



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis HEARING DATE: JANUARY 25, 2018

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: January 18, 2018
Case No.: **2016-003051DRP**
Project Address: **37 Sussex Street**
Permit Application: 2016.0219.0012
Zoning: RH-1 [Residential House, One-Family]
40-X Height and Bulk District
Block/Lot: 6729/018
Project Sponsor: Michael Hager
Hager Design Group
279 29th Street
San Francisco, CA 94131
Staff Contact: Erika Jackson – (415) 558-6363
erika.jackson@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The Proposed Project is the construction of a vertical one-story addition on a single-family dwelling.

SITE DESCRIPTION AND PRESENT USE

The subject lot is approximately 25 feet wide and 80 feet long and 1,990 square feet and contains one single-story single-family building. The subject building was constructed circa 1951 and is approximately 1,189 square feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site is located within an RH-1 (Single-Family Residential) District situated in the Glen Park Neighborhood. Land uses in the immediate vicinity of the site are typical of an RH-1 District with primarily residential uses. Most of the buildings in the vicinity range from one to three stories.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	September 27, 2017-October 27, 2017	October 27, 2017	January 25, 2018	90 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	January 15, 2017	January 15, 2017	10 days
Mailed Notice	10 days	January 15, 2017	January 15, 2017	10 days

PUBLIC COMMENT

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

DR REQUESTOR

Joe Fong, 35 Sussex Street, southeast to subject property

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated October 27, 2017.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated January 10, 2018, and the attached email correspondence and photographs.

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 ADVISORY TEAM REVIEW

Upon consultation with the City Attorney and the Zoning Administrator, the Solar Rights Act allows for solar easements (Ca. Civ. Code Sections 801 & 801.5), but only with the agreement of both neighbors (similar to that of view easements).

The Residential Design Advisory Team reviewed the Discretionary Review Application on December 13, 2017. No exceptional nor extraordinary conditions exist, therefore RDAT recommends abbreviated Discretionary Review. Since the subject property is northwest of the Discretionary Review Requestor, there is no evidence of solar access being impeded.

In conclusion, southern access to sunlight onto the Discretionary Review Requestor's property at 35 Sussex Street would be south towards 31 Sussex Street and Penny Lane and not towards the subject property at 37 Sussex Street.

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
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Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
Environmental Review
DR Application
Response to DR Application dated January 10, 2018
Reduced Plans

ESJ: G:\DOCUMENTS\Projects\DR\Sussex 37\DR - Abbreviated Analysis.docx

Zoning Map



Height and Bulk Map



Discretionary Review Hearing
Case Number 2015-006856DRP-02
4320 24th Street
September 22, 2016

Parcel Map

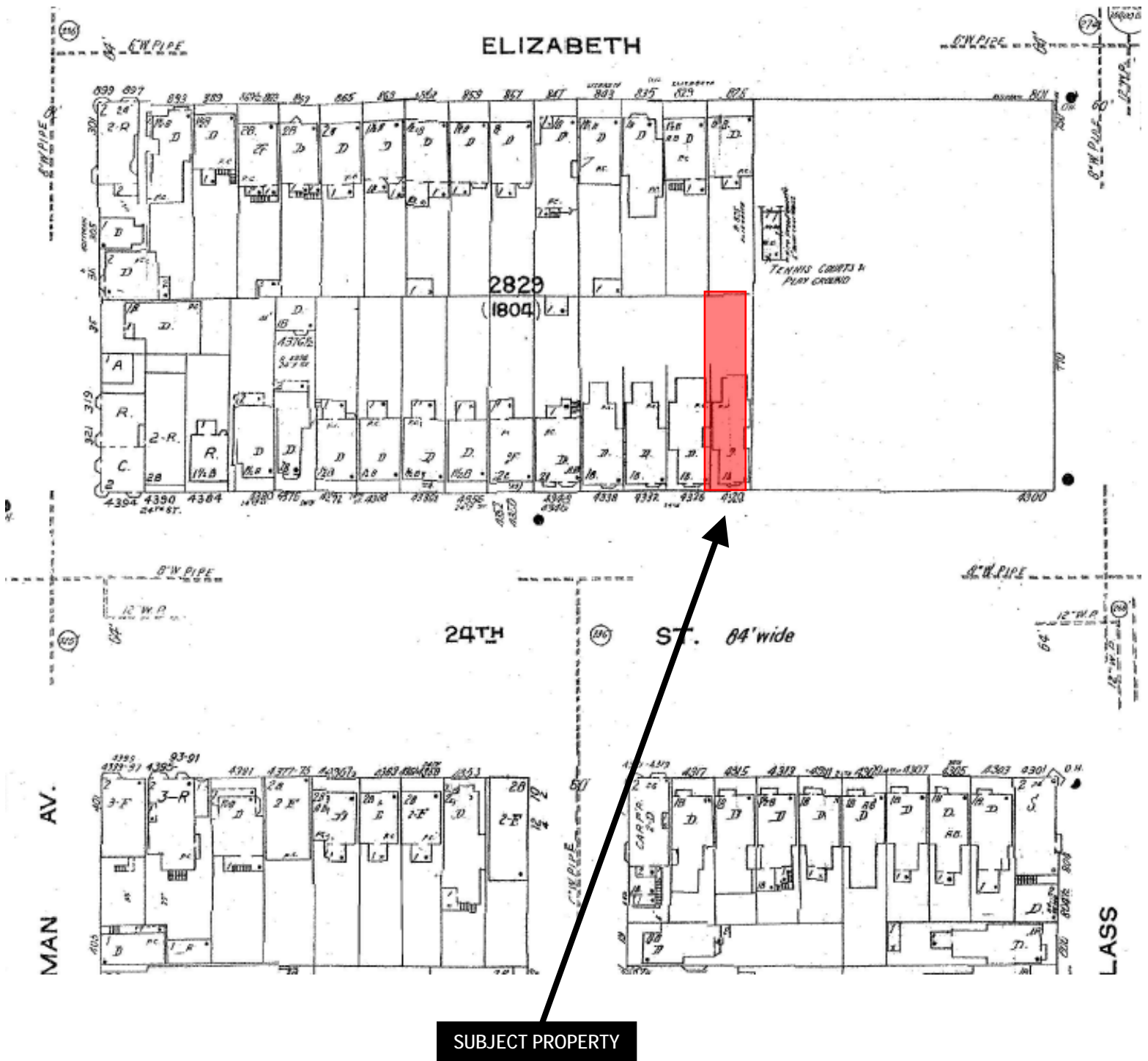


SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2015-006856DRP-02
 4320 24th Street
 September 22, 2016

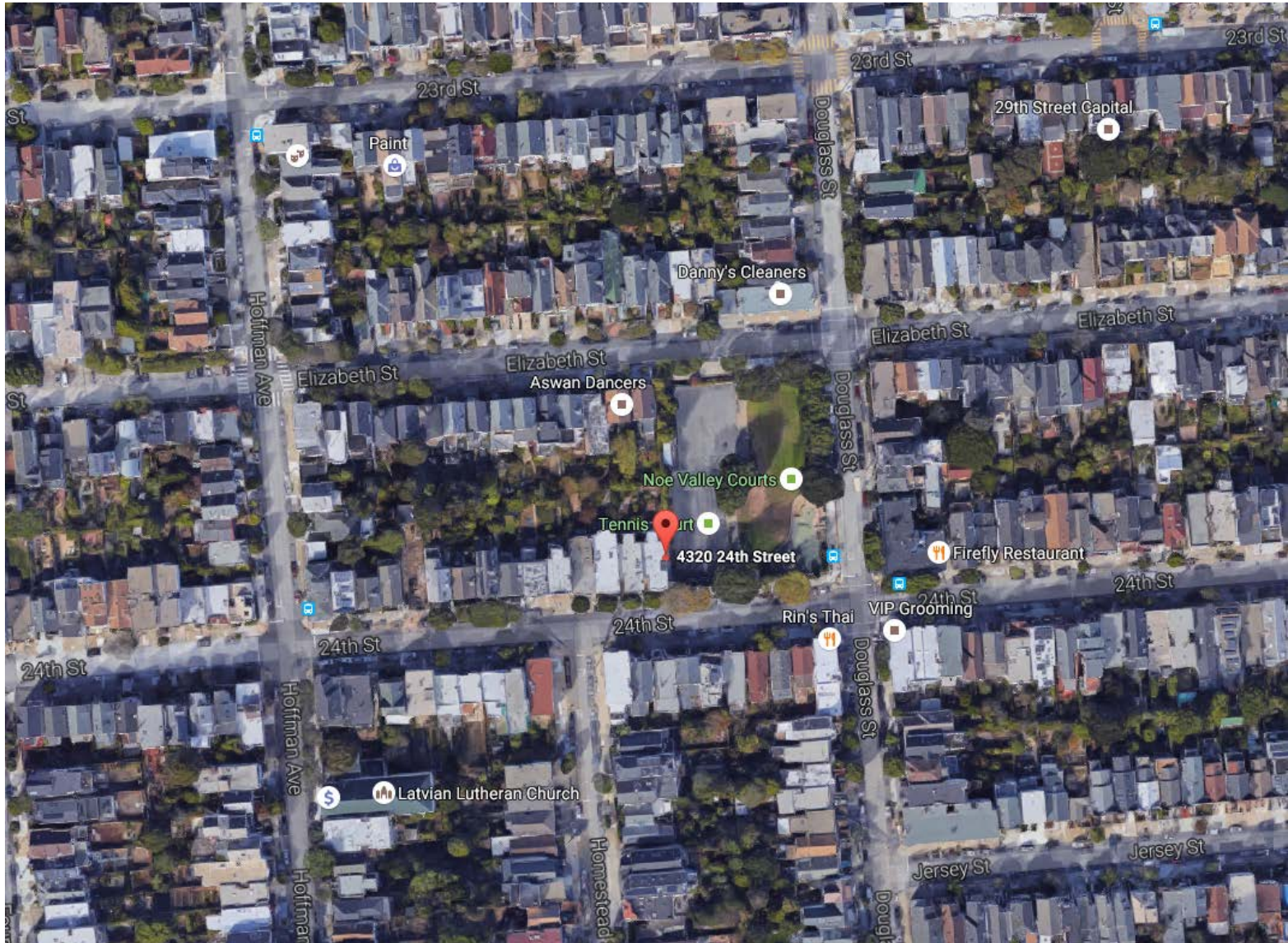
Sanborn Map*



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



Aerial Photo



Site Photo





SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **February 26, 2016**, the Applicant named below filed Building Permit Application No. **2016.0219.0012** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	37 Sussex Street	Applicant:	Michael Hager
Cross Street(s):	Penny Lane & Diamond Street	Address:	276 29th Street
Block/Lot No.:	6729/018	City, State:	San Francisco, CA 94131
Zoning District(s):	RH-1 / 40-X	Telephone:	415-285-7409
Record No.:	2016-003051PRJ	Email:	michaelhager2@gmail.com

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

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Façade Alteration(s)	<input checked="" type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	4'-6"	No Change
Building Depth	46'	43'
Rear Yard	7'-6"	10'-6"
Building Height	14'	25'
Number of Stories	2	4
Number of Dwelling Units	1	No Change
Number of Parking Spaces	2	No Change
PROJECT DESCRIPTION		
The proposal is for a vertical addition onto an existing single family home. 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: Erika Jackson
Telephone: (415) 558-6363
E-mail: erika.jackson@sfgov.org

Notice Date: 9/27/17
Expiration Date: 10/27/17

GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org. You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.**

Incomplete applications will not be accepted.

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

BOARD OF APPEALS

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

ENVIRONMENTAL REVIEW

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

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



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
37 Sussex Street		6729/018	
Case No.	Permit No.	Plans Dated	
2016-003051ENV	201602190012	01/30/2016	
<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. Vertical and horizontal addition to an existing 2-story single family home. Facade alterations and modifications.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class 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. 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</i>

	<i> 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 checked="" type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input checked="" type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Erica Russell <div style="font-size: small; margin-top: 5px;"> Digitally signed by Erica Russell DN: cn=Erica Russell, o=Environmental Planning, ou=City Planning, email=erica.russell@sf.gov, c=US Date: 2016.06.06 11:28:28 -0700 </div>	
No Archeological effects. Sponsor will follow recommendations of 6/27/16 Geotechnical report prepared by P. Whitehead and Associates Consulting Engineers.	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input 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 checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): <div style="text-align: right; font-style: italic;">(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</div>
<input checked="" type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator) <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input type="checkbox"/> Reclassify to Category A <input checked="" type="checkbox"/> Reclassify to Category C </div> <div style="margin-top: 5px;"> a. Per HRER dated: _____ (attach HRER) b. Other (specify): Per PTR form signed on 12/7/2016 </div>
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: Stephanie Cisneros <div style="text-align: right; font-size: small; margin-top: 5px;"> Digitally signed by Stephanie Cisneros DN: cn=Stephanie Cisneros, o=City Planning, ou=Current Planning, email=Stephanie.Cisneros@sfgov.org Date: 2016.12.14 11:06:03 -08'00' </div>	

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): <div style="margin-left: 20px; margin-top: 5px;"> <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review </div> 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: Stephanie A Cisneros Project Approval Action: Building Permit <small>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</small>	Signature: <div style="font-size: 2em; font-weight: bold; line-height: 0.8;">Stephanie Cisneros</div> <div style="font-size: small; margin-top: 5px;"> Digitally signed by Stephanie Cisneros DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Stephanie Cisneros, email=Stephanie.Cisneros@sfgov.org Date: 2016.12.14 11:06:03 -08'00' </div>
<small>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</small>		

**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. DATEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:		Date of Form Completion	11/29/2016
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PROJECT INFORMATION:		
Planner:	Address:	
Stephanie Cisneros	37 Sussex Street	
Block/Lot:	Cross Streets:	
6729/018	Diamond Street & Castro Street	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2016-003051ENV

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

DATE OF PLANS UNDER REVIEW:	01/30/2016
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Supplemental Information for Historic Resource Determination prepared by Edward Mullins (dated July 11, 2016)	
Proposed Project: Vertical and horizontal addition to an existing 2-story single family home. Facade alterations and modifications.	

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

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

PRESERVATION TEAM COMMENTS:
<p>According to the Supplemental Information for Historic Resource Determination prepared by Edward Mullins (dated July 11, 2016) and information found in the Planning Department files, the subject property at 37 Sussex Street contains a split-level, wood-frame, single-family residence constructed in 1951 (source: assessor's record) and a detached one-story garage at the rear of the property constructed at an unknown date. No original building permit was found to determine architect or builder for the main building and the garage. The subject property is representative of a vernacular single-family style whose only features include an irregularly shaped parapet and a porch enclosure both capped with red clay tile. Known exterior alterations to the property include application of vinyl siding to back wall (2005) and repairing dry rot damaged framing members in the garage (2016).</p> <p>No known historic events occurred at the subject property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject property is a nondescript example of a vernacular style single-family residence. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.</p> <p>The subject property is not located within the boundaries of any identified historic district. The subject property is located in the Glen Park neighborhood on a block that exhibits a variety of architectural styles and construction dates ranging from 1900 to 1977. Together, the block does not comprise a significant concentration of historically or aesthetically unified buildings.</p> <p>Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.</p>

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	12-7-2016



APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Joe Fong		
DR APPLICANT'S ADDRESS: 35 Sussex Street	ZIP CODE: 94131	TELEPHONE: (415) 385-5237

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Mullin---Michael Hager		
ADDRESS: 276-29th Street	ZIP CODE: 94131	TELEPHONE: (415) 285-7409

CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS: 35 Sussex	ZIP CODE: 94131	TELEPHONE: (415) 385-5237
E-MAIL ADDRESS: jfong@irvingpethospital.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 37 Sussex Street		ZIP CODE: 94131
CROSS STREETS: Castro		
ASSESSORS BLOCK/LOT: 6729 / 018	LOT DIMENSIONS: 25x78.8	LOT AREA (SQ FT): 1970
ZONING DISTRICT: rh-1/40-x20		HEIGHT/BULK DISTRICT: 14'

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 ☒
rental

Present or Previous Use:

residential

Proposed Use:

Building Permit Application No. 2016.0219.0012

Date Filed: 2016.2.19

RECEIVED

OCT 27 2017

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

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.

Height will cause decreased production on leased solar panels. Asked applicant at initial planning a year ago for plans to discuss with solar instaler. Never got plans. Was in touch with community board and told we should file decretionary review. Applicant hhas not offered to pay for addressing loss of solar production. Was told that I should put more panels up myself.

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.

This plan seems to conflict with California Solar Rights Act

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 shade placed over the solar panels has a financial impact on my solar lease over then next 15 years. I have included the placement of the panels and they will be right next to the extended 6 feet height.

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

decrease height. Discussion of shadowing could have been addressed if applicant had provided plans last year when asked.

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: _____

10/27/17

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

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input 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 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: _____

Date: _____

RESPONSE TO
DISCRETIONARY
REVIEW (DRP)



San Francisco
Planning

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

Project Information

Property Address: 37 Sussex Street

Zip Code: 94131

Building Permit Application(s): 2016.02.19.0012

Record Number: 2016-000305DRP

Assigned Planner: Erika Jackson

Project Sponsor

Name: EDWARD J. MULLINS

Phone: 415 824-6330

Email: ELETSA@ATT.NET

Required Questions


1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)
2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.
3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

Project Features

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

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	1	1
Occupied Stories (all levels with habitable rooms)	2	4
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	2	2
Bedrooms	2	4
Height	16'-6"	25 FT.
Building Depth	46'-0"	43'-0"
Rental Value (monthly)	\$3,000	\$6,000
Property Value	\$1,000,000	\$2,000,000

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

Signature: 	Date: Jan 10, 2018
Printed Name: Edward J Mullins	<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Authorized Agent

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

**DISCRETIONARY REVIEW – 37 SUSSEX STREET
RESPONSES TO REQUIRED QUESTIONS:**

1. The issue of shading of the existing rooftop solar panels at 35 Sussex Street by the new addition next door is a minor one. The proposed new addition at 37 Sussex Street is situated north/northwest of the panels. Some shading would occur in the afternoons during summer months. During other times of the day or year the solar arrays would not be affected.

We commissioned a Solar Access and Shade Report of the impact of the proposed addition on the existing arrays. The report was generated by Solmetric SunEye and presented by Luminalt Solar Company. According to solar engineers the report indicates that the impact of shading could reduce the electrical generation of the system by approximately 3%. The report was forwarded to Mr. Fong for review by his solar leasing company, Solar City. A copy was also forwarded to Petersen Dean Roofing & Solar. After review, solar engineers from Petersen Dean agreed with Luminalt that the impact of the new project on Mr. Fong's arrays will be minimal. We have heard nothing back from Mr. Fong on his solar company's findings. We have hired a conflict-management person to try to find a compromise position between us and Mr. Fong for rescinding the Discretionary Review; the dialog is continuing.

It is our intention to safeguard the integrity of Mr. Fong's solar system. According to the Solar Access and Shade Report the basic integrity of that solar system would not be jeopardized by our new construction. We have offered Mr. Fong \$1,000.00 to help mitigate the 3% shading affect. That mitigation might require adjusting the tilt of the existing panels or altering the array layout or adding an additional panel; we have no way of knowing since the analysis by Mr. Fong's solar leasing company has not been released. Any work on Mr. Fong's system would have to be performed by the owner of that system, Solar City.

We are sorry Mr. Fong has not had a full year to review the solar impact of our project on his system, but we only received a "go ahead" from the Planning Dept. on the final configuration of the addition just before going to Neighborhood Notification. The project has been altered since the initial review with neighbors over a year ago.

2. Since our proposed addition would not adversely shade Mr. Fong's solar arrays, we do not feel obliged to reduce the height of the building as requested. The height of the addition is within 25 ft. of the top of sidewalk curb on Sussex Street, not an excessive height. All other houses in the vicinity, including Mr. Fong's house, are taller than the existing house and many rise 3 stories above the street. This addition appears tall in the rear elevation because of the hillside and the existing garage way down below on Penny Lane.

3. We feel that the proposed remodel and addition to 37 Sussex Street would be an asset to the neighborhood and community. Not only would the small house be enlarged, but important seismic retrofitting, fire suppression and electrical / mechanical upgrades would be done during the work. Because the adjacent building to the northwest encroaches 1 foot onto this property, the new construction would be limited to a narrow 24 ft. wide footprint.

The Solar Access and Shade Report (24 pages total) for Mullins, Eddie (16 modules) by Luminalt dated 11/15/2017 for 37 Sussex, San Francisco, CA 94131 is available upon request.

Subject: Fw: Fwd: Shading of your solar panels by new addition at 37 Sussex Street
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 8:13:16 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

On Tuesday, December 19, 2017 4:31 PM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----

From: **Jfong.dvm** <jfong.dvm@gmail.com>
Date: Tue, Dec 19, 2017 at 7:39 AM
Subject: Re: Shading of your solar panels by new addition at 37 Sussex Street
To: Michael Hager <michaelhager2@gmail.com>

Hi Michael

I have not heard from you.

I will now try to contact a solar specialist and pay his fees to come up with a satisfactory solution.

Unless you will let me speak to your solar specialist.

Hope to hear from you today. The hearing is coming up soon and Aiko hope to avoid it or any lawyers.

Thanks
Joe

Sent from my iPhone

On Dec 11, 2017, at 2:34 PM, Michael Hager <michaelhager2@gmail.com> wrote:

Hi Mr. Fong,

Luminalt Solar Co. has determined that the shading impact of the new addition on your solar panels could be mitigated by moving the two panels closest to the property line to the other side of the array setup. They are still working on a cost estimate to provide the necessary work. Have you heard anything from your solar company about the shading survey they performed and their suggested remedy?

Thanks,
Mike

On Sun, Dec 10, 2017 at 6:27 PM, Jfong.dvm <jfong.dvm@gmail.com> wrote:
Hi Michael

Any word from your solar guys?

Thanks
Joe

Sent from my iPhone

> On Nov 7, 2017, at 3:16 PM, Michael Hager <michaelhager2@gmail.com> wrote:
>
> Hello Mr. Fong,
>
> I sent you an email last week asking if next Wednesday Nov. 15 would be a good
day for Luminalt Solar Corp. to do an analysis of the situation. Please let me know if
2:00 PM next Wednesday is good for you. The Luminalt technician will need access to
your roof.
>
> Thanks,
> Mike Hager
>

Subject: Fw: Fwd: Shading of your solar panels by new addition at 37 Sussex Street
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 8:03:25 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

On Tuesday, December 12, 2017 10:05 AM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----

From: **Jfong.dvm** <jfong.dvm@gmail.com>
Date: Mon, Dec 11, 2017 at 8:18 PM
Subject: Re: Shading of your solar panels by new addition at 37 Sussex Street
To: Michael Hager <michaelhager2@gmail.com>

Hi Michael.

Moving the panels will be expensive because there is over 10 inches of rain nail Atlanta JF foam below the flame on roof membranes.

Will you be responsible if the roof leaks. The panels had to be attached to the rafters when we redid the roof.

Perhaps a more cost effective solution is to change the panels to something more efficient or add an additional array.

It will cost me over \$600 to get a solar specialist to get my own shadow report. Would that be something the Mullins would cover?

Thanks
Joe

Sent from my iPhone

On Dec 11, 2017, at 2:34 PM, Michael Hager <michaelhager2@gmail.com> wrote:

Hi Mr. Fong,

Luminalt Solar Co. has determined that the shading impact of the new addition on your

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>

> Thanks,

> Mike Hager

>

Subject: Fw: Fwd: Shading of your solar panels by new addition at 37 Sussex Street
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 8:02:11 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

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Thanks
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your roof.
>
> Thanks,
> Mike Hager
>

Subject: Fw: Fwd: 37 Sussex
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 8:08:00 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

On Thursday, October 19, 2017 9:54 AM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----

From: **joe fong** <jfong.dvm@gmail.com>
Date: Tue, Oct 17, 2017 at 9:43 PM
Subject: 37 Sussex
To: michaelhager2@gmail.com, erika.jackson@sfgov.org

Hi Michael,

We were the neighbors that went to the Mullin's house at the first meeting about your project where only the adjacent neighbors were invited. I am the veterinarian that also knows Jessica and her partner that coached Mr Mullin's daughter in volleyball.

I brought up my concerns about the height causing a loss of solar production to our solar system. I asked (and signed the provided forms at the meeting) for the plans which we never received. We wanted ot review with the solar company what the impact would be.

I would like to discuss this issue with you as it will impact our family on a financial basis. Please contact me via email or phone

[415-385-5237](tel:415-385-5237)

Joe Fong
35 Sussex

Subject: Fw: Fwd: 37 Sussex
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 8:06:40 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

On Friday, October 27, 2017 10:24 AM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----

From: **joe fong** <jfong.dvm@gmail.com>
Date: Fri, Oct 27, 2017 at 8:34 AM
Subject: Re: 37 Sussex
To: Michael Hager <michaelhager2@gmail.com>
Cc: erika.jackson@sfgov.org

Will the Mullins be able to pay for the adjustments?

I was speaking to the Community Board and they have advised I file a Discretionary Review today.

It will cost me \$600 to do so but because this is such a time crunch.

Unfortunately, this rush could have been avoided if I had a copy of the plans when I first asked for them when we met at the Mullin's house.

Thanks,
Joe Fong

On Thu, Oct 26, 2017 at 4:32 PM, Michael Hager <michaelhager2@gmail.com> wrote:

Hello Mr. Fong,

Mr. Mullins has checked today with several solar companies to find out how to resolve possible shading of existing solar panels. He has learned that the shading can be simply addressed by readjusting the orientation of the panels or adding a new panel or two. I would hope that your solar company could make a few adjustments to maintain the desired energy output of your system without having to delay the [37 Sussex St.](#) project.

Sincerely,
Mike Hager

On Thu, Oct 26, 2017 at 1:45 PM, Michael Hager <michaelhager2@gmail.com> wrote:

Hello Mr. Fong,

The Mullins and I would like to meet with you to discuss the possible shading of your solar panels by the new addition at [37 Sussex Street](#). Would you be available to meet on Monday?

Thanks,
Mike Hager

On Thu, Oct 26, 2017 at 9:12 AM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----

From: **joe fong** <jfong.dvm@gmail.com>

Date: Wed, Oct 25, 2017 at 10:15 AM

Subject: 37 Sussex

To: michaelhager2@gmail.com

Hi Michael,

I am trying to get a shadow report as to how much your construction will effect my energy production over the next 15 years. Are you will to discuss this with your employers before the 10/27 deadline or should I start the arbitration process?

Thanks
Jo Fong

Subject: Fw: 37 Sussex
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 8:05:47 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

On Friday, October 27, 2017 3:36 PM, Linda <elets@att.net> wrote:

Hi Mike
Have you heard anything from Joe Wong?

Eddie

Sent from my iPad

On Oct 27, 2017, at 10:24 AM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----
From: **joe fong** <jfong.dvm@gmail.com>
Date: Fri, Oct 27, 2017 at 8:34 AM
Subject: Re: 37 Sussex
To: Michael Hager <michaelhager2@gmail.com>
Cc: erika.jackson@sfgov.org

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Subject: 37 Sussex
To: michaelhager2@gmail.com

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Thanks
Jo Fong

Subject: Fw: Fwd: Sussex St
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 7:50:24 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

On Saturday, December 30, 2017 5:11 PM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----

From: **Jfong.dvm** <jfong.dvm@gmail.com>
Date: Sat, Dec 30, 2017 at 3:32 PM
Subject: Re: Sussex St
To: Michael Hager <michaelhager2@gmail.com>

The solar panels and permit by are owned and dare me by solar city/Tesla.

We lease the system. Do you want their number to address how close they are to your property?

Moving the panels would be difficult. Would you hire someone to do it? And would they guarantee they roof from leaking as well as if they blew off and caused property/bodily injury?

Makes more sense to see if solar city would install more efficient panels to existing frame. Again, they own the panels.

We have not had one on one dialogue. Would it make more sense to have Peterson and the other solar company speak to solar city/Tesla?

I hope we can move forward. I wish we could have addressed this before this timeframe. We were at your son's house at the initial neighbor meeting so did Michael drop the ball in communication?

Please advise how you would like to proceed.

Happy New Year
Joe

Sent from my iPhone

On Dec 30, 2017, at 1:02 PM, Michael Hager <michaelhager2@gmail.com> wrote:

----- Forwarded message -----

Subject: Fw: sussex panels
From: Edward Mullins <elets@att.net>
To: Veronica Bell <veronica@lh-pa.com>
Date: Wednesday, January 10, 2018 7:46:18 PM GMT-08:00

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

On Friday, January 5, 2018 5:25 PM, Edward Mullins <elets@att.net> wrote:

Hello Mr. Fong,

I am still waiting for the contact information for your representative at Solar City. In order for me to discuss the situation with Solar City, I believe you will need to give authorization to your representative allowing me to speak with him/her.

I spoke with Christina Rodriguez from Solar City earlier this afternoon. She was able to locate your account, but due to privacy issues, she would not discuss the matter without your approval.

I also spoke with Michael Karlsberg from Peterson & Dean this afternoon. He stated that if his company had installed this system, he would most likely charge \$200/panel to remove them from the West side and then approximately \$250/panel to reinstall them on the East side of your roof. Because I have not been able to get the information from your company, I feel that you should provide that information to me if you feel that the information I have provided is not sufficient. In lieu of removing and reinstalling the panels, it may be more beneficial to you to add an additional panel in the open space on the East side.

I am prepared to offer you \$1000 to relocate your panels. I still feel that from the information that I have received, the impact will be minimal and I believe it would make more sense to wait until my wall is built and then try to determine if your panels are affected. At that time, you can make the decision to relocate the panels.

Sincerely,

Edward J. Mullins

Mullins & Co.
700 Diamond Street
San Francisco, CA 94114
415-824-6330

Subject: Fwd: sussex panels
From: Linda <elets@att.net>
To: vbellsf@gmail.com
Date: Monday, January 8, 2018 7:19:43 PM GMT-08:00

Hello Veronica,

Here is the latest email that I sent to Mr Fong regarding the solar panels on his roof that he thinks my addition of 37Sussex will shade his panels.

I will send you the calculations that Noel from Luminalt took on Mr Fongs roof.

Would you want all the emails that my architect and I have sent to Mr Fong regarding this shade issue?

Thank you
Eddie Mullins

Sent from my iPad

Begin forwarded message:

From: Edward Mullins <elets@att.net>
Date: January 5, 2018 at 5:25:39 PM PST
To: "Jfong.dvm" <jfong.dvm@gmail.com>
Cc: Michael Hager <michaelhager2@gmail.com>
Subject: sussex panels
Reply-To: Edward Mullins <elets@att.net>

Hello Mr. Fong,

I am still waiting for the contact information for your representative at Solar City. In order for me to discuss the situation with Solar City, I believe you will need to give authorization to your representative allowing me to speak with him/her.

I spoke with Christina Rodriguez from Solar City earlier this afternoon. She was able to locate your account, but due to privacy issues, she would not discuss the matter without your approval.

I also spoke with Michael Karlsberg from Peterson & Dean this afternoon. He stated that if his company had installed this system, he would most likely charge \$200/panel to remove them from the West side and then approximately \$250/panel to reinstall them on the East side of your roof. Because I have not been able to get the information from your company, I feel that you should provide that information to me if you feel that the information I have provided is not sufficient. In lieu of removing and reinstalling the panels, it may be more beneficial to you to add an additional panel in the open space on the East side.

I am prepared to offer you \$1000 to relocate your panels. I still feel that from the information that I have received, the impact will be minimal and I believe it would make more sense to wait until my wall is built and then try to determine if your panels are affected. At that time, you can make the decision to relocate the panels.

Sincerely,

Edward J. Mullins

Mullins & Co.









PROJECT DESCRIPTION

This is a remodel and addition to an existing small single-family residence. The design steps the new construction down the hillside at the rear from Sussex St. to a yard behind the existing garage on Penny Lane below. It also raises the front from a one-story to a two-story façade. All levels of the house would be connected by an elevator and stairs and would be fire sprinklered. The finished home would have 4 bedrooms, 3-1/2 bathrooms, large living/dining/kitchen area, den, a balcony and a roof deck. Because the building to the west encroaches 1 foot onto this property, the new construction would be limited to a narrow 24 ft. wide footprint.

PROJECT INFORMATION

Block 6729, Lot 018
Lot Size: 25 ft. wide X 79.64 ft. (average) deep
Zoning: RH-1 / 40-X

New Building Gross Floor Area (sq. ft.):

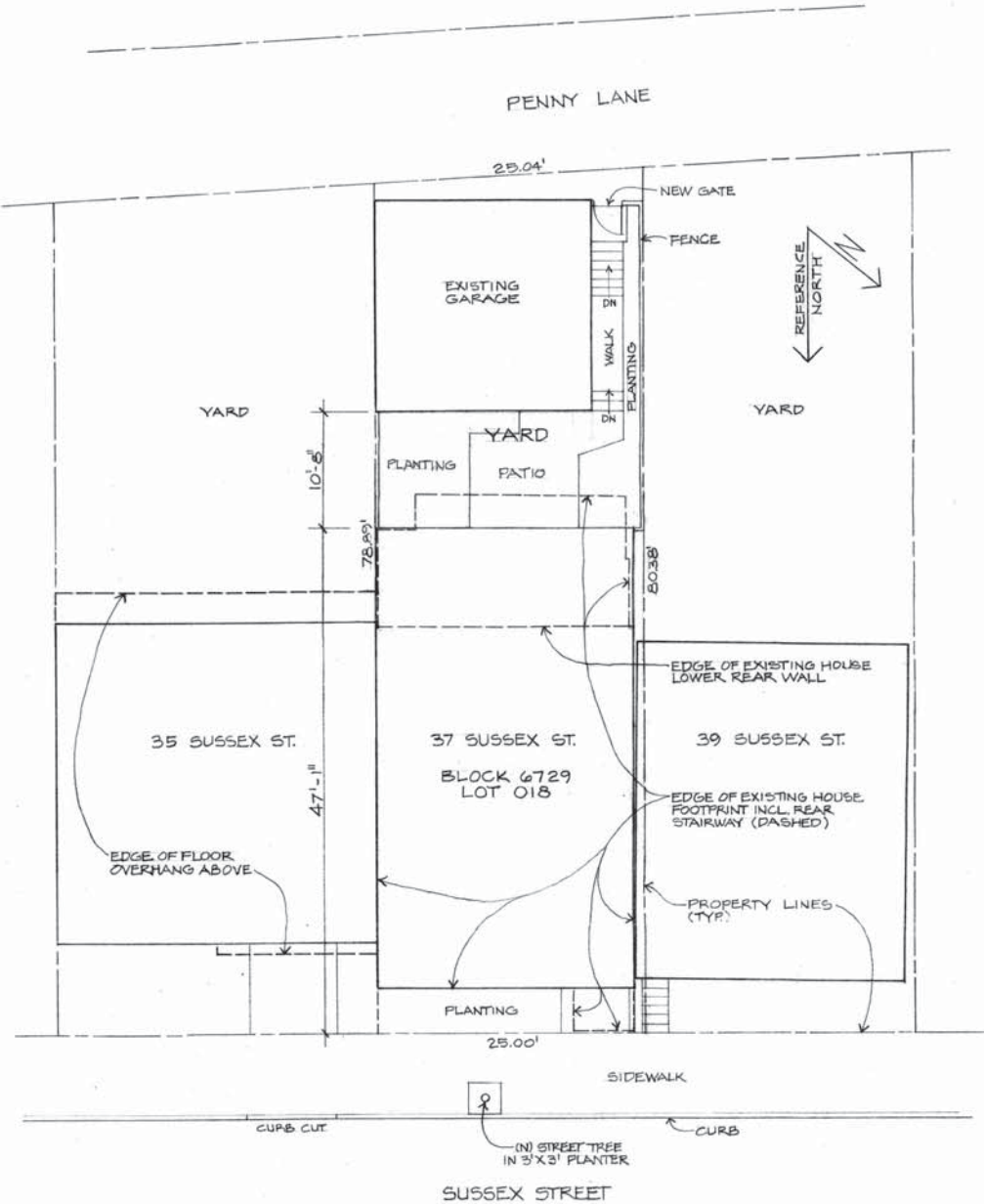
Street Level	995
Upper Level	833
Lower Level 1	627
Lower Level 2	527
Garage Level	199
Total	3,181
Existing Building Floor Area	1,280

Occupancy Classification: R-3
Building Construction: Type V
Automatic fire sprinkler system throughout

INDEX OF DRAWINGS

ARCHITECTURAL:

- A 1 Site Plan, General Notes, Index, Abbreviations, Project Description and Information
- A 2 Existing Floor Plans – Street Level & Lower Level Showing Demolition
- A 3 Remodeled Floor Plans – Street Level, Upper Level & Lower Level 1, New Rear Yard
- A 4 Remodeled Floor Plans – Lower Level 2 & Garage Level, Roof Plan
- A 5 Remodeled Building Section A-A, Details
- A 6 New Exterior Elevations – East (Side) & North (Front)
- A 7 New Exterior Elevations – West (Side) & South (Rear)
- A 8 Existing Building Section B-B & Existing Exterior Elevations – North (Front) & South (Rear)
- A 9 Existing Exterior Elevations – East & West (Sides)
- 1 Architectural Site Survey



SITE PLAN
1/8" = 1' - 0"

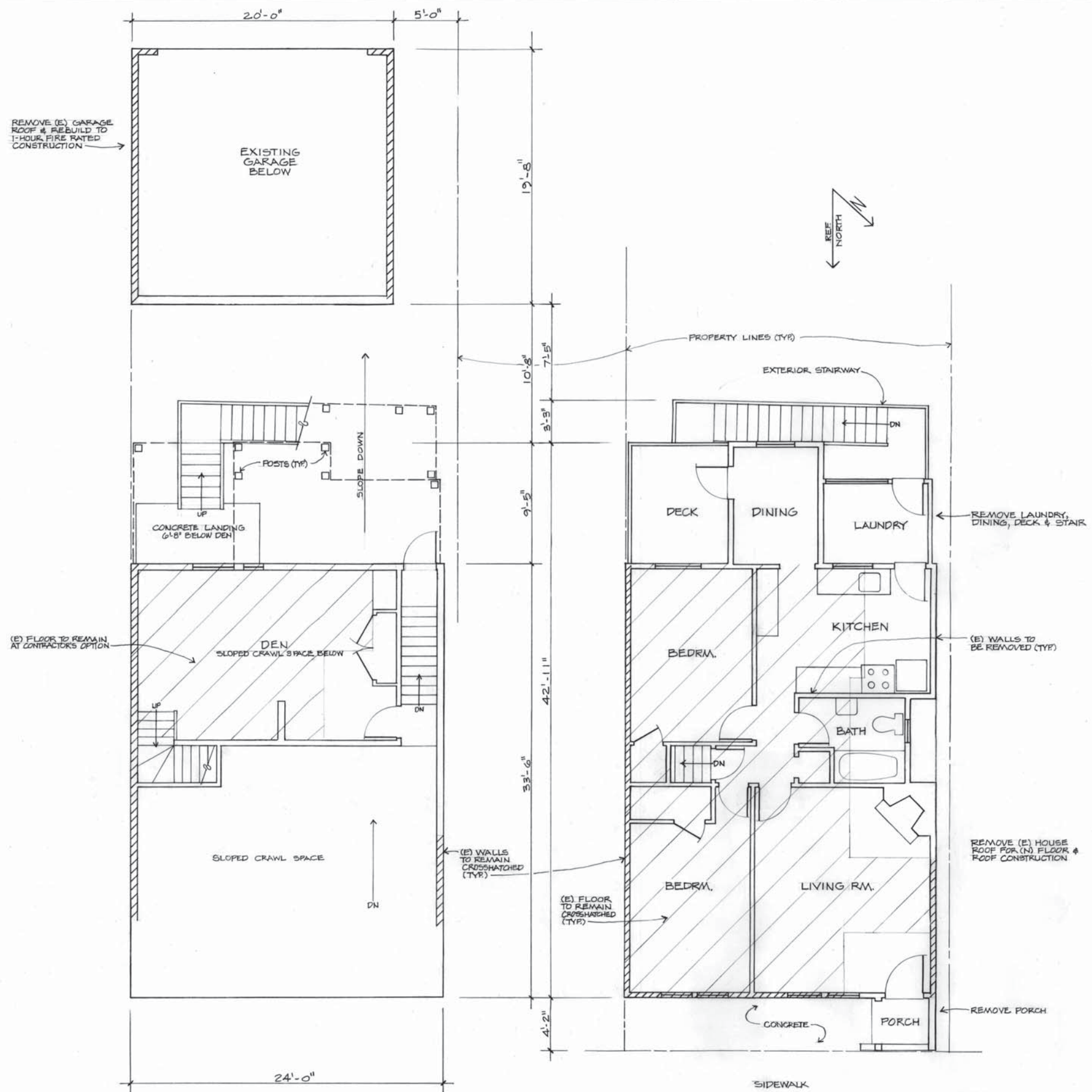
REVISIONS	BY
1. 1/10/17 TO PLAN & DESCRIBE PROJECT NEED CHANGES	
2. 6/16/17 PROJECT NEED CHANGES	
3. 8/7/17 CLARIFICATION NEED CHANGES	
4. 8/25/17 PROJECT NEED CHANGES	

HAGER DESIGN GROUP
ARCHITECTURE AND PLANNING
276 29TH STREET, SAN FRANCISCO, CA 94131
(415) 285-7409

**REMODEL AND ADDITION
TO AN EXISTING SINGLE-FAMILY RESIDENCE**
37 SUSSEX STREET, SAN FRANCISCO, CA

Site Plan, General Notes,
Index, Abbreviations, Project
Description and Information

Date	1/30/16
Scale	AS SHOWN
Drawn	
Job	
Sheet	A 1
Of	Sheets



(E) LOWER LEVEL FLOOR PLAN

(E) STREET LEVEL FLOOR PLAN

REVISIONS	BY
4/10/12	
1.0	
2.0	
3.0	
4.0	
5.0	
6.0	
7.0	
8.0	
9.0	
10.0	

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REMODEL AND ADDITION
TO AN EXISTING SINGLE-FAMILY RESIDENCE
37 SUSSEX STREET, SAN FRANCISCO, CA

Existing Floor Plans -
Street Level & Lower Level
Showing Demolition

Date 1/30/16
Scale 1/4" = 1'-0"
Drawn
Job
Sheet
A 2
Of Sheets

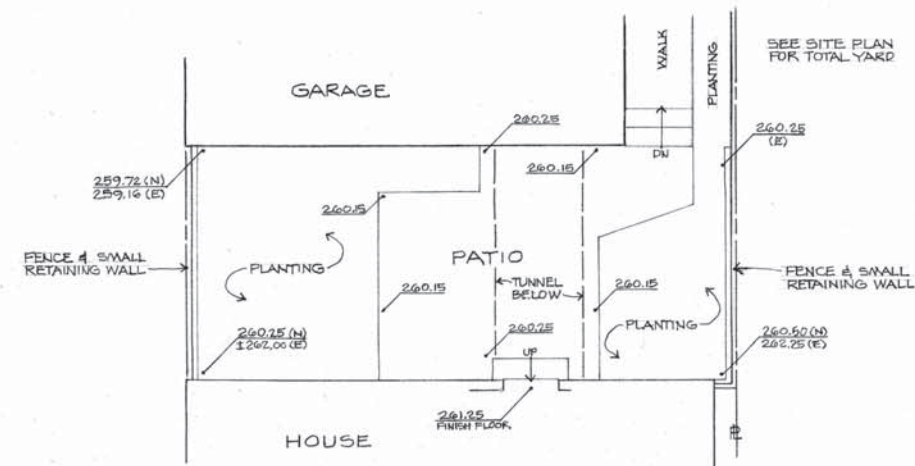
REVISIONS	BY
6/16/17 PLAN CHANGES	
8/28/17 PLAN CHANGES	

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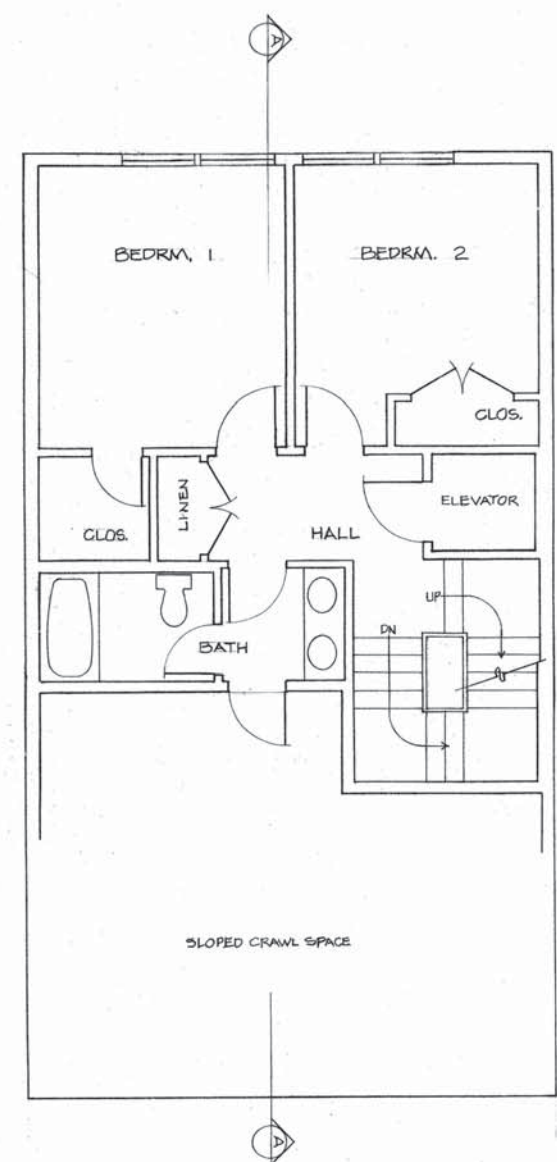
REMODEL AND ADDITION
TO AN EXISTING SINGLE-FAMILY RESIDENCE
37 SUSSEX STREET, SAN FRANCISCO, CA

Remodeled Floor Plans – Street
Level, Upper Level, Lower Level 1
and New Rear Yard

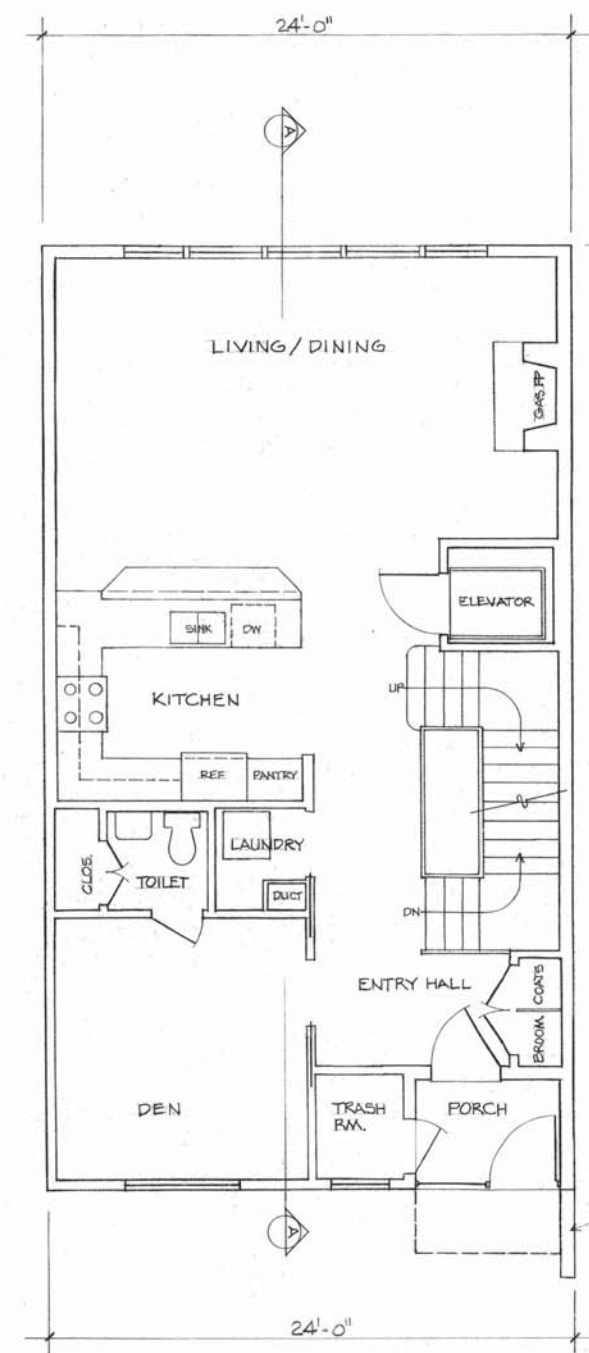
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Drawn
Job
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Of Sheets



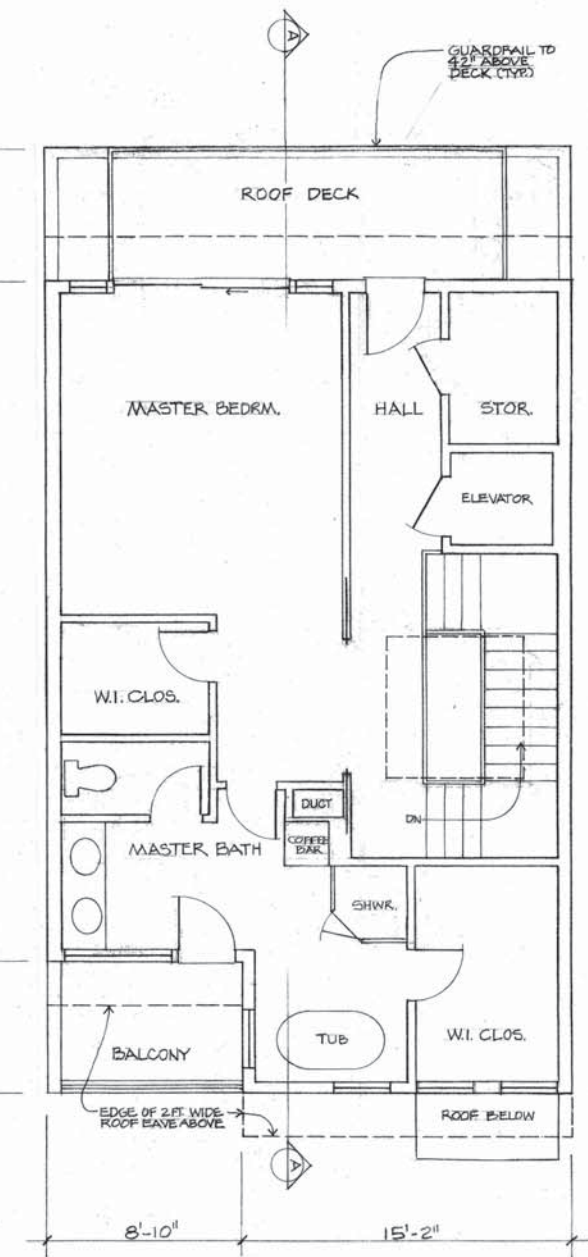
NEW USABLE REAR YARD PLAN
@ LOWER LEVEL 2



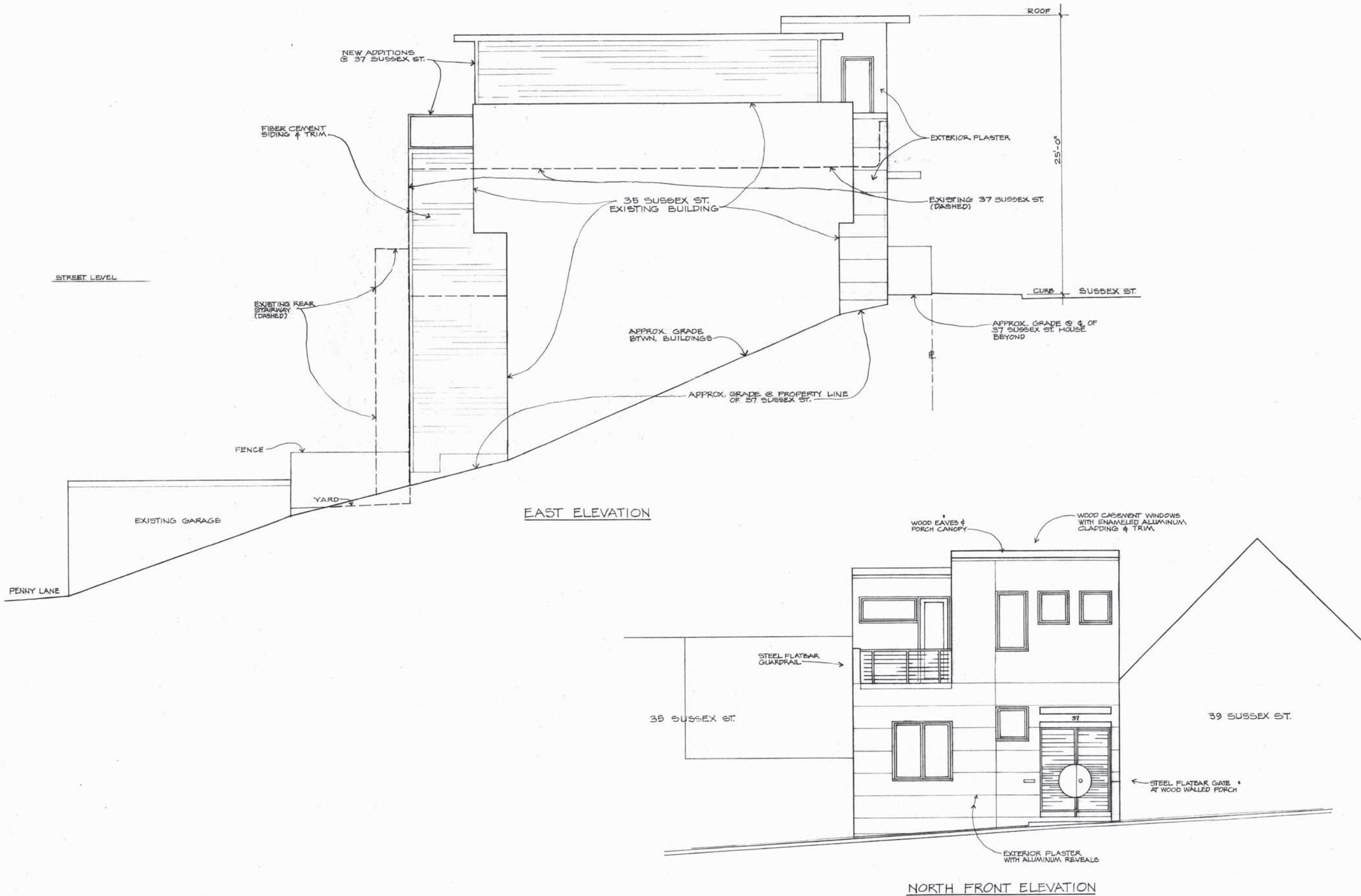
LOWER LEVEL 1 FLOOR PLAN



STREET LEVEL FLOOR PLAN



UPPER LEVEL FLOOR PLAN



REVISIONS	BY
4/10/17 CHANGES	
6/12/17 CHANGES	
8/28/17 CHANGES	

HAGER DESIGN GROUP
ARCHITECTURE AND PLANNING

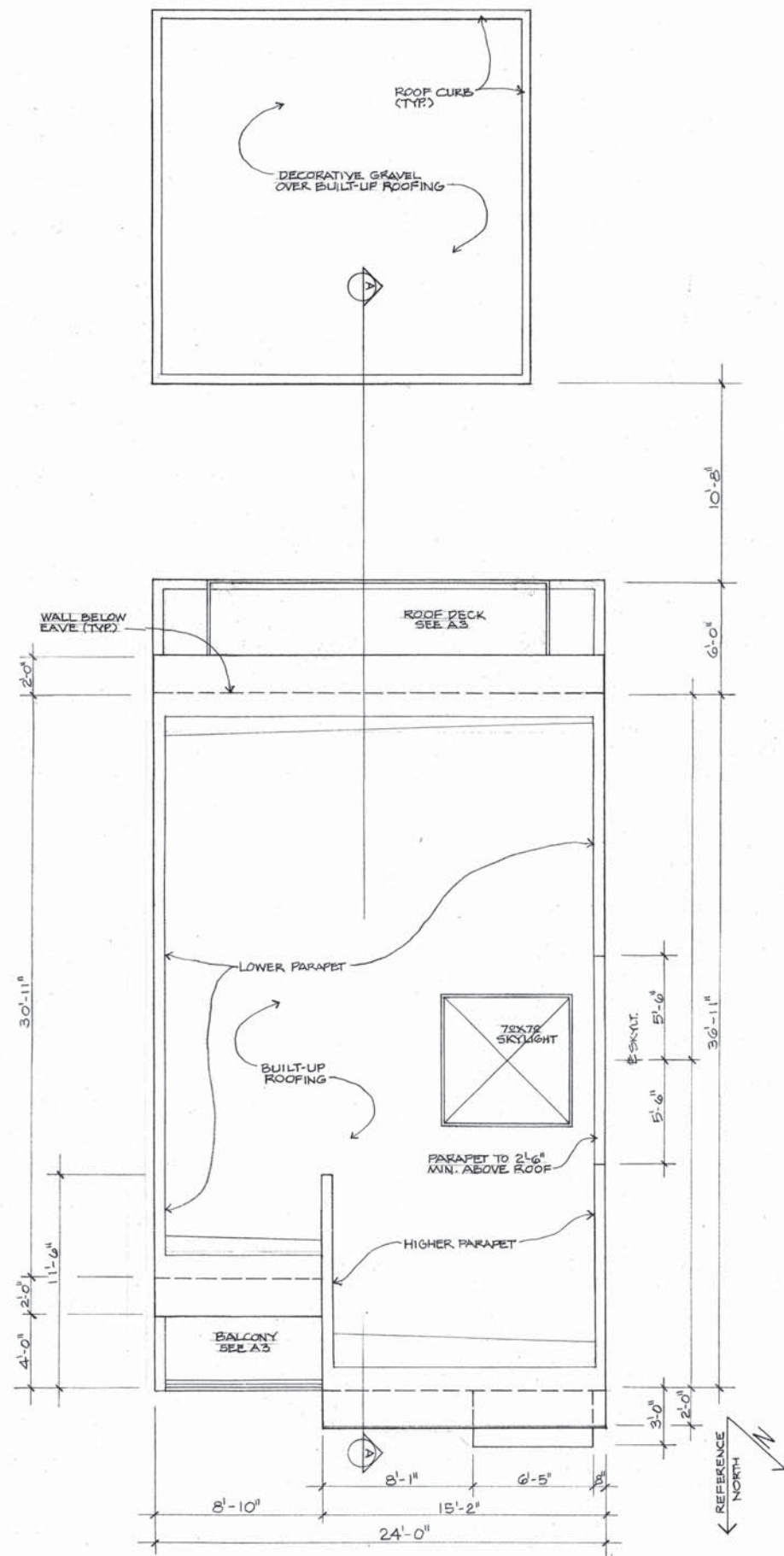
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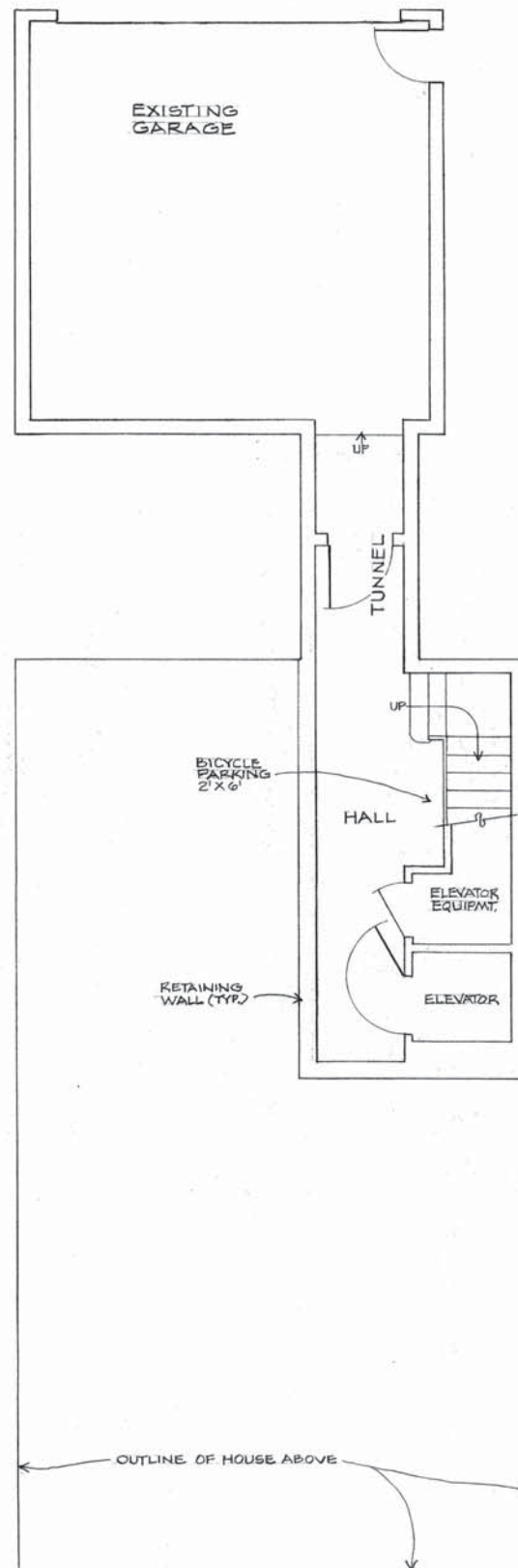
**REMODEL AND ADDITION
TO AN EXISTING SINGLE-FAMILY RESIDENCE
37 SUSSEX STREET, SAN FRANCISCO, CA**

**Exterior Elevations –
East & North (Front)**

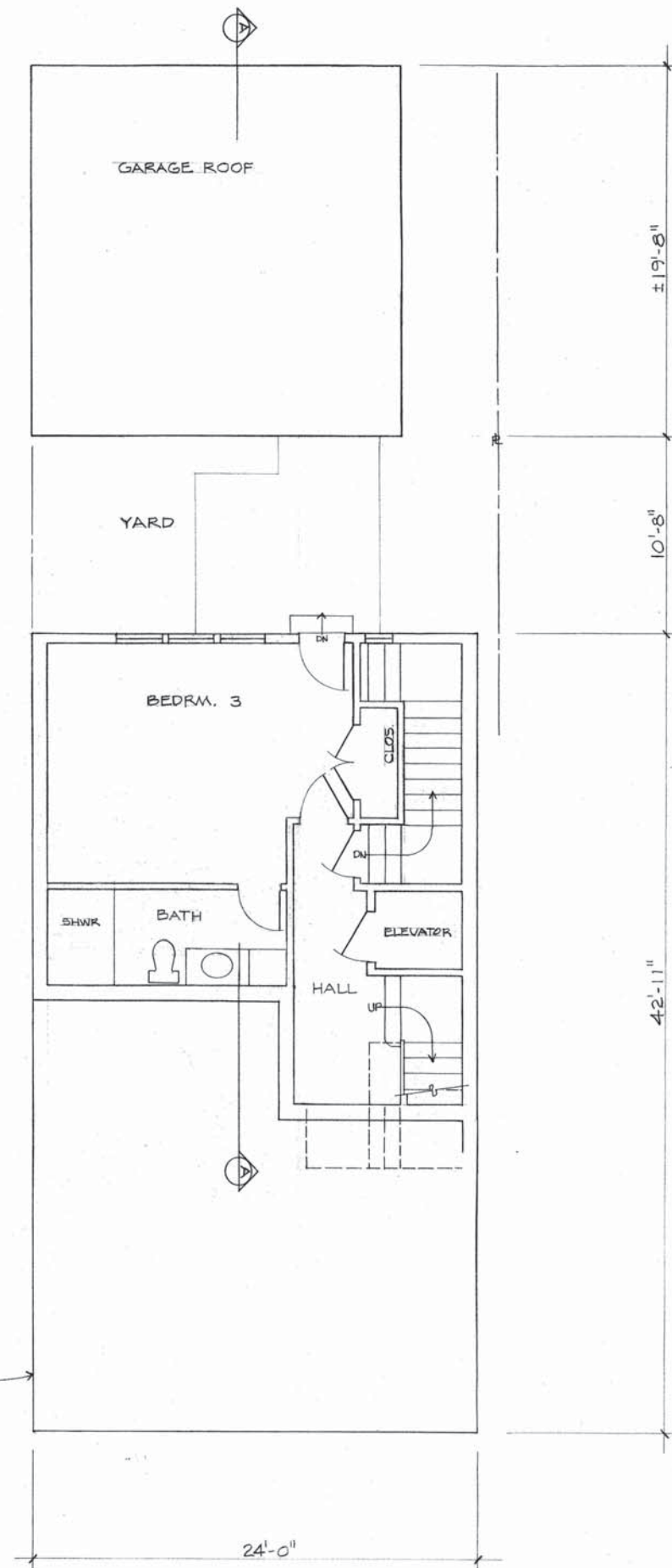
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Of	Sheets



ROOF PLAN



GARAGE LEVEL FLOOR PLAN



LOWER LEVEL 2 FLOOR PLAN

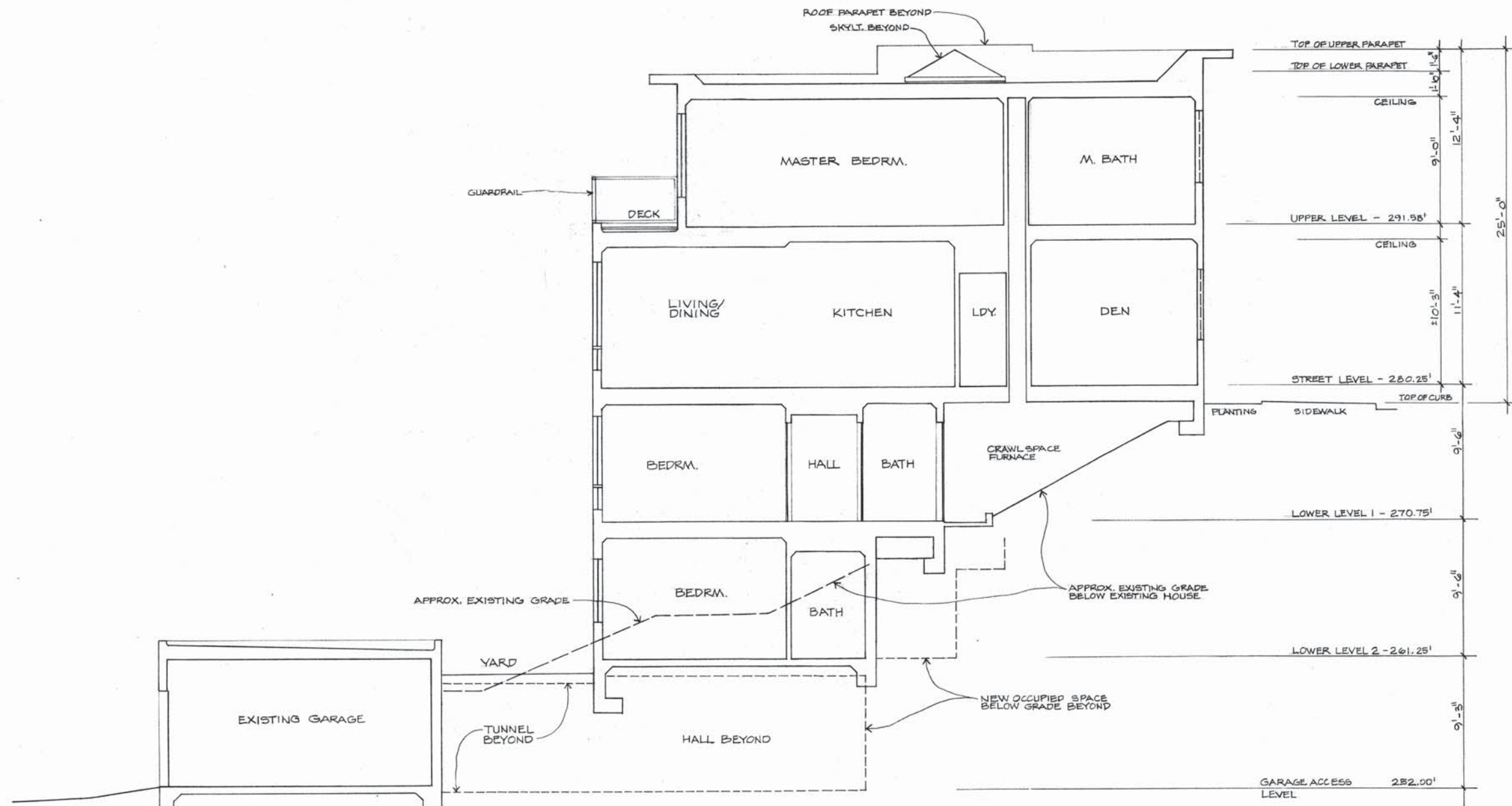
REVISIONS	BY
6/16/17	
ROOF PLAN	
CHANGES	
8/25/17	
ROOF PLAN	
CHANGES	

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**REMODEL AND ADDITION
 TO AN EXISTING SINGLE-FAMILY RESIDENCE
 37 SUSSEX STREET, SAN FRANCISCO, CA**

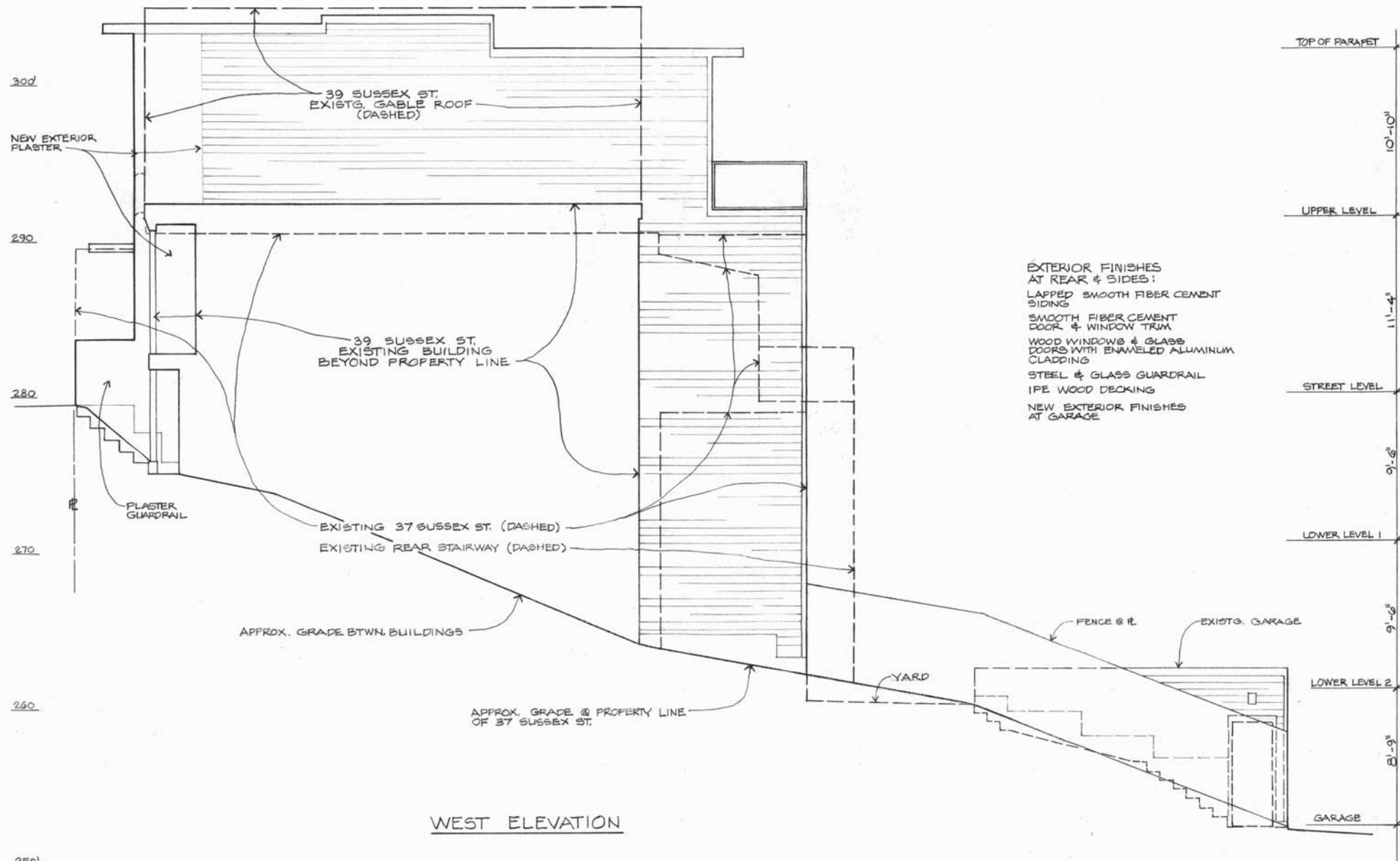
**Remodeled Floor Plans –
 Lower Level 2, Garage Level,
 Roof Plan**

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Drawn	
Job	
Sheet	A 4
Of	Sheets

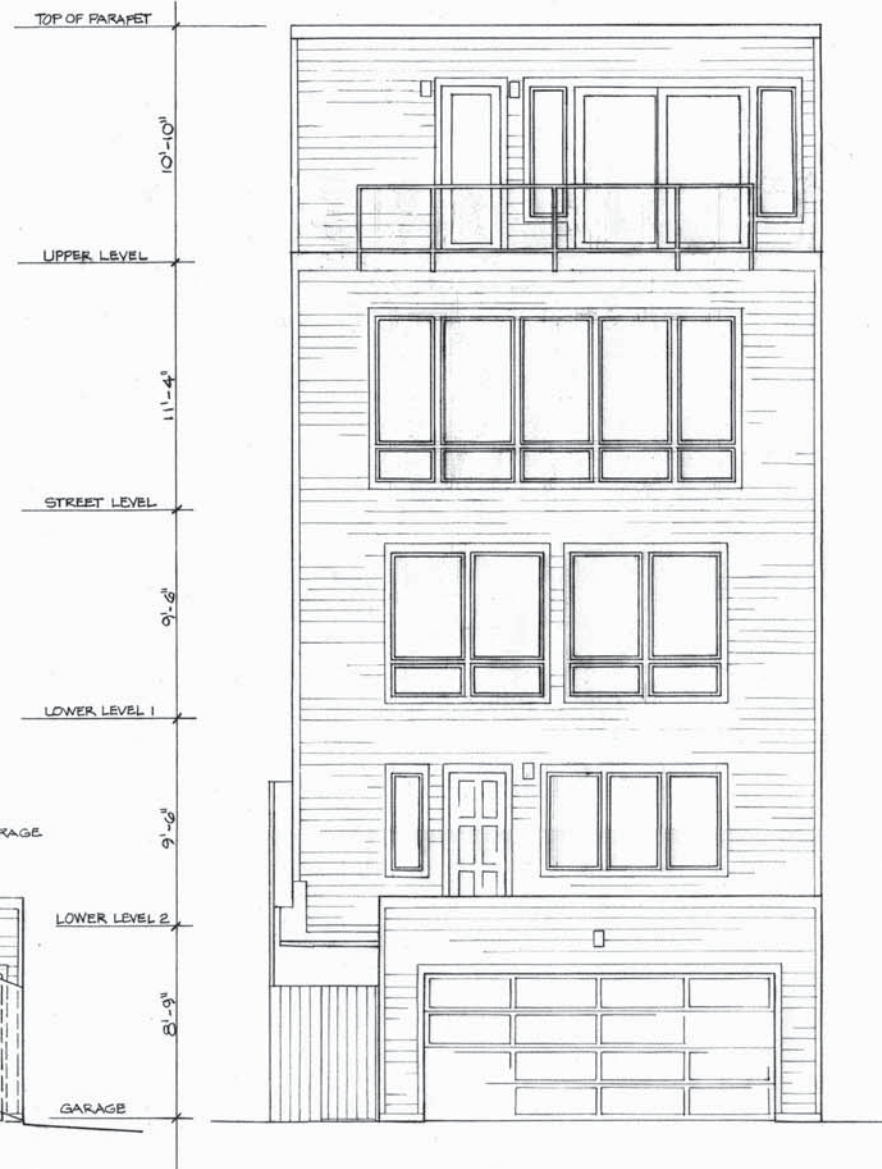


BUILDING SECTION A-A
1/4" = 1'-0"

REVISIONS		BY
1	SKYLIT AT REAR	
2	SKYLIT AT REAR	
3	SKYLIT AT REAR	
4	SKYLIT AT REAR	
5	SKYLIT AT REAR	
HAGER DESIGN GROUP		
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REMODEL AND ADDITION		
TO AN EXISTING SINGLE-FAMILY RESIDENCE		
37 SUSSEX STREET, SAN FRANCISCO, CA		
Building Section A-A,		
Details		
Date	4/10/17	
Scale	1/4" = 1'-0"	
Drawn		
Job		
Sheet	A 5	
Of	5	



EXTERIOR FINISHES
AT REAR & SIDES:
LAPPED SMOOTH FIBER CEMENT
SIDING
SMOOTH FIBER CEMENT
DOOR & WINDOW TRIM
WOOD WINDOWS & GLASS
DOORS WITH ENAMELED ALUMINUM
CLADDING
STEEL & GLASS GUARDRAIL
IPE WOOD DECKING
NEW EXTERIOR FINISHES
AT GARAGE



REVISIONS	BY
1. 2/10/17 ELEVATION CHANGES	
2. 2/28/17 ELEVATION CHANGES	
3. 2/28/17 ELEVATION CHANGES	

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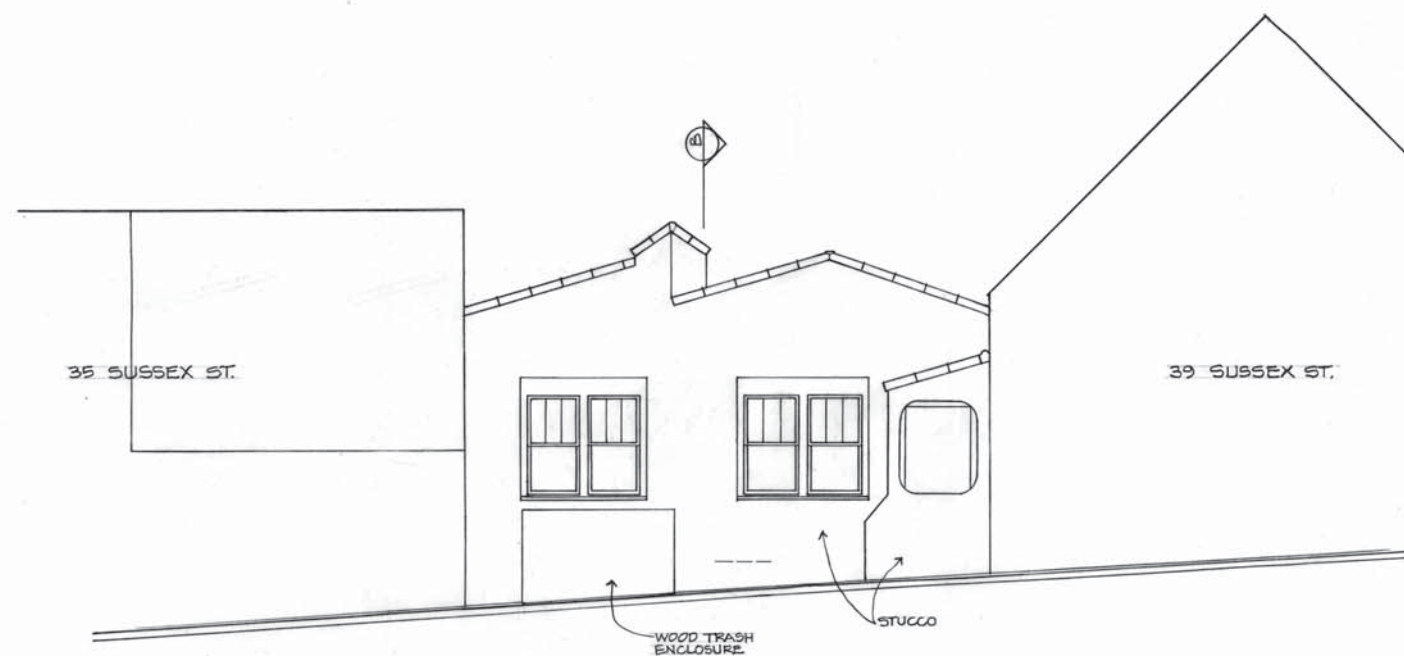
REMODEL AND ADDITION
TO AN EXISTING SINGLE-FAMILY RESIDENCE
37 SUSSEX STREET, SAN FRANCISCO, CA

Exterior Elevations -
West & South (Rear)

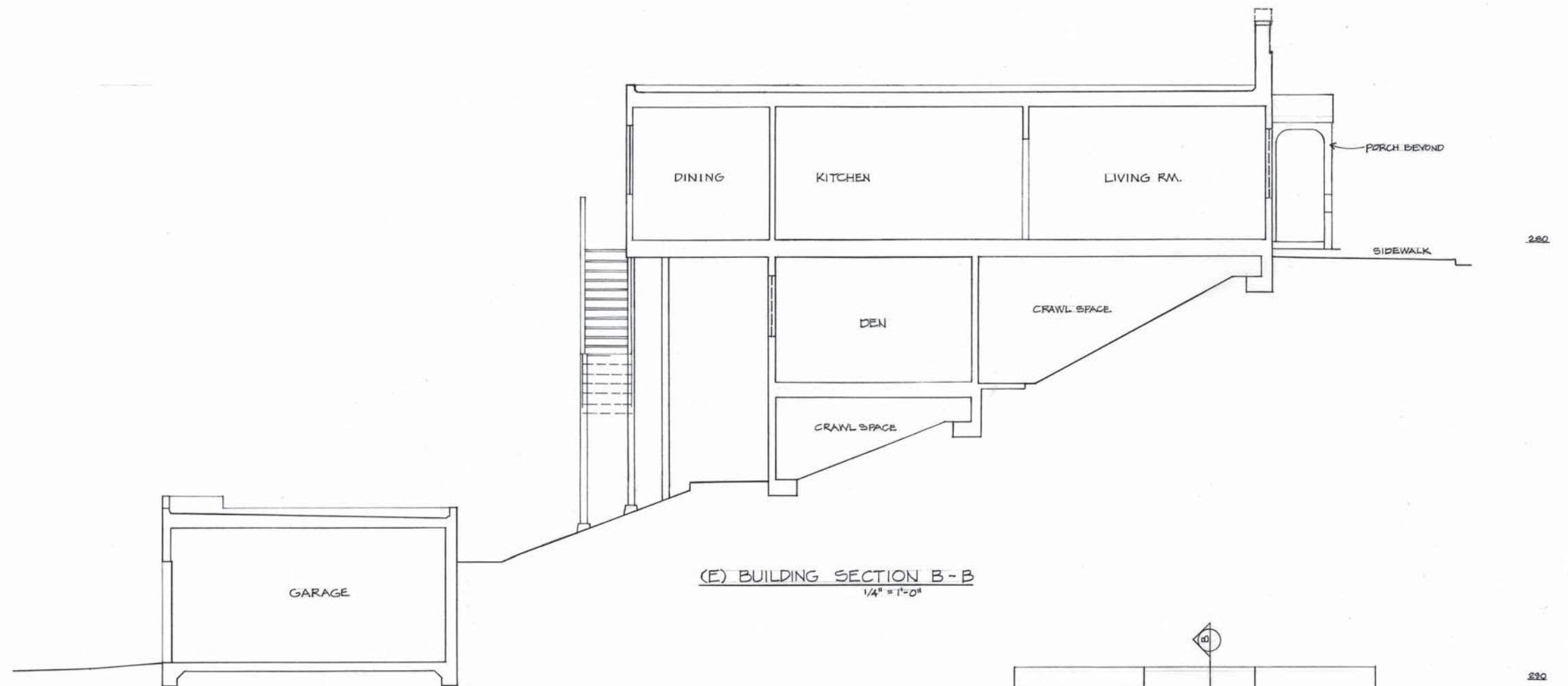
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Drawn
Job
Sheet
A 7
Of Sheets

230

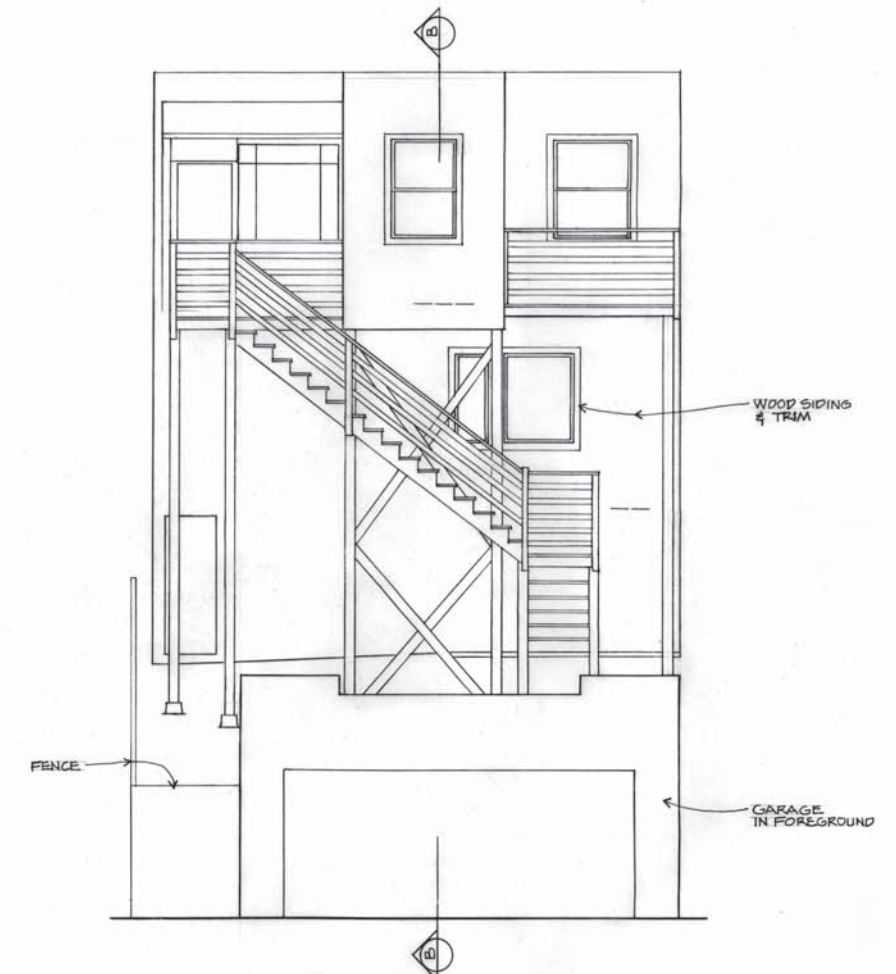
280



(E) NORTH FRONT ELEVATION



(E) BUILDING SECTION B-B
1/4" = 1'-0"



(E) SOUTH REAR ELEVATION

NOTE: TO ANYONE HAVING ANY TYPE OF INTEREST IN THIS MAP
PLEASE BE ADVISED AS FOLLOWS:

1. THAT ALL TITLE INFORMATION HEREON INCLUDING EASEMENTS WAS PREPARED SOLELY FOR AND IN STRICT CONFORMANCE WITH OUR CLIENT'S OR HIS AGENT'S REQUIREMENTS AND TITLE INFORMATION SUPPLIED TO FREDERICK T. SEHER & ASSOCIATES, INC.; FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITY ON THIS JOB.

2. NO PRELIMINARY TITLE REPORT WAS REVIEWED IN CONJUNCTION WITH THIS MAPPING. IT IS RECOMMENDED THAT A TITLE REPORT BE RECEIVED FROM THE OWNER TO VERIFY THE EXISTENCE OF ANY ADDITIONAL EASEMENTS OF RECORD OR LOT LINE ADJUSTMENTS THAT MAY HAVE ALTERED THE INFORMATION SHOWN HEREON PRIOR TO ANY DESIGN AND/OR CONSTRUCTION.

3. THAT THIS MAP WAS PREPARED AS A PROFESSIONAL INSTRUMENT OF SERVICE FOR EDWARD MULLINS AND THAT IT REMAINS THE PROPERTY OF FREDERICK T. SEHER & ASSOCIATES, INC. WHETHER THE PROJECT (IF ANY PROPOSED) ON THIS SITE IS CONSTRUCTED OR NOT.

4. THAT ANY INFORMATION ON THIS MAP AND ANY DOCUMENT(S) PREPARED BY FREDERICK T. SEHER & ASSOCIATES, INC. IN RELATION HEREOF SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN FOR: BUILDING PERMIT. FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES WHATSOEVER INCLUDING ENGINEERING DESIGNS OF OFFSITE OR ONSITE IMPROVEMENTS IS BEYOND THIS MAP'S PURPOSES. INTENT & CONTRACT. LIABILITY SHALL REST UPON THE PARTY USING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE, IN WHICH CASE FREDERICK T. SEHER & ASSOCIATES, INC. DISCLAIMS ANY AND ALL RESPONSIBILITY.

5. THAT ANY IMPROVEMENT CHANGES WITHIN THIS SITE OR THE ADJACENT SITE THEREOF AS WELL AS TITLE TRANSFERS OF THE PROPERTY IN QUESTION (EXCEPT FOR ALTA MAPS) AND/OR THE LAPSE OF 3 OR MORE YEARS FROM THE DATE OF THE MAP (WHICHEVER COMES FIRST) SHALL VOID ALL INFORMATION, HEREON UNLESS A RE-SURVEY IS ORDERED TO RECTIFY, UPDATE OR RE-CERTIFY THIS MAP.

6. THAT THIS INFORMATION SHALL NOT BE USED FOR ANY IMPROVEMENT STAKING UNLESS STATED IN ITEM NO. 3 ABOVE.

7. THAT THE USE OF THIS MAP BY OTHER CONSULTANTS OR CONTRACTORS ON BEHALF OF OUR CLIENT SHALL PROMPT THE IMMEDIATE FULFILLMENTS OF ALL CLIENT'S OBLIGATIONS TO FREDERICK T. SEHER & ASSOCIATES, INC. UNLESS OTHERWISE AGREED TO.

8. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ALL ISSUES REGARDING PROPERTY DISPUTES WHICH MAY ARISE OUT OF INFORMATION SHOWN HEREON.

9. THIS MAP WILL BE PROVIDED IN AN ELECTRONIC FORMAT AS A COURTESY TO THE CLIENT. THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. A SIGNED PRINT DELIVERED TO THE CLIENT OR CLIENT REPRESENTATIVE CONSTITUTES OUR PROFESSIONAL WORK PRODUCT, AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE PRINT MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR FOR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

LEGEND

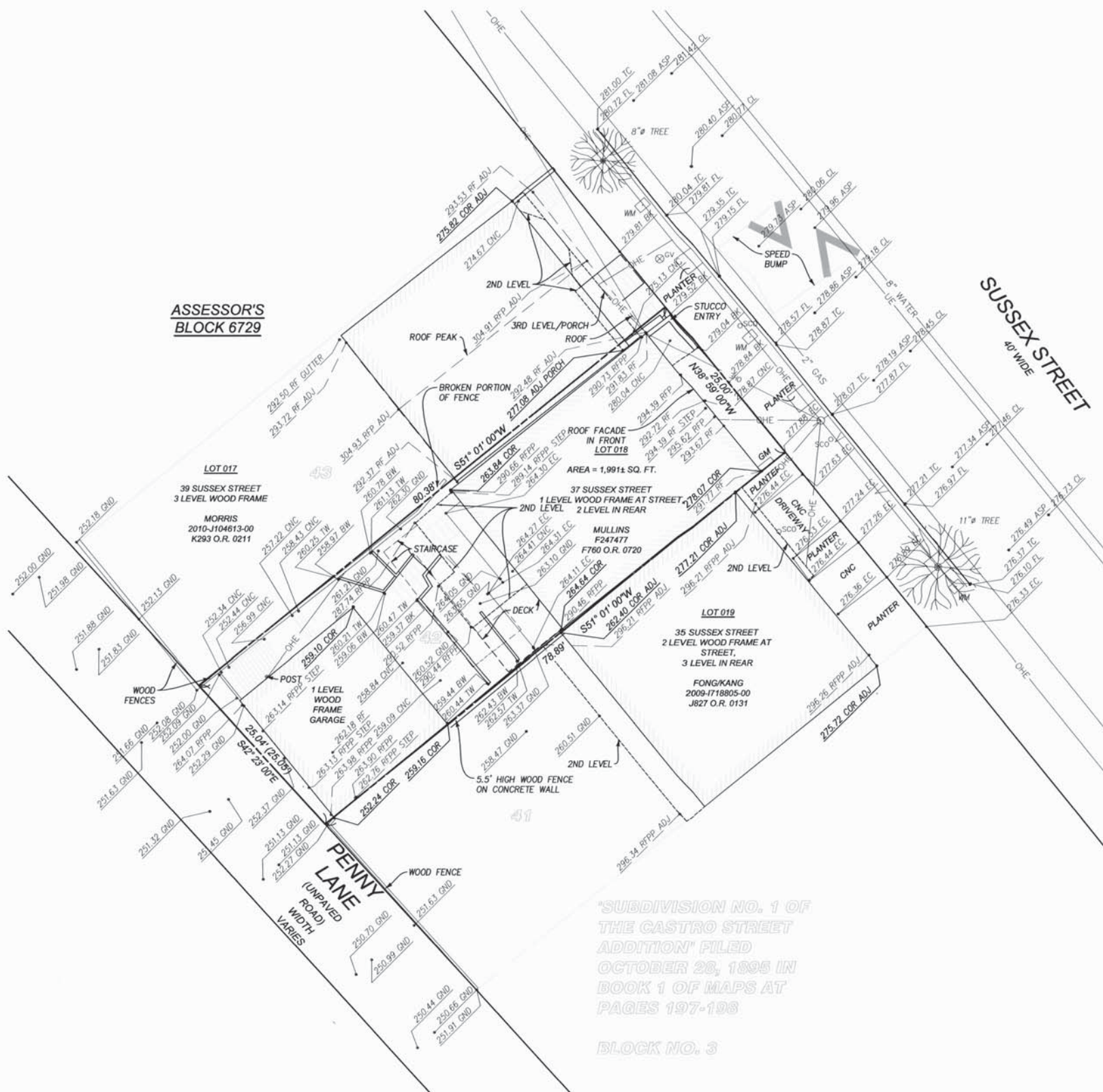
ADJ ADJACENT BUILDING
ASP ASPHALT
BK BACK OF WALK
BW BOTTOM OF WALL
CL CENTER LINE
CNC CONCRETE
COR CORNER
EC EDGE OF CONCRETE
FL FLOW LINE
GM GAS METER
GND GROUND
GV GAS VALVE
RF ROOF
RFP ROOF PEAK
RFPF ROOF PARAPET
SCO SANITARY SEWER CLEAN OUT/VENT
TC TOP OF CURB
TW TOP OF WALL
WM WATER METER

() INDICATES RECORD DATA IN DISCREPANCY WITH MEASURED

— OHE — OVERHEAD ELECTRIC LINE
— UE — UNDERGROUND ELECTRIC LINE

— PAINT STRIPE
— POWER POLE
Ø DIAMETER

ASSESSOR'S BLOCK 6729



BOUNDARY NOTES:

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PREDICATED ON AN ANALYSIS OF EXISTING IMPROVEMENTS, RECORD DATA, FIELD TIES AND ASSESSOR'S PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. SAID RESOLUTION WOULD REQUIRE THE SETTING OF PROPERTY CORNERS AND THE FILING OF A RECORD OF SURVEY UNDER CALIFORNIA STATE LAW. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.

DATE OF FIELD SURVEY:

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON OCTOBER 20, 2015.

SURVEY REFERENCE:

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEED: LOT 018, RECORDED NOVEMBER 23, 1992, DOCUMENT NUMBER F247477, ON REEL F760 AT IMAGE 0720.

UTILITY NOTE:

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

RECORD SEWER LINE INFORMATION WAS REQUESTED, BUT NOT PROVIDED BY THE DEPARTMENT OF PUBLIC WORKS.

PROJECT BENCHMARK - DESCRIPTION:

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF SUSSEX STREET AND DIAMOND STREET. ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM. N.E. CORNER, + CUT TOP BALL FIRE HYDRANT, ELEVATION = 274.526'

GENERAL NOTE:

THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DRIPLINES THEREOF.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY.

DATE APR 14 2017



FREDERICK T. SEHER, PLS
LICENSE NO. 6216

DATE: APRIL 2017
SCALE: 1" = 8'
DRAWN BY: HRF
DRAWING NAME: 1926-15
SURVEYED BY: FTS
CHECKED BY: EF
CHECKED BY:



FREDERICK T. SEHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
SURVEYING & MAPPING
841 LOMBARD STREET, SAN FRANCISCO, CA 94133
(415) 921-7690 FAX (415) 921-7655

ARCHITECTURAL SITE SURVEY
ASSESSOR'S BLOCK 6729, LOT 018
37 SUSSEX STREET, SAN FRANCISCO

SHEET
1
OF 1 SHEETS
JOB NO.:
1926-15