



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: APRIL 6, 2017
Continued from the March 2, 2017 Hearing

Date: March 27, 2017
Case No.: 2015-018164DRP, -02, -03, -04, -05, -06
Project Address: 2226 GREEN STREET
Permit Application: 2015.12.08.4465
Zoning: RH-3 [Residential House, Three Family]
40-X Height and Bulk District
Block/Lot: 0539/039
Project Sponsor: John Stalder and Meghan Laffey
2226 Green Street
San Francisco, CA 94123
Staff Contact: Sylvia Jimenez – (415) 575-9187
Sylvia.Jimenez@sfgov.org
Recommendation: **Do not take DR and approve as revised**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

The project is to alter an existing four-story, two-family residential building by constructing an approximately 30-square foot kitchen expansion and cantilevered deck at the front of the fourth floor, as well as a private roof deck for the upper unit.

On March 2, 2017, the Planning Commission closed public comment and continued the proposed project at 2226 Green Street to April 6, 2017. During deliberation, the Commission expressed concerns regarding the overall size of the proposed roof deck and its effect on the privacy of one of the DR Requestors at 2200 Green Street.

CURRENT PROPOSAL

The project has been revised in response to the Planning Commissioners comments to reduce the size of the roof deck by approximately 100 square feet (from 600 to 507 square feet): it now includes a 6'-1" side setback along the east side of the building and an additional 4'-2" setback from the south (for a total setback of 51' from the front/south property line). Consistent with the original proposal, the roof deck retains a minimal height glass railing and is access through an open stair. In sum, the new deck has been revised to be set back approximately 51 feet from the front property line, 61'-10" from the rear property line, 6'-1" from the east property line, and 5 feet from the west property line.

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Team (RDT) reviewed the revised design and found that the proposed project meets the standards of the Residential Design Guidelines (RDGs) for the following reasons: 1) the

proposed roof deck is appropriately designed with open railing, 2) the lack of a penthouse structure minimizes roof clutter, and 3) the roof deck is visually subordinate to the main structure as front and rear setbacks are proposed. Further, the project does not present any exceptional or extraordinary circumstances that would justify modifications to a Code-compliant project.

DR REQUESTORS

1. Barbara Lawrence, 2225 Green Street, across the street from subject property
2. Mike and Kristen Borsetti, 2200 Green Street, two properties to the east of the subject property
3. Christopher Lawrence, 2231 Green Street, across the street from the subject property
4. James F. Kirkham, 2239 Green Street, across the street and to the west of the subject property
5. James E. Gallagher, 2913 Fillmore Street, frontage along Fillmore Street
6. Janine Shiue, 2243 Green Street, across the street and to the west of the subject property

REQUIRED COMMISSION ACTION

The Department recommends that the Commission not take DR, and approve the project as revised.

BASIS FOR RECOMMENDATION

- The project sponsor has addressed the Commission's previous comments regarding roof deck size and proximity to neighbors.
- The proposed Project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Approve the project as revised
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Attachments:

Updated Site Context Map

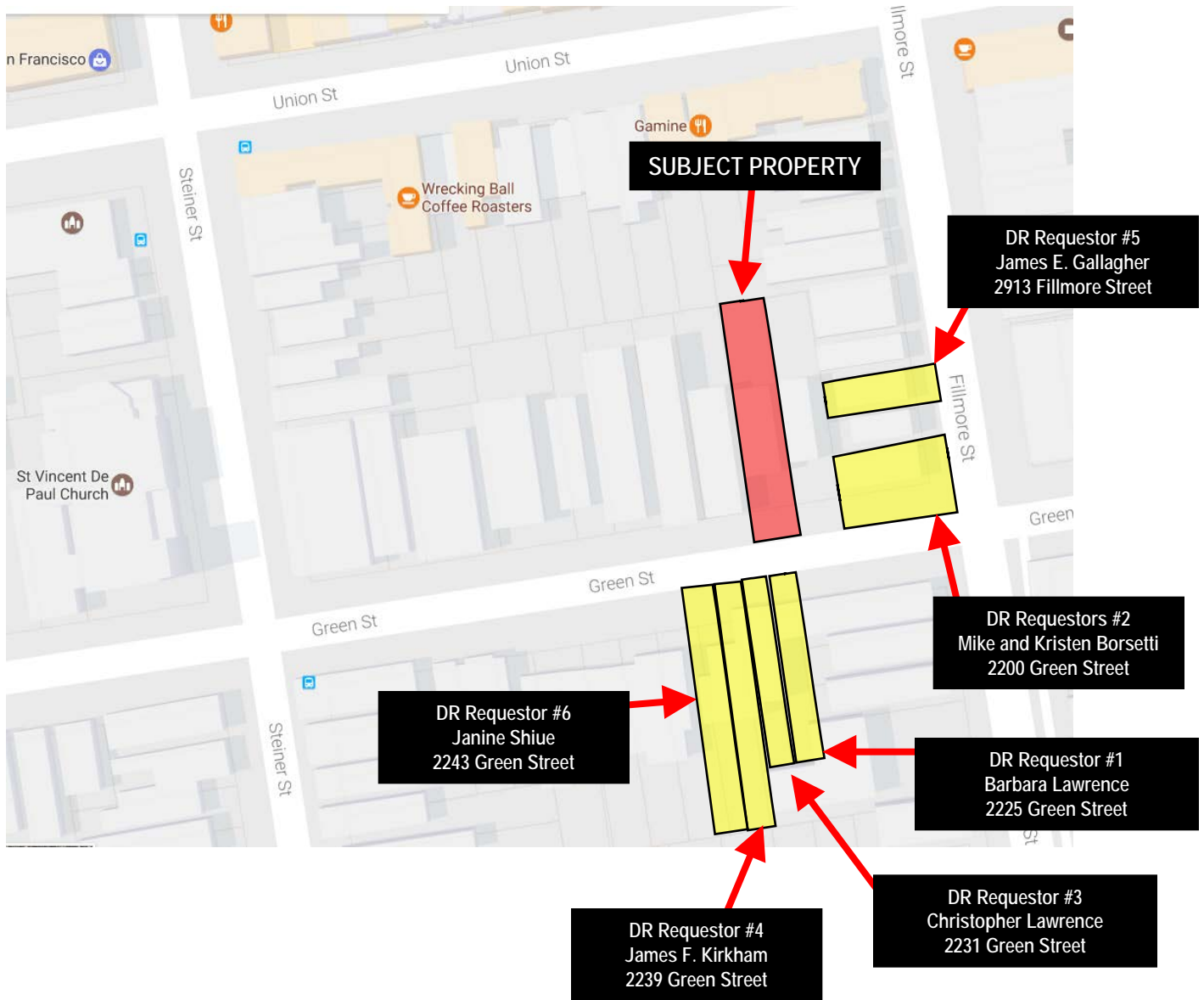
Revised Plans

Project Sponsor Comments

Discretionary Review Requestor Comments

Discretionary Review Abbreviated Analysis dated February 17, 2017

Site Context



Discretionary Review Hearing
Case Number 2015-018164DRP, -02,-03,-04,-05,-06
2226 Green Street

PLAN CHECK SUMMARY

BLOCK & LOT: 0539/038-039
LOT SIZE: 137'-6" x 30' = 4,125 SF
ZONING: RH-3
REAR YARD: AVERAGE REAR BLDG WALLS
HEIGHT LIMIT: 40'
EXISTING OCCUPANCY: TWO UNIT DWELLING
PROPOSED OCCUPANCY: TWO UNIT DWELLING
CONSTRUCTION TYPE: V-B

AREA CALCULATIONS

PROJECT GROSS SQUARE FOOTAGE CALCULATIONS

GROSS SQUARE FOOTAGE	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION	PROJECT TOTALS
RESIDENTIAL	2,810 SF	2,810 SF	30 SF	2,840 SF
ROOF DECK	757 SF	727 SF	507 SF	1,234 SF

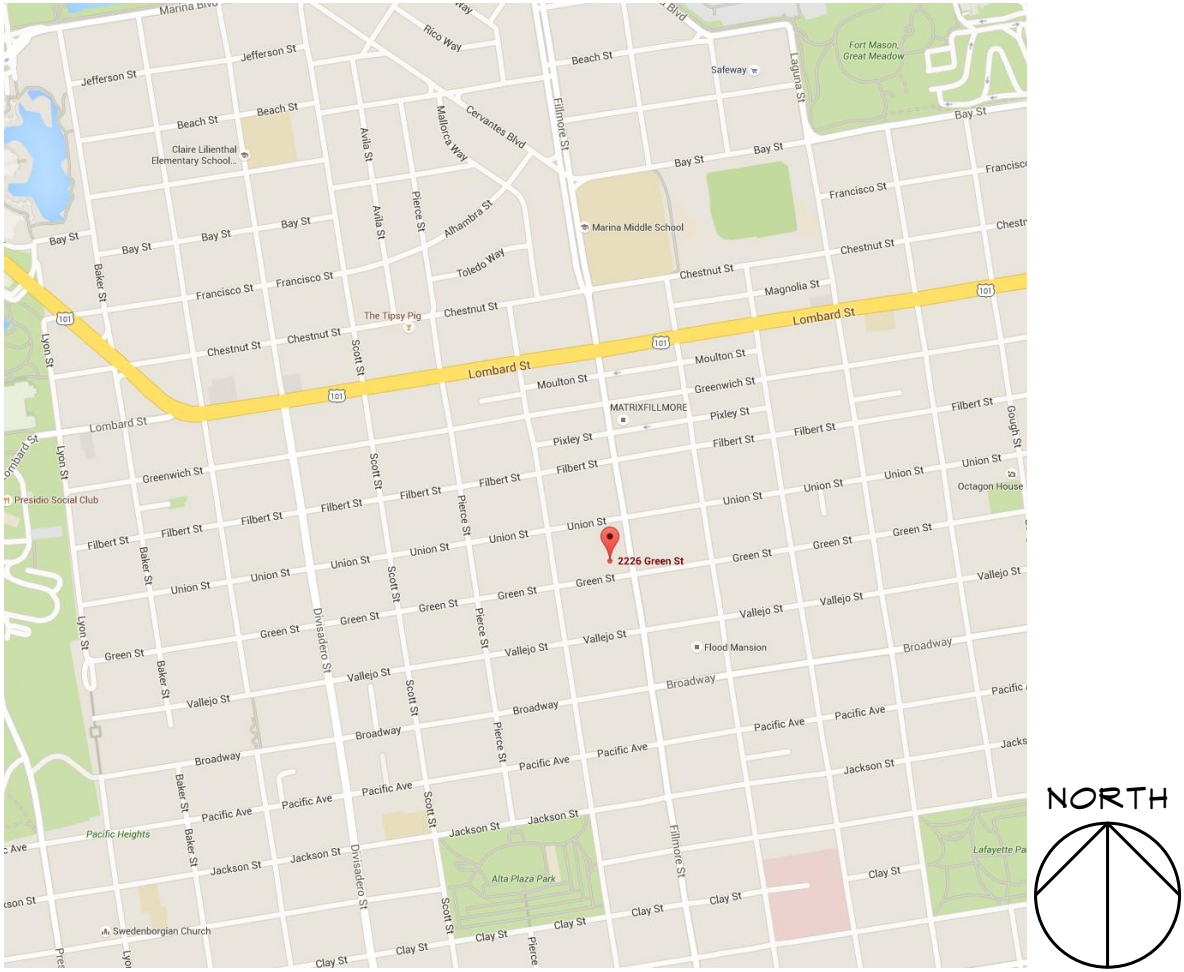
APPLICABLE CODES

2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA PLUMBING CODE
2013 SAN FRANCISCO BUILDING, ELECTRICAL, MECHANICAL, PLANNING AND PLUMBING CODE AMENDMENTS

GENERAL NOTES

1. CODES: ALL WORK SHALL MEET OR EXCEED THE REQUIREMENTS OF CURRENT APPLICABLE SAN FRANCISCO AND CALIFORNIA CODES, AND ALL OTHER APPLICABLE CODES, ORDINANCES AND REGULATIONS. SEE CODE EDITIONS ON THIS SHEET.
2. EXISTING CONDITIONS AND DIMENSIONS: CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND DIMENSIONS ON SITE. CALLED-OFF DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED-OFF DIMENSIONS. DIMENSIONS ARE TO FACE OF FINISH OR CONCRETE WALLS, UNLESS OTHERWISE NOTED. DIMENSIONS IN SECTIONS AND ELEVATIONS ARE TO FINISH FLOOR UNLESS OTHERWISE NOTED.
3. PLANS & SPECIFICATIONS: THE PLANS AND SPECIFICATIONS SUPPLEMENT EACH OTHER. CONTRACTOR TO IMMEDIATELY REPORT ANY ERRORS, OMISSIONS, AMBIGUITIES OR CONFLICTS IN THE PLANS AND SPECIFICATIONS TO THE ARCHITECT, AND UNTIL THEY ARE RESOLVED, SHALL NOT PROCEED WITH THE AFFECTED WORK.
4. DETAILS: DETAILS SHOWN ARE TYPICAL. SIMILAR DETAILS SHALL APPLY IN SIMILAR CONDITIONS.
5. CONTRACTOR RESPONSIBILITY: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES AND SEQUENCES OF CONSTRUCTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL SAFETY PROGRAMS AND PROCEDURES DURING CONSTRUCTION, AND SHALL MAINTAIN THE SHORING AND BRACING UNTIL THE NEW PERMANENT STRUCTURE CAN PROVIDE ADEQUATE VERTICAL AND LATERAL SUPPORT.
6. INSTALLATION: ALL MATERIALS AND EQUIPMENT SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS OR RECOMMENDATIONS, UNLESS AGREED TO OTHERWISE BY THE ARCHITECTS.

VICINITY MAP



ABBREVIATIONS

⊙	AT CENTERLINE	<N>	NEW
⊙	DIAMETER	N.I.C.	NOT IN CONTRACT
⊙		NO.	NUMBER
ABV	ABOVE	NOM.	NOMINAL
A.D.	AREA DRAIN	NTS	NOT TO SCALE
ADJ.	ADJUSTABLE	O.C.	ON CENTER
A.F.F.	ABOVE FINISH FLOOR		
APPROX.	APPROXIMATE	O.H.	OVERHANG
ARCH.	ARCHITECTURAL	OPNG.	OPENING
ASPH.	ASPHALT	OPP.	OPPOSITE
		O/	OVER
		ℓ	PROPERTY LINE
BLDG.	BUILDING	PL.	PLATE
BLKS.	BLOCKING	P.LAM.	PLASTIC LAMINATE
BUR	BUILT-UP ROOFING	PLYMD.	PLYWOOD
		P.T.	PRESSURE TREATED
C.J.	CONTROL JOINT	PTD.	PAINTED
CLR.	CLEAR		
CONT.	CONTINUOUS	(R)	RELOCATED
CTR.	CENTER	R.	RISE, RISER
		R.A.	RETURN AIR
D.	DRYER	REF.	REFRIGERATOR
DBL.	DOUBLE	REG.	REGISTER
DET.	DETAIL	REINF.	REINFORCED
D.F.	DOUGLAS FIR	REQ.	REQUIRED
DIA.	DIAMETER	RM.	ROOM
DIM.	DIMENSION	R.O.	ROUGH OPENING
DISP.	DISPOSER	RDWD.	REDWOOD
DN.	DOWN		
DR.	DOOR	S.	SOUTH
D.S.	DOWN SPOUT	S.C.	SOLID CORE
D.W.	DISHWASHER	S.D.	SMOKE DETECTOR
DWG.	DRAWING	SECT.	SECTION
DWR.	DRAWER	SHT.	SHEET
		SHEATH'G	SHEATHING
E	EAST	SIM.	SIMILAR
«E»	EXISTING	SPEC.	SPECIFICATION
EA	EACH	SQ.	SQUARE
EL.	ELEVATION	S.S.D.	SEE STRUCT. DWGS.
ELEC.	ELECTRICAL	STD.	STANDARD
EQ.	EQUAL	STL.	STEEL
EXT.	EXTERIOR	STOR.	STORAGE
		STRUCT.	STRUCTURAL
F.D.	FLOOR DRAIN	SUSP.	SUSPENDED
FDN.	FOUNDATION	SYM.	SYMBOL
FIN.	FINISH		
FL.	FLOOR	T.	TREAD
F.O.	FACE OF	T.B.	TONGUE BAR
F.O.F.	FACE OF FINISH	T&G	TONGUE AND GROOVE
F.O.S.	FACE OF STUD	T.O.	TOP OF
		T.O.C.	TOP OF CURB
F.S.M.F.	FLEXIBLE SHEET	T.O.P.	TOP OF PLATE
	MEMBRANE FLASHING	T.O.W.	TOP OF WALL
		T.P.H.	TOILET PAPER HOLDER
		TRSM.	TRANSOM
FT.	FEET	T.V.	TELEVISION
FTG.	FOOTING	TYP.	TYPICAL
		U.O.N	UNLESS OTHERWISE NOTED
GA.	GAUGE		
GALV.	GALVANIZED	V.	VENT
GYP. BD.	GYPSUM BOARD	VERT.	VERTICAL
		V.I.F.	VERIFY IN FIELD
H.	HIGH	V.G.	VERTICAL GRAIN
H.B.	HOSE BIB		
HDR.	HEADER	W.	WEST
HDWR.	HARDWARE	W.	WASHING MACHINE
HORIZ.	HORIZONTAL	W.C.	WATER CLOSET(TOILET)
HT.	HEIGHT	WD.	WOOD
		WH.	WATER HEATER
ID.	INSIDE DIAMETER	W/O	WITHOUT
IG.	INSULATED GLASS	W.P.	WATERPROOF, WORK
INSUL.	INSULATION		POINT
INT.	INTERIOR	W.R.	WATER RESISTANT
JT.	JOINT	YD.	YARD
LAV.	LAVATORY		
LT.	LIGHT		
M.	MASTER		
MAX.	MAXIMUM		
MECH.	MECHANICAL		
MFR.	MANUFACTURER		
MIN.	MINIMUM		
MISC.	MISCELLANEOUS		

DIRECTORY

CLIENT

John Stalder & Meghan Laffey
1840 Jefferson Street, APT #302
San Francisco, CA 94123

Phone: (415) 765-7023
Email: John.Stalder@gmail.com
Email: meghanlaffey@gmail.com

ARCHITECT

Gast Architects
355 11th Street Suite 300
San Francisco, CA 94103

Phone: (415) 885-2946
Fax: (415) 885-2808

David S. Gast, AIA Principal
Dennis Budd, AIA Principal

Email: DGast@GastArchitects.com
Email: DBudd@GastArchitects.com

STRUCTURAL

Larry Wong Engineering
485 14th Street
San Francisco, CA 94103

Phone: (415) 877-1392
Fax: (415) 871-2230
Email: LWong@l Wongengineering.com

GENERAL CONTRACTOR

Hunter Dale, Project Manager
Eastwood Development
3520 20th Street, Unit B
San Francisco, CA 94110

Phone: (415) 341-0473
Email: hunter@eastwoodsfc.com

SYMBOLS

REFERENCE SYMBOLS

[-----]	DEMO WALL
[=====]	EXISTING WALL
[=====]	NEW WALL
- - - -	HIDDEN EDGE, ABOVE OR BEYOND
- - - -	HIDDEN EDGE, BELOW OR BEHIND
123	DOOR SYMBOL
12	WINDOW SYMBOL
12	SKYLIGHT SYMBOL
12	WALL TYPE
A	GRID OR REFERENCE LINE
3 A1.2	BUILDING OR WALL SECTION NO. OVER SHEET NO.
3 A1.2	DETAIL NO. OVER SHEET NO.
3 A1.2	ELEVATION NO. OVER SHEET NO.
3 A1.2	ROOM NO. OVER SHEET NO.
⊙	LEVEL LINE OR DATUM
+100.0'	SPOT ELEVATION (N)
- - - -	PROPERTY LINE
45	NEW OR FINISHED CONTOURS
45	EXISTING CONTOURS

DRAWING INDEX

ARCHITECTURAL

A0.0	COVER SHEET
A0.1	PERSPECTIVES
A0.2	STREET PHOTOGRAPHS
A0.3	PHOTOGRAPHS
A0.4	LAND SURVEYOR
A1.0	(E) & (N) SITE PLANS
A2.0	EXISTING FLOOR PLANS
A2.1	EXISTING FLOOR PLANS
A2.2	PROPOSED FLOOR PLANS
A3.1	EXISTING ELEVATIONS
A3.2	EXISTING ELEVATIONS
A3.3	EXISTING ELEVATIONS
A3.4	EXISTING ELEVATIONS
A3.5	PROPOSED ELEVATION
A3.6	PROPOSED ELEVATION
A3.7	PROPOSED ELEVATION
A3.8	PROPOSED ELEVATION
A4.0	EXISTING BUILDING SECTION
A4.1	EXISTING BUILDING SECTION
A4.2	PROPOSED BUILDING SECTION
A4.3	PROPOSED BUILDING SECTION
A4.4	PROPOSED BUILDING CROSS SECTION

SCOPE OF WORK

1. 5'-6" DEEP HORIZONTAL KITCHEN IN-FILL ADDITION AT EXISTING 4TH FLOOR FRONT FAÇADE ROOF DECK
2. 3'-0" DEEP CANTILEVERED DECK EXTENSION AT EXISTING 4TH FLOOR FRONT FACADE ROOF DECK
3. CONVERT EXISTING 4TH FLOOR ROOF TO A 696 SF ROOF DECK WITH EXTERIOR ACCESS STAIRS, AND GLASS GUARDS
4. KITCHEN RENOVATION



GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808

LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

COVER SHEET

REVISIONS	BY
SITE PERMIT SET 12/7/15	
REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 12/8/2016	
SITE PERMIT SET REVISION 5 5/20/2017	

Date 3/27/2017

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Sheet

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GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 941123

PERSPECTIVES

REVISIONS	BY
SITE PERMIT SET	
12/7/19	
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REVISION 1	
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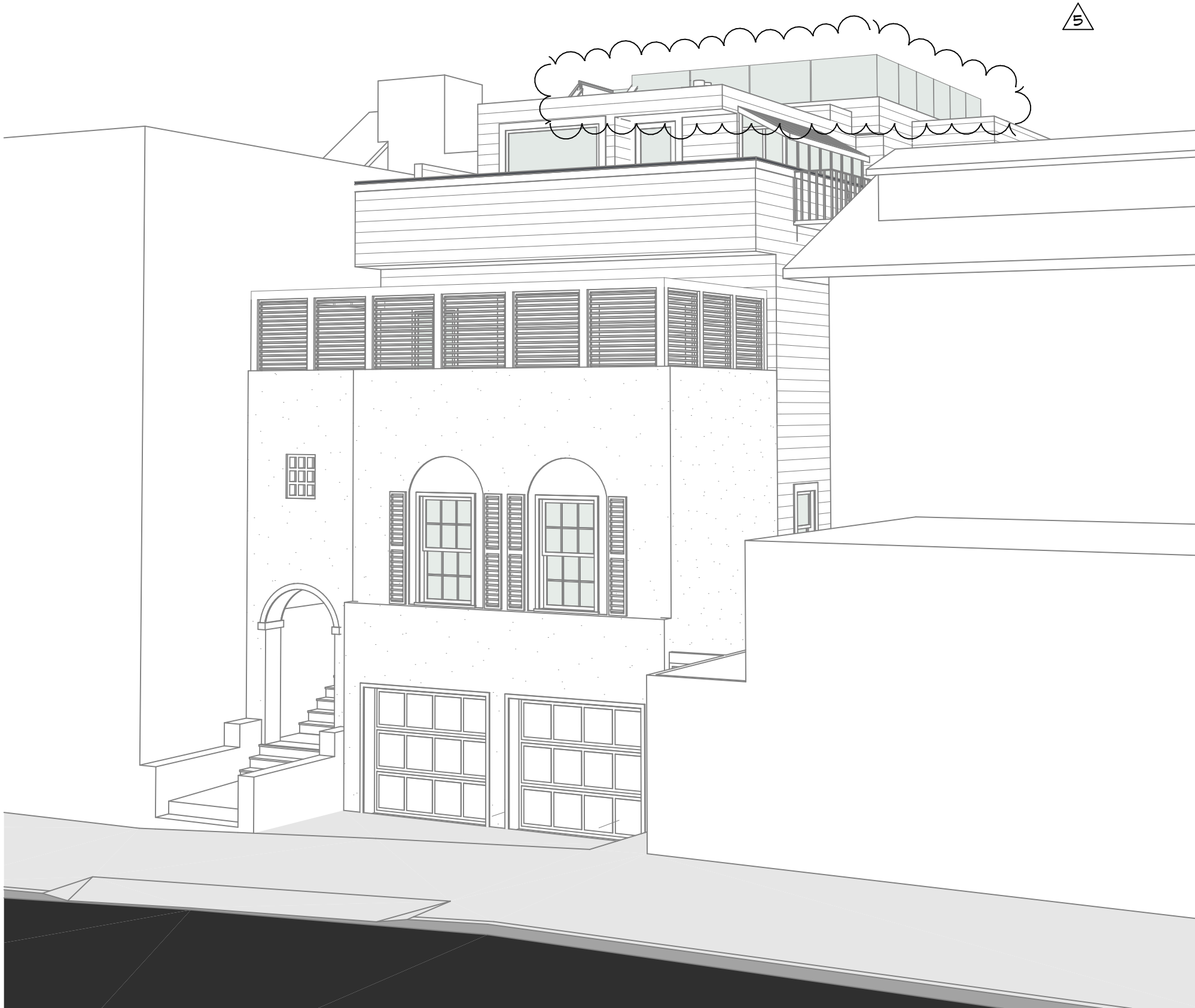
④ EXISTING STREET VIEW



③ EXISTING SOUTH-EAST FRONT VIEW



② PROPOSED STREET VIEW



① PROPOSED SOUTH-EAST FRONT VIEW



3 STORY MULTI-FAMILY



SUBJECT PROPERTY
2226 GREEN STREET
SAN FRANCISCO, CA 94123



3 STORY MULTI-FAMILY



3 STORY MULTI-FAMILY



4 STORY MULTI-FAMILY



4 STORY MULTI-FAMILY



GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

STREET PHOTOGRAPHS

REVISIONS	BY
SITE PERMIT SET	
12/7/15	
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REVISION 1	
5/11/2016	
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REVISION 2	
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Date 3/27/2017

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ADJACENT WEST SIDE
2230-34 GREEN STREET



SUBJECT PROPERTY
2226 GREEN STREET
FRONT FACADE



ADJACENT EAST SIDE
2204-06 GREEN STREET



ADJACENT WEST SIDE
2230-34 GREEN STREET
REAR FACADE



SUBJECT PROPERTY
2226 GREEN STREET
REAR FACADE



ADJACENT EAST SIDE
2204-06 GREEN STREET
REAR FACADE



GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808

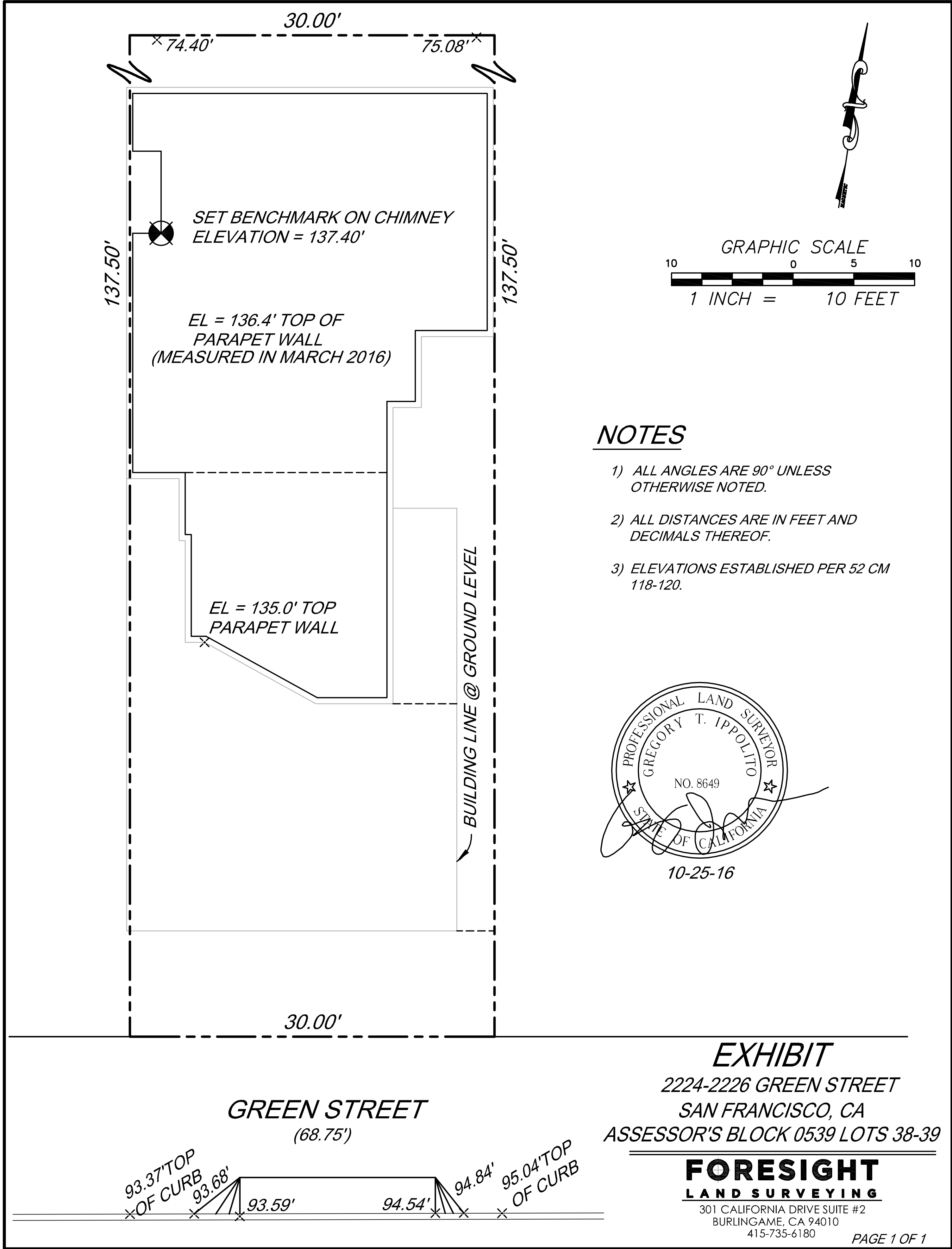


LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PHOTOGRAPHS

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REVISION 1	
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GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94112

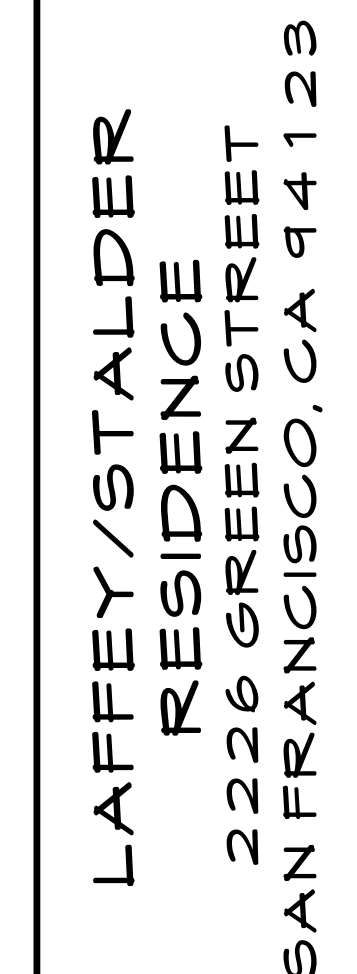
LAND SURVEYOR

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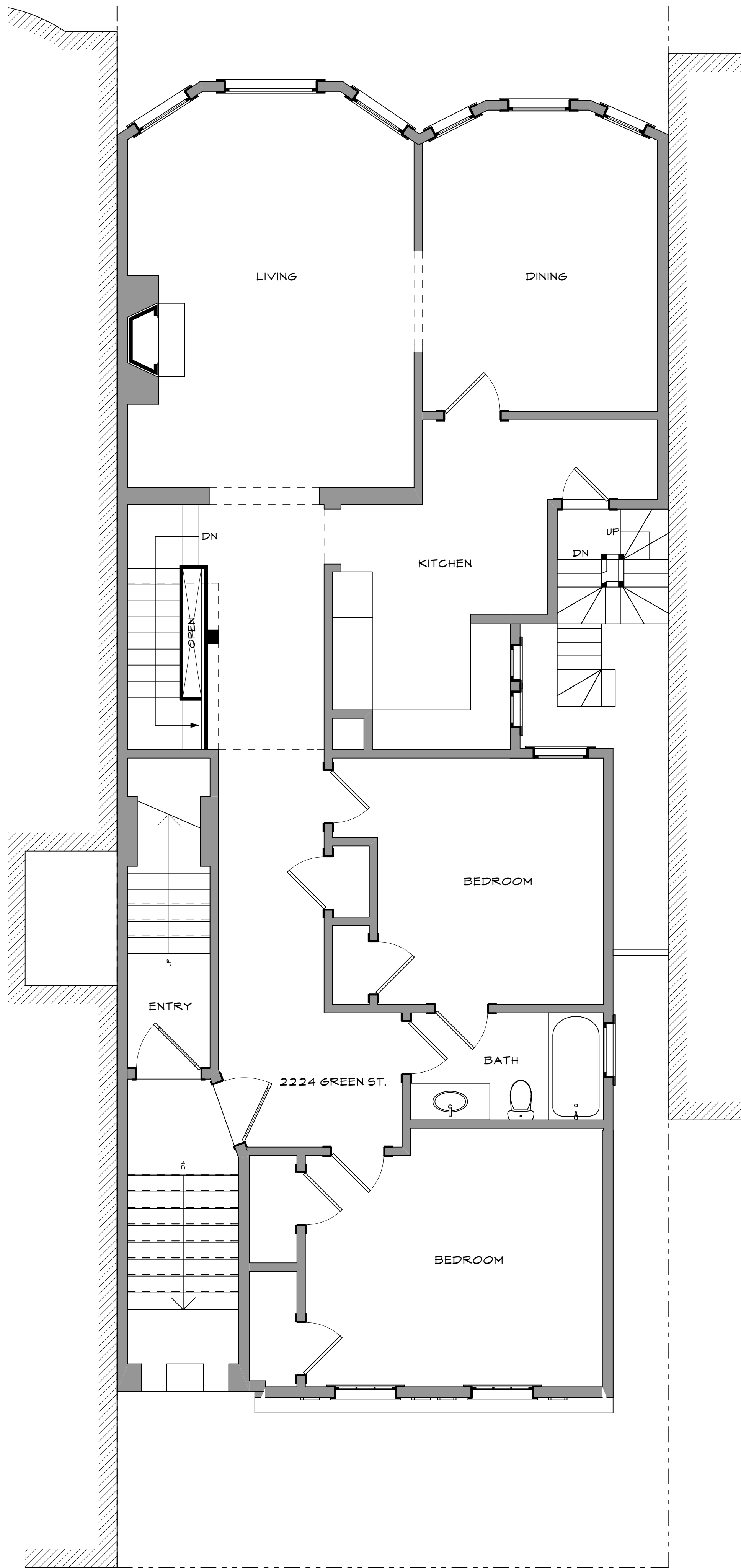
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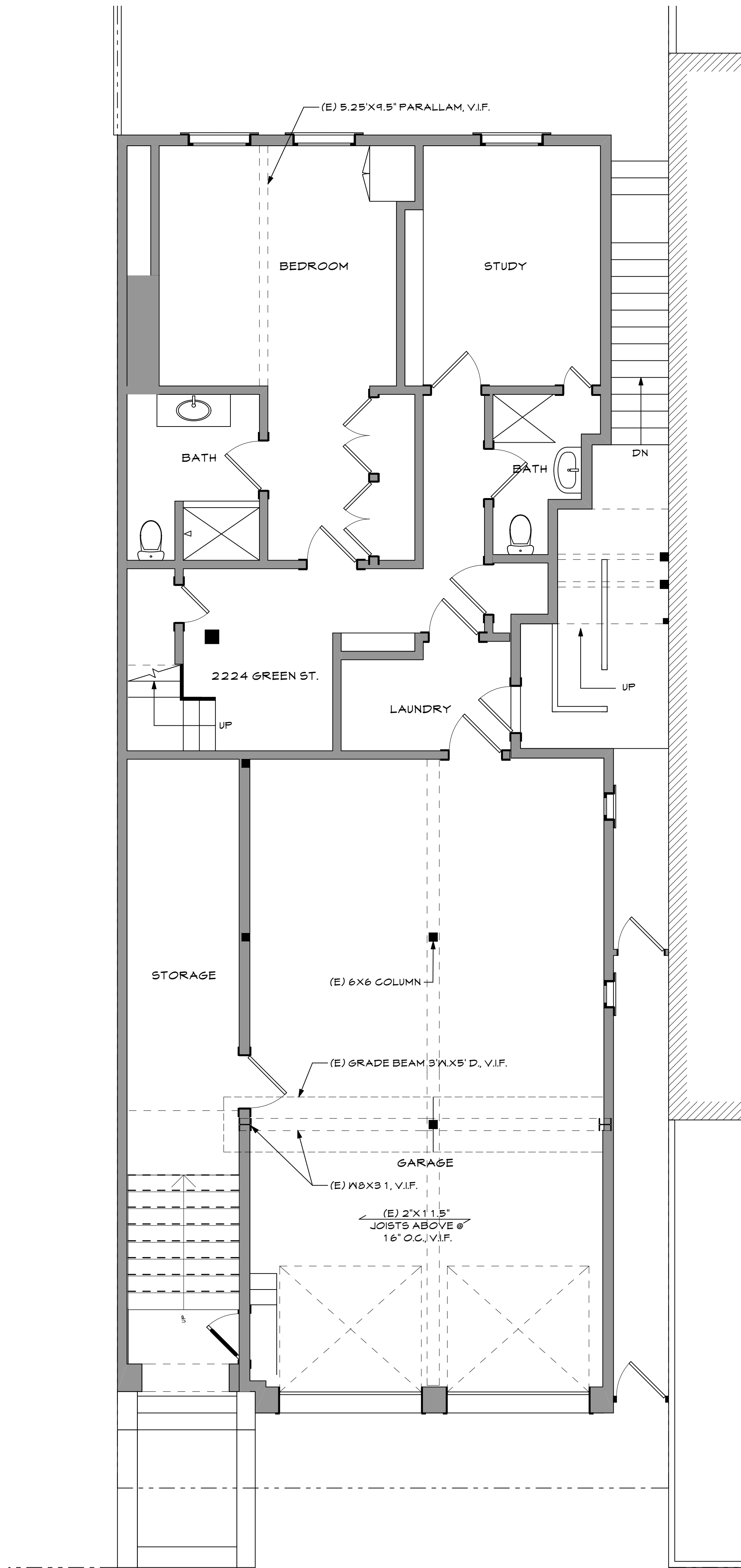
(E) & (N) SITE PLANS

REVISIONS	BY
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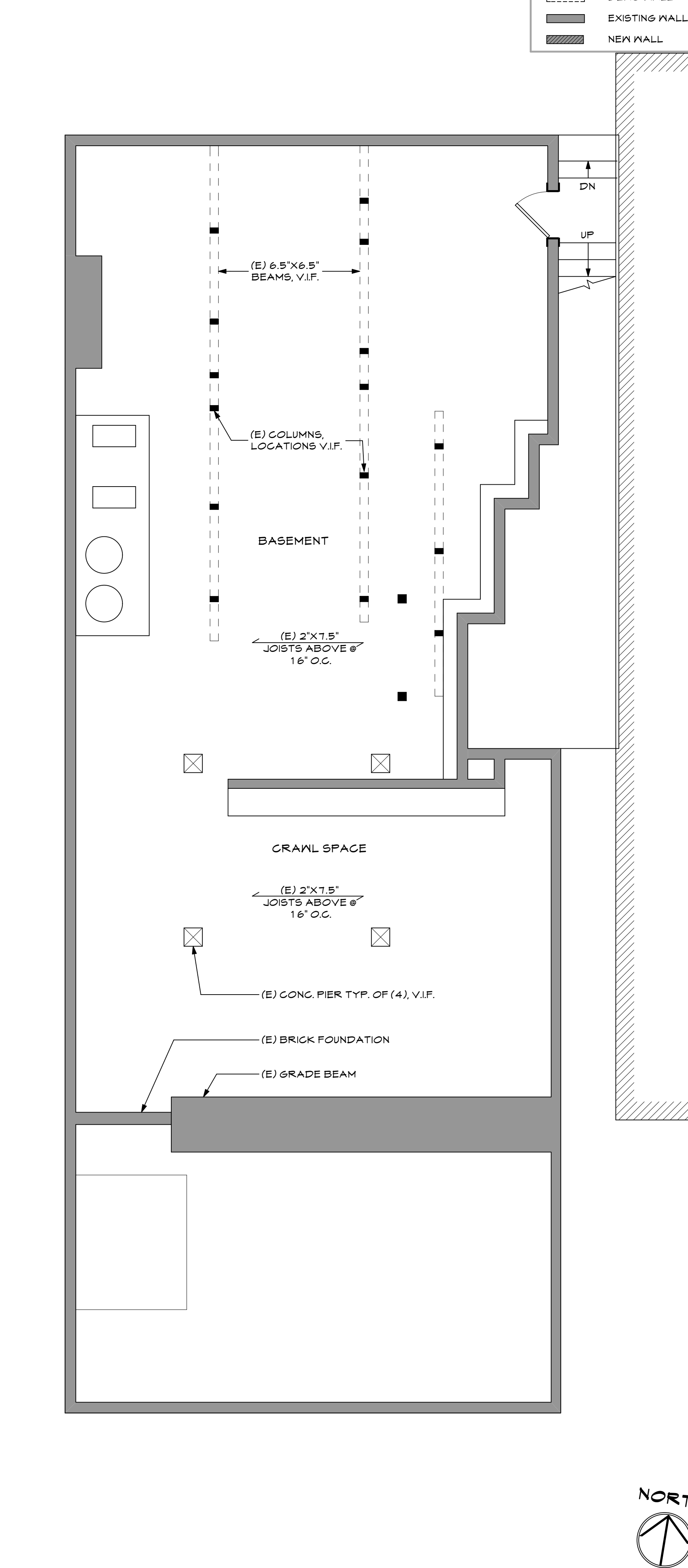




③ <E> SECOND FLOOR
SCALE: 1/4" = 1'-0"



② <E> FIRST FLOOR
SCALE: 1/4" = 1'-0"



① BASEMENT
SCALE: 1/4" = 1'-0"



- LEGEND
- DEMO WALL
 - EXISTING WALL
 - NEW WALL



355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING FLOOR PLANS

REVISIONS	BY
SITE PERMIT SET	
REVISION 1	
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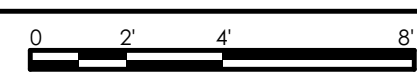


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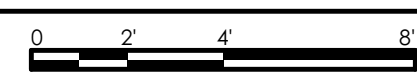
③ ROOF PLAN

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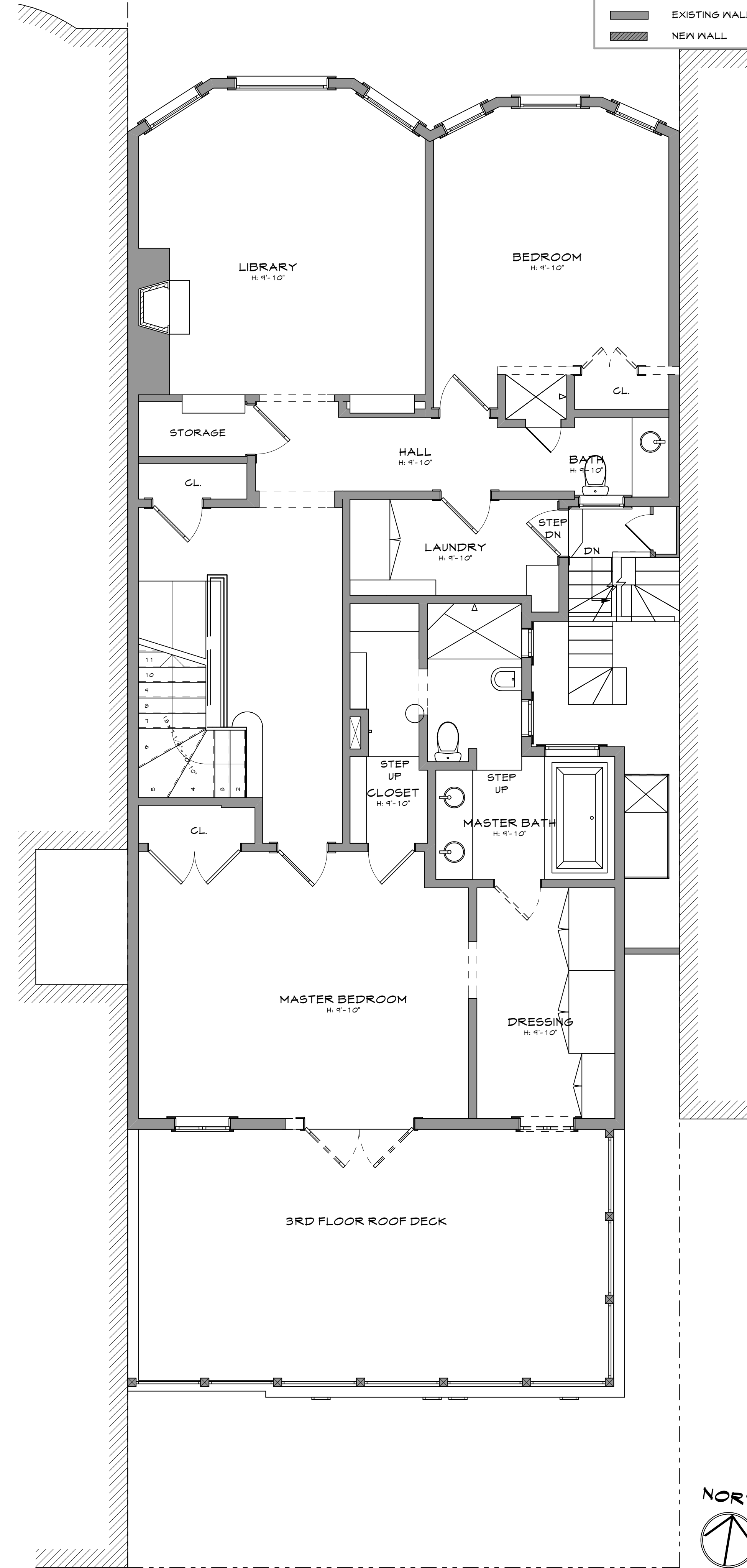
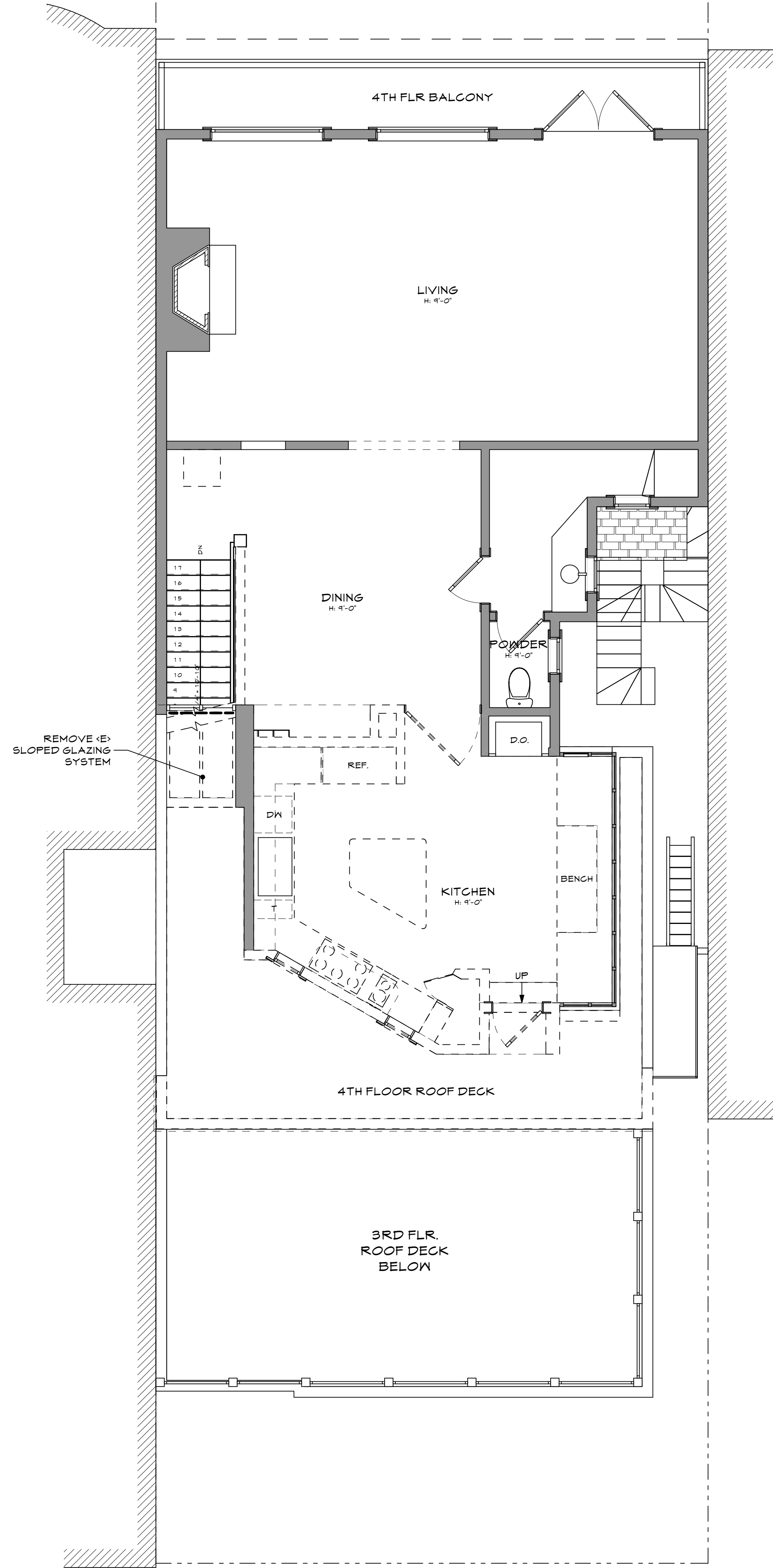
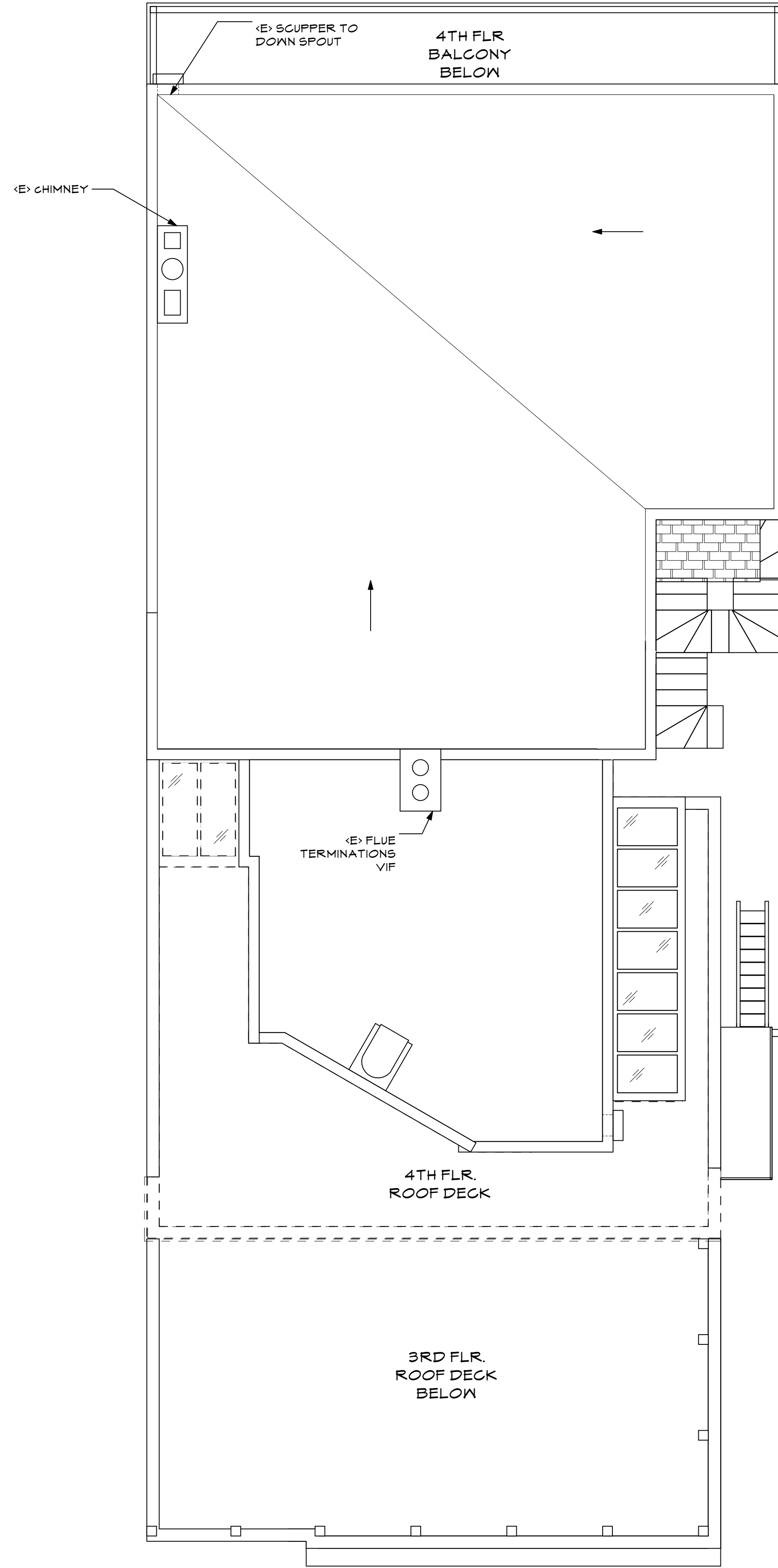
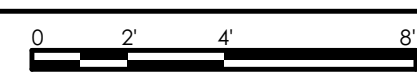
② FOURTH FLOOR

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



① THIRD FLOOR

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



GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING FLOOR PLANS

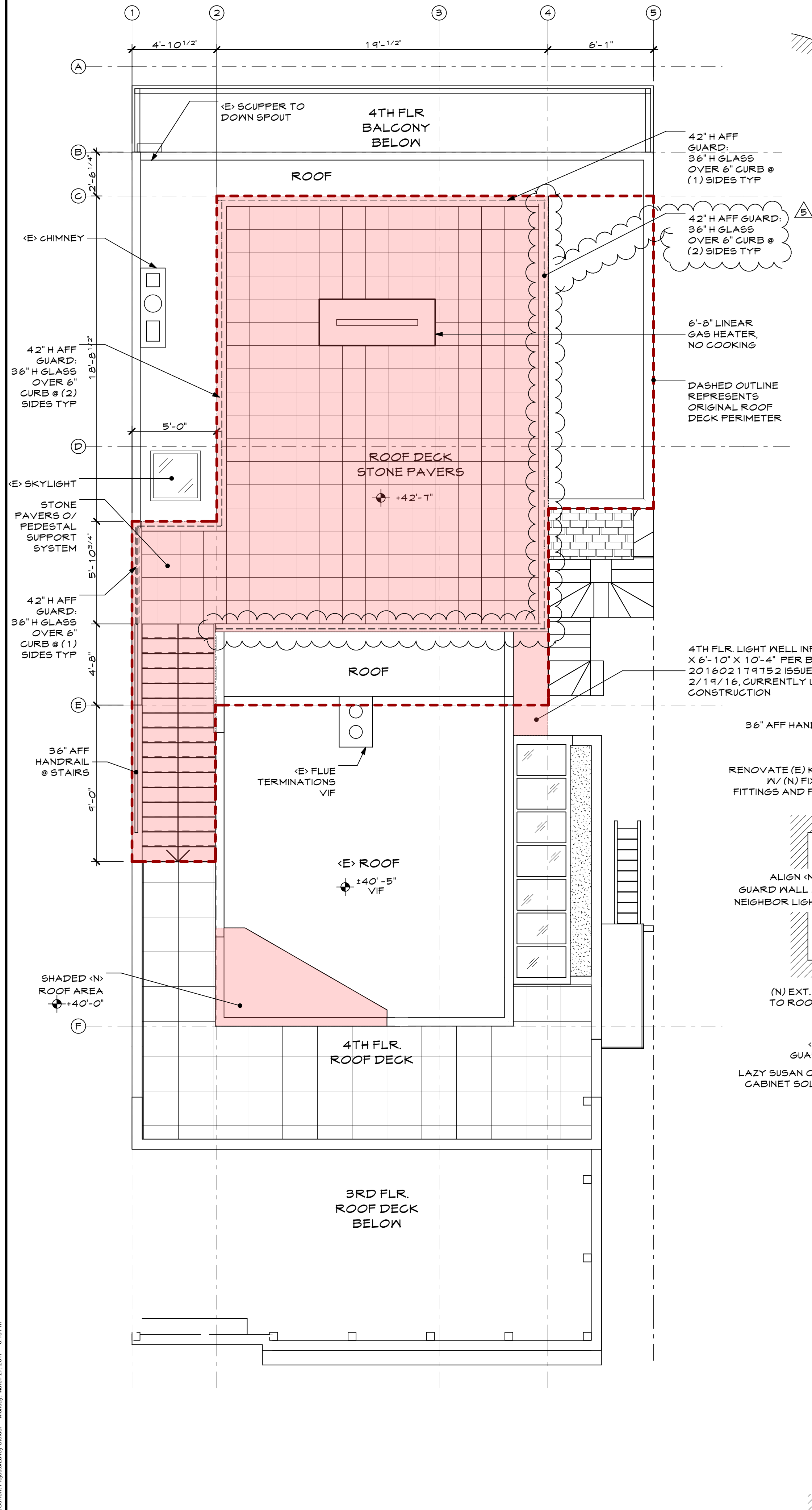
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ROOF PLAN

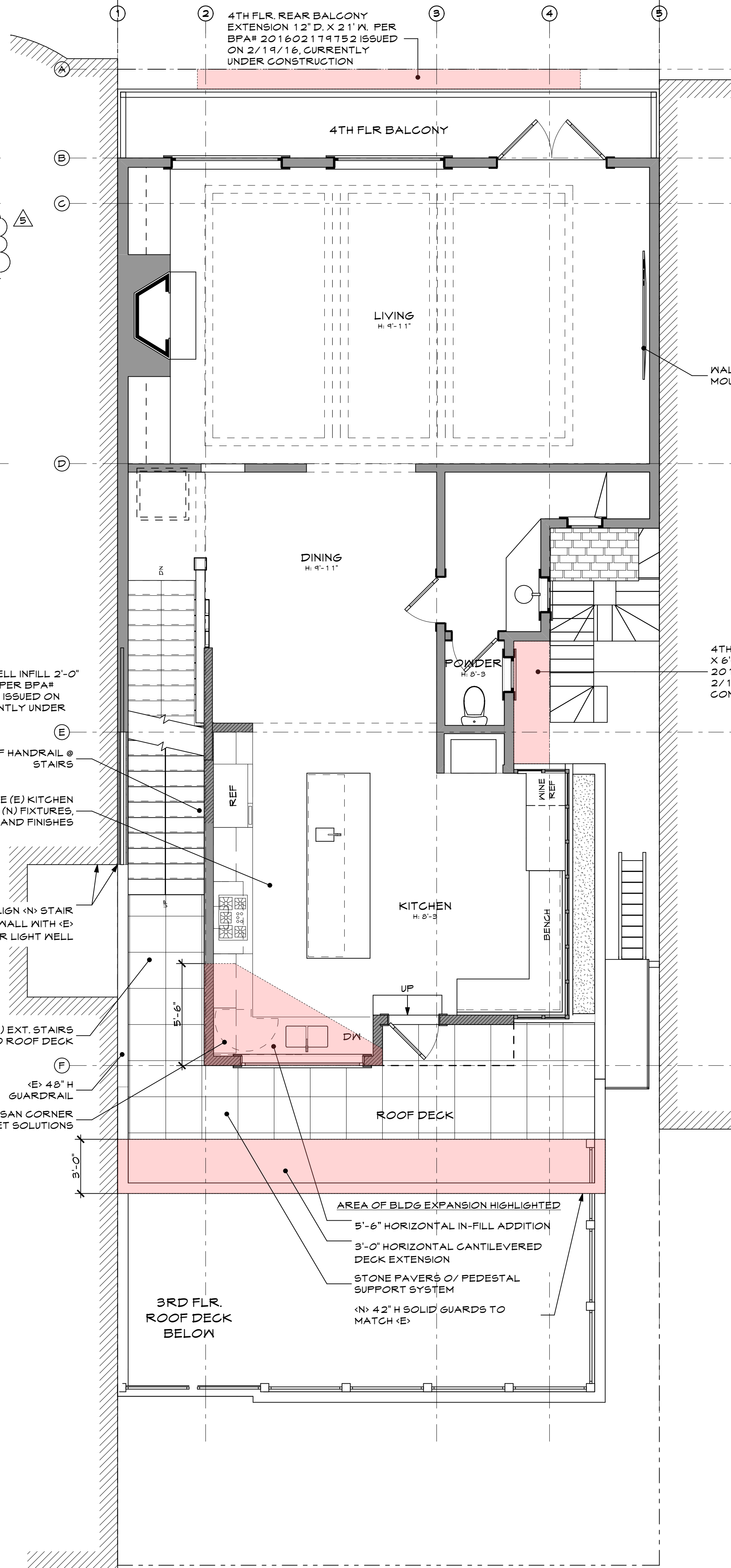
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2

<E> FOURTH FLOOR

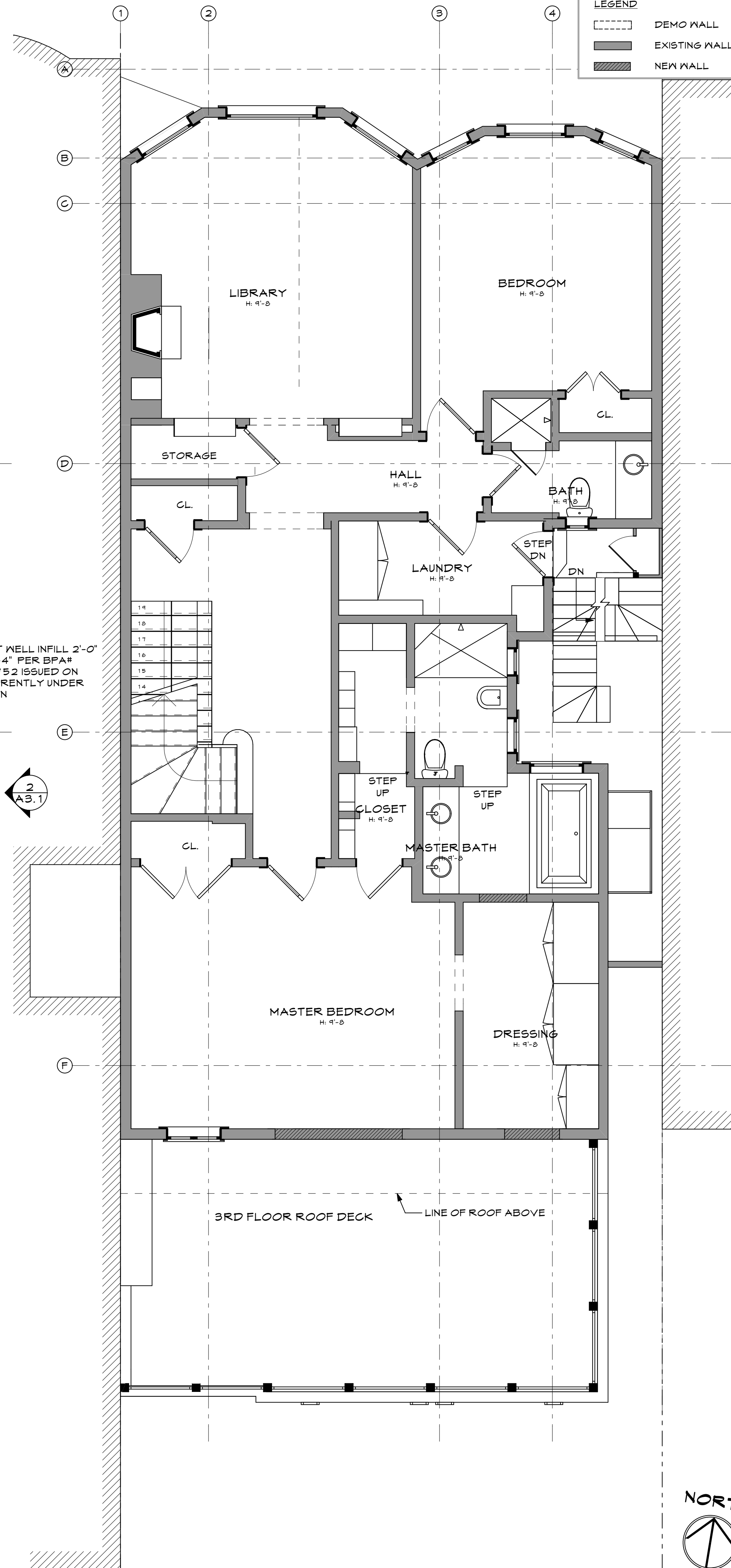
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1

<E> THIRD FLOOR

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



LEGEND
- - - DEMO WALL
- - - EXISTING WALL
- - - NEW WALL



GAST ARCHITECTS

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San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED FLOOR PLANS

REVISIONS	BY
SITE PERMIT SET	12/7/15
REVISION 1	5/11/2016
SITE PERMIT SET	REVISION 2
4/20/2016	
SITE PERMIT SET	REVISION 3
5/10/2016	
SITE PERMIT SET	REVISION 4
12/8/2016	
SITE PERMIT SET	REVISION 5
5/20/2017	

Date 3/27/2017

Scale AS SHOWN

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Job 1517

Sheet

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Of Sheets



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EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET	
12/7/15	
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REVISION 1	
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Date 3/27/2017

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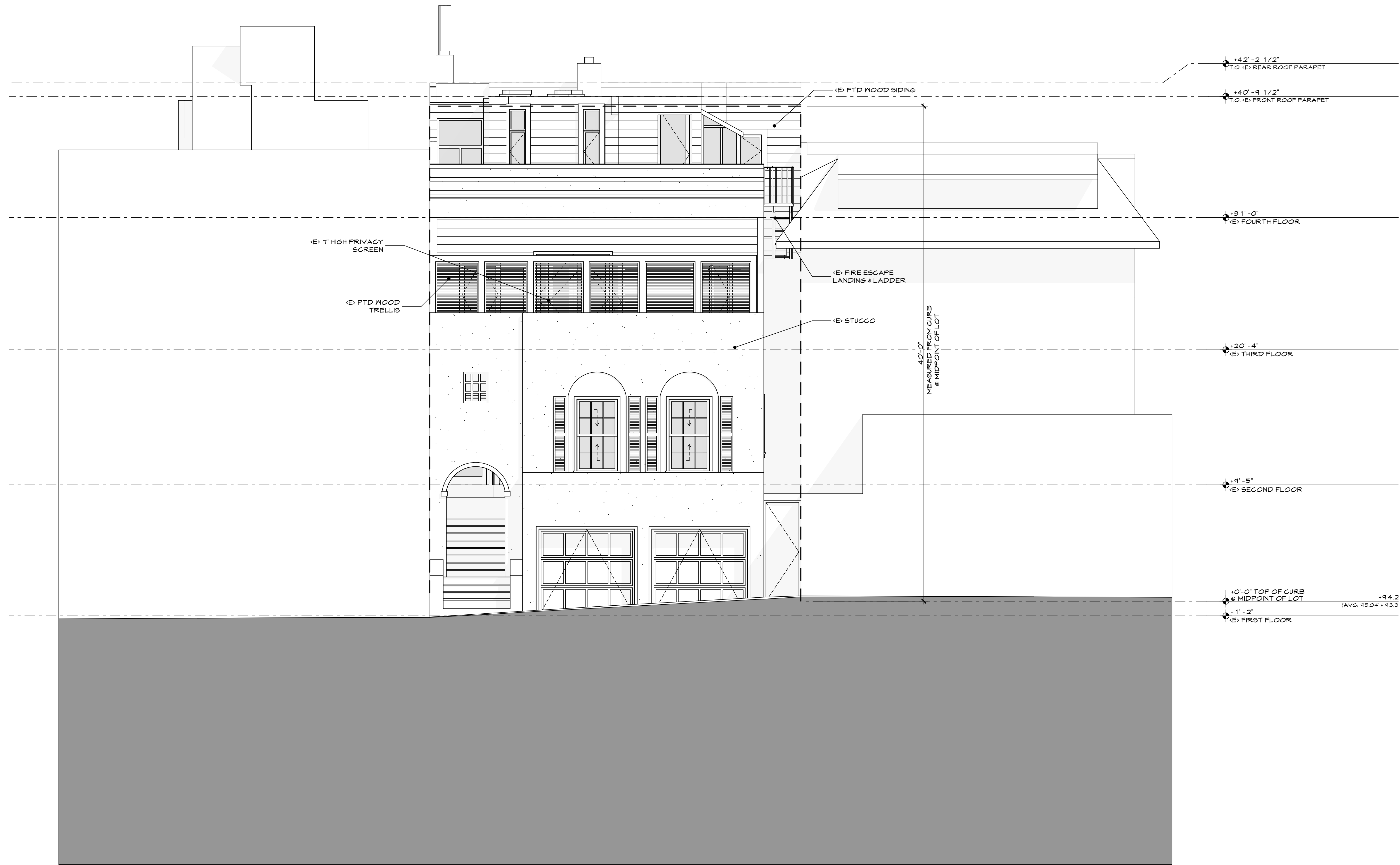
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① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"





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SAN FRANCISCO, CA 94123

EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET	
12/7/19	
SITE PERMIT SET	
REVISION 1	
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Date 3/27/2017

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Of Sheets

◀E FIREPLACE CHIMNEY

◀E MECH FLUE
TERMINATIONS

10'-0"
12'-2 1/4"
FRONT SETBACK

+42'-2 1/2"
T.O. ◀E REAR ROOF PARAPET

+40'-9 1/2"
T.O. ◀E FRONT ROOF PARAPET

OUTLINE OF
◀E BLDG IN
FOREGROUND

10'-0"

+31'-0"
◀E FOURTH FLOOR

◀E PRIVACY
SCREENS

◀E LIGHT WELL @
ADJ PROPERTY

+20'-4"
◀E THIRD FLOOR

◀E BLIND WALL SHEATHING

+9'-5"
◀E SECOND FLOOR

30'-0"
MEASURED FROM CURB
@ MIDPOINT OF LOT

◀E ENTRY
WALL

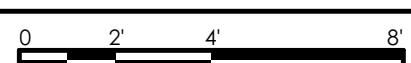
+0'-0" TOP OF CURB
@ MIDPOINT OF LOT +94.2

-1'-2"
◀E FIRST FLOOR

(AVG: 95.04' ± 93.3)

1 WEST ELEVATION

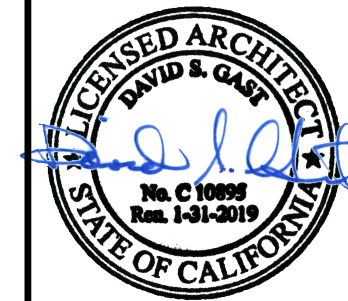
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EXISTING ELEVATIONS

REVISIONS	BY
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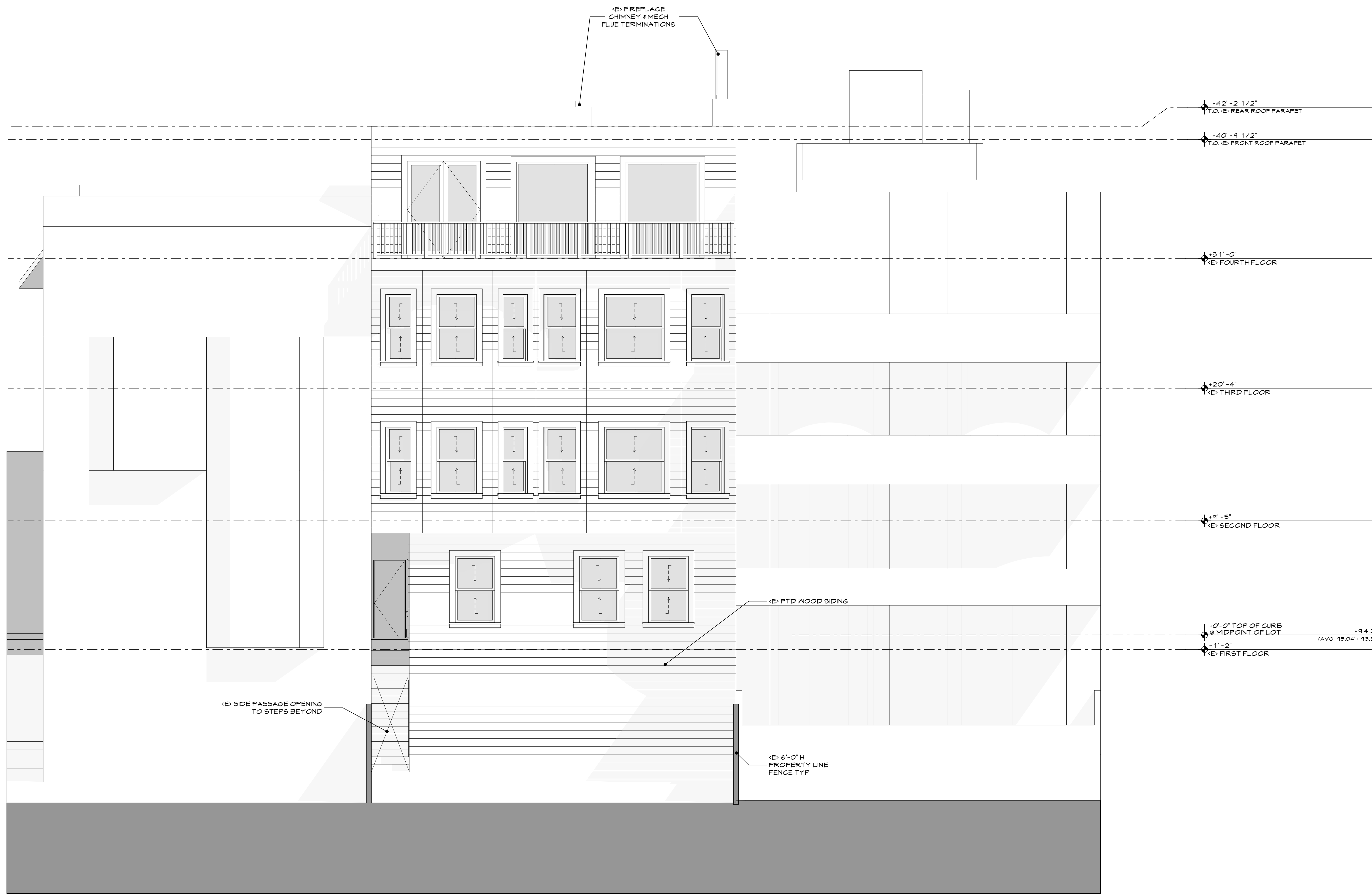
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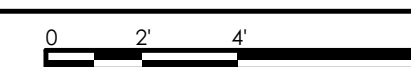
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Of Sheets



1 NORTH ELEVATION

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





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EXISTING ELEVATIONS

REVISIONS	BY
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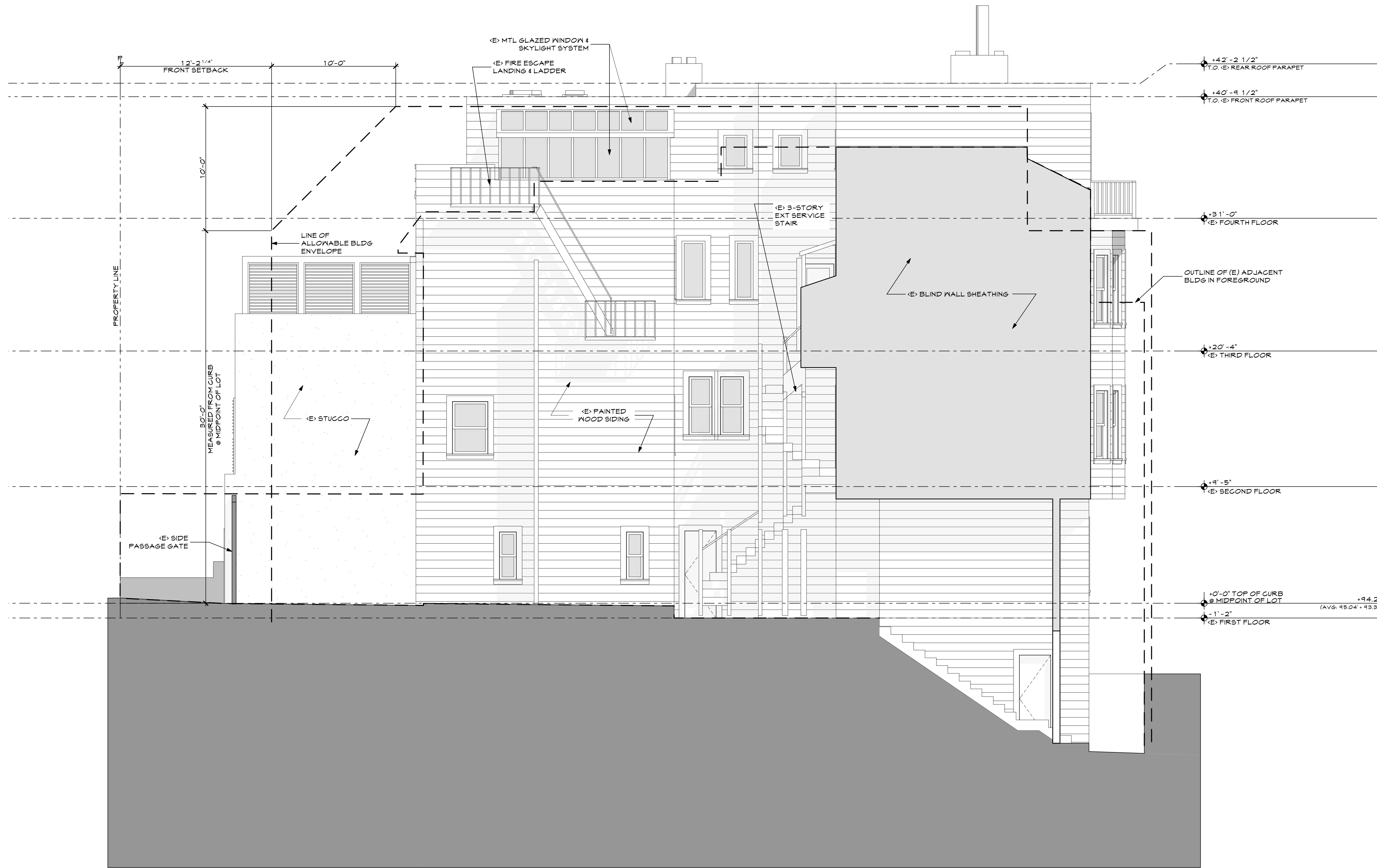
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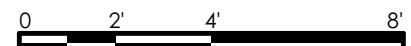
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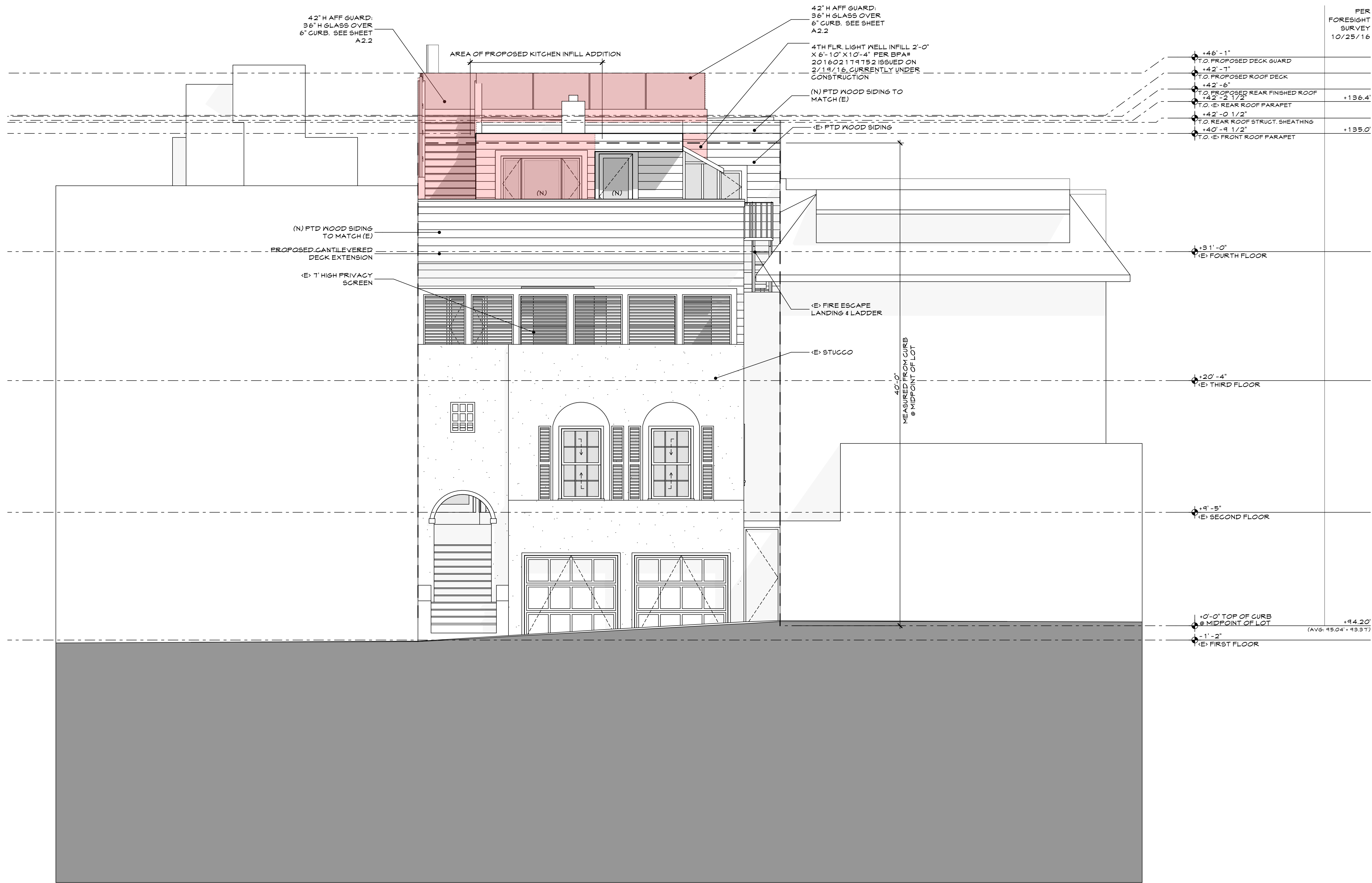
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1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



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① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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PROPOSED ELEVATION

REVISIONS	BY
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PROPOSED ELEVATION

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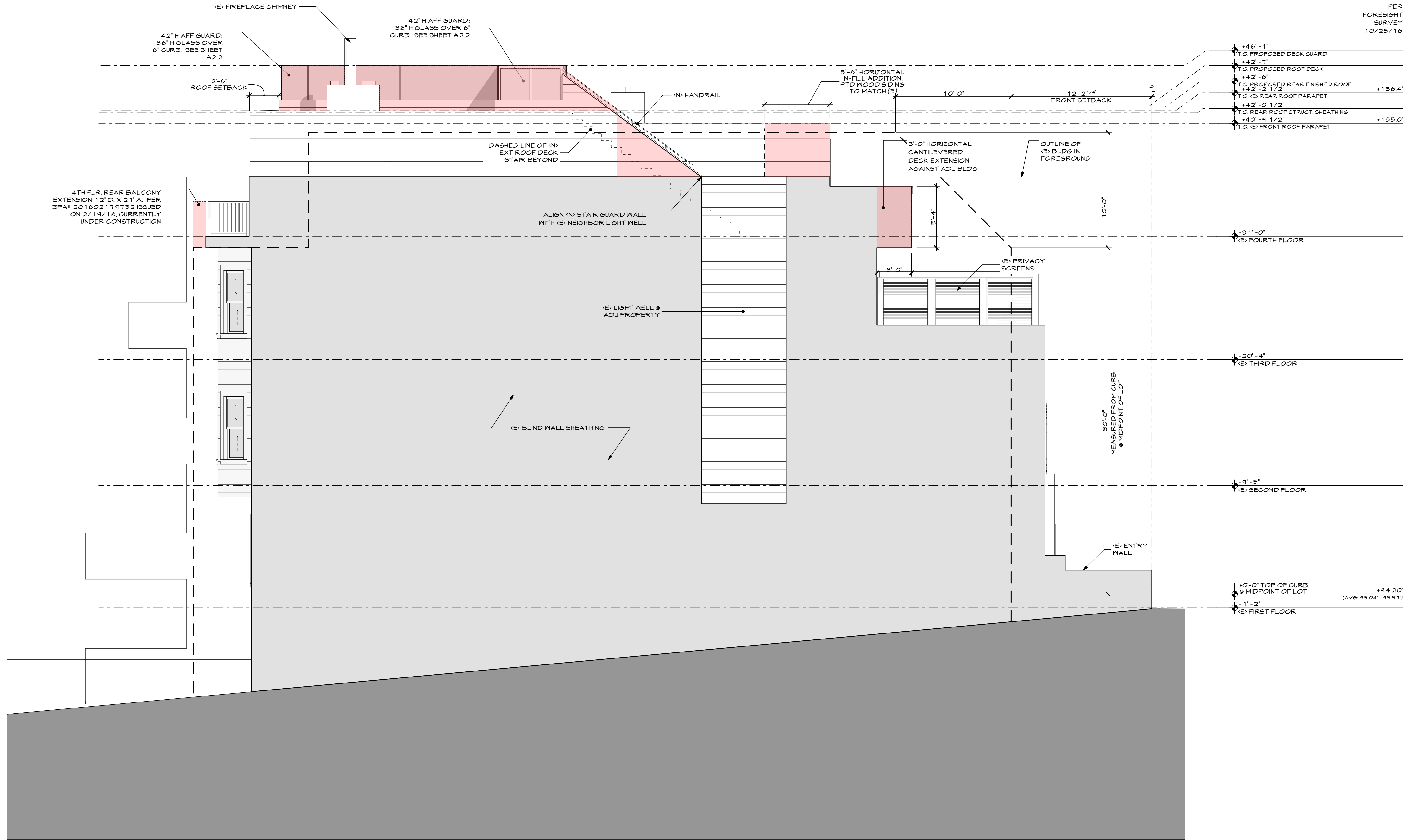
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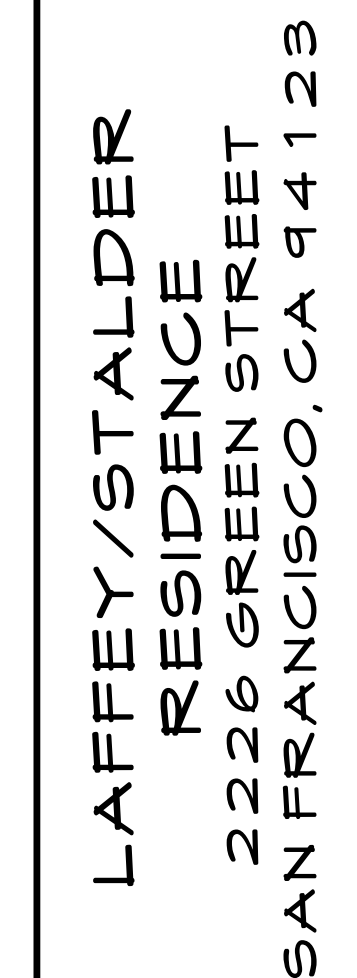


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SCALE: 1/4" = 1'-0"



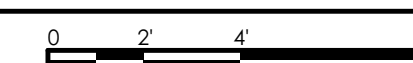
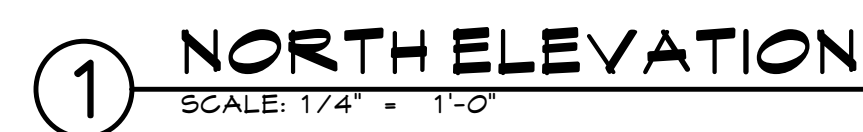


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PROPOSED ELEVATION

REVISIONS		BY
SITE PERMIT SET 5/11/2016		
SITE PERMIT SET REVISION 1 5/11/2016		
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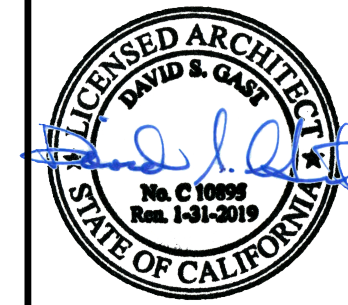


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PROPOSED ELEVATION

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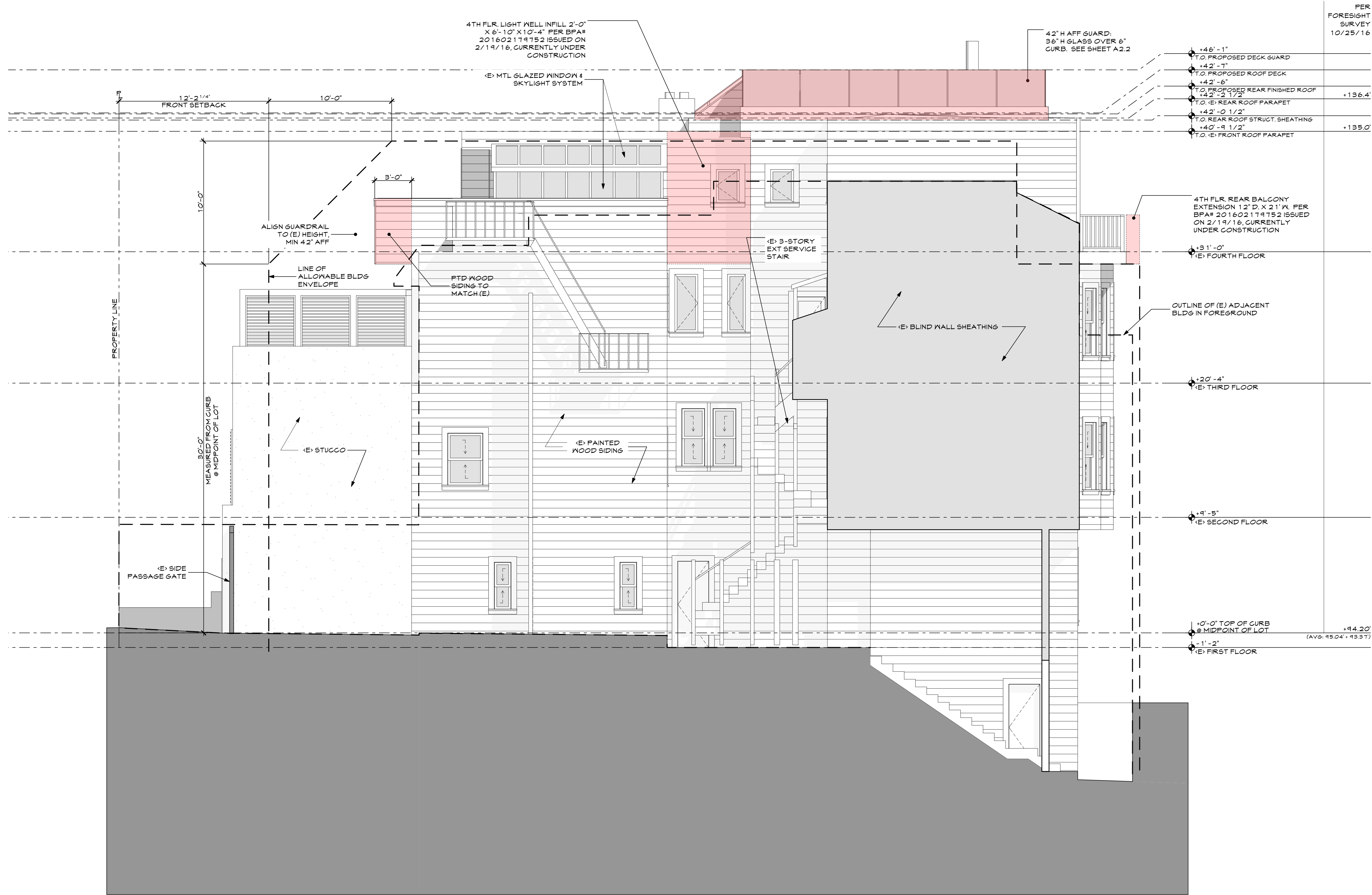
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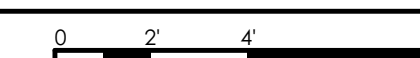
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PER
FORESIGHT
SURVEY
10/25/16



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





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SAN FRANCISCO, CA 941123

EXISTING BUILDING
SECTION

REVISIONS	BY
SITE PERMIT SET	
12/7/15	
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Date 3/27/2017

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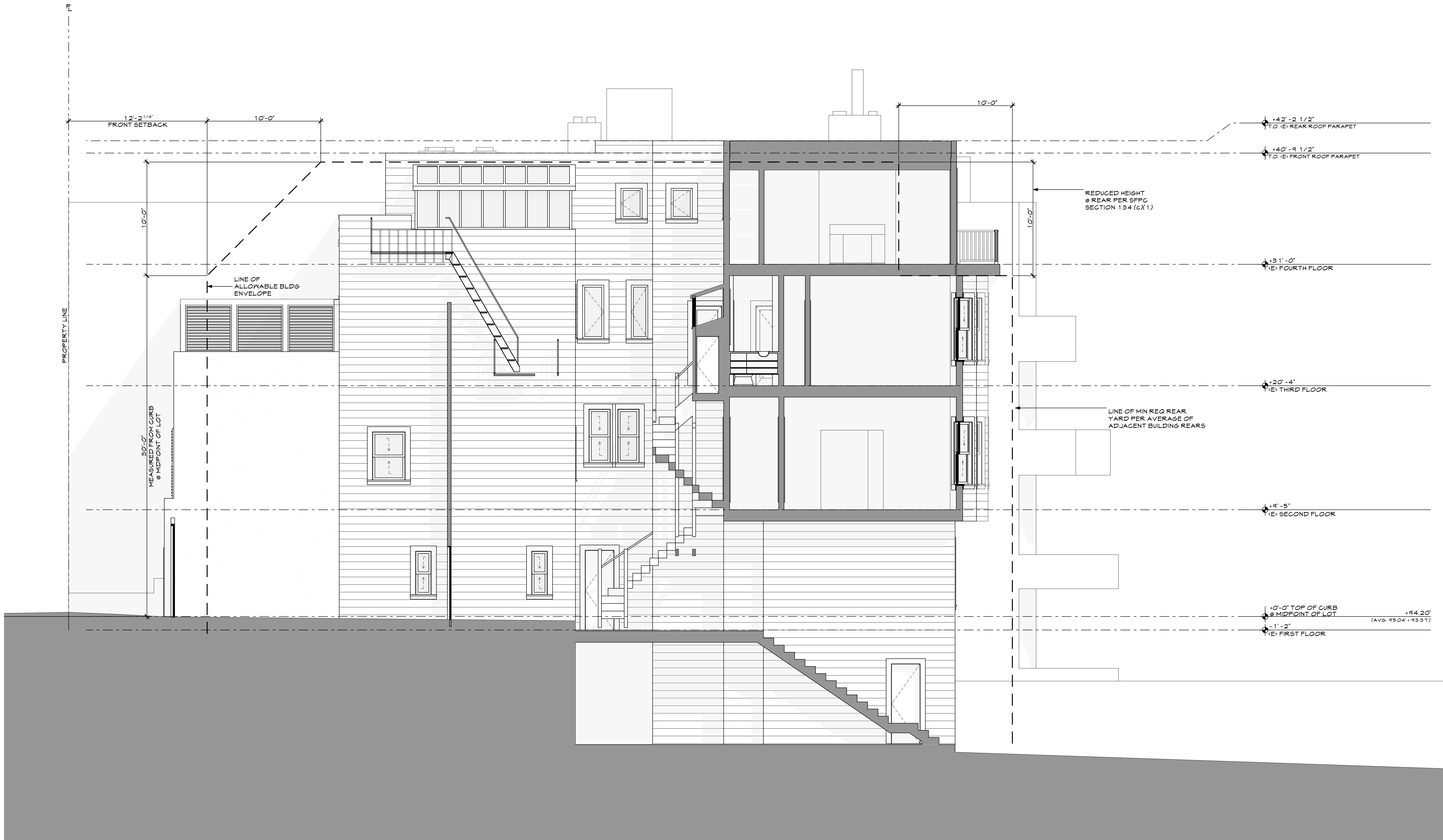
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1 LONGITUDINAL SECTION
SCALE: 1/4" = 1'-0"





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SAN FRANCISCO, CA 941123

EXISTING BUILDING
SECTION

REVISIONS	BY

Date 3/27/2017

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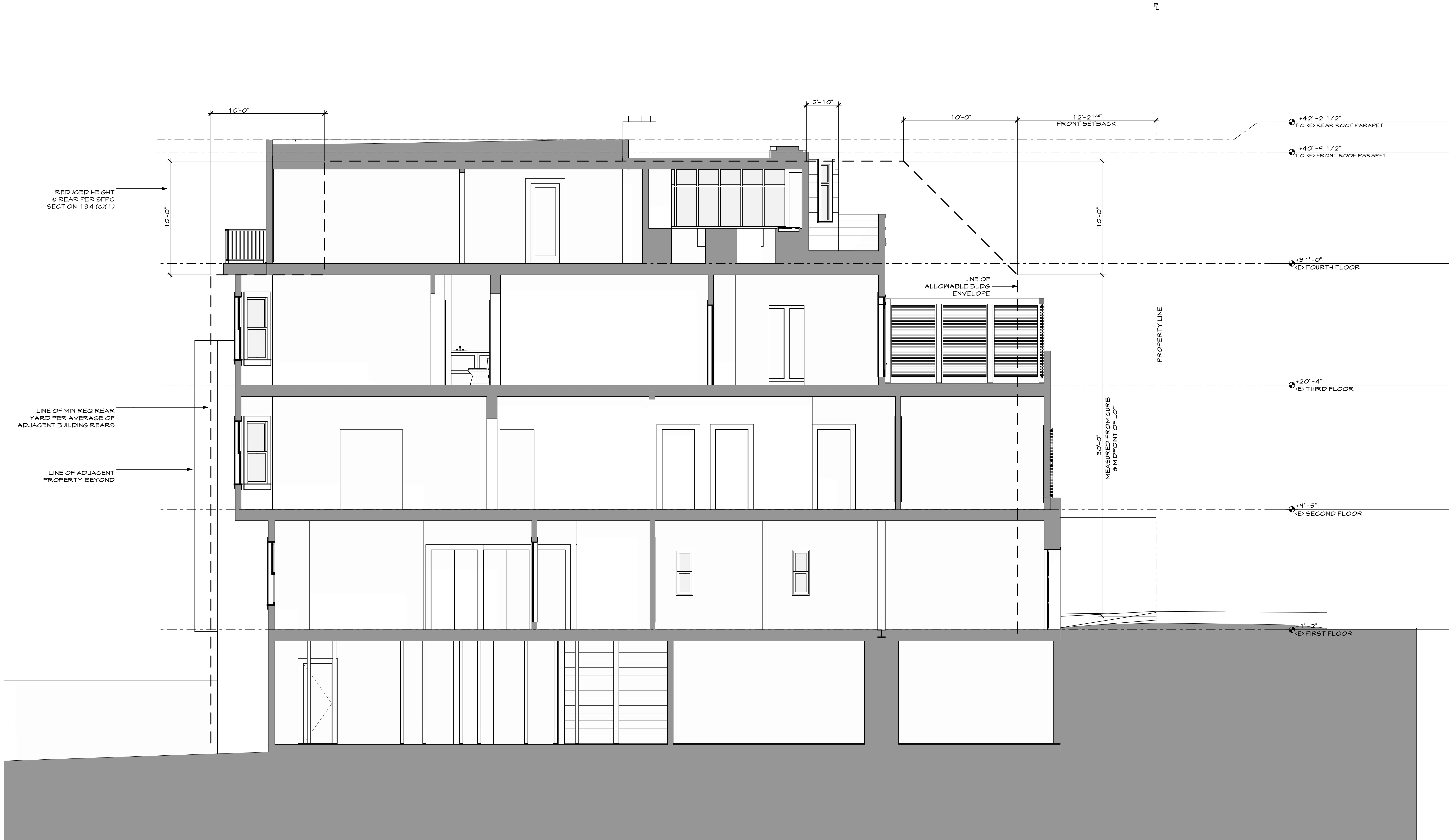
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1 LONGITUDINAL SECTION THROUGH KITCHEN
SCALE: 1/4" = 1'-0"





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SAN FRANCISCO, CA 94113

PROPOSED BUILDING
SECTION

REVISIONS	BY
SITE PERMIT SET	
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Date 3/27/2017

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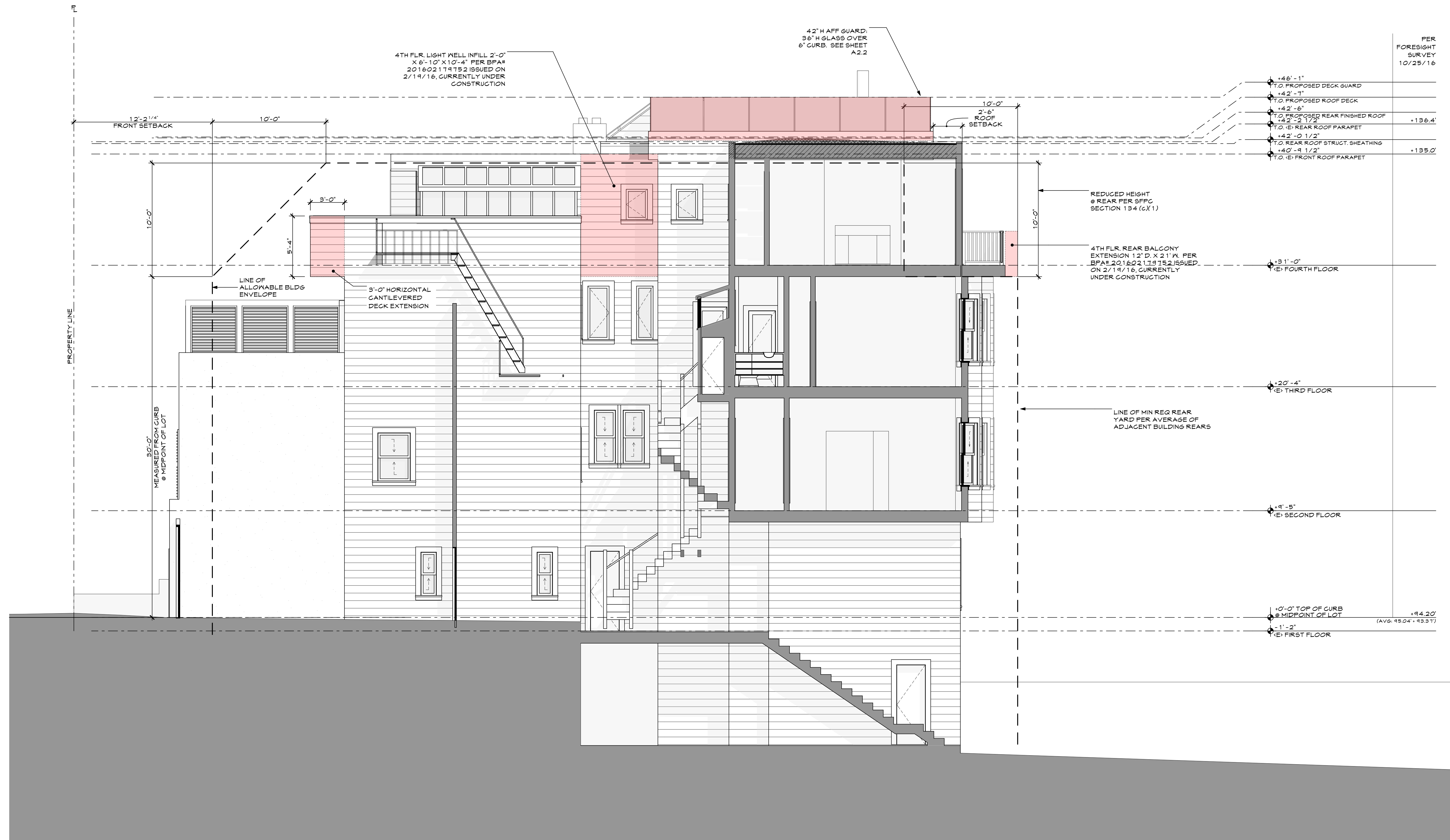
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1 LONGITUDINAL SECTION
SCALE: 1/4" = 1'-0"





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PER
FORESIGHT
SURVEY
10/25/16

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PROPOSED BUILDING
SECTION

REVISIONS	BY
SITE PERMIT SET	
REVISION 2	
4/07/2016	
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REVISION 3	
5/10/2016	
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REVISION 4	
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5/20/2017	

Date 3/27/2017

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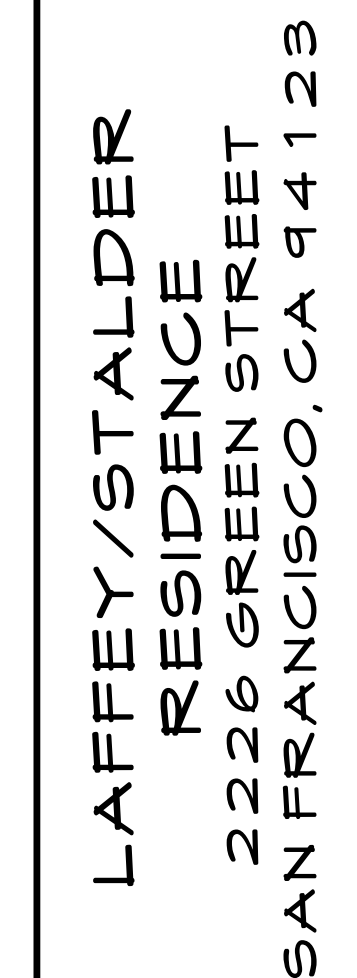


1 LONGITUDINAL SECTION THROUGH KITCHEN
SCALE: 1/4" = 1'-0"





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**PROPOSED BUILDING
CROSS SECTION**

REVISIONS	BY
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
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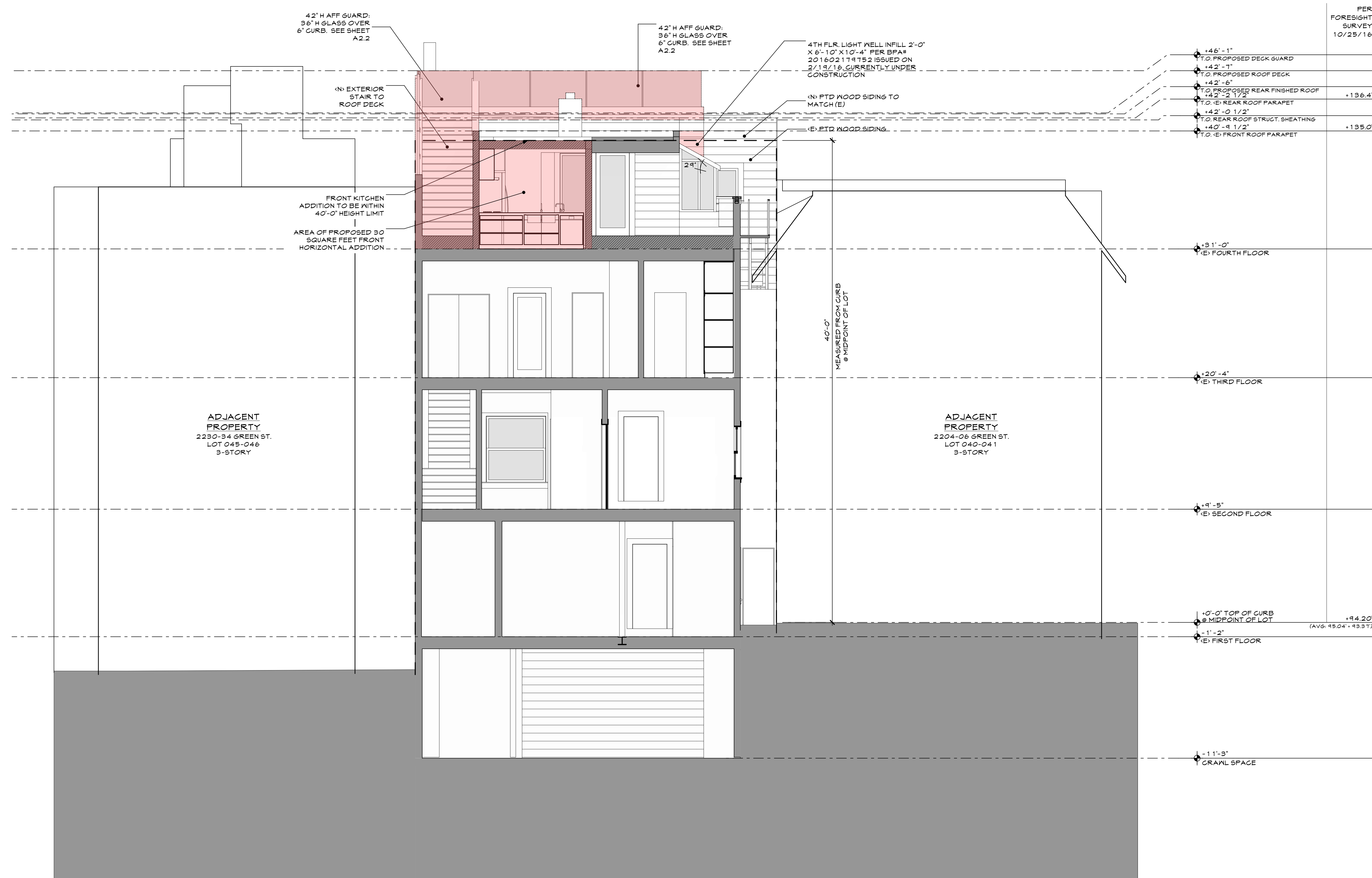
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1 CROSS SECTION THROUGH KITCHEN
SCALE: 1/4" = 1'-0"

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March 27, 2017

John Stalder and Meghan Laffey
2226 Green Street
San Francisco, CA 94123

Via E-mail

San Francisco Planning Department
1650 Mission Street, Room 400
San Francisco, CA 94103

Dear Commissioners –

We wanted to share a brief summary with you on what we have done since the March 2nd hearing on our project. At that time, the Commission asked that we continue to meet with the neighbors to see if an agreement could be made regarding a revised deck design. Specifically, it was suggested that the deck be made comparable to the size of others in the immediate neighborhood.

Shortly after the hearing, we reached out to each of the DR requestors and tried to arrange a meeting to discuss a revised design. A summary of our correspondence is attached as **Exhibit A**. We hoped to work with our neighbors to avoid returning to the Commission. Unfortunately, many of the DR requestors refused to meet with us unless it was done at our property (which is currently under construction, has no access to the roof, and is not suitable for any type of meeting).

We were able to meet with the Borsettis (owners of the building at the corner of Fillmore and Green) and have remained in communication with their counsel. However, they have conditioned their willingness to settle on a number of onerous use conditions (i.e. – no more than 5 people allowed on the deck at any time; no use of the deck after 9pm; etc.), as well as asking we limit the total deck size to approximately 220 square feet. A copy of this correspondence is attached as **Exhibit B**.

We cannot accept the Borsetti's offer, as it would unreasonably restrict our use of the deck and subject it to a range of restrictions that don't apply to other roof decks in the area. It would result in a *much smaller than others in the neighborhood*, including the roof deck right next door.

We have suggested a very reasonable compromise to the design (plans attached as **Exhibit C**), that includes key items:

- Deck setback at least 66 feet from the street curb;
- Over 60 feet setback from Borsetti's closest window to ensure privacy;
- Reduced overall size to be comparable to other nearby roof decks. As revised, the total deck area including the stair landing would be 500 square feet. Roof decks on the three adjacent buildings to the west are estimated to range from 420-525 square feet, and include roof penthouses and opaque railings;
- No cooking facilities or built in furniture planned for the deck;
- No water line running to the deck;

- Clear glass railings at the minimum height requirement (42"); and
- We took volume away from our house in order to avoid a penthouse staircase, this was in an effort to preserve the neighbors' views and minimize the impact of our project.

Since the outset of our project, we have continued to compromise and make changes to our designs but we have yet to receive any sort of reasonable compromise proposal from the DR Requestors. We remain open to discussion with our neighbors and hope that a compromise can be reached before the 4/6 hearing. However, in the event that a hearing is required, we would ask the Commission to approve the revised deck plans, attached as **Exhibit C**.

Many Thanks,

A handwritten signature in black ink, appearing to be a cursive combination of the letters 'J' and 'M', representing John and Meghan.

John and Meghan

cc: Sylvia Jimenez, Planning Department

EXHIBIT A

Exhibit A

OUTREACH AND PROJECT MODIFICATION SUMMARY

3/2 – DR Planning Commission Hearing

March 4 – We reached out to a neighbor to get contact information for Borsetti's

March 7 – Mr. Donner sent the attached letter (Exhibit B), requesting multiple operating covenants

March 7 – Mr. Borsetti's reached out, asking to meet with us without lawyers present

March 10 – We reached out to Ms. Lawrence and Ms. Shiue to arrange a meeting, both refused to meet with us except at the construction site

March 15 – Meeting held with the Borsettis to discuss concerns and potential compromises

March 16 – Ms. Lawrence responded to our email and continued to refuse to meet with us

March 20 – Ms. Shiue continued to refuse to meet with us except at the construction site

March 20 - Meghan reached out to Jim Gallagher to better understand his concerns

March 21 – Ms. Sarjapur formally responded to Mr. Donner with new plans incorporating significant compromises but rejecting all operating covenants and additional unreasonable asks

March 21 – Ms. Lawrence set an email with multiple asks that were contrary to her original DR

March 21 – Called Mr. Kirkham to request a meeting to better understand his concerns

March 24 – Mr. Donner responded to our proposal but refused to make any material compromises

March 24 – We sent updated plans to Jim Gallagher detailing our proposed compromises

March 24 – We set updated plans to Ms. Lawrence going above and beyond all of the compromises detailed in her DR

March 25 – Met with Mr. and Ms. Krikham to walk through our compromises and updated plans

March 26 – Responded to Ms. Lawrence asking to meet with her, she refused again. Provided a detailed a response of our compromises addressing her concerns.

Changes we've made to our project design since receiving DR notification:

- Changed south wall to glass
- Changed east wall to glass
- Changed west wall to glass
- Lowered all walls to 42"
- Substantial area reduction
- Removed all built in furniture and planters
- Reduced the deck by 6'-1" on the east side
- Reduced the deck by 4'-2" on the south side

EXHIBIT B



MICHAEL F. DONNER
PARTNER
CHAIR, BUSINESS LITIGATION PRACTICE GROUP
DIRECT DIAL (415) 995-5025
DIRECT FAX (415) 995-3591
E-MAIL mdonner@hansonbridgett.com

VIA E-MAIL

dsilverman@reubenlaw.com
mas@reubenlaw.com

David Silverman
Melinda Sarjapur
Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104

Re: Property: 2226 Green Street
Project Sponsors: John Stalder and Meghan Laffey
Project: Proposed Fifth Floor "Outdoor Living Room"
Planning Case No.: 2016.12.08.4465
Initial Hearing Date: March 2, 2017
Continued Hearing Date: April 2, 2017

Dear David and Melinda:

Last Thursday, the Planning Commission continued its March 2, 2017 hearing on the six discretionary review ("DR") applications relating to the Project. It did so with instructions to the parties to meet-and-confer regarding reductions in the scope of the proposed fifth floor "outdoor living room." We write as a follow up to that initial hearing and to invite you to commence a dialogue with us aimed at resolving the parties' differences so they might reach an agreement prior to the continued hearing on April 2, 2017. As we represent only the Borsettis, we are authorized to speak only for them.

During last Thursday's initial hearing, President Hillis and Commissioners Johnson, Moore and Richards each stated on the record that they wanted to see the Project significantly decreased in size. Commissioner Richards asserted, in particular, that he thought the "outdoor living room" should be reduced by half, "if not more." Several of the Commissioners rejected as inadequate a last minute proposal by the Project Sponsors' architect to shave about a third of the deck's square footage from the Project.

The Borsettis would be willing to withdraw their DR application, and to support the Project, provided that the following changes are made to the Project's proposed design and provided that the following reasonable conditions of approval are imposed:

1. The Project's plans and drawings are revised, and the "outdoor living room" is constructed, consistent with the perimeters set forth in the attached schematic. We believe these perimeters address the Commissioners' articulated concerns.
2. The Project Sponsors remove the approximately 10 inches they added, without permits or approvals, to the height of the roof level and -- prior to the commencement of construction of

David Silverman
Melinda Sarjapur
Reuben, Junius & Rose, LLP
March 7, 2017
Page 2

the "outdoor living room" -- restore that level to its previously-existing height.

3. The Project Sponsors install railings that are 42 inches in height (as measured from the restored roof level) and that are fully transparent (without any solid curb or parapet).

4. The Project Sponsors install railings for the stairway that are fully transparent (without any solid curb or parapet).

5. The Project Sponsors provide the Borsettis' consultants with reasonable access to the roof during construction to ensure compliance with the parties' agreement. The consultants will provide proof of insurance and indemnify the Project Sponsor for any damage or injury caused by them during any such inspection.

6. The Project Sponsors agree to the following conditions of approval of any permit relating to the Project:

- a. No cooking facilities or furnishings, sink or fire pit in any location on the roof.
- b. No dining facilities or furnishings in any location on the roof.
- c. No plants or shrubbery in any location on the roof.
- d. Reasonable use, noise, artificial light, time of day, and number of persons restrictions on the roof.

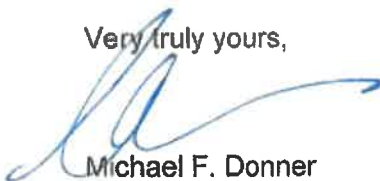
7. The Project Sponsors agree that the foregoing terms and conditions shall be covenants running with their land; shall be binding on successor owners; and shall inure to the benefit of success owners of the Borsettis' property.

8. The Project Sponsors and the Borsettis shall enter into a mutually-agreeable memorialization of their agreement and record it against the Property in the Official Records of the San Francisco Recorder's Office.

Please let us know if these terms and conditions are acceptable. We look forward to working with you.

If you have any questions, please feel free to call me.

Very truly yours,



Michael F. Donner

Attachment

cc: Mike and Kristen Borsetti (Via E-Mail)

1 2 3 4 5
4'-10 1/2" 25'-1 1/2"

A

<E> SCUPPER TO
DOWN SPOUT

4TH FLR
BALCONY
BELOW

B

C

ROOF

KEY

AFF
RD:
ASS
R 6"
(2)
TYP

D

5'-0"

ROOF DECK
STONE PAVERS

+42'-7"

SHT
ONE
10/
TAL
ORT
TEM

AFF
RD:
ASS
R 6"
(1)
TYP

E

ROOF

EXHIBIT C



GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 941123

PERSPECTIVES

REVISIONS	BY
SITE PERMIT SET	
12/7/19	
SITE PERMIT SET	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/07/2016	
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REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
12/8/2016	
SITE PERMIT SET	
REVISION 5	
5/20/2017	

Date 3/20/2017

Scale AS SHOWN

Drawn PD, EE

Job 1517

Sheet

A0.1

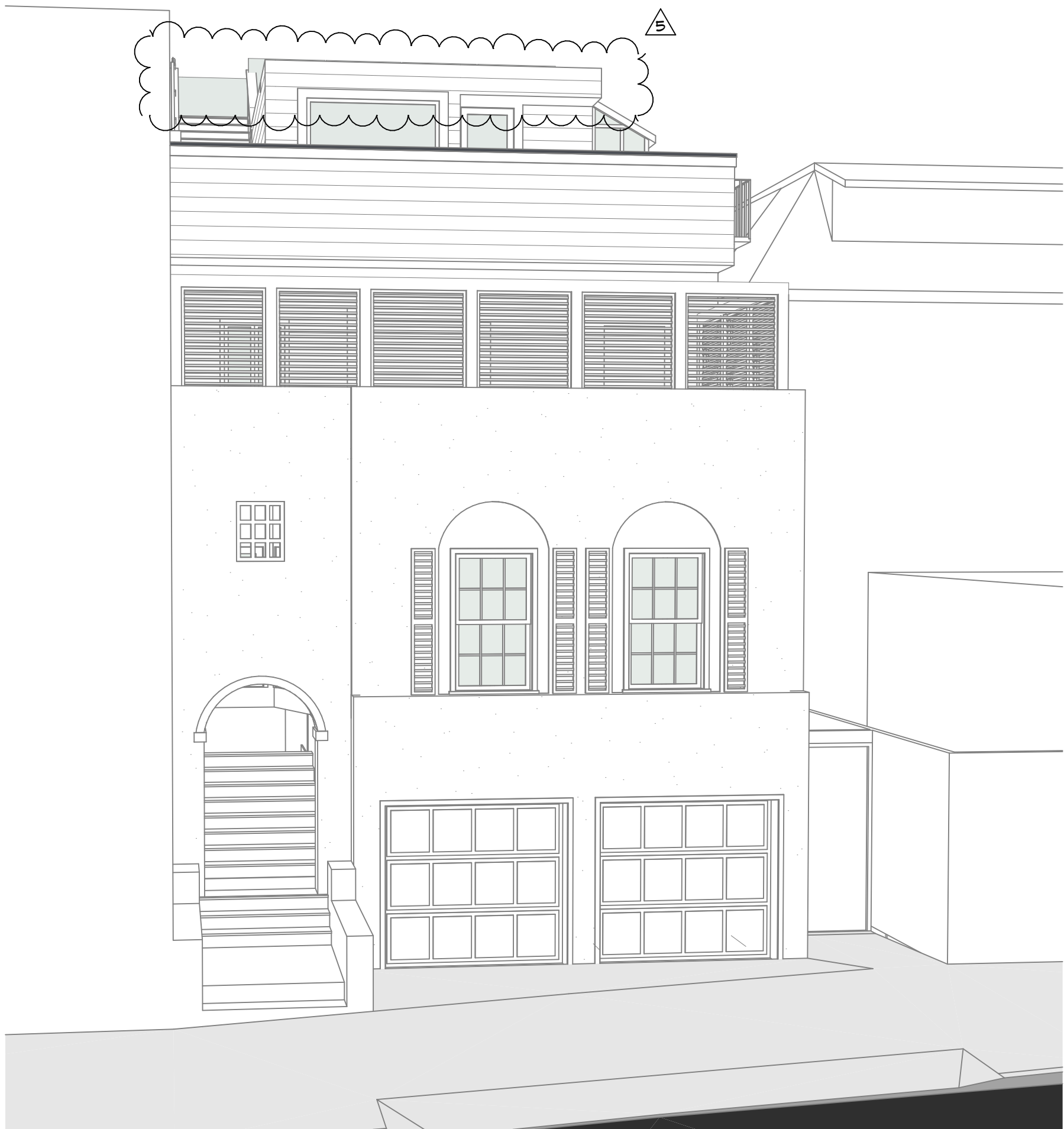
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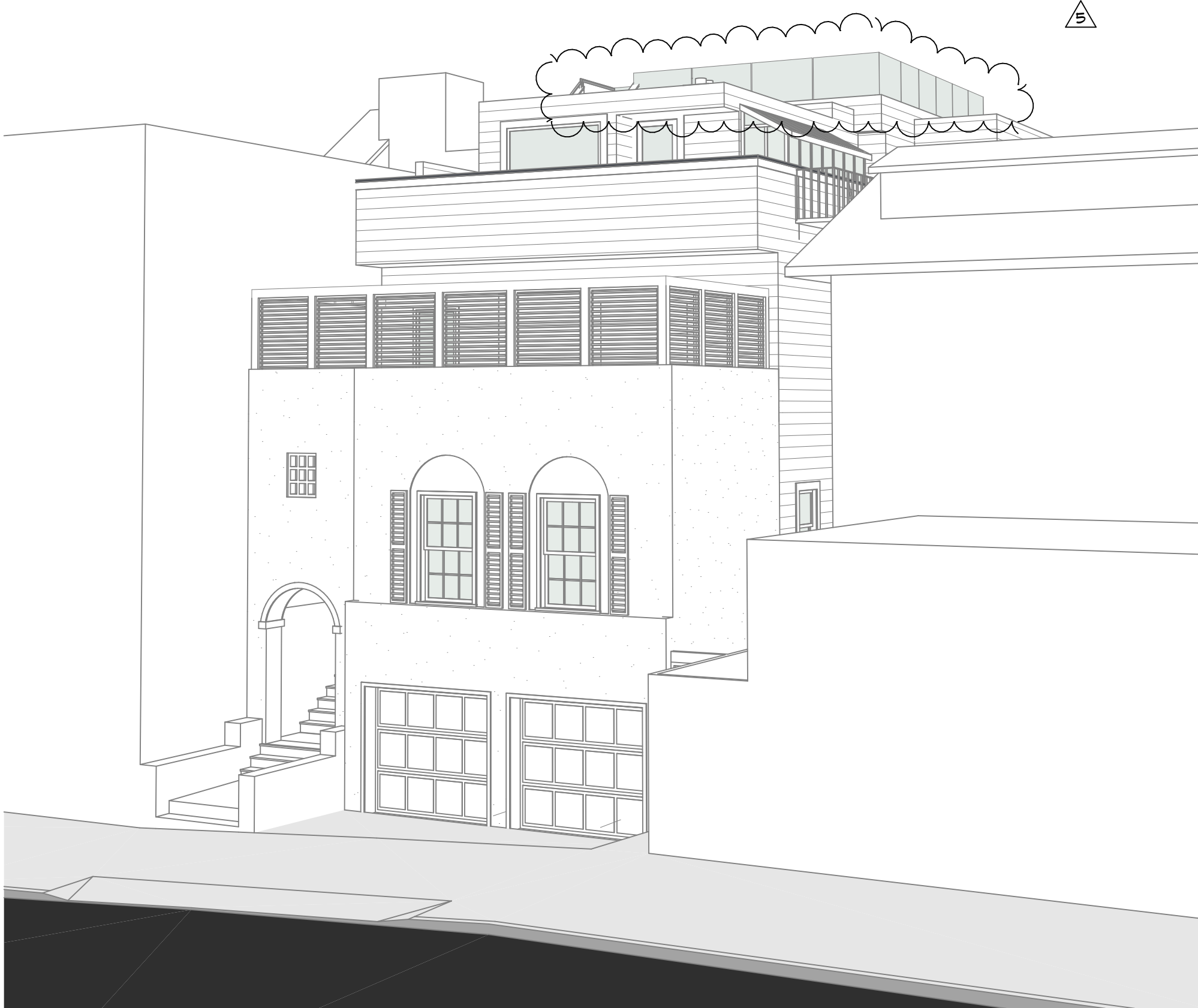
④ EXISTING STREET VIEW



③ EXISTING SOUTH-EAST FRONT VIEW



② PROPOSED STREET VIEW

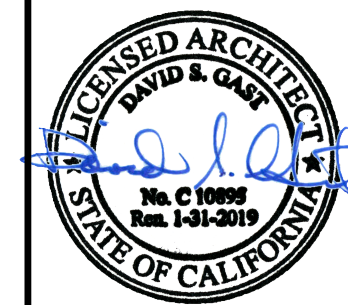


① PROPOSED SOUTH-EAST FRONT VIEW



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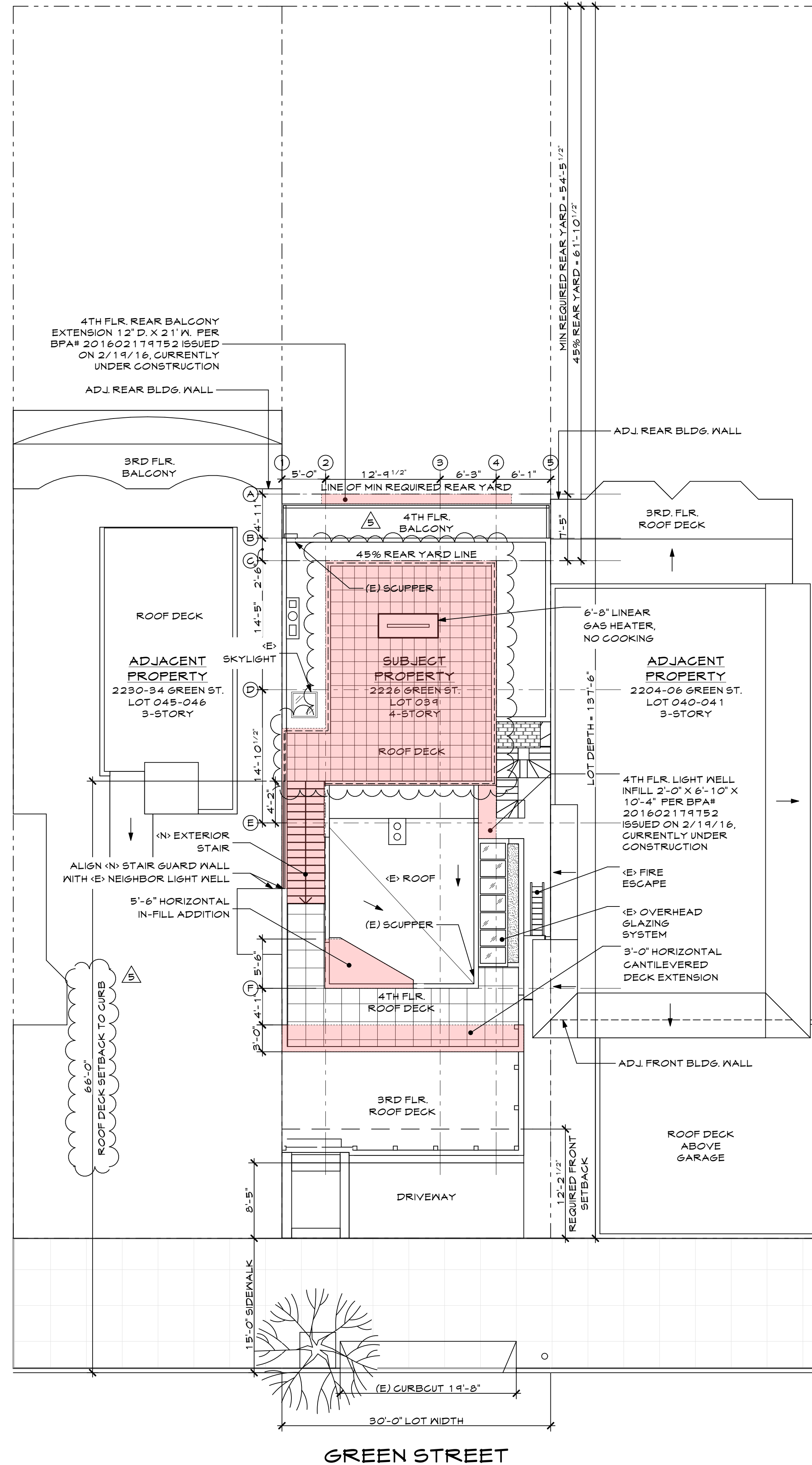


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RESIDENCE
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SAN FRANCISCO, CA 941123

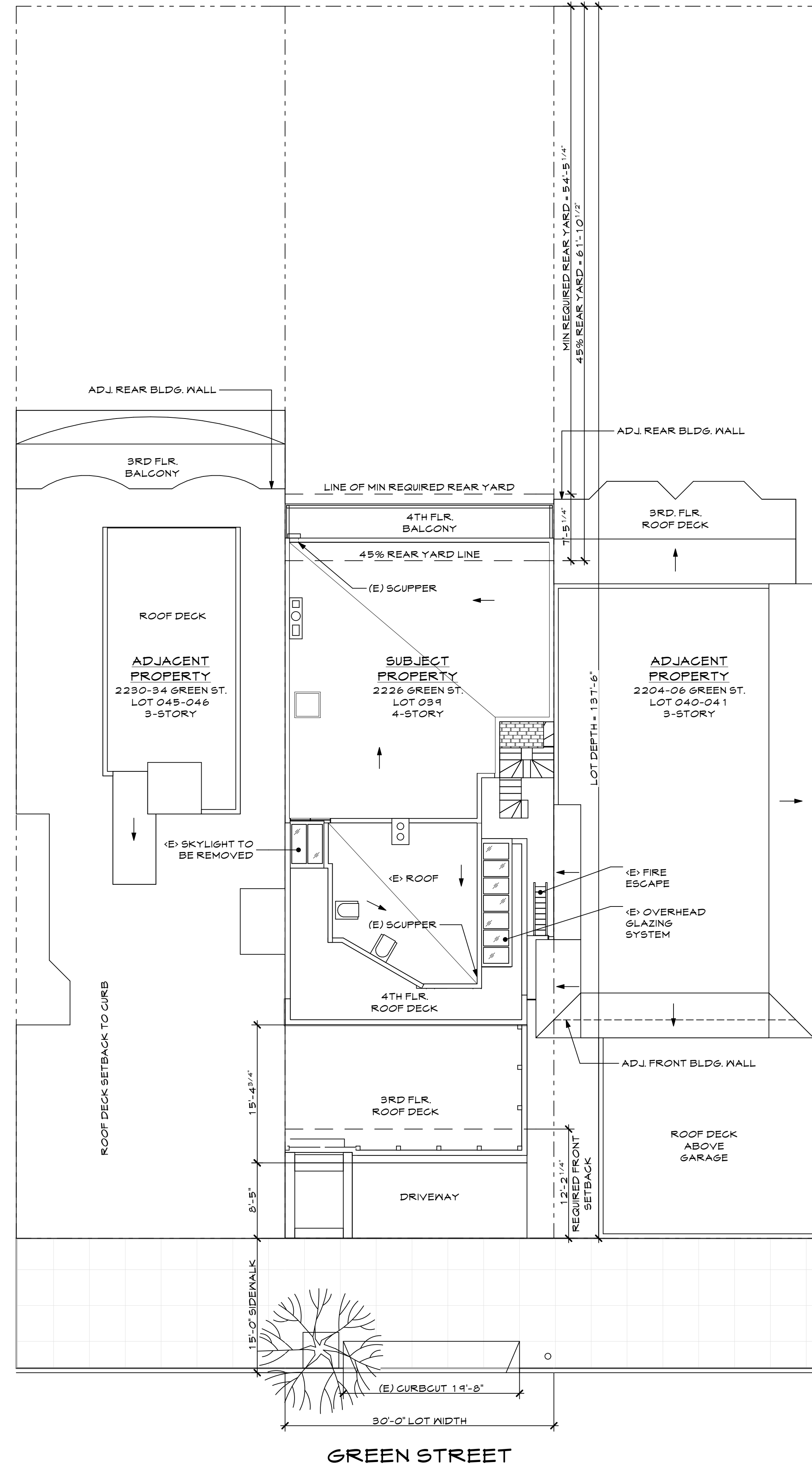
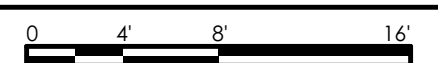
(E) & (N) SITE PLANS

REVISIONS	BY
SITE PERMIT SET	
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REVISION 2	
REVISION 3	
REVISION 4	
REVISION 5	

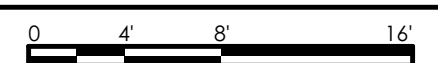
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Job	15117
Sheet	A 1.0
Of	Sheets



2 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

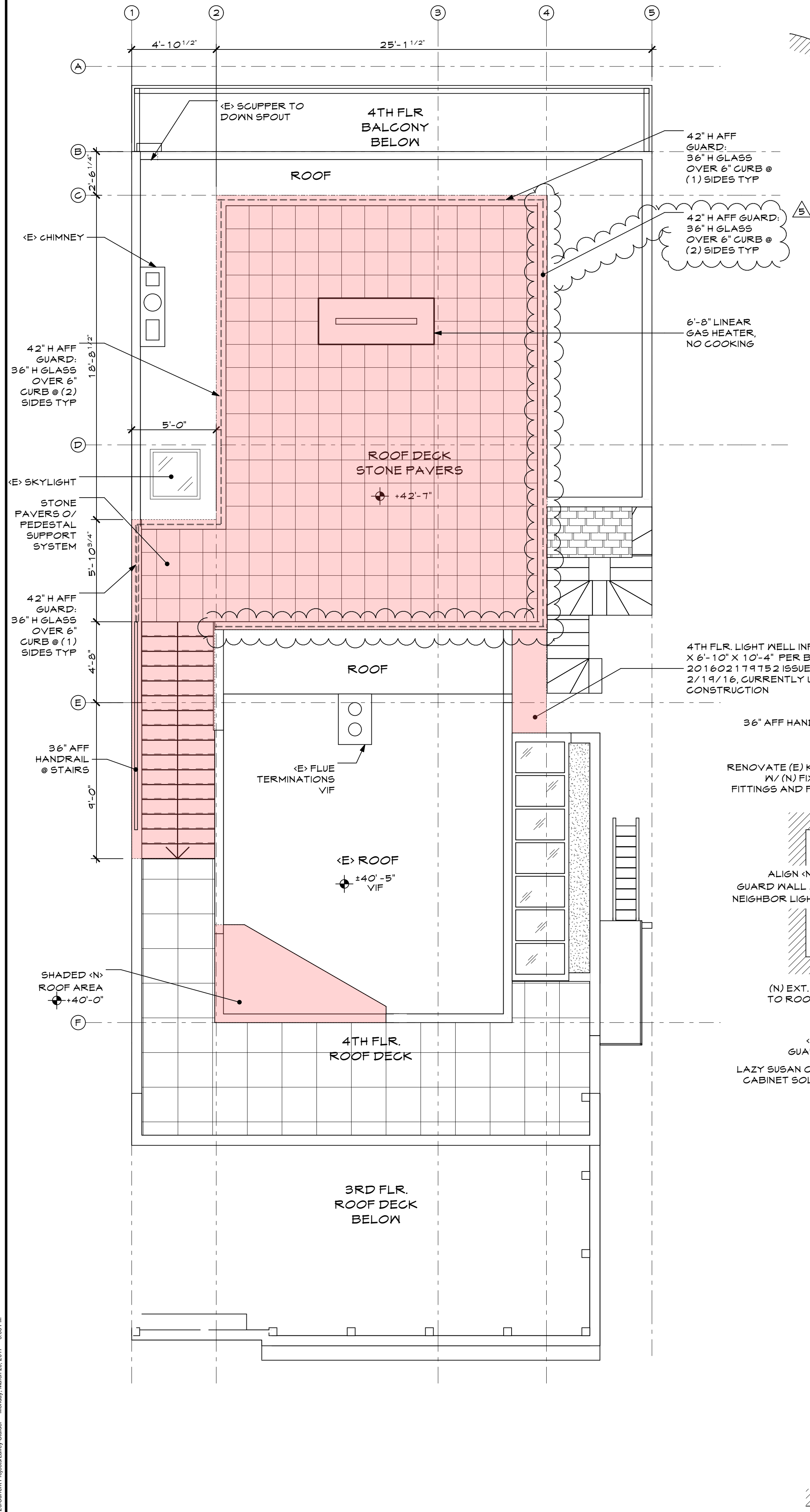


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3

ROOF PLAN

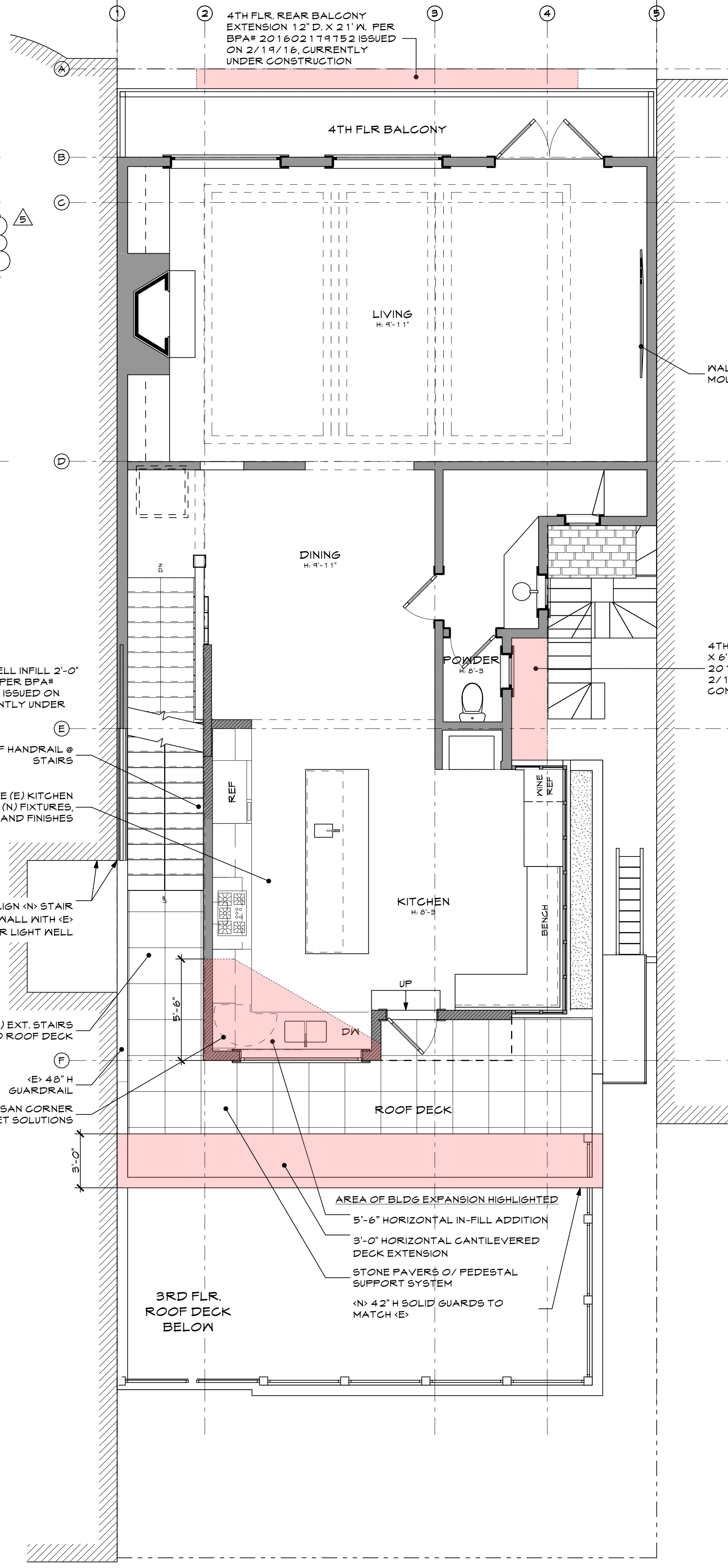
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2

<E> FOURTH FLOOR

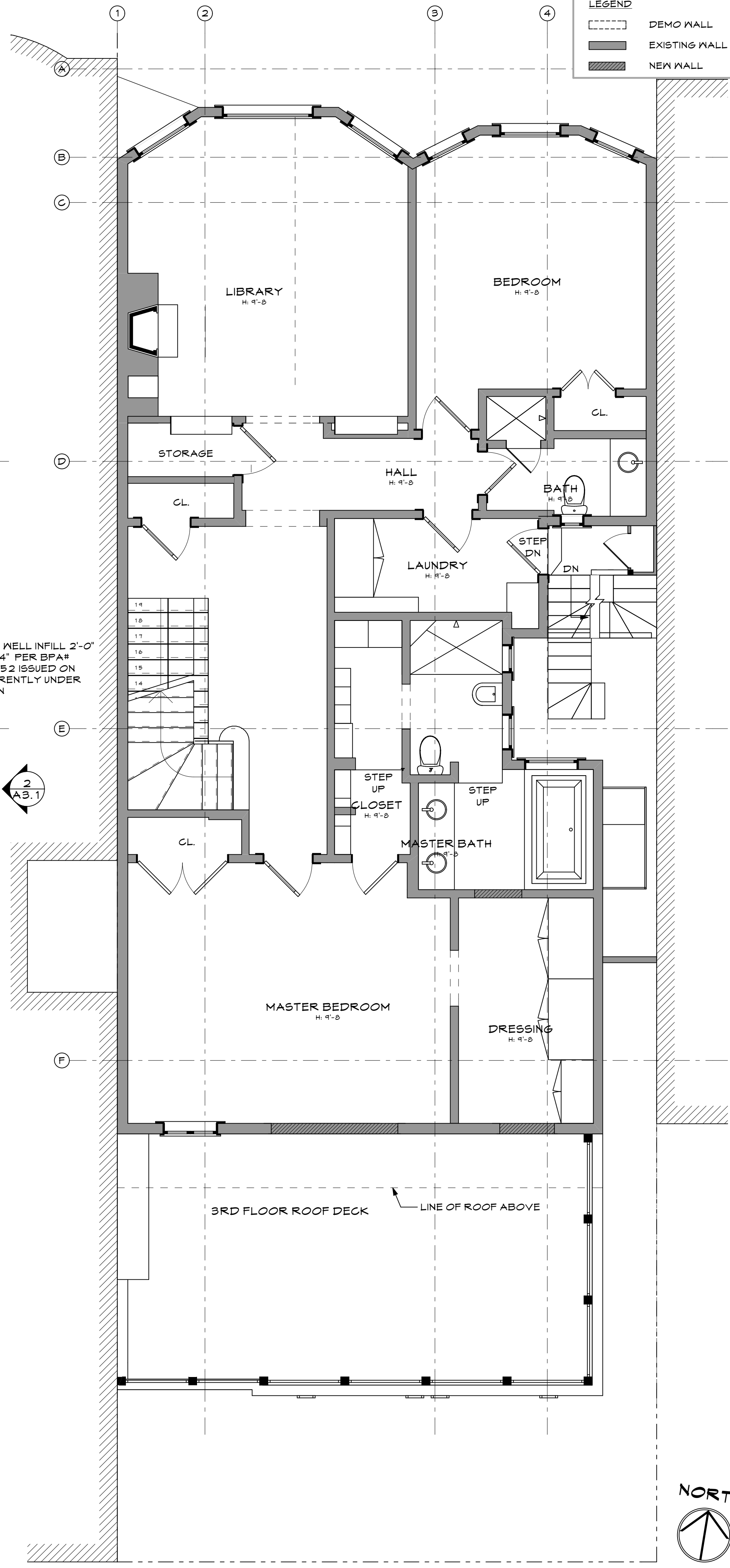
SCALE: 1/4" = 1'-0"



1

<E> THIRD FLOOR

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

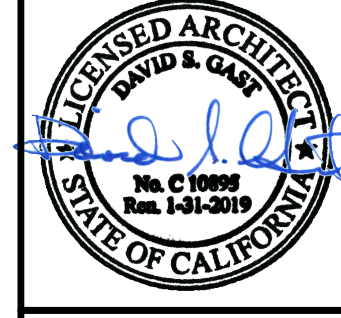


LEGEND
- - - DEMO WALL
- - - EXISTING WALL
- - - NEW WALL



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PROPOSED FLOOR PLANS

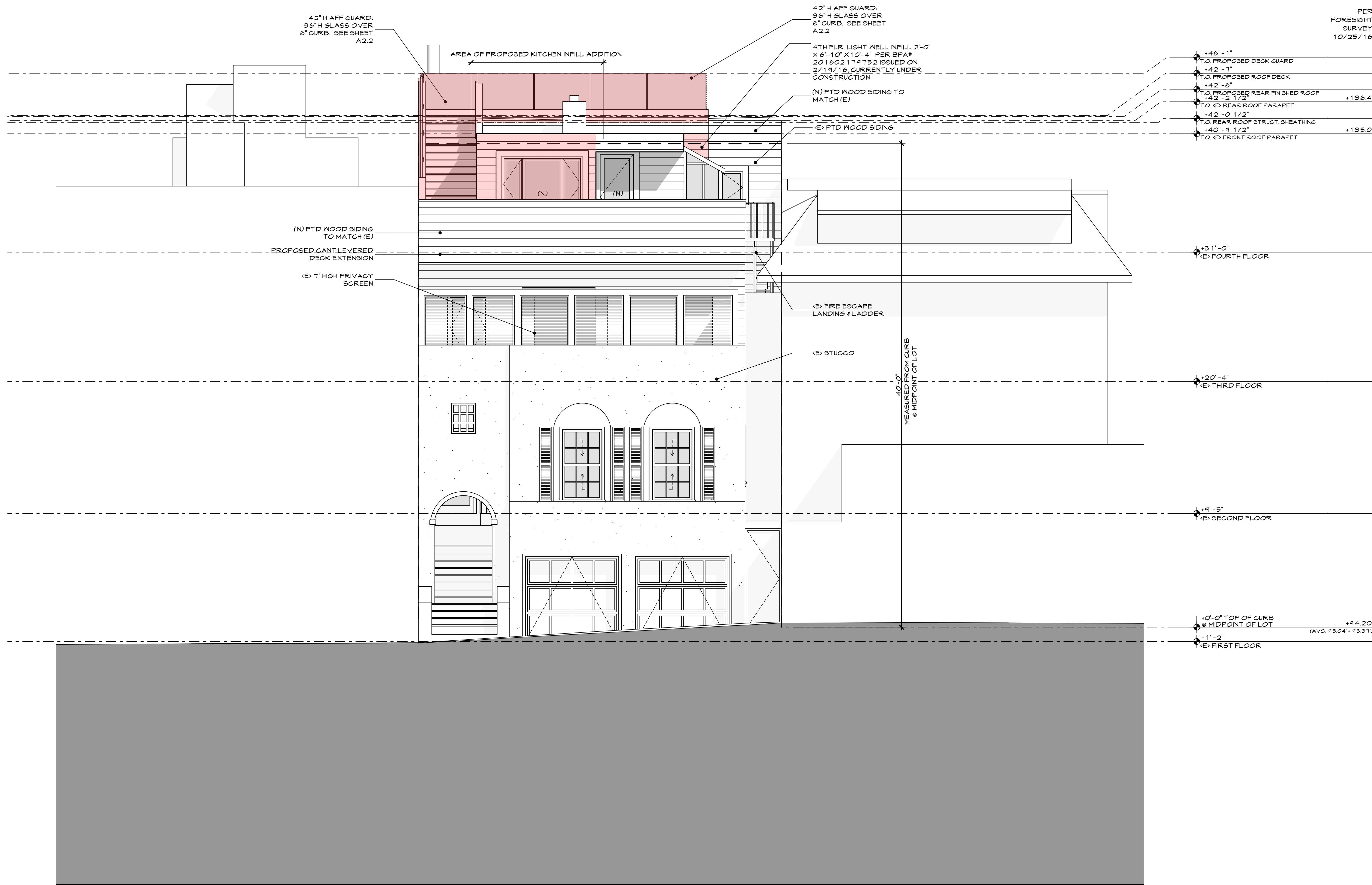
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REVISION 4	12/8/2016
SITE PERMIT SET	REVISION 5
REVISION 5	5/20/2017

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Job	1517
Sheet	A2.2
Of	Sheets



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① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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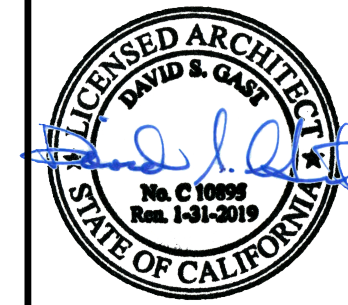
PROPOSED ELEVATION

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5/20/2017	
Date	3/20/2017
Scale	AS SHOWN
Drawn	PD, EE
Job	1517
Sheet	A3.5
Of	Sheets



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RESIDENCE
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SAN FRANCISCO, CA 94113

PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET	
12/7/19	
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SITE PERMIT SET	
REVISION 5	
5/20/2017	

Date 3/20/2017

Scale AS SHOWN

Drawn PD, EE

Job 1517

Sheet

A3.6

Of Sheets

PER
FORESIGHT
SURVEY
10/25/16

+46'-1"
T.O. PROPOSED DECK GUARD
+42'-7"
T.O. PROPOSED ROOF DECK
+42'-6"
T.O. PROPOSED REAR FINISHED ROOF
+42'-2 1/2"
T.O. REAR ROOF PARAPET
+42'-0 1/2"
T.O. REAR ROOF STRUCT. SHEATHING
+40'-9 1/2"
T.O. REAR ROOF PARAPET

+31'-0"
REAR FOURTH FLOOR

+20'-4"
REAR THIRD FLOOR

+9'-5"
REAR SECOND FLOOR

+0'-0" TOP OF CURB
@ MIDPOINT OF LOT
+94.20'
(AVG. 95.04' + 93.37')
-1'-2"
REAR FIRST FLOOR

30'-0"
MEASURED FROM CURB
@ MIDPOINT OF LOT

REAR ENTRY WALL

REAR PRIVACY
SCREENS

3'-0"

3'-0" HORIZONTAL
CANTILEVERED
DECK EXTENSION
AGAINST ADJ. BLDG.

5'-6" HORIZONTAL
IN-FILL ADDITION,
PTD WOOD SIDING
TO MATCH (E)

10'-0"

12'-2 1/4"
FRONT SETBACK

REAR HANDRAIL

DASHED LINE OF REAR
EXT. ROOF DECK
STAIR BEYOND

ALIGN REAR STAIR GUARD WALL
WITH REAR NEIGHBOR LIGHT WELL

REAR LIGHT WELL @
ADJ. PROPERTY

REAR BLIND WALL SHEATHING

42" H AFF. GUARD:
36" H GLASS OVER 6"
CURB. SEE SHEET A2.2

42" H AFF. GUARD:
36" H GLASS OVER 6"
CURB. SEE SHEET A2.2

REAR FIREPLACE CHIMNEY

42" H AFF. GUARD:
36" H GLASS OVER 6"
CURB. SEE SHEET A2.2

2'-6"
ROOF SETBACK

4TH FLR. REAR BALCONY
EXTENSION 12' D. X 21' W. PER
BPA# 201602179752 ISSUED
ON 2/19/16, CURRENTLY
UNDER CONSTRUCTION

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





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SAN FRANCISCO, CA 94113

PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET	
REVISION 1	
SITE PERMIT SET	
REVISION 2	
SITE PERMIT SET	
REVISION 3	
SITE PERMIT SET	
REVISION 4	
SITE PERMIT SET	
REVISION 5	

Date 3/20/2017

Scale AS SHOWN

Drawn PD, EE

Job 1517

Sheet

A3.7

Of Sheets

PER
FORESIGHT
SURVEY
10/25/16

- +46'-1" T.O. PROPOSED DECK GUARD
- +42'-7" T.O. PROPOSED ROOF DECK
- +42'-6" T.O. PROPOSED REAR FINISHED ROOF
- +42'-2 1/2" T.O. REAR ROOF PARAPET
- +42'-0 1/2" T.O. REAR ROOF STRUCT. SHEATHING
- +40'-9 1/2" T.O. REAR FRONT ROOF PARAPET

+31'-0" E FOURTH FLOOR

+20'-4" E THIRD FLOOR

+9'-5" E SECOND FLOOR

+0'-0" TOP OF CURB @ MIDPOINT OF LOT +94.20'
-1'-2" E FIRST FLOOR (AVG. 95.04' ± 93.37')

E FIREPLACE CHIMNEY & MECH FLUE TERMINATIONS

42" H AFF GUARD: 36" H GLASS OVER 6" CURB. SEE SHEET A2.2

42" H AFF GUARD: 36" H GLASS OVER 6" CURB. SEE SHEET A2.2

4TH FLR. REAR BALCONY EXTENSION 12' D. X 21' W. PER BPA# 201602174752 ISSUED ON 2/19/16, CURRENTLY UNDER CONSTRUCTION

E PTD WOOD SIDING

E 6'-0" H PROPERTY LINE FENCE TYP

E SIDE PASSAGE OPENING TO STEPS BEYOND

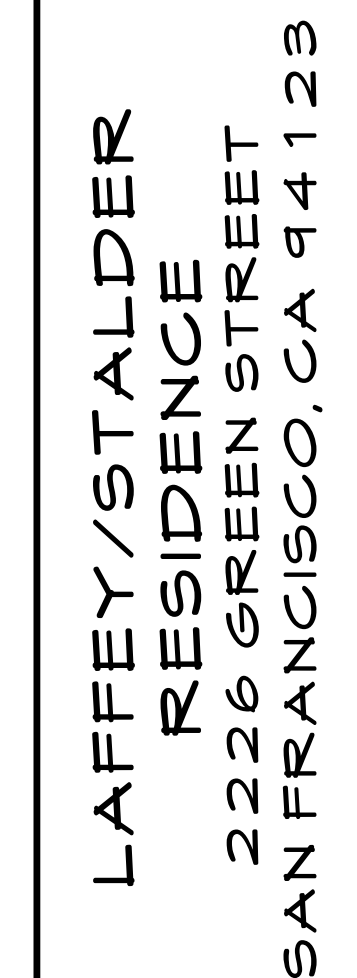
1 NORTH ELEVATION

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





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PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET 12/7/15	
SITE PERMIT SET REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
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SITE PERMIT SET REVISION 5 3/20/2017	

Date 3/20/2017

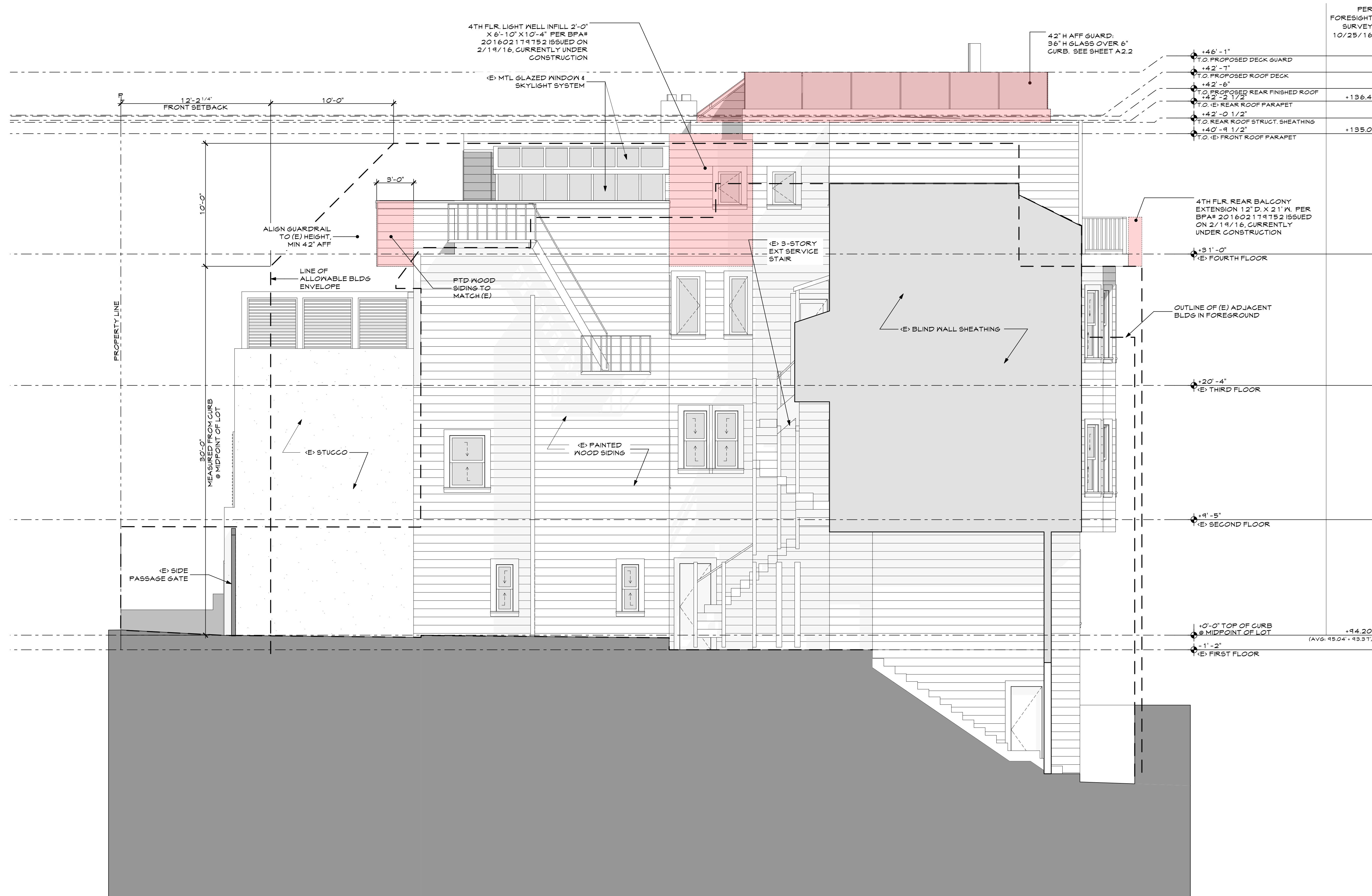
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Drawn PD, EE

Job 1517

Sheet

A3.8



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

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WINI Server: C42K8BM - BIM Server 20Current Projects:Laffey-Stalder Monday, March 20, 2017 3:00 PM

March 25, 2017

To the San Francisco Planning Commission and Planning Department
RE: 2226 Green Street Roof Deck
Submitted by Barbara J. Lawrence, DR Filer

I feel strongly that the roof deck proposed should conform to others in the neighborhood. If you walk down the hill from Broadway and Divisadero Streets to 2226 Green, you will see that houses in this neighborhood have small roof **observation** decks with very few amenities. Most have 100% transparent walls. According to the *SF Residential Design Guidelines* (December 2003, pg. 3) "...it is important that the design of new buildings and renovations to existing buildings be compatible with nearby buildings." No other house in this neighborhood has an entertainment roof deck. This will change the character of our neighborhood because the project sponsors have been very open that they plan to use it extensively for parties. We do not want our quiet neighborhood changed in this way solely for the benefit of one family. This entertainment deck would be appropriate for a restaurant or public area. To quote Jane Jacobs,

First, there must be a clear demarcation between what is public space and what is private space. Public and private spaces cannot ooze into each other as they do typically in suburban settings or in projects. (The Death and Life of Great American Cities)

This couple, new to San Francisco, will probably realize very quickly that unlike the Peninsula, the Mission District or Downtown, Pacific Heights gets a lot of fog which rushes in daily through the Golden Gate. My fear is they will then install large heaters in order to make the deck usable in SF weather. The house already has 3 large decks, 2 on the south side and one on the north side. These extend their living room and kitchen to outdoor entertaining areas. The roof deck would be in addition to those. The project sponsors also have a 1600 square foot backyard.

I have emailed back and forth with Meghan Laffley. She offered to reduce the deck size by about 20%. We would like to see it reduced by at least 50% of what was presented in the 311. The Planning Commission asked that they reduce the area significantly. 20% is not enough. They have though removed the shrubbery and dining room furniture from the new plans. That seems like a good compromise. I would like that change made in writing.

The project sponsors have refused to meet me at the site. I have met with them offsite 2 times and feel it would be beneficial to meet onsite. I have offered to sign a liability release form.

The project sponsors have refused to use a 100% transparent wall for the roof deck, citing cost as the reason. Additionally, I have asked them to do the following, which they have refused to do:

- Remove all the plumbing (i.e. gas fixtures) for fireplaces and cooking from the roof plans.
- Remove the 10 inches of height to the roof they added without a permit and which makes the roof well above the height limit of the neighborhood.
- Make the railings on the outside stairs fully transparent.

March 27, 2007

San Francisco Planning Commission

Re: Project: 2015-018164DRP-06, 2226 Green Street Project Sponsors, Discretionary Review
Abbreviated Analysis Hearing Date March 2, 2017, reheard on 4/6/17

On the hearing, the Commission suggested that it be a roof deck rather than an “outside Livingroom” and the Commission said it should be reduced by 50%. Yet, no public minutes are available.

First, on the March 21, 2017 letter from the Stalder's lawyer, Melinda Sarjapur, said that “Since that date, John and Meghan have attempted to reach out to each of the DR Requestors to discuss the project and desired modifications...” As one of the DR Requestors I have not had any communications from John and Meghan, either by phone or email to discuss the project.

In the March 21, 2017 letter, it still has furniture, kitchen, gas, and lights. I’m afraid that it contributes to light and sound pollution. Also, it does not reduce the area 50% of the original proposal (now approximately 23% reduction).

I would like to be contacted and consulted by John and Meghan, being I am one of the requesters, if they are forthcoming I will have no objections if it was what was discussed in the hearing being a Roof Deck, rather than an outside living room:

- No permanent kitchen and furniture, as the kitchen appliances are not “fully transparent.”
- No lights, and gas connections
- Reduce area by 50% of the original Roof Project, right now is approximately 23% reduction
- Have the Guard adjacent to the stairs, be fully transparent
- Also have a covenant for the property to indicate that the deck will not be expanded in the future

I also approve, if it’s still in the proposal, i.e.

- Roof railings are fully transparent

Regards,

Christopher A. Lawrence, 2231 Green St. San Francisco, 408-921-1513

Janine Shiue
Janine.shiue@gmail.com
408 506-9868

March 27, 2017

Re: Project: 2226 Green Street ,
Hearing Date: April 6, 2017

Dear President Hillis and Commissioners :

I, Janine Shiue, am the owner of 2243 Green Street, a condo that sits across the street from the proposed project of 2226 Green Street. I oppose the building permit application that is the subject of this Discretionary Review hearing and urge you to deny the application for having a 5th floor roof deck living room completely.

With the application, the project sponsor seeks approval to construct a massive 5th floor roof deck living room on top of a **not complied** building. **The Project should be denied completely, rather than allowing them to build with reduced size** because of the following reasons:

- **Project sponsors were not open and sincere to talk and work out alternatives. Being good neighbors should not be about playing games and hiding key facts by being unwilling to meet on site with the architect.** They refused my request to meet on site with the architect supported by solid reasons that I explained to them and shared with them the fact that PHRA encouraged all parties involved to meet in person and on site to reach a resolution. After March 6 hearing, I tried to contact project sponsor many times and basically offered any day and any time to meet for about a week time frame and hoped that by me sincerely offering my flexibility to meet them, we can have some honest and open discussion. I gave very specific reasons for why we need to meet on site and with the architect, but they just kept playing games by going around in circles, and insisting that they only want to meet in a coffee shop, and do not want me to have the opportunity to meet the architect directly on site to clarify my questions and concerns raised from the call I had with the architect in last September, before we can continue working out alternative resolution.
- **Project sponsors and their architect misrepresented heights of the building throughout the process and did not disclose fully and truly the existing plan. To me, they seem to exercise double standards to mislead calculation of allowance. The type of misrepresentation of key facts such as "height" is really mind boggling and unethical.** In their plan, they had the existing building height at over 40 feet, however they made planner to believe that the extra several feet that were over the 40 feet limit came from just "parapet", and therefore did not need to count as building height. The building height showed in original 311 was only 39'8". By somehow putting their building under 40 feet, put them in a very different set of codes to get approval than if the fact of height was disclosed correctly as over 40 feet, to be approved under "not complied" building. In reality, there was not much parapet at all, the project should never have 39'8" as building height on 311 and being treated as complied building. The excuse given by the architect during last hearing was that the mistake was caused by using a laser tape to measure by hand. If the architect could easily see that there is not much parapet on existing building, and the architect had the height marked at over 40 feet in the plans, it is really hard not to know already without even using any measuring method that the existing building was a "Not complied" building that is already way over 40 feet. The tricky part is when it comes to cover up the extra 10+ inches they added to the roof height before permit

approval, they tried to get away from the violation by explaining the added height was within 6 inches allowance. And now they use total height including parapet as total building height comparison. On 311 notice, they don't count parapet as part of total building height but when calculating 6 inches allowance, they do count parapet as part of total building height. There is no way their explanation and excuse of having wrong height can be found valid and convincing.

- **Project sponsors' continuous violation is very troublesome and hard to believe. There is no way that all the violation comes from just the contractor's idea without project sponsors' consent. Why should they be allowed for any 5th floor roof deck living room with this kind of behavior ?**
- **Project sponsors already have tons of outdoor space even without the 5th roof deck living room, because they will expand both south side 3th and 4th floor deck and north 4th floor balcony, and we have no problem for them to increase those areas. Why do they need more even more space by taking away privacy of their neighbors ? Why can't they appreciate that we agreed with their expansion in all areas except the 5th roof deck living room.**
- **Project sponsor claims many other neighbors have roof deck, why can't they ? The main difference is their building is not complied (way of 40 feet) versus other neighbors that have roof deck all have their building under 40 feet.** Hopefully commissioners can see this key difference when given consideration of whether they just need to reduce size to similar as other neighbors who have roof deck, or whether they should not be granted for any 5th floor roof deck that is sitting on a building way over 40 feet already.
- **Project sponsors failed to work with us on alternatives that reduces size by at last 50% and putting it in the NW corner.** The first time I see any proposal from project sponsor is just one day ago indirectly from an email sent to all other DR requestors but me from planner Sylvia. Why? This information shows not even close to a 50% reduction in size. **This confirms that the project sponsors were never sincere and open in trying to work out something with us. Instead, I just see game playing and facts hiding.**

To conclude, I understand the commissioners had hoped for us to work with project sponsors in coming to an agreed alternative resolution by reducing the deck size by at least 50% and by placing it at the northwest corner. Given the above reasoning and facts, I strongly believe the project sponsor should not get support in building a 5th floor roof deck at all. I hope you will deny their application of having 5th floor roof deck living room **completely**. However I understand if for some reason that 5th floor roof deck is not going to be deleted completely, I urge you to consider **the proposal from The Bosetti , plus asking the access to roof deck to be a "hatch" in the NW corner, rather than exterior stairs on the south side.** If the reduced deck is going to be in the NW corner, there is no reason they have the exterior stair from 4th kitchen to the 5th floor roof deck. By having the access as a hatch to the NW corner, it will greatly reduce the impact of privacy, noise and light for the neighbors on the Green street side since the consideration of location seemed to be given to the neighbors on the Fillmore side, by eliminating the access on the south side close to Green street will help a lot for the neighbors on the Green Street side. Project sponsors did not allow me the opportunity to speak with their architect directly on site, so I could not clarify questions I had from talking to their architect over the phone last September. Because project sponsor refused to meet on site, I do not get a clear idea of what could work and what could not work out as alternative design that we all can agree on. We could have precise and effective discussion if project sponsors are willing to meet with me and their architect on site. But as we stand now, many things are probably our best guess in terms of facts and alternative resolution since we were never able to see the site and talk to the architect directly.

If you have any question, feel free to call me.

Best regards,

Janine Shiue

MICHAEL F. DONNER
PARTNER
CHAIR, BUSINESS LITIGATION PRACTICE GROUP
DIRECT DIAL (415) 995-5025
DIRECT FAX (415) 995-3591
E-MAIL mdonner@hansonbridgett.com



March 27, 2017

VIA HAND DELIVERY

San Francisco Planning Commission
Attention: Rich Hillis, President
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Project: 2226 Green Street
Project Sponsors: John Stalder and Meghan Stalder
Planning Case No.: 2016.12.08.4465
Original Hearing Date: March 2, 2017
Continued Hearing Date: April 6, 2017

Dear President Hillis and Commissioners:

We write on behalf of Mike and Kristen Borsetti as a follow-up to the Commission's March 2, 2017 hearing on their Request for Discretionary Review of the Project.

I. WHERE WE HAVE BEEN

A. Recap of the Project and the Borsettis' Opposition.

The Project Sponsors seek approval to create a new fifth floor atop their condominium, a self-described "outdoor living and dining room," surrounded by a four foot curb, windscreen, and guardrail. The Borsettis' home is about 30 feet from the Project. The Borsettis' bedrooms and decks will look directly into the proposed "outdoor living and dining room."

To recap, the Borsettis oppose the Project because:

- It will further extend – to 46 feet – the height of a building that **exceeds** the District's 40 foot height limit. The Project Sponsors already have exacerbated the building's nonconformity by increasing the height of the existing roof level by 10 inches under the guise of a prior permit for "internal structural upgrades." But that permit allowed them to raise the roof level a few inches, not 10 inches.

- The "outdoor living and dining room," at nearly 700 square feet, is grossly oversized and inconsistent with neighborhood context and styles. It would increase the total square footage of all decks and balconies at this single condominium to about 1,500 square feet. The condominium already has 800 square feet of existing decks and balconies and 1,600 square feet of private rear yard. **How much deck does one condominium truly need?**

- The Project Sponsors say that the deck will be an outdoor party and entertainment space. That party space and its dining and living room areas, screening

shrubby, and gas burning barbeque and fire pit will impose significant privacy, noise, smoke, smell, light, and wind impacts on the Borsettis. **The Project looks directly into the Borsettis' bedrooms and most private spaces.**

- Approval of the Project would reward the Project Sponsors for repeatedly undertaking construction without permits (including parts covered by this Discretionary Review), leading DBI to issue them three Notices of Violation and a Stop Work Order. DBI confirmed that, as of today's date, these violations have **not** been corrected.

Before the Borsettis filed their Discretionary Review Request, they invited the Project Sponsors to collaborate and jointly develop a compromise solution. However, the Project Sponsors refused to engage in any meaningful negotiations.

B. The Commission's March 2, 2017 Hearing.

The Commission's March 2, 2017 hearing commenced late in the evening at the end of an especially long calendar. Following the parties' presentations and considerable comment by the Commissioners, the Commission voted to continue the hearing until April 6, 2017. It did so with express instructions to the Project Sponsors to (1) "**significantly**" reduce the size of the Project and (2) negotiate with Discretionary Review Requestors regarding the scope of that reduction.

Notably, during the hearing, the Commission rejected as inadequate a last-minute proposal by the Project architect to shave about a third of the square footage from the Project (200 out of 700 total square feet). President Hillis said that he thought the Project should be reduced **by "half."** Commissioner Richards asserted that he thought it should be reduced by **"half, if not more."** Commissioner Moore suggested that it should be reduced even further. President Hillis and Commissioners Moore, Johnson, and Richards also articulated concerns about the Project's impacts on neighbors, including the Borsettis who were closest to it.

C. Post-Hearing Discussions.

The Borsettis took the Commission's mandate seriously. Immediately after the hearing, on the steps of City Hall, the Borsettis approached the Project Sponsors and invited them to collaborate on a compromise solution. The Project Sponsors said they would be back in touch.

When the Borsettis did not subsequently hear from the Project Sponsors, they directed their counsel to send a March 7, 2017 written proposal to the Project Sponsor's counsel, a copy of which is attached hereto as Exhibit A. In that proposal, the Borsettis outlined certain proposed size reductions and use restrictions the Borsettis would be willing to accept.

On March 15, 2017, one of the Project Sponsors, Meghan Stalder, met the Borsettis at a Starbucks. Their discussion was short and non-substantive. Ms. Stalder told the Borsettis that their March 7, 2017 proposal was unacceptable, and asked them if they had "even seen" their counsel's letter before it went out. Ms. Stalder did not identify any particular aspect of the Borsettis' proposal that she found wanting, and did not counter with her own proposal.

In a subsequent e-mail exchange with the Borsettis, Ms. Stalder promised to send revised plans for the Project by "early" the following week, but the Borsettis never received any such plans from her or the Project architect.

On March 21, 2017, the Project Sponsors' counsel sent the Borsettis' counsel a letter, a copy of which is attached hereto as Exhibit B. In it, counsel merely reiterated the same one-third reduction in deck size that the Commissioners previously rejected as inadequate during the March 2, 2017 hearing. The Project Sponsors' counsel dismissed all of the Borsettis' proposed use restrictions.¹

Subsequent discussions between counsel were unsuccessful in bridging the gap.

II. WHERE WE ARE NOW – THE BORSETTIS' PROPOSAL

Although the Borsettis believe the Project is inappropriate, they remain willing to refine the Project's design consistent with the Commission's instructions at the March 2, 2017 hearing.

To that end, the Borsettis propose the following:

REDUCTION IN SIZE

The Commission required the Project Sponsor to "significantly" reduce the size of the proposed deck. Several Commissioners opined that the deck should be reduced by half, if not by more. Commissioner Moore informally suggested that, as a starting point for discussion, the parties should consider using Grid Lines D and 4 on the Project plans as the deck's potential easterly and southerly perimeters.

The Borsettis are willing to adopt Commissioner Moore's recommendation, but with one slight modification: The Borsettis' believe that – if the deck is to be a party and entertainment space, as has been said – its easterly perimeter should be pulled further back and away from the Borsettis' bedrooms to a mid-point between Grid Lines 3 and 4 on the Project plans. Those perimeters are set forth in red in the schematic attached hereto as Exhibit C. Even reduced to these perimeters, **the deck still will be about 330 feet**, about half the proposed size. By decreasing the size of the Project Sponsor's proposed "outdoor living and dining room" in this manner, the privacy, noise, smoke, smell, light, and wind impacts on the Borsettis (and other neighbors) will be slightly reduced, but not eliminated.

¹ The Project Sponsors said the proposed restrictions were inappropriate because the Borsettis had their own fourth floor deck and an unfettered right to use it. (See Exhibit B.) Such a "tit-for-tat" rationale is rather petty (after all, the Borsettis are not before the Commission seeking a permit). However, to remove it as an impediment, the Borsettis **volunteered to impose on their own deck, as covenants running with the land, reciprocal restrictions that are identical to the ones they now seek for the Project**. The Project Sponsors did not respond to the Borsettis' offer.

CONDITIONS OF APPROVAL – REASONABLE RESTRICTIONS

The Project Sponsors said they would not agree to any restrictions of any kind. (See Exhibit B.) Their position is unreasonable. Limited use and related restrictions should be imposed as Conditions of Approval and reflected in a Notice of Special Restrictions to bind successor owners of their condominium.

For example, there should be a restriction on **future expansion of the deck**. Such a restriction would prevent the Project Sponsors or successor owners from undermining the Commission's decision here by later expanding the deck based on over-the-counter permits that do not require notice to neighbors (and therefore, no opportunity to challenge the issuance of the permit).² Therefore, the Commission should, as a Condition of Approval, prohibit all future expansion of the perimeters of the deck.

Additionally, reasonable use limitations should be imposed to address neighbor impacts – **particularly on the Borsettis who live only 30 feet away**:

1. The roof should be accessed and used for social and entertainment purposes only between the hours of 8:30 AM and 9:00 PM.
2. The roof should be accessed and used for repair and improvement purposes only on weekdays and Saturdays, between the hours of 8:30 AM and 5:00 PM.
3. No more than five persons should be allowed on the roof at any time, except as is necessary to complete repairs and construct improvements.
4. Artificial lighting on the roof should be directed downward and away from neighbors in a northerly direction only. It should be turned off by 9:00 PM following use of the deck for social and entertainment purposes.
5. No amplified sound or music should be permitted in or around the roof.
6. No fire pit or kitchen/cooking facilities or furnishings (including sinks, ovens or barbeques) should be permitted on the roof.
7. No plants or shrubbery exceeding one foot in height (as measured from the roof level) should be permitted on the roof.

² The need for this restriction is underscored by what happened at a neighboring property. In 2011, the owners of 2230 Green Street obtained an over-the-counter permit for the ostensible purpose of installing an elevator to an existing deck. However, they not only installed the elevator, they also nearly doubled the size of their deck from 250 to about 450 square feet. Neighbors were unaware of, and never had an opportunity to oppose, that expansion prior to its construction. And DBI refused to take any action after-the-fact.

CONDITION OF APPROVAL – RESTORATION OF PRE-EXISTING HEIGHT

The Project Sponsors have already increased the height of the existing roof level. They claim they added only 3.5 inches and that such work was performed pursuant to a permit for internal structural work. (See Exhibit B.) In actuality, however, the height increase was about 10 inches, not a mere 3.5 inches, and no permit authorized a roof level increase to that degree. The discrepancy between 10 inches and 3.5 inches is significant and cannot tenably be attributed to "harmless construction error," as has been claimed.

The Project Sponsors have refused to restore the roof level to 3.5 inches above the previously-existing height. (See Exhibit B.) The Commission should compel them to do so as a Condition of Approval.

If the Commission is unwilling to impose such a condition, then the roof's height should be minimized in keeping with the requirements of the Residential Design Guidelines. For example, the Commission could require the Project Sponsors, as a Condition of Approval, to employ extra fire-proofing material on the roof in lieu of parapets (which would exacerbate the height issue).

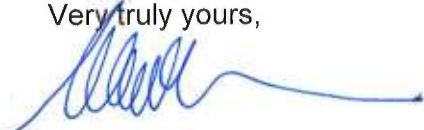
III. CONCLUSION

The Borsettis have repeatedly sought to informally resolve this matter without further Commission involvement. They actively engaged with the Project Sponsors and their lawyers. They asked them to jointly develop a compromise solution. And when the Project Sponsors remained silent, the Borsettis proffered their own detailed compromise solution in writing. The Project Sponsors rejected that solution and have not offered any meaningful counter-proposal that significantly decreases the size of the deck or addresses the Commission's or the neighbors' concerns.

The Borsettis again ask the Commission to not approve the Project. However, if the Commission is inclined to do so, the Borsettis request that the Commission adopt the Borsettis' proposal, as set forth herein. That proposal satisfies the Commission's previously-articulated mandate to reduce the size of the Project and offers reasonable restrictions to reduce its impacts.

If you have any questions, please feel free to call me.

Very truly yours,



Michael F. Donner

MFD/ih

Attachments

San Francisco Planning Commission
Attention: Rich Hillis, President
March 27, 2017
Page 6

cc: Elizabeth Watty, Team Leader (Via E-Mail)
Sylvia Jimenez, Planner (Via E-Mail)
Melinda Sarjapur, Project Sponsors' Counsel (Via E-Mail)
Mike Borsetti (Via E-Mail)
Kristen Borsetti (Via E-Mail)

EXHIBIT A

MICHAEL F. DONNER
PARTNER
CHAIR, BUSINESS LITIGATION PRACTICE GROUP
DIRECT DIAL (415) 995-5025
DIRECT FAX (415) 995-3591
E-MAIL mdonner@hansonbridgett.com

VIA E-MAIL

dsilverman@reubenlaw.com
mas@reubenlaw.com

David Silverman
Melinda Sarjapur
Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104

Re: Property: 2226 Green Street
Project Sponsors: John Stalder and Meghan Laffey
Project: Proposed Fifth Floor "Outdoor Living Room"
Planning Case No.: 2016.12.08.4465
Initial Hearing Date: March 2, 2017
Continued Hearing Date: April 2, 2017

Dear David and Melinda:

Last Thursday, the Planning Commission continued its March 2, 2017 hearing on the six discretionary review ("DR") applications relating to the Project. It did so with instructions to the parties to meet-and-confer regarding reductions in the scope of the proposed fifth floor "outdoor living room." We write as a follow up to that initial hearing and to invite you to commence a dialogue with us aimed at resolving the parties' differences so they might reach an agreement prior to the continued hearing on April 2, 2017. As we represent only the Borsettis, we are authorized to speak only for them.

During last Thursday's initial hearing, President Hillis and Commissioners Johnson, Moore and Richards each stated on the record that they wanted to see the Project significantly decreased in size. Commissioner Richards asserted, in particular, that he thought the "outdoor living room" should be reduced by half, "if not more." Several of the Commissioners rejected as inadequate a last minute proposal by the Project Sponsors' architect to shave about a third of the deck's square footage from the Project.

The Borsettis would be willing to withdraw their DR application, and to support the Project, provided that the following changes are made to the Project's proposed design and provided that the following reasonable conditions of approval are imposed:

1. The Project's plans and drawings are revised, and the "outdoor living room" is constructed, consistent with the perimeters set forth in the attached schematic. We believe these perimeters address the Commissioners' articulated concerns.
2. The Project Sponsors remove the approximately 10 inches they added, without permits or approvals, to the height of the roof level and -- prior to the commencement of construction of

David Silverman
Melinda Sarjapur
Reuben, Junius & Rose, LLP
March 7, 2017
Page 2

the "outdoor living room" -- restore that level to its previously-existing height.

3. The Project Sponsors install railings that are 42 inches in height (as measured from the restored roof level) and that are fully transparent (without any solid curb or parapet).

4. The Project Sponsors install railings for the stairway that are fully transparent (without any solid curb or parapet).

5. The Project Sponsors provide the Borsettis' consultants with reasonable access to the roof during construction to ensure compliance with the parties' agreement. The consultants will provide proof of insurance and indemnify the Project Sponsor for any damage or injury caused by them during any such inspection.

6. The Project Sponsors agree to the following conditions of approval of any permit relating to the Project:

- a. No cooking facilities or furnishings, sink or fire pit in any location on the roof.
- b. No dining facilities or furnishings in any location on the roof.
- c. No plants or shrubbery in any location on the roof.
- d. Reasonable use, noise, artificial light, time of day, and number of persons restrictions on the roof.

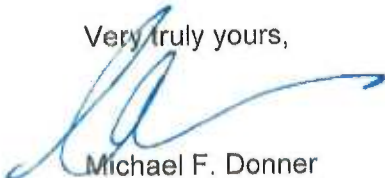
7. The Project Sponsors agree that the foregoing terms and conditions shall be covenants running with their land; shall be binding on successor owners; and shall inure to the benefit of success owners of the Borsettis' property.

8. The Project Sponsors and the Borsettis shall enter into a mutually-agreeable memorialization of their agreement and record it against the Property in the Official Records of the San Francisco Recorder's Office.

Please let us know if these terms and conditions are acceptable. We look forward to working with you.

If you have any questions, please feel free to call me.

Very truly yours,



Michael F. Donner

Attachment

cc: Mike and Kristen Borsetti (Via E-Mail)

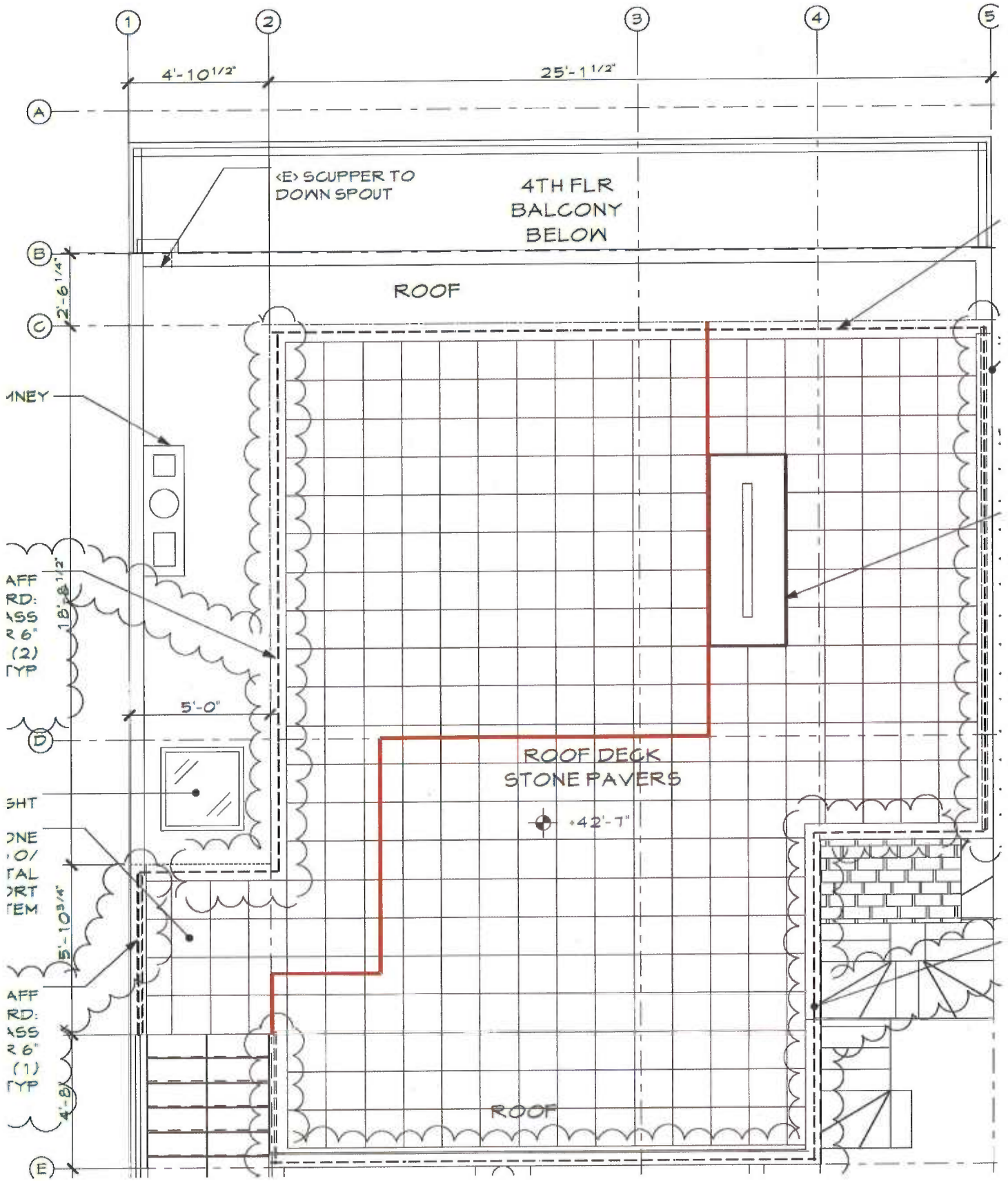


EXHIBIT B

REUBEN, JUNIUS & ROSE, LLP

March 21, 2017

Via E-Mail and U.S. Mail

Michael Donner
Hanson Bridgett, LLP
425 Market Street, 26th Floor
San Francisco, CA 94105
mdonner@hansonbridgett.com

Re: 2226 Green Street
Project Sponsors: John Stalder and Meghan Laffey
Planning Case No.: 2016.12.08.4465
Initial Hearing Date: March 2, 2017
Continued Hearing Date: April 6, 2017
Our File No.: 10509.01

Dear Michael:

Thank you for your correspondence on March 7, 2017, providing the conditions by which your clients, Mike and Kristen Borsetti ("Borsetti"), would be willing to withdraw their DR application of the proposed roof deck at 2226 Green Street (the "Project").

As you know, at the Project's March 2nd Planning Commission hearing, the Commissioners continued this matter and directed the parties to meet and see if an agreement could be reached on the deck design.

Since that date, John and Meghan have attempted to reach out to each of the DR Requestors to discuss the project and desired modifications, and were able to meet with the Borsetti last week.

Below is a response to the specific proposals contained in your letter.

1. Though it is difficult to tell from the schematic provided, which contains no dimensions, it appears that the Borsetti's proposal reduces the usable area of the roof deck to about 219 feet, with the remainder devoted to access. This would be much smaller than other roof decks in the neighborhood, including the three

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

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

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

buildings to the west along Green Street, with roof decks spanning from approximately 420-525 square feet (and containing penthouses, access paths, and opaque railings). This proposal would severely restrict the use and enjoyment of the roof deck, which is a property right available to many others in the neighborhood.

As a reasonable compromise, John and Meghan propose the attached deck revision, which substantially reduces the total area of the roof deck to 500 square feet (including the landing area). The revised design is set back 6'1" from the building's east side, and 4' 2" from the south. In total, the deck would be set back 66' from the curb along Green Street, and at least 60 feet from the Borsetti's nearest window.

2. John and Meghan cannot agree to lower the existing building height. As discussed in the March 2nd hearing, the 3.5" height increase resulted from permitted structural upgrades under a separate permit, and is within the Department of Building Inspections standard zone of tolerance for height measurement.
3. All roof deck railings are 42" in height and have been made fully transparent, with the exception of a railings and base caps needed for structural support, which is required per the Building Code.
4. The guard adjacent to the stair accessing the roof deck is required to be a fire-rated parapet, due to its proximity to the western property line. However, most of the stair guard is below the roof deck level, causing no view impacts from the Borsetti's property.
5. All work at the property is subject to routine inspection and final review and sign-off by the Department of Building Inspections. John and Meghan will continue to cooperate with the City as work progresses, but cannot agree to provide the Borsetti's consultant site access during construction.
6. The stated restrictions are not acceptable. As noted on the plans, the roof deck contains no built-in furniture, no cooking facilities, and no water line. John and Meghan do not seek to restrict the Borsetti's use of the roof deck or outdoor areas on their property, and ask that their neighbors extend them the same courtesy.
7. Please see item 6, above.

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

Michael Donner
Hanson Bridgett, LLP
March 21, 2017
Page 3

8. John and Meghan are willing to enter an agreement memorializing the attached deck design and acknowledging the Borsetti's support of the project as modified, which could be recorded against the properties. If this is acceptable to the Borsettis, please provide a draft agreement for their review.

Thank you for your time and consideration in this matter. We hope that an agreement can be reached on reasonable design modifications to the roof deck.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Melinda Anne Sarjapur

Enclosures:

- (1) Project Plans
- (2) Hanson Bridgett Letter dated March 7, 2017

cc: John Stalder and Meghan Laffey
Elizabeth Watty, Planning Department
Sylvia Jimenez, Planning Department

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

REUBEN, JUNIUS & ROSE, LLP



CAST ARCHITECTS

333 11th Street, Suite 300
San Francisco
CA 94103
415.398.2500
415.398.2505

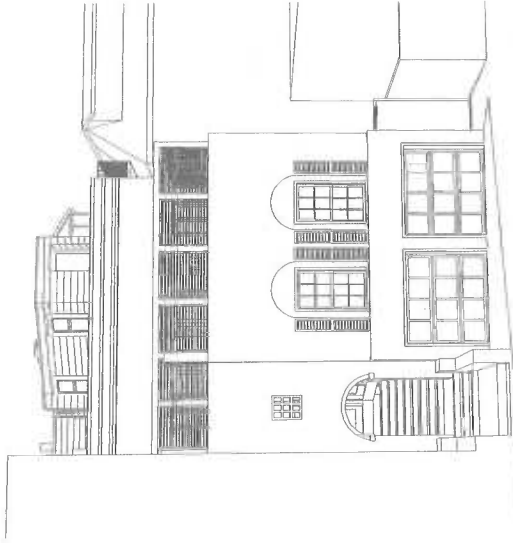


LAFREY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

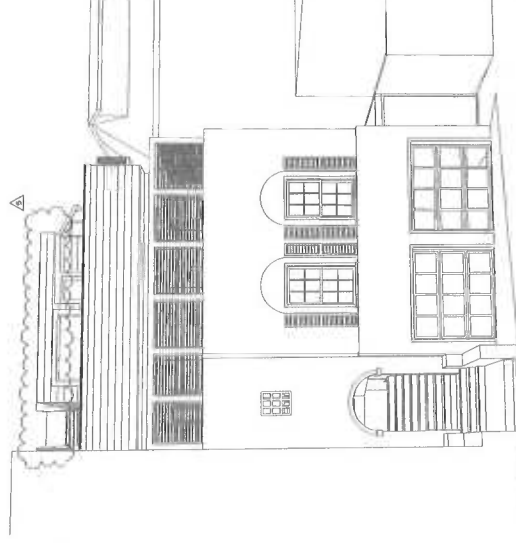
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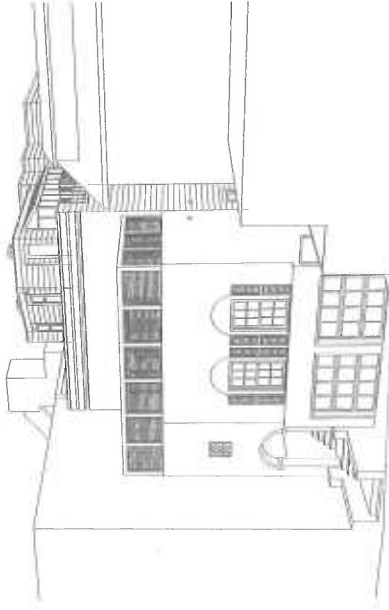
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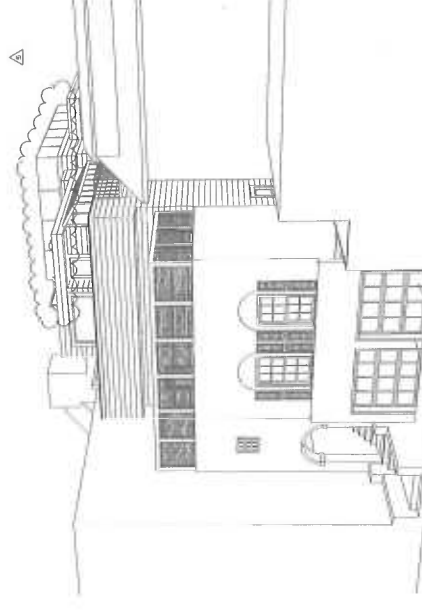
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② PROPOSED STREET VIEW



③ EXISTING SOUTH-EAST FRONT VIEW



① PROPOSED SOUTH-EAST FRONT VIEW

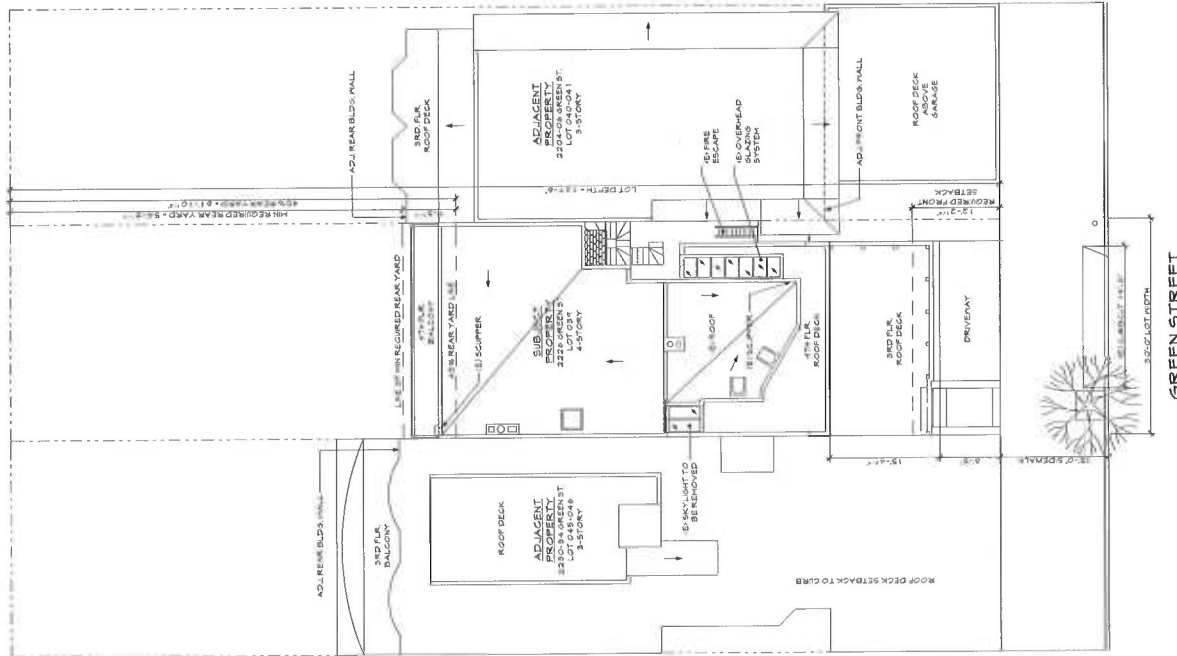


**LAFFERY/STALDOR
 RENOVATION
 2220 GREEN ST. UNIT 1
 SAN FRANCISCO, CA 94133**

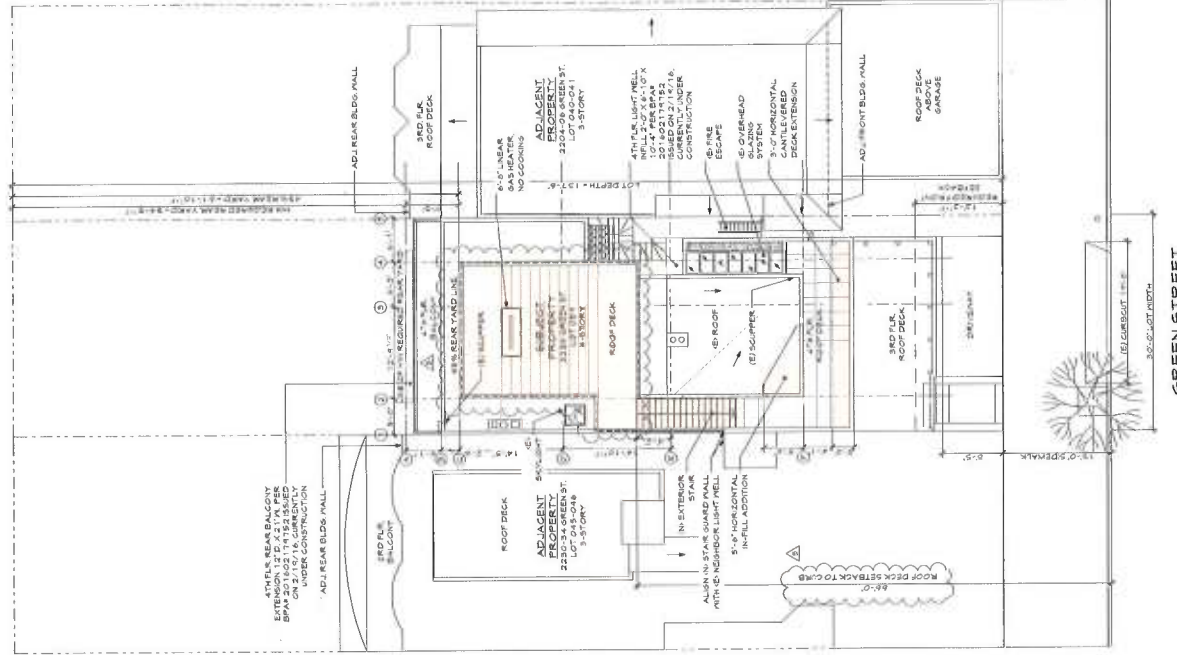
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1 EXISTING SITE PLAN
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2 PROPOSED SITE PLAN
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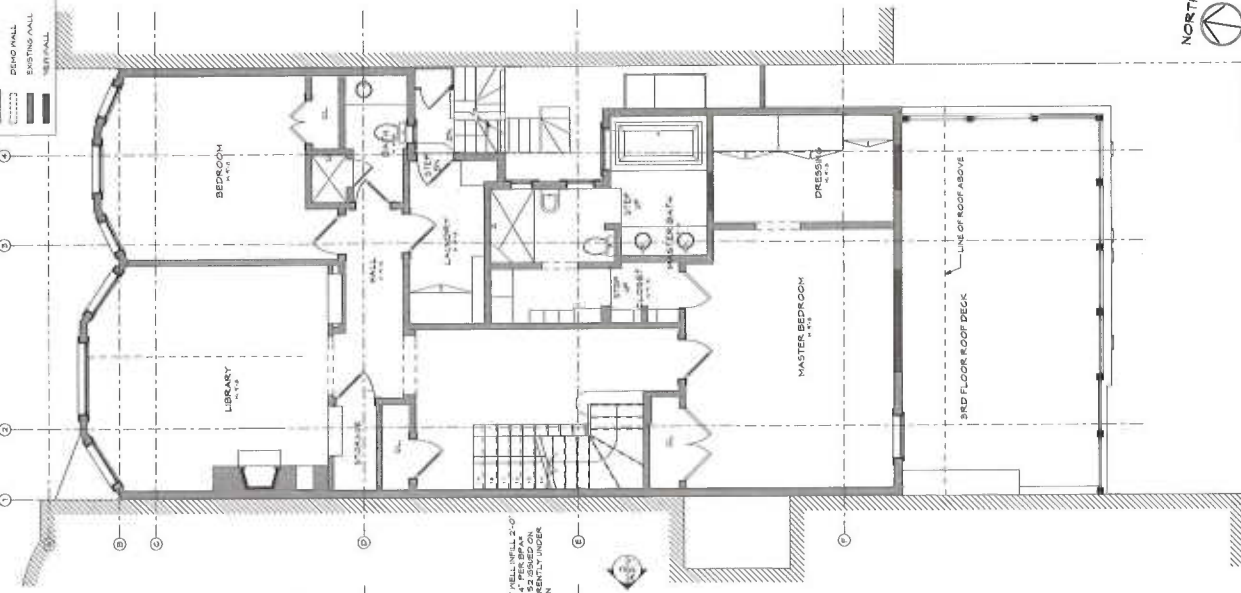
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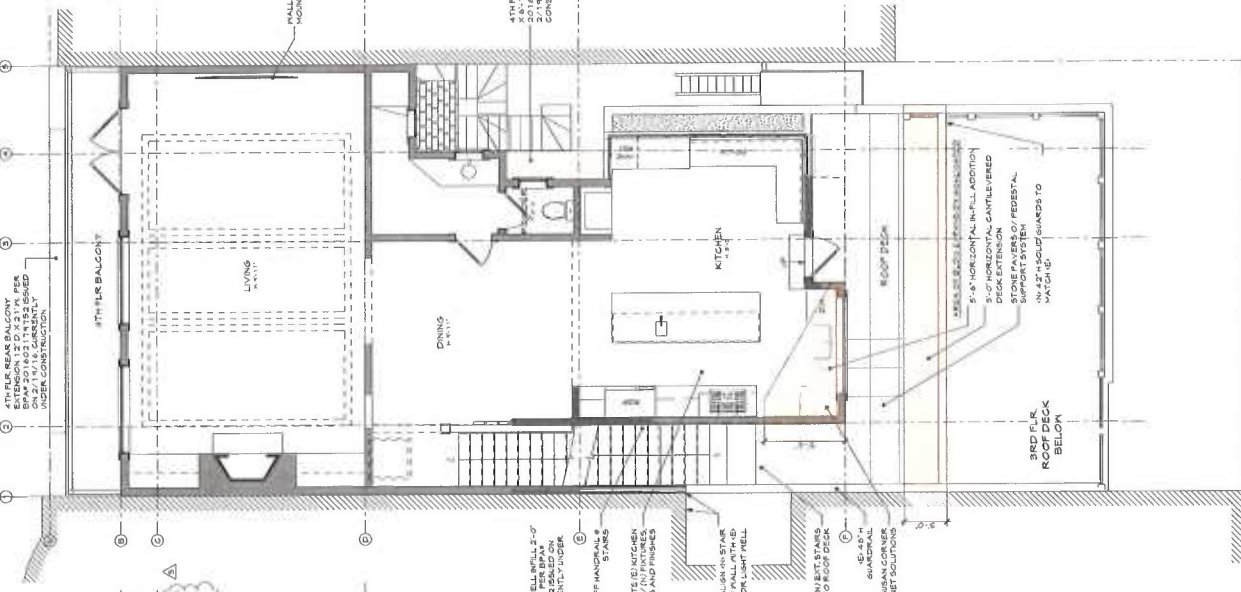
LARRY STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

POPOLO FLOOR
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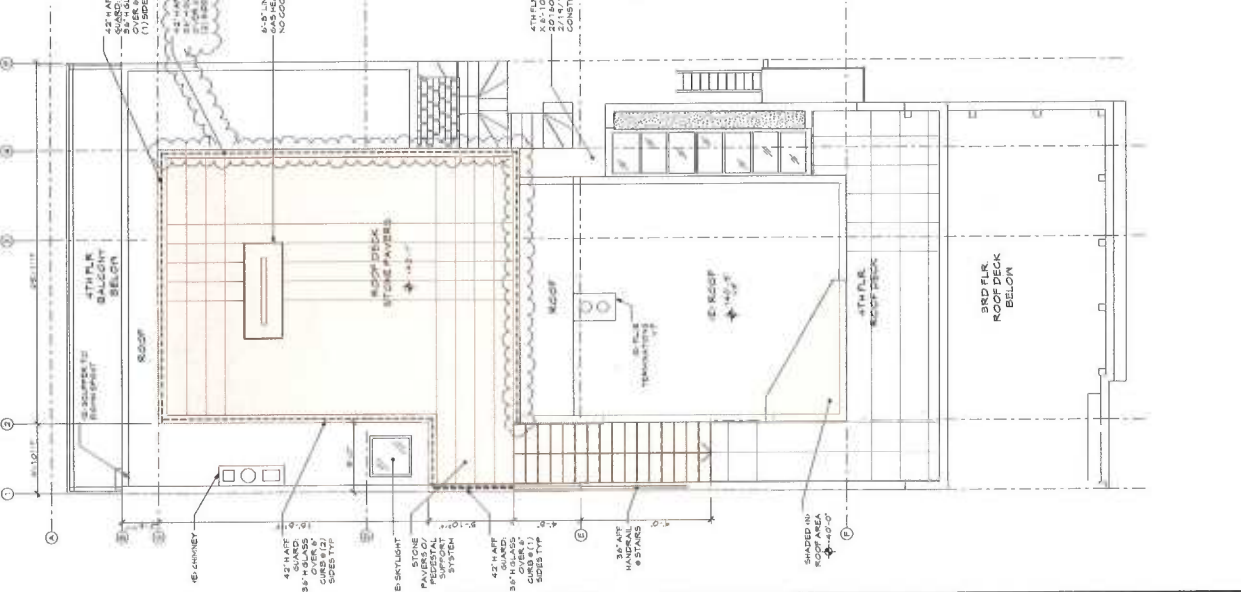
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CA 94103
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Fax: 415.398.2506

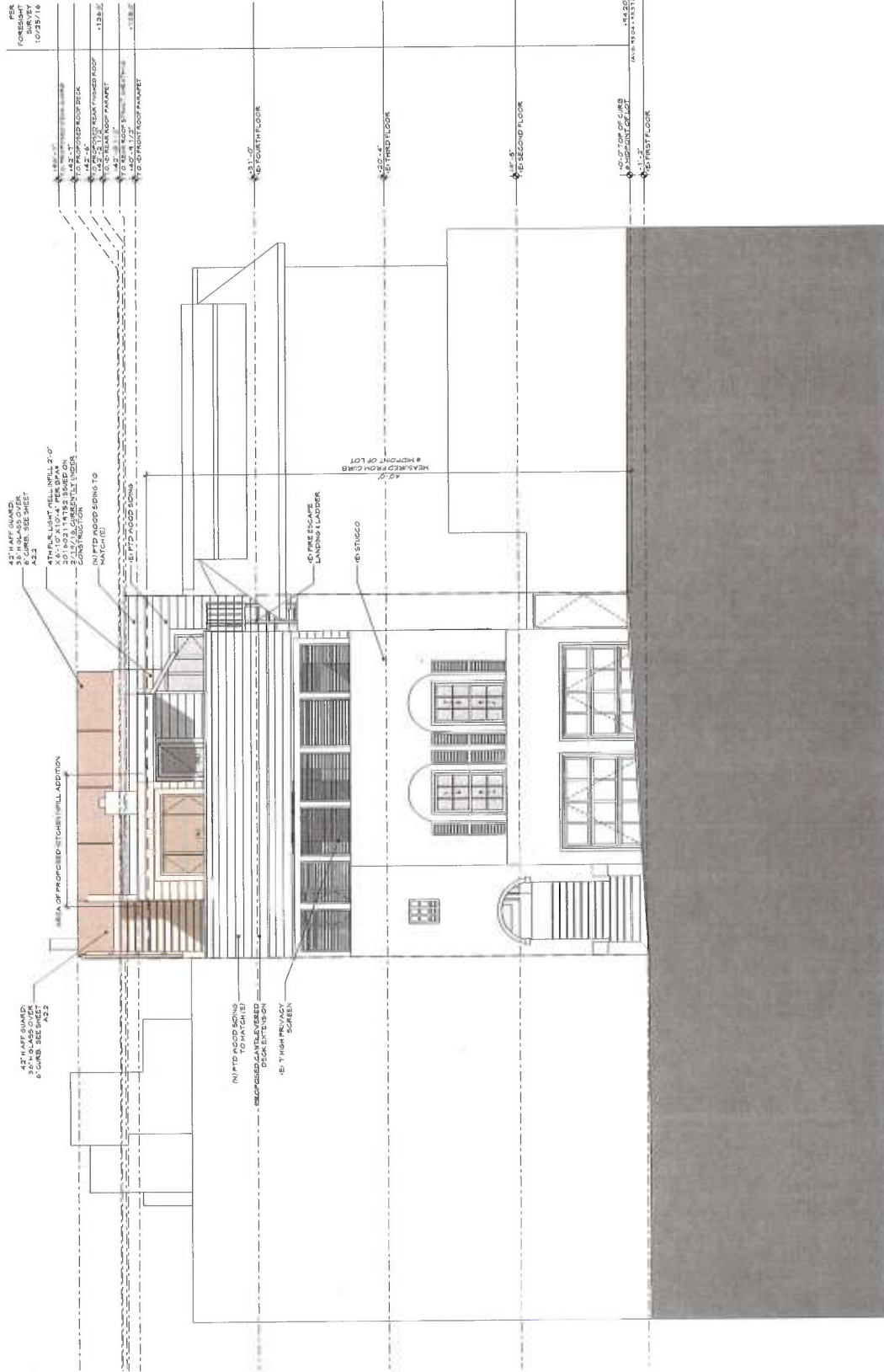


LARRY / STALDMAN
ARCHITECTS
222 GREEN STREET
SAN FRANCISCO, CA 94133

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66	11/10/14	DAVID P. LEE
67	11/10/14	DAVID P. LEE
68	11/10/14	DAVID P. LEE
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88	11/10/14	DAVID P. LEE
89	11/10/14	DAVID P. LEE
90	11/10/14	DAVID P. LEE
91	11/10/14	DAVID P. LEE
92	11/10/14	DAVID P. LEE
93	11/10/14	DAVID P. LEE
94	11/10/14	DAVID P. LEE
95	11/10/14	DAVID P. LEE
96	11/10/14	DAVID P. LEE
97	11/10/14	DAVID P. LEE
98	11/10/14	DAVID P. LEE
99	11/10/14	DAVID P. LEE
100	11/10/14	DAVID P. LEE

1 SOUTH ELEVATION
SCALE 1/2" = 1'-0"





CAST ARCHITECTS

355 13th Street, Suite 300
San Francisco
CA 94103
Tel: 415.775.2344
Fax: 415.775.2345

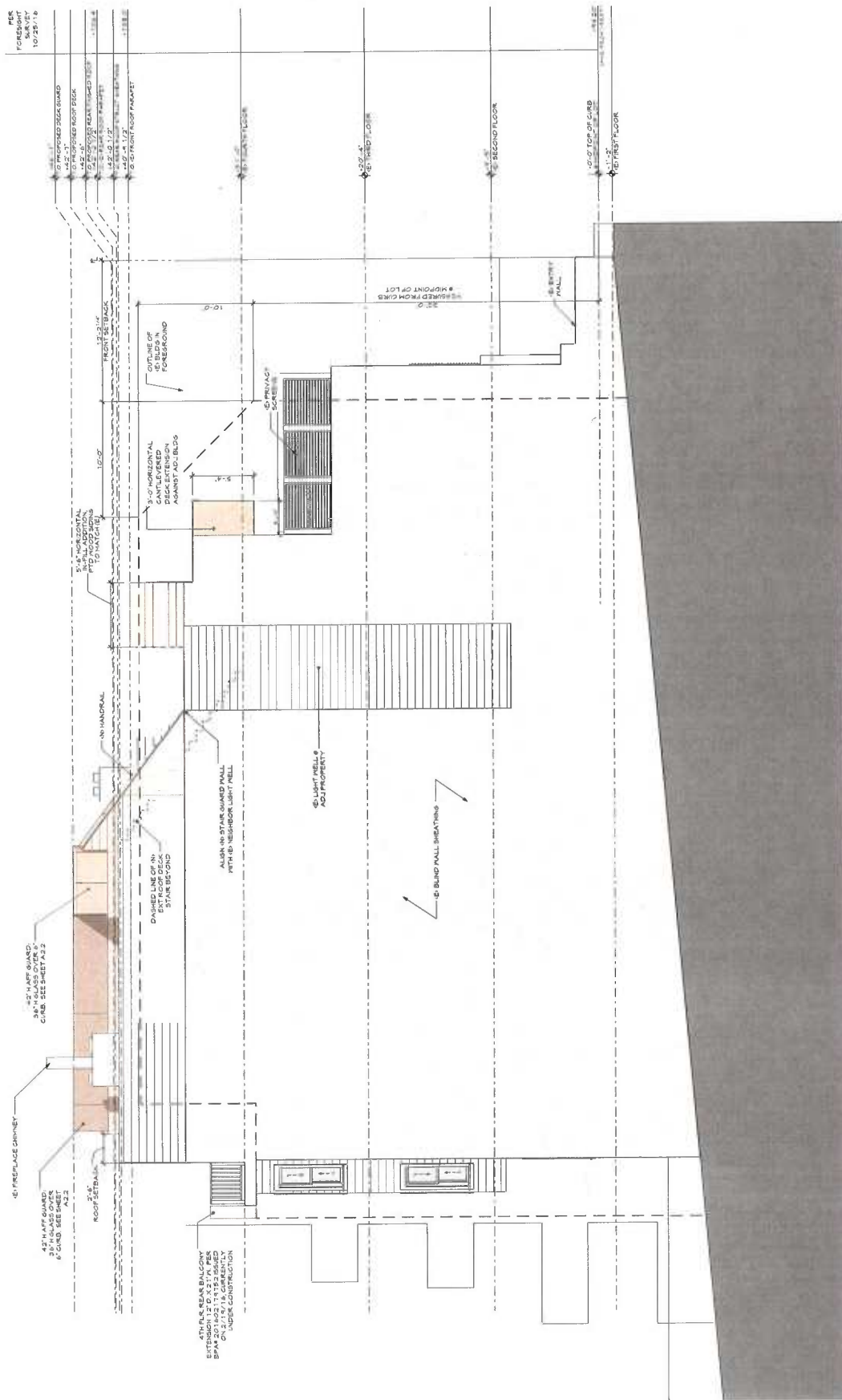


LARRY/STALDMAN
REGISTERED
2226 GREEN ST
SAN FRANCISCO, CA 94113

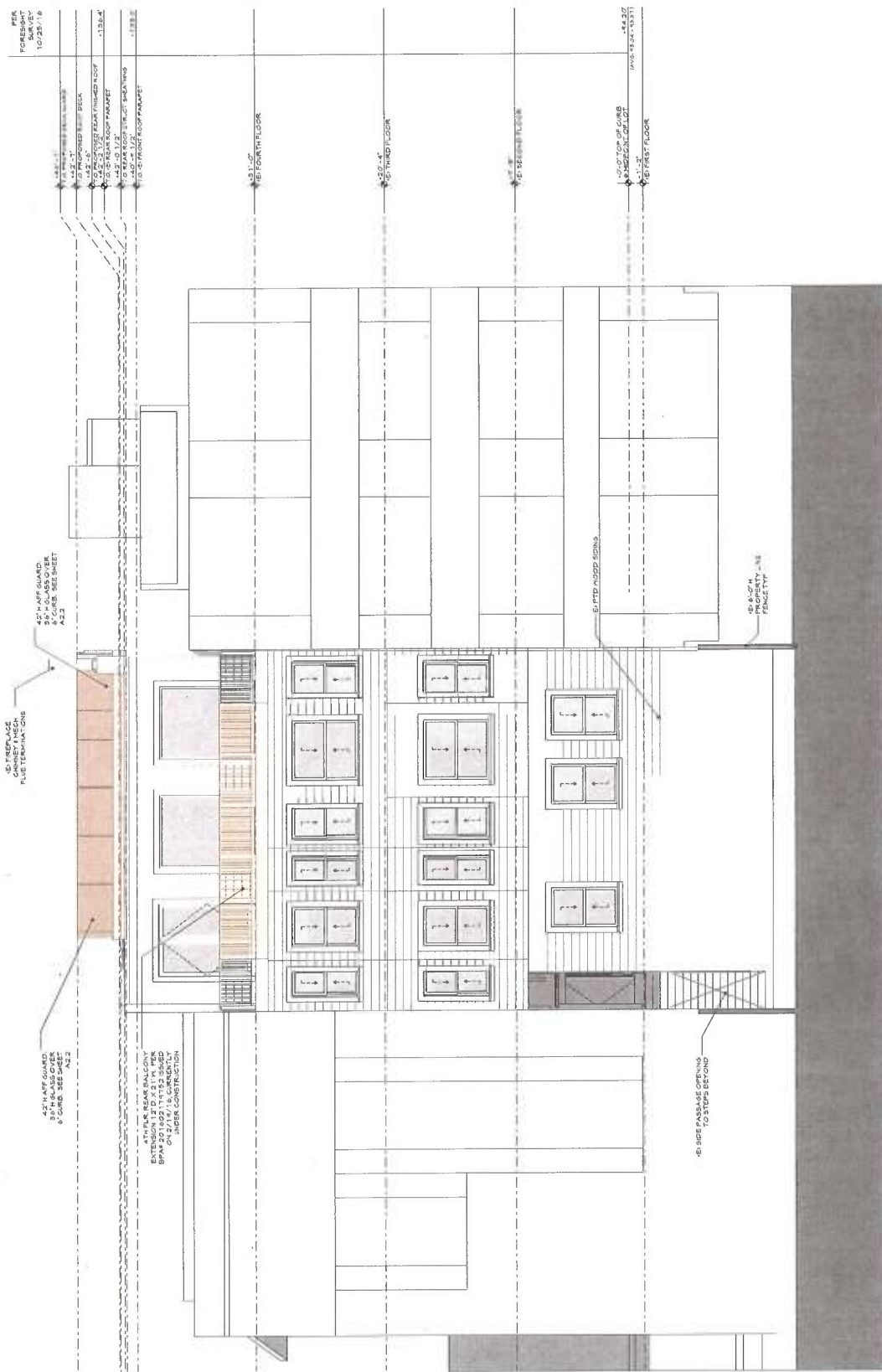
PROPOSED ELEVATION

REV	DATE	BY	CHK
1	10/25/18	LS	LS
2	11/15/18	LS	LS
3	11/15/18	LS	LS
4	11/15/18	LS	LS
5	11/15/18	LS	LS
6	11/15/18	LS	LS
7	11/15/18	LS	LS
8	11/15/18	LS	LS
9	11/15/18	LS	LS
10	11/15/18	LS	LS

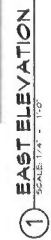
Sheet
A3.6
of 02



1 WEST ELEVATION
SCALE: 1/4\"/>



① NORTH ELEVATION
SCALE: 1/4" = 1'-0"





MICHAEL F. DONNER
PARTNER
CHAIR, BUSINESS LITIGATION PRACTICE GROUP
DIRECT DIAL (415) 895-5025
DIRECT FAX (415) 895-3591
E-MAIL mdonner@hansonbridgett.com

VIA E-MAIL

dsilverman@reubenlaw.com
mas@reubenlaw.com

David Silverman
Melinda Sarjapur
Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104

Re: Property: 2226 Green Street
Project Sponsors: John Stalder and Meghan Laffey
Project: Proposed Fifth Floor "Outdoor Living Room"
Planning Case No.: 2016.12.08.4465
Initial Hearing Date: March 2, 2017
Continued Hearing Date: April 2, 2017

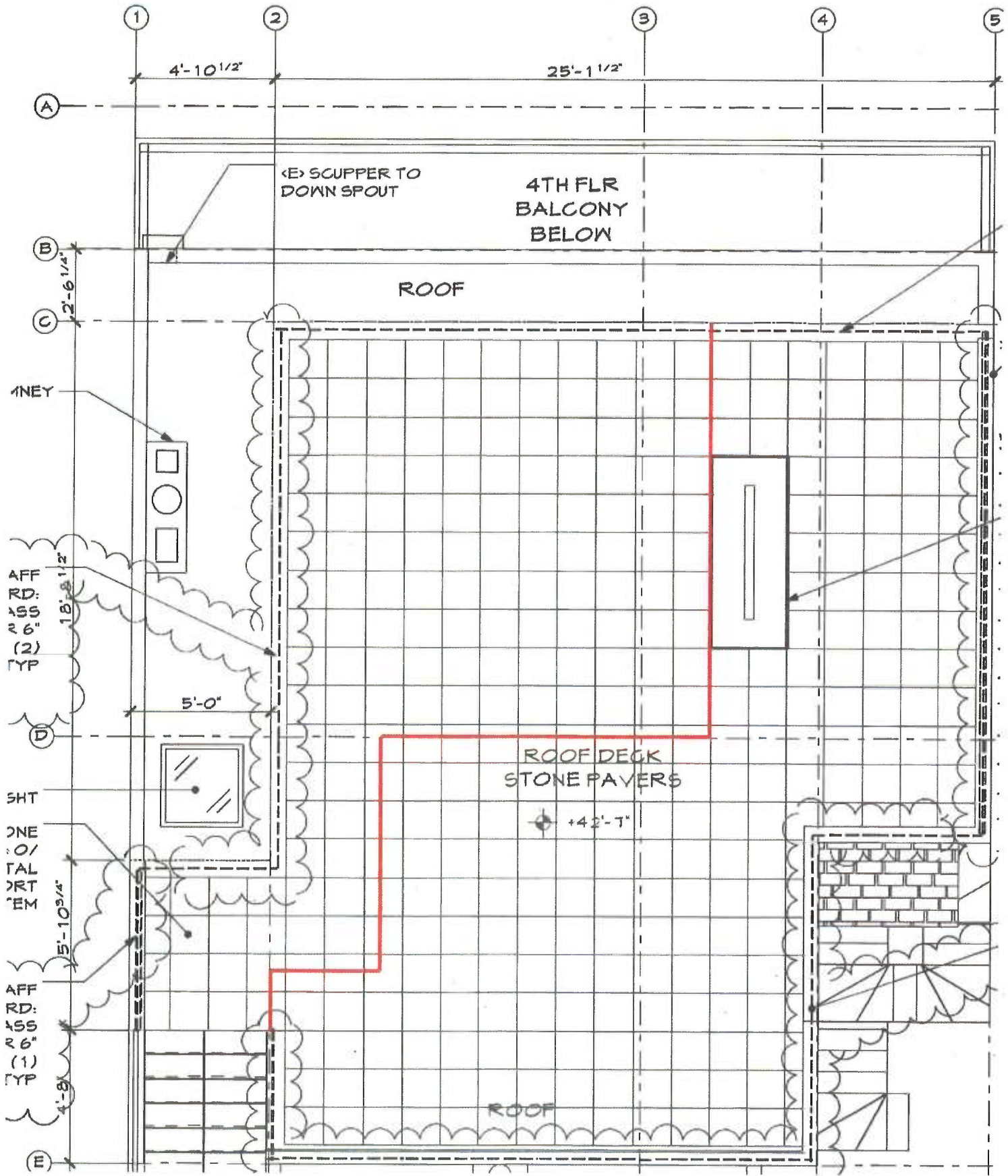
Dear David and Melinda:

Last Thursday, the Planning Commission continued its March 2, 2017 hearing on the six discretionary review ("DR") applications relating to the Project. It did so with instructions to the parties to meet-and-confer regarding reductions in the scope of the proposed fifth floor "outdoor living room." We write as a follow up to that initial hearing and to invite you to commence a dialogue with us aimed at resolving the parties' differences so they might reach an agreement prior to the continued hearing on April 2, 2017. As we represent only the Borsettis, we are authorized to speak only for them.

During last Thursday's initial hearing, President Hillis and Commissioners Johnson, Moore and Richards each stated on the record that they wanted to see the Project significantly decreased in size. Commissioner Richards asserted, in particular, that he thought the "outdoor living room" should be reduced by half, "if not more." Several of the Commissioners rejected as inadequate a last minute proposal by the Project Sponsors' architect to shave about a third of the deck's square footage from the Project.

The Borsettis would be willing to withdraw their DR application, and to support the Project, provided that the following changes are made to the Project's proposed design and provided that the following reasonable conditions of approval are imposed:

1. The Project's plans and drawings are revised, and the "outdoor living room" is constructed, consistent with the perimeters set forth in the attached schematic. We believe these perimeters address the Commissioners' articulated concerns.
2. The Project Sponsors remove the approximately 10 inches they added, without permits or approvals, to the height of the roof level and -- prior to the commencement of construction of



David Silverman
Melinda Sarjapur
Reuben, Junius & Rose, LLP
March 7, 2017
Page 2

the "outdoor living room" -- restore that level to its previously-existing height.

3. The Project Sponsors install railings that are 42 inches in height (as measured from the restored roof level) and that are fully transparent (without any solid curb or parapet).

4. The Project Sponsors install railings for the stairway that are fully transparent (without any solid curb or parapet).

5. The Project Sponsors provide the Borsettis' consultants with reasonable access to the roof during construction to ensure compliance with the parties' agreement. The consultants will provide proof of insurance and indemnify the Project Sponsor for any damage or injury caused by them during any such inspection.

6. The Project Sponsors agree to the following conditions of approval of any permit relating to the Project:

a. No cooking facilities or furnishings, sink or fire pit in any location on the roof.

b. No dining facilities or furnishings in any location on the roof.

c. No plants or shrubbery in any location on the roof.

d. Reasonable use, noise, artificial light, time of day, and number of persons restrictions on the roof.

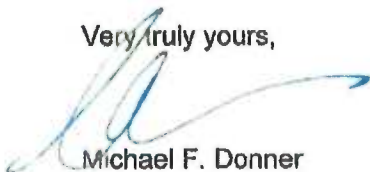
7. The Project Sponsors agree that the foregoing terms and conditions shall be covenants running with their land; shall be binding on successor owners; and shall inure to the benefit of success owners of the Borsettis' property.

8. The Project Sponsors and the Borsettis shall enter into a mutually-agreeable memorialization of their agreement and record it against the Property in the Official Records of the San Francisco Recorder's Office.

Please let us know if these terms and conditions are acceptable. We look forward to working with you.

If you have any questions, please feel free to call me.

Very truly yours,

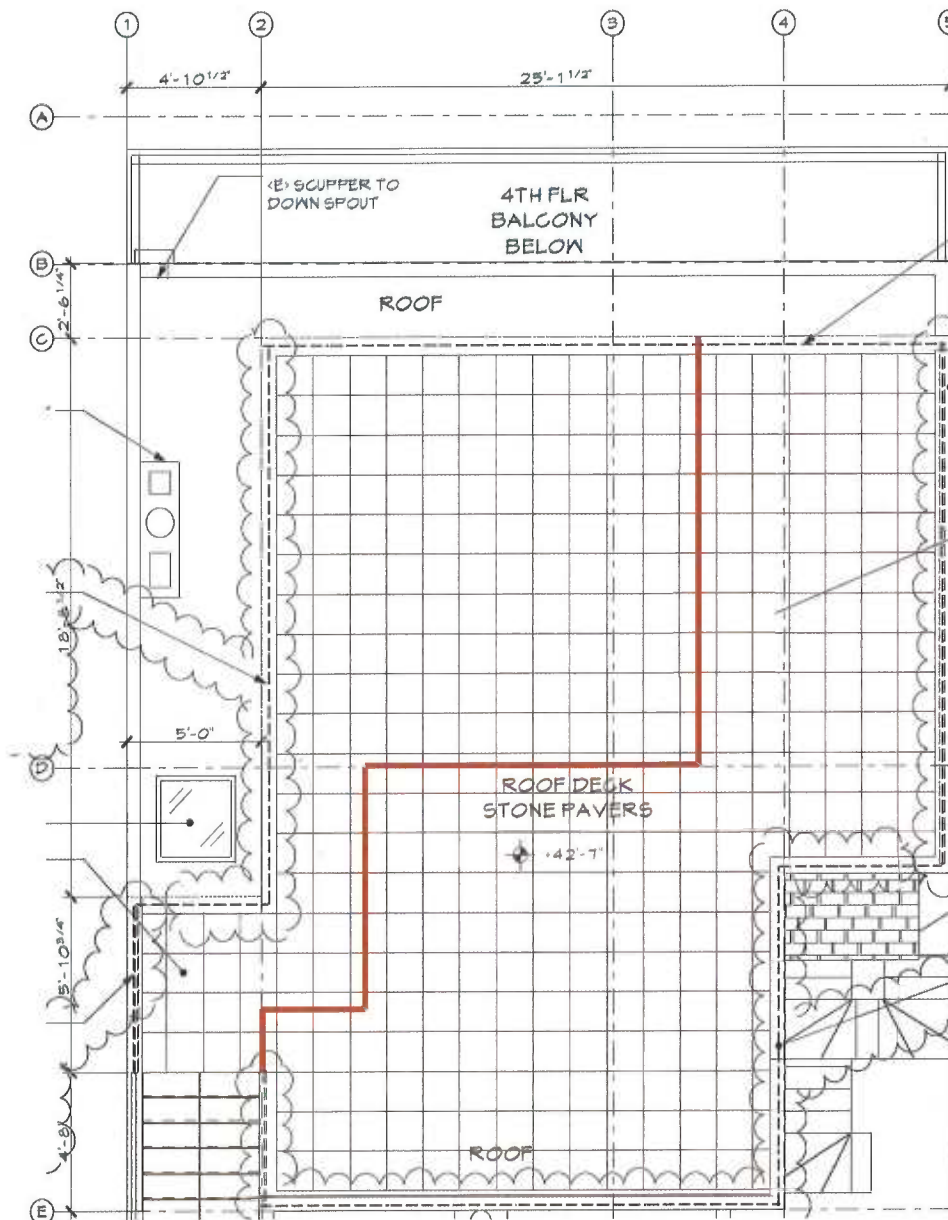


Michael F. Donner

Attachment

cc: Mike and Kristen Borsetti (Via E-Mail)

EXHIBIT C





SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis HEARING DATE: MARCH 2, 2017

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: February 17, 2017
Case No.: 2015-018164DRP, -02, -03, -04, -05, -06
Project Address: 2226 GREEN STREET
Permit Application: 2015.12.08.4465
Zoning: RH-3 [Residential House, Three Family]
40-X Height and Bulk District
Block/Lot: 0539/039
Project Sponsor: John Stalder and Meghan Laffey
2226 Green Street
San Francisco, CA 94123
Staff Contact: Sylvia Jimenez – (415) 575-9187
Sylvia.Jimenez@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The project is to alter an existing four-story, two family residential building by constructing an approximately 30-square foot kitchen expansion and cantilevered deck at the front of the fourth floor, as well as a private roof deck for the upper unit. The proposed roof deck will be setback approximately 46 feet from the street and 37 feet 11 inches from the front of the building. The roof deck is accessed from a new open stair along the west side of the fourth floor with all railings to be glass.

BACKGROUND

- The proposed project was initially noticed under Planning Code Section 311 to neighbors on June 22, 2016.
- On July 21, 2016, two Discretionary Review applications were filed, which were later scheduled to be heard at the December 1, 2016 Planning Commission hearing. The DR applications would later be continued twice, to February 2, 2017 and March 2, 2017.
- On September 21, 2016, the Department of Building Inspection (DBI) issued a Notice of Violation (NOV) for construction activity exceeding the scope of issued permits. Although the owners have active issued permits for interior work, the NOV was issued specifically for the installation of deck joists and framing for future roof access stairs that was not within the scope of any issued permit.
- On September 29, 2016, DBI amended the previously issued NOV to include the increase in roof slope without the benefit of a permit and issued a Stop Work Order to cease all activity.

- In response to neighbor concerns and the NOV, the Department requested confirmation from the project sponsors regarding the existing height of the building.
- On October 5, 2016, the project sponsor submitted revised project information, including a land survey prepared by Foresight Land Surveying which indicated a greater existing building height than originally shown on submitted plans.
- On December 9, 2016, the previously issued NOV was abated after the increase in roof height was determined to fall within the allowable deviation rule by DBI and associated with drainage/structural requirements. Further, DBI instructed the project sponsor to obtain a permit to remove deck joists and exterior stair framing.
- On December 26, 2016, the proposed project was re-noticed to reflect the updated project information, including the corrected existing building height.
- On January 4th, 6th, and 9th, four new Discretionary Review Applications were filed for a total of six Discretionary Review applications.

SITE DESCRIPTION AND PRESENT USE

The project is on the northern side of Green Street, between Fillmore and Steiner Streets, Block 0539, Lots 039 and located within the RH-3 (Residential House, Three-Family) Zoning District with 40-X height and Bulk designation. The 4,125 sq. ft. lot has 30 feet of frontage, a depth of 137.50 feet and is developed with an existing four-story two-family residence.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Cow Hollow neighborhood, District 2 and within the RH-3 Zoning District. Parcels within the immediate vicinity consist of residential single and two-family dwellings of varied design and construction dates, as well as a mixture of low-density apartment buildings that broaden the range of unit size and the variety of structures.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATES	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	June 22, 2016 – July 21, 2016 *Dec. 26, 2016- Jan. 10, 2017	July 21, 2016 January 4, 2017 January 6, 2017 January 9, 2017	March 2, 2017	*53 days

*The Zoning Administrator required building permit re-notification due to revised building height information submitted by the project sponsor (survey prepared by Foresight Land Surveying on October 25, 2016).

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	February 20, 2017	February 17, 2017	13 days
Mailed Notice	10 days	February 20, 2017	February 17, 2017	13 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	2	-	-
Other neighbors on the block or directly across the street	10	6 (DR Requestors)	-
Neighborhood groups	-	-	1 (PHRA) Pacific Heights Residents Association

The Pacific Heights Residents Association (PHRA) has decided not to take a position on the Discretionary Review nor the project. Further, PHRA encouraged all parties involved to meet in person and on site to reach a resolution.

DR REQUESTORS

1. Barbara Lawrence, 2225 Green Street, across the street from subject property
2. Christopher Lawrence, 2225 Green Street, across the street from the subject property
3. Mike Borsetti, 2200 Green Street, two properties to the east of the subject property
4. James F. Kirkham, 2239 Green Street, across the street and to the west of the subject property
5. James E. Gallagher, 2913 Fillmore Street, frontage along Fillmore Street
6. Janine Shiue, 2243 Green Street, across the street and to the west of the subject property

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Applications*, dated:

July 21, 2016; January 4, 2017; January 6, 2017; and January 9, 2017 with additional information submitted on February 17, 2017

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated February 16, 2017

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e)

Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

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) for the following reasons: 1) the proposed roof deck is appropriately designed with open railing, 2) the lack of a penthouse structure minimizes roof clutter, and 3) the roof deck is visually subordinate to the main structure as front and rear setbacks are proposed. Further, the project does not present any exceptional or extraordinary circumstances that would justify modifications to a Code compliant project.

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

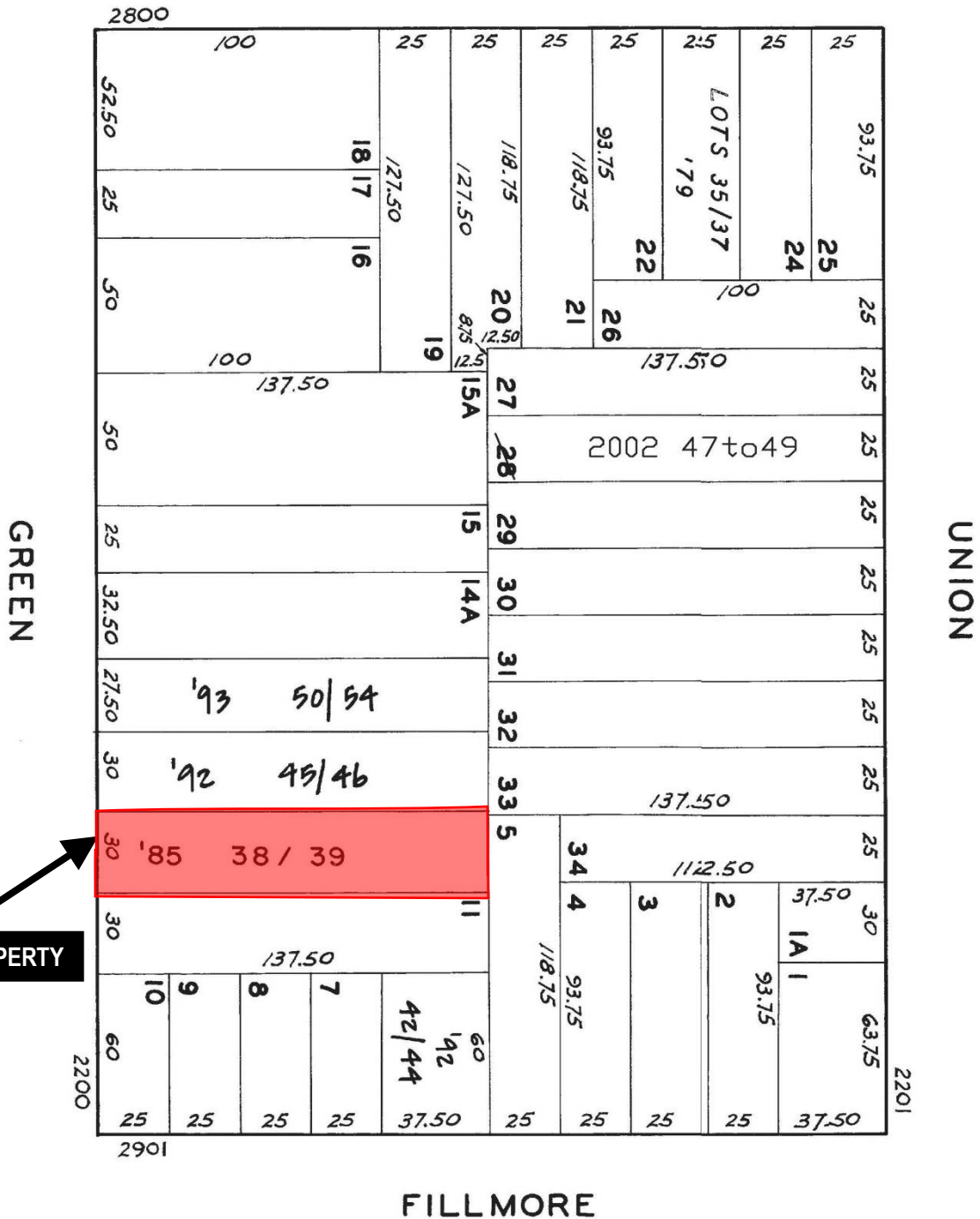
RECOMMENDATION:	Do not take DR and approve project as proposed
------------------------	---

Attachments:

Parcel Map
Sanborn Map
Zoning Map
Site Context
Site Photographs
CEQA Categorical Exemption Determination
Exhibit A: Section 311 Notice and Plans
Exhibit B: Revised 15-day Notice and Plans
Exhibit C: DR Applications
Exhibit D: Response to DR Applications
Public Comments

Parcel Map

STEINER

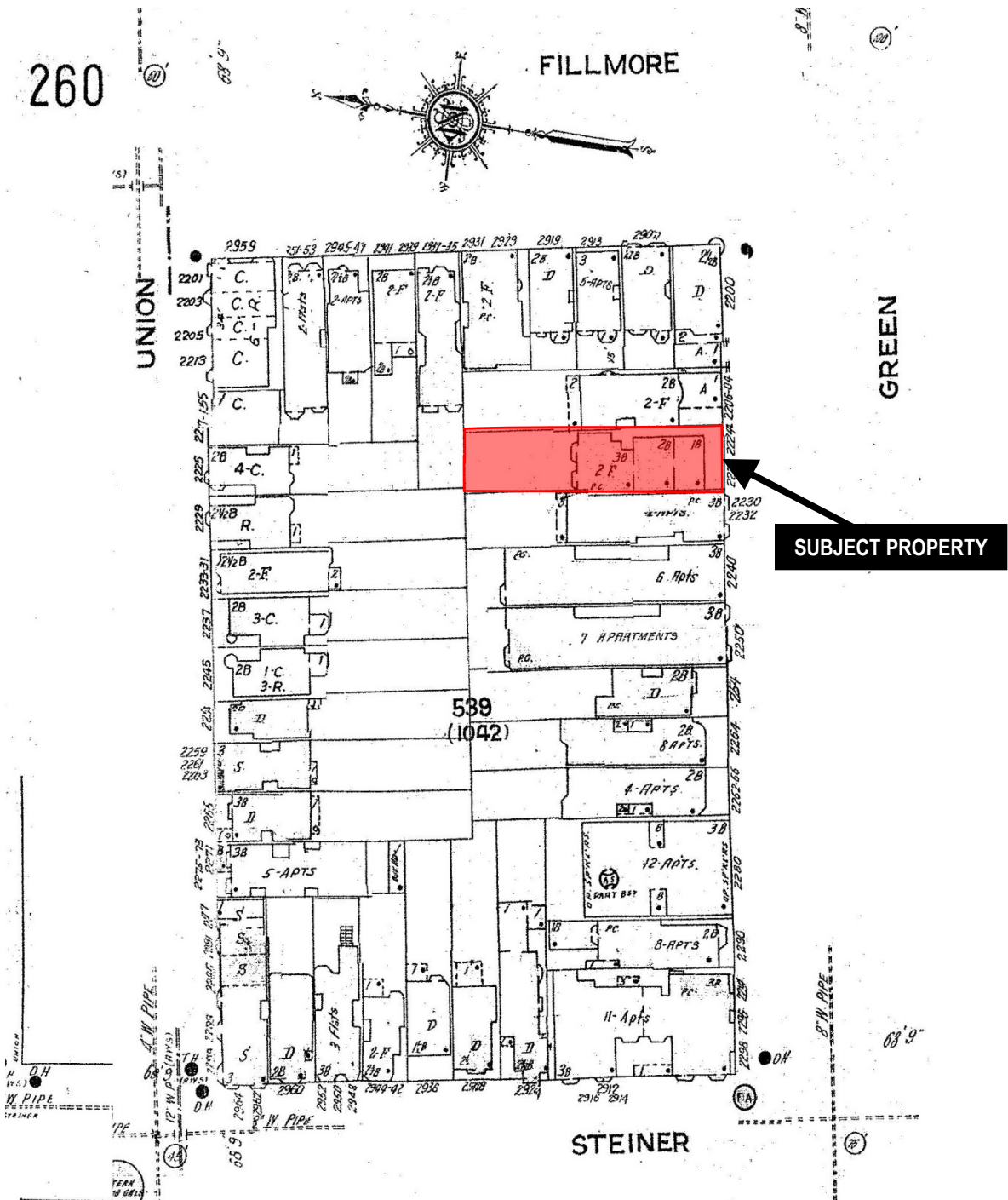


SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2015-018164DRP, -02,-03,-04,-05,-06
2226 Green Street

Sanborn Map*

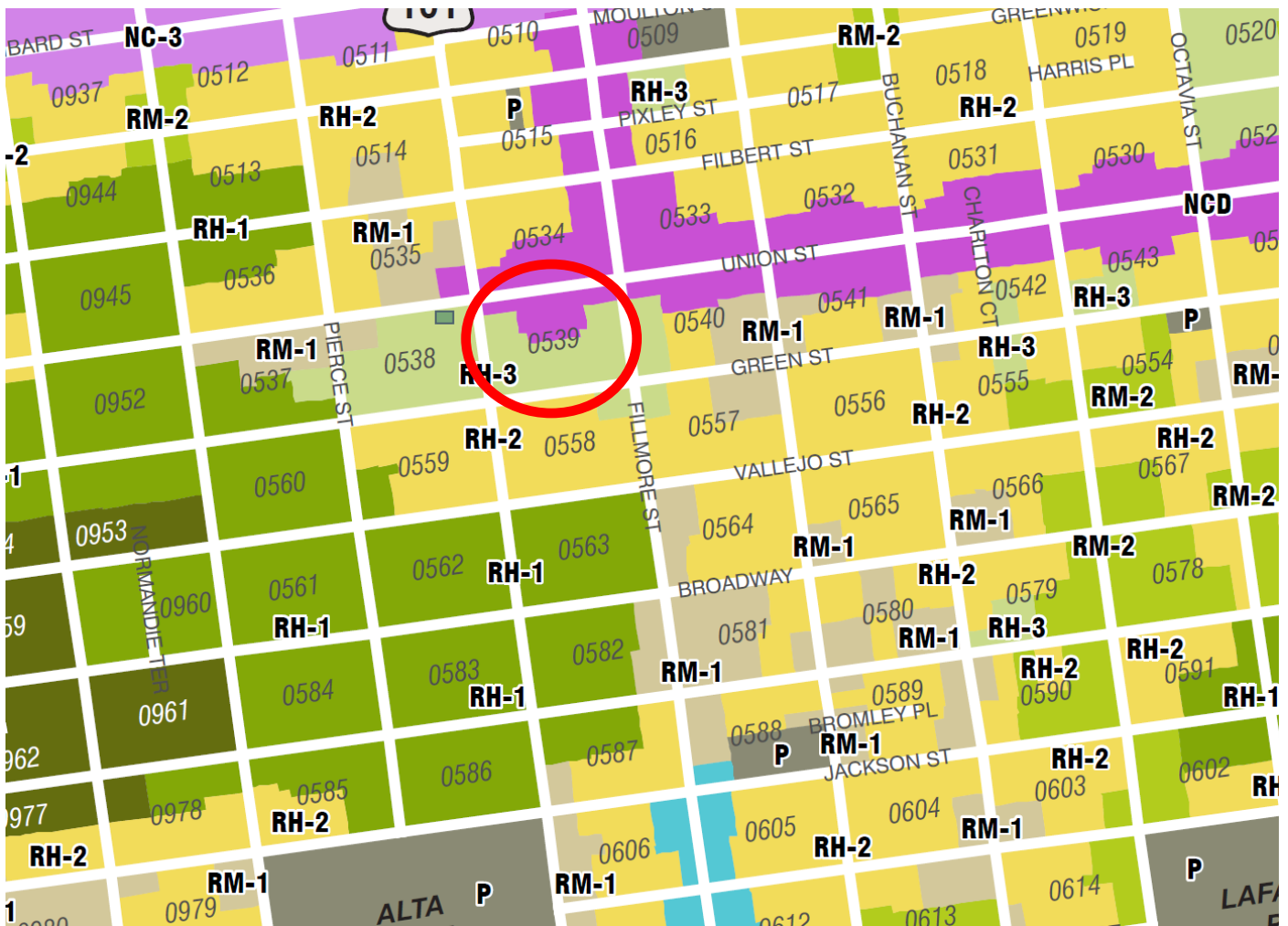


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



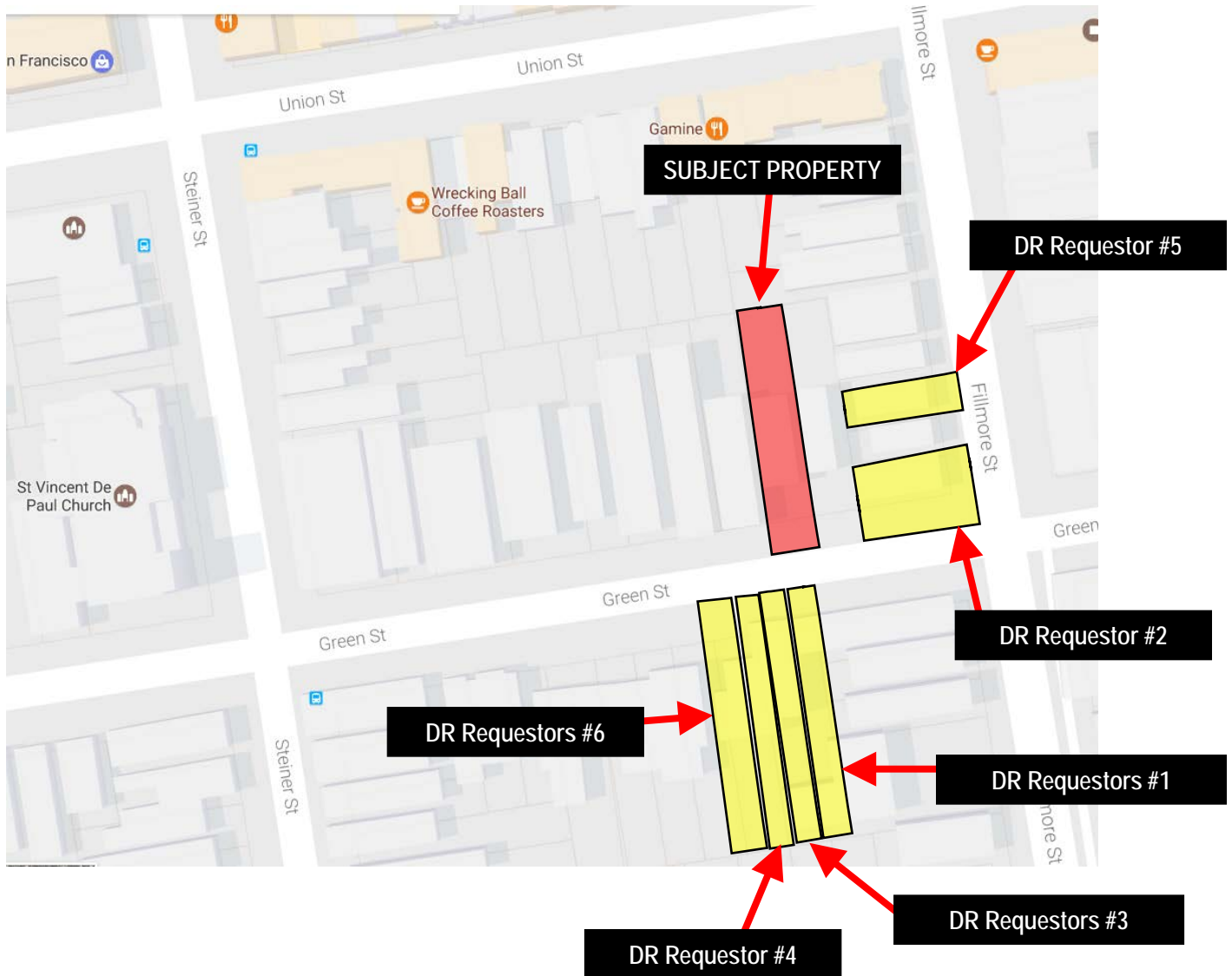
Discretionary Review Hearing
Case Number 2015-018164DRP, -02,-03,-04,-05,-06
2226 Green Street

Zoning Map



Discretionary Review Hearing
Case Number 2015-018164DRP, -02,-03,-04,-05,-06
2226 Green Street

Site Context

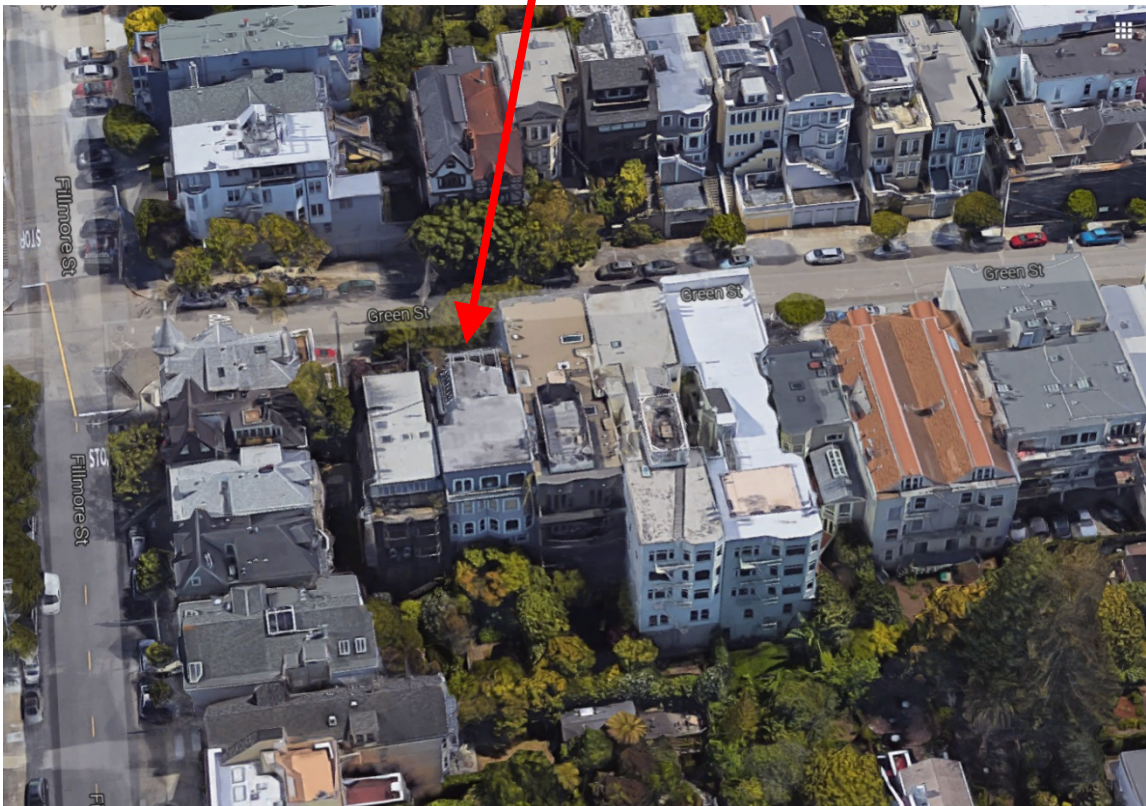


Discretionary Review Hearing
Case Number 2015-018164DRP, -02,-03,-04,-05,-06
2226 Green Street

Site Photos



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2015-018164DRP, -02,-03,-04,-05,-06
2226 Green Street



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2226 Green Street		0539/039	
Case No.	Permit No.	Plans Dated	
2015-018164PRJ	2015.12.08.4465	5/12/16	
<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. The project proposes to alter the existing single-family residence by constructing the following features on the fourth floor: an approximately 30 square-foot kitchen addition, a three-foot deep cantilevered deck; and a roof deck with glass railing along the front facade and glass windscreen atop.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an <i>Environmental Evaluation Application</i> 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 <i>Environmental Evaluation Application</i> 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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)</i>
<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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input 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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> 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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> 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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> 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):	

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

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input 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 checked="" 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 checked="" 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 checked="" 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: Shelley Caltagirone <small>Digitally signed by Shelley Caltagirone DN: cn=Shelley Caltagirone, o=City Planning, ou=Current Planning, email=Shelley.Caltagirone@sfgov.org Date: 2016.08.01 11:12:53 -07'00'</small>	

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: Syvia Jimenez	Signature:  Digitally signed by Sylvia Jimenez DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Sylvia Jimenez, email=Sylvia.Jimenez@sfgov.org Date: 2016.08.01 11:12:53 -07'00'
	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.	
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

EXHIBIT A

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On December 8, 2016, the Applicant named below filed Building Permit Application No. 2015.12.08.4465 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	2226 Green Street	Applicant:	Dennis Budd
Cross Street(s):	Fillmore Street and Steiner Street	Address:	355 11 th Street, Suite 300
Block/Lot No.:	0539/039	City, State:	San Francisco, CA 94103
Zoning District(s):	RH-3/40-X	Telephone:	(415) 885-2946

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 type="checkbox"/> Façade Alteration(s)	<input checked="" type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Side Setbacks	0	No Change
Building Depth	73 feet	No Change
Building Height	39 feet 8 inches	39 feet 8 inches, with 7-foot roof deck railing/windscreen atop
Number of Stories	4	No Change
Number of Dwellings	1	No Change
PROJECT DESCRIPTION		
The project proposes to alter the existing single family dwelling by constructing the following features on the fourth floor: an approximately 30 square-foot kitchen addition, a three-foot deep cantilevered deck, and a roof deck with exterior access stairs.		
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: Sylvia Jimenez

Telephone: (415) 575-9187

E-mail: sylvia.jimenez@sfgov.org

Notice Date: 6/22/2016

Expiration Date: 7/21/2016

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.

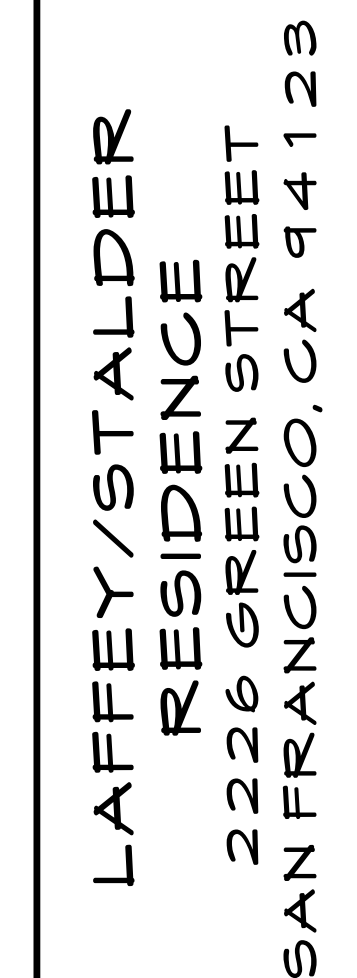
ENVIRONMENTAL REVIEW

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.



355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



PLANETS (E) & (Z)

REVISIONS	BY
SITE PERMIT SET 12/7/15	
SITE PERMIT SET REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	

Date 5/26/2016

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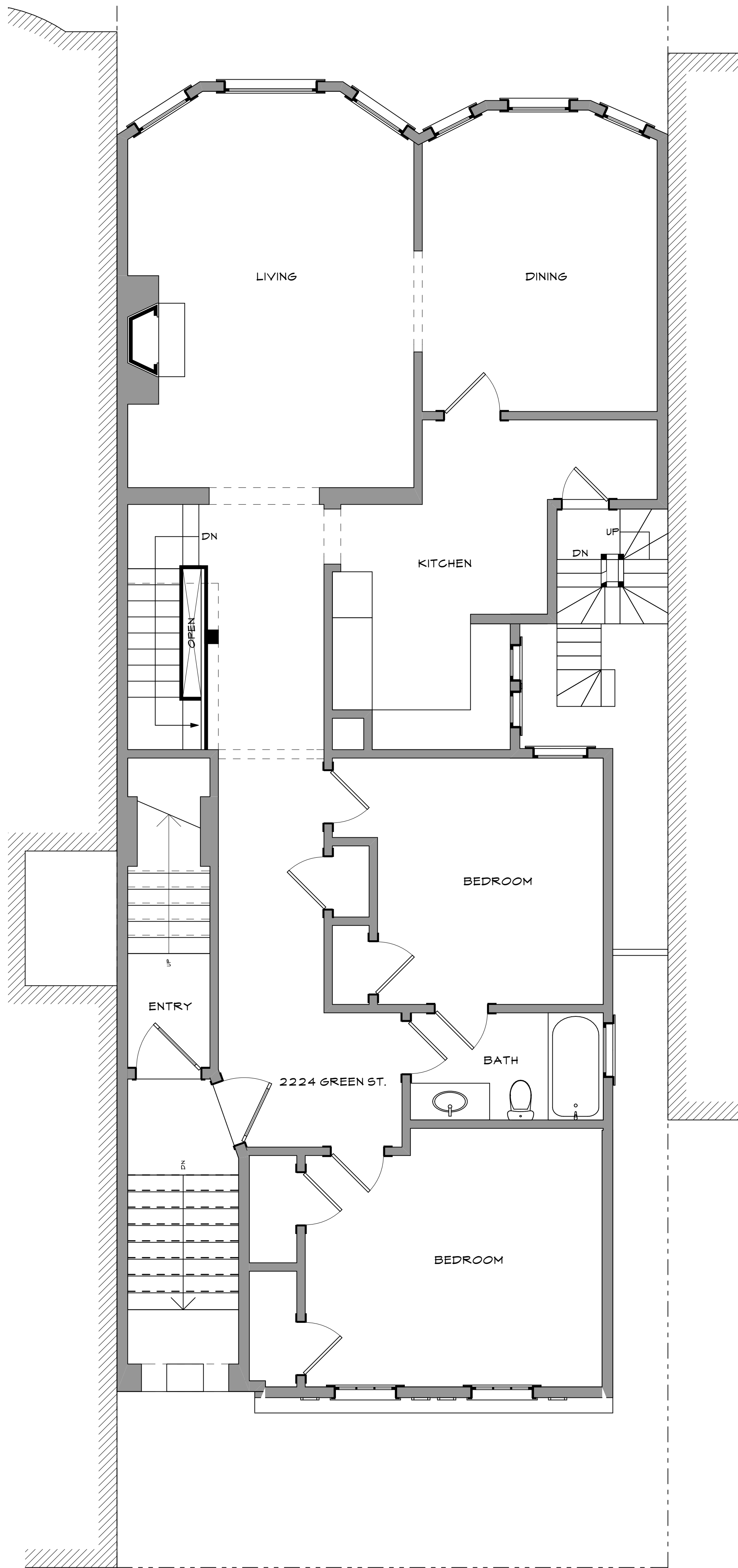
Job 1517

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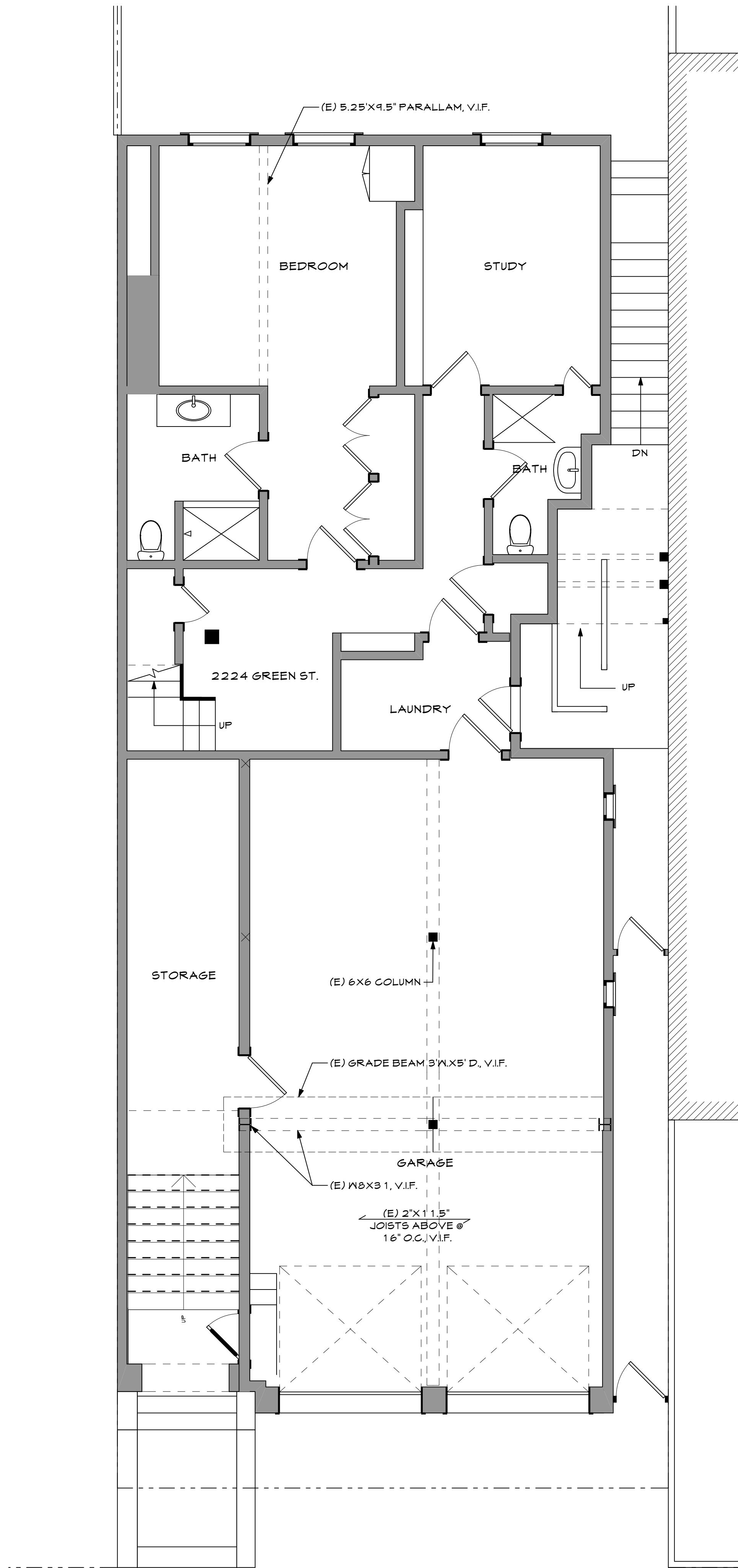
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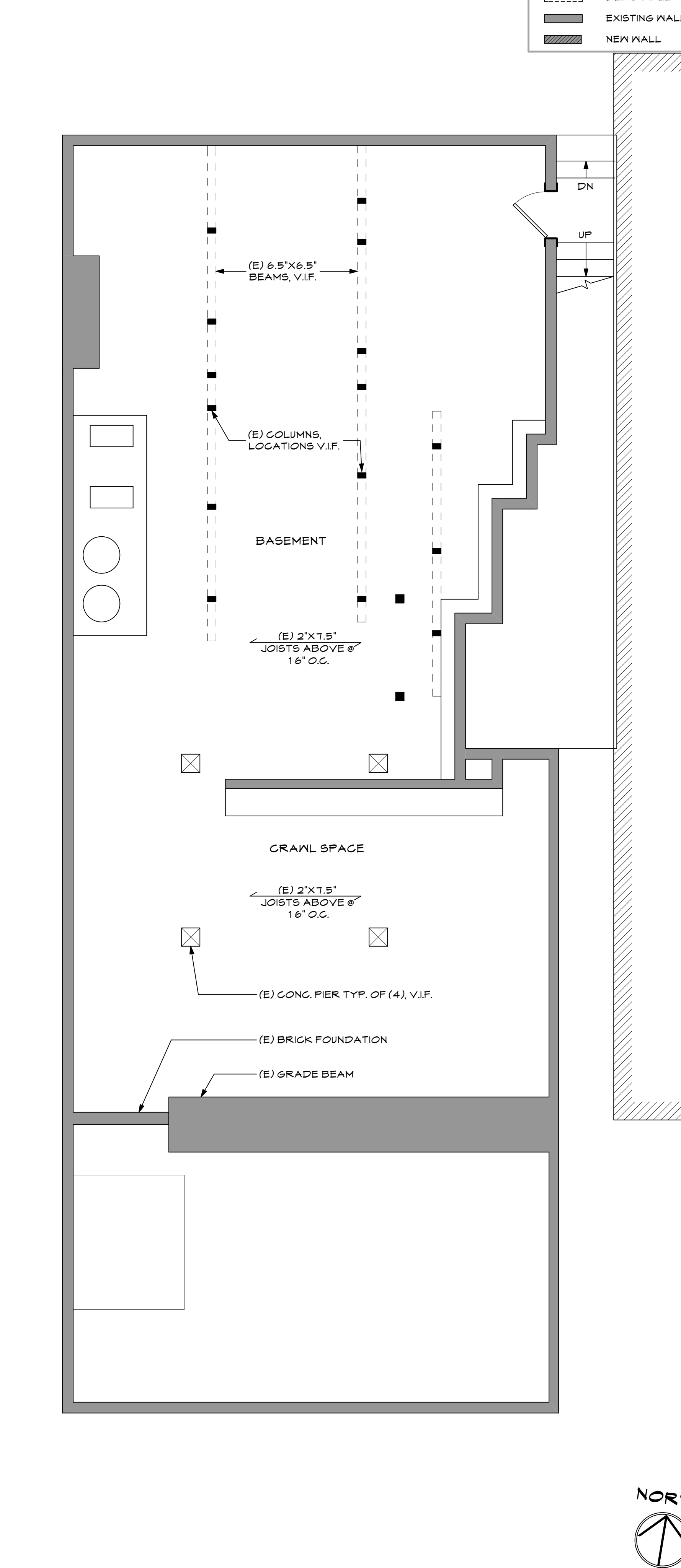
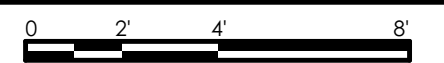




③ SECOND FLOOR
SCALE: 1/4" = 1'-0"



② FIRST FLOOR
SCALE: 1/4" = 1'-0"



① BASEMENT
SCALE: 1/4" = 1'-0"



LEGEND
[---] DEMO WALL
[---] EXISTING WALL
[---] NEW WALL



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CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING FLOOR PLANS

REVISIONS	BY
SITE PERMIT SET	
REVISION 1	
SITE PERMIT SET	
REVISION 2	
SITE PERMIT SET	
REVISION 3	

Date 5/26/2016

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Drawn PD, EE

Job 1517

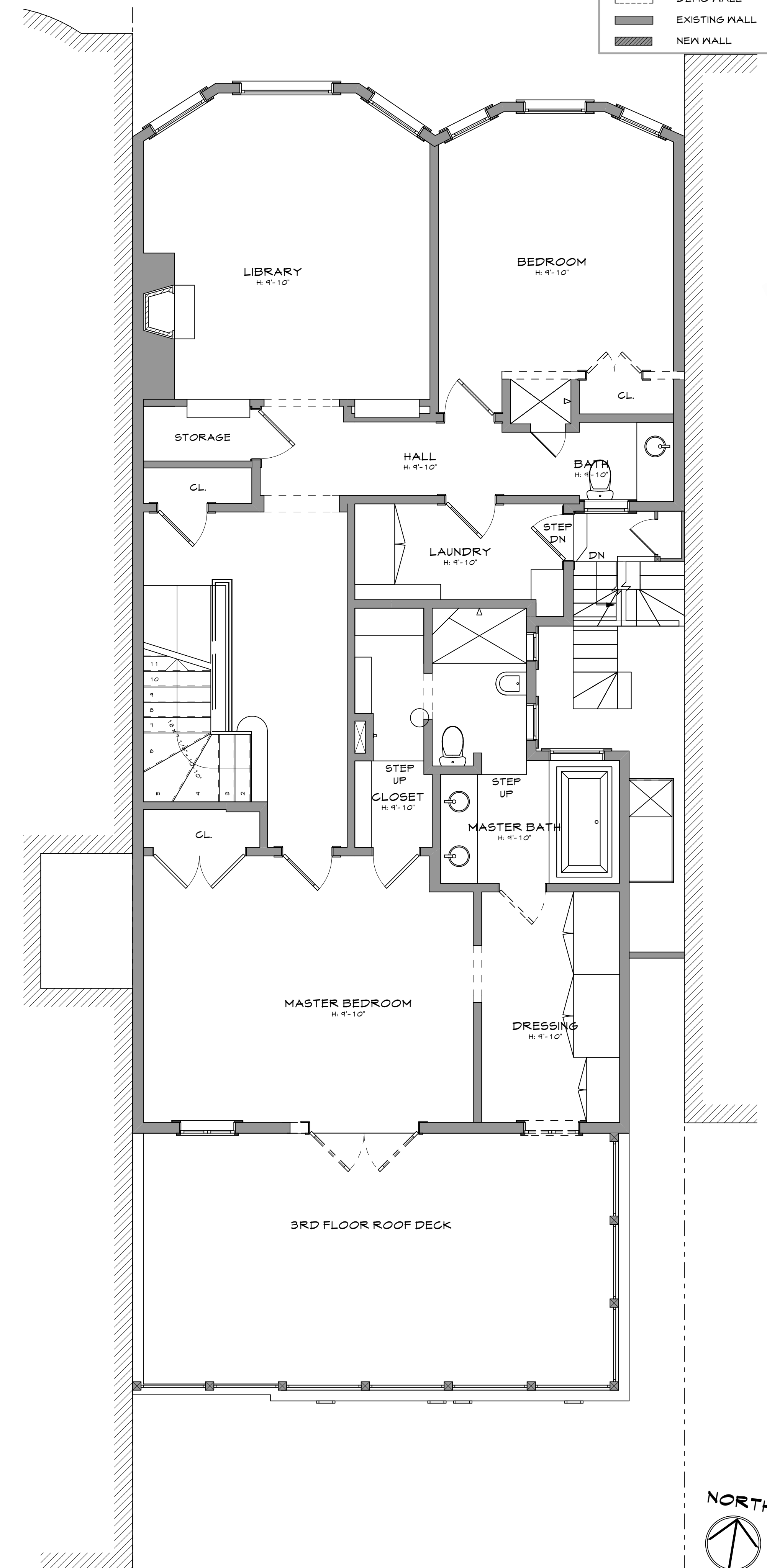
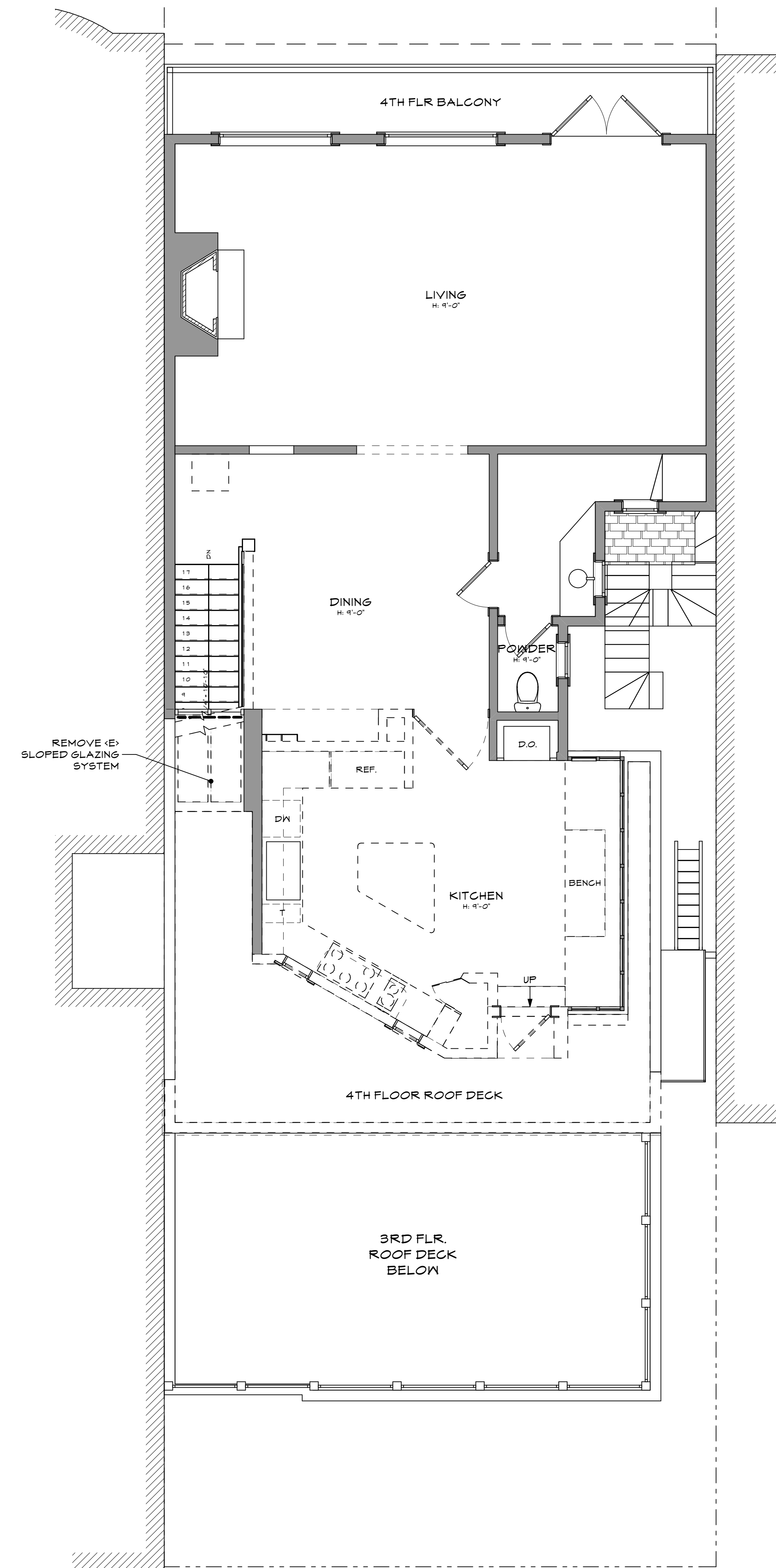
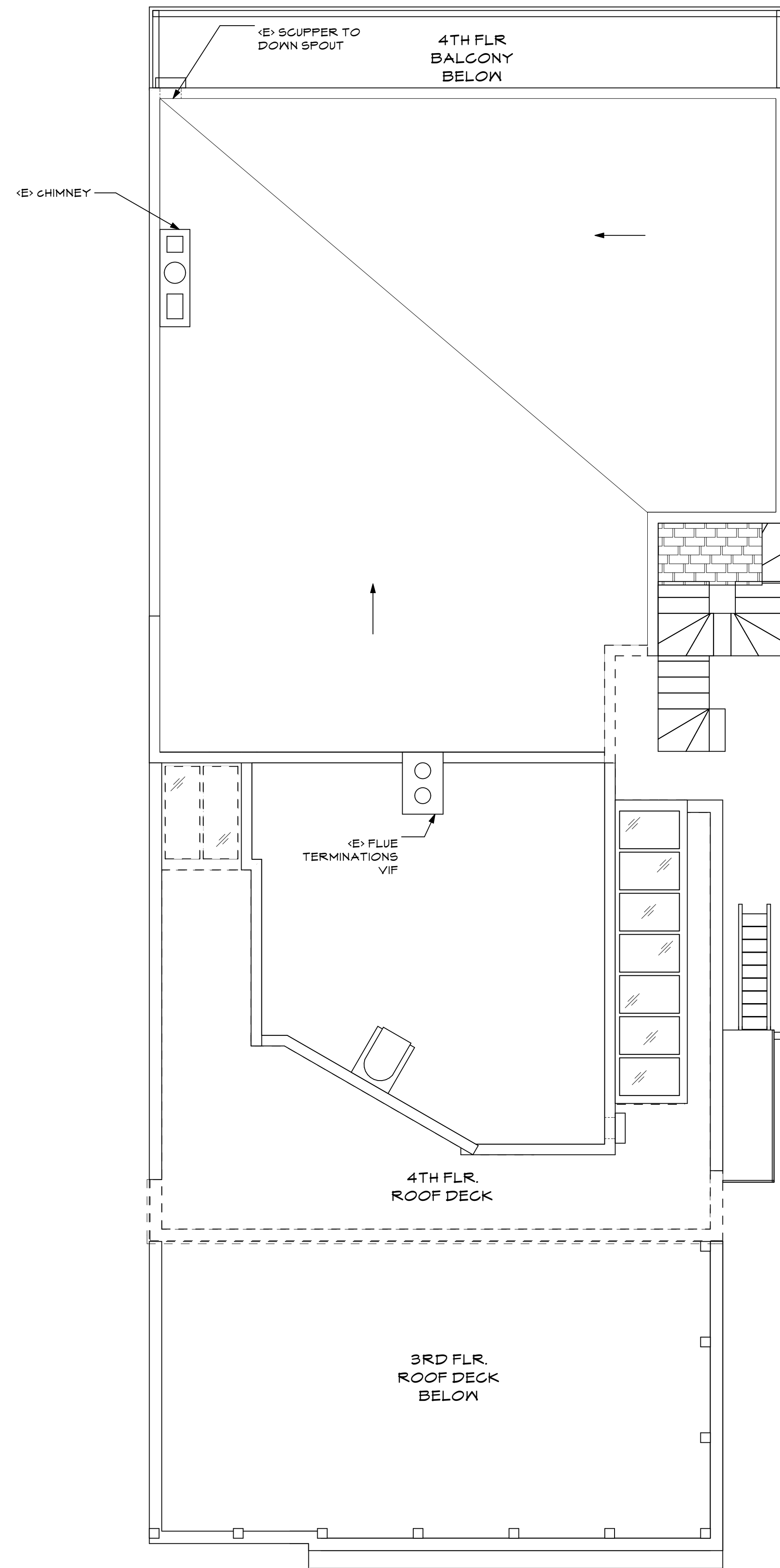
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LAFHEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 941123

EXISTING FOR PLANS

REVISIONS	BY
SITE PERMIT SET 12/7/15	
SITE PERMIT SET REVISION 1 3/11/2016	
SITE PERMIT SET REVISION 2 4/01/2016	
SITE PERMIT SET REVISION 3 5/10/2016	

Date 5/26/2016

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Job 1517

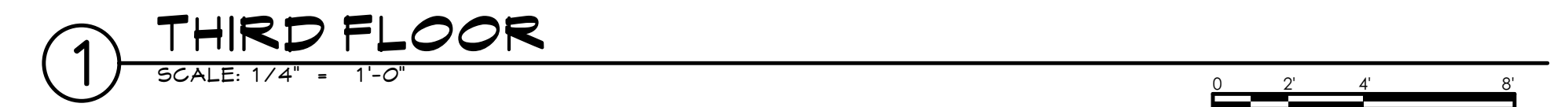
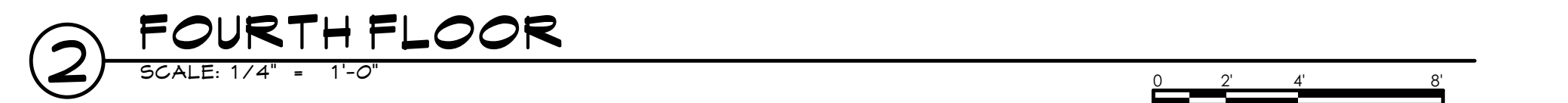
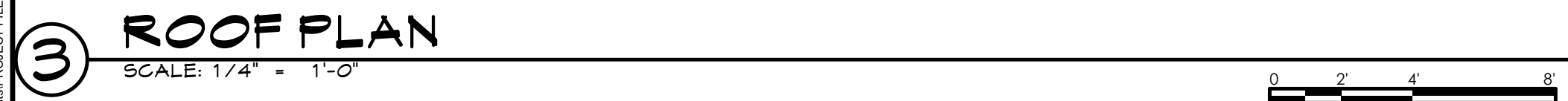
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Of Sheets

NORTH

A simple compass rose with four lines pointing towards the cardinal directions. The word 'NORTH' is written above the top line.



REVISIONS	BY
SITE PERMIT SET 12/7/15	
SITE PERMIT SET REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
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San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET	
12/7/15	
SITE PERMIT SET	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/01/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	

Date 5/26/2016

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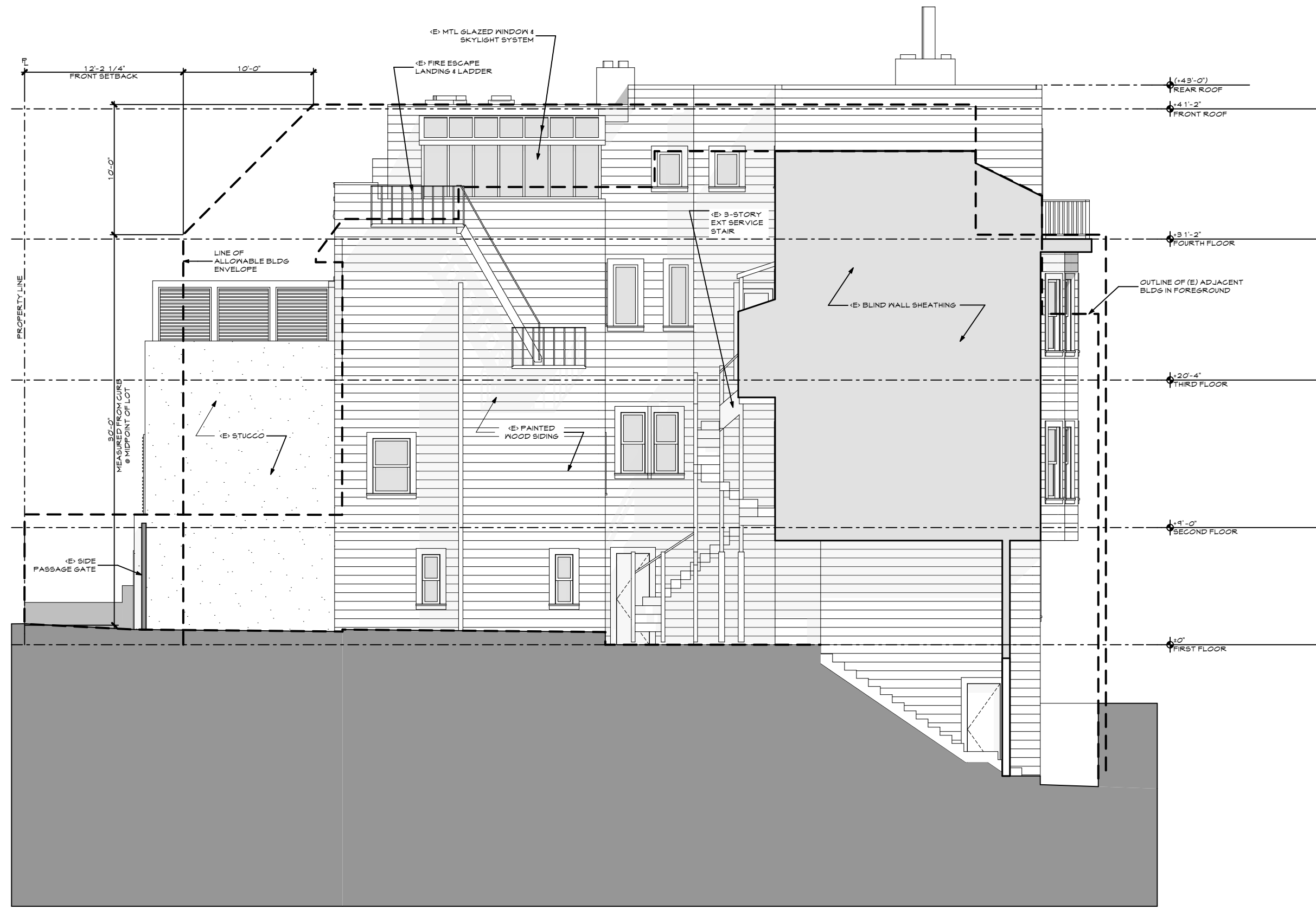
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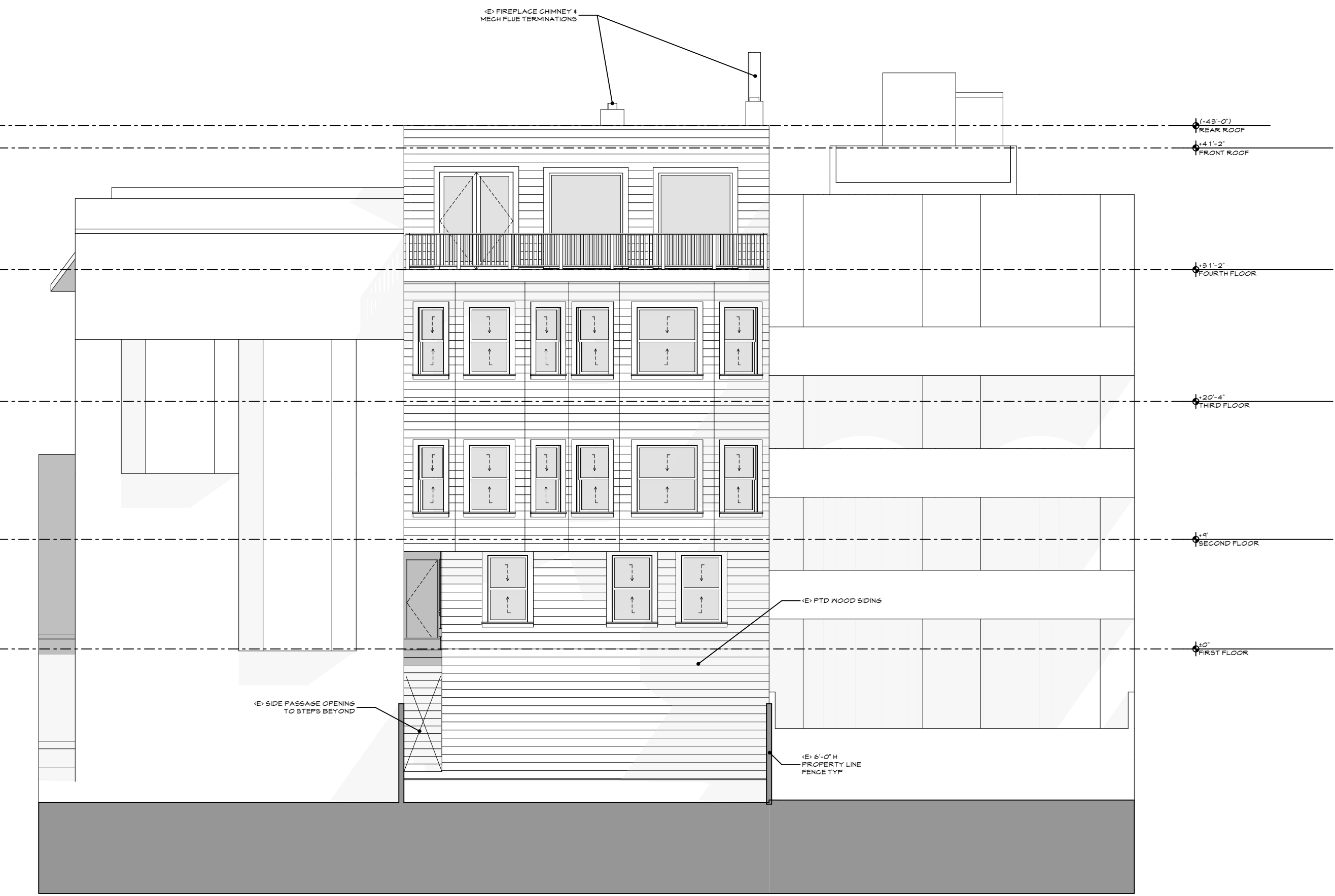
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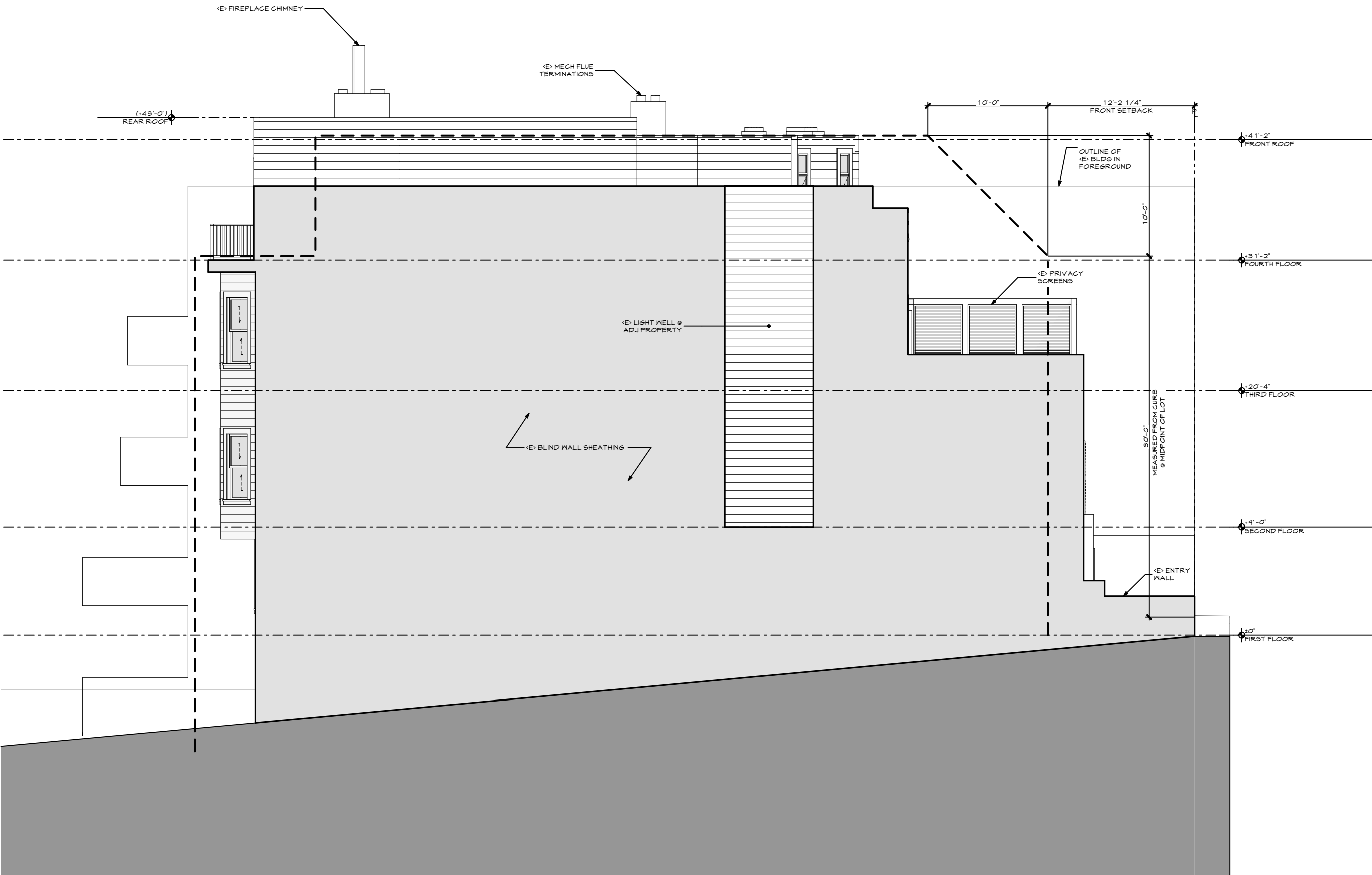
④ EAST ELEVATION

SCALE: 1/8" = 1'-0"



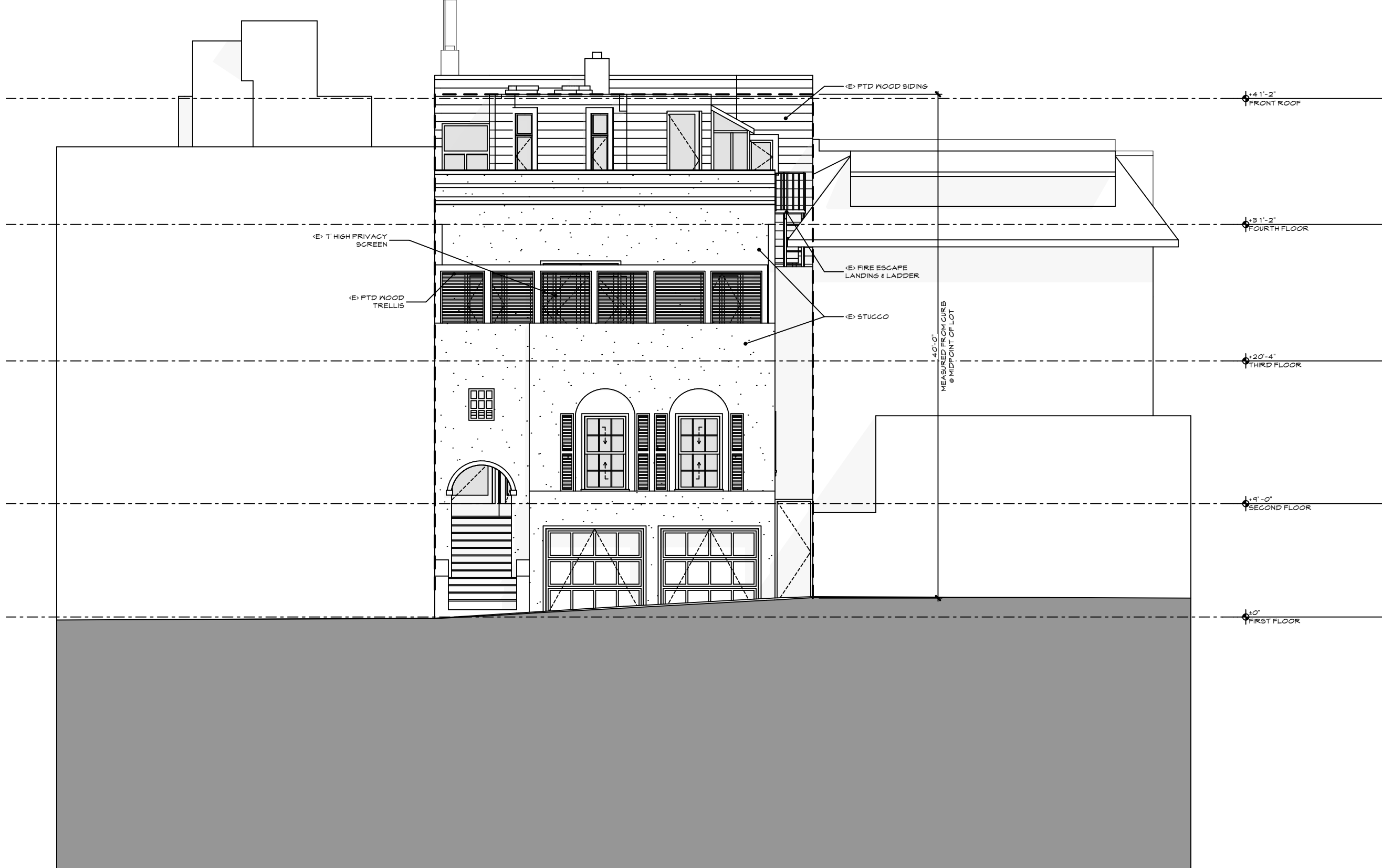
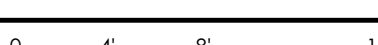
③ NORTH ELEVATION

SCALE: 1/8" = 1'-0"



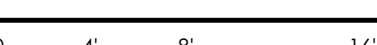
② WEST ELEVATION

SCALE: 1/8" = 1'-0"



① SOUTH ELEVATION

SCALE: 1/8" = 1'-0"





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Fax 415.885.2808



LAFLEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94112

PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET	1/2/17/18
SITE PERMIT SET	REVISION 1
SITE PERMIT SET	REVISION 2
SITE PERMIT SET	REVISION 3
SITE PERMIT SET	REVISION 4
SITE PERMIT SET	REVISION 5

Date 5/26/2016

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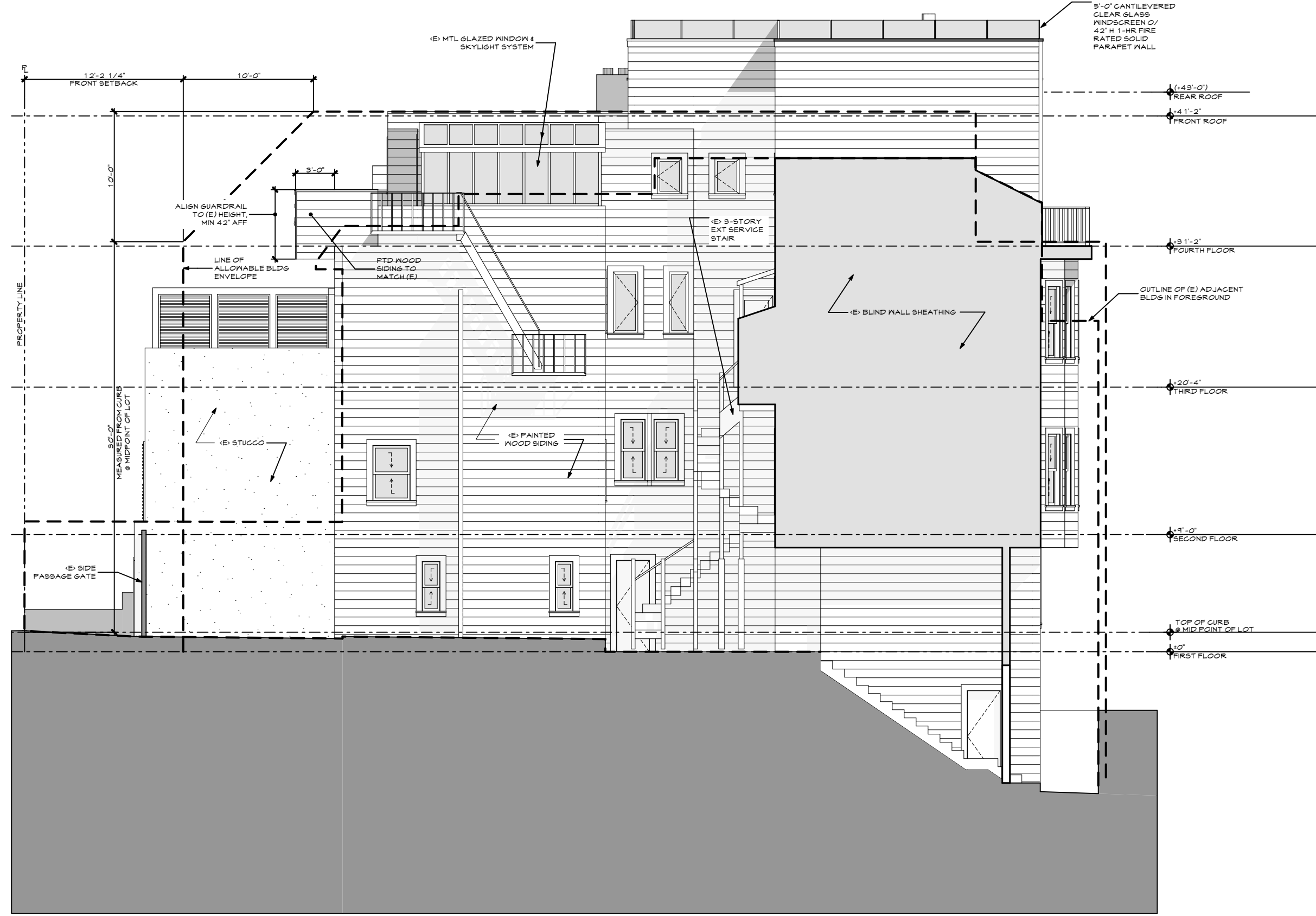
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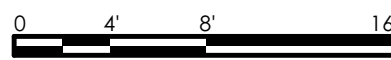
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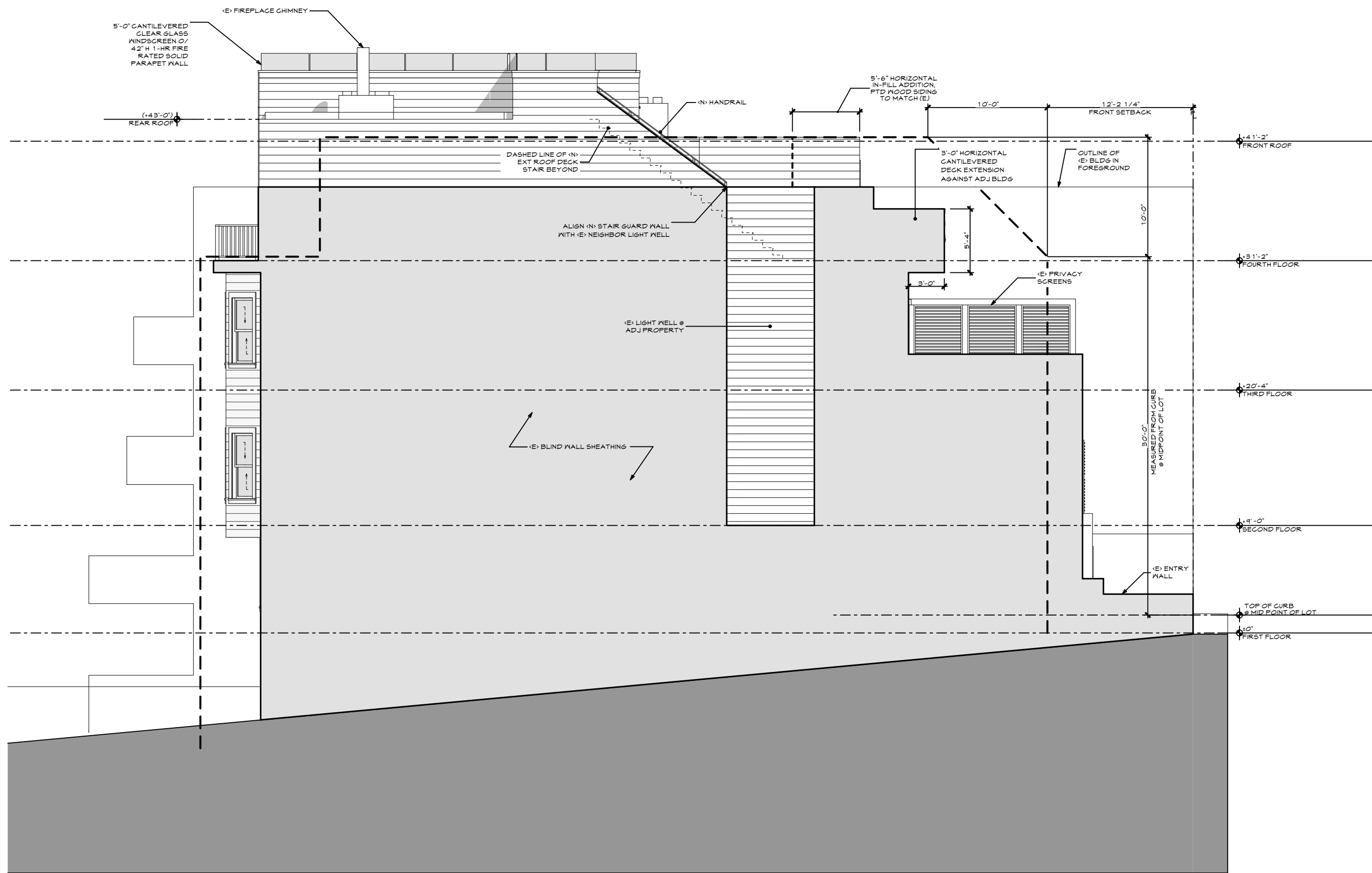
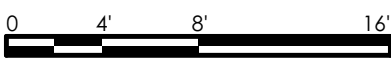
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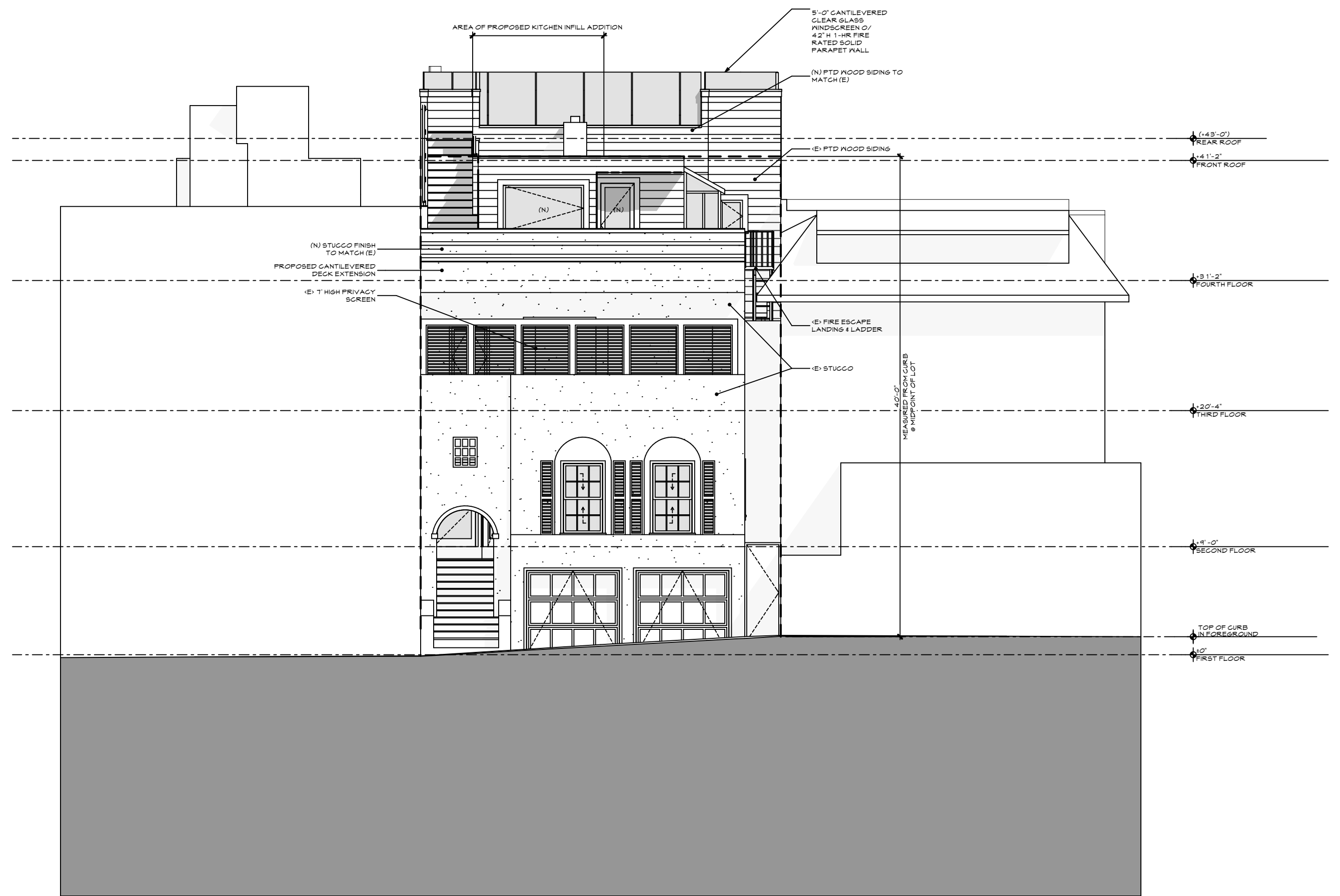
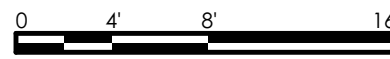
④ EAST ELEVATION
SCALE: 1/8" = 1'-0"



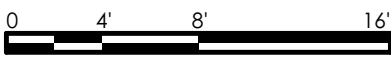
③ NORTH ELEVATION
SCALE: 1/8" = 1'-0"



② WEST ELEVATION
SCALE: 1/8" = 1'-0"



① SOUTH ELEVATION
SCALE: 1/8" = 1'-0"





SAN FRANCISCO PLANNING DEPARTMENT

EXHIBIT B

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On December 8, 2015 the Applicant named below filed Building Permit Application No. 2015.12.08.4465 with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	2226 Green Street	Applicant:	Dennis Budd, Gast Architects
Cross Street(s):	Fillmore Street and Steiner Street	Address:	355 11 th Avenue, Suite 300
Block/Lot No.:	0539/039	City, State:	San Francisco, CA 94103
Zoning District(s):	RH-3 / 40-X	Telephone:	(415) 885-2946 ext. 17

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 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 type="checkbox"/> Façade Alteration(s)	<input checked="" type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Side Setbacks	0	No Change
Building Depth	73 feet	No Change
Rear Yard	55 feet 6 inches	No Change
Building Height	40'-3" at the front of the building with a maximum of 42'-3" at the rear	No change to building height; roof deck and 42" guardrail proposed atop rear most portion of the existing building.
Number of Stories	4	No Change
Number of Dwelling Units	1	No Change

PROJECT DESCRIPTION

The project proposal is to alter an existing four-story, single family residence by constructing an approximately 30-square foot kitchen expansion and cantilevered deck at the front of the fourth floor, as well as a roof deck at the rear.

The original Section 311 notice for this project was mailed on June 22, 2016 and expired on July 21, 2016. The project sponsor has since modified the project to reduce the size of the proposed roof deck and eliminate the windscreen, leaving a minimum height transparent guardrail around the roof deck. Thus, this revised notice supersedes the original notice mailed to neighbors. Two requests for Discretionary Review have been filed and already scheduled to be heard at the February 2, 2017 Planning Commission hearing. Please 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: Sylvia Jimenez

Telephone: (415) 575-9187

E-mail: sylvia.jimenez@sfgov.org

Notice Date: 12/26/2016

Expiration Date: 01/10/2017

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.

PLAN CHECK SUMMARY

BLOCK & LOT: 0539/038-039
LOT SIZE: 137'-6" x 30' = 4,125 SF
ZONING: RH-3
REAR YARD: AVERAGE REAR BLDG WALLS
HEIGHT LIMIT: 40'
EXISTING OCCUPANCY: TWO UNIT DWELLING
PROPOSED OCCUPANCY: TWO UNIT DWELLING
CONSTRUCTION TYPE: V-B

AREA CALCULATIONS

PROJECT GROSS SQUARE FOOTAGE CALCULATIONS

GROSS SQUARE FOOTAGE	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION	PROJECT TOTALS
RESIDENTIAL	2,810 SF	2,810 SF	30 SF	2,840 SF
ROOF DECK	757 SF	727 SF	764 SF	1,595 SF

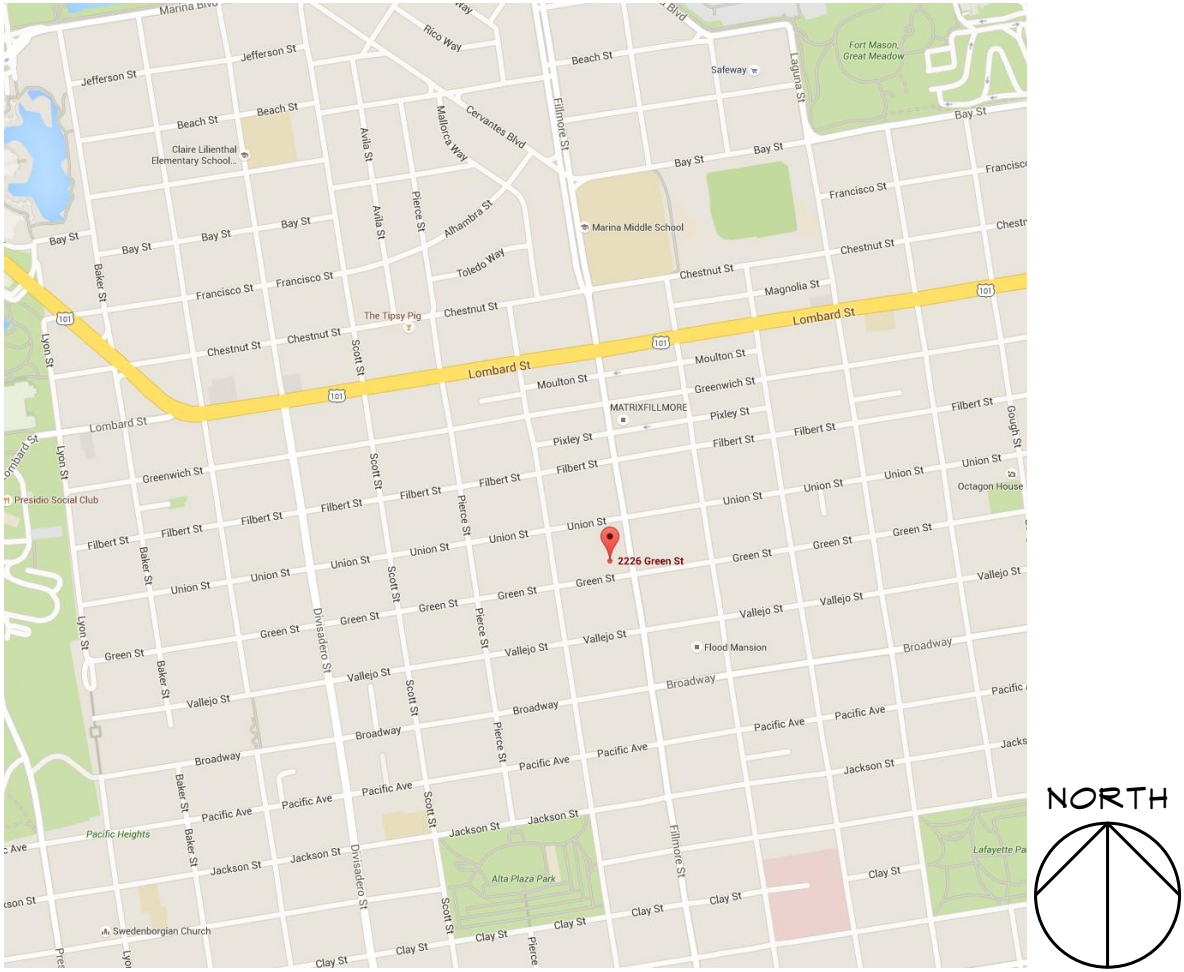
APPLICABLE CODES

2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA PLUMBING CODE
2013 SAN FRANCISCO BUILDING, ELECTRICAL, MECHANICAL, PLANNING AND PLUMBING CODE AMENDMENTS

GENERAL NOTES

- CODES: ALL WORK SHALL MEET OR EXCEED THE REQUIREMENTS OF CURRENT APPLICABLE SAN FRANCISCO AND CALIFORNIA CODES, AND ALL OTHER APPLICABLE CODES, ORDINANCES AND REGULATIONS. SEE CODE EDITIONS ON THIS SHEET.
- EXISTING CONDITIONS AND DIMENSIONS: CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND DIMENSIONS ON SITE. CALLED-OFF DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED-OFF DIMENSIONS. DIMENSIONS ARE TO FACE OF FINISH OR CONCRETE WALLS, UNLESS OTHERWISE NOTED. DIMENSIONS IN SECTIONS AND ELEVATIONS ARE TO FINISH FLOOR UNLESS OTHERWISE NOTED.
- PLANS & SPECIFICATIONS: THE PLANS AND SPECIFICATIONS SUPPLEMENT EACH OTHER. CONTRACTOR TO IMMEDIATELY REPORT ANY ERRORS, OMISSIONS, AMBIGUITIES OR CONFLICTS IN THE PLANS AND SPECIFICATIONS TO THE ARCHITECT, AND UNTIL THEY ARE RESOLVED, SHALL NOT PROCEED WITH THE AFFECTED WORK.
- DETAILS: DETAILS SHOWN ARE TYPICAL. SIMILAR DETAILS SHALL APPLY IN SIMILAR CONDITIONS.
- CONTRACTOR RESPONSIBILITY: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES AND SEQUENCES OF CONSTRUCTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL SAFETY PROGRAMS AND PROCEDURES DURING CONSTRUCTION, AND SHALL MAINTAIN THE SHORING AND BRACING UNTIL THE NEW PERMANENT STRUCTURE CAN PROVIDE ADEQUATE VERTICAL AND LATERAL SUPPORT.
- INSTALLATION: ALL MATERIALS AND EQUIPMENT SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS OR RECOMMENDATIONS, UNLESS AGREED TO OTHERWISE BY THE ARCHITECTS.

VICINITY MAP



ABBREVIATIONS

Ø ⌀ Φ	AT CENTERLINE DIAMETER	<N> N.I.C. NO. NOM. NOT TO SCALE ON CENTER	NEW NOT IN CONTRACT NUMBER NOMINAL NOT TO SCALE ON CENTER
ABV A.D. ADJ. A.F.F. APPROX. ARCH. ASPH.	ABOVE AREA DRAIN ADJUSTABLE ABOVE FINISH FLOOR APPROXIMATE ARCHITECTURAL ASPHALT	O.H. OPNG. OPP. O/	OVERHANG OPENING OPPOSITE OVER
BLDG. BLKS. BUR	BUILDING BLOCKING BUILT-UP ROOFING	FL PL. P.LAM. PLYMD. P.T. PTD.	PROPERTY LINE PLATE PLASTIC LAMINATE PLYWOOD PRESSURE TREATED PAINTED
C.J. CLR. CONT. CTR.	CONTROL JOINT CLEAR CONTINUOUS CENTER	(R) R. R.A. REF. REG. REINF. REQ. RM. R.O. RDWD.	RELOCATED RISE, RISER RETURN AIR REFRIGERATOR REGISTER REINFORCED REQUIRED ROOM ROUGH OPENING REDWOOD
D. DBL. DET. D.F. DIA. DIM. DISP. DN. DR. D.S. D.W. DWG. DWR	DRYER DOUBLE DETAIL DOUGLAS FIR DIAMETER DIMENSION DISPOSER DOWN DOOR DOWN SPOUT DISHWASHER DRAWING DRAWER	S. S.C. S.D. SECT. SHT. SHEATH'G SIM. SPEC. SQ. S.S.D. STD. STL. STOR. STRUCT. SUSP. SYM.	SOUTH SOLID CORE SMOKE DETECTOR SECTION SHEET SHEATHING SIMILAR SPECIFICATION SQUARE SEE STRUCT. DWGS. STANDARD STEEL STORAGE STRUCTURAL SUSPENDED SYMBOL
E <E> EA EL ELEC. EQ. EXT.	EAST EXISTING EACH ELEVATION ELECTRICAL EQUAL EXTERIOR	T. T.B. T4G T.O. T.O.G. T.O.P. T.O.N. T.P.H. TRSM. T.V. TYP.	TREAD TOMEL BAR TONGUE AND GROOVE TOP OF TOP OF CURB TOP OF PLATE TOP OF WALL TOILET PAPER HOLDER TRANSOM TELEVISION TYPICAL
F.D. FDN. FIN. FL. F.O. F.O.F F.O.S.	FLOOR DRAIN FOUNDATION FINISH FLOOR FACE OF FACE OF FINISH FACE OF STUD	U.O.N	UNLESS OTHERWISE NOTED
F.S.M.F	FLEXIBLE SHEET MEMBRANE FLASHING	V. VERT. V.I.F. V.G.	VENT VERTICAL VERIFY IN FIELD VERTICAL GRAIN
FT. FTG.	FEET FOOTING	W. WASHING MACHINE W.C. WATER CLOSET(TOILET) W.D. WOOD W.H. WATER HEATER W/O WITHOUT W.P. WATERPROOF, WORK POINT W.R. WATER RESISTANT YD.	YARD
GA. GALV. GYP. BD.	GAUGE GALVANIZED GYPSUM BOARD		
H. H.B. HDR. HDWR. HORIZ. HT.	HIGH HOSE BIB HEADER HARDWARE HORIZONTAL HEIGHT		
ID. IG. INSUL. INT.	INSIDE DIAMETER INSULATED GLASS INSULATION INTERIOR		
JT.	JOINT		
LAV. LT.	LAVATORY LIGHT		
M. MAX. MECH. MFR. MIN. MISC.	MASTER MAXIMUM MECHANICAL MANUFACTURER MINIMUM MISCELLANEOUS		

DIRECTORY

CLIENT	John Stalder & Meghan Laffey 1840 Jefferson Street, APT #302 San Francisco, CA 94123	Phone: (415) 765-7023 Email: John.Stalder@gmail.com Email: meghanlaffey@gmail.com
ARCHITECT	Gast Architects 355 11th Street Suite 300 San Francisco, CA 94103	Phone: (415) 885-2946 Fax: (415) 885-2808
	David S. Gast, AIA Principal Dennis Budd, AIA Principal	Email: DGast@GastArchitects.com Email: DBudd@GastArchitects.com
STRUCTURAL	Larry Wong Engineering 485 14th Street San Francisco, CA 94103	Phone: (415) 877-1392 Fax: (415) 871-2230 Email: LWong@l Wongengineering.com
GENERAL CONTRACTOR	Hunter Dale, Project Manager Eastwood Development 3520 20th Street, Unit B San Francisco, CA 94110	Phone: (415) 341-0473 Email: hunter@eastwoodsfsf.com

SYMBOLS

REFERENCE SYMBOLS	
[-----]	DEMO WALL
[=====]	EXISTING WALL
[=====]	NEW WALL
---	HIDDEN EDGE, ABOVE OR BEYOND
----	HIDDEN EDGE, BELOW OR BEHIND
123	DOOR SYMBOL
12	WINDOW SYMBOL
12	SKYLIGHT SYMBOL
12	WALL TYPE
A	GRID OR REFERENCE LINE
3 A1.2	BUILDING OR WALL SECTION NO. OVER SHEET NO.
3 A1.2	DETAIL NO. OVER SHEET NO.
3 A1.2	ELEVATION NO. OVER SHEET NO.
3 A1.2	ROOM NO. OVER SHEET NO.
⊕	LEVEL LINE OR DATUM
+100.0'	SPOT ELEVATION (N)
---	PROPERTY LINE
45	NEW OR FINISHED CONTOURS
45	EXISTING CONTOURS

DRAWING INDEX

ARCHITECTURAL
A0.0 COVER SHEET
A0.1 PERSPECTIVES
A0.2 STREET PHOTOGRAPHS
A0.3 PHOTOGRAPHS
A0.4 LAND SURVEYOR
A1.0 (E) & (N) SITE PLANS
A2.0 EXISTING FLOOR PLANS
A2.1 EXISTING FLOOR PLANS
A2.2 PROPOSED FLOOR PLANS
A3.1 EXISTING ELEVATIONS
A3.2 EXISTING ELEVATIONS
A3.3 EXISTING ELEVATIONS
A3.4 EXISTING ELEVATIONS
A3.5 PROPOSED ELEVATION
A3.6 PROPOSED ELEVATION
A3.7 PROPOSED ELEVATION
A3.8 PROPOSED ELEVATION
A4.0 EXISTING BUILDING SECTION
A4.1 PROPOSED BUILDING SECTION
A4.2 PROPOSED BUILDING SECTION
A4.3 PROPOSED BUILDING CROSS SECTION

SCOPE OF WORK

- 5'-6" DEEP HORIZONTAL KITCHEN IN-FILL ADDITION AT EXISTING 4TH FLOOR FRONT FAÇADE ROOF DECK
- 3'-0" DEEP CANTILEVERED DECK EXTENSION AT EXISTING 4TH FLOOR FRONT FACADE ROOF DECK
- CONVERT EXISTING 4TH FLOOR ROOF TO A 868 SF ROOF DECK WITH EXTERIOR ACCESS STAIRS, AND GLASS GUARDS
- KITCHEN RENOVATION

DRAFT:
NOT FOR
CONSTRUCTION



GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808

LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

COVER SHEET

REVISIONS	BY
SITE PERMIT SET 12/7/15	
REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 10/18/2016	

Date	10/18/2016
Scale	AS SHOWN
Drawn	PD, EE
Job	1517
Sheet	A0.0
Of	Sheets



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San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



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RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 941123

PERSPECTIVES

REVISIONS	BY
SITE PERMIT SET	EE
12/7/15	
SITE PERMIT SET	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/20/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
10/15/2016	

Date 10/18/2016

Scale AS SHOWN

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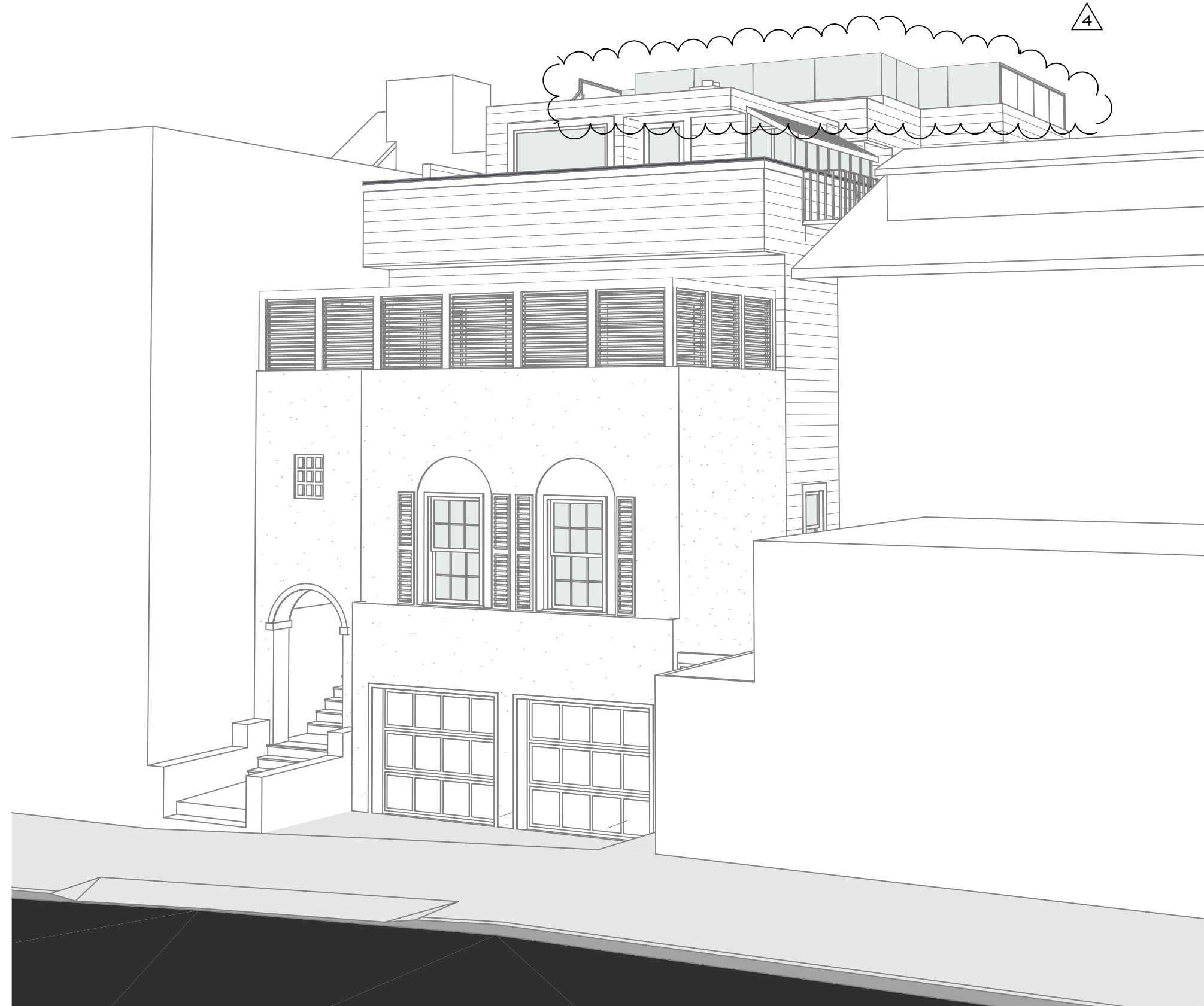
④ EXISTING STREET VIEW



③ EXISTING SOUTH-EAST FRONT VIEW



② PROPOSED STREET VIEW



① PROPOSED SOUTH-EAST FRONT VIEW



3 STORY MULTI-FAMILY



SUBJECT PROPERTY
2226 GREEN STREET
SAN FRANCISCO, CA 94123



3 STORY MULTI-FAMILY



3 STORY MULTI-FAMILY



4 STORY MULTI-FAMILY



4 STORY MULTI-FAMILY



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San Francisco
CA 94103
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STREET PHOTOGRAPHS

REVISIONS	BY
SITE PERMIT SET 12/7/15	EE
REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/01/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 10/18/2016	

Date 10/18/2016

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Of Sheets



ADJACENT WEST SIDE
2230-34 GREEN STREET



SUBJECT PROPERTY
2226 GREEN STREET
FRONT FACADE



ADJACENT EAST SIDE
2204-06 GREEN STREET



ADJACENT WEST SIDE
2230-34 GREEN STREET
REAR FACADE



SUBJECT PROPERTY
2226 GREEN STREET
REAR FACADE



ADJACENT EAST SIDE
2204-06 GREEN STREET
REAR FACADE



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355 11th Street, Suite 300
San Francisco
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Fax 415.885.2808



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SAN FRANCISCO, CA 94123

PHOTOGRAPHS

REVISIONS	BY
SITE PERMIT SET	EE
12/7/16	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/07/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
10/18/2016	

Date 10/18/2016

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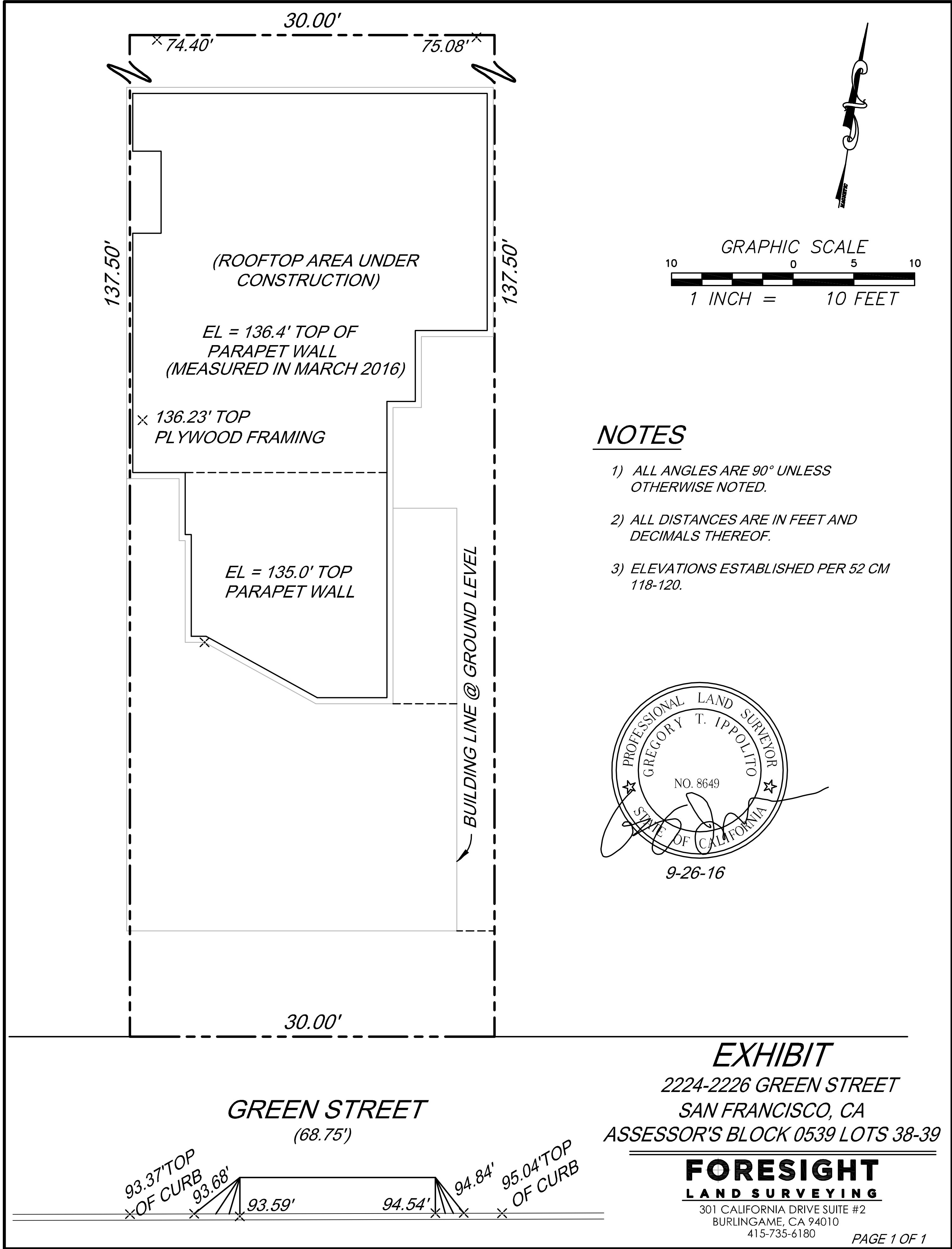
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Of Sheets

NEW
SHEET



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355 11th Street, Suite 300
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SAN FRANCISCO, CA 94112

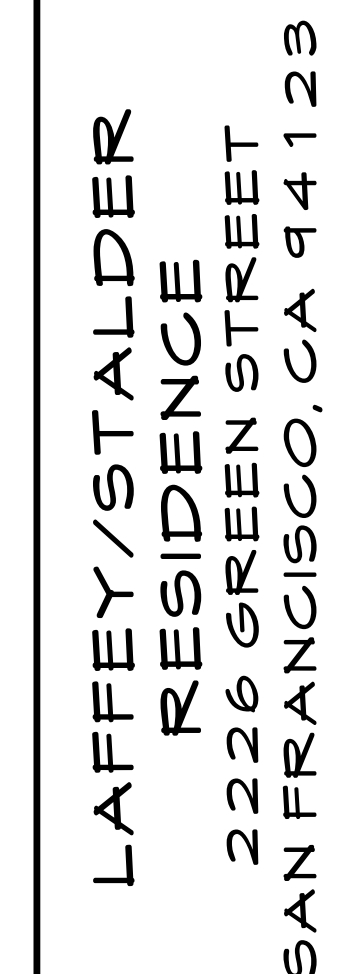
LAND SURVEYOR

REVISIONS		BY
SITE PERMIT SET	REVISION 4	EE
10/18/2016		

Date	10/18/2016
Scale	AS SHOWN
Drawn	PD, EE
Job	1517
Sheet	A0.4
Of	Sheets



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San Francisco
CA 94103
Tel 415.885.2946
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(E) & (N) SITE PLANS

REVISIONS	BY
SITE PERMIT SET 12/7/15	
SITE PERMIT SET REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
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SITE PERMIT SET REVISION 4 12/8/2016	

Date 2/16/2017

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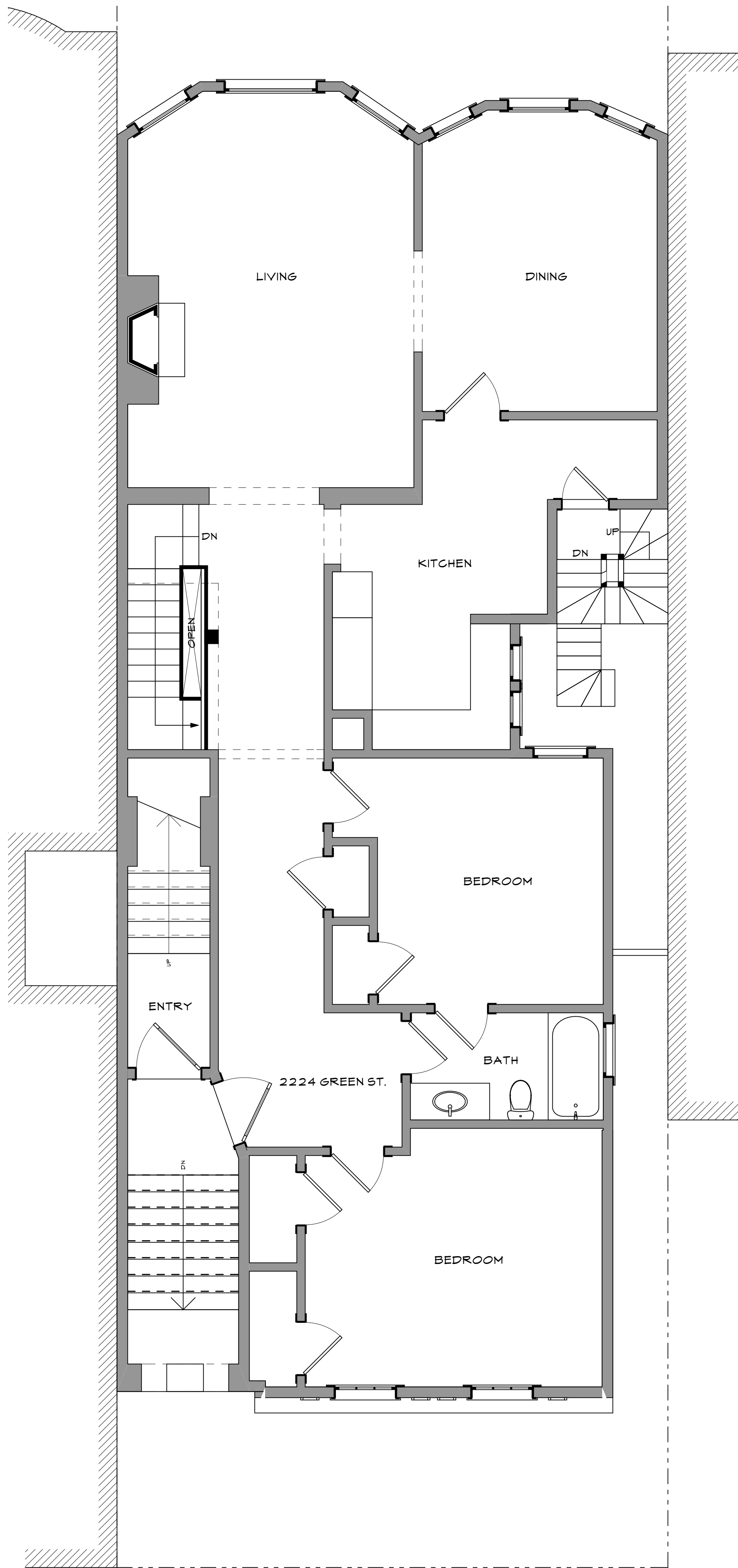
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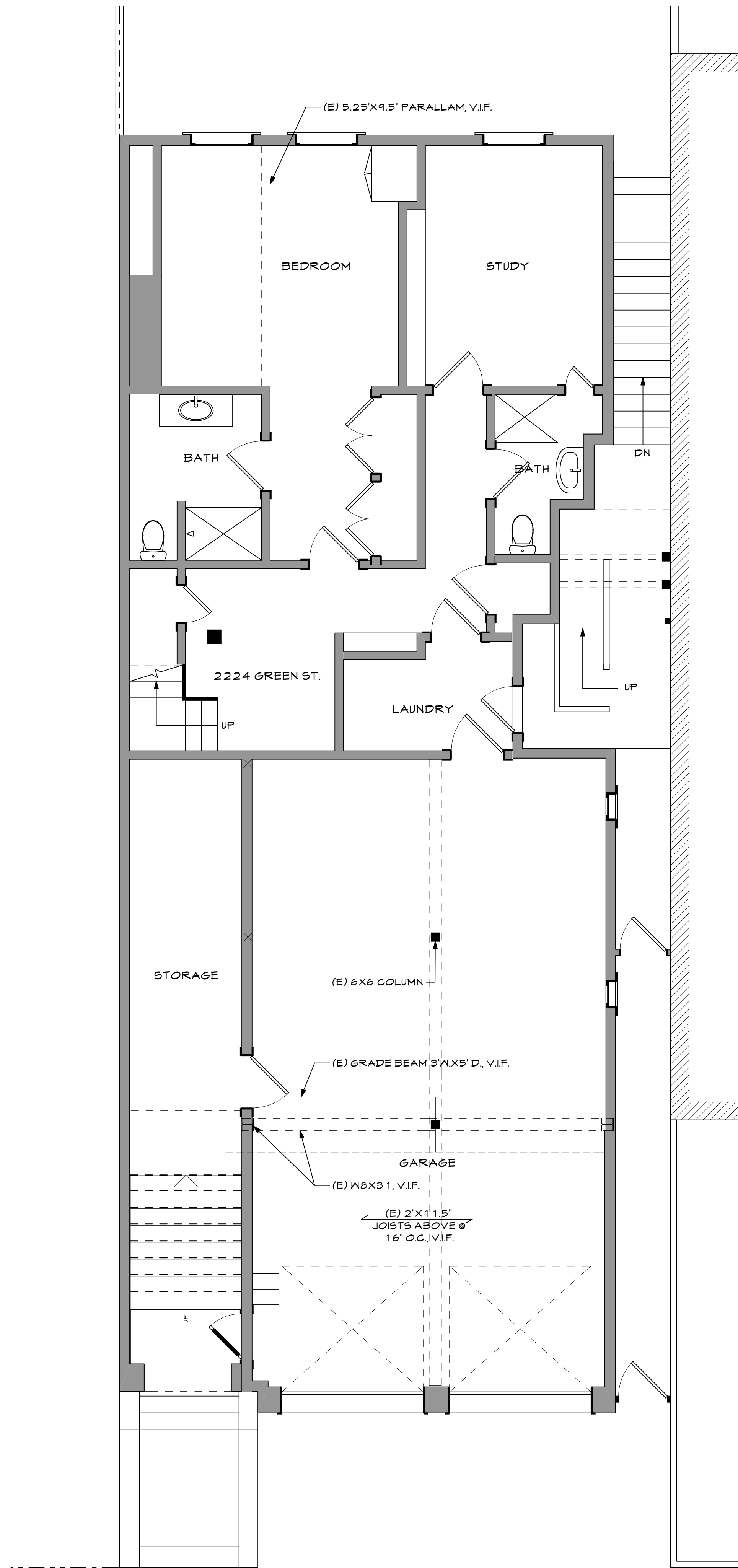
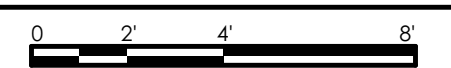
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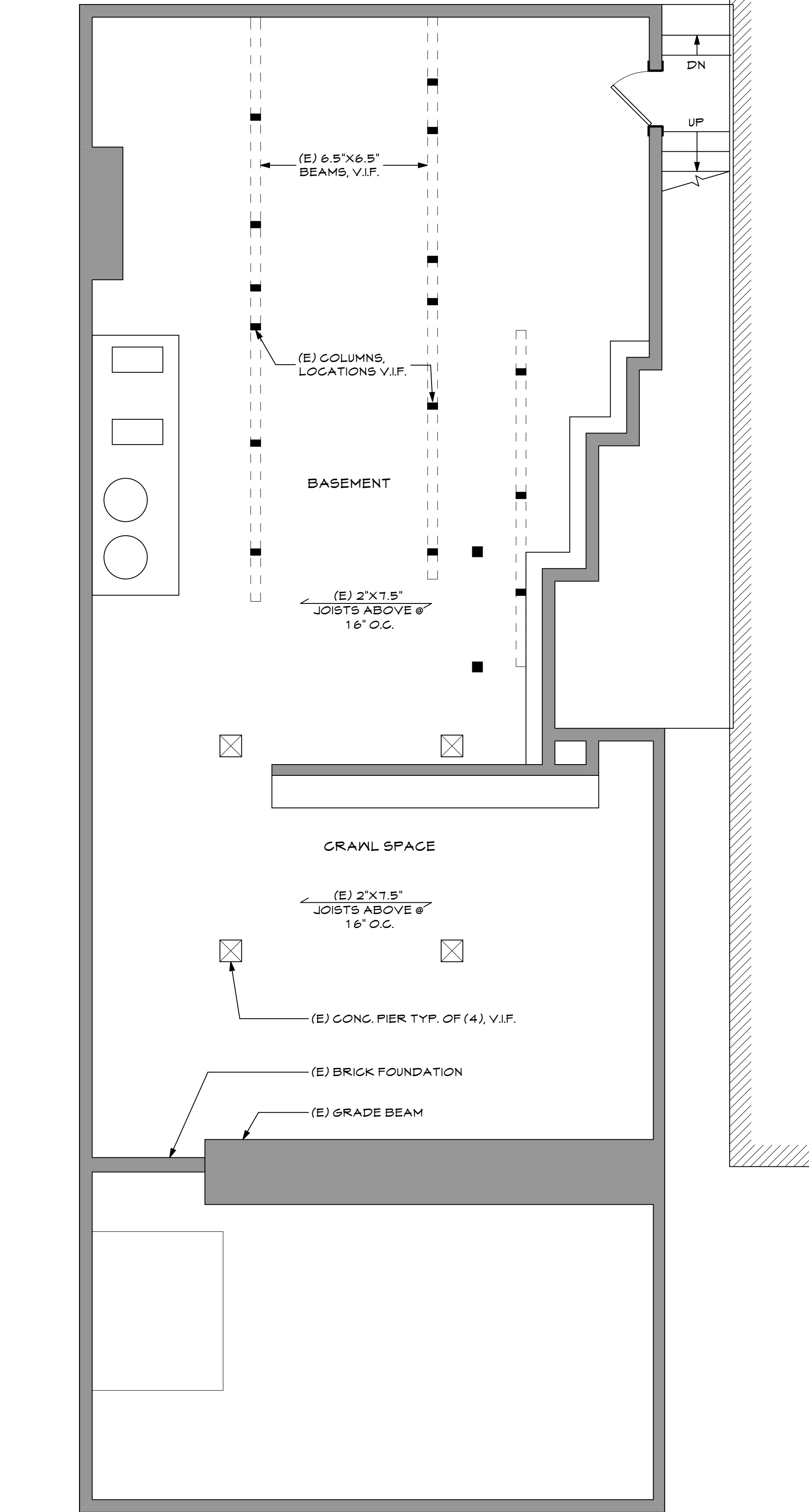
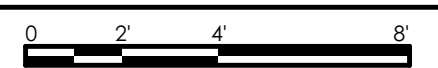




③ <E> SECOND FLOOR
SCALE: 1/4" = 1'-0"



② <E> FIRST FLOOR
SCALE: 1/4" = 1'-0"



① BASEMENT
SCALE: 1/4" = 1'-0"



LEGEND

	DEMO WALL
	EXISTING WALL
	NEW WALL

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355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
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SAN FRANCISCO, CA 94113

EXISTING FLOOR PLANS

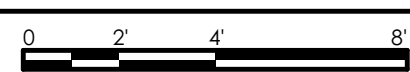
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REVISION 5	
REVISION 6	
REVISION 7	
REVISION 8	
REVISION 9	
REVISION 10	

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Job	1517
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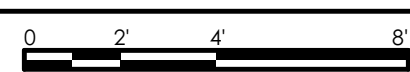
③ ROOF PLAN

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



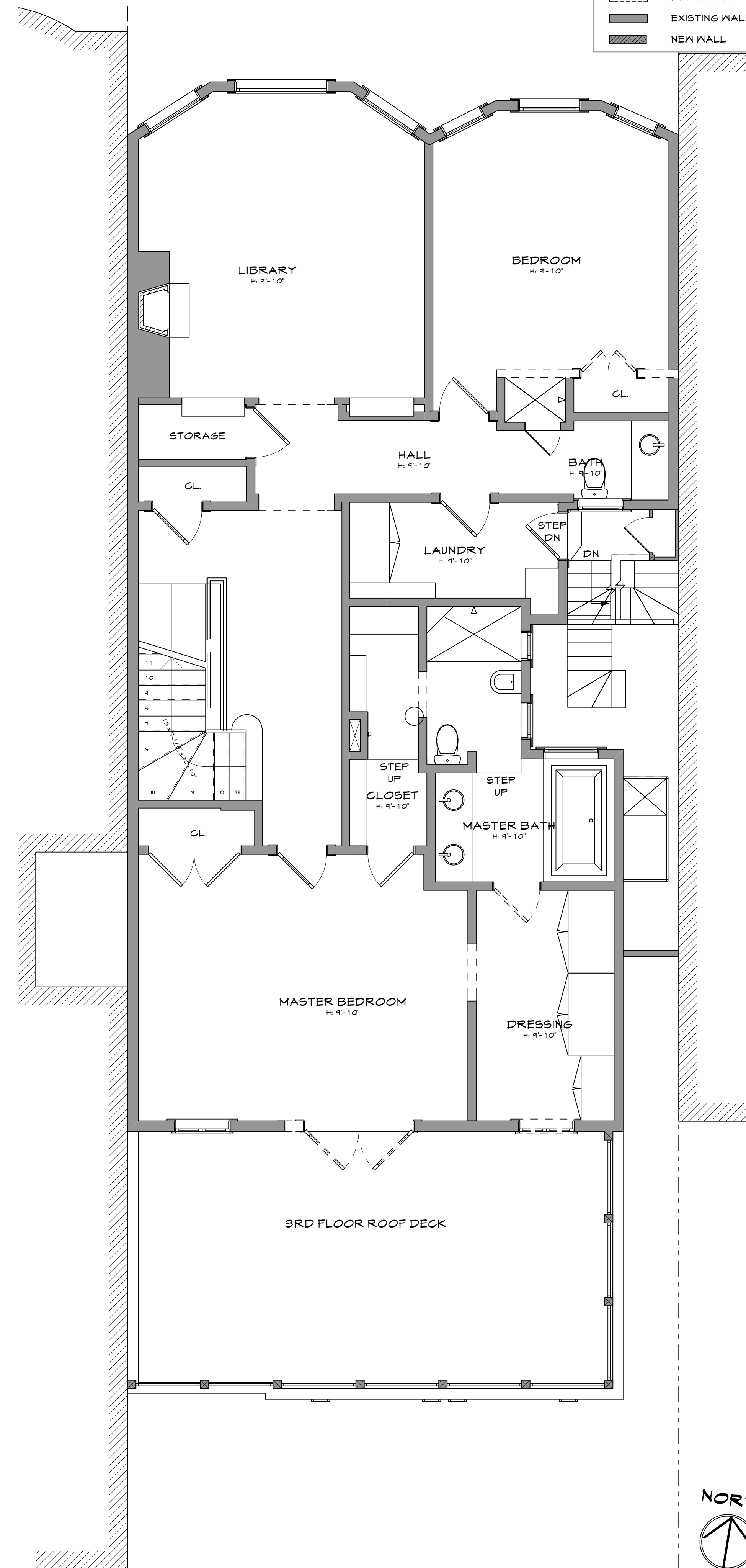
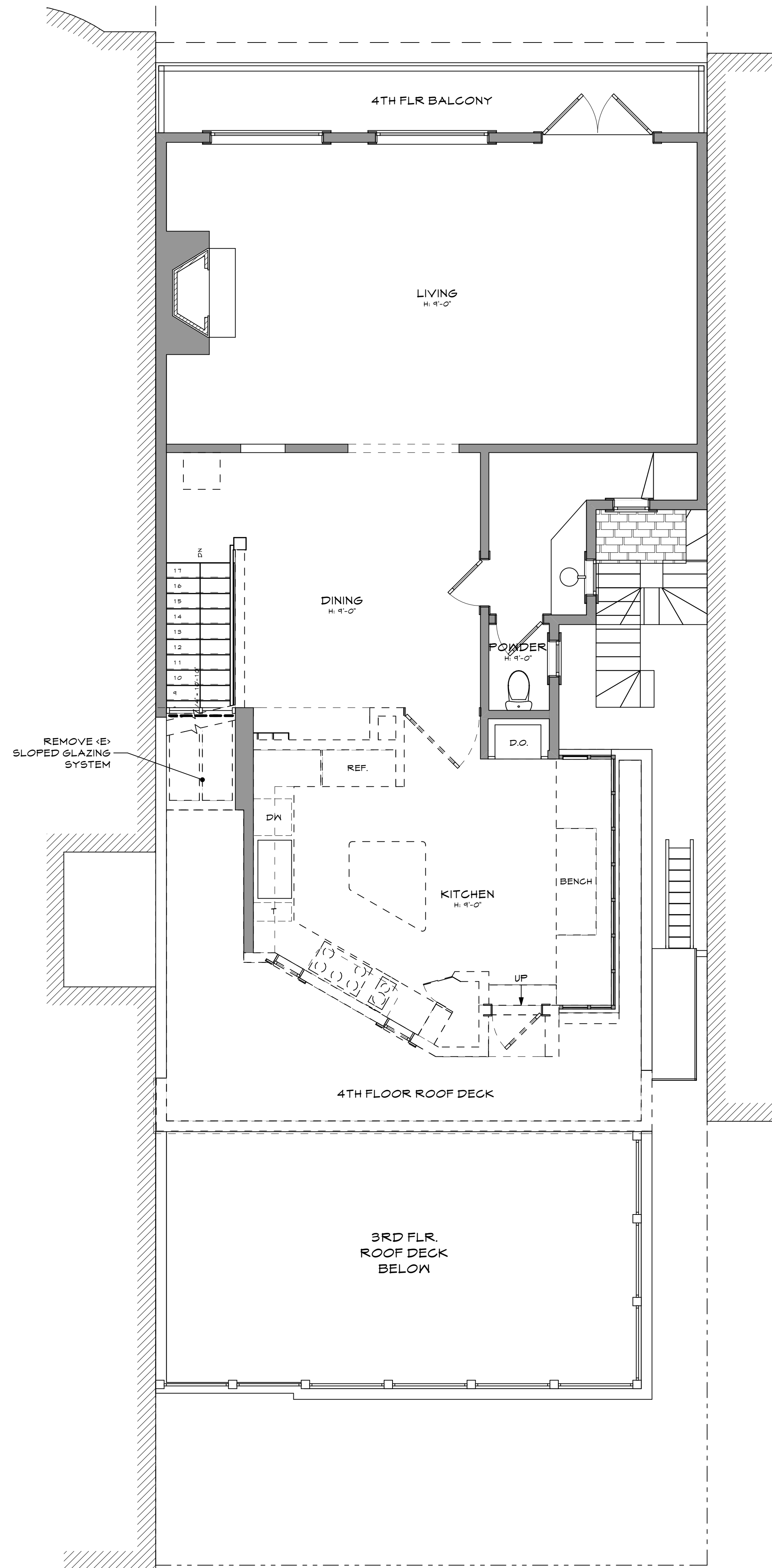
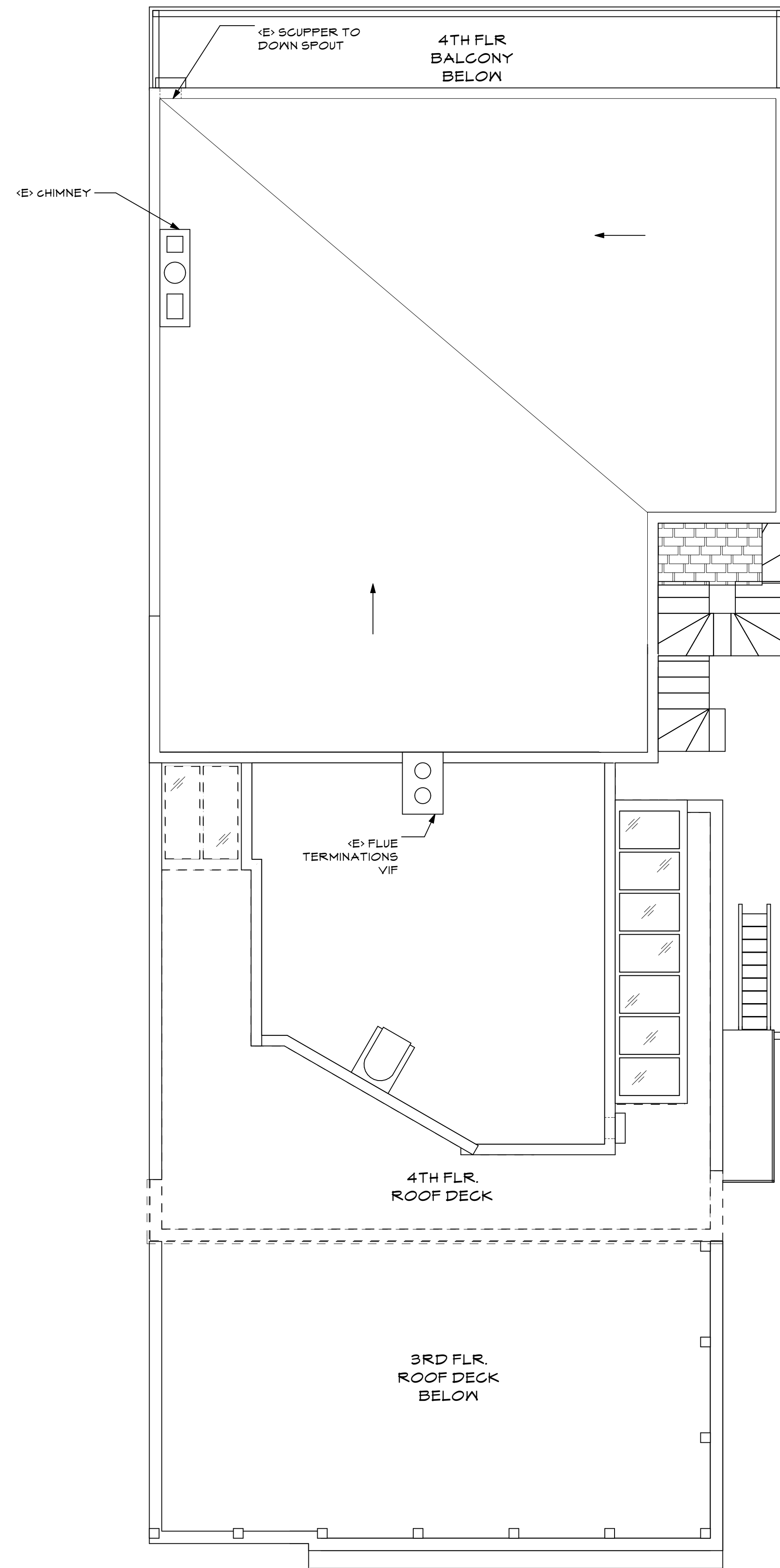
② FOURTH FLOOR

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



① THIRD FLOOR

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



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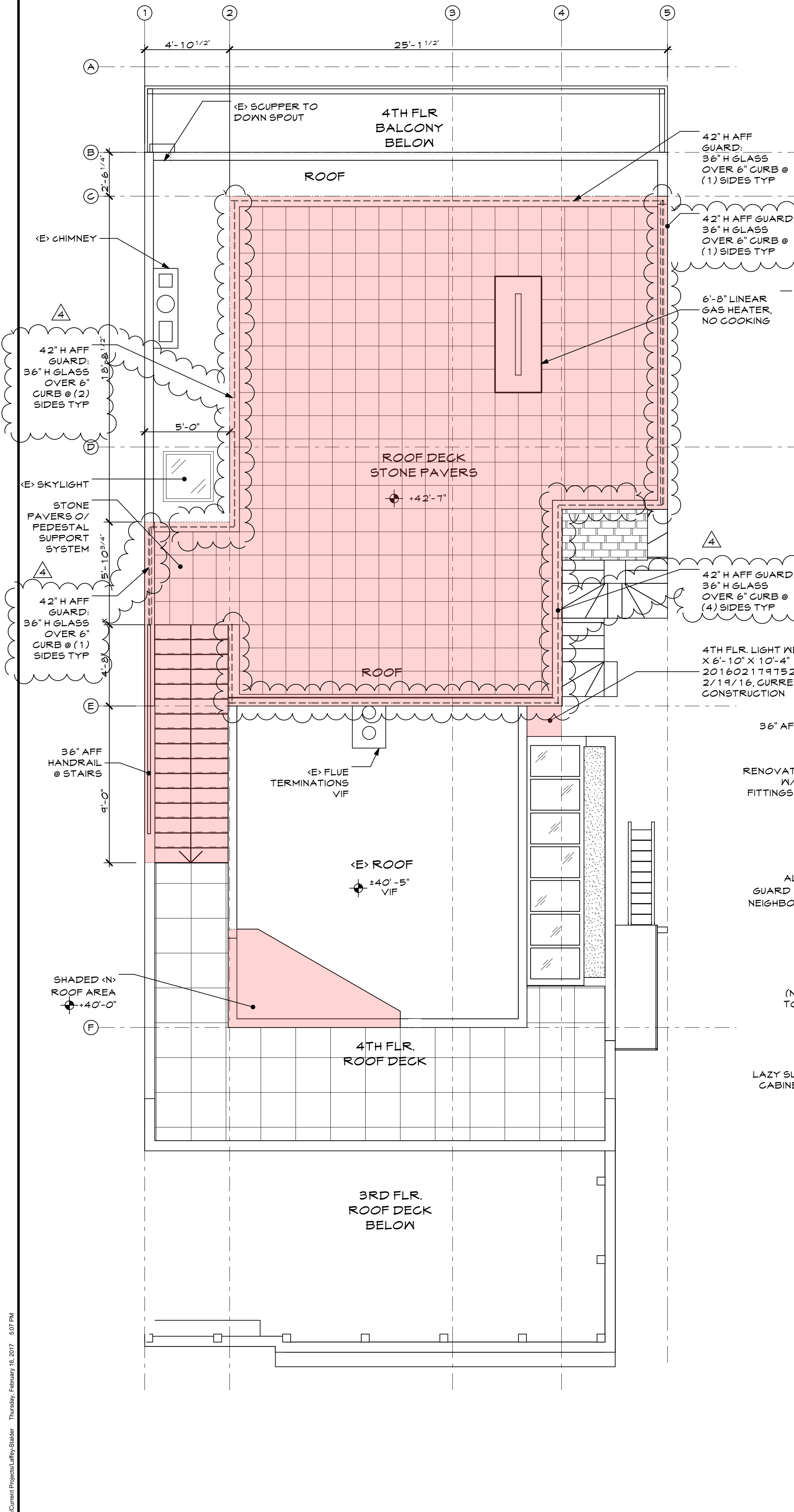
LAFLEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING FLOOR PLANS

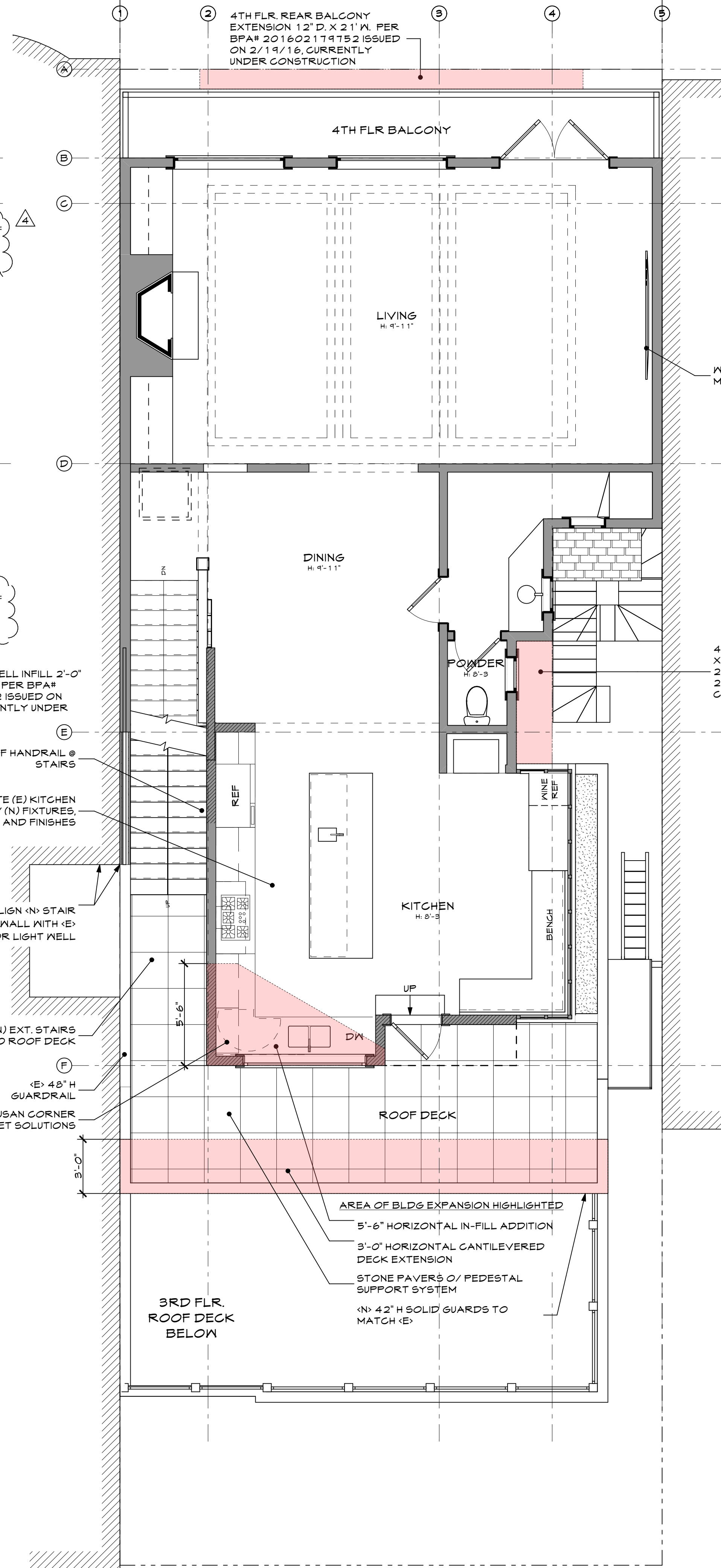
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SITE PERMIT SET	EE
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SITE PERMIT SET	
REVISION 2	
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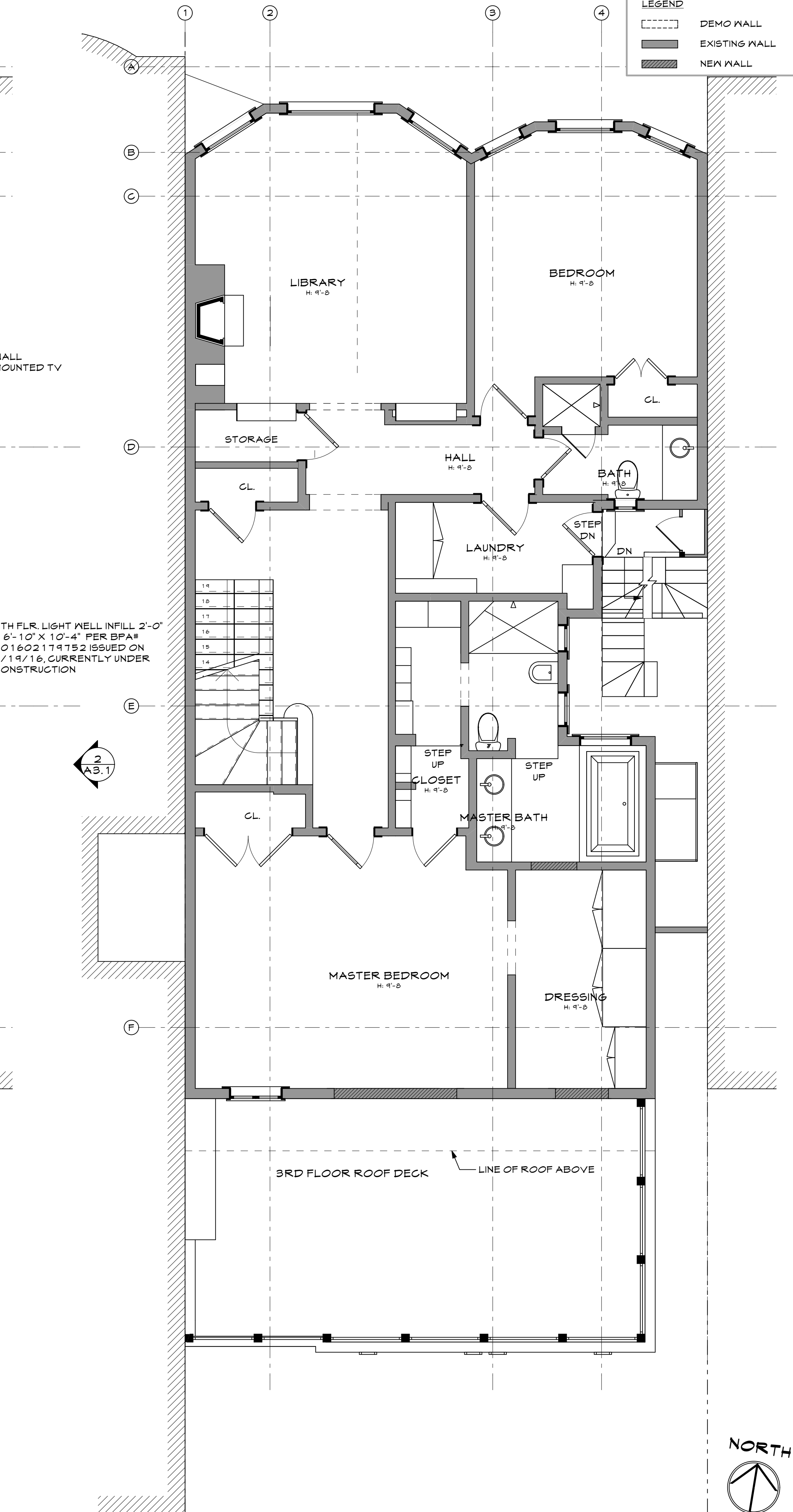




3 ROOF PLAN
SCALE: 1/4" = 1'-0"



2 <E> FOURTH FLOOR
SCALE: 1/4" = 1'-0"



1 <E> THIRD FLOOR
SCALE: 1/4" = 1'-0"

LEGEND
 - - - DEMO WALL
 - - - EXISTING WALL
 - - - NEW WALL

GAST ARCHITECTS

355 11th Street, Suite 300
 San Francisco
 CA 94103
 Tel 415.885.2946
 Fax 415.885.2808

LAFEY/STALDER
 RESIDENCE
 2226 GREEN STREET
 SAN FRANCISCO, CA 94123

PROPOSED FLOOR PLANS

REVISIONS

NO.	DATE	BY
1	12/7/15	BM
2	5/11/2016	BM
3	5/11/2016	BM
4	4/20/2016	BM
5	5/10/2016	BM
6	5/10/2016	BM
7	12/8/2016	BM

Date: 2/16/2017

Scale: AS SHOWN

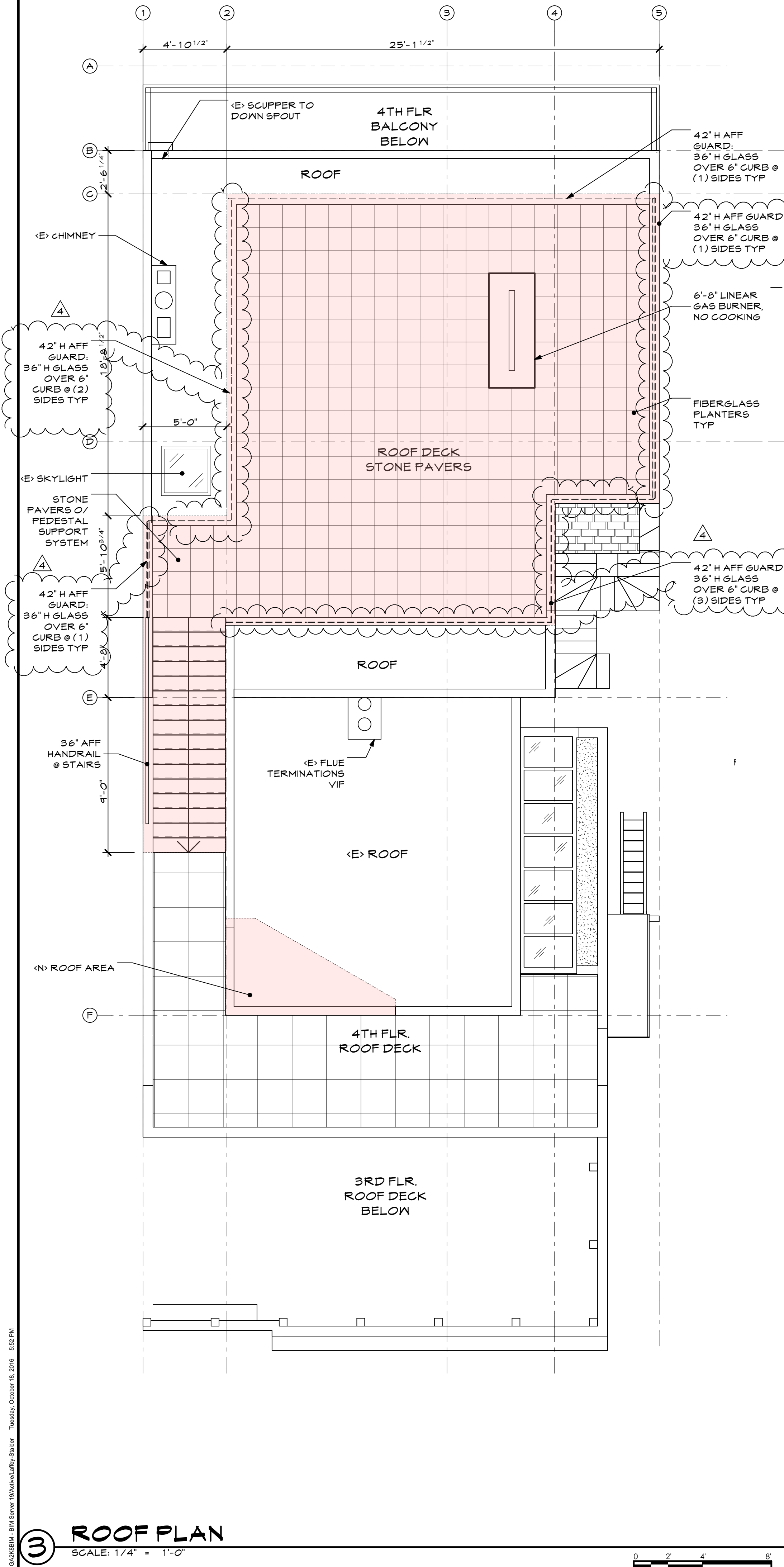
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Job: 1517

Sheet: **A2.2**

Of _____ Sheets

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ROOF PLAN
OPTION B

LEGEND	
	DEMO WALL
	EXISTING WALL
	NEW WALL



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355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFLEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED FLOOR
PLANS

REVISIONS	BY
SITE PERMIT SET	EE
12/7/15	
SITE PERMIT SET	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/07/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
10/15/2016	

Date	10/18/2016
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Drawn	PD, EE
Job	1517
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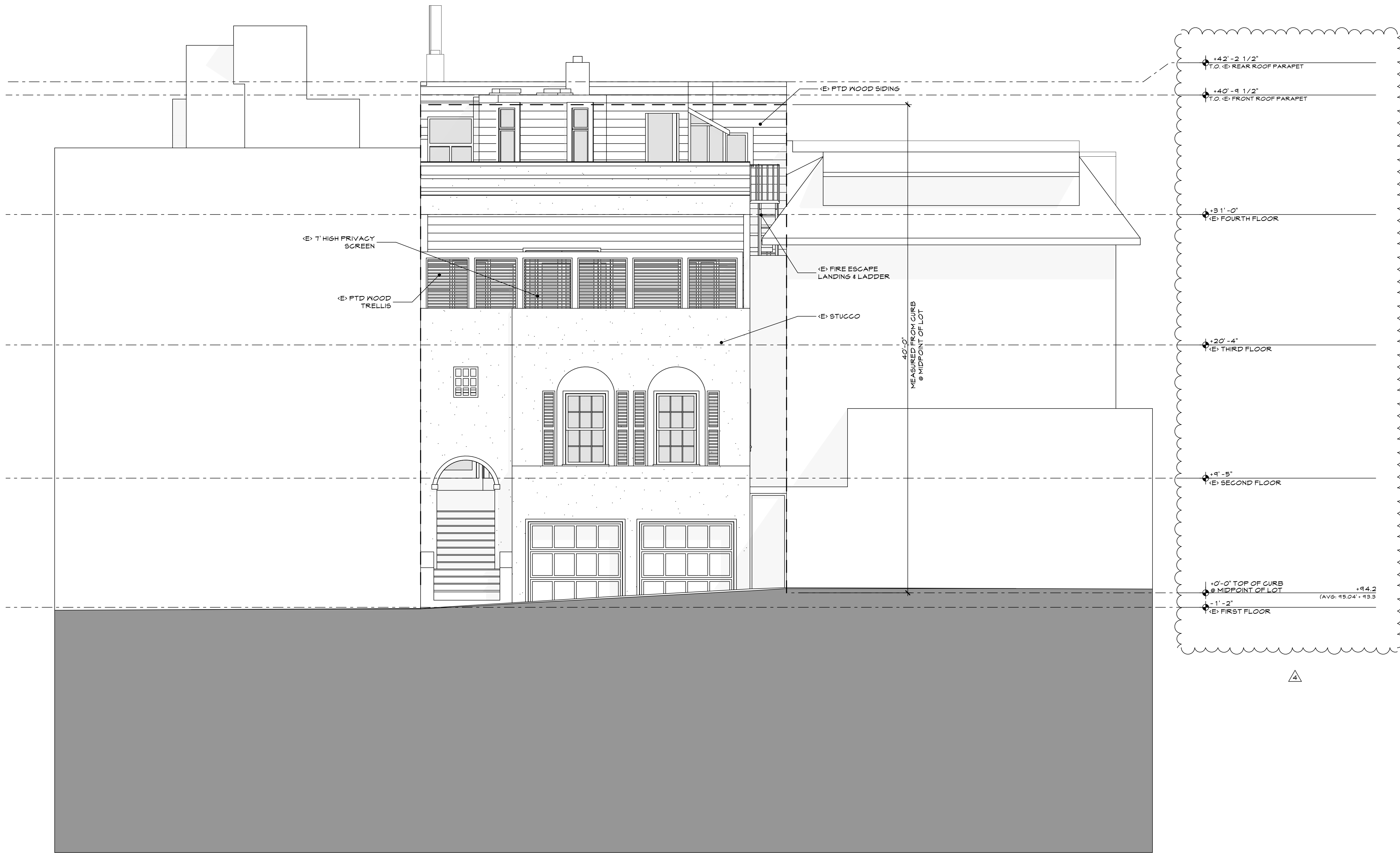
LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET	EE
12/7/16	
SITE PERMIT SET	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/27/2016	
SITE PERMIT SET	
REVISION 3	
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12/8/2016	

Date	12/21/2016
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Job	1517

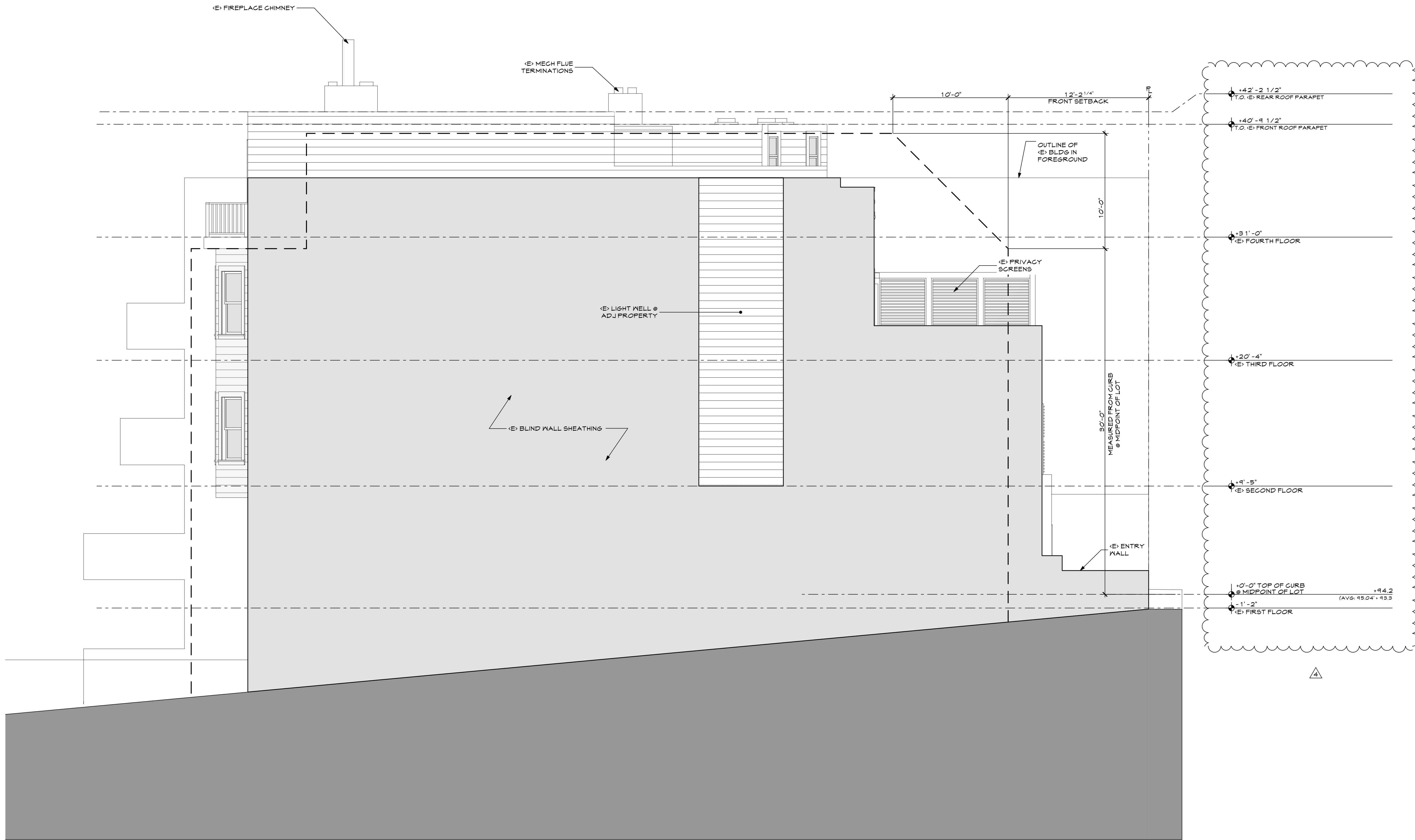
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① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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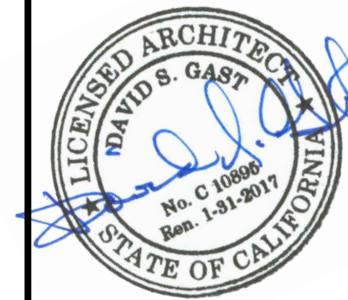


1 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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355 11th Street, Suite 300
San Francisco
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RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING ELEVATIONS

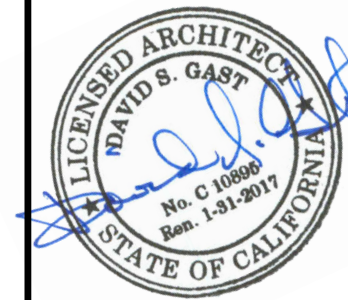
REVISIONS	BY
SITE PERMIT SET 12/7/16	EE
SITE PERMIT SET REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/01/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 12/8/2016	

Date	12/21/2016
Scale	AS SHOWN
Drawn	PD, EE
Job	1517
Sheet	A3.2
Of	Sheets



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CA 94103
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2226 GREEN STREET
SAN FRANCISCO, CA 941123

EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET	EE
REVISION 1	
SITE PERMIT SET	
REVISION 2	
SITE PERMIT SET	
REVISION 3	
SITE PERMIT SET	
REVISION 4	
SITE PERMIT SET	

Date 12/21/2016

Scale AS SHOWN

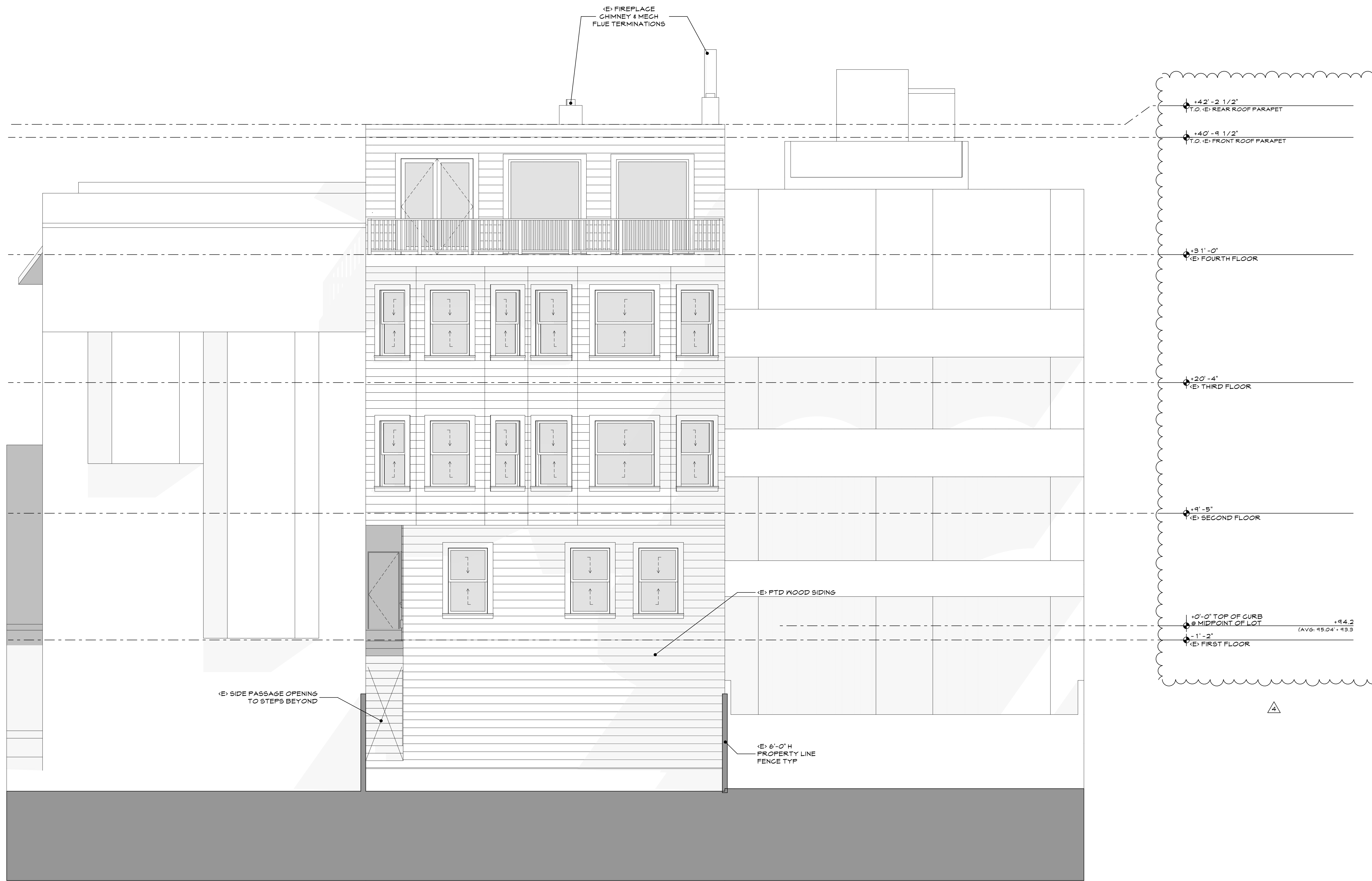
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Job 1517

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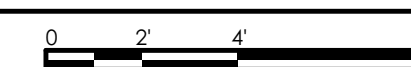
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Of Sheets



1 NORTH ELEVATION

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





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CA 94103
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RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET	EE
12/7/16	
SITE PERMIT SET	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/20/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
12/8/2016	

Date 12/21/2016

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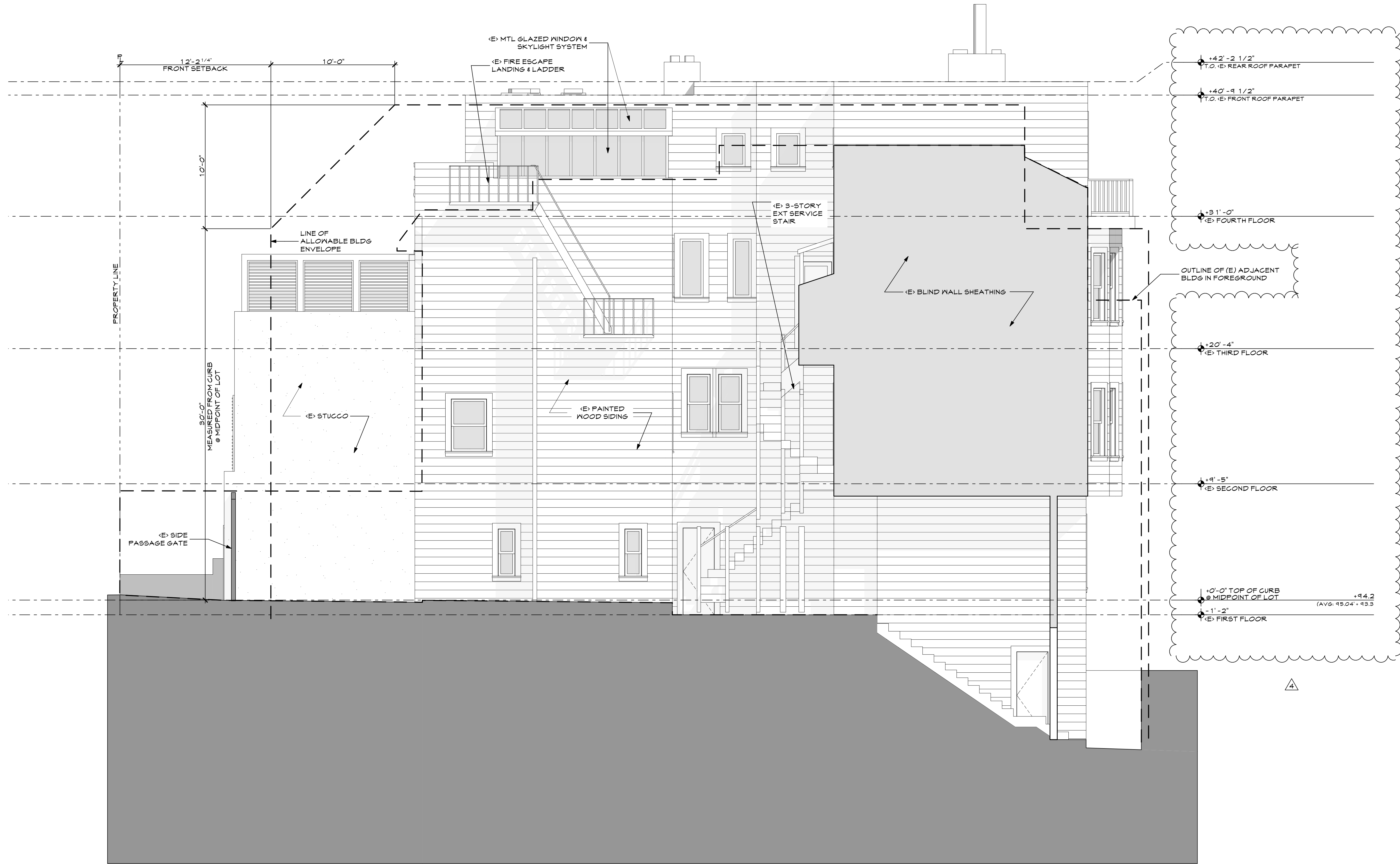
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Job 1517

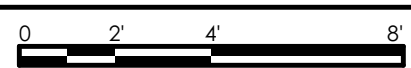
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Of Sheets



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





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San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET	
12/7/16	
SITE PERMIT SET	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/27/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
12/8/2016	

Date 2/16/2017

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Job 1511

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Of Sheets



① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"





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LAFLEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET	
12/7/16	
REVISION 1	
5/11/2016	
SITE PERMIT SET	
REVISION 2	
4/20/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
12/8/2016	

Date 2/16/2017

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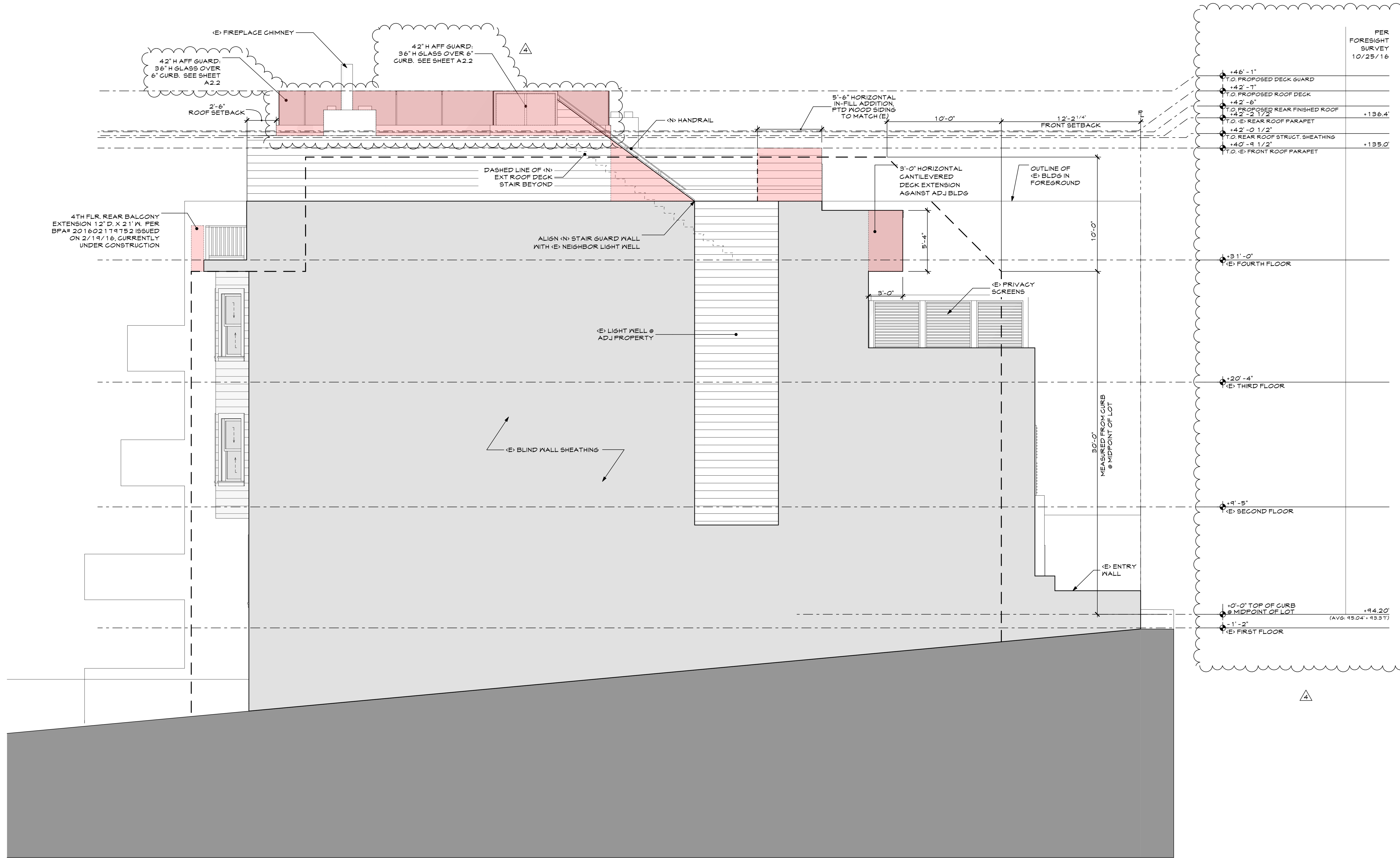
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Job 1511

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Of Sheets



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





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RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET	
REVISION 1	
REVISION 2	
REVISION 3	
REVISION 4	

Date	2/16/2017
Scale	AS SHOWN
Drawn	PD, EE
Job	1511

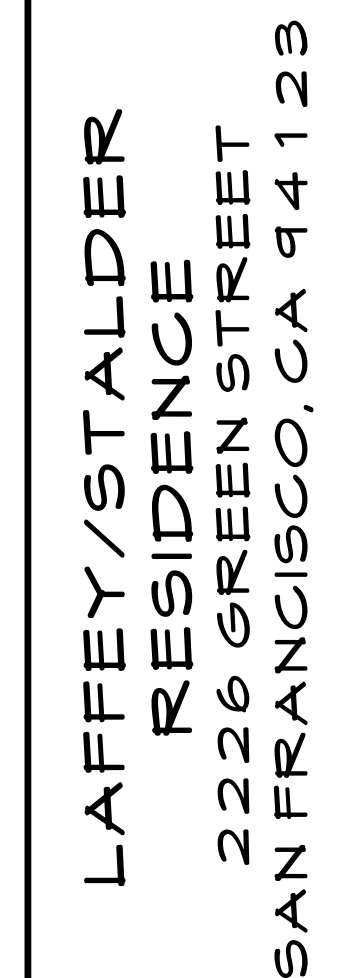
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Of Sheets



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



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San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET 12/7/15	
SITE PERMIT SET REVISION 1 3/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 12/8/2016	

Date 2/16/2017

Scale AS SHOWN

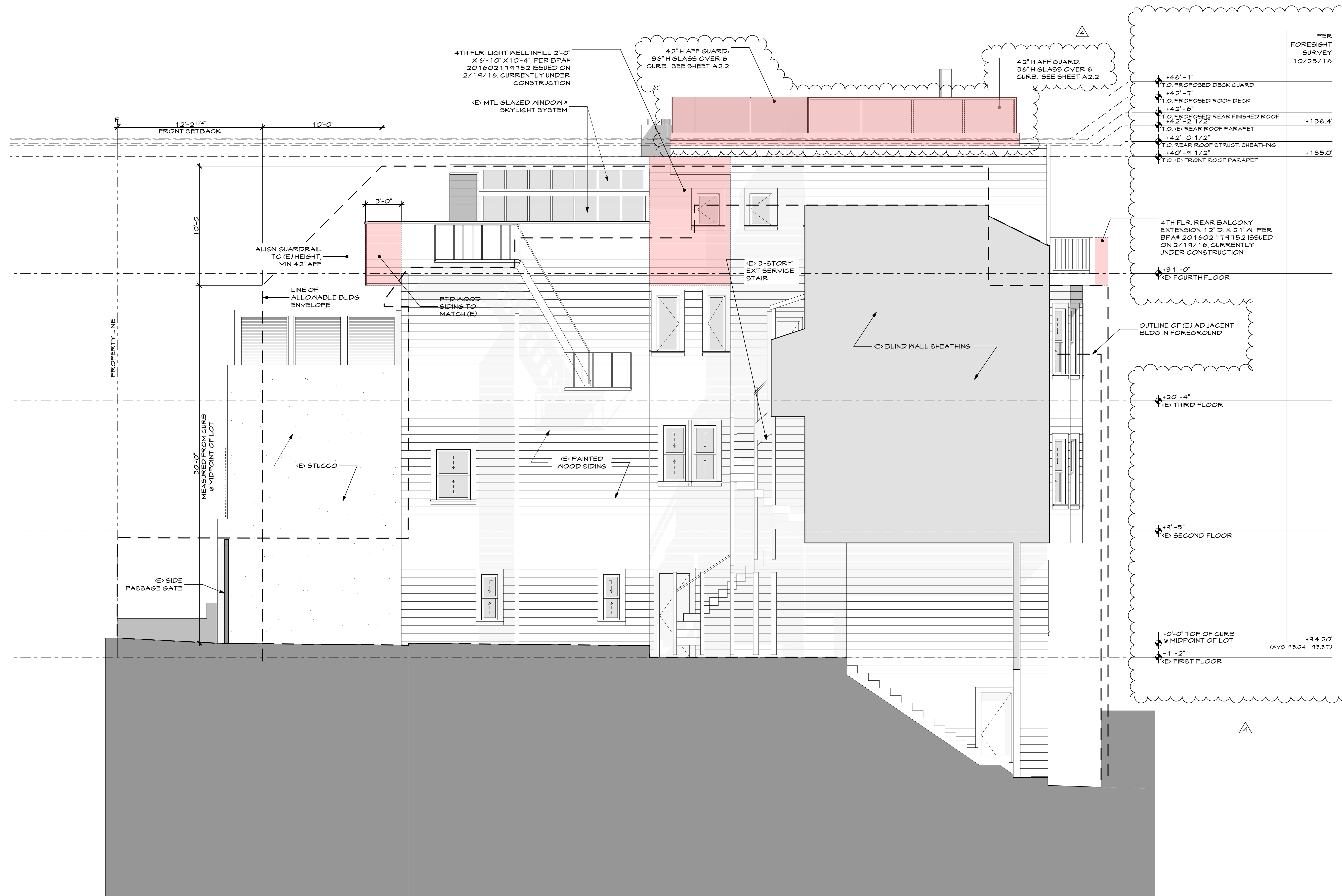
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Job 1517

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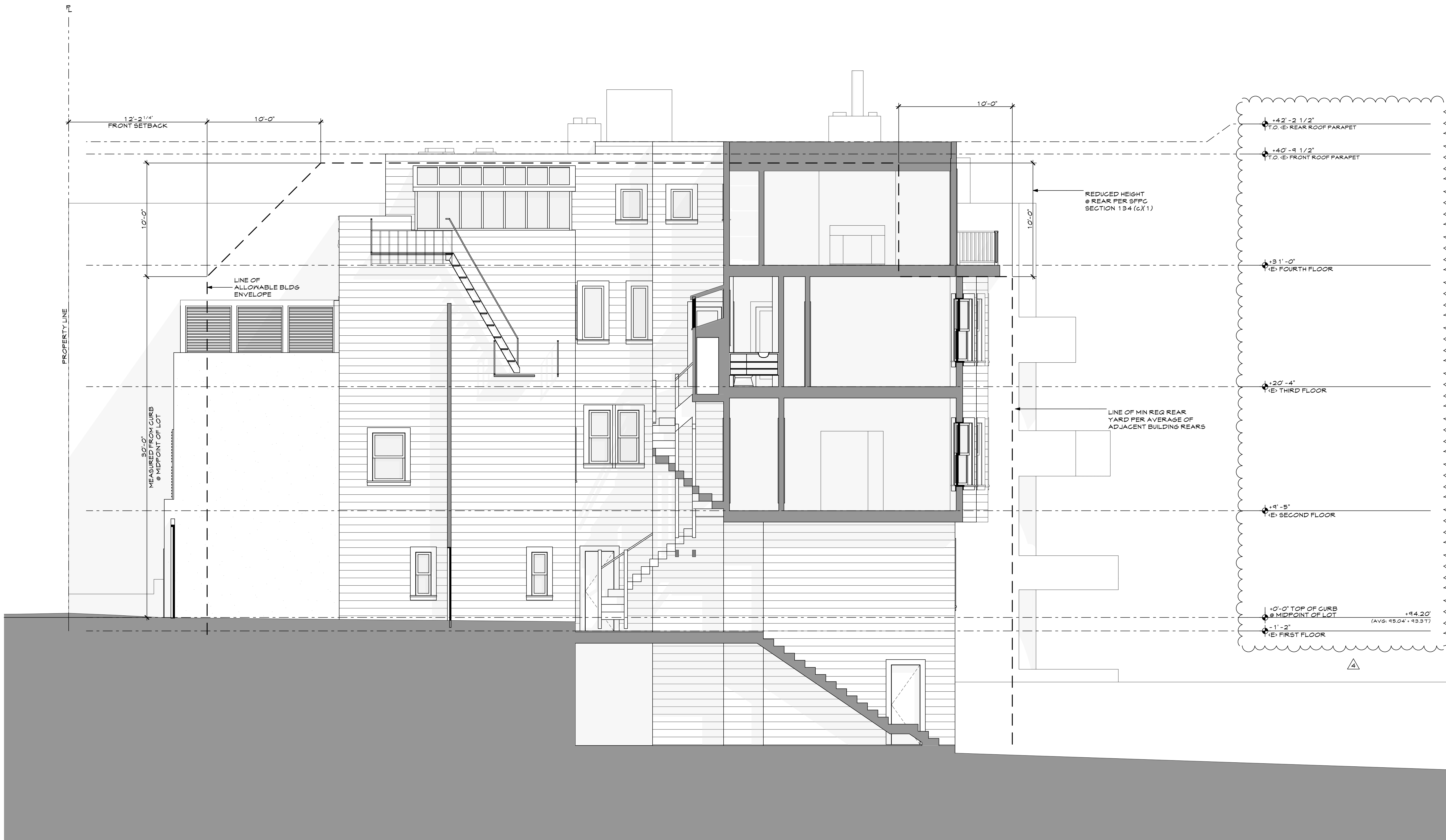
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1 EAST ELEVATION
SCALE: 1/4" = 1'-0"

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



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RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING BUILDING
SECTION

REVISIONS	BY
SITE PERMIT SET 12/21/16	EE
REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/01/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 12/8/2016	

Date 12/21/2016

Scale AS SHOWN

Drawn PD, EE

Job 1517

Sheet

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Of Sheets

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LAFLEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 941123

EXISTING BUILDING
SECTION

REVISIONS	BY
CONSTRUCTION SET 8/28/16	EE

Date	12/21/2016
Scale	AS SHOWN
Drawn	PD, EE
Job	1517

Sheet	A4.1
Of	Sheets



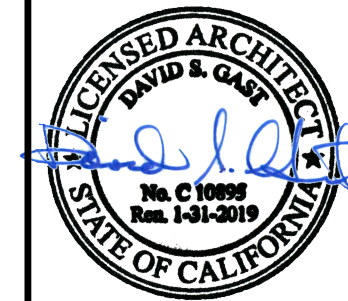
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SCALE: 1/4" = 1'-0"





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CA 94103
Tel 415.885.2946
Fax 415.885.2808



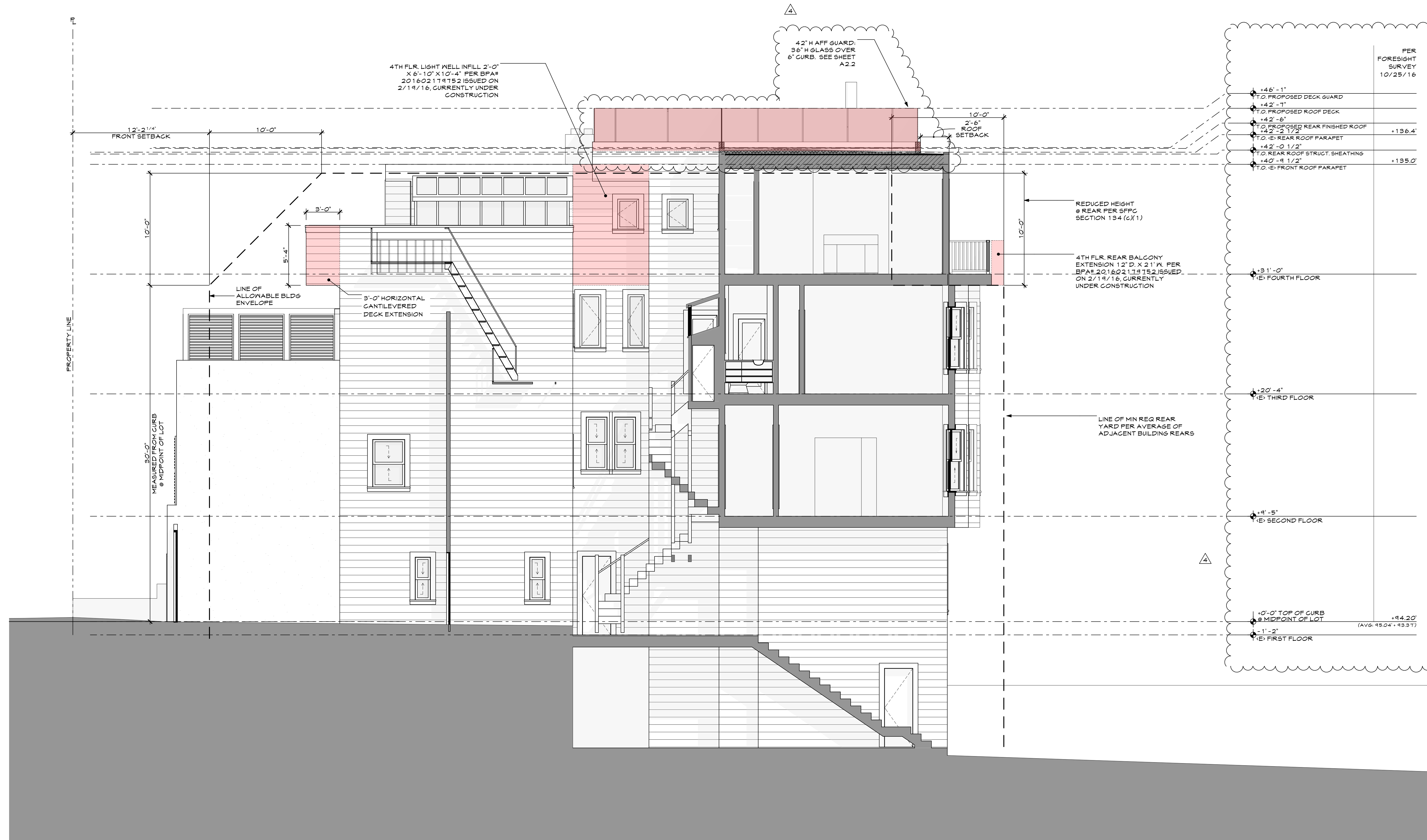
LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED BUILDING
SECTION

REVISIONS	BY
SITE PERMIT SET	12/7/16
REVISION 1	5/11/2016
SITE PERMIT SET	REVISION 2
REVISION 2	4/20/2016
SITE PERMIT SET	REVISION 3
REVISION 3	5/10/2016
SITE PERMIT SET	REVISION 4
REVISION 4	12/8/2016

Date 2/16/2017
Scale AS SHOWN
Drawn PD, EE
Job 1517

Sheet
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Of Sheets

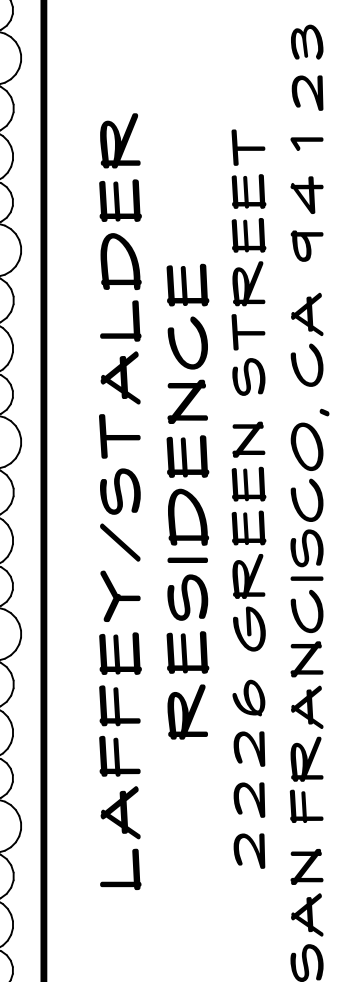


1 LONGITUDINAL SECTION
SCALE: 1/4" = 1'-0"





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San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



PROPOSED BUILDING SECTION

REVISIONS	BY
SITE PERMIT SET REVISION 2 4/07/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 12/2/2016	

Date 2/16/2017

Scale AS SHOWN

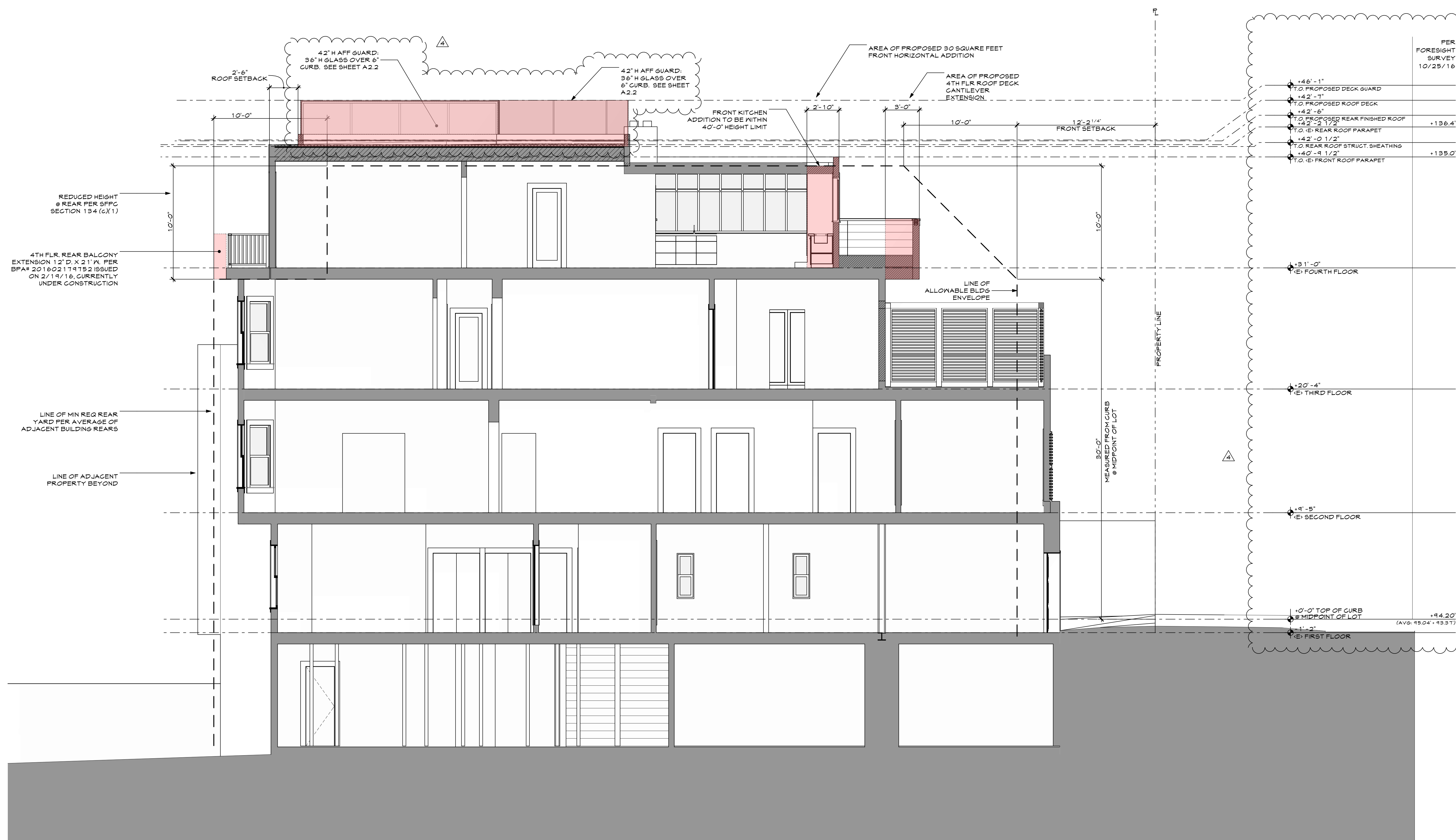
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Job 1517

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① LONGITUDINAL SECTION THROUGH KITCHEN
SCALE: 1/4" = 1'-0"

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LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED BUILDING
CROSS SECTION

REVISIONS	BY
SITE PERMIT SET	
REVISION 2	
4/07/2016	
SITE PERMIT SET	
REVISION 3	
5/10/2016	
SITE PERMIT SET	
REVISION 4	
12/8/2016	

Date 2/16/2017

Scale AS SHOWN

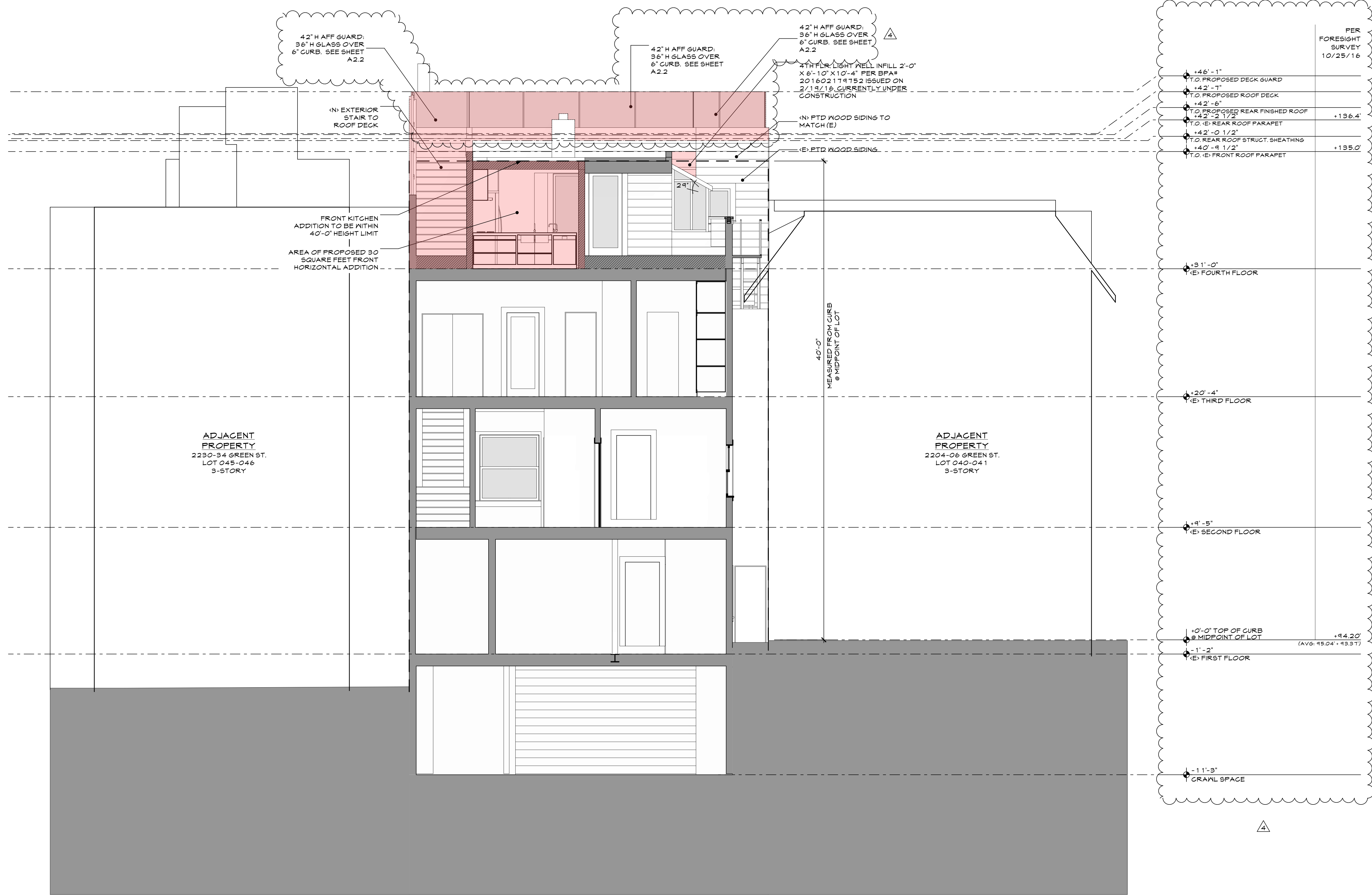
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Job 1517

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Of Sheets



1 CROSS SECTION THROUGH KITCHEN
SCALE: 1/4" = 1'-0"



EXHIBIT C

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Barbara Lawrence		
DR APPLICANT'S ADDRESS: 2225 Green St	ZIP CODE: 94123	TELEPHONE: (831) 251-5522
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: John Stadler		
ADDRESS: 2226 Green St	ZIP CODE: 94123	TELEPHONE: (415) 7657023
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/>		
ADDRESS: 258 San Juan Ave	ZIP CODE: 95062	TELEPHONE: (831) 251-5522
E-MAIL ADDRESS: barjlawrence@gmail.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2226 Green St		ZIP CODE: 94123
CROSS STREETS: Fillmore and Steiner		
ASSESSORS BLOCK/LOT: 0530 /039	LOT DIMENSIONS: 	LOT AREA (SQ FT): 4079.15
ZONING DISTRICT: RH 3		HEIGHT/BULK DISTRICT:

3. Project Description

Please check all that apply

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

Residential

Present or Previous Use:

Proposed Use: **Residential**Building Permit Application No. **2015.12.08.4465**Date Filed: **6/22/16**

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input type="checkbox"/>	<input checked="" 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.

The owner has proposed to add decking and walls to his roof which will impact the view of my house and others in the neighborhood.

I have called the applicant but he hasn't called me back. I have not had sufficient time to negotiate any changes.

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 walls will block my view of Alcatraz and the Golden Gate Bridge which I have enjoyed for almost 60 years.

With some design changes, this could be minimized.

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

The solid wind blocks could all be glass. Also, the height of those walls could be lowered to the minimum required by code.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

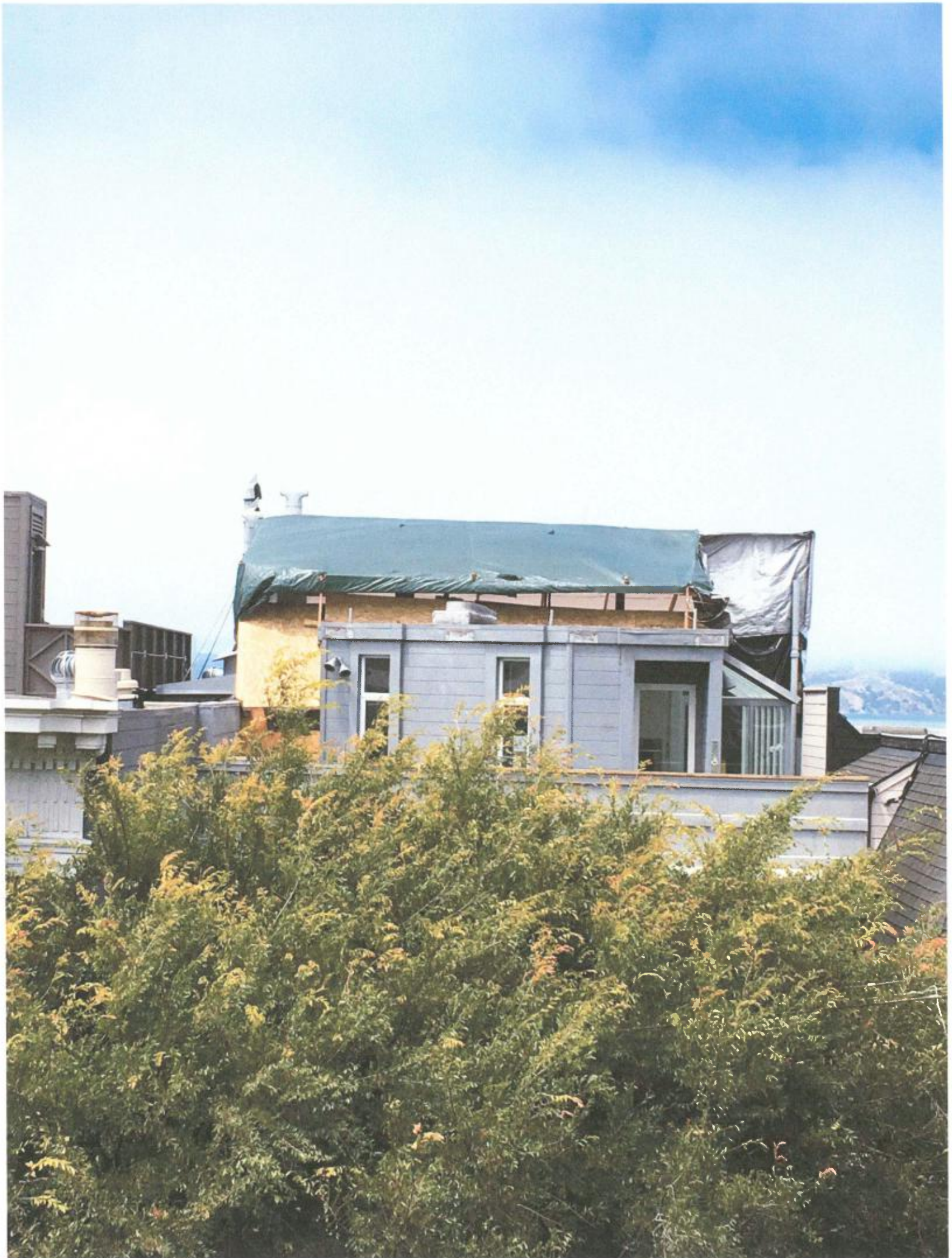
- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

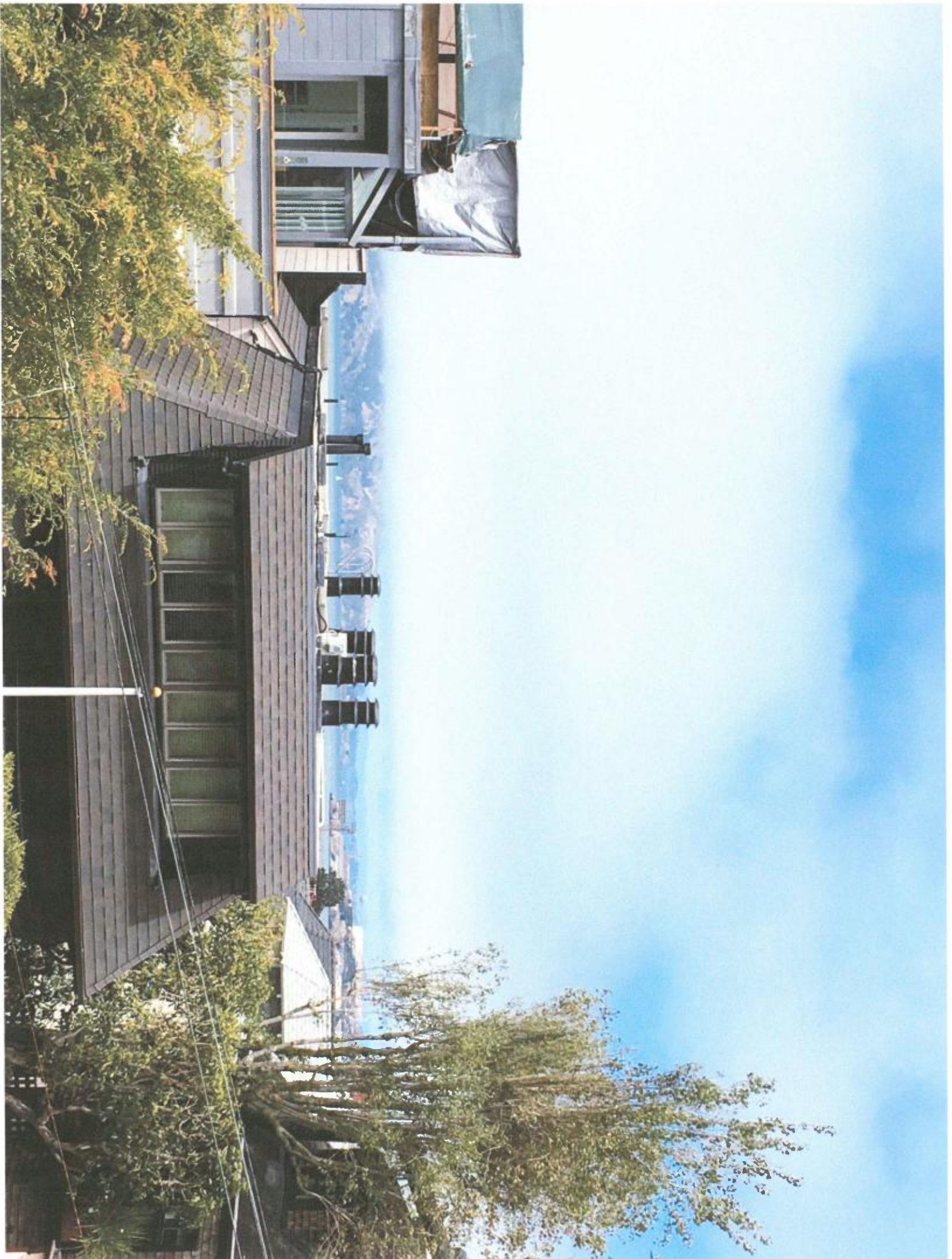
Signature: 

Date: 7/21/16

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

Barbara J. Lawrence
Owner / Authorized Agent (circle one)







APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Mike Borsetti		
DR APPLICANT'S ADDRESS: 2200 Green Street, San Francisco, CA	ZIP CODE: 94123	TELEPHONE: (415) 995-5025
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: John J. Stalder and Meghan L. Stalder c/o Dennis Budd		
ADDRESS: 355 11th Street, Suite 300, San Francisco, CA	ZIP CODE: 94103	TELEPHONE: (415) 885-2946
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Michael F. Donner, Hanson Bridgett LLP		
ADDRESS: 425 Market Street, 26th Floor, San Francisco, CA	ZIP CODE: 94105	TELEPHONE: (415) 995-5025
E-MAIL ADDRESS: mdonner@hansonbridgett.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2226 Green Street, San Francisco, CA		ZIP CODE: 94123		
CROSS STREETS: Fillmore St				
ASSESSORS BLOCK/LOT: 0539 /39	LOT DIMENSIONS: 30' x 137.5'	LOT AREA (SQ FT): 4,125	ZONING DISTRICT: RH-3	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 ☐
Single Family Dwelling

Present or Previous Use:

Proposed Use: Expansion of 4th floor to include roof deck, cantilevered deck and kitchen addition.

Building Permit Application No. 2015.12.08.4465

Date Filed: 12/6/2016

4. Actions Prior to a Discretionary Review Request

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

N/A

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.

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

Please see attached.

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

Please see attached.

RECEIVED

JUL 21 2016

CITY & COUNTY OF S.F.

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

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

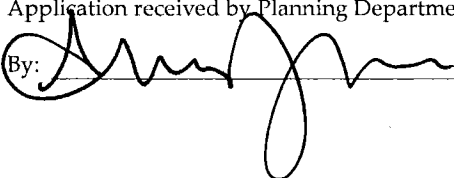
NOTES:

☐ 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:


 A. BRASK

Date: 7/21/16

ATTACHMENT TO DR APPLICATION FOR 2226 GREEN STREET

Following are responses to the questions on page 9 of the DR Application.

SECTION 1

1. The Project Sponsor of the project (the "Project") at 2226 Green Street (the "Property") failed to comply with Section 311's requirements, thereby depriving project neighbors of the appropriate notice required by law. On or about June 22, 2016, the Project Sponsor mailed a Section 311 Notice to Mr. Borsetti (the "First Notice"), along with certain plans and schematics pertaining to the Project (collectively, the "Plans"). The Project Sponsor subsequently made material changes to the Plans and, by virtue of those changes, withdrew the First Notice.

Specifically, on an unknown date weeks after June 22, 2016, the Project Sponsor mailed a second Section 311 Notice to Mr. Borsetti (the "Second Notice"). In the Second Notice, the Project Sponsor confirmed his withdrawal of the First Notice: "Please disregard the previous notice as the project information has been updated to accurately reflect the proposed work." (Emphasis added.) Even more significant, the Project Sponsor failed to attach any revised plans and schematics of the Project, even though the Project Sponsor claimed that the Plans had been superseded by revised versions. The Second Notice was erroneously entitled "Revised Notice of Building Permit Application" despite the fact that the First Notice had been formally withdrawn, and therefore, there was nothing for the Project Sponsor to "revise." Further, the Second Notice contained an erroneous notice date of June 22, 2016 and a corresponding expiration date of July 21, 2016, despite the fact that the Project Sponsor had mailed the Second Notice weeks after June 22, 2016.

In sum, the Project Sponsor did not merely withdraw the Plans, he also withdrew the First Notice itself. Once a Notice is withdrawn, a new Notice must be mailed. Yet, the Project Sponsor did not take any such action. As a result, a new Section 311 Notice must be sent out now, triggering a new 30 day notice and evaluation period.

The Project Sponsor's (1) failure to comply with Section 311's notice requirements; (2) failure to provide a copy of any superseding plans and schematics after making material changes to the Plans, and (3) attempt to "bootstrap" the Second Notice to the withdrawn First Notice (with its now-inapplicable notice and expiration dates), all suggest a concerted effort by the Project Sponsor to avoid sending out a new Section 311 Notice, something that must now be done, and avoid neighborhood scrutiny of, and objections to, the Project in contravention of the letter and spirit of Section 311.

2. The Plans do not accurately reflect the Project, also in contravention of the letter and spirit of Section 311. The Plans lack key dimensions and elevations and are riddled with mislabeling, inconsistencies, and inaccuracies, thereby preventing the City, Mr. Borsetti and other project neighbors from effectively evaluating the Project or determining whether it complies with applicable codes, restrictions and guidelines. Following the submission of this Application, we hope to review these omissions and inconsistencies in a meeting with the assigned City Planner.

In addition to the foregoing, the Project Sponsor appears to have installed wooden posts or "story poles" on the Property's roof, potentially to indicate the proposed new elevation of the new proposed fifth floor roof structure. If that was indeed their purpose, then the posts/poles do not accurately correspond to the Plans. They slope and do not terminate at the rear of the roof, as the proposed new glass wall does in the Plans. Accordingly, they are misleading.

3. The Plans suggest that, as part of the Project, a fifth floor roof deck structure will be constructed and that the structure will extend approximately 8.5 feet higher than the existing elevation of the current roof line. Because the Plans do not state the elevation of the proposed new roof line (at the top of the clear glass windscreen above the parapet), the City, Mr. Borsetti and other project neighbors cannot determine if the Project, as proposed, violates height restrictions for the Property.

The Plans also suggest that the easterly exterior of the roof structure – facing Mr. Borsetti's property – will be comprised almost entirely of a solid wood siding parapet wall (except for a small clear glass windscreen at the top of the parapet). Such a design contravenes the Department's Residential Design Guidelines, which call for the Project Sponsor to (1) "Sensitively locate and screen rooftop features so they do not dominate the appearance of a building," (2) "Locate rooftop features in a manner that minimizes their visibility . . . and reduces . . . rooftop clutter," (3) "Design rooftop features with the smallest possible dimensions," (4) "Limit the number of rooftop features," (5) design and construct windscreens that are transparent, and (6) locate windscreens in a manner that "minimizes their visibility from . . . surrounding properties." (Residential Design Guidelines, pp. 38-41.)

4. The Plans suggest that the proposed fifth floor roof deck at the rear (not counting three others on the Property) will be enormous, designed at approximately 788 square feet. Adding this large a roof deck to the Property is excessive as the Property already has two roof decks facing Green Street and a fourth floor balcony facing the Golden Gate, each extending the entire width of the building, facing all directions. This expansion, along with the proposed three foot cantilevered addition to the rear of the fourth floor roof deck, will more than double the square footage of the Property's roof decks and balconies from approximately 800 square feet in total area to approximately 1,640 square feet in total area. This does not even count an additional expansion of the fourth floor roof deck applied for under a separate permit this year.

The Plans suggest that the enormous fifth floor roof deck will serve as an outdoor dining and living room. The deck, as designed, will have storage cabinetry, a dining table seating ten, multiple sofas, built-in seating facilities, planters lining two sides of the roof deck, trees, a gas burner fireplace, and gas piping for a future barbecue. The Project Sponsor's proposed creation of an outdoor living room and dining room on the fifth floor roof contravenes most of the previously mentioned six provisions of the Residential Design Guidelines. Further, the creation of such considerable roof deck square footage would be additive to, and not complementary of, existing decks already present in the Project Sponsor's building at the third and fourth floor.

5. The Project Sponsor appears to have engaged in serial permitting, having filed applications for multiple permits over the last several months, two of which include deck expansions and infill additions. Serial permit applications inappropriately hide the true scope of the work from potentially affected neighbors and inhibit the City's ability to fully evaluate the project as a whole. The Project Sponsor never sent any Section 311 notices in connection with those additions.

The permit that is the subject of this DR Application (Application No. 201512084465) was filed in December 2015 noting the work as:

"5'-6" DEEP HORIZONTAL INFILL ADDITION @ (E) 4TH FLOOR. 3'-0" DECK EXTENSION @ (E) 4TH FLOOR. KITCHEN RENOVATION. REMOVE WOOD TRELLIS @ 3RD & 4TH FLOORS."

A subsequent permit application (No. 201602179752) was filed on February 17, 2016, noting the work as:

"1'-0" DEEP DECK EXTENSION AT 4TH FLR REAR. 2'-0" HORIZONTAL IN-FILL ADDITION AT EAST LIGHT WELL. CONVERT 3 LIVING RM OPENINGS TO 21'-0" WIDE LIFT/SLIDE DOOR. PROVIDE 4(N) WASHROOMS AND REPLACE UNITS THROUGHOUT. REMOVE FURE ESCAPE, ADD FIRE SUPPRESSION (UNDER SEP PERMIT). INTERIOR RENOVATIONS."

A third permit (Application No. 201605026234) was applied for on May 2, 2016 noting the work as follows:

"INSTALL 31 SPRINKLERS ON 3RD AND 4TH FLOOR ONLY. PER NFPA 13R AND UNDERGROUND PER NFPA 24."

SECTION 2

No Compliance with Section 311: The enormous proposed fifth floor roof deck structure, and its use as an outdoor living room and dining room, presents significant issues pertaining to privacy, light and shadows, wind, and smoke that will adversely affect the neighborhood, including Mr. Borsetti's property. Had all project neighbors been made aware of the true scope of the Project, had the Project Sponsor complied with Section 311 and sent proper notices and current plans and schematics to all interested parties, and had there been one permit covering all work, not three, there likely would have been multiple requests for DR. A new Section 311 Notice should be required.

Privacy: Since the property between Mr. Borsetti's property and 2226 Green Street is only three stories tall, portions of the interior of Mr. Borsetti's single-family residence will be visible from the proposed fifth floor roof deck structure.

Light and Shadows: Parts of the proposed fifth floor roof deck structure will block light from, and cast shadows on, Mr. Borsetti's top floor side deck and portions of the interior of Mr. Borsetti's single-family residence at various times during the day.

Wind issues: The construction of the proposed fifth floor roof deck structure's approximately eight foot parapet wall could create a "funnel" of easterly and westerly winds affecting Mr. Borsetti's deck and the interior of the building, particularly during storms when such wind rates typically exceed 50 m.p.h.

Smoke: If, as the Plans suggest, a gas line is being installed to the proposed fifth floor roof deck for connection to a barbeque, then smoke from use of the barbeque will disburse into Mr. Borsetti's residence, following the course of ordinary wind patterns.

SECTION 3

1. Restrictions on Project:

A. The proposed fifth floor roof deck should be eliminated from the Project in its entirety. Alternatively, its square footage should be substantially reduced to cover no more than 18 feet in width and up to 8 feet in depth, provided that such 8 feet in depth does not include

any portion of the rear third of the fifth floor level. Additionally, the proposed height of the fifth floor roof deck structure should be reduced and limited to the height of the existing roof line.

B. Transparent glass walls and windscreens (without solid parapet walls, planter boxes, cabinetry or gas fireplace or barbeque) should be required on all sides of the fifth floor roof deck.

C. No parapets should be allowed at the rear of the new proposed fifth floor. Rather, only a tar and gravel roof should be allowed (with additional fire rated roofing materials).

2. Permit Conditions:

A. No planter boxes, trees, shrubbery, cabinetry or gas fireplaces or barbeques should be allowed on the fifth floor level at any time.

B. No improvements, fixtures, or furnishings should be allowed on the fifth floor level in any manner that blocks the Bay view from, or flow of light into, Mr. Borsetti's property. No light fixtures should be permitted on the fifth floor level except for those that directly provide light downward onto the deck (and not in any other directions).

C. No use of the fifth floor level should be permitted at any time between 10 PM and 8 AM and, in any event, no access or use should be permitted for more than five persons.

3. Owner Meeting:

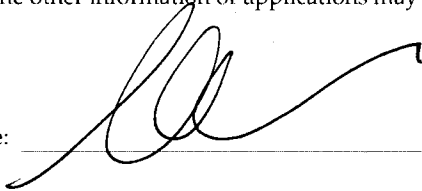
A. Mr. Borsetti has been out of the country for much of the year, including the last several months. As a result, he has not been able to request a meeting prior to filing a DR, and our firm has only recently been hired as the plans were hard for our client to understand. However, our firm is able to meet with the Project Sponsor and, on Mr. Borsetti's return from overseas in September, he too might be able to participate in such a meeting.

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: _____

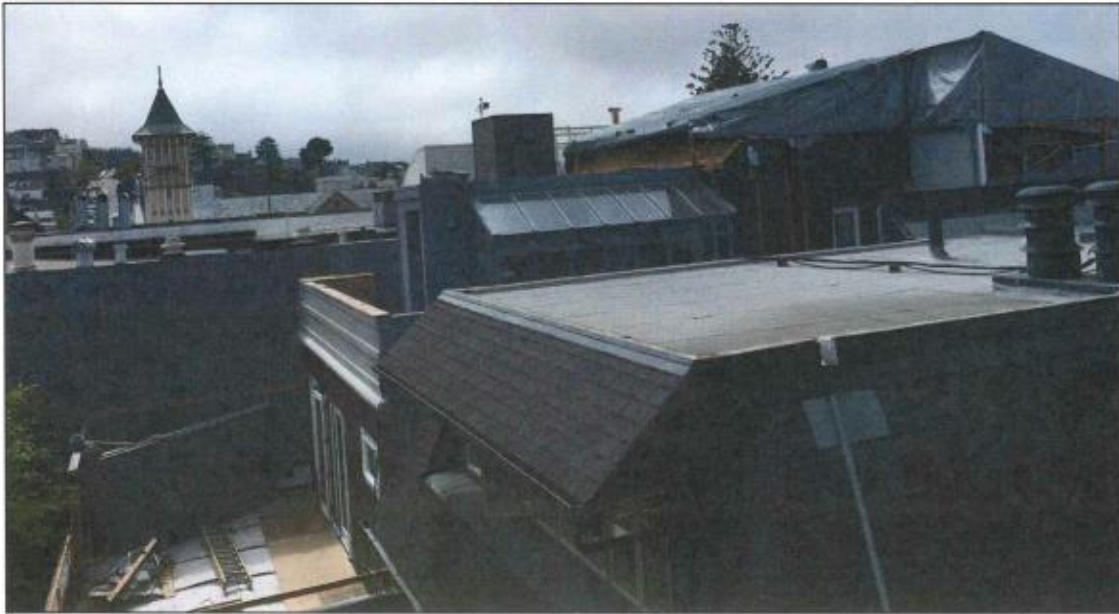
7/21/16

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

Michael Donner, Authorized Agent

Owner / Authorized Agent (circle one)

View of 2226 Green Street from DR Applicant's Property at 2200 Green Street



Affidavit for Notification Material Preparation

NOTIFICATION MAP, MAILING LIST, AND MAILING LABELS

Please submit this completed Affidavit with Notification Materials. Notification Materials are required for projects subject to Neighborhood Notification and certain Planning Department applications (e.g. Conditional Use Authorization, Variance, etc.).

I, Nicholas Stamnas, do hereby declare as follows:

1. I have prepared the Notification Map, Mailing List, and Mailing Labels for Public notification in accordance with Planning Department requirements as referenced in the Planning Code.
2. I understand that I am responsible for the accuracy of this information, and that erroneous information may require re-mailing or lead to suspension or revocation of the permit.
3. 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, July 20, 2016 in San Francisco.
Date

Nicholas Stamnas
Signature

Nicholas Stamnas

Name (Print), Title

Agent - NotificationMaps.com

Relationship to Project, e.g. Owner, Agent (if Agent, give business name and profession)

2226 Green St, San Francisco

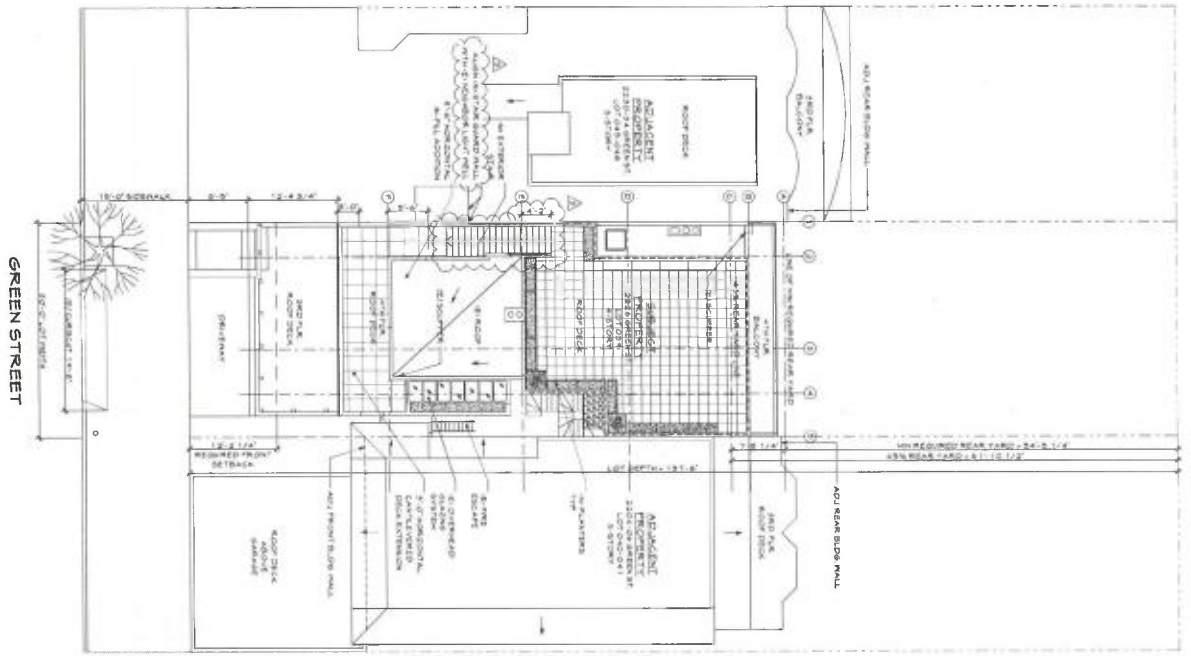
Project Address

0539/ 039

Block / Lot

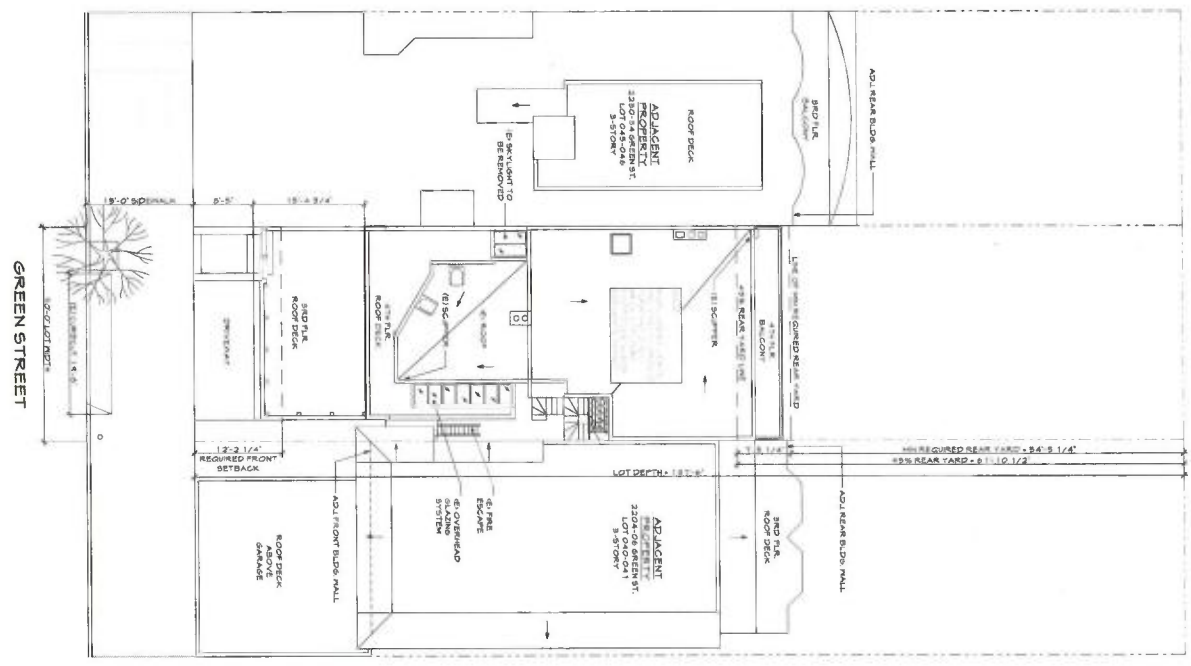
2 PROPOSED SITE PLAN

SCALE 1/8" = 1'-0"



1 EXISTING SITE PLAN

SCALE 1/8" = 1'-0"



(E) & (Z) SITE PLANS

LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

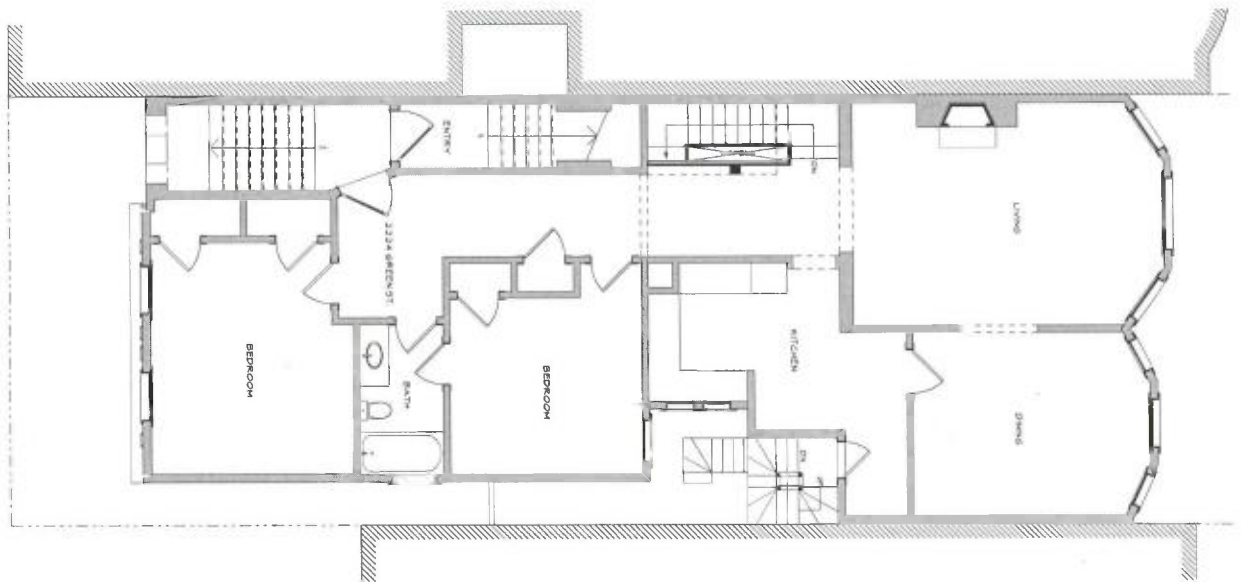


200 11th Street, Suite 300
San Francisco, CA 94103
Tel: 415.398.3300
Fax: 415.398.3300

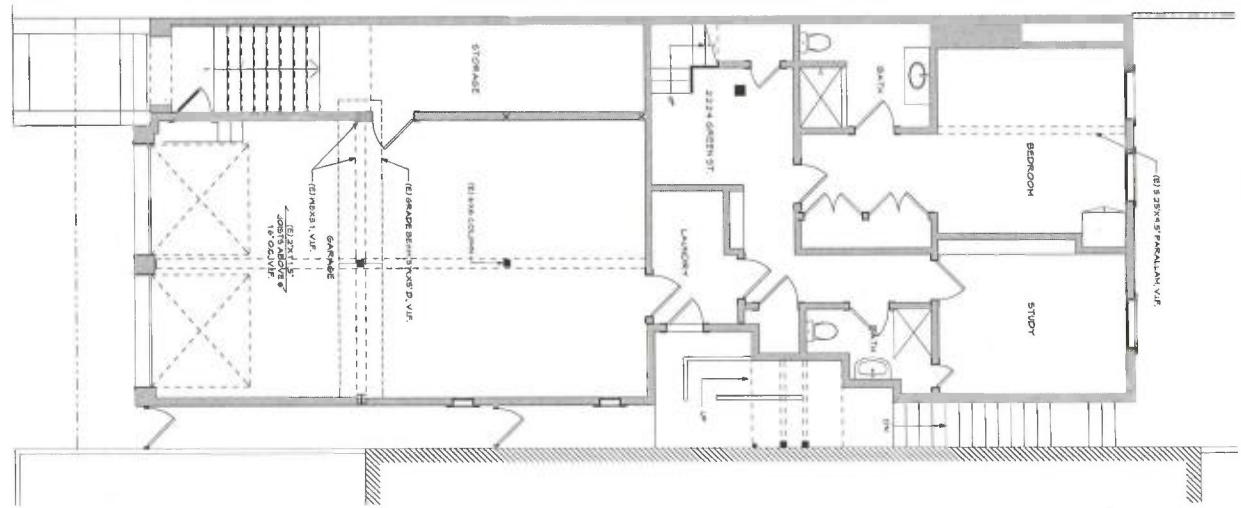


A1.0

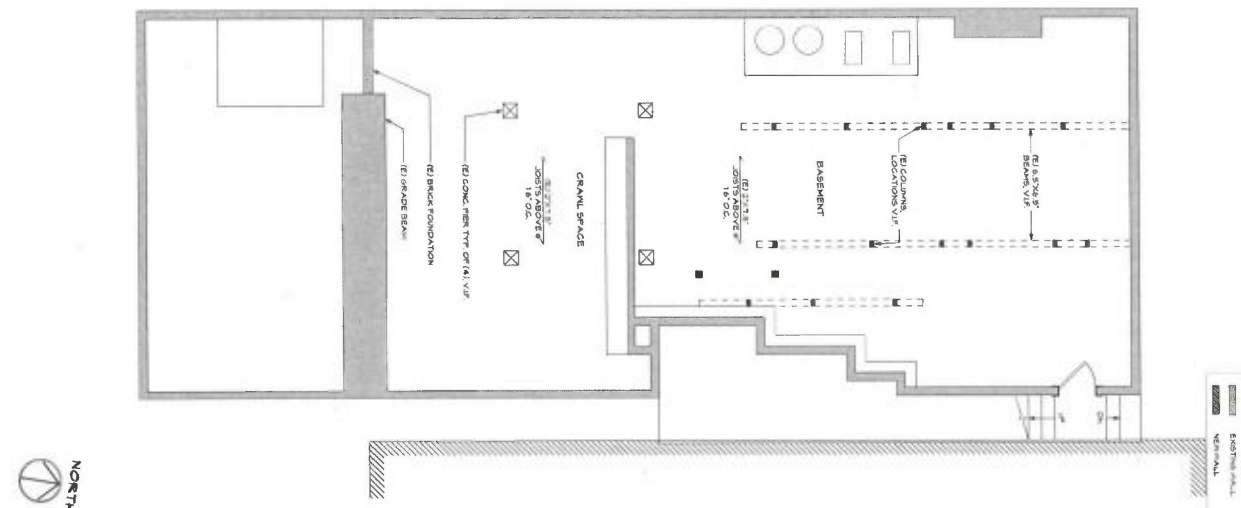
3 SECOND FLOOR
SCALE 1/4" = 1'-0"



2 FIRST FLOOR
SCALE 1/4" = 1'-0"



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



NO.	DESCRIPTION	DATE
1	EXISTING FLOOR PLANS	10/10/01
2	REVISIONS	
3	REVISIONS	
4	REVISIONS	
5	REVISIONS	
6	REVISIONS	
7	REVISIONS	
8	REVISIONS	
9	REVISIONS	
10	REVISIONS	

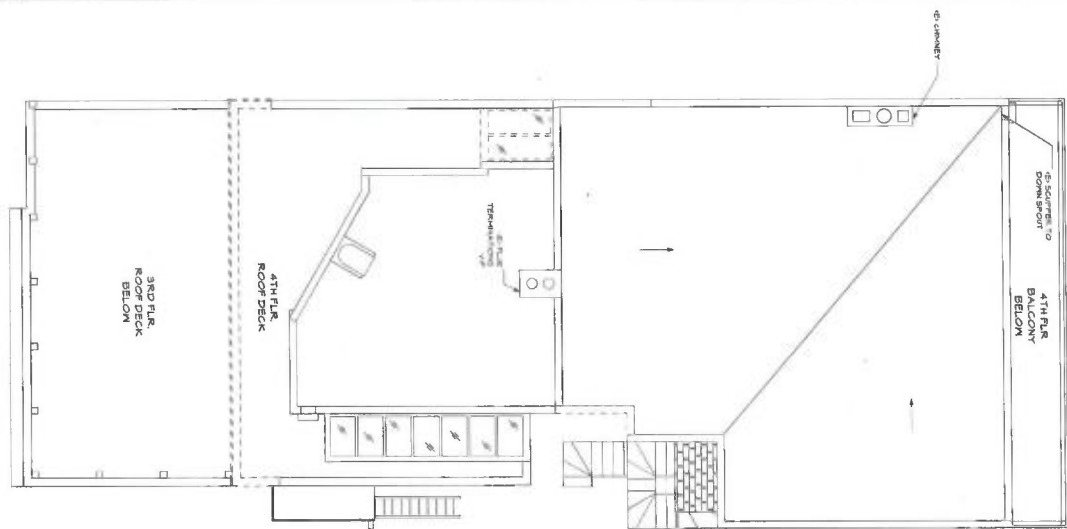
EXISTING FLOOR PLANS

LAFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94133

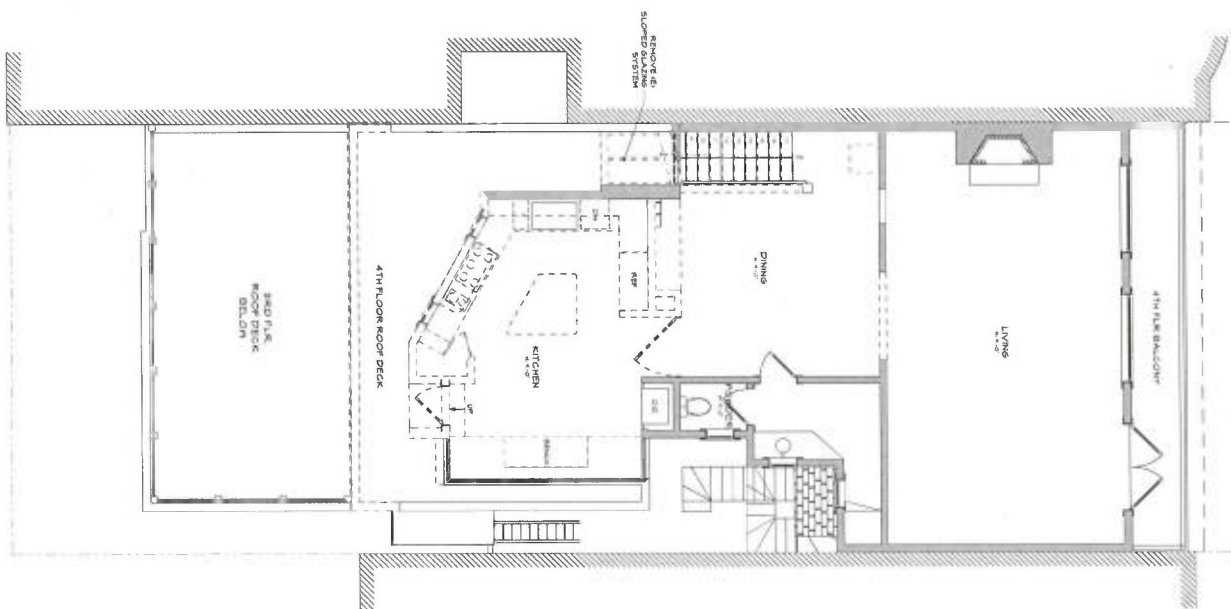


800 11th Street, Suite 200
San Francisco, CA 94103
TEL: 415.398.3333
FAX: 415.398.3333
WWW.LAFEYSTALDER.COM

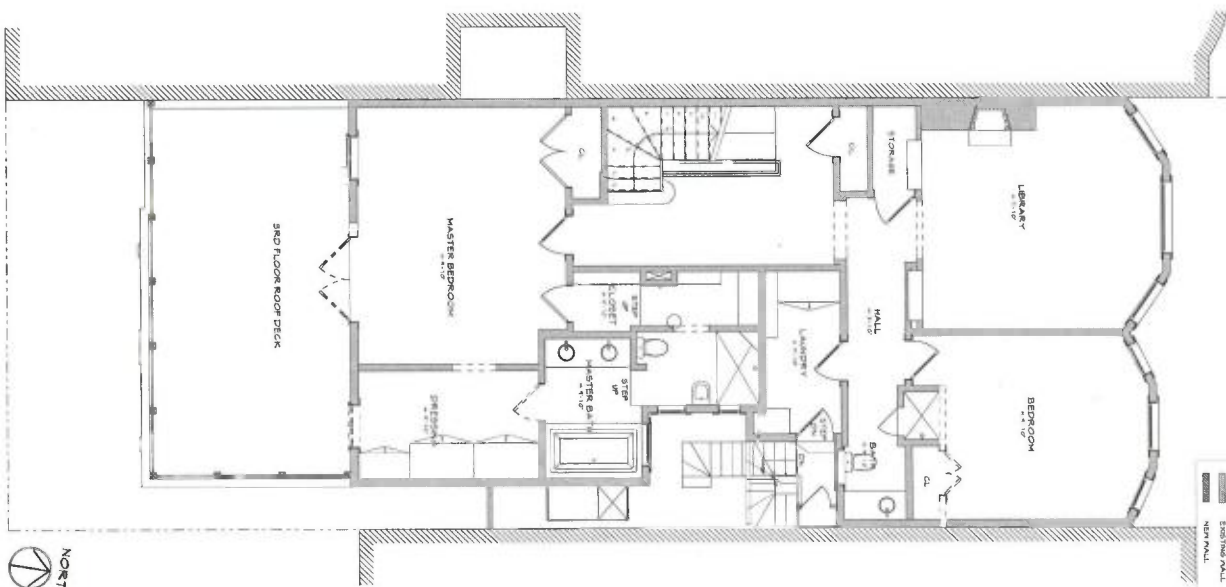




FOURTH FLOOR



THIRD FLOOR
SCALE 1/4" = 1'-0"



	DEMO MALL
	EXISTING MALL
	NEW MALL



305 11th Street, Suite 300
San Francisco
CA 94103
Tel 415 995-2946
Fax 415 995-2809



LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

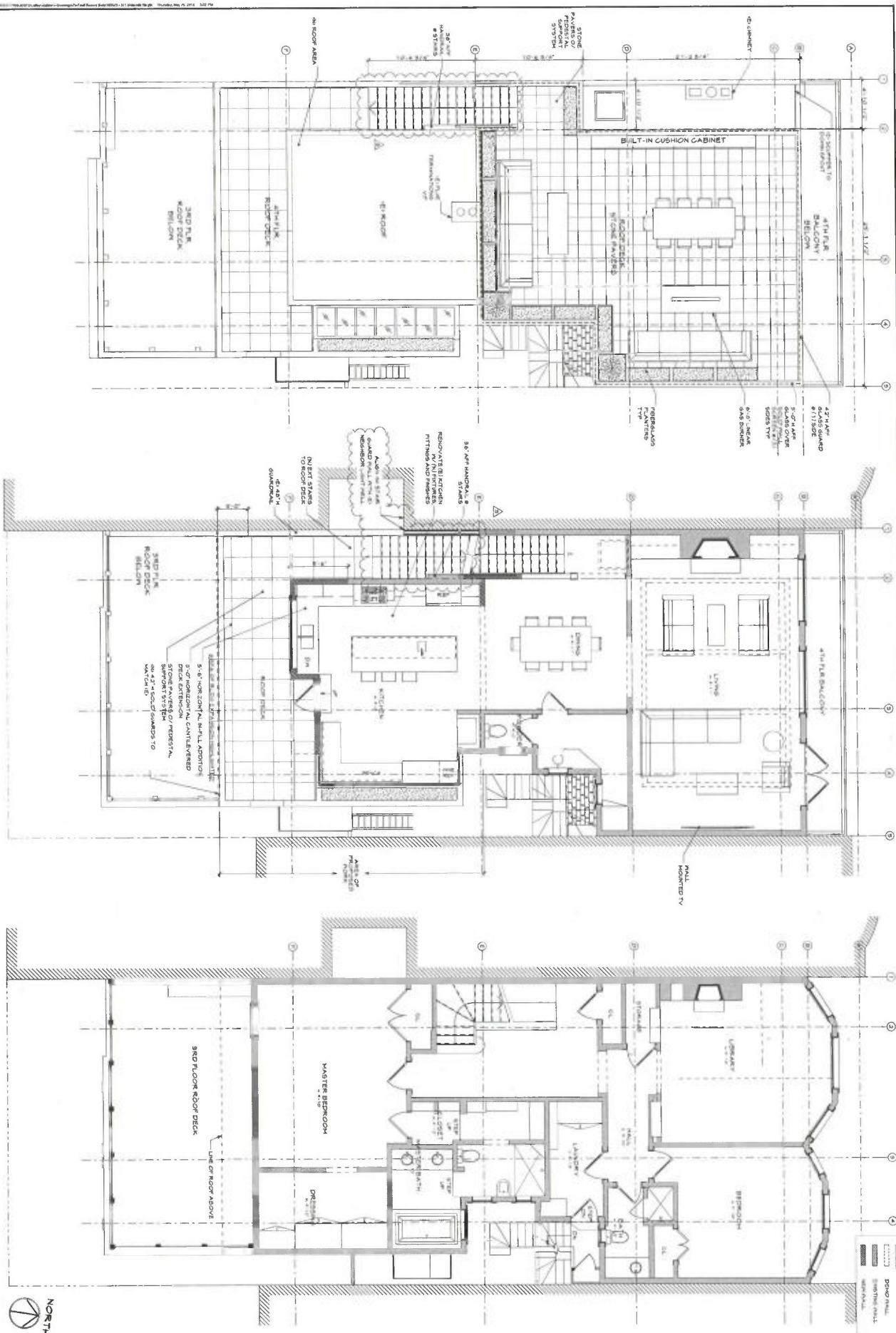
EXISTING FLOOR PLANS

A2.1

3 ROOF PLAN

2 FOURTH FLOOR

1 THIRD FLOOR



LEGEND
 DPOD WALL
 EXISTING WALL
 NEW WALL
 GLASS WALL

PROPOSED FLOOR PLANS

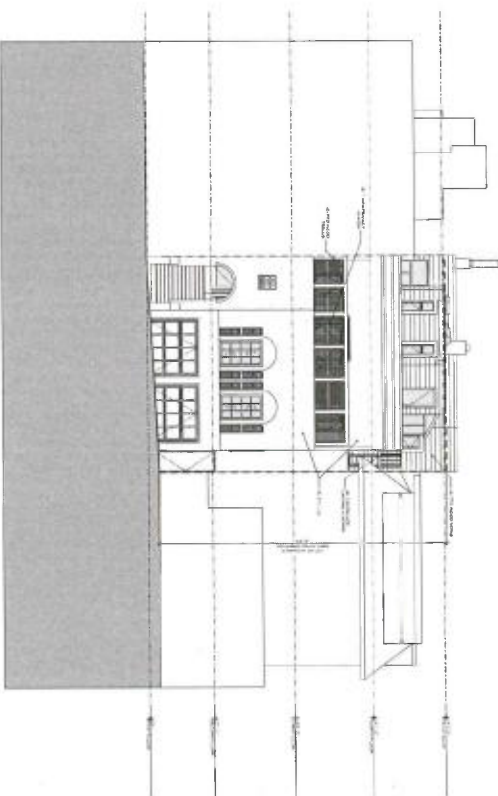
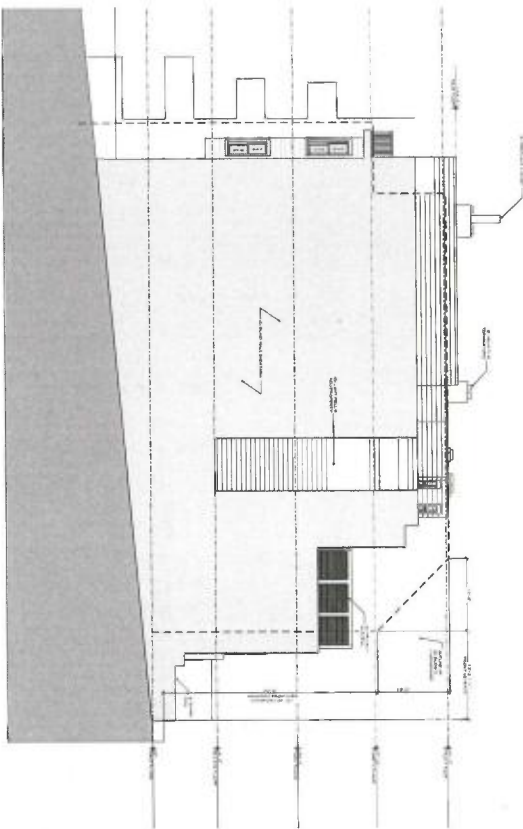
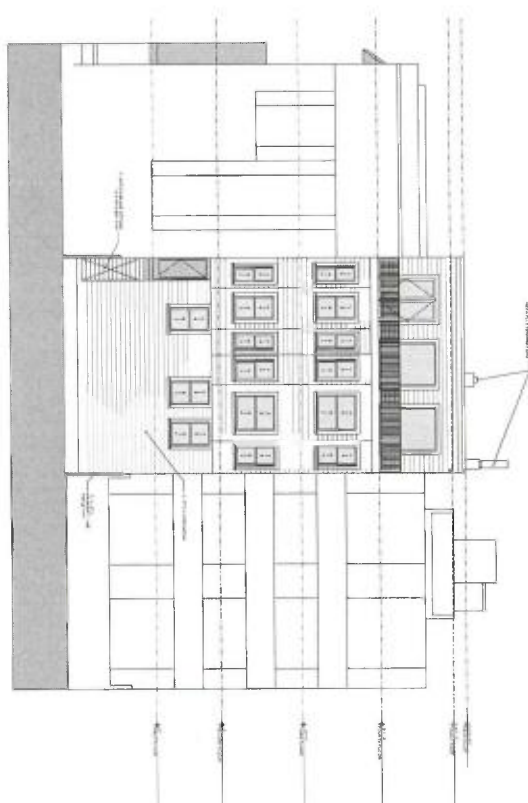
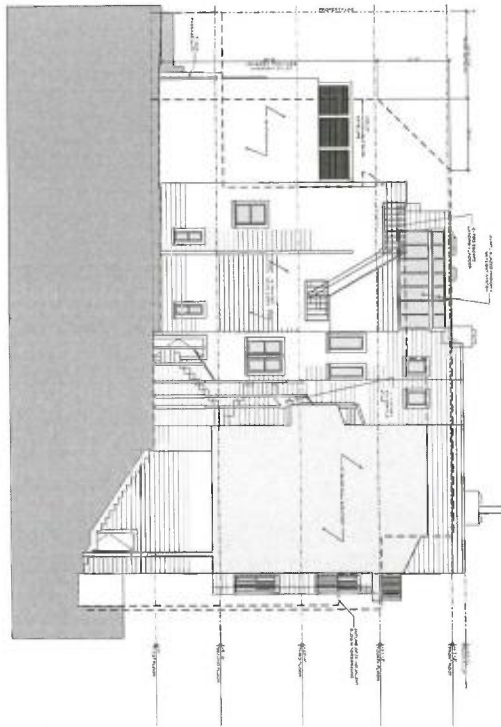
LAFLEY/STALDER
 RESIDENCE
 2226 GREEN STREET
 SAN FRANCISCO, CA 94123

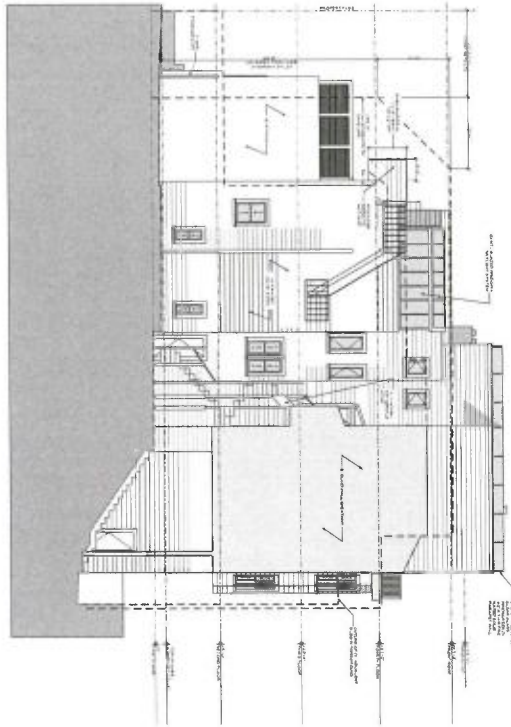


303 18th Street, Suite 200
 San Francisco, CA 94111
 TEL: 415.398.2800
 FAX: 415.398.2800

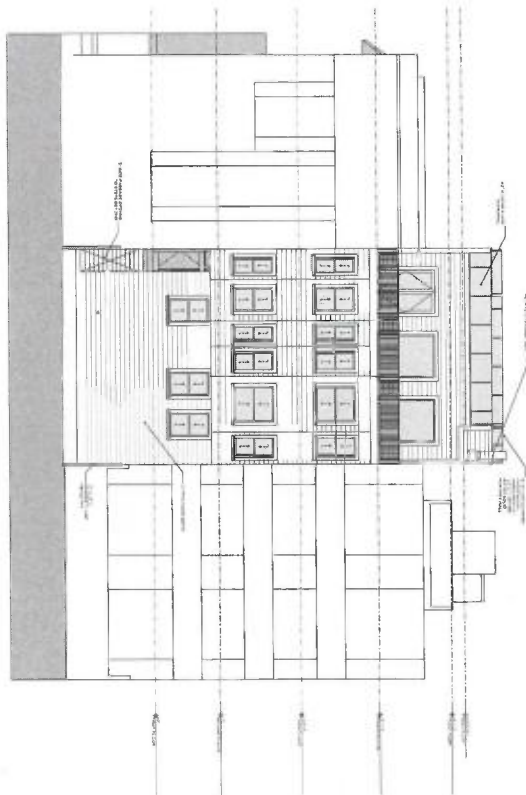


A2.2

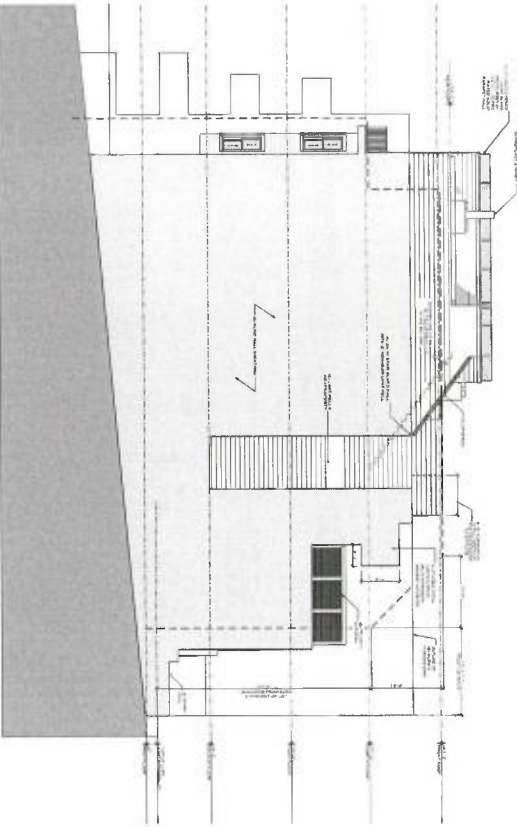




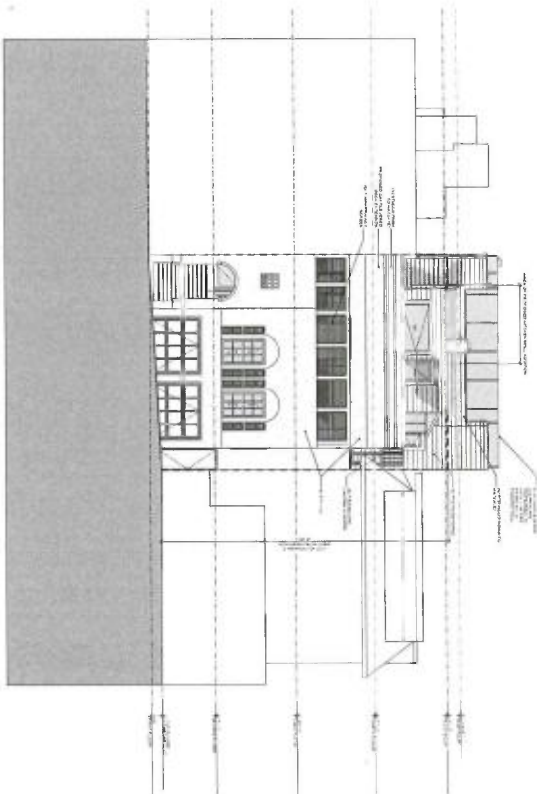
4 EAST ELEVATION
SCALE 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE 1/8" = 1'-0"



2 WEST ELEVATION
SCALE 1/8" = 1'-0"



1 SOUTH ELEVATION
SCALE 1/8" = 1'-0"

PROPOSED ELEVATION

LAFHEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123



300 11th Street, Suite 300
San Francisco
CA 94103
Tel: 415.398.3900
Fax: 415.398.3900



A3.5

RECEIVED

APPLICATION FOR Discretionary Review

JAN 04 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

1. Owner/Applicant Information

DR APPLICANT'S NAME: Christopher A. Lawrence		
DR APPLICANT'S ADDRESS: 2221 Green St 2225	ZIP CODE: 94123	TELEPHONE: (408) 921-1513
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: JOHN JEFFERY STALDER		
ADDRESS: 2226 Green St	ZIP CODE: 94123	TELEPHONE: (415) 885-2946
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Christopher A Lawrence		
ADDRESS: 827 Hickory Way, Fremont CA	ZIP CODE: 94536	TELEPHONE: (408) 921 1513
E-MAIL ADDRESS: christopher.lawrence@comcast.net		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2226 Green St		ZIP CODE: 94123
CROSS STREETS: Fillmore/Steiner		
ASSESSORS BLOCK/LOT: /	LOT DIMENSIONS:	LOT AREA (SQ FT):
ZONING DISTRICT:		HEIGHT/BULK DISTRICT:

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 ☐
Resident

Present or Previous Use:
Resident

Proposed Use: _____

Building Permit Application No. 201512084465

Date Filed: 1/4/17

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input type="checkbox"/>	<input checked="" 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 site specific sections of the Residential Design Guidelines.

The building is already noncompliant with 40-X height and bulk restrictions by having a height several feet over 40 ft. The proposed project, which includes building a large private open living space on its top, is in conflict with the City's General Plan (violation of 40-X), the City's Planning Priorities (violation of Section 101.1(2)) and of the Residential Design Guidelines

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 proposed project does not fit the architectural topology of the neighborhood and the 700+ sq. ft. habitable open living space (a "party pad") would substantially decrease my privacy (half of my home is in the line-of-sight of this proposed space) and increase the noise and night light pollution of my residence. Approval of this vertical expansion would also set a strong precedent for anyone to exceed the 40-X height with impunity

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?

Do not approve any decking on the roof or of any proposed build outside of the 40-X restrictions, including the 1 foot extension to the north-facing balcony.

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: Christopher A. Lawrence

Date: 1/4/2017

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

Christopher A. Lawrence

Owner / Authorized Agent (circle one)

CASE NUMBER:
For Staff Use only

2015-018164 DRP-024

RECEIVED

JAN 09 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P.O.APPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: James F. Kirkham		
DR APPLICANT'S ADDRESS: 2239 Green St.	ZIP CODE: 94123	TELEPHONE: (415) 922-4969

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: John T. Stalder & Meghan Stalder c/o Dennis Budel		
ADDRESS: 355 11th St, Suite 300, San Francisco CA	ZIP CODE: 94103	TELEPHONE: (415) 885-2946

CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Michael F. Donner, Hanson Bridgett LLP		
ADDRESS: 425 Market St. 26th floor, San Francisco	ZIP CODE: 94105	TELEPHONE: (415) 995-5025
E-MAIL ADDRESS: mdonner@han		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2226 Green St. San Francisco, CA		ZIP CODE: 94123
CROSS STREETS: Fillmore St.		
ASSESSORS BLOCK/LOT: 0539 / 39	LOT DIMENSIONS: 30 x 137.5	LOT AREA (SQ FT): 4,125
ZONING DISTRICT: RH-3		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**Proposed Use: **Expansion of 4th floor to include large deck + kitchen**Building Permit Application No. **2015.12.08.4465**Date Filed: **12/6/2016**

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 typewritten 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 typewritten 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 typewritten attachment

Attachment for Discretionary Review

- 1) My wife and I have lived across the street at 2239 Green St., a single dwelling, for over 40 years, and are therefore intimately familiar with this neighborhood. The proposed "alteration" at 2226 Green in effect adds an additional story vastly exceeding 40' in height, making the building out of character with the adjacent buildings and the neighborhood. I understand that an important goal of the planning commission is to preserve the character of a neighborhood.
- 2) All of us on our block have an interest in preserving the look, feel and character of our neighborhood against a cascade of so-called roof conversions effectively adding another story to buildings that were otherwise consistent with the neighborhood.
- 3) Change to eliminate the raised walls around the former roof, eliminate or reduce the deck size and, if so, permit only a deck and not a de-facto living area.

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: _____

1/5/17

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

James Kirkham

☒ Owner ☐ Authorized Agent (circle one)

Application for **Discretionary Review**CASE NUMBER:
For Staff Use onlyDiscretionary 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 N/A	<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: JONATHAN DISALVODate: 1/9/17

RECEIVED

APPLICATION FOR Discretionary Review

JAN 09 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P I C

1. Owner/Applicant Information

DR APPLICANT'S NAME: James E Gallagher		
DR APPLICANT'S ADDRESS: 2913-Fillmore	ZIP CODE: 94123	TELEPHONE: (415)753-0880

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: John Stalder & Meghan Stalder		
ADDRESS: 2226-Green St.	ZIP CODE: 94123	TELEPHONE: ()

CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS: 1671-16th	ZIP CODE: 94122	TELEPHONE: (415) 753-0880
E-MAIL ADDRESS: wine1035@sbcglobal.net		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2226-Green St	ZIP CODE: 94123
CROSS STREETS: Fillmore & Steiner	

ASSESSORS BLOCK/LOT: 0539 /039	LOT DIMENSIONS: 30 x 137.5	LOT AREA (SQ. FT): 4125	ZONING DISTRICT: RH-3/40-X	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: _____

Proposed Use: Addition to roof, exterior deck, kitchen add ons.

Building Permit Application No. 2015.12.08.4465

Date Filed: 12/6/2016

4. Actions Prior to a Discretionary Review Request

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

N/A

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.

Unilateral abridgement of building code regarding building height and deck space.

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:

Disregard of existing codes and regulations, historical usage and design; impact on open space, precedent for continued impairment of neighbors access to the environment and landscape.

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?

Limit alterations to original footprint without raising height of building or extensions from the building.

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: James E. Gallagher

Date: 1-9-97

Print name and indicate whether owner, or authorized agent:

James E. Gallagher (Owner 2913-Fillmore)
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 type="checkbox"/>
Address labels (original), if applicable	<input type="radio"/>
Address labels (copy of the above), if applicable	<input type="radio"/>
Photocopy of this completed application	<input type="checkbox"/>
Photographs that illustrate your concerns	<input checked="" type="checkbox"/>
Covenant or Deed Restrictions	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input checked="" 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: Jonathan DisalvoDate: 1/9/17

MIKE BORSETTI

20 July 2016

San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: Authorization to File Discretionary Review Application for 2226 Green Street

To Whom It May Concern:

By this letter, I hereby authorize Hanson Bridgett to file a Discretionary Review application for the property located at 2226 Green Street on my behalf.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Borsetti", with a stylized flourish at the end.

2015-018164DRP-06

JAN 06 2017

APPLICATION FOR Discretionary Review

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P I C

1. Owner/Applicant Information

DR APPLICANT'S NAME: Janine Shiue		
DR APPLICANT'S ADDRESS: 2243 Green Street, San Francisco, CA	ZIP CODE: 94123	TELEPHONE: (408) 506-9868
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: John J. Stalder and Meghan L. Stalder c/o Dennis Budd		
ADDRESS: 2226 Green Street, San Francisco, CA	ZIP CODE: 94123	TELEPHONE: (415) 885-2946, ext17
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: ()
E-MAIL ADDRESS: janine.shiue@gmail.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2226 Green Street, San Francisco, CA		ZIP CODE: 94123
CROSS STREETS: Fillmore Street		
ASSESSORS BLOCK/LOT: 0539 / 039	LOT DIMENSIONS: 30' X 137.5"	LOT AREA (SQ FT): 4,125
ZONING DISTRICT: RH-3		HEIGHT/BULK DISTRICT: 40-X

3. Project Description

Please check all that apply

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

Additions to Building: Rear ☒ Front ☒ Height ☒ Side Yard ☐
Residential

Present or Previous Use:

Construct roof deck on a "noncomplying" building without pre existing access to the roof

Proposed Use:

Building Permit Application No. 2015.12.08.4465

Date Filed: 12/08/2015

* Please note: Permit No is WRONG

On 311 notice dated 12/26/16.

Permit No. on notice is 2016.12.08.4465
which can't be found on line (does NOT exist)This mistake should invalidate
this notice from 12/26/16. *[Signature]*

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.

N/A

Discretionary Review Request

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

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

Please see attached.

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

Please see attached.

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

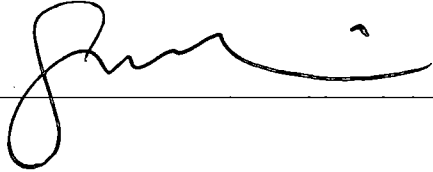
Please see attached. ***** Please note there are four attachment : 1st attachment has 3 pages, this is response to questions on page 9 of the DR application. 2nd attachment has 1 page, which expressed the conflict I have on the current hearing date of Feb 2. 2017 and ask for clarification of whether there will be two hearings or one hearing with a new date after consult all DR filers , not just the exisitng ones. 3rd attachment has 2 photos, one shows an exterior stair was built to give access to roof without approved permit, another photo shows project sponsor was on the roof, it shows how much they are over the height and stand out and how big impact to privacy. 4th attachment is LOD request sent on 12/02/16 to code administrator. *****

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: _____

01/06/17

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

Owner : Janine Shiue @ 2243 Green Street, SF

Owner / Authorized Agent (circle one)

Attachment I to DR application for 2226 Green Street

Following are responses to the questions on page 9 of DR application.

Answer to question 1

The project does not meet the planning code for the correct type of building. Existing building height is over 40 feet, it should be reviewed under planning code for "noncomplying" buildings.

Project sponsor misrepresented the existing building height to be under 40 feet and misled planning to approve the addition of roof deck. After conversation with project sponsor's architect, he knew the existing building height is over 40 feet all the time. It is unacceptable that application was submitted and approved with false information. When I met with the planner, somehow she believed everything was correct on the application and gave high respect to the architect. After many battles over last months, finally survey confirmed the building is indeed over 40 feet already, i.e. "noncomplying" building which should be subject to a different set of codes for noncomplying structures. Planning agreed to resend 311 notice but based on the approved plan, it still did not seem to exercise the set of codes for noncomplying structures.

Project sponsor also demolished the existing attic which was used for roof drainage per project sponsor's architect, increased the interior ceiling height and exterior building height by a few inches without approved permit. Planner seemed to believe the increase building height is for roof drainage. They already had the extra height for the purpose of roof drainage, rather than working under the existing noncomplying height, they further increased the deficiency of noncomplying building height claiming it is for roof drainage.

***** I have sent a request to zoning administrator for a LOD "Letter Of Determination" along with payment on Dec. 02, 2016 to get clarification on codes that should apply to noncomplying structures. I am still awaiting to hear back. The LOD is critical in determining how codes should be applied to noncomplying building which this project should be subject to.***

For examples : (3) a determination whether Section 188 (a) prohibits any increase to the height of the roof, including the 4-6" increase in framing that the project sponsors have already built ahead of the permit (see Notice of Violation number 201636183 dated 29-SEP-16) and (b) prohibits the

construction of a deck on the roof surface of a noncomplying structure when such surface does not have any pre existing access.

Please see attached LOD sent to Zoning Administrator on 12/02/16.

In the 311 re-notice, it did not properly point out the main reason for the re-notice was because the original notice had wrong building height which should put the project under "noncomplying" structures. It merely stated that project sponsor has reduced the size and height of the roof deck. On top of that, a reduced 15 day notice sent out on Dec. 26 (a federal holiday) during Christmas and new year holidays greatly de-value the true meaning of this re-notice. This re-notice is supposed to let all affected neighbors be aware that some critical building height was misrepresented on the original notice and this building is already over 40 feet high. This re-notice still lacks of true and correct height of existing building and still lacks of the complete proposed plan by not including works that were approved and done under separate permits.

Furthermore, during last months, project sponsor has continued to do works which have not been approved. They disrespect the neighbors by misrepresenting their application, by continuing doing works that have not been approved and by not including the complete and true proposed plan and measurement.

Answer to question 2

This project would cause the following unreasonable impacts :

Privacy : Given the existing building is already way over 40 feet in an X-40 neighborhood, when a person stand on the roof deck, it is higher than any surface in the block even with the consideration of the street sloping. That means anyone stands on the roof deck surface will look right into my living and dining room. They already have lots of decks and outdoor space, it is not justified to add more roof deck by taking away neighbors' privacy in a major way.

Neighborhood characters : Given the existing building is already way over 40 feet in an

X-40 neighborhood, it already has the highest roof surface even with considering the street sloping. The neighborhood has its character, charm and history that is worthwhile preserving. There is no need to make every block "party" block to have huge roof deck. More importantly, this building is already way over 40 feet, noncomplying, adding a roof deck will make it stand out even more than now and will no longer help maintain the neighborhood characters which is something we do not want to see it happen. When exception is made to one project, there will be another one, very soon, the entire neighborhood will totally lose its character.

Answer to question 3

The proposed fifth floor roof deck should be eliminated from the Project in its entirety since it does not have pre existing access to roof surface, therefore roof deck should not be allowed for noncomplying building under this circumstance.

Attachment II to DR application for 2226 Green Street

Per 311 notice dated 12/26/2016, Planning Commission Hearing is scheduled to be on Feb 2, 2017. My understanding is that hearing date was coordinated with the two neighbors who filed DRs previously. I was not aware of this hearing date until the 311 re-notice from 12/26/2016. I have booked flight to Taiwan to spend Chinese new year with my parents from 01/24/2016 to 02/02/2017 and will not be available on the current hearing date. My question is whether there will be a 2nd hearing for neighbors who just file DRs now and missed the opportunity to be consulted for a hearing date before the 311 re-notice from 12/26/16, or whether planning will consult all DR filers, neighbors who filed from the original 311 notice and neighbors who just file now after the re-notice and set a new hearing date for all in one hearing. It does not make sense to force the new DR filers to the Feb 2 hearing date since that hearing date was set prior to the 311 re-notice, if new DR filers cannot have opportunity to be coordinated into the hearing schedule as it should be, we will not have a fair chance to present ourselves in front of the planning commission. Please contact me to coordinate a hearing date that is not Feb 2, 2017 to ensure that I will have a fair opportunity to present to the planning commission during hearing.

December 02, 2016

VIA CERTIFIED MAIL AND EMAIL: scott.sanchez@sfgov.org

Mr. Scott Sanchez
Zoning Administrator
San Francisco Planning Department
1650 Mission St Ste 400
San Francisco, CA 94103

Re: Letter of Determination - 2226 Green St

Dear Mr. Sanchez:

This letter replaces the one dated November 07.2016. I am attaching a check for \$664.00, payable to the San Francisco Planning Department, as payment to request a letter of dertermination.

I am hereby requesting a Letter of Determination regarding the lot at 2226 Green Street, a condominium located in the RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District as to (1) the true and correct height of the existing building, and (2) the need for a truthful notification to neighbors (such as myself) and interested neighborhood associations per Planning Code Section 311 reflecting that the existing structure is not compliant with Height and Bulk restrictions. (3) a determination whether Section 188 (a) prohibits any increase to the height of the roof, including the 4-6" increase in framing that the project sponsors have already built ahead of the permit (see Notice of Violation number 201636183 dated 29-SEP-16) and (b) prohibits the construction of a deck on the roof surface of a noncomplying structure when such surface does not have any pre existing access.

I am the owner of 2243 Green Street; in late June I was sent a notification issued per Planning Code Section 311 (Building Permit Application No. 2015.12.08.4465) stating that the existing building has a height of 39' 8", and is therefore compliant with 40-X Height. The reduced-size drawings attached to the notice showed height measurements that were confusing and labeled as being obtained with a different method than what required by Planning Code Section 260(a).

Upon returning from foreign travel I contacted the planner and made my concerns known as to the accuracy of the measurements in the notice and

asked her to ascertain the true and correct height of the building. Notwithstanding the planner's repeated reticence to do so, by information and belief the existing building was surveyed and has been found to exceed the 40-X limit by several feet. Although I was the person who initially raised this issue, Planning has not shared this new information with me nor has it been shared with most of the neighbors who received the notice bearing the incorrect height.

Section 311 states that a notification must include existing building height, and that its purpose is to allow "property owners and residents on the site and neighboring the site of the proposed project and [...] interested neighborhood organization" to review building permit applications "so that concerns about a project may be identified and resolved during the review of the permit". Neighbors such as myself consider projects that involve additions to buildings that exceed the "sacrosanct" 40 ft height limit in a completely different light than projects involving height-compliant buildings. In this particular case the misrepresentation of height in the notice is not a mere academic issue, but an impactful one: by not being truthfully notified that the neighbors have been deprived existing building exceeds the 40-X limit, myself and other similarly situated of the ability to review the proposed project under an accurate light. Had I had certainty, instead of only suspicion, that the existing building exceeded 40-X, I would have had different and more pressing concerns; other interested parties probably would have had as well, and would have acted accordingly.

Given the existing building exceeds 40-X, per Section 188, **(a) it prohibits any increase to the height of the building.** When I talked to the project architect back in August, he said the existing building had an attic for drainage purpose and that was why the north side of the roof is higher than the south side of the roof. Rather than working on drainage within existing building height, which was already several feet over 40-X, project sponsors has demolished the existing attic, converted that to more inside ceiling height and increased the total building height further claiming the increase is needed for drainage, **ahead of the permit (see Notice of Violation number 201636183 dated 29-SEP-16)** **(b) it prohibits the construction of a deck on the roof surface of a noncomplying structure when such surface does not have any pre existing access.** If there is an existing access to the roof area, a deck can be permitted on the roof surface of a noncomplying structure provided its open railing is no higher and no more enclosed than required by the Building Code. A solid fire or other wall, even if required by the Building or other Code, is not permitted as part of a deck on a noncomplying structure and would be considered an expansion contrary to the Planning Code. However, this project **does NOT have existing access to the**

roof area, it needs to build an "new" exterior stairs to create "new" access, therefore the construction of a deck on the roof surface should be prohibited. Project sponsors has demolished and adjusted wall at top level for "new" stairs to future proposed deck at roof , **ahead of the permit (see Notice of Violation number 201636001 dated 21-SEP-16).**

I urge you to determine that neighbors (like myself) and interested neighborhood organizations have a right to an accurate notification as to the existing building's compliance to the 40 ft height limit, so that they can appropriately form and voice their concerns. As such, I request that you determine that this project needs to be re-noticed with truthful measurements reflecting the noncompliance of the existing building.

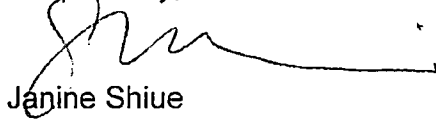
I also demand a determination as to the substantiated true and correct height of the property as measured per Planning Code requirements. and a determination whether Section 188 (a) prohibits any increase to the height of the roof, including the 4-6" increase in framing that the project sponsors have already built ahead of the permit (see Notice of Violation number 201636183 dated 29-SEP-16) and (b) prohibits the construction of a deck on the roof surface of a noncomplying structure when such surface does not have any pre existing access.

Furthermore, I request that you determine whether the material plans attached with such Section 311 notice should represent the complete picture of the changes to the building, in this specific case those changes approved four months prior on February 19, 2016 (building permit number 201602179752) which were omitted by the project sponsor in the plans distributed to me and my neighbors. When 311 notice is resent, please help take into account the fact that "with Christmas falling on a Sunday this year, many neighbors (like myself) are away for two weeks during the upcoming holiday season."

Please email your letter of determination to janine.shiue@gmail.com and the hard copy to the following address:

135 Vineyard Ct. Los Gatos, CA 95032

Respectfully,



Janine Shiue

Owner of 2243 Green St





MICHAEL F. DONNER
PARTNER
DIRECT DIAL (415) 995-5025
DIRECT FAX (415) 995-3591
E-MAIL mdonner@hansonbridgett.com



February 17, 2017

VIA HAND DELIVERY

San Francisco Planning Commission
Attention: Rich Hillis, President
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Project: 2226 Green Street
Project Sponsors: John Stalder and Meghan Laffey
Planning Case No.: 2016.12.08.4465
Hearing Date: March 2, 2017

Dear President Hillis and Commissioners:

Our firm represents Mike and Kristen Borsetti, the owners of 2200 Green Street, a single-family home situated about 30 feet from the proposed project at 2266 Green Street (the "Project Property"). The Borsettis oppose the Building Permit Application (the "Application") that is the subject of this Discretionary Review hearing and urge you to deny the Application. The Borsettis are joined in their opposition by five additional neighbors on the same block.

By the Application, the Project Sponsors seek approval to construct a massive fifth floor roof deck – which the Project Sponsors themselves described as an "**outdoor living room**" – surrounded by a four foot solid curb, windscreen, and guardrail (collectively, the "Project"). The Project is inappropriate because, among other reasons:

- It will further extend the height of an already nonconforming building that **exceeds height limitations**.
- The proposed "outdoor living room," at nearly 700 square feet – representing about 50% of the square footage of an entire floor of the building – is grossly oversized and inconsistent with neighborhood context and architectural styles.
- The Project would increase the total square footage of all decks and balconies at this single condominium to about **1,500 square feet**, a truly excessive amount, especially given that the condominium already has 800 square feet of decks and balconies and 1,600 square feet of private rear yard.
- The Project is typical of what one would expect to see at the deck of a **suburban single family home**: A dining room table for 12 guests, a built-in barbecue, a built-in fire pit, tall perimeter screening shrubbery, and an outdoor living room with multiple sofas and tables. (See the Project Sponsors' original site plan attached hereto at Exhibit A.) But this is not a large

suburban yard. It is a **roof deck**. And it is not just an ordinary roof deck. It is the new "fifth floor" of a condominium situated atop another condominium in a highly dense urban neighborhood. The Project Sponsors concede that their goal with the Project is to create an outdoor party and entertainment space, consistent with the design of their original plans (Exhibit A).¹ That party space and its planned windscreen and guardrail, dining and living room areas, screening shrubbery, and gas burning barbeque and fire pit will result in **significant light, air, noise, smell, wind, and privacy impacts** on the Borsettis and other neighbors.

The Borsettis attempted to avoid the necessity of this Discretionary Review by inviting the Project Sponsors to collaborate with them and jointly develop a compromise solution. However, the Project Sponsors insisted that they had a near absolute right to build whatever they wanted, and they refused to engage in any meaningful discussions with the Borsettis (or any other neighbor) regarding the Project. Indeed, one of the Project Sponsors, Mr. Stalder, noted that he (1) had moved to San Francisco from Colorado; (2) was used to having large outdoor spaces as appurtenances to Colorado residences; and (3) believed that landowners generally had the unfettered right to improve their properties as they saw fit.

The Project Sponsors' apparent sense of entitlement has manifested itself in numerous ways, including through their repeated violation of the law as they renovated their condominium during the past year. For example, the Project Sponsors undertook construction **without permits** (including parts of the Project covered by this Discretionary Review), thereby compelling the Department of Building Inspection ("DBI") to issue them multiple **Notices of Violation and a Stop Work Order** (which, notably, they subsequently ignored). They built a balcony beyond the perimeters of what was allowable under the Code or what they themselves had identified in their plans. They installed tarps and other screening to hide their unpermitted work from sight. They also engaged in **serial permitting** to avoid both code restrictions and closer scrutiny by the Planning Department and neighbors.

The Borsettis appreciate that the Project Sponsors are a young couple with a great affection for outdoor lifestyles. However, the Project Sponsors' desire to replicate their outdoor experience in Colorado and to build a massive party space and "outdoor living room" is at odds with San Francisco's tradition, if not public policy, of supporting construction only where it is sensitive to density issues and to neighbor impacts. Their building was not designed for a massive rooftop party space and living room, particularly one that will be so negatively impactful on, and closely proximate to, other homes and families. We live in an urban environment and, as such, must respect both the neighborhood context and its surroundings. The Project is inappropriate and the Application should be denied.

¹ The Project Sponsors removed many of these dining and entertainment features from their revised plans following negative attention they received about them from neighbors. A copy of the revised site plan is attached hereto as Exhibit B. We anticipate that the same features will appear after the roof deck is built, but in the form of moveable pieces that do not require approval from the City. Those features nonetheless will continue to serve the party-type environment envisioned by the Project Sponsors.

I. THE RELEVANT PROPERTIES AND THE PROJECT.

A. The Project Property.

The Project involves the expansion of an existing four-story residential building, located in San Francisco's iconic Pacific Heights neighborhood, on Green Street between Steiner and Fillmore Streets. The building, originally constructed in 1905, is currently comprised of two condominium units. It is zoned RH-3 and is in a 40-X height district. The Project Property consists of the upper floor condominium unit. It is comprised of two separate floors, totaling about 2,750 square feet (or about 1,375 square feet on each floor).

The Project Sponsors' upper floor condominium does not currently have any legal access to the roof. Indeed, the roof has never previously been used for any permitted purpose.

The condominium already includes about 800 square feet of decks and balconies spread over its two floors. They include (1) a large livable deck (nearly 400 square feet) on the third floor, (2) one deck and one balcony on the fourth floor (both of which are being enlarged to 360 square feet pursuant to previously-issued permits), and (3) a balcony on the fourth floor that spans the entire width of the building and features views of the Golden Gate Bridge and the Bay (also being enlarged pursuant to previously-issued permits). Additionally, the condominium has common use of a 1,600 square foot yard at the rear of the building, which the Project Sponsors share with the downstairs condominium owner.

Google Earth screenshots of the Project Property are collectively attached hereto as Exhibit C. Photographs showing the Project Property's many existing outdoor spaces are collectively attached hereto as Exhibit D.

The Project Sponsors are in their 30s. They acquired the Project Property in September 2015 for \$4,500,000.

B. The Borsettis' Property.

The Borsetti family has owned and lived at the Borsetti Property since 2004. The Borsetti Property is situated on the corner of Fillmore and Green Streets. It is improved with a 3.5-story, five bedroom single-family house, a balcony located off of a bedroom and study, and a side garden/patio (but no rear yard open space). The balcony faces the Project Property.

The Borsetti Property is separated from the Project Property by another single family home at 2204-2206 Green Street. That home, however, is set back from Green Street with a fenced garden. It also is shorter in height than either the Borsetti Property or the Project Property. Hence, the interiors of the upper floors of the Borsettis' home are plainly visible to anyone on the roof of the Project Property.

A Google Earth screenshot of the Borsetti Property is attached hereto as Exhibit E. Photographs reflecting the Borsettis' view of the Project Property from the Borsetti Property are collectively attached hereto as Exhibit F.

C. The Project.

In the Application, the Project Sponsors request the issuance of a permit to (1) add a 687 square foot deck on the Project Property's fifth floor roof, (2) construct a stairway from the Project Property's fourth floor to its new fifth floor roof deck, (3) extend a cantilevered deck at the front of the Project Property's fourth floor, and (4) expand the Project Property's fourth floor kitchen.

The Application does not include work already underway pursuant to two previously-approved permits for extensive interior improvements and remodeling. Those permits allow the Project Sponsors to enlarge the north-facing fourth floor balcony and install a single 21 foot-wide access to it, thereby effectively creating an indoor/outdoor living space. The permits also allow the Project Sponsors to install a hot tub to the third floor roof deck and to modify the third floor and fourth floor south-facing decks.

II. THE PROJECT SPONSORS' HISTORY OF UNLAWFUL CONDUCT.

Approving the Project would serve only to reward the Project Sponsors for skirting the intent of the law and, in some cases, outright violating the law, which they repeatedly have done since undertaking their home's renovation. For example:

A. The Project Sponsors' Serial Permitting.

Serial permitting – or the staggering of applications for permits relating to the same collective scope of work – is disallowed, and for good reason: Serial permit applications inappropriately hide the true scope of proposed work and prevent the City and affected neighbors from fully evaluating a project as a whole and from identifying issues that otherwise would surface if the project was assessed in its entirety.

The Project Sponsors engaged in serial permitting by filing multiple applications for permits over the last year, two of which include deck expansions, roof deck work and infill additions. The Project Sponsors never sent any Section 311 notices in connection with these other permits. The Project Sponsors' three permit applications, and a summary of relevant portions of them, are collectively attached hereto as Exhibit G.

The Project Sponsors' serial permitting hid the true scope of their proposed work and inhibited the City's and the neighbors' ability to fully evaluate the Project as a whole. Their serial permitting is significant because, as we have come to learn, the existing structure already exceeds the height limit for the District and, as a result, some of the alterations never should have been approved in the first instance.

For example, under one permit, the Project Sponsors raised the height of the roof line by about eight inches for decking and pavers. Under another permit, the Project Sponsors added a skylight that protrudes about two feet above the roof line. (The skylight was a replacement, but the Project Sponsors did not specify in their permit application that it would protrude more than the one it replaced.) These improvements undoubtedly were approved because the Project Sponsors failed in their permit applications to advise the Planning Department that the building

did not conform to the District's height limitations (and their plans did not reflect that fact and did not include elevations). The Project Sponsors likely sought a separate permit for their 2016 roof work because they recognized that, under Section 188 of the Planning Code, no roof deck may be constructed on a noncomplying building unless it lies "virtually flat" on the roof surface. Thus, they staggered (and serially submitted) permits to, first, increase height by adding eight inches to the roof level, and then, second, to add the proposed "outdoor living room" with its nearly four-foot "curb," windscreen, and guardrail. Had the Project Sponsors sought a single permit for all of these improvements, including those that are the subject of this Discretionary Review, the height nonconformity (and the Project Sponsors' attempt to skirt the height limitations) might have been earlier identified and dealt with by the Planning Department.

B. The Project Sponsors' Lack of Candor and Transparency.

Throughout this process, the Project Sponsors have been less than candid or transparent with the Planning Department, DBI or their neighbors. For example, the Project Sponsors:

1. Installed a large wooden structure and tarp to hide from sight some of the work they were performing without permits. They claimed the structure and tarp constituted "weatherproofing," but they installed during the summer and during a draught year when no credible basis existed for purported "weatherproofing." Photographs of the wooden structure and tarps are collectively attached hereto at Exhibit H.

2. Misstated the height of the building in their original 311 notice and plans, thereby inaccurately suggesting that the height complied with the Code (when, in fact, the building was already more than two feet over the height limitation for the District). **It is only through the urging of neighbors after this Discretionary Review was filed that the Planning Department required the plans to be revised to reflect the actual height of the building.**

Notably, the Planning Department erred by allowing the Project Sponsors to measure height at the centerline of **the entire lot**, rather than at the centerline of **the building**, as required by the Code. This error is significant because the building's noncompliance would be even greater if its height was measured at the centerline of the building (due to the sloping of the street).

3. Submitted plans that were inaccurate or that did not show the complete scope of work. For example, the plans the Project Sponsors provided to neighbors in connection with the Application and its related 311 notice did not include improvements made pursuant to separate permits or changes made to the original design. The plans also did not accurately reflect a partially-constructed expansion of a fourth floor north-facing balcony running the entire width of the building (or the creation of a new 21 foot access to the balcony via a sliding door). That expansion exceeds the allowable building envelope. Photographs of the deck expansion are collectively attached hereto at Exhibit I and drawings reflecting the inaccuracies in the plans are collectively attached hereto as Exhibit J.

C. Numerous DBI Violations.

DBI repeatedly has caught the Project Sponsors doing work outside the scope of approved permits, including improvements that are the subject of this Discretionary Review:

DBI issued a Notice of Violation and Stop Work Order on September 21, 2016 in response to the Project Sponsors' unpermitted construction of an extension to a third floor balcony (erroneously identified by DBI as a second floor balcony). That extension is the subject of this Discretionary Review and never should have been built. On the same day, DBI cited the Project Sponsors for modifying a wall and building a stairway (now a "ramp") at the roof level without permits. These improvements, which related to the proposed stairs to the "outdoor living room," are also covered by this Discretionary Review and never should have been installed.

DBI issued a second Notice of Violation just over a week later, on September 29, 2016, in response to the Project Sponsors' unpermitted reframing of the roof to increase its height by six inches. The DBI later amended this Notice of Violation to note that the Building Code allowed deviations of up to six inches from what was indicated in the plans. However, the Project Sponsors' plans misrepresented the building's height as "conforming," thereby obscuring the fact that their unpermitted roof reframing (and its corresponding increase of the roof's height) further worsened the building's preexisting height nonconformity.

No corrections have been made and no additional permits have been obtained to address these Notices of Violation. In fact, just weeks ago, on January 25, 2017, DBI determined that the Project Sponsors had violated the Stop Work Order by continuing to work on the third floor balcony despite that fact that it was subject to an unresolved Notice of Violation. DBI ordered the Project Sponsors to again stop all work pending issuance of a permit to correct the Notice of Violation.

Photographs of some of the unpermitted improvements are collectively attached hereto as Exhibit K and a copy of the Notices of Violation and Stop Work Order are collectively attached hereto as Exhibit L.

Additionally, the Project Sponsors were able to avoid detection by DBI of a few other unpermitted improvements they constructed. They built up the surface of the roof level in precisely the same location as their proposed "outdoor living room" (supposedly for drainage) by installing pavers that added about eight inches to the already nonconforming building. Yet, their plans never reflected the height increase and the City never approved it. They also created a temporary hole in the roof and installed a base for future stairs (now a "ramp"), baseboard, sheeting and railing, all in anticipation of receiving approvals to build their "outdoor living room." These improvements are the subject of this Discretionary Review and never should have been installed.

While a single violation might be attributable to an honest mistake by a contractor, the Project Sponsors' pattern and practice of violations demonstrates a willful disregard for the Code, DBI Inspectors, the Discretionary Review process and their neighbors. This attitude should not be rewarded by the City in allowing a large "outdoor living room" to be built on top of a building already exceeding the height limit.

III. WHY THE APPLICATION SHOULD BE DENIED

A. The Project Will Exacerbate the Building's Nonconforming Height.

It is original state, the Project Property was a noncomplying structure that exceeded the District's 40 foot maximum height limitation by more than two feet. However, the Project Sponsors subsequently raised the height eight more inches pursuant to their 2016 permit. Now, they want to build their proposed "outdoor living room," with its curb, windscreen, and guardrail, **a full six feet above the maximum height allowed for the District**. A schematic, prepared by the Borsettis, showing the height of the proposed "outdoor living room," and its guardrail, when compared to the height of neighboring properties and the height allowed in the District, is attached hereto as Exhibit M. Additional schematics, prepared by the Borsettis, showing the height of neighboring rooflines are collectively hereto as Exhibit N. While decks are allowed to exceed the height limit, the Residential Guidelines require decks to be as close to height limitations as possible. In fact, the Code and the Guidelines have increasingly required roof hatches for access from a lower story to a roof deck (and not stairs) to reduce the obtrusive nature of new decks.

Section 188 of the Planning Code prohibits expansion of a structure that is noncomplying as to height. Interpretations of the Code expand upon what specifically is and is not permitted. A print-out of Section 188 and the interpretations is attached hereto as Exhibit O. Yet, as stated above, the Project Sponsors propose to build a roof deck over 46 feet in height (including the curb and windscreen) in this 40 foot District (Exhibits M-O). Even if the Commission determines that a roof deck is appropriate for the Project Property (which it is not), the Project, as proposed, still contains elements that violate the Code. For example, the six inch "curb" the Project Sponsors would like to build to support their proposed windscreen is **solid**, not transparent. Code interpretations prohibit any solid roof level wall (even if required to satisfy the Building Code). With extra fire rated roofing material applied, such small curbs (parapets) are not needed at all, and such fire protection has been a common feature in many new roof decks so as to limit visibility.

Based on the foregoing, the Application should be denied.

B. The Roof Deck is Excessive and Out of Character.

This is not a situation where property owners seek to add a roof deck to remedy some open space deficit. The Project Sponsors already have 800 square feet of north- and south-facing decks and balconies and 1,600 square feet of rear yard. As the Project Sponsors concede, this is to be a party space and "outdoor living room." But no other homes or condominiums in this neighborhood have 1,500 square feet of roof decks and balconies or, for that matter, a nearly 700 square foot "outdoor living room" (at roof level or otherwise). The Project's proposed additions are excessive and completely out character for the neighborhood. Hence, the Application should be denied.

C. The Negative Impacts Are Too Significant to Justify Approval.

The Project, as proposed, will have significant impacts on the Borsettis. Those impacts – particularly if the roof deck is used as a party space and "outdoor living room," as designed – include the following:

1. **Privacy:** The proposed new rooftop party space and "outdoor living room" will look directly into the Borsetti Property, and in particular, into living spaces (a bedroom/study) on the west side of the Borsettis' home and on the garden patio on the ground floor. The existence of a windscreen will do nothing to reduce visual access into some of most private parts of the Borsettis' home. The Project Sponsors have indicated that they intend to frequently use the "outdoor living room" for parties, dinners and similar social activities. Such use of the party space and "outdoor living room" will significantly impair the Borsettis' privacy and use of these parts of their home.

2. **Noise:** The Project Sponsors' proposed party space and "outdoor living room" will indisputably create significant noise. No building exists between the Project Property and the Borsetti Property to buffer that noise. Hence, noise impacts will directly and materially affect the Borsettis.

3. **Light and Shadows:** Parts of the proposed fifth floor roof deck structure will block light from, and cast shadows on, the Borsettis' own deck and portions of the interior of their home at various times during the day, particularly if shrubbery, furniture and the curb and windscreen are installed. These considerable light and air impacts will directly and materially affect the Borsettis.

4. **Wind:** The construction of the proposed fifth floor roof deck structure and its proposed curb and windscreen (at 46 feet in height) likely will create a "funnel" of easterly and westerly winds affecting the Borsettis' deck and the interior of their home, particularly during storms with wind speeds of 50 m.p.h. or greater. The Project Sponsors have not commissioned any wind study to evaluate the impact of the Project on neighboring properties.

5. **Artificial Light:** The Project can be expected to add a great deal of artificial light to the roof deck which will impair the Borsettis' enjoyment of their property.

Based on the foregoing impacts,² the Application should be denied.

² The Borsettis asked the Project Sponsors to agree to a number of Conditions of Approval, including limits on number of people on the deck, times of use, restrictions on light and music, etc. The Project Sponsors flatly rejected any such Conditions. Thus, the Borsettis request that no roof deck be approved at all, as it clear that its use will be without regard for the concerns of neighbors.

San Francisco Planning Commission
Attention: Rich Hillis, President
February 17, 2017
Page 9

IV. CONCLUSION

No rational basis exists to allow the construction of a giant "outdoor living room" and new "fifth floor" atop a condominium that already features numerous decks and balconies and a rear yard, particularly where such additions would further exceed the District's height limitations and impair the Borsettis' use and enjoyment of their property by creating significant light, air, noise, smell, wind, and privacy impacts. Approving the Project would serve only to reward the Project Sponsors for their serial permitting, violations of the law, and lack of candor with the City and neighbors. The Application therefore should be denied.

If you have any questions, please feel free to call me.

Very truly yours,

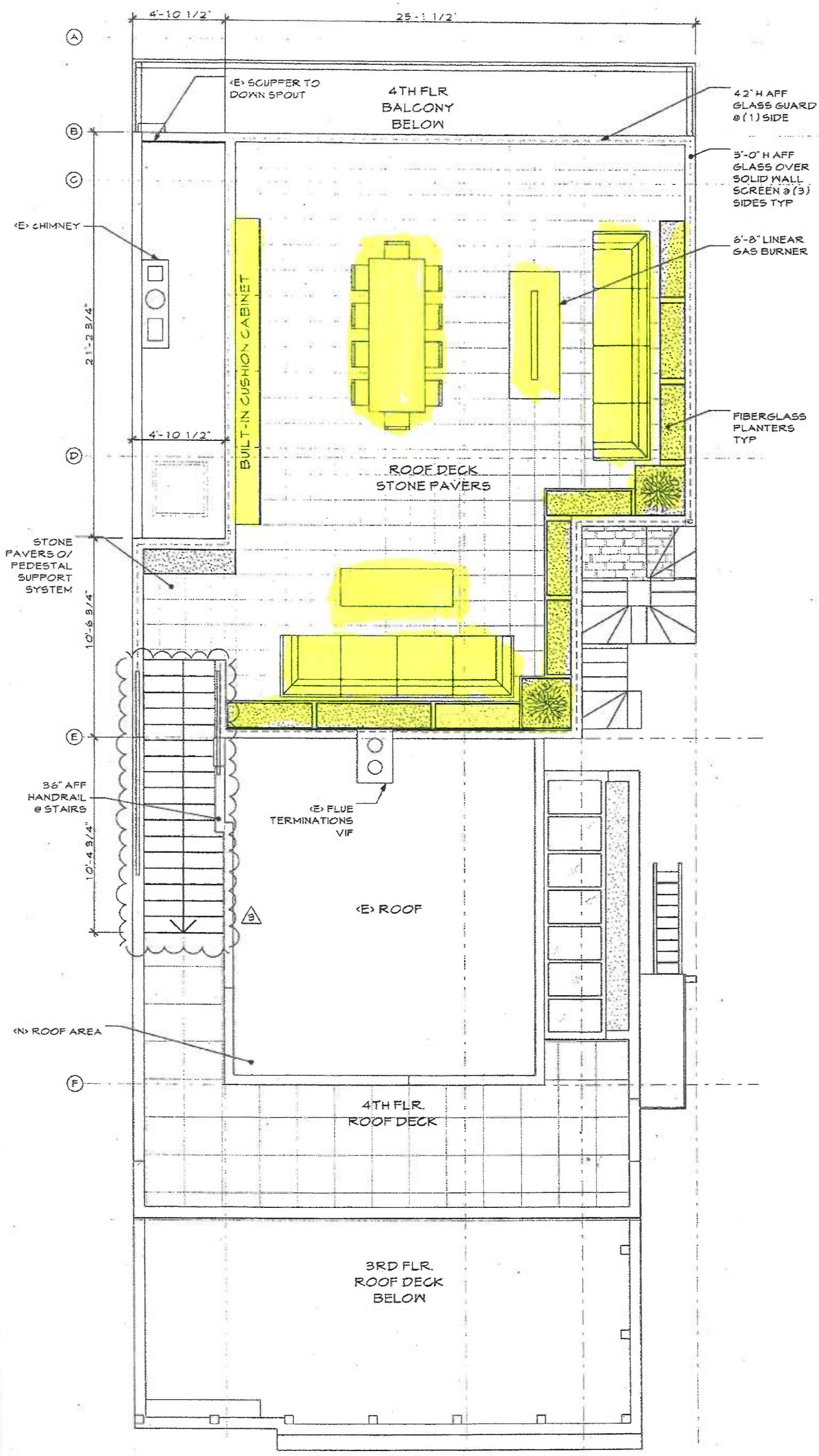
A handwritten signature in blue ink, appearing to read "M. F. Donner", with a long, sweeping horizontal line extending to the right.

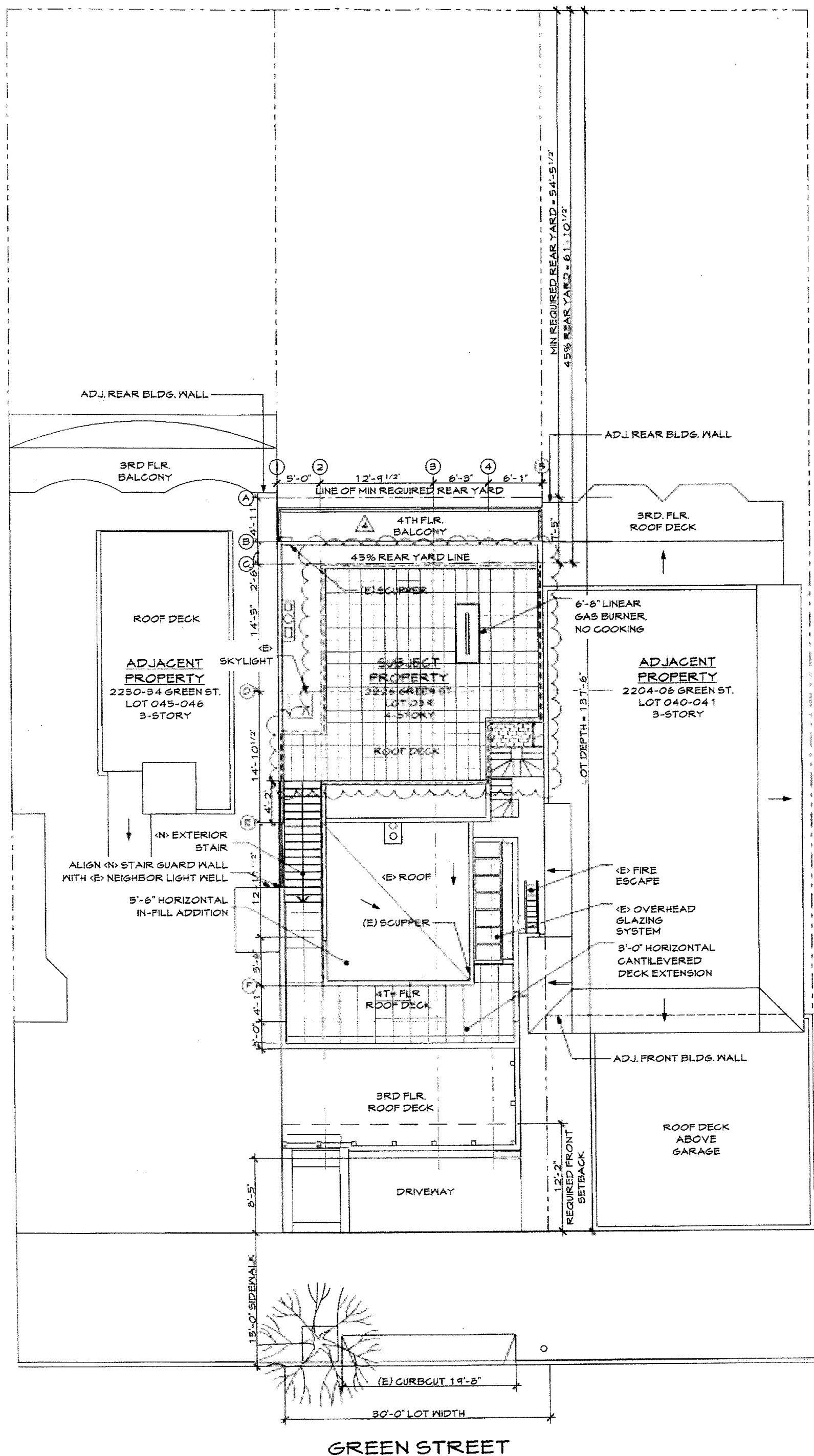
Michael F. Donner

MFD/ih

Attachments

cc: Scott Sanchez, Zoning Administrator
David Lindsay, Team Leader, Northwest Quadrant
Sylvia Jimenez, Planner
David Silverman, Reuben, Junius & Rose, LLP
Mike Borsetti (Via E-Mail)
Kristen Borsetti (Via E-Mail)





2 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0"

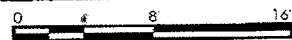


EXHIBIT C













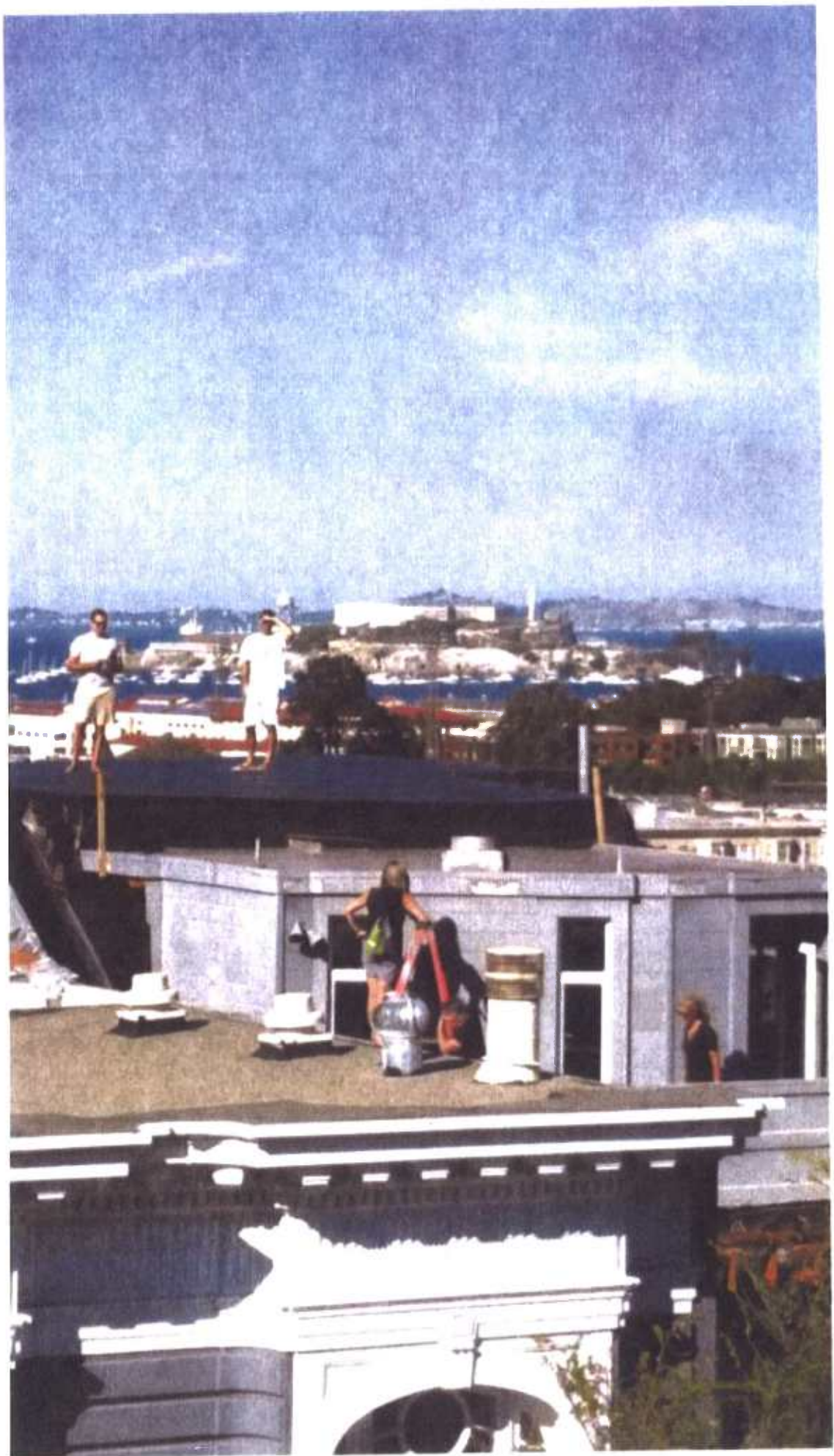


EXHIBIT E









The permit that is the subject of this Discretionary Review (Application No. 201512084465) was filed in December 2015, noting work as:

"5'-6" DEEP HORIZONTAL INFILL ADDITION @ (E) fourth FLOOR. 3'-0" DECK EXTENSION @ (E) fourth FLOOR. KITCHEN RENOVATION. REMOVE WOOD TRELLIS @ 3RD & fourth FLOORS."

A subsequent permit application (No. 201602179752) was filed on February 17, 2016, noting work as:

"1'-0" DEEP DECK EXTENSION AT fourth FLR REAR. 2'-0" HORIZONTAL IN-FILL ADDITION AT EAST LIGHT WELL. CONVERT 3 LIVING RM OPENINGS TO 21'-0" WIDE LIFT/SLIDE DOOR. PROVIDE 4(N) WASHROOMS AND REPLACE UNITS THROUGHOUT. REMOVE FIRE ESCAPE, ADD FIRE SUPPRESSION (UNDER SEP PERMIT). INTERIOR RENOVATIONS."

A closer review of the full permit application and plans for the latter permit show that it includes work on the roof in the same areas covered by this Discretionary Review, including installation of the "outdoor living room" roof deck.

Permit Scope of Work:

- 1) 1' 0" deep cantilevered deck extension at the existing fourth floor rear façade roof deck;
- 2) 2' 0" horizontal fourth floor in-fill addition and window at existing east side light well;
- 3) Convert (3) existing living room door/window openings to 21' 0" wide lift-slide door system;
- 4) Provide (4) (N) windows and replacement units throughout;
- 5) New curb mounted roof skylight;
- 6) Remove wood trellis structures at the 3rd and fourth floor front roof decks;
- 7) Add hot tub and new exterior finishes to existing 3rd floor roof deck;
- 8) Add a fire-suppression system to the 3rd and fourth floors of building and remove existing metal fire escape;
- 9) Interior non-structural renovations to existing 3rd and fourth floor spaces including new fixtures, fittings and finishes.

A third permit (Application No. 201605026234) was applied for on May 2, 2016, noting work as follows:

"INSTALL 31 SPRINKLERS ON 3RD AND fourth FLOOR ONLY. PER NFPA 13R AND UNDERGROUND PER NFPA 24."



SAN FRANCISCO PLANNING DEPARTMENT

Report for: 2226 GREEN ST

Building Permits Report: 2226 GREEN ST

Applications for Building Permits submitted to the Department of Building Inspection.

BUILDING PERMITS:

Permit:	<u>201605026234</u>
Form:	8 - Alterations Without Plans
Filed:	5/2/2016
Address:	2226 GREEN ST
Parcel:	0539/039
Existing:	2 FAMILY DWELLING
Proposed:	2 FAMILY DWELLING
Existing Units:	2
Proposed Units:	2
Status:	ISSUED
Status Date:	10/19/2016 11:32:03 AM
Description:	INSTALL 31 SPRINKLERS ON 3RD AND 4TH FLOOR ONLY. PER NFPA 13R AND UNDERGROUND PER NFPA 24. T.I. # 201502179752. N/A MAHER ORD.F 155-13
Cost:	\$10,000.00
Permit:	<u>201602179752</u>
Form:	8 - Alterations Without Plans
Filed:	2/17/2016
Address:	2226 GREEN ST
Parcel:	0539/039
Existing:	2 FAMILY DWELLING
Proposed:	2 FAMILY DWELLING
Existing Units:	2
Proposed Units:	2
Status:	ISSUED
Status Date:	2/19/2016 3:00:00 PM
Description:	1'-0" deep deck extension at 4th flr rear. 2'-0" horizontal in-fill addition at east light well.convert 3 living rm openings to 21'-0" wide lift/slide door.provide 4(n) washrooms and replace units throughout. remove fure escape, add fire suppression (under sep permit). interior renovations.maher n/a
CEQA CatEx:	<u>View Categorical Exemption Evaluation</u>
Cost:	\$500,000.00
Permit:	<u>201512084465</u>
Form:	3 - Alterations With Plans
Filed:	12/8/2015
Address:	2226 GREEN ST
Parcel:	0539/039
Existing:	2 FAMILY DWELLING
Proposed:	2 FAMILY DWELLING
Existing Units:	2
Proposed Units:	2

Status:	TRIAGE
Status Date:	12/8/2015 12:06:17 PM
Description:	5'-6" DEEP HORIZONTAL INFILL ADDITION @ (E) 4TH FLOOR. 3'-0" DECK EXTENSION @ (E) 4TH FLOOR. KITCHEN RENOVATION. REMOVE WOOD TRELLIS @ 3RD & 4TH FLOORS. MAHER: N/A
Cost:	\$45,000.00
Permit:	<u>9805525</u>
Form:	8 - Alterations Without Plans
Filed:	3/31/1998
Address:	2226 GREEN ST
Existing:	2 FAMILY DWELLING
Proposed:	2 FAMILY DWELLING
Existing Units:	2
Proposed Units:	2
Status:	COMPLETE
Status Date:	7/9/1998
Description:	VOLUNTARY, PARTIAL SEISMIC RETROFIT
Cost:	\$9,020.00
Permit:	<u>9805525</u>
Form:	8 - Alterations Without Plans
Filed:	3/31/1998
Address:	2224 GREEN ST
Existing:	2 FAMILY DWELLING
Proposed:	2 FAMILY DWELLING
Existing Units:	2
Proposed Units:	2
Status:	COMPLETE
Status Date:	7/9/1998
Description:	VOLUNTARY, PARTIAL SEISMIC RETROFIT
Cost:	\$9,020.00
Permit:	<u>9805525</u>
Form:	8 - Alterations Without Plans
Filed:	3/31/1998
Address:	2226 GREEN ST
Existing:	2 FAMILY DWELLING
Proposed:	2 FAMILY DWELLING
Existing Units:	2
Proposed Units:	2
Status:	COMPLETE
Status Date:	7/9/1998
Description:	VOLUNTARY, PARTIAL SEISMIC RETROFIT
Cost:	\$9,020.00
Permit:	<u>9720768</u>
Form:	8 - Alterations Without Plans
Filed:	10/16/1997
Address:	2224 GREEN ST
Existing:	1 FAMILY DWELLING
Proposed:	1 FAMILY DWELLING
Existing Units:	1
Proposed Units:	1
Status:	EXPIRED
Status Date:	2/16/1998
Description:	TERMITE REPAIR
Cost:	\$1,535.00

Permit: 9510987
Form: 8 - Alterations Without Plans
Filed: 7/17/1995
Address: 2224 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 9/26/1995
Description: MODIFY APPROVED 9414587S1 (BATH/SHOWER)
Cost: \$300.00

Permit: 9414587S
Form: 3 - Alterations With Plans
Filed: 9/21/1994
Address: 2224 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 9/26/1995
Description: RENOVATE HALF FLOOR
Cost: \$100,000.00

Permit: 9308525
Form: 8 - Alterations Without Plans
Filed: 5/21/1993
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 8/5/1993
Description: REMOVE & REPLACE EAST SIDE STAIRS
Cost: \$4,800.00

Permit: 9308525
Form: 8 - Alterations Without Plans
Filed: 5/21/1993
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 8/5/1993
Description: REMOVE & REPLACE EAST SIDE STAIRS
Cost: \$4,800.00

Permit: 9024644
Form: 8 - Alterations Without Plans
Filed: 11/30/1990
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING

Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: EXPIRED
Status Date: 8/5/1991
Description: INSTALL PLYWOOD, STRAPS, & FOUNDATION BOLTS
Cost: \$3,500.00
Permit: **9024644**
Form: 8 - Alterations Without Plans
Filed: 11/30/1990
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: EXPIRED
Status Date: 8/5/1991
Description: INSTALL PLYWOOD, STRAPS, & FOUNDATION BOLTS
Cost: \$3,500.00
Permit: **8910271**
Form: 8 - Alterations Without Plans
Filed: 6/13/1989
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 1/26/1990
Description: KITCHEN REMODEL
Cost: \$25,000.00
Permit: **8910271**
Form: 8 - Alterations Without Plans
Filed: 6/13/1989
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 1/26/1990
Description: KITCHEN REMODEL
Cost: \$25,000.00
Permit: **8408345**
Form: 3 - Alterations With Plans
Filed: 8/1/1984
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 6/3/1985

Description: REMODEL BATHROOM
Cost: \$30,000.00
Permit: 8408345
Form: 3 - Alterations With Plans
Filed: 8/1/1984
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 6/3/1985
Description: REMODEL BATHROOM
Cost: \$30,000.00
Permit: 8404834
Form: 3 - Alterations With Plans
Filed: 5/4/1984
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 10/11/1984
Description: REMODEL 2 EXIST. CLOSETS MODIFY 2BATH VANITIES INSTALL 2TILE
Cost: \$10,000.00
Permit: 8404834
Form: 3 - Alterations With Plans
Filed: 5/4/1984
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 10/11/1984
Description: REMODEL 2 EXIST. CLOSETS MODIFY 2BATH VANITIES INSTALL 2TILE
Cost: \$10,000.00
Permit: 8404133
Form: 8 - Alterations Without Plans
Filed: 4/18/1984
Address: 2226 GREEN ST
Existing: 2 FAMILY DWELLING
Proposed: 2 FAMILY DWELLING
Existing Units: 2
Proposed Units: 2
Status: COMPLETE
Status Date: 9/11/1984
Description: CUT OUT DAMAGE FROMJOIST AND SHEATHING .
Cost: \$1,900.00
Permit: 8404133
Form: 8 - Alterations Without Plans
Filed: 4/18/1984

Address: 2226 GREEN ST
 Existing: 2 FAMILY DWELLING
 Proposed: 2 FAMILY DWELLING
 Existing Units: 2
 Proposed Units: 2
 Status: COMPLETE
 Status Date: 9/11/1984
 Description: CUT OUT DAMAGE FROMJOIST AND SHEATHING .
 Cost: \$1,900.00
Permit: 8402158
 Form: 3 - Alterations With Plans
 Filed: 2/29/1984
 Address: 2224 GREEN ST
 Existing: APARTMENTS
 Proposed: APARTMENTS
 Existing Units: 3
 Proposed Units: 3
 Status: COMPLETE
 Status Date: 8/9/1986
 Description: MODIFYING FIRE ESCAPE ON RIGHT SIDE OF BLDG.
 Cost: \$2,500.00
Permit: 8109293
 Form: 3 - Alterations With Plans
 Filed: 10/27/1981
 Address: 2224 GREEN ST
 Existing:
 Proposed:
 Existing Units: 0
 Proposed Units: 0
 Status: COMPLETE
 Status Date: 3/4/1983
 Description:
 Cost: \$4,000.00

The Disclaimer: The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an 'as is' basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

OFFICIAL COPY

SAN FRANCISCO

DEPARTMENT OF BUILDING INSPECTION

Capacity Charges

Work \$1916.00

Water \$6514.00

Sewer \$2711.00

Structural Fee \$48.30
Christ V.APPROVED
Dept. of Building Insp.

FEB 19 2016

Tom C. Hui

TOM C. HUI, S.E.

DIRECTOR

DEPT. OF BUILDING INSPECTION

APPROVED FOR ISSUANCE

FEB 19 2016

BLDG. 3/8

APPLICATION NUMBER

APPROVAL NUMBER

OSIA APPROVAL REQ'D

MAHER ORDINANCE

Disturbance of at least 50

Yes, route to DPH for

Ordinance No. 156-13.

BUILDING ENLARGEMENT

EXTENDED

CL. YD. OF BLDG.

V. VERTICAL

H. HORIZONTAL

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRSFORM 3 ☐ OTHER AGENCIES REVIEW REQUIREDFORM 8 ☒ OVER-THE-COUNTER ISSUANCE

2 NUMBER OF PLAN SETS

3/4

DO NOT WRITE ABOVE THIS LINE

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTIONAPPLICATION IS HEREBY MADE TO THE DEPARTMENT OF
BUILDING INSPECTION OF SAN FRANCISCO FOR
PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS
AND SPECIFICATIONS SUBMITTED HERewith AND
ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE
HEREINAFTER SET FORTH.

DATE FILED 2/19/2016	FIELD FEE RECEIPT NO. 1383774	(1) STREET ADDRESS OF JOB 2226 GREEN ST	BLOCK & LOT 0539/038-39
PERMIT NO. 1383774	ISSUED FEB 19 2016	(2A) ESTIMATED COST OF JOB \$430,000	(2B) REVISED COST BY: <i>WJH</i> \$500K DATE: 2/17/16

*16049327 4/5/4 INFORMATION TO BE FURNISHED BY ALL APPLICANTS							
LEGAL DESCRIPTION OF EXISTING BUILDING							
(4A) TYPE OF CONSTR. S-B	(4B) NO. OF STORIES OF OCCUPANCY 4	(4C) NO. OF BASEMENTS AND CELLARS 1	(7A) PRESENT USE TWO-FAMILY RESIDENTIAL	(6A) OCCUP. CLASS R-3	(8A) NO. OF DWELLING UNITS 2		
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION							
(4) TYPE OF CONSTR. S-B	(4B) NO. OF STORIES OF OCCUPANCY 4	(4C) NO. OF BASEMENTS AND CELLARS 1	(7) PROPOSED USE (LEGAL USE) TWO-FAMILY RESIDENTIAL	(6) OCCUP. CLASS R-3	(8) NO. OF DWELLING UNITS 2		
(10) IS AUTO RAMPWAY TO BE CONSTRUCTED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
(14) GENERAL CONTRACTOR Eastwood Development	ADDRESS 3520 20TH ST UNIT B SFC	ZIP 94110	PHONE B-959948	CALIF. LIC. NO. 4/30/17	EXPIRATION DATE 4/30/17		
(15) OWNER - LESSEE (CROSS OUT ONE) JOHN STALDER + MEGHAN LAFFEY	ADDRESS 1840 JEFFERSON ST #302	ZIP SFC	PHONE (FOR CONTACT BY DEPT.) 94123 (415) 765-7023				
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)							
① 1'-0" DEEP DECK EXTENSION AT 4TH FLOOR REAR ② 2'-0" HORIZONTAL IN-FILL							
ADDITION AT EAST LIGHT WELL ③ CONVERT (3) LIVING ROOM OPENINGS TO							
2'-0" WIDE LIFT/SLIDE DOOR ④ PROVIDE (4) (N) WINDOWS AND REPLACEMENT UNITS							
THROUGHOUT ⑤ REMOVE FIRE ESCAPE & ADD FIRE-SUPPRESSION SYSTEM ⑥ INTERIOR RENOVATIONS							
ADDITIONAL INFORMATION under separate							
(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT N/A.	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA 0	SQ. FT.	
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(25) ARCHITECT OR ENGINEER (DESIGN) CONSTRUCTION (C) DENNIS BUDD MIA % EAST ARCHITECTS		ADDRESS 355 11TH ST #300 SFC		CALIF. CERTIFICATE NO. C-10895		1/31/2017	
(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")		UNKNOWN.					

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction is to be closer than 10' to any wire containing more than 750 volts. See Sec 380, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.

ANY VIOLATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY OBTAINED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED TO ANSWER "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (15) (22) OR (24).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX

☐ OWNER
☐ LESSEE
☐ CONTRACTOR
☒ ARCHITECT
☐ AGENT
☐ ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

REV 06/13

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands and actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (i) or (ii) designated below, or shall indicate how (iii), (iv), or (v) whichever is applicable. If however from (i) is checked, then (ii) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declares below:

- () I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- (X) II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:
Carrier: CALIFORNIA INSURANCE COMPANY
Policy Number: 46823527
- () III. The cost of the work to be done is \$100 or less.
- () IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit hereby applied for shall be deemed revoked.

- (X) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

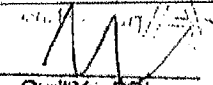


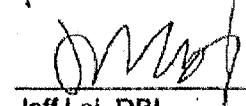
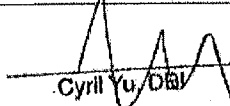

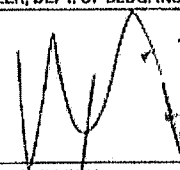
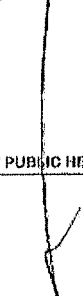

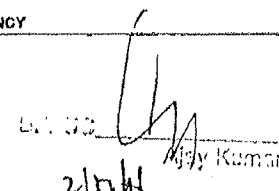
Signature of Applicant or Agent: *[Signature]* 2/19/2016
Date

OFFICE COPY

OFFICIAL COPY

SAN FRANCISCO
DEPARTMENT OF
BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

<input type="checkbox"/>	APPROVED:  Cyril Yu, DBI FEB 17 2016 BUILDING INSPECTOR, DEPT. OF BLDG. INSP.	DATE: _____ REASON: _____ NOTIFIED MR. _____ DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: PER PLANS & APPLICATION FOR 11' EXTENSION FOR CANTILEVERED BALCONY LOCATED AT 4TH FLOOR. 2' IN-FILL FOR EAST LIGHTWELL. NEW WINDOW AT 4TH FLOOR. AND NEW WINDOWS FOR 2ND UNIT.  DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: OFC  Jeff Lai, DBI FEB 17 2016 MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  Cyril Yu, DBI FEB 17 2016 CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: By:  Randall Dennis, DPW/BSM  BUREAU OF ENGINEERING Street Closures Only	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED:  REDEVELOPMENT AGENCY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: SFPUC Capacity Charges See attached SFPUC Capacity Charge Invoice for total amount due. DBI will collect charges.  HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

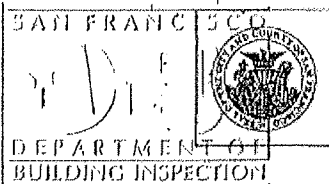
HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments ☐

OWNER'S AUTHORIZED AGENT

OFFICIAL COPY



DEPARTMENT OF BUILDING INSPECTION

City & County of San Francisco.

1660 Mission Street, San Francisco, California 94103-2414

DATE: 2/17/2016

PERMIT APPLICANT AND AUTHORIZED AGENT

☒ New

DISCLOSURE AND CERTIFICATION

☐ Amended

Permit Application No.: 2016 02179752 Job Address: 2226 GREEN ST.

This form must be completed in its entirety in connection with an application for a building permit (Forms 1/2, 3/8, 4/7, 5 and 8). The form must be amended for all new information or change in information for duration of project. Please be advised that the Department does not regulate permit expeditors/consultants or afford them preferential treatment.

A. Permit Applicant Information

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the San Francisco Building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the owner, the lessee or the agent of the owner/lessee and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct. I am the permit applicant and I am

Check box(es):

- ☐ The owner (B) ☐ The lessee (C)
☒ The authorized agent. Check entity(s):
☒ Architect (D) ☐ Engineer (E)
☐ Contractor (F) ☐ Attorney (G)
☐ Permit Consultant/Expediter (H)
☐ Other (I)

Print Applicant Name DENNIS BUDD AIA

Sign Name [Signature]

B. Owner Information

Name JOHN STAUDER + MEGHAN LOFFEY
 Phone 415-765-7023
 Address 1840 JEFFERSON ST #302
 SAN FRANCISCO CA 94123
 City State Zip

C. Lessee Information

Name N/A
 Phone
 Address
 City State Zip

D. Architect/Engineer Information

☐ None ☐ List all Architect(s)/Engineer(s) on project:

1. Name DENNIS BUDD AIA LEED AP
☒ Architect ☐ Engineer

Phone No. 415-885-2946 x17

Firm Name EAST ARCHITECTS

License # C-10895

Expiration Date 1/31/2017

Firm Address 355 11TH STREET STE 300

SAN FRANCISCO CA 94103

City State Zip

2. Name LARRY WONG

☐ Architect ☒ Engineer

Phone No. 415-877-1392

Firm Name LARRY WONG ENGINEERING

License # 5135

Expiration Date

Firm Address 485 14TH STREET

SAN FRANCISCO CA 94103

City State Zip

3. Name N/A

☐ Architect☐ Engineer

Phone No.

Firm Name

License #

Expiration Date

Firm Address

City State Zip

E. General Contractor Information

Note: Complete separate licensed contractor's statement also.

Name LUCAS EASTWOOD

Phone 415-341-0473

Firm Name EASTWOOD DEVELOPMENT

License # B-959948

Expiration Date

Firm Address 3520 20TH STREET UNIT B

SAN FRANCISCO CA 94110

City State Zip

☐ Contractor not yet selected. If this box is checked, submit an amended form when known.

☐ Owner - Builder. If this box is checked, submit owner-builder declaration form.

F. Attorney Information

Name N/A

Phone

Firm Name

Firm Address

City State Zip

G. Permit Consultant / Expediter

Name N/A

Phone

Firm Name

Firm Address

City State Zip

H. Authorized Agent - Other

Name N/A

Phone

Firm Name

Firm Address

City State Zip

Please describe your relationship with the owner

OFFICIAL COPY

SAN FRANCISCO

EASTWOOD DEVELOPMENT

DEPARTMENT OF BUILDING - DEVELOPMENT - CONSULTING

BUILDING DEPARTMENT

3520 20th Street, Suite B
San Francisco, CA 94110
office_415-341-0473
email_info@eastwoodsf.com



Authorization Form

Re: 2226 Green Street
BPA #2016 / 0217 / 9752
Date: 2.17.16
To: San Francisco Building Department

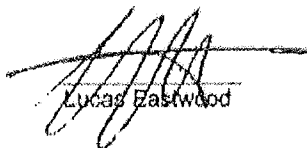
My company, Eastwood Development, is the General Building Contractor of record for 2226 Green Street.

Please allow the Project Architect, Dennis Budd, or Designer, Elyssa Estrada, of Gast Architects, to pick up and pay for the general building permit #2016 / 0217 / 9752.

Our worker's compensation insurance is with California Insurance Company, Policy #46823527.

Please feel free to call me at (415) 374-0669 with any questions or concerns.

Many Thanks,



Lucas Eastwood

Lucas Eastwood
Owner

authorization form

OFFICIAL COPY



City and County of San Francisco
Department of Building Inspection



Edwin M. Lee, Mayor
Tom C. Hui, S.E., C.B.O., Director

LICENSED CONTRACTOR'S STATEMENT

Permit Application No. 2016 02179752
Job Address: 2226 Green St

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 959948
License Class B
Expiration Date 4/30/17

Contractor

Elyssa Estrada

PRINT

Elyssa Estrada

SIGNATURE

NOTE: "Any violation of the Bus. & Prof. Code Sec 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)" Bus. & Prof. Code Sec. 7031.5. Revised 10/1/2013.

OFFICIAL COPY



STRUCTURAL ADDITION INFORMATION FORM

SF. CA. 94123

OWNER'S NAMES & ADDRESS: Stardos, 10 Fort Laffery, 2226 Green St.

ADDRESS: 2226 Green St. ADDRESS ON APPLICATION (PLANS) 8

BLOCK: 0539 # OF NOTIFICATIONS: 8

LOT: 038-039

APPLICATION # 2016-0217-9752 VERIFIED BY: HHH

PERMIT # 1383734

DATE ISSUED: 02/19/16 DATE MAILED: 02/22/16

ADDITION CONSISTS OF: _____

ADDRESS OF ADJACENT PROPERTIES:

LOT# ADDRESS: _____ LOT# ADDRESS: _____
033 _____ 046 _____

005 ADDRESS: 2935 Filbert St. ADDRESS: _____
2937 " " _____

040 ADDRESS: _____ ADDRESS: _____

041 ADDRESS: _____ ADDRESS: _____

045 ADDRESS: 2232 Green St. ADDRESS: _____
2234 " " _____

OFFICIAL COPY



Department of Building Inspection

City & County of San Francisco
1660 Mission Street, San Francisco, CA 94103-2414



Page 1

Receipt for Pre/Postissue Fees Paid

Receipt No: 16049327

Application Number Address

201602179752 2226 GREEN ST

Pre/Postissue Fees based on Cost:		\$ 500000.00	
Fee Code	Description		Fee Amount
STRU NOT-P	Structural Add Notification POSTISSUE		48.36

Total Pre/Postissue Fees 48.36

Payments						
Payment Stage	Type	Paid By	Pay Date	Receipt #	Rec By	Payment Amount
POSTISSUE	CHECK	JOHN STALDER 4157657023 1840 JEFFERSON STREET 302 SAN FRANCISCO CA 94123	04/05/2016	16049327	CVICTORI	48.36

Total Payments 48.36

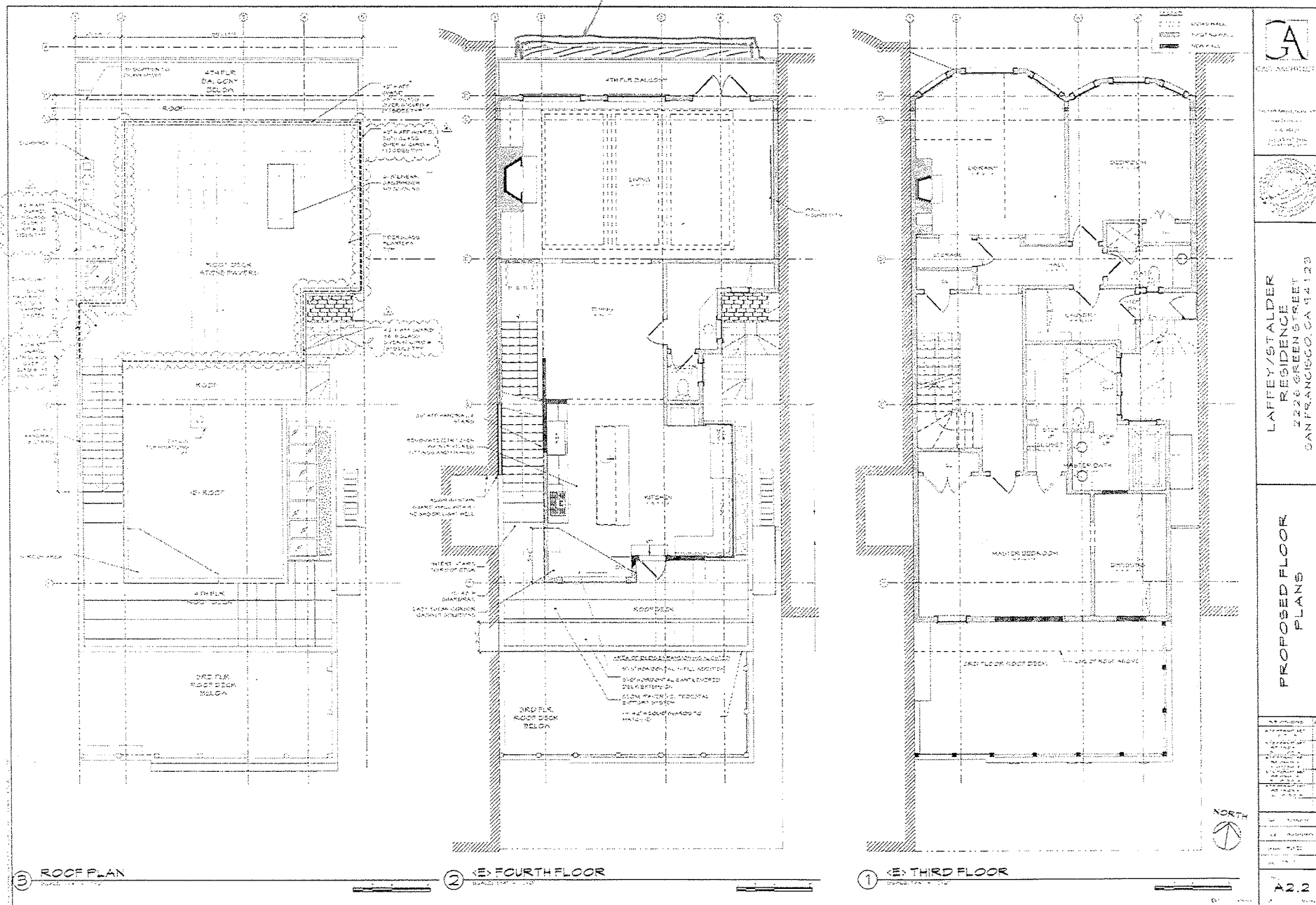
Printed on: 04/05/2016

EXHIBIT H





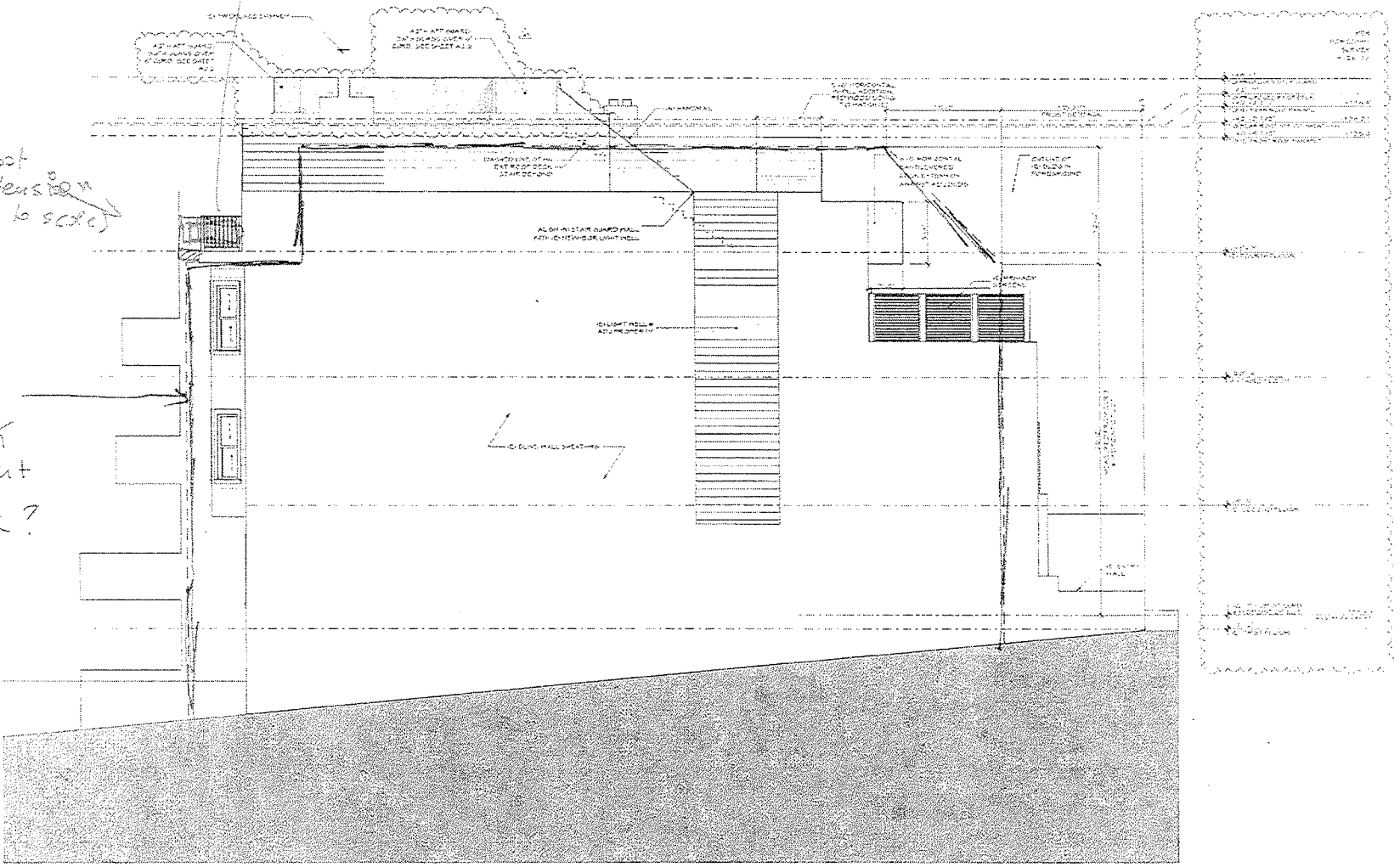
Foot extension (not to scale)



~~reiling~~ replaced with windscreens

1 foot extension (not to scale)

40-X
Height
&
Bulk?



1 WEST ELEVATION



CITY OF SAN FRANCISCO

Department of Planning and Economic Development
1001 Market Street, Suite 100
San Francisco, CA 94102
Tel: 415-355-3000
Fax: 415-355-3001



LAFFER/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

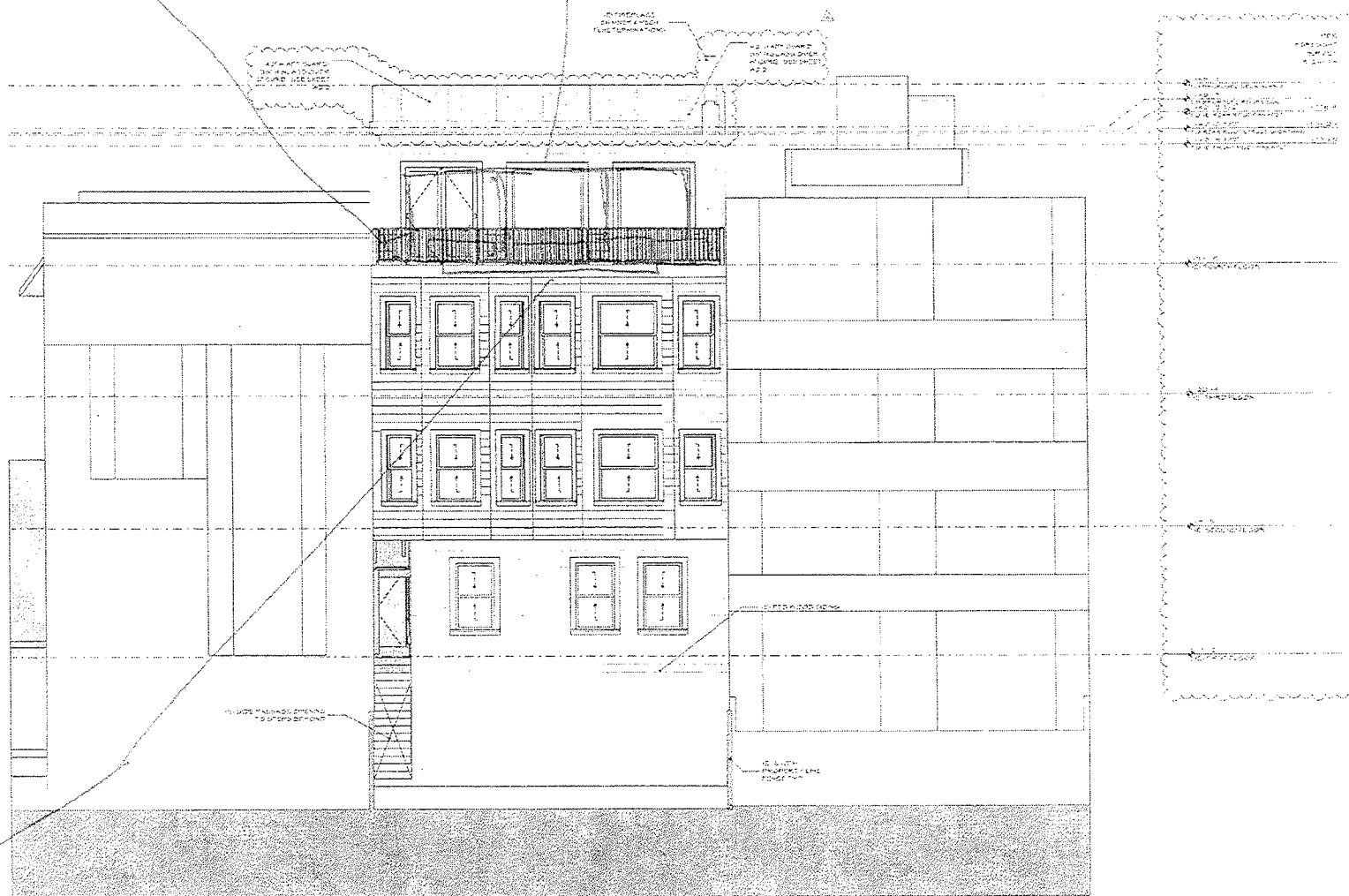
PROPOSED ELEVATION

DATE	10/1/00
BY	DAVID A. STALDER
CHECKED BY	DAVID A. STALDER
SCALE	AS SHOWN
PROJECT NO.	00-0000
CLIENT	LAFFER/STALDER
ADDRESS	2226 GREEN STREET, SAN FRANCISCO, CA 94123
PHONE	415-355-3000
FAX	415-355-3001
EMAIL	DAVID@STALDER.COM
WEBSITE	WWW.STALDER.COM
PROJECT NAME	LAFFER/STALDER RESIDENCE
PROJECT ADDRESS	2226 GREEN STREET, SAN FRANCISCO, CA 94123
PROJECT PHONE	415-355-3000
PROJECT FAX	415-355-3001
PROJECT EMAIL	DAVID@STALDER.COM
PROJECT WEBSITE	WWW.STALDER.COM
PROJECT NAME	LAFFER/STALDER RESIDENCE
PROJECT ADDRESS	2226 GREEN STREET, SAN FRANCISCO, CA 94123
PROJECT PHONE	415-355-3000
PROJECT FAX	415-355-3001
PROJECT EMAIL	DAVID@STALDER.COM
PROJECT WEBSITE	WWW.STALDER.COM

AS.6

Railing replaced by
windscreen

Windows changed (see photo)



① NORTH ELEVATION

deck extended by approx 1 Foot


$$\begin{aligned} \mathcal{F}_{\mathcal{H}} &= \mathcal{F}_{\mathcal{H}_1} \cup \mathcal{F}_{\mathcal{H}_2} \cup \mathcal{F}_{\mathcal{H}_3} \cup \mathcal{F}_{\mathcal{H}_4} \cup \mathcal{F}_{\mathcal{H}_5} \cup \mathcal{F}_{\mathcal{H}_6} \cup \mathcal{F}_{\mathcal{H}_7} \cup \mathcal{F}_{\mathcal{H}_8} \cup \mathcal{F}_{\mathcal{H}_9} \cup \mathcal{F}_{\mathcal{H}_{10}} \\ &= \mathcal{F}_{\mathcal{H}_1} \cup \mathcal{F}_{\mathcal{H}_2} \cup \mathcal{F}_{\mathcal{H}_3} \cup \mathcal{F}_{\mathcal{H}_4} \cup \mathcal{F}_{\mathcal{H}_5} \cup \mathcal{F}_{\mathcal{H}_6} \cup \mathcal{F}_{\mathcal{H}_7} \cup \mathcal{F}_{\mathcal{H}_8} \cup \mathcal{F}_{\mathcal{H}_9} \cup \mathcal{F}_{\mathcal{H}_{10}} \\ &= \mathcal{F}_{\mathcal{H}_1} \cup \mathcal{F}_{\mathcal{H}_2} \cup \mathcal{F}_{\mathcal{H}_3} \cup \mathcal{F}_{\mathcal{H}_4} \cup \mathcal{F}_{\mathcal{H}_5} \cup \mathcal{F}_{\mathcal{H}_6} \cup \mathcal{F}_{\mathcal{H}_7} \cup \mathcal{F}_{\mathcal{H}_8} \cup \mathcal{F}_{\mathcal{H}_9} \cup \mathcal{F}_{\mathcal{H}_{10}} \\ &= \mathcal{F}_{\mathcal{H}_1} \cup \mathcal{F}_{\mathcal{H}_2} \cup \mathcal{F}_{\mathcal{H}_3} \cup \mathcal{F}_{\mathcal{H}_4} \cup \mathcal{F}_{\mathcal{H}_5} \cup \mathcal{F}_{\mathcal{H}_6} \cup \mathcal{F}_{\mathcal{H}_7} \cup \mathcal{F}_{\mathcal{H}_8} \cup \mathcal{F}_{\mathcal{H}_9} \cup \mathcal{F}_{\mathcal{H}_{10}} \end{aligned}$$


LAFLEY/STALDER
RESIDENCE
2220 GREEN STREET
SAN FRANCISCO, CA 94123

PROPOSED ELEVATION

[illegible]

Work started before permit: “ramp” where plan calls for stairway



Work started before permit: deck extension





NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION

City and County of San Francisco
1660 Mission St. • San Francisco, CA 94103 - 2414

☒ FIRST NOTICE
☐ SECOND NOTICE
☐ OTHER:

COMPLAINT NUMBER

201636001

ADDRESS 2226 GREEN

DATE 9/21/16

OCCUPANCY / USE R-3 2 UNIT

BLOCK 0539 LOT 039

CONST. TYPE SB

STORIES 4 ☐ BASEMENT

☐ If checked, this information is based upon site observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

PHONE # (415) 765-7023

OWNER / AGENT JOHN STALDER / MACHAN LAFFEX

MAILING ADDRESS 1840 JEFFERSON #302

CITY SAN FRANCISCO ZIP 94123

PERSON CONTACTED @ SITE

PHONE #

VIOLATION DESCRIPTION:

☐ WORK WITHOUT PERMIT (SFBC 103A); ☒ ADDITIONAL WORK-PERMIT REQUIRED (SFBC 106A.4.7);

☐ EXPIRED PERMIT (SFBC 106A.4.4); ☐ CANCELLED PERMIT (SFBC 106A.3.7) PA#

☐ UNSAFE BUILDING (SFBC 102A); ☐ SEE ATTACHMENTS

TOILET CANTILEVERED AT 2ND FLOOR FOR DECK WHICH HAS NOT BEEN APPROVED, WALL HAS BEEN ADJUSTED AT TOP LEVEL FOR STAIRS TO FUTURE PROPOSED DECK AT ROOF. APP # 201512084465 FILED FOR BUT NOT ISSUED

CODE / SECTION #

SFBC

106A.4.7

BC - Building Code HC - Housing Code PC - Plumbing Code EC - Electrical Code MC - Mechanical Code

CORRECTIVE ACTION:

☒ STOP ALL WORK SFBC 104A.2.4

☐ FILE BUILDING PERMIT APPLICATION WITHIN _____ DAYS (☐ WITH PLANS) A Copy of This Notice Must Accompany the Permit Application

☐ OBTAIN PERMIT WITHIN _____ DAYS AND COMPLETE ALL WORK WITHIN _____ DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF

☐ CORRECT VIOLATIONS WITHIN _____ DAYS ☐ NO PERMIT REQUIRED

☐ YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED _____, THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS

☐ FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

STOP ALL WORK IN THESE AREAS PENDING APPROVAL OF PERMIT. IF PERMIT IS NOT APPROVED, RECENT STRUCTURE TO REMAIN IN EXISTING CONDITION PER APP # 201602179752

INVESTIGATION FEE OR OTHER FEE WILL APPLY See reverse side for further explanation

☒ \$x Fee (Work w/o Permit after 9/1/00)

☐ Other

☒ \$x Fee (Work Exceeding Scope of Permit)

☐ Reinspection Fee \$

☐ No penalty (Work w/o per

APPROX. DATE OF WORK W/O PERMIT August 2016

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR Robert Power

(Inspector - Print Name)

OFFICE HOURS 7:30 TO 8:30 AM AND 2 TO 4 PM

PHONE # (415) 558-6008

BY: Director's Signature Robert J Power

CC: ☒ OCP ☐ BID ☐ PID ☐ BID ☐ HIS ☐ CED ☐ PRS ☐ DAD ☐ SFFD ☐ DPH ☐ PS

DISTRICT # 4

☒ Building Inspection
3rd Floor, 1660 Mission St.
☐ Housing Inspection
6th Floor, 1660 Mission St.
☐ Electrical Inspection
3rd Floor, 1660 Mission St.
☐ Plumbing Inspection
3rd Floor, 1660 Mission St.
☐ Code Enforcement
3rd Floor, 1660 Mission St.



NOTICE OF VIOLATION
of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 201636183

DATE: 29-SEP-16

ADDRESS: 2226 GREEN ST 0

OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS, TOWNHOUSES) BLOCK: 0539 LOT: 039

☐ If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: STALDER JOHN JEFFERY & MEGHA
MAILING STALDER JOHN JEFFERY & MEGH
ADDRESS 2226 GREEN ST
SAN FRANCISCO CA

PHONE #: --

94123

PERSON CONTACTED @ SITE: STALDER JOHN JEFFERY & MEGHAN

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
<input type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input checked="" type="checkbox"/> ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

Roof has been reframed under APP #2016 0217 9752 top of plywood at east side is 6 inches +/- higher than previous on west side. It is 4" +/- higher. OK to water proof. At roof pending resolution.
Code sec: SFBC 106A.4.2

CORRECTIVE ACTION:

☒ STOP ALL WORK SFBC 104.2.4

415-558-6008

- ☒ FILE BUILDING PERMIT WITHIN 10 DAYS ☒ (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
☒ OBTAIN PERMIT WITHIN 30 DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
☐ CORRECT VIOLATIONS WITHIN DAYS. ☐ NO PERMIT REQUIRED
☐ YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

- FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Stop all work until issue is resolved. Planning approval is required. Submit drawings for approval
INVESTIGATION FEE OR OTHER FEE WILL APPLY

- ☐ 9x FEE (WORK W/O PERMIT AFTER 9/1/60) ☐ 2x FEE (WORK EXCEEDING SCOPE OF PERMIT) ☐ NO PENALTY
☐ OTHER: ☐ REINSPECTION FEE \$ (WORK W/O PERMIT PRIOR TO 9/1/60)
APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS \$

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Robert J Power

PHONE # 415-558-6008

DIVISION: BID

DISTRICT: 4

By: (Inspector's Signature) _____

COMPLAINT DATA SHEET**Complaint****Number:** 201758835

Owner/Agent: OWNER DATA SUPPRESSED

Owner's Phone: --

Contact Name: --

Contact Phone: --

Complainant: COMPLAINANT DATA
SUPPRESSED

Date Filed:

Location: 2226 GREEN ST

Block: 0539

Lot: 039

Site:

Rating:

Occupancy Code:

Received By: JLU

Division: BID

Complainant's

Phone:

Complaint

Source:

WEB FORM

Assigned to

BID

Division:

Description:

date last observed: 23-JAN-17; time last observed: 01/24/2017; floor: 3; exact location: Main Bldg; building type: Residence/Dwelling WORK W/O PERMIT; WORK BEYOND SCOPE OF PERMIT; ; additional information: Submitted anonymously. Working on unapproved joist cantilevered deck on the 3rd floor (incorrectly called 2nd floor in NOV). Project is under two Stop All Work orders and no work-permit has been obtained per dbiweb.sfgov.org;

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	POWER	62704		

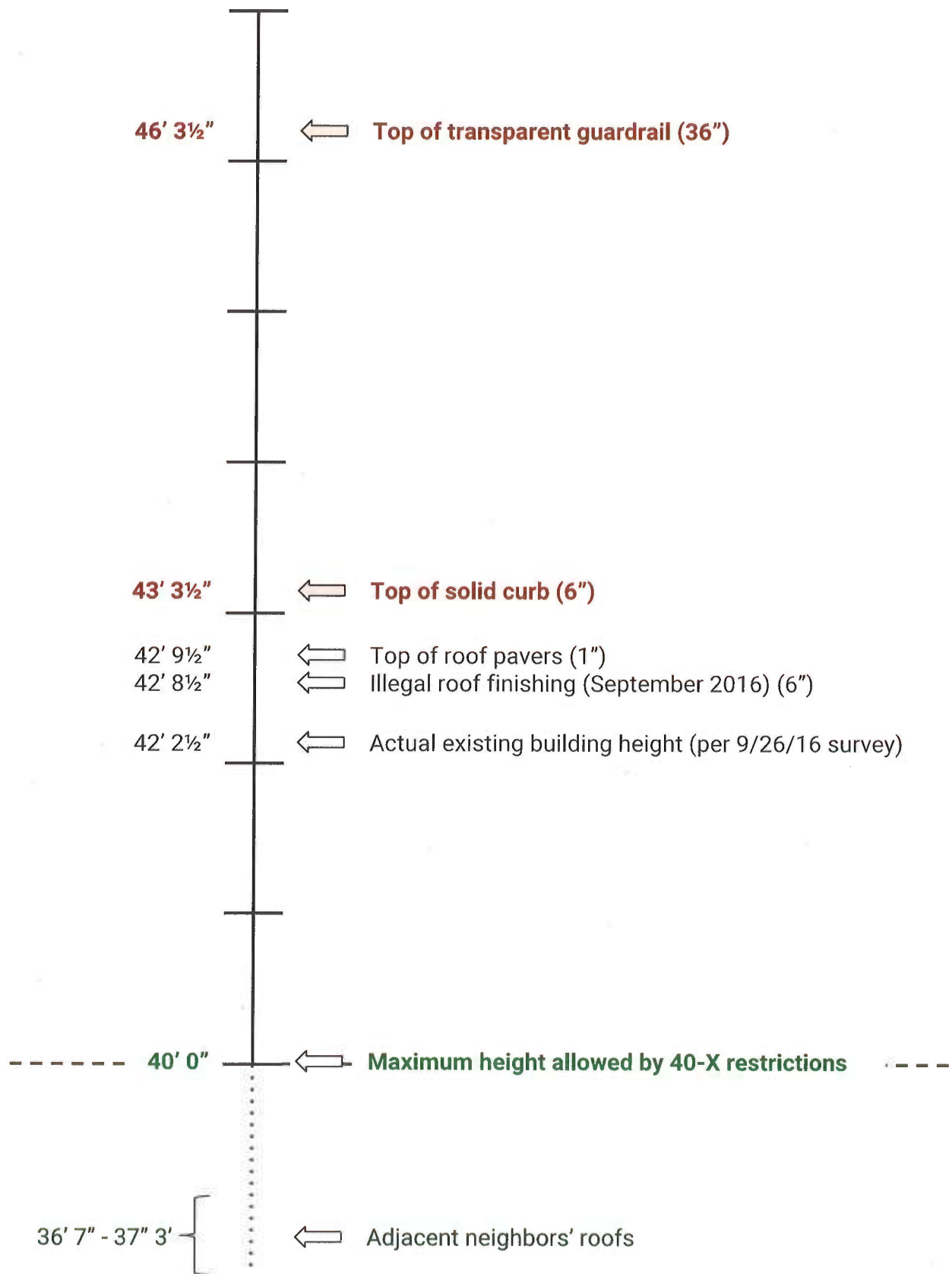
REFERRAL INFORMATION**COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
01/25/17	CASE OPENED	BID	Power	CASE RECEIVED	
01/30/17	OTHER BLDG/HOUSING VIOLATION	BID	Power	CASE CLOSED	nov issued for previous complaint. no work is to take place at areas listed on nov pend issuance of permit to address nov

COMPLAINT ACTION BY DIVISION**NOV (HIS):****NOV (BID):**Inspector Contact InformationOnline 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.

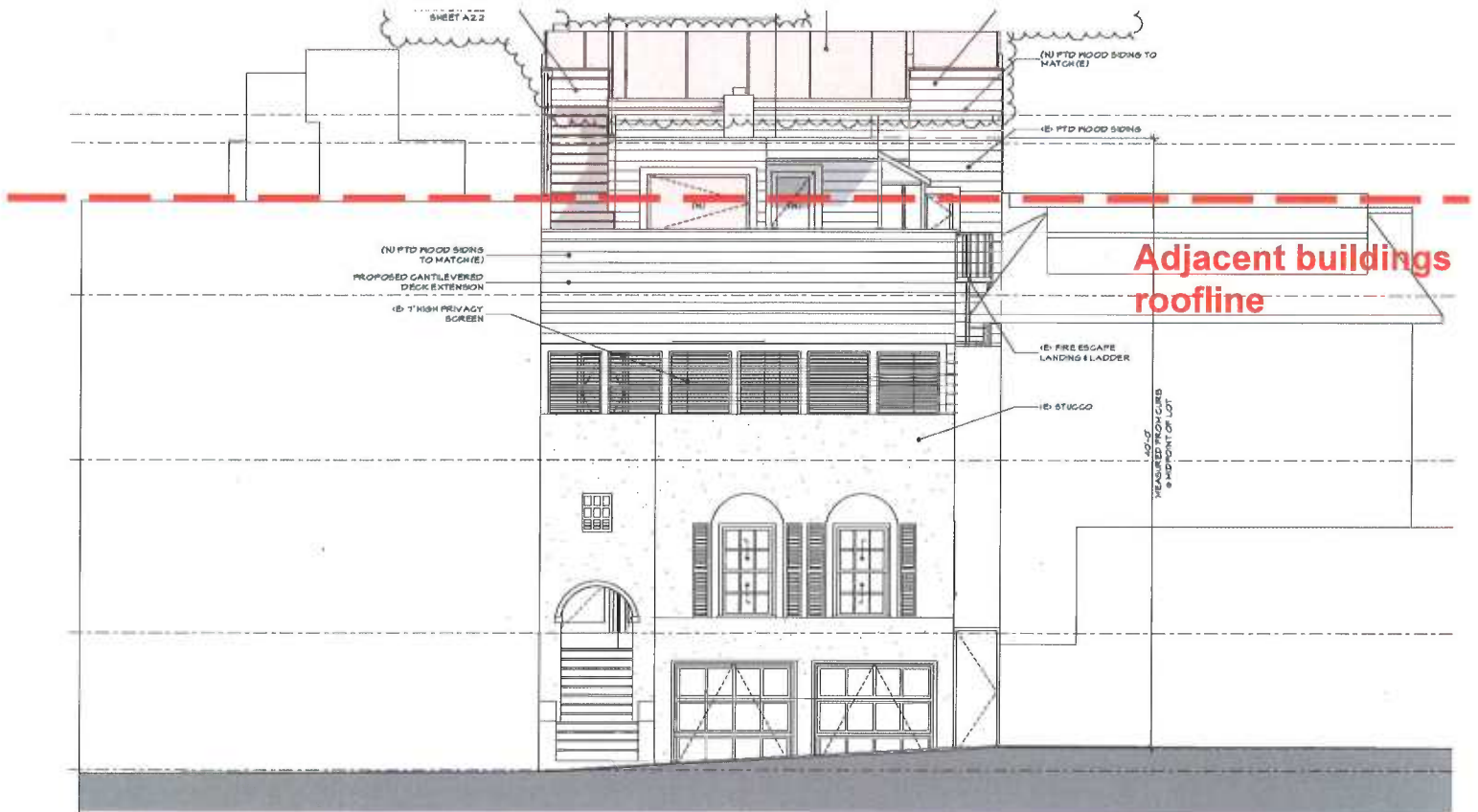
EXHIBIT M



Scale approximate

EXHIBIT N

Building would “stick out” even more



Proposal does not fit neighborhood topography and character

Building would “stick out” even more



Proposal does not fit neighborhood topography and character

EXHIBIT O

Code Section: 188

Subject: Deck on noncomplying structure

Effective Date: 3/2001 (Original 12/85)

Interpretation:

A deck is permitted on the roof surface of a noncomplying structure provided its open railing is no higher and no more enclosed than required by the Building Code. A solid fire or other wall, even if required by the Building or other Code, is not permitted as part of a deck on a noncomplying structure and would be considered an expansion contrary to the Planning Code.

Code Section: 188

Subject: Alteration of noncomplying building

Effective Date: 1/86

Interpretation:

This Section says that noncomplying structures may be enlarged, altered, relocated or intensified provided there is no increase in discrepancy. **Decking** may be placed upon the flat roof of a noncomplying structure provided it is placed virtually flat against thereof and below any parapet. A railing may surround this deck provided it does not exceed the minimum height required by the Building Code for deck railings. This rule applies to both height and "footprint" noncompliance. The addition of a penthouse would not be a permitted obstruction so this deck would only be allowed without a variance if sufficient access to it were already present or available in the buildable area of the lot.

Code Section: 188**Subject: Deck on noncomplying structure****Effective Date:** 3/2001 (Original 12/85)**Interpretation:**

A deck is permitted on the roof surface of a noncomplying structure provided its open railing is no higher and no more enclosed than required by the Building Code. A solid fire or other wall, even if required by the Building or other Code, is not permitted as part of a deck on a noncomplying structure and would be considered an expansion contrary to the Planning Code.

Code Section: 188**Subject: Alteration of noncomplying building****Effective Date:** 1/86**Interpretation:**

This Section says that noncomplying structures may be enlarged, altered, relocated or intensified provided there is no increase in discrepancy. **Decking** may be placed upon the flat roof of a noncomplying structure provided it is placed virtually flat against thereof and below any parapet. A railing may surround this deck provided it does not exceed the minimum height required by the Building Code for deck railings. This rule applies to both height and "footprint" noncompliance. The addition of a penthouse would not be a permitted obstruction so this deck would only be allowed without a variance if sufficient access to it were already present or available in the buildable area of the lot.

Code Section: 188**Subject: Alteration of noncomplying deck****Effective Date:** 1/87**Interpretation:**

This Section says that noncomplying structures may be enlarged, altered, relocated or intensified provided there is no increase in discrepancy. A deck was noncomplying because it existed in the required rear yard in excess of the provisions of Section 136. **The existing property line open railing of such deck could not be made into a solid, "one-hour" wall** even though to do so would be to make it more complying with the Building Code.

Code Section: 188**Subject: Deck on non-complying structure****Effective Date:** 2/08**Interpretation:**

Under previous interpretations of Planning Code Section 188, a deck is permitted to be constructed upon the flat roof surface of a non-complying structure provided its open railing is no higher and no more enclosed than required by the Building Code. Previous interpretations of Section 311 exempt the addition of such decks from the notification requirements. Non-complying structures are, by definition, located within portions of lots that would normally not be developable and, decks are generally constructed to provide space for outdoor activities, some of which may have associated impacts, such as noise, on neighboring properties. **Therefore, the addition of a deck or its access on any non-complying portion of the roof of a structure requires that a "ten day" letter, similar to that provided for a Block Book Notation, be sent**

to owners/occupants of all properties which border the subject property, to allow them an opportunity to voice any concerns.

Code Section: 188(a)

Subject: Noncomplying buildings for height, expansion

Effective Date: 7/92

Interpretation:

This Section says that noncomplying structures can be expanded or intensified but not if such expansion creates a new discrepancy or exacerbates an existing discrepancy. **Expansions of features over the height limit may be allowed on a case-by-case basis** if the added floor area is under an existing roof or balcony overhang and backdropped by existing walls of the subject building and if a field trip verifies that the expansion could not add significant shadow to or block views from surrounding properties. This ruling should not be taken to allow expansions into the rear yards or other required open areas. The Board of Appeals has been more liberal in some cases.

**Before the
San Francisco Planning Commission**

**PROJECT SPONSORS' SUBMITTAL IN RESPONSE TO
APPLICATIONS FOR DISCRETIONARY REVIEW**

2226 Green Street – One Half Roof Deck at Rear of Building

**ABBREVIATED REVIEW PER PLANNING DEPARTMENT
STAFF RECOMMENDATION**

**Project Sponsors:
John Stalder and Meghan Laffey**

Planning Department Case No. 2015-01816

Hearing Date: March 2, 2017

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 – ABBREVIATED REVIEW PER PLANNING DEPARTMENT STAFF RECOMMENDATION

John Stalder and Meghan Laffey (“Project Sponsors”) propose to alter a single family home (“Project”) at 2226 Green Street (“Project Site”) to add a 30 sq. ft. kitchen addition, a rear roof deck which will comprise less than half of the building depth, and a 3-foot cantilevered front balcony.¹ (See Plans and Renderings attached as Exhibit A.) The proposal is permitted as of right by the Planning Code. The deck railing meets all Building Code Standards. A stair penthouse is not proposed. Roof decks are common throughout this neighborhood. (See Exhibit D, Roof Decks in the Neighborhood). D.R. Applicant Borsetti himself has a roof deck and an additional deck at the second floor level of his house.² Four additional DRs were also filed subsequent to the Borsetti DR. DR applicant Barbara Lawrence’s concerns have been largely addressed by the Project Sponsors, although views are not protected by the Planning Code. The remaining DR applicants, James Gallagher, Christopher Lawrence, Janine Shiue, and James Kirkham, did not raise any issues that were not already covered in the original DR request from Mr. Borsetti, but we do acknowledge their participation and the concerns that they have expressed.

But for the DR Applicants’ applications for discretionary review, the decks and kitchen addition would have been administratively approved. The Residential Design Team (“RDT”) has reviewed and approved the proposed Project twice. Further, the RDT, Planning staff and management are presenting the DR requests to the Commission as an Abbreviated Review DR, indicating that they find the DR requests to be without any merit.

The sum and substance of the DRs arises from a difference of 3 inches in the roof height that was discovered when a survey was performed by the Project Sponsor for the DR applicant. The undersigned met with the Department of Building Inspection (“DBI”) and learned that said 3 inches falls within DBI’s acceptable “range of tolerance” of 6 inches, due to the vicissitudes of measurements in the field.

A law firm hired by Mr. Borsetti set about conducting an unprecedented campaign against the Project Sponsors, organized neighborhood opposition, recruited additional people to file a series of five repetitive DRs, and verbally harassed both the Planning Department Staff and the DBI Staff with multiple telephone calls and serial and repetitive complaints, including, but not limited to, requests for NOV’s.³ This campaign also included door to door distribution of misleading and inflammatory flyers to the neighbors. While these unwarranted attacks on the Project Sponsors may be permitted by the law, they are far beyond the scale of anything that could be considered to be within the spirit of the law. In addition, since he first filed a DR on June 22, 2015, 20 months ago, Mr. Borsetti and other DR applicants have sought and received

¹ The kitchen addition and 3 foot front balcony are not opposed, to our knowledge.

² Mr. Borsetti’s D.R. application notes that he has been out of the country for much of the year. Mr. Borsetti lives two houses down from the Project Sponsors.

³ Planning Staff and DBI Staff will confirm this. In addition, an NOV instigated by the law firm was promptly abated with the concurrence of the Zoning Administrator as to the proper height measurement of the building.

serial delays in the DR hearing for the apparent purpose of delay and adding expense to the Project. The actions of the DR applicants have exceeded the boundaries of good faith and acceptable conduct.

Mr. Borsetti filed multiple complaints with DBI concerning his allegations regarding the building height and other complaints. DBI examined the complaints at length and found that the building height was code-compliant when measured properly and in accordance with standard DBI practice.

The roof deck is unopposed by the two adjacent neighbors and will not materially impact anyone.

B. SITE INFORMATION

Street Address:	2226 Green Street
Cross Streets:	Fillmore Street
Assessor's Block/Lot:	0539/039
Zoning District:	RH-3
Height and Bulk District:	40-X
Proposed Additions:	30 square foot kitchen addition, rear one-half roof deck, and 3-foot cantilevered front balcony

C. THE DR APPLICANTS HAVE FAILED TO SATISFY THE MINIMUM STANDARD OF REVIEW - THERE ARE NO EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES THAT WOULD 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)⁴ 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:

⁴ 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."

“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. The issues raised by the DR Applicants are meritless, as noted by the Planning Staff in its recommendation to the Commission. The Planning staff and Residential Design Team have approved the project twice.

D. RESPONSE TO DISCRETIONARY REVIEW APPLICANTS' CONCERNS

The 3 inches at issue, as described above, are explained in detail in the letter attached as Exhibit C from Dennis Budd, Principal, Gast Architects, dated November 15, 2016, to the Planning Department. In addition to describing the Project Site survey results, and the additional notations that were made to clarify the surveyed conditions and the roof height elevations on the plans, the Gast Architects' letter explains at length the structural work that was performed with appropriate permits, which included an upgraded steel beam roof structural system and plywood sheathing of 1.25 inches, as is required by the Building Code for a 1-hour fire-rated roof assembly. The new roof structural system, constructed in May-June 2016, was installed 2 inches below the existing building parapet according to the September 26, 2016 height survey. A subsequent survey performed on October 25, 2016 noted that the top of the drainages system was approximately 3.5 inches above the building parapet. The roof deck will be lower than DBI's 6 inch tolerance standard.

The proposed deck will significantly improve the home's usable open space. No variances have been requested. The zoning restrictions for this zoning district allow roof decks as of right. The deck is set back from the front and rear of the house, and also set back on both sides.

The deck meets the standards of the Residential Design Guidelines. Nothing in the proposed deck is extraordinary or has an extraordinary impact on anyone. The Planning Department Staff has confirmed that the Section 311 Notice and plans are accurate and complete. The roof deck will not increase the height of the Building. Other than the railings, the deck will

not be visible, and the railings will be transparent. Roof tops are commonly utilized throughout the City as open space. Here, only the rear half of the top floor of the house will be utilized for the deck. (See Exhibit A, Plans and Renderings).

There is nothing out of scale or context about the proposed deck, and there is no material impact to the DR applicants. **Notably, the Borsettis live at the corner, two houses away from the Project Site, and they are separated from the Project Site by at least a 35 foot buffer zone. The remaining DR Applicants live even further away from the Project Site, benefit from much larger buffer zones, and will not be materially impacted by the deck. There are no significant privacy issues. The two adjacent owners do not oppose the roof deck.** Further, the Project Sponsors have revised the design to construct the guard railings out of glass, at the Building Code minimum height above the floor.

The concerns identified by the DR Applicants do not approach the minimum standard of exceptional and extraordinary circumstances as specified in the Planning Code. Therefore, the DR Applicants have failed to satisfy their burden of proof. Slight and reasonable impacts to neighbors are to be expected for any alteration. Any effects to neighbors would be ordinary and acceptable in an urban environment.

E. ROOF DECKS ARE UBIQUITOUS THROUGHOUT THE NEIGHBORHOOD

Roof decks are ubiquitous throughout the neighborhood. Therefore, the proposed roof deck would be in context with the other homes in the vicinity. A denial of the proposed deck would disregard a substantial property right enjoyed by numerous other residents in the vicinity. (See Exhibit D attached, photograph of numerous neighborhood roof decks).

F. GOOD NEIGHBOR GESTURES

Mr. Borsetti has made claims that he requested meetings with the Project Sponsors. This is not correct. One meeting was held at the Borsetti attorney's office, which was set up by the Project Sponsors. Mr. Borsetti did not show up for the meeting, but rather dialed in. The meeting turned out to be not a negotiation at all, but more of a deposition by the Borsetti attorney, Mr. Donner, of the Project Sponsors. The Project Sponsors requested the telephone number or email contact for Mr. Borsetti in order to discuss his concerns. The Borsetti attorney refused to provide it. The Project Sponsors knocked on Mr. Borsetti's door to try and have a discussion about the Project. He was unwilling to talk to them at all..

The Project Sponsors made the following plan revisions as good neighbor gestures during the Planning review process:

May 10, 2016	Relocate deck access stair 4'- 2" to the north (rear) of building
	Lower deck guards from 7'- 0" to 5'- 0"
	South (front) façade guards changed from partial glass to all-glass construction

October 18, 2016	Change all façade guards to all-glass construction
	Setback roof deck at north (rear) edge 2' – 6"
	Setback roof deck at south (front) edge 4' - 2"

G. CONCLUSION

The Project Sponsors' proposed deck is allowed as a matter of right by the Planning Code. But for the applications for discretionary review, the Project would have been approved administratively. No variances or Code exceptions are requested. No penthouse is requested. RDT has approved the Project twice. The Planning Staff has recommended against a full review and found the DR requests to be without any merit.

The DR Applicants have failed to demonstrate any exceptional or extraordinary circumstances that would justify discretionary review, and have therefore failed to meet their burden of proof. Accordingly, the Project Sponsors respectfully request that the Planning Commission deny the requests for discretionary review.

Respectfully Submitted,

REUBEN, JUNIUS & ROSE, LLP

By: 

Dated: February 10, 2017

David Silverman, Attorney for Project Sponsors
John Stalder and Meghan Laffey

Exhibit List

- A. Plans, Renderings, Survey, Photographs of Site and Block
- B. Neighborhood Context Photographs
- C. Letter from Dennis Budd, Gast Architects to Planning Department dated November 15, 2016
- D. Roof Decks in the Neighborhood - Photo

Exhibit A

BLOCK & LOT:	0539/038-039
LOT SIZE:	131'-6" x 30' = 4,125' SF
ZONING:	RH-3
REAR YARD:	AVERAGE REAR BLDG WALLS
HEIGHT LIMIT:	40'
EXISTING OCCUPANCY:	TWO UNIT DWELLING
PROPOSED OCCUPANCY:	TWO UNIT DWELLING
CONSTRUCTION TYPE:	v-B

PROJECT GROSS SQUARE FOOTAGE CALCULATIONS

GROSS SQUARE FOOTAGE	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION	PROJECT TOTALS
RESIDENTIAL	2,810 SF	2,810 SF	30 SF	2,840 SF
ROOF DECK	757 SF	727 SF	696 SF	1,423 SF

2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA PLUMBING CODE
2013 SAN FRANCISCO BUILDING, ELECTRICAL, MECHANICAL,
PLANNING AND PLUMBING CODE AMENDMENTS

1. CODES: ALL WORK SHALL MEET OR EXCEED THE REQUIREMENTS OF CURRENT APPLICABLE SAN FRANCISCO AND CALIFORNIA CODES, AND ALL OTHER APPLICABLE CODES, ORDINANCES AND REGULATIONS. SEE CODE EDITIONS ON THIS SHEET.
2. EXISTING CONDITIONS AND DIMENSIONS: CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND DIMENSIONS ON SITE. CALLED-OFF DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED-OFF DIMENSIONS. DIMENSIONS ARE TO FACE OF FINISH OR CONCRETE WALLS, UNLESS OTHERWISE NOTED. DIMENSIONS IN SECTIONS AND ELEVATIONS ARE TO FINISH FLOOR UNLESS OTHERWISE NOTED.
3. PLANS & SPECIFICATIONS: THE PLANS AND SPECIFICATIONS SUPPLEMENT EACH OTHER. CONTRACTOR TO IMMEDIATELY REPORT ANY ERRORS, OMISSIONS, AMBIGUITIES OR CONFLICTS IN THE PLANS AND SPECIFICATIONS TO THE ARCHITECT, AND UNTIL THEY ARE RESOLVED, SHALL NOT PROCEED WITH THE AFFECTED WORK.
4. DETAILS: DETAILS SHOWN ARE TYPICAL. SIMILAR DETAILS SHALL APPLY IN SIMILAR CONDITIONS.
5. CONTRACTOR RESPONSIBILITY: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES AND SEQUENCES OF CONSTRUCTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL SAFETY PROGRAMS AND PROCEDURES DURING CONSTRUCTION, AND SHALL MAINTAIN THE SHORING AND BRACING UNTIL THE NEW PERMANENT STRUCTURE CAN PROVIDE ADEQUATE VERTICAL AND LATERAL SUPPORT.
6. INSTALLATION: ALL MATERIALS AND EQUIPMENT SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS OR RECOMMENDATIONS, UNLESS AGREED TO OTHERWISE BY THE ARCHITECTS.

¢ ¢ ¢	AT CENTERLINE DIAMETER	4N N.I.C. N.O. N.O.M. N.T.S O.C.	NEW NOT IN CONTRACT NUMBER NOMINAL NOT TO SCALE ON CENTER
ABV	ABOVE		
ADJ	AREA DRAIN ADJUSTABLE		
AFF.	ABOVE FINISH FLOOR	O.H.	OVERHANG
APPROX.	APPROXIMATE	OPNG.	OPENING
ARCH.	ARCHITECTURAL	OPP.	OPPOSITE
ASPH.	ASPHALT	O/P	OVER
BLDG.	BUILDING	PL	PROPERTY LINE
BLKG.	BLOCKING	PLAM.	PLATE
BUR.	BUILT-UP ROOFING	PLYM.D.	PLYWOOD
		FT.	PRESSURE TREATED
C.J	CONTROL JOINT	PTD.	FANTED
CLR.	CLEAR		
CONT.	CONTINUOUS	(R)	RELOCATED
CTR.	CENTER	R.	RISE, RISER
		R.A.	RETURN AIR
D.	DRYER	REF.	REFRIGERATOR
DBL.	DOUBLE	REG.	REGISTER
DET.	DETAIL	REINF.	REINFORCED
D.F.	DOUGLAS FIR	REQ.	REQUIRED
DIA.	DIAMETER	R.M.	ROOM
DM.	DIMENSION	R.O.	ROUGH OPENING
DISP.	DISPOSER	R.DND.	REDWOOD
DN.	DOWN		
DR.	DOOR	S.	SOUTH
D.S.	DOWN SPOUT	S.C.	SOLID CORE
DJA.	DISHWASHER	S.D.	SMOKE DETECTOR
DNG.	DRAINING	SECT.	SECTION
DNR.	DRAINER	SHT.	SHEET
		SHEATH'G	SHEATHING
E	EAST	SIM.	SIMILAR
EX.	EXISTING	SPEC.	SPECIFICATION
EA.	EACH	SQ.	SQUARE
ELEV.	ELEVATION	S.S.D.	SEE STRUCT. DWGS.
ELEC.	ELECTRICAL	STD.	STANDARD
EQ.	EQUAL	STL	STEEL
EXT.	EXTERIOR	STOR.	STORAGE
		STRUCT.	STRUCTURAL
F.D.	FLOOR DRAIN	SUSP.	SUSPENDED
FDN.	FOUNDATION	SYM.	SYMBOL
FIN.	FINISH		
FL.	FLOOR	T.	TREAD
F.O.	FACE OF	T.B.	TIMEL BAR
F.O.F.	FACE OF FINISH	T6	TONGUE AND GROOVE
F.O.S.	FACE OF STUD	TOP OF	TOP OF
		T.O.G.	TOP OF CURB
F.S.M.F.	FLEXIBLE SHEET MEMBRANE FLASHING	T.O.P.	TOP OF PLATE
		T.O.W.	TOP OF WALL
		T.P.H.	TOILET PAPER HOLDER
FT.	FEET	TRSM.	TRANSOM
FTG.	FOOTING	T.V.	TELEVISION
		TYP.	TYPICAL
GA.	GAUGE		
GALV.	GALVANIZED	U.O.N	UNLESS OTHERWISE NOTED
GYP. BD.	GYP.SUM BOARD		
H.	HIGH	V.	VENT
H.B.	HOSE BIB	VERT.	VERTICAL
HDR.	HEADER	V.I.F.	VERIFY IN FIELD
HDNR.	HARDWARE	V.S.	VERTICAL GRAIN
HORIZ.	HORIZONTAL		
HT.	HEIGHT	W.	WEST
		W.	WASHING MACHINE
ID.	INSIDE DIAMETER	W.	W/TH
IG.	INSULATED GLASS	W.C.	WATER CLOSET(TOILET)
INSUL.	INSULATION	W.D.	WARD
INT.	INTERIOR	W.H.	WATER HEATER
		W/O	WITHOUT
JT.	JOINT	W.P.	WATERPROOF, WORK POINT
LAV.	LAVATORY	W.R.	WATER RESISTANT
L.T.	LIGHT		
		YD.	YARD
M.	MASTER		
MAX.	MAXIMUM		
MECH.	MECHANICAL		
MFR.	MANUFACTURER		
MIN.	MINIMUM		
MISC.	MISCELLANEOUS		

CLIENT

John Stalder & Meghan Laffey
1840 Jefferson Street, APT #302
San Francisco, CA 94123

Phone: (415) 765-7023
Email: John.Stalder@gmail.com
Email: meganlafeffey@gmail.com

ARCHITECT

Gast Architects
355 11th Street Suite 300
San Francisco, CA 94103

Phone: (415) 885-2946
Fax: (415) 885-2808

David S. Gast, AIA Principal
Dennis Budd, AIA Principal

Email: DGaste@GastArchitects.com
Email: DBudde@GastArchitects.com

STRUCTURAL

Larry Wong Engineering
485 14th Street
San Francisco, CA 94103




















Phone: (415) 877-1392
Fax: (415) 871-2230
Email: LWong@wongengineering.com

GENERAL CONTRACTOR

Hunter Dale, Project Manager
Eastwood Development
9520 20th Street, Unit B
San Francisco, CA 94110


Phone: (415) 341-0473
Email: hunter@eastwoodsrf.com

REFERENCE SYMBOLS

	DEMO WALL
	EXISTING WALL
	NEW WALL
	HIDDEN EDGE, ABOVE OR BEYOND
	HIDDEN EDGE, BELOW OR BEHIND
	DOOR SYMBOL
	WINDOW SYMBOL
	SKYLIGHT SYMBOL
	WALL TYPE
	GRID OR REFERENCE LINE
	BUILDING OR WALL SECTION NO. OVER SHEET NO.
	DETAIL NO. OVER SHEET NO.
	ELEVATION NO. OVER SHEET NO.
	ROOM NO. OVER SHEET NO.
	LEVEL LINE OR DATUM
	SPOT ELEVATION (N)
	PROPERTY LINE
	NEW OR FINISHED CONTOURS
	EXISTING CONTOURS

ARCHITECTURAL


A0.0 COVER SHEET

A0.1 PERSPECTIVES 

A0.2 STREET PHOTOGRAPHS


A0.3 PHOTOGRAPHS

A0.4 LAND SURVEYOR

A1.0 (E) & (N) SITE PLANS 

A2.0 EXISTING FLOOR PLANS

A2.1 EXISTING FLOOR PLANS

A2.2 PROPOSED FLOOR PLANS 


A3.1 EXISTING ELEVATIONS

A3.2 EXISTING ELEVATIONS

A3.3 EXISTING ELEVATIONS

A3.4 EXISTING ELEVATIONS


A3.5 PROPOSED ELEVATION

A3.6 PROPOSED ELEVATION 

A3.7 PROPOSED ELEVATION

A3.8 PROPOSED ELEVATION

A4.0 EXISTING BUILDING SECTION

A4.1 PROPOSED BUILDING SECTION 

A4.2 PROPOSED BUILDING SECTION

A4.3 PROPOSED BUILDING CROSS SECTION

1. 5'-6" DEEP HORIZONTAL KITCHEN IN-FILL ADDITION AT EXISTING 4TH FLOOR FRONT FACADE ROOF DECK
2. 3'-0" DEEP CANTILEVERED DECK EXTENSION AT EXISTING 4TH FLOOR FRONT FACADE ROOF DECK
3. CONVERT EXISTING 4TH FLOOR ROOF TO A 696 SF ROOF DECK WITH EXTERIOR ACCESS STAIRS, AND GLASS GUARDS
4. KITCHEN RENOVATION



GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808

LAFHEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

COVER SHEET

REVISIONS	BY
SITE PERMIT SET 12/7/18	
SITE PERMIT SET REVISION 1 3/11/2018	
SITE PERMIT SET REVISION 2 4/07/2018	
SITE PERMIT SET REVISION 3 5/10/2018	
SITE PERMIT SET REVISION 4 12/8/2016	

Date 12/8/2016

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GAST ARCHITECTS

355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PERSPECTIVES

REVISIONS	BY
SITE PERMIT SET 12/7/15	EE
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SITE PERMIT SET REVISION 3 5/10/2016	
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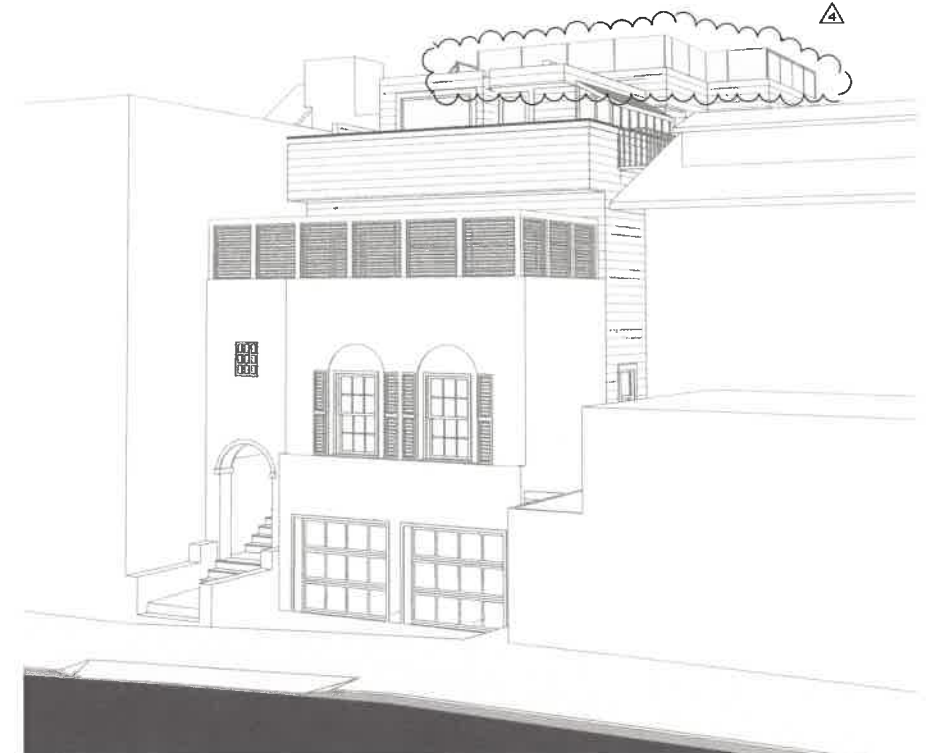
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③ EXISTING SOUTH-EAST FRONT VIEW



② PROPOSED STREET VIEW



① PROPOSED SOUTH-EAST FRONT VIEW



355 11th Street, Suite 300
San Francisco
CA 94103
Tel 415.885.2946
Fax 415.885.2808



LAFHEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

STREET PHOTOGRAPHS

REVISIONS	
SITE PERMIT SET	12/7/15
SITE PERMIT SET	REVISION 1
	3/11/2016
SITE PERMIT SET	REVISION 2
	4/07/2016
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SITE PERMIT SET	REVISION 4
	12/8/2016

Date 12/8/2016

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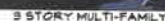
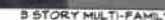
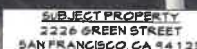
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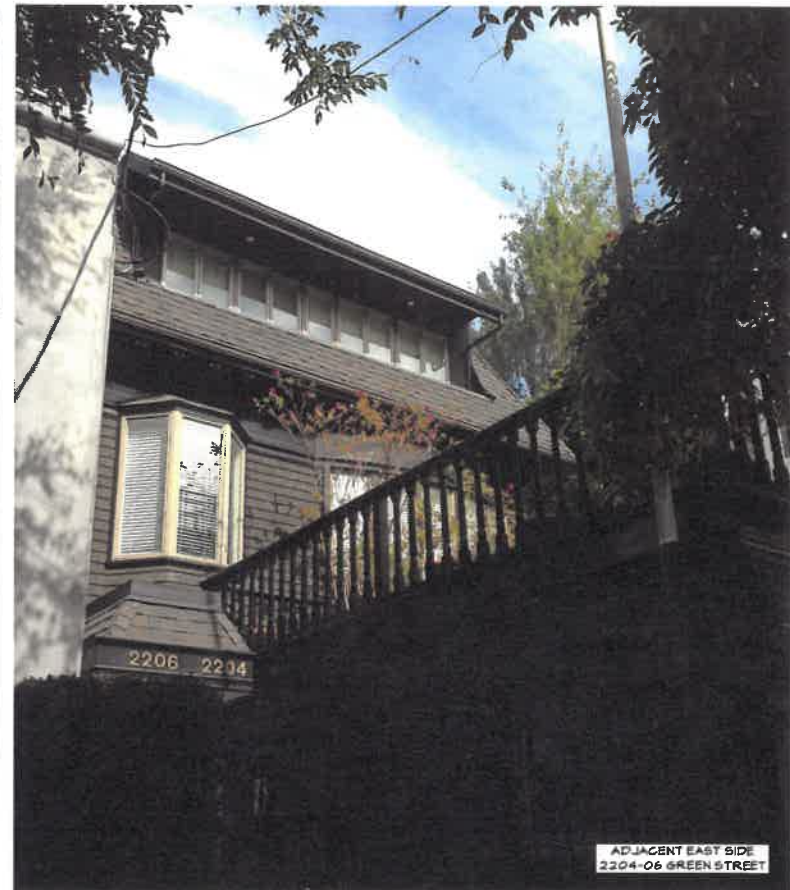




ADJACENT WEST SIDE
2220-24 GREEN STREET



SUBJECT PROPERTY
2226 GREEN STREET
FRONT FACADE



ADJACENT EAST SIDE
2204-06 GREEN STREET



ADJACENT WEST SIDE
2220-24 GREEN STREET
REAR FACADE



SUBJECT PROPERTY
2226 GREEN STREET
REAR FACADE



ADJACENT EAST SIDE
2204-06 GREEN STREET
REAR FACADE



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LAFEY/STALDER
RESIDENCE
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SAN FRANCISCO, CA 94123

PHOTOGRAPHS

REVISIONS	BY
SITE PERMIT SET 12/7/16	ER
SITE PERMIT SET REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/27/2016	
SITE PERMIT SET REVISION 3 5/10/2016	
SITE PERMIT SET REVISION 4 12/8/2016	

Date 12/8/2016
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Job 1511

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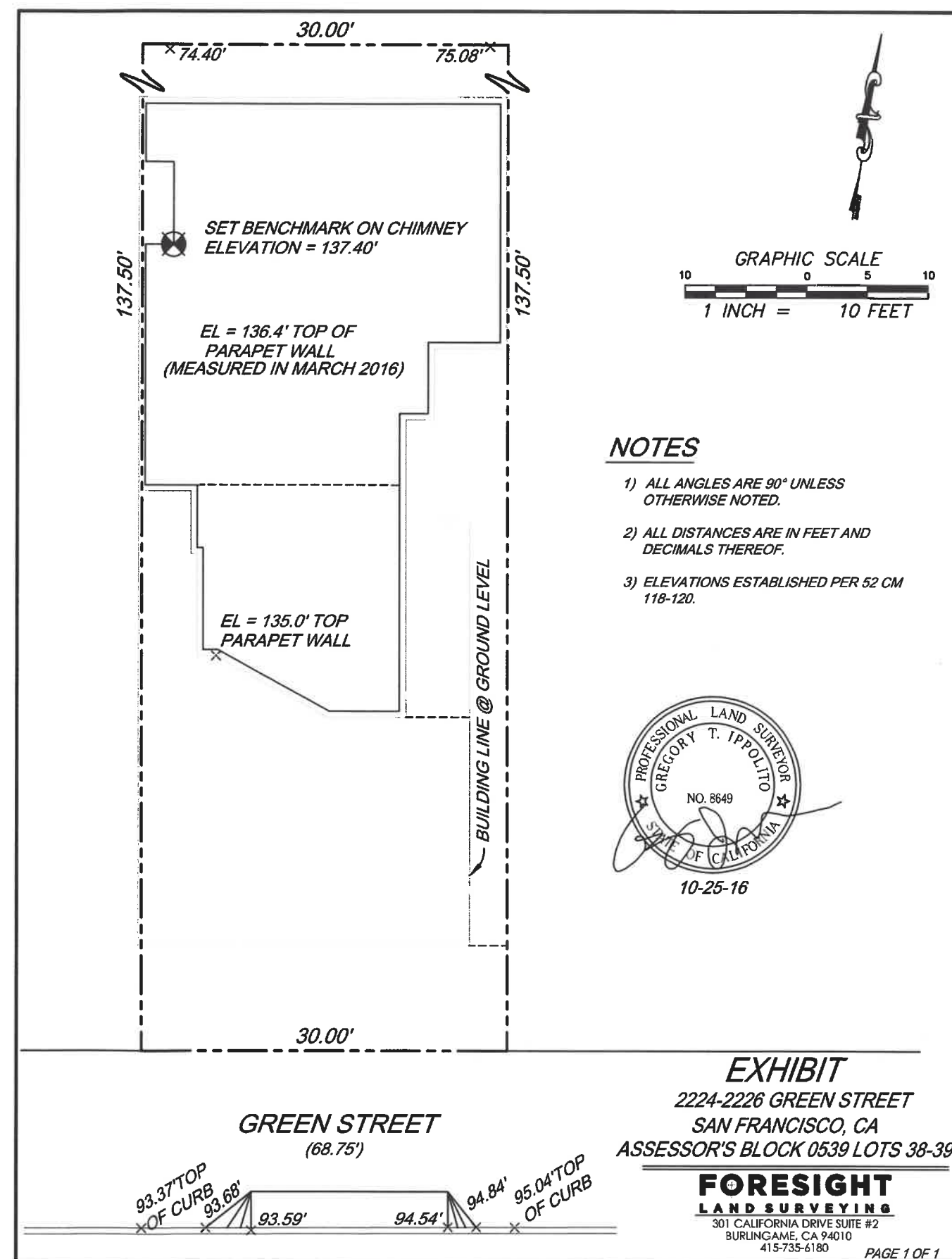


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LAND SURVEYOR

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NEW
SHEET



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SAN FRANCISCO, CA 94123

(E) & (N) SITE PLANS

REVISIONS	BY
SITE PERMIT SET 12/7/19	EE
SITE PERMIT SET REVISION 1 3/11/2016	
SITE PERMIT SET REVISION 2 4/07/2016	
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Date 12/8/2016

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Job 1517

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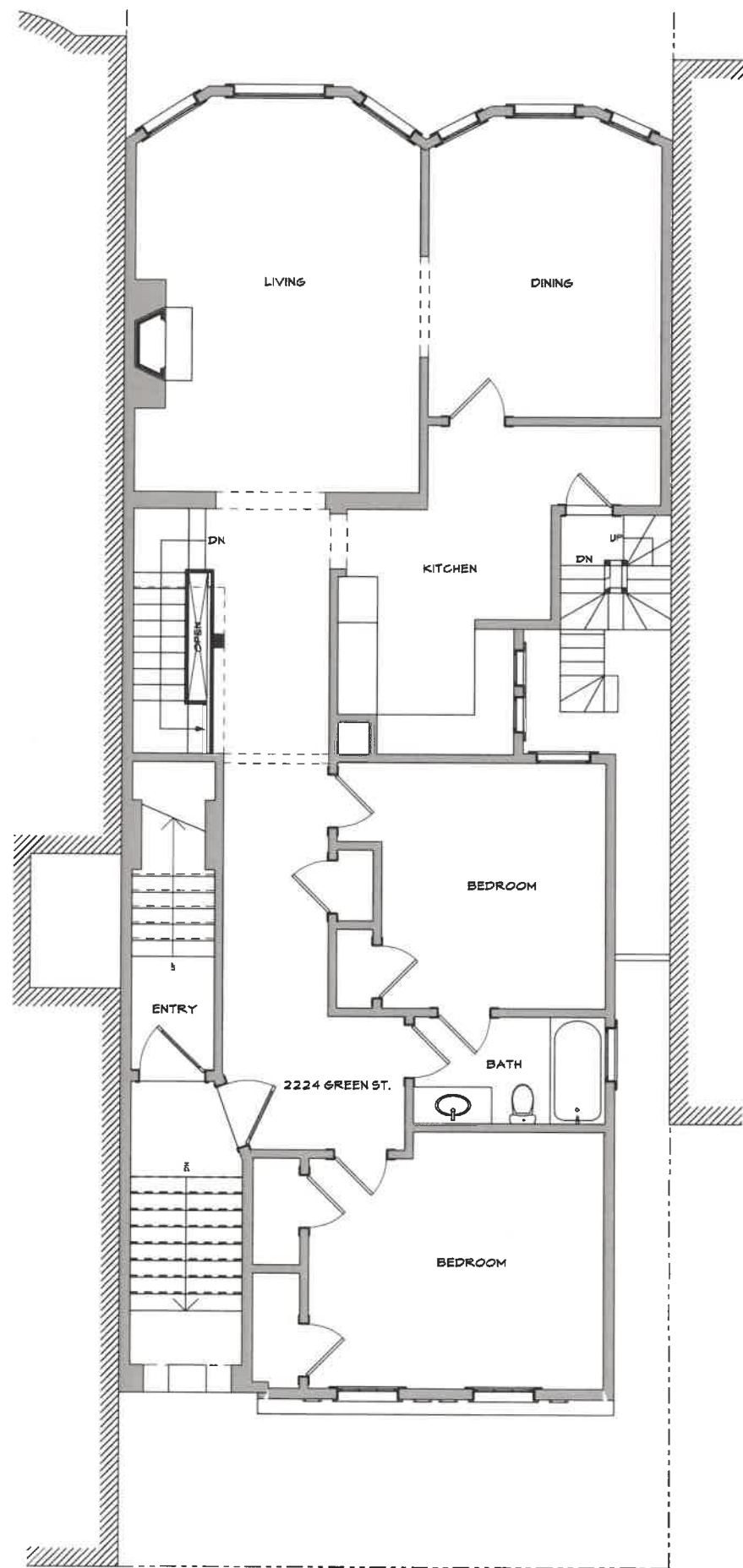


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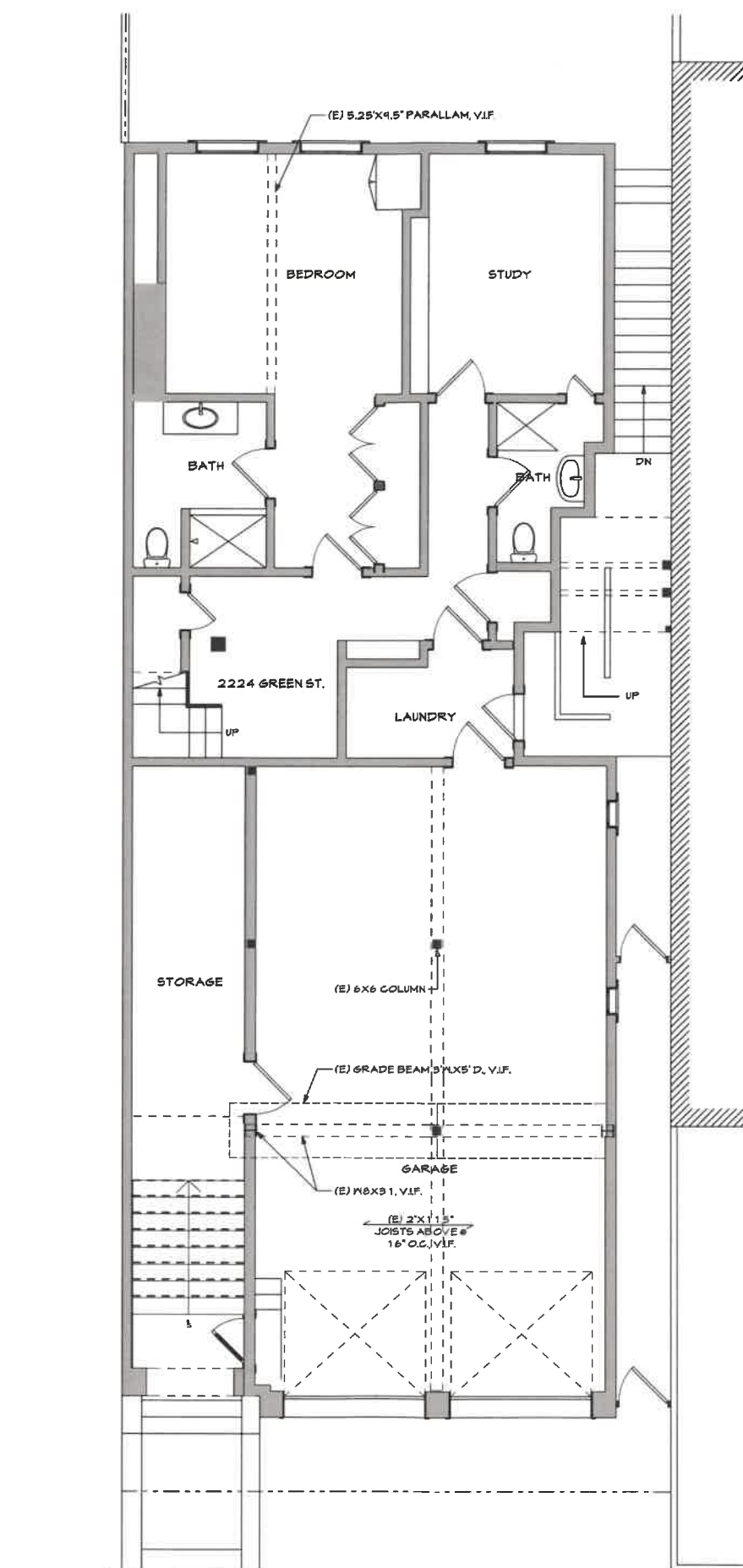


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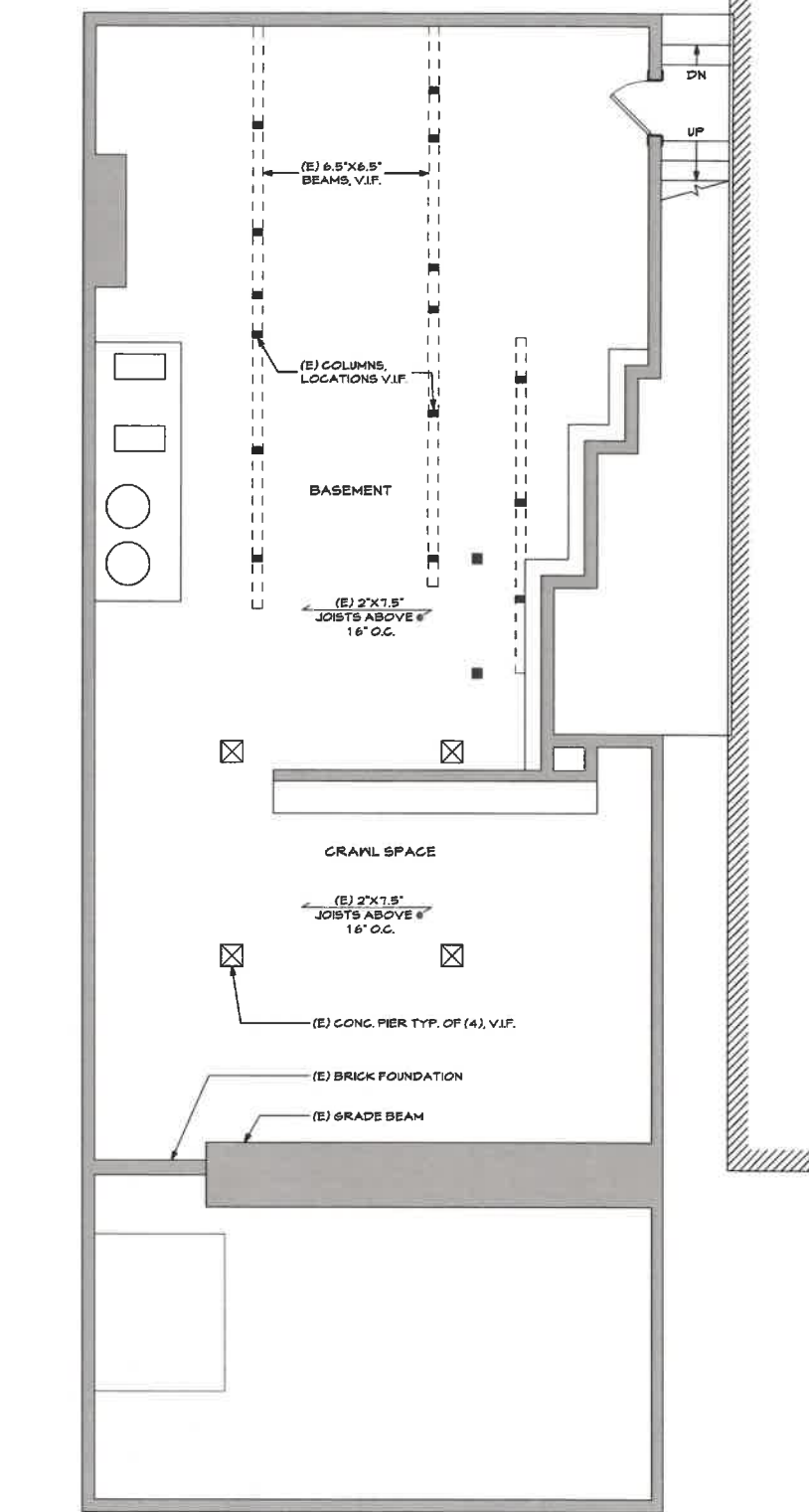
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3 <E> SECOND FLOOR
SCALE: 1/4" = 1'-0"



2 <E> FIRST FLOOR
SCALE: 1/4" = 1'-0"



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



LEGEND
--- DEMO MALL
--- EXISTING MALL
--- NEW MALL



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EXISTING FLOOR PLANS

REVISIONS	BY
SITE PERMIT SET 12/7/16	EE
SITE PERMIT SET REVISION 1 5/11/2016	
SITE PERMIT SET REVISION 2 4/27/2016	
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Job 1517

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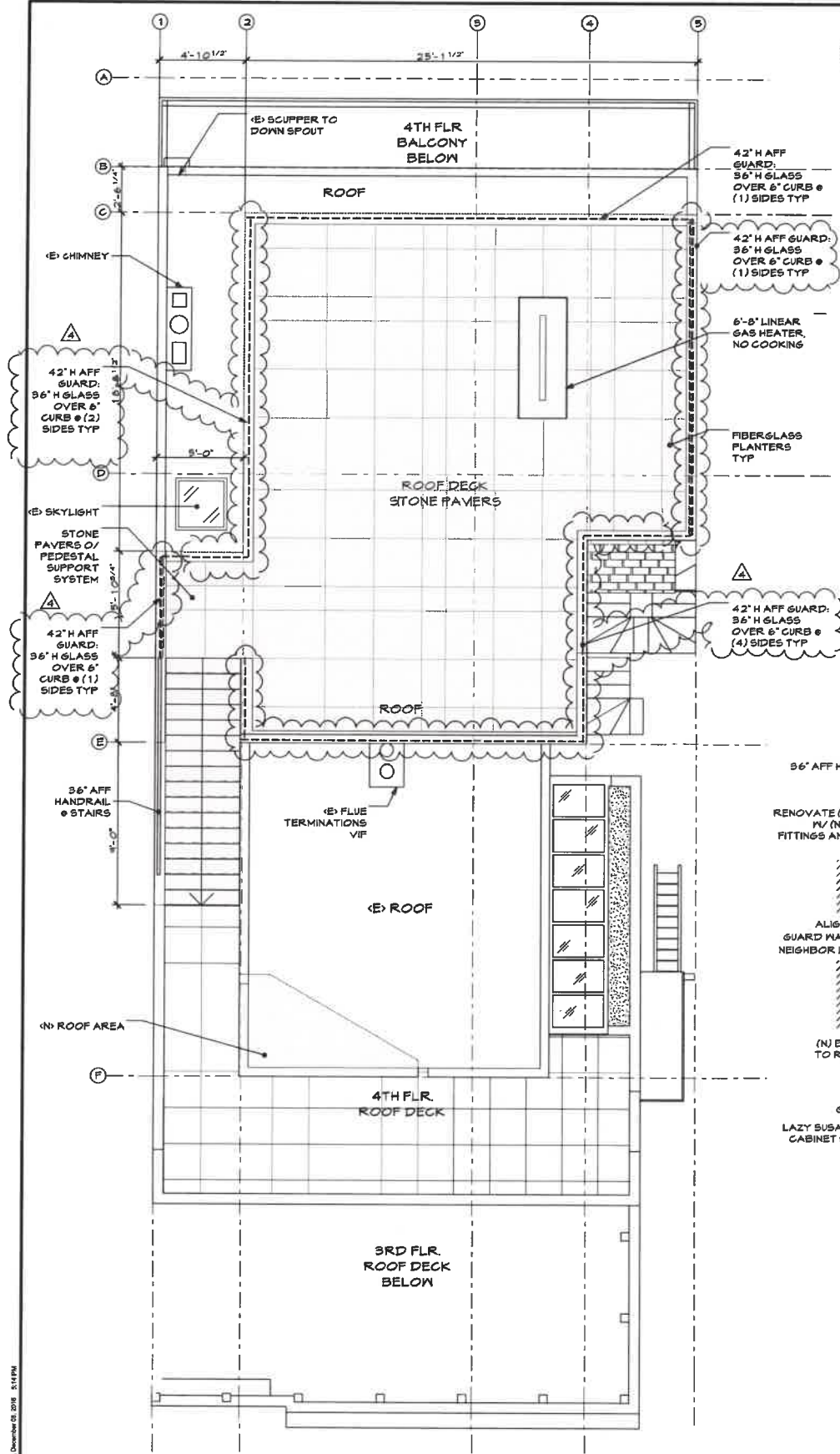
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Of Sheets

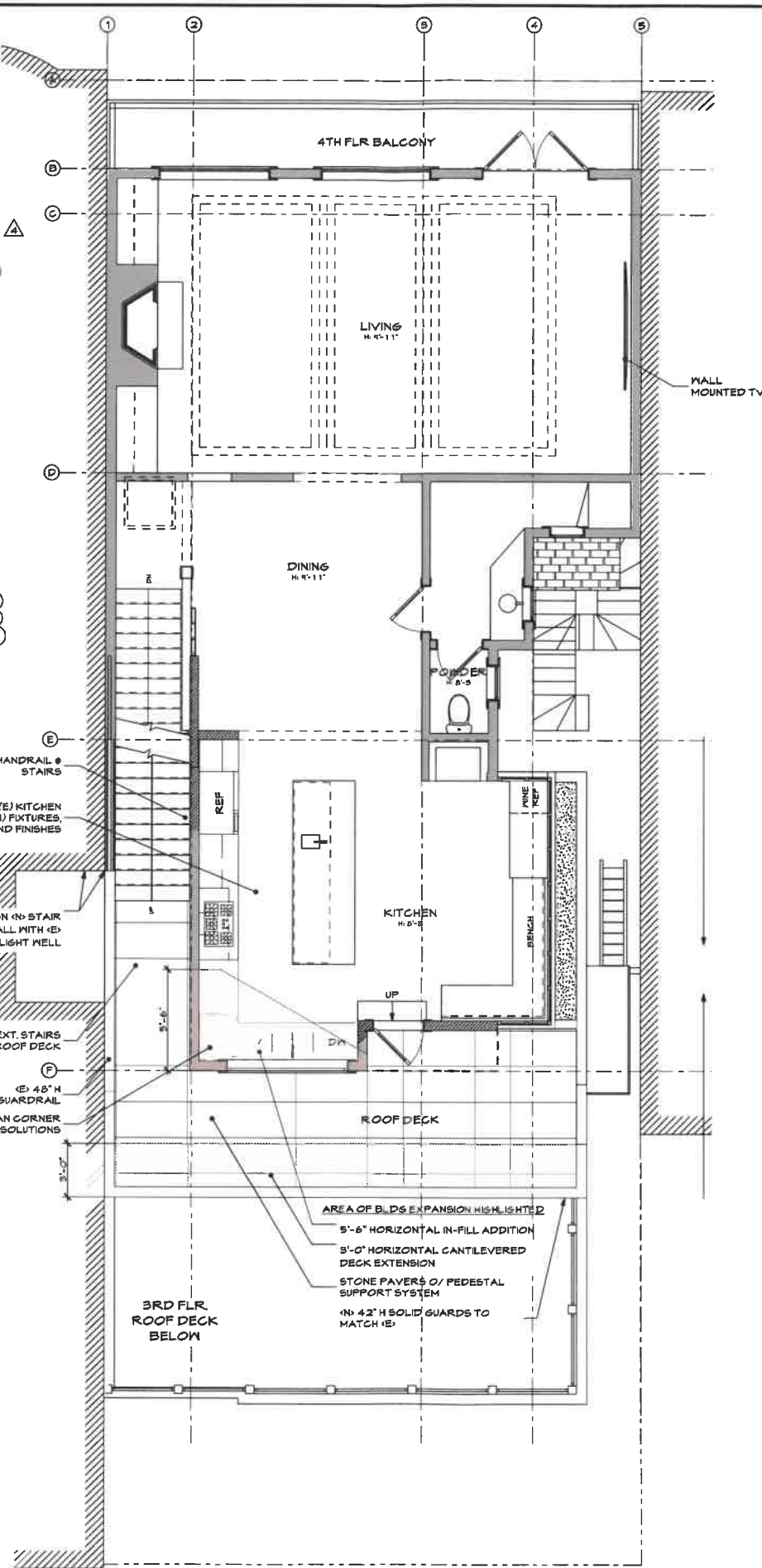
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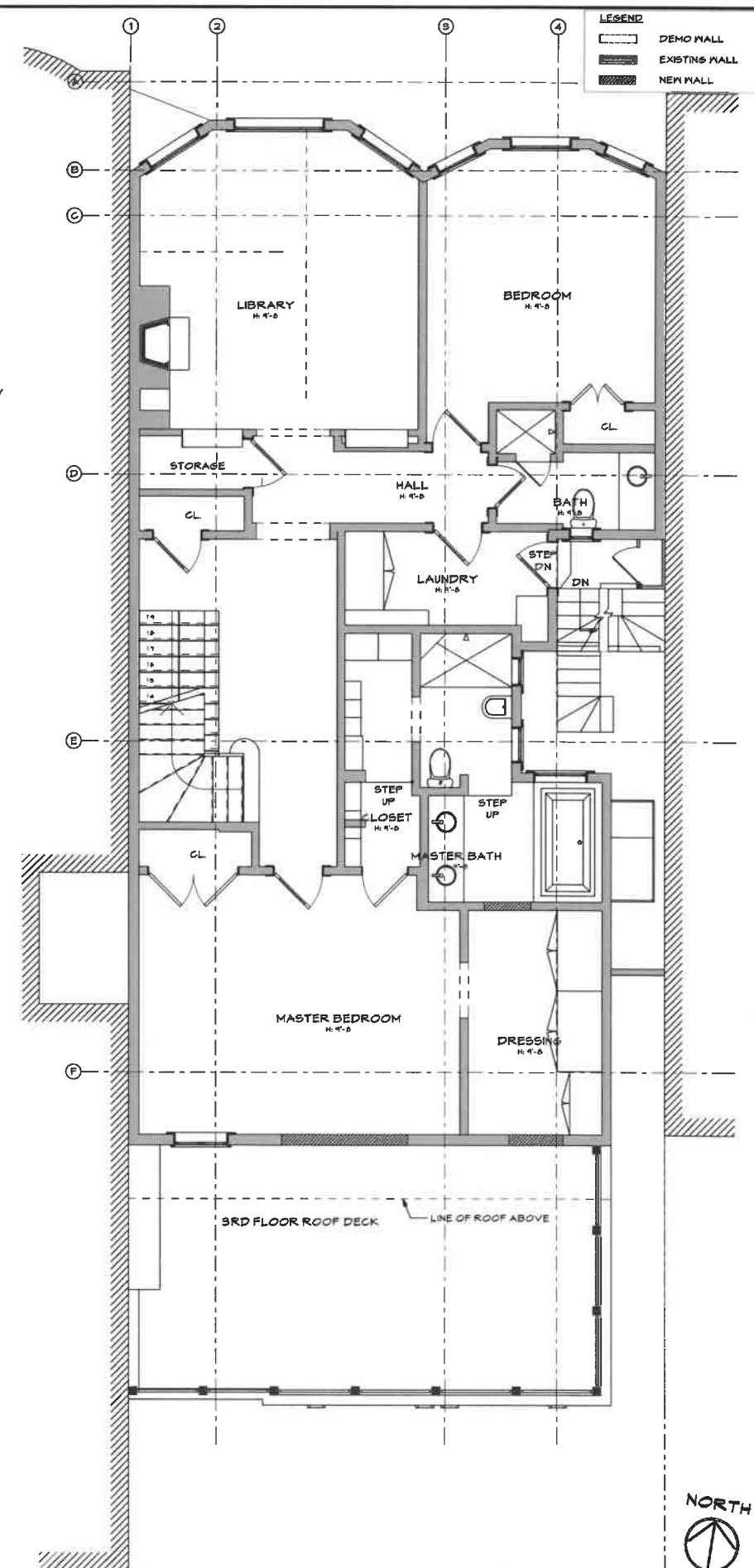
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Job	1517
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Of	Sheets



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



2 4TH FLOOR
SCALE: 1/4" = 1'-0"



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

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LICENCED ARCHITECT
DAVID S. GALT
No. C
Exp. 1-30-2019
STATE OF CALIFORNIA

LAFLEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

PROPOSED FLOOR
PLANS

REVISIONS	BY
SITE PERMIT SET	EE
12/7/18	
SITE PERMIT SET	
REVISION 1	
5/11/2018	
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Date 12/8/2018

Scale AS SHOWN

Drawn PD, EE

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01 Sheets



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EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET 12/7/18	ES
SITE PERMIT SET REVISION 1 8/11/2018	
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Date 12/8/2018

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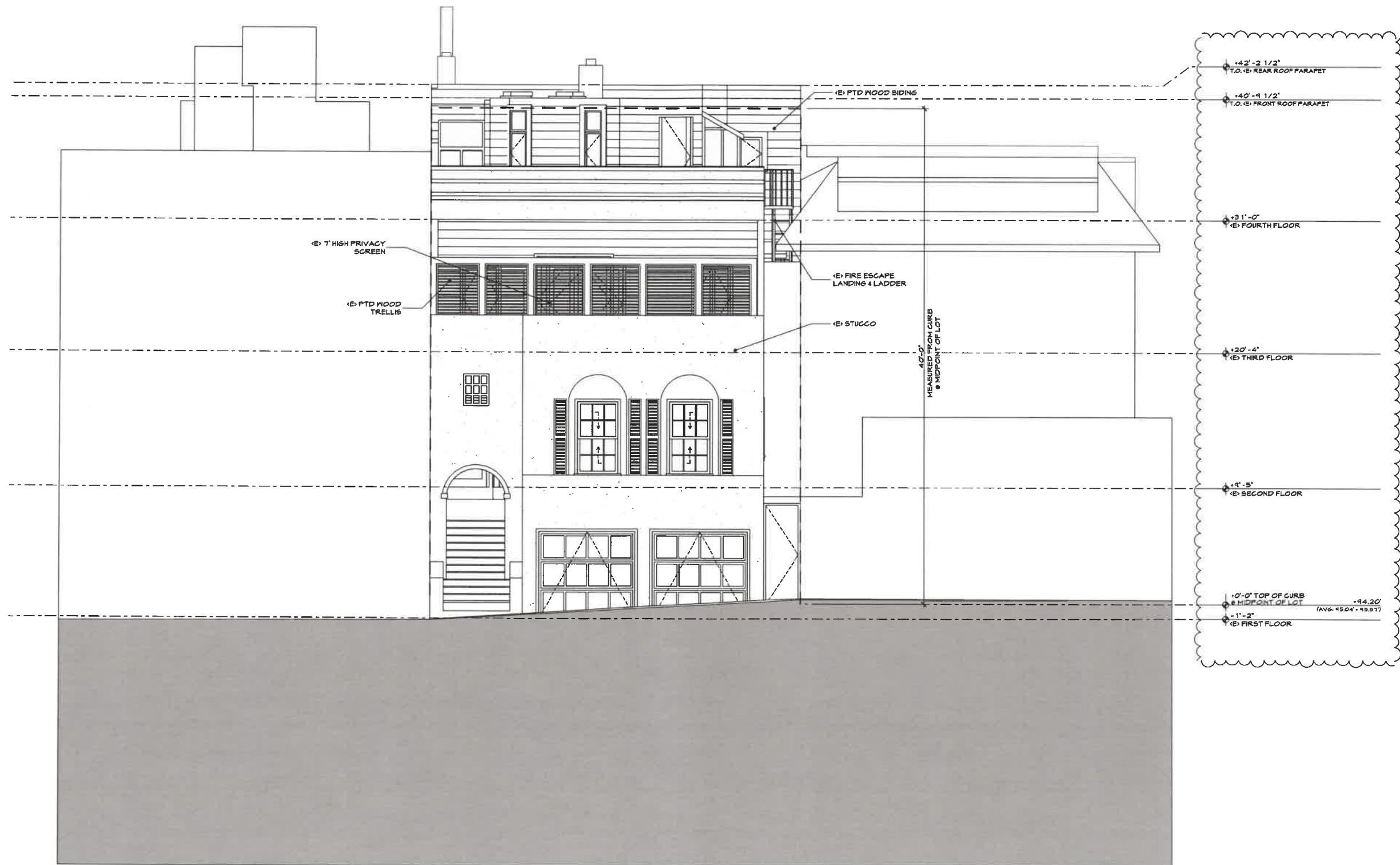
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Job 1511

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Of Sheets



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





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EXISTING ELEVATIONS

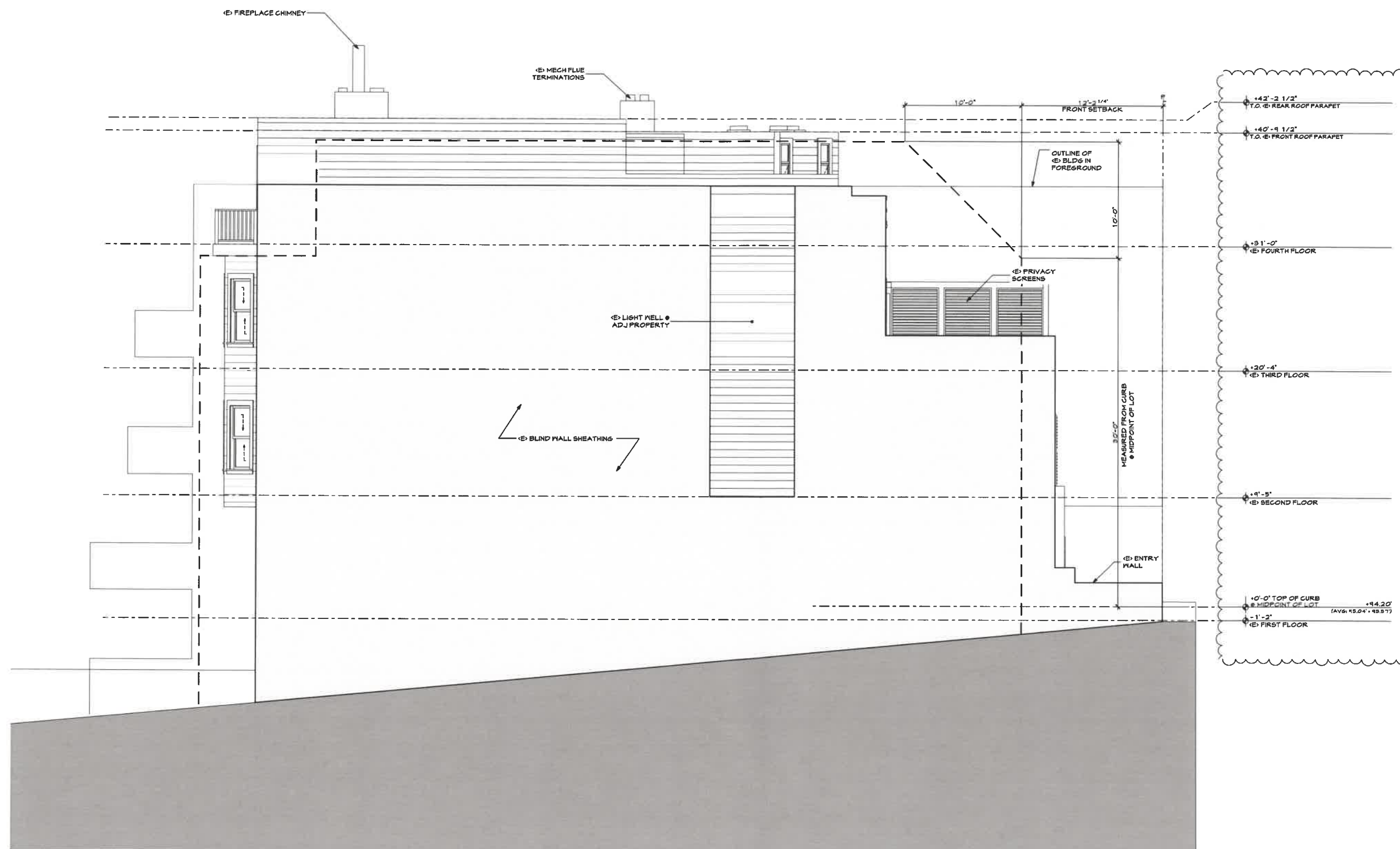
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Job 1517

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

A horizontal number line with arrows at both ends. There are three major tick marks labeled 0, 2, and 4 from left to right.

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EXISTING ELEVATIONS

REVISIONS	BY
SITE PERMIT SET 12/1/16	EE
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1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



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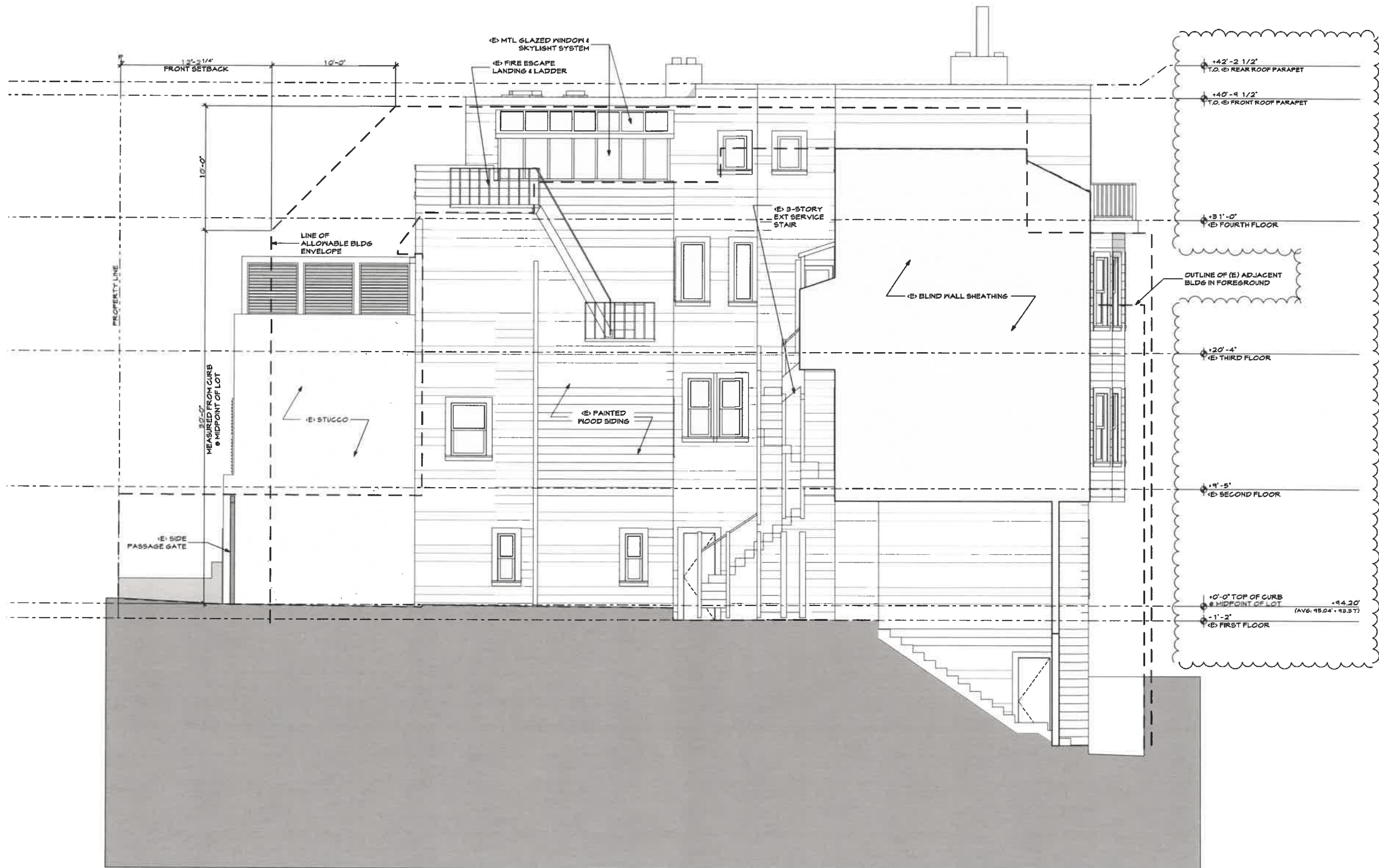
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2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING ELEVATIONS

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Date 12/8/2016
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Job 1517

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





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PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET 12/7/18	EE
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Date 12/8/2016

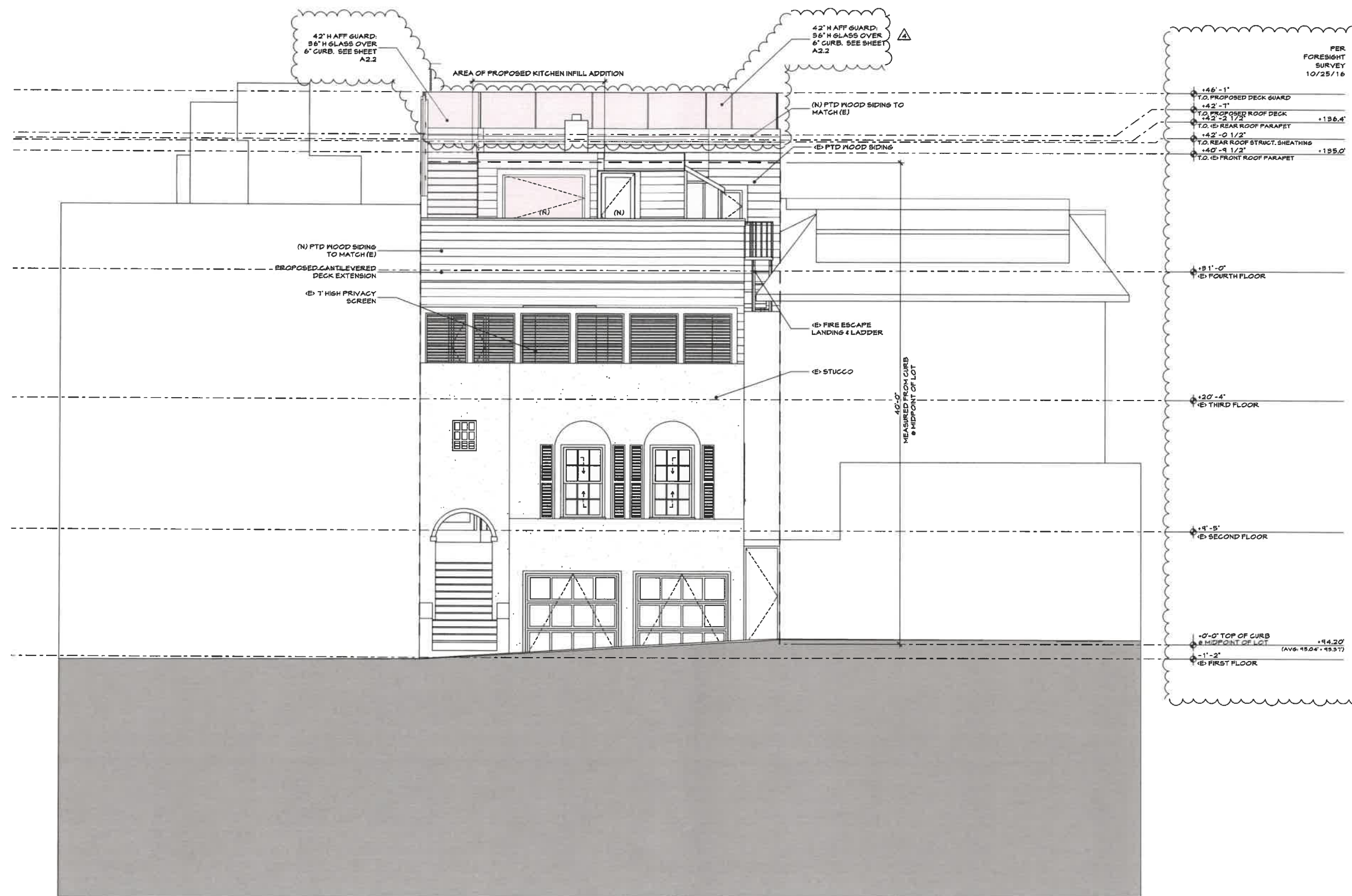
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1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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PROPOSED ELEVATION

REVISIONS	BY
SITE PERMIT SET 12/7/18	EE
SITE PERMIT SET REVISION 1 5/11/2016	
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Date 12/8/2016

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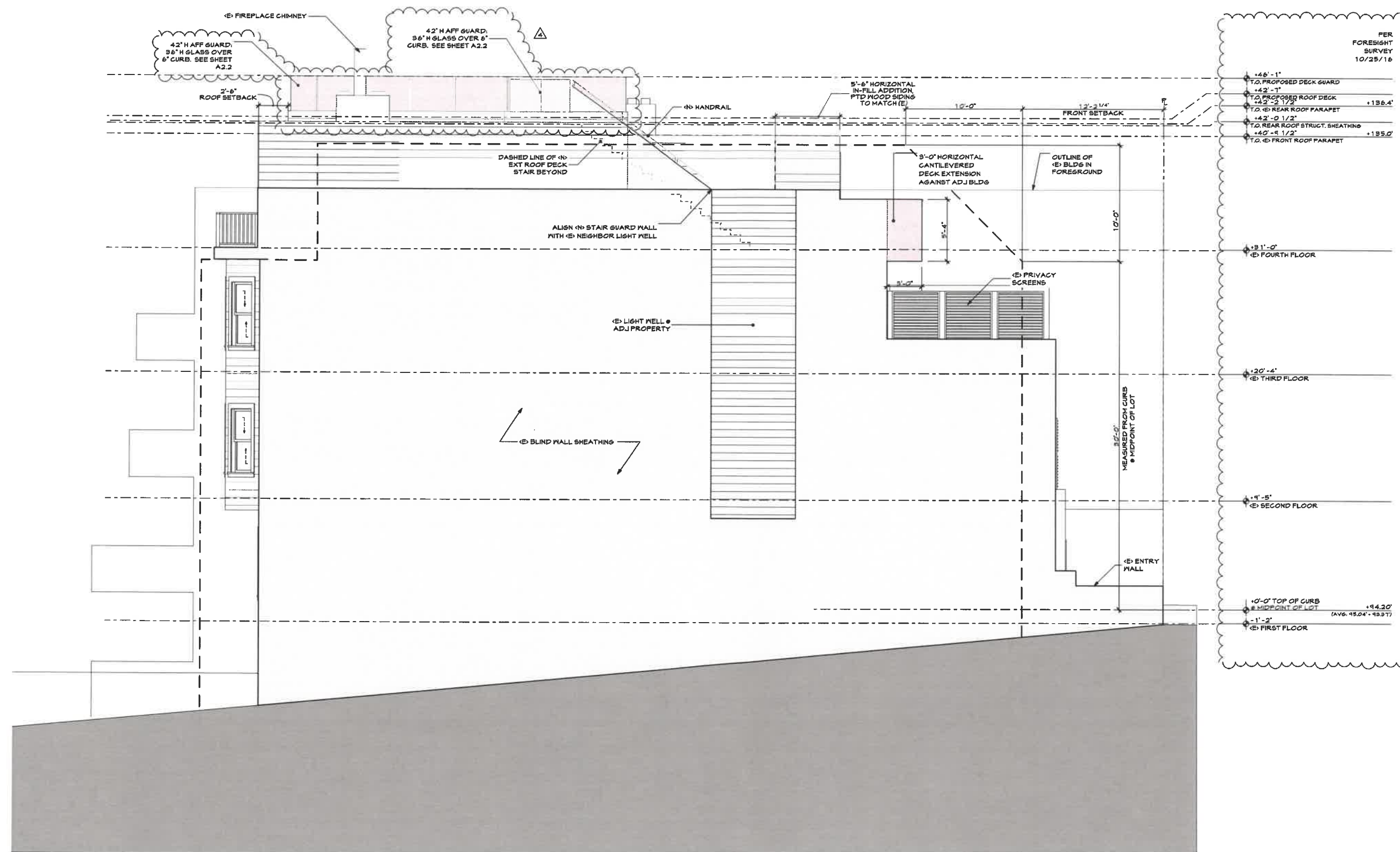
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1 WEST ELEVATION
SCALE: 1/4\" = 1'-0"





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PROPOSED ELEVATION

REVISIONS	BY
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1 NORTH ELEVATION
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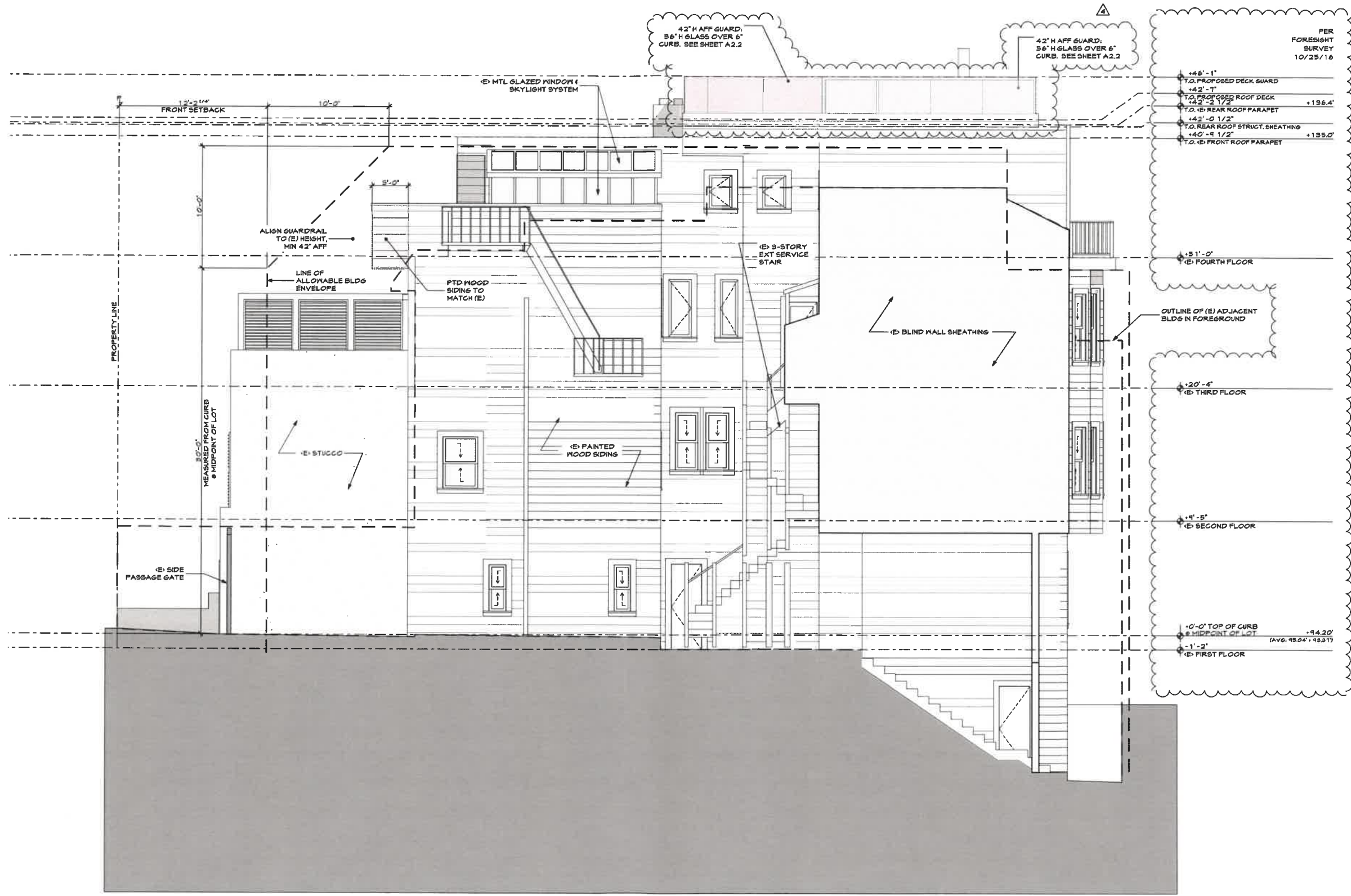
LAFFEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

PROPOSED ELEVATION

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1 EAST ELEVATION
SCALE 1/4" = 1'-0"





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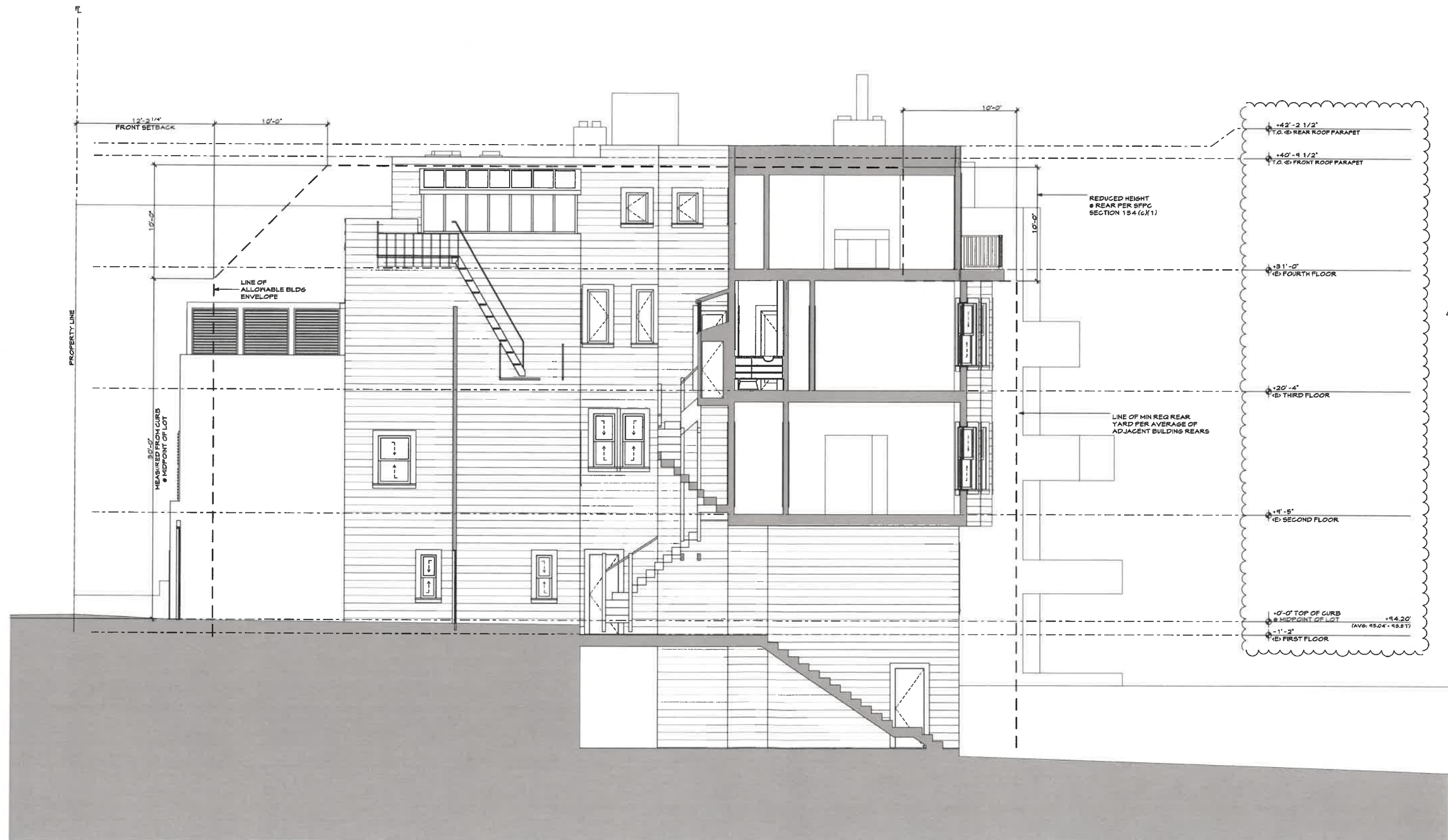
LAFLEY/STALDER
RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94113

EXISTING BUILDING
SECTION

REVISIONS	BY
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1 LONGITUDINAL SECTION
SCALE: 1/4" = 1'-0"



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PROPOSED BUILDING
SECTION

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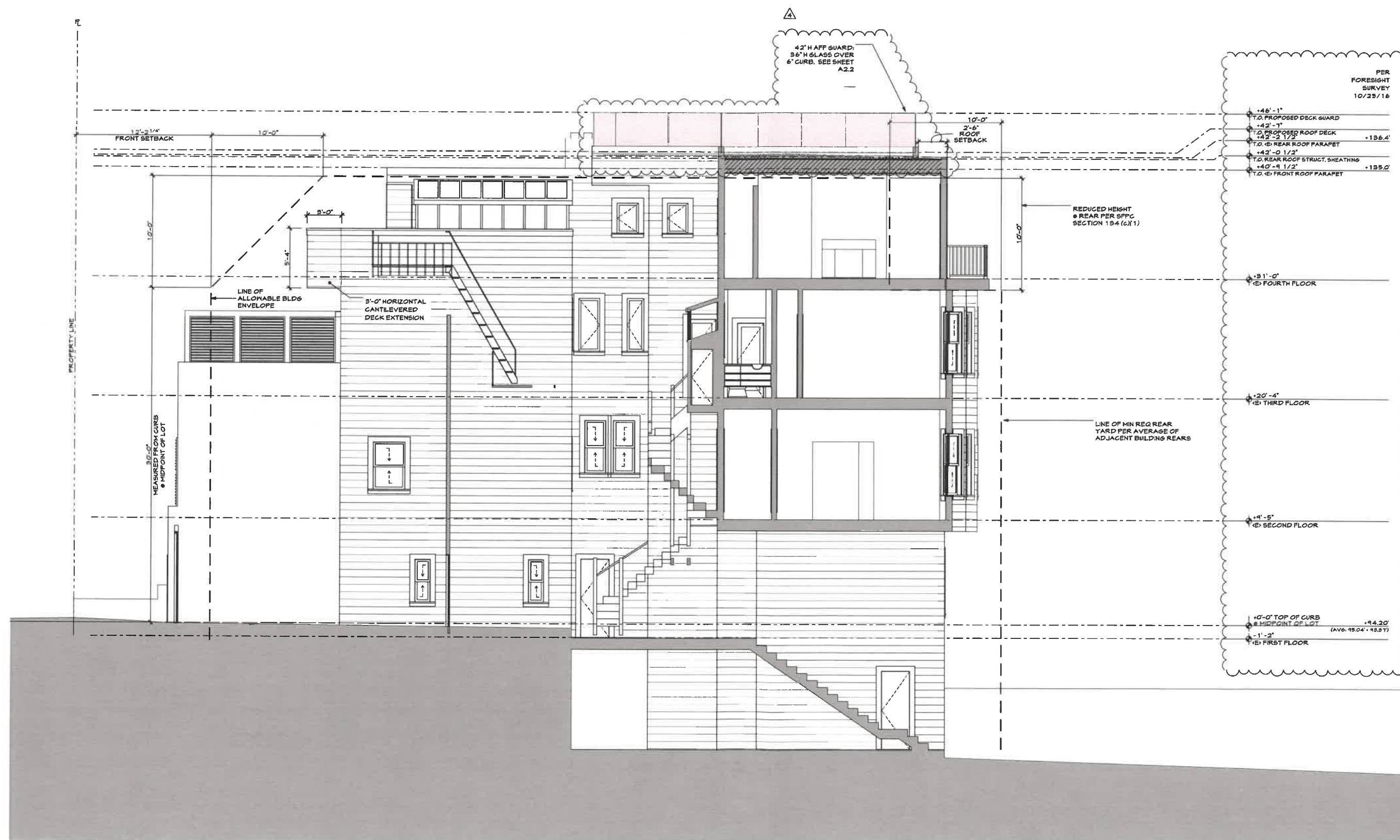
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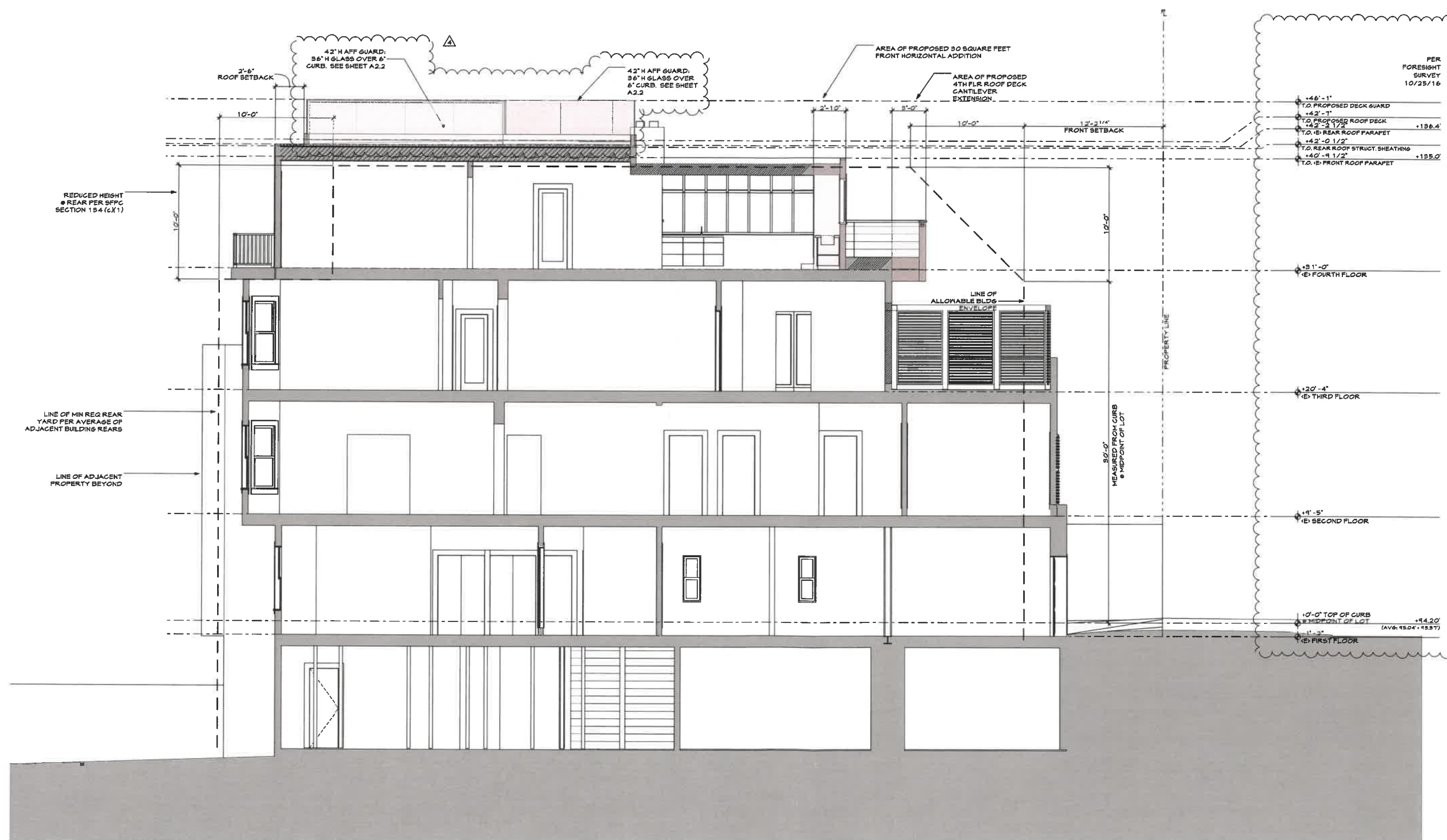


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PROPOSED BUILDING SECTION

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1 LONGITUDINAL SECTION THROUGH KITCHEN
SCALE: 1/4" = 1'-0"

RECEIVED: JANUARY 12, 1988; REVISED: MAY 1988; ACCEPTED: JUNE 1988.



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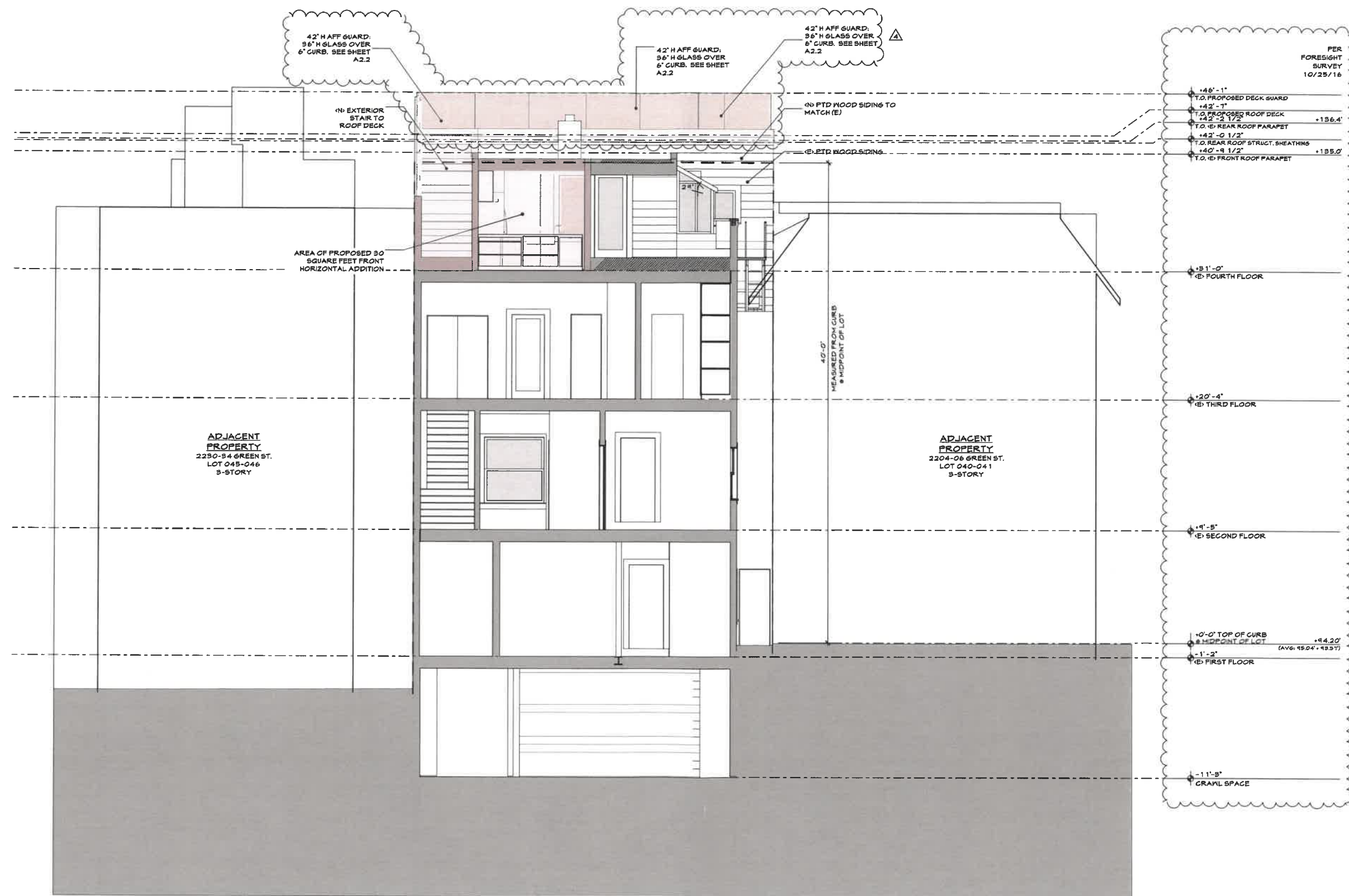


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RESIDENCE
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SAN FRANCISCO, CA 94123

PROPOSED BUILDING
CROSS SECTION

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SITE PERMIT SET	ES
REVISION 2	
4/07/2016	
SITE PERMIT SET	
REVISION 3	
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1 CROSS SECTION THROUGH KITCHEN
SCALE: 1/4" = 1'-0"





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RESIDENCE
2226 GREEN STREET
SAN FRANCISCO, CA 94123

LAND SURVEYOR

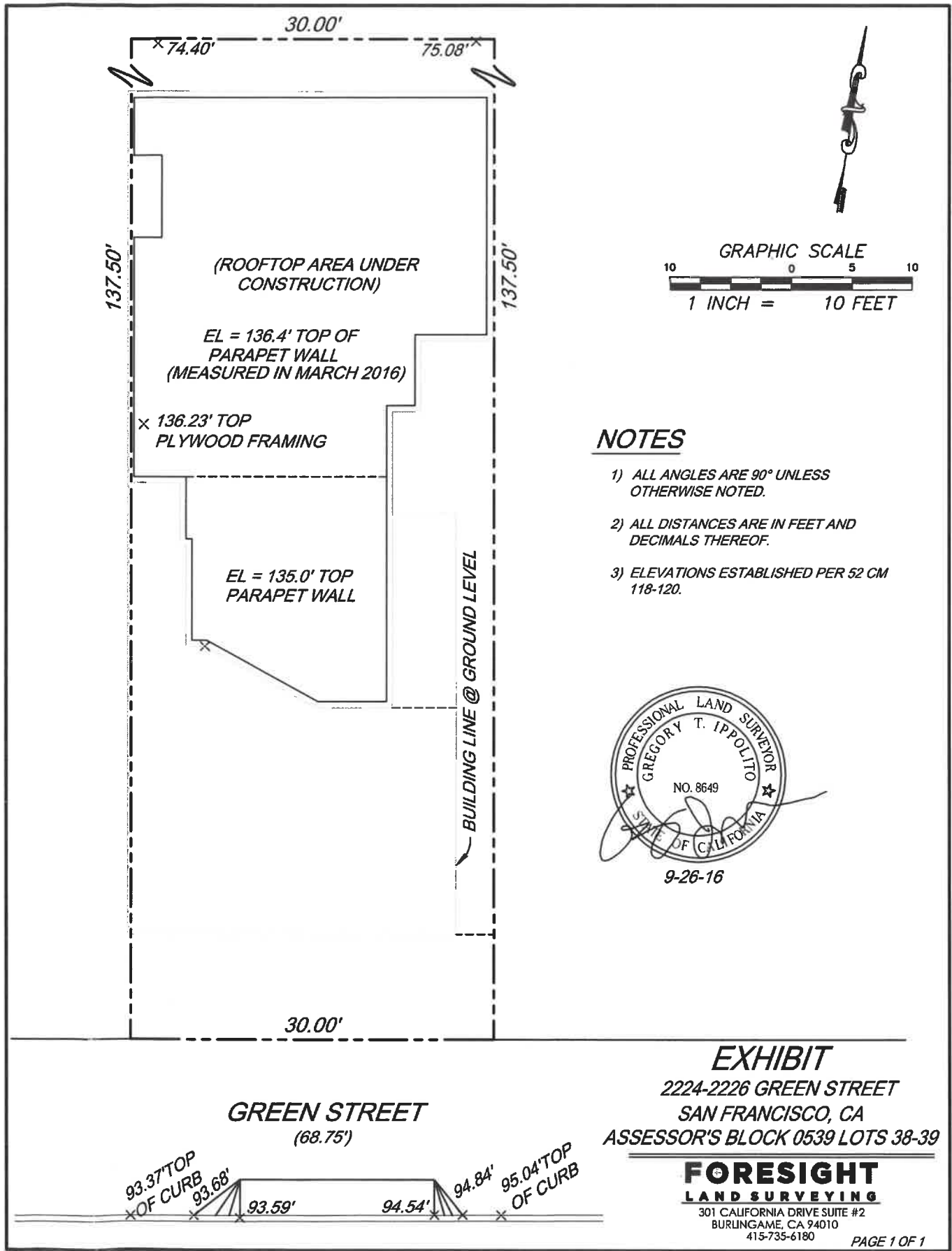
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Exhibit B





Exhibit C



November 15, 2016

Sylvia Jimenez, Current Planning
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9187
Email: sylvia.jimenez@sfgov.org

Re: Residential Renovations at 2226 Green Street – Building Height

Dear Ms. Jimenz.

Per your request, we have prepared this *narrative* explaining the discrepancy between existing roof height elevations indicated on the architectural drawings, documented 'surveyed' conditions, and the field conditions of building improvements currently installed.

Our office has filed two building permit applications for the above mentioned property as follows:

- **BPA #2015/1208/4465:** A Site Permit filed on 12/8/15 for a 4th floor building envelope horizontal expansion as well as a new roof deck and access stairs.
- **BPA #2016/0217/9752:** An over-the-counter Permit filed on 2/17/16, issued on 2/19/16 for interior renovations and structural upgrades.

The project is currently under construction per issued BPA #2016/0217/9752 which includes structural improvements to the existing roof framing in preparation of a new roof deck permit filed in January 2015, pending approval. The structural engineer of record is Larry Wong Engineering, and the general building contractor performing the work is Eastwood Development. All work installed to date has been inspected by SF-DBI.

During the process of submitting Site Permit revisions for BPA #2015/1208/4465, the notated building height dimensions were revised based on a professional survey. Our initial data collection for height information was collected by our office using tape measure, laser measure, and laser level equipment with some assumption of floor assembly thicknesses. This is common practice and accurate within a reasonable standard for the scope of the work proposed. After a neighbor-initiated Discretionary Review request brought closer review and inquiry to the project overall, the property owner hired Foresight Land Surveying to officially document the building's height using professional survey equipment. These two methods explain the +/-3" discrepancy in building height information between Site Permit Revision #3 and Site Permit Revision #4 <draft> that has been recently reviewed by you and the RDT.

An additional height discrepancy came about during the construction process. The building's original *rear* flat roof, which is the area of the proposed roof deck and structural upgrades, was reframed to carry the load of the pending new roof deck. In the process of re-framing, the method of roof drainage and sloping was modified from that of the original roof. The original roof consisted of two layers of joist framing: level ceiling joists below a single-direction sloped roof joist layer surrounded by a level perimeter roof parapet. The parapet was documented by Foresight Land Surveying on 3/23/16, as part an amendment exhibit to the owner's condo plan, to be benchmark elevation +136.4'. The upgraded roof structural system carries the ceiling, roof and new deck loads in an engineered framing assembly including several steel beams. The new structural plywood sheathing is 1.25", twice as thick as the existing sheathing and required by code for a 1-hour fire-rated roof assembly. This framing was started in May of 2016 and per a 9/26/16 height survey, the height of the top of the newly installed roof structural system was installed 2" *below* the existing building parapet, benchmark +136.4'. Due to construction processes *preceding* professionally obtained survey height information on 9/26/16 and subsequent physical field marking installed on 10/25/16, we have observed the top of the currently installed dual-direction sloped drainage system to be approximately 3.5" *above* the existing building parapet elevation.

Please note that the new roof deck floor elevation for this project is proposed to be 4.5" *above* the existing roof parapet benchmark +136.4'. All roof drainage sloping in the area of the deck has no surrounding visual impact as it occurs below and behind a proposed perimeter curb that supports a cantilevered glass guardrail system. The detail for this system is designed by us in consultation with the project engineer and guardrail manufacturer's installation requirements.

Lastly, the recent height survey verification work was performed specifically to address a SF-DBI Notice of Violation prompted by DR requestor complaints that work was being performed without permit. It is our understanding that all work currently installed is within the 6 inch "interpretation of tolerance" generally permitted by DBI.

I hope this letter and narrative is helpful to the project's review.

Sincerely yours,

Dennis Budd

Dennis Budd, AIA LEED AP
Principal, Gast Architects

Exhibit D

ROOF DECKS





PUBLIC COMMENT

February 11, 2017

Re: Support for Project at 2226 Green Street

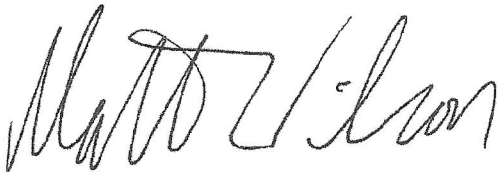
To whom it may concern:

I fully support the project at 2226 Green Street.

The roof deck they are asking for is simple, there is no penthouse staircase and the surrounding guard wall is all glass. It seems the home-owners have done their best to honor the views of the surrounding neighbors.

I'm disappointed to see how much of the city's tax dollars are being spent on such an inconsequential project.

Thank you,

A handwritten signature in black ink, appearing to read "Matt Wilson". The signature is fluid and cursive, with the first name "Matt" and last name "Wilson" clearly distinguishable.

Matt Wilson

Pacific Heights Resident

PUBLIC COMMENT

February 1st, 2017

Re: Support for Project at 2226 Green Street

To whom it may concern:

I am writing to express my support for the project at 2226 Green Street. I live with my husband in the area and fully support the addition of a roof deck to this condo. The project is within the character of the neighborhood, especially given that there is not even a penthouse staircase protruding. Projects like this are welcome as they continue to drive value in the neighborhood.

Many thanks,

A handwritten signature in cursive script, appearing to read "Beth Wilson".

Beth Wilson

Pacific Heights Resident

PUBLIC COMMENT

February 10th, 2017

Re: Support for Project at 2226 Green Street

To: City planning department of San Francisco

I am a neighbor in the Marina/Cow Hollow and am writing to express my support for the project at 2226 Green Street. I am in complete support of the addition of a roof-deck to this condo as it has been tastefully designed and is very much in-line with other decks you see in the neighborhood. I was especially pleased to see there is no staircase penthouse, and the deck will be all glass. I hope this project goes through quickly as construction has been drawn out a long time waiting for this permit.

Sincerely,



Mike Gardner

Marina/Cow Hollow Resident

PUBLIC COMMENT

February 11th, 2017

Re: Support for Project at 2226 Green Street

To the City of San Francisco:

I'm a long time resident of the Marina/Cow Hollow area and want to express my support for the project at 2226 Green Street. There are hundreds of roof decks in the area, and this one is no different. In fact, I would say this roof deck is as minimally impactful as one can be given there is no staircase penthouse and the deck is all glass. My hope is the city continues to support projects like this that bring value to my neighborhood as well as young families who want an outdoor space. I hope to see 2226 granted their permits so their construction can be completed and they will be able to move in to the home they purchased over 18 months ago.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Vickers", with a stylized flourish at the end.

Jason Vickers

Marina/Cow Hollow Resident

PUBLIC COMMENT

Dear Sylvia Jimenez & SF Planning Commission,

I am writing to express my support for the project at 2226 Green Street. I am a fellow neighbor in the Cow Hollow neighborhood and I fully support the addition of a roof deck to this condo. The project is consistent with the character of the neighborhood, especially given how many roof decks are in Cow Hollow. Projects like this are welcome as they continue to drive value in the neighborhood. We hope the city and the planning commission support this project.

Best regards,

A handwritten signature in black ink, appearing to read 'Stephen Foster', followed by a long horizontal line.

Stephen Foster
2819 Baker Street
San Francisco, CA 94123

PUBLIC COMMENT

Dear Sylvia Jimenez & SF Planning Commission,

I am a fifth generation San Franciscan and long time resident of the Marina/Cow Hollow area and I would like to express my support for the project at 2226 Green Street.

There are hundreds of roof decks in the area, and this one is no different. The fact that this deck is all glass and has no staircase penthouse underscores the minimal impact that this could possibly have on anyone except the homeowners.

My hope is the city continues to support projects like this that bring value to my neighborhood as well as young families who want outdoor space. I hope to see 2226 granted their permits so their construction can complete and they will be able to join our community in the home they purchased over a year ago.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Steven White', with a long horizontal line extending to the right.

Steven White
1753 Beach Street
San Francisco, CA 94123

PUBLIC COMMENT

February 10th, 2017

Re: Support for Project at 2226 Green Street

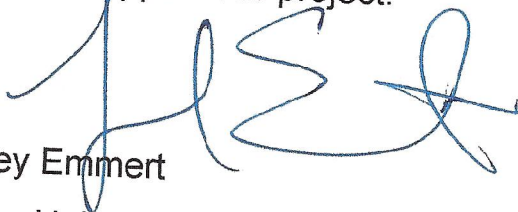
To whom it may concern:

I have lived in the Cow Hollow area for a long time and want to express my strong support for the project at 2226 Green Street.

There are many roof decks in the area, and this one has minimal impact. The city should support projects like this, and not scare people away from trying to build in the area.

These residents have been very respectful to protect their neighbors views, but have been treated very badly by their neighbors and the lawyers. It should not be acceptable.

Please support this project.

A handwritten signature in blue ink, appearing to read 'Joey Emmert', written over the printed name.

Joey Emmert

Cow Hollow Resident

PUBLIC COMMENT

February 10th, 2017

Re: Support for Project at 2226 Green Street

Building Planning Department:

I am writing to express my support for the project at 2226 Green Street. I am a neighbor in the Marina/Cow Hollow neighborhood and fully support the addition of a roof deck to this condo.

The project is within the character of the neighborhood, and should be supported. It is a simple glass guard railing around a roof. I do not know why they city is spending so much time and money on a project so simple.

Thank you,



Josh Evans

Cow Hollow Resident

PUBLIC COMMENT

February 9th, 2017

Re: Support for Project at 2226 Green Street

To whom it may concern:

The project at 2226 Green Street should be approved, I am in full support of this project as a fellow Cow Hollow resident. We need to encourage young families to continue to move to the area and bring value to the neighborhood.

It is extremely disappointing to me to think how much time and money the city is spending on such a simple project. There is nothing "extrodinary" about what the neighbors are asking for, in fact, they are having as minimal impact on those around them as possible. There is not a penthouse staircase protruding, it is a simple glass guard rail.

Thank you,

A handwritten signature in black ink, appearing to read 'Pip Jones', written in a cursive style.

Pip Jones

Cow Hollow Resident

PUBLIC COMMENT

February 8th, 2017

Re: Support for Project at 2226 Green Street

To whom it may concern:

I fully support the project at 2226 Green Street.

I am a resident of Cow Hollow and do not understand why the city is spending time and resident tax dollars on a project as small as this. All these residents are asking for is a simple, low glass guard wall around their room. This is in the character of the neighborhood, and respectful to their neighbors.

I hope the city supports this project.

Thank you,



Matt Chagan

Cow Hollow Resident

PUBLIC COMMENT

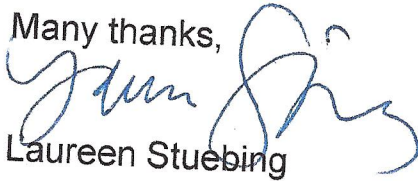
February 9th, 2017

Re: Support for Project at 2226 Green Street

To whom it may concern:

I am writing to express my support for the project at 2226 Green Street. I am a fellow neighbor in the Marina/Cow Hollow neighborhood and fully support the addition of a roof deck to this condo. The project is within the character of the neighborhood, especially given how many roof decks are in the area. Projects like this are welcome as they continue to drive value in the neighborhood.

Many thanks,

A handwritten signature in blue ink, appearing to read 'Lauren Stuebing', written over the printed name.

Laureen Stuebing

Marina/Cow Hollow Resident

PUBLIC COMMENT

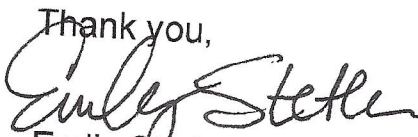
February 8th, 2017

Re: Support for Project at 2226 Green Street

To whom it may concern:

I fully support the project at 2226 Green Street. I know the new-home owners well and know they are good people, looking to start a family. They worked extremely hard to purchase their condo, and have been through a lot waiting for these permits. The roof deck is simple, there is no penthouse staircase and it is all glass. The neighbors should be happy that their views stay intact, and that the home-owners have done their best to honor that. I'm disappointed to see how much of the city's tax dollars are being spent on such an inconsequential project.

Thank you,

A handwritten signature in black ink, appearing to read "Emily Stetler".

Emily Stetler

Marina / Cow Hollow Resident