



# SAN FRANCISCO PLANNING DEPARTMENT

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## Memo to the Planning Commission

HEARING DATE: JANUARY 5, 2017  
Continued from the September 22, 2016 Hearing

*Date:* December 23, 2016  
*Case No.:* **2015-000487DRP**  
*Project Address:* **2438 30<sup>th</sup> AVENUE**  
*Permit Application:* 2015.01.08.5238  
*Zoning:* RH-1[Residential House, One-Family]  
40-X Height and Bulk District  
*Block/Lot:* 2396/031  
*Project Sponsor:* John Lau  
Design Consultants Group, Inc.  
3900 Geary Blvd., Ste. 201  
San Francisco, CA 94118  
*Staff Contact:* Nancy Tran – (415) 575-9174  
[nancy.h.tran@sfgov.org](mailto:nancy.h.tran@sfgov.org)  
*Recommendation:* **Do not take DR 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**

### BACKGROUND

On September 22, 2016, the Planning Commission continued the Discretionary Review hearing for 2438 30<sup>th</sup> Avenue to January 5, 2017 due to inadequate notice posting by the Project Sponsor. Additional noticing and posting for the new hearing date was performed per notification requirements.

### CURRENT PROPOSAL

No changes have been proposed to the plans since Section 311 notification.

**Attachment:**  
DR Notice



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

## RE-NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, January 5, 2017**  
Time: **Not before 12:00 PM (noon)**  
Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**  
Case Type: **Discretionary Review**  
Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: <b>2438 30<sup>th</sup> Avenue</b> Cross Street(s): <b>Taraval/Ulloa Ave</b> Block /Lot No.: <b>2396 / 031</b> Zoning District(s): <b>RH-1 / 40-X</b> Area Plan: <b>N/A</b>	Case No.: <b>2015-000487DRP</b> Building Permit: <b>2015.01.08.5238</b> Applicant: <b>John Lau</b> <b>Design Consultants Group, Inc.</b> Telephone: <b>(415) 555-1234</b> E-Mail: <a href="mailto:designconsultants18881@gmail.com">designconsultants18881@gmail.com</a>

### PROJECT DESCRIPTION

The request is for a Discretionary Review of Building Permit Application No. 2015.01.08.5238 proposing to construct a horizontal and vertical addition to the existing single-family dwelling. The project includes rear excavation to expand the basement, ground and 2nd levels. No work is proposed at the front façade. This is a re-notice due to inadequate posting of the previously scheduled hearing (9/22/16).

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

### ADDITIONAL INFORMATION

**ARCHITECTURAL PLANS:** If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans of the proposed project will also be available prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org>

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.

### FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Nancy Tran** Telephone: **(415) 575-9174** E-Mail: [nancy.h.tran@sfgov.org](mailto:nancy.h.tran@sfgov.org)

# GENERAL INFORMATION ABOUT PROCEDURES

## HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

## APPEAL INFORMATION

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

## ENVIRONMENTAL REVIEW

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

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



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Abbreviated Analysis

HEARING DATE: JANUARY 5, 2017

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

Reception:  
**415.558.6378**

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*Date:* December 23, 2016  
*Case No.:* **2015-000487DRP**  
*Project Address:* **2438 30<sup>th</sup> Avenue**  
*Permit Application:* 2015.01.08.5238  
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[nancy.h.tran@sfgov.org](mailto:nancy.h.tran@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

### PROJECT DESCRIPTION

The proposal is to enlarge the existing two-story over garage single-family dwelling by constructing a rear addition as well as excavating to expand the basement, ground and 2<sup>nd</sup> levels. While no work is proposed at the front façade, the rear building wall will be extended 18'-6" toward the easterly boundary. The proposal incorporates matching an adjacent lightwell at the southerly boundary and a side setback for the proposed addition along northerly property line (DR requestor's property).

### SITE DESCRIPTION AND PRESENT USE

The project site is on the east side of 30<sup>th</sup> Avenue, between Taraval and Ulloa Avenues, Lot 031 in Assessor's Block 2396 and is located within the RH-1 (Residential House, One-Family) Zoning District with a 40-X Height and Bulk designation. The 3,000 square foot lot has 25 feet of frontage and a depth of 120 feet.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Parkside neighborhood within Supervisor District 4. Parcels within the immediate vicinity consist of residential single-family dwellings of varied design and building heights.



## BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	Dec. 16, 2015 –Jan. 15, 2016 *Feb. 1 – Feb. 16, 2016	Feb. 18, 2016	Sept. 22, 2016	217 days

\*The Zoning Administrator required building permit re-notification and extended the review period beyond the original expiration because the original notification plans did not meet §311 drawing requirements (i.e. showing adjacent fenestration).

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	December 26, 2016	December 26, 2016	10 days
Mailed Notice	10 days	December 26, 2016	December 26, 2016	10 days

The required 10 day posted and mailed noticing were previously conducted on September 12, 2016 for the originally scheduled September 22, 2016 hearing.

## PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	1	1 (DR Requestor)	-
Other neighbors on the block or directly across the street	5	15 (signed petition)	-
Other neighbors	65 (signed petition)	-	-

- The Project Sponsor held a pre-application meeting and has reached out to neighbors for signatures in support of the project.
- The Department received comments from DR requestor, a neighbor located on the same block and petition (included as part of the DR application) objecting to the project's: scale, impacts to light, privacy and traffic.

## DR REQUESTOR

Colin & Jeannie King, 2434 30<sup>th</sup> Avenue, San Francisco, CA 94116

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated February 18, 2016.

## PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated August 9, 2016.

## ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

## RESIDENTIAL DESIGN TEAM REVIEW

Following submittal of the Request for Discretionary Review, the Residential Design Team (RDT) reviewed the project as proposed in the revision and finds that it meets the standards of the Residential Design Guidelines (RDGs) and does not present any exceptional or extraordinary circumstances. In particular, the greater than 3' side setback provided along the southerly property line better matches the adjacent property's massing. This revision also appropriately contributes to light and physical space at the adjacent property's rear elevation bay window and corner notch.

**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.**

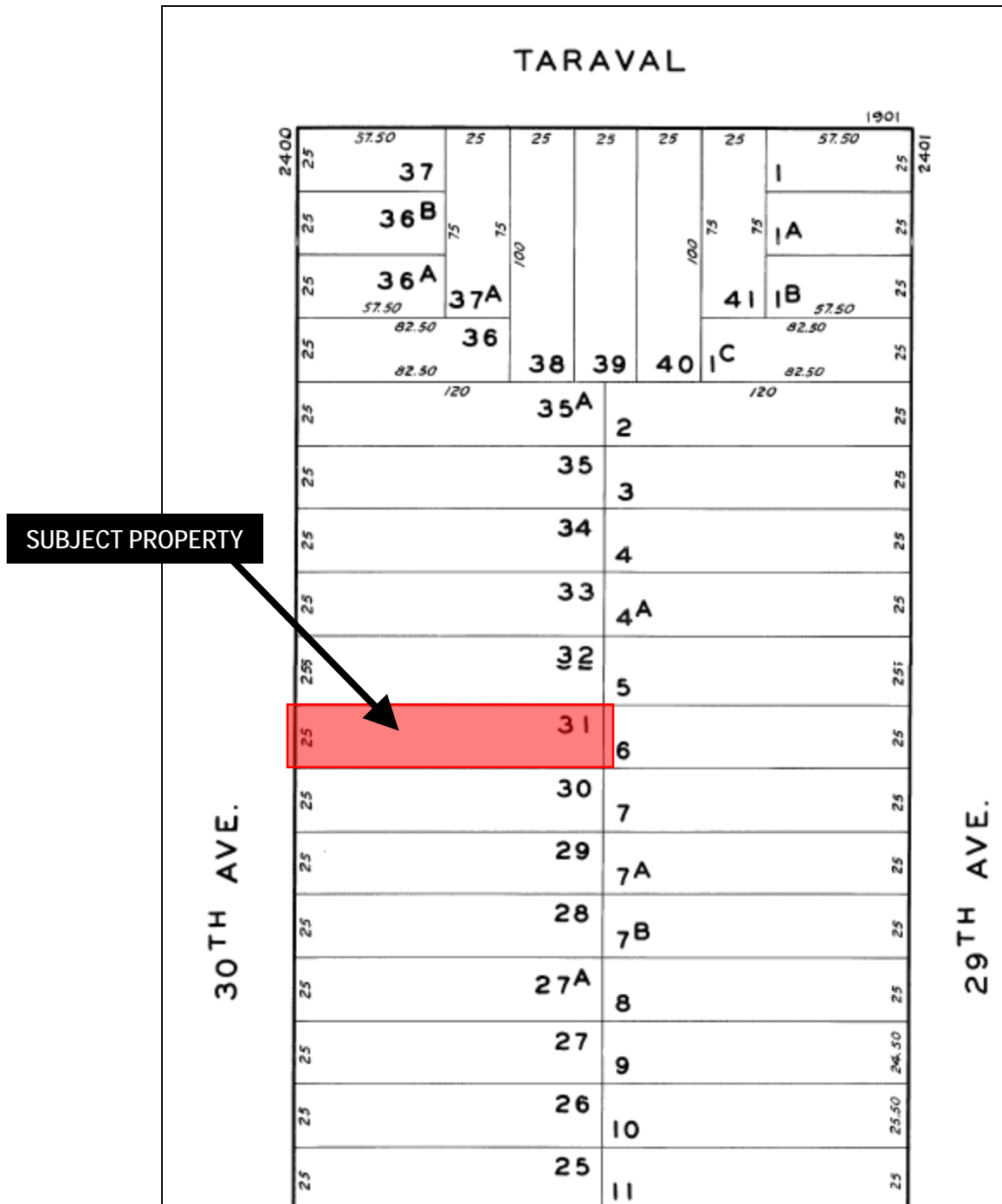
<b>RECOMMENDATION:</b>	<b>Do not take DR and approve project as proposed</b>
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### Attachments:

Parcel Map  
Sanborn Map  
Zoning Map  
Aerial Photograph  
Context Photographs  
Site Photographs  
CEQA Categorical Exemption Determination  
Section 311 Notice & Plans  
Renderings  
DR Notice  
DR Application dated February 18, 2016  
Response to DR Application dated August 9, 2016  
Pre-Application Materials

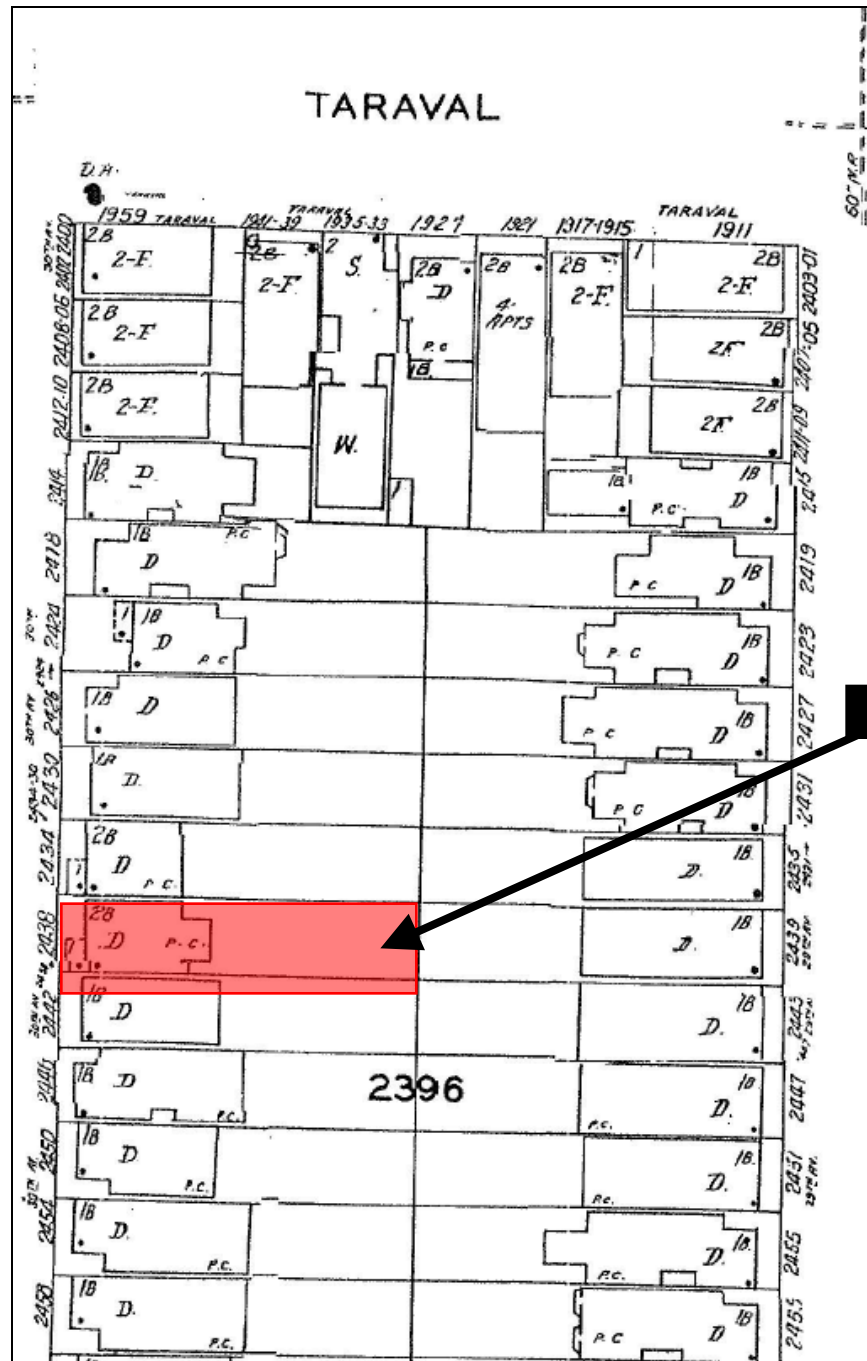
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# Parcel Map



Discretionary Review Hearing  
Case Number 2015-000487DRP  
2438 30<sup>th</sup> Avenue

# Sanborn Map\*

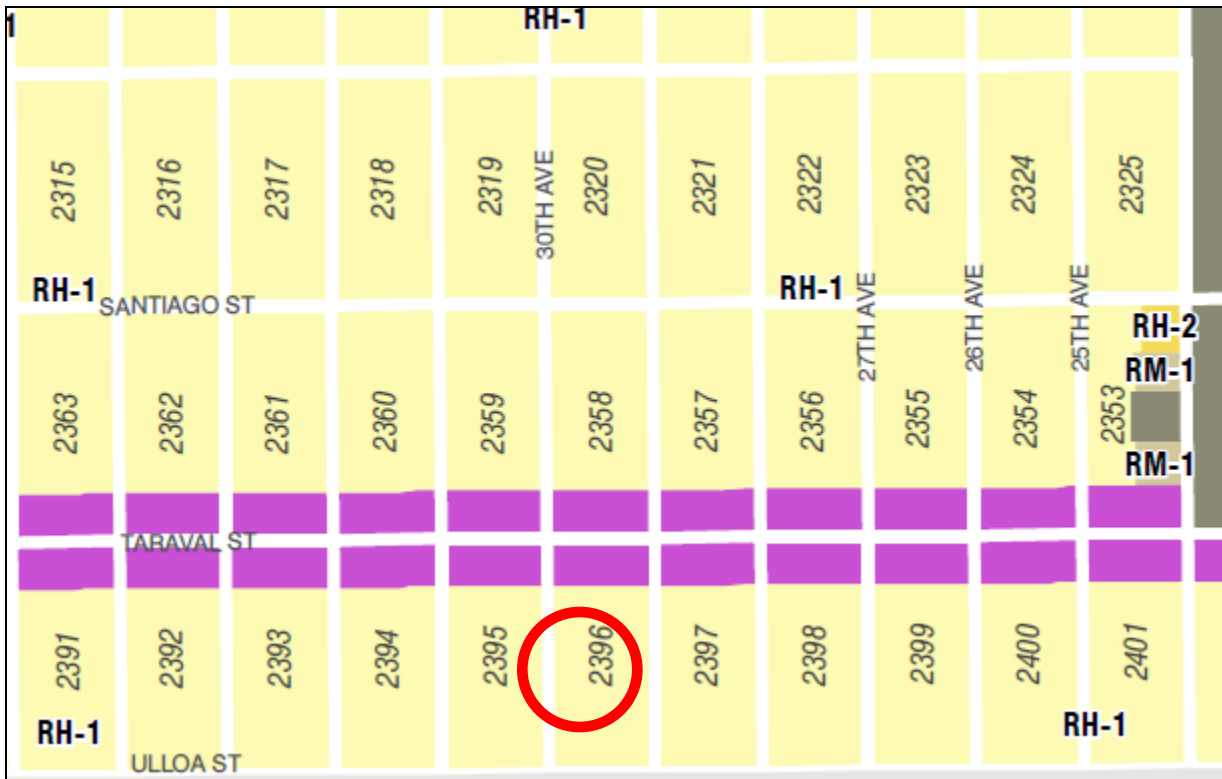


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



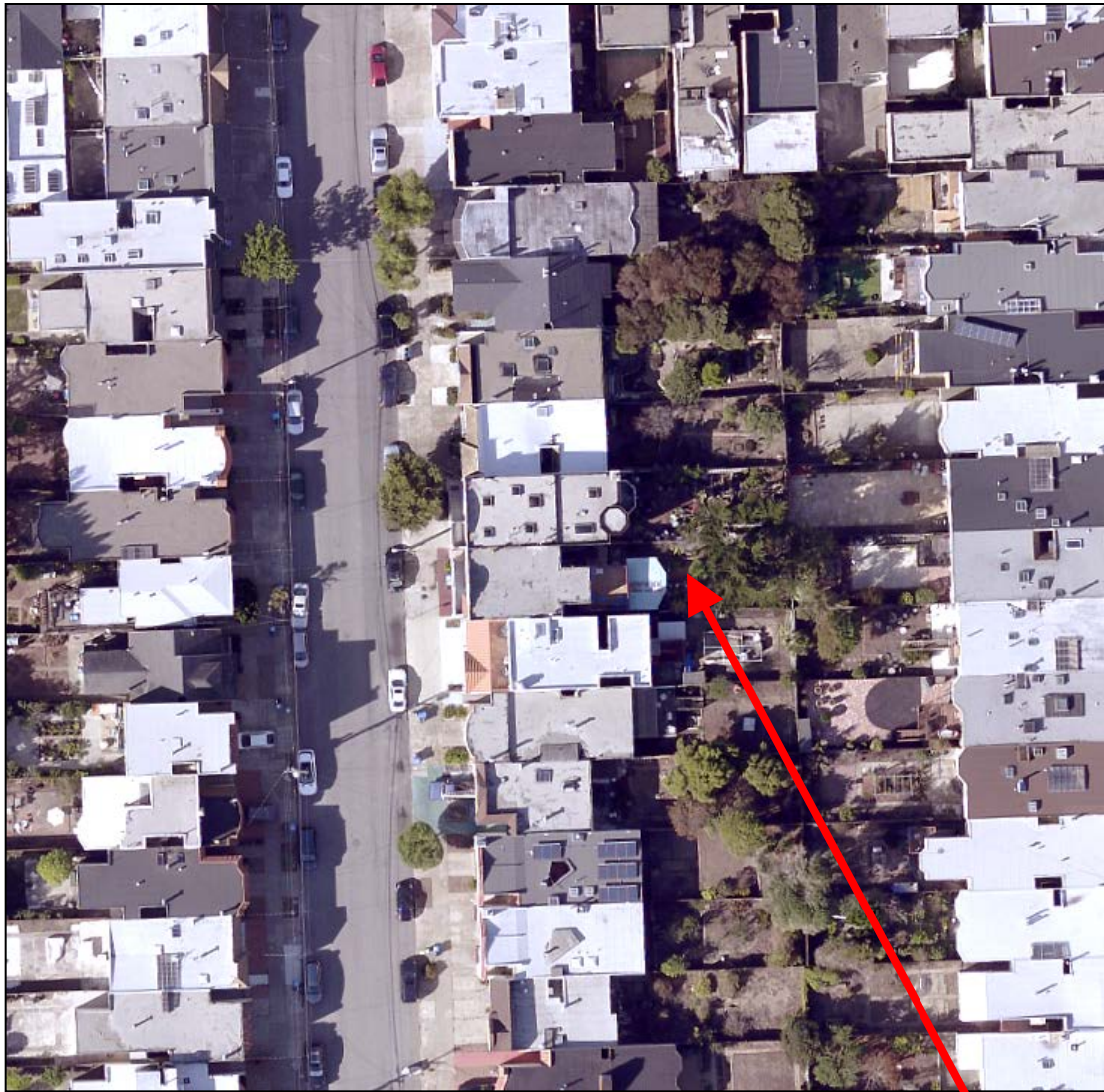
Discretionary Review Hearing  
Case Number 2015-000487DRP  
2438 30<sup>th</sup> Avenue

# Zoning Map



Discretionary Review Hearing  
Case Number 2015-000487DRP  
2438 30<sup>th</sup> Avenue

# Aerial Photograph



SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2015-000487DRP  
2438 30<sup>th</sup> Avenue



# Context Photographs



FRONT FACADE OF THE BUILDING



REAR FACADE OF THE BUILDINGS



SUBJECT BUILDING



BUILDINGS ON THE SAME SIDE OF STREET



BUILDINGS ON THE FACING SIDE OF STREET

# Site Photographs (Rear)







# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2438 30th Avenue		2396/031	
Case No.	Permit No.	Plans Dated	
2015-000487ENV		9/16/2015	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Horizontal/vertical addition to single-family dwelling. Proposed work includes excavation of rear portion to extend basement level and expansion of ground and 2nd story. No work along front.			

### STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

<b>Note: If neither Class 1 or 3 applies, an <i>Environmental Evaluation Application</i> is required.</b>	
<input checked="" type="checkbox"/>	<b>Class 1 – Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class__

### STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I

	Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input checked="" type="checkbox"/>	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</i>
<input type="checkbox"/>	<b>Noise:</b> Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Noise Mitigation Area)</i>
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i>
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i> <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report will likely be required.</b>
<b>If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</u></b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
<b>Comments and Planner Signature (optional):</b> Archeological review completed.	

### STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b>

**STEP 4: PROPOSED WORK CHECKLIST**  
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input checked="" type="checkbox"/>	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW**  
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .

<input type="checkbox"/>	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input type="checkbox"/>	10. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify):
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
Comments (optional):	
Preservation Planner Signature:	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION**  
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review <b>STOP! Must file an Environmental Evaluation Application.</b>	
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA.</b>	
	<b>Planner Name:</b>  <b>Project Approval Action:</b> <b>Building Permit</b> If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Signature:</b>  <b>Jean Poling</b> <small>Digitally signed by Jean Poling          DN: dc=org, dc=sfgov, dc=cityplanning,          ou=CityPlanning, ou=Environmental Planning,          cn=Jean Poling, email=jeanle.poling@sfgov.org          Date: 2015.10.16 12:24:19 -07'00'</small>
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.	

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT****TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

**PROPERTY INFORMATION/PROJECT DESCRIPTION**

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

**DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION**

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

**If at least one of the above boxes is checked, further environmental review is required** **CATEX FORM**

**DETERMINATION OF NO SUBSTANTIAL MODIFICATION**

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:





# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## RE-NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **January 8, 2015**, the Applicant named below filed Building Permit Application No. **2015.01.08.5238** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>2438 30<sup>th</sup> Avenue</b>	Applicant:	<b>John Lau</b>
Cross Street(s):	<b>Taraval/Ulloa Avenues</b>	Address:	<b>Design Consultants Group, Inc.</b>
Block/Lot No.:	<b>2396/031</b>	City, State:	<b>3900 Geary Blvd, Ste 201</b>
Zoning District(s):	<b>RH-1 / 40-X</b>	Telephone:	<b>San Francisco, CA 94118</b>
			<b>(415) 831-7180</b>

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 15-day extended review period (original expiration 01/15/2016), 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. Please be aware that this is a Section 311 re-notice. The project has not changed since the original mailing. This notice has been updated to reflect the new 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 type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	6 feet - 4 ½ inches	No Change
Side Setbacks	None	No Change
Building Depth	55 feet - 11 ½ inches	74 feet - 5 ½ inches
Rear Yard	57 feet - 8 inches	39 feet - 2 inches
Building Height	26 feet - 6 inches	No Change
Number of Stories	2 + basement	No Change
Number of Dwelling Units	1	1
Number of Parking Spaces	1	No Change
PROJECT DESCRIPTION		
The proposal is to construct a horizontal and vertical addition to the existing single-family dwelling. The project includes rear excavation to expand the basement, ground and 2 <sup>nd</sup> levels. No work is proposed at the front façade. See attached plans.		
The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.		

**For more information, please contact Planning Department staff:**

Planner: Nancy Tran  
Telephone: (415) 575-9174  
E-mail: nancy.h.tran@sfgov.org

中文詢問請電: (415) 575-9010

Notice Date: 2/1/16  
Expiration Date: 2/16/16

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

# GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at [www.sfplanning.org](http://www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org). If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.** **Incomplete applications will not be accepted.**

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

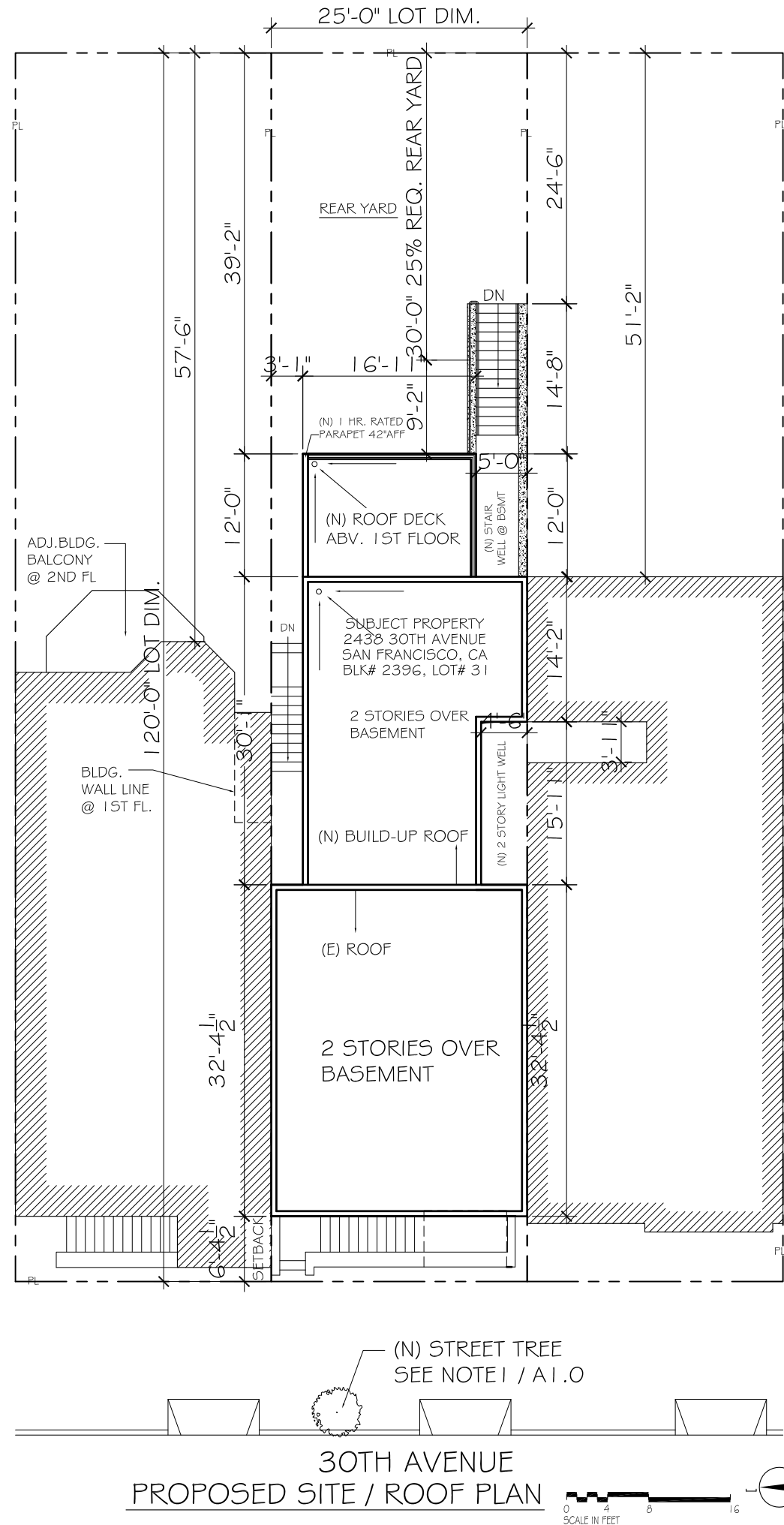
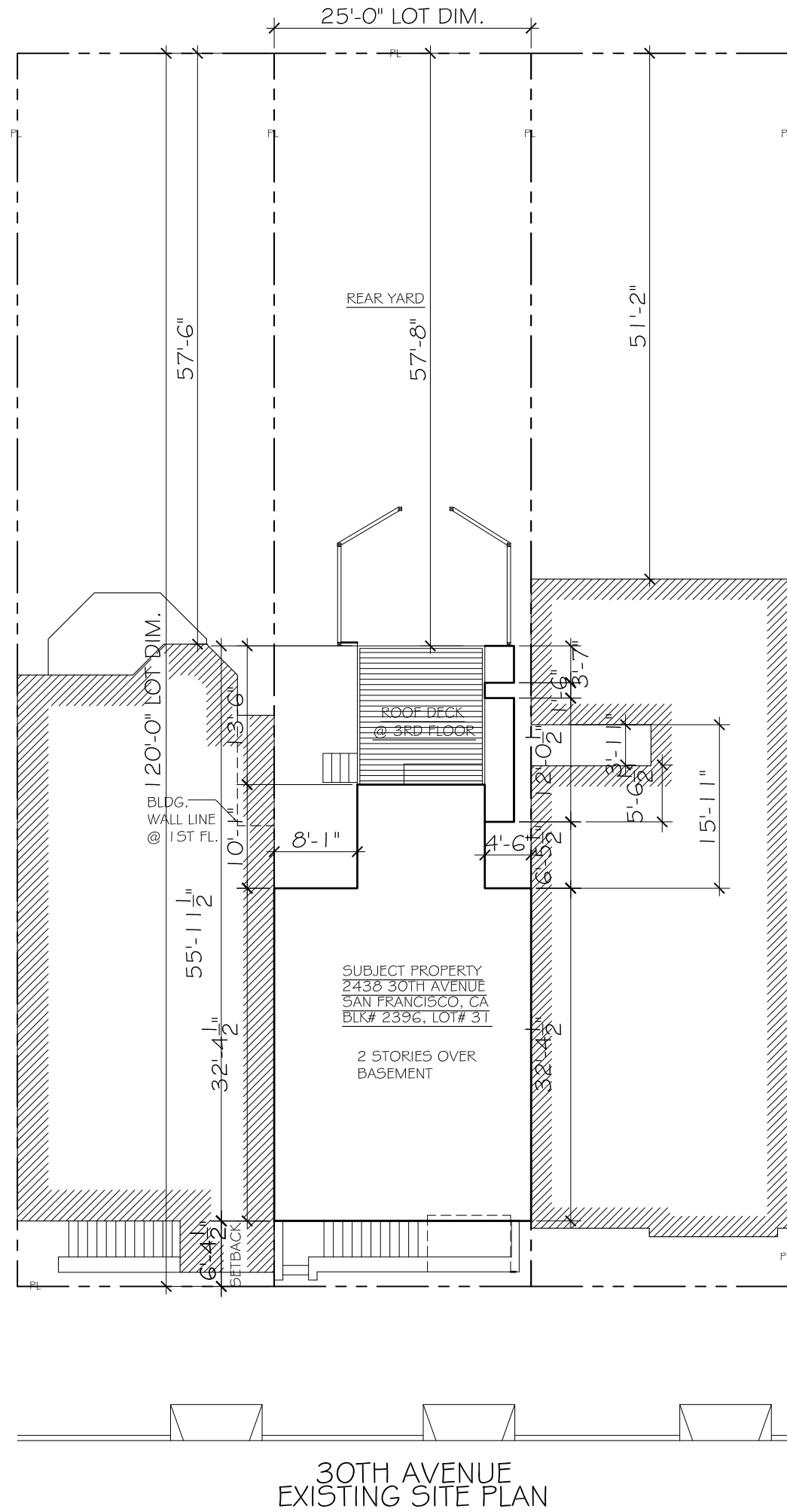
## BOARD OF APPEALS

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

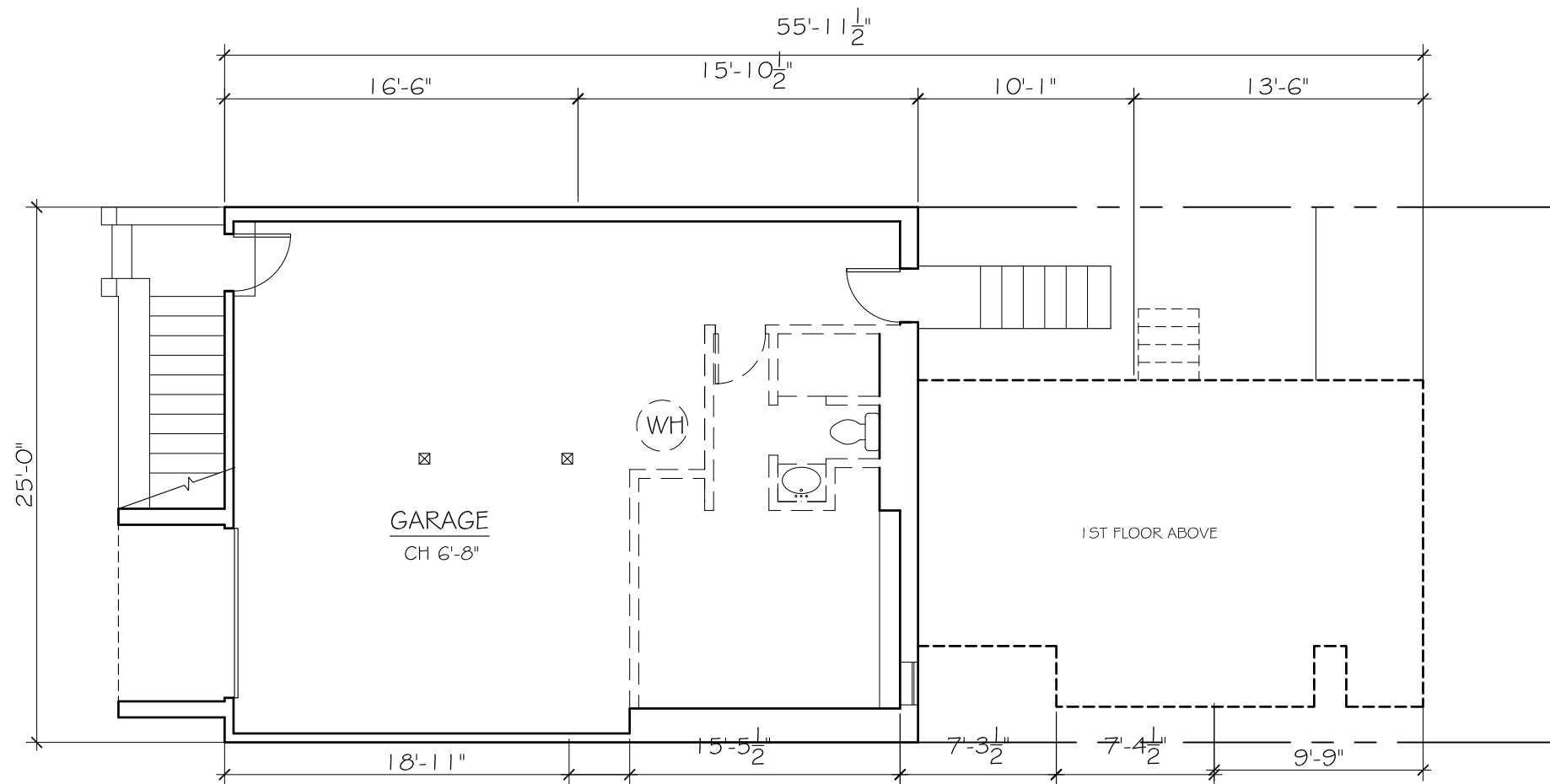
## ENVIRONMENTAL REVIEW

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

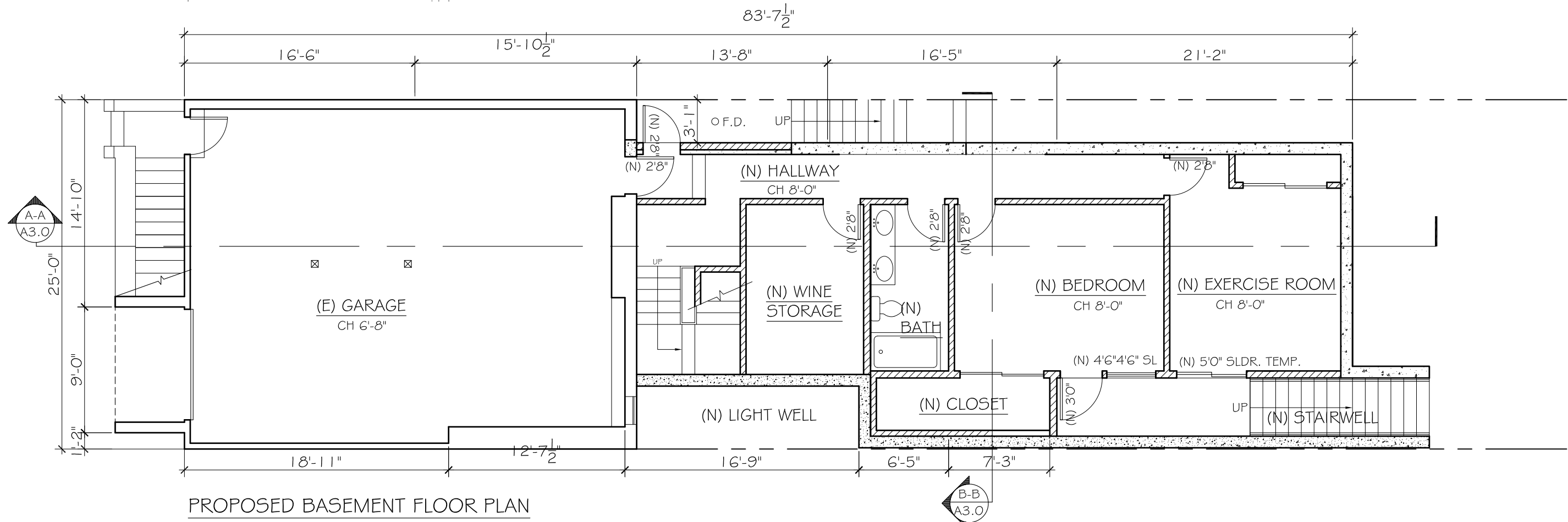
Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or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



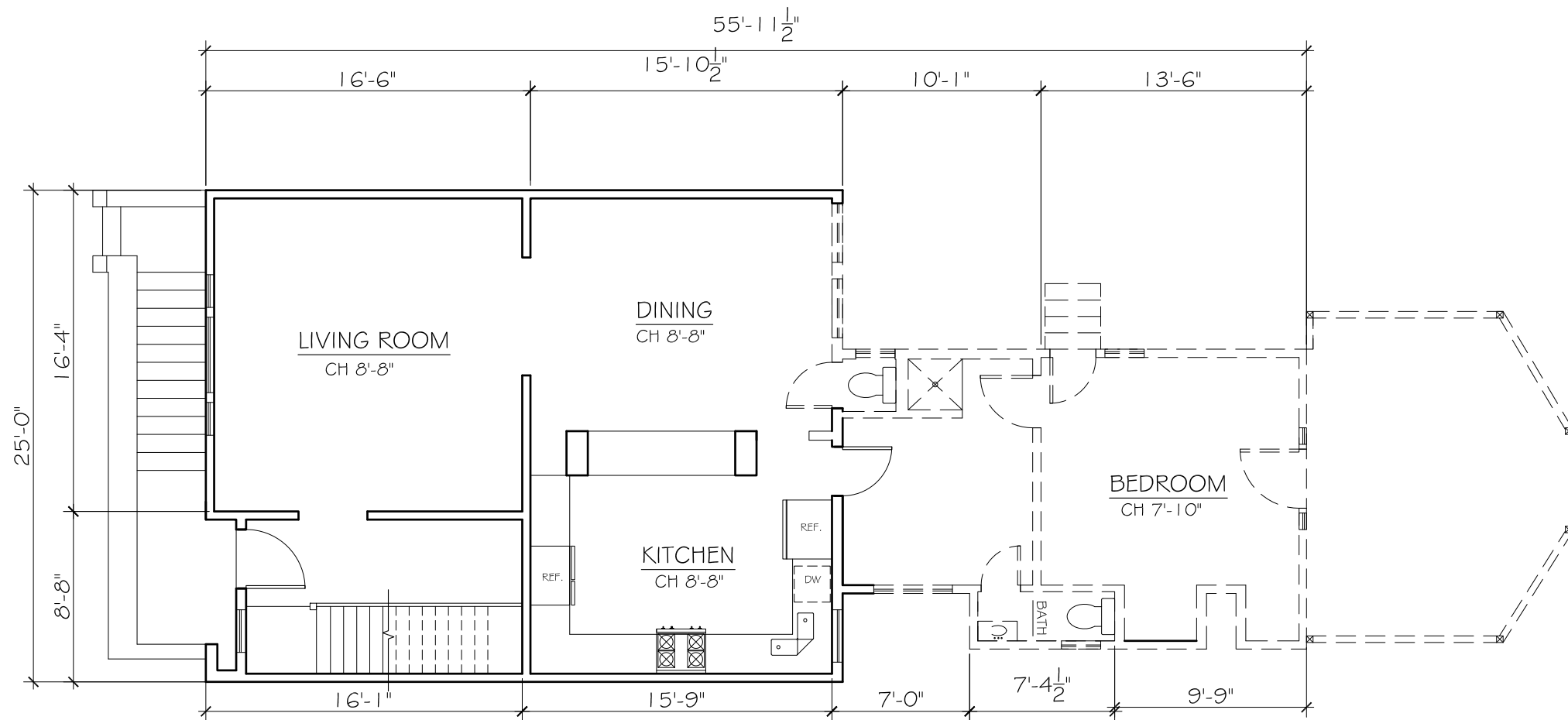
REVISIONS	BY
06.01.15	CK
PLNG. DEPT	JH
01.19.16	
DESIGN CONSULTANTS GROUP	
3900 Geary Blvd, Suite 201 San Francisco, Ca. 94118 Phone: (415) 831-7180 Fax: (415) 831-7181	
EXISTING & PROPOSED SITE / ROOF PLANS	
BLOCK: 2396 LOT: 031 2438 30TH AVE. SAN FRANCISCO, CA 94116	
DATE	09.29.14
SCALE	
DRAWN	CK
JOB	
OF	1 SHEETS



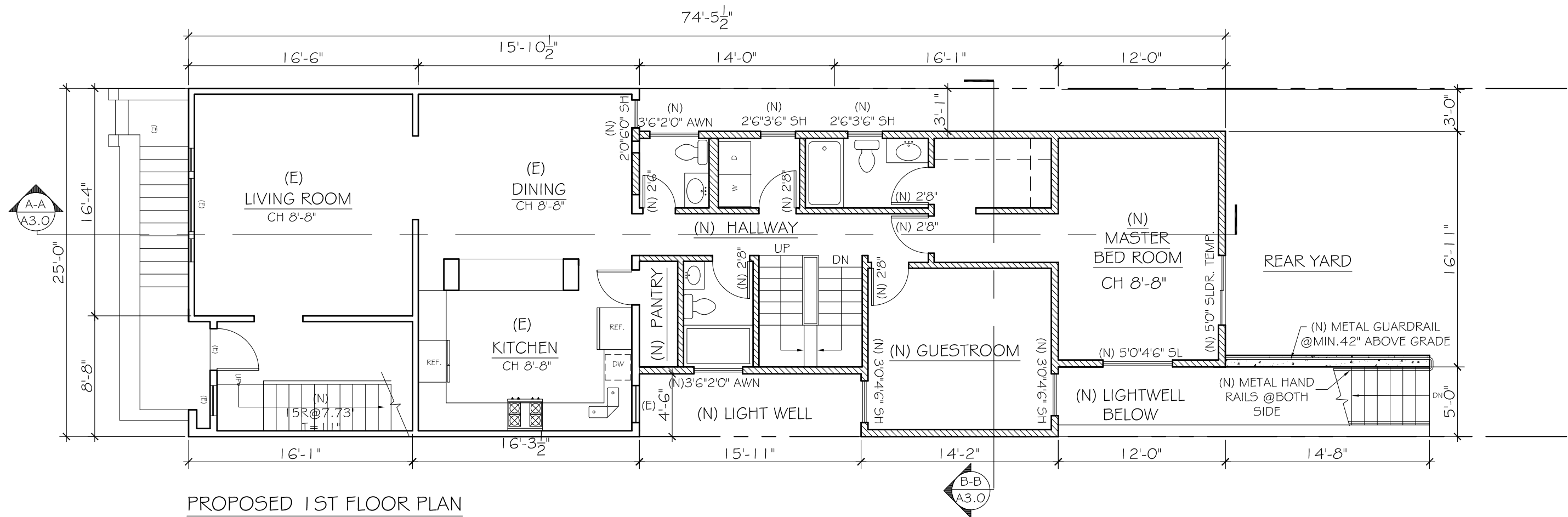
EXISTING BASEMENT FLOOR PLAN



REVISIONS	BY
06.01.15	CK
PLNG, DEPT	JH
01.19.16	
DESIGN CONSULTANTS GROUP	
3900 Geary Blvd, Suite 201 San Francisco, Ca. 94118 Phone: (415) 831-7180 Fax: (415) 831-7181	
REGISTERED PROFESSIONAL ENGINEER JOHN W. LAM No. 18881 Exp. 6/30/2017 STATE OF CALIFORNIA	
EXISTING & PROPOSED BASEMENT PLANS	
BLOCK: 2396 LOT: 03 I 2438 30TH AVE. SAN FRANCISCO, CA 94116	
DATE	09.29.14
SCALE	
DRAWN	CK
JOB	
2	
OF	SHEETS



EXISTING 1ST FLOOR PLAN



PROPOSED 1ST FLOOR PLAN

REVISIONS	BY
06.01.15	CK
PLNG. DEPT	JH
01.19.16	

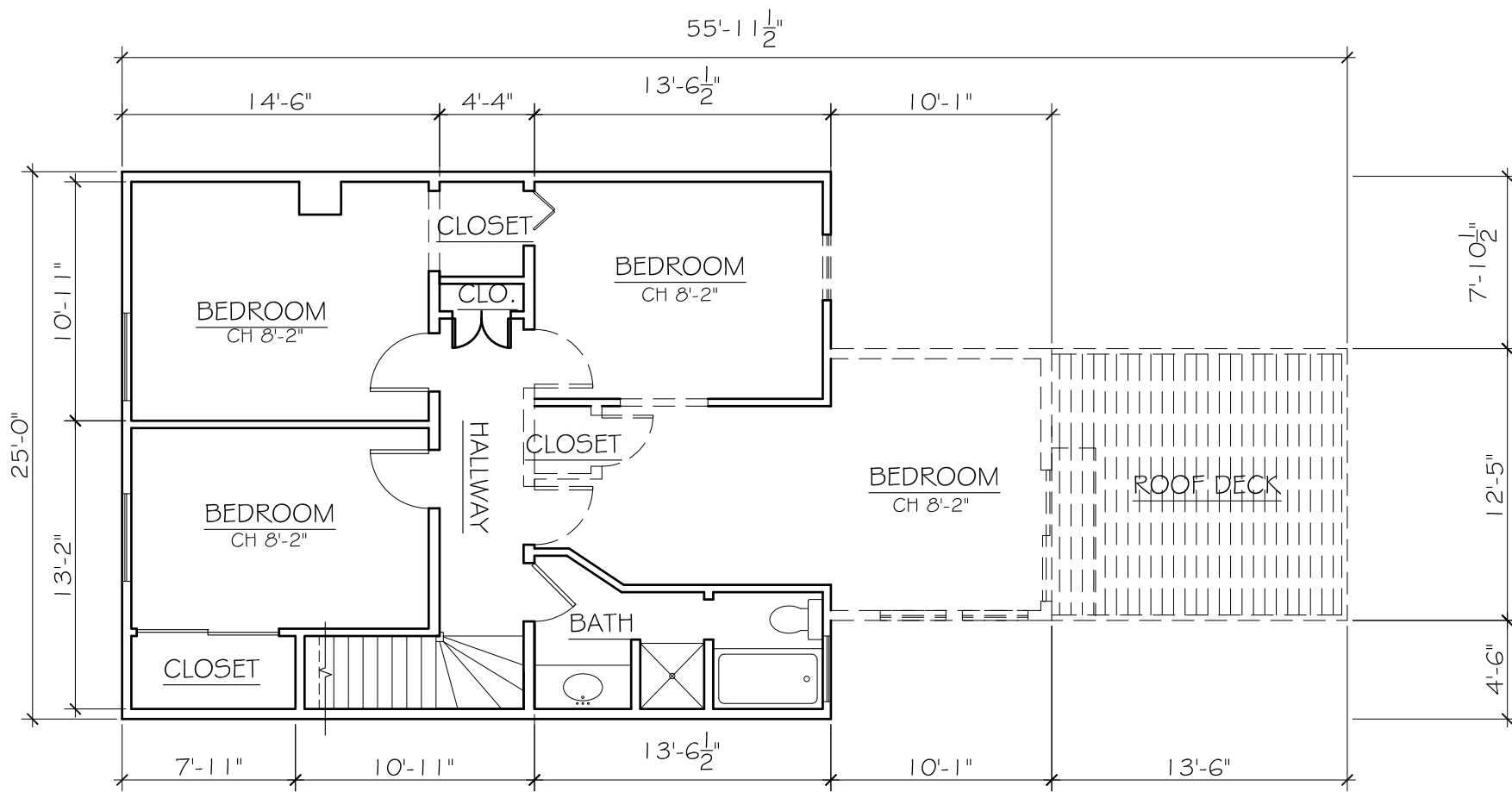
**DESIGN CONSULTANTS GROUP**  
 3900 Geary Blvd, Suite 201  
 San Francisco, Ca 94118  
 Phone: (415) 831-7180  
 Fax: (415) 831-7181



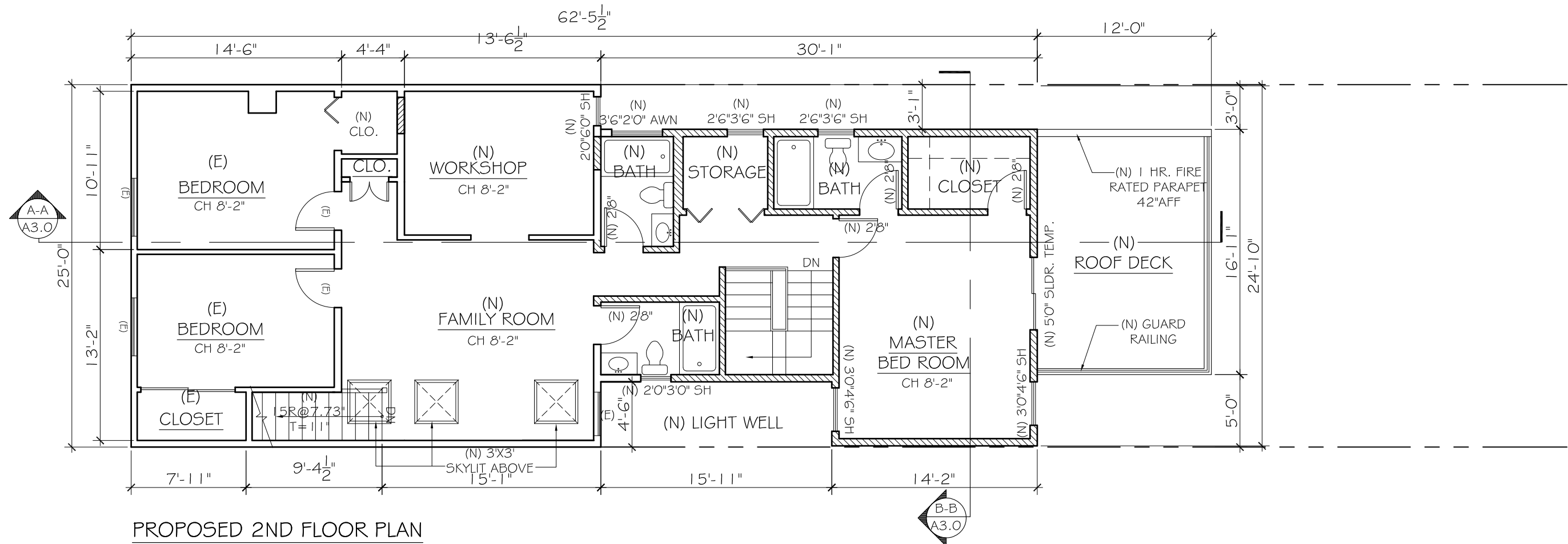
EXISTING & PROPOSED 1ST FLOOR PLANS

BLOCK: 2396 LOT: 031  
 2438 30TH AVE.  
 SAN FRANCISCO, CA 94116

DATE	09.29.14
SCALE	
DRAWN	CK
JOB	



EXISTING 2ND FLOOR PLAN

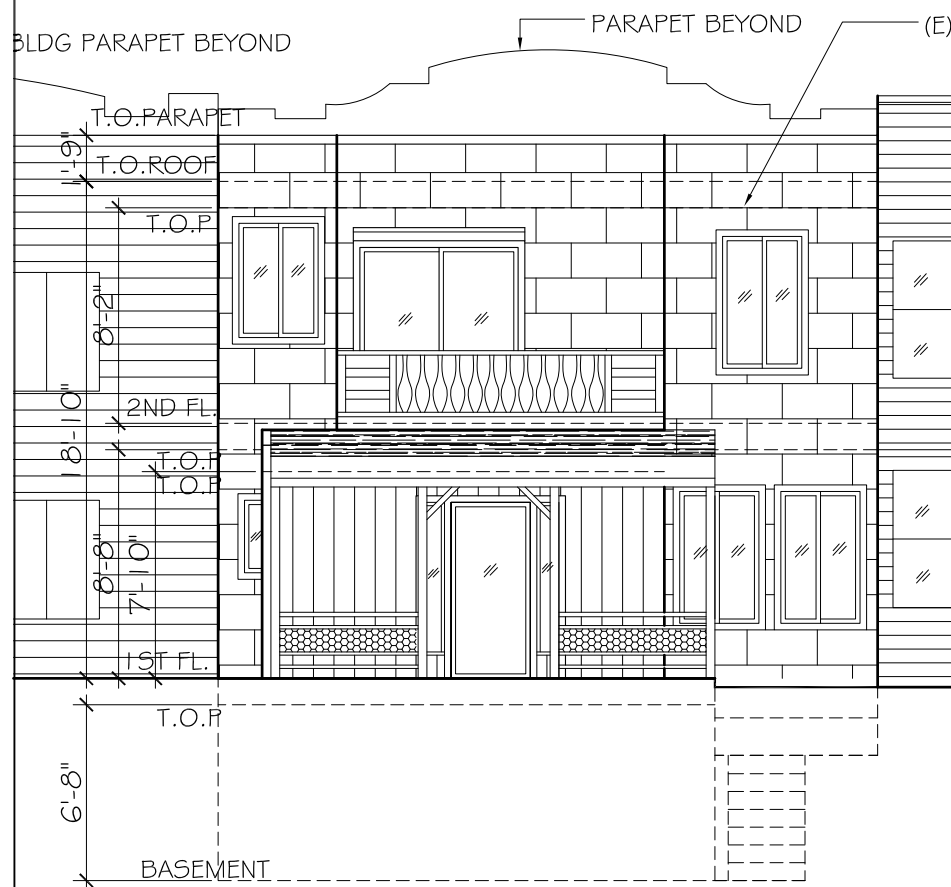


PROPOSED 2ND FLOOR PLAN

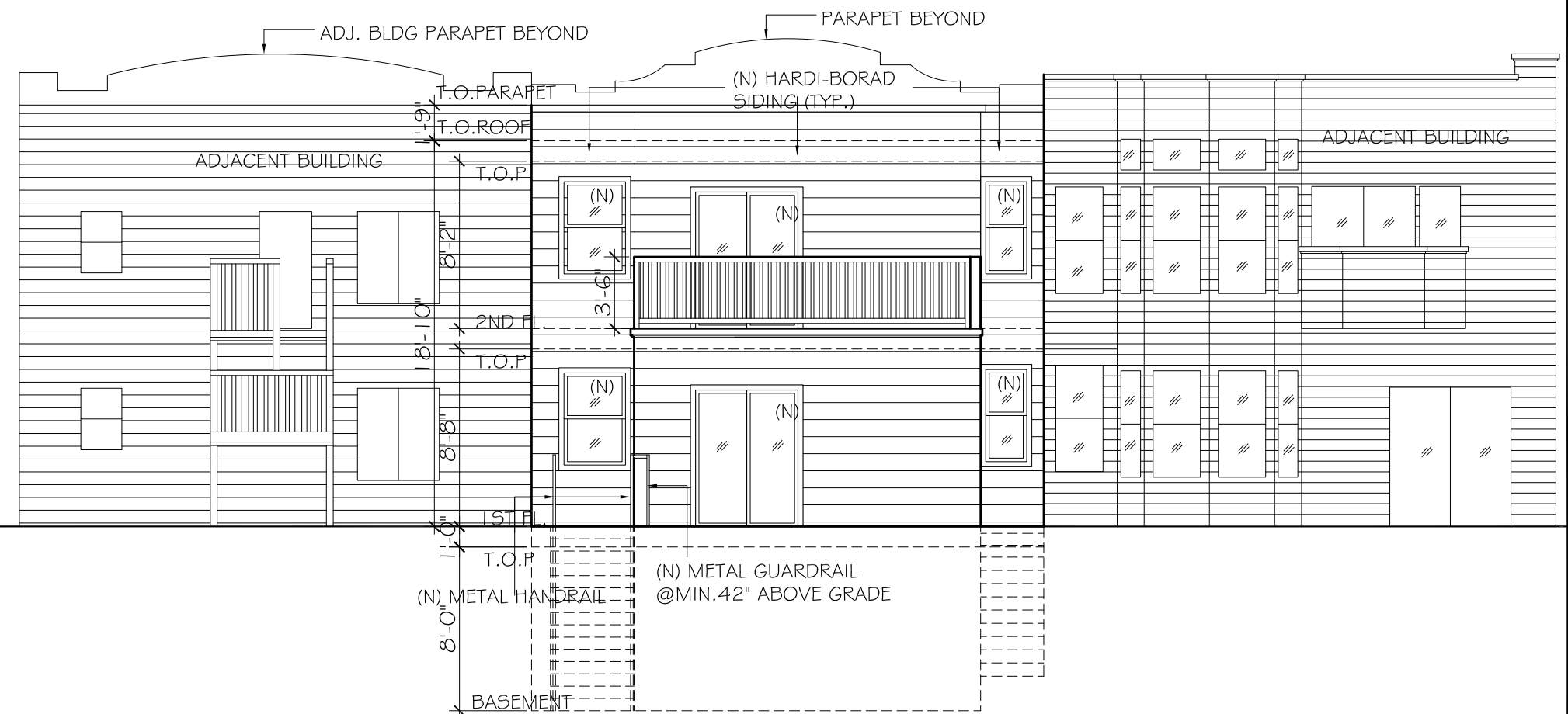
REVISIONS	BY
06.01.15	CK
PLNG. DEPT	JH
01.19.16	
DESIGN CONSULTANTS GROUP	
3900 Geary Blvd., Suite 201 San Francisco, Ca. 94118 Phone: (415) 831-7180 Fax: (415) 831-7181	
EXISTING & PROPOSED 2ND FLOOR PLANS	
BLOCK: 2396 LOT: 031 2438 30TH AVE. SAN FRANCISCO, CA 94116	
DATE	09.29.14
SCALE	
DRAWN	CK
JOB	
4	
OF	SHEETS



EXISTING FRONT(WEST) ELEVATION



EXISTING REAR (EAST) ELEVATION



PROPOSED REAR (EAST) ELEVATION

REVISIONS	BY
06.01.15	CK
PLNG,DEPT	JH
01.19.16	

DESIGN  
CONSULTANTS GROUP  
3900 Geary Blvd, Suite 201  
San Francisco, Ca 94118  
Phone: (415) 831-7180  
Fax: (415) 831-7181



EXISTING FRONT ELEVATION (NO WORK)  
EXISTING & PROPOSED REAR ELEVATIONS

BLOCK:2396 LOT:03 I  
2438 30TH AVE.  
SAN FRANCISCO,CA 94116

DATE	09.29.14
SCALE	
DRAWN	CK
JOB	

5  
OF SHEETS





# Renderings





# Renderings





# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

## NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, September 22, 2016**

Time: **Not before 12:00 PM (noon)**

Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**

Case Type: **Discretionary Review**

Hearing Body: **Planning Commission**

PROPERTY INFORMATION		APPLICATION INFORMATION	
Project Address:	<b>2438 30<sup>th</sup> Avenue</b>	Case No.:	<b>2015-000487DRP</b>
Cross Street(s):	<b>Taraval/Ulloa Ave</b>	Building Permit:	<b>2015.01.08.5238</b>
Block /Lot No.:	<b>2396 / 031</b>	Applicant:	<b>John Lau</b>
Zoning District(s):	<b>RH-1 / 40-X</b>		<b>Design Consultants Group, Inc.</b>
Area Plan:	<b>N/A</b>	Telephone:	<b>(415) 555-1234</b>
		E-Mail:	<a href="mailto:designconsultants18881@gmail.com">designconsultants18881@gmail.com</a>
PROJECT DESCRIPTION			
<p>The request is for a Discretionary Review of Building Permit Application No. 2015.01.08.5238 proposing to construct a horizontal and vertical addition to the existing single-family dwelling. The project includes rear excavation to expand the basement, ground and 2nd levels. No work is proposed at the front façade.</p> <p>A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).</p>			
ADDITIONAL INFORMATION			
<p><b>ARCHITECTURAL PLANS:</b> If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans of the proposed project will also be available prior to the hearing through the Planning Commission agenda at: <a href="http://www.sf-planning.org">http://www.sf-planning.org</a></p> <p>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.</p>			
<p><b>FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:</b></p> <p>Planner: <b>Nancy Tran</b> Telephone: <b>(415) 575-9174</b> E-Mail: <a href="mailto:nancy.h.tran@sfgov.org">nancy.h.tran@sfgov.org</a></p>			



# GENERAL INFORMATION ABOUT PROCEDURES

## HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

## APPEAL INFORMATION

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

## ENVIRONMENTAL REVIEW

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

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

# APPLICATION FOR Discretionary Review

## RECEIVED

FEB 18 2016

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

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: Colin and Jeannie King		
DR APPLICANT'S ADDRESS: 2434 30th Avenue	ZIP CODE: 94116	TELEPHONE: (415 ) 564-1476

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: John and Gia Ma		
ADDRESS: 2438 30th Avenue	ZIP CODE: 94116	TELEPHONE: (415 ) 702-9333

CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: (   )
E-MAIL ADDRESS:		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 2438 30th Avenue	ZIP CODE: 94116
CROSS STREETS: Taraval & Ulloa	

ASSESSORS BLOCK/LOT: 2396 /031	LOT DIMENSIONS: 120 x 25	LOT AREA (SQ FT): 3,000	ZONING DISTRICT: RH-1	HEIGHT/BULK DISTRICT: 40-X
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## 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 ☒

Single family

Present or Previous Use:

Proposed Use: Single Family

Building Permit Application No. 2015.01.08.5238

Date Filed: January 8, 2015

# 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 cite specific sections of the Residential Design Guidelines.

Rear expansion should be average of two adjacent buildings. RDGs p. 25-26 & URB.MND 3.6; Because DR Requestor is north of the Project Site, the rear expansion will block access to air and light, especially mid-afternoon sunlight. RDGs p. 25-26 The RDG's requires a limit to rear expansions to the average of the depths of the adjacent buildings. The proposal exceeds this concept by approx. 5 feet. The proposal is out of scale and compatibility with the neighborhood. The creation of a new building with 9-10 bedrooms and 7 baths gives the strong impression of a multiple family dwelling. Neighbors' Opposition Petition attached.

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

DR Requestor's Property will be unreasonably impacted by the massive rear expansion which does not respect the dimensions of the existing adjacent buildings; DR Requestor will be unreasonably impacted by the encroachment on the south side of their property; DR Requestor will be unreasonably impacted in terms of access to air and light by the rear expansion, side expansion, and proposed roof top deck which will extend deep into the mid-block space; furthermore the deck and stair penthouse will unreasonably impact the privacy of all adjacent neighbors who will suddenly have a looming deck looking down and into their houses.

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?

Reduce the push-out into the mid-block open space and on the north side of the property to maintain the width of the existing setback to respect property lines; reduce the rear expansion depth to the average of the two adjacent buildings per the Residential Design Guidelines; reduce the side expansion to respect the current air and light setbacks; reduce massing and depth; add privacy features to roof top rear deck such as planter boxes or set-back the railings on the deck.



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

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

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

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

Building owner and architect have stated that they are willing to work with the neighbors to resolve issues, however the changes made to date do not bring the building into compliance with the Residential Design Guidelines ; architect refuses to provide Story Poles .The plans were amended in response to the neighbors' objections but the sponsor has not contacted the neighbors to explain or discuss. The neighbors have further requested a reduction in the rear expansion to the average of the two adjacent buildings. New setback unclear.

## 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: \_\_\_\_\_

2-16-16

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

Stephen M. Williams \_\_\_\_\_

Owner / Authorized Agent (circle one)

# Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input 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.

For Department Use Only

Application received by Planning Department:

By: S. YoungDate: 2/16/16

February 8, 2016

STATEMENT RE: 2438 30 Avenue Construction Proposal No. 2015.01.08.5238

We have lived in our home at 2434 – 30<sup>th</sup> avenue (adjacent to subject property) for 42 years. We have raised three children in our four bedroom home and know one of them will come back to live here after we move on. We have seen many changes, some good and some not so good. We accept the changes knowing nothing stays the same forever. This neighborhood consists mostly of 2, 3, & 4 bedroom homes occupied by single families.

Sometime after the current owner/owners of 2438 purchased the property, not only did we see them and their children, but also other young adults coming and going presumably living there.

The construction of a 7 plus bedroom and 7 bathroom home does not lend itself to being a single family residence, but actually an escalation of the current situation.

Neighborhoods do need some change to be vibrant, but also they need conservation to keep their identity.

If constructed as shown on the plan, **LIGHT** to the REAR (south /east) CORNER OF OUR BUILDING will be **GREATLY DIMISHED**. This is a **SINGLE FAMILY RESIDENCE** and with the proposed **INCREASE** from 5 BEDROOMS to 7 BEDROOMS **WITH** 4 EXTRA/ADDITIONAL rooms **PLUS** an **INCREASE** FROM 4 BATHROOMS TO 7 BATHROOMS, does not comply with zone requirements to remain a single family residence. These additions will impact the quality of life in our neighborhood by creating a **CONFINED ENVIRONMENT** that **ENCROACHES** on the openness of back yards, **CAST SHADOWS** across several of them and **REDUCES** the level of **PRIVACY** all around.

This application also indicates **ONE EXISTING** parking space and that one will remain. We remodeled our home and the planning department **REQUIRED** us to provide 2 parking spaces, and we only have 4 bedrooms. Creating such a large building with so many bedrooms, extra rooms and bathrooms in the middle of a **SINGLE FAMILY RESIDENTIAL** neighborhood will cause undue parking congestion for home owners and visitors. One parking space cannot possibly support the coming and goings of a house with 7+bedrooms and 7 bathrooms, and allow for occasional visitors to the neighborhood.

In discussing this with neighbors, we have discovered many are against the proposed construction. We have included a list with signatures and their main concerns. Some can't afford the fee to protest on their own and others feel it is just too costly.

Thank you for your consideration,

Colin and Jeannie King

We strongly object to the proposed alteration of 2438 30<sup>th</sup> Avenue and request this permit be rejected.

We live within 150 feet of the proposed project,

- This project is out of scale with the neighborhood. The plans want to incorporate a total of 7 bedrooms with 4 additional "rooms" labeled as other uses such as "exercise and workshop" that's 11 rooms PLUS 7 bathrooms. This is a single family dwelling and residential area. The neighboring houses and subject house were built with that in mind. This is too large and suggests it is destined to become a multi-unit building, Air bnb or future units like condos. It is certainly designed to be anything but a single family residence as zoned.
- It will block all natural southern light on all levels to the north at 2434 30<sup>th</sup> Avenue, where all the southern windows are, and create shadows to structures behind(east on 29<sup>th</sup> Ave) and to at least 3 structures to the north on 30<sup>th</sup> Avenue.
- This will also negatively impact privacy in areas where this structure is close enough to peer into the neighboring bedrooms. Right now the southern windows on 2434 are directly in view of the proposed windows and roof deck plan.
- Increased traffic and cars are also a concern on 30<sup>th</sup> avenue. There have been no additional off street parking included in this plan with a "garage" that is 25'x31.5'. The neighborhood is already overcome with cars and traffic. This one block has to handle the existing 4 vehicles from 2438 that park here now, the existing owners' cars, parking for visitors, and business customers from Taraval St.
- Noise level will also be impacted for neighbors with the addition of people to fill this house of 7-11 "bedrooms" and 7 bathrooms.

CONCERNS VOICED FROM NEIGHBORS

re: 2438 proposed construction

We are concerned with the size not being consistent with the neighborhood and with so many rooms this building will become something other than a single family residence. Either under current ownership or future owners. At any rate, the neighborhood does not need this kind of structure.

This will add too much congestion to the parking in this area. Already it is extremely difficult to park even on your own block. This area is greatly impacted by multi units in homes attracting renters that have no parking spaces allowed for them. People are parking on the sidewalk because each house has 2 or more cars already, with no off street parking.

While double parking is not legal it's a must when you have to drop off or pick up children/elderly because there isn't any place to park and the bus comes down this street, so everyone is at risk of injury. There's just no room for more people and no parking spaces to accommodate them.

Don't like the idea of a big structure across from my yard that will block my light and make so much shadow I won't even be able to have a garden any more. I will lose privacy in my own yard.

I don't appreciate the attempt to disrupt this wonderful neighborhood by requesting this proposal.

Its toooooo big and not necessary!

It will block the afternoon and southern sunshine in several yards. I also have suspicions this will be turned into a multi unit building after a typical wait period then be sold to someone else that won't have any restrictions of adhering to the SINGLE FAMILY RESIDENCE zoning code.

The size will engulf the open space between yards and create an eyesore, block sunlight, make large shaded areas.

Too much for the neighborhood, size is one thing but what will it end up to be in a few years. A multi unit building!

Why is the city allowing this to go on in our single family residential neighborhoods? These areas are becoming cramped, congested and overcrowded. This is a **SINGLE FAMILY** residential zone and in recognizing that, the identity of a single family residential neighborhood needs to remain intact!

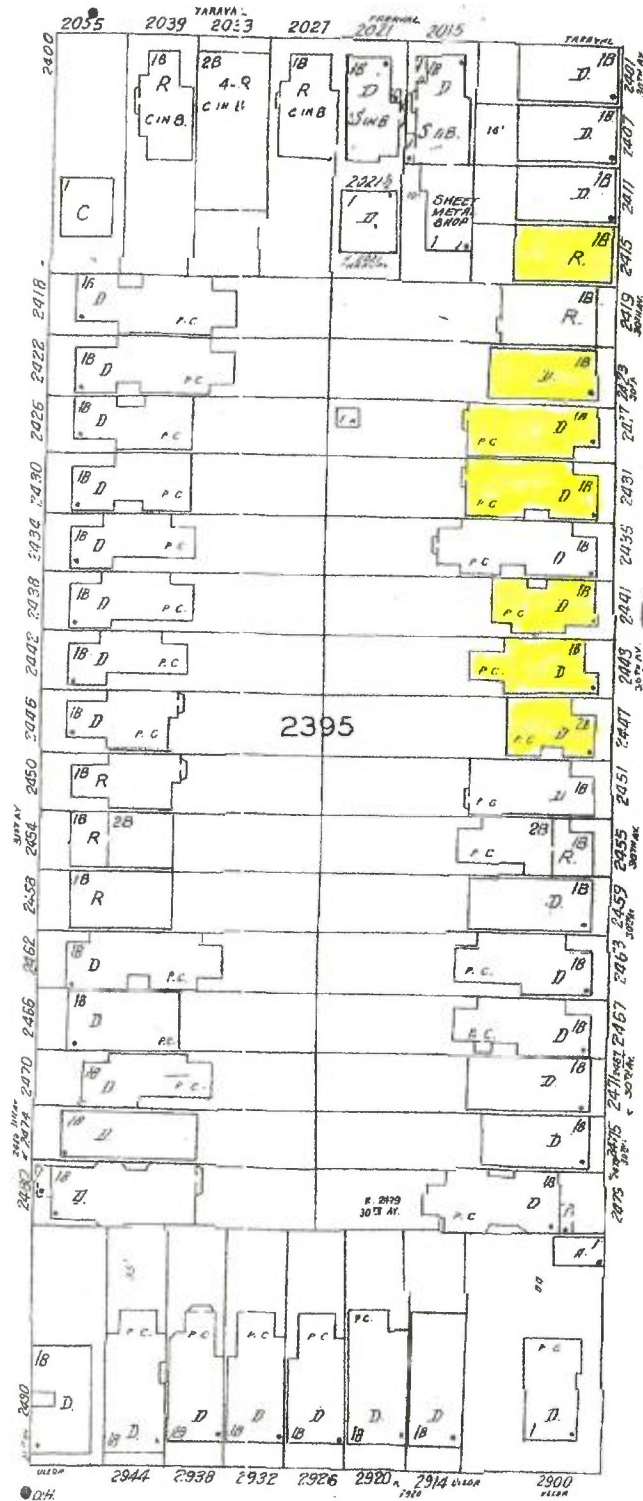
**PLEASE ADD TO EXISTING REJECT REQUEST**

1. In the second mailing, the roof view still doesn't show the windows on the south and east side of 2434 30<sup>th</sup> avenue. Also there is a notation of "building wall" on roof view which implies there aren't windows there. There are windows on all levels facing east and south, basement level, 1<sup>st</sup> level and 2<sup>nd</sup> level. Blocking light from all 3 levels of 2434 is an **UNACCEPTABLE** request and this is a complete invasion of privacy and severe impact of light and reduces the quality of life for existing homeowners next door. The **ILLEGAL** deck at 2438 already allows peering into the bedroom of 2434.
2. On the plan, deck on 2<sup>nd</sup> floor and porch on 1st floor of 2434 are appear larger than they really are.
3. Plan shows a 25 x 31' garage, why isn't there off street parking required? Surely, with all the problems already involving parking and congestion there would be at least 2 – 4 OFF STREET parking spaces included in plan if not required.
4. Will our trees in our backyard be at risk if they start drilling/digging around the roots thereby making them unstable or killing them? This area is all sand, digging out for basement will destabilize my house/property and put my trees at a terrible risk. Also there are 2 trees existing in 2438 yard, both are well established, healthy trees which will have to be removed if plan is approved. Is this compatible with San Francisco's Urban Forest policies?
5. What is the building depth limit allowed to extend beyond neighboring houses?
6. In addition to all other items mentioned, is the space extending from existing "roof deck" on roof plan part of the building? There are dotted lines to indicate its existence but no information of what it is exactly.
7. A "guard rail" is shown in the back yard of proposed plan, is this in place of a fence? How will this look if installed and how high will it be. Will this make the property look like a fortress like the gate up the front of the residence?



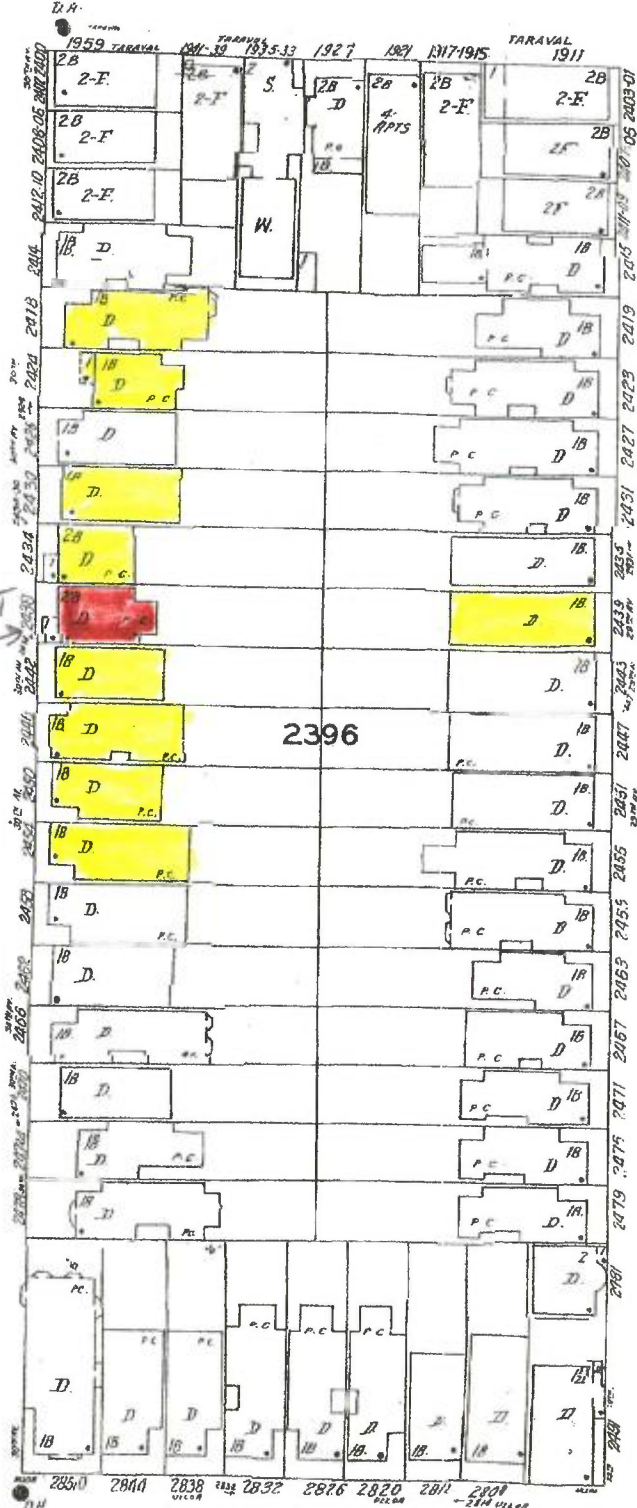
1214

Households in Opposition to Project  
TARAVAL



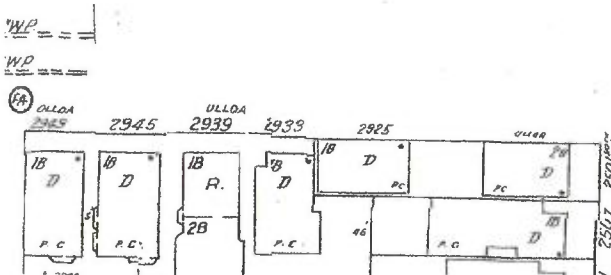
PROJECT

30TH AV.



29TH AV.

ULLOA



COPY

Ellen Starkman and John Hanft (OWNER) 2424 30<sup>th</sup> Avenue, San Francisco 94116 Ellen Starkman

John Hanft

John and Kathleen Cleary (OWNER) 2423 30<sup>th</sup> Avenue, San Francisco 94116

John Cleary

Carl Payne (OWNER) 2418 30<sup>th</sup> Avenue, San Francisco 94116

C. Payne

Betty Seibel & Colleen Horn (OWNER) 2446 30<sup>th</sup> Avenue, San Francisco 94116

Colleen A. Horn

Betty Seibel

Antoinetta Pinzon (OWNER) 2431 30<sup>th</sup> Avenue, San Francisco 94116

Antoinetta Pinzon

Eileen and John Guerra (OWNER) 2447 29<sup>th</sup> Avenue, San Francisco 94116

Eileen P. Guerra / JJ Guerra

Mike and Luana Fewer (OWNER) <sup>2439</sup> 29<sup>th</sup> Avenue, San Francisco 94116

Colin and Jeannie King (OWNER) 2434 30<sup>th</sup> Avenue, San Francisco 94116

Jeannie & Colin King

Kathleen Carroll  
Al & Yvonne DeClaux, Cathleen Carole (OWNER) 2454 30<sup>th</sup> Ave

San Francisco 94116

Alfred H. DeClaux, Kathleen Carroll

Phil Saam 2450 30<sup>th</sup> Avenue, San Francisco 94116

Phil Saam

Grace Ng (OWNER) 2430 30<sup>th</sup> Avenue, San Francisco 94116

Grace Ng

Sue Kenny, Samantha Restivo, Danny Restivo, 2441 30<sup>th</sup> Ave, SF 94116

Sue Kenny

and Michael Kenny

Michael Kenny

Sol & Lilly Gulman (OWNER) 2443 30<sup>th</sup> Avenue, San Francisco 94116

Sol & Lilly Gulman

ERIC HARRISLEY

<sup>(OWNER)</sup> 2479 30<sup>TH</sup> AVENUE SAN FRANCISCO 94116

Eric Harrisley

Diane Carancho (OWNER) 2427 30<sup>th</sup> Avenue, San Francisco 94116

Peter and Gloria Yee (OWNER) 2415 30<sup>TH</sup> Avenue, San Francisco 94116

Peter Yee

January 11, 2016

Permit No. 2015.01.08.5238 REQUEST TO REJECT

To Whom This May Concern,

Below are concerns regarding potential building construction at 2438 30<sup>th</sup> Avenue, this permit application expires Friday January 15, 2016. We are planning to contest this proposed CONSTRUCTION.

1. If constructed as shown on plan, **LIGHT** to the REAR (south/east) CORNER OF OUR BUILDING will be **GREATLY DIMINISHED**. This is a **SINGLE FAMILY RESIDENCE** and with the proposed **INCREASE** from 5 BEDROOMS to 7 BEDROOMS **WITH** 4 EXTRA/ADDITIONAL rooms **PLUS** an **INCREASE** FROM 4 BATHROOMS to 7 BATHROOMS will impact the quality of life in our neighborhood. The size of the building alone will disrupt our family residential area not just for us but for several of our neighbors.
2. In addition, the **MASSIVENESS** of this structure will **CAST SHADOW**, create a **CONFINED ENVIRONMENT** and **ENCROACH** into the privacy for all who live in this neighborhood. It is not consistent with neighborhood structures and yards.
3. The proposal indicates **ONE EXISTING** parking space and that one will remain. We remodeled our home and were **REQUIRED** to provide 2 parking spaces. According to the plans, a garage is included in the floor plan. With all the bedrooms, extra rooms and bathrooms why not address the parking issue as well. Creating such a large building in the middle of a **SINGLE FAMILY RESIDENTIAL** neighborhood with no additional parking space provided will cause undue parking congestion for home owners and visitors. One parking space cannot possibly support the coming and goings of a house with 7+ bedrooms and 7 bathrooms.
4. Our concern is with such a large structure having so many bedrooms and bathrooms and extra rooms, what guarantee does the neighborhood have to prevent this from becoming rental units, Air Bnb or being converted into condominiums? This **IS** a **SINGLE FAMILY** residential zone and in recognizing that, the identity of single family residential neighborhood should remain intact.

**CONTACTS:**

**Planning commission:** Nancy Tran, Planner

415-575-9174

[www.sfplanning.org](http://www.sfplanning.org)

**Applicant:** John Lau, design consultants Group, ink.

3900 Geary Blvd. Ste 201

San Francisco, 94118

415-831-7180

**Community boards:** 415-920-3820

[www.communityboards.org](http://www.communityboards.org)

**Discretionary review:** PIC (planning information center)

1660 Mission Street, 1<sup>st</sup> floor

[www.sfplanning.org](http://www.sfplanning.org)

**Attorney:** Stephen Williams

1934 Divisadero

San Francisco, CA 94115

PH: 415-292-3656

FAX: 415-776-8047

E-mail: [smw@stevewilliamslaw.com](mailto:smw@stevewilliamslaw.com)

To: Nancy Tran, Planner  
John Lau, Applicant

From: John Hanft and Ellen Starkman  
415 344-5178 (daytime)

Re: Permit application No. 2015.01.08.5238  
2438 30<sup>th</sup> Avenue, San Francisco, CA 94116

Date: January 12, 2016

We strongly object to the proposed alteration of 2438 30<sup>th</sup> Avenue and urge that the permit be rejected. We live within 150 feet of the proposed project.

**The size of the proposed addition is out of scale with the neighborhood.** 38 homes on this block are zoned RH-1. 84% of them are one story above a garage. Only 16% are two stories above a garage, and half of those have a setback on the top story. This property, 2438, is one of only three that has no setback. Thus, it is already one of the largest homes on the block. The proposed addition, which will extend back at least 18 feet beyond the neighbors, will also substantially reduce the size of the backyard, making it the smallest on the block.

**The proposed addition will enable zoning violations.** The proposed construction appears likely to create a multiple unit building rather than a single family dwelling, as provided by current zoning. The number of bathrooms would increase from 2 to 7 and the numbers of rooms that could be used as bedrooms (despite being labeled with other uses, such as "exercise room" and "workshop") would increase from 5 to 10. A single family dwelling of this size is too big for the neighborhood. The ground floor, at street level, could easily be converted into a separate, illegal unit. The current garage does not appear to be used for parking, and there is already a separate entrance at that level. The number of bedrooms and bathrooms on the upper floors also make it likely that those two floors will be divided into separate units.

**The proposed addition will increase traffic and parking problems.** Parking is a significant problem on this block, and cars are routinely parked on the sidewalk. It seems likely that increasing the number of bedrooms will also increase the number of occupants and the number of cars driven by occupants, yet the plan provides no additional parking.

**The proposed addition will shade neighbors, increase noise, decrease privacy.** The addition will significantly shade the neighbors to the north. Because of the height of the proposed deck on the top of the rear addition, anyone using the deck will be able to see into neighboring yards and any noise from the deck will easily be heard by neighbors.

*Response from Nancy Tran*

**Subject:** RE: Permit application No. 2015.01.08.5238, 2438 30th Ave, San Francisco  
**From:** Tran, Nancy (CPC) (Nancy.H.Tran@sfgov.org)  
**To:** hanft@pacbell.net;  
**Date:** Wednesday, January 13, 2016 4:04 PM

Mr. Hanft,

Please see my response to your comments below in blue.

**From:** John Hanft [mailto:hanft@pacbell.net]  
**Sent:** Tuesday, January 12, 2016 7:58 PM  
**To:** Tran, Nancy (CPC)  
**Subject:** Permit application No. 2015.01.08.5238, 2438 30th Ave, San Francisco

**To:** Nancy Tran, Planner  
John Lau, Applicant

**From:** John Hanft and Ellen Starkman  
415 344-5178 (daytime)

**Re:** Permit application No. 2015.01.08.5238  
2438 30<sup>th</sup> Avenue, San Francisco, CA 94116

**Date:** January 12, 2016

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*Response from Nancy Tran*

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At present, the existing structure is below the maximum height allowed (40') for properties located in RH-1 districts. The addition also complies with Planning Code as it is within the allowed buildable area, providing a 39'-2" rear yard setback, where 30' is required (25% of lot length). To maintain the mid-block space, the Residential Design Team required that the originally proposed addition be reduced by 9' and the last 12' of the structure be limited to one floor.

**The proposed addition will enable zoning violations.** The proposed construction appears likely to create a multiple unit building rather than a single family dwelling, as provided by current zoning. The number of bathrooms would increase from 2 to 7 and the numbers of rooms that could be used as bedrooms (despite being labeled with other uses, such as "exercise room" and "workshop") would increase from 5 to 10. A single family dwelling of this size is too big for the neighborhood. The ground floor, at street level, could easily be converted into a separate, illegal unit. The current garage does not appear to be used for parking, and there is already a separate entrance at that level. The number of bedrooms and bathrooms on the upper floors also make it likely that those two floors will be divided into separate units.

Upon review of the floor plans, the project meets the Zoning Administrator's Bulletin #1 regarding Developing habitable space on the ground floor. Proposals to develop ground-floor rooms in residential buildings are reviewed based on the standards summarized in the bulletin. The proposed project provides indirect access from the street (must go through the garage) and provides open visual spatial connection between floors.

**The proposed addition will increase traffic and parking problems.** Parking is a significant problem on this block, and cars are routinely parked on the sidewalk. It seems likely that increasing the number of bedrooms will also increase the number of occupants and the number of cars driven by occupants, yet the plan provides no additional parking.

The Planning Code does not require additional parking for new bedrooms, only for new units. Please see Planning Code §151. The minimum parking required is one off-street space per dwelling unit.

**The proposed addition will shade neighbors, increase noise, decrease privacy.**

The addition will significantly shade the neighbors to the north. Because of the height of the proposed deck on the top of the rear addition, anyone using the deck will be able to see into neighboring yards and any noise from the deck will easily be heard by neighbors.

*Response from Neighborhood*



These concerns can be evaluated by the Residential Design Team if you submit a Discretionary Review application.

Please note that the deadline to file a Discretionary Review (DR) application is Friday, January 15. You can find the application online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=493>. The fee is due at the time of application submittal to the Planning Information Center (PIC) along with everything else required per the checklist. Please be aware that staff will not accept incomplete applications.

The PIC is located at 1660 Mission Street open from 8AM to 5PM. If you have questions about the application, you may email [pic@sfgov.org](mailto:pic@sfgov.org) or call 415-6377.

Please be aware that the plans have been reviewed and are compliant with Planning Code. Should you still have concerns, I recommend that you contact the project architect directly to resolve any issues. I will include a copy of your email with the building permit case file.

*Revised 1/17/18  
Narciso*

2396-032  
Colin M. & Jeannie M. King  
2434 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-007  
Occupant  
2443 29<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-005  
Occupant  
2435 29<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-007  
Occupant  
2441 30<sup>th</sup> Avenue  
San Francisco, CA 94116

Stephen M. Williams  
Law Offices of Stephen M. Williams  
1934 Divisadero St.  
San Francisco, CA 94115

2396-035  
John Hanft & Ellen Starkman  
2424 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396—029  
Betty J. Seibel & Colleen Horn  
2446 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-027A  
Al & Yvonne DeClaux Trust 2010  
2454 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-007  
Sue & Michael Kenny; Dan Restivo  
2441 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-004  
Diane Carancho  
2427 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-031  
Gina Y. Ma  
2438 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-007  
Man Tat & Sharon W. Cheung Rev. Tr.  
1648 Overland Dr.  
San Mateo, CA 94403

2396-005  
Susan X. and Leland Pon  
847 Cayuga Ave.  
San Francisco, CA 94112

2395-006  
Occupant  
2435 30<sup>th</sup> Avenue  
San Francisco, CA 94116

Design Consultants Group  
3900 Geary Blvd., #201  
San Francisco, CA 94118

2395-003  
John J. Cleary & Kathleen J. Tru  
2423 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-005  
Antonieta G. Pinzon  
2431 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-028  
Phillip Saam  
2450 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-002  
Yee Family Trust  
2419 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-001C  
Peter and Gloria Yee  
2415 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-030  
Randy V. Ly  
2442 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-006  
Fewer/Letele Family Trust  
2439 29<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-008  
Solomon & Lillian Gulman  
2443 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-006  
King-Yu Cho & Ya-Fen Rev Liv Tr  
4126 Mooring Point Ct.  
Missouri City, TX 77459

2396-031  
Occupant  
2438 38<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-035A  
Carl A. Payne  
2418 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-007A  
John J. & Eileen P. Guerra  
2447 29<sup>th</sup> Avenue  
San Francisco, CA 94116

2396-033  
Grace Ng & Kam Fung  
2430 30<sup>th</sup> Avenue  
San Francisco, CA 94116

2395-015  
Eric Hawkley  
2479 30<sup>th</sup> Avenue  
San Francisco, CA 94116

**RESPONSE TO**  
**DISCRETIONARY**  
**REVIEW (DRP)**



**San Francisco**  
**Planning**

**SAN FRANCISCO PLANNING DEPARTMENT**  
1690 MISSION STREET, SUITE 400  
SAN FRANCISCO, CA 94103-2479  
MAIN: (415) 558-6378 SFPLANNING.ORG

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**Project Information**

Property Address: **2438 30th Avenue**

Zip Code: **94116**

Building Permit Application(s): **2015.01.08.5238**

Record Number:

Assigned Planner: **Nancy Tran**

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**Project Sponsor**

Name: **Henry Karnilowicz**

Phone: **(415) 621-7533**

Email: **occexp@aol.com**

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**Required Questions**

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

Rear expansion is averaged between the two adjacent buildings and the rear expansion will not block access to air and light. It complies with the residential design guidelines and is not out of scale with the neighborhood. The cultural makeup of the family is such that the family wants to live in the home. Also by doing so it makes the housing affordable and helps to keep the family living in San Francisco.

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.

The owners are unwilling to make any changes as by doing so it would negatively impact them and prevent them from living as a family in the home.

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.

The owners are a large family who wish to live together and reducing the proposed addition will prevent them from living together and would cause a financial hardship.

## 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)	2	2
Basement Levels (may include garage or windowless storage rooms)	1	1
Parking Spaces (Off-Street)	1	1
Bedrooms	5	6
Height	26'-6"	26'-6"
Building Depth	55'-11 1/2"	74'-5 1/2"
Rental Value (monthly)	N/A	N/A
Property Value	N/A	N/A

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

Signature:



Date:

8/9/16

Printed Name:

Henry Karnilowicz



Property Owner



Authorized Agent

*If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.*

To whom it may concern:

While being first generation Americans in my family, my siblings and I are raised being independent, yet interdependent due to traditional and religious practices of our parents and grandparents. Chinese families are quite different from many other cultures. Our significant factor is, Chinese families are very close knit. With that being said, the majority of Chinese families like to live together; that includes my family. My mother has four children; with each and every one of us having qualities of Americans and traditional Chinese personalities, we want to live with our family but also want our own privacy. For this reason, we'd like to build extra rooms in our house because privacy is a very important aspect in our lives.

I don't know how my neighbors developed the assumption that our expansion will ultimately cause more congestion on our block. All these assumptions and concerns have arose after the papers were finalized and just before we wanted to proceed with our renovation project. I'd also like to state a fact of the ratio of families, people, and cars per household. One neighbor who signed to go against our decision of renovation owns five cars (one person owning five cars 5:1); and another neighbor who've complained about the number of cars on our block also owns four cars and have NEVER utilized their garage space. I understand our neighbor's concerns about parking spaces on our block, but what they fail to realize is, they are also contributing to the congestion, yet this single us out as the cause. We have been living in our home for 16 years and have been utilizing our garage for parking ever since, and we would like to continue this practice even after the renovation.

Moreover, one of our neighbors was concerned about the amount of sunlight for their backyard. On average, the sun rises at 6:00-6:20AM with the angle of 65-69 degrees. Our backyard faces east and the front of our house faces west, so I don't understand how it is possible for our house to block sunlight even with our current structure. The sun is usually at 180 degrees at around noon-1PM; by 4:00PM, on average, the sun will be shining the front of my house at 48 degrees. That said, there is no way our house can block our neighbor's sunlight after extending our rear structure to utilize our own backyard space.

As I was asking for support from my neighbors and listening to their advice and comments about our renovation project, one said, "People should be free to do anything they want to their own house." I absolutely agree with her comment. For any person, having a dream home and living with their family is a blessing. Compared to my parents, grandparents, and even my siblings, I am quite fortunate because I'm the youngest in the family. I have had the opportunity to live with my family and in a place we can actually call home. My parents and grandparents, however, grew up in a poor city in China so having a dream home was only a thought or even a dream that they hoped will come true one day.

Today, we are financially capable of building our dream home and have gone through the predicaments of finalizing the application for this project. We've hired John Lau, our project architect, to design the blueprints for our dream home and have gone through the legal procedures of filing our plans, notifying neighbors before submitting our plans, but now our dreams are suddenly being crushed by our neighbors' false assumptions and predictions. In striving for unity and fairness to our neighbors, we have sent out letters and have invited them to a meeting so that they can ask questions about our renovation, but no one our block appeared. Now we face more delays in our project for concerns unknown to us, concerns that could have been dealt with a year ago.

At the end of the day, our hopes are to stay together as a family. While we are not looking to divide our neighborhood, I hope our neighbors will not divide us.

Thank you very much for your time and consideration.

Sincerely,

Diana Ma



To whom it may concern:

My name is Gina Yu. I immigrated to San Francisco during November of 1981. At that time, I worked and studied English, trying my very best to adapt to the American culture as quickly as I can. Through years of hard work and savings, I was able to purchase my first home 1994. This first home was about 1,000 square feet at San Francisco's Portola district. During that time, Portola was still considered a dangerous neighborhood, as there were multiple instances of theft and shootings. Our home was also a victim of breaking and entering and theft couple years after we moved to the area, so I decided that this neighborhood was not ideal for me to raise my children. During 1999, I decided to look at homes in the Sunset because that neighborhood had much better demographics so I deemed it would be a better place for my children to grow up. We spent over half a year to look for our dream home and finally bought our home at 2438 30<sup>th</sup> Avenue, in December of 1999.

We purchased this home knowing that we will need to do some renovations in order to make it comfortable for my family and I to live in. During that time, we remodeled our kitchen and bathroom, painted the interior and exterior, and redid some of the electrical and plumbing in the house. 16 years later, today, we are in need of another renovation, but instead of just renovating, we would like to expand our house too because my adult children are also ready to have their own families.

I worked two jobs every day that amounted 16 hours per day in order to afford mortgage and other household necessities. But I felt that as long as my family is able to stay together and live happily and comfortably, I don't mind working extra hard to keep my family together. That was my goal since my first child was born and still is still my goal today.

I feel very fortunate to have four children as they can take care of me while I'm reaching an elder age. My oldest son now has his own family and has a son too. My other children also work full time and we all live together to support each other. The most important thing in our Chinese culture is for a family to live together. I would like to ask everyone to help us succeed our dream.

Moreover, our neighbor at 2444 30<sup>th</sup> Avenue had similar expansions to their home in 2009, but no one complained or denied their request. My question now is, why would these same neighbors complain about our project and deny our expansion when there were no complaints about other expansions on the block? Is this because of racism? I really don't think our expansion will have negative effects on any of our neighbors on the block.

Reasons why we think expanding our home is necessary:

1. We will have space for storage so that everyone can store their belongings and we can continue using our garage for cars and not occupy the parking spaces on the street.
2. We want to build bathrooms in our bedrooms so that everyone can have their privacy and flexibility. My children are now all adults and each of them need to use the bathroom in the morning to get ready for work. So fighting for the bathroom is something they can no longer do.
3. We have gone through legal procedures to obtain the correct engineering and design for our expansion, so the number of bedrooms and bathrooms proposed will be built legally according to city planning. We hope to stay together as a family with our proposed plan, not to rent our house on Airbnb.
4. Once we expand our home, the value of our house will increase. As a result, the market value of all other properties on the street will also increase. This will help stimulate the housing market in our neighborhood.

I hope you can consider my statement when reviewing our plans. I am a hardworking single mother who only wishes to preserve our Chinese tradition to stay together as a family. My mother and father have kept this practice in the past, and I hope I can keep practicing this today as a Chinese immigrant in the United States.

Sincerely,

Gina Yu

To whom it may concern:

I moved to 2438 30<sup>th</sup> Avenue with my family 16 years ago. I still remember the excitement when my parents came home and told us their offer was accepted for a 5-bedroom home in the Sunset. At that time, I was still in middle school, but being a young teen, I knew that Sunset was a much better neighborhood for my siblings and I to grow up in, and I was extremely happy for that, and also was happy because I no longer had to share a room with my sister.

Sharing space has been a problem for as long as I can remember. When my brother and I were toddlers, we lived in a studio on Stockton Street of Chinatown with our parents. But when my two youngest siblings were born, we no longer had enough space at the studio, so we moved to another one-bedroom apartment in Chinatown. This was where I had the most vivid memories of sharing space with others. In our one-bedroom apartment, my older brother and I shared a bunk bed in the bedroom while my youngest siblings shared the queen-sized bed with my parents, also in the same bedroom. We had a very small living room and kitchen where we, as 4 kids, had minimal space to run around and play like some other kids may have. In addition, our bathroom and shower stall were communal. Meaning, we shared our bathroom and shower with other residents in the apartment complex. For the first 7 years of my life, we had the bare-minimum of privacy, which was fine since my siblings and I were so young. But my mother knew that she would have to find another solution, as we will soon get older and will need a lot more space and privacy.

When I was in fourth grade, my parents purchased their first home in the Portola District. My mother would always say it's not a safe neighborhood, but at least it's a start because we finally had more space to accommodate our family of 6. We had 3 bedrooms at this house. My parents had a room, my brothers had their own room, and I shared a room with my sister. This was already a lot better than sharing a one-bedroom between the 6 of us, but my mother knew we would have to move out of that neighborhood eventually because it was too unsafe for us to grow up in. My parents made sure we went to school in a safe neighborhood, so while we lived in the Portola neighborhood, my father would drive my siblings and I to school every morning. While we were living there, my brother and I attended middle school in the Marina District while my younger brother and sister attended school in Chinatown. As teens, my older brother and I would have to wait for our youngest siblings to get off school so that we can all take the bus back home together by ourselves, since our parents didn't get off work until 8-10pm.

When I was ready to graduate middle school, my parents purchased our current home in the Sunset District. This home has changed our lives significantly because my siblings and I were finally able to attend school in the same district. My older brother and I attended Abraham Lincoln High School, and while we still had to pick up our youngest siblings from school, we were now within walking distance from

home, so we would pick up our younger brother and sister from AP Gianni Middle School and Sunset Elementary school, and we walked home together from there.

My parents continued working hard to provide for us, so we often had to cook our own dinners, wash dishes, and do homework all on our own because they did not come home until midnight sometimes. We never resented our parents for never being home because we knew that that was what they had to do in order to provide us a comfortable living at a place they knew we could grow up as successful adults.

Moving forward, as we are all now adults, my parents are also approaching their retirement age. Because my mother divorced my father during recent years, she's in ever more need for us to be home to take care of her. However, because I travel 20,000-30,000 miles monthly for work to provide for my family, it is necessary that my siblings can be at home to take care of my mother while I am away. This is also the reason why we stay together because, as Chinese, we are accustomed to each other's support.

Our only wish is for our family to be able to stay together. We would like to be there to take care of our mother when she is incapable in the future, and we would like our offspring to always have support from their family. But this will not be possible without the expansion of our house because the current structure will not provide enough space for our family to live comfortably, as my siblings and I begin our own families as well. While this may not sound like a typical American practice, we would still like to keep our Chinese traditions while living here as Americans.

Sincerely,

Greta Yu Ma

To whom it may concern:

I am writing this letter in regards to Discretionary Review: 2016-0D0487DRP.

I am the third child of Gina Yu Ma, and I have been living in this household for 16 years along with 3 other siblings. My mother Gina has been a single mother for 7 years and all she ever wanted was for us to stay together as a family. It has been very difficult for her to take care of us after divorcing our abusive father, but she is still trying to make sure we can continue living happily and comfortably, even in an already broken home.

As we are all getting older, my siblings and I will soon start a family separately and, therefore, will soon need to expand our current household. My older brother and I have discussed about moving out in the future so that the house won't be as crowded. I have raised that idea to my mother in the past, but she did not take it well. She adamantly suggests that we should always stay together as a family, and because she is now older and will be incapable of taking care of herself in the future, she would like to have her children available to take care of her when she is in need. Therefore, my siblings and I had to come up with another solution.

We finally all agreed to expand the house so that we can continue staying together.

We've gone through the standard procedures to apply, submit plans to the city, and await getting building permits to begin our project. After sending letters to neighbors to inform them that we will be making changes to our house, we also posted a notice that we will be making changes to our house so that they can inform us of any concerns. Yet, no one has come forward to discuss the project with us, including the 2434 30<sup>th</sup> Avenue household, though they stated they did in the application for Discretionary Review.

Just a day before the City approves our project, we received a request for discretionary review from the City and County of San Francisco in regards to neighbors opposing our project. While the review states the concerns of several neighbors who do not want us to start the project, I feel that this review is unnecessary if neighbors would have voiced their concerns in the beginning and allowed us to address them. Now our project is severely delayed.

There were also concerns that our project will develop into a multi-unit building when our zoning only allows us to be a single family home. Our architect is fully aware of the zoning laws and has designed our home to fully comply with zoning ordinances. We have been living in our single family home for 16 years, and the only changes we want to our home are to provide enough space for us to expand our household while being able to stay together as a family.

Sincerely,

John Ma

To whom it may concern:

I have been living at my residence for 16 years now. Over time, normal wear and tear to my home is a guarantee. So couple years ago, we've decided to make plans for renovation and expansion so that we can continue living in our desired neighborhood. Our home currently has 5 rooms and 2.5 baths, and with a family of 8, that is simply not enough space for us to live comfortably in.

I was recently blessed with a child and had discussed with my family about renovating our home in order to create more living space as opposed to purchasing a new home, since it's not ideal as the skyrocketing housing market makes it increasingly difficult to purchase a home without the financial support of an extended family. In our proposed plans, we will have 7 bedrooms and 7 bathrooms. With my mother and 3 other siblings, we currently already occupy all 5 bedrooms in the house. Since I have my own child now, we will need more space for my baby to grow up and have a close relationship with his grandmother and aunts and uncle. This is a part of our Chinese tradition. We have very close relationships with our immediate family and would like to continue doing so by living and growing old together.

We didn't grow up having a huge home to live in our whole lives. My parents and grandparents were immigrants, and they have suffered many trials and tribulations in China before moving here to the United States. So when my mom immigrated here, her only goal was to provide a safe and happy home for her children in the future. We have come a long way to have the home we have today. From sharing a studio Chinatown, my parents have worked very hard to buy our current home in the Sunset where we each are able to have our own rooms. But now that we are all adults and are also starting to have families of our own, expanding our house is necessary so that each generation of our family will be able to stay together in the future.

Now that we have the resources to expand our home and provide a more comfortable living space for everyone, we all came to an agreement to renovate and expand our house. We have been in this process for almost two years now. Throughout the process, we hired architects and engineers to make sure our plans will be up to code, and upon approval of our project, we received a petition from our neighbors. This took us by surprise because we've sent letters and hosted meetings at our home so that neighbors can voice their concerns before we begin the renovation. But no one came forward.

Upon reading the petition, I found that one of the reasons my neighbor at 2434 30<sup>th</sup> Avenue is opposing the project is because it may require them to cut their tree in their backyard. That tree has been branching over our backyard, causing a huge mess for us whenever leaves fall into our backyard. When there were severe storms, large branches from their tree would fall into our yard, causing a major safety hazard. Therefore, we have made multiple requests for them to trim/cut the trees in



their backyard, but they have refused to do so. This continues to concern me today as my child will soon be able to run around in our backyard, and I fear he may get hurt because of the unstable trees.

In addition, the signatures gathered from residents on the block were 95% non-Asian. This sparked my concern because we feel that we are at risk of getting pushed out of the predominately Caucasian neighborhood that we have been living in for 16 years. We are just a simple Asian family that is trying hard to live the American dream. When my parents came to this country, they hoped to provide us with the best that they possibly can. As a parent myself now, I hope to do the same for my child.

Sincerely,

Louis Yu

To whom it may concern:

My name is Trista Zhao. I work as a sales associate in Downtown San Francisco. With the public transportation being safe and convenient in the Sunset District, I can take the bus to work every morning without worrying about being assaulted; I used to live in the Bayview District where I felt unsafe to commute to work until I met John.

I am the girlfriend of John Ma, who is the younger son of Gina Yu. I have been living under Gina's household for over five years with my boyfriend along with his three other siblings. I am writing to you because Gina and her children have decided to renovate and expand their house to give us more space. Besides, Gina's older son, Louis, just had a baby boy, so for this reason, his wife and baby have moved in as well.

In a year or two, my boyfriend John and I are planning to have a baby, creating our own family. We would love to have a place of our own in the future, but due to the expensive rent and property costs in San Francisco, it is almost impossible to afford getting a place of our own. Therefore, in order for us to have a place to call home, we look forward to renovating our family's current home.

I can't understand why neighbors are suddenly opposing our project now. Before we decided to submit our plans, we've sent letters to neighbors asking for their questions or concerns about our project, but no one came forward to oppose our project. After reading some of the neighbors' comments, I think there might have been some misunderstanding between our plans and the false presumptions of our plans. I think the statements made against my boyfriend and his family is very unfair and inaccurate as they are just a family that wants to stay together.

We have been waiting for this renovation to happen about two years now so that we can all start a new chapter in our lives. The thought and joy of being able to stay with your family is the best thing that can happen to anybody. I hope you can consider my statement and I want to thank you in advance for reading this letter.

Sincerely,

Trista Zhao

# Affidavit of Conducting a Pre-Application Meeting, Sign-in Sheet and Issues/Responses submittal

I, John W. Lau, do hereby declare as follows:

1. I have conducted a Pre-Application Meeting for the proposed new construction or alteration prior to submitting any entitlement (Building Permit, Variance, Conditional Use, etc.) in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted at 2438 30th Ave (location/address) on Dec 6, 2014 (date) from 2pm (time).
3. I have included the mailing list, meeting initiation, sign-in sheet, issue/response summary, and reduced plans with the entitlement Application. I understand that I am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED ON THIS DAY, January 8, 2015 IN SAN FRANCISCO.

Signature

John W. Lau

Name (type or print)

**Agent/ Engineer**

Relationship to Project (e.g. Owner, Agent)

(if Agent, give business name & profession)

2438 30th Ave

Project Address

# Pre-Application Meeting Sign-in Sheet

Meeting Date: Dec 6, 2014 (Saturday)  
 Meeting Time: 2pm  
 Meeting Address: 2438 30th Ave, San Francisco, CA94116  
 Project Address: 2438 30th Ave, San Francisco, CA94116  
 Property Owner Name: Gina Ma  
 Project Sponsor/Representative: Design Consultants Group Inc. (John Lau)

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1.	TAT M. CHEUNG	2443-29th	(415) 717-5008	cheungtatma@yahoo.com	<input checked="" type="checkbox"/> please
2.					<input type="checkbox"/>
3.					<input type="checkbox"/>
4.					<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.					<input type="checkbox"/>
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13.					<input type="checkbox"/>
14.					<input type="checkbox"/>
15.					<input type="checkbox"/>
16.					<input type="checkbox"/>
17.					<input type="checkbox"/>
18.					<input type="checkbox"/>

## Summary of discussion from the Pre-Application Meeting

Meeting Date: Dec 6, 2014 (Saturday)  
 Meeting Time: 2pm  
 Meeting Address: 2438 30th Ave, San Francisco, CA94116  
 Project Address: 2438 30th Ave, San Francisco, CA94116  
 Property Owner Name: Gina Ma  
 Project Sponsor/Representative: Design Consultants Group Inc. (John Lau)

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): TAT M CHUNNY  
ANY ADDITION LEVEL ABOVE (E) BUILDING. WILL EXCAVATION AFFECT HIS PROPERTY.

Project Sponsor Response: THIS PROJECT HAS NO ADDITIONAL STORIES TO BE BUILT ABOVE (E) BUILDING. THE EXCAVATION WILL BE 30 FEET AWAY FROM HIS PROPERTY AND WILL HAVE SHORING BEFORE EXCAVATION

Question/Concern #2: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

Question/Concern #3: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

Question/Concern #4: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

## 2438 30th Ave Pre App Mailing List

Block	Owner	Address	City/State
2395 -006	CHO KING-YU & YA-FEN REV LIV TR	4126 MOORING POINT CT	MISSOURI CITY TX 77459
2395 -006	OCCUPANT	2435 30TH AVE	SAN FRANCISCO CA 94116
2395 -007	WONG CLIFFORD	3429 LA MESA DR	HAYWARD CA 94542
2395 -007	OCCUPANT	2441 30TH AVE	SAN FRANCISCO CA 94116
2395 -008	GULMAN SOLOMON & LILLIAN	2443 30TH AVE	SAN FRANCISCO CA 94116
2396 -005	PON SUSAN X & LELAND	847 CAYUGA AVE	SAN FRANCISCO CA 94112
2396 -005	OCCUPANT	2435 29TH AVE	SAN FRANCISCO CA 94116
2396 -006	FEWER/LETELE FAMILY TRUST	2439 29TH AVE	SAN FRANCISCO CA 94116
2396 -007	TAT MAN & SHARON W CHEUNG REVO	1648 OVERLAND DR	SAN MATEO CA 94403
2396 -007	OCCUPANT	2443 29TH AVE	SAN FRANCISCO CA 94116
2396 -030	LY RANDY V	2442 30TH AVE	SAN FRANCISCO CA 94116
2396 -031	MA GINA Y	2438 30TH AVE	SAN FRANCISCO CA 94116
2396 -032	KING COLIN M & JEANNIE M	2434 30TH AVE	SAN FRANCISCO CA 94116
	President of Greater West Portal Neighborhood Assn.	P.O. Box 27116	SAN FRANCISCO CA 94127
Board of Supervisors	Katy Tang	1 Dr. Carlton B Goodlett Place, Room #244	SAN FRANCISCO CA 94102
SPEAK (Sunset- Parkside Education and Action Committee)	Mary Anne Miller	1329 7th Ave	SAN FRANCISCO CA 94122
West of Twin Peaks Central Council	Matt Chamberlain	P.O. Box 27112	SAN FRANCISCO CA 94127
Board of Supervisors	Norman Yee	1 Dr. Carlton B Goodlett Place, Room #244	SAN FRANCISCO CA 94102
Golden Gate Heights Neighborhood Association	Sally Stephens	P.O. Box 27608	SAN FRANCISCO CA 94127
	Design Consultants Group	3900 Geary Blvd. #201	San Francisco, CA 94118



311 Mailing List for  
2438 30th Ave

Block	Owner	Address	City/State
2395 -001C	LOUIE NANCY & TOM WARREN	1844 25TH AVE	SAN FRANCISCO CA 94116
2395 -001C	OCCUPANT	2415 30TH AVE	SAN FRANCISCO CA 94116
2395 -002	YEE FAMILY TR	2419 30TH AVE	SAN FRANCISCO CA 94116
2395 -003	CLEARY JOHN J & KATHLEEN J TRU	2423 30TH AVE	SAN FRANCISCO CA 94116
2395 -004	ALESSE DIANNE S	6030 SANTAYSABEL WAY	SAN JOSE CA 95123
2395 -004	OCCUPANT	2427 30TH AVE	SAN FRANCISCO CA 94116
2395 -005	PINZON ANTONIETA G	2431 30TH AVE	SAN FRANCISCO CA 94116
2395 -006	CHO KING-YU & YA-FEN REV LIV TR	4126 MOORING POINT CT	MISSOURI CITY TX 77459
2395 -006	OCCUPANT	2435 30TH AVE	SAN FRANCISCO CA 94116
2395 -007	WONG CLIFFORD	3429 LA MESA DR	HAYWARD CA 94542
2395 -007	OCCUPANT	2441 30TH AVE	SAN FRANCISCO CA 94116
2395 -008	GULMAN SOLOMON & LILLIAN	2443 30TH AVE	SAN FRANCISCO CA 94116
2395 -008A	LIANG DENNY P D & HE SANDRA Y	2447 30TH AVE	SAN FRANCISCO CA 94116
2395 -009	GALANT, LEN & ZOYA	647 23RD AVE	SAN FRANCISCO CA 94121
2395 -009	OCCUPANT	2451 30TH AVE	SAN FRANCISCO CA 94116
2395 -010	REYNOLDS IAN JOSEPH & OZERI JE	2455 30TH AVE	SAN FRANCISCO CA 94116
2395 -011	CHUNG KIRBY & GAW CYNTHIA	2459 30TH AVE	SAN FRANCISCO CA 94116
2395 -012	UNG DENNIS KIT DONG	2463 30TH AVE	SAN FRANCISCO CA 94116
2396 -001C	LOW LEONARD C & LIN YING	2415 29TH AVE	SAN FRANCISCO CA 94116
2396 -002	NGUYEN NINH THI	2419 29TH AVE	SAN FRANCISCO CA 94116
2396 -003	CHOY WAI MUN & SHEUNG YIN TOM	2423 29TH AVE	SAN FRANCISCO CA 94116
2396 -004	LEE DAVID S & NANCY Y	2427 29TH AVE	SAN FRANCISCO CA 94116
2396 -004A	LU LARRY & KATHY	2431 29TH AVE	SAN FRANCISCO CA 94116
2396 -005	PON SUSAN X & LELAND	847 CAYUGA AVE	SAN FRANCISCO CA 94112
2396 -005	OCCUPANT	2435 29TH AVE	SAN FRANCISCO CA 94116
2396 -006	FEWER/LETELE FAMILY TRUST	2439 29TH AVE	SAN FRANCISCO CA 94116
2396 -007	TAT MAN & SHARON W CHEUNG REVO	1648 OVERLAND DR	SAN MATEO CA 94403
2396 -007	OCCUPANT	2443 29TH AVE	SAN FRANCISCO CA 94116
2396 -007A	GUERRA JOHN J & EILEEN P	2447 29TH AVE	SAN FRANCISCO CA 94116
2396 -007B	ZHEN JIAN HUI	2451 29TH AVE	SAN FRANCISCO CA 94116
2396 -008	COX MELISSA A & RUBIEN DAVID M	2455 29TH AVE	SAN FRANCISCO CA 94116
2396 -009	LEW TONG FAYE & YUET YEE LEW P	2459 29TH AVE	SAN FRANCISCO CA 94116
2396 -010	YEE HELEN	1203 SCOTT ST	SAN FRANCISCO CA 94115
2396 -010	OCCUPANT	2463 29TH AVE	SAN FRANCISCO CA 94116
2396 -026	STEVEN & WENDY LAM 2004 LVG TR	3569 BROOKSHIRE ST	SAN DIEGO CA 92111
2396 -026	OCCUPANT	2462 30TH AVE	SAN FRANCISCO CA 94116
2396 -027	JANE WING HEUNG CHAN REVOC TR	2458 30TH AVE	SAN FRANCISCO CA 94116
2396 -027A	DELCLAUX 2010 TRUST	2454 30TH AVE	SAN FRANCISCO CA 94116
2396 -028	SAAM PHILIP	2450 30TH AVE	SAN FRANCISCO CA 94116
2396 -029	SEIBEL ARNOLD H & BETTY J REVO	2446 30TH AVE	SAN FRANCISCO CA 94116
2396 -030	LY RANDY V	2442 30TH AVE	SAN FRANCISCO CA 94116
2396 -031	MA GINA Y	2438 30TH AVE	SAN FRANCISCO CA 94116
2396 -032	KING COLIN M & JEANNIE M	2434 30TH AVE	SAN FRANCISCO CA 94116
2396 -033	NG GRACE K S & KAM FUNG	2430 30TH AVE	SAN FRANCISCO CA 94116
2396 -034	LI WEI WEN & LONG JIE YI	2426 30TH AVE	SAN FRANCISCO CA 94116
2396 -035	HANFT JOHN K STARKMAN ELLEN V	2424 30TH AVE	SAN FRANCISCO CA 94116





Rodney Fong, President  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103-2414

September 12, 2016

**RE: 2438 30th Ave - Case No. 2015-000487DRP**  
**Hearing Date: September 22, 2016**  
**DR Requestor's Brief in Support of Discretionary Review Request**

Dear President Fong and Member of the Commission:

**SUMMARY OF THE DISCRETIONARY REVIEW REQUEST**

The Commission should take Discretionary Review in this case and reduce the rear extension (and make other changes to the Project) for the following reasons:

1. The Project does not use the average depth of the adjacent rear yard extensions;
2. The fill in of the existing side setback on the Project's north side will have profound negative impacts on DR requestor's light; the proposed project does not respect the existing light-wells and setbacks;
3. The Project is out of scale and character with the neighborhood which is primarily composed of single family homes;
4. The project's proposed 7 bedrooms and 7 bathrooms are unnecessary and unusual for a single family dwelling. The plans show a labyrinth floor plan with two "master" bedrooms. The floor plan suggests that the project sponsors plan on running an AirBnB or Podshare type boarding house and a new "in-law in the basement;
5. The proposed project greatly expands the number of bedrooms on the site, but does not increase the existing number of parking spaces (one) at all. The proposed project will further increase the demand for parking on an already overburdened block.

**INTRODUCTION**

This office represents Colin and Jeannie King. The Kings are the owners and occupants of 2434 30th Ave, the north adjacent building to the Project site. The Kings have lived in their modest four-bedroom home for 42 years. The Kings raised their three children in their house, and plan on passing the property on to those children to keep the property in the family. The RH-1 zoned neighborhood consists mostly of 2 and 3 bedroom homes occupied by single families.

The current property owners of the Subject Property appear to occupy the unit with their children as well as numerous boarders who do not appear to be family members but do appear to reside in the subject property. The proposed seven bedrooms, seven-bathroom project does not make sense as a single family home. Such a configuration makes more sense as a residential hotel, but not as a single family home. The proposed project will increase the burden on parking and public transportation in this already overburdened district. The building owners and their architect have previously stated that they would work with the neighbors to resolve issues. However, the changes made to date have fallen short of bringing the proposed building back into compliance with the Residential Design Guidelines. The architect and building owner have refused the neighbors' requests to reduce the rear expansion to the average of the two adjacent buildings. Furthermore, the architect has refused to provide story poles for the neighbors to show the new depth and height of the three story rear addition.

### **PROJECT DESCRIPTION AND THE SURROUNDING SITE**

The project proposes a gutting of the existing building, demolishing the entire rear of the building and a major expansion of the floor plan. The new addition will be a fifty feet deep (50') at the ground floor level, Forty-two feet (42') at the first floor level and thirty feet (30') at the new top floor. The proposal is out of scale with the neighborhood, and proposes turning one of the smallest buildings on the block into one of the largest.

The plans do not support the use of the proposed building as a single family dwelling. The plans list two bedrooms as "master" bedrooms, and label additional rooms as "exercise room" (comes with a closet) "wine storage" and "workshop" which appear to be disguised bedrooms. Additionally, the proposal contains another "guestroom" with a separate suite bath and his and hers walk-in closets, that would make many a master bedroom blush.

The original plans were not correct as to window placements between the buildings and as to where those new side windows will be moved. The plans also did not show the correct depth of the DR Requestor's home. The plans did not even attempt to show the windows on the adjacent buildings, which the proposal will be terminally covering. The initial plans were so poorly drawn that the Dept. required that a new 311 notification be issued and new plans drawn. The "new" plans are not much better.

The Commission should be aware that VIRTUALLY ALL the neighbors oppose this project. The simple fact is that because of its design and visual impact and potentially devastating impacts to the rear yard green space, neighbors in all directions universally oppose this project. The Department's Analysis inexplicably ignores or misjudges neighborhood character. Opponents of the project include:

Ellen Starknman and John Hanft  
John Cleary  
Carl Payne

2424 30th Ave  
2423 30th Ave  
2418 30th Ave

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Betty Seibel and Colleen Horn	2446 30th Ave
Antoinetta Pinzon	2431 30th Ave
Eileen and John Guerra	2447 29th Ave
Colin and Jeannie King	2434 30th Ave
Albert DeClaux and Kathleen Carroll	2454 30th Ave
Grace Ng	2430 30th Ave
Samantha Restivo,	
Danny Restivo and Michael Kenny	2441 30th Ave
Eric Hawksley	2479 30th Ave
Peter and Gloria Yee	2415 30th Ave

Neighborhood Map and Petition Attached as Exhibit 1.

Numerous others oppose the project but have not weighted in against it in writing. Why the Department excluded from consideration these numerous long term neighbors (many have lived in the neighborhood for decades) is a mystery. If the project fit within the neighborhood character, this level of opposition would not be present.

The Commission should take DR and reduce the proposed project for the following reasons:

**1. THE PROJECT DOES NOT USE THE AVERAGE DEPTH OF THE ADJACENT REAR YARD EXTENSIONS**

The existing building has a large setback on the Northside from the property line of 8 feet 1 inch. The proposal to add a new three-story extension at the rear nearly 30 feet in depth will have a profound impact on the neighboring properties especially DR Requesters' home which is to the north. Currently the proposed project matches the depth of the building to its immediate South and extends past the DR Requesters' home to the north. Some simple design considerations such as averaging the depth of the proposed new extension between the existing buildings would go a long way towards mitigating some of the shadow impacts and the limitation of light which will be caused by the proposed project. The DR Requester is asking the Commission to require that the project average the depth of the new addition. The Project Sponsor has been unwilling to make any changes to the project even small design considerations such as averaging the depth of the new extension. (See, Exhibit 2)

The infill of the setback on the project's Northside will have a profound negative impact on the DR Requestors' available light. Reducing the depth of the proposed extension to an average of the depths of the adjacent homes is a sensible and fair compromise to reduce the negative impacts.

**2. THE PROJECT'S PROPOSED 7 BEDROOMS (REALLY 10) AND 7 BATHROOMS ARE UNUSUAL FOR A SINGLE FAMILY DWELLING. THE FLOOR PLAN SUGGESTS THAT THE PROJECT SPONSORS PLAN ON RUNNING AN AIRBNB BOARDING HOUSE**



Rodney Fong, President  
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The project is out of scale and character with the neighborhood which is composed almost exclusively of modest single-family homes of two and three bedrooms. The proposed project description as expanding the existing 6-bedroom, 3 bath home to a 7 bedroom 7-bathroom home doesn't tell the complete story. There are also additional new rooms labeled as a "workshop" (on the top floor), wine storage, and exercise room which appear to be additional bedrooms. Accordingly, the Project is more accurately described as a 10 bedroom 7-bathroom home.

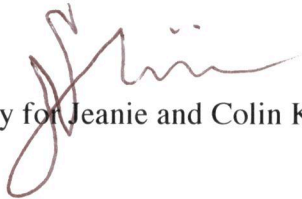
Such a proposal is incredibly large and unusual for any neighborhood but is especially out of place in this modest working-class, Outer Sunset neighborhood. The impression given is that the Project Sponsors are creating some sort of boarding house. Further, there appears to be a completely separate unit at the basement level which is only connected to the remaining portion of the house by an exterior stair. This also gives the impression of an expansion of the existing building far beyond what was contemplated by the code with a new "in-law" unit.

3. **THE PROPOSED PROJECT GREATLY EXPANDS THE NUMBER OF BEDROOMS ON THE SITE, BUT DOES NOT INCREASE THE EXISTING NUMBER OF PARKING SPACES (ONE) AT ALL**

Although DR Requestors realize that the Planning Commission does not give much consideration to parking issues, a proposed 10-bedroom home should provide additional parking given the likely burden it will pose to the neighborhood. Reducing the size of the addition to limit the bedrooms is an alternative solution however, Requestors would like to see at least two parking spaces in the proposed garage to limit the number of vehicles which will be parked on the street.

Stephen M. Williams,

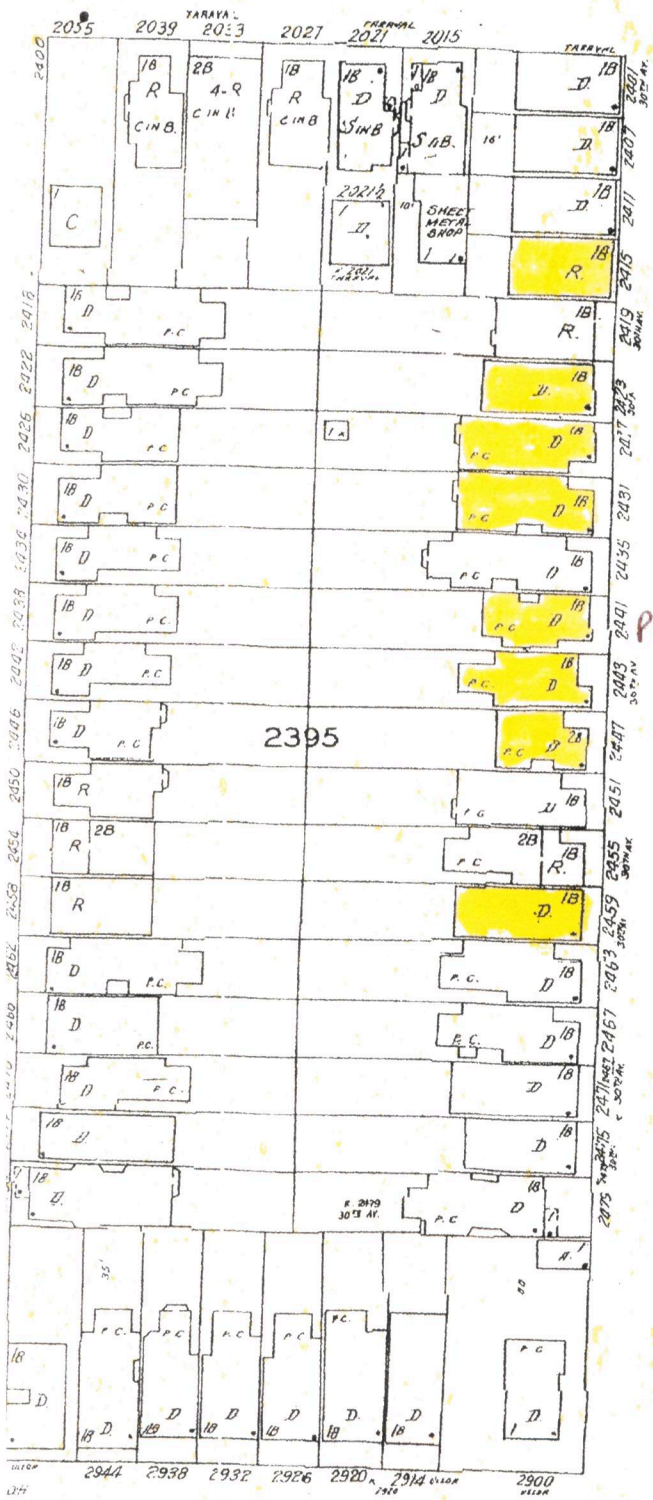
Attorney for Jeanie and Colin King



# Exhibit 1

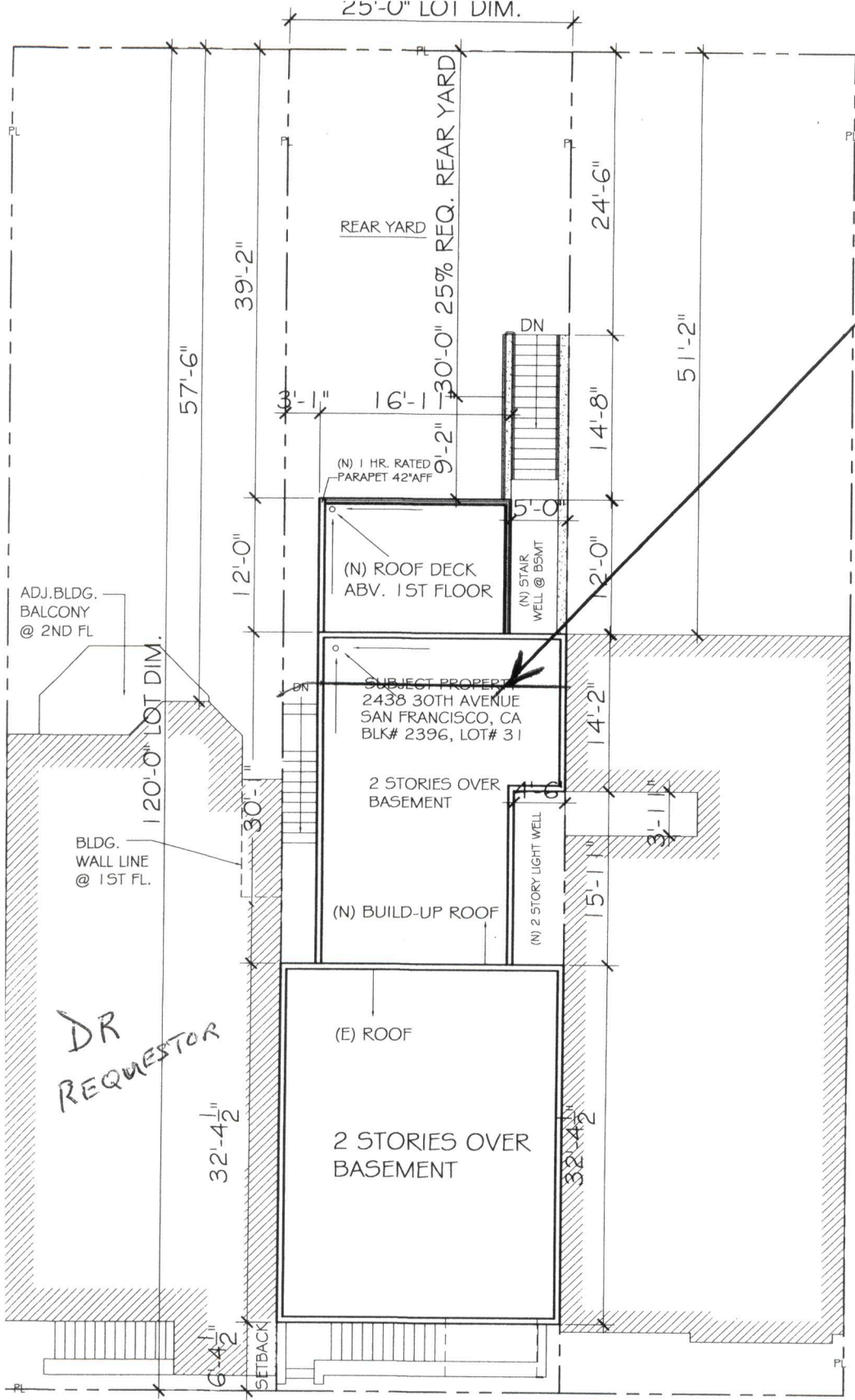
# Households in Opposition to Project

TARAVAL



# Exhibit 2





AVERAGING  
THE DEPTH  
OF THE NEW  
ADDITION WILL  
ALLOW MORE  
LIGHT TO  
THE HOME  
TO THE NORTH

DR  
REQUESTOR

(N) STREET TREE  
SEE NOTE 1 / A1.0

30TH AVENUE  
PROPOSED SITE / ROOF PLAN



REVISIONS	DT
06.01.15	CK
PLNG. DEPT	JH
01.19.16	
DESIGN CONSULTANTS GROUP	
3900 Geary Blvd, Suite 201 San Francisco, Ca. 94116 Phone: (415) 631-7460 Fax: (415) 631-7761	
REGISTERED PROFESSIONAL ENGINEER JOHN W. LAU No. 18881 Exp. 6/30/2017 CIVIL ENGINEER STATE OF CALIFORNIA	
EXISTING & PROPOSED SITE / ROOF PLANS	
BLOCK: 2396 LOT: 031	DATE 09.29.14
2438 30TH AVE. SAN FRANCISCO, CA 94116	SCALE
	DRAWN CK
	JOB
1	OF SHEETS