

SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review/Variance Full Analysis

HEARING DATE: SEPTEMBER 8, 2015

Date:	September 8, 2015
Case No.:	2015-001277DRP-VAR
Project Address:	3772 20 th Street
,	
<i>Permit Application:</i>	
Zoning:	RH-3 (Residential House, Three-Family)
	40-X Height and Bulk District
Block/Lot:	3598/138
Project Sponsor:	C. Steven Swason
	12800 Shenandoah Road
	Plymouth, CA 95669
Staff Contact:	Todd Kennedy – (415) 575-9125
	todd.kennedy@sfgov.org
Recommendation:	Do not take DR and approve the project 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

d

PROJECT DESCRIPTION

The proposed project includes a horizontal addition to the rear of the property. The addition will include the replacement of an existing multi-level stairway and deck and will include a roof deck on top of a garage located within the rear yard. These additions are proposed to improve the quality of the property and to provide a second means of egress and access to the roof deck from all levels in the building.

SITE DESCRIPTION AND PRESENT USE

The subject property is a multi unit building with 4 units – 3772, 3774 #3 and 4, and 3776 20th Street. The project is located on the north side of 20th Street, between Guerrero and Dolores Streets in Assessor's Block 3598, Lots 138-141, and is located within the RH-3 (Residential House, Three-Family) District and the 40-X Height and Bulk District.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is residentially zoned and residential in use. Properties along 20th Street are zoned both RH-3 (Residential House, Three-Family) and RH-2 (Residential House, Two-Family). They are developed with both single and multifamily residences.

20th Street runs east and west and is located in the Mission District. The subject site is surrounded by predominately residential uses and is just east of Mission Dolores Park.

BUILDING PERMIT APPLICATION NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	March 29, 2016 – April 28, 2016	April 27, 2016	September 8, 2016	135 days

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	August 30, 2016	August 30,, 2016	10 days
Mailed Notice	10 days	August 30, 2016	August 19, 2016	21 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)		Х	
Other neighbors on the			
block or directly across			Х
the street			
Neighborhood groups			Х

The Department has received feedback from one of the adjacent neighbors, who did not file a DR application, but turned in a written statement expressing his concern of the construction and privacy issues. His letter is attached and he lives at 3768 20th Street, which is on the east side of the subject property.

DR REQUESTOR

Robert and Katherine Evans who reside at 3778 20th Street. The Evans's property is adjacent to the subject property on the west side.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

The concerns of the DR Requestor include light, views, privacy, yard, and property value. This Discretionary Review was requested because it is believed the drawings are inaccurate and do not reflect the situation on the ground. Also, it is believed the requested Variance is not necessary in order to meet the project goal.

Issue 1: The applicants are attempting to alter a rear building by constructing a roof deck. The real building covers the entire rear setback. The main building on the subject site already encroaches into the rear yard setback. The existing rear building occupies the entire rear yard. The rear non-complying building should be not allowed to remain, but rather torn down.

The plans submitted with the 311 notice misrepresent the size of the current shed. The plans show a roof height of 13 feet and level with the top of the stair railing on our building to the west. The roof is actually 8 feet high. The slope onsite needs to be shown on the plan as well. The slope does affect the indicated height of the rear building.

The rear external staircase is intended to be rebuilt and brought up to code. It is understood and supported, but a Variance is requested to preserve their view at the expense of a neighbors view. It is understood that views are not protected by the Planning Code. A Variance should not be granted to enable this. It is feasible to rebuild their staircase to code without the need for further rear setback Variances.

Issue 2: There is already a large structure running next to the DR Requestor. The proposed changes to this rear building will make the DR Requestor's yard further isolated. These new changes will block light, air and privacy.

The alterations to the stairway and garage are along the side property line and will require a firewall. This would impact our views. A Variance should not be granted to allow these impacts. Furthermore, the proposed construction will cause harm to a plum tree located in the rear of the DR Requestor's property.

Issue 3: The project sponsor was reached out to during this process. No changes have been agreed to but discussions have been continuing. Since no alternatives or compromises were proposed or considered by neighbors or their architect, it was decided to file a Discretionary Review Request.

An architect was consulted with to create alternative designs. It is preferred that the garage be torn down and replaced with a parking area. If the garage is kept and altered, then the roof line should be lowered to match the existing shed. This would reduce the looming aspect that is currently presented in the 311 plans. The stairs can be rebuilt where the firewall does not have to be extended. A creative solution can be found that can meet the project goals while minimizing negative impact on neighbors.

Reference the *Discretionary Review Application* for additional information. The *Discretionary Review Application* is an attached document.

PROJECT SPONSOR'S RESPONSE

Issue 1: The proposed design has not increased the massing or the footprint of the existing structure. The original stairs will be maintained so as to not encroach further into the rear yard.

Issue 2: The existing ceiling height at the entry to the garage is 9 feet, 4 inches. This will be revised to 8 feet and that will lower the massing significantly. These changes were made after the initial filing and double checking the garage onsite.

Issue 3: The current design does respond to the requests of the DR Requestor.

See attached revised plans from the Project Sponsor

PROJECT ANALYSIS

Issue 1: Upon receipt of the DR Application, staff has worked with both the Project Sponsor and DR Requestor. The rear building was permitted and constructed in 1921. Therefore, it is legal, but legally non-conforming because the zoning codes have changed since that time. Any alteration to this structure must go through the necessary permitting process.

This project proposes an improvement to this rear building, which will improve its integrity and enhance its quality and aesthetics. The Project Sponsor rechecked the roof height and determined it was incorrectly drawn on the plans. He has made plan corrections and is proposing to lower the roof height to 8 feet.

The reconstruction of the rear staircase and the proposed roof deck require a Variance. The current zoning District of RH-3 requires a 50-foot setback. The entire scope of work encroaches into the rear setback coming to within 5 feet of the rear property line. Therefore, a Variance is required.

Issue 2: The project sponsor has agreed to lower the roof height for the rear building. This change was agreed upon to lessen the impacts on views and privacy. Also, the DR Requestor has agreed to have their arborist to trim the plum tree back so it is not to be impacted by the construction.

Issue 3: Following the filing of the Discretionary Review, the project sponsor has made changes to the plans that meet the DR Requestor's concerns. The plans were revised so the proposed stairway is setback 5 feet away from the side property line. Therefore, no firewall extension is necessary. Also, the garage roof will be lowered and the deck will be setback 5 feet on all property lines. Therefore, the project meets the DR Requestor's concerns.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt from environmental review, pursuant to CEQA Guideline Sections 15301(1) (4) and 15303(a).

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) reviewed the project on June 2, 2016. The RDT requested that the proposed staircase be oriented so it does not create new depth to the existing firewall along the western property line. By making that revision, the Department was supportive of this project. The project sponsor has made that revision and has strived to meet the DR Requestor's requested changes and answered their questions.

BASIS FOR RECOMMENDATION

Do not take Discretionary Review and Approve as proposed.

- The project meets all applicable requirements of the Planning Code.
- The project sponsor has agreed to make the revisions that meet the concerns of the DR Requestor.
- This project will benefit the property and make a significant improvement on an existing building.
- Open space will be created for the existing units onsite without having to demolish any existing structures.

RECOMMENDATION: D

Do not take DR and approve the project as proposed.

Attachments:

Residential Design Checklist Block Book Map Sanborn Map Zoning Map Aerial Photo Site Photo Section 311 Notice DR Application Written Statement from Neighbor Response from Project Sponsor Reduced Plans



Residential Design Checklist

Note: This checklist is provided as a tool to aid planners when plan checking residential buildings against the Residential Design standards. Please check the applicable boxes below. Included in this checklist are the quantifiable triggers that require Residential Design Team (RDT) review. These specific questions are within shaded boxes with bold print. If the proposal exceeds the triggers, RDT review is required. The other questions are taken from the Residential Design Standards. If those standards are not meet with the current design, please consult with the project sponsor and request the relevant changes in the Notice of Planning Department Requirements. If you need additional guidance, please take the project to the RDT.

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

SITE DESIGN (PAGES 11 - 21)

QUESTION	YES	NO	N/A
Topography (page 11)			
Does the building respect the topography of the site and the surrounding area?			
Lateral Slopes along block-face			
1. If 50-percent of the buildings along the block-face create a pattern that			
steps down with the lateral slope AND the project is between buildings	\boxtimes		
that make up the stepped pattern, does the project maintain the stepped			
pattern along the block-face for at least the first 15' of the subject			
building? (If yes, meets threshold. If no, consult RDT.)			
Is the building placed on its site so it responds to its position on the block and to	\boxtimes		
the placement of surrounding buildings?			
Front Setback (pages 12 - 15)			
Does the front setback provide a pedestrian scale and enhance the street?	\boxtimes		
In areas with varied front setbacks, is the building designed to act as transition			
between adjacent buildings and to unify the overall streetscape?			
Side Setback at Front			
1. If an adjacent building has a side setback, does the project provide a			
side setback of at least 3 feet wide and of a matching depth or 10 feet,			
whichever is less? (If yes, meets threshold. If no, consult RDT.)			
Does the building provide landscaping in the front setback?			
Side Spacing (page 15)			

No	ne building respect the existing pattern of side spacing? te: this guideline is for side spacing not side setbacks. (Quantify "pattern".) Does the project exist within a grouping of four structures that have similar side spacing? At minimum, two adjacent structures to one side of the project and one adjacent structure to the opposite side with similar side spacing must exist. (If no, no pattern. If yes, see #2 below.)		
2.	(Quantify side setback measurements.) Does the project provide a side space at the same width as the pattern? (If yes, meets threshold. If no, continue to #3.)		
3.	If the side spacing pattern is not uniform, is the side setback at least 3 feet wide or of an average width of the two adjacent side spacings, whichever is greater? (<i>If yes, meets threshold. If no, consult RDT.</i>)	\boxtimes	
Rear Y	ard (pages 16 - 17)		
Li	puilding articulated to minimize impacts on light to adjacent properties? ghtwells When providing a matching lightwell, does the proposed lightwell have a width of 3 feet from the side property line AND a length equivalent to the matched lightwell (if the adjacent light well is 10 feet or greater in length, the proposed lightwell must be at least 10 feet long or 75-percent of the adjacent lightwell's length whichever is greater.) AND begin at the floor above the basement/ground floor? (If yes, meets threshold. If no, consult RDT. NOTE: If project is a vertical addition, the lightwell shall be matched per #1 above only at the level(s) of the addition.)		
	pth of Addition Is the rear addition the average of the two adjacent buildings? (If yes, meets minimum standard. If no, see next question.)		
2.	If the rear addition is greater than the average of the adjacent buildings AND does not exceed the depth of the longer building, is a minimum 5-foot side setback provided at the second floor and above for the entire length for the rear addition that faces the open area of the adjacent lot which contains the shorter building? (<i>If yes, meets threshold. If no, consult RDT.</i>)		
3.	For adjacent buildings of uniform depth and height at the rear wall: if the rear addition is greater than the average of the two adjacent buildings is the addition equal to or less than 12 feet deep and 1-story tall OR equal to or less than 12 feet deep, 2-stories tall with 5 foot setbacks on either side? (<i>If yes, meets threshold. If no, consult RDT.</i>)	\boxtimes	

	ight of Addition If the depth of the rear addition projects beyond one adjacent building, is the addition more than two stories tall? (If no, meets threshold. If yes, consult RDT.)	\boxtimes	
Sid	e Setback at Rear		
1.	If the project abuts a side setback of an adjacent building, is a side setback provided at a minimum depth of 5 feet at the second level or higher (as measured from the level of the rear yard)? (If yes, meets threshold. If no, consult RDT.)		
2.	If the project abuts an adjacent rear yard area that is fully open from both side property lines, is a side setback provided at a minimum depth of 5 feet at the second level or higher (as measured from the level of the rear yard)? (<i>If yes, meets threshold. If no, consult RDT.</i>)		
ls the b 1.	uilding articulated to minimize impacts on privacy to adjacent properties? Do all of the windows of the proposal face onto an adjacent deck or an adjacent rear yard? (If yes, meets threshold. If no, see #2 below.)		
2.	(Quantify "privacy.") If a window faces a building along the side property line or is located within a lightwell, is the proposed window at least 3 feet from the shared side property line AND not directly aligned with the transparent glazing of an adjacent window that is also 3 feet from the shared property line? (<i>If yes, meets threshold, if no, consult</i> <i>RDT.</i>)		\square
Views	(page 18)		
Does th	ne project protect major public views from public spaces? Reference the maps in the General Plan for "Street Areas Important to Urban Design and Views", "Quality of Street Views".		
Specia	l Building Locations (pages 19 - 21)		
Is great	er visual emphasis provided for corner buildings?		
1.	Does the proposed corner building exceed the height of either adjacent building by more than one story? (If yes, consult RDT. If no, project meets threshold but may need setbacks depending on immediate context. The thought is encourage appropriate development of anchor buildings at corner lots, particularly if multi-unit housing.)		
	building facade designed to enhance and complement adjacent public		
spaces			
1.	Does the front façade finish material wrap around to the side façade for at least 15 feet or to the first change in plane at the side façade? (<i>If yes,</i> <i>meets threshold. If no. consult RDT.</i>)		X

2. Are finished exterior materials proposed along the exposed side façade? (If yes, meets threshold. If no, consult RDT.)		\boxtimes
 Is the building articulated to minimize impacts on light to adjacent cottages? 1. Is a 3-foot wide minimum setback provided from all facades of the adjacent cottage? (If yes, meets threshold. If no, consult RDT.) 		

BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
Building Scale (pages 23 - 27)			
Is the building's height and depth compatible with the existing building scale at the street? 1. If the vertical addition is at least one story greater than both adjacent	_		\boxtimes
buildings, is the addition setback at least 15 feet from the front façade? (If yes, meets threshold. If no, consult RDT.)			
2. If the vertical addition is at the same height as 50% of the block-face without a front setback, is the vertical addition at least two stories taller than the adjacent buildings on either side? If yes, does the vertical addition provide a front setback of a least 15 feet beginning at the second level of the vertical addition? (<i>If yes, meets threshold. If no, consult RDT.</i>)			
Is the building's height and depth compatible with the existing building scale at the mid-block open space? (Same as directly above but with a setback of 5 feet (instead of 15 feet).			
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?			\square
Is the building's facade width compatible with those found on surrounding buildings?			\square
Are the building's proportions compatible with those found on surrounding buildings?			\boxtimes
Is the building's roofline compatible with those found on surrounding buildings?			\square

ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
Building Entrances (pages 31 - 33)			
Does the building entrance enhance the connection between the public realm of			\square
the street and sidewalk and the private realm of the building?			

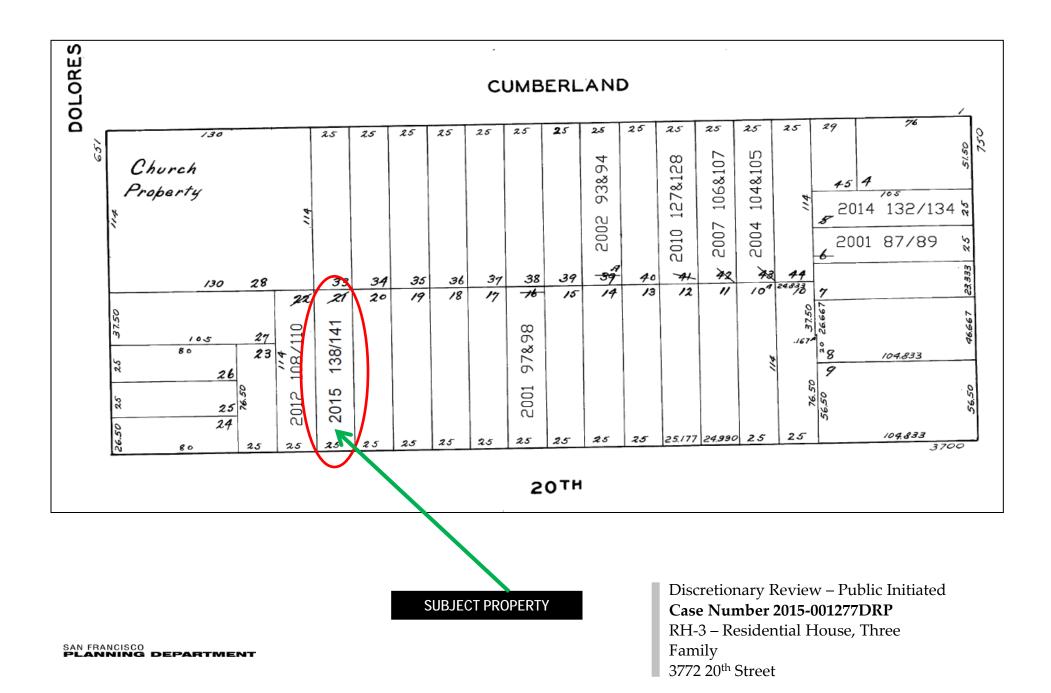
 Does the location of the building entrance respect the existing pattern (see below) of building entrances? (<i>If yes, meets threshold. If no, consult RDT.</i>) 1. Pattern defined as 50% of the block-face AND the pattern existing at the adjacent buildings on either side of the project. 		
Is the building's front porch compatible with existing porches of surrounding buildings?		
Are utility panels located so they are not visible on the front building wall or on the sidewalk?		
Bay Windows (page 34)		
Are the length, height and type of bay windows compatible with those found on surrounding buildings?		\square
Garages (pages 34 - 37)		
Is the garage structure detailed to create a visually interesting street frontage?		\square
Are the design and placement of the garage entrance and door compatible with the building and the surrounding area?		\square
Is the width of the garage entrance minimized?		
1. Is the garage door greater than 10 feet wide? (If yes, require the width of the garage door to be reduced to 10 feet per the Residential Design Guidelines or consult RDT if a unique situation exists.)		
 Is the placement of the curb cut coordinated to maximize on-street parking? 1. Is the curb cut greater than 10 feet wide including curb returns? (If yes, require the width of the curb cut be reduced to 10 feet per the Zoning Administrator's Guidelines or consult RDT if a unique situation exists.) 		
Rooftop Architectural Features (pages 38 - 41)		
Is the stair penthouse designed to minimize its visibility from the street?1. Is the stair penthouse required by Building Code?		
2. If yes, is the stair penthouse of minimum size and setback 15 feet from any exposed façade or lightwell and only one story above the main roof of the residence? (<i>If yes, meets threshold. If no, consult RDT.</i>)		
Are the parapets compatible with the overall building proportions and other building elements?		
Are the dormers compatible with the architectural character of surrounding buildings?		
 Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings? 1. Are open railings or transparent material proposed at the windscreens? (If yes, meets threshold. If no, consult RDT.) 		

BUILDING DETAILS (PAGES 43 - 48)

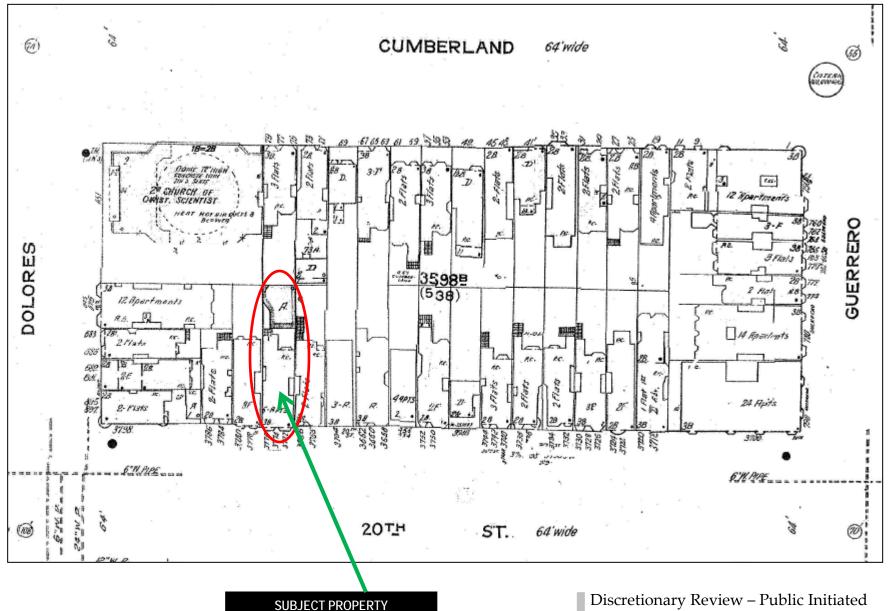
QUESTION	YES	NO	N/A
Architectural Details (pages 43 - 44)			
Are the placement and scale of architectural details compatible with the building and the surrounding area?			\boxtimes
Windows (pages 44 - 46)			
Do the windows contribute to the architectural character of the building and the neighborhood? (Refer to pending Window Standards. In the interim, below shall be			\triangleleft
applicable.) 1. Is a window detail provided that illustrates the glazing of the window to be setback 2 inches from the face of façade exclusive of trim?			
2. If an alteration, are the proposed windows compatible with the presumed original windows of existing building and each adjacent structure?			\boxtimes
3. If new construction, are the proposed windows of high quality and compatible with the character of the block-face?			\boxtimes
Are the proportion and size of the windows related to that of existing buildings in the neighborhood?			\boxtimes
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?			\boxtimes
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?			\boxtimes
Exterior Materials (pages 47 - 48)			
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?			\boxtimes
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?			\boxtimes
Are the building's materials properly detailed and appropriately applied?			\square

Document1

Block Book Map



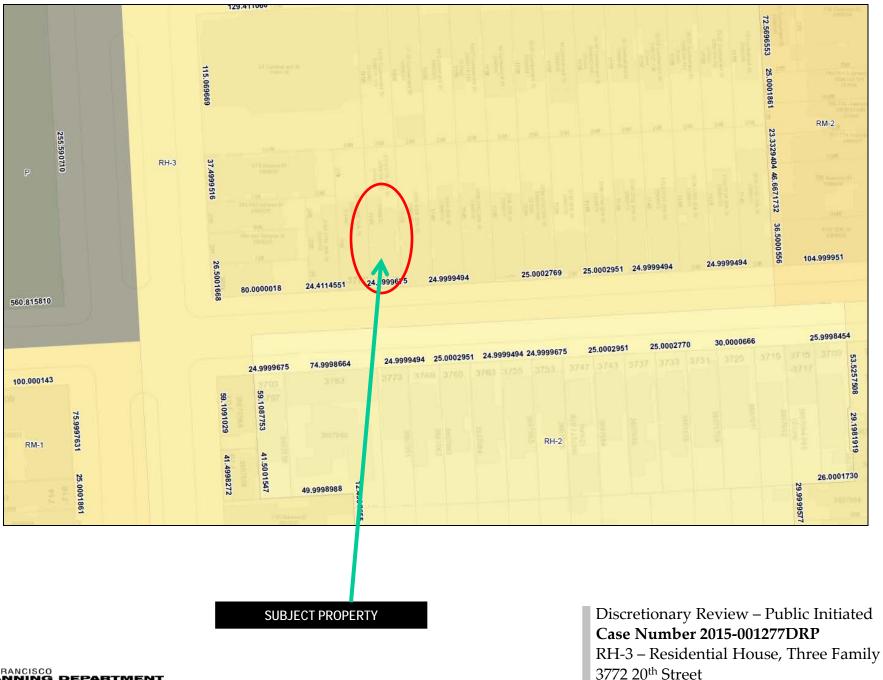
Sanborn Map*



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

SAN FRANCISCO PLANNING DEPARTMENT Discretionary Review – Public Initiated Case Number 2015-001277DRP RH-3 – Residential House, Three Family 3772 20th Street

Zoning Map



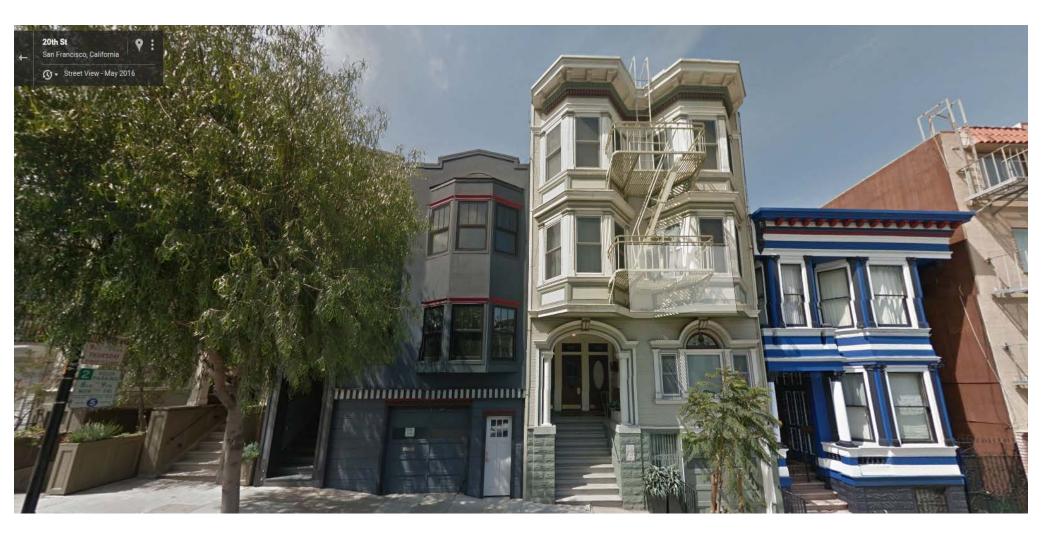
Aerial Photos

Rear View



Discretionary Review – Public Initiated **Case Number 2015-001277DRP** RH-3 – Residential House, Three Family 3772 20th Street

Site Photo



Discretionary Review – Public Initiated **Case Number 2015-001277DRP** RH-3 – Residential House, Three Family 3772 20th Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On June 16, 2015 the Applicant named below filed Building Permit Application No. 2015.0616.9131 (Rear Addition) with the City and County of San Francisco.

C	ONTACT INFORMATION	PROJECT	SITE INFORMATION
Applicant:	Steve Swason	Project Address:	3772 20 th Street
Address:	12800 Shenandoah Road	Cross Streets:	Dolores Street
City, State:	Plymouth, CA 95669	Assessor's Block /Lot No.:	3598/138
Telephone:	(209) 245-4376	Zoning Districts:	RH-3/40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

	PROJECT SCOPE	강장님 기억 소리는 것이 지하는 것이 것이다.
[] DEMOLITION and/or	[] NEW CONSTRUCTION or	[X] ALTERATION
[] VERTICAL EXTENSION	[] CHANGE # OF DWELLING UNITS	[] FACADE ALTERATION(S)
[] HORIZ. EXTENSION (FRONT)	[] HORIZ. EXTENSION (SIDE)	[X] HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
BUILDING USE	Four-Family Dwelling	
	No Front Yard Setback	
SIDE SETBACKS	No current side setbacks	No Change
	+/- 78 feet	
REAR YARD	No Rear Yard	New roof deck
HEIGHT OF BUILDING	+/- 51 feet	No Change
NUMBER OF STORIES		No Change
NUMBER OF DWELLING UNITS		No Change
NUMBER OF OFF-STREET PARKING	SPACES	No Change

PROJECT DESCRIPTION

This proposal is a renovation of the existing rear yard garage. The existing rear stairway will be rebuilt and that serves as a second means of ingress and egress.

PLANNER'S NAME:	Todd Kennedy
PHONE NUMBER:	(415) 575-9125
EMAIL:	todd.kennedy@sfgov.org

DATE OF THIS NOTICE: EXPIRATION DATE:

3/29/16 4/28/16

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

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

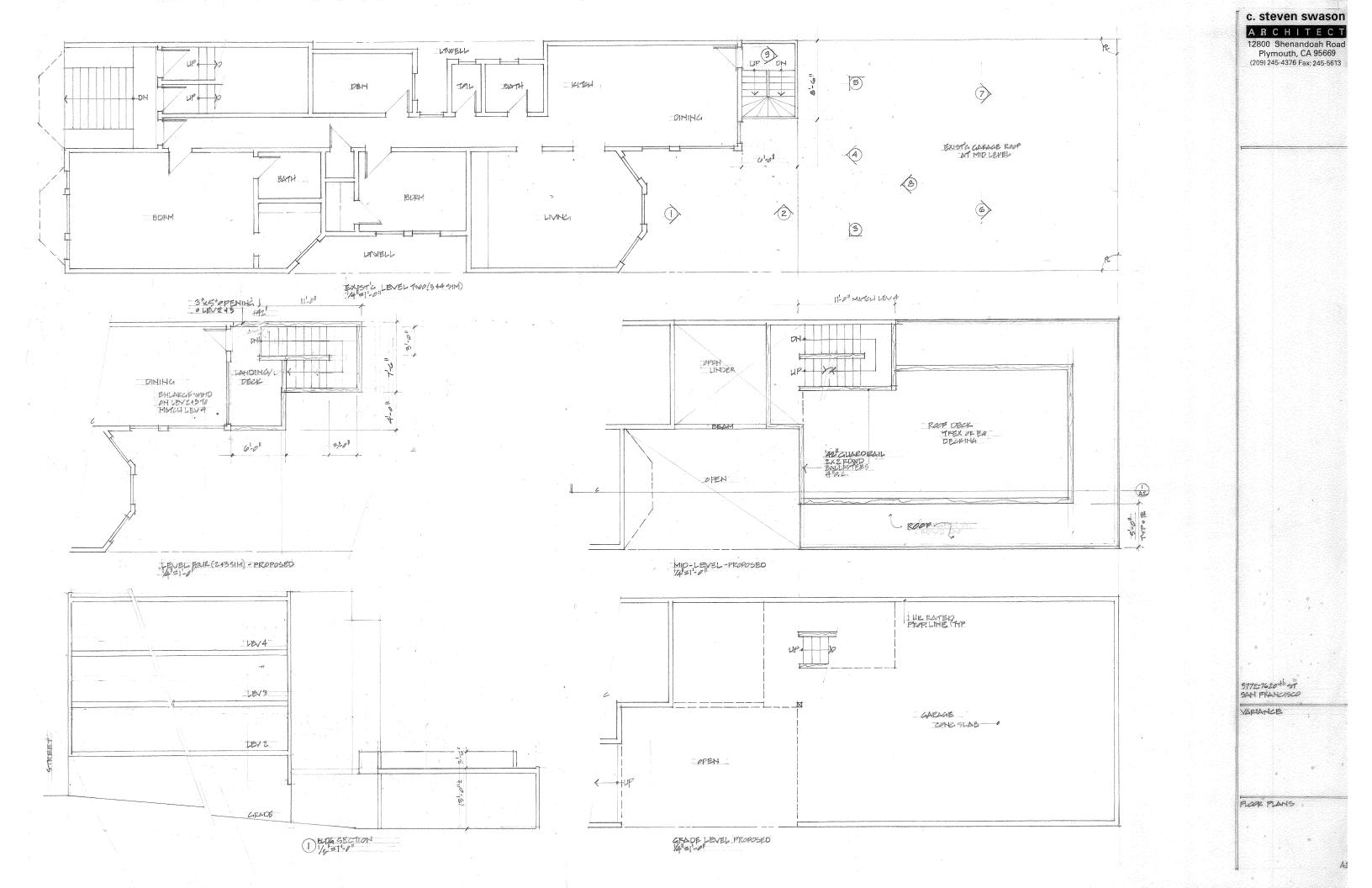
- 1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
- 2. Call the nonprofit organization Community Boards at (415) 920-3820, or online at <u>www.communityboards.org</u> for a facilitated discussion in a safe and collaborative environment through mediation. Community Boards acts as a neutral third party and has, on many occasions, helped parties 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, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

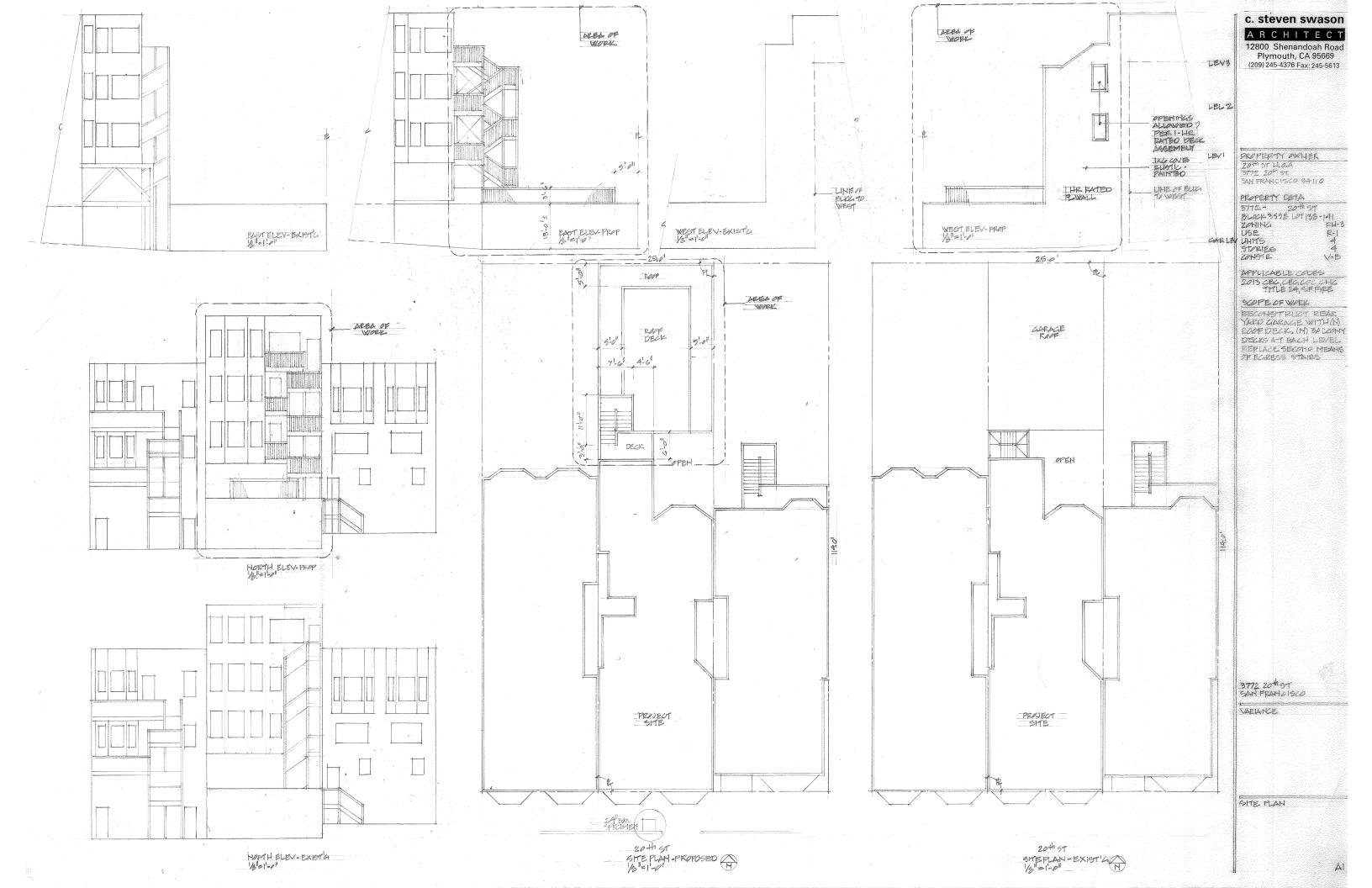
If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary 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 over the permit application, you must make such request within 30 days of this notice, prior to the Expiration Date shown on the reverse side, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at www.sfplanning.org). You must submit the application to the Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check, for each Discretionary Review request 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 or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. If the project includes multi 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 approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the **Board of Appeals within 15 days** after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form 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 their current fees, **contact the Board of Appeals** at (**415) 575-6880**.





APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
Robert Evans & Katherine Robin Evans		
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
3778 20th St, San Francisco	94110	(415) 505-3717
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REC	QUESTING DISCRETIONARY REVIEW NAME:	
Tech Legends LLC		
ADDRESS:	ZIP CODE:	TELEPHONE:
3772 20th St, San Francisco	94110	(415) 999-5922
CONTACT FOR DR APPLICATION:		
Same as Above		
ADDRESS:	ZIP CODE:	TELEPHONE:
		()
E-MAIL ADDRESS:		
robinwongevans@hotmail.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 3772 20th St					P CODE: 14110
CROSS STREETS Dolores & Guerrero				1	
ASSESSORS BLOCK/LOT: 3598 / 138	25 x 114	LOT AREA (SQ FT): 2850 sq ft	ZONING DISTRICT: RH-3/40-X	HEIGHT/BULK DIS	TRICT:
3. Project Descriptior	1				
Please check all that apply		New Constru	ction Alterations	s 🗙 Demolition	Other
Ū	0				
Additions to Building:	Rear 🔀 Fr	0	nt Side Yard	a subtra su	
Present or Previous Use:	residental (stairway plus ad	condos rea	r stairway and	parking	
Proposed Use:		U UUUUU TIUI			
i toposeu u se.	stanway plas as	5 5	IOOI GECK		

4. Actions Prior to a Discretionary Review Request

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

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

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project. No changes have been made yet. We hope to continue discussions with our neighbors and their architect but felt we needed to submit this DR application before the deadline to register our objections.

2/21

CASE NUMBER:

Discretionary Review Request

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

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

Please see attached pages.

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

Please see attached pages.

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

Please see attached pages.

We are working with an architect familiar with San Francisco design challenges to sketch more detailed alternative proposals. We will submit those drawings when available.

3/21

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: 4/27/2016

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

Katherine Robin Wong Evans

4/21

CASE NUMBER:

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	Z
Address labels (original), if applicable	Ø
Address labels (copy of the above), if applicable	Ø
Photocopy of this completed application	
Photographs that illustrate your concerns	101
Convenant or Deed Restrictions	NA
Check payable to Planning Dept.	
Letter of authorization for agent	NA
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)	1

NOTES:

By:

Required Material.

Optional Material.

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

RECEIVED

APR 2 7 2016 CITY & COUNTY OF S.F. 28 Date: 16 5/21

For Department Use Only Application received by Planning Department:

#1 – What are the reasons for requesting Discretionary Review?

We own and live in the property at 3778 20th Street immediately to the west of the proposed project. As drawn the project requests planning variances that would have a negative impact on our light, our yard, our privacy, our views, and our property value.

We request Discretionary Review as we believe the drawings shared with the Planning Department are purposefully inaccurate and do not reflect the situation on the ground. Furthermore, we believe that the variances requested for the project are not necessary in order to meet the goal of the project. This goal has been defined to us by our neighbors as bringing their rear staircase up to code.

Specifically:

1. The applicants are attempting to describe building a large garage and roof deck as the "rebuilding" of an existing metal shed that covers the entire rear yard. The main building at 3772 20th Street already encroaches past the required rear yard setback. The existing metal shed ignores the required rear yard setbacks and occupies the entirety of the rear yard. It is in fact a rusted slap-dash corrugated metal shed built without permit and never to code. We argue that it should not be "grandfathered" as an allowable structure and instead should be torn down and replaced with a rear yard.

2. The drawings submitted with the Section 311 notice misrepresent the size of the current shed relative to the neighboring buildings. The plans show the roof height as 13' and level with the top of the stair railing on our building to the west. In actuality, the roof of the shed is ~5' lower than the top of the railing and so is only ~8' high at this end. Our yard slopes downwards away from 20th Street and so the rear (North) end of our yard is significantly lower than the near (South) end.

6/11

The shed roofline dips and then raises to approximately 11'6" at the far north end but is effectively level with the 8' height at the near end given the lower ground level. Note that this 8' height does not consider the additional height implied by the flooring, railing, and other structures required for the roof deck.

3. The applicants desire to rebuild their external staircase to bring it up to code. We understand and support this. However, they are requesting additional variances to code in order to preserve their view at the expense of our view. We understand that neither view is protected by the planning code, but do not believe that additional variances should be granted in order to enable this. It is quite feasible to rebuild their staircase to code without the need for further rear setback variances.

7/21

#2 – Please explain how this project would cause unreasonable impacts.

- 1. In this residential neighborhood the planning code creates an inner "park" of rear yards aligned with one another to create a large visually shared space. Due to the existing metal shed we already have a large structure immediately next to and running the entire length of our rear yard. The revised garage plans will increase the height of said structure and thus further isolate our yard from the commons while impinging upon our light and our views. This is made worse by the fact that our yard is the corner yard in the block and so is in a "canyon" faced on the opposite and rear sides by a four-story apartment building and a large church.
- 2. By placing the garage and stairs structure alongside the property line, our neighbors are required by code to build a fire wall. This four story fire wall would extend ~17' beyond our building's rear wall (and 8 to 10' beyond the existing stair structure) and thus cut dramatically into our light and our views. Again, we do not believe that planning variances should be granted when they have such significant impact on their neighbors and are not required to meet the project goals.
- 3. Additionally, we are concerned that the proposed construction will inevitably cause harm to a large flowering plum tree situated in the rear of our yard alongside the shared property line.

8/21

#3 – What alternatives or changes to the proposed project would reduce the adverse effects

Despite the fact that there was no neighborhood outreach to us before we received the Section 311 notice, we reached out to our neighbors to begin discussions. No changes have been agreed to but we hope to continue neighborly discussions regarding this project.

We have also reached out directly to our neighbor's architect but that attempt was unproductive as he was neither helpful nor open to any discussion of alternative solutions.

Since no alternatives or compromises were proposed or considered by our neighbors or their architect, we feel that we must file this Discretionary Review request in order to put our concerns on record before the deadline.

On our own we have spoken with a local architect who readily proposed several possible alternative solutions. Sarina Bowen Kennerly of Kennerly Architecture and Planning is drafting alternative proposals which we will submit before the variance hearing.

- 1. The metal shed could be torn down and replaced with a parking patio to restore the sightlines across rear yards. (To be frank, we do not understand why this structure is allowed at all and believe it should be torn down and replaced with a yard as is required of every other building on the block.)
- 2. If the garage is built, the roof line should be lowered to match the existing shed. This would reduce the looming aspect and adverse impact of the proposed project on our yard.
- 3. The roof deck should be eliminated from the project to reduce the

additional height requirements and variances as well as adverse impact on our property.

- The current rear stairs already encroach on the allowable rear setback. Rather than grant variances to allow for an even greater setback the architect should be required to find solutions which meet the existing code.
- 5. The stairs could be rebuilt to extend in parallel along the rear wall of the property rather than perpendicularly out into the yard. Doing so would avoid the need for additional setback variances and reduce the adverse impact on our property.
- 6. The stairs could be rebuilt five feet off the property line. This would eliminate the requirement for a four story firewall extending ~17' past our rear wall which would in turn greatly reduce the adverse impact of this project on our property.

We note that these options at less "plug and play" than the applicant's proposal and would require more creative design and engineering. A creative solution can be found which will meet the project goals while minimizing negative impact on neighbors.

10/21

project 3772 20m ST

OUR YARD AT 3778 SHOWING SUNLIGHT FROM WEST, WHERE NEW FIREWALL WOULD BE BUILT





VIEW OF EXISTING SHED TO BE REPLACED WITH CARCAGE WITH POOF DECK

21/21

project: 3772 20 St



EXISTING STAIRS AND SHEED, SHOWING SHED HEIGHT RELATIVE TO NEIGHBORING STAIRS.

SUBMITTED DRAWINGS SHOW THE SHED AS HIGH AS THE RAILING ON THESE STAIRS.

18/21

Project 3772 20mSr



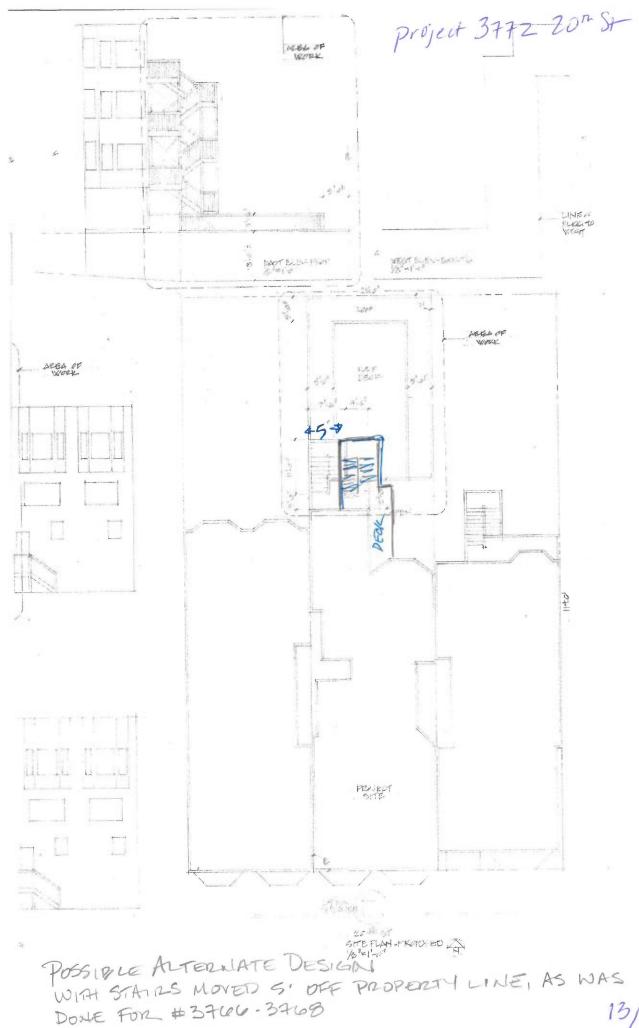
EXISTING STAIRS AND SHED AND VIEW ACROSS/LIGHT INTO ADJACENIT YARDS.

19/21

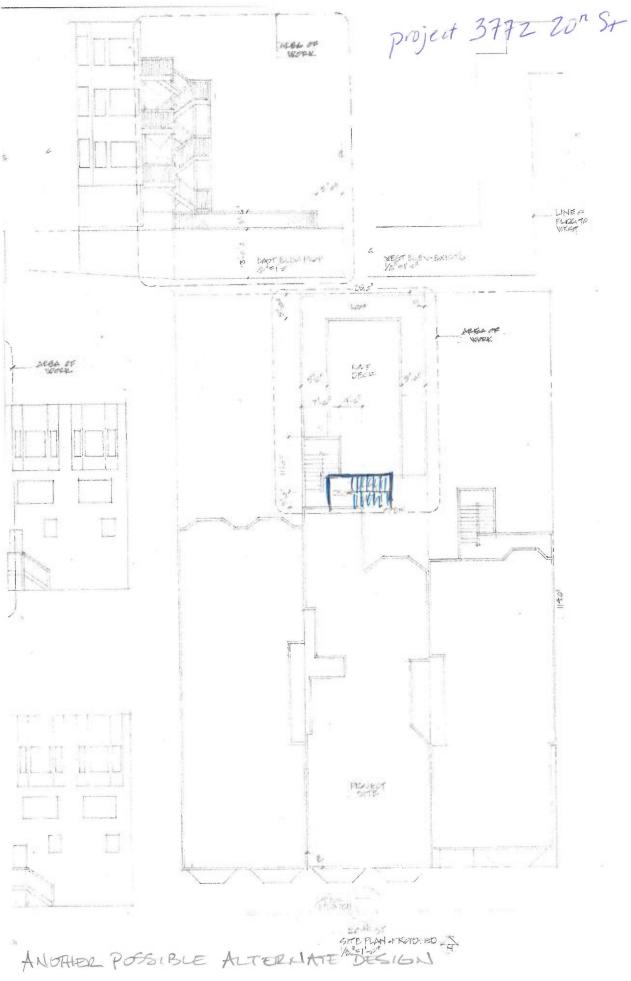


HEIGHT OF PROPOSED GARAGE, WITHOUT DECK RAILINIGS. AND APPROX EXTENT OF NEW FIREWALL

20/21

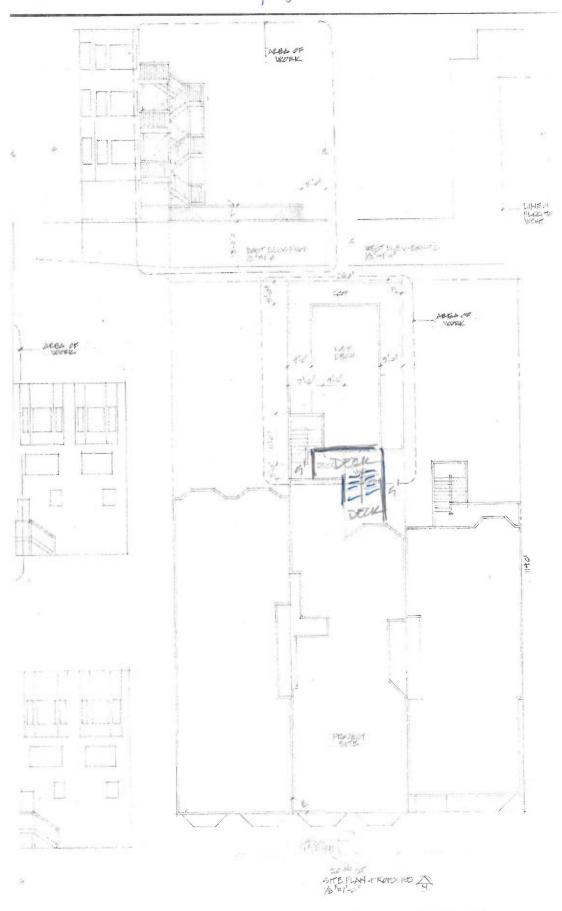


13/21



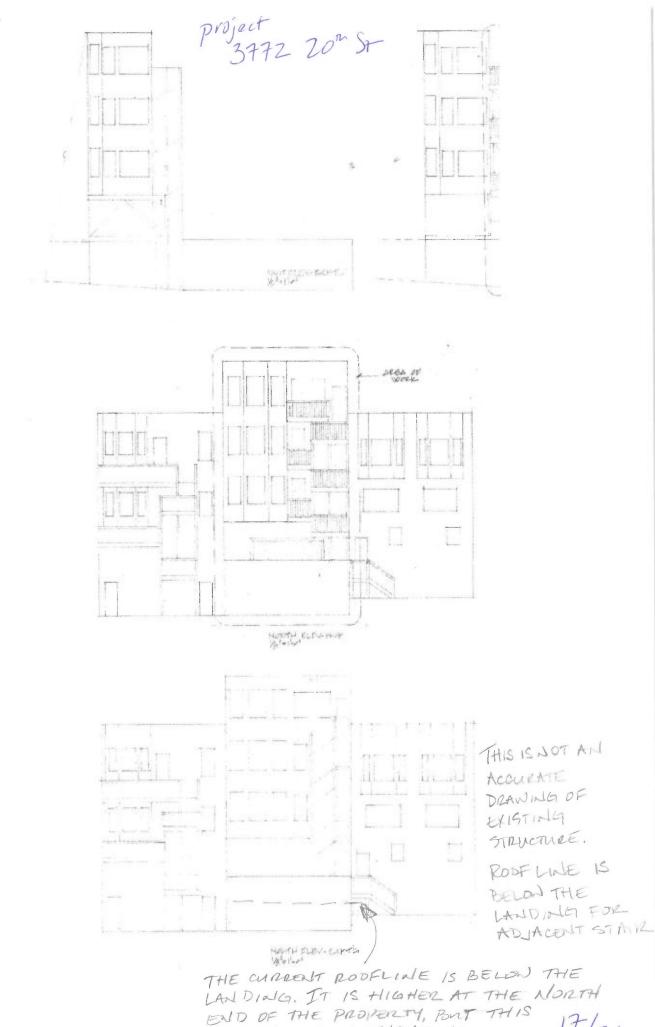
14/21

project 3772 20m &



ANOTHER POSSIBLE ALTERNATIVE DESIGN

15/21

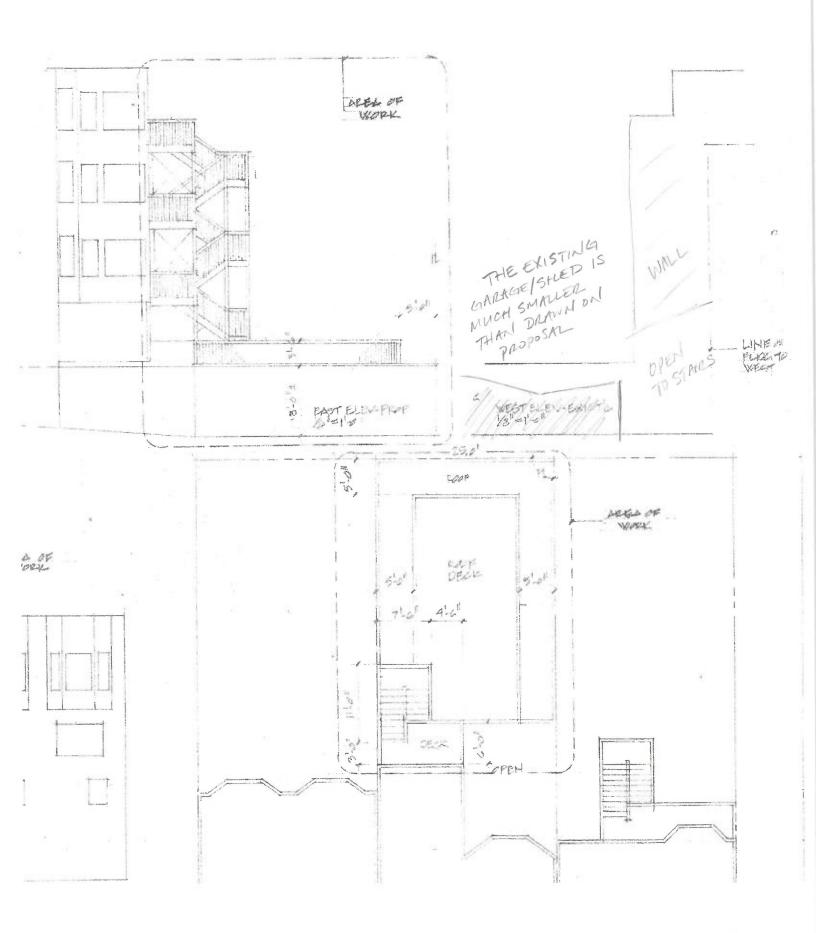


DRAWING IS MISSLEADING.

- E

17/21

Project 3772 20m St



16/21

5-13-2016 Dear Sins, My name is David Theming and I live next to 3772-20TH ST. I was concerned over the proposed large deck on the roof of the new garage they want next door. I was worried that such a large raised deck in the real area extending the whole length of our bockyard would impede on our privacy as they would be able to see light into our back windows. My wife has some dementia problems and the constant noise from construction and loss of privacy would definitely bother her. There has been so much construction in The neighborhood lately and now There could be may months more I realize The neighbors want to upgrade Their properly but no one else that I know of in The neighborhood or even elsewhere has a deck like This. Thank you so much for your concern. Respectfully, Davil Henny 3768 20TH ST. 415-648-0157

RESPONSE TO DISCRETIONARY REVIEW (DRP)



San Francisco

1830 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (413) 558-6378 SFPLANNING.ORG

Project Information

3772 20th at

Building Permit Application(s): 2015.06.16.9131

Record Number:

Property Address:

Assigned Planner: TODD KENNEDY

Zip Code: 04110

Phone: 415-297-1946

Project Sponsor

Name: STEVE SWASON

PAGE 1 | RESPONSE TO DISCRETIONARY REVIEW - CURRENT PLANNING

Email: STEVE & SWASON 4. LOM

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.)

THE PROPOSED DEGIGN HAS NOT INCREASED THE MASSING DE THE FATTPRINT OF THE EXISTING STRUCTURE. THE ORIGINAL STAIRS WILL BE MAINTAINED SO AS TO NOT ENCROACH FURTHER INTO THE REARYARD

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.

OF After filing your application with the City. THE EXIST & CEILING HEIGHT AT THEENTRY TO THE GARAGE 159-4" REVISING THAT TO 8-0" LOWERS THE MASSING SIGNIFICANTLY THESE CHANGES WERE MADE AFTER THE INITIAL FILING

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

THE CLIRRENT DESIGN DOES RESPOND TO THE DESIGN REVU REQUESTS.

V 5/27/2015 SAN FRANCISCO PLANNING DEPARTMENT

Project Features

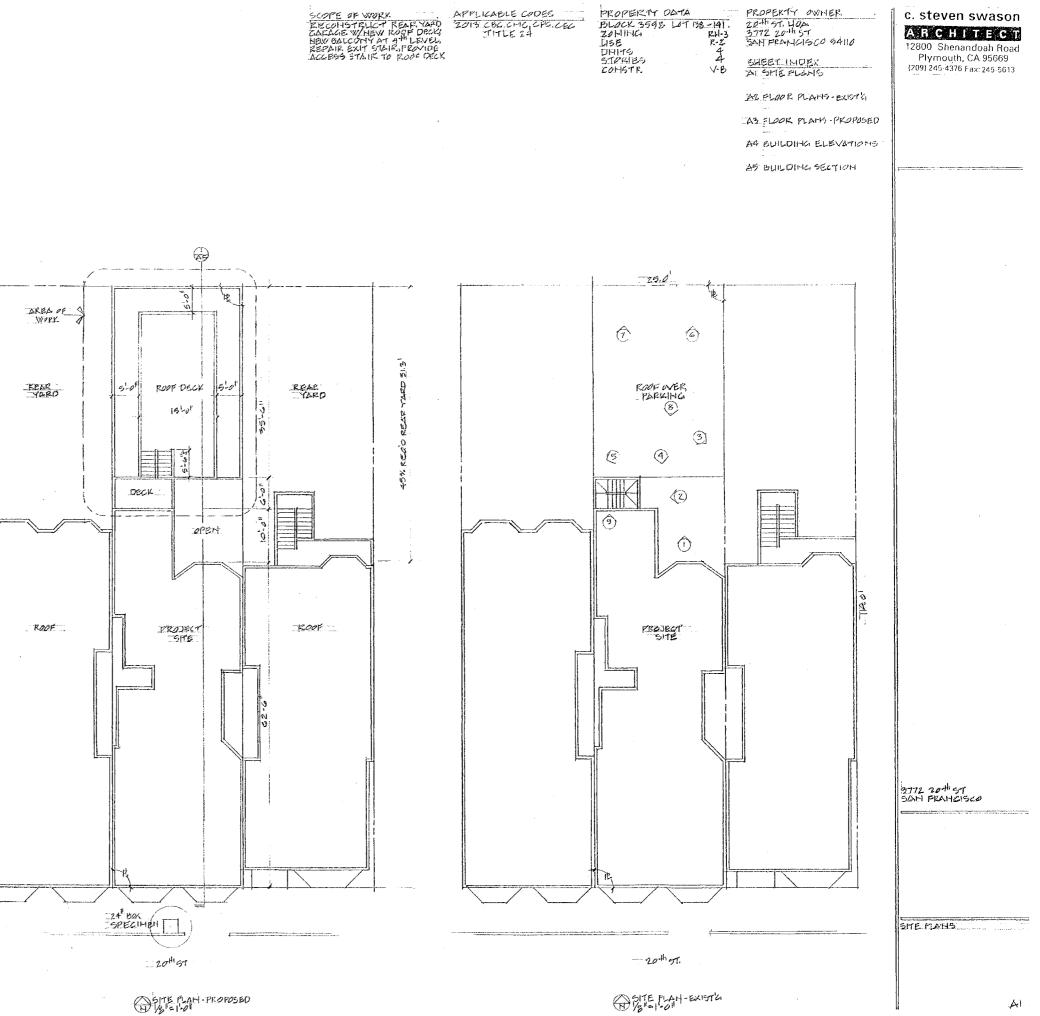
Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	-4	4
Occupied Stories (all levels with habitable rooms)	3	3
Basement Levels (may include garage or windowless storage rooms)		1
Parking Spaces (Off-Street)	4	4
Bedrooms	2	9
Height	43	43
Building Depth	114	114
Rental Value (monthly)	MA	NA
Property Value	-	-

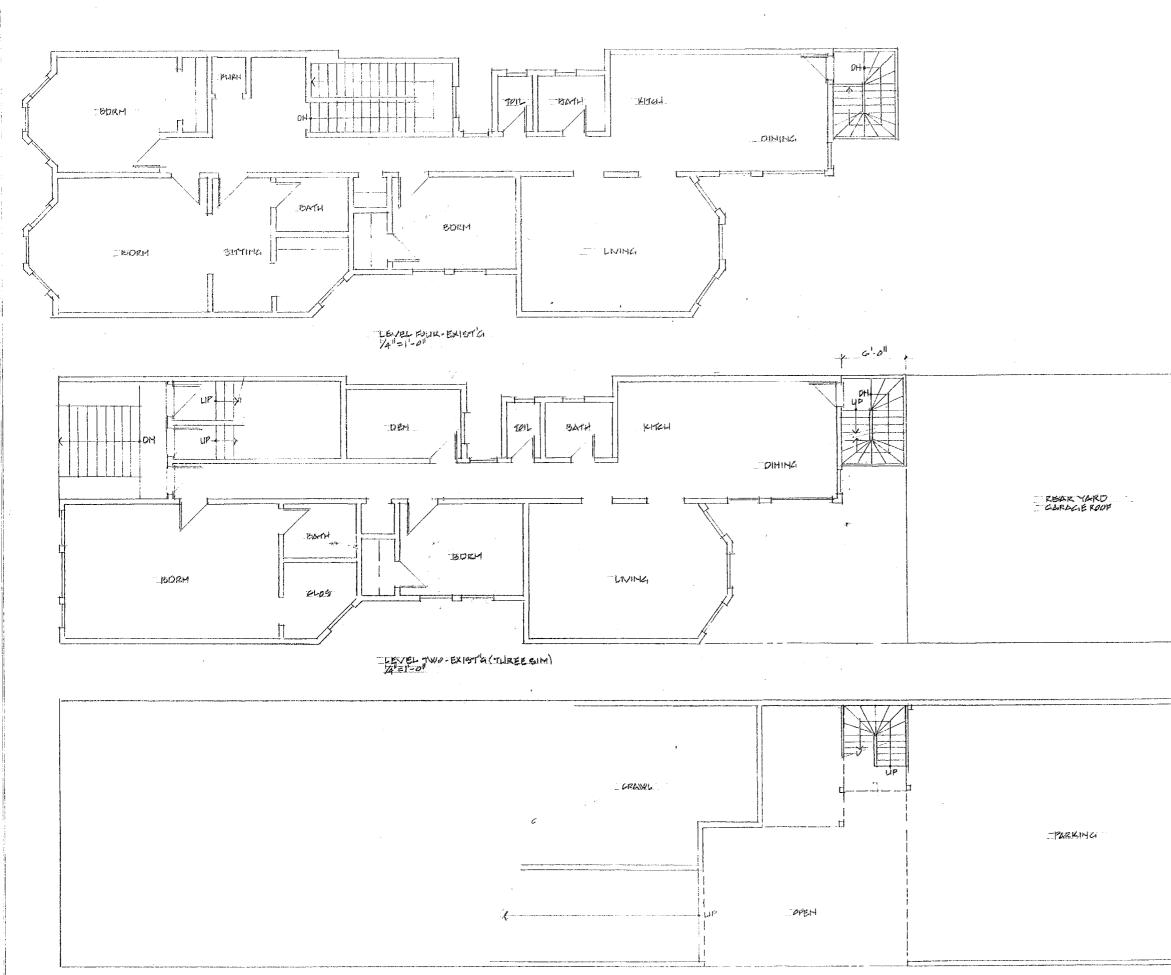
I attest that the above information is true to the best of my knowledge.

Signature: C. Swason	Date: 3.26.16
Printed Name: C. SWASOH	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.



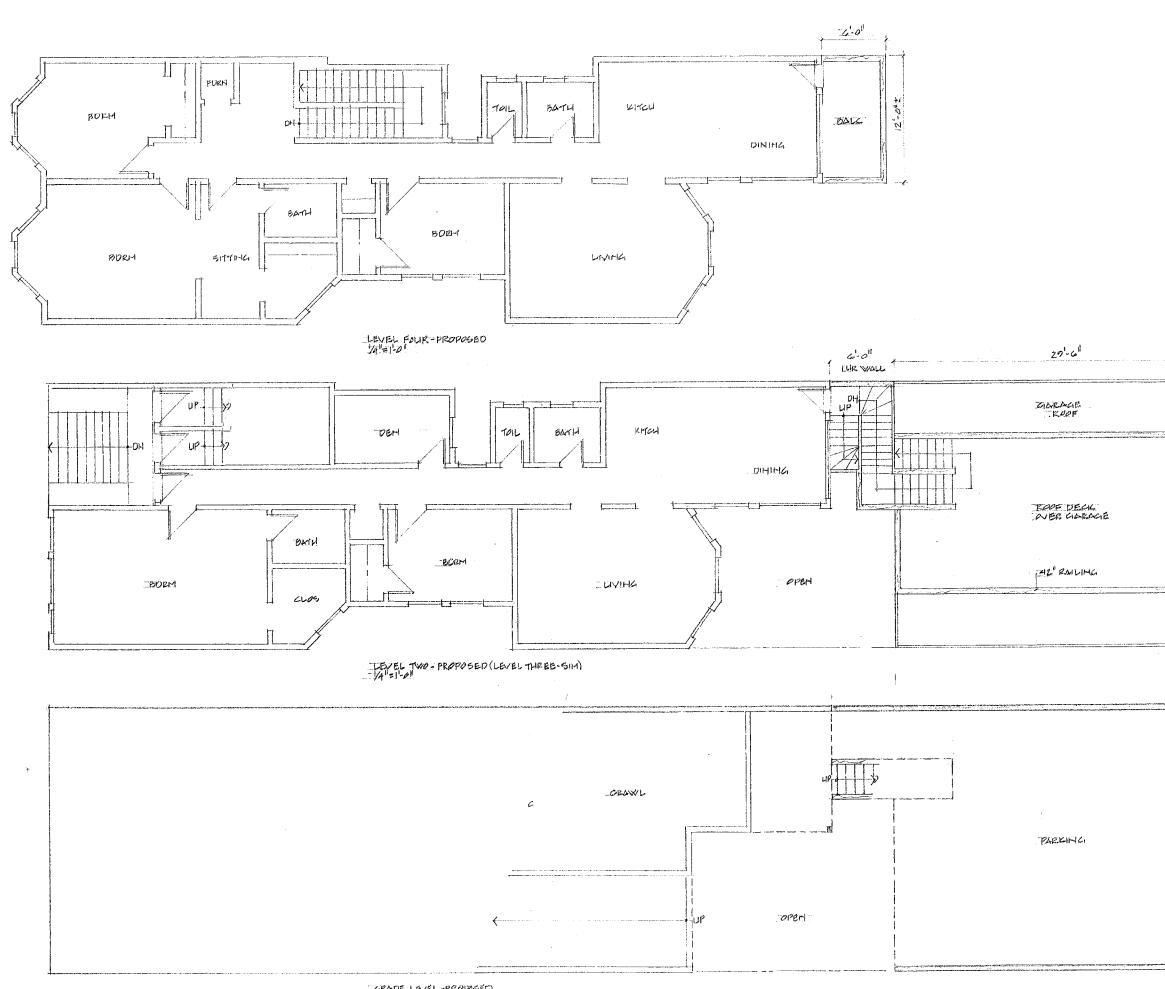
SITE PLAN . PROPOSED



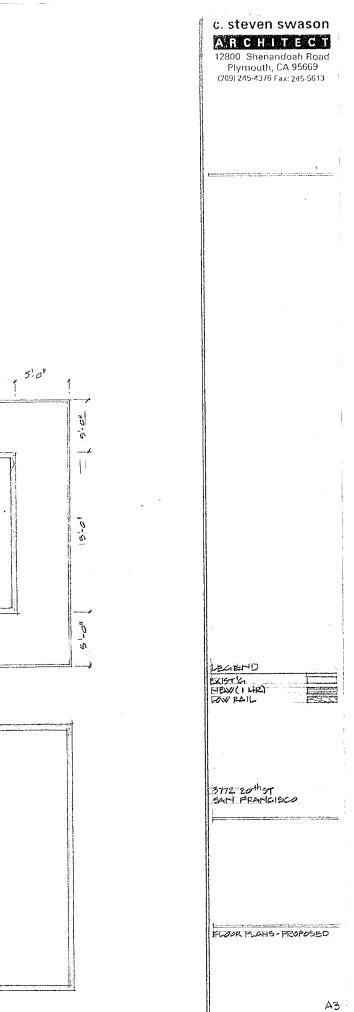
2800E LEVEL EXISTY

.

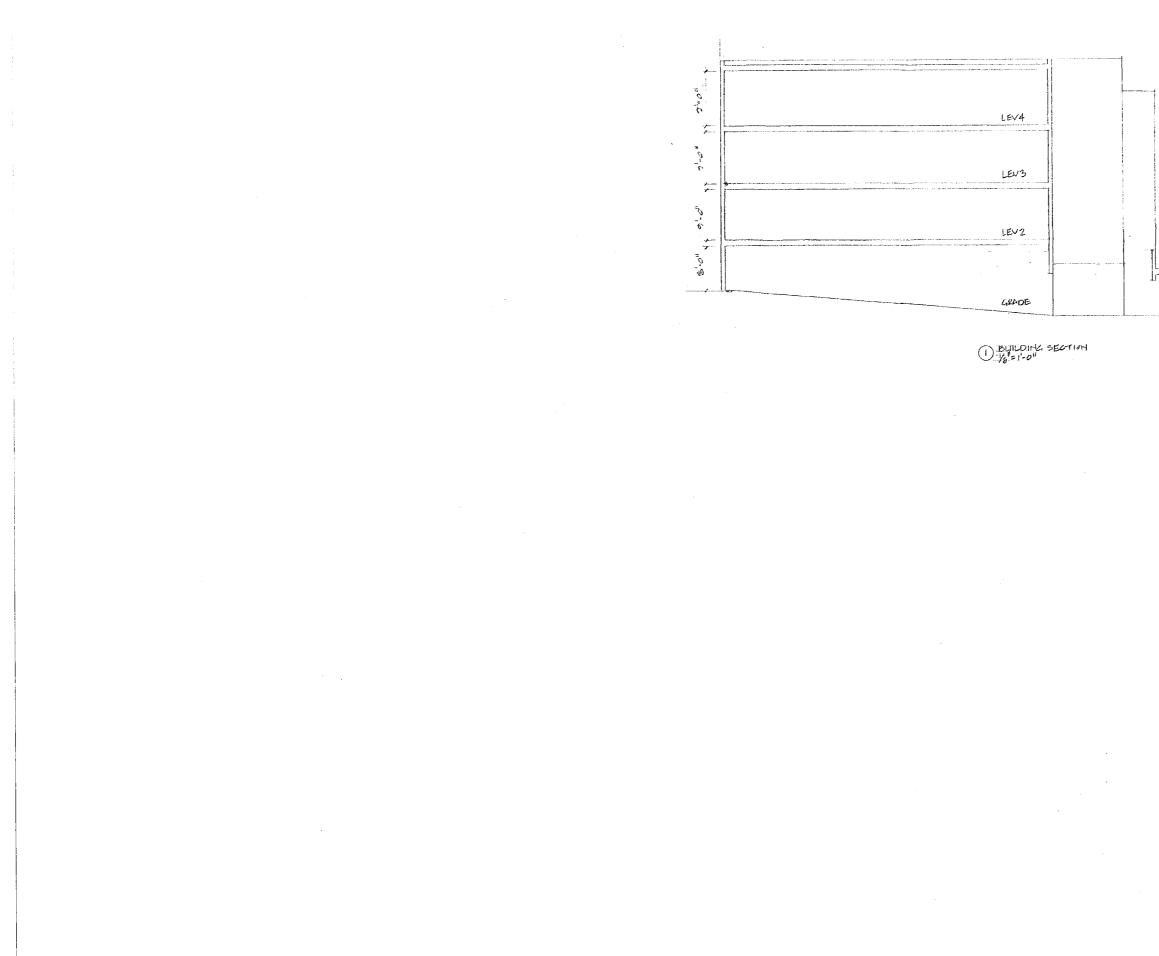
c. steven swason ARCHITECT 12800 Shenandoah Road Plymouth, CA 95669 (209) 245-4376 Fax: 245-5613 3772 20⁴⁰ 57 San Francisco FLOOR PLANS-EXISTING A2



CIRADE LEVEL -PROFESED







-----____ c. steven swason ARCHITECT 12800 Shenandoah Road Plymouth, CA 95669 (209) 245-4376 Fax: 245-5613 50-04 5-01 1 3772 20th ST SAN FRANCISCO BUILDIN SECTION A5