



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Full Analysis

HEARING DATE OCTOBER 26, 2017

Date: October 16, 2017
Case No.: 2016-005171DRP-04
Project Address: 2921 VALLEJO STREET
Permit Application: 2016.04.12.4605
Zoning: RH-1(D) (Residential House, One-Family, Detached Dwellings)
40-X Height and Bulk District
Block/Lot: 0957/020
Project Sponsor: Adam Stein and Stephanie Ting
c/o Tuija Catalano
Reuben, Junius and Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Brittany Bendix – (415) 575-9114
Brittany.bendix@sfgov.org
Recommendation: **Do not take DR and approve the project as proposed.**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project proposes new construction on a steeply up-sloping vacant lot of a five-story 7,065-square foot single-family dwelling containing two off-street parking spaces that are accessed from a new 10-foot wide curb cut. The project will also excavate 1,720 cubic yards of soil and up to a depth of 25 feet, to accommodate two stories partially below grade.

SITE DESCRIPTION AND PRESENT USE

The project site is located on the south side of Vallejo Street between Lyon and Baker Streets in the northwest portion of the Cow Hollow Neighborhood. The subject property is 70 feet deep and 57.25 feet wide, contains 4,007.5 square feet and slopes steeply upward from Vallejo Street. The subject property is the smallest lot on its block.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is within a portion of the Cow Hollow neighborhood that is noted in the *Cow Hollow Neighborhood Design Guidelines (CHNDG)* as the "Upper Elevation Subarea." The CHNDG characterizes this area as large lots developed with large detached single-family homes. Located in the steepest portion of the Cow Hollow neighborhood, the massing of these buildings varies in scale depending on the topographic conditions of the lots. As is evident along the southern Vallejo Street block face, between Baker Street and the Lyon Street steps, dwellings on up-sloping lots vary in scale from three to five stories. Similarly, along the northern block face for this portion of Vallejo Street, dwellings on down-

sloping lots vary in scale from two to four stories, increasing up to five stories at the rear of their properties. The immediate context of the subject property also reflects this characterization. Directly across from the subject property is a three-story single-family dwelling with a recessed 4th floor penthouse. Similarly, both of the subject property's adjacent neighbors are 4-story single-family dwellings, and the three properties at the rear of the subject property are also single-family dwellings with 4- to 5-story rear building walls facing the steep mid-block open space.

BUILDING PERMIT APPLICATION NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	January 4, 2017 – February 3, 2017	February 2 & 3, 2017	October 26, 2017	266 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	October 16, 2017	October 16, 2017	10 days
Mailed Notice	10 days	October 16, 2017	October 17, 2017	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	--	1 (DR Requestor)	--
Other neighbors on the block or directly across the street	--	3 (DR Requestors)	--
Neighborhood groups	--	--	--

At this time the Department has only received comments in opposition from the DR Requestors. Their relationship to the property is summarized in the table above.

DR REQUESTORS

- Kristine Johnson and Tim Dattels, residents and owners of 2960 Vallejo Street, a three-story single-family dwelling located on the north side of Vallejo Street, two properties west of the subject property. See Discretionary Review Application 2016-005171DRP-01.
- John Hutchinson, owner of 2901 Vallejo Street, a four-story single-family dwelling located on the south side of Vallejo Street, at the southwest corner of the intersection of Vallejo and Baker Streets, two properties east of the subject property. See Discretionary Review Application 2016-005171DRP-02.

- Swipe Right, LLC, owner of 2939 Vallejo Street, a four-story single-family dwelling located on the south side of Vallejo Street and the immediate western neighbor of the subject property. This property is occupied by Marianna and James Frame. See Discretionary Review Application 2016-005171DRP-03.
- Anne Boswell and Christophe Bertrand, residents and owners of 2910 Vallejo Street, a three-story with attic single-family dwelling located on the north side of Vallejo Street, directly opposite the subject property. See Discretionary Review Application 2016-005171DRP-04.

DR REQUESTORS' CONCERNS AND PROPOSED ALTERNATIVES

Issue #1: Excavation. The geotechnical report acknowledges that ground water could be encountered during excavation, but fails to discuss measures to be taken in the event an aquifer is present on the site and any potential impact on the adjacent and downhill neighbors during and after construction of the Project. Further, the depth of excavation did not include the thickness of the concrete mat slab of 18" or any other excavation required as recommended in the geotechnical report. The DR hearing should be continued until the Structural Advisory Committee of the Department of Building Inspection (SAC) has completed their design review. Alternatively, the Planning Commission should take Discretionary Review and apply a condition that requires the project to follow the recommendations of the SAC. Further, the project should shorten the depth of the lowest two stories to reduce the total amount of excavation.

Issue #2: Traffic. The initial proposal located the garage and curb cut directly opposite the driveway for 2910 Vallejo Street, which will cause traffic conflicts when accessing the two properties. The project should revise the design to relocate the garage and curb cut by moving the curb cut to the west end of the garage door. This will also facilitate the retention of one-street parking.

Issue #3: Construction Management. The Project Sponsor should agree to a list of Good Neighbor Policies relative to construction practices and traffic. A two-page agreement is included as Exhibit 5 in the Letter to Commission from Alice Barkley, representing the Johnson/Dattells and Boswell/Bertrand DR Requestors.

Issue #4: Massing and Scale. The proposal should eliminate the need for a front setback variance and increase the front and side setbacks at the 2nd and 3rd levels. Additionally, the project should be reduced in scale to a floor area ratio (FAR) more compatible with the existing neighborhood development. The project is also inconsistent with the *Residential Design Guidelines* (RDGs) principles relative to massing and scale, given that the property does not respect the following: (1) the topography of the site and the surrounding area, (2) front setback patterns, (3) impacts on available light to the property at 2939 Vallejo Street, and (4) building scale at the street. Similarly, the project is inconsistent with the *Cow Hollow Neighborhood Design Guidelines* (CHNDGs) principles relative to (1) siting, (2) setback patterns, and (3) the incorporation of good neighbor gestures such as notches.

Issue #5: Tree Removal. The significant trees on the subject lot should be retained and a tree protection plan be developed as a condition of approval for the Magnolia tree located on the property of 2939 Vallejo Street. The project should include a 19 foot setback on the 2nd and 3rd floors with notches to protect trees.

Reference the *Discretionary Review Applications* for additional information. The *Discretionary Review Applications* and supplemental submittals are attached documents.

PROJECT SPONSOR'S RESPONSE

Issue #1: Excavation. The Project Sponsor has agreed to significantly reduce the excavation scope, by eliminating approximately 16-feet 4-inches of building depth on the lowest basement level, consisting of an 11-foot 6-inch vertical reduction. This reduction reduces the lowest basement level by approximately 50 percent in area, or 695 square feet.

Issue #2: Traffic. The Project Sponsor has agreed to move the curb by approximately 5 feet and reduce the curb width to 10 feet, resulting in an overall movement of approximately 8 feet. The revised configuration allows the project to retain the three existing street trees, adds an on-street parking space, and addresses the potential traffic conflicts between the subject property and the DR Applicant at 2910 Vallejo Street.

Issue #3: Construction Management. The Project Sponsor has indicated that they intend to follow all current applicable laws and regulations relative to construction management practices that are outside of the jurisdiction of the Planning Department. Additionally, on July 3, 2017, the Project Sponsor provided the neighbors an estimated, sample construction management plan from ThompsonSuskind, a contractor who has completed several projects within the immediate area and who has worked on other similar projects.

Issue #4: Massing and Scale. The proposed project is not the largest or tallest building on the block and the overall massing and scale complies with the Planning Code and applicable neighborhood design guidelines. However, in an effort to address the concerns raised by the DR Applicants, the Project Sponsor has revised the project by moving the western wall (located closest to the boundary shared with 2939 Vallejo Street) by two feet to the south on the 1st, 2nd and 3rd levels, and by offsetting the northern portion of this western wall further away from 2939 Vallejo Street by one foot. These setbacks are in addition to the code-required 5 foot side setbacks.

Issue #5: Tree Removal. The proposal retains an existing tree on the western side yard and three existing street trees. Further, any street trees or potentially significant trees will be reviewed by the Department of Public Works' Bureau of Urban Forestry as is the standard review process. The Magnolia tree, specifically noted in the concerns raised by the DR Applicants for 2939 Vallejo Street, is not on the subject property; it is located on the neighbor's property, recessed from the shared property line, and beyond the 5 foot side yard setback provided by the project.

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

PROJECT ANALYSIS BY DEPARTMENT STAFF

Issue #1: Excavation. The Letter to Commissioners from Johnson/Dattells and Boswell/Bertrand DR Applicants questions the accuracy of the Categorical Exemption that was issued on September 6, 2017, because it did not address an 18 inch mat slab foundation. However, the Categorical Exemption accurately states that project excavation would be up to 25 feet below ground surface. This measurement takes into account the thickness of the mat slab foundation (18 inches), as well as the capillary moisture break and vapor retarder system (4 inches of gravel and 2 inches of sand). The Department of Building Inspection (DBI) will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code, local implementing procedures, and state laws, regulations and guidelines would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

The Letter from the Johnson/Dattells and Boswell/Bertrand DR Applicants also references a hearing with DBI's Structural Advisory Committee. At this time, the Planning Department is not aware of any scheduled hearing. However, should that hearing take place, and/or should DBI determine that alterations to the proposal are required, such as increasing the scope of excavation, the project would be routed back to the Planning Department for subsequent review of revisions. Additionally, should the DR Requestors contest the structural engineering approach approved by DBI, the DR Requestors may appeal the issuance of the building permit. It is therefore in the Project Sponsor's interest to continue a dialogue with the DR Requestors beyond the Planning Department review to avoid further delays.

Issue #2: Traffic. The Department supports the proposed changes to the curb cut width and location of the garage.

Issue #3: Construction Management. The good neighbor policies suggested by the DR Requestors reflect a private agreement related to construction hours, a designated point of contact during construction, weekly e-mails, use of radios, smoking on the project site, loitering, security, construction traffic management, parking, the use of sound and vibration monitoring equipment, dust control, the cleaning of neighboring properties, revision to the geotechnical report to further develop the discussion relative to ground water and aquifers, and finally, to revise the curb cut and garage. The Planning Department has jurisdiction over the last request to revise the curb cut and garage, which was agreed to by the Project Sponsor. The remaining issues will need to be pursued as a private agreement.

Issue #4: Massing and Scale. The Department has reviewed the project per the *CHNDGs*, the *RDGs*, the Planning Code and the General Plan, and the project was reviewed by the Residential Design Advisory Team (RDAT) twice. Relative to the siting, RDAT found that, based on the position of most of the front facades along the block face, the location of the front building wall would not be disruptive to the neighborhood character. The proposed front setback also reflects the maximum setback required by the Planning Code, 15 percent of the total lot depth. Relative to the massing along the west property line, the project is located within an RH-1(D) district and is required to provide a side yard setback of 5 feet on both sides of the subject property. Beyond providing the required side yard setback, the project is consistent with the spacing of other properties on the block.

Issue #5: Tree Removal. The Department of Public Works will review the request for any tree removals and will require tree protection plans as necessary. Section 810A of the San Francisco Public Works Code generally defines “significant trees” on private property as trees that are within 10 feet of the public right-of-way and that also meet one of the following size requirements: (1) 20 feet or greater in height, (2) 15 feet or greater canopy width, or (3) 12 inches or greater diameter of trunk measured at 4.5 feet above grade.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt from environmental review, pursuant to CEQA Guideline Section 15303(a).

RESIDENTIAL DESIGN ADVISORY TEAM (RDAT) REVIEW

RDAT found that the proposed massing, scale and landscaping is compatible with the existing neighborhood character. Further, the project includes the maximum front and side yard setbacks required by the Planning Code and is not seeking any variances. RDAT also found that the DR requests and the project do not create any exceptional or extraordinary circumstances per review for consistency with the *CHNDGs* and *RDGs*, as the project is appropriate infill for residential development on a vacant lot.

Under the Commission’s pending DR Reform Legislation, this project would be referred to the Commission, as this project involves new construction on a vacant lot.

BASIS FOR RECOMMENDATION

- The project complies with the applicable requirements of the Planning Code.
- The project is consistent with the objectives of the General Plan.
- The project is consistent with and respects the neighborhood character and applicable design guidelines.

RECOMMENDATION:	Do not take DR and approve the project as proposed.
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photos

Categorical Exemption Determination

Section 311 Notice

Letter to Commission from Johnson/Dattells and Boswell/Bertrand

Letter to Commission from Swipe Right, LLC and the Frames

DR Application – 01; Johnson/Dattells

DR Application – 02; Hutchinson

DR Application – 03; Swipe Right, LLC (Marianna and James Frame)

DR Application – 04; Boswell/Bertrand
Response to DR Application dated October 16, 2017
Reduced Plans
3-D Rendering (as revised)
3-D Rendering (as noticed per Section 311)

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

Comments: The *Residential Design Guidelines (RDGs)* state that the design of buildings should be responsive to both the immediate and broader neighborhood context, in order to preserve the existing visual character. As noted in the *Cow Hollow Neighborhood Design Guidelines (CHNDGs)* the neighborhood context for the subject property is the 'Upper Elevation Sub-Area' which consist primarily of large single family dwellings on large lots. The proposal is compatible in scale and contributes to high-style architectural design prominent in this neighborhood.

SITE DESIGN (PAGES 11 - 21)

QUESTION	YES	NO	N/A
Topography (page 11)			
Does the building respect the topography of the site and the surrounding area?	X		
Is the building placed on its site so it responds to its position on the block and to the placement of surrounding buildings?	X		
Front Setback (pages 12 - 15)			
Does the front setback provide a pedestrian scale and enhance the street?	X		
In areas with varied front setbacks, is the building designed to act as transition between adjacent buildings and to unify the overall streetscape?	X		
Does the building provide landscaping in the front setback?	X		
Side Spacing (page 15)			
Does the building respect the existing pattern of side spacing?	X		
Rear Yard (pages 16 - 17)			
Is the building articulated to minimize impacts on light to adjacent properties?	X		
Is the building articulated to minimize impacts on privacy to adjacent properties?	X		
Views (page 18)			
Does the project protect major public views from public spaces?			X
Special Building Locations (pages 19 - 21)			
Is greater visual emphasis provided for corner buildings?			X
Is the building facade designed to enhance and complement adjacent public spaces?			X
Is the building articulated to minimize impacts on light to adjacent cottages?			X

Comments: As indicated above, the project meets the site design objectives of the *RDGs*. The subject property slopes upward from its front to its rear. The overall siting of the building respects the

topographic conditions as the building is as forward on the property as permitted by the Planning Code and the lowest levels of the proposal excavate into the hillside. This massing is also consistent with the CHNDGs which encourage the preservation of views for the neighbors uphill and behind the subject property.

BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
Building Scale (pages 23 - 27)			
Is the building's height and depth compatible with the existing building scale at the street?	X		
Is the building's height and depth compatible with the existing building scale at the mid-block open space?	X		
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?	X		
Is the building's facade width compatible with those found on surrounding buildings?	X		
Are the building's proportions compatible with those found on surrounding buildings?	X		
Is the building's roofline compatible with those found on surrounding buildings?	X		

Comments: The building scale and form is appropriate for the neighborhood and complies with all requirements of the Planning Code, despite the property being the shallowest lot on the subject block. Accordingly, the project contributes more open area to the mid-block open space than would otherwise be required for a standard lot depth that is equal to half the depth of the block. Further, the building scale and form at the front of the property is consistent with other buildings on the subject block face that range from 3- to 5-stories. The subject building is five stories, with the upper level set back approximately 31-feet 2-inches from the front property line.

ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
Building Entrances (pages 31 - 33)			
Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building?	X		
Does the location of the building entrance respect the existing pattern of building entrances?	X		
Is the building's front porch compatible with existing porches of surrounding buildings?	X		
Are utility panels located so they are not visible on the front building wall or on the sidewalk?	X		
Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on surrounding buildings?			X

Garages (pages 34 - 37)			
Is the garage structure detailed to create a visually interesting street frontage?	X		
Are the design and placement of the garage entrance and door compatible with the building and the surrounding area?	X		
Is the width of the garage entrance minimized?	X		
Is the placement of the curb cut coordinated to maximize on-street parking?	X		
Rooftop Architectural Features (pages 38 - 41)			
Is the stair penthouse designed to minimize its visibility from the street?			X
Are the parapets compatible with the overall building proportions and other building elements?			X
Are the dormers compatible with the architectural character of surrounding buildings?			X
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?			X

Comments: The neighborhood context includes variations in building entrances, garage door widths, parapets, and dormers. Dwellings on the south side of this portion of Vallejo Street are usually located above a garage and feature a raised building entrance. The proposal includes a celebrated and elevated entry above the garage which facilitates transition between the two adjacent neighbors, especially given the change in plane of the exterior blockface. Additionally, although the proposed massing is smaller than its downhill eastern neighbor the project's more forward massing and strong roofline reinforces the transition uphill.

BUILDING DETAILS (PAGES 43 - 48)

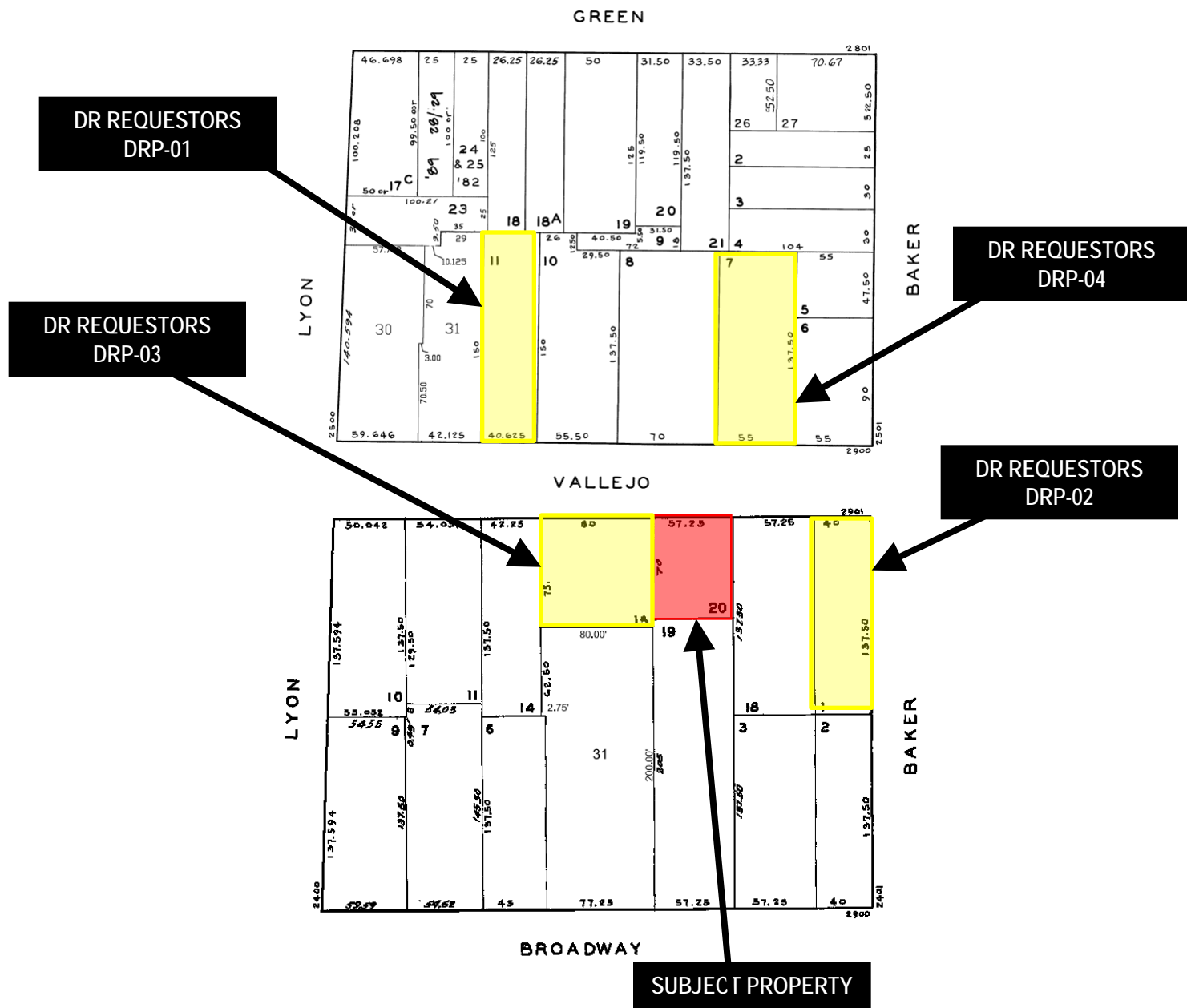
QUESTION	YES	NO	N/A
Architectural Details (pages 43 - 44)			
Are the placement and scale of architectural details compatible with the building and the surrounding area?	X		
Windows (pages 44 - 46)			
Do the windows contribute to the architectural character of the building and the neighborhood?	X		
Are the proportion and size of the windows related to that of existing buildings in the neighborhood?	X		
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?	X		
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?	X		
Exterior Materials (pages 47 - 48)			
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?	X		
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?	X		

Are the building's materials properly detailed and appropriately applied?	X		
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Comments: The architectural detail, windows and exterior materials reflect a thoughtful and modern design that fits within and contributes positively to the neighborhood. As applied, these elements function to define the building's form and provide visual richness and interest.

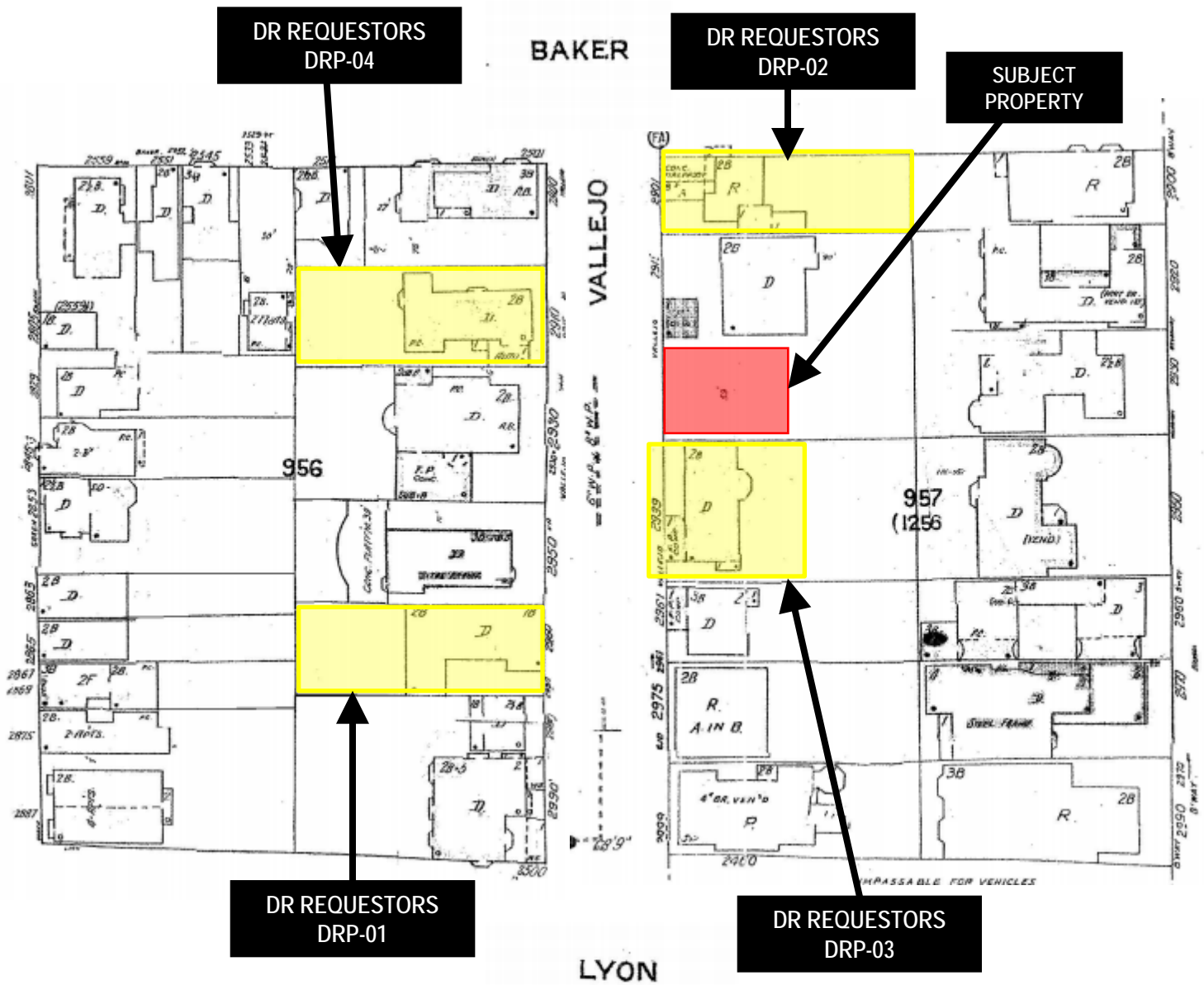
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Parcel Map



Discretionary Review Hearing
Case Number 2016-005171DRP-04
2921 Vallejo Street

Sanborn Map*

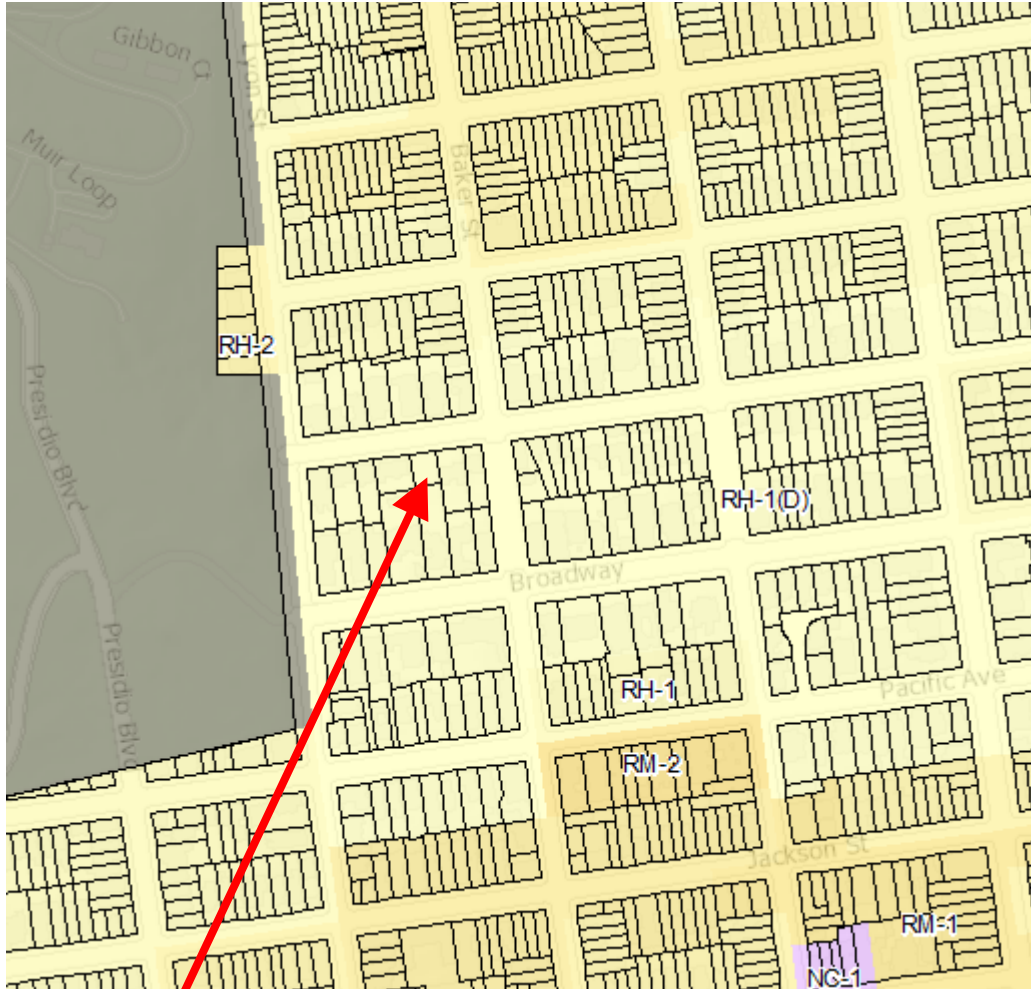


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2016-005171DRP-04
2921 Vallejo Street

Zoning Map



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2016-005171DRP-04
2921 Vallejo Street

Aerial Photo



Discretionary Review Hearing
Case Number 2016-005171DRP-04
2921 Vallejo Street

Southern/Uphill Perspective

DR REQUESTORS
DRP-02

SUBJECT PROPERTY

DR REQUESTORS
DRP-03



DR REQUESTORS
DRP-04

DR REQUESTORS
DRP-01

Discretionary Review Hearing
Case Number 2016-005171DRP-04
2921 Vallejo Street



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2016-005171ENV
Project Title: 2921 Vallejo Street
Zoning: RH-1(D) (Residential, House, One Family-Detached) Use District
40-X Height and Bulk District
Block/Lot: 0957/020
Lot Size: 4,008
Project Sponsor: Tuija Catalano, Reuben, Junius & Rose, LLP, (415) 567-9000
Staff Contact: Don Lewis, (415) 575-9168, don.lewis@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The project site is an undeveloped, steeply-sloping lot located on the south side of Vallejo Street between Baker and Lyon streets in the Pacific Heights neighborhood. The project sponsor proposes the construction of a 38-foot-tall, four-story over basement, single-family residence. The proposed building would be approximately 7,820 gross square feet in size with five bedrooms and an elevator. The proposed basement level would provide two off-street vehicle parking spaces accessed from a new 12-foot-wide curb cut. The proposed project would include an approximately 530-square-foot roof deck at the partial fourth story and a second-story rear yard consisting of a 290-square-foot patio with 410 square feet of planters/landscaping/staircase. The project would remove five trees on the project site and would retain two existing trees that are located along the east property line. The three existing street trees in front of the project site would remain. During the approximately 18-month construction period, the proposed project would require excavation of up to 25 feet below ground surface resulting in 1,720 cubic yards of excavation. The proposed foundation would consist of inter-connected reinforced concrete footings or a reinforced concrete mat supported on bedrock or on drilled piers extending into bedrock. Pile driving is neither proposed nor required.

EXEMPT STATUS:

Categorical Exemption, Class 3(a) (California Environmental Quality Act (CEQA) Guidelines section 15303(a)).

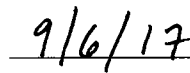
(Continued on next page)

DETERMINATION:

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



Lisa Gibson
Environmental Review Officer


Date

cc: Tuija Catalano, Project Sponsor; Supervisor Mark Farrell, District 2 (via Clerk of the Board); Brittany Bendix, Current Planner; Virna Byrd, M.D.F

Project Approval

The proposed project is subject to notification under Section 311 of the Planning Code and would require the issuance of a building permit by the Department of Building Inspection (DBI). Since discretionary review before the Planning Commission has been requested, the discretionary review hearing is the *approval action* for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

EXEMPT STATUS (continued):

CEQA State Guidelines section 15303, or class 3, provides an exemption from environmental review for the construction and location of limited numbers of new, small facilities or structures. Additionally, CEQA State Guidelines section 15303(a) provides an exemption from environmental review for up to three single-family residences constructed in an urbanized area. The proposed project involves the construction of one single-family residence. Therefore the project is exempt from environmental review under the stipulations set forth under class 3.

DISCUSSION OF ENVIRONMENTAL ISSUES:

CEQA Guidelines Section 15300.2 establishes exceptions to the application of a categorical exemption for a project. None of the established exceptions applies to the proposed project. Guidelines Section 15300.2, subdivision (c), provides that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. As discussed below, there is no possibility of a significant effect on the environment due to unusual circumstances.

Geology and Soils

The project site has a slope greater than 20 percent with an elevation change of about 40 feet, north to south, across the property.¹ The project site is bound by single-family residential buildings on the south, east and west. The proposed building would step into the hillside with excavations on the order of approximately 10 to 12 feet at each level for the residence and up to 16 feet for the south property line retaining wall.

A geotechnical report was prepared for the proposed project to evaluate the soil and bedrock conditions of the project site and to provide geotechnical parameters for the proposed development.² Three borings were drilled at the project site, ranging from 13 to 14 feet below the existing ground surfaces (bgs) where refusal was met. Based on these borings, the project site is underlain by approximately 6 to 10 feet of fill consisting of loose sand and sand with silt. The sandy fill is underlain by medium dense sand, geologically referred to as Dune sand, to approximately 10 feet below the existing bgs. The Dune sand is

¹ Average site grades vary from roughly Elevation 225 feet at the front to Elevation 265 Feet at the rear of the property, respectively (San Francisco City datum).

² Rollo & Ridley Geotechnical Engineers and Scientists, *Geotechnical Investigation, 2921 Vallejo Street, San Francisco, California*, August 18, 2017. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2016-005171ENV.

underlain by medium dense to very dense clayey sand, referred to as hillslope deposits, to depths of approximately 13 feet bgs. The clayey sand is underlain by Franciscan Complex bedrock consisting of sandstone and shale to 14 feet bgs, the maximum depth explored. Groundwater was not encountered during the investigation; however, groundwater is acknowledged to be present in buried streams below the project site and travel along the top of the clayey sand layer and within fractures of the bedrock.

The geotechnical report recommends that the foundation system consist of a grid of inter-connected, reinforced concrete footings (grid) or a reinforced concrete mat (mat). The bottom of the footings or mat would be embedded at least 18 inches below the lowest adjacent slab and extend a minimum of six inches into bedrock. Where bedrock is not exposed at the planned excavation depth at the front of the project site, drilled piers would extend at least 7 feet into the underlying bedrock to support the grid or mat.

Strong ground shaking can cause unsaturated sand above the groundwater table to densify and settle (referred to as differential compaction). Although the borings encountered loose sandy fill, the proposed excavation cuts would remove the majority, if not all, of the loose sand layers underlying the site. Therefore, there is low potential for differential compaction. Adjacent areas not planned for construction, such as the side setbacks and the adjacent street and sidewalks, may settle up to one inch as a result of a major earthquake. The consultant did not observe any surficial evidence of historical landsliding or find any published maps indicating historical landsliding on-site. Therefore, there is low potential for earthquake induced landsliding within the footprint of the proposed new residence.

The proposed project is required to conform to the local building code, which ensures the safety of all new construction in the City. In particular, Chapter 18 of state building code, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, section 1804.1, excavation near foundations, requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting said adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and excessive pressure, and water lift including seismic considerations. Sections 1808 (foundations) and 1809 (shallow foundations) specify requirements for foundation systems such that the allowable bearing capacity of the soil is not exceeded and differential settlement is minimized based on the most unfavorable loads specified in chapter 16, structural, for the structure's seismic design category and soil classification at the project site. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code, local implementing procedures, and state laws, regulations and guidelines would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

Noise

Noise is regulated by the San Francisco Noise Ordinance, which is codified in article 29 of the San Francisco Police Code. Article 29 establishes property line and other limits for fixed noise sources and also regulates construction noise. Under section 2909(b), fixed noise sources (e.g. mechanical equipment) from residential properties are limited to 5 dBA³ above ambient levels and section 2909(d) also establishes that such noise not exceed an interior daytime (7 a.m. to 10 p.m.) noise limit of 55 dBA or nighttime noise limit (10 p.m. to 7 a.m.) of 45 dBA at the nearest residential receptor. The requirements of the Noise Ordinance are designed to prevent sleep disturbance, protect public health, and prevent the acoustical environment from progressive deterioration.

Delivery truck trips and construction equipment would generate noise that that may be considered an annoyance by occupants of nearby properties. Construction noise is also regulated by the Noise Ordinance. Section 2907 of the Police Code requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (such as jackhammers and impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Police Code prohibits construction work between 8:00 p.m. and 7:00 a.m. if the construction noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. Construction noise impacts related to the project would be temporary and intermittent in nature. In light of the above, the proposed project would not result in a significant noise impact.

Conclusion

The proposed project satisfies the criteria for exemption under the above-cited classification(s). In addition, none of the CEQA Guidelines Section 15300.2 exceptions to the use of a categorical exemption applies to the proposed project. For the above reasons, the proposed project is appropriately exempt from environmental review.

³ The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid-and high-frequent sound. This measurement adjustment is called "a" weighting, and the data are reported in decibel (dBA). A -10dB (decibel) increase in noise level is generally perceived to be twice as loud.



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **April 12, 2016**, the Applicant named below filed Building Permit Application No. **2016.04.12.4605** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	2921 Vallejo Street	Applicant:	John Maniscalco
Cross Street(s):	Lyon St (Stairs) and Baker St	Address:	442 Grove Street
Block/Lot No.:	0957/020	City, State:	San Francisco, CA 94102
Zoning District(s):	RH-1(D) / 40-X	Telephone:	(415) 864-9900

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 checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input 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	N/A	Residential
Front Setback	N/A	10 feet 6 inches
Side Setbacks	N/A	5 feet
Building Depth	N/A	42 feet
Rear Yard	N/A	17 feet 6 inches
Building Height	N/A	37 feet 8 inches (tallest portion measured from average grade to finished roof)
Number of Stories	0	5
Number of Dwelling Units	0	1
Number of Parking Spaces	0	2
PROJECT DESCRIPTION		
The project is new construction of a single family dwelling on a vacant lot.		
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: Brittany Bendix

Telephone: (415) 575-9114

E-mail: Brittany.bendix@sfgov.org

Notice Date: 1/04/2017

Expiration Date: 2/03/2017

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.

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AND SRI LANKA

October 10, 2017

Commissioner Rich Hillis
President, Planning Commission
1650 Mission Street, Suite 400
San Francisco, Ca 94103

SUBJECT: Discretionary Review Request
Proposed Project at 2921 Vallejo Street, San Francisco

Dear President Hillis,

Four discretionary review requests were timely filed in February, 2017 opposing the proposed project at 2921 Vallejo Street (herein "Project Site"). Our office represents discretionary review requestors Kristine Johnson and Tim Dattels (herein "Dattels") who reside at 2960 Vallejo Street, and Anne Boswell Bertrand and Christophe Bertrand (herein "Bertrands") who reside at 2910 Vallejo Street.¹ At the neighborhood pre-application meeting, the neighbors on the block and adjacent blocks expressed concern with the massive excavation required for the proposed project and the associated traffic impacts arising out of construction of the proposed 8,480 sq. ft. house on a 4,007.5 sq. ft. lot (herein "Project"). The neighbors informed the Project Sponsors that they also object to the proposed massing and scale of the Project and removal of all of the mature trees on the site. For the reasons discussed below, the Commission should grant discretionary review, impose conditions of approval and modify the Project to address the issues raised in the discretionary review requests.

¹ The other two discretionary review requestors are Marianna and James Frame ("Frames") who are represented by Farella, Braun + Martel, LLP and reside at 2939 Vallejo Street which is immediately to the west of the proposed project, and Mr. John Hutchinson, who resides at 2901 Vallejo Street and is not represented by counsel.

PROJECT SITE

The project site is a 57.25' wide by 70' deep vacant lot on the south side of Vallejo Street between Baker Street and the Lyon Street Steps and is the smallest lot on this block of Vallejo Street. Based on the topographic survey this up sloping lot has a difference in elevation between the front and the rear property lines of 37' along the east property line and 35' on the west property line (or a grade of 50+%). See Sheet A1.0 of the plans attached to the case report before this Commission (herein "Case Report"). The 2900 block of Vallejo Street is developed with three story buildings. The three story 2460 Lyon Street home fronts on the Lyon Street steps with a basement garage fronting on Vallejo Street giving an appearance of a four-story building on the Vallejo Street block face.

The first two buildings on the south side of Vallejo Street closest to Baker Street have large trees in the front yard setback. The second building from Baker Street (2915 Vallejo Street) is a lawful non-complying building located in the required rear yard with an approximately 37' deep front yard.² The vacant project site, which has numerous large mature trees and other vegetation, is the third lot in from Baker Street. The remaining buildings on the block face have uniform front setbacks with landscaping. The front yards of the opposite block face are landscaped. See photographs of Vallejo Street project block between Baker Street and the Lyon Street Steps attached hereto as **Exhibit 1**.

PROPOSED PROJECT

The five-story³ Project is an 8,480 sq. ft. single-family home (inclusive of the 720 sq. ft garage) with five bedrooms, eight full baths, two half-baths, an elevator, and is handicap accessible. The ground floor contains a two-car garage, laundry room, media room with a full bath, mechanical room, wine storage room, mudroom, stairs and elevator to the upper floors. The garage will require a variance from the 10'-6" front yard requirement in that the two car garage is located partially in the required front yard. The depth of the first story varies from 42' to 52'-6". The second floor is 42' deep and contains the kid's playroom with a full bath, an ensuite bedroom, a home office with a full bath, and the entry lobby. The third floor has the living room, dining room, a half bath and a kitchen that opens onto the rear yard. The fourth floor has three ensuite

² Although these neighbors did not file a DR Request, they are also concerned about the massing, scale and loss of light and air to their home caused by the Proposed Project as well as the construction impacts described in this response.

³ Under Planning Code §102, Story is defined as "the First Story as highest building story with a floor level that is not more than six feet above grade at the centerline of the frontage of the lot where grade is defined. The distance between the top of the curb at the center line of the building and the finish ceiling of the first floor (garage level) is 10' making this a five-story building. See Sheet A3.5 of the revised EE Plan.

bedrooms, the master bedroom suite, elevator, stairs and a shallow balcony to allow access to clean the windows. The fifth floor is set back 31'-6" from the front property line and contains the family room with a half-bath, storage room and a 14'-4" x 29'-1 1/2" north facing roof deck. See Sheet A.3.5 for a section of the project plan attached to the case report. However, the 311 notification plans sent to the neighbors on May 12, 2016 lacked dimensions, such as the height of the retaining walls and other dimensions that would enable the neighbors to fully comprehend the scope of the project.

The Project with the garage has a 2.11 FAR.⁴ As shown in Table 1 below, it is the most intensive development on both sides of the block.

Table 1: F.A.R. of homes on each lot of this block of Vallejo Street

<u>North Side of Vallejo Street</u>					<u>South Side of Vallejo Street</u>				
ADDRESS	LOT/BLK 0957	BUILD AREA	PARCEL AREA	FAR	STREET ADDRESS	LOT/BLK 0956	BUILD AREA	PARCEL AREA	FAR
2901	001	2,924	5,500	0.53	2900	006	6,843	4,948	1.38
2915	018	4,000	7,871	0.5	2910	007	7,795	7,562	1.03
2921	020	8,480	4007.5	2.11	2930	008	6,100	9,622	0.63
2939	015	6,111	6,000	1.01	2950	010	6,244	7,954	0.78
2961	014	3,386	5,806	0.58	2960	011	5,178	6,089	0.85
2975	011	3,130	6,995	0.44	2980	031	4,858	6,139	0.79
2460 LYON	010	9,504	7,222	1.31	2990	030	7,807	8,177	0.95

The 17'-6" deep rear yard of the Project is accessible from the third floor. The rear yard will require excavation of a slope that exceeds 45% and the construction of a 17'-6" high retaining wall⁵. To decrease the visual height of the massive rear yard retaining wall, two 3'-10" deep tiered planters were incorporated into the design leaving only a 9' deep usable rear yard. According to the Project Architect in his May 30, 2017 e-mail with dimensions added to the 311 notification plans, the height of the ground level retaining wall behind the garage and second floor is 25'+. See Sheets A3.5 and A3.6 of the Project plans attached to the Staff Report.

⁴ The Planning Department is currently working on a proposed legislation that would trigger mandatory review by the Planning Commission based on an FAR threshold. As of the date of this letter, the proposed mandatory review trigger for an RH-1(D) district is 1.2 FAR.

⁵ The height of the retaining walls are understated in the project plans because they do not take into consideration the concrete slab or a minimum 18" thick concrete mat and any over excavation that may be required.

ENVIRONMENTAL REVIEW

The Environmental Review (herein "EE") application submitted by the Project Architect on April 26, 2016 stated that the maximum excavation would be 32'-7" below natural grade, requiring 3,190 sq. ft. of excavation and 2,056 cu. yds. of soil and rock to be removed from the site. On May 13, 2016, the Sponsor on Planning Department issued a categorical exemption (herein "Cat Ex") for the proposed project. The DR requestors brought to the Department's attention that the Cat Ex was issued based on an inaccurate Geotechnical Investigation Report dated January 28, 2015 (herein "2015 Report") that analyzed a project with only 10' of excavation and not the 32'-7" deep excavation stated on the application. Moreover, the neighbors were concerned with the presence of ground water during excavation in that ground water has been encountered in many alteration and new construction projects in the neighborhood. However, the 2015 Report merely states that the borings encountered no ground water.

A new Geotechnical report prepared by Rollo and Ridley dated August 18, 2017 (herein "Rollo/Ridley Report") was submitted to the Planning Department by the Project Sponsor. On the same day, the Department informed our office that the issued Cat Ex would be rescinded because the project has changed since the Cat Ex was issued. The Rollo/Ridley Report acknowledges that ground water could be encountered during excavation, but fails to discuss measures to be taken in the event an aquifer is present on the site and any potential impact on the adjacent and downhill neighbors during and after construction of the Project. Ground water intrusion onto the adjacent and downhill properties resulting from construction of this Project would be an adverse effect on the environment.

On August 28 2017, the Project Attorney submitted a revised EE application dated August 24, 2017 and revised EE plans dated June 29, 2017. The revised EE application stated that the excavation would be no deeper than 24'-3" below natural grade, requiring 3,168 sq. ft. of excavation and removal of 1,715 cu. yds. of soil and rock from the site. However, the depth of excavation did not include the thickness of the concrete mat slab of 18" or any over excavation required as recommended in the Rollo/Ridley Report. Except for the depth of the garage, the revised EE plan shows no other design revisions. Copies of Sheets A2.0, A3.5 and A3.6 of the revised EE plans are attached hereto as **Exhibit 2**.

On August 28, 2017, the Department rescinded the Cat Ex and continued the DR hearing. On September 6, 2017, the Department issued a Certificate of Determination Exemption from Environmental Review; see the Case Report for a copy of this Certificate.

CONSULTATION WITH PROJECT SPONSORS

The neighbors voiced their concerns about the project at the neighborhood pre-application hearing held on March 16, 2016. After the pre-application meeting, the neighbors met to discuss the construction impacts on the neighborhood, Good Neighbor Policies and the construction management plan required to mitigate those impacts. At the meeting John Maniscalco, the project architect, agreed to circulate project plans to the neighbors who attended the meeting but those plans were never provided. The Project Architect continued to be unresponsive to the Neighbors' requests for project information, such as plans with dimensions; therefore, several neighbors filed discretionary review requests to preserve their rights after reviewing the plans attached to the Section 311 notification of the proposed project. In the absence of any response from the Project Architect, the DR requestors were compelled to ask the Planning Department to convene a meeting with all the parties and Department staff to discuss the Project design and construction related concerns. The parties met on May 22, 2017 at the Planning Department where the DR requestors presented their concerns. At the meeting, the Bertrands requested that the garage be relocated to avoid potential accidents when cars back out of new driveway directly across from the Bertrands' driveway and to preserve an on-street parking space. At the request of the Project Sponsors' attorney, the DR requestors provided the concerns presented at that meeting in writing.

On July 3, 2017, the Project attorney provided the DR requestors a copy of an informational Construction Management Plan prepared by a contractor consultant, who has experience working on projects in the project vicinity. A copy of the Plan is attached hereto as **Exhibit 3**. On July 19, 2017, the DR requestors requested another meeting to discuss design and construction impact issues and a meeting was scheduled for August 10, 2017.

At the August 10 meeting, the project architect estimated that the Proposed Project would take about 2 years to complete. The Project Sponsors insisted and continue to insist that they are in no position to address any construction related issues until they have engaged a contractor. The DR requestors stressed that the Project Sponsors can agree to Good Neighbor Policies that will minimize traffic and other construction impacts on the neighborhood without input by a contractor who will construct the building. As for the Project design, the Project Sponsors stated that the Department has no issues with their design. Shawn Motoya, the Bertrands' architect, again raised the issue of relocating the garage to preserve an off-street parking space and presented drawings showing that the project would eliminate an on-street parking space as well as creating potential safety concerns should two vehicles back out of their respective driveways at approximately the same time. The Project Architect challenged the accuracy of the plans prepared by Mr. Motoya, and informed the DR requestors that the garage location would not be changed, but he would study whether the curb cut

leading to the garage could be relocated westward. The Project representatives also asked for justification for the adjacent neighbor's requested design modifications.

In their August 22, 2017 e-mail, the Project Sponsors stated that they are cognizant of the construction concerns expressed by the neighbors. However, their commitment to the neighbors' concerns was limited to (1) complying with all applicable laws and regulations, (2) construct the proposed project with lawfully issued permits, (3) contracting with an experienced professional for the construction of the proposed project, and (4) appointing a neighborhood liaison. Compliance with the law and construct in accordance with the approved plans are mandatory and not negotiable. Contracting with an experienced professional to construct the Proposed Project is not negotiation but is in the best interest of the Project Sponsor. Appointing a neighborhood liaison is a standard procedure for contractors working in a residential neighborhood. The response from the Project Sponsor to the DR requestors is condescending. A copy of the August 22, 2017 e-mail is attached as **Exhibit 4**.

After receipt of the discretionary review responses, Bertrands and Dattels contacted the Project Sponsor to arrange a meeting to discuss Good Neighbor Policies and Construction Management Plan protocols that would minimize the traffic impacts in the neighborhood on August 26, 2017 and again on September 11, 2017.

On September 14, 2017, responding to an e-mail from the Project attorney, our office informed her that the DR requestors, Anne Boswell and Christophe Bertrand, accept the design revision to the curb cut location and that all the DR requestors represented by our office accepted the revision to the depth of the garage level to decrease the amount of excavation. However, our office does not represent the other DR requestors and cannot speak on their behalf as to design revisions.

A meeting was scheduled for September 15, 2017. While three of the DR requestors attended this meeting, neither the Project Sponsors nor the project architect was at the meeting, only the project attorney. To facilitate discussion at the meeting, the DR requestors reformatted the list of Good Neighbor Policies and the construction management issues for the Project Sponsors' consideration. See **Exhibit 5** for a copy of the list.⁶

At the September 15 meeting the DR requestors, who are residents on the street, presented photographs showing construction traffic impacts from current construction projects on the block and discussed their experiences regarding the on-going traffic impacts. Photographs of the construction traffic impacts on this dead street are attached

⁶ The list merely reorganized the issues under specific topics and subtopic there under and raised no new issues. The Neighbor provided their comments on the Conceptual Management Plan explaining in details the bases of the neighbors' concerns and request clarifications; a copy of which is attached hereto as **Exhibit 5**.

hereto as **Exhibit 6**. When asked by the Project attorney, Kristine Johnson stated that when she renovated their home Good Neighbor Policies were incorporated into the construction contract and the neighbors were updated on potential traffic impacts as construction progressed. The Project Attorney again repeated the Project Sponsors' excuse that they can only provide responses when a contractor is on board, but assured the neighbors that the Project Sponsors are concerned with the issues raised. However, the only statement of substance made by the Project attorney was a question asking if the DRs would be withdrawn if the Project Sponsor enters into an agreement.

After leaving telephone messages, our office sent an e-mail to the Project attorney on September 20 requesting a return call. On or about September 21, our office informed the Project attorney that the DR requestors would withdraw their DR requests if a settlement agreement related to the Good Neighbor Policies and construction management policies is executed. The Project attorney informed our office that she would discuss the matter with her clients. On September 28, 2017, our office again sent the Project attorney an e-mail inquiring when the parties could continue negotiations. To date, the Neighbors good faith attempt to negotiate with the Project Sponsors concerning the Project's traffic impact on the neighborhood has been a one-way dialog with the Project Sponsor.

PROPOSED DESIGN MODIFICATIONS IN THE DR RESPONSES

On August 22, 2017, the Department informed the DR requestors that the Department had received the Project Sponsors' DR Responses. The Project Sponsors' attorney provided a copy of the DR responses after a request from the DR requestors. The plans attached to the DR response showed that the curb cut will be moved to the west end of the garage door so that an on-street parking space would be preserved and that the depth of the garage level will be reduced. The Bertrands appreciate and accept the compromise of moving only the curb cut to the west. The Bertrands and Dattels accepted the reduction of only the depth of the Garage level.⁷ With reduction of the depth of the first floor, the square footage of the Project would be 7,820 sq. ft. (or a FAR of 1.95) per the revised EE application. However, when asked if those modifications would be included in the revised site plans at the September 15, 2017 meeting, the Project Attorney was unclear if the site permit plans before the Commission would be revised to reflect the above design modifications. If the revisions are not included in the plans, they should be imposed as conditions of approval should this Commission act to approve the project at this time.

⁷ The Rollo/Ridley Report refers to Site Permit Plan Revision 1 dated August 2, 2016, which does not include the stated changes to the proposed project.

ISSUES RAISED BY THE PROPOSED PROJECT

1. The scale and massing of the Project and the intensity of use of the project site are incompatible with the immediate neighborhood.
2. Construction of a 7,820 gross square foot Project with extensive excavation and multiple planned lane closures on a dead end street would severely impact neighborhood traffic and emergency access to the 2900 block of Vallejo Street.

DISCUSSION OF ISSUES RAISED.

1. *The Project Is Incompatible With The Neighborhood.*

This five story 7,820 sq. ft. Project with five bedrooms, eight full bathrooms, two half bathrooms, home office et al and a 1.95 floor area ratio is the most intense development on the smallest (4,007.5 sq ft) lot on the project block. See Table 1. The Project is too massive for the Project Site and not compatible with the buildings on the block. For the sake of brevity, Dattels and Bertrands will not repeat their objections, concerns and non-compliance with the Residential Design Guidelines stated in their DR Application. If the plans before this Commission have not been revised to incorporate the revisions shown on the plans of the Project Sponsors' DR response, the relocated curb cut, reduction of the depth of the garage level and other design revisions should be imposed as conditions of approval by this Commission.

2. *Good Neighbor Policies and Construction Management Plan.*

In their August 22, 2017 e-mail, the Project Sponsors stated that they are cognizant of the construction concerns expressed by the neighbors. However, their commitment to the neighbors' concerns was limited to (1) complying with all applicable laws and regulations, (2) construct the proposed project with lawfully issued permits, (3) contracting with an experienced professional for the construction of the proposed project, and (4) appointing a neighborhood liaison. Compliance with the law and construct in accordance with the approved plans are mandatory and not negotiable. Contracting with an experienced professional to construct the Proposed Project is not negotiation but is in the best interest of the Project Sponsor. Appointing a neighborhood liaison is a standard procedure for contractors working in a residential neighborhood. The response from the Project sponsor to the DR requestors is condescending. A copy of the August 22, 2017 E-mail is attached as **Exhibit 7**.

Based on information provided in the Construction Management Plan prepared by Applicants' consulting contractor, granting a discretionary review and imposition of Good Neighbor Policies and a Construction Management Plan by the Commission is warranted. See Exhibit 2. The information provided in the Plan is:

- An unknown number of days and truck trips to strip the site completely of all vegetation and an unknown number of days and truck trips to off-haul away the removed trees, shrubbery and surface debris.
- An estimated 1,715 cubic yards of soil and rock will be excavated that would require 58 truckloads (57.16 loads or 116 truck trips, 30 yards per load) with an average of 3-5 loads being removed during an 8-hour shift over 13-16 working days of off-haul.
- 30-yard capacity trucks⁸ will be used to haul away the excavated material from a dead end street with two traffic lanes.
- An initial phase of off-haul (approximately 3-5 days) during the shoring process.
- The foundation phase will take 3-4 months. The Plan estimates that there will be 7-10 concrete pours with each pour taking between 3-4 hours and 3-6 concrete deliveries per pour. Concrete pours will require closure of one traffic lane and require concrete truck to either back into Vallejo Street or make a U-turn somewhere on the block to exit the street.

The volume of excavation required, the construction of a series of massive retaining walls required to support a steep up-sloping site on a dead end street that was acknowledged to be a difficult site by an experienced contractor all support the exceptional and extraordinary circumstances surrounding this Project Site.

CONCLUSION

The Commission should continue this matter until after the Structural Advisory Committee of the Department of Building Inspection (SAC) has completed their design review. Should the SAC conclusions recommend or require any redesign of a portion of the project, the Commission will be able to consider the required design revisions before acting on the Project. During the continuance, the Project Sponsors should be instructed to meet with the neighbors to negotiate in good faith the implementation of Good Neighbor Policies and mitigation measures to lessen construction related impacts.

If the Commission decides to act on the Proposed Project prior to completion of the SAC review, the Commission should take discretionary review and impose the following conditions of approval:

⁸ The length of a 30 cu. yd. end dump trailer and tractor (Semi-truck) would be approximately 45'.


Commissioner Rich Morris
Re: 2921 Vallejo Street
October 10, 2017
Page 10 of 11

1. The Good Neighbor Policies and implementation of a Construction Management Plan set forth in Exhibit 3;
2. Revise the plans to reflect the reduction of the depth of first floor and relocation of the curb cut to the west end of the garage door as shown in the DR responses;
3. Any other design revisions required by the Commission to address the adjacent neighbors' concerns; and
4. Instruct the Department not to approve the Project or issue any permit until the SAC review has been completed and all SAC recommendations have been incorporated into a set amended plans that have been filed with DBI as a revision of the Project. If you have any questions, please do not hesitate to contact me.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Duane Morris, LLP


By: Alice Suet Yee Barkley

Exhibits

cc: Commissioner Dennis Richard
Commissioner Rodney Fong
Commissioner Christine Johnson
Commissioner Joel Koppel
Commissioner Myrna Melgar
Commissioner Kathrin Moore
John Rahaim
Scott Sanchez
Brittany Bendix
Tuija Catalano
Ilene Dick
Kristine Johnson
Tim Dattels
Anne Boswell
Christophe Bertrand

TABLE OF EXHIBITS

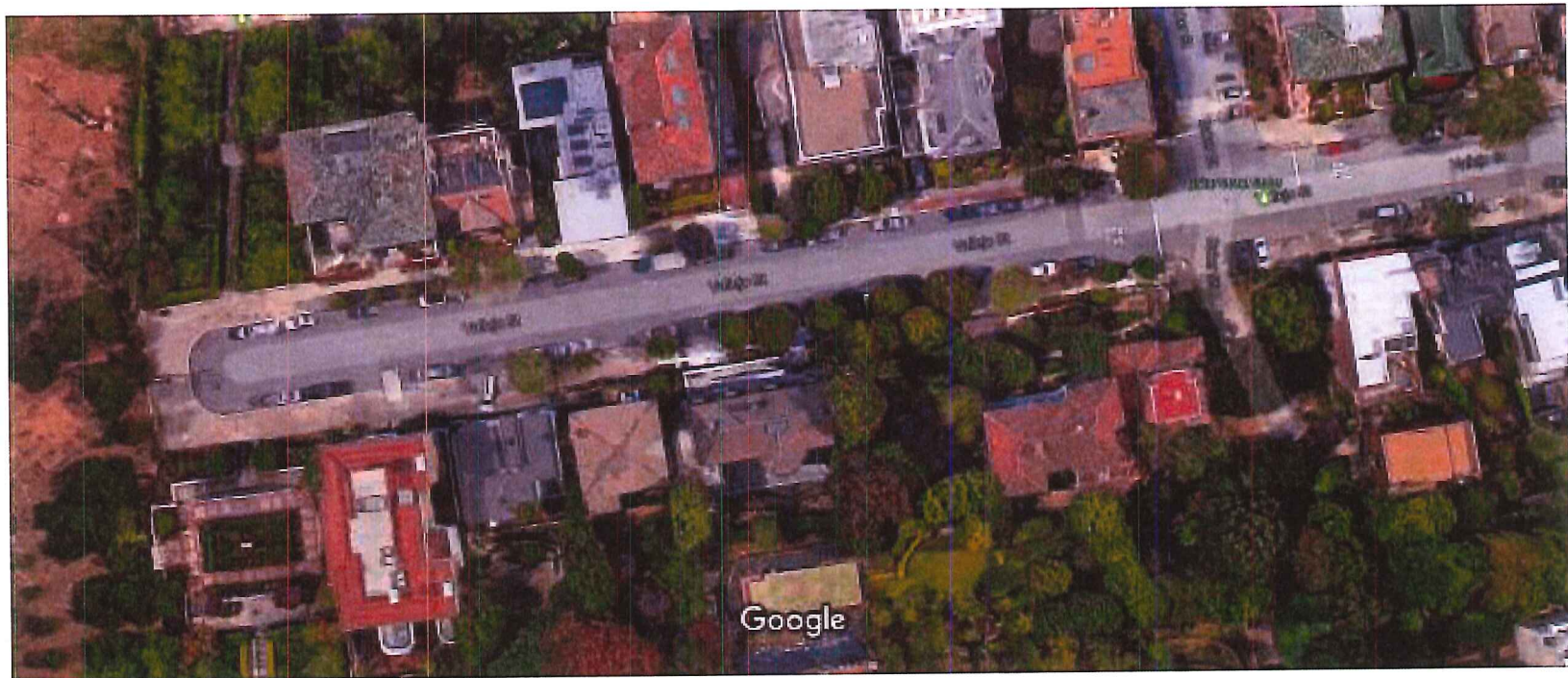
- EXHIBIT 1 Photographs of Vallejo Street Project block between Baker Street and the Lyon Street Steps.
- EXHIBIT 2 Revise environmental review plans showing the floor plan and sections of the garage level.
- EXHIBIT 3 Construction Management Plan dated July 3, 2017 prepared by a contractor consultant for the Project Sponsor
- EXHIBIT 4 August 22, 2017 E-mail from Project Sponsors.
- EXHIBIT 5 Good Neighbor Policies and Construction Management issues presented to Project Sponsor on September 15, 2017.
- EXHIBIT 6 Photographs of Construction Traffic Impact on the 2900 Block of Vallejo.
- EXHIBIT 7 DR Requestors' response to the Conceptual Management Plan.

Google Maps



Imagery ©2017 Google, Map data ©2017 Google United States 50 ft

Google Maps 2900
2800 Vallejo St

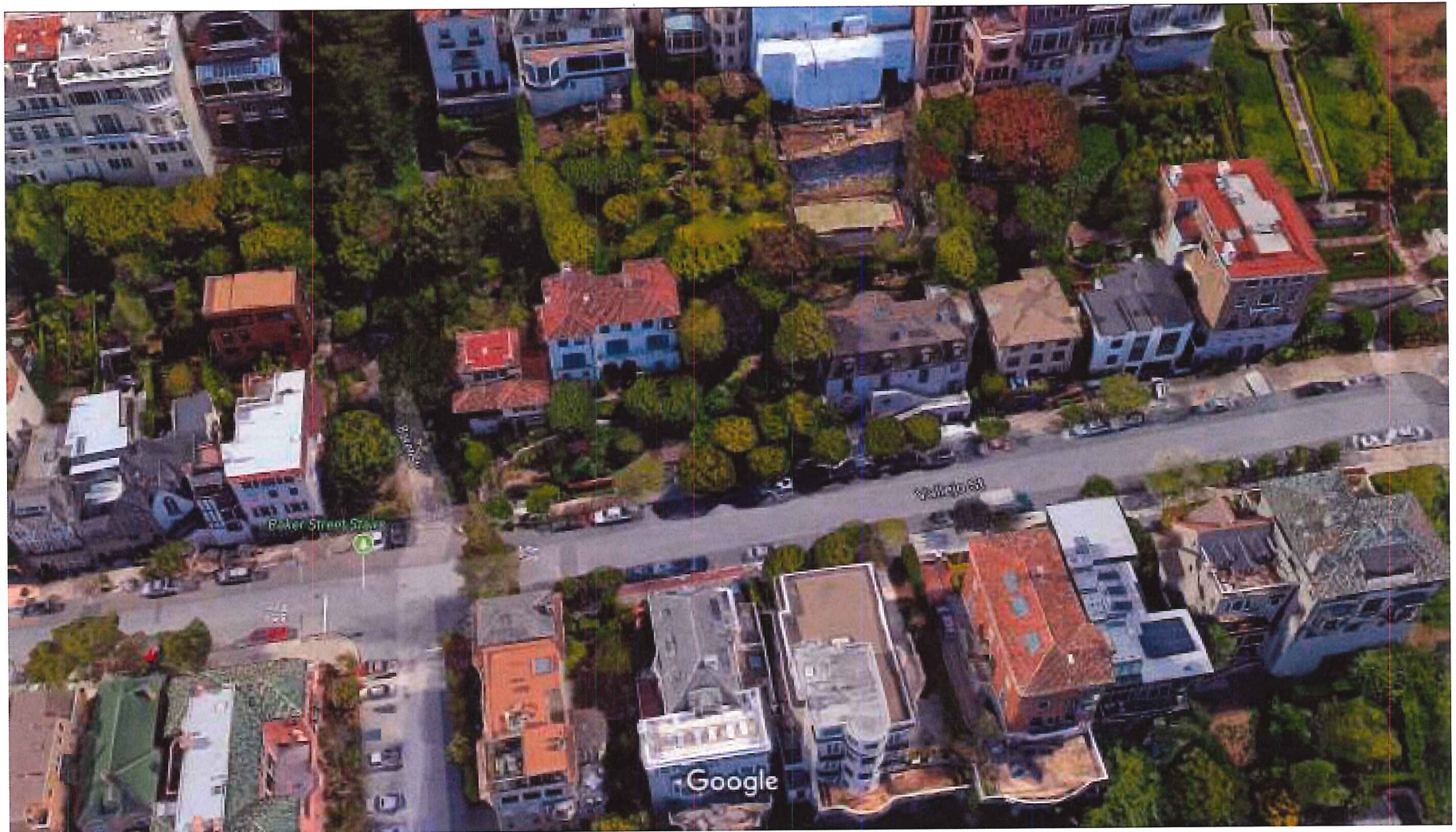


Imagery ©2017 Google, Map data ©2017 Google 20 ft



Imagery ©2017 Google, Map data ©2017 Google 20 ft


Google Maps Lyon Street Stairs



Imagery ©2017 Google, Map data ©2017 Google United States 50 ft

Google Maps Andrew Noske



Image capture: Oct 2015 Images may be subject to copyright.  United States

Street View - Oct 2015



PROJECT SITE



Google Maps 2898 Vallejo St



Image capture: Jan 2015 © 2017 Google

San Francisco, California

Street View - Jan 2015





OPPOSIT



SAN FRANCISCO, CA. 94123

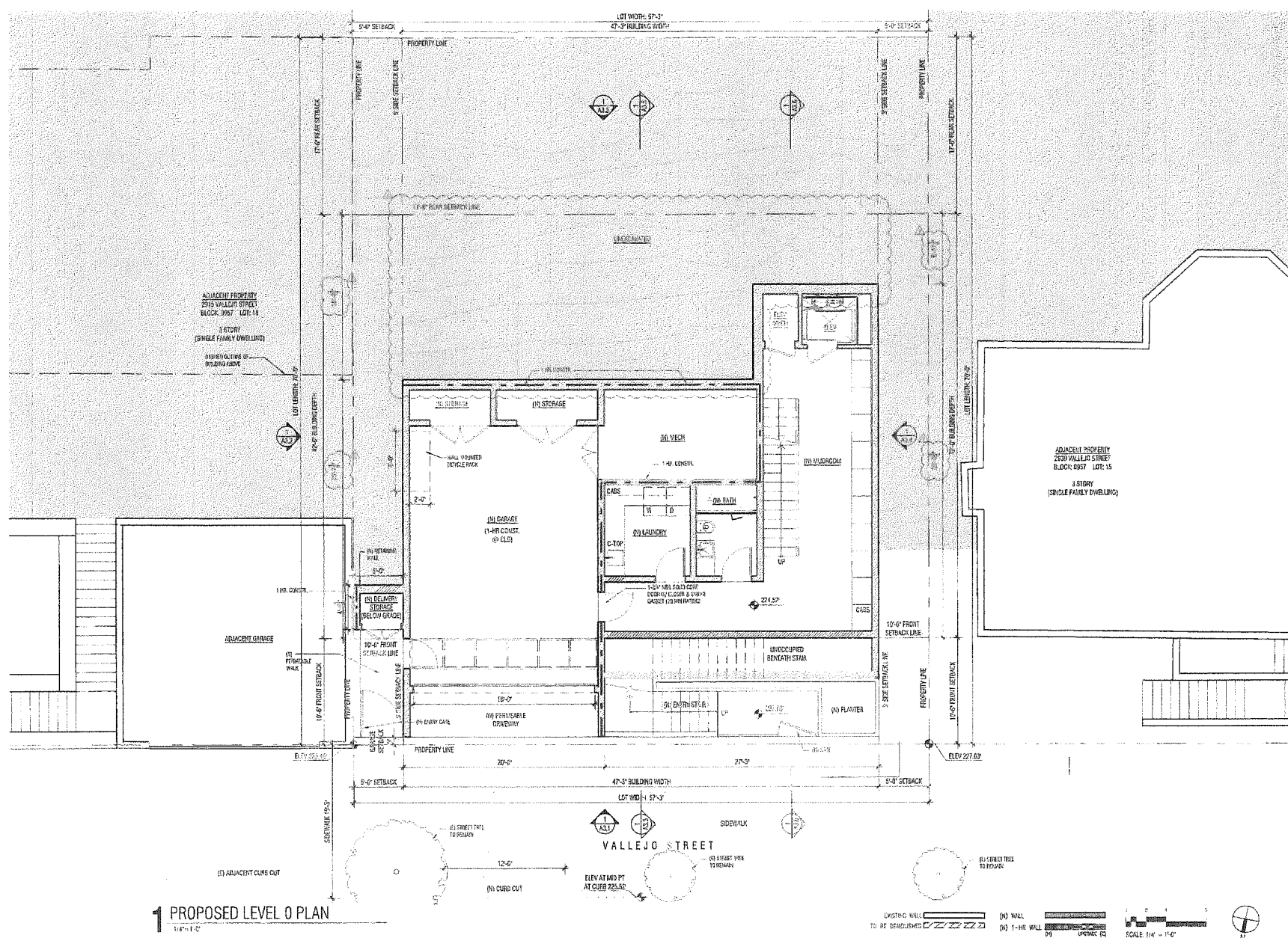
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5-31 200000 0-39 20000
1 0-39 20000
1 0-39 20000

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JAN 10 1968
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

1. PRODUCT REVIEW MTG.	
2. PRE-APPLICATION MTG.	02.15.16
3. EOP - 201	03.15.16
4. EE APP	04.11.16
5. EOP - 201 REVIEW	04.14.16
6. DESIGN PREVIEW	06.29.17

PROPOSED
LEVEL 0 PLAN

A2.0



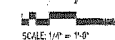
SAN FRANCISCO CA 94129

442 BUDA STREET
BAY FORD, CALIF. 3800
111-204-9100
1-714-863-0000

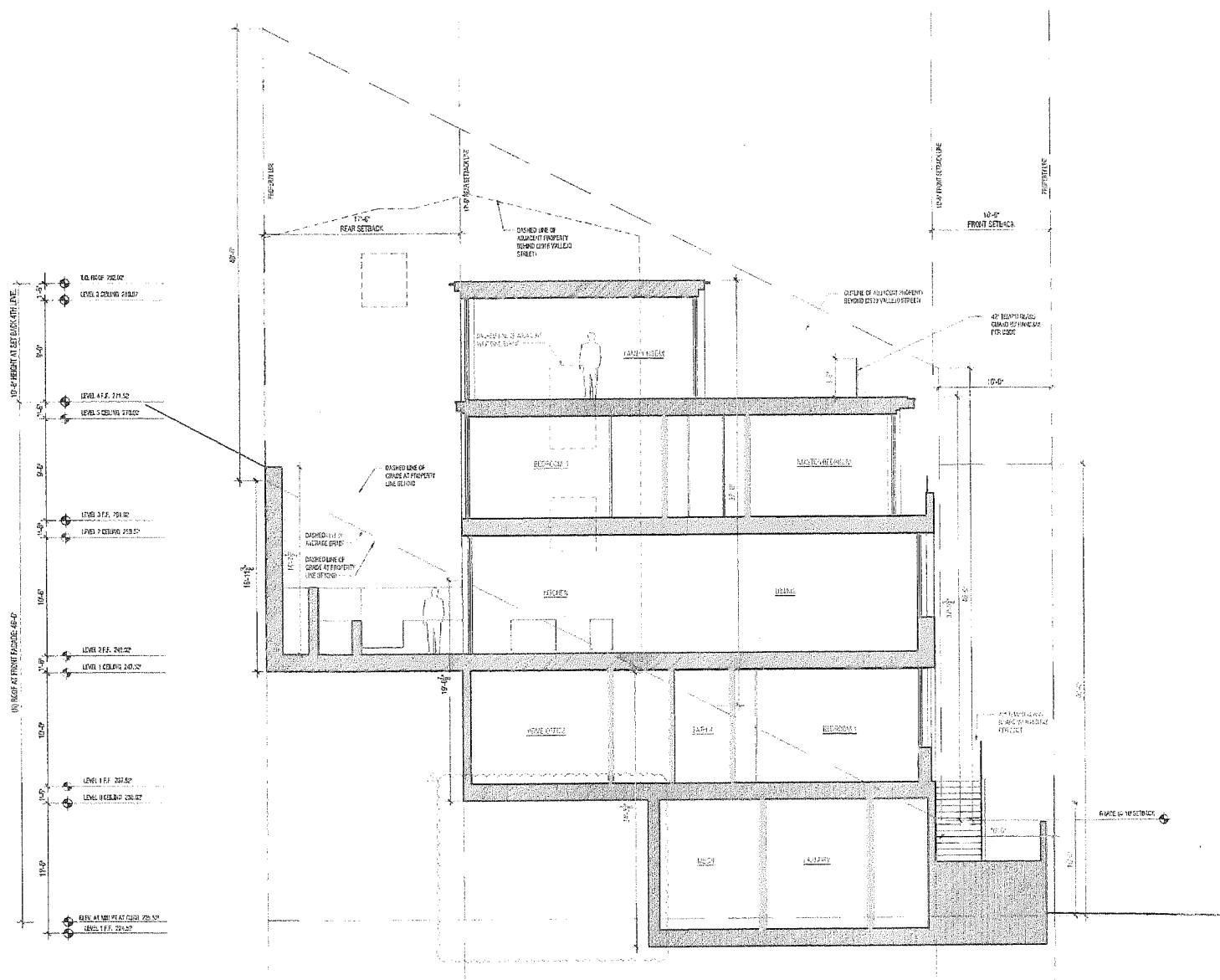


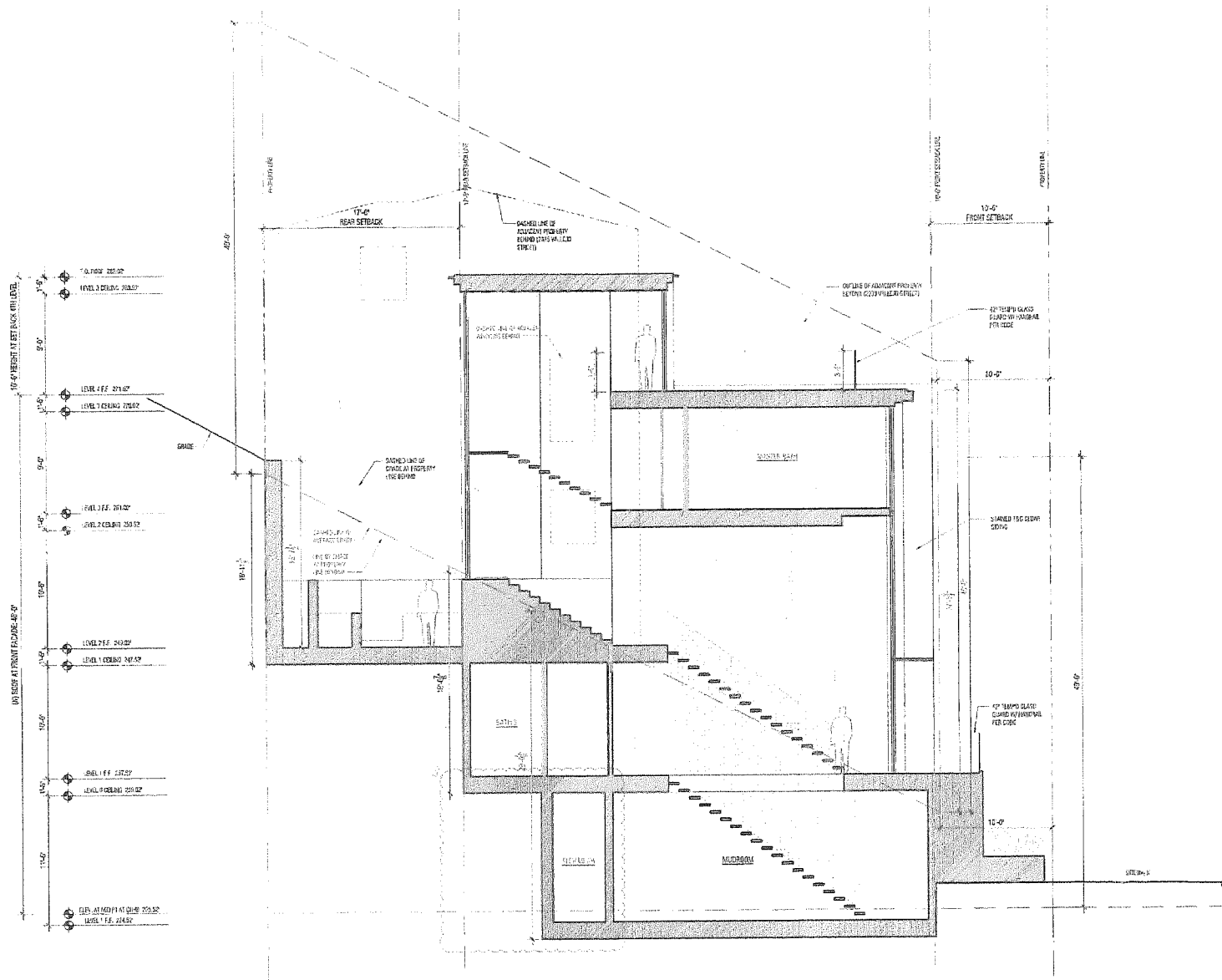
1. PROJECT REVIEW / IEG	
2. PRE-APPLICATION MTG.	02.10.18
3. DCP - 31.1	03.15.18
4. EE APP	04.11.18
5. DCP - 31.1 REV 1	04.14.18
6. DESIGN REVISIONS	06.28.17

A3.5



1 PROPOSED SECTION A-A





1 PROPOSED SECTION B-B
1/4" = 1'-0"

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

2921 VALLEJO STREET
SAN FRANCISCO, CA 94123

JOHN MANSALCO
ARCHITECTURE

445 CALIF. STREET
SAN FRANCISCO, CA 94102
415.398.0000
1/15/2014/0000



1. PROJECT DESCRIPTION
2. PRE-REVIEWED LAYOUT
3. 2D/3D
4. 3D/4D
5. 3D/4D/5D
6. 3D/4D/5D/6D

02/15/16
01/15/16
01/15/16
01/15/16
01/15/16

PROPOSED SECTION B-B

A3.6

2921 Vallejo Construction Management Plan

Introduction:

Thompson Suskind is a general contracting firm that has been conducting single family home construction in San Francisco since its inception in 2004. Derek Thompson, Principal, has been building and renovating single family homes in San Francisco since arriving in the area in 1998. We are dedicated to building the finest quality construction and to being strong supporters of our clients, their neighbors and our community. In addition to making San Francisco projects its central focus over the past 13 years, both Principals live and own homes in the city and pride themselves in being readily available to anyone impacted by our work.

We regularly execute complicated excavation and foundation projects as part of our work and in the past 5 years we have constructed and fully renovated the following homes in the immediate neighborhood of 2921 Vallejo: *2841 Vallejo, 2730 Vallejo, 2750 Vallejo, 2342 Broadway, 2350 Broadway and 2680 Green*. Each of these projects included full foundation replacement and in all cases, we had to support the existing building while we excavated and built the foundation. We also did neighboring underpinning on each of these projects without a single structural incident.

The project at 2921 Vallejo is less complicated than almost all the projects listed above because we do not have to temporarily support an existing structure and we have a 5-foot setback along the side property lines. To address some of the stated concerns, we have outlined a construction management plan below for the proposed work at 2921 Vallejo. Additionally, if we are selected to execute the project, we will create a website for neighbors to access where we will post weekly work flow updates and key upcoming events.

Excavation & Shoring:

- We have estimated the quantity of soil removal at 1200-1500 cubic yards. This includes approximately 2 feet of excavated area beyond the proposed building envelope to allow for appropriate shoring measures needed to stabilize the site prior to the mass excavation. The trees on site will be hauled away and recycled for landscape ground cover or donated for repurposing to a local mill. The trucks that would haul the soil away would have a 30-yard capacity, which calculates to a range of 40-50 trucks of soil off haul. Each truck would fit in-line with the property frontage and fit within the parking lane. Flagmen will be stationed at the street during loading as needed to ensure the safe passage and flow of vehicle and pedestrian traffic per DPW guidelines. We estimate 3-5 trucks can be off hauled during an 8-hour shift, which indicates a timeline of 13-16 working days of off haul. There will be an initial phase of off haul (approximately 3-5 days) during the shoring process, then the remaining off haul will be done on consecutive days after the shoring phase. Ultimately, the soil conditions specific to this site will determine the method of excavation. The soil at 2841 Vallejo ranged from very loose sand on the east to solid rock along the west. Within the first several weeks on site we will have a strong understanding of the site's true profile. Additionally, sample borings will be taken by the geotechnical engineer during the pre-construction design phase to establish

2921 Vallejo Construction Management Plan

foundation design criteria. We did encounter an area to the west side of 2841 Vallejo where ground water flowed more heavily than the rest of the site during and after rains. All subgrade water will be collected at the bottom of the new foundations and piped into the storm sewer system via the required sediment trap. We have not received any concerns from our client or the neighboring properties regarding ground water or drainage since our project's completion over 16 months ago,

- A licensed shoring engineer will be engaged to design the hillside shoring, which will be a requirement from SFDBI. We approximate the shoring will be placed 1-2 feet beyond the proposed building envelope to allow for safe working conditions. Alternatively, the shoring engineer could design the shoring to be placed exactly to the outside face of the new envelope, which would decrease the cubic yards of soil removal. Once the shoring is fully placed, the complete excavation can be executed. We estimate the shoring phase will take approximately 8-10 weeks during which time a drilling rig will likely be operating on site. Additionally, this phase will include 3-4 crane days to place the steel shoring columns. Traffic control will be exercised as appropriate during this phase and while cranes are operating.

Foundation Phase:

- The foundation phase of construction will commence as soon as the excavation is complete and we estimate this phase to take between 3-4 months. During this phase, we expect to conduct between 7-10 concrete pours. Most of these pours will take between 3-4 hours and require between 3-6 concrete mixing trucks. Additionally, a pump truck will be used for these pours, therefore one traffic lane will be utilized during the pours and traffic control will be employed. Notice of the concrete pours will be published to the neighbor distribution list.

Traffic Control & Parking:

- As a general protocol, we will only secure the parking spaces on the property frontage for our deliveries and storage. Workers will park off site and we encourage carpooling to diminish the burden on parking in the neighborhood and to control expenses for commuting costs. Our sites all require a full-time Site Superintendent as well as a full time dedicated Quality Control Officer. While the Superintendent is responsible for the overall daily operations, the QC Officer is responsible to ensure deliveries are executed in an efficient manner and to routinely check the street to ensure double parking is being prevented and neighbor's driveways are kept clear at all times. The QC Officer will also manage and execute traffic control along with other support staff. At all times, traffic will be allowed to flow through the street and access will be maintained for emergency vehicles as well.

Hours & Security:

- Our typical work hours on our San Francisco projects is from 8:00am-4:30pm. We rarely work overtime or weekends as we budget for work to be executed during standard 40 hour weeks. If we are on a deadline (i.e. a pending concrete pour) we might elect to work overtime or on a rare Saturday, but this is not our standard and we would provide advance notification. Once the

2921 Vallejo Construction Management Plan

structure is built, we provide a monitored security system that will be connected to dispatch SFPD and SFFD if the alarm is triggered. We will also be providing perimeter fencing and security lighting for the project to discourage entry during off hours. On our 3 projects on the 2700 & 2800 blocks of Vallejo, we also provided our team's direct contact numbers to the shared security detail so that we could be made aware of any concerns that were encountered off hours.

Barkley, Alice

From: Tuija Catalano <tcatalano@reubenlaw.com>
Sent: Tuesday, August 22, 2017 4:01 PM
To: Barkley, Alice; idick@fbm.com
Cc: james.frame@naturalhi.com; mariannaframe@gmail.com; arnie@lernerarch.com; bertrandcj@aol.com; annebos@aol.com; kmjohnson38@earthlink.net; geo@gundphoto.com; glorianamejia1@gmail.com; shawn@montoya-associates.com; adam200@mac.com; Stephanie Ting; john@m-architecture.com
Subject: 2921 Vallejo - Meeting Follow-up
Attachments: Att. 1 - Excavation.pdf; Att. 2 - Curb Cut.pdf; Att. 3 - Western Wall.pdf; CMP 06-30-17.pdf

Alice and Ilene + neighbors,

Thank you for the latest meeting on Aug. 10th. We appreciate you being available to meet with us, and hope that your clients have returned from vacations and you have been able to discuss with them. We wanted to follow up on number of items that were discussed in that meeting.

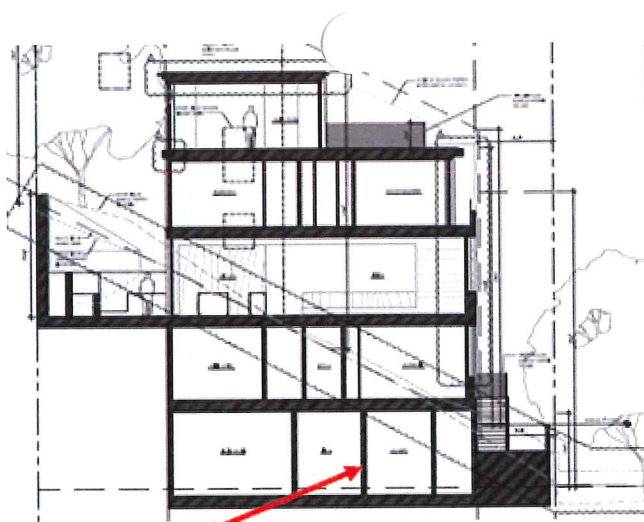
Geotech: We received the (second) geotech report from Rollo & Ridley Sunday night, and I forwarded it to you yesterday. If there are any questions on the report, please let me know.

Design comments: Based on our last meeting, it seems that the key design comments are:

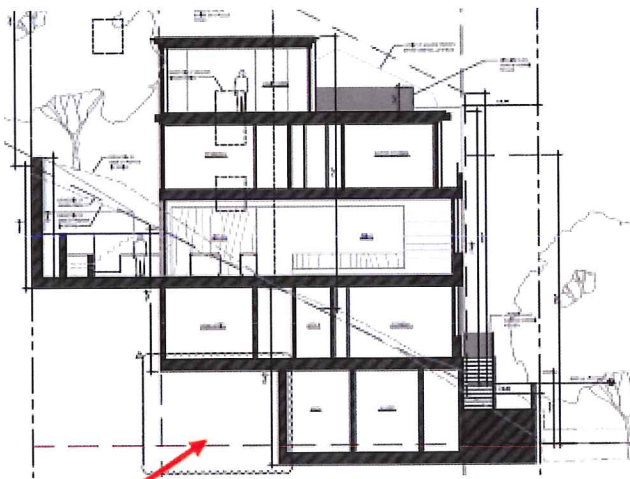
- 1) Amount of below grade excavation;
- 2) Location of the garage entry and potential conflicts with traffic to/from the garage for the neighbor across the street (Anne Boswell and Christophe Bertrand); and
- 3) The view and light access from the perspective of the adjacent neighbors at 2939 Vallejo (Marianna and James Frame) and the proposed front setback.

We have looked at each of these in detail and believe that we are able to address them, as follows:

- 1) Excavation – It is our understanding that this concern is, at least in part, due to concerns over construction impacts excavation could potentially have. Please note that any excavation that will be done as part of the project will be done professionally, and based on appropriate data and planning, including the findings and guidance from the geotech engineer, the (yet-to-be developed) shoring plans, and a team that is experienced with projects involving excavation. In direct response to the request for a lesser scope of excavation, Adam and Stephanie agreed to significantly reduce the excavation scope, by eliminating approx. 16' 4" of building depth on the lowest basement level, consisting of a 11' 6" vertical reduction. This reduction reduces the lowest basement level (Level 0) by approx. 50% in area, or by approx. 695 sf. The reduction is significant and is illustrated in the before and after section diagrams below. I have also included a plan view, elevation and section drawings wherein the reduction has been incorporated.



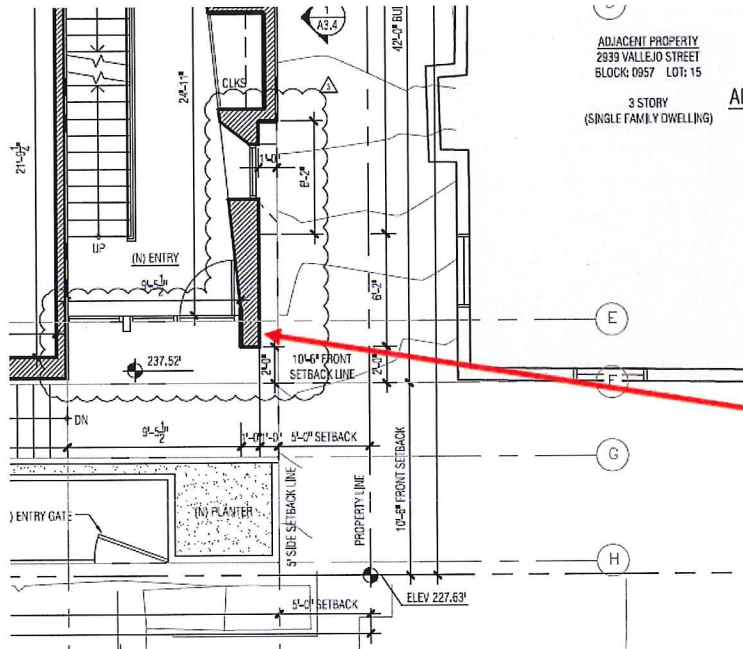
Before



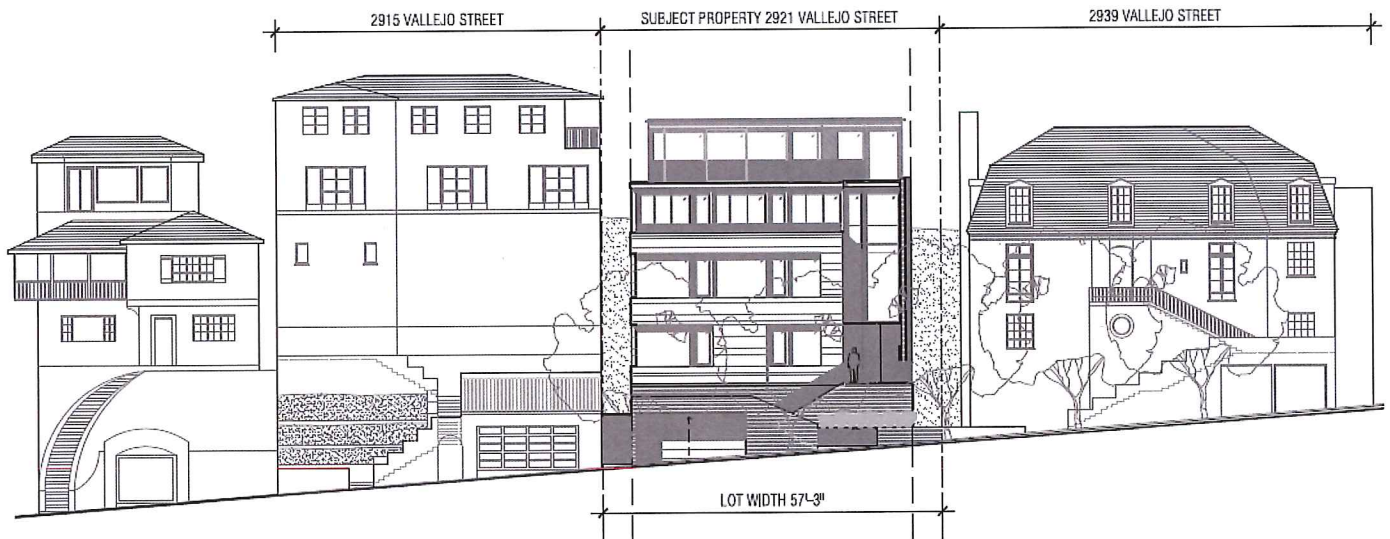
After

- 2) Garage Entry (Boswell/Bertrand) – We understand the concern is that since the garage entries/curb cuts for 2910 Vallejo and 2921 Vallejo are on the opposing sides of the street, and approximately in the same location, in the event that the occupants at both of these single-family residences might drive in or out of their garages at the same exact time, there could be some queueing issues, and in addition the prior placement of the curb cut did not include the ability to provide for a parking space between the Frames' 2939 property and 2921 Vallejo. In direct response to this concern, Adam and Stephanie agreed to revise the location of the proposed curb cut, by moving it downhill by approx. 5' and by reducing the curb width to 10', thus resulting in an overall movement of approx. 8'. This change would allow all three existing street trees to be retained, would add an on-street parking space between 2939 and 2921 Vallejo, and also addresses the potential traffic conflicts between the 2921 Vallejo and the Boswell/Bertrand garages. Attached are two plan sheets showing the proposed changes to the curb conditions.
- 3) Views and Light Access for 2939 Vallejo (Frames) – During our last meeting, we discussed the request to increase the front setback and distance to the Frames' building at 2939 Vallejo. We talked about the fact that both the existing and proposed buildings include 5' side yard setbacks, which provide for fully Code compliant side yards and a generous separation of 10' between the buildings. Thus, we did not characterize this as an air access issue. We also talked about the relative locations of both buildings, including the topography, and how for those reasons, the new building at 2921 Vallejo is unlikely to have any material impact on light access either. Nevertheless, we heard the concern about the perspective, particularly from the corner windows the Frames have closest to the front and the side yard. In response to the Frames, Adam and Stephanie directed John to revise the building feature closest to those windows, by moving the western wall (located closest to the

boundary shared with the Frames) by 2' to the south on the 1st, 2nd and 3rd levels, and by offsetting the northern portion of this western wall further away from the Frames' house by 1'. This revision would increase the diagonal view towards the street and Bay from the Frames' east facing windows, and improve the view from 2939 Vallejo, and we would propose to make that change if the Frames agree. Below is a diagram showing the location of the revised wall as well as overall elevation showing the separation between the homes. Attached are also couple plan pages showing the change on all three levels, as well as few renderings showing before and after conditions.



Revised western wall



Construction Management and Facilitation: Last, but not least, we understand that there are still many questions about how construction will take place. These concerns are very valid and understandable. Although construction impacts are not permanent, they will result in some temporary effects to the neighbors. That said, we do not yet have a contractor on board, shoring plans have not yet been drawn, and some of the other data that typically is handled at the building permit and/or construction phase is not yet available (which is very typical regardless of the size of the project).

Although construction facilitation is not within the Planning Department or Planning Commission's purview in the context of a DR filing, Adam and Stephanie are very attentive to all of the concerns. One of the things they did was to contact an experienced contractor in an effort to provide some preliminary information. On July 3rd, we provided an estimated, sample construction management plan from ThompsonSuskind, a contractor who has completed several projects within block or few of the site and has worked on other similar projects. I have attached that sample construction management plan here. They also agreed to engage a second geotech engineer, Rollo & Ridley, to prepare a geotech report, and those results were received and have been shared with you.

Overall, Adam and Stephanie have indicated that:

- They will comply with all applicable laws and regulations, and obtain all necessary permits and approvals from DBI and any other applicable agencies;
- They will engage experienced professionals for the construction of the project;
- They will appoint a neighborhood liaison as a point of contact to the neighbors, and provide a mechanism (e.g. weekly email distribution list or a website) for information sharing and communication; and
- Last, but not least, they will continue to be cognizant to the construction facilitation concerns that have been expressed by the neighbors.

In sum, although these concerns are not something that is subject to a decision by the Planning Commission in the DR hearing context, Adam and Stephanie are committed to completing the project responsibly, with the neighbors' concerns in mind. Moreover, in direct response to the neighbors' feedback, they agreed to a significant reduction in the amount of excavation, which is discussed above and will simplify the construction phase as well.

Thank you,

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Partner
Tel. (415) 567-9000
Cell (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com

SF Office:

One Bush Street, Suite 600
San Francisco, CA 94104

Oakland Office:

827 Broadway, Suite 205
Oakland, CA 94607



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Good Neighbor Policies To Be Implemented by the Project Sponsor

The Project Sponsor shall enter into an agreement with the neighbors regarding good neighbor policies, construction work hours, and specific construction protocols to be included in all construction contracts. The following items listed can be implemented by the Project Sponsor without any input by a contractor.

1. Construction Hours -

- Limit construction hours to be from 8:00 AM to 4:30 PM weekdays only.
- No construction during weekends or holidays.
- Notify all neighbors on the list provided by DR Requestors at least forty-eight hours in advance of significant or noisy construction activities such as use of jack hammers and similar equipment, crane days, excavation, concrete pouring and steel erection.

2. Communication with Neighbors during construction

- The Project Sponsor shall designate a person or persons at the site, who will be responsible to respond to any complaints from neighbors and his contact information.
- Provide the name and telephone number of contact persons that may be reached 24/7 in the event of emergencies.
- Notify neighbors on a list to be provided by the Dattels every Friday via e-mail informing them of upcoming traffic lane or street closure and construction activities for the following week.

3. Noise

- Prohibit use of radios outside and limit the volume of radios inside after the house is enclosed.
- Prohibit eating, smoking, or loitering on sidewalks.
- Incorporate the requirements of Police Code section 2907 (a) and (b) into all construction contracts.
- Require the Contractor and subcontractors to use best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, "quiet" models of air compressors and other stationary noise sources where technology exists) to minimize equipment and truck noise.

4. Construction Safety

- Construction site must be secured at end of each work day.
- Install security cameras and preserve the recordings for one month.
- Construction trailer, and/or the Porta-Potty must be locked at all times except when in use or located within the Project Site.
- Store all construction related trash and debris in a dumpster which shall be covered and locked at the end of the day.

5. Traffic Management

- Maintain one open traffic lane at all times, no double parking by construction or delivery vehicles and do not block any driveway between Baker and Lyon Streets at any time.
- No on-street Parking by construction workers, agents, representatives, visitors of the Contractor and/or subcontractor on Vallejo Street, Baker Street or on streets in the immediate neighborhood.
- Provide off-site parking and provide shuttle service to and from the construction site.

6. Monitoring of settlement and vibration during construction

- Extend the pre-construction survey and monitoring measures identified in the Rollo Geotechnical Report to 2910 Vallejo Street.
- Place professional sound and vibration monitoring equipment in the homes of the adjacent neighbor and the neighbor at 2910 Vallejo Street.

7. Air quality

- Incorporate into all contracts that the contractor and/or subcontractors shall comply with all the provisions of the City's Dust Control Ordinances (Health Code Article 22B, and SF Building Code Section 106.3.2.6 into the construction Contract)
- Clean the exterior of the two immediately adjacent homes and the home at 2910 Vallejo Street once during construction and once at the end of construction.

8. Geotechnical Investigation Report

- Revise the Geotechnical Investigation Report to include an in depth discussion of measures to be taken in the event that ground water or aquifer is encountered.

9. Design

- Revise the Project plans to show relocation of the curb cut to the west end of the garage as shown in the e-mail sent to Bertrands' counsel on August 22, 2017 and reduction of the depth of excavation at the garage level..

Construction Management Plan

Upon entering into a contract with a contractor and prior to start of construction, the Project Sponsor shall host one or more meetings with the neighbors and the Contractor to discuss preparation of a construction management plan which will contain the following:

- Identify the truck routes and truck staging locations for all phases of the project.

- Provide construction phasing and duration for each phase of construction so that the neighbors will have a global understanding of the construction impact of each phase.
- Prohibit staging, delivery of equipment and materials and general construction traffic including excavation and concrete related activities prior to 9:00 AM and after 3:30 PM.
- Provide detailed information on the number and placement of certified flag persons during excavation, a concrete pour, and deliveries requiring the use of a crane or closing a traffic lane.
- Provide sufficient number of certified flag persons to direct traffic and protect pedestrians.
- No double parking at any time.

Upon completion of the Construction Management Plan, the Project Sponsor shall:

- Present to the neighbors the preliminary construction Management Plan after a contractor is selected and before finalizing the plan and submitting it to TASC.
- Request TASC that the meeting where the preliminary construction Management Plan is discussed should be a public meeting.











DuaneMorris*

Duane Morris LLP
Spear Tower
One Market Plaza, Suite 2200
San Francisco, CA 94105-1127
PHONE: +1 415 957 3000
FAX: +1 415 957 3001

Memorandum

Date: July 17, 2017

To: Tuija Catalano

CC: Kristine Johnson, Tim Dattels, Anne Boswell, Christophe Bertrand, Marianna Frame, James Frame, Ilene Dick, George Gund, Gloriana Mejia

From: Alice Barkley

SUBJECT: Comments on Design Revision to 2921 Vallejo Street and Construction Management Plan

Thank you for forwarding the Construction Management document (herein "Plan") from Thompson Suskind, L.P., General Contractor (herein "Contractor"). This e-mail responds to the revised plans and the Construction Management Plan.

Design

Anne Boswell, on behalf of all the neighbors, asked at the Planning Department Meeting that your client relocate the garage door and driveway to the west side of the project site in conformance with both adjacent neighboring properties. The neighbors asked your client to reduce the depth of the second floor (above the garage level) to follow the natural topography of the hill per the Residential Design Guidelines, increase the front setback depth and provide wider side setbacks to protect the light and air access to the windows of the adjacent houses. Your client did not respond to any of the neighbors' design concerns stated above. The adjacent neighbors will provide additional comments on the specific design revisions to mitigate the impacts of your client's project on their homes.

Construction Related Issues

Based on the Plan, your client has provided responses to some of the issues raised by the neighbors but not all. The following will summarize the responses where provided and requests for further clarification. For your convenience, I have highlighted the issues that

have no response. Requests for clarification or additional inquiries are in *Italic*. The neighbors still await responses to those issues.

- The Plan estimates that the excavated volume of cubic yards of soil and rock is 1200 to 1500 cubic yards, which includes 2' beyond the building envelope. Does the estimated volume include the decrease in the depth of the garage level?

- The Plan estimates the use of 30-yard capacity trucks to haul away the excavated material and estimates 40-50 trucks or 80-100 truck trips with an average of 3-5 trucks during an 8-hour shift, which would be 13-16 working days of off-haul. In addition, "there will be an initial phase of off-haul (approximately 3-5 days) during the shoring process."

It is our understanding that a 30 cu. yd. end dump trailer is approximately 30' long plus the length of the tractor, which would be in excess of 10'. Given the length of the truck and tractor and this block of Vallejo Street is a dead end street, how will trucks of that size enter and exit the staging area in front of the site?

What is the cubic yard capacity of trucks used during the initial phase off-haul during the shoring process? If it is not feasible to use 30-yard capacity trucks, what will be the size and length of the trucks? How many trucks will be required per day and the number of days to complete removal of the excavated material if a smaller size truck is used?

- The Plan did not respond to how many truck trips would be required to remove all the vegetation on the site.

Please provide a response.

- The foundation phase will take 3-4 months. The Plan estimates that there will be 7-10 concrete pours with these pours taking between 3-4 hours each and requiring 3-6 concrete deliveries per pour requiring closure of one traffic lane during the concrete pours.

- The Plan does not include information regarding the type of equipment used during the excavation phase, and the noise and vibration impacts. Inasmuch as the Contractor has experience working in the area, will the Contractor inform the neighbors whether jack hammers or similar equipment were used in the other projects referred to in the Plan? Neighbors request that the developer place professional sound and vibration monitoring equipment in the homes of the surrounding neighbors to monitor the sound and vibration regularly to identify any damage to their properties as the construction proceeds.

- The Plan does not include measures to minimize dust and loud noise generated by workers using radio and communicating with each other by yelling.

- The neighbors are concerned with the impacts of any change to the existing underground aquifer to the neighboring properties. When can the neighbors expect answers to their geotechnical questions that include ground water/aquifer information?

The Plan states "all sub-grade water will be collected at the bottom of the new foundation and piped into the storm sewer system via the required sediment trap." The neighbors' question is when you encounter an underground aquifer during excavation before pouring of any foundation, what is the dewatering plan? The other question is whether the new building will divert the ground water flow onto the downhill neighbors' properties. It is our understanding that the project sponsor has engaged a new geotechnical engineer (Ridley and Rollo). Mr. Rollo has offered to meet with the neighbors to discuss the geotechnical report and to answer questions. When can the neighbors receive a copy of the new Geotechnical Report and when can you schedule a meeting between Frank Rollo Jr. and the neighbors? A copy of the new geotechnical report is essential to understanding the presence of groundwater/aquifers and their location and size. The neighbors require this information to understand the measures they need to take to protect their properties.

- The construction Phasing and duration of each phase:

Except for the Foundation Phase, the Plan does not provide information on the construction phasing. Please provide the duration and maximum number of truck trips for the following phases:

1. Site Preparation
2. Shoring/Excavation Phase
3. Foundation and podium Level Phase
4. Superstructure phase through enclosure of the Building
5. Interior finish phase:

- The Plan mentions using a crane for 3-5 days to place steel shoring columns. Will the crane be a tower crane or mobile crane? Please verify that the project will only require 3-4 crane days to place the shoring columns, and that no crane will be required for delivery of reinforcing steel bars for the retaining walls and foundation, or structural steel beams and columns for the building. If not, how many days that one or more traffic lane would be closed for the crane?

- What are the truck routes for the dump trucks, concrete trucks, concrete pump trucks and trucks for delivery of large construction material? Where is the staging area for the waiting trucks? What is the protocol for delivery, including large equipment and building supplies (such as a tower crane (if used), steel beams etc.)?

- Will both traffic lanes have to close at any time? If yes, what activities would require closure of both traffic lanes?

- Will the Contractor designate a person or persons to receive complaints and to provide their names and telephone numbers to the neighbors who are signatories of this Agreement and other neighbors who request that contact information? These contact person(s) shall be on the construction site during work hours and available by telephone and e-mail at all other times, including holidays and weekends, throughout construction of the Proposed Project.

- Will the Contractor notify the neighbors at least forty-eight (48) hours in advance of significant construction events that include, but are not limited to, use of jack hammers and other similar noisy machines, crane days, removal of portions of the existing house, excavation, concrete pouring, and steel erection?

- Will the developer send a weekly e-mail on Friday informing the neighbors of any upcoming traffic lane or street closures and the activities for the next week?

- What is the parking plan for the project, including employees, visitors, suppliers etc.?

Than plan states that the workers "will park off-site and they will be encouraged to carpool to diminish the burden on parking in the neighborhood and to control expenses for commuting costs." Can you clarify if "off-site" means that the workers will not use on-street parking in the neighborhood? If not, the "parking plan" is inadequate. The neighbors are requesting that the project sponsor require the contractor to provide off-site off-street parking and shuttle them to the project site.

- The response to traffic management to minimize conflict between residents and construction vehicles is too general.

Please clarify how many flag persons will be present daily and when there is closure of a parking or traffic lane. Will the flag person(s) have certification from the State of California? The neighbors request that the developer and contractor employ only certified flag persons.

- What are the proposed security measures during construction of the project? The Plan states that a monitored security system connected to SFFD and SFPD will be installed once the structure is built. Can you define "when the structure is built"? Does that mean the developer will provide monitored security only after the exterior of the proposed building is enclosed? If not, please clarify. The Construction Management Plan States that you will provide "your team's contact numbers to the shared security details so that you can be made aware of any concerns that were encountered off hours." We suggest that you provide 24-hour security to safe guard the construction site.

- Please confirm that elimination of on-street parking spaces would only be those in front of the Project site during construction of the Proposed Project.

- The workday will be from Monday-Friday, 8:00 am to 4:30 pm only. However, if you are facing a deadline, such as concrete pour, will there be overtime work or work on a Saturday?

Given the narrative of the Plan regarding concrete pours, it is important that the contractor estimates, based on his experience working on similar projects near the project site, how often there would be overtime on weekdays and on Saturdays. Overtime work during the weekdays requiring closure of one traffic lane impact the AM or PM peak hour traffic or both.

- The Plan states that emergency vehicle access to the homes on the 2900 block will be maintained at all times?

The neighbors assume that you will have a flag person on duty at all times to ensure emergency vehicle access. Will there be any time during construction that you need to close both traffic lanes thereby precluding or at least delaying emergency access to the home on this block of Vallejo Street?

The neighbors look forward to meeting with your clients, the contractor and the architect to discuss the construction management related issues. They would like to schedule another meeting after they have an opportunity to review the new Geotechnical Report and additional revisions to the revised design.



October 11, 2017

Via E-Mail: richillissf@gmail.com

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

Re: 2921 Vallejo Street: Discretionary Review Hearing
Discretionary Review Requestors' Response
Hearing Date: October 26, 2017
2016-005171DRP-03

Dear President Hillis and Commissioners:

We represent Swipe Right, LLC and Marianna and James Frame (the "Frames"), the Discretionary Review ("DR") Requestors that live immediately to the west of the DR property at 2921 Vallejo Street. The Frames are one of four neighbors that filed DR requests against the single-family home proposed for the vacant lot at 2921 Vallejo ("Proposed Project"). The Frames are requesting as part of their DR that (1) increased front and side setbacks be required for the 2nd and 3rd levels and (2) that the significant trees on their lot be retained and that a tree protection plan be developed as a condition of approval, and (3) in keeping with the General Plan's requirement to minimize excavation on steep hillside sites, stepping not only the level 0 plan as we had requested, but also the level 1 plan in exactly the same manner.

In addition to their own DR request regarding specific design modifications to the Proposed Project, the Frames join in the letter submitted to the Commission by DR Requestors Dattels/Johnson and Boswell/Bertrand requiring that Project Sponsors agree to a Construction Management Plan as "good-neighbor" gestures. Collectively, the four DR Requestors and the other thirteen (13) neighbors have signed a letter expressing their concern about the potential construction impacts caused by the Proposed Project¹, and ask the Commission to take Discretionary Review and impose the Construction Mitigation Plan as a condition of approval.

The Frames live at 2939 Vallejo Street. Built in 1935, their 3-story, 6,111 sf home is on a 6,000 sf lot and has a building to lot ratio of 1.02. Their opposition to the Proposed Project is unique amongst the DR Requestors in that the eastern side of their home, which has several

¹ See letter of support at Exhibit A.

openings, directly faces the new home. Because the adjacent lot has never been developed, the impact on the Frames' home from the proposed plans for the new home are significant and numerous. This list includes the loss of light, air and privacy², the reasons for which the Frames request DR be taken and increased setbacks be required for the 2nd and 3rd levels. They also request that the significant trees on their lot (a Magnolia Grandflora) that currently provides natural beauty on their exterior space be retained. Many of those trees on the Proposed Project lot are not shown as existing on the proposed plans, suggesting that they will be removed by the construction of the new home. As a result, the Frames request that the Commission take DR to require that construction not commence until the Project Sponsors develop a Tree Protection Plan ("TPP") to preserve and protect the Magnolia tree and other significant trees on the lot and the TPP is approved by the Bureau of Urban Forestry.³

I. FACTUAL BACKGROUND

Communications between the Frames and Project Sponsor

The Frames' objections and concerns about the currently proposed design run the gamut of issues that arise when a project site has never been developed and is on a deeply sloped lot in an intensely developed neighborhood. These include but are not limited to maximum lot coverage, massing, scale, front and upper story side-setbacks for light and air, and failure to respect and follow the site topography. Even with the abundance of design issues and good-faith solutions that were discussed with the Project Sponsors, no mutually satisfactory agreement was reached. Project Sponsors were willing to negotiate some of the "low-hanging fruit" but only if the Frames' withdrew their DR. The Frames refused on the grounds that their requests were well within the realm of compromise.

Frames' Proposed Design Modifications

Plan revisions that reflected the Frames' concerns were sent to the Project Sponsors on August 8, 2017 in anticipation of a meeting. The plans addressed the loss of light to DR Requestors' home by requesting a 19' setback on the 2nd and 3rd floors as an initial starting point for negotiation and notches that enhance the preservation of the Magnolia tree and other foliage on their lot.⁴ Both of these features are encouraged in the Residential Design Guidelines ("RDG") and the Cow Hollow Residential Design Guidelines ("CHDG"). The Frames' proposed plans maintained the interior layout, program of the home, room sizes and kept all 5 bedrooms, 8 bathrooms, family, dinning, living and play rooms, making a 1½ foot change only

² See shadow study by Fastcast/CADP at Exhibit B.

³ The Magnolia Grandflora tree, within 3' of the Frames' property, is a beautiful large mature tree. It is over 55' tall, with a canopy of 28' and a 22" diameter at breast height. It stands above the many significant trees on adjacent lot that should be preserved by a Tree Preservation Plan implemented and maintained by the Project Sponsors, subject to approval by DPW Bureau of Urban Forestry. See Arborist Report, Exhibit C pp. 2-5.

⁴ See Exhibit D.

to the large deck on the 4th floor, which is reduced in depth to 12'-10" from 14'-4" and removing one bathroom and the office and home gym.

Project Sponsors' Rejection of Proposed Design Modifications

A meeting was held on August 10, 2017 between the parties' architect and lawyer to discuss the issues highlighted in the August 8, 2017 plans. Project Sponsors would not commit to any setback on the upper levels. They contended that any loss of light into the Frames' home from the project was nominal and likely caused by their windows locations on the property. Project Sponsors were also non-committal about the notch preserving the Magnolia tree. They did, however, agree to consider the 1½ foot reduction on the 4th level setback but only if quantitative, as opposed to qualitative information (DR Requestors' experience living in their home), could show those impacts would result from the new home. The Frames have since hired a shadow consultant to identify the potential impacts from the Proposed Project on the eastern light into their interior and outdoor living areas.⁵

II. THE FRAMES' REQUESTS TO MODIFY THE PROPOSED PROJECT TO REDUCE OR MITIGATE PROJECT IMPACTS ARE WELL WITHIN THE INTENDED SCOPE OF DISCRETIONARY REVIEW.

The Commission's exercise of Discretionary Review is

"a sensitive discretion . . . which must be exercised with the utmost restraint" to permit the Commission "to deal in a special manner with exceptional cases." Therefore, discretionary review should be exercised only when exceptional and extraordinary cases apply to the proposed construction and modifications required only where the project would result in a significant impact to the public interest.

(Emphases added.)

Under the stepwise analysis for DR, the Commission first needs to decide whether there are "exceptional or extraordinary" circumstances. Here, the project entails development of a lot that has never been built on. That fact is an exceptional and extraordinary circumstance since it is located in an intensely developed neighborhood with a prevailing development pattern and topography that is reflected in the siting of the homes. It is also extraordinary and exceptional because the public impact of the project vis-a-vis construction and excavation will have heightened impact on the Frames due to their proximity to the project site.

Sixteen neighborhood residents signed a proposed Construction Management Plan that would potentially impact their quality of life. The public at large would be impacted due to the close proximity of the excavation to streets and sidewalks and other construction trucks that will be required to build the new home. This would affect access to and use of the Lyon Street Steps that are one of the main access points to the Presidio – both popular tourist destinations. The

⁵ See Exhibit B.

final design approval could result in up to an additional 6 months of excavation and construction, disrupting parking, tourist, community and neighbor access. The final design determines the size, scope and excavation required to build the home. In turn, that decision will affect the duration of construction and the safety of the neighbors' homes and public safety on the neighborhood's streets and sidewalks.

The Frames have shown that the lot and the proposed development are extraordinary and exceptional circumstances given the prevailing development pattern on the block face, the proposed large size of the home, existing neighborhood lot coverage ratios and the absence of reasonable setbacks proposed to preserve the light and air into the Frames' home, reduced excavation to reduce the scope and duration of the project and potential impact on all neighbors foundations, underground watercourses and potential for landslides. Based on the above, the Commission should take DR and adopt the Frames' requested design modifications.

Residential Design Team ("RDT") Review of the Proposed Project was Limited

The RDT reviewed the recent revisions to the Proposed Project for only 15 minutes. Under the RDT protocol, new construction is always reviewed for 30 minutes.⁶ In addition, the last RDT March 3, 2017 review preceded additional plan revisions made by the Project Sponsors.⁷ This project has the potential to be extremely impactful to adjacent properties to the left, right, rear and across the street, not just from excavation, shoring, earthquakes, underground watercourses and foundations but also construction, due to extreme lot coverage and lack of setbacks for light and air. Given the variable setbacks and well-established development pattern on this block, the skeletal review done by the RDT undermines the spirit and intent of the Residential Design Guidelines ("RDG"). Because of this limited review, we provide further analysis of the applicable design requirements under the RDG and/or the Cow Hollow Residential Design Guidelines ("CHRDG") and describe how the Proposed Project does not fully comply with or further the intent and purpose of those Guidelines.

To further underscore the extraordinary circumstances facing the Frames, the Proposed Project design fails to fully respect and incorporate the "good neighbor" design modifications set forth in the RDG and the CHRDG. Thus, the issues raised by the Frames are focused on the overwhelming massing, scale, maximum lot coverage and the absence of acceptable front and upper-story setbacks. The intent of the RDG and the CHRDG require that the modest changes sought by the Frames be incorporated into the proposed new home. We list below the RDG and CHRDG that have not been effectively enforced by Planning or complied with by the Project Sponsors.

⁶ See Exhibit E.

⁷ See June 8, 2017 plans.

Basis for Granting Discretionary Review.

1. As designed, the scale and size of the project is incompatible with the homes that surround it and, therefore, conflicts with the RDG and CHRDG.

The DR application raised concerns about allowing such a large home on a 70' deep upsloping lot. A large house on a relatively small lot is inconsistent with the prevailing neighborhood character and development pattern on the surrounding upsloping lots. The Proposed Project will result in a 7,065 sf house on a 4,008 sf upward sloping lot between two existing homes on the south side of Vallejo Street between Baker and Lyon, for a lot-size ratio of 1.76, the largest on the block.⁸ Exhibit F shows the relative home/lot-size ratios on the south side of Vallejo Street between Baker and Lyon. As can be seen, the proposed home's lot-size ratio of 1.76 is 75%-300% higher than every other house on the block. In comparison, the Frames' 6,111 sf house to the west of the project site is on a 6,000 sf lot and has a ratio of 1.02, and the 4,000 sf home to the east of the project site is on a 7,871 sf lot for a ratio of 0.51. Given these two adjacent properties, such a large house on a relatively small lot is inconsistent with the prevailing neighborhood character and development pattern on the upsloping lots. This would set a precedent for every house on the street to become mega mansions that could double or triple the size of their house.

Given its size and scale, this home is not adhering to the RDG and the CHRDG recommendations to follow the topography of a site to minimize impacts to adjacent properties and to reflect the site's topography as an integral part of the block. In the August 10, 2017 meeting, Project Sponsors said they were stepping up the lot's hilly topography. However, the only real setback in relation to the topography is the family room on the top floor. See Project Sponsors' plans dated June 29, 2017, p. A.3.5.

Residential Design Guidelines (RDG): Building Scale pp. 23-24

Another design principle under the RDG is to "ensure that the building's scale is compatible with surrounding buildings." (RDG at p. 5.) Here, the floor area of the proposed building is almost two times the size of the lot. In contrast, the floor area to lot-size ratio of the DR Requestors' home is 1:1. The house to the east of the project site occupies even less of its lot, with a floor area to lot size ratio of 0.51:1. Unlike the other homes on the block, the size of the Proposed Project at this steeply sloped location will dwarf its neighboring properties. The average ratio of home size/lot size is 0.834 on this block and is a 3,336 sf home. At the highest ratio, a home would be 5,520 sf. That said, while the Project Sponsor has proposed a 7,065 sf house, our proposed alternative design, which includes all of the Project Sponsors' desired uses (including number of bedrooms), is 6,520 sf in area.

The RDG acknowledge that a building that is larger than its neighbors can be designed to be similar in scale and compatible with adjacent buildings through the use of setbacks to upper

⁸ See Exhibit F.

floors or by reducing the height or depth of the building. In this case, the Project Sponsor has made no effort to do either. (RDG at p. 23.) The Guideline also specifically notes that the building scale should be compatible with the height and depth of the surrounding buildings. The Frames proposed 19' setbacks at the 2nd and 3rd floors to moderate the impact of the proposed building's scale and massing on their home, and reduce the amount of excavation is consistent with this Guideline.

The RDG also recommends that a building can be made to look and feel smaller by façade articulations and setbacks to upper floors. With that purpose in mind, the Frames proposed modifications to the Project Sponsors that included a 19' setback at the 2nd and 3rd floors at the western side of the new home to both increase light into Frames' home and to minimize the impacts of the building's massing on their continued enjoyment of their home. These modifications were rejected outright by the Project Sponsors.

2. As proposed, the project results in a substantial loss of air and light into the main living areas of the DR Requestors' home.

In light of the relatively nominal depth of the front setback and the scale, size and location of the Proposed Project on the lot, the Proposed Project will result in a substantial loss of air and direct eastern light into the most-used living areas of the Frames' home⁹. To mitigate this impact, the Frames believe the project should be modified by, among other things, increasing the size of the front setback to 23'-10". Given the proximity of the Proposed Project to the Frames' home, a 19' setback at the 2nd and 3rd floors would eliminate the significant loss of eastern light into their primary living areas. A setback of this depth will retain the interior space that the Project Sponsors sought. It also enhances the Project Sponsors' enjoyment of greenery on their roof planter.

Given the 15' preferred setback for upper stories (See RDG, p. 25), an extended setback of an additional 4 feet is not unreasonable under these site conditions. This modification reflects the RDG's emphasis on following the site's topography and using upper setbacks to minimize impacts to light and air. Because this new construction is very close to the Frames' home, this request is a reasonable one in light of the Proposed Project's impact on the Frames' use and enjoyment of their home and the relatively modest effect on the Project Sponsor.

Another factor contributing to the light impacts on the Frames' home is the proposed lot coverage. The Project Sponsors are utilizing almost the entire lot for their home. The only setbacks provided are the required 5' side yards and the 25% minimum rear yard requirement for a lot of this size under Section 134(a), resulting in a 17'6" rear yard. When lot coverage of a four-story above home approaches this level, there is a direct correlation with the loss of light into the adjacent homes.

⁹ See Exhibit B for shadow study results.

These light impacts can be minimized by the upper setbacks proposed by the Frames, but also by a reduction in lot coverage. One reason the lot coverage is so substantial is that the Project Sponsors are not stepping up and following the topography of the lot, resulting in a larger building footprint. The RDG states that:

RDG: Site Design (p. 11)

DESIGN PRINCIPLE: Place the building on its site so it responds to the topography of the site, its position on the block, and to the placement of surrounding buildings.

TOPOGRAPHY

Guideline: Respect the topography of the site and the surrounding area.

New buildings and additions to existing buildings cannot disregard or significantly alter the existing topography of a site. The surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes and hills.

Given the significant topographical features of this site, the project should better and more directly follow the site's contours and be set back naturally from the streetscape as well as from adjacent buildings. Even in light of the obviously changing topography on this site and the significant excavation that will be required to develop it, the Project Sponsors have opted to utilize every square foot of the lot to support a very large building that is out of scale with the other buildings on the block face without incorporating the guidance on "respecting the topography."

3. The Proposed Project's Compliance with the Below Applicable Guidelines can be Improved by Supporting a Version of the Proposed Modifications.

Residential Design Guidelines (RDG) Maintaining Light

Guideline: A critical design principle under the RDG is to "maintain light to adjacent properties by providing adequate setbacks." (RDG at p. 5.) The loss of eastern light from the proposed front setback, lot coverage and the absence of mitigating features violates this tenet of the RDG. The upper level setbacks proposed by the Frames would minimize the loss of light into their home.¹⁰

RDG: Front Setback (pp. 12-13)

Guideline: Treat the front setback so that it provides a pedestrian scale and enhances the street. The front setback provides a transition between the public realm of the street and the private realm of the building. In this case, there are varied front setbacks.

¹⁰ See Exhibit B.

Guidelines: In areas with varied front setbacks such as that of the two eastern neighbors to the Proposed Project, each of which has a garage at the front setback, the building setback should act as a transition between adjacent buildings and unify the overall streetscape.

The eastern neighbors' homes at 2901 and 2915 Vallejo are set significantly back from the sidewalk and up a steep slope. Under this Guideline, new construction should "act" as a transition between front setbacks of varying depths and unify the overall rhythm of the streetscape. The proposed project, however, overlooks compliance with this element. If the front setback was an average of the eastern (37'-4") and western (10'-6") homes under Section 132, the Proposed Project's front setback would be 23'-10".

Such a setback would better reflect consistency and compatibility along the streetscape of the new construction and the two adjacent homes. Instead, the Project Sponsors opted for a 10'6" front setback that fails to serve as a transition to the building to the east even though it would create a more unified front setback of the type that exists throughout this neighborhood. The Project Sponsor is also proposing the removal of all trees, which will result in the pedestrian transition experience going from the current greenery and a gradual transition, to a concrete block jutting out at the full height possible. The requested 19' setback at the 2nd and 3rd levels does not detract from or diminish the proposed front setback. It is noteworthy that the RDT stated that:

Based on the position of most of the front facades on the block face, a front setback variance would not be disruptive to neighborhood character.¹¹

In making this statement, the RDT was indicating its support for a larger front setback for the new home in light of the setbacks elsewhere on the block.

RDG: Light (p. 16)

The Frames followed the RDG recommendations on design modifications to minimize impacts on light by requesting that the Project Sponsors "provide setbacks on the upper floors of the building." Consistent with this principle, the Frames' revisions to the plan showed a 19' setback as an initial starting point on mitigating the loss of light and air on the 2nd and 3rd floors. To further reinforce allowing more light into the Frames' home, providing for 4-foot wide by 6-foot deep notch in the northwest corner of the 2nd and 3rd levels would have minimal effect on the proposed residence, yet would offer more space for light and air for the Frame residence with this small increase in the side setback.

In addition to the RDG, the Cow Hollow Residential Guidelines (CHRDG) govern design issues at this site.

¹¹ See Exhibit E, p. 2.

Cow Hollow Residential Design Guidelines: Elements Of Design

Following are some of the basic elements of residential design in the CHRDG. The Frames' DR Request is also based on the inadequacy of the Proposed Project's compliance with these design elements:

A. Siting (p. 21)

- Location of a project site, and its topography
- Setback of the building from the front property line
- Respect the Topography of the Site

New buildings should not disregard or significantly alter the existing topography of a site. The context should guide the manner in which new structures fit into the streetscape, particularly along slopes and on hills and in relation to mid-block open space.

The Proposed Project fails to "follow" the topography, resulting in massive amounts of unnecessary and impactful excavation. The General Plan is very clear about the dangers of building into steep hillsides when it states:

"Those soils, as well as those at steep hillsides, are at the most serious risk during earthquakes from ground shaking and ground failure such as earthquake liquefaction and landslides." (Community Safety, an element of the General Plan of the City and County of San Francisco, October 2012).

The RDT recognized that when they stated the following when they reviewed the project:

"(Design) Conflicts with General Plan as unnecessary excavation which exposes neighbors to landslide risks, should be stepped into hillside; asks for additional analysis regarding shoring and underground watercourses." (RDT Comments from October 6, 2016)

The alternative design we proposed significantly reduces the amount of excavation by not only stepping up the ground floor plan (Level 0, which the Project Sponsors have adopted) but also the next level (Level 1) while maintaining the functionality of the original design. (See attached Lerner drawings, Sheet A3.5R, dated 8/8/17.)¹² This only reduces the number of bathrooms from 9 to 8 and removes one room, however significantly reduces excavation.

C. Setbacks (pp. 25-26)

The pattern of setbacks helps establish a rhythm to the block face and provides a transition between the public sidewalk space and the privacy of the building. The requested 19'

¹² See Exhibit D.

setback at the 2nd and 3rd floors will not interfere with or disrupt the front setback because the setbacks will not be visible from grade. Rather these setbacks will allow an increase in light to the Frames' home, reflecting compliance with the Cow Hollow RDG.

Lateral Lighting, Air and Views (p. 31) Please note these are just the preliminary documents. A complete dossier will be provided at the DR Hearing as the comprehensive report shows the significant impact from all angles.

Where side yards exist, new buildings or expansions should be designed so as to preserve these side yards in their entirety and thus to protect the privacy of and light to neighboring buildings. The shadow study shows the reduction of lateral light and air into the Frames' eastern living areas.

4. Excavation of and construction at the site will result in the loss of a mature Magnolia Grandiflora tree that borders the eastern side of the DR Requestors' home and is within feet of the property line.

The Magnolia tree's canopy spread is 28 feet and it has a 28-inch diameter at breast height. The tree qualifies as a landmark or significant tree. Neither the tree nor its root systems, which runs eastward from DR Requestors' property through a portion of the Proposed Project site, is shown on the plans.

That oversight underscores the importance of the tree to the Frames' enjoyment of their home. The tree provides natural shading and significant greenery at the rear eastern side of the Frames' first floor. Given the Project Sponsors' massive construction, it is highly likely this tree will die if it is not otherwise preserved. The Project Sponsors can protect the tree by providing a larger setback at the tree's location (e.g., a notch) to accommodate the tree's expected growth. The Frames' also request that a Tree Protection and/or a Replacement Plan be included as a condition on the project.

III. CONCLUSION

Based on the above, we have demonstrated that the new construction on the long-vacant lot is an extraordinary circumstance justifying the granting of the Frames' DR Request. In addition to those identified above, the following alterations or modifications would minimize or lessen the exceptional or extraordinary circumstances described in the DR Request:

1. Increase the front setback and notch the north-west corner of the building at the 2nd and 3rd levels included in the Frames' plans such as the upper level setbacks intended to minimize the loss of eastern light into the Frames' home, improve the visual transition from home to home. Revised plans provided to the Project Sponsors provided for 19' setbacks on the 2nd and 3rd floor of the new home's western wall, limiting the loss of light into DR Requestors' living and family areas. During negotiations, the Project Sponsors would not agree to any setbacks at the upper levels even though the plans provided for all their program needs and a 6,000+ sf home.

2. Preserve the Magnolia tree and other significant trees identified in the arborist's report. Increase the western side setback adjacent to the Frames' home to provide for adequate natural lighting along their eastern property line to preserve the foliage that has thrived there for decades. The Frames are also seeking to have the tree granted landmark status and requesting that there be a Preservation Plan developed and implemented by the Project Sponsor and approved by DPW Bureau of Urban Forestry.

3. In keeping with the General Plan's requirement to minimize excavation on steep hillside sites, stepping the bottom two levels as shown on the plans and site section we provided.

Very truly yours,



Ilene Dick

ID
Attachments

EXHIBIT A

COW HOLLOW ASSOCIATION INC.

Box 471136, San Francisco, CA 94147

June 1, 2017

Ms. Brittany Bendix
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
brittany.bendix@sfgov.org

Re: 2921 Vallejo Street
Case No. 2016.04.12.4605

Dear Ms. Bendix:

The Cow Hollow Association (CHA) is dedicated to the preservation of the residential character of the Cow Hollow neighborhood. The Cow Hollow Neighborhood Design Guidelines (CHNDG)* serve to define the existing neighborhood character, patterns, setbacks, and the significance of the mid-block open space in our neighborhood.

The CHA Zoning Committee has reviewed the proposed new construction project at 2921 Vallejo Street. Our recommendations for the proposed project include:

- Increase the front setback to create a step-back of front building walls from West to East to preserve light and air to the existing buildings
- Reduce the massing on the front facade to create a compatible volume and mass of the new building with that of surrounding buildings
- Limit the deep basement excavation (greater than 5') to lessen potential impacts on abutting properties

We understand that a meeting took place in late May with you, Dan Sider, the project sponsor, and DR applicants to discuss the proposed project. The CHA Zoning Committee encourages continued dialogue between the project sponsor and impacted neighbors.

Regards,

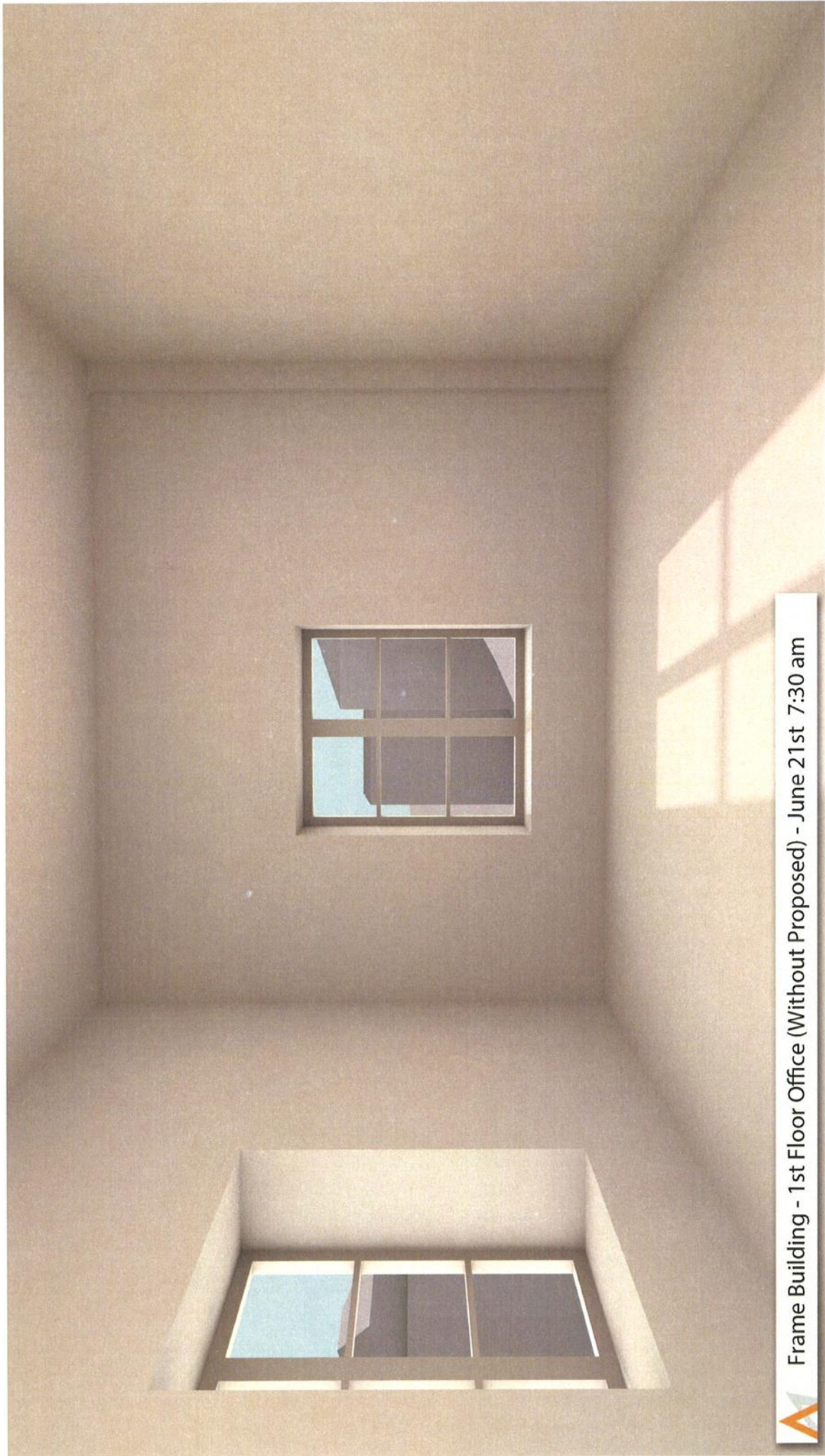
Geoff Wood
CHA Zoning Committee
Cow Hollow Association, Inc.

cc: John Maniscalco admin@m-architecture.com
Anne Boswell Bertrand annebos@aol.com

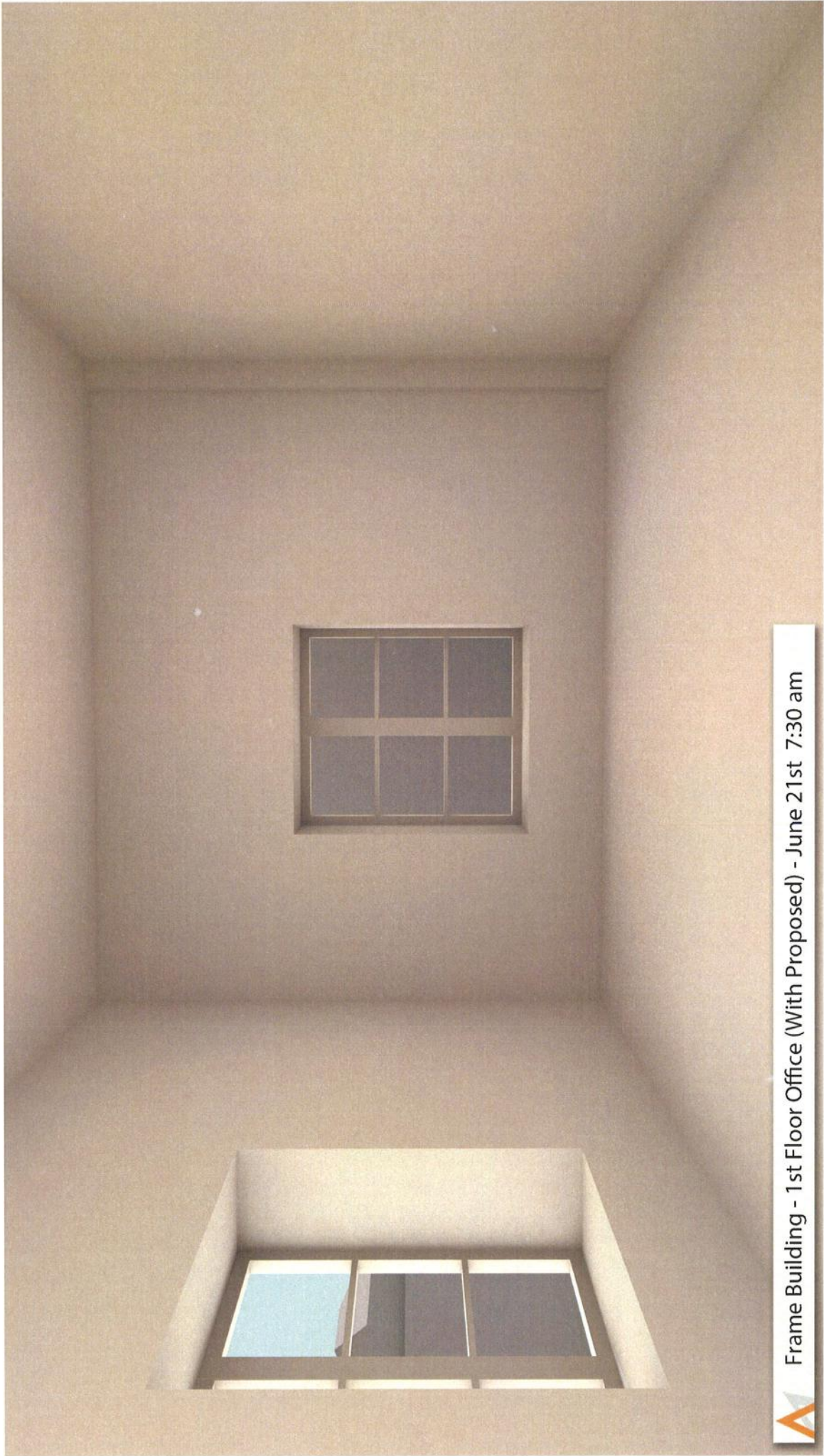
* The Cow Hollow Neighborhood Design Guidelines were adopted by the Planning Commission in 2001 "to assist in determining whether the renovation or expansion of an existing building...is visually and physically compatible with the neighborhood character of Cow Hollow." Following the Design Guidelines would ensure that proposed projects adhere to the pattern of existing buildings, minimize impacts on adjacent property owners in terms of privacy, light, air, and views, and preserve the neighborhood character.

EXHIBIT B

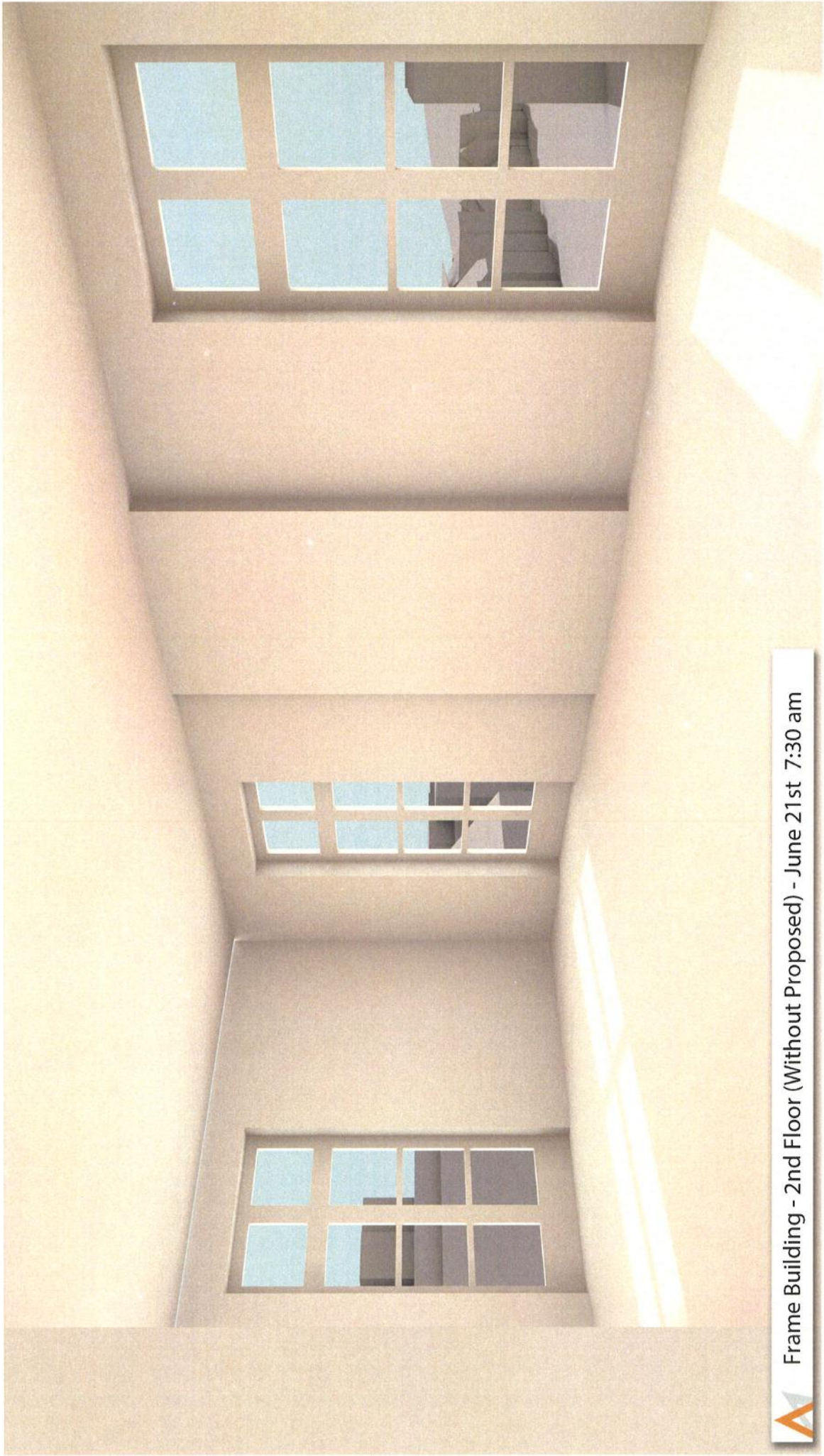
SHADOW STUDY



 Frame Building - 1st Floor Office (Without Proposed) - June 21st 7:30 am



 Frame Building - 1st Floor Office (With Proposed) - June 21st 7:30 am



Frame Building - 2nd Floor (Without Proposed) - June 21st 7:30 am

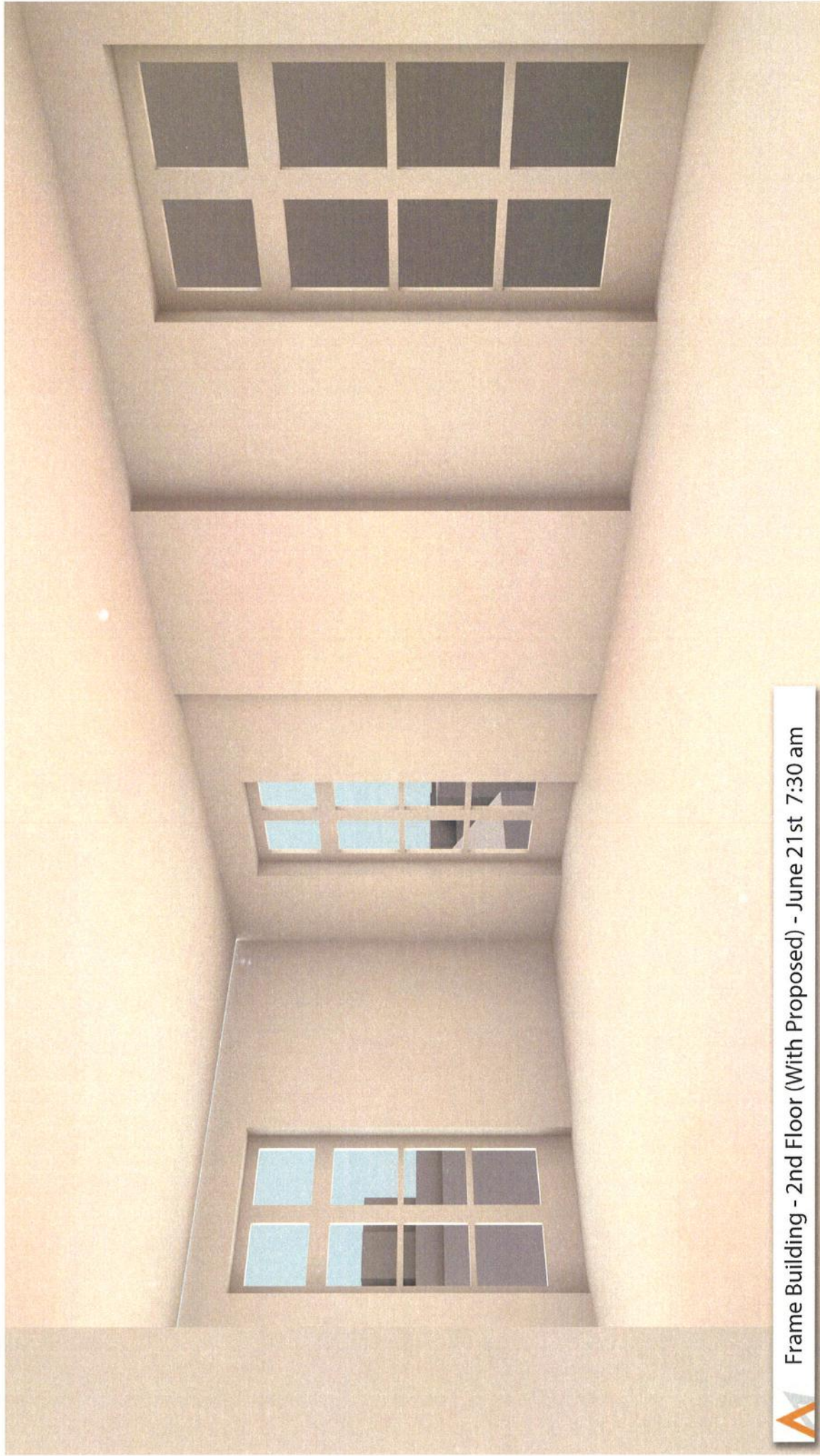


EXHIBIT C

ARBORIST REPORT



Date:

9/29/2016

Client:

Frame Residence

Location:

2929 Vallejo Street
San Francisco CA 04123

Assignment:

Provide a verbal consultation with written notes. Preform a preliminary assessment and catalog of existing trees for the empty lot at 2921 Vallejo Street in San Francisco. Discuss options to mitigate risk of damage to trees at 2939 Vallejo Street if the lot is developed.

Background:

Mr. & Mrs. Frame purchased their home 2015. The previous owner of their home was also the owner of an undeveloped lot next door to the east. Mature trees, open air and light, and a lot of birds and habitat surround this lot.

The Frames were told at the time of purchase that the lot was not going to be developed. Soon after The Frames finalized their purchase, the lot was sold and plans for development began.



2939 Vallejo Street San Francisco CA 94123 front view

36 Delano Avenue
San Francisco,
California 94112

OFFICE 415 239 6100
MOBILE 415 902 8826
FAX 415 239 6110

CERTIFIED ARBORIST NO. 6488A
BUSINESS LICENSE NO. 707545
BAY AREA ARBORIST COOPERATIVE

EMAIL info@cctreedesign.com
WEB cctreedesign.com



Mr. & Mrs. Frame are concerned about loss of air, light and privacy as well as potential damage to their huge Magnolia grandflora tree that grows on the eastern side of their home and borders the empty lot. This tree can be seen in the previous photograph reaching well above the left or east side of their roofline.

Observations and existing trees:

Because I did not have access to the undeveloped lot, all tree specifications and measurements are approximate as my inspection was done visually from a distance.

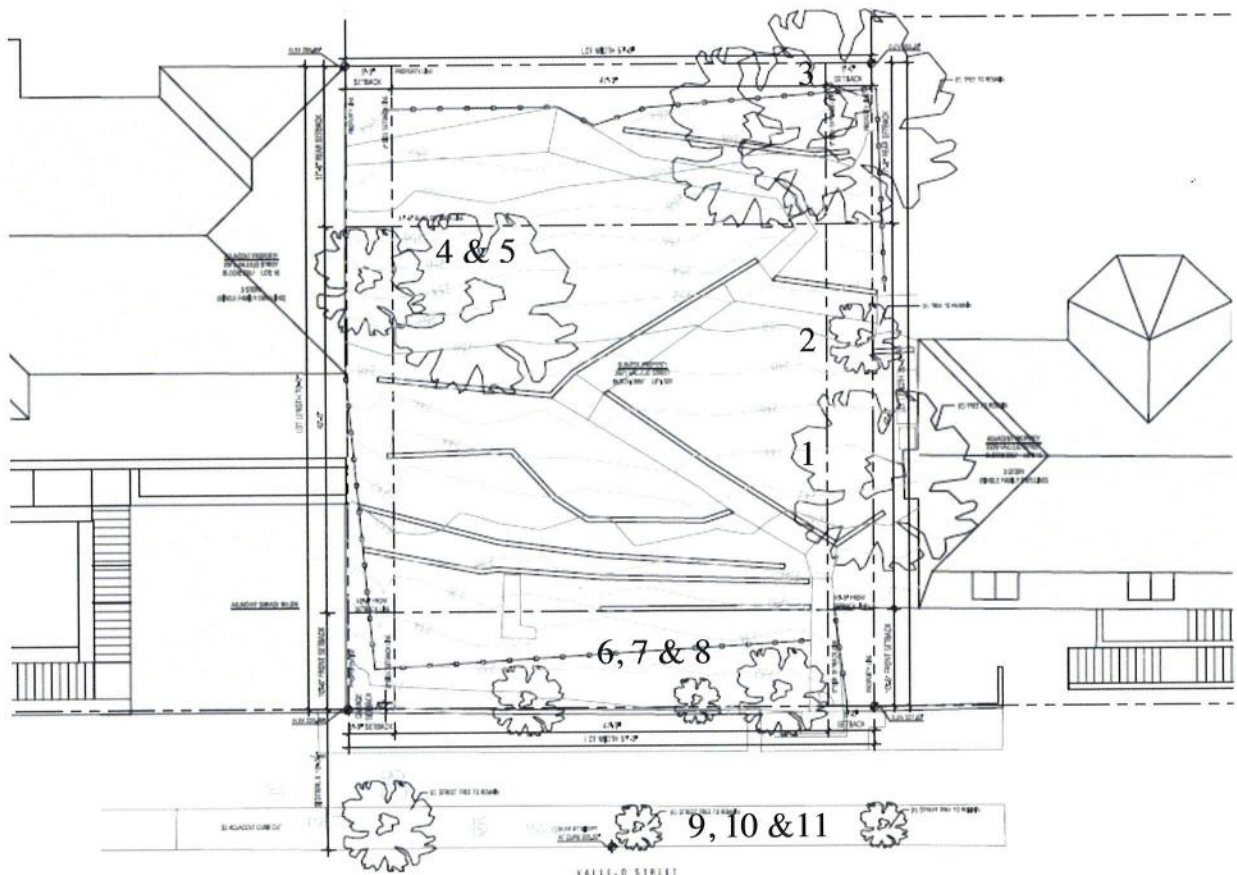
The Magnolia grandflora tree is The Frame's only large mature tree. It grows quite close to their house (less than 1 foot) and is about 3 feet from the property line. It is tall for the species and is possibly over 55 feet tall. Somewhat narrow for a large Magnolia, the approximate canopy spread is 28 feet and DBH (Diameter at Breast Height) is about 22 inches. Excavating in close proximity to this tree would likely destabilize it. The tree probably does not have a uniform root plate, as root growth was likely restricted along the west side of the tree where the foundation of the house is and roots were unrestricted towards the open lot. Building a large structure near the property line would require removing far too much of the canopy on the eastern side of the tree. This tree currently has most of its canopy on the east side, little to no branches against the house on the west and a symmetrical top canopy above the house. In order to preserve this tree a larger set back between homes will likely be needed.

The majority of the other trees all grow on the undeveloped lot. A table with tree species and approximate sizes is below as well as a site plan of the undeveloped lot. The site plan is not to scale and for reference only.

Tree Number	Tree Name Scientific (Common)	Approximate DBH (diameter at breast height)	Approximate Tree height	Approximate canopy spread
1	<i>Magnolia grandflora</i>	22 inches	55 feet	28 feet
2	<i>Pittosporum eugenioides</i> Property line privacy tree	12 inches	21 feet	16 feet
3	<i>Corymbia ficifolia</i> (Red flowering Eucalyptus)	30 inches	40 feet	38 feet



Tree Number	Tree Name Scientific (Common)	Approximate DBH (diameter at breast height)	Approximate Tree height	Approximate canopy spread
4	<i>Pittosporum eugenioides</i>	20 inches	45 feet	22 feet
5	<i>Fagus sylvatica</i> (European Beech)	18 inches	40 feet	30 feet
6, 7 & 8	<i>Pittosporum eugenioides</i> Along frontage of lot	Multi trunk	35 feet	16 feet
9, 10 & 11	<i>Acacia melanoxylon</i> (Blackwood Acacia) Street Trees	8-16 inches	27 feet	18-25 inches



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Conclusion:

Tree 1: One concern with this project is how to preserve the large Magnolia tree. It appears from the proposed plans that the house will be four stories tall with a full sub level requiring a major excavation. The proposed setback from the property line on the west side is about 5 feet and the tree is about 3 feet from the property line. Excavating 8 feet from the tree would sever and remove a major portion of the CRZ (Critical Root Zone). The CRZ is a radius of about 5 times the trunk diameter. This is the area that is critical for mechanical support of the tree. Based on the estimated trunk diameter of 22 inches, the CRZ would be a little over 9 feet from the tree. These roots cannot be cut without increasing risk of the tree falling over. The Magnolia is quite tall and has a long lever arm. This tree is also exposed to winds due to being over the roofline. With the foundation on one side and excavation on the other, the tree would be compromised on the compression and tension side of the root plate. Another concern would be tree health and survival. Severing the roots this close to the tree would remove a very large portion of what leads to water uptake and feeder roots. Trees often survive the initial root cutting then begin a slow decline 3-5 years after the event. This tree would **not** likely survive in the long run. Root decay often occurs when large roots are cut within the CRZ. Root decay causes increased risk of tree failure.

A larger setback and possible design changes will be necessary to preserve this tree. No construction should take place until a Tree Protection Plan has been completed and mitigation actions completed.

Tree 2: Is a medium sized multi trunk Pittosporum tree. This tree appears to originate on the undeveloped lot side, but provides significant privacy and will hopefully be retained. If not, new trees will need to be planted for privacy. There are 2 French door style windows with a walkout landing on this side of the house that look out on to the undeveloped lot. This tree should be included in the Tree Protection Plan.

Tree 3: This Red Flowering Eucalyptus tree is massive. It is not on The Frames property but does hang over the property line. It is often covered in bees and humming birds and is an asset to the neighborhood. This tree should be included in the Tree Protection Plan.

Tree 4&5: These two trees grow near the neighbor on the opposite site of the undeveloped lot. They are mature and are nice trees, but are slated for removal to



make room for the proposed new house. The loss of these two trees will mostly affect the privacy screening and greenery for the neighbor on the east side.

Tree 6, 7 & 8: These trees are slated for removal. These trees qualify as Significant Trees By SFDPW and will require removal permits. Trees within 10 feet of a public right away, over a certain size, are protected in San Francisco.

Tree 9, 10 & 11: These street trees appear to be retained in the proposed plans. They should be included in the Tree Protection Plan.

In the following pages I have included some PDF site plans from the pre application meeting. They are not to scale and are for reference in relation to this report only.

Sincerely,
Christopher Campbell

Christopher Campbell Tree Design

Certified Arborist #6488A

Qualified Tree Risk Assessor #1177

36 Delano Avenue

San Francisco, CA 94112

Cell 415-902-8826

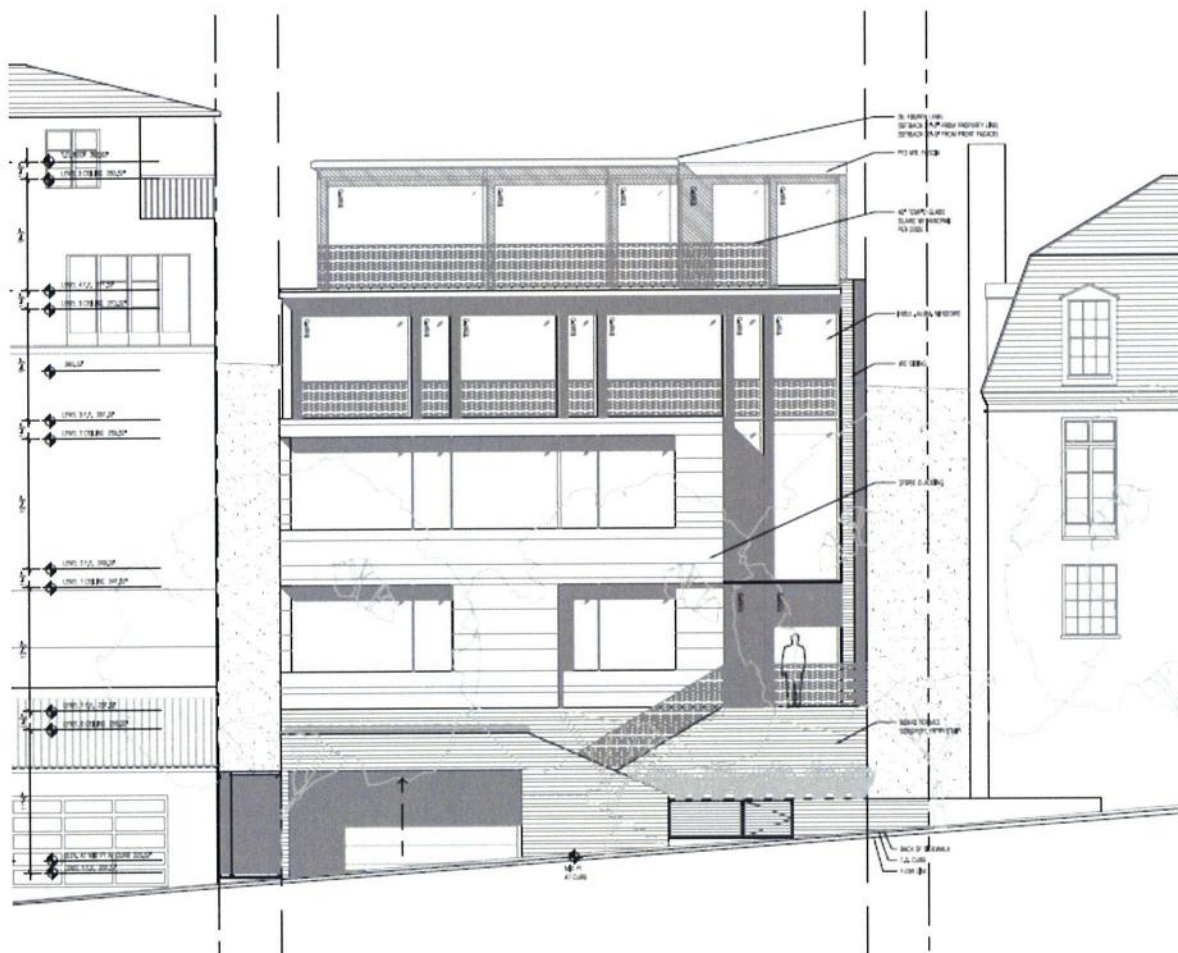
<http://www.cctreedesign.com>

36 Delano Avenue
San Francisco,
California 94112

OFFICE 415 239 6100
MOBILE 415 902 8826
FAX 415 239 6110

CERTIFIED ARBORIST NO. 6488A
BUSINESS LICENSE NO. 707545
BAY AREA ARBORIST COOPERATIVE

EMAIL info@cctreedesign.com
WEB cctreedesign.com



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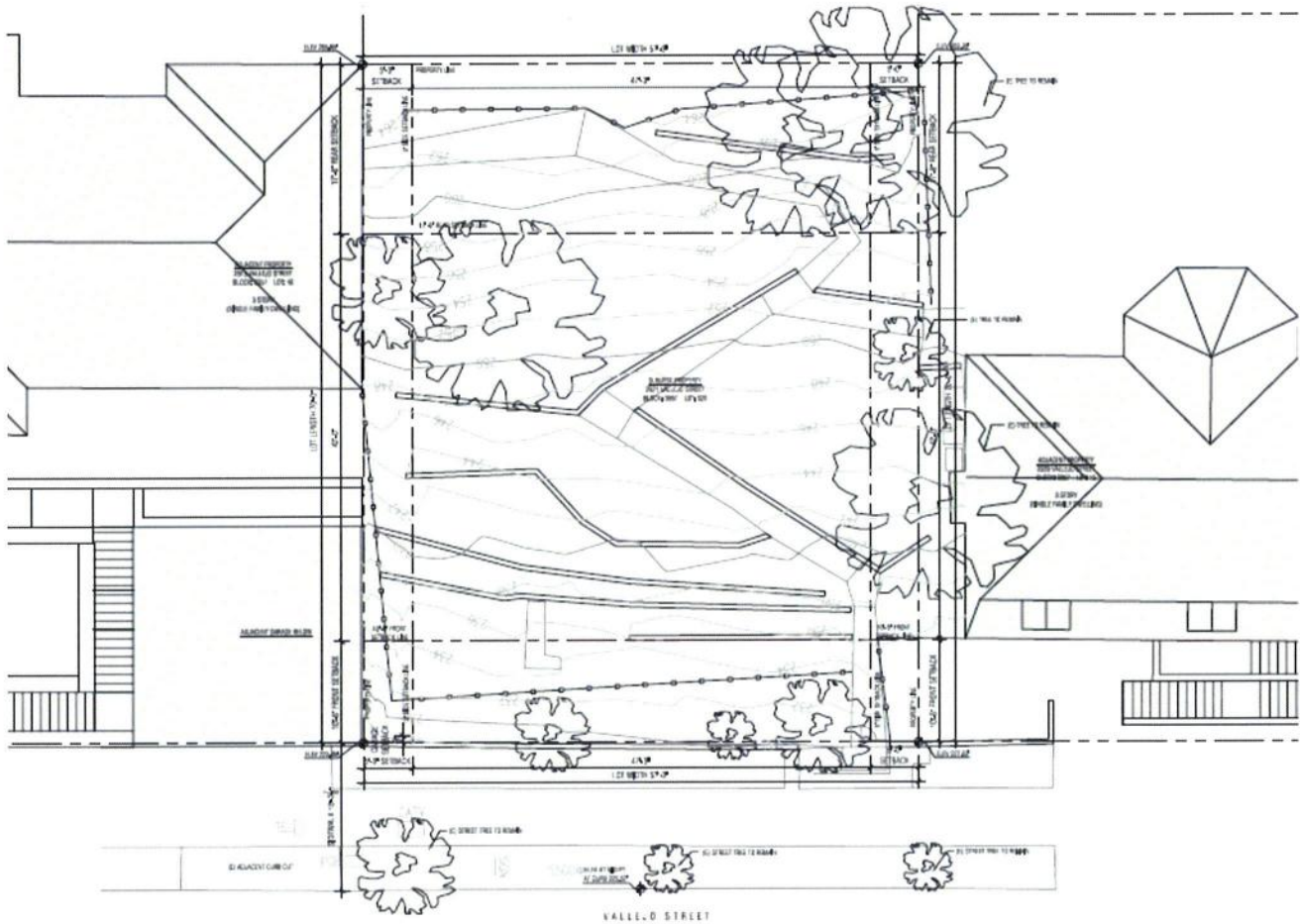
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EMAIL info@cctreedesign.com
WEB cctreedesign.com



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Assumption & Limiting Conditions:

1. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible. The consultant can neither guarantee nor be responsible for the accuracy of information provided by others
2. Various diagrams, sketches and photographs in this report are intended as visual aids and not to scale, unless specifically stated as such on the drawing. These communication tools in no way substitute for nor should be construed as surveys, architectural or engineering drawings.
3. This report represents the opinion of the consultant. In no way is the consultant's fee contingent upon a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
4. The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements made, including payment of an additional fee for such services as described in the fee schedule, agreement or a contract.
5. Information contained in this report reflects observations made only to those items described and only reflects the condition of those items at the time of the site visit. Furthermore, the inspection is limited to visual examination of items and elements at the site, unless expressly stated otherwise. There is no expressed or implied warranty or guarantee that problems or deficiencies of the plants or property inspected may not arise.

36 Delano Avenue
San Francisco,
California 94112

OFFICE 415 239 6100
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EMAIL info@cctreedesign.com
WEB cctreedesign.com



Disclaimer:

Trees are living things and many factors are involved in their care. Information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection. The inspection is limited to a visual examination of accessible items without dissection, excavation, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specific period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed. Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors and other issues. An arborist cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

36 Delano Avenue
San Francisco,
California 94112

OFFICE 415 239 6100
MOBILE 415 902 8826
FAX 415 239 6110

CERTIFIED ARBORIST NO. 6488A
BUSINESS LICENSE NO. 707545
BAY AREA ARBORIST COOPERATIVE

EMAIL info@cctreedesign.com
WEB cctreedesign.com



Certification of Performance:

I, Christopher A. Campbell, Certify:

- That we have inspected the trees and/or property evaluated in this report. We have stated findings accurately, insofar as the limitations of the Assignment and within the extents and context identified by this report;
- That we have no current or prospective interest in the vegetation or any real estate that is the subject of this report, and have no personal interest or bias with respect to the parties involved.
- That the analysis, opinions and conclusions stated herein are original and are based on current scientific procedures and facts and according to commonly accepted arboricultural practices;
- That no significant professional assistance was provided, except as indicated by the conclusion of another professional report within this report;
- That compensation is not contingent upon reporting of a predetermined conclusion that favors the cause of the client or any other party

I am a member in good standing with the International Society of Arboriculture. I have been a Certified Arborist for over 10 years and in 2011 became a Certified or qualified Tree Risk Assessor. I have obtained additional education through seminars, conferences and reading professional books, journals and other related media.

Signed:

Christopher A Campbell

EXHIBIT D

1108C BRYANT STREET
SAN FRANCISCO, CA 94103
PHONE: 415 - 863 - 5475
FAX: 415 - 252 - 7649
EMAIL: INFO@LERNERARCH.COM

1108C BRYANT STREET
SAN FRANCISCO, CA 94103
PHONE: 415 - 863 - 5475
FAX: 415 - 252 - 7649
MAIL: INFO@LERNERARCH.C

PRELIMINARY
8-8-17

SAN FRANCISCO, CA 94123

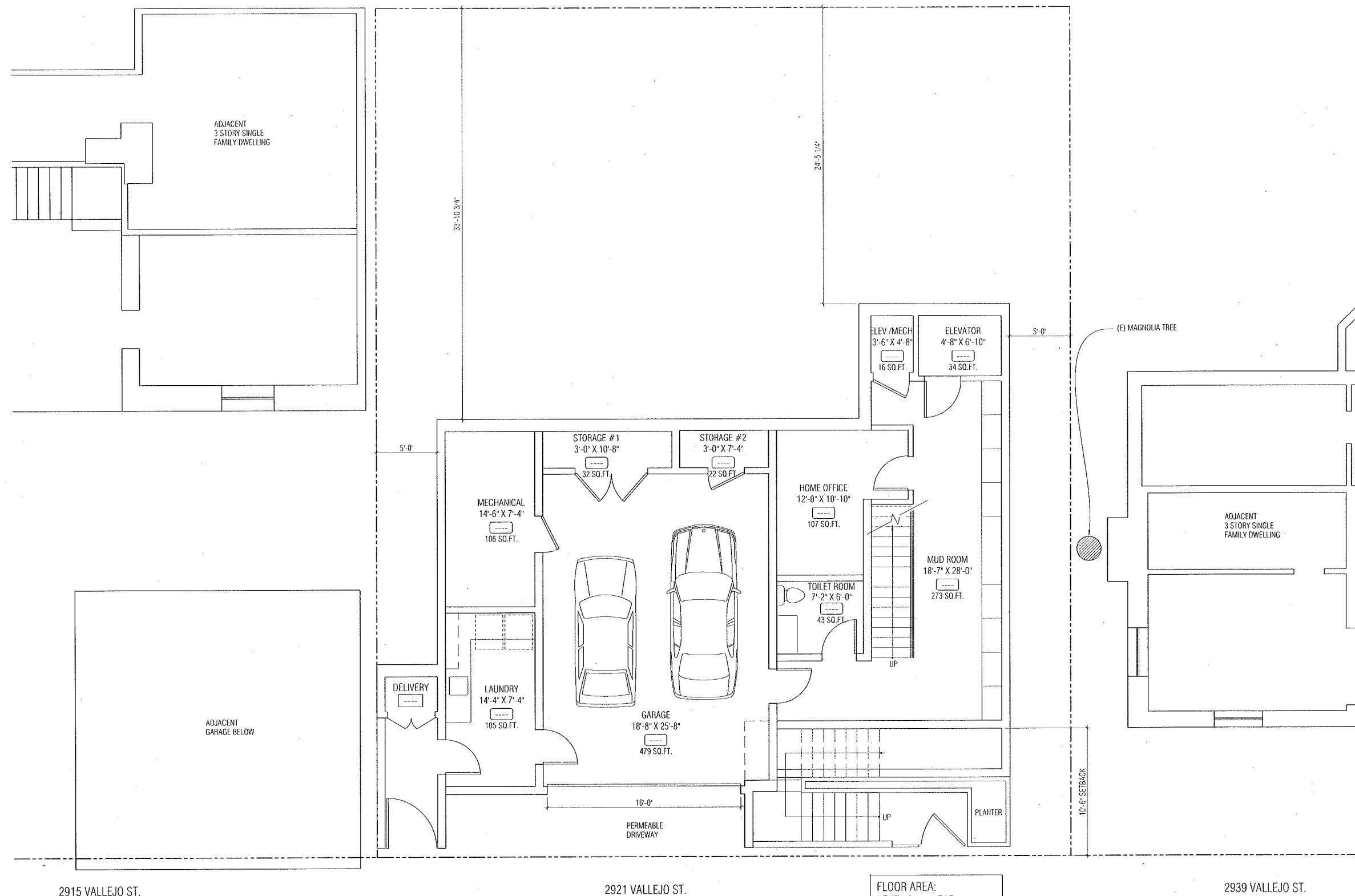
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SHEET TITLE

**LEVEL 0 PLAN
PROPOSED
MODIFICATIONS**

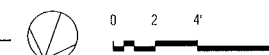
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DATE:		
DRAWN BY:	DK	
CHECKED BY:	AL	
JOB NO	21720	

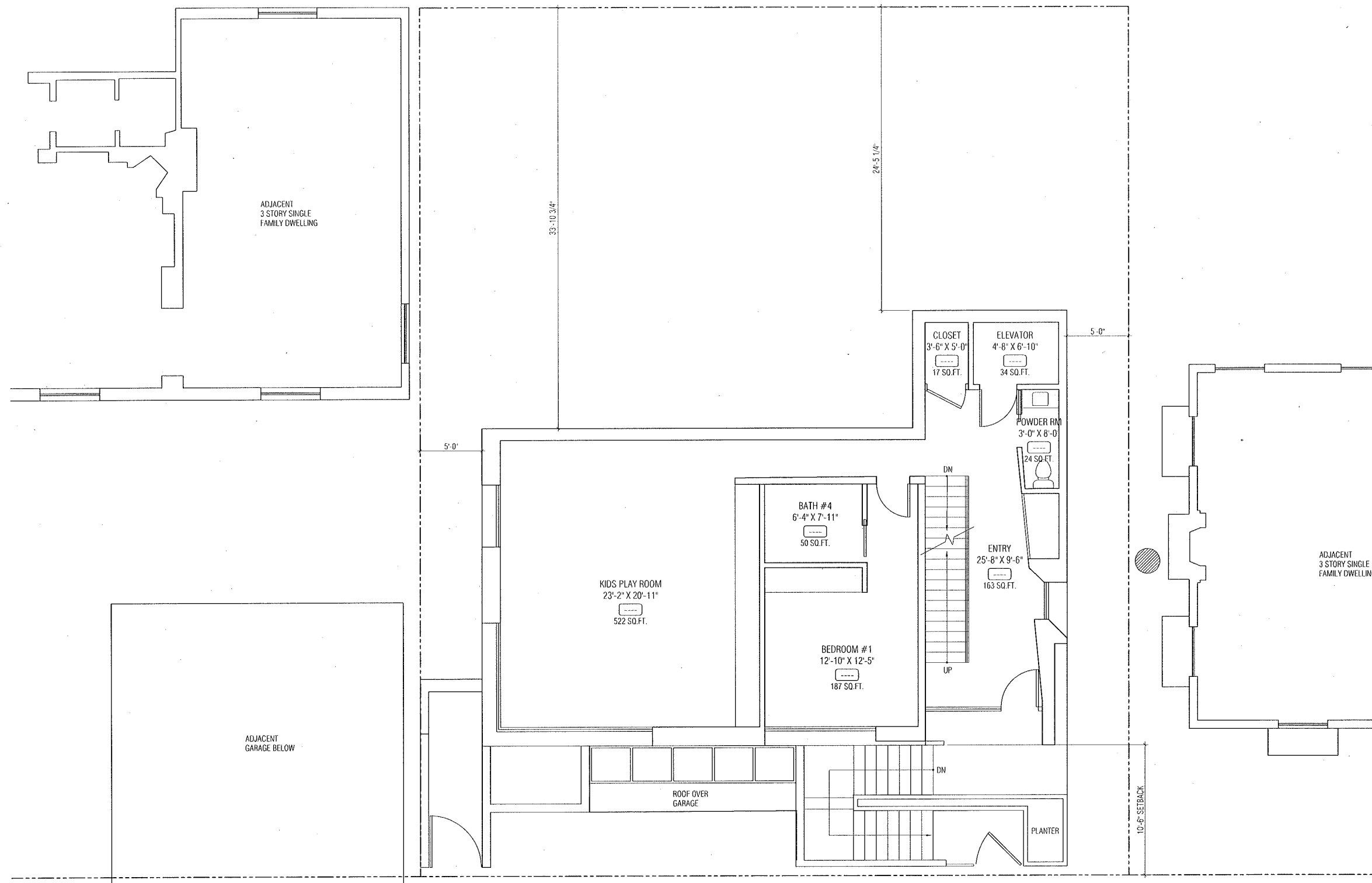


LEVEL 0 PLAN = 1,515 SQ.FT.

FLOOR AREA:
 LEVEL 0 = 1,515
 LEVEL 1 = 1,291
 LEVEL 2 = 1,371
 LEVEL 3 = 1,511
 LEVEL 4 = 832
TOTAL = 6,520 SQ. FT.

1 LEVEL 0 PLAN - PROPOSED MODIFICATIONS
1/4" = 1'-0"





**LERNER
+
ASSOCIATES
ARCHITECTS**

1108C BRYANT STREET
SAN FRANCISCO, CA 94103
PHONE: 415 - 863 - 5475
FAX: 415 - 252 - 7649
EMAIL: INFO@LERNERARCH.COM

**PRELIMINARY
8-7-17**

**2921 VALLEJO ST
PROPOSED MODIFICATIONS**

SAN FRANCISCO, CA 94123

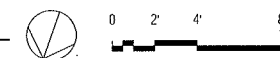
REVISIONS			
NO.	DATE	REVISION	BY

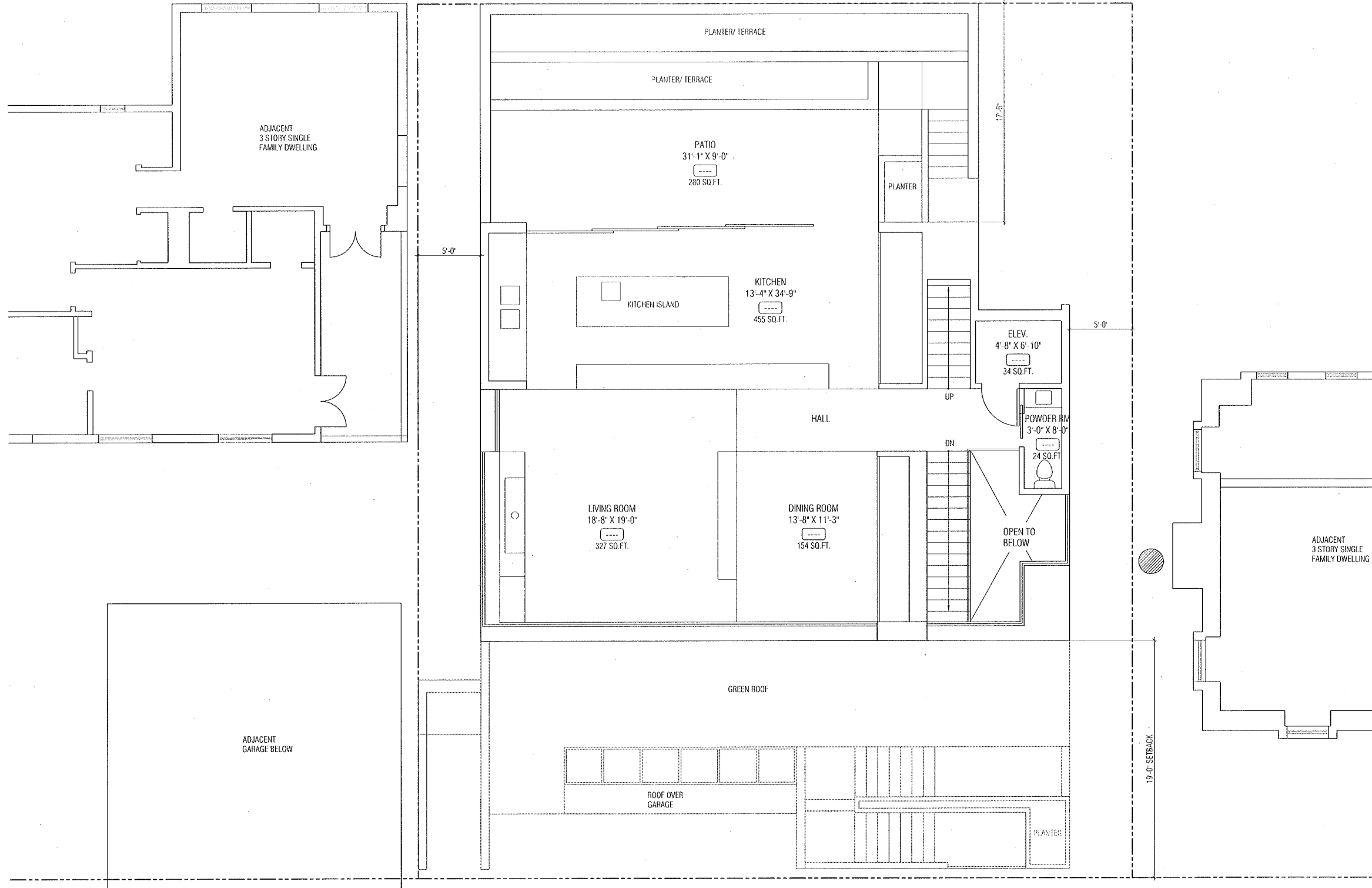
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**LEVEL 1 PLAN
PROPOSED
MODIFICATIONS**

SCALE: AS NOTED	SHEET NO.
DATE: -	A2.1 R
DRAWN BY: DK	
CHECKED BY: AL	
JOB NO: 2-720	
	OF SHEETS

1 LEVEL 1 PLAN - PROPOSED MODIFICATIONS
1/4" = 1'-0"





LEVEL 2 PLAN = 1,371 SQ.FT.

1 LEVEL 2 PLAN - PROPOSED MODIFICATIONS
1/4" = 1'-0"



**LERNER
+
ASSOCIATES
ARCHITECTS**

1108C BRYANT STREET
SAN FRANCISCO, CA 94103
PHONE: 415 - 863 - 5475
FAX: 415 - 252 - 7649
EMAIL: INFO@LERNERARCH.COM

**PRELIMINARY
8-8-17**

**2921 VALLEJO ST
PROPOSED MODIFICATIONS**

SAN FRANCISCO, CA 94123

REVISIONS			
NO.	DATE	REVISION	BY

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**LEVEL 2 PLAN
PROPOSED
MODIFICATIONS**

SCALE: AS NOTED	SHEET NO.
DATE:	A2.2 R
DRAWN BY: OK	
CHECKED BY: AL	
JOB NO: 21720	
OF SHEETS	

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SAN FRANCISCO, CA 94103
PHONE: 415 - 863 - 5475
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2921 VALLEJO ST
PROPOSED MODIFICATIONS

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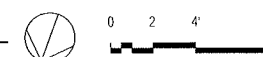
SHEET TITLE

**LEVEL 3 PLAN
PROPOSED
MODIFICATIONS**

SCALE	AS NOTED	SHEET NO.
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DRAWN BY	DK	
CHECKED BY	AL	
JOB NO	21720	
		OF SHEET



1 LEVEL 3 PLAN - PROPOSED MODIFICATIONS
1/4" = 1'-0"



1108C BRYANT STREET
SAN FRANCISCO, CA 94103
PHONE: 415 - 863 - 5475
FAX: 415 - 252 - 7649
EMAIL: INFO@LERNERARCH.COM

1108C BRYANT STREET
SAN FRANCISCO, CA 94103
PHONE: 415 - 863 - 5475
FAX: 415 - 252 - 7649
MAIL: INFO@LERNERARCH.COM

2921 VALLEJO ST
PROPOSED MODIFICATIONS

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SHEET TITLE

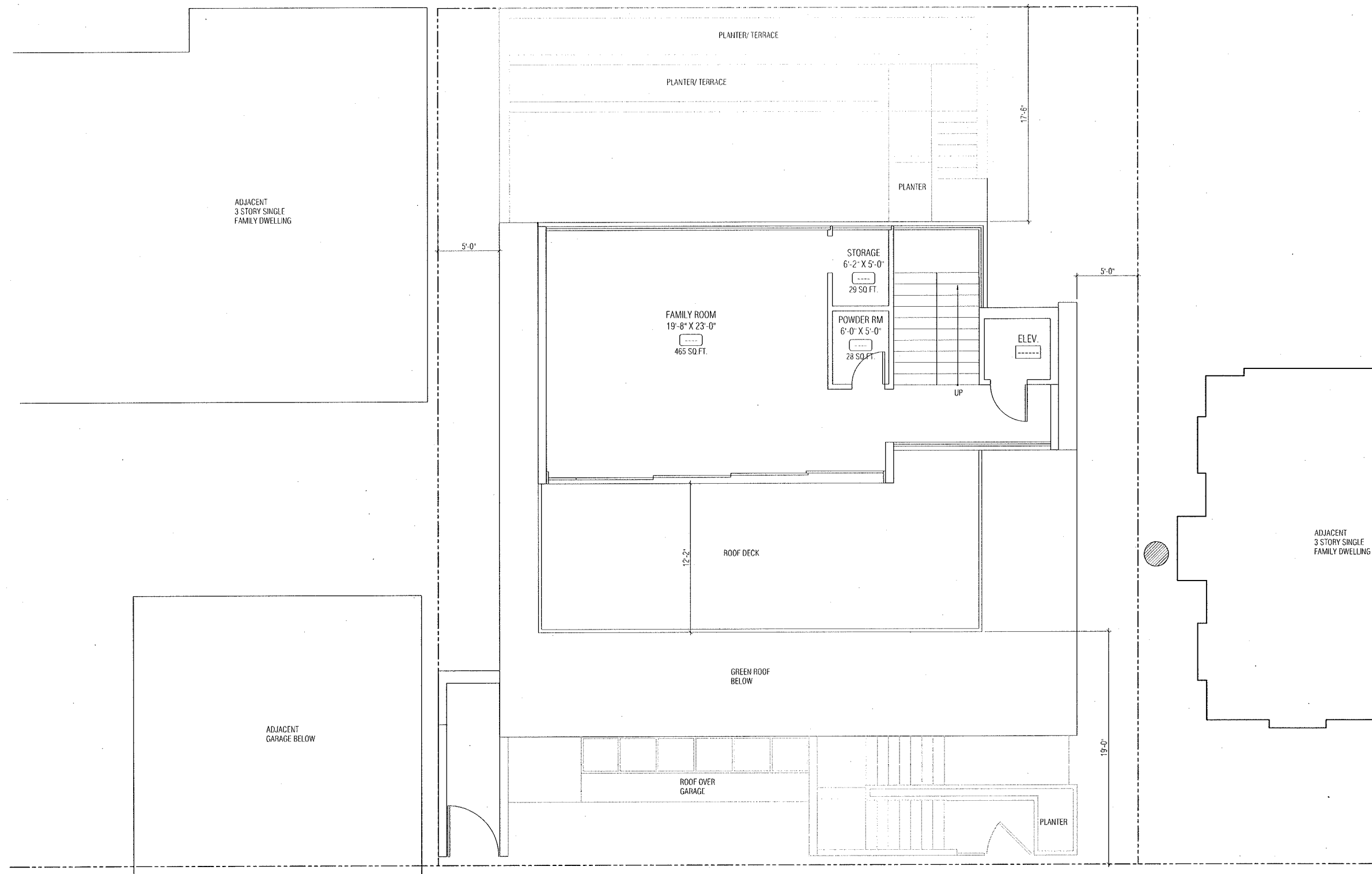
**LEVEL 4 PLAN
PROPOSED
MODIFICATIONS**

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CHECKED BY	AL	
JOB NO.	21720	

A2.4 R

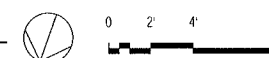
OF

SHEETS



LEVEL 4 PLAN = 832 SQ.FT.

1 LEVEL 4 PLAN - PROPOSED MODIFICATIONS
1/4" = 1'-0"





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DATE:		
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CHECKED BY:	AL	
JOB NO.	2172a	
		OF _____ SHEETS

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DATE:		
DRAWN BY:	DK	
CHECKED BY:	AL	
JOB NO.	2172a	
		OF _____ SHEETS

A3.5 R

EXHIBIT E



SAN FRANCISCO PLANNING DEPARTMENT

RESIDENTIAL DESIGN TEAM REVIEW

DATE: 3/29/17

RDT MEETING DATE: 3/29/17

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT INFORMATION:

Planner:	<u>Brittany Bendix</u>
Address:	<u>2921 Vallejo Street</u>
Cross Streets:	<u>Lyon and Baker Streets</u>
Block/Lot:	<u>0957/020</u>
Zoning/Height Districts:	<u>RH-1(D)/40-X</u>
BPA/Case No.	<u>2016.04.12.4605</u>
Project Status	<input type="checkbox"/> Initial Review <input type="checkbox"/> Post NOPDR <input checked="" type="checkbox"/> DR Filed
Amount of Time Req.	<input type="checkbox"/> 5 min (consent) <input checked="" type="checkbox"/> 15 minutes <input checked="" type="checkbox"/> 30 minutes (required for new const.)

Residential Design Team Members in Attendance:

Moses Corrette, Nick Foster, David Lindsay, Maia Small, Brittany Bendix, Elizabeth Watty, Glenn Cabrerros, Doug Vu

Project Description:

New construction of a single family dwelling

Project Concerns (If DR is filed, list each concern.):

DRP - 2960 Vallejo

- Massive appearance of building; tree removal; front setback transition; landscaping should be provided at grade; horizontal emphasis is not consistent with proportions of the other neighboring buildings; garage door width and curb cuts are too wide

DRP-02 - 2901 Vallejo

- Incompatible architectural design; front setback is incompatible should be larger with landscaping to transition between adjacent properties; out of scale with neighborhood.

DRP-03 - 2939 Vallejo

- Out of character massing (notes different FAR of this property v. neighbors); impact to light and air on eastern side of DR Requestor's home; significant trees present on property and carry over to DR Requestor's lot

DRP-04 - 2910 Vallejo

- Conflicts with General Plan as unnecessary excavation which exposes neighbors to landslide risks, should be stepped into hillside; asks for additional analysis regarding shoring and underground watercourses.

RDT Comments from 10/6/16:

- Based on the position of most of the front facades along the block face, a front setback variance would not be disruptive to the neighborhood character. (CHNDG, p. 25-27) ***Note 3/29/17 that the project is code complying in regards to Front Setback.*
- While a flat roof is found to be appropriate, a strong roofline/eave expression should be proposed at the front façade that is consistent with the immediate neighborhood character patterns. (CHNDG, p. 32-33)
- While a modern design may be in keeping with the varied architectural styles found on the block face and across the street, the proportion, solid-to-void ratio, size and detailing (glazing orientation) of the windows should be improved to be more harmonious with the immediate neighborhood. (CHNDG, p. 12-18, 45-46)

RDT Comments from 3/29/17:

- Project should be addressed as a Full DR Analysis because it is new construction.
- RDT supports the proposed massing, scale and landscaping.
- The proposed contemporary architecture is in keeping with the varied architectural styles found on the block face and across the street. However, given the neighborhoods mixed architectural character, the proposal should add elements that help integrate the varied designs. Specifically, the proposal is more horizontal proportionally than the other buildings on this portion of Vallejo Street. Please strengthen the mullions/fins on the second and third levels to reinforce the vertical rhythm that is characteristic of the block face.

EXHIBIT F

LOT SIZE RATIOS

2975 Vallejo
House sqft: 3130
Parcel sqft: 6995
Ratio: 0.45

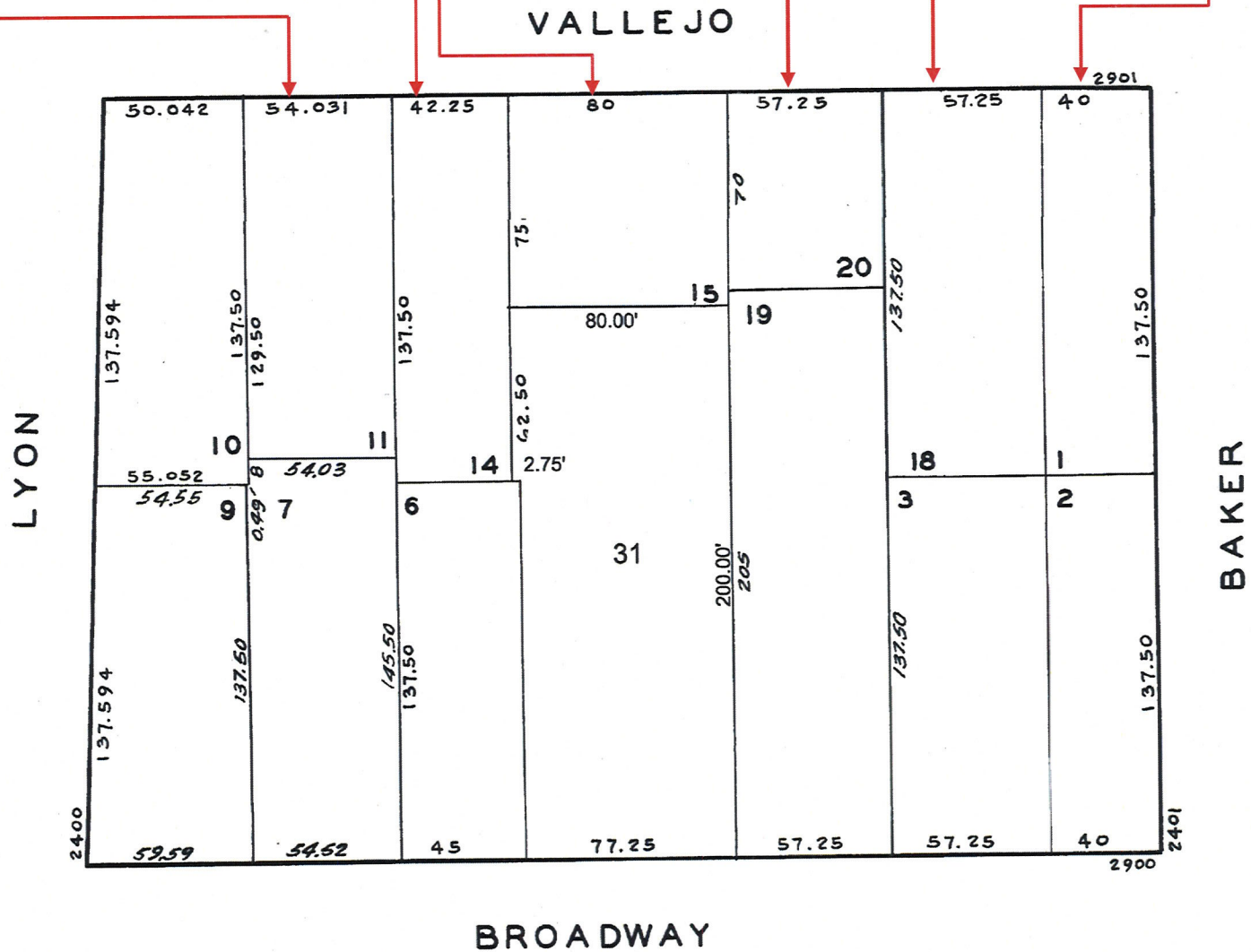
2961 Vallejo
House sqft: 3386
Parcel sqft: 5806
Ratio: 0.58

2939 Vallejo
House sqft: 6111
Parcel sqft: 6000
Ratio: 1.02

2921 Vallejo
House sqft: 7065
Parcel sqft: 4008
Ratio: 1.76

2915 Vallejo
House sqft: 4000
Parcel sqft: 7871
Ratio: 0.51

2901 Vallejo
House sqft: 2924
Parcel sqft: 5500
Ratio: 0.53

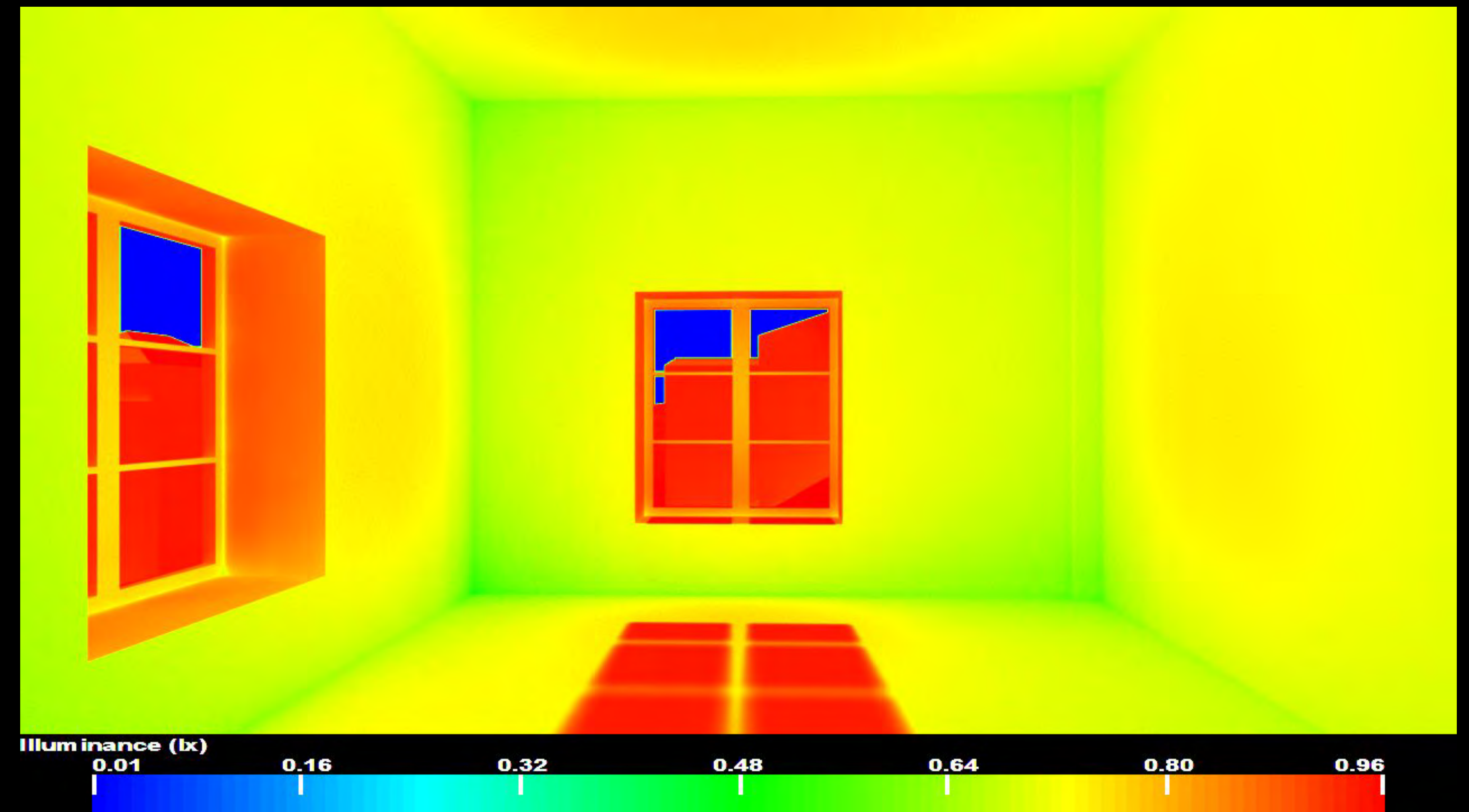


2921 Vallejo Street Lighting Analysis

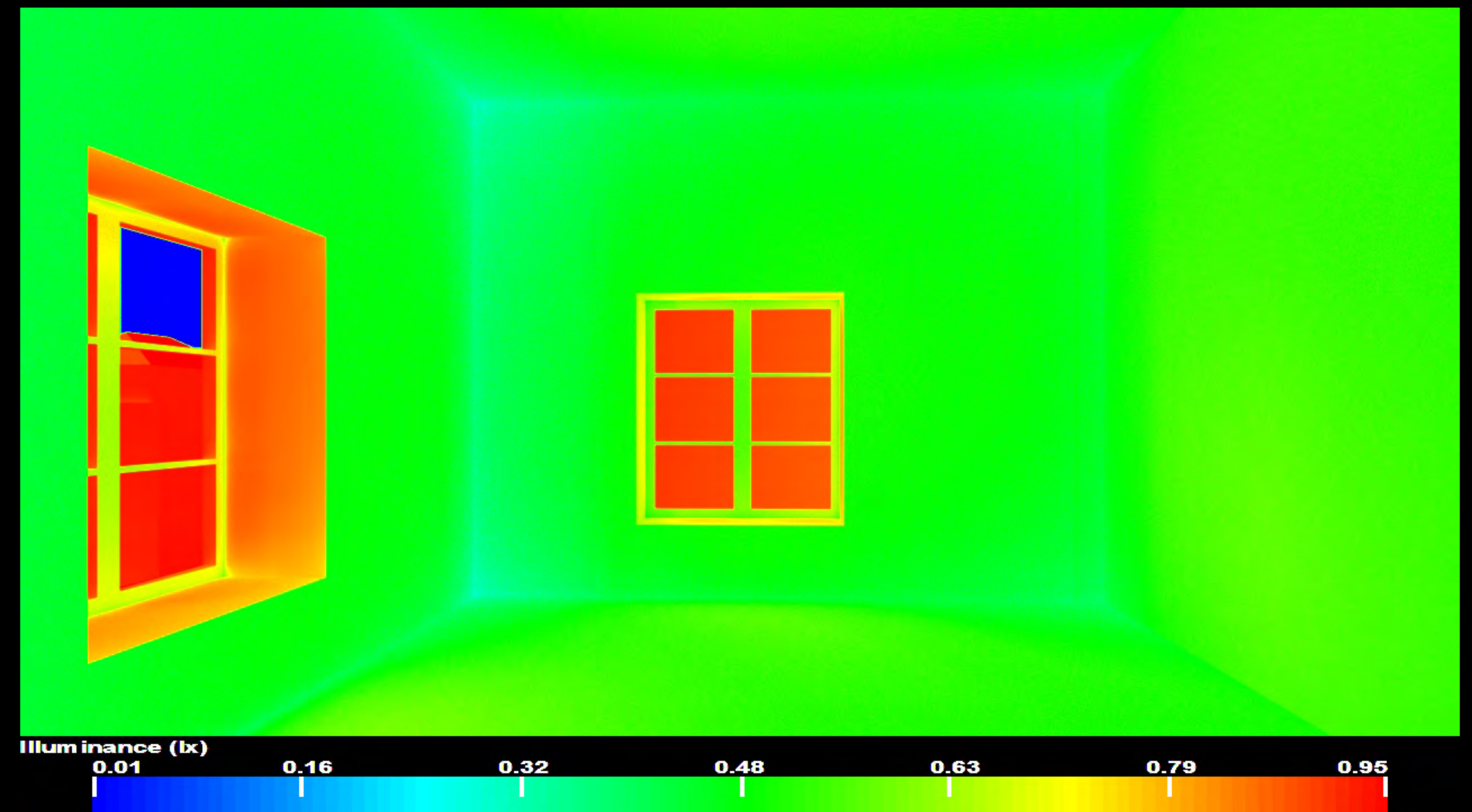




Frame Home: 1st Floor Office - June 21st 7:30 AM
Before Construction Lighting Analysis

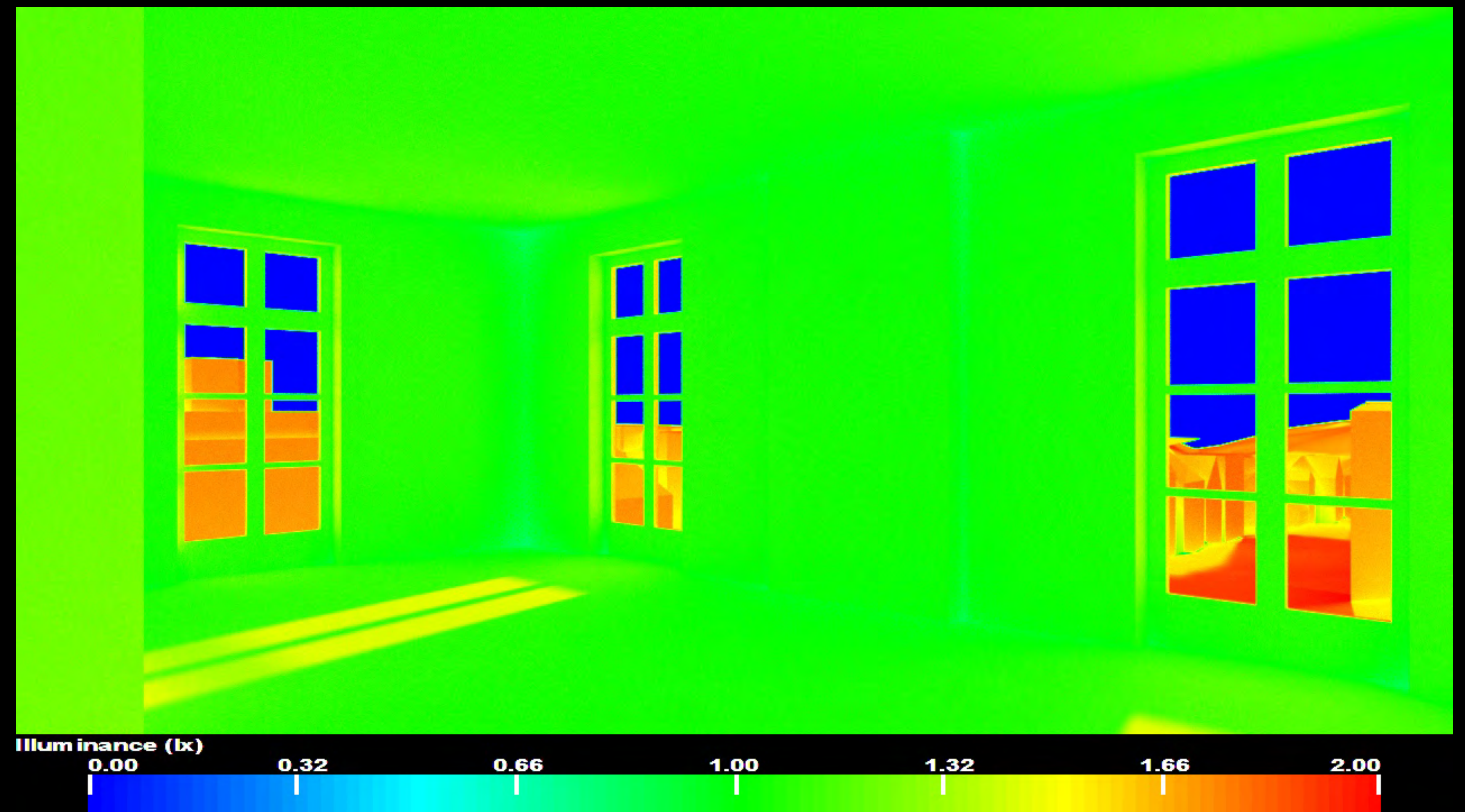


Frame Home: 1st Floor Office - June 21st 7:30 AM
After Construction Lighting Analysis

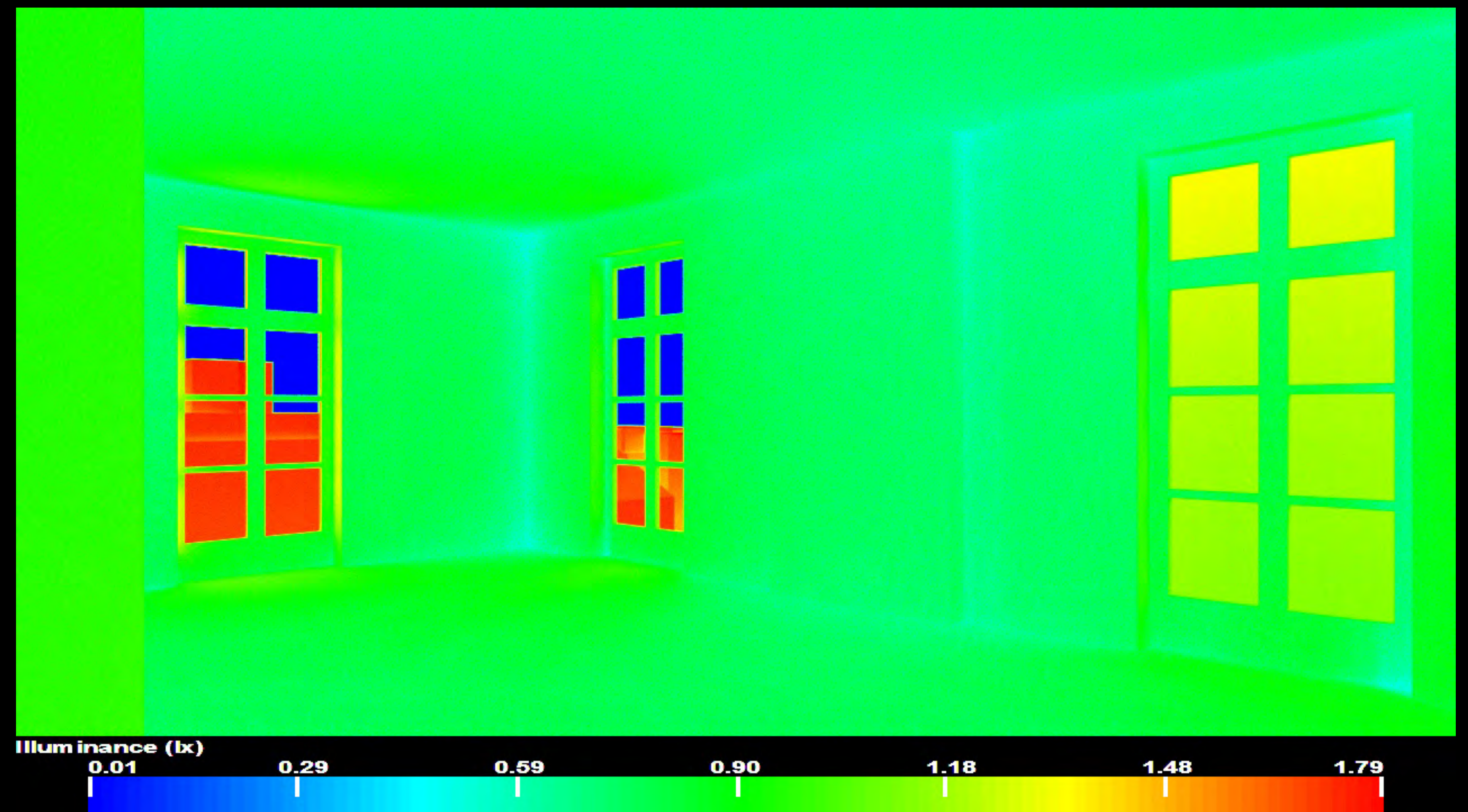




Frame Home: 2nd Floor - June 21st 7:30 AM
Before Construction Lighting Analysis

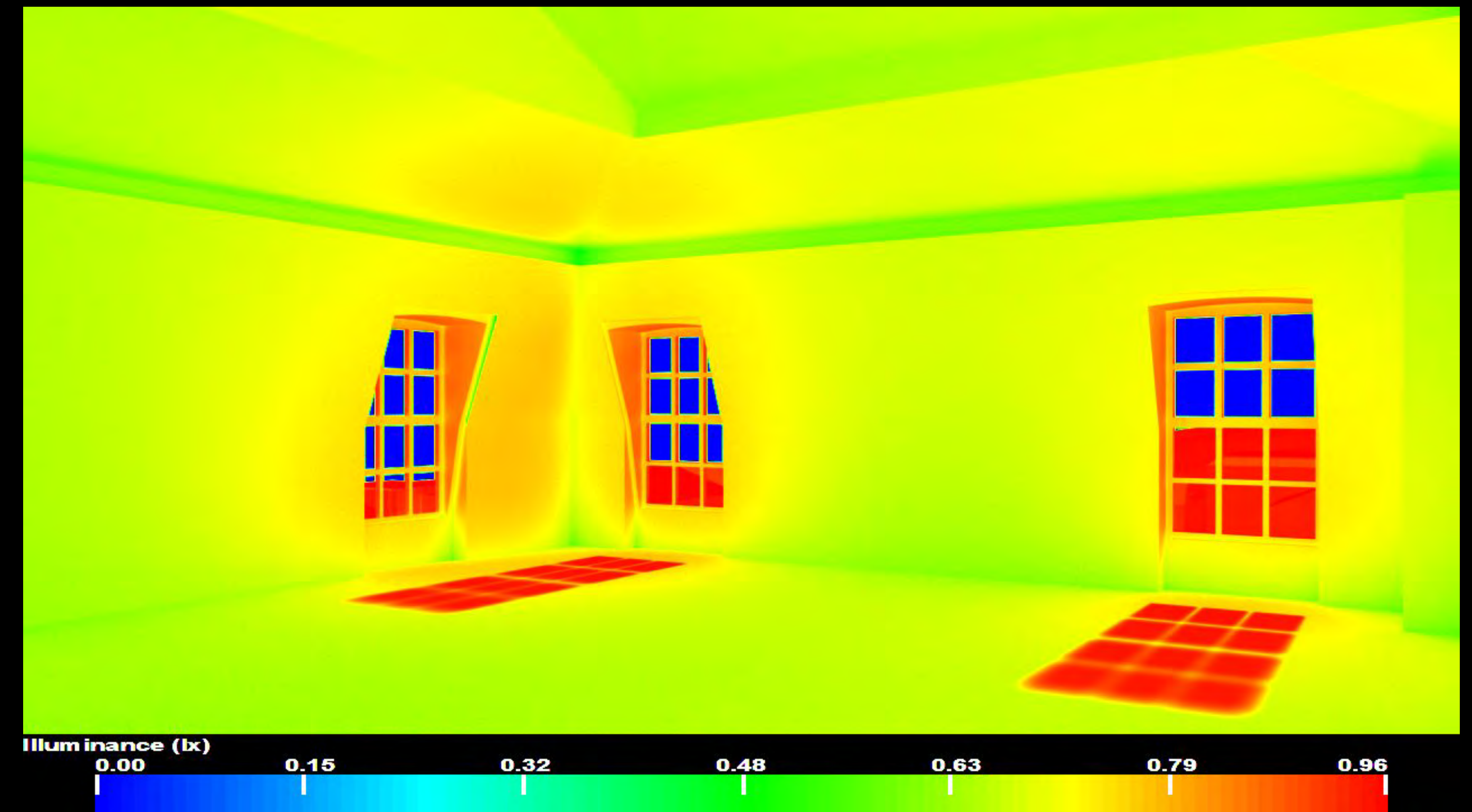


Frame Home: 2nd Floor - June 21st 7:30 AM
After Construction Lighting Analysis

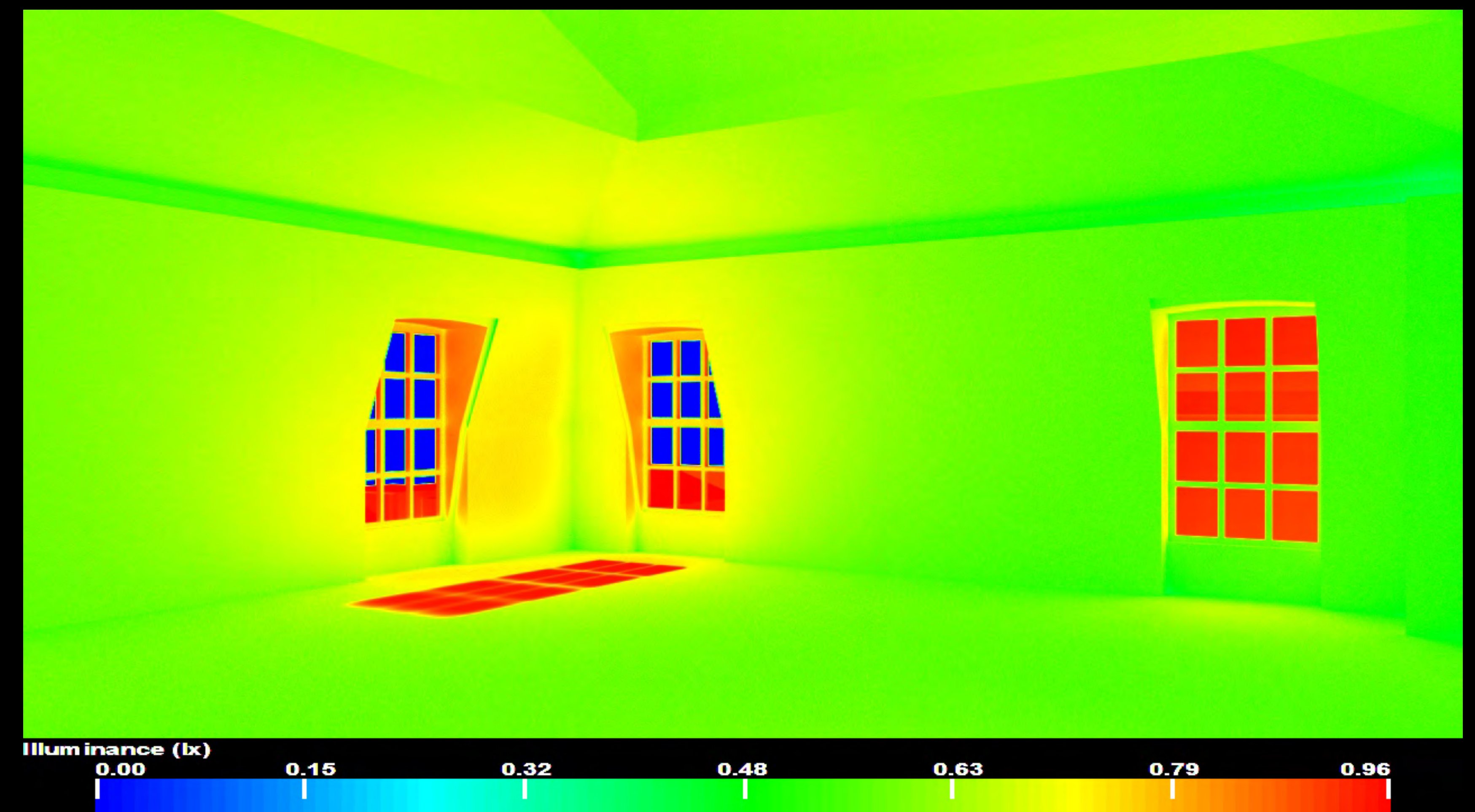




Frame Home: 3rd Floor Office - June 21st 7:30 AM
Before Construction Lighting Analysis



Frame Home: 3rd Floor Office - June 21st 7:30 AM
After Construction Lighting Analysis



FEB 02 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PICAPPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:		
Kristine Johnson and Tim Dattels		
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE:
2960 Vallejo Street, San Francisco, California	94123	(415) 409-8989
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:		
Adam Stein and Stephenie Ting c/o John Maniscalco architect		
ADDRESS:	ZIP CODE:	TELEPHONE:
442 Grove Street, San Francisco, California	94102	(415) 864-9900
CONTACT FOR DR APPLICATION:		
Same as Above <input type="checkbox"/> Alice Barkley		
ADDRESS:	ZIP CODE:	TELEPHONE:
1 Market Plaza, Spear Tower, Suite 2200, San Francisco	94105	(415) 957-3116
E-MAIL ADDRESS:		
ASBarkley@duanemorris.co,		

2. Location and Classification

STREET ADDRESS OF PROJECT:		ZIP CODE:		
2921 Vallejo Street, San Francisco, CA		94123		
CROSS STREETS:				
Lyon Street and Baker Street				
ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
0957 /020	57'-3" x	4,007.5 sq. ft	RH1-(D)	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 ☐
vacant Lot

Present or Previous Use:

Proposed Use: single family home

Building Permit Application No. 201604124605

Date Filed: 4/12/16

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 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.

See Attachment

Discretionary Review Request

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

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

See attachment

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

See attachment

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

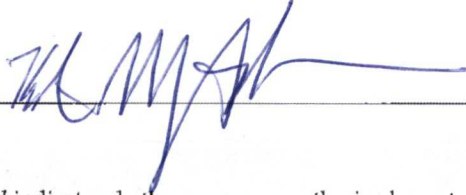
See attachment

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: _____

2-1-17

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

Kristine Johnson

Owner / ~~Authorized Agent~~ (circle one)

Discretionary Review Application Submittal Checklist

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

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

Date:

2/2/17



**SAN FRANCISCO
PLANNING
DEPARTMENT**

**FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department**

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**

FAX: **415 558-6409**

WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

ATTACHMENT TO DISCRETIONARY REVIEW APPLICATION

5. *Changes Made to the Project as a Result of Mediation (page 8)*

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.

I have spoken with the architect twice. Responding to my question about when there will be a neighborhood meeting, I was informed that the meeting took place last year and that there would be no additional meetings. Apparently, we were not on the required mailing list for the pre-application neighborhood meeting. The architect agreed to speak or meet with me. I spoke with the project architect on January 31, 2017. I asked about the front set back and the setting of the building with the adjacent buildings to the east having very deep front set back. When the proposed projects front set back was discussed he told me that the Planning Department gave him permission to use the "maximum allowable or 15' as an alternative" for the front set back.

I asked about the massive appearance of the five story building. He responded that, with the fifth floor set back, the massing of the building will appear to be three to four stories similar to the other buildings on the block.¹ He informed me that the building has a maximum allowable envelope, except for notch at the rear of the southwest corner to preserve a tree. He told me that all the trees on the site will be removed.. Of the three existing street trees, the east tree will be removed for the garage door. See photographs attached to the Discretionary Review Application. While he claims that the owners are working with the neighbors to reduce the massing of the proposed project, the owners have consistently refused to meet directly with the neighbors as a group. We are not aware of any revisions to the plans since the pre-application meeting with the neighbors. The 311 notification plans are identical to that submitted for environmental review.

¹ The fifth floor front set back is required in order not to exceed the height limit.

DISCRETIONARY REVIEW REQUEST (page 9)

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 Priority Policies or Residential Design Guidelines? Please be specific and cite specific sections of the Residential Design Guidelines.*

The photographs submitted with the environmental review application do not show any of the neighboring buildings on the either side of the 2900 block of Vallejo Street, which is a dead end street. See photographs of the 2900 block of Vallejo Street attached to the discretionary review application.

The fifth floor Plan does not accurately reflect the building footprint below. The proposed project does not comply with the following Residential Design Guidelines:

A. Section III, Site Design, guidelines for Front Set Back: "In areas with varied front set backs, design building setbacks to act as a transition between adjacent buildings and to unify the overall streetscape." The front set backs of the buildings adjacent the project site are very different. The proposed project does not provide a transition.

B. Section III, Site Design, guideline for landscaping: "Provide landscaping in the front set back." No landscaping is provided in the front set back. The proposed design eliminates any possibility of providing landscaping in the front set back area due to an 18' wide garage door contrary to the Residential Design Guidelines.

C. Section IV, Building Scale and Form: The proposed building's proportions are not compatible with those found on surrounding buildings due to the horizontal emphasis and lack of any landscaping on the front yard.

D. Section V, Architectural Features: The width of the garage door and curb cut do not comply with residential design guidelines regarding garage door width and the curb cut width. A narrower curb cut would not require removal of the large street tree and be more compatible with the Residential Design Guidelines. See photographs attached to 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 will substantially alter the character of this dead end block. They have chosen to forego landscaping in contrast to the other homes on the street that have well maintained, landscaped front setbacks or, in a few cases, side yards opening to the street.

The difference between the front and rear property line of this site is approximately 32' to 34'. There is no information provided regarding the amount of soil that will be excavated, the number of daily truck trips required to remove the soil and the length of time that will be required to remove all trees and vegetation and to excavate the site. Construction management must be addressed. The sunlight access to the adjacent neighbors' windows facing the side property line will be adversely affected by the mass of the project if constructed as designed.

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 effect noted above in Question #1.*

The proposed project should be redesigned to provide an at grade landscaped area in the required front set back and preserve some of the existing trees in the side yard by creating deeper set back from the side property lines.



1221 HARRISON STREET #18
SAN FRANCISCO, CA 94103

P: 415-391-4775
F: 415-391-4777
radiusservices@sfradius.com

AFFIDAVIT OF PREPARATION OF RADIUS NOTIFICATION MAP, MAILING LIST, & DELIVERY MATERIALS FOR PUBLIC NOTIFICATION

RADIUS SERVICES hereby declares as follows:

1. We have prepared the NOTIFICATION MAP, MAILING LIST, and DELIVERY MATERIALS for the purpose of public notification in accordance with the requirements and instructions stipulated by San Francisco City Planning Department Planning Code / San Francisco Department of Building Inspection / San Francisco Public Works Code:

- | | |
|--|---|
| <input type="checkbox"/> Section 311 (Residential) | <input type="checkbox"/> Mobile Food Facility (MFF)
Truck: 75' minimum radius measured from the outer boundaries of the assumed curbside and all properties across the street that directly fronts, in whole or in part. |
| <input type="checkbox"/> Section 312 (Commercial) | |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Mobile Food Facility (MFF)
Push Cart: 300' minimum radius of the street address(s) in front of which the Pushcart will be located. |
| <input type="checkbox"/> Environmental Evaluation | |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Minor Sidewalk Encroachment (MSE)
150' radius <u>fronting</u> the subject property. |
| <input type="checkbox"/> Conditional Use Permit for
Wireless Antenna Installation | <input type="checkbox"/> Major Sidewalk Encroachment (ME)
300' complete radius. |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Section 106.3.2.3 (Demolition) |

2. We understand that we are responsible for the accuracy of this information, and that erroneous information may require remailing or lead to suspension or revocation of the permit.

3. We have prepared these materials in good faith and to the best of our ability.

We declare under penalty of perjury under the laws of the State of California and the City and County of San Francisco that the foregoing is true and correct.

EXECUTED IN SAN FRANCISCO, ON THIS DAY, 1/26/2017

RADIUS SERVICES


Professional Service Provider

0957020T

Radius Services Job Number

2921 VALLEJO ST

Project Address

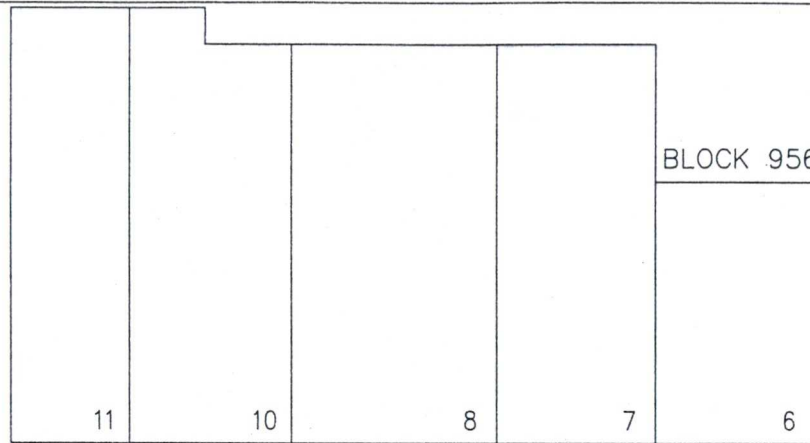

Kevin Chuck
Radius Services

0957/020

Block / Lot

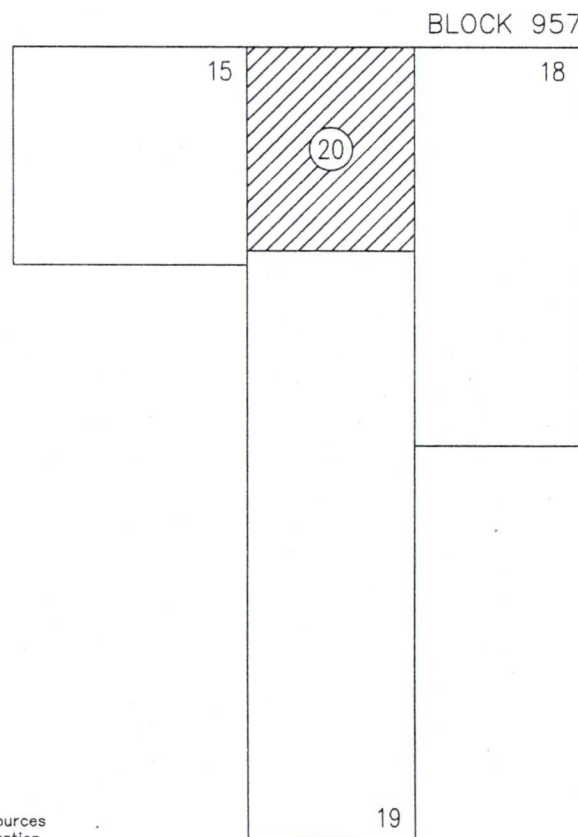
RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

BLOCK LOT	OWNER	OADDR	CITY	STATE	ZIP
0001 001	RADIUS SERVICES NO. 0957020T	2921 VALLEJO ST	FARELLA	17	0123
0001 002	.....	.....	.....	.....	.....
0001 003	RADIUS SERVICES	1221 HARRISON ST #18	SAN FRANCISCO	CA	94103
0001 004	FARELLA BRAUN & MARTEL LLP	235 MONTGOMERY ST	SAN FRANCISCO	CA	94104
0001 005	.....	.....	.....	.....	.....
0956 006	MARIANO GUADALUPE LLC	2900 VALLEJO ST	SAN FRANCISCO	CA	94123-4619
0956 006	OCCUPANT	2900A VALLEJO ST	SAN FRANCISCO	CA	94123-4619
0956 007	ANNE BOSWELL TRS	2910 VALLEJO ST	SAN FRANCISCO	CA	94123-4619
0956 008	WINDSONG LLC	167 ISABELLA AV	ATHERTON	CA	94027-4044
0956 008	OCCUPANT	2930 VALLEJO ST	SAN FRANCISCO	CA	94123-4619
0956 010	GALLIVAN TRS	2950 VALLEJO ST	SAN FRANCISCO	CA	94123-4619
0956 011	DATTELS & JOHNSON TRS	2960 VALLEJO ST	SAN FRANCISCO	CA	94123-4619
0957 015	SWIPE RIGHT LLC	14000 QUAIL SPRINGS PKWY #2200	OKLAHOMA CITY	OK	73134-2617
0957 015	OCCUPANT	2939 VALLEJO ST	SAN FRANCISCO	CA	94123-4618
0957 018	GEORGE GUND TRS	2915 VALLEJO ST	SAN FRANCISCO	CA	94123-4618
0957 019	WALKER BROOKS TRS	2930 BROADWAY ST	SAN FRANCISCO	CA	94115-1062
0957 020	TING STEIN TRS	301 MISSION ST #37D	SAN FRANCISCO	CA	94105-2243
9999 999	.....	.....	.....	.....	.....



BLOCK 956

VALLEJO STREET



BLOCK 957

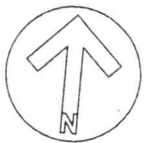
BROADWAY STREET



1221 Harrison Street, Suite 18
San Francisco, CA 94103-4449
(415) 391-4775

BLOCK 957
LOT 20

San Francisco, CA



JOB NO:	DATE: 170123
0957020T	DRAWN: DC
	CHECKED: DC

DISCRETIONARY
REVIEW
AREA MAP

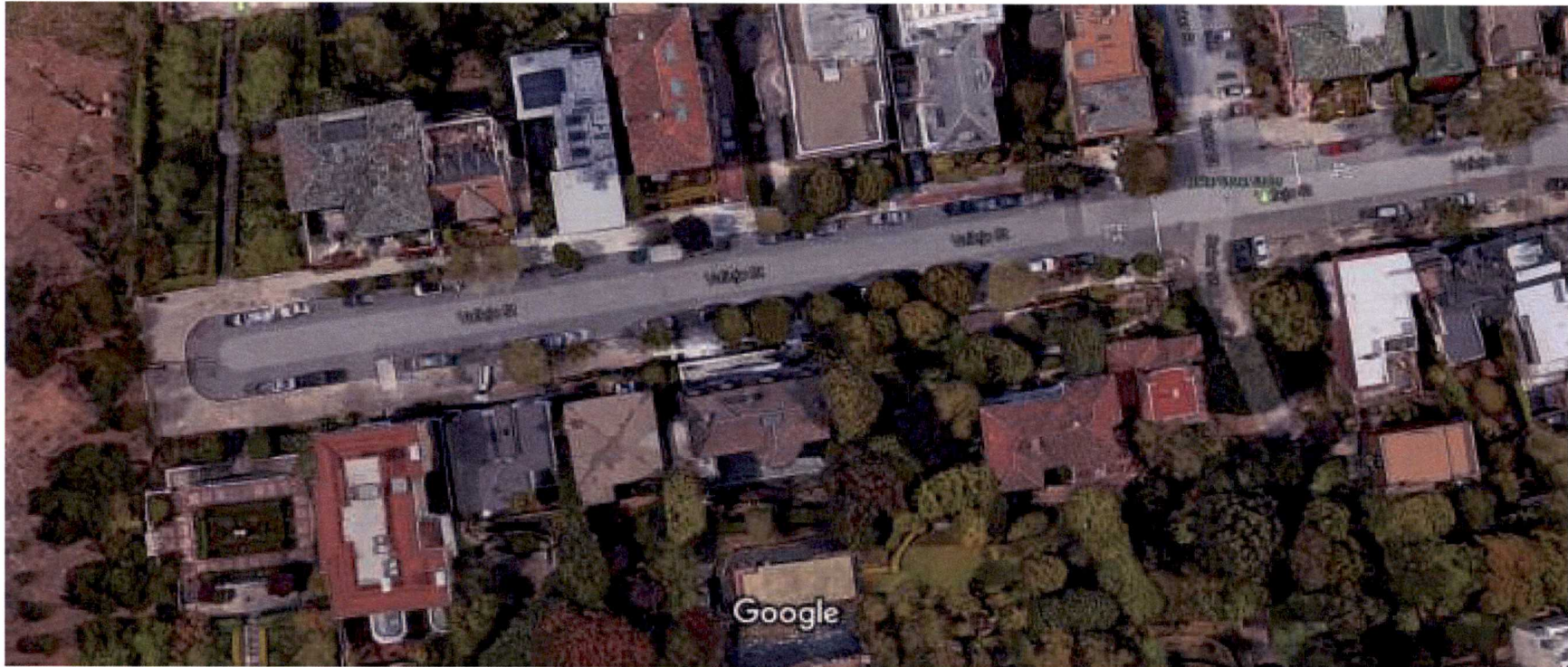
The information contained herein has been obtained from sources that we deemed reliable and current at the time of preparation. We have no reason to doubt its accuracy but we do not guarantee it.

Google Maps 2800 Vallejo St



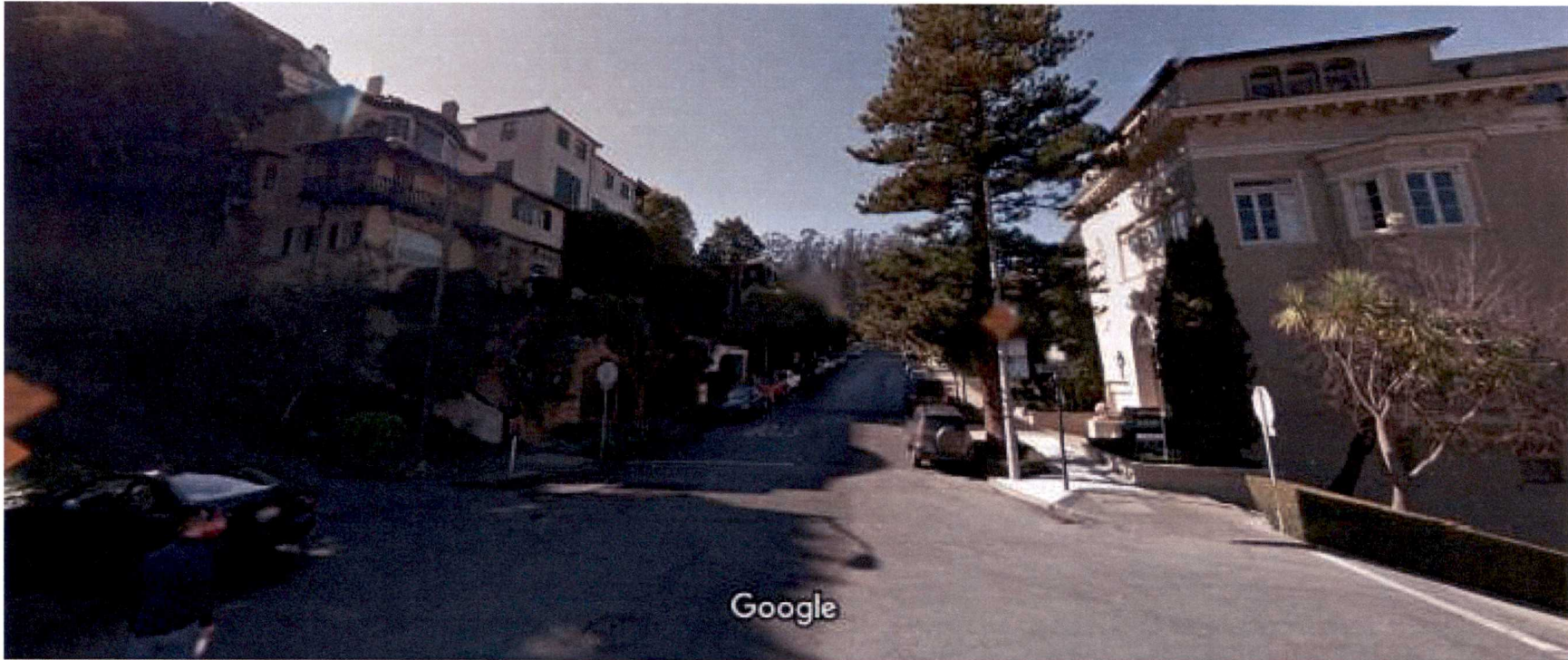
Imagery ©2017 Google, Map data ©2017 Google 20 ft

Google Maps 2800 Vallejo St



Imagery ©2017 Google, Map data ©2017 Google 20 ft

Google Maps 2898 Vallejo St



San Francisco, California
Street View - Jan 2015

Image capture: Jan 2015 © 2017 Google











FEB 03 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P I CAPPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: John Hutchinson		
DR APPLICANT'S ADDRESS: 2901 Vallejo St	ZIP CODE: 94123	TELEPHONE: (415) 9210961

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Adam Stein/Stephanie Ting		
ADDRESS: 2921 Vallejo St	ZIP CODE: 94123	TELEPHONE: ()

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

2. Location and Classification

STREET ADDRESS OF PROJECT: 2921 Vallejo St	ZIP CODE: 94123
CROSS STREETS: Baker	

ASSESSORS BLOCK/LOT: 957 / 020	LOT DIMENSIONS: 57.23' x 70'	LOT AREA (SQ.FT.): 4,007.5	ZONING DISTRICT: RH1(D)	HEIGHT/BULK DISTRICT: 40 - X
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3. Project Description

Please check all that apply

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

Additions to Building: Rear ☐ Front ☐ Height ☐ Side Yard ☐
Undeveloped Lot

Present or Previous Use: _____

Proposed Use: Single-family detached residence

Building Permit Application No. _____ Date Filed: _____

JH

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.

I have not been contacted by the owners who plan to develop nor have I been in touch with them. I was only
made fully aware of the scope of this project upon receipt of the 311 notice in early January.

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 proposed structure does not fit both in terms of architectural design as well as size based on lot size with the character of the street. It appears that this project does not comply with the Cow Hollow Neighborhood Design Guidelines, made available to the neighborhood and city planning to ensure the new construction is visually and physically compatible with the neighborhood. In addition, I believe the proposed front setback does not appear to comply with planning code 132(a), which would take the average of the two homes adjacent to the property. Instead, the plans here seem to come up with a setback of 10 feet, not the average between the two adjacent homes or the maximum 15 feet.

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:

Most notably, the proposed setback does not fit with the character of the street. The homes to the east are set incredibly far back on their respective full-depth lots. The homes to the west are set closer to the street. The greenery of the lot currently helps to bridge the transition between the two eastern homes and those to the west. A larger setback would help to transition between those homes to the east and those to the west. The proposed structure will drastically change the feel of the street for pedestrian and residents, literally imposing itself upon anyone approaching from the north and east (which is the only way the cul-de-sac street is approached) therefore destroying the gentle character of how the houses interrelate.

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 scale of the proposed home seems quite large from the streetview as compared to other homes on the block, especially when taking into account the proposed square footage as compared to the total square footage of the lot. Reducing the overall size of the home would help to maintain the character of the street.

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: John Hutchinson

Date: 28 January '17

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

JOHN HUTCHINSON

☒ Owner / ☐ Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

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

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

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: X. KlineDate: 2/3/17



**SAN FRANCISCO
PLANNING
DEPARTMENT**

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

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WEB: **<http://www.sfplanning.org>**

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San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

2016-005171DRP-03

FEB 03 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P I CAPPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Swipe Right, LLC		
DR APPLICANT'S ADDRESS: 2939 Vallejo	ZIP CODE: 94123	TELEPHONE: (203)561-6900

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Adam Stein and Stephanie Ting		
ADDRESS: 2921 Vallejo	ZIP CODE: 94123	TELEPHONE: ()

CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Richard Van Duzer		
ADDRESS: 235 Montgomery, 17th Floor	ZIP CODE: 94104	TELEPHONE: (415) 954-4938
E-MAIL ADDRESS: rvanduzer@fbm.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2921 Vallejo	ZIP CODE: 94123
CROSS STREETS: Baker and Lyons Streets	

ASSESSORS BLOCK/LOT: 957 / 020	LOT DIMENSIONS: 57.23' x 70'	LOT AREA (SQ FT): 4007.5	ZONING DISTRICT: RH-1(D)	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 ☐
Vacant Lot

Present or Previous Use: _____

Proposed Use: Single Family home

Building Permit Application No. 201604124605 Date Filed: 4/12/16

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 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.

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:

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?

See attached.

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: Marianna R. Dulin Frame

Date: 2/2/2017

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

MARIANNA FRAME
☒ Owner ☐ Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

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

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

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: J. KlineDate: 2/3/17



**SAN FRANCISCO
PLANNING
DEPARTMENT**

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No appointment is necessary.*

DR REQUEST FOR 2921 VALLEJO

Reasons for Requesting Discretionary Review:

- 1. As designed, the scale and size of the project is incompatible with the homes that surround it and, therefore, conflicts with the Residential Design Guidelines.*

The proposed project will result in a 7,000 sf house on a 4,000 sf upward sloping lot between two existing homes on the south side of Vallejo Street between Baker and Lyon. In comparison, the DR Requesters' 6,111 sf house to the west of the project site is on a 6,000 sf lot, and the home to the east of the project site is 4,000 sf and on a 7,871 sf lot. Such a large house on a relatively small lot is inconsistent with the prevailing neighborhood character and development pattern on the upsloping lots.

RESIDENTIAL DESIGN GUIDELINES (RDG):

One of the design principles under the RDG is to "ensure that the building's scale is compatible with surrounding buildings." (RDG at p. 5) Here, the floor area of the proposed building is almost two times the size of the lot. In contrast, the floor area to lot size ratio of the DR Requesters' home has a 1:1. The house to the east of the project site occupies even less of its lot, with a floor area to lot size ratio of .51:1. While there are other large homes on this block, unlike the other homes on the block, the size of the proposed project at this highly sloped location will appear to dwarf its neighboring properties.

Although the RDG acknowledge that a building that is larger than its neighbors can be designed in such a manner as to be in scale and compatible with adjacent buildings through the use of setbacks or by reducing the height or depth of the building, in this case, the project sponsor has made no effort to do so. (RDG.at p. 23)

- 2. As proposed, the project results in a substantial loss of air and light into the main living areas of the DR Requesters' home.*

In light of the size of the front setback and the scale, size and location of the project on the lot, as proposed, the project will result in a substantial loss of air and direct eastern light into the most used living areas of the DR Requesters' home. To mitigate this impact, the DR Requesters believe the project should be modified by, among other things, increasing the size of the front setback to 15'. Given the proximity of the proposed project to the DR Requesters' home, this request is a reasonable one in light of the project's impact on DR Requesters' use and enjoyment of their home and the relatively modest effect on the project sponsor.

RESIDENTIAL DESIGN GUIDELINES (RDG): One of the design principles under the RDG is to "maintain light to adjacent properties by providing adequate setbacks." (RDG at p. 5) The loss of eastern light from the proposed front setback would violate this tenet of the RDG.

3. *Excavation of and construction at the site will result in the loss of a mature Magnolia grandiflora tree that borders the eastern side of the DR Requesters' home and is within 3' of the property line.*

The Magnolia tree's canopy spread is 28 feet and it has a 28 inch Diameter at Breast Height. The tree does qualify as a landmark or significant tree. Neither the tree or its root systems, which runs eastward from DR Requesters' property through a portion of the project site, is shown on the plans.

That oversight underscores the importance of the tree to the DR Requesters' enjoyment of their home. The tree provides natural shading and significant greenery at the rear eastern side of DR Requesters' first floor. Given the Project sponsors' massive construction, it is highly likely this tree will die if it is not otherwise preserved. The project sponsor can protect the tree by providing a larger setback at the tree's location (e.g., a notch) to accommodate the tree's expected growth. DR Requesters ask that a Tree Protection or Replacement Plan be included as a condition on the project.

Unreasonable Construction Impacts and Affected Properties:

A: *Excavation.* DR Requesters and other neighbors will be directly affected by the noise, dust and privacy impacts that excavation and construction on the project site will cause. We would request that the Project sponsors not conduct any construction outside of the permitted work times (7AM-7PM) and agree to not work on Sundays.

B. *Damage to Underground Pipes and Streams in ROW:* Neighbors on the block are concerned that the presence of heavy construction machinery will damage the old streets and pipes on the block. They are also concerned that the underground wells and old pipes that traverse the street will be broken or damaged given the weight and frequency of the construction machinery, causing above ground flooding.

C. *Access To and From Parking.* There is very little on-street parking on this narrow street. Although most homes have off-street garages, there is often gridlock for turn-arounds to leave and enter garages and for visitors to find parking. The construction and employee vehicles will exacerbate that condition. An additional impediment the construction vehicles will cause is making the turning radius out of some garages challenging, leading to long wait times. We would request that construction employee parking be off-site.

The Project Sponsor Has Not Yet Agreed To Any Alternatives or Changes To Mitigate The Above Impacts:

Among others, in addition to those identified above, the following alterations or modifications would help minimize, lessen, or eliminate the exceptional or extraordinary circumstances described in this Request:

1. Increase the front setback and make other modifications to the design of the project to minimize the loss of eastern light into the DR Requesters' home.

2. Preserve the magnolia tree and/or increase the side set back adjacent to the DR Requesters' home to preserve and provide for adequate natural foliage along their eastern property line.

February 2, 2017

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

RE: 2921 Vallejo Street (Block 957/Lot 020)

To Whom It May Concern:

Swipe Right, LLC, owns the property at 2939 Vallejo Street (Block 957/Lot 015). On behalf of Swipe Right, I am filing the attached Discretionary Review Request application to the Planning Department for the above referenced property.

Sincerely,

A handwritten signature in cursive script, appearing to read "Matthew L. Swickert".

Its: PRESIDENT

Application for Discretionary Review

CASE NUMBER:
For Staff Use only

FEB 03 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PICAPPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Anne Boswell & Christophe Bertrand		
DR APPLICANT'S ADDRESS: 2910 Vallejo Street	ZIP CODE: 94123	TELEPHONE: (415)819-5200

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Stephanie Ting & Adam Stein		
ADDRESS: unknown -- use agent's information below	ZIP CODE: ?	TELEPHONE: (?)

CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> John Maniscalco		
ADDRESS: 442 Grove Street	ZIP CODE: 94102	TELEPHONE: (415) 864-9900
E-MAIL ADDRESS: admin@m-architecture.com (per internet search)		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2921 Vallejo Street	ZIP CODE: 94123
CROSS STREETS: Baker & Lyon	

ASSESSORS BLOCK/LOT: 0957 /020	LOT DIMENSIONS: 57'3" w x70' d	LOT AREA (SQ FT): 4011	ZONING DISTRICT: RH-1 (D)	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 ☐

Garden lot

Present or Previous Use:

Proposed Use: **Single family dwelling**Building Permit Application No. **201604124605**Date Filed: **4/12/16**

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 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.

* The permit applicant, John Maniscalco, has not returned calls to our architect in 2017. The one time they spoke in 2016, Mr. Maniscalco was unwilling to provide drawings or project details.

* * Our architect, Shawn Montoya, has reached out the Planner, her replacement while she was on vacation and that person's replacement. Mr. Montoya called multiple times in the past month and left one voicemail for fill-in planner Rich (in mid-January) and two messages after that for Ms. Bendix but has not heard back to date.

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 sheets.

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 sheets.

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 sheets.

1.

The proposed project is inconsistent with the Residential Design Guidelines and the General Plan due to the extraordinary amount of excavation that will be required, putting the neighbors and the City of San Francisco at risk for dangerous slide conditions. The San Francisco General Plan, Policy 7.2, requires protecting "...land from changes that would make it unsafe or unsightly". The policy also states that "...unnecessary excavation should be strongly discouraged because it defaces the landscape and can limit the usability of the land. Too much earth removal can also create a potentially dangerous slide condition." San Francisco Residential Design Guidelines (Section III., Site Design, p.11) require any new building to "respect the topography of the site and surrounding area". The guideline further explains, "New buildings...cannot disregard or significantly alter the existing topography of a site. The surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes or hills. This can be achieved by designing the building so it follows the topography in a manner similar to surrounding buildings."

On sheet A3.5 (Proposed Section A-A) and A3.6 (Proposed Section B-B) of the subject property drawings, the proposed project includes vertical cuts into the existing steeply graded virgin hillside in excess of 32 feet. Most homes in the adjacent area have the design stepped into the hill to minimize large cuts. The two directly downhill (easterly) properties are built on top of the hillside, rather than into it.

The large square footage of the subject house far exceeds that of its adjacent neighbors, creating an oversized residence that is out of proportion and scale with its surroundings. As a consequence, the proposed project disregards the General Plan and Residential Design Guidelines by necessitating huge cuts into the hillside rather than respecting the existing topography and stepping the building into the hillside or building on top of it. The result is a building site which we believe is well beyond what is necessary, proportional to the lot size, safe or environmentally prudent.

2.

The intense amount of cutting into the hillside along with the enormous volume of excavated material that will need to be removed create an unreasonable impact to the neighboring properties. The cuts to the hillside proposed, over 32 feet in some areas per drawing A3.5 (Proposed Section A-A) and A3.6 (Proposed Section B-B), could create the potential for dangerous slide conditions. The neighboring properties, particularly to the direct east and west sides, will have to be shored in a very precarious manner to support a building project of this size, especially the eastern neighbor whose house extends right up to the shared property line. This shoring will adversely affect these neighboring properties by creating a dangerous condition that would be almost impossible to mitigate, and the impact to all the block's residents should there be a catastrophic collapse is incalculable.

Additionally, the proposed project has an over 16 foot tall retaining wall at the rear property line. It is not clear from the plans provided how the applicant proposes to install such a tall retaining wall with proper drainage without encroaching upon the neighboring properties.

A preliminary geotechnical investigation was prepared for the project by Rockridge Geotechnical, Inc. In this report (which cites an incorrect/non-existent subject property address),

the engineer notes the project "...will likely include excavating at least 10 feet into the hillside to construct the residence." The engineer does not seem to be aware of the magnitude of the actual excavation proposed per the architectural drawings. The excavation proposed is over three times what is assumed in the report. In addition, the report anticipates hitting bedrock in as little as 9 feet grade. The current design may require removal of over 20 feet of existing bedrock. The removal of this bedrock has serious potential for disrupting the neighboring properties, causing land instability, movement or soil creep, as well as the possibility of changing the path of subterranean watercourses and natural drainage on the street.

As a downhill neighbor, we are gravely concerned about how such radical alteration of the previously untouched hillside will affect us. Of gravest concern is how this topographical chaos will alter the underground streams on the block, the resulting damage including but not limited to flooding, the undermining of foundations and emergence of sinkholes, some of which may not be visible in the immediate term. Also of extreme concern is how the months of drilling and pounding vibrations in both the excavation and construction phases will not adversely affect the stability and aesthetics of neighboring properties including ours.

3.

The project should be redesigned to better fit with the topography of the existing hillside. The new building must be stepped into the hillside instead of creating a dangerous massive cut. Retaining walls should be limited in size to a maximum of 10 feet and be set back from the adjacent property lines at least 12" where there is no neighboring home within close proximity and 36" where the adjacent home is within five feet or less of the property line.

An analysis of the underground watercourses and their potential disruption shall be performed by a qualified, licensed expert both prior to the commencement of excavation and after completion of the construction.

To assure proper shoring of all construction, a detailed shoring plan must be submitted that clearly illustrates the actual extent of the excavation and the shoring proposed. The shoring plan shall include a preconstruction photographic survey of the existing conditions of neighboring properties (including ours) to document existing site conditions for future analysis of any building movement, cracking of stucco and windows, etc.

The preliminary geotechnical investigation shall be revised to accurately represent the scope and design of the project. Specifically, the revised report shall address the amount of cut, the height of retaining walls and what the consequences of the removal of soil and bedrock will be on the street (including subterranean) and neighboring house foundations, exteriors, etc.

Finally, because of the lack of transparency, communication and accuracy in what the owners and their agents (architect, geotechnical expert, etc.) have provided to neighbors to date, we request that the San Francisco Planning and Building Departments compel the owners going forward to provide a detailed plan of what will be done to assure their construction will have no negative impact on any neighboring home as well as create a remediation plan (including a financial solution in the form of an escrow account) to cure any damage to our or other neighboring properties caused by their project at 2921 Vallejo Street.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature:  Date: 2/2/2017

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

Anne Boswell & Christophe Bertrand, Owners
Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

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

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

Anne Powell *[Signature]*

For Department Use Only

Application received by Planning Department:

By: N. KlineDate: 2/3/17

REUBEN, JUNIUS & ROSE, LLP

October 16, 2017

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

Re: 2921 Vallejo Street (0957/020)
Brief in Support of the Project (and in Opposition to a DR Requests)
Planning Department Case no. 2016-005171DRP(01-04)
Hearing Date: October 26, 2017
Our File No.: 8968.01

Dear President Hillis and Commissioners:

Our office represents Stephanie Ting and Adam Stein, the owners of the property at 2921 Vallejo Street, Assessor's Block 0957, Lot 020 ("**Property**"). The Property consists of an undeveloped, approx. 4,000-sf lot. Stephanie and Adam seek to construct the vacant lot with a four-story over basement, single-family home that will accommodate their family, including their young children ("**Project**").

The DR requests should be denied and the Project should be approved because:

- No exceptional or extraordinary circumstances have been established that would be necessary in a DR case or to justify denial of the Project;
- Project is fully Code compliant and consistent applicable design guidelines;
- No variances or other modifications are necessary;
- Planning staff and Residential Design Team ("**RDT**") have reviewed the Project on multiple occasions and are supportive of the Project;
- Project allows the owners to improve an empty lot to accommodate their family, adding one (1) new unit to the City's housing supply;
- The Project team has had an open dialogue and discussion with the DR Requestors in order to understand their concerns and in hopes of reaching common ground. Project has been changed in direct response to the DR Requestors' concerns; and
- DR Requestors' concerns regarding construction facilitation are understandable, but only temporary and not such that would necessitate or justify changes to the Project under DR.

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 | Corie A. Edwards | Coryn E. Millslagle | Jared Eigerman^{2,3} | John McInerney III²

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

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
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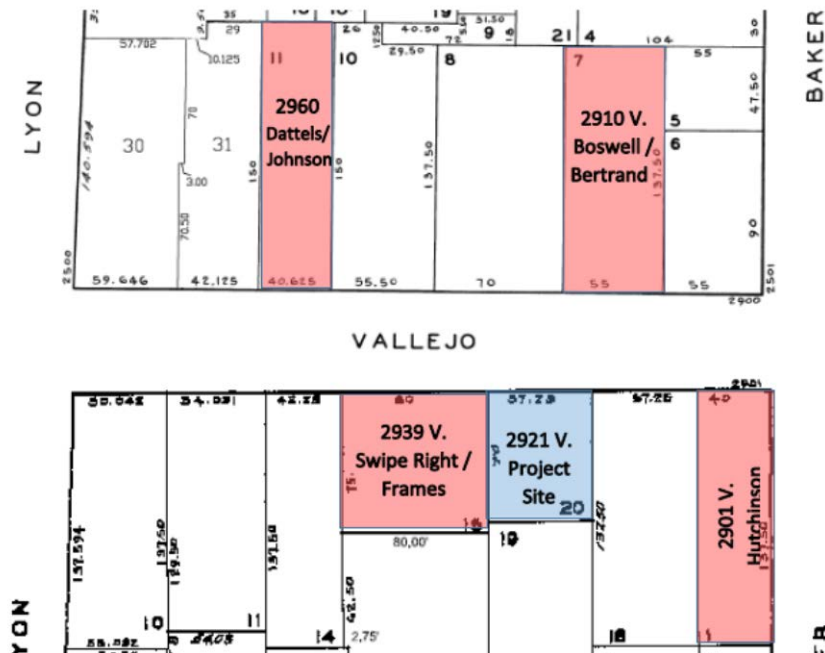
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A. PROJECT DESCRIPTION

From day one, Stephanie and Adam sought to design a Project that would be compliant with the Planning Code, the Residential Design Guidelines (“**RDG**”), and the Cow Hollow Neighborhood Design Guidelines (“**Cow Hollow DG**”), eliminating any need for variances or other special authorizations. They engaged John Maniscalco as the architect in order to create a high-quality project that responds to their needs and is appropriate for the Property and context. The Project site is an undeveloped, vacant lot located on the south side of Vallejo Street between Baker and Lyon streets in the Pacific Heights neighborhood. The proposal will improve the vacant lot with a four-story over basement, single-family residence. The Project would include generous setbacks, including a 10’ 6” front setback, 5’ side setbacks on both sides, and a 17’ 6” (25%) rear setback. The fourth floor is setback an additional 20 feet, which reduces the visibility of the said floor and the building from the street perspective. The three trees along the front of the Property as well as two on the western property line will remain and aid in maintaining the greenery associated with this portion of the block.

B. DR REQUESTS; DISCUSSIONS WITH DR REQUESTORS; PROJECT REVISIONS

Discretionary Review (“**DR**”) requests were filed by Ms. Kristine Johnson and Mr. Tim Dattels (neighbors on the other side of Vallejo, down the street at 2960 Vallejo), Swipe Right, LLC (aka Marianna and James Frame, adjacent neighbors at 2939 Vallejo), Ms. Anne Boswell and Mr. Christophe Bertrand (neighbors across the street, couple houses up at 2910 Vallejo), and Mr. John Hutchinson (neighbor two doors down at 2901 Vallejo).



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827 Broadway, Suite 205, Oakland, CA 94607
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Notwithstanding the DR filings, Stephanie and Adam are hopeful that they will be able to come to an agreement with the DR requestors prior to the hearing date. There have been many meetings and discussions with the DR Requestors and their representatives, including Ms. Alice Barkley (representing both Johnson/Dattel and Boswell/Bertrand), and Ms. Ilene Dick (representing the Frames), and an open dialogue between the parties. Despite being Code complaint, Stephanie and Adam have agreed to revise the Project several times throughout the process in direct response to neighbors' requests. Such revisions include significant reduction to the scope of excavation (which resulted in reductions to the size of the home), relocation of the curb cut and repositioning of the driveway to the Project's garage, and movement of the western wall to improve views and perception from 2939 Vallejo Street.

Overall, the Project has been pending for more than two (2) years, since Fall 2015, with the initial pre-app neighborhood meeting having occurred in March 2016. Since the Property is currently an unimproved lot, any development will result in some temporary disruption to the neighbors, and will be a change to the current conditions, however, these changes and activities do not rise to the level of satisfying the DR standard of review (as development of a vacant lot in itself is not unique or exceptional), and no further changes to the Project are justified.

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

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827 Broadway, Suite 205, Oakland, CA 94607
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1. and 2. Dattels/Johnson and Boswell/Bertrand. These DR Requestors initially had some comments on the design, including the scope of excavation and/or regarding the location of the garage entry. As a result of revisions that were made to the Project in August 2017 after prior discussions between all parties, these two DR Requestors found the design revisions acceptable. See email from Ms. Barkley to the undersigned on September 14, 2017, attached as **Exhibit A**. To our understanding the only remaining concerns from these two DR Requestors involve construction facilitation and methods. The Project team has discussed, and continues to discuss, implementation of certain Good Neighbor Policies that would address the remaining concerns. These discussions and the consideration of existing neighbors are important, but they are beyond the scope of Planning Department's jurisdiction, especially in the context of a DR.

3. Frames (i.e. Swipe Right LLC). The Property and the Frames' property at 2939 Vallejo were previously owned by Kurt and Katherine Simon ("**Simons**"). The Simons sold the Property to Adam and Stephanie on or about September 22, 2015, and the 2939 Vallejo property to the Frames on or about April 30, 2015. On August 21, 2015, the Frames filed a lawsuit¹ against the Simons for fraud, intentional concealment, and failure to disclose facts affecting value and desirability of real property, according to the Frames' complaint among other reasons for alleged disclosures by Simons' agent whereby the Property would not be sold or developed for the foreseeable future. In their complaint, the Frames stated that they "...were contemplating purchasing 2921 Vallejo St. if it was available to ensure that it remained undeveloped,"² referring to "...their need for peace and quiet..."³, and that had they known the truth, they "...either would not have purchased 2939 Vallejo St. or would have agreed to pay considerably less than \$12 million."⁴ (emphasis added.) While these facts have nothing to do with Adam and Stephanie, they show, in the Frames' own statements, the Frames' ultimate motives regarding the Property, including their prior (and perhaps current?) interest in potential purchase of the Property (albeit based on our understanding at a significantly lower price than was paid by the current owners) and the overall desire to keep the Property undeveloped.

The Frames live in an urban and dense City, in a 6,111-sf home surrounded by other buildings and neighbors, and beyond the filing of a DR on the Project, they also took time and cost to file and pursue litigation against their sellers due to the sale and future development of the Property. Thus, the Frames have now thrown in the kitchen sink and more in their opposition to the Project, arguing e.g. for loss of eastern light to their home. The Project sponsor has made revisions to the Project in order to address the Frames' concerns over design, including those expressed by their representatives in an August 7 meeting. The revisions were submitted to the

¹ It is our understanding that the lawsuit was confidentially settled between the parties towards the end of 2016, and thus we do not know the terms of the final resolution.

² See San Francisco Superior Court Case No. CGC-15-547515, Complaint filed by Swipe Right LLC (a company formed by Marianna Sackler for the purpose of purchasing and owning the 2939 Vallejo property), ¶ 12.

³ Id., Complaint, ¶ 12.

⁴ Id., Complaint, ¶ 25.

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tel: 415-567-9000 | fax: 415-399-9480

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

Frames via their representative on August 22. As of the today, the Frames have not provided any feedback on the revisions, despite several inquiries to Ms. Dick by the undersigned and an expectation that they had not responded earlier as their review was still pending. We would hope that the previously proposed revisions would be acceptable to the Frames, however, we suspect that the Frames will continue to object to the Project.

4. Hutchinson. The fourth DR was filed by John Hutchinson. He has not participated in the meetings or discussions, including the May 2017 meeting that was held at Planning Department in the presence of Planning Department staff members Ms. Bendix and Mr. Sider.

C. THE STANDARD FOR DISCRETIONARY REVIEW HAS NOT BEEN SATISFIED

Discretionary review is a “special power of the Commission, outside of the normal building permit approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with the proposed project.”⁵ The discretionary review authority is based on Sec. 26(a) of the Business & Tax Regulations Code, and moreover, pursuant to the City Attorney’s advice, it is a “sensitive discretion ... which must be exercised with the utmost restraint.” Exceptional or extraordinary circumstances have been defined as complex topography, irregular lot configuration, unusual context, or other circumstances not addressed in the design standards.

The DR power provides the Planning Commission with the authority to modify a project that is otherwise Code compliant, and while the Commission has a lot of latitude in hearing DR cases, the DR power can be exercised only in situations that contain exceptional or extraordinary circumstances. No such circumstances exist here.

The Project team previously prepared a DR response, which is included in your packets and attached to this brief as **Exhibit B.** However, as is also described in detail below, the four (4) DR requests have failed to establish any exceptional or extraordinary circumstances that are necessary for the Planning Commission to exercise its DR power, and thus the DR should be denied.

1. Proposed height, mass, and setbacks are Code compliant and consistent with the neighborhood’s development pattern. The Planning Department’s staff and RDT team have evaluated the Project several times, including at the end of March 2017, after the DR requests were filed. Contrary to the DR requestors’ contentions, the RDT expressed that the Project is fully Code compliant and consistent with the RDG. Further, the RDT expressed its support for

⁵ Planning Department publication for the Application Packet for Discretionary Review; emphasis added.

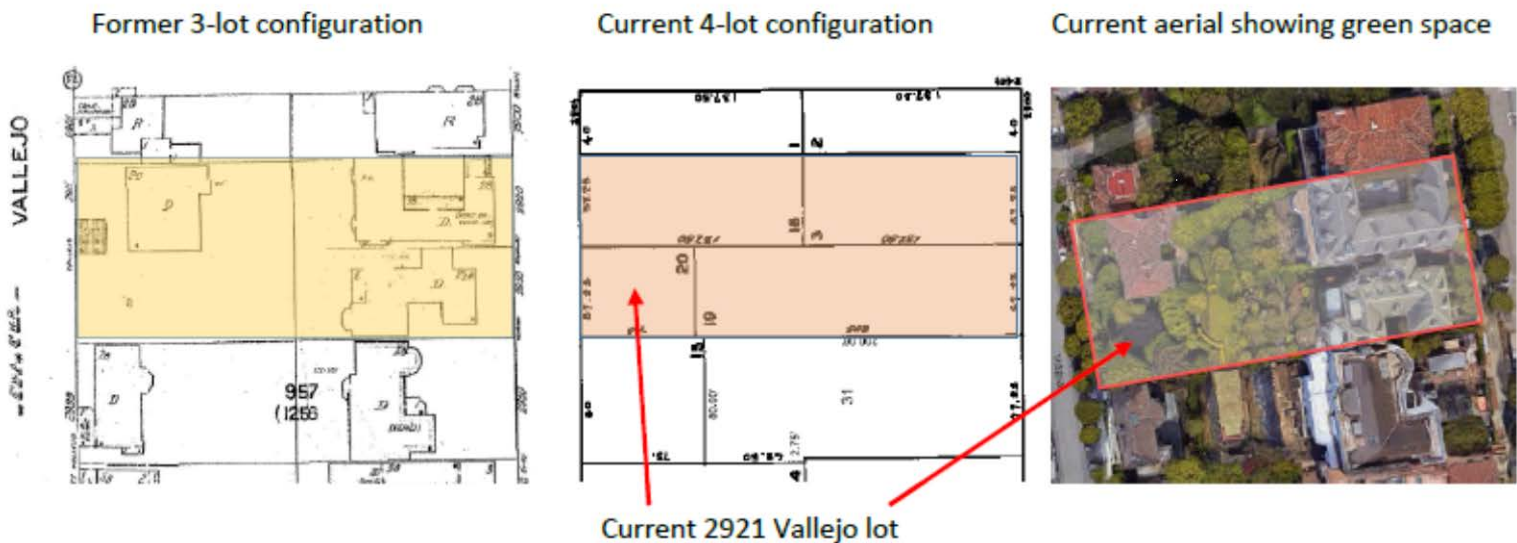
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the Project and found no exceptional or extraordinary circumstances that would warrant further revisions.

The height and mass of the building are consistent with other buildings on the 2900-block of Vallejo Street, and the DR requestors' emphasis on the FAR ratio ignores important extenuating circumstances. At 4,007 sf the Project site is the smallest lot on the block. In contrast, the average lot size of the 14 properties on the block is approx. 6,750 sf in area. The proposed family residence is not the largest or tallest building on the block, but it is one that is located, arguably, on the most constrained site. See the attached chart providing approximate lot and building sizes for the 2900-block of Vallejo attached as **Exhibit C**.

Historically, the Property was part of a larger lot, and the two rear neighbors' properties were smaller. The prior 3-lot configuration is shown below in yellow highlight, from an older sanborn map, with the current 4-lot configuration shown in orange tone. The lots were reconfigured in order to extend the rear yards for the properties fronting Broadway and immediately to the rear of the Property and to the rear of the Frames' property, in part to preserve the midblock open space. Thus, any FAR calculation on the Property is artificially high since it does not take into consideration the rear (open space) area that is now part of the rear neighbor's property. The midblock open space will remain as is, and the Project at the Property will comply with the rear yard setbacks per the current lot lines. However, if the FAR were calculated based on the prior rear property line and depth of approx. 137.5', which is typical for all other properties on the subject block with the exception of the Property and the Frames' lot, the FAR for the Project would be approx. 0.9 to 1.



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The Project is compatible with the surrounding context on all aspects, as can be seen from Project renderings:



Notwithstanding the topographical constraints and limited area, the proposed Project addresses the physical conditions and at the same time complies with all front, side, and rear setback requirements. In fact, the proposed 10' 6" front setback puts the Project in line with Swipe Right's (i.e. Frames') adjacent property at 2939 Vallejo Street. In addition, the proposed 5' side setbacks on both sides are equal to Swipe Right's side setback. Despite these Code compliant setbacks (that are identical to those utilized by Swipe Right's property), Stephanie and Adam accommodated Swipe Right's requests for increased access to views and light. They revised the Project by moving the western wall 2' to the south on the 1st, 2nd and 3rd levels, and offsetting the northern portion of the western wall further away from the property line by 1'. These revisions were not required by either the Code or the applicable design guidelines, which only require new buildings to "respect the existing pattern of side spacing."⁶

The neighbors are also concerned with the height of the building despite the fact that it is consistent with the adjacent properties. At 37' 5 3/4" the building does not extend to the maximum allowable height of 40'. Even though the building is consistent with the height of adjacent buildings and the Code, the Project provides a generous 20' setback on the top floor to minimize

⁶ Residential Design Guidelines, at 15.

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tel: 415-567-9000 | fax: 415-399-9480

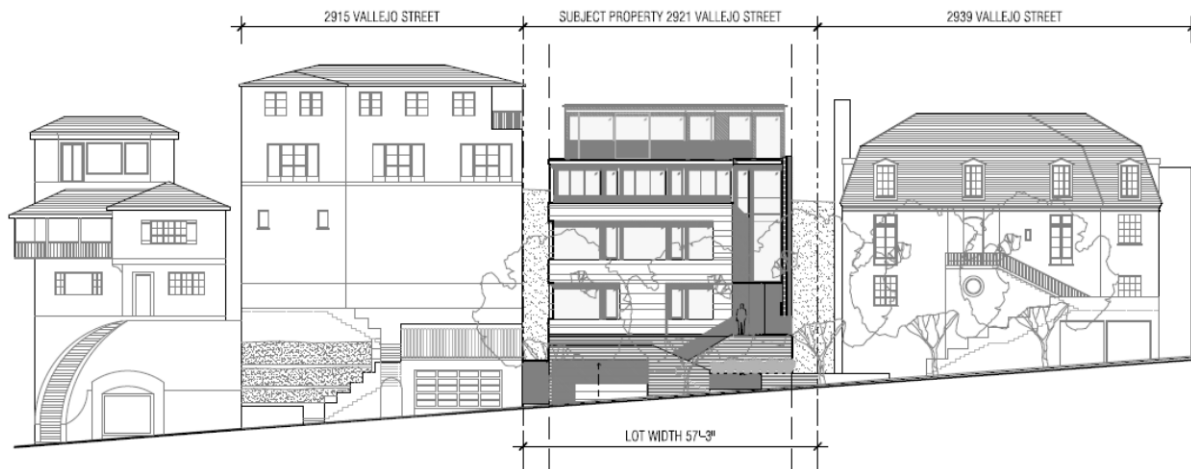
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tel: 510-257-5589

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its appearance from the street, as specifically suggested in the RDG.⁷ As can be seen from the front elevation for the Property, including the adjacent buildings, the Project results in an entirely compatible addition to the block.



2. **The owners revised the Project to reduce the amount of excavation in response to neighbors' concerns.** Neither the RDG nor the Cow Hollow NDG imposes restrictions of below-grade excavation. Therefore, the neighbors' concerns regarding excavation were not based on non-compliance with the design guidelines but on construction impacts, which Stephanie and Adam agreed to address. They revised the Project by eliminating approx. 16' 4" of building depth on the lowest basement level, consisting of an 11' 6" vertical reduction. This significant alteration reduces the lowest basement level (Level 0) by approx. 50% in area, or approx. 695 square feet, and in so doing it reduces the overall size of the Project as well as the construction impacts on the neighbors.

3. **Five existing trees will remain on the site and the Project proposes addition of a living roof and a planter fronting the street.** Some concern has been expressed by Swipe Right (i.e. Frames) regarding retention of existing trees, including a Magnolia tree near the southwestern corner of the Property that provides their property with natural shading and greenery. The Magnolia tree is located on the Frames property, several feet away from the property line, and the Project will be situated an additional 5' from the same property line due to the side yard setback. The tree is not proposed for removal. The Project maintains another existing tree on the western side yard, as well as the three existing street trees. The proposed Project also provides a planter at street level at the front and a green roof on top of the garage

⁷ Residential Design Guidelines, at 23 ("A building that is larger than its neighbors can still be in scale and be compatible with the smaller buildings in the area. It can often be made to look smaller by facade articulations and through setbacks to upper floors.").

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

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that can be seen from the street. Thus, increased landscaping is being provided in conformity with the RDG to “provide landscaping in the front setback.”⁸ Overall, with respect to any tree removal (including any potential street or significant trees that would need to be removed), the Project sponsor is subject to, and will follow, the normal process, including appropriate review and/or permits from the Department of Public Works/Bureau of Urban Forestry, as applicable.

4. **Project was revised to narrow the curb cut and reposition the driveway.** The neighbors across the street at 2910 Vallejo (Boswell/Bertrand) expressed concern about potential traffic conflicts that may arise if both the 2921 Vallejo and 2910 Vallejo garages are accessed by vehicles at the same time. Because the subject block lacks a consistent pattern for the location of garages, neither the RDG nor Cow Hollow NDG applies. Instead this was a concern of a practical nature, whereby in the event the occupants at both of these single-family residences might drive in or out of their garages at the same exact time, one of them might be subject to some queueing. Although such conflicts are likely to be extremely minimal, given that both properties are single-family homes and thus not subject to frequent vehicular garage entries and exists, Stephanie and Adam agreed to move the curb by approx. 5’ and reduce the curb width to 10’, thus resulting in an overall movement of approx. 8’, thereby also accommodating the property owners down the street at 2960 Vallejo Street who wanted the curb cut to be narrowed to 10’.

5. **Project’s impact on shadows and light access to the Frames’ property are minimal, and do not justify Project changes under DR.** The Frames’ and/or their representatives have consistently expressed concern for the proximity of the Project to their home along the shared side property line. The concern has been expressed e.g. as a concern for air -- which was since dismissed by the Frames’ representatives during an August 7 meeting in recognition of the significant 5’ setbacks on both properties and restated by their architect-consultant as a concern for how the Frames “feel” about how the Project impacts them). The separation of 10’ between the Project and the Frames’ building is much higher than in most other parts of the city, with many zoning districts requiring at most a 3’ setback, sometimes only on one side, and in many areas there are no side yard setback requirements at all. At 10’ separation, both buildings will be provided with more than sufficient access to light and air.

Despite the fact that there is no Code requirement that would regulate shadow that is cast between two private properties, we understand that the Frames have engaged a consultant to evaluate how the Project might change light access to their Property. Specifically the concern appears to be for the windows facing and located 5’ away from the interior property line, and 10’ away from the proposed Project. The said façade includes several windows, and presumably at least some of them are for rooms that face other facades, e.g. the street front, so that these rooms will continue to be provided light from other windows.

⁸ Residential Design Guidelines, at 14.

In order to be able to discuss the potential shadow concern between the Frames and the Project intelligently and based on facts, the Project sponsor also engaged a consultant to evaluate net new shadows, including net new light, on the Frames' façade that is located adjacent to the Property. The results of the evaluation are included as **Exhibit D**. In sum, the evaluation recognized that any construction on the Property would generate some shading on the Frames' property. However, at the same time, because the Project would remove some existing trees with dense canopies, the Project would also result in new sunlight to the benefit of the Frames. Thus, the net impact of new shading (while also recognizing new sunlight) for the all of the sunlight received during a full calendar year is quite minimal.

In terms of new shadow, such would be limited to the eastern side of the Frames' façade, would not be year-around, and would only be limited to morning hours. The shadow results in **Exhibit D** provide an evaluation of: 1) existing shadows, 2) new shadows from project, and 3) new sunlight from or due to the project, during the Summer solstice (June 21), approx. Fall equinox (September 20), and Winter solstice (December 20). For each of the dates (with the Fall equinox analysis being very similar to the Spring equinox), the analysis is provided at one-hour increments, starting with one hour prior to sunrise and ending at one hour after sunset, as follows:

- Summer solstice, 15 images, between 6:48 am - 7:35 pm,
 - Addition of minimal new shadow as well as some new sunlight in the morning hours, approx. until 12 pm.
 - The Summer solstice is the date with the "worst-case" scenario, however, the impact is still limited in terms of hours as well as scope.
- Fall equinox, 13 images, between 7:58 am - 6:06 pm, and
 - Extremely minimal increase in new shadow and new sunlight during mid-morning hours, last approx. 2+ hours
- Winter solstice, 9 images, between 8:22 am - 3:55 pm.
 - No impact of any kind by Project

6. **Construction Management/Methods are not subject to DR evaluation.** The neighbors' construction impact concerns, although understandable and perfectly valid, are not under the Planning Commission's jurisdiction and are not suited for DR. First and foremost, such impacts are temporary, and provided the Project is built (1) in compliance with all Building and other Code requirements, which it will be, (2) pursuant to permits obtained from and approved by the Department of Building Inspection ("**DBI**"), which it will be, and (3) by contractors and professionals who are appropriate for the Project given its location and other

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tel: 415-567-9000 | fax: 415-399-9480

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827 Broadway, Suite 205, Oakland, CA 94607
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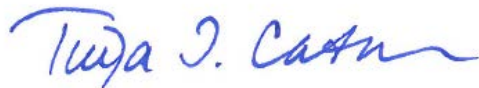
particulars, which it will be, the concerns for any potential, negative consequences will be eliminated.

Overall, it is exceedingly rare for the construction process to be detailed out at this phase in the Project before a contractor is retained. Despite the premature nature of providing detailed construction information, Stephanie and Adam attempted to ease the neighbors' reservations via discussions with an experienced contractor who provided a sample construction management plan. The owners are also in the midst of discussing with the DR requestors potential Good Neighbor Policies that could be implemented. Although the concerns regarding construction facilitation are not subject to the Planning Commission's jurisdiction in DR hearings, and thus not subject to evaluation in this DR proceeding, the owners are committed to continuing to keep the neighbors informed and to putting forth the effort to reasonably and responsibly resolve the neighbors' concerns.

D. CONCLUSION

No exceptional or extraordinary circumstances relating to the Project were provided by the DR Requestors that would justify the Planning Commission's exercise of its DR power. The Project is appropriate and compatible for the context, considerate to the neighbors, fully Code compliant, and thus the Project should be approved. While we remain hopeful that the pending discussions with the DR Requestors will result in a successful resolution of the DR prior to the hearing date, in the event the hearing takes place, for all of the above reasons, we respectfully request the Planning Commission to deny the DR and approve the Project as proposed, thus allowing the Project to move forward. Thank you for your consideration.

Very truly yours,



REUBEN, JUNIUS & ROSE, LLP

Exhibits:

- Exh. A - Email from Alice Barkley to Tuija Catalano re August 2017 revisions, Sept. 14, 2017
- Exh. B - Project Sponsor's DR Response, dated Aug. 21, 2017
- Exh. C - Chart re approximate lot and building sizes for the 2900-block of Vallejo
- Exh. D - Shadow Analysis Memo and Images, PreVision Design, dated Oct. 10, 2017

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

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President Hillis and Commissioners

October 16, 2017

Page 12

cc: Vice President Dennis Richards
Commissioner Rodney Fong
Commissioner Christine Johnson
Commissioner Joel Koppel
Commissioner Myrna Melgar
Commissioner Kathrin Moore
John Rahaim – Planning Director
Scott Sanchez – Zoning Administrator
Jonas Ionin, Commission Secretary
Brittany Bendix, Project Planner
John Maniscalco, Project Architect
Stephanie Ting and Adam Stein, Project Sponsors

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

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Tuija Catalano

From: Barkley, Alice <ASBarkley@duanemorris.com>
Sent: Thursday, September 14, 2017 5:44 PM
To: Tuija Catalano
Cc: Ilene Dick
Subject: RE: Project Plans for DR hearing

Tuija,

I can only respond on behalf of my clients who are Anne Boswell Bertrand, Christophe Bertrand, Kristine Johnson and Tim Dattels. The reduction in the excavation by decreasing the depth of the garage is acceptable to them. Moving the curb cut to the west to preserve an on-street parking space and to prevent accident in the future was requested By Anne and Christophe and they are appreciative and accept that revised design change. I cannot speak to the modification to the west façade revision. It is my understanding that Ilene Dick will be contacting you in the near future to continue the discussion about the project's impact on the Frames and their responses to the issues raised by your clients at the August 7 meeting when we met.

Alice Suet Yee Barkley

Of Counsel

Duane Morris LLP
 Spear Tower
 One Market Plaza, Suite 2200
 San Francisco, CA 94105-1127
P: +1 415 957 3116
F: +1 415 358 5593

asbarkley@duanemorris.com
www.duanemorris.com

From: Tuija Catalano [mailto:tcatalano@reubenlaw.com]
Sent: Thursday, September 14, 2017 5:02 PM
To: Barkley, Alice <ASBarkley@duanemorris.com>
Cc: IDick@fbm.com
Subject: RE: Project Plans for DR hearing

Alice,

Attached is the August 22 email and attachments. In that transmittal we proposed a number of revisions that we believe address the concerns that were expressed to us by the neighbors. We have not, however, received any feedback from anyone as to whether the neighbors would like us to make these changes. These were accommodations that Adam and Stephanie are willing to do pursuant to what we heard from the neighbors. Thus, it would be great to know if there is agreement from the neighbors on those revisions. Kindly let me know.

In terms of the hearing date, unfortunately I think the difficulty is how impacted the Commission calendars are right now. Just a moment ago, the Commission wanted to continue an item they just heard by approx. 4 weeks, but they were unable to find a date that could accommodate the matter until November 30th. So, I don't know that the Commission secretary would agree to add any items to the Oct. 19th agenda.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

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: **2921 Vallejo Street**

Zip Code: **94123**

Building Permit Application(s): **2016.04.12.4605**

Record Number: **2016-005171DRP (01-04)**

Assigned Planner: **Brittany Bendix**

Project Sponsor

Name: **Adam Stein and Stephanie Ting**

Phone: **(415) 567-9000**

Email: **c/o Tuija Catalano at Reuben, Junius & Rose, LLP tcatalano@reubenlaw.com**

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.)

See attached.

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.

See attached.

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.

See attached.

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)	0	1
Occupied Stories (all levels with habitable rooms)	0	4
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	2
Bedrooms	0	5
Height	0	37 ft-5 3/4 inches
Building Depth	0	42 ft
Rental Value (monthly)	0	n/a
Property Value	\$5M	TBD

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

Signature:

Date:

8/21/17

Printed Name: Tuija Catalano/Reuben, Junius & Rose, LLP

☐ Property Owner
☒ Authorized Agent

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

1. Given concerns of DR Requester and other concerned parties, why do you feel your proposed project should be approved?

The project should be approved because it is Code compliant and consistent with the Residential Design Guidelines and the Cow Hollow Neighborhood Design Guidelines (as has been confirmed by Planning Department staff, including the RDT team). Furthermore, based on DR requestor and neighbor feedback, some revisions to the project have been offered, which we believe are responsive to the neighbor concerns. Overall, there are no exceptional or extraordinary circumstances that warrant further revisions, beyond Code compliance and beyond the revisions and concessions that have already been made by the project sponsor.

Project team has had an open dialogue with the DR requestors and other neighbors. After the filing of the DRs, there have been several meetings, including one on May 22, 2017, and another on August 10, 2017, along with many emails and phone calls.

At this point, based on the communications with the DR requestors and neighbors, the pending concerns would appear to consist of the following:

From construction management perspective, the neighbors have questions about how the construction of the project will be handled, including neighborhood communication, construction hours, truck/construction traffic and on-street parking, etc., as well as on the overall amount of excavation.

From design perspective, the following concerns have been expressed:

- A) Amount of below grade excavation;
- B) Location of the garage entry and potential conflicts with traffic to/from the garage for the neighbor across the street; and
- C) The view and light access from the perspective of the adjacent neighbors at 2939 Vallejo (Marianna Frame).

CONSTRUCTION FACILITATION – NOT subject to DR evaluation: The neighbors' concerns on construction methods and management are very valid and understandable. Although construction impacts are not permanent, they will result in some temporary effects to the neighbors. Regardless of the size of the project, project sponsors very rarely have detailed construction information available at the Planning Department approval stage. This is the case here as well since a contractor has not yet been engaged, and shoring plans have not yet been drawn.

Despite the fact that construction facilitation is not within the Planning Department or Planning Commission's purview in the context of a DR filing, the project sponsor is attentive to all of the neighbor concerns and contacted an experienced contractor in an effort to provide some preliminary information. On July 3rd, we provided the neighbors

an estimated, sample construction management plan from ThompsonSuskind, a contractor who has completed several projects within block or few of the site and has worked on other similar projects. Additionally, the project sponsor agreed to engage a second geotech engineer, Rollo & Ridley, to prepare a geotech report, and those results were received and shared with the neighbors immediately thereafter.

Overall, the project sponsor has indicated to the DR requestors and neighbors that it:

- Will comply with all applicable laws and regulations, and obtain all necessary permits and approvals from DBI and any other applicable agencies;
- Engage experienced professionals for the construction of the project;
- Appoint a neighborhood liaison as a point of contact to the neighbors, and provide a mechanism (e.g. weekly email distribution list or a website) for information sharing and communication; and
- Last, but not least, will continue to be cognizant to the construction facilitation concerns that have been expressed by the neighbors.

In sum, although the concerns regarding construction facilitation are not subject to Planning Commission's jurisdiction in the DR hearing, and thus not subject to evaluation in this DR response, the project sponsor is committed to completing the project responsibly, with the neighbors' concerns in mind. Moreover, in direct response to the neighbors' feedback, the project sponsor agreed to a significant reduction in the amount of excavation, which is discussed in greater detail in part A below.

DESIGN COMMENTS – NO exceptional or extraordinary circumstances: The Plannign Department's staff and RDT team have evaluated the project several times, including at the end of March 2017, after the filing of the DRs. The RDT expressed its support for the project and has not found any exceptional or extraordinary circumstances that would warrant further revisions. Nevertheless, the project sponsor has agreed to several revisions based on discussions with neighbors that were not included in the RDT's prior review, beyond what was requested by RDT and Planning Department staff.

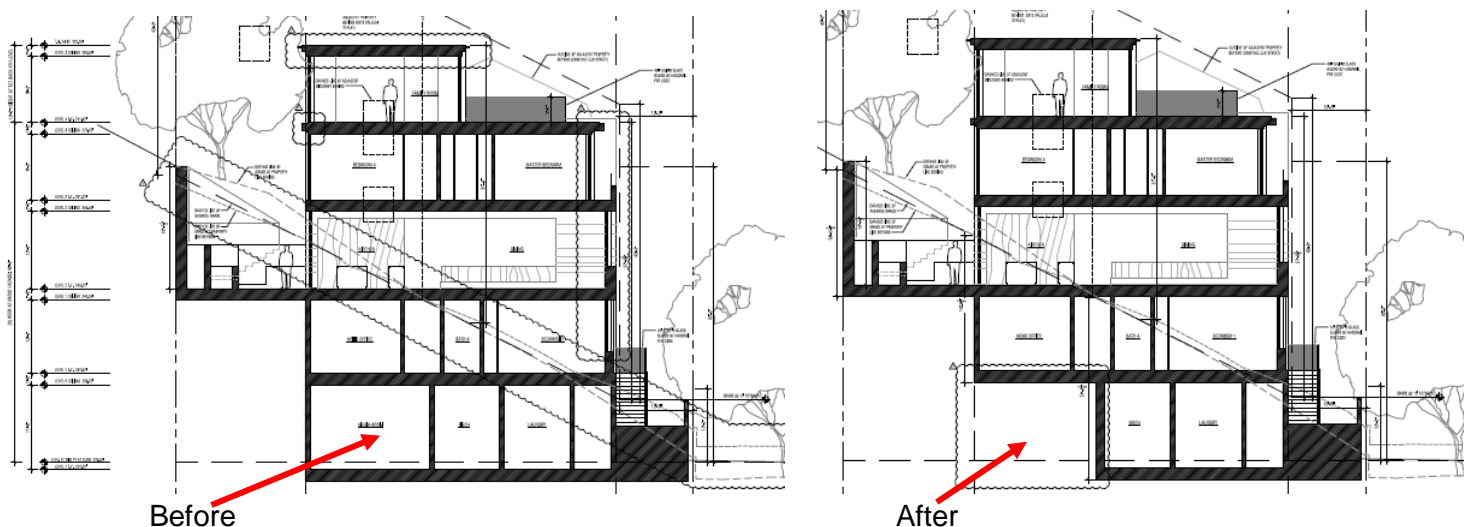
Discretionary review is a "special power of the Commission, outside of the normal building permit approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with the proposed project." The discretionary review authority is based on Sec. 26(a) of the Business & Tax Regulations Code, and moreover, pursuant to the City Attorney's advice, it is a "sensitive discretion ... which must be exercised with the utmost restraint". Exceptional or extraordinary circumstances have been defined as complex topography, irregular lot configuration, unusual context, or other circumstances not addressed in the design standards. The DR power provides the Planning Commission with the authority to modify a project that is otherwise Code compliant, and while the Commission has a lot of latitude in hearing DR cases, the DR power can be exercised only in situations that contain exceptional or extraordinary circumstances. No such circumstances exist here.

2. What alternatives or changes to the proposed project are you willing to make (or have you made) in order to address the concerns of the DR Requester and other concerned parties? If you have already changed your project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the city?

In direct response to the feedback provided by the neighbors, the project has been revised as follows:

A) Amount of Excavation. Several of the DR requestors and neighbors expressed concern over the amount of below-grade excavation. This request was made, in part, due to construction impacts extensive excavation could potentially have. In direct response to these concerns, the project sponsor agreed to significantly reduce the excavation scope, by eliminating approx. 16' 4" of building depth on the lowest basement level, consisting of a 11' 6" vertical reduction. This reduction reduces the lowest basement level (Level 0) by approx. 50% in area, or by approx. 695 sf. The reduction is significant and is illustrated in the before and after section diagrams below.

Since the excavation is below grade, this is not an issue based on RDG or Cow Hollow NDG. As shown and explained in the Cow Hollow NDG, the topography and the siting of the building addresses the exterior context and how harmoniously a new or an altered building is interpreted among adjacent buildings. The building's appearance from the street will be identical with or without the reduction in the amount of excavation, and the new building will be compatible with its surrounding context and respects the topography of the site. Nevertheless, the project sponsor agreed to reduce the scope of excavation, which will simplify excavation and positively impact the project's construction phase. See Attachment 1 for detailed drawings showing the reduction in excavation.

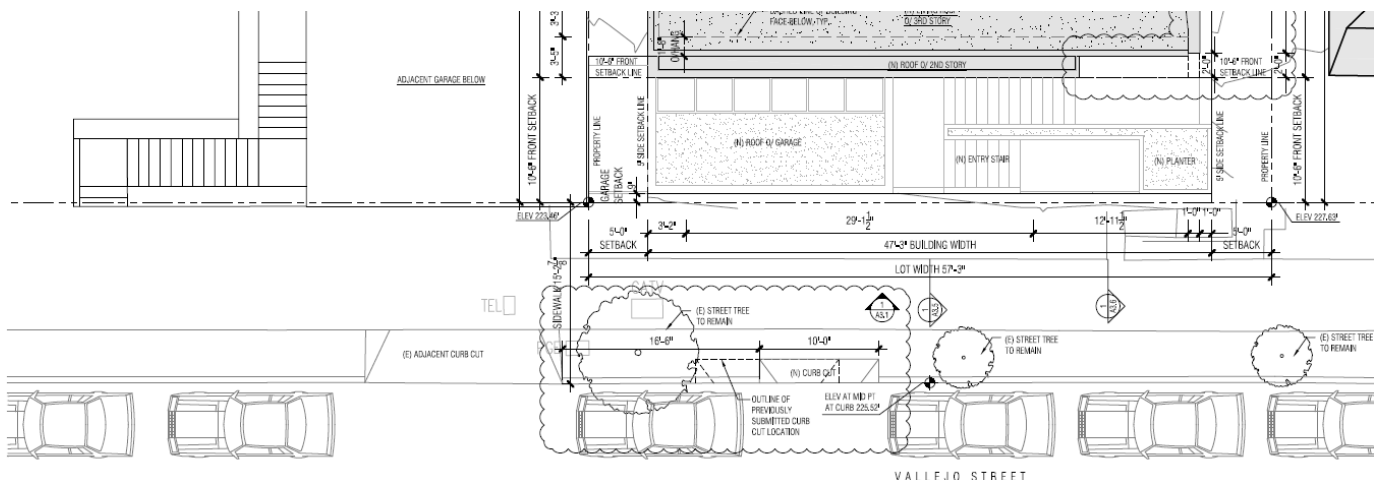


B) Location of Garage. The neighbors across the street, Anne Boswell and Christophe Bertrand at 2910 Vallejo, expressed concern about potential traffic conflict that could be created if both the 2921 Vallejo and 2910 Vallejo garages were accessed by vehicle at the same time (i.e. since the garage entries for 2910 Vallejo and 2921 Vallejo are on the opposing sides of the street, and approximately in the same location, the concern was that in the event the occupants at both of these single-family residences might drive in or out of their garages at the same exact time, one of them might be subject to some queueing). Although such conflicts are likely to be quite minimal, given that both properties are single-family homes and thus not subject to frequent vehicular garage entries and exists, the project team agreed to make some revisions to address this issue.

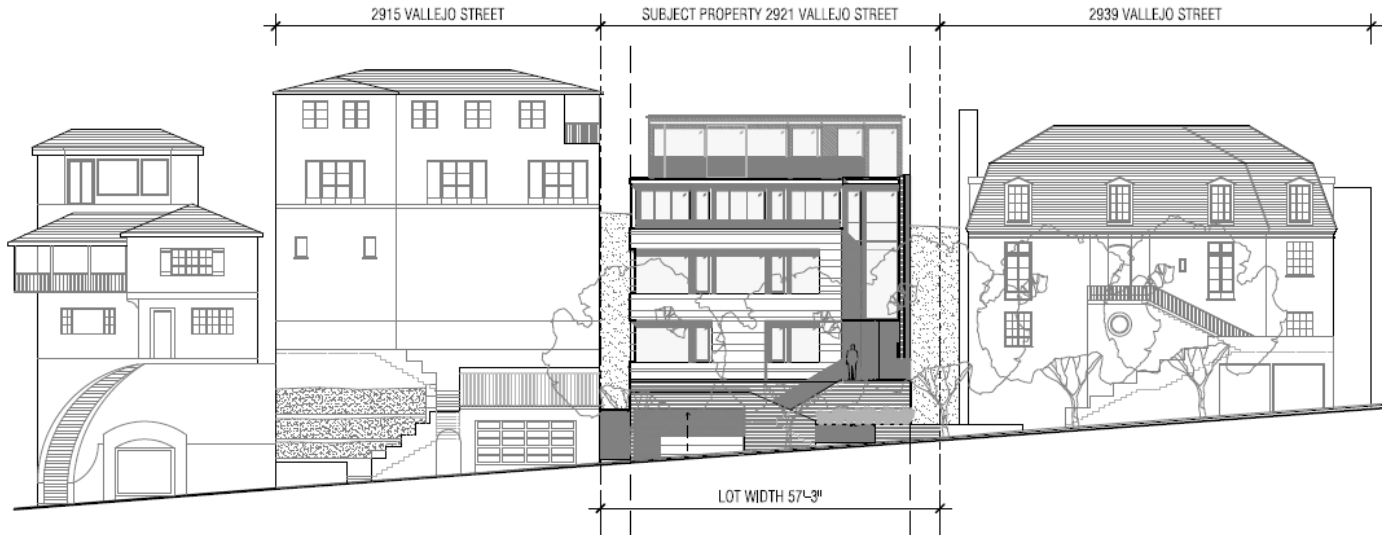
Some concern was also expressed that the originally proposed design would not allow for installation of a street parking space between the 2921 Vallejo and the adjacent 2915 Vallejo properties. The revisions that the project team have agreed to do also address this issue and allow for installation of a parking space along the curb between these two properties.

From an overall design perspective, there is no consistent pattern for the location of the garage on the subject block, and thus the concern is more of a practical concern than one warranting consideration under the RDG or Cow Hollow NDG.

The project team has agreed to move the curb by approx. 5' and reduce the curb width to 10', thus resulting in an overall movement of approx. 8'. The revised configuration allows the project to retain the three existing street trees, adds an on-street parking spaces, and addresses the potential traffic conflicts between the 2921 Vallejo and 2910 Vallejo garages, as shown in the diagram below, with the hatched line showing the prior curb cut location. See [Attachment 2](#) showing the full drawings for the changes to the curb conditions.



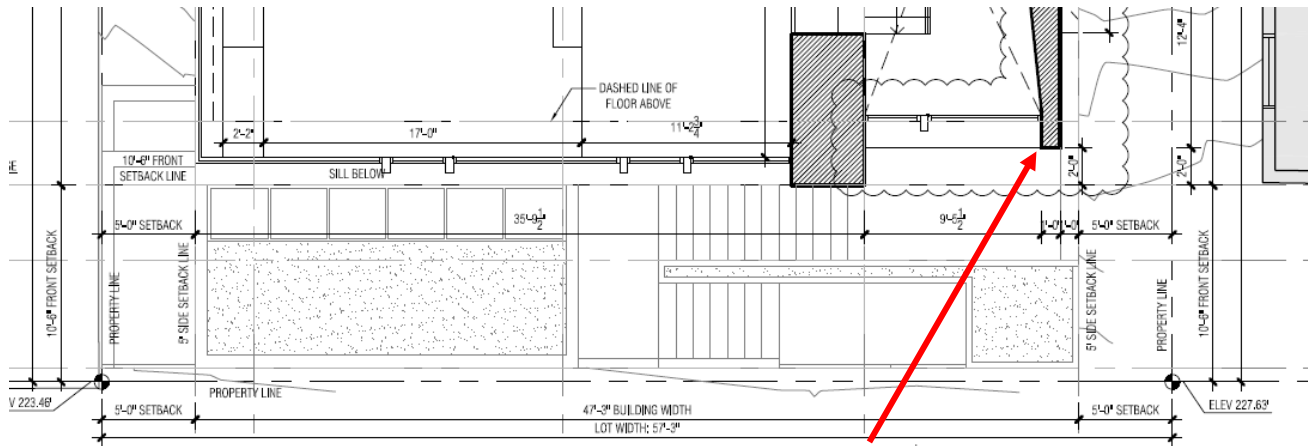
C) Views and light access for 2939 Vallejo. The last of the key design comments received involves the front setback and distance between 2921 Vallejo and the adjacent building at 2939 Vallejo (owned by Swipe Right, LLC, and occupied by Marianna and James Frame), including the potential impact on views, light and air. During our last meeting, on August 10th, the parties agreed that the concern is not an air access issue, given that both properties provide 5' setbacks parallel to the shared property boundary. In Planning and Building Department evaluations, 3' is often the distance between two properties for air access, and thus having a distance of 10' between the two buildings provides more than ample separation and air access between the buildings. Instead the concern was characterized (by the Frames' consultant) more as an issue about how the neighbors will feel the new building could impact them, as related to the proximity of the new building. See the north elevation diagram below for the relative location of the buildings, including the side yard setbacks on 2939 Vallejo and as proposed for 2921 Vallejo.



In terms of light access, the 2921 and the adjacent 2939 Vallejo Street parcels are located on the southern side of Vallejo street, and thus the movement of the front setback for the 2921 Vallejo building has little, if any, impact on sun access to the 2939 Vallejo building. Furthermore, since both of the buildings are located at the bottom of a large lateral slope, the Frames' 2939 Vallejo building (as well as 2921 Vallejo) is further removed from solar exposure by the slope as well as the uphill homes along Vallejo and the parallel Broadway Streets. Thus, the new building at 2921 Vallejo is unlikely to have any material impact on light access for 2939 Vallejo, with or without any increased front setback.

During our last meeting, the Frames requested for an increase to the front setback. The dimension that was provided was admittedly an arbitrary figure, however, the objective of the request was to increase the distance from the Frames' building along the shared property line near the street frontage. Recognizing this concern and that the construction of a new home on the 2921 Vallejo site represents a change to the currently

vacant site, the project sponsor has agreed to revise the improvements at the front, by moving the western wall (located closest to the boundary shared with the Frames) by 2' to the south on the 1st, 2nd and 3rd levels, and by offsetting the northern portion of this western wall further away from the Frames' house by 1'. See Attachment 3 for drawings and renderings showing the changes to the Western wall.



2921 Vallejo Western wall

The revision would increase the diagonal view towards the street and Bay from the Frames' east facing windows, and improve the view from 2939 Vallejo. Even without the revision the project sponsor has offered to make, the project was consistent with the Cow Hollow NDG, which emphasize preservation of existing side yards and creation of new side yards to provide for appropriate separate between buildings. With fully Code compliant sideyard setbacks on both sides, the proposal is fully consistent with the Cow Hollow NDG.



Before



After

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

The project sponsor has been responsive to the DR requestors and neighbors feedback, and has proposed several revisions that would address the concerns that have been expressed.

Overall, at 4,007 sf the project site is the smallest lot on the 2900-block of Vallejo Street. Between 14 properties on the 2900-block, the average lot size is approx. 6,750 sf. The proposed building is not the largest or tallest building on the block, but it is one that is located, arguably, on the most constrained site. Notwithstanding the topography and other constraints, the project is proposing a fully Code complaint building. No exceptions are requested to any Code requirement, and from the building envelope perspective the project provides 5' foot side setbacks on both sides, a front setback of 10' 6", and a 17' 6" (25%) rear setback. The height of the building at its tallest point is 37' 5 ¾", which is below the maximum height of 40' that would be possible under the Code. The building has also been designed to provide compatibility with the two adjacent buildings, e.g. by matching the front setback with the adjacent 2939 Vallejo building.

Attachments to DR Response:

- Attachment 1 – Drawings showing the reduction in excavation
- Attachment 2 – Drawings showing the change to the curb cut conditions
- Attachment 3 – Drawings and renderings showing the changes to the Western wall

REUBEN, JUNIUS & ROSE, LLP

Summary of all of the properties located on both sides of the 2900-block of Vallejo Street. All information is from the Planning Department's Property Information Map, unless otherwise noted. Please note that the actual size of the existing building may be larger than what is noted in the Planning Department database.

Block/ Lot	Address	Street Frontage Width	Lot Area	Building Size
0957/001	2901 Vallejo Hutchinson	40 ft	5,500 sf	2,924 sf
0957/018	2915 Vallejo	57.25 ft	7,871 sf	4,000 sf
0957/020	2921 Vallejo Project site	57.28 ft	4,007.5 sf	7,065 sf
0957/015	2939 Vallejo Swipe Right/ Frames	80 ft	6,000 sf	6,111 sf
0957/014	2961 Vallejo	42.25 ft	5,806 sf	3,386 sf
0957/011	2975 Vallejo	54.031 ft	6,995 sf	3,130 sf
0957/010	2460 Lyon	50.042 ft	7,222 sf	9,504 sf
0956/006	2900 Vallejo	55 ft	4,984 sf	8,675 sf ¹
0956/007	2910 Vallejo Boswell/Bertrand	55 ft	7,562 sf	7,795 sf
0956/008	2930 Vallejo	70 ft	9,622 sf	6,100 sf
0956/010	2950 Vallejo	55.50 ft	7,954 sf	6,244 sf
0956/011	2960 Vallejo Dattels/Johnson	40.625 ft	6,089 sf	5,178 sf
0956/031	2980 Vallejo	42.125 ft	6,139 sf	4,858 sf
0956/030	2960 Vallejo	59.646 ft	8,177 sf	7,877 sf

¹ Zillow.com



Ms. Tuija Catalano, Partner
 Reuben, Junius & Rose, LLP
 One Bush Street, Suite 600
 San Francisco, CA 94104

October 10, 2017

Shadow Analysis Memo: 2921 Vallejo Street, San Francisco

PreVision has prepared a graphical shading study to demonstrate the net new shadows as well as net new sunlight that would be cast by the proposed project at 2921 Vallejo Street onto the eastern façade of an adjacent neighbor at 2939 Vallejo Street, relative to existing shading conditions. The study depicts shading conditions at hourly intervals starting from one hour after sunrise all the way through one hour before sunset on the summer solstice, winter solstice and the fall/spring equinoxes (equivalent from a shading perspective) and takes into consideration the existence of shade cast by existing neighborhood buildings as well as existing trees on the lot.

Project Description:

The proposed project at 2921 Vallejo Street is a 4-story over basement single family home. The site currently is undeveloped aside from pathways, retaining walls and several mature trees.

Modeling Assumptions:

PreVision Design used a 3D digital model prepared by the project's architect of the project as well as surrounding neighborhood context (buildings, land). This model was then augmented by adding in approximate massing models of existing site and street trees (based on site photography) that contribute to the current shading conditions present.

Analysis Methodology:

Using local solar angles corresponding to hourly intervals between one hour after sunrise through one hour before sunset, PreVision Design generated shading diagrams on the Summer Solstice, the Fall/Spring Equinoxes (equivalent with respect to shadow) and the Winter Solstice. These images highlight 3 conditions: 1) areas where shadows fall under current conditions, 2) areas that would receive new shadow due to the proposed project, and 3) areas that would receive *new sunlight*, due to removal of existing trees on the project site.

Results / Shadow Characterization:

The analysis shows that the proposed project will result in both areas of new shadow as well as new areas of sunlight falling on the eastern façade of 2939 Vallejo Street in morning hours during the Spring, Summer and Fall.

- On the summer solstice, the date with most net new shading, new shadows would be present from one hour after sunrise through just after noon, with the greatest areas of new shading occurring between 8-10am. Areas of new sunlight would also be generated, occurring primarily between one hour after sunrise through 9am. No net new project shading was shown to be present during afternoon hours. As shown by Exhibits A1-A15, the path of the shadows moves from the southern (rear) portion of the house towards the northern (front) portion of the house through the affected period.
- During the spring and fall equinoxes, a lesser amount of shading would be cast between one hour after sunrise through just before noon, with the greatest area of new shading occurring between 10am-noon.

Areas of new sunlight would also be generated, occurring throughout the time affected by new shadow. No net new project shading was shown to be present during afternoon hours. As shown by Exhibits B1-B13, the path of the shadows again moves from the southern (rear) portion of the house near the roofline towards the northern (front) portion of the house where it meets grade through the affected period.

- There would be no net new shading nor sunlight generated by the project on the Winter Solstice as shown by Exhibits C1-C9.

I hope that this analysis has been helpful and informative regarding the shading effects of your proposed project on 2929 Vallejo Street. Attached to this memo are the graphical shading exhibits.

Do not hesitate to contact me with any questions.

Sincerely,



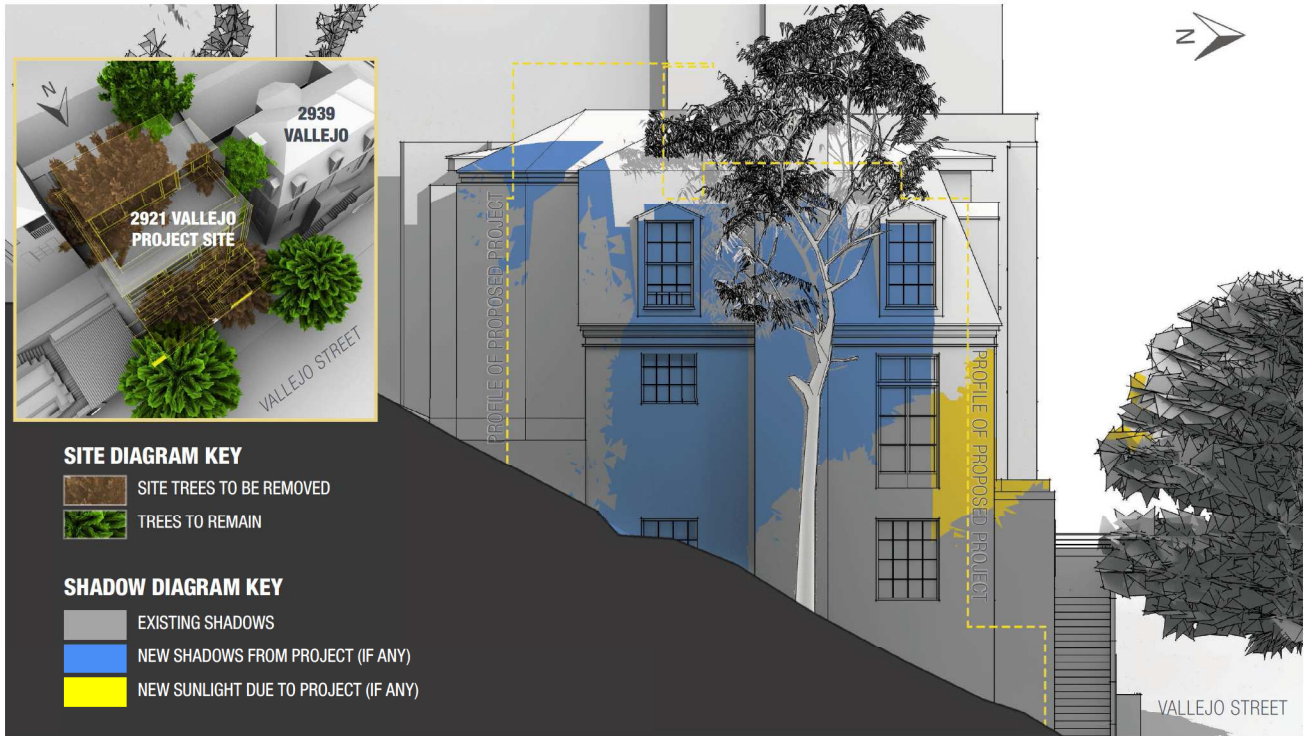
Adam Phillips, Principal
PreVision Design

A1

2921 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISON DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

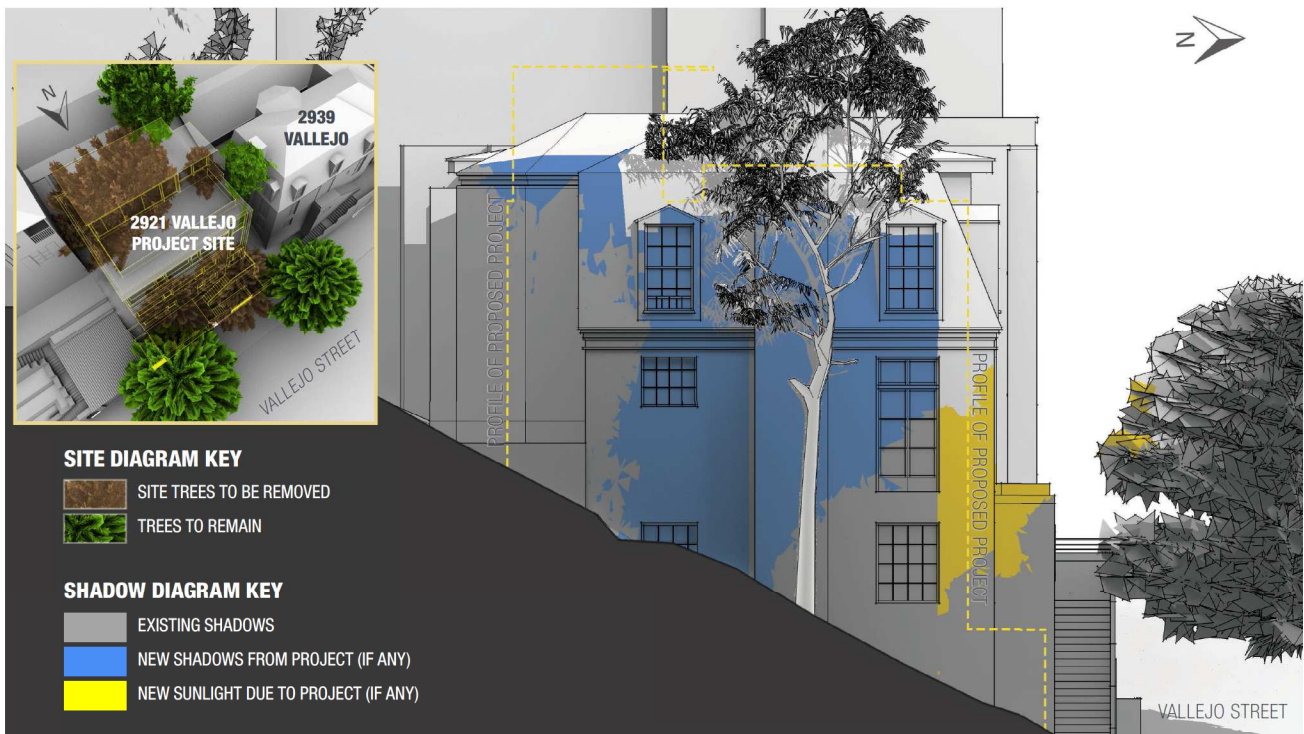
6:48 AM

A2

2922 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISON DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

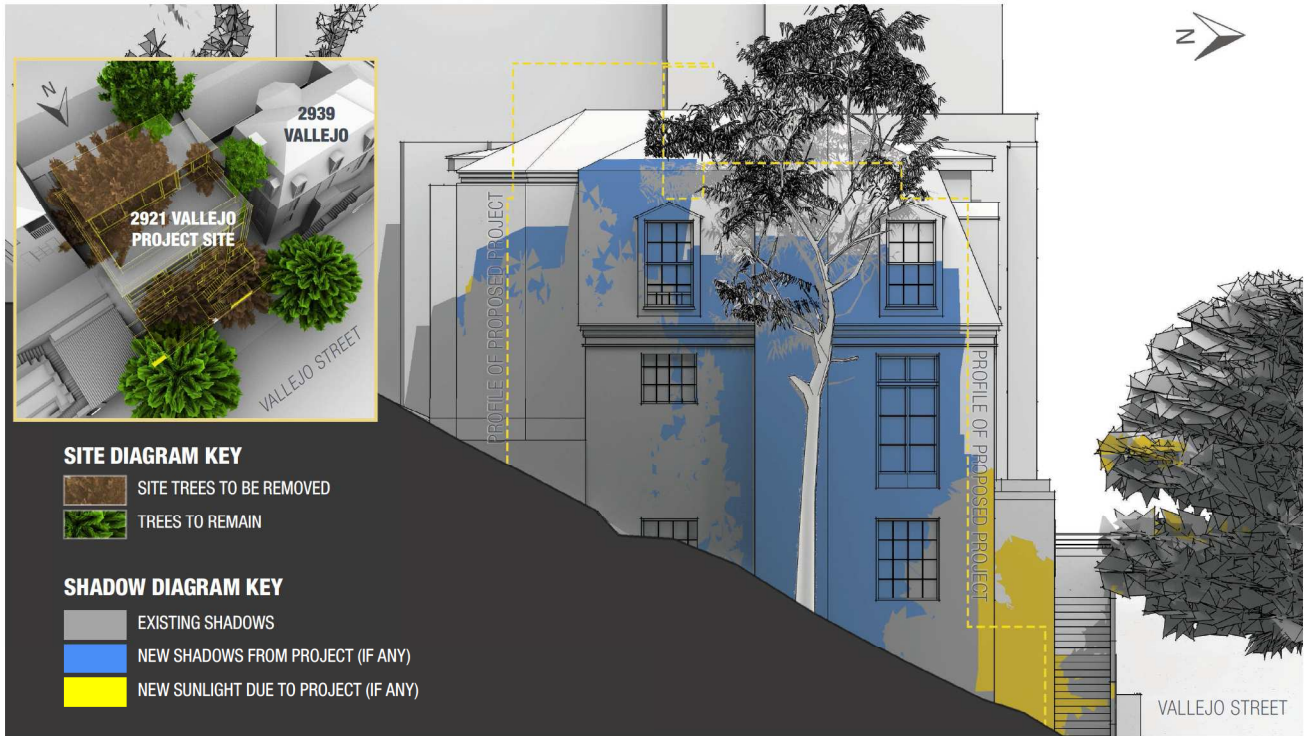
7:00 AM

A3

2923 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

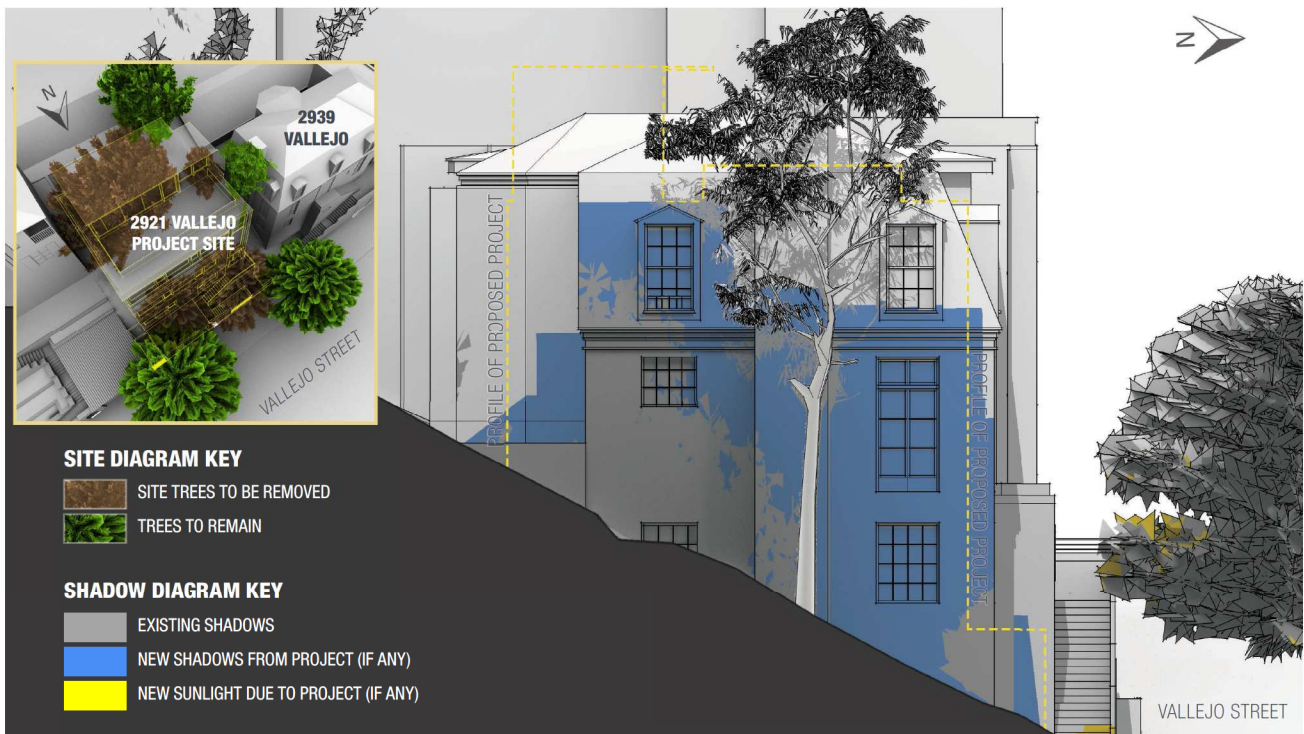
8:00 AM

A4

2924 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

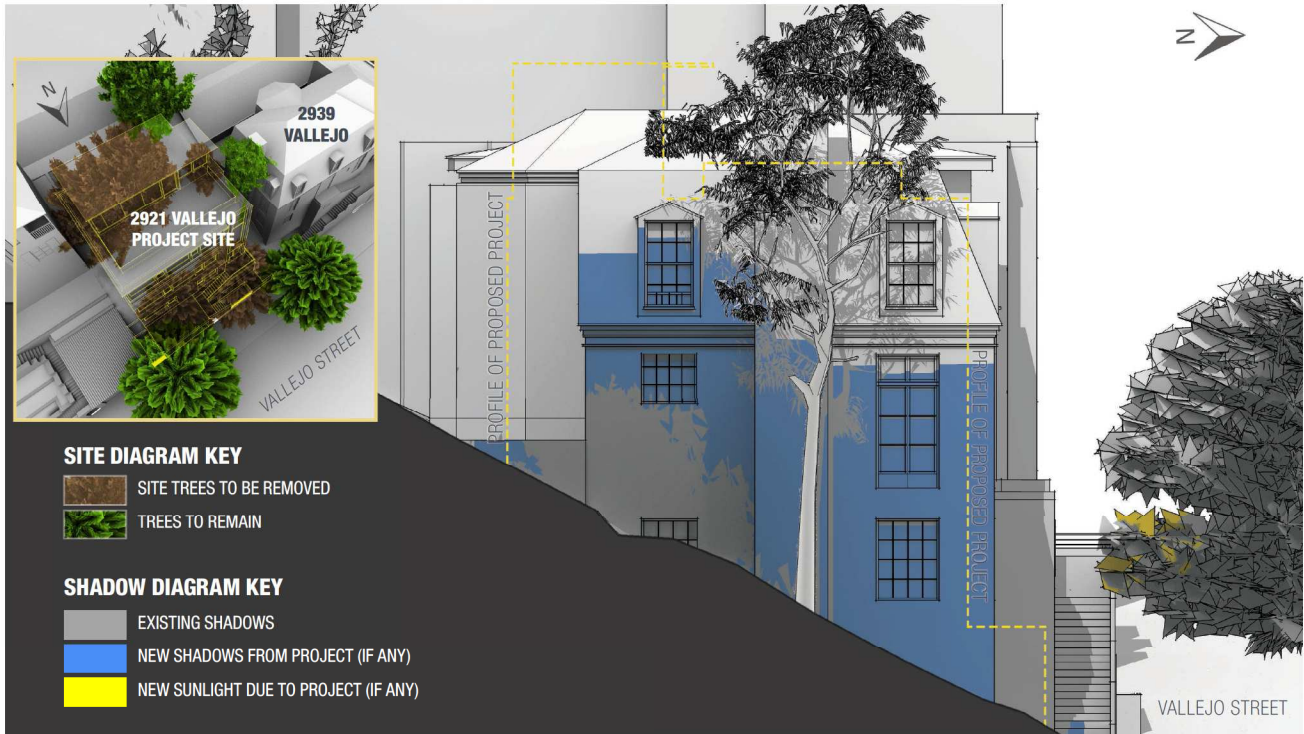
9:00 AM

A5

2925 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21 **10:00 AM**

A6

2926 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21 **11:00 AM**

A7

2927 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

12:00 PM

A8

2928 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

1:00 PM

A9

2929 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISON DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

2:00 PM

A10

2930 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISON DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

3:00 PM

A11 2931 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISON DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

4:00 PM

A12 2932 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISON DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

5:00 PM

A13 2933 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

6:00 PM

A14 2934 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

SUMMER SOLSTICE
JUNE 21

7:00 PM

A15 2935 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISION DESIGN



10/6/17

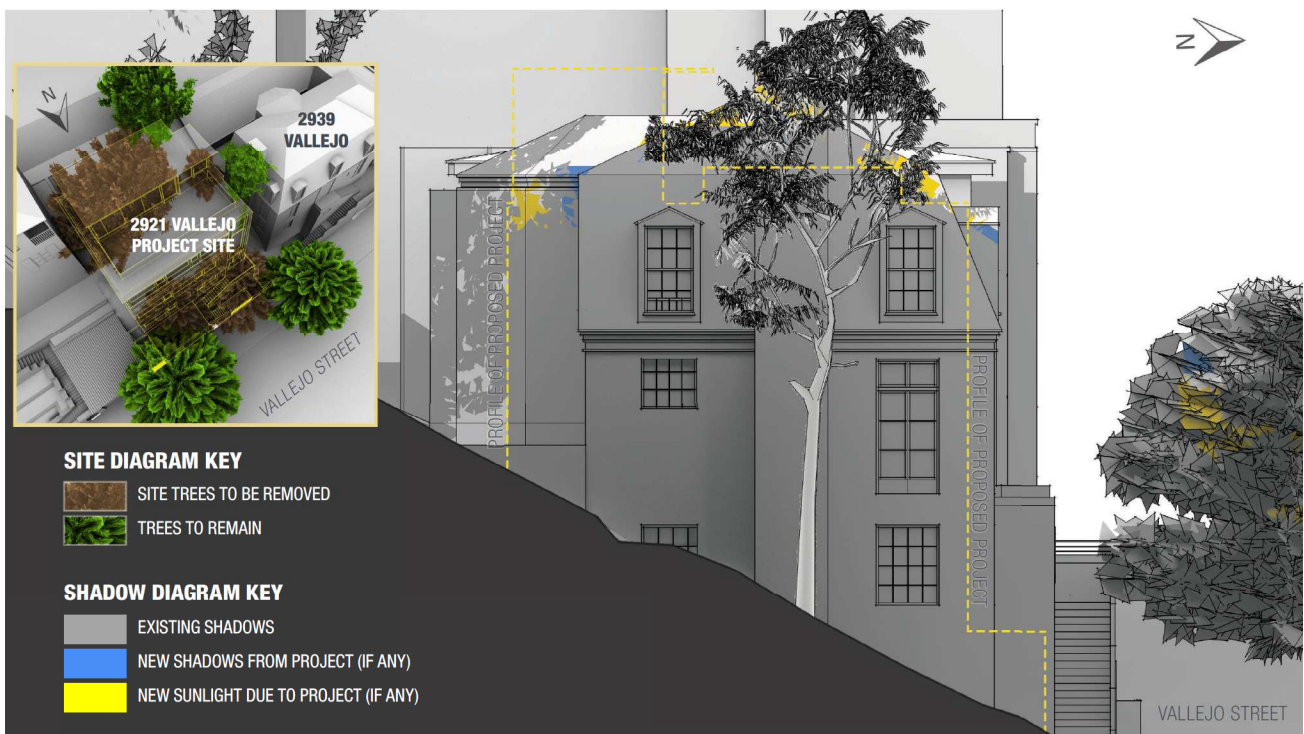
SUMMER SOLSTICE
JUNE 21

7:35 PM

B1 2936 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISION DESIGN



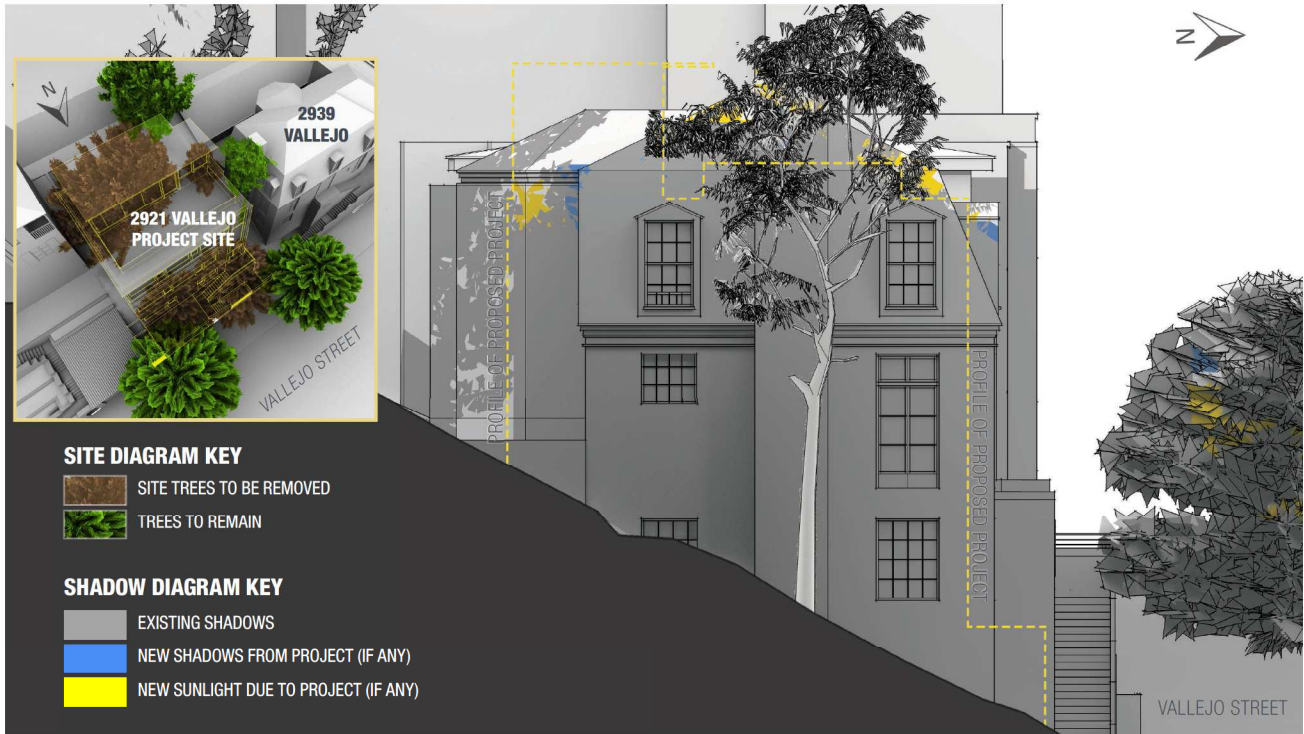
10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20

7:58 AM

B2**2937 VALLEJO SHADOW STUDY**

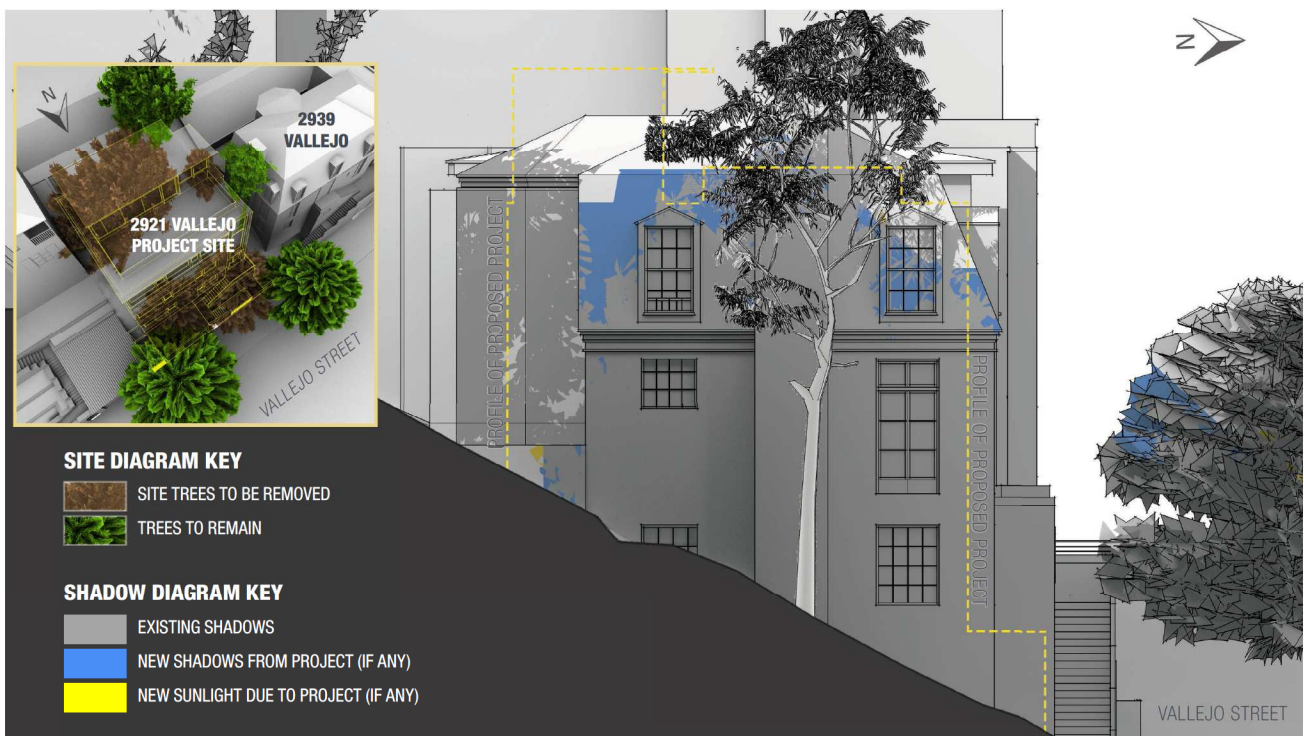
Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**8:00 AM****B3****2938 VALLEJO SHADOW STUDY**

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

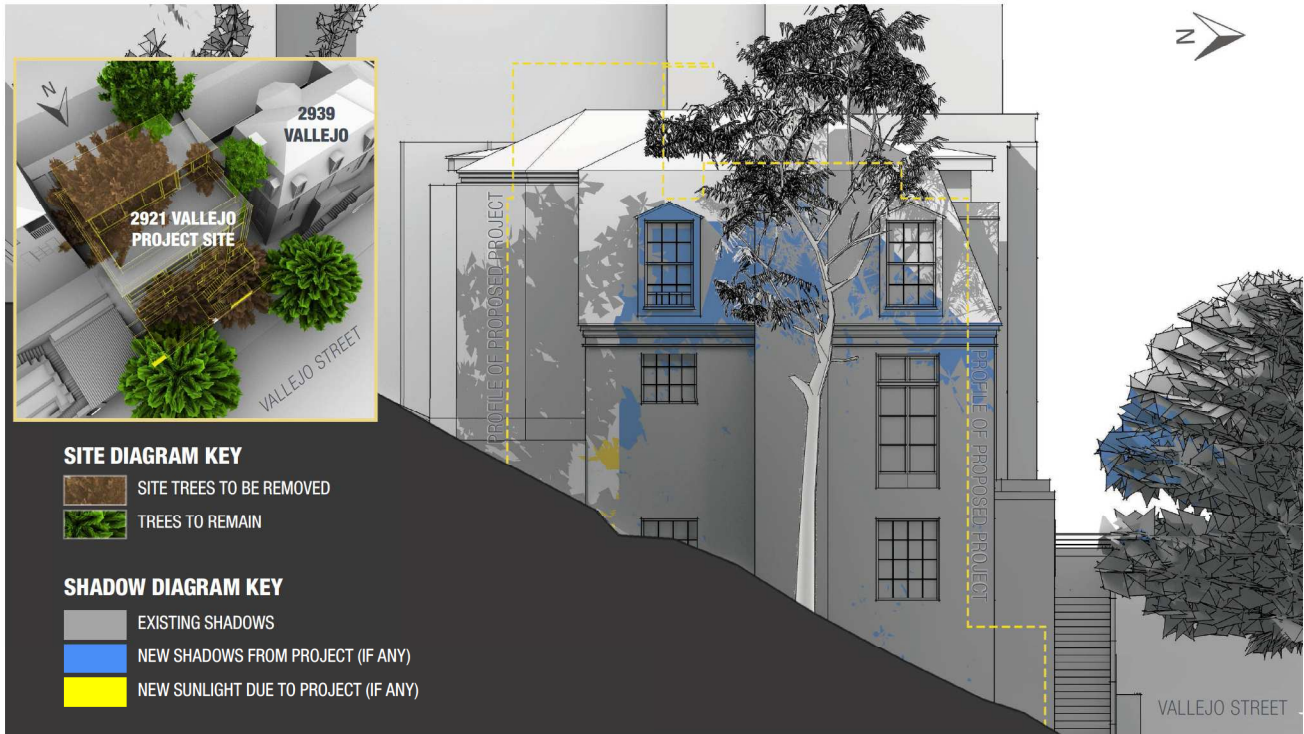
PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**9:00 AM**

B4**2939 VALLEJO SHADOW STUDY**

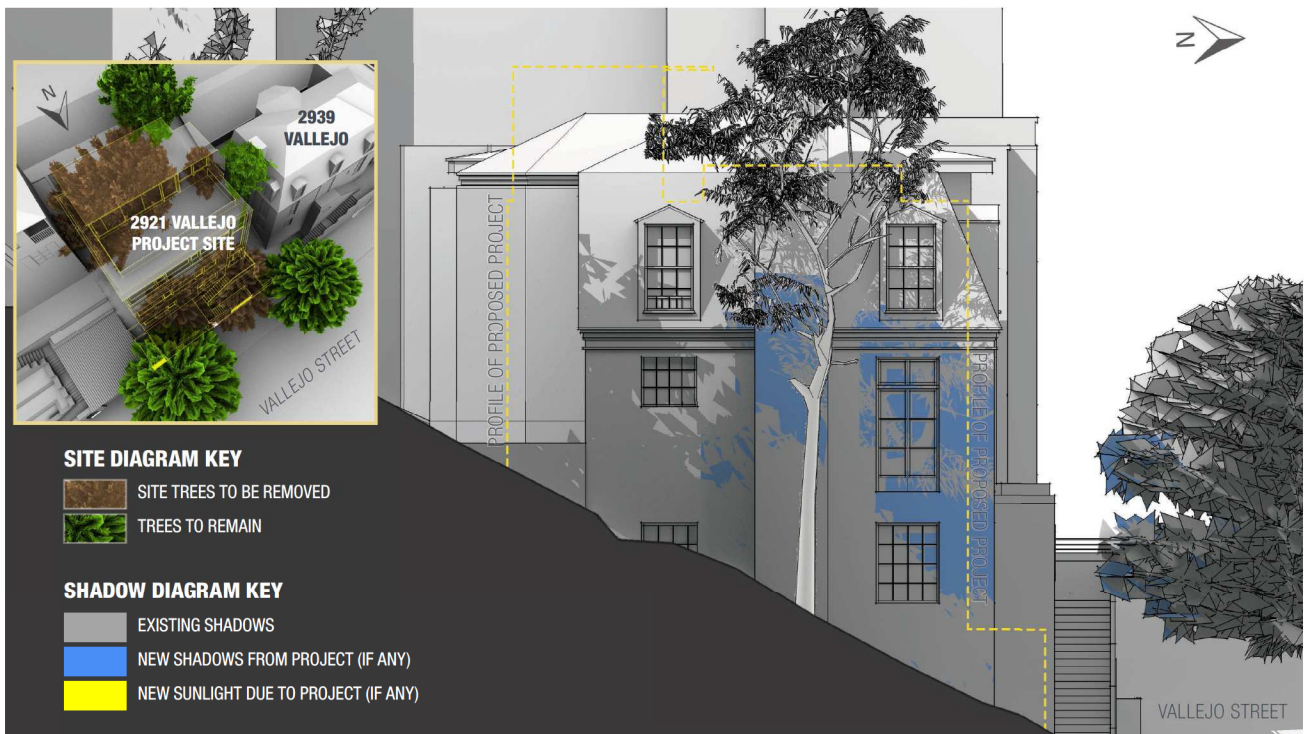
Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**10:00 AM****B5****2940 VALLEJO SHADOW STUDY**

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**11:00 AM**

B6**2941 VALLEJO SHADOW STUDY**

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**12:00 PM****B7****2942 VALLEJO SHADOW STUDY**

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**1:00 PM**

B8**2943 VALLEJO SHADOW STUDY**

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**2:00 PM****B9****2944 VALLEJO SHADOW STUDY**

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20**3:00 PM**

B10 2945 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

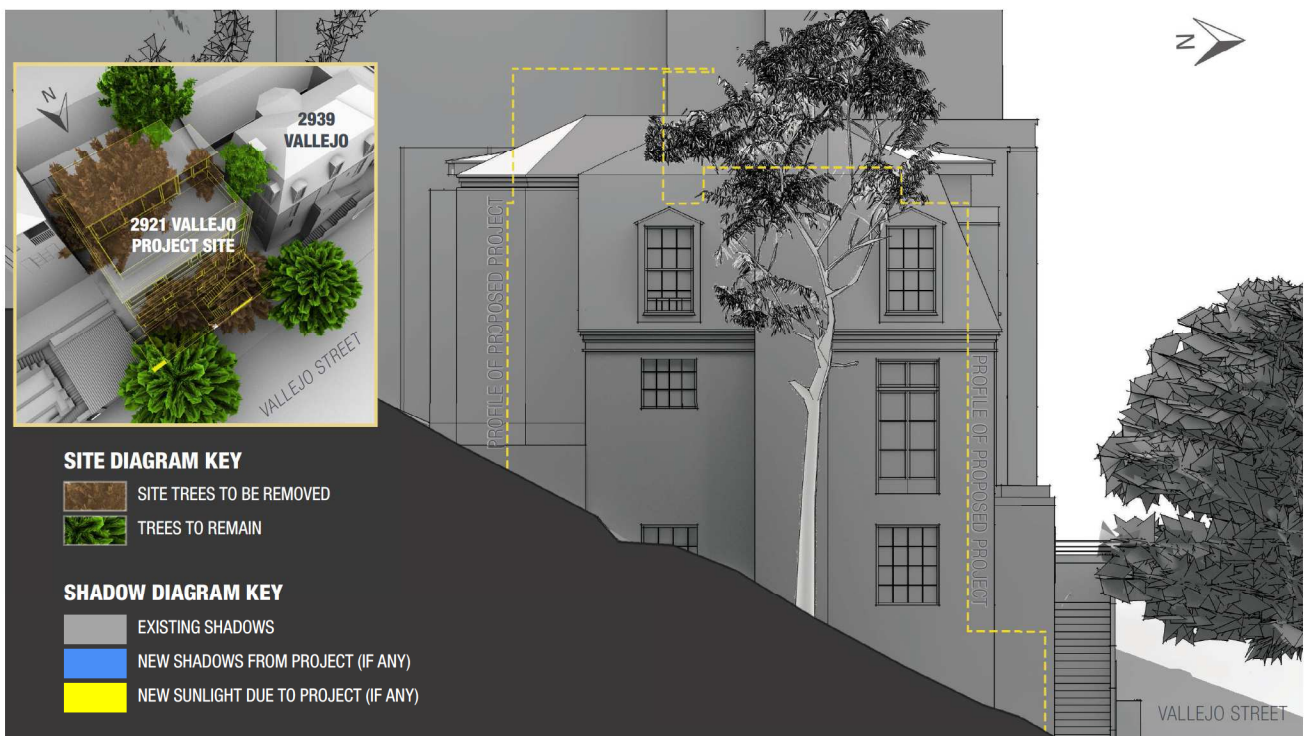
APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20

4:00 PM

B11 2946 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



10/6/17

APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20

5:00 PM

B12 2947 VALLEJO SHADOW STUDY

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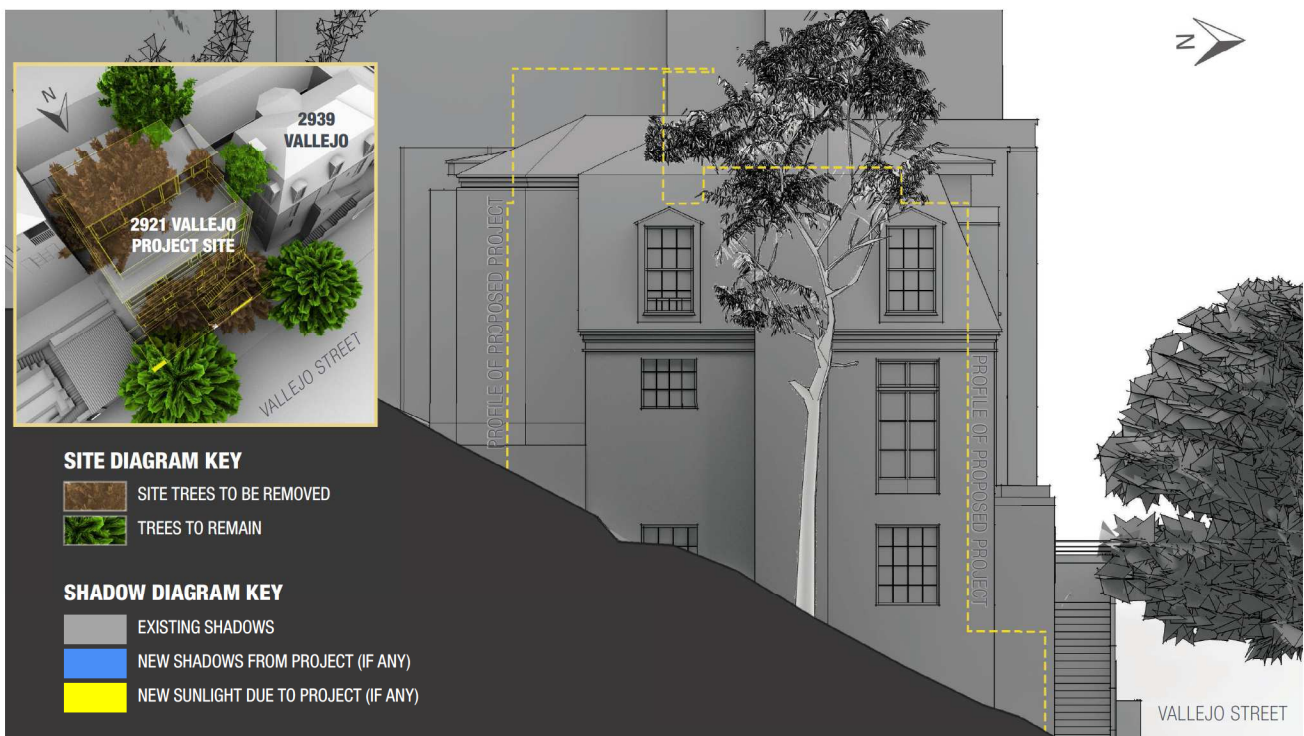
PREV_{ISION} DESIGN



B13 2948 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN



C1

2949 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

C2

2950 VALLEJO SHADOW STUDY

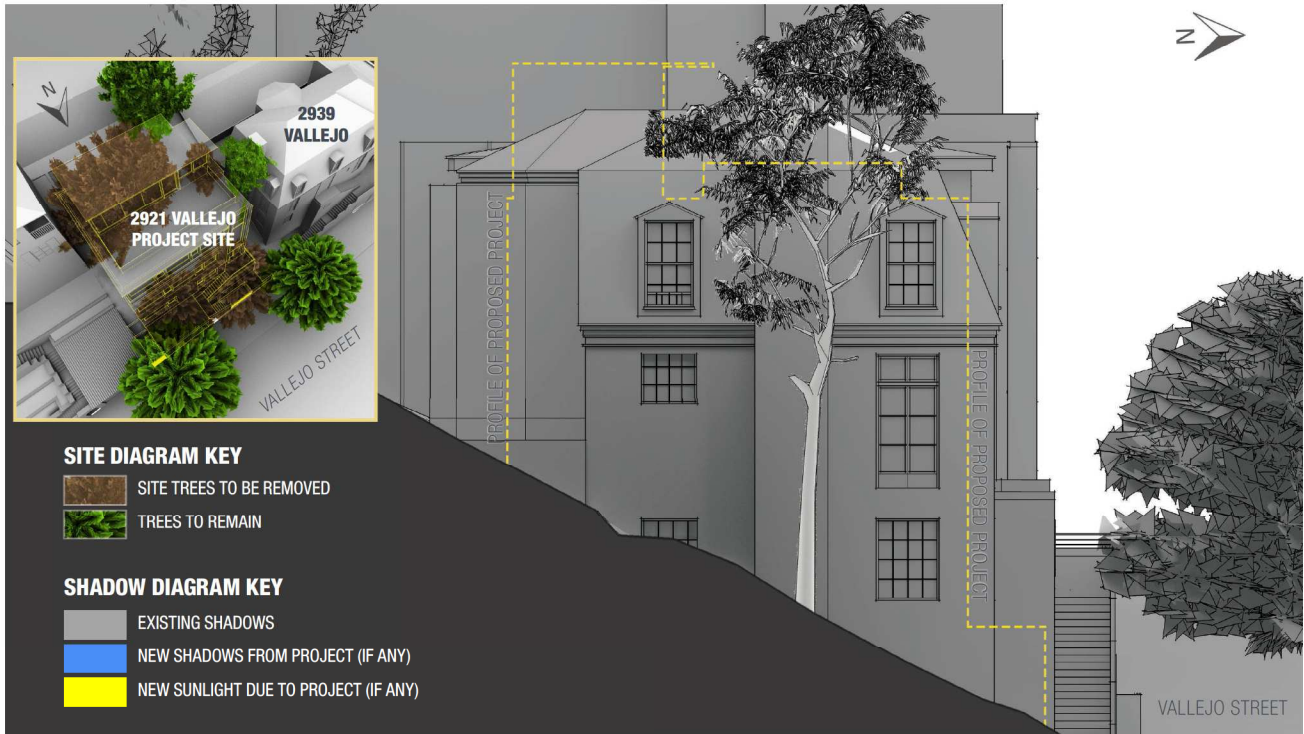
Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

C3

2951 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

WINTER SOLSTICE
DECEMBER 20 **10:00 AM**

C4

2952 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

WINTER SOLSTICE
DECEMBER 20 **11:00 AM**

C5

2953 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

WINTER SOLSTICE
DECEMBER 20**12:00 PM**

C6

2954 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

10/6/17

WINTER SOLSTICE
DECEMBER 20**1:00 PM**

C7

2955 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISION DESIGN



10/6/17

WINTER SOLSTICE
DECEMBER 20**2:00 PM**

C8

2956 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREVISION DESIGN



10/6/17

WINTER SOLSTICE
DECEMBER 20**3:00 PM**

C9

2957 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

C9

2957 VALLEJO SHADOW STUDY

Shadow Diagram of shading conditions on the East Façade of 2939 Vallejo Street

PREV_{ISION} DESIGN

GENERAL NOTES

1. CONTRACTOR SHALL PROVIDE ALL MATERIALS AND WORKMANSHIP FOR ALL CONSTRUCTION REQUIRED HEREIN AND SHALL BE IN ACCORDANCE WITH THE:
- 2013 SAN FRANCISCO BUILDING CODE
2013 SAN FRANCISCO ELECTRICAL CODE
2013 SAN FRANCISCO ENERGY CODE
2013 SAN FRANCISCO HOUSING CODE
2013 SAN FRANCISCO MECHANICAL CODE
2013 SAN FRANCISCO PLUMBING CODE
2013 CALIFORNIA FIRE CODE
- COORDINATE ALL WORK WITH STRUCTURAL DRAWINGS

2. IN THE EVENT THE CONTRACTOR ENCOUNTERS ON THE SITE MATERIAL REASONABLY BELIEVED TO BE ASBESTOS, POLYCHLORINATED BIPHENYL (PCB) OR ANY OTHER HAZARDOUS MATERIAL WHICH HAS NOT BEEN RENDERED HARMLESS OR PREVIOUSLY IDENTIFIED, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE AND THE ARCHITECT IN WRITING.

3. MANUFACTURER'S DESIGNATIONS ARE NOTES TO INDICATE PATTERN, COLOR AND PERFORMANCE.

4. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS IN THE FIELD AND, IN THE EVENT OF DISCREPANCY, REPORTING SUCH DISCREPANCY TO THE ARCHITECT, BEFORE COMMENCING WORK.

5. CONTRACTOR SHALL NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL ALWAYS GOVERN. CONTRACTOR REQUIRING DIMENSIONS NOT NOTED, SHALL CONTACT THE ARCHITECT FOR SUCH INFORMATION PRIOR TO PROCEEDING WITH THE WORK RELATED TO THOSE DIMENSIONS.

6. ALL PLAN DIMENSIONS INDICATED ARE TO COLUMN CENTERLINE, TO FACE OF CONCRETE, TO FINISHED FACE OF GYP. BD., OR TO FACE OF MASONRY U.O.N.

7. CONTRACTOR SHALL PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGERS AND/OR OTHER SUPPORTS FOR ALL FIXTURES, EQUIPMENT CASEWORK, FURNISHINGS AND ALL OTHER ITEMS REQUIRING SAME.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CUTTING AND PATCHING REQUIRED FOR PROPER INSTALLATION OF MATERIAL AND EQUIPMENT.

9. CONTRACTOR SHALL TAKE SUITABLE MEASURES TO PREVENT INTERACTION BETWEEN DISSIMILAR METALS.

10. "ALIGN" AS USED IN THESE DOCUMENTS SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE.

11. "TYPICAL" OR "TYP." MEANS FOR ALL SIMILAR CONDITIONS. U.O.N.

12. DETAILS ARE USUALLY KEYED ONLY ONCE (ON PLANS OR ELEVATIONS WHEN THEY FIRST OCCUR) AND ARE TYPICAL FOR SIMILAR CONDITIONS THROUGHOUT. U.O.N.

13. CONSTRUCTION AREA MUST BE BROOM CLEANED DAILY AND ALL MATERIALS SHALL BE STACKED OR PILED IN AN ORDERLY FASHION OUT OF TRAFFIC PATTERNS.

14. AT COMPLETION OF THE WORK, CONTRACTOR SHALL REMOVE ALL MARKS, STAINS, FINGERPRINTS, DUST, DIRT, SPATTERED PAINT, AND BLEMISHES RESULTING FROM THE VARIOUS OPERATIONS THROUGHOUT THE PROJECT.

15. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING DAMAGED AREAS THAT OCCUR DURING CONSTRUCTION THAT ARE WITHIN THE SCOPE OF WORK OR OUTSIDE SCOPE OF WORK THAT ARE CAUSED BY HIM/HER OR SUBCONTRACTORS.

16. WHERE ADJOINING DOORS HAVE DISSIMILAR FLOORING, MAKE CHANGE UNDER CENTERLINE OF DOOR, U.O.N.

17. ALL PIPE, CONDUIT AND DUCT PENETRATIONS THROUGH FLOORS AND FIRE-RATED WALL AND CEILING SHALL BE SEALED WITH FIREPROOFING PLASTER OR FIRESTOPPING TO FULL DEPTH OF SLAB OR THICKNESS OF WALL/CEILING.

18. ENTERING INTO AN AGREEMENT WITH THE OWNER INDICATES THAT THE CONTRACTOR(S) HAS VISITED THE SITE, FAMILIARIZED HIM/HERSELF WITH THE EXISTING CONDITIONS, AND REVIEWED SAME WITH REQUIREMENTS OF THE CONTRACT DOCUMENTS.

19. CONTRACTOR SHALL COORDINATE ALL WORK WITH ALL SUB-CONTRACTORS, INCLUDING THOSE UNDER SEPARATE CONTRACT WITH THE OWNER.

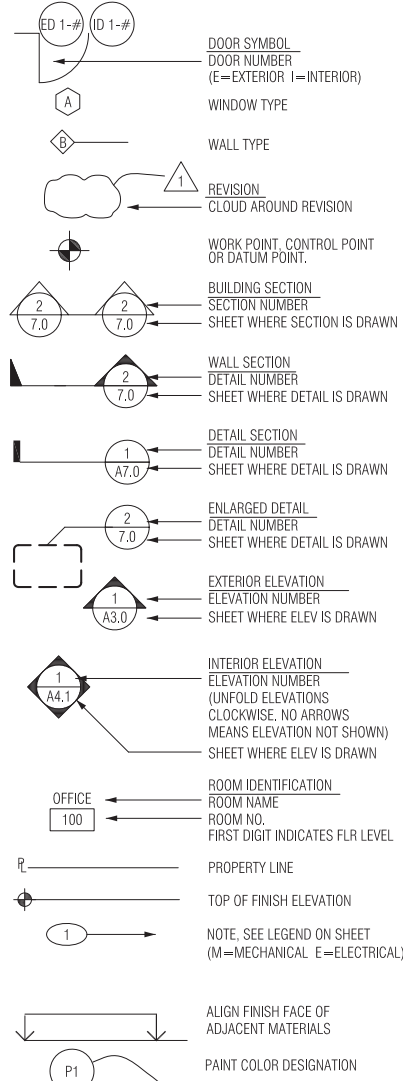
20. CONTRACTOR SHALL SUBMIT CONFIRMATION WITH DELIVERY DATES ON ORDERS OF MATERIALS AND EQUIPMENT OF ANY LONG LEAD TIME ORDER ITEMS.

21. A 6'-8" MINIMUM HEADROOM SHALL BE PROVIDED AT ALL STAIRS.

22. CONTRACTOR SHALL PROTECT ALL EXCAVATION AND CONSTRUCTION FROM RAIN OR WATER DAMAGE.

23. COMMON ABBREVIATIONS:
- (E) = EXISTING, (N) = NEW/ PROPOSED
(P.A.) = PREVIOUSLY APPROVED
GWB = GYP. BD. = GYPSUM WALLBOARD,
MTL = METAL, S.S. = STAINLESS STEEL,
GSM = GALVANIZED SHEET METAL,
GM = GALVANIZED METAL
SSD = SEE STRUCTURAL DRAWINGS,
AFF = ABOVE FINISHED FLOOR,
BUR = BUILT-UP ROOFING

LEGEND



CODE NOTES

1. PER SFBC 907.2.10.1.2, PROVIDE SMOKE DETECTORS ON EVERY FLOOR AND IN EVERY SLEEPING ROOM AND HALLWAY OUTSIDE OF SLEEPING ROOMS
2. PER SFBC TABLE 602, PROVIDE ONE HOUR RATED STRUCTURE EVERYWHERE WITHIN 5 FEET OF AND PARALLEL TO THE PROPERTY LINE.
3. PER SFBC 406.1.4, PROVIDE GWB ASSEMBLIES BETWEEN PRIVATE GARAGE AND HABITABLE ROOMS (MIN. 1/2" GWB BETWEEN THE DWELLING & ITS ATTIC AREA. GARAGES BENEATH HABITABLE ROOMS SHALL BE SEPERATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN A 5/8" TYPE "X" GWB OR EQ).
4. PROVIDE MIN. 1 EMERGENCY ESCAPE & RESCUE WINDOW PER SFBC 1026 AT ALL SLEEPING ROOMS.
5. PROVIDE SHORING UNDER SEPARATE PERMIT.
6. PROVIDE FIRE SPRINKLER UNDER SEPARATE PERMIT.

VICINITY MAP



AERIAL PHOTOS



1. AERIAL PHOTO LOOKING SOUTH



2. AERIAL PHOTO LOOKING NORTH

PROJECT DESCRIPTION

- NEW SINGLE FAMILY DWELLING AT EXISTING EMPTY LOT

PROJECT DIRECTORY

OWNER: ADAM STEIN & STEPHANIE TING ARCHITECT: JOHN MANISCALCO ARCHITECTURE
JOHN MANISCALCO, A.I.A. - PRINCIPAL
442 GROVE STREET, S.F., CA 94102
T. 415.864.9900 F. 415.864.0830

PROJECT DATA

ADDRESS:	2921 VALLEJO STREET SAN FRANCISCO, CA 94123	BUILDING HEIGHT:	EXISTING	PROPOSED
BLOCK:	0957	T.O. ROOF:	N/A	37'-5 3/4"
LOT:	020	NO. OF STORIES:	N/A	4 STORIES 0/ BASEMENT
ZONING:	RH-1 (D)			
CONSTR. TYPE:	TYPE V-B	SETBACKS:	EXISTING	PROPOSED
OCCUPANCY:	R-3	REAR:	N/A	17'-6"
LOT SIZE:	4,007 SF	SIDE:	N/A	5'
		FRONT:	N/A	10'-6"

BUILDING AREA:			
(N) LEVEL 0 PLAN	676 SF	(+755 SF GARAGE/STORAGE)	
(N) LEVEL 1 PLAN	1,937 SF		
(N) LEVEL 2 PLAN	1,891 SF		
(N) LEVEL 3 PLAN	1,729 SF		
(N) LEVEL 4 PLAN	832 SF		
TOTAL (N) AREA:	7,065 SF	(+755 SF GARAGE/STORAGE)	

INDEX OF DRAWINGS

ARCHITECTURAL (JMA)

A0.1 DRAWING INDEX, PROJECT DATA, VICINITY MAP, GENERAL NOTES, AERIAL PHOTOS
A1.0 EXISTING SITE PLAN
A1.1 PROPOSED SITE PLAN

A2.0 PROPOSED LEVEL 0 PLAN
A2.1 PROPOSED LEVEL 1 PLAN
A2.2 PROPOSED LEVEL 2 PLAN
A2.3 PROPOSED LEVEL 3 PLAN
A2.4 PROPOSED LEVEL 4 PLAN

A3.1 PROPOSED NORTH ELEVATION
A3.2 PROPOSED EAST ELEVATION
A3.3 PROPOSED SOUTH ELEVATION
A3.4 PROPOSED WEST ELEVATION
A3.5 PROPOSED SECTION A-A
A3.6 PROPOSED SECTION B-B
A3.7 EXTENDED NORTH ELEVATION & PROPOSED SECTION C-C

SURVEY (LUK)

TOPOGRAPHIC AND BOUNDARY SURVEY

JOHN MANISCALCO
ARCHITECTURE

442 GROVE STREET
SAN FRANCISCO, CA 94102
1 415.864.9900
1 415.864.0830

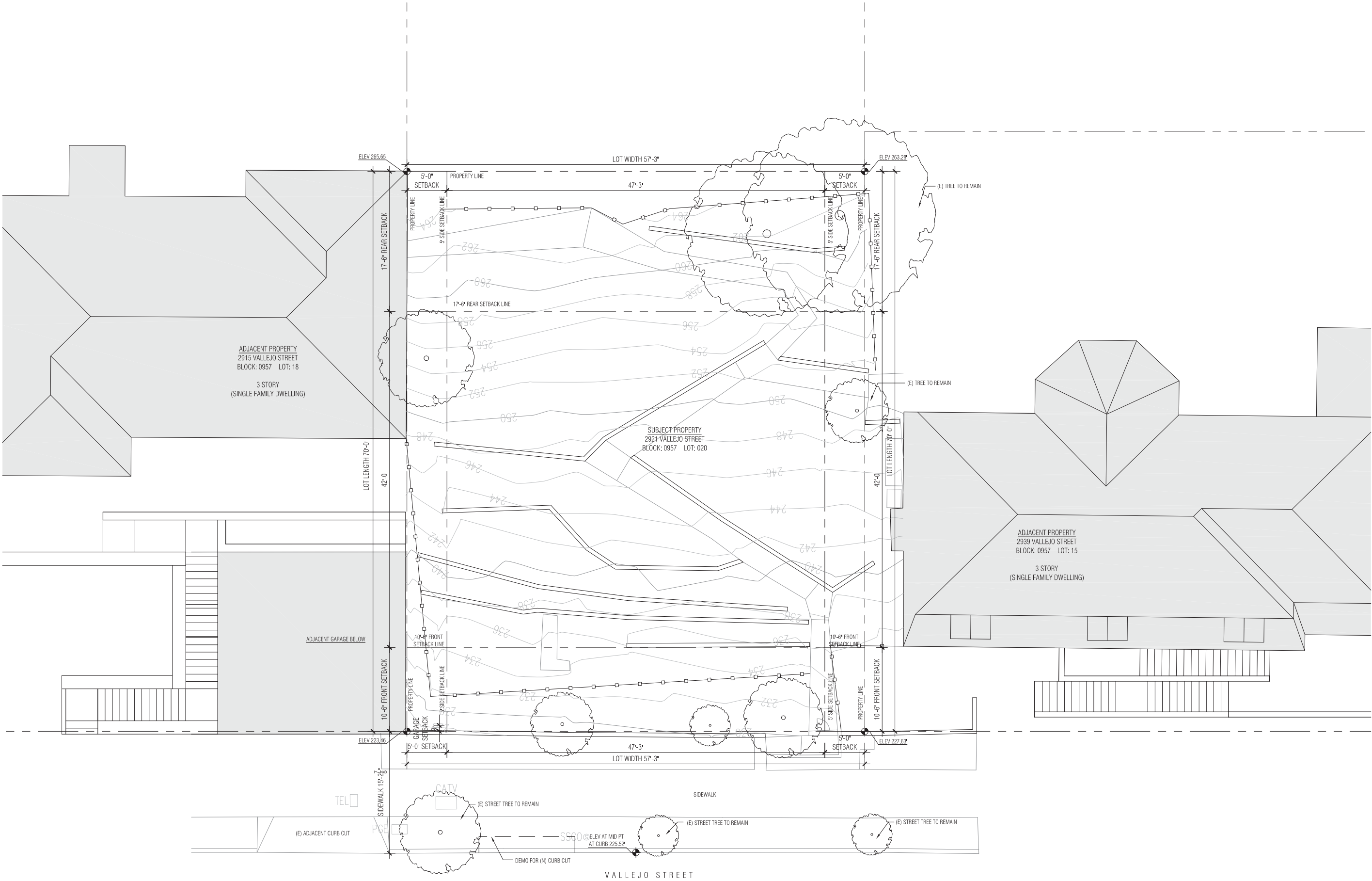


1. PROJECT REVIEW MTG.	02.16.16
2. PRE-APPLICATION MTG.	03.16.16
3. DCP - 311	04.11.16
4. EE APP	04.14.16
5. DCP - 311 REV 1	11.11.16
6. DESIGN REVISIONS	08.18.17

DRAWING INDEX,
PROJECT DATA,
GENERAL NOTES,
AERIAL PHOTOS

A0.1

2921 VALLEJO STREET
SAN FRANCISCO, CA. 94123



1 EXISTING SITE PLAN

3/16"=1'-0"

0' 2' 4' 8'
SCALE: 3/16" = 1'-0"



EXISTING SITE PLAN

A1.0

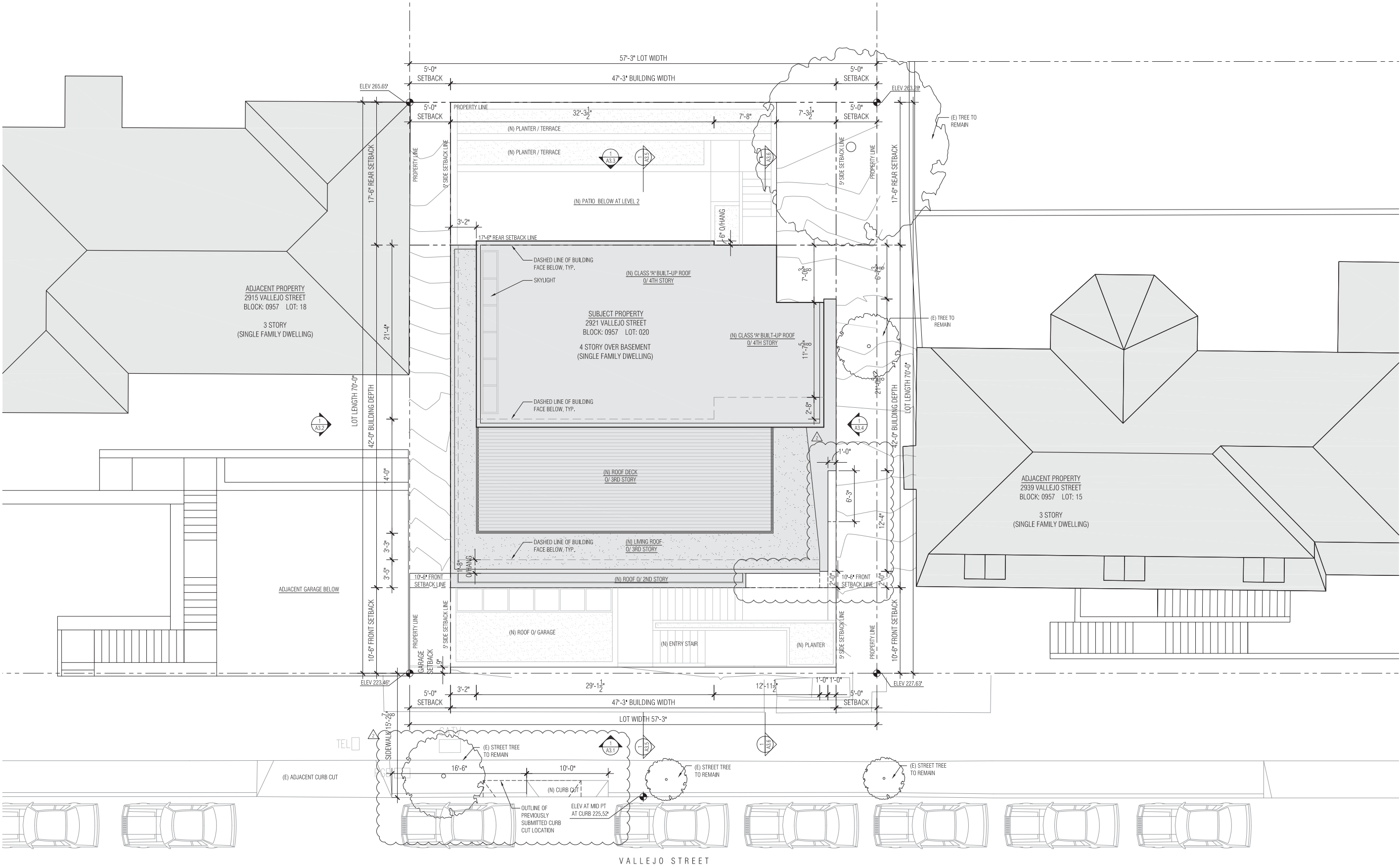
2921 VALLEJO STREET
SAN FRANCISCO, CA, 94123

JOHN MANISCALCO
ARCHITECTURE

442 GROVE STREET
SAN FRANCISCO, CA 94102
1 415.864.9900
1 415.864.0830

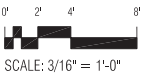


- | | |
|-------------------------|----------|
| 1. PROJECT REVIEW MTG. | 02.16.16 |
| 2. PRE-APPLICATION MTG. | 03.16.16 |
| 3. DCP - 311 | 04.11.16 |
| 4. EE APP | 04.14.16 |
| 5. DCP - 311 REV 1 | 11.11.16 |
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1 PROPOSED SITE PLAN

3/16" = 1'-0"



SCALE: 3/16" = 1'-0"



2921 VALLEJO STREET

SAN FRANCISCO, CA, 94123

JOHN MANISCALCO
ARCHITECTURE

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1 415.864.9900
1 415.864.0830



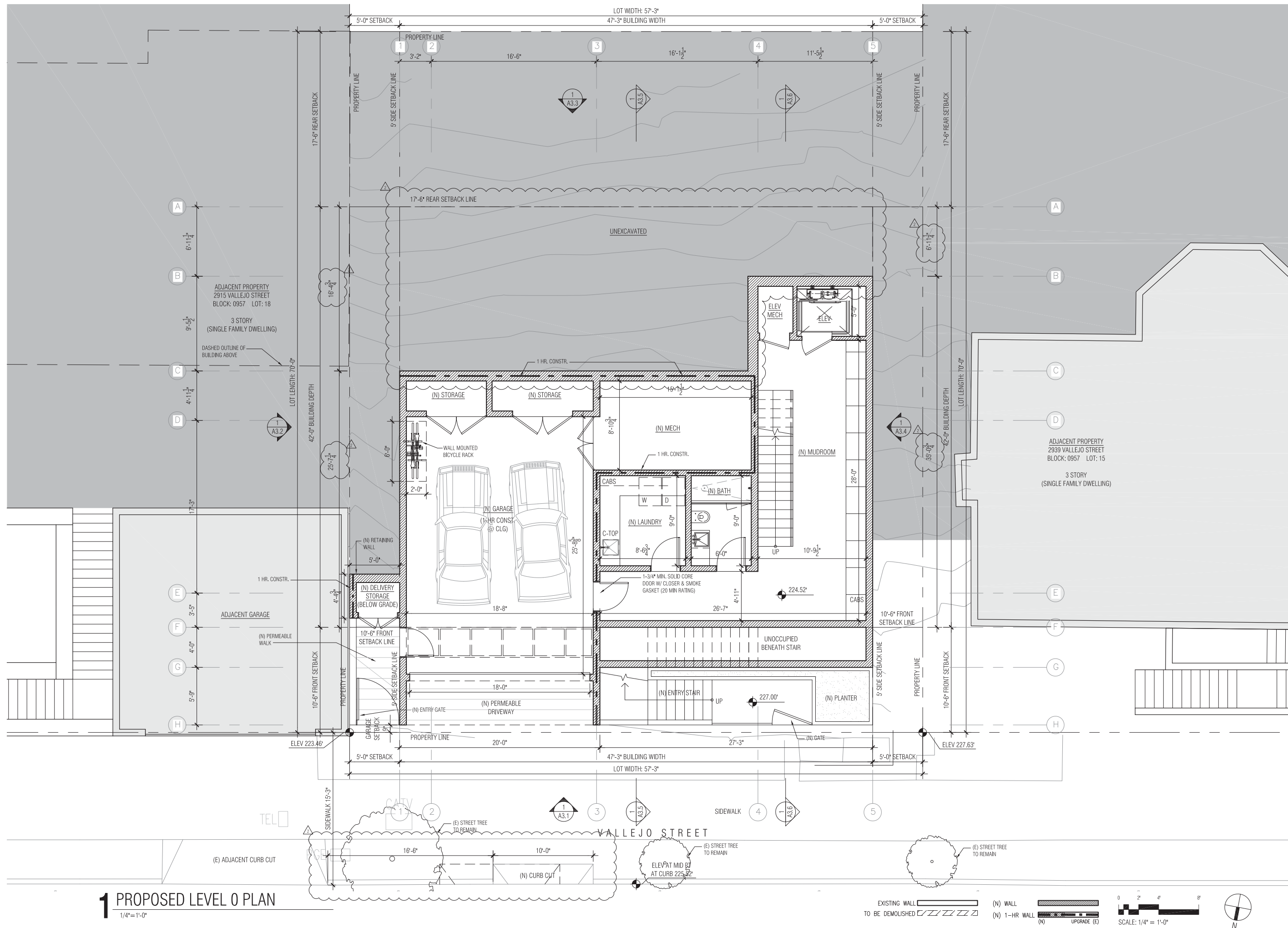
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| 1. PROJECT REVIEW MTG. | 02.16.16 |
| 2. PRE-APPLICATION MTG. | 03.16.16 |
| 3. DCP - 311 | 04.11.16 |
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| 5. DCP - 311 REV 1 | 11.11.16 |
| 6. DESIGN REVISIONS | 08.18.17 |

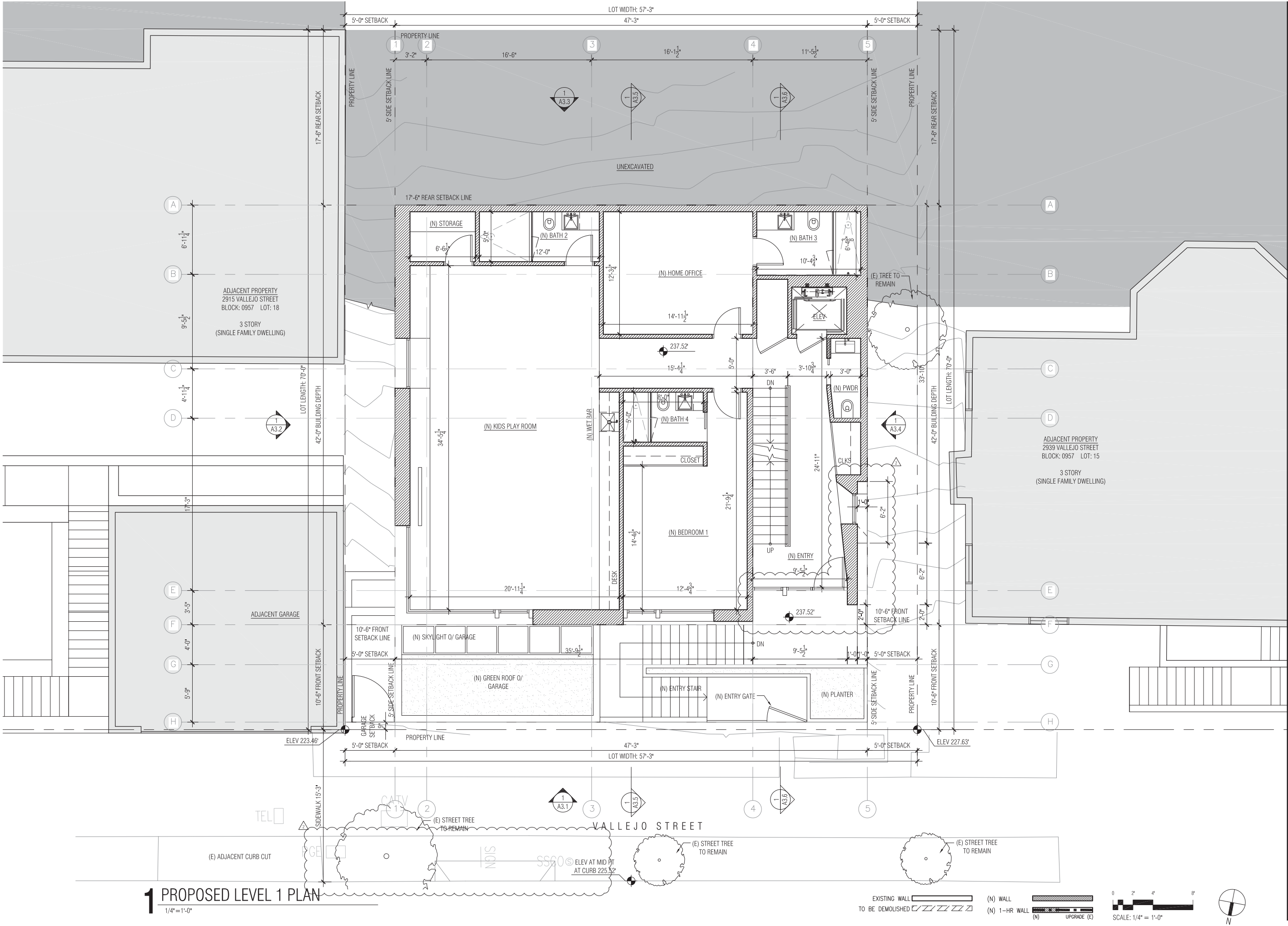
PROPOSED SITE PLAN

A1.1



1. PROJECT REVIEW MTG.	02.16.16
2. PRE-APPLICATION MTG.	03.16.16
3. DCP - 311	04.11.16
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1 PROPOSED LEVEL 1 PLAN
1/4" = 1'-0"

EXISTING WALL
TO BE DEMOLISHED
(N) WALL
(N) 1-HR WALL
(N) UPGRADE (E)

0 2' 4' 8'
SCALE: 1/4" = 1'-0"



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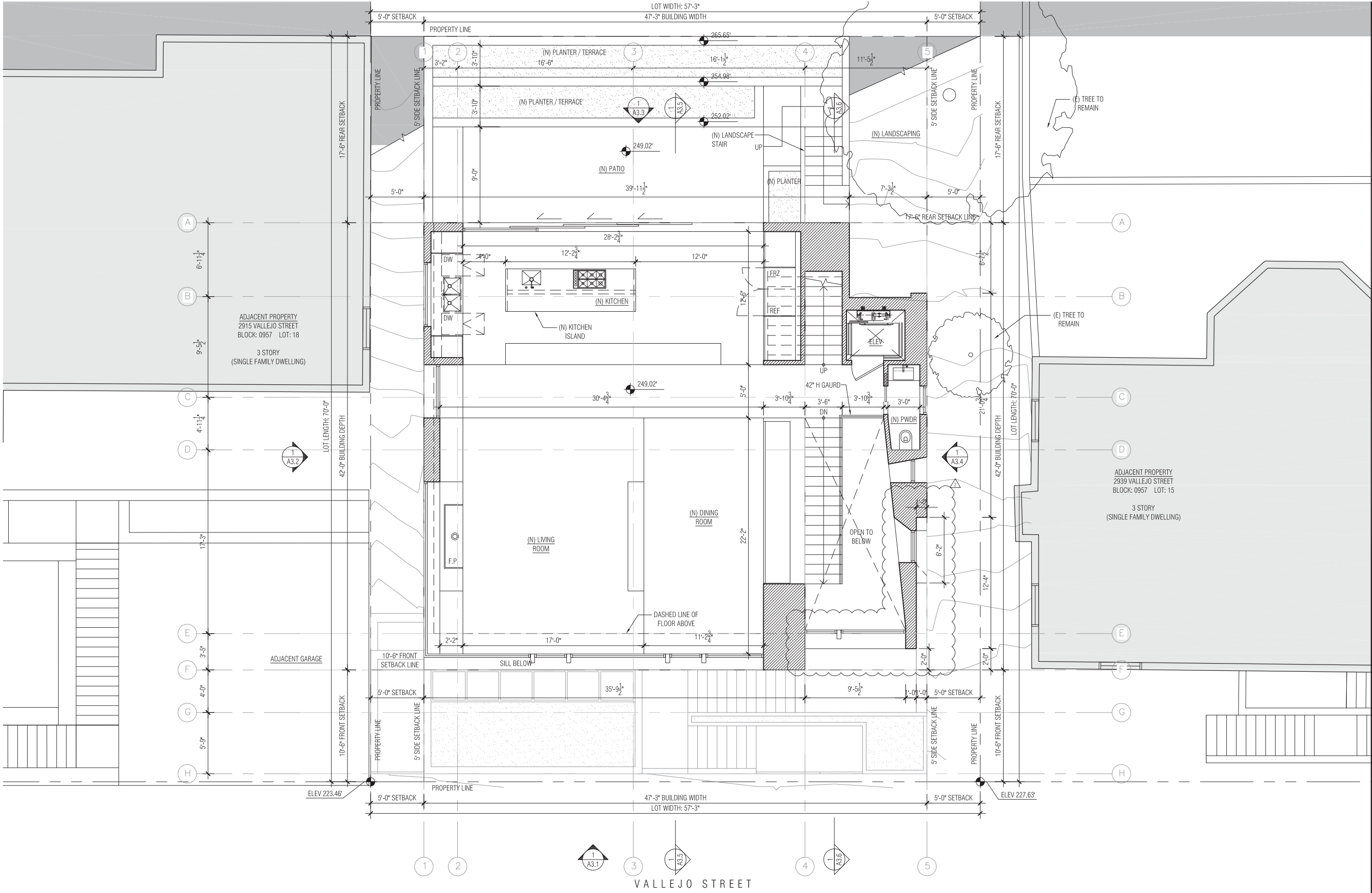


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| 1. PROJECT REVIEW MTG. | 02.16.16 |
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| 3. DCP - 311 | 04.11.16 |
| 4. EE APP | 04.14.16 |
| 5. DCP - 311 REV 1 | 11.11.16 |
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PROPOSED
LEVEL 1 PLAN

A2.1

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1 PROPOSED LEVEL 2 PLAN

1/4" = 1'-0"

EXISTING WALL
TO BE DEMOLISHED

(N) WALL
(N) 1-HR WALL
(N) UPGRADE (E)

0 2' 4' 8'
SCALE: 1/4" = 1'-0"



PROPOSED
LEVEL 2 PLAN

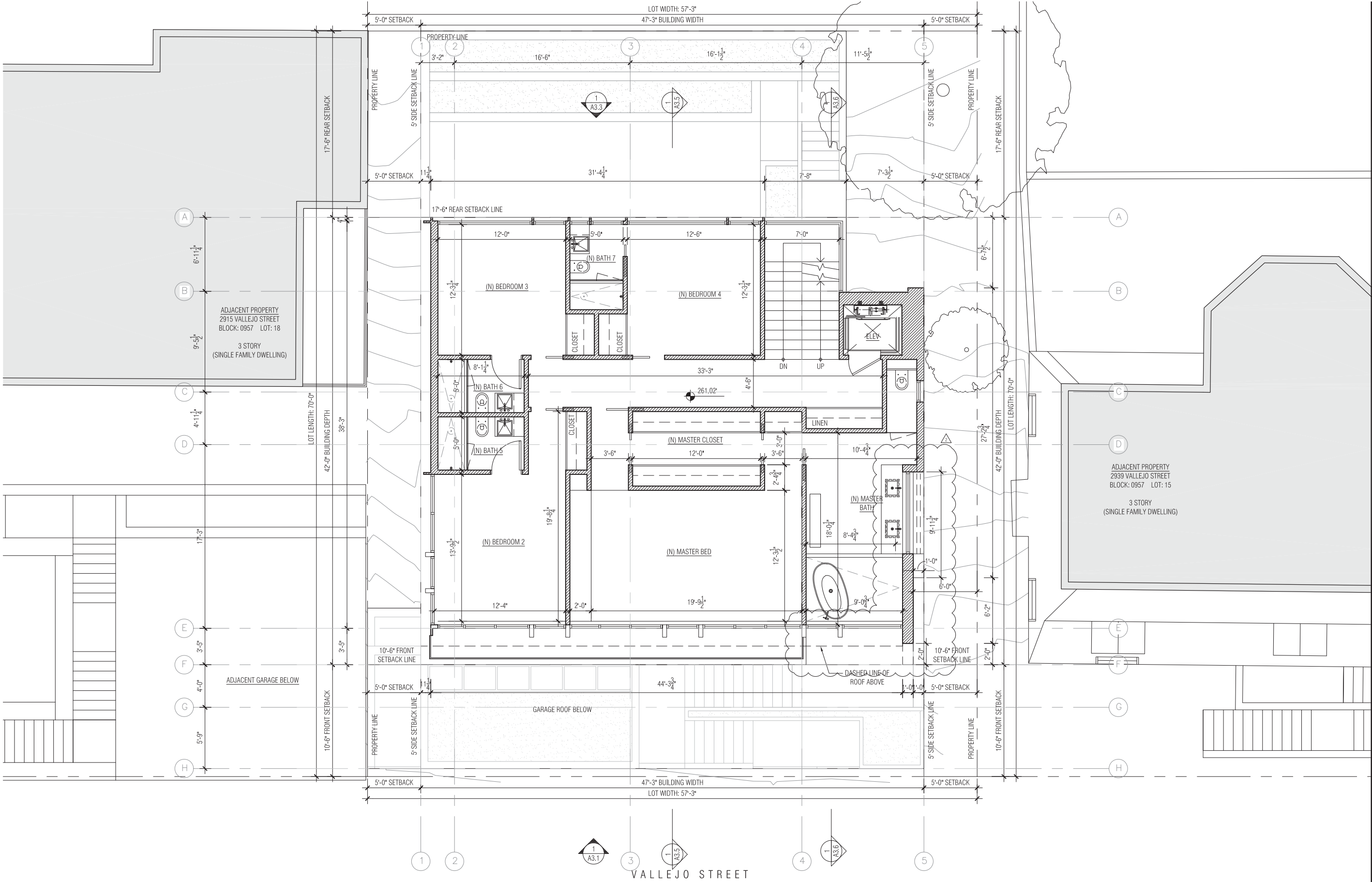
A2.2

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1 PROPOSED LEVEL 3 PLAN

1/4" = 1'-0"

EXISTING WALL
TO BE DEMOLISHED

(N) WALL
(N) 1-HR WALL
(N) UPGRADE (E)

0 2' 4' 8'
SCALE: 1/4" = 1'-0"



PROPOSED
LEVEL 3 PLAN

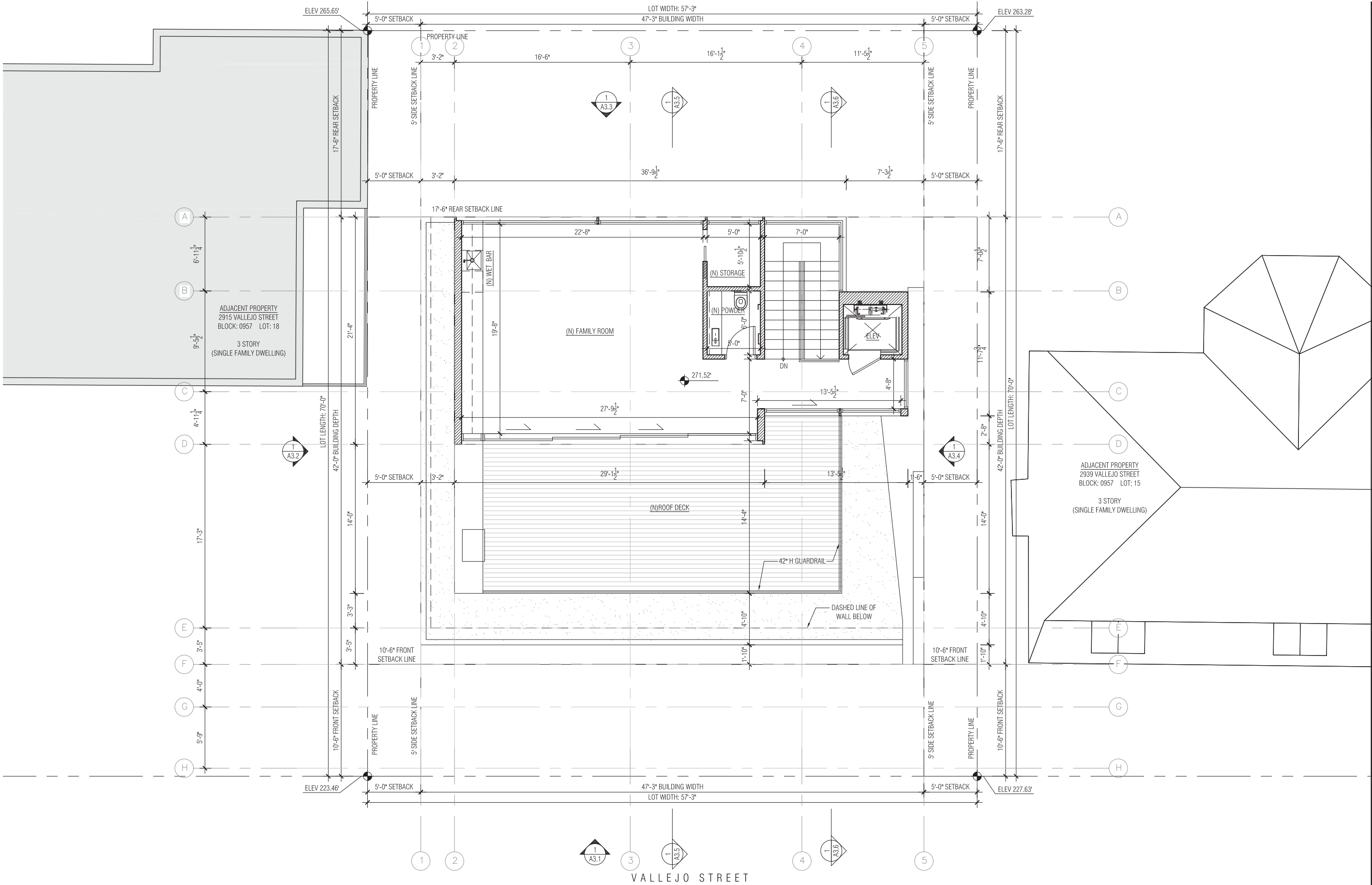
A2.3

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1 PROPOSED LEVEL 4 PLAN

1/4" = 1'-0"

EXISTING WALL
TO BE DEMOLISHED

(N) WALL
(N) 1-HR WALL
(N) UPGRADE (E)

0 2' 4' 8'
SCALE: 1/4" = 1'-0"



PROPOSED
LEVEL 4 PLAN

A2.4

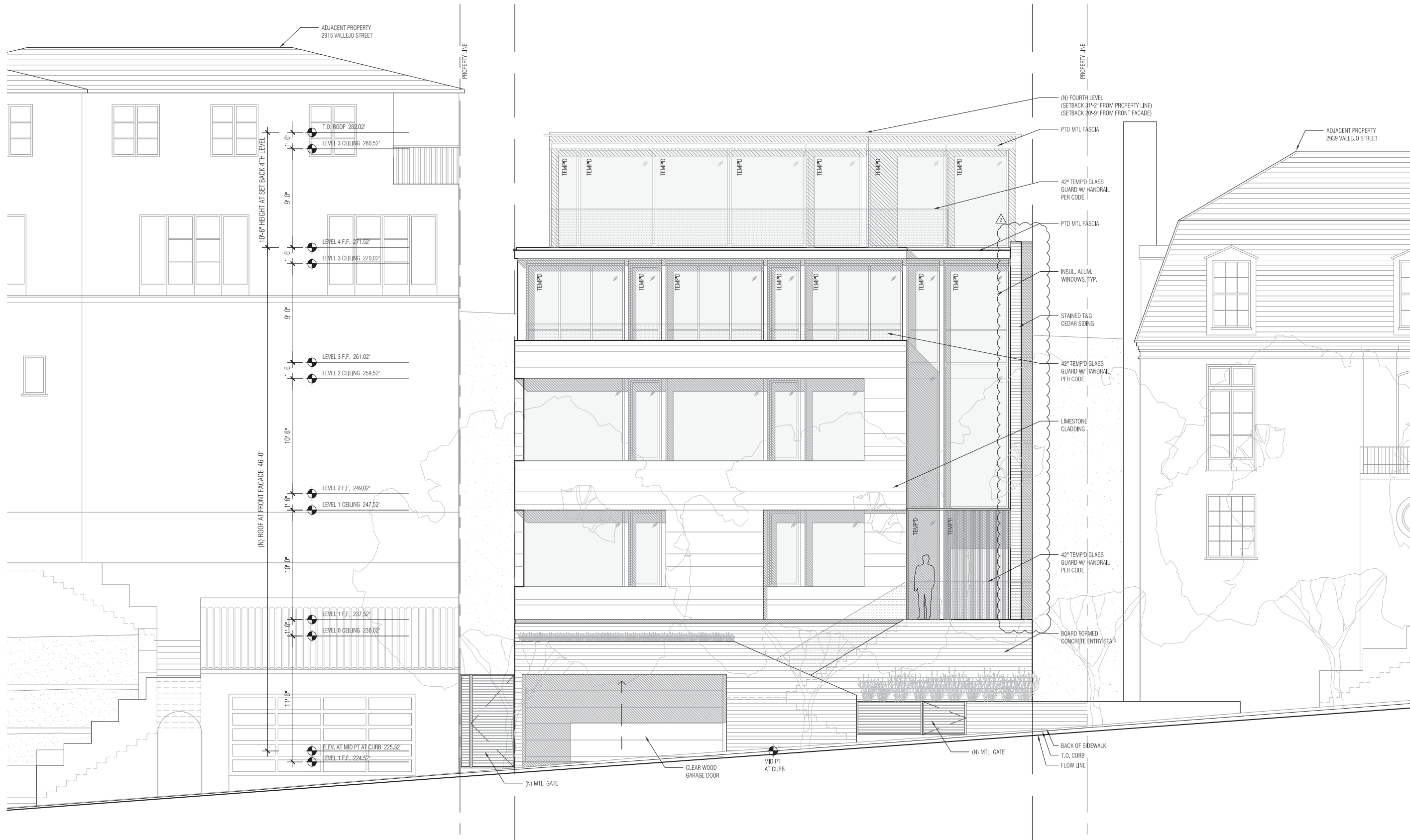
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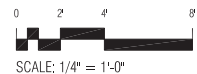


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| 1. PROJECT REVIEW MTG. | 02.16.16 |
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| 5. DCP - 311 REV 1 | 11.11.16 |
| 6. DESIGN REVISIONS | 08.18.17 |



1 PROPOSED NORTH ELEVATION

1/4" = 1'-0"

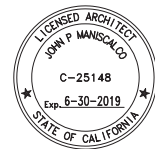


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PROPOSED NORTH
ELEVATION

A3.1

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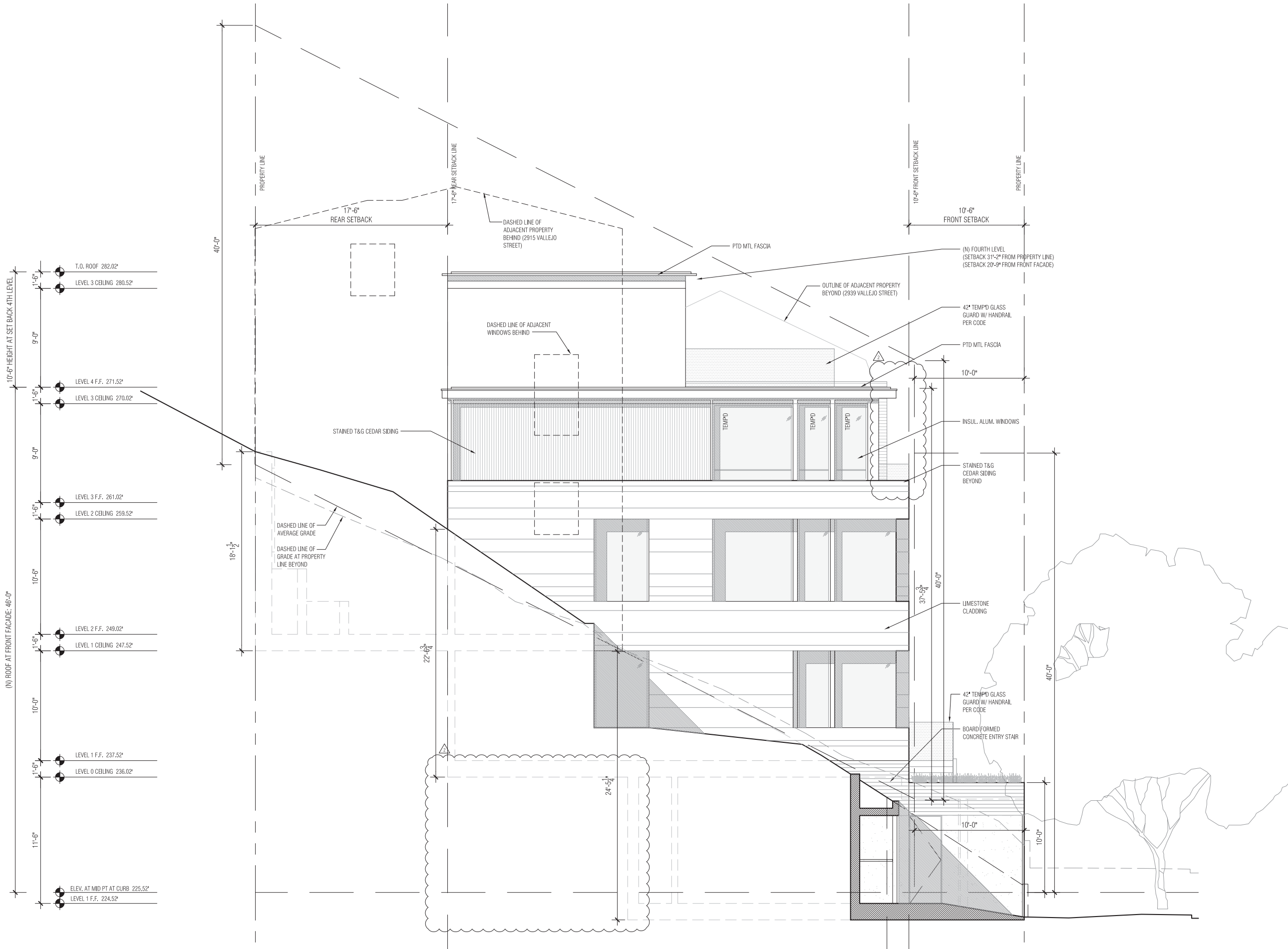
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1 415.864.9900
1 415.864.0830



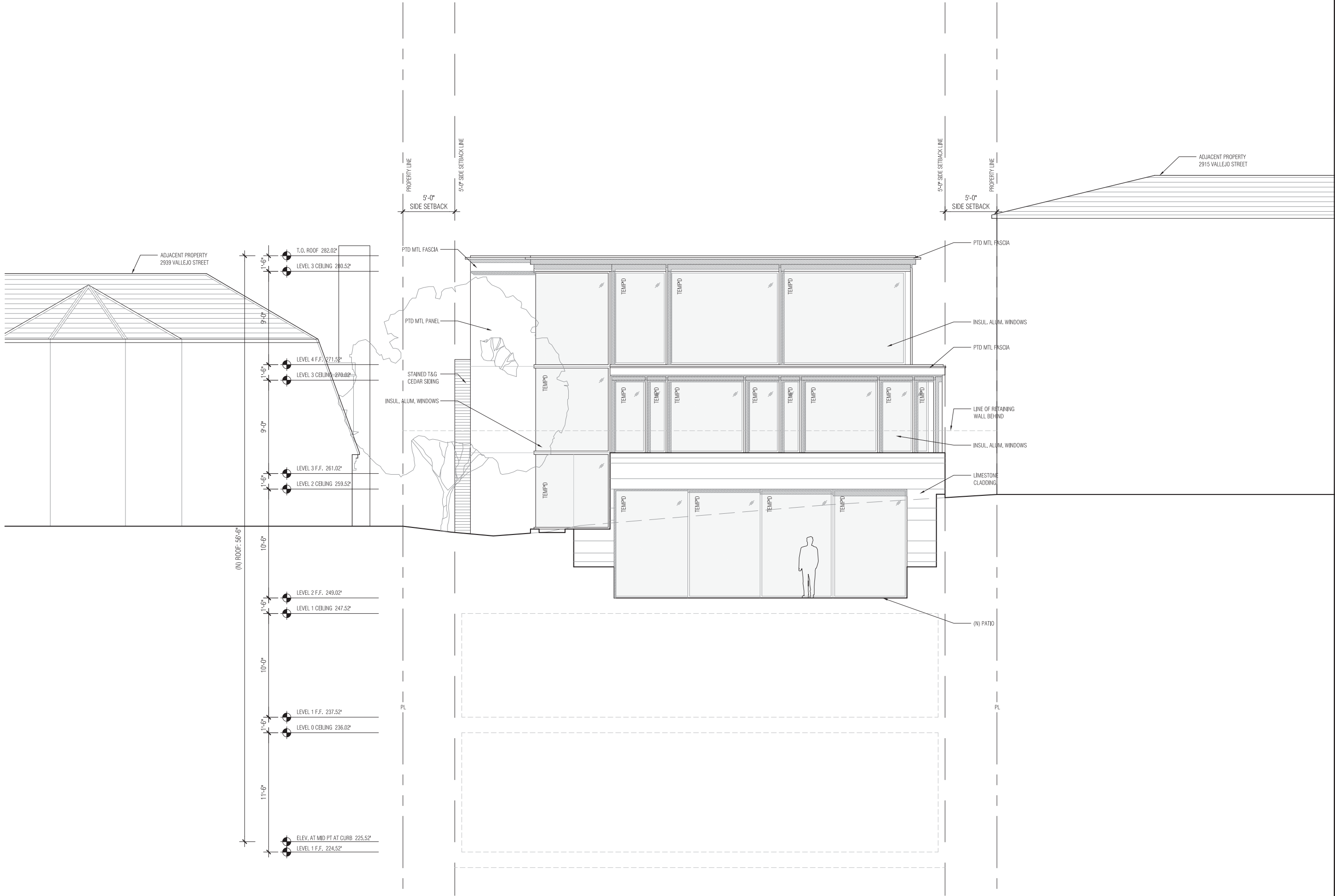
1. PROJECT REVIEW MTG.	02.16.16
2. PRE-APPLICATION MTG.	03.16.16
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PROPOSED EAST
ELEVATION

A3.2

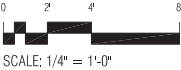


1 PROPOSED EAST ELEVATION
1/4" = 1'-0"



1 PROPOSED SOUTH ELEVATION

1/4" = 1'-0"



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

2921 VALLEJO STREET

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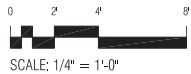
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1 415.864.0830



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PROPOSED SOUTH
ELEVATION

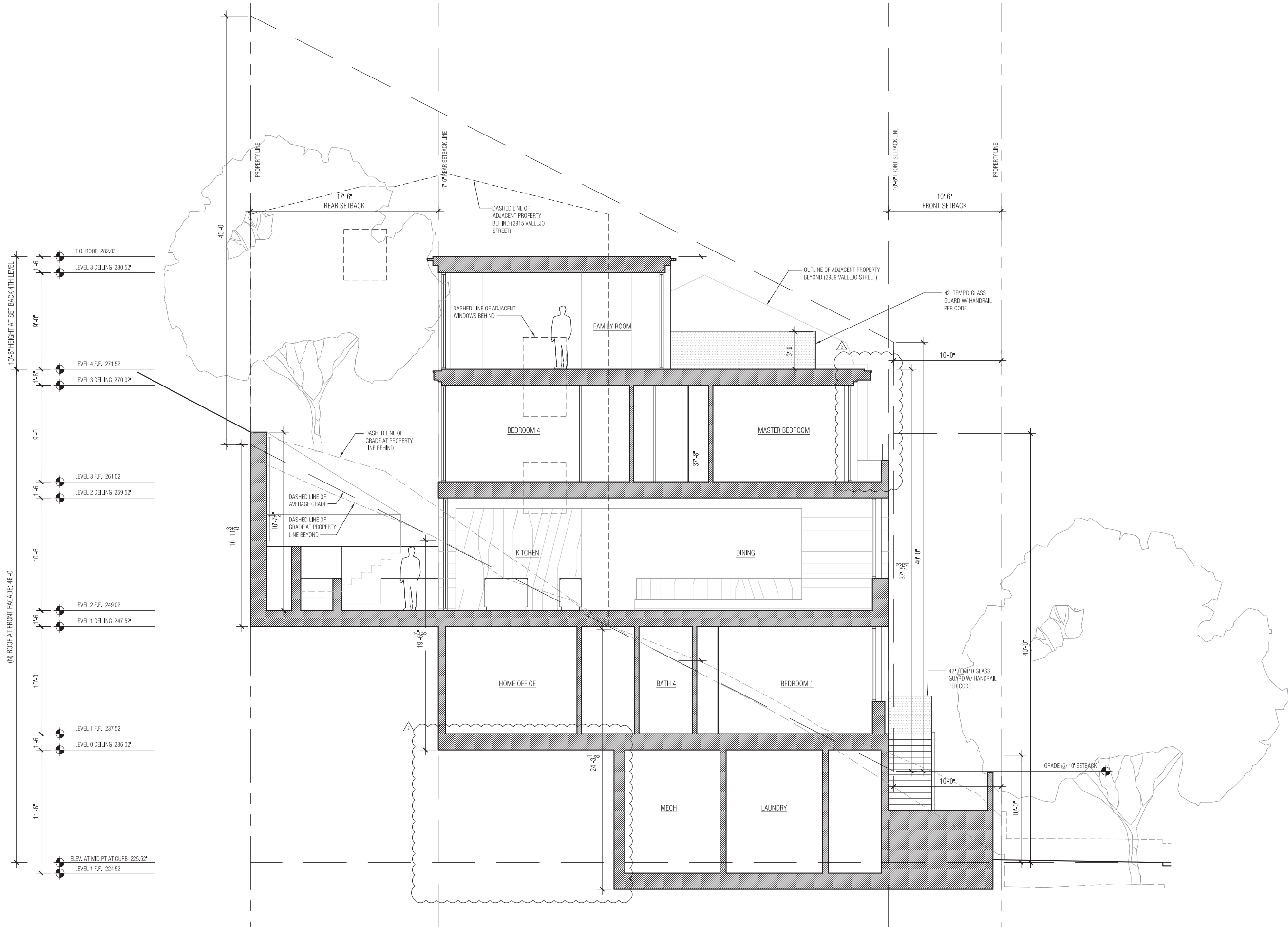
A3.3



442 GROVE STREET
SAN FRANCISCO, CA 94103
t 415.864.990
f 415.864.083

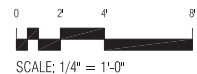


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| 4. EE APP | 04.14.16 |
| 5. DCP - 311 REV 1 |  11.11.16 |
| 6. DESIGN REVISIONS |  08.18.17 |



1 PROPOSED SECTION A-A

1/4" = 1'-0"

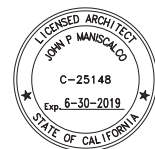


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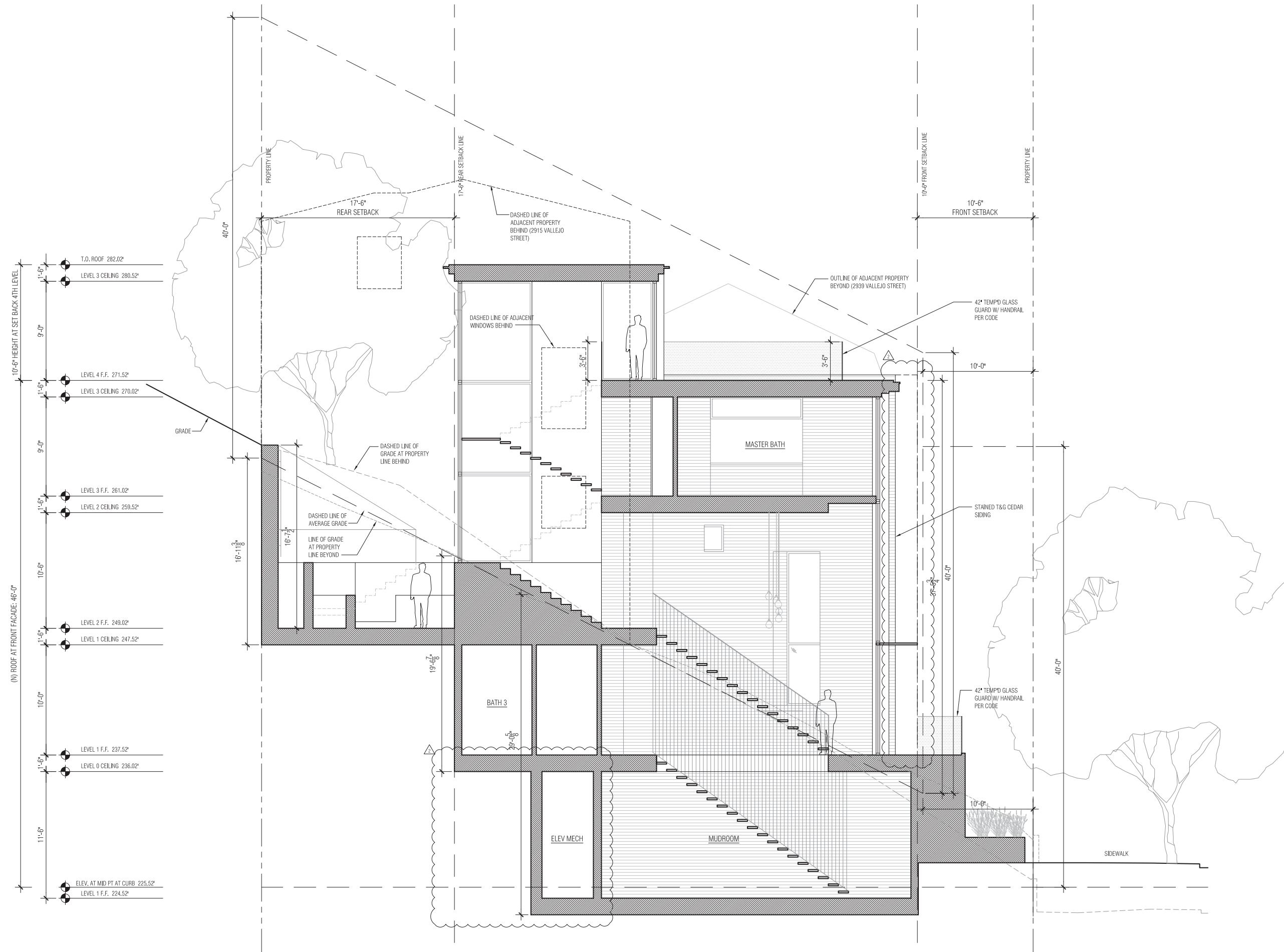
442 GROVE STREET
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415.864.9900
415.864.0830



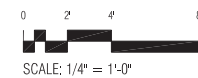
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PROPOSED SECTION A-A

A3.5



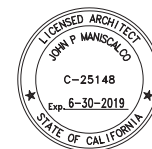
1 PROPOSED SECTION B-B
1/4" = 1'-0"



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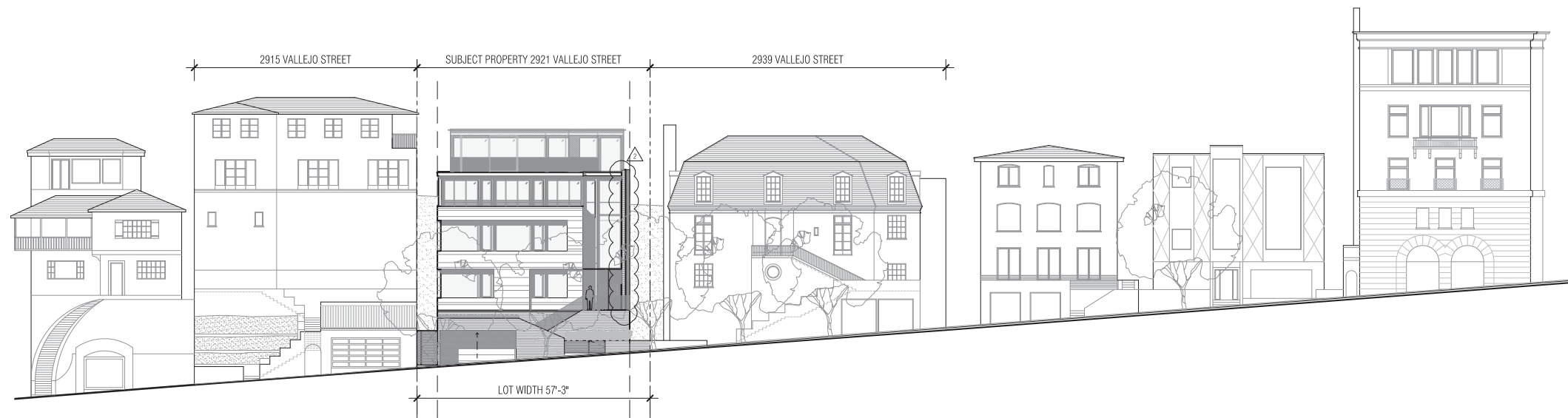
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415.864.0830



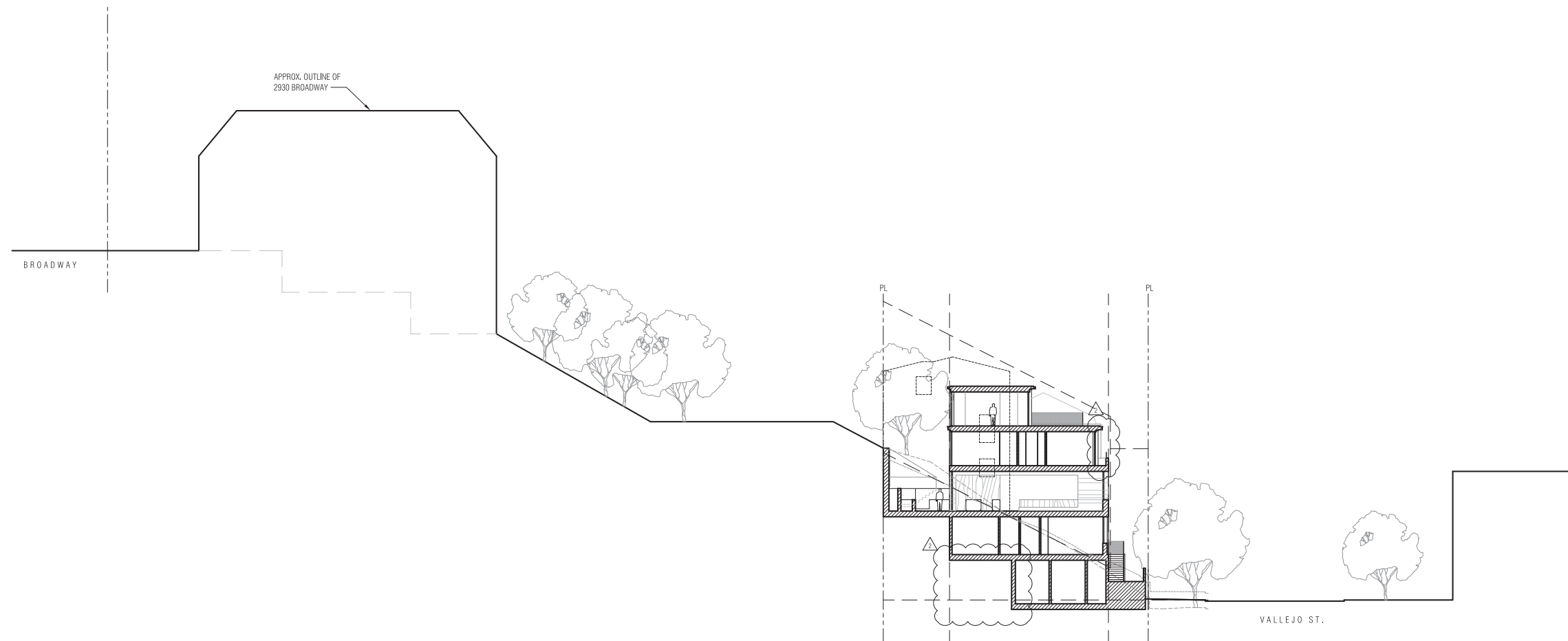
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PROPOSED SECTION B-B

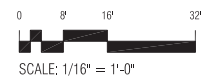
A3.6



1 EXTENDED NORTH ELEVATION
1/16" = 1'-0"

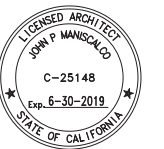


1 PROPOSED SITE SECTION C-C
1/16" = 1'-0"



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EXTENDED NORTH ELEVATION
& PROPOSED SECTION C-C

AFTER AUGUST 2017 REVISIONS
PROVIDED TO DR REQUESTORS



BEFORE AUGUST 2017 REVISIONS -- NOT CURRENT
INCLUDED FOR REFERENCE ONLY

