



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: OCTOBER 8, 2015

Date: October 1, 2015
Case No.: **2014-000595DRP**
Project Address: **2720 Lyon Street**
Permit Application: 2014.06.11.8149
Zoning: RH-1 (Residential, House, One Family)
40-X Height and Bulk District
Block/Lot: 0948/031
Project Sponsor: Jeff Eade, Architect
407 Crestmont Drive
San Francisco, CA 94131
Property Owners: Katherine Treasure & Rick Burroughs
2720 Lyon Street
San Francisco, CA 94123
Staff Contact: Sara Vellve – (415) 558-6263
sara.vellve@sfgov.org
Recommendation: **Do Not Take Discretionary Review and Approve as Proposed**

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 proposal is to construct a roof deck with a stair and elevator penthouse, and a third-floor deck at the rear of the three-story single-family dwelling. The roof deck would be approximately 600 square feet. The deck would contain a combined stair, elevator and landing penthouse of approximately 100 square feet, as well as garden boxes, barbeque, bar sink, below-counter refrigerator and gas fireplace. The deck would be set back from the front building wall by approximately 24 feet and 3 feet from the rear building wall. Clear, bird safe windscreens would rise approximately 5' – 6" above the parapet (8' from the deck surface). A new deck of approximately 3' – 6" deep and 12' wide would be constructed at the rear of the third floor adjacent to the north side property line.

SITE DESCRIPTION AND PRESENT USE

The subject property is located on the east side of Lyon Street, between Filbert and Union Streets, Lot 031 in Assessor's Block 0948 and is located within the RH-1 (Residential, House, One Family) Zoning District and the 40-X Height and Bulk District. The property is developed with a three-story, approximately 2,800 square foot single-family dwelling that was constructed circa 1922 with off-street parking on the ground floor.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Cow Hollow neighborhood directly across the street from the Presidio. The property is located in a predominantly single-family neighborhood with little commercial development. The nearest commercial area is 2½ blocks north at the Lombard Gate to the Presidio. The blockface is predominately 3-story buildings of varied architectural styles. The subject and DR requestor's

buildings were developed at the same time (1922), and according to city records the adjacent building to the south was constructed in 1973.

BUILDING PERMIT NOTIFICATION

| TYPE | REQUIRED PERIOD | NOTIFICATION DATES | DR FILE DATE | DR HEARING DATE | FILING TO HEARING TIME |
|-----------|-----------------|-----------------------------------|----------------------|-----------------|------------------------|
| 311Notice | 30 days | 5/7/2015 – 6/6/2015 (Saturday) | 6/8/2015 (Monday) | 10/8/2015 | 92 calendar days |

HEARING NOTIFICATION

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|---------------|-----------------|----------------------|--------------------|---------------|
| Posted Notice | 10 days | September 28, 2015 | September 28, 2015 | 10 days |
| Mailed Notice | 10 days | September 28, 2015 | September 28, 2015 | 10 days |

PUBLIC COMMENT

| | SUPPORT | OPPOSED | NO POSITION |
|------------------------------------------------------------|---------|----------------|-------------|
| Adjacent neighbor(s) | - | 2 | - |
| Other neighbors on the block or directly across the street | - | 3 | - |
| Neighborhood groups | - | 1 (Cow Hollow) | - |

DR REQUESTOR

Milo Werner, 2724 Lyon Street, adjacent neighbor to the north and representing the neighborhood.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated June 8, 2015.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Responses to Discretionary Review*, submitted September 23, 2015.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption. A Planning Commission approval will constitute the Approval Action for the Project for the purposes of CEQA, pursuant to San Francisco's Administrative Code Section 31.04(h).

RESIDENTIAL DESIGN TEAM REVIEW

On October 9, 2014, during initial plan review, the Residential Design Team (RDT) reviewed the proposal and requested the following modifications that were incorporated prior to Section 311 notice.

- The roof deck should be approximately the same height as the existing roof.
- The parapet and windscreen should be no higher than 8' above the roof deck.
- The deck and windscreen should be set back 3' from the rear building wall.
- The penthouse landing should be no larger than required by the Building Code.
- Any new parapet along the south property line should be no higher than the existing parapet.

On November 6, 2014 the RDT reviewed the proposal in light of the Cow Hollow Design Guidelines (excluding the Appendix). The following requests were made and incorporated into the proposal prior to Section 311 notice.

- Reduce the penthouse mass to the minimum height required and minimize the solid wall on the east side of the penthouse.

On July 7, 2015 the RDT reviewed the proposal in light of the DR Application and found the proposal to be consistent with the RDG's and Cow Hollow Design Guidelines (excluding the Appendix).

- The deck is set back ± 24 feet from the front building wall and is minimally visible from the street. Massing such as the proposed penthouse is acceptable with an appropriate setback.
- The deck is set back 3 feet from the rear building wall.
- The penthouse is not expected to cast shade on the court of the adjacent building to the south as it does not project into the depth of the court and is on the north side of the court.
- The transparent windscreen will not create a solid volume that may be inconsistent with the neighborhood character, such as the additions shown in the Cow Hollow Neighborhood Design Guidelines. If viewed from a higher elevation, it will be apparent that the windscreen is not an addition with solid walls and a roof, but a more minimal, transparent screen.
- Skylights on adjacent properties are not addressed in the RDGs.
- There are no significant impairments of light or air to adjacent properties.
- There is no unusual loss of privacy through construction of the third-floor rear deck or roof deck.

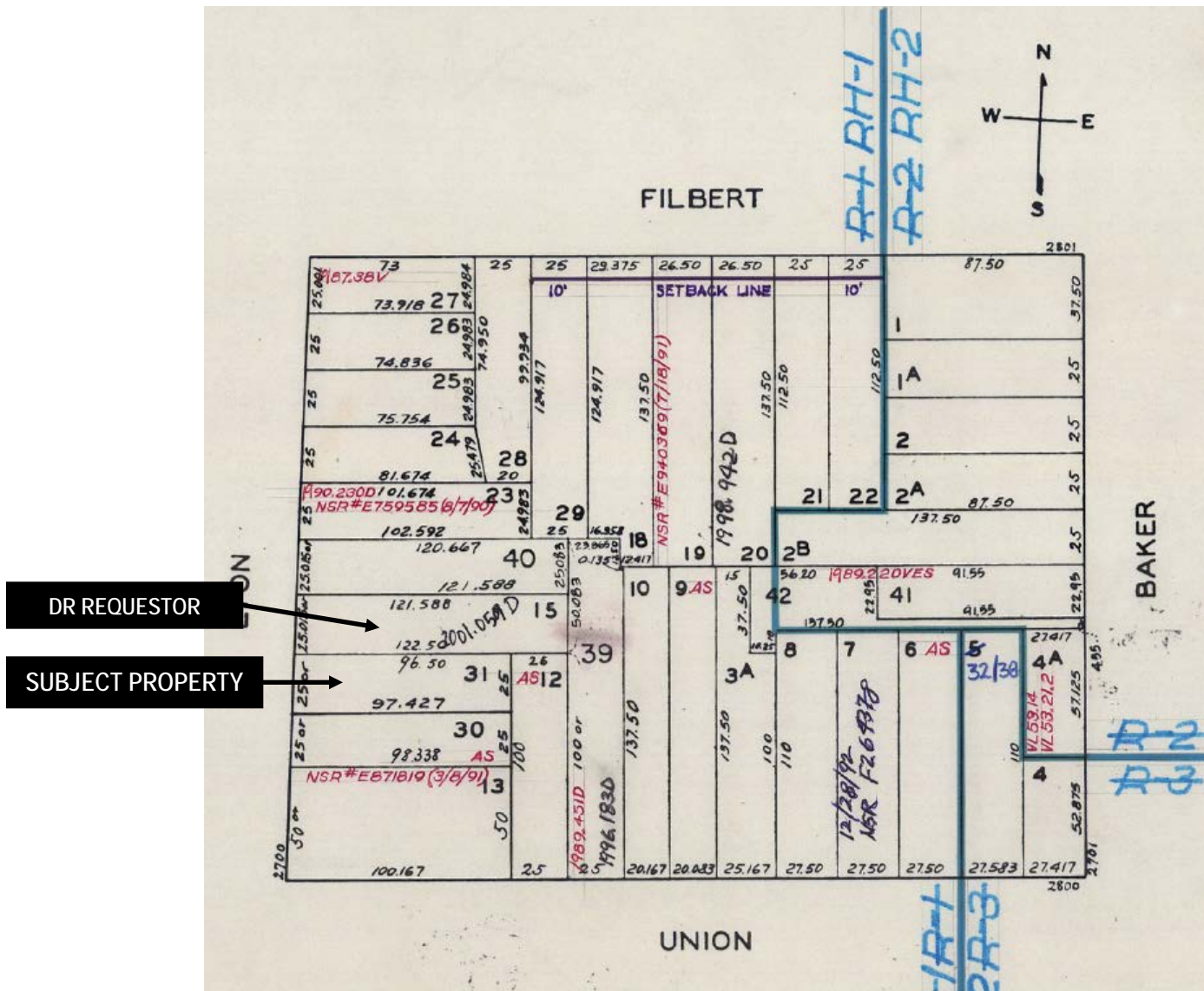
Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

| | |
|------------------------|--------------------------------------------------------|
| RECOMMENDATION: | Do not take DR and approve project as proposed. |
|------------------------|--------------------------------------------------------|

Attachments:

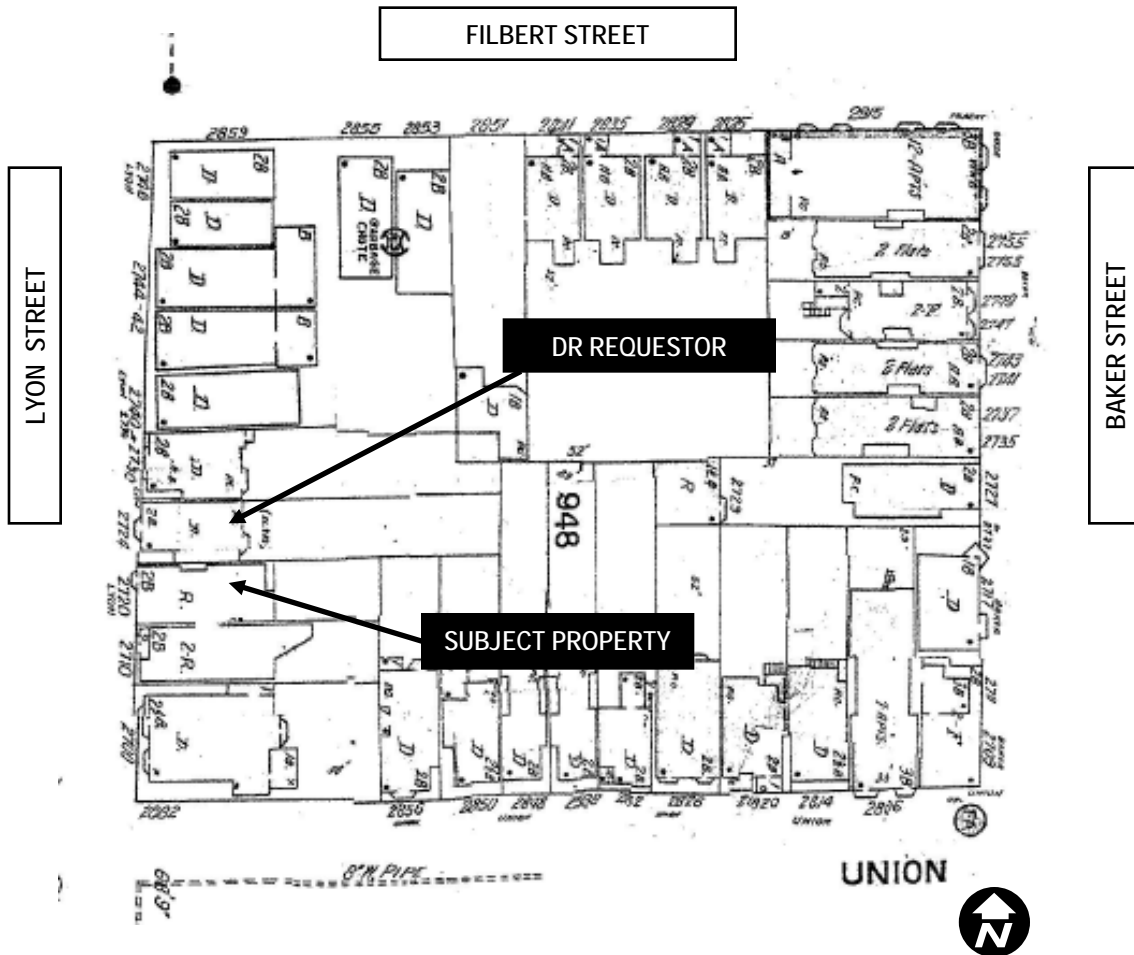
Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
Letters of Support and Opposition
DR Application dated June 8, 2015
Project Sponsor's Response to DR Application
- Reduced Plans & Renderings

Parcel Map



Discretionary Review Hearing
Case Number 2014-000595DRP
Alteration – Roof deck & Penthouse
2720 Lyon Street

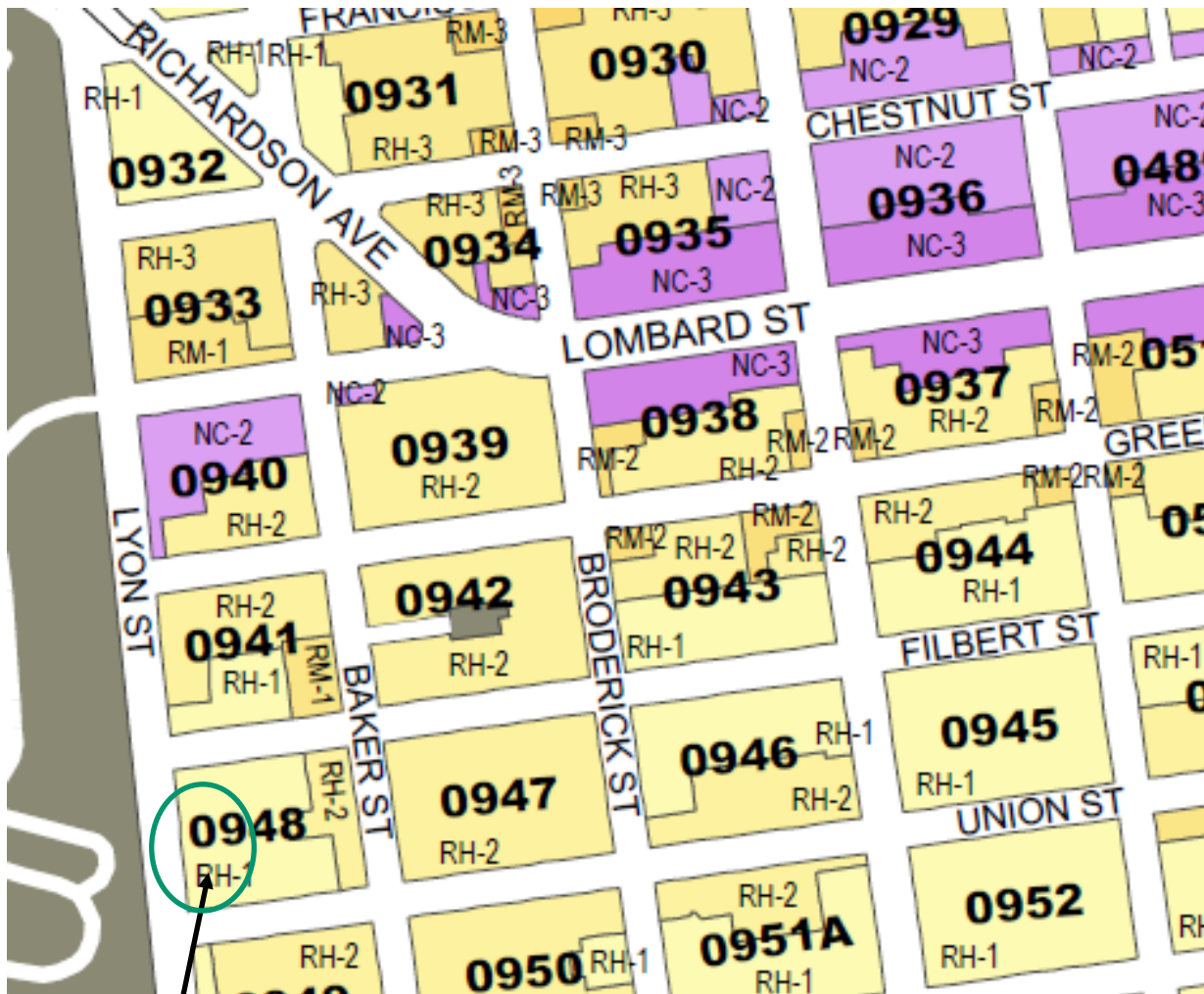
Sanborn Map*



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

Discretionary Review Hearing
Case Number 2014-000595DRP
Alteration – Roof deck & Penthouse
2720 Lyon Street

Zoning Map



SUBJECT & DR
REQUESTOR'S
PROPERTIES

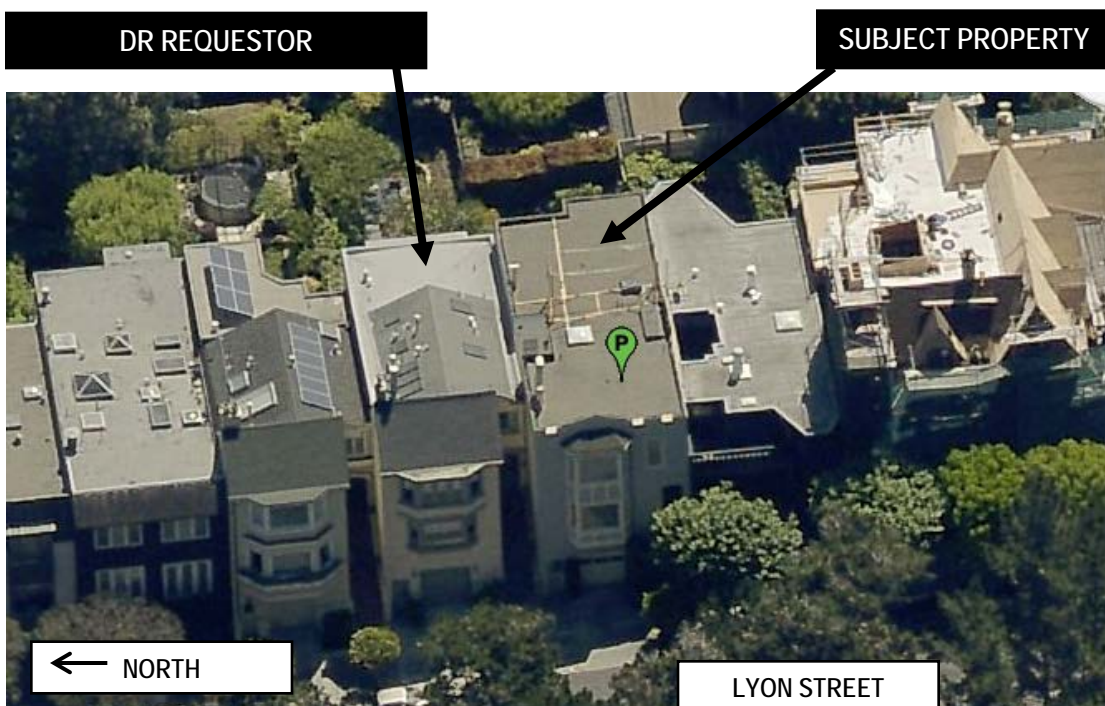
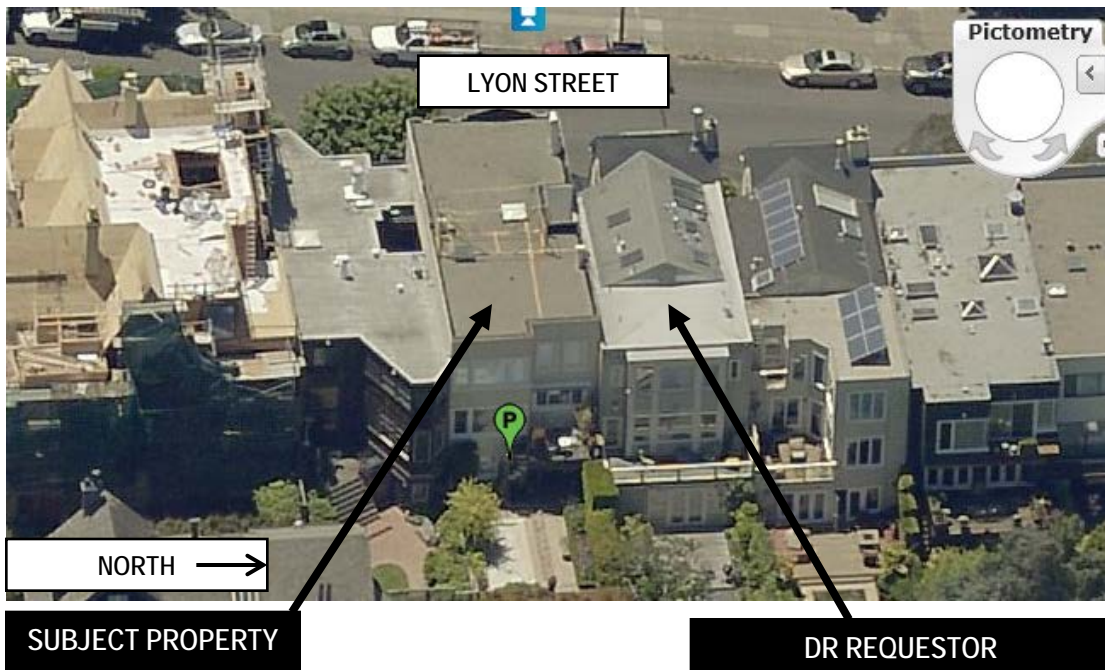
Discretionary Review Hearing
Case Number 2014-000595DRP
Alteration – Roof deck & Penthouse
2720 Lyon Street

Aerial Photo



Discretionary Review Hearing
Case Number 2014-000595DRP
Alteration – Roof deck & Penthouse
2720 Lyon Street

Context Aerial Photos



Discretionary Review Hearing
Case Number 2014-000595DRP
Alteration – Roof deck & Penthouse
2720 Lyon Street

Context Block Face Photos



DR REQUESTOR

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2014-000595DRP
Alteration – Roof deck & Penthouse
2720 Lyon Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311/312)

On **June 11, 2014**, the Applicant named below filed Building Permit Application No. **2014.06.11.8149 (Alteration)** with the City and County of San Francisco.

| PROPERTY INFORMATION | | APPLICANT INFORMATION | |
|----------------------|-------------------------|-----------------------|--------------------------------|
| Project Address: | 2720 Lyon Street | Applicant: | Jeff Eade, Architect |
| Cross Street(s): | Union Street | Address: | 407 Crestmont Drive |
| Block/Lot No.: | 0948/031 | City, State: | San Francisco, CA 94131 |
| Zoning District(s): | RH-1/40-X | Telephone: | (415) 606 - 4414 |

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

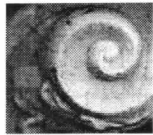
Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request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

| PROJECT SCOPE | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------------|
| <input type="checkbox"/> Demolition | <input type="checkbox"/> New Construction | <input checked="" type="checkbox"/> Alteration |
| <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Façade Alteration(s) | <input type="checkbox"/> Front Addition |
| <input checked="" type="checkbox"/> Rear Addition | <input type="checkbox"/> Side Addition | <input checked="" type="checkbox"/> Vertical Addition (egress penthouse) |
| PROJECT FEATURES | EXISTING | PROPOSED |
| Building Use | Residential | No Change |
| Front Setback | As Is | No Change |
| Side Setbacks | As Is | No Change |
| Building Depth | ± 57 feet | ± 61 feet |
| Rear Yard | ± 33 feet | ± 29 feet |
| Building Height | ± 34 feet | ± 33 feet |
| Penthouse Height | None | ± 42 feet |
| Number of Stories | 3 | 4 (3 from street) |
| Number of Dwelling Units | 1 | 1 |
| PROJECT DESCRIPTION | | |
| <p>The proposal is to modify the building façade, construct a rear horizontal addition and stair at the ground floor, add a penthouse and roof deck, and add property-line windows to the north building wall per the enclosed plans. The rear horizontal addition would be located at the north side of the building and project approximately 4 feet beyond the existing rear building wall. The stair and elevator penthouse would rise to a height of approximately 42 feet above curb.</p> <p>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. To date, a request for discretionary review has not been filed.</p> | | |

For more information, please contact Planning Department staff:

Planner: Sara Vellve
Telephone: (415) 558 - 6263
E-mail: sara.vellve@sfgov.org

Notice Date: 5/07/2015
Expiration Date: 6/06/2015



LERNER + ASSOCIATES
ARCHITECTS

September 23, 2015

Rodney Fong, Commission President
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2414

RE: **2720 Lyon Street** Remodel
Lot 031 in Assessor's Block 0948

Discretionary Review Hearing:
Building Permit Application # 2014.06.11.8149
Record Number 2014-000595DRP
Hearing Date: October 08, 2015
Letter of Support

Dear President Fong and Members of the Planning Commission:

I am writing to offer my support for the Burroughs Treasure family and their proposed project at 2720 Lyon Street. In my professional opinion there is no basis for delaying this project from moving forward. The project as presented represents project compromises to meet neighbor's concerns, meets the Residential Design Guidelines, does not compromise the historic integrity of the neighborhood, and provides access for the disabled and elderly to all levels of the house. I therefore propose that there are no exceptional or extraordinary circumstances meriting the exercise of the Commission's Discretionary Review authority.

As for my qualifications to render such a professional opinion, I have been a practicing architect in San Francisco for the past 32 years and have appeared numerous times before your commission representing both my own projects and those of project sponsors as well as neighbors seeking compatible designs. When I was a member of the San Francisco AIA Board of Directors, I chaired a task force that created a design mediation service by the AIA and also assisted the Planning Department in revising the Residential Design Guidelines. In terms of historic resources, I am not only more than qualified as an historical architect as per the requirements of the Secretary of the Interior's Standards, but I also represent historic preservation on DBI's code Advisory Committee and formerly was staff architect for San Francisco Heritage. In terms of disabled access, I am a Certified Access Specialist with the division of the State Architect and a member of the Access Appeals Commission.

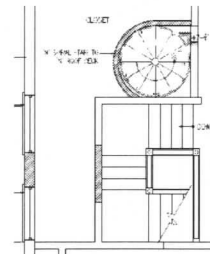
HISTORIC INTEGRITY OF THE NEIGHBORHOOD - In terms of preserving the character of the neighborhood, the proposed project will not affect the character of the neighborhood in a negative way. Preservation Technical Specialist Gretchen Hilyard determined after reviewing the project that "No further environmental review was required. The project is categorically exempt under CEQA." Lastly, John Mackel, Assistant General Counsel for the **Presidio Trust**, reviewed the project and wrote the Project sponsors that "Based upon the information provided, there is no obvious impact to the Presidio, and accordingly, the Presidio Trust does not object to your plans."

RESIDENTIAL DESIGN GUIDELINES - In terms of DCP's Residential Design Guidelines, the Guideline for Stair enclosures recommends stair enclosures be designed to minimize their visibility from the street. Accordingly, the stair and elevator enclosures are set back from the street 28 feet 6-1/2 inches! In an effort to minimize the envelope of the stair to the roof, the Project Sponsors did not carry up to the roof the existing 3 part



switch back stair and instead propose to install a winding stair of a significantly smaller foot print as shown in this excerpt from the Site Permit drawings.

ACCESSIBILITY TO THE ROOF - The older population—persons 65 years or older—numbered 44.7 million in 2013 (the latest year for which data is available). They represented 14.1% of the U.S. population (about one in every seven Americans). By 2060, there will be about 98 million older persons, which is more than twice their number in 2013. The Burroughs Treasure family plans to bring their aging parents into their home to live. In addition, Mr. Burroughs was injured in service to his country and will need, along with his extended family, the same access to amenities enjoyed by his neighbors that a roof deck accessed by a small home elevator can provide.



It has been suggested that the Burroughs Treasure family could use an inclined platform wheel chair lift open to the sky in lieu of a home elevator. I spoke Kurt Frieztzsche, who is with Pacific Access Contractors, the premier lift and home elevator reps and contractors in the Bay area, and posed the questions of appropriateness and reliability of inclined lifts versus elevators. He said:

- Home elevators are considerably more user friendly than an inclined lift
- Incline lifts are a compromise solution when nothing else is possible
- Incline lifts require more maintenance and breakdown more frequently than elevators, especially lifts exposed to the weather
- Incline lifts require a lot of room for the platform to rest and are primarily a commercial application.

I couldn't agree more. In addition, to make a stair large enough to accommodate the required exit widths (36 inches minimum) AND an inclined platform lift carrying the wheel chair in the down position (40 inches), the stair would almost double the size it is now since exiting requirements for the stairs must be met when the lift is in the down position.

It has also been suggested that the Burroughs Treasure family could use roof hatches in lieu of stair enclosures for access to the roof as described in DBI's Administrative Bulletin # AB-057. This might work for emergency access to a roof by an able-bodied person, but would be a disaster for a person in a wheelchair trying to make an inclined lift fit through a roof hatch.

CONCLUSION - In conclusion, whether the proposed project is analyzed from an historic preservation point of view, the application of City Planning's Residential Design Guidelines, or from the perspective of a family with aging parents with mobility issues wanting safe and reliable access to their roof deck, the right solution is the winding stair and the home elevator proposed by the project sponsors. I therefore again propose that there are no exceptional or extraordinary circumstances meriting the exercise of the Commission's Discretionary Review authority and ask that you deny the request before you.

Respectfully submitted,

Arnie Lerner, FAIA, CASp

cc. Rick and Katherine Burroughs Treasure

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2014-000595DRP
2720 Lyon Street

To Whom It May Concern:

I have lived in San Francisco for many years, and used to own 2724 Lyon Street, home of the DR Applicant. I sold the home in 2000 shortly after the Dickies, next-door at 2730 Lyon Street, made a 3-story addition to their house that significantly changed the character of the neighborhood, and my home. Unfortunately I was misled as to the massiveness of the project and the great impact it would have on me. It caused me a lot of pain, and I soon moved out of the neighborhood.

I understand the Dickies still live at 2730 Lyon Street, and have written to the City Planning Department supporting the DR of Rick and Katherine's project, claiming that it further disrupts the character of the neighborhood. I disagree. I have reviewed the proposal and have discussed the project with Rick. It seems compatible with the neighborhood, and is modest in size. Despite the objections, it does not seem like it will affect the neighborhood adversely.

It has been 15 years since I left Cow Hollow, and I often think about not being presented with the facts of the renovation at 2730 Lyon Street plainly. I hope that you will not be misled in deciding whether to deny the DR. And I hope you will approve Rick and Katherine's project.

Sincerely,

A handwritten signature in black ink that reads "Christina M. Merrill". The script is fluid and cursive, with the first name being the most prominent.

Christina Merrill
1000 Mason Street
San Francisco

From: [John Stephan](#)
To: [Velve, Sara \(CPC\)](#); [Lindsay, David \(CPC\)](#)
Subject: 2720 Lyon St. Renovation
Date: Wednesday, October 29, 2014 2:16:35 PM

Hi Sara,

We have spoken twice on the phone but felt I should put my thoughts into an email. I have also taken the photos from my bathroom and my light well, which we spoke about, and sent it with this email. The photo speaks to the privacy issues we discussed. I am holding the broom so that it is at eye level of a person standing on the roof of 2720 behind the planter box shown in their plans. I also attached a photo of the 2720 story poles for the penthouse, which were taken down after a few days, to help orient yourself to the location. The photo's clearly demonstrate people on the proposed roof deck look directly into our home, and our bathroom.

The proposed penthouse, elevator, foyer, and staircase will cast a huge shadow on our light well where the photo was taken, as you can see from the story poles. This light well provides the only source of light to the center of our home, on all three levels, from the entry way to the main floor (study and dining room), and to the top floor hallway (where the photo was taken).

By now I know you have heard from several neighbors on Lyon, Filbert, and Union streets, all strongly opposed to the size and scope of this roof deck. The common theme expressed by my wife and I, and each of these concerned neighbors is, while not opposed to roof decks in general, this proposal is outrageously large and tall, and completely insensitive to the character of our block and our neighborhood. If permitted, it will be a precedent and a stimulus for more of these large appurtenances, which will have a devastating effect on the character of our block.

My wife and I endorse the comments made in the letter you received from Mary Gallagher, as well as those expressed by our concerned neighbors, so I won't repeat them here. I will just urge you to reconsider the thoughtfully developed Guidelines (and in particular the height limits) adopted by the Cow Hollow Association as a way to retain the unique character of this very old and very special neighborhood.

While roof decks are often warranted as the only way for a particular property to capture light and air, this property already enjoys nearly a 1000 square foot sunny backyard and swimming pool. We do not object to their capturing additional light and air, as well as the views, provided by a roof deck. We just think they could accomplish their goal without altering the character of the block and invading the privacy and light and air of their neighbors.

Sincerely

John & Jennifer Stephan

PS. I'm attaching a copy of a letter three of us (Mark Wehrly, Scott Hoopes, and I) sent to the owners of 2720 Lyon St. Yesterday.
Sent from my iPad.

Begin forwarded message:

To: Rick Burroughs
[2720 Lyon st.](#)
[San Francisco, Ca 94123](#)

Re [2720 Lyon Street](#) Renovation

Rick - We are grateful you have now agreed to meet with us jointly and will see you [Wednesday night](#). We hope you will agree this will allow us to efficiently detail our mutual concerns regarding the impact of your proposal on our neighborhood, hear your perspective, and engage in a constructive dialog.

The proposed roof addition at [2720 Lyon Street](#) involves the construction on the building's roof of extensive new structures, not limited to decking and safety railings. The proposal includes a large penthouse room (approximately 100 square

feet) enclosing a foyer, an elevator and a staircase, reaching up over 40 feet. Glass windscreens reaching up to 9 feet are proposed on the interior AND on the perimeter of the roof, supported in some areas by new parapet.

The resulting structure represents a significant departure from the building pattern, volume/mass and visual character of the other houses on the block, the overwhelming majority of which are three-story single-family homes without penthouses. The penthouse, parapet and windscreens would be visible from many different angles, from within the interior of the block, up the hill, and from vantage points on the adjacent streets. The structure modifies the roofline in a way that is markedly out of character with the rest of the neighborhood, and in particular the properties up and down the Lyon Street block face. These details, together with others we can outline for you at our meeting, mean the structure is in material conflict not only with the Cow Hollow Guidelines, but also the City's Residential Design Guidelines. At the end of this email, we've summarized some of the policies that are implicated for your reference.

The Cow Hollow Guidelines have been thoughtfully developed by the Cow Hollow Association and respected by the neighborhood residents as a way to retain the unique character of this very special neighborhood, which is one of the oldest in the City. The proposal, if it were permitted, would establish a precedent that would be devastating to the character of the neighborhood. Please consider what our block and our neighborhood would become, if multiple roof structures like yours were to be built up and down the streets of Cow Hollow, above the height limit established by the Cow Hollow Guidelines.

The design creates numerous other concerns. It has a negative impact on the light and air of your immediate neighbors, looming over light-wells and skylights, impeding light and casting shadow. The roof structure and new windows implicate serious privacy concerns, creating direct lines of sight into light-wells, windows (including bathroom windows) and skylights. Our unique neighborhood and our homes were designed, and have been renovated over the years, with specific light, air and privacy rights in mind, and in reliance on the Cow Hollow Residential Guidelines. Your development is in conflict with these important considerations which have made our neighborhood a desirable and wonderful place to live.

We hope this note begins to explain our perspective and will facilitate meaningful dialog in our meeting. We are not opposed to roof decks in general, but we and most of your neighbors are very much opposed to the size and scope of your present proposal. We would like you to reconsider your plans so that your building remains within the character of the neighborhood and consistent with the Guidelines developed by the Cow Hollow Association.

Sincerely,
John, Scott and Mark

PS: Here are some of the details we referenced above:

Cow Hollow Guidelines:

As we are sure you are aware, the Cow Hollow Residential Guidelines strictly prohibit any roof appurtenances above 35 feet within this residential zone. In its appendix, the Guidelines state that "height policies stated in the Cow Hollow Neighborhood Design Guidelines are intended to be absolute, meaning that no roof appurtenances such as parapets, elevator and stairway penthouses are permitted."

A number of other key CHG policies are implicated:

- * "In the hillside community of Cow Hollow, preservation of the views resulting from the relation of the topography to the existing architecture is a consideration when remodeling is planned or a new home is to be built." (p. 27)
- * "In the case of Cow Hollow, where steep slopes expose the design, and appearance of the roof of buildings down hill, roofline also refers to the perception of roofs as seen from higher elevations." (p. 36)
- * "The volume and mass of a new building or an addition to an existing building must be compatible with that of surrounding buildings." (p. 38)

- * "The scale of any new building or building alteration should be compatible with that of neighboring buildings." "Do certain elements of the building seem to be the wrong size in relation to other parts?" (p. 41)
- * "A structure higher than others in its block face risks incompatibility." (p. 42)

Residential Design Guidelines:

The following RDG guidelines are implicated, among others:

- * "A sudden change in the building pattern can be visually disruptive. Development must build on the common rhythms and elements of architectural expression found in a neighborhood" (p. 7). The rhythm of Lyon Street arises from the topography mirrored by e-story rooflines. This rhythm would be destroyed from the vantage point of the mid block open space and other vantage points up the hill and from adjacent streets.
- * Defined Visual Character (p. 9): "In areas with a defined visual charter, design buildings to be compatible with the patterns and architectural features of surrounding buildings." (p.9) This would be the only building on the block face with a penthouse; it would be seen from the mid-block open space, up the hill and from parts of Lyon and Union streets.
- * Topography (p. 11): "Respect the topography of the site and the surrounding neighborhood." "This can be achieved by designing the building so it follows the topography in a manner similar to surrounding buildings." Every house on this block of Lyon Street steps down with the street. The proposed new penthouse and room-like glassed walls would significantly diverge from the existing pattern and be especially noticeable from the mid-block open space (in addition to higher locations on the block and possibly other blocks).





Sent from my iPadneighborhood.



From: [Nicholas Werner](#)
To: [Velve, Sara \(CPC\)](#)
Subject: 2720 Lyon Street Renovation (Permit Application 201406118149)
Date: Monday, October 27, 2014 5:03:01 PM

Dear Sara,

My wife and I are the owners of 2724 Lyon Street and are writing in regard to a renovation project on our block at 2720 Lyon St.

Our property is next door to 2720 Lyon Street, just to the North. We are very concerned about the impacts of the renovation on our privacy as well as the light and air to our house.

In particular, the proposed roof deck looks down over skylights onto our house, including into our master bathroom. We are also worried that the large penthouse room - over 40 feet high and covering approximately 100 square feet - will cast shadow on these skylights which are the only source of natural light for our two top floor bathrooms in the center of our property. There also are new windows right on my property line, which raise privacy concerns and technical concerns regarding the spread of fire. Further, even as there are now some planters and barbecues drawn along the perimeter, there are no permanent setbacks along the Northern and Eastern perimeter, which leads unnecessarily to additional privacy concerns.

Secondly, I also share the concerns of other neighbors regarding the impact on our neighborhood, and the precedent this project would create. I believe these have been expressed in the letter sent to you by Mary Gallagher, who is consulting on their efforts.

The proposed structure represents a significant departure from the building pattern, volume/mass and visual character of the other houses on the block, and conflicts with the Cow Hollow Guidelines. As you know, the proposal includes a large penthouse room enclosing a foyer, an elevator and a staircase. Glass windscreens reaching up to 9 feet are proposed on the interior and perimeter of the roof, supported in some areas by new parapet. The project is completely inconsistent with our neighborhood's character, especially as it relates to the roofline along Lyon Street.

Allowing this project would encourage other owners in our block to construct similar large appurtenances on their roofs, ultimately negatively changing the character of the entire neighborhood which is one of the oldest in the city.

The Cow Hollow Guidelines have been thoughtfully developed by the Cow Hollow Association and respected by the neighborhood residents as a way to retain the unique character of this very special neighborhood. We all urge you to consider these carefully as you evaluate this proposal that disregards them.

While I know other neighbors will be in touch with the project sponsors to try to work out a compromise, I also appreciate your considering our position and the longstanding efforts of the Cow Hollow Association for us all to abide by the Cow Hollow Guidelines.

Sincerely,
Milo & Nicholas Werner
Homeowners – 2724 Lyon Street

From: [Hoopes, Scott](#)
To: [Velve, Sara \(CPC\)](#)
Cc: [info@markfarrell.com](#); [Brooke Sampson](#); [Geoff Wood](#); [Gregor Freund \(gfreund@gmail.com\)](#); [Hartmut Fischer](#); [Anne Harvey](#); [Charlie Dicke](#); [Mark Wehrly](#); [keith bellling](#); [milowerner@gmail.com](#); [John Stephan](#); [Robert Schuchardt](#); [pwalker@nea.com](#); [Gina Symczak](#); [rick.bourroughs@yahoo.com](#)
Subject: 2720 Lyon Street Roof Deck and Appurtenances
Date: Friday, October 24, 2014 3:02:00 PM

Dear Sara,

I am writing about the renovation at 2720 Lyon Street.

My concern is the project is not consistent with our neighborhood or our Cow Hollow Association guidelines. Allowing it encourages change to the character of the entire neighborhood. I strongly object to its size and scope. Neighbors urge you and the SF planning department to consider the unique character of Cow Hollow and our long efforts with the Cow Hollow neighborhood association to preserve years and years of cooperative efforts to preserve the special neighborhood character. We will be in touch with the project sponsors.

Sincerely,

Scott Hoopes

Owner 2850 Union Street

Scott Hoopes | Managing Director | **J.P. Morgan Securities**

560 Mission Street Suite 2400, San Francisco, CA 94105 | T: 415 772 3000 | F: 415 944-1760 |

scott.hoopes@jpmorgan.com



J.P. Morgan Securities LLC

JPMorgan Chase Bank, N.A.

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From: [Robert Schuchardt](#)
To: [Velve, Sara \(CPC\)](#)
Cc: [Hoopes, Scott](#); [Gina Symczak](#); [Cynthia Gissler](#); [Geoff Wood](#)
Subject: 2720 Lyon Street
Date: Friday, October 31, 2014 8:08:49 AM

Re: Renovation Project at 2720 Lyon Street

Dear Sara:

This is to advise you of my concerns as well as the concerns of a number of my neighbors with respect to the subject project.

As you know, the proposal includes a large penthouse room, an elevator and a staircase, reaching over 40 feet. Glass windcreens of 9 feet. The resulting roof structure would be a significant departure from the building pattern, mass and visual character of the other houses on the block and in the neighborhood.

The Cow Hollow Guidelines have been thoughtfully developed by the Cow Hollow Association and respected by residents as a way to retain the unique character of this very special neighborhood. This project violates these guidelines. The project may also not be in conformity with the San Francisco Residential Design Guideline. The story poles could be seen on the street and trails nearby and blocked views.

We all urge you to consider these guidelines and our concerns as you evaluate the subject proposal.

Thank you for your consideration.

Cordially,

Robert Schuchardt

From: [keith bellling](#)
To: [Velve, Sara \(CPC\)](#)
Cc: [Hoopes, Scott](#)
Subject: 2720 Lyon Street
Date: Saturday, October 25, 2014 9:20:33 AM
Attachments: [image001.png](#)

Hello Sara.

I am one of the growing number of neighbors in Cow Hollow strongly concerned with the renovation being proposed at 2720 Lyon Street.

I was really surprised to see the scope and scale of the roof deck that is being proposed. While we all appreciate the need for a roof deck to enjoy the view and our neighborhood, what's being proposed here is way beyond that, with the 9 foot windscreens, large penthouse, foyer, etc., it's tantamount to adding another floor to the building. There should be a way to scale this down to what seems to be typical for roof deck without upsetting the special character of our neighborhood.

With that in mind, as you evaluate the project, we ask that you please consider the unique character of Cow Hollow and our long standing efforts to preserve the special character of our neighborhood.

Thanks for your consideration!

Keith Belling

keith bellling | founder & chairman

415.391.2700 | f: 415.391.2779

550 montgomery st., suite 900

san francisco, ca 94111

keith@popchips.com

popchips

From: [Hartmut Fischer](#)
To: [Velve, Sara \(CPC\)](#)
Subject: 2720 Lyon Street
Date: Friday, October 31, 2014 11:53:30 AM

Subject: Addition to 2720 Lyon Street

Dear Sara:

As neighbors we are very concerned about the addition which is being planned for 2720 Lyon Street. We were very hopeful that the issue could be settled by negotiations. To date however this does not look to be the case.

For this reason we are writing to you. The addition consists of a very large room which contains the exit for an elevator. While we are not opposed to the basic idea of a roof deck, what is proposed is simply is too large and not in accordance with the neighborhood building pattern. The project is also in violation of the Cow Hollow Association guidelines which protect the unique character of the neighborhood.

We have owned our house since 1988 and in the past we have seen similar proposals. They have all been settled by way of negotiations. No-one to my knowledge has been able to add to the roof an addition of the size which is being proposed for 2720 Lyon Street. Approval would set a significant precedent.

My wife Anne and I hope that this issue can be settled in a good neighborly fashion, but it urgently needs your support.

Sincerely yours, Hartmut Fischer and Anne T. Harvey

2856 Union Street

From: [Charlie Dicke](#)
To: [Velve, Sara \(CPC\)](#)
Subject: 2720 Lyon
Date: Thursday, October 23, 2014 3:28:19 PM

Dear Sara,

I am writing about the renovation project at 2720 Lyon St. My wife, two children and I live two houses north of the property at 2730 Lyon.

As neighbors, we would like to express to you that this project is not fitting with the block of neighborhood. We have over the years worked hard to stop the creep up of structure heights on our block, particularly ones trying to use the planning code carve out of elevator penthouses. Section 260(b)(1)(B) clearly states that any penthouse shall be consistent with the Residential Design Guidelines.

I believe that this project is not consistent with the San Francisco Residential Design Guideline and is not consistent with the Cow Hollow Design Guidelines. The story poles the sponsor erected could be seen by from many public locations on the street and trails nearby and blocked public views. These story poles did not even show the glass screens that they would like to put up which inevitably become less transparent as the dew and grime build up.

Our block has a well maintained open green space between our homes, and uniform sloping roof lines in each direction down and around the block. Most homes already have access to attractive private sunny back yards, including the property in question. Our neighborhood association has adopted the Cow Hollow guidelines designed to protect this character and our community of interest. The guidelines are quite specific as it relates to height limits and penthouses in view of the unique topography of the area.

The proposal includes a large penthouse room (approximately 100 square feet) enclosing a foyer, an elevator and a staircase, reaching up over 40 feet. Glass windcreens reaching up to 9 feet are proposed on the interior and perimeter of the roof, supported in some areas by new parapet. The resulting structure represents a significant departure from the building pattern and visual character of the other houses up and down the block, including as to roofline, volume and mass. The SF Design Guidelines state that the sponsor should design rooftop feature with the smallest overall dimension. This clearly is not the case here.

This new penthouse and deck are in essence an additional floor and living area complete with kitchen and outdoor living space. It looks right into windows of the house just north of it with two small children. As well it would put noise and smells of any gathering on the roof right up against their rooms.

I worry, along with the Cow Hollow Association, that if you allow this structure to be built, then it will be the standard for every other project in the area to look to build higher and create new spaces on top of homes to the detriment of our neighborhood.

Thank you for your consideration.

Sincerely

Charlie Dicke

Charlie Dicke
Pacific Madrone Capital LLC
One Ferry Building, Suite 255
San Francisco, CA 94111
(415) 677-1645

Confidentiality note:

The information contained in this electronic message is intended only for the use of the individual or entity named above. If you are not the above-named intended recipient, you are hereby notified that any review, dissemination, copying or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify me at cdicke@pacificmadrone.com and delete this communication immediately without making any copy or distribution.

From: [Gina Symczak](#)
To: [Velve, Sara \(CPC\)](#)
Subject: Fwd: 2720 Lyon Street
Date: Wednesday, October 22, 2014 12:11:31 PM

Begin forwarded message:

From: Gina Symczak <gdonati@sbcglobal.net>
Date: October 22, 2014 11:53:34 AM PDT
To: saravellve@sfgov.org
Cc: Hoopes Scott <scott.hoopes@jpmorgan.com>, Stephan John & Jennifer <john.stephan@hotmail.com>
Subject: 2720 Lyon Street

Dear Sara,

I am writing regarding a renovation project on my block, at 2720 Lyon St. I share the concerns of the neighbors that have been expressed in the letter sent to you by Mary Gallagher, who is consulting on their efforts.

As you know, the proposal includes a large penthouse room (approximately 100 square feet) enclosing a foyer, an elevator and a staircase, reaching up over 40 feet. Glass windscreens reaching up to 9 feet are proposed on the interior and perimeter of the roof, supported in some areas by new parapet. The resulting structure represents a significant departure from the building pattern, volume/mass and visual character of the other houses on the block, and conflicts with the Cow Hollow Guidelines. The project is grossly inconsistent with our neighborhood's character, and allowing it would encourage other owners in our block to construct similar large appurtenances on their roofs, ultimately negatively changing the character of the entire neighborhood which is one of the oldest in the city.

The Cow Hollow Guidelines have been thoughtfully developed by the Cow Hollow Association and respected by the neighborhood residents as a way to retain the unique character of this very special neighborhood. We all urge you to consider these carefully as you evaluate this proposal which disrespects them.

While I know the neighbors will be in touch with the project sponsors to try to work out a compromise, we also appreciate your considering our position and the longstanding efforts of the Cow Hollow Association for us all to abide by the Cow Hollow Guidelines.

Sincerely,
Gina Symczak

COW HOLLOW ASSOCIATION INC.

Box 471136, San Francisco, CA 94147

September 26, 2015

President Rodney Fong
Planning Commissioners
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
Commissions.Secretary@sfgov.org

RE: 2720 Lyon Street
Case No: 2014-000595DRP

Dear President Fong and Commissioners:

The Cow Hollow Association (CHA) represents the interests of approximately 1,100 homeowners in the area bounded by Lyon, Pierce, Greenwich, and Pacific. Our Association is dedicated to the preservation of the residential character of the Cow Hollow neighborhood. The **Cow Hollow Neighborhood Design Guidelines** (CHNDG)* serve to define the existing neighborhood character, patterns, setbacks, and the significance of the mid-block open space in Cow Hollow.

The CHA had attended the May 2014 Pre-Application Meeting for 2720 Lyon Street, submitted our Cow Hollow Neighborhood Design Guidelines* Checklist to Planning in August 2014, and submitted our position on the proposed project in November 2014. We opposed the proposed Elevator, Staircase, and Landing Penthouse structure, and raised inner portion of the roof deck enclosed with glass windscreens. We recommended a no-impact roof access, elimination of the Elevator and Staircase Penthouse, reduction in the size of the proposed roof deck, and elimination of the raised inner portion of the roof deck. We concluded that "preserving the existing light, air, and views of the surrounding neighbors and public, and addressing the needs of the family can be accommodated with a less elaborate roof deck proposal ..." The recently completed roof deck at 2735-37 Baker was referenced as a good example of a simpler, more harmonious roof deck with a daylighted staircase from the upper living level to the roof (vs. proposed Elevator, Staircase, and Landing Penthouse at 2720 Lyon), setbacks on all sides of the roof deck (vs. side property line deck, deck railings, or windscreens), and code compliant glass railings (vs. 8' windscreen/parapet structures).

That same month, it was brought to our attention that discussions between the 2720 Lyon Street project sponsor and concerned neighbors had come to a standstill, and the CHA offered to assist in negotiating a compromise solution for the proposed roof deck project. Our role as neutral negotiators was accepted by the project sponsors and nearby neighbors – to review the specific needs of the project sponsors and concerns of the nearby neighbors, present the findings to the project sponsors and their architect, review and discuss possible plan revisions until all parties could agree on an overall compromise solution to the proposed project.

In November 2014, the CHA met with the nearby neighbors to summarize their needs and concerns, and presented the findings to the project sponsor. With feedback from their architect, the project sponsors drafted a **Summary of Possible Options** for potential modifications to the proposed project. The Summary was presented to the nearby neighbors in January 2015.

The neighbors responded to the Summary in February 2015 and supported the removal of the Staircase portion of the Penthouse and removal of the windscreens around the inner portion of the roof deck. Other key concerns were not addressed, including the remaining Elevator and Landing Penthouse, setbacks on North and South side property lines, and 8' tall windscreens/parapets.

In May 2015, the project sponsors provided Revised Plans (dated 4/9/15) that offered no changes to the key items of concern for the nearby neighbors:

- Eliminate Elevator, Staircase, and Landing Penthouse and replace with daylighted staircase from the upper living level to the roof
- Create setbacks on North and South side property lines
- Reduce height of glass windscreens/parapets 8' above roof deck
- Move sink, BBQ, refrigerator, and gas fireplace off North side property line

The Revised Plans contained only minor changes for privacy (Extend flower bed on South side property line and Change Penthouse Landing egress to the East) and shadowing (Increase use of glass on exterior of Landing and Staircase portion of the Penthouse).

In May 2015, the neighbors received the 311 Notice for 2720 Lyon Street. All parties were unable to meet before the June 6, 2015 deadline for filing Discretionary Review (DR), and the CHA ended its role as neutral negotiator.

The **CHA Position on Roof Decks – June 2012** and **CHA Elevator and Staircase Penthouse Guideline – April 2015** are enclosed. The CHA supports roof deck projects that are compatible with the existing character of the neighborhood and opposes appurtenances, such as elevator penthouses, that have a negative impact on nearby residents and our neighborhood, especially in the low-elevation areas of Cow Hollow from Vallejo Street north.

The CHA recommends the Planning Commission take Discretionary Review on the 2720 Lyon Street Project and revise the plans as follows:

- Eliminate Elevator, Staircase, and Landing Penthouse and replace with a daylighted staircase from the upper living level to the roof
- Set the roof deck and railings 3' back from the North and South side property lines
- Relocate sink, BBQ, refrigerator, and gas fireplace away from North side property line
- Lower the overall height of the windscreens and windscreens/parapets from 8' to 42", which we understand is the current Building Code requirement
- Move, eliminate, or fire rate the two proposed skylights within the South 3' side setback to eliminate the South side property line parapet

Thank you for your consideration.

Geoff Wood
Co-Chairman CHA Zoning Committee
Cow Hollow Association, Inc.

cc: Sara Vellve, Planner sara.vellve@sfgov.org
Rick Burroughs, Project Sponsor rick.bourroughs@yahoo.com
Katherine Treasure, Project Sponsor katherine.treasure@gmail.com
Milo Werner, DR Applicant milowerner@gmail.com

Encl. CHA Position on Roof Decks – June 2012
CHA Elevator and Staircase Penthouse Guideline – April 2015

* The Cow Hollow Neighborhood Design Guidelines (CHNDG) were adopted by the Planning Commission in 2001 "to assist in determining whether the renovation or expansion of an existing building...is visually and physically compatible with the neighborhood character of Cow Hollow." Following the Design Guidelines would ensure that proposed projects adhere to the pattern of existing buildings, minimize impacts on adjacent property owners in terms of privacy, light, air, and views, and preserve the neighborhood character.

CHA Elevator and Stairway Penthouse (Housing) Guideline – April 2015

The Cow Hollow Association (CHA) has seen a rise in building permit applications that incorporate Elevator and Stairway Penthouses (Housings) with potential negative impacts. The **Department of Building Inspection** in their July 19, 2004, Administrative Bulletin NO. AB-057 entitled “Local Equivalency for Approval of Roof Hatches in Lieu of Stairway Penthouses in Designated Buildings,” presented serious concerns for the construction of penthouses to access roofs. Under DISCUSSION it states: “The installation of roof penthouses throughout the City is an issue of serious concern to the public and the Planning Department inasmuch as such penthouses may expand structures to larger than may be compatible with surrounding structures and may block sunlight and views.”

The CHA shares these concerns and provides the following **Elevator and Stairway Penthouse (Housing) Guideline** for new construction and alterations in our neighborhood.

The Planning and Building Codes establish basic limitations on the size of a building. A building built out to the legal limits established for height and setbacks and rear yards may, however, result in a building which is not compatible with the character of its neighborhood. To address this problem, Section 311 of the Planning Code establishes procedures for review of building permit applications in Residential Districts in order to determine compatibility of the proposal with the neighborhood.

The **Cow Hollow Neighborhood Design Guidelines** (CHNDG) were adopted by the Planning Commission in 2001 to assist in determining whether the renovation or expansion of an existing building...is visually and physically compatible with the neighborhood character of Cow Hollow. Under **2. BUILDING ENVELOPE, A. Roofline** (Adopted Section: pgs. 36-37), it states:

The roofline refers to the profile of the building against the sky. In the case of Cow Hollow, where steep slopes expose the design, and appearance of the roof of buildings downhill, roofline also refers to the perception of roofs as seen from higher elevations.

Respect Roofline Patterns

In general, a strong repetition of consistent rooflines calls for similar design for new construction and alteration.

As important as the pattern of rooflines seen from the street level, is the perception of the roofs of buildings as seen from higher places. A flat roof, the choice of bright and reflective roof materials, the random placement of skylights, the construction of **elevator and stair penthouses**, or the design of a bulky roof, can greatly affect the neighborhood character as perceived from higher locations within the neighborhood.

To clarify, the **Cow Hollow Neighborhood Policy** (Appendix: p. 65) states: **The overriding policy established in these Cow Hollow Neighborhood Design Guidelines is a 35 foot height for RH-1(D), RH-1 and RH-2.**

Height policies include lower heights for some lot configurations, where appropriate to help preserve neighborhood views, and access to light and air.

At the residential level (RH-1, RH-2 Districts), the need for large mechanical roof-top equipment is rarely necessary. Most all present-day residential elevators are hydraulic driven with equipment at the ground or basement level. To provide roof-top access for a roof deck, alternative means such as open stairs, open stair-lifts, or open elevator lifts are available. These systems are currently in use in Cow Hollow and do not require unsightly roof-top housing.

CHA Zoning Committee Position on Roof Decks – June 2012

The CHA Zoning Committee (ZC) is aware of the proliferation of roof decks in our northern neighborhoods. We also are aware of their potential benefit to the residents of the building with the proposed roof deck, and the potential negative impacts on nearby neighbors and the neighborhood at large.

According to Commissioner Moore at the May 10, 2012 DR Hearing for 2735-37 Baker, "I do believe that decks create another form of unit extension that has to have a common vocabulary in order not to intrude with buildings that were originally not built to have these kinds of decks."

The CHA ZC agrees with Commissioner Moore. Project sponsors with input from nearby neighbors need to develop proposals that minimize the negative impacts of roof decks, and create projects that are compatible with the existing character of the neighborhood.

In the Residential Design Guidelines it states, "In order to maintain the visual interest of a neighborhood, it is important that the design of new buildings and renovations to existing buildings be compatible with nearby buildings. A single building out of context with its surroundings can be disruptive to the neighborhood character and, if repeated often enough, to the image of the City as a whole. The Residential Design Guidelines articulate expectations regarding the character of the built environment and are intended to promote design that will protect neighborhood character, enhancing the attractiveness and quality of life in the City."

As roof decks do create another form of "unit extension," concerns for these added living spaces have increased, in particular the Roof-top Activity Centers that contain built-ins (BBQ's, fireplaces, and hot tubs), planters, walls, and furnishings. Impacts to nearby buildings include increases in the subject property's massing and height, increases in noise and odors as deck is elevated and not buffered by plants, fencing, and other buildings, reduction in light, air and privacy for nearby neighbors, additions of mechanical appurtenances, and potential harm to sensitive lots and to buildings located near block corners.

All these new concerns need to be addressed with design elements that create a roof deck proposal that is compatible with the existing character of the neighborhood and that enhances the quality of life for all residents.

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|
| DR APPLICANT'S NAME: MILO WERNER | | |
| DR APPLICANT'S ADDRESS: 2724 LYON STREET SAN FRANCISCO CA | ZIP CODE: 94123 | TELEPHONE: (415) 264-2951 |
| PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: RICK AND KATHERINE BURROUGHS-TREASURE | | |
| ADDRESS: 2720 LYON STREET SAN FRANCISCO CA | ZIP CODE: 94123 | TELEPHONE: (415) 606-4414 |
| CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/> MILO WERNER | | |
| ADDRESS: 2724 LYON STREET SAN FRANCISCO CA | ZIP CODE: 94123 | TELEPHONE: (415) 264-2951 |
| E-MAIL ADDRESS: milowerner@gmail.com | | |

2. Location and Classification

| | | |
|-----------------------------------------------------------------|----------------------------------|-------------------------------|
| STREET ADDRESS OF PROJECT: 2720 LYON STREET SAN FRANCISCO CA | | ZIP CODE: 94123 |
| CROSS STREETS: UNION STREET & FILBERT STREET | | |
| ASSESSORS BLOCK/LOT: 0948 /031 | LOT DIMENSIONS: 25' x 97.427' | LOT AREA (SQ FT): 2,436 |
| ZONING DISTRICT: RH-1 | | HEIGHT/BULK DISTRICT: 40-X |

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 ☒
RESIDENTIAL

Present or Previous Use:

Proposed Use: RESIDENTIAL

Building Permit Application No. 2014.06.11.8149

Date Filed: 06/11/14

4. Actions Prior to a Discretionary Review Request

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

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

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

[PLEASE SEE ATTACHMENT]

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?

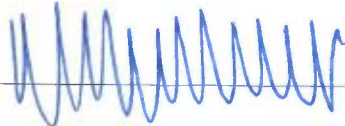
[PLEASE SEE ATTACHMENT]

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: _____

06/08/15

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

MILO WERNER, OWNER

Owner / Authorized Agent (circle one)

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.*

Since June 2014, the neighbors have been engaged in regular dialogue with Plan Sponsor, CHA and Planning Staff regarding their primary concerns arising from the Project Sponsors' roof deck and appurtenant structures: neighborhood character, neighborhood precedent, privacy and light and air. Despite opposition of some neighbors to roof decks in general, the concerned neighbors agreed that if these vital interests were addressed, they would not oppose the Project. The concerned neighbors have been clear that these interests could be addressed simply and without prejudice to Plan Sponsors' access and use of a new rooftop deck as follows: (i) eliminate the penthouse room structure, (ii) reduce the height of the windscreens on parapet walls to the 42" Code minimum measured from the rooftop deck and (iii) provide for 4' setbacks of railings all around the deck.

Plan Sponsor Meetings and Mediation: Concerned neighbors (i) attended the Pre-Application meeting with Plan Sponsor, (ii) met with Plan Sponsor at Plan Sponsor's home to discuss the project and the neighbors' concerns and (iii) made a site visit on Plan Sponsor's roof.

Concerned neighbors participated in a 9-step mediation with Plan Sponsors over a period of months. CHA led this mediation process, which involved multiple meetings with multiple concerned neighbors living in adjacent homes and homes around the block. CHA collated neighborhood concerns and presented them to Plan Sponsors. In turn, CHA relayed the Plan Sponsors' interests to the neighbors. Neighbors and Plan Sponsors engaged in extensive back-and-forth dialogue through CHA representatives and written correspondence.

Neighbors developed an alternative proposal, to be consistent with neighborhood character, building pattern and topography, Cow Hollow Neighborhood Design Guidelines and the City's Residential Design Guidelines. Neighbors paid an architect to develop conceptual project designs, which were presented to Plan Sponsor by CHA. As it turns out, the proposal's key elements were remarkably similar to the very concise recommendations CHA made to the Planning Staff and Plan Sponsor in November 2014 (letter attached). The neighbors' proposals were presented to Plan Sponsor in November 2014, February and June 2015. The alternative design included motorized access to the roof deck via stairs and / or motorized lift, elimination of the penthouse landing and shelter structure over the height limit, introduction of setbacks along property lines, removal or modification of property line windows and height reduction of windscreen on parapet walls to 42-inch Code minimum for guardrails, measured from the rooftop deck. These proposals have been rejected.

In mediation, Plan Sponsors insisted that the project was optimally designed from the beginning to address the neighborhood concerns while serving the Plan Sponsors' interests. Plan Sponsor offered several minor concessions that did not address the neighbors' primary concerns being 1) the penthouse structure, 2) excessively high glass windscreens on parapets, and 3) the absence of setbacks from the property lines. Plan Sponsor also "offered" to make certain changes already required by Planning Staff via NOPDR, including lowering the windscreens on parapet walls to their current 8' combined height. Plan Sponsors have steadfastly refused to address the neighbors' primary concerns; 1) removing the penthouse, 2) lowering windscreen on parapet walls for a combined height of 42" (per Code) as measured from roof surface, and 3) setting rails back at least 4 feet from the property lines. As a result, no agreement was reached.

Changes to the roof deck plans have been made in response to Planning Staff NOPDR#1, as a direct result of NOPDR#1 (e.g., adjusting floor plan to remove interior glass room due to required rear setback) or at Plan Sponsor's discretion (e.g., using glass with support posts for the enclosure at the stairwell and extending flower bed at South wall). No changes were made that address the neighbors' primary concerns – penthouse, windscreens and setbacks.

In summary, no changes have been made to the Project in response to the neighbors' primary concerns through mediation efforts.

Planning Staff: Cow Hollow Association (CHA) corresponded directly with Planning Staff regarding CHA's concerns. To our knowledge, the Planning Staff made no changes to the project in response to CHA's concerns.

Neighbors engaged in extensive back-and-forth correspondence with Planning Staff over a period of months regarding neighbors' concerns and questions, including still unresolved concerns regarding Planning Code compliance and the review process. Staff declined repeated requests for a meeting regarding project with concerned

ATTACHMENTS TO DR APPLICATION 2720 LYON STREET

neighbors. Staff also declined multiple requests for a site visit. Neighbors engaged a consultant, Mary Gallagher, who delivered a letter detailing neighborhood concerns to Planning Staff.

To our knowledge, the Planning Staff made no changes to the project in response to the neighbors' concerns.

New Issue Raised by 311 Notification in May 2015: The plans mailed to the neighborhood in May 2015 via 311 Notification introduced a new 3rd floor balcony. The balcony extends beyond 2724 Lyon's building envelope, and affords a direct line of sight into the master bedroom windows of 2724 Lyon. Because this balcony was not part of the previously filed plans of November 2014, 2724 Lyon's owner has not had the opportunity to dialogue with Plan Sponsor or Planning Staff regarding the obvious and negative privacy impacts of this balcony.

Discretionary Review Request

1. *What are the reasons for requesting DR? The project meets the minimum standards of the Planning Code [sic]. What are the exceptional and extraordinary circumstances that justify DR 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 cite specific sections of the Residential Design Guidelines.*

The Project has material and excessive impacts on the neighborhood and on its adjacent neighbors, as detailed below. Much of the Project is being built above the height limit, taking advantage of perceived loopholes in the Planning Code. These impacts alone constitute exceptional and extraordinary circumstances justifying DR of the project. However, just as importantly, the Project will create a disastrous and irreversible precedent for Cow Hollow development in the future. It would also eviscerate the will of the community as evidenced by the Cow Hollow Design Guidelines and disregard widespread community concerns expressed at the recent Cow Hollow Association annual meeting. The Commission has exercised its Discretionary Review authority on other projects featuring roofdecks and appurtenances in Cow Hollow. Other project developers have modified their rooftop proposals in response to community concern. We respectfully request the Commission to use its Discretionary Review authority to address these exceptional circumstances, as mediation efforts and the Planning process have failed to protect the interests of the adjacent neighbors and the community.

2720 Lyon is an existing three-story (two story over garage) home of historical significance, built in 1923. The home is on a block face and in a block in which the overwhelming majority of existing single-family homes are three stories without penthouses. The Project seeks permission to build an approximately 100 square foot penthouse enclosing a foyer, stairs and an elevator. This fourth floor room steps up from 8-1/2 feet to 10 feet high above the roof and virtually spans the width of the lot. This monolithic structure extends approximately 8-1/2' above the height limit at the elevator penthouse. The Project seeks permission to build a large roof deck (estimated at 500 square feet including penthouse) with 8-foot windscreen-parapet walls placed along the North and South property lines without setbacks and virtually ringing the back half of the structure. The structure includes fixed plumbing (a sink), refrigerator, barbecue, and gas fireplace, all above the height limit located on the side property line. Four new windows would be built on the northern property line.

The Project would materially and adversely impact neighborhood character of the block and the Cow Hollow neighborhood in conflict with Planning Code Section 101.1 Priority Policy (2) that states existing housing and neighborhood character be conserved and protected.

The penthouse room over the height limit is so large in massing that it alone violates the visual character guidelines contained in the Residential Design Guidelines (RDG) and the eight-foot windscreen on parapets on the perimeter of the Project aggravate this conflict (glass windscreens cannot be expected to be truly transparent due to glare, tinting, steel caps and buildup of dust, dirt and condensation). Visual character and other RDG and General Plan policies implicated by the penthouse and excessively high windscreens located on side property lines include the following:

- Building Pattern: "A sudden change in the building pattern can be visually disruptive. Development must build on the common rhythms and elements of architectural expression found in a neighborhood." (Page 7 of RDG). The rhythm of Lyon Street arises from the topography mirrored by 3-story rooflines. This rhythm would be destroyed.
- Defined Visual Character: "In areas with a defined visual character, design buildings to be compatible with the patterns and architectural features of surrounding buildings". (Page 9 of RDG) This would be the only building on the block face with a penthouse.
- Topography: "Respect the Topography of the site and the surrounding neighborhood...follow[] the topography in a manner similar to surrounding buildings." (page 11 of RDG) Every house on this block of

ATTACHMENTS TO DR APPLICATION
2720 LYON STREET

Lyon Street steps down with the South to North sloping street. The Project would represent a significant divergence from the existing pattern.

- Policy 1.3 of the Residence and Urban Design Elements of the General Plan provides: "Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.... 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 disruption to the harmony of this historical building and its relationship to the block face is obvious from Plan Sponsors' own West Elevation drawing. Here you see the beautiful architectural detail of the 1920's (elegantly trimmed bay windows with matched and reducing arches below each window) juxtaposed with the stark square, nonconforming lines of the 8-1/2 to 10 foot high penthouse sitting on top.
- Stair Penthouses: "Limit the size of the penthouse in order to reduce its visibility from the street and its impact on light to adjacent buildings. Stair penthouses may also be entirely eliminated through [various structural elements]." (RDG, page 38) The roof deck can be accessed via other means, including stairs or motorized lifts, that don't require penthouses. The foyer contained in this penthouse serves no apparent purpose other than shelter from the very elements that Plan Sponsor seeks out on the rooftop.
- Windscreens: "Design windscreens to minimize impacts on the building's design and on light to adjacent buildings....Design windscreens so they are compatible with the building's design and do not increase the building's apparent height...Where possible, locate the windscreens in a manner that minimizes their visibility from the street and surrounding properties ." RDG, pages 40-41. Windscreens have been pushed out as far and as high as Planning Staff will allow.
- Cow Hollow Association Policy states that "Height policies stated in the Cow Hollow Neighborhood Design Guidelines are intended to be absolute, meaning that no roof appurtenances such as parapets, elevator and stairway penthouses are permitted." There is no question that the penthouse is inconsistent with neighborhood norms and character, observed and preserved by residents over many years and memorialized in this policy that all residents including Plan Sponsor are to receive when they acquire property.

The Project's roofdeck and third floor balcony violate privacy rights of immediately adjacent families to the North and South. There are no setbacks, such that occupants of the deck (or those accessing the green roof via the removable planters) may look directly down into skylights and windows of both properties, including direct lines of sight to bathrooms. The barbecue, sink and plumbing and refrigerator, all above the height limit, have been positioned right over 2724 Lyon's skylight windows. An indoor kitchen over childrens' bedrooms is an intrusion on privacy. Despite the adjacent neighbors' repeated concerns regarding privacy, in May 2015 the Plan Sponsors introduced a 3rd floor balcony affording a direct line of sight into 2724 Lyon Street's master bedroom. Furthermore, the consent of 2724 Lyon to the four new North-facing windows has not been obtained as required by building code – the new windows are below 2724's pitched roofline, notwithstanding notations to the contrary on the plans. Planning Code Section 101 states that one of the purposes of the Planning Code is to provide adequate privacy.

The Project's penthouse room would negatively impact light and air of immediate neighbors' skylights and interior open space. The penthouse has no setback from the property line of 2710 Lyon Street, and looms over its interior entryway and courtyard, which provides light to virtually every room on all three floors. Photos are attached. This vital courtyard was erroneously mischaracterized as a "light well", which may have been the reason the Planning Department overlooked its importance to the home. Planning Department personnel were requested in writing and in phone calls to make a site inspection but declined. The use of windscreens also will negatively impact light, notwithstanding the use of glass, due to tinting, steel caps and buildup of dust, dirt and condensation. The indoor kitchen over the height limit on the property line is positioned right over 2724 Lyon's skylight windows (see attached photo). This is in conflict with Planning Code Section 101 stating that one of the purposes of the Planning Code is to provide adequate light. – see also RDG citations above re Penthouses and Windscreens.

The Project's penthouse room violates the Planning Code. The stair and elevator penthouses are connected by an enclosed foyer as opposed to being oriented so they face out onto the deck, obviating the need for an interior, covered connection. The foyer room contradicts the Planning Code's requirement that elevator penthouses above the height limit be "limited to the footprint of the elevator shaft" (Planning Code Section 260(b)(1)(B)). The Code's height limits are strict and there is no exception in the Code, variance or published guidance to our knowledge. The Planning Department's position on this foyer contradicts the clear intention of the Section 260(b)(1)(B) exemption, to the extent it allows an elevator landing enclosure over the height limit whenever a staircase enclosure is built on the other side of the elevator landing. Indeed, the Planning Department's practice encourages the construction of stair penthouses over the height limit by project sponsors who desire an elevator landing penthouse or foyer that otherwise would be flatly prohibited by the Code. In encouraging this configuration, Planning Department policy needs to take

ATTACHMENTS TO DR APPLICATION
2720 LYON STREET

into account the Citywide impact on neighborhood character and private and public views of 18-foot long monoliths 8-1/2 feet over the height limit along the skyline and block face of a neighborhood with Cow Hollow's unique topography, due to the impacts on building pattern, light, air and views.

2. *The RDG 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:*

If this large roof deck with its outsized roof rooms and appurtenances were permitted, all neighbors within the Lyon, Union, Baker, Filbert block would have the unique character of this Cow Hollow block altered forever. The property is opposite the Lyon Street wall of the Presidio and the mass of the penthouse structure would be jarringly apparent to the large number of pedestrians who use Lyon Street on a daily basis on their way to and from the Lyon Street Stairs from the Palace of Fine Arts and Crissy Field. New purchasers seeking to remodel older homes will seek to develop bigger and better penthouses and more extensive rooftop amenities – this precedent surely will encourage more development of structures above the height limit. Plan Sponsors themselves ultimately will be impacted by similar development on rooftops next door to them, around the neighborhood and along the skyline.

As detailed above in response to Item 1, there are also privacy, light, and air impacts on the adjacent neighbors which can be mitigated while still allowing Plan Sponsor to access and use the roof.

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 stated interests of the Plan Sponsor can be well met with alternative means, allowing equal access to Cow Hollow's beautiful views and green space without excessive negative impacts on neighbors and the neighborhood character. The neighbors do not oppose the concept of accessing available open space via a roof deck, provided concerns of adjacent neighbors and the neighborhood are addressed. However, it should be noted that Plan Sponsors already have a sizable 40' by 25' rear yard with patio and lap pool.

Three straightforward changes are required to respond: eliminate the penthouse, reduce the height of the glass windscreens on parapets to 42-inch Code minimum for guardrails, measured from the roof surface, and set back rails at least 4 feet from property lines.

These modifications have been proposed to Plan Sponsor by neighbors, and are consistent with the recommendations of Cow Hollow Association to Planning Staff regarding the Project. Neighbors in fact developed an alternative proposal incorporating these features, to be consistent with neighborhood character, building pattern and topography, Cow Hollow Neighborhood Design Guidelines and the City's Residential Design Guidelines. Neighbors then hired an architect to present this alternative concept in detail so it could be presented to Plan Sponsors. The neighbors' proposal provided access to the roof deck via stairs and / or motorized stair-lift providing access to those who require assistance to satisfy Sponsors' stated interests. There would be no penthouse over the stair access, consistent with other developments on and below the block. Amenities like barbecue, gas fireplace, refrigerator and sink would remain, but within the newly set back 42" Code-minimum guardrails and therefore away from the property line, skylights and interior open space. Windows on the North property line would be eliminated or modified with the consent of the 2724 Lyon owners.

As it turns out, the proposal's key elements were remarkably similar to the very concise recommendations CHA made to the Planning Staff and Plan Sponsor in November 2014 (see attached letter from CHA to Sara Vellve). The neighbors' conceptual designs were presented to Plan Sponsor in November 2014, February and June 2015. These proposals, with their concept of no penthouse structure, minimal windscreens and side setbacks, have been rejected by Plan Sponsors in their entirety.

The 3rd floor balcony newly introduced by the plans mailed to neighbors in May 2015 via 311 Notification affords a direct line of sight into 2724 Lyon Street's master bedroom windows. The 3rd floor balcony should be eliminated or modified to eliminate this intrusion of privacy, through a setback from the East and /or North.

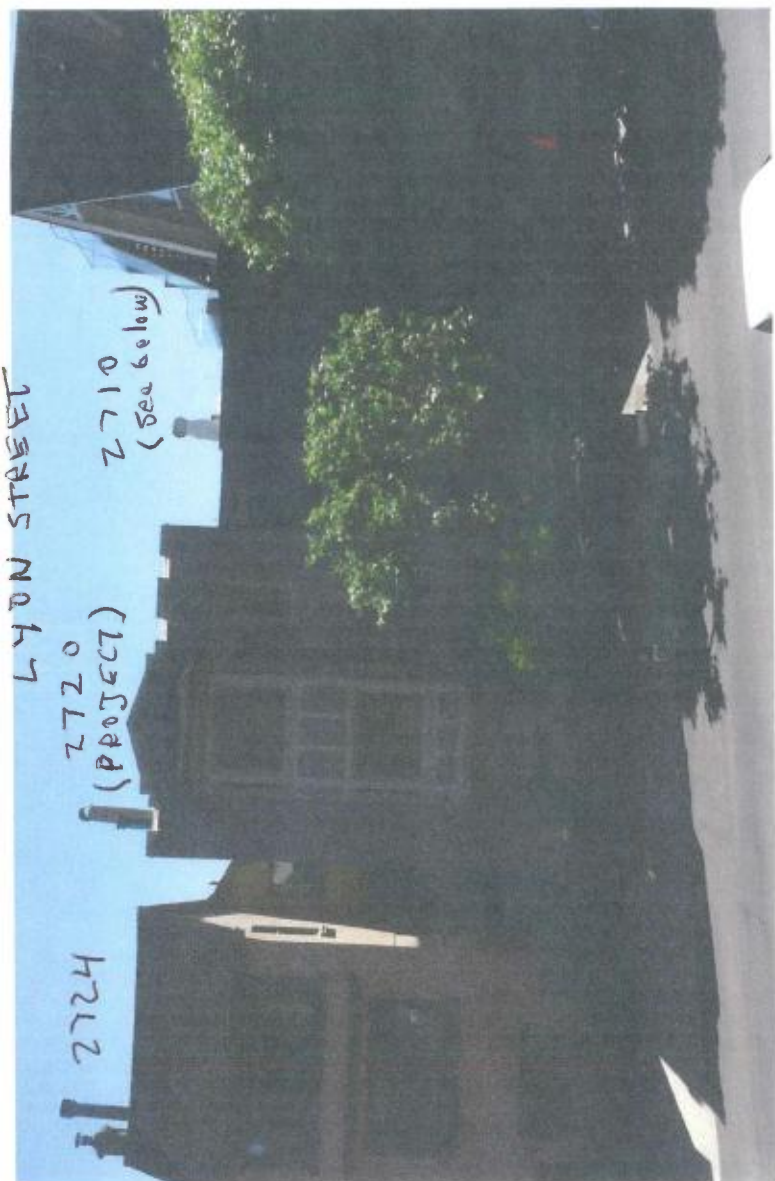
LYON STREET

2724

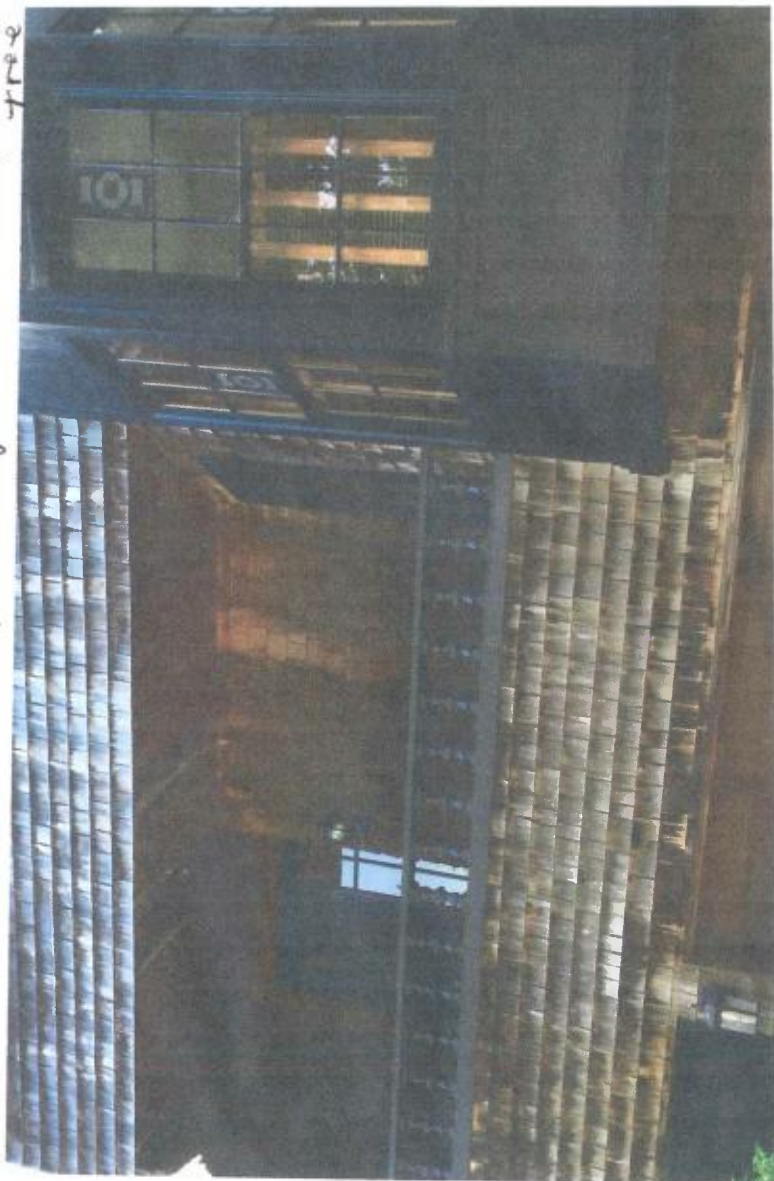
2720

(PROJECT)

2710
(see below)



Portion of 2710 hidden behind tree



DR APPLICATION
2720 LYON STREET

DR APPLICATION
2720 LYON STREET



Views of 2710 Lyon St. Entryway courtyard which
was mischaracterized AS "Light well" during
entire planning Department consideration.

~~(Not a light well)~~

DR APPLICATION
2720 LYON STREET



ANOTHER IMAGE OF 2710 LYON
COURTYARD INTERIOR SPACE, SHOWING
LIGHT AT GROUND LEVEL



DR APPLICATION
2720 LYON ST

2724 LYON STREET'S ROOFTOP AND SKYLIGHTS

DR APPLICATION
2720 LYON STREET

COW HOLLOW ASSOCIATION INC.
Box 471136, San Francisco, CA 94147

November 6, 2014

Ms. Sara Vellve
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
sara.vellve@sfgov.org

RE: 2720 Lyon Street

Dear Ms. Vellve:

The Cow Hollow Association Zoning Committee (ZC) remains concerned with the planned project at 2720 Lyon Street that proposes to add a roof deck with a staircase and elevator penthouse, windscreen enclosed room, sink, refrigerator, BBQ, planters, two gas fireplaces, and an elevated roof terrace with a expanded parapet wall. The existing roofline pattern will be interrupted with the proposed vertical extension and set a new development standard for the blockface. Currently, there is a rear yard with direct access from the 1st Floor (Ground level) of the building that allows the residents to enjoy the outdoors and its amenities, including the collective mid-block open space.

Below is a short history of the CHA's involvement with the proposed 2720 Lyon Street project:

- 11.12.13 CHA returned a phone call from Project Sponsor Rick Burroughs. His voicemail stated that he wants to add a roof deck and wants to determine what he needs to do to be in compliance with the CHA Guidelines [Cow Hollow Neighborhood Design Guidelines (CHNDG)]. CHA requested the architect contact the ZC to discuss the specifics of the proposed project.
- 11.19.13 Architect Jeffrey Eade contacted the CHA and provided preliminary site plan and elevations. Email discussion on the horizontal extension at 1st Floor to adhere to CHA Policy on Equalization, on the Roof Deck addition including a stair and elevator penthouse approximately 8' above roof surface, pergolas, windscreens, and railings, and on the CHA Policy of a 35' overall height limit.
- 11.20.13 Architect and CHA spoke and discussed rear building wall extension at 1st Floor to gain tandem parking. Discussed current measurement of roof, which is 1' under the existing parapet and both under 35'. CHA recommended the Architect discuss any measurement parameters with Planning. Discussed the well-organized nature of the group of neighbors on the block who are currently advocating for adherence to the existing pattern of development for a new construction building at 2851 Filbert.
- 6.4.14 CHA attended the Pre-Application Meeting for proposal to add 45 sf at rear on 1st Floor and roof terrace with appurtenances.
- 8.15.14 CHA Pre-Application Checklist completed and sent to Planning

Our concerns continue to be as stated in the Pre-Application Checklist. Please note that for many of the Checklist items, we answered "SOME" as the proposed project also includes a 1st Floor 45 sf horizontal extension that does respect the existing pattern of development, whereas the proposed roof deck and appurtenances do not.

Did Project Sponsor or Architect offer ways to possibly mitigate concerns of neighbors (i.e. "Good Neighbor" gestures) or the CHA?
SOME - Concerns included: Elevator penthouse

DR APPLICATION
2720 LYON STREET

"Is the building roofline compatible with the pattern of the rooflines on the block-face?" and "Is the buildings volume and mass compatible with that of the surrounding buildings?"
SOME - "Not the elevator penthouse."

"Has the Project Sponsor met with the CHA Zoning Committee to discuss the project?"
SOME - "CHA stated proposed project will most likely cause opposition from neighbors, especially elevator penthouse; neighbors are a well organized group seeking harmonious projects for neighborhood."

The CHA Zoning Committee believes that the proposed ~9'5.5" H x 18'3" W x 5'5" D penthouse for the elevator and staircase, the 9' tall windscreens, the 2'2" elevated roof terrace with a combined 6'2" tall parapet with windscreens, railings, and the other appurtenances are not compatible with the existing roofline pattern or compatible with the volume and mass of the adjacent buildings. In addition, the impact of the proposed vertical extension is far reaching, as it will be visible from the buildings up slope and south of the subject property and visible from the west in the public space of the Presidio. While the project sponsor did erect story poles to better understand the roof deck configuration, to our knowledge there have been no offers to mitigate the concerns of the neighbors.

The CHA recommends a no-impact access to the roof, possibly a 3rd Floor "daylighted" staircase that can accommodate a "stairlift" for the transport of people, and elimination of the staircase and elevator penthouse. Additionally, we recommend that the proposed roof deck be reduced in size and the elevated roof terrace be eliminated. Preserving the existing light, air, and views of the surrounding neighbors and public, and addressing the needs of the family can be accommodated with a less elaborate roof deck proposal, such as the recently completed roof deck at 2735-37 Baker. Our viewpoint is supported by many residents in the neighborhood surrounding 2720 Lyon Street.

Sincerely,

Geoff Wood, Co-Chairman Zoning Committee
Cow Hollow Association

cc: Jeffrey Eade, Architect jeff@jaearchitect.com
Rick Burroughs, Project Sponsor rick.bourroughs@yahoo.com
Scott Hoopes, Neighbor scott.hoopes@jpmorgan.com
David Lindsay, NW Quadrant Leader david.lindsay@sfgov.org

Encl. Excerpts from the Cow Hollow Neighborhood Design Guidelines (CHNDG) and Residential Design Guidelines

The Cow Hollow Association (CHA) represents the interests of approximately 1,100 homeowners in the area bounded by Lyon, Pierce, Greenwich, and Pacific. Our Association is dedicated to the preservation of the residential character of the Cow Hollow neighborhood. The Cow Hollow Neighborhood Design Guidelines (CHNDG)* serve to define the existing neighborhood character, patterns, setbacks, and the significance of the mid-block open space in Cow Hollow.

- * The Cow Hollow Neighborhood Design Guidelines (CHNDG) were adopted by the Planning Commission in 2001 "to assist in determining whether the renovation or expansion of an existing building...is visually and physically compatible with the neighborhood character of Cow Hollow." Following the Design Guidelines would ensure that proposed projects adhere to the pattern of existing buildings, minimize impacts on adjacent property owners in terms of privacy, light, air, and views, and preserve the neighborhood character.

Excerpts from the Cow Hollow Neighborhood Design Guidelines (CHNDG) and Residential Design Guidelines

DR APPLICATION
2720 LYON STREET

In the adopted sections of the CHNDG, it states:

The open, picturesque atmosphere of the Cow Hollow neighborhood is created by the unique hillside setting and views to the north, and by large mid-block open spaces. Neighborhood architecture affords urban density at a pleasant scale that preserves natural light and views for most residents.

The key issues for the Cow Hollow neighborhood are preservation and enhancement of the neighborhood character as perceived from the block face as well as the rear facades of buildings, which includes enjoyment of the mid-block open space. These play an important role in the definition of a backdrop for lower neighboring districts and for the Presidio, a National Park.

2. BUILDING ENVELOPE

The building envelope refers to the exterior elements of a structure – the roof, the front, rear and side facades and other projecting elements such as bays, overhangs and balconies. The actual envelope of a building, within the maximum envelope established by the Planning and Building Codes, should be compatible with the envelopes of surrounding buildings.

A. Roofline

The roofline refers to the profile of the building against the sky. In the case of Cow Hollow, where steep slopes expose the design, and appearance of the roof of buildings down hill, roofline also refers to the perception of roofs as seen from higher elevations.

Respect Roofline Patterns

In general, a strong repetition of consistent rooflines calls for similar design for new construction and alteration. As important as the pattern of rooflines seen from the street level, is the perception of the roofs of buildings as seen from higher places. A flat roof, the choice of bright and reflective roof materials, the random placement of skylights, the construction of elevator and stair penthouses, or the design of a bulky roof, can greatly affect the neighborhood character as perceived from higher locations within the neighborhood.

In the Residential Design Guidelines, it states:

Rooflines - GUIDELINE: Design rooflines to be compatible with those found on surrounding buildings...Within a block, the collection of roofs create a "roofline," which is the profile of the buildings against the sky.

When designing a project, consider the types of rooflines found on surrounding buildings.

Stair Penthouses - GUIDELINE: Design stair penthouses to minimize their visibility from the street.

A stair penthouse is typically constructed to provide roof access for the building. Limit the size of the penthouse in order to reduce its visibility from the street and its impact on light to adjacent buildings. Stair penthouses may also be entirely eliminated through the use of roof hatches, courts with stairs, or exterior rear stairs to the roof...Locate the penthouse against the wall of an adjacent building.

VIEWES - GUIDELINE: Protect major public views from public spaces.

The Urban Design Element of the General Plan calls for the protection of major public views in the City, with particular attention to those of open space and water. Protect major views of the City as seen from public spaces such as streets and parks by adjusting the massing of proposed development projects to reduce or eliminate adverse impacts on public view sheds.

Our long-standing Cow Hollow Neighborhood Policy states:

The overriding policy established in these Cow Hollow Neighborhood Design Guidelines is a 35 foot height for RH-1(D), RH-1 and RH-2.

Height policies stated in the Cow Hollow Neighborhood Design Guidelines are intended to be absolute, meaning that no roof appurtenances such as parapets, elevator and stairway penthouses are permitted.

Discretionary Review Application
Submittal Checklist2720 LYON STREET
DR APPLICATION


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

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

NOTES:

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

SIGNED:


 MILO WERNER
RECEIVED

JUN 08 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
NEIGHBORHOOD PLANNING

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

RESPONSE TO DISCRETIONARY REVIEW (DRP)



**San Francisco
Planning**

SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address: 2720 Lyon Street, San Francisco CA

Zip Code: 94123

Building Permit Application(s): 2014.06.11.8149

Record Number: 2014-000595DRP

Assigned Planner: Sara Vellve

Project Sponsor

Name: Rick and Katherine Burroughs Treasure

Phone: 415 717 3607

Email: katherine.treasure@gmail.com; rick.burroughs@yahoo.com

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.)

see attached

-
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.

see attached

-
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 explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

see attached

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) | 1 | 1 |
| Occupied Stories (all levels with habitable rooms) | 3 | 3 |
| Basement Levels (may include garage or windowless storage rooms) | 0 | 0 |
| Parking Spaces (Off-Street) | 1 | 1 |
| Bedrooms | 2 | 2 |
| Height | 34'-6" | 33'-3-1/2" |
| Building Depth | 57'-1-1/4" S. side | 61'-7-1/2" N.side w/addit |
| Rental Value (monthly) | NA | NA |
| Property Value | 3,900,000 | 4,000,000 |

I attest that the above information is true to the best of my knowledge.

| | |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Signature: <i>K Burroughs Treasure</i> | Date: 9.23.15 |
| Printed Name: Katherine Burroughs Treasure | <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> 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.

New Response to DR Questions: 2720 Lyon Street

1. Given concerns of DR Requester and other concerned parties, why do you feel your proposed project should be approved?

Project has undergone extensive review: The proposed project has been reviewed by planning staff, including Ms. Sara Vellve and Mr. David Lindsay, the Zoning Administrator Mr. Scott Sanchez, the Director of Current Planning Mr. Jeff Joslin, and the Residential Design Team. All of them have concluded, and indicated to us, that the project meets requirements of the Planning Code, and is consistent with the Residential Design Guidelines and the Cow Hollow Neighborhood Design Guidelines. The project is not exceptional, and despite extensive outreach by the project sponsor, there has not been reciprocal efforts to compromise.

The proposal is not exceptional or extraordinary:

Stairwell/Elevator Enclosure: There are already multiple much larger rooftop enclosures on Lyon Street within two blocks of subject property, including one across the street from 2700 Lyon (see [Attachment 1](#)). Other recently completed nearby elevator/stairwell enclosures, which are larger than that proposed by the project sponsor, include 136-138 Pixley and 2135-2137 Greenwich. There are many other similar structures that have been constructed in Cow Hollow and other neighborhoods throughout the city.

Windscreens: There are many glass windscreens throughout the City of the same height or higher than that proposed. In terms of visibility from the street, within the Cow Hollow area the recently completed multi-tiered windscreens of Mr. Wehrley's 2014 project at 2700 Lyon Street (just one house over the project site) stands out more than our proposed project. While many of the other windscreens, including Mr. Wehrley's, are visible from Lyon, the proposed 2720 Lyon screens are not as is shown in photographs of the site and street (see [Attachment 2](#)).

Extensive neighborhood outreach:

Some neighbors have lived in the area for a long time and form the core of a well-organized group that in this case is joining to reject change due to the fact that it would threaten existing private views.

We presented our project to many neighbors between January and June 2014, and were told that they didn't care about our roof deck elevator as much as they were concerned about future projects on other properties on Filbert Street that could threaten their views.

At our pre-application meeting in June 2014, the principal concerns expressed were about views:

- Mr. Werley, of 2700 Lyon – the elevator would divide his bay view, and
- Mr. Stephans, of 2710 Lyon – the elevator would be visible through his skylight.

DR RESPONSE

Neither of the above concerns are in the DR and the neighbors have now disguised their true concerns with other objections. In October 2014 we met with the three primary parties who began what they called “neighborhood self-regulation” and “enforcement of community law”. They were Mr. Hoopes of 2850 Union Street, Mr. Stephans of 2710 Lyon and Mr. Wehrley of 2700 Lyon who had started his project to permit and remodel a 4th floor addition which included two tiers of roofdecks. Even though the CHA had misinformed us that 2700 Lyon required no 311 notification for its work, we agreed to work with the CHA in an effort to reach a compromise with these neighbors.

We exchanged over 200 emails over 18 months and held 13 meetings. We offered many compromises and all were dismissed or rejected.

CHA suggested we meet with immediate neighbors and view the proposal from each of their respective properties, using 2710 Lyon’s established access for the rooftop portion. We agreed, as did the neighbors. On January 24, 2015, at the time of the appointed meeting, Mr. Stephans of 2710 Lyon refused to allow us access. We subsequently hired a contractor to create a temporary roof access on our property on January 31, 2015. To date, the neighbors have declined to allow us to view our proposal from adjacent residences.

We filed for 311 notification after a year of extensive and exhausting efforts to reach a compromise, only to realize that the DR filed was by a neighbor who had not been part of any of the meetings, including the Preapp Meeting. While she and her husband sent letters to the City (without copying us) she has refused to meet with us at any time except for her initial announcement when she stated that she had no objections. She later offered to meet, only if the other neighbors we have already met with multiple times were present, and even then, reneged on that offer.

We believe the reason the main objecting neighbors did not file the DR request was because each of them have constructed/remodeled their houses with little regard to the matters they are disputing in our project despite the fact that our project is much smaller in scope than theirs.

2. What alternatives or changes to the proposed project are you willing to make (or have you made) in order to address the concerns of the DR Requester and other concerned parties? If you have already changed your project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the city?

| We have incorporated and offered multiple compromises already to help support neighborhood and visual character, neighborhood precedence, privacy, light and air, as well as other concerns raised as summarized below: | Pre filing | In response to NOPDR | Post filing | Offered but rejected |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------|--------------------|-----------------------------|
| | | | | |
| Neighborhood character | | | | |
| Setting the windscreens 23'-7" from the front of the house. | x | | | |
| Setting the windscreens 3' from the back of the house. | | x | | |
| Positioning the elevator/stairwell enclosure 29'-1" from the front of the house and 22'-2" feet from the southeast back corner of the building and 18'-11" feet from the northeast back corner. | x | | | |
| Positioning the stair and elevator enclosure northeast of the 2710 Lyon lightwell. | x | | | |
| Reducing the elevator and enclosure height. | | x | | |
| Making the enclosure in front of the elevator glass to be as transparent as possible. | | x | | |
| Reducing the roof height down to 15" lower than the existing roof to minimize the perceived height from surrounding properties. The highest point of our enclosure is 20" lower than maximum height allowed by Code. | x | | | |
| Removing the interior glass area reducing the volume of glass by half. | | x | | |
| Removing the raised portion of the deck and the storage underneath. | | x | | |
| Reducing the size of the deck to 338 square feet. | | x | | |
| Installing planters on the north and south that extend in 3 feet from the edge of the building. | | | x | |
| Reducing the height of the windscreens. | | x | | |
| Removing a gas fireplace. | | | x | |
| The building pattern rhythm of 3-story rooflines will not be impacted given the set back of the elevator enclosure 29'-1" from Lyon Street. | x | | | |
| This project is minimally visible from public spaces of the Presidio. There is no significant public space from which to view the 2720 Lyon proposed roof deck, just a dead end roadway leading to a driveway in the back of one townhouse. In any event, there are multiple existing examples of roof decks and penthouses already bordering the Presidio. | x | | | |
| | | | | |
| Neighborhood precedent | | | | |
| The character of Cow Hollow is diverse and has been altered already by the concerned parties. The only two houses in the southwest corner of the block not to undergo a significant exterior remodel in the last 25 years are 2720 Lyon (our house) and 2710 Lyon which was built by Mr and Mrs Stephens 40 years ago. | | | | |

DR RESPONSE

| We have incorporated and offered multiple compromises already to help support neighborhood and visual character, neighborhood precedence, privacy, light and air, as well as other concerns raised as summarized below: | Pre filing | In response to NOPDR | Post filing | Offered but rejected |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------|--------------------|-----------------------------|
| The primary concerned parties modifications to their own properties have had significantly greater negative impact on our and surrounding properties and have changed the character of the neighborhood dramatically. Our project is smaller in scope and in impact than any projects the neighbors have already completed. | | | | |
| The San Francisco Planning Department and the Planning Commission have approved many similar projects in Cow Hollow and the City. Our proposed elevator/stairwell is smaller than the structures atop many of those residences. There are multiple roof decks and penthouses already in existence on the surrounding properties. There are already multiple and much larger penthouses on Lyon Street including one across the street from 2700 Lyon (Attachment 1). In terms of visibility from the street within the Cow Hollow area, the recently completed windshields of Mr and Mrs Werhlys' project at 2700 Lyon Street stand out more than those of our proposed project since they are actually fully visible from Lyon Street (Attachment 2). In terms of glass windscreens, there are also many throughout the City of the same height or higher than we have proposed. | | | | |
| | | | | |
| Privacy compromises we have made or offered: | | | | |
| Reducing the size of the deck and setting it back 23'-7" feet from the front the house and 3 feet from the back of the house. | x | x | | |
| Placing the elevator housing to the north east of Mr Stephens's light well and skylights next to the lightwell such that the area of the roof next to the lightwell is uninhabitable space. | x | | | |
| Installing planters on the north that extend in 3 feet from the edge of the building. The DR Requester's photos of 2724 Lyon depict skylights along the northern property line, but do not illustrate that each skylight has vertical walls within them such that you can not see into them. We have offered to extend the northern planters to 3'-6" wide to ensure anyone less than 6'-6" tall cannot see into those skylights. | | | x | x |
| Installing planters on the south that extend in 3 feet from the edge of the building and run all the way along the south edge to ensure someone can not peer into the lightwell at 2724 Lyon. | | | x | |
| We volunteered to plant shrubs in the southern planter | | | | x |
| Offering to move the BBQ area to the middle of the roof. | | | | x |
| Removing a perceived "walkway" on the west provided additional reassurance that someone could not see from that area in either the 2710 Lyon lightwell or the 2724 Lyon skylights. | | | x | |
| We proposed the use of frosted glass on the high, small side windows to increase privacy. We note that we already have windows in this area in the existing 2720 Lyon light well and can not see into their skylights. | | | | x |
| | | | | |
| Light/shadow/air compromises we have made or offered: | | | | |
| Positioning the elevator/stairwell to have least impact on the adjacent | x | | | |

DR RESPONSE

| We have incorporated and offered multiple compromises already to help support neighborhood and visual character, neighborhood precedence, privacy, light and air, as well as other concerns raised as summarized below: | Pre filing | In response to NOPDR | Post filing | Offered but rejected |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------|--------------------|-----------------------------|
| properties according to direction of sun. | | | | |
| Positioning the elevator/stairwell enclosure 29'-1" from the front of the house and 22'-2" feet from the southeast back corner of the building and 18'-11" feet from the northeast back corner. | x | | | |
| Reducing the elevator and penthouse height. | | x | | |
| Reducing the roof height down to be 15" lower than the existing roof to minimize the perceived height from surrounding properties (see <u>Attachment 3</u>). | | | | |
| The elevator/stairwell will not cast shadow onto the skylights or backyard of 2724 Lyon as it is set back 6 feet from the property line and has been limited to 8'-6" in height (except for the elevator housing which is on the south side of the roof deck). | x | x | | |
| The elevator/stairwell penthouse is north of the 2710 Lyon light well, and therefore can not cast shadow (as Mr Stephan's has acknowledged) and does not significantly impact the light into the light well. The parapet size is the same as the existing permitted parapet. We have offered to install some sort of reflective surface on that parapet. | x | | | x |
| | | | | |
| Views | | | | |
| Positioning the elevator/stairwell to have the least impact on views from 2700 Lyon Street and on visibility from 2710 Lyon Streets skylights. | x | | | |
| The only impact on views is to the divide the 180 degree view from Mr. Wehrleys deck on top of their third floor. It has no impact on the 180 degree view from their roof deck. It has no impact on anyone else's views. Furthermore views are not protected. | x | | | |
| | | | | |
| Penthouse | | | | |
| We note there is no penthouse, only an elevator and stairwell enclosure. The DR Requester's statement that there is "a 100 square foot penthouse and a fourth floor" is incorrect. A landing of 5'-6" by 5'-10" creates one of the smallest footprints possible for a landing and does not constitute "a floor". 38 square feet of the penthouse encloses a spiral staircase, 35 square feet encompasses the elevator housing, leaving 32 square feet for the combined landing. | x | | | |
| We offered to reduce the size of the enclosure by establishing an open court stairwell. | | | | x |
| A separate motorized lift is neither economically practical, nor is it as safe or as secure as an elevator. Further, it will cause our elderly and/or disabled family members to feel uncomfortable and discriminated against by requiring them to go through this cumbersome, unnecessary, less safe, more expensive, extra step of acquiring access to the roof deck. | | | | |
| The SF Residential Design Guidelines govern rear yard and height issues. When the Planning Commission adopted the Cow Hollow Neighborhood Design Guidelines in 2001, they specifically did not adopt the Appendix to | | | | |

DR RESPONSE

| We have incorporated and offered multiple compromises already to help support neighborhood and visual character, neighborhood precedence, privacy, light and air, as well as other concerns raised as summarized below: | Pre filing | In response to NOPDR | Post filing | Offered but rejected |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------|--------------------|-----------------------------|
| the Guidelines, which includes provisions regarding rear yard and height. | | | | |
| | | | | |
| Windscreens | | | | |
| The windscreens are glass to minimize any visual impact. | x | | | |
| We removed the interior glass area. | | x | | |
| We set back the windscreens back 23'-7" from the front of the building so do not increase the building's overall apparent height. | x | | | |
| We set the windscreens back 3 feet from the back of the house. | | x | | |
| We reduced the roof height down to be 15" lower than the existing roof to minimize the perceived height from surrounding properties. | x | | | |
| We set the windscreens on the side property line to be 5'-6" glass on 30" parapet. | | x | | |
| The windscreens will be cleaned on a regular basis. | x | | | |
| We are using expensive Ornalux on areas greater than 24 square feet to avoid any threat to birds. | | x | | |
| | | | | |
| Appurtenances | | | | |
| We removed a gas fireplace. We offered to move the BBQ/sink to the center of the building. | | | x | x |
| | | | | |
| Roof deck | | | | |
| The usable size of the proposed roof deck is 383 square feet. Combined with our backyard, this would still amount to 650 square feet less outdoor space than the DR Requester's backyard. With the addition of the proposed roof deck, 2720 Lyon will still have less outdoor space than all of the surrounding neighbors with the exception of the rear yard at 2710 Lyon. | | | | |

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel your project will not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or personal requirements that prevent you from making the changes requested by the DR Requester.

The two critical elements of our plan that we do not want to change are the elevator and significantly reducing the windscreen height. Without the elevator our family members who are elderly and disabled will not be able to access the roof in a safe and convenient manner. With lower windscreens, the roof deck will be exposed to very strong winds and it would not be usable many days of the year. The request to make windscreens minimum height as measured from the reduced deck height does not address any of the DR Requester's concerns and would not provide any benefit to the neighbors or us. If

DR RESPONSE

we were required to reduce the height of the screens to be measured from the deck floor we would choose to leave the roof height as it is and not incur the cost of reducing it down as we have currently planned and proposed (see Attachment 3 that contains a drawing of plans of the lowered roof).

The demands to set back the deck by an additional 4 ft on each of the north and south sides are unreasonable given the existing setbacks already incorporated via planters, as well as the relatively small size of the proposed deck.

The DR Requestor suggests that we should build a separate motorized lift and transfer disabled parties to that after they exit the elevator on the third floor. This is neither economically practical, nor is it as safe or as secure as an elevator. Further, it will cause our family members who are elderly and/or disabled to feel uncomfortable by requiring them to go through this cumbersome, unnecessary, less safe, more expensive extra step of acquiring access to the roof deck. This would likely result in their declining to go up to the roof deck more readily than if they were able to use the elevator. Lastly, a separate motorized stair lift suggested by the DR Requestor would trigger different exit widths and measurements, a larger stair enclosure thus being contrary to the DR Requestor's concerns about the size of the rooftop improvements.

We and our architect have carefully designed and redesigned the elevator/stairwell and roof deck in order to have the very least impact on the neighborhood. In terms of light, privacy, views, and architectural character, the elevator/stairwell and the roof deck are positioned in such a way as to minimize any infringements on these items.

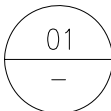
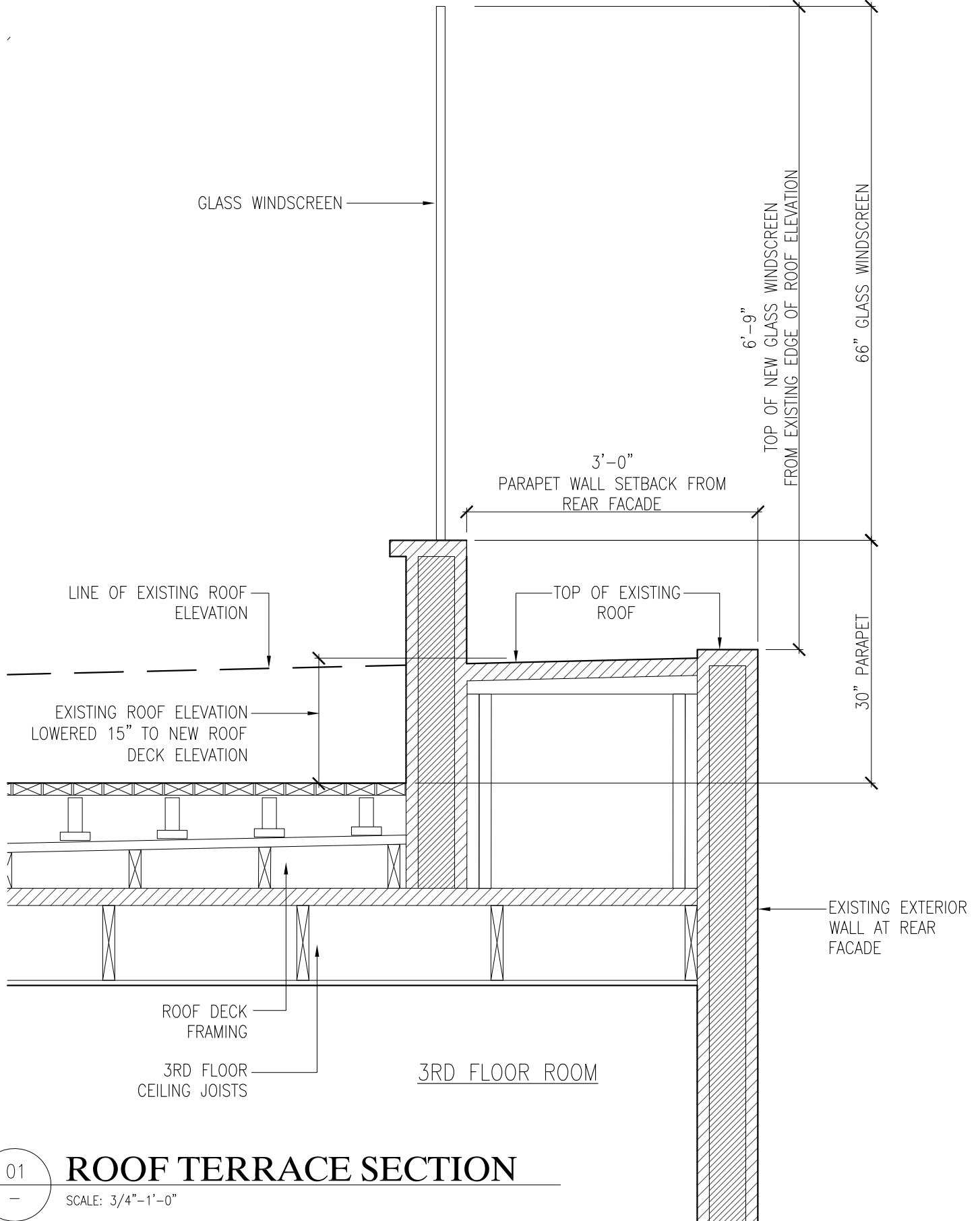
The DR Requestor and concerned parties have rejected multiple offers of modifications to the project to address their concerns about potential impacts on privacy, light and air and, instead, seek to eliminate the elevator/stairwell or any windscreens above minimum height, i.e. anything that would require 311 notification. The fact that neighbors are rejecting all of the modifications we offered makes it clear that the DR Requestor and concerned parties are primarily concerned with the potential "precedence" of this project for other properties that could interfere with their views. Views are not protected by any relevant code or law.

Attachments to DR Response:

- Attachment 1 – Photograph of penthouse across from 2700 Lyon Street at 2885 Union
- Attachment 2 – Photograph of windscreens at 2700 Lyon Street
- Attachment 3 – Drawing of the lowered roof







ROOF TERRACE SECTION

SCALE: 3/4" = 1'-0"

BURROUGHS-TREASURE RESIDENCE

ROOF TERRACE

SCALE = AS NOTED

JEFFREY A. EADE, ARCHITECT
San Francisco, California
415.606.4414

September 23, 2015

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: 2720 Lyon Street 0948/031
Project Sponsors Letter in Opposition to Discretionary Review Request
Planning Department Case no. 2014-000595DRP
Hearing Date: October 8, 2015

Dear President Fong and Commissioners:

We (Katherine and Richard Burroughs Treasure) are the Project Sponsors and the owners of the property at 2720 Lyon Street.

We are proposing a modest Project with a 90-sf rear addition under an existing deck, 50-sf infill of a light well and the addition of a roof deck with elevator/stair access.

During extensive neighborhood outreach over 18 months the concerned parties have rejected most of our offers of changes to the project to address their concerns around neighborhood character, privacy, light and air. In good faith, we have nevertheless incorporated many of the changes we offered to them.

Despite this, a DR Request was filed and the DR Requestor stated that “no changes have been made in response to the neighbors primary concerns...”. This is because the primary concern of the concerned parties is preservation of their views.

The Project as revised over multiple reiterations is now minimal in scope without any significant impact on the DR Requestor’s property, neighborhood character, privacy, light or air.

We respectfully request the Planning Commission not to take discretionary review, and allow our Project to move forward so that we can improve our home and have our elderly and/or disabled family members join us at our home.

Who are we?

Rick grew up in the Bay Area and joined the United States Army at age 18. During his service to our country he was stationed all over United States and the world for 34 years until he retired to join Katherine in San Francisco. Rick was injured in a military accident in 2003 and now has a partial disability. Katherine and Rick met while he was serving in Iraq in 2009 through 2010.

Katherine was born in Australia and moved to San Francisco 18 years ago to work with her consulting firm. She just celebrated 25 years with that firm. Katherine lived at Washington and Fillmore in a studio apartment for the first 5 years and in 2004 she was finally able to purchase a little house on Pixley Street in the Cow Hollow neighborhood.

When she met Rick and he proposed, he agreed to retire from the military and move to San Francisco to be with her and closer to his family who live in Dixon and Sacramento, CA. Just after we got married we started looking for a bigger house to accommodate ourselves and our family who will live with us. Rick began his medical practice and is now an established member of the San Francisco medical community.

Given the very difficult San Francisco housing market we searched every day for two solid years, making several offers and losing out to multiple bids and cash offers. We were searching for a home that had/or could have an elevator to enable our elderly and/or disabled family members to live with us and would work for us as we age.

Eventually we found 2720 Lyon Street and determined that, while it was a 2 bedroom house on several levels with unpermitted spaces, we could permit it and remodel it to suit our family's needs.

Katherine has now lived in Cow Hollow for 13 years and Rick for 5 years since he finally was able to come home from his career serving our country. We feel fortunate to have finally found a home together in a city we love, in a neighborhood we cherish and with the ability to remodel it to ensure our family can live happily there and we can age in place.

Why are we undertaking this project?

We are installing an elevator in our home to enable our elderly and disabled family members to have safe and comfortable access to all levels, including to the roof deck. Sadly, Rick's Mom has broken her back in multiple places and now her hip a few months ago. We would like her to come to live with us, as will Katherine's mother at some point. We would like Rick's 95 year old grandmother to also come visit and spend time with us. Given the age and physical condition of our parents and grandparents, the ability to install an elevator and have it access the roof was a key factor in our decision to purchase 2720 Lyon.

Prior to the purchase we examined the RDG and other relevant regulations and controls and felt comfortable that the proposed Code complaint Project could be accomplished.

We began our neighborhood outreach over 18 months ago. Our neighbors have worked very hard to delay our project, asking us to defer our 311 filing to give them more time, refusing to send us any questions or meet with us unless it was as a large group and ultimately selecting one neighbor who has the "cleanest" record to file a DR.

Until the time when we are able to complete our project, Rick's Mom and Grandmother are not even able to visit our home due to their mobility limitations.

How have we attempted to address the DR Requestor and concerned parties concerns?

The mailing list for the neighborhood notifications is labelled as "concerned parties" however we have never heard from many of them. We appreciate that many have lived in the neighborhood for a long time and are loyal friends and part of a well-organized Cow Hollow group. The DR Requester did not attend the pre-application meeting or subsequent neighborhood meetings and has declined our repeated offers to answer questions or discuss our project as it relates to her.

We have engaged in multiple discussions with some "concerned parties" and the Cow Hollow Association over the course of 18 months in an effort to reach a compromise. We have exchanged over 200 emails with them and our neighbors and have had 13 meetings. The primary parties that have been involved during the process are Mr. Hoopes at 2850 Union Street, Mr. Wehrly at 2700 Lyon Street and Mr. Stephens at 2710 Lyon Street. We believe these people did not file the DR request as they themselves have constructed or remodeled their houses with little regard to the very matters they are disputing on our project. As a group, they have rejected multiple offers of changes to our project to address their concerns stated in the DR request around neighborhood character and precedent, privacy, light and air.

Based on discussions with the CHA, we understand the concerned parties have rejected all our offers because their paramount concern is the issue of precedence in order to protect private views. In particular, it is our understanding that Mr. Wehrley is concerned that our elevator will divide his view from his fourth floor deck (although the view from his roof deck will remain unaltered) and the other neighbors are most concerned with our project creating a precedent for houses being constructed on Filbert Street that could interfere with their views in the future. The DR Requestor references precedence in her filing multiple times.

During a meeting in October 29, 2014, Mr. Hoopes, Mr. Wehrly, and Mr. Stephens expressly told us that they planned to utilize their legal skills to "enforce community law" and push "neighborhood self-regulation". Recent bullying activities aimed at us are very disappointing and sadly juvenile.

Conclusion

The Project will have only a minimal, if any, impact on the DR Requestor's property or the neighborhood, far from the "exceptional" or "extraordinary" circumstances needed to justify discretionary review.

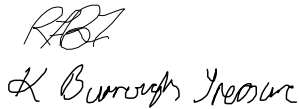
The DR should be denied because:

- The DR Requester has not shown any exceptional or extraordinary circumstances that are necessary to justify the Commission's use of special discretionary review powers,

- The Project complies with the Planning Code and General Plan requirements and is consistent with, the Residential Design Guidelines and the Cow Hollow Neighborhood Design Guidelines;
- We have conducted extensive neighborhood outreach over the past 18 months to solicit the neighbors' input, and made significant and multiple changes in response to neighbors and Cow Hollow Neighborhood Association's requests in an effort to be considerate and sensitive to our neighbors; and
- After all of the revisions, the Project is now minimal in scope without any significant impact on the DR Requestor's property, neighborhood character, privacy, light or air.

For all of the above reasons, we respectfully request the Planning Commission not to take discretionary review, and allow our modest Project to move forward instead of yielding to the DR Requestor's demands for the presentation of their views and status quo. Thank you for your consideration.

Sincerely,



Katherine and Richard Burroughs Treasure

Enclosures: Letters of Support

cc: Vice President Cindy Wu
 Commissioner Michael Antonini
 Commissioner Rich Hillis
 Commissioner Christine Johnson
 Commissioner Kathrin Moore
 Commissioner Dennis Richards
 John Rahaim – Planning Director
 Scott Sanchez – Zoning Administrator
 Jonas Ionin – Commission Secretary
 Sara Vellve – Project Planner

LETTERS OF SUPPORT

**Matthew Holt
650 Delancey Street, #221
San Francisco
CA 94107**

September 20, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

To Whom It May Concern:

RE Planning Department Case no. 2014-000595DRP, 2720 Lyon Street

I have been San Francisco resident since 1999 and a home owner here since 2004 and have known Rick Burroughs Treasure and Katherine Burroughs Treasure for many years.

I have seen the plans under building permit no. 2014.06.11.8149 and have discussed the project for Rick and Katherine's home at 2720 Lyon with them. I believe that the project does not impinge on anyone's property and would dramatically improve the quality of housing in the city. In particular adding an elevator will make the house much more livable for seniors such as Rick's mother--of whom there will many more in the future.

I would like to express my support for the project and I urge the Commission to not take DR and to approve the project as proposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Matthew Holt", written in dark ink.

September 21, 2015

Planning Department

City and County of San Francisco

1650 Mission Street, Suite 400

San Francisco, CA 94103

RE: Planning Department Case no. 2014-000595DRP

2720 Lyon Street

To Whom It May Concern:

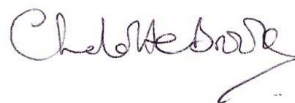
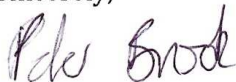
We are long time San Francisco residents and have known Rick and Katherine for many years.

We have seen the plans under building permit no. 2014.06.11.8149 and have discussed the project for Rick and Katherine's home at 2720 Lyon with them.

The main purpose of the proposed work is to enable their parents to live with them, which we feel is an objective that the Planning Department should support. The Cow Hollow neighborhood is family-friendly, and developments that allow seniors to live with their families in the community should be encouraged.

We would like to express our support for the project and we urge the Commission to not take DR and to approve the project as proposed.

Sincerely,



Peter and Charlotte Brook
215 Cole St, San Francisco, CA 94117

September 20, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2014-000595DRP

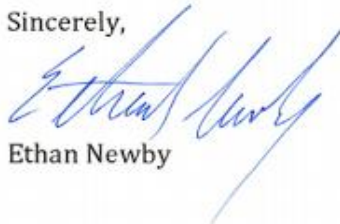
To Whom it May Concern:

We have known Rick and Katherine for many years and have been San Francisco residents even longer. They are quality people who are conscientious and fair members of their community.

We have examined the plans under building permit no. 2014.06.11.8149 and have also discussed the project to improve their home at 2720 Lyon Street with Rick and Katherine. They carefully developed their plans, making modest additions to their home with the intent of making it more accessible to their aging parents. We believe the project is sensitive to their neighbors and would not affect the neighborhood adversely.

We are writing to express our support for the project and ask the commission to not take DR and to approve the project as proposed. We believe the changes will improve the property at 2720 Lyon while continuing to add to the beauty of the neighborhood.

Sincerely,



Ethan Newby



Karen O'Toole

**PETER AND COLLEEN SKEWES-COX
2576 GREEN STREET
SAN FRANCISCO, CALIFORNIA 94123**

September 20, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2014-000595DRP
2720 Lyon Street

To Whom It May Concern:

We are nearby neighbors of Katherine and Rick and residents of Cow Hollow for 50 plus years.

We have seen the plans under building permit no. 2014.06.11.8149 and have discussed the project for Rick and Katherine's home at 2720 Lyon with them.

We would like to express our support for the project and we urge the Commission to not take DR and to approve the project as proposed.

Sincerely,


Peter and Colleen Skewes-Cox
2576 Green Street
San Francisco



Katherine Treasure <katherine.treasure@gmail.com>

Letter

1 message

Rob Lewerenz <roblewerenz@aol.com>

Sat, Sep 19, 2015 at 5:30 PM

To: Katherine Treasure <katherine.treasure@gmail.com>

September 19, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2014-000595DRP
2720 Lyon Street

To Whom It May Concern:

I am a Cow Hollow resident and former neighbor of Rick and Katherine.

I have seen the plans under building permit no. 2014.06.11.8149 and have discussed the project for Rick and Katherine's home at 2720 Lyon with them.

I would like to express my support for the project and I urge the Commission to not take DR and to approve the project as proposed.

Sincerely,

Rob Lewerenz

279 Pixley Street
San Francisco, CA 94123

REUBEN, JUNIUS & ROSE, LLP

September 23, 2015

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 2720 Lyon Street (0948/031)
Brief in Opposition to Discretionary Review Request
Planning Department Case no. 2014-000595DRP
Hearing Date: October 8, 2015
Our File No.: 8982.01

Dear President Fong and Commissioners:

Our office represents Katherine and Richard Burroughs Treasure, the owners of a property at 2720 Lyon Street, Assessor's Block 0948, Lot 031 ("**Property**"). The Property is a single family home, proposed for a very modest project consisting of a 90-sf first floor rear addition under an existing floor deck, infill of a 50-sf third floor light well, and lowering of the roof by 15 inches and establishing a roof deck with elevator/stairwell access and glass windscreens on top of parapets and planters ("**Project**").

The DR request was filed by Ms. Werner of 2724 Lyon Street, the property adjacent to, and north of the Property. The DR request should be denied because:

- It does not establish exceptional or extraordinary circumstances that are necessary to justify the Commission's use of special discretionary review powers;
- The Project is Code compliant and consistent with Residential Design Guidelines and Cow Hollow Neighborhood Design Guidelines;
- Katherine and Rick have conducted extensive neighborhood outreach over 18 months to obtain neighbors' input, and have made many significant changes to the Project in response to neighbors and Cow Hollow Neighborhood Association's concerns;
- The Project is now minimal in scope without any significant impact on the DR Requestor's property, neighborhood character, privacy, light or air; and
- The DR Requestor's request to modify the Project by building a separate motorized lift in lieu of the elevator in order to transfer elderly/disabled persons is a disguised request seeking to preserve DR Requestor's views and neighborhood status quo, which fails to provide the same safety and security than the proposed elevator does.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben¹ | Tuija I. Catalano | Thomas Tunny
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey
Chloe V. Angelis | Louis J. Sarmiento | Jared Eigerma^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

A. Property and Project Description

Katherine and Rick's Project has been carefully designed to be compliant with Planning Code requirements and considerate to their neighbors. The proposed 90-sf addition on the first floor will be located under the existing second floor deck and will be well within the required rear yard setback limits. The infill of a 50-sf third floor light well has no impact on any other property since there is no corresponding light well on the neighbor's property adjacent thereto. These changes are proposed in order to allow Katherine and Rick to increase the number of bedrooms in their home from the existing two to four bedrooms. Katherine and Rick are also installing an elevator to access all floors and a roof deck that will provide a safe and comfortable access for their elderly and disabled family members and for them so that they can continue to live at the Property for many years to come as they grow older.

The proposed roof deck is minimal in size with 383 sf of usable space. Though not required by the Planning Department, 3-ft wide planters are proposed along the property lines adjacent to their neighbors in order to effectively set back the deck a minimum of 3 ft from the perimeter of the Property for privacy. This feature decreases the potential usable area, and was incorporated by Katherine and Rick in part as a good neighbor gesture. At the same time, the planters will provide a space in which to plant flowers and vegetables.

The rooftop windscreens are 5'-6" in height, transparent glass in material and positioned above parapets and planters. They are set back 23'-7" from the front of the house, and the elevator/stairwell enclosure is set back 29'-1" from the front of the house in order to minimize visibility from Lyon Street. The street visibility is further obscured by existing trees and topography. From the rear of the building the elevator/stairwell enclosure is set back 22'-2" from the southeast corner of the building (or 55'-10" from the rear property line) and 18'-11" from the northeast corner.

A combined elevator/stairwell landing of 5'-6" by 5'-10" creates one of the smallest footprints possible for such a landing. 38 sf of the enclosure encloses a spiral staircase, 35 sf encompasses the elevator housing, leaving 32 sf for the combined landing.

B. The Standard for Discretionary Review Has Not Been Met

Discretionary review is a "special power of the Commission, outside of the normal building permit approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with the proposed project."¹ The discretionary review authority is based on Sec. 26(a) of the Business & Tax Regulations Code, and moreover, pursuant to the City Attorney's advice, it is a "sensitive discretion ... which must be exercised with the utmost restraint". Exceptional or extraordinary circumstances have been defined as complex topography, irregular lot configuration, unusual context, or other circumstances not addressed in the design standards.

¹ Planning Department publication for the Application Packet for Discretionary Review; emphasis added.

In this case, the topography is simple. The closest cross-street to the Property is Union Street. At the cross street of Union, Lyon slopes down gently and uniformly to the north approximately 2 ft for every 25 ft of length. At the cross street of Lyon, Union slopes down gently and uniformly to the east, at approximately 2 ft for every 25 ft feet of length.

The lot configuration is regular. The lot for the Property is rectangular, with the exception of boundaries that run parallel to Lyon, which itself deviates by approximately 1 ft for every 25 ft. The same is true for surrounding properties. The lot for the Property is smaller than that of the DR Requester, and those of 2700 Lyon, 2730 Lyon, and 2850 Union. It is the same size as 2710 Lyon, and 2856 Union. No nearby lot is smaller.

For context, the Presidio is located across Lyon Street from subject property. There is no public space on the Presidio grounds across the street from which to view subject property. The closest Presidio building is located approximately 150ft away. Lyon Street becomes the Lyon Street steps two blocks south of subject property. On those 2 blocks, Lyon Street is lined by trees. Of note:

- Presidio Trust has reviewed the proposal and does not object to it (Exhibit A)
- Trees along Lyon Street limit visibility of proposed property/project (Exhibit B)
- Lyon Street steps provide no visibility of the proposed project (Exhibit C)

No exceptional or extraordinary circumstances relating to the Project have been provided by the DR Requester that would justify Planning Commission's exercise of its DR power. The Project is exceptional only in a positive sense by being able to accommodate Katherine and Rick's family, including their elderly and disabled family members, via a modest project that has succeeded in proposing a design that is compatible with and sensitive to the neighborhood. Thus, the DR Request should be denied.

C. DR Requester's and her Supporters' True Concern is Loss of Views

The DR Requester states that her concerns involve neighborhood character, neighborhood precedent, privacy, light and air. Over the last 18 months, Katherine and Rick have made extensive efforts to cooperate with Ms. Werner, their neighbors and the Cow Hollow Association and to solicit their input. They have made and offered significant and multiple changes to their plans to address stated concerns so that the Project before the Planning Commission is quite different from the Project Katherine and Rick initially proposed to the neighbors or otherwise had considered. The Project addresses and/or is considerate to the neighborhood concerns in the following ways:

- Neighborhood character – the scope and size of the Project has been reduced; there are significant setbacks at the front of the building; setbacks at the rear have been included; the rooftop enclosure is in the center of the building; roof, the enclosure and the windscreens have been lowered;

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- Neighborhood precedent – the primary concerned parties have themselves already made many modifications to their own properties that have had significantly greater (negative) impacts on the Property and others on the block. The changes they have made have changed the character of the neighborhood dramatically over the last 40 years. It is disingenuous and hypocritical of them to dispute Katherine and Rick’s small Project on this basis, especially since Katherine and Rick’s Project is smaller in scope and impacts than any of the projects the neighbors have already completed. In addition, Katherine and Rick’s Project is not unique as there are numerous examples of similar and/or larger projects in the neighborhood and the city; and
- Privacy, light and air – the scope and size of the Project has been significantly reduced; setbacks on the back of the building have been provided; 3-ft wide planters have been incorporated on the east and west side of the building; positioning of the enclosure in the center of the building, lowering of the roof, the enclosure and the windscreens; all for the purpose of preserving neighbors’ privacy and access to light and air.

The concerned parties have rejected most of the offers of changes to the Project to address their concerns around privacy, light and air. In good faith, Katherine and Rick have incorporated many of them anyway.

Nevertheless, the DR Requester inaccurately states that “no changes have been made in response to the neighbors primary concerns...”. This is because the primary concern of the concerned parties is preservation of their views as acknowledged in an October 29, 2014 meeting with Mr. Wehrley, Mr. Stephans, and Mr. Hoopes. With the exception of Mr. Wehrley (who stated at the Preapplication Meeting that his fourth floor view of the bay would be divided by the proposed project), the parties primary concern is the precedence it could set for properties on Filbert Street to later block their views. Views are not protected in San Francisco, nor by California law and neither views, nor precedence for protection of views, is regarded as exceptional circumstances. The DR Requester’s requested modification to protect their views is unreasonable and unjustified.

The Project will have only a minimal, if any, impact on the DR Requester’s property or the neighborhood, far from the “exceptional” or “extraordinary” circumstances needed to justify discretionary review.

D. Conclusion

The DR Request should be denied. The DR Requestor carries the burden of proof and has not established exceptional or extraordinary circumstances about the Project to justify the Commission’s exercise of its special discretionary review powers. The Project is reasonable and relatively minor in scope. Katherine and Rick are seeking a modest alteration to an existing single family home to accommodate an aging family’s needs. It has been carefully designed to be Code compliant and consistent with the Residential Design Guidelines, Cow Hollow Neighborhood Design Guidelines and the character of the neighborhood.

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Planning Department staff has concluded that the DR Requester has not presented exceptional or extraordinary circumstances, and no further revisions or modifications to the Project has been requested by Planning Department Staff.

For all of the above reasons, we respectfully request the Planning Commission not to take discretionary review, and allow Katherine and Rick's Project to move forward. Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Tuija I. Catalano

Enclosures:

- Exhibit A – Presidio Trust's Letter
- Exhibit B – Photographs of Property and Lyon Street Trees
- Exhibit C – Photographs of Property from Lyon Street Steps

cc: Vice President Cindy Wu
Commissioner Michael Antonini
Commissioner Rich Hillis
Commissioner Christine Johnson
Commissioner Kathrin Moore
Commissioner Dennis Richards
John Rahaim – Planning Director
Scott Sanchez – Zoning Administrator
Jonas Ionin – Commission Secretary
Sara Vellve – Project Planner

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From: "Mackel, John" <jmackel@presidiotrust.gov>
Date: August 27, 2015 at 4:08:26 PM PDT
To: Rick <rick.burroughs@yahoo.com>
Cc: "jeff@jaearchitect.com" <jeff@jaearchitect.com>
Subject: RE: 2720 Lyon Street Site Plan

Rick,

I acknowledge receipt of your email. Based upon the information provided, there is no obvious impact to the Presidio, and accordingly, the Presidio Trust does not object to your plans. Should additional facts come to our attention, or should your plans be modified, we reserve the right to further consider our position. Good luck with your project.

John

John Mackel

Assistant General Counsel

Presidio Trust

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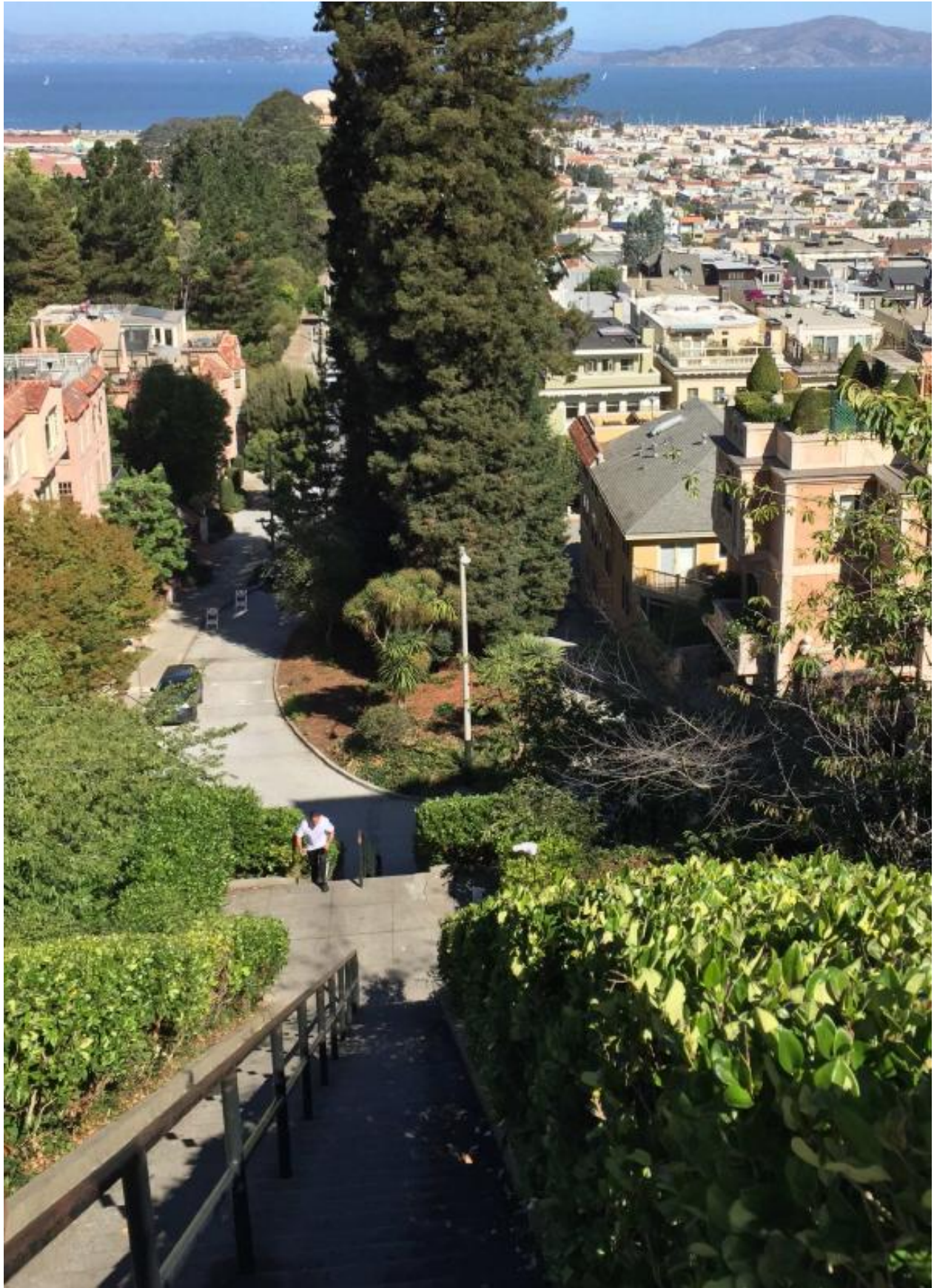


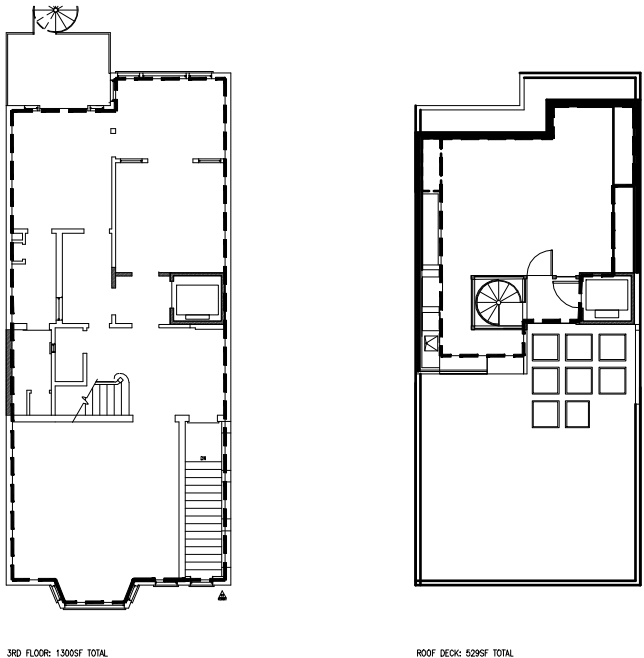
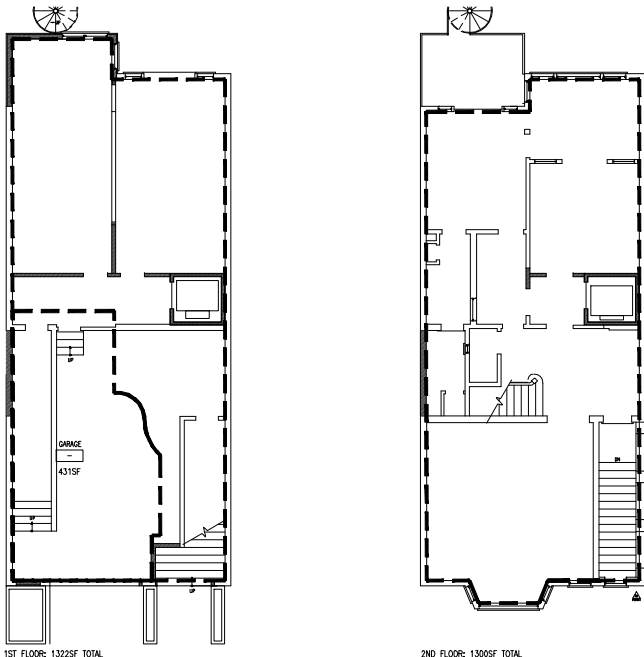












OCCUPANT LOAD TABLE

| FLOOR | FLOOR AREA (sf) | OCC LOAD FACTOR | OCC LOAD |
|-----------------|-----------------|-----------------|----------|
| 1ST FL | 1372 | | |
| - garage area | 431 | | |
| 1st Floor Total | 1322-431=941 | /200 | 4.7cl |
| 2ND FL | 1300 | /200 | 6.5cl |
| 3RD FL | 1300 | /200 | 6.5cl |
| ROOF DECK | 467 | /200 | 2.3cl |
| TOTALS | 4,439 | | 20.0cl |

SECTION 1015 EXIT AND EXIT ACCESS DOORWAYS

1015.1 Exits or exit access doorways from spaces. Two exits or exit access doorways from any space shall be provided where one of the following conditions exists:

- The occupant load of the space exceeds one of the values in Table 1015.1.
- Exception: In Group R-2 and R-3 occupancies, one means of egress is permitted within and from individual dwelling units with a maximum occupant load of 20 where the dwelling unit is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2

Per Pre-Application meeting notes dated March 5, 2014 and signed by Building Official Yan Yan Chew, the proposed roof deck can be 520sf.

ARCHITECTURAL

- All construction to conform to all current building, electrical, mechanical, and plumbing codes (2013 CBC, CPC, CMC, & CEC) and all other state, county, and city ordinances and regulations pertaining thereto. Permittee Contractor shall obtain and pay for the Electrical, Plumbing, and all other permits etc. required by the governing authorities for the scope limited to only the work in the Architect's Drawings. All other work noted NIC (Not In Contract) is by others (Owner and Architect will obtain and pay for the General Building Permit).
- The Contractor assumes sole and complete responsibility for the job site conditions at ALL times. The Contractor shall isolate the areas of the house that are not included in the scope of work for the project by using double zip walls between non-working and working areas, providing means and instructions to subcontractors preventing workers from traveling through non-working areas, and securely locking these areas if applicable. Areas involved in the scope of work shall be kept in an orderly fashion, debris removed daily and broom swept daily. A portable bathroom and washing facility shall be provided on site and maintained by the Contractor. Smoking will not be permitted on site.
- The Contractor shall protect all existing plant and landscape materials not intended to be removed.
- Contractor shall examine and verify existing conditions of the job site. Any discrepancy between drawings and existing conditions shall be recorded and reported with a submittal copy to the Architect for resolution prior to the commencement of work.
- The contractor will notify the Architect about any condition requiring a modification or change and will not proceed with any change to the Work without the approval of Owner and Architect.
- The Contractor shall provide submittals, shop drawings, and mock ups for approval to the owner and architect as indicated in the drawings.
- The Contractor shall coordinate completion and clean up of work in preparation for final occupancy.
- All penetrations of the building envelope shall be fully caulked and sealed unless otherwise noted. Contractor to insure watertight conditions, including but not limited to all new roofing, doors and windows.
- Gridlines at exterior walls are located at face of "E" exterior studs. All interior dimensions are shown to the face of stud, unless otherwise noted.
- Refer to Structural, Electrical, and Plumbing if applicable drawings for additional general notes and requirements and coordinate with the Architectural Drawings.
- Do not scale the drawings. The contractor shall contact the Architect for clarification of dimensions.
- Verify all dimensions in the field.
- The Contractor and framing sub-contractor shall mark the crown of each framing member and frame the walls with the crown of the studs each facing the same way
- All appliances shall be seismically anchored per UMC 304.4 specifications, and shall have adequate volume of combustion air per UMC 701.2.
- Use manufacturer's standard detail for all flashing unless otherwise noted.
- Contractor to install waterproofing and drainage under all new concrete slabs/retaining walls per structural requirements (see drawings), and architectural drawings (if provided).
- Structural observation shall be required by the Architect or Engineer of Record for structural conformance to the approved plans per Sec. 1702 CBC.

ELECTRICAL NOTES:

- All utilities (but not limited to the following: gas, electric, water, sewer, etc.) shall be inspected for existing and new capacity and modified as required to meet codes per Architectural note #1 above.
- Provide 2-min separate 20 amp circuits to kitchen appliances per CEC 220-4.
- Provide 2-min separate 20 amp circuits to laundry appliances per CEC 220-4.
- All clothes closet lamps shall be enclosed in incandescent and light fixture clearances shall conform to CEC 608.
- Smoke and CO2 detectors shall be powered by building wiring current with battery backup CBC 310.9.1
- Provide a smoke detector for each story and within each bedroom. Where non-bedroom ceiling heights exceed the hall ceiling height by more than 2 feet, additional detectors are required in each room per CBC 310.9.1.
- Electric floor mat heat in the bathroom shall meet the requirements of CEC 151(b)3 Exception. Supplemental heating shall be less than 2kW and controlled by a time-limiting device not exceeding 30 minutes

PLUMBING NOTES:

- All plumbing vents shall be joined within the attic space into one main vent stack and roof penetration per CPC 608.
- Provide non-removable backflow prevention device on all exterior hose bibs, and lawn sprinkler/irrigation systems per CPC 608.
- Base materials below all shower pans to be sloped toward indicated drains as per UPC Section 410.5.
- If conventional water heater tank is used, provide seismic anchorage for new and/or existing water heater tanks per CPC 510.5. Strapping shall be at points within the upper one-third and lower one-third of its vertical dimensions. At the lower point, a minimum distance of four inches shall be maintained above the controls with the strapping.
- Contractor and sub-contractor are to evaluate the condition and location of the existing plumbing lines from the house to the street main and determine a location to tie into the main line. Also, the need for a lift pump will have to be determined.
- Contractor is to note that it may be necessary to (depending on actual field elevations of pertinent items) to provide an approved backwater valve for drain piping serving fixtures having fluid level rims below the elevation of next upstream manhole cover.
- Hammer arresting device shall be installed at quick-closing valves per CBC 609.10.
- All sinks shall be equipped with an exterior clean out.
- Coordinate space requirements and installation of mechanical, electrical and plumbing items that are indicated diagrammatically on Drawings.
- Utilize spaces efficiently to maximize accessibility for other installations, for maintenance, and for repairs.

MECHANICAL NOTES

- GAS VENT TERMINATION SHALL MEET REQUIREMENTS OF CMC 502.6
- Combustion air shall meet the requirements of CMC Chapter 7
- Environmental air ducts shall terminate 3 feet from the property line and 3 feet from openings into the building per CMC 504.5 and be provided with back-draft dampers CMC 504.1
- Clothes dryer exhaust shall be a minimum 4 inches, terminate to the outside of the building, shall be equipped with a back-draft damper, and meet the requirements of CMC 504.3. Provide 100 square inch minimum of make-up air opening for domestic dryers.

GENERAL NOTES

FLOOR PLAN LEGEND

| | |
|----------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| EXISTING WALL TO REMAIN | DUPLEX OUTLET (SPECIFICATION GRADE TYPICAL FOR ALL OUTLETS) |
| EXISTING WALL TO BE REMOVED | DUPLEX OUTLET- ½ SWITCHED |
| NEW WOOD FRAMED WALL | DUPLEX OUTLET-SWITCHED |
| NEW CONCRETE WALL | 4-PLEX OUTLET |
| CHANGE IN FLOOR ELEVATION | 4-PLEX OUTLET- ½ SWITCHED (RECESSED IN FLOOR) |
| COTTON FIBER INSULATION R19 @ 2x6 WALLS R13 @ 2x4 WALLS R30 @ FLOORS/CEILING JOISTS | TELEPHONE OUTLET |
| COMMON PATH OF TRAVEL FOR EXITING | DATA/TELEPHONE OUTLET (RECESSED IN FLOOR) |
| FLOOR/SHOWER DRAIN. INSTALL OVERSIZE WASTE LINES | CABLE OUTLET |
| HOSE BIB (+24" ABOVE FIN SURFACE UON) | (RECESSED IN FLOOR) |
| GAS GAS OUTLET (+24" ABOVE FIN SURFACE UON) | IN-WALL LIGHTING |

DRAWING LEGEND

| | |
|----------------------------|------------------------------------------------------|
| KEYNOTE | WALL TYPE |
| DATUM OR CONTROL PT | CENTER LINE |
| ROOM NUMBER | INTERIOR ELEVATION REFERENCE DRAWING NUMBER |
| DOOR NUMBER | BUILDING SECTION/WALL REFERENCE DRAWING NUMBER |
| WINDOW NUMBER | MOULDING DETAIL REFERENCE DRAWING NUMBER |
| REVISION NUMBER | |
| COLUMN GRID | |
| DETAIL REFERENCE NUMBER | |

REFLECTED CEILING PLAN LEGEND

| | | | |
|----------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| RECESSED WALL WASHER LIGHTING FIXTURE (ARROW INDICATES DIRECTION) | LED IN-WALL LIGHTING | \$ LIGHT SWITCH (SPECIFICATION GRADE TYPICAL FOR ALL SWITCHES) | SMOKE DETECTOR (HARDWIRED TO BUILDING ELECTRICAL w/BATTERY BACKUP) |
| RECESSED LIGHTING FIXTURE | SECURITY CAMERA | \$D SWITCH w/ DIMMER | CARBON MONOXIDE DETECTOR (HARDWIRED TO BUILDING ELECTRICAL w/BATTERY BACKUP) |
| HIGH EFFICACY FLOURESCENT | SECURITY LIGHTING | \$MS LIGHT SWITCH w/ OCCUPANCY SENSOR | FIRE ALARM SENSOR |
| LED HIGH EFFICACY RECESSED LIGHTING | FLOURESCENT CEILING MOUNTED LIGHTING | \$LC LIGHTING CONTROL PANEL | EXHAUST FAN PANASONIC WHISPER SENSE FV-11VOC5 110CFM - MAIN BATH AREA/MEDIA ROOM FV-08VOC5 80CFM - TOILET ROOM |
| SMALL TRIM RECESSED LIGHT | 4-PLEX OUTLET-SWITCHED (SPECIFICATION GRADE TYPICAL FOR ALL OUTLETS) | \$T SWITCH w/ TIMER | HVAC SUPPLY |
| SURFACE MOUNTED CLOSET LIGHT OR UNDERCABINET LIGHT | DUPLEX OUTLET-½ SWITCHED | AUDIO SPEAKER-CEILING MOUNTED (VERIFY LOC w/ OWNER) | HVAC RETURN |
| SURFACE MOUNT LIGHTING FIXTURE | DUPLEX OUTLET-½ SWITCHED | VIDEO SPEAKER-CEILING MOUNTED (VERIFY LOC w/ OWNER) | |
| PENDANT LIGHTING FIXTURE (4 BOX) | | AUDIO SPEAKER-WALL MOUNTED (VERIFY LOC w/ OWNER) | |
| SCOOCE LIGHT | | VIDEO SPEAKER-WALL MOUNTED (VERIFY LOC w/ OWNER) | |

DRAWING LEGENDS

ABBREVIATIONS

| | | | | | |
|-------------------------|----------------------------|------------------|----------------------------------|--------------------------------|-------------------|
| ABV Above | EA Each | E'or(E) Existing | MC Medicine Cabinet | SHT Sheet | WO Where Occurs |
| ADJ Adjustable | EL Elevation | ELC Electrical | MECH Mechanical | SHTH Sheathing | WP Waterproof |
| AFF Above Finish Floor | EQ Equal | EQD Electrical | MIN Minimum | SIM Similar | WT Weight |
| BO Board | EXP Expansion | EQD Electrical | MIR Mirror | SD Smoke Detector | < Angle |
| BEL Below | F Furnace | EQD Electrical | MISC Miscellaneous | SPEC Specification | @ At |
| BLK Block | FD Floor Drain | EQD Electrical | MTL Metal | SQ Square | Ø Diameter |
| BLKG Blocking | FDN Foundation | EQD Electrical | MDF Medium Density Fiberboard | SLD See Landscape Drawings | # Pound or Number |
| BM Beam | FTE Finish Floor Elevation | EQD Electrical | N'or(N) New | SS Stainless Steel | |
| BO/OC ByOwner/Installed | FLR Floor | EQD Electrical | NC Not In Contract | SSD See Structural Drawings | |
| General Contractor | FOC Face of Concrete | EQD Electrical | NTS Not To Scale | STD Standard | |
| BOT Bottom | FOS Face of Stud | EQD Electrical | OC On Center | STL Steel | |
| BSMT Basement | FT Foot or Feet | EQD Electrical | OD Outside Diameter | STOR Storage | |
| CAB Cabinet | FTG Footing | EQD Electrical | OFD Overflow Drain | SYM Symmetrical | |
| CBS Catch Basin | FLRR Furring | EQD Electrical | OPNG Opening | T Tread | |
| CEM Cement | GB Grab Bar | EQD Electrical | OPP Opposite | TBD To Be Determined | |
| CI Cast Iron | GL Glass | EQD Electrical | PERF Perforated | TEL Telephone | |
| CIP Cast In Place | GRD Grade | EQD Electrical | PG Paint Grade | T&G Tongue & Groove | |
| CLD Ceiling | GRND Ground | EQD Electrical | PL Plate | TYP Typical | |
| CLO Closet | GYP Gypsum | EQD Electrical | PLYWD Plywood | TO Top Of | |
| CLR Clear | HOB Hose Bib | EQD Electrical | PR Pair | TOS Top Of Slab | |
| CONC Concrete | HOWD Hardwood | EQD Electrical | PT Point | UON Unless Otherwise Noted | |
| CONT Continuous | HORIZ Horizontal | EQD Electrical | REF Refrigerator | VERT Vertical | |
| CNTR Counter | HGT Height | EQD Electrical | REFNF Reinforced | VEST Vestibule | |
| CTR Center | ID Inside Diameter | EQD Electrical | RD Roof Drain | VIF Verify In Field | |
| D Dryer | INSUL Insulation | EQD Electrical | REQ'D Required | W Washer | |
| DBL Double | INT Interior | EQD Electrical | RESL Realign | W/ With | |
| DET Detail | JT Joint | EQD Electrical | RET Retaining | WH Water Heater | |
| DIA Diameter | KIT Kitchen | EQD Electrical | RM Room | WC Water Closet | |
| DM Dimension | LAM Laminate | EQD Electrical | RO Rough Opening | WD Wood | |
| DISP Disposal | LAV Lavatory | EQD Electrical | S Sink | WI Wrought Iron | |
| DW Door | LT Light | EQD Electrical | SCHED Schedule | WIC Walk In Closet | |
| DS Drain Spout | MAX Maximum | EQD Electrical | SHNR Shower | W/O Without | |
| DRW Drawing | | EQD Electrical | | | |

Burroughs Treasure
2720 Lyon Street
San Francisco, CA 94123
Block/Lot: 0948/031

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Architect
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jeff@jaearchitect.com
www.jaearchitect.com

| DRAWING SET |
|----------------------------------|
| PERMIT DRAWINGS |
| SUBMITTALS: |
| Site Permit Submittal 08/11/14 |
| Site Permit Revision 11/14/14 |
| Site Permit Revision 02 03/09/15 |
| Site Permit Revision 03 04/09/15 |

| SHEET NUMBER | SHEET DESCRIPTION |
|--------------|------------------------------------------------------------------------------------------|
| T1 | PROJECT INFORMATION, SHEET INDEX, LEGENDS, ABBREVIATIONS, GENERAL NOTES, OCCUPANCY TABLE |
| T2 | EXISTING AND PROPOSED SITE PLANS |
| A1.01 | EXISTING/PROPOSED 1ST FL PLANS |
| A1.02 | EXISTING/PROPOSED 2ND FL PLANS |
| A1.03 | EXISTING/PROPOSED 3RD FL PLANS |
| A1.04 | EXISTING/PROPOSED ROOF PLANS |
| A3.01 | EXISTING/PROPOSED EXTERIOR ELEVATIONS |
| A3.02 | EXISTING/PROPOSED EXTERIOR ELEVATIONS |
| A3.03 | EXISTING/PROPOSED EXTERIOR ELEVATIONS |
| A3.04 | PROPOSED BUILDING SECTIONS |

SHEET INDEX

| | | | | | |
|--------------------|--------------------------------------------------------------------------------------|----------------------|----------------------------------------------------------------------------------------------|---------------------|----|
| Owner: | Rick Burroughs and Katherine Treasure 2720 Lyon Street San Francisco, CA 94123 | Architect: | Jeffrey A. Eade, Architect 407 Crestmont Drive San Francisco, CA 94131 415.606.4414 | General Contractor: | |
| Block/Lot Number: | 0948 Block, 031 Lot | Zoning: | RH-1, 40-X | Occupancy: | R3 |
| Construction Type: | VB (3 stories) | Structural Engineer: | | | |

- Scope of Work:
- Widen existing garage door
 - Enlarge Entry opening at front facade
 - Modify existing opening sizes of rear facade windows and replace with doors and windows
 - Add 42sf to the north-east corner on the first floor
 - Add a roof deck, spiral stair, and elevator (enclose the elevator and spiral stair).
 - In-fill north light well
 - Add a new sprinkler system on three levels

PROJECT INFORMATION, SITE PLAN, SHEET INDEX, LEGENDS, ABBREVIATIONS, GENERAL NOTES

| | |
|------------|--------------------|
| SCALE | AS SHOWN |
| DRAWN BY | JAE |
| CHECKED BY | JAE |
| JOB NAME | BURROUGHS TREASURE |
| PLT DATE | 09/16/15 |

T1

All drawings and written material appearing herein constitute the original and unpublished work of the architect and the same may not be duplicated, used, or disclosed without the written consent of the architect.

SCOPE OF WORK / PROJECT INFO



| | |
|--------------------------|------------------------------|
| EXISTING/PROPOSED | |
| SITE PLANS | |
| | |
| | |
| | |
| SCALE | <u>AS SHOWN</u> |
| DRAWN BY | <u>JH</u> |
| CHECKED BY | <u>JH</u> |
| JOB NAME | <u>WATERPROOFING-REPAIRS</u> |
| PLAT DATE | <u>09/16/15</u> |

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| DRAWING SET | |
|-------------------------|----------|
| PERMIT DRAWINGS | |
| SUBMITTALS: | |
| Site Permit Submittal | 06/11/14 |
| Site Permit Revision | 11/14/14 |
| Site Permit Revision 02 | 03/09/15 |
| Site Permit Revision 03 | 04/09/15 |

EXISTING
PROPOSED
FLOOR PLANS

SCALE **AS SHOWN**

DRAFTED BY **JSE**

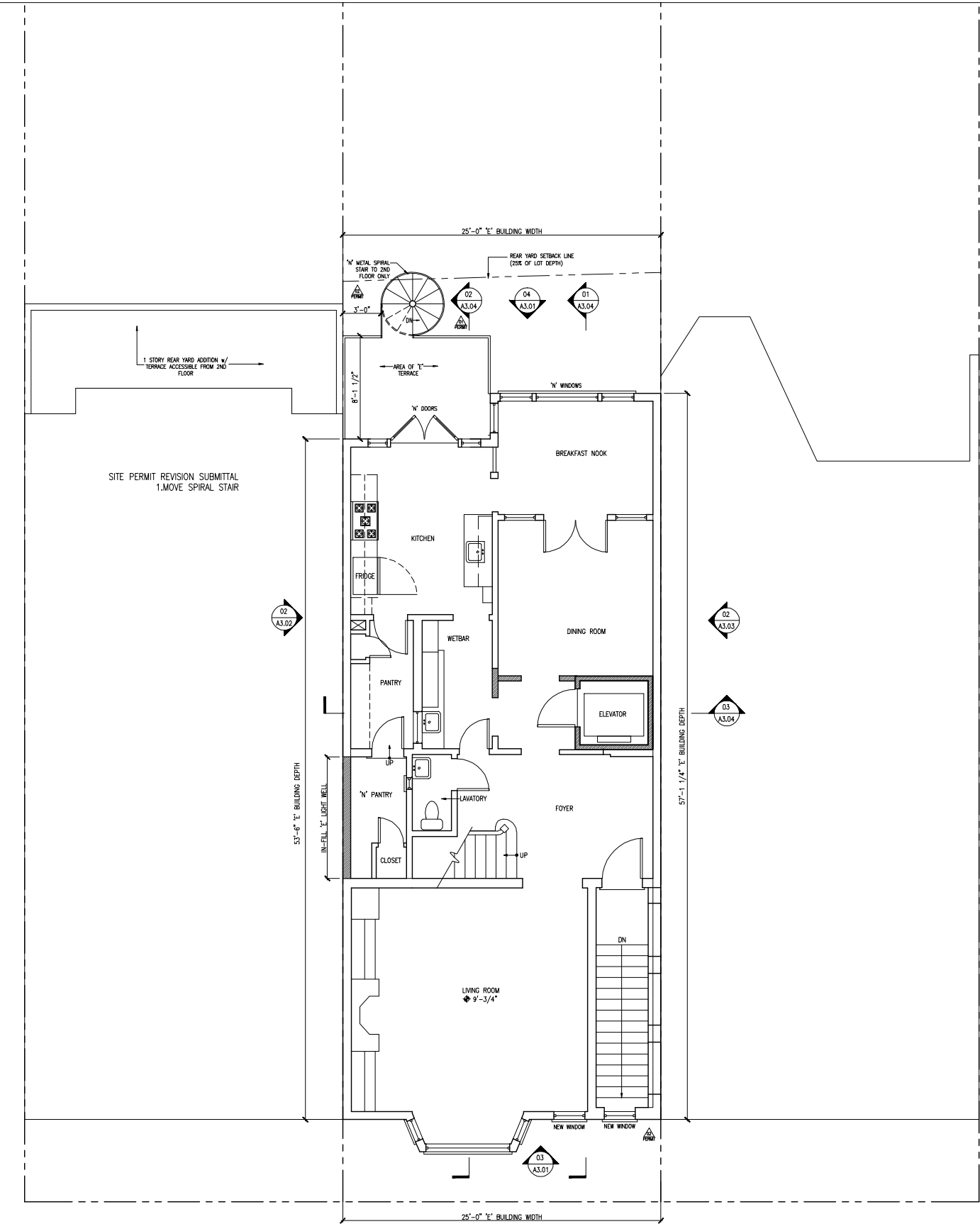
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JOB NAME **RESEARCH CENTER**

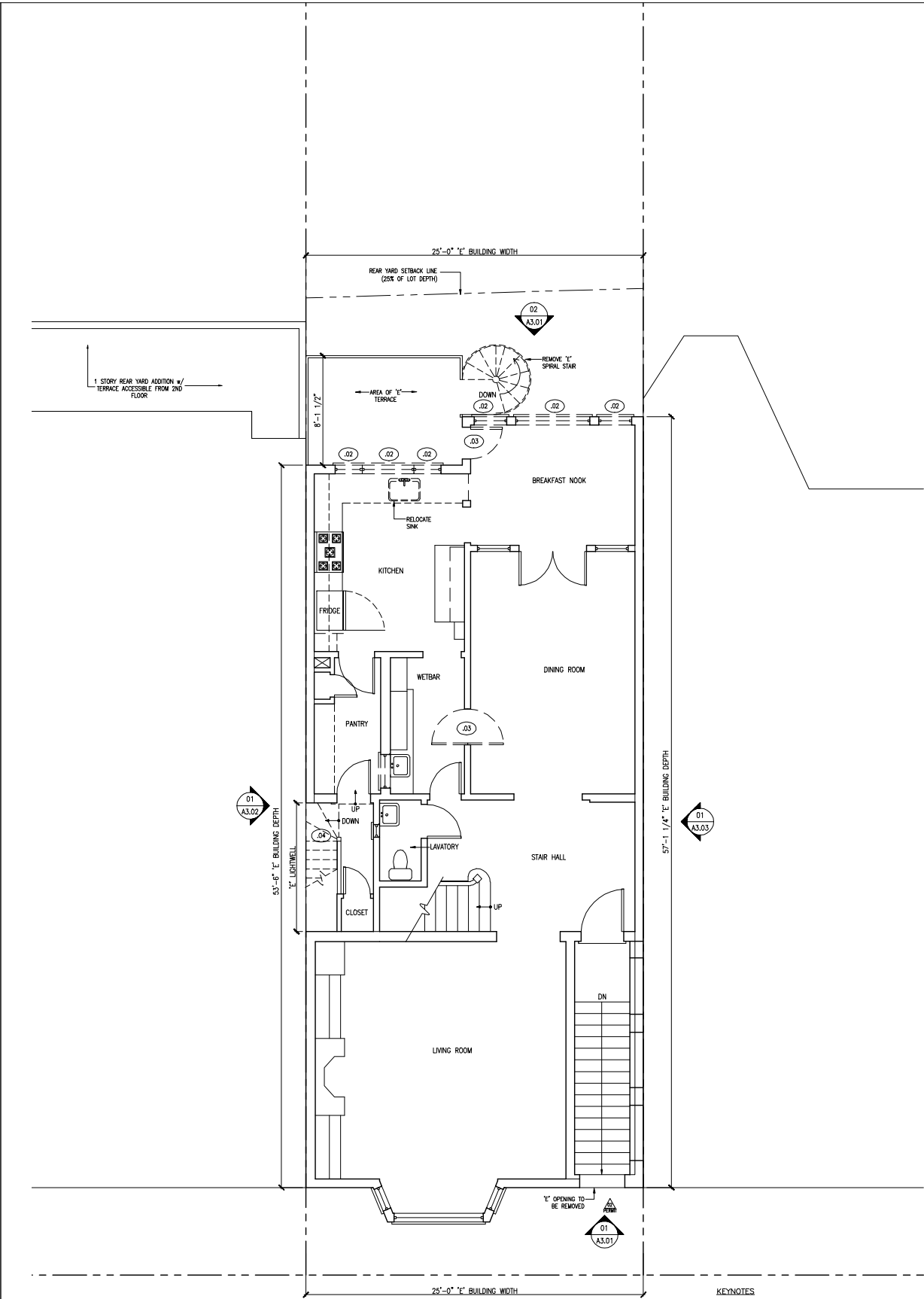
PLOT DATE **09/16/15**

| DRAWING SET: | |
|-------------------------|----------|
| PERMIT DRAWINGS | |
| SUBMITTALS: | |
| Site Permit Submittal | 08/11/14 |
| Site Permit Revision | 11/14/14 |
| Site Permit Revision 02 | 03/09/15 |
| Site Permit Revision 03 | 04/09/15 |

| | |
|-------------|--------------------|
| EXISTING | PROPOSED |
| FLOOR PLANS | |
| SCALE | AS SHOWN |
| DRAFTED BY | JAB |
| CHECKED BY | JAB |
| JOB NAME | BURROUGHS TREASURE |
| PLAT DATE | 09/16/15 |



02 **PROPOSED 2ND FLOOR PLAN**
A1.02 SCALE: 1/4"=1'-0"



- KEYNOTES
- NO. NOTE
 - .01 REMOVE WALL
 - .02 REMOVE WINDOW
 - .03 REMOVE DOOR
 - .04 REMOVE STAIRS/LANDING/RAILINGS
 - .05 REMOVE PLUMBING FIXTURES
 - .06 REMOVE CABINETRY
 - .07 REMOVE WALL, CEILING, AND FLOORING FINISHES
 - .08 REMOVE ROOF FINISH AND SHEATHING
 - .09 REMOVE SIDING
 - .10 REMOVE OVERHEAD (HEADER, TRIM, ETC)

01 **EXISTING/DEMOLITION 2ND FLOOR PLAN**
A1.02 SCALE: 1/4"=1'-0"

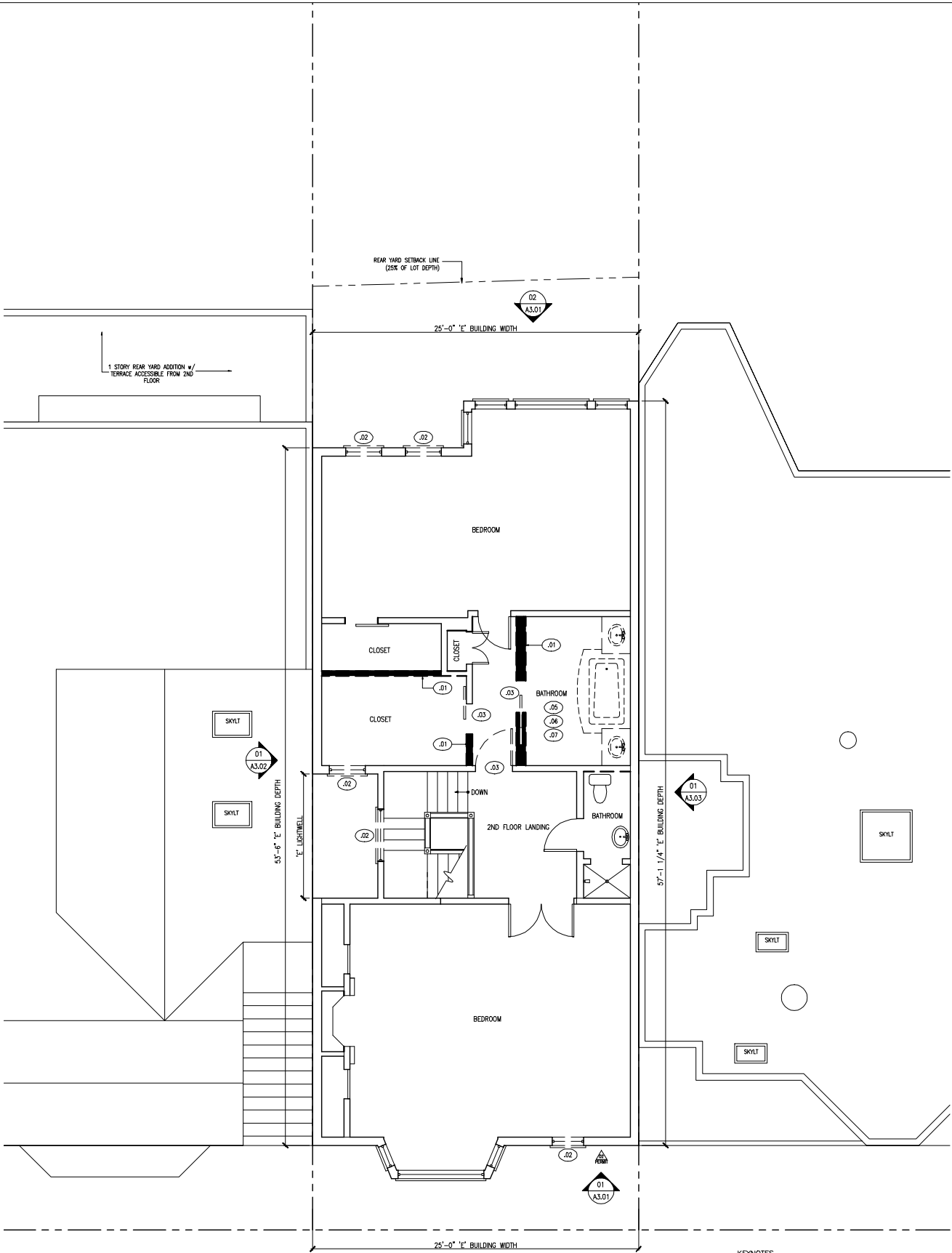
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|-------------------------|----------|
| PERMIT DRAWINGS | |
| SUBMITTALS: | |
| Site Permit Submittal | 08/11/14 |
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| Site Permit Revision 02 | 03/09/15 |
| Site Permit Revision 03 | 04/09/15 |

| EXISTING | PROPOSED |
|-------------|--------------------|
| FLOOR PLANS | |
| SCALE | AS SHOWN |
| DRAWN BY | JAB |
| CHECKED BY | JAB |
| JOB NAME | BURROUGHS TREASURE |
| PLAT DATE | 08/16/15 |

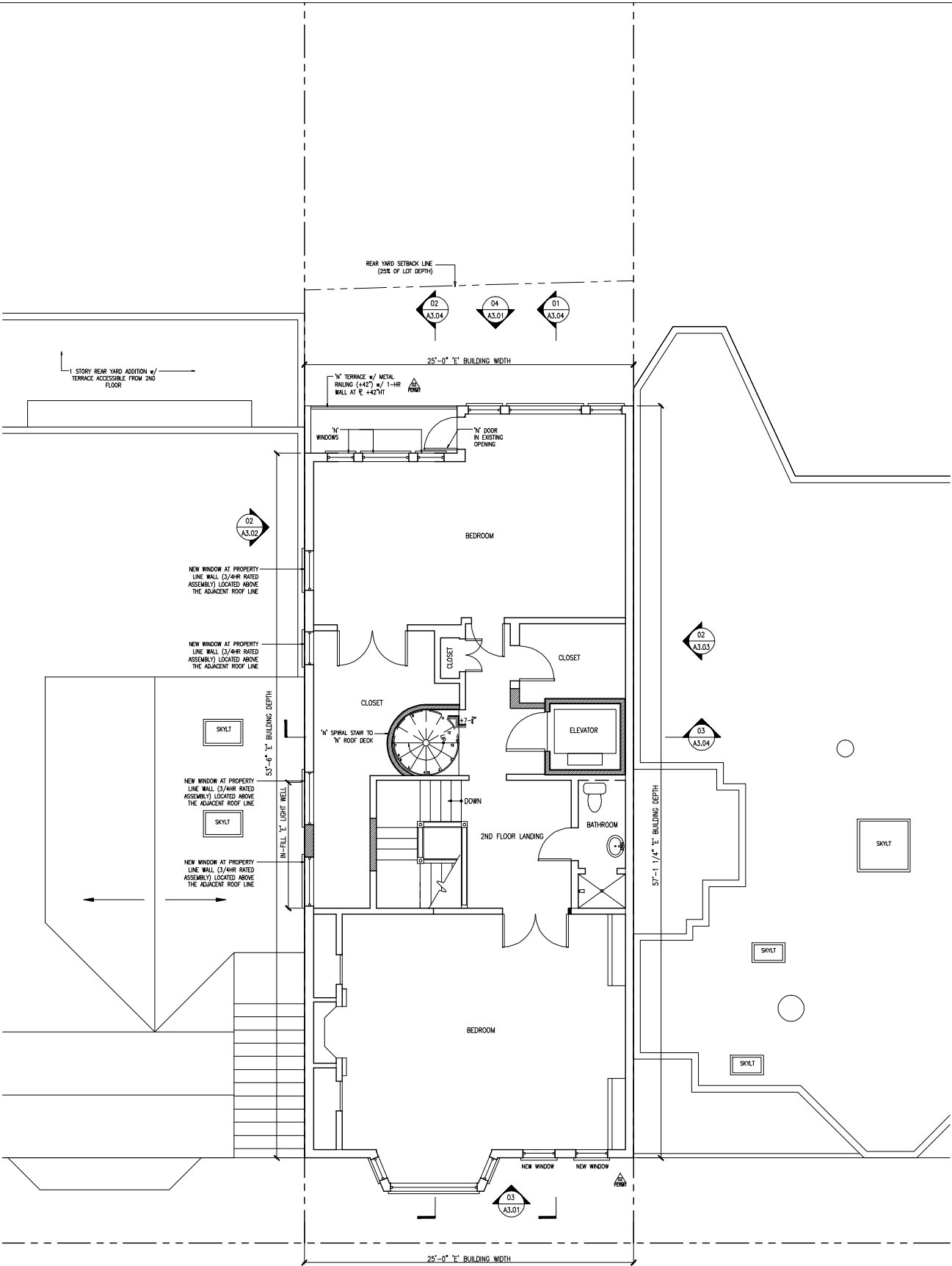
SHEET NO.
A1.03

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- KEYNOTES
- | | |
|-----|------------------------------------------------|
| NO. | NOTE |
| .01 | REMOVE WALL |
| .02 | REMOVE WINDOW |
| .03 | REMOVE DOOR |
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| .06 | REMOVE CABINETRY |
| .07 | REMOVE WALL, CEILING, AND FLOORING FINISHES |
| .08 | REMOVE ROOF FINISH AND SHEATHING |
| .09 | REMOVE SIDING |
| .10 | REMOVE OVERHEAD (HEADER, TRIM, ETC) |



01
A1.03
EXISTING/DEMOLITION 3RD FLOOR PLAN
SCALE: 1/4"=1'-0"



02
A1.03
PROPOSED 3RD FLOOR PLAN
SCALE: 1/4"=1'-0"

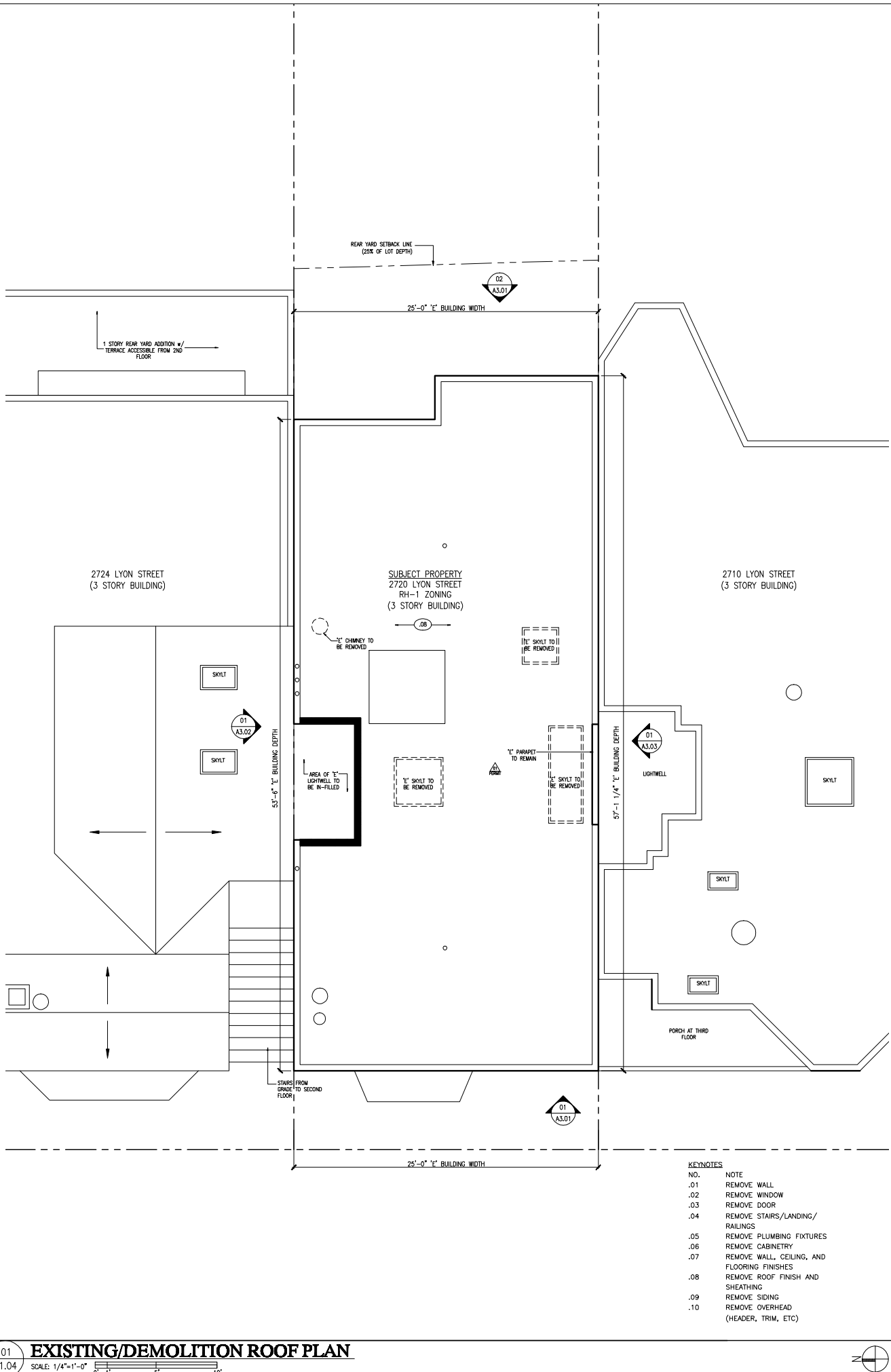
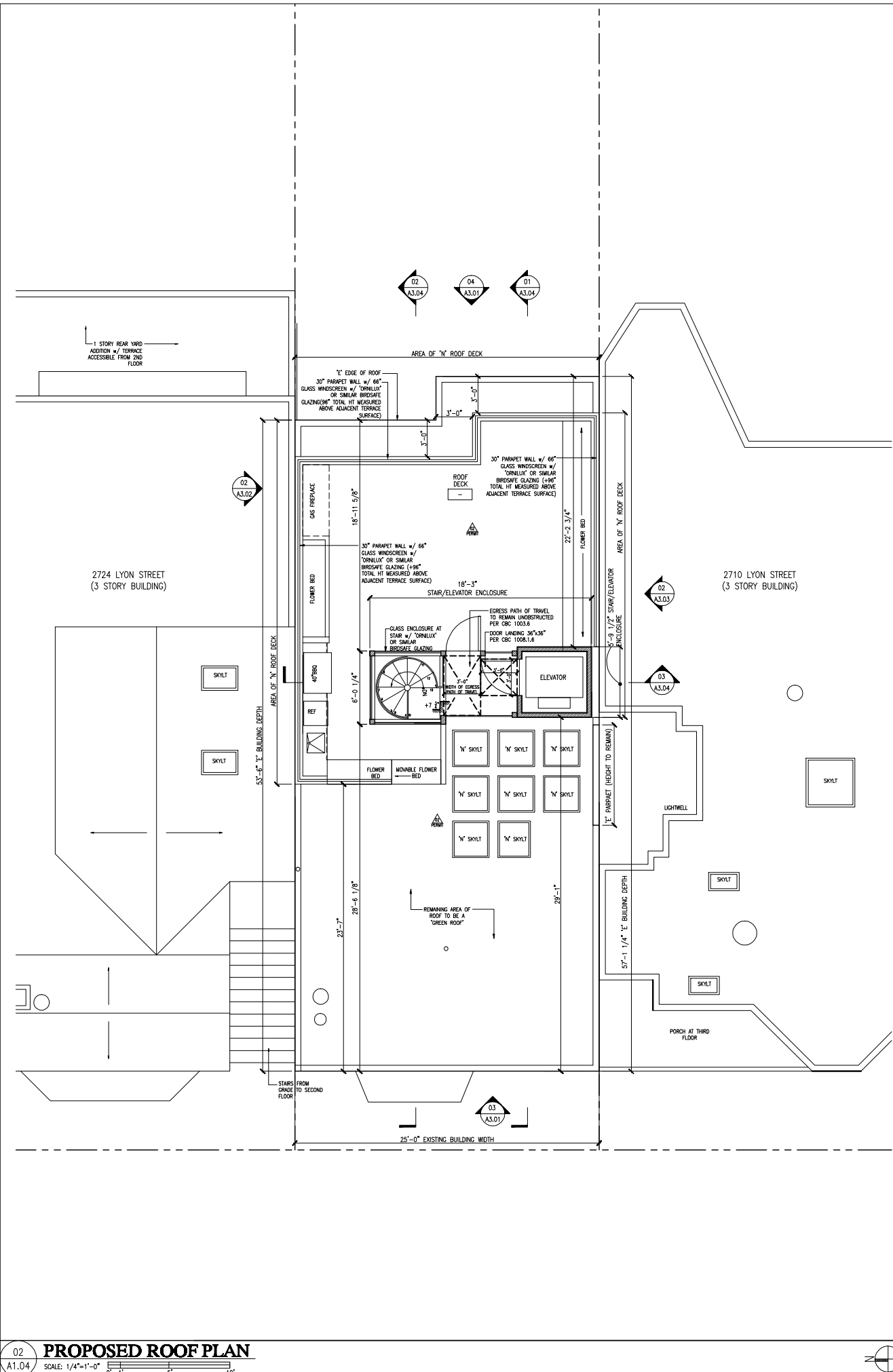
| DRAWING SET | |
|-------------------------|----------|
| PERMIT DRAWINGS | |
| SUBMITTALS: | |
| Site Permit Submittal | 08/11/14 |
| Site Permit Revision 01 | 11/14/14 |
| Site Permit Revision 02 | 03/09/15 |
| Site Permit Revision 03 | 04/09/15 |

EXISTING
PROPOSED
FLOOR PLANS

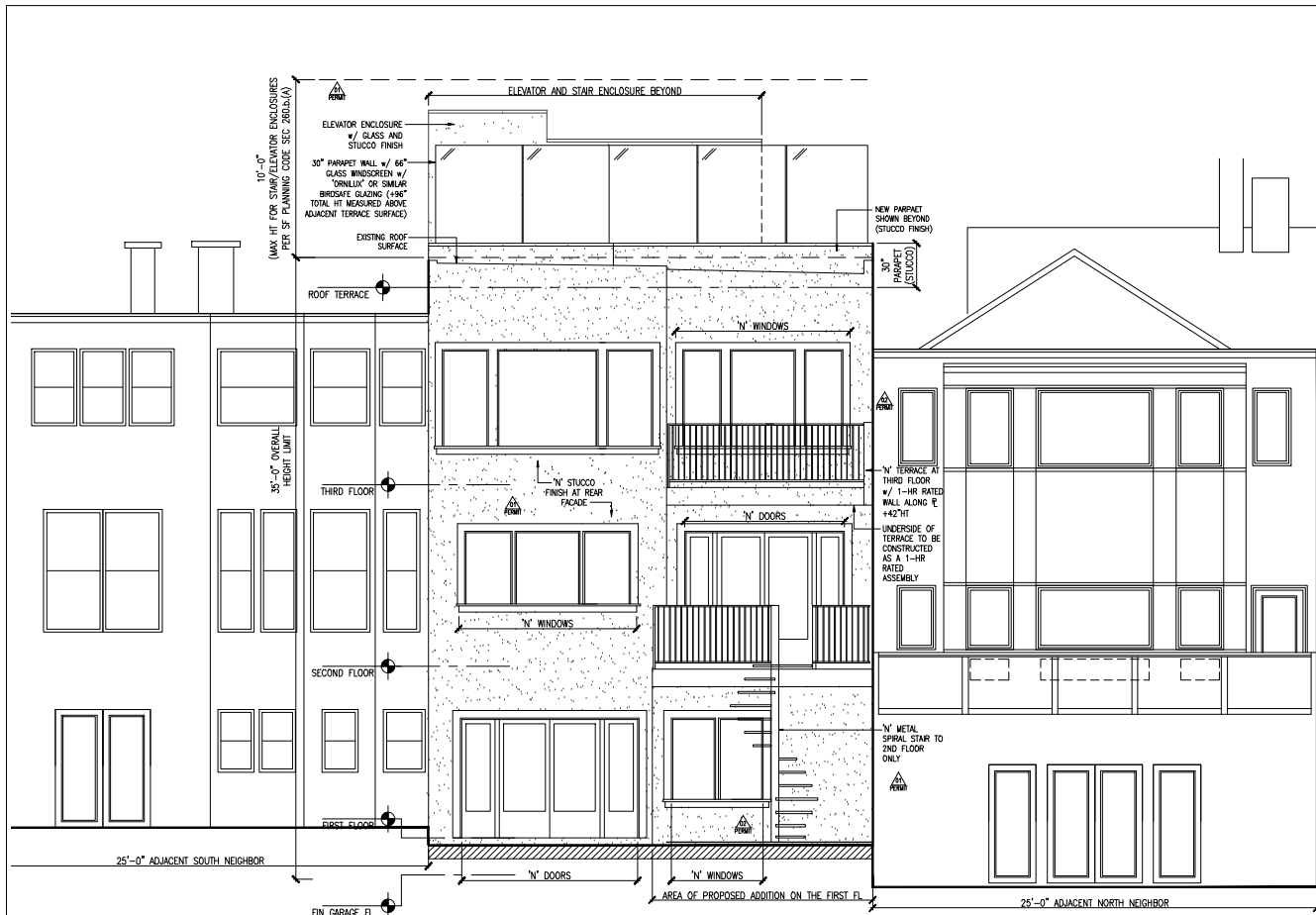
SCALE: AS SHOWN
DRAFTED BY: JAB
CHECKED BY: JAB
JOB NAME: BURROUGHS TREASURE
PLOT DATE: 09/16/15

SHEET NO.
A1.04

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- KEYNOTES
- | NO. | NOTE |
|-----|---------------------------------------------|
| .01 | REMOVE WALL |
| .02 | REMOVE WINDOW |
| .03 | REMOVE DOOR |
| .04 | REMOVE STAIRS/LANDING/RAILINGS |
| .05 | REMOVE PLUMBING FIXTURES |
| .06 | REMOVE CABINETRY |
| .07 | REMOVE WALL, CEILING, AND FLOORING FINISHES |
| .08 | REMOVE ROOF FINISH AND SHEATHING |
| .09 | REMOVE SIDING |
| .10 | REMOVE OVERHEAD (HEADER, TRIM, ETC) |



04 **PROPOSED EAST ELEVATION**
A3.01 SCALE: 1/4"=1'-0" 0' 5' 10'



02 **EXISTING/DEMO EAST ELEVATION**
A3.01 SCALE: 1/4"=1'-0" 0' 5' 10'



03 **PROPOSED WEST ELEVATION**
A3.01 SCALE: 1/4"=1'-0" 0' 5' 10'



01 **EXISTING/DEMO WEST ELEVATION**
A3.01 SCALE: 1/4"=1'-0" 0' 5' 10'

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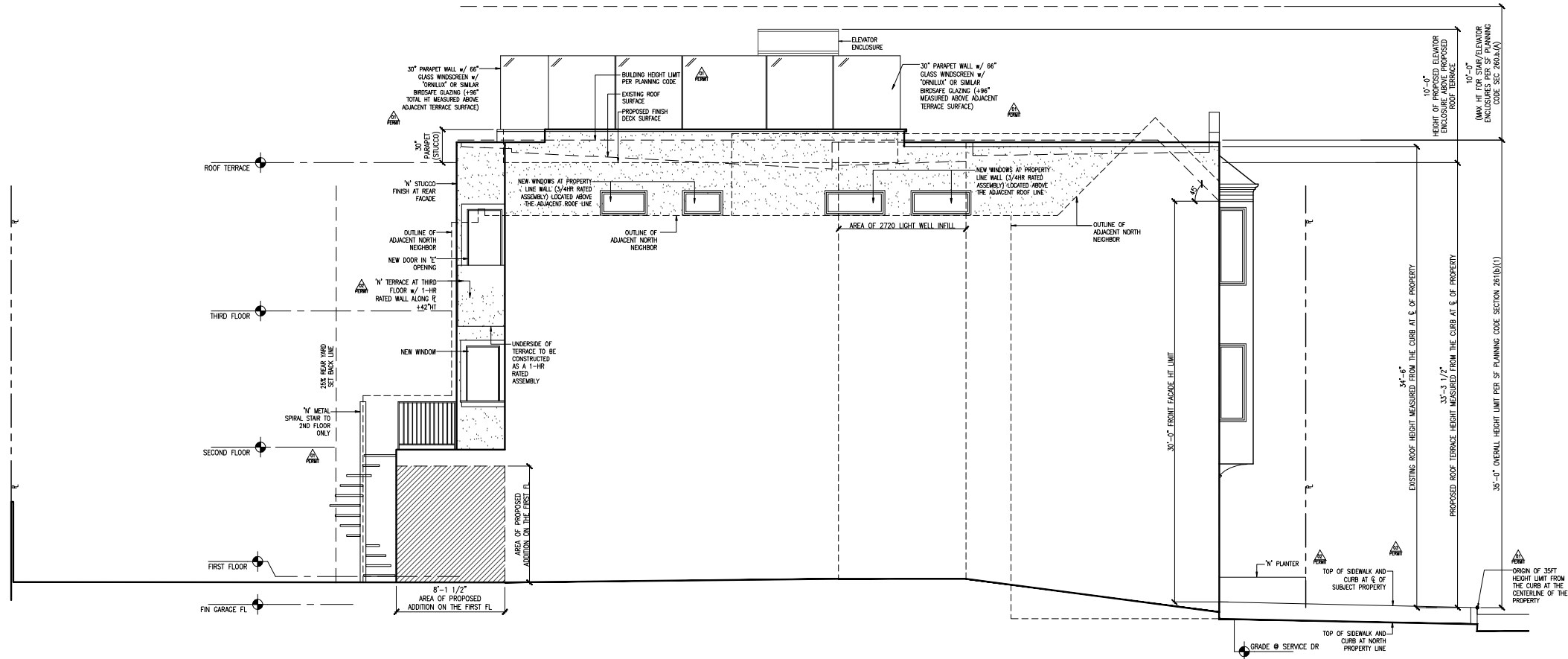
| DRAWING SET: | |
|-------------------------|----------|
| PERMIT DRAWINGS | |
| SUBMITTALS: | |
| Site Permit Submittal | 08/11/14 |
| Site Permit Revision | 11/14/14 |
| Site Permit Revision 02 | 03/09/15 |
| Site Permit Revision 03 | 04/09/15 |

**EXISTING/PROPOSED
EXTERIOR
ELEVATIONS**

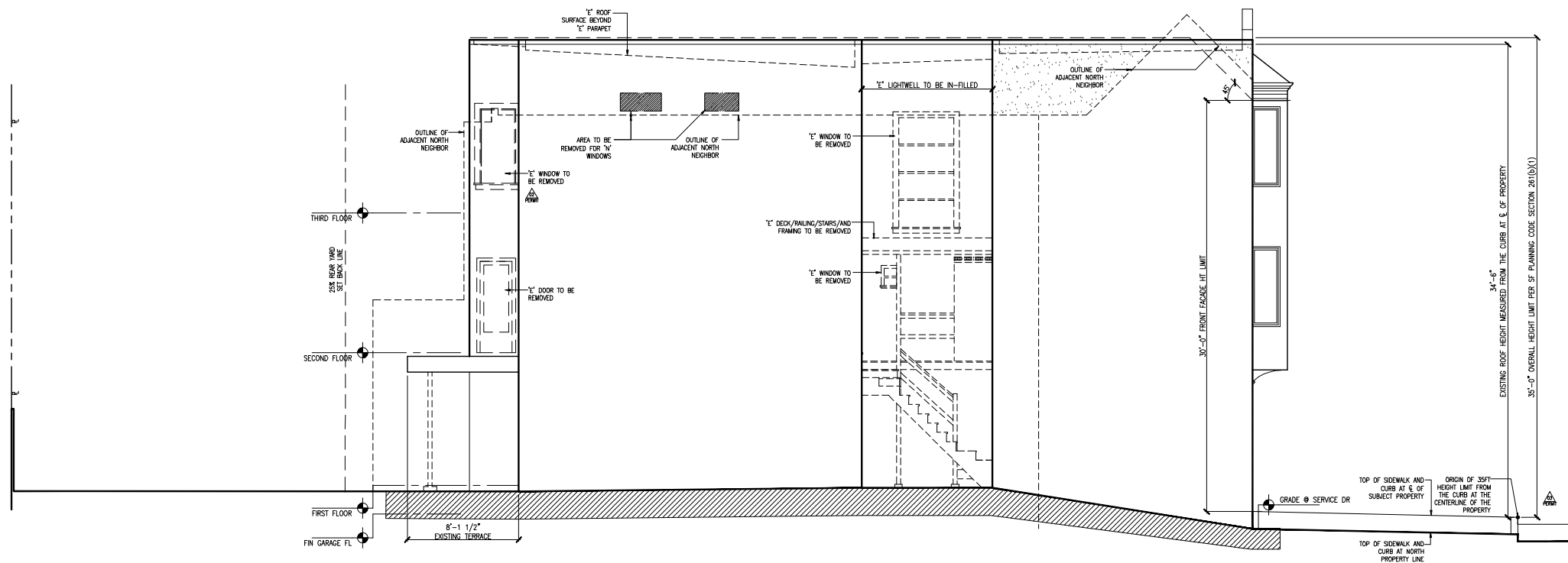
SCALE: AS SHOWN
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CHECKED BY: JAB
JOB NAME: BURROUGHS TREASURE
PLOT DATE: 09/16/15

SHEET NO.
A3.01

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02
A3.02
PROPOSED NORTH ELEVATION
SCALE: 1/4"=1'-0"
0' 1' 5' 10'



01
A3.02
EXISTING NORTH ELEVATION
SCALE: 1/4"=1'-0"
0' 1' 5' 10'

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DRAWING SET:

PERMIT DRAWINGS

SUBMITTALS:

| | |
|-------------------------|----------|
| Site Permit Submittal | 08/11/14 |
| Site Permit Revision | 11/14/14 |
| Site Permit Revision 02 | 03/08/15 |
| Site Permit Revision 05 | 04/08/15 |

EXISTING PROPOSED
EXTERIOR
ELEVATIONS

SCALE: AS SHOWN
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CHECKED BY: JAB
JOB NAME: BURROUGHS TREASURE
PLOT DATE: 08/16/15

SHEET NO.




A3.02

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

| | | |
|---------------------------------------------------------------------------------------|-------------------------|----------|
| | Site Permit Submitted | 08/11/14 |
|  | Site Permit Revision | 11/14/14 |
|  | Site Permit Revision 02 | 03/09/15 |
|  | Site Permit Revision 03 | 04/09/15 |



EXISTING SOUTH ELEVATION

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

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[illegible]