



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: APRIL 7, 2016

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: March 29, 2016
Case No.: **2015-003686DRP, -02, 03**
Project Address: **437 Hoffman Avenue**
Permit Application: 2014.04.11.3029
Zoning: RH-2 [Residential House, One-Family]
40-X Height and Bulk District
Block/Lot: 6503/024
Project Sponsor: Kelly Condon
443 Joost Avenue
San Francisco, CA 94127
Staff Contact: Nancy Tran – (415) 575-9174
Nancy.H.Tran@sfgov.org
Recommendation: **Do not take DR and approve as proposed as revised**

PROJECT DESCRIPTION

The proposal is to construct side, rear and vertical additions to the existing single-family dwelling. The project includes extensive interior remodeling and exterior changes such as raising the structure six feet for a new garage door, front porch, entry stairs and rear terrace/deck. The project does not constitute tantamount to demolition per the thresholds outlined in Planning Code §317.

BACKGROUND

On September 25, 2008, the Planning Commission approved a Dwelling Unit Merger for property located at 437 Hoffman Avenue. The project merged two legal dwelling units into one, resulting in a single-family house with three bedrooms and two baths. The Commission determined that no modifications to the projects were necessary and instructed staff to approve the project per plans as the proposal complied with Planning Code, General Plan and conformed to the Residential Design Guidelines.

On October 28, 2013, the Department of Public Works approved an application for the removal and replacement of one street tree adjacent to 437 Hoffman Avenue. The applicant proposed to construct a driveway at the existing tree location leading to a new garage on the subject address.

SITE DESCRIPTION AND PRESENT USE

The project site is on the east side of Hoffman Avenue, between 24th and 25th Streets, Lot 024 in Assessor's Block 6503 and is located within the RH-2 (Residential House, Two-Family) Zoning District with a 40-X Height and Bulk designation. The 3,375 SF downward sloping lot (from front and right side) has 27' of frontage and a depth of 125'. On site is an existing ~780 sq. ft. (~2,500 GFA), three-story over basement single-family dwelling with no off-street parking that was constructed circa 1905.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located on the eastern side of Noe Valley and District 8. Parcels within the immediate vicinity consist of residential single-, two- and three-family dwellings of varied design and construction dates. Nearby dwelling styles include Marina, Craftsman, in-fill mid-century modern and some recent eclectic constructions. Architectural styles, building heights, building depth and front setbacks vary within the subject property neighborhood.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	Oct. 13 – Nov. 12, 2015 *Dec. 1 – Dec. 16, 2015	Dec. 14, 2015 (DR) Dec. 16, 2015 (DR-02) Dec. 16, 2105 (DR-03)	April 7, 2016	113 days

*The Zoning Administrator required building permit re-notification and extended the review period beyond the original expiration due to mailing list issues and 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	March 28, 2016	March 25, 2016	13 days
Mailed Notice	10 days	March 28, 2016	March 28, 2016	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	4	-
Other neighbors on the block or directly across the street	-	6	-
Neighborhood groups	1	1	-

Support – Progress Noe Valley – Unknown address – Progress Noe Valley believes that the proposed project meets Planning Code and expressed support for the project.

Opposed – Gene Geisler (DR Requestor) – Adjacent owner/occupant at 433 Hoffman Avenue (directly north) – Mr. Geisler expressed concerns regarding project's proposed scale (height/depth) as well as impacts to privacy and neighborhood character.

Opposed – Stephen Baskerville (DR Requestor) – Adjacent owner/occupant at 439 Hoffman Avenue (directly south) – Mr. Baskerville expressed concerns with the project's proposed scale (height/depth), effects to street parking, privacy and light to his property as well as street tree removal that was approved by DPW in 2013.

Opposed – Janet Fowler (DR Requestor) – Owner/occupant at 434 Hoffman Avenue (across the street) – Ms. Fowler expressed concerns with respect to the project’s scale (height/depth), roofline progression, effects to mid-block open space, privacy and light to abutters.

Opposed – Paul Lefebvre – Adjacent owner/occupant at 439 Hoffman Avenue (directly south) – Mr. Lefebvre expressed his concerns about the project’s proposed scale (height/depth), effects to mid-block open space, privacy and light to his property as well as street tree removal that was approved by DPW in 2013.

Opposed – Lynda Grose – Adjacent owner/occupant at 30-32 Homestead Street inquired if the project will impact light to her property and whether construction will affect soil/foundation and underground creek flow for properties along Homestead Street. She also expressed concerns about the projects scale, character, impact mid-block open space, light, privacy and street tree removal that was approved by DPW in 2013.

Opposed – Ozzie Rohm for Protect Noe’s Charm – Unknown Address – Ms. Rohm expressed concerns with respect to project’s roofline progression, scale, side spacing, privacy and mid-block open space.

Opposed – Linas Rukas – Owner/occupant at 21 Fountain St (neighboring Block 6502) expressed concerns with the project’s proposed scale, character as well as impacts to light and air.

Opposed – Lenore Gerard – Owner/occupant at 470 Hoffman Avenue (neighboring Block 6502) expressed concern with the project’s proposed scale and street tree removal that was approved by DPW in 2013.

Opposed – Russell McCall – Owner/occupant at 461 Hoffman Avenue expressed concern with the project’s proposed scale, street tree removal, impacts to mid-block open space, light and privacy.

Opposed – Ursula Widera-Cohen – Occupant at 412 Hoffman Avenue expressed concern with the project’s impacts to privacy and light.

Opposed – Ana Allwood – Unknown address/Fountain Street (neighboring Block 6502) expressed concerns with the project’s proposed scale, character, street tree removal, impacts to light and privacy.

DR REQUESTORS

DR #1 – Stephen Baskerville, 439 Hoffman Avenue, San Francisco, CA 94114
Requestor is the abutter located directly south of the subject property.

DR #2 – R. Gene Geisler, 433 Hoffman Avenue, San Francisco, CA 94114
Requestor is the abutter located directly north of the subject property.

DR #3 – Janet Fowler, 434 Hoffman Avenue, San Francisco, CA 94114
Requestor is the abutter located across the street (west) of the subject property.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Applications*.

DR #1 - Dated December 14, 2015

DR #2 - Dated December 16, 2015

DR #2 - Dated December 16, 2015

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated March 17, 2016.

ENVIRONMENTAL REVIEW

On July 7, 2014, the Department 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). Upon review of Environmental Application No. 2014.0329E, historic preservation staff concluded that the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district. Preservation staff comments associated with the exemption are included in the attached CEQA Categorical Determination document.

The July 7, 2014 Determination was later rescinded and replaced on July 24, 2014 due to an error in the project description (incorrect raise in height 4.5" instead of 4'5"). On May 5, 2015, the Department issued a new CEQA Categorical Exemption Determination following review of proposed scope changes submitted by the project sponsor. The new Determination supersedes July 24, 2014 form. (Note: The 2015 Determination's project description incorrectly states that the building will be raised 5'4". Further review of plans show a 9'11" increase since height is measured to the highest point of a finished flat roof or midrise of a sloped roof.)

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) reviewed the project following the submittal of the Request for Discretionary Review and found that the proposed project meets the standards of the Residential Design Guidelines (RDGs) and that the project does not present any exceptional or extraordinary circumstances for the following reasons:

1. Neighborhood character, scale, massing, and site design: The immediate neighborhood is of mixed architectural character, with building scale and massing ranging from 1- to 3-stories in height on the block-face with some 4-story residences directly across the street. The site design of the block-face has a building pattern that slopes up with the lateral topography. The project would not be disruptive to these neighborhood patterns, as the project minimally lifts the building to provide a garage access that is appropriately located and subordinate to the existing building façade. The proposed main floor as viewed from the front façade will continue the stepped pattern of building forms along the block-face. Preservation of the existing sloped roof form (at the front façade) is in keeping with the varied roof forms in the neighborhood.
2. Privacy, Light and Mid-Block Open Space: Privacy, light and the mid-block open space are protected as the project's depth and proposed rear and side setbacks appropriately responds to the adjacent building conditions. The deeper portion of the rear addition is located against the

deeper adjacent building to the north, and setbacks are provided in response to the building conditions to the south. The project is within the privacy tolerances to be expected when living in a dense, urban environment such as San Francisco.

In response to the DR requestors' concerns with respect to massing, RDT instructed the project sponsor to make modifications to the project. The project has been satisfactorily revised to address RDT's additional design requests listed below and are the official plans submitted to the Commission.

1. Remove the proposed dormers on the existing sloped roof form.
2. Cement stucco should be used in-lieu of Dryvit as an exterior finish material.
3. Provide a window detail. Vinyl windows should not be used at the front façade.

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

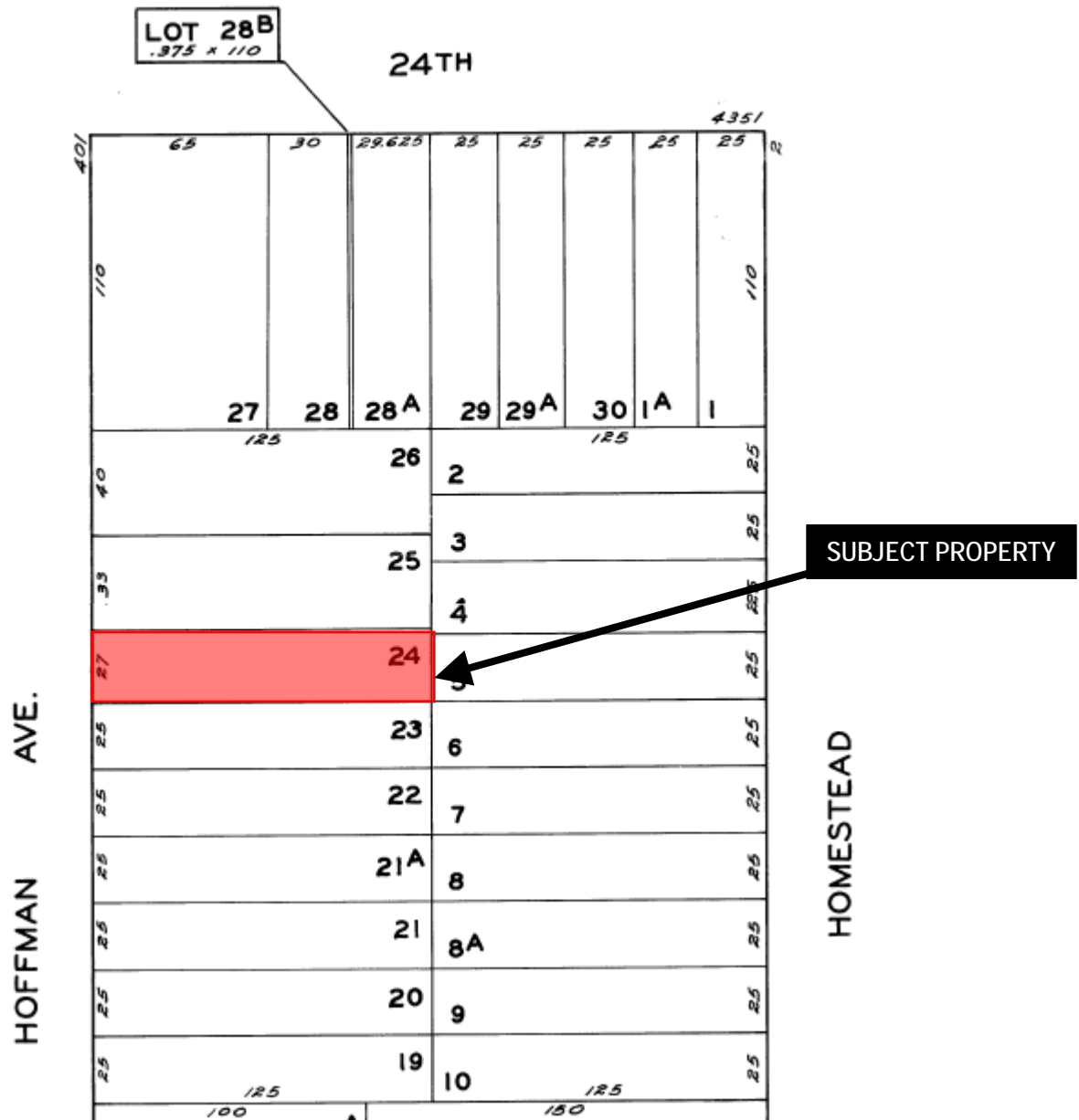
RECOMMENDATION:	Do not take DR and approve project as revised
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Attachments:

Parcel Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Planning Commission Action 0024 – Mandatory Discretionary Review for Dwelling Unit Merger
Department of Public Works Order No. 182066 – Tree Removal/Replacement
CEQA Categorical Exemption Determination
Section 311 Notice & Plans
DR Notice
DR Applications dated December 14 & 16, 2015
Response to DR Application dated March 17, 2016
Revised Plans per RDT Comments
Public Comments

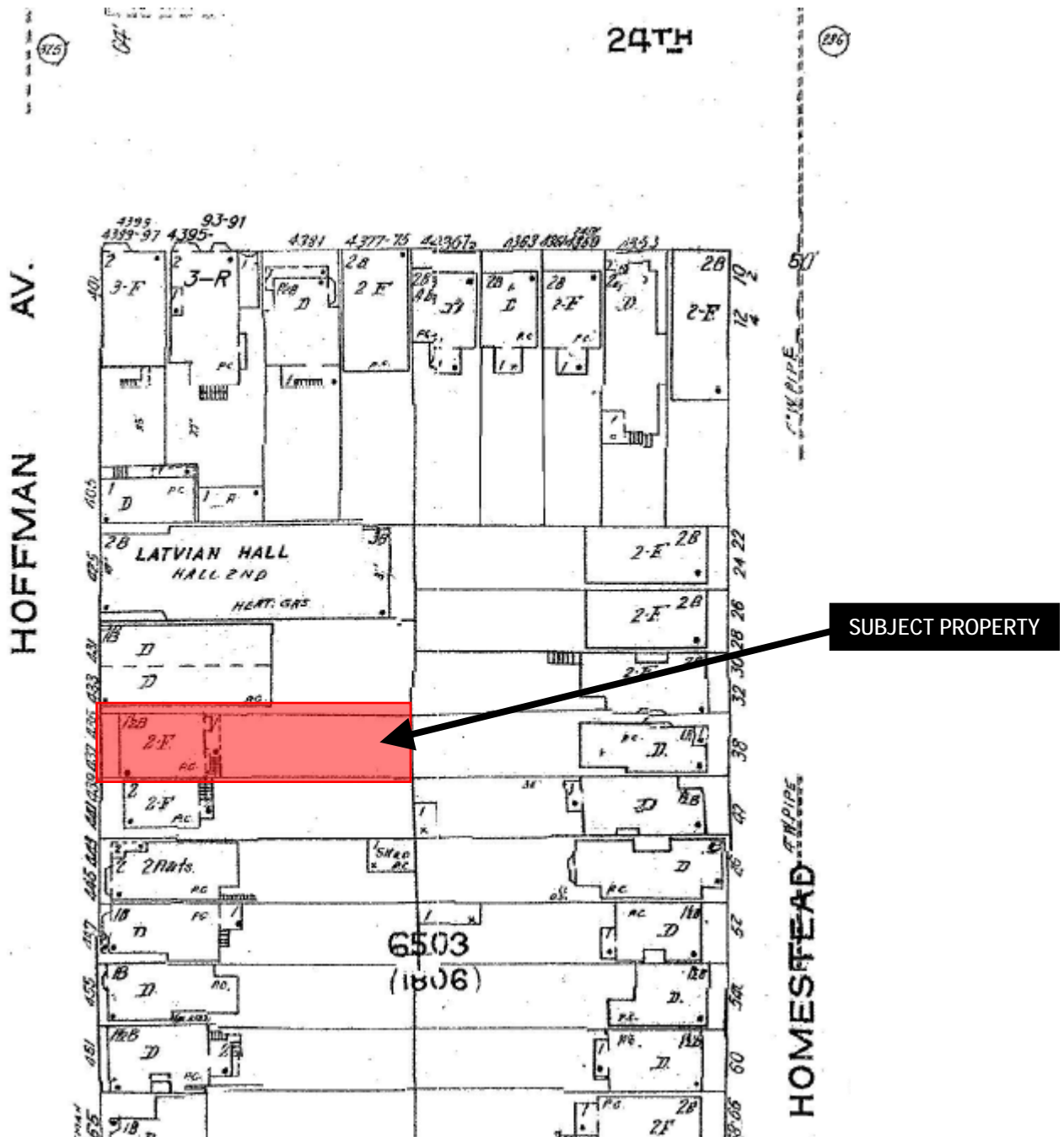
EW: I:\Cases\2015\2015-003686DRP - 437 Hoffman Ave\Background Documents\Compilation Files\0_DR - Abbreviated Analysis.doc

Parcel Map



Discretionary Review Hearing
Case Number 2015-003686DRP, -02, -03
 437 Hoffman Avenue

Sanborn Map*



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



Aerial Photo

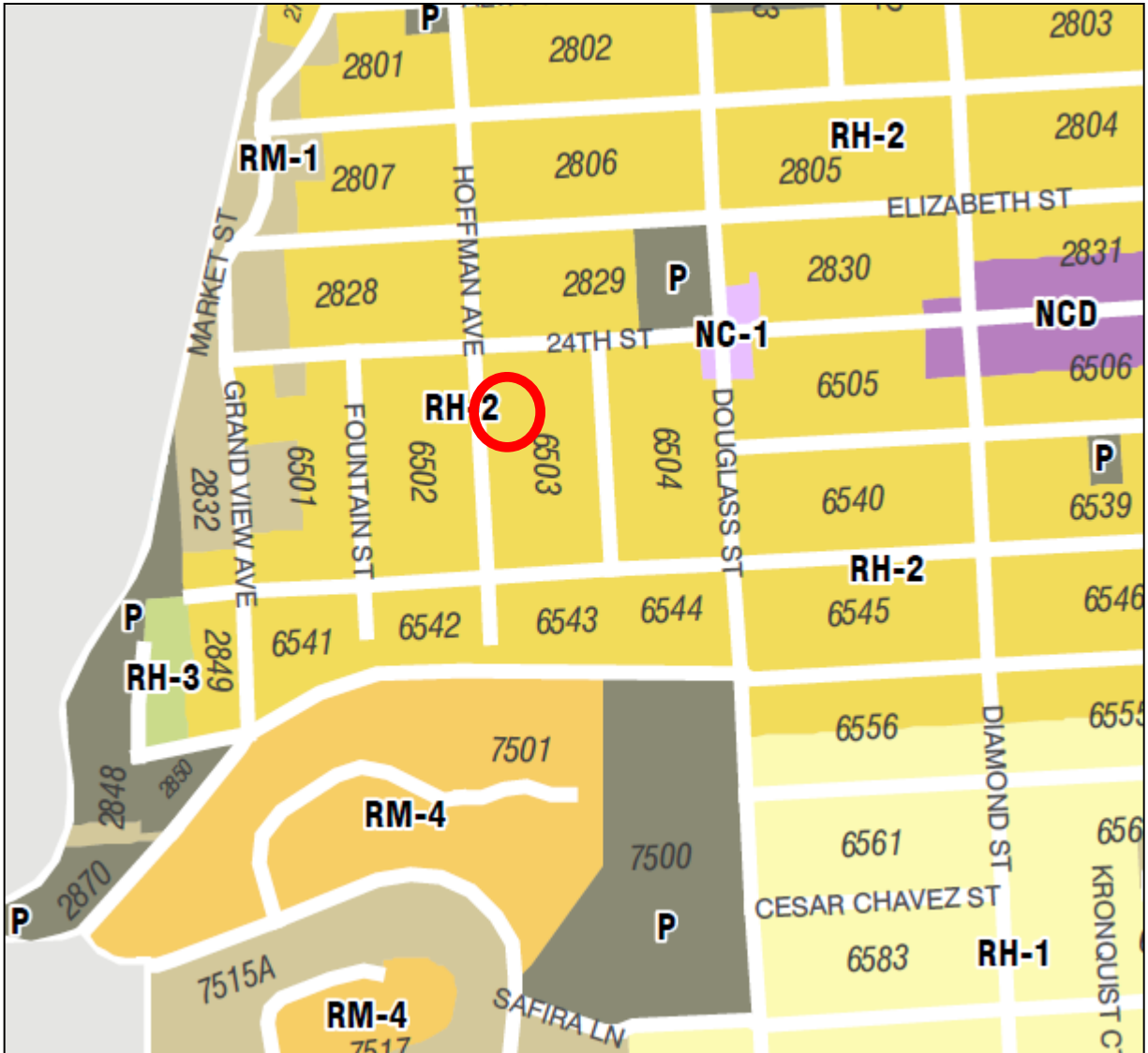


SUBJECT PROPERTY

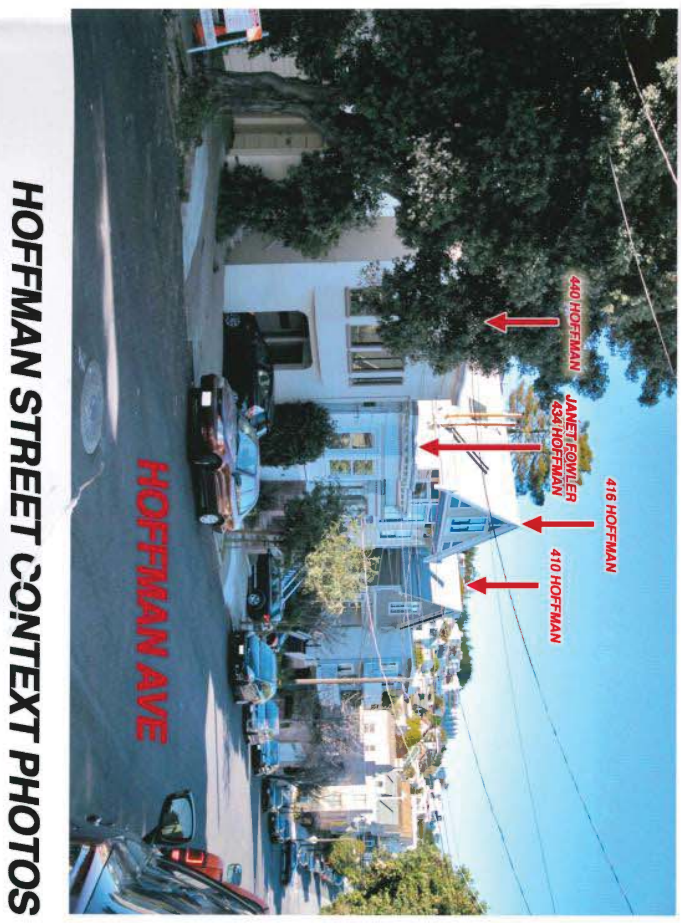
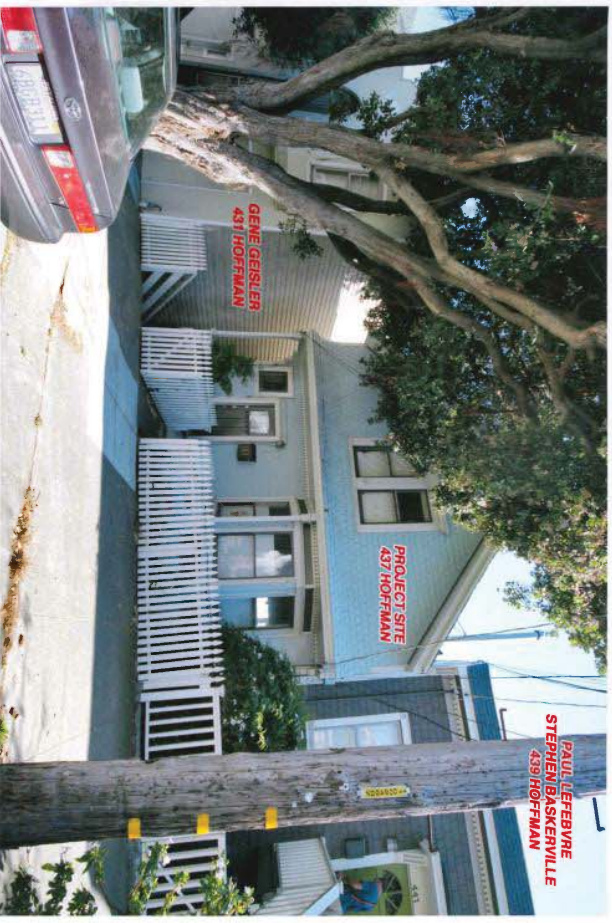
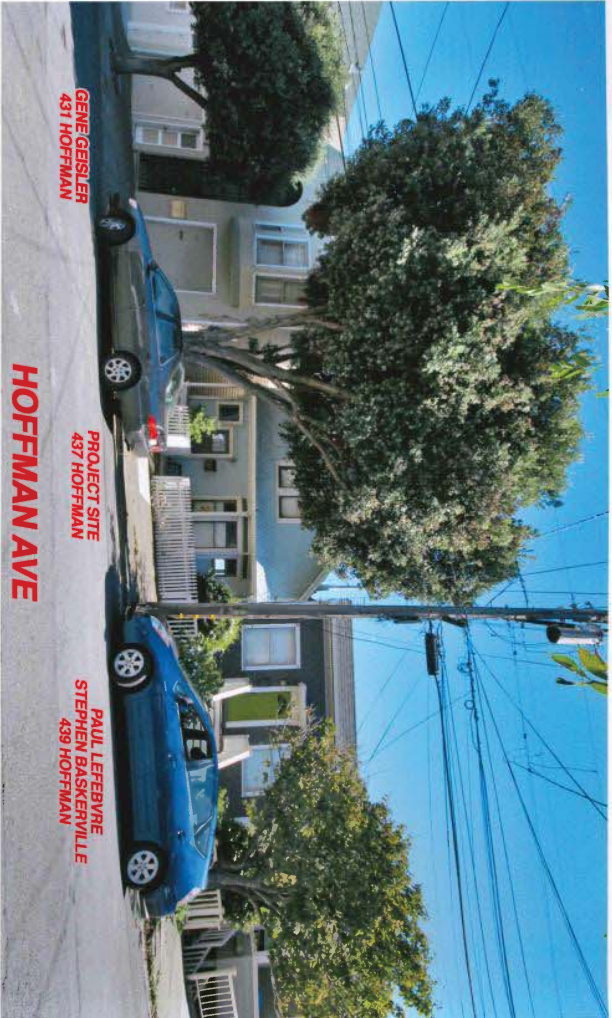


Discretionary Review Hearing
Case Number 2015-003686DRP, -02, -03
437 Hoffman Avenue

Zoning Map



Discretionary Review Hearing
Case Number 2015-003686DRP, -02, -03
437 Hoffman Avenue



HOFFMAN STREET CONTEXT PHOTOS



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: October 10, 2008
TO: Interested Parties
FROM: Linda Avery
Planning Commission Secretary
RE: Planning Commission Action

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

Reception:
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Property Address: 437 Hoffman Avenue
Building Permit Application No.: 2008.06.27.5494
Discretionary Review Case No.: 2008.0572D
Discretionary Review Action No.: 0024

On September 25, 2008, the Planning Commission conducted a Discretionary Review hearing to consider the following project:

437 Hoffman AVENUE - east side between 24th and 25th Streets, Lots 024, in Assessor's Block 6503 - Mandatory Discretionary Review, pursuant to Planning Code Section 317, of Building Permit Application No. 2008.06.27.5494 proposing the dwelling unit merger from two dwelling units into one single-family home. The property is located within a RH-2 (Residential House, Two-Family) District and a 40-X Height and Bulk District.

ACTION

The Commission determined that no modifications to the project were necessary and they instructed staff to approve the project as revised per plans marked Exhibit C on file with the Planning Department.

FINDINGS

There are no extraordinary or exceptional circumstances exist in the case. The proposal complies with the Planning Code, the General Plan, and conforms to the Residential Design Guidelines.

Speakers at the hearing included:

In support of the project
Dane Riley, Owner
Michelle Rile, Owner
William Pashelinsky, Architect

Ayes: Commissioners Lee and Antonini.

Nayes: Commissioners Olague and Moore.

Absent: Commissioner Moore

Case Planner: Sharon Lai, (415) 575.9087

You can appeal the Commission's action to the Board of Appeals by appealing the issuance of the permit. Please contact the Board of Appeals at (415) 575-6880 for further information regarding the appeals process.

cc: Linda Avery

**DEPT OF PUBLIC WORKS ORDER NO. 182066 - TREE
REMOVAL/REPLACEMENT**

City and County of San Francisco

San Francisco Department of Public Works



**Edwin M. Lee, Mayor
Mohammed Nuru, Director**

GENERAL - DIRECTOR'S OFFICE
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 ■ www.sfdpw.org



DPW Order No: 182066

The Director of Public Works held a Public Hearing on Monday, October 28, 2013 commencing at 5:30 PM at City Hall, Room 416, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. The hearing was to consider Order No. 181756 To consider the removal with replacement of one (1) street tree adjacent to the property at 437 Hoffman Avenue.

Finding:

Applicant plans to construct a driveway at the existing tree location. Department received 6 protest letters and 2 protest testimonies at the hearing.

Recommendation:

After consideration of letters from the neighbors, testimonies presented at the hearing and a field visit, the recommendation is to approve this application with replacement location and species (36" box min.) agreeable to Bureau of Urban Forestry, subject to approval of new garage project from SFDBI at this address.

Appeal:

This Order may be appealed to the Board of Appeals within 15 days of December 31, 2013.

Board of Appeals
1650 Mission, Room 304
San Francisco, CA 94103
(between Van Ness and Duboce Avenues)
Phone: 415.575.6880 Fax: 415.575.6885

Regular office hours of the Board of Appeals are Monday through Friday from 8am to 5pm. Appointments may be made for filing an appeal by calling 415-575-6880. All appeals must be filed in person. For additional information on the San Francisco Board of Appeals and to view the Appeal Process Overview, please visit their website at <http://www.sfgov3.org/index.aspx?page=763>



San Francisco Department of Public Works
Making San Francisco a beautiful, livable, vibrant, and sustainable city.

12/30/2013

X Mohammed Nuru

Nuru, Mohammed
Approver 2



San Francisco Department of Public Works
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SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
437 Hoffman Ave.		6503/024	
Case No.	Permit No.	Plans Dated	
2014.0329E		2/24/15	
<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. Interior remodel and exterior expansion of an existing two-story single-family residence. Add two-car garage. Raise building by 5'4".			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an *Environmental Evaluation Application* is required.

<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. 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

If any box is checked below, an *Environmental Evaluation Application* is required.

<input type="checkbox"/>	Air Quality: 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 > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: 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 > Maher layer).</i>
<input type="checkbox"/>	Transportation: 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 type="checkbox"/>	Archeological Resources: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Noise: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input checked="" type="checkbox"/>	Slope = or > 20%: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Project will follow recommendations of 3/22/15 Gruen geotech letter and 1/16/14 Gruen geotech report. Catex issued on 9/24/14 rescinded because project changed. PTR form attached.	

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

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

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. 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. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) 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.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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 known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , 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 <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (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): _____
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

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

<input type="checkbox"/>	Further environmental review required. 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 STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.	
	Planner Name: Project Approval Action: Building Permit If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature: <div style="font-size: 24pt; font-weight: bold;">Jean Poling</div> <small>Digitally signed by Jean Poling DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Environmental Planning, cn=Jean Poling, email=jeanie.poling@sfgov.org Date: 2015.05.05 11:25:20 -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

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:		Date of Form Completion	5/16/2014
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PROJECT INFORMATION:		
Planner:	Address:	
Gretchen Hilyard	437 Hoffman Avenue	
Block/Lot:	Cross Streets:	
6503/024	24th Street	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	n/a	2014.0329E

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input checked="" type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	1/27/2014
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Supplemental Information Form prepared by KDI Land Use Planning (April 2, 2012).	
Proposed project: to raise the existing building by 4'-5" to convert 257 sf of existing residential space at the lower level into a one-car garage. Also included is a 1,511 sf three story addition at the side and rear.	

PRESERVATION TEAM REVIEW:			
Historic Resource Present		<input type="radio"/> Yes	<input checked="" type="radio"/> No *
		<input type="radio"/> N/A	
Individual		Historic District/Context	
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:	
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 2 -Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 -Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Period of Significance:		Period of Significance:	
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor	

Complies with the Secretary's Standards/Art 10/Art 11:	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Needs More Information:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.


PRESERVATION TEAM COMMENTS:

According to the Supplemental Information Form for Historic Resource Determination prepared by KDI Land Use Planning (dated April 2, 2012) and information found in the Planning Department files, the subject property at 437 Hoffman Avenue contains a 1-1/2-story-over basement; wood frame multi-family residence constructed in 1905 in the Queen Anne architectural style with some Craftsman style elements. The original architect is unknown, but the original owners were Neil W. Getty and Wilmot R. Getty, who were builders/contractors and likely constructed the building. The building has undergone very few alterations over time. Known alterations to the property include: legalization of the second unit and installation of a fire suppression system (1970), interior seismic upgrades (1989), reroofing and new shingles (1995).

No known historic events occurred at the property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject building is a non-descript example of a Queen Anne style multi-family property. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.

The subject property is not located within the boundaries of any identified historic districts. The subject property is located within the Noe Valley neighborhood on a block that exhibits a great variety of architectural styles, construction dates, and subsequent alterations that compromise historic integrity. The area surrounding the subject property does not contain a significant concentration of historically or aesthetically unified buildings.

Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	5-23-14



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2014.0329E
 Project Title: 437 Hoffman Avenue
 Zoning: RH-2 (Residential – House, Two-Family) District
 40-X Height and Bulk District
 Block/Lot: 6503/024
 Lot Size: 3,375 square feet
 Project Sponsor: Abby Whitman
 Staff Contact: Timothy Johnston – (415) 575-9035
timothy.johnston@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

PROJECT DESCRIPTION:

The project site is located on the east side of Hoffman Avenue, between 25th Street to the south and 24th Street to the north, in the Noe Valley neighborhood. The project proposes an interior remodel and exterior expansion of an existing two-story 2,238 sq. ft. single-family home (25' 7.5" in height) built in 1905. The project seeks to raise the height of the structure by 4' 5" inches, to add a one car garage at the street level of Hoffman Avenue, and to add a 1,511-square foot, three-story addition on the rear (east) and north side of the existing structure, for a total of 3,809 sq. ft. (including a 317 sq. ft. one-car garage). The existing home does not have any off-street parking spaces.

EXEMPT STATUS:

Categorical Exemption, Class 1, Existing Facilities (California Environmental Quality Act [CEQA] Guidelines Section 15301)

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Sarah B. Jones

Environmental Review Officer

September 24, 2014
 Date

cc: Abby Whitman, Project Sponsor
 Supervisor Scott Wiener, District 8 (via Clerk of the Board)

Virna Byrd, M.D.F.
 Gretchen Hilyard, Preservation Planner

PROJECT APPROVAL

Building Permit from the San Francisco Department of Building Inspection.

Approval Action

The proposed project is subject to notification under Section 311 of the Planning Code. If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. If no Discretionary Review is requested, the issuance of a building permit by the Department of Building Inspection is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:***Historical Resources***

As described in the *Preservation Team Review Form* prepared for this project,¹ the subject property contains a 1-1/2-story-over basement, wood frame, multi-family residence and is located in the Noe Valley neighborhood of San Francisco. It was constructed in 1905 in the Queen Anne architectural style with some Craftsman style elements. The original architect is unknown, but the original owners were Neil W. Getty and Wilmot R. Getty, who were builders/contractors and likely constructed the building. The building has undergone very few alterations over time. Known alterations to the property include: legalization of the second unit and installation of a fire suppression system (1970), interior seismic upgrades (1989), reroofing and new shingles (1995).

No known historic events occurred at the property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject building is a non-descript example of a Queen Anne style multi-family property. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.

The subject property is not located within the boundaries of any identified historic districts. The subject property is located within the Noe Valley neighborhood on a block that exhibits a variety of architectural styles, construction dates, and subsequent alterations that compromise historic integrity. The area surrounding the subject property does not contain a significant concentration of historically or aesthetically unified buildings.

Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

¹ San Francisco Planning Department, *Preservation Team Review Form*, 437 Hoffman Avenue, May 16, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2014.0329E.

When evaluating whether the proposed project would be exempt from environmental review under CEQA, the Planning Department must determine whether the property at 437 Hoffman Avenue is an historical resource as defined by CEQA. However, as discussed above, it is not individually eligible for inclusion in the California Register of Historical Resources (CRHR) and it is not located within a potential historic district. As a result, the proposed project would not result in a significant impact on historical resources.

Geology

According to the Planning Department's GIS records, the project site is not located in a Landslide Hazard Zone or Liquefaction Hazard Zone, but slopes over 20 percent are located on most of the lot. A geotechnical investigation report was prepared for the proposed project, and the conclusions of that report are summarized below.² The geotechnical investigation report concluded that, "the site is suitable for support of the proposed improvements."

Per the geotechnical report prepared for this project, subsurface conditions were evaluated by way of an engineering reconnaissance of the site and surrounding areas, a review of published geologic data pertinent to the project area, and engineering analyses. One boring at the site encountered predominately sand-clay soil mixtures with varying amounts of silt to the maximum depth explored of 7 feet.

The project site is approximately 5 miles northeast of the San Andreas fault. The project site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known active or potentially active faults exist on the site. Based on this, the geotechnical investigation report concluded that the risk of fault offset at the project site from a known active fault is low. The site does not lie within a liquefaction-potential zone. As a result, there is a low risk for damage of the proposed improvements from seismically induced lateral spreading. Similarly, the risk of earthquake-induced densification and settlement is considered unlikely because earth materials that are subject to seismic densification do not exist beneath the site in sufficient thickness to adversely impact the planned improvements. Regarding landslide risk, the geotechnical engineer did not observe evidence of active slope instability at the site. In addition, the site is not located within an area mapped as having the potential for earthquake-induced landsliding. Therefore, it is the opinion of the geotechnical engineer that the potential for damage to the improvements from slope instability at the site is low, provided the recommendations presented in the report are incorporated into the design and construction of the project.

Conventional spread-footing type foundations, mat foundations, and drilled piers are all found to be suitable for the planned improvements. Retaining walls should be backdrained, as described in the geotechnical report.

The final building plans will be reviewed by the San Francisco Department of Building and Inspection (DBI). In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in

² H. Allen Gruen, Geotechnical Engineer. *Geotechnical Investigation, 437 Hoffman Avenue, San Francisco, California*, January 16, 2014. This report is available for review as part of Case File No. 2014.0329E at 1650 Mission Street, Suite 400, San Francisco, CA.

San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. The above-referenced geotechnical investigation report would be available for use by DBI during its review of building permits for the site. In addition, DBI could require that additional site specific soils report(s) be prepared in conjunction with permit applications, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that there is no damage to structures from potential geologic hazards.

CONCLUSION:

Under CEQA Guidelines Section 15301(e)(2), or Class 1, additions to existing structures up to 10,000 square feet are exempt from environmental review provided that the project is located in an area where all public services and facilities are available and the area is not environmentally sensitive. The proposed project would increase the existing 2,238 sq. ft. floor area of the existing home by approximately 1,571 sq. ft. for a total of 3,806 sq. ft., which would be substantially less than that the total limitation of 10,000 sq. ft. for a Class 1 exemption. Also, the project site does not provide habitat for any sensitive species and is located in an urbanized area where all necessary public services and facilities are available. Therefore, the proposed project would be exempt from environmental review under Class 1.

CEQA Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classifications. For the above reasons, the proposed project is appropriately exempt from environmental review.



SAN FRANCISCO PLANNING DEPARTMENT

Rescinded & replaced

Certificate of Determination Exemption from Environmental Review

Case No.: 2014.0329E
 Project Title: 437 Hoffman Avenue
 Zoning: RH-2 (Residential – House, Two-Family) District
 40-X Height and Bulk District
 Block/Lot: 6503/024
 Lot Size: 3,375 square feet
 Project Sponsor: Abby Whitman
 Staff Contact: Timothy Johnston – (415) 575-9035
timothy.johnston@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

PROJECT DESCRIPTION:

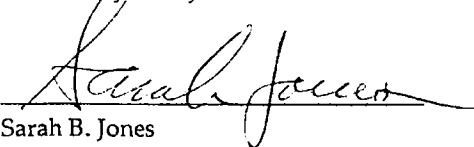
The project site is located on the east side of Hoffman Avenue, between 25th Street to the south and 24th Street to the north, in the Noe Valley neighborhood. The project proposes an interior remodel and exterior expansion of an existing two-story 2,238 sq. ft. single-family home (25' 7.5" in height) built in 1905. The project seeks to raise the height of the structure by 4.5 inches, to add a one car garage at the street level of Hoffman Avenue, and to add a 1,511-square foot, three-story addition on the rear (east) and north side of the existing structure, for a total of 3,809 sq. ft. (including a 317 sq. ft. one-car garage). The existing home does not have any off-street parking spaces.

EXEMPT STATUS:

Categorical Exemption, Class 1, Existing Facilities (California Environmental Quality Act [CEQA] Guidelines Section 15301)

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


 Sarah B. Jones

Environmental Review Officer

July 7, 2014
 Date

cc: Abby Whitman, Project Sponsor
 Supervisor Scott Wiener, District 8 (via Clerk of the Board)

Virna Byrd, M.D.F.
 Gretchen Hilyard, Preservation Planner

PROJECT APPROVAL

Building Permit from the San Francisco Department of Building Inspection.

Approval Action

The proposed project is subject to notification under Section 311 of the Planning Code. If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. If no Discretionary Review is requested, the issuance of a building permit by the Department of Building Inspection is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historical Resources

As described in the *Preservation Team Review Form* prepared for this project,¹ the subject property contains a 1-1/2-story-over basement, wood frame, multi-family residence and is located in the Noe Valley neighborhood of San Francisco. It was constructed in 1905 in the Queen Anne architectural style with some Craftsman style elements. The original architect is unknown, but the original owners were Neil W. Getty and Wilmot R. Getty, who were builders/contractors and likely constructed the building. The building has undergone very few alterations over time. Known alterations to the property include: legalization of the second unit and installation of a fire suppression system (1970), interior seismic upgrades (1989), reroofing and new shingles (1995).

No known historic events occurred at the property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject building is a non-descript example of a Queen Anne style multi-family property. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.

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Per the geotechnical report prepared for this project, subsurface conditions were evaluated by way of an engineering reconnaissance of the site and surrounding areas, a review of published geologic data pertinent to the project area, and engineering analyses. One boring at the site encountered predominately sand-clay soil mixtures with varying amounts of silt to the maximum depth explored of 7 feet.

The project site is approximately 5 miles northeast of the San Andreas fault. The project site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known active or potentially active faults exist on the site. Based on this, the geotechnical investigation report concluded that the risk of fault offset at the project site from a known active fault is low. The site does not lie within a liquefaction-potential zone. As a result, there is a low risk for damage of the proposed improvements from seismically induced lateral spreading. Similarly, the risk of earthquake-induced densification and settlement is considered unlikely because earth materials that are subject to seismic densification do not exist beneath the site in sufficient thickness to adversely impact the planned improvements. Regarding landslide risk, the geotechnical engineer did not observe evidence of active slope instability at the site. In addition, the site is not located within an area mapped as having the potential for earthquake-induced landsliding. Therefore, it is the opinion of the geotechnical engineer that the potential for damage to the improvements from slope instability at the site is low, provided the recommendations presented in the report are incorporated into the design and construction of the project.

Conventional spread-footing type foundations, mat foundations, and drilled piers are all found to be suitable for the planned improvements. Retaining walls should be backdrained, as described in the geotechnical report.

The final building plans will be reviewed by the San Francisco Department of Building and Inspection (DBI). In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in

² H. Allen Gruen, Geotechnical Engineer. *Geotechnical Investigation, 437 Hoffman Avenue, San Francisco, California*, January 16, 2014. This report is available for review as part of Case File No. 2014.0329E at 1650 Mission Street, Suite 400, San Francisco, CA.

San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. The above-referenced geotechnical investigation report would be available for use by DBI during its review of building permits for the site. In addition, DBI could require that additional site specific soils report(s) be prepared in conjunction with permit applications, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that there is no damage to structures from potential geologic hazards.

CONCLUSION:

Under CEQA Guidelines Section 15301(e)(2), or Class 1, additions to existing structures up to 10,000 square feet are exempt from environmental review provided that the project is located in an area where all public services and facilities are available and the area is not environmentally sensitive. The proposed project would increase the existing 2,238 sq. ft. floor area of the existing home by approximately 1,571 sq. ft. for a total of 3,806 sq. ft., which would be substantially less than that the total limitation of 10,000 sq. ft. for a Class 1 exemption. Also, the project site does not provide habitat for any sensitive species and is located in an urbanized area where all necessary public services and facilities are available. Therefore, the proposed project would be exempt from environmental review under Class 1.

CEQA Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classifications. For the above reasons, the proposed project is appropriately exempt from environmental review.



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

§311 RE-NOTICE

RE-NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **April 11, 2014**, the Applicant named below filed Building Permit Application No. **2014.04.11.3029** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	437 Hoffman Avenue	Applicant:	Kelly Condon
Cross Street(s):	24th Street	Address:	443 Joost Avenue
Block/Lot No.:	6503/024	City, State:	San Francisco, CA 94127
Zoning District(s):	RH-2 / 40-X	Telephone:	(415)240-8328

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 11/12/2015), 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 and project features for clarity.

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	5 feet 9 ¼ inches	5 feet 10 ¼ inches
Side Setbacks	None	No Change
Building Depth	<u>59 feet 6 ¼ inches</u>	<u>74 feet 10 ½ inches</u>
Rear Yard	59 feet 8 ¼ inches	44 feet 3 inches
Building Height	<u>21 feet (to midpoint of sloped roof)</u>	<u>27 feet (to midpoint of sloped roof)</u>
Number of Stories	3 + basement	3 + basement
Number of Dwelling Units	1	1
Number of Parking Spaces	0	2
PROJECT DESCRIPTION		
The proposal is to construct side, rear and vertical additions to the existing single family dwelling. The project includes extensive interior remodeling and exterior changes raising the structure 6 feet for a new garage door with curbut, front porch, entry stairs and rear terrace/deck. 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: 12/01/15

Expiration Date: 12/16/15

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 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. 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. 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

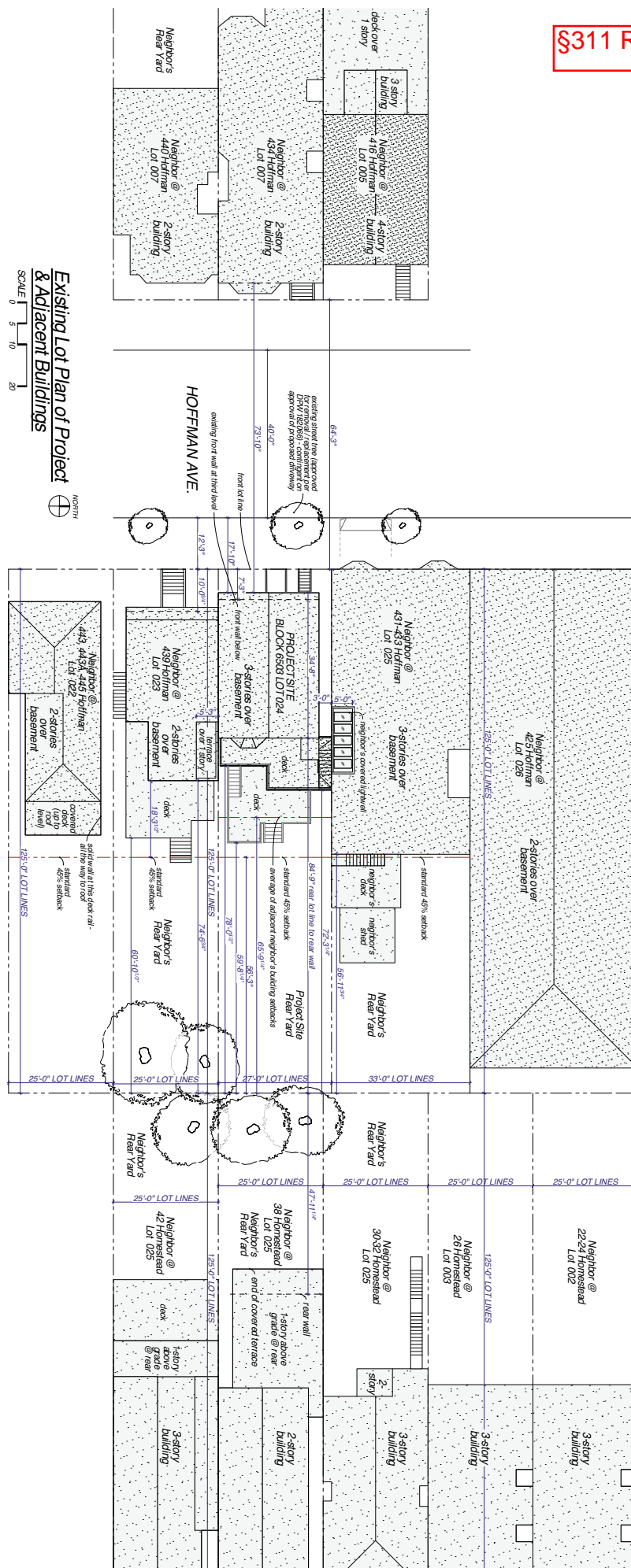
An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission 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.

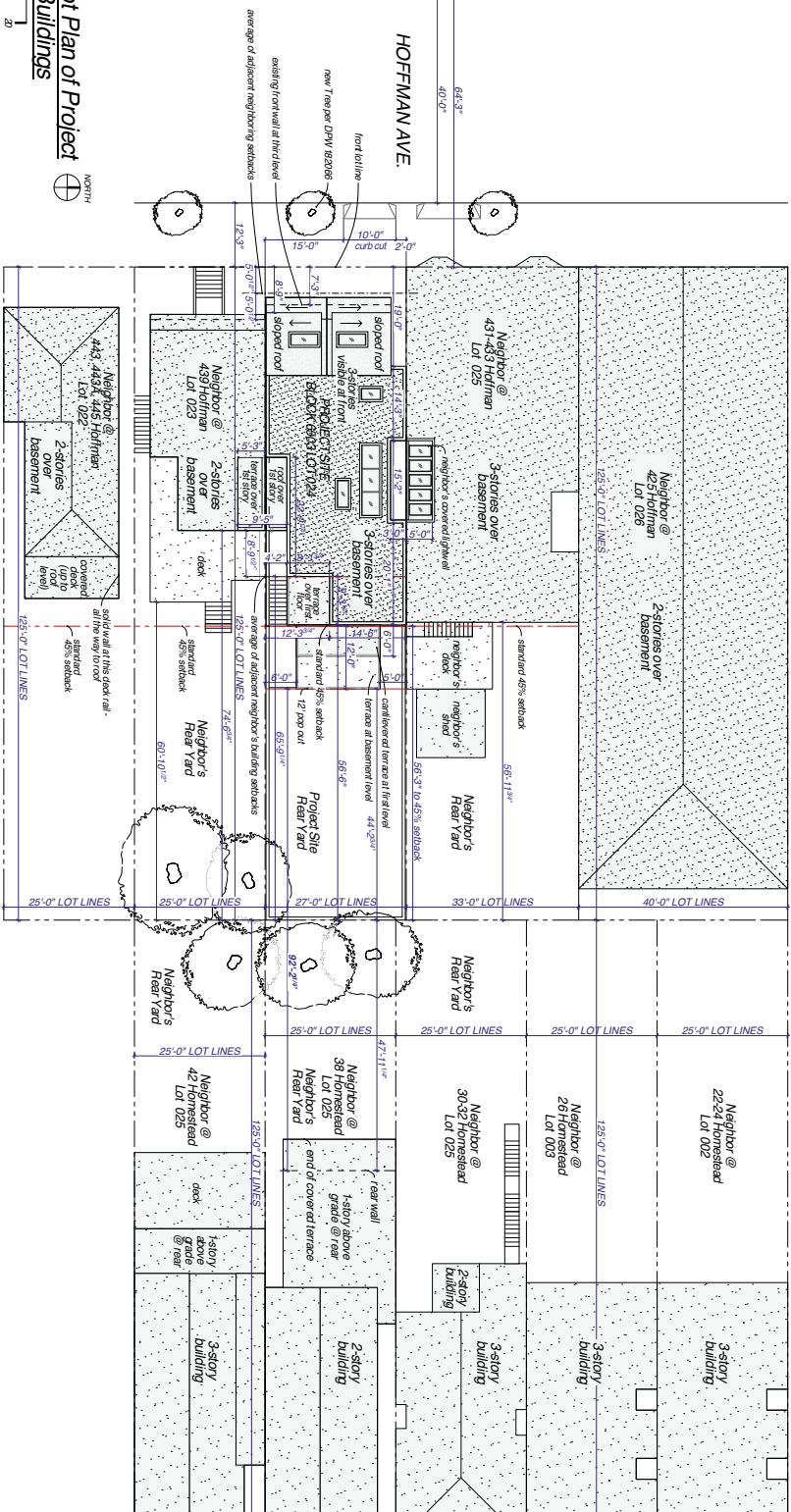
ENVIRONMENTAL REVIEW

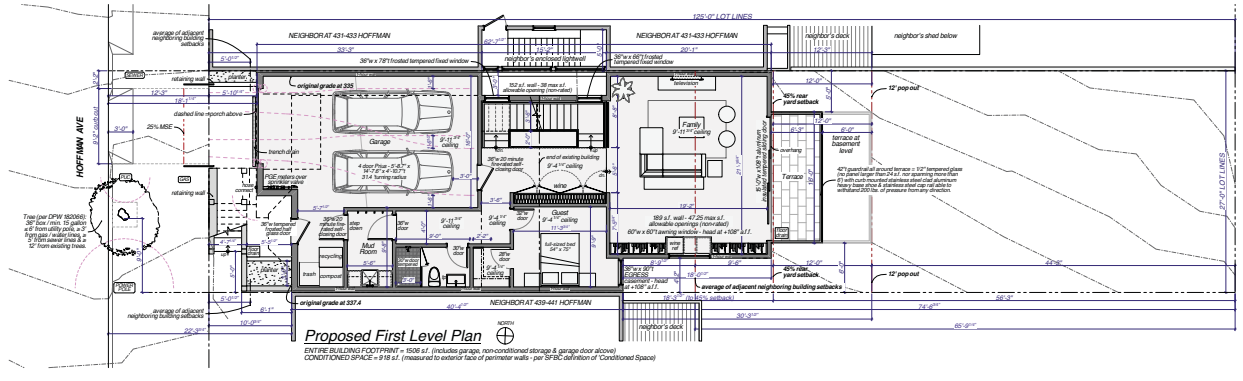
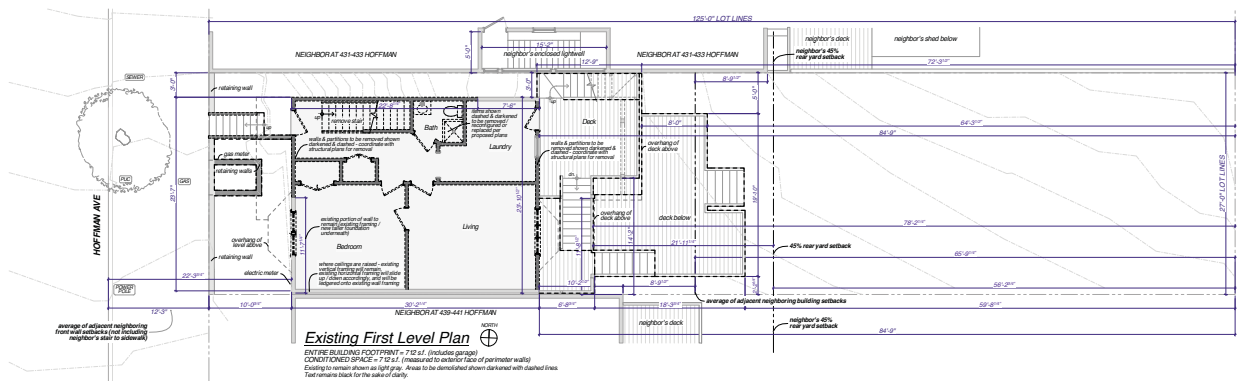
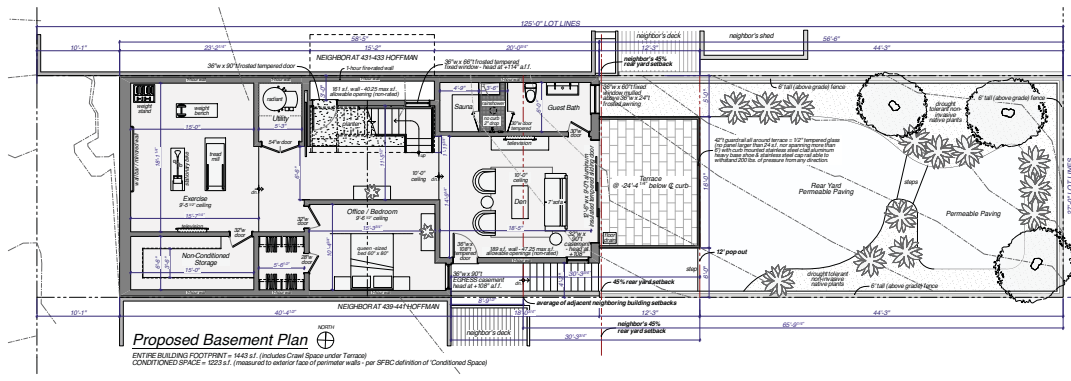
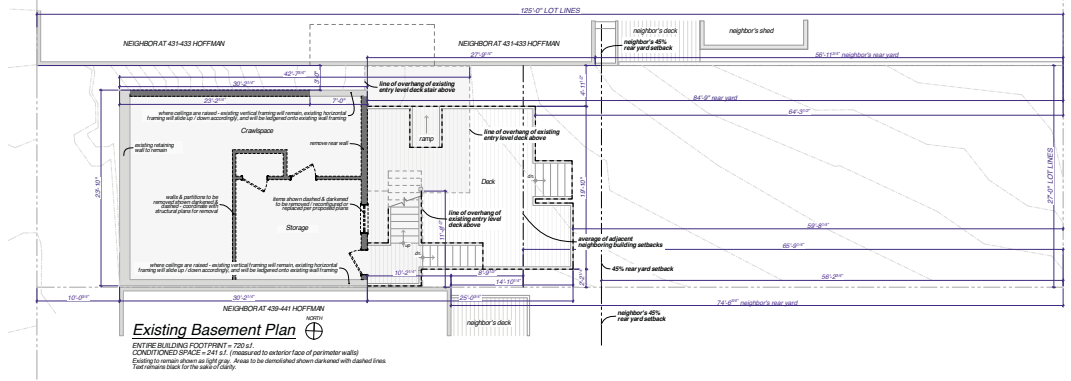
This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. 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.

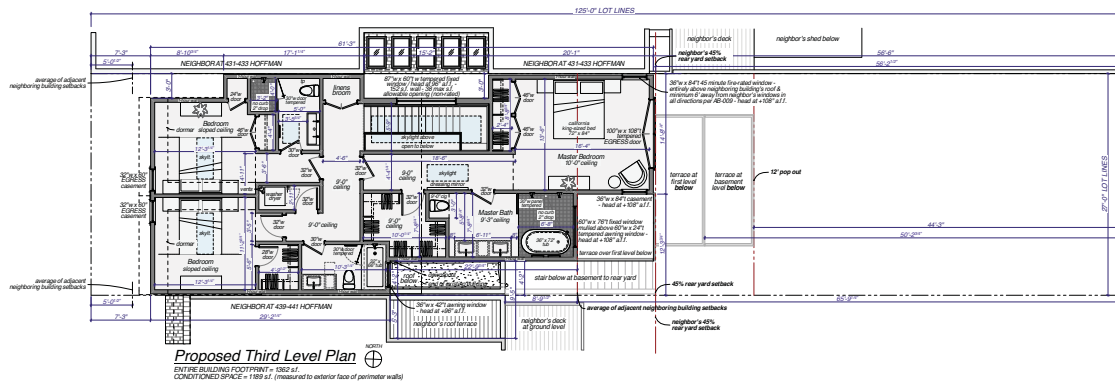
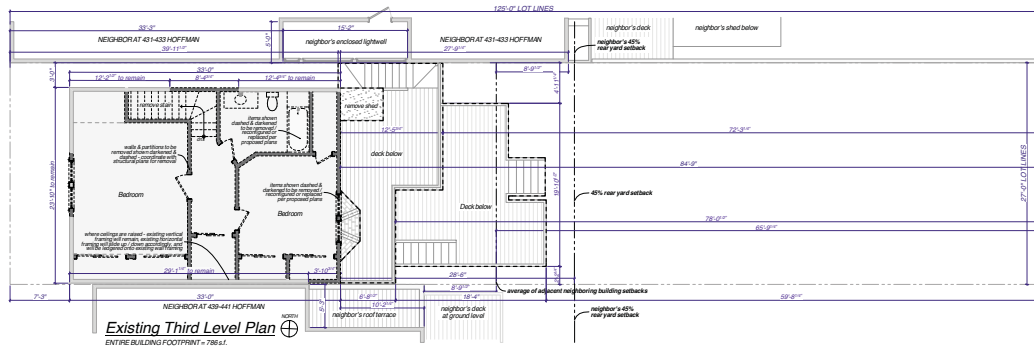
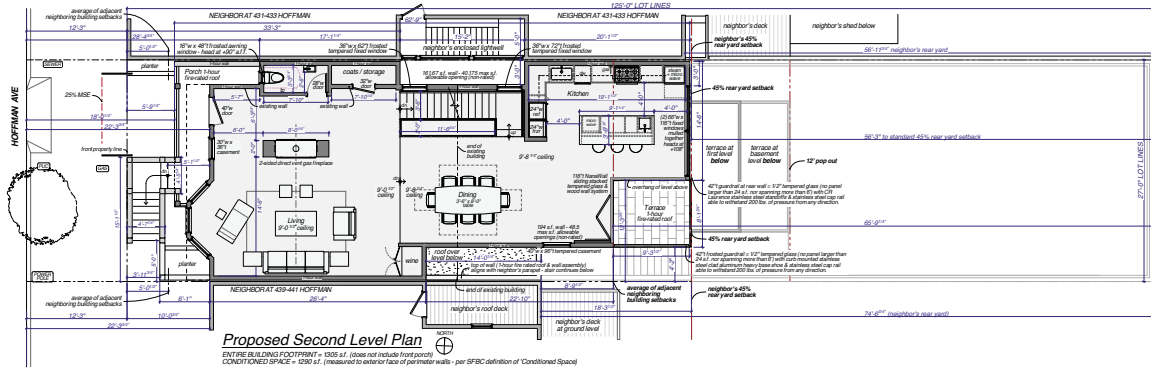
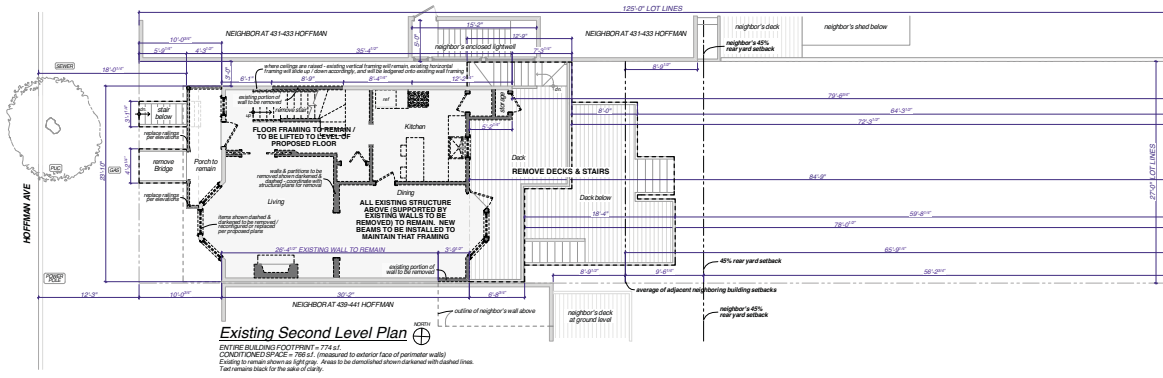
Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or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

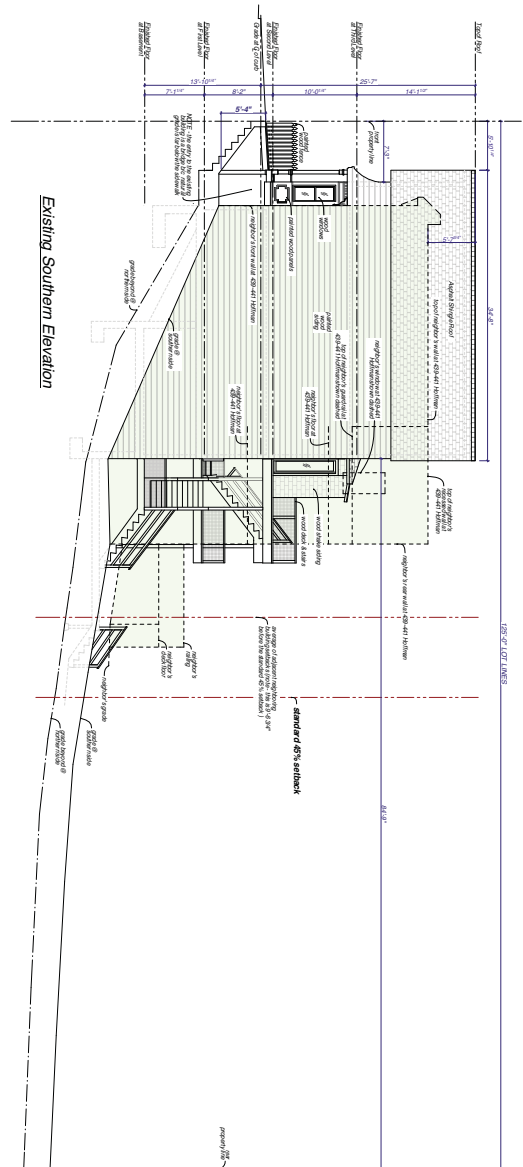
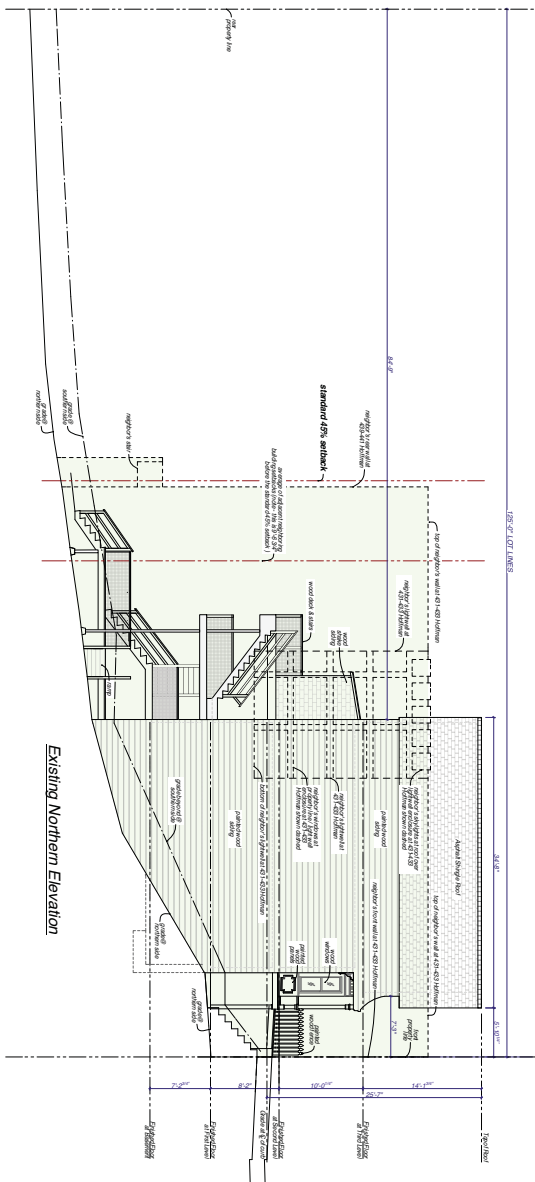
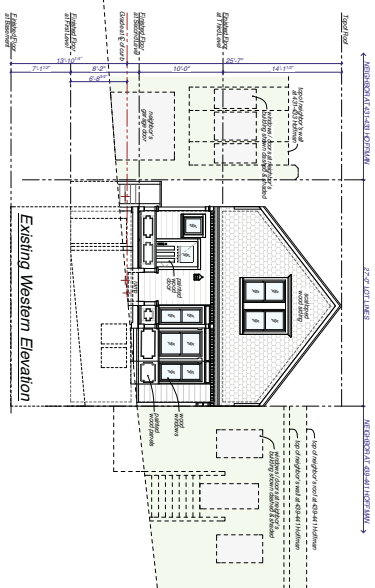
§311 RE-NOTICE PLANS

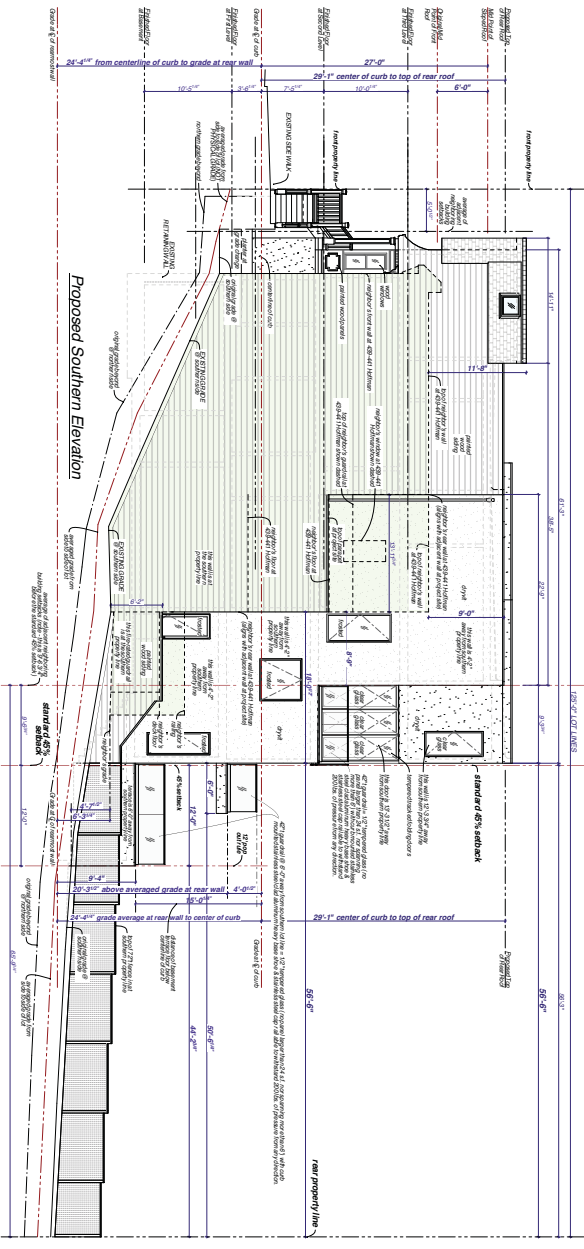
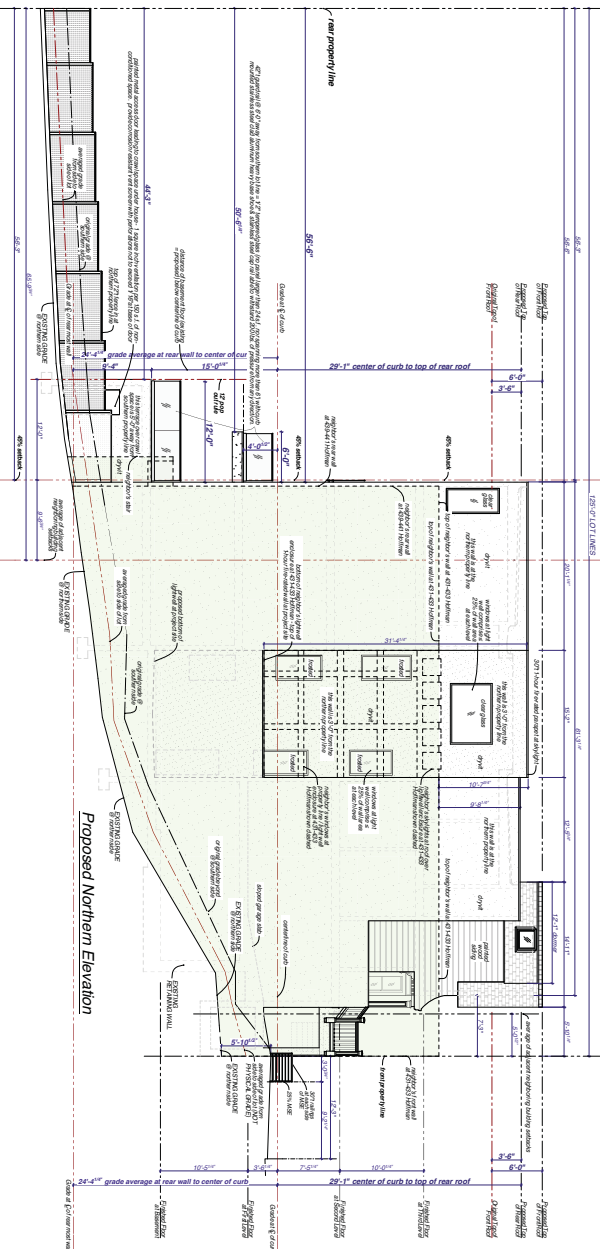
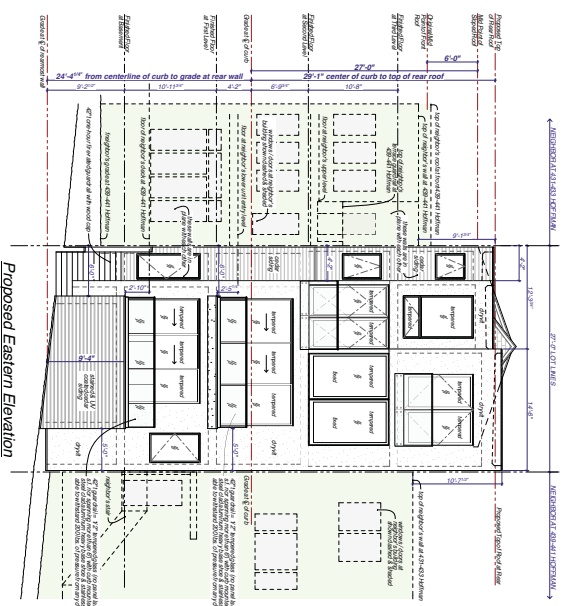
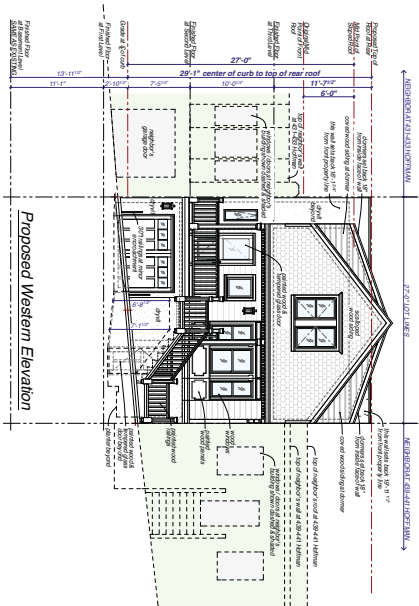














SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

ORIGINAL §311 NOTICE

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **April 11, 2014**, the Applicant named below filed Building Permit Application No. **2014.04.11.3029** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	437 Hoffman Avenue	Applicant:	Kelly Condon
Cross Street(s):	24th Street	Address:	443 Joost Avenue
Block/Lot No.:	6503/024	City, State:	San Francisco, CA 94127
Zoning District(s):	RH-2 / 40-X	Telephone:	(415)240-8328

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

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	5 feet 9 ¼ inches	5 feet 10 ¼ inches
Side Setbacks	None	No Change
Building Depth	59 feet 6 ½ inches	74 feet 10 ¾ inches
Rear Yard	59 feet 8 ¼ inches	44 feet 3 inches
Building Height	25 feet 7 inches	31 feet 7 inches
Number of Stories	3 + basement	3 + basement
Number of Dwelling Units	1	1
Number of Parking Spaces	0	2
PROJECT DESCRIPTION		
The proposal is to construct side, rear and vertical additions to the existing single family dwelling. The project includes extensive interior remodeling and exterior changes such as new garage door with curbut, front porch, entry stairs and rear terrace/deck. 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

Notice Date: 10/13/15
Expiration Date: 11/12/15

中文詢問請電: (415) 575-9010

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

GENERAL INFORMATION ABOUT PROCEDURES

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

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

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at www.communityboards.org 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. 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. 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.

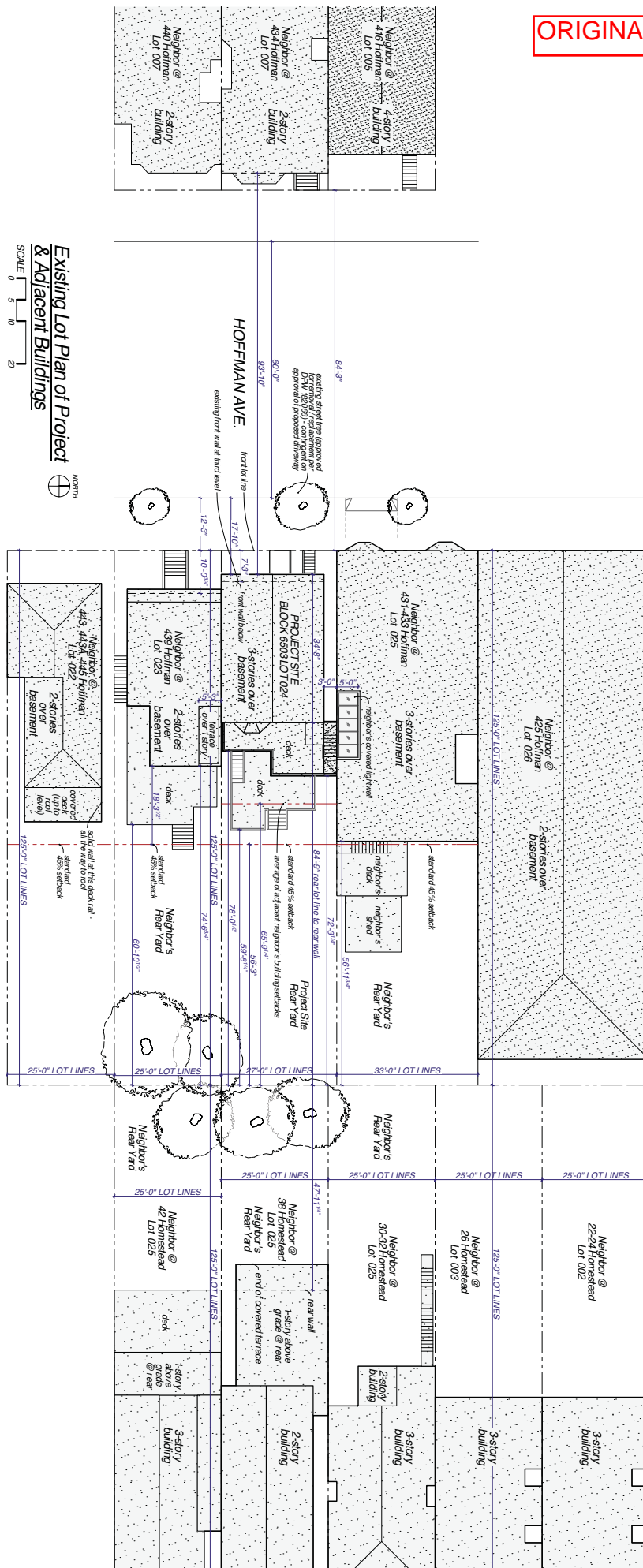
BOARD OF APPEALS

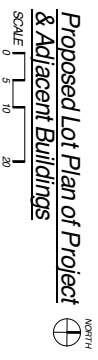
An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission 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.

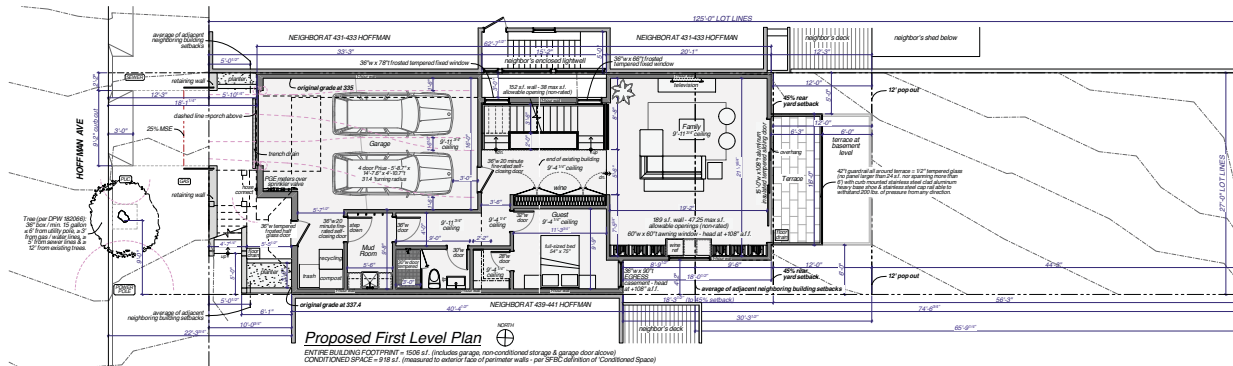
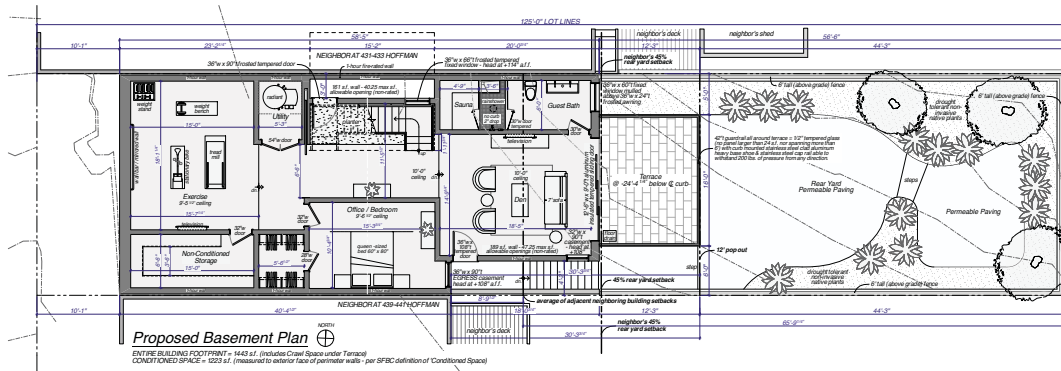
ENVIRONMENTAL REVIEW

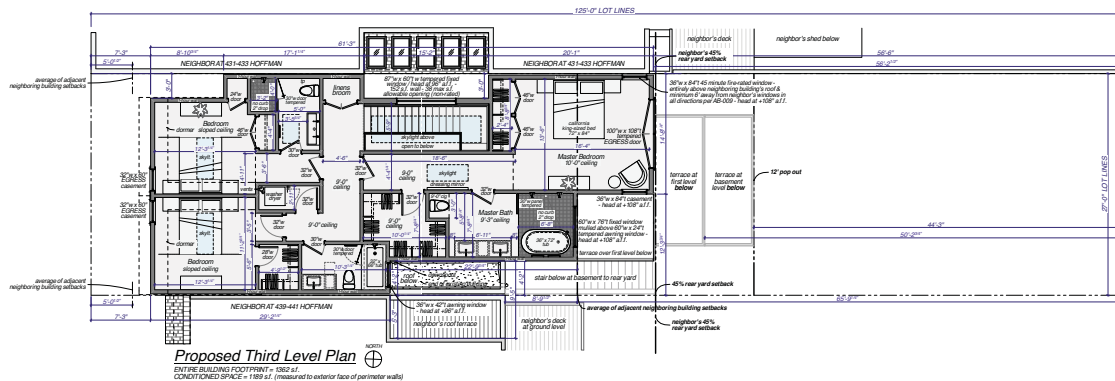
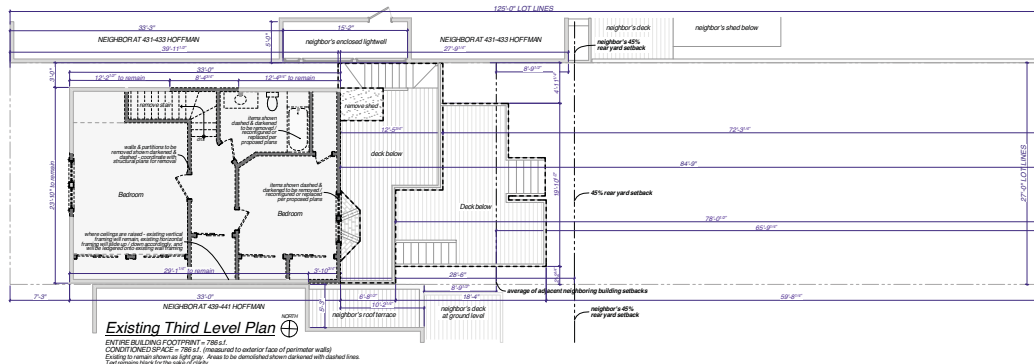
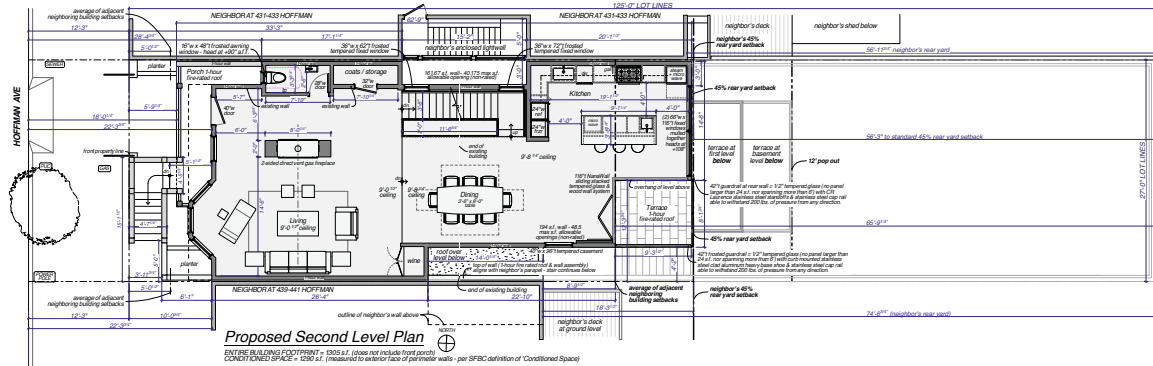
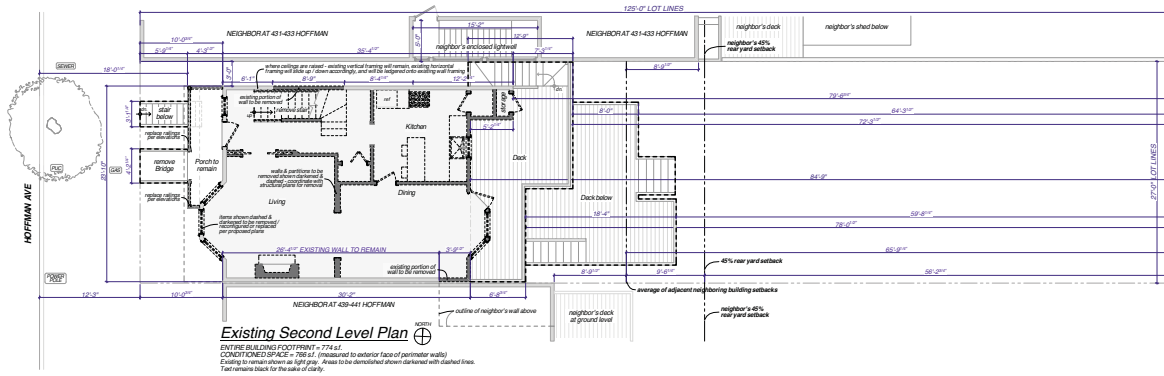
This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. 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.

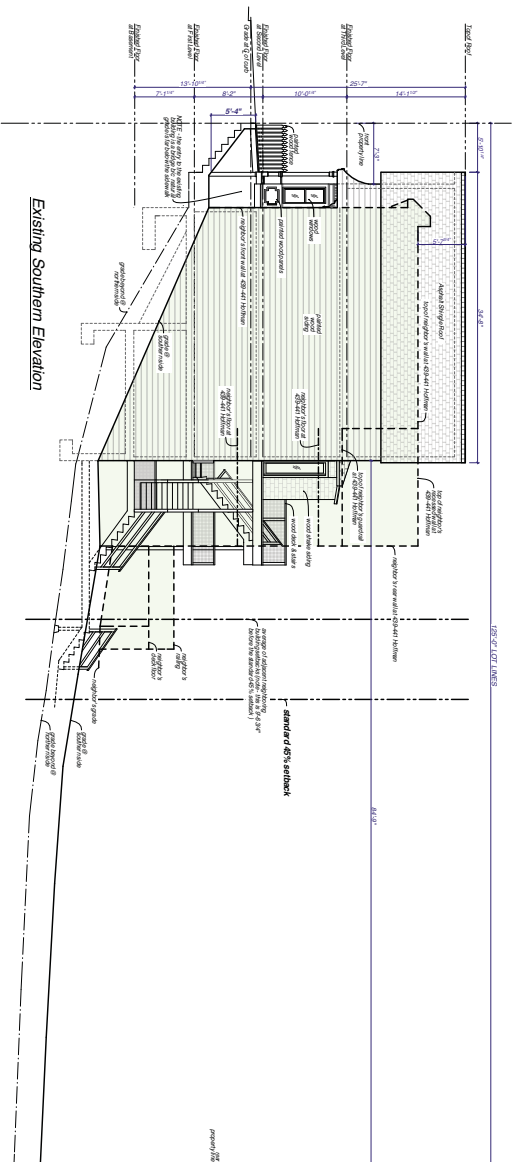
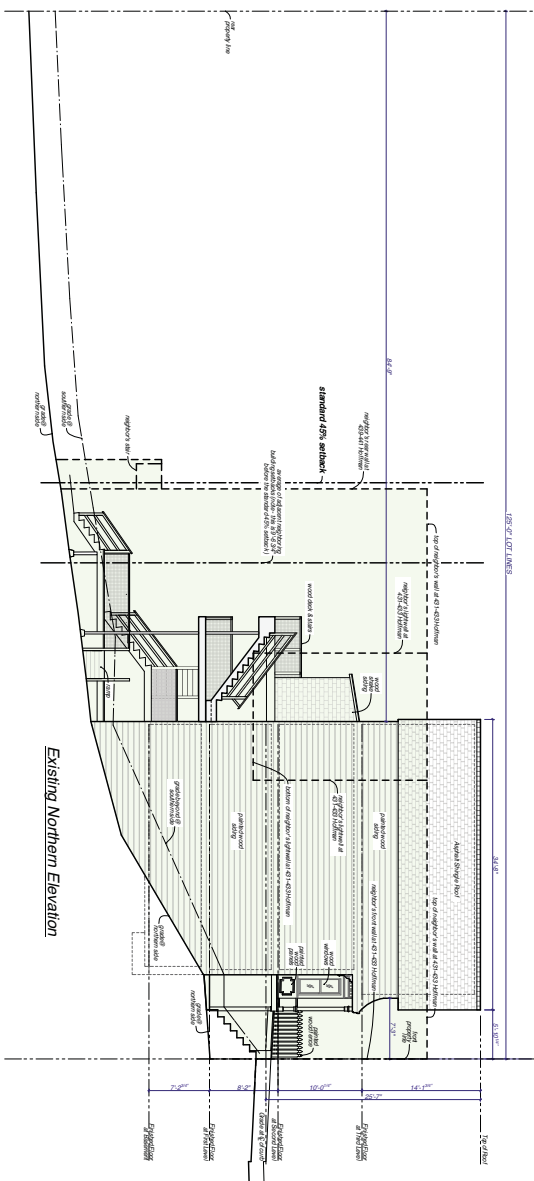
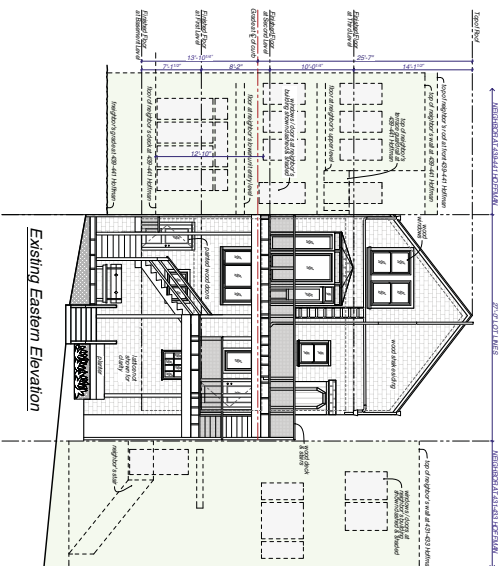
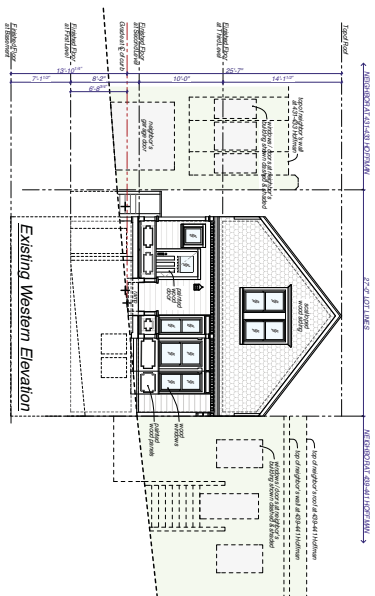
Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or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

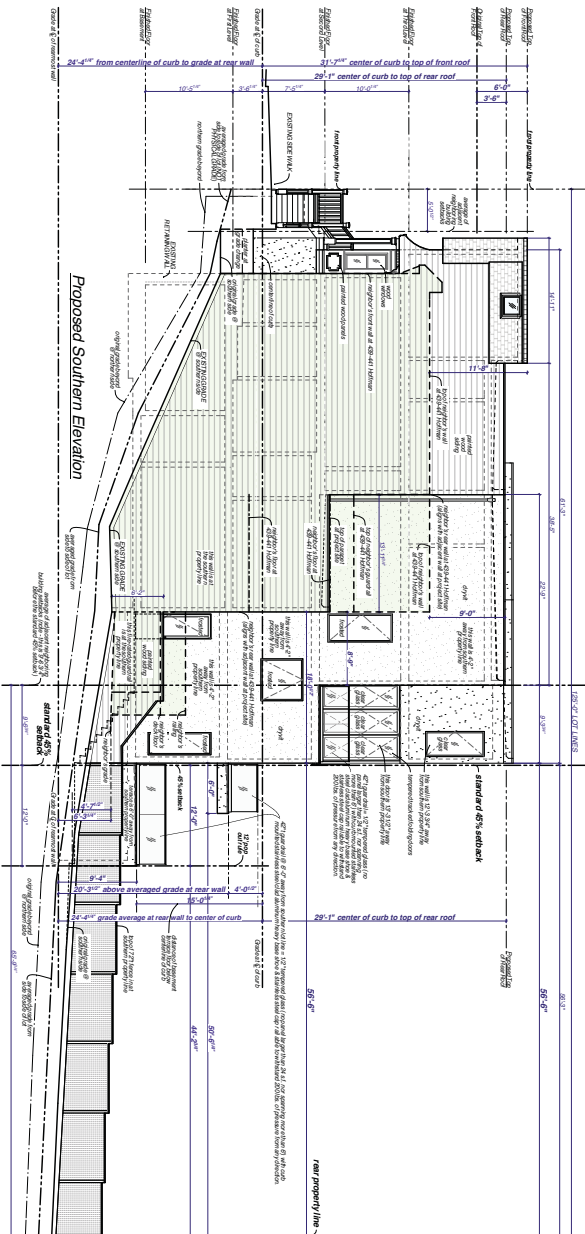
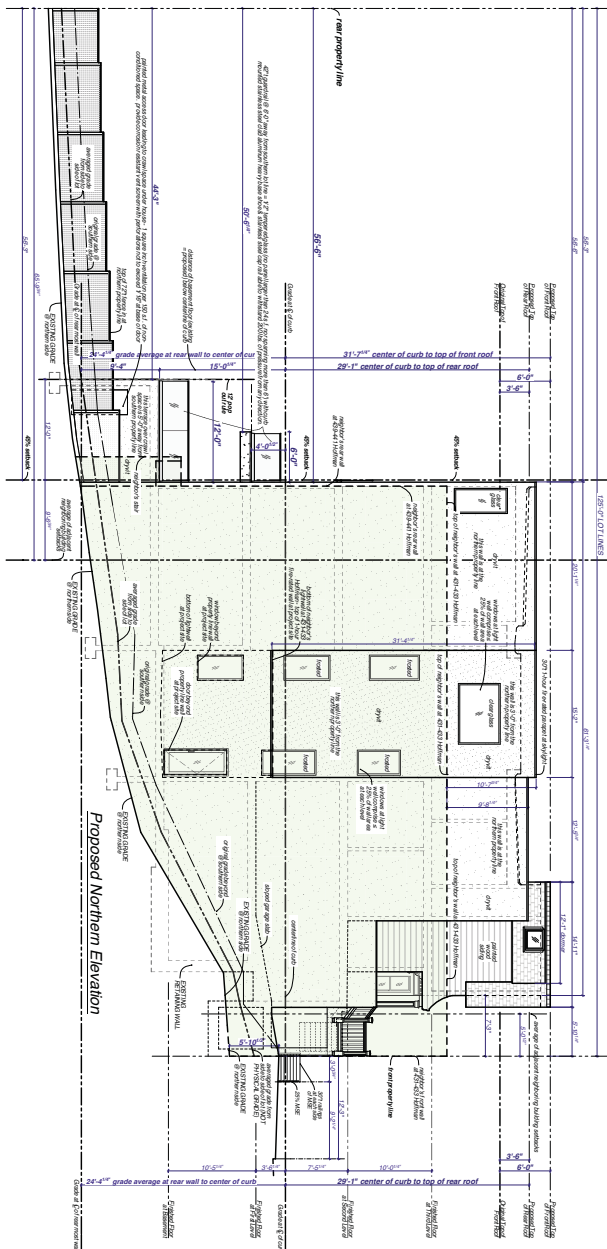
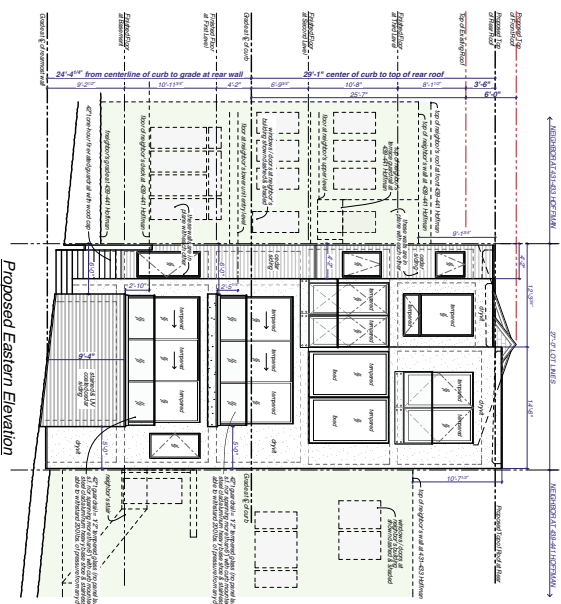
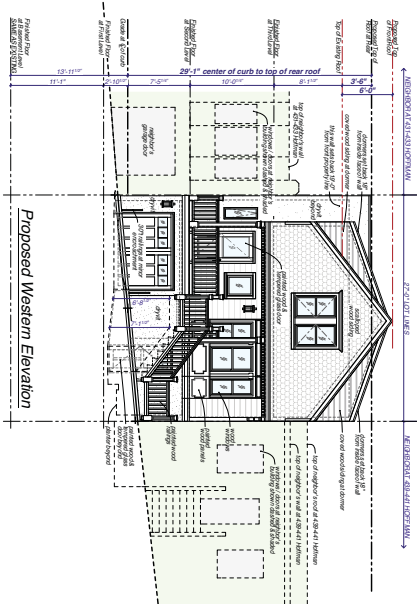














SAN FRANCISCO PLANNING DEPARTMENT

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

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, April 7, 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: 437 Hoffman Ave Cross Street(s): 24th & 25th Streets Block /Lot No.: 6503/024 Zoning District(s): RH-2 / 40-X Area Plan: N/A	Case No.: 2015-003686DRP, -02, -03 Building Permit: 2014.04.11.3029 Applicant: Kelly Condon Telephone: (415) 240-8328 E-Mail: kellymcondon@gmail.com

PROJECT DESCRIPTION

The Requests are for a Discretionary Review of Building Permit Application No. 2014.04.11.3029 proposing to construct side, rear and vertical additions to the existing single family dwelling. The project includes extensive interior remodeling and exterior changes such as raising the structure ~6 feet for a new garage door, front porch, entry stairs and rear terrace/deck. The project has three active requests for Discretionary Review from members of the public.

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

中文詢問請電: (415) 575-9010

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

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. 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.

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

APPLICATION FOR Discretionary Review

DEC 14 2005

CITY & COUNTY OF LOS ANGELES
 PUBLIC WORKS DEPARTMENT
 1917

1. Owner/Applicant Information

DR APPLICANT'S NAME: Stephen Baskerville / Paul Lefebvre		
DR APPLICANT'S ADDRESS: 439 Hoffman Avenue, San Francisco, CA	ZIP CODE: 94114	TELEPHONE: (415)238-0229

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Counts Gold LLC		
ADDRESS: 45 Walnut Avenue, Mill Valley, CA	ZIP CODE: 94941	TELEPHONE: ()

CONTACT FOR DR APPLICATION:		
Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: ()
E-MAIL ADDRESS: rufnikhound@gmail.com paul.lef123@gmail.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 437 Hoffman Avenue, San Francisco CA	ZIP CODE: 94114
CROSS STREETS: Between 24th and 25th streets	

ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
6503 /024	27' x 125'	3,375	RH-2	40-X

3. Project Description

Please check all that apply

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

Additions to Building: Rear ☒ Front ☒ Height ☒ Side Yard ☒
Single Family Dwelling

Present or Previous Use:

Single Family Dwelling

Proposed Use:

Building Permit Application No. 201404113029

Date Filed: 4-11-2014

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.

Very few significant changes were made as a result of discussions with the project applicant.

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.

The exceptional and extraordinary increase in scale of the project building both in height and depth are completely unreasonable and justify the request for Discretionary Review of this project. The San Francisco Residential Design Guidelines are not adequately met. See attached document.

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

The unreasonable scale of development changes the character of the neighborhood for all of our neighbors and significantly boxes us in at the rear of our property. It also impacts us in terms of light and privacy. See attached document for more details.

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?

Decrease the height of the proposed building

Increase the side setbacks, including those at the lower two floors at 439/441 Hoffman.

Decrease the depth of the proposed building to match the depth of our residence and at a minimum, limit the development to the average of adjacent neighboring building setbacks.

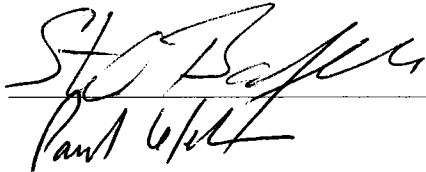
Scale back and terrace the rear of the building to fewer stories

See attached document.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: 

Date: 12/14/15
12.14.15

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

Stephen Baskerville and Paul Lefebvre
☒ 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 checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

OWNER

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.

Paul G. B.
Shirley A. B.

RECEIVED

DEC 14 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

For Department Use Only

Application received by Planning Department:

By: Kurt BDate: 12/14/15

Additional Comments for Discretionary Review Application—437 Hoffman Avenue

The plans for the building at 437 Hoffman that propose to almost double the existing home's size to an entire building footprint of over 5,600 SF are clearly out of scale for the neighborhood, are not compatible with the surrounding buildings, and will significantly impact our property—we are the adjacent neighbor at 439/441 Hoffman Ave., just south of the 437 Hoffman property.

It is important to note that not only is the proposed development out of scale when comparing one single family residence to another, but in this case, both buildings on either side of 437 Hoffman are multiple family residences. This fact should be kept in consideration when reviewing the excessive scale of the proposed plans for the single family residence at 437 Hoffman.

Per the San Francisco Residential Design Guidelines:

"The building scale is established primarily by its height and depth. It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character. Poorly scaled buildings will seem incompatible (too large or small) and inharmonious with their surroundings."

From what can be seen from the plans (the plans provided were printed extremely small, and are very difficult to read), the following can be observed.

Excessive Building Height:

As indicated on the Proposed Southern Elevation, the proposed plans for 437 Hoffman show the following:

The front section of the building rises to almost 12 feet higher than 439-441 Hoffman when measured from the top of the wall at 439-441 Hoffman to the proposed top of the front roof of 437 Hoffman.

At the rear of our home, where there was no structure, the proposed building towers to well over 40 feet above our lower floor level at the rear of the building, and this continues for approximately 18 feet towards the back yard. And, an additional 12' deep pop out extends even further back. This is completely out of scale for the neighborhood and totally boxes us in.

The plans also seem to show very high ceiling heights at all levels, again demonstrating excessive scale.

- Basement level finish floor to finish floor at 1st level is 10' 11-3/4" (essentially, 11')
- 1st Level finish floor to 2nd level finish floor is 10' 11-3/4" (essentially, 11')
- 2nd Level finish floor to 3rd level finish floor is 10'-8" (almost 11')
- 3rd Level finish floor to proposed rear top of roof is 11' 7-1/2" (almost 12')
- 3rd Level finish floor to proposed top of front roof is 14' 1-1/2" (over 14')
- Pop up space: the space below the terrace is 9'-4"

Excessive Building Depth:

Per the San Francisco Residential Design Guidelines:

**"BUILDING SCALE AT THE MID BLOCK OPEN SPACE
GUIDELINE: Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space."**

From what can be seen from the plans (again, they are printed extremely small making them difficult to read) the back wall of the proposed new building extends over 28 feet beyond 437 Hoffman's existing back wall, and the proposed development pushes back an additional 12 feet (to an overwhelming 40 feet) with the additional pop-out area.

In terms of impact to our home, the proposed building extends a surprising 30+ feet beyond the back wall of our home, when including the 12' pop out. Even without the pop out, it extends an excessive 18 feet.

The depth of the proposed building should be decreased to match the depth of our home and at a minimum, the average of adjacent neighboring building setbacks would provide a more reasonable and fair limit to the development towards the back of the property, but the plans push significantly further back beyond this point.

In addition, not only is the side setback too little at a mere 4'-2" (it doesn't even meet the 5'6" width of the side terrace facing 437 Hoffman over the top story at 439-441 Hoffman) but the attempt at mitigating the development with an additional setback on the upper floors at the very rear of the proposed building falls short and does nothing to reduce the building's scale for the lower two floors, which is the entire living space of the lower unit where we reside. The scale of the building is clearly oppressive and will totally block us in.

Per the San Francisco Residential Guidelines:

"The height and depth of a building expansion into the rear yard can impact the mid-block open space. **Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall**, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave **surrounding residents feeling "boxed-in"** and cut-off from the mid-block open space."

In addition, we feel that the following best practices for additions extending into the rear yard from the San Francisco Residential Guidelines are not implemented in the proposed plans for 437 Hoffman.

1. "A two-story addition with a pitched roof lessens the impacts of the addition and is more in scale with the rear of the adjacent buildings."
Pitched roof at rear of proposed building is not provided.
2. "This addition has been scaled back to two stories and is set in from the side property lines to minimize its impact."
Full height of proposed 437 Hoffman building continues to the very back of the residence, and building is not scaled or terraced back to fewer stories. In addition, insufficient side setbacks are provided.
3. "This addition extends the full width of the lot but is set back at the second floor so the building steps down to the rear yard."
Top floors are not fully set back as demonstrated in the example and lower two floors have no additional side setbacks (this is the entire living space for the 439 Hoffman lower unit where we reside. Again it is important to consider that both neighboring units are multiple family units)
4. The rear stairs are setback from the side property line and their projection into the rear yard is minimized, in order to maintain the mid-block open space.
Insufficient setbacks are provided

Insufficient Response to Topography of the Site:

Per the San Francisco Residential Design Guidelines:

"New buildings and additions to existing **buildings cannot disregard or significantly alter the existing topography of a site**. The surrounding context guides the manner in which new structures fit into the streetscape, **particularly along slopes and hills**. This can be achieved by designing the building so it follows the topography in a manner similar to surrounding buildings."

The proposed building rises well above both neighbors. We do not feel that the development plans sufficiently address this issue due to the proposed building's excessive scale and height.

Loss of mid-block green space

Per the San Francisco Residential Design Guidelines:

NEIGHBORHOOD CONTEXT

•**The block pattern:** Most buildings are one piece of a larger block where buildings define the main streets, **leaving the center of the block open for rear yards and open space.**

Immediate Context: When considering the immediate context of a project, **the concern is how the proposed project relates to the adjacent buildings."**

Our neighborhood is fortunate to have a wonderful mid-block green space that creates a shared, much cherished, peaceful environment and a wonderful haven for wildlife that is threatened by the excessive development that is planned at the rear of the property.

The building of a home of this scale must clearly counter San Francisco's goal of environmental sustainability.

Privacy and Light

The proposed building encroaches on our building's privacy due to the small, insufficient setbacks, **numerous decks and large number and size of windows that would face our home.** Even though some of these windows would be frosted, the light they would project towards our building in the evening and at night would impact us.

KELLY CONDON DESIGN
443 JOOST AVENUE
SAN FRANCISCO, CA 94127

6503/24

OCCUPANT
435 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6503/23

LEFEBVRE & BASKERVILLE
439 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6502/07

DAVID BRUNO
51570 AVNIDA ALVARADO
LA QUINTA, CA 92253

6502/05

OCCUPANT
416 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6503/04

LYNDA GROSE
190 SUNSET WAY
MUIR BEACH, CA 94965

6503/06

MINNIE SELF TRS
42 HOMESTEAD AVENUE
SAN FRANCISCO, CA 94114

STEPHEN WILLIAMS
LAW OFFICE OF SMW
1934 DIVISADERO STREET
SAN FRANCISCO, CA 94114

COUNTS GOLD LLC &
45 WALNUT AVENUE
MILL VALLEY, CA 94941

6503/25

GENE GEISLER TRS
433 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6503/23

OCCUPANT
441 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6502/07

PATRICIA SIEHL
440 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6502/04

OCCUPANT
414 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6503/04

OCCUPANT
30 HOMESTEAD AVENUE
SAN FRANCISCO, CA 94114

6503/25

Occupant
431A HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

GEORGIA SCHUTTISH
UPPER NOE NEIGHBORS
460 DUNCAN STREET
SAN FRANCISCO, CA 94131

6503/024

OCCUPANT
437 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6503/25

BELLVILLE
431 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

6502/06

JANET FOWLER
434 HOFFMAN AVENUE
SAN FRANCISCO 94114

6502/05

ARTHUR FULTON TRS
1660 OLD AIRPORT ROAD
AUBURN, CA 95602

6503/05

ALEXANDER & JIN
38 HOMESTEAD AVENUE
SAN FRANCISCO, CA 94114

6503/04

OCCUPANT
32 HOMESTEAD AVENUE
SAN FRANCISCO, CA 94114

6503/09

Kester Kyrie
60 Homestead Street
San Francisco, CA 94114

6502/008A

INGRID CARAS
456 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114

Application for Discretionary Review

CASE NUMBER:
For Staff Use only

2015-003686 DRP-02

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: R. Gene Geisler		
DR APPLICANT'S ADDRESS: 433 Hoffman	ZIP CODE: 94114	TELEPHONE: (415) 695-9193
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Kelly Condon (Designer/Representative) for Counting Gold LLC (Owner)		
ADDRESS: 443 Joost Avenue	ZIP CODE: 94127	TELEPHONE: (415) 240-8328
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Stephen M. Williams		
ADDRESS: 1934 Divisadero Street	ZIP CODE: 94115	TELEPHONE: (415) 292-3656
E-MAIL ADDRESS: smw@stevewilliamsllaw.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 437 Hoffman Avenue		ZIP CODE: 94121
CROSS STREETS: 24th Street & 25th Street		
ASSESSORS BLOCK/LOT: 6503 / 024	LOT DIMENSIONS: 27 X 125	LOT AREA (SQ FT): 3,365
ZONING DISTRICT: RH-2		HEIGHT/BULK DISTRICT: 40-X

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☒ Demolition ☐ Other ☐Additions to Building: Rear ☒ Front ☐ Height ☒ Side Yard ☒

Present or Previous Use: Single Family Dwelling (previous two family dwelling---merger granted 2008)

Proposed Use: Single Family Dwelling

Building Permit Application No. 2014.04.11.3029

Date Filed: April 11, 2014

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.

No significant changes have been made to the project based on input from the neighbors. The project was improperly merged some years ago and now, as a single family dwelling the proposal is to more than double the size of the building. Represents everything that is wrong in the City at this time---Loss of a Unit and near tripling size of remaining building.

Application for **Discretionary Review**

CASE NUMBER:
For Staff Use only

Discretionary Review Request

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

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

See Attachment

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

See Attachment

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

See Attachment

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: December 16, 2015

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

Stephen M. Williams

Owner Authorized Agent (circle one)

Application for **Discretionary Review**

CASE NUMBER:
For Staff Use only

Discretionary Review Application Submittal Checklist

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

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

NOTES:

☐ Required Material.

☒ Optional Material.

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

For Department Use Only

Application received by Planning Department:

By: M. Corrette

Date:

DEC 16 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

1. **Overall Concerns:**

DR Requester is concerned about the project's impact, including impacts on existing housing (blocking light and air), neighborhood character, and privacy. The project has been described to the Planning Department as a "2 story over garage" building. This description is wildly inaccurate. Because of the steep down slope, the project plans clearly reveal a building with 5 - 6 floors at the rear and a height from 50-60 feet from grade.

Allowing the proposed five-six story building in this neighborhood would set a new standard of height and massing for the immediate area, and could lead to massive changes in the historic character of the Upper Noe neighborhood. This directly violates the General Plan Priority Policy No. 2 which requires that "existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods." Allowing a new building with a 5-6 floor rear addition, in a neighborhood currently characterized by 2 and 3 floor buildings, would fundamentally change the character of the neighborhood.

The Prior Approved Plans Were Not Code Compliant and Omitted Basic Mandatory Information.

The plans circulated and approved by the Dept did not comply with the bare minimum requirements of Section 311.

San Francisco Planning Code Section 311 (c) (5) Notification Packet clearly state what must be included in the neighborhood notification--

"(E) 11x17 sized or equivalent drawings to scale shall be included with the Section 311 written notice. The drawings shall illustrate the existing and proposed conditions in relationship to the adjacent properties. All dimensions and text throughout the drawings shall be legible. The drawings shall include a site plan, floor plans and elevations documenting dimensional changes that correspond to the basic features included in the written notice.

(F) The existing and proposed site plan shall illustrate the project including the full lots and structures of the directly adjacent properties.

*(H) The existing and proposed elevations shall document the change in building volume: height and depth. Dimensional changes shall be documented, including overall building height and also parapets, penthouses and other proposed vertical and horizontal building extensions. The front and rear elevations shall include the full profiles of the adjacent structures **including the adjacent structures' doors, windows** and general massing. Each side elevation shall include the full profile of the adjacent building in the foreground of the project, and the adjacent windows, light-wells and general massing shall be illustrated." (Planning Code Section 311(c)(5) (E); (F) & (H)).*

The drawings in this case did not accurately depict the adjacent buildings and omit numerous openings in those adjacent buildings. One can only wonder how the Dept and the Residential Design Team determined what the impacts on the adjacent buildings would be, given that they had no accurate depictions of the adjacent buildings (however, a review of the file show that the RDT and Dept staff did not review this project before sending it out for neighborhood notification---the plans were pulled back and corrected and again rubber-stamped). The most

recent plans now finally show the side elevations of the adjacent building (existing and proposed) and the previously omitted windows and doors which face the subject property. The prior plans failed to show *any* of the doors and windows that face the subject property. The plans now show the building to the south at 439-431 Hoffman (and the previously miss-labeled windows on the building to the north at 433 Hoffman as a "light well") and now show the numerous windows that are facing the lot line. The windows to be blocked are the only source of light to the rooms in the apartment at 433 Hoffman to the north and although they are now depicted on the drawings, they are not adequately addressed

Because of the steeply sloped lots in the Upper Noe Valley area and because of the steep slope in the rear yards of these buildings the impacts on the adjacent buildings will be overwhelming. Because of the east/west alignment of the buildings, all of the neighboring windows and doors will be blocked. The prior plans failed to provide the most basic information---the relative positions of the openings and windows on the neighboring adjacent structures to the Project Site. "existing" and "proposed." The plans now corrected and re-circulated, confirm the neighbors' prior objections.

The Project Has Not Been Adequately Reviewed by the Dept

A review of the Planning case file in November revealed it to be shockingly devoid of information and it appears that the case is not ready for review by the Commission at all or else the crucial information we need is being withheld or is lost.

For example:

1. There are three Notice of Planning Dept Requirement mailings t the project sponsor making a variety of requests for information and changes....there is no evidence of ANY response. **Not one letter or email** in response back to the Dept. The Notices are dated June 6, 2014; May 28, 2015 and September 2, 2015....all directed to Kelly Condon and requesting changes in the drawing and clarifications. I can find no evidence that any replies were ever made and it should be noted that Ms. Condon is NOT a licensed California architect (although she has been known to represent herself as such) and may not under State law make changes to the subject plans which involves a structure more than two stories in height. No changes are indicated on the plans by clouding or any other note in response to the Dept requests.
2. There is no indication that the project was ever reviewed by the RDT---NONE....No memo, no note of being scheduled, no emails from members having reviewed the project (there are no emails or correspondence of ANY kind anywhere in the file) No decision from the RDT....nothing at all.
3. The requisite checklist for compliance with the Residential Design Guidelines has not been completed and the project appears to violate numerous provisions of the guidelines. It is deeper than both adjacent neighbors AND is taller than its up-hill neighbor...a ridiculous result for a two unit building merged into one and then made exponentially larger than the neighboring apartment building of four units.

4. Appears to be a de facto demolition virtually in the shadow of 125 Crown Terrace. **At first the Dept found it to be a demolition until Kelly (not an architect so not qualified to do the calculations) said she will retain a portion of the façade...somehow slipping in under the wire.** The square footage is being more than doubled...all foundation and walls replaced etc...Calculations not in file and re-calculations not in file.

We repeatedly asked the planners for the above missing material and received no substantive response. The mandatory material is not in the file. It appears as if a GREAT deal may have fallen through the cracks on this case, this project cannot pass muster under the Planning Code and Dept procedures for review of projects.

In addition, the Residential Design Guidelines would be violated by the project due to its large scale representing an increase of **3435 s.f.** over the current structure. According to the Assessor the current structure is 2181 s.f. and according to the plans, the proposed structure will be 5616 sf.---nearly tripling the square footage of the building. The modern design is not within the character of the neighborhood. As the design guidelines point out, "[a] single building out of context with its surroundings can be disruptive to the neighborhood character and, if repeated often enough, to the image of the City as a whole." RDG pg. 3. DR Requester is concerned that the stark modern design of the proposed project, in contrast to the more classical character of the vast majority of homes in the neighborhood, will cause just the type of disruption that the Residential Design Guidelines are meant to prevent.

DR Requester is also concerned that the de facto demolition of an existing building is not a green building practice. The Planning Department should review the project and recommend a method in which the project sponsor could proceed without demolishing the existing building--further, the addition of such a large building should require the addition of a new unit. This building represents nearly everything that is wrong in unaffordable San Francisco, the removal of a rent-controlled affordable unit from a building and then nearly tripling its size as a single family unit!?

2. As noted above, although the Project Sponsor has represented the proposed project as merely a "3 story rear addition" or a "addition to single family home", the fact remains that the plans very clearly reveal a 5-6 story building at the rear at 55'-60' feet in height from grade. The inclusion of these additional floors would give the project building the greatest height of any building in the neighborhood, and would change the overall character of the Upper Noe neighborhood This building is out of character with the neighborhood.

DR requester is concerned that the proposed 5-6 floor addition at the rear will loom over all other residences in the neighborhood. This would negatively affect the privacy of every neighbor, since the rear addition is to be constructed with massive windows in all directions and large out-of-character decks. Finally, the construction of a building, which is a full story taller than any other buildings in the neighborhood (and a full story taller than the adjacent neighbors) would have a negative impact on the long standing character of the neighborhood. The proposed project does not respect the neighborhood or the topography of the area. It will completely block

in and box out both adjacent neighbors. Such a result is not reasonable under the Code and the RDG's.

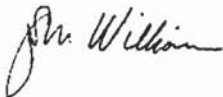
3. DR Requester would like to see the character of the neighborhood respected by removing the top floor and reducing the rear yard extension of the proposed building. This would maintain the existing height character of the neighborhood. More importantly, (the removal of the uncharacteristically high features of the proposed building will respect the privacy of nearby houses, including DR Requester's which will be negatively impacted by the proposed upper floor and proposed 5-6 floor rear addition which will loom over the other buildings in the neighborhood and whose massive windows will look down on and into neighbors' residences, including DR Requester's residence.

DR Requester further requests that the Department require that the building's overall height be reduced to minimize the scale and massing of the proposed building. This would keep it more in line with all nearby structures. Even without the upper floor, the plans reveal that the proposed building would still have a larger footprint and volume and be of a much larger scale than the current structure---nearly tripling the square footage of the building. In addition, since the plans call for the excavation and re-grading of the lot, the DR Requester asks that the Department require that the excavation proceed to a further depth and back into the hillside in order to reduce the scale and height of the proposed building. This would also be more in keeping with the character of the neighborhood.

Furthermore, the plans reveal that the proposed building's floors are of a greater height than most equivalent buildings. DR requester asks that the Department review the plans and if structurally sound, require that the height of the floors be reduced to further reduce the scaling and mass of the building to keep it more in line with the character of the neighborhood.

Finally, the DR Requester would like the proposed building to be redesigned to be in closer harmony with the aesthetic character of the neighborhood. The Upper Noe Neighborhood is not characterized by stark modern buildings and the addition of such a building would stand out dramatically.

Respectfully Submitted,



Stephen M. Williams

Gene Giesler
433 Hoffman Avenue
San Francisco, CA 94114

December 16, 2015

To Whom It May Concern:

This will confirm that I have retained the Law Office of STEPHEN M. WILLIAMS to represent my interests in a Discretionary Review Application matter before the Planning Department/Commission concerning the proposed project at 437 Hoffman Avenue, San Francisco, CA. I hereby authorize STEPHEN WILLIAMS to pursue and complete said DR application opposing the proposed project.

Sincerely,


Gene Giesler

Application for Discretionary Review

CASE NUMBER:
For Staff Use only

2015-003686

DRP-03

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:

Janet Fowler

DR APPLICANT'S ADDRESS:

434 Hoffman Avenue

ZIP CODE:

94114

TELEPHONE:

(415) 648-8780

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:

ADDRESS:

437 Hoffman Avenue

ZIP CODE:

94114

TELEPHONE:

()

CONTACT FOR DR APPLICATION:

Same as Above ☒

ADDRESS:

ZIP CODE:

TELEPHONE:

()

E-MAIL ADDRESS:

2. Location and Classification

STREET ADDRESS OF PROJECT:

437 Hoffman Avenue

ZIP CODE:

94114

CROSS STREETS:

Between 24th and 25th Streets

ASSESSORS BLOCK/LOT:

6503

/024

LOT DIMENSIONS:

27' x 125'

LOT AREA (SQ FT):

3,375

ZONING DISTRICT:

RH-2

HEIGHT/BULK DISTRICT:

40-X

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☒ Alterations ☒ Demolition ☒ Other ☐Additions to Building: Rear ☒ Front ☒ Height ☒ Side Yard ☒

Present or Previous Use: R3 1 Family Dwelling

Proposed Use: R3 1 Family Dwelling

Building Permit Application No. 201404113029

Date Filed: 4-11-2014

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.

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.

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.

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:

Janet Fowler

Date:

12-16-15

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

Janet Fowler, owner

Owner / Authorized Agent (circle one)

Application for **Discretionary Review**

CASE NUMBER
Per Staff Use only

Discretionary Review Application Submittal Checklist

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

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

Date: _____

RECEIVED

SEP 15 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

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

The size of the project will negatively impact neighbors on all sides and negatively impact the character of this quaint neighborhood. It is out of scale with neighboring homes, it impacts the mid-block open space with its excessive dimensions, and it encroaches on neighbors' privacy.

This project came into existence through a set of exceptional and extraordinary circumstances that have resulted in an excessively different outcome than what the Planning Commission intended when they approved the unit merger of this home from 2 units to a single-family residence. The Mandatory Discretionary Review for the merger is attached, and it details the conflict with the City's General Plan and Priority policies.

The loss of the existing home represents the loss of affordable housing while the proposed structure perpetuates a pattern of excessive remodeling and flipping of market-rate homes into very extraordinarily unaffordable homes.

TAKING ADVANTAGE OF THE SYSTEM

437 Hoffman Avenue is a modest 1905 home. It was the first home built on the east side of the block. It stood through the earthquake and became a temporary home for as many as 17 earthquake refugees, and a place for many to get water. No one was turned away by the Getty family, the shipbuilders who built and lived in this home -**see Exhibit 1 & 2.**

1. Irregularities of the unit merger and unintended consequences

In September 2008, the Planning Commission approved a permit for the Riley family to merge two units into a single-family home - **see Exhibits 3 and 3a.** The permission to merge was based on that family's situation and plans. The Planning Department recommended against the merger, and there was great concern about potential loss of affordable housing -**see Exhibit 3.** The DR Action stipulated no expansion and no right-of-way for a garage -**see Exhibit 4.**

In July 2010, Rileys sold the house to the Mittels) without having merged the units. In 2011, the Mittels "*retained Toby Long Designs to explore the addition of a garage and rear addition to [the] existing structure.*"

On April 3, 2012, the Mittels reviewed the expansion and garage design with SF Planner, Michael Smith, who entered into discussions with them on how to proceed with the scope of the new project -- garage and rear addition -- relative to the unit merger permit that stipulated no expansion and no garage -**see Exhibit 5.**

On April 19, 2012, the Mittels invited neighbors to a pre-Application meeting where they presented a massive rear addition. The proposed project would also remove a large street tree, raise the height of the structure, add a garage, and eliminate some street parking. A second pre-Application meeting showed the proposed project moving from 3,460 sf to 3,809 sf –see **Exhibit 7**. A Notice of Planning Department Requirements required the completion of the merger before the expansion plans could be approved – **unable to attach Exhibit at this time**.

On May 16, 2013, the Mittels filed plans to complete the unit merger – **see Exhibit 6**. A complaint was filed stating that the merger was exceeding the scope of the permit; the neighbors knew, of course, that the goal was not a unit merger, but a large rear addition and a garage –see **Exhibit 6a**.

2. Lack of transparency

On May 11, 2014, the Mittels submitted their plans for a \$900,000 “triage” expansion –see **Exhibit 6**. The neighbors heard nothing except that 437 Hoffman was being sold off-market. We did not know that the Mittel’s expansion plans had been submitted and approved.

In October 2014, 437 Hoffman was bought by Counts Gold LLC, which seems to be an investment group that includes a developer, a builder, the project sponsor, and others.

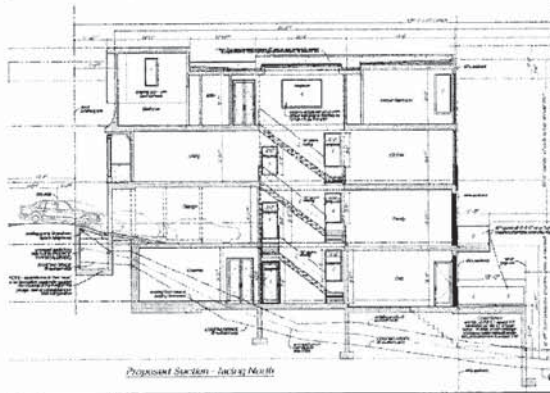
In February 2015, we were invited to the first pre-Application meeting, where we were shown *different* plans of a “remodel” that the project sponsor said was a demolition. She showed a contemporary façade that was very out-of-character and scale for the neighborhood and an even more massive rear addition and structure that was totaled over 6000 sf. The developer said that he wanted something to showcase his portfolio, and the project sponsor said that she couldn’t provide three bedrooms on the top floor without adding additional height. We all objected to the excessive ceiling height of all the floors. At the second pre-Application meeting, we were presented a less boxy-looking façade, and a very minor setback was presented to mitigate loss of privacy to the neighbors to the south –see **Exhibit 7**.

On March 10, 2015, the project sponsor then submitted the new plans to the Planning Department, and it was assigned case #201503100426. Soon afterward, however, it was reassigned under the Mittel’s case # 201404113029 –see **Exhibit 6**.

Re-emerging plans: The Mittel’s plans and the Counts Gold LLC plans were merged in terms of approval. The project sponsor, Ms. Condon, adds a handwritten note on the Mittel’s April 5, 2012 pre-Application notice that states, *“These records are for the meetings held by the previous building owner. We took these neighbor comments into account with our first design. So in essence - our permit submittal is a fourth attempt to address the neighbor’s issues – THAT SAID – the previous owner enlarged their proposal at their 2nd meeting. – Kelly Condon 3/9/15.”* On the Mittel’s 2nd Pre-Application Notice (Feb 12, 2014), there is a note that that the Mittels *“had the building extending all the way to the 45% line on all stories. We scaled back against the south side in response to neighbor’s concerns w/ that approach”* –see **Exhibit 7**.

The Counts Gold proposed project, however, was 6053 sf at the 1st pre-Application meeting and 6,029 sf at the 2nd pre-Application meeting.

Blind-sided: On October 14 or 15, 2015, we received the 311-Notice. The neighborhood was blind-sided by the contradiction between what was shown to the neighbors in the pre-app meetings and what was finally approved by the Planning Department. The plans were different and too dinky to decipher. The project sponsor sent us the plan set electronically, and we also asked for her to meet with us to walk us through them, which she did. She explained that she was keeping the façade "so as not to trigger a demo permit" –see **Exhibit 8**. The demo statistics were not included in the electronic set. The plans also had many inaccuracies, including not showing windows of neighboring homes and the relative positions of the openings and windows on the neighboring homes to the Project Site. Ms. Condon states (**Exhibit 8**) that the plans are the same except they're keeping the façade and how the



driveway comes into the house. There are many unanswered questions, but it is clear that the proposed project is still massive and doesn't retain the character of the existing house.

Is this really 3 stories?

Missing Case Files: I tried to look at all the case files pertaining to the project. Some of the files were archived, and when I finally got them, they did not include the missing

Residential Design Team review. I wanted to see all the emails and memos pertaining to the case, but Michael Smith's computer had been disabled after leaving the Department. In spite of repeated requests, I never got them. I especially wanted to know if my email would have been included since I never got a response the Planner.

3. Contradictions in what was presented to the Preservation Team and in the HRE and the absence of Residential Design Team Review

- a. The Categorical Exemption related to the Mittel's plans was reissued for the Counts Gold LLC revised plans without comment or review of the new plans. The proposed project referred to in the Categorical Exemption and the Preservation Team Comments is not the same project as the current project. Both the Preservation Team's Comments and the HRE cite that the house is being raised 4'5", but the current plans are raising the house by 6'. All stories have 9' or 10' ceilings, and the house will rise a full story higher than the neighboring adjacent homes. It will stick up from the others –see **Exhibit 9**.
- b. No RDT review was done for the project and instead, a sole planner took it upon himself to deem the project compliant with the RDG –see **Exhibit 10**.

4. Neighborhood/Historical Preservation or Historic Neighborhood Character

The loss of the existing home represents the loss of affordable housing while the proposed structure perpetuates an emerging pattern of remodeling newly acquired hillside homes to extraordinarily massive and unaffordable homes.

Retention of the existing home is consistent with Section 101.1 Priority Policy 2: "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."

5. Lack of Compliance with Residential Design Guidelines

Topography of the Hill and the Block's Roofline Progression, page 11

The two houses adjacent to this project are considerably lower in height than the proposed construction and as such, this building will not be in line with the block's roofline progression. The final height of the proposed building is over 12' higher than 431-433 Hoffman and over 10' higher than 439-441 Hoffman when measured to the proposed top of the front roof. This is a significant interruption of the block's roofline progression and should not be allowed. The RDG clearly states that the height of a new building or addition CANNOT disregard or significantly alter the existing topography of a site (p11). Being a full story taller than its adjacent buildings, the proposed project ignores this guideline and therefore, it should be sent back for re-design. (Roofline photo to be submitted later.)

Side Spacing Between Buildings; Breezeway, p15

There is a strong side spacing pattern present at the adjacent houses on this side of the block. The proposed project should respect this existing pattern as stated in the RDG (p15) instead of abolishing it altogether. This breezeway is source of the treasured sunshine for the elderly professor who lives in the home on the north side – **see Exhibit 11.**

Encroaching on Neighbors' Privacy p16-p17

Regardless of frosted glass, the number of windows proposed for both Northern and Southern elevations pose a huge privacy issue for the adjacent neighbors. The problem is even worse for the back neighbors on Homestead Street due to the numerous windows proposed for the Eastern elevation. The proposed project ignores the RDG principle that calls for minimizing the impact on light and privacy to adjacent properties (p16-p17). They should therefore reduce the number of proposed windows and the glass to solid ratio.

Rear Yard Guideline, p16

Articulate the building to minimize impacts on light and privacy to adjacent properties. The height and depth of the proposed project is excessive. The property to the north 431-433 Hoffman will lose all its sunshine. The property to the south 439-441 Hoffman is all walled in and there are large windows that excessively impact privacy. In addition, the decks appear to have glass railings, which further increase the loss of privacy. There is a small side set back,

but it does almost nothing to minimize the impact the project will have on the neighbor to the south.

Building Scale, p23 - p26

The proposed construction is out of scale in both overall mass and its specific dimensions. The RDG specifically calls for the "scale of the building to be compatible with the height and depth of its surrounding buildings," (p23) but the proposed project is a far cry from the houses in its immediate periphery with regards to scale.

Design the height and depth of the building to be compatible with the existing building scale at the street. Though the buildings within the surrounding area of this project appear to vary in scale, the proposed scale at the street level is stratospheric by comparison. **—see Exhibit 12**

The height and depth of the proposed expansion adversely impact the mid-block open space. Although one of the adjacent properties (431-433 Hoffman) extends well into this open space, this is only a two-story structure that is vastly smaller than the 3-story proposed project. The proposed expansion will not only box in the adjacent neighbors, but it will also negatively impact the mid-block community amenity shared by all residents of the block. This type of expansion is precisely what the RDG refers to as inappropriate since it leaves the surrounding residents feeling "boxed-in and cut-off from the mid-block open space." (p26)

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 other or the neighborhood would be adversely affected, please state who would be affected, and how.

The proposed project is unreasonably large for this quaint old neighborhood. The proposed project adds more than a full story of height to the front of the building, and that is unreasonably out of scale with the neighborhood and is disturbing to the scale of the existing roofline on the east side of the block. It sticks up higher than another other roof on the east side of the block. On the northern side at 431-433 Hoffman, there will be an unreasonably negative sunlight impact created for Professor Geisler, an exceptional and extraordinary elderly neighbor, who wants only to live out his last years in the sunlight that floods into the back portion of his unit.

The loss of the existing home represents the loss of affordable housing while the proposed structure perpetuates an emerging pattern of remodeling newly acquired hillside homes to extraordinarily massive and unaffordable homes.

And the losses will continue because each development that is overdone and sells for about a million over asking brings another remodel or demolition and the increase of more homes that a even more unaffordable – astronomically unaffordable! Our block is now a very precarious path because families who want a relatively modest home will not be able to compete with the investors and developers who have no qualms about tearing down a beautiful home to build something extravagant.

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?

Keep the breezeway to the north, keep the existing home with no garage and no additional vertical height, restrict the additional depth, including decks, at upper level to just enough to accommodate a third bedroom on the top floor with terraced lower stories terraces that have side set backs on the south side. And restore the second unit.

If you do decide to allow the garage, scale back the project and preserve the original 1905 home. Here's an example of a home at 105 Hoffman, where a garage was added with very little impact to the façade. -see **Exhibit 13**

Exhibit L.P.1 Emails from 2006 seller to buyer regarding history of
437 Hoffman

From: Alison Appel <alisona@maubi.net>
To: Janet Fowler <jfowlers@aol.com>
Subject: Fwd: 435-437 Hoffman
Date: Wed, Mar 4, 2015 6:19 pm

Janet this is the only info I could find about who built the house and those photos. I looked everywhere I could think of tonight and can not find them except in my mind :) Sorry. I never heard from our realtor again after we dropped the keys and have no idea what happened to the photos or "Alyce's" information that was with them.

The only other information I can add, is when "Alyce" the granddaughter visited the house, she said confirmed it was built and moved into in 1905. Her grandfather and dad or maybe uncle built it and they were German shipbuilders and built it like a ship. When the Earthquake hit in 1906 it was one of the few houses around that withstood the quake. Her family attributed it to that fact that the house was built like a ship. For about a year after the quake about 17 people lived in the house and her grandparents let anyone who lost their home stay.

-alison

Begin forwarded message:

Date: June 7, 2006 at 6:46:37 PM PDT
Subject: Re: 435-437 Hoffman
From: Dane Riley <dane@apple.com>
To: Alison Appel <alisona@maubi.net>
Cc: Michelle Jacobi <michellejacobi1@yahoo.com>, Chris Waterson <waterson@maubi.net>

I'm so glad to hear from you. We didn't want to bother you as you prepared to move out. I remember that it can be a stressful time based on a bad experience my mother had when moving out of one of my childhood homes. We hadn't heard that you had tried to contact us.

Thank you for collecting our mail. I don't know why we're receiving packages there as neither of us have started forwarding our mail. We will definitely keep any mail we get and put it in a larger envelop and forward it on once the larger envelop gets full.

We're very excited to see those architectural plans and we love the picture from when the house was being built that was on the BJ Droubi web site. We would love to talk to Alyce regarding the first 62 years. We'll contact her once we've settled in a little bit. We'll work with Paul to get those pictures too.

Also, if I recall correctly, there's an alarm in the kitchen. How will we know how to enable it? Are there instructions anywhere for that system?

Exhibit 1, p. 2 Emails from 2006 seller to buyer regarding history of
437 Hoffman

If you need to get ahold of us for any reason you know where we'll be. My contact info is listed below.

Thank you,

Dane Riley
System Engineer
Apple Education - West
Email: dane@apple.com
Cell: 650 245-1167
Fax: 208 248-4815

On 6/7/06 6:20 PM, "Alison Appel" <alisona@maubi.net> wrote:

Dane,
I'm Alison Appel, from whom you purchased 435-437 Hoffman. We've made several attempts to get in contact with you via our realtor to your realtor since the house closed. Not sure if the messages went through. (I googled your names and found your email address.)

Anyway, there is a large pile of mail here for you and Michelle including a FEDEX from GAP that arrived today. We will leave it on the washing machine when we leave. We are leaving Wed (6/14) afternoon/evening and will drop the keys off at the BJ Droubi office on the way out.

There are also architectural plans in the front hall closet and pictures of the house being built and the address of the granddaughter of the man who built it, R.W. Getty. He signed his name on the back of the basement door. Alyce, the granddaughter can fill you in on the first 62 years of the history of the house if you are interested. Paul Christopher, our realtor, has two additional pictures that you can ask him for.

Here is our forwarding information in case any mail slips through:

Appel/Waterson
955 Kekin Street
South Lake Tahoe, CA 96150

Enjoy the house! We loved living here.
-Alison

Exhibit 2, p. 1 Socketsite 437 Hoffman during construction photo; narrative on page 3 refers to KDI HRE

A Historic Look At 437 Hoffman (Before Noe Was All Builts Up)

June 17, 2009



Exhibit 2, p. 2 Socketsite 437 Hoffman during construction photo; narrative on page 3 refers to KDI HRE

Who could resist a historic look at 437 Hoffman atop Noe Valley circa 1905, versus as it looks today after all those damn density hounds had their way with the neighborhood.



Exhibit 2, p.3 Socketsite 437 Hoffman during construction photo; narrative on page 3 refers to KDI HRE

According to the Supplemental Information Form for Historic Resource Determination prepared by KDI Land Use Planning (dated April 2, 2012) and information found in the Planning Department files, the subject property at 437 Hoffman Avenue contains a 1-1/2-story-over basement; wood frame multi-family residence constructed in 1905 in the Queen Anne architectural style with some Craftsman style elements. The original architect is unknown, but the original owners were Neil W. Getty and Wilmot R. Getty, who were builders/contractors and likely constructed the building. The building has undergone very few alterations over time. Known alterations to the property include: legalization of the second unit and installation of a fire suppression system (1970), interior seismic upgrades (1989), reroofing and new shingles (1995).

No known historic events occurred at the property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject building is a non-descript example of a Queen Anne style multi-family property. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.

The subject property is not located within the boundaries of any identified historic districts. The subject property is located within the Noe Valley neighborhood on a block that exhibits a great variety of architectural styles, construction dates, and subsequent alterations that compromise historic integrity. The area surrounding the subject property does not contain a significant concentration of historically or aesthetically unified buildings. Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.



Exhibit 3, p.1

SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Dwelling Unit Merger HEARING DATE SEPTEMBER 25, 2008

Date: September 16, 2008
Case No.: 2008.0572 D
Project Address: 437 Hoffman Avenue
Zoning: RH-2 (Residential, Mixed, Moderate Density)
40-X Height and Bulk District
Block/Lot: 6503/024
Project Sponsor: William Pashelinsky
1937 Hayes Street
San Francisco, CA 94117
Staff Contact: Sharon Lai – (415) 575-9087
sharon.lai@sfgov.org
Recommendation: Take Discretionary Review and Disapprove

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

EXISTING BUILDING		PROPOSED BUILDING	
Building Permit Application Number	2008.06.27.5494		
Number Of Existing Units	2	Number Of New Units	1
Existing Parking	0	New Parking	0
Number Of Existing Bedrooms	3	Number Of New Bedrooms	3
Existing Building Area	±2,105Sq. Ft.	New Building Area	±2,105Sq. Ft.
		Public DR Also Filed?	No
311 Expiration Date	9/18/08	Date Time & Materials Fees Paid	N/A

PROJECT DESCRIPTION

The Project is located on a downward sloping lot, where the sidewalk grade is located at the second floor level, in a RH-2 (Residential, House, Two-Family) District. The lot contains two dwelling-units within a three-story building, which was constructed circa 1905. The lower unit occupies the first floor and the upper unit occupies the second and third floors. The Building Permit Application proposes to reduce the number of legal dwelling units from two-dwelling units into a single-family house by constructing a new interior staircase, removing the lower level kitchen, and replacing the lower unit front door with a window (not visible from the street). The resulting single-family house will be a 3-bedroom and 2-bath dwelling unit.

SITE DESCRIPTION AND PRESENT USE

The property at 437 Hoffman Avenue is located on the east side of Hoffman Avenue between 24th and 25th Streets. The Property has approximately 27'-0" of lot frontage along Hoffman Avenue with a lot depth of 125'-0". The downward sloping lot from the southwest corner (downward sloping from the front and right side) contains a three-story, two-family dwelling of approximately 2,115 gross square-feet, with no existing parking.

This modified Queen Ann-style dwelling is setback approximately 6 feet from the front property line, and contains a side yard setback along the north side (left side) property line of approximately 3-feet. The property is within an RH-2 (Residential, House, Two-Family) Zoning District with a 40-X Height and Bulk designation.

There are no available building permit records for the original construction of the subject property however it appears that the residence was constructed as a single-family dwelling. The existing lower unit was legalized in 1970 and is located at the partially sub-grade first floor, with a short set of stairs leading from the private entrance to Hoffman Avenue. The lower unit contains 1 bedroom, a three-quarters bath, a full kitchen, a family room, a den, a private deck and access to the rear yard, and measures approximately 715 square feet in habitable space. The upper dwelling unit located at the second and third floor, with a slightly raised front entrance from Hoffman Avenue on the second floor. The upper unit contains 2 bedrooms, 1 full bath, a full kitchen, a dining room, a living room, a private deck and access to the rear yard, and measures approximately 1,400 square-feet.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The Subject Property is located in the Noe Valley neighborhood, on the east side of Hoffman Avenue, between 24th and 25th Streets. The Subject Property is located within the RH-2 Zoning District in a residential district of one-and two-family dwellings that include Marina style buildings, Craftsman style buildings, a few in-fill mid-century modern buildings, and some recent eclectic constructions. Architectural styles, building heights, building depth and front setbacks vary along at the subject neighborhood.

The surrounding neighborhood consists of a mix of one- to three-story buildings, containing mostly one or two residential dwelling-units. The residential neighborhood contains dwellings of varying heights and depths. The adjacent property to the north is a two-unit building, measuring approximately 28'-6" wide by 66'-0" deep. The adjacent building to the south is on a lot narrower than the Subject Property, 25'-0" by 125'-0", with a two-story two-family dwelling measuring approximately 24'-0" by 46'-0".

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	September 15, 2008	September 15, 2008	10 days
Mailed Notice	10 days	September 15, 2008	September 15, 2008	10 days

Exhibit 3, p. 3

Discretionary Review Analysis Summary
September 25, 2008

CASE NO. 2008.0572 D
437 Hoffman Avenue

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	0	0

PROJECT ANALYSIS

DWELLING UNIT MERGER CRITERIA

Below are the five criteria to be considered by the Planning Commission in evaluating dwelling unit mergers, per Planning Code Section 317, adopted on May 18, 2008:

1. Removal of the unit(s) would only eliminate owner occupied housing.

Project Meets Criteria.

The current owners purchased the property in 2006 and have been occupying the units since.

2. Removal of the unit(s) and the merger with another is intended for owner occupancy.

Project Meets Criteria.

3. Removal of the unit(s) will bring the building closer into conformance with the prevailing density in its immediate area and the same zoning.

Project Does Not Meet Criteria.

The properties in the immediate area within 150 feet of the subject property, between 24th and 25th Streets are zoned RH-2. Of the 42 properties surveyed in the immediate area, including the subject property, 40% (17) of the lots are multi-family dwellings. The average density for these 42 properties is approximately 1.5 units per lot. Therefore, the density resulting from this merger will not be in keeping with the prevailing density pattern of the immediate area.

4. Removal of the unit(s) will bring the building closer into conformance with prescribed zoning.

Project Does Not Meet Criteria

The subject property's current density is in conformance with the prescribed RH-2 zoning, in that there are two existing legal units. The proposed unit removal will not bring the building closer into conformance with the prescribed zoning, which permits two-units.

5. Removal of the unit(s) is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations.

Project Does Not Meet Criteria

The lower unit has one bedroom, a full bath, a full kitchen, direct access to the rear deck and yard, and its own separate entry, which does not adversely impact the function or flow of the upper unit. Although the lower unit only contains one bedroom, the proposed merger and alterations are not necessary to correct design or functional deficiencies in the existing building.

GENERAL PLAN COMPLIANCE:

The Department's Recommendation is consistent with the following relevant objectives and policies of the Housing Element of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1: RETAIN THE EXISTING SUPPLY OF HOUSING.

The existing housing stock is the City's major source of relatively affordable housing. It is very difficult to replace given the cost of new construction and the size of public budgets to support housing construction. Priority should be given to the retention of existing units as a primary means to provide affordable housing.

Policy 2.2:

Control the merger of residential units to retain existing housing.

Consistent: The proposed dwelling unit merger was reviewed against and deemed inconsistent with a majority of the Department's dwelling unit merger criteria. Therefore, the existing dwelling units should be retained.

SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Department's recommendation is consistent with these policies as follows:

1. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

Consistent. Disapproving the merger will preserve two existing dwelling units and thereby maintain a diversity of housing options for the City's residents. The elimination of two smaller, comparatively more affordable dwelling-units to create one larger, comparatively more expensive single-family home is inconsistent with the policy's intent to preserve economic diversity.

Exhibit 3, p 5

Discretionary Review Analysis Summary
September 25, 2008

CASE NO. 2008.0572 D
437 Hoffman Avenue

ENVIRONMENTAL REVIEW

The Project was issued an Administrative Categorical Exemption, Classes 1, Category B, Guidelines Section 15301(1)(1) and 15303(b)] on September 8, 2008.

BASIS FOR RECOMMENDATION

The Department recommends that the dwelling-unit merger from two-dwelling units to a single-family dwelling to be disapproved. The Department's recommendation is consistent with the Objectives and Policies of the General Plan and does not meet the criteria set forth in Section 101.1 and 317 of the Planning Code in that:

- The Project will result in a net loss of one dwelling-unit.
- The Project will eliminate two existing sound, smaller dwelling-units to create one larger, less affordable home.
- The RH-2 Zoning District allows a maximum of two dwelling-units on this lot. This District is intended to accommodate a greater density than what currently exists, and several of the surrounding properties reflect this ability to accommodate the maximum density. The Project is therefore an inappropriate development per the General Plan.

RECOMMENDATION:

Take DR and disapprove the merger.

Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Site Photo
Section 311 Notice
Discretionary Review Application
Response to DUM Criteria
Historic Resource Review Form
Reduced Plans
Context Photos

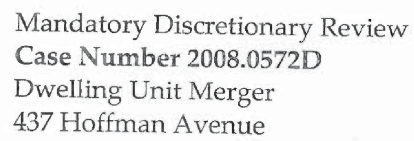
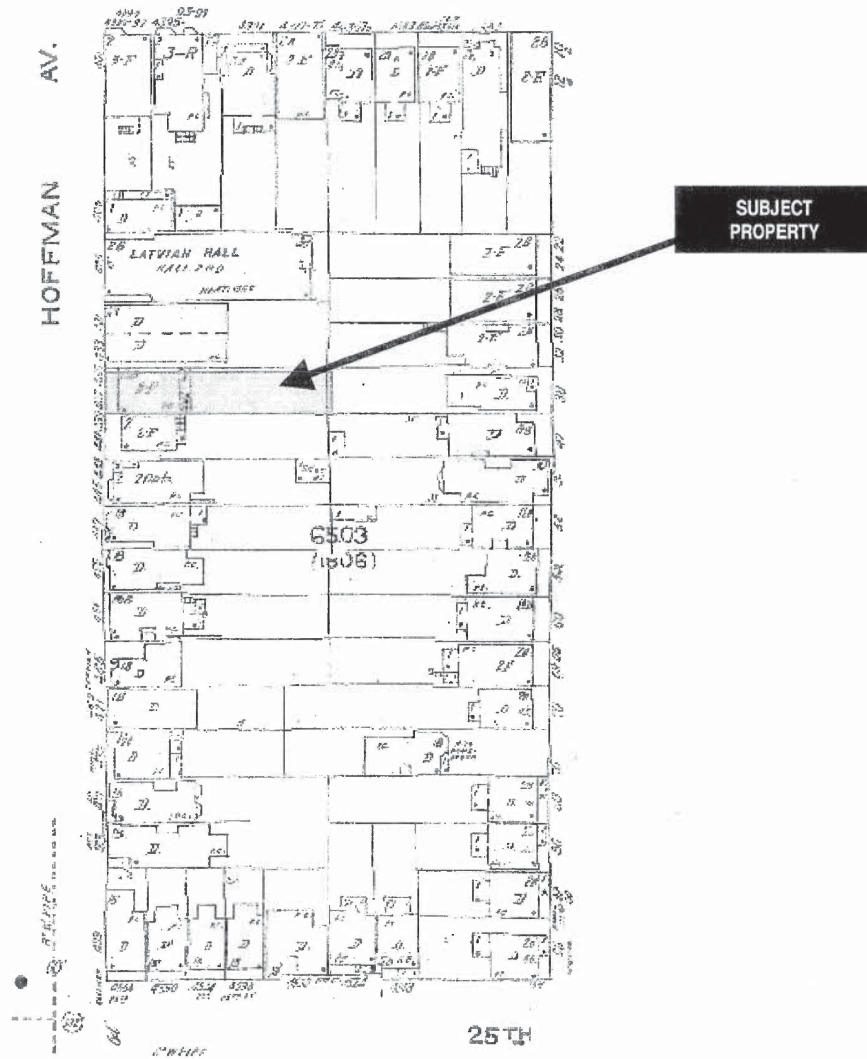


Exhibit 3, p. 7

Sanborn Map*



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



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

Exhibit 3 p.8

Zoning Map



ZONING USE DISTRICTS

RESIDENTIAL, HOUSE DISTRICTS

RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
---------	------	---------	------	------

RESIDENTIAL, MIXED (APARTMENTS & HOUSES) DISTRICTS

RM-1	RM-2	RM-3	RM-4
------	------	------	------

NEIGHBORHOOD COMMERCIAL DISTRICTS

NC-1	NC-2	NC-3	NCD	NC-S
------	------	------	-----	------

SOUTH OF MARKET MIXED USE DISTRICTS

SPD	RED	RSD	SLR	SLI	SSO
-----	-----	-----	-----	-----	-----

COMMERCIAL DISTRICTS

C-2	C-3	C-3-G	C-3-R	C-3-O	C-3-O(SD)
-----	-----	-------	-------	-------	-----------

INDUSTRIAL DISTRICTS

C-M	M-1	M-2
-----	-----	-----

CHINATOWN MIXED USE DISTRICTS

CPNC	CVR	CCB
------	-----	-----

RESIDENTIAL-COMMERCIAL DISTRICTS

RC-3	RC-4
------	------

REDEVELOPMENT AGENCY DISTRICTS

MB-RA	HP-RA
-------	-------

DOWNTOWN RESIDENTIAL DISTRICTS

RH-DTR	TB-DTR
--------	--------

MISSION BAY DISTRICTS

MB-OS	MB-O
-------	------

PUBLIC DISTRICT

P



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

Exhibit 3, p. 9

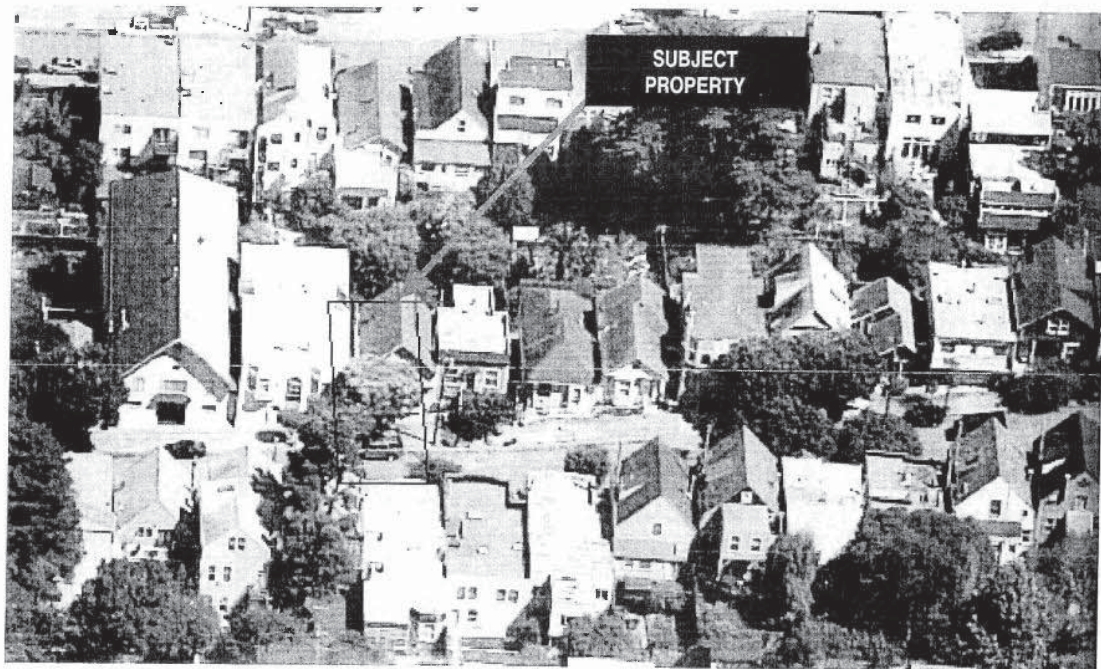
Aerial Photo
View from West



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

Exhibit 3, p. 10

Aerial Photo
View from East



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

Exhibit 3, p. 11

Site Photo

SUBJECT
PROPERTY



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

Exhibit: 3a p1 Partial Transcript of DR Hearing to merge two units and make 437 Hoffman a Single-Family Home.

DR Hearing September 25, 2008
Case #2008.0572 D for 437 Hoffman Avenue

Sharon Lai: ...The project before you is a mandatory discretionary review of a building application to merge 2 dwelling units into a single-family home. Planning code §317 requires a Discretionary Review Hearing for building permit applications resulting in the loss of a legal dwelling unit. **The Department recommends taking DR and disapproving the project as proposed.**

The proposal to merge the two units is by adding an interior staircase connecting the second and first levels, converting the first floor kitchen into a den and replacing the lower unit's front entrance with a window. The subject property is located at 437 Hoffman Avenue between 24th and 25th Streets within the RH2 zoning district (residential 2 family per lot) in the Noe Valley neighborhood. The existing 2-unit building was constructed in 1905 and has been legalized as a 2-unit dwelling since 1970. The current owner, Mr. Riley, purchased and resides at both the units since 2006. The Department finds the merger to be unnecessary and undesirable in that the project is inconsistent with the City's general plan policies and only meets 2 of the 5 criteria stated in Planning Code §317 E for reviewing dwelling unit mergers. **The general plan emphasis is on the retention of the existing supply of housing and the preservation of economic diversity in neighborhoods. The proposed merger will negatively impact the existing housing stock by eliminating a relatively affordable, sound existing unit, which would be contrary to the housing elements' goals in §101.1's priority policies. The proposed absorption of the smaller and relatively more affordable dwelling unit into an already family-sized two-story unit will not yield the benefit of increasing the number of family-sized units in the neighborhood.** Additionally, the subject property presents a number of opportunities to add square footage as permitted by the Planning Code and the Residential Design Guidelines without resorting to the elimination of a housing unit. Hence, the disapproval of the project will be consistent with the City's general plan policies. The Department has received no additional comments from the public. This concludes my presentation. I'm available for questions. Thank you.

Project Sponsor: Hello. My name is Dane Riley and, as mentioned, I'm the owner of 437 Hoffman. I'm here with my family – my wife, Michelle, my daughter, Mackenzie, and my son, Aden. Aden's only a month and a half old. The reason that we're here to appeal to you is partly because we love the neighborhood that we live in. We love Noe Valley. There's a big reason that we chose it. When we moved into the house, my daughter wasn't just yet born, and a month later she joined us in enjoying our house. When we first started looking for houses, we fell in love with Noe Valley because it's very – the parks are great, it's beneficial to families with dogs. The house that we moved into is great because of the yard. And, at the time, it was the perfect dwelling for us. There's two bedrooms in the main house. It was also perfect because my wife's family is in Michigan, and they were able to come out and stay with us sine the apartment that's downstairs is part of the house. Obviously, our family has grown in

Exhibit: 3 a p. 2 Partial Transcript of DR Hearing to merge two units and make 437 Hoffman a Single-Family Home.

that time frame, and Aden has joined us, and it's less than ideal to have a house with two children of the opposite sex sharing a room together. And so, our in applying for this is join the houses and one house so that we can have access to 3 bedrooms and continue to enjoy Noe Valley, which we've fallen in love with.

Bill Pashlinsky, architect: I'm going to take exception to a few things that were said by the planning staff. Number one: I do feel that the house as a single-family is meeting the prevailing density requirement. I did a study that was presented to Planning ...

Number two: In regard to the possibility of building additional space 1. the reason the Danes are doing this is right now there are two bedrooms; the idea is to create three bedrooms. When they bought the house, they just had the one child. I know that's a question that comes up quite a bit here, is why didn't you buy a single-family house to start with. And I believe in this case one of the children wasn't present nor was it planned to be present at the time they purchased the house. This is part of life, and additional children, as you can see, show up. And there is indeed a need for an additional bedroom as part of a two-child family. You could build on. A couple things...the back of the house is something like 40 feet high right now. You clearly cannot build out in front because of preservation laws among other things on the street front. Building out in the rear would be a massive massive undertaking. We're talking about hundreds of thousands of dollars. Number 2 is, while Planning can say we're in buildable areas, the reality is there are neighbors back there who have windows and light. **So any type of building project, even if it were affordable to the Danes, really could have a severely negative impact on the neighbors. I don't think it was the intent of the owners in this case from either an economic viewpoint or in case of disturbing neighbors to really do an addition.**

Michelle Riley speaks...

Exhibit 4

Permits, Complaints and Boiler PTO Inquiry

Permit Details Report

Report Date: 5/18/2012 3:05:18 PM

Application Number: 200806275494

Form Number: 3

Address(es): 6503 / 024 / 0 437 HOFFMAN AV

Description: MERGE 2 UNITS INTO 1 UNIT. REMOVE KITCHEN @ 1ST FLOOR. CONSTRUCT STAIRS BETWEEN 1ST & 2ND FLOOR. EXISTING DECK TO COMPLY LATERALLY TO SFBC '2010 CODE.

Cost: \$10,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
6/27/2008	TRIAGE	
6/27/2008	FILED	
6/27/2008	FILED	

Contact Details:

Contractor Details:

License Number: UND

Name: UNDECIDED UNDECIDED

Company Name: UNDECIDED

Address: UNDECIDED * UNDECIDED CA 00000-0000

Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CPB	6/27/08	6/27/08			6/27/08	DANG DENNIS	415-558-6070	
2	PPC	6/27/08	6/27/08				FUNG SERENA	415-558-6133	8-18-11: Route to CP-Zoc. sjf 6/8/11: Plans in HOLD BIN. 4-13-11: Applicant submit Revision 1 to CP-Zoc/Sharon Lai. sjf 6-27-08: Per Bill, add SFPUC for review. Route to CP-Zoc. sjf
3	CP-ZOC	6/27/08	6/30/08			5/26/11	LAI SHARON	415-558-6377	Dwelling unit merger approved per DRA-024
4	CP-NP	8/19/08	8/19/08	8/19/08		5/26/11	LAI SHARON	415-558-6377	See 311 mailed 8/19/08 exp 9/18/08
5	BLDG	5/27/11	6/2/11	6/2/11		8/18/11	DANG DENNIS	415-558-6133	
5	DPW-BSM	6/2/11	6/6/11			6/6/11	GAIME BERHANE	415-558-6060	NO ALTERATION OR CONSTRUCTION OF CITY RIGHT OF WAY UNDER THIS PERMIT. No Street space!
5	SFPUC	6/7/11	6/7/11			6/7/11	SZU-WHITNEY MONICA	415-575-6941	Capacity charge not applicable. Route to PPC - 06/07/11.
6	CP-ZOC	8/18/11	8/24/11			8/24/11	LAI SHARON	415-558-6377	Approve revisions, no expansion
9	CPB							415-558-6070	

Subj to updated C
no right of way - garage
no expansion

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
------------------	-------------------	------------------	------------------	-------------	------------

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

5/18/2012 3:06 PM

Exhibit 5

ARCHITECTURE
toby long design

437 HOFFMAN AVENUE - PROPOSED PROJECT HISTORY

PROJECT BACKGROUND

Property was sold to current owner with unit merger approval based on case #200806275494 and #2008.0572 D. Current owner retained Toby Long Design to explore the addition of a garage and rear addition to existing structure.

PROJECT TIMELINE SUMMARY

May 27, 2011 - Toby Long Design submitted additional materials to finalize unit merger site permit on behalf of previous architect, William Pashelinsky.

August 24, 2011 - Site permit approved by SF Planner Sharon Lai.

Discuss
how to
proceed
with
new
scope
+
unit merger

April 3, 2012 - Pre-Project meeting with San Francisco Planner, Michael Smith, to review schematic design and discuss how to proceed with new scope relative to unit merger approval. Smith reviews documents and concludes that he will need to verify sequence with Zoning Administrator.

April 19, 2012 - Presented Preliminary Conceptual Design to Adjacent Neighbors. Attendee list attached. The following comments were received:

1. Rear addition at south property line to block light at 441 and 439 Hoffman Avenue.
2. Height of rear deck at lowest floor too high.
3. Wrap-around deck on upper level would erode privacy at existing roof deck 441 and 439 Hoffman.
4. Lower deck extended too far
5. Rear addition blocks light at 433 Hoffman
6. Tree removal for new garage is unacceptable.
7. Discretionary review hearing and subsequent unit merger approval only addresses reduction of unit, not addition or creation of parking.
8. Neighbors asked for specific dimensions regarding height.

June 6, 2012 - E-mail message from Michael Smith stating that the building must first be designated as a single family unit prior to the application for any new scope of work. The final step in completing the approved unit merger is to apply to permit for an interior stair connecting the existing top floor to the former lower unit.

September 18, 2012 - Building Permit application and plans for interior connecting stair submitted.

January 09, 2013 - Building Permit approved.

May 30, 2013 - Surveyor retained and survey issued of subject property and adjacent properties.

July 12, 2013 - Final inspection and approval issued for construction of interior stair.

October 15, 2013 - Application for Tree Removal denied by SF Bureau of Urban Forestry, appeal request filed and hearing scheduled.

October 28, 2013 - Tree Removal Hearing, adjacent neighbors present.

December 30, 2013 - Approval to remove street tree pending planning approval for garage and rear addition, issued by Mohammed Nuru.

January 1 - March 5, 2014 - Design revisions made according to neighbor from 2012 meeting with accurate survey information:

1. Rear addition at south property line to block light at 441 and 439 Hoffman Avenue.
Light coming from south, no light blocked from North. Lightwell added on south property line to mirror profile of roof deck at 439 and 441 Hoffman Avenue.

6114 LA SALLE AVENUE #552, OAKLAND, CA 94611 P:415.905.9030 WWW.TOBYLONGDESIGN.COM

Exhibit 6

BUILDING PERMITS

Permit: 201503100425

Form: 3 - Alterations With Plans

Filed: 3/10/2015

Address: 437 HOFFMAN AV

Parcel: 6603024

Existing: 1 FAMILY DWELLING

Proposed: 1 FAMILY DWELLING

Existing Units: 1

Proposed Units: 1

Status: WITHDRAWN

Status Date: 4/10/2015 3:29:05 PM

Description: REMODEL SINGLE FAMILY RESIDENCE, 3-STORIES OVER BASEMENT ADD GARAGE & DRIVEWAY 5 BEDROOMS, 5 1/2 BATHS, (N) FOUNDATION, FIRE SPRINKLERS

Cost: \$750,000.00

Permit: 201404113029

Form: 3 - Alterations With Plans

Filed: 4/11/2014

Address: 437 HOFFMAN AV

Parcel: 6603024

Existing: 1 FAMILY DWELLING

Proposed: 1 FAMILY DWELLING

Existing Units: 1

Proposed Units: 1

Status: FILED, FILING, TRIAGE

Status Date: 4/11/2014 11:01:15 AM

Description: ADDITION TO SINGLE FAM DWG, 3 STORY REAR ADDITION TO INCLUDE (N) FAM RM (GROUND), (N) KITCHEN (FIRST), (N) BEDRMS & BATH (2ND)

Cost: \$900,000.00

Permit: 201305167162

Form: 8 - Alterations Without Plans

Filed: 5/16/2013

Address: 437 HOFFMAN AV

Parcel: 6603024

Existing: 2 FAMILY DWELLING

Proposed: 1 FAMILY DWELLING

Existing Units: 2

Proposed Units: 1

Status: COMPLETE

Status Date: 7/12/2013 12:38:43 PM

Description: REVISION TO APPL #2008 06 27 5494 - KEEP EXISTING DOOR (EXTERIOR) AT LOWER LEVEL, NO ADDITIONAL WORK BEYOND WHAT WAS ORIG. APPROVED.

Cost: \$1,000

Permit: 201209079183

Form: 8 - Alterations Without Plans

Filed: 9/7/2012

Address: 437 HOFFMAN AV

Parcel: 6603024

Existing: 2 FAMILY DWELLING

Proposed: 1 FAMILY DWELLING

Existing Units: 2

Proposed Units: 1

Status: WITHDRAWN

Status Date: 8/17/2012 3:30:16 PM

Description: REV. TO APPROVED BLDG PAR#200806275494 EXISTING DECK TO BE VOLUNTARY STRENGTHENED, MERGE 2 UNITS INTO 1 UNIT, REMOVE KITCHEN @ 1/F, CONSTRUCT STAIR BETWEEN 1/F & 2/F

Mittel Expansion
900,000.00
Triage

merger

Exhibit 6a

Welcome to our Permit / Complaint Tracking System!

COMPLAINT DATA SHEET

Complaint Number: 201310731

Owner/Agent: OWNER DATA SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed:

Location: 437 HOFFMAN AV

Block: 6503

Lot: 024

Site:

Rating:

Occupancy Code:

Received By: Gregory Slocum

Division: INS

Complainant's

Phone:

Complaint

Source: TELEPHONE

Assigned to

Division: BID

Description: Exceeding scope of permit 201305167162 -- prior plans did not call for expansion of building footprint however expansion is taking place.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	CLANCY	6249	17	

REFERRAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
07/03/13	CASE OPENED	BID	Clancy	CASE RECEIVED	
07/11/13	OTHER BLDG/HOUSING VIOLATION	BID	Clancy	NO ENTRY	Left contact info
07/12/13	OTHER BLDG/HOUSING VIOLATION	BID	Clancy	CASE CLOSED	Site visit per Inspection Request, no expansion has taken place. Case abated by Fergal Clancy.

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Inspector Contact Information

[Online Permit and Complaint Tracking](#) home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

Exhibit 701

These records are for the meetings held by the previous building owner.
We took these neighbor comments into account with our first design.

So in essence - our permit submittal is a FOURTH attempt to
Address the neighbors' issues - THAT SAID - the previous owner enlarged
Notice of Pre-Application Meeting their proposal @ their 2nd meeting.

- Kelly Condon 3/9/15

APRIL 5, 2012

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVENUE, cross street(s) 24TH STREET (Block/Lot#: 6503/24; Zoning: RH-2), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☐ New Construction;
- ☐ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☒ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: Remodel the existing residence which includes an addition at the rear and the modification of the lower level to create a single car garage.

Existing # of dwelling units: <u>1</u>	Proposed: <u>1</u>	Permitted: <u>2</u>
Existing bldg square footage: <u>2230 SF</u>	Proposed: <u>3460 SF</u>	Permitted: <u>6075 SF (F.A.R. max)</u>
Existing # of stories: <u>3</u>	Proposed: <u>3</u>	Permitted: <u>3</u>
Existing bldg height: <u>24' front</u>	Proposed: <u>30' front</u>	Permitted: <u>30' front</u>
Existing bldg depth: <u>33'-7"</u>	Proposed: <u>54'-0"</u>	Permitted: <u>61'-3"</u>

MEETING INFORMATION:

Property Owner(s) name(s): Vivek and Pooja Mittal

Project Sponsor(s): toby@longdesign - Toby Long, AIA - PREVIOUS OWNER + PREVIOUS DESIGN TEAM

Contact information (email/phone): toby@toby@longdesign.com / 415.905.9030

Meeting Address*: 437 HOFFMAN AVENUE

Date of meeting: Thursday, APRIL 19, 2012

Time of meeting**: 6 PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

Exhibit 7 p2

Affidavit for Pre-Application Meeting

Notice of Pre-Application Meeting

FEBRUARY 12, 2014

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVENUE, cross street(s) 24TH STREET (Block/Lot#: 6503/24; Zoning: RH-2), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

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A Pre-Application meeting is required because this project includes (check all that apply):

- ☐ New Construction;
- ☐ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☒ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

* The drawings shown @ this meeting had the building extending all the way to the 45% setback on ALL stories. We scaled back against the south side in response to the neighbors' concerns w/ that approach.

The development proposal is to: Remodel to existing residence which includes an addition at the rear and the modification of the lower level to create a single car garage.

Existing # of dwelling units: <u>1</u>	Proposed: <u>1</u>	Permitted: <u>2</u>
Existing bldg square footage: <u>2238 SF</u>	Proposed: <u>3809 SF</u>	Permitted: <u>6075 SF (F.A.R. max)</u>
Existing # of stories: <u>3</u>	Proposed: <u>3</u>	Permitted: <u>3</u>
Existing bldg height: <u>25'-7" front</u>	Proposed: <u>30'-0" front</u>	Permitted: <u>35' front</u>
Existing bldg depth: <u>33'-7"</u>	Proposed: <u>57'-3"</u>	Permitted: <u>61'-3"</u>

MEETING INFORMATION:

Property Owner(s) name(s): Vivek and Pooja Mittal

Project Sponsor(s): tobylongdesign - Toby Long, AIA - PREVIOUS OWNER + PREVIOUS DESIGN TEAM

Contact information (email/phone): toby@tobylongdesign.com / 415.905.9030

Meeting Address*: 437 HOFFMAN AVENUE

Date of meeting: Thursday, March 6, 2014

Time of meeting**: 6 PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfpplanning.org.

Exhibit 7.p.3

ARCHITECTURE
toby long design



437 HOFFMAN AVENUE - PROPOSED PROJECT HISTORY

PROJECT BACKGROUND

Property was sold to current owner with unit merger approval based on case #200806275494 and #2008.0572 D. Current owner retained Toby Long Design to explore the addition of a garage and rear addition to existing structure.

PROJECT TIMELINE SUMMARY

May 27, 2011 - Toby Long Design submitted additional materials to finalize unit merger site permit on behalf of previous architect, William Pashetinsky.

August 24, 2011 - Site permit approved by SF Planner Sharon Lai.

April 3, 2012 - Pre-Project meeting with San Francisco Planner, Michael Smith, to review schematic design and discuss how to proceed with new scope relative to unit merger approval. Smith reviews documents and concludes that he will need to verify sequence with Zoning Administrator.

April 19, 2012 - Presented Preliminary Conceptual Design to Adjacent Neighbors. Attendee list attached. The following comments were received:

1. Rear addition at south property line to block light at 441 and 439 Hoffman Avenue.
2. Height of rear deck at lowest floor too high.
3. Wrap-around deck on upper level would erode privacy at existing roof deck 441 and 439 Hoffman.
4. Lower deck extended too far
5. Rear addition blocks light at 433 Hoffman
6. Tree removal for new garage is unacceptable.
7. Discretionary review hearing and subsequent unit merger approval only addresses reduction of unit, not addition or creation of parking.
8. Neighbors asked for specific dimensions regarding height.

June 6, 2012 - E mail message from Michael Smith stating that the building must first be designated as a single family unit prior to the application for any new scope of work. The final step in completing the approved unit merger is to apply to permit for an interior stair connecting the existing top floor to the former lower unit.

September 18, 2012 - Building Permit application and plans for interior connecting stair submitted.

January 09, 2013 - Building Permit approved.

May 30, 2013 - Surveyor retained and survey issued of subject property and adjacent properties.

July 12, 2013 - Final inspection and approval issued for construction of interior stair.

October 15, 2013 - Application for Tree Removal denied by SF Bureau of Urban Forestry, appeal request filed and hearing scheduled.

October 28, 2013 - Tree Removal Hearing, adjacent neighbors present.

December 30, 2013 - Approval to remove street tree pending planning approval for garage and rear addition, issued by Mohammed Nuru.

January 1 - March 5, 2014 - Design revisions made according to neighbor from 2012 meeting with accurate survey information:

1. Rear addition at south property line to block light at 441 and 439 Hoffman Avenue.
Light coming from south, no light blocked from North. Lightwell added on south property line to mirror profile of roof deck at 439 and 441 Hoffman Avenue.

Exhibit 7. p. 4

ARCHITECTURE
tobylongdesign



2. Height of rear deck at lowest floor too high.
Floor at rear of lowest level lowered 4'-10" to achieve a lower exterior deck elevation.
3. Wrap-around deck on upper level would erode privacy at existing roof deck 441 and 439 Hoffman.
Wrap around deck at upper floor removed. First floor lightwell created to maximize privacy and light.
4. Lower deck extended too far.
Per section 136 of zoning code configuration and extension of deck permitted within this zone.
5. Rear addition blocks light at 433 Hoffman.
Mirror of lightwell provided at north side of subject property that abuts 433 Hoffman, consistent with SF Residential Design Guidelines. The lightwell at 433 Hoffman has been illegally enclosed with glazing at zero clearance to property line.
6. Tree removal for new garage is unacceptable.
Tree removal has been approved for removal by SF Public Works pending Planning approval for scope of work. See above for details.
7. Discretionary review hearing and subsequent unit merger approval only addresses reduction of unit, not addition or creation of parking. Unit merger completed with final inspection of interior stair. Property is now considered Single Family Dwelling and eligible for proposed scope of work.
8. Neighbors asked for specific dimensions regarding height.
Survey information provided for existing property by American Land Survey and extrapolated on proposed architectural plans.

January 27, 2014 - Submittal for Environmental Evaluation with supplemental Historic Resource Evaluation application

March 6, 2014 - Second Meeting with adjacent neighbors to present updated plans. Attendee list is attached. The following comments were received and addressed as follows:

1. Rear addition at south property line to block light at 439 and 441 Hoffman Avenue.
Light coming from south, no light blocked from North. Lightwell added on south property line to mirror profile of roof deck at 439 and 441 Hoffman Avenue.
2. South lightwell to conflict with privacy on roof deck at 439 and 441 Hoffman.
Proposed lightwell mirrors profile of existing roof deck at 439 and 441 Hoffman as recommended in SF Residential Design Guidelines.
3. Rear addition blocks light at 433 Hoffman.
Mirror of lightwell provided at north side of subject property that abuts 433 Hoffman, consistent with SF Residential Design Guidelines. The lightwell at 433 Hoffman has been illegally enclosed with glazing at zero clearance to property line.
4. Lower deck exceeds rear setback.
Lower deck configuration permitted per Section 136 of SF Zoning Code.
5. Sidewalk is obstructed by proposed driveway.
Driveway design in accordance with SF DPW Bureau of Street-Use and Mapping "Typical Drawings for a Warped Driveway". This diagram includes minimum sidewalk clearance requirements.

Exhibit 7 p5

Jan 30
6 pm
Phelz

Notice of Pre-Application Meeting

January 14, 2015

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVE, cross street(s) BETWEEN 24TH & 25TH ST (Block/Lot#: 6503 ; Zoning: 024), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☒ New Construction;
- ☒ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☐ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: demolish existing building, new front wall moves forward to line of average of adjacent neighbors @ north side & steps back / extends less @ south side. new building extends to 45% rear yard setback at north side & to average of adjacent neighboring building depths at top 2 stories on south side + sets in 50' away from southern neighbor starting at line of neighbor's adjacent top story indent.

Existing # of dwelling units: 1	Proposed: 1	Permitted: 1
Existing bldg square footage: 2992 s.f.	Proposed: 6053 s.f.	Permitted: 2992 s.f.
Existing # of stories: 3 + basement	Proposed: 3 + basement	Permitted: 3 + basement
Existing bldg height: 25'-7" (curb to peak)	Proposed: 30'-11" (to curb)	Permitted: 40' max
Existing bldg depth: 45'-5" from front P.L.	Proposed: 80'-9" front P.L.	Permitted: see 'existing'
52'-9" (front P.L. to deck)	to bsmt / 68'-9" at higher stories	

MEETING INFORMATION:

Property Owner(s) name(s): Hoffman TIC Group

Project Sponsor(s): KELLY CONDON

Contact information (email/phone): 415-240-8328 / KELLYMCONDON@GMAIL.COM

Meeting Address*: PHILZ COFFEE @ 4298 24th St, San Francisco, CA 94114

Date of meeting: JANUARY 30, 2015 (FRIDAY)

Time of meeting**: 6PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfpplanning.org.

Exhibit 7 p 6

Notice of Pre-Application Meeting

February 16, 2015

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVE, cross street(s) BETWEEN 24TH & 25TH ST (Block/Lot#: 6503; Zoning: 024), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☒ New Construction;
- ☒ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☐ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: SECOND NEIGHBOR MEETING: demolish existing building, new front wall moves forward to line of average of adjacent neighbors @ north side & steps back / extends less @ south side, new building extends to 45% rear yard setback at north side & to average of adjacent neighboring building depths at top 2 stories on south side + sets in 50' away from southern neighbor starting at line of neighbor's adjacent top story indent.

Existing # of dwelling units: 1	Proposed: 1	Permitted: 1
Existing bldg square footage: 2992 s.f.	Proposed: 6029 s.f.	Permitted: 2992 s.f. (existing)
Existing # of stories: 3 + basement	Proposed: 3 + basement	Permitted: 3 + basement
Existing bldg height: 25'-7" (curb to peak)	Proposed: 30'-11" (to curb)	Permitted: 40' max
Existing bldg depth: 45'-5" from front P.L.	Proposed: 80'-9" front P.L.	Permitted: see 'existing'
52'-9" (front P.L. to deck)	to bsmt / 68'-9"	
	at higher stories	

MEETING INFORMATION:

Property Owner(s) name(s): Hoffman TIC Group

Project Sponsor(s): KELLY CONDON

Contact information (email/phone): 415-240-8328 / KELLYMCONDON@GMAIL.COM

Meeting Address*: UMPQUA BANK - 3938 24th St (between Noe & Sanchez St)

Date of meeting: February 25, 2015 (WEDNESDAY)

Time of meeting**: 6PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfpplanning.org.

EXHIBIT 8 Email -Keeping front façade so as not to trigger a demo permit

From: Kelly Condon <kellymcondon@gmail.com>

To: Janet Fowler <jfowlers@aol.com>

Cc: Alek Juretic <alek@citidev.com>; Jason Lindley <jason@citidev.com>;
PAUL KRAAIJVANGER <paulusk12@gmail.com>

Subject: Re: Plan set as submitted with 311 Notice

Date: Mon, Oct 19, 2015 9:32 am

Attachments: 437 HOFFMAN - NOTICED SITE PERMIT.pdf (6276K)

Janet -

Here is a copy of the site permit as submitted to Planning in a final draft. Our case planner resigned & moved on to become the head of planning in another town - so we have a new case planner. We redesigned the house to keep the front facade details (ie. to NOT trigger the a demo permit) to save time since we have been waiting for a response from Planning since March. The rest of the plans did not change. Just the front facade & how the driveway comes into the house. Square footages are on sheet A1 (like before).

Kelly Condon
415-240-8328

On Oct 18, 2015, at 11:55 PM, Janet Fowler wrote:

Dear Kelly,

We are wondering if you could provide us with a full-sized or close to full-sized copy of the plans you submitted to Planning and we received with the 311 Notice? The plans that you submitted appear different from the plans you supplied to us. We would like to review the same plans that were submitted to Planning. The plan set that was attached with the 311 Notice from Planning is very puny and not very helpful.

Do you have any explanations that you would like to provide to us? We see that the facade is different. What else is different? What is the square footage of the plans that you submitted to Planning?

Thank you,
Janet Fowler

Exhibit 9 p.1

Revised 5-7-15



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
437 Hoffman Ave.		6503/024	
Case No.	Permit No.	Plans Dated	
2014.0329E		2/24/15	
<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. Interior remodel and exterior expansion of an existing two-story single-family residence. Add two-car garage. Raise building by 5'4".			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an Environmental Evaluation Application is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. 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

If any box is checked below, an Environmental Evaluation Application is required.	
<input type="checkbox"/>	Air Quality: 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 > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: 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

Exhibit 9 p 2

	Environmental Site Assessment. 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 > Maher layer).
<input type="checkbox"/>	Transportation: 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 type="checkbox"/>	Archeological Resources: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Noise: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input checked="" type="checkbox"/>	Slope = or > 20%: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Project will follow recommendations of 3/22/15 Gruen geotech letter and 1/16/14 Gruen geotech report. Catex issued on 9/24/14 rescinded because project changed. PTR form attached.	

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

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

Exhibit 9 p 3

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. 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 <i>Residential Design Guidelines</i> .
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) 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.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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 known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , 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> .

Exhibit 9 p 4

<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): _____
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an Environmental Evaluation Application to be submitted. GO TO STEP 6.
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

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

<input type="checkbox"/>	Further environmental review required. 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 STOP! Must file an Environmental Evaluation Application.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.	
	Planner Name: Project Approval Action: Building Permit If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature: Jean Poling <small>Digitally signed by Jean Poling DN: dc=sf, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Environmental Planning, cn=Jean Poling, email=jean.poling@sfgov.org Date: 2015.05.05 11:25:20 -0700</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.		

Exhibit 9 p5

**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:

Exhibit 9 p6

My comments are in the right margin, next to highlighted areas. (Janet Fowler)



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

Preservation Team Meeting Date:		Date of Form Completion	5/16/2014
---------------------------------	--	-------------------------	-----------

PROJECT INFORMATION:		
Planner:	Address:	
Gretchen Hilyard	437 Hoffman Avenue	
Block/Lot:	Cross Streets:	
6503/024	24th Street	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	n/a	2014.0329E

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input checked="" type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	1/27/2014
------------------------------------	-----------

PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Supplemental Information Form prepared by KDI Land Use Planning (April 2, 2012).	
Proposed project: to raise the existing building by 4'-5" to convert 257 sf of existing residential space at the lower level into a one-car garage. Also included is a 1,511 sf three story addition at the side and rear.	

This refers to a different plan.
New plan would have to be four stories in height.

PRESERVATION TEAM REVIEW:			
Historic Resource Present		<input type="radio"/> Yes	<input checked="" type="radio"/> No *
		<input type="radio"/> N/A	
Individual		Historic District/Context	
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:	
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Period of Significance:		Period of Significance:	
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor	

Exhibit 10 No RDT Review for this project.

From: Tran, Nancy (CPC) [mailto:Nancy.H.Tran@sfgov.org]

Sent: Thursday, November 12, 2015 12:35 PM

To: Stephen M. Williams

Cc: geneg@sfsu.edu; rufnikhound@gmail.com; paul.lef123@gmail.com; 'Janet Fowler'; Sanchez, Scott (CPC); Washington, Delvin (CPC)

Subject: RE: 437 Hoffman Project---Plans Fail to Meet Minimum Standards of Section 311

Mr. Williams:

The Zoning Administrator determined that the plans will need to be revised and re-noticed for an additional 15 days (this does not include the time required for support staff/reproduction). The additional notification will go out to the required organizations and neighbors, including those that were missed in the original mailing. I have informed the project architect of this.

In response to your voicemail following your review of the file last week - I understood your November 9th email inquiry: "Also, may I please review the files? Please let me know when they can be made available for review and copying" as a request to only see the building permit plans and file. Please be aware that not all emails between the project sponsor, interested parties and Planning Department are printed out. If you would like to see *all* communication, you will need to submit an official Sunshine Records Request. The Department would have to check with all planners involved with the project and access Michael Smith's disabled email account since there may have been emails exchanged prior to it being reassigned to me.

With respect to file notes/scheduling – **please be aware that not all projects are required to be scheduled for RDT review. Mr. Smith, who was a representative on RDT, reviewed the project against the RDGs and determined that the scope of work did not trigger formal RDT review and that it met the guidelines.** If your client submits a Discretionary Review application, the project will be brought to RDT for final determination before it appears before the Planning Commission.

Regards,

Nancy Tran

Exhibit 11



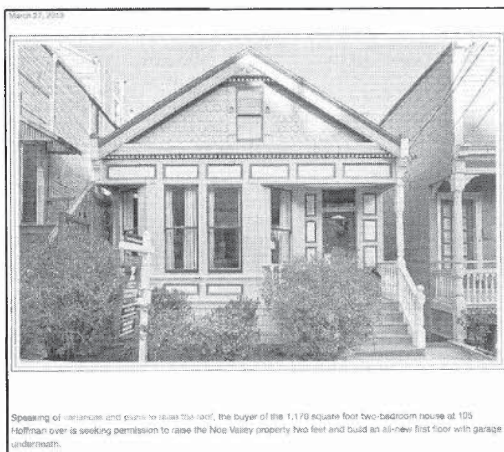
Proposed Southern Elevation

Clipping from actual plans of project, page A15

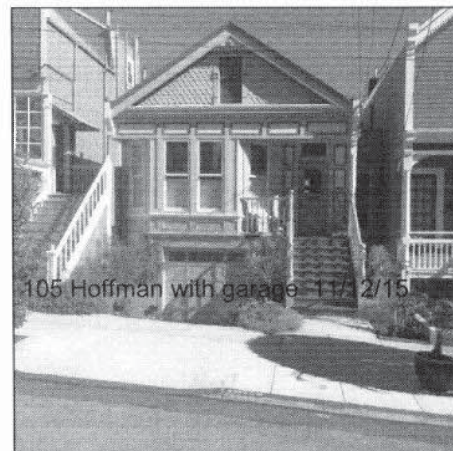
Exhibit: 13

Here's an example of a home at 105 Hoffman, where a garage was added with very little impact to the façade. I know it is not what the 437 Hoffman developers want, but these were actual homeowners.

http://www.socketsite.com/archives/2013/03/plans_to_double_the_square_footage_by_raising_the_roof.html



Speaking of variances and plans to raise the roof, the buyer of the 1,170 square foot two-bedroom house at 105 Hoffman over is seeking permission to raise the Noe Valley property two feet and build an all-new first floor with garage underneath.



**Before the
San Francisco Planning Commission**

**PROJECT SPONSOR'S SUBMITTAL IN OPPOSITION TO
APPLICATIONS FOR DISCRETIONARY REVIEW REGARDING
SINGLE FAMILY HOME ADDITION**

437 Hoffman Avenue

Project Sponsors:

Paul Kraaijvanger and Kelly Condon

Building Permit Application 2014.04.11.3029

Hearing Date: April 7, 2016

Attorneys for Project Sponsors:

REUBEN, JUNIUS & ROSE, LLP

One Bush Street, Suite 600, San Francisco, CA 94104
t] 415 567 9000 f] 415 399 9480

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A. INTRODUCTION

Paul Kraaijvanger and Kelly Condon ("Project Sponsors") propose to alter a single family home ("Project") at 437 Hoffman Avenue ("Project Site") to add a rear addition of 15 ft., 10 in. beyond the existing decks, or 28 ft. from the rear wall. The alterations will also include a vertical addition of 6 ft., to a height of 27 feet (to the midpoint of the sloped roof) in a 40 ft. height district. The Project Sponsors will maintain a side setback for 34 ft. of the home's 74 foot, 10 inch depth. The proposed addition is in context with the other homes on the block, and is permitted as of right by the Planning Code.

Most of the contiguous homes have substantially the same height and similar or larger massing as the proposal. In a contiguous row of 13 buildings, the existing building stands out as being the smallest in depth (34'8" plus 12'6" deck) on the block. The DR Applicant's building at 439 Hoffman (Baskerviller and Lefebvre) exceeds the depth of the existing building by approximately 10 feet, beyond which they have a 9'7" deep deck.

The addition will bring the Project Sponsors' home to a similar depth as most other homes on the block, and only 6 inches deeper than the adjacent 431 Hoffman (DR Requester Geisler). The building that is two doors to the north of 431 Hoffman at 425 Hoffman is only a few feet shy of being a lot line to lot line building without a rear yard. Similarly, many of the houses to the north, such as 404-406 Hoffman, 410 Hoffman, 412-414 Hoffman, and 416 Hoffman, are 3-4 stories at the curb, are all substantially taller than the proposal.

But for the DR Applicant's application for discretionary review, this addition would have been administratively approved. The Residential Design Team ("RDT") has reviewed and approved the proposed Project. RDT has characterized the proposed addition as "modest" and indicated that it finds the DR requests to be uniformly without merit.

DR Applicants Lefebvre and Baskerville are located adjacent and to the south. DR Applicant Geisler, located adjacent and to the north, has a substantially larger home, and has enclosed a 15 ft. lightwell along the property line shared with the Project Sponsors without permits.

B. SITE INFORMATION

Street Address:	437 Hoffman Avenue
Cross Streets:	24 th Street
Assessor's Block/Lot:	6503/024
Zoning District:	RH-2 (Residential – two-family)
Height and Bulk District:	40-X
Proposed Addition:	Vertical addition of 6 feet to midpoint of sloping roof, reaching 27 feet in height from the curb (29'1" will be the overall building height); horizontal addition of 15'10" beyond the existing decks or 28' in building depth from the rear wall; setbacks will be provided on the top 2 floors as

follows: The top two stories are setback 9'3" on the southern side and recessed away from the southern lot line by 12'4"; the ground level popout is limited in width to 12' and recessed away from the southern lot line 6'0" and from the northern lot line 5'0".

C. THE DR APPLICANT HAS FAILED TO SATISFY THE MINIMUM STANDARD OF REVIEW - THERE ARE NO EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES THAT JUSTIFY DISCRETIONARY REVIEW

The Planning Commission's authority to review permits on a case-by-case basis under "Discretionary Review" (Municipal Code of the City and County of San Francisco, Part III, Section 26(a))¹ must be carefully exercised. In 1943, the California Supreme Court held that the San Francisco Board of Permit Appeals, pursuant to the above-referenced Section 26(a), had the authority to exercise its "sound discretion" in granting or denying building permits (See *Lindell Co. v. Board of Permit Appeals* (1943) 23 Cal.2d 303). In 1954, then San Francisco City Attorney Dion R. Holm issued Opinion No. 845, in which he opined that the Planning Commission has similar discretion to grant or deny building permits. However, the City Attorney cautioned the Planning Commission with respect to the judicious exercise of this discretion. In his opinion, the City Attorney stated as follows:

"I think it is entirely plain, on the authority of the above-enunciated general principles, that the reservation of authority in the present ordinances to deal in a special manner with exceptional cases is unassailable upon constitutional grounds . . . this is, however, a sensitive discretion and one which must be exercised with the utmost restraint." (City Attorney Opinion No. 845, p. 8, emphasis in original).

The discretionary review handout provided to the public by the Planning Department reiterates this underlying foundation of the discretionary review power. That publication provides that "discretionary review is a special power of the Commission, outside the normal building permit application approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with a proposed project. The Commission has been advised by the City Attorney that the Commission's discretion is sensitive and must be exercised with utmost constraint." In this case, the Planning Commission should exercise such constraint by approving the Project.

There are no exceptional and extraordinary circumstances in this case that would justify the Planning Commission's exercise of its discretionary review powers. Each of the issues raised by the DR Applicant is meritless. The professional planning staff (Residential Design Team or "RDT") has approved the project twice.

¹ Section 26(a) provides that "[I]n the granting or denying of any permit, or the revoking or the refusing to revoke any permit, the granting or revoking power may take into consideration the effect of the proposed business or calling upon surrounding property and upon its residents and inhabitants thereof; and in granting or denying said permit, or revoking or refusing to revoke a permit, may exercise its sound discretion as to whether said permit should be granted, transferred, denied or revoked."

D. THE PROJECT SPONSOR HAS UNDERTAKEN EXTENSIVE NEIGHBORHOOD OUTREACH

The Project Sponsors have conducted intensive neighborhood outreach meetings (5 meetings in all (including 2 held by the previous homeowner)) that began more than 15 months ago, and have offered significant good-neighbor gestures in an attempt to accommodate neighbor concerns. Unfortunately, an agreement was not reached with the DR Applicants. The DR applications do not identify any project details that would constitute an exceptional or extraordinary circumstance.

E. PROJECT SPONSORS' GOOD NEIGHBOR GESTURES

The Project Sponsors have made the following good neighbor gestures for the benefit of the DR Requesters:

Changes Made Per Neighbor Requests

1. Per review of the neighbor comments from the previous homeowner's neighbor meetings, reduced massing at southern side on all stories as follows:
 - **Basement & Ground Levels:** portion extending beyond neighbor's rear wall was recessed by 4'-2" (with a 12' pop out recessed 5' away on both sides)
 - **Second Level:** portion extending beyond neighbor's rear wall was recessed by 4'-2" up to the line of averaged adjacent neighboring building setbacks. After that line of averages – the massing was further reduced to 13'-3 1/2" away from the shared southern lot line
 - **Third Level:** portion extending beyond neighbor's rear wall was recessed by 4'-2" up to the line of averaged adjacent neighboring building setbacks. After that line of averages – the massing was further reduced to 12'-3" away from the shared southern lot line
2. Per review of the neighbor comments from the Project Sponsors' first neighbor meeting, the following changes were made:
 - **Basement & Ground Levels:** 12' pop out was reduced in height by 1 story & recessed 1' further away from southern neighbor. Second level of previously proposed 12' pop out was reduced to a floating / cantilevered balcony – 6' away from southern neighbor & 6' deep instead of 12'. Pop out remained recessed 5' away from northern neighbor.
3. Per review of the neighbor comments from the Project Sponsors' first neighbor meeting, the following additional changes were made:

- **Front Façade:** entire front façade was redesigned in order to eliminate the squareness of the front wall & to reduce height against neighboring buildings. The new front wall & roof over top story was designed to be sloped 4 3/4": 1'-0" at both sides.
4. Per review of additional neighbor comments regarding the proposed modern front façade, the following changes were made:
- **Front Façade:** Preserve existing front façade. Project Sponsors have withdrawn their proposal for a modern façade.

Changes Made per Planning Dept. NOPDRs

1. NOPDRs 1 and 2 were sent to the previous homeowner with regard to their design – which was superseded by the Project Sponsors design. NOPDR 2 was a repeat send of NOPDR 1 so that we would have the associated comments given to the previous homeowner.

This repeated NOPDR contained only comments requesting standard graphic elements on the drawing set (i.e. dimensions, show the setback lines, show adjacent buildings, show a site plan). In essence this was a request for missing information that is typically required for plan check.

Project Sponsors' drawings superseded the previous drawings and had all of this information from the start.

2. NOPDR 3 was a request to add dimensions, add an existing section, and change the registration point of dimensions on the drawings.

This NOPDR had no comments regarding the design of the building

3. NOPDR 4 was a request made after Project Sponsors' 311 notification was completed and after the DR requests were filed.

This NOPDR required Project Sponsors to remove the proposed dormers, which Project Sponsors have done.

F. RESPONSE TO DISCRETIONARY REVIEW APPLICANTS' CONCERNS

The proposed Project is sensitively designed, and will significantly improve the living space, the interior design, and the structural integrity of the home. No variances have been requested. The proposed Project is consistent with the policies and objectives of the General Plan and the Planning Code. The Project will upgrade the home to comply with current Building Code standards, and add livable space.

The proposed Project meets the standards of the Residential Design Guidelines, per Planning Department RDT Review. Project Sponsors will keep the front façade. Nothing in the

proposed Project is extraordinary or has an extraordinary impact on anyone. There is nothing out of scale about the proposed Project, and there is no material impact to the DR Requesters.

DR Requesters allege that the proposed addition will block light and air to their property. However, the Project Site is located in a dense urban environment, where modest impacts are to be expected as a result of any infill development. The Project's rear yard and rear façade aligns with the adjacent home at 431-433 Hoffman (Gene Geisler). Partial side setbacks on both sides of the Project maintain light and air for the adjacent homes.

An additional non-required 9'3" x 12'4" setback is provided at the second and third levels on the southern side, in line with the average of adjacent building depths. The Project Sponsor has also provided a lightwell to match that of the building to the north (Geisler).

The proposed Project exemplifies smart, infill development that preserves the front façade and sloped roof, and will not result in the sort of exceptional or extraordinary impacts that DR is intended to address and which are required before DR can be taken.

Additional detailed responses to each of the DR Requesters' concerns are set forth in attachment D.

G. CONCLUSION

DR Requesters failed to meet their burden of proof, namely establishing the existence of exceptional or extraordinary circumstances. DR Requesters have failed to make the requisite showing to warrant the exercise of the Commission's discretionary review authority.

The Project Sponsors' proposed alterations are allowed as a matter of right by the Planning Code, are appropriately sized, are in context with the block, and will improve the design and functionality of the home. The Project will upgrade the home to comply with current Building Code standards, and to add livable space at the top and rear of the home. But for the applications for discretionary review, the Project would have been approved administratively. The front façade of the home will be preserved as is. The proposal is simply not the sort that DR is intended to address.

The DR Applicants have failed to demonstrate any exceptional or extraordinary circumstances that would justify discretionary review. The additions will bring the Project Sponsors' home to approximately the same height as the adjacent homes. The massing of the Project Sponsors' home will be substantially smaller than most of those homes. There will not be any material impact to the DR Applicants.

Accordingly, the Project Sponsor respectfully requests that the Planning Commission reject the requests for discretionary review for all of the reasons cited above.

Thank you for your consideration.

Respectfully Submitted,

REUBEN, JUNIUS & ROSE, LLP

Dated: March 17, 2016

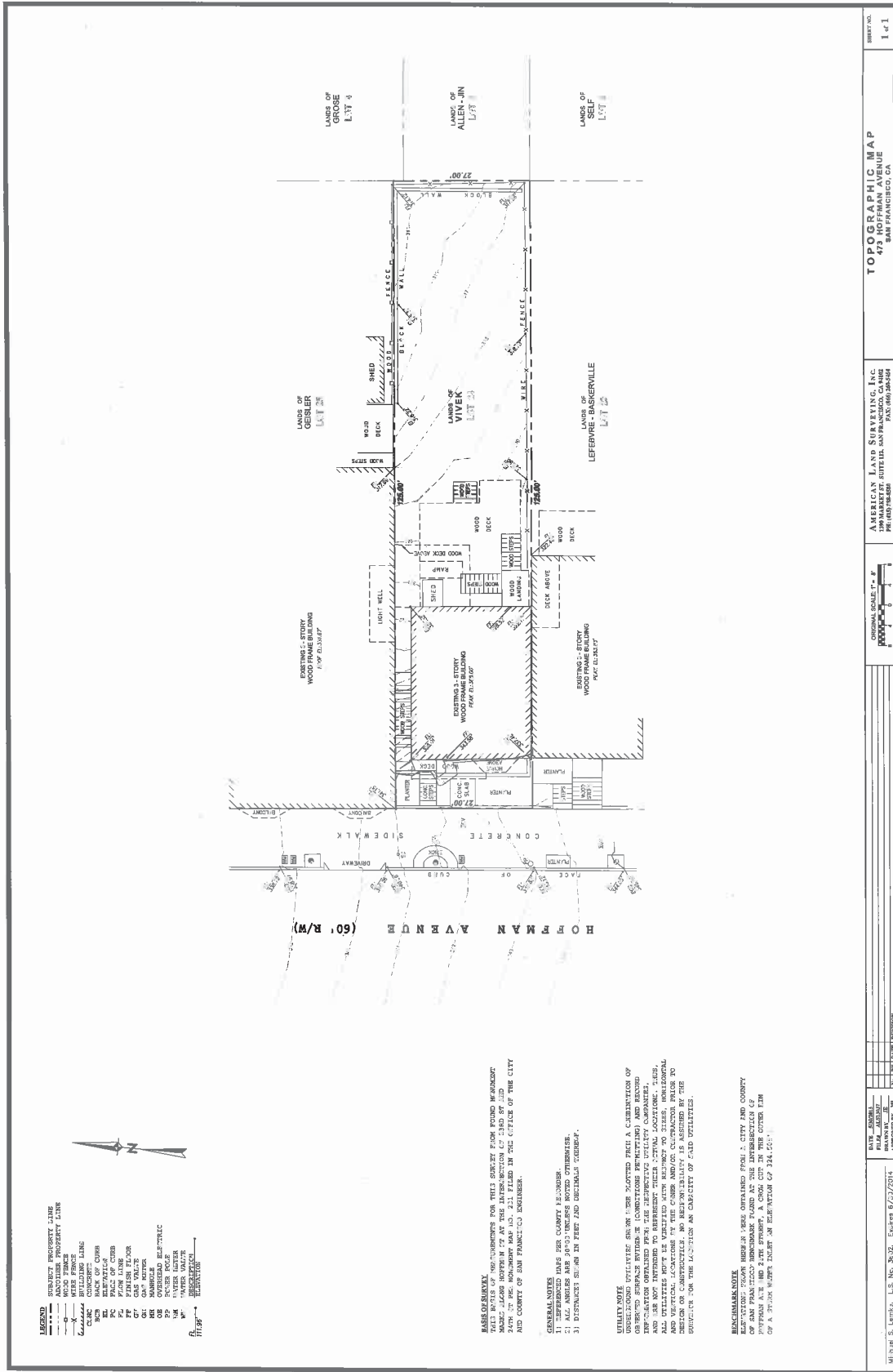
By: 

David Silverman, Attorneys for Project Sponsors
Paul Kraaijvanger and Kelly Condon

Exhibit List

- A. Project Plans and Renderings
- B. Photographs of Existing Structure
- C. Context Photos
- D. Detailed Responses to DR Applicants' Concerns With Illustrative Photos

EXHIBIT A



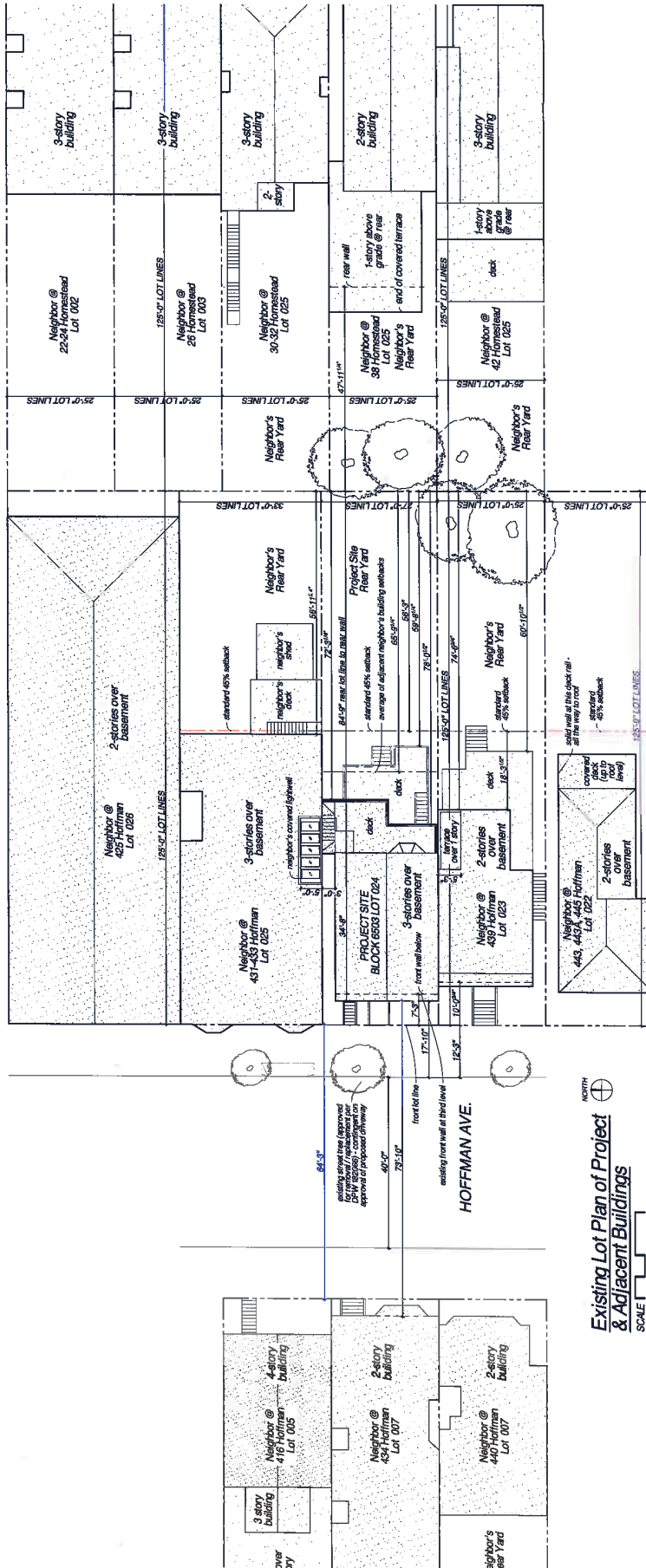
January 5, 2016



Existing Site Plan

scale: as noted

A3



Existing Lot Plan of Project
& Adjacent Buildings

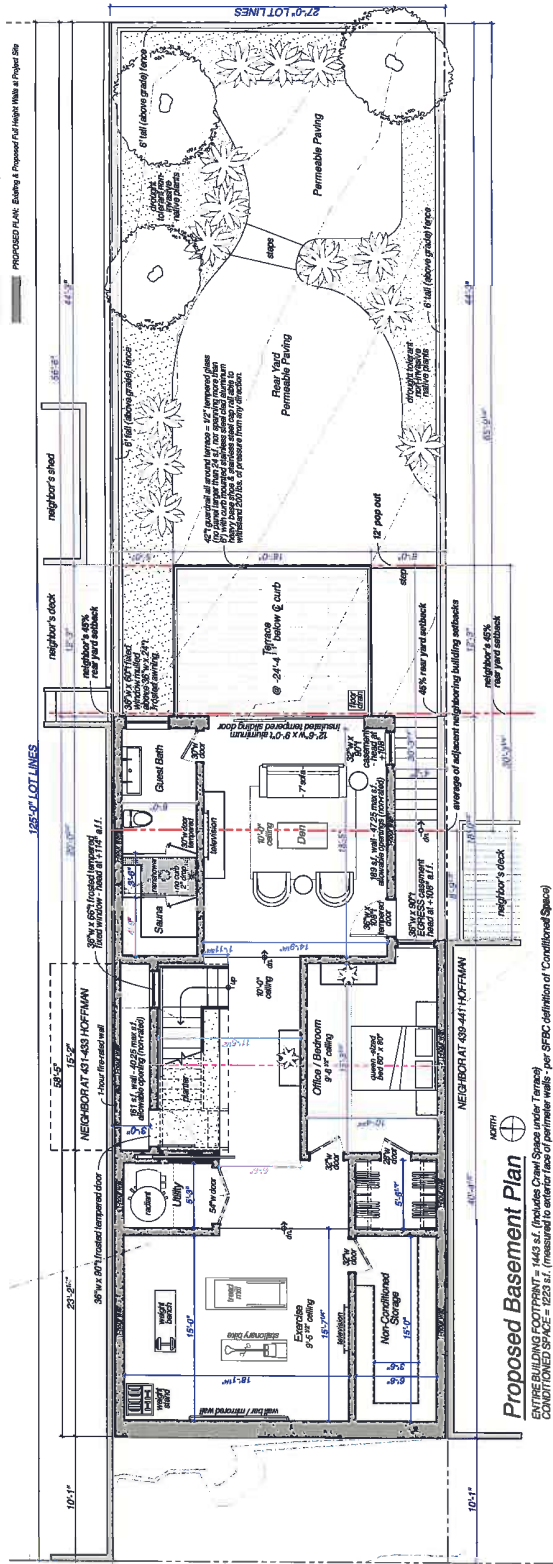
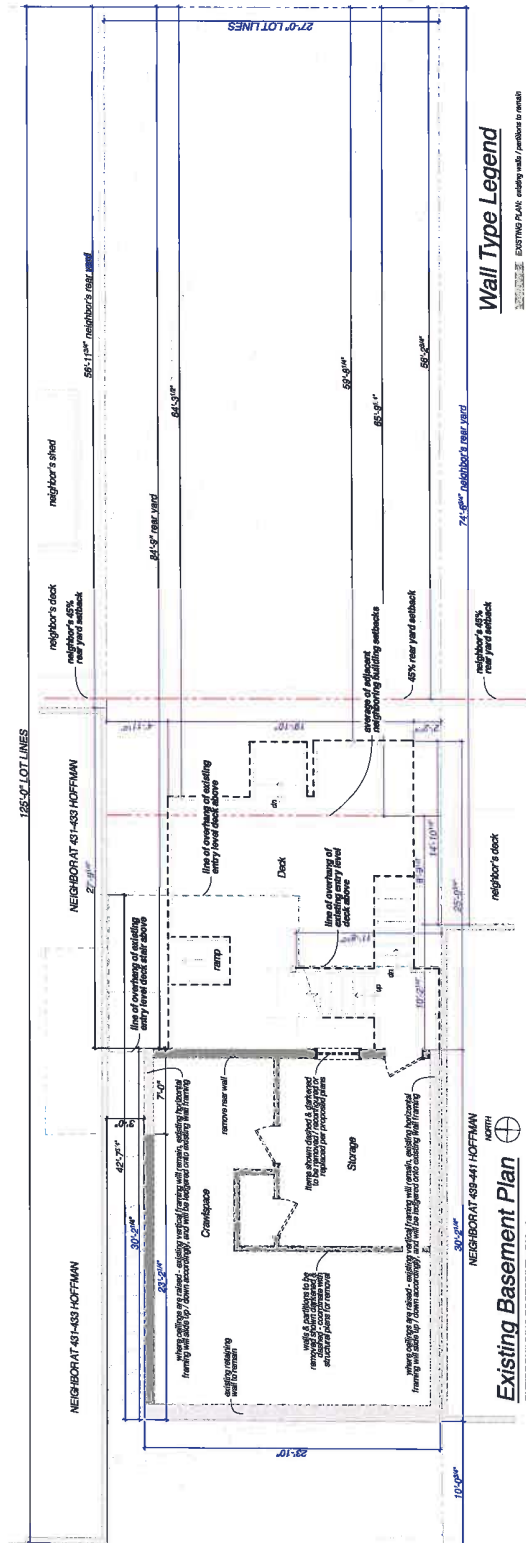
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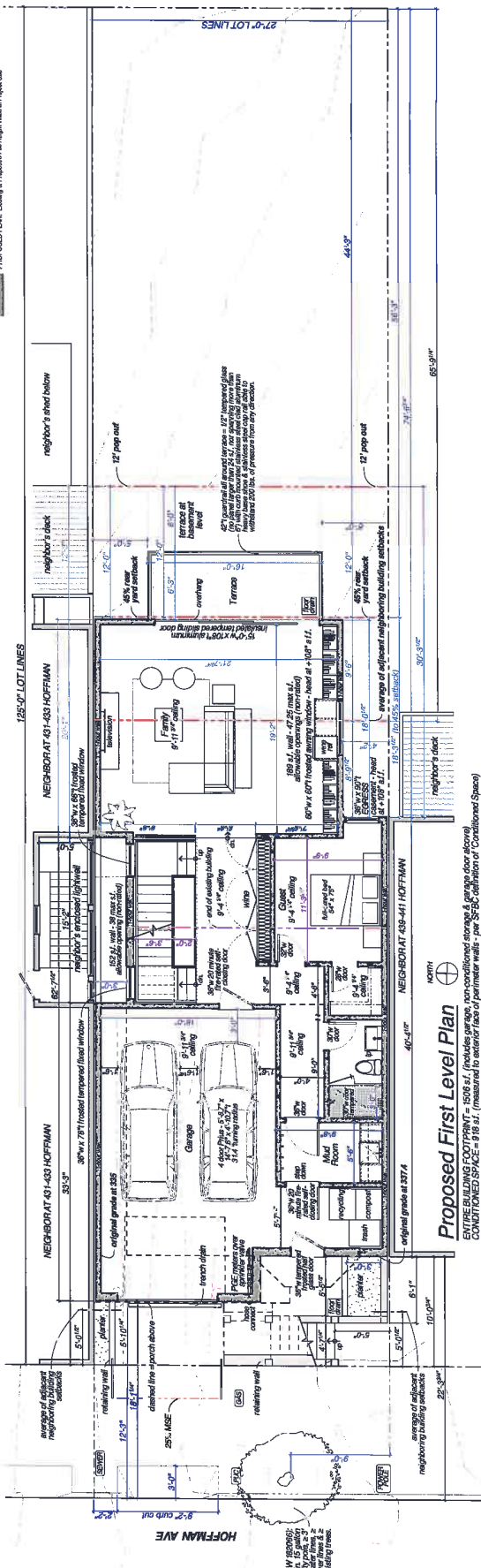


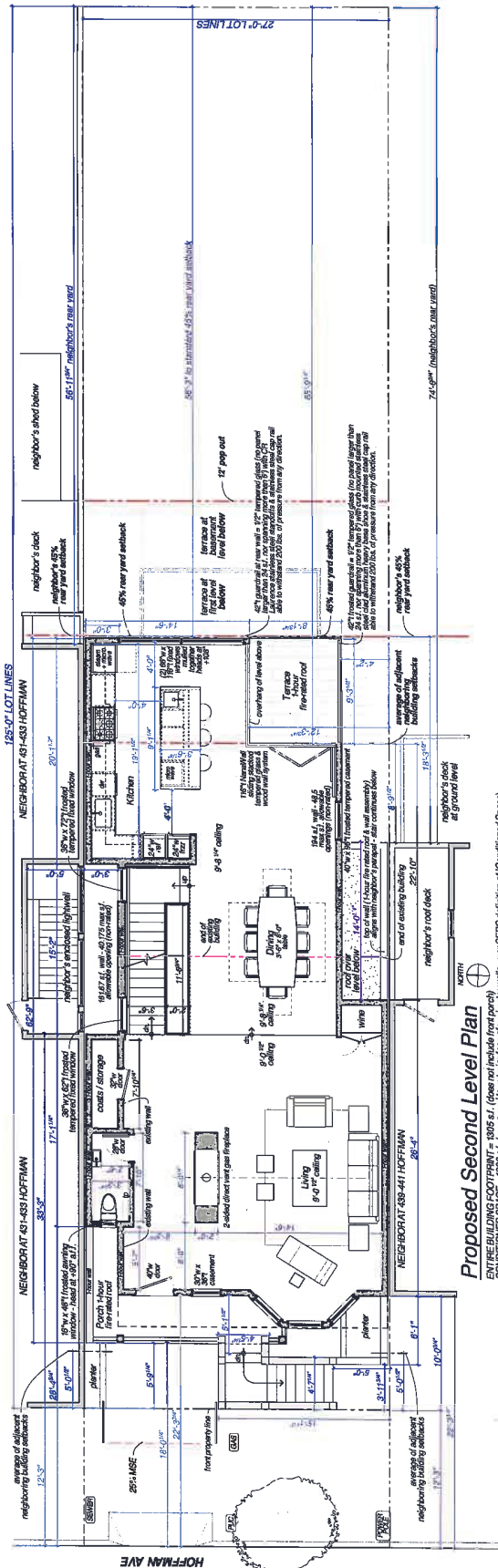
Professional Engineer Seal for Michael A. Wom, State of California, No. 71450, Exp. 12/31/17.

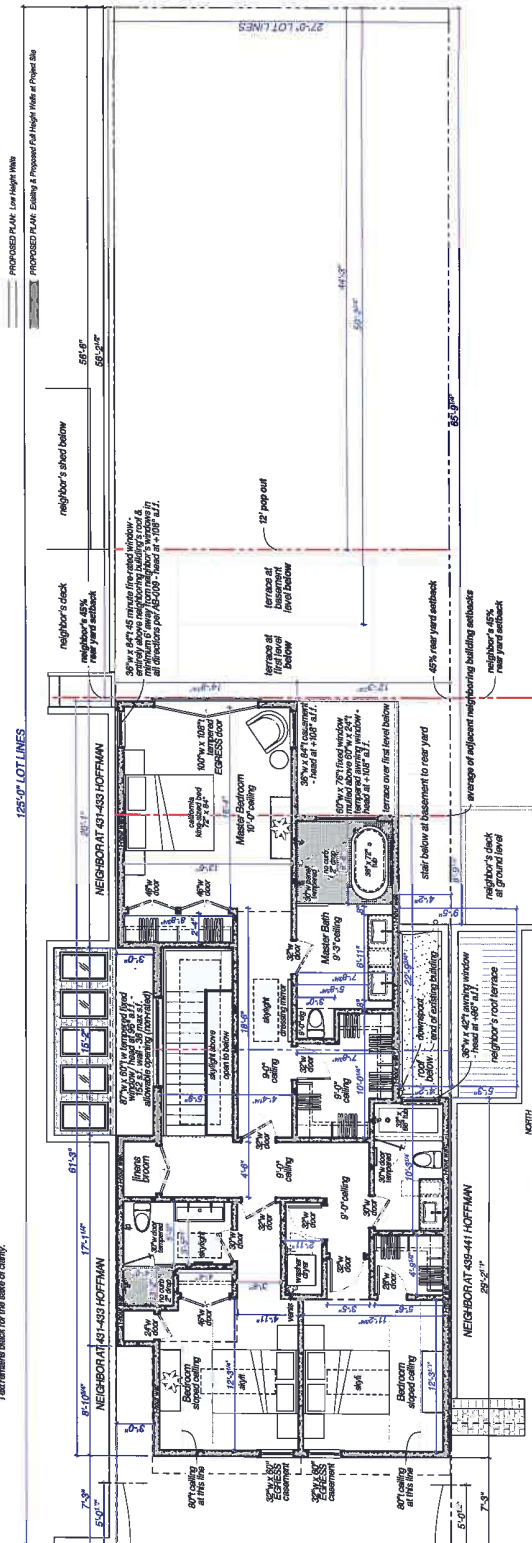
A4



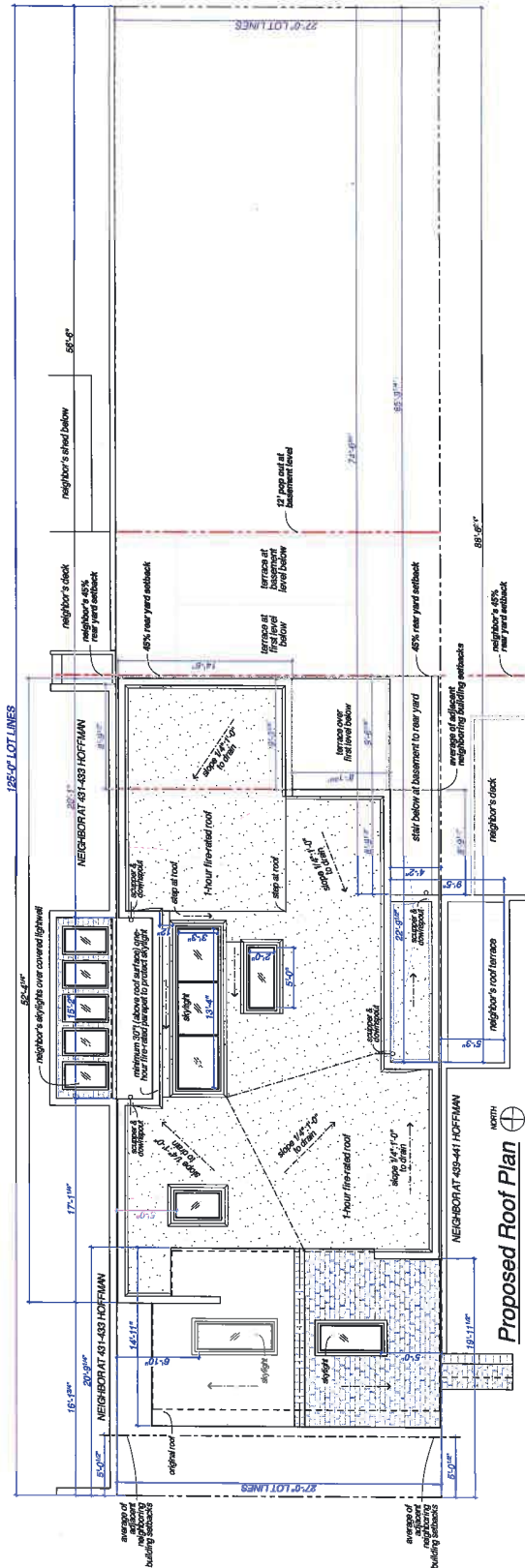




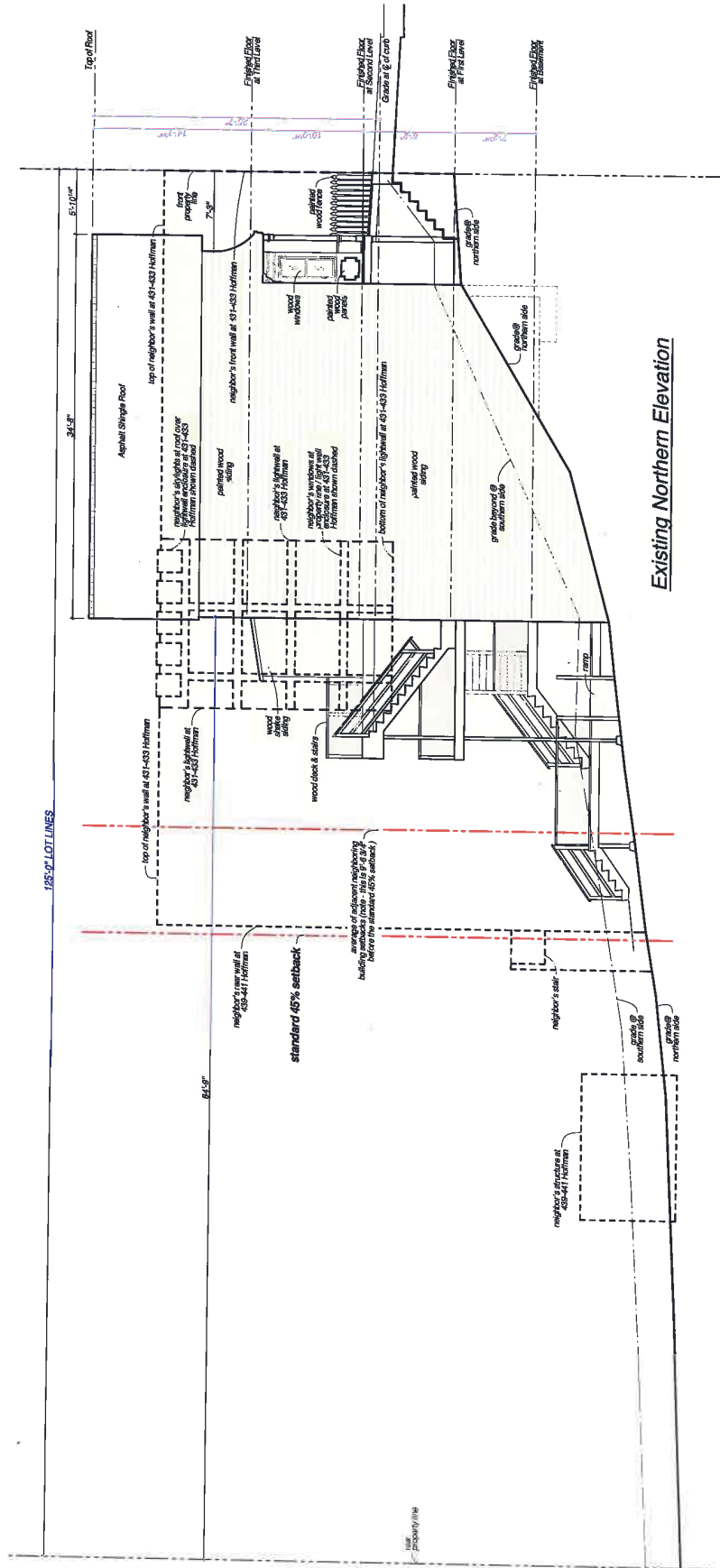




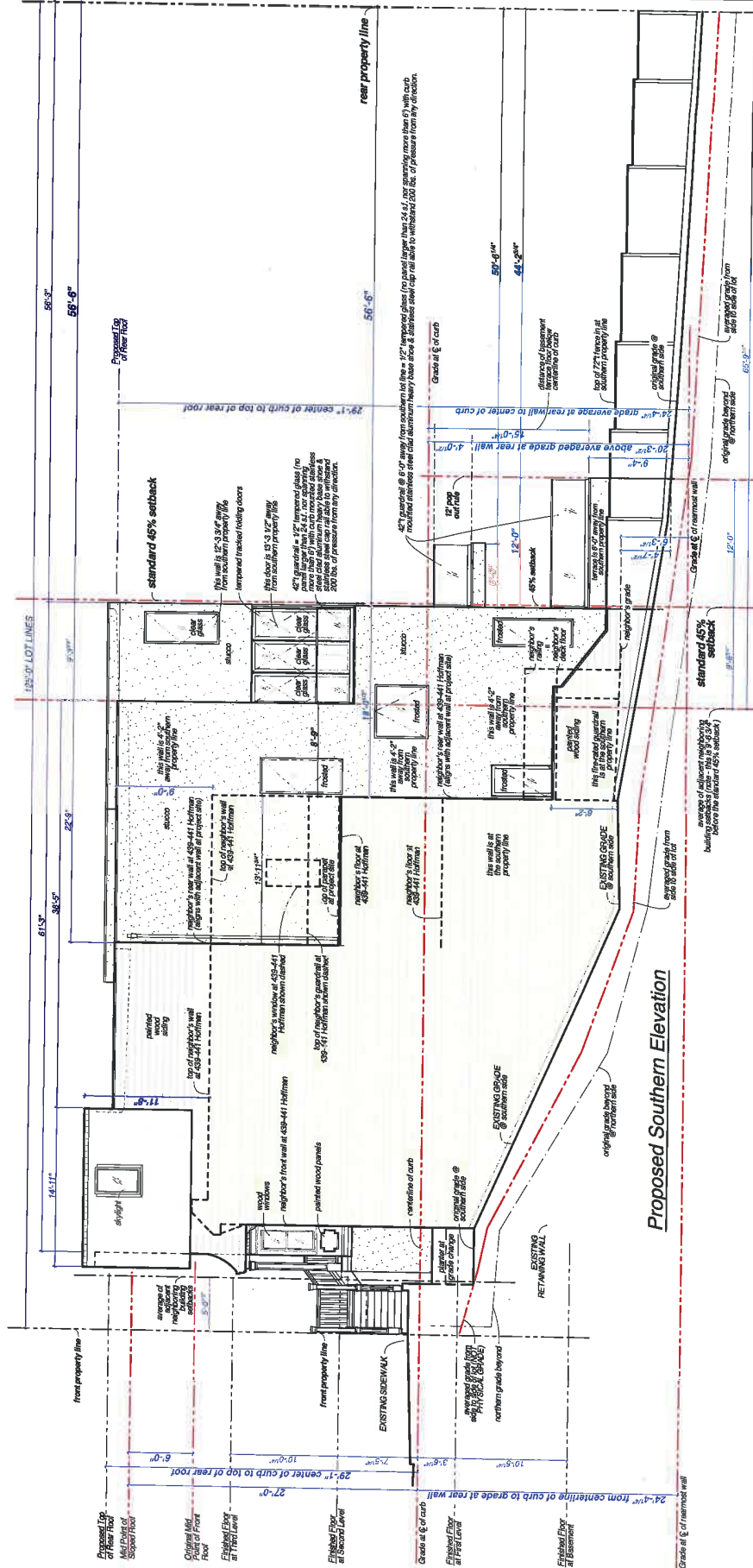
Proposed Third Level Plan

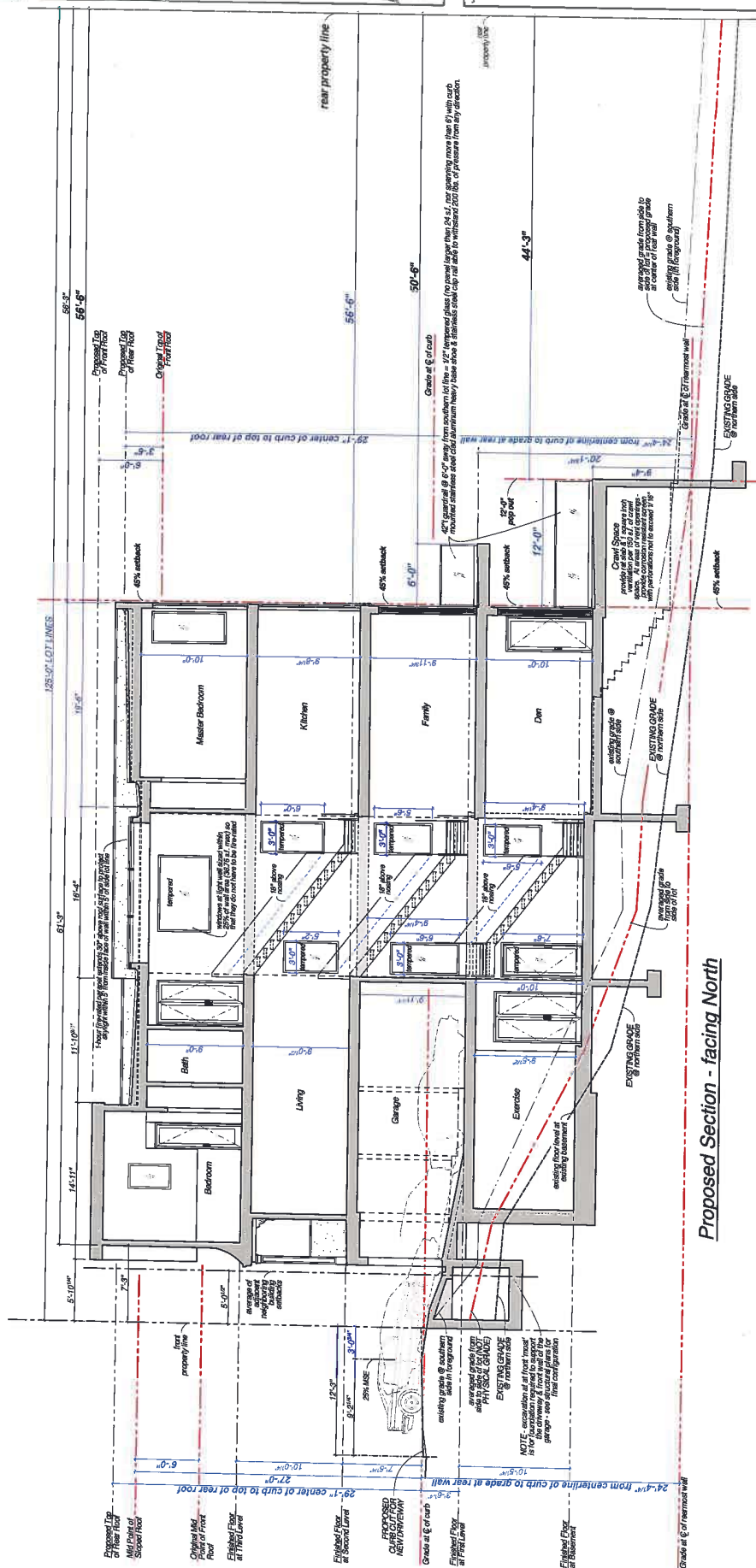


Architectural drawings of the proposed and existing western elevations of a building. The drawings show the building's facade with various windows, doors, and rooflines. Annotations include 'Proposed Third Floor', 'Original Mid Point of First Floor', 'Enlightened Elevation at Third Level', 'Enlightened Elevation at Second Level', 'Gates at Q or curb', and 'Enlightened Elevation at First Level'. The drawings are oriented with 'NEIGHBOR AT 438-441 HOFFMAN' on the left and 'NEIGHBOR AT 433 HOFFMAN' on the right. The drawings are labeled 'Proposed Western Elevation' and 'Existing Western Elevation'.



Existing Northern Elevation



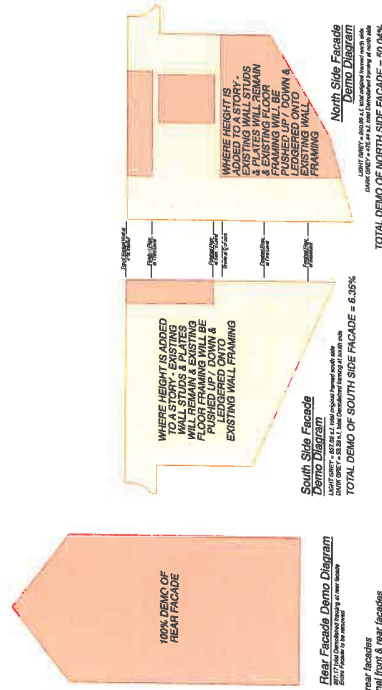


Proposed Section - facing North



TOTAL HORIZONTAL S.F. DEMO COMBINED = 28.68%

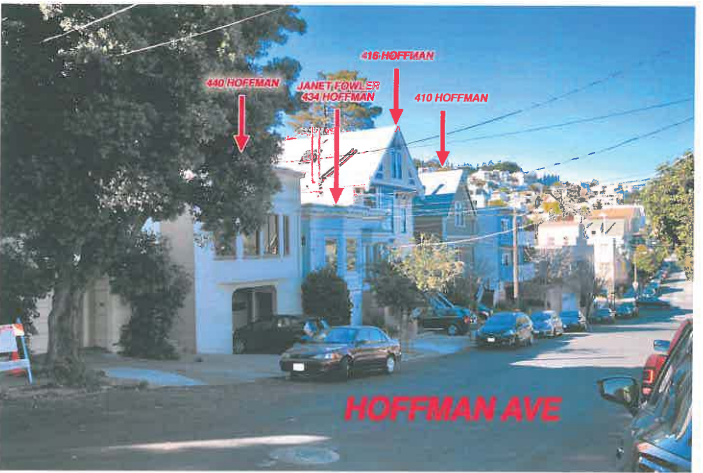
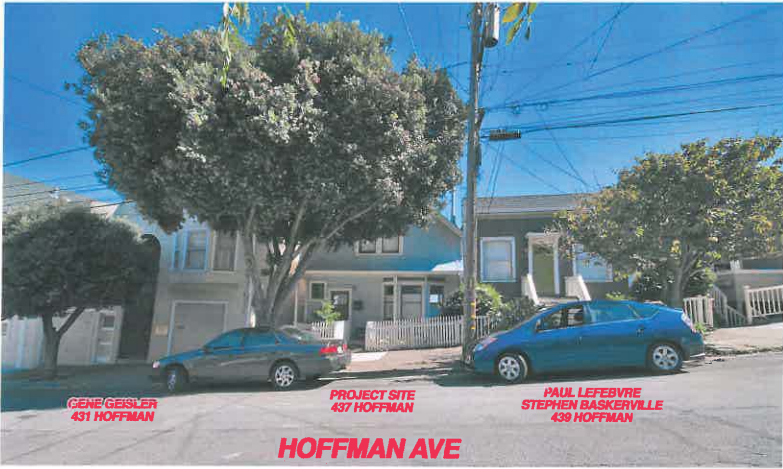
LIGHT GREY = 2992.14 s.f. total original Horizontal Elements
DARK GREY = 90.7 s.f. total Demolished Horizontal Elements



TOTAL DEMO OF VERTICAL ELEMENTS COMBINED = 45.97%

LIGHT GREY = 1864.2 s.f. total original Vertical Elements
DARK GREY = 197.82 s.f. total Demolished Vertical Elements

EXHIBIT B



HOFFMAN STREET CONTEXT PHOTOS

EXHIBIT C

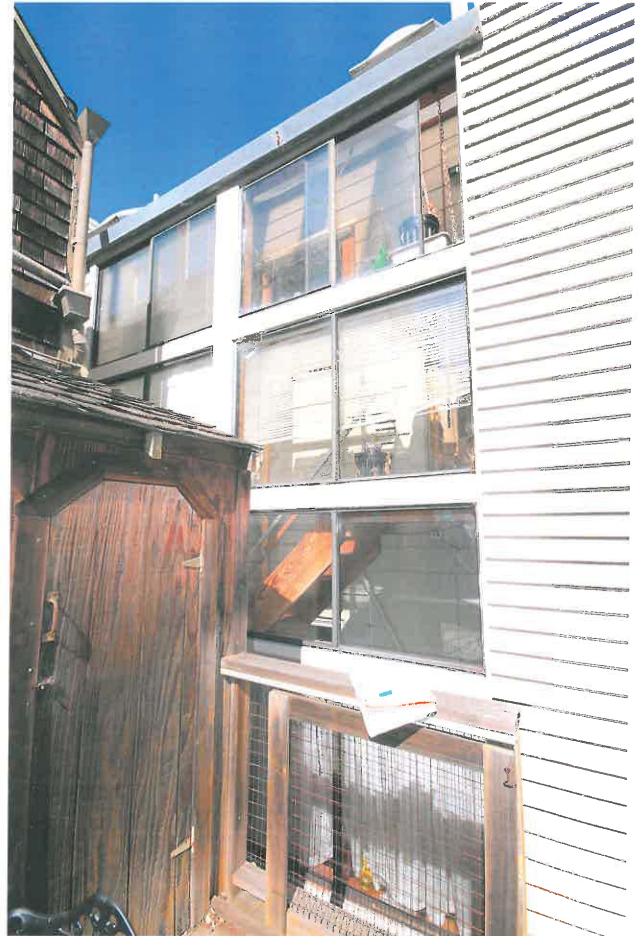


REAR YARDS & ARIAL VIEW OF ALL ADJACENT LOTS





**PAUL LEFEBVRE &
STEPHEN BASKERVILLE'S YARD
439 HOFFMAN**
(photo taken at 2:20 on January 31)
NOTE SHADOW ON 431 HOFFMAN



**GENE GEISLER'S LIGHTWELL
431 HOFFMAN @ 11AM October 6**



EXHIBIT D

Responses to all DR Filers

PROJECT INFORMATION

Permit Application #: 2014-0411-3029
Record #: 2015-003686DRP-1, 2 & 3
Job Address: 437 Hoffman Ave

CONTACT INFORMATION:

Kelly Condon Design:
415-240-8328
kellymcondon@gmail.com

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).
2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester & other concerned parties? If you have already change the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the city.
3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse affect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes required by the DR filer.

For the sake of brevity – I have compiled all comments by all DR filers into one document. If desired – I can provide a version of this information that addresses the 3 DR filings separately. I have also separated the key arguments by topic – so the direct responses to each topic are listed below under headings.

TOPIC 1: BUILDING DEPTH, HEIGHT & MASSING

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) feel that our building depth is excessive.

If you look at our site plan – which shows 10 neighboring buildings within our block to the sides & rear of the project site — the average depth of the 10 buildings shown on our block is 67'-7"– which is comparable to most of the buildings on standard 100' deep lots in San Francisco. This average includes ALL features that would require a permit (ie. decks higher than 3' above grade at rear yards & all buildings).
All of our lots are also 125' deep (ie. deeper than standard).

The DR filer lives in a building that is sub-standard in depth on an extra deep lot (125' deep).
Due to lot slope - their deck & our proposed deck & balcony are below centerline of curb as measured at each property. Their deck floor is 7'-11" above grade at our shared lot line. Our deck floor is 2'-10" lower than theirs.
I include these decks in the measurement of all buildings.

If we INCLUDE decks & overhangs of roofs in the measurement of our proposed building & the DR filer's building – their building is 53'-8" long (at basement level end of deck) & our proposed building is then 74'-11" long at basement level (to end of deck).

At the first level of our proposed building – we show a balcony. The floor level of that balcony is 4'-0" below centerline of curb. The glass railings of that balcony are also below centerline of curb. Our building depth at this level INCLUDING that balcony is 68'-8".

Our rearmost walls at levels above that floor line (ie. all stories above centerline of curb) = 62'-8" including roof overhang.

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) feel we are not recessed far enough away from their building.

Our plans recess more than we are required to recess per Planning Department standards.

We recessed the portion of our building that extends beyond their building by 4'-2" at the shared lot line.

Our basement level deck is recessed 6' away from our shared lot line.

Our first level balcony is also recessed 6' away from our shared lot line.

At our top 2 stories –the last 9'-4" of the proposed building sets back from the shared lot line by 12'-4".

We had originally proposed a 12' pop out beyond our 45% setback line. This was a one story pop out with deck on top & it was recessed 5' away on both sides since, due to steep slope, the floor level of the deck was higher than 10' above grade.

In response to this DR filer's concern about building depth – we removed that 12' deep portion of conditioned space & replaced it with a much smaller floating balcony at first level & at the basement level our proposed 12' pop out is now just a deck over a crawl space. The area under this basement level deck is enclosed against the steep slope of the site.

The floor of this deck is 15' BELOW the centerline of curb at the front of the house.

The floor level & top of glass railings at our first story balcony is also lower than centerline of curb.

We also opted to recess these features 6' away from the shared lot line instead of 5'.

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) say our square footage is excessive.

If we do not claim the stories below grade at the centerline of curb on this very steeply sloped lot – we would simply be building a house on stilts without conditioned space underneath.

The conditioned square footage of the stories under centerline of curb comprise 2141 s.f.

The top 2 stories of the proposed house are of reasonable depth (ie. under the average of the 10 neighboring building depths on this block).

We feel the top 2 stories of our building are essential to the flow of the house & are designed well within reason.

The lower stories are existing & they exist because of the steep slope of the hill.

The DR filer claims that our building design is 5600 s.f. & claims that this is out of scale with the neighborhood.

The number they are using to indicate the square footage of the proposed building is the size of the ENTIRE building – including garage, crawl space & rooms used for storage (ie. NON-conditioned spaces).

Since the only info we have for legally assessed square footage of neighboring buildings excludes NON-conditioned spaces – we should measure the proposed building using the same standard – in which case – our square footage is 4620 s.f. (a number provided to the DR filer in advance of their statement).

Gene Geisler (431-433 Hoffman) claims our addition increases the building size vs. the existing by 3435 s.f.

This is a heavily manipulated number.

Despite being given both building envelope & conditioned space tables on sheet A1 of the drawing set - the DR requester & his lawyer opt instead to subtract the assessed square footage of the building (conditioned space only from the assessor's office) from the entire proposed building envelope (a number which includes NON-conditioned space – crawlspace under the house, garage & storage space).

We have discussed this improper way of calculating square footage with all 3 DR filers multiple times & they choose to continue to manipulate the numbers anyway.

The actual increase to building envelope per sheet A1 of the drawing set – is 2624 s.f.

The conditioned space per sheet A1 increases by 2115 s.f.

Gene Geisler (431-433 Hoffman) says that the building description & height are 'wildly inaccurate'. He & his lawyer claim the building is 60' above grade & 6 stories tall.

This claim is obviously false. The legal definition of building height is number of stories above grade.

This proposal is 3 stories over a basement & there is a crawl space under the basement against the steep topography.

Dimensions are VERY clear on the plans, elevations & building section.

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) say the building is too tall.

The highest point of the low slope roof at rear of building is 29'-1" tall as measured above centerline of curb.

The mid point of the front roof is even lower – at 27' above centerline of curb.

The height limit is 35' for the entire building (since the building sets back more than 10' from front lot line).

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) claim that our ceilings are too high.

The ceilings on the basement & first levels are what they are because the building has to be raised to add the garage.

The existing basement floor level remains at it's existing elevation below grade for the front half of the building & then (as proposed) steps down specifically in order to reduce the floor level of the rear deck (something we did in response to this DR filer's concern about scale of the building).

The space between basement floor level & the second floor level (which was raised to add a garage) is simply split between the stories below the raised portion of the building.

We kept the building as low as we could by using a Minor Sidewalk Encroachment to slope down, by steeply sloping the driveway, & we crunched the 2nd floor as low as we possibly could in order to fit a garage door & a garage door motor / track under the second level of the house.

The second level ceiling height is an existing condition.

The third story ceiling heights are existing for the front of the building (under the existing sloped roof) & they are 9'-0" everywhere else except for at the master bedroom – which abuts the opposite neighbor's building & is set 12'-4" away from the DR filer's house. The master bedroom has 10' ceilings & is under the highest point of the low slope roof.

Typically – 30" tall fire rated parapets are required by code. We opted instead to fire rate the entire roof so that we could keep our parapet heights lower on the south side. Note that we are required to have 30" tall parapets at the north side lightwell area in order to protect the skylight opening.

TOPIC 2: LIGHT, AIR & PRIVACY

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) say we will block their light.

Their house is to the south of our building. We conducted over sun studies from sunrise to sunset on the 21st day of March, June, September & December - showing our building & neighboring buildings in order to illustrate the impact to light for multiple neighbors.

The only time of year we cast a shadow on the DR filer is at 6am in May, 6am in June, 6am in July.

The shadow we cast would touch a corner of their wall & part of their roof – but would not affect any of their windows or doors. By 7am we no longer affect their light.

Gene Geisler (431-433 Hoffman) claims that the design will 'box out' his building.

Our building projects 6" past the rear façade of the DR filer's building.

At the front façade – the DR filer's building projects 5'-4" past our building.

Our footprint is smaller.

We do propose a taller building – but we also have layered our vertical mass away from our shallower neighbor.

The DR filer's building is built all the way to the 45% setback line with zero reduction of mass against neighbors.

I have conducted many sun study renderings from different angles from sunrise to sunset.

One set of these studies was done directly above our lightwell & Gene's lightwell to show exactly light is affected there.

There are certainly impacts to direct sunlight exposure – since the existing condition is our building ending in the mid span of his lightwell & recessing 3' away – but we have been able to show that **as proposed**:

In April the DR filer would experience varying degrees of direct sunlight in their lightwell for 11 hours of the day.

In May the DR filer would experience varying degrees of direct sunlight in their lightwell for 12 hours of the day.

In June the DR filer would experience varying degrees of direct sunlight in their lightwell for 12 hours of the day.

In July the DR filer would experience varying degrees of direct sunlight in their lightwell for 12 hours of the day.

In August the DR filer would experience varying degrees of direct sunlight in their lightwell for 12 hours of the day.

Note that the **existing conditions** of light to the DR filer's lightwell in the winter months are as follows:

In October as an existing condition - the DR filer's direct exposure to sunlight at lightwell is fully blocked by 4pm

In November as an existing condition – the DR Filer's direct exposure to sunlight at lightwell is fully blocked by 1pm

In December as an existing condition – the DR filer's direct exposure to sunlight at lightwell is fully blocked by 12:45pm

In January as an existing condition - the Dr Filer's direct exposure to sunlight at lightwell is fully blocked by 2pm (see attached photo taken January 31, 2015).

In February as an existing condition – the DR filer's direct exposure to sunlight at lightwell is fully blocked by 4pm

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) say we will harm their privacy because of our south facing windows.

All windows facing their building are noted as 'frosted' on our elevation drawing - except for windows on the top stories in areas that are set 12'-4" away from the shared lot line.

At our neighbor meetings - the DR filer expressed concern that the owner of the project house will stand on their deck & look at his house.

The DR filer has 2 decks of their own - one on their basement level & one on their second level. Our decks as proposed would all set off of the property line – but theirs abut the property line directly.

Janet Fowler (434 Hoffman – directly across the street from the project site) claims that there is a privacy issue for neighbors on Homestead due to our windows.

There is a VERY heavy tree line between us & our neighbors to the rear. See attached photos & renderings.

We also plan to plant trees along our rear fence as is shown on our basement level floor plan.

TOPIC 3: MID BLOCK OPEN SPACE

Mid block open space is another issue brought up by all 3 DR filers.

All of the lots that abut us & that abut neighbors that abut us are 125' deep (deeper than standard).

There is a heavy treeline between us & our rear neighbors (see attached photos & aerial view outlines of building profiles & central shared rear lot lines).

Portions of the proposed building that extend above centerline of curb are set back 56'-6" from our rear lot line.

Mid block open space should not be an issue here.

TOPIC 4: NEIGHBORHOOD CHARACTER & DIVERSITY

All 3 DR filers say that the neighborhood is that the building would change neighborhood character & would be out of scale. There were also comments about the building being historic.

There are several houses on this block of Hoffman Ave that are very similar in design at front façade to what we propose. See attached photos.

410 Hoffman, 450 Hoffman, & 456 Hoffman are all VERY similar to what we propose.

416 Hoffman, 412-414 Hoffman, & 404-406 Hoffman are actually even taller than what we propose.

465-467 Hoffman – which has a very modern 3 story front façade went through a mandatory DR in 2005 & was approved / construction finalized in 2009.

According to our CATEX 2014.0329E – “The subject property is located within the Noe Valley Neighborhood on a block that exhibits a variety of architectural styles, construction dates, & subsequent alterations that compromise historic integrity. The area surrounding the subject property does not contain a significant concentration of historically or aesthetically unified buildings.”

Gene Geisler (431-433 Hoffman) claims that neighborhood is culturally & economically diverse & that this house does not support that.

We purchased this house for \$1,850,000 despite the fact that the existing basement & first stories do not have code compliant heights for habitable space – which means we purchased 1560 s.f. of conditioned area for \$1186 / s.f.

According to Zillow.com - The median home value in the 94114 zip code is \$1,665,300.

The affordable housing threshold in San Francisco is \$1,506,000.

According to <http://www.areavibes.com/san+francisco-ca/noe+valley/livability/> Noe Valley is 81% white & the average household contains 2 people.

The people who sold us the building bought it in 2010. They were a family of 4 & of South Asian descent. This family started this permit process with their own version of layout. They went through a hearing to remove the tree that would impede access to the proposed driveway & were contested by neighbors. They went through full building design with an architect, submitted plans to the city for the project, went through historical & environmental analysis procedures (got a CATEX) & then decided to sell the building in the middle of the permit review process.

The cultural & economic diversity status of the existing building, of the proposed building & of this neighborhood will not change as a result of this remodel / addition project.

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) say the pattern of the neighborhood is 2 unit buildings & that as a single family home – our design is too large & should not be allowed to extend to the standard setback. Most of the buildings behind ours are single family. And the building 2 doors down from the DR filer's building is single family. Most of the buildings across the street from us on Hoffman are single family. The number of units in the neighborhood is mixed.

Janet Fowler (434 Hoffman – directly across the street from the project site) claims that there is a strong side spacing pattern on the block.

There are some buildings with side setbacks & some without. This is not a pattern.

Janet claims in defense of Gene Geisler (DR filer #2) that he has a side setback.

He does not. That is our setback. Gene Geisler's match to that setback (his lightwell) has been illegally enclosed.

MISCELLENIOUS STATEMENTS MADE BY DR FILERS:

Gene Geisler (431-433 Hoffman) claims that I did not accurately depict his building.

What he means by this – is that on my side elevation – where neighbor's windows & doors are shown as dashed for reference – I showed his actual legal windows & doors – which occur inside of an illegal glass enclosure of his entire lightwell. A roof with skylights also illegally covers this lightwell.

The DR filer wants this illegal enclosure to read as a giant 21' tall x 15'-2" wide 'window' which is very misleading.

I researched all permits for this property at the Microfilm Records Department.

There are no permits on file for this enclosure – which is to be expected.

The Planning Department would never have approved it since the existing building on our project site is recessed 3'-0" away from the shared lot line & that condition would have to be matched.

The Building Department would never have approved a glass lightwell enclosure because there is no fire-separation.

This is NOT an original building feature. The building was built in 1926.

See the final pages of this response letter for a photo of this lightwell enclosure – taken from our existing top story deck & to see an historic aerial photo from 1938 before the lightwell was enclosed. I can't tell exactly when it was enclosed because all the other available satellite photos are far too blurry to tell.

All the same – we re-noticed the project showing this enclosure as a 'giant window'.

Note that this enclosure was always shown in plan, & on the site plans, in photos provided to the Planning Department at the time of submittal & in all of the 3D renderings I provided to the neighbors & to the planning department to show the impact to light at neighboring properties.

I did in fact miss 2 windows that were recessed at the top story of the opposite neighboring property (439-441 Hoffman). These windows are located on their top story & are recessed away by a roof deck with solid guardrails. It's unfortunate that these were overlooked.

The project was re-noticed partly to correct this mistake.

Note also that the proposed building has always been shown as recessed away from both neighbors at these areas & the windows facing those neighbors were always noted to be frosted – which is exactly the provision that should be taken in cases where the neighbors have building recesses &/or windows facing the subject lot.

We also show a large skylight & very large window at the top story of our building specifically to allow more sunlight to come through our roof then through our window & into the neighbor's lightwell when the sun is at a lower angle on the south side.

Gene Geisler (431-433 Hoffman) claims that the building was referred to as '2 stories over garage'.

This never occurred. Every single set of plans, our permit application, & BOTH of our 311 notice poster all indicate a building that is 3 stories over basement.

Gene Geisler (431-433 Hoffman) claims there was an 'improper unit merger' to this building.

Not true.

There was a unit merger application filed by someone who owned the building prior to the person who sold us the building back in 2008. There was a mandatory hearing & the merger was approved.

Note that the basement level of the project building does not meet code height for conditioned space (or even for storage space) & that the first level of the existing building also does not meet code height for conditioned / living space (while it does meet height for storage). The unit contained on these lower stories was not code compliant while it existed.

Janet Fowler (434 Hoffman – directly across the street from the project site) states that there was a DR provision in the previously approved unit merger that no right of way or garage should be allowed to be built & that no expansion would be allowed on site.

She provides an 'exhibit 4' to back this up. Exhibit 4 is a building permit Inquiry page from the Building Department's web site & her point of proof is a log in from the Bureau of Streets & Mapping saying that there is no work to the right of way & no expansion of the building (which is their determinant factor for requiring work to the sidewalk).

This point of the routing has nothing to do with restrictions on the building. This is just BSM noting that the scope of work does not include sidewalk work & does not require street space.

Janet Fowler (434 Hoffman – directly across the street from the project site) states that at our first meeting we proposed 'an even more massive rear addition & structure' than what had previously been submitted by the previous building owner. She also claims the proposed building is 6000 s.f.

This is not true on either count.

The massing of the building we proposed was far smaller than what the previous owner proposed.

The difference in square footage (as she has been told numerous times) is because the previous owner was not going to condition the space under the house. So they didn't count that square footage.

Despite being given both building envelope & conditioned space tables on sheet A1 of our drawing set - the DR requester opts to instead to compare the previous owners conditioned space calculation to a number she has fabricated that is 384 s.f. larger than our calculation of the entire proposed building envelope (includes NON-conditioned space – crawlspace under the house, garage & storage space). Why make the number up? We can all see the actual numbers. She has a digital copy of the entire drawing set & has access to a full size drawing set I left with neighbors at our 3rd meeting. We have discussed this improper way of calculating square footage with all 3 DR filers multiple times & they continue to manipulate the numbers anyway.

Gene Geisler (431-433 Hoffman) claims that we 'slipped under the wire' by providing demolition diagrams.

We met the standards.

The DR requester suggests that we should remove the top story – which would qualify as demolition.

The DR requester suggests that we reduce height on existing stories – which also qualifies as demolition.

Gene Geisler (431-433 Hoffman) claims the remodel is not Green.

The state of California has Green Building Standards & Energy Standards that far exceed standards applied in the rest of the nation. This project is required to meet Green Building Standards & required to have either a Green Rater or LEED certified professional.

In fact – the DR filer states in their letter a request that we excavate further into the geology of the site – which is not a hallmark of green building practice.

We are excavating in some areas – but note that our existing basement floor is at the level of our proposed basement floor. After the center of the house – we step down in order to lower the level of our rear deck – but at the point of these steps – the building is up in the air due to the topography of the site.

Excavating further would do nothing to change the height of the building.

The floor of the garage is as low as it can possibly go for the driveway to work.

Gene Geisler (431-433 Hoffman) claims that they were not given adequate drawings.

Paul Lefebvre & Stephen Baskerville (439-441 Hoffman) claim that the drawings are too small to read.

After our first neighborhood meeting (which followed 2 neighbor meetings held by the previous owner) I hand delivered printed drawings at 1/8" = 1'-0" scale to all neighbors in attendance of the meeting.

I also emailed digital copies of the same to all neighbors. They were given 8 printed sets of plans & this DR filer received one printed plan set.

After our second neighbor meeting – I did the same. This time they were given 5 printed sets of plans – one of which was delivered to the DR filer. Everyone who attended that meeting (including the DR filer) plus people from the first meeting who couldn't make the second meeting was emailed drawings.

At our third neighbor meeting (which this DR filer did not attend) – I left a full sized (1/4" = 1'-0") drawing set for the neighbors to share – along with photos & 3D renderings of sun studies taken from several different angles (including renderings of sunrise to sunset directly above the DR filer's enclosed lightwell). Drawings were also emailed to the neighbors after this meeting.

The DR filer has had emailed PDFs of the entire drawing set at 1/4" = 1'-0" throughout the process & has either been hand delivered printed drawing sets or had access to a full size drawing set held by the neighbors after our final neighbor meeting.

Gene Geisler (431-433 Hoffman) claims that 3 NOPDRs were sent to me & that I never responded to any of them.

This claim is false.

The DR filer claims there was an NOPDR sent to me on June 6, 2014. We didn't even own the building at that time. I didn't meet this filer until January 30th 2015 (our first neighbor meeting) & our plans were not submitted until March 2015. The June 6, 2014 NOPDR #1 was given to the previous building owner & their architect in response to their project – which was superseded by massive changes we made after we purchased the building from them.

NOPDR #2 was a repeat send of NOPDR #1 in case the previous building owner had not given it to us. In fact – all of the comments on NOPDR #2 had already been addressed in our first submittal.

NOPDR #3 was addressed by me in drawing revisions that are on file at the Planning Department – all of which are drawings the neighbors have seen & have either printed or digital copies.

Gene Geisler (431-433 Hoffman) & his lawyer state that I am not a licensed architect & claim that I have 'been known to represent [my]self as such'.

This is actually libel. I have never represented myself as a licensed architect.

The requirement for buildings over 2 stories is that a licensed professional architect &/or engineer stamp the plans – which has been done here.

Feel free to contact Michael Hom – Civil Engineer – license #71450 phone number 415-713-8087 to confirm his involvement in this project as he is the stamping professional here.

Janet Fowler (434 Hoffman – directly across the street from the project site) states that "the project sponsor said she couldn't provide 3 bedrooms on the top floor without adding additional height."

This is 100% false. Nothing remotely like this was ever said.

Janet Fowler (434 Hoffman – directly across the street from the project site) seems to think the CATEX was not updated per project changes.

It was. Jeanie Poling redid the Environmental Evaluation. The historic evaluation stays the same because it is an evaluation of the existing building.

CASE HISTORY, REVISIONS PER NEIGHBOR COMMENTS, ARGUMENTS IN FAVOR OF BUILDING AS CURRENTLY DESIGNED

In all there were 5 neighbor meetings held regarding this project.

The family who sold the building to us had 2 neighbor meetings & went through a hearing to remove the tree where the proposed driveway would be installed. They went through the CEQA review process & applied for a site permit to do this project, but after their plans were assigned to a case planner – they decided to sell the building.

The drawings the previous building owners proposed for their home were similar in design but were more expansive than any of the versions we have proposed in that they planned to build all the way out to the 45% setback for the full lot width & to have a 12' pop out with no building recesses against the DR filer's building.

They were going to leave the space under the first level empty / as a very tall crawl space (ie. house on stilts) - so their conditioned square footage was less but their building envelope was bigger than what we propose.

We read through the neighbor comments from the 2 neighbor meetings held by the previous owner & their architect. We opted to scale the building WAY back against the shallower depth neighbor as an immediate response before we even met the neighbors in person.

After our first neighbor meeting - we scaled back even more.

At our 1st (3rd meeting counting meetings held by previous homeowner) we proposed building demo & a new modern building with a squared front wall / low slope roof.

The neighbors contested that design saying that the square roof shape would be oppressively tall at the building front. So we changed to a sloped roof but still proposed a modern building.

At the 2nd neighbor meeting (4th meeting counting those held by the previous homeowner)— we presented that version of the design. The new design also reduced our 1 story rear pop out with deck on top to just a deck over crawl space with balcony at first floor & we pulled these extensions further away from the lot line shared with this DR filer.

At this meeting the neighbors said the modern style would be unacceptable & said that the reductions in scale were of no value to them.

We submitted that version to the Planning Department – but during plan check (after the neighbor meetings) - we decided to nix the modern façade design & to instead maintain as much as possible of the original façade. We thought that doing so might help our case with the neighbors who were concerned about the modern style.

We held a 3rd neighbor meeting (5th meeting counting those held by the previous homeowner) with the neighbors during the 311 notification process to show them this change & at this meeting gave them a full sized set of drawings showing the revised façade design, as well as printed out revised 3d renderings & site photos for them to keep & share.

I also emailed those drawings & renderings to the neighbors including neighbors who did not attend.

After our second 311 notification was over – the project was taken to the RDT & they required us to remove the dormers we had proposed on the front façade in order to reduce scale at the street face. We removed the dormers.

All neighbors have been given digital & printed copies of the drawings of each revision to the project at easily readable scales. We gave them printed drawing sets after each neighbor meeting & have provided digital copies of everything repeatedly.

We have made many changes for the neighbors to date & when asked what we can do to avoid a hearing – the answers have been:

‘Do not raise the building’.

‘You don’t need a garage’.

‘Do not extend the rear of the building’

We feel strongly that the design of this building is well within standard requirements.

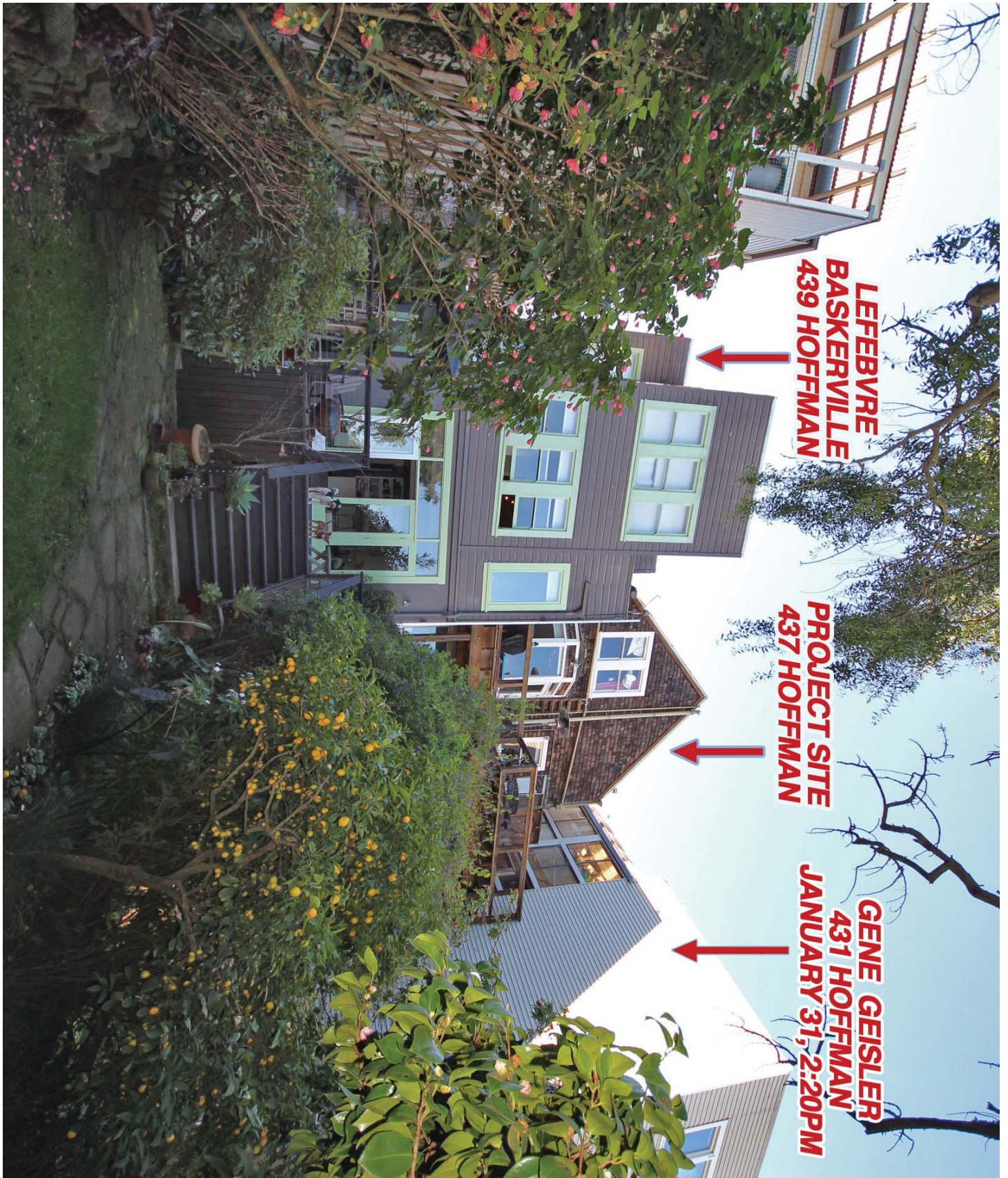
The design is well within the average of building depths for 10 adjacent lots – all of whom were noticed by this 311.

The DR filer’s building (not counting their deck) happens to be substandard in depth. And we have scaled back against their lot.

All the abutting lots to sides & rear have the same proportions as our lot.

The central open space of the block is abundant.

**REAR YARD AT 439-441 HOFFMAN
LOOKING TOWARD PROJECT LOT - NOTE SHADOW ON SOUTHERN
FACING WALL AT 431-443 HOFFMAN AT 2:20PM JANUARY 31, 2015**



***GENE GEISLER'S LIGHTWELL ENCLOSURE – NOTE ORIGINAL
EXTERIOR WALL WITH DOORS & WINDOWS BEYOND THE ILLEGAL
GLASS ENCLOSURE***



GENE GEISLER'S LIGHTWELL – NOT ENCLOSED DATED 1938



EXISTING PHOTO & PROPOSED STREET FACE RENDERING



PHOTOS – HOFFMAN AVENUE NEIGHBOR CONTEXT



PHOTOS – HOFFMAN AVENUE NEIGHBOR CONTEXT



MID BLOCK OPEN SPACE & TREE LINE

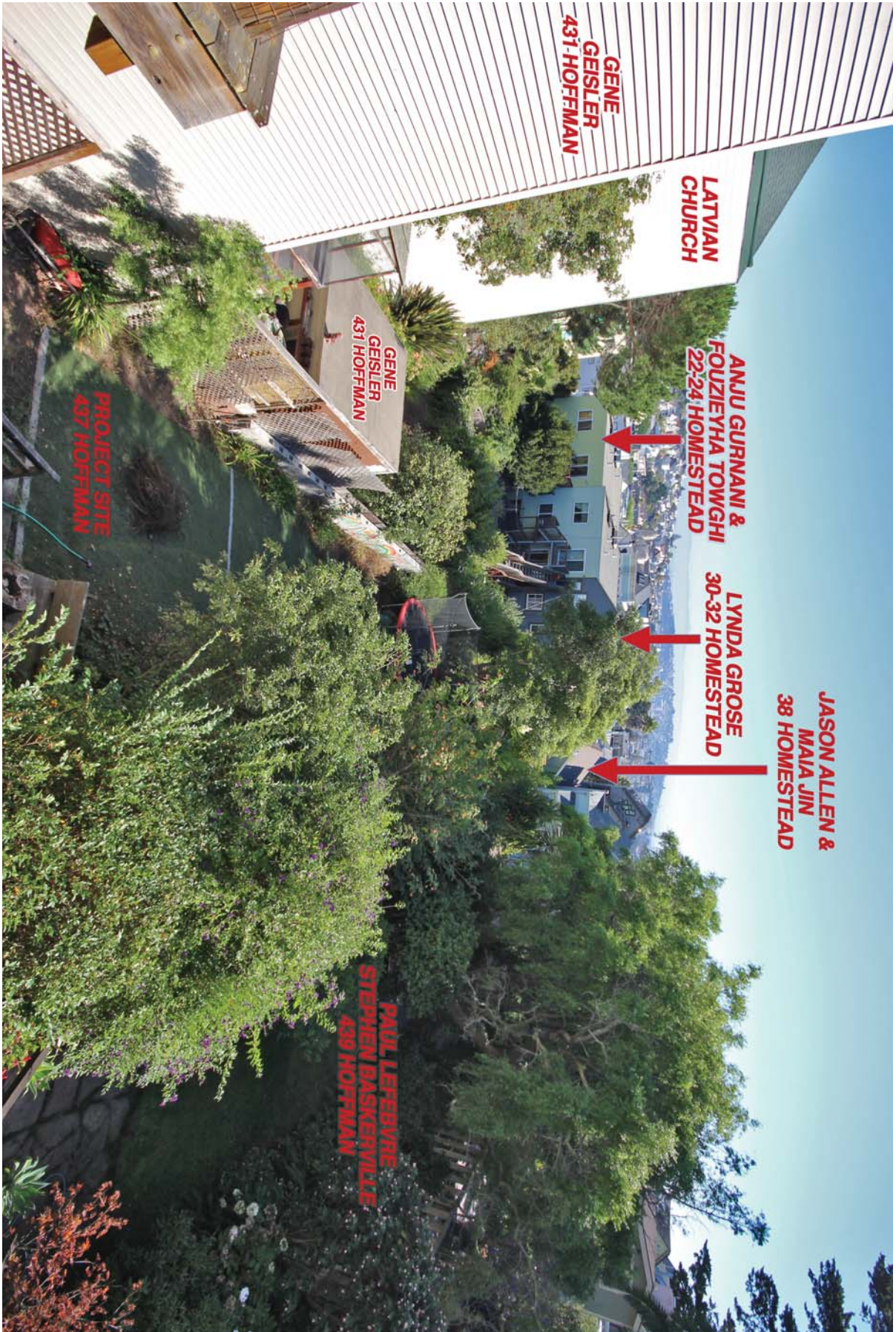
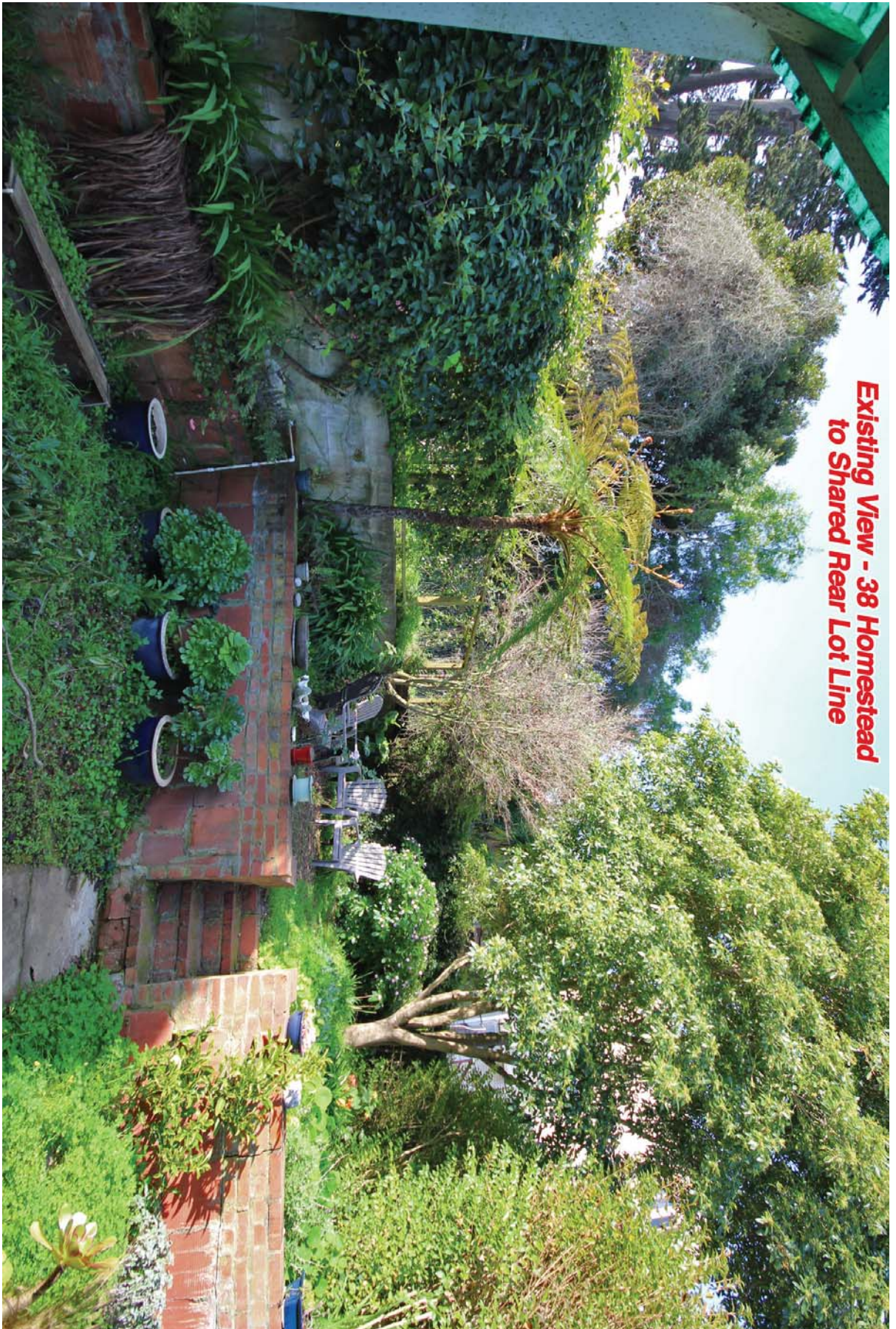


PHOTO – FROM 38 HOMESTEAD (DIRECTLY BEHIND US)



OUTLINE OF MIDBLOCK OPEN SPACE



PHOTO & RENDERING FROM 439-441 HOFFMAN – PAUL LEFEBVRE & STEPHEN BASKERVILLE’S PROPERTY



January 31 2:20pm



PHOTO & RENDERING FROM 30-32 HOMESTEAD – LYNDA GROSE’S PROPERTY (BEHIND GENE GEISLER’S BUILDING)



**PROJECT SITE
437 HOFFMAN**

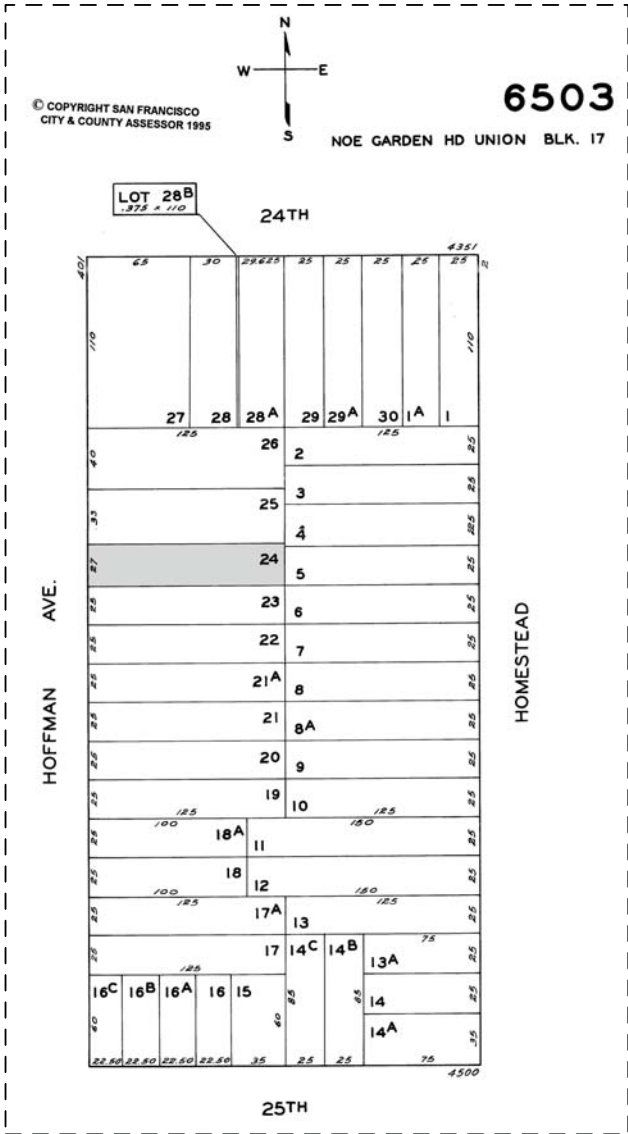
**GEISLER
431-433
HOFFMAN**

November 11

**PROJECT SITE
437 HOFFMAN**

**GEISLER
431-433
HOFFMAN**





Location Map from Planning Department Files

Not to Scale

Code Notes:
Gas Appliance vents terminate minimum 24" above vertical surfaces within 10'-0" / 12" minimum above roof. B-vented flues terminate 12" min. above roof penetrations & 12" above vertical surfaces within 8'-0".
Spaces containing gas fired mechanical equipment must be vented at 1 square inch per 3000 BTU
Hydronic Heat vent terminates min. 4' from property lines.
Environmental Air Ducts terminate min. 3' from Property Line per CMC 504.2 & 3' from building openings per CMC 504.5.
Gas vent terminations per CMC 802.6. Combustion Air per CMC Chapter 7.
Provide with backdraft dampers per CMC 504.1
Hydronic Heater has integral temperature relief - supply pressure relief valve & drain line. First 5'-0" of cold & hot water piping must be insulated except at vent connector (requires 6" clearance). Unit must be seismically strapped.
Drain line to be equal to outlet size & 3/4" or larger copper line. Piping must be strapped and end must point downward.
Direct Vent Gas Fireplace per CMC 908.0
Gas supply lines must have accessible shut off valve adjacent to gas appliances.
At new Bath Fans - Install compatible self-flashing exit caps with flapper dampers & felt seal. Insulate metal exhaust piping at unconditioned spaces with compatible foam insulation. Bathroom fan exhaust ducts max. 4" diameter per CBC 716.6.1 (fan locations shown on electrical plans)
Windows, Doors & Walls to be insulated per Energy Code Calculations. Skylights to be NFRC rated.
Per CBC 1018.8 - Operable windows with sills higher than 72" above grade to have either 36" sills or constrained open areas of 4". Egress Windows with sills higher than 72" above grade to have either 36" high sills or to have 36" high guardrails at non-swing side & guardrail to have no open area larger than 4".
Air Retardant wrap must be tested, labeled and installed according to ASTM E1677-95 (2000).
Install 1/2 gypsum board at Garage side of walls (if plaster is not existing) & 5/8" type 'X' at ceilings common to unit.
Install 1/2 gypsum board at underside of stairs.
Maintain 1-hr rating at all newly constructed areas within 5'-0" from property lines (includes railings)
Smoke Detectors & Carbon Monoxide Detectors to be interconnected, hardwired with battery back up.
Ensure 1/4" per 1'-0" slope to drains. Install overflow (secondary) drains within 2 feet of low point of roof.
Downspouts must connect to sanitary sewer when they serve areas larger than 200 s.f. per SFBC 1503
All glazed guardrails shall meet CBC 2407.1 & comply with either CPSC 16 CFR 1201 or Class A of ANSI Z97.1

Drawing Index

- A1: Project Info, Scope of Work, Lot Plan, Drawing Index
- A2: Site Survey
- A3: Existing Site Plan
- A4: Proposed Site Plan
- A5: Existing & Proposed Basement Level Plans
- A6: Existing & Proposed First Level Plans
- A7: Existing & Proposed Second Level Plans
- A8: Existing & Proposed Third Level Plans
- A9: Existing & Proposed Roof Level Plans
- A10: Existing & Proposed Front Elevations
- A11: Existing & Proposed Rear Elevations
- A12: Existing Northern facing Elevation
- A13: Proposed Northern facing Elevation
- A14: Existing Southern facing Elevation
- A15: Proposed Southern facing Elevation
- A16: Existing Section
- A17: Proposed Section
- A18: Demo Calculations

Planning Data - Planning Dept. Use Only

Entire Envelope	Existing	Addition	Proposed
Basement Level	720 s.f.	723 s.f.	1443 s.f.
First Level	712 s.f.	794 s.f.	1506 s.f.
Second (Entry) Level	774 s.f.	531 s.f.	1305 s.f.
Third Level	786 s.f.	576 s.f.	1362 s.f.
Total	2992 s.f.	2624 s.f.	5616 s.f.

Includes Garage & Storage areas & decks / areas under decks that have walls / railings taller than 48"

Building Data - Building Dept. Use Only

Conditioned Space	Existing	Renovated	Addition	Proposed
Basement Level	241 s.f.	241 s.f.	982 s.f.	1223 s.f.
First Level	712 s.f.	712 s.f.	206 s.f.	918 s.f.
Second (Entry) Level	766 s.f.	766 s.f.	524 s.f.	1290 s.f.
Third Level	786 s.f.	786 s.f.	403 s.f.	1189 s.f.
Total	2505 s.f.	2505 s.f.	2115 s.f.	4620 s.f.

Measured to outer face of framed walls at conditioned spaces
Does not include Garage & Storage areas outside conditioned envelope

Fire & Sound Rated Wall & Ceiling Assembly Notes:
At new interior or exterior 1-hour fire-rated walls framed with combustible 2x4 lumber - assemble wall per CBC 721.1(2) 15-1.15^Q
At new interior or exterior 1-hour fire-rated walls framed with combustible 2x6 lumber - assemble wall per CBC 721.1(2) 15-1.13^Q
At existing blind walls where 1-hour fire-rating is required & where combustible 2x4 lumber is used - assemble wall per CBC 721.1(2) 16-1.1^Q
At existing blind walls where 1-hour fire-rating is required & where combustible 2x6 lumber is used - assemble wall per CBC 721.1(2) 16-1.3^Q
For non-insulated / interior 2 hour walls framed with combustible 2x4 lumber - assemble wall per CBC 721.1(2) 14-1.5^{L,M}
For insulated interior or exterior 2 hour walls framed with combustible 2x6 lumber - assemble wall per CBC 721.1(2) 15-1.16^Q
At 1-hour fire-rated walls between residential units - where STC 50 or better sound rating is required - assemble walls per GA600 WP 3260.
At ceilings between residential units where STC 50 or better sound rating is required & where 1-hour fire-rating is required - assemble ceiling per GA600 FCS107
At 1-hour fire-rated ceilings within a residential unit that are not required to be sound rated - use CBC 721.1(3) 13-1.4
At exterior stairs that are required to have 1-hour fire-rating - assemble ceiling under stair per CBC 721.1(3) 14-1.1
At 1-hour fire-rated roofs (that do not use CBC 705.11 exception 5) - assemble ceiling to roof using CBC 721.1(3) 21-1.1

Project Info

Owner: Hoffman TIC (includes Kelly Condon: Designer / Partial Owner) Contact Phone: 415-240-8328 (Kelly Condon) Address: 443 Joost Ave SF, CA 94127 (Kelly Condon)
Block 6503 Lot 024 Zoning: RH-2 Year Built: 1905
Existing Occupancy: R3 / Single Family Proposed Occupancy: R3 / Single Family + U (Garage)
Existing Building Type: VB Proposed Building Type: VA
Existing Number of Stories: 3 + basement Proposed Number of Stories: 3 + basement
Lot Size: 27' x 125' Height Limit: 40'
Zoning Controls: 20% slope zone (actual slope of site from front to rear lot line = 13.68% (in degrees - that is the average of 13.01° at the northern side & 11.63° at the southern side).

Scope of Work - per 2010 CBC & CMC, 2008 Energy Codes, SF Building Code & SF Amendments:

NEW CURB CUT. NEW DRIVEWAY. NEW GARAGE.
BUILDING TO BE RAISED 6' IN ORDER TO FIT GARAGE & DRIVEWAY.

Reconfigure / Replace exterior windows & doors throughout with insulated, double paned, energy efficient aluminum clad wood windows & doors per Plans & Elevations. Front door to be wood.
New insulated windows, doors, building insulation, 2013 Energy Code compliant electrical / lighting throughout.

ADDITIONS / SUBTRACTIONS TO ENVELOPE / VISIBLE EXTERIOR WORK:

Front Addition: Infill under existing front porch to add garage.

Northern Side Addition: Infill portion of 3'-0" gap between northern neighboring building - leaving a matching light well along northern neighbor in line with their light well.

Rear Addition: to 45% setback with layering of mass away from southern neighbor to reduce impact against their shallow building depth.
Portion of top 2 stories against shallow southern neighbor to be recessed 4'-2" up to line of adjacent neighboring building setbacks.
2nd & 3rd levels recess 12'-3 3/4" away from southern lot line - starting at line of average of adjacent building depths to 45% setback.
12' pop out at basement level to be recessed 6' from southern lot line & 5' from northern lot line. Space under this Pop-Out is crawl space over grade.
6' pop out / Cantilevered Terrace at first level to be recessed 6' from southern lot line & 5' from northern lot line.

Vertical Addition: Building raises 6' in order to add Garage & Driveway. Building steps down at rear of basement, first & second levels (see section & elevations).
Roof of 3rd level will square off after front bedrooms. Third level to have 9' ceilings in general but will have 10' ceiling at Master Bedroom (under high point of roofing).

BASEMENT WILL INCLUDE:

(1) Exercise room, (1) Full Bathroom, (1) Den, (1) Bedroom, (1) Utility room (1) Storage room
Terrace at rear - over Crawl Space.
Interior Stairs up to First Level. Exterior Stairs down to yard.

FIRST LEVEL / GARAGE WILL INCLUDE:

(1) Garage, (1) Mud Room, (1) Full Bathroom, (1) Family room, (1) Bedroom
Cantilevered Terrace at Rear
Interior Stairs up to 2nd Level & down to Basement

SECOND LEVEL WILL INCLUDE:

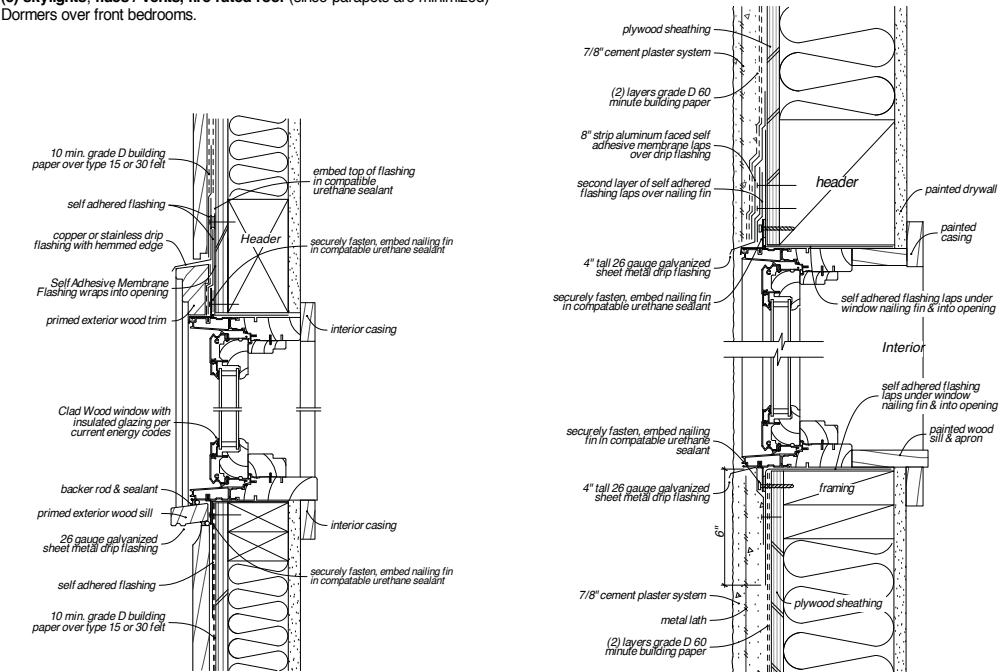
(1) Living room with fireplace, (1) Wine Closet, (1) Kitchen, (1) Dining, (1) Powder Room, (1) Coat closet
Roof Terrace over level below at southern side of rear (creates layering against shallow southern neighbor).
Interior Stairs up to 3rd Level & down to 1st level

THIRD LEVEL WILL INCLUDE:

(3) Bedrooms, (3) Full Bathrooms, (1) Laundry Closet, (1) Hall Closet, (1) Master Dressing room

ROOF WILL INCLUDE:

(5) skylights, flues / vents, fire-rated roof (since parapets are minimized)
Dormers over front bedrooms.



Flashing at Clad Wood Window (wood siding)

scale: 3" = 1'-0"

Flashing at Clad Wood Window in Stucco Finished Wall

scale: 3" = 1'-0"



January 5, 2016



Project Info,
Drawing Index,
Scope, Location
Map

scale: as noted

A1

- LEGEND**
- SUBJECT PROPERTY LINE
 - ADJOINER PROPERTY LINE
 - WOOD FENCE
 - X- WIRE FENCE
 - /// BUILDING LINE
 - CONC CONCRETE
 - BCB BACK OF CURB
 - EL ELEVATION
 - FC FACE OF CURB
 - FL FLOW LINE
 - FF FINISH FLOOR
 - GV GAS VALVE
 - GM GAS METER
 - MH MANHOLE
 - OE OVERHEAD ELECTRIC
 - PP POWER POLE
 - WM WATER METER
 - WV WATER VALVE
- FL 111.96' → DESCRIPTION ELEVATION



BASIS OF SURVEY

THIS BASIS OF MEASUREMENTS FOR THIS SURVEY FROM POUND MONUMENT MARKS ALONG HOFFMAN ST AT THE INTERSECTION OF 23RD ST AND 24TH ST PER MONUMENT MAP NO. 231 FILED IN THE OFFICE OF THE CITY AND COUNTY OF SAN FRANCISCO ENGINEER.

GENERAL NOTES

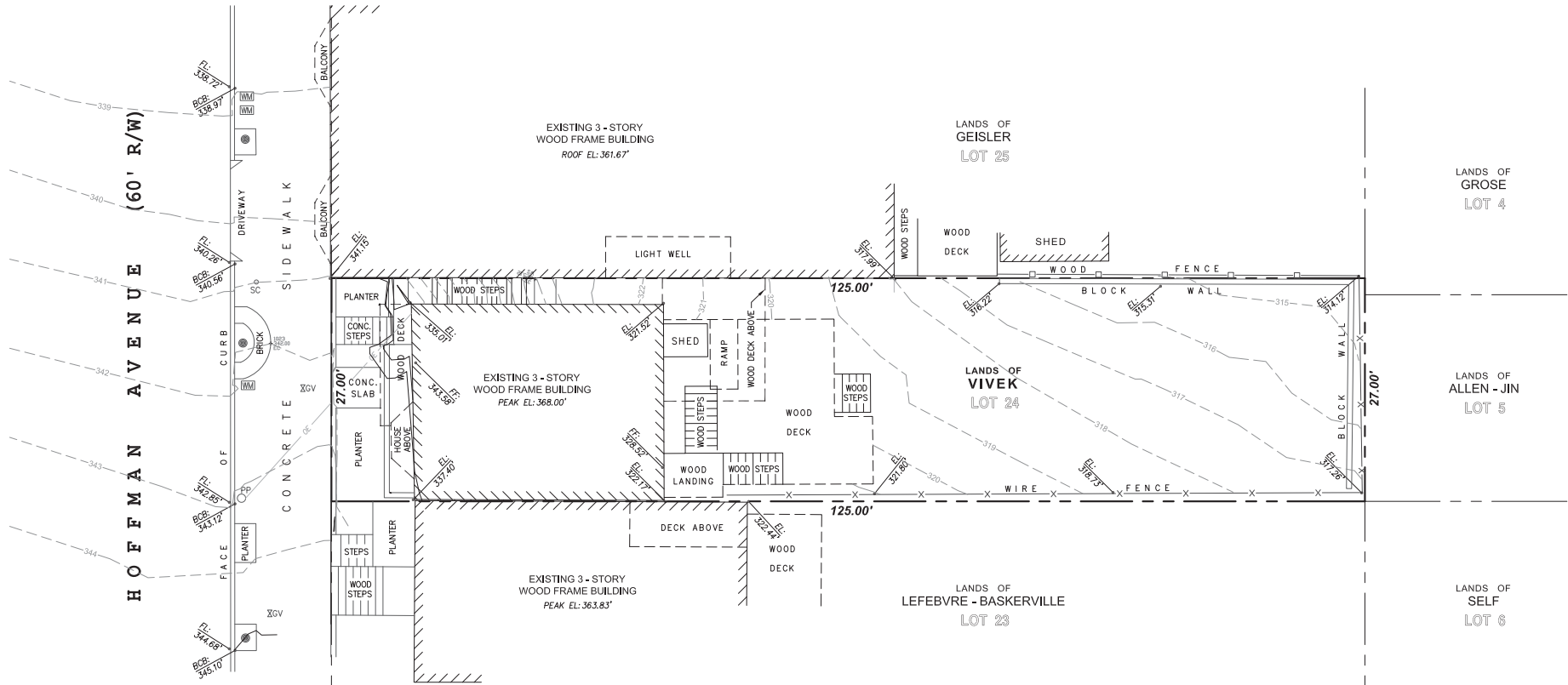
- 1) REFERENCED MAPS PER COUNTY RECORDER.
- 2) ALL ANGLES ARE 90°00' UNLESS NOTED OTHERWISE.
- 3) DISTANCES SHOWN IN FEET AND DECIMALS THEREOF.

UTILITY NOTE

UNDERGROUND UTILITIES SHOWN WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THUS, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AN CAPACITY OF SAID UTILITIES.

BENCHMARK NOTE

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A CITY AND COUNTY OF SAN FRANCISCO BENCHMARK FOUND AT THE INTERSECTION OF HOFFMAN AVE AND 24TH STREET, A CROW CUT IN THE OUTER RIM OF A STORM WATER INLET AN ELEVATION OF 324.508'.



January 5, 2016

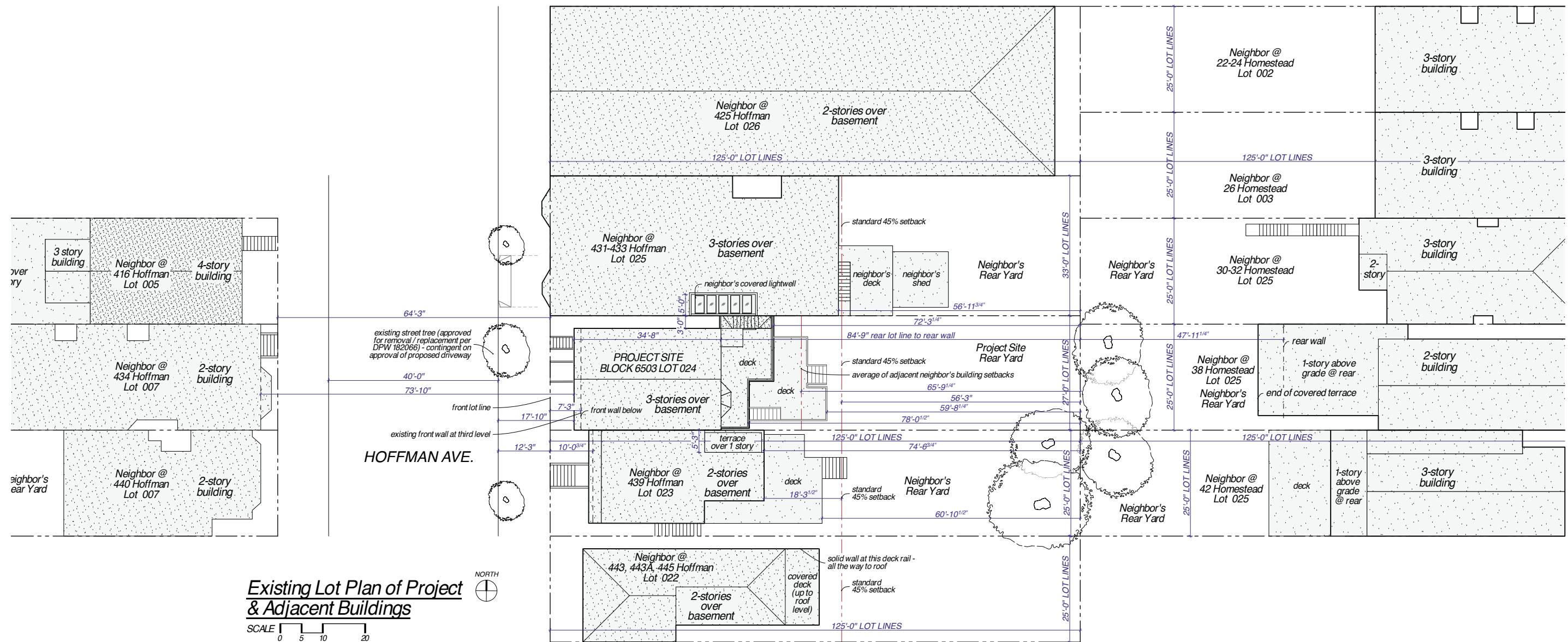


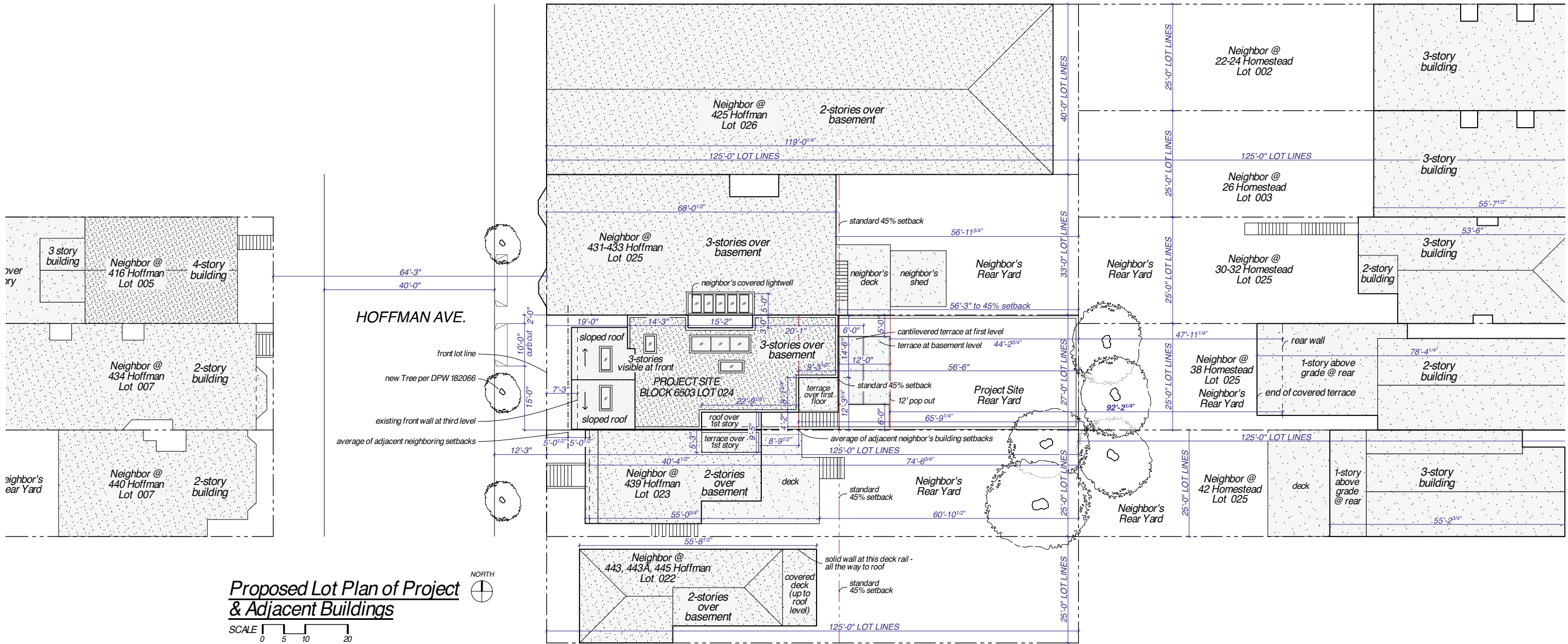
Site Survey

scale: as noted

A2

Michael S. Lemke, L.S. No. 3602, Expires 6/30/2014	DATE 5/20/2011						AMERICAN LAND SURVEYING, INC. 1390 MARKET ST, SUITE 112, SAN FRANCISCO, CA 94102 PH: (415) 888-8580 FAX: (866) 260-5454	TOPOGRAPHIC MAP 473 HOFFMAN AVENUE SAN FRANCISCO, CA	SHEET NO. 1 of 1
	FILE# ALS13037								
	DRAWN BY JE								
	APPROVED BY ML	No.	BY	DATE	REVISION				

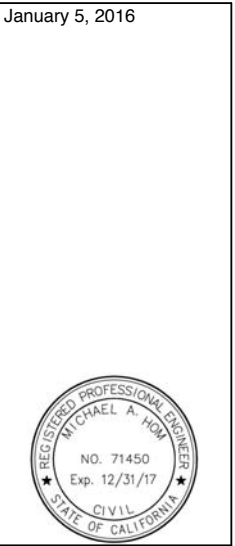


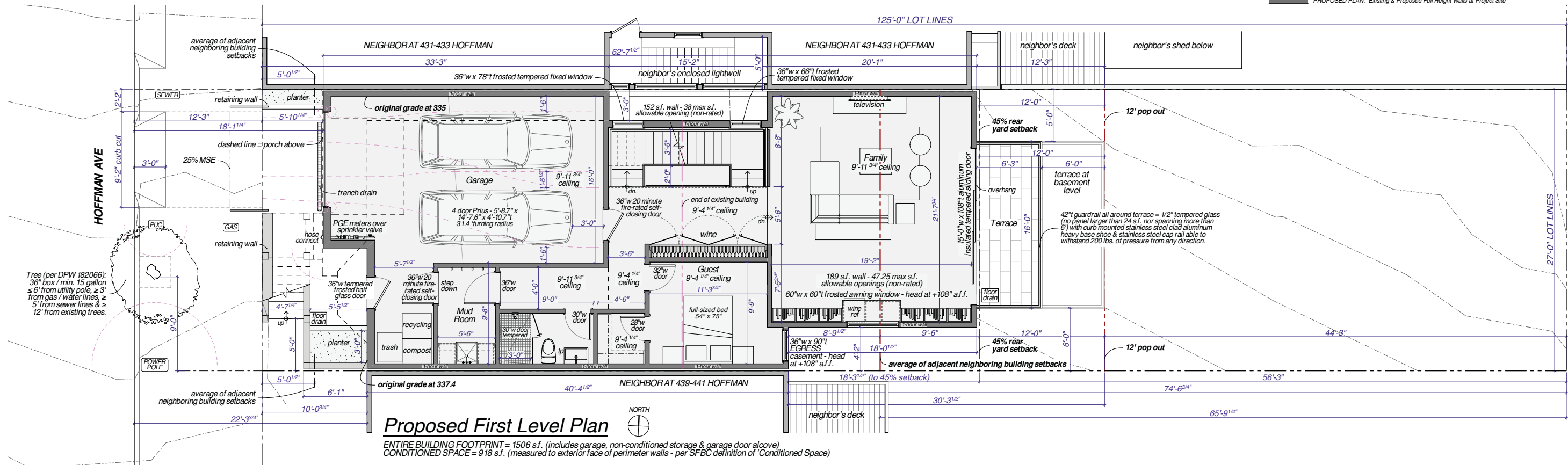
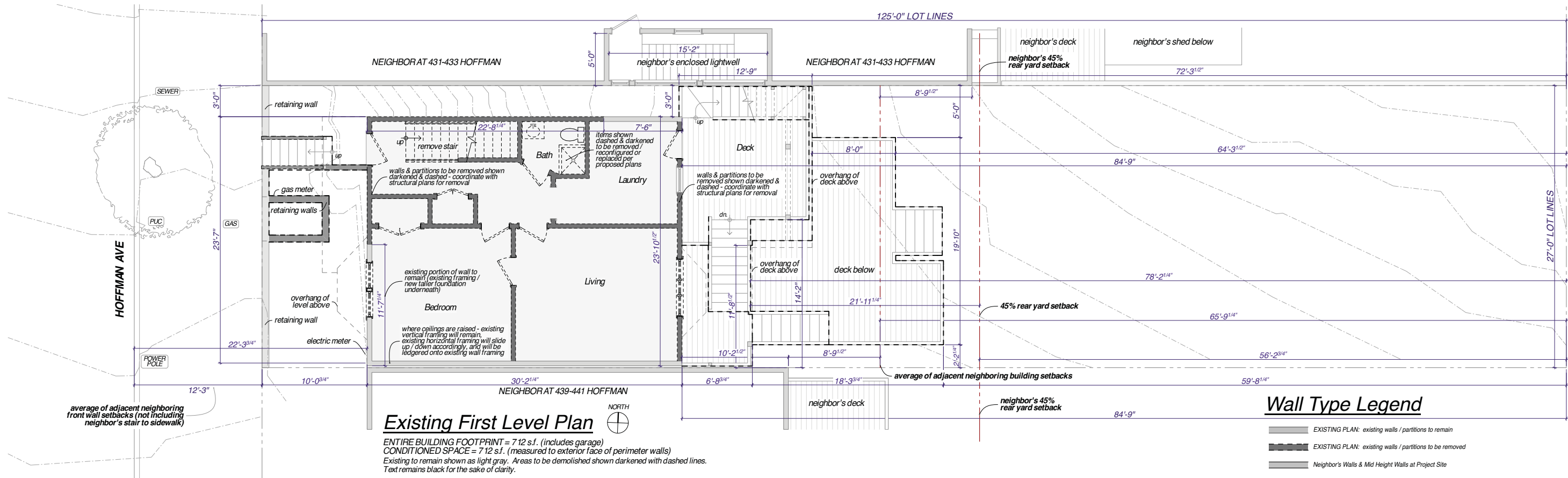


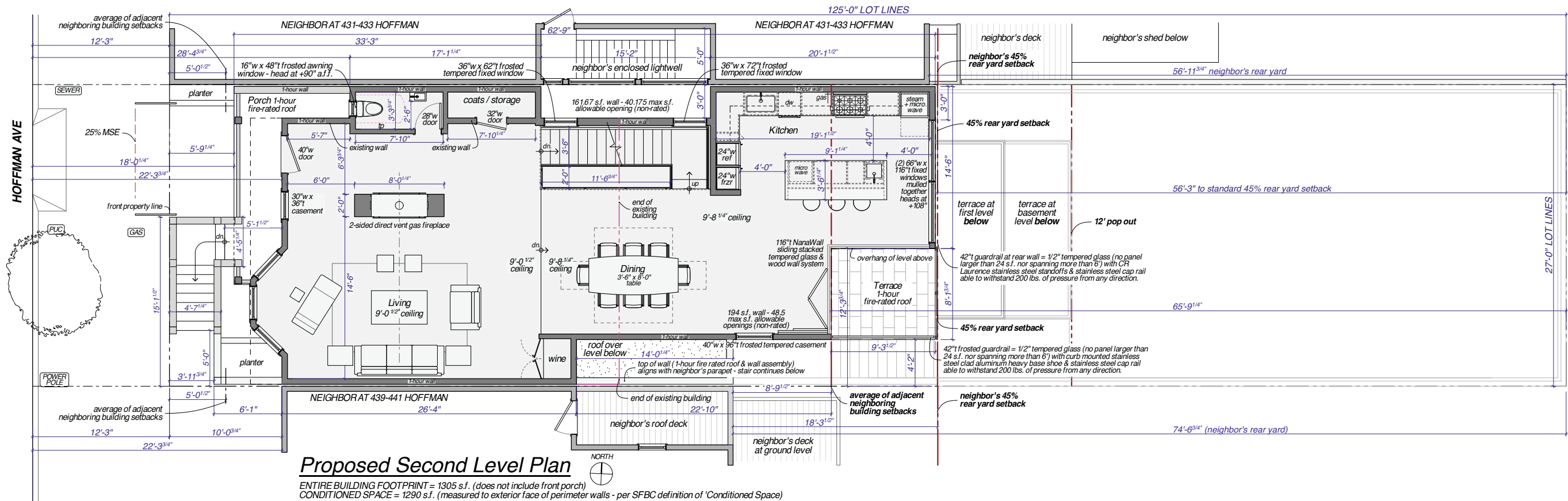
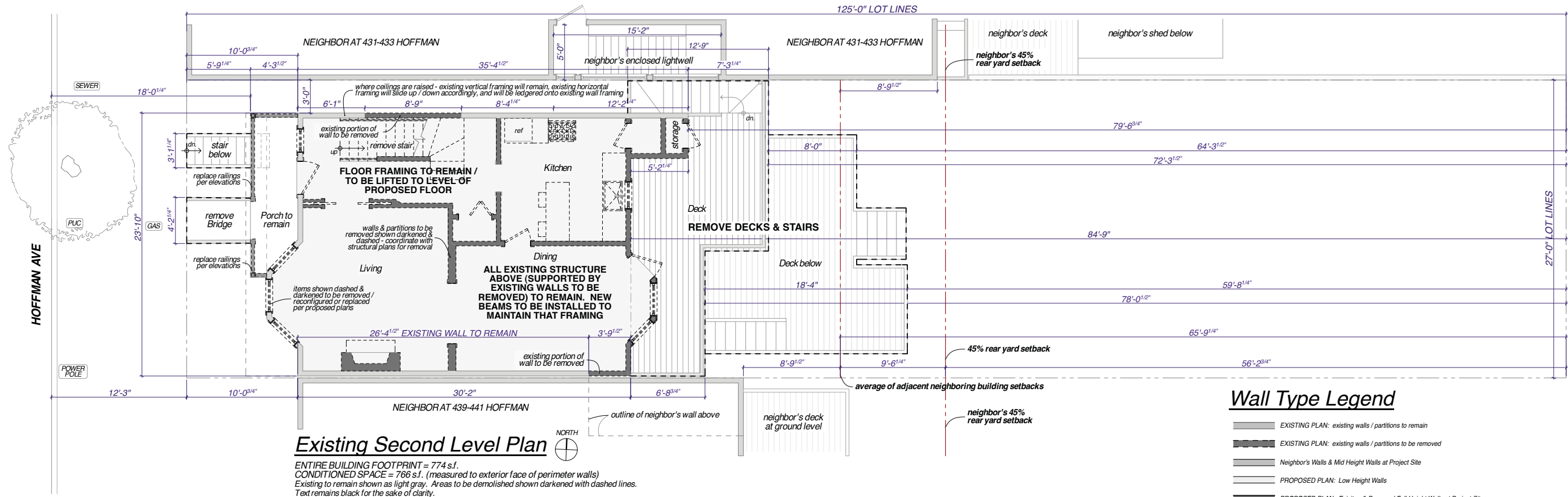
Proposed Lot Plan of Project
& Adjacent Buildings

SCALE 0 5 10 20



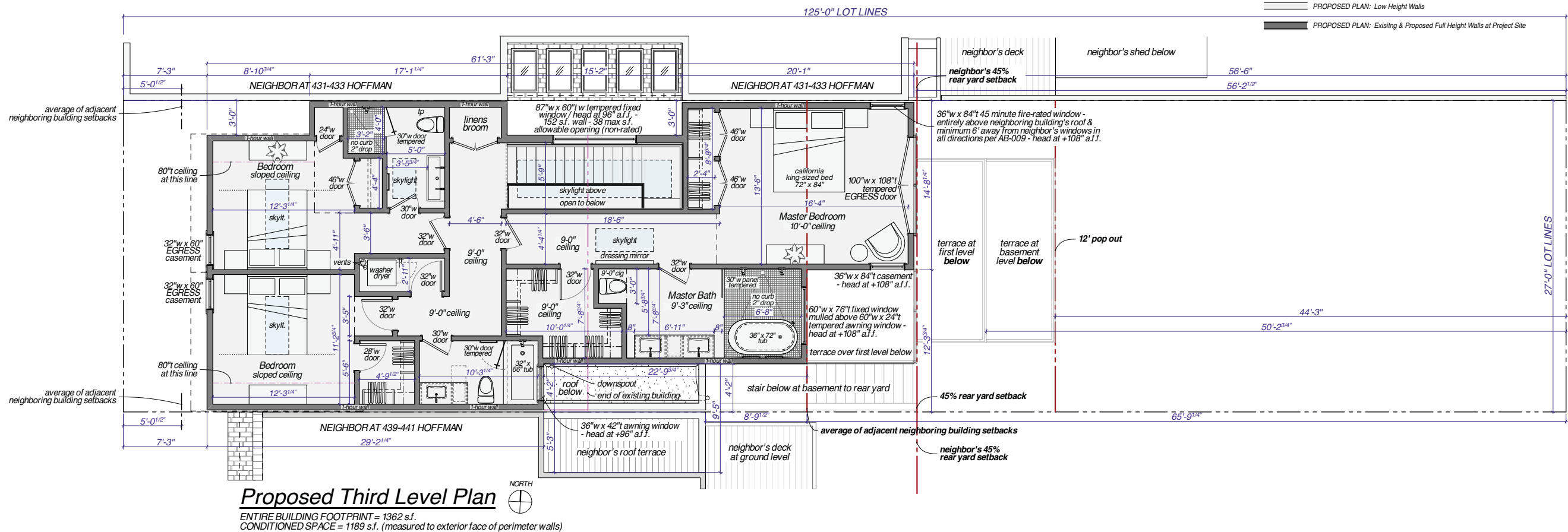
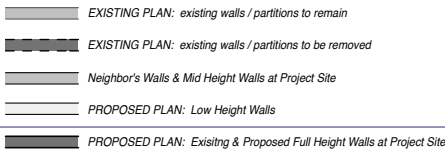






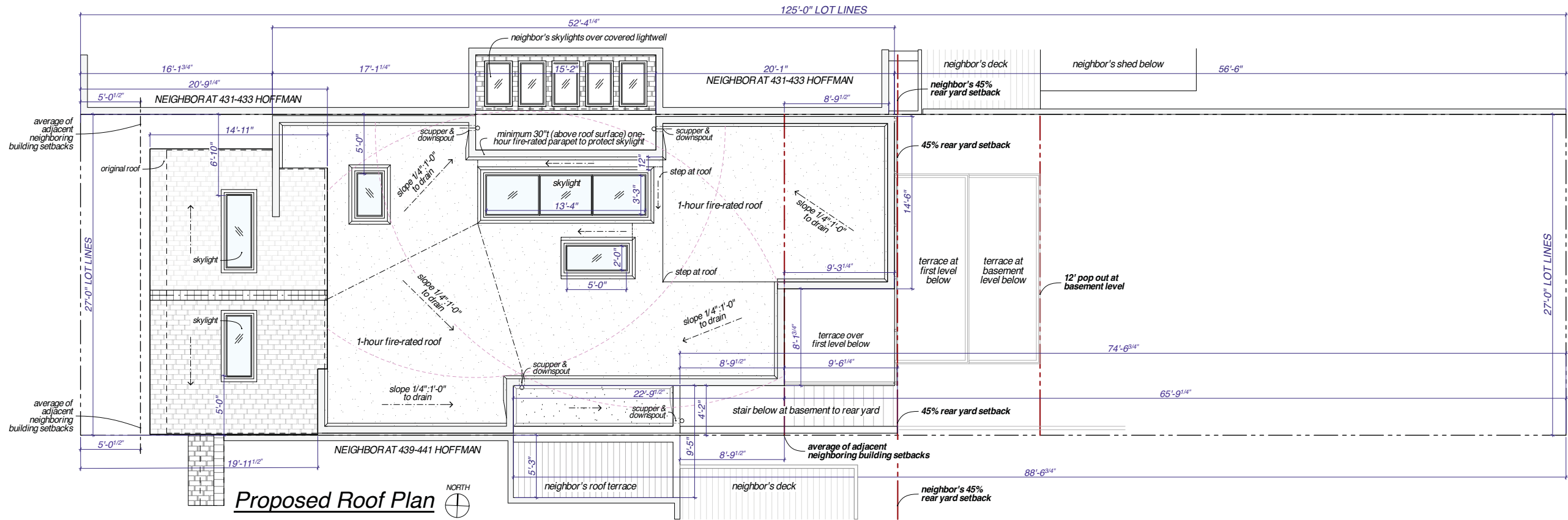


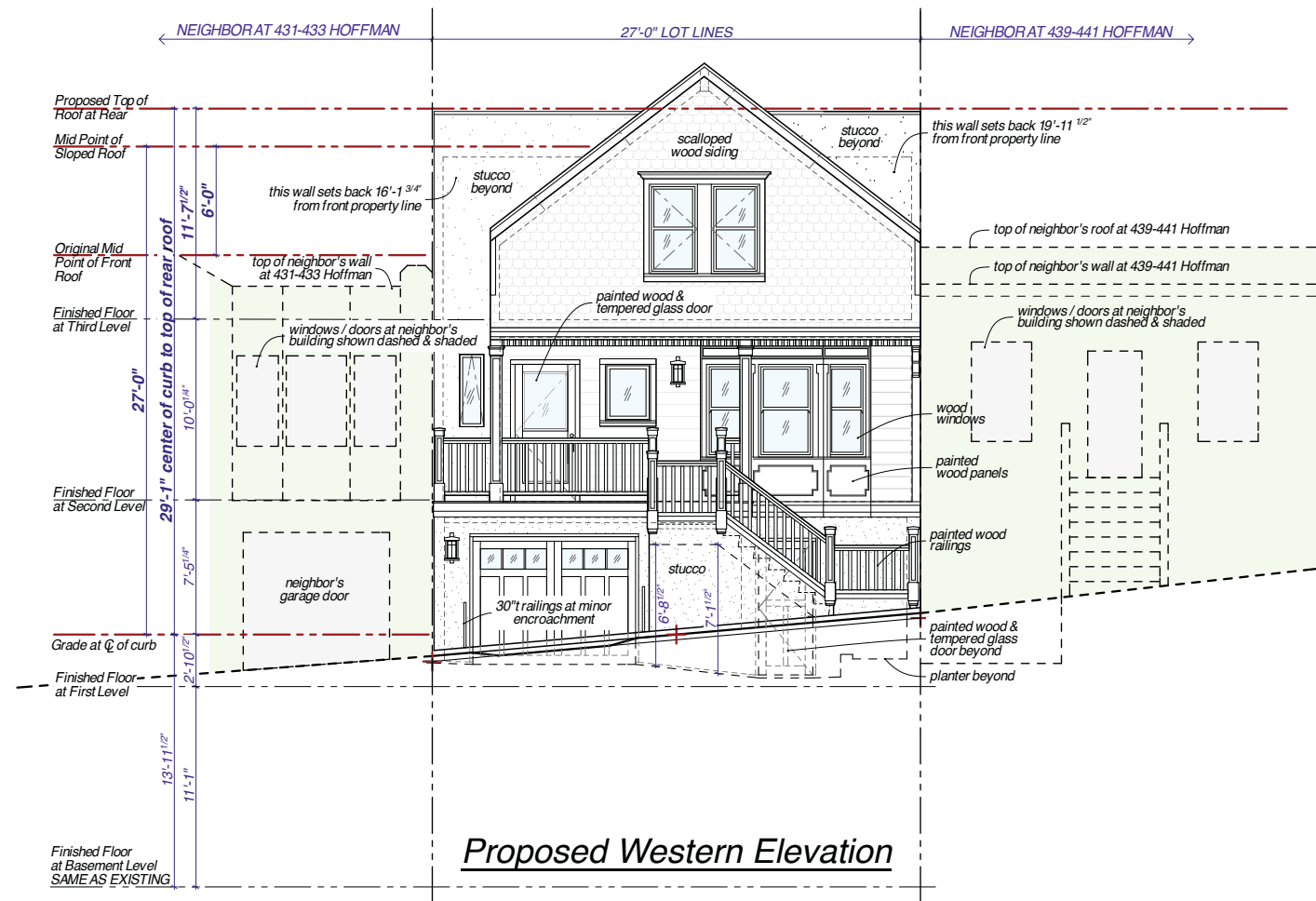
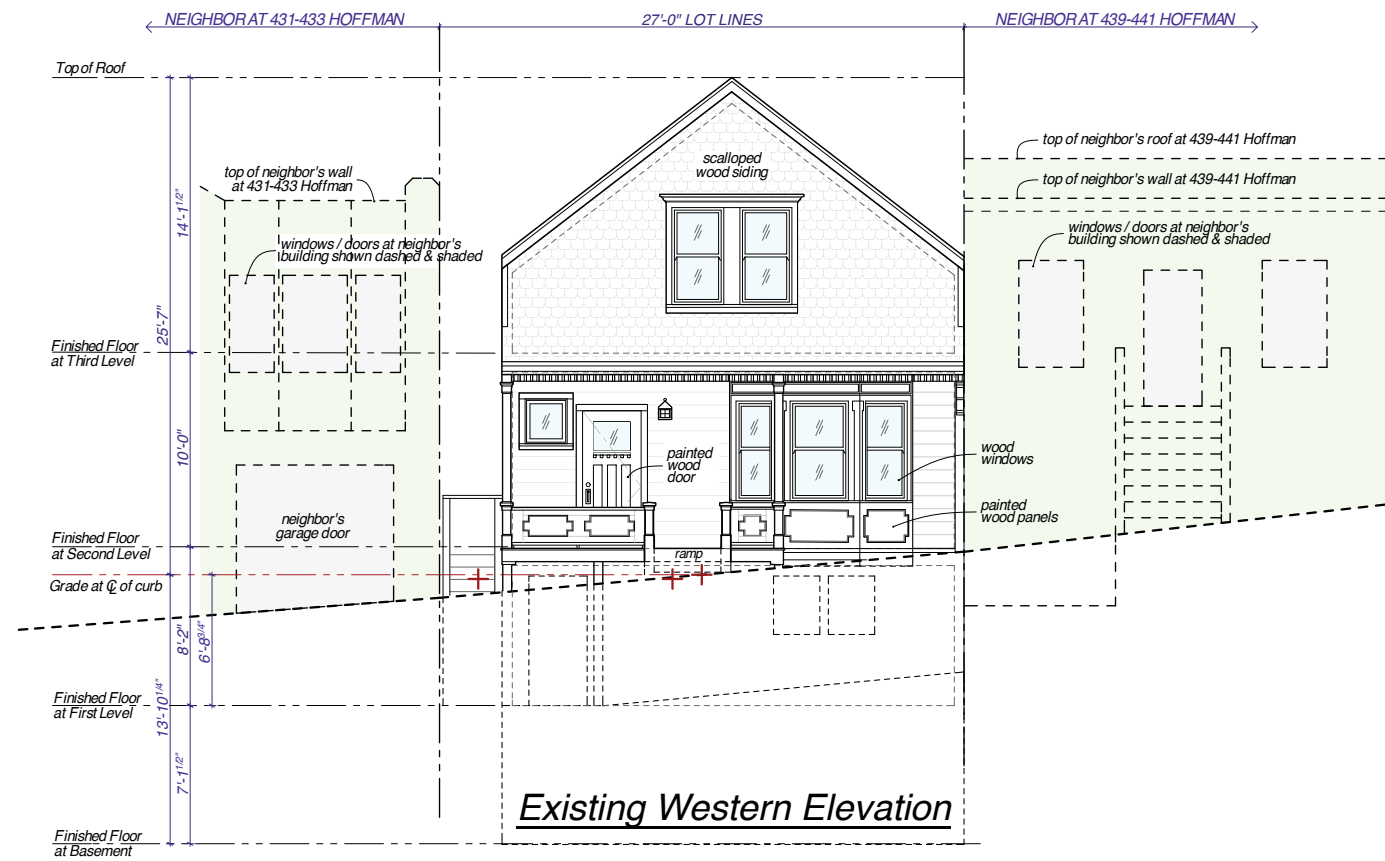
A8





A9





January 5, 2016



Existing &
Proposed Front
Elevations

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

A10

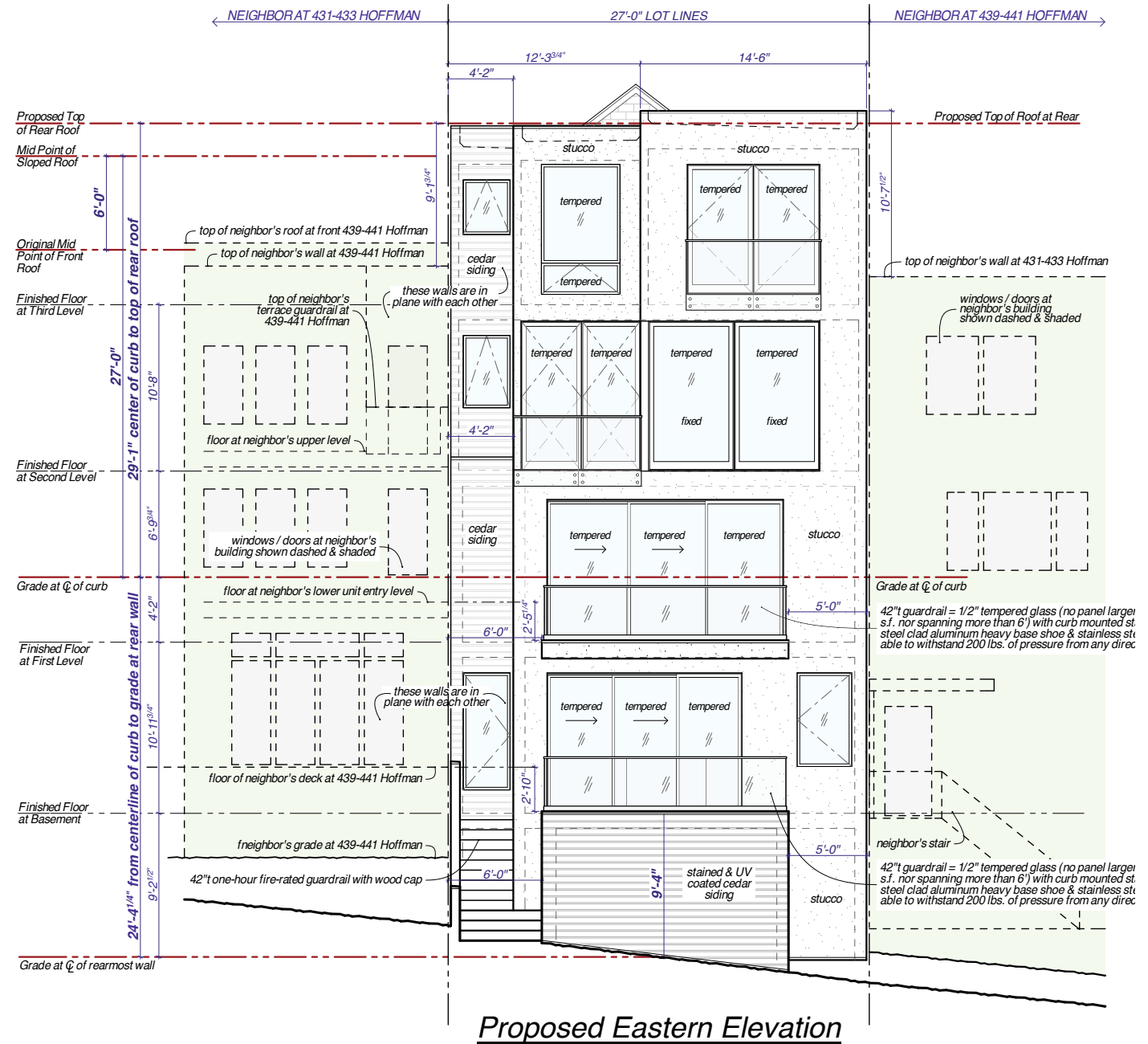
January 5, 2016

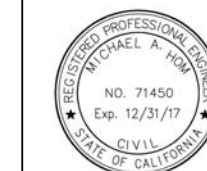


Existing &
 Proposed Rear
 Elevations

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

A11

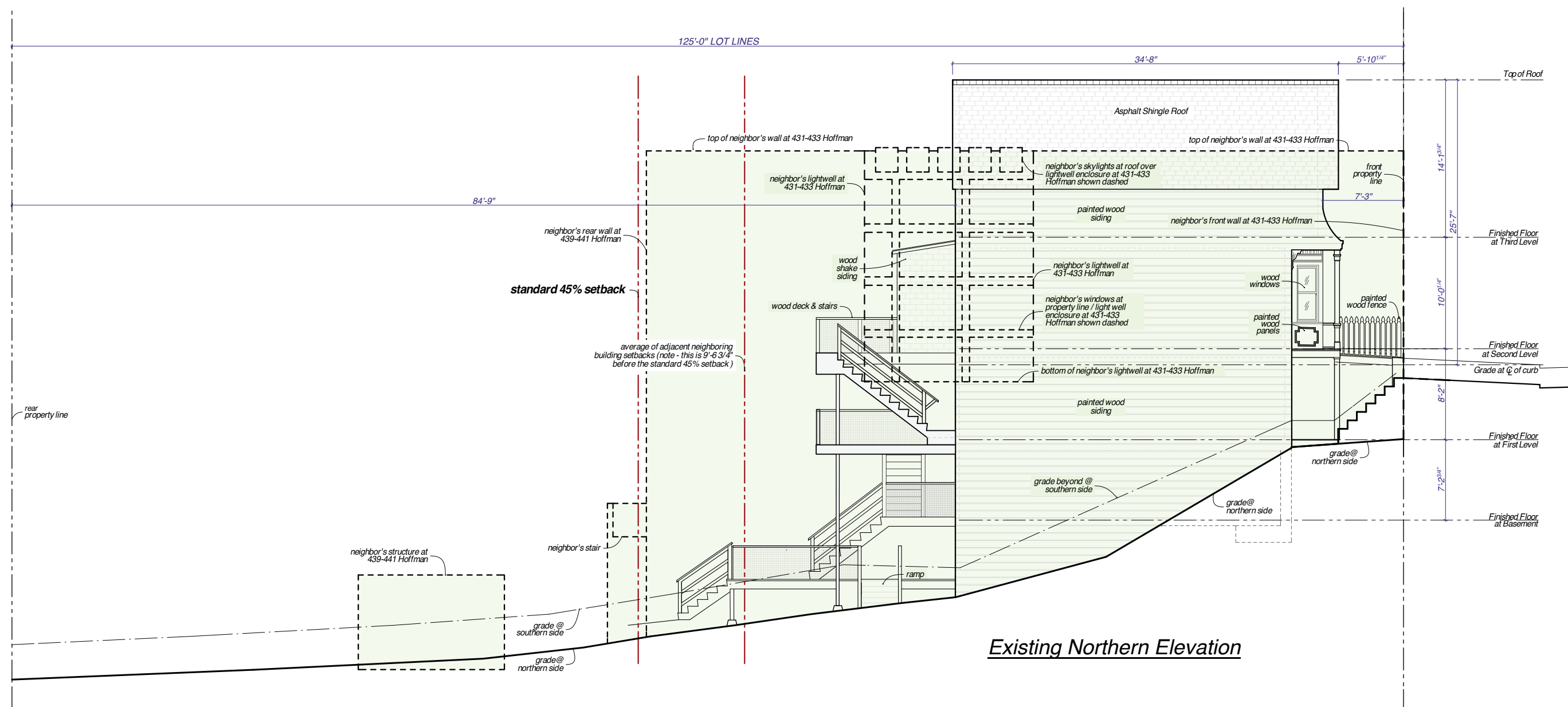





Existing Northern
Elevation

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

A 12

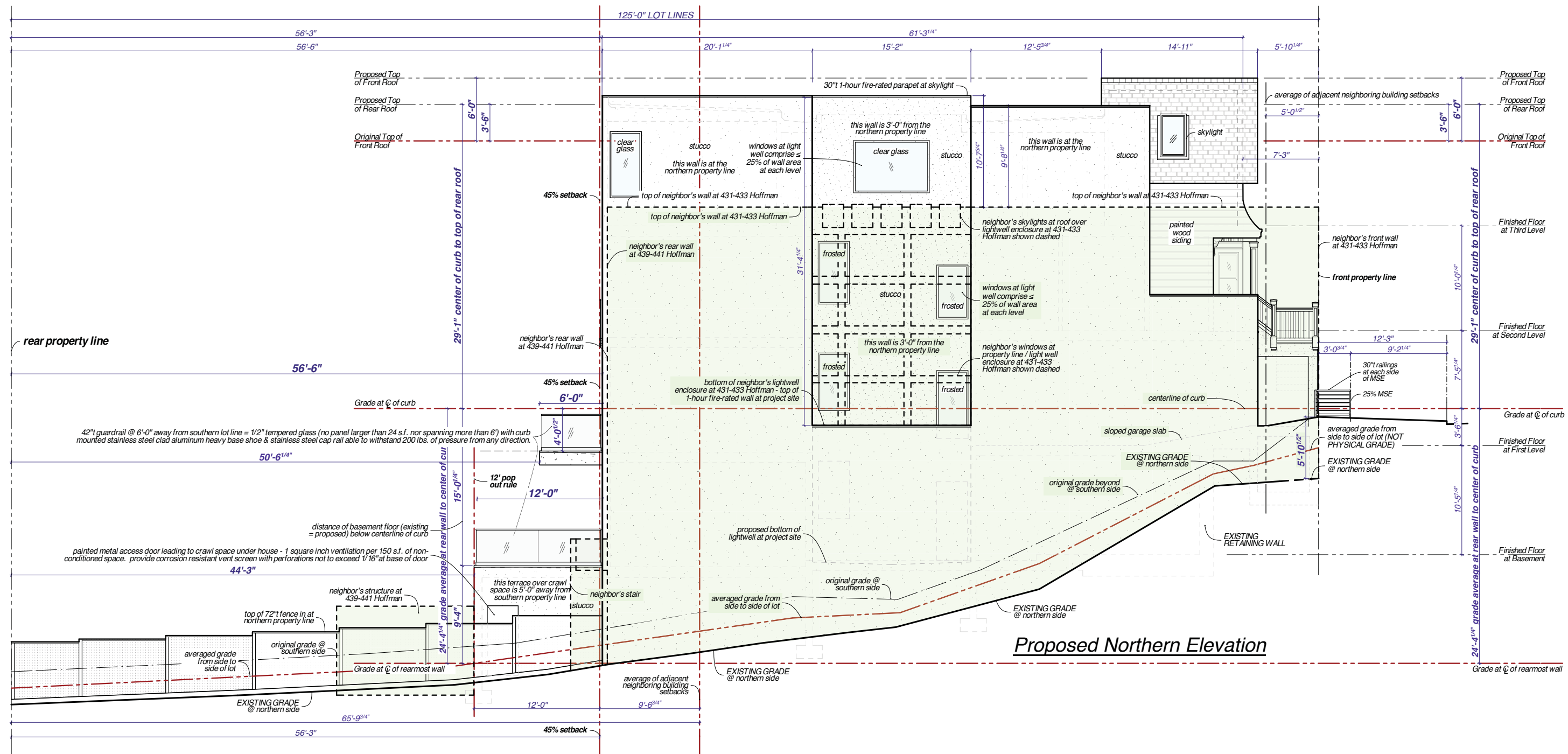


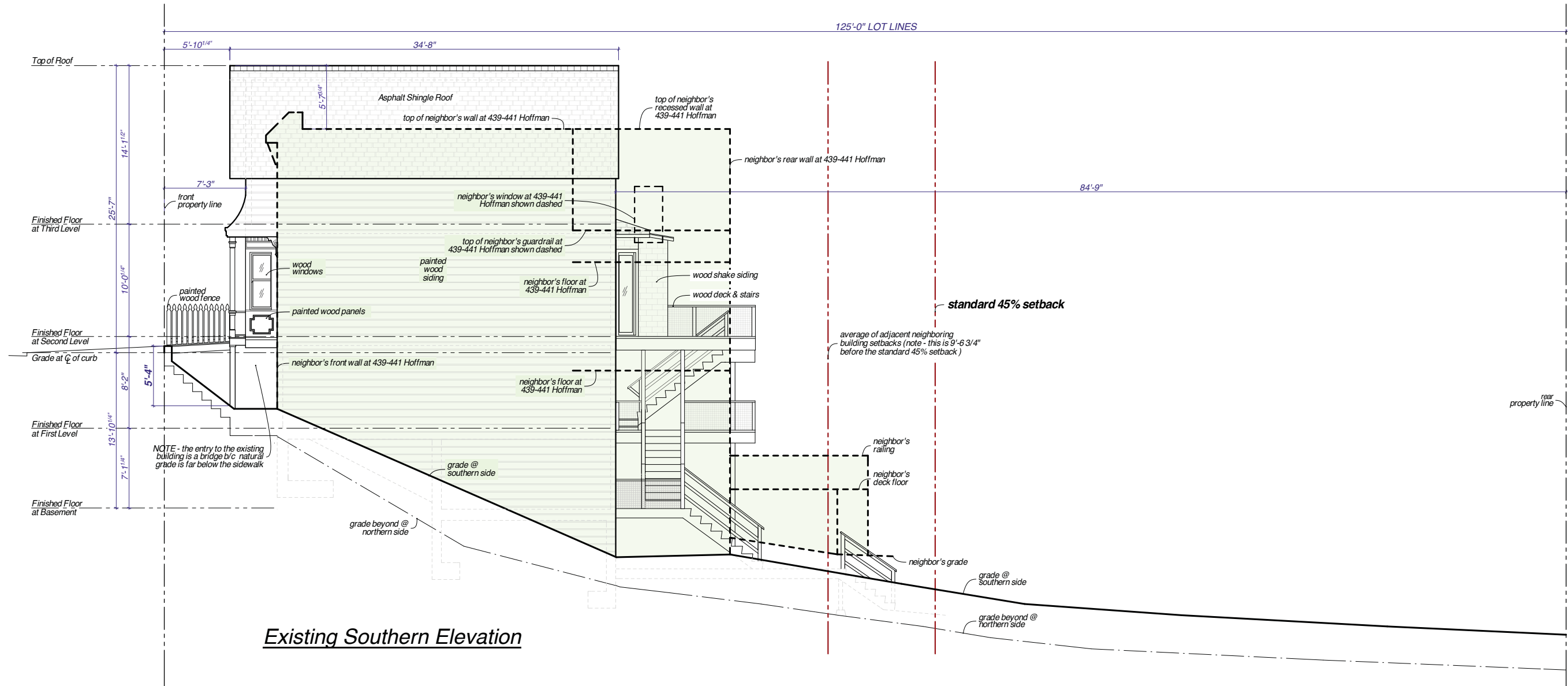
January 5, 2016



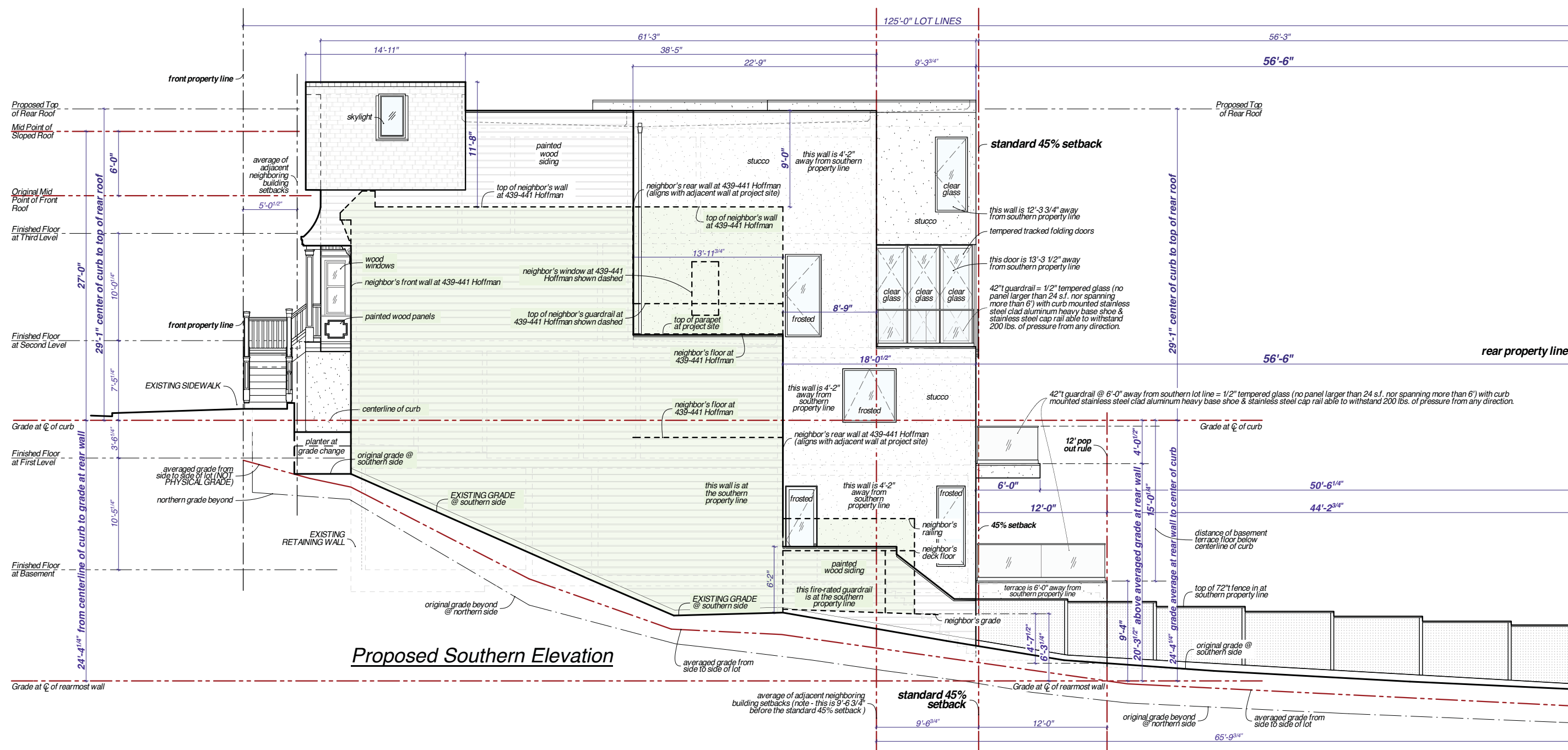
A circular professional engineer seal for the State of California. The outer ring contains the text "REGISTERED PROFESSIONAL ENGINEER" at the top and "STATE OF CALIFORNIA" at the bottom, separated by two stars. The inner circle contains the name "MICHAEL A. HORN" at the top, "NO. 71450" in the center, "Exp. 12/31/17" below the number, and "CIVIL" at the bottom.

A13





A 15



remodel
for
Hoffman
TIC Group

437
Hoffman
san francisco
9 4 1 1 4

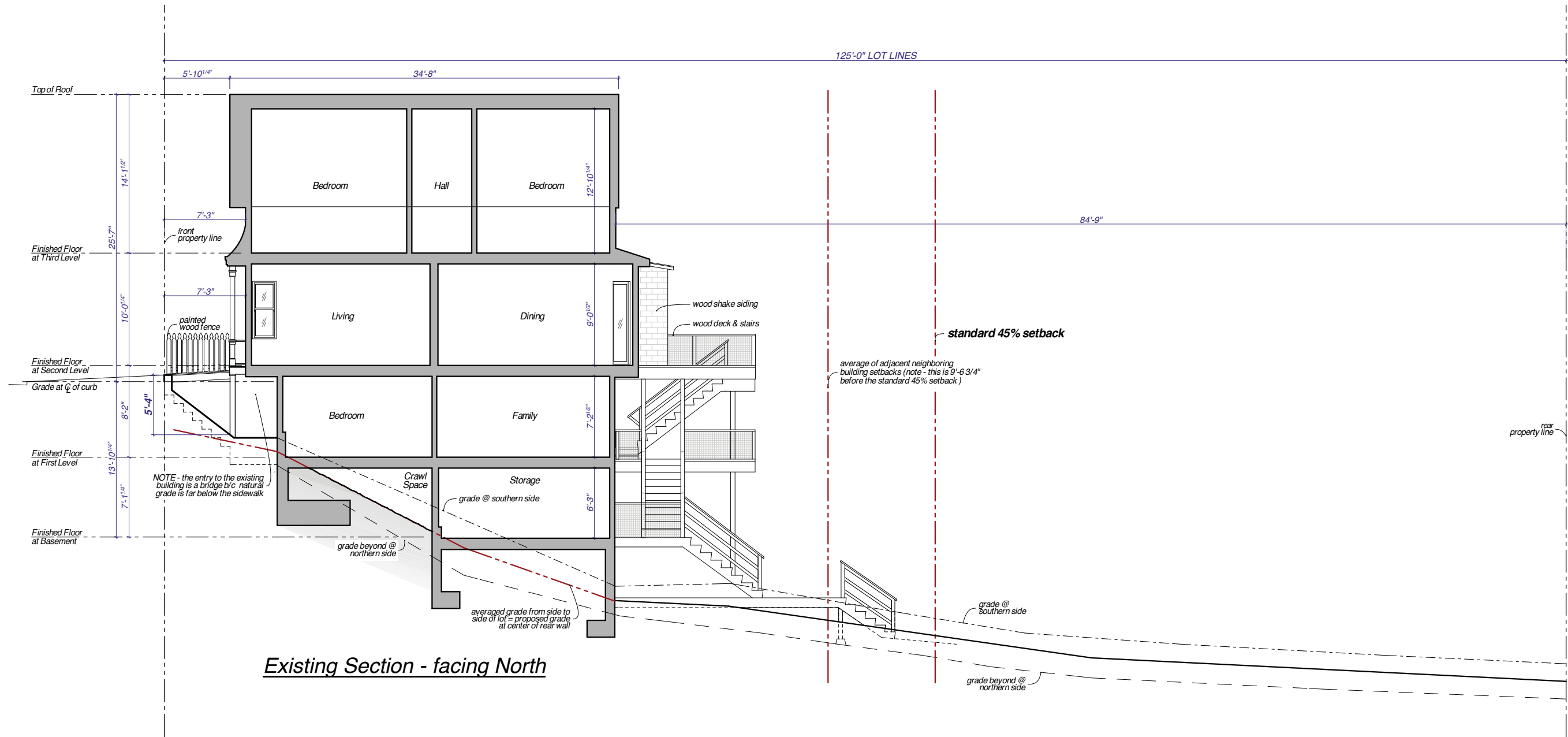
January 5, 2016

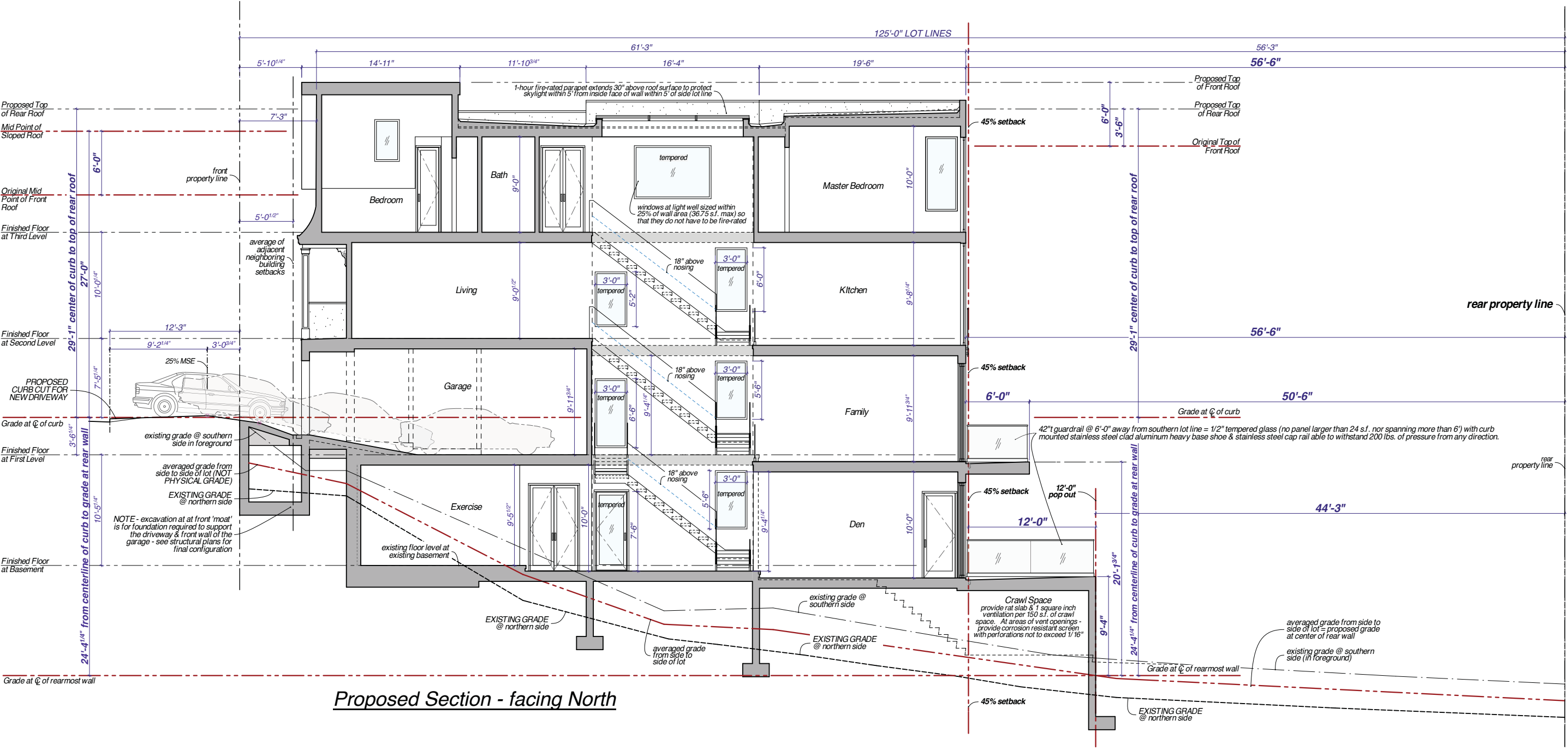


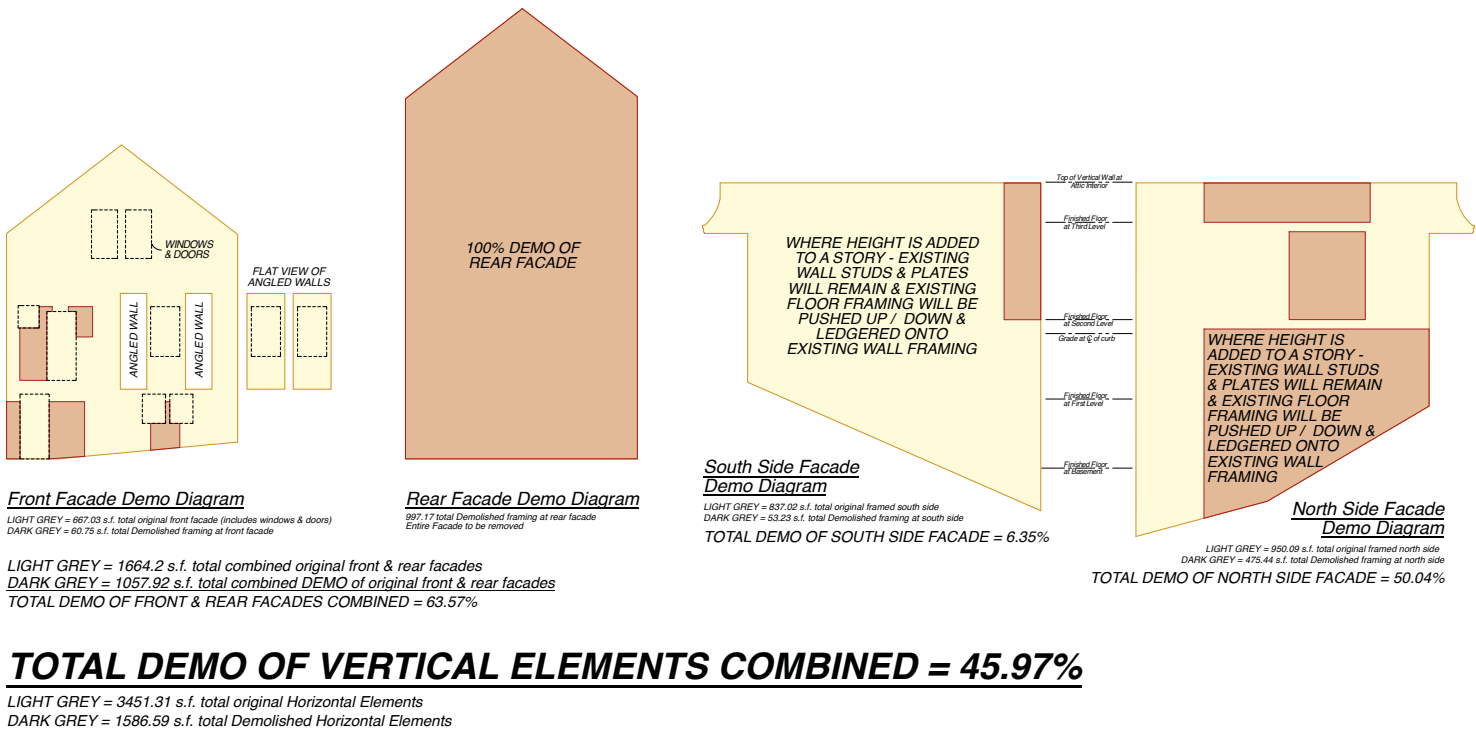
Existing Section

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

A16







TOTAL HORIZONTAL S.F. DEMO COMBINED = 28.68%
LIGHT GREY = 2990.14 s.f. total original Horizontal Elements
DARK GREY = 90.7 s.f. total Demolished Horizontal Elements

City and County of San Francisco Green Building Submittal: Residential Additions and Alterations

REQUIREMENTS

The following items are required for all additions and alterations to residential occupancy which increase conditioned area, volume, or size of a residential building. Requirements apply only to areas and systems within the scope of addition and alteration, with the exception of "Existing Noncompliant Plumbing Fixtures" (below). An abbreviated summary of each requirement is included for reference. To determine if this form is appropriate for a project, see Administrative Bulletin 93, Attachment A, Table 1. Projects required to meet a LEED standard must use C-3 "Submittal for LEED Projects", and projects required to meet GreenPoint Rated must use the C-4 "Submittal for GreenPoint Rated Projects." Projects seeking certification may use the C-3 "Submittal for LEED Projects" or C-4 "Submittal for GreenPoint Rated" as alternatives to this form.

Construction and Demolition Debris: 100% of mixed debris must be transported by a registered hauler to a registered facility and be processed for recycling, in compliance with the San Francisco Construction & Demolition Debris Ordinance (San Francisco Building Code Chapter 13B and Environment Code Chapter 14)
Recycling by Occupants: Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials. - See Administrative Bulletin 088.
Water Efficient Irrigation: Projects that include \geq 1,000 square feet of new or modified landscape must comply with the San Francisco Water Efficient Irrigation Ordinance. (See www.sfwater.org/landscape)
Stormwater Control Plan: Projects disturbing \geq 5,000 square feet must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines. (See www.sfwater.org/sdg)
Grading and paving: Construction plans shall indicate how the site grading or drainage system will manage surface water flows to keep water from entering the building, such as swales, drains, or water retention gardens. (CalGreen 4.106.3)
Smart Irrigation Controller: Automatically adjust irrigation based on weather and soil moisture. Controllers must have either an integral or separate rain sensors that connects or communicates with the controller. (CalGreen 4.304.1)
Indoor Water Efficiency: Install water-efficient fixtures and fittings as summarized in CalGreen 4.303 (See "Indoor Water Efficiency" at left.) Replace all noncompliant fixtures in project area (CalGreen 3.301.1.1, San Francisco Housing Code 12A)
Energy Efficiency: Comply with California Energy Code (Title 24, Part 6 2013)
Rodent Proofing: Annular spaces around pipes, electric cables, conduits, or other openings in sole/bottom plates at exterior walls shall be protected against the passage of rodents by closing with cement mortar, concrete masonry, or a similar method acceptable to the San Francisco Department of Building Inspection. (CalGreen 4.406.1)
Moisture content: Verify wall and floor framing shall be verified to not exceed 19% moisture content prior to enclosure as detailed below. Materials with visible signs of moisture damage shall not be installed. (CalGreen 4.505.3) 1) Moisture content shall be determined with either a probe-type or a contact-type moisture meter. Equivalent moisture verification methods may be approved by the enforcing agency and shall satisfy requirements in Section 101.8. 2) Moisture readings shall be taken at a point 2 feet (610 mm) to 4 feet (1219 mm) from the grade-stamped end of each piece to be verified. 3) At least three random moisture readings shall be performed on wall and floor framing with documentation acceptable to the enforcing agency provided at the time of approval to enclose the wall and floor framing. Insulation products which are visibly wet or have a high moisture content shall be replaced or allowed to dry prior to enclosure in wall or floor cavities. Manufacturers' drying recommendations shall be followed for wet-applied insulation products prior to enclosure
Capillary break for concrete slab on grade: Concrete slab on grade foundations required to have a vapor retarder must also have a capillary break, including at least one of the following: (CalGreen 4.505.2) 1) A 4-inch (101.6 mm) thick base of 1/2-inch (12.7 mm) or larger clean aggregate shall be provided with a vapor retarder in direct contact with concrete and a concrete mix design which will address bleeding, shrinkage and curling shall be used. For additional information, see American Concrete Institute, ACI 302.2R-06. 2) A slab design specified by a licensed design professional.
Fireplaces and woodstoves: Install only direct-vent or sealed-combustion appliances; comply with US EPA Phase II limits. (CalGreen 4.503.1)
Design and Install HVAC System to ACCA Manual J, D, and S (CalGreen 4.507.2)
HVAC Installer Qualifications: HVAC system installers must be trained and certified in the proper installation of HVAC systems, such as via a state certified apprenticeship program, public utility training program (with certification as installer qualification), or other program acceptable to the Department of Building Inspection. (CalGreen 702.1)
Covering duct openings and protecting mechanical equipment during construction: Duct openings and other air distribution component openings shall covered during all phases of construction with tape, plastic, sheetmetal, or other acceptable methods to reduce the amount of water, dust, and debris entering the system. (CalGreen 4.504.1)
ENERGY STAR Compliant Bathroom exhaust fans: Must be ENERGY STAR compliant, ducted to terminate outside the building, and controlled by humidistat capable of adjustment between relative humidity of less than 50% to maximum of 80%. Humidity control may be a separate component from the exhaust fan. (CalGreen 4.506.1)
Carpet: All carpet must meet one of the following: (CalGreen 4.504.3) 1. Carpet and Rug Institute Green Label Plus Program, 2. California Department of Public Health Standard Practice for the testing of VOCs (Specification 01350), 3. NSF/ANSI 140 at the Gold level, 4. Scientific Certifications Systems Sustainable Choice, OR 5. California Collaborative for High Performance Schools EQ 2.2 and listed in the CHPS High Performance Product Database AND carpet cushion must meet Carpet and Rug Institute Green Label, AND indoor carpet adhesive & carpet pad adhesive must not exceed 50 g/L VOC content.
Resilient flooring systems: For 80% of floor area receiving resilient flooring, install resilient flooring complying with (CalGreen 4.504.4): 1. Certified under the Resilient Floor Covering Institute (RFCI) FloorScore program, 2. Compliant with the VOC-emission limits and testing requirements of California Department of Public Health 2010 Standard Method for the Testing and Evaluation Chambers v.1.1, 3. Compliant with the Collaborative for High Performance Schools (CHPS) EQ2.2 and listed in the CHPS High Performance Product Database, OR 4. Certified under the Greenguard Children & Schools Program to comply with California Department of Public Health criteria.
Composite wood products: Hardwood plywood, particleboard, and medium density fiberboard composite wood products used on interior or exterior shall meet CARB Air Toxics Control Measure for Composite Wood. See CalGreen Table 4.504.5.
Interior paints and coatings: Comply with VOC limits in the Air Resources Board Architectural Coatings Suggested Control Measure and California Code of Regulations Title 17 for aerosol paints. See CalGreen Table 4.504.3.
Low-VOC aerosol paints and coatings: Meet BAAQMD VOC limits (Regulation 8, Rule 49) and Product-Weighted MIR Limits for ROC. (CalGreen 4.504.2.3.)
Low VOC Caulks, Construction adhesives, and Sealants: Meet SCAQMD Rule 1168. See CalGreen Tables 4.504.1 and 4.504.2. (CalGreen 4.504.2.1)

INDOOR WATER USE

All fixtures must not exceed the following flow rates (CalGreen Section 4.303.1):

Fixture Type	Maximum Prescriptive Flow Rate	Referenced Standard from California Plumbing Code Table 1401.1
Showerheads ¹	2.0 gpm @ 80 psi per valve and per showerhead ²	n/a
Lavatory faucets - residential	1.5 gpm @ 60 psi	n/a
Lavatory faucets - common and public use areas	0.5 gpm @ 60 psi	n/a
Metering faucets	.25 gallons/cycle	ASME A112.18.1/CSA B125.1
Kitchen faucets	1.8 gpm @ 60 psi default, allowed to temporarily increase to 2.2 gpm	n/a
Tank-type water closets	1.28 gallons/flush ¹ and EPA WaterSense Certified	U.S. EPA WaterSense Tank-Type High-Efficiency Toilet Specification
Flushometer valve water closets	1.28 gallons/flush ¹	ASME A112.19.2/CSA B45.1 - 1.28 gal
Urinals	0.5 gallons/flush	ASME A112.19.2/CSA B45.1 - 0.5 gal

1) For dual flush toilets, effective flush volume is defined as the average volume of two reduced flushes and one full flush. The referenced standard is ASME A112.19.14 and USEPA WaterSense Tank-Type High Efficiency Toilet Specification - 1.28 gal (4.8 L).
2) The combined flow rate of all showerheads in one shower stall not exceed the maximum flow rate for one showerhead, or the shower shall be designed to allow only one showerhead to be in operation at a time. (CalGreen 4.303.1.3)

EXISTING NONCOMPLIANT PLUMBING FIXTURES

All fixtures that are not compliant with the San Francisco Residential Water Conservation Ordinance that serve or are located within the project area must be replaced with fixtures or fittings meeting the maximum flow rates and standards at left. For more information, see the DBI brochure, "San Francisco's Residential Energy and Water Conservation Requirements", available at SFDPI.org, and also see the "Residential Water Conservation" section of the SFPUC website - SFWATER.org.

Noncompliant plumbing fixtures include:

- Any toilet manufactured for use more than 1.6 gallons of water per flush.
- Any urinal manufactured for use more than 1 gallon of water per flush.
- Any showerhead manufactured to have a flow capacity of more than 2.5 gallons of water per minute.
- Any interior faucet that emits more than 2.2 gallons of water per minute.

Exceptions to this requirement are limited to situations where replacement of fixture(s) would detract from the historic integrity of the building, as determined by the Department of Building Inspection pursuant to San Francisco Building Code Chapter 13A.

VERIFICATION

Indicate below who is responsible for ensuring green building requirements are met. **Projects that increase total conditioned floor area by \geq 1,000 square feet are required to have a Green Building Compliance Professional of Record as described in Administrative Bulletin 93.** For projects that increase total conditioned floor area by <1,000 square feet, the applicant or design professional may sign below, and no license or special qualifications are required.

FINAL COMPLIANCE VERIFICATION form will be required prior to Certificate of Completion.

Project Name _____

Block/Lot _____

Address _____

Primary Occupancy _____

Gross Building Area _____

Increase In Conditioned Floor Area _____

I will assure that approved construction documents and construction fulfill the requirements of San Francisco Green Building Code. It is my professional opinion that the requirements of the San Francisco Green Building Code will be met. I will notify the Department of Building Inspection if the project will, for any reason, not substantially comply with these requirements, if I am no longer the Green Building Compliance Professional of Record for the project, or if I am otherwise no longer responsible for assuring the compliance of the project with the San Francisco Green Building Code.

Licensed Professional: Sign & Date _____

(May be signed by the applicant when less than 1,000 square feet is added.)

Affix professional stamp:

Projects that increase total conditioned floor area by \geq 1,000 square feet:

The Green Building Compliance Professional of Record for this project is: _____

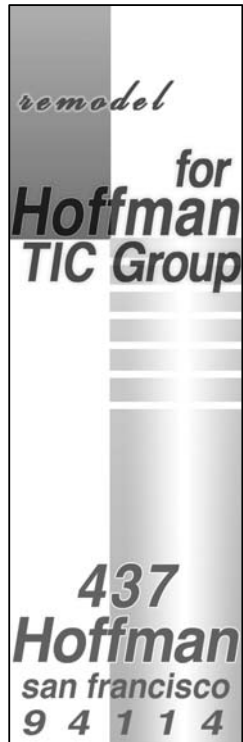
Green Building Compliance Professional - Name and Contact Phone Number _____

Green Building Compliance Professional - Firm _____

- ☐ I am a LEED Accredited Professional
☐ I am a GreenPoint Rater
☐ I am an ICC Certified CalGreen Inspector

Green Building Compliance Professional - Sign & Date _____

Signature by a professional holding at least one of the above certifications is required. If the Licensed Professional does not hold a certification for green design and/or inspection, this section may be completed by another party who will verify applicable green requirements are met.



January 5, 2016



Green Building Checklist

scale: as noted

C-7



INFORMATION SHEET

NO. MEP-03

DATE : November 24, 2014

SUBJECT : Mechanical, Electrical and Plumbing

TITLE : 2013 Title-24 Energy Forms for Low-rise Residential Buildings

PURPOSE : The purpose of this Information Sheet is to provide Title-24 energy inspection forms and submittal instructions for low-rise residential buildings based on the 2013 California Energy Code (CEC)

REFERENCE :

- 2013 California Energy Code
- Information Sheet GB-01

DISCUSSION : The 2013 California Energy Code (CEC) will take effect on July 1, 2014. Additional and updated compliance, installation, and verification forms apply to the new Energy Code.

2013 California Energy Code Form Requirements:

Summary of 2013 Title-24 Form Requirements

Attachment R provides a summary of the required forms based on the scope of work per the 2013 California Energy Code. This is to be used in conjunction with the below descriptions for Low-Rise Residential buildings.

Low-Rise Residential

Low-Rise Residential Title-24 is comprised of Certificate of Compliance, Certificate of Installation, and Certificate of Verification forms. A brief description is provided for the individual forms.

Certificate of Compliance

Mandatory

- CF1R-SRA-01-E: Solar Ready Area – New Construction
 - Required for all new constructions
- CF1R-SRA-02-E: Minimum solar area worksheet
 - Required whenever the solar ready requirement is complied with by installing a solar zone, rather than with the exceptions

1660 Mission Street – San Francisco CA 94103
Office (415) 558-6088 – FAX (415) 558-6401
Website: www.sfgov.org/dbi

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INFORMATION SHEET

MEP-03

- CF2R-PLB-02-E: Single dwelling unit hot water system distribution
 - Required whenever a distribution system is installed that serves one single dwelling unit only
- CF2R-PLB-04-E: Pool and spa heating systems
 - Required whenever a pool or spa heating system is installed

Plumbing– Installation HERS

- CF2R-PLB-22-H: Single dwelling unit hot water distribution system
 - Required when an energy credit is taken for a distribution system is serving dwelling units separately
- CF2R-PLB-21-H: Multifamily central hot water system distribution
 - Required when an energy credit is taken for a central hot water distribution system serving multiple units

Plumbing– Verification HERS

- CF3R-PLB-22-H: Single dwelling unit hot water distribution system
 - Required when an energy credit is taken for a distribution system is serving dwelling units separately
- CF3R-PLB-21-H: Multifamily central hot water system distribution
 - Required when an energy credit is taken for a central hot water distribution system serving multiple units

Effective Date of the Provisions of this Information Sheet

The provisions of this information sheet become effective for building permit applications submitted on or after July 1, 2014.

Note: Refer to GB-01, Attachment H for projects required to exceed energy standards per San Francisco Green Building Code.

Tom C. Hui, S.E., C.B.O., Director Date 11/25/2014
Department of Building Inspection

Attachment R: 2013 Title-24 Forms For Low-Rise Residential
Attachment Title-24 Energy Inspection Req. Low-Rise Residential (Building)
Attachment Title-24 Energy Inspection Req. Low-Rise Residential (Electrical)
Attachment Title-24 Energy Inspection Req. Low-Rise Residential (Plumbing)

This Information Sheet is subject to modification at any time. For the most current version, visit our website at <http://www.sfdbi.org>

5

INFORMATION SHEET

MEP-03

Performance

- CF1R-PRF-01-E: Performance compliance
 - Required for new buildings, additions, and alterations if the performance method of compliance is being used

Prescriptive

- CF1R-NCB-01-E: Prescriptive compliance for newly constructed buildings and additions greater than 1000 sf
 - Required for new constructions and additions 1000 sf+, when prescriptive method is being used
- CF1R-ADD-01-E: Prescriptive compliance for additions
 - Required for additions that are less than 1000 sf
- CF-R-ADD-02-E: Prescriptive residential additions 300 sf or less, or additions that do not require HERS field verification
 - Required when prescriptive method is being used.
- CF1R-ALT-01-E: General alterations form
 - Required for alterations
- CF1R-ALT-02-E: Alteration to HVAC system
 - Required whenever existing HVAC system is being extended, or a new HVAC system is being installed
- CF1R-ALT-03-E: HVAC Alteration Climate Zone 1, 3 to 7 and 16
 - Required whenever existing HVAC system is being extended, or a new HVAC system is being installed
- CF-R-ALT-05-E: Prescriptive residential alterations that do not require HERS field verification
 - Required when prescriptive method is being used.

Worksheets for Prescriptive Compliance

- CF1R-ENV-02-E: Area weighted average calculation worksheet
 - Worksheet for calculating the area weighted average U-Factor for fenestration, walls, roofs, etc.
 - Used when there are multiple levels of insulation or more than one type of window and at least one does not meet the prescriptive compliance requirements on its own
- CF1R-ENV-03-E: Solar Heat Gain Coefficient worksheet
 - Worksheet for calculating the SHGC of a fenestration product in combination with an exterior shading device
 - Must be completed separately for each fenestration and shading device combination
- CF1R-ENV-04-E: Cool roof SRI calculation worksheet
 - Worksheet for calculating the solar reflective index of a cool roof assembly
- CF1R-PLB-01-E: Hydronic heating system worksheet
 - Worksheet for calculating the pipe heat loss in a hydronic heating system
- CF1R-STH-01-E: OG 300 solar water heating worksheet
 - Worksheet for calculating the solar savings fraction with an OG 300 solar water heating system
- CF1R-STH-02-E: OG 100 solar water heating worksheet
 - Worksheet for calculating the solar savings fraction with an OG 100 system

ATTACHMENT R - 2013 TITLE-24 FOR LOW-RISE RESIDENTIAL

Type	LOW-RISE RESIDENTIAL		
	New Construction & Addition ≥ 1,000 sf	Addition < 1,000 sf	Alteration
Applicability	≤ 3 occupied floors	≤ 3 occupied floors	≤ 3 occupied floors
Compliance Forms (To be included in Plan Submittal)	CF1R-PRF (Performance) OR: CF1R-NCB (Prescriptive) CF1R-ENV CF1R-PLB CF1R-STH CF1R-SRA (New Construction)	CF1R-PRF (Performance) OR: CF1R-ALT (Prescriptive) CF1R-ENV CF1R-PLB CF1R-STH	CF1R-PRF (Performance) OR: CF1R-ALT (Prescriptive) CF1R-ENV CF1R-PLB CF1R-STH
Installation Forms	CF2R-ENV CF2R-LTG CF2R-MCH CF2R-PLB CF2R-STH CF2R-SPV	CF2R-ENV CF2R-LTG CF2R-MCH CF2R-PLB CF2R-STH CF2R-SPV	CF2R-ENV CF2R-LTG CF2R-MCH CF2R-PLB CF2R-STH CF2R-SPV
Verification Forms	CF3R-ENV CF3R-MCH CF3R-PLB	CF3R-ENV CF3R-EXC CF3R-MCH CF3R-PLB	CF3R-ENV CF3R-EXC CF3R-MCH CF3R-PLB

Note:

- For complete information of the 2013 Residential Compliance Manual please visit the CEC website http://energy.ca.gov/title24/2013standards/residential_manual.html

INFORMATION SHEET

MEP-03

Certificates of Installation and Verification

Envelope – Installation Non-HERS:

- CF2R-ENV-01-E: Fenestration/site-built fenestration
 - Required whenever any fenestration has been installed
- CF2R-ENV-02-E: Envelope air sealing requirements
 - Required whenever any air sealing has been done as required per the standards
- CF2R-ENV-03-E: Insulation installation
 - Required whenever any insulation has been installed
- CF2R-ENV-04-E: Roofing-radiant barrier
 - Required whenever a radiant barrier has been installed

Envelope – Installation HERS:

- CF2R-ENV-20(a-e)-H: Building leakage diagnostic test
 - Required when a credit for reduced leakage is being claimed
- CF2R-ENV-21-H: Quality insulation installation (framing)
 - Required to obtain an energy credit for installing insulation in such a way that common problems are avoided
- CF2R-ENV-22-H: Quality insulation installation (QII) Ceiling/Roof Deck
- CF2R-ENV-23-H: Quality insulation installation (QII) Insulation Installation
- CF2R-ENV-24-H: Quality insulation installation (QII) Air Infiltration Sealing

Envelope – Verification

- CF3R-ENV-20(a-e)-H: Building leakage diagnostic test
 - Required when credit for reduced leakage is being claimed
- CF3R-ENV-21-H: Quality insulation installation (framing)
 - Required to obtain an energy credit for installing insulation in such a way that common problems are avoided
- CF3R-ENV-22-H: Quality insulation installation (QII) Ceiling/Roof Deck
- CF3R-ENV-23-H: Quality insulation installation (QII) Insulation Installation
- CF3R-ENV-24-H: Quality insulation installation (QII) Air Infiltration Sealing
- CF3R-EXC-20-H: Existing conditions for residential alterations
 - Required when the altered component's existing condition is provided with third party verification.

Lighting – Installation

- CF2R-LTG-01-E: Lighting in single family homes
 - Required whenever any lighting that must meet the standards has been installed in single family homes
- CF2R-LTG-02-E: Lighting in multifamily homes
 - Required whenever any lighting that must meet the standards has been installed in multifamily homes

Solar– Installation

- CF2R-SPV-01(a-c)-E: PV Systems
 - Required whenever the CF1R shows PV as required for compliance

IS MEP-03
ATTACHMENT R



NOTICE

TITLE-24 ENERGY INSPECTION REQUIREMENTS
LOW-RISE RESIDENTIAL (BUILDING)

Please note that Certificates of Installation and/or Verification are required for this project, as indicated on this form issued with this permit. Ensuring the accurate completion of this documentation is the direct responsibility of the engineer/architect of record. This documentation is required *in addition* to the called inspections performed by the Department of Building Inspection.

For questions regarding the details or extent of required documentation or testing, and if there are any field problems regarding documentation or testing, please call your District Building Inspector or 415-558-6570.

Before final building inspection is scheduled, documentation of energy compliance "Certificate of Installation, Acceptance, and Verification" must be completed and signed by the responsible person in charge. **The permit will not be finalized without compliance with the energy inspection requirements.**

Energy Inspection Services Contact Information

- Telephone: (415) 558-6132
- Fax: (415) 558-6474
- Email: dbi.energyinspections@sfgov.org
- In person: 3rd floor at 1660 Mission St.

Note: We are moving towards a 'paperless' mode of operation. All special inspection submittals, including final letters, may be emailed (preferred) or faxed. We will also be shifting to a paperless fax receipt mode.

Installation and Verification certificates can be found on the California Energy Commission website at <http://energy.ca.gov/title24/2013standards/>

Information Sheet MEP-06 provides submittal instructions for the Title-24 installation, verification, and acceptance energy certificates. MEP-06 may be found on the SFDBI website at <http://sfdbi.org/information-sheets>

Energy Inspection Services
1660 Mission Street– San Francisco CA 94103
Office (415) 558-6132 – FAX (415) 558-6474 – www.sfgov.org/dbi (website)



January 5, 2016



Energy
Requirements

scale: as noted

MEP-1

TITLE-24 LOW-RISE RESIDENTIAL ENERGY INSPECTION (BUILDING)
A COPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET

JOB ADDRESS _____ APPLICATION NO. _____ ADDENDUM NO. _____
ENGINEER/ARCHITECT/DESIGNER NAME _____ PHONE NO. (____) _____

Ensuring the completion of installation documentation as well as the required acceptance/verification testing is the direct responsibility of the undersigned. Installation documentation must be completed by the contractor performing the installation. Verification testing must be completed by a certified HERS rater.

In accordance with the requirements of the 2013 California Energy Code, the following documentation is required for the **building** elements in this project:

- | | |
|---|---|
| 1. Installation
Envelope
[] CF2R ENV-01-E Non HERS – Fenestration & Site built Fenestration (IB1)
[] CF2R ENV-02-E Non HERS - Envelope Air Sealing Requirements (IB2)
[] CF2R ENV-03-E Non HERS - Insulation Installation (IB3)
[] CF2R ENV-04-E Non HERS - Roofing; Radiant Barrier (IB4)
[] CF2R ENV-20a-H HERS - Building Envelope Air Leakage Single Point Test with Manual Meter (IB6)
[] CF2R ENV-20c-H HERS - Building Envelope Air Leakage Multi Point Test (IB7)
[] CF2R ENV-20d-H HERS - Building Envelope Air Leakage Repeated Single Point with Manual Meter (IB8)
[] CF2R ENV-20e-H HERS - Building Envelope Air Leakage Repeated Single Point with Automatic Meter (IB9)
[] CF2R ENV-21-H HERS - High Quality Insulation Installation (QII) Framing Stage for Batt, Loose Fill, and SIP (IB10)
[] CF2R ENV-22-H HERS - High Quality Insulation Installation (QII) Ceiling/Roof Deck (IB38)
[] CF2R ENV-23-H HERS - High Quality Insulation Installation (QII) Insulation (IB11)
[] CF2R ENV-24-H HERS - High Quality Insulation Installation (QII) Framing Stage for SIP and ICF (IB39)

Mechanical
[] CF2R-MCH-01a-E Space conditioning systems ducts and fans Performance (IB12)
[] CF2R-MCH-01b-E Space conditioning systems ducts and fans Prescriptive (IB40)
[] CF2R-MCH-01c-E Space conditioning systems ducts and fans Prescriptive Newly Constructed Buildings (B41)
[] CF2R-MCH-02-E Non HERS – Whole house fan (IB13)
[] CF2R-MCH-20a-H HERS - Duct Leakage - Low Leakage Ducts in Conditioned Space (compliance credit) (IB15)
[] CF2R-MCH-20c-H HERS – Duct Leakage - Low Leakage Air-Handling Units (IB16)
[] CF2R-MCH-20d-H HERS – Duct Leakage – Altered System (IB17)
[] CF2R-MCH-20e-H HERS – Duct Leakage – Sealing All Accessible Leaks (B42)
[] CF2R-MCH-21-H HERS - Duct Location Verification (compliance credit) (IB18)
[] CF2R-MCH-22a-H HERS - Forced Air System Fan Efficacy All Zones Calling (IB19)
[] CF2R-MCH-22b-H HERS - Forced Air System Fan Efficacy Every Zonal Control Mode (B43) |
[] CF2R-MCH-23a-H HERS - Forced Air System Airflow Rate All Zones Calling (IB20)
[] CF2R-MCH-23b-H HERS - Forced Air System Airflow Rate Every Zonal Control (B44)
[] CF2R-MCH-23c-H HERS - Forced Air System Airflow Rate Alternative Compliance (B45)
[] CF2R-MCH-23d-H HERS - Forced Air System Airflow Rate Measurement Only (B46)
[] CF2R-MCH-24a-H HERS – Building Envelope Air Leakage Single Point Test with Manual Meter (B47)
[] CF2R-MCH-24b-H HERS – Building Envelope Air Leakage Single Point Test with Automatic Meter (B48)
[] CF2R-MCH-24c-H HERS – Building Envelope Air Leakage Multi-Point Test (B49)
[] CF2R-MCH-24d-H HERS – Building Envelope Air Leakage Repeated Single Point with Manual Meter (B50)
[] CF2R-MCH-24e-H HERS – Building Envelope Air Leakage Repeated Single Point with Automatic Meter (B51)
[] CF2R-MCH-25a-H HERS - Refrigerant Charge Verification - Superheat Method (B21)
[] CF2R-MCH-25b-H HERS - Refrigerant Charge Verification - Subcooling (IB22)
[] CF2R-MCH-25c-H HERS - Refrigerant Charge Verification - Weigh-in Procedure (B23)
[] CF2R-MCH-25d-H HERS - Refrigerant Charge Verification - Charge Indicator Display (CID) (B24)
[] CF2R-MCH-25e-H HERS - Refrigerant Charge Verification - Winter Setup for Standard Charge Verification (B25)
[] CF2R-MCH-25f-E Refrigerant Charge Verification - New package unit with factory charge (B26)
[] CF2R-MCH-26-H HERS - Verified EER or SEER (B27)
[] CF2R-MCH-27a-H HERS - Mechanical Ventilation - Continuous Whole-Building Mechanical Ventilation Airflow - Fan Vent Rate Method (B28)
[] CF2R-MCH-27b-H HERS - Mechanical Ventilation - Continuous Whole-Building Mechanical Ventilation Airflow - Total Vent Rate Method (B29)
[] CF2R-MCH-27c-H HERS - Mechanical Ventilation - Intermittent Whole-Building Mechanical Ventilation Airflow – Fan Vent Rate Method (B30)
[] CF2R-MCH-27d-H HERS - Mechanical Ventilation - Intermittent Whole-Building Mechanical Ventilation Airflow – Total Vent Rate Method (B32)
[] CF2R-MCH-27b-H HERS - Return Duct And Filter Design (B31)
[] CF2R-MCH-29-H HERS - Buried Ducts and Deeply Buried Ducts (B32) |
|---|---|

Attachment RE

TITLE-24 LOW RISE RESIDENTIAL ENERGY INSPECTION (ELECTRICAL)
A COPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET

JOB ADDRESS _____ APPLICATION NO. _____ ADDENDUM NO. _____
ENGINEER/ARCHITECT/DESIGNER NAME _____ PHONE NO. (____) _____

Ensuring the completion of installation documentation as well as the required acceptance/verification testing is the direct responsibility of the undersigned. Installation documentation must be completed by the contractor performing the installation. Verification testing must be completed by a certified HERS rater.

In accordance with the requirements of the 2013 California Energy Code, the following documentation is required for the **electrical** elements in this project:

- | | |
|--|--|
| 1. Installation
Electrical
[] CF2R-LTG-01-E Lighting types and controls for single family buildings (IE1)
[] CF2R-LTG-02-E Lighting types and controls for multifamily buildings (IE2)

Solar
[] CF2R-SPV-01a-E Photovoltaic systems compliance credit (IE3)
[] CF2R-SPV-01b-E Photovoltaic systems exceptions to solar ready area requirements (IE4)
[] CF2R-SPV-01c-E Photovoltaic systems PV compliance credit and exemptions (IE5) | |
|--|--|

Prepared by: _____ Date: _____
Engineer/Architect of Record/ Designer Signature

Required information:
Fax: _____ Email: _____

Review by: _____ Phone: (415) 558-_____
DBI Engineer or Plan Checker

APPROVAL (Based on submitted reports)

DATE _____ DBI Electrical Inspector or Energy Inspection Services Staff

QUESTIONS ABOUT TITLE-24 ENERGY INSPECTION SHOULD BE DIRECTED TO:
Energy Inspection Services (415) 558-6132; or, dbi.energyinspections@sfgov.org ; or FAX (415) 558-6474

City and County of San Francisco
Department of Building Inspection



Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

2. Verification

- | | |
|---|---|
| Mechanical
[] CF3R ENV-20a-H HERS - Building Envelope Air Leakage Single Point Test with Manual Meter (VB1)
[] CF3R ENV-20b-H HERS - Building Envelope Air Leakage Single Point Test with Automatic Meter (VB2)
[] CF3R ENV-20c-H HERS - Building Envelope Air Leakage Multi Point Test (VB3)
[] CF3R ENV-20d-H HERS - Building Envelope Air Leakage Repeated Single Point with Manual Meter (VB4)
[] CF3R ENV-20e-H HERS - Building Envelope Air Leakage Repeated Single Point with Automatic Meter (VB5)
[] CF3R ENV-21-H HERS - High Quality Insulation Installation (QII) Framing Stage – wood frame (VB6)
[] CF3R ENV-22-H HERS - High Quality Insulation Installation (QII) Ceiling/Roof Deck (VB34)
[] CF3R ENV-23-H HERS - High Quality Insulation Installation (QII) Insulation (VB7)
[] CF3R ENV-24-H HERS - High Quality Insulation Installation (QII) Framing Stage – SIP and ICF (VB36)
[] CF3R-MCH-20a-H HERS - Duct Leakage - New Systems (VB9)
[] CF3R-MCH-20b-H HERS - Duct Leakage - Low Leakage Ducts in Conditioned Space (compliance credit) (VB9)
[] CF3R-MCH-20c-H HERS – Duct Leakage - Low Leakage Air-Handling Units (VB10)
[] CF3R-MCH-20d-H HERS – Duct Leakage – Altered System (VB11)
[] CF3R-MCH-20e-H HERS – Duct Leakage – Sealing All Accessible Leaks (VB38)
[] CF3R-MCH-21-H HERS - Duct Location Verification (compliance credit) (VB12)
[] CF3R-MCH-22a-H HERS - Forced Air System Fan Efficacy All Zones Calling (VB13)
[] CF3R-MCH-22b-H HERS - Forced Air System Fan Efficacy Every Zonal Control Mode (VB27)
[] CF3R-MCH-23a-H HERS - Forced Air System Airflow Rate All Zones Calling (VB14)
[] CF3R-MCH-23b-H HERS - Forced Air System Airflow Rate Every Zonal Control (VB29)
[] CF3R-MCH-23c-H HERS - Forced Air System Airflow Rate Alternative Compliance (VB39)
[] CF3R-MCH-23d-H HERS - Forced Air System Airflow Rate Measurement Only (VB40) |
[] CF3R-MCH-24a-H HERS – Building Envelope Air Leakage Single-Point Test with Manual Meter (VB41)
[] CF3R-MCH-24b-H HERS – Building Envelope Air Leakage Single-Point Test with Automatic Meter (VB42)
[] CF3R-MCH-24c-H HERS – Building Envelope Air Leakage Multi-Point Test (VB43)
[] CF3R-MCH-24d-H HERS – Building Envelope Air Leakage Repeated Single-Point with Manual Meter (VB44)
[] CF3R-MCH-24e-H HERS – Building Envelope Air Leakage Repeated Single-Point with Automatic Meter (VB45)
[] CF3R-MCH-25a-H HERS - Refrigerant Charge Verification - Superheat Method (VB16)
[] CF3R-MCH-25b-H HERS - Refrigerant Charge Verification - Subcooling (VB16)
[] CF3R-MCH-25c-H HERS - Refrigerant Charge Verification - Weigh-in Procedure (VB17)
[] CF3R-MCH-25d-H HERS - Refrigerant Charge Verification - Charge Indicator Display (CID) (VB18)
[] CF3R-MCH-25e-H HERS - Refrigerant Charge Verification - Winter Setup for Standard Charge Verification (VB19)
[] CF3R-MCH-26-H HERS - Verified EER or SEER (VB21)
[] CF3R-MCH-27a-H HERS - Mechanical Ventilation - Continuous Whole-Building Mechanical Ventilation Airflow - Fan Vent Rate Method (VB22)
[] CF3R-MCH-27b-H HERS - Mechanical Ventilation - Continuous Whole-Building Mechanical Ventilation Airflow - Total Vent Rate Method (VB23)
[] CF3R-MCH-27c-H HERS - Mechanical Ventilation - Intermittent Whole-Building Mechanical Ventilation Airflow - Fan Vent Rate Method (VB24)
[] CF3R-MCH-27d-H HERS - Mechanical Ventilation - Intermittent Whole-Building Mechanical Ventilation Airflow – Total Vent Rate Method (VB46)
[] CF3R-MCH-27e-H HERS - Return Duct And Filter Grille Design (VB25)
[] CF3R-MCH-28-H HERS - Supply Duct Surface Area and R-Value; Buried Ducts; Deeply Buried Ducts (VB27) |
|---|---|

Prepared by: _____ Date: _____
Engineer/Architect of Record/ Designer Signature

Required information:
Fax: _____ Email: _____

Review by: _____ Phone: (415) 558-_____
DBI Engineer or Plan Checker

APPROVAL (Based on submitted reports)

DATE _____ DBI Building Inspector or Energy Inspection Services Staff

QUESTIONS ABOUT TITLE-24 ENERGY INSPECTION SHOULD BE DIRECTED TO:
Energy Inspection Services (415) 558-6132; or, dbi.energyinspections@sfgov.org ; or FAX (415) 558-6474

City and County of San Francisco
Department of Building Inspection



Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

NOTICE

TITLE-24 ENERGY INSPECTION REQUIREMENTS
LOW-RISE RESIDENTIAL (PLUMBING)

Please note that Certificates of Installation and/or Verification are required for this project, as indicated on this form issued with this permit. Ensuring the accurate completion of this documentation is the direct responsibility of the engineer/architect of record. This documentation is required *in addition* to the called inspections performed by the Department of Building Inspection.

For questions regarding the details or extent of required documentation or testing, and if there are any **field** problems regarding documentation or testing, please call your District Plumbing Inspector or 415-558-6570.

Before final plumbing inspection is scheduled, documentation of energy compliance "Certificate of Installation, Acceptance, and Verification" must be completed and signed by the responsible person in charge. ***The permit will not be finalized without compliance with the energy inspection requirements.***

Energy Inspection Services Contact Information

1. Telephone: (415) 558-6132
2. Fax: (415) 558-6474
3. Email: dbi.energyinspections@sfgov.org
4. In person: 3rd floor at 1660 Mission St.

Note: We are moving towards a 'paperless' mode of operation. All special inspection submittals, including final letters, may be emailed (preferred) or faxed. We will also be shifting to a paperless fax receipt mode.

Installation and Verification certificates can be found on the California Energy Commission website at <http://energy.ca.gov/title24/2013standards/>

Information Sheet MEP-06 provides submittal instructions for the Title-24 installation, verification, and acceptance energy certificates. MEP-06 may be found on the SFDBI website at <http://sfdbi.org/information-sheets>

Energy Inspection Services
1660 Mission Street– San Francisco CA 94103
Office (415) 558-6132 – FAX (415) 558-6474 – www.sfgov.org/dbi (website)

City and County of San Francisco
Department of Building Inspection



Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

NOTICE

TITLE-24 ENERGY INSPECTION REQUIREMENTS
LOW-RISE RESIDENTIAL (ELECTRICAL)

Please note that Certificates of Installation and/or Verification are required for this project, as indicated on this form issued with this permit. Ensuring the accurate completion of this documentation is the direct responsibility of the engineer/architect of record. This documentation is required *in addition* to the called inspections performed by the Department of Building Inspection.

For questions regarding the details or extent of required documentation or testing, and if there are any **field** problems regarding documentation or testing, please call your District Electrical Inspector or 415-558-6570.

Before final electrical inspection is scheduled, documentation of energy compliance "Certificate of Installation, Acceptance, and Verification" must be completed and signed by the responsible person in charge. ***The permit will not be finalized without compliance with the energy inspection requirements.***

Energy Inspection Services Contact Information

1. Telephone: (415) 558-6132
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3. Email: dbi.energyinspections@sfgov.org
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Information Sheet MEP-06 provides submittal instructions for the Title-24 installation, verification, and acceptance energy certificates. MEP-06 may be found on the SFDBI website at <http://sfdbi.org/information-sheets>

Energy Inspection Services
1660 Mission Street– San Francisco CA 94103
Office (415) 558-6132 – FAX (415) 558-6474 – www.sfgov.org/dbi (website)

TITLE-24 LOW-RISE RESIDENTIAL SPECIAL INSPECTION (PLUMBING)
A COPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET

JOB ADDRESS _____ APPLICATION NO. _____ ADDENDUM NO. _____
ENGINEER/ARCHITECT/DESIGNER NAME _____ PHONE NO. (____) _____

Ensuring the completion of installation documentation as well as the required acceptance/verification testing is the direct responsibility of the undersigned. Installation documentation must be completed by the contractor performing the installation. Verification testing must be completed by a certified HERS rater.

In accordance with the requirements of the 2013 California Energy Code, the following documentation is required for the **plumbing** work in this project:

1. Installation

- Plumbing**
[] CF2R-PLB-01-E DHW Non-HERS - Multifamily Central Hot Water System Distribution (IP6)
[] CF2R-PLB-02-E DHW Non-HERS - Single Dwelling Unit Hot Water System Distribution (IP6)
[] CF2R-PLB-03-E DHW Non-HERS - Pool and Spa System (IP7)
[] CF2R-PLB-21-H DHW HERS - HERS Multifamily Central Hot Water System Distribution (IP9)
[] CF2R-PLB-22-H DHW HERS - HERS Single Dwelling Unit Hot Water System Distribution (IP8)

- Solar**
[] CF2R-STH-01-E Solar Water Heating System (IP1)

- Mechanical**
[] CF3R-MCH-04-E Non HERS – Evaporative coolers (IP2)

2. Verification

- [] CF3R-PLB-21-H DHW HERS - HERS Multifamily Central Hot Water System Distribution (VP2)
[] CF3R-PLB-22-H DHW HERS - HERS Single Dwelling Unit Hot Water System Distribution (VP3)

Prepared by: _____ Date: _____
Engineer/Architect of Record/ Designer Signature

Required information:
Fax: _____ Email: _____

Review by: _____ Phone: (415) 558-_____
DBI Engineer or Plan Checker

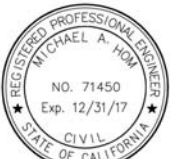
APPROVAL (Based on submitted reports)

DATE _____ DBI Plumbing Inspector or Energy Inspection Services Staff

QUESTIONS ABOUT TITLE-24 ENERGY INSPECTION SHOULD BE DIRECTED TO:
Energy Inspection Services (415) 558-6132; or, dbi.energyinspections@sfgov.org ; or FAX (415) 558-6474



January 5, 2016



Energy Checklist

scale: as noted

MEP-2

PROGRESS NOE VALLEY

NEIGHBORS WHO SAY YES

March 28, 2016

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

**LETTER OF SUPPORT FOR:
437 Hoffman Avenue, San Francisco, CA**

Dear President Fong, Vice President Richards, and Planning Commissioners,

ADVISORY BOARD

Daniel Camp
Michael Fasman
Dan Fingal-Surma
Laura Fingal-Surma
Jason Friedrichs
Kristy Friedrichs
Karin Payson

Progress Noe Valley values investment in our neighborhood and encourages improvements. We are a new neighborhood group more than 180 members strong that is part of the growing YIMBY — Yes In My BackYard — movement. We believe that creative solutions to managing growth in the city and region will include higher densities, and that our neighborhood should do its part.

We understand that the the proposed project at 437 Hoffman Avenue has been found to be in compliance with all relevant Planning Codes and guidelines. We trust the Planning Department's expertise in determining how to grow our city and support approval of this project.

Sincerely,

Advisory Board
Progress Noe Valley

From: [Stephen Baskerville](#)
To: [Tran, Nancy \(CPC\)](#)
Cc: [Washington, Delvin \(CPC\)](#); [Janet Fowler](#); [Paul Lefebvre](#)
Subject: 437 Hoffman Ave.
Date: Monday, October 19, 2015 10:32:13 AM

To: Planner Nancy Tran
To: Planner Delvin Washington

Dear Ms. Tran,

October 19, 2015

I am writing to you with much concern about the proposed project at 437 Hoffman Ave. I am the owner of 439 Hoffman on the south side of the 437 property and have some issues with such huge proposed development. The sign in front of 437 Hoffman that went up on Oct. 9th states that Oct. 13 - Nov. 12 is the time period to raise any concerns. We did not get our copies of the proposed plans in the mail until Oct. 15th. It should only be fair that an extension be granted to coincide with the date of the plans day of receipt.

Here are some of the issues that I have with the proposed development.

1. This house was built in 1905 and the proposed development changes the fabric of the neighborhood. It is clearly out of scale, will be much higher than the houses on both sides of it and extends much too far back into the shared green space.
2. The proposal plans to almost double the entire building footprint - this is extremely excessive development.
3. There will be less parking in the neighborhood as a driveway is constructed.
4. It creates privacy issues and loss of light for our property. The building closes in on decks and yard.
5. The project removes a spectacular decades old tree that contributes to the character of our street.
6. On February 25, 2015, there was a proposal meeting with the architect and developers. I, as well as other neighbors filled out the required "Summary of discussion for Pre-Application Meeting" sheet. It doesn't seem that the comments were addressed. Were these sheets presented to and reviewed by the Planning Board?

Ms. Tran, I would like to meet with you to further discuss important issues, to have a clear picture of the planning process for this proposed project and ensure that our concerns are recognized and addressed.

Sincerely,

Stephen Baskerville
439 Hoffman Ave.
SF, CA 94114

Tran, Nancy (CPC)

From: Tran, Nancy (CPC)
Sent: Wednesday, October 21, 2015 2:21 PM
To: 'Janet Fowler'
Cc: rufnikhound@gmail.com; paul.lef123@gmail.com; geneg@sfsu.edu; utilitiesman@gmail.com; lyndagrose@gmail.com; info@anjuchinesemedicine.com; ftowghi@berkeley.edu; cmtdompe@pacbell.net; phdshelley@aol.com; Washington, Delvin (CPC); rustymccall@hotmail.com
Subject: RE: Proposed Project at 437 Hoffman-plans and process

Hi Janet,

You may call me Nancy. From what I understood from your previous email, you “are making a Public Records Request to see ALL files, both the environmental and the case file and any and all emails for this project.” Such request would take some time to pull all case files and everything related to the project. Therefore, an official Sunshine Records Request is necessary. I am only in possession of the current building permit docket and plans, not the environmental case file as I was not the project planner for it. Additionally, not all emails exchanged concerning the project have been printed – and the Department would have to check with all planners involved with the property, and access Michael’s disabled email account.

The ‘narrow window of time’ to which you refer is when planners bring down the current case docket and plans for the building permit application – not ALL files (e.g. environmental, project review, etc). If this is what you would like, please let me know when you will be at reception so that I can leave it there for viewing. It is currently on my desk as I am referring to it in order to respond to recent emails from other abutters.

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.

Best,
Nancy Tran

From: Janet Fowler [mailto:jfowlers@aol.com]
Sent: Wednesday, October 21, 2015 9:31 AM
To: Tran, Nancy (CPC)
Cc: rufnikhound@gmail.com; paul.lef123@gmail.com; geneg@sfsu.edu; utilitiesman@gmail.com; lyndagrose@gmail.com; info@anjuchinesemedicine.com; ftowghi@berkeley.edu; cmtdompe@pacbell.net; phdshelley@aol.com; Washington, Delvin (CPC); rustymccall@hotmail.com
Subject: Re: Proposed Project at 437 Hoffman-plans and process

Dear Ms. Tran,

Thank you for your response to my email. First, I'd like to ask you how you like to be addressed; I like to be addressed as Janet.

I do not understand all the "rules" regarding access to the files. It is my understanding that the form can be filled out at the Planning Department. We can review the files at a very specific time in a narrow window at your convenience so that you are not without the files for very long, but we are also under enormous time constraints and would like to see the case file. I know people in the neighborhood who have dealt with Planning, and Staff has cooperated by leaving all material in a narrow window of time agreed upon between citizen and staff person; I will fill out the form while there.

The architect, Kelly Condon, has emailed an attachment of the site plans that she submitted to you, but we would still like to see a full set of *all* plans that were submitted. We would prefer not to have to file a DR but we need to see *all* the files

and plans so that we can fully understand our situation. Then we would like to meet with you to have a chat.

Sincerely,

Janet (Fowler)
434 Hoffman Avenue
415-648-8780
iPhone: 415-648-9009

-----Original Message-----

From: Tran, Nancy (CPC) (CPC) <Nancy.H.Tran@sfgov.org>
To: Janet Fowler <jfowlers@aol.com>
Cc: rufnikhound <rufnikhound@gmail.com>; paul.lef123 <paul.lef123@gmail.com>; geneg <geneg@sfsu.edu>;
utilitiesman <utilitiesman@gmail.com>; lyndagrose <lyndagrose@gmail.com>; info <info@anjuchinesemedicine.com>;
ftowghi <ftowghi@berkeley.edu>; cmtdompe <cmtdompe@pacbell.net>; phdshelley <phdshelley@aol.com>; Washington,
Delvin (CPC) (CPC) <delvin.washington@sfgov.org>
Sent: Tue, Oct 20, 2015 1:25 pm
Subject: RE: Proposed Project at 437 Hoffman-plans and process

Ms. Fowler,

Thank you for your emails. Please see my response to your comments below in blue.

Nancy Tran
Planner, Southwest Quadrant, Current Planning

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9174 Fax: 415-558-6409

Email: Nancy.H.Tran@sfgov.org

Web: www.sfplanning.org



From: Janet Fowler [<mailto:jfowlers@aol.com>]
Sent: Monday, October 19, 2015 8:19 AM
To: Tran, Nancy (CPC)
Subject: Fwd: 437 Hoffman Avenue: Permit App. #2014.04.11.3029;

Dear Planner Tran,

I forgot to mention that we would like to see the files this week. Please let me know when they will be available and how we need to proceed. I look forward to hearing from you,

In order to fulfill your request, the Sunshine Ordinance Request for Public Record Form must be submitted: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8472>. Please be aware that the Department has 10 days to respond to the request.

Thanks, Janet
434 Hoffman Avenue
San Francisco, CA 94114
Phone: 415-648-8780
Cell: 415-648-9009

From: Janet Fowler [<mailto:jfowlers@aol.com>]
Sent: Sunday, October 18, 2015 11:46 PM
To: Tran, Nancy (CPC)
Cc: rufnikhound@gmail.com; paul.lef123@gmail.com; geneg@sfsu.edu; utilitiesman@gmail.com; lyndagroser@gmail.com; info@anjuchinesemedicine.com; ftowghi@berkeley.edu; cmtdompe@pacbell.net; phdshelley@aol.com
Subject: 437 Hoffman Avenue: Permit App. #2014.04.11.3029;

From: Janet Fowler

Re: Public Records Request for Permit Application: 2014.04.11.3029; 437 Hoffman Avenue

Dear Planner Tran,

The neighbors and I have many many questions and objections to the current project at 437 Hoffman Avenue. Despite efforts to keep abreast of the project, we feel that we have NOT been kept informed and have been ignored by the Project Sponsor. I and other neighbors intend to file DR requests. In this email, we are making a Public Records Request to see ALL files, both the environmental and the case file and any and all emails for this project. If there are any discs involved with the project, we would like a copy. We also want to see ALL the plan sets for this project. Please provide us with the full-sized plan sets for us to copy. We can sign out for these and return them after copying; the puny plans provided with the 311 Notice are causing us more difficulty than helpfulness.

In order to fulfill your request, the Sunshine Ordinance Request for Public Record Form must be submitted:
<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8472>. Please be aware that the Department has 10 days to respond to the request.

Sincerely,
Janet Fowler
434 Hoffman Avenue
San Francisco, CA 94114
Phone: 415-648-8780
Cell: 415-648-9009

From: Janet Fowler [<mailto:jfowlers@aol.com>]
Sent: Sunday, October 18, 2015 11:19 PM
To: Tran, Nancy (CPC)
Subject: Fwd: 437 Hoffman - Permit Drawings & Sun Studies are Ready

Dear Planner Tran. Hopefully this is the correct address. These are the plans that Kelly said she submitted. Maybe they are not a lot different that what is attached with the 311 notice, but the facade is definitely different.

Could you, please, tell me the square footage of the proposed project, including garage and not including garage. What would be the square footage of the living space.

Thank you,
Janet Fowler
434 Hoffman Avenue
San Francisco, CA 94114
Phone: 415-648-8780
Cell: 415-648-9009

(I apologize for my address mistake.)

Per your request – this is the building square footage information provided in the most recent full plan set.

Planning Data - Planning Dept. Use Only			
Entire Envelope	Existing	Addition	Proposed
Basement Level	720 s.f.	723 s.f.	1443 s.f.
First Level	712 s.f.	794 s.f.	1506 s.f.
Second (Entry) Level	774 s.f.	531 s.f.	1305 s.f.
Third Level	786 s.f.	576 s.f.	1362 s.f.
Total	2992 s.f.	2624 s.f.	5616 s.f.

Includes Garage & Storage areas & decks / areas under decks that have walls / railings taller than 48"

Building Data - Building Dept. Use Only				
Conditioned Space	Existing	Renovated	Addition	Proposed
Basement Level	241 s.f.	241 s.f.	982 s.f.	1223 s.f.
First Level	712 s.f.	712 s.f.	206 s.f.	918 s.f.
Second (Entry) Level	766 s.f.	766 s.f.	524 s.f.	1290 s.f.
Third Level	786 s.f.	786 s.f.	403 s.f.	1189 s.f.
Total	2505 s.f.	2505 s.f.	2115 s.f.	4620 s.f.

Measured to outer face of framed walls at conditioned spaces
Does not include Garage & Storage areas outside conditioned envelope

Thank you,
Janet Fowler
434 Hoffman Avenue
San Francisco, CA 94114
Phone: 415-648-8780
Cell: 415-648-9009

(I apologize for my address mistake.)

From: Janet Fowler [<mailto:jfowlers@aol.com>]
Sent: Sunday, October 18, 2015 11:14 PM
To: Tran, Nancy (CPC)
Subject: Fwd: Proposed Project at 437 Hoffman-plans and process

Dear Planner Tran,

Oh my gosh. I mis-addressed my prior email. I didn't get a wrong-address return. Here it is again.

-----Original Message-----

From: Janet Fowler <jfowlers@aol.com>
To: nancy.h.tran <nancy.h.tran@sfgov.org>
Cc: delvin.washington <delvin.washington@sfgov.org>; geneg <geneg@sfsu.edu>; paul.lef123 <paul.lef123@gmail.com>; rufnikhound <rufnikhound@gmail.com>; utilitiesman <utilitiesman@gmail.com>; info

<info@anjuchinesemedicine.com>; ftowghi <ftowghi@berkeley.edu>; lyndagrose <lyndagrose@gmail.com>;
cmtdompe <cmtdompe@pacbell.net>; phdshelley <phdshelley@aol.com>
Sent: Fri, Oct 16, 2015 10:43 am
Subject: Proposed Project at 437 Hoffman-plans and process

To: Planner Nancy Tran
cc: Planner Delvin Washington and 437 Hoffman Neighbors

RE: Proposed Project at 437 Hoffman Avenue

Dear Planner Tran,

I received a copy of the 311 Notice yesterday. The plans that were presented to neighbors by the developers and the architect, Kelly Condon, are different than the plans that were submitted to the Planning Department -- enclosed with the 311 Notice. (I will forward you an email with the plans that Kelly said she had submitted to the Planning Department). My neighbors and I feel **totally blind-sided** by this move. Certainly it is not fair for neighbors to be slapped with some plans out-of-the-blue and expect us to jump through the hoops of meeting the 30-day deadline for filing for Discretionary Review!

The plans presented at the pre-application stage are preliminary and may change based on concerns raised at the meeting and/or staff comments. Plans provided with the §311 notice are the most up-to-date plans that have been reviewed for compliance with Planning Code. It is not the Department's procedure to provide working plan revisions before §311 notice. During the 30-day review period, interested persons/parties may express their concerns directly with the applicant, through mediation with a Community Board or by filing a Discretionary Review application.

Please be aware that the 30-day review period cannot be extended. Per Planning Code §311 (c)(3), "Notification Period. All building permit applications shall be held for a period of 30 calendar days from the date of the mailed notice to allow review by residents and owners of neighboring properties and by neighborhood groups." Therefore, the deadline to file a Discretionary Review application remains November 12 at 5PM. As of today, there is still over 3 weeks left to submit the application. Below are links to the application and fee schedule for your convenience.

- Discretionary Review Application: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=491>
- Application fee schedule: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=9381>

Should you have additional questions about the Discretionary Review process, you may contact the Planning Information Counter at: 1660 Mission Street, 1st Floor or call 415-558-6377.

With Michael Smith's departure, the trail of objections, concerns, and questions is lost. Did you read the email letter that I sent to Delvin Washington and Michael Smith on April 9, 2015 – "Fwd: 437 Hoffman Avenue (2015-003686PRJ)"? Your name as Planner is still not obvious on the Planning Website, and I and other Hoffman and Homestead neighbors had been eager to communicate with you *before* the 311 Notice.

I was unaware of your April 9 email to Michael Smith and Delvin Washington – I am now in receipt of it.

With respect to my name as planner for the project – there appears to be an issue with the linkage between Planning's internal recordkeeping system and the Property Information Map webpage. I believe it is because Tech Services has been in the process of updating both. For future reference, you may also look up more detailed permit information through DBI: www.sfgov.org/dbi. This link was listed in the Pre-Application Meeting Notice. Below is a screenshot of what is viewable to the public through DBI.

After Michael left, the project was assigned to me mid-August and I started my review of it in early September.

City and County of San Francisco

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Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 10/20/2015 11:37:15 AM

Application Number: 201404113029

Form Number: 3

Address(es): 6503 /024 /0 437 HOFFMAN AV

Description: ADDITION TO SINGLE FAM DWG, 3 STORY REAR ADDITION TO INCLUDE (N) FAM RM (GROUND) (N) KITCHEN (FIRST), (N) BEDRMS & BATH (2ND)

Cost: \$900,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
4/11/2014	TRIAGE	
4/11/2014	FILING	
4/11/2014	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CPB	4/11/14	4/11/14			4/11/14	SHEK KATHY	415-558-6070	
2	CP-ZOC	4/11/14	6/6/14				TRAN NANCY	415-558-6377	reassigned to Nancy Tran 8/19/2015
3	CP-NP	9/23/15					TRAN NANCY	415-558-6377	Mailed Cover Letter 9/23/15 (Vlad) Mailed 311 Notice 10/13/15; Expired 11/12/15 (Vlad)
4	BLDG							415-558-6133	
5	DPW-BSM							415-558-6060	
6	SFPUC							415-575-6941	
7	PPC							415-558-6133	
8	CPB							415-558-6070	

- The pre-application meeting presented a different plan.

Architect Kelly repeatedly acknowledged that the project is demolition project, and she said that she would not be allowed to keep the façade; she later clarified by saying that the façade had oddities and things sticking out (not her exact description), and that if she kept the façade she would not be able to make any corrections. In response to my suggestion that they leave the façade or remake the façade similar to what is there, Developer Alec said that he wanted to have something ? [Adjective like 'impressive'] to show in his portfolio.-

The proposed façade shown in the most recent plans keeps more of the existing design while incorporating the new garage, porch/entry and new living space. Based on the summary discussion of the February 25 pre-application meeting, the architect considered the concerns expressed by neighbors and chose not to pursue construction of a modern façade.

Since there is less work on the façade, the project is not considered a demolition project per Planning Code §317.

-Neighbors have (unintentionally) been denied opportunities to communicate with the Project Planner, and we also don't know which, if any comments, have been seen by you.

I have brought up your objections regarding the plans presented to by Kelly and the permit application number 2015-003686PRJ to Michael Smith's attention. Other neighbors have been waiting for the Planner to be named, and thus have missed opportunities to voice their objections and discuss the process.

You and other neighbors still have the opportunity to bring up concerns within the 30-day review period – as the §311 notice expires on November 12. As of today, there is still over 3 weeks left to submit the application. You may voice your objections to the project directly with the applicant/architect, through mediation with a Community Board or by filing a Discretionary Review application which will be heard by the Commission.

- Neighbors have issues with the way the Department has managed this project and, furthermore, we strongly object to the project plans.

I will forward your emails to the project architect. Should still object to the project, you may contact the applicant/architect directly, initiate mediation with a Community Board or by file a Discretionary Review application for Planning Commission review.

Sincerely,
Janet Fowler, 434 Hoffman Avenue

October 16, 2015

To: Planner Nancy Tran

cc: Planner Delvin Washington and 437 Hoffman Neighbors

RE: Proposed Project at 437 Hoffman Avenue

Dear Planner Tran,

I received a copy of the 311 Notice yesterday. The plans that were presented to neighbors by the developers and the architect, Kelly Condon, are different than the plans that were submitted to the Planning Department -- enclosed with the 311 Notice. (I will forward you an email with the plans that Kelly said she had submitted to the Planning Department). My neighbors and I feel **totally blind-sided** by this move. Certainly it is not fair for neighbors to be slapped with some plans out-of-the-blue and expect us to jump through the hoops of meeting the 30-day deadline for filing for Discretionary Review!

With Michael Smith's departure, the trail of objections, concerns, and questions is lost. Did you read the email letter that I sent to Delvin Washington and Michael Smith on April 9, 2015 – “Fwd: 437 Hoffman Avenue (2015-003686PRJ)”? Your name as Planner is still not obvious on the Planning Website, and I and other Hoffman and Homestead neighbors had been eager to communicate with you *before* the 311 Notice.

- The pre-application meeting presented a different plan.

Architect Kelly repeatedly acknowledged that the project is a demolition project, and she said that she would not be allowed to keep the façade; she later clarified by saying that the façade had oddities and things sticking out (not her exact description), and that if she kept the façade she would not be able to make any corrections. In response to my suggestion that they leave the façade or remake the façade similar to what is there, Developer Alec said that he wanted to have something ? [Adjective like ‘impressive’] to show in his portfolio.-

-Neighbors have (unintentionally) been denied opportunities to communicate with the Project Planner, and we also don’t know which, if any comments, have been seen by you.

I have brought up your objections regarding the plans presented to by Kelly and the permit application number 2015-003686PRJ to Michael Smith's attention. Other neighbors have been waiting for the Planner to be named, and thus have missed opportunities to voice their objections and discuss the process.

- Neighbors have issues with the way the Department has managed this project and, furthermore, we strongly object to the project plans.

Sincerely,

Janet Fowler, 434 Hoffman Avenue

Tran, Nancy (CPC)

From: Washington, Delvin (CPC)
Sent: Tuesday, October 20, 2015 12:58 PM
To: Tran, Nancy (CPC)
Subject: FW: 437 Hoffman Avenue (2015-003686PRJ)

F. Delvin Washington
Southwest Team Leader

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-558-6443 **Fax:** 415-558-6409
Email: delvin.washington@sfgov.org
Web: www.sfplanning.org

From: Janet Fowler [mailto:jfowlers@aol.com]
Sent: Thursday, April 09, 2015 2:24 PM
To: Washington, Delvin (CPC); Smith, Michael (CPC)
Subject: Fwd: 437 Hoffman Avenue (2015-003686PRJ)

Dear Planner Washington and Planner Smith,

I am a neighbor of a single-family home that was bought by a development group last October. I am forwarding you the email that I wrote to the Planning Preservationist in March regarding the history of the existing home. Marcelle Boudreaux suggested that I forward my email to you; (his answer is first here) and my email with details of the existing family home is below that. I hope you will familiarize yourselves with the existing beloved home as you review the plans for the new structure. I would like to add that the architect, Kelly Condon, repeatedly told us at the two pre-application meetings that this is a demolition, not a remodel. When I told her that I would oppose demolition, she stopped working with neighbors to make the proposed structure less looming and obtrusive for the neighbors. This would be a significantly larger home than others on our hillside, even larger than what we call the "monster" homes. There is also some rather recent history of the existing home's conversion from a two-unit home to a single-family home (2008), which was not about demolition or even expansion; it's awful to think how the intent of that went totally awry. Here's a link to the appeal at the 9/25/2008 Planning Commission meeting:

http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=&clip_id=6312&caption_id=16236336

The neighbors here are organizing. We know that we can't and *don't want to* stop development, but we *do* want to preserve the character of our neighborhood.

Sincerely,
Janet Fowler (434 Hoffman Avenue)

-----Original Message-----

From: Boudreaux, Marcelle (CPC) (CPC) <marcelle.boudreaux@sfgov.org>
To: jfowlers <jfowlers@aol.com>
Sent: Tue, Mar 17, 2015 5:54 pm
Subject: FW: 437 Hoffman Avenue

Hi Janet,

As the Preservation Technical Specialist for the Southwest Quadrant, I am replying to your inquiry that was forwarded from the Planning Information Center. Note that I did not work on the historic resource determination; I am replying in general terms about your inquiry. Thanks for all the information about the property, it's apparent it – and the previous owners – have meaning to you.

First, I'd like to provide you a little information about the review process, for purposes of the California Environmental Quality Act (CEQA). Part of the review process for historic resource determination – what you are referencing as 'downgrading' – requires the applicant to provide information through the "[Supplemental Information for Historic Resource Determination](#)" form; a Preservation Planner would then review that information and would review Department records. The end result is to make a determination of eligibility for historic status, for purposes of CEQA.

I conducted a quick record search, and found the Environmental document (Certificate of Determination, Case No. 2014.0329E), that states the property is ineligible for listing in the California Register of Historic Places, either individually or as part of a district. Thus, the property was determined Not an Historic Resource (Category "C"). Please see attached.

Note that the permit(s) have been assigned to a planner: Michael Smith (michael.e.smith@sfgov.org) or 415-558-6322 if you have questions about the proposed project. He would be the best individual to direct inquiries regarding that portion of the proposal.

Please let me know if you have further questions.

Thanks,
Marcelle

Marcelle Boudreaux, AICP
Preservation Technical Specialist/Planner, Southwest Quadrant

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9140 **Fax:** 415-558-6409
Email: marcelle.boudreaux@sfgov.org
Web: www.sfplanning.org



From: PIC (CPC)
Sent: Tuesday, March 17, 2015 5:10 PM
To: Boudreaux, Marcelle (CPC)
Subject: Fw: 437 Hoffman Avenue

please reply to sender.
thank you

Property Information Map (PIM): <http://propertymap.sfplanning.org>

The information provided in this correspondence is based on a preliminary review of information provided by the requestor. It does not constitute a comprehensive review of the project or request. For a more extensive review it is strongly recommended to schedule a project review meeting. The information provided in this email does not constitute a Zoning Administrator letter of determination. To receive a letter of determination you must submit a formal request directly to the Zoning Administrator. For complaints, please contact the Code Enforcement Division.

From: Janet Fowler <jfowlers@aol.com>
Sent: Monday, March 16, 2015 11:09 PM

To: PIC (CPC)
Subject: 437 Hoffman Avenue

From Janet Fowler
434 Hoffman Avenue
Tel: 415-648-8780 or Cell: 415-648-9009

Dear Preservationist,

Neighbors of 437 Hoffman Avenue are concerned about the downgrading of the Historical Status of this home from "B-Potential Historic Resource" to "C-No Historic Resource." We are in despair over the planned demolition of this home. (Many neighbors are concerned about this since homes for sale on our view hill are being targeted by developers, and we are just beginning to wake up and organize.) I intend to call the number listed on the Planning Website for the Preservationist Technical Assistant, but I wanted to give some background via email first.

We came to know some of the history of 437 Hoffman Avenue around 2005 when Chris and Alison Waterson lived there. An elderly woman knocked on their door and brought photos, the original architectural plans, and a letter about its roots. The house was the first one built on the east side of the 400 block of Hoffman Avenue. Unfortunately, we've been unable to put our hands on the documentation; however Socketsite published a photo of the house while still under construction in 1905.

http://www.socketsite.com/archives/2009/06/a_historic_look_at_437_hoffman_before_noe_valley_was_al.html

When the Watersons sold their house in 2006, it was marketed with the photos and the letter displayed on the dining room table for potential buyers. The Watersons sold the house to Michelle and Dane Riley in 2006. The Rileys sold the house in 2009 with similar marketing, and they also can't find the photos and documentation, though Dane remembers scanning it. The Rileys had planned on staying and got a permit to integrate the 2 units of the home into one single family residence to accommodate their growing family. However, they sold before the work was done. The people who bought from the Rileys integrated the house so that they could get a permit to lift the house and make a huge expansion. Those permits seemed to stall in planning, and those people then sold the home off-market to developers (whose plans have been submitted but may not have been assigned yet.)

Here, I'm going to copy some excerpts from my correspondence with Alison Waterson about what she remembers having learned and shared about the history of 437 Hoffman Avenue. I'm sorry it rambles a bit, but I want you to know that this house has been treasured by its owners, except the two most recent.

Hi Janet, So good to hear from you and to know that you are well! Your email breaks my heart that they would want to tear that wonderful home down. It has its challenges as all homes that old do, but it is still our favorite house. A quick search of my computer is not turning up anything. I'm thinking it must have been in 2005 that I got that info since we moved in 2006 and I remember contacting the family then and they came to an open house. I know I gave it all to the people who purchased the house from us. But also that our realtor had made copies and used it in the marketing material for the house.

Janet this [the Socketsite photo] is the only info I could find about who built the house and those photos. I looked everywhere I could think of tonight and can not find them except in my mind :) Sorry. I never heard from our realtor again after we dropped the keys and have no idea what happened to the photos or "Alyce's" information that was with them.

The only other information I can add, is when "Alyce" the granddaughter visited the house, she said confirmed it was built and moved into in 1905. Her grandfather and dad or maybe uncle built it and they were German shipbuilders and built it like a ship. When the Earthquake hit in 1906 it was one of the few houses around that withstood the quake. Her family attributed it to that fact that the house was built like a ship. For about a year after the quake about 17 people lived in the house and her grandparents let anyone who lost their home stay.

And here's an excerpt from a letter that Alison wrote to the Rileys (who bought the house in 2006) that details what she left for them about the house:

There are also architectural plans in the front hall closet and pictures of the house being built and the address of the granddaughter of the man who built it, R.W. Getty. He signed his name on the back of the basement door. Alyce, the granddaughter can fill you in on the

first 62 years of the history of the house if you are interested. Paul Christopher, our realtor, has two additional pictures that you can ask him for.

And here's something Alison wrote about the structure of the home in 2006, but surely there are reports available.

As for the house....if it was one of those house that hadn't been painted in 20 years and had tons of dry rot and pest problems and a foundation that was crumbling, that would be a different story with regards to tearing it down. As of 9 years ago, it had none of that and had a pretty clean pest report and everything else. The biggest issue is that the whole street has moved in 100 + years. Meaning that lot lines are no longer exact. Second biggest issue was that the retaining wall between 437 and Paul & Stephen's house was rotting and close to end of life. That may have been fixed by now, but isn't structural to the house in any way.

And the last excerpt that implies that there are likely living people who know the origins of the house, but I haven't been able to get the last name of "Alyce" and family.

The other 2 or 3 photos were all of the family members. The one you have was the only of the house being built. I left Alyce's contact info with the photos, so where ever that went, so did the info for the original family. They did show up en masse to one of the open houses that was held when we sold it, but I was not there. I want to say Alyce lived in San Jose and a creepy looking grandson drove her to SF the day I met her. I wasn't even sure I should open the door as Becca was an infant sleeping upstairs, but I figured this really old woman maybe just was in trouble. Feel free you use any of it :)

Sorry I don't have anything else. With all of the anti-wealth/google/facebook sentiment going on in SF, have you tried getting a reporter from the Chronicle involved? It seems like a story they would love to run. 2350 sq ft home with no real deficiencies or faults and well maintained for over a hundred years, threatening tear down to build 6000 sq ft single family monstrosity that is incongruous with the rest of the street.

We, neighbors of 437 Hoffman, would like to spare this house from demolition. We believe its significance should not be just dismissed and that this home is *not* a "tear-down." I look forward to talking with you or an assistant after you've had the opportunity to read this email.

Sincerely,

Janet Fowler

From: [Paul Lefebvre](#)
To: [Tran, Nancy \(CPC\)](#); [Washington, Delvin \(CPC\)](#)
Cc: [Stephen Baskerville](#); [Janet Fowler](#); [Gene Geisler](#)
Subject: Proposed Development Plans for 437 Hoffman Ave
Date: Thursday, October 29, 2015 9:24:46 AM

Dear Ms. Tran,

I am contacting you to voice my opposition to the development plans for the residence at 437 Hoffman. The plans for the building that propose to almost double the existing home's size to an entire building footprint of over 5,600 SF is clearly out of scale for the neighborhood, is not compatible with the surrounding buildings, and will significantly impact our property. From what I can see from the plans (they are printed extremely small, and are very difficult to read), I have observed the following:

Building height:

As indicated on the Proposed Southern Elevation, the proposed plans for 437 Hoffman show the following:

The front section of the building rises to almost 12 feet higher than 439-441 Hoffman.

Where there was no structure, the proposed building towers to over 40 feet above our lower floor level at the rear of the building, and this continues for approximately 18 feet towards the back yard. And, an additional 12' deep pop out extends even further back. This is completely out of scale and totally boxes us in.

The plans also seem to show very high ceiling heights at all levels

- Basement level finish floor to finish floor at 1st level is 10' 11-3/4"
- 1st Level finish floor to 2nd level finish floor is 10' 11-3/4"
- 2nd Level finish floor to 3rd level finish floor is 10'-8"
- 3rd Level finish floor to proposed rear top of roof is 11' 7-1/2"
- 3rd Level finish floor to proposed top of front roof is 14' 1-1/2"
- Pop up space: the space below the terrace is 9'-4"

Building depth:

From what I can see from the plans (again, they are printed extremely small making them difficult to read) the back wall of the proposed new building extends over 28 feet beyond 437 Hoffman's existing back wall, and the proposed development pushes back an additional 12 feet (to an overwhelming 40 feet) with the additional pop-out area.

In terms of impact to our home, the proposed building extends a surprising 30+ feet beyond the back wall of our home, when including the 12' pop out. Without the pop out, it extends an excessive 18 feet.



In addition, not only is the side setback too little at a mere 4'-2" (it doesn't even meet the 5'6" width of the side terrace over the first story at 439-441 Hoffman) but the attempt at mitigating the development with an additional setback on the upper floor at the very rear of the proposed building falls short and does nothing to reduce the building's scale for the lower two floors, which is the entire living space of the lower unit where we reside.

Loss of mid-block green space

Our neighborhood is fortunate to have a wonderful mid-block green space that creates a shared, much cherished, peaceful environment and a wonderful haven for wildlife that is threatened by the excessive development that is planned at the rear of the property. The building of a home of this scale must clearly counter San Francisco's goal of environmental sustainability.

Privacy and light

The proposed building encroaches on our home's privacy due to the small, insufficient setbacks, numerous decks and large number and size of windows that would face our home. Even though some of these windows would be frosted, the light they would project towards our home in the evening and at night would significantly impact us.

Loss of magnificent street tree

The removal of the decades old street tree at the front of the building would have a significant impact on the neighborhood

- The tree is only one in a long series of similar trees that form a distinctive canopy and streetscape on Hoffman Avenue. To remove it would impact the effect of the series of trees.
- The tree also helps screen utility poles and adds to the park-like beauty of the street.
- The tree creates habitat for wildlife, reduces pollution, provides a windbreak in a very windy area and helps reduce the heat island effect of the City's urban environment.
- It would take decades for a new tree to reach the size and impact of the existing tree.

I would like to request a meeting to further discuss my concerns with you and to better understand the planning process.

Thank you.

Paul Lefebvre. 439 Hoffman Avenue

Tran, Nancy (CPC)

From: Lynda Grose <lyndagrose@gmail.com>
Sent: Sunday, November 08, 2015 3:40 PM
To: Janet Fowler
Cc: Ozzie Rohm; Kelly Condon; Tran, Nancy (CPC); geneg@sfsu.edu; paul.lef123@gmail.com; rufnikhound@gmail.com; utilitiesman@gmail.com; info@anjuchinesemedicine.com; ftowghi@berkeley.edu; cmtdompe@pacbell.net; lgerard55@gmail.com; rustymccall@hotmail.com; protect.noes.charm@gmail.com; phdshelley@aol.com; paulusk12@gmail.com; alek@citidev.com; jason@citidev.com
Subject: Re: 3D Rendering

lynda grose here

from 30/32 homestead
thanks ozzie for clarifying the 3d context renderings

I would also like to see the project rendered this way
and particularly from the back view
since that is what affects my property on homestead

and particularly with afternoon sun
since thats when the shadow from such a tall and deep building will affect my property

Kelley

In addition, I am still not clear about the foundation, soils and how the work you are proposing to do will affect underground creeks flow
to the homestead street properties

are you insured to cover damage to homestead properties
if and when redirected underground water courses affect our foundations?

Lynda

On Fri, Nov 6, 2015 at 10:50 AM, Janet Fowler <jfowlers@aol.com> wrote:
Yes. That's what I've been trying to describe. Thank you

-Janet

Sent from my iPhone

On Nov 6, 2015, at 10:23 AM, Ozzie Rohm <ozzierohm@sbcglobal.net> wrote:

Kelley,

To help out clarifying what Janet is asking, I am sending you a few images of what a 3D rendering looks like. Architects often do this using various software programs available to them. You can also see these in different real estate advertisements for new developments. The idea is to see the realistic picture of the street, adjacent houses and the environment. What you've sent out is a 3D rendering but not in the context of the front and back elevations like the images below that I'm sending you:

From: Kelly Condon <kellymcondon@gmail.com>
To: Janet Fowler <jfowlers@aol.com>
Cc: Nancy.H.Tran@sfgov.org; geneg@sfsu.edu; paul.lef123@gmail.com; rufnikhound@gmail.com; lyndagrose@gmail.com; utilitiesman@gmail.com; info@anjuchinesemedicine.com; ftowghi@berkeley.edu; cmtdompe@pacbell.net; lgerard55@gmail.com; rustymccall@hotmail.com; ozzierohm@sbcglobal.net; protect.noes.charm@gmail.com; phdshelley@aol.com; paulusk12@gmail.com; alek@citidev.com; jason@citidev.com
Sent: Friday, November 6, 2015 12:26 PM
Subject: Re: 3D Rendering

Janet -

The actual resolution of each image in the sun study is this (attached screen capture of one of the sun study images).

So I'm able to blow any one of the moments of the sun study up to this size & maintain this resolution.

If you like - I can send you each sun study image individually (like this) vs. on a page all together arranged hourly - but the detail is there.

On Nov 5, 2015, at 9:06 PM, Janet Fowler wrote:

Kelly,

Yes, apparently you *are* misunderstanding what I am asking for. The sun studies have a lot of views, but they don't show detail, depth, height, etc. of the proposed project. They are pretty much views from afar. I would like a **3D rendering of the front and rear elevations also showing the adjacent buildings**. I don't really know another way to say it. It seems to me that 3D renderings of a proposed project are pretty common.

-Janet

-----Original Message-----

From: Kelly Condon <kellymcondon@gmail.com>

To: Janet Fowler <jfowlers@aol.com>

Cc: geneg <geneg@sfsu.edu>; paul.lef123 <paul.lef123@gmail.com>; rufnikhound <rufnikhound@gmail.com>; lyndagrose <lyndagrose@gmail.com>; utilitiesman <utilitiesman@gmail.com>; info <info@anjuchineseclinic.com>; ftowghi <ftowghi@berkeley.edu>; cmtdompe <cmtdompe@pacbell.net>; lgerard55 <lgerard55@gmail.com>; rustymccall <rustymccall@hotmail.com>; ozzierohm <ozzierohm@sbcglobal.net>; protect.noes.charm <protect.noes.charm@gmail.com>; phdshelley <phdshelley@aol.com>; paulusk12 <paulusk12@gmail.com>; alek <alek@citidev.com>; jason <jason@citidev.com>; Nancy.H.Tran <Nancy.H.Tran@sfgov.org>

Sent: Wed, Nov 4, 2015 9:36 am

Subject: Re: Plans, 3D Rendering -- Re: Follow up per our Neighbor Meeting Last Night

Janet -

I have rendered this building from 3 perspectives for the sun study & had the sun studies there printed out with me at the meeting.

You actually referred to these sun study renderings at the meeting when you referenced the June sun study - which was both emailed & printed / left at Rusty's house for neighbors.

Additional sun studies were done after the meeting & the link is in the email quoted below right here. There are no more visible facades to the building. Am I misunderstanding what you are asking for?

Kelly

On Nov 4, 2015, at 8:56 AM, Janet Fowler wrote:

Dear Kelly,

Again, thank you for the links. As I said before, the comments are in the case file that Nancy Tran left for us to look at and copy.

We are still **waiting for the 3D Rendering** on a sheet of paper showing the depth and height. We are asking for a 3D rendering that shows the front, back and sides. I understand from what you said at the meeting on Monday night that you are working on a 3D model for DR. We are requesting a 3D Rendering on paper. I thought you were going to send one. Did you mention this on Monday? I came in a little bit after the others.

Also, we would like you to **resend the copy of the plan set that includes page A17 with the demo statistics**. It was not included in the plan set that you originally attached.

Thank you,
Janet

-----Original Message-----

From: Kelly Condon <kellymcondon@gmail.com>

To: JANET FOWLER <jfowlers@aol.com>

Cc: geneg <geneg@sfsu.edu>; paul.lef123 <paul.lef123@gmail.com>; rufnikhound

<rufnikhound@gmail.com>; lyndagrose <lyndagrose@gmail.com>; utilitiesman <utilitiesman@gmail.com>; info <info@anjuchineseclinic.com>; ftowghi <ftowghi@berkeley.edu>; cmtdompe <cmtdompe@pacbell.net>; lgerard55 <lgerard55@gmail.com>; rustymccall <rustymccall@hotmail.com>; ozzierohm <ozzierohm@sbcglobal.net>; protect.noes.charm <protect.noes.charm@gmail.com>; phdshelley <phdshelley@aol.com>; paulusk12 <paulusk12@gmail.com>; alek <alek@citidev.com>; jason <jason@citidev.com>; Nancy.H.Tran <Nancy.H.Tran@sfgov.org>

Sent: Tue, Nov 3, 2015 6:47 pm

Subject: Follow up per our Neighbor Meeting Last Night

It was brought to our attention at our neighbor meeting last night that the project photos I posted via link earlier were in .PSD format & that some people may not be able to open them.

I am resending the same as PDF files via this new link:

[https://www.mediafire.com/folder/bbjo01loctrgy/437_HOFFMAN -
REFERENCE PHOTOS PDF](https://www.mediafire.com/folder/bbjo01loctrgy/437_HOFFMAN_REFERENCE_PHOTOS_PDF)

I also have conducted further sun studies of Gene's lightwell to better illustrate the path of the sun in months preceding & following the June go to show that sunlight to his lightwell will not be limited to just the month of June.

There is a little bit of light that gets into Gene's lightwell at 5pm in March & September - but the most well lit months are the 5 months of April to August - as portrayed here.

Here is the link to the new sun studies of these other months. And I did them in a different format that I think is easier to read than the one I gave earlier (which was formatted for printing on paper).

[https://www.mediafire.com/folder/gmr083a874eou/437_HOFFMAN -
ROOF SUN STUDIES - APRIL TO AUGUST](https://www.mediafire.com/folder/gmr083a874eou/437_HOFFMAN-ROOF_SUN_STUDIES-APRIL_TO_AUGUST)

Here is a link to a PDF file that shows the existing outline of the building overlaid in pink on top of the proposed section to better illustrate the extent of addition & alignment of our existing back wall to Gene's lightwell (which is aligned with the lightwell we propose). So the 'pepto pink' is the existing house - which extends out to align with the center of Gene's lightwell as an existing condition.

The existing section drawing also shows the existing ceiling heights of the first & basement levels - which are currently not code compliant as habitable space.

These lower levels were in use as a Bedroom & Family room by the previous owner - but that was not a legal use of the space since ceilings were lower than 7'-6" which is a minimum code requirement:

[http://www.mediafire.com/view/58vwi4vi2i9h1ci/NOVEMBER 2 2015 -
SECTIONS WITH OUTLINES OLD VS NEW.pdf](http://www.mediafire.com/view/58vwi4vi2i9h1ci/NOVEMBER_2_2015-SECTIONS_WITH_OUTLINES_OLD_VS_NEW.pdf)

I've attached below as a word doc - the typed up version of neighbor comments as provided to the Planning Department as part of our permit application.

I thought I had scanned the actual handwritten comments & attendance sheets before submitting them - but it turns out I did not scan them - so I submitted the original documents to Planning.

I would not have been allowed to submit the permit application without those forms - so Planning does have the original with your handwritten concerns.

When a permit application is submitted at the Planning Information Counter at 1660 Mission Street - the person taking the plans in does not review the actual project - they review the completeness of the submittal package.

They go through a checklist to confirm that you have conducted the meeting - including the attendance sheet & comments forms as well as drawings & photos.

If you don't have all the items on the checklist (ie. the neighbor comments & attendance forms) they send you away to go collect those & come back.

The materials I provided at the counter that day were then internally routed to the Southwest Planning team for assignment to a case planner - which was first Michael Smith - who left the Planning Department & is now Nancy Tran (cc:ed here). Obviously -

I would be a fool not to submit your comments because we agreed at our last meeting that we were definitely headed for a hearing.

I also provided to Planning the neighbor attendance & typed up meeting notes from the meetings held by the previous homeowner & Toby Long (their architect) since they gave those to us in digital format.

I figured the old comments form from that version of the project was part of the case history as far as neighbors are concerned & I wanted to make it clear that there had been meetings regarding additions & raising the building to add a garage before we even bought the building.

Here are the comments as I typed them up & as submitted to Planning. This document includes all comments as hand written at the 2 neighbor meetings we held as well as comments expressed by neighbors that were not written on those forms - including verbatim quotes of emails received from neighbors who were not in attendance / who contacted me later & comments made during site visits to neighbor's homes. And this includes our responses to those comments (file below).

Let me know if you have any questions.

Kelly Condon
www.kellycondon.com
[415-240-8328](tel:415-240-8328)

<blob.jpg>

<blob.jpg>

<Screen Shot 2015-11-06 at 9.25.10 AM.jpeg>

<Screen Shot 2015-11-06 at 9.21.18 AM.jpeg>

--

190 Sunset Way, Muir Beach, CA 94965
415 309 8210

Co-author, Fashion and Sustainability: Design for Change.
<http://www.laurenceking.com/product/Fashion+---+Sustainability%3A+Design+for+Change.htm>

Review by John Thackara at:
<http://observatory.designobserver.com/feature/why-white-is-wicked/34618/>

From: [Lynda Grose](#)
To: planning@rodneymong.com; [Richards, Dennis \(CPC\)](#); wordweaver21@aol.com; richhillissf@yahoo.com; [Johnson, Christine \(CPC\)](#); mooreurban@aol.com; cwu.planning@gmail.com
Cc: [Tran, Nancy \(CPC\)](#); [Secretary, Commissions \(CPC\)](#); [Janet Fowler](#)
Subject: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029
Date: Tuesday, March 22, 2016 11:47:19 AM

Dear President Fong and Members of the Commission:

My name is Lynda Grose, and my property is situated at 30/32 Homestead Street, San Francisco CA 94114. I have owned this property for 35 years.

During this time I have seen much development. Houses have been renovated, condominiums have been added to the neighborhood, parking has become more congested and 24th Street has acquired a host of new stores. I understand that the times and demographics are changing.

Yet, despite these changes over the last thirty or so years, the neighborhood character of Noe Valley has largely remained intact. Indeed it is this character that attracts many people to want to live here.

So it is that I am writing to you today to express my staunch opposition to the proposed development at 437 Hoffman Avenue.

This proposal takes a modest, quaint two - family dwelling and transforms it into a massive single-family home. The proposed 5,800 square feet residence has an additional story, reaches far higher than both neighboring homes and is massively out of scale and context with the block it sits upon and the surrounding neighborhood.

Furthermore, the proposal includes adding a garage, which requires the removal of a significant and beloved old tree - a landmark that defines a sense of 'place' to long-standing residents of Hoffman Street and to those of us who walk the neighborhood.

The proposal also requires the loss of a dwelling unit and eliminates an 'affordable house' fitted to an average family, replacing it with a 'monster house' affordable to very few high income individuals. The timing of this proposal couldn't be worse, as the city of San Francisco and the neighborhood of Noe

Valley are struggling to accommodate more affordable housing.

I ask the San Francisco Planning Department to protect its homeowners and residents from this massive over-development by enforcing the Residential Design Guidelines to:

- maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story
- protect the mid-block open space by reducing the footprint
- provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors.

I also ask the Planning Department to order the Project Sponsor to revise the plans to accommodate the retention of the landmark tree on the street.

Thank you for your swift action on this issue

Lynda Grose

--

190 Sunset Way, Muir Beach, CA 94965
415 309 8210

<https://www.cca.edu/academics/faculty/lgrose>

Co-author, Fashion and Sustainability: Design for Change.

<http://www.laurenceking.com/product/Fashion+---+Sustainability%3A+Design+for+Change.htm>

From: [Ozzie Rohm](#)
To: [Tran, Nancy \(CPC\)](#)
Cc: [Noes Charm](#)
Subject: Concerns regarding 437 Hoffman - Permit Application No. 201404113029
Date: Monday, October 19, 2015 10:33:32 PM

Ms. Tran,

On behalf of Protect Noe's Charm neighborhood organization, I would like to express our concerns regarding the project at 437 Hoffman Avenue and our deepest disappointment in the manner in which the Planning Department has processed the permit application for this project.

The project sponsor held a pre-application meeting with the neighbors sometime in March 2015 during which she presented her plans for a demolition and construction of a brand new building at 437 Hoffman Avenue. She further followed up with email attachments of the plans to the neighbors who attended this meeting. The plans generated a substantial level of opposition, which was communicated to Michael Smith, the planner who was assigned to this project at the time.

Somewhere along the lines, the project sponsor decided to change plans unbeknownst to the concerned neighbors. Neither the Planning Department nor the project sponsor notified the concerned neighbors of this change and furthermore, none of the issues raised with Michael Smith was rectified in the new plans. What is the point of a pre-application meeting if the project sponsor has the latitude of changing plans at any point in the process? If the Planning Department allows a "bait and switch" as in this case, might as well do away with the pre-application process!

Secondly, we are concerned with the proposed construction, which is vastly larger than any other nearby home and clearly out of scale both in its overall mass and its specific dimensions as demonstrated by its marked interruption of the block's roofline progression. As there are many points with the San Francisco Residential Design Guidelines and the Zoning Administrator Bulletin No. 5 that this project falls on, we are astonished as to how the Planning Department has seemingly ignored these and moved on to the 311 Notification step in the process. Our specific concerns are as follows:

Topography of the Hill and the Block's Roofline Progression

The two houses adjacent to this project are considerably lower in height than the proposed construction and as such, this building will not be in line with the block's roofline progression. The final height of the proposed building is over 12' higher than 431-433 Hoffman and over 10' higher than 439-441 Hoffman when measured to the proposed top of the front roof. This is a significant interruption of the block's roofline progression and should not be allowed. The RDG clearly states that the height of a new building or addition CANNOT disregard or significantly alter the existing topography of a site (p11). Being a full story taller than its adjacent buildings, the proposed project ignores this guideline and therefore, it should be sent back for re-design.

Height Limits

The total height of the proposed project at the front of the property reaches 31'-7", which is in violation of the Planning Code Section 261 as described in the Zoning Administrator Bulletin No. 5, page 8 below:

In RH-1 and RH-2 districts there is an additional height limit that applies at the front of the property. The height limit is 30 feet at the front lot line or, where the lot is subject to a legislated setback line or required front setback as described above, at the setback. The height limit then increases at an angle of 45 degrees from the horizontal toward the rear of the lot until the maximum height limit is reached (typically 35 feet in RH-1 and 40 feet in RH-2). (p8 of Zoning Administrator Bulletin No. 5)

Based on the above code, the height limit at the front lot line is 30 feet. Why is the proposed construction allowed to push up by close to 2 feet above this limit?

Side Spacing Between Buildings

There is a strong side spacing pattern present at the adjacent houses on this side of the block. The proposed project should respect this existing pattern as stated in the RDG (p15) instead of abolishing it altogether.

Encroaching on Neighbors' Privacy

Regardless of frosted glass, the number of windows proposed for both Northern and Southern elevations pose a huge privacy issue for the adjacent neighbors. The problem is even worse for the back neighbors on Homestead Street due to the numerous windows proposed for the Eastern elevation. The proposed project ignores the RDG principle that calls for minimizing the impact on light and privacy to adjacent properties (p16-p17). They should therefore reduce the number of proposed windows and the glass to solid ratio.

Building Scale

The proposed construction is out of scale in both overall mass and its specific dimensions. The RDG specifically calls for the scale of the building to be compatible with the height and depth of its surrounding buildings (p23) but the proposed project is a far cry from the houses in its immediate periphery with regards to scale.

<!--[if !vml]--><!--[endif]--> <!--[if !vml]--><!--[endif]-->



*This building is out of scale with surrounding buildings because it is not articulated to make it more compatible with the scale of surrounding two-story homes.
The Residential Design Guidelines – Page 23*

Furthermore, the height and depth of the proposed expansion adversely impact the mid-block open space. Although one of the adjacent properties (431-433 Hoffman) extends well into this open space, this is only a two-story structure that is vastly smaller than the 3-story proposed project. The proposed expansion will not only box in the adjacent neighbors, but it will also negatively impact the mid-block community amenity shared by all residents of the block. This type of expansion is precisely what the RDG refers to as inappropriate since it leaves the surrounding residents feeling “boxed-in” and cut-off from the mid-block open space (p26).

Rear Yard

The proposed project extends the building to its maximum permitted depth (55% of the lot) but it further compromises the mid-block open space by introducing multiple massive terraces that extend past the maximum allowed depth of the building and further cut into the privacy of the residents within the surrounding buildings.

We look forward to your response and sincerely hope that the Planning Department would find a way to rectify this situation.

Sincerely,

Ozzie Rohm

On behalf of the 200+ members of Protect Noe's Charm

From: [Ozzie Rohm](#)
To: [Tran, Nancy \(CPC\)](#)
Cc: [Noes Charm](#); [Washington, Delvin \(CPC\)](#)
Subject: Re: Concerns regarding 437 Hoffman - Permit Application No. 201404113029
Date: Monday, October 26, 2015 3:19:40 PM
Attachments: [image001.png](#)
[image002.png](#)

Ms. Tran,

Thank you for your response and correction of the height measurement on the 311 notice, which now enables us to see the maximum height allowed from the curb to the mid-rise of the gable roof.

While we concur with your assertion that the plans presented at the pre-application stage are preliminary, we do not agree with your understanding of the Planning Department's procedures for shepherding the process and providing transparency.

Once the department receives concerns regarding the presented plans, to ensure the public's interests, major updates on the project including major changes to the plans are communicated to the concerned neighbors. In this case, the original permit application for which the plans were presented in the pre-application meeting was closed and an old permit with a different set of plans was revived. This was a major change that should have been communicated to the concerned neighbors. Had the department not received any concerns or comments from the neighbors, this oversight would have been understandable. But such is not the case and the neighbors communicated their concerns to the previous planner, Michael Smith.

They have now realized that the department has no records of their communications to Michael Smith, which is not an isolated incident. A similar pattern of "missing" concerned neighbors' comments has been brought up to our organization's attention. Notably, the project at 323 Cumberland had no records of the concerns raised by Protect Noe's Charm and we had to re-submit our issues for the 2nd time. Recently, we've been alerted to the same issue with the project at 438 29th street where the neighbors just found out that you were not aware of their concerns and comments previously conveyed to the department. If as your response states, the concerned neighbors have only a 30 day window to see the final plans, digest the impact, and raise the same issues to the Planning Commission, then the job of upholding the Residential Design Guidelines that a planner is tasked with would be deferred to the Planning Commissioners. We highly doubt that this is the policy of the Planning Department.

To govern the permit process, the city of San Francisco not only relies on the Planning Code and Zoning Laws but also the Residential Design Guidelines (RDG). Your response to the issues that we've raised ONLY references the Planning Code for compliance. Our concerns are mostly regarding the principles articulated in the RDG that have been ignored by this project. The purpose of the RDG as stated on page 3 of this document is as follows:

The Residential Design Guidelines (Guidelines) articulate expectations regarding the character of the built environment and are intended to promote design that will protect neighborhood character, enhancing the attractiveness and quality of life in the City.

Legal Basis

Section 311(c)(1) of the Planning Code provides that Residential Design Guidelines shall be used to review plans for all new construction and alterations.

In addition to complying with the Planning Code's established standards for the maximum and minimum dimensional requirements, this project should also comply with the RDG principles as listed below:

III. Site Design

TOPOGRAPHY

Guideline: Respect the topography of the site and the surrounding area.

New buildings and additions to existing buildings cannot disregard or significantly alter the existing topography of a site (page 11).

It is abundantly obvious that the topography of the hill and the block's roofline progression have been disregarded in this design. The Residential Design Team normally asks of the project sponsor to reinforce the stepping pattern on a laterally sloped street such as this block of Hoffman Avenue. How is it that in the case of this project, the proposed design is allowed to disregard the topography guideline and break the roofline progression so egregiously?

IV. Building Scale And Form

Building Scale at the Street

GUIDELINE: Design the height and depth of the building to be compatible with the existing building scale at the street.

If a proposed building is taller than surrounding buildings, or a new floor is being added to an existing building, it may be necessary to modify the building height or depth to maintain the existing scale at the street (page 24).

While it is true that the buildings within the periphery to this project appear to vary in scale (as you stated in your response), the proposed scale at the street level is grossly off the charts.

Building Scale at the Mid-Block Open Space

GUIDELINE: Design the height and depth of the building to be compatible with the existing building

scale at the mid-block open space.

The height and depth of a building expansion into the rear yard can impact the mid-block open space. Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space. An out-of-scale rear yard addition can leave surrounding residents feeling “boxed-in” and cut-off from the mid-block open space (page 26).

The proposed building is compliant with the Planning Code regarding the maximum permitted depth but it DOES violate the RDG principle stated above. There are numerous other RDG principles that this project ignores including the ones related to Light and Privacy (pages 16 and 17).

While we cannot expect the public to have an intimate knowledge of all regulations within the Planning Code and all guidelines within the RDG, we do expect the Planning Department to become more vigilant and enforce the RDG when faced with the neighbors' opposition to the bulk and mass of a proposed project.

In this case, not only the project sponsor has ignored major guidelines but also the Department has set aside the principles stated in their own RDG document. Having been reviewed by the department in the past 6 months, it is disappointing to see that a project of this magnitude is approved without any regards to the Residential Design Guidelines despite the neighbors' concerns.

At this point, we do understand that the only recourse for the concerned neighbors is to file for a Discretionary Review and should they decide to do so, Protect Noe's Charm will be there to support them.

Sincerely,

Ozzie Rohm,
On behalf of the 200+ members of Protect Noe's Charm

From: [Linas Rukas](#)
To: planning@rodneymong.com; [Richards, Dennis \(CPC\)](#); wordweaver21@aol.com; richhillissf@yahoo.com; [Johnson, Christine \(CPC\)](#); mooreurban@aol.com; cwu.planning@gmail.com
Cc: [Secretary, Commissions \(CPC\)](#); [Tran, Nancy \(CPC\)](#)
Subject: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029
Date: Tuesday, March 22, 2016 10:05:32 AM

Dear President Fong and Members of the Commission:

My name is Linas Rukas and my address is 21 Fountain St.. i would like to voice my objection to the proposed development of the house at 437 Hoffman. What is being considered is way out of character and scale of the adjacent properties as well as the neighborhood. the new structure would significantly adversely effect the sunlight and air of the surrounding properties.

i don't think anyone truly objects to remodels or new development but what they do object to are projects that disregard the people that already live nearby. just by virtue of being the last one to develop, with the ability to see how the changes could be integrated into what's already there and share resources like light, air, etc, the developers want it all for themselves. That is patently unfair and shouldn't be allowed.

-Linas A. Rukas
21 Fountain St., 94114
847 902-9240

From: [L.Gerard](#)
To: planning@rodneyfong.com; [Richards, Dennis \(CPC\)](#); wordweaver21@aol.com; richhillissf@yahoo.com; [Johnson, Christine \(CPC\)](#); mooreurban@aol.com; cwu.planning@gmail.com
Subject: 437 Hoffman Avenue, April 7, Permit App. #2014.04.113029
Date: Tuesday, March 22, 2016 8:22:01 PM

Dear President Fong and Commission Members:

My name is Lenore Gerard and my address is 470 Hoffman Avenue, S.F., CA 94114. I have lived here since 1974 - a long time - enjoying the unique character of Noe Valley.

I am writing in opposition to the proposed development plans for 437 Hoffman Avenue. The plans are out of proportion to our street and our neighborhood.

I ask you to enforce the residential design guidelines for our neighborhood. I also ask that you order the developer to revise the plans to retain the street tree.

Sincerely yours,
Lenore Gerard

Tran, Nancy (CPC)

From: Rusty McCall <rustymccall@hotmail.com>
Sent: Thursday, March 24, 2016 10:13 PM
To: planning@rodneyfong.com; Richards, Dennis (CPC); wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; cwu.planning@gmail.com; Tran, Nancy (CPC)
Subject: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029

Dear President Rodney Fong and Members of the Planning Commission:

I am writing to voice my opposition to the proposed development of an oversized single-family home at 437 Hoffman Avenue. I'd also like to say there is a worrying trend toward oversized homes, and our height limits should be lowered. The owners of 437 want to build as much as 5800 square feet and a story higher than both neighboring homes. The project is out of scale for the block and neighborhood. The project includes adding a garage and requires the removal of a significant old street tree. At the same time, it compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. We ask the San Francisco Planning Department to enforce the **Residential Design Guidelines** to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the footprint, and to provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans to accommodate the retention of the street tree.

My neighbor at 465 Hoffman Ave was allowed to build an oversized single family home in 2008, and it towers over my house at 461 Hoffman Ave, which has been the same height as when it was built over 100 years ago. I renovated my home recently, but I did so in order to add a basement unit. My renovation also was done within the existing envelope and without raising the height of the building. I kept both of my historic street trees, which also preserved an existing street parking spot.

Thank you,
Russell McCall
461 Hoffman Ave

Tran, Nancy (CPC)

From: Janet Fowler <jfowlers@aol.com>
Sent: Monday, March 28, 2016 9:54 PM
To: Secretary, Commissions (CPC); Tran, Nancy (CPC)
Subject: Fwd: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029

A neighbor forwarded me a copy of her letter to the Commissioners (below), but she forgot to cc the two of you. I just want to make sure the letter gets recorded (counted) as a letter opposed to the proposed project. Am I correct in assuming that Commission President Fong will forward the letter to the other commissioners?

-Janet

-----Original Message-----

From: ursula widera-cohen <aquariurs@googlemail.com>
To: jfowlers <jfowlers@aol.com>
Sent: Mon, Mar 28, 2016 7:42 pm
Subject: Fwd: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029

----- Forwarded message -----

From: **ursula widera-cohen** <aquariurs@googlemail.com>
Date: Mon, Mar 28, 2016 at 7:39 PM
Subject: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029
To: planning@rodneymong.com

Dear President Fong and Members of the Commission:

My name is Ursula Cohen, and I have lived at 412 Hoffman Avenue for almost 24 years, across the street from the lovely historical Victorian house which was built by a seaman before the turn of the previous century, 437 Hoffman Avenue.

In addition to what the petition text is stating I would like to express that I really feel for my neighbors, Gene on one side of the property to be developed and Stephen and Paul on the other side, to lose their privacy and light if the project goes forward as planned; therefore I petition to please consider modification!

Thank you,

Sincerely, Ursula.

Tran, Nancy (CPC)

From: Ana Allwood <noni723@yahoo.com>
Sent: Monday, March 28, 2016 10:17 PM
To: planning@rodneyfong.com; Richards, Dennis (CPC); wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; cwu.planning@gmail.com
Cc: Secretary, Commissions (CPC); Tran, Nancy (CPC)
Subject: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029

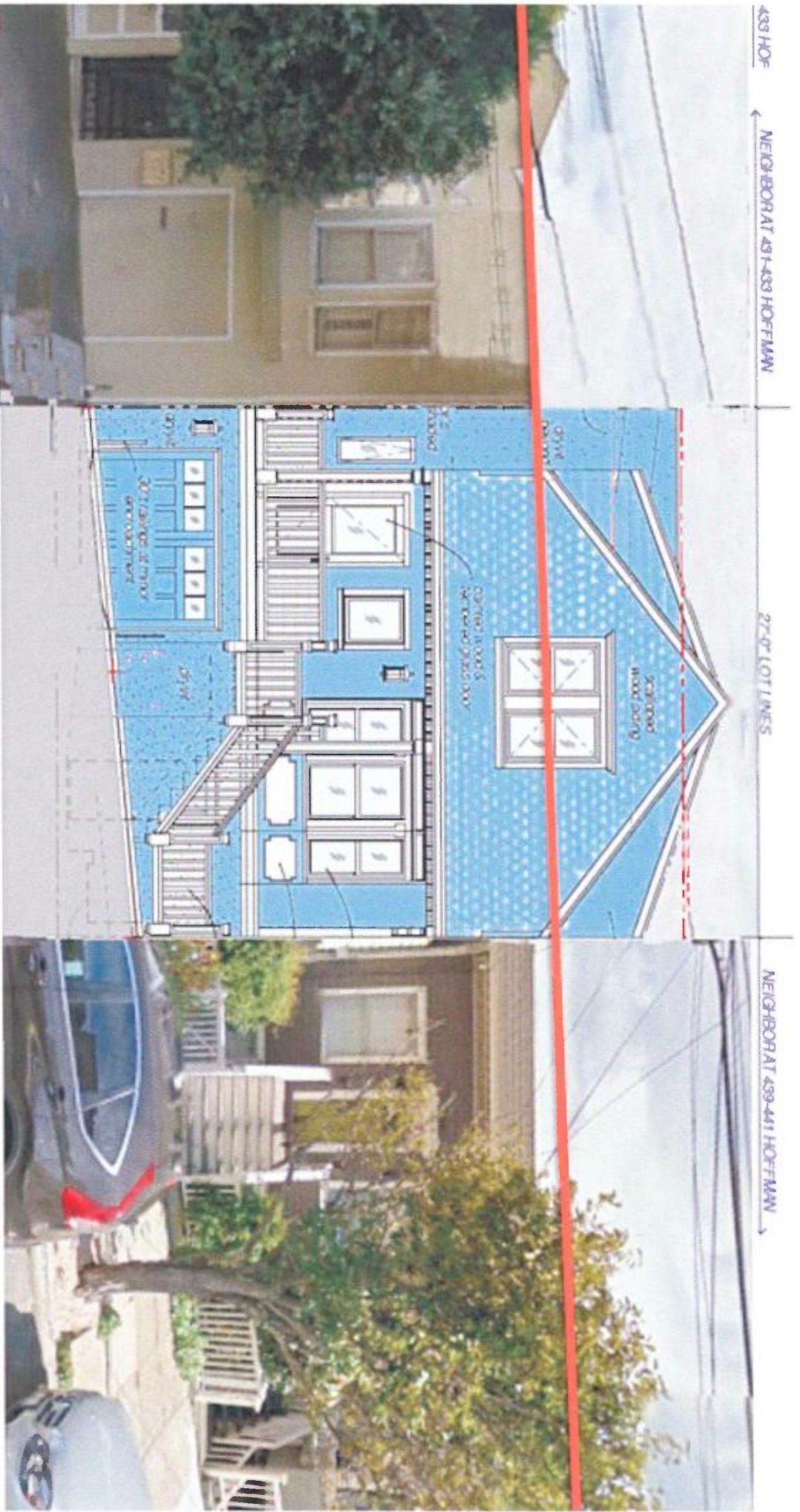
Dear President Fong and Members of the Commission:

My name is Ana Allwood, and I have lived on Fountain Street in Noe Valley since 2004. I am deeply concerned about and opposed to, the proposed development on the existing property on 437 Hoffman Avenue. The proposed expansion to 5800 square feet and the addition of a story creates a structure completely disproportionate to the neighboring structures, and is out of scale and contact to the block and neighborhood. The removal of a beloved old street tree distorts the character of the street and neighborhood which has been so well preserved for decades. We are also deeply concerned to the impact this new structure will have on the light and privacy of the neighbors, as the proposal imposes greatly on these essentials in the quality of living of our community. Replacing an affordable house for an average family with this structure which is out of proportion and completely dissonant with the character of the street, is a huge mistake which can be prevented. We ask the San Francisco Planning Department to enforce the RESIDENTIAL DESIGN GUIDELINES to maintain the scale and character of our neighborhood, by requiring the Project Sponsor to eliminate the additional top story, reduce the footprint to one which is proportionate, and to provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask that the Planning Department to ensure that the street tree is preserved. I appreciate your attention to this matter which is of grave concern to us.

Best regards
Ana E Allwood



This shows the roofline progression on the block. The Project Site is hidden by the tree. The curve is a distortion; there's not curve in the street. Photo taken from roof of 434 Hoffman, directly across the street from 437 Hoffman.



I sent numerous emails to the Project Sponsor asking for an elevation rendering of the facade. She sent several different views from her sun studies and finally sent something she called a "standard eye view" in which she didn't remove the tree because she said that the tree would be replaced. This "to-the-best-of-our-abilities" elevation rendering was done by Ozzie Rohm using an elevation drawing in the architectural plans. I PhotoShopped in some colors in an effort to make it look more authentic and stuck in the red line to point out the extraordinary deviation from the surrounding roofline.

This should be appended to my DR Application as Exhibit 10.5 related to \$5 Lack of Compliance with Residential Design Guidelines: Topography of the Hill and the Block's Roofline Progression.

Original

RH2 construction:

There are several issues regarding construction in RH2 areas, particularly when it comes to hillsides:

1. the esthetics of the new housing, especially for the downhill neighbors. The new architectural taste appears to be office building style adapted to housing—all overwhelming boxes.

2. Either the loss or the lack of housing development in an area which allows for it.

In the last 20 years, we have seen housing being built on a speculative basis which started at 4,000 sq.ft. and now extends to 5,000+ sq.ft. for single family housing. There are 6 of these houses within 200 feet of my house. One of them was originally designed as a two family house, but the contractor changed his mind after having built a single family house on the adjacent lot, figuring, quite correctly, that he could get almost the same price for a single family house as for a two family house of the same square footage without having to build the infrastructure required for a second unit. For another one, the architect came by and asked for our approval of a large house that was to be a two family house. We OK'ed it because it was a two family house. The architect then sold the plans to someone else who kept the envelope of changed the configuration of the house to a single family house. These two examples mean that within half a block, two housing units were lost in a city that is short on housing units. As for the other big houses, all built on 25ft. wide lots, there is the lost opportunity to add housing units to the city rather than just replacing a current unit with a bigger one.

My feeling is that in RH2 neighborhoods, single family houses should not exceed 2000 sq.ft. unless the original house was larger than that, at which point the renovation or replacement could not exceed the existing envelope. But nothing should stop the developer of the site to built two unit houses, with units of approximately the same size, with a potential surface of 4000 or 4400 sq.ft. total.

Had such a rule been applied in my immediate area, San Francisco would have 12 family units instead of the 6 units it currently has. In how many parts of the city would such a rule apply and encourage multiple units?

Michael Kuehn

60 Henshead St.

SF 94114



Fouzieyha Towghi <ftnazgul@gmail.com>

437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029

1 message

Fouzieyha Towghi <ftnazgul@gmail.com>

Tue, Mar 29, 2016 at 10:05 PM

To: planning@rodneymong.com, dennis.richards@sfgov.org, wordweaver21@aol.com, richhillissf@yahoo.com, christine.d.johnson@sfgov.org, mooreurban@aol.com, cwu.planning@gmail.com

Cc: Commissions.Secretary@sfgov.org, nancy.h.tran@sfgov.org

Dear President Fong and Members of the Commission:

My name is Fouzieyha Towghi, and I have lived on Homestead Street, San Francisco for 19 years.

I am writing to oppose the proposed development of a massive single-family home at 437 Hoffman Avenue. At 5800 square feet and a story higher than both neighboring homes, the project is excessively out of scale and character for the block and neighborhood. The propose project includes adding a garage and requires the removal of a significant old street tree. It also compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. We ask that the San Francisco Planning Department enforce the city's **Residential Design Guidelines** in order to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the proposed rear projection and instead provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans in order to accommodate the retention of the street tree.

Sincerely,

Dr. Fouzieyha Towghi, Ph.D., MPH

Subject: 437 Hoffman Avenue, April 7, Permit App. #2014.04.11.3029

From: info@anjuchinesemedicine.com

Date: Tue, Mar 29, 2016 10:23 pm

To: planning@rodneyfong.com, dennis.richards@sfgov.org, wordweaver21@aol.com, richhillissf@yahoo.com, christine.d.johnson@sfgov.org, mooreurban@aol.com, cwu.planning@gmail.com

Cc: Commissions.Secretary@sfgov.org, nancy.h.tran@sfgov.org

Dear President Fong and Members of the Commission:

My name is Anju Gurnani, and I have lived on Homestead Street for 20 years. I have been a resident of San Francisco for 26 years.

I am writing to oppose the proposed development of a massive single-family home at 437 Hoffman Avenue. At 5800 square feet and a story higher than both neighboring homes, the project is excessively out of scale and character for the block and neighborhood. The proposed project includes adding a garage and requires the removal of a significant old street tree. It also compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. I along with my other concern neighbors ask that the San Francisco Planning Department enforce the city's **Residential Design Guidelines** in order to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the proposed rear projection and instead provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans in order to accommodate the retention of the street tree.

Sincerely,
Anju Gurnani. LA.c.

Protect Noe's Charm

Neighbors committed to fair planning for Noe Valley



March 29, 2016

San Francisco Planning Commissioners
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Discretionary Review Hearing for 437 Hoffman Avenue

Members of the Planning Commission,

On behalf of Protect Noe's Charm (PNC) neighborhood organization, I am writing to you to express our support for the Discretionary Review applicants and our opposition to the project at 437 Hoffman Avenue in its current state.

The proposed construction is clearly out of scale both in its overall mass and its specific dimensions such as its marked interruption of the block's roofline progression. There are many points within the San Francisco Residential Design Guidelines (RDG) that this project falls on and as such it should not be approved.

That is why we urge you to stand up for enforcement of the RDG and to deny approval of this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ozzie Rohm".



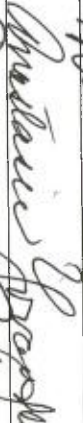


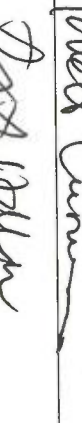




Ozzie Rohm

On behalf of the 200+ members of Protect Noe's Charm

Say NO to the 437 Hoffman Supersized & Out of Scale House

Help To Preserve The Scale and Character of Noe Valley



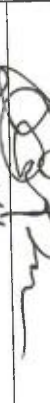







We are opposed to the proposed development of a massive single-family home at 437 Hoffman Avenue. At 5800 square feet and a story higher than both neighboring homes, the project is out of scale and context for the block and neighborhood. The project includes adding a garage and requires the removal of a significant old street tree and, at the same time, it compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. We ask the San Francisco Planning Department to enforce the **Residential Design Guidelines** to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the footprint and to provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans to accommodate the retention of the street tree.

SIGNATURE	PRINTED NAME	ADDRESS	DATE
	Irene Jones	4016 25th St SF	3/23/16
	Bruce R Bowen	4016 25th St SF	3/23/16
	Anastasia Yovanopoulos	3718 24th St SF 2440	3/23/16
	Carol A Birtsch	119 Vicksburg St SF 94114	3/23/16
	Brett Currier	324 Cumberland St 94114	3/23/16
	Sidney S Hallar	1619 Sanchez	3/23/16
	George Schutt	460 Divisan St	3/23/16
	Debra Dale	430 19th Street	3/23/16
	Philip Carter	430 19th Street	3/23/16
	Alice West	4047 Cesar Chavez	3/23/16

Say NO to the 437 Hoffman Supersized & Out of Scale House

Help To Preserve The Scale and Character of Noe Valley





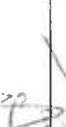





We are opposed to the proposed development of a massive single-family home at 437 Hoffman Avenue. At 5800 square feet and a story higher than both neighboring homes, the project is out of scale and context for the block and neighborhood. The project includes adding a garage and requires the removal of a significant old street tree and, at the same time, it compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. We ask the San Francisco Planning Department to enforce the **Residential Design Guidelines** to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the footprint and to provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans to accommodate the retention of the street tree.

SIGNATURE	PRINTED NAME	ADDRESS	DATE
	Anastasia Vavopoulos	3718 24 th St	3/23/16
	MARTHA	449 CLIPPER ST.	3/25/16
	STEVE BOEDEKER	449 CLIPPER ST	3/25/16
	RASHA MOSS	359 Jersey	3/25/16
	NINA SALTMAN	422 nd 26 th St.	3/27/16
	JIM MORRELL	308 ELIZABETH ST.	3/27/16
	Carol Broderick	367 Jersey St	3/28/16
	John Broderick	367 Jersey St	3/28/16
	MATTHEW T MCCOBB	1161 DIAMOND ST	3/28/16
	OZZIE ROHM	471 CLIPPER ST.	3/29/16

Say NO to the 437 Hoffman Supersized & Out of Scale House

Help To Preserve The Scale and Character of Noe Valley

We are opposed to the proposed development of a massive single-family home at 437 Hoffman Avenue. At 5800 square feet and a story higher than both neighboring homes, the project is out of scale and context for the block and neighborhood. The project includes adding a garage and requires the removal of a significant old street tree and, at the same time, it compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. We ask the San Francisco Planning Department to enforce the **Residential Design Guidelines** to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the footprint and to provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans to accommodate the retention of the street tree.

SIGNATURE	PRINTED NAME	ADDRESS	DATE
	CHRISTINE BROWN	4637 25TH ST	3/27/16
	WILLIAM LARIMER	41633 25TH ST	3/26/16
	JAMES BEUSTLE	431 HOFFMAN AVE	3/26/16
	Stephenie Bellville	431 Hoffman Ave	3/26/16
	AMIT DARGUN	443 Hoffman Ave	3/28/16
	R. A. GREEN	4330a Kensington	3/29/16
	ETHAN RAVITZ	4367 24th St	3/27/16
	PATRICIA PHILITSA	425 HOFFMAN AVE	3/27/16
	JALLY PHILITSA	425 HOFFMAN AVE	3/27/16
	Eric Lagandam	28 Homestead St	3/28/16

Say NO to the 437 Hoffman Supersized & Out of Scale House

Help To Preserve The Scale and Character of Noe Valley

We are opposed to the proposed development of a massive single-family home at 437 Hoffman Avenue. At 5800 square feet and a story higher than both neighboring homes, the project is out of scale and context for the block and neighborhood. The project includes adding a garage and requires the removal of a significant old street tree and, at the same time, it compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. We ask the San Francisco Planning Department to enforce the **Residential Design Guidelines** to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the footprint and to provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans to accommodate the retention of the street tree.

SIGNATURE	PRINTED NAME	ADDRESS	DATE
<i>Russell McCall</i>	Russell McCall	461 Hoffman Ave	3/24/16
<i>William M. Dwyer</i>	Catherine M. Dwyer	450 Hoffman Ave	3/24/2016
<i>Dan Dwyer</i>	DAN DWYER	47 WOODH ST	3/24/2016
<i>Kevin Jensen</i>		470 Hoffman Ave	3/27/2016
<i>Adam Christensen</i>	ADAM CHRISTENSEN	437 Hoffman Ave	3/27/16
<i>Justin Jensen</i>	Justin Jensen	460 Hoffman Ave	3/27/16
<i>Jason Allen</i>	Jason Allen	38 Homestead St 94114	3/27/16
<i>Stephen Jaskoville</i>	Stephen Jaskoville	439 Hoffman Ave.	3/29/16
<i>Paul Letebore</i>	Paul Letebore	439 Hoffman Ave	3/29/16
<i>Sebastian Lavoie</i>	Sebastian Lavoie	441 Hoffman Ave	3/30/16

Say NO to the 437 Hoffman Supersized & Out of Scale House

Help To Preserve The Scale and Character of Noy Valley

We are opposed to the proposed development of a massive single-family home at 437 Hoffman Avenue. At 5800 square feet and a story higher than both neighboring homes, the project is out of scale and context for the block and neighborhood. The project includes adding a garage and requires the removal of a significant old street tree and, at the same time, it compounds the mistake of the loss of a dwelling unit with another mistake by replacing an affordable house fit for an average family with a monster house affordable only to very few. We ask the San Francisco Planning Department to enforce the **Residential Design Guidelines** to maintain the scale and character of our neighborhood by requiring the Project Sponsor to eliminate the additional top story, to protect the mid-block open space by reducing the footprint and to provide rear terracing and side setbacks to maintain light and privacy for surrounding neighbors. We also ask the Planning Department to order the Project Sponsor to revise the plans to accommodate the retention of the street tree.

SIGNATURE	PRINTED NAME	ADDRESS	DATE
<i>Fouziyha Toghiani</i>	Fouziyha Toghiani	24 Homestead St. 94114	3/29/16
<i>A.D. Guranian</i>	Ania Guranian	24 Homestead St. 94114	3/29/16
<i>URSULA COHEN</i>	URSULA COHEN	412 HOFFMAN 94114	3-29-16
<i>Maria Jin</i>	Maria Jin	38 Homestead St 94114	3/29/16
<i>MARTINE VELKENHUIS</i>	MARTINE VELKENHUIS	414 HOFFMAN AVE	3/29/16
<i>PETER LAMOS</i>	PETER LAMOS	437 HOFFMAN	3/29/16
<i>PETER LAMOS</i>	PETER LAMOS	4405, 24th St	3/29/16
<i>Kelsey Merelman</i>	Kelsey Merelman	4377 24th St.	3/29/16



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

March 29, 2016

RE: **437 Hoffman Avenue**
Discretionary Review Request: BPA No.: 2014.0411.3029DDD
Hearing Date: April 7, 2016

President Fong and Members of the Commission:

INTRODUCTION

This office represents R. Gene Geisler, the owner, and a 35-year resident, of the residential building at 431-433 Hoffman Avenue in Noe Valley. Dr. Geisler is a longtime resident of the neighborhood and has been a professor at San Francisco State University since 1960.

Dr. Geisler lives in one of the four small units in his building. The development team that owns the building at 437 Hoffman Avenue (Blk/Lot: 6503/024) directly to the south of Dr. Geisler's building, has requested a permit to partially demolish the existing building (built in 1905) and rebuild an uncharacteristically larger, and taller building in its place ("the Project").

Dr. Geisler ("DR Requester") and all of his neighbors request that the Commission take Discretionary Review of the Project and deny or reduce the proposed expansion and demolition of the existing 111-year-old house. The Project will unreasonably block air and light from Dr. Geisler's home. The Project will completely block his now sunny, south facing windows, and light well. Part of the proposed Project will fill-in the existing breezeway between Dr. Geisler's property and the Project Property. The Project is an overblown behemoth. The proposed expansion will result in a single family home of nearly 6000 square feet which almost doubles the existing square footage.

PROJECT HISTORY

The Project represents the worst of all worlds from the perspective of city planning---a unit merger and resulting loss of affordable, rent-controlled housing followed by an oversized expansion of the resulting single-family home which unfairly impacts the neighboring buildings. The history of this project stretches back nearly a decade and includes former owners of the property. The history begins with a merger application filed in 2008 by the then-owners, the Riley's, which merged the two units in 437 Hoffman into one unit.

Merger Application Approved with Express Limits to Protect the Neighborhood

The merger application was subject to a mandatory Discretionary Review hearing on September 25, 2008. (See Planning Commission Meeting Minutes September 25, 2008 attached as Exhibit 1). The Planning Department staff recommended against the merger, and there was great concern about the loss of affordable rent controlled housing (see Discretionary Review Analysis, Exhibit 2).

The merger was approved on the condition that the owners would not expand the envelope of the building or take away street parking by applying for a new garage curb cut (see Exhibit 2). The four Commissioners present were split on the issue of taking DR and therefore the Commission did not take DR and approved the merger request (Exhibit 1). The resulting permit, BPA No. 2008.0627.5494 (attached hereto as Exhibit 3) contains two separate notes from DBI staff admonishing the owners that there was to be “no expansion” and no curb cut (“NO ALTERATION OR CONSTRUCTION OF CITY RIGHT OF WAY UNDER THIS PERMIT No Street Space!” (Exhibit 3)).

Despite having the unit merger approved by the Planning Commission, the merger was not physically implemented. The second kitchen was not removed and the units were not internally connected. In 2010, the Riley’s sold the house to the current Project Sponsors, the Mittals (Exhibit 4). In 2011 the Project Sponsors retained the architecture firm Toby Long Design to create plans for the addition of a garage, and a rear expansion of the existing building (See Exhibit 5, Toby Long Design 437 Hoffman Ave – Proposed Project History). The addition of a garage, of course, necessitates a curb cut which violates the express instructions of the Planning Commission and the Department of Building Inspection; obviously the expansion also violates the express instructions of the Planning Commission and the Department of Building Inspection from the merger approval. Furthermore, the plans produced in association with the merger have never (not on a single plan set) shown DR Requester’s south facing windows, which the proposed project will shroud in perpetual darkness (Exhibit 6).

Creeping Expansion in Violation of the Merger Approval Conditions

On April 3, 2012, the Project Sponsors reviewed the expansion and garage design with SF Planner, Michael Smith, who advised them about how to get a permit for the curb cut and rear addition they wanted – despite the unit merger permit which expressly stated that there could be no expansion and no garage. Unfortunately email records related to those discussions have been “impossible” to recover, despite a Sunshine Ordinance Records Request, because Planner Smith’s computer has been frozen after he departed the Planning Department (See the email from Planner Nancy Tran to Stephen Williams attached as Exhibit 7).

On April 19, 2012, DR Requester and other concerned neighbors attended a pre-Application meeting where they were presented with a massive rear addition (See Pre-Application Notice and Meeting Sign-in attached as Exhibit 8). On this date the

Developers stated that the building would go from 2230 square feet to 3460 square feet and add 6 feet in height (Exhibit 8). The Project would also remove a significant street tree, raise the height of the structure, add a garage, and eliminate some street parking.

A Notice of Planning Department Requirements required the completion of the merger before the expansion plans could be approved. The permit application to complete the merger was filed on September 9, 2012, but was withdrawn 10 days later on September 17, 2012 (Exhibit 9).

On May 16, 2013, the Project Sponsors filed revisions to the June 27, 2008 building permit application (the unit merger) to revise the unit merger permit with “no additional work beyond what was orig. approved” (Exhibit 10). A complaint was filed stating that the merger was exceeding the scope of the permit; it was clear from the face of the proposal, that the goal was not a unit merger, but a large rear addition and a garage.

The Neighbors received Notice of Pre-Application Meeting Thursday, March 6, 2014 And Plan Set (Exhibit 11). The notice of pre application meeting states that the Project would expand the building from 2238 square feet to 3809 square feet, and increase the building front from 24 feet to 30 feet in height (Exhibit 11).

On April 11, 2014, the Project Sponsors began to really fire up their ambitions submitted their plans for a \$900,000 “triage” expansion (Exhibit 12). The neighbors did not receive notice of the plans being submitted and approved, and instead merely received notice that 437 Hoffman was being sold.

Planning Department Is Too Late To Slow The Developers Down

On June 6, 2014, the Planning Department sent the Project Sponsor a Notice of Planning Department Requirements (Exhibit 13). This notice stated that the Department could not approve the application submitted based on the plans provided because the plans did not correctly show the adjacent properties.

In 2014, 437 Hoffman was bought by Count’s Gold LLC, a Delaware Corporation which appears to be an investment group that includes a developer, a builder, the Project Sponsor, and others (Exhibit 14 LLC Registration from Secretary of State; Exhibit 15, deed). On January 30, 2015 DR Requester and the neighbors attended another pre-application meeting, but the same developer and project sponsors were there to present their project despite the reported sale of the property (Exhibit 16 Notice of Pre-Application Meeting and sign-in sheet).

On February 25, 2015, the neighbors attended another pre-Application meeting (Exhibit 17 Notice of Pre-Application Meeting and sign-in sheet), where the project sponsor showed a new set of plans for a “remodel” that the project sponsor said was a demolition. The plans showed an even larger rear addition than the last set of plans showed. The new plans showed a structure that totaled over 6000 square feet. DR Requester and the other neighbors objected to the excessive ceiling height of all the floors. At the second pre-

Application meeting, the neighbors were presented a less boxy-looking façade, and a very minor setback was presented to mitigate loss of privacy to the neighbors to the south (similar to what DR Requester is asking for on the north) (see Exhibit 17).

Despite this, on March 10, 2015 the Project Sponsors filed for another permit (Exhibit 18) estimated at \$750,000.00. The plan set from that permit shows an addition that nearly doubled the size of the existing building. Because the plans submitted by the Project Sponsor did not meet the Planning Department's requirements, the Department issued a Notice of Planning Department Requirements on May 28, 2015 (Exhibit 19), and September 2, 2015 (Exhibit 20). In the May 28, 2015 Notice of Planning Dept Requirements the Department noted that the submitted plans did not accurately depict the neighboring properties' front setbacks. The September 2, 2015 notice points out that the labeling of measurements was "incorrect or inconsistent" (Exhibit 20).

On October 13, 2015 DR Requester received Notice of Building Permit Application and Plans (Exhibit 21). The notice showed contradictory information on its face. For instance, the notice indicated that the project scope includes a side addition. However, below this box under Project Features the Project Sponsor indicated that there is no side set back on the existing or proposed building. This is belied by the enclosed plans which clearly show a side expansion which will unreasonably block Dr. Geisler's air and light. Furthermore, the boxes are completely contradictory, since there cannot be a side addition unless there is a side setback.

The attached Plans also violated the requirements of Section 106.A.3.2 of the San Francisco Building Code. The Director of DBI has interpreted Section 106.A.3.2 to require that any plans submitted with a permit application, be **prepared** and **signed** by a California licensed architect, land surveyor, engineer, or contractor (See Exhibit 22). The plans submitted with the pre-application notice, are not signed, or even dated. Therefore, they, violate DBI's requirements for plan submissions.

Furthermore, the plans previously submitted do not accurately depict either the existing or proposed project. The horizontal cross-sections on the plans do not show Dr. Geisler's windows, ever. The pictures representing the proposed front façade, show the side expansion as a dotted line. The dotted line suggests that whoever prepared the plans (they are unsigned and undated), attempted to obscure this very real expansion with drafting sleight of hand. The deceit is revealed by the fact that the expansion is shown with a dotted line, but the window facing the street is shown with a solid line. (Exhibit 21).

On December 1, 2015, the Neighbors received the most recent proposed plans in a Re-Notice of Building Permit Application and Plans (Exhibit 23). The December 1, 2015 Re-Notice Plans list the existing square footage of the property as 2992 square feet (up from 2230 square feet on April 19, 2012 (Exhibit 8), and 2238 square feet on March 16, 2014 (Exhibit 11)). Other than that there were no substantive changes, and the problems described in the October plan set remained.

The December 1, 2015 Plans also list the square footage of the Project at **5616** square feet (Exhibit 23), Still nearly double the size of the existing building. Again, in the December plan set these square footage values are extremely difficult to read on the pages delivered with the notice, and there is no cover page to the plans listing some of the basic height, depth and square footage information. Playing hide and seek with these type of numbers is exactly in keeping with the pattern of deceit the developers have shown thus far.

Because the December re-notice plans appear to be the same as the October notice plans the December 1 notice – again – showed contradictory information on its face. The re-notice - again - indicated under Project Scope that the project scope includes a side addition. However yet again below Project Scope under Project Features the Project Sponsor indicated that there is no side set back on the existing or proposed building. again this is belied by the enclosed plans which clearly show a side expansion which will unreasonably block DR Requester's air and light. Furthermore, the boxes are completely contradictory, since there cannot be a side addition unless there is a side setback.

Therefore the December plans again attached plans again violate the requirements of Section 106.A.3.2 of the San Francisco Building Code. The Director of DBI has interpreted Section 106.A.3.2 to require that any plans submitted with a permit application, be **prepared** and **signed** by a California licensed architect, land surveyor, engineer, or contractor (See Exhibit 22). The plans submitted with the pre-application notice, are not signed, or even dated. Therefore, they again violate DBI's requirements for plan submissions.

Furthermore, the plans submitted – again – did not accurately depict either the existing or proposed project. The horizontal cross-sections on the plans do not show DR Requester's windows, ever. The pictures representing the proposed front façade, show the side expansion as a dotted line. Again the dotted line suggests that whoever prepared the plans (they are unsigned and undated), attempted to obscure this very real expansion with drafting sleight of hand (note the solid line around the window) (Exhibit 23). In a nutshell it is difficult to determine what if anything was changed between the October and December plan sets.

REASONS FOR TAKING DR AND DISAPPROVING THE PROJECT AS PROPOSED

In San Francisco, the type of building setbacks, respect for air and light, mid-block open space, which DR Requester and the other neighbors are fighting for, are the norm and are protected by the Planning Code and Residential Design Guidelines. As the design guidelines point out, "[a] single building out of context with its surroundings can be disruptive to the neighborhood character and, if repeated often enough, to the image of the City as a whole." RDG pg. 3

Side Spacing Between Buildings; Breezeway Air and Light

DR Requester's primary concern is the Project's impact on his air, light and privacy.

DR Requester currently enjoys a 3-foot breezeway between DR Requester's Building (433 Hoffman) and the Project Building which allows air to circulate between the buildings and allows sunshine into DR Requester's windows. There are no other significant windows on the south side of DR Requester's house. The Project plans do not even show DR Requester's windows, and instead label it as a "covered lightwell". These windows are not a light well. The Project would not only completely encase DR Requester's only light source; it would tower over the resulting light well, blocking the little remaining light from above for most of the year (Exhibit 24).

There is a strong side spacing pattern present at the adjacent houses on this side of the block. The Project should respect this existing pattern as stated in the Residential Design Guidelines ("RDG") (RDG at pg 15). The Project does not respect the existing pattern of breezeways between buildings, but rather abolishes it altogether. This breezeway is the only source of sunlight on the south side DR Requester's north adjacent building. DR Requester's sunlight would be completely blocked out in the windows that run along his property's south side, because the Project will wall off the well and the dramatically taller building height will tower over the resulting forced light well (Exhibit 24).

The Prior Approved Plans Were Not Code Compliant and Omitted Basic Mandatory Information

In keeping with the pattern of misinformation from the developers in this project (See Project History above), the most recent December 1, 2015 (Exhibit 23) plans circulated by the Project Sponsors and (approved by the Department) did not comply with Planning Code Section 311(c)(5)(E-H) which states:

*"(E) 11x17 sized or equivalent drawings to scale shall be included with the Section 311 written notice. **The drawings shall illustrate the existing and proposed conditions in relationship to the adjacent properties ...***

*(F) The existing and proposed site plan shall illustrate the project including **the full lots and structures of the directly adjacent properties.***

*(H) The existing and proposed elevations shall document the change in building volume: height and depth. ... **The front and rear elevations shall include the full profiles of the adjacent structures including the adjacent structures' doors, windows and general massing. Each side elevation shall include the full profile of the adjacent building in the foreground of the project, and the adjacent windows, light-wells and general massing shall be illustrated.***"

(Planning Code Section 311(c)(5) (E); (F) & (H)).

The Plans Accompanying the December 1, 2015 Re-Notice of Building Permit Application do not depict DR Requester's side windows. Furthermore no plan set for the Project ever has; even though DR Requester has shown up for public meetings and attempted to engage with the Project Sponsors in a good faith manner, not a single set of

plans submitted for this project has ever accurately depicted DR Requester's property or DR Requester's windows, which are DR Requester's primary concern; it is as if the Developers believe they can simply will DR Requester out of existence. But artful drafting of plans will not undue the unreasonable impact that will result from allowing the Project to block DR Requester's windows (Exhibit 24). The faulty December 1, 2015 plans violate Planning Code Section 311(c)(5) (E); (F) & (H) for failure to adequately depict the adjacent properties in the plans..

Additionally it is clear from the horizontal cross-sections of the building that the Project will completely close off DR Requester's south side windows, **and** will completely close off the breezeway between the two adjacent properties, **and** will tower ten (10) feet over the resulting light well (currently windows and glassed in open space). The horizontal cross-sections on the plans do not show DR Requester's windows, ever.

The pictures representing the proposed front façade, show the side expansion as a dotted line. The side expansion on the Project will close off the windows on DR Requester's property, and eliminate the breezeway between the two buildings. The dotted line suggests that whoever prepared the plans (they are unsigned and undated), attempted to obscure this very real expansion with drafting sleight of hand. The deceit is revealed by the fact that the expansion is shown with a dotted line, but the window facing the street is shown with a solid line. (Exhibit 23). This violates Planning Code Section 311(c)(5)(H) which requires that the plans show, "the full profiles of the adjacent structures including the adjacent structures' doors, windows and general massing. Each side elevation shall include the full profile of the adjacent building in the foreground of the project, and the adjacent windows, light-wells and general massing shall be illustrated" (Exhibit 23).

The plans submitted, are the City's only way to determine the impacts of a Project. When Developers submit inaccurate, plans designed hide features of projects the City cannot adequately determine what a projects' impacts are. The Commission should make the Developers resubmit accurate and code complaint plans so that the City can make an informed and relevant decision in this case.

Project Is Uncharacteristically Tall And Out Of Place In The Neighborhood

The Project is unreasonably large for the neighborhood. The Project adds a full story of height to the front of the building, and that is unreasonable and out of scale with the rest of the neighborhood and disturbs the scale of the existing roofline on the east side of the block. The proposed four story roofline sticks up 10 feet higher than DR Requester's roof, to a total height of over 50 feet in the rear of the Project. DR Requester's Property is to the north of the Project, and therefore the Project promises to plunge DR Requester into forced shade for all but a fraction of the year (Exhibit 24).

Allowing the proposed building in this neighborhood would set a new standard of height and massing for the immediate area. It would be the only four story building on a block characterized by two and three story buildings (many of which are multi-unit buildings). In the current climate of rapid development and red hot real estate prices this is exactly

the type of development that leads to massive changes in the historic character of neighborhoods like Upper Noe. This directly violates the General Plan Priority Policy No. 2 which requires that “existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.”

Allowing a new building with a nearly 60-foot-tall, 4 story rear addition, in a neighborhood currently characterized by smaller 2 and 3 floor buildings, would fundamentally change the character of the neighborhood. The construction of a building, which is a full story taller than any other buildings in the neighborhood (and a full story taller than the adjacent neighbors) would have a negative impact on the long standing character of the neighborhood, and unreasonably impact the air and light of DR Requester. The proposed project does not respect the neighborhood or the topography of the area. It will completely block in and box out both adjacent neighbors. Such a result is not reasonable under the Code and the RDG’s.

Project Encroaches on Neighbors’ Privacy

The height and depth of the Project is excessive. DR Requester’s property to the north 431-433 Hoffman will lose all its sunshine (Exhibit 24). The property to the south 439-441 Hoffman will be walled in and there are large windows that create an unreasonable impact on privacy. In addition, the decks appear to have glass railings, which further increase the loss of privacy. Regardless of frosted glass, the number of windows proposed for the northern and elevations pose a huge privacy issue for DR Requester.

The problem is even worse for the back neighbors on Homestead Street due to the numerous windows proposed for the eastern elevation which will look into their backyards. The lots in the Upper Noe Valley area are steeply sloped and because of the steep slope in the rear yards of these buildings the impacts on the adjacent buildings will be overwhelming. Because of the east-west alignment of the buildings on this block, all of the neighboring windows and doors will be visible for all the neighbors. The October, 2015 plans failed to provide the most basic information – the relative positions of the openings and windows on the neighboring adjacent structures to the Project Site “existing” and “proposed.” (Exhibit 21). The December 1, 2015 plans now “corrected” and re-circulated, confirm DR Requester’s prior objections.

The height and depth of the proposed expansion adversely impact the mid-block open space. Although one of the adjacent properties (431-433 Hoffman) extends well into this open space, this is only a two-story structure that is vastly smaller than the four story, nearly 60-foot-tall proposed Project. The proposed expansion will not only box in DR Requester, the adjacent neighbors, and it will also negatively impact the mid-block community amenity shared by all residents of the block. This type of expansion is precisely what the RDG refers to as inappropriate since it leaves the surrounding residents feeling “boxed-in and cut-off from the mid-block open space” (RDG pg 26).

The Project Has Not Been Adequately Reviewed by The Planning Department

There is no indication that the Project Sponsor's December 2015 or October 2015 plan sets attached to the notices of building permit applications (Exhibits 21 and 23) were prepared, or reviewed by a person licensed to do so. A license verification check performed March 28, 2015 reveals that Kelly Condon, the project's current designer is not listed as a California licensed architect. The plans were certainly not signed or dated. Both of these oversights violate the Building code (above), and should prevent the planning department from approving the plans or a related permit. (Exhibit 22).

The requisite checklist for compliance with the Residential Design Guidelines has not been completed and the project appears to violate numerous provisions of the guidelines. It is deeper than both adjacent neighbors AND is taller than its up-hill neighbor ... a ridiculous result for what was a two unit building, merged into one unit (on the express condition that the building not be expanded further) and then made larger than the neighboring apartment building of four units.

The inconsistent, incorrect, and deceitful plans submitted by the Project Sponsors, have made it difficult if not impossible to understand what exactly the Project Sponsors want. However, what is clear is that the plans submitted do not comply with the legal requirements for plan submissions. The plans are inaccurate, poorly labeled, unsigned, and undated. Compared to previous plan sets submitted in this project, the most recently submitted plans do not look like they were prepared by a professional, or even qualified designer. Perhaps this is why they are unsigned. Either way, this kind of illegal and unprofessional behavior should not be rewarded with an approved building permit application. The Commission should take DR and demand that the Planning Department thoroughly and completely review this project to ensure that it complies with the law.

CONCLUSION

DR Requester Would Like the Commission to Demand Significant Changes to the Plans and to hold the Department Accountable for Enforcing the Planning Rules

DR Requester would like to see the character of the neighborhood respected by maintaining the side setbacks on the north side of the Project (a compromise that has already been implemented on the south side of the Project). In addition to maintain the side breezeways, and not blocking DR Requester's windows. DR Requester would like the Commission to remove the top floor and reduce the rear yard extension of the proposed building. This would maintain the existing height character of the neighborhood, protect the neighbor's privacy, and (most importantly for Dr. Geisler) preserve the bright sunny conditions of the Project's northern exposure.

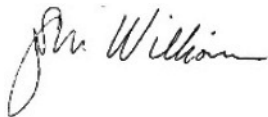
Importantly, the removal of the uncharacteristically tall features of the proposed building will respect the privacy of nearby houses, including DR Requester's which will be negatively impacted by the proposed upper floor and 60-foot-tall rear addition which will loom over the other buildings in the neighborhood and whose massive windows will look down on and into neighbors' residences, including DR Requester's residence.

DR Requester further requests that the Commission require that the proposed building's overall height be reduced to minimize the scale and massing of the new construction. This would keep the project more in line with the existing historic neighborhood. Even without the upper floor, the plans reveal that the proposed building would still have a dramatically expanded footprint, volume and scale than the current structure. The Project is nearly double the square footage of the existing building.

The plans reveal that the proposed building's ceilings (on all floors) are of a greater height than most equivalent buildings. Dr. Geisler asks that the Commission direct the Department to review the plans and if structurally sound, require that the height of the floors be reduced to further reduce the scaling and mass of the building to keep it more in line with the character of the neighborhood. Since the plans call for the excavation and re-grading of the lot, the Dr. Geisler asks that the Department require that the excavation proceed to a further depth and back into the hillside in order to reduce the scale and height of the proposed building. This would also be more in keeping with the character of the neighborhood.

Finally, the Dr. Geisler would like the proposed building to be redesigned to be in closer harmony with the aesthetic character of the neighborhood. The Upper Noe Neighborhood is not characterized by massive mansions which tower over their humble neighbors, casting them in perpetual shadows; and the addition of such a building would stand out dramatically.

VERY TRULY YOURS,

A handwritten signature in cursive script, appearing to read "Stephen M. Williams".

STEPHEN M. WILLIAMS

Exhibit 1



Planning Department

September 25, 2008

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, September 25, 2008

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Olague, Antonini, Lee and Moore

COMMISSIONER ABSENT: Miguel, Borden and Sugaya

THE MEETING WAS CALLED TO ORDER BY PRESIDENT OLAGUE AT 2:02 P.M.

STAFF IN ATTENDANCE: John Rahaim – Director of Planning, Larry Badiner – Zoning Administrator, Amit Ghosh – Chief Planner, AnMarie Rodgers, Tara Sullivan-Lenane, Sharon Lai, and Linda Avery – Commission Secretary.

► CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1a. 2008.0614D (B. FU: (415) 558-6613)

1366 SAN BRUNO AVENUE - west side, between 24th and 25th Streets; Lot 007 in Assessor's Block 4263, in a RH-3 (Residential, Three-Family House) District with a 40-X Height and Bulk Designation. The proposal is to demolish an existing two-family dwelling and construct a new three-family dwelling. Planning Code Section 317 requires **Mandatory Discretionary Review** of Demolition Permit Application No. 2007.03.21.6793 to demolish an existing two-family dwelling.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of September 11, 2008)

(Proposed for Continuance to October 16, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

1b. 2007.0040DV (B. FU: (415) 558-6613)

1366 SAN BRUNO AVENUE - west side, between 24th and 25th Streets; Lot 007 in Assessor's Block 4263, in a RH-3 (Residential, Three-Family House) District with a 40-X Height and Bulk Designation. Planning Code Section 317 requires **Mandatory Discretionary Review** for the new construction of units in association with demolition. Planning Code Section 317 requires Mandatory Discretionary Review of Building Permit Application No. 2007.03.21.6789 for the new construction of a three-family dwelling in association with the demolition.

(Continued from Regular Meeting of September 11, 2008)

(Proposed for continuance to October 16, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

1c. 2007.0040DV (B. FU: (415) 558-6613)

1366 SAN BRUNO AVENUE - west side, between 24th and 25th Streets; Lot 007 in Assessor's Block 4263, in a RH-3 (Residential, Three-Family House) District with a 40-X Height and Bulk Designation. Planning Code Section 317 requires **Mandatory Discretionary Review** for the new construction a three-family dwelling in association with demolition. Front setback, rear yard, and off-street parking Variances are required and will be considered by the Zoning Administrator.

(Continued from Regular Meeting of September 11, 2008)

(Proposed for continuance to October 16, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

2. 2006.0432E (P. SIEFERS: (415) 575-9045)

299 VALENCIA STREET - Lot 014 of Assessor's Block 3532, bounded by Valencia, 14th Street, Clinton Park Street (an alley), and Stevenson Street (an alley) - **Appeal of Preliminary Mitigated Negative Declaration**. The proposed project would include demolition of the existing paved parking lot which covers the 11,020 square foot site, a 222 square foot office shed, formerly a used car sales office, and a billboard sign extending above the west side of the site and construction of a five-story, mixed use building with 4,917 square feet of ground floor retail and 36 dwelling units. The building would contain 12 one-bedroom units and 24 two-bedroom units, of which four (4) are required to be below market rate. The application was filed prior to the March 23, 2006 date within the Planning Code that triggers an increase in the required percentage of below market units from 12 percent to 15 percent. The applicant proposes a total of 36 motorized vehicle parking spaces accessed via Stevenson Street, only thirty of which are permitted with a use permit under recently enacted Market-Octavia Plan and zoning controls. Ground floor retail would be divided into three spaces ranging from 1,479 square feet to 1,958 square feet and would be accessed via Valencia Street, 14th Street and the corner where these two streets intersect. Bicycle parking for 18 bicycles would be provided in the garage and accessible through the lobby. The project sponsor would seek approval from the SFMTA for one on-street loading space to be located adjacent to the elevator along 14th Street which could accommodate a service van or a small truck. No on-site freight or delivery spaces are proposed.

(Continued from Regular Meeting of July 24, 2008)

(Proposed for continuance to October 2, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

3a. 2007.0676D (E. WATTY: (415) 558-6620)

270 GRANADA AVENUE - east side between Ocean and Holloway Avenues, Lot 046 in Assessor's Block 6942 - **Mandatory Discretionary Review** pursuant to Planning Code Section 317, of Building Permit Application No. 2007.04.24.9480, proposing the demolition of a one-story, single-family dwelling, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Continued from Regular Meeting of September 4, 2008)

(Proposed for continuance to October 2, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

3b. 2008.0752D (E. WATTY: (415) 558-6620)

270 GRANADA AVENUE - east side between Ocean and Holloway Avenues, Lot 046 in Assessor's Block 6942 - **Mandatory Discretionary Review** pursuant to Planning Code Section 317, of Building Permit Application No. 2007.04.24.9487, proposing the construction of a new three-story, two-family dwelling, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the new construction as proposed.

(Continued from Regular Meeting of September 4, 2008)

(Proposed for continuance to October 2, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

4. 2008.0987D (A. BEN-PAZI: (415) 575-9077)

652 KEARNY STREET - east side between Clay and Commercial Streets, Lot 036 in Assessor's Block 0227 - **Staff-Initiated Discretionary Review** of Building Permit Application No. 2008.03.05.6385, proposing a 7-Eleven store in the ground floor of an existing two-story commercial building in the Chinatown Community Business District and a 50-N Height and Bulk District.

(Proposed for continuance to October 16, 2008)

SPEAKER(S): None

ACTION: Continued to October 23, 2008

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

5. 2008.0939Z (T. SULLIVAN-LENANE: (415) 558-6257)

401-421 SHIELDS STREET - southwest corner at Ramsell Street, Lots 001, 046, 047, 048 in Assessor's Block 7074 - The Planning Commission will consider a **Planning Code Map Amendment** pursuant to Planning Code Section 302 and 306.3 that would include: (1) rezoning Block 7074 / Lots 001, 046, 047, and 048 from P (Public Use) to RH-1 (Residential, Single-Family) on Planning Code Map Sheet ZN12. The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors, and adopt findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Preliminary Recommendation: Approval.

(Proposed for continuance to October 16, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

6. 2006.0070T (C. NIKITAS: (415) 558-6306)

LEGISLATION TO CONTROL THE LOSS OF DWELLING UNITS- Code Implementation Document -

Proposed procedures and criteria to implement newly-adopted Code Section 317 requiring Planning Commission hearings for the removal of certain dwelling and live-work units. The document also sets numerical criteria, some of which are subject to administrative adjustment in response to changing economic conditions.

Preliminary Recommendation: Adoption

(Continued from Regular Meeting of August 7, 2008)

(Proposed for continuance to October 23, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

7. 2005.0911E: (L. KIENKER (415) 575-9036)

616 DIVISADERO STREET aka Harding Theater - east side between Hayes and Grove Streets, Lot 002J in Assessor's Block 1202 - **Appeal of Preliminary Mitigated Negative Declaration**. The proposed project is to adaptively reuse the Harding Theater as a mixed-use commercial building, called The Harding, divided into at least four tenant spaces, replacement installation of the 1930's marquee and blade sign, demolition of the theater backstage and, on the undeveloped portion of the lot facing Hayes Street, new construction of a five-story, eight-unit condominium, called Harding Place, with up to a project total of 19 off-street parking spaces accessed from Hayes Street, and the approximately 13,700-sf lot subdivided into a separate parcel for each building. This project is located within the NC-2 (Small-scale Neighborhood Commercial) District and 65-A Height and Bulk District

(The Preliminary Mitigated Negative Declaration has been rescinded. The Appeal is no longer applicable.)

THE APPEAL WAS RESCINDED

8a. 2005.0911CV (G. CABREROS: (415) 558-6169)

616 DIVISADERO STREET - east side between Hayes and Grove Streets, Lot 002J in Assessor's Block 1202 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303, 711.11 and 711.21 to allow development of a lot greater than 9,999 square feet and to allow non-residential uses greater than 3,999 square feet for the alteration and re-use of an existing building (the vacant Harding Theater) into four commercial spaces and for the new construction of a five-story, eight-unit building fronting Hayes Street within the NC-2 (Small-Scale Neighborhood Commercial) District, the Divisadero Street Alcohol Restricted Use District and a 65-A Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of July 17, 2008)

(Proposed for continuance to November 6, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

8b. 2005.0911CV (G. CABREROS: (415) 558-6169)

616 DIVISADERO STREET - east side between Hayes and Grove Streets, Lot 002J in Assessor's Block 1202 - **Request for Rear Yard and Dwelling Unit Exposure Variances** from Planning Code Sections 134 and 140 to allow the new construction of a five-story, eight-unit residential building fronting Hayes Street (1278 Hayes Street) proposing a 15-foot rear yard where a 25-percent rear yard measuring 29 feet is required. Four units would face onto the proposed reduced rear yard and therefore do not meet the dwelling unit exposure requirement. The proposed residential building is within the NC-2 (Small-Scale Neighborhood Commercial) District, the Divisadero Street Alcohol Restricted Use District and a 65-A Height and Bulk District.

(Proposed for continuance to November 6, 2008)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

B. COMMISSIONERS' QUESTIONS AND MATTERS (Tape 1A)

9. Commission Comments/Questions

- ▶ Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
- ▶ Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

Commissioner Lee

1. Last week we had the Peskin's legislation about banding formula retail stores and the issue that I brought up about the availability of hardware stores and shoe repairs in Chinatown.
2. As I promised, I would like to hand this out for staff to provide to people that are looking for shoe repair and hardware stores near North Beach. There is plenty to go out.
3. Secondly; before Director Rahaim joined this department, I did ask that the AIA work with Planning staff regarding training in whatever area is needed.
4. It has come to my attention, apparently, that we have not used anyone from AIA, to my knowledge, to actually do pro-bono work with staff in looking at architectural design.
5. Maybe the Director [Rahaim] can find out and report on that next week.
6. Finally, two weeks ago I was reading the Real State section of the Chronicle that talks about China is not to the West.
7. There was a picture of the Shanghai Planning Museum and I want to pass this out to the department because this is what most cities in China are doing - they actually have a 3-dimesional model of what the city would look like.
8. I thought that this might not be a bad idea for either Friends of City Planning to pay for something like that or maybe even SPUR or AIA to draw it out for the general public to look at it and have a sense of how things fit in.

Commissioner Antonini

- I made some comments this morning during our hearing on greening but I think they are worthy of re-mentioning and that is in regards to the situation that was described in an article on SPUR in contrast of the payroll tax in San Francisco in comparison with other cities in the Bay Area.
- That was very striking that ours being an average of \$61,000 compared to \$8,000 in Oakland, \$4,000 in San Jose.
- Obviously, there are instances where in some of these other jurisdictions they do some other tax methods but I think that is an alarming figure.
- In that same thing, there was a proposal circulating to have a greening tax that might be able to be used to displace some of this and the advantage with that is there might be more control in keeping businesses in San Francisco.
- I think this other idea presents some alternatives and we have to look at it.

Commissioner Moore

- I just want to add a little comment to Commissioner Lee's idea about the model.
- I have seen the model and worked with it. This model is probably at a cost of \$4 or \$5 million dollars.
- It would be a great idea but in the way that models are built here, that is a far shot and I want to protect our Friends of San Francisco Planning.

Commissioner Olague

- I would like to know the schedule of the Market – Octavia Plan before [inaudible] Advisory Committee.

C. DIRECTOR'S REPORT (Tape IA)

10. Director's Announcements

Director Rahaim

- We had the latest series of meetings on the Transit Center Plan about a week and a half ago.
- The way we are structuring those meetings is that as we develop additional thoughts on that plan, we are having the public meetings to get public reaction.
- This meeting was about certain urban design and streetscape proposals, building form proposals, retail requirements and that sort of things.
- We are still on schedule to have the draft plan for the Transit Center to complete by the end of the year and then we will spend several months taking public comments.
- The Draft EIR is due next June at the end of the draft planning process. We will be coming back to the Commission next month and there would be another public meeting in November.
- There have been two hearings on the Eastern Neighborhoods at the Land Use Committee, one on PDR issues and one on housing.
- You had asked for an additional hearing on The Presidio Trust and Master Plan. The only date that works for your schedule is October 16 and the Presidio is not able to make that date.
- Our suggestion, and we talked to President Olague about this, is to schedule time on next week to discuss a draft of a letter that you would send to the Trust.
- We are drafting that letter now and will have it in your packet. The content would be based on the comments that you all made at the hearing that we had on this.
- Other internal things: MEA [Major Environmental Analysis] of the Department has issued new guideline to consultants on how they are to do their work.
- Those were issued on September 11 and they are guidelines for consultants preparing the CEQA documents. They are attempting to standardize the way we do the documents.
- Tomorrow morning I am making some opening comments at a conference that is sponsored by the Urban Land Institute on transit oriented development.
- You should have received invitations that the week after next we are sponsoring a week long visit by Jon Gahl, urban designer from Denmark, who is doing some work for us in the department.
- We are scheduling a series of meetings and workshops with him. We will send you more details on those.

11. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOARD OF SUPERVISORS:

[Tape malfunction/Comments were unclear]

BOARD OF APPEALS:

None

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKER(S)

Patricia Vaughey and Tenants769NP@yahoo.com

E. REGULAR CALENDAR

12. 2008.0782T (**Tape IA; IB**) (T. SULLIVAN-LENANE: (415) 558-6257)

AMENDMENTS RELATING TO PLANNING CODE SECTIONS 725.1 AND 725.42 OF THE UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT [BOARD FILE NO. 08-0872] - **Ordinance introduced by Supervisor Alioto-Pier amending Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District** to provide for a limited number of new full-service restaurant and liquor licenses that satisfy specific requirements and obtain conditional use authorization, making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of September 18, 2008)

SPEAKERS: Dennis Beckman, Michael Williams, Eleanor Carpenter, Jenny Benton, Robert E, Patricia Vaughey, Paul Wermer, Robert Bardell, Pamela Mendelsonn

ACTION: Approved

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

RESOLUTION: 17703

13. 2008.0850B (C. NIKITAS: (415) 558-6306)

MissionBay Blocks 26, 27, 29-32, 33-34, and 41-43 - **Proposed creation of the Alexandria Life Sciences and Technology Mission Bay Development District, for design review and office allocation** pursuant to Planning Code Section 321, including previously authorized projects and future projects, to limit the total office space and create a pooled allocation within the District. The sites are located in Mission Bay South under a single ownership.

(Continued from Regular Meeting of August 7, 2008)

Preliminary Recommendation: *Approval with conditions.*

SPEAKER(S): None

ACTION: Without hearing, continued to October 2, 2008

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

14. 2008.0484B (E. JACKSON: (415) 558-6363)

600 TERRY FRANCOIS BOULEVARD - corner of South Street and Terry Francois Boulevard, aka Mission Bay South Block 30; aka Lot 001 in Assessor's Block 8722 - **Application for design review and office allocation** pursuant to Planning Code Section 321 to construct a new, approximately 332,395 gross square foot laboratory/office building, 6 stories and approximately 90 feet in height, requesting up to 312,932 square feet of office space. Off-street parking will be provided off-site, in a parking garage to be provided on Block 29. The site is located in the Mission Bay Commercial-Industrial-Retail

Zoning District with an HZ-5 Height and Bulk designation.

(Continued from Regular Meeting of August 7, 2008)

Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, continued to October 2, 2008

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

15. 2008.0483B (E. JACKSON: (415) 558-6363)

650 TERRY FRANCOIS BOULEVARD - southeast corner, aka Mission Bay South Block 32; aka Lot 001 in Assessor's Block 8722 - **Application for design review and office allocation** pursuant to Planning Code Section 321 to construct a new, approximately 305,673 gross square foot laboratory/office building, 6 stories and approximately 90 feet in height, requesting up to 291,367 square feet of office space. Off-street parking will be provided off-site, in a parking garage to be provided on Block 29B. The site is located in the Mission Bay Commercial-Industrial-Retail Zoning District with an HZ-5 Height and Bulk designation.

(Continued from Regular Meeting of August 7, 2008)

Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, continued to October 2, 2008

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

16. 2008.0690B (E. JACKSON: (415) 558-6363)

1450 OWENS STREET - north of 16th Street, aka Mission Bay South Blocks 41-43, Parcel 7; aka Lot 006 in Assessor's Block 8709 - **Application for design review and office allocation** pursuant to Planning Code Section 321 to construct a new, approximately 61,581 gross square foot laboratory/office building, 2 stories and approximately 39 feet in height, requesting up to 61,581 square feet of office space. Off-street parking will be provided off-site, in a parking garage to be provided on Parcel 6. The site is located in the Mission Bay Commercial-Industrial Zoning District with an HZ-7 Height and Bulk designation.

(Continued from Regular Meeting of August 7, 2008)

Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, continued to October 2, 2008

AYES: Olague, Antonini, Lee and Moore

ABSENT: Miguel, Borden and Sugaya

17. 2008.0847D (T. FRYE: (415) 575-6822)

1200 19TH STREET - northwest corner of 19th and Mississippi Street, Assessor's Block 4038; Lot 009 - **Request of Discretionary Review** for Building Permit Application No. 2003.10.09.7072 to construct a new 2-unit, 3-story plus penthouse residential building within an RH-2 (Residential, Two-Family) District with a 40-X Height and Bulk Designation.

Preliminary Recommendation: Do not take Discretionary Review and approve the project

(Continued from Regular Meeting of September 11, 2008)

NOTE: On calendar in error - On 9/11/08 the commission continued this item to 10/16/08

18. 2008.0572D (Tape IB) (S. LAI: (415) 575-9087)

437 HOFFMAN AVENUE - east side between 24th and 25th Streets, Lots 024, in Assessor's Block 6503 - **Mandatory Discretionary Review**, pursuant to Planning Code Section 317, of Building Permit Application No. 2008.06.27.5494 proposing the dwelling unit merger from two dwelling units into one single-family home. The property is located within a RH-2 (Residential House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove

SPEAKERS: Bill Poshalinsky, Michael Rileg

On the motion to not take discretionary review and approved:

AYES: Antonini and Lee

NAYES: Olague and Moore

ABSENT: Miguel, Borden and Sugaya

Motion failed

ACTION: In the absence of a successful motion to not take discretionary review and approve or take discretionary review and approve with modifications or to disapprove, the project is approved as proposed.

DRA: 0024

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or

1. directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS: None

Adjournment: **4:05 P.M.**

Adopted: August 13, 2009

Exhibit 2



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Dwelling Unit Merger

HEARING DATE SEPTEMBER 25, 2008

Date: September 16, 2008
Case No.: 2008.0572 D
Project Address: 437 Hoffman Avenue
Zoning: RH-2 (Residential, Mixed, Moderate Density)
40-X Height and Bulk District
Block/Lot: 6503/024
Project Sponsor: William Pashelinsky
1937 Hayes Street
San Francisco, CA 94117
Staff Contact: Sharon Lai - (415) 575-9087
sharon.lai@sfgov.org
Recommendation: Take Discretionary Review and Disapprove

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

EXISTING BUILDING		PROPOSED BUILDING	
Building Permit Application Number	2008.06.27.5494		
Number Of Existing Units	2	Number Of New Units	1
Existing Parking	0	New Parking	0
Number Of Existing Bedrooms	3	Number Of New Bedrooms	3
Existing Building Area	±2,105Sq. Ft.	New Building Area	±2,105Sq. Ft.
		Public DR Also Filed?	No
311 Expiration Date	9/18/08	Date Time & Materials Fees Paid	N/A

PROJECT DESCRIPTION

The Project is located on a downward sloping lot, where the sidewalk grade is located at the second floor level, in a RH-2 (Residential, House, Two-Family) District. The lot contains two dwelling-units within a three-story building, which was constructed circa 1905. The lower unit occupies the first floor and the upper unit occupies the second and third floors. The Building Permit Application proposes to reduce the number of legal dwelling units from two-dwelling units into a single-family house by constructing a new interior staircase, removing the lower level kitchen, and replacing the lower unit front door with a window (not visible from the street). The resulting single-family house will be a 3-bedroom and 2-bath dwelling unit.

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	0	0

PROJECT ANALYSIS

DWELLING UNIT MERGER CRITERIA

Below are the five criteria to be considered by the Planning Commission in evaluating dwelling unit mergers, per Planning Code Section 317, adopted on May 18, 2008:

1. Removal of the unit(s) would only eliminate owner occupied housing.

Project Meets Criteria.

The current owners purchased the property in 2006 and have been occupying the units since.

2. Removal of the unit(s) and the merger with another is intended for owner occupancy.

Project Meets Criteria.

3. Removal of the unit(s) will bring the building closer into conformance with the prevailing density in its immediate area and the same zoning.

Project Does Not Meet Criteria.

The properties in the immediate area within 150 feet of the subject property, between 24th and 25th Streets are zoned RH-2. Of the 42 properties surveyed in the immediate area, including the subject property, 40% (17) of the lots are multi-family dwellings. The average density for these 42 properties is approximately 1.5 units per lot. Therefore, the density resulting from this merger will not be in keeping with the prevailing density pattern of the immediate area.

4. Removal of the unit(s) will bring the building closer into conformance with prescribed zoning.

Project Does Not Meet Criteria

The subject property's current density is in conformance with the prescribed RH-2 zoning, in that there are two existing legal units. The proposed unit removal will not bring the building closer into conformance with the prescribed zoning, which permits two-units.

5. Removal of the unit(s) is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations.

ENVIRONMENTAL REVIEW

The Project was issued an Administrative Categorical Exemption, Classes 1, Category B, Guidelines Section 15301(1)(1) and 15303(b)) on September 8, 2008.

BASIS FOR RECOMMENDATION

The Department recommends that the dwelling-unit merger from two-dwelling units to a single-family dwelling to be disapproved. The Department's recommendation is consistent with the Objectives and Policies of the General Plan and does not meet the criteria set forth in Section 101.1 and 317 of the Planning Code in that:

- The Project will result in a net loss of one dwelling-unit.
- The Project will eliminate two existing sound, smaller dwelling-units to create one larger, less affordable home.
- The RH-2 Zoning District allows a maximum of two dwelling-units on this lot. This District is intended to accommodate a greater density than what currently exists, and several of the surrounding properties reflect this ability to accommodate the maximum density. The Project is therefore an inappropriate development per the General Plan.

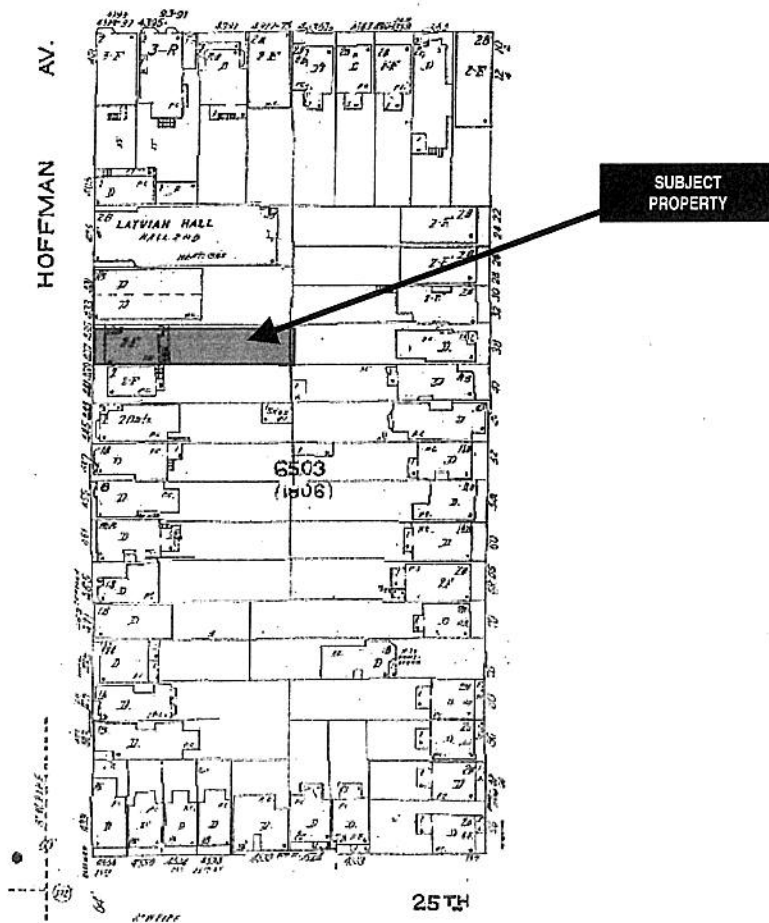
RECOMMENDATION:

Take DR and disapprove the merger.

Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Site Photo
Section 311 Notice
Discretionary Review Application
Response to DUM Criteria
Historic Resource Review Form
Reduced Plans
Context Photos

Sanborn Map*

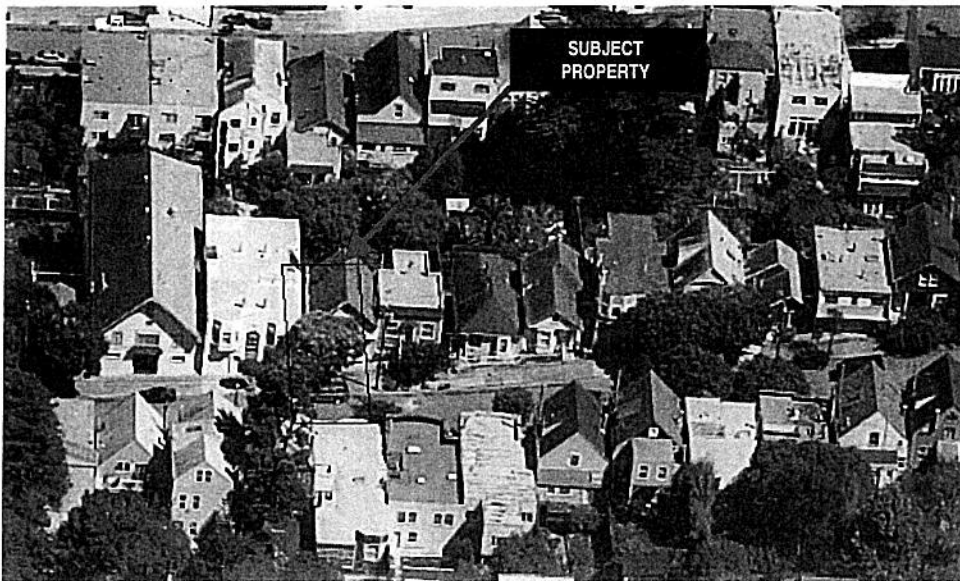


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

**Aerial Photo
View from East**



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

Site Photo

SUBJECT
PROPERTY



Mandatory Discretionary Review
Case Number 2008.0572D
Dwelling Unit Merger
437 Hoffman Avenue

APPLICATION REQUESTING DISCRETIONARY REVIEW ("D.R.")

This application is for projects where there are exceptional and extraordinary circumstances that justify further consideration, even though the project already meets requirements of the Planning Code, City General Plan and Priority Policies of the Planning Code.

D.R. Applicant's Name William Paschelnsky Telephone No: 415-379-3676

D.R. Applicant's Address 1937 Hayer Street
Number & Street (Apt. #)
San Francisco, Ca. 94117
City Zip Code

D.R. Applicant's telephone number (for Planning Department to contact): 415-379-3676
If you are acting as the agent for another person(s) in making this request please indicate the name and address of that person(s) (if applicable):

Name Dan Maley Telephone No: _____

Address 437 Hoffman St.
Number & Street (Apt. #)
San Francisco, Ca. 94114
City Zip Code

Address of the property that you are requesting the Commission consider under the Discretionary Review: 437 Hoffman Street

Name and phone number of the property owner who is doing the project on which you are requesting D.R.: W.A.

Building Permit Application Number of the project for which you are requesting D.R.: W.A.

Where is your property located in relation to the permit applicant's property?
W.A.

A. ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

Citizens should make very effort to resolve disputes before requesting D.R. Listed below are a variety of ways and resources to help this happen.

1. Have you discussed this project with the permit applicant? YES ☒ NO ☐
2. Did you discuss the project with the Planning Department permit review planner? YES ☒ NO ☐
3. Did you participate in outside mediation on this case? Community Board ☒ Other ☒ NO ☐

Please write (in ink) or type your answers on this form. Please feel free to attach additional sheets to this form to continue with any additional information that does not fit on this form.

CHECKLIST FOR APPLICANT:

Indicate which of the following are included with this Application:

REQUIRED:

- G** Check made payable to Planning Department (see current fee schedule).
- G** Address list for nearby property owners, in label format, plus photocopy of labels.
- G** Letter of authorization for representative/agent of D.R. applicant (if applicable).
- G** Photocopy of this completed application.

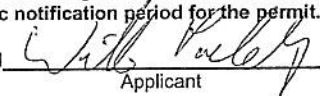
OPTIONAL:

- G** Photographs that illustrate your concerns.
- G** Covenants or Deed Restrictions.
- G** Other Items (specify).

File this objection in person at the Planning Information Center. If you have questions about this form, please contact Information Center Staff from 8 a.m. to 5 p.m., Monday to Friday.

Plan to attend the Planning Commission public hearing which must be scheduled after the close of the public notification period for the permit.

Signed


Applicant

5/14/08
Date

b). This area of Noe Valley not only consist predominantly of single family homes but is also an area comprised of families with children. The area and style of housing make this conducive to family living. Two blocks away is a park with a children's playground. The upper level of unit does not meet the needs of the family style living. The upper level unit has only 2 bedrooms and no family room. The Danes currently have one child with another on the way. The combination of the units would provide the needed space. The additional space would also provide a guestroom for visiting grandparents.

An addition to the rear is possible but would result in increasing the size of the lower floors with unneeded space. The result would be a 4 story rear yard addition, changing the "cottage feeling" of the current house and out of character with the neighborhood.

The house was built originally (1905) as a single family home. While the Danes use this house for themselves the connecting stair between the 1st and 2nd floor was removed. The merger will allow us to rebuild the stairs.

William Pashelinsky
Architect

X	4. Window replacement or installation of new openings at non-visible facades.
	5. Construction of deck or terrace that is not visible from any immediately adjacent public right-of-way.
	6. Installation of mechanical equipment at the roof which is not visible from any immediately adjacent public right-of-way.
	7. Installation of dormers that meet the requirements for exemption from public notification under <i>Zoning Administrator Bulletin: Dormer Windows, No. 96.2</i> .
	8. Installation of garage opening that meets the requirements of <i>Zoning Administrator Bulletin: Procedures and Criteria for Adding Garages to Existing Residential Structures, No. 2006.1b</i> .
	9. Horizontal addition that is not visible from the adjacent public right-of-way for 150' in each direction; does not extend vertically beyond the floor level of the top story of the structure; and does not have a footprint that is more than 50% larger than that of the original building.
	10. Vertical addition that is not visible from the adjacent public right-of-way for 150' in each direction; is only a single story in height; and does not cause the removal of architectural significant roofing features such as ornate dormers, towers, or slate shingles.

Preservation Technical Specialist Review Required for work listed below:

	11. Window replacement at visible facades that is not in-kind but meets the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> .
	12. Sign installation at Category A properties.
	13. Façade alterations that do not cause the removal or alteration of any significant architectural features (i.e. storefront replacement, new openings, or new elements).
	14. Raising the building.
	15. Horizontal or vertical additions, including mechanical equipment, that are minimally visible from a public right-of-way and that meet the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> .
	16. Misc.

STEP 4: RECOMMENDATION

☒ No Further Historical Resource Review Required.

☐ Further Historical Resource Review Required: File *Environmental Exemption Application*.

Notes: Spoke w/ Sophie Middlebrook, Tech Spec. Door change to window would be permitted by right because it is not visible from street.

Planner Name: SHARON LAI

Signature: [Signature]

Date: 9/8/09

Preservation Technical Specialist Name: _____

Signature: _____

Date: _____

Save to [I:\Building Permit Applications or I:\Cases].

If "Category A," save to [I:\MEA\Historical Resources\Category A Admin Catex].

Exhibit 3

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 11/3/2015 5:30:50 PM

Application Number: 200806275494

Form Number: 3

Address(es): 6503 / 024 / 0437 HOFFMAN AV

Description: MERGE 2 UNITS INTO 1 UNIT. REMOVE KITCHEN @ 1ST FLOOR. CONSTRUCT STAIRS BETWEEN 1ST & 2ND FLOOR. EXISTING DECK TO COMPLY LATERALLY TO SFBC '2010 CODE.

Cost: \$10,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
6/27/2008	TRIAGE	
6/27/2008	FILING	
6/27/2008	FILED	
7/31/2012	APPROVED	
7/31/2012	ISSUED	
7/12/2013	COMPLETE	1732975 Final Inspection/Approved

Contact Details:

Contractor Details:

License Number: OWN

Name: OWNER OWNER

Company Name: OWNER

Address: OWNER * OWNER CA 00000-0000

Phone:

Addenda Details:

Description: SITE

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CPB	6/27/08	6/27/08			6/27/08	DANG DENNIS	
2	PPC	6/27/08	6/27/08			7/24/12	SAMARASINGHE GILES	7/24/12: to CPB.grs 8-18-11: Route to CP-Zoc. sjf 6/8/11: Plans in HOLD BIN. 4-13-11: Applicant submit Revision 1 to CP-Zoc/Sharol Lai. sjf 6-27-08: Per Bill, add SFPUC for review. Route to CP-Zoc. sjf
3	CP-ZOC	6/27/08	6/30/08			5/26/11	LAI SHARON	Dwelling unit merger approved per DRA-024
4	CP-NP	8/19/08	8/19/08	8/19/08		5/26/11	LAI SHARON	Sec 311 mailed 8/19/08 exp 9/18/08
5	BLDG	5/27/11	6/2/11	6/2/11		8/18/11	LE THOMAS	
6	DPW-BSM	6/2/11	6/6/11			6/6/11	GAIME BERHANE	NO ALTERATION OR CONSTRUCTION OF CITY RIGHT OF WAY UNDER THIS PERMIT No Street space!
7	SFPUC	6/7/11	6/7/11			6/7/11	SZU-WHITNEY MONICA	Capacity charge not applicable. Route to PPC. 06/07/11.
8	CP-ZOC	8/18/11	8/24/11			8/24/11	LAI SHARON	Approve revisions, no expansion
9	ADMIN	7/26/12	7/26/12			7/31/12	YU ANNE	07/26/12: NOC ISSUED. CANCEL ON 08/16/12.GJS 07/26/12: Application and plans in administration holdbin.ay 7/31/12:Extension paid.New cancel date 5/16/13.Application and plans returned to CPB.Receipt of Payment sent.ay
10	CPB	7/24/12	7/31/12			7/31/12	CHAN AMARIS	APPROV & ISSUE BY AMARIS. 07/25/12 HAND CARRY TO GARLAND SIMPSON FOR SENT OUT A NOTICE OF EXTENSION (KS)

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Time	Description	Time Slot
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Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
7/12/2013	Fergal Clancy	FINAL INSPECT/APPRVD	CFC ISSUED
3/18/2013	Fergal Clancy	ROUGH FRAME, PARTIAL	CORRECTION REQUIRED
2/6/2013	Robert Power	FINAL INSPECT/APPRVD	REINSPECT REQUIRED

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
-------------	----------------	--------------	-----------------	-------------	---------

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking](#) home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

[Contact SFGov](#)
[Accessibility](#)
[Policies](#)
 City and County of San Francisco ©2000-2009

Welcome to our Permit / Complaint Tracking System!

Below is a list of all agents for the selected permit, along with their roles on the project.

Permit Number: 200806275494

	Firm Name▲	Agent Name	Role	From	To
Info	OWNER	OWNER OWNER	CONTRACTOR	7/31/2012	
Info	WILLIAM PASHELINSKY ARCH	ERIN PASHELINSKY	ARCHITECT	6/27/2008	
1					

[Online Permit and Complaint Tracking home page.](#)

Technical Support for Online Services

If you need help or have a question about this service, please visit our [FAQ area](#).

[Contact SFGov](#) [Accessibility](#) [Policies](#)
City and County of San Francisco ©2000-2009

Exhibit 4

Recording Requested By:
VERDUGO TRUSTEE SERVICE CORPORATION

When Recorded Return To:
Current Trustor:
MICHELLE L JACOBI
DANE W RILEY
435 HOFFMAN AVE #437
SAN FRANCISCO, CA 94114-3513

San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2010-J049303-00
Check Number 5822/3487
Mednesday, SEP 15, 2010 13:29:39
Ttl Pd \$11.00 Rcpt # 0003994100
REEL K229 IMAGE 0744
ota/TD/1-1

FULL RECONVEYANCE

CITIMORTGAGE, INC. #0770830782 "JACOBI" Lender ID:001000770830782 San Francisco, California
Prepared By: ALEXANDER NOPULOS, VERDUGO TRUSTEE SERVICE CORP PO BOX 9443, GAITHERSBURG, MD 20898 1-800-283-7918

VERDUGO TRUSTEE SERVICE CORPORATION as present Trustee for the Deed of Trust executed by MICHELLE LEE JACOBI AND DANE W RILEY, A SINGLE MAN as Trustor(s), Dated: 10/23/2006 Recorded: 11/07/2006 in Book/Reel/Liber: J282 Page/Folio: 0029 as Instrument No.: 2006-1280044-00 of official Records in the office of the County Recorder of San Francisco, California having been requested in writing, by the holder of the obligations secured by said Deed of Trust, to reconvey the estate granted to trustee under said Deed of Trust, does hereby reconvey to the person or persons legally entitled thereto, without warranty, all the estate, title and interest acquired by Trustee under said Deed of Trust.

Assessor's/Tax ID No. LOT 024 BLOCK 6503

IN WITNESS WHEREOF, VERDUGO TRUSTEE SERVICE CORPORATION as the Trustee has caused its corporate name to be affixed by a duly authorized officer on the date shown in the acknowledgment certificate below:

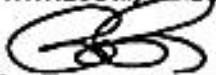
On August 20th, 2010
By: VERDUGO TRUSTEE SERVICE CORPORATION as Trustee


DENNIS MYERS, VICE PRESIDENT

STATE OF Maryland
COUNTY OF Washington

On this 20th day of August 2010, before me, the undersigned officer personally appeared DENNIS MYERS, who made acknowledgment on behalf of VERDUGO TRUSTEE SERVICE CORPORATION, who acknowledges himself/herself to be the VICE PRESIDENT of VERDUGO TRUSTEE SERVICE CORPORATION, a corporation, and that he/she as such VICE PRESIDENT, being authorized so to do, executed the foregoing instrument in their capacity for the purposes therein contained, by signing the name of the corporation by himself/herself as VICE PRESIDENT.

WITNESS my hand and official seal,


V. ROBIN RAU
Notary Expires: 12/31/2011

V. Robin Rau
Notary Public
Washington Co., MD

(This area for notarial seal)



San Francisco Assessor-Recorder
 Phil Ting, Assessor-Recorder
DOC- 2011-J261580-00

Acct 11-FIDELITY NATIONAL Title Company
 Tuesday, AUG 30, 2011 08:00:00
 Ttl Pd \$58.00 Rcpt # 0004233593
REEL. K471 IMAGE 0091
 ofa/FT/1-20

WHEN RECORDED MAIL TO

Union Bank, N.A.
 Document Follow-Up Department
 M-520
 8248 Mercury Court, Suite B
 San Diego, CA 92111

FNT 555462

6503/024

435-437 Hazman Ave (Space Above this Line for Recording Data)

Deed of Trust

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain Rules regarding the usage of words used in this document are also provided in Section 18.

(A) "Security Instrument" means this document, which is dated August 19, 2011 together with all Riders to this document.

(B) "Borrower" is
 VIVEK MITTAL AND POOJA MITTAL, HUSBAND AND WIFE

Borrower is the trustor under this Security Instrument.

(C) "Lender" is Union Bank, N.A., its successors and/or assigns. Lender is a National Banking Association organized and existing under the laws of California. Lender's address is Residential Loan Department, P.O. Box 85843, San Diego, CA 92186-5843. Lender is the beneficiary under this Security Instrument.

(D) "Trustee" is Unionbancal Mortgage Corporation.

(E) "Note" means the promissory note signed by Borrower and dated August 19, 2011.
 The Note states that Borrower owes Lender

NINE HUNDRED TWENTY-EIGHT THOUSAND AND 00/100

Dollars (U.S. \$ 928,000.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than September 1, 2051.

(F) "Property" means the property that is described below under the heading, "Transfer of Rights in the Property."

(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(H) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower (check box as applicable):

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider | <input type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Balloon Rider | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> Other(s) (specify) |
| <input checked="" type="checkbox"/> 1-4 Family Rider | <input type="checkbox"/> Biweekly Payment Rider | |

(I) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(J) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(K) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(L) "Escrow Items" means those items that are described in Section 3.

(M) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(N) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(O) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(P) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(Q) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

County of SAN FRANCISCO.
(Type of Recording Jurisdiction) (Name of Recording Jurisdiction)

"See Attached Legal Description"

Assessor's Identification Number LOT 24, BLOCK 6503

which currently has the address of 435-437 HOFFMAN AVENUE

SAN FRANCISCO, California 94114 (Property Address):
(City) (Zip Code)

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

Loan No. 895 1958117

CALIFORNIA-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT
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UB0000 (06/04)

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. **Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges.** Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note, or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

2. **Application of Payments or Proceeds.** Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments if, and to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary prepayments shall be applied first to any prepayment charges and then as described in the Note.

Any application of payments, insurance proceeds, or Miscellaneous Proceeds to principal due under the Note shall not extend or postpone the due date, or change the amount, of the Periodic Payments.

3. **Funds for Escrow Items.** Borrower shall pay to Lender on the day Periodic Payments are due under the Note, until the Note is paid in full, a sum (the "Funds") to provide for payment of amounts due for: (a) taxes and assessments and other items which can attain priority over this Security Instrument as a lien or encumbrance on the Property; (b) leasehold payments or ground rents on the Property, if any; (c) premiums for any and all insurance required by Lender under Section 5; and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10. These items are called "Escrow Items". At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and

Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow item. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section. Borrower shall pay Lender the Funds for Escrow items unless Lender waives Borrower's obligation to pay the Funds to any or all Escrow items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all Escrow items at any time. Any such waiver may only be in writing. In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require. Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow item, Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount. Lender may revoke the waiver as to any or all Escrow items at any time by a notice given in accordance with Section 15, and, upon such revocation, Borrower shall pay to Lender all Funds, and in such amounts, that are then required under this Section 3.

Lender may, at any time, collect and hold Funds in an amount (a) sufficient to permit Lender to apply the Funds at the time specified under RESPA, and (b) not to exceed the maximum amount a lender can require under RESPA. Lender shall estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow items or otherwise in accordance with Applicable Law.

The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentally, or entity (including Lender, if Lender is an institution whose deposits are so insured) or in any Federal Home Loan Bank. Lender shall apply the Funds to pay the Escrow items no later than the time specified under RESPA. Lender shall not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow items, unless Lender pays Borrower interest on the Funds and Applicable Law permits Lender to make such a charge. Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Funds, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Borrower and Lender can agree in writing, however, that interest shall be paid on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds as required by RESPA.

If there is a surplus of Funds held in escrow, as defined under RESPA, Lender shall account to Borrower for the excess funds in accordance with RESPA. If there is a shortage of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the shortage in accordance with RESPA, but in no more than 12 monthly payments. If there is a deficiency of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the deficiency in accordance with RESPA, but in no more than 12 monthly payments.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender.

4. Charges; Liens. Borrower shall pay all taxes, assessments, charges, fines and impositions attributable to the Property which can attain priority over this Security Instrument, leasehold payments or ground rents on the Property, if any, and Community Association Dues, Fees, and Assessments, if any. To the extent that these items are Escrow items, Borrower shall pay them in the manner provided in Section 3.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender, but only so long as Borrower is performing such agreement; (b) contests the lien in good faith by, or defends against enforcement of the lien in, legal proceedings which in Lender's opinion operate to prevent the enforcement of the lien while those proceedings are pending, but only until such proceedings are concluded; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien which can attain priority over this Security Instrument, Lender may give Borrower a notice identifying the lien. Within 10 days of the date on which that notice is given, Borrower shall satisfy the lien or take one or more of the actions set forth above in this Section 4.

Lender may require Borrower to pay a one-time charge for a real estate tax verification and/or reporting service used by Lender in connection with this Loan.

5. Property Insurance. Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage", and any other

hazards including, but not limited to, earthquakes and floods, for which Lender requires insurance. This insurance shall be maintained in the amounts (including deductible levels) and for the periods that Lender requires. What Lender requires pursuant to the preceding sentences can change during the term of the Loan. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's right to disapprove Borrower's choice, which right shall not be exercised unreasonably. Lender may require Borrower to pay, in connection with this Loan, either: (a) a one-time charge for flood zone determination, certification and tracking services; or (b) a one-time charge for flood zone determination and certification services and subsequent charges each time remappings or similar changes occur which reasonably might affect such determination or certification. Borrower shall also be responsible for the payment of any fees imposed by the Federal Emergency Management Agency in connection with the review of any flood zone determination resulting from an objection by Borrower.

If Borrower fails to maintain any of the coverages described above, Lender may obtain insurance coverage, at Lender's option and Borrower's expense. Lender is under no obligation to purchase any particular type or amount of coverage. Therefore, such coverage shall cover Lender, but might or might not protect Borrower, Borrower's equity in the Property, or the contents of the Property, against any risk, hazard or liability and might provide greater or lesser coverage than was previously in effect. Borrower acknowledges that the cost of the insurance coverage so obtained might significantly exceed the cost of insurance that Borrower could have obtained. Any amounts disbursed by Lender under this Section 5 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

All insurance policies required by Lender and renewals of such policies shall be subject to Lender's right to disapprove such policies, shall include a standard mortgage clause, and shall name Lender as mortgagee and/or as an additional loss payee and Borrower further agrees to generally assign rights to insurance proceeds to the holder of the Note up to the amount of the outstanding loan balance. Lender shall have the right to hold the policies and renewal certificates. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. If Borrower obtains any form of insurance coverage, not otherwise required by Lender, for damage to, or destruction of, the Property, such policy shall include a standard mortgage clause and shall name Lender as mortgagee and/or as an additional loss payee and Borrower further agrees to generally assign rights to insurance proceeds to the holder of the Note up to the amount of the outstanding loan balance.

In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower. Unless Lender and Borrower otherwise agree in writing, any insurance proceeds, whether or not the underlying insurance was required by Lender, shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such insurance proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such insurance proceeds, Lender shall not be required to pay Borrower any interest or earnings on such proceeds. Fees for public adjusters, or other third parties, retained by Borrower shall not be paid out of the insurance proceeds and shall be the sole obligation of Borrower. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such insurance proceeds shall be applied in the order provided for in Section 2.

If Borrower abandons the Property, Lender may file, negotiate and settle any available insurance claim and related matters. If Borrower does not respond within 30 days to a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may negotiate and settle the claim. The 30-day period will begin when the notice is given. In either event, or if Lender acquires the Property under Section 22 or otherwise, Borrower hereby assigns to Lender (a) Borrower's rights to any insurance proceeds in an amount not to exceed the amounts unpaid under the Note or this Security Instrument, and (b) any other of Borrower's rights (other than the right to any refund of unearned premiums paid by Borrower) under all insurance policies covering the Property, insofar as such rights are applicable to the coverage of the Property. Lender may use the insurance proceeds either to repair or restore the Property or to pay amounts unpaid under the Note or this Security Instrument, whether or not then due.

6. **Occupancy.** Borrower shall occupy, establish, and use the Property as Borrower's principal residence within 60 days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control.

7. **Preservation, Maintenance and Protection of the Property; Inspections.** Borrower shall not destroy, damage, or impair the Property, allow the Property to deteriorate or commit waste on the Property. Whether or not Borrower is residing in the Property, Borrower shall maintain the Property in order to prevent the Property from deteriorating or decreasing in value due to its condition. Unless it is determined pursuant to Section 5 that repair or restoration is not economically feasible, Borrower shall promptly repair the Property if damaged to avoid further deterioration or damage. If insurance or condemnation proceeds are paid in connection with damage to, or the taking of, the Property, Borrower shall be responsible for repairing or restoring the Property only if Lender has released proceeds for such purposes. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. If the insurance or condemnation proceeds are not sufficient to repair or restore the Property, Borrower is not relieved of Borrower's obligation for the completion of such repair or restoration.

Lender or its agent may make reasonable entries upon and inspections of the Property. If it has reasonable cause, Lender may inspect the interior of the improvements on the Property. Lender shall give Borrower notice at the time of or prior to such an interior inspection specifying such reasonable cause.

8. **Borrower's Loan Application.** Borrower shall be in default if, during the Loan application process, Borrower or any persons or entities acting at the direction of Borrower or with Borrower's knowledge or consent gave materially false, misleading, or inaccurate information or statements to Lender (or failed to provide Lender with material information) in connection with the Loan. Material representations include, but are not limited to, representations concerning Borrower's occupancy of the Property as Borrower's principal residence.

9. **Protection of Lender's Interest in the Property and Rights Under this Security Instrument.** If (a) Borrower fails to perform the covenants and agreements contained in this Security Instrument, (b) there is a legal proceeding that might significantly affect Lender's interest in the Property and/or rights under this Security Instrument (such as proceeding in bankruptcy, probate, for condemnation or forfeiture, for enforcement of a lien which may attain priority over this Security Instrument or to enforce laws or regulations), or (c) Borrower has abandoned the Property, then Lender may do and pay for whatever is reasonable or appropriate to protect Lender's interest in the Property and rights under this Security Instrument, including protecting and/or assessing the value of the Property, and securing and/or repairing the Property. Lender's actions can include, but are not limited to: (a) paying any sums secured by a lien which has priority over this Security Instrument; (b) appearing in court; and (c) paying reasonable attorneys' fees to protect its interest in the Property and/or rights under this Security Instrument, including its secured position in a bankruptcy proceeding. Securing the Property includes, but is not limited to, entering the Property to make repairs, change locks, replace or board up doors and windows, drain water from pipes, eliminate building or other code violations or dangerous conditions, and have utilities turned on or off. Although Lender may take action under this Section 9, Lender does not have to do so and is not under any duty or obligation to do so. It is agreed that Lender incurs no liability for not taking any or all actions authorized under this Section 9.

Any amounts disbursed by Lender under this Section 9 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

If this Security Instrument is on a leasehold, Borrower shall comply with all the provisions of the lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

10. **Mortgage Insurance.** If Lender required Mortgage Insurance as a condition of making the Loan, Borrower shall pay the premiums required to maintain the Mortgage Insurance in effect. If, for any reason, the Mortgage Insurance coverage required by Lender ceases to be available from the mortgage insurer that previously provided such insurance and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the Mortgage Insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the Mortgage Insurance previously in effect, from an alternate mortgage insurer selected by Lender. If substantially equivalent Mortgage Insurance coverage is not available, Borrower shall continue

to pay to Lender the amount of the separately designated payments that were due when the insurance coverage ceased to be in effect. Lender will accept, use and retain these payments as a non-refundable loss reserve in lieu of Mortgage Insurance. Such loss reserve shall be non-refundable, notwithstanding the fact that the Loan is ultimately paid in full, and Lender shall not be required to pay Borrower any interest or earnings on such loss reserve. Lender can no longer require loss reserve payments if Mortgage Insurance coverage (in the amount and for the period that Lender requires) provided by an insurer selected by Lender again becomes available, is obtained, and Lender requires separately designated payments toward the premiums for Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to maintain Mortgage Insurance in effect, or to provide a non-refundable loss reserve, until Lender's requirement for Mortgage Insurance ends in accordance with any written agreement between Borrower and Lender providing for such termination or until termination is required by Applicable Law. Nothing in this Section 10 affects Borrower's obligation to pay interest at the rate provided in the Note.

Mortgage Insurance reimburses Lender (or any entity that purchases the Note) for certain losses it may incur if Borrower does not repay the Loan as agreed. Borrower is not a party to the Mortgage Insurance.

Mortgage insurers evaluate their total risk on all such insurance in force from time to time, and may enter into agreements with other parties that share or modify their risk, or reduce losses. These agreements are on terms and conditions that are satisfactory to the mortgage insurer and the other party (or parties) to these agreements. These agreements may require the mortgage insurer to make payments using any source of funds that the mortgage insurer may have available (which may include funds obtained from Mortgage Insurance premiums).

As a result of these agreements, Lender, any purchaser of the Note, another insurer, any reinsurer, any other entity, or any affiliate of any of the foregoing, may receive (directly or indirectly) amounts that derive from (or might be characterized as) a portion of Borrower's payments for Mortgage Insurance, in exchange for sharing or modifying the mortgage insurer's risk, or reducing losses. If such agreement provides that an affiliate of Lender takes a share of the insurer's risk in exchange for a share of the premiums paid to the insurer, the arrangement is often termed "captive reinsurance." Further:

(a) Any such agreements will not affect the amounts that Borrower has agreed to pay for Mortgage Insurance, or any other terms of the Loan. Such agreements will not increase the amount Borrower will owe for Mortgage Insurance, and they will not entitle Borrower to any refund.

(b) Any such agreements will not affect the rights Borrower has - if any - with respect to the Mortgage Insurance under the Homeowners Protection Act of 1998 or any other law. These rights may include the right to receive certain disclosures, to request and obtain cancellation of Mortgage Insurance, to have the Mortgage Insurance terminated automatically, and/or to receive a refund of any Mortgage Insurance premiums that were unearned at the time of such cancellation or termination.

11. Assignment of Miscellaneous Proceeds; Forfeiture. All Miscellaneous Proceeds are hereby assigned to and shall be paid to Lender.

If the Property is damaged, such Miscellaneous Proceeds shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such Miscellaneous Proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may pay for the repairs and restoration in a single disbursement or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such Miscellaneous Proceeds, Lender shall not be required to pay Borrower any interest or earnings on such Miscellaneous Proceeds. If the restoration or repair is not economically feasible or Lender's security would be lessened, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such Miscellaneous Proceeds shall be applied in the order provided for in Section 2.

In the event of a total taking, destruction, or loss in value of the Property, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the partial taking,

destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the Miscellaneous Proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the partial taking, destruction, or loss in value divided by (b) the fair market value of the Property immediately before the partial taking, destruction, or loss in value. Any balance shall be paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is less than the amount of the sums secured immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due.

If the Property is abandoned by Borrower, or if, after notice by Lender to Borrower that the Opposing Party (as defined in the next sentence) offers to make an award to settle a claim for damages, Borrower fails to respond to Lender within 30 days after the date the notice is given, Lender is authorized to collect and apply the Miscellaneous Proceeds either to restoration or repair of the Property or to the sums secured by this Security Instrument, whether or not then due. "Opposing Party" means the third party that owes Borrower Miscellaneous Proceeds or the party against whom Borrower has a right of action in regard to Miscellaneous Proceeds.

Borrower shall be in default if any action or proceeding, whether civil or criminal, is begun that, in Lender's judgment, could result in forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. Borrower can cure such a default and, if acceleration has occurred, reinstate as provided in Section 19, by causing the action or proceeding to be dismissed with a ruling that, in Lender's judgment, precludes forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. The proceeds of any award or claim for damages that are attributable to the impairment of Lender's interest in the Property are hereby assigned and shall be paid to Lender.

All Miscellaneous Proceeds that are not applied to restoration or repair of the Property shall be applied in the order provided for in Section 2.

12. Borrower Not Released; Forbearance By Lender Not a Waiver. Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to Borrower or any Successor in Interest of Borrower shall not operate to release the liability of Borrower or any Successors in Interest of Borrower. Lender shall not be required to commence proceedings against any Successor in the interest of Borrower or to refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or any Successors in Interest of Borrower. Any forbearance by Lender in exercising any right or remedy including, without limitation, Lender's acceptance of payments from third persons, entities or Successors in Interest of Borrower or in amounts less than the amount then due, shall not be a waiver of or preclude the exercise of any right or remedy.

13. Joint and Several Liability; Co-signers; Successors and Assigns Bound. Borrower covenants and agrees that Borrower's obligations and liability shall be joint and several. However, any Borrower who co-signs this Security Instrument but does not execute the Note (a "co-signer"): (a) is co-signing this Security Instrument only to mortgage, grant and convey the co-signer's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower can agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without the co-signer's consent.

Subject to the provisions of Section 18, any Successor in Interest of Borrower who assumes Borrower's obligations under this Security Instrument in writing, and is approved by Lender, shall obtain all of Borrower's rights and benefits under this Security Instrument. Borrower shall not be released from Borrower's obligations and liability under this Security Instrument unless Lender agrees to such release in writing. The covenants and agreements of this Security Instrument shall bind (except as provided in Section 20) and benefit the successors and assigns of Lender.

14. Loan Charges. Lender may charge Borrower fees for services performed in connection with Borrower's default, for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument, including, but not limited to, attorneys' fees, property inspection and valuation fees. In regard to any other fees, the absence of express authority in this Security Instrument to charge a specific fee

to Borrower shall not be construed as a prohibition on the charging of such fee. Lender may not charge fees that are expressly prohibited by this Security Instrument or by Applicable Law.

If the Loan is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the Loan exceed the permitted limits, then (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge (whether or not a prepayment charge is provided for under the Note). Borrower's acceptance of any such refund made by direct payment to Borrower will constitute a waiver of any right of action Borrower might have arising out of such overcharge.

15. Notices. All notices given by Borrower or Lender in connection with this Security Instrument must be in writing. Any notice to Borrower in connection with this Security Instrument shall be deemed to have been given to Borrower when mailed by first class mail or when actually delivered to Borrower's notice address if sent by other means. Notice to any one Borrower shall constitute notice to all Borrowers unless Applicable Law expressly requires otherwise. The notice address shall be the Property Address unless Borrower has designated a substitute notice address by notice to Lender. Borrower shall promptly notify Lender of Borrower's change of address. If Lender specifies a procedure for reporting Borrower's change of address, then Borrower shall only report a change of address through that specified procedure. There may be only one designated notice address under this Security Instrument at any one time. Any notice to Lender shall be given by delivering it or by mailing it by first class mail to Lender's address stated herein unless Lender has designated another address by notice to Borrower. Any notice in connection with this Security Instrument shall not be deemed to have been given to Lender until actually received by Lender. If any notice required by this Security Instrument is also required under Applicable Law, the Applicable Law requirement will satisfy the corresponding requirement under this Security Instrument.

16. Governing Law; Severability; Rules of Construction. This Security Instrument shall be governed by federal law and the law of the jurisdiction in which the Property is located. All rights and obligations contained in this Security Instrument are subject to any requirements and limitations of Applicable Law. Applicable Law might explicitly or implicitly allow the parties to agree by contract or it might be silent, but such silence shall not be construed as a prohibition against agreement by contract. In the event that any provision or clause of this Security Instrument or the Note conflicts with Applicable Law, such conflict shall not affect any other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision.

As used in this Security Instrument: (a) words of the masculine gender shall mean and include corresponding neuter words or words of the feminine gender; (b) words in the singular shall mean and include the plural and vice versa; and (c) the word "may" gives sole discretion with any obligation to take any action.

17. Borrower's Copy. Borrower shall be given one copy of the Note and of this Security Instrument.

18. Transfer of the Property or a Beneficial Interest in Borrower. As used in this Section 18, "Interest in the Property" means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

19. Borrower's Right to Reinstate After Acceleration. If Borrower meets certain conditions, Borrower shall have the right to have enforcement of this Security Instrument discontinued at any time prior to the earliest of: (a) five days before sale of the Property pursuant to any power of sale contained in this Security Instrument; (b) such other period as Applicable Law might specify for the termination of Borrower's right to reinstate; or (c) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if

no acceleration had occurred; (b) cures any default of any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorneys' fees, property inspection and valuation fees, and other fees incurred for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument; and (d) takes such action as Lender may reasonably require to assure that Lender's interest in the Property and rights under this Security Instrument, and Borrower's obligation to pay the sums secured by this Security Instrument, shall continue unchanged. Lender may require that Borrower pay such reinstatement sums and expenses in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality or entity; or (d) Electronic Funds Transfer. Upon reinstatement by Borrower, this Security Instrument and obligations secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under Section 18.

20. **Sale of Note; Change of Loan Servicer; Notice of Grievance.** The Note or a partial interest in the Note (together with this Security Instrument) can be sold one or more times without prior notice to Borrower. A sale might result in a change in the entity (known as the "Loan Servicer") that collects Periodic Payments due under the Note and this Security Instrument and performs other mortgage loan servicing obligations under the Note, this Security Instrument, and Applicable Law. There also might be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change which will state the name and address of the new Loan Servicer, the address to which payments should be made and any other information RESPA requires in connection with a notice of transfer of servicing. If the Note is sold and thereafter the Loan is serviced by a Loan Servicer other than the purchaser of the Note, the mortgage loan servicing obligations to Borrower will remain with the Loan Servicer or be transferred to a successor Loan Servicer and are not assumed by the Note purchaser unless otherwise provided by the Note purchaser.

Neither Borrower nor Lender may commence, join, or be joined to any judicial action (as either an individual litigant or the member of a class) that arises from the other party's actions pursuant to this Security Instrument or that alleges that the other party has breached any provision of, or any duty owed by reason of, this Security Instrument, until such Borrower or Lender has notified the other party (with such notice given in compliance with the requirements of Section 15) of such alleged breach and afforded the other party hereto a reasonable period after the giving of such notice to take corrective action. If Applicable Law provides a time period which must elapse before certain action can be taken, that time period will be deemed to be reasonable for purposes of this paragraph. The notice of acceleration and opportunity to cure given to Borrower pursuant to Section 22 and the notice of acceleration given to Borrower pursuant to Section 18 shall be deemed to satisfy the notice and opportunity to take corrective action provisions of this Section 20.

21. **Hazardous Substances.** As used in this Section 21: (a) "Hazardous Substances" are those substances defined as toxic or hazardous substances, pollutants, or wastes by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials; (b) "Environmental Law" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection; (c) "Environmental Cleanup" includes any response action, remedial action, or removal action, as defined in Environmental Law; and (d) an "Environmental Condition" means a condition that can cause, contribute to, or otherwise trigger an Environmental Cleanup.

Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances, or threaten to release any Hazardous Substances, on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property (a) that is in violation of any Environmental Law, (b) which creates an Environmental Condition, or (c) which, due to the presence, use, or release of a Hazardous Substance, creates a condition that adversely affects the value of the Property. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential uses and to maintenance of the Property (including, but not limited to, hazardous substances in consumer products).

Borrower shall promptly give Lender written notice of (a) any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge, (b) any Environmental Condition, including but not limited to, any spilling, leaking, discharge, release or threat of release of any Hazardous Substance, and (c) any condition caused by the presence, use or release of a Hazardous Substance which adversely affects the value of the Property. If Borrower learns, or is notified by any

governmental or regulatory authority, or any private party, that any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law. Nothing herein shall create any obligation on Lender for an Environmental Cleanup.

NON-UNIFORM COVENANTS. Borrower and Lender further covenant and agree as follows:

22. Acceleration; Remedies. Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under Section 18 unless Applicable Law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the sums secured by this Security Instrument and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to bring a court action to assert the non-existence of a default or any other defense of Borrower to acceleration and sale. If the default is not cured on or before the date specified in the notice, Lender at its option may require immediate payment in full of all sums secured by this Security Instrument without further demand and may invoke the power of sale and any other remedies permitted by Applicable Law. Lender shall be entitled to collect all expenses incurred in pursuing the remedies provided in this Section 22, including but not limited to, reasonable attorneys' fees and costs of title evidence.

If Lender invokes the power of sale, Lender shall execute or cause Trustee to execute a written notice of the occurrence of an event of default and of Lender's election to cause the Property to be sold. Trustee shall cause this notice to be recorded in each county in which any part of the Property is located. Lender or Trustee shall mail copies of the notice as prescribed by Applicable Law to Borrower and to the other persons prescribed by Applicable Law. Trustee shall give public notice of sale to the persons and in the manner prescribed by Applicable Law. After the time required by Applicable Law, Trustee, without demand on Borrower, shall sell the Property at public auction to the highest bidder at the time and place and under the terms designated in the notice of sale in one or more parcels and in any order Trustee determines. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or its designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the Property without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale, including but not limited to, reasonable Trustee's and attorneys' fees; (b) to all sums secured by this Security Instrument; and (c) any excess to the person or persons legally entitled to it.

23. Reconveyance. Upon payment of all sums secured by this Security Instrument, Lender shall request Trustee to reconvey the Property and shall surrender this Security Instrument and all notes evidencing debt secured by this Security Instrument to Trustee. Trustee shall reconvey the Property without warranty to the person or persons legally entitled to it. Lender may charge such person or persons a reasonable fee for reconveying the Property, but only if the fee is paid to a third party (such as the Trustee) for services rendered and the charging of the fee is permitted under Applicable Law. If the fee charged does not exceed the fee set by Applicable Law, the fee is conclusively presumed to be reasonable.

24. Substitute Trustee. Lender, at its option, may from time to time appoint a successor trustee to any Trustee appointed hereunder by an instrument executed and acknowledged by Lender and recorded in the office of the Recorder of the county in which the Property is located. The instrument shall contain the name of the original Lender, Trustee and Borrower, the book and page where this Security Instrument is recorded and the name and address of the successor trustee. Without conveyance of the Property, the successor trustee shall succeed all the title, powers and duties conferred upon the Trustee herein and by Applicable Law. This procedure for substitution of trustee shall govern to the exclusion of all other provisions for substitution.

25. Statement of Obligation Fee. Lender may collect a fee not to exceed the maximum amount permitted by Applicable Law for furnishing the statement of obligation as provided by Section 2943 of the Civil Code of California.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

The undersigned Borrower requests that a copy of any Notice of Default and any Notice of Sale under this Security Instrument be mailed to the Borrower at the address of the Borrower set forth above.


VIVEK MITTAL

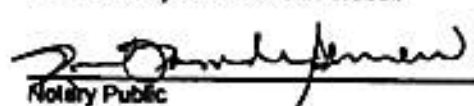

POOJA MITTAL

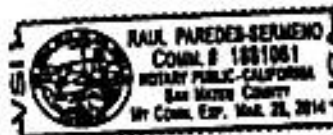
State of California
County of San Francisco
On 8-27-2011 before me Raul Paredes-Sarmiento
a notary public, personally appeared Vivek Mittal and Pooja Mittal

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

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

WITNESS my hand and official seal.


Notary Public



INITIAL PERIOD FIXED/ADJUSTABLE RATE RIDER

(LIBOR One-Year Index (As Published in The Wall Street Journal)
Interest-Only Payments During Initial Period
Rate Caps - Fixed Rate Conversion Option)

THIS FIXED/ADJUSTABLE RATE RIDER is made this 10th day of August, 2011 and is incorporated into and shall be deemed to amend and supplement the Mortgage, Deed of Trust or Security Deed (the "Security Instrument") of the same date given by the undersigned ("Borrower") to secure Borrower's Fixed/Adjustable Rate Note (the "Note") to Union Bank, N.A., its successors and/or assigns ("Lender") of the same date and covering the property described in the Security Instrument and located at:

435-437 HOFFMAN AVENUE
SAN FRANCISCO, CA 94114
[Property Address]

THE NOTE PROVIDES FOR A CHANGE IN BORROWER'S FIXED INTEREST RATE TO AN ADJUSTABLE INTEREST RATE. THE NOTE LIMITS THE AMOUNT BORROWER'S ADJUSTABLE INTEREST RATE CAN CHANGE AT ANY ONE TIME AND THE MAXIMUM RATE BORROWER MUST PAY. THE NOTE ALSO CONTAINS THE OPTION TO CONVERT THE ADJUSTABLE INTEREST RATE TO A NEW FIXED RATE.

ADDITIONAL COVENANTS. In addition to the covenants and agreements made in the Security Instrument, Borrower and Lender further covenant and agree as follows:

A. ADJUSTABLE RATE AND MONTHLY PAYMENT CHANGES

The Note provides for an initial interest rate of 4.250 %. The Note provides for a change in the initial fixed rate to an adjustable interest rate, as follows:

4. ADJUSTABLE INTEREST RATE AND MONTHLY PAYMENT CHANGES

(A) Change Dates

The initial fixed interest rate I will pay will change to an adjustable interest rate on the first day of September, 2016, and the adjustable interest rate I will pay may change on that day every 12th month thereafter. The date on which my initial fixed interest rate changes to an adjustable interest rate, and each date on which my adjustable interest rate could change is called a "Change Date."

(B) The Index

Beginning with the first Change Date, my adjustable interest rate will be based on an index. The "Index" is the average of interbank offered rates for one-year U.S. dollar-denominated deposits in the London market ("LIBOR"), as published in *The Wall Street Journal*. The most recent index figure available as of the date 45 days before each Change Date is called the "Current Index".

If the Index is no longer available, the Note Holder will choose a new index which is based upon comparable information. The Note Holder will give me notice of this choice.

(C) Calculation of Changes

Before each Change Date, the Note Holder will calculate my new interest rate by adding TWO AND ONE HALF percentage point(s) (2.500 %) to the Current Index. The Note Holder will then round the result of this addition to the nearest one-eighth of one percentage point (0.125%). Subject to the limits stated in Section 4(D) below, this rounded amount will be my new interest rate until the next Change Date.

The Note Holder will then determine the amount of the monthly payment that would be sufficient to repay the unpaid principal that I am expected to owe at the Change Date in full on the Maturity Date at my new interest rate in substantially equal payments. The result of this calculation will be the new amount of my monthly payment.

(D) Limits on Interest Rate Changes

The interest rate I am required to pay at the first Change Date will not be greater than 7.250 % or less than 2.500 %. Thereafter, my adjustable interest rate will never be increased or decreased on any single Change Date by more than two percentage points (2.000%) from the rate of interest I have been paying for the preceding 12 months. My interest rate will never be greater than 9.250 %, which is called the "Maximum Rate".

(E) Effective Date of Changes

My new interest rate will become effective on each Change Date. I will pay the amount of my new monthly payment beginning on the first monthly payment date after the Change Date until the amount of my monthly payment changes again.

(F) Notice of Changes

The Note Holder will deliver or mail to me a notice of the change in my initial fixed interest rate to an adjustable interest rate and of any changes in my adjustable interest rate before the effective date of any change. The notice will include the amount of my monthly payment, any information required by law to be given to me and also the title and telephone number of a person who will answer any question I may have regarding the notice.

B. FIXED INTEREST RATE OPTION

The Note provides for the Borrower's option to convert from an adjustable interest rate with interest rate limits to a new fixed interest rate, as follows:

5. FIXED INTEREST RATE CONVERSION OPTION

(A) Option to Convert to Fixed Rate

I have a Conversion Option that I can exercise unless I am in default or this Section 5(A) will not permit me to do so. The "Conversion Option" is my option to convert the interest rate I am required to pay by this Note from an adjustable rate with interest rate limits to the fixed rate calculated under Section 5(B) below.

The conversion can only take place on a date(s) specified by the Note Holder during the period beginning on the first Change Date and ending on the fifth Change Date. Each Change Date on which my interest rate can convert from an adjustable rate to a fixed rate also is called the "Conversion Date."

If I want to exercise the Conversion Option, I must first meet certain conditions. Those conditions are that: (i) I must give the Note Holder notice that I want to do so; (ii) on the Conversion Date, I must not be in default under the Note or the Security Instrument; (iii) by a date specified by the Note Holder, I must pay the Note Holder a conversion fee of U.S. \$ 0; and (iv) I must sign and give the Note Holder any documents the Note Holder requires to effect the conversion.

(B) Calculation of Fixed Rate

My new, fixed interest rate will be equal to Fannie Mae's required net yield as of a date and time of day specified by the Note Holder for (i) if the original term of this Note is greater than 15 years, 30-year fixed rate first mortgages covered by applicable 60-day mandatory delivery commitments, plus five-eighths of one percentage point (0.625%), rounded to the nearest one-eighth of one percentage point (0.125%), or (ii) if the original term of this Note is 15 years or less, 15-year fixed rate first mortgages covered by applicable 60-day mandatory delivery commitments, plus five-eighths of one percentage point (0.625%), rounded to the nearest one-eighth of one percentage point (0.125%). If this required net yield cannot be determined because the applicable commitments are not available, the Note Holder will determine my interest rate by using comparable information. My new rate calculated under this Section 5(B) will not be greater than the Maximum Rate stated in Section 4(D) above.

(C) New Payment Amount and Effective Date

If I choose to exercise the Conversion Option, the Note Holder will determine the amount of the monthly payment that would be sufficient to repay the unpaid principal I am expected to owe on the Conversion Date in full on the Maturity Date at my new fixed interest rate in substantially equal payments. The result of this calculation will be the new amount of my monthly payment. Beginning with my first monthly payment after the Conversion Date, I will pay the new amount as my monthly payment until the Maturity Date.

C. TRANSFER OF THE PROPERTY OR A BENEFICIAL INTEREST IN BORROWER

1. Until Borrower's initial fixed interest rate changes to an adjustable interest rate under the terms stated in Section A above, or after Borrower exercises the Conversion Option under the conditions stated in Section B above, Uniform Covenant 18 of the Security Instrument shall read as follows:

Transfer of the Property or a Beneficial Interest in Borrower. As used in this Section 18, "Interest in the Property" means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

2. When Borrower's initial fixed interest rate changes to an adjustable interest rate under the terms stated in Section A above, and until Borrower exercises the Conversion Option under the conditions stated in Section B above, Uniform Covenant 18 of the Security Instrument described in Section C1 above shall cease to be in effect, and the provisions of Uniform Covenant 18 of the Security Instrument shall be amended to read as follows:

Transfer of the Property or a Beneficial Interest in Borrower. As used in this Section 18, "Interest in the Property" means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law. Lender also shall not exercise this option if: (a) Borrower causes to be submitted to Lender information required by Lender to evaluate the intended transferee as if a new loan were being made to the transferee; and (b) Lender reasonably determines that Lender's security will not be impaired by the loan assumption and that the risk of a breach of any covenant or agreement in this Security Instrument is acceptable to Lender.

To the extent permitted by Applicable Law, Lender may charge a reasonable fee as a condition to Lender's consent to the loan assumption. Lender also may require the transferee to sign an assumption agreement that is acceptable to Lender and that obligates the transferee to keep all the promises and agreements made in the Note and in this Security Instrument. Borrower will continue to be obligated under the Note and this Security Instrument unless Lender releases Borrower in writing.

If Lender exercises the option to require immediate payment in full, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Initial Period Fixed/Adjustable Rate Rider.


VIVEK MITTAL


POOJA MITTAL

Loan No. 695 1858117

MULTISTATE FIXED/ADJUSTABLE RATE RIDER - THE WALL STREET JOURNAL ONE-YEAR LIBOR INDEX- Single Family

5/1, 7/1, 10/1 Interest Only

IOAS

Page 4 of 4

UB0423 (07/10)

1 - 4 FAMILY RIDER (Assignment of Rents)

THIS 1 - 4 FAMILY RIDER is made on this 19th day of August, 2011, and is incorporated into and shall be deemed to amend and supplement the Mortgage, Deed of Trust or Security Deed (the "Security Instrument") of the same date given by the undersigned (the "Borrower") to secure Borrower's Note to Union Bank, N.A., its successors and/or assigns (the "Lender") of the same date and covering the property described in the Security Instrument and located at:

435-437 HOFFMAN AVENUE, SAN FRANCISCO, CA 94114

(Property Address)

1 - 4 FAMILY COVENANTS. In addition to the covenants and agreements made in the Security Instrument, Borrower and Lender further covenant and agree as follows:

A. ADDITIONAL PROPERTY SUBJECT TO THE SECURITY INSTRUMENT. In addition to the Property described in Security Instrument, the following items now or hereafter attached to the Property to the extent they are fixtures are added to the Property description, and shall also constitute the Property covered by the Security Instrument: building materials, appliances and goods of every nature whatsoever now or hereafter located in, on, or used, or intended to be used in connection with the Property, including, but not limited to, those for the purposes of supplying or distributing heating, cooling, electricity, gas, water, air and light, fire prevention and extinguishing apparatus, security and access control apparatus, plumbing, bath tubs, water heaters, water closets, sinks, ranges, stoves, refrigerators, dishwashers, disposals, washers, dryers, awnings, storm windows, storm doors, screens, blinds, shades, curtains and curtain rods, attached mirrors, cabinets, paneling and attached floor coverings, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the Property covered by the Security Instrument. All of the foregoing together with the Property described in the Security Instrument (or the leasehold estate if the Security Instrument is on a leasehold) are referred to in this 1-4 Family Rider and the Security Instrument as the "Property."

B. USE OF PROPERTY; COMPLIANCE WITH LAW. Borrower shall not seek, agree to or make a change in the use of the Property or its zoning classification, unless Lender has agreed in writing to the change. Borrower shall comply with all laws, ordinances, regulations and requirements of any governmental body applicable to the Property.

C. SUBORDINATE LIENS. Except as permitted by federal law, Borrower shall not allow any lien inferior to the Security Instrument to be perfected against the Property without Lender's prior written permission.

D. RENT LOSS INSURANCE. If this box is checked, ☐ the borrower shall maintain insurance against rent loss in addition to the other hazards for which insurance is required by Section 5.

E. "BORROWER'S RIGHT TO REINSTATE" DELETED. Section 19 is deleted.

F. BORROWER'S OCCUPANCY. Unless Lender and Borrower otherwise agree in writing, Section 6 concerning Borrower's occupancy of the Property is deleted.

G. ASSIGNMENT OF LEASES. Upon Lender's request, after default, Borrower shall assign to Lender all leases of the Property and all security deposits made in connection with leases of the Property. Upon the assignment, Lender shall have the right to modify, extend or terminate the existing leases and
Loan No. 895 1958117

to execute new leases, in Lender's sole discretion. As used in this paragraph G, the word "lease" shall mean "sublease" if the Security Instrument is on a leasehold.

H. ASSIGNMENT OF RENTS; APPOINTMENT OF RECEIVER; LENDER IN POSSESSION. Borrower absolutely and unconditionally assigns and transfers to Lender all the rents and revenues ("Rents") of the Property, regardless of to whom the Rents of the Property are payable. Borrower authorizes Lender or Lender's agents to collect the Rents, and agrees that each tenant of the Property shall pay the Rents to Lender or Lender's agents. However, Borrower shall receive the Rents until (i) Lender has given Borrower notice of default pursuant to Section 22 of the Security Instrument and (ii) Lender has given notice to the tenant(s) that the Rents are to be paid to Lender or Lender's agent. This assignment of Rents constitutes an absolute assignment and not an assignment for additional security only.

If Lender gives notice of default to Borrower, (i) all Rents received by Borrower shall be held by Borrower as trustee for the benefit of Lender only, to be applied to the sums secured by the Security Instrument; (ii) Lender shall be entitled to collect and receive all of the Rents of the Property; (iii) Borrower agrees that each tenant of the Property shall pay all Rents due and unpaid to Lender or Lender's agents upon Lender's written demand to the tenant; (iv) unless applicable law provides otherwise, all Rents collected by Lender or Lender's agents shall be applied first to the costs of taking control of and managing the Property and collecting the Rents, including, but not limited to, attorneys' fees, receiver's fees, premiums on receiver's bonds, repair and maintenance costs, insurance premiums, taxes, assessments and other charges on the Property, and then to the sums secured by the Security Instrument; (v) Lender, Lender's agents or any judicially appointed receiver shall be liable to account for only those Rents actually received; and (vi) Lender shall be entitled to have a receiver appointed to take possession of and manage the Property and collect the Rents and profits derived from the Property without any showing as to the inadequacy of the Property as security.

If the Rents of the Property are not sufficient to cover the costs of taking control of and managing the Property and of collecting the Rents any funds expended by Lender for such purposes shall become indebtedness of Borrower to Lender secured by the Security Instrument pursuant to Section 9.

Borrower represents and warrants that Borrower has not executed any prior assignment of the Rents and has not performed and will not perform, any act that would prevent Lender from exercising its rights under this paragraph.

Lender, or Lender's agents or a judicially appointed receiver, shall not be required to enter upon, take control of or maintain the Property before or after giving notice of default to Borrower. However, Lender, or Lender's agents or a judicially appointed receiver, may do so at any time when a default occurs. Any application of Rents shall not cure or waive any default or invalidate any other right or remedy of Lender. This assignment of Rents of the Property shall terminate when all the sums secured by the Security Instrument are paid in full.

I. CROSS-DEFAULT PROVISIONS. Borrower's default or breach under any note or agreement in which Lender has an interest shall be a breach under the Security Instrument and Lender may invoke any of the remedies permitted by the Security Instrument.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and provisions contained in this
1 - 4 Family Rider.



VIVEK MITTAL



POOJA MITTAL

Loan No. 695 1958117

MULTISTATE 1 - 4 FAMILY RIDER - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT
Form 3178 6/01

Page 3 of 3

UB0225 (02/07)

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EASTERLY LINE OF HOFFMAN AVENUE, DISTANT THEREON 183 FEET SOUTHERLY FROM THE SOUTHERLY LINE OF 24TH STREET; RUNNING THENCE SOUTHERLY AND ALONG SAID LINE OF HOFFMAN AVENUE 27 FEET; THENCE AT A RIGHT ANGLE EASTERLY 125 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 27 FEET; THENCE AT A RIGHT ANGLE WESTERLY 125 FEET TO THE POINT OF COMMENCEMENT.

BEING PART OF HORNER'S ADDITION BLOCK NO. 243.

APN: Lot 024, Block 6503

	READ & APPROVED
	BY <u>RM</u>
READ & APPROVED	DATE _____
BY <u>VM</u>	
DATE <u>8/24/11</u>	

Exhibit 5



437 HOFFMAN AVENUE - PROPOSED PROJECT HISTORY

PROJECT BACKGROUND

Property was sold to current owner with unit merger approval based on case #200806275494 and #2008.0572 D . Current owner retained Toby Long Design to explore the addition of a garage and rear addition to existing structure.

PROJECT TIMELINE SUMMARY

May 27, 2011 - Toby Long Design submitted additional materials to finalize unit merger site permit on behalf of previous architect, William Pashelinsky.

August 24, 2011 - Site permit approved by SF Planner Sharon Lai.

April 3, 2012 - Pre-Project meeting with San Francisco Planner, Michael Smith, to review schematic design and discuss how to proceed with new scope relative to unit merger approval. Smith reviews documents and concludes that he will need to verify sequence with Zoning Administrator.

April 19, 2012 - Presented Preliminary Conceptual Design to Adjacent Neighbors. Attendee list attached. The following comments were received:

1. Rear addition at south property line to block light at 441 and 439 Hoffman Avenue.
2. Height of rear deck at lowest floor too high.
3. Wrap-around deck on upper level would erode privacy at existing roof deck 441 and 439 Hoffman.
4. Lower deck extended too far
5. Rear addition blocks light at 433 Hoffman
6. Tree removal for new garage is unacceptable.
7. Discretionary review hearing and subsequent unit merger approval only addresses reduction of unit, not addition or creation of parking.
8. Neighbors asked for specific dimensions regarding height.

June 6, 2012 - E-mail message from Michael Smith stating that the building must first be designated as a single family unit prior to the application for any new scope of work. The final step in completing the approved unit merger is to apply to permit for an interior stair connecting the existing top floor to the former lower unit.

September 18, 2012 - Building Permit application and plans for interior connecting stair submitted.

January 09, 2013 - Building Permit approved.

May 30, 2013 - Surveyor retained and survey issued of subject property and adjacent properties.

July 12, 2013 - Final inspection and approval issued for construction of interior stair.

October 15, 2013 - Application for Tree Removal denied by SF Bureau of Urban Forestry, appeal request filed and hearing scheduled.

October 28, 2013 - Tree Removal Hearing, adjacent neighbors present.

December 30, 2013 - Approval to remove street tree pending planning approval for garage and rear addition, issued by Mohammed Nuru.

January 1 - March 5, 2014 - Design revisions made according to neighbor from 2012 meeting with accurate survey information:

1. Rear addition at south property line to block light at 441 and 439 Hoffman Avenue.
Light coming from south, no light blocked from North. Lightwell added on south property line to mirror profile of roof deck at 439 and 441 Hoffman Avenue.



2. Height of rear deck at lowest floor too high.
Floor at rear of lowest level lowered 4'-10" to achieve a lower exterior deck elevation.
3. Wrap-around deck on upper level would erode privacy at existing roof deck 441 and 439 Hoffman.
Wrap around deck at upper floor removed. First floor lightwell created to maximize privacy and light.
4. Lower deck extended too far.
Per section 136 of zoning code configuration and extension of deck permitted within this zone.
5. Rear addition blocks light at 433 Hoffman.
Mirror of lightwell provided at north side of subject property that abuts 433 Hoffman, consistent with SF Residential Design Guidelines. The lightwell at 433 Hoffman has been illegally enclosed with glazing at zero clearance to property line.
6. Tree removal for new garage is unacceptable.
Tree removal has been approved for removal by SF Public Works pending Planning approval for scope of work. See above for details.
7. Discretionary review hearing and subsequent unit merger approval only addresses reduction of unit, not addition or creation of parking.
Unit merger completed with final inspection of interior stair. Property is now considered Single Family Dwelling and eligible for proposed scope of work.
8. Neighbors asked for specific dimensions regarding height.
Survey information provided for existing property by American Land Survey and extrapolated on proposed architectural plans.

January 27, 2014 - Submittal for Environmental Evaluation with supplemental Historic Resource Evaluation application

March 6, 2014 - Second Meeting with adjacent neighbors to present updated plans. Attendee list is attached. The following comments were received and addressed as follows:

1. Rear addition at south property line to block light at 439 and 441 Hoffman Avenue.
Light coming from south, no light blocked from North. Lightwell added on south property line to mirror profile of roof deck at 439 and 441 Hoffman Avenue.
2. South lightwell to conflict with privacy on roof deck at 439 and 441 Hoffman.
Proposed lightwell mirrors profile of existing roof deck at 439 and 441 Hoffman as recommended in SF Residential Design Guidelines.
3. Rear addition blocks light at 433 Hoffman.
Mirror of lightwell provided at north side of subject property that abuts 433 Hoffman, consistent with SF Residential Design Guidelines. The lightwell at 433 Hoffman has been illegally enclosed with glazing at zero clearance to property line.
4. Lower deck exceeds rear setback.
Lower deck configuration permitted per Section 136 of SF Zoning Code.
5. Sidewalk is obstructed by proposed driveway.
Driveway design in accordance with SF DPW Bureau of Street-Use and Mapping "Typical Drawings for a Warped Driveway". This diagram includes minimum sidewalk clearance requirements.



437 HOFFMAN AVENUE
PRE-APPLICATION NEIGHBORHOOD NOTIFICATION ADDRESSES

ACROSS THE STREET FROM SUBJECT PROPERTY

1. 416 HOFFMAN - Single Family - OCCUPANT
2. Owner's mailing address: 1660 OLD AIRPORT ROAD, AUBURN CA, 95603
3. 434 HOFFMAN - Single Family - OCCUPANT
4. Owner's mailing address: 18757 DUBIN CT, CASTRO VALLEY, CA, 94546
5. 440 HOFFMAN - Single Family - OWNER

ABUTTING ADJACENT - SAME SIDE OF THE STREET

6. 431 HOFFMAN (#1 of 4 units)-OCCUPANT
7. 431A HOFFMAN (#2 of 4units -OCCUPANT
8. 433 HOFFMAN (#3 of 4 units) -OWNER OF BLDG
9. 433A HOFFMAN (#4 of 4 units) - OCCUPANT
(owner's mailing address: 433 HOFFMAN AVE, SAN FRANCISCO CA, 94114)
10. 437 HOFFMAN (SUBJECT PROPERTY) Single Family - OWNER
11. 439 HOFFMAN (#1 of 2 units) - OWNER OF BUILDING
12. 441 HOFFMAN (#2 of 2 units) - OCCUPANT
(owner's mailing address: 439 HOFFMAN AVE, SAN FRANCISCO, CA, 94114

ABUTTING AT REAR

13. 30 HOMESTEAD (#1 of 2 units) - OCCUPANT
14. 32 HOMESTEAD (#2 of 2 units)- OCCUPANT
15. Owner's mailing address: 190 SUNSET WY, MUIR BEACH CA, 94965
16. 38 HOMESTEAD - Single Family -OWNER
17. 42 HOMESTEAD - Single Family -OWNER

NOE VALLEY NEIGHBORHOOD GROUPS • 2014 MTG

18. Andrea Aiello
C U M C Benefit District
584 Castro Street #336
San Francisco, CA 94114
19. Buddy Choy
Coleridge St. Neighbors
157 Coleridge Street
San Francisco, CA 94110
20. Gary Weiss
Corbett Heights Neighbors
78 Mars Street
San Francisco, CA 94114



437 HOFFMAN AVENUE
PRE-APPLICATION NEIGHBORHOOD NOTIFICATION ADDRESSES

NOE VALLEY NEIGHBORHOOD GROUPS cont'd

21. Jeff Parker
Friends of Upper Douglass Dog Park
750 27th Street
San Francisco, CA 94131
22. Pam Hemphill
Dolores Heights Improvement Club-DRC
P.O. Box 14426
San Francisco, CA 94114
23. Peter Heinecke
Liberty Hill Neighborhood Association
30 Hill Street
San Francisco, CA 94110
24. Richard Magary
M U M C
584 Castro Street #333
San Francisco, CA 94114
25. Scott Wiener
1 Dr. Carlton B Goodlett Place Room #244
San Francisco, CA 94102-4689
26. Vicki Rosen
Upper Noe Neighbors
169 Valley Street
San Francisco, CA 94131

Gracie Atherton
Noe Valley Community Workshop
4104 24th Street #151
San Francisco, CA 94114

Scott Wiener
City Hall Room #244
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

Jeff Goldstein
San Jose/Guerrero Coalition Save R Streets
4104 24th Street #130
San Francisco, CA 94114-3615

Gary Weiss
Corbett Height Neighbors
78 Mars Street
San Francisco, CA 94114

Richard Magary
Merchants of Upper Market & Castro
(MUMC)
584 Castro Street #333
San Francisco, CA 94114

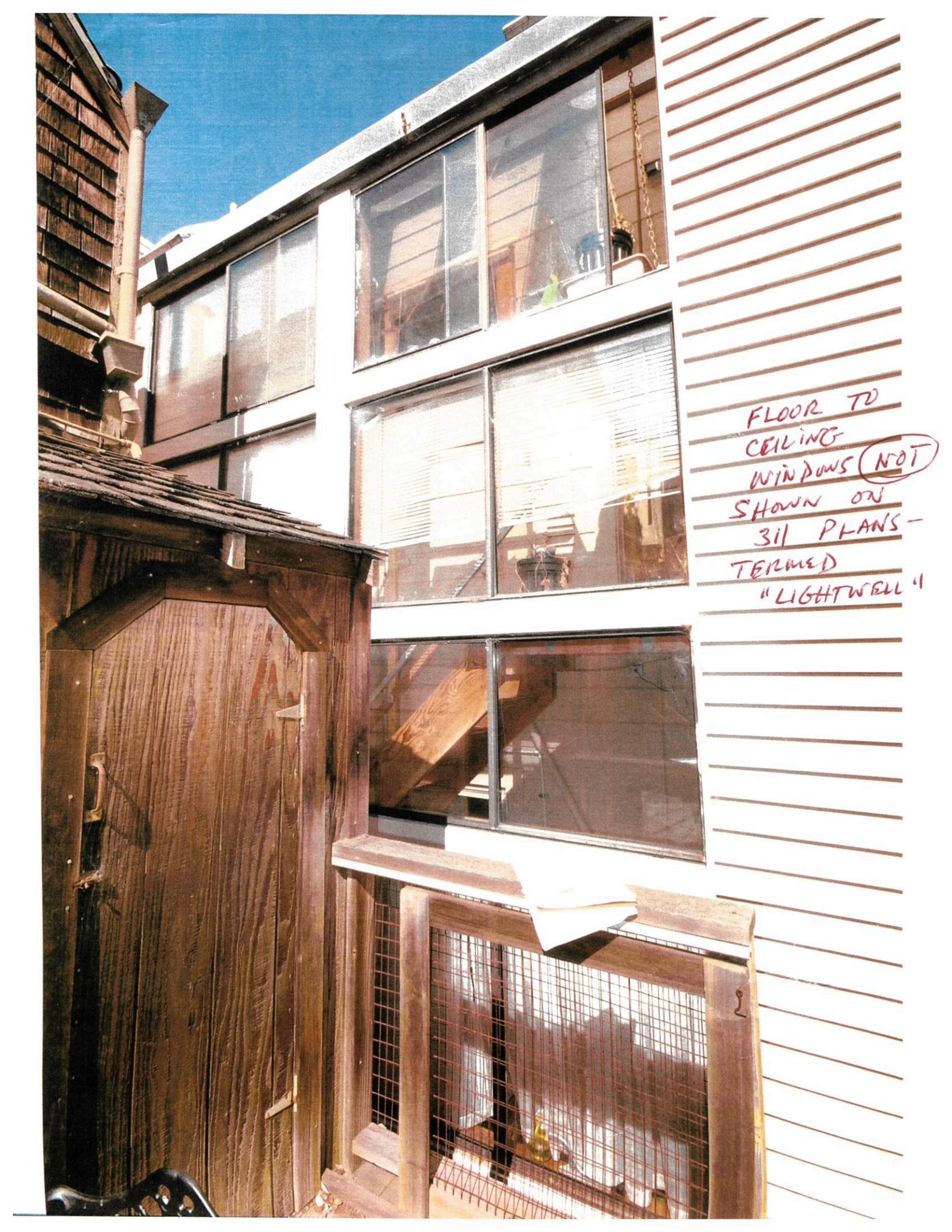
Andrea Aiello
Castro Upper Market Community Benefit Dist
584 Castro Street #336
San Francisco, CA 94114

Pam Hemphill
DHIC-DRC
PO Box 14426
San Francisco, CA 94114

437 HOFFMAN AVENUE

NOE VALLEY GROUP LIST NOTIFIED FOR 04.19.2014 MTG

Exhibit 6



FLOOR TO
CEILING
WINDOWS (NOT
SHOWN ON
311 PLANS -
TERMED
"LIGHTWELL")

Exhibit 7

Exhibit 10 No RDT Review for this project.

From: Tran, Nancy (CPC) [mailto:Nancy.H.Tran@sfgov.org]

Sent: Thursday, November 12, 2015 12:35 PM

To: Stephen M. Williams

Cc: geneg@sfsu.edu; rufnikhound@gmail.com; paul.lef123@gmail.com; 'Janet Fowler'; Sanchez, Scott (CPC); Washington, Delvin (CPC)

Subject: RE: 437 Hoffman Project----Plans Fail to Meet Minimum Standards of Section 311

Mr. Williams:

The Zoning Administrator determined that the plans will need to be revised and re-noticed for an additional 15 days (this does not include the time required for support staff/reproduction). The additional notification will go out to the required organizations and neighbors, including those that were missed in the original mailing. I have informed the project architect of this.

In response to your voicemail following your review of the file last week - I understood your November 9th email inquiry: "Also, may I please review the files? Please let me know when they can be made available for review and copying" as a request to only see the building permit plans and file. Please be aware that not all emails between the project sponsor, interested parties and Planning Department are printed out. If you would like to see *all* communication, you will need to submit an official Sunshine Records Request. The Department would have to check with all planners involved with the project and access Michael Smith's disabled email account since there may have been emails exchanged prior to it being reassigned to me.

With respect to file notes/scheduling – **please be aware that not all projects are required to be scheduled for RDT review. Mr. Smith, who was a representative on RDT, reviewed the project against the RDGs and determined that the scope of work did not trigger formal RDT review and that it met the guidelines.** If your client submits a Discretionary Review application, the project will be brought to RDT for final determination before it appears before the Planning Commission.

Regards,

Nancy Tran

Exhibit 8

Notice of Pre-Application Meeting

MEETING #1

APRIL 5, 2012

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVENUE cross street(s) 24TH STREET (Block/Lot#: 6503/24; Zoning: RH-2), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☐ New Construction;
- ☐ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☒ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: Remodel the existing residence which includes an addition at the rear and the modification of the lower level to create a single car garage.

Existing # of dwelling units: <u>1</u>	Proposed: <u>1</u>	Permitted: <u>2</u>
Existing bldg square footage: <u>2230 SF</u>	Proposed: <u>3460 SF</u>	Permitted: <u>6075 SF (E.A.R. max)</u>
Existing # of stories: <u>3</u>	Proposed: <u>3</u>	Permitted: <u>3</u>
Existing bldg height: <u>24' front</u>	Proposed: <u>30' front</u>	Permitted: <u>30' front</u>
Existing bldg depth: <u>33'-7"</u>	Proposed: <u>54'-0"</u>	Permitted: <u>61'-3"</u>

MEETING INFORMATION:

Property Owner(s) name(s): Vivek and Pooja Mittal
Project Sponsor(s): tobylongdesign - Toby Long, AIA
Contact information (email/phone): toby@tobylongdesign.com / 415.905.9030
Meeting Address*: 437 HOFFMAN AVENUE
Date of meeting: Thursday, APRIL 19, 2012
Time of meeting**: 6 PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

MEETING # 1

Pre-Application Meeting Sign-in Sheet

Meeting Date: 04.19.2012
 Meeting Time: 6 P.M.
 Meeting Address: 437 HOFFMAN AVENUE
 Project Address: 437 HOFFMAN AVENUE
 Property Owner Name: VIVEK & POOJA MITAL
 Project Sponsor/Representative: TOBY LONG, AIA / ABBY WITTMAN

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. <u>LA BELLVILLE</u>	<u>431 HOFFMAN AVE</u>	<u>415-879-2133</u>		<input type="checkbox"/>
2. <u>Stephanie Bellville</u>	<u>" "</u>	<u>" "</u>	<u>415 407-8556</u>	<input type="checkbox"/> <u>bellville@sfsd.e</u>
3. <u>Gene Sussman</u>	<u>433 HOFFMAN</u>	<u>415 407-8556</u>	<u>genesussman@sfsd.e</u>	<input type="checkbox"/> <u>genesussman@sfsd.e</u>
4. <u>Maria Jin + Jason Allen</u>	<u>38 Homestead St</u>	<u>415-409-2246</u>	<u>mjin2010@aol.com</u>	<input type="checkbox"/>
5. <u>Paul Lefebvre</u>	<u>439-441 Hoffman</u>	<u>415 238 0229</u>	<u>paul-lefebvre@msn.com</u>	<input type="checkbox"/>
6. <u>Stephen Barkerville</u>	<u>" "</u>	<u>415 830-7471</u>		<input checked="" type="checkbox"/>
7. <u>Janet Fowler</u>	<u>434 Hoffman</u>	<u>415 648-8780</u>		<input type="checkbox"/> <u>jfowlers@aol.co</u>
8. _____				<input type="checkbox"/>
9. _____				<input type="checkbox"/>
10. _____				<input type="checkbox"/>
11. _____				<input type="checkbox"/>
12. _____				<input type="checkbox"/>
13. _____				<input type="checkbox"/>
14. _____				<input type="checkbox"/>
15. _____				<input type="checkbox"/>
16. _____				<input type="checkbox"/>
17. _____				<input type="checkbox"/>
18. _____				<input type="checkbox"/>

MEETING #1

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

I, ABBY WITTMAN, 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 437 HOFFMAN AVENUE, SF (location/address) on 04.19.2012 (date) from 6 PM (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, APRIL 10th, 2012 IN SAN FRANCISCO.

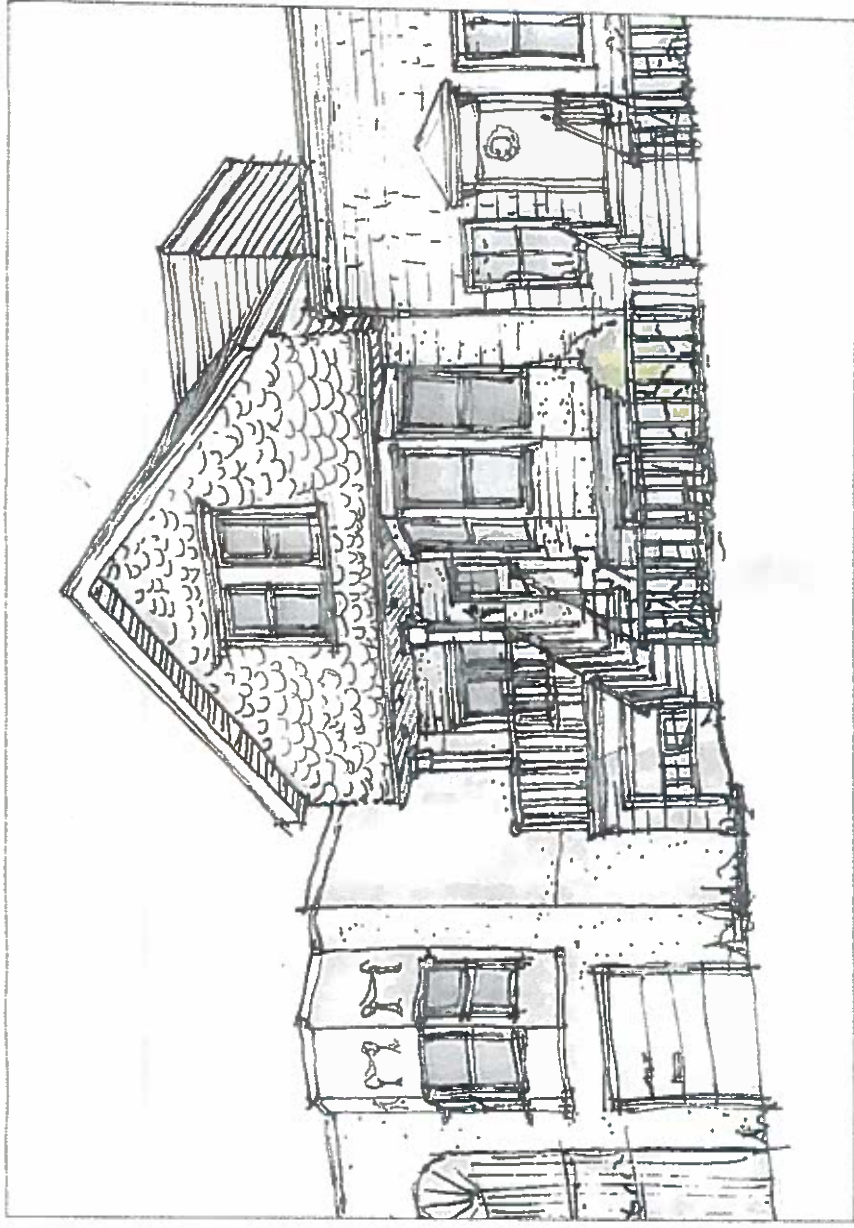

Signature

ABBY WITTMAN
Name (type or print)

AGENT - TOBY LONG DESIGN - ARCHITECT
Relationship to Project (e.g. Owner, Agent)
(If Agent, give business name & profession)

437 HOFFMAN AVENUE
Project Address

M I T T A L R E S I D E N C E
S A N F R A N C I S C O , C A



ARCHITECTURE
tobylongdesign
4114 SALT AVE. #352, OAKLAND, CA 94611
P: 415.905.9030 F: 415.905.9033 WWW.TOBYLONGDESIGN.COM

ISSUED
ARCHITECTURE
PROJECT PRE-REVIEW AUTO
04.19.2012
04.03.2012

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

TITLE SHEET

THIS SHEET IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE USER TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER AGREES TO HOLD THE ARCHITECT HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS SHEET.

scale
1/4" = 1'-0"

date
02.03.2011

sheet
A0.0

© 2011 TOLONGDESIGN.COM

1 CONCEPTUAL RENDERING

ARCHITECTURAL		ADDITION TO EXISTING SINGLE FAMILY RESIDENCE	
A0.0 TITLE SHEET A0.1 FLOOR PLANS A0.2 FLOOR PLANS A0.3 FLOOR PLANS A0.4 FLOOR PLANS A0.5 FLOOR PLANS A0.6 FLOOR PLANS A0.7 FLOOR PLANS A0.8 FLOOR PLANS A0.9 FLOOR PLANS A0.10 FLOOR PLANS A0.11 FLOOR PLANS A0.12 FLOOR PLANS A0.13 FLOOR PLANS A0.14 FLOOR PLANS A0.15 FLOOR PLANS A0.16 FLOOR PLANS A0.17 FLOOR PLANS A0.18 FLOOR PLANS A0.19 FLOOR PLANS A0.20 FLOOR PLANS A0.21 FLOOR PLANS A0.22 FLOOR PLANS A0.23 FLOOR PLANS A0.24 FLOOR PLANS A0.25 FLOOR PLANS A0.26 FLOOR PLANS A0.27 FLOOR PLANS A0.28 FLOOR PLANS A0.29 FLOOR PLANS A0.30 FLOOR PLANS A0.31 FLOOR PLANS A0.32 FLOOR PLANS A0.33 FLOOR PLANS A0.34 FLOOR PLANS A0.35 FLOOR PLANS A0.36 FLOOR PLANS A0.37 FLOOR PLANS A0.38 FLOOR PLANS A0.39 FLOOR PLANS A0.40 FLOOR PLANS A0.41 FLOOR PLANS A0.42 FLOOR PLANS A0.43 FLOOR PLANS A0.44 FLOOR PLANS A0.45 FLOOR PLANS A0.46 FLOOR PLANS A0.47 FLOOR PLANS A0.48 FLOOR PLANS A0.49 FLOOR PLANS A0.50 FLOOR PLANS A0.51 FLOOR PLANS A0.52 FLOOR PLANS A0.53 FLOOR PLANS A0.54 FLOOR PLANS A0.55 FLOOR PLANS A0.56 FLOOR PLANS A0.57 FLOOR PLANS A0.58 FLOOR PLANS A0.59 FLOOR PLANS A0.60 FLOOR PLANS A0.61 FLOOR PLANS A0.62 FLOOR PLANS A0.63 FLOOR PLANS A0.64 FLOOR PLANS A0.65 FLOOR PLANS A0.66 FLOOR PLANS A0.67 FLOOR PLANS A0.68 FLOOR PLANS A0.69 FLOOR PLANS A0.70 FLOOR PLANS A0.71 FLOOR PLANS A0.72 FLOOR PLANS A0.73 FLOOR PLANS A0.74 FLOOR PLANS A0.75 FLOOR PLANS A0.76 FLOOR PLANS A0.77 FLOOR PLANS A0.78 FLOOR PLANS A0.79 FLOOR PLANS A0.80 FLOOR PLANS A0.81 FLOOR PLANS A0.82 FLOOR PLANS A0.83 FLOOR PLANS A0.84 FLOOR PLANS A0.85 FLOOR PLANS A0.86 FLOOR PLANS A0.87 FLOOR PLANS A0.88 FLOOR PLANS A0.89 FLOOR PLANS A0.90 FLOOR PLANS A0.91 FLOOR PLANS A0.92 FLOOR PLANS A0.93 FLOOR PLANS A0.94 FLOOR PLANS A0.95 FLOOR PLANS A0.96 FLOOR PLANS A0.97 FLOOR PLANS A0.98 FLOOR PLANS A0.99 FLOOR PLANS A0.100 FLOOR PLANS	LOCATION 437 HOFFMAN AVENUE OAKLAND, CA 94611	APRIL 19, 2012	ADDITION TO EXISTING SINGLE FAMILY RESIDENCE
	APRIL 19, 2012	ADDITION TO EXISTING SINGLE FAMILY RESIDENCE	ADDITION TO EXISTING SINGLE FAMILY RESIDENCE
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2 TABLE OF CONTENTS

3 SITE AND BUILDING INFORMATION

4 SYMBOLS

5 CONTACT INFO

6 ARCHITECT

7 STRUCTURAL

8 TITLE SHEET

THE PLAN

of the system, as well as the system's ability to detect and respond to threats. The system's ability to detect and respond to threats is a key factor in its effectiveness. The system's ability to detect and respond to threats is a key factor in its effectiveness.

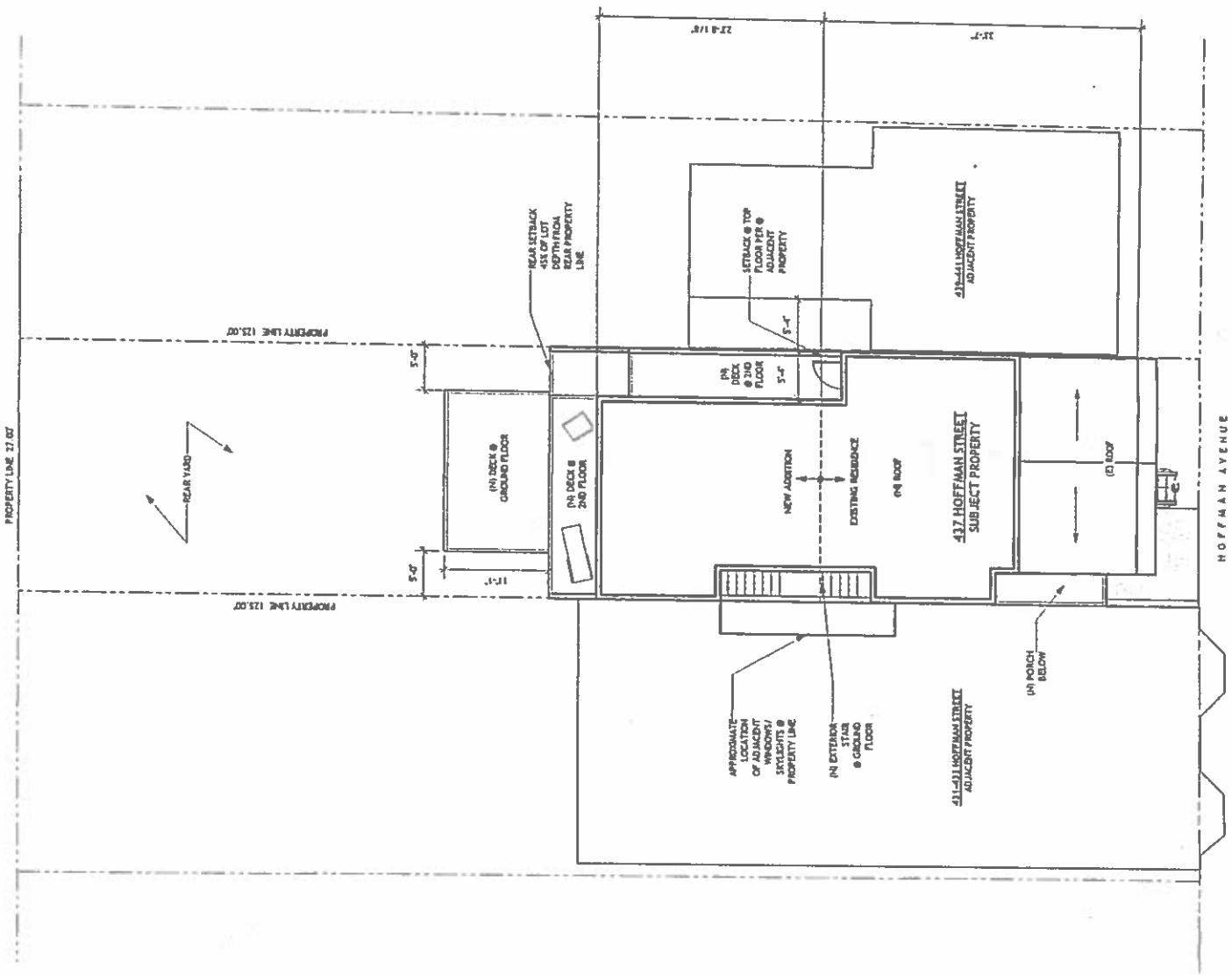
MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

Issue	NEIGHBOR ATG/	04.19.2012
	PROJECT PRE-REVIEW ATG/	04.03.2012

ARCHITECTURE
tobylongdesign
6114 LA SALLE AVENUE #552, OAKLAND, CA 94611
P: 415.903.9030 F: 415.903.9035 www.tobylongdesign.com



TOTAL HOUSE AREA
(GROUND W/O GARAGE): 1007 SF
(FIRST) 1203 SF
(SECOND) 1196 SF
TOTAL: 3406 SF
TOTAL W/ GARAGE: 3742 SF



GROUND FLOOR AREA CALCULATIONS
(E) 683 SF
(H) 660 SF
(G) 1343 SF
TOTAL: 1240 SF (W/O GARAGE)

But the real story is that the U.S. has been a major force in the development of the world's most advanced economies. The U.S. has been a major force in the development of the world's most advanced economies. The U.S. has been a major force in the development of the world's most advanced economies.

issue	04.19.2012	04.02.2012
NEIGHBOR MTG/ PROJECT PRE-REVIEW MTG		

7074

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02.03.2011

44

1150-5716
49204

TOTAL HOUSE AREA
(1) 1091 SF
(2) 1297 SF
(3) 1117 SF
TOTAL: 3505 SF
TOTAL W/ GARAGE: 3742 SF

SCHEMATIC PLANS

Bei der Wahl zum Präsidenten der Vereinigten Staaten im Jahr 1964, wurde Lyndon B. Johnson von dem Demokraten Hubert H. Humphrey besiegt. Johnson war derjenige, der die Bürgerrechtsbewegung in den USA vorantrieb. Er setzte sich für die Gleichberechtigung aller Menschen ein, unabhängig von ihrer Hautfarbe. Johnson wurde 1964 zum Präsidenten gewählt und blieb bis 1969 im Amt. Er war der einzige Präsident, der während seiner Amtszeit in Vietnam ums Leben kam.

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

Issue	MEG+BOA MTG/ PROJECT PRE-REVIEW MTG	04.19.2012 04.03.2012
1.0	1.0	1.0
2.0	2.0	2.0
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98.0	98.0	98.0
99.0	99.0	99.0
100.0	100.0	100.0

ARCHITECTURE
to bylongdesign
6114 LA SALLE AVENUE #552, OAKLAND, CA 94618
P: 415.905.9010 F: 415.905.9015 www.tobylongdesign.com





ARCHITECTURE
toby long design
6114 LA SALLE AVENUE #352, OAKLAND, CA 94611
P: 415.905.9030 F: 415.905.9035 www.tobylongdesign.com

ARCHITECT
Toby Long
PROJECT REVIEW INFO
04.19.2012
04.03.2012

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

NEW SECTION

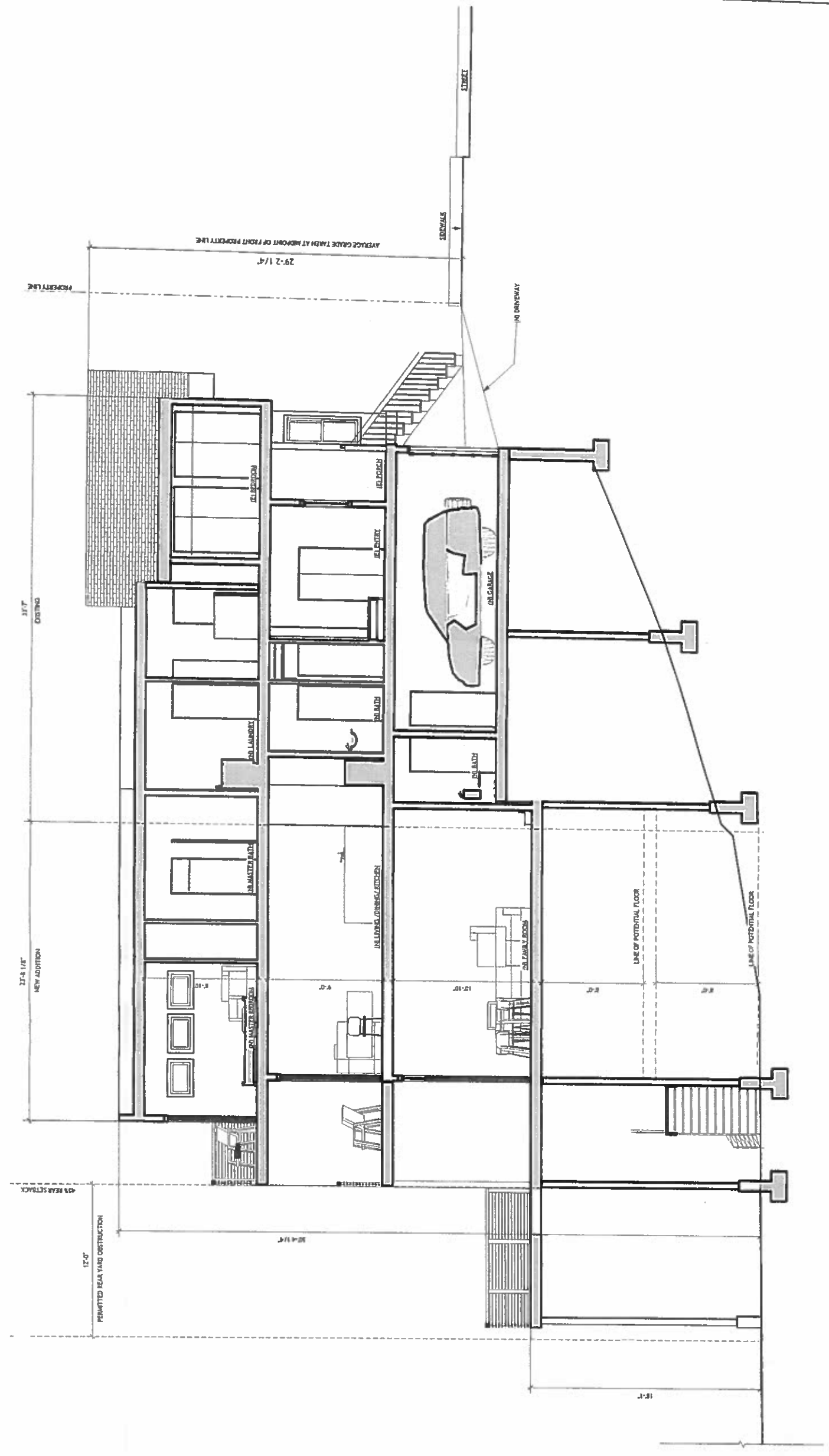
THIS DRAWING IS THE PROPERTY OF TOBY LONG DESIGN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF TOBY LONG DESIGN.

scale
1/4" = 1'-0"

date
02.02.2012

sheet
A3.0

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1 LONGITUDINAL SECTION OF NEW ADDITION



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toby longdesign
6116 LA SALLE AVENUE #312, OAKLAND, CA 94611
P: 415.903.9030 F: 415.903.9035 WWW.TOBYLONGDESIGN.COM

ISSUE
NEIGHBOR ATTY/
PROJECT PRE-REVIEW ATG
04.19.2012
04.03.2012

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

NEW FRONT ELEVATION

THIS PLAN AND SPECIFICATIONS ARE PREPARED BY THE ARCHITECT AND ARE TO BE USED IN CONNECTION WITH THE CONTRACT DOCUMENTS. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND ITS STRUCTURAL INTEGRITY. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND ITS STRUCTURAL INTEGRITY.

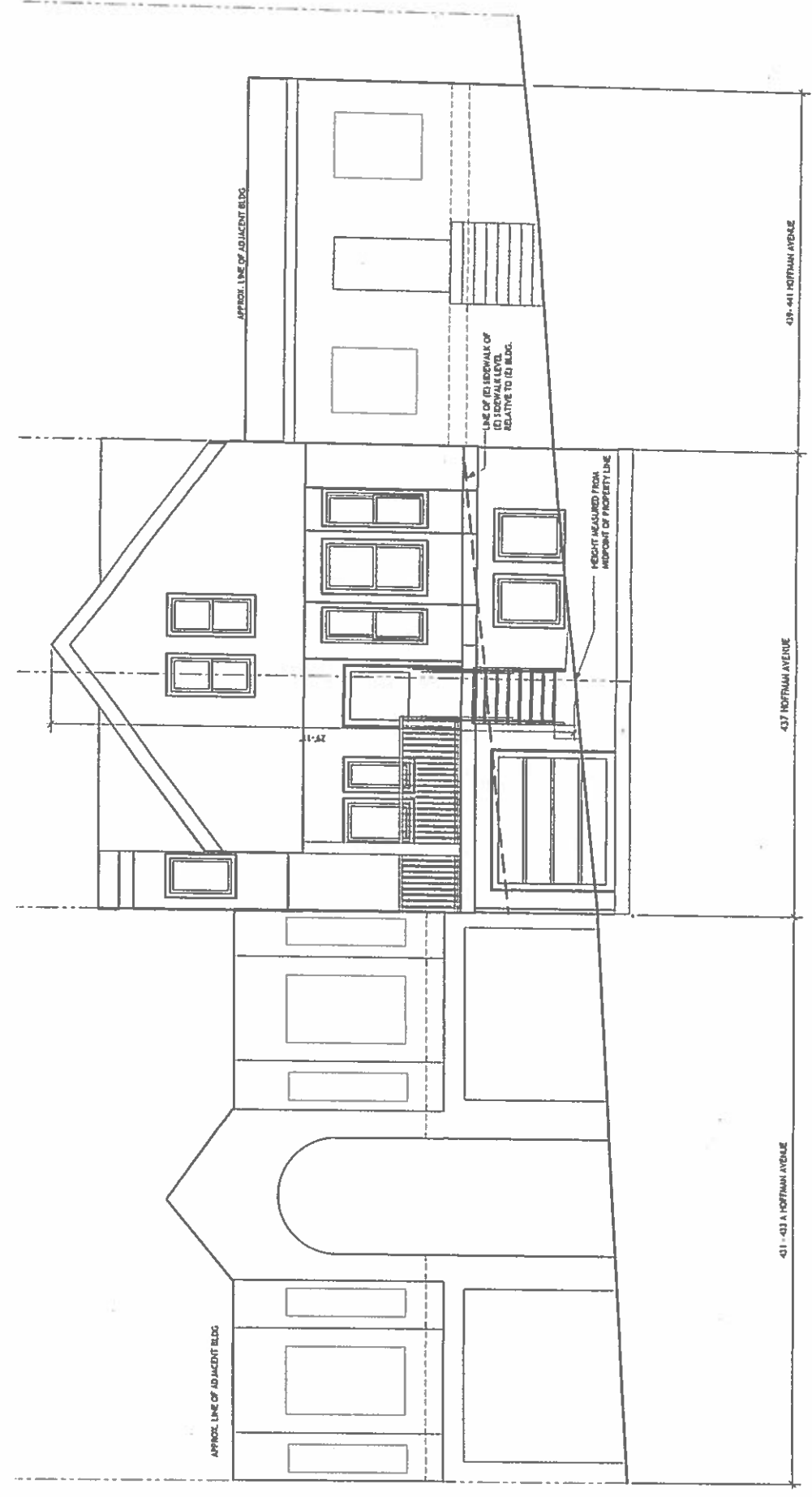
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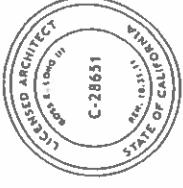
date
03.03.2012

sheet

A4.0

Revised 03/03/12





ARCHITECTURE
toby longdesign
6114 LA SALLE AVENUE #552, OAKLAND, CA 94611
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ISSUE
REVISIONS
PROJECT NAME: REVIEW AUTO
DATE: 04.17.2012
DATE: 04.03.2012

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

NEW REAR ELEVATION

These plans and specifications were prepared by me or under my direct supervision and I am a duly Licensed Architect in the State of California. I am not providing these plans and specifications for any other project or for any other purpose. I am not responsible for any errors or omissions in these plans and specifications. I am not responsible for any construction or other work that may be done in reliance on these plans and specifications. I am not responsible for any other work that may be done in reliance on these plans and specifications. I am not responsible for any other work that may be done in reliance on these plans and specifications.

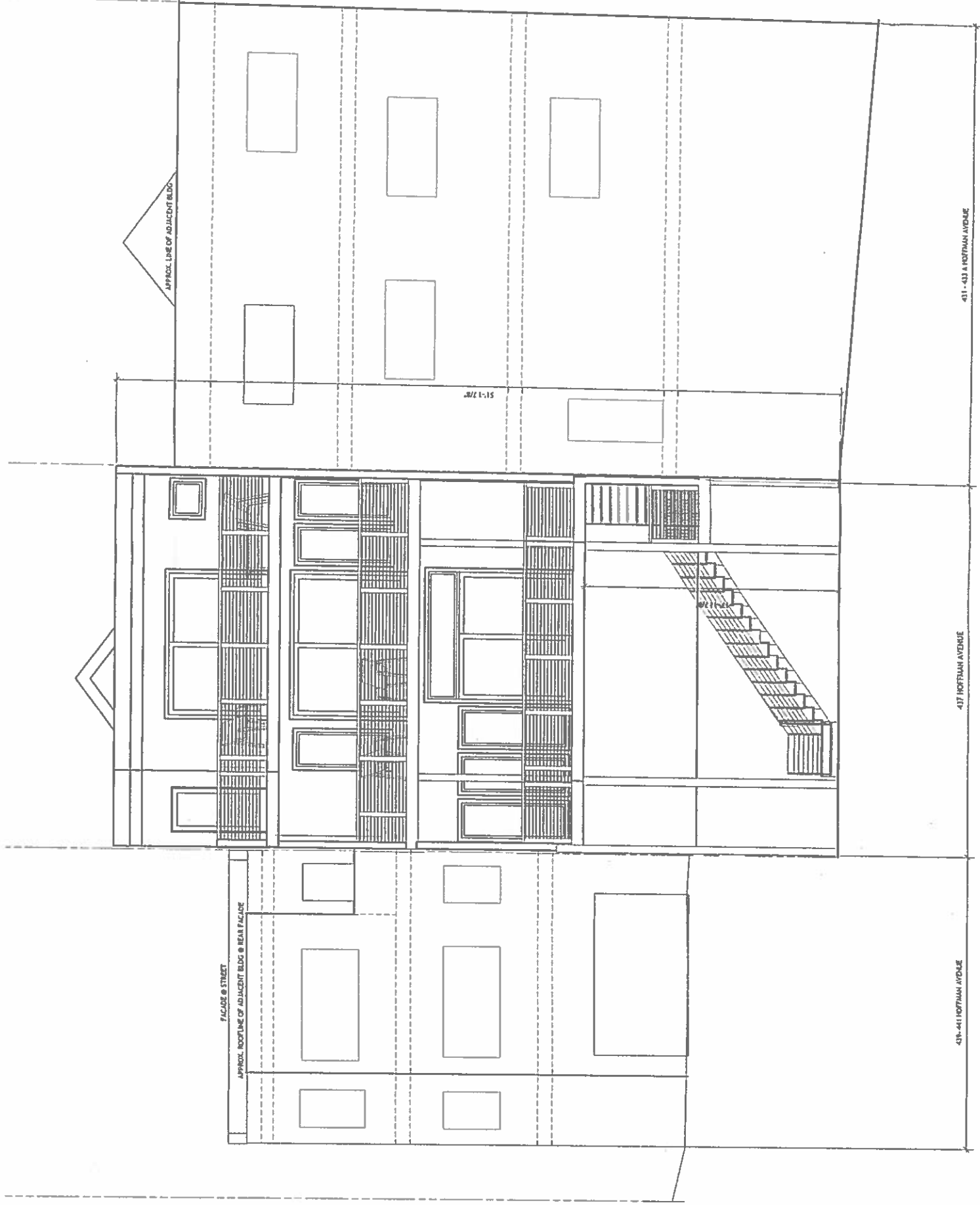
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02.02.2012

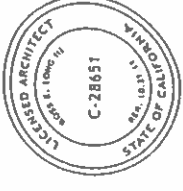
sheet

A4.1

1



1 (N) EAST (REAR) ELEVATION



ARCHITECTURE
tobylongdesign
4114 LA SALLE AVENUE #552, OAKLAND, CA 94611
P: 415.905.9010 F: 415.905.9015 www.tobylongdesign.com

Issue
REVISION DATE: 04.19.2012
PROJECT FILE REVIEW DATE: 04.03.2012

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

NEW NORTH ELEVATION

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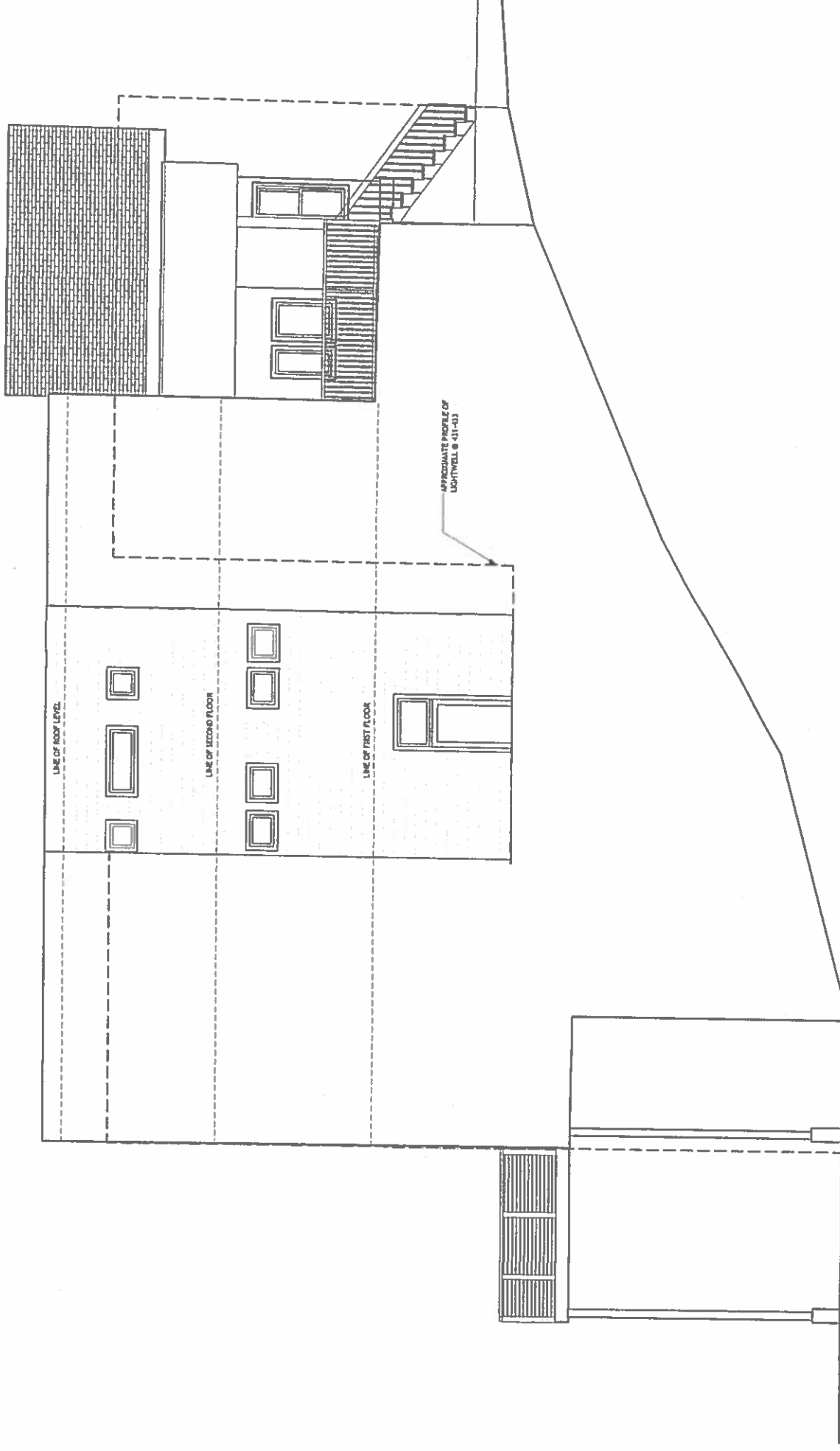
scale
1/4" = 1'-0"

date
02.02.2012

sheet

A4.2

TOBY LONG ARCHITECT



1 (N) NORTH ELEVATION

Index

data

1/5-5/1
scale

There is a lot of excitement about the new book, and the publisher is confident that it will be a success. The book is a collection of essays by leading experts in the field, and it is expected to be a valuable resource for researchers and practitioners alike. The publisher is also planning to release a companion volume, which will provide a more in-depth look at the topics covered in the first book. This second volume is expected to be released in the near future, and it will be a valuable addition to the literature on the subject.

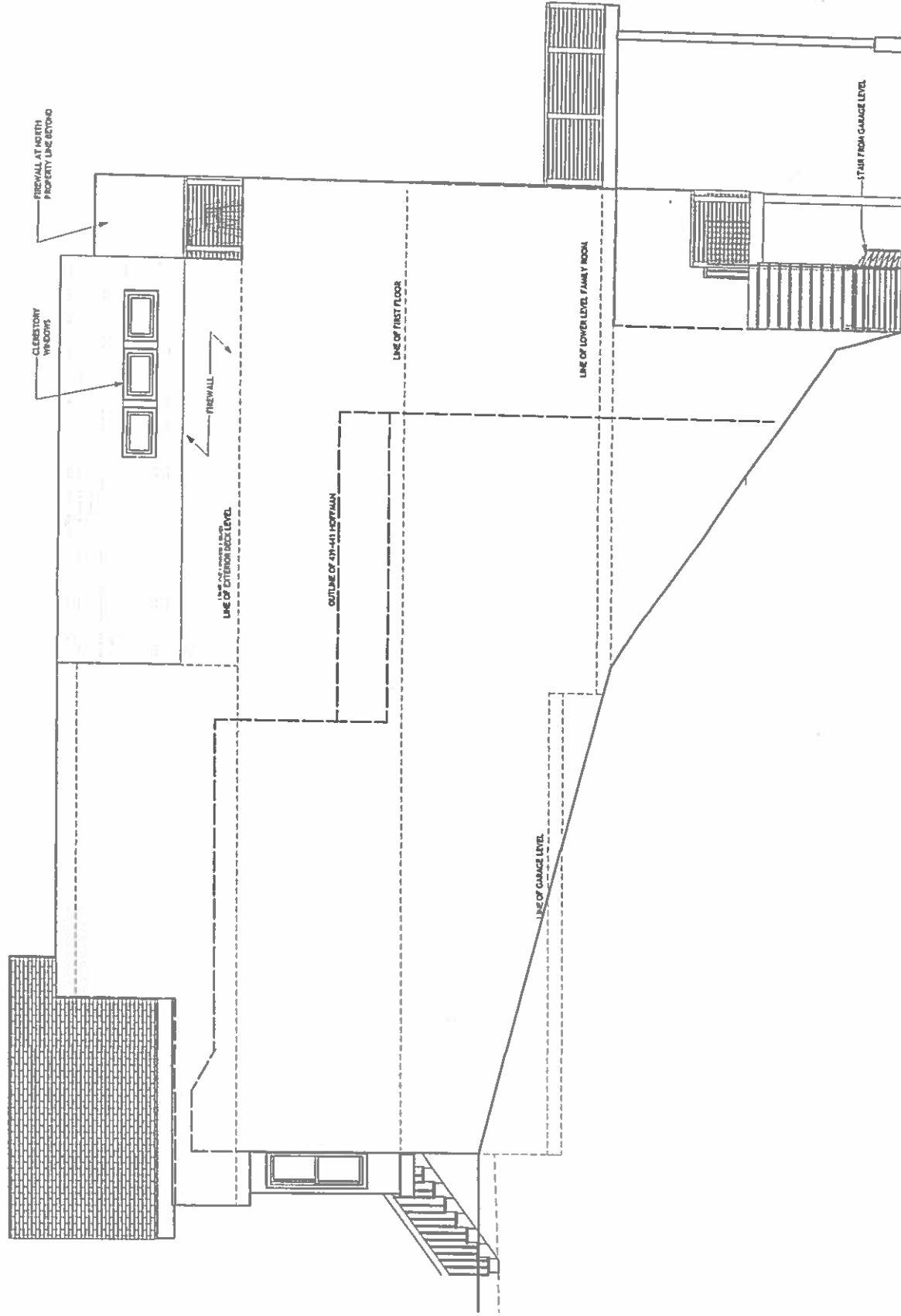


Exhibit 9

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 11/3/2015 5:30:16 PM

Application Number: 201209079183
 Form Number: 8
 Address(es): 6503 / 024 / 0 437 HOFFMAN AV
 Description: REV. TO APPROVED BLDG PA#200806275494 EXISTING DECK TO BE VOLUNTARY STRENGTHENED, MERGE 2 UNITS INTO 1 UNIT. REMOVE KITCHEN @ 1/F, CONSTRUCT STAIR BETWEEN 1/F & 2/F
 Cost: \$1.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
9/7/2012	TRIAGE	
9/7/2012	FILING	
9/7/2012	FILED	
9/17/2012	PLANCHECK	
9/17/2012	WITHDRAWN	

Contact Details:

Contractor Details:

License Number: OWN
 Name: OWNER OWNER
 Company Name: OWNER
 Address: OWNER * OWNER CA 00000-0000
 Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CPB	9/17/12	9/17/12			9/17/12	SECONDEZ GRACE	415-558-6070	
2	BLDG	9/6/12	9/6/12			9/6/12	DANG DENNIS	415-558-6133	
3	CPB	9/17/12	9/17/12			9/17/12	CHEUNG WAI FONG	415-558-6070	9/17/12: WITHDRAWN PER ARCHITECT'S REQUEST. REVISION SUBMITTED IN ERROR. WF

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
------------------	-------------------	------------------	------------------	-------------	------------

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
-------------	----------------	--------------	-----------------	-------------	---------

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

Welcome to our Permit / Complaint Tracking System!

Below is a list of all agents for the selected permit, along with their roles on the project.

Permit Number: 201209079183

	Firm Name▼	Agent Name	Role	From	To
Info	OWNER	OWNER OWNER	CONTRACTOR	9/17/2012	
Info		TOBY LONG DESIGN	ARCHITECT	9/17/2012	
1					

[Online Permit and Complaint Tracking home page.](#)

Technical Support for Online Services

If you need help or have a question about this service, please visit our [FAQ area](#).

[Contact SFGov](#) [Accessibility](#) [Policies](#)
City and County of San Francisco ©2000-2009

Exhibit 10

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 11/3/2015 5:29:21 PM

Application Number: 201305167162
 Form Number: 8
 Address(es): 6503 / 024 / 0 437 HOFFMAN AV
 Description: REVISION TO APPL #2008.06.27.5494 - KEEP EXISTING DOOR (EXTERIOR) AT LOWER LEVEL, NO ADDITIONAL WORK BEYOND WHAT WAS ORIG. APPROVED.
 Cost: \$1.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
5/16/2013	TRIAGE	
5/16/2013	FILING	
5/16/2013	FILED	
5/16/2013	APPROVED	
5/16/2013	ISSUED	
7/12/2013	COMPLETE	1732994 Final Inspection/Approved

Contact Details:

Contractor Details:

License Number: OWNER
 Name: OWNER
 Company Name: OWNER
 Address: OWNER * OWNER CA 00000-0000
 Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	INTAKE	5/16/13	5/16/13			5/16/13	YIP JANET	
2	BLDG	5/16/13	5/16/13			5/16/13	DANG DENNIS	
3	CPB	5/16/13	5/16/13			5/16/13		OTC FDR

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
------------------	-------------------	------------------	------------------	-------------	------------

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
7/12/2013	Fergal Clancy	FINAL INSPECT/APPRVD	FINAL INSPECT/APPRVD
6/6/2013	Fergal Clancy	FINAL INSPECT/APPRVD	CORRECTION REQUIRED

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
-------------	----------------	--------------	-----------------	-------------	---------

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

[Technical Support for Online Services](#)

Welcome to our Permit / Complaint Tracking System!

Below is a list of all agents for the selected permit, along with their roles on the project.

Permit Number: 201305167162

	Firm Name▲	Agent Name	Role	From	To
Info	OWNER	OWNER	CONTRACTOR	5/16/2013	
Info	TOBY LONG DESIGN	ROSS E LONG III'	ARCHITECT	5/16/2013	
1					

[Online Permit and Complaint Tracking](#) home page.

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Contact SFGov Accessibility Policies
City and County of San Francisco ©2000-2009

Exhibit 11

Notice of Pre-Application Meeting

MEETING #1

FEBRUARY 12, 2014

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVENUE, cross street(s) 24TH STREET (Block/Lot#: 6503/24; Zoning: RH-2), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☐ New Construction;
- ☐ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☒ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: Remodel to existing residence which includes an addition at the rear and the modification of the lower level to create a single car garage.

Existing # of dwelling units: <u>1</u>	Proposed: <u>1</u>	Permitted: <u>2</u>
Existing bldg square footage: <u>2238 SF</u>	Proposed: <u>3809 SF</u>	Permitted: <u>6075 SF (F.A.R. max)</u>
Existing # of stories: <u>3</u>	Proposed: <u>3</u>	Permitted: <u>3</u>
Existing bldg height: <u>24' front</u>	Proposed: <u>30' front</u>	Permitted: <u>30' front</u>
Existing bldg depth: <u>33'-7"</u>	Proposed: <u>57'-3"</u>	Permitted: <u>61'-3"</u>

MEETING INFORMATION:

Property Owner(s) name(s): Vivek and Pooja Mittal

Project Sponsor(s): tobylongdesign - Toby Long, AIA

Contact information (email/phone): toby@tobylongdesign.com / 415.905.9030

Meeting Address*: 437 HOFFMAN AVENUE

Date of meeting: Thursday, March 6, 2014

Time of meeting**: 6 PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

Pre-Application Meeting Sign-in Sheet

Meeting Date: 03.09.2014
 Meeting Time: 6PM
 Meeting Address: 437 HOFFMAN AVE
 Project Address: 437 HOFFMAN AVE
 Property Owner Name: VIVEK + POOJA MITTAL
 Project Sponsor/Representative: TOBY LONG DESIGN

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. PAUL LEFEBVRE	439 HOFFMAN AVE	415 238 0229	paul-lefebvre@msn.com	<input checked="" type="checkbox"/>
2. Stephanie Bellville	431 Hoffman Ave	415 407 8556	smbellville@hotmail.com	<input checked="" type="checkbox"/>
3. JAMES BELLVILLE	431 Hoffman Ave	415 675-2133	jbellvilleart@yahoo.com	<input checked="" type="checkbox"/>
4. Stephen Baskerville	439 Hoffman Ave		rvfrnkhound@gmail.com	<input checked="" type="checkbox"/>
5. Gene Geisler	433 Hoffman		genege@sfsu.edu	<input checked="" type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
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				<input type="checkbox"/>
				<input type="checkbox"/>



San Francisco
State University

Department of
Political Science

R. Gene Geisler, Ph.D.
Professor, Emeritus

433 Hoffman Avenue
San Francisco, CA 94114

Home: 415/695-9693
Gentle Valley Ranch: 707/984-6679
E-mail: genege@sfsu.edu

13. _____ ☐
 14. _____ ☐
 15. _____ ☐
 16. _____ ☐
 17. _____ ☐
 18. _____ ☐

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

I, ABBY WITTMAN, 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 437 HOFFMAN AVENUE, SF (location/address) on 3/6/2014 (date) from 6:00pm (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, APRIL 10th, 2014 IN SAN FRANCISCO.

Signature

ABBY WITTMAN / TOBY LONG DESIGN

Name (type or print)

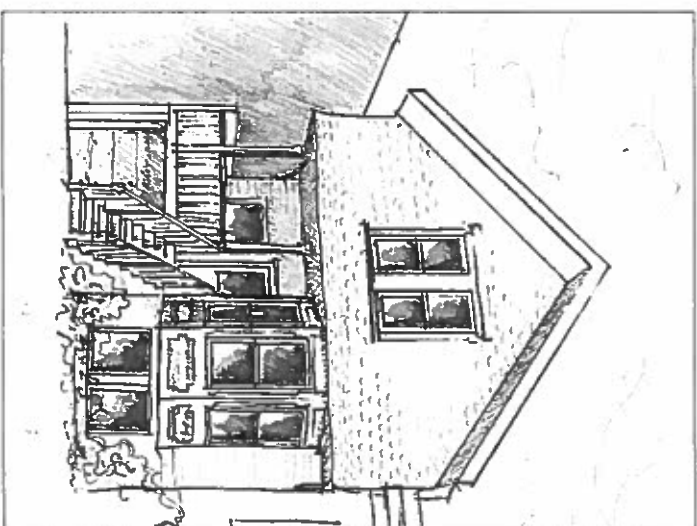
AGENT - TOBY LONG DESIGN - ARCHITECT

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

(If Agent, give business name & profession)

437 HOFFMAN AVENUE

Project Address

[illegible]

PLANS from 03.06.2014
neighborhood MTE

- | LEGEND | |
|--------|------------------------|
| — | SUBJECT PROPERTY LINE |
| - - - | ADJOINER PROPERTY LINE |
| —X— | WOOD FENCE |
| XXXX | WIRE FENCE |
| XXXXXX | BUILDING LINE |
| CONC | CONCRETE |
| BCB | BACK OF CURB |
| EL | ELEVATION |
| FC | FACE OF CURB |
| FL | FOOT LINE |
| FL | FLYING DOOR |
| GV | GAS VALVE |
| GM | GAS METER |
| HM | MANHOLE |
| OE | OVERHEAD ELECTRIC |
| PP | POWER POLE |
| WH | WATER METER |
| WV | WATER VALVE |
| EL | ELEVATION |



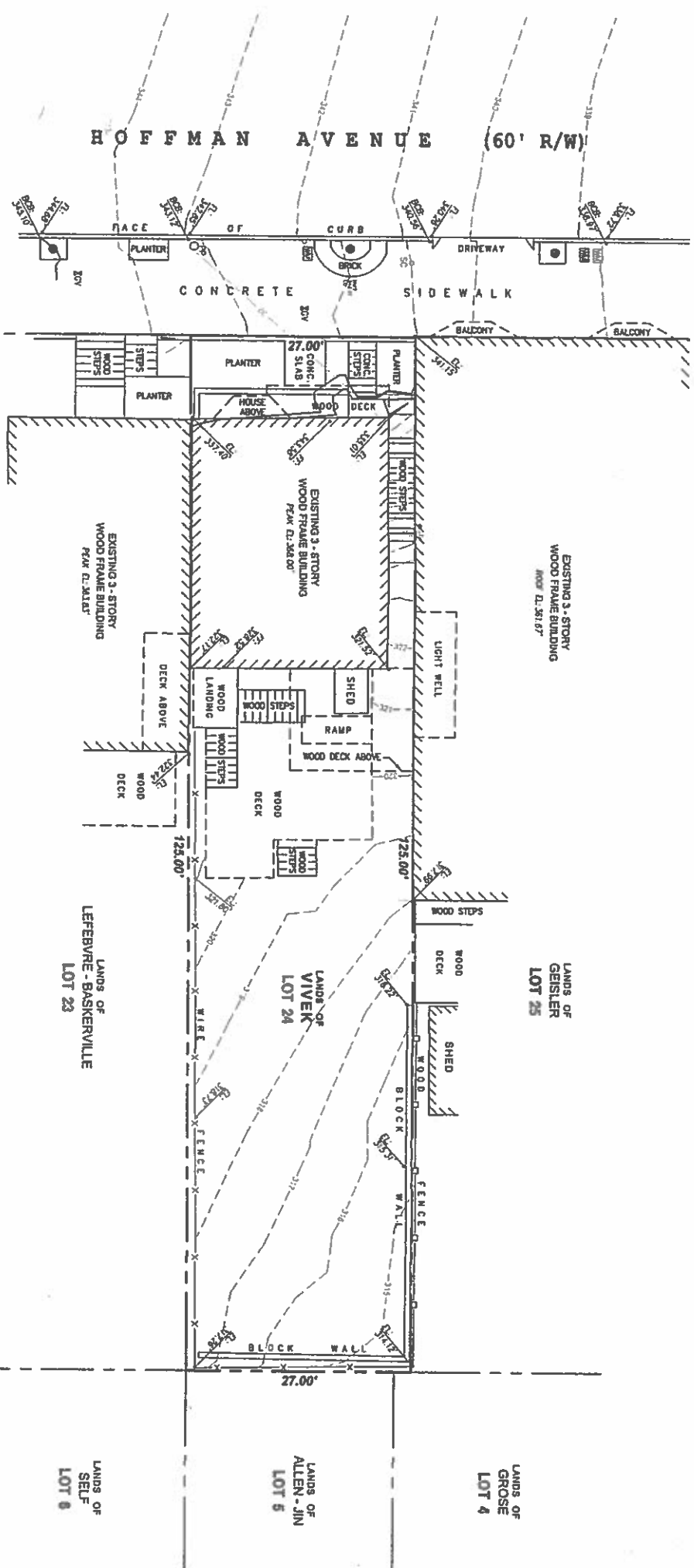
BASIS OF SURVEY
THIS BASIS OF MEASUREMENTS FOR THIS SURVEY FROM POUND MONUMENT MARKS ALONG HOFFMAN ST AT THE INTERSECTION OF 23RD ST AND 24TH ST PER MONUMENT MAP NO. 231 FILED IN THE OFFICE OF THE CITY AND COUNTY OF SAN FRANCISCO ENGINEER.

GENERAL NOTES

- 1) REFERENCED MAPS PER COUNTY RECORDER.
- 2) ALL ANGLES ARE 90°00' UNLESS NOTED OTHERWISE.
- 3) DISTANCES SHOWN IN FEET AND DECIMALS THEREOF

UTILITY NOTE
UNDERGROUND UTILITIES SHOWN WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THUS, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZE, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE DIVERFOR FOR THE LOCATION OR CAPACITY OF SAID UTILITIES.

BENCHMARK NOTE
ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A CITY AND COUNTY OF SAN FRANCISCO BENCHMARK POUND AT THE INTERSECTION OF HOPKIN AVE AND 24TH STREET, A CROW CUT IN THE OUTER RIM OF A STORM WATER INLET AN ELEVATION OF 324.508'.



Michael S. Lemke, U.S. No. 3602, Expires 6/30/2014

DATE	5/20/2012
FILE#	AL119017
DRAWN BY	JR
APPROVED BY	ML

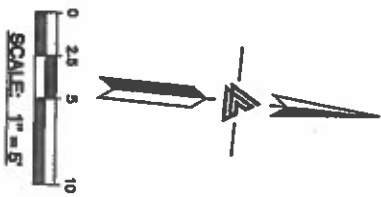
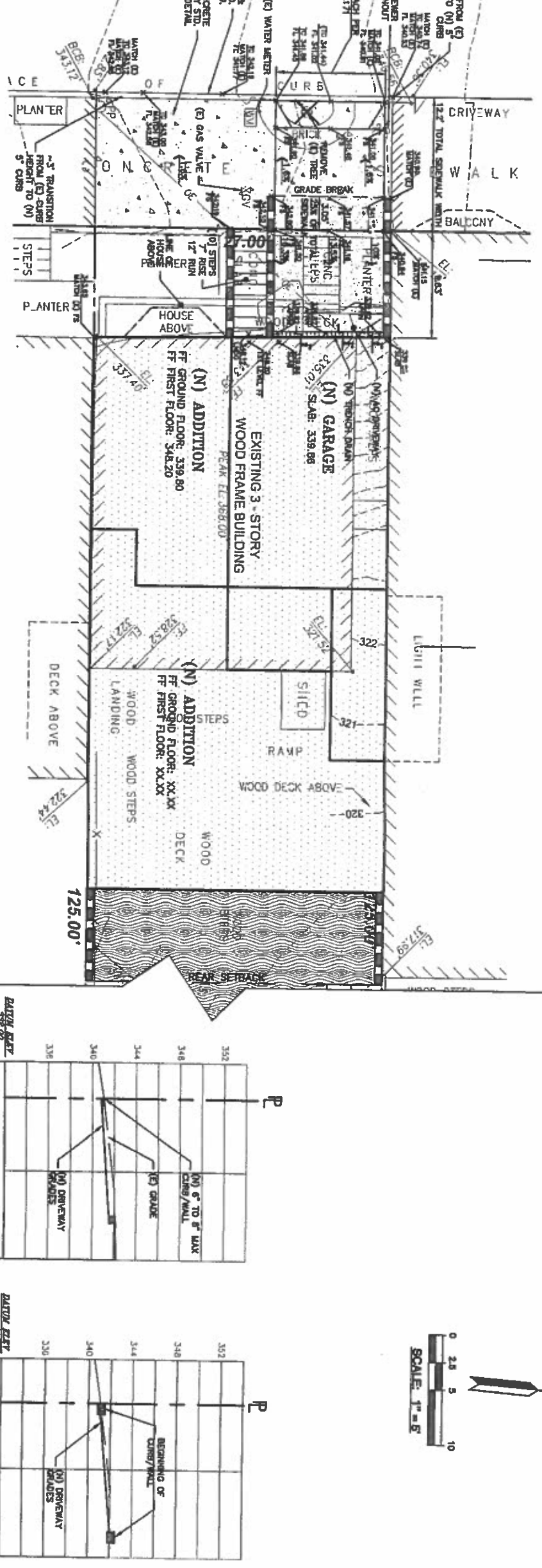
ORIGINAL SCALE: 1" = 8'

AMERICAN LAND SURVEYING, INC.
1390 MARKET ST., SUITE 112, SAN FRANCISCO, CA 94102
PH: (415) 882-8390 FAX: (415) 260-5454

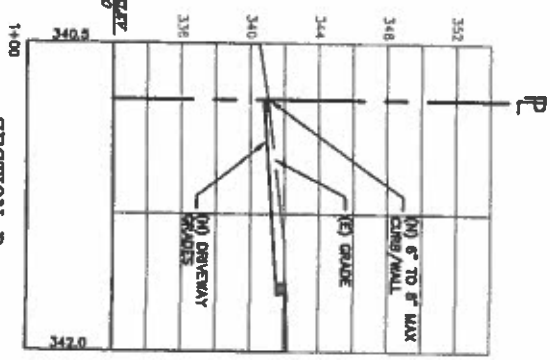
TOPOGRAPHIC MAP
473 HOFFMAN AVENUE
SAN FRANCISCO, CA

SHEET NO.
1 of 1

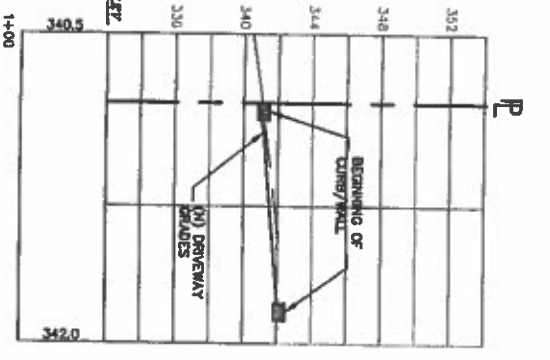
MITTAL RESIDENCE
437 HOFFMAN AVENUE
SAN FRANCISCO, CALIFORNIA



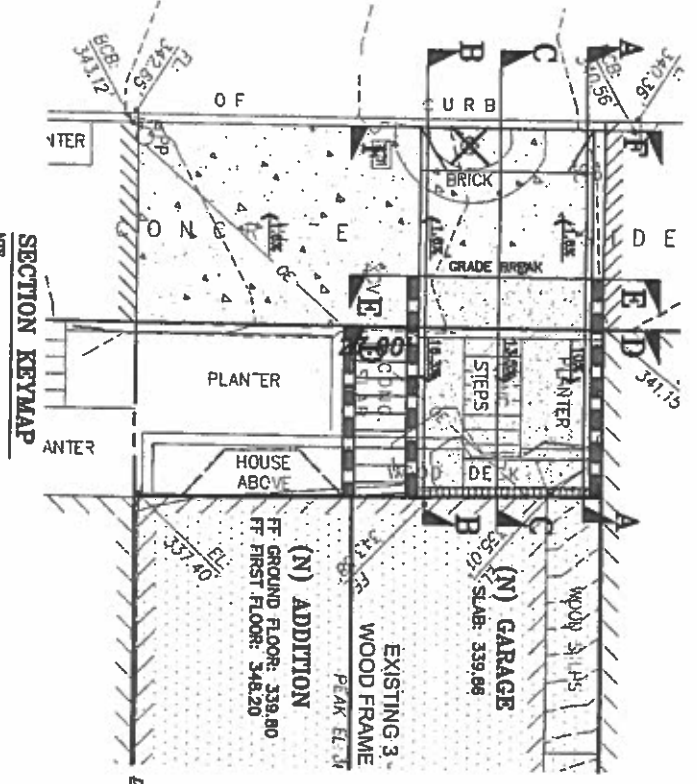
SECTION D
NTS



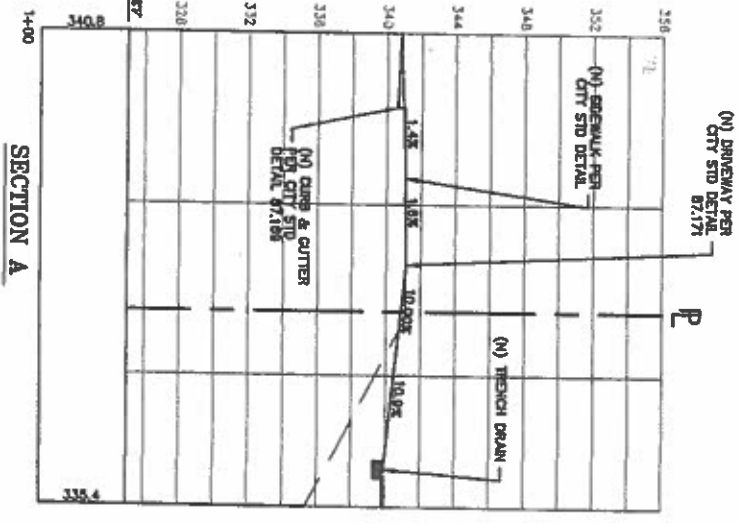
SECTION E
NTS



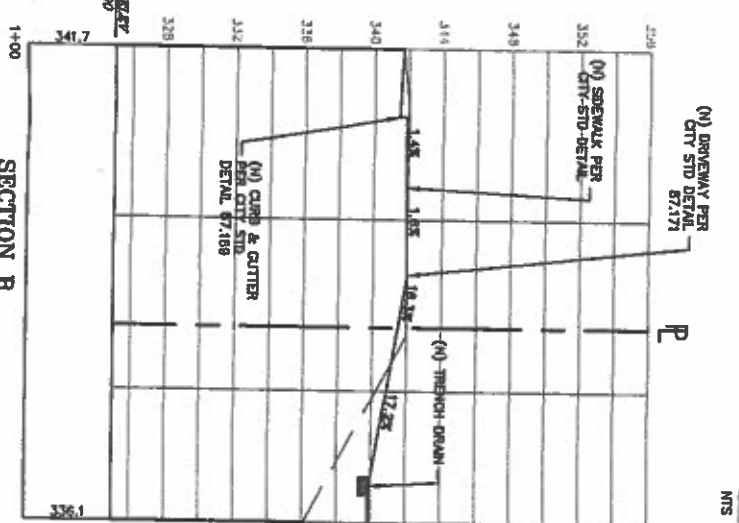
SECTION KEYMAP
NTS



SECTION A
NTS



SECTION B
NTS



SECTION C
NTS



DRIVEWAY EXHIBIT

MITTAL RESIDENCE
437 HOFFMAN AVENUE
SAN FRANCISCO, CALIFORNIA
SAN FRANCISCO COUNTY
APR 6503-024

LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS • LAND SURVEYORS
BAY AREA REGION
2495 INDUSTRIAL PKWY WEST
HAYWARD, CALIFORNIA 94545
(P) (510) 887-4088
(F) (510) 887-3019
WWW.LEABRAZE.COM
SACRAMENTO REGION
3017 DOUGLAS BLVD, # 300
ROSEVILLE, CA 95661
(P) (916) 966-1338
(F) (916) 797-7363



REVISIONS	BY
DATE	4-4-14
SCALE	1" = 5'
DRAWN BY	ATL
SHEET NO.	C-20



ARCHITECTURE
tobylongdesign
6114 LA SALLE AVENUE #512, OAKLAND, CA 94611
P: 415.903.9030 F: 415.903.9035 www.tobylongdesign.com

Issue
ARCHITECTURAL/
HISTORICAL EVALUATION
NOVEMBER MEETING 01.17.2014
01.01.2014
SITE PLAN/ SUBMITTAL 04.01.2014

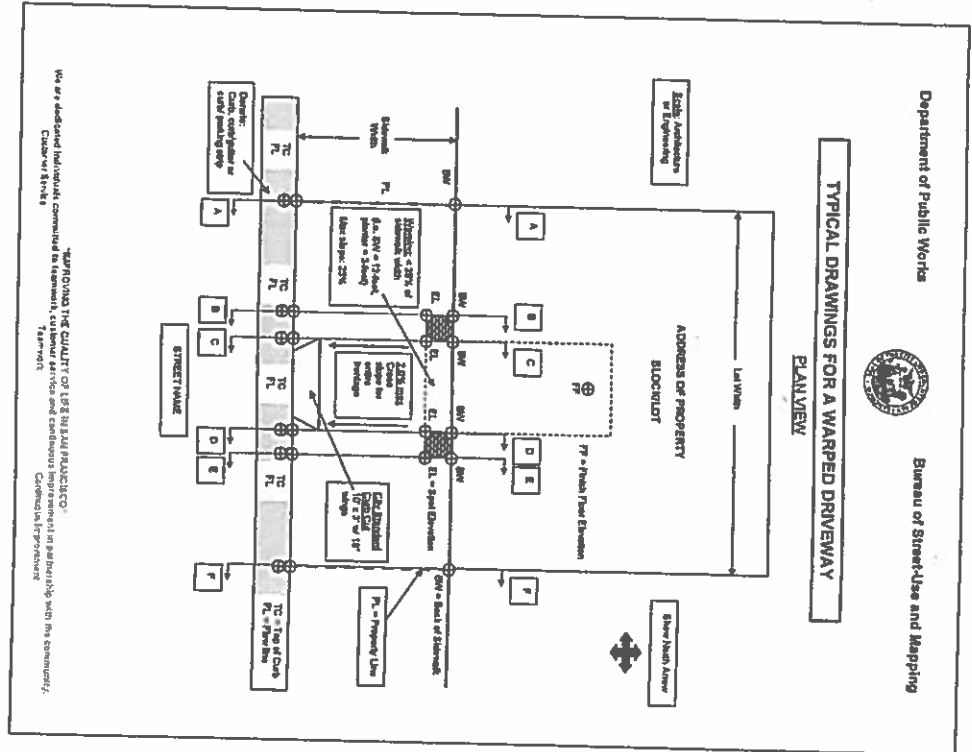
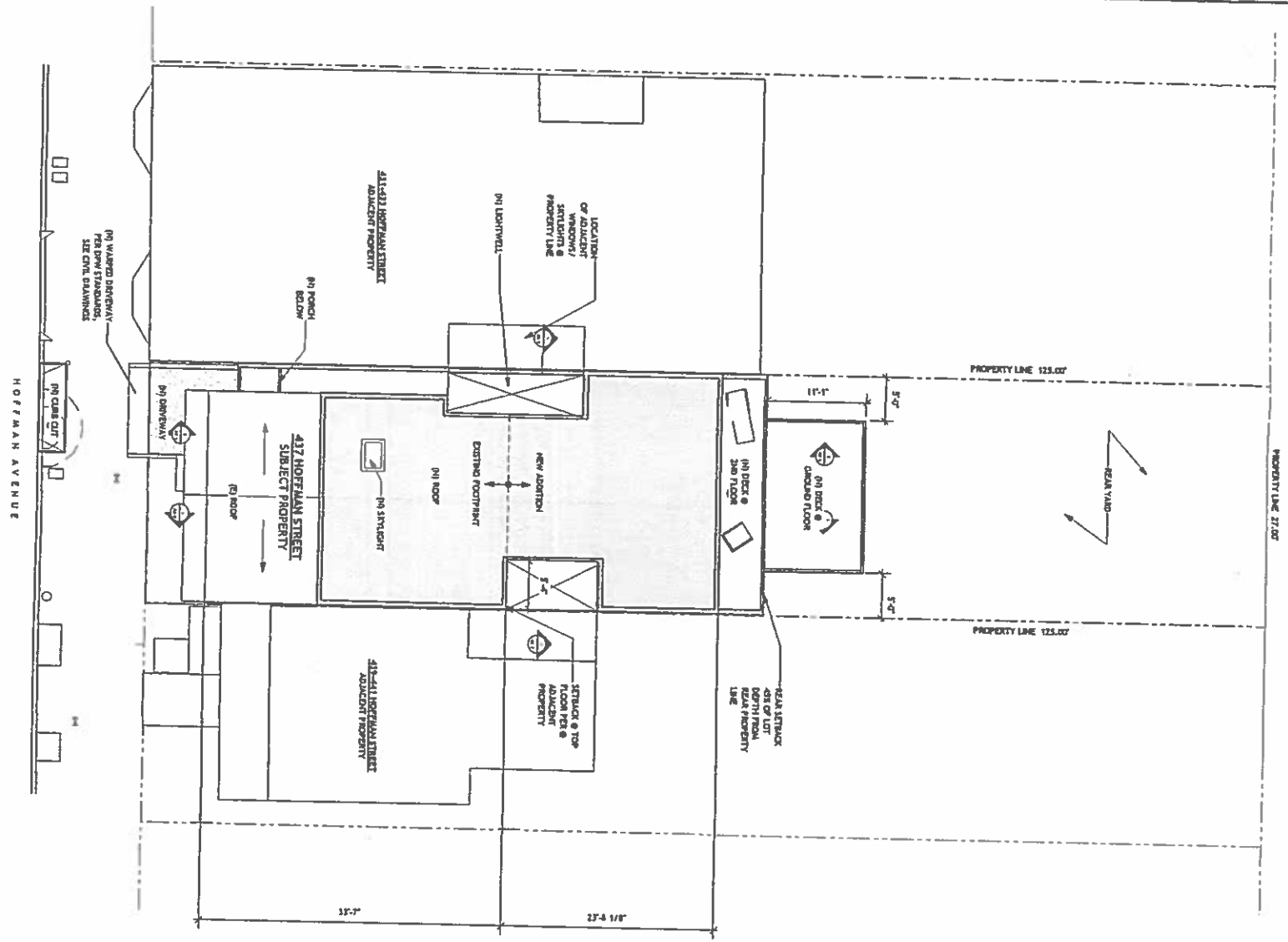
MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

SITE PLAN

Notes:
1. This site plan is prepared in accordance with the requirements of the Planning Department of the City of San Francisco.
2. The site plan is based on the information provided by the client and the existing conditions of the site.
3. The site plan is subject to the approval of the Planning Department of the City of San Francisco.
4. The site plan is not to be used for any other purpose without the written consent of the architect.

Scale
1" = 1'-0"
Date
02.03.2011
Sheet
A1.0

BUILDING AREA	
GROUND	1274 SF (317 SF G.A. + 957 H.A.)
FIRST FLOOR	1212 SF
SECOND FLOOR	1223 SF
TOTAL	3809 SF (2482 WHO DABAGE)





ARCHITECTURE
tobylongdesign
4114 LA SALLE AVENUE #552, OAKLAND, CA 94611
P: 415.905.9010 F: 415.905.9015 www.tobylongdesign.com

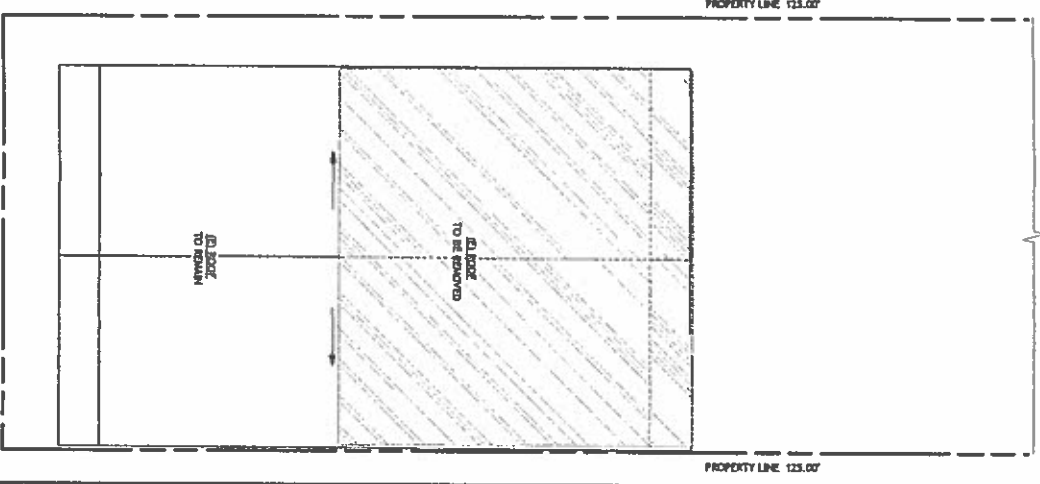
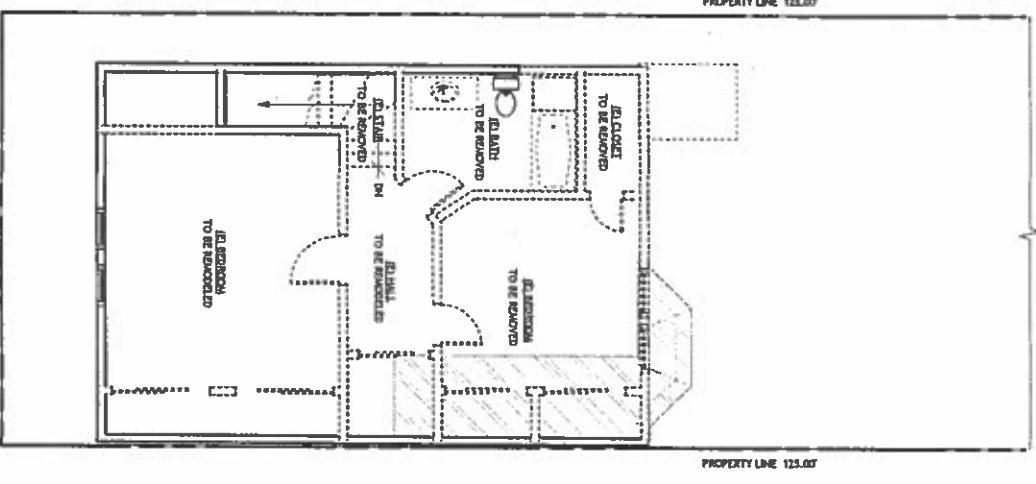
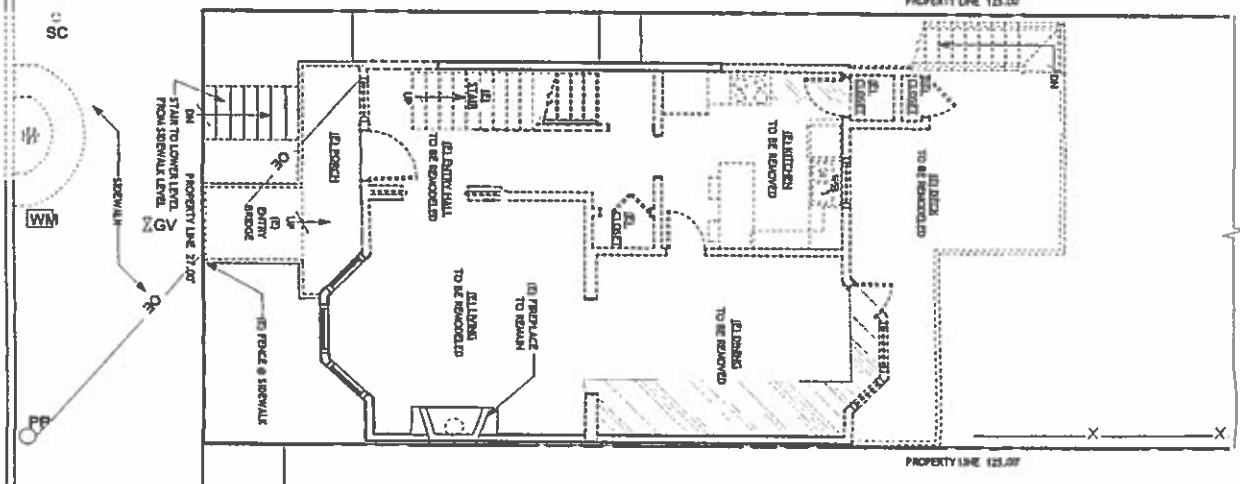
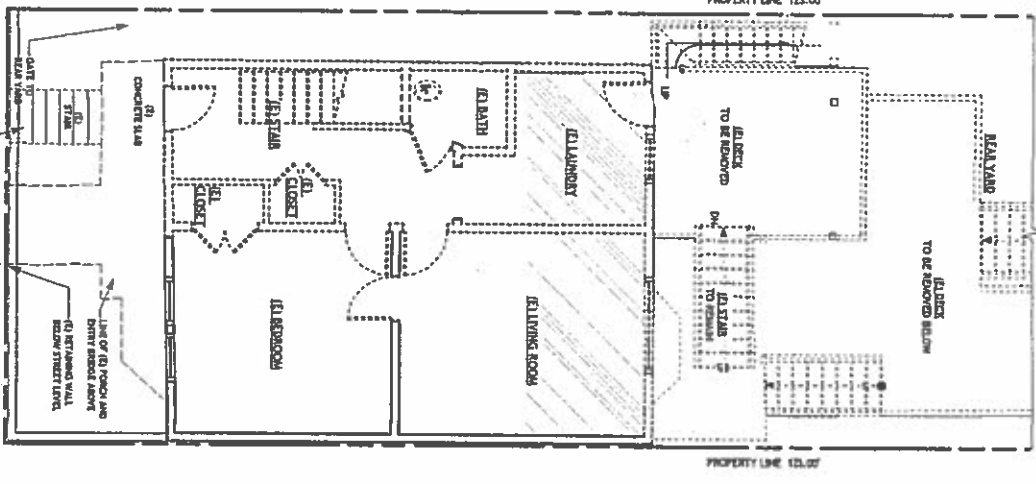
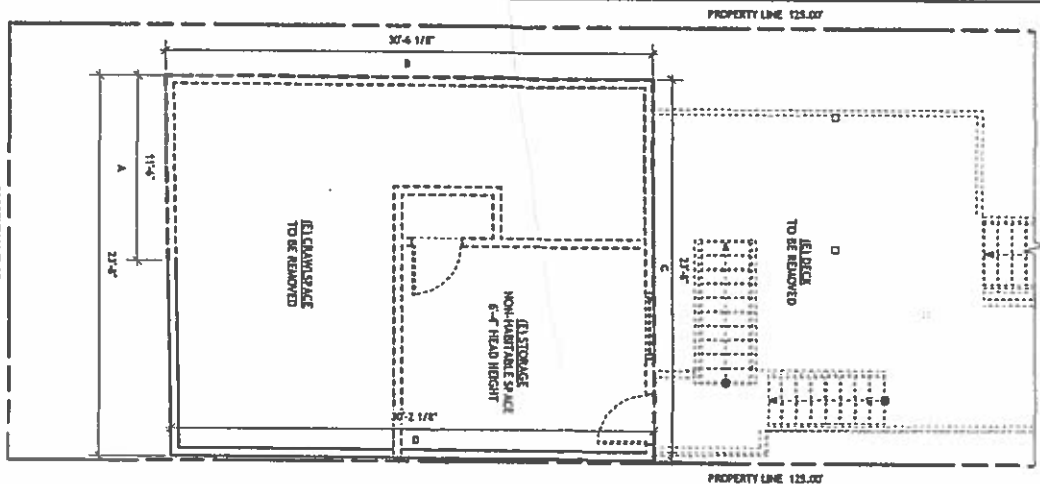
ISSUE
DEMOMONSTRATION
HISTORICAL EVALUATION
MEASUREMENTS
SITE POINT SURVEY
01.27.2014
02.06.2014
04.09.2014

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

DEMOLITION PLAN

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scale
1/8" = 1'-0"
date
07.06.2012
sheet
A1.1



1 (E) CRAWLSPACE LEVEL

2 (E) GROUND FLOOR

3 (E) FIRST FLOOR

4 (E) SECOND FLOOR

5 (E) ROOF PLAN

317.28 - LINEAL FOOT CALCULATION			
ELEMENT	(1) LENGTH	REMOVED	% REMOVED
A) FRONT PORCH FLOOR	23'-4"	11'-4"	48.6%
C) REAR PORCH FLOOR	23'-4"	23'-4"	100%
TOTAL FRONT & REAR	47'-8"	35'-7"	74.5%
B) SIDE PORCH FLOOR	30'-4"	30'-4"	100%
D) SIDE PORCH FLOOR	30'-4"	0'-0"	0%
TOTAL LF REMOVAL	118'-4"	65'-8"	55%

317.2C - AREA MEASUREMENT - VERTICAL			
ELEMENT	(1) AREA (SF)	REMOVED	% REMOVED
A) FRONT PORCH FLOOR	44.5	20.4	31%
C) REAR PORCH FLOOR	108.6	108.6	100%
B) SIDE PORCH FLOOR	8.11	8.08	61%
D) SIDE PORCH FLOOR	82.7	0	0%
TOTAL VERTICAL	340.7	179.8	51%

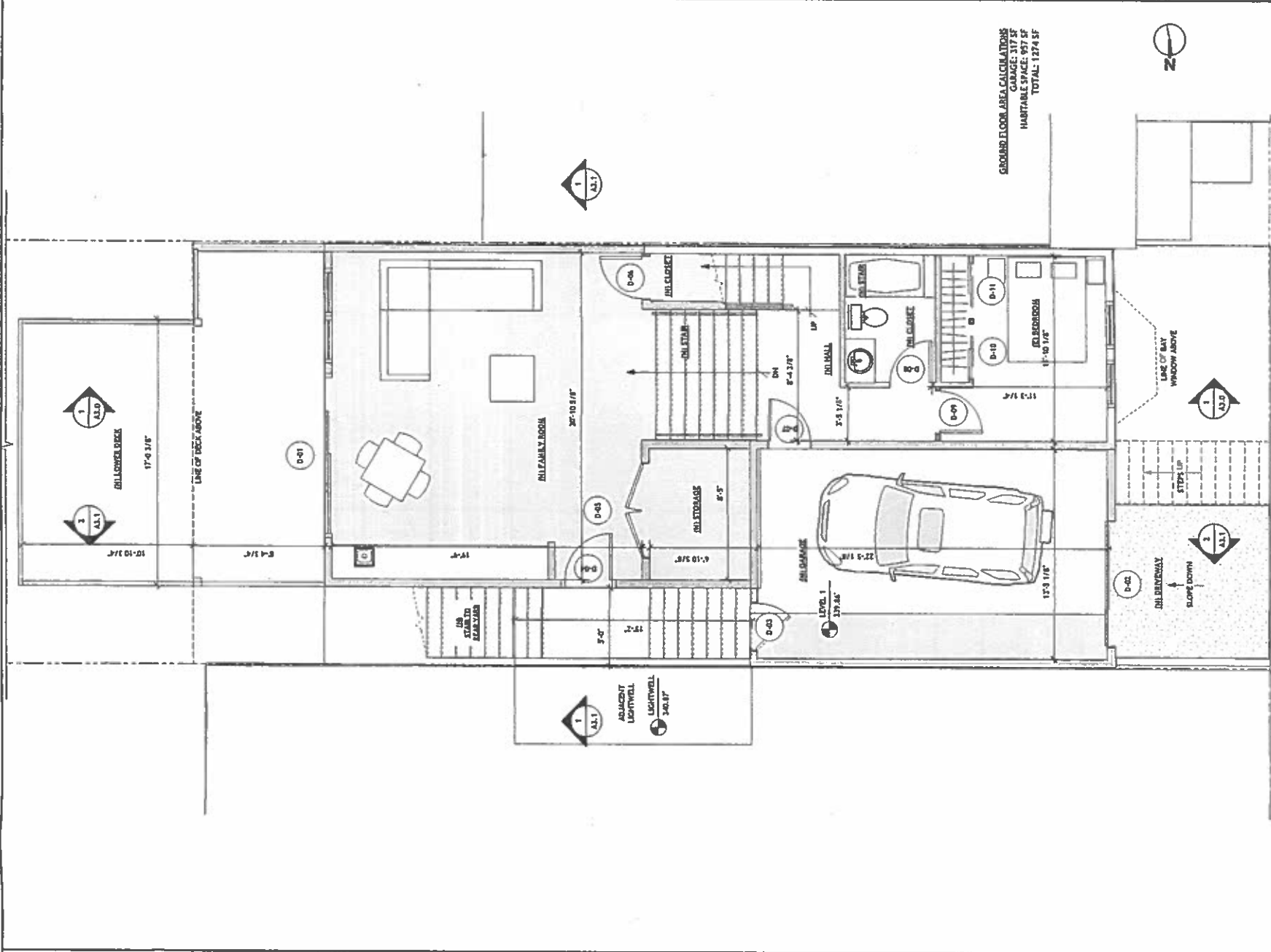
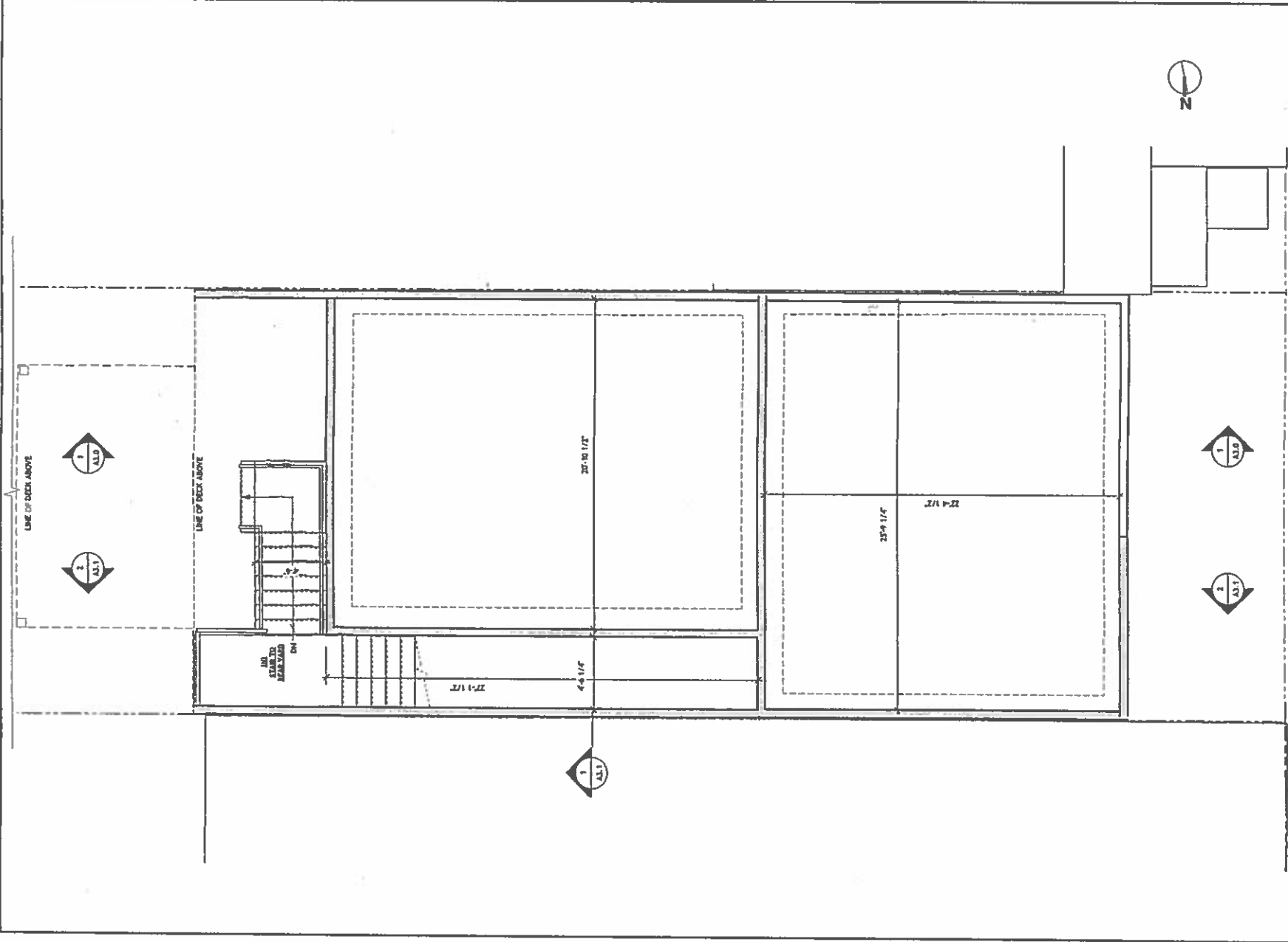
317.2C - AREA MEASUREMENT - HORIZONTAL			
ELEMENT	(1) AREA (SF)	REMOVED	% REMOVED
FLOOR	221.8	38.5	17%
ROOF	94.3	5.14	5%
TOTAL HORIZONTAL	316.1	43.6	14%

BASED ON THESE CALCULATIONS, THE BUILDING DOES NOT MEET ALL CONDITIONS IN SF PLANNING CODE SECTION 317.28 OR 317.2C AND IS NOT CONSIDERED TYPICALLY REMOVED.

LEGEND	
	STRUCTURE TO BE REMOVED
	WALL TO REMAIN
	WALL TO BE REMOVED



5 DEMOLITION CALCULATIONS PER SF PLANNING CODE 317



© T0314005051003610

A2.0

sheet

02.02.2011

scale
1/4-1/2"

Project 1 will use a computer spreadsheet to help with data organization and analysis. Students will compare the data for the two groups and draw conclusions about the effect of the treatment. Project 2 will use a computer spreadsheet to help with data organization and analysis. Students will compare the data for the two groups and draw conclusions about the effect of the treatment.

SCHEMATIC PLANS

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

ISSUE	01.27.2014	03.04.2014	04.09.2014
ENVIRONMENTAL/ HISTORICAL EVALUATION			
NEIGHBOR MEETING			
SITE PERMIT SUBMITTAL			

ARCHITECTURE
toby long design
6114 LA SALLE AVENUE #592, OAKLAND, CA 94611
P: 415.505.9030 F: 415.505.9035 www.tobydesigngroup.com





ARCHITECTURE
tobylongdesign
6114 LA SALLE AVENUE #352, OAKLAND, CA 94611
P: 415.903.9030 F: 415.903.9032 www.tobylongdesign.com

ISSUE	DATE
ENVIRONMENTAL / HISTORICAL EVALUATION	01.17.2014
NEIGHBOR MEETING	03.06.2014
SITE PERMIT SUBMITTAL	04.09.2014

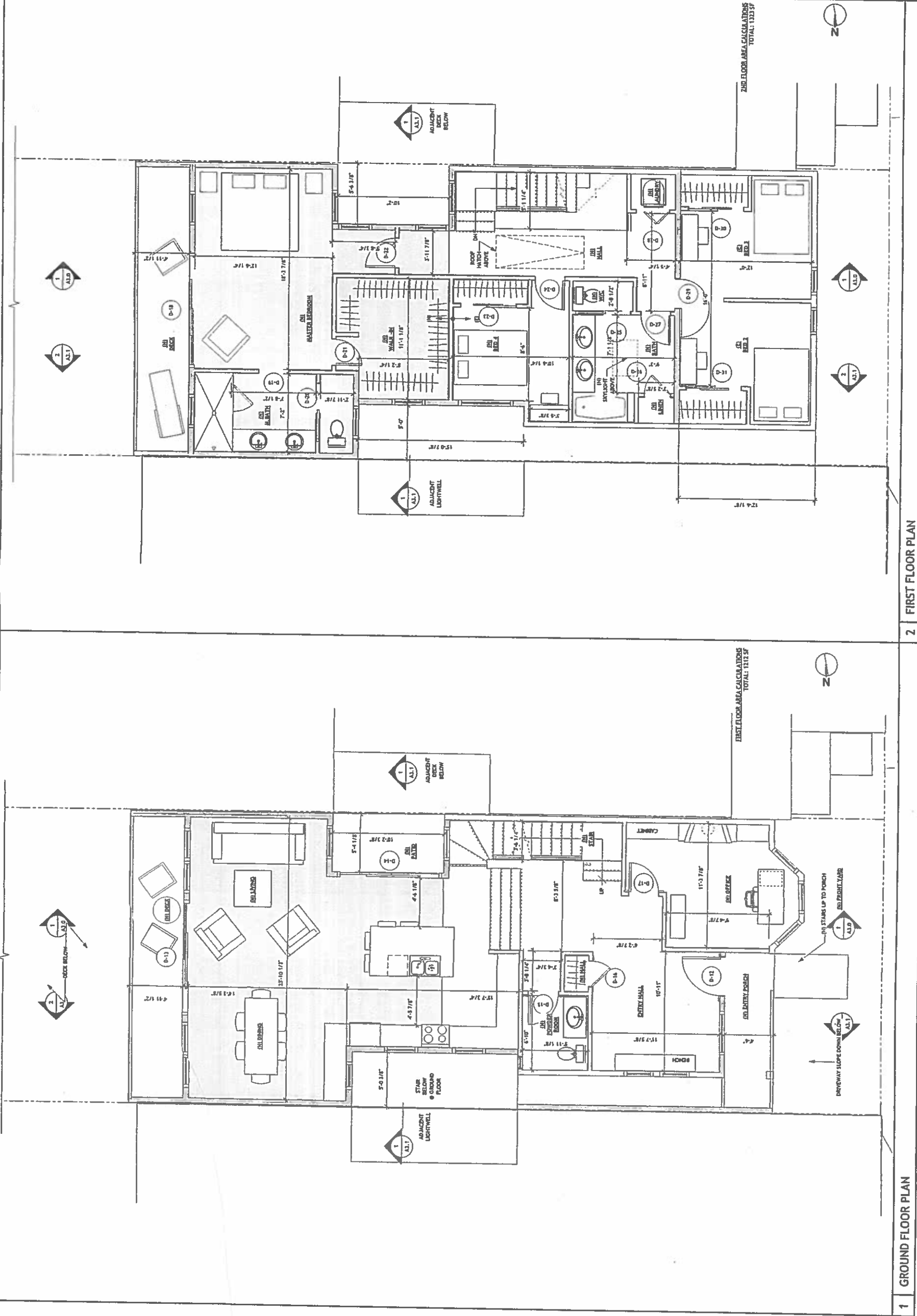
MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

SCHEMATIC PLANS

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

scale 1/4"=1'-0"
date 02.03.2011
sheet

A2.1
© PATRICIA HILL 1991



1 GROUND FLOOR PLAN

2 FIRST FLOOR PLAN

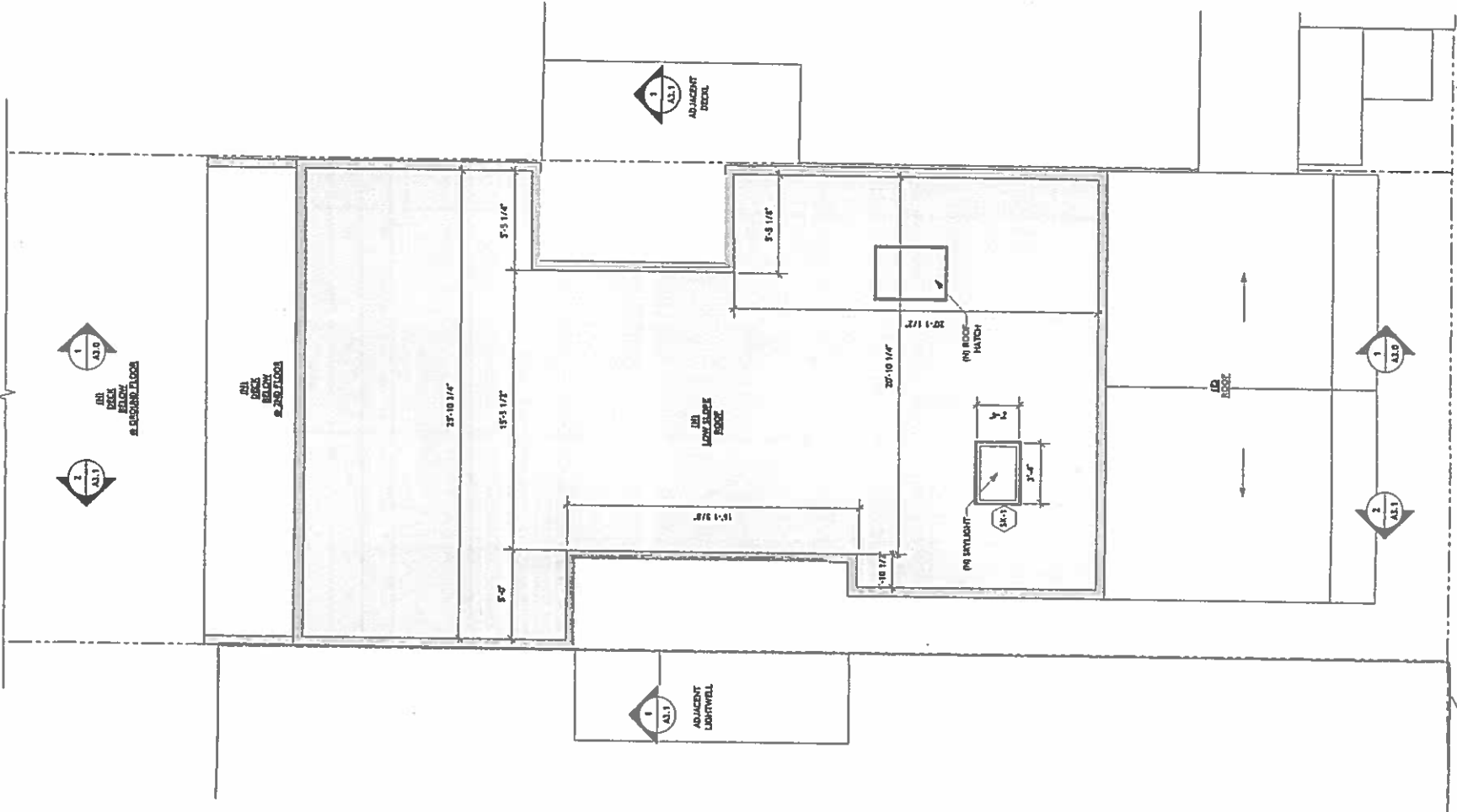
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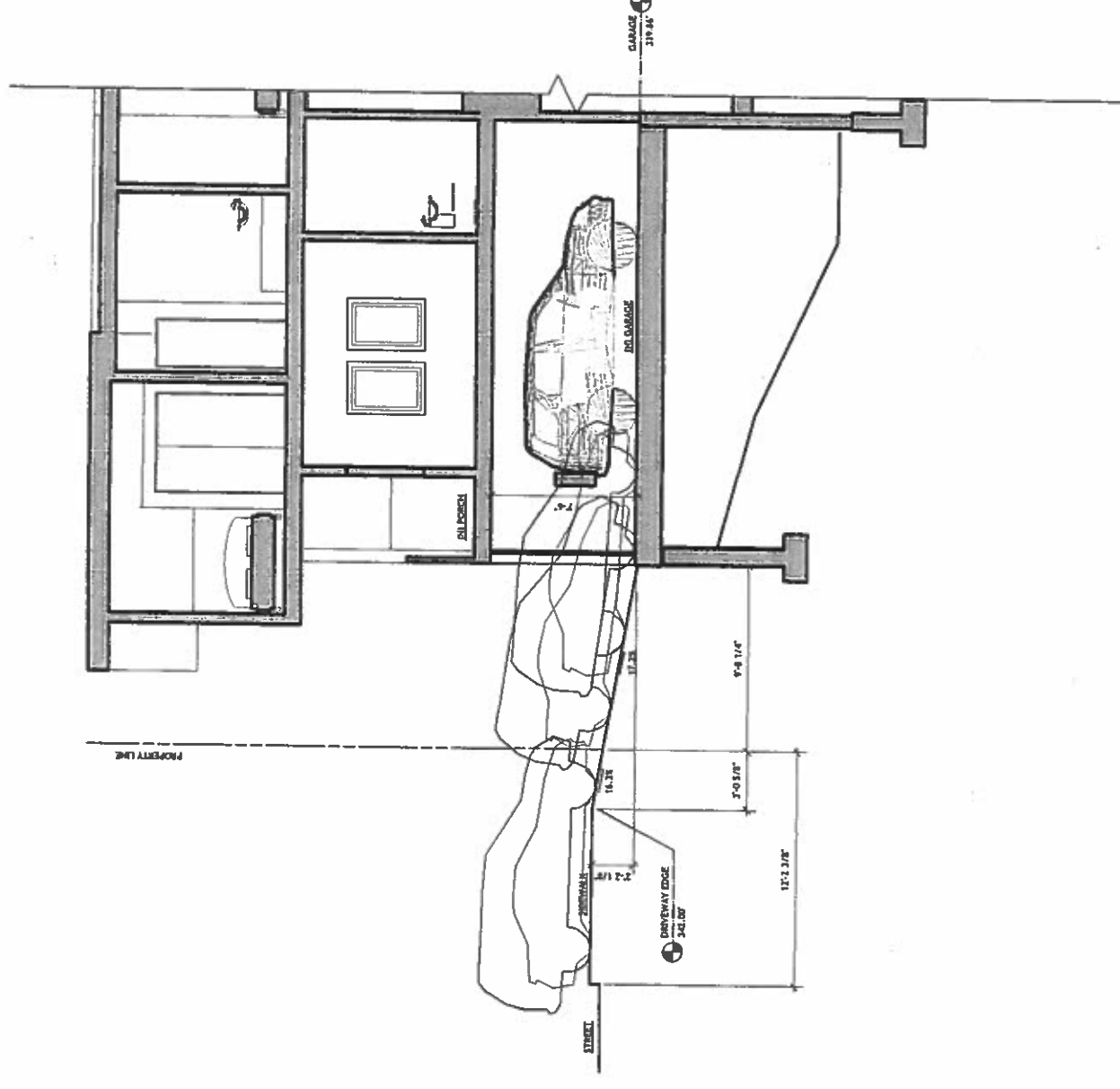
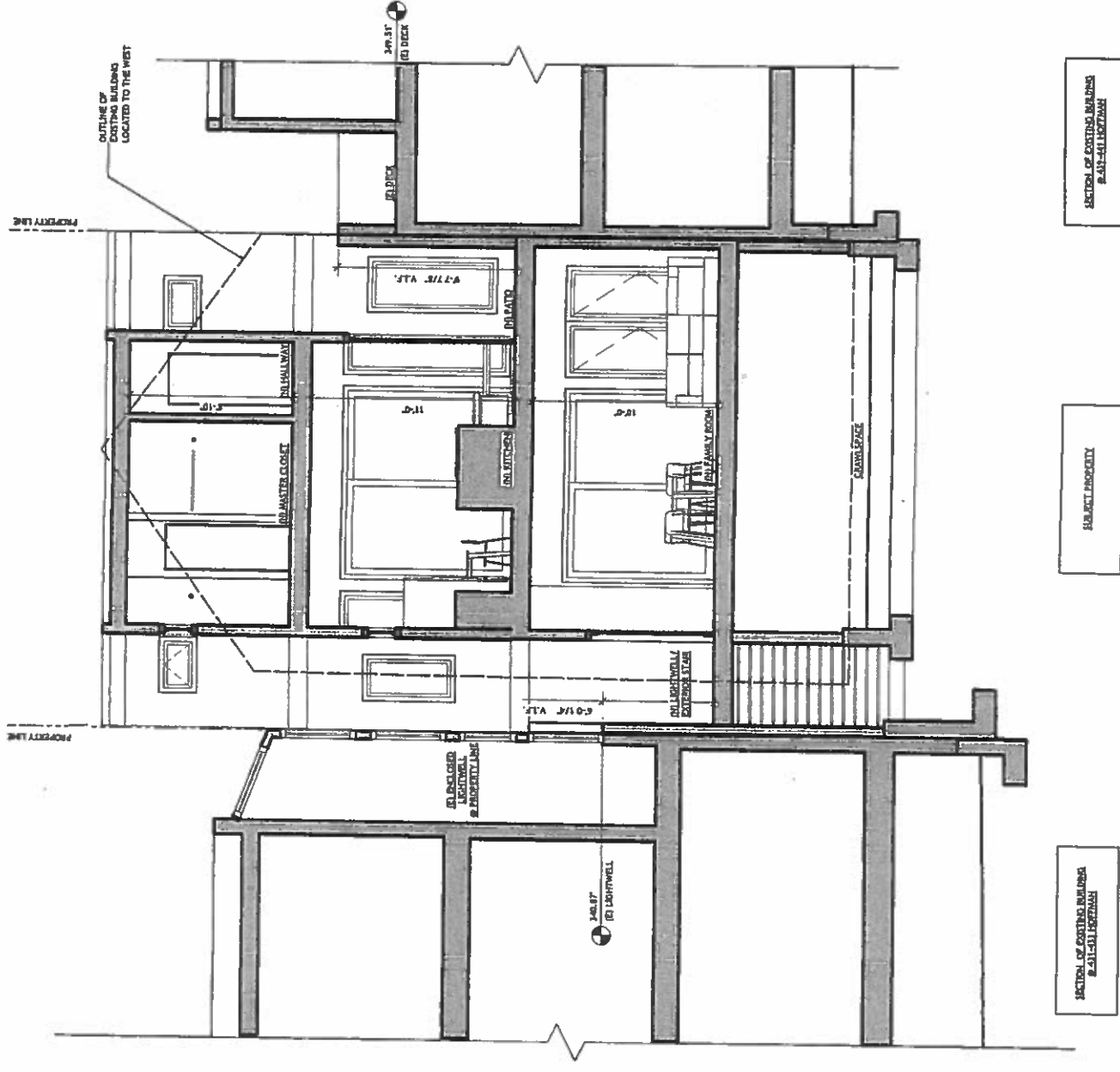
SCHEMATIC PLANS

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

ENVIRONMENTAL / HISTORICAL EVALUATION 01.27.2014
NEIGHBOR MEETING 01.04.2014
SITE PERMIT SUBMITTAL 04.09.2014

ARCHITECTURE
tobylongdesign
6114 LA SALLE AVENUE #552, OAKLAND, CA 94611
P: 415.903.9030 F: 415.903.9035 www.tobylongdesign.com

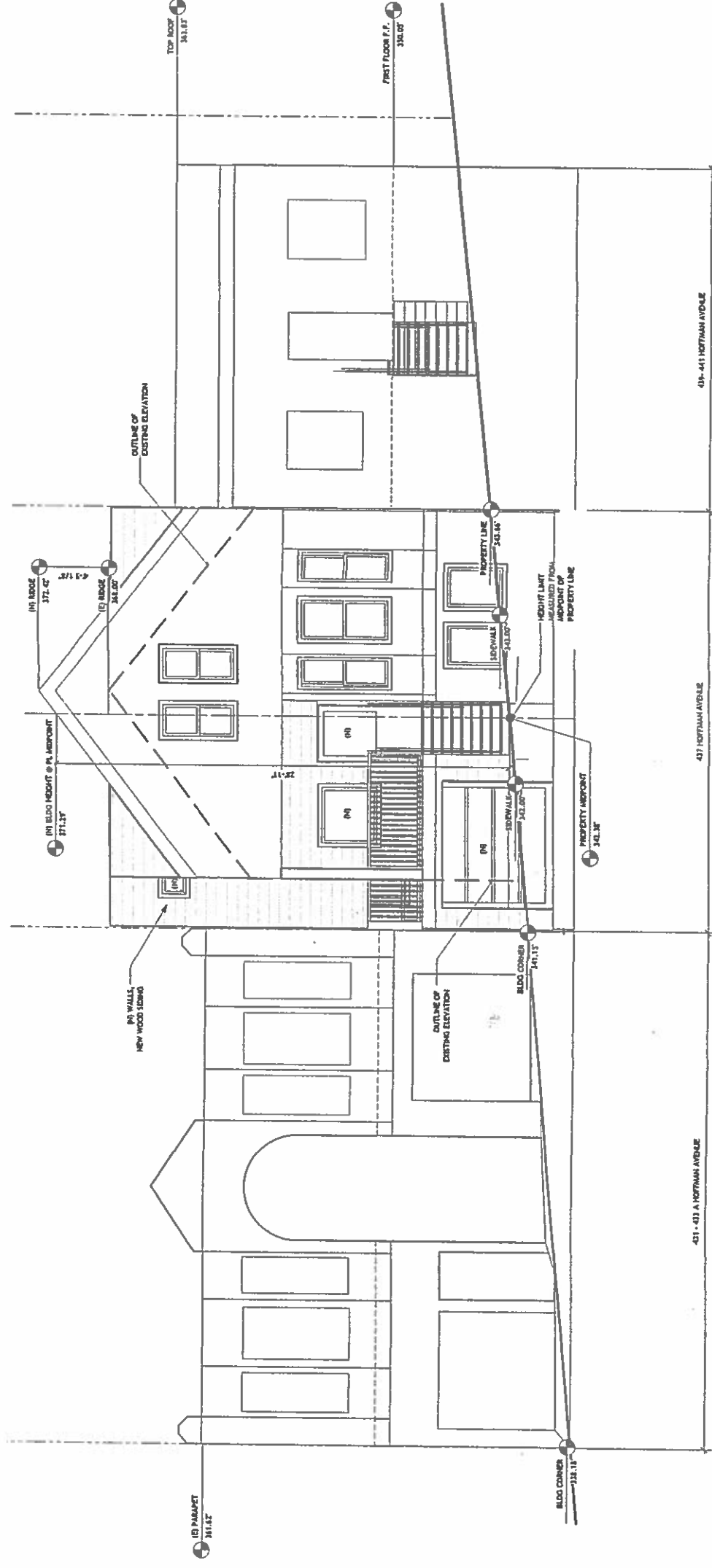




MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

DATE	DESCRIPTION	DATE
01.27.2014	ENVIRONMENTAL/HISTORICAL EVALUATION	01.27.2014
02.06.2014	NEIGHBOR MEETING	02.06.2014
04.09.2014	SITE PERMIT SUBMITTAL	04.09.2014

ARCHITECTURE
toby long design
6814 LA SALLE AVENUE #552, OAKLAND, CA 94611
P: 415.903.9030 F: 415.903.9033 www.tobydesign.com



sheet

date

02.02.2012

scale

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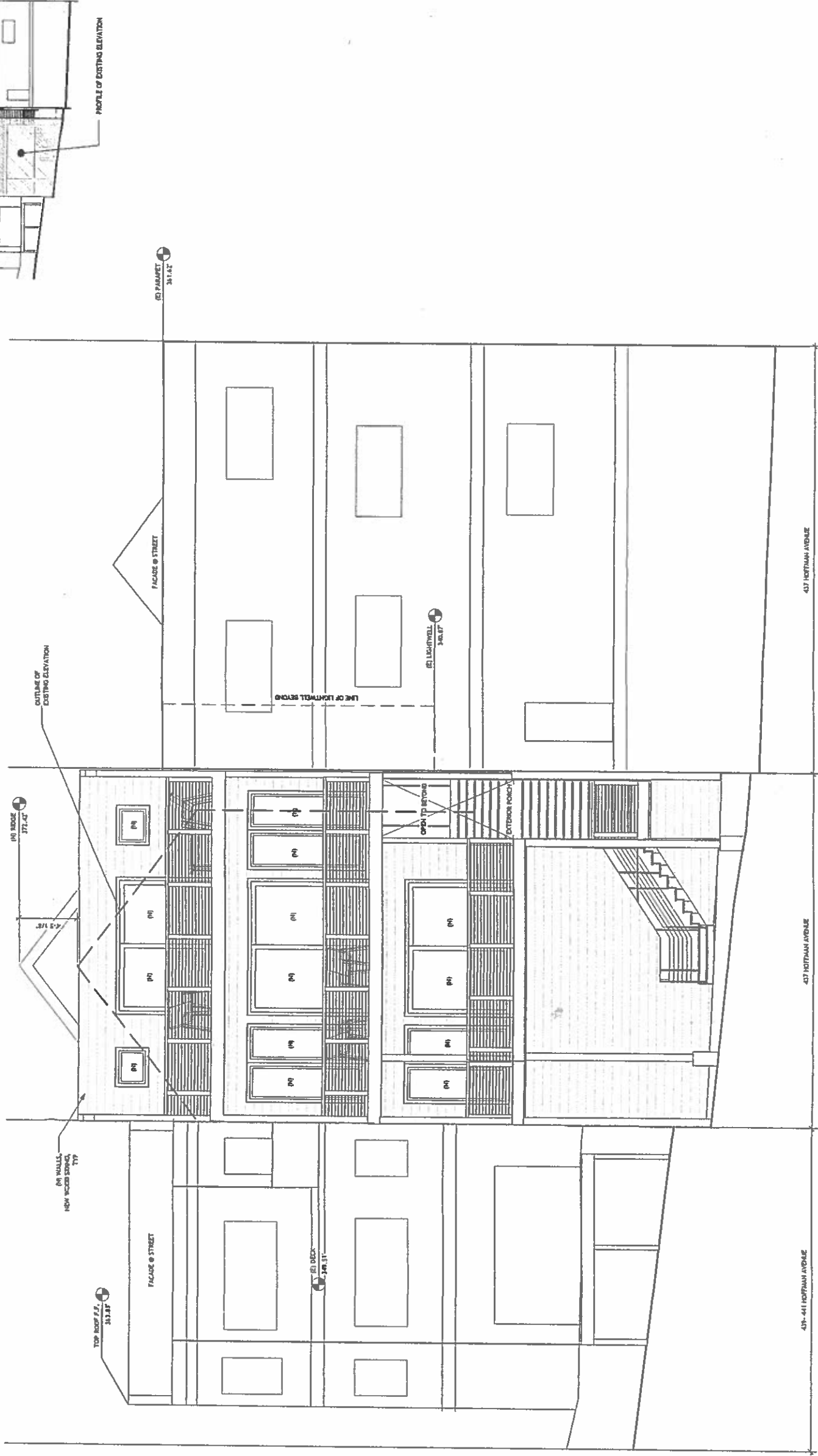
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NEW REAR ELEVATION

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

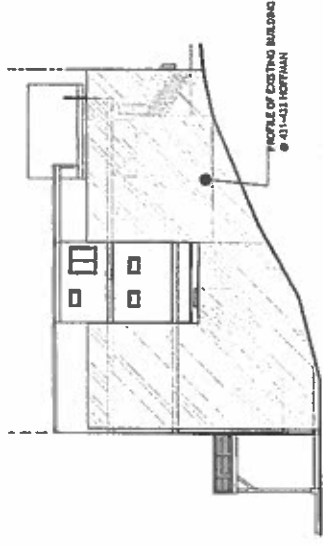
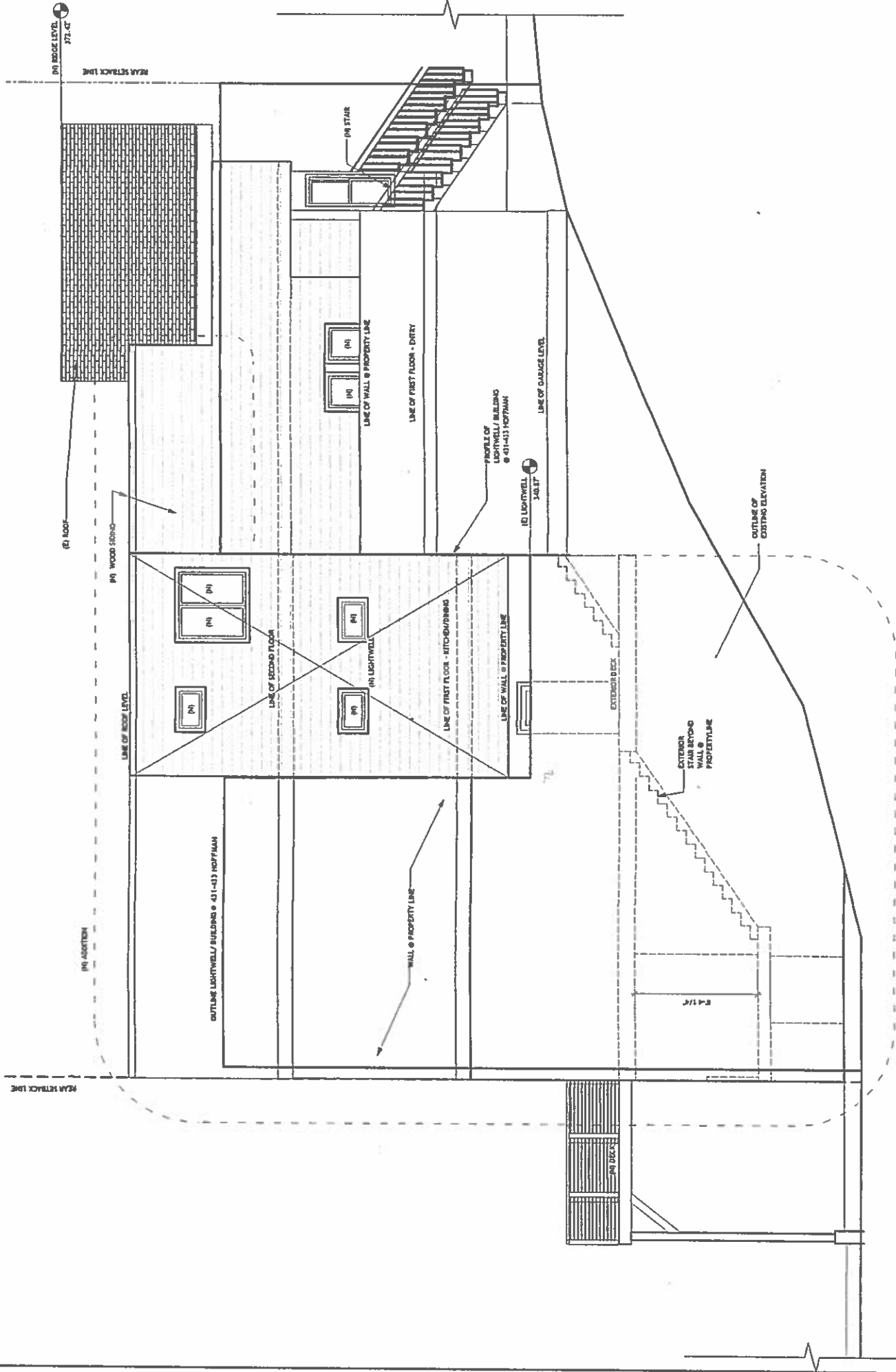
ISSUE
ENVIRONMENTAL/
HISTORICAL EVALUATION 01.27.2014
NEIGHBOR MEETING 03.04.2014
SITE PERMIT SUBMITTAL 04.09.2014

ARCHITECTURE
tollyn design
6114 LA SALLE AVENUE #352, OAKLAND, CA 94611
P: 415.905.9020 F: 415.905.9015 www.tollyndesign.com



[illegible]

Issue	01.27.2014	01.06.2014	04.09.2014
ENVIRONMENTAL/ HISTORICAL EVALUATION			
NEIGHBOR MEETING			
WTE PERMIT SUBMITTAL			





ARCHITECTURE
toby long design
6114 LA SALLE AVENUE #517, OAKLAND, CA 94611
P: 415.905.9030 F: 415.905.9035 www.tobylongdesign.com

ISSUED
PERFORMANCE /
HISTORICAL EVALUATION 01.27.2014
NEIGHBOR MEETING 03.06.2014
SITE PERMIT SUBMITTAL 04.09.2014

MITTAL RESIDENCE
437 HOFFMAN
SAN FRANCISCO, CA 94110

NEW SOUTH ELEVATION

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scale
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date
03.03.2013
sheet

A4.3

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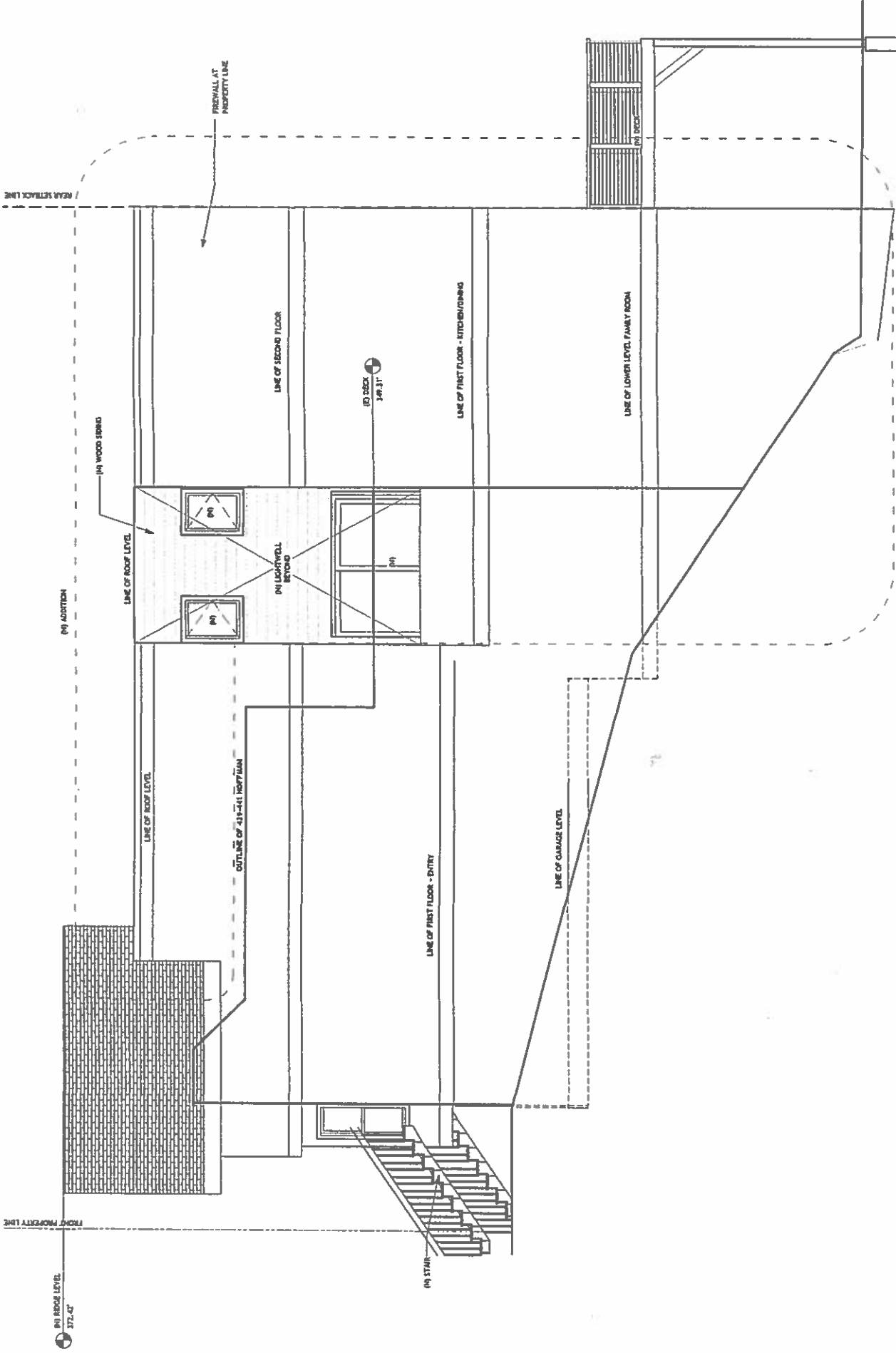
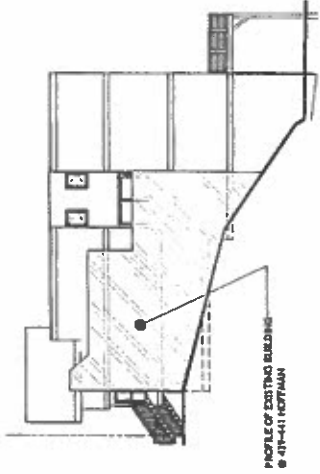


Exhibit 12

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 11/3/2015 5:28:13 PM

Application Number: 201404113029

Form Number: 3

Address(es): 6503 / 024 / 0 437 HOFFMAN AV

Description: ADDITION TO SINGLE FAM DWG, 3 STORY REAR ADDITION TO INCLUDE (N) FAM RM (GROUND) (N) KITCHEN (FIRST), (N) BEDRMS & BATH (2ND)

Cost: \$900,000.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
4/11/2014	TRIAGE	
4/11/2014	FILING	
4/11/2014	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CPB	4/11/14	4/11/14			4/11/14	SHEK KATHY	415-558-6070	
2	CP-ZOC	4/11/14	6/6/14				TRAN NANCY	415-558-6377	reassigned to Nancy Tran 8/19/2015
3	CP-NP	9/23/15					TRAN NANCY	415-558-6377	Mailed Cover Letter 9/23/15 (Vlad) Mailed 31 Notice 10/13/15; Expired 11/12/15 (Vlad)
4	BLDG							415-558-6133	
5	DPW-BSM							415-558-6060	
6	SFPUC							415-575-6941	
7	PPC							415-558-6133	
8	CPB							415-558-6070	

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
------------------	-------------------	------------------	------------------	-------------	------------

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
---------------	-----------	------------------------	-------------------

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
-------------	----------------	--------------	-----------------	-------------	---------

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

Welcome to our Permit / Complaint Tracking System!

Below is a list of all agents for the selected permit, along with their roles on the project.

Permit Number: 201404113029

	Firm Name▲	Agent Name	Role	From	To
Info	TOBY LONG DESIGN	ROSS E LONG III'	ARCHITECT	4/11/2014	
1					

[Online Permit and Complaint Tracking home page.](#)

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

Contact SFGov Accessibility Policies
City and County of San Francisco ©2000-2009

Exhibit 13



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements #1

June 6, 2014

Abby Whitman
Toby Long Design
6114 LaSalle Ave. #552
Oakland, CA 94611

RE: 437 Hoffman Avenue (Address)
 6503/024 (Assessor's Block/Lot)
 2014.04.11.3029 (Building Permit Application Number)

Your Building Permit Application No. 2014.04.11.3029 has been received by the Planning Department and has been assigned to planner Michael Smith. He has begun review of your application but the following information is required before it is accepted as complete and/or is considered Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy. Please note that further comments may follow review of the requested information.

In order to proceed with our review of your Building Permit Application, the following is required:

1. **Site Plan.** Please provide separate existing site plan. On both your existing and proposed site plans include dimensions for the front setback, building depth, rear yard, and depth of addition. Your site plans should also indicate landscape within the front setback and permeable pavers within the driveway. Also, dimension the adjacent buildings' front setbacks. The subject and adjacent building to the south appear to be set back further than what is indicated on your site plan. Please double check your drawing and revise it if necessary. Please note that staff will not be able determine the front setback compliance of your project until the requested setback information is provided.
2. **Height Measurement.** The height of the building will be measured from top of curb at the centerline of the building. Please indicate this datum point on all relevant elevations.
3. **Elevations.** Provide elevations for the existing building at $\frac{1}{4}'' = 1'$ scale. For ease of reference provide them on the same page as the corresponding proposed elevation and dimension the building height at the centerline measured from top of curb.
4. **Floor Plans.** Please provide existing floor plans for the subject building at $\frac{1}{4}'' = 1'$ scale. For ease of reference provide them on the same page as the corresponding proposed floor level.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

NOPDR #1 sent to:
Abby Whitman
6114 LaSalle Ave. #552
Oakland, CA 94611

June 6, 2014
2014.04.11.3029
437 Hoffman Ave.

5. **Residential Design Guidelines.** The Planning Commission adopted the 2003 Residential Design Guidelines in December 2003 to promote design that will protect neighborhood character. All residential permit applications in the RH and RM zoning districts filed or reviewed after January 1, 2004 are subject to these Guidelines. You can download a copy of the Guidelines from our website at <http://www.sfgov.org/planning> or purchase for \$3.00 per copy at the Planning Department office, Ground Floor Lobby or 5th floor. If you fail to adequately address these concerns the Department may initiate a Discretionary Review hearing for this project.

- a. **Building Scale at the Mid-Block.** The proposed building would extend approximately 18' deeper than the adjacent building to the south which would adversely impact the building's connection to the mid-block open space. To address this concern the Department recommends that set back the proposed south wall five-feet from the south side property where it extends deeper than the adjacent neighbor. Or use a combination of side setbacks and a shortening of the building depth along the side property line to address the shorter building. Please retain the existing light well to comply with this recommendation.

Please note that further comment may follow review of the requested information.

Please direct any questions concerning this notice to the assigned planner, **Michael Smith** at (415) 558-6322 or michael.e.smith@sfgov.org. Contact the assigned planner to set up any meeting, should one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment.

Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

Exhibit 14


[Secretary of State Main Website](#)
[Business Programs](#)
[Notary & Authentications](#)
[Elections](#)
[Campaign & Lobbying](#)
[Business Entities \(BE\)](#)
[Online Services](#)

- [E-File Statements of Information for Corporations](#)
- [Business Search](#)
- [Processing Times](#)
- [Disclosure Search](#)

[Main Page](#)
[Service Options](#)
[Name Availability](#)
[Forms, Samples & Fees](#)
[Statements of Information](#)
(annual/biennial reports)

[Filing Tips](#)
[Information Requests](#)
(certificates, copies & status reports)

[Service of Process](#)
[FAQs](#)
[Contact Information](#)
[Resources](#)

- [Business Resources](#)
- [Tax Information](#)
- [Starting A Business](#)

[Customer Alerts](#)

- [Business Identity Theft](#)
- [Misleading Business Solicitations](#)

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, March 25, 2016. Please refer to [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	COUNT'S GOLD LLC
Entity Number:	201428110425
Date Filed:	10/03/2014
Status:	ACTIVE
Jurisdiction:	DELAWARE
Entity Address:	1013 CENTRE RD STE 403-A
Entity City, State, Zip:	WILMINGTON DE 19805
Agent for Service of Process:	ALEKSANDAR JURETIC
Agent Address:	1398 NOE ST STE 1
Agent City, State, Zip:	SAN FRANCISCO CA 94131

* Indicates the information is not contained in the California Secretary of State's database.

* **Note:** If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to [Name Availability](#).
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Field Descriptions and Status Definitions](#).

[Modify Search](#)
[New Search](#)
[Printer Friendly](#)
[Back to Search Results](#)
[Privacy Statement](#) | [Free Document Readers](#)

Copyright © 2016 California Secretary of State

Exhibit 15

RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0224033968-NS
APN: 6503 -024

When Recorded Mail Document and Tax Statements to:

Trichrome LLC, Counts Gold LLC, Perfero Properties
LLC & N and O LLC
c/o Paul Kraatzinger
45 Walnut Ave.
Mill Valley, CA 94941

20149J95742700003

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2014-J957427-00

Acct 5002-Old Republic Title Company

Thursday, OCT 02, 2014 11:47:37

Ttl Pd\$13,906.00 Nbr-0005026651
oar/RE/1-3

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$13,875.00

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

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

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

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Pooja Chawla Mittal and Vivek Mittal, Co-Trustees of The Pooja Chawla Mittal and Vivek Mittal Revocable Trust dated July 25, 2014

hereby GRANT(S) to

Trichrome LLC, a Delaware limited liability company and Counts Gold LLC, a Delaware limited liability company and Perfero Properties LLC, a Delaware limited liability company and N and O LLC, a Delaware limited liability company

that property in City of San Francisco, San Francisco County, State of California, described as:

* * * See "Exhibit A" attached hereto and made a part hereof. * * * PROPERTY: 437 Hoffman Avenue, San Francisco, California

Date: September 30, 2014

The Pooja Chawla Mittal and Vivek Mittal Revocable Trust dated
July 25, 2014

By: Pooja Chawla Mittal
Pooja Chawla Mittal, Trustee

By: Vivek Mittal
Vivek Mittal, Trustee

State of CALIFORNIA
County of SAN FRANCISCO

On 9/30/2014 before me, M. ALVAREZ, a
Notary Public, personally appeared POOJA CHAWLA MITTAL and VIVEK MITTAL,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

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

WITNESS my hand and official seal.

Signature M. Alvarez
Name M - ALVAREZ
(typed or printed)



(Area reserved for official notarial seal)

ORDER NO. : 0224033968-NS

EXHIBIT A

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

COMMENCING at a point on the easterly line of Hoffman Avenue, distant thereon 183 feet southerly from the southerly line of 24th Street; running thence southerly and along said line of Hoffman Avenue 27 feet; thence at a right angle easterly 125 feet; thence at a right angle northerly 27 feet; thence at a right angle westerly 125 feet to the point of commencement.

BEING part of Horner's Addition Block No. 243.

Assessor's Lot 024; Block 6503

RECORDING REQUESTED BY:

BANK OF MARIN
P.O. BOX L
NOVATO, CA 94948
AND

WHEN RECORDED MAIL TO:

VIVEK MITTAL
POOJA C. MITTAL
437 HOFFMAN AVE
SAN FRANCISCO, CA 94114-3513



San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2014-J984942-00

Check Number 32943

Tuesday, DEC 09, 2014 07:48:42

Ttl Pd \$18.00 Rpt # 0005059976
amt/TS/1-1

DEED OF RECONVEYANCE

APN# LOT 024, BLOCK 6503

WHEREAS: Bank of Marin is the Owner and holder of the Note secured by the Deed of Trust dated JANUARY 31, 2013 made by VIVEK MITTAL AND POOJA MITTAL, HUSBAND AND WIFE, AS JOINT TENANTS as Trustor to: Bank of Marin, as Trustee for benefit of Bank of Marin as beneficiary, which Deed of Trust was recorded on FEBRUARY 15, 2013, in the SAN FRANCISCO County Recorder's Office, State of California, as instrument number DOC-2013-J603604-00.

NOW THEREFORE, the said Bank of Marin, as Trustee does hereby reconvey unto the parties entitled thereto all right, title and interest which was heretofore acquired by said Deed of Trust.

IN WITNESS WHEREOF: the Beneficiary and Trustee have caused these presents to be executed this day of OCTOBER 8, 2014.

BANK OF MARIN AS BENEFICIARY

Authorized Signature:


Judi Cole, VP Loan Operations

BANK OF MARIN AS TRUSTEE

Authorized Signature:


Judi Cole, VP Loan Operations

CERTIFICATE OF ACKNOWLEDGMENT


State of California, County of Marin

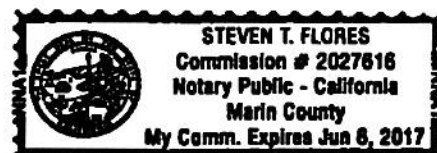
On Oct. 14, 2014, before me, Steven T. Flores, NOTARY PUBLIC personally appeared, Judi Cole, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature(s) on the instrument the person(s), or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature





RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0224034060-NS

APN: 6503 -024

When Recorded Mail Document and Tax Statements to:

Trichrome LLC, Count's Gold LLC, Perfero Properties
LLC & N and O LLC
45 Walnut Avenue
Mill Valley, CA 94941

20149J98378700002

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2014-J983787-00

Acct 5002-Old Republic Title Company

Friday, DEC 05, 2014 11:17:01

Ttl Pd \$21.00

Nbr-0005058607

ojl/RE/1-2

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is ☒ corrective deed for LLC name only-no consideration

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

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

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

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Count's Gold LLC, a Delaware limited liability company who incorrectly acquired title as Counts Gold LLC, a Delaware limited liability company

hereby GRANT(S) to

Count's Gold LLC, a Delaware limited liability company

that property in City of San Francisco, San Francisco County, State of California, described as:

*** See "Exhibit A" attached hereto and made a part hereof. *** PROPERTY: 437 Hoffman Avenue, San Francisco, California

Date: December 03, 2014

Count's Gold LLC, a Delaware limited liability company

By:

Aleksandar Juretic, Managing Member

State of California

County of San Francisco

On 3rd day of December, 2014 before me, N.J. Shanta, a Notary Public, personally appeared Aleksandar Juretic, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature

Name

N.J. Shanta

(typed or printed)



(Area reserved for official notarial seal)

Grant Deed

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Comm # 2073931
exp. Aug. 6, 2018

EXHIBIT A

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

Commencing at a point on the Easterly line of Hoffman Avenue, distant thereon 183 feet Southerly from the Southerly line of 24th Street; running thence Southerly and along said line of Hoffman Avenue 27 feet; thence at a right angle Easterly 125 feet; thence at a right angle Northerly 27 feet; thence at a right angle Westerly 125 feet to the point of commencement.

Being part of Horner's Addition Block No. 243.

Assessor's Lot 024; Block 6503

Recording Requested By:

Return To:

First Republic Bank
111 Pine Street
San Francisco, CA 94111

Attn: LOAN REVIEW DEPT.

Loan No.: 22-533960-1

Prepared By:

20149J98378800025

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2014-J983788-00

Acct 5002-Old Republic Title Company

Friday, DEC 05, 2014 11:17:01

Ttl Pd \$90.00 Nbr-0005058608

ojl/RE/1-25

gh

[Space Above This Line For Recording Data]

DEED OF TRUST

437 Hoffman Ave
65031024

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated **December 1, 2014**, together with all Riders to this document.

(B) "Borrower" is **Trichrome LLC, a Delaware limited liability company and Count's Gold LLC, a Delaware limited liability company and Perfero Properties LLC, a Delaware limited liability company and N and O LLC, a Delaware limited liability company**

Borrower's address is **45 Walnut Ave, Mill Valley, CA 94941**

Borrower is the trustor under this Security Instrument.

(C) "Lender" is **First Republic Bank,**

Lender is a **Bank**
organized and existing under the laws of **California**

22-533960-1

CALIFORNIA -Single Family- Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

Form 3005 1/01

Wolters Kluwer Financial Services

VMP ®-6(CA) (1302).00

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Initials:

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Lender's address is **111 Pine Street, San Francisco, CA 94111**

Lender is the beneficiary under this Security Instrument.

(D) "Trustee" is **Fidelity National Title Insurance Company**

(E) "Note" means the promissory note signed by Borrower and dated **December 1, 2014**

The Note states that Borrower owes Lender **One Million, One Hundred Thousand and No/100** Dollars

(U.S. \$ **1,100,000.00**) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than **January 1, 2045**

(F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(H) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

<input checked="" type="checkbox"/> Adjustable Rate Rider	<input type="checkbox"/> Condominium Rider	<input type="checkbox"/> Second Home Rider
<input type="checkbox"/> Balloon Rider	<input type="checkbox"/> Planned Unit Development Rider	<input checked="" type="checkbox"/> 1-4 Family Rider
<input type="checkbox"/> VA Rider	<input type="checkbox"/> Biweekly Payment Rider	<input checked="" type="checkbox"/> Other(s) [specify] LEGAL

(I) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(J) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(K) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(L) "Escrow Items" means those items that are described in Section 3.

(M) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(N) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(O) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(P) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (12 C.F.R. Part 1024), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard

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to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(Q) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of **SAN FRANCISCO** :

[Type of Recording Jurisdiction]

[Name of Recording Jurisdiction]

**See Legal description(s) attached hereto
and by this reference made a part hereof.**

Parcel ID Number: **LOT 024; BLOCK 6503**
437 Hoffman Avenue
San Francisco

("Property Address"):

which currently has the address of

[Street]
[City], California **94114** [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges. Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S.

22-533960-1

CALIFORNIA -Single Family- Fannie Mae/Freddie Mac UNIFORM INSTRUMENT
VMP®-8(CA) (1302).00 Page 3 of 15

Form 3005 1/01

Initials:

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currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments if, and to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary prepayments shall be applied first to any prepayment charges and then as described in the Note.

Any application of payments, insurance proceeds, or Miscellaneous Proceeds to principal due under the Note shall not extend or postpone the due date, or change the amount, of the Periodic Payments.

3. Funds for Escrow Items. Borrower shall pay to Lender on the day Periodic Payments are due under the Note, until the Note is paid in full, a sum (the "Funds") to provide for payment of amounts due for: (a) taxes and assessments and other items which can attain priority over this Security Instrument as a lien or encumbrance on the Property; (b) leasehold payments or ground rents on the Property, if any; (c) premiums for any and all insurance required by Lender under Section 5; and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10. These items are called "Escrow Items." At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow Item. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section. Borrower shall pay Lender the Funds for Escrow Items unless Lender waives Borrower's obligation to pay the Funds for any or all Escrow Items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all

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Escrow Items at any time. Any such waiver may only be in writing. In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow Items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require. Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item, Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount. Lender may revoke the waiver as to any or all Escrow Items at any time by a notice given in accordance with Section 15 and, upon such revocation, Borrower shall pay to Lender all Funds, and in such amounts, that are then required under this Section 3.

Lender may, at any time, collect and hold Funds in an amount (a) sufficient to permit Lender to apply the Funds at the time specified under RESPA, and (b) not to exceed the maximum amount a lender can require under RESPA. Lender shall estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with Applicable Law.

The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentality, or entity (including Lender, if Lender is an institution whose deposits are so insured) or in any Federal Home Loan Bank. Lender shall apply the Funds to pay the Escrow Items no later than the time specified under RESPA. Lender shall not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow Items, unless Lender pays Borrower interest on the Funds and Applicable Law permits Lender to make such a charge. Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Funds, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Borrower and Lender can agree in writing, however, that interest shall be paid on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds as required by RESPA.

If there is a surplus of Funds held in escrow, as defined under RESPA, Lender shall account to Borrower for the excess funds in accordance with RESPA. If there is a shortage of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the shortage in accordance with RESPA, but in no more than 12 monthly payments. If there is a deficiency of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the deficiency in accordance with RESPA, but in no more than 12 monthly payments.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender.

4. Charges; Liens. Borrower shall pay all taxes, assessments, charges, fines, and impositions attributable to the Property which can attain priority over this Security Instrument, leasehold payments or ground rents on the Property, if any, and Community Association Dues, Fees, and Assessments, if any. To the extent that these items are Escrow Items, Borrower shall pay them in the manner provided in Section 3.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender, but only so long as Borrower is performing such agreement; (b) contests the lien in good faith by, or defends against enforcement of the lien in, legal proceedings which in Lender's opinion operate to prevent the enforcement of the lien while those proceedings are pending, but only until such proceedings are concluded; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien which can attain priority over this Security Instrument, Lender may give Borrower a notice identifying the lien. Within 10

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days of the date on which that notice is given, Borrower shall satisfy the lien or take one or more of the actions set forth above in this Section 4.

Lender may require Borrower to pay a one-time charge for a real estate tax verification and/or reporting service used by Lender in connection with this Loan.

5. Property Insurance. Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage," and any other hazards including, but not limited to, earthquakes and floods, for which Lender requires insurance. This insurance shall be maintained in the amounts (including deductible levels) and for the periods that Lender requires. What Lender requires pursuant to the preceding sentences can change during the term of the Loan. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's right to disapprove Borrower's choice, which right shall not be exercised unreasonably. Lender may require Borrower to pay, in connection with this Loan, either: (a) a one-time charge for flood zone determination, certification and tracking services; or (b) a one-time charge for flood zone determination and certification services and subsequent charges each time remappings or similar changes occur which reasonably might affect such determination or certification. Borrower shall also be responsible for the payment of any fees imposed by the Federal Emergency Management Agency in connection with the review of any flood zone determination resulting from an objection by Borrower.

If Borrower fails to maintain any of the coverages described above, Lender may obtain insurance coverage, at Lender's option and Borrower's expense. Lender is under no obligation to purchase any particular type or amount of coverage. Therefore, such coverage shall cover Lender, but might or might not protect Borrower, Borrower's equity in the Property, or the contents of the Property, against any risk, hazard or liability and might provide greater or lesser coverage than was previously in effect. Borrower acknowledges that the cost of the insurance coverage so obtained might significantly exceed the cost of insurance that Borrower could have obtained. Any amounts disbursed by Lender under this Section 5 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

All insurance policies required by Lender and renewals of such policies shall be subject to Lender's right to disapprove such policies, shall include a standard mortgage clause, and shall name Lender as mortgagee and/or as an additional loss payee and Borrower further agrees to generally assign rights to insurance proceeds to the holder of the Note up to the amount of the outstanding loan balance. Lender shall have the right to hold the policies and renewal certificates. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. If Borrower obtains any form of insurance coverage, not otherwise required by Lender, for damage to, or destruction of, the Property, such policy shall include a standard mortgage clause and shall name Lender as mortgagee and/or as an additional loss payee and Borrower further agrees to generally assign rights to insurance proceeds to the holder of the Note up to the amount of the outstanding loan balance.

In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower. Unless Lender and Borrower otherwise agree in writing, any insurance proceeds, whether or not the underlying insurance was required by Lender, shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such insurance proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such insurance proceeds, Lender shall not be required to pay Borrower any interest or earnings on such proceeds. Fees for public adjusters, or other third parties, retained by Borrower shall not be paid out of the insurance proceeds and shall be the sole obligation of Borrower. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to

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the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such insurance proceeds shall be applied in the order provided for in Section 2.

If Borrower abandons the Property, Lender may file, negotiate and settle any available insurance claim and related matters. If Borrower does not respond within 30 days to a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may negotiate and settle the claim. The 30-day period will begin when the notice is given. In either event, or if Lender acquires the Property under Section 22 or otherwise, Borrower hereby assigns to Lender (a) Borrower's rights to any insurance proceeds in an amount not to exceed the amounts unpaid under the Note or this Security Instrument, and (b) any other of Borrower's rights (other than the right to any refund of unearned premiums paid by Borrower) under all insurance policies covering the Property, insofar as such rights are applicable to the coverage of the Property. Lender may use the insurance proceeds either to repair or restore the Property or to pay amounts unpaid under the Note or this Security Instrument, whether or not then due.

6. Occupancy. Borrower shall occupy, establish, and use the Property as Borrower's principal residence within 60 days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control.

7. Preservation, Maintenance and Protection of the Property; Inspections. Borrower shall not destroy, damage or impair the Property, allow the Property to deteriorate or commit waste on the Property. Whether or not Borrower is residing in the Property, Borrower shall maintain the Property in order to prevent the Property from deteriorating or decreasing in value due to its condition. Unless it is determined pursuant to Section 5 that repair or restoration is not economically feasible, Borrower shall promptly repair the Property if damaged to avoid further deterioration or damage. If insurance or condemnation proceeds are paid in connection with damage to, or the taking of, the Property, Borrower shall be responsible for repairing or restoring the Property only if Lender has released proceeds for such purposes. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. If the insurance or condemnation proceeds are not sufficient to repair or restore the Property, Borrower is not relieved of Borrower's obligation for the completion of such repair or restoration.

Lender or its agent may make reasonable entries upon and inspections of the Property. If it has reasonable cause, Lender may inspect the interior of the improvements on the Property. Lender shall give Borrower notice at the time of or prior to such an interior inspection specifying such reasonable cause.

8. Borrower's Loan Application. Borrower shall be in default if, during the Loan application process, Borrower or any persons or entities acting at the direction of Borrower or with Borrower's knowledge or consent gave materially false, misleading, or inaccurate information or statements to Lender (or failed to provide Lender with material information) in connection with the Loan. Material representations include, but are not limited to, representations concerning Borrower's occupancy of the Property as Borrower's principal residence.

9. Protection of Lender's Interest in the Property and Rights Under this Security Instrument. If (a) Borrower fails to perform the covenants and agreements contained in this Security Instrument, (b) there is a legal proceeding that might significantly affect Lender's interest in the Property and/or rights under this Security Instrument (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture, for enforcement of a lien which may attain priority over this Security Instrument or to enforce laws or regulations), or (c) Borrower has abandoned the Property, then Lender may do and pay for whatever is reasonable or appropriate to protect Lender's interest in the Property and rights under this Security Instrument, including protecting and/or assessing the value of the Property, and securing and/or repairing the Property. Lender's actions can include, but are not limited to: (a) paying any sums secured by a lien which has priority over this Security Instrument; (b) appearing in court; and (c) paying reasonable

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attorneys' fees to protect its interest in the Property and/or rights under this Security Instrument, including its secured position in a bankruptcy proceeding. Securing the Property includes, but is not limited to, entering the Property to make repairs, change locks, replace or board up doors and windows, drain water from pipes, eliminate building or other code violations or dangerous conditions, and have utilities turned on or off. Although Lender may take action under this Section 9, Lender does not have to do so and is not under any duty or obligation to do so. It is agreed that Lender incurs no liability for not taking any or all actions authorized under this Section 9.

Any amounts disbursed by Lender under this Section 9 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

If this Security Instrument is on a leasehold, Borrower shall comply with all the provisions of the lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

10. Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan, Borrower shall pay the premiums required to maintain the Mortgage Insurance in effect. If, for any reason, the Mortgage Insurance coverage required by Lender ceases to be available from the mortgage insurer that previously provided such insurance and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the Mortgage Insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the Mortgage Insurance previously in effect, from an alternate mortgage insurer selected by Lender. If substantially equivalent Mortgage Insurance coverage is not available, Borrower shall continue to pay to Lender the amount of the separately designated payments that were due when the insurance coverage ceased to be in effect. Lender will accept, use and retain these payments as a non-refundable loss reserve in lieu of Mortgage Insurance. Such loss reserve shall be non-refundable, notwithstanding the fact that the Loan is ultimately paid in full, and Lender shall not be required to pay Borrower any interest or earnings on such loss reserve. Lender can no longer require loss reserve payments if Mortgage Insurance coverage (in the amount and for the period that Lender requires) provided by an insurer selected by Lender again becomes available, is obtained, and Lender requires separately designated payments toward the premiums for Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to maintain Mortgage Insurance in effect, or to provide a non-refundable loss reserve, until Lender's requirement for Mortgage Insurance ends in accordance with any written agreement between Borrower and Lender providing for such termination or until termination is required by Applicable Law. Nothing in this Section 10 affects Borrower's obligation to pay interest at the rate provided in the Note.

Mortgage Insurance reimburses Lender (or any entity that purchases the Note) for certain losses it may incur if Borrower does not repay the Loan as agreed. Borrower is not a party to the Mortgage Insurance.

Mortgage insurers evaluate their total risk on all such insurance in force from time to time, and may enter into agreements with other parties that share or modify their risk, or reduce losses. These agreements are on terms and conditions that are satisfactory to the mortgage insurer and the other party (or parties) to these agreements. These agreements may require the mortgage insurer to make payments using any source of funds that the mortgage insurer may have available (which may include funds obtained from Mortgage Insurance premiums).

As a result of these agreements, Lender, any purchaser of the Note, another insurer, any reinsurer, any other entity, or any affiliate of any of the foregoing, may receive (directly or indirectly) amounts that derive from (or might be characterized as) a portion of Borrower's payments for Mortgage Insurance, in exchange for sharing or modifying the mortgage insurer's risk, or reducing losses. If such agreement provides that an affiliate of Lender takes a share of the insurer's risk in exchange for a share of the premiums paid to the insurer, the arrangement is often termed "captive reinsurance." Further:

(a) Any such agreements will not affect the amounts that Borrower has agreed to pay for Mortgage Insurance, or any other terms of the Loan. Such agreements will not increase the amount Borrower will owe for Mortgage Insurance, and they will not entitle Borrower to any refund.

(b) Any such agreements will not affect the rights Borrower has - if any - with respect to the Mortgage Insurance under the Homeowners Protection Act of 1998 or any other law. These rights may include the right to receive certain disclosures, to request and obtain cancellation of the Mortgage

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Insurance, to have the Mortgage Insurance terminated automatically, and/or to receive a refund of any Mortgage Insurance premiums that were unearned at the time of such cancellation or termination.

11. Assignment of Miscellaneous Proceeds; Forfeiture. All Miscellaneous Proceeds are hereby assigned to and shall be paid to Lender.

If the Property is damaged, such Miscellaneous Proceeds shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such Miscellaneous Proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may pay for the repairs and restoration in a single disbursement or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such Miscellaneous Proceeds, Lender shall not be required to pay Borrower any interest or earnings on such Miscellaneous Proceeds. If the restoration or repair is not economically feasible or Lender's security would be lessened, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such Miscellaneous Proceeds shall be applied in the order provided for in Section 2.

In the event of a total taking, destruction, or loss in value of the Property, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the Miscellaneous Proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the partial taking, destruction, or loss in value divided by (b) the fair market value of the Property immediately before the partial taking, destruction, or loss in value. Any balance shall be paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is less than the amount of the sums secured immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due.

If the Property is abandoned by Borrower, or if, after notice by Lender to Borrower that the Opposing Party (as defined in the next sentence) offers to make an award to settle a claim for damages, Borrower fails to respond to Lender within 30 days after the date the notice is given, Lender is authorized to collect and apply the Miscellaneous Proceeds either to restoration or repair of the Property or to the sums secured by this Security Instrument, whether or not then due. "Opposing Party" means the third party that owes Borrower Miscellaneous Proceeds or the party against whom Borrower has a right of action in regard to Miscellaneous Proceeds.

Borrower shall be in default if any action or proceeding, whether civil or criminal, is begun that, in Lender's judgment, could result in forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. Borrower can cure such a default and, if acceleration has occurred, reinstate as provided in Section 19, by causing the action or proceeding to be dismissed with a ruling that, in Lender's judgment, precludes forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. The proceeds of any award or claim for damages that are attributable to the impairment of Lender's interest in the Property are hereby assigned and shall be paid to Lender.

All Miscellaneous Proceeds that are not applied to restoration or repair of the Property shall be applied in the order provided for in Section 2.

12. Borrower Not Released; Forbearance By Lender Not a Waiver. Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to Borrower or any Successor in Interest of Borrower shall not operate to release the liability of Borrower or any Successors in Interest of Borrower. Lender shall not be required to commence proceedings against any Successor in Interest of Borrower or to refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or

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any Successors in Interest of Borrower. Any forbearance by Lender in exercising any right or remedy including, without limitation, Lender's acceptance of payments from third persons, entities or Successors in Interest of Borrower or in amounts less than the amount then due, shall not be a waiver of or preclude the exercise of any right or remedy.

13. Joint and Several Liability; Co-signers; Successors and Assigns Bound. Borrower covenants and agrees that Borrower's obligations and liability shall be joint and several. However, any Borrower who co-signs this Security Instrument but does not execute the Note (a "co-signer"): (a) is co-signing this Security Instrument only to mortgage, grant and convey the co-signer's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower can agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without the co-signer's consent.

Subject to the provisions of Section 18, any Successor in Interest of Borrower who assumes Borrower's obligations under this Security Instrument in writing, and is approved by Lender, shall obtain all of Borrower's rights and benefits under this Security Instrument. Borrower shall not be released from Borrower's obligations and liability under this Security Instrument unless Lender agrees to such release in writing. The covenants and agreements of this Security Instrument shall bind (except as provided in Section 20) and benefit the successors and assigns of Lender.

14. Loan Charges. Lender may charge Borrower fees for services performed in connection with Borrower's default, for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument, including, but not limited to, attorneys' fees, property inspection and valuation fees. In regard to any other fees, the absence of express authority in this Security Instrument to charge a specific fee to Borrower shall not be construed as a prohibition on the charging of such fee. Lender may not charge fees that are expressly prohibited by this Security Instrument or by Applicable Law.

If the Loan is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the Loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge (whether or not a prepayment charge is provided for under the Note). Borrower's acceptance of any such refund made by direct payment to Borrower will constitute a waiver of any right of action Borrower might have arising out of such overcharge.

15. Notices. All notices given by Borrower or Lender in connection with this Security Instrument must be in writing. Any notice to Borrower in connection with this Security Instrument shall be deemed to have been given to Borrower when mailed by first class mail or when actually delivered to Borrower's notice address if sent by other means. Notice to any one Borrower shall constitute notice to all Borrowers unless Applicable Law expressly requires otherwise. The notice address shall be the Property Address unless Borrower has designated a substitute notice address by notice to Lender. Borrower shall promptly notify Lender of Borrower's change of address. If Lender specifies a procedure for reporting Borrower's change of address, then Borrower shall only report a change of address through that specified procedure. There may be only one designated notice address under this Security Instrument at any one time. Any notice to Lender shall be given by delivering it or by mailing it by first class mail to Lender's address stated herein unless Lender has designated another address by notice to Borrower. Any notice in connection with this Security Instrument shall not be deemed to have been given to Lender until actually received by Lender. If any notice required by this Security Instrument is also required under Applicable Law, the Applicable Law requirement will satisfy the corresponding requirement under this Security Instrument.

16. Governing Law; Severability; Rules of Construction. This Security Instrument shall be governed by federal law and the law of the jurisdiction in which the Property is located. All rights and obligations contained in this Security Instrument are subject to any requirements and limitations of Applicable Law. Applicable Law might explicitly or implicitly allow the parties to agree by contract or it might be silent, but such silence shall not be construed as a prohibition against agreement by contract. In the event that any provision or clause of this Security Instrument or the Note conflicts with Applicable Law, such conflict shall

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not affect other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision.

As used in this Security Instrument: (a) words of the masculine gender shall mean and include corresponding neuter words or words of the feminine gender; (b) words in the singular shall mean and include the plural and vice versa; and (c) the word "may" gives sole discretion without any obligation to take any action.

17. Borrower's Copy. Borrower shall be given one copy of the Note and of this Security Instrument.

18. Transfer of the Property or a Beneficial Interest in Borrower. As used in this Section 18, "Interest in the Property" means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any Interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

19. Borrower's Right to Reinstate After Acceleration. If Borrower meets certain conditions, Borrower shall have the right to have enforcement of this Security Instrument discontinued at any time prior to the earliest of: (a) five days before sale of the Property pursuant to any power of sale contained in this Security Instrument; (b) such other period as Applicable Law might specify for the termination of Borrower's right to reinstate; or (c) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if no acceleration had occurred; (b) cures any default of any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorneys' fees, property inspection and valuation fees, and other fees incurred for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument; and (d) takes such action as Lender may reasonably require to assure that Lender's interest in the Property and rights under this Security Instrument, and Borrower's obligation to pay the sums secured by this Security Instrument, shall continue unchanged. Lender may require that Borrower pay such reinstatement sums and expenses in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality or entity; or (d) Electronic Funds Transfer. Upon reinstatement by Borrower, this Security Instrument and obligations secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under Section 18.

20. Sale of Note; Change of Loan Servicer; Notice of Grievance. The Note or a partial interest in the Note (together with this Security Instrument) can be sold one or more times without prior notice to Borrower. A sale might result in a change in the entity (known as the "Loan Servicer") that collects Periodic Payments due under the Note and this Security Instrument and performs other mortgage loan servicing obligations under the Note, this Security Instrument, and Applicable Law. There also might be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change which will state the name and address of the new Loan Servicer, the address to which payments should be made and any other information RESPA requires in connection with a

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notice of transfer of servicing. If the Note is sold and thereafter the Loan is serviced by a Loan Servicer other than the purchaser of the Note, the mortgage loan servicing obligations to Borrower will remain with the Loan Servicer or be transferred to a successor Loan Servicer and are not assumed by the Note purchaser unless otherwise provided by the Note purchaser.

Neither Borrower nor Lender may commence, join, or be joined to any judicial action (as either an individual litigant or the member of a class) that arises from the other party's actions pursuant to this Security Instrument or that alleges that the other party has breached any provision of, or any duty owed by reason of, this Security Instrument, until such Borrower or Lender has notified the other party (with such notice given in compliance with the requirements of Section 15) of such alleged breach and afforded the other party hereto a reasonable period after the giving of such notice to take corrective action. If Applicable Law provides a time period which must elapse before certain action can be taken, that time period will be deemed to be reasonable for purposes of this paragraph. The notice of acceleration and opportunity to cure given to Borrower pursuant to Section 22 and the notice of acceleration given to Borrower pursuant to Section 18 shall be deemed to satisfy the notice and opportunity to take corrective action provisions of this Section 20.

21. Hazardous Substances. As used in this Section 21: (a) "Hazardous Substances" are those substances defined as toxic or hazardous substances, pollutants, or wastes by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials; (b) "Environmental Law" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection; (c) "Environmental Cleanup" includes any response action, remedial action, or removal action, as defined in Environmental Law; and (d) an "Environmental Condition" means a condition that can cause, contribute to, or otherwise trigger an Environmental Cleanup.

Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances, or threaten to release any Hazardous Substances, on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property (a) that is in violation of any Environmental Law, (b) which creates an Environmental Condition, or (c) which, due to the presence, use, or release of a Hazardous Substance, creates a condition that adversely affects the value of the Property. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential uses and to maintenance of the Property (including, but not limited to, hazardous substances in consumer products).

Borrower shall promptly give Lender written notice of (a) any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge, (b) any Environmental Condition, including but not limited to, any spilling, leaking, discharge, release or threat of release of any Hazardous Substance, and (c) any condition caused by the presence, use or release of a Hazardous Substance which adversely affects the value of the Property. If Borrower learns, or is notified by any governmental or regulatory authority, or any private party, that any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law. Nothing herein shall create any obligation on Lender for an Environmental Cleanup.

NON-UNIFORM COVENANTS. Borrower and Lender further covenant and agree as follows:

22. Acceleration; Remedies. Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under Section 18 unless Applicable Law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the sums secured by this Security Instrument and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to bring a court action to assert the non-existence of a default or any other defense of Borrower to acceleration and sale. If the default is not cured on or before the date specified in the notice, Lender at its option may require immediate payment in full of all sums secured by this Security Instrument without further demand and may invoke the power of sale and any other remedies permitted by Applicable Law. Lender shall be entitled to collect all expenses incurred in pursuing the remedies provided in this Section 22, including, but not limited to, reasonable attorneys' fees and costs of title evidence.

If Lender invokes the power of sale, Lender shall execute or cause Trustee to execute a written notice of the occurrence of an event of default and of Lender's election to cause the Property to be sold. Trustee shall cause this notice to be recorded in each county in which any part of the Property is located. Lender or Trustee shall mail copies of the notice as prescribed by Applicable Law to Borrower and to the other persons prescribed by Applicable Law. Trustee shall give public notice of sale to the persons and in the manner prescribed by Applicable Law. After the time required by Applicable Law, Trustee, without demand on Borrower, shall sell the Property at public auction to the highest bidder at the time and place and under the terms designated in the notice of sale in one or more parcels and in any order Trustee determines. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or its designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the Property without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees; (b) to all sums secured by this Security Instrument; and (c) any excess to the person or persons legally entitled to it.

23. Reconveyance. Upon payment of all sums secured by this Security Instrument, Lender shall request Trustee to reconvey the Property and shall surrender this Security Instrument and all notes evidencing debt secured by this Security Instrument to Trustee. Trustee shall reconvey the Property without warranty to the person or persons legally entitled to it. Lender may charge such person or persons a reasonable fee for reconveying the Property, but only if the fee is paid to a third party (such as the Trustee) for services rendered and the charging of the fee is permitted under Applicable Law. If the fee charged does not exceed the fee set by Applicable Law, the fee is conclusively presumed to be reasonable.

24. Substitute Trustee. Lender, at its option, may from time to time appoint a successor trustee to any Trustee appointed hereunder by an instrument executed and acknowledged by Lender and recorded in the office of the Recorder of the county in which the Property is located. The instrument shall contain the name of the original Lender, Trustee and Borrower, the book and page where this Security Instrument is recorded and the name and address of the successor trustee. Without conveyance of the Property, the successor trustee shall succeed to all the title, powers and duties conferred upon the Trustee herein and by Applicable Law. This procedure for substitution of trustee shall govern to the exclusion of all other provisions for substitution.

25. Statement of Obligation Fee. Lender may collect a fee not to exceed the maximum amount permitted by Applicable Law for furnishing the statement of obligation as provided by Section 2943 of the Civil Code of California.

The undersigned Borrower requests that a copy of any Notice of Default and any Notice of Sale under this Security Instrument be mailed to the Borrower at the address set forth above. A copy of any Notice of Default and any Notice of Sale will be sent only to the address contained in this recorded request. If the Borrower's address changes, a new request must be recorded.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any rider executed by Borrower and recorded with it.

Witnesses:

See Signature Addendum (Seal)
-Borrower

(Seal)
-Borrower

(Seal)
-Borrower

(Seal)
-Borrower

(Seal)
-Borrower

(Seal)
-Borrower

(Seal)
-Borrower

(Seal)
-Borrower

**DEED OF TRUST/MORTGAGE
SIGNATURE ADDENDUM**


Loan No: 533960-1

Perfero Properties LLC, a Delaware limited liability company



Paul Kraaijvanger, Member

Trichrome LLC, a Delaware limited liability company



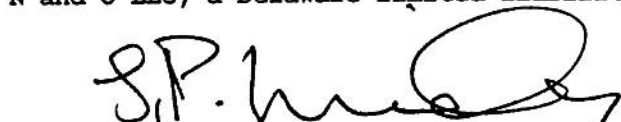
Kelly Condon, Member

Count's Gold LLC, a Delaware limited liability company



Aleksandar Juretic, Member

N and O LLC, a Delaware limited liability company



Jason Lindley, Member

State of California

County of San Francisco

} ss.

On December 3, 2014

before me, N.J. Shanta, Notary Public

, personally appeared

Paul Kraaijvanger, Kelly Condon, Aleksandar Juretic and
Jason Lindley

, who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf
of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the
laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

 (Seal)



Loan origination organization **First Republic Bank**
NMLS ID **362814**
Loan originator **Carmen C Franceschi**
NMLS ID **0487229**

Comm # 2073931
Exp. Aug. 6, 2018

A.J. K.C. S.P.L.

Legal Description

Loan No. 22-533960-1

For property located at:

437 Hoffman Avenue, San Francisco, CA 94114

The legal description of said property is described as follows:

See Legal description(s) attached hereto and by this reference made a part hereof.

EXHIBIT A

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

Commencing at a point on the Easterly line of Hoffman Avenue, distant thereon 183 feet Southerly from the Southerly line of 24th Street; running thence Southerly and along said line of Hoffman Avenue 27 feet; thence at a right angle Easterly 125 feet; thence at a right angle Northerly 27 feet; thence at a right angle Westerly 125 feet to the point of commencement.

Being part of Horner's Addition Block No. 243.

Assessor's Lot 024; Block 6503

ADJUSTABLE RATE RIDER
(11th District Cost of Funds - Rate Caps)

Loan No. 22-533960-1

THIS ADJUSTABLE RATE RIDER is made this 1st day of December, 2014, and is incorporated into and shall be deemed to amend and supplement the Mortgage, Deed of Trust or Security Deed (the "Security Instrument") of the same date given by the undersigned (the "Borrower") to secure Borrower's Adjustable Rate Note (the "Note") to **First Republic Bank**

(the "Lender") of the same date and covering the property described in the Security Instrument and located at:
437 Hoffman Avenue, San Francisco, CA 94114

THE NOTE CONTAINS PROVISIONS ALLOWING FOR CHANGES IN MY INTEREST RATE AND MY MONTHLY PAYMENT. THE NOTE LIMITS THE AMOUNT MY INTEREST RATE CAN CHANGE AT ANY ONE TIME AND THE MAXIMUM RATE I MUST PAY.

ADDITIONAL COVENANTS. In addition to the covenants and agreements made in the Security Instrument, Borrower and Lender further covenant and agree as follows:

A. ADJUSTABLE RATE AND MONTHLY PAYMENT CHANGES

The Note provides for an initial interest rate of 2.200%. The Note also provides for changes in the adjustable interest rate, as follows:

4. INTEREST RATE AND MONTHLY PAYMENT CHANGES

(A) Change Dates

The interest rate I will pay may change on the first day of February 2015, and on that day every 1 month(s) thereafter. Each date on which my interest rate could change, is called a "Change Date."

(B) The Index

Beginning with the first Change Date, my interest rate will be based on an Index. The "Index" is the Eleventh District Costs of Funds as computed and published by the Federal Home Loan Bank of San Francisco. The most recent Index figure available as of the date 15 days before each Change Date is called the "Current Index."

If the Index is no longer available or is otherwise unpublished or in the Note Holder's sole discretion is determined to be substantially recalculated, the Note Holder will choose a new index which is based upon comparable information. The Note Holder will give me notice of this choice.

(C) Calculation of Changes

Before each Change Date, the Note Holder will calculate my new interest rate by adding One and One-Half percentage points (1.500%) to the Current Index. The Note Holder will then round the result of this addition to the next highest one eighth of one percentage point (0.125%). Subject to the limits stated in Section 4(D) below, this rounded amount will be my new interest rate until the next Change Date.

The Note Holder will then determine the amount of the monthly payment. During the first 10 years of the loan, the Note Holder will determine the amount of my monthly payment of interest. During the remainder of the loan term when principal and interest payments are required, the Note Holder will determine the amount of the monthly payment that would be sufficient to repay the unpaid principal that I am expected to owe at the Change Date in full on the maturity date at my new interest rate in substantially equal payments. The result of this calculation will be the new amount of my monthly payment.

(D) Limits on Interest Rate Changes

My interest rate will never increase to more than 9.950 % (the "Maximum Interest Rate"), nor less than 2.050 % (the "Minimum Interest Rate").

(E) Effective Date of Changes

My new interest rate will become effective on each Change Date. I will pay the amount of my new monthly payment beginning on the first monthly payment date after the Change Date until the amount of my monthly payment changes again.

(F) Notice of Changes

The Note Holder will deliver or mail to me a notice of the change in my initial fixed interest rate to an adjustable interest rate and of any changes in my adjustable interest rate before the effective date of any payment change. The notice will include the amount of my monthly payment, any information required by law to be given me and also the telephone number of a person who will answer any question I may have regarding the notice.

B. TRANSFER OF THE PROPERTY OR A BENEFICIAL INTEREST IN BORROWER

Uniform Covenant 18 of the Security Instrument is amended to read as follows:

Transfer of the Property or a Beneficial Interest in Borrower. If all or any part of the Property or any interest in it is sold or transferred (or if a beneficial interest in Borrower is sold or transferred and Borrower is not a natural person) without Lender's prior written consent, Lender may, at its option, require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if exercise is prohibited by federal law as of the date of this Security Instrument. Lender also shall not exercise this option if: (a) Borrower causes to be submitted to the Lender information required by Lender to evaluate the intended transferee as if a new loan were being made to the transferee; and (b) Lender reasonably determines that Lender's security will not be impaired by the loan assumption and that the risk of a breach of any covenant or agreement in this Security Instrument is acceptable to Lender.

To the extent permitted by applicable law, Lender may charge a reasonable fee as a condition to Lender's consent to the loan assumption. Lender may also require the transferee to sign an assumption agreement that is acceptable to Lender and that obligates the transferee to keep all the promises and agreements made in the Note and in this Security Instrument. Borrower will continue to be obligated under the Note and this Security Instrument unless Lender releases Borrower in writing.

If Lender exercises the option to require immediate payment in full, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than thirty (30) days from the date the notice is delivered or mailed within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Adjustable Rate

See Signature Addendum

Date

Date

Date

Date

[Sign Original Only]

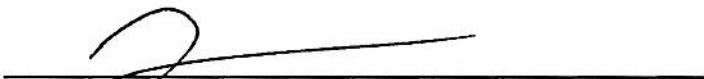
**FIXED / ADJ. RATE RIDER / EQUITY LINE RIDER
SIGNATURE ADDENDUM**

Loan No: 533960-1

Perfero Properties LLC, a Delaware limited liability company


Paul Kraaijvanger, Member

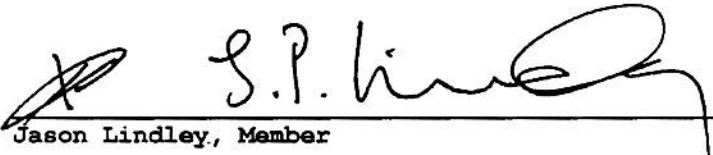
Trichrome LLC, a Delaware limited liability company


Kelly Condon, Member

Count's Gold LLC, a Delaware limited liability company


Aleksandar Juretic, Member

N and O LLC, a Delaware limited liability company


Jason Lindley, Member

1-4 FAMILY RIDER (Assignment of Rents)

Loan Number 22-533960-1

THIS 1-4 FAMILY RIDER is made this 1st day of December, 2014, and is incorporated into and shall be deemed to amend and supplement the Mortgage, Deed of Trust, or Security Deed (the "Security Instrument") of the same date given by the undersigned (the "Borrower") to secure Borrower's Note to First Republic Bank

(the "Lender")

of the same date and covering the Property described in the Security Instrument and located at:

437 Hoffman Avenue, San Francisco, CA 94114

(Property Address)

1-4 FAMILY COVENANTS. In addition to the covenants and agreements made in the Security Instrument, Borrower and Lender further covenant agree as follows:

A. ADDITIONAL PROPERTY SUBJECT TO THE SECURITY INSTRUMENT. In addition to the Property described in Security Instrument, the following items now or hereafter attached to the Property to the extent they are fixtures are added to the Property description, and shall also constitute the Property covered by the Security Instrument: building materials, appliances and goods of every nature whatsoever now or hereafter located in, on, or used, or intended to be used in connection with the Property, including, but not limited to, those for the purposes of supplying or distributing heating, cooling, electricity, gas, water, air and light, fire prevention and extinguishing apparatus, security and access control apparatus, plumbing, bath tubs, water heaters, water closets, sinks, ranges, stoves, refrigerators, dishwashers, disposals, washers, dryers, awnings, storm windows, storm doors, screens, blinds, shades, curtains and curtain rods, attached mirrors, cabinets, paneling and attached floor coverings, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the Property covered by the Security Instrument. All of the foregoing together with the Property described in the Security Instrument (or the leasehold estate if the Security Instrument is on a leasehold) are referred to in this 1-4 Family Rider and the Security Instrument as the "Property."

B. USE OF PROPERTY; COMPLIANCE WITH LAW. Borrower shall not seek, agree to or make a change in the use of the Property or its zoning classification, unless Lender has agreed in writing to the change. Borrower shall comply with all laws, ordinances, regulations and requirements of any governmental body applicable to the Property.

C. SUBORDINATE LIENS. Except as permitted by federal law, Borrower shall not allow any lien inferior to the Security Instrument to be perfected against the Property without Lender's prior written permission.

D. RENT LOSS INSURANCE. Borrower shall maintain insurance against rent loss in addition to the other hazards for which insurance is required by Section 5.

E. "BORROWER'S RIGHT TO REINSTATE" DELETED. Section 19 is deleted.

F. BORROWER'S OCCUPANCY. Unless Lender and Borrower otherwise agree in writing, Section 6 concerning Borrower's occupancy of the Property is deleted.

G. ASSIGNMENT OF LEASES. Upon Lender's request after default, Borrower shall assign to Lender all leases of the Property and all security deposits made in connection with leases of the Property. Upon the assignment, Lender shall have the right to modify, extend or terminate the existing leases and to execute new leases, in Lender's sole discretion. As used in this paragraph G, the word "lease" shall mean "sublease" if the Security Instrument is on a leasehold.

H. ASSIGNMENT OF RENTS; APPOINTMENT OF RECEIVER; LENDER IN POSSESSION. Borrower absolutely and unconditionally assigns and transfers to Lender all the rents and revenues ("Rents") of the Property, regardless of to whom the Rents of the Property are payable. Borrower authorizes Lender or Lender's agents to collect the Rents, and agrees that each tenant of the Property shall pay the Rents to Lender or Lender's agents. However, Borrower shall receive the Rents until (i) Lender has given Borrower notice of default pursuant to Section 22 of the Security Instrument and (ii) Lender has given notice to the tenant(s) that the Rents are to be paid to the Lender or Lender's agent. This assignment of Rents constitutes an absolute assignment and not an assignment for additional security only.

If Lender gives notice of default to Borrower: (i) all Rents received by Borrower shall be held by Borrower as trustee for the benefit of the Lender only, to be applied to the sums secured by the Security Instrument; (ii) Lender shall be entitled to collect and receive all of the Rents of the Property; (iii) Borrower agrees that each tenant of the property shall pay all Rents due and unpaid to Lender or Lender's agents upon Lender's written demand to the tenant; (iv) unless applicable law provides otherwise, all Rents collected by Lender or Lender's agents shall be applied first to the costs of taking control of and managing the Property

Property and collecting the Rents, including, but not limited to, attorney's fees, receiver's fees, premiums on receiver's bonds, repair and maintenance costs, insurance premiums, taxes, assessments and other charges on the Property, and then to the sums secured by the Security Instrument; (v) Lender, Lender's agents or any judicially appointed receiver shall be liable to account for only those Rents actually received; and (vi) Lender shall be entitled to have a receiver appointed to take possession of and manage the Property and collect the Rents and profits derived from the Property without any showing as to the inadequacy of the Property as security.

If the Rents of the Property are not sufficient to cover the costs of taking control of and managing the Property and of collecting the Rents any funds expended by Lender for such purposes shall become indebtedness of Borrower to Lender secured by the Security Instrument pursuant to Section 9.

Borrower represents and warrants that Borrower has not executed any prior assignment of Rents and has not performed, and will not perform, any act that would prevent Lender from exercising its rights under this paragraph.

Lender, or Lender's agents or a judicially appointed receiver, shall not be required to enter upon, take control of or maintain the Property before or after giving notice of default to Borrower. However, Lender, or Lender's agents or a judicially appointed receiver, may do so at any time when a default occurs. Any application of Rents shall not cure or waive any default or invalidate any other right or remedy of Lender. This assignment of Rents of the Property shall terminate when all the sums secured by the Security Instrument are paid in full.

I. CROSS-DEFAULT PROVISION. Borrower's default or breach under any note or agreement in which Lender has an interest shall be a breach under the Security Instrument and Lender may invoke any of the remedies permitted by the Security Instrument.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and provisions contained in this 1-4 Family Rider.

See Signature Addendum

Date

Date

Date

Date

[Sign Original Only]

**1-4 FAMILY RIDER
SIGNATURE ADDENDUM**

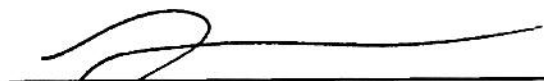
Loan No: 533960-1

Perfero Properties LLC, a Delaware limited liability company



Paul Kraaijvanger, Member

Trichrome LLC, a Delaware limited liability company



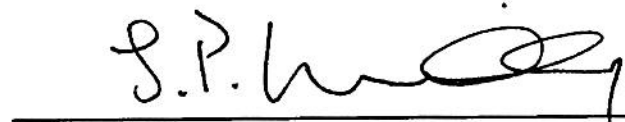
Kelly Condon, Member

Count's Gold LLC, a Delaware limited liability company



Aleksandar Juretic, Member

N and O LLC, a Delaware limited liability company



Jason Lindley, Member

Exhibit 16

1st Notice of Pre-Application Meeting

January 14, 2015

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVE, cross street(s) BETWEEN 24TH & 25TH ST (Block/Lot#: 6503 ; Zoning: 024), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☒ New Construction;
- ☒ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☐ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: demolish existing building. new front wall moves forward to line of average of adjacent neighbors @ north side & steps back / extends less @ south side. new building extends to 45% rear yard setback at north side & to average of adjacent neighboring building depths at top 2 stories on south side + sets in 50" away from southern neighbor starting at line of neighbor's adjacent top story indent.

Existing # of dwelling units: 1	Proposed: 1	Permitted: 1
Existing bldg square footage: 2992 s.f.	Proposed: 6053 s.f.	Permitted: 2992 s.f.
Existing # of stories: 3 + basement	Proposed: 3 + basement	Permitted: 3 + basement
Existing bldg height: 25'-7" (curb to peak)	Proposed: 30'-11" (to curb)	Permitted: 40' max
Existing bldg depth: 45'-5" from front P.L.	Proposed: 80'-9" front P.L.	Permitted: see 'existing'
52'-9" (front P.L. to deck)	to bsmt / 68'-9"	
	at higher stories	

MEETING INFORMATION:

Property Owner(s) name(s): Hoffman TIC Group

Project Sponsor(s): KELLY CONDON

Contact information (email/phone): 415-240-8328 / KELLYMCONDON@GMAIL.COM

Meeting Address*: PHILZ COFFEE @ 4298 24th St, San Francisco, CA 94114

Date of meeting: JANUARY 30, 2015 (FRIDAY)

Time of meeting**: 6PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

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

I, KELLY CONDON, 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 4298 24TH ST (PHILZ COFFEE) (location/address) on 1/30/15 (date) from 6PM (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, MARCH 9, 20 15 IN SAN FRANCISCO.

Signature

KELLY CONDON

Name (type or print)

AGENT / DESIGNER

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

(If Agent, give business name & profession)

437 HOFFMAN AVE

Project Address

Pre-Application Meeting Sign-in Sheet

Meeting Date:
 Meeting Time:
 Meeting Address:
 Project Address:
 Property Owner Name:
 Project Sponsor/Representative:

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. LYNDA GROSE	30/32 HOMESTEAD ST	415 309 8210	lyndagrose@gmail.com	<input checked="" type="checkbox"/>
2.				<input type="checkbox"/>
3. Janet Fowler	434 Hoffman	415 648-8780	jfawlers@aol.com	<input checked="" type="checkbox"/>
4. R. KEVIN GILKIN		695 9693	greg@sfuc.edu	<input checked="" type="checkbox"/>
5. Stephen Baskerville	439 Hoffman		rofrikhound@gmail.com	<input checked="" type="checkbox"/>
6. Paul Lefebvre	439 Hoffman Ave.		paul.lef123@gmail.com	<input checked="" type="checkbox"/>
7. Jason Allen	38 Homestead St.		utilitiesman@gmail.com	<input checked="" type="checkbox"/>
8. Maia Jiv	38 Homestead St			<input type="checkbox"/>
9.				<input type="checkbox"/>
10.				<input type="checkbox"/>
11.				<input type="checkbox"/>
12.				<input type="checkbox"/>
13.				<input type="checkbox"/>
14.				<input type="checkbox"/>
15.				<input type="checkbox"/>
16.				<input type="checkbox"/>
17.				<input type="checkbox"/>
18.				<input type="checkbox"/>

433
10 HOFFMAN

→ 415.695.9693

MEASURE
WINDOWS

Summary of discussion from the Pre-Application Meeting

Meeting Date:
Meeting Time:
Meeting Address:
Project Address:
Property Owner Name:
Project Sponsor/Representative:

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):

PAUL LEFEBVRE - SCALE OF BUILDING BEING PROPOSED IS EXCESSIVE
- INSUFFICIENT SETBACK FROM PROPERTY LINE
- PROPERTY LOGS TO FAR BACK

Project Sponsor Response:

- TERRACE AT 44' IS ACTUALLY 5'-6" WIDE
- 10' CEILINGS MAY NOT BE NECESSARY ON ALL LEVELS (UPPER LEVELS)
- BUILDING HEIGHT AT REAR IS VERY HIGH - LESS MASS
- SQUARE FOOTAGE FROM EXISTING 2992 SF TO 6029 SF IS EXCESSIVE.

Question/Concern #2:

PAUL LEFEBVRE

- 12'-3" SETBACK AT UPPER LEVEL DOES NOTHING FOR THE BOTTOM 2 FLOORS AT 439-441 HOFFMAN.

Project Sponsor Response:

Keep peaked roof all the way back
Scale back entire project,
Eliminate top floor - out of character -
- or lower by reducing ceiling height

JANET FOWLER

Question/Concern #3:

Remodel, keep facade to maintain character of neighborhood
Reduce impact to not back to neighborhood.
Minimize window size in front.
Eliminate front balcony

Project Sponsor Response:

SHE EMAILED TO RESCIND THIS COMMENT

Question/Concern #4:

Project Sponsor Response:

Exhibit 17

2nd

Notice of Pre-Application Meeting

February 16, 2015

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 437 HOFFMAN AVE, cross street(s) BETWEEN 24TH & 25TH ST (Block/Lot#: 6503 ; Zoning: 024), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at www.sfgov.org/dbi.

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- ☒ New Construction;
- ☒ Any vertical addition of 7 feet or more;
- ☒ Any horizontal addition of 10 feet or more;
- ☐ Decks over 10 feet above grade or within the required rear yard;
- ☐ All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: SECOND NEIGHBOR MEETING: demolish existing building. new front wall moves forward to line of average of adjacent neighbors @ north side & steps back / extends less @ south side. new building extends to 45% rear yard setback at north side & to average of adjacent neighboring building depths at top 2 stories on south side + sets in 50" away from southern neighbor starting at line of neighbor's adjacent top story indent.

Existing # of dwelling units: 1	Proposed: 1	Permitted: 1
Existing bldg square footage: 2992 s.f.	Proposed: 6029 s.f.	Permitted: 2992 s.f. (existing)
Existing # of stories: 3 + basement	Proposed: 3 + basement	Permitted: 3 + basement
Existing bldg height: 25'-7" (curb to peak)	Proposed: 30'-11" (to curb)	Permitted: 40' max
Existing bldg depth: 45'-5" from front P.L.	Proposed: 80'-9" front P.L.	Permitted: see 'existing'
52'-9" (front P.L. to deck)	to bsmt / 68'-9" at higher stories	

MEETING INFORMATION:

Property Owner(s) name(s): Hoffman TIC Group
 Project Sponsor(s): KELLY CONDON
 Contact information (email/phone): 415-240-8328 / KELLYMCONDON@GMAIL.COM
 Meeting Address*: UMPQUA BANK - 3938 24th St (between Noe & Sanchez St)
 Date of meeting: February 25, 2015 (WEDNESDAY)
 Time of meeting**: 6PM

*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

**Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at pic@sfgov.org. You may also find information about the San Francisco Planning Department and on-going planning efforts at www.sfplanning.org.

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

I, KELLY CONDON, 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 3938 24TH ST (UMPQUA BANK) (location/address) on 2/25/15 (date) from 6PM (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, MARCH 9, 20 15 IN SAN FRANCISCO.

Signature

KELLY CONDON

Name (type or print)

AGENT / DESIGNER

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

(If Agent, give business name & profession)

437 HOFFMAN AVE

Project Address

Pre-Application Meeting Sign-in Sheet

Meeting Date: 2nd meeting February 25th
 Meeting Time: Unpqua Bank @ 3938 24th St 6pm
 Meeting Address:
 Project Address:
 Property Owner Name:
 Project Sponsor/Representative:

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. I am sure with us & reservation				<input checked="" type="checkbox"/> see my email
2. Stephen Baskerville	439 Hoffman Ave.		refuikhoand@gmail.com	<input checked="" type="checkbox"/>
3. Paul Leblanc	439 Hoffman Ave.		paul.lcf123@gmail.com	<input checked="" type="checkbox"/>
4. Janet Fowler	434 Hoffman Ave		jfowlers@aol.com	<input checked="" type="checkbox"/>
5. Jason Allen	38 Homestead St.		utilitiesman@gmail.com	<input checked="" type="checkbox"/>
6.				<input type="checkbox"/>
7.				<input type="checkbox"/>
8.				<input type="checkbox"/>
9.				<input type="checkbox"/>
10.				<input type="checkbox"/>
11.				<input type="checkbox"/>
12.				<input type="checkbox"/>
13.				<input type="checkbox"/>
14.				<input type="checkbox"/>
15.				<input type="checkbox"/>
16.				<input type="checkbox"/>
17.				<input type="checkbox"/>
18.				<input type="checkbox"/>

Exhibit 18

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 3/20/2015 5:50:31 PM

Application Number: 201503100426
 Form Number: 3
 Address(es): 6503 / 024 / 0437 HOFFMAN AV
 Description: REMODEL SINGLE FAMILY RESIDENCE, 3-STORIES OVER BASEMENT. ADD GARAGE & DRIVEWAY, 5 BEDROOMS, 5 1/2 BATHS. (N) FOUNDATION. FIRE SPRINKLERS.
 Cost: \$750,000.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
3/10/2015	TRIAGE	
3/10/2015	FILING	
3/10/2015	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CPB	3/10/15	3/10/15			3/10/15	SHEK KATHY	415-558-6070	
2	CP-ZOC	3/10/15						415-558-6377	
3	BLDG							415-558-6133	
4	DPW-BSM							415-558-6060	
5	SFPUC							415-575-6941	
6	PPC						GIBSON PETER	415-558-6133	3/10/15: to DCP. PG
7	CPB							415-558-6070	

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
------------------	-------------------	------------------	------------------	-------------	------------

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

Online Permit and Complaint Tracking home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 3/20/2015 5:55:38 PM

Application Number: 201404113029
 Form Number: 3
 Address(es): 6503 / 024 / 0 437 HOFFMAN AV
 Description: ADDITION TO SINGLE FAM DWG, 3 STORY REAR ADDITION TO INCLUDE (N) FAM RM (GROUND) (N) KITCHEN (FIRST), (N) BEDRMS & BATH (2ND)
 Cost: \$900,000.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
4/11/2014	TRIAGE	
4/11/2014	FILING	
4/11/2014	FILED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CPB	4/11/14	4/11/14			4/11/14	SHEK KATHY	415-558-6070	
2	CP-ZOC	4/11/14	6/6/14				SMITH MICHAEL	415-558-6377	
3	BLDG							415-558-6133	
4	DPW-BSM							415-558-6060	
5	SFPUC							415-575-6941	
6	PPC							415-558-6133	
7	CPB							415-558-6070	

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 3/20/2015 5:55:08 PM

Application Number: 201305167162
 Form Number: 8
 Address(es): 6503 / 024 / 0437 HOFFMAN AV
 Description: REVISION TO APPL #2008.06.27.5494 - KEEP EXISTING DOOR (EXTERIOR) AT LOWER LEVEL, NO ADDITIONAL WORK BEYOND WHAT WAS ORIG. APPROVED.
 Cost: \$1.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
5/16/2013	TRIAGE	
5/16/2013	FILING	
5/16/2013	FILED	
5/16/2013	APPROVED	
5/16/2013	ISSUED	
7/12/2013	COMPLETE	1732994 Final Inspection/Approved

Contact Details:

Contractor Details:

License Number: OWNER
 Name: OWNER
 Company Name: OWNER
 Address: OWNER * OWNER CA 00000-0000
 Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	INTAKE	5/16/13	5/16/13			5/16/13	YIP JANET	
2	BLDG	5/16/13	5/16/13			5/16/13	DANG DENNIS	
3	CPB	5/16/13	5/16/13			5/16/13		OTC FDR

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
7/12/2013	Fergal Clancy	FINAL INSPECT/APPRVD	FINAL INSPECT/APPRVD
6/6/2013	Fergal Clancy	FINAL INSPECT/APPRVD	CORRECTION REQUIRED

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

Online Permit and Complaint Tracking home page.

Technical Support for Online Services

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 3/20/2015 5:54:19 PM

Application Number: 201209079183

Form Number: 8

Address(es): 6503 / 024 / 0 437 HOFFMAN AV

Description: REV. TO APPROVED BLDG PA#200806275494 EXISTING DECK TO BE VOLUNTARY STRENGTHENED, MERGE 2 UNITS INTO 1 UNIT. REMOVE KITCHEN @ 1/F, CONSTRUCT STAIR BETWEEN 1/F & 2/F

Cost: \$1.00

Occupancy Code: R-3

Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
9/7/2012	TRIAGE	
9/7/2012	FILING	
9/7/2012	FILED	
9/17/2012	PLANCHCK	
9/17/2012	WITHDRAWN	

Contact Details:

Contractor Details:

License Number: OWN

Name: OWNER OWNER

Company Name: OWNER

Address: OWNER * OWNER CA 00000-0000

Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Phone	Hold Description
1	CPB	9/17/12	9/17/12			9/17/12	SECONDEZ GRACE	415-558-6070	
2	BLDG	9/6/12	9/6/12			9/6/12	DANG DENNIS	415-558-6133	
3	CPB	9/17/12	9/17/12			9/17/12	CHEUNG WAI FONG	415-558-6070	9/17/12: WITHDRAWN PER ARCHITECT'S REQUEST. REVISION SUBMITTED IN ERROR. WF

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

Welcome to our Permit / Complaint Tracking System!

Permit Details Report

Report Date: 3/20/2015 5:51:56 PM

Application Number: 200806275494
 Form Number: 3
 Address(es): 6503 / 024 / 0437 HOFFMAN AV
 Description: MERGE 2 UNITS INTO 1 UNIT. REMOVE KITCHEN @ 1ST FLOOR. CONSTRUCT STAIRS BETWEEN 1ST & 2ND FLOOR. EXISTING DECK TO COMPLY LATERALLY TO SFBC '2010 CODE.
 Cost: \$10,000.00
 Occupancy Code: R-3
 Building Use: 27 - 1 FAMILY DWELLING

Disposition / Stage:

Action Date	Stage	Comments
6/27/2008	TRIAGE	
6/27/2008	FILING	
6/27/2008	FILED	
7/31/2012	APPROVED	
7/31/2012	ISSUED	
7/12/2013	COMPLETE	1732975 Final Inspection/Approved

Contact Details:

Contractor Details:

License Number: OWN
 Name: OWNER OWNER
 Company Name: OWNER
 Address: OWNER * OWNER CA 00000-0000
 Phone:

Addenda Details:

Description: SITE

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CPB	6/27/08	6/27/08			6/27/08	DANG DENNIS	
2	PPC	6/27/08	6/27/08			7/24/12	SAMARASINGHE GILES	7/24/12: to CPB.grs 8-18-11: Route to CP-Zoc. sjf 6/8/11: Plans in HOLD BIN. 4-13-11: Applicant submit Revision 1 to CP-Zoc/Sharor Lai. sjf 6-27-08: Per Bill, add SFPUC for review. Route to CP-Zoc. sjf
3	CP-ZOC	6/27/08	6/30/08			5/26/11	LAI SHARON	Dwelling unit merger approved per DRA-024
4	CP-NP	8/19/08	8/19/08	8/19/08		5/26/11	LAI SHARON	Sec 311 mailed 8/19/08 exp 9/18/08
5	BLDG	5/27/11	6/2/11	6/2/11		8/18/11	LE THOMAS	
6	DPW-BSM	6/2/11	6/6/11			6/6/11	GAIME BERTHANE	NO ALTERATION OR CONSTRUCTION OF CITY RIGHT OF WAY UNDER THIS PERMIT No Street space!
7	SFPUC	6/7/11	6/7/11			6/7/11	SZU-WHITNEY MONICA	Capacity charge not applicable. Route to PPC 06/07/11.
8	CP-ZOC	8/18/11	8/24/11			8/24/11	LAI SHARON	Approve revisions, no expansion
9	ADMIN	7/26/12	7/26/12			7/31/12	YU ANNE	07/26/12: NOC ISSUED. CANCEL ON 08/16/12.GJS 07/26/12: Application and plans in administration holdbin.ay 7/31/12:Extension paid.New cancel date 5/16/13.Application and plans returned to CPB.Receipt of Payment sent.ay
10	CPB	7/24/12	7/31/12			7/31/12	CHAN AMARIS	APPROV & ISSUE BY AMARIS. 07/25/12 HAND CARRY TO GARLAND SIMPSON FOR SENT OUT A NOTICE OF EXTENSION (KS)

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slot
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Appointment Date	Appointment ID	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
7/12/2013	Fergal Clancy	FINAL INSPECT/APPRVD	CFC ISSUED
3/18/2013	Fergal Clancy	ROUGH FRAME, PARTIAL	CORRECTION REQUIRED
2/6/2013	Robert Power	FINAL INSPECT/APPRVD	REINSPECT REQUIRED

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking](#) home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

Contact SFGov Accessibility Policies
City and County of San Francisco ©2000-2009

Exhibit 19



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements #2

May 28, 2015

Kelly Condon
443 Joost Avenue
San Francisco, CA 94127

RE: 437 Hoffman Avenue (Address)
6503/024 (Assessor's Block/Lot)
2014.04.11.3029 (Building Permit Application Number)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Your revised plans for Building Permit Application No. 2014.04.11.3029 have been received and reviewed by the assigned planner, Michael Smith. The following information is required before it is accepted as complete and/or is considered Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy. Please note that further comments may follow review of the requested information.

In order to proceed with our review of your Building Permit Application, the following is required:

1. **Site Plan.** Please provide separate existing site plan. On both your existing and proposed site plans include dimensions for the front setback, building depth, rear yard, and depth of addition. Your site plans should also indicate landscape within the front setback and permeable pavers within the driveway. Also, dimension the adjacent buildings' front setbacks. The subject and adjacent building to the south appear to be set back further than what is indicated on your site plan. Please double check your drawing and revise it if necessary. Please note that staff will not be able to determine the front setback compliance of your project until the requested setback information is provided.
2. **Height Measurement.** The height of the building will be measured from top of curb at the centerline of the building. Please indicate this datum point on all relevant elevations.
3. **Elevations.** Provide elevations for the existing building at $\frac{1}{4}'' = 1'$ scale. For ease of reference provide them on the same page as the corresponding proposed elevation and dimension the building height at the centerline measured from top of curb.
4. **Floor Plans.** Please provide existing floor plans for the subject building at $\frac{1}{4}'' = 1'$ scale. For ease of reference provide them on the same page as the corresponding proposed floor level.

NOPDR #1 sent to:
Abby Whitman
6114 LaSalle Ave. #552
Oakland, CA 94611

June 6, 2014
2014.04.11.3029
437 Hoffman Ave.

5. **Residential Design Guidelines.** The Planning Commission adopted the 2003 Residential Design Guidelines in December 2003 to promote design that will protect neighborhood character. All residential permit applications in the RH and RM zoning districts filed or reviewed after January 1, 2004 are subject to these Guidelines. You can download a copy of the Guidelines from our website at <http://www.sfgov.org/planning> or purchase for \$3.00 per copy at the Planning Department office, Ground Floor Lobby or 5th floor. If you fail to adequately address these concerns the Department may initiate a Discretionary Review hearing for this project.
 - a. **Building Scale at the Mid-Block.** The proposed building would extend approximately 18' deeper than the adjacent building to the south which would adversely impact the building's connection to the mid-block open space. To address this concern the Department recommends that set back the proposed south wall five-feet from the south side property where it extends deeper than the adjacent neighbor. Or use a combination of side setbacks and a shortening of the building depth along the side property line to address the shorter building. Please retain the existing light well to comply with this recommendation.

Please note that further comment may follow review of the requested information.

Please direct any questions concerning this notice to the assigned planner, **Michael Smith** at (415) 558-6322 or michael.e.smith@sfgov.org. Contact the assigned planner to set up any meeting, should one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment.

Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

Exhibit 20



SAN FRANCISCO PLANNING DEPARTMENT

Notice of Planning Department Requirements #3

September 2, 2015

Kelly Condon
443 Joost Avenue
San Francisco, CA 94127

RE: 437 Hoffman Avenue (Address of Permit Work)
6503/024 (Assessor's Block/Lot)
2014.04.11.3029 (Building Permit Application Number)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Your Building Permit Application #2014.04.11.3029 has been received by the Planning Department and has been assigned to planner Nancy Tran. Nancy has begun review of your application but the following information is required before it is accepted as complete and/or is considered Code-complying. Time limits for review of your project will not commence until we receive the requested information or materials and verify their accuracy. In order to proceed with our review of your applications, the following is required:

1. Plans.

- ✓ a. Sheet A3 – Remove "average of adjacent neighboring setbacks" note and label existing front yard setback (westerly property line to porch wall).
- ✓ b. Sheet A4 – Add "average of adjacent neighboring setbacks" note and extend the required 5'-0 1/2" required average setback line through the property for ease of reference (northerly property line to southerly property line).
- ✓ c. Draw/label required front yard setback on floor plans and elevations, as appropriate.
- ✓ d. Sheet A16 – Draw the front stairs on the section drawing.
- ✓ e. Provide an existing section drawing as required per the Department's Plan Submittal Guidelines.
- f. Sheet A17 – Revise demolition calculation as the roof is considered a horizontal element per §317(b)(5).
- g. The measurements labeling appears to be incorrect and/or inconsistent. Revise as necessary and clearly label dimensions on the plans. Please be aware of the following:
 - i. Existing front yard should be measured from the westerly property line to porch wall (the porch is not considered an obstruction under Planning Code §136)
 - ii. Proposed front yard should be measured from the westerly property line to garage wall
 - iii. Existing rear yard should be from the easterly property line to deck
 - iv. Proposed rear yard should be measured from easterly property line to basement level terrace

NOPDR #3 sent to:
Kelly Condon
443 Joost Avenue
San Francisco, CA 94127

September 2, 2015
2014.04.11.3029
437 Hoffman Avenue

NOTE: Revisions to the project may be requested as part of the CEQA review process outlined above. Revisions may also be requested to address the Planning Code, the Residential Design Guidelines and other local ordinances and policies.

All plans submitted must be to an appropriate scale: site plan 1/8" = 1'; floor plans 1/4" = 1'. Plans should be clearly labeled.

- All building permit plan revisions must be filed at the Department of Building Inspection (DBI), Permit Processing Center, 1660 Mission Street, 2nd Floor. To officially submit a change to the building permit plans, do not submit building permit plans directly to the Planning Department. Per DBI requirements, these plan revisions will not be accepted by mail or messenger, and all plans must be signed by preparer, architect or engineer.

Please submit the requested information, or contact the assigned planner if you need more time to prepare the requested information, within thirty (30) days. If the Department has not received the requested information within 90 days, the application will be sent back to the Department of Building Inspection for cancellation.

Please direct any questions concerning this notice to the assigned planner, Nancy Tran at (415) 575-9174 or nancy.h.tran@sfgov.org. Contact the assigned planner to set up any meeting, should one be necessary. Please do not come to the Planning Department to discuss this notice without an appointment. Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

Planning Department Applications and Publications are available at the Planning Information Center, 1660 Mission Street, 1st floor or via the Department website: www.sfplanning.org.

Exhibit 21



SAN FRANCISCO

PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On April 11, 2014, the Applicant named below filed Building Permit Application No. 2014.04.11.3029 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	437 Hoffman Avenue	Applicant:	Kelly Condon
Cross Street(s):	24 th Street	Address:	443 Joost Avenue
Block/Lot No.:	6503/024	City, State:	San Francisco, CA 94127
Zoning District(s):	RH-2/40-X	Telephone:	(415)240-8328

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

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

PROJECT SCOPE			
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration	
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Facade 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		5 feet 9 ¼ inches	5 feet 10 ¼ inches
Side Setbacks		None	No Change
Building Depth		59 feet 6 ½ inches	74 feet 10 ¾ inches
Rear Yard		59 feet 8 ¾ inches	44 feet 3 inches
Building Height		25 feet 7 inches	31 feet 7 inches
Number of Stories		3 + basement	3 + basement
Number of Dwelling Units		1	1
Number of Parking Spaces		0	2
PROJECT DESCRIPTION			
The proposal is to construct side, rear and vertical additions to the existing single family dwelling. The project includes extensive interior remodeling and exterior changes such as new garage door with curbcut, front porch, entry stairs and rear terrace/deck. 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(f) 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

Notice Date: 10/13/15

Expiration Date: 11/12/15

中文詢問請電: (415) 575-9010

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



SAN FRANCISCO PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: 10/13/2015

The attached notice is provided under the Planning Code. It concerns property located at 437 Hoffman Avenue (2014.04.11.3029) ~ NT. A hearing may occur, a right to request review may expire or a development approval may become final by 11/12/2015.

To obtain information about this notice in Spanish or Chinese, please call (415) 575-9010. Please be advised that the Planning Department will require at least one business day to respond to any call.

附上的是三藩市城市規劃的法定通告。
此通告是與位於 437 Hoffman Avenue (2014.04.11.3029) ~ NT 的建築計劃有關。如果在 11/12/2015 之前無人申請聽證會來檢討這一個建築計劃, 這計劃最終會被核准。

如果你需要用華語獲得關於這通告的細節, 請電 415-575-9010。
然後, 請按 “8” 及留言。 城市規劃局將需要至少一個工作天回應。 華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

El documento adjunto es requerido por el Código de Planeación (Planning Code) y es referente a la propiedad en la siguiente dirección: 437 Hoffman Avenue (2014.04.11.3029) ~ NT.

Es posible que ocurra una audiencia pública, que el derecho a solicitar una revisión se venza, o que la aprobación final de proyecto se complete el: 11/12/2015.

Para obtener más información sobre esta notificación en español, llame al siguiente teléfono (415) 575-9010. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas.

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 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. 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. 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.

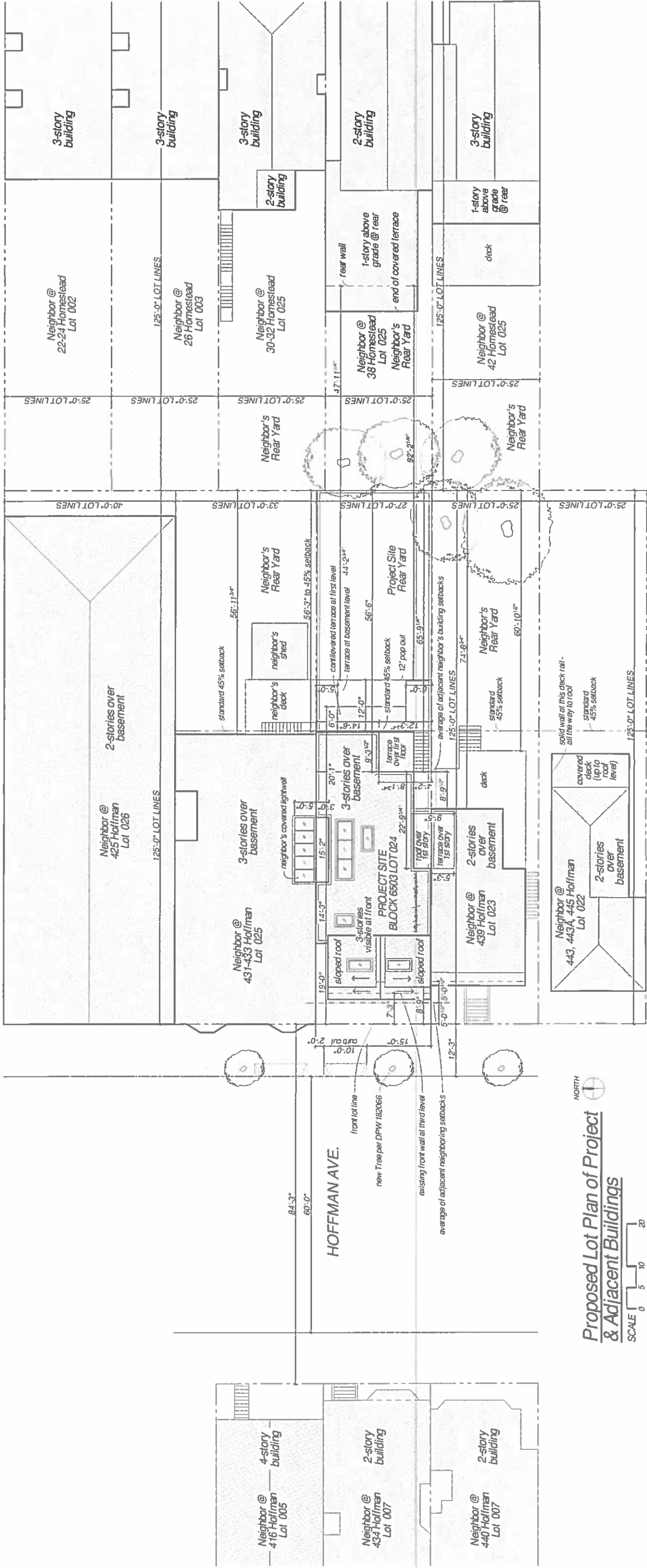
BOARD OF APPEALS

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

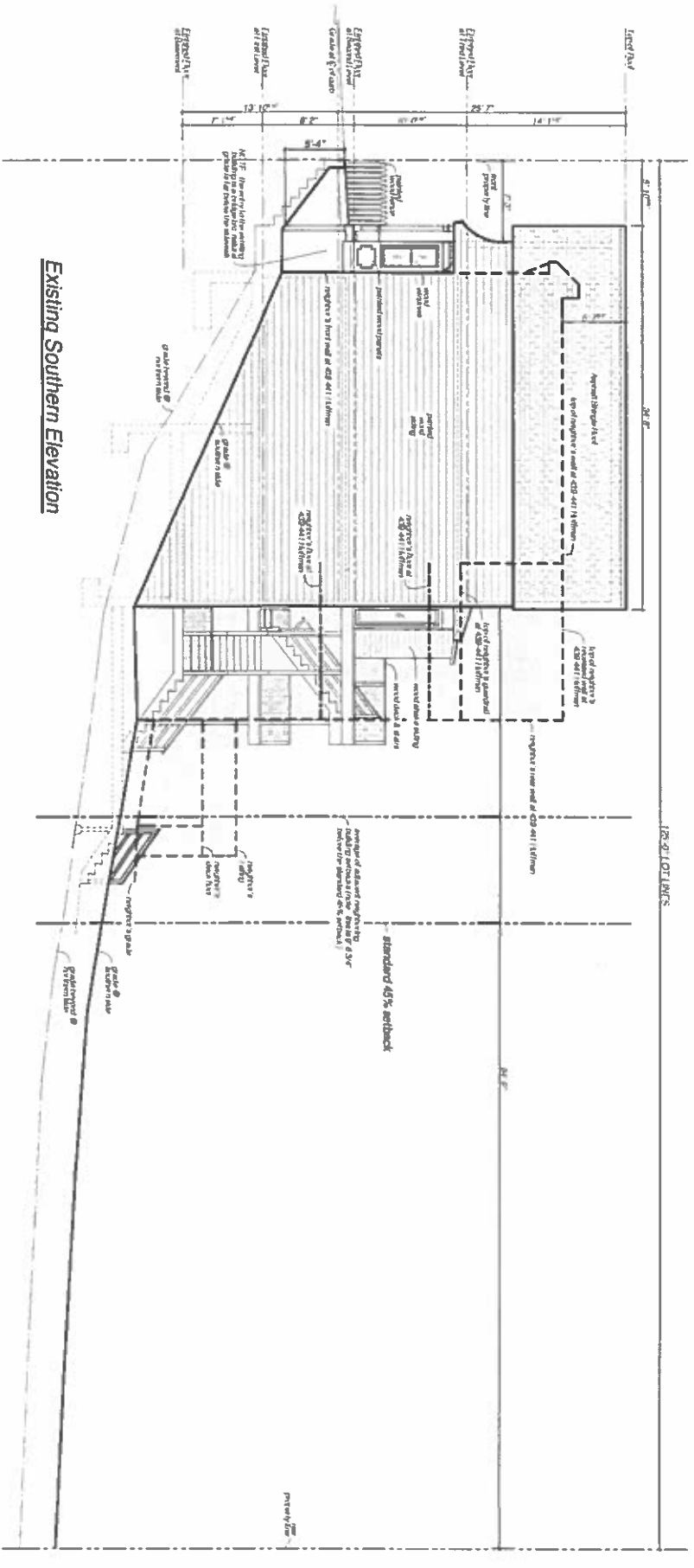
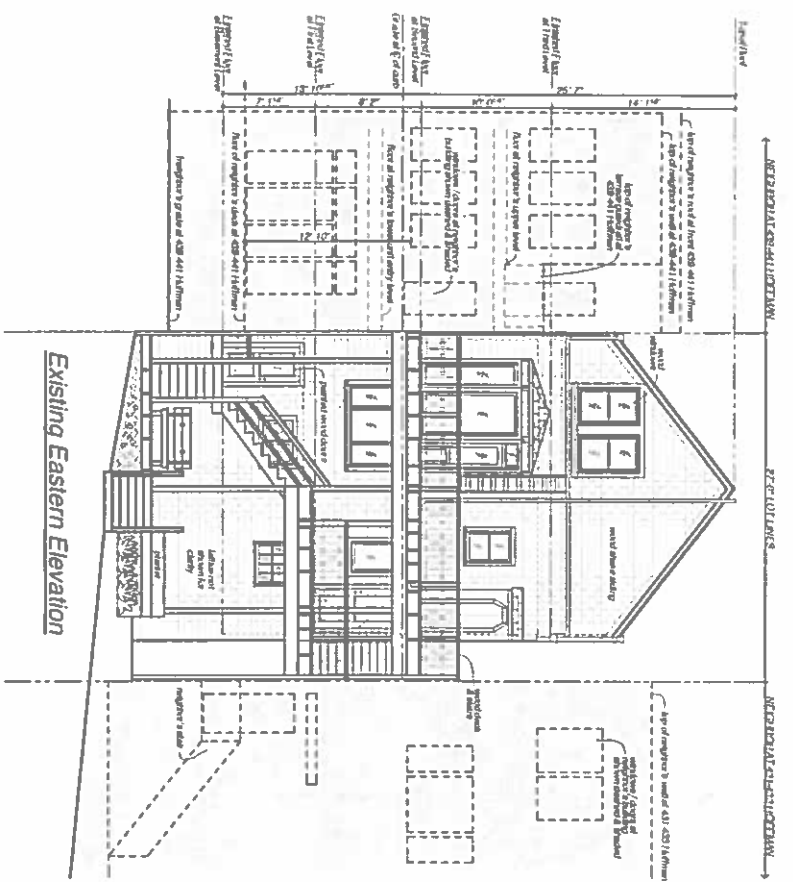
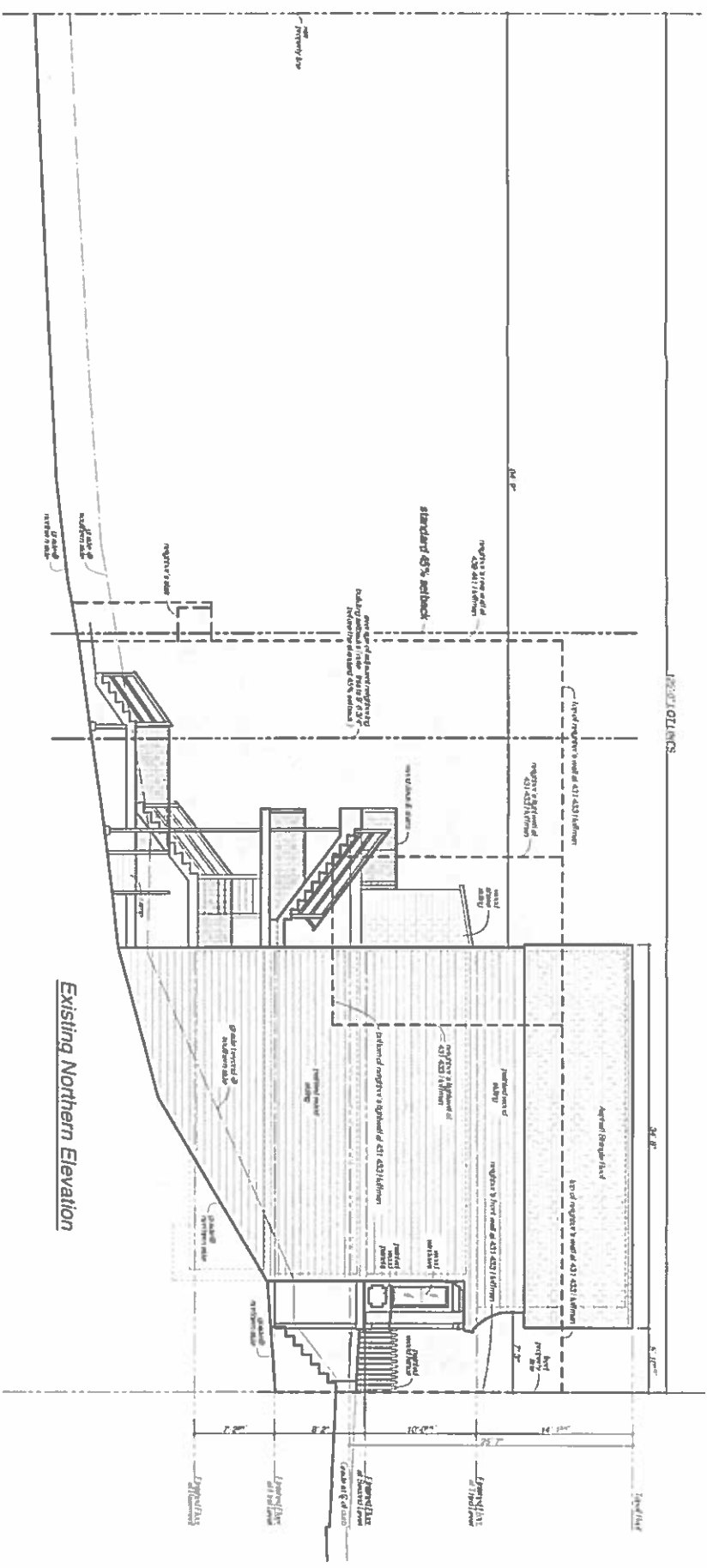
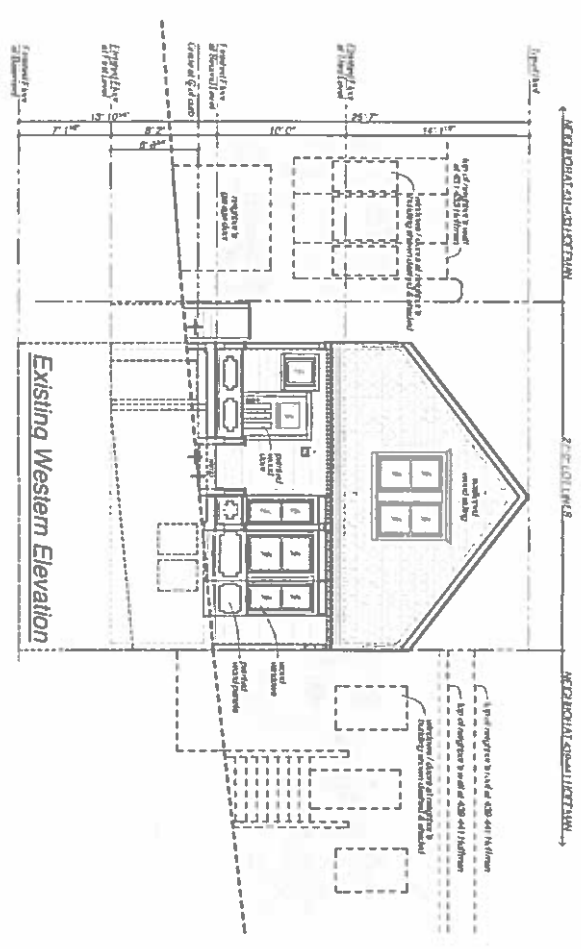
This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. 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.



Proposed Lot Plan of Project
& Adjacent Buildings

SCALE 0 5 10 20



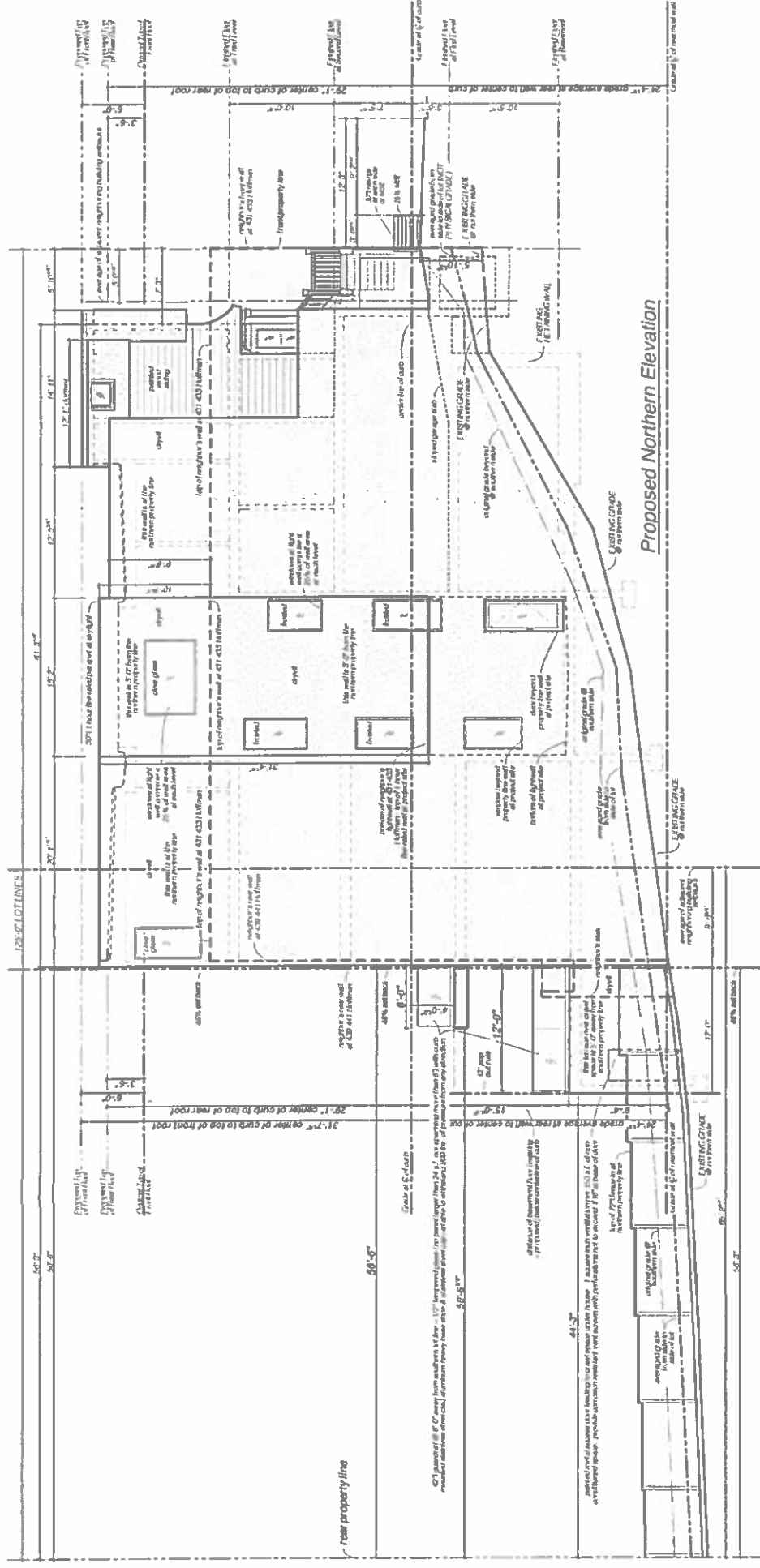
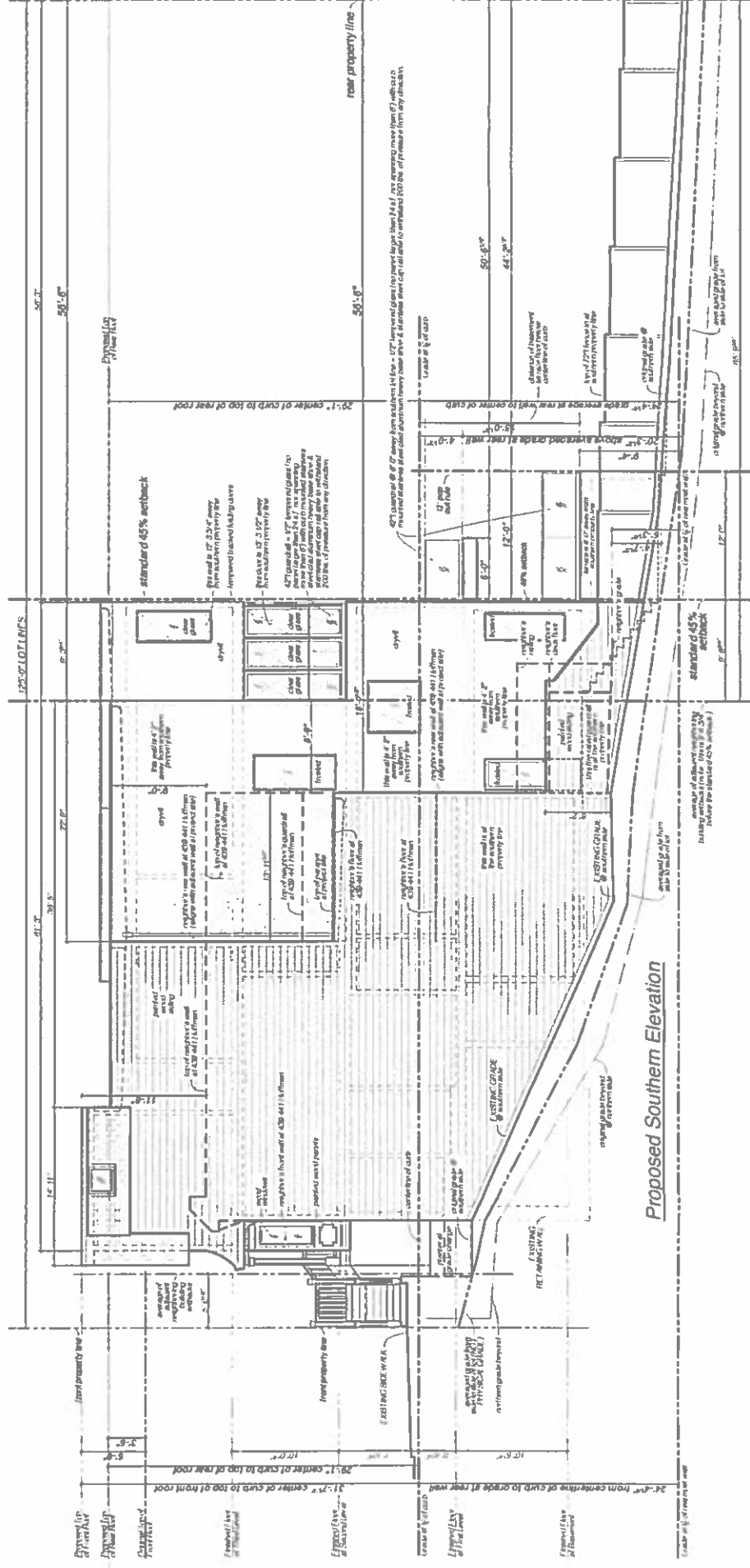
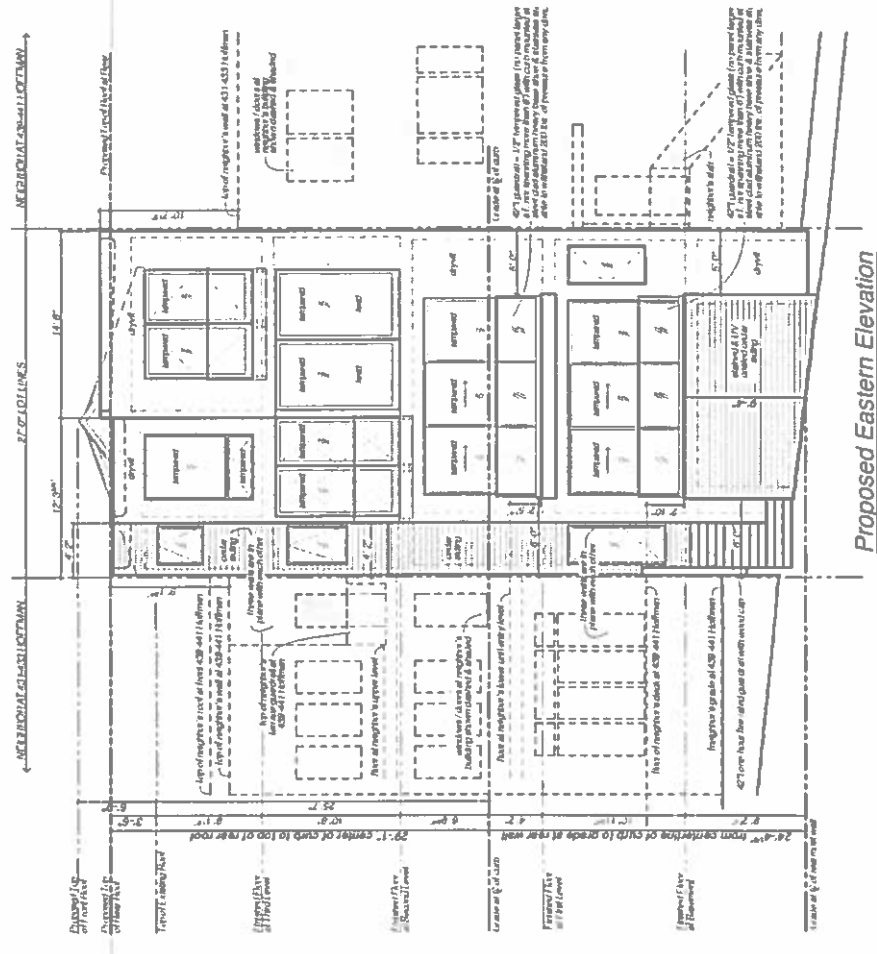
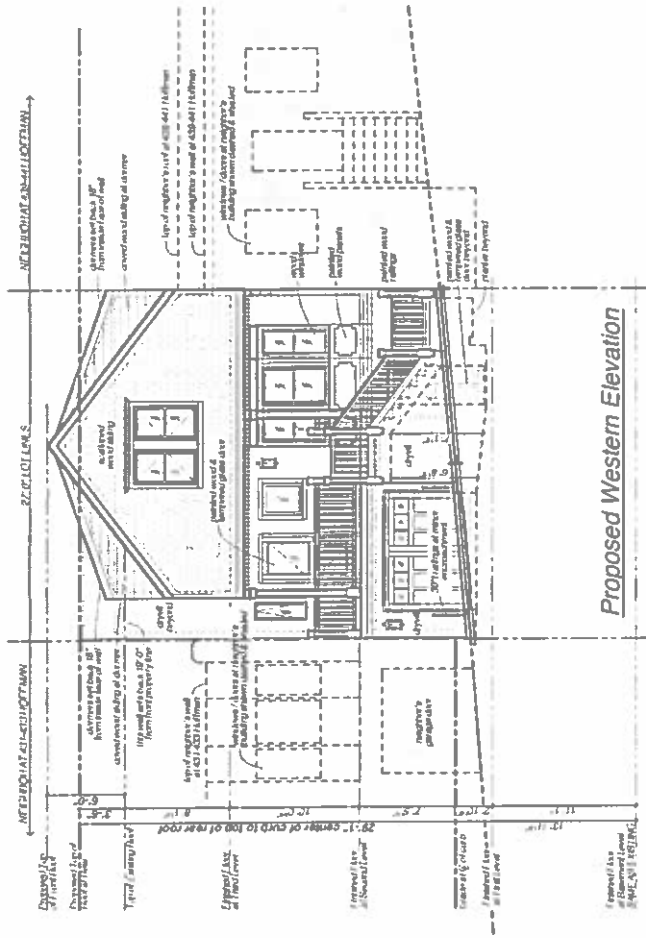


Exhibit 22



INFORMATION SHEET

NO. G-01

DATE : May 30, 2014
CATEGORY : General
SUBJECT : **Signature on Plans**

SECTIONS INVOLVED

: Section 106A.3.2 San Francisco Building Code (SFBC); ASCE 7-10 Section 13.1.4 Exemption 6ci; Professional Engineers Act; Architecture Practice Act; Rules and Regulations of the Board of Registration for Professional Engineer and the Board of Architectural Examiners; California Architects Board Building Official's Information Guide; California Business & Professions Code Sections 5537, 5538, 5800 and 6757.1

INTENT OF CODE : To require the signature of an Architect or Engineer on plans when required by State Regulations.

INTERPRETATIONS : All plans, drawings, specifications, and calculations (hereafter referred to as drawings) submitted to the Department of Building Inspection (DBI) for permit issuance are required to be signed by the preparer and the preparer must be a California licensed architect, land surveyor, engineer, contractor or unlicensed designer for certain types of work as outlined herein. When such plans are not prepared by an architect, land surveyor, or an engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that the State law does not require that the plans be prepared by a licensed architect, land surveyor, or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer, land surveyor, or architect licensed by the State to practice as such even if not required by State law (Section 106A.3.2 SFBC).

DISCUSSION :

(A) REQUIREMENTS FOR SIGNATURE ON PLANS:

When considering the requirements for signatures on drawings, the applications for building permits can be categorized into four (4) groups. The groups are determined by the type of work described on the application and drawings, by the building use or occupancy, by the materials of construction, by the span load carrying members, and by the dollar valuation as stated on the application. The four (4) groups are as follows:

- I. EXEMPT STATUS – The following types of applications are classed as exempt and any Building Designer, Interior Designer or unlicensed person may prepare and sign the drawings:

1. Single family dwellings of wood frame construction (Type V construction) not more than 2 stories and basement in height and with spans between bearing walls not exceeding 25' and the height does not exceed 25'; including alteration work to such buildings.
2. Multiple dwellings containing no more than four dwelling units of wood construction not more than two stories and basement in height; including alteration work to such buildings. This shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwelling units. Design per conventional design per Chapter 23 of California Building Code (CBC).
3. Store front installations, including entrance or exit doors, not affecting the structural system of the building and the dollar valuation of the installation do not exceed \$40,000.00.
4. Fabric awnings and canopies.
5. Signs that weigh less than 250 pounds are less than 24 square feet in area, and projects less than 4 feet.
6. Tenant space improvements in non-high rise buildings contained on one floor in non-residential occupancies where improvements do not exceed \$400,000.00 in valuation including the following:
 - a. Alterations involving the installation of interior wall and ceiling decorative materials.
 - b. Installation or relocation of interior non-load bearing partitions within the tenant space that are not fire rated.
 - c. Installation of new or relocation of existing doors (non-fire rated).
 - d. Installation of low partitions (not exceeding 5' – 9" high) and fixtures (rails, counters, cabinets and similar equipment attached or anchored to the building) which do not affect the structural system or safety of the building.
 - e. Installation of non fire-rated suspended ceiling systems complying with ASTM Standard 635-04 and 636/C, 636M-06, except suspended ceiling systems used to provide lateral support for non-bearing walls and partitions.
 - f. HVAC systems not part of a smoke control system in an exempt building.
7. Dwelling unit improvements contained within the space occupied by or serving an individual dwelling unit of an R-2 or R-3 occupancies in non-exempt buildings (see Items #1 and #2) as long as the estimated cost does not exceed \$150,000.00 in value per unit and is for the following types of work:
 - a. Window replacement
 - b. Existing kitchen and/or bathroom remodeling
 - c. Termite work that replaces non-structural members
 - d. Roof repairs of existing sheathing
 - e. Non-required insulation
 - f. Non-structural remodeling
 - g. Other non-structural remodeling work as long as the provisions for seismic design of SFBC Section 3401.10 are not triggered.
8. Replacement in kind of non-structural building elements for non-exempt R-3 buildings when the replacement is necessary for maintenance of the building or structure such as the replacement of the rear stairs from a two flat building.
9. Consult the San Francisco Fire Department for requirements regarding plan submittal for the installation or alteration of new and existing sprinkler systems and fire alarm systems.

Note: If any portion of any structure exempted by this section deviates from substantial compliance with conventional framing requirements for wood frame construction per California Building Code Section 2308, the Building Official shall require the preparation of plans, drawings, specifications, or calculations for that portion by, or under the responsible control of a licensed architect or registered engineer.

If an alteration to a non-exempt building involves any component that affects the structural system or safety of that building, as determined by the Building Official, all plans, documents and calculations for that alteration shall be prepared by a person licensed by the State.

Where it is required that documents be prepared by an architect or engineer, "The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, included deferred submittal documents, for compatibility with the design of the building." (SFBC Section 106A.3.4)

II. LICENSED CONTRACTOR – Any contractor holding a valid license from the State may perform the following:

1. Any action permitted in the Exempt Status section above.
2. A licensed contractor may provide any service permitted by Chapter 9 of the California Business and Professions Code. Those services may include the preparation of shop and field drawings for work which he or she has contracted or offered to perform, and designing systems and facilities which are necessary to the completion of contracting services which he or she has contracted or offered to perform.
3. Nothing in this section is intended to imply that a licensed contractor may design work which is to be installed by another person.

III. REGISTERED ENGINEER OR LICENSED ARCHITECT STATUS – A Civil Engineer or Architect licensed by the State of California shall prepare and sign all drawings for the following applications:

1. Any new building or structure with a structural steel frame or with floors, roof or walls constructed of concrete or masonry materials.
2. Any new building or structure having a clear span exceeding 25 feet.
3. Any new building or structure not covered by the "Exempt" or "Licensed Contractor" status and not limited by the "Special" status below.
4. Alteration work to existing buildings described in (1), (2) and (3) above, including tenant space improvement or dwelling unit improvements not covered by the "Exempt" or "Licensed Contractor" status.
5. Suspended ceilings providing lateral support for walls and partitions.
6. Any building or structure or alteration thereto, which due to its complexity requires the submittal of technical information beyond the capabilities of the "Exempt" or "Licensed Contractor" status, as determined by the Building Official.

Note: Minor alterations to plans that do not alter the structural or safety components of the building may be made on plans by a person under the direction of the design professional. Permission for such actions should be given in the form of a letter or email addressed to the Department.

IV. SPECIAL STATUS – Specialized designs for portions or components of buildings or structures shall be prepared and signed by design professionals as required by the San Francisco Building Code and qualified by licensing agency to prepare such drawings, such as, but not limited to:

1. Engineered grading or foundation treatment
2. Retaining walls over 4 feet total height from the bottom of footing
3. Underpinning or Shoring
4. Rigid frames, trusses and other construction of structural steel or reinforced concrete
5. Special timber construction, such as trusses, stressed skin panels, glue laminated beams, columns and arches, etc.
6. Automatic fire sprinkler systems *
7. Smoke detection systems*
8. Alarm and communications systems *
9. Central control stations *

10. Emergency elevator operators
11. Smoke control systems*
12. Standby power systems
13. Emergency Electrical systems
14. Exit control systems
15. HVAC equipment (or other mechanical and electrical components) exceeding 400 pounds and mounted 4' or less above adjacent floor level (ASCE 7-10 Sec. 13.1.4 Exemption 6ci.)

(B) AFFIXING THE SIGNATURE OF AN ARCHITECT OR ENGINEER ON PLANS— Where it is required that documents be prepared by an architect or engineer, plans submitted for review shall be affixed with a signature and the professional seal with registration number in the following manner:

1. All plans shall bear the signature and seal with registration number of the architect, land surveyor, or engineer. The plans shall be securely bound together and the first sheet shall have affixed an original signature. The remaining sheets may have a signature facsimile and professional seal with registration number. The first sheet shall have an index of all sheets.
2. The stamp shall contain (a) the legend "State of California," (b) the term "licensed architect", or "registered professional engineer" (and branch), or "licensed land surveyor", (c) the name (as licensed with the Board), (d) the licensed number, and for architect only: (e) the expiration or renewal date of the license.
3. In the California State Board for Professional Engineers and Land Surveyors Rules (16 CCR§411), the required seal on the plans shall be capable of leaving a permanent ink representation, an opaque and permanent impression, or an electronically-generated representation on the documents. The signature may be applied to the documents electronically. Preprinting of blank forms with the seal or signature, the use of decals of the seal or signature, or the use of a rubber stamp of the signature is prohibited.

*Consult with the San Francisco Fire Department for qualification requirements.

Tom C. Hui

5/30/14

Tom C. Hui, S.E., C.B.O.

Date

Director

Department of Building Inspection

This Information Sheet is subject to modification at any time. For the most current version, visit our website at <http://www.sfdbi.org>

Exhibit 23



SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

RE-NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On April 11, 2014, the Applicant named below filed Building Permit Application No. 2014.04.11.3029 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	437 Hoffman Avenue	Applicant:	Kelly Condon
Cross Street(s):	24 th Street	Address:	443 Joost Avenue
Block/Lot No.:	6503/024	City, State:	San Francisco, CA 94127
Zoning District(s):	RH-2 / 40-X	Telephone:	(415)240-8328

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 11/12/2015), 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 and project features for clarity.

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 type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Facade Alteration(s)
<input checked="" type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition
<input type="checkbox"/> Front Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	
Building Use	Residential
Front Setback	5 feet 9 1/2 inches
Side Setbacks	None
Building Depth	59 feet 6 1/2 inches
Rear Yard	59 feet 8 1/2 inches
Building Height	21 feet (to midpoint of sloped roof)
Number of Stories	3 + basement
Number of Dwelling Units	1
Number of Parking Spaces	0
PROJECT DESCRIPTION	
The proposal is to construct side, rear and vertical additions to the existing single family dwelling. The project includes extensive interior remodeling and exterior changes raising the structure 6 feet for a new garage door with curbcut, front porch, entry stairs and rear terrace/deck. 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(f) 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

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

Notice Date: 12/01/15

Expiration Date: 12/16/15

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 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. 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. 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. 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

Date: 12/1/2015

The attached notice is provided under the Planning Code. It concerns property located at 437 Hoffman Avenue (2014.04.11.3029) ~ NT. A hearing may occur, a right to request review may expire or a development approval may become final by 12/16/2015.

To obtain information about this notice in Spanish or Chinese, please call (415) 575-9010. Please be advised that the Planning Department will require at least one business day to respond to any call.

附上的是三藩市城市規劃的法定通告。
此通告是與位於 437 Hoffman Avenue (2014.04.11.3029) ~ NT 的建築計劃有關。如果在 12/16/2015 之前無人申請聽證會來檢討這一個建築計劃, 這計劃最終會被核准。

如果你需要用華語獲得關於這通告的細節, 請電 415-575-9010。
然後, 請按 “8” 及留言。 城市規劃局將需要至少一個工作天回應。 華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

El documento adjunto es requerido por el Código de Planeación (Planning Code) y es referente a la propiedad en la siguiente dirección: 437 Hoffman Avenue (2014.04.11.3029) ~ NT.

Es posible que ocurra una audiencia pública, que el derecho a solicitar una revisión se venza, o que la aprobación final de proyecto se complete el: 12/16/2015.

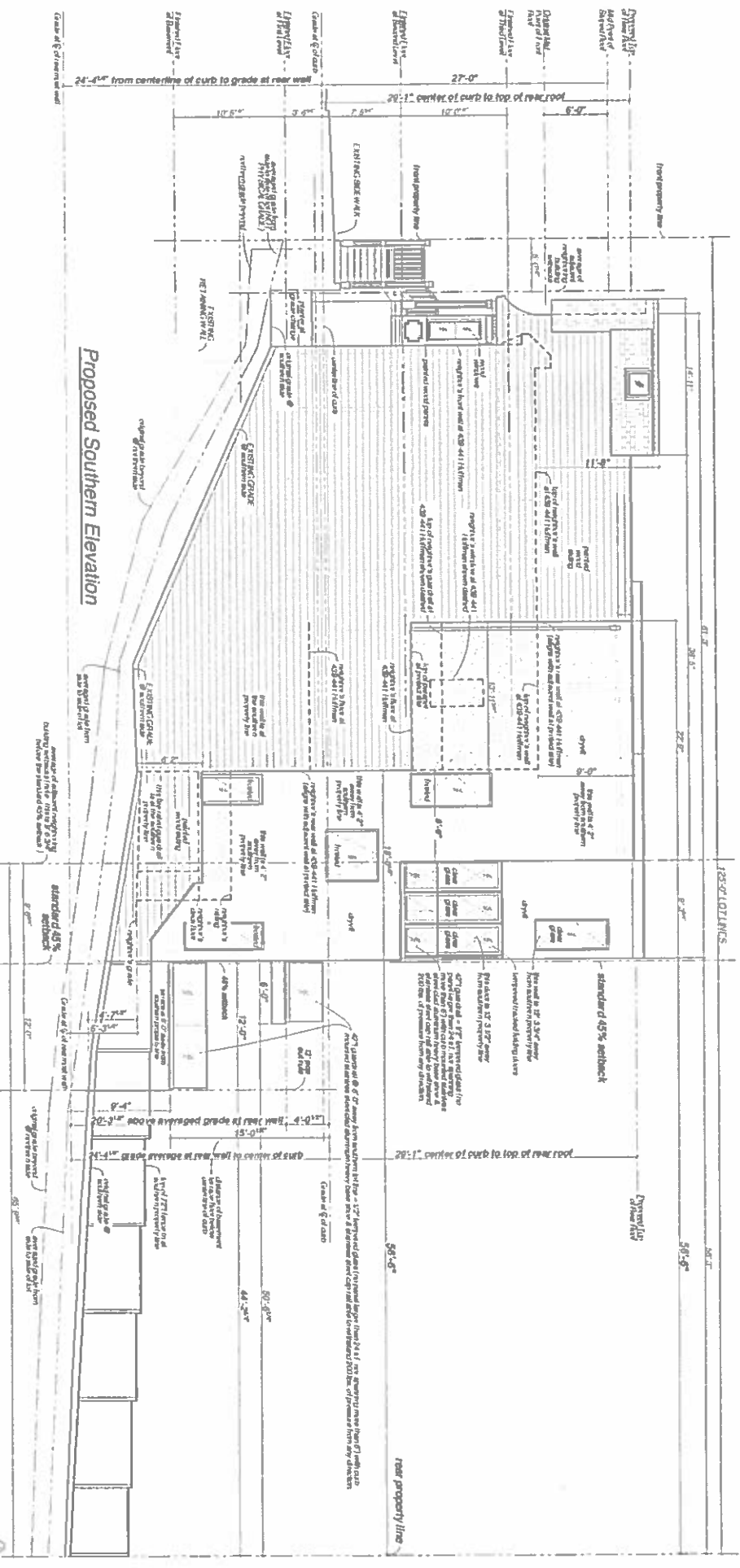
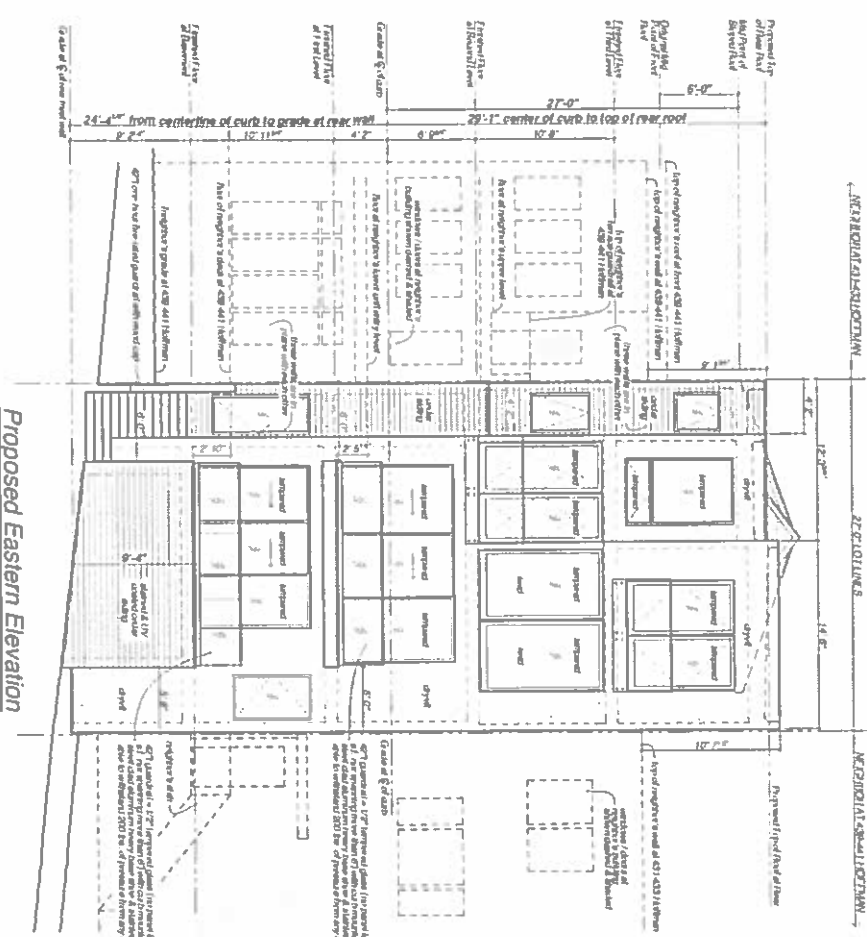
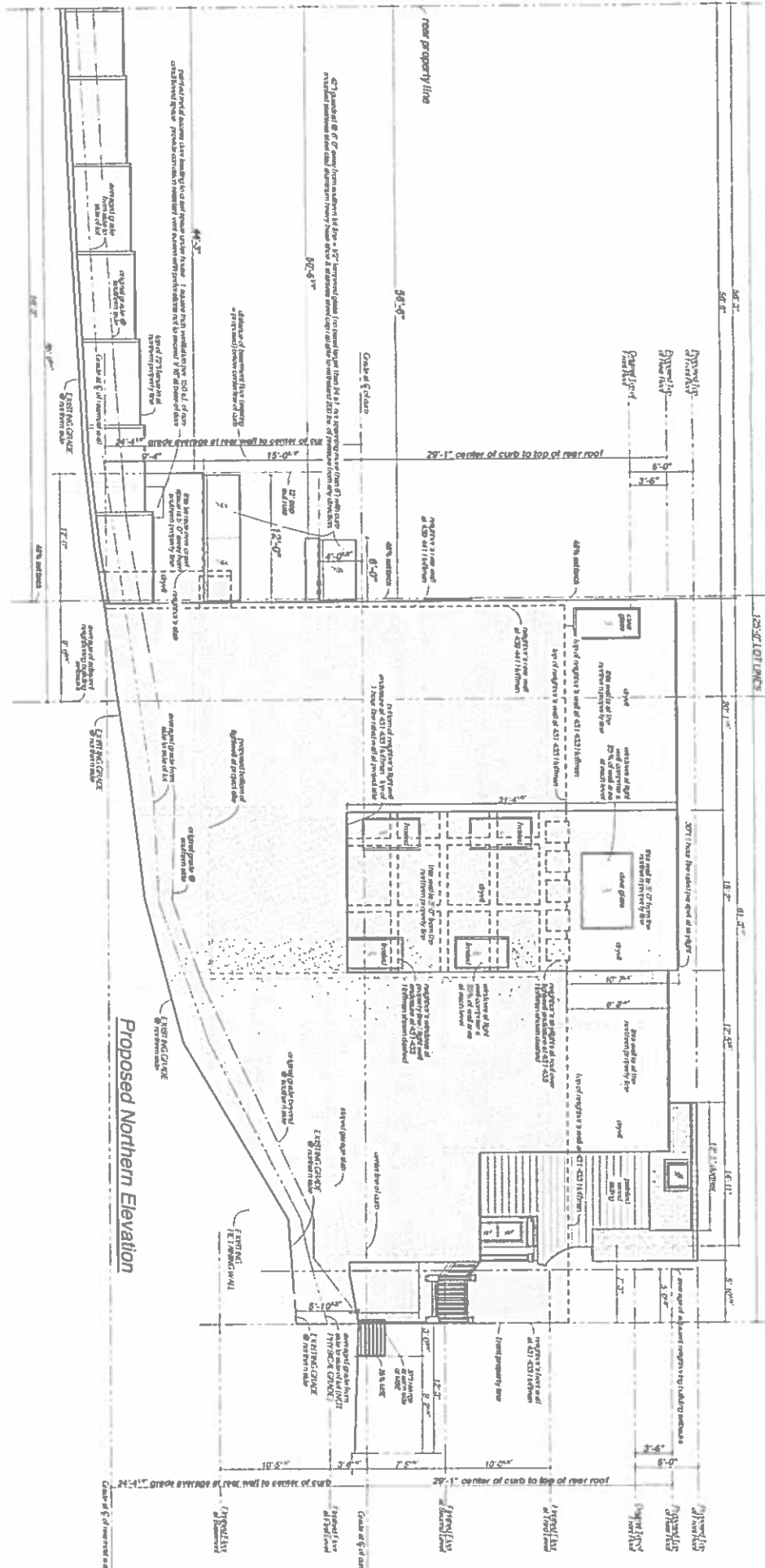
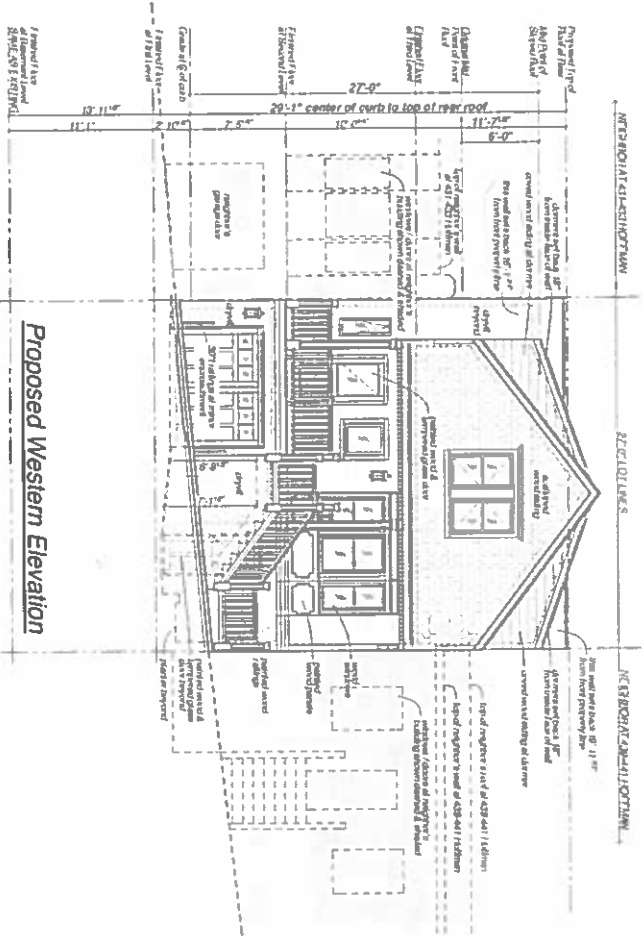
Para obtener más información sobre esta notificación en español, llame al siguiente teléfono (415) 575-9010. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas.

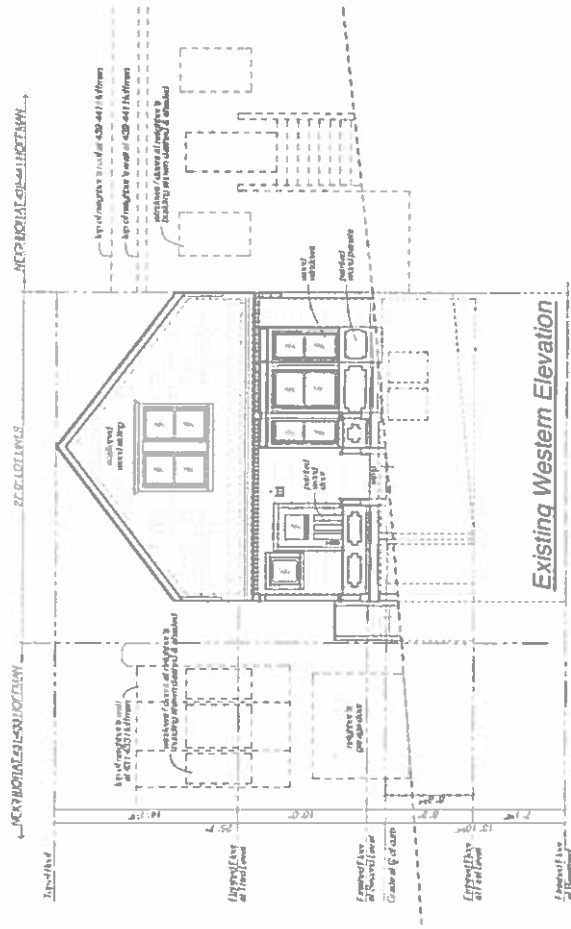
1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

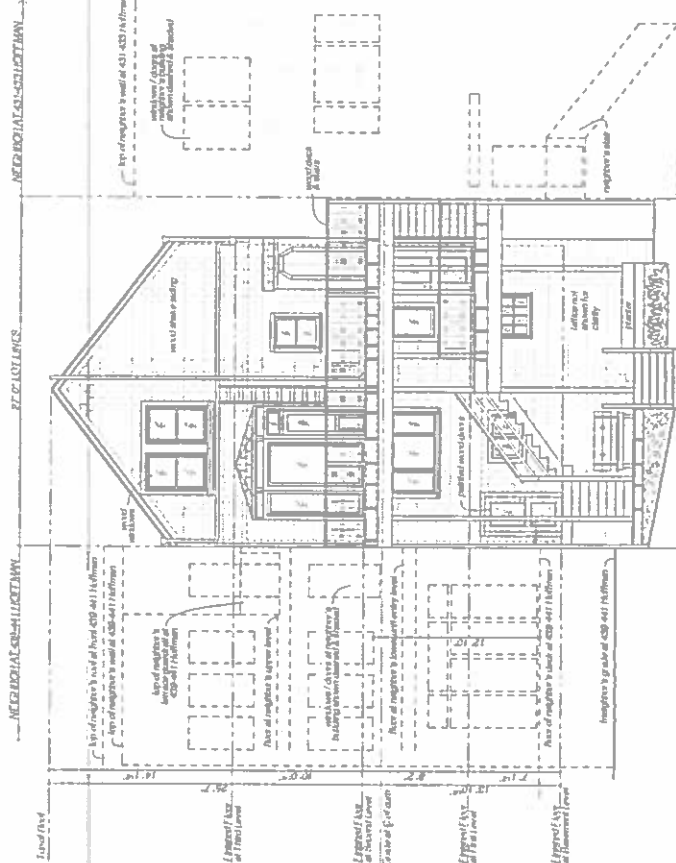
Fax:
415.558.6409

Planning
Information:
415.558.6377

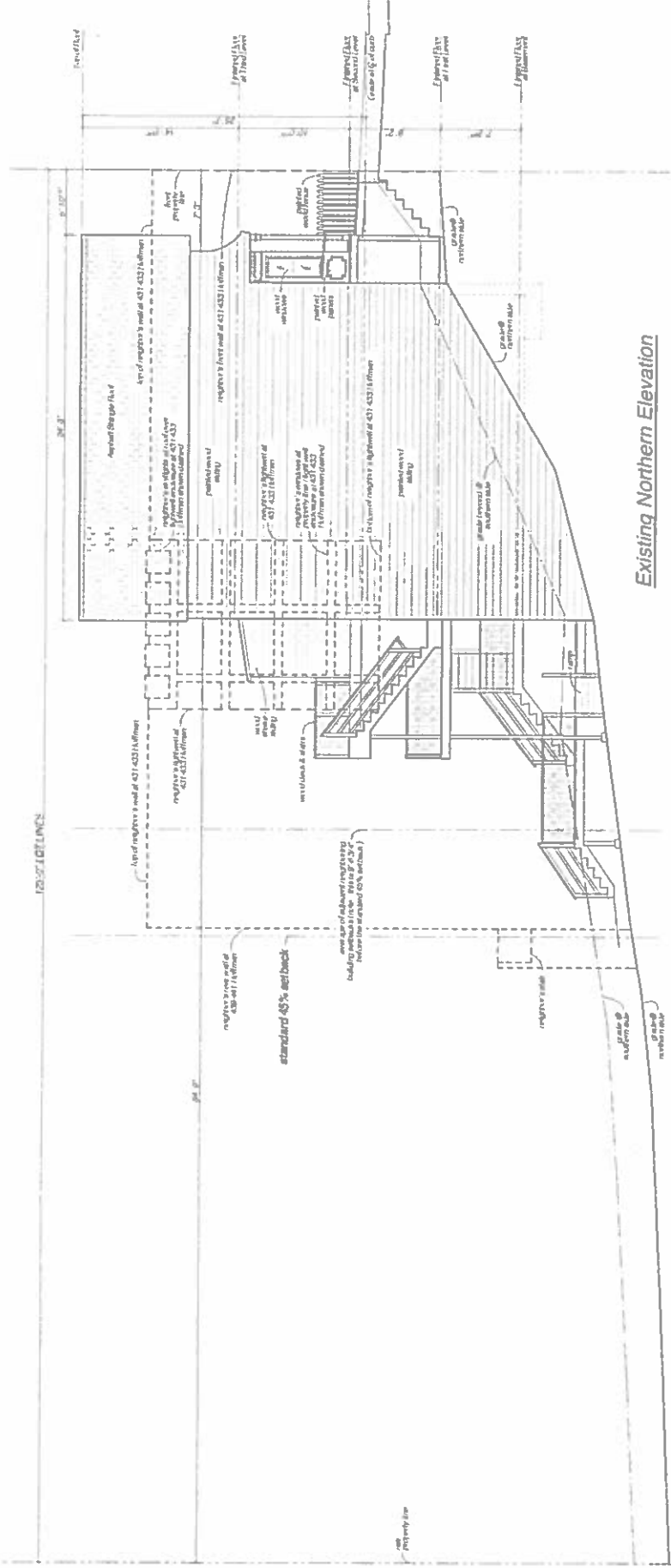




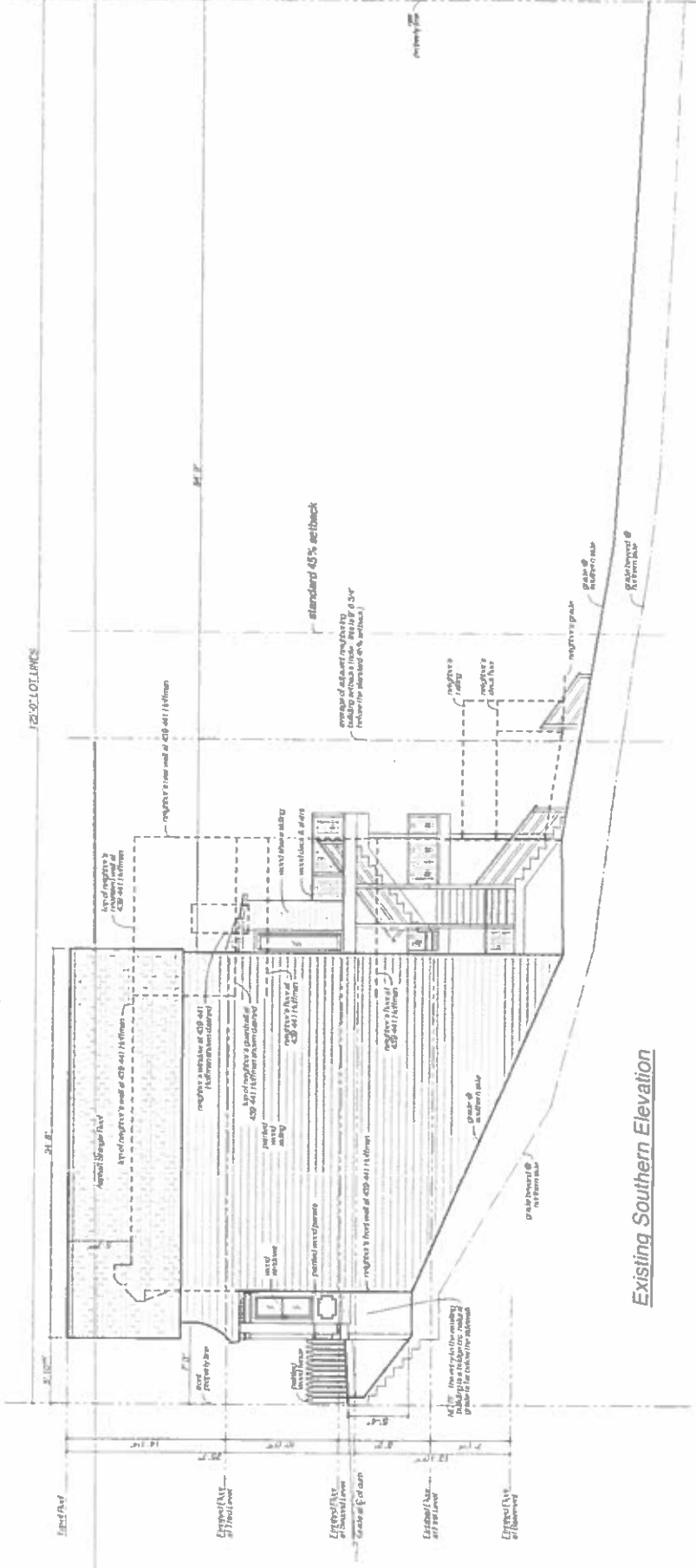
Existing Western Elevation



Existing Eastern Elevation



Existing Northern Elevation



Existing Southern Elevation

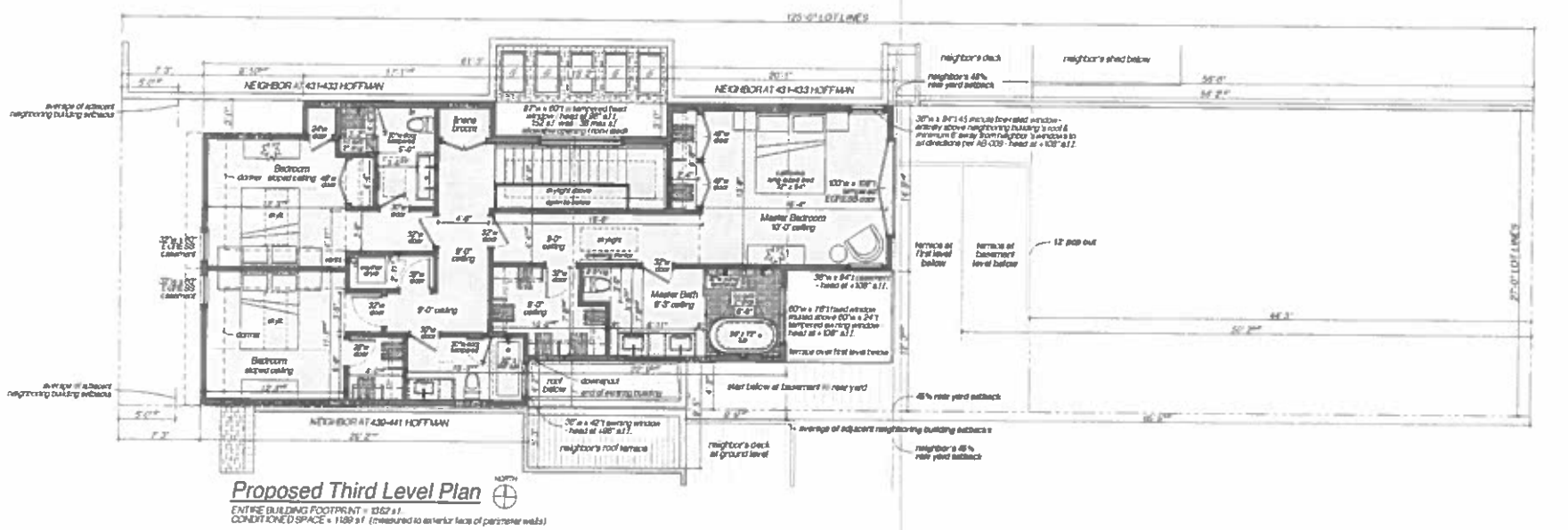
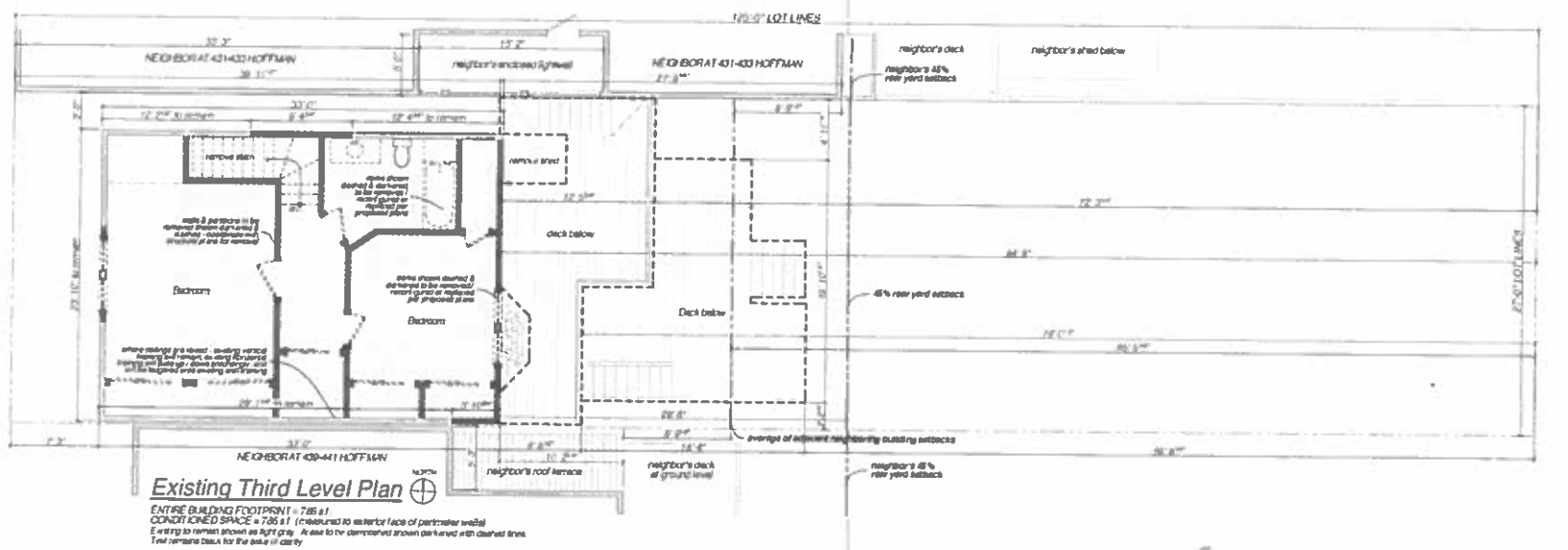
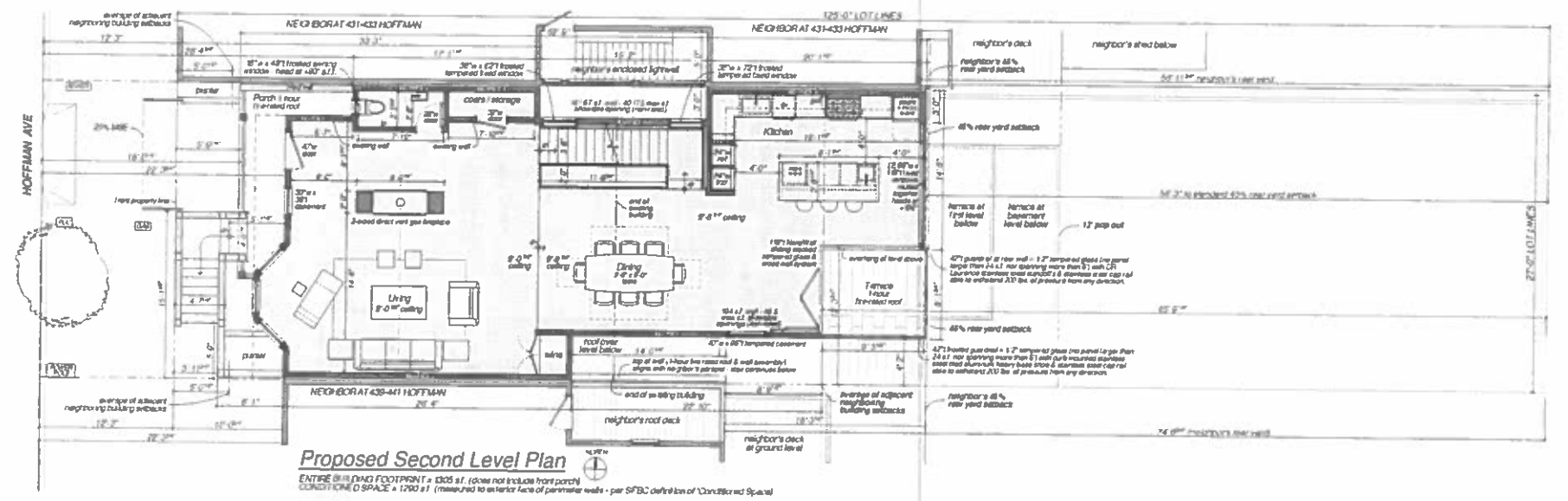
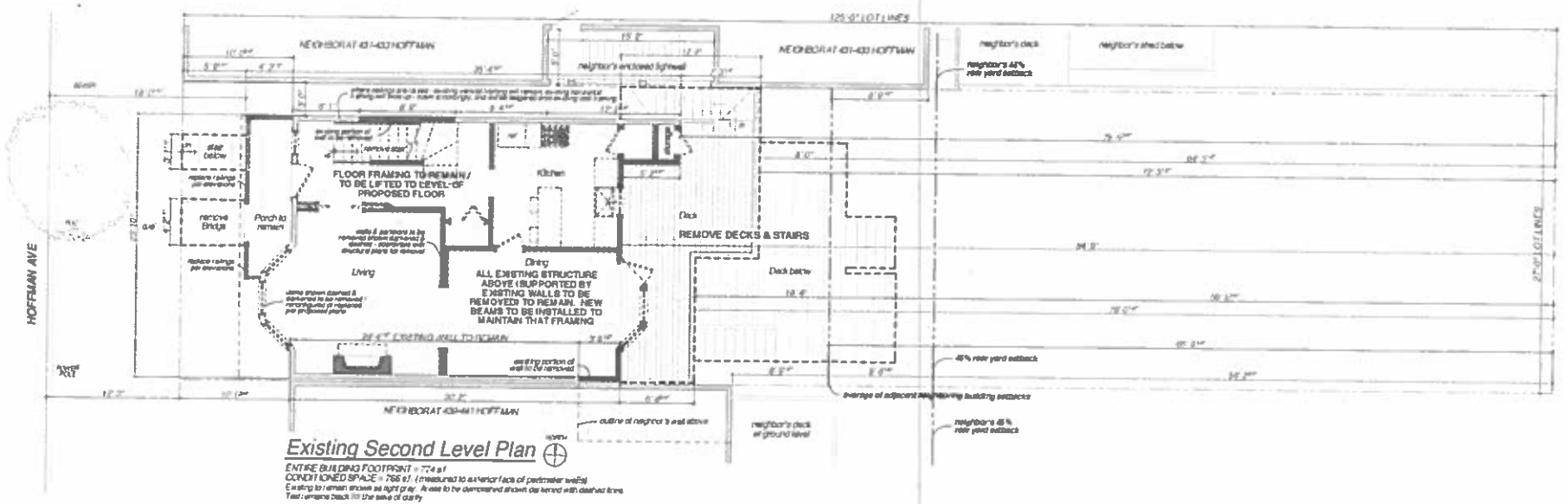




Exhibit 24



MARCH EQUINOX 7AM



MARCH EQUINOX 8AM



MARCH EQUINOX 9AM



MARCH EQUINOX 10AM



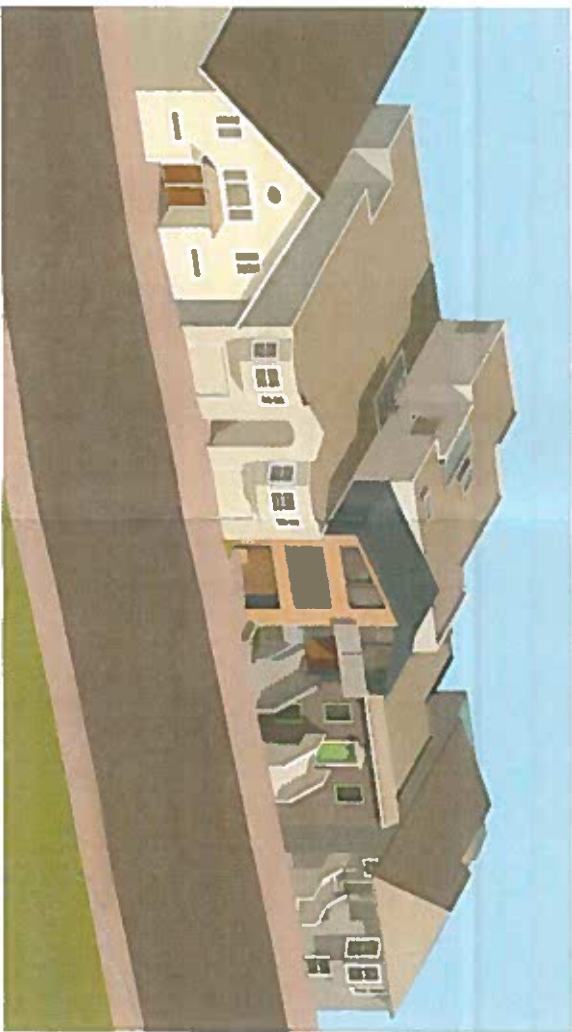
MARCH EQUINOX 11AM



MARCH EQUINOX NOON



MARCH EQUINOX 1PM



MARCH EQUINOX 2PM



MARCH EQUINOX 3PM



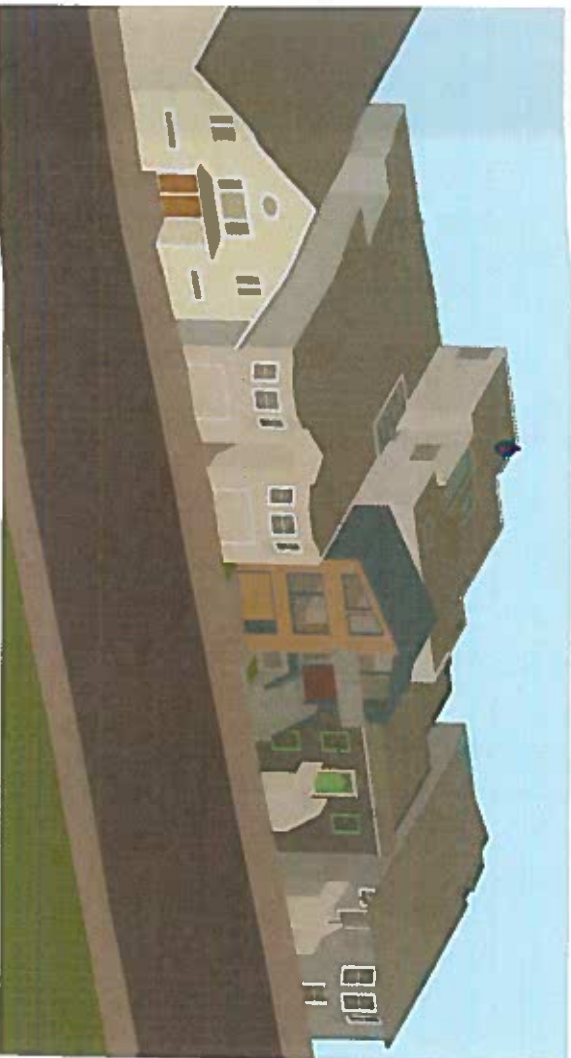
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MARCH EQUINOX 5PM



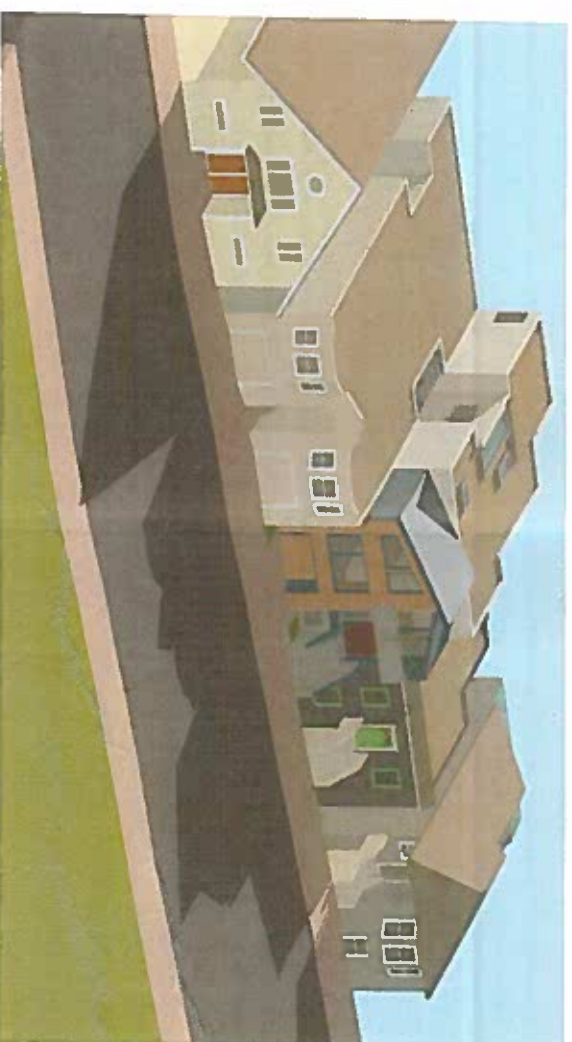
MARCH EQUINOX 6PM



MARCH EQUINOX 7PM



JUNE SOLSTICE 6AM



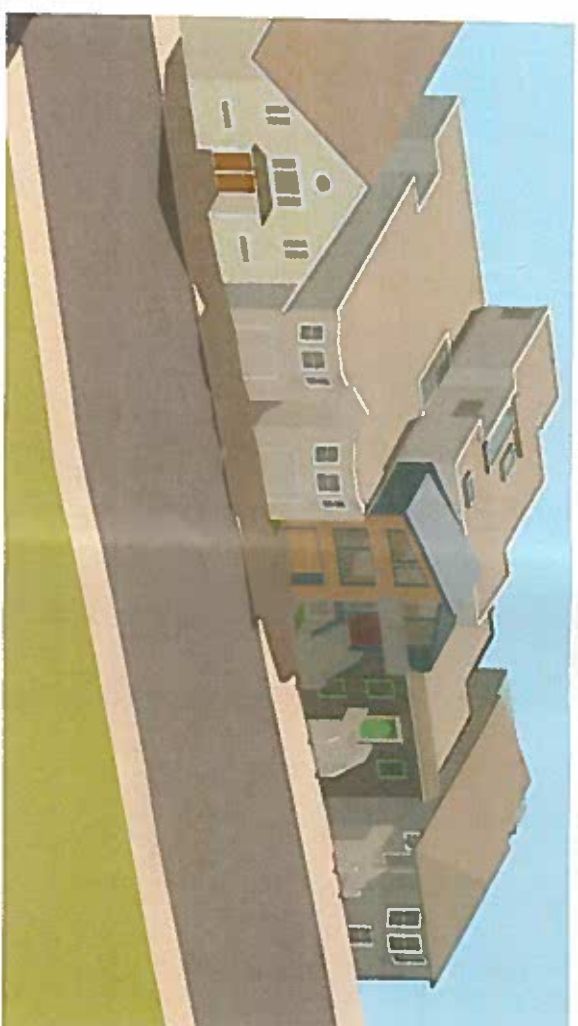
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JUNE SOLSTICE 8AM



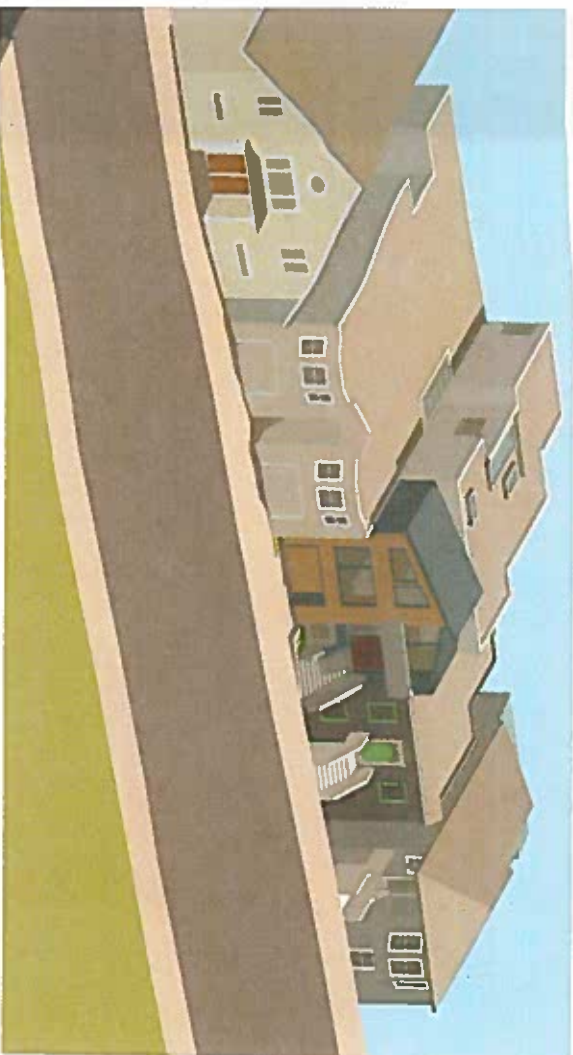
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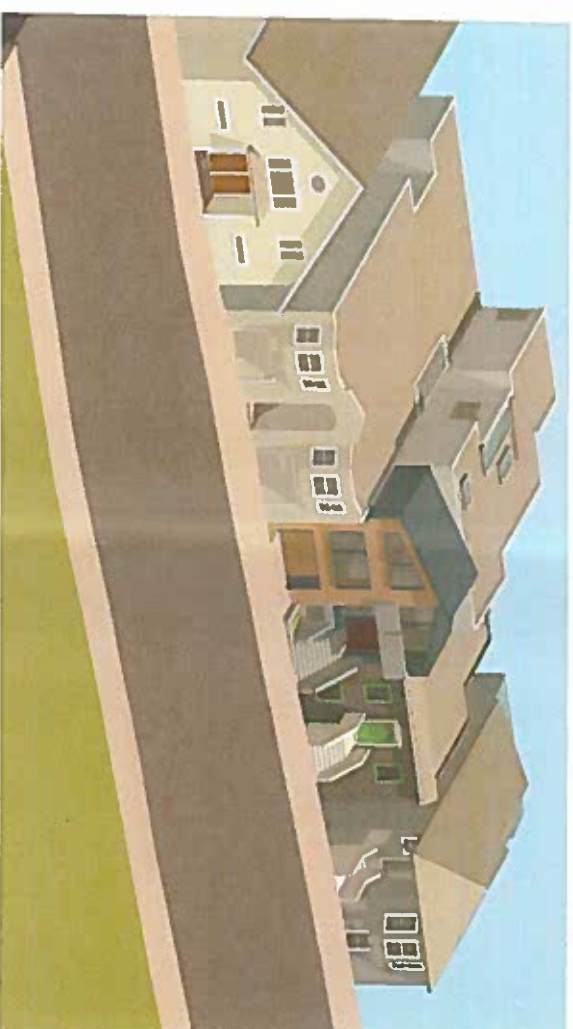
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JUNE SOLSTICE 7PM



JUNE SOLSTICE 8PM



SEPTEMBER EQUINOX 7AM



SEPTEMBER EQUINOX 8AM



SEPTEMBER EQUINOX 9AM



SEPTEMBER EQUINOX 10AM



SEPTEMBER EQUINOX 11AM



SEPTEMBER EQUINOX NOON



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SEPTEMBER EQUINOX 7PM



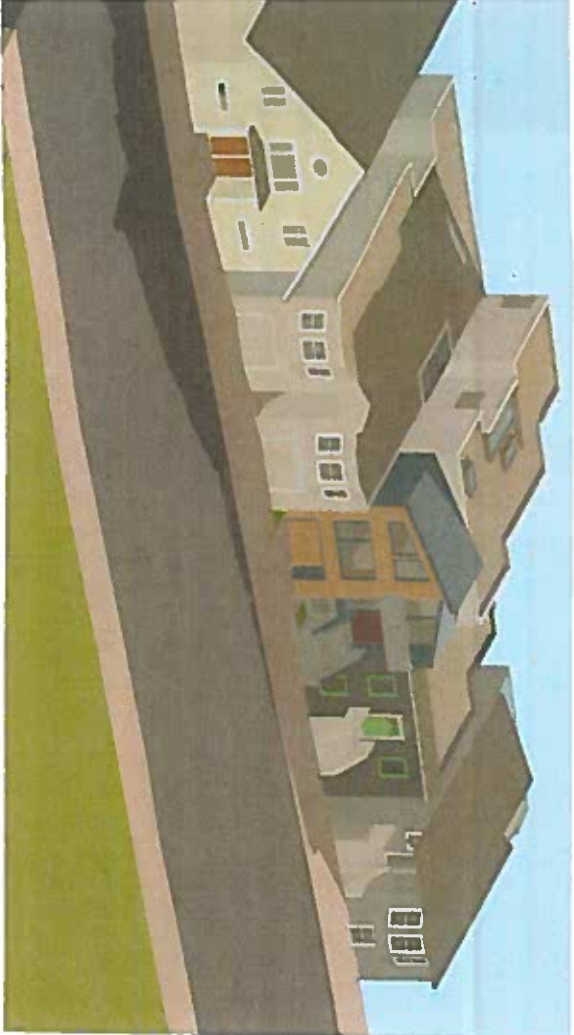
DECEMBER SOLSTICE 7AM



DECEMBER SOLSTICE 8AM



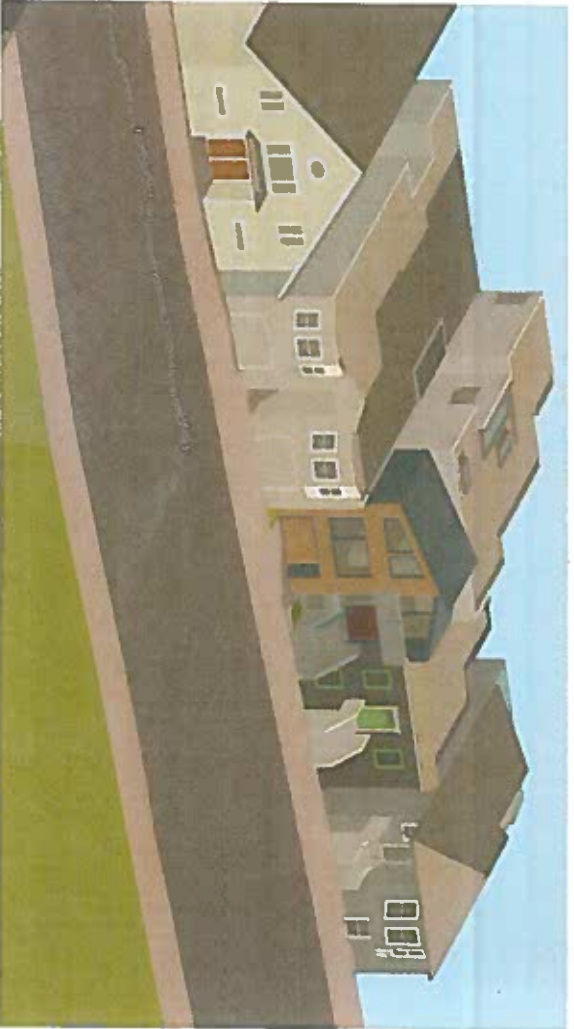
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DECEMBER SOLSTICE 3PM



DECEMBER SOLSTICE 4PM



DECEMBER SOLSTICE 5PM