building forms that will respect and improve the integrity of open spaces and other public areas.

[URB.MND.3.5] MAJOR NEW DEVELOPMENT Height and Bulk POLICY 3.5 Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

The height of new buildings should take into account the guidelines expressed in this Plan. These guidelines are intended to promote the objectives, principles and policies of the Plan, and especially to complement the established city pattern. They weigh and apply many factors affecting building height, recognizing the special nature of each topographic and development situation.

Tall, slender buildings should occur on many of the city's hilltops to emphasize the hill form and safeguard views, while buildings of smaller scale should occur at the base of hills and in the valleys between hills. In other cases, especially where the hills are capped by open spaces and where existing hilltop development is low and small-scaled, new buildings should remain low in order to conserve the natural shape of the hill and maintain views to and from the open space. Views along streets and from major roadways should be protected. The heights of buildings should taper down to the shoreline of the Bay and Ocean, following the characteristic pattern and preserving topography and views.

[URB.NEN.4.15] NEIGHBORHOOD ENVIRONMENT Visual Amenity POLICY 4.15 Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

In residential areas of lower density, the established form of development is protected by limitations on coverage and requirements for yards and front setbacks. These standards assure provision of open space with new buildings and maintenance of sunlight and views. Such standards, and others that contribute to the livability and character of residential neighborhoods, should be safeguarded and strengthened.

URBAN DESIGN The Future

This Urban Design Plan for San Francisco has been developed with the conviction that quality in the urban environment is an important and growing concern in this great city. The people of San Francisco have taken a leadership role among the citizens of the country in balancing conservation and change through new safeguards for cherished attributes of their city's character. This Plan is intended to reflect the people's needs and to improve the physical makeup of the city. As new needs and concerns arise in later years, this Plan will be added to and revised in the continuing process of comprehensive planning.

QUESTIONABLE USABILITY OF 'GARAGES' THAT ADD SIZE AND MASS TO HOUSE DESIGN

The excerpt on the following page is from Pat Buscovich Civil Engineer (see 3/31/16 Commission packet, pdf pages 624-625, and 627) and elaborates on the consequences of our fifth concern of inadequate break-over angles:

• It will be a challenge to turn around and change direction on this street in a vehicle, based upon the narrow width of 16 feet and extreme slope. Average cars length range from 15 feet to 18 feet long. It will be difficult to have an average car turn from uphill, to 90° to curb, to down hill. At 16' wide, an 18 foot car does not fit in the 90° position. Further, at 36° slope, vehicles with a medium to high center of mass will experience "tipping over" when turning around in the 90° position. Thus any vehicle that are tall (i.e. mail truck, pick up, delivery van, garbage truck, etc) or have a long wheel base (sedan) will not be able to drive onto this dead end street. The only passenger car that could use this dead end street is low height, short wheel base, compact cars. Backing down the hill is not going to be a viable or safe solution due to pedestrian. Ironically, the only vehicle that can turn around on this street (i.e. compact car) will not be able to transverse

the base of the dead end street. The base is a flat intersection, a transition section and a steep hill (36°). Most cars will bottom out the tail pipe going uphill or the front fender going down. Even with a transition section of the street going from flat 0°, a short transition of 18° and then street 36° is not enough. No extension of car beyond the rear wheel or front wheel will work. To cross the intersection and go up/down this street will require a car with no front or rear end. This vehicle will also need to cross a very steep sidewalk; this will require a high undercarriage. A compact car with a high undercarriage and no front or rear end. The only vehicle that meets this description is a off road Jeep. It is short, has a low center of mass, high undercarriage clearance and no front or rear end. It is not a passenger vehicle. It is for off road driving which is what will be required to drive this hill.

Issue	Car Features
16 wide street	Short car
36° slope on street	Low center mass
Intersection transition	No front or rear end
Steep sidewalk	High undercarriage
- 6600 ·	l a a

On October 13, we will have an opportunity to answer any questions you have about our concerns, and in the meantime, feel free to contact Marilyn Waterman at 650-387-9918 to see the site or get clarification. As you can see, this project is of serious concern to the adjacent property owners and greater neighborhood. We believe it needs deeper analysis and consideration.

Thank you for your time,

Sincerely,

Barbara Underberg, Marilyn Waterman, and Kathy Angus on behalf of: Bernal Heights South Slope Organization Bernal Safe and Livable Neighbors Against Upper Folsom Street Extension and other South Slope neighbors

CC: Rich Sucre, San Francisco Planning Department

10



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.:	2013.1383ENV
Project Title:	3516 and 3526 Folsom Street
Zoning:	RH-1 (Residential—House, One Family) Use District
	40-X Height and Bulk District
Block/Lot:	5626/013 and 5626/014
Lot Size:	1,750 square feet (each lot)
Project Sponsor:	Fabien Lannoye, Bluorange designs
	415-533-0415
	Fabien@novadesignsbuilds.com
Staff Contact:	Justin Horner - (415) 575-9023
	Justin.Horner@sfgov.org

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

PROJECT DESCRIPTION:

The project site is located on the block bounded by Bernal Heights Boulevard to the north, Gates Street to the west, Powhattan Avenue to the south and Folsom Street to the east. The project site is located along the west side of an approximately 145 foot long unimproved segment of Folsom Street, north of Chapman Street, that ends at the Bernal Heights Community Garden. This unimproved right-of-way is known as a "paper street." Undeveloped land along this unimproved segment of Folsom Street has been subdivided into six lots, three on each side of Folsom Street. PG&E Natural Gas Transmission Pipeline 109 runs along Folsom Street under the project site. The project site is at a slope of 28%.

The proposed project involves the construction of two single-family residences on two of the vacant lots along the west side of the unimproved portion of Folsom Street, and the construction of the connecting segment of Folsom Street to provide vehicle and pedestrian access to the project site. Both single-family homes would be 27 feet tall, two-story-over-basement buildings and would each include two off-street vehicle parking spaces accessed from a twelve-foot-wide garage door.

(Continued on next page)

EXEMPT STATUS:

Categorical Exemption, Class 3 (California Environmental Quality Act [CEQA] Guidelines Section 15301). See page 2.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

tus

Sarah B. Jones V Environmental Review Officer

cc: Fabien Lannoye, Project Sponsor Richard Sucre, Current Planner

July 8, 2016

Virna Byrd, M.D.F. Supervisor Campos, District 9, (via Clerk of the Board)

PROJECT DESCRIPTION (continued):

The 3516 Folsom Street building would be approximately 2,230 square feet in size with a side yard along its north property line. The 3526 Folsom Street building would be approximately 2,210 square feet in size with a side yard along its south property line. The proposed buildings would include roof decks and a full fire protection sprinkler system. The project sponsor proposes to create a mural on the south façade of the 3526 Folsom Street building. The proposed buildings would be supported by a shallow building foundation using a mat slab with spread footings.

The proposed Folsom Street extension improvements would include an approximately 20-foot-wide road with an approximately 10-foot-wide sidewalk on the west side of the street, adjacent to the proposed residences. The proposed sidewalk would be stepped, would incorporate landscaping that would perform storm water retention, and would provide public access to Bernal Heights Boulevard/Bernal Heights Park (along the west side of the Bernal Heights Community Garden). The proposed project would not create direct vehicular access to Bernal Heights Boulevard as the Folsom Street extension would terminate at the Bernal Heights Community Garden. Construction of the street extension would require the removal of the existing landscaped area within the public right-of-way where Folsom Street meets Chapman Street. An existing driveway utilized by both the 3574 Folsom Street and 3577 Folsom Street buildings would also be removed; however, the extension would provide access to the two existing residences.

The proposed project would include the installation of new street trees (subject to approval from PG&E) and street lighting on the west side of the street. No on-street parking would be provided along the Folsom Street extension. In addition to providing utilities for the proposed residences, the project sponsor would install utilities for the four vacant lots located on the "paper street" segment of Folsom Street (one on the west side and three on the east side). No residences are proposed at this time on those lots; the proposed connections would be provided to minimize disruption in the case of future development. Construction would continue for approximately 12 months and would require excavation of up to approximately 10 feet below the existing ground surface.

Project Approvals

Approval Action: If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a building permit by the Department of Building Inspection (DBI) is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EXEMPT STATUS (continued):

CEQA Guidelines Section 15303, or Class 3, provides an exemption from environmental review for construction of new, small facilities or structures. Section 15303(a) specifically exempts up to three single-family homes in urbanized areas, and Section 15303(d) specifically exempts utility extensions and street improvements to service such construction.

The proposed project would construct two-single family homes on two lots, with utility extensions and street improvements to service the two structures. Therefore, the proposed project qualifies for an exemption from CEQA under CEQA Guidelines Sections 15303(a) and (d).

DISCUSSION OF ENVIRONMENTAL ISSUES:

CEQA Guidelines Section 15300.2 establishes exceptions to the application of a categorical exemption for a project. As discussed in this certificate of exemption, none of the established exceptions apply to the proposed project.

CEQA Guidelines Section 15300.2, subdivision (a), provides that a Class 3 categorical exemption cannot be used where the project may negatively impact an environmental resource of critical or hazardous concern which is "designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies." For the reasons discussed below under "Resources of Hazardous or Critical Concern," there is no possibility that the proposed project would have a significant effect on the environment related to this circumstance.

CEQA Guidelines Section 15300.2, subdivision (b), provides that a categorical exemption is inapplicable when the cumulative impact of successive projects of the same type in the same place, are significant. For the reasons discussed below under "Cumulative Impacts," there is no possibility that the proposed project would have a significant effect on the environment related to this circumstance.

CEQA Guidelines Section 15300.2, subdivision (c), provides that a categorical exemption shall not be used where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. For the reasons discussed in this certificate of exemption, there is no possibility that the proposed project would have a significant effect on the environment due to unusual circumstances.

CEQA Guidelines Section 15300.2, subdivision (d), provides that a categorical exemption shall not be used for a project that would result in damage to a scenic resource within a highway officially designated as a state scenic highway. Neither Bernal Heights Boulevard nor any other nearby street is a designated state scenic highway. Therefore, there is no possibility that the proposed project would have a significant effect on the environment related to this circumstance.

CEQA Guidelines Section 15300.2, subdivision (f), provides that a categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource. For the reasons discussed below under "Historic Resources," there is no possibility that the proposed project would have a significant effect on a historic resource.

<u>Resources of Hazardous or Critical Concern.</u> According to the CEQA Guidelines, Categorical Exemptions may be used for Class 3-eligible projects except in cases where the project may negatively impact an environmental resource of critical or hazardous concern which is "designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies."

The project site is mapped in an area subject to the Slope Protection Act, adopted by the Board of Supervisors (BOS) in 2008. This ordinance created procedures for additional review of slope stability by

DBI for properties within certain mapped areas and established a Structural Advisory Committee for review of permit applications within this area. The BOS found that the public health, safety, and welfare would be best protected if the Building Official requires permits for new construction in these areas to undergo additional review for structural integrity and potential effects on slope stability, including submission to the Structural Advisory Commission for consideration. If the Structural Advisory Commission finds that a project would result in unsafe conditions that cannot be addressed to the satisfaction of the Committee, the Building Official must deny the permit. Thus, the existing regulatory program and requirements are sufficient to ensure that the proposed project would not result in a significant impact related to slope stability. Adherence to this ordinance has been found to adequately protect the public health, safety, and welfare.

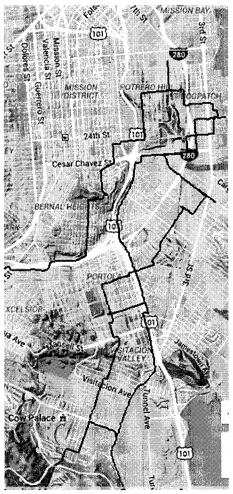
The project site contains no other environmental resource of hazardous or critical concern that has been designated or precisely mapped. Therefore, the proposed project would not have a significant impact on environmental resources of hazardous or critical concern and this exception to the Categorical Exemption does not apply.

<u>Utilities.</u> PG&E Transmission Pipeline 109 runs under Folsom Street from the 280 freeway to Bernal Heights Boulevard, including under the project site, after which it circles Bernal Heights Park's eastern edge before continuing onto Alabama Street, Cesar Chavez Street and neighborhoods along Potrero Hill, Dogpatch and the Central Waterfront. The Pipeline's alignment takes it through a variety of residential neighborhoods in the southeast area of the City, and other similar pipelines run beneath streets in other areas of the city (see Figure 1). The presence of a gas transmission pipeline beneath areas adjacent to residential development is not unusual in San Francisco or throughout the state because residential homes are commonly served by gas lines.

According to PG&E, Pipeline 109 was installed in 1981 and was successfully strength tested at the time of installation. It has a maximum allowable operating pressure of 150 pound per square inch gage which is 19.8% of the pipe's specified minimum yield strength. It is patrolled at least quarterly, and is surveyed for leaks at least annually. The system PG&E uses to combat pipeline erosion is inspected every two months. PG&E also performs External Corrosion Direct Assessments, which involve excavation and physical inspection of the pipeline.

PG&E has stated that the construction of the two homes will present no particular issues with respect to patrolling and maintaining the pipeline, as the proposed home sites are no closer to the pipeline than existing residential properties on Folsom Street and other areas of San Francisco.





Exemption from Environmental Review

PG&E natural gas lines run under a number of small and large streets in San Francisco that have experienced, and will continue to experience, maintenance that includes earth movement, excavation and related work in proximity to a natural gas transmission line.

Section 4216.2(a)(1) of the California Government Code requires that any contractor or resident that excavates on private property must call 811 (Underground Service Alert (USA) North) at least two business days before excavation. USA will inform PG&E of the request to excavate and, in the case of work done in proximity to a pipeline such as that proposed by the Project Sponsor, require that a PG&E standby employee be contacted. PG&E staff must physically observe a safe excavation and must be present for any excavation within ten feet of their transmission lines, and will instruct and guide the excavating party, on-site, to avoid damage to the pipeline. These practices apply in the case of both housing construction and road improvements anywhere in San Francisco adjacent to a gas transmission pipeline. These practices, as required by law, are in place to ensure construction activities do not substantially affect underground services, including natural gas pipelines. Furthermore, PG&E regulations require review of proposed plans for any work within 10 feet of their facilities. Therefore, these regulations would ensure that no significant environmental effect would occur from construction in proximity to PG&E's natural gas pipeline.

In light of the above, there is no possibility that the proposed project would have a significant effect on the environment related to unusual circumstances with regards to the presence of the PG&E natural gas pipeline.

Emergency Access. While the width and grade of the proposed street improvement preclude the San Francisco Fire Department (SFFD) apparatus from traversing the proposed street, the proposed project would be required to conform to Fire Code Section 503.1.1, which mandates all portions of the exterior walls of the first story of any constructed building to be within 150 feet of an approved fire apparatus access road. Both Folsom Street and Bernal Heights Boulevard are accessible to SFFD apparatus and are within 150 feet of all portions of the exterior walls of the first floor of both proposed homes. Furthermore, the proposed homes include automatic sprinkler systems. As the proposed houses are within 150 feet of approved fire access roads and include automatic sprinkler systems, the proposed project conforms with the Fire Code and the project therefore does not present a hazardous condition with respect to public safety related to emergency access.

Aesthetics. The project site is located downhill from Bernal Heights Park and Bernal Heights Boulevard. The Urban Design Element of the General Plan includes three maps relevant to the proposed project: 1) Street Areas Important to Urban Design and Views, 2) Quality of Street Views, and 3) Plan to Strengthen City Pattern through Visually Prominent Landscaping. Neither Bernal Heights Boulevard nor Folsom Street is included on the map "Street Areas Important to Urban Design and Views". Bernal Heights Boulevard, Folsom Street and Chapman Street in the area of the proposed project are designated as having average views on the "Quality of Street Views map". Bernal Hill is identified as an important vista point to be protected on the "Plan to Strengthen City Pattern Through Visually Prominent Landscaping map".

The proposed project (two buildings reaching a height of 30 feet) would not obstruct views from Bernal Heights Park. The Bernal Heights East Slope Design Guidelines include roof treatment guidelines to minimize or avoid obscuring views, and the north elevation of the proposed project would comply with

the Bernal Heights East Slope Design Guidelines. Furthermore, the proposed roofs of the two buildings would sit below the elevation of Bernal Heights Boulevard.

Therefore, the two proposed 30 foot. tall buildings would not result in a substantial demonstrable adverse effect to any scenic views or resources.

<u>Historic Resources.</u> The project site is currently vacant, undeveloped land, and does not include any historic resources. Neither the project site nor the immediately surrounding neighborhood is within a historic district designated under federal, state or local regulations.

As the proposed project requires excavation up to a depth of 40 feet, it was subject to a Preliminary Archeological Review (PAR) by a Planning Department Archeologist. The PAR determined that the proposed project would result in no effect on archeological resources.¹

Thus, the proposed project would not result in an adverse impact to a historic resource.

<u>Geotechnical</u>. The dimensions of each lot are 25 feet wide by 70 feet deep. Both lots have an approximately 32 percent slope from the north to south side of the lot. Each residence would be constructed on a flat building pad with concrete retaining walls used in the front and rear yard areas to provide access to the garage and create usable outdoor living areas. The buildings would be constructed using a spread footing and/or mat foundation, requiring excavation several feet in depth.

A geotechnical report was prepared for each of the two proposed residences (3516 and 3526 Folsom Street) and includes information gathered from a site reconnaissance by the geotechnical engineer and two soil borings, one on each lot.² Both borings encountered 3 to 4 feet of stiff clay and sandy soil over chert bedrock. No groundwater was encountered, though based on the hillside location and soil and bedrock morphology it is possible that groundwater seepage from offsite irrigation could be encountered during excavation on the project site.

The geotechnical reports include the same evaluation and recommendations given the adjacency of the two lots and similar geotechnical/geological site conditions. The project site was evaluated for potential liquefaction, landslides, surface rupture, lateral spreading, and densification and was found to have a low risk. The geotechnical reports indicate the project site is not within an identified landslide or liquefaction zone as mapped by the California Divisions of Mines and Geology.³ The project site is in an area that would be exposed to strong earthquake shaking. However, the 2013 San Francisco Building Code (Building Code) requires the Site Classification and Values of Site Coefficients be used in the design of new structures to minimize earthquake damage. The geotechnical reports include seismic design

¹ Preliminary Archeological Review Log, September 26, 2013. A copy of this document, and all documents cited below, are available for public review at the San Francisco Planning Department. 1650 Mission Street, Suite 400, as part of Case file No. 2013.1383E.

² H. Allen Gruen, *Report Geotechnical Investigation Planned Residence at 3516 Folsom Street*, and *Report Geotechnical Investigation Planned Residence at 3526 Folsom Street*, August 3, 2013. Copies of these documents are available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1383E.

³ California Department of Conservation, Seismic Hazard Zones, City and County of San Francisco, November 17, 2000. Available online at http://gmw.consrv.ca.gov/shmp/download/quad/SAN_FRANCISCO NORTH/maps/ozn_sf.pdf. Accessed July 8, 2016.

parameters for use in the project design by the structural engineer, in compliance with the Building Code, during the building permit plan check process.

Both geotechnical reports conclude that the proposed improvements could be safely supported using a spread footing and/or mat building foundation, provided adherence to the site preparation and foundation design recommendations included in the reports. The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of DBI's permit review process. Prior to issuing a building permit for the proposed project, DBI would review the geotechnical report to ensure that the proposed project complies with building safety and seismic design standards, as well as compliance with the requirements of the Slope Protection Act. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code. Thus, the proposed project would have no significant geotechnical impacts.

Shadow. The project site is located to the southwest of the Bernal Heights Community Garden. Therefore, a shadow analysis was prepared by the Project Sponsor/Architect. The shadow analysis provides simulations that show that the proposed project would cast new shadow on the Bernal Heights Community Garden, but that shadow would be limited to only certain periods in the winter and summer and the new shadow would only fall on a portion of the southwestern corner of the community garden mainly in the evening after 5:30 pm. In most cases throughout the year, the shadow cast by the proposed project either does not fall on the community garden or is contained within shadow already cast by existing structures on Gates Street.

While the proposed project would cast new shadow on the community garden, it is not expected to substantially affect the use or enjoyment of the Bernal Heights Community Garden such that a significant environmental effect would occur.

Transportation. Using the Planning Department's 2002 Transportation Impact Analysis Guidelines for Environmental Review (October 2002), the proposed project is estimated to generate approximately nine daily automobile trips. The change in traffic in the project area as a result of the proposed project would be indiscernible to most drivers. The proposed project would add a negligible increment of vehicle traffic to the cumulative long-term traffic increase on the neighborhood's roadway network. Thus, the project would not substantially affect the neighborhood's existing or cumulative traffic conditions.

Planning Code Section 242 requires, generally, two functional off-street parking spaces per residential unit in the Bernal Heights Special Use District. The proposed project includes two parking spaces per residential unit (four, in total). Guests and visitors arriving by car would be able to utilize nearby onstreet parking. According to the Department's transportation impact analysis guidelines, the parking demand for the proposed project is three spaces. As the proposed project includes four spaces, there would be no parking shortfall.

San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of

travel. The small number of projected vehicle trips generated by the proposed project, approximately nine per day (which includes vehicle trips by the residents who would utilize the project's off-street parking), would not result in a parking deficit and therefore any secondary impacts from a parking shortfall on the environment would not ensue, including increased traffic congestion, emissions, safety or noise.

In light of the above, the proposed project would not result in any significant transportation impacts.

Biological Resources. Nearby Bernal Hill is a natural area that has been evaluated for the presence of birds and bird habitat. According to San Francisco Recreation and Parks' Significant Natural Resources Areas Management Plan (SNRAMP), two sensitive bird species have been observed at Bernal Hill: Say's phoebe (Sayornis saya) and Wilson's warbler (Wilsonia pusilla). There is also a single area of important bird habitat, which includes the entire grasslands area of Bernal Hill.

The project site contains trees and vegetation not unlike those found on Bernal Hill. The Project Sponsor would be required to comply with the Federal Migratory Bird Treaty Act (MBTA) as well as California Department of Fish and Game Code 3513 regarding the protection of nesting birds during construction. California Department of Fish and Wildlife (DFW) biologists have broadly defined the nesting season as February 1st through August 15th (although there are more specific dates for certain species of birds).

If timing restrictions make it impossible to avoid the nesting season, the construction areas should be surveyed for nesting birds and active nests should be avoided. A biologist should inspect the construction areas for active nests. If adult birds are observed flying to and from a nest, or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest should be delayed until the nest is no longer active. The active nest should be watched, and when the chicks have left the nest and activity is no longer observed around the nest, it is safe to continue construction activity in the nest area.

As the proposed project would be required to comply with the MBTA and DFW regulations, and as there is abundant substantially similar, and protected, habitat available nearby on Bernal Hill, project construction would not have a significant effect on any bird species or their habitat and the development of these two lots, adjacent to other similar development, would not result in a significant impact on bird species or habitat.

<u>Water Quality</u>. The proposed project would not generate wastewater or stormwater discharges that have the potential to degrade water quality or contaminate a public water supply. Project-related wastewater and stormwater would flow to the City's combined stormwater/sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Treatment Plant prior to discharge into San Francisco Bay. Additionally, the proposed project is required to comply with the Stormwater Management Ordinance, which require the project to maintain or reduce the existing volume and rate of stormwater runoff at the site by retaining runoff onsite, promoting stormwater reuse, and limiting site discharges before entering the combined sewer collection system.

The proposed project would also be required to comply with requirements of the Construction Site Runoff Ordinance, which regulates the discharge of sediment or other pollutants from construction sites and prevents erosion and sedimentation due to construction activities. Furthermore, before the street improvement permit can be finalized, SFPUC must review and approve the proposed plans. Therefore, the proposed project would not have significant environmental impacts related to water quality.

<u>Cumulative Impacts</u>. CEQA Guidelines Section 15300.2, subdivision (b), provides that a categorical exemption is inapplicable when the cumulative impact of successive projects of the same type in the same place, are significant. For the reasons discussed below there is no possibility that the proposed project in combination with reasonably foreseeable cumulative projects would have a significant effect on the environment.

The project as proposed in the Environmental Evaluation application is for the construction of two singlefamily residences on two vacant lots located on the "paper street" segment of Folsom Street as well as utility extensions and street improvements that would serve the two homes and four undeveloped lots along this segment of Folsom Street. The four adjacent lots are all under different ownership than the project lots and no Environmental Evaluation applications are on file with the Planning Department for development of those lots. Any future development proposals on the adjacent lots would require further environmental review and City approval.

Since the 3516 and 3526 Folsom Street project is the first proposed development on the "paper street" segment of Folsom Street, the project sponsor would be required to construct pedestrian and vehicular access to this segment of Folsom Street. The project sponsor has also agreed to construct utilities to service the remaining four undeveloped lots so as to avoid any need to excavate the improved section of Folsom Street in the event homes are proposed for the four remaining vacant lots in the future. At this time, it is unknown whether utilities would come from Bernal Heights Boulevard to the north or from Chapman Street to the south. This would be determined by PG&E and the SFPUC once the project is entitled. It is anticipated that utility lines would run under the entire length of the street extension, which would reduce or avoid the need for future utility-related construction activities should development occur on the adjacent lots.

Pursuant to CEQA, cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other physical environmental impacts. The proposed project would construct two single-family homes, improve a segment of Folsom Street, and provide utilities for the two proposed homes and four adjacent lots. While there are no Environmental Evaluation applications on file with the Planning Department for the four adjacent lots, the improvements proposed by the project would facilitate future development of those lots. The cumulative effects of the proposed project in addition to development of the four adjacent lots are addressed below.

Shadow. The vacant lots to the east of the project site would have the potential to shade the Bernal Heights Community Garden. If those lots are developed, they would be required to undergo environmental review in accordance with CEQA and would require a shadow analysis. As discussed above, the proposed project would shade a portion of the southwestern corner of the community garden mainly in the evening after 5:30 pm. Therefore, the proposed project would not result in a considerable contribution to any cumulative shadow impact that could result from development of the adjacent lots.

Transportation. The addition of two single-family residences would generate an estimated 9 daily vehicle trips. Should development occur on the four adjacent lots, which are each permitted to construct one

single-family residence, it is estimated that an additional 18 daily vehicle trips would be generated. The addition of 18 daily vehicle trips in combination with the proposed project's 9 daily vehicle trips would be dispersed through-out the day and would not be considered a substantial number of trips that could adversely affect the local transportation system.

In addition, any subsequent development would be required to comply with the same regulations as the proposed project including, but not limited to, compliance with the San Francisco Building and Fire Codes, Slope Protection Act, PG&E regulations for work in proximity to their pipeline, the SFPUC's Stormwater Management Ordinance and Construction Site Runoff Ordinance, the MBTA and DFW regulations protecting nesting birds and the Bernal Heights East Slope Design Guidelines. These regulations would ensure that development of the adjacent lots, would not result in significant effects to geology/soils, emergency access, water quality, utilities, biological resources, and aesthetics.

Thus, the proposed project would not result in a considerable contribution to any cumulative environmental impacts.

Conclusion. The proposed project satisfies the criteria for exemption under the above-cited classification(s). In addition, none of the CEQA Guidelines Section 15300.2 exceptions to the use of a categorical exemption applies to the proposed project. For the above reasons, the proposed project is appropriately exempt from environmental review.