



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Abbreviated Analysis HEARING DATE: JANUARY 25, 2018

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* January 18, 2017  
*Case No.:* **2017-004890DRP**  
*Project Address:* **3600 SCOTT STREET**  
*Permit Application:* 201703292707  
*Zoning:* RH-3 (Residential House, Three-Family)  
40-X Height and Bulk District  
*Block/Lot:* 0441A/017  
*Project Sponsor:* Joram Altman, Architect  
819 Alvarado Street  
San Francisco, CA 94114  
*Staff Contact:* Ella Samonsky – (415) 575-9112  
[Ella.Samonsky@sfgov.org](mailto:Ella.Samonsky@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

### PROJECT DESCRIPTION

The proposed Project would replace the glass deck railing, of 42 inches in height, with a glass windscreen of 72 inches in height on an existing roof deck. The roof deck is atop the third floor of a two-family residential building. The windscreen would be set back approximately 9 feet from the rear, 20 feet from the front, 8 feet northern (side) and 3 feet from the southern (side) building walls.

The building permit (201703292707) was originally erroneously approved over the counter on April 20, 2017 and issued by the Department of Building Inspection on June 8, 2017; however, the permit was suspended on September 1, 2017 to allow for the neighborhood notification process.

### SITE DESCRIPTION AND PRESENT USE

The Project is on the east side of Scott Street, between Beach Street and Capra Way, Block 0441A, Lot 017 and located within the RH3 (Residential House, Three-Family) Zoning District with a 40-X Height and Bulk designation. The Project Site is a level lot, 100 feet in depth, with a 25 foot frontage along Scott Street. The site is developed with an existing two-unit residential building that is three-stories with a front setback of 4 feet -9 inches and a rear yard of 39 feet- 6 inches. The building was constructed circa 1925, and has bay windows on the upper floors, decorative tile roof, and a two-car garage. The building was recently remodeled (Building Permit Application No. 201601288204) to construct an addition at the third floor, a bay window and stairs at the rear, a roof deck and stair and elevator penthouse, interior remodel of both dwelling units and replacement of existing windows and the garage door with new wood windows and door.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Marina neighborhood within Supervisor District 2. The neighborhood is characterized by two-to-three story single-family and two-family residential buildings,

with a few larger multifamily buildings typically located on corner lots. The residences in the neighborhood were predominately constructed in the 1920's, and typically have raised front entries, with recessed stairs, bay windows above the second floor and flat roofs.

### BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	November 1, 2017 – December 1, 2017	November 27, 2018	January 25, 2018	59 days

### HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	January 15, 2018	January 15, 2018	10 days
Mailed Notice	10 days	January 15, 2018	January 15, 2018	10 days

### PUBLIC COMMENT

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

### DR REQUESTOR

David Johnson, 275 Avila Street. The DR Requestor's residence is approximately 200 feet to the northeast of the subject property.

### DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

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

### PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated January 10, 2018.

### ENVIRONMENTAL REVIEW

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

## RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Advisory Team (RDAT) reviewed the project following the submittal of the Request for Discretionary Review and found that the proposed project meets the standards of the Residential Design Guidelines (RDGs) and that the project does not present any exceptional or extraordinary circumstances. The location of the windscreen is setback on all sides from the edge of the roof and continues the use of clear transparent glass, and would have no adverse effect upon the adjacent properties.

**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.**

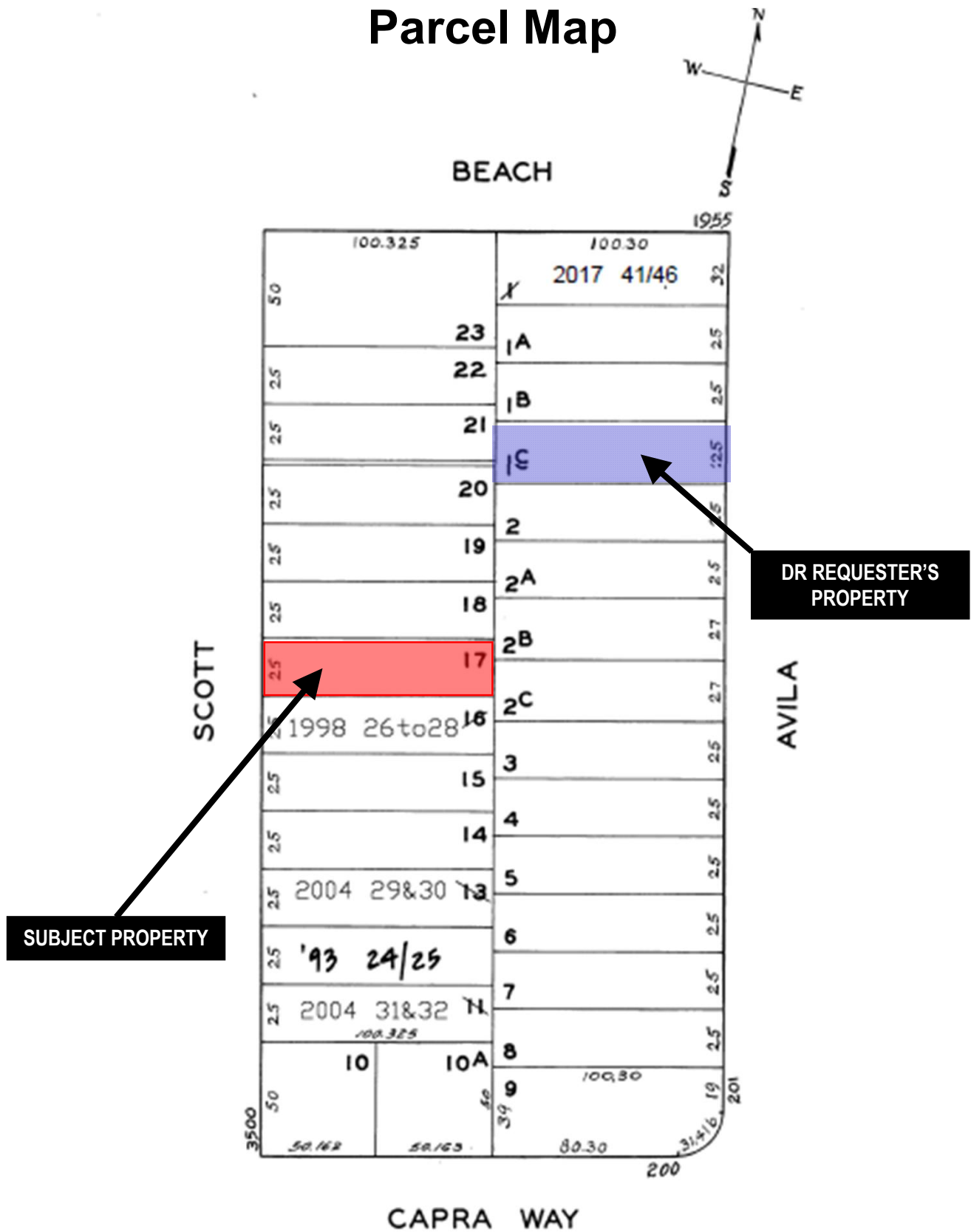
<b>RECOMMENDATION:</b> Do not take DR and approve project as proposed
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### Attachments:

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

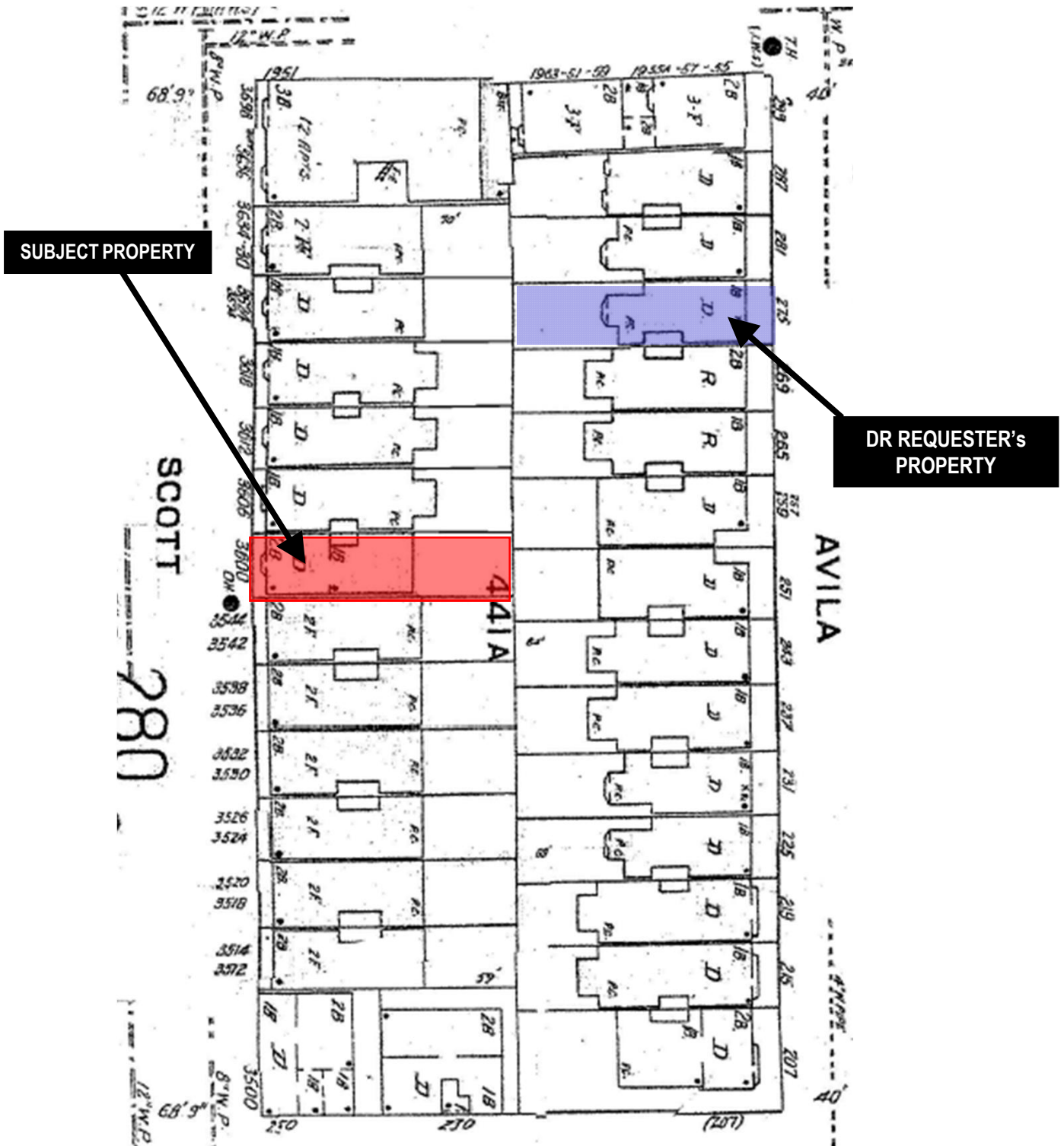
*EW: M:\Planning Production\ID2\A4A7DACD-B0DC-4322-BD29-F6F07103C6E0\0\970000-970999\970802\LL\3600 Scott DR - Abbreviated Analysis (ID 970802).docx*

# Parcel Map





# Sanborn Map\*



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



Discretionary Review Hearing  
Case Number 2017-004890DRP  
January 25, 2018  
3600 Scott Street

# Aerial Photo





# Aerial Photo

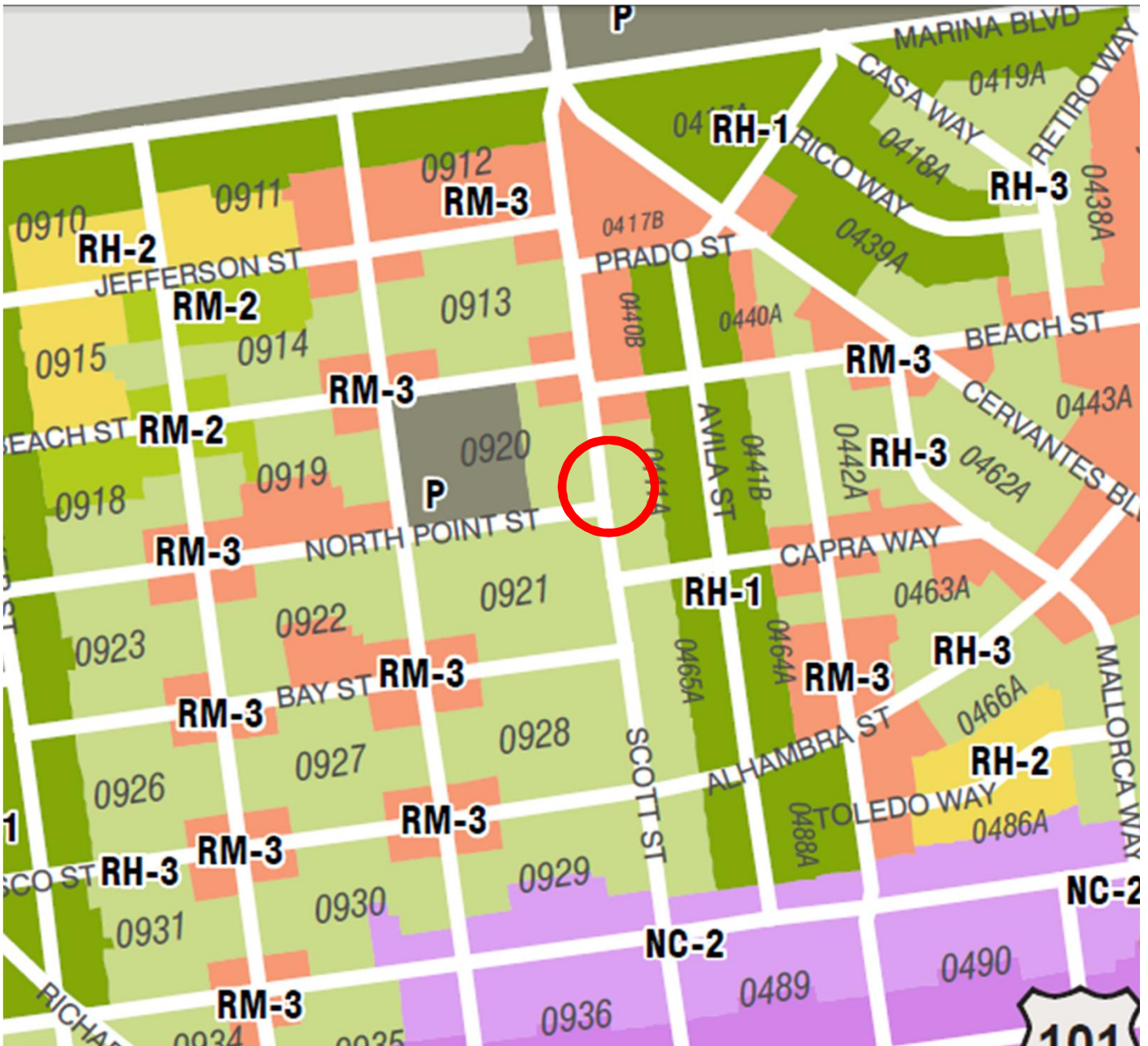




# Aerial Photo



# Zoning Map





# Site Photo





# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **March 29, 2017**, the Applicant named below filed Building Permit Application No. **2017.0329.2707** with the City and County of San Francisco.

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	<b>3600 Scott Street</b>	Applicant:	<b>Joram Altman</b>
Cross Street(s):	<b>Beach Street &amp; Carpa Way</b>	Address:	<b>819 Alvarado St.</b>
Block/Lot No.:	<b>0441A/017</b>	City, State:	<b>San Francisco, CA 94114</b>
Zoning District(s):	<b>RH-3 / 40-X</b>	Telephone:	<b>(415) 282-2626</b>
Record No.:	<b>2017-004890PRL</b>	Email:	<b>joram@jsaarchitect.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 type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	5 Feet	No Change
Side Setbacks	None	No Change
Building Depth	60 feet	No Change
Rear Yard	35 feet	No Change
Building Height	37 feet	No Change (35 to 72" windscreen)
Number of Stories	3	No Change
Number of Dwelling Units	2	No Change
Number of Parking Spaces	2	No Change
PROJECT DESCRIPTION		
The proposal is to install a windscreen of 72 inches in height on the roof deck..		
The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.		

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

Planner: Ella Samonsky  
Telephone: (415) 575-9112  
E-mail: ella.samonsky@sfgov.org

**Notice Date: 11/01/2017**  
**Expiration Date: 12/01/2017**

## 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

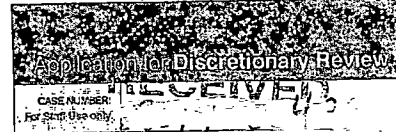
This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can 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.

2017-004090DRP



NOV 27 2017

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
PIC

# APPLICATION FOR Discretionary Review

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: David Johnson & Winston Ashmeade		
DR APPLICANT'S ADDRESS: 275 Avila St., San Francisco	ZIP CODE: 94123	TELEPHONE: (415 ) 474-4676
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Maurice Miller, c/o Joram Altman		
ADDRESS: 819 Alvarado St., San Francisco	ZIP CODE: 94114	TELEPHONE: (415 ) 282-2626
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: ( )
E-MAIL ADDRESS: ashmeade@pacbell.net		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 3600 Scott St., San Francisco		ZIP CODE: 94123
CROSS STREETS: Capra Way & Beach St.		
ASSESSOR'S BLOCK/LOT: 0441A /017	LOT DIMENSIONS: 25x100	LOT AREA (SQ. FT.): 2500
ZONING DISTRICT: RH-3		HEIGHT/BULK DISTRICT: 40-X

## 3. Project Description

Please check all that apply

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

Present or Previous Use:

Proposed Use: RESIDENTIAL

Building Permit Application No. 2017.0329.2707

Date Filed: March 29, 2017

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

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

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

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

N/A

Application for Discretionary Review	
CASE NUMBER: For Sect. Use only	

## 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.
  1. The construction of a 6-ft high 4th floor deck as a vertical addition on this block of 2- and 3-storey homes does not comply with Priority Policy #2 of the City's General Plan that mandates that "existing housing and neighborhood character be conserved and protected"; and
  2. This addition does not show "compatibility with the existing context and predominant neighborhood character" of 2- and 3-storey homes, as required by Residential Design Guidelines, sec II, Neighborhood Context.
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:

Residents of the entire block would be deprived of privacy in their small rear-yard gardens with the existence of a 4th floor roof deck overlooking them, drastically curtailing the use and enjoyment of their homes and gardens.

2. The present visual harmony and symmetry of the rear of the 2- and 3-storey homes of this block of Scott and Avila streets would be harshly and jarringly interrupted by this structure sticking up in the air, making for a highly disruptive marring of the pleasant calming and harmonious environment we now enjoy.

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

The entire 4th floor deck should be disallowed. If that is not possible at this stage, the following would help to mitigate and reduce the adverse effects:

1. Allowing only a 35" maximum deck height as was applied for and approved in the original application; AND
2. Use of traditional natural deck-railling materials, compatible with other neighborhood decks, or wire cables used elsewhere at the site, rather than the "windscreen" of glass proposed by applicant.

## 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: David E. Johnson

Date: 11/27/2017

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

David Johnson

Owner / Authorized Agent (circle one)

Application for Discretionary Review	
CASE NUMBER: For Staff Use only	

## Discretionary Review Application Submittal Checklist

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

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

**NOTES:**

- ☐ Required Material.  
☒ Optional Material.

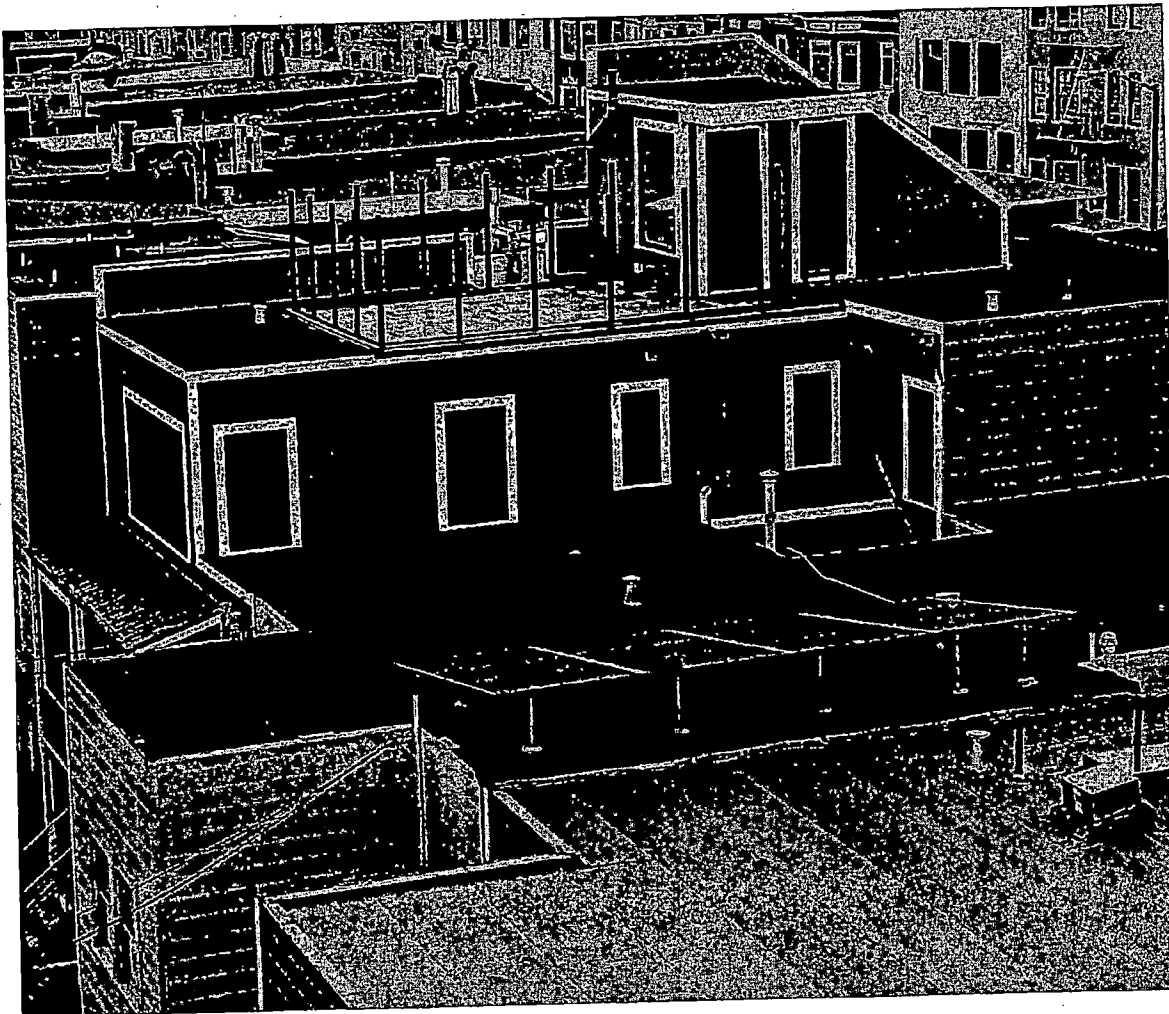
○ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: Xline

Date: 11/23/17

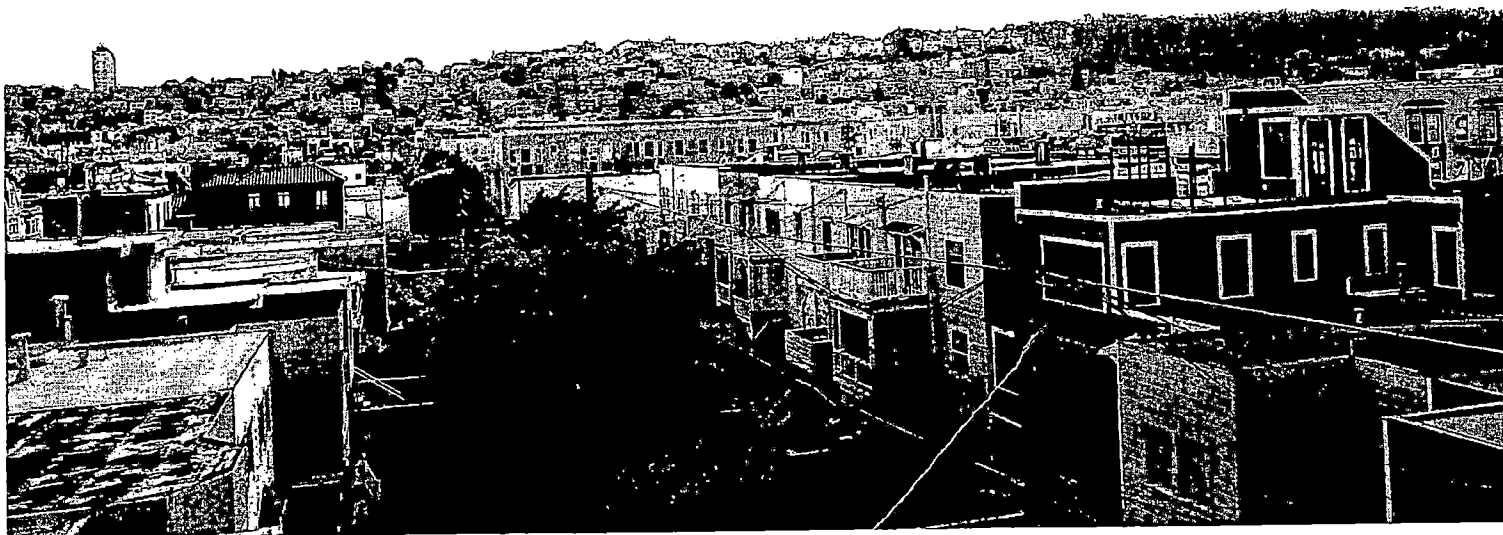


DR #

3600 Scott St.

Shows penthouse and posts placed to enclose 6-foot high 4<sup>th</sup> floor deck "windscreen". Shows this structure to be a full storey higher than all adjacent bldgs.

Photo taken 11/12/2017.



DR #  
3600 Scott St.

Shows rear garden profile of interior of block, Avila St (on left) and Scott St (on right). Penthouse and posts in place to enclose 6-foot, 4<sup>th</sup> floor deck "windscreen", clearly seen to be out of character for this block.

Photo taken 11/12/2017.



#0441A/003 Betty Ann Louie 243 Avila St San Francisco, CA 94123	#0920/002G Ryan & Catherine Walsh 3621 Scott St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 204 San Francisco, CA 94123
#0441A/002C Ulf & Beatrice Gustafsson 251 Avila St San Francisco, CA 94123	#0920/003 E & V Garaventa 30 Saint Andrews Dr Novato, CA 94949	#0920/002G OCCUPANT 2100 North Point St # 205 San Francisco, CA 94123
#0441A/002B Don & Jocely Pinard 259 Avila St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 101 San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 301 San Francisco, CA 94123
#0441A/002A Tim & Amy Rosewall-Godley 265 Avila St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 102 San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 302 San Francisco, CA 94123
#0441A/026 Roberta & Jay Turner 3542 Scott St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 103 San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 303 San Francisco, CA 94123
#0441A/027 Edward Hernandez 3544 Scott St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 104 San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 304 San Francisco, CA 94123
#0441A/028 Brandon & Paige Warner 3544-A Scott St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 105 San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 305 San Francisco, CA 94123
#0441A/018 Patrick Mulligan 3606 Scott St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 201 San Francisco, CA 94123	#0441A/001C David Johnson 275 Avila St San Francisco, CA 94123
#0920/020 Bernard Gale 3615 Scott St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 202 San Francisco, CA 94123	#0441A/017 Joram Altman/M Miller 3600 Scott St San Francisco, CA 94123
#0920/021 Virginia Gale 3617 Scott St San Francisco, CA 94123	#0920/002G OCCUPANT 2100 North Point St # 203 San Francisco, CA 94123	

# 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

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## Project Information

Property Address: 3600 Scott Street

Zip Code: 94123

Building Permit Application(s): 2017.0329.2707

Record Number:

Assigned Planner:

Ella Samonsky

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## Project Sponsor

Name: Joram Altman

Phone: 415-282-2626

Email: joram@jsaarchitect.com

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## Required Questions

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

See Attached

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

See Attached

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

See Attached

## Project Features

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

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	2	2
Occupied Stories (all levels with habitable rooms)	3	3
Basement Levels (may include garage or windowless storage rooms)		
Parking Spaces (Off-Street)	1	1
Bedrooms	3	3
Height	37'	37'
Building Depth	64.5'	64.5'
Rental Value (monthly)	No Change	
Property Value	No Change	

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

<b>Signature:</b>		<b>Date:</b> 1/10/2018
<b>Printed Name:</b> Joram Altman		<input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Authorized Agent

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

Attachment: Response to Discretionary Review (DRP)  
3600 Scott Street

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.)*

The DR requester is concerned about the impact of a recently completed roof deck, which was constructed under another permit (2016.0128.8204) that was issued in 2016, following a pre-application and a 311 neighborhood notice process. The DR requester had an opportunity at that time to file a DR, but chose not to do so. Nor did he file an appeal of the issued building permit. The roof deck was completed and the building was occupied last fall.

The permit (2017.0329.2707) for which the DR requester filed a DR was issued for a very limited and specific scope: To change the height of the approved glass railing of the completed deck under the previous permit, from 42" to 72".

Planning staff determined that a notice was not required for the change in rail height and the permit was approved and issued for construction over the counter. Months later, as the 72" high glass railing was being installed, the department realized, after the DR requestor called to inquire, that they issued the permit in error and requested that DBI suspend the permit; The ZA ruled that a notice should have been issued for this change. Maurice Miller, property owner, spent \$30,000 on a glass railing system that he was told he could not install. He also had an approved and completed roof deck that he could not use without the railing. Needless to say, Mr. Miller was very upset with the department and the process by which this permit was issued.

However, despite the process by which this permit was issued, the proposed railing height change will not have an impact on the neighbor's or neighborhood character. The existing roof deck was specifically designed to be set back from all sides of the roof to minimize impact on neighbors: It is set back 24 feet from the front façade, 9 feet from the rear façade and 8 feet from the west side of the building in respect to the west side neighbor's light, view and air. And its set back 3' from the south side neighbor at 3544 Scott who had an approved permit to construct a roof deck of similar size and on top of a 3<sup>rd</sup> floor roof.

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.*

There is no alternative option that we can offer, given the minimum impact to the midblock character that the height change of the clear glass will have. Although not part of this permit, the previous roof deck permit design was modified through the pre-application process. It was set back 8' from the north side and 9' from the rear at the request of the north side neighbor's concerns for privacy daylight impact on his light well. A rear yard

Attachment: Response to Discretionary Review (DRP)  
3600 Scott Street

deck at the 2<sup>nd</sup> level was reduced in size in response to this same neighbor and others who attended the pre-application meeting who were concerned about the intrusion into the mid block space.

The DR requester, who was aware of the original project and spoke to us about it at that time, had an opportunity to impact the design of the original roof deck but chose not to do so. Instead he is now retroactively asking for changes in the overall deck design by filing a DR on the permit to change the deck rail height. He did not DR the original roof deck permit and has therefore lost the opportunity to request changes on any aspects of the roof deck, other than the rail height.

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.*

Because of the setbacks from all building edges, the 2.5-foot change in height of the rail is either not visible as viewed from most of Scott Street sidewalk and from the south end of the mid block or partly visible as viewed from the north midblock. (Refer to attached photos)

And since the screen is clear glass and does not require a top rail, the only visible elements are the 2-inch square support posts. The impact of these posts to the midblock is minor and does not rise to the level of disrupting the Residential Guidelines' "Neighborhood Context" as the DR requestor is claiming.

The roof deck is the primary open space for Mr. Miller, who is handicapped and is unable to easily climb stairs. The original permit included an elevator, with a stop at the roof deck. The rear yard deck, which was part of the original permit, was reduced to minimum size as requested by the neighbors and the stair from it to the rear yard is not an option for Mr. Miller. The added height of the railing will provide Mr. Miller some projection from the prevalent wind in the Marina and allow him to use the deck more frequently.





Scott Street, Looking North





72" high posts/glass  
42" high guard rail

Scott Street, Looking South





Rear Yard View From South Side Neighbor





LOCATION MAP

SHEET INDEX

- ARCHITECTURAL:
- A0.1 SITE PLAN & PROJECT DATA
  - A2.1 EXISTING FLOOR PLANS
  - A2.2 EXISTING AND REMODELED FLOOR PLANS
  - A3.3 REMODELED EXTERIOR ELEVATIONS
  - A3.4 REMODELED EXTERIOR ELEVATIONS

NOTE

(E) CONDITIONS SHOW WORK COMPLETED UNDER PERMIT# 2016-0128-8204.

PROJECT SCOPE OF WORK

RAISE GLASS RAIL AT (E) ROOF DECK FROM 42" TO 72" - SHOWN CLOUDED

PROJECT INFORMATION

APPLICABLE CODES: 2013 CALIFORNIA CBC W/SAN FRANCISCO AMENDMENTS, CPC, CMC, CEC AND SFBC

OCCUPANCY GROUP: R-3, 2 UNITS

CONSTRUCTION TYPE: V-B

STORIES: 4 STORIES

AREA TABLE (SF)	
FIRST FLOOR	1414
SECOND FLOOR	1422
THIRD FLOOR	1165
ROOFDECK /PENTHOUSE	94
TOTAL	4095

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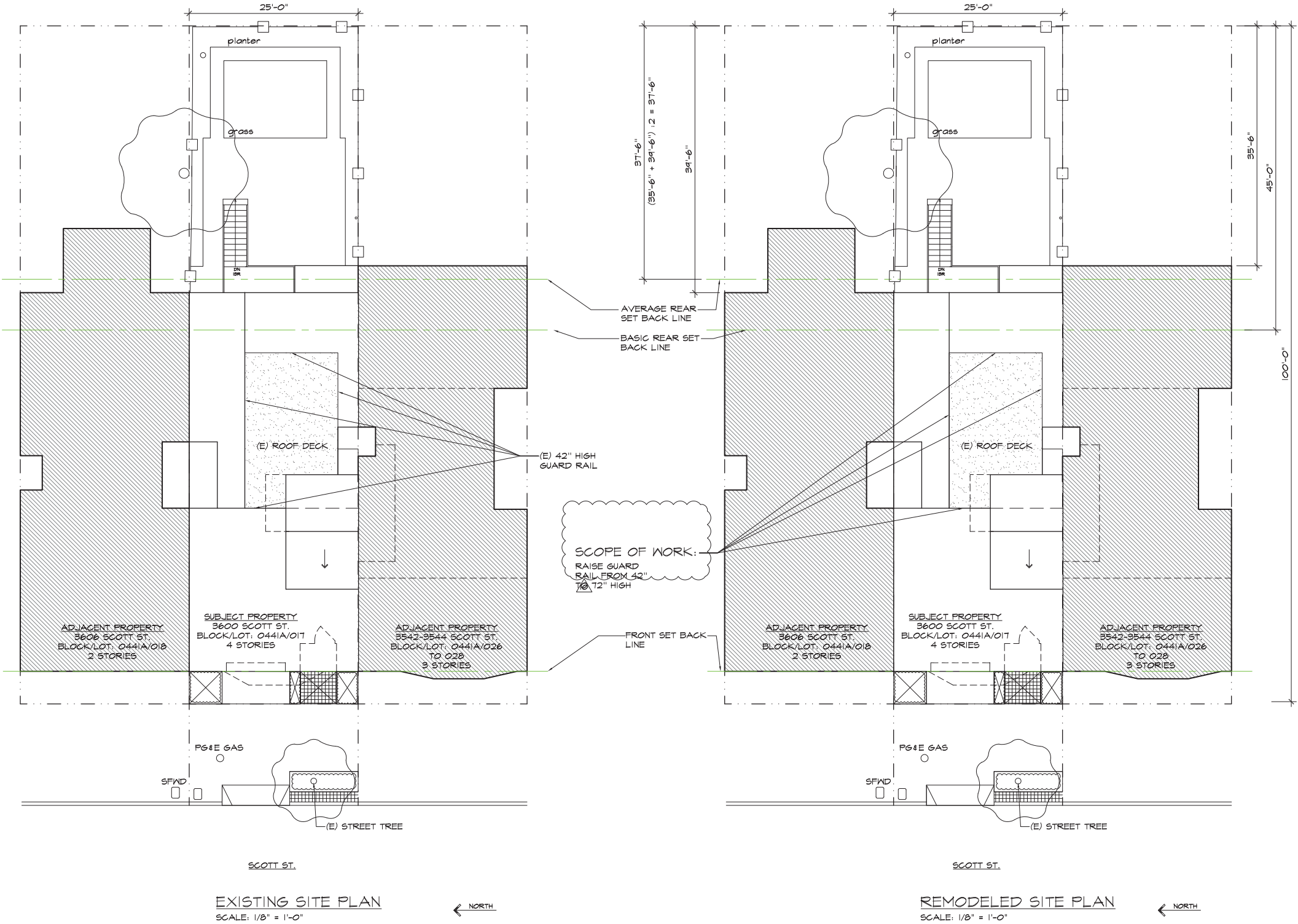
RESIDENCE REMODEL - PHASE 2  
3600 SCOTT - SAN FRANCISCO, CA 94123  
APN : 0441A/017

ISSUED FOR:	
11/05/15	Issue DDE
11/24/15	Schematic Meeting
12/04/15	Revised Schematic
01/06/16	Pre Application Meeting
01/14/16	Rev. Pre Application Meeting
01/28/16	PH2 Permit
02/04/16	Revision per neighbor
02/18/16	PH2 Revised Permit
04/20/16	PH2 Revised Permit
05/05/16	Issued to Sprinklers
05/17/16	Construction/Mauri
05/26/16	Add dimensions
06/08/16	Update per KWH+D
07/01/16	Update per Mauri
09/12/16	Rev. Windows & Roof Deck
11/22/16	Rev. Construction Set
02/08/17	Rev. Construction Set
03/29/17	Rev. Permit - glass rail height
07/11/17	Gas Meter
01/10/18	Issue to PC/DR
SHEET TITLE	

Site Plan & Project Information

JOB # :	21512
DATE :	10/27/15
DRAWN BY :	DB
SCALE :	AS NOTED

A0.1



## APN : 0441A/017

### Existing Plans

## A2.1





**RESIDENCE REMODEL - PHASE 2**  
3600 SCOTT - SAN FRANCISCO, CA 94123  
APN : 0441A/017

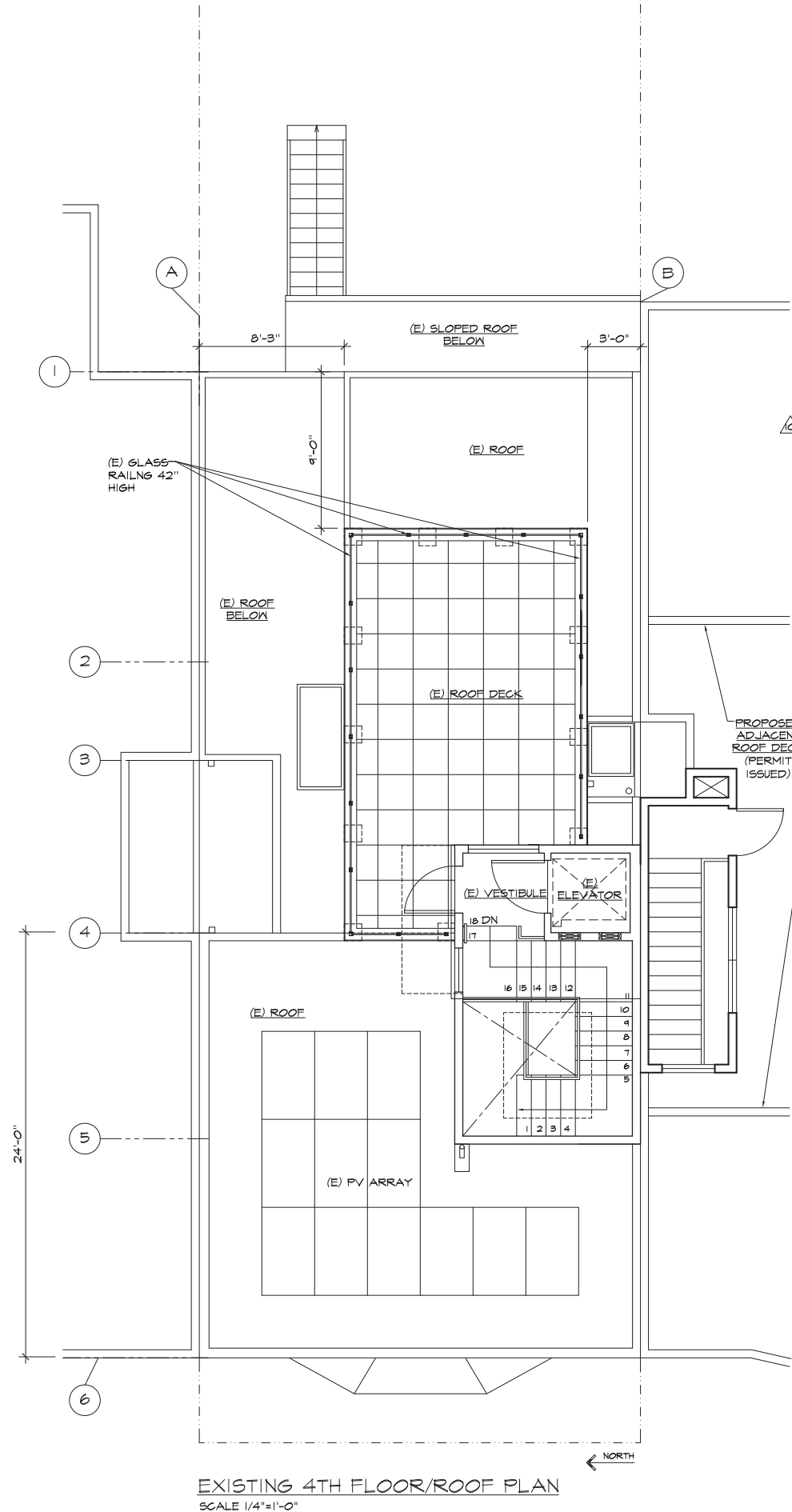
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SHEET TITLE

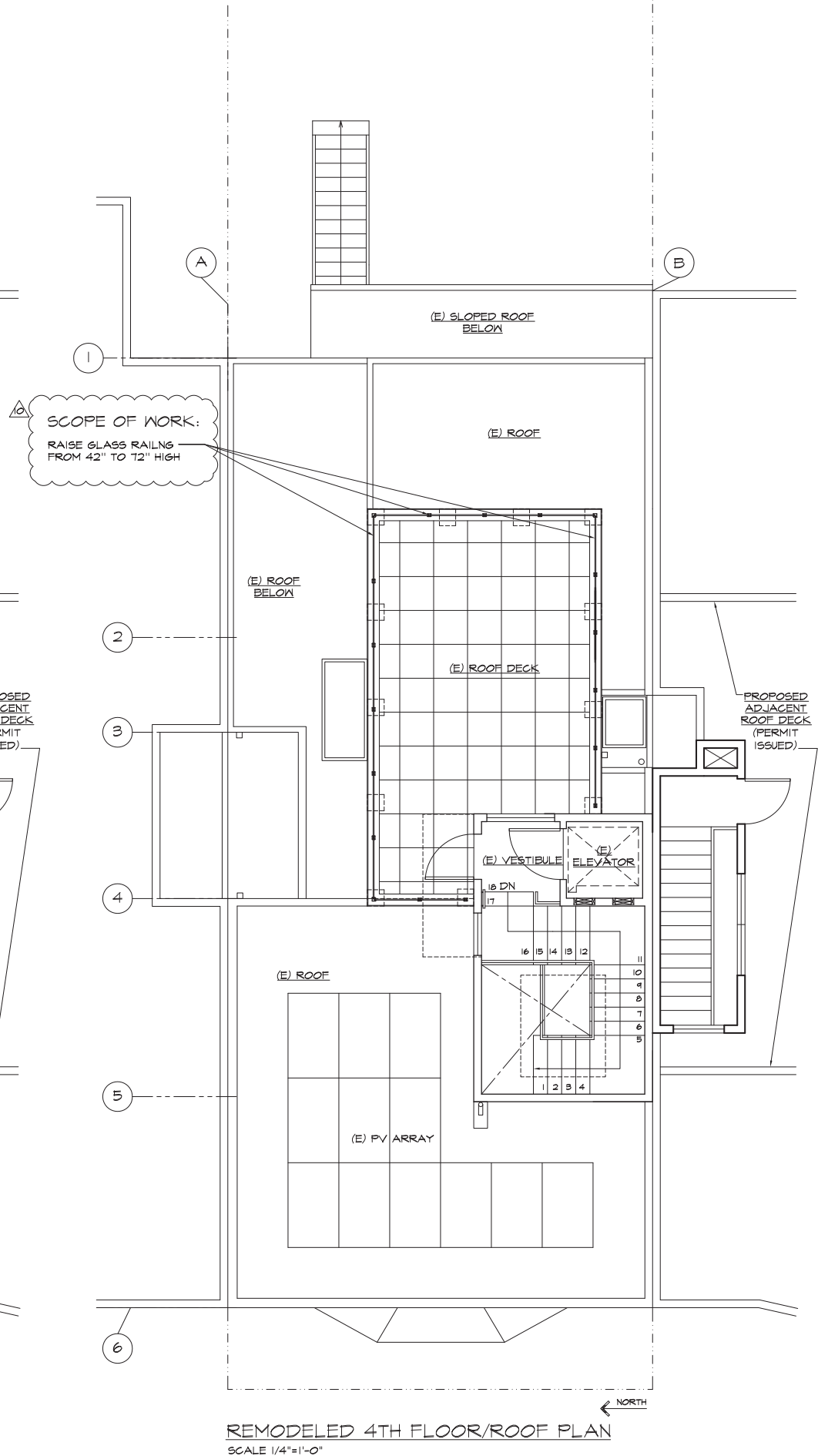
Existing/ Remodeled  
Plans

JOB # :	21512
DATE :	10/27/15
DRAWN BY :	DB
SCALE :	AS NOTED

A2.2



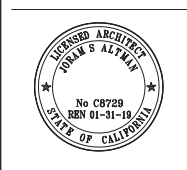
EXISTING 4TH FLOOR/ROOF PLAN  
SCALE 1/4"=1'-0"



REMODELED 4TH FLOOR/ROOF PLAN  
SCALE 1/4"=1'-0"



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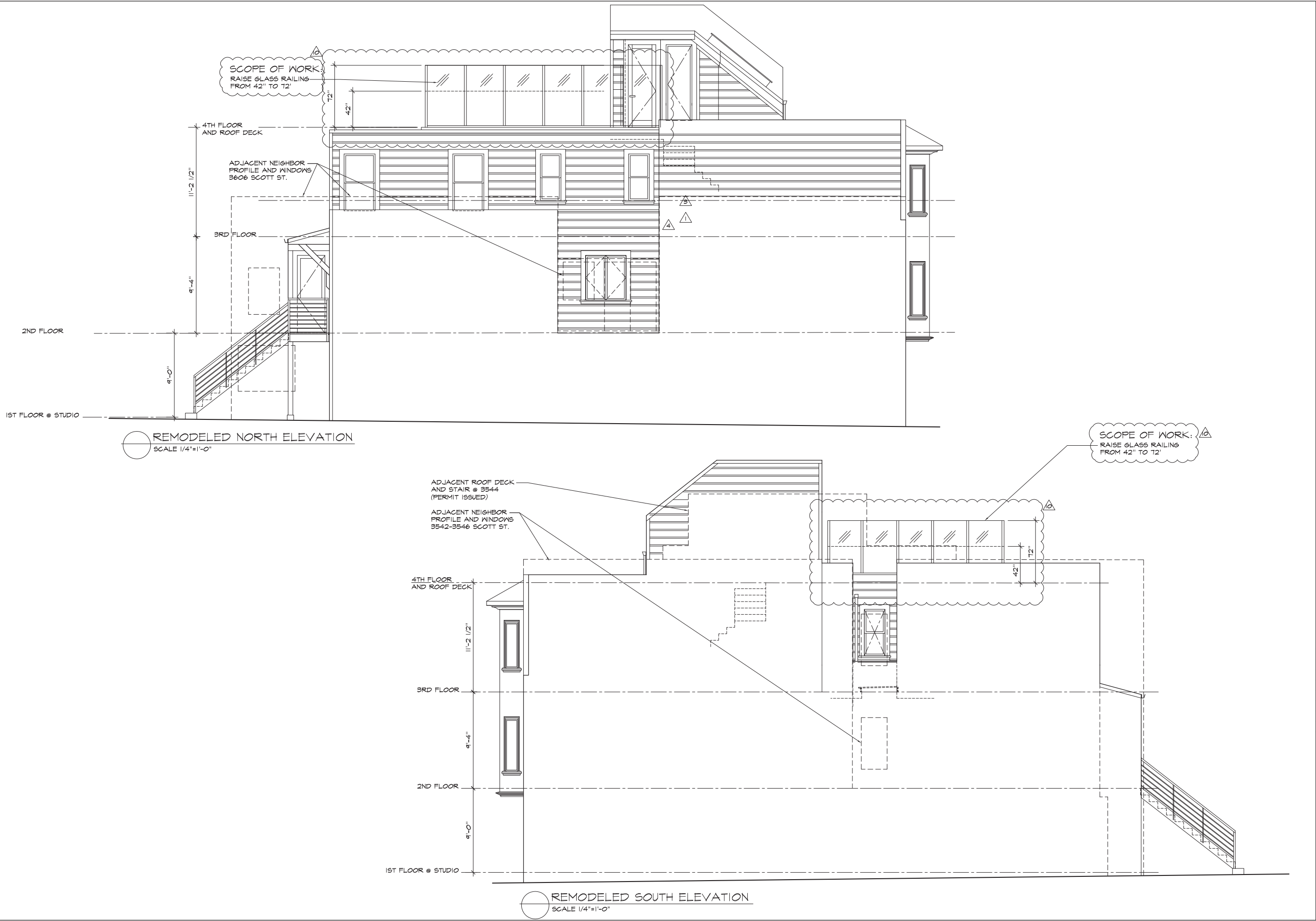
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SHEET TITLE

Remodeled  
Elavations

JOB #: 21512  
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SCALE: AS NOTED

A3.3



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SHEET TITLE

Remodeled  
Elavations

JOB #: 21512  
DATE: 10/27/15  
DRAWN BY: DB  
SCALE: AS NOTED

A3.4