PROJECT DESCRIPTION
The project proposes to construct a ground and second level horizontal rear addition, rear decks at levels 1-3 and interior alterations to an existing three-story, single-family dwelling.

SITE DESCRIPTION AND PRESENT USE
The site is a 20’-0” wide x 100’-0” deep slightly down sloping lot with an existing 3-story, one-family house built in 1948 and is categorized as an ‘A’ –Historic Resource present.

SURROUNDING PROPERTIES AND NEIGHBORHOOD
The buildings on this block of El Camino Del Mar are 3-stories with front mansard roofs and a regular alignment at the street face. The open space at the rear faces north and is defined by a very consistent alignment of rear building walls. The proposed project is immediately situated between both DR requestors’ 3-story buildings.

BUILDING PERMIT NOTIFICATION
Discretionary Review – Abbreviated Analysis
February 13, 2020

CASE NO. 2017-010281DRP-02
236 El Camino Del Mar

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PERIOD</th>
<th>NOTIFICATION DATES</th>
<th>DR FILE DATE</th>
<th>DR HEARING DATE</th>
<th>FILING TO HEARING TIME</th>
</tr>
</thead>
</table>

HEARING NOTIFICATION

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PERIOD</th>
<th>REQUIRED NOTICE DATE</th>
<th>ACTUAL NOTICE DATE</th>
<th>ACTUAL PERIOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Posted Notice</td>
<td>20 days</td>
<td>January 24, 2020</td>
<td>January 24, 2020</td>
<td>20 days</td>
</tr>
<tr>
<td>Mailed Notice</td>
<td>20 days</td>
<td>January 24, 2020</td>
<td>January 24, 2020</td>
<td>20 days</td>
</tr>
<tr>
<td>Online Notice</td>
<td>20 days</td>
<td>January 24, 2020</td>
<td>January 24, 2020</td>
<td>20 days</td>
</tr>
</tbody>
</table>

PUBLIC COMMENT

<table>
<thead>
<tr>
<th></th>
<th>SUPPORT</th>
<th>OPPOSED</th>
<th>NO POSITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent neighbor(s)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other neighbors on the block or directly across the street</td>
<td>0</td>
<td>69</td>
<td>0</td>
</tr>
<tr>
<td>Neighborhood groups</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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).

DR REQUESTORS

DR requestor #1:
Peter Tempel of 230 El Camino Del Mar, adjacent neighbor to the East of the proposed project.

DR requestor #2:
Marc Heyneker of 240 El Camino Del Mar, adjacent neighbor to the West of the proposed project.

DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES

DR requestor #1 is concerned by the following issues:
1. The height and depth of the building is out of scale with the existing building scale at the mid-block open space. The rear addition does not provide adequate setbacks.
2. The building is not articulated to minimize impacts to light and privacy to adjacent properties;
3. The decks at every level would be intrusive to privacy.
Proposed alternatives: Match the neighboring building at 240 El Camino Del Mar by: limiting the ground level extension to 9’; the second level to 3.5’ plus a 5.5’ deck; the upper level to 1’ and; provide 5’ side setbacks on both sides.


DR requestor #2 is concerned by the following issues:

1. The height and depth of the building is out of scale with the existing building scale at the mid-block open space. The rear addition does not provide adequate setbacks.
2. The building is not articulated to minimize impacts to light and privacy to adjacent properties;

Proposed alternatives: Match the neighboring building at 240 El Camino Del Mar by: limiting the ground level extension to 9’, the second level to 3.5’ plus a 5.5’ deck; the upper level to 1’ and; provide 5’ side setbacks on both sides and; eliminate any windows facing 240 ECDM; provide tall plants as a screen for privacy.


PROJECT SPONSOR’S RESPONSE TO DR APPLICATION

The project has been reviewed and found to be compliant to the Planning Code and Residential Design Guidelines. It has been designed to respond to the existing mid-block open space with scale and massing that is contextually appropriate with the existing buildings on the block. It will not adversely impact privacy, light and air access to adjacent building, but it has been modified to address neighbors’ concerns.

DEPARTMENT REVIEW

The Department’s Residential Design Advisory Team (RDAT) reviewed this and found the shaping of the rear addition is compatible with the immediate neighboring buildings and complies with the Residential Design Guidelines related to articulating the building to minimize impacts to light, air and privacy, and maintain reasonable access to mid-block open space against both adjacent DR requestors’ properties. The project sponsor has revised and refined the design to lower the height of the lower floor by 3’-7” and provided a 3’6” side setback against the neighbor to the West to reduce the shadow impacts, and reducing a side facing window to the east to reduce privacy impacts. Additionally, the deck at the second floor has been reduced in depth.

Therefore, staff recommends not taking Discretionary Review.

RECOMMENDATION: Do Not Take DR and Approve

Attachments:
Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Applications
Response to DR Applications dated 1.30.20
Revised plans and 3-D renderings dated 1.29.20
311 Notification plans and 3-D renderings dated 2.22.19
Exhibits
Parcel Map

Discretionary Review Hearing
Case Number 2017-010281DRP-02
236 El Camino Del Mar
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 2017-010281DRP-02
236 El Camino Del Mar
## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On July 21, 2017, Building Permit Application No. 2017.07.21.2594 was filed for work at the Project Address below.

**Notice Date:** 9/26/2019  
**Expiration Date:** 10/28/2019

<table>
<thead>
<tr>
<th>PROJECT INFORMATION</th>
<th>APPLICANT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address:</td>
<td>Applicant:</td>
</tr>
<tr>
<td>236 El Camino Del Mar</td>
<td>Ashley Wallace, Martinkovic Milford Arch.</td>
</tr>
<tr>
<td>Cross Street(s):</td>
<td>Address:</td>
</tr>
<tr>
<td>25th and 26th Avenues</td>
<td>101 Montgomery Street, Suite 650</td>
</tr>
<tr>
<td>Block/Lot No.:</td>
<td>City, State:</td>
</tr>
<tr>
<td>1304/008A</td>
<td>San Francisco, CA 94104</td>
</tr>
<tr>
<td>Zoning District(s):</td>
<td>Telephone:</td>
</tr>
<tr>
<td>RH-1/ 40-X</td>
<td>(415) 346-9990 x216</td>
</tr>
<tr>
<td>Record Number:</td>
<td>Email:</td>
</tr>
<tr>
<td>2017-010281PRJ</td>
<td><a href="mailto:ashley@martinkovicmilford.com">ashley@martinkovicmilford.com</a></td>
</tr>
</tbody>
</table>

You are receiving this notice as an owner or occupant of property 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 that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a weekend 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

| □ Demolition | □ New Construction | □ Alteration |
| □ Change of Use | □ Façade Alteration(s) | □ Front Addition |
| ● Rear Addition | □ Side Addition | □ Vertical Addition |

## PROJECT FEATURES

<table>
<thead>
<tr>
<th>PROJECT FEATURES</th>
<th>EXISTING</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Use</td>
<td>Residential</td>
<td>Residential</td>
</tr>
<tr>
<td>Front Setback</td>
<td>20 feet</td>
<td>No Change</td>
</tr>
<tr>
<td>Side Setbacks</td>
<td>None (none required by Code)</td>
<td>No Change</td>
</tr>
<tr>
<td>Building Depth</td>
<td>49 feet 4 inches (with decks)</td>
<td>56 feet 1 ¼ inches (with decks)</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>50 feet 8 inches</td>
<td>43 feet 10 ¾ inches (with decks)</td>
</tr>
<tr>
<td>Building Height</td>
<td>25 feet 9 ½ inches</td>
<td>No Change</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>3</td>
<td>No Change</td>
</tr>
<tr>
<td>Number of Dwelling Units</td>
<td>1</td>
<td>No Change</td>
</tr>
<tr>
<td>Number of Parking Spaces</td>
<td>2</td>
<td>No Change</td>
</tr>
</tbody>
</table>

## PROJECT DESCRIPTION

The proposed project is a horizontal addition and interior remodel. Exterior work includes: (1) infilled insulated roof to match existing; (2) new exterior decks at floors 1-3; and (3) expansion of lower ground floor level.

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.

To view plans or related documents, visit [sf-planning.org/notices](http://sf-planning.org/notices) and search the Project Address listed above. Once the property is located, click on the dot(s) to view details of the record number above, its related documents and/or plans.

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

Elizabeth Gordon Jonckheer, 415-575-8728, elizabeth.gordon-jonckheer@sfgov.org
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, contact the Planning Information Center (PIC) at 1660 Mission Street, 1st Floor (415) 558-6377 or pic@sfgov.org. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

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

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

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City’s General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org. **You must submit the application in person** at the Planning Information Center (PIC), with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.** Incomplete applications will not be accepted.

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

**BOARD OF APPEALS**

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

**ENVIRONMENTAL REVIEW**

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

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.
<table>
<thead>
<tr>
<th>Property Information/Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Address</strong></td>
</tr>
<tr>
<td>236 EL CAMINO DEL MAR</td>
</tr>
<tr>
<td><strong>Block/Lot(s)</strong></td>
</tr>
<tr>
<td>1304008A</td>
</tr>
<tr>
<td><strong>Case No.</strong></td>
</tr>
<tr>
<td>2017-010281PRJ</td>
</tr>
<tr>
<td><strong>Permit No.</strong></td>
</tr>
<tr>
<td>201707212594</td>
</tr>
<tr>
<td><strong>Addition/Alteration</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Demolition (requires HRE for Category B Building)</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>New Construction</strong></td>
</tr>
</tbody>
</table>

**Project Description for Planning Department approval.**

HORIZONTAL ADD & INTERIOR REMODEL. EXTERIOR WRK: (N) INFILLED INSULATED ROOF TO MATCH (E); (N) EXT. DECK @ FLRS 1-3; EXPANSION OF LOWER GRND FLR. INTERIOR WRK: MODIFICATION & INFILL OF (E) WALLS FOR (N) INTERIOR LAYOUT; (N) INTR PARTITIONS, DOORS, CEILINGS, LIGHTS; (N) CABINETRY W/ (N) APPLIANCES.

**STEP 1: EXEMPTION CLASS**

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).

- **Class 1 - Existing Facilities.** Interior and exterior alterations; additions under 10,000 sq. ft.

- **Class 3 - New Construction.** Up to three new single-family residences or six 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.

- **Class 32 - In-Fill Development.** New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:
  - (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
  - (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.
  - (c) The project site has no value as habitat for endangered rare or threatened species.
  - (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
  - (e) The site can be adequately served by all required utilities and public services.

FOR ENVIRONMENTAL PLANNING USE ONLY

- **Class ____**
## STEP 2: CEQA IMPACTS
TO BE COMPLETED BY PROJECT PLANNER

<table>
<thead>
<tr>
<th>Topic</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Air Quality</strong></td>
<td>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, etc.)? <em>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollution Exposure Zone)</em></td>
</tr>
<tr>
<td><strong>Hazardous Materials</strong></td>
<td>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?</td>
</tr>
<tr>
<td></td>
<td>If the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant <em>(refer to EP_ArcMap &gt; Maher layer)</em>.</td>
</tr>
<tr>
<td><strong>Transportation</strong></td>
<td>Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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?</td>
</tr>
<tr>
<td><strong>Archeological Resources</strong></td>
<td>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? If yes, archeo review is required <em>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</em>.</td>
</tr>
<tr>
<td><strong>Subdivision/Lot Line Adjustment</strong></td>
<td>Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <em>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</em>. If yes, Environmental Planning must issue the exemption.</td>
</tr>
<tr>
<td><strong>Slope = or &gt; 25%</strong></td>
<td>Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <em>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</em> If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</td>
</tr>
<tr>
<td><strong>Seismic: Landslide Zone</strong></td>
<td>Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <em>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</em> If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</td>
</tr>
<tr>
<td><strong>Seismic: Liquefaction Zone</strong></td>
<td>Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <em>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</em> If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</td>
</tr>
</tbody>
</table>

Comments and Planner Signature *(optional)*: Elizabeth Gordon Jonckheer
STEP 3: PROPERTY STATUS - HISTORIC RESOURCE  
TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map)

<table>
<thead>
<tr>
<th></th>
<th>Category A: Known Historical Resource. GO TO STEP 5.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.</td>
</tr>
<tr>
<td></td>
<td>Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.</td>
</tr>
</tbody>
</table>

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

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

Note: Project Planner must check box below before proceeding.

- Project is not listed. GO TO STEP 5.
- Project does not conform to the scopes of work. GO TO STEP 5.
- Project involves four or more work descriptions. GO TO STEP 5.
- Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW  
TO BE COMPLETED BY PROJECT PLANNER

<table>
<thead>
<tr>
<th></th>
<th>Check all that apply to the project.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.</td>
</tr>
<tr>
<td></td>
<td>2. Interior alterations to publicly accessible spaces.</td>
</tr>
<tr>
<td></td>
<td>3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.</td>
</tr>
<tr>
<td></td>
<td>4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.</td>
</tr>
<tr>
<td></td>
<td>5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.</td>
</tr>
<tr>
<td></td>
<td>6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.</td>
</tr>
</tbody>
</table>
7. **Addition(s)**, including mechanical equipment that are minimally visible from a public right-of-way and meet the Secretary of the Interior’s Standards for Rehabilitation.

8. **Other work consistent** with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):

9. **Other work** that would not materially impair a historic district (specify or add comments):

(Requires approval by Senior Preservation Planner/Preservation Coordinator)

10. **Reclassification of property status.** (Requires approval by Senior Preservation Planner/Preservation Coordinator)

   - [ ] Reclassify to Category A
     - a. Per HRER or PTR dated
   - [ ] Reclassify to Category C
     - (attach HRER or PTR)
   - [ ] Other (specify):

Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.

- [ ] Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. **GO TO STEP 6.**

**Comments (optional):**

Preservation Planner Signature: Elizabeth Gordon Jonckheer

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION**

**TO BE COMPLETED BY PROJECT PLANNER**

- [ ] No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.

<table>
<thead>
<tr>
<th>Project Approval Action: Building Permit</th>
<th>Signature: Elizabeth Gordon Jonckheer</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</td>
<td>02/05/2020</td>
</tr>
</tbody>
</table>

Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.

In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action.

Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.
STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

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<th>Project Address (If different than front page)</th>
<th>Block/Lot(s) (If different than front page)</th>
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<td>236 EL CAMINO DEL MAR</td>
<td>1304/008A</td>
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<th>Case No.</th>
<th>Previous Building Permit No.</th>
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Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

☐ Result in expansion of the building envelope, as defined in the Planning Code;

☐ Result in the change of use that would require public notice under Planning Code Sections 311 or 312;

☐ Result in demolition as defined under Planning Code Section 317 or 19005(f)?

☐ Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

If at least one of the above boxes is checked, further environmental review is required.

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

☐ The proposed modification would not result in any of the above changes.

If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

Planner Name:  
Date:  

SAN FRANCISCO PLANNING DEPARTMENT
DISCRETIONARY REVIEW PUBLIC (DRP)
APPLICATION

Discretionary Review Requestor's Information
Name: PETER TEMPEL
Address: 230 EL CAMINO DEL MAR, SF, CA 94121
Email Address: home@tempel.net
Telephone: 831-345-7543

Information on the Owner of the Property Being Developed
Name: WILLIAM PING CHUN SETO
Company/Organization: PLEASANT HILL PROPERTIES LLC
Address: P.O. BOX 895, RUTHERFORD, NJ 07070
Email Address: billseto1996@gmail.com
Telephone:

Property Information and Related Applications
Project Address: 236 EL CAMINO DEL MAR, SF, CA 94121
Block/Lot(s): 1304/008A
Building Permit Application No(s): 2017.07.21.2594

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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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 that were made to the proposed project.

PLEASE SEE ATTACHED

Project at:
236 EL Camino del Mar
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 standards of the Planning Code and the Residential Design Guidelines. 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.

PLEASE SEE ATTACHED

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

PLEASE SEE ATTACHED

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

PLEASE SEE ATTACHED

Project at: 236 El Camino del Mar
Answers to Discretionary Review Form  
Monday October 28, 2019
Re: Project at 236 El Camino del Mar
by Peter Tempel, 230 El Camino Del Mar, San Francisco, CA 94121

Actions Prior to Discretionary Review:

Attempted Compromise:
2.5 hour meeting with Owner's Architect 2017:
- We proposed compromises
- Owner's Architect found them reasonable
- Owner rejected them out of hand; offered no alternative
- Owner refused direct communication; required all communication to go through Architect
- Owner's Architect emailed us promising updates on new plans and never got back to us.
- We haven't heard from him in 2 years.

-This summary dismissal of our compromise attempt, along with embargoed communication, forced us into a dead-end.

So we turned to Planning:
- Discussed the 37 neighbors and their objections, with the Planner, Sara Vellve.
- She too agreed to give us an opportunity to see any new plans and give feedback before the 311 notice.
- No new Planner has been assigned since June 2018 through the Present (according to Accela website)
- Planning sent 10-day cancelation letter to sponsor 10 months ago on 12-29-18
- Project then sat dormant for 8 months
- On 9-19-19, with no new Planner listed, 311 notice went out. We were not given the review and feedback opportunity that had been agreed with the only Planner of record.

We are interested in good faith compromise:
- Looking for someone on the other side to talk to.

QUESTION #1

A. Rear yards on our block currently combine to:
- create openness
- provide light
- allow the onshore flow of air to reach all the homes
- protect privacy

The proposed building:
1. would wall off the mid-block open space.
2. would cause drastic light blockage for all adjacent neighbors.
3. is of size, shape and scope that are entirely out of character for our block and our neighborhood.
4. would be the first on our block to have cruise ship style elevated party decks on all 3 levels.
RDG/Planning Code cited for # 1 - 4 above:

- RDG Sec I p.5:
  Ensure that the building’s scale is compatible with surrounding buildings.
  Ensure that the building respects the mid-block open space.
  Maintain light to adjacent properties by providing adequate setbacks.

- RDG Sec III p.16:
  When expanding a building into the rear yard, the impact of that expansion on light and privacy for abutting structures must be considered.

- RDG Sec I p.4:
  Section 101.1 of the Planning Code: establishes priority policies to conserve and protect existing neighborhood character.

  Planning Code Section 101:
  states that one of the purposes of the Planning Code is to provide adequate light, air, privacy and convenience of access to property in San Francisco.

B. Tunneling Effect:
I am already living in the dark shadow of a 24' high, 15' long wall from my neighbor on the east side. The new project would now shadow me from the west as well, so light would hit me and my rear yard only during the noon hour creating a dark tunnel for me and my yard. I would now be boxed in by a long high wall on BOTH sides of my home.

RDG cited for Tunneling Effect:

- RDG Sec I p.3:
  A single building out of context with its surroundings can be disruptive to the neighborhood character and, if repeated often enough, to the image of the City as a whole.

C. Massing:
According to the Plans, the proposed wall, measured from my rear yard (at 3' 6" below the garage), would be 16' feet longer than the existing house at the garage level and 14' tall. In other areas the height is 24' with a depth of 8'. That 24' wall boxes me in on the rear of my 2nd floor, where I spend most of my time.

RDG cited for Massing:

- RDG Sec IV p.26:
  Building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall (..) An out-of-scale rear yard addition can leave surrounding residents feeling "boxed-in" and cut-off from the mid-block open space.

D. Privacy:
The decks will also look straight into the windows of most homes on the block. While it's understood that City living requires some loss of privacy, this represents a grossly unreasonable effect on the privacy of the entire block.

RDG cited for Privacy:

- RDG Sec III p.16:
  When expanding a building into the rear yard, the impact of that expansion on light and privacy for abutting structures must be considered.
E. Airflow:
The proposed building causes significant airflow restrictions for all adjacent neighbors.

Planning Code cited for Airflow:
- Planning Code Section 101:
  states that one of the purposes of the Planning Code is to provide adequate light, air, privacy and
  convenience of access to property in San Francisco.

QUESTION #2:
All property owners and tenants on Block 1304 are affected.
So far, 12 have written letters of opposition to the project with more to follow. A current total of 38
property owners expressed opposition via letter and/or petition. Neighborhood survey results also
show concerns in alignment with those stated here.

Please see answers to Question #1 above for the adverse effects of this project.

QUESTION #3:
- Cut back the length of the first and second floor additions and the 3 decks.
- Increase distance between sponsor’s addition and the two neighboring properties.

- We would like to see the addition be in line with the recent and reasonable addition at 240 El Camino
del Mar in 2017.

- The same Planner assigned to this project, Sara Vellve, was assigned to 240 El Camino del Mar in
  2016.

- Planner Sara Vellve wrote in 2016:
  "I was able to see the neighbor’s deck using the aerial photos we have access to when I initially
  reviewed the proposal. I understand your point about the depth of the proposed deck in relation to the
  neighbor’s existing deck. Since the reduced depth we are requesting is about equal to the neighbors, it
  seems all the more reason to cut it back so both decks are essentially of equal depth, which is
  the purpose of the Residential Design Guidelines."

In keeping with this “purpose of the Residential Design Guidelines”, we would propose allowing the
new extension to match the existing one, which would be:
- 9’ extension at ground level
- 3.5’ extension at 2nd floor plus a 5.5’ deck
- 1’ extension to top deck (from 2’ 6” to 3’ 6”)
- 5’ Side Setbacks on both sides (instead of the proposed 3.5’ on the project’s east side side and 0’ the
  project’s west side)

- No windows on any wall that would face towards our property, to protect our privacy

- Indent and angle the design of 2nd floor roof deck railing, plus maintain tall potted deck plants in that
deck corner adjacent to our property, to further mitigate the significant invasion of privacy that access to
“look back” into my home at 230 El Camino del Mar or Mr. Heyneker’s home at 240 El Camino del Mar.

- We hope this DR process will finally bring the Sponsor or his representatives to the table for
good faith compromise.
Project at:
236 El Camino del Mar
Page (7)
DISCRETIONARY REVIEW REQUESTOR’S AFFIDAVIT

Under penalty of perjury the following declarations are made:

a) The undersigned is the DR requestor or their authorized representation.

Signature:  
Name (Printed): Peter Tempel

Relationship to Requestor:  
Phone: 831-345-7543

Email: home@tempel.net
DISCRETIONARY REVIEW PUBLIC (DRP) APPLICATION

Discretionary Review Requestor's Information

Name: MARC HEYNEKER
Address: 240 EL CAMINO DEL MAR, SAN FRANCISCO, CA 94121
Email Address: marc.heyneker@gmail.com
Telephone: 650-302-4920

Information on the Owner of the Property Being Developed

Name: WILLIAM PING CHUN SETO
Company/Organization: PLEASANT HILL PROPERTIES LLC
Address: P.O. BOX 895, RUTHERFORD, NJ 07070
Email Address: billseto1996@gmail.com
Telephone: 415-629-6257

Property Information and Related Applications

Project Address: 236 EL CAMINO DEL MAR
Block/Lot(s): 1304/008A
Building Permit Application No(s): 2017.07.21.2594

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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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, that were made to the proposed project.

Please see attached for the description of our Actions Prior to a Discretionary Review Request, thank you.
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 standards of the Planning Code and the Residential Design Guidelines. 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.

Provided in attached pages below

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 unreasonably affected, please state who would be affected, and how.

Provided in attached pages below

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?

Provided in attached pages below
Discretionary Review Request Form
Response: Actions Prior to Discretionary Review & our Answers to the 3 Questions

Submission Date: Monday, October 28, 2019

Answer Submissions by:
Marc Heyneker, 240 El Camino Del Mar, SF, CA 94121

Actions Prior to Discretionary Review:
We absolutely attempted to come to a compromise solution. In fact, we hosted a 2.5 hour meeting at our home with the Owner’s architect where we expressed our concerns, proposed compromises, and the architect found them reasonable. The Owner rejected them. The Owner refused direct communication, and we were told we must go via his architect. Email from Owner’s Architect promised: "Once we have the comments back from the planning dept and RDAT, we will review them with Bill and keep you and Peter updated with the process." That was 2017, the last time we heard from the Owner's Architect. The dismissal of the compromise + no ability to speak with Owner directly forced us to work with SF Planning.

38 property owners in our community have already expressed opposition to this project via petition and letters. 12 letters have been submitted to planning, and we can provide copies to you if helpful. We were told by the Planner, Sara Vellve, that we could review any newly submitted plans and then give feedback before any 311 notice. Planning sent a cancellation notice on 12-29-2018 to Owner. The project was then dormant for 8 months. On 9-19-2019, with no new Planner listed on the Accela website, the 311 Notice went out. We were not given the opportunity for review and feedback, as agreed by Planner, hence now our filing of the Application for Discretionary Review.

1. We are requesting a Discretionary Review for the following reasons - based on the Residential Design Guidelines set forth by the San Francisco Planning Committee:

"Planning code Section 101 states that one of the purposes of the Planning code is to provide adequate light, air, privacy...to property in San Francisco."

Further,

a. Section II - Neighborhood Character: ‘buildings must be compatible with the scale...drawing from elements that are common to the block.’ The submitted plan proposal will disproportionately increase the size and footprint of the property relative to the surrounding properties and the character of the neighborhood.

b. Section III – Site Design; Rear Yard: “Articulate the building to minimize impacts on light and privacy to adjacent properties.” We have found through time lapse photography (available at your request) that the amount light would be greatly reduced in both adjacent properties as well as the common mid-block open space of the neighborhood block. As far as privacy, we understand that almost any changes to an extension of a property will
impact the amount of privacy to neighboring properties, but the proposed extension as it is now, will jut out 15 feet beyond both adjacent/adjoining properties thus creating an essential "viewing platform" over the neighborhood, as well as back into the homes of the properties on either side. We believe that it is an exorbitant amount of requested space creating a huge rippling impact to light, air and privacy on the neighboring homes which do not resemble this size or style of home.

Section IV — Building Scale at the Mid-Block Open Space: “Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space.” The Residential Design Guideline acknowledges this characteristic as a community amenity, and we agree. It is an incredibly special feature in this neighborhood, and it would be concerning to see a precedent set whereby properties are permitted to extend so far back that open footprint or beautiful green courtyard would be depleted.

2. We accept fully that there will be some reasonable impacts as a part of a neighbor’s construction project. We do not wish to stand in the way of someone improving their home. However, based on the scope of the proposed extension, we do believe that our property as well as our other neighbors would be unreasonably and unfairly affected, especially given the past design and permit rulings related to our house and this property, also citing the same Residential Design Guidelines. As you’ll see in our proposed resolution and compromise below, we are just seeking the same, reciprocal treatment and ruling as was given to us.

Also of serious note and consideration is that our neighbor directly to the east of 236 El Camino Del Mar, Peter Tempel at 230 El Camino Del Mar, would suffer severely from privacy, light, air and communal space impact for a 2nd time here. Peter has grown up in that house all of his life, and is a very well known, active member of the Sea Cliff Community. With the current proposed extension, Peter would effectively live in a setback tunnel of darkness. I trust the Residential Design Guidelines will be applied fully to spare Peter’s well-being and needs here.

Several other neighbors that share our mid-block open space have expressed their concerns for the character of their beloved neighborhood as well. We have many letters that have been submitted stating these concerns that we would be happy to share with you. For us at 240 El Camino del Mar, we feel that the air, privacy and light would be very adversely impacted.

3. Our experience with the Planning Department back in 2016-2017 -- when we submitted, amended, and executed our home renovation -- taught us that your goals are to honor the integrity of the neighborhood while fairly considering those possibly impacted by proposed changes. This amendment would help to maintain the integrity of the best practices of the Residential Design Guidelines of the Planning Department and uphold the equitable access to privacy, light and air in a neighborhood with homes of our character and scale.
Proposed Compromise Solution:

Our proposed solution is for the SF Planning Department to be completely consistent, reciprocal and non-discriminatory with respect to the prior design and permit decisions already made related to these two properties in the past.

On October 18, 2016, there was an email correspondence between Sara Vellve from SF Planning and Kylee Keller, our architect, related to our home remodel design and permit approval for 240 El Camino Del Mar. Here is a quote from that correspondence:

"I was able to see the neighbor's deck using the aerial photos we have access to when I initially reviewed the proposal. I understand your point about the depth of the proposed deck in relation to the neighbor's existing deck. Since the reduced depth we are requesting is about equal to the neighbors, it seems all the more reason to cut it back so both decks are essentially of equal depth, which is the purpose of the Residential Design Guidelines."

We therefore believe the fairest resolution is for 236 El Camino Del Mar's project to match our rear façade distances equally. Below is the graphic from page 6 of the 311 notification received. Highlighted in yellow are the protruding portions of their plan we are asking to reduce to be equal to our walls on all levels.

Per this side view graphic from the 311 submission, the yellow highlighted areas and arrows represent our requested modifications as follows:

Ground Floor:
- reduce the home extension from 15 feet proposed, to 9 feet, to exactly match 240 El Camino Del Mar Ground Floor firewall length.
2nd Floor:
- reduce the home extension from 8 feet proposed, to 3.5 feet in length, to exactly match 240 El Camino Del Mar 2nd Floor firewall length.
- reduce 2nd floor roof deck from 7 feet proposed, to 5.5 feet in length
- With both changes, the 2nd floor will be 9 feet total, to exactly match 240 El Camino Del Mar.

3rd Floor:
- Reduce the deck size to 3.5 feet, to exactly match 240 El Camino Del Mar & 230 El Camino Del Mar neighbors.

Setback:
- We are requesting a 5 foot setback. This is important for light, air, and privacy. (Note: A setback had already been proposed between 236 and 230, and will also benefit from this).

Other:
- No windows on any wall that would face towards our property, to protect our privacy
- Indent and angle the design of 2nd floor roof deck railing, plus maintain tall potted deck plants in that deck corner adjacent to our property, to further mitigate the significant invasion of privacy that access to “look back” into our or Mr. Tempel’s home.

We feel this compromise would be the most fair and reasonable resolution that would be fully consistent and reciprocal enforcement of the Residential Design Guidelines per SF Planning’s prior rulings between these properties.

We think it is important to mention that 236 El Camino Del Mar was purchased in 2012 by Mr. Seto, an international absentee owner who rarely visits this tenant-occupied property. We understand Mr. Seto also has other investment properties under his management company, Pleasant Hill LLC. The current tenant at 236 El Camino Del Mar will be displaced as a result. Although we can understand and appreciate that any expansion of this property would directly increase Mr. Seto’s property value, his gain would come at the direct expense of primary San Francisco residents who make up this special community, and who live here permanently. We feel our proposed compromise most fairly optimizes the needs and goals of all parties involved.

Thank you very much for your consideration, we are available to answer any further questions.

Sincerely,

Marc Heyneker
240 El Camino Del Mar
SF, CA 94121
DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

a) The undersigned is the DR requestor or their authorized representation.

[Signature]
Peter Tempel
Name (Printed)

Relatorship to Requestor
(i.e. Attorney, Architect, etc.)
Neighbor
831-345-7543
Phone

Email
home@tempel.net

[Handwritten text]
Re: Project at:
236 E. 1 Camino del Mar

Page 8

For Department Use Only
Application received by Planning Department:
By: ___________________________ Date: ___________________________
LETTER OF AUTHORIZATION

I hereby authorize Peter Tempel to file a request for Discretionary Review on my behalf.

Sincerely,

Marc Heyneker
February 5, 2020

VIA EMAIL AND HAND DELIVERY

President Joel Koppel
San Francisco Planning Commission
c/o David Winslow, Staff Architect
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 236 El Camino Del Mar - Case No. 2017-010281DRP
Discretionary Review Requests

Dear President Koppel and members of the Planning Commission:

The proposed project at 236 El Camino Del Mar (the “Property”) should not be approved because it will unreasonably interfere with neighbors’ light, airflow, and privacy. It proposes a fifteen-foot horizontal addition (the “Project”) that is out of scale with, and would adversely impact, neighboring properties. Our office represents Marc Heyneker and Peter Tempel (the “DR Requestors”), who have requested Discretionary Review in relation to the Project. Mr. Heyneker lives at the adjacent property to the west at 240 El Camino Del Mar, and Mr. Tempel lives at the adjacent property to the east of the Property, at 230 El Camino Del Mar.

The DR Requestors make this request because the Project does not comply with the Planning Code or the Residential Guidelines (“RDGs”), such that it would harm neighboring properties. As § 101 and the RDGs note, “one of the purposes of the Planning code is to provide adequate light, air, privacy…to property in San Francisco.”

The DR Requestors accept that there will be some reasonable impacts as a part of a neighbor’s construction project. They do not wish to stand in the way of someone improving his property. However, based on the scope of the proposed extension, the DR Requestors’ homes would be unreasonably and unfairly affected, particularly given that Mr. Heyneker was recently instructed, for a 2018 project, to build his rear addition to match the existing scale of the buildings, in order to comply with the RDGs. The DR Requestors are simply seeking the same consideration.
THE PROJECT DOES NOT COMPLY WITH THE RDGS

The Project would add a large mass to the rear of the Property that is out of scale with the neighborhood. In numerous respects, the Project does not comply with the Residential Design Guidelines ("RDGs"), including:

a. Section II - Neighborhood Character: “buildings must be compatible with the scale…drawing from elements that are common to the block.”

The Project proposes an addition that is uncharacteristically deep and tall, which will block light to adjacent properties. The Project will disproportionately increase the size and footprint of the Property relative to the surrounding properties and the character of the neighborhood, extending significantly beyond the adjacent properties. Mr. Tempel’s home and rear yard are already over-shadowed by his other neighbor, whose building extends significantly into its rear yard:
If the Project is built as proposed (even with the latest revisions), it will create a tunneling effect, boxing in Mr. Tempel’s home:

The Planning Commission should require the Project to be pulled back, so as to comply with the Planning Code and RDGs.

b. Section IV – Building Scale at the Mid-Block Open Space: “Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space.”

The Project violates the Mid-Block Open Space guideline by disrupting the existing mid-block open space corridor pattern, which the RDGs acknowledge that mid-block open space is a community amenity. It is an incredibly special feature in this neighborhood, and it would be concerning to see a precedent set whereby properties are permitted to create barriers in the midblock open space pattern, depleting this beautiful green courtyard.

The “Mid-block Open Space” RDG goes on to note that an “out-of-scale rear yard addition can leave surrounding residents feeling ‘boxed in’ and cut-off-from the mid-block open space.” This is precisely what will occur here. As noted above, the addition proposed by the
Project would extend significantly beyond the neighboring properties and box in Mr. Tempel’s home and rear yard.

Importantly, when Mr. Heyneker renovated his own property by adding a horizontal extension in 2016-2018, the Planning Department required him to build his extension in line with the rear walls of the neighboring properties. Sara Vellve, the planner overseeing Mr. Heyneker’s project wrote on October 18, 2016:

```
From: Vellve, Sara (CPC) <sara.vellve@sfgov.org>
Date: Tue, Oct 18, 2016 at 3:28 PM
Subject: RE: 240 El Camino Del Mar
To: Kylee Keller <kyleekeller@gmail.com>

Hi Kylee – thanks for this information and plan clarifications.

I was able to see the neighbor’s deck using the aerial photos we have access to when I initially reviewed the proposal. I understand your point about the depth of the proposed deck in relation to the neighbor’s existing deck. Since the reduced depth we are requesting is about equal to the neighbors, it seems all the more reason to cut it back so both decks are essentially of equal depth, which is the purpose of the Residential Design Guidelines.
```

Mr. Heyneker was instructed to pull his deck back so that it matched the neighboring property. His project was built in a sensitive manner that preserved adjacent neighbors’ light and privacy on both sides (including for the Project sponsor), and the midblock open space. This Planning Department requirement for Mr. Heyneker’s building set a precedent – that horizontal additions on this block be consistent with adjacent properties so as to preserve the mid-block open space.

c. **Section III – Site Design; Rear Yard: “Articulate the building to minimize impacts on light and privacy to adjacent properties.”**

The Project would result in the amount of light being greatly reduced to both adjacent properties, as well as the common mid-block open space. In terms of privacy, the proposed extension will jut out 15 feet beyond both adjacent/adjoining properties, essentially creating a “viewing platform” over the neighborhood.
For example, the third floor decks would look back into Mr. Tempel’s living area:

Similarly, the second floor deck would extend beyond, and look into, Mr. Heyneker’s living areas:
The RDGs also require rooftop features to be sensitively located and designed “with the smallest possible overall dimensions that meet the requirements of the Building and Planning Codes.” Similarly, the Planning Department has recognized that roof decks “can negatively impact the quality of life of adjacent residents” and that “potential adverse impacts such as noise, diminishment of privacy, and reduction of light to adjacent properties should be mitigated.” The Planning Department has therefore recommended that all roof decks be set back at least 5’ from the lot lines. The lot-line roof decks proposed by the Project do not comply with these principles.

The Project proposes large roof decks on the second and third floors at the Property. These decks would sit on the lot line on the west (adjacent to Mr. Heyneker’s property), and approximately three feet from Mr. Tempel’s property to the east. Because the decks would extend significantly beyond the adjacent properties, anyone standing on the decks would be able to look back into adjacent neighbors’ windows. This creates unacceptable privacy impacts, and the decks should be deleted or pulled back from the property lines.

**SUGGESTED COMPROMISE**

The DR Requestors understand the Project sponsor’s desire for more space, and are not opposed to *any* expansion at the Property. However, the Project should be built in a way that is respectful of the adjacent neighbors and consistent with past Planning Department decisions. The DR Requestors’ proposed solution is for the Planning Department to be consistent, reciprocal and non-discriminatory with respect to the prior design and permit decisions already made related to these two properties in the past.

The fairest resolution would be for 236 El Camino Del Mar’s project to match the adjacent rear façade at 240 El Camino Del Mar. The suggested compromise is as follows:

**First / Ground Floor:**

- Reduce the horizontal extension from the 15 feet proposed, to 9 feet, to match the adjacent firewall, and use a portion of the existing large (41’ deep) garage to create the *same* square footage of new conditioned living space.
- Include a 5 foot setback from the adjacent property lines to provide light, air, and privacy.
Second Floor:

- Include a 5 foot setback from the adjacent property lines to provide light, air, and privacy.

3rd Floor:

- Reduce the depth of the deck to 3.5 feet, to match the decks at 240 El Camino Del Mar and 230 El Camino Del Mar.
- Include a 5 foot setback from the adjacent property lines to provide light, air, and privacy.

The above compromise proposal would enable the Project Sponsor to add living space without unreasonably impacting the neighbors.

CONCLUSION

The Project violates multiple RDG requirements, and it cannot be lawfully approved. Importantly, the Project sponsor has several alternative options to increase his conditioned square footage without adversely impacting his neighbors. The DR Requestors respectfully ask the Planning Commission to take discretionary review.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

[Signature]

Ryan J. Patterson
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

Further, the large multiple decks looking back into multiple homes would be intrusive. They would have a dramatic effect on privacy.

Please do not allow a dangerous precedent to be set. More open space on other blocks will be lost. A single building out of context with its surroundings is disruptive to neighborhood character. If repeated often enough such buildings can adversely impact the image of the City as a whole. The proposed expansion is undeniably out of character for this unique beloved neighborhood.

I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern,

Jean Arnold
222 El Camino Del Mar
San Francisco, CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,  

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar and the precedent it would set for the rest of the neighborhood. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.  

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.  

The shared open space afforded by all the gardens would be walled off for several homes on El Camino del Mar, and 25th and 26th Avenues.  

There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will look directly into most of the surrounding homes.  

I feel that this expansion plan needs to be greatly reduced in size and scope.  

Thank you for considering our neighborhood's needs,  

Kerri Lehman  
25 scenic way  
SF CA 71221  
Kerri Lehman
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

The proposed expansion creates a long tall wall. It's entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day to day lives of the homeowners and residents on the block.

Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

ALEJANDRO ESPINOSA
209 EL CAMINO DEL MAR
SF. CA. 94121

[Signature]
Planning Commission Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Planners and Commissioners,
I am writing to express my objections to the tremendously large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be replicated throughout our neighborhood.

It will cast large shadows and deprive the neighbors of their all-important sunlight.

The proposed expansion incorporates a very long wall. It’s entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the everyday lives of the homeowners and residents on the block.

Privacy will be a great concern. The proposed expansion that includes extraordinarily large decks will harm the atmosphere of privacy the neighbors have been able to maintain for generations.

My family and I are requesting that this expansion be tailored to fit into the neighborhood by significantly scaling back it’s footprint.

Thank you for considering my concerns,

Kathleen A. McHale
Menachem Cohen  
250 El Camino del Mar  
San Francisco, CA 94121  

Planning Commission  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners,  

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar. Its size is altogether out of scale for our block and our neighborhood. This large expansion includes decks that go well beyond the established norms for decks and outer stairs that have traditionally been approved and accepted by the neighbors here.

There will be a privacy problem. The proposed expansion is invasive in its size and will have a marked impact on my privacy and that of many of my neighbors. Throughout the years, on our block, we’ve been able to preserve a sense of privacy by being mindful of what we build, and respectful of the impact on each other. The current proposal affords us no such mindfulness and respect. Given its position in the middle of the block, this expansion will look directly into most of our surrounding homes.

The shadows cast by the huge walls will cause a considerable loss of light to me and my neighbors. Light is very important to my physical well being and to my enjoyment of my home.

On our block we enjoy the shared open space afforded by all our gardens. This expansion essentially drops a large building right in the middle of what is now open space. That open space would be halved as seen by homes on El Camino del Mar and parts of 25th Ave and 26th Ave.

I feel that this expansion plan needs to be greatly reduced in size and scope. The Planning Department made specific recommendations of changes in size when the owner brought an equivalent proposal to a Project Review Meeting in 2013. Those 2013 recommendations have not been included in the current plans.

Thank you for considering our neighborhood needs.

Sincerely,

[Signature]

Menachem Cohen
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,  

I'm writing to express my objections to the unusually large expansion project at 238 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.  

It will cast big shadows and rob the neighbors of their all-important sunlight.  

The proposed expansion creates a long tall wall. It's entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day to day lives of the homeowners and residents on the block.  

Privacy will be of great concern. The proposed expansion with its decks of uncustonmary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.  

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.  

Thank you for hearing my point of view,  

Kathy Rothschild  
Kathy Rothschild  
99 25th Ave
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

The proposed expansion creates a long tall wall. It's entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day to day lives of the homeowners and residents on the block.

Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

[Signature]

91-25th Ave.
S.F., CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,  

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.  

Further, the large multiple decks looking back into multiple homes would be intrusive. They would a have a dramatic effect on privacy.  

Please do not allow a dangerous precedent to be set. More open space on other blocks will be lost. A single building out of context with its surroundings is disruptive to neighborhood character. If repeated often enough such buildings can adversely impact the image of the City as a whole. The proposed expansion is undeniably out of character for this unique beloved neighborhood.  

I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.  

Thank you for your attention and concern.  

Sherrill McBrane  
91-25th Ave.  
SAN FRANCISCO, 94121
Planning Commission/Department City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

Further, the large multiple decks looking back into multiple homes would be intrusive. They would have a dramatic effect on privacy.

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I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern,

[Signature]

246 El Camino del Mar
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

Further, the large multiple decks looking back into multiple homes would be intrusive. They would have a dramatic effect on privacy.

Please do not allow a dangerous precedent to be set. More open space on other blocks will be lost. A single building out of context with its surroundings is disruptive to neighborhood character. If repeated often enough such buildings can adversely impact the image of the City as a whole. The proposed expansion is undeniably out of character for this unique beloved neighborhood.

I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern,

Gracie J. Perkins
#9 Seacrest Way
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

The proposed expansion creates a long tall wall. It's entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day to day lives of the homeowners and residents on the block.

Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

Karl J. Kaussen Ph.D.  
78½ - 26th Ave.  
San Francisco, CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

Further, the large multiple decks looking back into multiple homes would be intrusive. They would have a dramatic effect on privacy.

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I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern.

[Signature]

PATRICIA M KAUSSEN  
78 1/2 26th Avenue  
San Francisco, CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar and the precedent it would set for the rest of the neighborhood. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.

The shared open space afforded by all the gardens would be walled off for several homes on El Camino del Mar, and 25th and 26th Avenues.

There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will look directly into most of the surrounding homes.

I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood's needs.

Hannelore Romero  
78 26th Avenue  
SF, CA 94121

Hannelore Romero
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

The proposed expansion creates a long tall wall. It's entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day to day lives of the homeowners and residents on the block.

Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view.

Louisa Romero
78 26 ave
94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

Further, the large multiple decks looking back into multiple homes would be intrusive. They would have a dramatic effect on privacy.

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I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern,

Joel E. Romero  
78 26th Ave.  
San Francisco, CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar and the precedent it would set for the rest of the neighborhood. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.

The shared open space afforded by all the gardens would be walled off for several homes on El Camino del Mar, and 25th and 26th Avenues.

There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will look directly into most of the surrounding homes.

I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood's needs.

[Signature]

Marc Heyneser  
240 El Camino del Mar
Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

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Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

[Signature]

240 El Camino del Mar
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar and the precedent it would set for the rest of the neighborhood. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.

The shared open space afforded by all the gardens would be walled off for several homes on El Camino del Mar, and 25th and 26th Avenues.

There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will look directly into most of the surrounding homes.

I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood's needs,

Peter Tempel  
230 El Camino del Mar
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.

The shared open space afforded by all the gardens would be walled off for several homes on El Camino del Mar, and 25th and 26th Avenues.

There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will look directly into most of the surrounding homes.

I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood's needs,

Sincerely,

[Signature]

11/23/2019

04 HERMAN
79 26th AVE
SF, 94121
(415) 699-7547
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

The proposed expansion creates a long tall wall. It's entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day-to-day lives of the homeowners and residents on the block.

Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

[Signature]

Ursula, Gardeena
69 26th Ave

12/15/2019
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,  

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar and the precedent it would set for the rest of the neighborhood. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.  

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.  

The shared open space afforded by all the gardens would be walled off for several homes on El Camino del Mar, and 25th and 26th Avenues.  

There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will lock directly into most of the surrounding homes.  

I feel that this expansion plan needs to be greatly reduced in size and scope.  

Thank you for considering our neighborhood's needs,  

Chad Torbin  

215 El Camino Del Mar  
Chad Torbin
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

I’m writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

The proposed expansion creates a long tall wall. It’s entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day to day lives of the homeowners and residents on the block.

Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

Amber Nolan  
209 El Camino del Mar  
SF. CA. 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

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Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

[Signature]

Judy L. Wade  
247 El Camino del Mar  
SF, CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar and the precedent it would set for the rest of the neighborhood. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.

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I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood's needs,

[Signature]

[Address]
233 El Camino del Mar
5700 Gilroy 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size would set a troubling precedent for more of the same to be repeated throughout our neighborhood.

It will cast big shadows and rob the neighbors of their all-important sunlight.

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I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

[Signature]

George Karalis, M.D.
233-235 El Camino del Mar
SF 94121-1184
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar and the precedent it would set for the rest of the neighborhood. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.

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I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood's needs,

Alex Mangold
60 Scenic Way
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

Further, the large multiple decks looking back into multiple homes would be intrusive. They would have a dramatic effect on privacy.

Please do not allow a dangerous precedent to be set. More open space on other blocks will be lost. A single building out of context with its surroundings is disruptive to neighborhood character. If repeated often enough such buildings can adversely impact the image of the City as a whole. The proposed expansion is undeniably out of character for this unique beloved neighborhood.

I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern,

[Signature]

Lisa Heck
55 20th Ave
SF CA 74121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,  

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size will set a troubling precedent for more of the same to be repeated throughout our neighborhood.  

It will cast big shadows and rob the neighbors of their all-important sunlight.  

The proposed expansion creates a long tall wall. It's entirely out of character for this neighborhood and encroaches on a sizable swath of shared open space in the middle of the block. Losing that much space will have a negative effect on the day to day lives of the homeowners and residents on the block.  

Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.  

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.  

Thank you for hearing my point of view,

LAILA OWEN  
95 26th Ave., Apt A  
SF, CA 94121
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

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Thank you for your attention and concern,

Kay Masino
95 36th Ave Unit C
Planning Commission/Department City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

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Thank you for your attention and concern,

Lynn E Schroeder
95 26th Ave #D
SF CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

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I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

Lulu Mabelitini
95 26th Ave
Unit D
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

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Thank you for hearing my point of view.

Kim Fiscus  
95 26th Ave  
Unit F
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

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Thank you for hearing my point of view,

Robert Frati
501 El Camino del Mar
Planning Commission/Department City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

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I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern.

Shanna Freah
501 El Camino del Mar
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.

The shared open space afforded by all the gardens would be walled off for several homes on El Camino del Mar, and 25th and 26th Avenues.

There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will look directly into most of the surrounding homes.

I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood’s needs,

Jeremy Hoenig
6743 California St.
San Francisco CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

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I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.  

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.  

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Thank you for considering our neighborhood’s needs.  

Jeremy Levin  
750 El Camino del Mar
Planning Commission/Department City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

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Thank you for your attention and concern,

Daniel Coulter

Daniel Coulter

FYD EL CAMINO DEL MAR
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

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The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.

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There would be a blatant impact on privacy. In our neighborhood we are mindful of what we build with respect to the impact on each other. The current proposal does not offer a reasonable accommodation. Given its position in the middle of the block, this expansion will look directly into most of the surrounding homes.

I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood’s needs.

[Signature]

Charles Dart
500 El Camino Del Mar
SF CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,  

I am writing today with a pressing concern about the proposed project at 236 El Camino del Mar. Its size is altogether out of scale for our neighborhood. The large expansion includes decks that go far beyond the established norms approved and accepted by Sea Cliff property owners and tenants alike.  

The shadows cast by the huge walls will cause a considerable loss of light. For me, light is very important to my physical well being and the enjoyment of my home.  

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I feel that this expansion plan needs to be greatly reduced in size and scope.  

Thank you for considering our neighborhood's needs,  

[Signature]  

Herbert Pelliss  
346 El Camino del Mar
Planning Commission
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners,

I'm writing you to express my objections to the unusually large expansion project at 236 El Camino del Mar. It will cast big shadows and rob me and many of my neighbors of our all-important sunlight. The darkness created will be exceedingly impactful on very many of us and will create a precedent.

The proposed expansion creates a long tall wall. It’s entirely out of character for our neighborhood and encroaches on a large swath of the open space in the middle of the block that we all share and enjoy.

Privacy will be of great concern. The proposed expansion with its decks of uncustomy size will harm the atmosphere of privacy with some sharing we’ve been able to maintain on this block for many years.

I am requesting that this expansion be tailored to fit into the neighborhood. It needs to be scaled back significantly.

Thank you for your consideration,

Virigine Rigo
420 el camino del mar
San Francisco CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

I'm writing to express my objections to the unusually large expansion project at 236 El Camino del Mar. An expansion of this size will set a troubling precedent for more of the same to be repeated throughout our neighborhood.

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Privacy will be of great concern. The proposed expansion with its decks of uncustomary size will harm the atmosphere of privacy our neighborhood has been able to maintain for generations.

I am requesting that this expansion be tailored to fit into the neighborhood; it needs to be scaled back significantly.

Thank you for hearing my point of view,

Sarah Fry  
Apt #5  
322 El Camino del Mar
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

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Thank you for hearing my point of view,

[Signature]

CLAUDE MURNO - 334 EL CAMINO DEL MAR
Planning Commission/Department City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

Further, the large multiple decks looking back into multiple homes would be intrusive. They would have a dramatic effect on privacy.

Please do not allow a dangerous precedent to be set. More open space on other blocks will be lost. A single building out of context with its surroundings is disruptive to neighborhood character. If repeated often enough such buildings can adversely impact the image of the City as a whole. The proposed expansion is undeniably out of character for this unique beloved neighborhood.

I know that sunlight is vital to my quality of life. Many nearby will suffer serious loss of light and airflow restrictions. I ask that this extension be cut back significantly to maintain the character of our neighborhood and our quality of life.

Thank you for your attention and concern.

[Signature]
Diana Chin  
93 Laurel Ave  
SF, CA 94121
Planning Commission/Department City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

Regarding the proposed changes to 236 El Camino Del Mar, I am very concerned about how it impacts open space. Rear yards and the space they create are so important to all of us who live in Sea Cliff. The project at its proposed size, and being mid-block, would wall off the open space for homes on El Camino del Mar as well as those on the southern halves of 25th and 26th Avenues.

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Thank you for your attention and concern,

[Signature]

Desmond Pollock
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

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I feel that this expansion plan needs to be greatly reduced in size and scope.

Thank you for considering our neighborhood's needs,

Seth Adler  
55 27th Ave
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Commissioners and Planners,

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Thank you for hearing my point of view,

[Signature]
Terrance Marseille
275 Sea Cliff Ave
Planning Commission/Department City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

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Thank you for your attention and concern,

[Signature]

MARSHA L. WILKINSON
540 El Camino del Mar
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103.

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Thank you for hearing my point of view,

Sincerely,

855 El Camino del Mar
Sanford Garfinkel
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Dear Commissioners and Planners,

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Thank you for hearing my point of view.

Bradley Smith  
440 El Camino del Mar
Planning Commission/Department City of San Francisco
1850 Mission Street, Suite 400
San Francisco, CA 94103

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Thank you for your attention and concern,

Michele Trufelli
440 El Camino del Mar
SF CA 94121
Planning Commission/Department City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

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Lisa J Kent
170 Sea Cliff Ave
San Francisco, CA 94121
Planning Commission/Department  
City of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

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Bruce W. Leppila  
500 El Camino del Mar
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

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[Signature]

Garrett Price
530 El Camino del Mar
Planning Commission/Department
City of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

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Thank you for hearing my point of view,

Richard Yanowitch
520 El Camino Del Mar
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME

PRINT YOUR NAME

PRIFT YOUR ADDRESS

(G. A.)

MARILYN HUMMELSTON

KIMBALL LIVINGSTON

MICHAEL BARRIE

GEORGE KARALIS

237 EL CAMINO DEL MAR

SAN FRANCISCO CA 94121

235 EL CAMINO DEL MAR

SAN FRANCISCO CA 94121
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<table>
<thead>
<tr>
<th>SIGN YOUR NAME</th>
<th>PRINT YOUR NAME</th>
<th>PRINT YOUR ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florence Paraventi</td>
<td>Florencia Paraventi</td>
<td>246 Edgewood Ave</td>
</tr>
<tr>
<td>J. Allksen</td>
<td>Kaell J. Kaussen, P.I.</td>
<td>78½ 26th Ave. S.F. 9412</td>
</tr>
<tr>
<td>Patricia M. Kaussen</td>
<td>78½ 26th Avenue 94121</td>
<td></td>
</tr>
<tr>
<td>Joel E. Romero</td>
<td></td>
<td>78 26th Ave. 94121</td>
</tr>
<tr>
<td>Hannelore Romero</td>
<td>78 26½ Ave. 94121</td>
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<tr>
<td>William McGuane</td>
<td>William McGuire</td>
<td>91-25½ Ave. 9414</td>
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<tr>
<td>Sherrell McGuane</td>
<td>Sherrell McGrane</td>
<td>91-25½ Ave. 9412</td>
</tr>
<tr>
<td>L. Cohen</td>
<td></td>
<td>250 El Camino Del Mar</td>
</tr>
<tr>
<td>Menahem Cohen</td>
<td>(Clen)</td>
<td>94121</td>
</tr>
</tbody>
</table>
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME

Peter Tempel

PRINT YOUR NAME

Peter Tempel

PRINT YOUR ADDRESS

230 El Camino del Mar

Brantley W. Thompson

81 25th Ave

Ana Nordberg

81 25th Ave

Susan G. Suger

56 Scenic Way

Thomas R. Suger

56 Scenic Way

Eva Becker

209 El Camino del Mar

ALEJANDRO ESPINOZA

Grace J. Perkins

Amber Nolan

9 Scenic Way
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME

PRINT YOUR NAME

PRINT YOUR ADDRESS

[Signatures]

Krista Conner
170 37th Ave, SF CA

Nicholas Placentini
170 27th Ave, SF CA
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME

Jane Yamada

PRINT YOUR NAME

Jane Yamada

PRINT YOUR ADDRESS

174 27th Ave

Gary Yamada

174 29th Ave
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME

PRINT YOUR NAME

PRINT YOUR ADDRESS

[Signature]

[Printed Name]

[Address]
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME
Rumi Edelbaum Sloan

PRINT YOUR NAME
Rhona Edelbaum Sloan

PRINT YOUR ADDRESS
156 26th Avenue
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME  PRINT YOUR NAME  PRINT YOUR ADDRESS

Joe C. Sweeney  Joe C. Sweeney  323 El Camino del Mar
The undersigned wish to express their opposition to the current plans by the owner of 236 El Camino del Mar to expand the footprint of that property northward towards the Golden Gate Bridge, which will negatively impact upon the character of the neighborhood, light and privacy of all those properties that share the backyard spaces as they currently exist.

SIGN YOUR NAME: John Doe

PRINT YOUR NAME: Judi Kramer

PRINT YOUR ADDRESS: 135 Sea Cliff Ave
January 30, 2020

Via Email (david.winslow@sfgov.org)

President Joel Koppel and Commissioners
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94107

Re: 236 El Camino Del Mar; Brief in Opposition to Discretionary Review Requests; Planning Case No. 2017-010281DRP-02.

Dear President Koppel:

Our office represents William Ping Chun Seto and his wife, Carrie Wai Chu Yan (collectively, the “Setos” or the “Applicants”), who own the single-family home located at 236 El Camino Del Mar (the “Property” or “Seto Home”). On July 21, 2017 the Applicants submitted building permit application no. 201707216594 for a horizontal expansion of the Property (the “Project”). The Section 311 notification was mailed on September 26, 2019. The two adjacent neighbors have requested discretionary review (“DR”) of the Proposed Project.

The Planning Commission will hold a public hearing on the DR requests on February 13, 2020. The Project Sponsor has revised the design to address the concerns of the neighbors (DR requestors). The revised plans for the Proposed Project before this Commission are attached hereto as Exhibit 1. Discretionary review is granted only if exceptional or extraordinary circumstances exist. As evidenced from the discussion below, the DR requestors fail to establish the existence of any exceptional or extraordinary circumstance in this case. Therefore, this Commission should deny the DR requests, and approve the Project as revised.

1 The DR requestors are (1) Peter Tempel (“Tempel”), who resides at 230 El Camino Del Mar, to the immediate east of the Seto home; and Marc Heyneker (“Heyneker”), who resides at 240 El Camino Del Mar to the immediate west of the Seto home.
I. PROJECT APPLICANTS

William Seto immigrated to the United States in 1972 when he was 17 years old, joining his father, a lifelong restaurant waiter, who had come to the U.S. as a refugee when Mr. Seto was an infant.

Mr. Seto went to high school in New Jersey. After graduating from Purdue University in 1980, Mr. Seto worked as an engineer in the aerospace industry in Southern California. Mr. Seto studied and passed the California CPA examination and joined Arthur Young (which later became Ernst & Young) in 1985. He was transferred to Taiwan and was promoted to partner in 1993. He was transferred to Shanghai in 1996, and back to Taiwan in 2010. Mrs. Seto, also a CPA, had worked for Arthur Andersen in San Francisco and Deloitte in San Jose. The Setos were married in 2004 and have a 12-year old son who is currently attending the Taipei American School. Mr. Seto is retired from Ernst & Young, but continues to advise companies doing business in Asia.

The Setos purchased the single-family residence located at 236 El Camino Del Mar in August, 2012 with the intent that it would become their permanent residence when they returned to the United States. The Setos’ interest in permanently relocating to San Francisco is due to their deep affinity for the City. San Francisco was the first port of entry back in 1972 when Mr. Seto set foot in the United States. He frequently spent his vacations in San Francisco during and after college. The Seto family has spent their six week annual summer vacation at the house until 2017, when they began to rent the Property. The Setos have numerous close family members and friends who live in the Bay Area, and the Seto Home was occupied by the Setos’ extended family between 2013 and 2014.

After deciding that their son would attend high school in San Francisco, the Setos decided to submit a permit application to renovate the house. In May 2018 the tenant was notified of the renovation plan and that she could remain as a tenant for at least two more years, but the tenant moved voluntarily in October 2019 informing Mr. Seto that she had a better opportunity elsewhere. A current tenant moved in during the first week of January 2020, and was informed of the renovation plans, and that she could stay in the house for at least two more years.

II. PROJECT SITE

The Proposed Project is located at 236 El Camino Del Mar in the Sea Cliff neighborhood. The 20' x 100' site is in an RH-1 zoning district and is improved with a three-story single family home. The depth of the existing building is 41'-1" on the first and second floors and 43'-1 1/4" on the third floor. The rear yard is 58'-11" deep. The ground floor consists of the garage and is of soft-story construction. The second floor contains two bedrooms, a bathroom, a kitchen with a small dining area, and a living room. At the rear of the second floor is a deck that serves as the landing for the exterior stairs to the rear yard. The third floor contains the master bedroom, a
bathroom, family room and a 2'-6" deep deck that is set back around 3’-8” from both common property lines with the neighbors. See Exhibit 1, Sheets A002, A007A, A101 and 102.

This part of the Sea Cliff neighborhood is developed with two- to four-story single-family homes. All of the block face buildings are three stories tall. The buildings on the opposite block face are mainly three-stories with several having either a partial fourth floor set back from the street or an attic floor. Aerial, block face, opposite block face photographs of the neighborhood are attached hereto as Exhibit 2 and in Exhibit 1, Sheet A004.

III. PROJECT DESCRIPTION

The Proposed Project involves the renovation of the interior of the existing three-story building, and the horizontal extension of the ground floor, second floor and enlargement of the third floor deck over the roof of the extended second floor. Upon completion of the renovation and addition, the building will be seismically upgraded. The ground floor extension will be approximately 10' high and extend 15' into the existing 58'-11” deep rear yard. The ground floor will contain the entrance lobby, a single car garage, bicycle parking, mechanical equipment, a bathroom and a family room/playroom. The family room/playroom will become the living space for Mrs. Seto’s mother when she can no longer live independently.

The second floor will be expanded 8'-0" and will contain two bedrooms, one bathroom and the kitchen/pantry/dining area. The third floor foot print will not be extended and will contain an unsuited master bedroom, a laundry room and a home office. The roofs of the expanded ground and second floors will become roof decks for the floors above. The railing surrounding the second and third floor deck will be glass to minimize the height and massing of the Project’s rear expansion. Additionally, the proposed extension will be set back 3’-6” from common property line with 230 El Camino Del Mar. See Exhibit 1 Sheets A111 and 112.

After completion of the Proposed Project a 43'-11" rear yard will remain, which substantially exceeds the required 25' deep rear yard for this property.

IV. MODIFICATION OF THE PROJECT DESIGN

The Applicants have modified the design of the Proposed Project before the Commission, based on the issues raised in the DR applications, comments from the Residential Design Team, and after meeting with the DR requestors in an effort to arrive at a mutually acceptable modified design solution for the Proposed Project. The modifications made to the Project are:

- **Depth of ground floor extension**: The original project presented to the Planning Department in a pre-application meeting and for the building permit included a 20' ground floor extension. At the suggestion of the Planning Department, the depth of the ground floor extension was decreased from 20' to 15'.
• **Height of ground floor extension**: The height of the ground floor, which was originally proposed to be approximately 13'-7", was reduced to approximately 10' after a meeting with DR requestor Peter Tempel, in order to reduce the shadow impacts and the perception of a "tunnel effect" to his rear yard created by the proposed extension.

• **Inclusion of side setbacks for the second and third floor deck from the 240 El Camino Del Mar Home**: Both decks were proposed to be constructed to the east property line. To accommodate the massing concerns and the alleged decrease of light and air to the 240 El Camino Del Mar property, the third floor deck has been set back 3' from common property line and a glass railing replaces the solid parapet. On the second floor, a glass railing replaces the open metal railing around the deck which will be set back 3’ from the common property line with 240 El Camino Del Mar to provide a planted buffer area. These design revisions address the alleged massiveness of the extension and privacy concerns.

• **Reduction of Window Size Facing 230 El Camino Del Mar**: To address Tempel's privacy concerns, the proposed new east window on the second floor facing 230 El Camino Del Mar has been changed to a transom window to allow light access but will insure that there is no view into Tempel's rear yard or windows.

A description of this revised Project was forwarded to the DR requestors on Sunday January 26th. The parties are attempting to find a mutually agreeable time to meet and discuss the revised design.

V. **ISSUES RAISED BY DR REQUESTORS**

The DR Requestors raise the following issues in their DR applications:

1. The scale and massing of the Proposed Project is incompatible with the existing buildings on the block.

2. The Proposed Project will disrupt the midblock open space.

3. The Proposed Project will adversely affect the light and air access to the adjacent buildings.

4. The Proposed Project will affect the privacy of the adjacent buildings.
VI. RESPONSES TO ISSUES RAISED

1. The Scale and massing of proposed project is compatible and contextually appropriate with the existing buildings on the block.

All of the eight existing buildings (including those on the corner lots) on the block face of El Camino Del Mar between 25th and 26th Avenues are three stories high. See Exhibit 2 for block face photos. Currently only three buildings, 230, 236, and 246 El Camino Del Mar are approximately 42’ deep or less. 220 El Camino Del Mar is 56’ deep. 226 El Camino Del Mar is approximately 56’ deep on the ground floor and second floor; the third floor is set back approximately 4’-6” from the rear façade and 3’ from the east property line. 240 El Camino Del Mar is 49’ deep with a 9’ patio on the ground floor, 42’ deep with a 9’ balcony on the second floor and 42’ deep with a 3’-6” balcony off the third floor.

Upon completion, the Project’s ground floor at 56’-1” will be the same depth as 220 and 226 El Camino Del Mar, and the second floor will be shorter than the 220 and 226 El Camino Del Mar buildings. The Project will not change the 43’-1” depth of the third floor. When compared to 240 El Camino Del Mar, the Proposed Project's ground floor will be 5’-1” deeper, the second floor will be 7’ deeper and the third floor will remain as is being 1’-1” deep. See Exhibit 1, Sheets A003B, A007A, A007B, A007C and A007D. See also Exhibit 3 attached hereto for a table comparing the existing and proposed depth of the Proposed Project and the 240 El Camino Del Mar Building.

Therefore, the depths proposed for the Project’s extensions of the ground floor and second floor are contextually appropriate and compatible with the buildings on the block. In addition, the proposed modification will reduce the height of the ground floor extension, and therefore the massing of the Project. See 3D rendering comparisons attached hereto as Exhibit 4.

2. The Proposed Project will not disrupt the midblock open space.

The rear yard of the Proposed Project is 43’-11” deep, which is substantially deeper than the 25’ required by the Planning Code. The Proposed Project's ground floor is 15' deeper than the ground floor and 7’-1” deeper than the current second floor of the adjacent 230 El Camino Del Mar building to the east. The Proposed Project's ground floor extension will be 18’-11” from where a code complying 25’ deep rear yard would begin. The Site Plan (Exhibit 1, Sheet A003A ) and the aerial view photographs of the block's interior open space shows the Proposed Project will have an insignificant impact on the midblock open space. As shown, the midblock open space includes an existing structure in the center of the block, on the parcel directly adjacent to the rear of the 236 and 230 El Camino Del Mar rear property lines. See Exhibit 2.
3. **The Proposed project will not adversely affect the light and air access to the adjacent buildings.**

The DR Requestors assert that the project will affect light and air access to their property. The proposed expansion of the 236 El Camino Del Mar building will not block any window of nor have any effect on the air access to the adjacent buildings. See Exhibit 4 for 3D renderings showing the Proposed Project from the rear yards of the El Camino Del Mar 230 and from the 240 El Camino Del Mar building.

Tempel (the 230 DR Requestor) further claims that completion of the Proposed Project would create "a dark tunnel for me and my yard. I would now be boxed in by a long high wall on both sides of my home." This perception is vastly overstated. The renderings comparing the height of the ground floor extension at 13’ 7” and at 10’ 0” show that any "tunnel" effect created by the Proposed Project is merely a perception and not factually correct. See Exhibit 4. The renderings clearly demonstrate that the Project with the proposed modifications will minimize the visual impact of the massing of the Proposed Project.

The Applicants have also prepared a shadow study, which further demonstrates the Project’s minimal impact on light. This study shows the net new shadow on September 21, December 21, and June 21. On June 21, the longest day of the year, the Project would cast new shadow in the morning on 240 El Camino Del Mar and in the late afternoon on 230 El Camino Del Mar. These new shadows would be insignificant, and will be further minimized by the modifications to the Project. See page 1 and 2 of the shadow study, attached hereto to Exhibit 5.

4. **The Proposed project will not adversely affect the privacy of the neighbors.**

The Applicants agree with the DR Requestors that one of the drawbacks of urban living is that privacy will be compromised by decks or balconies at the rear of neighboring buildings and windows facing a street or alley. The Residential Design Guidelines do not require that that the depth of a building or deck of a proposed project match the depth of the adjacent building or deck. The existing rear stairs, decks and windows of the Seto Home allow views of neighbors' rear yards on this block face and vice versa. In addition, the Project design modifications discussed above address specific privacy concerns of the DR requestors.
VII. CONCLUSION

The DR Requestors fail to provide any facts supporting the existence of exceptional and extraordinary circumstances that warrant the granting of discretionary review by the Commission. The Applicants have made design modifications that address all of the issues raised by the DR Requestors. Therefore, the DR Applications should be denied and the Project approved, as modified.

Very truly yours,

Alice Suet Yee Barkley

ASB
Enclosures

cc: Kathrin Moore, Vice President
Sue Diamond
Frank Fung
Milicent Johnson
Myrna Melgar
Dennis Richards
David Winslow
Ryan Patterson
Bill Seto
Brian Milford
Ashley Wallace
Amy Lee
William Fleishhacker
### TABLE OF EXHIBITS

| Exhibit 1 | Project's existing and proposed site plans, floor plans, elevations and sections. |
| Exhibit 2 | Aerial and block face photographs of the Project site and Project vicinity. |
| Exhibit 3 | Table comparing existing and proposed depths of the Project and 240 El Camino Del Mar. |
| Exhibit 4 | 3D Renderings |
| Exhibit 5 | Shadow Study |
March 3, 2020

Via Email (david.winslow@sfgov.org)

President Joel Koppel and Commissioners
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94107

Re: 236 El Camino Del Mar; Supplemental Letter in Opposition to Discretionary Review Requests; Planning Case No. 2017-010281DRP-02.

Dear President Koppel:

Our office represents William Ping Chun Seto and his wife, Carrie Wai Chu Yan (collectively, the “Setos” or the “Applicants”), who have submitted a building permit application for a modest addition and remodel of their single-family home located at 236 El Camino Del Mar (the “Property” or “Seto Home”). We are writing to supplement our January 30, 2020 letter brief in opposition to the discretionary review (“DR”) requests submitted by the two adjacent neighbors.

The DR requests were originally scheduled to be heard by the Planning Commission on February 13, 2020. The parties agreed to a continuance until March 12, 2020 to allow further settlement discussions. The Setos have prepared and provided revised plans to further address the concerns of the DR requestors. Nevertheless, the parties have been unable to reach an agreement as of the date of this letter.

In the case report prepared for the February 13, 2020 meeting, the Planning Department staff recommended that the Commission not take DR, and approve the project. The Applicants have further revised the plans, which have been submitted to Planning Department staff and to the Department of Building Inspection as revisions to the Site Permit Application. These revised plans (attached hereto as Exhibit 1) are substantially similar to the previous design recommended for approval by your staff, except for elimination of the deck on the ground floor addition and staircase from the second floor, and its replacement with a 5-foot deep balcony. This modification further
minimizes the privacy issues raised by the DR requestors. 3D renderings comparing the current revised plan with the prior proposal are attached hereto as Exhibit 2.

In summary, for all of the reasons discussed in our January 30th letter, and your staff’s case report recommending approval, we respectfully request that this Commission deny the DR requests and approve the Project as modified.

Very truly yours,

[Signature]
William Fleishhacker

WMF/dm
Enclosures

cc: Kathrin Moore, Vice President
Sue Diamond
Frank Fung
Milicent Johnson
Theresa Imperial
Dennis Richards
David Winslow
Ryan Patterson
Bill Seto
Brian Milford
Ashley Wallace
Amy Lee
Alice Barkley
## TABLE OF EXHIBITS

<table>
<thead>
<tr>
<th>Exhibit 1</th>
<th>Project's existing and proposed site plans, floor plans, elevations and sections.</th>
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<td>Exhibit 2</td>
<td>3D Renderings</td>
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C - SECTION 317 C DEMOLITION CALCULATIONS: SURFACE AREA MEASUREMENT

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PERIMETER DEMO DIAGRAM AT FOUNDATION

313 SF EXISTING

1330 SF EXISTING

1397 SF EXISTING

SECOND FLOOR - EXISTING/DEMOLITION PLAN

FIRST FLOOR - EXISTING/DEMOLITION PLAN (AT GRADE)

THIRD FLOOR - EXISTING/DEMOLITION PLAN

WEST ELEVATION - DEMO CALCS

EAST ELEVATION - DEMO CALCS

NORTH ELEVATION - DEMO CALCS

SOUTH ELEVATION - DEMO CALCS (NO REMOVAL)

FRONT AND REAR FACADE DEMO DIAGRAM AT FOUNDATION

REAR YARD AT BACK

FACING CURB

1' - 0 1/2"

1' - 0 1/2"

-3' - 7 1/2"

-6' - 10 1/2"

1/8" = 1'-0"

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SETO RESIDENCE
REMODEL AND ADDITION
236 EL CAMINO DEL MAR
SAN FRANCISCO, CA 94121

PLANNING DEPARTMENT PLAN COMPARISON

PROJECT NUMBER: 101 Montgomery Street
SUITE 650
SAN FRANCISCO, CA 94104
T 415 346 9990

DRAWN BY:
CHECKED BY:

1/29/2020 10:33:26 AM

A007D
**CONSTRUCTION PLAN**

**DEMOLITION PLAN**

**GENERAL NOTES**

**PLAN LEGEND**

- **R** Replacement of existing
- **A** Addition
- **L** New Light Fixture
- **P** Property Line
- **C** New Wall
- **M** New Door
- **F** New Window
- **B** New stair
- **T** New Trap
- **H** Hot/Cold water lines
- **S** New sink
- **P** New plumbing
- **E** New electrical
- **V** New ventilation
- **O** New HVAC
- **D** New drainage

### REMODEL AND ADDITION

1. **CONTRACTOR SHALL COORDINATE THE EXTENT OF THE**
   REMOVE ALL (E) FINISHES, HARDWARE, EQUIPMENT, CONDUIT, PLUMBING, AND FRAMING NECESSARY TO ACCOMMODATE ALL OPENING OR EDGE OF JAMB FRAME, U.O.N. REFER TO DOOR SCHEDULE FOR TYPES AND SIZES.

2. **ALL DIMENSIONS ARE TO FACE OF FINISH, CENTERLINE OF PLUMBING, AND FRAMING NECESSARY TO ACCOMMODATE ALL OPENING OR EDGE OF JAMB FRAME, U.O.N.**

3. **EXISTING WOOD FRAMING, FLOOR, OR SHEATHING IN AREAS OF FLASHING, METAL TRIM, OTHER FABRICATED ITEMS AND MISCELLANEOUS SHEET METALWORK AT JUNCTIONS OF A ROOF AND WALL, AT CHIMNEYS, OVER EXPOSED DOORS AND WINDOWS, AT CHANGES OF SIDING MATERIAL IN ROOF VALLEYS OR WHERE REQUIRED TO PROVIDE COMPLETE WATERTIGHT AND WATERPROOF CONSTRUCTION.**

4. **CONTRACTOR SHALL ENSURE THE STABILITY OF ALL (E) EXISTING WOOD FRAMING, FLOOR, OR SHEATHING IN AREAS OF FLASHING, METAL TRIM, OTHER FABRICATED ITEMS AND MISCELLANEOUS SHEET METALWORK AT JUNCTIONS OF A ROOF AND WALL, AT CHIMNEYS, OVER EXPOSED DOORS AND WINDOWS, AT CHANGES OF SIDING MATERIAL IN ROOF VALLEYS OR WHERE REQUIRED TO PROVIDE COMPLETE WATERTIGHT AND WATERPROOF CONSTRUCTION.**

5. **CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFE REMOVAL – REQUIRE OR INCLUDE THE REMOVAL OF ANY HAZARDOUS MATERIALS OR ELEMENTS, INCLUDING, BUT NOT LIMITED TO LEAD PAINT, ASPHALT AND PCB'S. GENERAL CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE LAWS, REGULATIONS, ORDINANCES AND RULES RELATING TO ANY HAZARDOUS OR TOXIC MATERIALS. IF GENERAL CONTRACTORS DISCOVERS ANY SUCH MATERIALS ON THE PROPERTY, GENERAL CONTRACTORS SHALL PROMPTLY NOTIFY THE OWNER. ANY REMOVAL OF HAZARDOUS MATERIALS SHALL BE DOCUMENTED SEPARATELY, WITH EACH OTHER BY APPLYING SPECIFIED ISOLATION MATERIAL TO CONTACT SURFACES. PROTECT SURFACES OF SHEET METAL IN CONTACT WITH CONCRETE, TREATED WOOD, OR ALUMINUM WITH A HEAVY COATING OF BITUMINOUS PAINT AS RECOMMENDED BY MANUFACTURER/FABRICATOR.**

6. **FLASHING & SHEET METALWORK WILL NOT BE MEASURED SEPARATELY FOR PAYMENT BUT WILL BE PAID FOR AS PART OF THE CONTRACT LUMP SUM PRICE FOR ARCHITECTURAL WORK.**

### MECHANICAL GENERAL NOTES

#### (RES, FAU)

- **HOUSEHOLD COOKING APPLIANCES SHALL HAVE A VERTICAL CLEARANCE ABOVE THE COOKING TOP OF NOT LESS THAN 30 INCHES TO COMBUSTIBLE MATERIAL OR METAL CABINETS.**

- **STAIRWAYS SHALL HAVE A MINIMUM HEADROOM CLEARANCE WITHIN THE UPPER 1/3 AND THE LOWER 1/3 OF THE WATER HEATER’S VERTICAL DIMENSIONS.**

- **ALL TOILETS TO HAVE A MINIMUM CLEARANCE OF 24" IN FRONT AND 15" FROM CENTERLINE OF THE TOILET TO EACH SIDE.**

- **STAIRWAYS SHALL HAVE A MINIMUM HEADROOM CLEARANCE WITHIN THE UPPER 1/3 AND THE LOWER 1/3 OF THE WATER HEATER’S VERTICAL DIMENSIONS.**

- **ALL DOORS AND WINDOWS NOT TAGGED ARE EXISTING TO REMAIN U.O.N.**

- **REMODEL AND ADDITION**

#### (RADIANT HEATING SYSTEMS)

- **APPLIANCES IN ATTIC AND UNDER-FLOOR SPACES SHALL HAVE A PERMANENT 120-VOLT RECEPTACLE OUTLET AND A LIGHTING FIXTURE NEAR THE APPLIANCE.**

- **APPLIANCES IN ATTIC AND UNDER-FLOOR SPACES SHALL BE ACCESSIBLE THROUGH AN OPENING AND PASSAGEWAY AT LEAST AS LARGE AS THE LARGEST COMPONENT OF THE APPLIANCE, AND NOT LESS THAN 22 INCHES BY 30 INCHES.**

- **APPLIANCES IN ATTIC AND UNDER-FLOOR SPACES SHALL HAVE A PERMANENT 120-VOLT RECEPTACLE OUTLET AND A LIGHTING FIXTURE NEAR THE APPLIANCE.**

- **CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFE REMOVAL – REQUIRE OR INCLUDE THE REMOVAL OF ANY HAZARDOUS MATERIALS OR ELEMENTS, INCLUDING, BUT NOT LIMITED TO LEAD PAINT, ASPHALT AND PCB'S. GENERAL CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE LAWS, REGULATIONS, ORDINANCES AND RULES RELATING TO ANY HAZARDOUS OR TOXIC MATERIALS. IF GENERAL CONTRACTORS DISCOVERS ANY SUCH MATERIALS ON THE PROPERTY, GENERAL CONTRACTORS SHALL PROMPTLY NOTIFY THE OWNER. ANY REMOVAL OF HAZARDOUS MATERIALS SHALL BE DOCUMENTED SEPARATELY, WITH EACH OTHER BY APPLYING SPECIFIED ISOLATION MATERIAL TO CONTACT SURFACES. PROTECT SURFACES OF SHEET METAL IN CONTACT WITH CONCRETE, TREATED WOOD, OR ALUMINUM WITH A HEAVY COATING OF BITUMINOUS PAINT AS RECOMMENDED BY MANUFACTURER/FABRICATOR.**

### DEMOLITION PLAN GENERAL NOTES

- **CONTRACTOR SHALL REMOVE ALL (E) FINISHES, HARDWARE, EQUIPMENT, CONDUIT, PLUMBING, AND FRAMING NECESSARY TO ACCOMMODATE ALL OPENING OR EDGE OF JAMB FRAME, U.O.N. REFER TO DOOR SCHEDULE FOR TYPES AND SIZES.**

- **ALL DIMENSIONS ARE TO FACE OF FINISH, CENTERLINE OF PLUMBING, AND FRAMING NECESSARY TO ACCOMMODATE ALL OPENING OR EDGE OF JAMB FRAME, U.O.N. REFER TO DOOR SCHEDULE FOR TYPES AND SIZES.**

- **EXISTING WOOD FRAMING, FLOOR, OR SHEATHING IN AREAS OF FLASHING, METAL TRIM, OTHER FABRICATED ITEMS AND MISCELLANEOUS SHEET METALWORK AT JUNCTIONS OF A ROOF AND WALL, AT CHIMNEYS, OVER EXPOSED DOORS AND WINDOWS, AT CHANGES OF SIDING MATERIAL IN ROOF VALLEYS OR WHERE REQUIRED TO PROVIDE COMPLETE WATERTIGHT AND WATERPROOF CONSTRUCTION.**

- **CONTRACTOR SHALL ENSURE THE STABILITY OF ALL (E) EXISTING WOOD FRAMING, FLOOR, OR SHEATHING IN AREAS OF FLASHING, METAL TRIM, OTHER FABRICATED ITEMS AND MISCELLANEOUS SHEET METALWORK AT JUNCTIONS OF A ROOF AND WALL, AT CHIMNEYS, OVER EXPOSED DOORS AND WINDOWS, AT CHANGES OF SIDING MATERIAL IN ROOF VALLEYS OR WHERE REQUIRED TO PROVIDE COMPLETE WATERTIGHT AND WATERPROOF CONSTRUCTION.**

- **CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFE REMOVAL – REQUIRE OR INCLUDE THE REMOVAL OF ANY HAZARDOUS MATERIALS OR ELEMENTS, INCLUDING, BUT NOT LIMITED TO LEAD PAINT, ASPHALT AND PCB'S. GENERAL CONTRACTORS SHALL COMPLY WITH ALL APPLICABLE LAWS, REGULATIONS, ORDINANCES AND RULES RELATING TO ANY HAZARDOUS OR TOXIC MATERIALS. IF GENERAL CONTRACTORS DISCOVERS ANY SUCH MATERIALS ON THE PROPERTY, GENERAL CONTRACTORS SHALL PROMPTLY NOTIFY THE OWNER. ANY REMOVAL OF HAZARDOUS MATERIALS SHALL BE DOCUMENTED SEPARATELY, WITH EACH OTHER BY APPLYING SPECIFIED ISOLATION MATERIAL TO CONTACT SURFACES. PROTECT SURFACES OF SHEET METAL IN CONTACT WITH CONCRETE, TREATED WOOD, OR ALUMINUM WITH A HEAVY COATING OF BITUMINOUS PAINT AS RECOMMENDED BY MANUFACTURER/FABRICATOR.**
**DECK**

**KITCHEN**

**KEYNOTES**

**REMODEL AND ADDITION**

**D1** REMOVE (E) WALL TO ACCOMMODATE (N) WORK. S.S.D. FOR ADDITIONAL INFORMATION.

**D2** REMOVE (E) DOOR TO ACCOMMODATE (N) WORK.

**D3** REMOVE (E) WINDOW TO ACCOMMODATE (N) WORK. INFILL WALL FRAMING AND PROVIDE NEW FINISHES. COORDINATE WITH NEW CONSTRUCTION PLANS FOR ADDITIONAL INFORMATION.

**D4** (E) SLAB ON GRADE TO REMAIN.

**D5** REMOVE (E) CASEWORK/CABINETRY.

**D6** REMOVE (E) PLUMBING FIXTURE; CAP OFF / RE-ROUTE UTILITY LINES AS REQUIRED.

**D7** REMOVE (E) APPLIANCE/EQUIPMENT. CAP OFF/RE-ROUTE UTILITY LINES AS REQUIRED.

**D22** REMOVE (E) FOOTING TO ACCOMMODATE (N) WORK. S.S.D. FOR ADDITIONAL INFORMATION.

**D23** REMOVE (E) FLOOR FRAMING AT THIS AREA TO COORDINATE WITH NEW STAIR OPENING. SEE CONSTRUCTION PLANS AND SECTION FOR COORDINATING INFORMATION. S.S.D. FOR ADDITIONAL INFORMATION.

**D24** REMOVE (E) COURTYARD FINISHES TO PREPARE FOR (N) SLAB ON GRADE.

**D25** (E) DECK AND SUPPORTING STRUCTURE TO BE REMOVED.

**D26** (E) UNEXCAVATED EARTH.

**D27** (E) PROPERTY LINE.

**D29** REMOVE (E) FENCE AT PROPERTY LINE TO ACCOMMODATE (N) WORK.

**D30** (E) COLUMN AND FOOTING TO REMAIN.

**D32** (E) FIRE RATED WALL AT NEIGHBORING PROPERTY.

**D33** REMOVE (E) COLUMN, FOOTING AND BEAM ABOVE.
ELEVATION - DEMOLITION

KEYNOTES

DE1 (E) DOOR TO BE REMOVED.
DE2 (E) WINDOW TO BE REMOVED.
DE3 (E) JULIETTE BALCONY TO BE REMOVED.
DE4 REMOVE (E) STAIRS AND RAILINGS.
DE5 (E) EXTERIOR DECK AND SUPPORTING WOOD FRAMED STRUCTURE TO BE REMOVED.
DE6 (E) CONCRETE FOUNDATION TO REMAIN. S.S.D. FOR MODIFICATIONS TO ACCOMMODATE (N) WORK.
DE7 (E) WALL FRAMING TO BE REMOVED.
DE15 REMOVE (E) SIDING, FRAMING UNDERNEATH TO REMAIN.
DE16 (E) FIRE RATED WALL AT NEIGHBORING PROPERTY.
DE17 (E) RETAINING WALL @ NEIGHBORING PROPERTY.
PROPOSED REAR (NORTH) ELEVATION

ELEVATION - CONSTRUCTION
KEYNOTES

NE2 (N) EXTERIOR PAINTED PLASTER WALL.
NE4 (N) ACCORDION DOOR WITH INSULATED GLAZING, SEE DOOR SCHEDULE.
NE7 (N) GLASS GUARDRAIL AT 42" A. F. F.; DESIGN SHALL RESIST LINEAR LOAD OF 50 P. L. F. IN ACCORDANCE W/ SECTION 4.5.1 OF ASCE 7 PER CBC 1607.8.1; GLASS GUARDRAIL ASSEMBLIES SHALL ALSO COMPLY WITH CBC 2407.
NE9 (N) EXTERIOR ROOF DECK WITH NON-COMBUSTIBLE DECKING.
NE10 (N) DECK WITH NO N-COMBUSTIBLE DECKING.
NE15 (N) PLASTER FINISH WITH (E) FRAMING.
NE19 (E) RETAINING WALL AT NEIGHBORING PROPERTY.
NE24 (E) NEIGHBORING FENCE.
NE25 (E) TOP OF LANDSCAPE RETAIN WALL.
NE26 (N) STAIR - 7 1/2" MAX. RISERS, 10" MIN. TREADS.
NE27 (N) GRASPABLE HANDRAIL @ 36" ABOVE STAIR NOSING. DESIGN SHALL RESIST LINEAR LOAD OF 50 P. L. F. IN ACCORDANCE W/ SECTION 4.5.1 OF ASCE 7 PER CBC 1607.8.1.

1/4" = 1'-0"
ELEVATION - DEMOLITION KEYNOTES

DE3 (E) JULIETTE BALCONY TO BE REMOVED.

DE5 (E) EXTERIOR DECK AND SUPPORTING WOOD FRAMED STRUCTURE TO BE REMOVED.

DE11 ALLOWABLE BUILDING ENVELOPE.

DE12 ADJACENT BUILDING OVERLAP.

DE18 DASHED LINES INDICATE NEIGHBORING PROPERTY IN FOREGROUND.

DE20 (E) +/- 4'-0" HIGH (230 EL CAMINO DEL MAR) WOOD FENCE
EXHIBIT 2
AERIAL VIEW FROM OVERHEAD
SETO RESIDENCE REMODEL AND ADDITION
01/29/20
236 EL CAMINO DEL MAR
SUBJECT PROPERTY

EL CAMINO DEL MAR BLOCK FACE
SETO RESIDENCE REMODEL AND ADDITION

01/29/20
EL CAMINO DEL MAR OPPOSITE BLOCK FACE
SETO RESIDENCE REMODEL AND ADDITION

01/29/20
# COMPARISON OF EXISTING (E) AND PROPOSED (P) DEPTHS

<table>
<thead>
<tr>
<th></th>
<th>236 El Camino Del Mar</th>
<th>240 El Camino Del Mar</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Depth</td>
<td>(E) Depth</td>
<td>(P)Depth</td>
<td>(E) Depth</td>
</tr>
<tr>
<td></td>
<td>100'</td>
<td>100''</td>
<td>70'</td>
</tr>
<tr>
<td>Ground Floor</td>
<td>41'-1&quot; + 8'-3&quot; deck/stair</td>
<td>56'-1&quot;</td>
<td>42' + new 9' porch open to the north and west</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Second Floor</td>
<td>41'-1&quot; + 8'-3&quot; deck/stair</td>
<td>49'-1&quot; +7' 0 deck</td>
<td>42’ + 9’ deck</td>
</tr>
<tr>
<td>Third Floor</td>
<td>43'-1 1/4&quot; + 2'-6&quot; deck</td>
<td>43'-1 1/4&quot; + 6’ deck</td>
<td>42' + 3’-6” deck</td>
</tr>
<tr>
<td>Front setback</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>58'-11” (25' required)</td>
<td>43'-11” (25’ required)</td>
<td>19’-0”</td>
</tr>
<tr>
<td>Side set back</td>
<td>none</td>
<td>3'-6&quot; on east side for rear extension.</td>
<td>Various side setback depth on the west side.</td>
</tr>
</tbody>
</table>
3D PERSPECTIVE - ORIGINAL VS LOWER HEIGHT MASSING
SETO RESIDENCE REMODEL AND ADDITION

ORIGINAL 13'-7" TALL FIRST FLOOR MASSING

10'-0" TALL FIRST FLOOR MASSING
3D PERSPECTIVE - ORIGINAL VS LOWER HEIGHT MASSING
SETO RESIDENCE REMODEL AND ADDITION

ORIGINAL 13'-7" TALL FIRST FLOOR MASSING

10'-0" TALL FIRST FLOOR MASSING
3D PERSPECTIVE - ORIGINAL VS LOWER HEIGHT MASSING

SETO RESIDENCE REMODEL AND ADDITION

ORIGINAL 13'-7" TALL FIRST FLOOR MASSING

10'-0" TALL FIRST FLOOR MASSING

01/22/20
3D PERSPECTIVE - ORIGINAL VS LOWER HEIGHT MASSING
SETO RESIDENCE REMODEL AND ADDITION

ORIGINAL 13'-7" TALL FIRST FLOOR MASSING

10'-0" TALL FIRST FLOOR MASSING
SETO RESIDENCE
REMODELL AND
ADDITION

226 EL CAMINO DEL MAR
SAN FRANCISCO, CA 94121

330 HAMPTON STREET
SAN FRANCISCO, CA 94104

T 415 346 9990

1/8" = 1'-0"

AST ELEVATION - DEMO CALCS

1/8" = 1'-0"

3/27/2020 6:11:30 PM

SECTION 317 DEMOLITION
CALCULATIONS

PERCENT REMOVED / PERCENT EXISTING

FRONT FACADE

REAR FACADE

EAST FACADE

WEST FACADE

FRONT (SOUTH) ELEVATION

REAR (NORTH) ELEVATION

FRONT AND REAR FACADE DEMO DIAGRAM AT FOUNDATION

PERIMETER DEMO DIAGRAM AT FOUNDATION

FIRST FLOOR - EXISTING/DEMOLITION PLAN (AT GRADE)

SECOND FLOOR - EXISTING/DEMOLITION PLAN

THIRD FLOOR - EXISTING/DEMOLITION PLAN

HOOF - EXISTING/DEMOLITION PLAN - NO REMOVAL

10'

PROJECTED WINDOW

1/8" = 1'-0"

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CONSTRUCTION PLAN

CONSTRUCTION PLAN LEGEND

- **DE** Construction to be Removed
- **BR** Construction to Be Removed
- **TC** To Be Removed
- **FT** To Be Retained
- **FE** To Be Exposed
- **CT** To Be Covered
- **CN** To Be New
- **CM** To Be Modified
- **EE** To Be Existed
- **EN** To Be New
- **RE** To Be Removed
- **ER** To Be Existed
- **CN** To Be New
- **CM** To Be Modified

GENERAL NOTES

1. Contractor shall coordinate the extent of the demolition with new construction. Refer to plans and elevations. Protect all portions of (E) structure to remain.

2. All dimensions are to face of finish, centerline of new work.

3. Doors not located by dimension shall be placed 3" off (E) structure, framing and foundations to remain during demolition and construction of new work.

4. Contractor shall ensure the stability of all (E) structure, framing and foundations to remain during demolition and construction of new work.

5. Provide & install flashing, counterflashings, cap existing wood framing, floor, or sheathing in areas of existing wood framing, floor, or sheathing in areas of decayed conditions are encountered prior to commencing repair work.

6. Provide & install one piece GSM pan flashing at all new windows, doors, and skylights.

7. Documentation herein does not authorize, describe, require or include the removal of any hazardous materials or elements, including, but not limited to lead paint, asbestos and PCB's. General contractors shall comply with all applicable laws, regulations, standards for bird safe buildings.

8. Provide & install waterline, drain and gasline for locations. Provide backing for wood located nearer than 6" to earth shall be treated with (E) 1-HR wall to remain.

9. Isolate and protect dissimilar metals from contact with each other by applying specified isolation material recommended by manufacturer/fabricator.

10. Isolate and protect dissimilar metals from contact with each other by applying specified isolation material recommended by manufacturer/fabricator.

11. Provide minimum of R-19 batt insulation in exterior walls adjacent to living space.

12. Provide cement board backing in areas to receive tile for locations.

13. Provide minimum of R-19 batt insulation in exterior walls adjacent to living space.

14. All doors and windows not tagged are existing to remain.

15. All toilets to have a minimum clearance of 24" in front of hot/cold appliance water supply hose bib and shut-off valve.

16. Stairways shall have a minimum headroom clearance overhead and openings into building, and not less than 10 feet from a forced air inlet. (CMC 502.2)

17. Househould cooking appliances shall have a vertical clearance above the cooking top of not less than 30 inches to combustible material or metal cabinets. (CMC 921.3.2)

18. Provide minimum of R-19 batt insulation in exterior walls adjacent to living space.

19. Water heaters shall have seismic strapping at a point within the upper 1/3 and the lower 1/3 of the water heater's vertical dimensions. At the lower point, a minimum distance of four (4) inches shall be maintained above the controls to the strap. (CPC 507.2)

20. Radiant floor heating systems to be installed on a rehabilitation basis by a qualified installer with a license to install radiant floor heating systems.

21. Radiant floor heating systems to be installed above wood subfloor, or above concrete subfloor to consist of 1/2" thick upon or Quick Trak panel, or approved equal, installed per manufacturer's requirements. Care should be taken when installing finish floor as to not damage piping.

22. Radiant floor heating systems boilers, zoning controls, valves, expansion tanks, etc. to be supplied and installed per manufacturer's recommendations for radiant floor heating systems.

23. Appliances in attic and under-floor spaces shall be accessible through an opening and passageway at least as large as the largest component of the appliance, and not less than 22 inches by 30 inches. (CPC 508.4)

24. Appliances in attic and under-floor spaces shall have a solid floor passageway of not less than 24 inches and a work platform of not less than 30 inches by 30 inches in front of the service side of the appliance. (CPC 508.4.2 & 508.4.3)

25. Appliances in attic and under-floor spaces shall have a solid floor passageway of not less than 24 inches and a work platform of not less than 30 inches by 30 inches in front of the service side of the appliance. (CPC 508.4.2 & 508.4.3)

MECHANICAL GENERAL NOTES (RADIANT HEATING SYSTEMS)

Mechanical heating shall be provided by radiant floor heating systems. Radiant floor heating systems shall be designed and installed in accordance with the manufacturer's recommendations for radiant floor heating systems.

METHOD OF INSTALLATION: Radiant floor heating systems shall be installed in accordance with the manufacturer's recommendations for radiant floor heating systems.

RECRUITMENTS: Radiant floor heating systems shall be installed in accordance with the manufacturer's recommendations for radiant floor heating systems.

PROTECTION: Radiant floor heating systems shall be protected from damage during installation and use.

ACCESS: Radiant floor heating systems shall be accessible for inspection and maintenance.

SAFETY: Radiant floor heating systems shall be installed in accordance with the manufacturer's recommendations for radiant floor heating systems.
KEYNOTES

REMODEL AND ADDITION

D1 REMOVE (E) WALL TO ACCOMMODATE (N) WORK. S.S.D. FOR ADDITIONAL INFORMATION.

D2 REMOVE (E) DOOR TO ACCOMMODATE (N) WORK. D3 REMOVE (E) WINDOW TO ACCOMMODATE (N) WORK. INFILL WALL FRAMING AND PROVIDE NEW FINISHES. COORDINATE WITH NEW CONSTRUCTION PLANS FOR ADDITIONAL INFORMATION.

D4 (E) SLAB ON GRADE TO REMAIN.

D5 REMOVE (E) CASEWORK/CABINETRY.

D6 REMOVE (E) PLUMBING FIXTURE; CAP OFF / RE-ROUTE UTILITY LINES AS REQUIRED.

(E) NEIGHBORING PROPERTY

D7 REMOVE (E) APPLIANCE/EQUIPMENT. CAP OFF/RE-ROUTE UTILITY LINES AS REQUIRED.

D8 REMOVE (E) FLOOR FINISHES, SUBFLOOR TO REMAIN AT THIS AREA.

D10 REMOVE (E) STAIRS AND RAILINGS.

D13 (E) RETAINING WALL TO REMAIN.

D14 (E) ELECTRICAL CIRCUIT PANEL TO REMAIN.

D15 (E) GAS AND METER, TO BE RELOCATED.

D16 REMOVE (E) LIGHTING, ELECTRICAL, AND MECHANICAL SYSTEMS IN COORDINATION WITH NEW WORK.

D17 (E) JULIETTE BALCONY TO REMAIN.

D18 REMOVE (E) INTERIOR CEILING AND LIGHTING.

D19 (E) GARAGE DOOR TO REMAIN.

D20 (E) LIGHTWELL TO BE INFILLED.

D21 REMOVE (E) SLAB AND EXCAVATE AT THIS AREA IN PREPARATION FOR STAIR DOWN TO THE (N) FAMILY/PLAY ROOM ON GRADE. S.S.D.

D22 REMOVE (E) FOOTING TO ACCOMMODATE (N) WORK. S.S.D. FOR ADDITIONAL INFORMATION.

D23 REMOVE (E) FLOOR FRAMING AT THIS AREA TO COORDINATE WITH NEW STAIR OPENING. SEE CONSTRUCTION PLANS AND SECTIONS FOR COORDINATING INFORMATION. S.S.D. FOR ADDITIONAL INFORMATION.

D24 REMOVE (E) COURTYARD FINISHES TO PREPARE FOR (N) SLAB ON GRADE.

D25 (E) DECK AND SUPPORTING STRUCTURE TO BE REMOVED.

D26 (E) UNEXCAVATED EARTH.

D27 (E) PROPERTY LINE.

D29 REMOVE (E) FENCE AT PROPERTY LINE TO ACCOMMODATE (N) WORK.

D30 (E) COLUMN AND FOOTING TO REMAIN.

D32 (E) FIRE RATED WALL AT NEIGHBORING PROPERTY.

D33 REMOVE (E) COLUMN, FOOTING AND BEAM ABOVE.
ELEVATION - CONSTRUCTION

NE2 (N) EXTERIOR PAINTED PLASTER WALL.

NE4 (N) ACCORDION DOOR WITH INSULATED GLAZING, SEE DOOR SCHEDULE.

NE9 (N) EXTERIOR ROOF DECK WITH NON-COMBUSTIBLE DECKING.

NE10 (N) DECK WITH NON-COMBUSTIBLE DECKING.

NE15 (N) PLASTER FINISH WITH (E) FRAMING.

NE19 (E) RETAINING WALL @ NEIGHBORING PROPERTY.

NE24 (E) NEIGHBORING FENCE.

NE25 (E) TOP OF LANDSCAPE RETAIN WALL.

NE26 (N) STAIR - 7 1/2" MAX. RISERS, 10" MIN. TREADS.

NE27 (N) GRASPABLE HANDRAIL @ 36" ABOVE STAIR NOSING.

DESIGN SHALL RESIST LINEAR LOAD OF 50 P.L.F. IN ACCORDANCE W/SECTION 4.5.1 OF ASCE 7 PER CBC 1607.8.1.
**SETO RESIDENCE**
**REMODEL AND ADDITION**

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**EXISTING SIDE (EAST)**

- **ELEVATION - DEMOLITION**

  - **KEYNOTES**
    - (E) JULIETTE BALCONY TO BE REMOVED.
    - (E) EXTERIOR DECK AND SUPPORTING WOOD FRAMED STRUCTURE TO BE REMOVED.
    - ALLOWABLE BUILDING ENVELOPE.
    - ADJACENT BUILDING OVERLAP.
    - DASHED LINES INDICATE NEIGHBORING PROPERTY IN FOREGROUND.
    - +/- 4'-0" HIGH (230 EL CAMINO DEL MAR) WOOD FENCE

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**PRE-APPLICATION MEETING 06/29/17**
**PLANNING PERMIT 07/06/17**
**REVISED PLANNING PERMIT 02/22/19**
**PLANNING PERMIT REVISION 2 01/29/20**
**PLANNING PERMIT REVISION 3 02/27/20**

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**1/4" = 1'-0"**

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**230 EL CAMINO DEL MAR**
**SAN FRANCISCO, CA 94121**

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**17012.1**

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**DE11**
**DE12**
**DE3**
**DE5**
**DE18**

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**101 Montgomery Street**
**Suite 650**
**San Francisco, CA 94104**

**T 415 346 9990**

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**Drawn By:**
**Checked By:**

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**2/27/2020 6:12:17 PM**
April 10, 2020

President Joel Koppel
San Francisco Planning Commission
c/o David Winslow, Staff Architect
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 236 El Camino Del Mar – Case No. 2017-0120281DRP
Discretion Review Request

Dear President Koppel and members of the Planning Commission:

I believe that most of you know me as an experienced architect from the numerous projects I have presented in front of the Commission over the last 25 years. Working in San Francisco has instilled in me the need to respect the 311 process. Time after time it has been proven to me that to have a successful outcome to a project, it’s better to engage with your neighbors than to ignore them. Also, being flexible and being willing to compromise your design goes along way to resolving conflict and building consensus.

I normally do not get involved in opposing projects as I am an architect with a busy residential practice; but once I reviewed the impact of this project to my clients, Marc and Jocelyn Heyneker, I felt it was necessary to get involved because it was so obvious that the issue could be easily resolved.

With slight alterations to the plans, there would be not be two DRs nor would there be 69 letters of opposition to this project. 14 out of 16 neighbors on the Project block that share the mid-block opens space with the Project Sponsor have written letters against the project! Clearly there has been a failure on the Project Sponsor when the Commission receives this much public outrage for a rather mundane, rear addition to a single-family house.

First let me make it clear that the Heynekers and the other DR requestor, Peter Tempel, are not opposed to any expansion. They recognize that everyone has a property right and the ability to grow their home to suit their needs.
They are opposed to this project because of the following reasons:

1) As proposed, the Project Sponsor’s three decks extend past the Heyneker’s firewalls allowing occupants on those decks to easily look back into their home.

2) For Peter Tempel, who lives in the identical house as the Project Sponsor’s, any growth in the rear will impact him as it boxes him in due his adjacent east neighbor extending 15 feet beyond his house. Therefore the shorter the horizontal addition is, the less impact it is to him.

3) When submitting for their expansion to their house in 2016, the Heynekers were required to step their addition per the neighborhood guidelines to protect the mid-block open space and minimize privacy concerns for adjacent neighbors. They abided by the requirements and as a result, did not have any DRs filed against their project as they worked with their neighbors and Planning staff to resolve any concerns.

The Heynekers only ask that the Project Sponsor follow this precedent and match his addition to the stepped profile of their firewall. This request has been repeatedly ignored by the Project Sponsor, his attorney, and his architect, who have recently submitted changes to the height of the lowest floor and an odd cantilevered second-floor deck that does not address the core problem outlined above.

**Regarding the findings for the DR (unusual and extraordinary):**

Ryan Patterson, of Zacks, Freedman and Patterson, PC in his letter to the Commission (dated February 5, 2020 and included in the original DR filing) succinctly spells out how the project violates the RDGs requirements to respect Neighborhood Character, Building Scale at the Mid-Block Open Space and Site Design: Rear Yard. I will not repeat those findings as I do not want to be redundant. However, what struck me as being truly unusual and extraordinary about this specific proposed project and its effects to the adjacent neighbors, compared to other projects, is its site context. The extraordinary circumstances that exist are two-fold (See **Exhibit 1**):

1) The Heyneker’s lot is 30 feet shorter than the Project Sponsor’s. Hence any expansion that grows past the Heyneker’s fire walls will impact them as further growth will intrude onto their privacy, and also force them to look at a blind wall, which further hems in their house and backyard’s access to light and air.

2) The lots are abnormally narrow being only 20 feet wide (versus the standard 25 foot width); hence, any growth in the rear is more impactful as it has a greater effect to privacy and light blockage to the adjacent properties.
SF Planning Code does not require exact matching of an adjacent neighbors’ profile. However, the intent of the Residential Design Guidelines, and the purpose of the 311 process is to improve a proposed design to address one’s neighbors’ concerns. In this case, the specific request was to align the Project Sponsor’s addition with the Heyneker’s firewall.

I was contacted by Marc and Jocelyn to help negotiate with the project sponsor’s architect and attorney. At a site meeting that was held on January 31, 2020, when asked why the addition could not match the Heyneker’s firewall profile, I was told by the Project Sponsor’s representative that the Project Sponsor “needed the square footage for his family and lifestyle”, the 17 foot kitchen could not be compromised because they needed the space, and it was too expensive to push their new family/media room back into the building into the area of the 40 foot tandem-car garage as they would need to underpin the foundation of the Heynekers. The only modifications that would be considered were the configuration and possible removal/relocation of the numerous outdoor decks at the rear.

I reviewed the Proposed Project floor plan to see if there was any way for the space program to be accommodated in the reduced volume that matched the Heyneker’s firewall. Contrary to what the Project Sponsor is insisting, it is completely possible in my professional opinion to match the setbacks and maintain the proposed room sizes as well as their roof decks without any significant sacrifices.

I have attached hand sketches (based on the project architect’s drawings and dimensions) that demonstrate how the Project Sponsor could accommodate his program within a smaller addition.
**Exhibit 2** is the Proposed Project axonometric that shows the Heynekers’ firewall in pink, and the Project Sponsor’s addition in yellow. The first floor extends 5 feet past their firewall, the second floor and third floors extend approximately 3’ past their firewall, respectively. The exposed firewall that the Heynekers would have to see is in orange.
Exhibit 3 is the first floor plan of the Proposed Project with requested modifications: By pushing back the family/media room into the building 5 feet, the room remains approximately 15 feet x 15 feet and the tandem garage is reduced from 40 feet to 36 feet long. No loss of habitable square footage and the parking would accommodate two average sized vehicles at 18’ each.

Exhibit 3 – First Floor Plan
Exhibit 4 is the second floor plan of the Proposed Project with requested modifications: Reducing the depth of this addition by 3 feet 6 inches by reducing the second bedroom’s closet from 3 to 2 feet deep, and the shared bath from a width of 10 feet to 7 feet 6 inches (the bathtub as drawn is 42 inches wide!), allows for the walk-in pantry and large 17 foot long kitchen to remain as proposed. The roof deck remains the same depth at 5 feet, except it has been shifted back 3 feet 6 inches. Due to privacy concerns, a 3-foot planter or a 5-foot set back at the deck along the west property line is shown. This plan results in a loss of approximately 58 square feet of habitable space, yet maintains the function of each reduced space.

Exhibit 4 – Second Floor Plan
Exhibit 5 is the third floor of the Proposed Plan with requested modifications: By moving the kitchen addition back, the proposed deck would align with the Heynekers’ firewall, approximately 2 feet 6 inches in depth, which is the depth of the current balcony that exists at the subject property. Aligning with both neighbors removes the privacy concerns. Again, a request to place a 3-foot wide planter or 5 foot setback at the side of the deck. No loss of habitable square footage.
These simple modifications would satisfy the Heynekers and therefore, they would have withdrawn their DR. Resulting in Exhibit 6, the Proposed Solution that you can see is a substantial improvement from the original proposal (Exhibit 2) as it fits in and matches the neighborhood pattern.
So the question to the Project Sponsor and his team of attorneys and architects is why not compromise? As we have not had any reasonable response from the Project Sponsor nor his team, we are hopeful that the Commission will be able to find a resolution.

The project is not adding additional bedrooms nor an additional dwelling unit. The project increases the gross square footage by 16% and includes luxury features such as a larger kitchen, walk-in pantry, larger bathroom, and an additional family/media room. It does not, however, add functionally required spaces that are necessary for livability.

The financial benefit of the square footage that is being asked to be removed does not appear to justify the cost of the neighborhood opposition. At 58 square feet of space this would equate to about $87,000 in today’s real estate market. The Project Sponsor, a developer, has probably spent close to that amount in land-use attorney’s, planning consultants, and architects fees in opposition to his neighbors.

Unfortunately, the Heynekers and Peter Tempel had no choice except to file the request for DR, due to the lack of communication and insincere solutions coming from the Project Sponsor’s representatives.

The 311-process was established to engage the public. The Project Sponsor in this case has disregarded the process, and unfortunately, has chosen to ignore the neighbors.

So, I would kindly ask you to use your discretion and take DR, and request the Project Sponsor to match the setbacks that were established by the Heynekers’ property. It will benefit both DR requestors (and even ultimately the Project Sponsor), and it will send a clear message to the Project Sponsor and his attorneys that the public process and its intention should be respected and not disregarded.

At a minimum, we request that any rear deck that is allowed would be required to have a 5 foot wide side property line setback (as typically required by the RDAT) or a 3 foot wide planter to mitigate privacy concerns, especially given the fact that these lots are only 20’ wide.

Thank you for your consideration,

John Lum, AIA
Founding Principal
John Lum Architecture, Inc.
April 8, 2020

President Joel Koppel
San Francisco Planning Commission
% David Winslow, Staff Architect
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 236 El Camino Del Mar - Case No. 2017-0120281DRP Discretionary Review

Dear President Koppel, Vice President Moore, and members of the Planning Commission,

My name is Marc Heyneker, and my wife is Jocelyn Heyneker. We are 22+ year residents of San Francisco. We live at 240 El Camino Del Mar. We are the direct neighbor to the west of 236 El Camino Del Mar. We have lived here for almost 8 years, since we bought our first home in 2012. We are proud owners, primary residents, taxpayers, and active community members. We love this city, and this is our home.

We are submitting this letter in advance of our upcoming DR currently scheduled for April 23, 2020. I hope this further detail and perspective will be helpful in your assessment of our submitted DR application and case. We thank you sincerely in advance for your consideration - we really need your help.

As you are familiar from the case file, our neighbor Bill Seto (owner) is looking to do an expansion which includes a large ground floor media room, an expanded second floor kitchen and balcony, and an expanded deck. We have never been in opposition to Bill expanding his house. We have only been seeking a fair and mutually effective compromise, which we have proposed and is possible here.

There are 3 critical factors we hope you will strongly consider in your decision:

1. **There is a prior precedent here.** All we seek is 100% consistent, equal and reciprocal application of the Residential Design Guidelines - as was used when we did our permit and remodel in 2016-2017 - as further detailed in this letter. This project involves the exact same properties, same reasons and rationale, and same Residential Design Guidelines regarding Section III for adequate light, air, privacy, and Section II & IV with buildings being compatible to scale, and design
height and depth of building to be compatible with existing building scale at the mid-block open space. We are struggling to understand why we would be treated any differently than with simple reciprocity in this situation.

2. **There is a clear and obvious solution that works for all.** Our proposed compromise submitted in our DR Application is the clear and obvious solution that can successfully achieve everyone’s goals. We have validated this with our very reputable SF architect (John Lum) and our veteran structural engineer (Pat Buscovich). John has further prepared his architectural design guidance in his letter on our behalf. This clearly solves this case to everyone’s best mutual benefit.

3. **We’ve made every attempt to be good neighbors, to resolve this directly.** After years of attempts to communicate with Mr. Seto to discuss his plans and come to common ground. Every attempt to discuss the plans for 236 El Camino del Mar from 2012 to present day directly with Mr. Seto has been filtered through his large team of attorneys and architects who act as his conduits, intermediaries and gatekeepers. We have not been able to make direct contact. With his unwillingness to have normal neighbor-to-neighbor discussions to see if we can resolve this ourselves, we were left feeling concerned and disadvantaged. As a result, we’ve been forced to hire our own lawyer, architect, and structural engineer and have now spent over $40,000 on fees, all in a genuine effort to come to a reasonable compromise with Mr. Seto. We have exhausted all our possible efforts and resources now. It is our meeting with you that we hope will finally allow our proposed compromise to be properly and fairly considered.

**Further Detail #1: Prior Precedent:**
In 2016, we submitted plans to SF Planning for our own remodel of our home at 240 El Camino Del Mar, which included a firewall and decks between our property and 236. We worked with Sarah Vellve from SF Planning, and in the final approval stages, she sent the following email to us on October 18, 2016:

“I was able to see the neighbor’s deck (236) using the aerial photos we have access to when I initially reviewed the proposal. I understand your point about the depth of the proposed deck in relation to the neighbor’s existing deck. Since the reduced depth we are requesting is about equal to the neighbors, it seems all the more reason to cut it back so both decks are essentially of equal depth, which is the purpose of the Residential Design Guidelines”
*** A copy of the original email is attached hereto as the Appendix 1 ***

We pride ourselves on being kind, friendly, caring, empathetic neighbors and community members. When Sarah Vellve provided her guidance to us, we happily obliged, immediately. Of course! We never thought twice about it. In fact, we didn’t even need to communicate with Bill Seto about this. We accepted Planning’s recommendation because it was the right best fair neighborly thing to do, and we appreciated the important purpose the Residential Design Guidelines serve.

All we seek is 100% consistent, equal and reciprocal application of the Residential Design Guidelines between the same houses, for the same reasons.

Further Detail #2: A Clear and Obvious Solution
We hope you’ll agree that our proposed compromise solution optimally achieves consistent, equal and reciprocal application of the Residential Design Guidelines, while also enabling a fantastic expansion plan that can fully achieve the owner’s goals.

Our proposal is simple - match up equally and exactly to the depths of our firewall and decks on every floor for 236 El Camino Del Mar home expansion:

- **Ground Floor:**
  - +10 feet expansion northward from current home to accommodate owner’s desire for a “Media Room”.

- **2nd Floor:**
  - +4.5 feet expansion northward from current home for a Kitchen expansion.
  - Beyond the kitchen, up to +5.5 feet for a deck or balcony, equally aligned to our firewall and our deck.

- **Third Floor:**
  - No expansion of existing deck depth, as it matches our firewall and deck depth exactly.

The deltas between our proposed compromise and the submitted plans are minimal:

- **Ground Floor:**
  - -5 feet vs the submitted plan
    - This will protect privacy, light and air and avoid partial massing
Note: It has been verified and confirmed by our architect John Lum and Structural Engineer Pat Buscovich that the Owner can very easily achieve a full 15” foot long Media Room if desired by using 5 feet of the long, oversized 2 car garage without compromising car capacity.

- **2nd Floor:**
  - -3.5 feet on the kitchen expansion vs the submitted plan
    ■ This will protect greatly protect privacy, light and air, and avoid significant massing
    ■ Will avoid a “platform viewing deck” in the middle of the courtyard that looks back into the windows of all our houses.

- **3rd Floor:**
  - -3.5 feet on the step out deck expansion vs submitted plan
    ■ Current existing depths are exactly equal in depth. Let’s keep it that way.
    ■ This will protect privacy, light and air

While the proposed adjustments are relatively minor in scope, they will be significant in addressing our Residential Design Guideline concerns of privacy, light, air and communal space integrity.

Our architect John Lum has provided further details in his letter and renderings in strong support of this plan. As he says, it’s the obvious solution that can make everyone happy.

*** For visual understanding, I’ve included Appendix 2: Photo taken from 240 backyard facing Southeast, with addresses labeled ***

**Further Detail #3: Good Neighbor Communications and Dynamics:**

Jocelyn and I feel greatly and unfairly taken advantage of by Mr. Seto, who lives halfway around the world full time with his family, out of sight, out of mind, emotionless about all of this. This is in fact about “business” to him, not about “home”. He is a savvy real estate investor, with a property management company, Pleasant Hill LLC, which profits from San Francisco and other real estate. It’s extremely rare to have a property management company if you aren’t managing assets for business and profit. Stated another way, we don’t have or need a property management company given that this is our permanent, primary home. Not some overseas Business.
Bill Seto hired teams of professionals to engage our neighborhood in a high-stakes battle. A battle that we never welcomed or asked for. But, as we all know, every extra square foot of home extension translates to his profit at our and our neighborhood’s great expense. All we can do is appeal to you to please help us.

We have had the opportunity to speak with the neighbors who share the interest of preserving the character of Sea Cliff and have found that they agree that the extent of the plans to build out 236 would negatively impact the shared common space of our block and set a precedent that the green space and impact of others San Francisco residents and taxpayers is less important than Mr. Seto’s bottom line. They feel so strongly, actually, that they have written 69 letters opposing this project in the case file. These are residents that want to know that they are heard and that you care as much about the future of this spectacular area as we do. And many will now be challenged to properly represent the full Public opinion in the hearing, given many are elderly and may be digitally challenged. For this reason, we would greatly value an in person public hearing versus a digital one, so the full community can come.

This hearing ultimately represents a compromise for “our home and community interests” vs “Bill’s business and profit interests”. We don’t have a problem with Bill’s real estate investment or profit, or his desire to expand his home. We only ask you that it does not come at the unnecessary and unreasonable cost to our community, and that fair, equal, reciprocal application of the Residential Design Guidelines will prevail, exactly for what they were intended.

We sincerely appreciate your time and attention to our situation and hope you’ll agree that we’ve proposed a reasonable compromise. Thank you again for your consideration.

Sincerely,

Marc & Jocelyn Heyneker
“I was able to see the neighbor’s deck (236) using the aerial photos we have access to when I initially reviewed the proposal. I understand your point about the depth of the proposed deck in relation to the neighbor’s existing deck. Since the reduced depth we are requesting is about equal to the neighbors, it seems all the more reason to cut it back to both decks are essentially of equal depth, which is the purpose of the Residential Design Guidelines.”

Sara Vellve, Planner III, Northwest Quadrant, Current Planner SF Planning Department
April 9, 2020

Via Email

President Joel Koppel
San Francisco Planning Commission
1650 Mission Street, #400
San Francisco, CA 94103

Re: 236 El Camino Del Mar Discretionary Review – April 23, 2020 Hearing

Dear President Koppel and Commissioners:

I am writing to you regarding my request for Discretionary Review (DR) for the expansion of the home next door to me at 236 El Camino Del Mar. As shown in Figure 1 below, the project site is adjacent and west of my home at 230 El Camino Del Mar. Our homes are mirror images – they were both built in 1948 as twin houses and currently retain their existing building footprint and envelope.

Figure 1. Aerial Photograph showing Properties
As currently proposed, the project would have unacceptable impacts on my privacy. As shown in Figure 2 below, the recently redesigned new second floor rear deck (dated 2/27/2020 which I refer to as Plan C) has sight lines directly into my home, into the room where I spend the vast majority of my waking hours.

![Figure 2](image.png)

**Figure 2.** “Plan C” Project Sponsor’s Modified Plan included in March 3, 2020 Planning Commission letter from Project Sponsor with sight lines into my window

Inexplicably, the project sponsor changed the previous deck design from the one in the plans dated 1/29/2020 and shown in Figure 3 below (included in your February 13, 2020 packet, which I refer to as Plan B), which would have protected my privacy. As I explain in detail below, this newly redesigned deck severely impacts my privacy and I ask that you take DR and approve the plans submitted by the project sponsor dated 1/29/2020 instead of the latest version.
Background Information and Summary

*I have lived in my home most of my life and want to age in place.* I was born and raised at 230 El Camino del Mar and have lived there most of my sixty-one years. My mom moved to the house at age 32 in 1951. She said it was the only place she ever felt "safety and permanence" after the Holocaust. She was a Warsaw Ghetto survivor. It was her wish to age in place and live out her life in her home. I made that possible by caring for her and retrofitting the house with a two-flight spiral stairlift along with all necessary ADA accommodations throughout the house. When she passed, at the age of 96, it was her wish that I be able to age in place there too. I already suffer from several disabilities myself.
Project Sponsor has never lived in the home he purchased in 2012. The project sponsor lives in Shanghai and purchased 236 El Camino Del Mar over seven years ago in 2012. He has never lived in the house and, except for two years, when it was rented to a non-family member, the house has remained vacant. That tenant was told that construction would not begin until her lease expired, but her lease had already expired. She became concerned and decided to move. The project sponsor has told me there is a new tenant in the house now. I've seen no evidence of that but, if that is the case, that tenant too will presumably be displaced by the project.

Summary. I support the project sponsor's right to improve his property. And I am willing to compromise by accepting, without modification, his own plan submitted to you on January 29, 2020 shown in in Figure 3 (Plan B). However, the adverse effects of his new February 27 plan shown in Figure 2 (Plan C) are unacceptable. In other words, the project sponsor can have exactly what he said he wanted less than three months ago, which would protect my privacy.

If constructed as proposed under Plan C, the 13-foot horizontal extension will box me in, between the two buildings, creating a tunneling effect. As shown in Figures 4, 5, and 6, below, there is already a 15-foot-deep, two-story-high wall to my east at 226 El Camino Del Mar.
Figure 4. Horizontal Extensions to the East and West of 236 El Camino Del Mar
Figure 5. Existing 15-foot deep wall adjacent and to the east of my home – View 1

Figure 6. Existing 15-foot deep wall adjacent and to the east of my home – View 2
Because my lot is unusually narrow – just 20 feet wide instead of the standard 25-foot-wide minimum -- this boxing-in effect is exacerbated. The project as proposed conflicts with the Residential Design Guidelines: For example, Sec IV p.26 states "Building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall" "An out-of-scale rear yard addition can leave surrounding residents feeling “boxed-in” and cut-off from the mid-block open space."

**To date, 72 neighbors oppose the project and no neighbors support it.** I have the support of 72 of my neighbors, who’ve submitted letters opposing the project. To date, not one neighbor supports the project as proposed. As shown in Figure 7, neighbors residing at 30 properties within two blocks of the project site are opposed to the project. Please note that some of the lots contain apartments or condominiums with more than one resident opposed to the project. And, neighbors residing at 11 of the 15 properties located on the block face and across the street from the project oppose the project.

![Figure 7. Project opposition map](image)
Project History

2013 to 2017

Although the project sponsor has known that his adjacent neighbors, and most of the neighbors on the block and across the street have objected to the project since the beginning of the process, he has been unwilling to make meaningful changes to the project. Attachment A to this letter includes a detailed timeline that I have summarized below.

When the project sponsor filed his permit application in 2017, he was already aware of broad neighborhood opposition to his project. In 2013, he had presented the same project at a Project Review meeting held with the Planning Department. At that time, I gathered numerous signatures in opposition and presented them to him.

In June 2017, the project sponsor held a Pre-application meeting, which was attended by 22 neighbors, all of whom opposed the project. As shown in Figure 7, 17 of them live on our block or directly across the street. To date, an additional 55 neighbors have expressed to you their opposition in writing.

For two and a half years I have attempted to talk with the project sponsor neighbor-to-neighbor to work this out, but he has been unwilling to communicate with me. His architect told me that he did not want to talk to me directly and only wanted to talk through the architect. Two years ago, I had a two-and-a-half hour meeting with the project architect and proposed compromises. The architect said he thought they sounded reasonable, but the project sponsor rejected them out of hand with no counter proposal.

Because the project sponsor was unwilling to address my concerns, I filed a DR Application on October 28, 2019.

January 2020 to Present

January 13, 2020 Meeting with David Winslow. After I filed my DR Application, David Winslow held a meeting on January 13, 2020 with me, the other DR requestor, Marc Heyneker, and the project sponsor’s team. After this meeting, the project sponsor presented Plan B, dated January 29, 2020, which had been submitted to the Planning Department and the Commission, but for some unknown reason, is no longer on the table.

February 13, 2020 – DR Hearing Continued. If the item had not been pulled off of the February 13, 2020 Planning Commission agenda and continued, it is highly likely that Plan B would have been the approved project that the project sponsor would be moving forward with today. I now deeply regret agreeing to that continuance. I would have appeared before you on
February 13 to speak against the continuance if I had ever thought that the project sponsor would use the continuance to come up with a new scheme that would result in greater impacts.

I understand that the item was continued for the express purpose of allowing more time for the project sponsor and the two DR requestors (myself and the neighbor adjacent and to the west of the project at 240 El Camino Del Mar) to reach an agreement. To my surprise and dismay, what happened following the February 13 hearing was the exact opposite – instead of continuing discussions around Plan B to reach an agreement, the project sponsor, used the continuance to further revise the plans to provide a higher cantilevered deck at the second floor which would increase my privacy impacts. The project sponsor states in a letter to you dated March 3, 2020 that this latest scheme, Plan C, “…further minimizes the privacy issues raised by the DR Requestors.” This could not be further from the truth. As is clear when comparing plans B and C, this is not the case and neither DR requestor supports Plan C. Plan B is preferable to both me and Marc Heyneker, the other DR requestor.

March 11, 2020 Request for Phone Call with Project Sponsor.

Last month, I asked the sponsor for a phone call. He refused to give me his phone number, insisted on email, and flatly rejected my offer which was essentially proposing he go back to his own Plan B.

April 6, 2020 Email to Project Sponsor’s Attorney. On April 6, 2020 my attorney, Scott Emblidge, contacted the project sponsor’s legal counsel to find out (a) why Plan B is no longer acceptable and (b) ask again if the project sponsor would reconsider, but no response has been provided to date.

Review of Key Issues

Light, Air, and Privacy Impacts. My concerns that were identified in my DR Application remain the same: even as modified, the proposed project is too big for the site, it extends too far into the rear yard, and it adversely impacts my light, air, and privacy. However, in an effort to reach a compromise with the project sponsor, I am willing to withdraw my DR request based on the project sponsor’s modified plan (Plan B) presented to you in your packet for the February 13, 2020 Planning Commission hearing and shown above in Figure 2.

Why Plan B and not Plan C? As you can see by comparing Figures 2 and 3 above, Plan B, as submitted by the project sponsor, protects my privacy because the sight line from the proposed second floor deck (one of three provided if the first floor deck/patio is included as well as the second and third floor decks) falls an estimated several inches below the base of my kitchen window, which is where I spend 80 percent of my time during the waking hours.
This newest, Plan C, project design exacerbates the privacy impacts and is inconsistent with the San Francisco Residential Design Guidelines. Moreover, given that the project includes three decks (one at each level counting the patio/deck at the first level) and that there is an ample back yard, the minimal additional usable open space provided in Plan B versus Plan C, would be negligible – approximately 30.5 square feet of usable open space – and is not necessary to meet the City’s open space requirements.

An estimated total of 887 square feet of usable open space would be provided by the back yard (500 SF), first level deck (284 SF), and third floor deck (103 SF). Under Plan B, the project would include a 79.375 square foot second level deck with stairs occupying approximately 27.2 square feet, for a total of 52.175 square feet of usable area, or 939 square feet total. Under Plan C, the project would include an 82.5 square foot second level deck (without stairs) for a total of 969.5 square feet total. Under both plans B and C, the project would provide more than three times the amount of usable private open space required by the Planning Code, which is 300 square feet per dwelling unit (Sections 135 and 136).

Given the ample amount of open space provided under Plan B, in weighing the project sponsor’s desire for a small amount of additional deck space under Plan C against my privacy and that of my neighbor at 240 El Camino Del Mar, I hope you agree that the right decision is to approve Plan B and protect my privacy.

Please take Discretionary Review and require changes to the newly proposed Plan C deck design. I simply ask for one small change -- that you modify the project as previously proposed by the project sponsor under Plan B.

Respectfully,

Peter Tempel

cc: Members of the Planning Commission
David Winslow
Jonas Ionin
Hon. Catherine Stefani
ATTACHMENT A

PROJECT TIMELINE
2013:
-Sponsor told me about his plans. I told him that I was very much opposed to them. He said that if the Planning Dept. approves them, he will go ahead.
-I told several neighbors about the plans, they too were opposed, and we started a petition.
-The Petition in opposition, signed by 18 neighbors, was delivered to the Sponsor.

Sept 2013:
-Project Review Meeting between Sponsor and Planning Dept.
-Planning suggests cutting back pop-out to 12’ with 5’ setbacks on both east and west property lines.

June 2017:
-Pre-Application meeting @ 236 El Camino del Mar
-22 neighbors attend (12 from our block 1304)
-After architect presentation all are in opposition to the project.

Sept 12, 2017
-2.5 hour meeting with Sponsor’s architect
-He tells us the Sponsor does not want to talk to neighbors directly and we should contact only the architect.
-I proposed compromises based on the 2013 Project Review meeting with Planning. Architect said they sounded reasonable

Oct 3, 2017
-I had not had any response to my proposal; I contacted the architect again
-Sponsor rejected compromise with no counter proposal.
-Architect promises "Once we have the comments back from the planning dept and RDAT, we will review them with Bill and keep you and Peter updated with the process."
-We never heard from him again

March 2018 - June 2018
-Discussed a total of 37 neighbors and their objections, with the Planner, Sara Vellve
-Planning comments (NOPDR) given to Sponsor and his team (March 28)
-Sara agrees to give me an opportunity to see any new plans and give feedback before the 311 notice
-No new plans submitted

May 31, 2018
-Sara contacts architect to see if he is still interested in pursuing the permit

June 26, 2018
-NOPDR expires
-Sara retired - No new Planner was ever assigned (according to Accela website)
December 29, 2018:
-Planning sends 10-day cancelation letter to sponsor
-Project sits dormant for 8.5 months

Sept 19, 2019
- With no new Planner listed, 311 notice went out. I was not given the review and feedback opportunity that had been agreed with the only Planner of record.

October 28, 2019
I submit both my DR application and Marc Heyneker’s DR application on his behalf.

Jan 13, 2020
-David Winslow convenes meeting of Project Sponsor and the 2 DR Requestors (Peter Tempel and Marc Heyneker)
-As a result of this meeting the Sponsor submitted the redesign that I am asking for today (Plan B).

Jan 31, 2020
-Site visit by Project Sponsor’s team
-Sponsor's attorney explains the reason for the site visit and supports Plan B, the same Plan I support
-Attorney references his desire to avoid the underpinning of the foundation which was discussed at the Jan 13 meeting:

To be clear, our primary interest is in the rear yard (not so much the decks) so as to understand the relative rear yard elevation in comparison to the ground floor height of the project’s extension.

We suggest that the height of the ground floor extension be lowered from 13 feet 7 inches to approximately 10 feet rather than reducing the length of the ground floor rear extension. This would eliminate the direct access from the kitchen to the deck on the second level (which was a feature our clients desired), but would allow them to maintain the size of the new ground floor room without creating the need for underpinning the foundation of the adjacent properties and increasing the construction costs.

Feb 6, 2020
-I propose Settlement agreement to Sponsor’s team

Feb 7 - 11, 2020
-Negotiations continue with a total of 4 proposals / replies

Feb 11, 2020
-Sponsor's team asks for continuance to allow time for negotiations to continue.
-My attorney writes to me:
"Alice just called me and asked if we’ll agree to push the hearing back a couple weeks to continue negotiating. While it would give them more time to lobby the Commission, it would also give us time to hopefully work out a deal. I think it’s probably a good idea to agree."

March 3, 2020
-Sponsor’s team notifies me they are submitting Plan C to Planning
"We are submitting revised project plans to the Planning Department showing the removal of the deck on the second level and replacing it with the 5 feet deep balcony."

March 9, 2020
I propose the following further compromise:
 Second Floor:
 Originally proposed design with a Roof Deck atop 1st floor roof (not a 2nd floor balcony) is OK.

March 11, 2020
-I write directly to Sponsor in Shanghai:
"I would greatly appreciate a phone call with you today. If you wish to have a lawyer on the call, that is fine. I will be by myself"

-Sponsor replies:
I am not sure what a phone call will accomplish, and I do not understand why you feel our current plans are “so much worse”. If you believe we can come to an agreement, please provide me with a suggestion beyond what your team has already proposed. Otherwise I am sorry you and your neighborhood supporters feel the needs to continue to oppose the project. It is probably best to just let the Planning Commissioners make a decision on what is before then.

-I write up and send to Sponsor a formal proposal and explain that it IS different from what our team has proposed on these points:
-It allows your 3rd Floor Deck to go back to 6 feet (not 4)
-It allows your deck on top of your new addition
-It deletes the 2nd Floor Balcony which was our biggest objection

-No reply from Sponsor, only this from his attorney:
From: "Fleishhacker, William" <WMFleishhacker@duanemorris.com>
Date: March 12, 2020 11:36:47 AM PDT
To: Ryan Patterson <ryan@zfplaw.com>
Cc: Amy Lee <amy@3ssanfrancisco.com>, "Mark@3ssanfrancisco.com" <Mark@3ssanfrancisco.com>, Julie Du <julie@zfplaw.com>, Bill Seto <billseto1996@gmail.com>, "SomeBiz@tempel.net" <SomeBiz@tempel.net>, "Barkley, Alice" <ASBarkley@duanemorris.com>, Alice Barkley <alicebarkley@sbcglobal.net>
Subject: RE: 236 El Camino Del Mar Supplemental Letter

Ryan, we reviewed this and as I expected and explained to you last night, we are not going to be able reach an agreement, and at this point there is no reason to continue any further negotiations.

I am copying both my client and your client as well, just to make the communications clear.

William Fleishhacker
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April 6, 2020
On April 6, 2020 my attorney, Scott Emblidge, contacted the project sponsor’s legal counsel to find out (a) why Plan B is no longer acceptable and (b) ask again if the project sponsor would reconsider, but no response has been provided to date.