



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Discretionary Review Abbreviated Analysis HEARING DATE: MARCH 15, 2018

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* March 8, 2018  
*Case No.:* **2016-014004DRP**  
*Project Address:* **2865 Vallejo Street**  
*Permit Application:* 2016.10.11.9920  
*Zoning:* RH-1(D) [Residential House, One-Family (Detached)]  
40-X Height and Bulk District  
*Block/Lot:* 0958/017  
*Project Sponsor:* Lewis Butler  
Butler Armsden Architects  
1420 Sutter Street, First Floor  
San Francisco, CA 94109  
*Staff Contact:* Brittany Bendix – (415) 575-9114  
[Brittany.bendix@sfgov.org](mailto:Brittany.bendix@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

### PROJECT DESCRIPTION

The proposal includes interior renovations, a rear horizontal addition at the southwest corner of the existing building, and a vertical addition.

### SITE DESCRIPTION AND PRESENT USE

The project site is located on the south side of Vallejo Street between Baker and Broderick Streets, near the center of the Cow Hollow neighborhood. The subject property is 136.5 feet deep and 25 feet wide, contains 3,412.5 square feet and slopes steeply upward from Vallejo Street. The property is developed with a three-story single-family dwelling constructed circa 1925. The existing front building wall is set back 39 feet from the front property line.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is within a portion of the Cow Hollow neighborhood that is noted in the *Cow Hollow Neighborhood Design Guidelines (CHNDG)* as the "Upper Elevation Subarea." The CHNDG characterizes this area as large lots developed with large detached single-family homes. Located in the steepest portion of the Cow Hollow neighborhood, the massing of these buildings varies in scale depending on the topographic conditions of the lots. As is evident along the southern Vallejo Street block face, between Baker and Broderick Streets, dwellings on up-sloping lots are generally four stories. Additionally, on this side of Vallejo Street, the majority of dwellings maintain a strong block face pattern that consists of deep front setbacks with detached garages at the front property line. Along the northern block face for this portion of Vallejo Street dwellings, down-sloping lots have a two- to three-story massing at the street front and then increase up to six stories at the rear of their properties. This change in building heights at the front and rear of properties is a reflection of the neighborhood's topography.

The immediate context of the subject property also reflects this characterization. Both of the subject property's adjacent neighbors are four stories. The property to the east aligns with the front building wall of the subject property, set back approximately 39 feet from the street, and the property to the west has no front setback. Directly across from the subject property is a three-story single-family dwelling that becomes five-stories at its rear. Directly behind the subject property is a four-story single-family dwelling.

## BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	November 13, 2017 – December 13, 2017	December 8, 2017	March 15, 2018	97 days

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	March 5, 2018	March 5, 2018	10 days
Mailed Notice	10 days	March 5, 2018	March 5, 2018	10 days

## PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	1	-
Other neighbors on the block or directly across the street	-	7 (including DR Requestor)	-
Neighborhood groups	-	1	-

The request for Discretionary Review included letters from six property owners, in addition to the primary DR applicant, asserting concerns over the compatibility of the vertical addition with the surrounding neighborhood context. Included in the DR application is also a letter from the Cow Hollow Association recommending disapproval of the proposed vertical addition.

## DR REQUESTOR

Robert Tandler, 2856 Vallejo Street – across Vallejo Street and two properties east of the subject property.

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated December 8, 2017.

## PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*.

## ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

## RESIDENTIAL DESIGN TEAM REVIEW

Most of the adjacent neighboring buildings are four-stories. The proposed upper floor addition is setback from the front sufficiently such that it would: a) be minimally visible as viewed from the Vallejo Street frontage; and b) step with the topography to reinforce the upsloping site while preserving views (as recommended by Cow Hollow Design Guidelines – pgs. 21-24).

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

<b>RECOMMENDATION:</b>	<b>Do not take DR and approve project as proposed</b>
------------------------	---

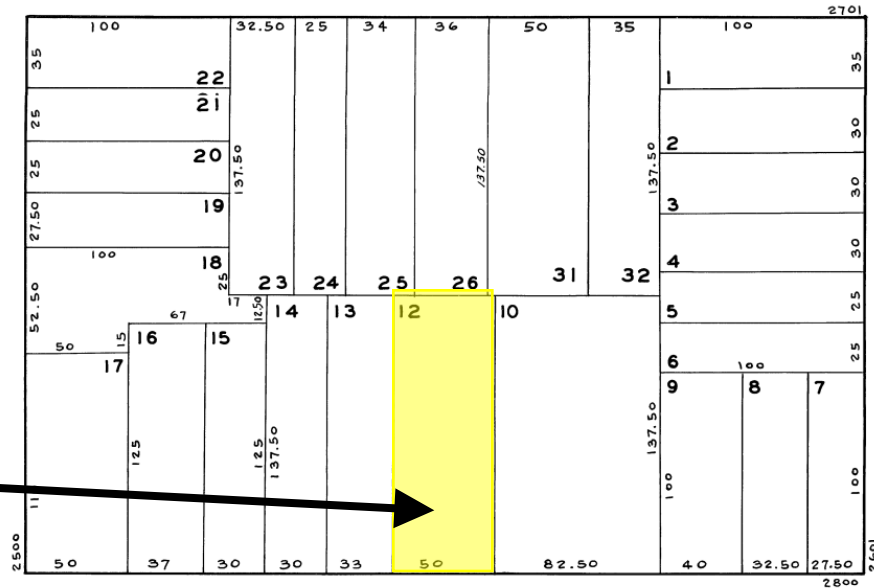
### Attachments:

- Block Book Map
- Sanborn Map
- Zoning Map
- Aerial Photographs
- Context Photographs
- CEQA Determination
- Section 311 Notice
- DR Application
- Response to DR Application
- Reduced Plans

BB: G:\DOCUMENTS\Building Permits\2865 Vallejo St\Case Packet\1 DR - Abbreviated Analysis.docx

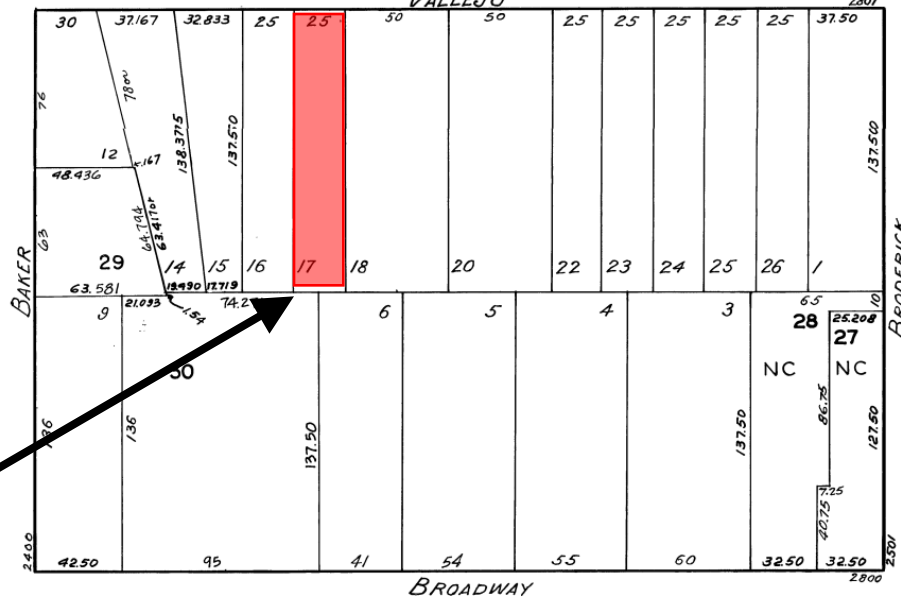
# Parcel Map

GREEN



DR REQUESTOR

VALLEJO



SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2016-014004DRP  
2865 Vallejo Street



# Sanborn Map\*



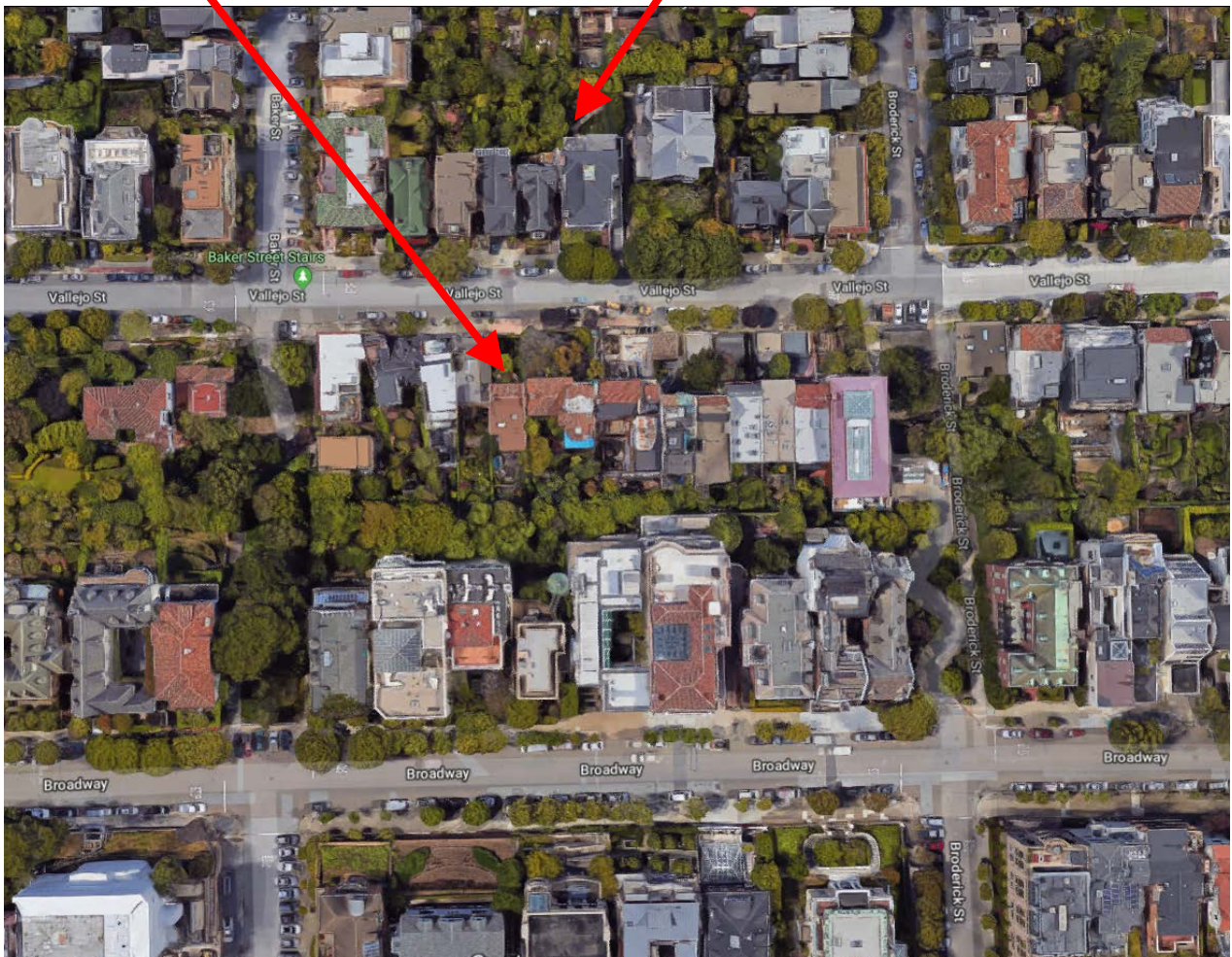
\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



# Aerial Photo

SUBJECT PROPERTY

DR REQUESTOR

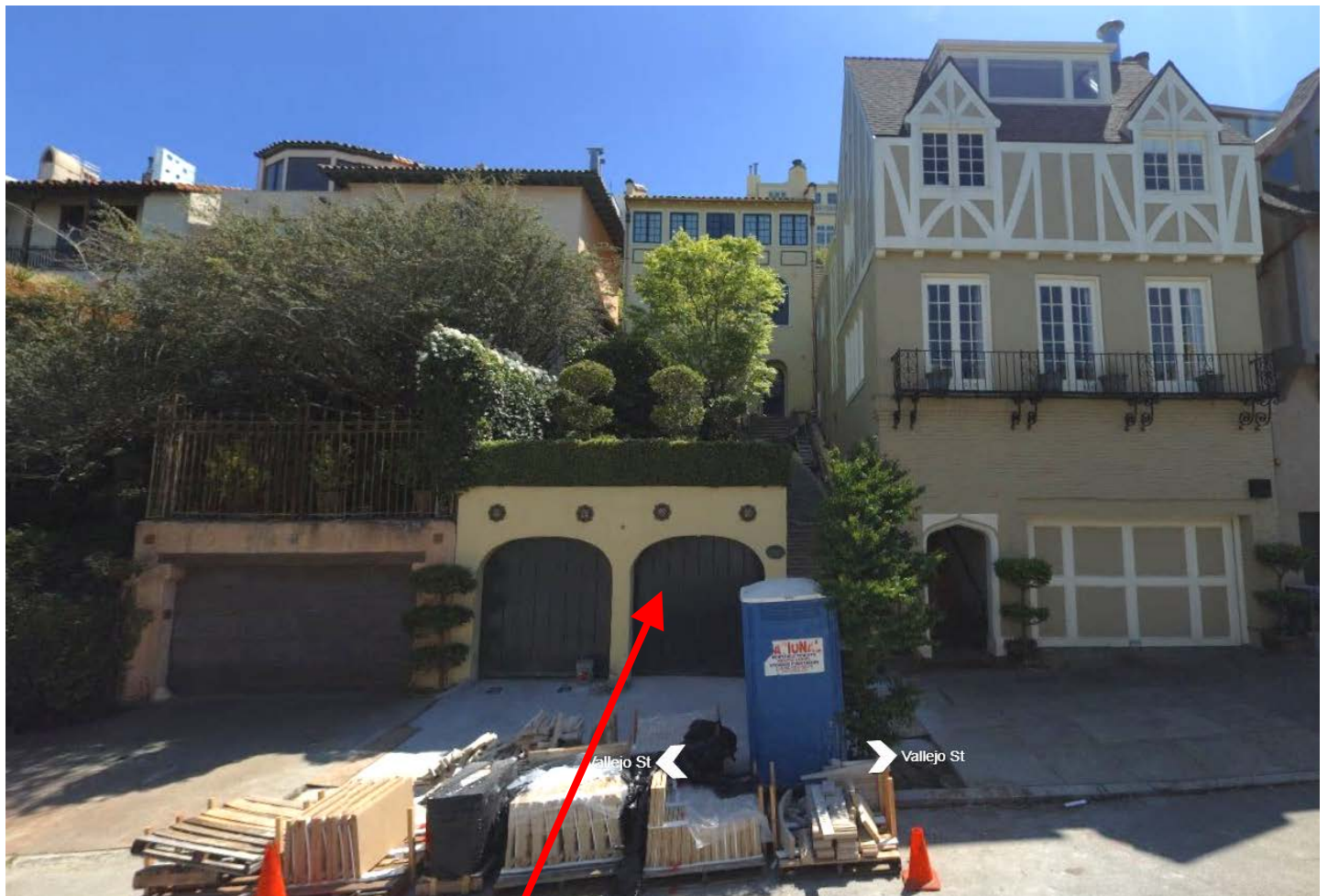


# Zoning Map





# Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing  
Case Number 2016-014004DRP  
2865 Vallejo Street



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2865 Vallejo Street		0958/017	
Case No.	Permit No.	Plans Dated	
2016-014004PRJ	2016.10.11.9920	10/11/16	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Vertical and horizontal addition. Interior renovations.			

### STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

### STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Air Quality:</b> 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 &gt; CEQA Catex Determination Layers &gt; Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	<b>Hazardous Materials:</b> 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 &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> 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"/>	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</i>
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i>
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> 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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i> <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> 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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> 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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report will likely be required.</b>
<b>If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u></b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
<b>Comments and Planner Signature (optional):</b>	

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

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

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


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

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

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

<input type="checkbox"/>	<p>9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input type="checkbox"/>	<p>10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A      <input type="checkbox"/> Reclassify to Category C         </p> <p style="padding-left: 40px;">           a. Per HRER dated: _____ (attach HRER)         </p> <p style="padding-left: 40px;">b. Other (specify): _____</p>
<p><b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b></p>	
<input type="checkbox"/>	<p><b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b></p>
<input type="checkbox"/>	<p><b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b></p>
<p><b>Comments (optional):</b></p>  	
<p><b>Preservation Planner Signature:</b></p>	

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

<input type="checkbox"/>	<p><b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply):</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts  <input type="checkbox"/> Step 5 – Advanced Historical Review         </p> <p><b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b></p>	
<input checked="" type="checkbox"/>	<p><b>No further environmental review is required. The project is categorically exempt under CEQA.</b></p>	
	<p><b>Planner Name:</b> Brittany Bendix</p> <hr/> <p><b>Project Approval Action:</b></p> <p>Building Permit</p> <p><small>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</small></p>	<p><b>Signature:</b></p> <div style="text-align: center;">  <p style="font-size: 2em; font-weight: bold; margin: 0;">Brittany Bendix</p> </div> <p>Digitally signed by Brittany Bendix Date: 2018.03.08 12:59:23 -08'00'</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> <p>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>		





# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **October 11, 2016**, the Applicant named below filed Building Permit Application No. **2016.10.11.9920** with the City and County of San Francisco.

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>2865 Vallejo Street</b>	Applicant:	<b>Joe Wrigley</b>
Cross Street(s):	<b>Baker and Broderick Streets</b>	Address:	<b>1420 Sutter Street, First Floor</b>
Block/Lot No.:	<b>0958/017</b>	City, State:	<b>San Francisco, CA 94109</b>
Zoning District(s):	<b>RH-1(D) / 40-X</b>	Telephone:	<b>(415) 266-7767</b>
Record No.:	<b>2016-014004PRJ</b>	Email:	<b>wrigley@butlerarmsden.com</b>

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

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	39 Feet	No Change
Side Setbacks	None	No Change
Building Depth	47 feet 2 inches	No Change
Rear Yard	50 feet 4 inches	No Change
Building Height	49 feet 5.25 inches (top of curb to finished roof)	61 feet 1.25 inches (top of curb to mid-pitch)
Number of Stories	3 (excluding detached garage at street)	4 (excluding detached garage at street)
Number of Dwelling Units	1	No Change
Number of Parking Spaces	2	No Change
PROJECT DESCRIPTION		
<p>The proposal includes interior renovations, a rear horizontal addition at the southwest corner of the existing building, and a vertical addition.</p> <p><i>***A previous set of plans was mailed on 11/13/17, but they didn't not include the existing site conditions. This mailing includes the full set of plans – existing and proposed. All other information and the expiration date remains the same.***</i></p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.</p>		

**For more information, please contact Planning Department staff:**

Planner: Brittany Bendix  
Telephone: (415) 575-9114  
E-mail: brittany.bendix@sfgov.org

**Notice Date: 11/13/2017**  
**Expiration Date: 12/13/2017**

## GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

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

**Incomplete applications will not be accepted.**

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

### BOARD OF APPEALS

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

### ENVIRONMENTAL REVIEW

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

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a

hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

## Application for Discretionary Review

CASE NUMBER:  
For Staff Use only

2016.014004PRJ

RECEIVED

APPLICATION FOR  
Discretionary Review

DEC 08 2017

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

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: Robert Tandler & V Benesch, J&S Krooss, M&O Muduroglu, L Fulmer, K&M Brown, N&S Larsen, K Doerge		
DR APPLICANT'S ADDRESS: 2856 Vallejo St., San Francisco CA	ZIP CODE: 94123	TELEPHONE: (415) 789-6494
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Owner 2865 Vallejo St.		
ADDRESS: 1809 Kings Island Dr., Plano, TX 75093	ZIP CODE: 75093	TELEPHONE: ( )
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Joe Wrigley		
ADDRESS: 1420 Sutter St., First Floor	ZIP CODE: 94109	TELEPHONE: (415) 266-7767
E-MAIL ADDRESS:		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 2865 Vallejo St., San Francisco CA		ZIP CODE: 94123		
CROSS STREETS: Baker and Broderick				
ASSESSORS BLOCK/LOT: 0958 / 017	LOT DIMENSIONS: 25x136 appx	LOT AREA (SQ FT): 3436	ZONING DISTRICT: RH-1(D)	HEIGHT/BULK DISTRICT: 40-X

## 3. Project Description

Please check all that apply

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

Present or Previous Use: \_\_\_\_\_

Proposed Use: Single Family Residential

Building Permit Application No. 2016.10.11.9920 Date Filed: October 11, 2016

#### 4. Actions Prior to a Discretionary Review Request

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

#### 5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

One of the cosigners Keith Doerge has discussed project with applicant. All cosigners have communicated  
their objections to planning staff. Robert Tandler has discussed this project with planning staff. No changes  
have been made to our knowledge.



## Discretionary Review Request

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

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

The proposed height violates the Cow Hollow Neighborhood Design Guidelines. It is too high for the block which currently has a constant roofline, creating a five-story project in a four-story neighborhood. This proposal violates the Building Envelope, Scale, Height, Roofline, Volume and Mass guidelines starting on page 36 of said guidelines. The project is disruptive within the meaning stated within said guidelines and the proposed addition would present a problem for neighbors on the north side of Broadway, as well as the north and south sides of Vallejo St., and the east side of Baker St. due to the towering and interruptive roofline. The proposed application is confusing and potentially inaccurate in that the building is currently four stories.

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

The project is out of scale with the neighboring buildings. It would block light and sky and violate the privacy of neighboring buildings. It would block the views of nearby residents. The project creates a dangerous precedent for the neighborhood. It will encourage others to add a fifth story. The project does not comply with the Cow Hollow Association Pre-App Checklist Guidelines in multiple respects set forth in the attached letter from Geoff Wood.

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

Reduce the project height by one story.

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

12.05.17

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

☒ Robert Tandher  
Owner / Authorized Agent (circle one)  
2856 Vallejo

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

12/5/17

Print name, and indicate whether owner or authorized agent:

John Krooss

Owner / Authorized Agent (circle one)

Susan and John Krooss  
2868 Vallejo St.



## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

12/7/17

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

MARYAM MASTOURI  
Owner / Authorized agent (circle one)  
ORAN MUĐUROGLU

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: Loraine W. Fulmer Date: Dec. 5, 2017

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

LORAIN W FULMER  
Owner / Authorized Agent (circle one)

Loraine Fulmer  
2878 Vallejo St.

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: Marianne Brown Date: 5<sup>th</sup> Dec. 2017

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

Marianne Brown  
Owner / Authorized Agent (circle one)

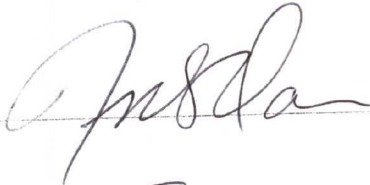
Marianne and Kevin Brown  
2448 Baker St

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

12-5-17

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

Niels Larsen

Owner / Authorized Agent (circle one)

Susan and Niels Larsen  
2856 Vallejo St.

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

12/5/17

Print name, and indicate whether ~~Owner~~ or authorized agent:

KEITH DÖRGE, OWNER

Owner / Authorized Agent (circle one)

2875 Vallejo St. S.F. 94123

Addendum To Application For Discretionary Review 2865 Vallejo St.

Application Co-Signed By:

Robert Tandler and Valli Benesch  
2856 Vallejo St.

Susan and John Krooss  
2868 Vallejo St

Maryam and Oran Muduroglu  
2841 Vallejo Street, SF

Loraine W. Fulmer  
2878 Vallejo Street

Kevin and Marianne Brown  
2448 Baker Street

Niels and Susan Larsen  
2858 Vallejo St.

Keith Doerge  
2875 Vallejo St

Attachments to Application For Discretionary Review 2865 Vallejo St.

I - Letters of Objection from Neighborhood

A - Letter from Bob Tandler and Valli Benesch, residents 2856 Vallejo St.	1
B - Letter from Keith Doerge, resident 2875 Vallejo St.	2
C - Letter from Cow Hollow Association	3
D - Letter from John and Susan Krooss, residents 2868 Vallejo St.	3
E - Letter from Maryam and Oran Muduroglu, residents 2841 Vallejo St.	4
F - Letter from Loraine Fulmer, resident 2878 Vallejo St.	4
G - Letter from Kevin and Marianne Brown, residents 2448 Baker St.	5
H - Letter from Niels and Susan Larsen, residents 2858 Vallejo St.	5
I - Additional Specific Issues and Objections From John and Susan Krooss	6

II - Images

A - Before and After Images From Krooss (2868 Vallejo) Top Floor	7
B - Before and After Images From Tandler/Larsen (2856/2858 Vallejo) Street/Sidewalk	7
C - Before and After Images From Brown (2448 Baker) 2nd Floor Back Deck	8
D - Before and After Image From Brown's (2448 Baker) Top Floor	8
E - Public View Rendering Issue	9

III - Cow Hollow Pre-App Checklist	11
------------------------------------	----

## I - Letters of Objection from Neighborhood

### A - Letter from Bob Tandler and Valli Benesch, residents 2856 Vallejo St.

Dear Brittany,

Thank you for getting back to me. I am concerned that the proposed height of the redevelopment at 2865 Vallejo is too high for the neighborhood, is an inappropriate design in this location, blocks light, sky, and creates shadow and privacy problems for the neighbors.

Further, and most significantly, the proposed design violates the Cow Hollow Neighborhood Design Guidelines in several respects, a copy of which is attached for your convenience. As this is a PDF, I am not able to copy all of those sections into this e-mail.

Looking at:

2. **Building Envelope**, starting at page 36, this proposed design violates every aspect of the Roofline, Volume and Mass guidelines and would be "disruptive" as identified therein. There are prohibitions that require a project to: Respect Roofline Patterns, Minimize the Impact of Inconsistent Building Rooflines,

3. **SCALE** The scale of a building is its perceived size relative to the size of its elements and to the size of elements in neighboring buildings. The scale of any new building or building alteration should be compatible with that of neighboring buildings. Respect the Scale of the Neighborhood If a building is actually larger than its neighbors, it can be made to look smaller by façade articulations and setbacks. If nothing helps, reduce the actual size of the building.

This building is out of scale with its neighbors and neighborhood.

Height,

A structure higher than others in its block face or context risks incompatibility. As a result, the height relationship between structures in Cow Hollow has been the source of intensive debate. Several specific height relationships create concern, including: • down-slope structures with excessively high rear facades blocking light and overwhelming up-slope structures located on the same block • down-slope structures blocking views from up-slope structures across the street, and • down-slope structures blocking lateral views and light from up-slope structures when located on a block face perpendicular to the hill slope. • on moderately or steeply up-sloping lots, to preserve mid-block open space and amenities such as access to overhead light and air, it may be necessary to limit the height of additions to the rear of the house. ... In these areas, vertical expansions that further limit the light are not appropriate.

Unfortunately, I cannot copy the examples in the Guidelines that show that this proposal is too high for its surroundings, would be disruptive to the neighborhood and the neighbors.

Have you had a chance to look at these Guidelines?

I look forward to our conversation this afternoon. Please call me at 415.789.6494, at your convenience.

Many Thanks,

Bob Tandler  
Fritzi Realty I Tehama Partners, LLC.  
75 Broadway, Suite 202  
San Francisco, CA 94111  
415-361-4122(o)/415-789-6494(c)  
[bob@fritzy.com](mailto:bob@fritzy.com)



B - Letter from Keith Doerge, resident 2875 Vallejo St.

TO: Ms. Brittany Bendix  
SAN FRANCISCO PLANNING DEPARTMENT

December 6, 2017

RE: 2865 Vallejo Street, San Francisco, CA Appl. No. 2016.10.11.9920

Dear Ms. Bendix:

I am the adjacent neighbor to the West of 2865 Vallejo Street. As you can see from the plans, the Applicant's house is right on the property line, between our two properties.

**Reasons that this additional floor level should be denied approval:** Resultant neighbor's extraordinary loss of morning light and sky; addition's appearance would be inappropriately inconsistent with the surrounding houses; neighbors deserve relief from excessive construction work on a single property site, in this case 2865 Vallejo Street which lasted almost four years.

**Loss of light/sky:** Houses on this block of Vallejo Street were built at a higher level to capture the North view. The house at 2865 Vallejo Street was the last house that could attempt to perch on the rock underpinning, and ended up with only 50% solid footings. The next house West, my house, never attempted a hill-siting, and was built from the street level.

My main floor living area is just above the garage level, similar to conventional houses. When I walk out to my patio (South direction), the current West wall of 2865 Vallejo is high enough to block the morning sun and much of the sky. If they were permitted to add an additional 12 feet to this property-line height, they would dramatically increase the effect of having a high-rise building next door.

**Inappropriate 'look' and 'scale' for the location:** At the el Drisco presentation about one year ago, Mr. Butler covered the compliance of the design with the owner's claimed right to build additional floor level to a certain height, based upon the code. What he did not address, and was not mentioned within the Notice from the Planning Commission, was any mention of the Cow Hollow Neighborhood Design Guidelines. These Guidelines would seem to be of sufficient importance that the Planning Commission should advise neighbors of that aspect of review, and Mr Butler should have addressed the degree to which his project fell outside of those guidelines.

Given the stark, unattractive departure from the neighborhood houses, some requirement should be made to have Mr. Butler report to the Review Board and the neighbors about the substantial variance from those Cow Hollow Design Guidelines.

**Relief from excessive construction:** It may make some sense to mention that our neighborhood recently suffered through a four year period of construction while the Seller developed this into a \$6,000,000 property. Among other aspects, the garage was extended South under the house with basement rooms and an elevator added. To immediately grant an out-of-state buyer the option of commencing new and major construction to add a fifth floor "view penthouse" that is unrelated to the foundational house or the neighborhood, seems beyond what the neighborhood should have to endure. At the very least, his Applicant's request should be viewed through the lens of very close adherence to the Cow Hollow Design Guidelines.

One further question. I attended Architect William Butler's presentation at the el Drisco Hotel, which I believe was more than a year ago. Prior to that meeting, I received an extensive set of plans that described the project. Further at the el Drisco Hotel, Mr. Butler displayed and discussed enlarged views of all aspects. Now, with this recent Notice, I received only two pages of reduced-scale drawings that did not make clear what changes, if any, have been made from the Application mailed to us a year ago. If there has been any further change, it would seem obligatory that the full set of plans and accompanying presentation and question period be repeated so that all details of the final Application are clearly understood.

Thank you for your consideration of this request for Discretionary Review hearing.

Keith Doerge  
2875 Vallejo Street  
San Francisco, CA 94123



C - Letter from Cow Hollow Association

Dear Brittany,

I am enclosing a checklist (*see Attachment III - Cow Hollow Pre-App Checklist*) for the above project as it may be helpful to you. I realize that this checklist is late, however, the CHA member who actually attended the Pre-App meeting over a year ago, is no longer on our board and did not complete a checklist before he left. I met with several very concerned neighbors yesterday regarding the proposed project at 2865 Vallejo. They were very troubled about the additional height of the proposed (5th) floor in general. Although the lot slopes steeply uphill from the street, the final height of the fifth floor is 61 feet from the street and will tower over all other homes on the south side. This block of Vallejo is very consistent in height, setbacks, scale and traditional architectural design. The proposed addition interrupts this block-face significantly and should not be approved as drawn. This proposal is a perfect example of how to disrupt the block face as described in our Guidelines on page 17. I would even think it will be a problem for neighbors on the north side of Broadway looking down at the interruptive roof line of this project.

Additionally, there are two other concerns about this project that are no fault of the owner or architect. The lapsed period between the required Pre-App meeting and the time to file plans is over a year, and could be several years. This is rare, but does happen. After this time lapse, neighbors forget the proposal, people move and the purpose for the Pre-App meeting becomes ineffective. After a one-year lapse, a new Pre-App meeting should be required before plans are filed. The other concern is the notice area for Pre-Apps. It is too restricted and should be enlarged to 150 feet, the same area required for 311 notices. Important issues that concern more of the street neighbors and certainly neighbors who next-adjoin the proposed property, legitimately should be discussed at the Pre-Application meeting. I know you don't make these policies, but these are critical issues as we see more and more projects come before us.

I feel that some of the neighbors may file for DR., in which case, we would support this effort with a letter to follow. Please call me, if you have any questions or comments. Thanks for your help on this.

Geoff Wood  
CHA Zoning Committee

D - Letter from John and Susan Krooss, residents 2868 Vallejo St.

Dear Ms. Bendix,

We reside at [2868 Vallejo Street](#), directly across the street from 2865 Vallejo, which is currently under a design review.

We are highly concerned about the proposed redevelopment. The plans call for a looming building, completely out of touch with both the neighborhood and the current house itself. This new structure would tower over all other building on that side of the street, and block light from the street as well as neighboring properties including our own.

In addition, as you may or may not be aware, this house has been the subject of numerous massive, multi-year construction projects the past decade. At this point, this is basically a brand new dwelling. To force neighbors to endure yet another contentious project on the same house seems extreme at best.

Thank you very much for your time and attention to this matter.

Sincerely,

Susan and John Krooss  
2868 Vallejo St.  
[jackkrooss@gmail.com](mailto:jackkrooss@gmail.com)  
[svkerr@gmail.com](mailto:svkerr@gmail.com)  
415-297-0952

E - Letter from Maryam and Oran Muduroglu, residents 2841 Vallejo St.

Dear Brittany,

I am contacting you as a concerned neighbor regarding an upcoming project at [2865 Vallejo Street](#). We are on the same side of the block and just one house away.

Frankly, we are surprised that the proposed project was not denied by the city planning department. It appears to be against the guidelines with keeping the front of the house in line with the other homes and staying true to the historic elements of the city. We just completed a project of our own and worked hard to stay in line to the guidelines required by the city...

All the homes on the south side of the block are of the same height...not only would the new floor addition to [2865 Vallejo Street](#) project create an imbalance to the entire block of homes, it also will set an unfortunate precedent to future homeowners regarding the required heights of the homes, triggering a domino effect of rising roof heights.

This towering addition will block our views of the Broadway cliffs, the Presidio and the direct sunlight to our bedrooms on the back west side of the house. There has been multitude of construction on this block for years as you already know and all the neighbors have been more than patient and accepting of all the inconveniences; however, none of the projects were inconsiderate of the consistency of the homes on the block or added a floor which would affect the privacy and light of the immediate neighbors.

We look forwards to discussing this further via a Discretionary Review.

Best and happy holidays.

Maryam and Oran Muduroglu  
[2841 Vallejo Street, SF](#)  
415-806-0699 cell

F - Letter from Loraine Fulmer, resident 2878 Vallejo St.

Dear Brittany and David,

I have resided at [2878 Vallejo Street](#) for 35 years. I am extremely concerned about the proposed project at [2865 Vallejo Street](#). Adding a 5th floor to the home would be visibly and physically incompatible with the other homes on the south side of the street. In addition, expanding the height of the home could have a negative impact on the adjacent homes, as well as the Broadway homes behind it, by blocking light, air, and views.

Character of the neighborhood should be respected, as well as the **Cow Hollow Neighborhood Design Guidelines**. It would be unfortunate to allow this project to set a precedent for future neighborhood construction projects.

I look forward to future discussions with you.

Sincerely,

Loraine W. Fulmer  
[2878 Vallejo Street](#)  
[San Francisco, CA. 94123](#)  
415 760-2004 cell  
[lorainefulmer@me.com](mailto:lorainefulmer@me.com)

G - Letter from Kevin and Marianne Brown, residents 2448 Baker St.

Dear Brittany,

We are contacting you as concerned neighbors.

My husband and I have been living in the middle of the block of 2448 Baker Street(between Vallejo and Broadway) since 1971. Our house is very close and would be very much affected by the proposed addition of a fourth floor of the property of [2865 Vallejo Street](#).

It would block a huge part of our open views towards the East to the Berkeley Hills, our neighbors very attractive rooflines and the steep hill, with its very attractive rooflines and houses on Divisadero Street.

This proposed addition of a fourth floor would set an unacceptable precedent for this very nice, uniform block of rooflines on Vallejo Street.

The addition would be oppressive and block a lot of our sun and sky and be looming over our back gardens.

Sincerely,

Kevin and Marianne Brown

[2448 Baker Street](#)

[San Francisco, Ca.](#)

415 346 8604

H - Letter from Niels and Susan Larsen, residents 2858 Vallejo St.

We live at [2858 Vallejo St.](#), across the street from a proposed addition at [2865 Vallejo St.](#) We are very opposed to their plan to expand their building envelope by 12 feet in height. We believe this will destroy the rhythm and beauty of our block. The houses now form a uniform step up to Broadway with large open spaces separating the blocks and similar heights. This is a formula that creates the unique look of many charming San Francisco neighborhoods. It also is respectful of neighbors open space and light. We believe this is contrary to agreed upon guidelines for our neighborhood and are hopeful this will not be allowed.

Thank you respectfully,  
Susan and Niels Larsen

I - Additional Specific Issues and Objections From John and Susan Krooss, residents 2868 Vallejo St.

To Whom It May Concern:

We submit the following issues and objections:

1. The proposed structure is incongruous with the neighborhood. The current roofline of the entire block is consistent within a few feet. Adding an additional story to 2865 will stick out like a sore thumb towering above all the other structures. This is a gross violation of neighborhood conformity standards relating to disruption of the block face.
2. The proposed addition is inconsistent with both the neighborhood and the current structure's architectural style. The additional top floor looks like a glass fronted box plopped onto an otherwise attractive home. The impact is jarring and disruptive of the block's otherwise very charming appeal.
3. This five story structure would set a precedent for the block. If one neighbor can build to this limit then others will do so as well. We live on the other side of the street and can expect that this will be used as justification to go higher on our side as well. This will become a domino effect ensuring complete transformation of the neighborhood.
4. Technically the permit application contains a discrepancy concerning the number of stories. It states that the existing structure is a "three story structure excluding a detached garage at the street." The drawings further state that the next door property 2875 Vallejo is currently a four story structure. This is not accurate. Attachment of the 2865 garage to the house creating a massive first level was the subject of a four year long demolition and construction project on the house from 2012 through 2014. The hillside under the house was excavated all the way to the back of the house to greatly expand the garage and create a bottom level. The garage is no longer detached. In addition to a massive four car garage which runs from the street all the way to the house setback, the current bottom floor includes a large exercise room, storage room and elevator, and the house rises three more stories from there for a total of four stories. The addition would be a fifth story. 2875 has a similar height envelope, however it does not have any bottom level living space, just a modest size garage. The more accurate statement would be that 2865 is currently four stories and 2875 is currently three.
5. Renderings of the Public View from the street (See Images F - Public View Rendering Issue) supplied in support of the permit application are confusing and potentially misleading. The depiction of the public view of the addition to 2865 appears as smaller than it actually would be as can be seen in the corrected rendering. This discrepancy is very obvious when viewed from the street, and any physical site survey would clearly show this deviation. Obviously, the effect of this disparity is to minimize the disruptive impression of the addition to 2865.
6. This building was under constant construction for four years prior to 2015. It is essentially a brand new house. To embark on another massive multi-year remodel is very disruptive and unfair to the neighborhood.

John and Susan Krooss  
2868 Vallejo St.

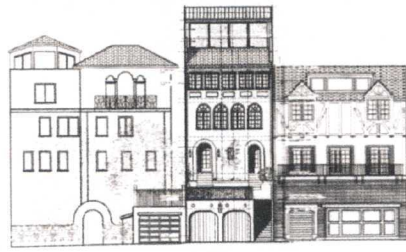


## II - Images

A - Before and After Images From Krooss (2868 Vallejo) Top Floor

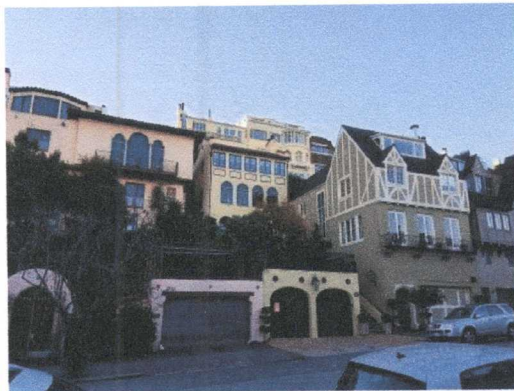


BEFORE

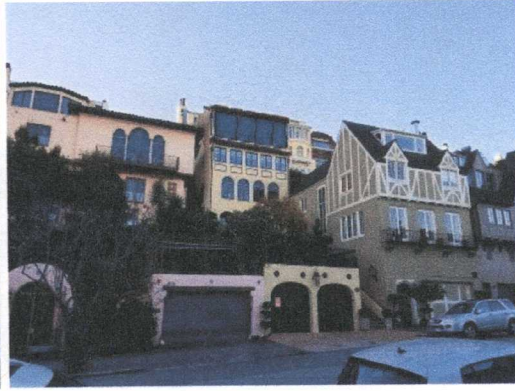


AFTER

B - Before and After Images From Tandler/Larsen (2856/2858 Vallejo) Sidewalk Street Level



Before



After

C - Before and After Images From Brown (2448 Baker) 2nd Floor Back Deck

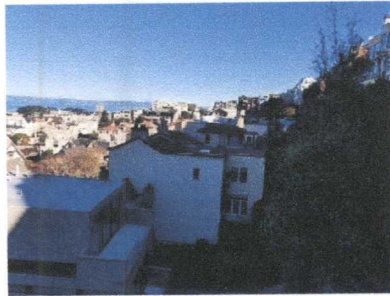


Before



After

D - Before and After Image From Brown's (2448 Baker) Top Floor



Before



After

E - Public View Rendering Issue



EXISTING CONDITION



PROPOSED VERTICAL ADDITION NOPDR #1

**ORIGINAL**

EXISTING / PROPOSED VIEW FROM PUBLIC REALM - VIEW 01

**1614 AKILIAN**

2865 VALLEJO STREET, SAN FRANCISCO, CA 94123



EXISTING CONDITION



PROPOSED VERTICAL ADDITION NOPDR #1

**CORRECTED**

EXISTING / PROPOSED VIEW FROM PUBLIC REALM - VIEW 01

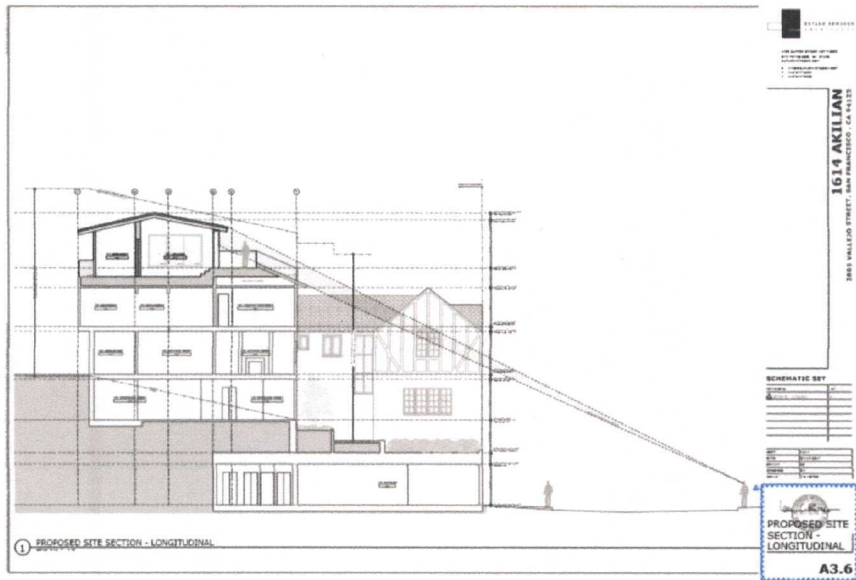
**1614 AKILIAN**

2865 VALLEJO STREET, SAN FRANCISCO, CA 94123



Note: Rendering of top level view appears to be inaccurate as can be seen by (1) comparison to the height of the chimney pipe of 2853 which is approximately the same height as the top of the windows of the new addition on 2865 and at the same set back, and (2) analysis of the site section drawing below provided by the architect which shows the cross section of the projected view of the new addition to be approximately 5 to 6 feet, as shown in the corrected rendering above.







### III - Cow Hollow Pre-App Checklist

#### COW HOLLOW NEIGHBORHOOD - PRE-APP CHECKLIST

Address: 2865 Vallejo

DATE: 11-29-2017

##### A. NEIGHBORHOOD ON-SITE PRE-APP MEETING

REFERENCE OR COMMENTS	YES	NO	SOME	N/A
Pre-App Meeting Notice received by neighbors in Project Area? DR Reform 2009	X			
Notice of Meeting mailed (Minimum 14 days in advance) DR Reform 2009	X			
Was CHA notified of Pre-App Meeting?	X			
List created of those in attendance with email phone? DR Reform 2009	X			
Were Design Phase plans available to view at meeting?				X
Did Project Sponsor or Architect ask for comments or suggestions from neighbors? <u>List Made</u>		X		X
Did Project Sponsor or Architect offer ways to possibly mitigate concerns of neighbors (i.e. "Good Neighbor" gestures) or the CHA?	Not to date	X		X
Prior to meeting, did Project Architect review the CHNDG (Neighborhood Guidelines) CHNDG Section 1, Section 3	X			
Would an additional Pre-App meeting be helpful in resolving significant issues of concern?		X		
Original Pre-App was held over a year ago		X		

##### B. NEIGHBORHOOD CHARACTER & SITING

Does the building respect site topography (on hill, valley, slope) to preserve natural light for nearby residents? Location (CHNDG pgs. 11-12, 21-27)	No		X	
Does the building respect the block face? Relative to other buildings, other significant urban features? Location (pgs. 21-25) Are building's patterns, dimensions compatible with block face? (pg. 32-36)	No. Blockface is of utmost importance on this block and it is not respected. The scale and height of this proposal does not fit in with any other homes on block. <u>Proposed fourth (4th) floor must be removed.</u>		X	
Does the building design respect the pattern of building setbacks? Setback (pgs. 25-28)		X		
Does the building design respect rear yard patterns and mid-block open space? Rear Yards (pgs. 28-29)			X	
Does the building design respect the pattern of side spacing between buildings? Side Spacing (pgs. 30-31)		X		
Does the building design adequately incorporate "good neighbor" gestures? Privacy? Scale?	Proposed building addition does not respect roofline patterns of block. It is incompatible with neighbor homes.		X	
Do the "good neighbor" gestures significantly address the concerns of the neighbors?			X	

##### C. NEIGHBOR'S LIGHT AND VIEW, SCALE

Does building scale preserve the natural light and views for nearby residents? Light and View (pgs. 11, 27, 35, 42)	This proposed addition blocks light and air of downslope neighbors.		X	
Is the building roofline compatible with the pattern of the rooflines on the block-face? Roofline (pgs. 32-33)	Absolutely not.		X	
Are the building's dimensions (length, width and height) compatible with neighboring buildings? Dimensions (pgs. 37-38)	Building design is very acceptable. It is the height that creates the problem.			X

##### D. PERSPECTIVE, STORY POLES

Has Applicant submitted a Perspective, Model, or erected Story Poles to show scale as requested by Planning Staff or Neighbors? DR Reform 2009			X	
--	--	--	---	--

**Additional Comments:** NOTICE PROBLEM: Pre-Application notice should go to any neighbor within 150 feet of proposed project.  
 TIME-LAPSE PROBLEM: After 1 year, any information discussed at a Pre-App meeting is old and may be very out of date. Noticed neighbors may have moved, resold or forgotten project. A new Pre-App meeting should be required after 1 year has lapsed and no plans have been submitted.

### CHECKLIST Cont'd

#### E. TEXTURE AND DETAILING, OPENINGS

REFERENCE OR COMMENTS	YES	NO	SOME	N/A
Do the building's materials complement those used in the surrounding area? Exterior Materials (pgs 40-41)	X			
Does the building respect the amount and level of detail and ornamentation on surrounding buildings?	X			
Does the building respect the pattern of entryways along the block-face?	X			
Is the building's entry compatible in size, placement and details with surrounding buildings?	X			
Are the building's windows compatible with the proportion size and detailing of windows of surrounding buildings?	X			
Is the width of the garage door compatible with adjacent garage doors on the block-face?	X			
Does the proposed garage door complement the style and the design of the rest of the building?	X			

#### F. HISTORICAL SIGNIFICANCE

Is the subject property more than 50 years old?				
Is the subject property part of any historical survey? (REF 2816 Filbert St: HRLER, 2007)				
Are there historically significant aspects of the building association with significant events, persons, architecture, or history?				
Was a Cert Ex from Environmental Review issued with no limiting concerns?				X

**Additional Comments:**

Project Architect:

CHA 2C Attendee:

Address:

Email:

Phone:

#0001/001  
Joe Wrigley  
1420 Sutter St., First Floor  
San Francisco, CA 94109

#0958/016  
Keith Doerge  
2875 Vallejo St.  
San Francisco, CA 94123-4616

#0958/017  
Occupant  
2865 Vallejo St.  
San Francisco, CA 94123-4616

#0958/017  
2865 Vallejo TRS  
1809 Kings Island Dr.  
Plano, TX 75093-2423

#0001/003  
Radius Service  
1221 Harrison St. #18  
San Francisco, CA 94103

#0958/018  
J & B VonBothmer  
2853 Vallejo St.  
San Francisco, CA 94123-4616

#0001/004  
Butler Armsden Architects  
1420 Sutter St. 1st Floor  
San Francisco, CA 94109

#0958/030  
G & A Getty  
2870 Vallejo St.  
San Francisco, CA 94115-0000

#0955/013  
Jeannette Larsen TRS  
2858 Vallejo St.  
San Francisco, CA 94123-4617

#0958/030  
G & A Getty  
2870 Broadway St.  
San Francisco, CA 94115-0000

#0955/013  
Susan and Niels Larsen  
2858 Vallejo St.  
San Francisco, CA 94123-4617

#0958/030  
Occupant  
2880 Broadway St.  
San Francisco, CA 94115-0000

#0955/014  
Susan and John Krooss  
2868 Vallejo St.  
San Francisco, CA 94123-4617

#0958/019  
Maryam and Oran Muduroglu  
2841 Vallejo Street  
San Francisco, CA 94123-4616

#0955/015  
Loraine Fulmer TRS  
2878 Vallejo St.  
San Francisco, CA 94123-4617

#0958/029  
Kevin and Marianne Brown  
2448 Baker Street  
San Francisco, CA 94123

#0958/006  
Ann Getty  
2880 Broadway St.  
San Francisco, CA 94115-1061

0958/012  
Robert Jandler  
2856 Vallejo St  
San Francisco CA 94123-4617

#0958/006  
Occupant  
2864 Broadway St.  
San Francisco, CA 94115-1061

**Bendix, Brittany (CPC)**

---

**From:** Caroline Le <carolinele9@yahoo.com>  
**Sent:** Thursday, December 07, 2017 12:54 PM  
**To:** Bendix, Brittany (CPC)  
**Subject:** Concerns regarding 2865 Vallejo St.

Dear Brittany,

I am writing regarding the proposed vertical addition at 2865 Vallejo Street. My husband and I live two houses away at 2881 Vallejo Street. Our house was renovated in the 1990's by previous owners. At that time, the house was built to its maximum allowable height according to zoning restrictions. We renovated our house in 2011, and we were informed that the house is still at its maximum height and that it would not be possible to build vertically. Our roof height is currently in line with the other houses on our block, including 2865 Vallejo Street. The proposed additional story would have a roofline significantly higher than all other houses on the block. This would alter the character of the neighborhood. It would be an unprecedented height allowance, that would encourage neighboring houses to build vertically as well. We are also extremely concerned about the obstruction of light and loss of privacy that the vertical addition would cause. Thank you for considering the concerns of the numerous neighbors who have expressed objection to this project.

Sincerely,  
Caroline and Thinh Le

2881 Vallejo Street  
San Francisco, CA 94123  
[carolinele9@yahoo.com](mailto:carolinele9@yahoo.com)  
(415) 913-7333

# RESPONSE TO DISCRETIONARY REVIEW (DRP)



**San Francisco  
Planning**

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

---

## Project Information

Property Address: 2865 Vallejo

Zip Code: 94123

Building Permit Application(s): 2016-1011-9920

Record Number: 2016-014004DRP

Assigned Planner: Brittany Bendix

---

## Project Sponsor

Name: Lewis Butler, Butler Armsden Architects

Phone: 415.674.5554

Email: butler@butlerarmsden.com

---

## Required Questions

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

See attached response to discretionary review.

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

See attached response to discretionary review.

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

See attached response to discretionary review.



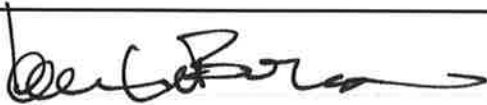
## Project Features

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

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	1	1
Occupied Stories (all levels with habitable rooms)	2	3
Basement Levels (may include garage or windowless storage rooms)	2	2
Parking Spaces (Off-Street)	3	3
Bedrooms	2	3
Height	28	38'-6"
Building Depth	87'-3"	87'-3"
Rental Value (monthly)	0	0
Property Value	\$7,599,000	unknown

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

Signature:



Date:

Printed Name: Lewis Butler

- ☐ Property Owner  
☒ Authorized Agent

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

## Response to Discretionary Review

**Project Address:**  
**2865 Vallejo St.**

**DR Requestors address:**  
**2856 Vallejo St.**

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

2865 Vallejo sits on a steeply sloping lot with a change of grade from street level to the rear of the lot of more than 40 feet. The grade change between Broadway and Vallejo is steep enough that the two cross streets, Baker and Broderick, are pedestrian stairs and do not have automobile access. This presents a unique situation in regards to the height of the building. The project sponsor is proposing a vertical addition of approximately 12 feet 2 inches. The addition will be set back approximately 17 feet from the front façade, behind the existing roof line, and 56 feet from the front property line.

The DR requesters have stated that the proposed vertical addition does not follow the Cow Hollow Design Guidelines, and is inconsistent with the neighborhood's massing and scale. The DR requesters also state that this project will adversely affect the uphill neighbors on the north side of Broadway. However, no residents of Broadway have expressed concern with the addition. The adjacent neighbor at 2875 Vallejo claim that there would be an additional loss of a light in their rear yard.

### **Visibility**

Most of the signers of the DR request live across Vallejo St. See accompanying Exhibit A through C showing DR requesters' addresses. Because of the steeply sloping site and the addition being setback from the façade, the vertical addition is marginally visible from the public right of way. See attached Exhibit A through C for the rendering. The DR requesters have photoshop "corrected" Butler Armsden Architects original renderings. You can see from the section in Exhibit D that their "correction" is inaccurate.

### **Design Guidelines**

In the letters from the neighbors, many of them have cited the "Cow Hollow Residential Design Guidelines". Unlike the San Francisco Planning Department Residential Design Guidelines, the Cow Hollow Guidelines are not adopted by the San Francisco Planning Code. The Cow Hollow Design Guidelines were endorsed by the Planning Commission April 26, 2001 (excluding appendix). The proposed addition is compatible with Cow Hollow Residential Design Guidelines (CHRDG) and the San Francisco Residential Design Guidelines. The scale of the vertical addition is broken up by setting it back approximately 17 feet behind the existing roofline (CHRDG pg37). In regard to the height, the Cow Hollow Residential Design Guidelines state as follows (CHRDG pg38):

*A structure higher than others in its block face or context risks incompatibility. As a result, the height relationship between structures in Cow Hollow has been the source of intensive debate. Several specific height relationships create concern, including:*

- down-slope structures with excessively high rear facades blocking light and overwhelming up-slope structures located on the same block*
- down-slope structures blocking views from up-slope structures across the street, and*
- down-slope structures blocking lateral views and light from up-slope structures when located on a block face perpendicular to the hill slope.*
- on moderately or steeply up-sloping lots, to preserve mid-block open space and amenities such as access to overhead light and air, it may be necessary to limit the height of additions to the rear of the house.*

The proposed addition creates none of the above-mentioned concerns. The proposed addition does not block light, vent or view from the up-hill neighbors. The proposed addition is vertical, so it does not encroach on the mid-block open space. Because of the steep slope, the proposed vertical addition does not affect the houses located on Broadway.

The San Francisco Planning Residential Design Guidelines recommend setting back vertical additions a minimum of 15 feet from the front façade. The proposed addition is set back approximately 17 feet.

### **Light and Vent of the Adjacent Neighbor 2875 Vallejo**

The existing structure at 2865 Vallejo already creates shade in the morning for the adjacent property at 2875 Vallejo. Because of the morning sun angles, the proposed addition causes only a minimal increase in the amount of shade already experienced at 2875 Vallejo.

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

The only modification the DR requesters have asked for is to eliminate the addition completely. The project sponsor does not see this as a compromise solution. Through the Planning Department review the proposed addition was lowered nearly 2 feet, and the front eave was reduced by over 4 feet to reduce the visual impact from the down-  
loping neighbors and the public right of way.

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

The project sponsor is open to a discussion, but the opportunity has not been available. The project sponsor is not willing to completely abandon the project.

EXHIBIT A    RENDERING & BLOCK PLAN



A-EXISTING CONDITION



A-RENDERING

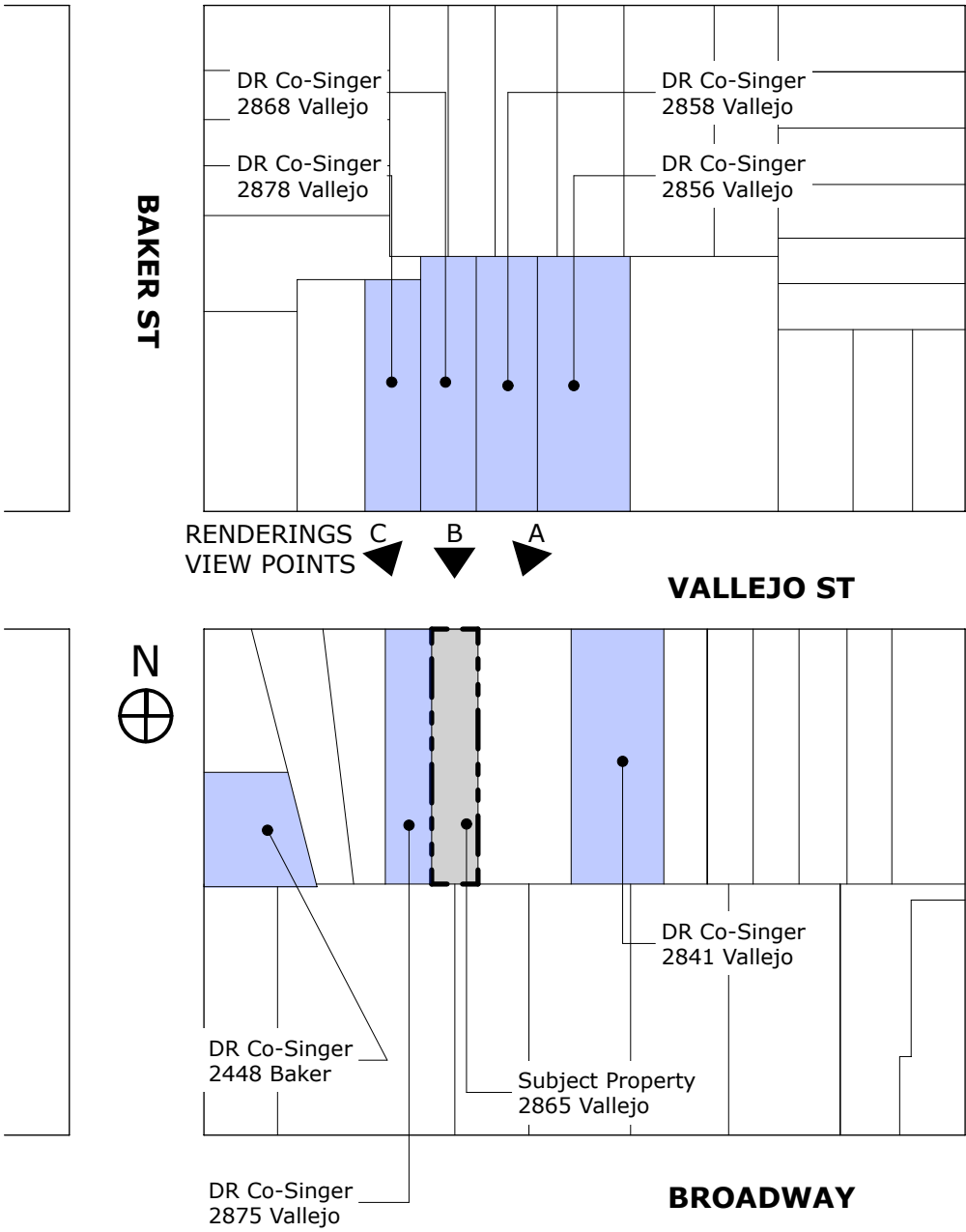




EXHIBIT B    RENDERING & BLOCK PLAN



B-EXISTING CONDITION



B-RENDERING

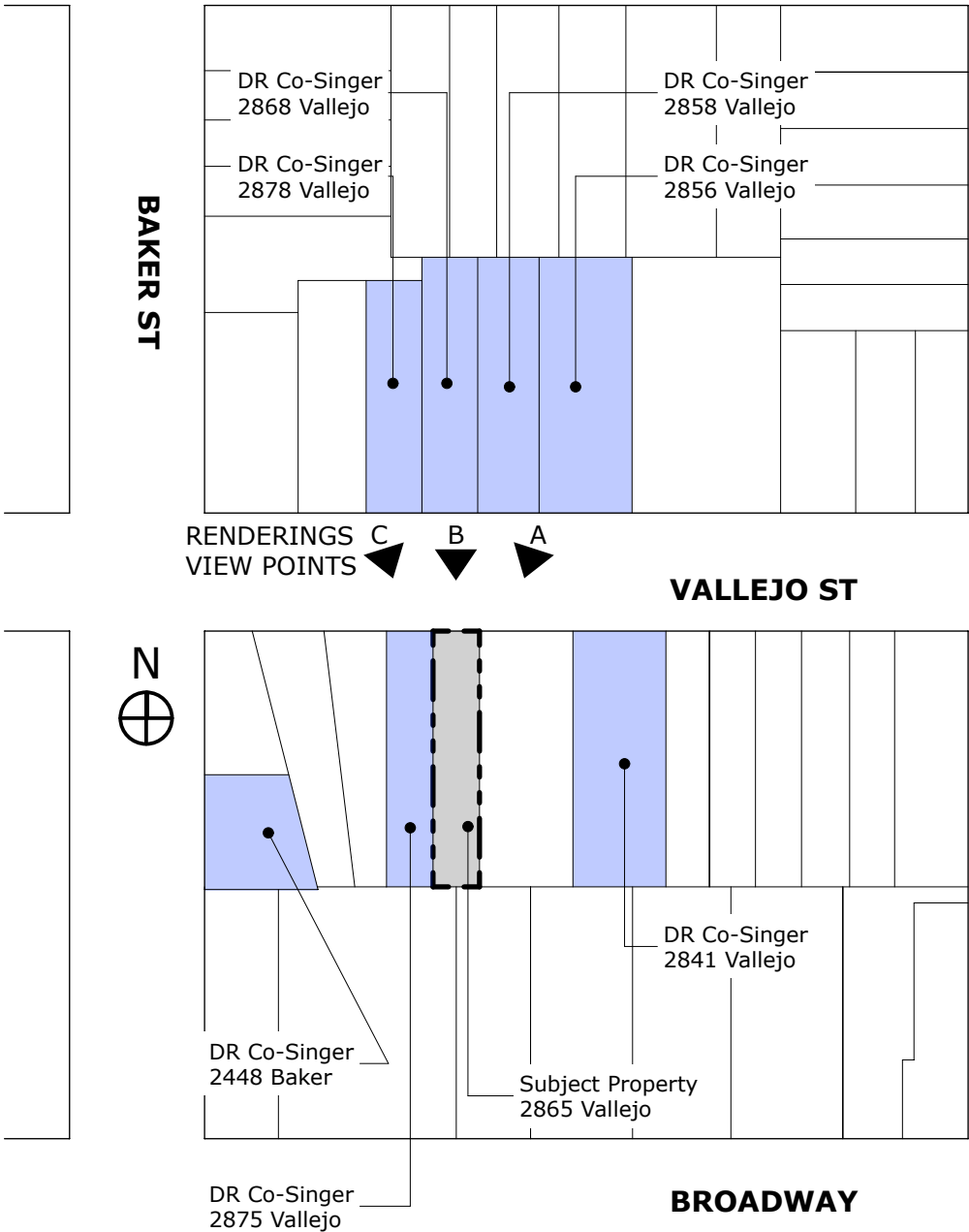




EXHIBIT C RENDERING & BLOCK PLAN



C-RENDERING

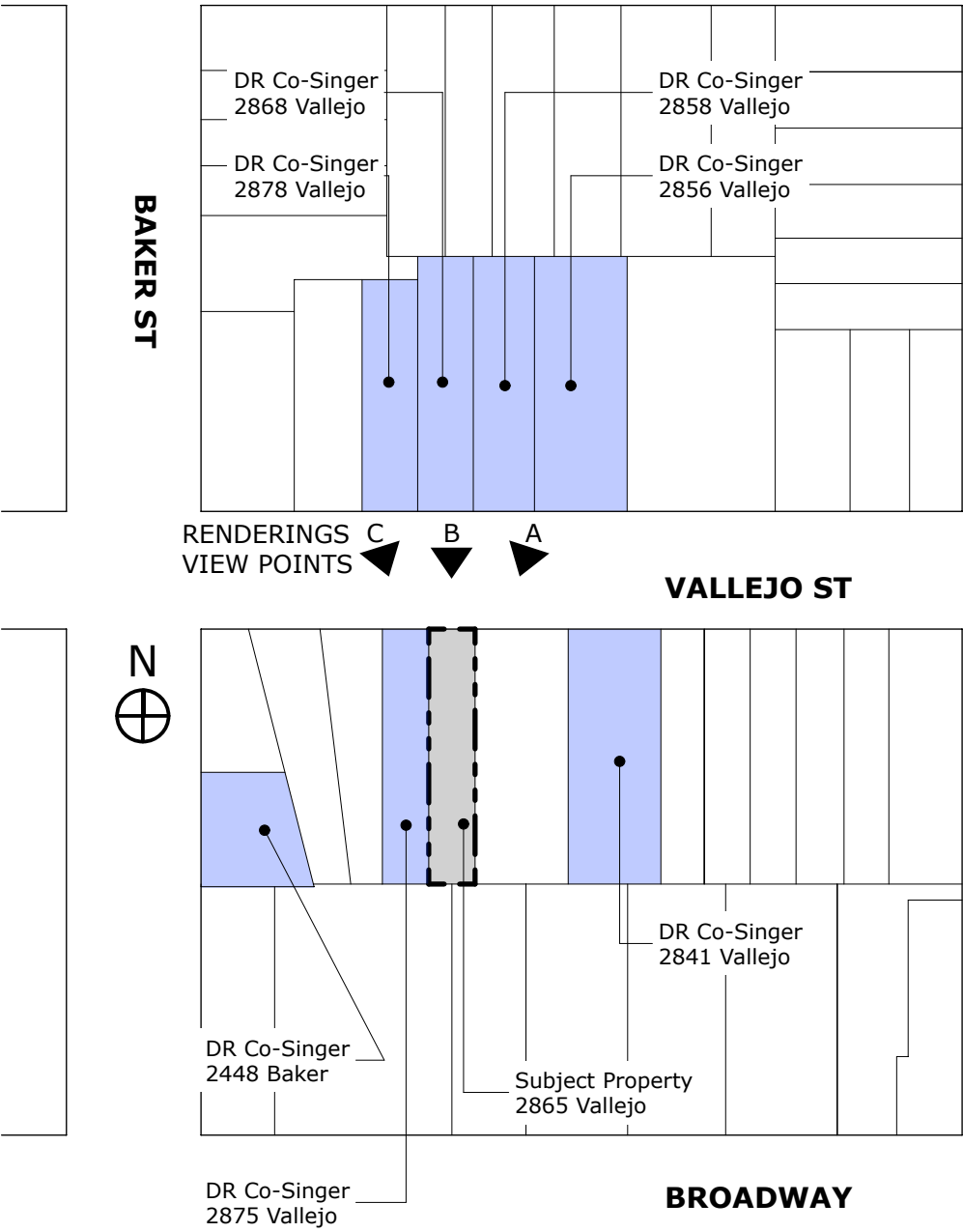
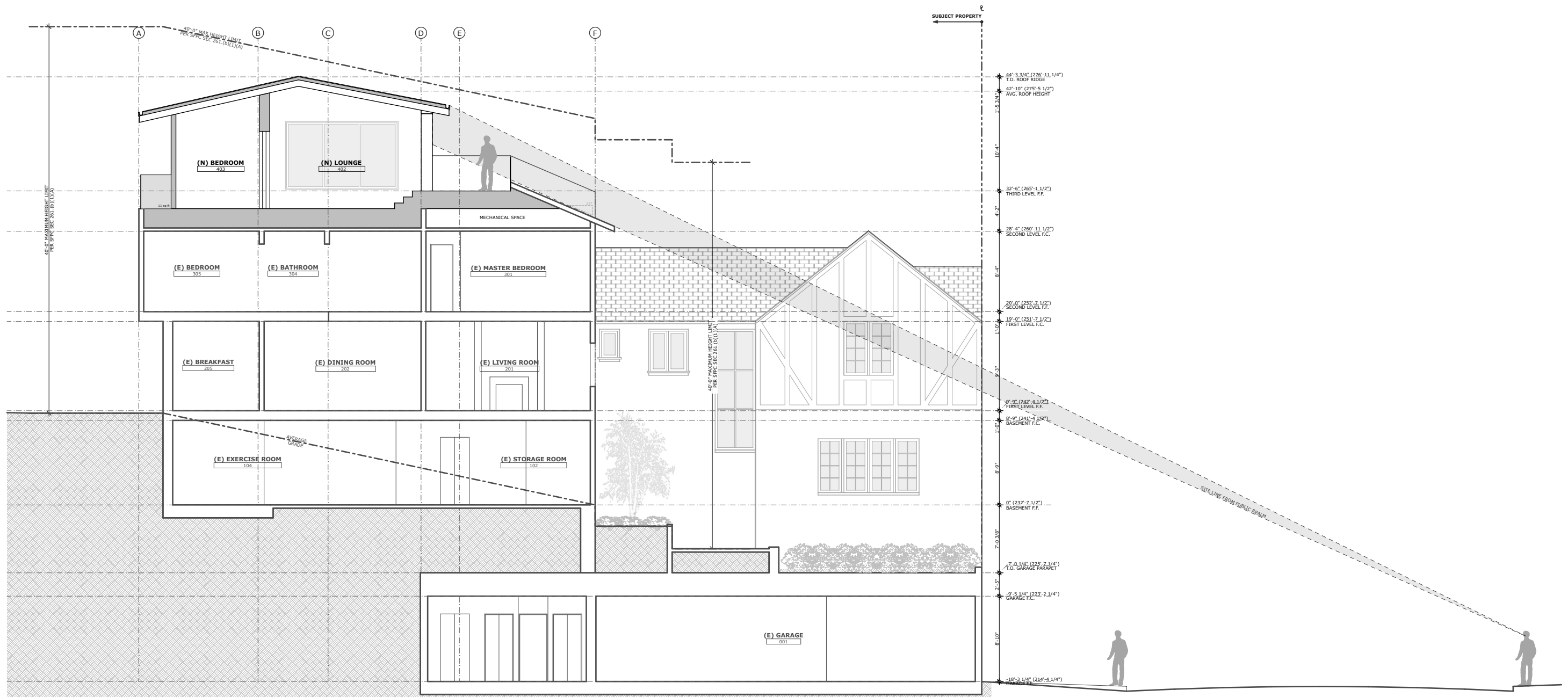


PHOTO KEY & DR DIAGRAM

SCALE 1"=100'

1614 AKILIAN  
2865 VALLEJO STREET, SAN FRANCISCO , CA 94123




## EXHIBIT D SITE SECTION

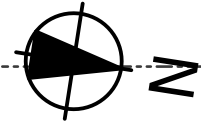





## SITE SECTION

SCALE 3/32=1'-0"

## SYMBOLS

	EXISTING WALL TO BE REMOVED
	EXISTING WALL
	NEW WALL



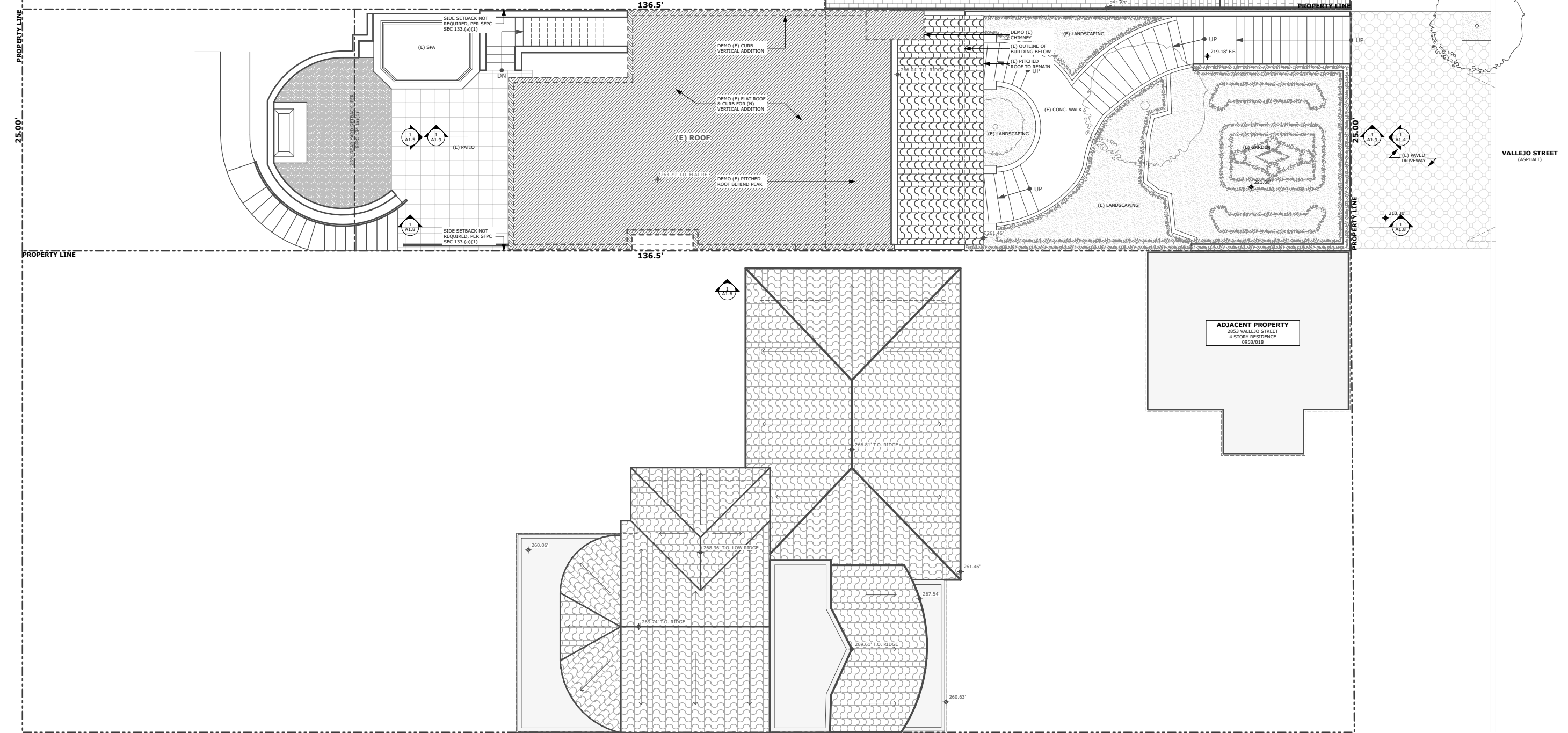
 EXISTING WALL TO BE REMOVED  
 EXISTING WALL  
 NEW WALL

SHEET:  
OF 6

2865 VALLEJO STREET  
SAN FRANCISCO , CA 94123

# EXISTING SITE PLAN

SAN FRANCISCO, CA 94109  
BUTLERARMSDEN.COM  
E INFO@BUTLERARMSDEN.COM  
T 415-674-5554  
F 415-674-5558

BUTLER ARMSDEN  
ARCHITECTS

# 1 EXISTING SITE PLAN

SCALE: 3/32" = 1'-0"

SCALE:  $3/32" = 1'-0"$

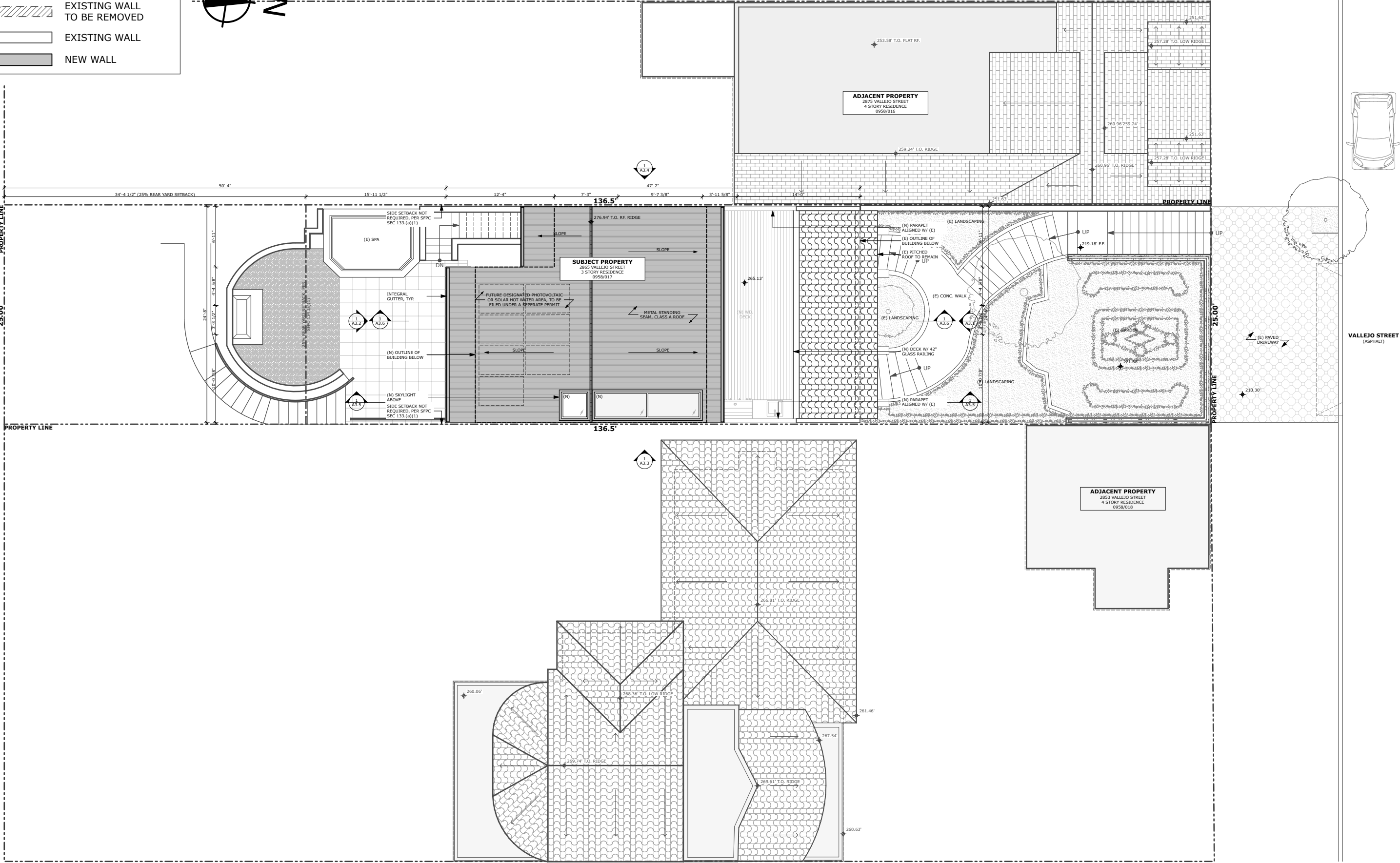
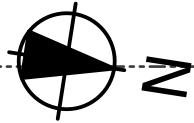


SYMBOLS

EXISTING WALL  
TO BE REMOVED

EXISTING WALL

NEW WALL



1

PROPOSED SITE PLAN  
SCALE: 3/32" = 1'-0"

SHEET:  
2 OF 6

2865 VALLEJO STREET  
SAN FRANCISCO, CA 94123




PROPOSED SITE PLAN

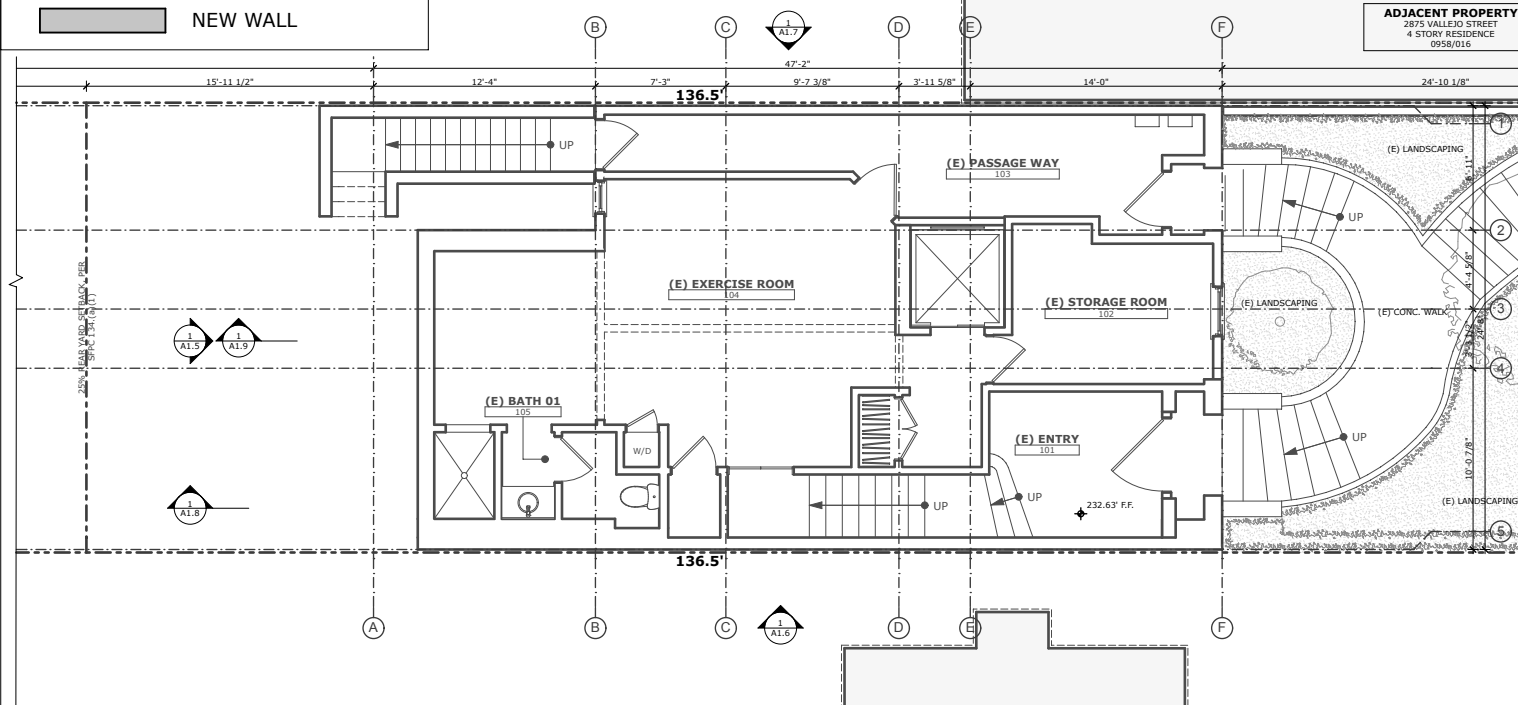
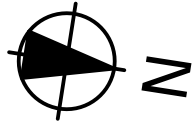
1420 SUTTER STREET 1ST FLOOR  
SAN FRANCISCO, CA 94109  
BUTLERARMSDEN.COM  
E INFO@BUTLERARMSDEN.COM  
T 415-674-5554  
F 415-674-5558

BUTLER ARMSDEN  
ARCHITECTS

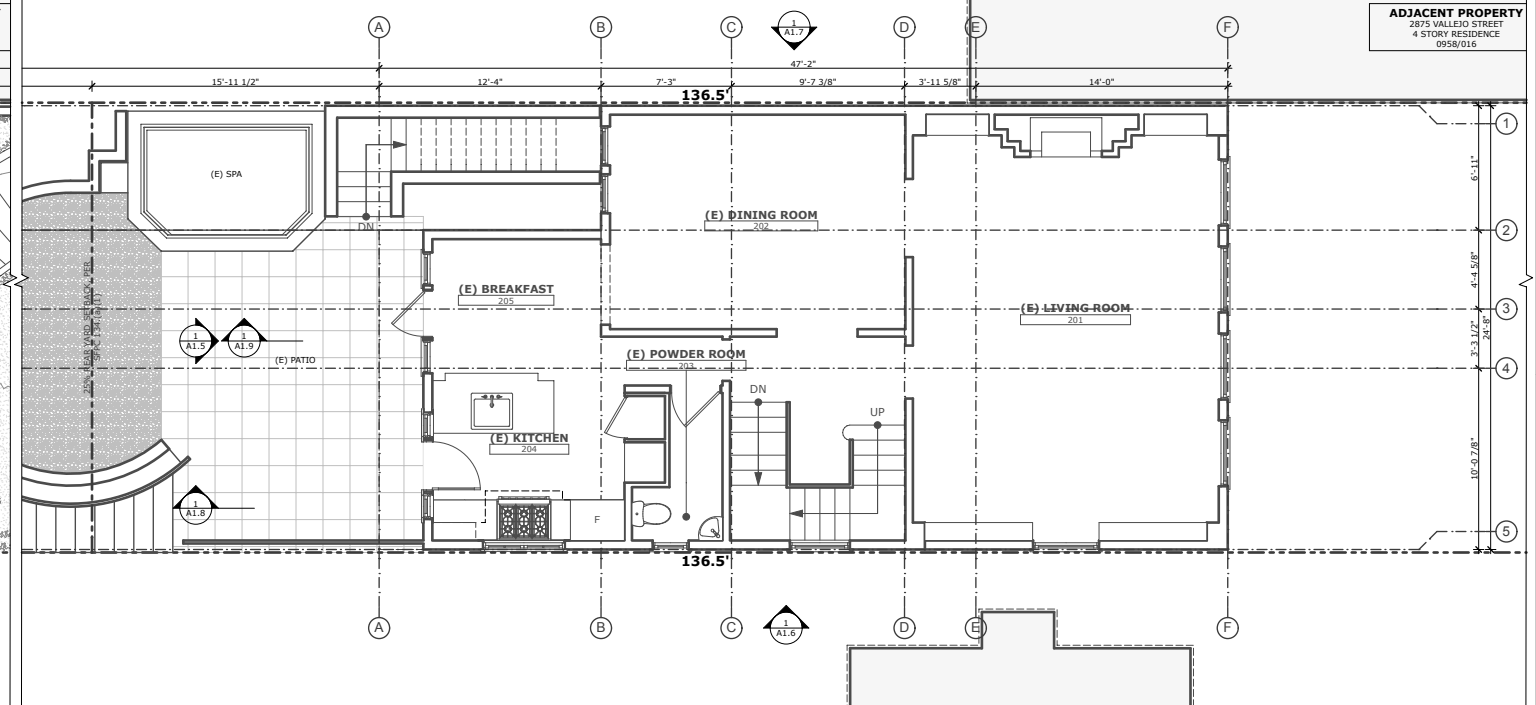


## SYMBOLS

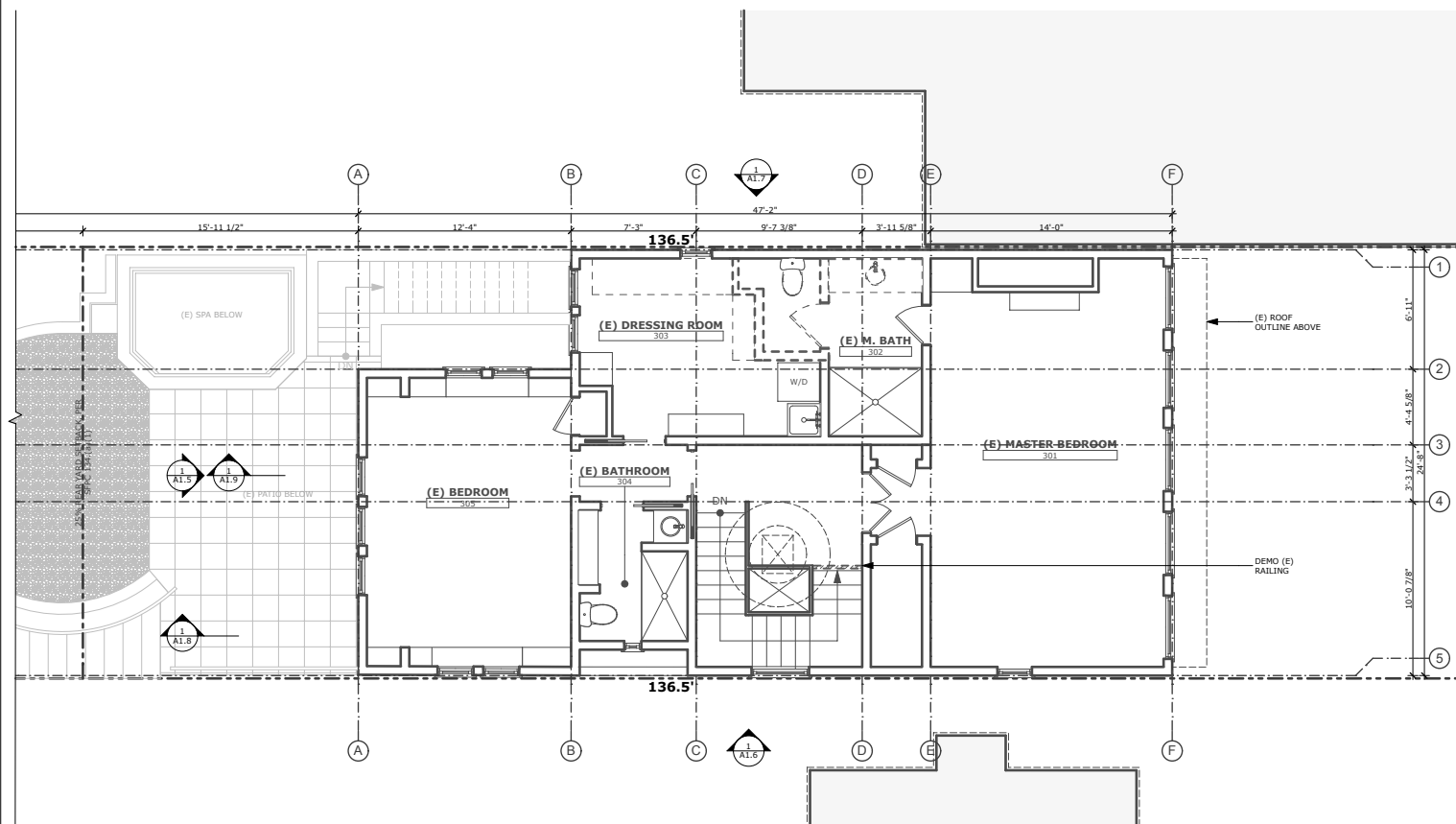
	EXISTING WALL TO BE REMOVED
	EXISTING WALL
	NEW WALL



**1** EXISTING BASEMENT FLOOR (FOR REFERENCE ONLY)  
SCALE: 3/32" = 1'-0"

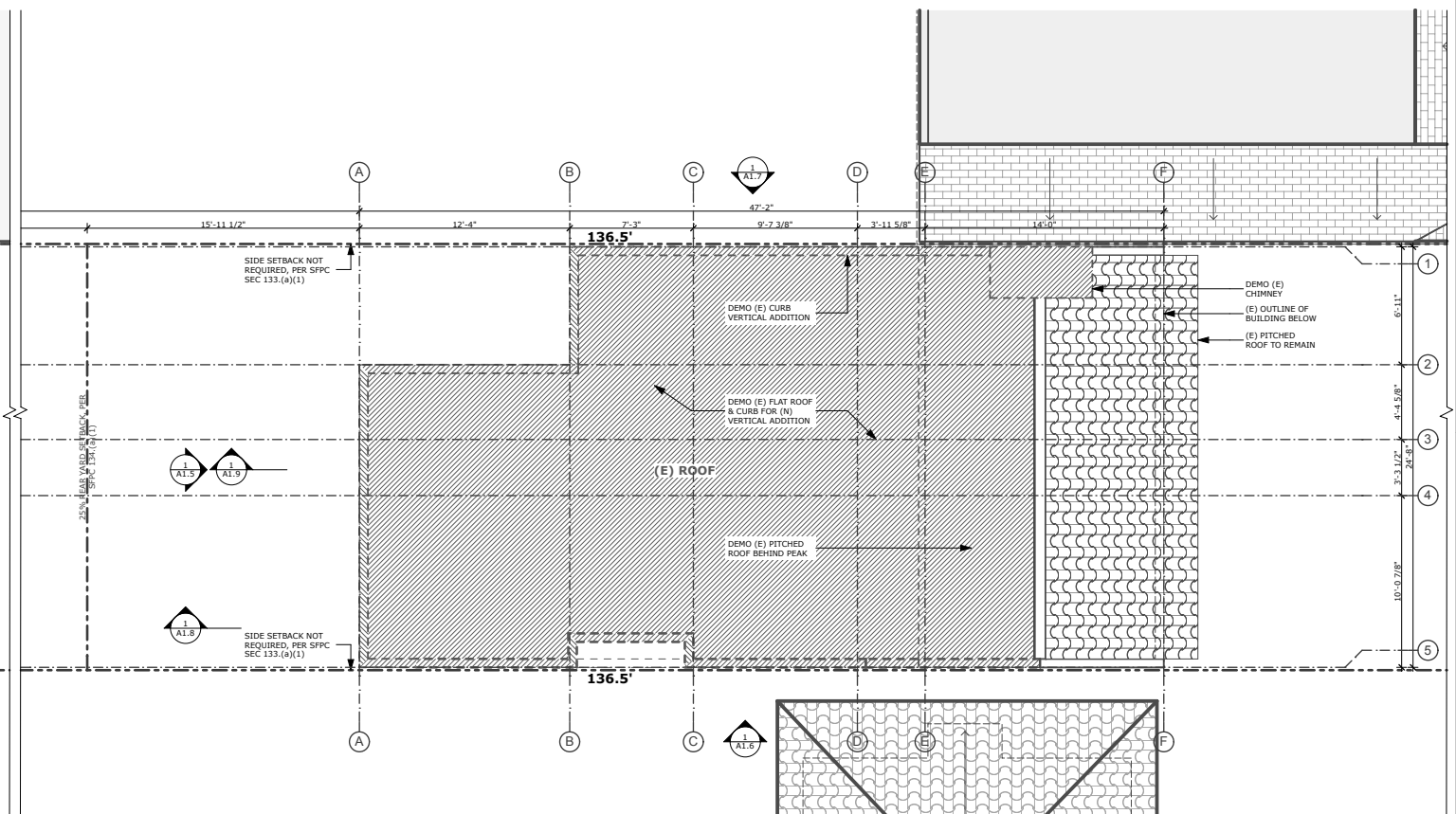


**2** EXISTING FIRST FLOOR (FOR REFERENCE ONLY)  
SCALE: 3/32" = 1'-0"






### 3 EXISTING SECOND FLOOR

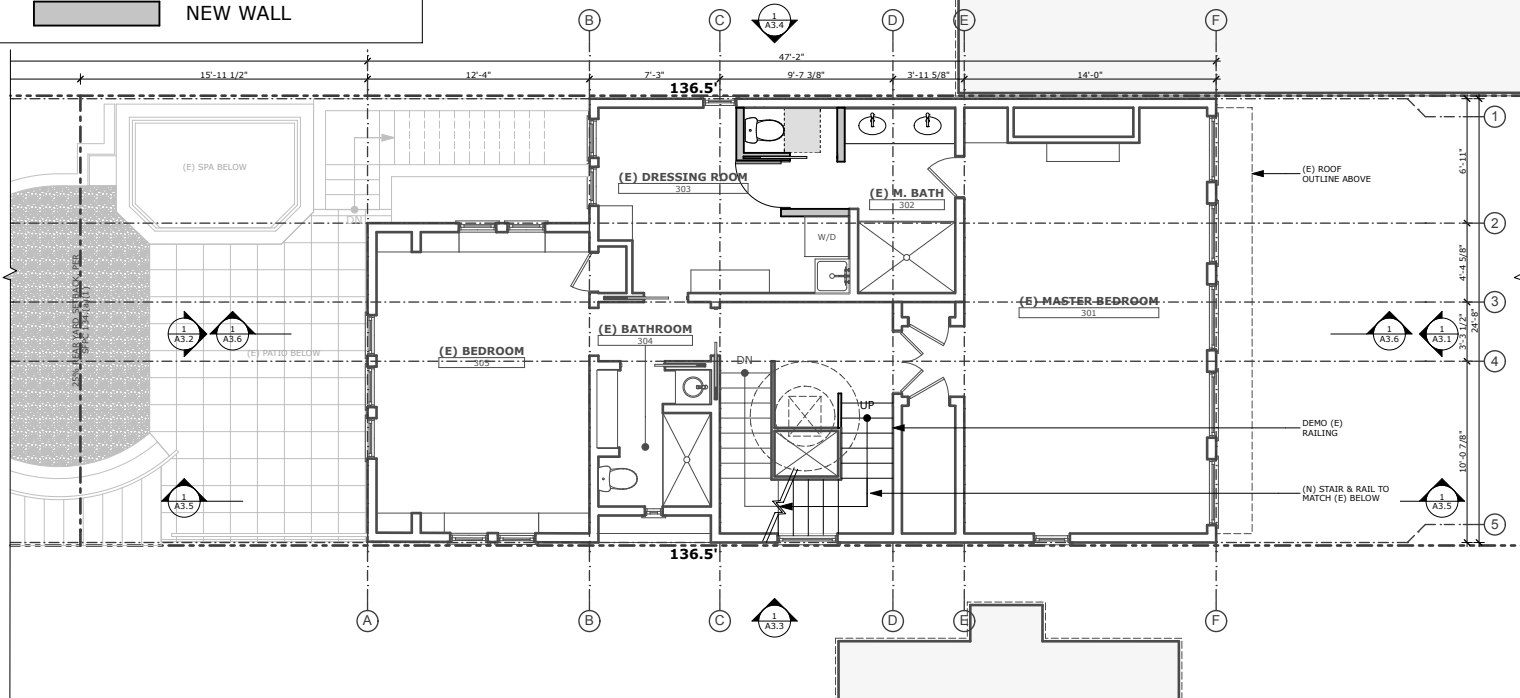
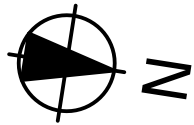
SCALE: 3/32" = 1'-0"



4 EXISTING ROOF  
SCALE: 3/32" = 1'-0"

## SYMBOLS

-  EXISTING WALL TO BE REMOVED
-  EXISTING WALL
-  NEW WALL



1

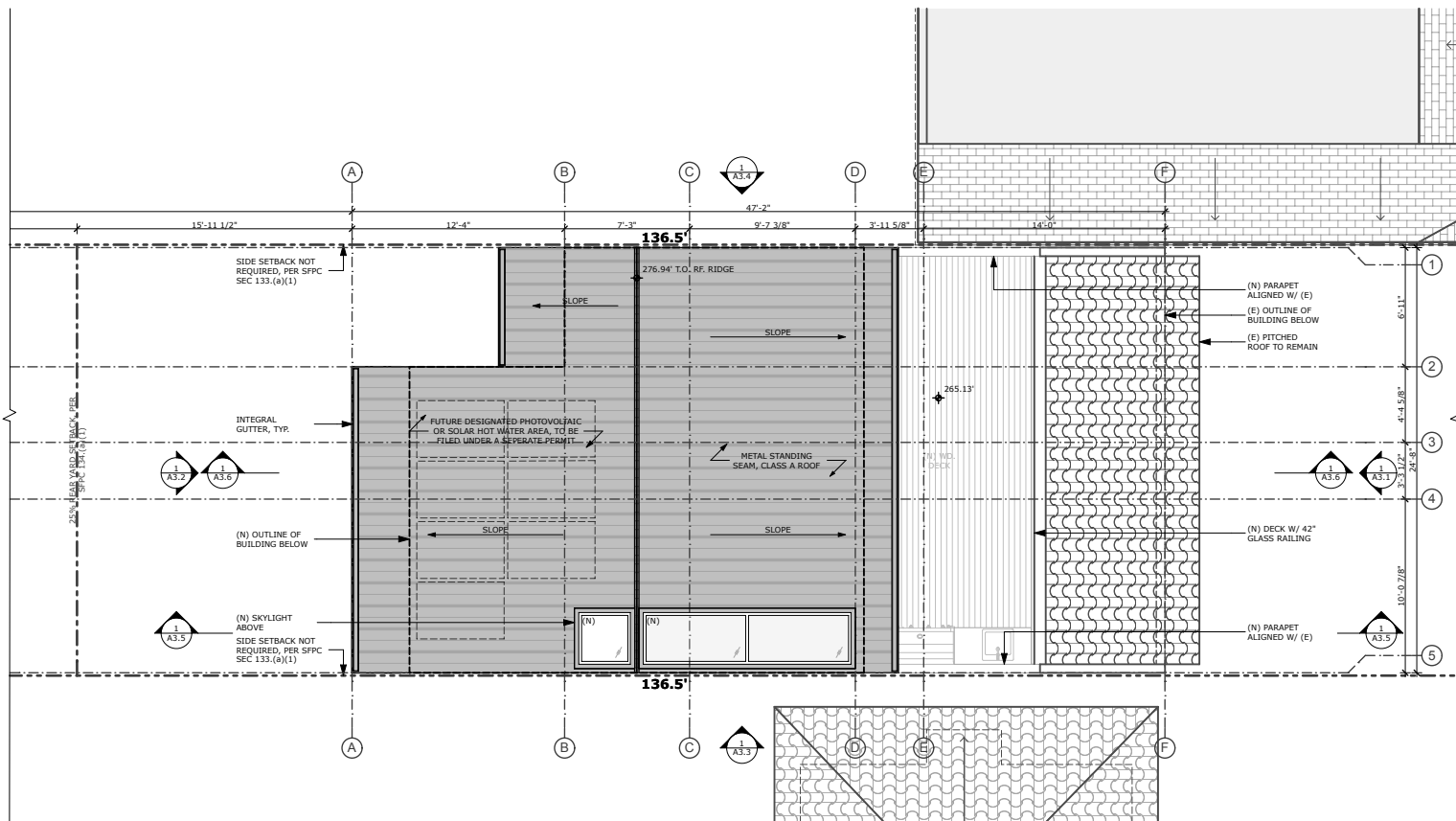
### PROPOSED SECOND FLOOR

SCALE: 3/32" = 1'-0"

2

### PROPOSED THIRD FLOOR

SCALE: 3/32" = 1'-0"



3

### PROPOSED ROOF

SCALE: 3/32" = 1'-0"

SHEET:  
4 OF 6

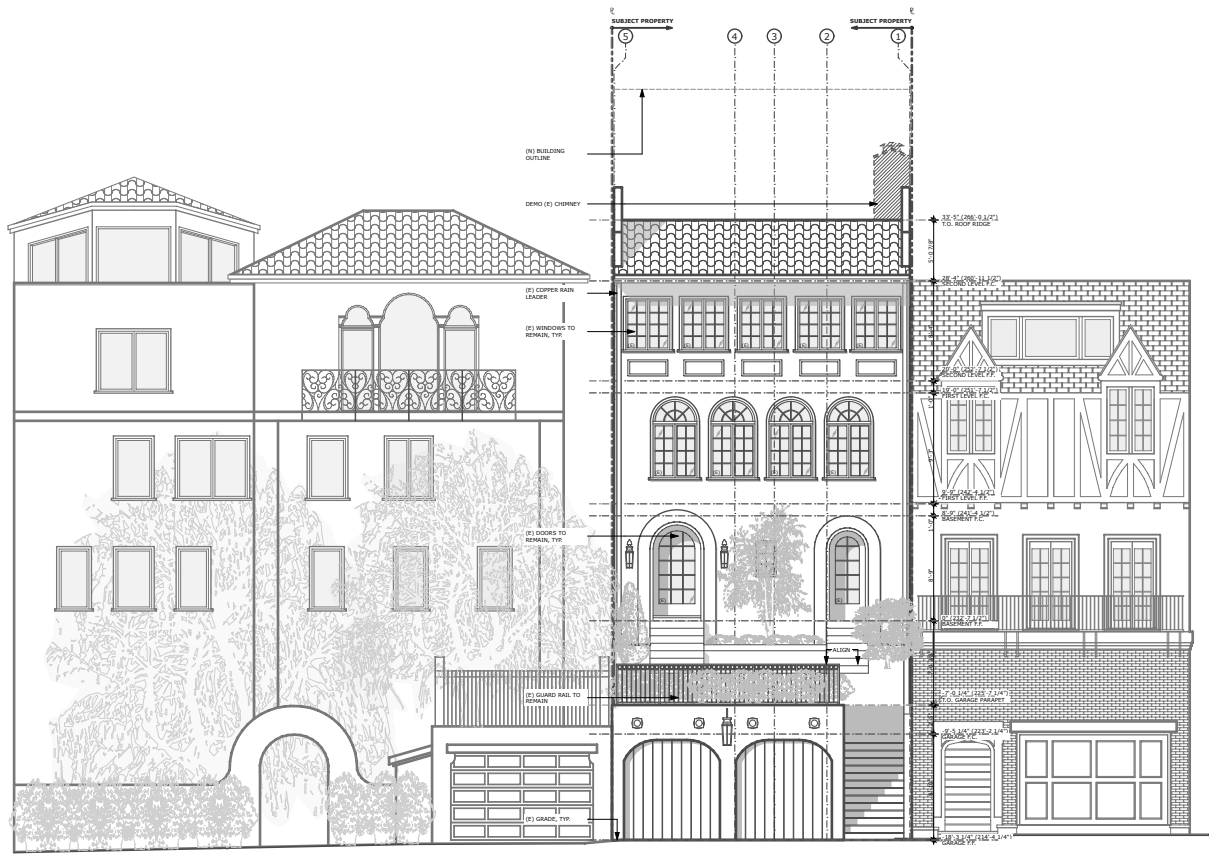
2865 VALLEJO STREET  
SAN FRANCISCO, CA 94123

PROPOSED PLANS

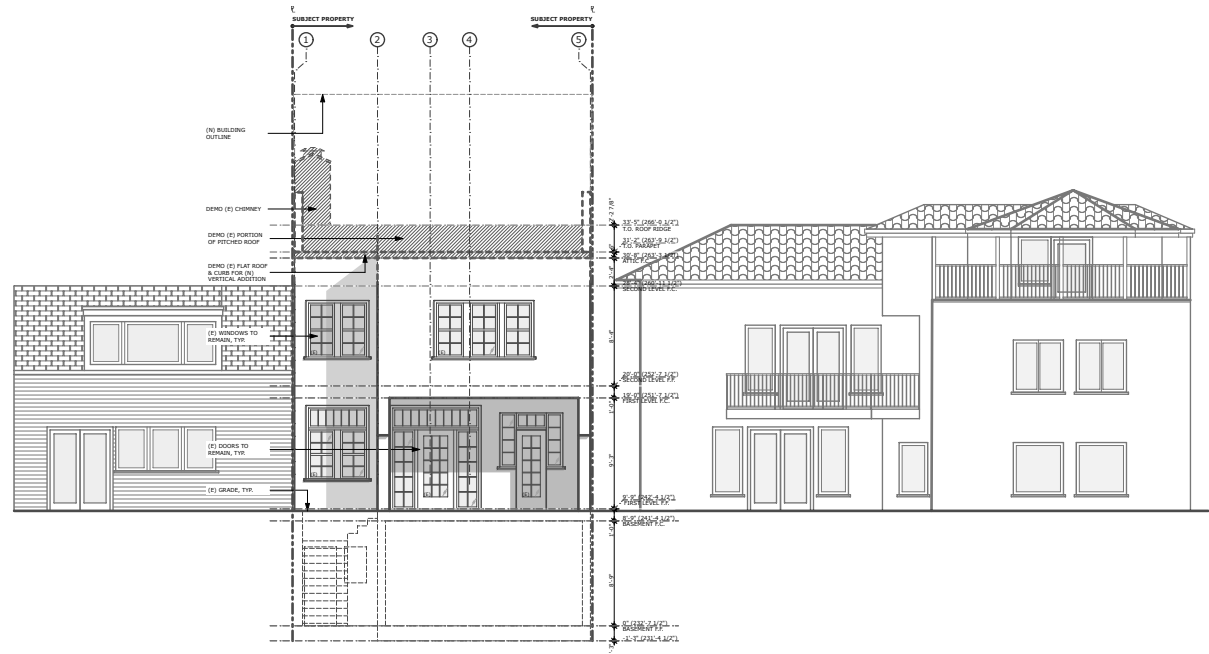
1420 SUTTER STREET 1ST FLOOR  
SAN FRANCISCO, CA 94109  
BUTLERARMSDEN.COM  
E INFO@BUTLERARMSDEN.COM  
T 415-674-5554  
F 415-674-5558

BUTLER ARMSDEN  
ARCHITECTS

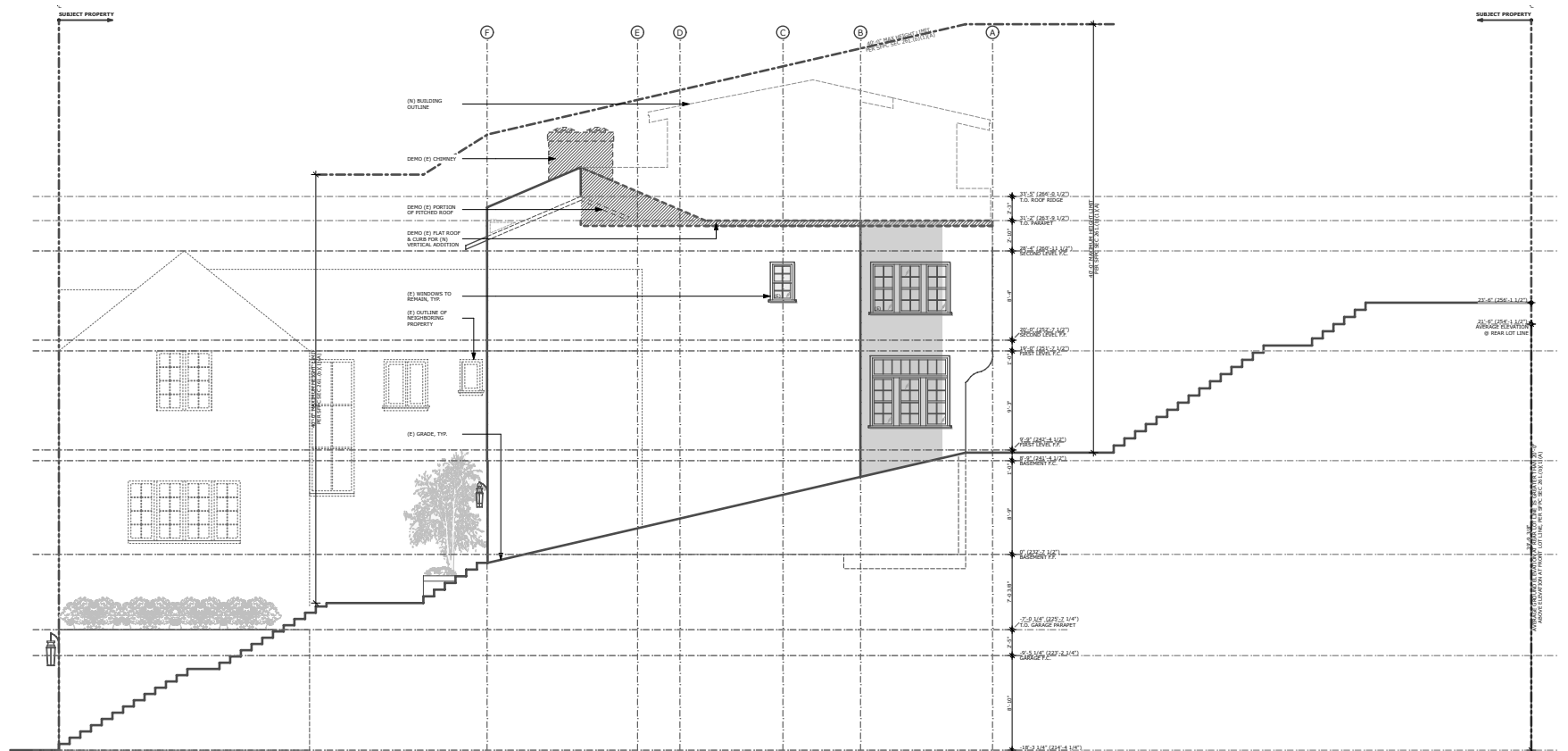




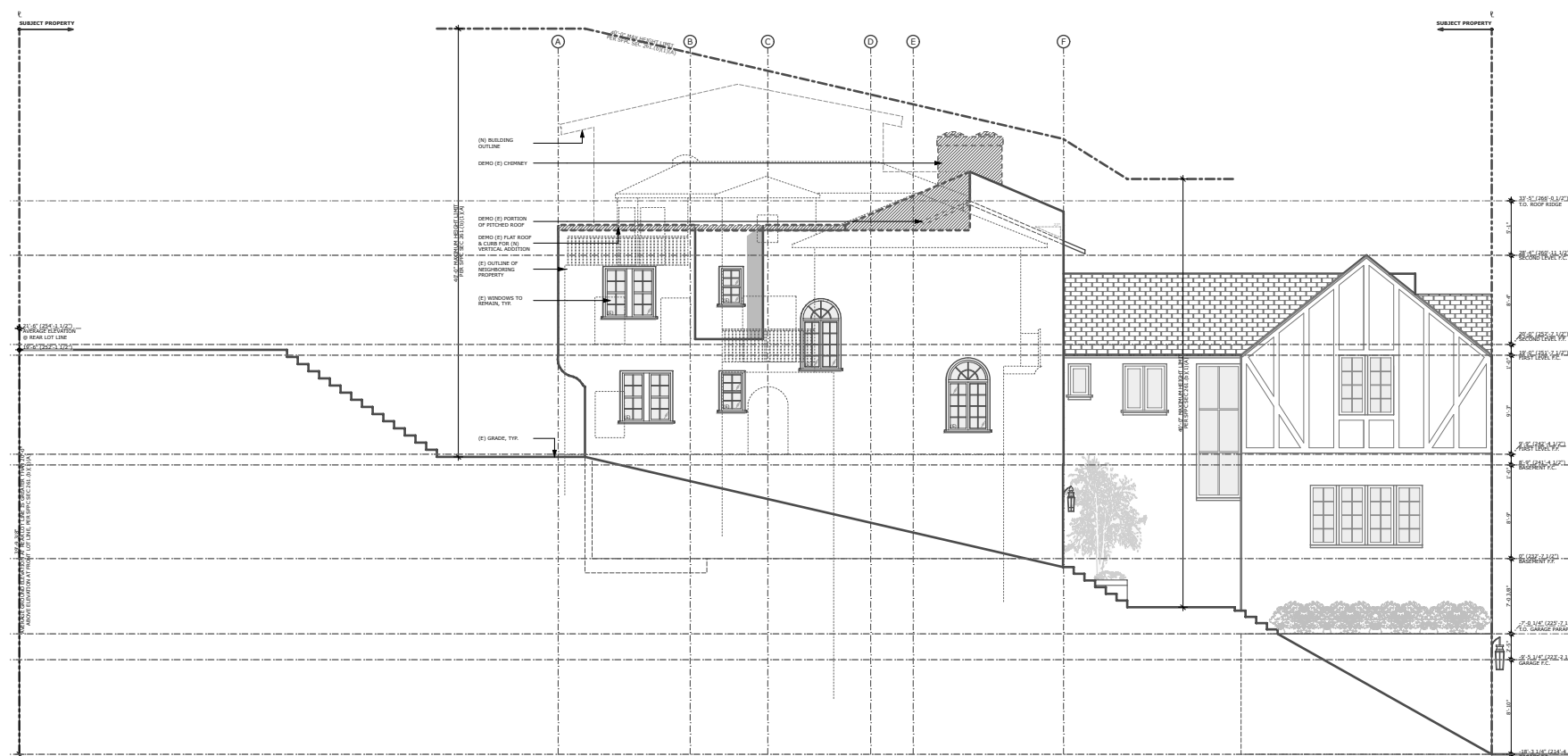
1 EXISTING ELEVATION - NORTH (FACADE)  
SCALE: 1/16" = 1'-0"



3 EXISTING ELEVATION - SOUTH (REAR)  
SCALE: 1/16" = 1'-0"



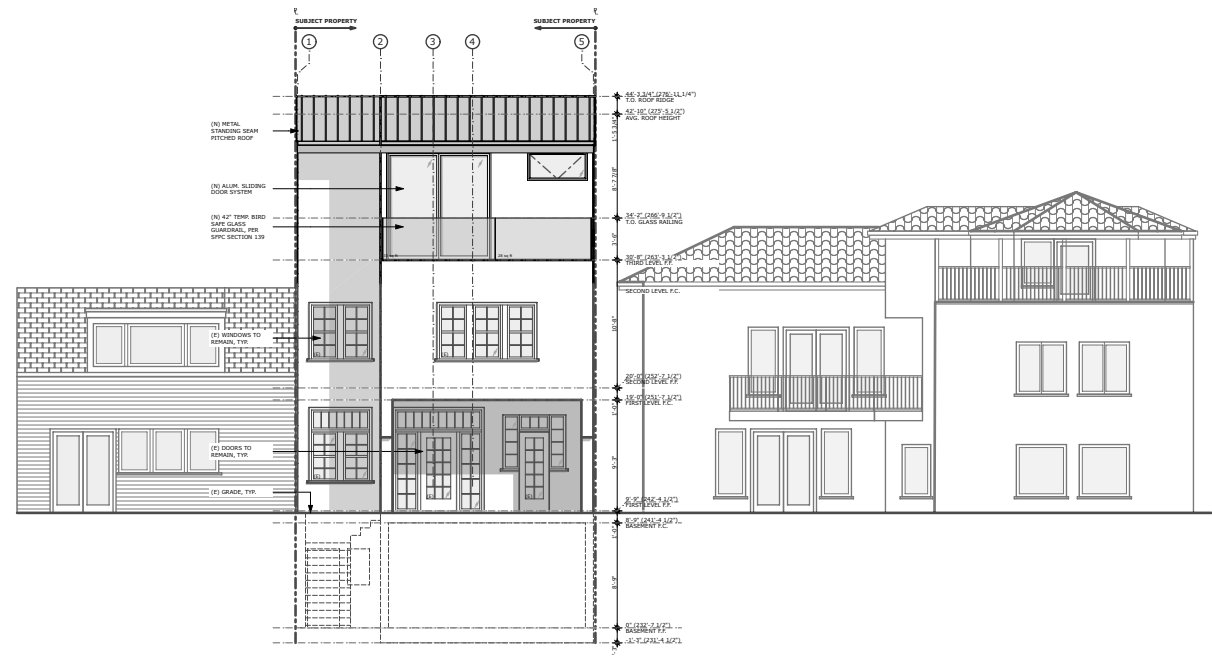
2 EXISTING ELEVATION - WEST  
SCALE: 1/16" = 1'-0"



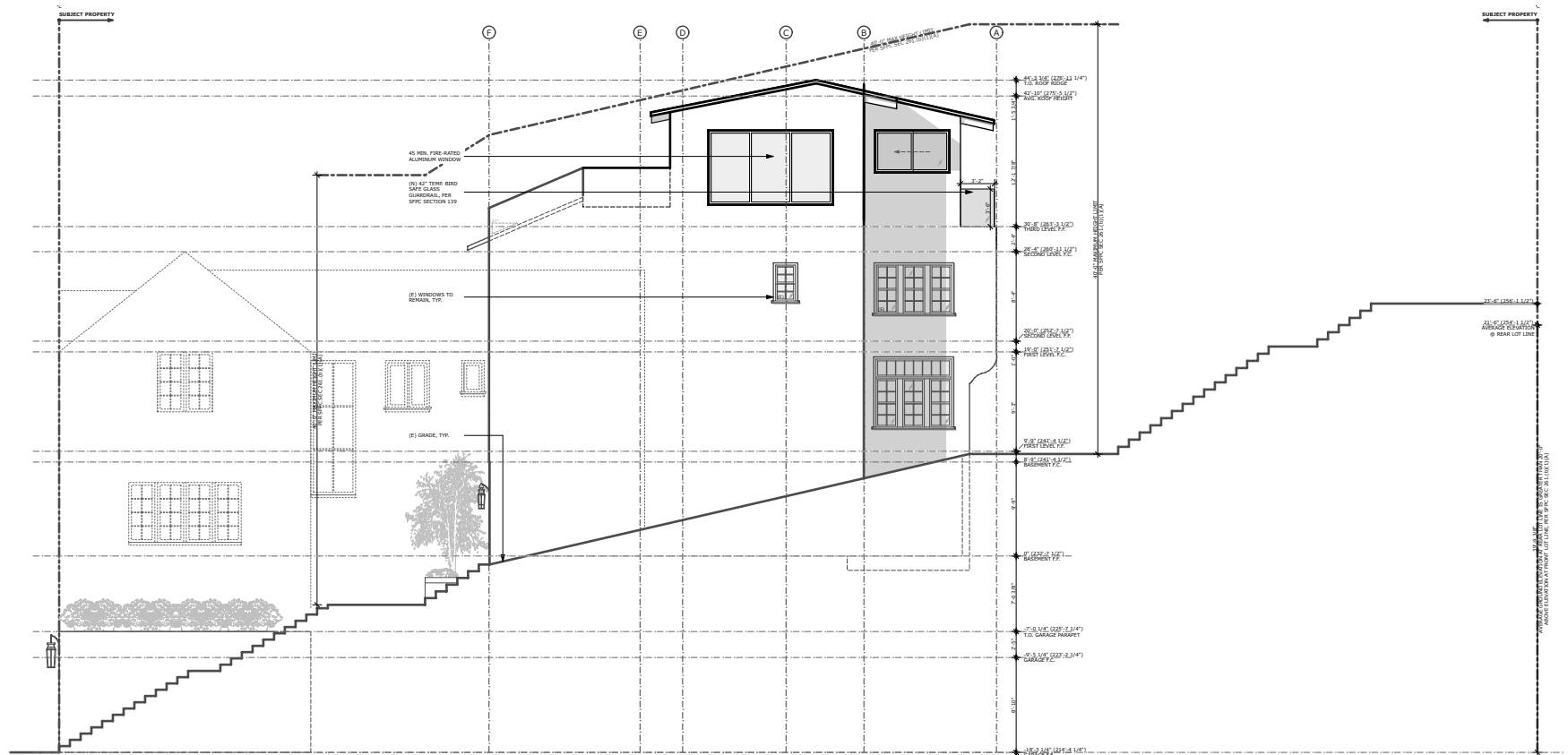
4 EXISTING ELEVATION - EAST  
SCALE: 1/16" = 1'-0"



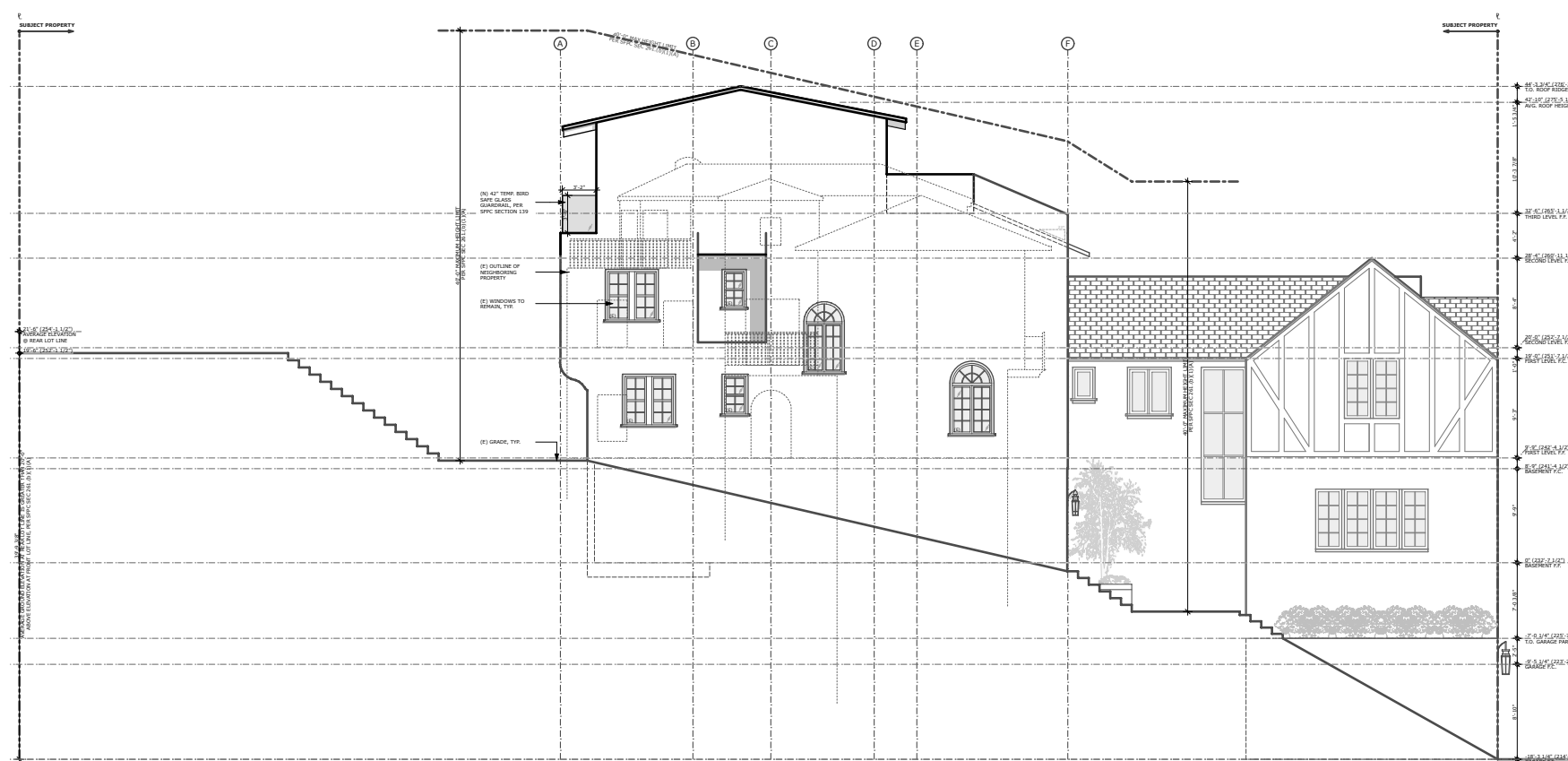
1 PROPOSED ELEVATION - NORTH (FACADE)  
SCALE: 1/16" = 1'-0"



3 PROPOSED ELEVATIONS - SOUTH (REAR)  
SCALE: 1/16" = 1'-0"



2 PROPOSED ELEVATION - WEST  
SCALE: 1/16" = 1'-0"



4 PROPOSED ELEVATION - EAST  
SCALE: 1/16" = 1'-0"