



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Abbreviated Analysis HEARING DATE: FEBRUARY 27, 2020

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* February 17, 2020  
*Case No.:* **2017-010670DRP**  
*Project Address:* **421 Walnut Street**  
*Permit Applications:* 2017.0802.3659  
*Zoning:* RH-1 [Residential Mixed, Low Density]  
40-X Height and Bulk District  
*Block/Lot:* 1020 / 002  
*Project Sponsor:* Ryan Knock  
Knock A-D  
2169 Union Street  
San Francisco, CA 94103  
*Staff Contact:* David Winslow – (415) 575-9159  
[David.Winslow@sfgov.org](mailto:David.Winslow@sfgov.org)  
*Recommendation:* **Do Not Take DR and Approve**

### PROJECT DESCRIPTION

The project proposes a one-story front and south side horizontal additions, as well as a second-floor vertical addition, to the existing one-story single-family dwelling. The dwelling would increase in size from approximately 760 square feet to approximately 1,950 square feet. Since the existing building and proposed additions are located entirely within the required rear yard, a rear yard variance pursuant to Planning Code Section 134 is required.

### SITE DESCRIPTION AND PRESENT USE

The site is a flag lot with a 12'-0" wide frontage and 104'-10" depth containing an existing 1-story, one-family house that is located in the rear of the lot and built in 1916 and modified in 1946 to accommodate a residence and is categorized as a 'C' – No Historic Resource present.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The buildings on this block of Walnut Avenue and California range from 3- 4-stories built to the street face. The building pattern at the rear is somewhat varied partially due to subject building occupying a portion of the mid-block open space. The proposed project is situated approximately 35' to the North, across the mid-block open space from the DR requestor's building.

## BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	October 16, 2019 – November 15, 2019	11.15.2019	2.27.2020	104 days

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	February 7, 2020	January 24, 2020	20 days
Mailed Notice	20 days	February 7, 2020	February 7, 2020	20 days
Online Notice	20 days	February 7, 2020	February 7, 2020	20 days

## PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	0	0

## 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 REQUESTOR

Richard Frisbie on behalf of Gail Boyer of 3316 California Street, neighbor to the South of the proposed project.

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

Is concerned that the project has the potential to be life threatening from air borne pollutants, such as dust, pollutants and noise due to her permanent disabilities.

Proposed alternative: Tent the proposed building during construction.

See attached *Discretionary Review Application*, dated November 15, 2019.

## PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

This is not a Planning Issue. The DR requestor is far enough away from the project site and its dust and debris. The project sponsor has offered to inform the neighbor about schedules and take reasonable measures to abate dust, noise and pollutant control.

## DEPARTMENT REVIEW

While the Department empathizes with the DR requestor's circumstances, and encourages applicants to be good neighbors, by working through project modifications when feasible, the issues and remedies they prompt are outside of the reach of the applicable regulations for this land use decision.

The Commission is tasked with making land use decisions that affect the built environment, putting aside the personal and familial situations of both the applicants and neighbors. The legal decision that affirmed the Commission's right to take DR in "exceptional and extraordinary circumstances" was based on physical land use incompatibilities, not personal conflicts.

The DR requestor has identified that contaminants exist at large in the environment that currently challenge her health, and she has presumed that nearby construction would be further challenging. Despite the apparent extremely delicate health issues outlined by the requestor, no specific performance thresholds or criteria were outlined to ameliorate them.

In addition, many of the issues raised by the DR Requestor, such as means and methods of construction, dust, noise, and pollutant mitigations are regulated by the Department of Building Inspection or legislated through other Codes (such as the Health Code) and are typically fleshed out following the Planning Department's approval. While the request for Discretionary Review to contain prospective site specific pollutants emanating from this project is appreciated, it is beyond the purview of the Planning Department's review to establish specific means for mitigation, or require and enforce such means through a Planning action.

<b>RECOMMENDATION:</b>	<b>Do Not Take DR and Approve</b>
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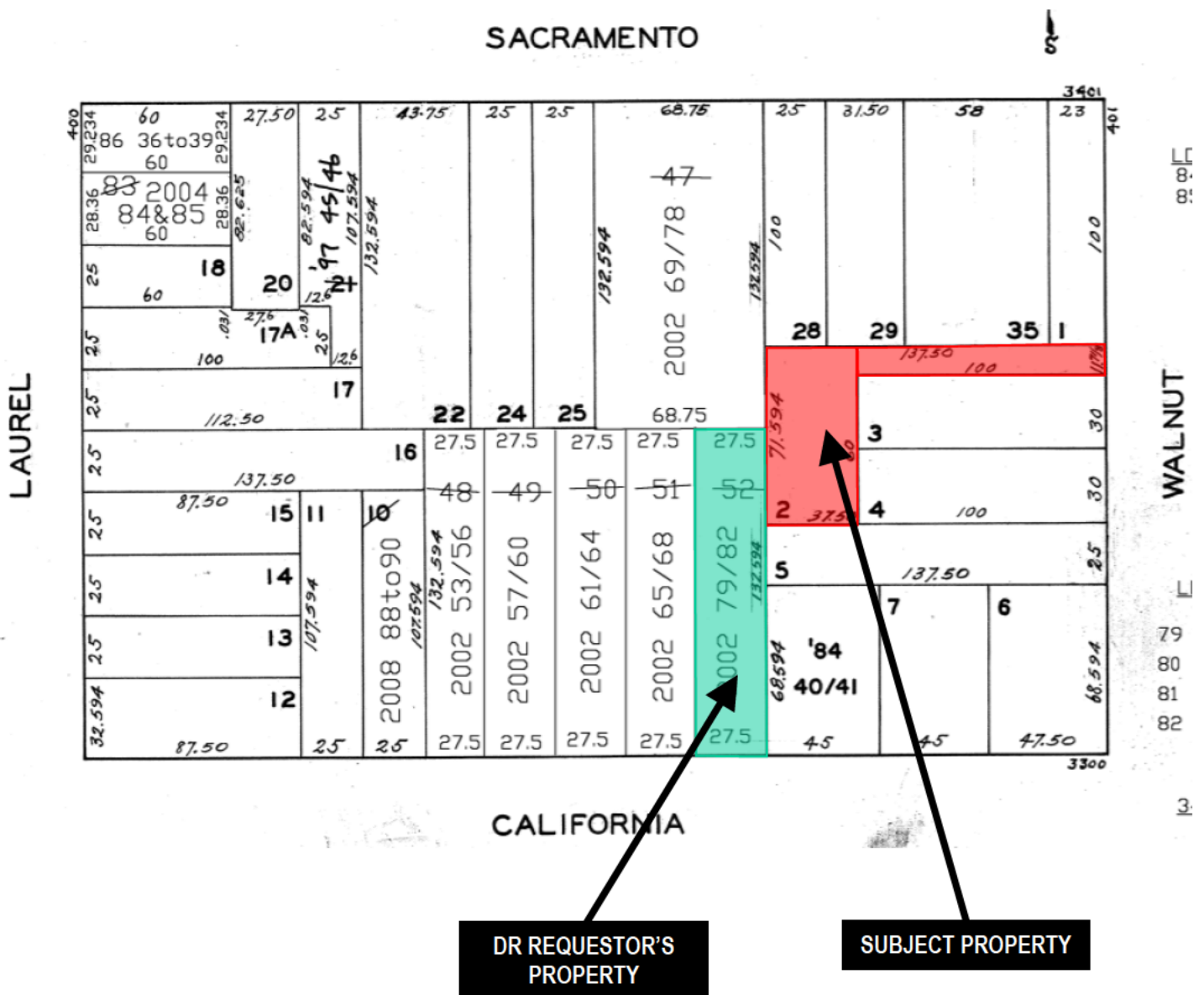
### Attachments:

Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Context Photographs  
Section 311 Notice  
CEQA Determination  
DR Applications  
Reduced plans and 3-D renderings dated 7.18.19

# Exhibits

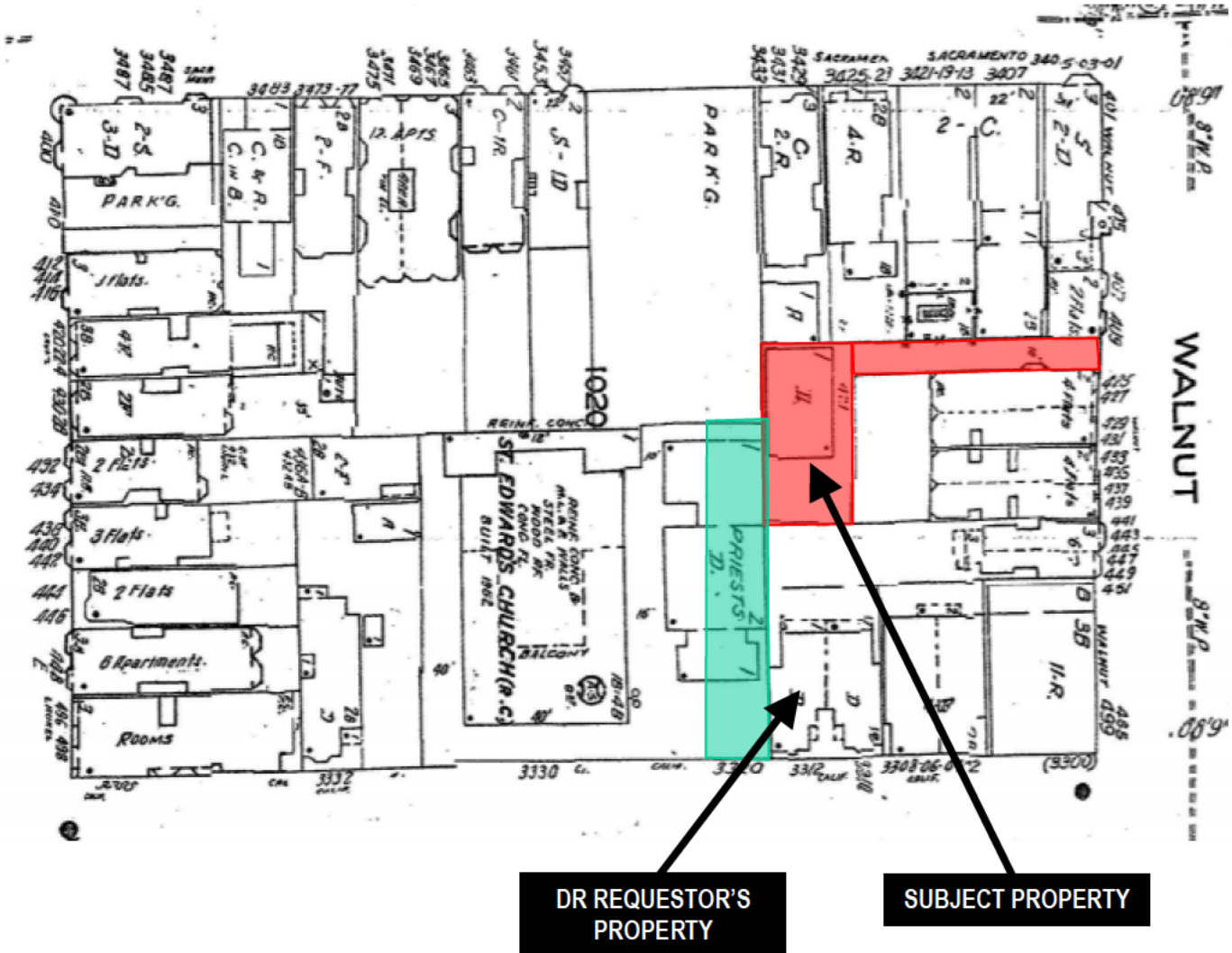


# Parcel Map



Discretionary Review Hearing  
Case Number 2017-010670DRP  
421 Walnut Street

# Sanborn Map\*

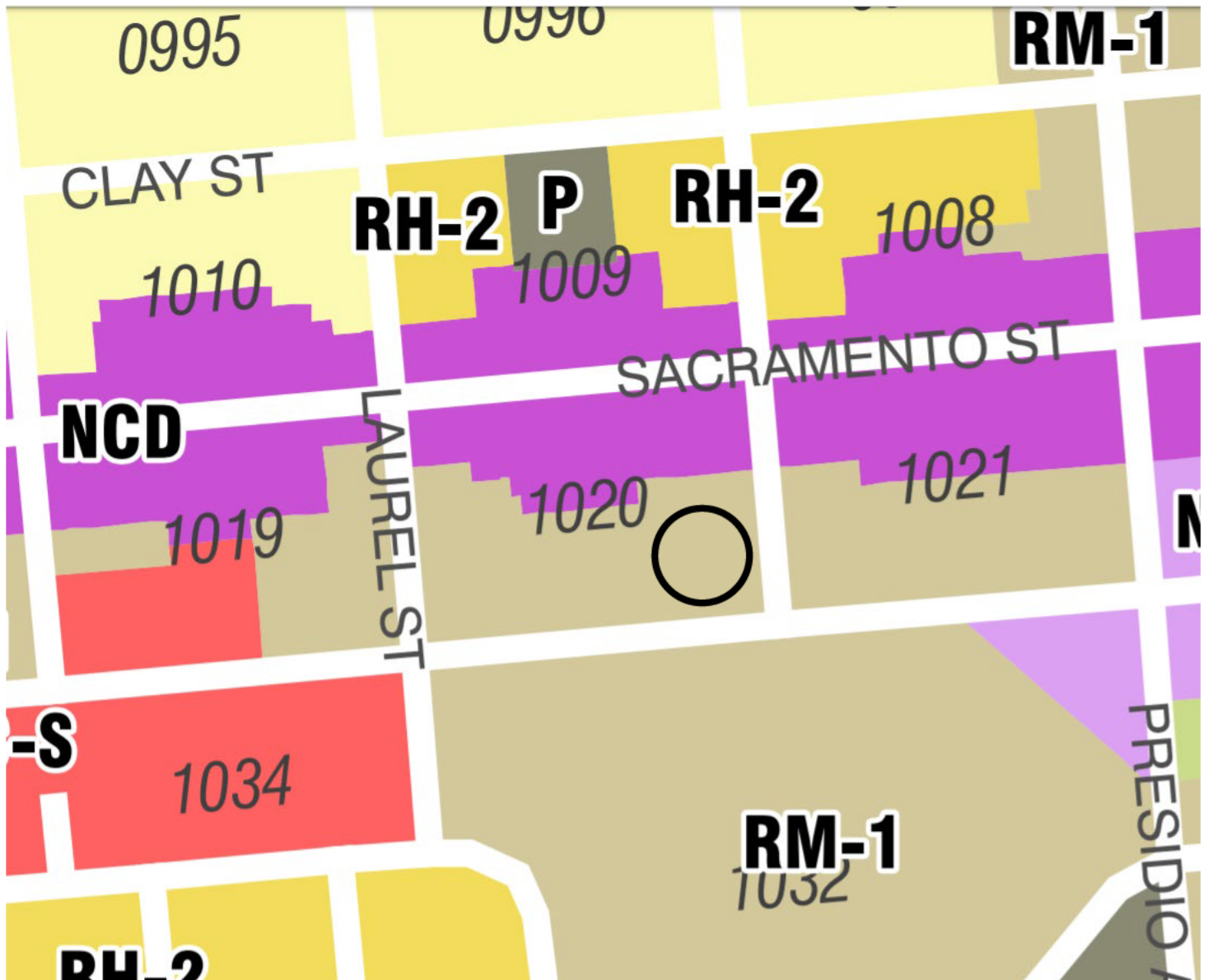


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing  
Case Number 2017-010670DRP  
421 Walnut Street

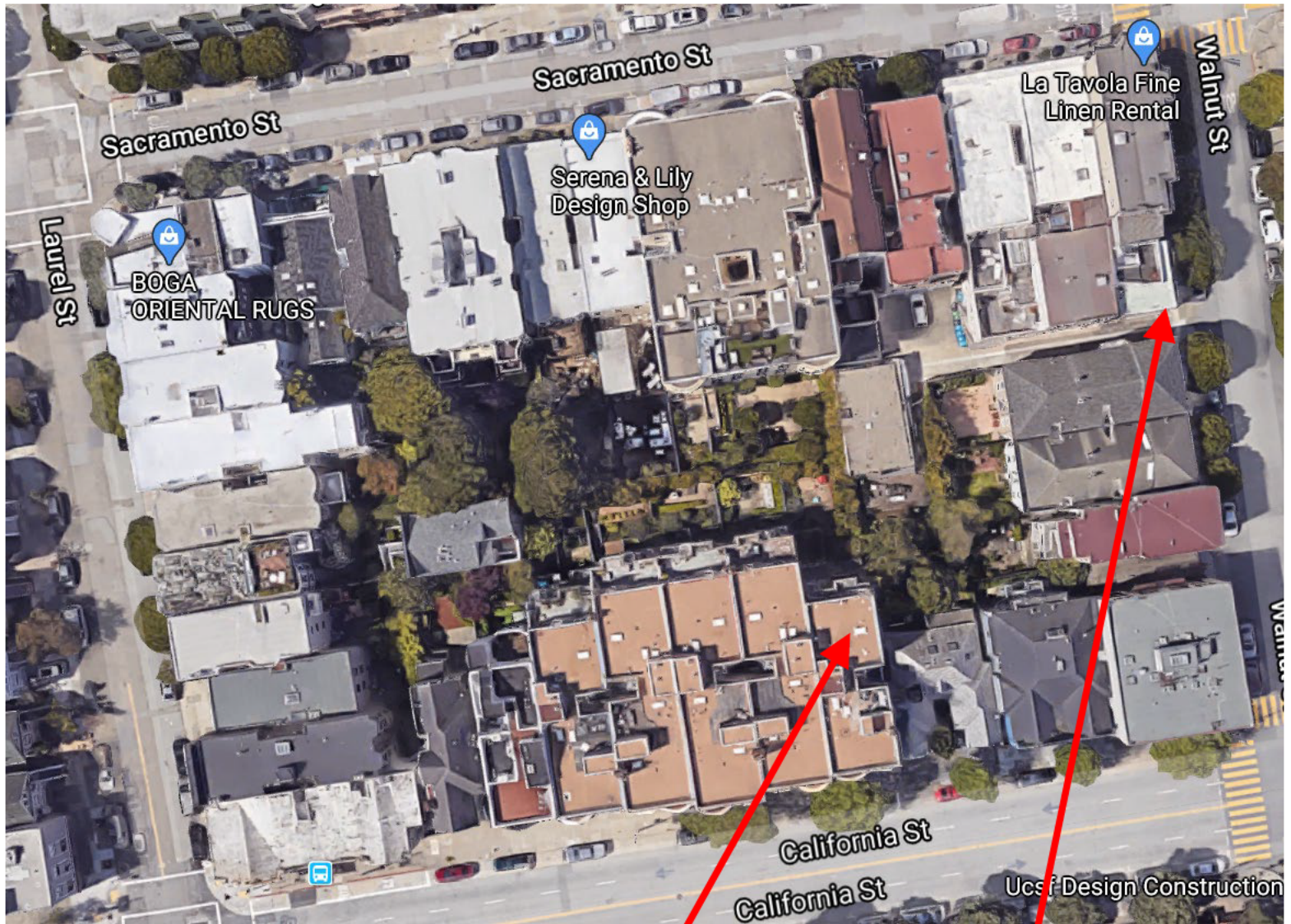
# Zoning Map



Discretionary Review Hearing  
Case Number 2017-010670DRP  
421 Walnut Street



# Aerial Photo



DR REQUESTOR'S  
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2017-010670DRP  
421 Walnut Street



# Aerial Photo



DR REQUESTOR'S  
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2017-010670DRP  
421 Walnut Street



# Aerial Photo



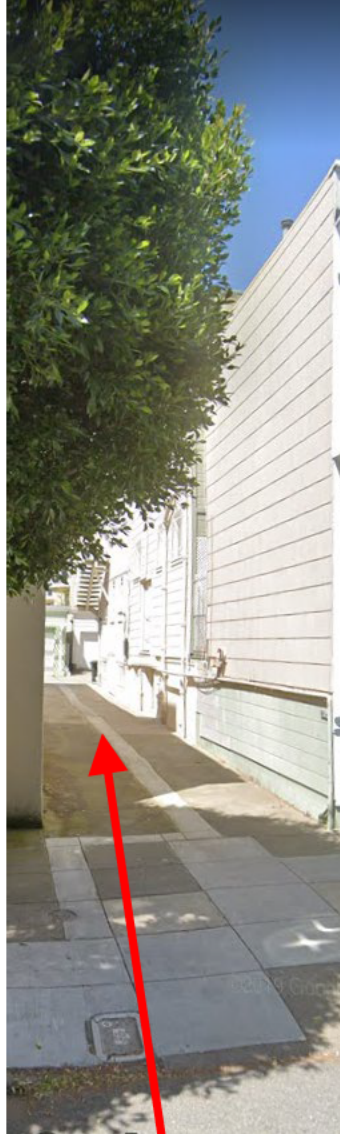


# Aerial Photo



Discretionary Review Hearing  
Case Number 2017-010670DRP  
421 Walnut Street

# Site Photo



**SUBJECT PROPERTY**





# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On August 2, 2017, Building Permit Application No. 2017.0802.3659 was filed for work at the Project Address below.

Notice Date: 10/16/2019

Expiration Date: 11/15/2019

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	421 WALNUT STREET	Applicant:	Ryan Knock
Cross Street(s):	Sacramento & California Streets	Address:	2169 Union Street, #5
Block/Lot No.:	1020 / 002	City, State:	San Francisco, CA
Zoning District(s):	RM-1/40-X	Telephone:	(415) 215-2647
Record Number:	2017-010670PRJ	Email:	ryan@knock-ad.com

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 week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Façade Alteration(s)	<input checked="" type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	77 feet	72 feet
Side Setbacks	2 feet (north), 28 feet (south)	No Change (north), 18 feet (south)
Building Depth	26 feet	33 feet
Rear Yard	0 feet	No Change
Building Height	13 feet	23 feet
Number of Stories	1	2
Number of Dwelling Units	1	No Change
Number of Parking Spaces	1	No Change

### PROJECT DESCRIPTION

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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:  
Christopher May, 415-575-9087, [Christopher.May@sfgov.org](mailto:Christopher.May@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](mailto: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](http://www.communityboards.org) for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

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

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

### BOARD OF APPEALS

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

### ENVIRONMENTAL REVIEW

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

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
421 WALNUT ST		1020/002
<b>Case No.</b>		<b>Permit No.</b>
2017-010670ENV		201708023659
<input type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<b>Project description for Planning Department approval.</b> vertical addition to a existing 12'10", 1186 square foot home. New home will be approximately 31' tall and 3451 square feet.		

### STEP 1: EXEMPTION CLASS

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input checked="" type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft. ; change of use under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions
<input type="checkbox"/>	<b>Class 32 - In-Fill Development.</b> 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.  <b>FOR ENVIRONMENTAL PLANNING USE ONLY</b>
<input type="checkbox"/>	<b>Class ____</b>

## STEP 2: CEQA IMPACTS

### TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.

<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>

If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.

Comments and Planner Signature (*optional*): Laura Lynch

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

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

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

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

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

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



<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A            a. Per HRER dated _____            b. Other (specify): Reclassify to Category C as per PTR form signed on 4/4/18         </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Reclassify to Category C            (attach HRER)         </div> </div>
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b> Michelle A Taylor	

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

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>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.</b>	
	<b>Project Approval Action:</b> Building Permit If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Signature:</b> Michelle A Taylor 04/04/2018
	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 first 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

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
421 WALNUT ST		1020/002
Case No.	Previous Building Permit No.	New Building Permit No.
2017-010670PRJ	201708023659	
Plans Dated	Previous Approval Action	New Approval Action
	Building Permit	
Modified Project Description:		

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



# SAN FRANCISCO PLANNING DEPARTMENT

## PRESERVATION TEAM REVIEW FORM

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

<b>Preservation Team Meeting Date:</b>		<b>Date of Form Completion</b>	3/19/2018
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PROJECT INFORMATION:		
<b>Planner:</b>	<b>Address:</b>	
Michelle Taylor	421 Walnut Street	
<b>Block/Lot:</b>	<b>Cross Streets:</b>	
1020/002	California and Sacramento Streets	
<b>CEQA Category:</b>	<b>Art. 10/11:</b>	<b>BPA/Case No.:</b>
B	N/A	2017-010670ENV

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

<b>DATE OF PLANS UNDER REVIEW:</b>	undated
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Historic Resource Evaluation prepared by Tim Kelley Consulting, LLC (dated December 2017).	
Proposed project: Create new vertical addition to existing residence to contain new bedroom and bathroom space.	

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



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

PRESERVATION TEAM COMMENTS:
<p>According to Planning Department records and the Supplemental Information prepared by Tim Kelley Consulting, LLC, 421 Walnut Street is a one-story single family residence located on an irregular lot in the Presidio Heights neighborhood. Located directly behind 425 Walnut Street, it is only accessible via a long narrow driveway off of Walnut Street; the building is not visible from any public right of way. The building was originally constructed as a garage c.1916 and modified in 1946 to accommodate a residence; the footprint of the building does not appear to have changed as a result of the new use.</p> <p>421 Walnut Street is a single story residence clad in wood shingles featuring a flat roof and projecting cornice. A wood paneled garage door, framed by a wood trellis, is located at the north end of the primary (east) elevation. A pair of single light casement windows is located directly south of the garage door. The primary entrance, located just off center of the east elevation, is accessible via a short set of wood stairs with wood balustrade. A brick path provides access to the rear yard and the building's south elevation which features a projecting bay with a single window at the east elevation, and a row of three wood-frame casement windows along the south. According to the permit history the subject building has undergone some alterations including a change of use from garage to residence (1946), and raising a 12' section of foundation (1979).</p> <p>The subject building is not eligible for individual listing in the California Register of Historical Resources under Criterion 1 (events), 2 (persons), 3 (architecture), or 4 (information potential). According to the information provided, the subject property is not associated with events found to be sufficiently important to be significant under Criterion 1.</p> <p>The original owner and occupant, Andre Peninou, and his son Ernest, who later owned and occupied the building, are of some local interest. Andre Peninou was a French immigrant and proprietor of the Peninou French Laundry historically located at 3407-3415 Sacramento Street, just north of the subject building. Although Peninou French Laundry is noteworthy for its role as an employer for French immigrants in the early 20th century, the business did not make a lasting impact to the history of San Francisco and the business is no longer extant at the Sacramento Street address. Today Peninou French Laundry has multiple locations in the Bay Area; however it is no longer under ownership by the Peninou (continued)</p>

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	4/4/18

**421 Walnut Street, San Francisco**  
**Preservation Team Review Form, Comments**

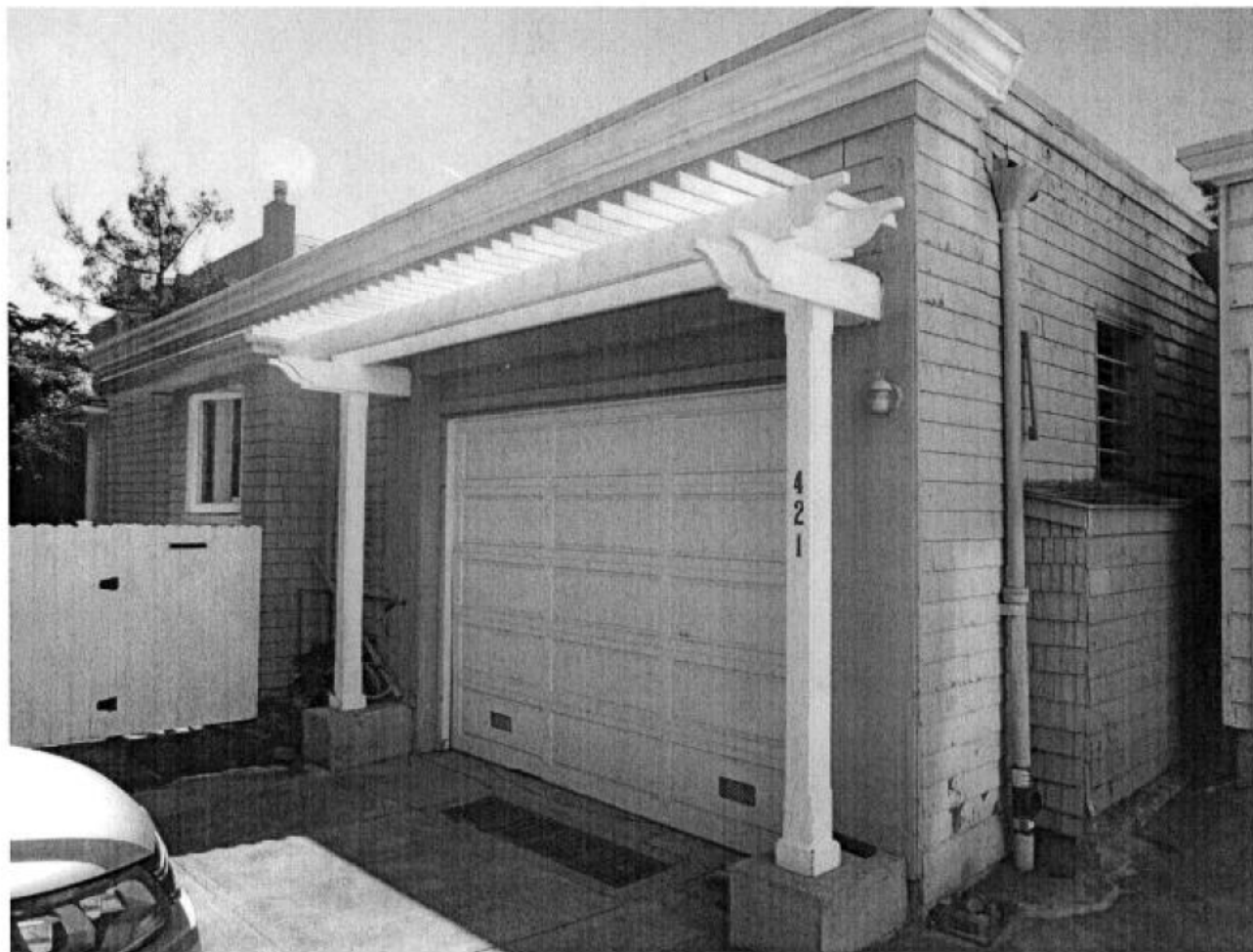
(continued)

family. Ernest Peninou, who lived in the building from 1958 until his death in 2002, dedicated his life to the wine industry, including wine production and grape cultivation. He was also author of a number of books on history of Bay Area wine. Andre Peninou and Ernest Peninou are notable for their contributions to local commerce and culture; however their actions would not rise to the level of importance that a property they owned would be significant by association. Therefore, the property does not qualify under Criterion 2.

Architecturally, the building does not present distinctive characteristics of a particular style, period, or method of construction. The architect associated with the 1946 alterations, Ellsworth Johnson, was a local architect often mentioned in association with Master Architects for minor work or alterations; however, Mr. Johnson's independent body of work is not well documented. Mr. Johnson's name is most closely aligned with his membership on AIA boards in the 1920's and 1930's, and the occasional article in the Architect & Engineer. Mr. Johnson is not likely a Master Architect, nor is it likely that the alteration of an existing garage is representative of his finest work; therefore the building is not eligible under Criterion 3.

The subject building is not significant under Criterion 4, since the significance criteria typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type.

The subject building is not located adjacent to any known historic resources (Category A properties) and does not appear to be located in a potential historic district. The building stock on this portion of Walnut Street includes a range of residential buildings built from c.1900 to 1972. 421 Walnut Street and the neighboring building stock do not possess sufficient architectural, historical significance or cohesion to identify as a historic district.



421 WALNUT STREET

IMAGE: TIM KELLEY CONSULTING, LLC



## DISCRETIONARY REVIEW PUBLIC (DRP)

### APPLICATION PACKET

Pursuant to Planning Code Section 311, the Planning Commission may exercise its power of Discretionary Review over a building permit application.

For questions, call 415.558.6377, email [pic@sfgov.org](mailto:pic@sfgov.org), or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

Please read the [Discretionary Review Informational Packet](#) carefully before the application form is completed.

#### WHAT TO SUBMIT:

- ☐ Two (2) complete applications signed.
- ☐ A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
- ☐ Photographs or plans that illustrate your concerns.
- ☐ Related covenants or deed restrictions (if any).
- ☐ A digital copy (CD or USB drive) of the above materials (optional).
- ☐ Payment via check, money order or debit/credit for the total fee amount for this application. (See [Fee Schedule](#)).

#### HOW TO SUBMIT:

To file your Discretionary Review Public application, please submit in person at the Planning Information Center:

Location: 1660 Mission Street, Ground Floor  
San Francisco, CA 94103-2479

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電415.575.9010。請注意, 規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

**RECEIVED**

NOV 15 2019

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
RECEPTION DESK



## DISCRETIONARY REVIEW PUBLIC (DRP) APPLICATION

### Discretionary Review Requestor's Information

Name: Gail Boyer

Address: 3316 California St., #4 San Francisco, Ca 941189

Email Address: gail4195@gmail.com

Telephone: 415-728-7297

### Information on the Owner of the Property Being Developed

Name: Elizabeth Best

Company/Organization:

Address: 2366 Vallejo St, San Francisco, CA 94123

Email Address: Unknown

Telephone:

### Property Information and Related Applications

Project Address: 421 Walnut St., San Francisco 94118

Block/Lot(s): 10020-002

Building Permit Application No(s): 2017-010670VAR

### ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case? (including Community Boards)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.





## DISCRETIONARY REVIEW PUBLIC (DRP)

### APPLICATION

#### Discretionary Review Requestor's Information

Name: Gail Boyer

Address: 3316 California St., #4 San Francisco, Ca 941189

Email Address: gail4195@gmail.com

Telephone: 415-728-7297

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Did you participate in outside mediation on this case? (including Community Boards)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

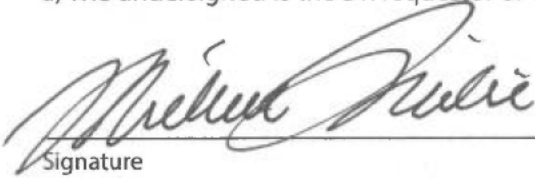
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If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes that were made to the proposed project.

# 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

F. Richard Frisbie

Name (Printed)

Neighbor

415-666-3550

frfbeagle@gmail.com

Relationship to Requestor  
(i.e. Attorney, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

## 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.

This project has the potential to be life threatening due to my permanent disabilities. I am totally confined to my home and its environs and am unable to avoid any of the health impacts that this project could create. I require 24/7 multiple (9) HEPA air filtration units to protect my health.

*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.

*See attached comments on mitigation.*

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

The project MUST develop and adopt a stringent pollution, contamination and noise abatement program in order to protect me against these hazards which are life threatening.

The site should be tented to the maximum extent possible at all times.

*See attached.*



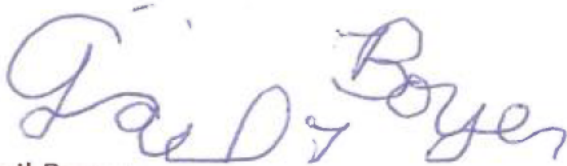
## LETTER OF REPRESENTATION

To whom it may concern

I, Gail Boyer, authorize Richard Frisbie to assist and represent me with respect to the Discretionary Review Process associated with 421 Walnut St.

As I am both unable to see at this time and unable to leave my home adjoining the subject property, I cannot attend the requisite meetings, see/read information, etc.

Respectfully,



Gail Boyer

3316 California St., #4

415-728-7297

Gail4195@gmail.com

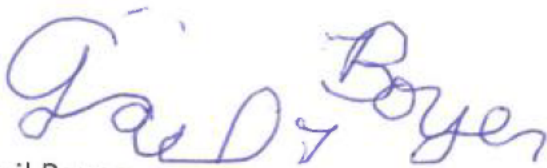
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Respectfully,



Gail Boyer

3316 California St., #4

415-728-7297

Gail4195@gmail.com

From: Ryan Knock [ryan@knock-ad.com](mailto:ryan@knock-ad.com)  
Subject: Re: 421 Walnut St.  
Date: Nov 13, 2019 at 6:08:15 PM  
To: Richard Frisbie [frfbeagle@gmail.com](mailto:frfbeagle@gmail.com), Gail Boyer  
[gail4195@gmail.com](mailto:gail4195@gmail.com), [ginabest@ginabest.com](mailto:ginabest@ginabest.com), May, Christopher  
(CPC) [christopher.may@sfgov.org](mailto:christopher.may@sfgov.org)

---

Thanks for that link and information Chris.

Dick and Gail:

We are planning on doing everything that is required per the building code including:

(1) Water all active construction areas sufficiently to prevent dust from becoming airborne. Increased watering frequency may be necessary where speeds exceed 15 miles per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco [Public Works Code](#) required, reclaimed water should be used whenever possible.

(2) Provide as much water as necessary to control dust (without creating run-off) in any area of land clearing, earth movement, excavation, drilling, dust-generating activity.

(3) During excavation and dirt-moving activities, wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the workday.

(4) Cover any inactive (no disturbance for more than seven days) stockpiles greater than ten cubic yards or 500 square feet of excavated materials, material, import material, gravel, sand, road base, and soil with a 10 mil (0.01 inch) polyethylene plastic or equivalent tarp and brace it down or use other soil stabilization techniques.

(5) Use dust enclosures and collectors as necessary to control dust in the excavation area.

(6) Noise levels will be kept per code and under 80 db at 100 ft from equipment.

Gina and I researched the feasibility of the tenting, and a cost of at least \$25,000, it is not something that a cost that is feasible for us for this project. We would be willing to discuss mitigation efforts further, but Gina and I both would like to discuss that at a time when Gail is inhabiting her unit here instead of her home Florida. We would be happy to provide Gail a schedule of when we think the construction is but we need to get past the approvals first then we can discuss what a construction schedule may look like. Gail: Gina Best mentioned told her to "please let me know when you are going to start construction, I will make sure I am in Florida" - so we will be sure to do that we have that information available.

Ryan Knock, AIA, LEED AP  
Knock Architecture and Design  
SONOMA . SAN FRANCISCO . CA  
[www.knock-ad.com](http://www.knock-ad.com)  
415-215-2647

On Nov 8, 2019, at 2:37 PM, May, Christopher (CPC) <[christopher.may@sfgov.org](mailto:christopher.may@sfgov.org)> wrote:

Sorry, forgot to paste the link to [DPH's website](#).

Christopher May, Senior Planner  
Northwest Team, Current Planning Division  
San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.9087 | [www.sfplanning.org](http://www.sfplanning.org)  
[San Francisco Property Information Map](#)

From: May, Christopher (CPC)  
Sent: Friday, November 08, 2019 2:36 PM  
To: Richard Frisbie <[frfbeagle@gmail.com](mailto:frfbeagle@gmail.com)>; Gail Boyer <[gail4195@gmail.com](mailto:gail4195@gmail.com)>  
Cc: [ryan@knock-ad.com](mailto:ryan@knock-ad.com); [ginabest@ginabest.com](mailto:ginabest@ginabest.com)  
Subject: RE: 421 Walnut St.

Hi Richard,

Thank you for keeping me in the loop regarding the dialogue between you, Ms. Boyer and the project sponsor – it sounds as though you are making some can hopefully avoid a DR. Just as you said, I also am not an expert in construction mitigation, but I did find a link to the Department of Public Health's dust website, which may provide some helpful links or contacts. I would encourage you to keep working towards coming to a mutually-beneficial agreement, but keep in mind that the Planning Department is unable to enforce private agreements between neighboring property owners.

**Christopher May, Senior Planner**  
**Northwest Team, Current Planning Division**  
San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.9087 | [www.sfplanning.org](http://www.sfplanning.org)  
[San Francisco Property Information Map](#)

**From:** Richard Frisbie <[rfrisbie@gmail.com](mailto:rfrisbie@gmail.com)>  
**Sent:** Wednesday, November 06, 2019 4:41 PM  
**To:** May, Christopher (CPC) <[christopher.may@sfgov.org](mailto:christopher.may@sfgov.org)>; Gail Boyer <[gail4195@gmail.com](mailto:gail4195@gmail.com)>  
**Cc:** [ryan@knock-ad.com](mailto:ryan@knock-ad.com); [ginabest@ginabest.com](mailto:ginabest@ginabest.com); Stefani, Catherine (BOS) <[catherine.stefani@sfgov.org](mailto:catherine.stefani@sfgov.org)>  
**Subject:** 421 Walnut St.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ryan/Gina, I am a neighbor trying to help Gail navigate the process.  
She forwarded me Ryan's email of **Subject: 421 Walnut Street**  
**Date:** October 23, 2019 at 9:17:21 AM PDT.

Christopher, after multiple discussions with Gail she has concluded that the latest plan for 421 Walnut is acceptable with an important caveat. Ryan's email was an excellent description of the situation and I know Gail appreciates the changes that have taken place. There needs to be a stringent mitigation plan in place for contamination, pollution, etc. emanating from the construction process.

6 [REDACTED] 6254 (c) [REDACTED]  
[REDACTED] 6254 (c) [REDACTED] She will have  
keeper read her this email and she will reply to all of us with a health update.

In a perfect world tenting the site would be the preferred solution; I don't know how feasible that is.  
I do know they fully encapsulate homes when doing termite/pest mitigation and maybe we can apply something along those lines.  
My question is: what has to be done, by whom, etc. to put in place such a mitigation process that goes well beyond the normal contamination/pollution control.  
If an acceptable middle ground can be achieved then Gail is supportive of the project as explained by Ryan.  
I am not an expert in construction mitigation and so the above is a layman's description of Gail's needs.  
If we can reach an agreement on a mitigation process then Gail has no intention of filing for a DR on the project.  
I appreciate the effort everyone has made on this difficult and, to me at least, unusual request.

Thank You.  
Dick Frisbie  
[415-666-3550](tel:415-666-3550)





Richard Frisbie <frfbeagle@gmail.com>

---

**Re: 421 Walnut St.**

1 message

**gail boyer** <gail4195@gmail.com>

Thu, Nov 7, 2019 at 12:16 PM

To: Richard Frisbie <frfbeagle@gmail.com>

Cc: "May, Christopher (CPC)" <christopher.may@sfgov.org>, ryan@knock-ad.com, Gina Best <ginabest@ginabest.com>, Catherine Stefani <Catherine.Stefani@sfgov.org>

6254 (c)

p. As previously mentioned I already have 17 air purifiers each with carbon and hepa filters and it is not enough to protect me from ill affects from air toxics. What can be done to protect my health and safety with the construction at 421 Walnut Street? can the construction site be tented, etc ?  
Thank you for your assistance in this most difficult situation.  
Best,Gail Boyer

On Nov 6, 2019, at 4:40 PM, Richard Frisbie <frfbeagle@gmail.com> wrote:

Ryan/Gina, I am a neighbor trying to help Gail navigate the process.  
She forwarded me Ryan's email of **Subject: 421 Walnut Street**  
**Date:** October 23, 2019 at 9:17:21 AM PDT.

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6254 (c)

6254 (c) She will have her house-keeper read her this email and she will reply to all of us with a health update.

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Thank You.

Dick Frisbie

\* 2020-2021 \* 2020-2021 \* 2020-2021

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Richard Frisbie <frfbeagle@gmail.com>

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**RE: Gail Boyer-3316 California St Regarding 421 Walnut St.**

1 message

---

**Zuniga, Sandra (DPW)** <sandra.zuniga@sfgov.org>

Tue, Oct 22, 2019 at 3:19 PM

To: Richard Frisbie <frfbeagle@gmail.com>, "May, Christopher (CPC)" <christopher.may@sfgov.org>

Cc: "Stefani, Catherine (BOS)" <catherine.stefani@sfgov.org>, "Breed, Mayor London (MYR)"

<mayorlondonbreed@sfgov.org>, 6254 (c)

Hi Richard:

Thank you for reaching out to Mayor Breed, the Mayor's office will give you a call soon.

Thank you,

Sandra

*Call took place Nov. 14*

---

**From:** Richard Frisbie <frfbeagle@gmail.com>

**Sent:** Thursday, October 17, 2019 12:21 PM

**To:** May, Christopher (CPC) <christopher.may@sfgov.org>

**Cc:** Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>

**Subject:** Gail Boyer-3316 California St Regarding 421 Walnut St.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Christopher, I left you a fairly detailed voicemail concerning Gail Boyer's disability situation and her concerns about 421 Walnut St.

She has been told, or so she understood, she's to call the Mayor's Office of Disabilities to get assistance on this matter. She asked if I could help her contact the City and get some assistance.

Frankly this is not possible for her to meet the City's demand that she contact them to due to her physical condition and the City needs to figure out how to reach out to her, hold a discussion, understand her concerns and fears, etc.

6254 (c)

I am copying her Supervisor as well as the Mayor's Office as Gail needs the City to treat its most vulnerable persons with the same consideration it shows to its most valuable ones.

I know Gail as a friend but do not represent her. The City needs to represent her.

Thank You,

Richard Frisbie

415-666-3550





Richard Frisbie <frfbeagle@gmail.com>

## RE: 421 WALNUT STREET PROJECT

1 message

May, Christopher (CPC) <christopher.may@sfgov.org>

Mon, Oct 21, 2019 at 12:34 PM

To: gail boyer <gail4195@gmail.com>, Richard Frisbie <frfbeagle@gmail.com>

Cc: "Gordon-Jonckheer, Elizabeth (CPC)" <elizabeth.gordon-jonckheer@sfgov.org>, "Watty, Elizabeth (CPC)" <elizabeth.watty@sfgov.org>

Hi Gail,

Further to our phone conversation earlier today, I wanted to confirm that the Planning Department is willing to accept your Discretionary Review request via email, and that you can have somebody else (I suggested Mr. Frisbie) submit this on your behalf.

Mr. Frisbie - if you are amenable to this, please complete the Request for Discretionary Review form ([https://sfplanning.org/sites/default/files/forms/DRP\\_Application.pdf](https://sfplanning.org/sites/default/files/forms/DRP_Application.pdf)) and send it to me, along with the required fee, before November 15. Once we receive the DR request, we will continue to coordinate with the Mayor's Office on Disability to best assist Ms. Boyer through the process.

Regards,

Christopher May, Senior Planner  
Northwest Team, Current Planning Division  
San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.9087 | [www.sfplanning.org](http://www.sfplanning.org)  
San Francisco Property Information Map

-----Original Message-----

From: gail boyer <gail4195@gmail.com>

Sent: Thursday, October 17, 2019 3:57 PM

To: May, Christopher (CPC) <christopher.may@sfgov.org>; cory.teague@sfgov.org

Cc: Richard Frisbie <frfbeagle@gmail.com>; Catherine Stefani <catherinestefani@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Gordon-Jonckheer, Elizabeth (CPC) <elizabeth.gordon-jonckheer@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>

Subject: 421 WALNUT STREET PROJECT

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TO: PLANNING DEPARTMENT PLANNER CHRISTOPHER MAY, AND ZONING ADMINISTRATOR-CORY TEAGUE

REGARDING: 421 WALNUT STREET PROJECT APPLICATION FOR VARIANCE

FROM: GAIL BOYER- OWNER OF 3316 CALIFORNIA STREET UNIT 4, SAN FRANCISCO, CA. 94118

GREETINGS,

I WOULD LIKE TO HAVE THIS OPPORTUNITY TO ADDRESS MY SERIOUS CONCERNS AND OPPOSITION TO 421 WALNUT STREET CONSTRUCTION PROJECT. I AM A SENIOR CITIZEN LIVING AT MY CURRENT ADDRESS SINCE 2001. 6254 (c)

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AND UNDER NO CIRCUMSTANCES DO I  
WANT TO ALLOW THE PROJECT OF ONE STORY HORIZONTAL FRONT AND SIDE ADDITIONS AS WELL  
AS SECOND STORY VERTICAL ADDITION TO THE EXISTING ONE STORY DWELLING. IT WOULD BE BEST  
FOR ME TO HAVE NO CONSTRUCTION, BUT IF THE CITY APPROVES THE SECOND STORY ADDITION  
OVER THE EXISTING BUILDING, THEN I PLEAD WITH YOU TO NOT ALLOW THE FURTHER ONE STORY  
HORIZONTAL FRONT AND SIDE ADDITIONS, BRINGING IT FURTHER SOUTH CLOSER TO MY UNIT, AND  
HURTING ME EVEN MORE, AS I AM TRAPPED HERE TRYING TO DO MY BEST. I ASK FOR YOUR  
KINDNESS, COMPASSION, CONSIDERATION, AND ASSISTANCE IN MY SITUATION. PLEASE DO NOT  
BRING IT EVEN CLOSER TO MY UNIT.  
THANKS FOR YOUR CONSIDERATION. BEST, GAIL BOYER



6254 (c)

To Whom It Concerns,

6254 (c)



**From:** [Bohn, Nicole \(ADM\)](#)  
**To:** [Winslow, David \(CPC\)](#)  
**Cc:** [May, Christopher \(CPC\)](#); [frfbeagle@gmail.com](mailto:frfbeagle@gmail.com); [gail4195@gmail.com](mailto:gail4195@gmail.com)  
**Subject:** Verification of disability status: prepping for DR 2/2020  
**Date:** Tuesday, December 10, 2019 9:57:47 AM  
**Attachments:** [image001.png](#)  
[Gail Boyer Construction letter.pdf](#)

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Hi, David:

I hope you are well. This e-mail is in regards to the proposed improvements at 421 Walnut St, and is written on behalf of neighborhood resident Gail Boyer.

The attached verification, in addition to the imbedded e-mail below from a second physician, was provided to Mayor's Office on Disability (MOD) in order to verify Ms. Boyer's disability status and the need for reasonable modification or accommodation to policy or practice under the Americans with Disabilities Act (ADA).

MOD considers these two professional verifications, taken in combination, sufficient to verify the aforementioned need.

For the purposes of consultation with you and Planning Staff, Ms. Boyer is comfortable with this information being shared internally so that reasonable accommodations or modifications may be discussed.

However, this medical information should not be shared as a matter of public record in public hearing, and with the property owner or project manager only at the discretion of Ms. Boyer or her advocate/representative, Mr. Richard Frisbee. Ms. Boyer's health prevents her from meeting in person, and it is my understanding that Richard Frisbee has completed the necessary verification with CPC so that he may act as her representative. Please copy him on exchanges, as Ms. Boyer is currently unable to respond in a timely manner.

In the event of a Sunshine request, please redact identifying information appropriately.

MOD is available to consult, as needed, on any reasonable accommodation or modification solutions that may be required.

Please don't hesitate to contact me directly with any questions or concerns.

Thanks, David.

-N

**Nicole Bohn**

## Director

Mayor's Office on Disability

1155 Market Street 1<sup>st</sup> Floor

**Direct:** (415) 554-6785

**Office:** (415) 554-6789

**E-mail:** [nicole.bohn@sfgov.org](mailto:nicole.bohn@sfgov.org)

**Web:** [sfgov.org/mod](http://sfgov.org/mod)

Pronouns: She, Her, Hers



*The Mayor's Office on Disability is a Fragrance-Free workplace. Please refrain from wearing any scented products when visiting our office. Thank you for helping us provide access to all people with disabilities.*

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**From:** Richard Frisbie <[frfbeagle@gmail.com](mailto:frfbeagle@gmail.com)>

**Sent:** Tuesday, December 10, 2019 9:16 AM

**To:** MOD, (ADM) <[mod@sfgov.org](mailto:mod@sfgov.org)>

- 6254 (c) [REDACTED]

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----- Forwarded message -----

**From:** Richard Frisbie <[frfbeagle@gmail.com](mailto:frfbeagle@gmail.com)>

**Date:** Tue, Nov 26, 2019 at 10:29 AM

6254 (c) [REDACTED]

**To:** Nicole Bohn <[MOD@sfgov.org](mailto:MOD@sfgov.org)>, <[nicole.bohn@sfgov.org](mailto:nicole.bohn@sfgov.org)>

**Cc:** Gail Boyer <[gail4195@gmail.com](mailto:gail4195@gmail.com)>, Supervisor Catherine Stefani <[Catherine.Stefani@sfgov.org](mailto:Catherine.Stefani@sfgov.org)>

Sent from my iPhone

Begin forwarded message:

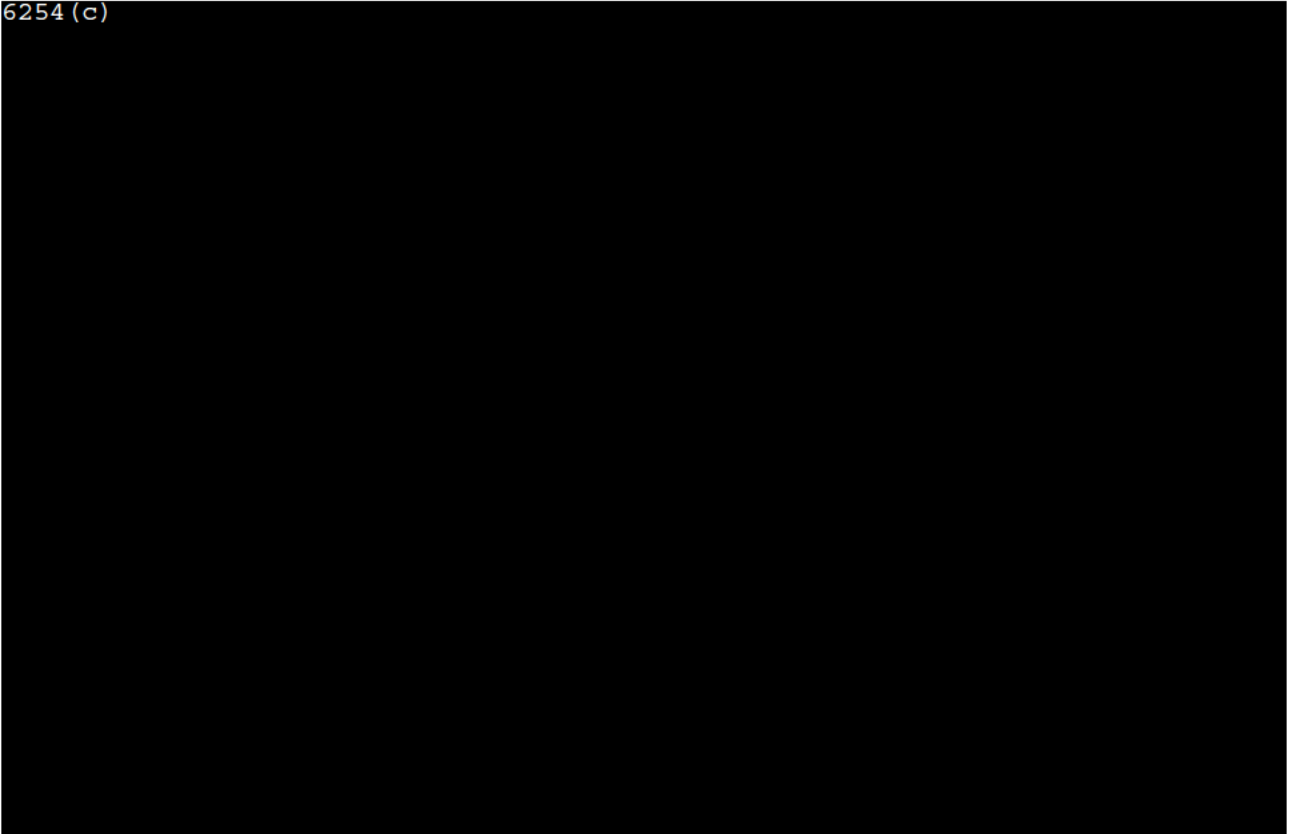
**From:** gail boyer <[gail4195@gmail.com](mailto:gail4195@gmail.com)>

**Date:** November 26, 2019 at 7:48:05 AM PST

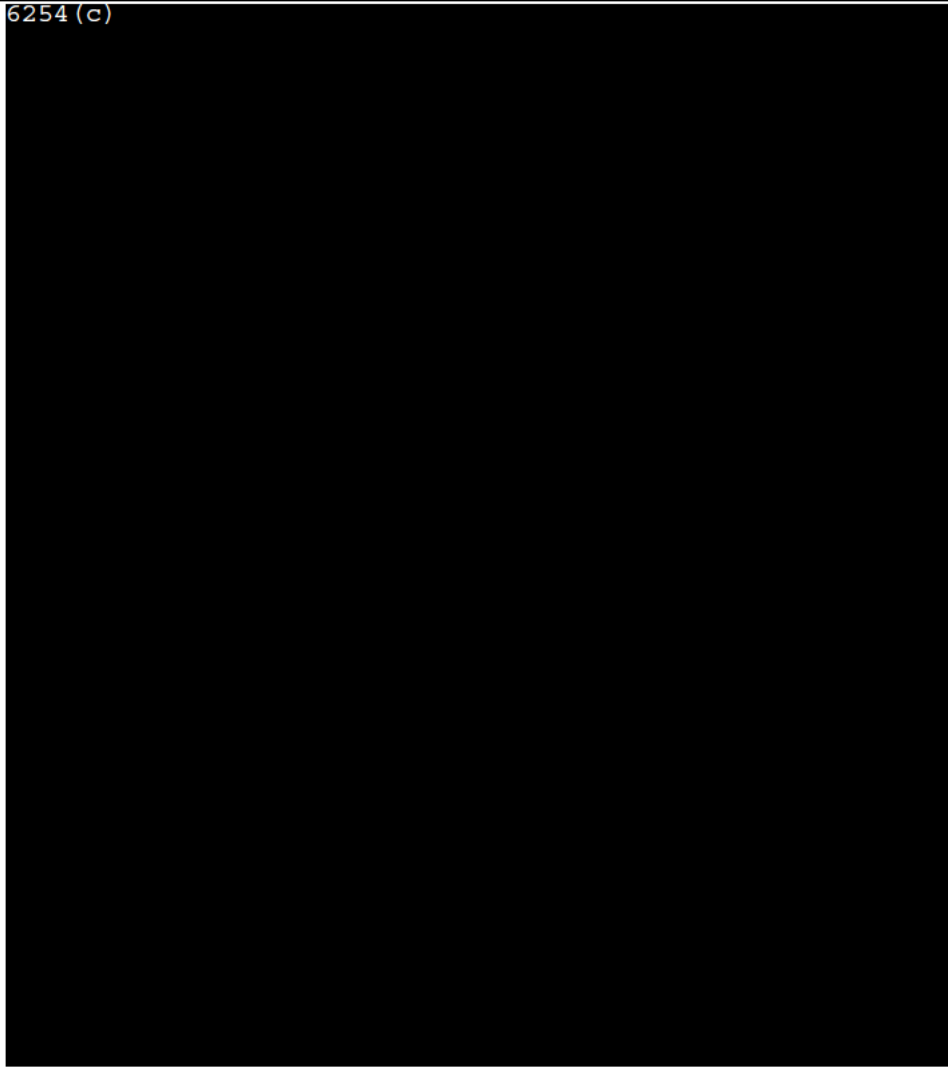
**To:** Richard Frisbie <[frfbeagle@gmail.com](mailto:frfbeagle@gmail.com)>

6254 (c) [REDACTED]

6254 (c)



6254 (c)





6254(c)

# RESPONSE TO DISCRETIONARY REVIEW (DRP)



**San Francisco  
Planning**

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

## Project Information

Property Address: 421 Walnut Street

Zip Code: 94118

Building Permit Application(s): 201708023659

Record Number:

Assigned Planner: Christopher May

## Project Sponsor

Name: Ryan Knock

Phone: 415-215-2647

Email: ryan@knock-ad.com

## Required Questions

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

The DR requestors issues are not related to the proposed building footprint or residential design issues. They are related to the construction activity itself. Thus the DR should be disapproved as the construction regulations are per the building not the planning code. What the DR requestor has problems with is not at the discretion of the Planning Department or Planning Commission.

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

We have already conducted extensive neighborhood outreach and made offers to compromise and remedy the outstanding issues. The proposal and its massing have been dramatically reduced compared to what was originally submitted. The massing and design is not the issue underlying the DR request.

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

We have already offered to do everything the code requires in terms of mitigation of the construction activity. What the DR applicant is requesting is far beyond what is needed, and is an overbearing and unnecessary cost to the owner. We are willing to cooperate with the additional measures that they think are needed, but not at the additional cost the 421 walnut street property owners.

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## Project Features

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

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	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	1	1
Occupied Stories (all levels with habitable rooms)	1	2
Basement Levels (may include garage or windowless storage rooms)	0	0
Parking Spaces (Off-Street)	1	1
Bedrooms	1	3
Height	15'-11	22'-0
Building Depth	45'-3"	52'-1"
Rental Value (monthly)	\$3500	\$5500
Property Value	1.1 million	1.9 million

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

<b>Signature:</b>	<b>Date:</b>
Ryan Knock	<input type="checkbox"/> Property Owner
<b>Printed Name:</b>	<input checked="" type="checkbox"/> Authorized Agent

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

**From:** Ryan Knock ryan@knock-ad.com  
**Subject:** Re: 421 Walnut St.  
**Date:** November 19, 2019 at 1:10 PM  
**To:** Ga Boyer ga.715@gmail.com, Ga Boyer ga.4195@gmail.com  
**Cc:** May, Christopher (CPC) christopher.may@sfgov.org, Gina Best g.nabest@g.nabest.com

RK

H Ga

Thanks for sending this information. I'm sorry to hear about your condition and that is not improving at the moment.

I wanted to reiterate we will follow a code related requirements for demolition that we have already agreed to, and by doing this, the dust and contaminants will stay far from your property. You are far above and far away from where the dust and debris will be.

We received a quote for tenting the entire property at \$25,000. We received a quote for netting the entire property at \$15,000. These are too costly for us to bear.

I would ask that you withdraw your DR and we can work together towards a solution that works for all parties, since this issue is not a planning code related issue and the project is finally's final but from you don't have an issue with.

If you agree to remove the DR:

We will add to any offer to provide access to the 421 Walnut property for you to install any additional safeguard system you would like.

We would also provide you with a more detailed construction schedule - as it becomes apparent of when the start and work dates could be so you can plan accordingly.

Ryan Knock, AIA, LEED AP  
Knock Architecture and Design  
SONOMA . SAN FRANCISCO . CA  
[www.knock-ad.com](http://www.knock-ad.com)  
415-215-2647

On Nov 16, 2019, at 10:26 AM, Ga Boyer <ga.715@gmail.com> wrote:

On Nov 7, 2019, at 12:16 PM, ga boyer <ga.4195@gmail.com> wrote:

My UCSF Senior Board Certified Ophthalmologist has 6254 (c)

and I am receiving care on my Home. As previously mentioned I already have 17 air purifiers each with carbon and HEPA filters and that's not enough to protect me from effects from air toxics. What can be done to protect my health and safety with the construction at 421 Walnut Street? can the construction site be tented, etc?

Thank you for your assistance in this most difficult situation.

Best, Ga Boyer

On Nov 6, 2019, at 4:40 PM, Richard Frisbee <frfbee@gmail.com> wrote:

Ryan/Gina, I am a neighbor trying to help Gail navigate the process.  
She forwarded me Ryan's email of **Subject: 421 Walnut Street**  
**Date:** October 23, 2019 at 9:17:21 AM PDT.

Christopher, after multiple discussions with Gail she has concluded that the latest plan for 421 Walnut is acceptable with an important caveat.

Ryan's email was an excellent description of the situation and I know Gail appreciates the changes that have taken place. There needs to be a stringent mitigation plan in place for contamination, pollution, etc. emanating from the construction process.

Gail has 6254 (c)

I have asked her to share the details with everyone so we are all working with the same set of data as regards her disabilities. She will have her house-keeper read her this email and she will reply to all of us with a health update.

In a perfect world tenting the site would be the preferred solution; I don't know how feasible that is.

I do know they fully encapsulate homes when doing termite/pest mitigation and maybe we can apply something along those lines.

lines.

My question is: what has to be done, by whom, etc. to put in place such a mitigation process that goes well beyond the normal contamination/pollution control?

If an acceptable middle ground can be achieved then Gail is supportive of the project as explained by Ryan.

I am not an expert in construction mitigation and so the above is a layman's description of Gail's needs.

If we can reach an agreement on a mitigation process then Gail has no intention of filing for a DR on the project.

I appreciate the effort everyone has made on this difficult and, to me at least, unusual request.

Thank You.

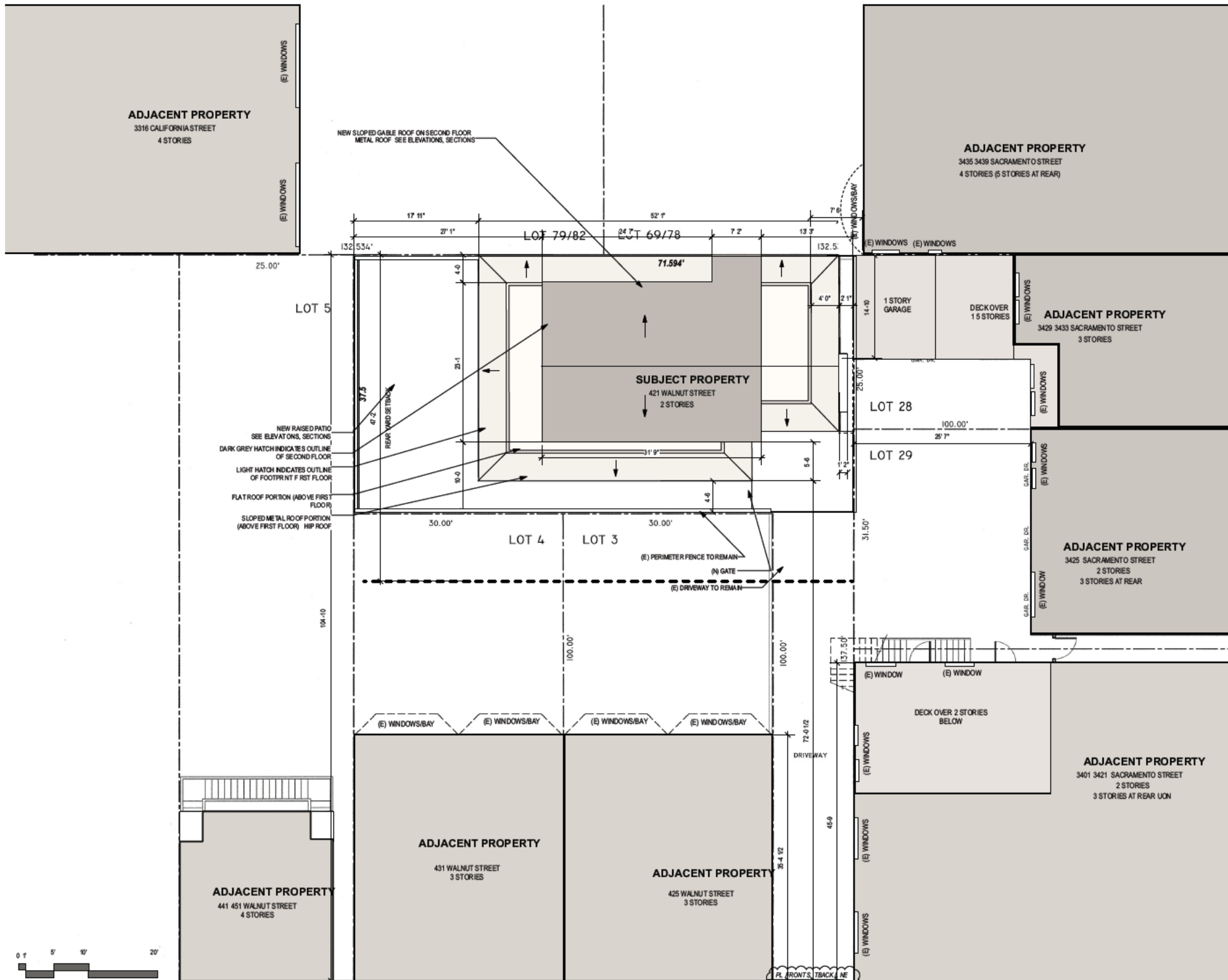
Dick Frisbie

415-666-3550





CALIFORNIA STREET



WALNUT STREET

SACRAMENTO STREET

PROPOSED SITE PLAN

1

0721 17	PREAPPLICATION
0520 18	NOPDR REV
0925 18	RDAT REV
0424 19	RDAT REV #2
0519 19	NOPDR #2
0623 19	REV



www.knock-ad.com  
ryan@knock-ad.com  
415-215-2647

**RESIDENCE ADDITION**  
421 WALNUT STREET, SAN FRANCISCO CA 94118

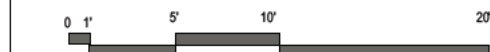
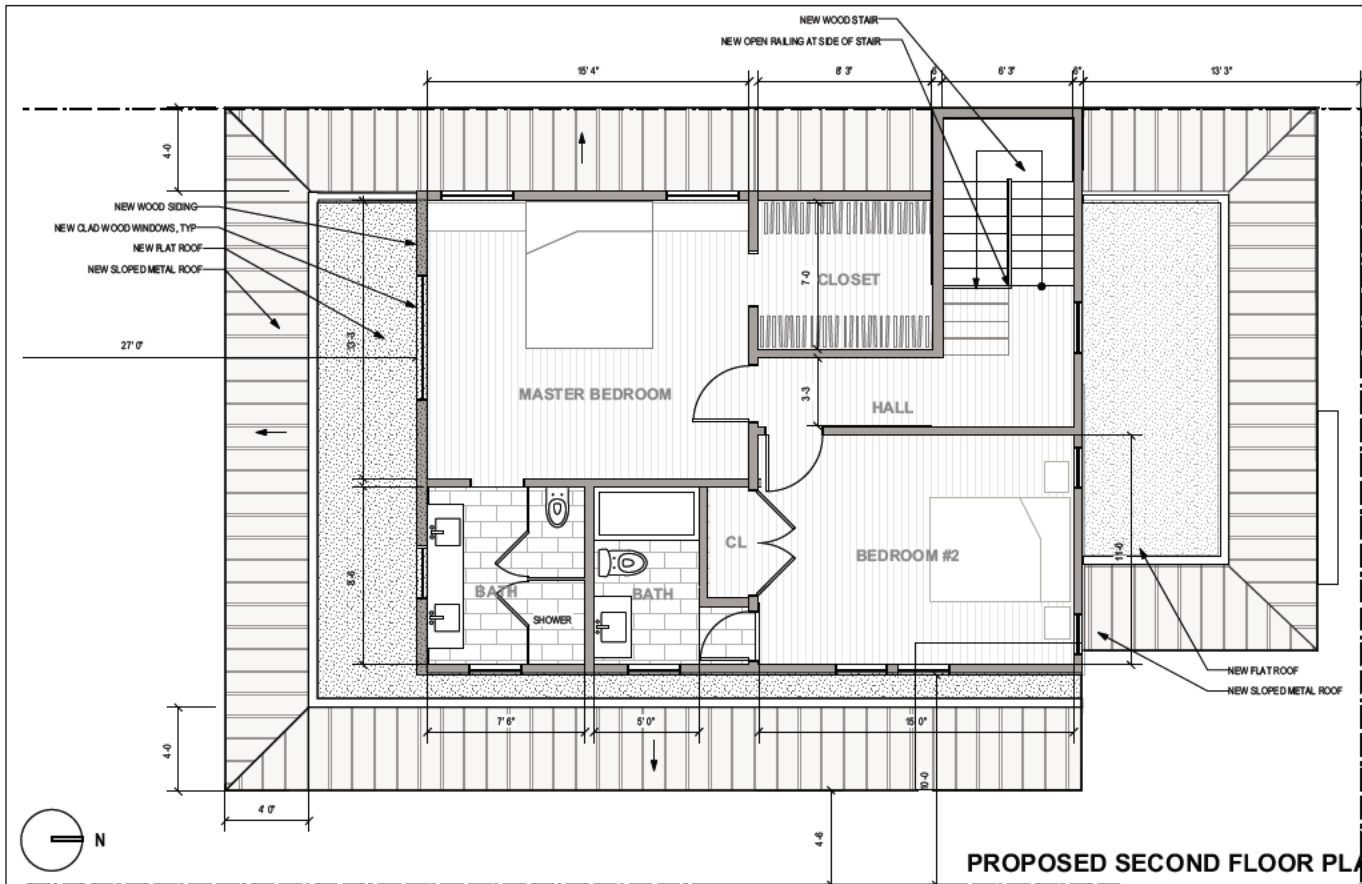
permit #:

**PROPOSED  
SITE PLAN**

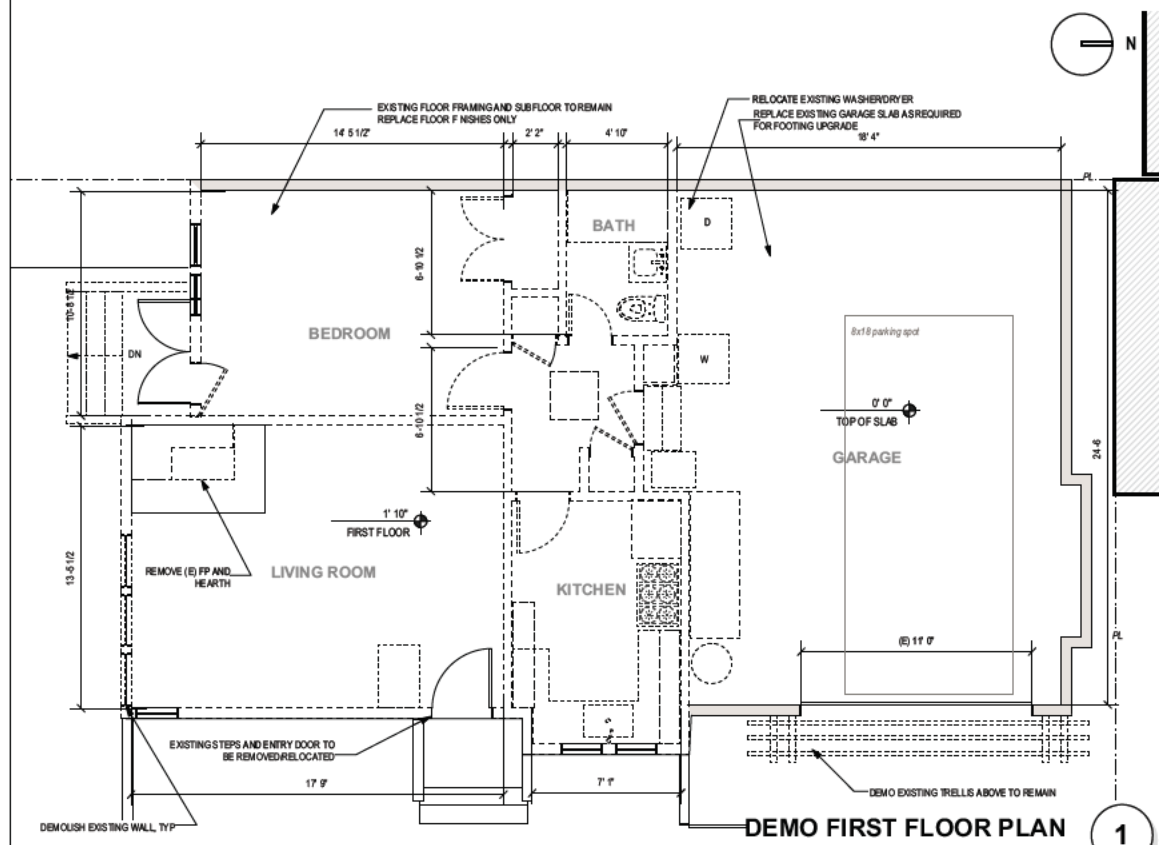
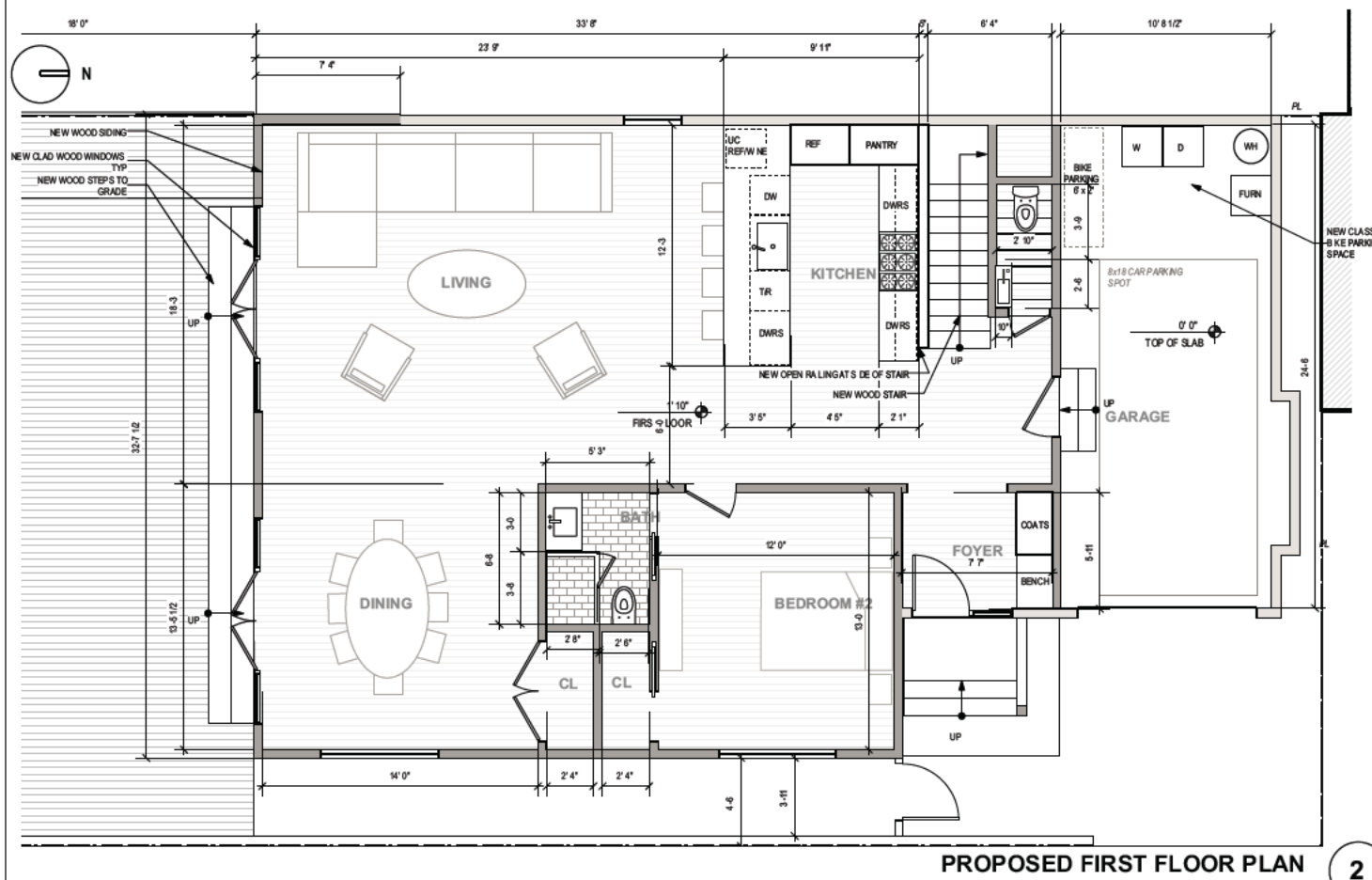
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appearing herein constitute original  
and unpublished work of the  
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written consent of the Architect

**A2**

SCALE:  
PLOT DATE:



WALL LEGEND	
	EXISTING WALL TO REMAIN
	EXISTING WALL TO BE DEMOLISHED
	NEW WALL
	NEW FIRE RATED WALL



0721 17	PREAPPLICATION
0520 18	NOPDR REV
0925 18	RDAT REV
0424 19	RDAT REV #2
0519 19	NOPDR #2
0611 19	REV



www.knock-ad.com  
ryan@knock-ad.com  
415-215-2647

**RESIDENCE ADDITION**  
421 WALNUT STREET, SAN FRANCISCO CA 94118

permit #:

**FLOOR PLANS**

All drawings and written material appearing herein constitute original and unpublished work of the Architect and may not be duplicated, used, or disclosed without the written consent of the Architect

**A3**

SCALE:  
PLOT DATE:

0721 17	PREAPPLICATION
0520 18	NOPDR REV
0519 19	NOPDR #2
0611 19	REV



www.knock-ad.com  
ryan@knock-ad.com  
415-215-2647

RESIDENCE ADDITION

421 WALNUT STREET, SAN FRANCISCO CA 94118

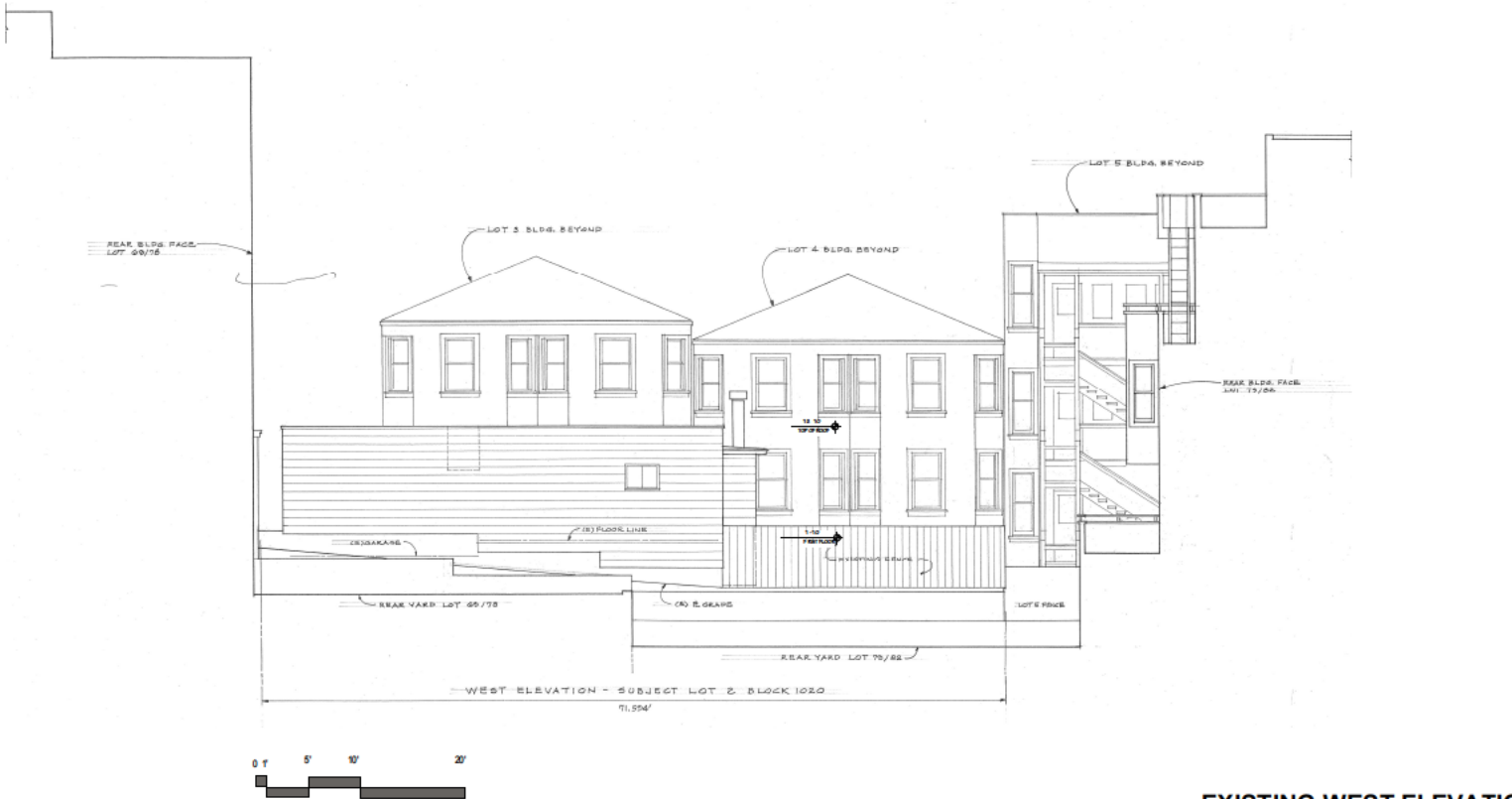
permit #:

(E) EXTERIOR ELEVATIONS

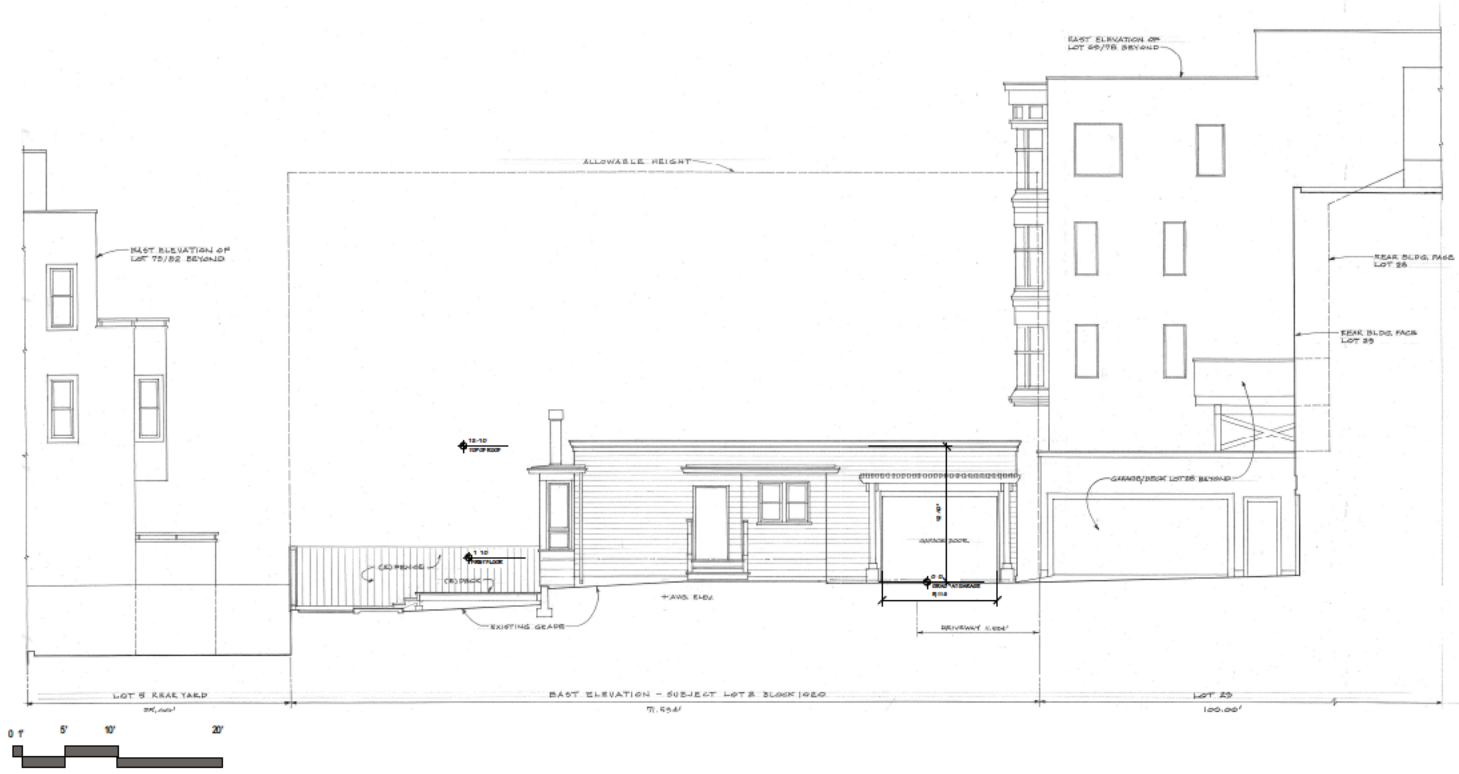
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A4

SCALE:  
PLOT DATE:



EXISTING WEST ELEVATION 2



EXISTING EAST ELEVATION 1







