



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: MARCH 29, 2018

Date: March 22, 2018
Case No.: **2016-010185CUA**
Project Address: **160 Caselli Avenue**
Zoning: RH-2 (Residential, House, Two-Family) District
40-X Height and Bulk District
Block/Lot: 2690/008
Project Sponsor: Alice Barkley
Duane Morris, LLP
Spear Tower, One Market Plaza, Suite 2200
San Francisco, CA 94105
Staff Contact: Veronica Flores – (415) 575-9173
veronica.flores@sfgov.org
Recommendation: **Disapproval**

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PROJECT DESCRIPTION

The Project proposes to demolish an existing single-family residence and illegal structure at the rear of the property, both of which are currently located within the required rear yard. Additionally, the Project proposes demolishing an existing detached carport located at the front of the property. The proposal also includes removing an Unauthorized Unit in the rear structure, which was vacant at the time of purchase. The Project proposes a replacement three-story two-unit building at the front of the property, with Unit 1 on the ground floor and Unit 2 on the upper floors. Both units will share the ground floor garage of the proposed new building and also be able to access the rear yard.

SITE DESCRIPTION AND PRESENT USE

The project site is located on the north side of Caselli Avenue between Danvers and Clover Streets, Lot 008 in Assessor's Block 2690 in the Castro/Upper Market Neighborhood. The project site is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk district. The project site currently contains one building, with an illegal rear addition, and a carport at the front of the property. The original building was constructed in 1908 as a two-story single-family residence. It is unclear when the rear addition was added, but it appears in aerial map images as early as 2002. The project site is approximately 25 feet wide and 121 feet deep, containing approximately 3,025 square feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located approximately in the middle of the block-face flanked by three-story buildings on either side. The block-face is characterized by two- to three-story buildings of mixed architectural style. The buildings on the block-face also vary in density from single-family residences to small multi-

unit buildings. Most of the opposite block-face is characterized by three-story residential buildings. The surrounding blocks are also located within the RH-2 (Residential, House, Two-Family) District. To the west, there is a smaller cluster of lots located within the RH-1 (Residential, House, One-Family) District and to the south is Kite Hill Open Space.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 and Class 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	February 16, 2018	February 16, 2018	20 days
Posted Notice	20 days	February 16, 2018	February 16, 2018	20 days
Mailed Notice	20 days	February 16, 2018	February 16, 2018	20 days

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has not received any public comments in support of or in opposition to the Project. The Project Sponsor collected eight letters of support, which are included as part of their submittal.

ISSUES AND OTHER CONSIDERATIONS

- Although Planning Staff does not have the authority to make a determination on the rent control status of a property, it is to be assumed that the units to be demolished are subject to the Residential Rent Stabilization and Arbitration Ordinance.
- The proposal includes two family-sized units and a net increase of three bedrooms for a total of two units and five bedrooms on the property.
- DBI has reviewed the existing conditions noting building deficiencies and noted that the construction required to bring the Unauthorized Unit into compliance with the Building Code would cost approximately \$170,000. The Real Estate Appraisal Company (TRAC) opines that legalization of the Unauthorized Unit would increase the property value by \$127,500. This figure represents the 75% recoverable cost of the estimated construction costs to legalize.
- The unauthorized unit is eligible for the Legalization Program. However, the rear structure is unpermitted and triggers a Variance from the Rear Yard requirements of the Planning Code.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the demolition of a residential unit and the removal of an unauthorized unit pursuant to Planning Code Sections 303 and 317.

BASIS FOR RECOMMENDATION

- The project results in the loss of the Unauthorized Unit which is presumed to be subject to the Residential Rent Stabilization and Arbitration Ordinance.
- The project does not legalize the studio unit, which is typically more affordable than larger units in general.
- The project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Disapproval

Attachments:

Block Book Map

Sanborn Map

Aerial Photographs

CEQA Determination

Project Sponsor Submittal, including:

- Site Photographs
- Contractor Estimates
- DBI Estimates
- Correspondence in Support
- Reduced Plans

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

Exhibits above marked with an "X" are included in this packet

 VAF
Planner's Initials

VF: M:\Planning Production\1D2\A4A7DACD-B0DC-4322-BD29-F6F07103C6E0\01979000-979999\979324\160 Caselli Ave_ExecutiveSummary - FINAL (ID 979324).doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Draft Motion

HEARING DATE: MARCH 29, 2018
CONTINUED FROM: MARCH 8, 2018

Date: March 22, 2018
Case No.: **2016-010185CUA**
Project Address: **160 CASELLI AVENUE**
Zoning: RH-2 (Residential, House, Two-Family) District
 40-X Height and Bulk District
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ADOPTING FINDINGS RELATING TO THE DISAPPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 317 REQUIRING CONDITIONAL USE AUTHORIZATION FOR THE DEMOLITION OF A RESIDENTIAL UNIT AND REMOVAL OF AN UNAUTHORIZED DWELLING UNIT WITHIN AN RH-2 (RESIDENTIAL-HOUSE, TWO-FAMILY) ZONING DISTRICT, AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 26, 2017, Alice Barkley of Duane Morris, LLP (Project Agent) for Karen Lee and Benjamin Wright (Project Sponsor) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 317 to demolish a residential unit and also remove an Unauthorized Unit at 160 Caselli Avenue, which is located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

On October 18, 2016, the Project was determined by the Department to be categorically exempt from environmental review under Case No. 2016-010185ENV. The Commission has reviewed and concurs with said determination.

On March 8, 2018, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-010185CUA. The Project was continued to the March 29, 2018 public hearing.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby disapproves the Conditional Use requested in Application No. 2016-010185CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project proposes to demolish an existing single-family residence and illegal structure at the rear of the property, both of which are currently located within the required rear yard. Additionally, the Project proposes demolishing an existing detached carport located at the front of the property. The proposal also includes removing an Unauthorized Unit in the rear structure, which was vacant at the time of purchase. The Project proposes a replacement three-story two-unit building at the front of the property, with Unit 1 on the ground floor and Unit 2 on the upper floors. Both units will share the ground floor garage of the proposed new building and also be able to access the rear yard.
3. **Site Description and Present Use.** The project site is located on the north side of Caselli Avenue between Danvers and Clover Streets, Lot 008 in Assessor's Block 2690 in the Castro/Upper Market Neighborhood. The project site is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk district. The project site currently contains one building, with an illegal rear addition, and a carport at the front of the property. The original building constructed in 1908 as a two-story single-family residence. It is unclear when the rear addition was added, but it appears in aerial map images as early as 2002. The project site is approximately 25 feet wide and 121 feet deep, containing approximately 3,025 square feet.
4. **Surrounding Properties and Neighborhood.** The project site is located approximately in the middle of the block-face flanked by three-story buildings on either side. The block-face is characterized by two- to three-story buildings of mixed architectural style. The buildings on the block-face also vary in density from single-family residences to small multi-unit buildings. Most of the opposite block-face is characterized by three-story residential buildings. The surrounding blocks are also located within the RH-2 (Residential, House, Two-Family) District. To the west, there is a smaller cluster of lots located within the RH-1 (Residential, House, One-Family) District and to the south is Kite Hill Open Space.
5. **Public Comment.** To date, the Department has not received any public comments in support of or in opposition to the Project. The Project Sponsor collected eight letters of support, which are included as part of their submittal.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Front Setback Requirement.** Planning Code Section 132 states that the minimum front setback shall be based on the average of adjacent properties or if subject property has a legislated setback. When front setback is based on adjacent properties, in no case shall the required setback be greater than 15 feet.

The subject property does not have a legislated setback. The required front setback of 2 feet 6 inches for is based on the average front setback of adjacent properties. The Project proposes a 5 foot setback on the ground floor matching the setback of the neighbor to the east. The second and third floors are proposed to the front setback, with a recessed notch on the east side of these floors to align with the proposed ground floor and the neighbor to the east.

- B. **Landscaping/Permeability.** Planning Code Section 132 requires projects proposing new dwelling units to provide a minimum of 20% landscaping and 50% permeability within the required front yard setback.

The required front setback has an area of 125 square feet. The Project provides approximately 31 square feet of landscaping within the front setback or 25%, and approximately 63 square feet of permeable surface in the front setback or 50 %.

- C. **Rear Yard Requirement.** Planning Code Section 134 requires, in RH-2 Districts, a rear yard measuring 45 percent of the total depth.

The subject property measures 121 feet deep, and requires a rear yard setback of approximately 54 feet 5 inches. The Project Sponsor proposes to demolish the existing buildings that encroach into the required rear yard and build a replacement building in the buildable area.

- D. **Usable Open Space.** Planning Code Section 135A requires 125 square feet of usable open space for each dwelling unit if all private, or 166 square feet of common usable open space that may be substituted for private open space.

The Project proposes two dwelling units. The Project includes ample common usable open space in the rear yard. Additionally, the upper unit includes a private deck with 210 square feet of private usable open space.

- E. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, public alley, at least 30 feet in width, at least 20 feet in width, side yard at least 25 feet in width, a rear yard meeting the requirements of this Code or other open area that meets minimum requirements for area and horizontal dimensions.

The upper unit (Unit 2) faces onto a public street approximately 60 feet wide. The ground floor unit (Unit 1) faces onto an open area that is at least 25 feet in every horizontal direction.

- F. **Street Frontages.** Planning Section 144 of the Planning Code requires that no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is set back from any such lot line, shall be devoted to entrances to off-street parking, except that in no event shall a lot be limited by this requirement to a single such entrance of less than ten feet in width, or to a single such entrance of less than 8 feet in RTO and RTO-M districts. In addition, no entrance to off-street parking on any lot shall be wider than 20 feet, and where two or more separate entrances are provided there shall be a minimum separation between such entrances of six feet. Planning Section 144(b)(1)(A) states the requirements of this 144(b)(1) shall not be applicable where the lot has an upward or downward slope from the front lot line to the forward edge of the required rear yard, along the centerline of the building, of more than 20 percent; or where the lot depth and the requirements of this Code for dimensions, areas and open spaces are such that the permitted building depth is less than 40 feet in an RH-2 District or less than 65 feet in an RH or RM District.

The subject property has a width of 25 feet, with a 10-foot wide garage door which is permitted by this Planning Code.

- G. **Off-Street Parking.** Planning Section 151 of the Planning Code requires off-street parking for each dwelling unit.

The Project proposes two off-street parking spaces, one for each unit located in the garage on the ground floor of the proposed building.

- H. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires at least one Class 1 bicycle parking spaces for each dwelling unit and one Class 2 bicycle parking spaces for every 20 dwelling units.

The Project proposes two Class 1 bicycle parking spaces, one for each unit located in the garage on the ground floor of the proposed building.

- I. **Curb Cuts.** Planning Section 155(l) of the Planning Code requires driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, so as to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements.

The Project proposes a new 9-foot wide curb cut at the west side of the lot. The existing curb cut will be removed and therefore will not result in a net loss of any street parking.

- J. **Residential Density.** Planning Code Section 209.1 principally permits residential uses and allows up to two units per lot for properties zoned RH-2 (Residential-House, Two Family).

The Project proposes a three-story two-unit new construction building where a maximum of two units is allowed.

- K. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 40-foot height limit since the average ground elevation at the rear line of the lot is higher by 20 or more feet than at the front line thereof.

The Project proposes one new replacement building measuring 33 feet 1 ½ inches to the midpoint of the sloped roof.

- L. **Residential Demolition – Section 317:** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to remove at least one residential unit. This Code Section establishes a checklist of criteria that delineate the relevant General Plan Policies and Objectives.

As the Project requires Conditional Use Authorization per the requirements of the Section 317, the additional criteria specified under Section 317 have been incorporated as findings a part of this Motion. See Item 8, “Additional Findings pursuant to Section 317” below.

- M. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that adds at least one net new residential unit or results in additional space in an existing residential unit of more than 800 gross square feet shall comply with the imposition of the Residential Child Care Impact Fee requirement.

The Project proposes a net gain of one additional legal unit. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements outlined in Planning Code Section 414A.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the Project does not comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The use and size of the proposed Project is compatible with the immediate neighborhood. While the Project proposes demolition of existing housing, the replacement building is proposed within the buildable area of the lot also designed to be in keeping with the existing development pattern and the neighborhood character. The proposal results in a net gain of one additional legal unit at the project site, additional bedrooms, and improved interior layouts. However, the Project results in the loss of the unauthorized unit which is presumed to be subject to the Residential Rent Stabilization and Arbitration Ordinance.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project is designed to be compatible with the surrounding neighborhood and specifically with both adjacent buildings. The Project proposes demolishing structures (both legal and illegal) located at the rear of the subject property. The replacement building would provide a 40-foot deep rear yard, thus contributing landscaped area to the mid-block open space.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code permits two parking spaces for the replacement building. Two spaces are proposed, where currently one space is provided for the existing buildings.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

As the proposed Project is residential in nature, unlike commercial or industrial uses, the proposed residential use is not considered to have the potential to produce noxious or offensive emissions.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

Although designed in a contemporary aesthetic, the façade treatment and materials of the replacement buildings have been appropriately selected to be harmonious with the existing surrounding neighborhood.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

While the Project complies with relevant requirements and standards of the Planning Code, it is not consistent with certain aspects of the General Plan, as detailed below.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable RH-2 District.

The proposed Project is consistent with the stated purpose of the RH-2 Districts.

8. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert Residential Buildings. On balance, the Project does comply with said criteria in that:

- i. Whether the property is free of a history of serious, continuing Code violations;

Project Meets Criterion.

A review of the Department of Building Inspection and the Planning Department databases showed no enforcement cases or notices of violation for the subject property.

- ii. Whether the housing has been maintained in a decent, safe, and sanitary condition;

Project Meets Criterion.

There is no history of complaints to DBI related to maintenance of the buildings on the subject property.

- iii. Whether the property is an “historic resource” under CEQA;

Project Meets Criterion.

The Planning Department reviewed the Supplemental Information Form and Historic Resource Evaluation submitted by the Project Sponsor and provided a historic resource determination in a Preservation Team Review (PTR) Form. The historic resource determination concluded that the subject property is not eligible for listing in the California Register of Historical Resources (CRHR) individually or as a contributor to a historic district. Therefore, the existing structure is not a historic resource under CEQA.

- iv. Whether the removal of the resource will have a substantial adverse impact under CEQA;

Project Meets Criterion.

The Planning Department determined that the existing structure is not a historic resource. Therefore, the removal of the structure would not result in a significant adverse impact on historic resources under CEQA.

- v. Whether the Project converts rental housing to other forms of tenure or occupancy;

Project Meets Criterion.

The Project does not currently convert rental housing to other forms of tenure or occupancy. The proposal maintains one owner-occupied unit and rental unit. The owner does have the opportunity in the future to apply for a condominium conversion for Public Works and Planning to review, separate from the current application.

- vi. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance for affordable housing;

Project Does Not Meet Criterion.

The building was constructed circa 1908 as a single-family residence. It is the Planning Department’s position to assume that every unit is subject to the Residential Rent Stabilization and Arbitration Ordinance unless we receive a finding from an appropriate agency or body to the contrary. Although Planning Staff does not have the authority to make a determination on the rent control status of a property, it is to be assumed that the units to be demolished are subject to the Residential Rent Stabilization and Arbitration Ordinance.

- vii. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

Project Meets Criterion.

Although the Project proposes demolition of a two-bedroom unit located at the rear of the property, the Project results in one net new legal residential unit. The replacement structure includes a three-bedroom unit on the upper floors (Unit 2) and a two-bedroom unit on the ground floor (Unit 1).

- viii. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

Project Meets Criterion.

The replacement building compliments the neighborhood character with appropriate mass, scale, design, and materials, and improves cultural and economic diversity by appropriately increasing the number of bedrooms, which provide family-sized housing. The Project would yield a net gain of one legal residential unit and three bedrooms (five total) to the City's housing stock.

- ix. Whether the Project protects the relative affordability of existing housing;

Project Does Not Meet Criterion.

The Project does not protect the relative affordability of existing housing, as the Project proposes demolition of the existing building and construction of a replacement building.

- x. Whether the Project increases the number of permanently affordable units as governed by Section 415;

Criterion Not Applicable.

The Project is not subject to the provisions of Planning Code Section 415, as the Project proposes less than ten units.

- xi. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

Project Meets Criterion.

The Project has been designed to be in keeping with the scale and development pattern of the established neighborhood character. The proposal proposes a new construction building located entirely within the buildable area of the development lot.

- xii. Whether the Project increases the number of family-sized units on-site;

Project Meets Criterion.

The Project proposes a two-unit building with three- and two-bedrooms respectively.

- xiii. Whether the Project creates new supportive housing;

Project Does Not Meet Criterion.

The Project does not create supportive housing.

- xiv. Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

Project Meets Criterion.

The overall scale, design, and materials of the proposed building is consistent with the block-face and compliment the neighborhood character with a contemporary design. The Project involves demolishing structures (both legal and illegal) and replacing them with a new construction building within the buildable area of the project site.

- xv. Whether the Project increases the number of on-site Dwelling Units;

Project Meets Criterion.

The Project would result in one net new legal residential unit on the project site.

- xvi. Whether the Project increases the number of on-site bedrooms.

Project Meets Criterion.

The Project proposes five bedrooms: three bedrooms more than the existing building.

- xvii. Whether or not the replacement project would maximize density on the subject lot; and

Project Meets Criterion.

The Project proposes to maximize the density on the subject lot as the proposal includes two units on an RH-2 lot.

- xviii. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

Criterion Not Applicable.

The Project proposes replacing a unit the Department assumes is subject to the Residential Rent Stabilization and Arbitration Ordinance.

- 9. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications with the removal of Unauthorized Units. On balance, the Project does not comply with said criteria in that:

- i. Whether the Unauthorized Unit or Units are eligible for legalization under Section 207.3 of this Code;

Project Does Not Meet Criterion.

The Unauthorized Unit is eligible for legalization under this Planning Code Section. The Planning Department reviewed Rent Board records and did not find any eviction records that would preclude the Project from legalizing the existing Unauthorized Unit.

- ii. Whether the costs to legalize the Unauthorized Unit or Units under the Planning, Building, and other applicable Codes is reasonable based on how such cost compares to the average cost of legalization per unit derived from the cost of projects on the Planning Department's Master List of Additional Dwelling Units Approved required by Section 207.3(k) of this Code;

Project Meets Criterion.

Upon reviewing plans for the existing structure, the Department of Building Inspection determined that the Unauthorized Unit would need to be brought up to current Building Code requirements. Part of the required scope of work would be demolish said structure and to increase the height to meet the minimum 7'-6" ceiling height. Additionally, legalizing the Unauthorized Unit requires kitchen and bathroom relocations. DBI has reviewed the existing conditions noting building deficiencies and noted that the construction required to bring the Unauthorized Unit into compliance with the Building Code would cost approximately \$170,000. This figure is almost three times as much as the average cost to legalize Unauthorized Units, which is approximately \$58,000.

- iii. Whether it is financially feasible to legalize the Unauthorized Unit or Units. Such determination will be based on the costs to legalize the Unauthorized Unit(s) under the Planning, Building, and other applicable Codes in comparison to the added value that legalizing said Units would provide to the subject property. The gain in the value of the subject property shall be based on the current value of the property with the Unauthorized Unit(s) compared to the value of the property if the Unauthorized Unit(s) is/are legalized. The calculation of the gain in value shall be conducted and approved by a California licensed property appraiser. Legalization would be deemed financially feasible if gain in the value of the subject property is equal to or greater than the cost to legalize the Unauthorized Unit;

Project Meets Criterion.

After consultation with the Department of Building Inspection, the Project Sponsor solicited a bid from a licensed contractor to legalize the Unauthorized Unit. In their subsequent review, the contractor revised the estimated the construction costs, including soft costs such as design professional fees, to be approximately \$194,500. Additionally, the Project Sponsor hired The Real Estate Appraisal Company (TRAC) to determine the property value both with the Unauthorized Unit and if were to be legalized. TRAC opines that legalization of the Unauthorized Unit would increase the property value by \$127,500. (This figure is based on sale comparisons of buildings with two legal units and a single-family home with an Unauthorized Unit.) This figure represents the 75% recoverable cost of the estimated construction costs to legalize. The cost to legalize the Unauthorized Unit would constitute a financial hardship because the anticipated increase in value is less than the estimated cost to legalize such unit.

- iv. If no City funds are available to assist the property owner with the cost of legalization, whether the cost would constitute a financial hardship.

Criterion Not Applicable.

Currently there are no City funds available to assist the property owner with the cost of legalization.

- 10. **General Plan Compliance.** The Project is, on balance, is not consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:

Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

The Project proposes removal of an Unauthorized Unit that is eligible for legalization.

OBJECTIVE 3:

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.1:

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

The Project proposes removal of an Unauthorized Unit that is assumed to be subject to the Residential Rent Stabilization and Arbitration Ordinance.

Policy 3.4:

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

The Project proposes removal of an unauthorized studio that is naturally more affordable than the proposed two-bedroom unit.

OBJECTIVE 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFESTYLES.

Policy 4.1:

Develop new housing, and encourage the remodeling of existing housing, for families with children.

The Project proposes a new construction building with a two family-sized units.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character

Policy 11.5:

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

URBAN DESIGN

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.2:

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

The Project proposes demolition of one existing building and illegal addition, both entirely located within the required rear yard. Similar to other existing structures on the block-face, both proposed new construction building at the front of the property contains a garage at the ground floor that is to be set back 5' from the front property line with the upper habitable levels of each building set back 2 feet 6 inches from the front property line.

Policy 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The proposed replacement building better fits the existing context of the neighborhood as it is proposed at the front of the property. Additionally, the Project reflects the existing neighborhood character and development pattern, particularly by proposing a building of similar mass, width, and height as the existing structures along the block-face.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

The massing of the replacement building's primary front façade has been designed to be compatible with the prevailing street wall height, particularly the height and proportions of the adjacent buildings. Although interpreted in a contemporary architectural style, the proposed building proportions and exterior materials have been selected to be compatible with the adjacent buildings and the immediate neighborhood character.

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does not comply with said policies in that:

A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

Existing neighborhood-serving retail uses would not be displaced or otherwise adversely affected by the proposal, as the existing buildings do not contain commercial uses/spaces. The additional bedrooms in the replacement building would house more individuals to patronize the existing neighborhood-serving retail uses.

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

While the existing housing is proposed to be demolished, the proposal results in one net new residential unit and a net gain of two bedrooms. Further, the new unit will provide two bedrooms and will be more suitable to families with children than if the Unauthorized Unit is proposed to be legalized as a studio. However, the Project results in the loss of the Unauthorized Unit which is presumed to be subject to the Residential Rent Stabilization and Arbitration Ordinance.

C. That the City's supply of affordable housing be preserved and enhanced,

The Project proposes demolition of an existing single-family residence and Unauthorized Unit, which is presumed to be subject to the Residential Rent Stabilization and Arbitration Ordinance; thus the affordability of the existing housing on the project site are not preserved. However, the replacement building will provide a well-designed dwelling unit that contains additional bedrooms. Additionally, the Unauthorized Unit is proposed for removal of a potential studio unit which is more affordable than larger units in nature.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project would not have a significant adverse effect on automobile traffic congestion or create parking problems in the neighborhood. The Project would enhance neighborhood parking by providing two off-street parking spaces, where only one currently exists.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project is a residential project in an RH-2 District; therefore the Project would not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses would not be affected by the Project.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The replacement structure would be built in compliance with San Francisco's current Building Code Standards and would meet all earthquake safety requirements.

- G. That landmarks and historic buildings be preserved.

Landmark or historic buildings do not occupy the Project site.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will have no negative impact on existing parks and open spaces. The Project does not exceed the 40-foot height limit, and is thus not subject to the requirements of Planning Code Section 295 – Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission. The height of the proposed structure is compatible with the established neighborhood development.

12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
13. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **DISAPPROVES Conditional Use Application No. 2016-010185CUA** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 29, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

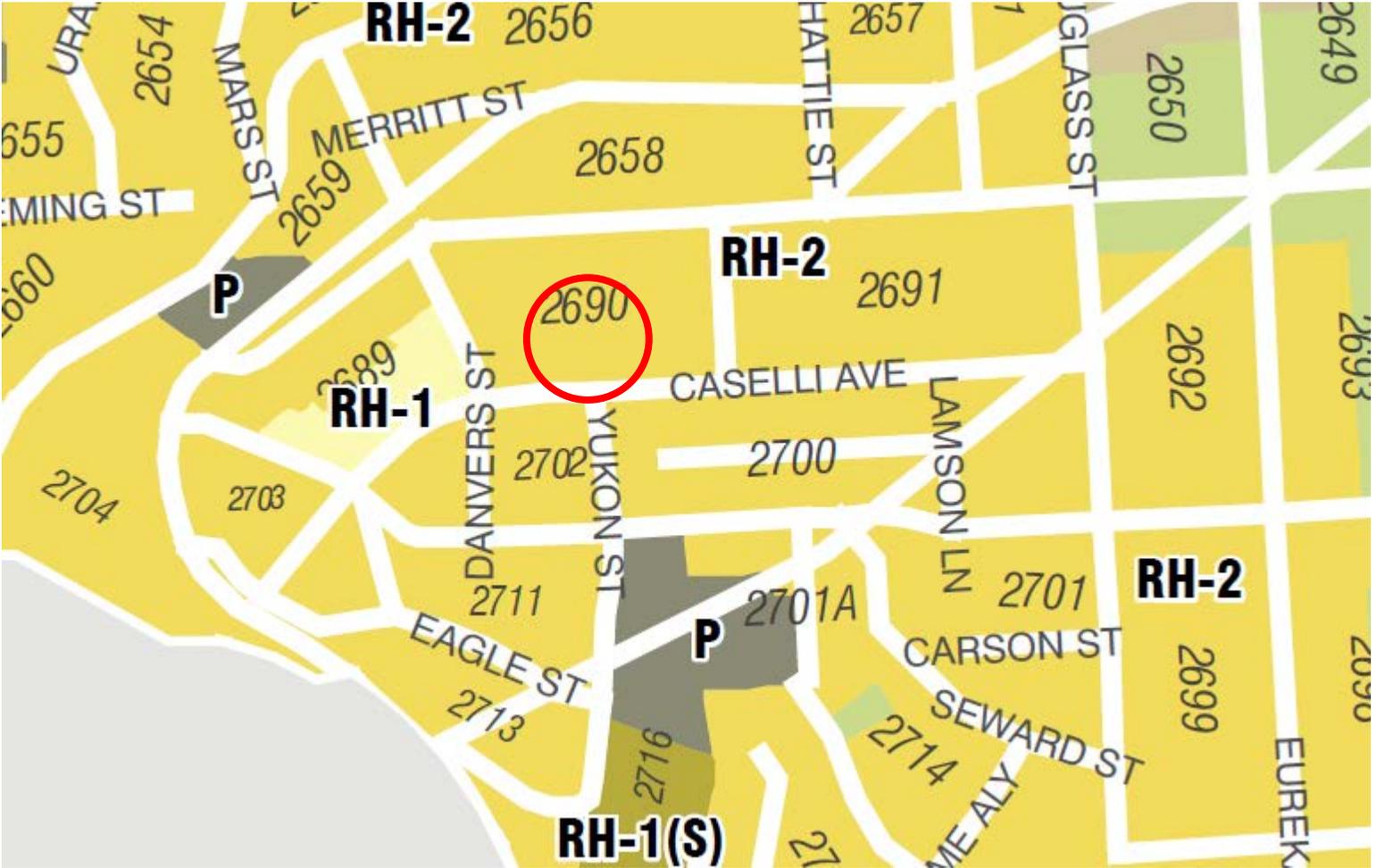
RECUSED:

ADOPTED: March 29, 2018

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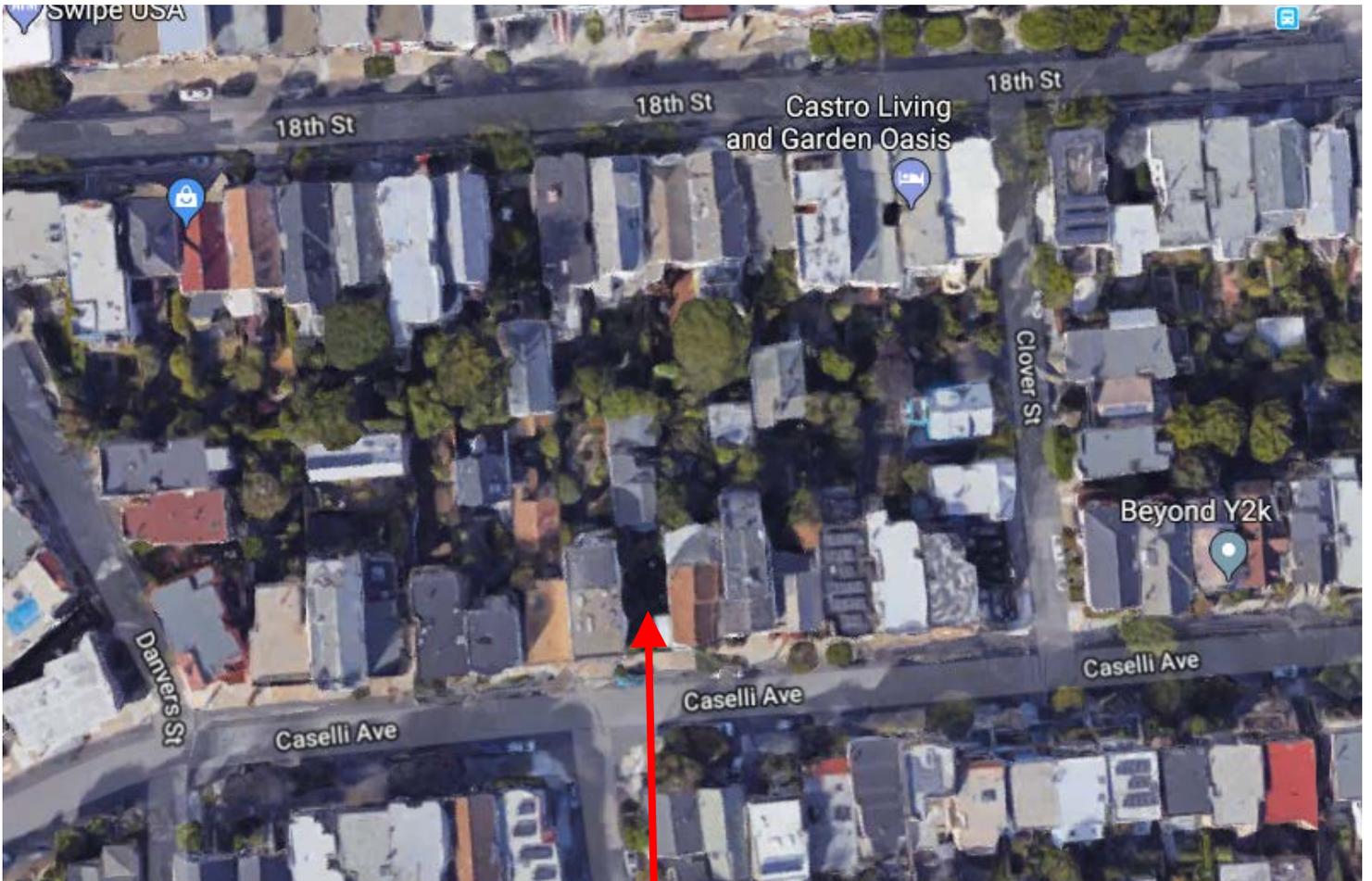
Exhibits

Zoning Map



Conditional Use Authorization/Variance
Case Number 2016-010185CUA
160 Caselli Street

Aerial Photo

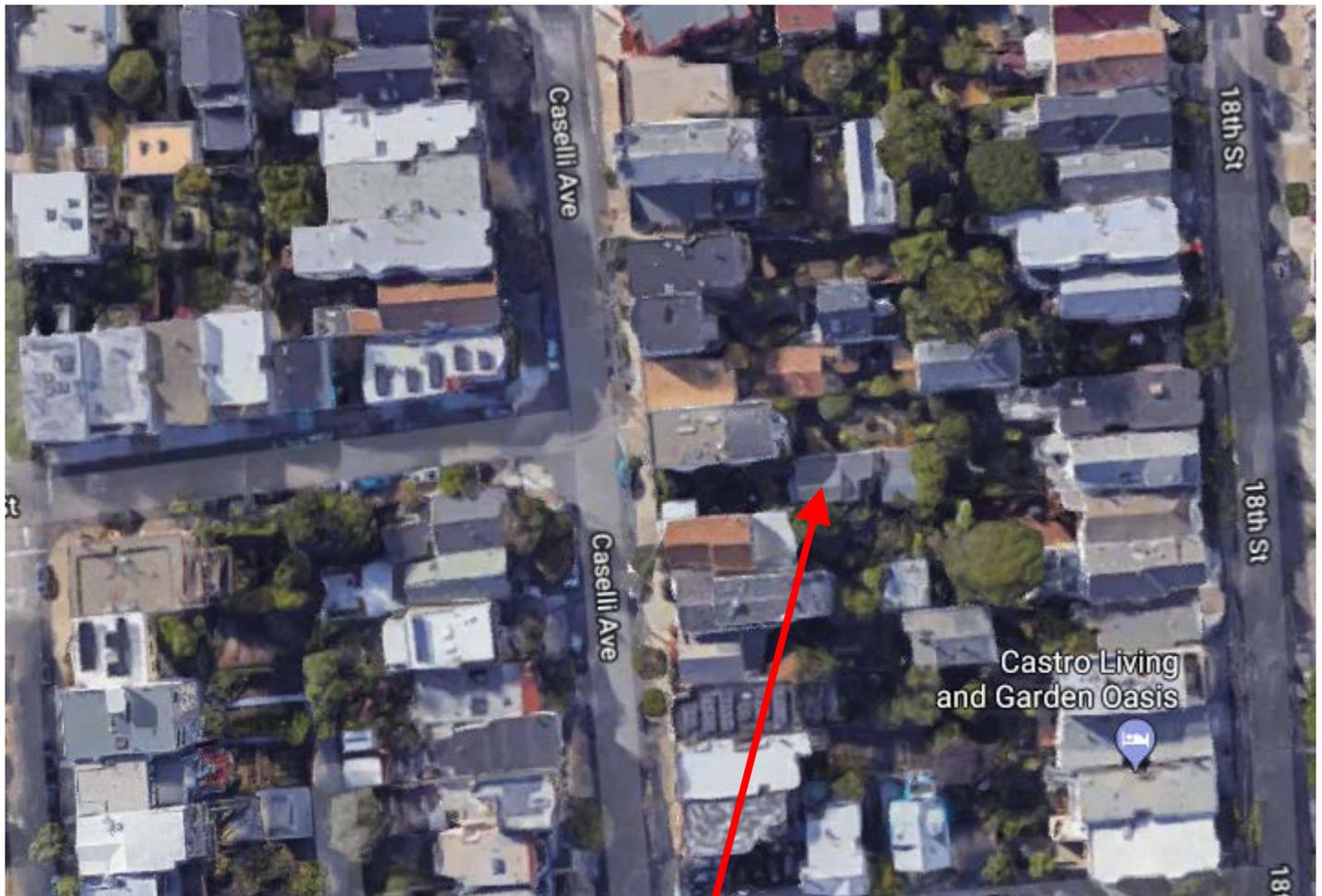


SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-010185CUA
160 Caselli Street

Aerial Photo

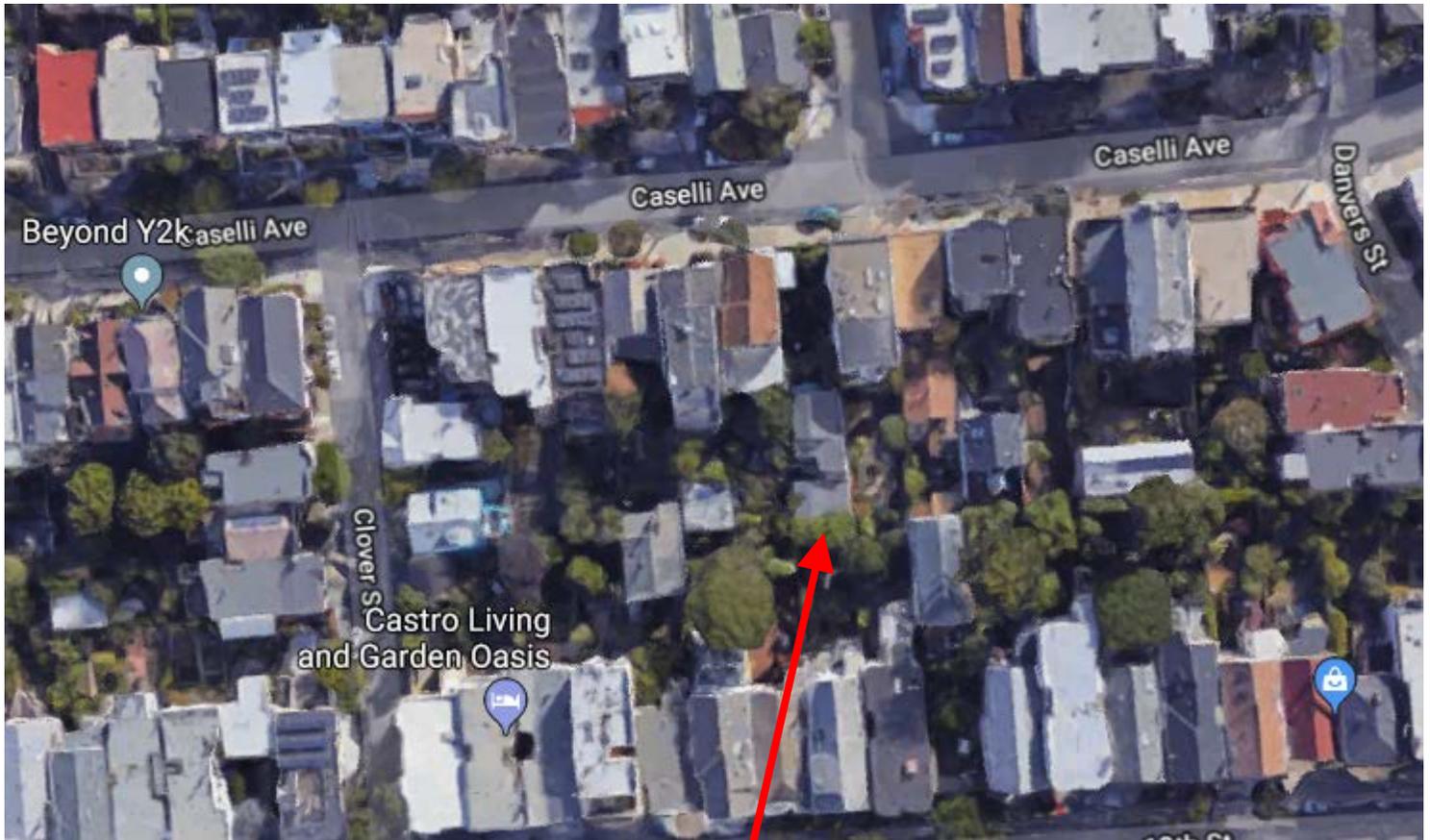


SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-010185CUA
160 Caselli Street

Aerial Photo

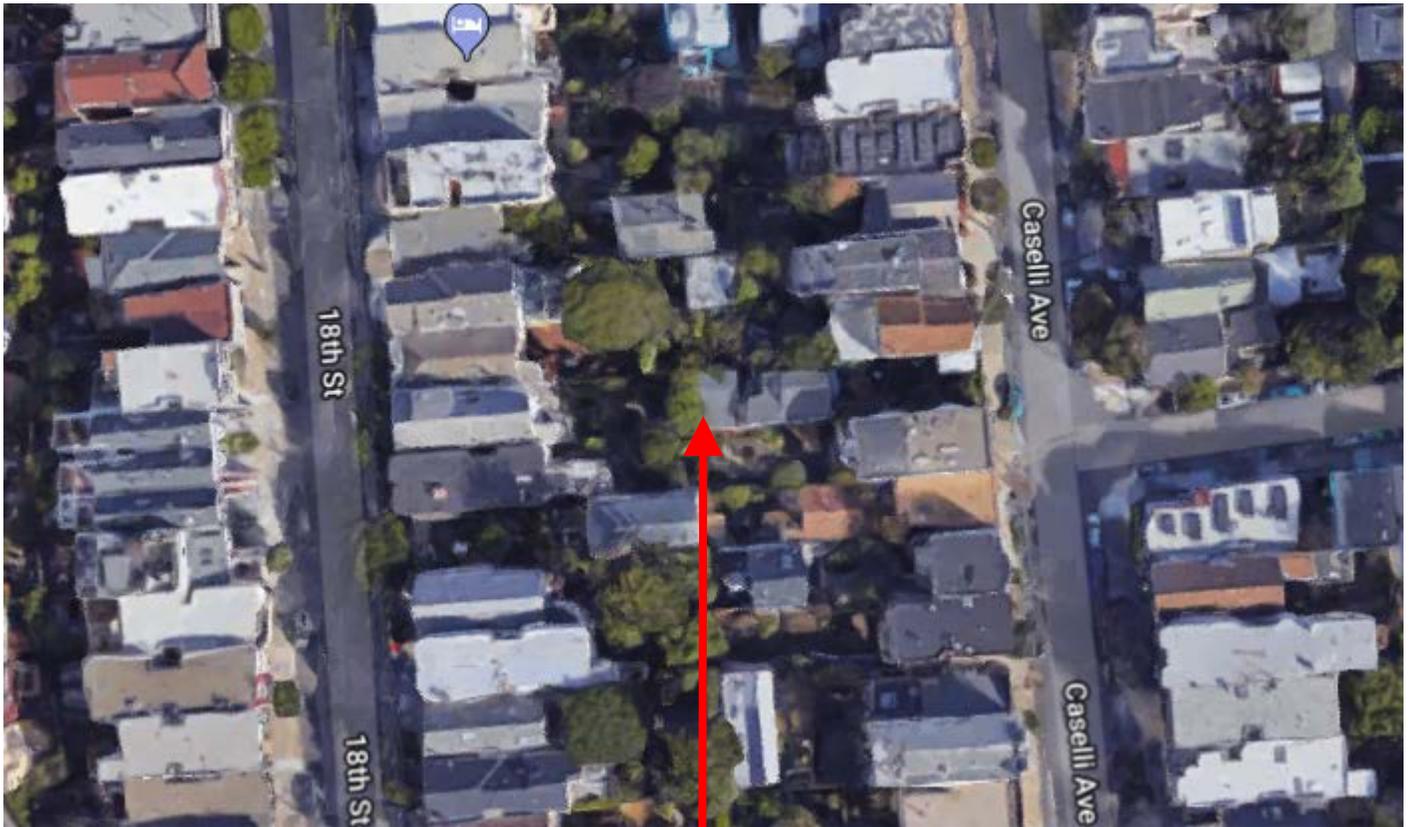


SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-010185CUA
160 Caselli Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-010185CUA
160 Caselli Street

Site Photo



SUBJECT PROPERTY

Conditional Use Authorization/Variance
Case Number 2016-010185CUA
160 Caselli Street

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SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
160 Caselli Avenue		2690/008	
Case No.	Permit No.	Plans Dated	
2016-010185ENV		06/07/2016	
<input type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Demolish an existing two-story, single-family home and covered carport and construct a new three-story building with two residential units.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Erica Russell	

Digitally signed by Erica Russell
DN: cn=Erica Russell, o=Environmental Planning,
ou=City Planning, email=erica.russell@sf.gov, c=US
Date: 2016.08.30 11:04:46 -0700

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

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

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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

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

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____</p>
<input checked="" type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <p><input type="checkbox"/> Reclassify to Category A <input checked="" type="checkbox"/> Reclassify to Category C</p> <p>a. Per HRER dated: <u>Per PTR form dated 9/29/16</u> <i>(attach HRER)</i></p> <p>b. Other <i>(specify)</i>:</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments <i>(optional)</i>:</p>	
<p>Preservation Planner Signature: Natalia Kwiatkowska</p> <p style="font-size: small; text-align: right;">Digitally signed by Natalia Kwiatkowska DN: dc=org, dc=sfgov, ou=CityPlanning, ou=Current Planning, cn=Natalia Kwiatkowska, email=Natalia.Kwiatkowska@sfgov.org Date: 2016.10.18 15:12:51 -07'00'</p>	

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

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Natalia Kwiatkowska</p>	<p>Signature:</p> <p>Natalia Kwiatkowska</p>
	<p>Project Approval Action:</p> <p>Building Permit</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Digitally signed by Natalia Kwiatkowska DN: dc=org, dc=sfgov, ou=CityPlanning, ou=Current Planning, cn=Natalia Kwiatkowska, email=Natalia.Kwiatkowska@sfgov.org Date: 2016.10.18 15:12:51 -07'00'</p>
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required. A TEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:		Date of Form Completion	9/29/2016
--	--	--------------------------------	-----------

PROJECT INFORMATION:		
Planner:	Address:	
Natalia Kwiatkowska	160 Caselli Avenue	
Block/Lot:	Cross Streets:	
2690/008	Danvers & Clover Streets	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2016-010185ENV

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

DATE OF PLANS UNDER REVIEW:	6/7/2016
------------------------------------	----------

PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Part I Historical Resource Evaluation prepared by Tim Kelley Consulting (dated June 2016).	
Proposed Project: Demolition of existing two-story, single-family home and new construction of a three-story building with two residential units.	

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

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

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

PRESERVATION TEAM COMMENTS:

According to the Historic Resource Evaluation prepared by Tim Kelley Consulting (dated June 2016), and information found in the Planning Department files, the subject property at 160 Caselli Avenue contains a two-story, wood-frame, single-family dwelling designed in the vernacular style. The building was constructed in 1907 (source: water tap records) by an unknown architect/builder. The house features rustic siding with fish-scale shingles at the gable peak and capped with a gable roof at the front, a flat roof at the center, and a gable roof in the rear. The original owner and occupant was William Charles F. Stohlmann, a gardener and conductor who lived in the house with his wife Elemmie and six children. Known exterior alterations include raising the existing building 11 feet and an addition of a bay window at front (1915), replacement of siding (1993), and reroofing (2000). Additional research shows the subject building was originally built as a one-story single-family dwelling at the front of the lot and moved to its current location towards the rear of the lot sometime between 1914 and 1919. Since Sanborn maps show a two-story, single-family dwelling at the rear of the lot by 1919, it is possible that the subject property was moved when it was raised in 1915. Additional research also shows the building was expanded at rear and later a front-facing gable roof structure was attached to the rear addition at an unknown date. Additional visual inspection also reveals that all of the windows and doors were replaced at an unknown date.

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

The subject property is not located within the boundaries of any identified historic district. The subject building is located in the Castro/Upper Market neighborhood, specifically in the Clover Heights subdivision of Corbett Heights on a block that exhibits a great variety of architectural styles, construction dates, and scale. While portions of Corbett Heights are identified as potential historic districts in the Draft "Corbett Heights, San Francisco Historic Context Statement", the subject property is not located within any of those boundaries.

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

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	10-7-2016

PART I HISTORICAL RESOURCE EVALUATION

160 CASELLI STREET

SAN FRANCISCO, CALIFORNIA



TIM KELLEY CONSULTING, LLC

HISTORICAL RESOURCES

2912 DIAMOND STREET #330

SAN FRANCISCO, CA 94131

415.337-5824

TIM@TIMKELLEYCONSULTING.COM

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ALLIANCES IN MEXICO
AND SRI LANKA

March 5, 2018

Commissioner Rich Hillis
President, Planning Commission
1660 Mission Street, 4th floor
San Francisco, CA, 94103

**Subject: Application for Conditional Use and Section 317 Applications for
160 Caselli Avenue, San Francisco (Case Number 2016-010185CUA)**

Dear Commissioner Hillis,

Karen Lee and Benjamin Wright (herein “Applicants”) propose to demolish a single-family home and an illegal studio that was constructed without a permit by a previous owner, and construct a new three-story building with two units suitable for families (“Project”) at 160 Caselli Avenue (“Property”). The illegal studio unit is attached to the single-family home by a shed roof that shelters the utility room between the single-family home and the illegal unit. Both buildings are located entirely in the required rear yard.

Conditional use authorization and approval of a Planning Code Section 317 application by this Commission is required to demolish the existing buildings in order to construct the Project within the buildable portion of the site and to restore the rear yard corridor. It is our understanding that the Planning Department (“Department”) will recommend that the Project be revised to include legalization of the illegal studio unit in the required rear yard, which would also reduce the depth of the garage level. The Project as proposed and the Department’s recommendation address different competing public interests.

The Department informed the Applicants that the illegal studio unit must be legalized and the single-family home can be demolished and replaced with a larger one at the front of the lot. In order to legalize the illegal studio unit, the Department of Building Inspection (“DBI”) requires demolition and construction of a new building to current Code requirements. The Department’s decision to legalize the illegal studio is directed at maintaining the housing stock, in kind, regardless of its legality.

DUANE MORRIS LLP

SPEAR TOWER, ONE MARKET PLAZA, SUITE 2200
SAN FRANCISCO, CA 94105-1127
DM2\8634665.2

PHONE: +1 415 957 3000 FAX: +1 415 957 3001

As will be fully discussed below, this Project proposes to replace the existing single-family home and the illegal studio unit with a three-bedroom townhouse and a two-bedroom ground floor unit with direct access to rear yard usable open space, as well as restoring the rear yard corridor, which is supported by the neighbors.¹ The Project will replace the illegal unit with a two-bedroom unit and enhance the block's interior rear yard open space corridor.

THE APPLICANTS

The Applicants purchased the Property in April 2016 and have lived there since. The Applicants have two sons, ages 9 and 11. Karen's parents, both 71 years of age, live in San Jose. Benjamin's parents, ages 75 and 73, live in Springfield, Massachusetts. Benjamin and Karen foresee a time when one or more of their parents will need assistance to live independently.

After purchasing the Property, the Applicants met with their architect to explore renovation and expansion of the existing building and the illegal studio unit into a two-unit building versus construction of a new two-unit building in the buildable area at the front of the lot. The goal of the renovation or new construction was to find a design that will meet the changing needs of the family's life cycles. All of the conceptual plans to renovate the current single-family home and reconstruct the illegal studio unit would not meet the changing needs of the Applicants' extended family.² Applicants decided demolition and construction of a new two-unit building that will replace the illegal unit on the ground floor and a rear yard would best serve the needs of Applicants while enhancing and restoring the rear yard interior open space corridor for the adjacent neighbors. The Project will complete the block face along Caselli Avenue by replacing the front property line fence and carport with a residential building. The Project is designed with the townhouse unit for the Applicants' family and the handicap accessible lower unit for Applicants' parents when they require support from the Applicants to live independently. Should the Applicants experience mobility problems in the future, they will occupy the lower unit with the upper unit occupied by a family member.

PROJECT SITE

The 3,025 square foot ("sq. ft.") 160 Caselli Avenue lot ("Site") (Assessor's Block 2890, Lot 8) is relatively flat with a slight uphill slope from the east to the west property line and is located in an RH-2 zoning district on the north side of Caselli Avenue. See block map attached hereto as **Exhibit 1**. The 25' x 121' Site is improved with a two-story, two-bedroom single-family home constructed in 1907 and a 441 sq. ft. illegal studio unit attached to the rear of the home by a shed roof. Both buildings are located in the required rear yard. A carport and a solid property line fence are located at the front of the lot. See the Plans attached to the case report

¹ The neighbor at 136 Caselli opposes the Project because his property line windows currently face 160 Caselli's open space located in the front portion of the lot. The proposed Project incorporates side setbacks and/or light wells to preserve the light and air access to all of the neighboring property line windows.

² Because the illegal unit would be demolished and Applicants were advised that approval for the Project would take a year, Applicants have used the illegal unit for their parents' visits and short-term rentals.

before the Commission which include photographs of the Site and Site vicinity on Sheets A0.3 and A0.4. See **Exhibit 2** for a photograph of the carport.³ See case report for aerial photographs.

The existing single family home is a one-story building with an attic floor and is a lawful non-complying structure because it is located entirely in the required rear yard. The attic floor has two bedrooms and a bathroom. The Applicants' bedroom is 7'-1" wide with a ceiling height ranging from 7'-2" to 7'-10". Their sons' bedroom has heights ranging from 6'-3" to 7'-2". The minimum height required for habitable space is 7'-6".

The illegal unit was constructed as a standalone building without a permit. In order to meet current Building Code requirements, DBI has stated that the illegal studio unit will need to be demolished because it requires a new foundation, framing, 1-hour fire rated walls and roof, compliance with Title 24 requirements, connecting the roof drainage to the main sewer, waterproofing, new electrical, new plumbing, new insulation, new sewer lateral, new independent electrical and gas meters, new front entry steps, removal of the kitchen and bathroom, raising a portion of the ceiling to meet the minimum height for habitable space, relocation and installation of a new kitchen, bathroom, hot water heater, eliminating windows that are too close to rear and side property lines, installing a larger window to meet light and ventilation requirements, and additional work to the exterior walls.

The immediate neighborhood includes single-family homes and two-unit residential buildings with three-story buildings being predominate. Both adjacent buildings are three stories high. The building to the west has no front setback from the front property line and the building to the east has a 5' front setback. See Sheet A0.1 and Sheet A0.3 of the plans attached to the case report. While the existing buildings in the Project vicinity have no uniform or prevailing architectural vocabulary with roof outlines ranging from flat to gable with varying pitches, the design of the individual buildings share common architectural features and complement each other.

PROPOSED PROJECT

The Project is the demolition of a 1,285 sq. ft. single-family home and the illegal 441 sq. ft. studio, constructed without a permit, and the construction of a new two-unit, 4,200 sq. ft., 32'-7" high building in the legal building envelope. The Project will restore the rear yard open space corridor now occupied by the existing buildings. See the Sanborn map showing the rear yard interior open space after the Project is completed that was prepared by the architect and is attached hereto as **Exhibit 3**.

³ The photograph is from page 6 of the Historic Resource Report prepared by Tim Kelley Consulting dated June 2016.

The ground floor will be set back 5' from the front property line, matching the front setback of the adjacent building to the east. The front facade of the second and third floors will be set back 5' on the east side and 2'-6" on the west side matching the neighboring buildings' front setbacks.

The ground floor will have a 606 sq. ft. garage with two independently accessible parking spaces, building services, two bicycle parking spaces, entrance lobby and an 866 sq. ft. two-bedroom, one-bath unit. The 41'- 2 ½" deep ground floor unit includes the 12' permissible intrusion into the required rear yard that will have direct access to the rear yard open space. The 54'-7 ½" deep 2,502 sq. ft. townhouse contains a living room, dining/kitchen/family area, powder room, and a small home office on the second floor. The third floor will have two bedrooms, one bathroom, a laundry room and an ensuite master bedroom. The townhouse will have 400 sq. ft. of private usable open space in the form of a rear deck at the second floor and both units will have access to the 1,180 sq. ft. rear yard common usable open space. See Sheets A2.1 and A2.2 of the plans attached to the case report.

The Project has been designed to preserve the light and air to the adjacent neighbors' property line windows. For the neighbor to the east, who has several property line windows, the rear 16'-8 ¼" of the east side of the Project will be set back 3'-7 ½" from the property line and there will be a reciprocal light well to ensure sunlight access to the kitchen window. A matching light well is provided for the neighbor to the west property line window. See Sheets A2.1 and 2.2 in the plans attached to the case report.

The Project provides two new family-sized units with a design focus on the lifecycle of the Applicants' extended family by providing a handicap accessible and adaptable unit on the ground floor suitable for family members as they age. The new two-bedroom, ground floor unit replaces the poorly designed illegal studio and adds a family-sized unit to the City's housing stock. The three-bedroom townhouse unit will allow each of the Applicants' sons to have their own bedroom.

**DEMOLITION OF THE SINGLE-FAMILY HOME AND
ILLEGAL UNIT IS WARRANTED**

The original Project proposed to demolish the existing home and illegal unit and to construct a new two-unit building with a ground floor unit behind the garage and a two-story, three-bedroom townhouse unit on the upper floors. However, no Section 317 application was submitted to address demolition of the illegal unit and the appraisal submitted did not provide information on the appraised value of the Property with two legal units versus a single-family home with an illegal studio unit. Legalization of the illegal studio unit will require that a rear yard variance be granted by the Zoning Administrator. Without adequate information to fully evaluate the Project, the Planning Department opined that the unauthorized unit is eligible for legalization under Section 207.3 and the illegal unit must be brought up to current Building Code requirements.

On August 15, 2017, the Project architect met with a DBI plan checker for a pre-application meeting, at which time the Project architect and the DBI plan checker discussed the scope of work necessary to renovate and bring the illegal studio unit up to current Building Code standards based on a scope of work and cost estimate by a licensed contractor estimate showing the construction costs for renovation of the illegal unit to be \$170,600. See **Exhibit 4** for a copy of the contractor's estimate to renovate the illegal unit to meet Building Code standards dated July 10, 2017. Accordingly, the architect prepared revised plans and an updated estimate showing construction costs for demolition and reconstruction of the illegal unit to be \$194,526. See **Exhibit 5** for a copy of the contractor's estimate to demolish and reconstruct the illegal unit dated September 1, 2017.

On September 1, 2017, the Project architect met with another DBI plan checker to discuss the scope of work for plans that includes the cost of demolishing the illegal unit. At the meeting, DBI again stated that demolition of the existing illegal unit and construction of a new replacement unit is required. DBI also advised the Project architect to include costs for a structural engineer to design the structural components (e.g., foundation, framing and shear walls) in the estimate. See **Exhibit 6** for e-mail correspondence between the Project architect and the DBI plan checkers' statements confirming that the illegal studio unit must be demolished and reconstructed. After review of the reconstruction costs, DBI reduced the replacement construction cost for the illegal studio unit to \$170,000 or \$385.49 per sq. ft. because the plumbing estimates were deemed to be excessive. See **Exhibit 7** for DBI's cost estimate letter dated September 7, 2017. The architect estimates the costs for the design professionals to be approximately \$11,300 bringing the total cost to legalize the illegal unit to \$181,300.00.

TRAC, a real estate appraisal company engaged by the Applicants opines that legalization of the illegal unit on the Property would increase the value of the Property by \$127,500, which would allow the Applicants to recoup only 75% of the legalization cost. TRAC's appraisal is based on sale comparisons of buildings with two legal units and a single-family home with an illegal unit. In this case, the cost of renovating the illegal unit is more than the increase in Property value. A copy of the TRAC appraisal is attached hereto as **Exhibit 8**.

The Applicants' mortgage company advised the Applicants that it will not include the illegal unit in the appraisal amount, but it may consider the illegal unit's square footage as a "bonus room." The Applicants cannot refinance their current mortgage to pay for legalization of the second unit until after the illegal unit is legalized and the Property's status is updated to be a legal two-unit building in the City's records (i.e. a 3-R report). Under Planning Code Section 317 criteria, legalization is considered to be financially infeasible if the cost to legalize would be 25% more than the increase in Property value. Therefore, the cost to legalize would constitute a financial hardship on the Applicants because the increase in value of the Property is less than the cost of legalization.

The appraised value of the land with the existing single-family dwelling is \$2,100,000.

See TRAC Appraisal, Exhibit 8. The single-family home proposed to be demolished was, is and will be owner-occupied and is not a rental unit or an affordable unit. Demolition and replacement of the single-family home will not affect the affordability of the existing housing stock. Currently, portions of the Applicants' bedroom and the children's bedroom in the existing single-family home do not meet minimum height standards for habitable space. The Conditional Use and Section 317 Applications were amended to update and provide additional information to the Planning Department. The e-mails regarding DBI's determination that it requires demolition of the illegal unit have been provided to the Planning Department.

The Planning Department Property Map website shows that the Property has no history of building code violations and is not a historic resource under CEQA. See Categorical Exemption issued for the Project attached to the case report. The previous owner occupied and the Applicants currently reside in the single-family home with their two children. The illegal studio unit was vacant when the Applicants purchased the property and has remained so since it was purchased. The Project will increase the total number of bedrooms from two to five (a three-bedroom unit and a two-bedroom unit) and is an appropriate development for an infill housing site.

For the sake of brevity, the General Plan Consistency findings from the attachment to the Conditional Use/Section 317 Applications is attached hereto as **Exhibit 9**. Please refer to pages 9 to 15 of the attachment to the Conditional Use/Section 317 Applications for a detailed discussion as to why demolition of the illegal studio unit and the single-family home is appropriate.

**THE PROJECT IS CONSISTENT WITH THE SECTION 303 CRITERIA FOR
GRANTING A CONDITIONAL USE**

Legalization of the existing, lawful non-complying, single-family home requires raising the height of the illegal studio unit building. Section 188(a) of the Planning Code provides that:

. . .[A] noncomplying structure as defined in Section 180 may be enlarged, altered or relocated, or undergo a change or intensification of use in conformity with the use limitations of this Code, *provided that with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code*, and provided the remaining requirements of this Code are met. [Emphasis added.]

Even if the illegal unit is treated as a lawful non-complying structure, the renovation cannot increase the height which is not allowed under Section 188, and Code complying expansion of the bathroom and kitchen will further reduce the habitable space. Reconstruction of the illegal studio unit would require a rear yard variance, which will be opposed by neighbors.

The public policy behind legalization of illegal units is preservation of existing housing in the City. Illegal units are generally built into the existing building envelope behind a garage or within the basement. In short, the illegal unit would be within the footprint of an existing building constructed with a lawful permit. In this case, the illegal unit is a standalone structure constructed without a permit and is not a lawful non-complying structure.⁴ The Building Code requires habitable space to have a 7'-6" minimum ceiling height for habitable space. In this case, a portion of the habitable space does not have the minimum 7'-6" ceiling height. The kitchen does not meet the Building Code minimum distance of 36" between the stove and the refrigerator or between the counter and the cabinet and shelves next to the refrigerator. The area, size and clearances of the bathroom fixtures do not meet the Building Code requirements. See **Exhibit 10** for photographs of the kitchen and bathroom.

In discussing this case with the Department, it appears that the facts surrounding the Project Site's illegal, standalone studio unit constructed without a permit are unique. This case is distinguishable from the 2622-2624 Greenwich case (herein "Greenwich Project") that this Commission heard on February 8, 2018. The Greenwich Project involves horizontal and vertical expansion of an existing three-story, two-unit building. The Greenwich Project, however, seeks to reallocate space between the two existing units by relocating the smaller unit from the first and second floors to the proposed first floor behind the garage and the larger unit on the expanded second, third and fourth floors. The proposed Greenwich Project would reduce the size of the smaller unit by approximately 20%, while expanding the larger unit by approximately 140%. The Commission discussion expressed grave concern that the smaller unit was reduced in size and consolidated into one floor, while the flat would be expanded to a townhouse unit with three floors. The Commission took discretionary review and continued the Greenwich Project with instructions to revise the design so that the size of the smaller relocated unit would be similar in size to the original unit. As a result of the Commission discussion on the Greenwich Project, the Department is applying the Commission's public policy to all units regardless of the particular facts of each case.

In this case, the illegal studio unit will be replaced by a two-bedroom, 866 square foot unit located behind the garage on the ground floor of the new two-unit building. The upper townhouse unit will be designed to meet the Applicants' family needs without the need of a rear yard variance. Only the adjacent neighbor to the east has expressed opposition to the Project because his property line windows face the Project Site's current front yard open space, notwithstanding that the Project has incorporated a rear side setback and a light well to preserve light and air access to all of his property line windows. The other neighbors who are affected by the existing buildings in the required rear yard support the Project because it would restore the Project Site's rear yard and, thus, enhance the mid-block interior open space corridor. See Support letters attached hereto as **Exhibit 11**. Moreover, the Project will add to the City's family

⁴ Both the Property Information Map and the Sanborn Map on the Planning Department website show that only one unit exists on the Project Site.

Commissioner Rich Hillis
March 5, 2018
160 Caselli Avenue
Page 8 of 9

housing stock by providing a three-bedroom owner occupied unit and a two-bedroom rental unit suitable for a family with children.

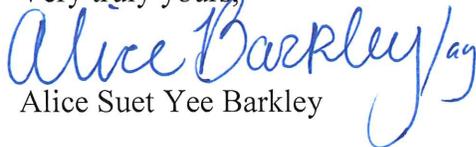
While the architecture on the block face is not uniform, the Project design complements the massing and height of the existing buildings on the block. The Project will integrate seamlessly into the existing streetscape. The Project design preserves and respects the existing neighborhood character and the light and air access to the neighbor's property line windows. For additional discussion of the Project's Compliance with Section 303 Criteria, please refer to the case report, the draft Motion for Approval, and the discussion on pages 4 to 9 of Exhibit 9.

CONCLUSION

The renovation costs to legalize the illegal studio unit have been verified by DBI. The costs (construction and design professionals) to renovate the illegal unit would exceed any increase in Property value by approximately forty-two thousand and five hundred dollars. The Applicants have been informed that they could not obtain financing to cover the costs to legalize the illegal unit until after the City's record shows two legal units on the Property.

The Project is designed to provide an environment that will meet the continuum of care for the lifecycle of the Applicants' family. The City does not have a sufficient inventory of family-sized units. Until the two-bedroom unit is occupied by their parents, it would be a rental unit. The Project will not reduce the number of units on the Site. Rather the Project will replace a two-bedroom unit and an illegal studio unit with a two-unit building containing a three-bedroom unit and a two-bedroom unit that will increase the City's family housing stock, enhance the Project block's interior rear yard open space and increase the light and air access to the adjacent rear yards. Thank you for your consideration of this matter.

Very truly yours,


Alice Suet Yee Barkley

Enclosures: Exhibits 1 through 11

cc: Commissioner Dennis Richards
Commissioner Joel Koppel
Commissioner Myrna Melgar
John Rahaim
Elizabeth Watty
Veronica Flores
Karen Lee
Amanda Graham

Commissioner Rodney Fong
Commission Milicent A. Johnson
Commissioner Kathrin Moore
Corey Teague
Delvin Washington
Ben Wright
Patrick Perez
File

LIST OF EXHIBITS

- | | |
|------------|---|
| Exhibit 1 | Block Map of Project Site |
| Exhibit 2 | Photograph of the Carport in the front set back area |
| Exhibit 3 | Sanborn Map showing rear yard interior open space |
| Exhibit 4 | Contractor's estimate to renovate the illegal unit dated July 10, 2017 |
| Exhibit 5 | Contractor's estimate to demolish and reconstruct the illegal unit dated September 1, 2017 |
| Exhibit 6 | E-mail correspondence between the Project Architect and the DBI plan checkers |
| Exhibit 7 | DBI estimate to legalize by reconstructing the illegal unit |
| Exhibit 8 | TRAC appraisal |
| Exhibit 9 | The General Plan Consistency findings from the Attachment to the Conditional Use/Section 317 Applications |
| Exhibit 10 | Photographs of the bathroom and kitchen in the illegal Unit |
| Exhibit 11 | Support Letters |

Exhibit 1

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CITY & COUNTY ASSESSOR 1995

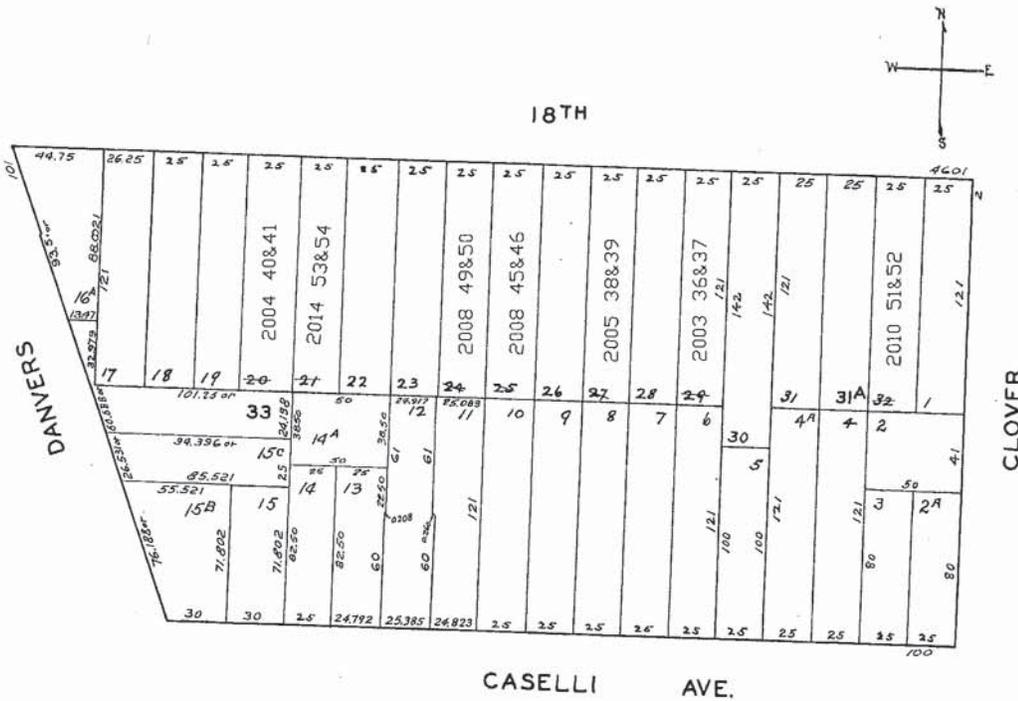
lot29 into lots36&37 For 2003 roll
lot20 into lots40&41 for 2004 roll
lot27 into lots 38&39 for 2005 roll
lot25 into lots45&46 for 2008 roll
lot24 into lots49&50 for 2008 roll
lot30 into lots42to44 for 2009 roll
lot17 into lots47&48 for 2009 roll
lot32 into lots51&52 for 2010 roll
lot21 into lots53&54 for 2014 roll

2690

PIOCHE & ROBINSON SUBS, BLK. 2

REVISED '76

Revised 2003
Revised 2004
Revised 2005
Revised 2008
Revised 2009
Revised 2010
Revised 2014



4635-4637 18TH ST.
A CONDOMINIUM

LOT	UNIT	% COMM. AREA
38	4635	50
39	4637	50

4675-4677 18TH ST.
A CONDOMINIUM

LOT	UNIT	% COMM. AREA
40	4675	48
41	4677	52

4627-4629 18TH ST.
A CONDOMINIUM

LOT	UNIT	% COMM. AREA
36	4627	75.00
37	4629	25.00

4653-4655 18TH ST.
A CONDOMINIUM

LOT	UNIT	% COMM. AREA
45	4653	50
46	4655	50

4657-4659 18TH ST.
A CONDOMINIUM

LOT	UNIT
49	4657
50	4659

Exhibit 2



Figure 3: Carport and concrete pathway, view from subject building

Exhibit 3

THESE SANBORN MAPS ARE DATED TO THE MID 1990'S
USE ONLY FOR HISTORICAL CONTEXT

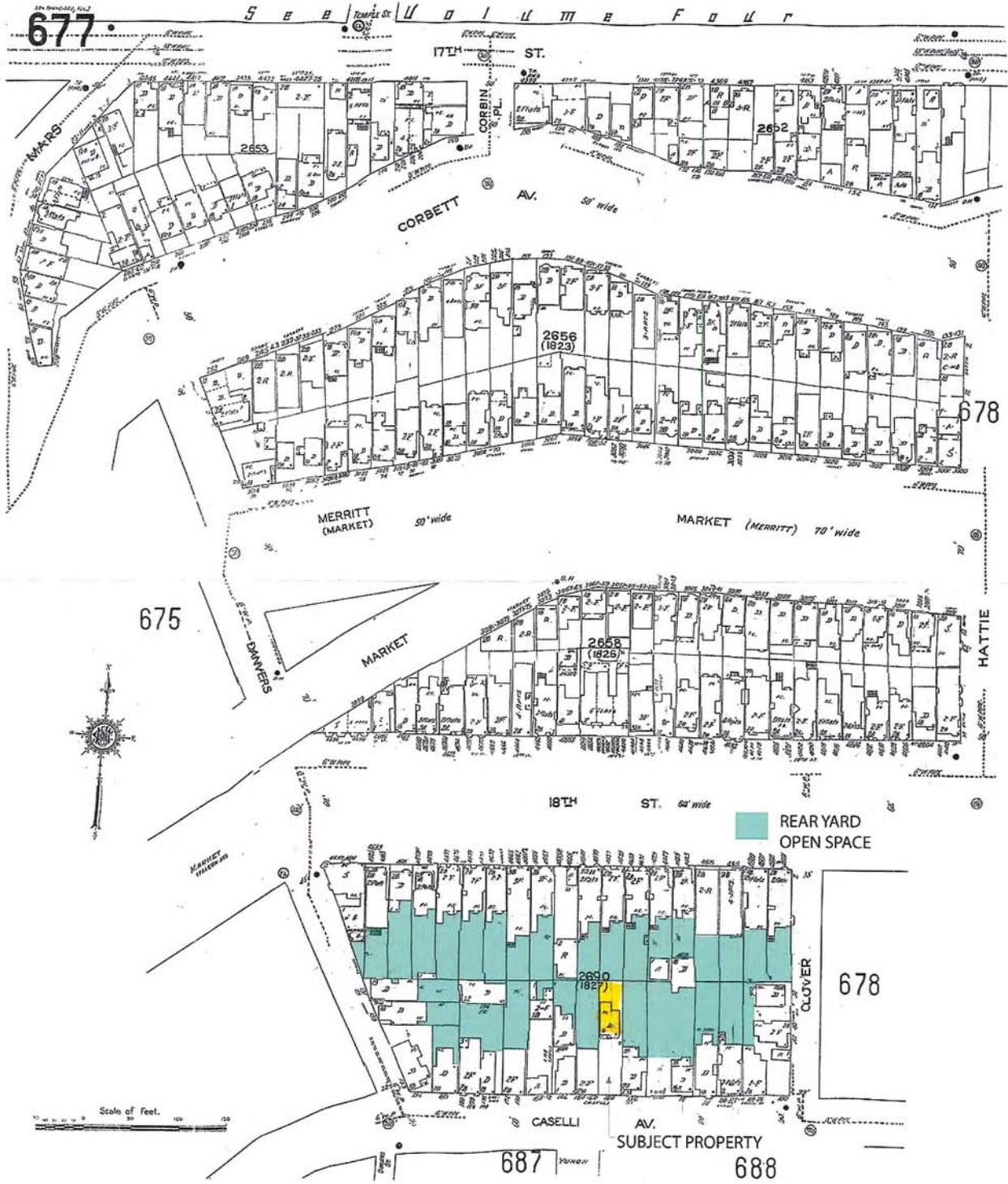


Exhibit 4

PROPOSAL

RAY TOM CONSTRUCTION INC.

1362 Geneva Avenue San Francisco, CA 94112 Lic. # 1005055
 Tel. (415) 584-3015 cell (415) 716-1088 fax (415) 333-6927

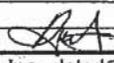
Proposal Submitted To:	Work to be Performed at:
Ben Wright	160 Caselli Ave
	San Francisco, CA 94114
	Date of Plans
We hereby propose to complete the following items per plan:	
1.) Renovate and enlarge bathroom, including lighting & electrical.	\$ 21,000
2.) Renovate kitchen, including lighting & electrical.	\$ 28,800
3.) New heater	\$ 4,000
4.) New larger windows	\$ 6,000
5.) New electrical	\$ 3,000
6.) New insulation	\$ 2,000
7.) New sewer lateral	\$ 30,000
8.) New independent electrical meter	\$ 4,000
9.) New independent gas meter	\$ 4,800
10.) New roofing & gutters	\$ 4,500
11.) New siding & paint	\$ 26,000
12.) New flooring	\$ 4,000
13.) Repair and replace a significant amount of framing & siding due to dryrot.	\$ 10,000
14.) Repair or shim foundation and framing due to sloping floor.	\$ 12,000
15.) Light and ventilation	\$ 2,000
16.) Infill property line window	\$ 2,500
17.) Rebuild and raise roof/ceiling in area next to property line to 8'-0" and meet code required 7'-6" minimum.	\$ 6,000
	Total \$ 170,600
NOTES: Owner pays permit plan fees if needed.	
All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of \$170,600.00 dollars.	
Respectfully submitted by 	
Per Ray Tom Construction Inc., dated 2/10/17	
Acceptance of Proposal	
The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment to be made as outlined above.	
Date	Signature

Exhibit 5

PROPOSAL

RAY TOM CONSTRUCTION INC.

1362 Geneva Avenue San Francisco, CA 94112 Lic. # 1005055
 Tel. (415) 584-3015 cell (415) 716-1088 fax (415) 333-6927

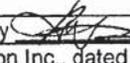
Proposal Submitted To:		Work to be Performed at:	
Ben Wright		160 Caselli Ave	
		San Francisco, CA 94114	
		Date of Plans	
We hereby propose to complete the following items per plan:			
1.)	Demolition	\$	10,000
2.)	Foundation	\$	20,000
3.)	New heater	\$	4,000
4.)	New larger windows & doors	\$	6,000
5.)	New electrical	\$	4,000
6.)	New insulation	\$	2,000
7.)	New sewer lateral & plumbing work	\$	40,000
8.)	New independent electrical meter	\$	4,000
9.)	New independent gas meter	\$	4,800
10.)	New roofing & gutters	\$	6,000
11.)	Drywall & finish carpentry & paint	\$	16,000
12.)	New flooring	\$	4,000
13.)	Framing & siding	\$	45,000
14.)	Tile work	\$	5,000
15.)	Kitchen & bath cabinets	\$	5,000
16.)	Plumbing & light fixtures	\$	6,000
17.)	Profit and overhead	\$	12,726
			Total
			\$ 194,526
NOTES: Owner pays permit & plan fees if needed. Also, all utilities' connection fees are paid by others.			
All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of \$194,526.00 dollars.			
Respectfully submitted by 			
Per Ray Tom Construction Inc., dated 9/1/2017			
Acceptance of Proposal			
The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment to be made as outlined above.			
Date		Signature	

Exhibit 6

From: patrick@designpad.net [mailto:patrick@designpad.net]
Sent: Thursday, February 22, 2018 5:07 PM
To: Kwok, Stephen (DBI) (stephen.kwok@sfgov.org) <stephen.kwok@sfgov.org>
Subject: 160 Caselli Ave.

Dear Stephen,

Thank you for getting back to me regarding 160 Caselli Avenue.

Per our conversation I am confirming that you have spoken to your colleague Jimmy Cheung and you agree with Jimmy's assessment of the cost estimate and the scope of work outlined in the drawings which includes demolition of the building.

Thank you again.

Best regards,

Patrick

designpad patrick perez architect
4040 harlan st. ste. c, emeryville, ca 94608
ph: 415.370.7269 f: 415.592.1598
e: patrick@designpad.net
www.designpad.net

From: Cheung, Jimmy (DBI) [mailto:jimmy.cheung@sfgov.org]
Sent: Wednesday, February 14, 2018 4:05 PM
To: patrick@designpad.net
Subject: RE: 160 Caselli Ave. demolition process with planning

My recollection matches what you wrote.

Jimmy Cheung, PE
Associate Engineer
Department of Building Inspection
1660 Mission St.
San Francisco, CA 94103

From: patrick@designpad.net [mailto:patrick@designpad.net]
Sent: Tuesday, February 13, 2018 2:20 PM
To: Cheung, Jimmy (DBI) <jimmy.cheung@sfgov.org>
Subject: 160 Caselli Ave. demolition process with planning

Dear Jimmy,

I hope this finds you well, if you recall we met on September 1st of last year to discuss the unit legalization for the existing rear yard structure at 160 Caselli Avenue. I shared with you the existing and proposed plans along with the contractor's cost estimate to legalize the structure. You had agreed with most of the costs but felt the costs to replace the sewer lateral was a bit high and in your subsequent letter to Veronica you adjusted our cost estimate down to reflect that.

Please let me know if that is your recollection of the meeting, please see the attached drawings and your letter for your reference.

Thank you,

Patrick

designpad patrick perez architect
4040 harlan st. ste. c, emeryville, ca 94608
ph: 415.370.7269 f: 415.592.1598
e: patrick@designpad.net
www.designpad.net



Virus-free. www.avg.com

Exhibit 7



September 07, 2017

Mr. Patrick Perez
4040 Harlen St Suite C
Emeryville, CA 94608

Re: 160 Caselli Ave Cost of Legalization

Dear Mr. Perez:

This letter is in response to the San Francisco Planning Department's request to confirm the construction costs to legalize the illegal unit at 160 Caselli Ave. I have compared the Architect's pre-application meeting package with the Department of Building Inspection's 2017 Cost Schedule and concluded that the cost of legalizing the unit to be approximately \$170,000. The pre-application meeting package contained architectural drawings by DesignPad dated 6/7/17 and a construction cost estimate by Ray Tom Construction (attachment A).

Factors that may affect construction costs include actual site conditions, seasonality, and the state of the local economy. As such, this letter should be used as an estimate for administrative purposes only.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jimmy Cheung".

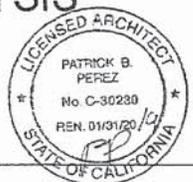
Jimmy Cheung, PE
Associate Engineer
Technical Services Division

For:
David Leung, Manager, Permit Submittal & Issuance
Dan Lowery, Deputy Director of Permit Services

CC: Veronica Flores San Francisco Planning Department

LEE WRIGHT RESIDENCE
 160 CASELLI AVE.
 SAN FRANCISCO, CA.

LEGALIZATION OF ILLEGAL UNIT:
 COST ANALYSIS



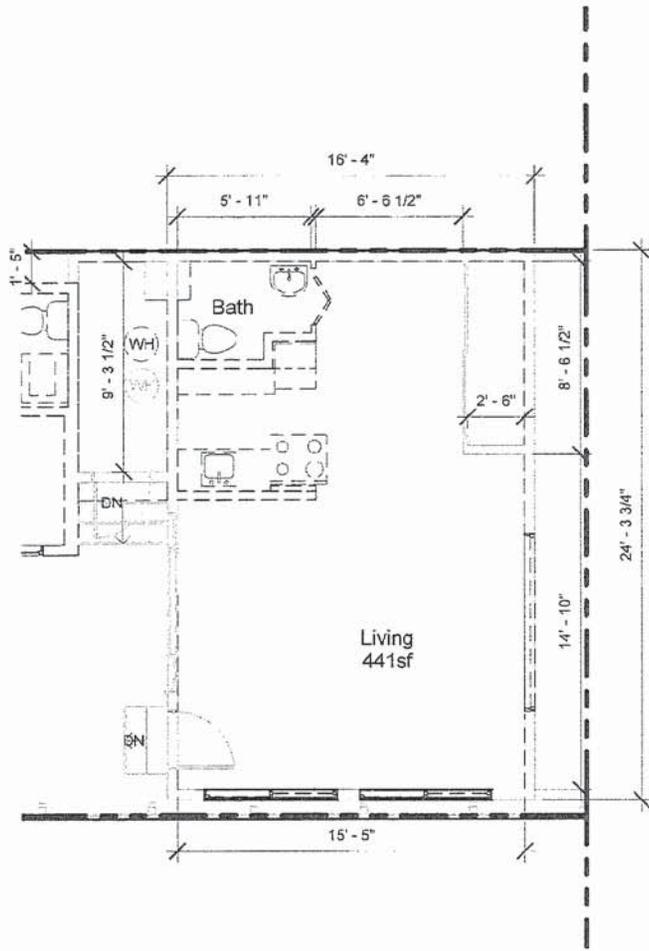
designpad patrick perez architect:
 4040 harlan st. ste. c, emeryville, ca 94608
 ph: 415.370.7269 f: 415.592.1598
 e: patrick@designpad.net
 www.designpad.net

ATTACHMENT A

Lee Wright Residence
 160 Caselli Ave. San Francisco 94114

No.	Description	Date

Title		asd0
Project number	-	
Date	2016 06 07	
Drawn by	Author	
Checked by	Checker	Scale



- DEMO BATHROOM AND KITCHEN, ALL FIXTURES AND FINISHES
- REMOVE ALL WINDOWS
- REMOVE FRONT STEPS

① Rear unit - existing
3/16" = 1'-0"



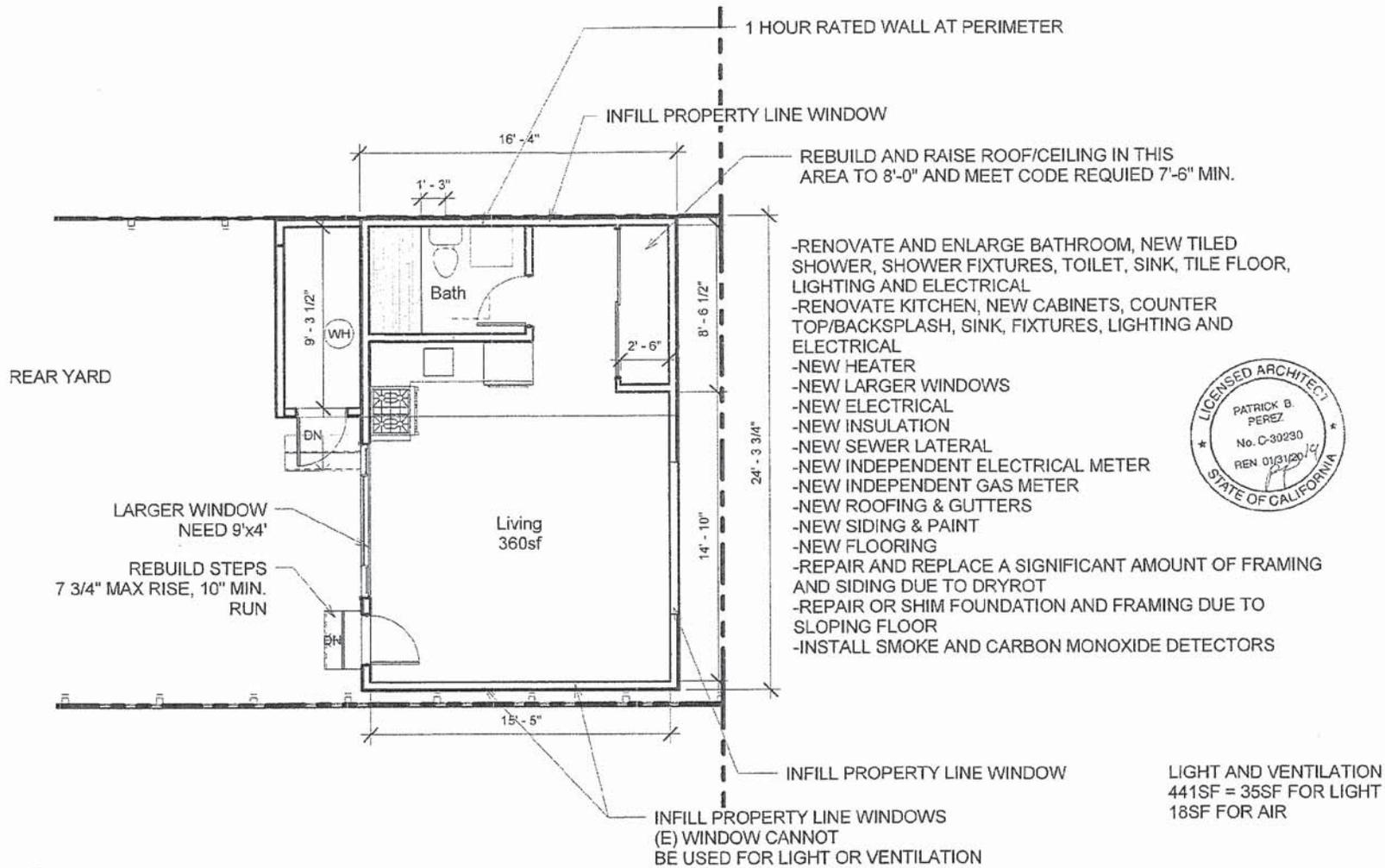
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Lee Wright Residence
160 Caselli Ave. San Francisco 94114

No.	Description	Date

Rear unit - existing

Project number	-	asd1
Date	2016 06 07	
Drawn by	Author	
Checked by	Checker	
Scale		3/16" = 1'-0"

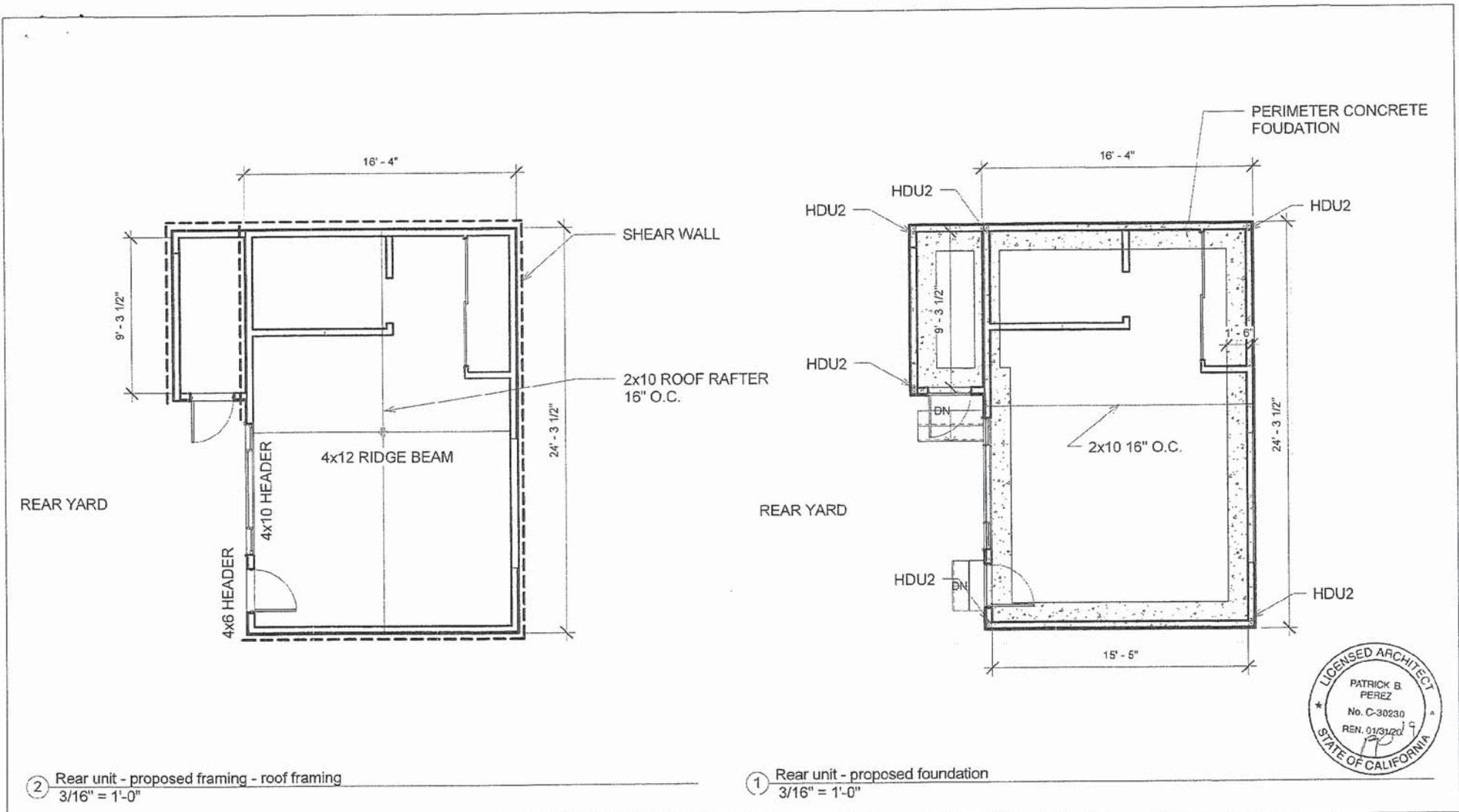


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Lee Wright Residence
 160 Caselli Ave. San Francisco 94114

No.	Description	Date

Rear unit - proposed		asd2
Project number	-	
Date	2016 06 07	
Drawn by	Author	
Checked by	Checker	Scale 3/16" = 1'-0"



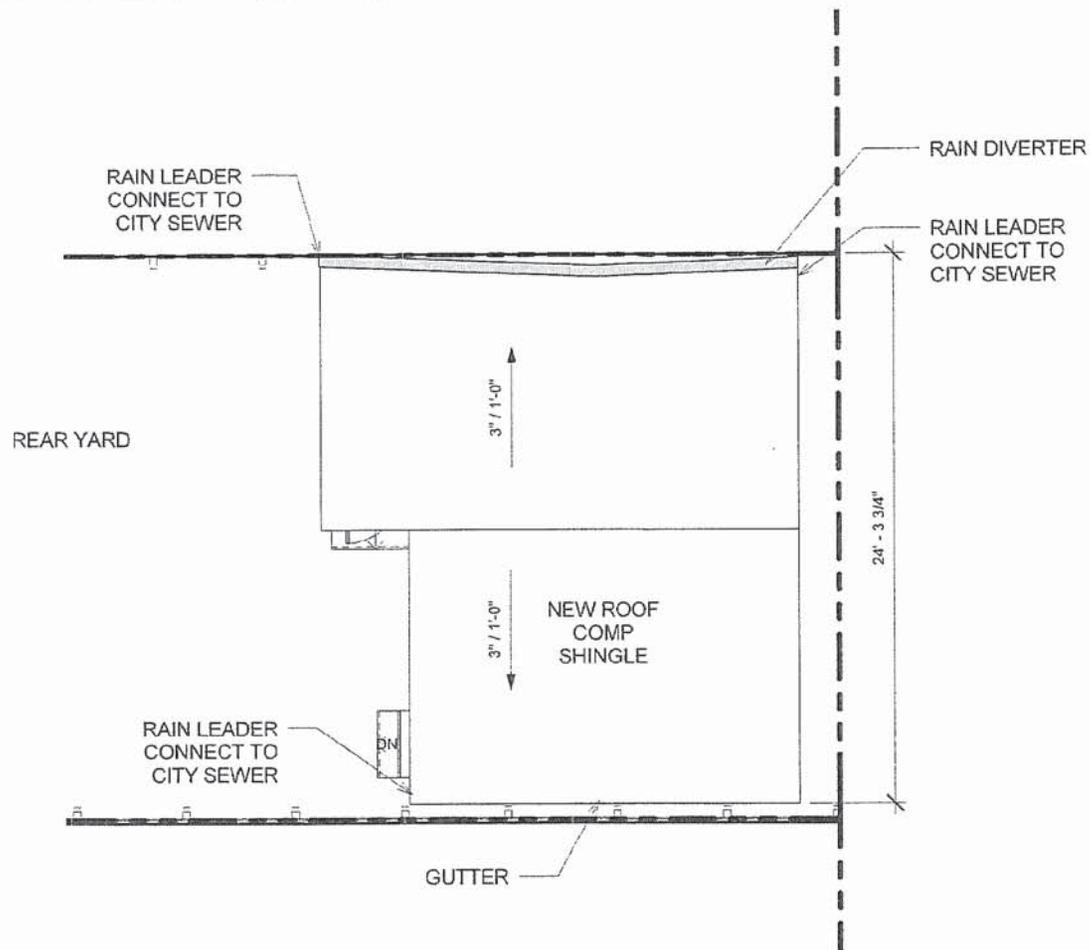
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 pn: 415.370.7269 | 415.592.1598
 e: patrick@designpad.net
 www.designpad.net

Lee Wright Residence
 160 Caselli Ave. San Francisco 94114

No.	Description	Date

Foundation and framing

Project number	-	asd3
Date	2016 06 07	
Drawn by	Author	
Checked by	Checker	
Scale		3/16" = 1'-0"



① Rear unit - proposed roof plan
3/16" = 1'-0"



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Lee Wright Residence
160 Caselli Ave. San Francisco 94114

No.	Description	Date

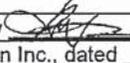
Roof plan

Project number	-	asd4
Date	2016 06 07	
Drawn by	Author	
Checked by	Checker	
Scale 3/16" = 1'-0"		

PROPOSAL

RAY TOM CONSTRUCTION INC.

1362 Geneva Avenue San Francisco, CA 94112 Lic. # 1005055
 Tel. (415) 584-3015 cell (415) 716-1088 fax (415) 333-6927

Proposal Submitted To:		Work to be Performed at:	
Ben Wright		160 Caselli Ave	
		San Francisco, CA 94114	
		Date of Plans	
We hereby propose to complete the following items per plan:			
1.)	Demolition	\$	10,000
2.)	Foundation	\$	20,000
3.)	New heater	\$	4,000
4.)	New larger windows & doors	\$	6,000
5.)	New electrical	\$	4,000
6.)	New insulation	\$	2,000
7.)	New sewer lateral & plumbing work	\$	40,000
8.)	New independent electrical meter	\$	4,000
9.)	New independent gas meter	\$	4,800
10.)	New roofing & gutters	\$	6,000
11.)	Drywall & finish carpentry & paint	\$	16,000
12.)	New flooring	\$	4,000
13.)	Framing & siding	\$	45,000
14.)	Tile work	\$	5,000
15.)	Kitchen & bath cabinets	\$	5,000
16.)	Plumbing & light fixtures	\$	6,000
17.)	Profit and overhead	\$	12,726
			Total
			\$ 194,526
NOTES: Owner pays permit & plan fees if needed. Also, all utilities' connection fees are paid by others.			
All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of \$194,526.00 dollars.			
Respectfully submitted by 			
Per Ray Tom Construction Inc., dated 9/1/2017			
Acceptance of Proposal			
The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment to be made as outlined above.			
Date		Signature	

ATTACHMENT A

Exhibit 8

APPRAISAL OF REAL PROPERTY



LOCATED AT

160 Caselli Ave
San Francisco, CA 94114
Lot 008, Block 2690

FOR

Benjamin Wright
160 Caselli Ave
San Francisco, CA

OPINION OF VALUE

2,100,000

AS OF

01/08/2018

BY

Robert V. Singer
TRAC - The Real Estate Appraisal Company
336 Claremont Blvd Suite #3
San Francisco, CA 94127
(415) 759-8892
tracappraisal@aol.com

TRAC - The Real Estate Appraisal Company
336 Claremont Blvd Suite #3
San Francisco, CA 94127
(415) 759-8892

01/17/2018

Benjamin Wright
160 Caselli Ave
San Francisco , CA

Re: Property: 160 Caselli Ave
San Francisco, CA 94114
Borrower: N/A
File No.: 23010062

Opinion of Value: \$ 2,100,000
Effective Date: 01/08/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

Sincerely,



Robert V. Singer
Certification #: AR016094
State: CA Expires: 07/20/2019
tracappraisal@aol.com

RESTRICTED APPRAISAL REPORT

File No.: 23010062

Property Address: 160 Caselli Ave	City: San Francisco	State: CA	Zip Code: 94114
County: San Francisco	Legal Description: Lot 008, Block 2690	Assessor's Parcel #: 2690-008	
Tax Year: 2017	R.E. Taxes: \$ 5,854	Special Assessments: \$ 0	Borrower (if applicable): N/A
Current Owner of Record: Wright	Occupant: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Manufactured Housing		
Property Type: <input checked="" type="checkbox"/> SFR <input type="checkbox"/> 2-4 Family <input type="checkbox"/>	# of Units: 1+Aux	Ownership Restriction: <input checked="" type="checkbox"/> None <input type="checkbox"/> PUD <input type="checkbox"/> Condo <input type="checkbox"/> Coop	
Market Area Name: Eureka Valley/Dolores Heights	Map Reference: 41884	Census Tract: 0204.01	<input type="checkbox"/> Flood Hazard

The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe)
This report reflects the following value (if not Current, see comments): <input type="checkbox"/> Current (the Inspection Date is the Effective Date) <input type="checkbox"/> Retrospective <input checked="" type="checkbox"/> Prospective
Approaches developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach <input type="checkbox"/> Other:
Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)
Intended Use: To provide the Planning Department with the value added gained by legalizing the rear unit to proceed with remodeling plans.
Under USPAP Standards Rule 2-2(b), this is a Restricted Appraisal Report, and is intended only for the sole use of the named client. There are no other intended users. The client must clearly understand that the appraiser's opinions and conclusions may not be understood properly without additional information in the appraiser's work file.
Client: Benjamin Wright Address: 160 Caselli Ave, San Francisco, CA 94127
Appraiser: Robert V. Singer Address: 336 Claremont Blvd Suite #3, San Francisco, CA 94127

FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	160 Caselli Ave San Francisco, CA 94114	4151-4153 23rd St San Francisco, CA 94114		338-340 27th St San Francisco, CA 94114		3987 19th St San Francisco, CA 94114	
Proximity to Subject		0.63 miles SE		1.19 miles SE		0.55 miles E	
Sale Price	\$	\$ 2100000		\$ 2200000		\$ 2275000	
Sale Price/GLA	\$ 0 /sq.ft.	\$ 940.44 /sq.ft.		\$ 876.49 /sq.ft.		\$ 1,083.33 /sq.ft.	
Data Source(s)	SFMLS/Realquest	SFMLS#460294		SFMLS#457465		SFMLS#457444	
Verification Source(s)	Inspection	Doc#K508653/Realquest		Doc#K462795/Realquest		DOC#K461028/Realquest	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION +(-) \$ Adjust.		DESCRIPTION +(-) \$ Adjust.		DESCRIPTION +(-) \$ Adjust.	
Sales or Financing Concessions		Conventional None noted		Conventional None noted		Conventional None Noted	
Date of Sale/Time		COE:08/30/2017		COE:06/14/2017		COE:06/08/2017	
Rights Appraised	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Location	Good	Good		Good		Good	
Site	3023 SF	2939 SF		2848 SF		1481 SF	
View	Average	Average		Average		Average	
Design (Style)	SFR w/Illegal Unit	Legal 2 Units		Legal 2 Units		Legal 2 Units	
Quality of Construction	Average	Average		Average		Average	
Age	110	91		112		106	
Condition	Average	Average		Average		Good	
Above Grade	Total Bdrms Baths	Total Bdrms Baths		Total Bdrms Baths		Total Bdrms Baths	
Room Count	7 3 2.1	8 4 2.0		8 4 2.0		10 5 3.0	
Gross Living Area	1,685 sq.ft.	2233 sq.ft.		2510 sq.ft.		2100 sq.ft.	
Basement & Finished Rooms Below Grade	0sf	0sf		0sf		0sf	
Functional Utility	Typical	Typical		Typical		Typical	
Heating/Cooling	Central/None	Central/None		Central/None		Baseboard/None	
Energy Efficient Items	Typical	Typical		Typical		Typical	
Garage/Carport	1-Car Offstreet	1-Car Garage		None		2-Car Garage	
Porch/Patio/Deck	Yard	Yard		Yard		Yard	
AUXILIARY UNIT	Included in GLA	Included in GLA		Included in GLA		Included in GLA	
Net Adjustment (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -62,200		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -28,800		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -155,300	
Adjusted Sale Price of Comparables		\$ 2,037,800		\$ 2,171,200		\$ 2,119,700	

Summary of Sales Comparison Approach See attached addenda.



RESTRICTED APPRAISAL REPORT

File No.: 23010062

TRANSFER HISTORY	My research <input checked="" type="checkbox"/> did <input type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.			
	Data Source(s): <u>MLS/RealQuest</u>			
	1st Prior Subject Sale/Transfer	Analysis of sale/transfer history and/or any current agreement of sale/listing: <u>The subject sold on 04/16/2016 for \$1,705,000 as a single family home with a non permitted auxiliary unit. The increase in value is due primarily to improved market conditions over the past 1.75 years.</u>		
	Date: <u>04/16/2016</u> Price: <u>1,705,000</u>			
MARKET	Source(s): <u>Public Record</u>			
	2nd Prior Subject Sale/Transfer			
	Date:			
	Price:			
Subject Market Area and Marketability: <u>The marketing and exposure time for the subject property is estimated to be under 3 months.</u>				
SITE	Site Area: <u>3023 SF</u>	Site View: <u>Average</u>	Topography: <u>Level</u>	Drainage: <u>Adequate</u>
	Zoning Classification: <u>RH2</u>	Description: <u>Two dwelling units per lot; up to one unit per 1500 sq.ft.</u>		
	Highest & Best Use: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain)	Zoning Compliance: <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal nonconforming (grandfathered) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning		
	Actual Use as of Effective Date: <u>Single Family Home w/ Auxiliary</u>	Use as appraised in this report: <u>Single Family Home w/Auxiliary</u>		
	Opinion of Highest & Best Use: <u>Single Family Home w/Auxiliary</u>			
	FEMA Spec'l Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone <u>N/A</u>	FEMA Map # <u>N/A</u>	FEMA Map Date	
Site Comments: <u>No adverse easements were noted at the time of inspection. No signs of environmental hazards or adverse soil conditions were noted. However, the appraiser is not considered an expert in these fields and it is possible that detection of such conditions could negatively impact the value conclusion. The subject is well located within the neighborhood.</u>				
IMPROVEMENTS	Improvements Comments: <u>See Attached</u>			
RECONCILIATION	Indicated Value by: Sales Comparison Approach \$ <u>2,100,000</u>			
	Indicated Value by: Cost Approach (if developed) \$ <u>N/A</u> Indicated Value by: Income Approach (if developed) \$ <u>N/A</u>			
	Final Reconciliation <u>Primary weight is given to the sales comparison approach as it best reflects the buyer's reaction in this market. The cost and income approaches are not necessary to develop credible results.</u>			
ATTACHMENTS	This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair: _____			
	<input type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.			
	Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ <u>2,100,000</u> , as of: <u>01/08/2018</u> , which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.			
SIGNATURES	A true and complete copy of this report contains <u>21</u> pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.			
	Attached Exhibits: <input checked="" type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting Cond./Certifications <input checked="" type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> Photograph Addenda <input checked="" type="checkbox"/> Sketch Addendum <input checked="" type="checkbox"/> Map Addenda <input checked="" type="checkbox"/> Additional Sales <input type="checkbox"/> Cost Addendum <input type="checkbox"/> Flood Addendum <input type="checkbox"/> Manuf. House Addendum <input checked="" type="checkbox"/> Hypothetical Conditions <input type="checkbox"/> Extraordinary Assumptions <input type="checkbox"/> _____			
SIGNATURES	Client Contact: _____ Client Name: <u>Benjamin Wright</u>			
	E-Mail: _____ Address: <u>160 Caselli Ave, San Francisco, CA 94127</u>			
	APPRaiser	SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)		
	Appraiser Name: <u>Robert V. Singer</u> Company: <u>TRAC - The Real Estate Appraisal Company</u> Phone: <u>(415) 759-8892</u> Fax: <u>(415) 759-8893</u> E-Mail: <u>tracappraisal@aol.com</u> Date of Report (Signature): <u>01/17/2018</u> License or Certification #: <u>AR016094</u> State: <u>CA</u> Designation: _____ Expiration Date of License or Certification: <u>07/20/2019</u> Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: <u>07/12/2017</u>			

ADDITIONAL COMPARABLE SALES

File No.: 23010062

FEATURE		SUBJECT			COMPARABLE SALE # 4			COMPARABLE SALE # 5			COMPARABLE SALE # 6		
Address		160 Caselli Ave San Francisco, CA 94114			44 Hartford St San Francisco, CA 94114			3765 21st St San Francisco, CA 94114					
Proximity to Subject					0.45 miles E			0.64 miles SE					
Sale Price		\$			\$ 2050000			\$ 2250000			\$		
Sale Price/GLA		\$ 0 /sq.ft.			\$ 918.05 /sq.ft.			\$ 1,150.31 /sq.ft.			\$ /sq.ft.		
Data Source(s)		SFMLS/Realquest			SFMLS#457181			SFMLS#462856					
Verification Source(s)		Inspection			DOC#455051K/Realquest			DOC#K533435/Realquest					
VALUE ADJUSTMENTS		DESCRIPTION			DESCRIPTION			DESCRIPTION			DESCRIPTION		
					+(-) \$ Adjust.			+(-) \$ Adjust.			+(-) \$ Adjust.		
Sales or Financing					Conventional			Conventional					
Concessions					None Noted			None Noted					
Date of Sale/Time					COE:05/24/2017			COE11/01/2017:					
Rights Appraised		Fee Simple			Fee Simple			Fee Simple					
Location		Good			Good			Good					
Site		3023 SF			2548 SF			2848 SF					
View		Average			Average			Good			-125,000		
Design (Style)		SFR w/Illegal Unit			SFR w/Illegal Unit			SFR w/Illegal Unit			0		
Quality of Construction		Average			Average			Average					
Age		110			117			102					
Condition		Average			Average			Average					
Above Grade		Total	Bdrms	Baths	Total	Bdrms	Baths	Total	Bdrms	Baths	Total	Bdrms	Baths
Room Count		7	3	2.1	7	3	2.1	8	4	2.0	+20,000		
Gross Living Area		1,685 sq.ft.			2233 sq.ft.			1956 sq.ft.			-40,700		
Basement & Finished Rooms Below Grade		0sf			0sf			0sf					
Functional Utility		Typical			Typical			Typical					
Heating/Cooling		Central/None			Central/None			Central/None					
Energy Efficient Items		Typical			Typical			Typical					
Garage/Carport		1-Car Offstreet			None			None			+75,000		
Porch/Patio/Deck		Yard			Yard			Yard					
AUXILIARY UNIT		Included in GLA			Included in GLA			Included in GLA					
Net Adjustment (Total)					<input type="checkbox"/> + <input checked="" type="checkbox"/> -			<input type="checkbox"/> + <input checked="" type="checkbox"/> -			<input type="checkbox"/> + <input type="checkbox"/> -		
Adjusted Sale Price of Comparables					\$ -7,200			\$ -70,700			\$		
Summary of Sales Comparison Approach					\$ 2,042,800			\$ 2,179,300			\$		

SALES COMPARISON APPROACH



Supplemental Addendum

File No. 23010062

Borrower	N/A						
Property Address	160 Caselli Ave						
City	San Francisco	County	San Francisco	State	CA	Zip Code	94114
Lender/Client	Benjamin Wright						

3-Year Appraisal Notice:

I certify that I have performed appraisal services, as an appraiser regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

Scope to the assignment:

The intended use of this report is to estimate the contributory value that would be gained (or lost) by converting the rear structure to a legal auxiliary unit (in-law) for use by the .

Existing Configuration:

The subject is a Victorian era structure which appears to have been expanded and reconfigured over the years. According to public records, the dwelling is noted to be 1716 square feet single family home. The rear +-360 square foot structure appears to be recognized as legal living area and currently functions as an in-law unit with no direct access to the main house. The 2 structures are connected by a storage area which currently contain the hot water heaters. The cost to incorporate the 2 structures to provided direct interior access from the main house would be minimal. No 3R report was provided for review.

Summary of Sales Comparison Approach:

The appraiser has conducted a 12 month search for comparable properties within the subject's immediate neighborhood and in similar and competing neighborhoods. Those comparables utilized in this report are considered the best available at the time of the inspection and most representative of the subject property. Adjustments are based on market data, matched pair analysis, and/or the appraiser's experience in the market area. These adjustments are considered to reflect the typical buyer's reaction based on the principle of substitution.

SITE: Based on market data and the appraiser's experience in the market area, differences in lot sizes over 500 square feet are adjusted at \$50 per square foot difference.

VIEWS: Differences in views are based on market data and are made relative to the subject property.

ROOM COUNT: No adjustment is given for differences in bedroom count as this is reflected in the overall square footage adjustment. Per market data, 1/2 bathrooms are adjusted at \$20,000 each.

SQUARE FOOTAGE: According to current market data, differences in living area 100 square feet are adjusted at \$150/sq. ft. (rounded to the nearest \$500). For the purpose of comparison the unwarranted living area for Comparables #4 and #5 have been included in the GLA.

PARKING: Comparables are adjusted at \$75,000 per off street space difference based on market data and the appraiser's experience in the market area. This adjustment also considers the general lack of street parking throughout the neighborhood.

Proposed Work To convert to 2 legal units:

Per the client, the estimated cost to convert the rear structure to a legal auxiliary unit is +-\$170,000 which includes but is not limited to structural, foundation, electrical and plumbing and insulation, new kitchens and bathroom to bring the illegal second unit to Building Code standard. Most of these types of improvements are not fully recoverable in the marketplace.

RECONCILIATION:

Analysis of comparable sales: Comparables #1, #2 and #3 are legal 2 unit buildings and Comparables #4 and #5 are single family homes with additional unwarranted (non-permitted) in-law units similar to the subject property. Based on a side by side comparison, the market does not appear to recognize a premium for legal vs. non-permitted living space.

Supplemental Addendum

File No. 23010062

Borrower	N/A						
Property Address	160 Caselli Ave						
City	San Francisco	County	San Francisco	State	CA	Zip Code	94114
Lender/Client	Benjamin Wright						

INCREASE IN VALUE BASED ON LIST OF IMPROVEMENTS PROVIDED:

Per the owner, the cost to renovate and legalize the rear unit would be +-\$170,000 (see attached cost proposal). However, a some of the expenses noted are not considered to be fully recoverable in the marketplace. Such expenses include foundation upgrading, plumbing upgrading, sewage upgrading electrical upgrading, insulation, siding etc. Based on market data and the appraiser's experience in the market area, the appraiser estimates a 75% return on dollars invested:

\$170,000 (cost to improve) X .75 (recoverable cost) = \$127,500 (added-value).

Final Reconciliation:

The estimated increase in value to converting the existing living area into a legal Auxiliary unit is:

\$127,500 (One Hundred Twenty Seven Thousand Five Hundred Dollars)

Current as is value: \$2,100,000

Hypothetical value with a Remodeled Legal Auxiliary Unit: \$2,227,500

Assumptions, Limiting Conditions & Scope of Work

File No.: 23010062

Property Address: 160 Caselli Ave

City: San Francisco

State: CA

Zip Code: 94114

Client: Benjamin Wright

Address:

Appraiser: Robert V. Singer

Address: 336 Claremont Blvd Suite #3, San Francisco, CA 94127

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance value, and should not be used as such.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a 'home inspection' and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Under USPAP Standards Rule 2-2(c), this is a Restricted Use Appraisal Report, and is intended only for the sole use of the named client. There are no other intended users. The client must clearly understand that the appraiser's opinions and conclusions may not be understood properly without additional information in the appraiser's work file.

In developing this appraisal, the appraiser has incorporated only the Sales Comparison Approach. The appraiser has excluded the Cost and Income Approaches to Value, due to being inapplicable given the limited scope of the appraisal. The appraiser has determined that this appraisal process is not so limited that the results of the assignment are no longer credible, and the client agrees that the limited scope of analysis is appropriate given the intended use.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

Certifications

File No.: 23010062

Property Address: 160 Caselli Ave	City: San Francisco	State: CA	Zip Code: 94114
Client: Benjamin Wright	Address:		
Appraiser: Robert V. Singer	Address: 336 Claremont Blvd Suite #3, San Francisco, CA 94127		

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

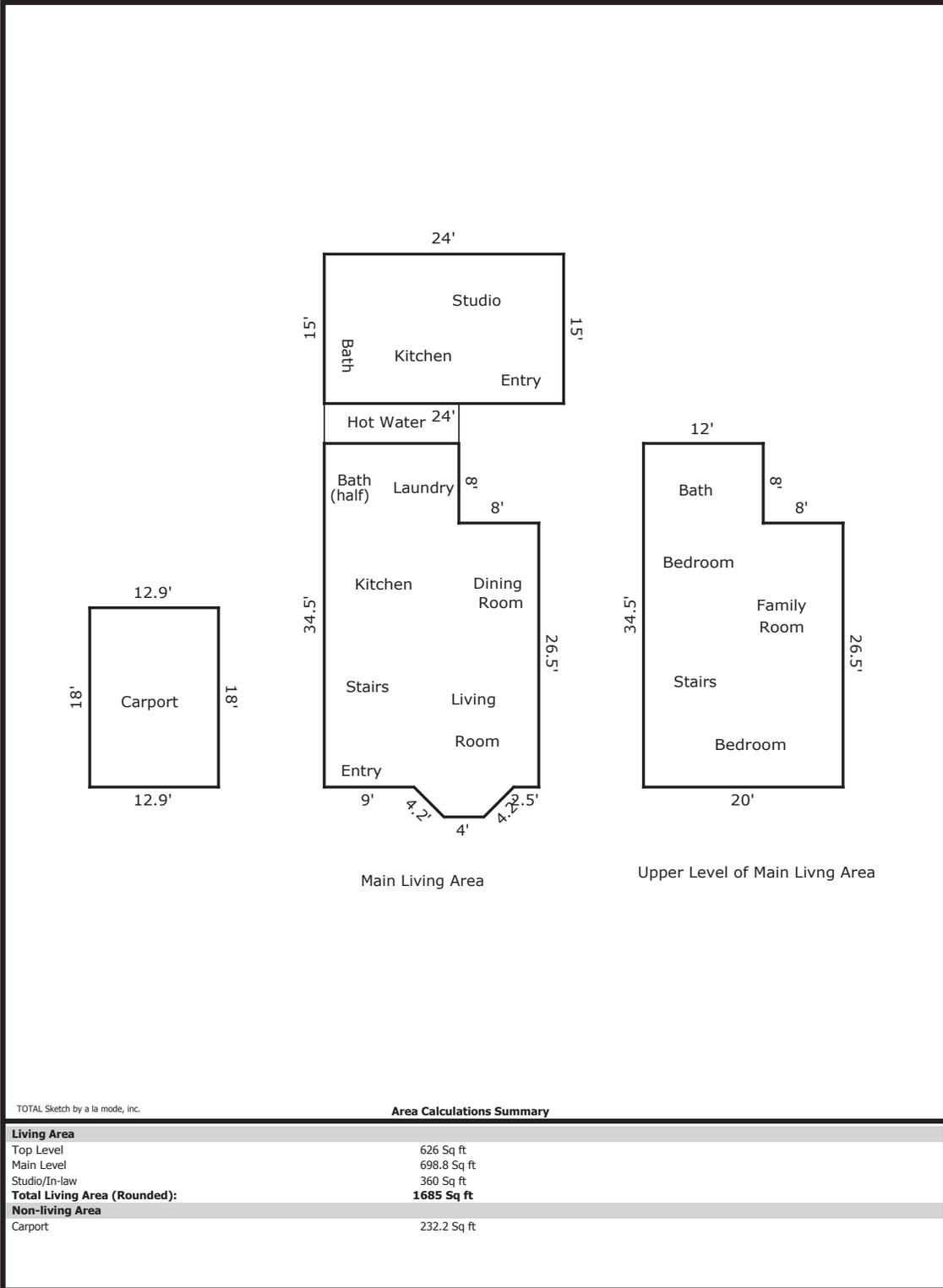
* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Client Contact: _____	Client Name: Benjamin Wright
E-Mail: _____	Address: _____

<p>APPRAISER</p> <p style="text-align: center;"></p> <p>Appraiser Name: Robert V. Singer</p> <p>Company: TRAC - The Real Estate Appraisal Company</p> <p>Phone: (415) 759-8892 Fax: (415) 759-8893</p> <p>E-Mail: tracappraisal@aol.com</p> <p>Date Report Signed: 01/17/2018</p> <p>License or Certification #: AR016094 State: CA</p> <p>Designation: _____</p> <p>Expiration Date of License or Certification: 07/20/2019</p> <p>Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None</p> <p>Date of Inspection: 07/12/2017</p>	<p>SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)</p> <p>Supervisory or Co-Appraiser Name: _____</p> <p>Company: _____</p> <p>Phone: _____ Fax: _____</p> <p>E-Mail: _____</p> <p>Date Report Signed: _____</p> <p>License or Certification #: _____ State: _____</p> <p>Designation: _____</p> <p>Expiration Date of License or Certification: _____</p> <p>Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None</p> <p>Date of Inspection: _____</p>
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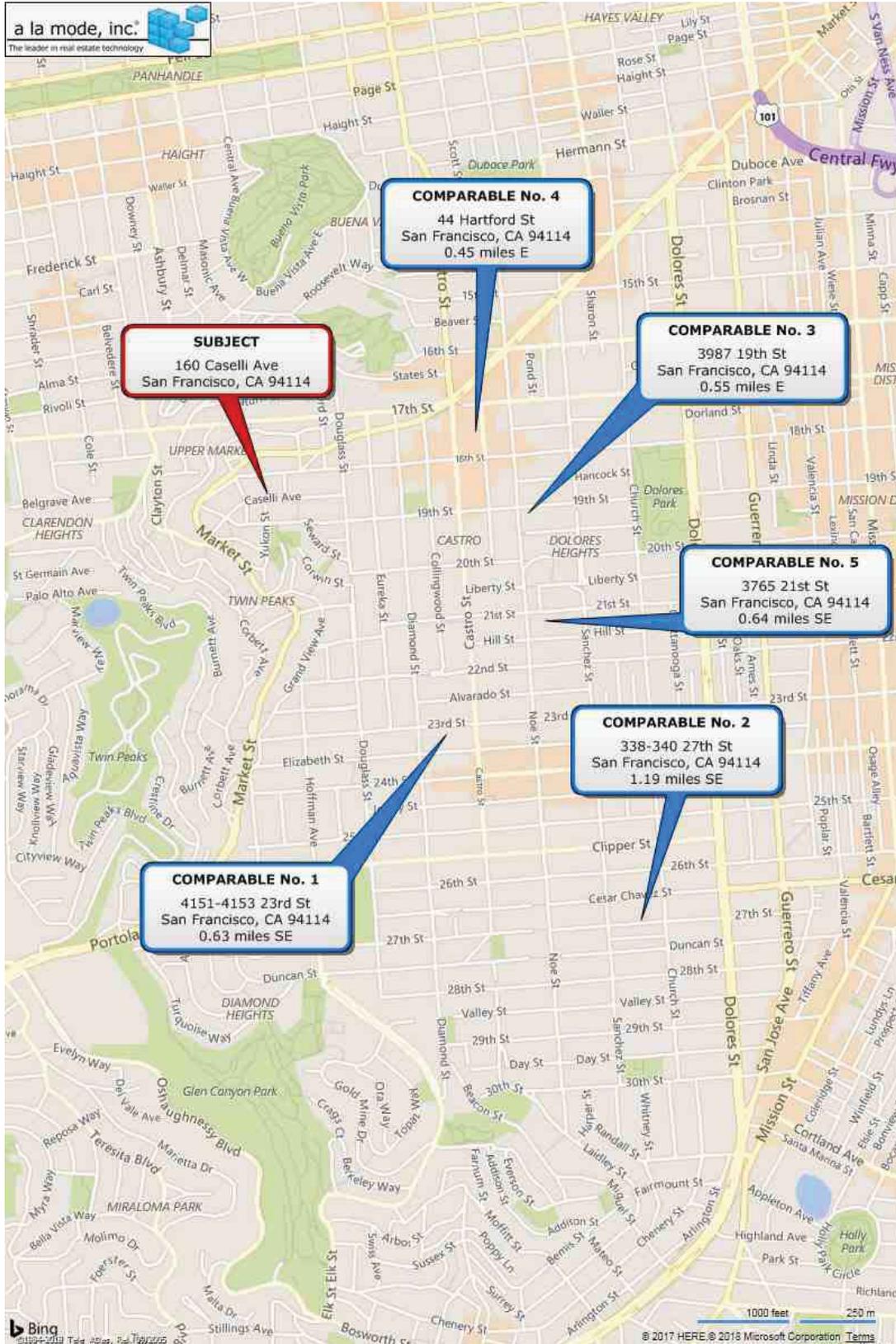
Building Sketch

Borrower	N/A				
Property Address	160 Caselli Ave				
City	San Francisco	County	San Francisco	State	CA
Zip Code	94114				
Lender/Client	Benjamin Wright				



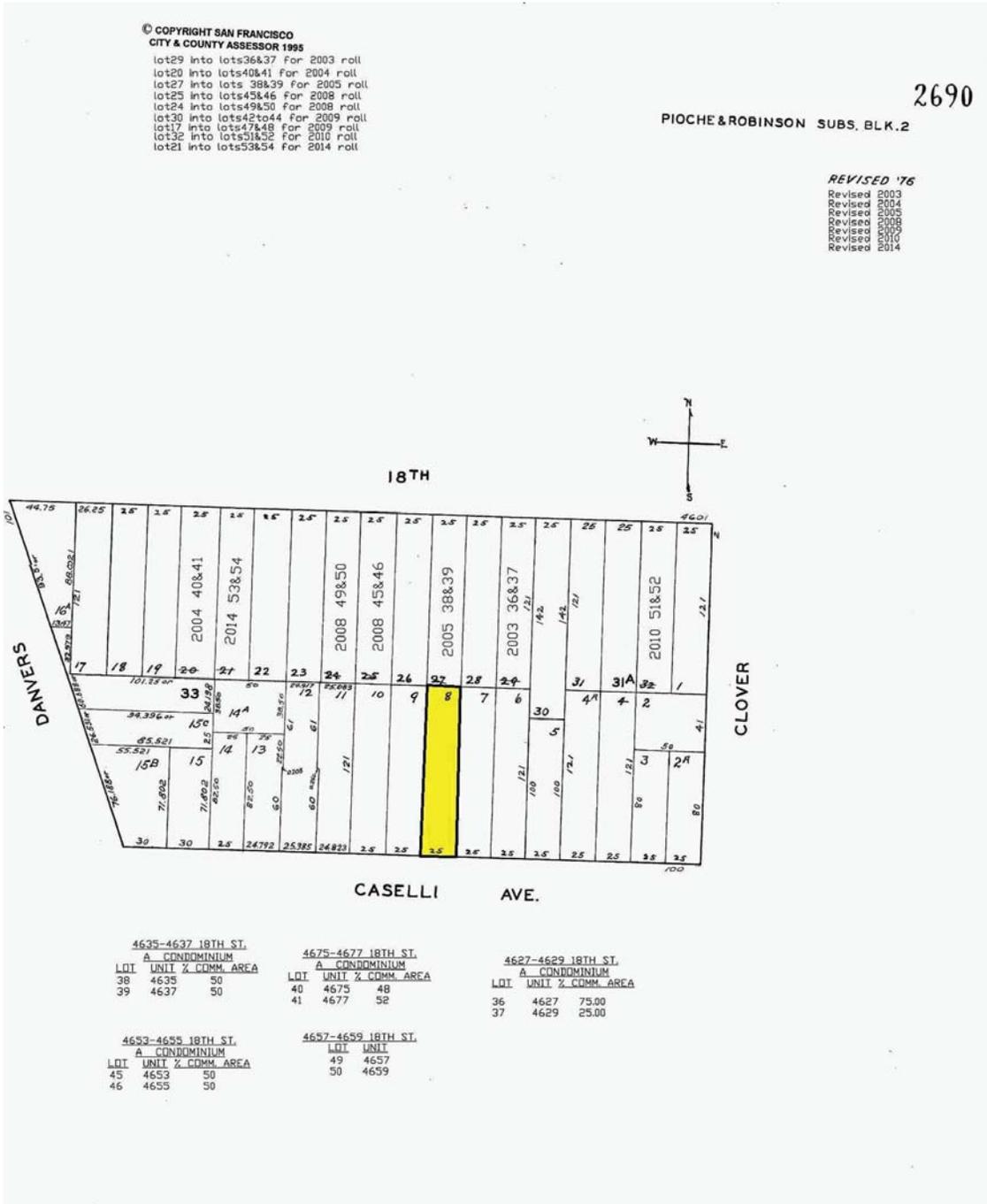
Location Map

Borrower	N/A				
Property Address	160 Caselli Ave				
City	San Francisco	County	San Francisco	State	CA
Lender/Client	Benjamin Wright	Zip Code	94114		



Plat Map

Borrower	N/A						
Property Address	160 Caselli Ave						
City	San Francisco	County	San Francisco	State	CA	Zip Code	94114
Lender/Client	Benjamin Wright						



Appraiser's License

Borrower	N/A				
Property Address	160 Caselli Ave				
City	San Francisco	County	San Francisco	State	CA Zip Code 94114
Lender/Client	Benjamin Wright				



Business, Consumer Services & Housing Agency
BUREAU OF REAL ESTATE APPRAISERS
REAL ESTATE APPRAISER LICENSE

Robert V. Singer

has successfully met the requirements for a license as a residential real estate appraiser in the State of California and is, therefore, entitled to use the title:

“Certified Residential Real Estate Appraiser”

This license has been issued in accordance with the provisions of the Real Estate Appraisers' Licensing and Certification Law.

BREA APPRAISER IDENTIFICATION NUMBER: AR 016094

Effective Date: July 21, 2017
Date Expires: July 20, 2019


Jim Martin, Bureau Chief, BREa

3036191

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO SEE - CHAIN LINK

Subject Photos

Borrower	N/A				
Property Address	160 Caselli Ave				
City	San Francisco	County	San Francisco	State	CA Zip Code 94114
Lender/Client	Benjamin Wright				



Subject Front

160 Caselli Ave
 Sales Price
 Gross Living Area 1,685
 Total Rooms 7
 Total Bedrooms 3
 Total Bathrooms 2.1
 Location Good
 View Average
 Site 3023 SF
 Quality Average
 Age 110



Subject Main House



Subject Street

Interior Photos

Borrower	N/A						
Property Address	160 Caselli Ave						
City	San Francisco	County	San Francisco	State	CA	Zip Code	94114
Lender/Client	Benjamin Wright						



Rear unit



Interior (rear)



Interior (rear)



Interior (rear)



Interior (rear)



Storage area connecting the 2 areas

Interior Photos

Borrower	N/A				
Property Address	160 Caselli Ave				
City	San Francisco	County	San Francisco	State	CA Zip Code 94114
Lender/Client	Benjamin Wright				



Storage area connecting the 2 areas



Main House



Main House (Interior)



Main House (Interior)



Main House (Interior)



Main House (Interior)

Interior Photos

Borrower	N/A						
Property Address	160 Caselli Ave						
City	San Francisco	County	San Francisco	State	CA	Zip Code	94114
Lender/Client	Benjamin Wright						



Main House (Interior)



Main House (Interior)



**Front Yard
(Improvements located at the rear of the site)**

Comparable Photos 1-3

Borrower	N/A				
Property Address	160 Caselli Ave				
City	San Francisco	County	San Francisco	State	CA
Lender/Client	Benjamin Wright		Zip Code	94114	



Comparable 1

4151-4153 23rd St
 Prox. to Subject 0.63 miles SE
 Sales Price 2100000
 Gross Living Area 2233
 Total Rooms 8
 Total Bedrooms 4
 Total Bathrooms 2.0
 Location Good
 View Average
 Site 2939 SF
 Quality Average
 Age 91



Comparable 2

338-340 27th St
 Prox. to Subject 1.19 miles SE
 Sales Price 2200000
 Gross Living Area 2510
 Total Rooms 8
 Total Bedrooms 4
 Total Bathrooms 2.0
 Location Good
 View Average
 Site 2848 SF
 Quality Average
 Age 112



Comparable 3

3987 19th St
 Prox. to Subject 0.55 miles E
 Sales Price 2275000
 Gross Living Area 2100
 Total Rooms 10
 Total Bedrooms 5
 Total Bathrooms 3.0
 Location Good
 View Average
 Site 1481 SF
 Quality Average
 Age 106

Comparable Photos 4-6

Borrower	N/A						
Property Address	160 Caselli Ave						
City	San Francisco	County	San Francisco	State	CA	Zip Code	94114
Lender/Client	Benjamin Wright						



Comparable 4

44 Hartford St
 Prox. to Subject 0.45 miles E
 Sales Price 2050000
 Gross Living Area 2233
 Total Rooms 7
 Total Bedrooms 3
 Total Bathrooms 2.1
 Location Good
 View Average
 Site 2548 SF
 Quality Average
 Age 117



Comparable 5

3765 21st St
 Prox. to Subject 0.64 miles SE
 Sales Price 2250000
 Gross Living Area 1956
 Total Rooms 8
 Total Bedrooms 4
 Total Bathrooms 2.0
 Location Good
 View Good
 Site 2848 SF
 Quality Average
 Age 102

Comparable 6

Prox. to Subject
 Sales Price
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location
 View
 Site
 Quality
 Age

Public records

Print

Email Reports

Export Reports

Property Detail Report

For Property Located At :
160 CASELLI AVE, SAN FRANCISCO, CA 94114-2321



Photos Available (03/11/2016)

Owner Information

Owner Name: WRIGHT B & LEE K 2007 TRUST
Mailing Address: 160 CASELLI AVE, SAN FRANCISCO CA 94114-2321 C026
Vesting Codes: // RT

Purchase Principal Data

Location Information

Legal Description:	BLK 2 LOT 7	APN:	2690-008
County:	SAN FRANCISCO, CA	Alternate APN:	
Census Tract / Block:	204.01 / 3	Subdivision:	PIOCHE & ROBINSON
Township-Range-Sect:		Map Reference:	10-A2 /
Legal Book/Page:		Tract #:	
Legal Lot:	8	School District:	SAN FRANCISCO
Legal Block:	2690	School District Name:	SAN FRANCISCO
Market Area:		Munic/Township:	
Neighbor Code:	05K		

Owner Transfer Information

Recording/Sale Date: /
Sale Price:
Document #:

Deed Type:
1st Mtg Document #:

Last Market Sale Information

Recording/Sale Date:	04/19/2016 / 04/05/2016	1st Mtg Amount/Type:	\$1,364,000 / CONV
Sale Price:	\$1,705,000	1st Mtg Int. Rate/Type:	2.50 / ADJ
Sale Type:	FULL	1st Mtg Document #:	K231601
Document #:	K231600	2nd Mtg Amount/Type:	/
Deed Type:	GRANT DEED	2nd Mtg Int. Rate/Type:	/
Transfer Document #:		Price Per SqFt:	\$993.59
New Construction:		Multi/Split Sale:	
Title Company:	CHICAGO TITLE CO		
Lender:	WELLS FARGO BK NA		
Seller Name:	SPECTOR MARTIN		

Prior Sale Information

Prior Rec/Sale Date:	03/31/1994 /	Prior Lender:	
Prior Sale Price:	\$325,000	Prior 1st Mtg Amt/Type:	/
Prior Doc Number:	G0100-997	Prior 1st Mtg Rate/Type:	/
Prior Deed Type:	AFFIDAVIT		

Property Characteristics

Gross Area:	1,716	Parking Type:	NONE	Construction:	WOOD
Living Area:	1,716	Garage Area:		Heat Type:	WALL FURNACE
Tot Adj Area:		Garage Capacity:		Exterior wall:	WOOD SIDING
Above Grade:		Parking Spaces:		Porch Type:	
Total Rooms:	7	Basement Area:		Patio Type:	
Bedrooms:	3	Finish Bsmnt Area:		Pool:	
Bath(F/H):	1 /	Basement Type:		Air Cond:	
Year Built / Eff:	1908 /	Roof Type:		Style:	BUNGALOW
Fireplace:	/	Foundation:		Quality:	AVERAGE
# of Stories:	2	Roof Material:	COMPOSITION SHINGLE	Condition:	GOOD

Other Improvements: Building Permit

Site Information

Zoning:	RH2	Acres:	0.07	County Use:	1 DWELLING UNIT (D)
Lot Area:	3,023	Lot Width/Depth:	x	State Use:	
Land Use:	SFR	Res/Comm Units:	1 /	Water Type:	PUBLIC
Site Influence:				Sewer Type:	PUBLIC SERVICE

Tax Information

Total Value:	\$466,614	Assessed Year:	2016	Property Tax:	\$5,854.34
Land Value:	\$287,150	Improved %:	38%	Tax Area:	1000
Improvement Value:	\$179,464	Tax Year:	2016	Tax Exemption:	
Total Taxable Value:	\$466,614				

Print

Email Reports

Export Reports

Cost to legalize the in-law unit

Borrower	N/A				
Property Address	160 Caselli Ave				
City	San Francisco	County	San Francisco	State	CA Zip Code 94114
Lender/Client	Benjamin Wright				

PROPOSAL

RAY TOM CONSTRUCTION INC.

1362 Geneva Avenue San Francisco, CA 94112 Lic. # 1005055
Tel. (415) 584-3015 cell (415) 716-1088 fax (415) 333-6927

Proposal Submitted To:	Work to be Performed at:
Ben Wright	160 Caselli Ave
	San Francisco, CA 94114
	Date of Plans
We hereby propose to complete the following items per plan:	
1.) Renovate and enlarge bathroom, including lighting & electrical.	\$ 21,000
2.) Renovate kitchen, including lighting & electrical.	\$ 28,800
3.) New heater	\$ 4,000
4.) New larger windows	\$ 6,000
5.) New electrical	\$ 3,000
6.) New insulation	\$ 2,000
7.) New sewer lateral	\$ 30,000
8.) New independent electrical meter	\$ 4,000
9.) New independent gas meter	\$ 4,800
10.) New roofing & gutters	\$ 4,500
11.) New siding & paint	\$ 26,000
12.) New flooring	\$ 4,000
13.) Repair and replace a significant amount of framing & siding due to dryrot.	\$ 10,000
14.) Repair or shim foundation and framing due to sloping floor.	\$ 12,000
15.) Light and ventilation	\$ 2,000
16.) Infill property line window	\$ 2,500
17.) Rebuild and raise roof/ceiling in area next to property line to 8'-0" and meet code required 7'-6" minimum.	\$ 6,000
Total	\$ 170,600
NOTES: Owner pays permit plan fees if needed.	
All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of \$170,600.00 dollars.	
Respectfully submitted by 	
Per Ray Tom Construction Inc., dated 2/10/17	
Acceptance of Proposal	
The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment to be made as outlined above.	
Date _____	Signature _____

Exhibit 9

APPROVALS REQUIRED

- A. **Planning Commission**
Conditional Use Authorization for demolition of a single family home and an unauthorized residential dwelling (§317) and construction of the new building.
- B. **Planning Department**
Approval of Site Permit Application and addendum.
- C. **Bureau of Streets and Mapping of Department of Public Works (“BSM”)**
Associated street and sidewalk permits by BSM.
- D. **Department of Building Inspection (“DBI”)**
Approval of demolition permit, underpinning permits, site permits and addenda thereto by DBI.
- E. **SFMTA**
- Approval of associated street and sidewalk permits.
 - Approval of proposed curb cuts.
- See <https://www.sfmta.com/services/streets-sidewalks/construction-regulations>
- F. **Department of Public Works (“DPW”)**
- Approval of proposed curb cuts, and other sidewalk and street permits.
 - Approval of street trees by DPW.
- G. **Actions by Other Agencies**
- Certification letter from Bay Area Air Quality Management District (“BAAQMD”) that all asbestos-containing building materials and soil have been removed and disposed of properly in accordance with federal, state and local laws and regulations prior to issuance of demolition permit by DBI.
 - Approval of water and sewage connections, erosion and sediment control plans prior to construction, and a Storm Water Control Plan by the San Francisco Public Utilities Commission (“PUC”).

THE PROPOSED PROJECT MEETS THE CRITERIA OF §303(c)

1. ***The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary and desirable for, and compatible with, the neighborhood or the community.***

The Project will demolish a lawful non-conforming building located in the rear yard and

replace it with a new structure meeting the required rear yard requirements. At the neighborhood pre-application meeting, the abutting neighbors to the north provided their support for demolition of the existing building to restore a continuous midblock interior rear yard corridor. See **Exhibit 5** for a copy of the Sanborn map showing the interior rear yard open space corridor with the Project's rear yard highlighted in yellow.

The massing and height of the proposed Project is similar to the buildings in the Project vicinity. Most of the lots in the Project block have two units similar in size to the proposed Project. The ground floor unit is 866 sq. ft. and is similar in size to the two-bedroom units offered in new condominium apartment buildings, except it will have direct access to rear yard open space. The two-story upper townhouse unit will continue to be owner occupied by the Applicants' family. Therefore, the proposed Project is necessary and desirable for, and compatible with the neighborhood.

2. ***The proposed use or feature will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:***

A. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.*

As stated above, the Project will be similar to the size, number of units and massing of existing buildings in the neighborhood. It will also complete the streetscape by locating the new structure in the allowable buildable area instead of in the required rear yard with a fence across the entire length of the front property line.

B. *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code*

There are no MUNI lines on Caselli Avenue. The number of daily person trips will increase to 20 compared to the current 17.5. The 2.5 daily person trip increase will have a *de minimus* effect on the traffic volume of the streets in the neighborhood. The proposed Project will provide two off-street parking spaces and will not alter the existing traffic pattern. Additionally, the Project will provide two bicycle parking spaces in the garage. Delivery services currently serving the neighborhood will continue and will not add to existing traffic.

- C. *The safeguards afforded to prevent noxious or offensive emissions, such as noise, glare, dust and odor.*

As a residential use, the Project will not generate noxious or offensive noise, glare, dust or odor. The off-street parking spaces will be in an enclosed garage. All exterior lighting will be down lighting.

- D. *Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.*

The usable open space for the Project will be in the rear yard and a deck off the second floor. The Project architect will submit landscaping plans to the City for approval. Currently there are no street trees in front of the Project Site. The Project will plant the required number of street trees and will have landscaping in the front setback. As discussed above, all exterior lighting will be down lighting.

3. *That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.*

The Project is consistent with the following General Plan objectives and policies.

Housing Element

Objective 4 - Foster A Housing Stock That Meets The Needs Of All Residents Across Life Cycles.

Policy 4.1: Develop new housing, and encourage the remodeling of existing housing, for families with children.

Both units of the Project are designed for families with children with direct access to private or common usable open space.

Policy 4.2: Provide a range of housing options for residents with special needs for housing support and services.

The Project is designed for the lifecycle of the Applicants' family by providing a handicap accessible and adaptable unit on the ground floor suitable for family members when they face mobility issues as they age.

Objective 11 - Support And Respect The Diverse And Distinct Character Of San Francisco's Neighborhoods.

Policy 11.1: *Promote the construction and rehabilitation of well designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.*

The poorly designed existing building does not meet the needs of the Applicants' family. If the illegal unit is brought up to the current Building Code standards, all the rear and side windows will be eliminated to meet the Fire Code requirements. The neighbors support removal of the illegal unit, which will restore midblock open space.² See Exhibit 5 for a copy of the Sanborn map showing the rear yard interior open space corridor with the project site highlighted in color. The two units in the Project will provide a quality living environment for the future occupants. The Project's design complements the character of the surrounding neighborhood. The new two-bedroom unit, that replaces the poorly designed illegal unit, will add a family-size unit to the City's housing stock.

Policy 11.2: *Ensure implementation of accepted design standards in project approvals.*

While the architecture in the Project vicinity is not uniform, the massing and height of the existing buildings have common rhythms and cohesive elements of architectural expression. The Project conserves and respects the existing neighborhood character and relates well to the street and to other buildings regardless of style.

Policy 11.3: *Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.*

The Project complies with the Residential Design Guidelines. See Response to Section 317(g)(5) (N) findings below on pages 10-12.

Objective 12: *Balance Housing Growth With Adequate Infrastructure That Serves The City's Growing Population.*

Policy 12.3: *Ensure new housing is sustainably supported by the City's public infrastructure systems.*

The existing building on the Project Site is served by existing infrastructure; no new infrastructure will be required for the Project.

Objective 13: *Prioritize Sustainable Development In Planning For And Constructing New Housing.*

² The neighbor to the east objects to the Project because the Project would block his view of the current front yard on the Applicants' property from his property line windows.

The Project will meet the requirements of the City's Green Building Standard.

Transportation Element

***Objective 24** - Improve the ambience of the pedestrian environment.*

***Policy 24.2** - Maintain and expand the planting of street trees and the infrastructure to support them.*

Currently there are no street trees in front of the Project Site. The Project includes required street trees, including an in-grade tree watering system recommended by the San Francisco street tree planting guidelines, as well as the recommended structural supports for the newly planted trees.

***Policy 24.4:** Preserve pedestrian-oriented building frontages.*

The Project will reinforce the streetscape and restore the continuous pedestrian oriented block face.

***Objective 28** - Provide secure and convenient parking facilities for bicycles.*

***Policy 28.3:** Provide parking facilities which are safe, secure, and convenient.*

The Project will provide two (2) bicycle parking spaces and two (2) off-street parking spaces in a secure garage on the ground floor.

***Objective 34** - Relate the amount of parking in residential areas and neighborhood commercial districts to the capacity of the city's street system and land use patterns.*

***Policy 34.1:** Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.*

***Policy 34.5:** Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.*

The off-street parking spaces meet the Planning Code requirement of one space per unit. The relocated curb cut for the garage entrance is 9'.

THE PROPOSED PROJECT WILL MEET THE SECTION 317(g)(5) CRITERIA FOR DEMOLITION OF EXISTING RESIDENTIAL UNITS

The Proposed Project will meet the additional criteria of Section 317(g)(5) required for residential demolition in that:

- (A) *Whether the property is free of a history of serious, continuing Code violations.*

The single family home has no history of Code violations related to the single family home on the Project Site. The studio unit was constructed without an issued permit and DBI advised the Project architect that the renovation must meet current Building Code standards.

- (B) *Whether the housing has been maintained in a decent, safe, and sanitary condition.*

There is no history of complaints to DBI related to maintenance of the buildings on the Project Site.

- (C) *Whether the property is an “historical resource” under CEQA.*

Tim Kelly Consulting prepared a Historic Resource Evaluation Part I (“HRE”) for 160 Caselli Avenue dated June, 2016, a copy of which was submitted with the environmental review application. The HRE found that the 160 Caselli building and the rear addition would not be individually eligible for listing in the California Register of Historical Resources under any criteria and is not located in a designated or an identified potential historic district. Therefore, the building to be demolished is not a historic resource under CEQA.

- (D) *Whether the removal of the resource will have a substantial adverse impact under CEQA.*

Inasmuch as the building on the Project Site is not a historic resource, demolition of the existing buildings will have no adverse impact under CEQA.

- (E) *Whether the project converts rental housing to other forms of tenure or occupancy; and*
(F) *Whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing.*

The proposed two-story three-bedroom townhouse will replace the existing legal unit currently occupied by the Applicants and will be occupied by the Applicants and their family. The illegal unit was vacant when the Applicants purchased the Property. A legal 866 sq. ft. two-bedroom ground floor unit in the Project will replace the illegal unit with direct access from the sidewalk and to usable common open space.

- (G) *Whether the project conserves existing housing to preserve cultural and economic neighborhood diversity.*
- (H) *Whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity.*
- (I) *Whether the project protects the relative affordability of existing housing.*

The Project will add a family-sized unit to the City's Housing stock. The Project, with two family units, will conserve the existing neighborhood character and will preserve the neighborhood's cultural and economic diversity. The rental of the illegal unit, if legalized, does not constitute an affordable unit because it can be rented for market rent.

- (J) *Whether the project increases the number of permanently affordable units as governed by Section 415.*

The Project is not subject to the requirements of Section 415 because it is a two-unit building.

- (K) *Whether the project locates in-fill housing on appropriate sites in established neighborhoods.*

The Project is the redevelopment of an existing lot with a lawful non-complying structure and a structure in the rear yard constructed without any permits. The Project will be in-fill housing on a lot in an established residential district.

- (L) *Whether the project increases the number of family-sized units on-site.*

The Project will increase the number of family-size units on the Property from one to two.

- (M) *Whether the project creates new supportive housing.*

Similar to the existing building, there will be no supportive housing on the Site. However, to the extent that the Project is designed for the life cycles of the Applicants' immediate families, including their aging parents, the lower unit will allow their parents to live independently with the assistance of the Applicants and their children.

- (N) *Whether the project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character.*

As discussed above, the existing home is a lawful complying structure in that it is located entirely in the required rear yard. The illegal second unit is also located in the rear yard

open space. The proposed Project will be consistent with the Residential Design Guidelines in that:

1. **Front Setback:** The Building will be developed in the Planning Code allowable buildable area, thereby continuing the street facade. The upper floor front setback will serve as a transition between the five-foot front setback of the building to the east and the building to the west with no front setback. The additional setback provided at the ground floor level will have landscaping to create pedestrian interest complying with the Residential Design Guidelines.
2. **Rear Yard:** The Project will restore the interior rear yard open space corridor and enhance the mid-block open space. The Project will improve the light and privacy of the adjacent structures and the abutting building sharing a common rear property line.
3. **Building Scale:** The proposed three-story building is similar in height, depth and overall massing compared to the adjacent neighbors and will be compatible with the surrounding buildings, and the building scale of the street as well as at the mid-block open space.
4. **Building Form (facade width, proportions and rooflines):** The block has a variety of styles and sizes of homes with some having a higher degree of detailing and ornamentation than others that have very sparse facades. The proposed façade incorporates vertical windows that are common features throughout the block face, which will help to continue the rhythm of the street. The Bay and the projecting roof trim reflect similar features of other buildings on the block face and serve to provide continuity and visual interest. The width is similar to the other buildings in the neighborhood, and the proportion of the facades glazed elements are similar to the adjacent building to the west. The front of the building will have a flat roof similar to the building to the west and many of the buildings on the block face. Similar to both of the adjacent buildings the rear half of the building has a pitched roof to lessen the bulk and to minimize impact on light access to the neighbors.
5. **Architectural Features:** The building entrance is on the east side similar to the building to the west and others on the block. The facade of the upper two floors includes a bay window. Similar to both adjacent buildings, the garage is located on the west side but will be setback below a bay to lessen its presence. The front entry is part of the narrow tall element on the east side with landscaped planters separating it from the garage that emphasize its presence. The garage door will be 10' wide with a 9'-0" curb cut.
6. **Roof Architectural Features:** There will be no usable open space or an associated stair penthouse on the roof. The only features on the roof would be flues and skylights behind the parapet that will not be visible from the street.

7. ***Building Details:***

Some buildings on the block face have a higher degree of detailing and ornamentation while others have very sparse facades. The Project will have no ornamentation but will have varying facade planes to add interest and shadow lines to the facade. The Bay includes grouped windows to create a horizontal glazed element reminiscent of the building to the west.

The neighbor to the east has several property line windows. The Project provides reciprocal light wells to ensure that sunlight access to the neighbors' windows is preserved. The Project also provides significant setbacks along the eastern wall of the building and a light well for the neighbor's property line windows. The window proportions are compatible with the buildings in the neighborhood. Similar to many buildings in the neighborhood, the aluminum-clad windows will have wood trims. The front facade material will be stucco and the rear facade will be vertical wood siding and metal railings for the second floor deck.

(O) *Whether the project increases the number of on-site Dwelling Units.*

While the Project will not increase the number of on-site dwelling units, it will increase the size of the two-bedroom unit to a three-bedroom unit, the illegal studio unit to an 866 sq. ft. two-bedroom unit and restore the required rear yard, which will enhance the rear yard corridor.

(P) *Whether the project increases the number of on-site bedrooms.*

The Project increases the number of on-site bedrooms from 2 to 5.

(Q) *Whether or not the replacement project would maximize density on the subject lot.*

The Project maximizes the allowable density under the Planning Code.

(R) *If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.*

While the original two-story single family home could be used as a three-bedroom unit, access to two of the bedrooms would be through the third bedroom. See Sheet A1.1 of Exhibit 1. Each bedroom in the three-bedroom townhouse of the proposed Project will be independently accessible. The future occupants of the unit will have more common open space than currently exists, which will be suitable for a family with children. The Project will replace a small illegal studio unit with a handicap adaptable two-bedroom

unit suitable for family or handicap individuals with direct access to usable rear yard open space.

Removal of Unauthorized Units. In addition to the criteria set forth in Subsections (g)(1) through (g)(4) above, the Planning Commission shall consider the criteria below in the review of applications for removal of Unauthorized Units:

(A) *Whether the Unauthorized Unit or Units are eligible for legalization under Section 207.3 of this Code;*

The Planning Department has opined that the unauthorized unit is eligible for legalization under section 207.3. A DBI plan checker advised the Project architect that the illegal unit must be brought up to current Building Code requirements. Legalization of the unit requires a rear yard variance being granted by the Zoning Administrator.

(B) *Whether the costs to legalize the Unauthorized Unit or Units under the Planning, Building, and other applicable Codes is reasonable based on how such cost compares to the average cost of legalization per unit derived from the cost of projects on the Planning Department's Master List of Additional Dwelling Units Approved required by Section 207.3(k) of this Code.*

The Building Code requires habitable space to have a 7'-6" minimum ceiling height, while a kitchen, bathroom, hallway, and laundry room can have ceilings as low as 7'-0". In this case, a small portion of the habitable space does not have the minimum 7'-6" ceiling height. Neither the bathroom nor the kitchen meets the Building Code standards. There is 21" clearance between the stove and the refrigerator and 24" between the counter and the cabinet and shelves next to the refrigerator. The Code minimum isle width is 36". There are minimum dimensions governing the area, size and clearances around bath fixtures. The toilet needs to have 24" of clearance in front and 15" on each side of the center-line of the toilet. The toilet has only 14" front clearance and the shower pan does not meet the 3' x 3' minimum requirement. See photographs attached hereto as **Exhibit 6** and Sheet A1.1 of Exhibit 2. Legalization of the illegal unit would require removal of the kitchen and bathroom, raising a portion of the ceiling, relocation and installation of a new kitchen and bathroom, and additional work to the interior and exterior.

The average cost of legalization per unit for Prototype B, a one-bedroom unit, is projected to be \$193,622. See excerpts from the Department's Accessory Dwelling Unit publication attached hereto as **Exhibit 7**. It is noted that the illegal unit prototype B in the Department's publication is constructed within the existing building envelope and is for one-bedroom units, whereas the illegal unit is a studio unit with a sleeping area. Therefore, the \$193,622 legalization cost would not include exterior walls, ceilings, floors and foundation. DBI estimated \$170,000 for the cost of renovation for the illegal 441 sq. ft. studio unit, or \$385.89 per square foot including the area for the shed for the water heater. A copy of the DBI estimate is attached hereto as **Exhibit 8**. Prior to submission of this application, a representative of the Applicants contacted the

Department to ascertain the square footage of the Prototype B unit to determine the per square foot cost of legalization. The Department was unable to provide a per square footage cost because the data was based on an average of samples studied, which did not include a square footage average. Thus, the Applicants' conclusion is that the per square foot renovation cost is not reasonable.

(C) Whether it is financially feasible to legalize the Unauthorized Unit or Units. Such determination will be based on the costs to legalize the Unauthorized Unit(s) under the Planning, Building, and other applicable Codes in comparison to the added value that legalizing said Units would provide to the subject property. The gain in the value of the subject property shall be based on the current value of the property with the Unauthorized Unit(s) compared to the value of the property if the Unauthorized Unit(s) is/are legalized. The calculation of the gain in value shall be conducted and approved by a California licensed property appraiser. Legalization would be deemed financially feasible if gain in the value of the subject property is equal to or greater than the cost to legalize the Unauthorized Unit.

After consultation with DBI, the project architect prepared plans and a scope of work to bring the illegal unit up to current Building Code Standards and solicited a bid from a licensed contractor. The contractor estimated the construction costs to be \$170,600. The Department requested that DBI review the contractors' estimate. DBI determined that the cost to renovate the unit to Code would be \$170,000 or \$385.49 per sq. ft. See **Exhibit 9** for a copy of the estimated construction cost of \$170,600 to renovate the unit to meet Building Code standards and Exhibit 8 for DBI's cost estimate letter dated September 7, 2017.

The Applicants engaged the services of TRAC, a real estate appraisal company. TRAC opines that legalization of the illegal unit on the Property would increase the value of the Property by \$127,500, which would allow the Applicants to recoup 75% of the legalization cost. A copy of the TRAC appraisal is attached hereto as **Exhibit 10**. TRAC's appraisal is based on sale comparisons of buildings with two legal units and a single family home with an illegal unit. Under Planning Code criteria, legalization is financially infeasible in that the cost to legalize the unauthorized unit would be 25% more than the increase in Property value. See Exhibit 10, Supplemental Addendum, at page 7; see also Exhibits 8 and 9. In this case, the cost of renovating the illegal unit is more than the increase in Property value.

(D) If no City funds are available to assist the property owner with the cost of legalization, whether the cost would constitute a financial hardship.

The cost to legalize would constitute a financial hardship because the increase in value of the Property is less than the cost of legalization. Moreover, the bank holding the current mortgage advised the Applicants that it will not include the illegal unit in the appraisal, but it may consider the illegal unit as a "bonus room". Only after the illegal unit is legalized and the Property is officially deemed a two-unit building could the Applicants apply to refinance their current

mortgage to pay for construction to legalize the second unit.

PRIORITY GENERAL PLAN POLICIES – PLANNING CODE SECTION 101.1

1. *That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.*

The Project is located in an RH-2 zoning district, which does not permit retail uses. There is no retail use currently at the site. The proposed Project is consistent with the policies of Section 101.1(b)(1).

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

The Project will provide a three-bedroom unit designed for occupancy by the Applicants and their family. The Project, with two family-sized units, will conserve and protect the existing neighborhood and preserve the cultural and economic diversity of the neighborhood. The proposed Project is consistent with the policies of Section 101.1(b)(2).

3. *That the City's supply of affordable housing be preserved and enhanced.*

The Applicants currently reside in the single family home. The illegal unit was vacant when the Applicants purchased the property. The Project will increase the City's family housing stock by one. The Project is consistent with the policies of Section 101.1(b)(3).

4. *That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.*

There is no Muni transit service in front of the Project Site. The Project will relocate the existing curb cut and provide one off-street parking space for each of the proposed units. Thus, the Project will not impede Muni transit service or overburden the neighborhood's on-street parking. The Project is consistent with the policies of Section 101.1(b)(4).

5. *That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.*

No industrial or service sector uses exist on the Project Site. The Project Site is zoned RH-2, which does not allow industrial or service uses. The Project is consistent with the policies of Section 101.1(b)(5).

Exhibit 10





Exhibit 11

4637 Eighteenth Street
San Francisco CA 94114

December 18, 2017

Commissioner Rich Hillis
President of Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

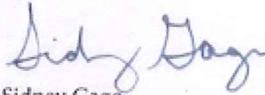
cc: Scott Sanchez
Veronica Flores
Delvin Washington

Re: 160 Caselli Avenue

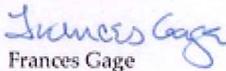
We support the proposed project to remove the existing structures on the subject property and replace them with a new two-family dwelling. We own and live at the property directly behind 160 Caselli, facing 18th Street.

The subject property's rearmost structure ends at the property line between us. Construction of a new building at the front of the site will open up the rear yard. The inner block benefits from nice yards and gardens on the other parcels. This change will enhance the green urban environment for everyone's benefit.

Yours very truly,



Sidney Gage



Frances Gage

<Support Letter.docx>

1 February 2018

San Francisco City Planning Dept
1650 Mission Street #400
San Francisco CA 94103

Re: 160 Caselli Ave - Permit Application

Dear Sir or Madam

I am writing to offer my support for the proposed project for demolition/new construction at 160 Caselli Ave. I am a resident on the same city block as this project and firmly believe that this project should go ahead. I have seen the existing structure and it clearly needs to be demolished. The new construction planned by the homeowners (Ben Wright and Karen Lee) will be a positive addition to the neighborhood.

For your reference, I purchased my home at 4607-18th Street in 2007 and have been living at this address since then. I also lived in San Francisco (as a renter) in 1996-1998.

Please let me know if you require any additional information.

Regards,



Phaedra Fisher
4607 - 18th Street
San Francisco CA 94114
Email: phaedra@pobox.com
M. 415 254 1822

Pierre & Susanne Khawand
36 Caselli Ave
San Francisco, CA 94114
December 22, 2017

Commissioner Rich Hillis
President of Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

cc: Scott Sanchez
Veronica Flores
Delvin Washington

Dear Commissioner Rich Hillis:

After receiving and reviewing the proposed plans for 160 Caselli property, we believe that the plans will enhance the look and feel of the neighborhood, with the removal of the existing building at 160 Caselli Street helping restore the rear yards of the proposed project and its adjacent buildings and the abutting buildings. And from the perspective of those who live across the street from the property, the proposed plans would move the house to the front of the property which completes the street wall and adds curb appeal.

Sincerely,



Pierre & Susanne Khawand

Ann Tarantine
162-164 Caselli Avenue
San Francisco, CA 94114
December 27, 2017

Commissioner Rich Hillis
President of Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

cc: Scott Sanchez
Veronica Flores
Delvin Washington

Dear Commissioner Rich Hillis:

My name is Ann Tarantine, owner of 162-164 Caselli Avenue. I am writing to you in regards to my adjacent neighbors' (Ben Wright and Karen Lee) proposed renovation of their property 160 Caselli Avenue.

In December, 2016, I attended an informative public hearing about their proposal. Ben Wright and Karen Lee provided clear and transparent details of the home's transformation as well as its direct impact to adjacent neighbors. Further, all of my questions were responded to completely. Lastly, they sent me a copy of the architectural plans for my further perusal.

Based on this comprehensive information, I wholeheartedly support their home project - for many reasons - two of which I will highlight here:

- 1) The new and updated building will provide a welcome enhancement to the neighborhood as well as contribute to the cohesiveness of the already existing 'front of the lot' surrounding homes.
- 2) The second reason is the removal of the rear building in their rear yard which will extend an already existing rear yard open space feel – a rare and precious commodity in dense San Francisco – currently created by the five adjoining and abutting homes, including my own. The prospect of having a larger rear yard 'sanctuary' is truly an unexpected improvement.

Do let me know if there are any further questions you need answered regarding the Wright/Lee project. As their neighbor, I am grateful for their efforts to augment this building and have been truly appreciative of their respect to my concerns.

Sincerely,



Ann Tarantine

David Corbell
4631 18th Street
San Francisco, CA 94114
February 3, 2018

Commissioner Rich Hillis
President of Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

cc: Scott Sanchez
Veronica Flores
Delvin Washington

Dear Commissioner Rich Hillis:

I own the property behind 160 Caselli Avenue (4631-4633 18th Street), touching the back northeast corner of that property. I support the proposed project at 160 Caselli Avenue. Removal of the existing building would restore and improve the rear yards of the proposed project and the other buildings on the block. I have received the plans for the project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D Corbell', is written over the word 'Sincerely,'.

David Corbell

Tudor Havriliuc
4639 18th Street
San Francisco, CA 94114
February 3, 2018

Commissioner Rich Hillis
President of Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

cc: Scott Sanchez
Veronica Flores
Delvin Washington

Dear Commissioner Rich Hillis:

I own 4639-4641 18th Street, which is on the northwest corner behind 160 Caselli Avenue. I have received the plans for the proposed project at this address. Due to the fact that the project at 160 Caselli Avenue would lead to the removal of the existing home and would improve the rear yards on the block, I support this project.

Sincerely,



Tudor Havriliuc

Stefanie Gitler
164 Caselli Ave
San Francisco, CA 94114
March 16, 2018

Commissioner Rich Hillis
President of Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

cc: Scott Sanchez
Veronica Flores
Delvin Washington

Dear Commissioner Rich Hillis:

I live at 164 Caselli Avenue, next to the proposed project at 160 Caselli Avenue. I support this project because it moves the house to the front of the property which completes the street wall and adds curb appeal to the street. In addition, the removal of the existing single-family home and unwarranted unit behind it as proposed for this project would help restore the rear yards of the proposed project on this block. I have received the plans for the project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stefanie Gitler', with a long horizontal flourish extending to the right.

Stefanie Gitler

Norm Meyrowitz
174 Caselli Avenue
San Francisco, CA 94114

March 16, 2018

Commissioner Hillis
President of Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Commissioner Hillis:

I have lived at 174 Caselli Avenue for 25 years and have owned the property at 166 Caselli for 12, so I am 2 and 5 houses away from the proposed project at 160 Caselli Avenue. I have received and studied the plans and think the proposed residence would be a welcome addition to the neighborhood.

The new plans show that this building will double the number of people that can live on the property, which is an important feature of this plan given the shortage of housing in San Francisco.

This project moves the new house to the front of the property which adds aesthetic appeal to the street. As well, the removal of the existing illegal “shack” at the back of this project would allow the backyard to offset the removal of the front yard. This provides a continuous stretch of open backyards for the neighbors on Caselli. Given how crowded the city is becoming, it is nice to have a continuous green space that helps people feel less boxed in and provides more vitally needed greenery for the environment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norm Meyrowitz', with a stylized, cursive script.

Norm Meyrowitz

cc: Scott Sanchez
Veronica Flores
Delvin Washington



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION
Project Address: 160 Caselli Avenue, Block/Lot(s): 2690/008
Case No.: 2016-010185ENV, Permit No.: 2690/008, Plans Dated: 06/07/2016
Project description: Demolish an existing two-story, single-family home and covered carport and construct a new three-story building with two residential units.

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER
Class 1 - Existing Facilities, Interior and exterior alterations, additions under 10,000 sq. ft.
Class 3 - New Construction/Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building...

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER
Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone?
Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks)...

PLANNING DEPARTMENT
Revised: 4/11/16

Major program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP, ArchMap > Maher map).
Transportation: Does the project create six (6) or more new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety?
Archaeological Resources: Would the project result in soil disturbances/excavation greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area?
Subdivision/Lot Line Adjustment: Does the project involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more?
Slope > or = 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction?
Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction?
Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction?

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER
PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)
Category A: Known Historical Resource. GO TO STEP 3.
Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

PLANNING DEPARTMENT
Revised: 4/11/16

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

Check all that apply to the project.
1. Change of use and new construction. Treatments not included.
2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations.
4. Garage work. A new opening that meets the Guidelines for Adding Garages and Carports, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
7. Dumpster installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dumpster Windows.
8. Additions that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction, does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height, does not have a footprint that is more than 50% larger than that of the original building, and does not cause the removal of architectural significant roofing features.

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

PLANNING DEPARTMENT
Revised: 4/11/16

9. Other work that would not materially impact a historic district (specify or add comments).
10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator)
a. Per HERER dated: Per FPA case no. (attach HERER)
b. Other (specify):
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.
Further environmental review required. Based on the information provided, the project requires an Environmental Evaluation Application to be submitted. GO TO STEP 6.
Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.

STEP 6: CATEGORICAL EXEMPTION DETERMINATION TO BE COMPLETED BY PROJECT PLANNER
Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):
Step 3 - CEQA Impacts
Step 5 - Advanced Historical Review
STOP! Must file an Environmental Evaluation Application.
No further environmental review is required. The project is categorically exempt under CEQA.
Planner Name: Natalia Kwiatkowska
Project Approval Action: Building Permit
Signature: Natalia Kwiatkowska
Digitally signed by Natalia Kwiatkowska, DN: cn=Natalia Kwiatkowska, o=City/Planning, ou=Current Planning, email=Natalia.Kwiatkowska@sf.gov, c=US, postalCode=94116, serial=2016.06.07.15.02.00

PLANNING DEPARTMENT
Revised: 4/11/16

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER
In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION
Project Address: 160 Caselli Avenue, Block/Lot(s): 2690/008
Case No.: 2016-010185ENV, Previous Building Permit No.: 2690/008, New Building Permit No.:
Plans Dated: 06/07/2016, Previous Approval Action: , New Approval Action:
Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION
Compared to the approved project, would the modified project:
Result in expansion of the building envelope, as defined in the Planning Code, Sections 311 or 312.
Result in demolition as defined under Planning Code Section 317 or 19005(f)?
Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

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

PLANNING DEPARTMENT
Revised: 4/11/16

SAN FRANCISCO PLANNING DEPARTMENT PRESERVATION TEAM REVIEW FORM

1600 Mission St. Suite 400 San Francisco, CA 94103-3473
Phone: 415.558.6378
Fax: 415.558.6409
Planning Information: 415.558.6377
Preservation Team Meeting Date: 9/29/2016
Date of Form Completion: 9/29/2016
PROJECT INFORMATION:
Planner: Natalia Kwiatkowska, Address: 160 Caselli Avenue
Block/Lot: 2690/008, Cross Streets: Danvers & Clover Streets
CEQA Category: B, APN/IOG11: N/A, BPA/Case No.: 2016-010185ENV
PURPOSE OF REVIEW:
[] CEQA [] Article 10/11 [] Preliminary/PPC [] Alteration [] Demolish/Construction
DATE OF PLANS UNDER REVIEW: 6/7/2016

PROJECT ISSUES:
[] Is the subject Property an eligible historic resource?
[] If so, are the proposed changes a significant impact?
Additional Notes:
Submitted: Part I Historical Resource Evaluation prepared by Tim Kelley Consulting (dated June 2016).

Proposed Project: Demolition of existing two-story, single-family home and new construction of a three-story building with two residential units.

PRESERVATION TEAM REVIEW:
Historic Resource Present: [] Yes [] No [] N/A
Individual:
Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:
Criterion 1 - Event: [] Yes [] No
Criterion 2 - Persons: [] Yes [] No
Criterion 3 - Architecture: [] Yes [] No
Criterion 4 - Info. Potential: [] Yes [] No
Period of Significance: N/A
Contributor: [] Contributor [] Non-Contributor

Complies with the Secretary's Standards (10/ART/11) [] Yes [] No [] N/A
CEQA Minimal Involvement: [] Yes [] No [] N/A
Shed/Minor Information: [] Yes [] No [] N/A
Requires Design Reviews: [] Yes [] No [] N/A
Refer to Residential Design Team: [] Yes [] No [] N/A

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

PRESERVATION TEAM COMMENTS:
According to the Historic Resource Evaluation prepared by Tim Kelley Consulting (dated June 2016), and information found in the Planning Department files, the subject property at 160 Caselli Avenue contains a two-story, wood-frame, single-family dwelling designed in the vernacular style. The building was constructed in 1907 (source: water tap records) by an unknown architect/builder. The house features rustic siding with fish-scale shingles at the gable peak and capped with a gable roof at the front, a flat roof at the center, and a gable roof in the rear. The original owner and occupant was William Charles F. Stohman, a gardener and conductor who lived in the house with his wife Elmie and six children. Known exterior alterations include raising the existing building 11 feet and an addition of a bay window at front (1915), replacement of siding (1993), and reroofing (2000). Additional research shows the subject building was originally built as a one-story single-family dwelling at the front of the lot and moved to its current location towards the rear of the lot sometime between 1914 and 1919. Since Sanborn maps show a two-story, single-family dwelling at the rear of the lot by 1919, it is possible that the subject property was moved when it was raised in 1915. Additional research also shows the building was expanded at rear and later a front-facing gable roof structure was attached to the rear addition at an unknown date. Additional visual inspection also reveals that all of the windows and doors were replaced at an unknown date.

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

The subject property is not located within the boundaries of any identified historic district. The subject building is located in the Castro/Upper Market neighborhood, specifically in the Clover Heights subdivision of Corbett Heights on a block that exhibits a great variety of architectural styles, construction dates, and scale. While portions of Corbett Heights are identified as potential historic districts in the Draft "Corbett Heights, San Francisco Historic Context Statement", the subject property is not located within any of those boundaries. Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

Signature of a Senior Preservation Planner/Preservation Coordinator: Date: 10-7-2016

PART I HISTORICAL RESOURCE EVALUATION
160 CASSELLI STREET
SAN FRANCISCO, CALIFORNIA



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Lee Wright Residence
160 Caselli Ave. San Francisco 94114

CATEX

Project number:
Date: 2016 06 07
Drawn by: Author
Checked by: Checker

Scale: A0.2

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