Discretionary Review Abbreviated Analysis

HEARING DATE: MARCH 14, 2019

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

Reception:

415.558.6378

Fax:

415.558.6409

Planning Information: **415.558.6377**

Date: March 4, 2019
Case No.: 2017-014420DRP

Project Address: 2552 Baker Street
Permit Application: 2017.1026.2312

Zoning: RH-1 [Residential House, One-Family]

40-X Height and Bulk District

Block/Lot: 0955/021

Project Sponsor: Helen Seldin/ Sutro Architects

1055 Post Street

San Francisco, CA 94109

Staff Contact: David Winslow – (415) 575-9159

David.Winslow@sfgov.org

Recommendation: Do not take DR and approve

PROJECT DESCRIPTION

The project consists of a 3-story rear horizontal addition and a roof dormer, and roof deck to 3-story single-family house.

SITE DESCRIPTION AND PRESENT USE

The site is a 25' x 100' lateral sloping lot with an existing 3-story, 2,935 s.f. one-family house built in 1910.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The block face of Baker Street has a very consistent pattern of 3- to 4-story houses with that step with the slope.

The mid-block open space has a fairly consistent pattern of rear building walls that align. The exceptions of this alignment are the subject property and 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 | November 5, 2018 – December 5, 2018 | 12.4. 2018 | 3.14.2019 | 90 days |

HEARING NOTIFICATION

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|---------------|--------------------|----------------------|--------------------|------------------|
| Posted Notice | 20 days | February 23, 2019 | February 23, 2019 | 20 days |
| Mailed Notice | 20 days | February 23, 2019 | February 23, 2019 | 20 days |
| Online Notice | 20 days | February 23, 2019 | February 23, 2019 | 20 days |

PUBLIC COMMENT

| | SUPPORT | OPPOSED | NO POSITION |
|--------------------------|---------|---------|-------------|
| Adjacent neighbor(s) | 8 | 1 | 0 |
| Other neighbors on the | | | |
| block or directly across | 0 | 0 | 0 |
| the street | | | |
| Neighborhood groups | 0 | 0 | 0 |

DR REQUESTOR

Alison Rowe of 2785 Green Street #1, adjacent neighbor to the North of the proposed project.

DR REQUESTORS' CONCERNS AND PROPOSED ALTERNATIVES

- 1. The proposed addition and removal of trees in the backyard will impact privacy and light.
- 2. The proposed addition intrudes into the mid-block open space, contrary to the Cow Hollow Neighborhood Design Guidelines.

See attached Discretionary Review Application, dated December 4, 2018.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The sponsor has complied with the Residential Design Team (RDAT) recommendations, in relation to building massing at the rear to address issues related to scale, mid-block open space, and privacy. Furthermore, the project sponsor has written a letter intending to preserve the existing trees in the rear yard, and in the event of damage re-planting a replacement tree in approximately the same location to preserve mutual privacy.

See attached Response to Discretionary Review, dated February 21, 2019.

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).

SAN FRANCISCO
PLANNING DEPARTMENT

RESIDENTIAL DESIGN TEAM REVIEW

The project is subject to the Cow Hollow Design Guidelines. In light of the DR request, the Residential Design Advisory Team re-reviewed this project and confirmed that the proposal does not present any exceptional or extraordinary conditions with respect to the Residential Design Guidelines, the Cow Hollow Neighborhood Design Guidelines, and the surrounding development patterns. Specifically:

- 1. The proposed addition complies with the Cow Hollow Neighborhood Design Guidelines with respect to the rear yard, based on the location of the adjacent buildings. The proposed 2-story rear addition maintains the building scale at the rear and mid-block open space pattern, by extending the subject property to the align with the adjacent buildings to the south. The corner building to the north covers almost its entire lot and has property line windows facing the subject property's rear yard.
- 2. Although property line windows are not typically protected by Planning Department policy, the Cow Hollow Neighborhood Design Guidelines promote good neighbor gestures such as accommodating side lot line windows. The project sponsor has opted to accommodate two of the neighboring property line windows with a light well and a setback.
- 3. Although trees perform a number of important functions, unless they are determined to be heritage trees, they are not regulated by the Planning Department. However, the maintenance stated intention of the project sponsor to retain the existing trees should be taken in good faith.

RECOMMENDATION:

Do not take DR and approve project

Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photographs

Section 311 Notice

CEQA Determination

DR Application

Letter of opposition

Response to DR Application dated February 1, 2019

Letters of support

Correspondence between project sponsor and DR requestor

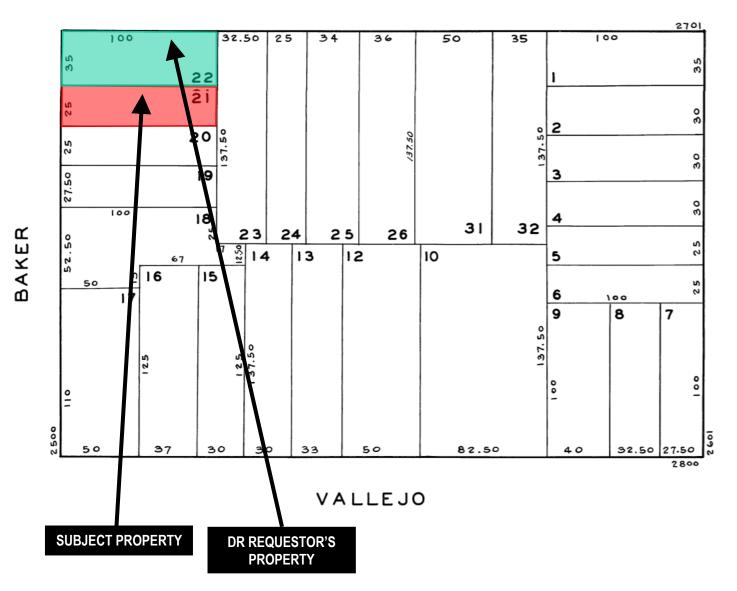
Reduced Plans

Exhibits

SRODERICK

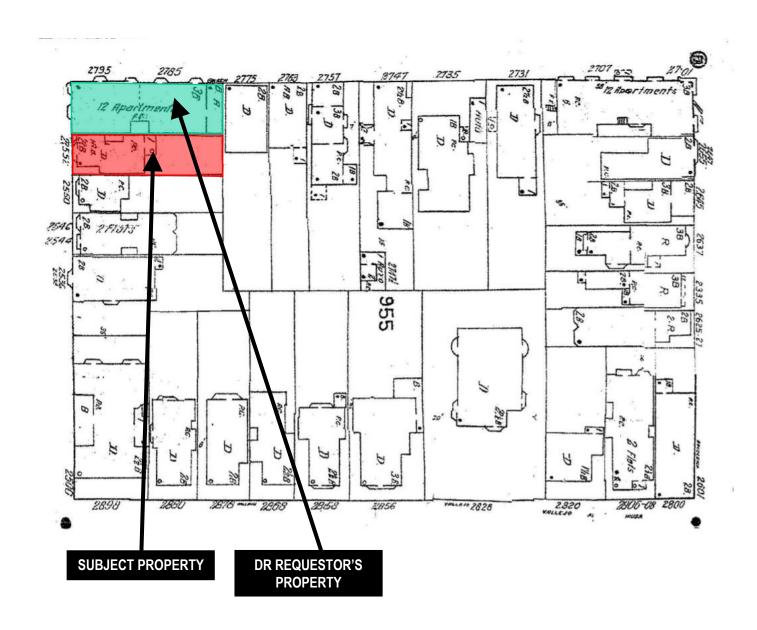
Parcel Map

GREEN

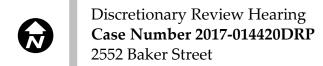




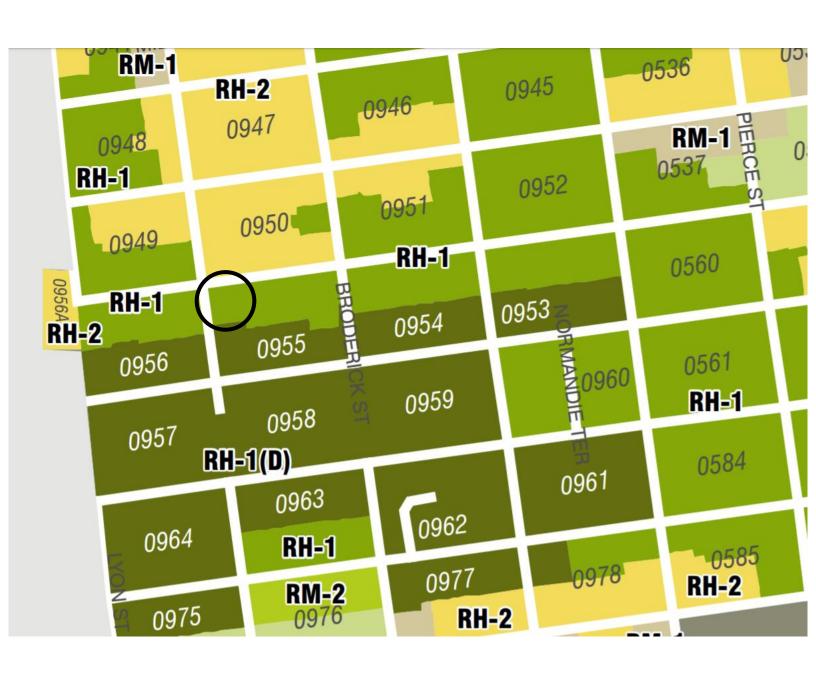
Sanborn Map*



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



Zoning Map

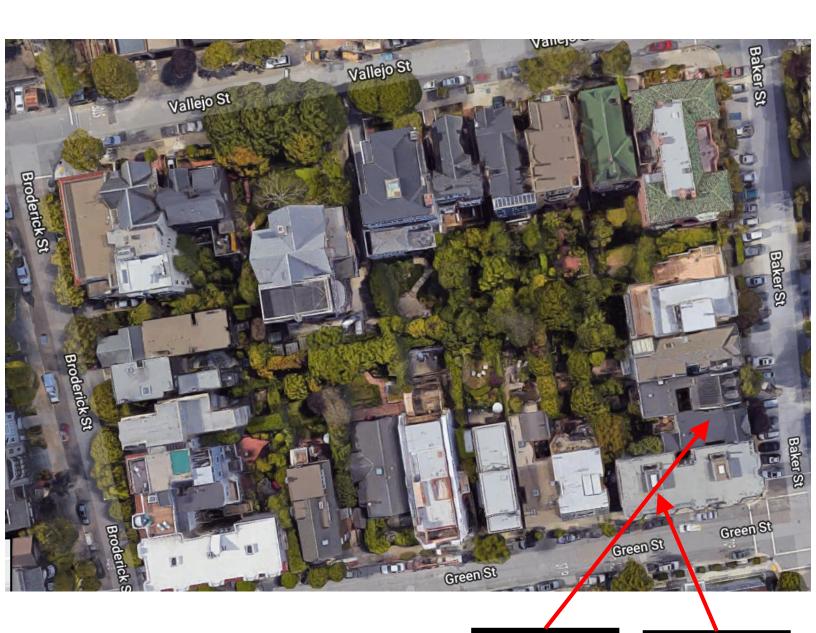








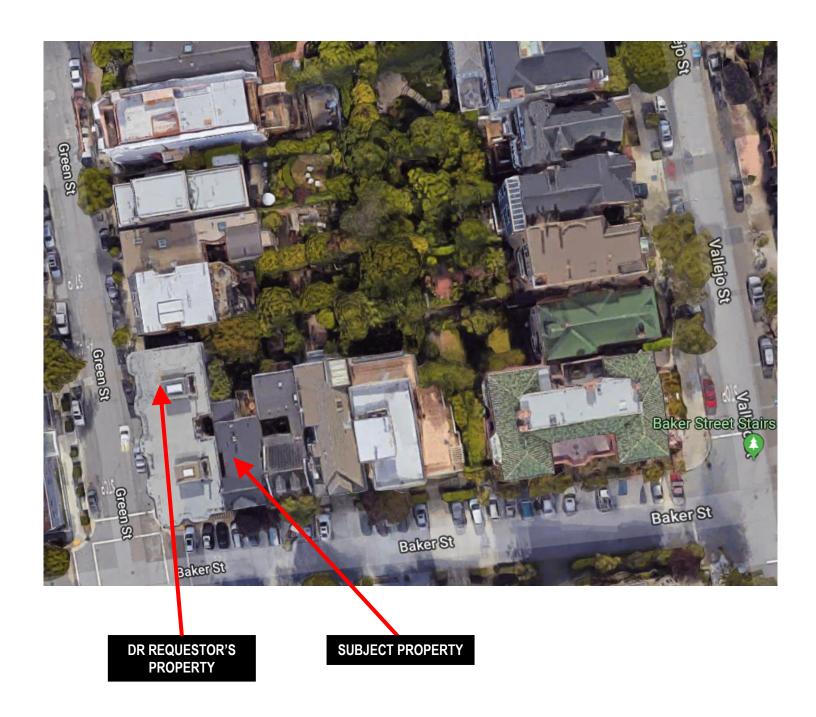




SUBJECT PROPERTY

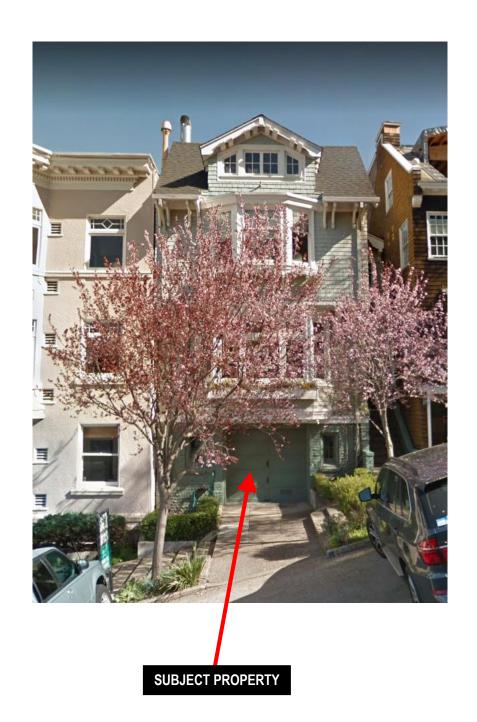
DR REQUESTOR'S PROPERTY







Site Photo



Discretionary Review Hearing Case Number 2017-014420DRP 2552 Baker Street 1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311/312)

On October 26, 2017, the Applicant named below filed Building Permit Application No. 2017.10.26.2312 with the City and County of San Francisco.

| PROJECT INFORMATION | | APPL | APPLICANT INFORMATION | |
|---------------------|-----------------------|--------------|-----------------------------|--|
| Project Address: | 2552 Baker Street | Applicant: | Sutro Architects | |
| Cross Street(s): | Green and Vallejo Sts | Address: | 1055 Post St | |
| Block/Lot No.: | 0955/021 | City, State: | San Francisco, CA 94109 | |
| Zoning District(s): | RH-1 / 40-X | Telephone: | (415) 766-4072 | |
| Record No.: | 2017-014420PRJ | Email: | hseldin@sutroarchitects.com | |

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

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

| PROJECT SCOPE | | | | |
|--------------------------|-------------------------|----------------------|--|--|
| ☐ Demolition | □ New Construction | ☑ Alteration | | |
| ☐ Change of Use | ☐ Façade Alteration(s) | ☐ Front Addition | | |
| ☑ Rear Addition | ☐ Side Addition | Vertical Addition | | |
| PROJECT FEATURES | EXISTING | PROPOSED | | |
| Building Use | Single Family Residence | No Change | | |
| Front Setback | None | No Change | | |
| Side Setbacks | None | No Change | | |
| Building Depth | 56 feet | 70 feet 6 inches | | |
| Rear Yard | 43 feet 9 inches | 30 feet | | |
| Building Height | 33 feet 5 inches | 34 feet 8 inches | | |
| Number of Stories | 3 | 4 with rear roofdeck | | |
| Number of Dwelling Units | 1 | No Change | | |
| Number of Parking Spaces | 1 | No Change | | |

The proposed project is to construct a 14'-3" rear addition at the first and second floors with rear terraces at the second and third stories. The proposal includes the addition of a dormer on the north side elevation to provide space for stair access to the attic level and a new roof deck with approximately 6' side setbacks from all sides. No work is proposed at the front façade.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner: Alexandra Kirby Telephone: (415) 575-9133

Notice Date: 11/5/2018 E-mail: Alexandra.kirby@sfgov.org Expiration Date: 12/5/2018



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION PACKET

Pursuant to Planning Code Section 311 (d) and 312 (e), 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, 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 <u>Discretionary Review Informational Packet</u> carefully before the application form is completed.

WHAT TO SUBMIT:

| TELL TO SEPTITE |
|---|
| \square Two (2) complete applications signed. |
| ☐ A Letter of Authorization for Agent from the owner giving you permission to communicate with the Planning Department on their behalf. |
| \Box Photographs or plans that illustrate your concerns. |
| $\hfill\Box$ 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 <u>Fee Schedule</u>). |
| |

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.



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information

Address: Alison Rowe

2785 Green Street, #1, San Francisco 94123

Email Address: allierowe@gmail.com

Telephone: (415) 756-7406

Information on the Owner of the Property Being Developed

Name: Josh Prime

Company/Organization: Owner

Address: 2552 Baker Street, San Francisco 94123

Email Address: jeprime@gmail.com

Telephone: Sutro Architects (415) 766-4072

Property Information and Related Applications

Project Address: 2552 Baker Street, San Francisco, CA 94123

Block/Lot(s): 0955/021

Building Permit Application No(s): 2017.10.26.2312

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

| PRIOR ACTION | YES | NO |
|---|-----|----|
| Have you discussed this project with the permit applicant? | X | |
| Did you discuss the project with the Planning Department permit review planner? | X | |
| Did you participate in outside mediation on this case? (including Community Boards) | | X |

We did not have the opportunity to Mediate this November. I called the Community Boards to learn how they work, the cost and the timing.

I asked the owner throughout the planning phases for a specific commitment to maintain my privacy, which I have enjoyed for 25 years. The plans also violate the Cow Hollow Neighborhood Design Guidelines. The plans submitted to the City are deceptive, showing only one backyard tree, when there are many large, mature trees both in the yard and along the property line. These trees provide privacy to my apartment.

Based on the unwillingness of the homeowner to address my concerns, I have little reason to believe that a mediation would have been fruitful.

DISCRETIONARY REVIEW REQUEST

In the space below and on seperate 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.

The back yard's EXISTING PLAN is inaccurate. It is missing all but one large tree. This EXISTING PLAN shows PLANTERS that do not exist. The PROPOSED PLAN is identical to the EXISTING, as if there will be no changes to the yard. The many trees have been firmly rooted in the ground for decades, not in planters. This matters because removing the trees will completely remove my privacy. In addition, my neighboring tenants will lose their view of trees and face a wall instead.

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.

The project does not meet the Cow Hollow Neighborhood Design Guidelines. Please consider that losing privacy in a small home is a major impact. The attached photos show my window and privacy trees that were omitted in the EXISTING PLAN. I would not like anyone in the back yard to look directly into my home. Also, the trampoline will move east with the house to block my mid-block greenery view uphill. Three other apartments in my building will lose their light, air and see a wall instead of trees. Apartment #4's emails with the homeowner and photos from her unit are 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:

- 1. Keep my privacy the same as it has been for 25 years
- 2. Keep the family from being able to look directly inside my home.
- 3. Preserve all trees on the property line, including the camellia tree in the north-east corner.
- 4. Keep my apartment's greenery views (Apartment #1). Keep Apartment #4's southern daylight, air and greenery view.

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

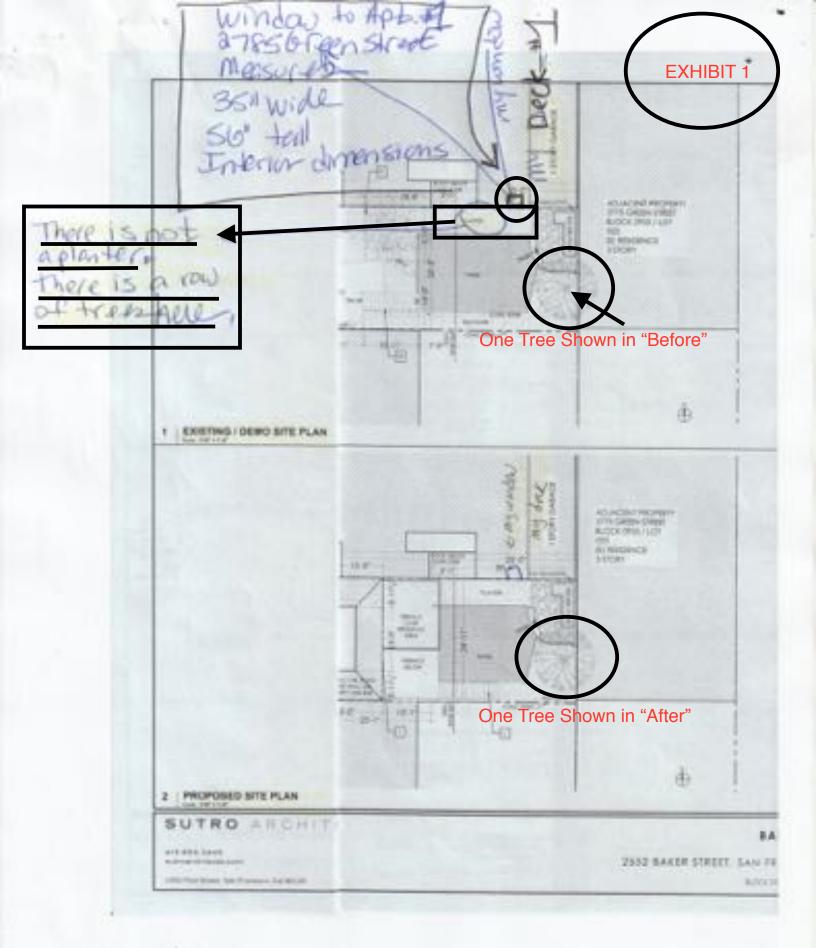
- a) The information presented is true and correct to the best of my knowledge.
- b) Other information or applications may be required.

| | | Alison Rowe | |
|---|----------------|---------------------|--|
| Signature | | Name (Printed) | |
| adjacent neighbor | (415) 756-7406 | allierowe@gmail.com | |
| Relationship to Project (i.e. Owner, Architect, etc.) | Phone | Email | |

| For Department Use Only Application received by Planning Department: | |
|--|-------|
| By: | Date: |

EXHIBITS TO DISCRETIONARY REVIEW FOR 2552 BAKER STREET

- 1. EXISTING / DEMO SITE PLAN and PROPOSED SITE PLAN
- 2. Google Earth View of 2552 Baker Street, Yard's Many Trees
- 3. Trees that border Apartment #1's deck. Camellia & Big Trees.
- 4. Apartment #1's Window 35" by 56" with trees that provide privacy.
- 5. West view along property line, several big trees. No PLANTERS.
- 6. Recent email history with owner. No answer to direct questions regarding trees.
- 7. Cow Hollow Neighborhood Design Guidelines that discuss
 - a. Enjoyment of mid-block open space
 - b. Rear Yard Guidelines
 - c. Rear Yard Limitations "New construction and additions outside of the exiting building envelope in both RH-1 and RH-2 zones must follow an overriding 45 percent rear yard open space policy" (building footprint may be 55% lot coverage.
- 8. Apartment #4's Email Correspondence with Homeowner and Homeowner Reply.
- 9. Apartment #4's Current South-Facing Views



PICTURE 1



781971125 EXHIBIT canelia trac Deck View towards Prime yord, south facing.

Windows Intere Massiements

14 PSX-Spinis

line will move east

IN hime's expension.



The KHAR LANGE TO DAK TEN
Shotrees will allow direct views miside my home Jack farms Starth -



Looking west along Proporty line. Several big trass. Mail # **EXHIBIT 6** From: Allean Rowe allegous literations of Page 1997 Subject: Building Permit 2017; 10:26:2312 for 2552 Baker Street, 94123 Date: November 19, 2018 at 1,43 PM Te: assundra.timy/ifatgov.org Co. 30th rehainstration org. Dear Mr., Workly, Please see my inquiry/regarding Permit Application 2017; 10.26:2312. It is attached The email chain below is the history of questions and answers I have had with the proposed building permit. There are major issues that have not been resolved time is nothing out before the deadline, and the holidays are encroaching. Thank year. Atlaco Flower 2785 Green Street, #1 San Francisco, CA 94123 Building Depart...me.pdf QUESTION AND ANSWER HISTORY Begin forwarded message: Fram: Josh Ports Gentmellismst.com+ Bubbech Re: 2002 Baker Street. Date: November 8, 2016 at 5:04:37 PM PST Ter Alte Nowe - alliances all value, com-Ob Charatte Heas Frime < chasponnesigmal.com/ FILSHAULT, I unturbuilably don't have a way to answer your question about the trees right now. We are ourselfly focused on the Europing and have not addressed the landscaping, yet. As I saud, we hope to have an much green (iii. shrubs and trees) as possible. Dest. Apple Sent from my iffroms On Nov S. 2018, at 10'40: Alde Rowe vallengee Dyafton open-write. Lien under about my question #7 7. What do you plan to do with each of the large trees that border my apartment? Do Nov II. 2018, at 16:12: Josh Phine -(eprime@amail.com> wrow: Thank you for your ertail. I wan working on a response to potentary's ensuls and then recoved your additional questions. If try to arterior your questions and charly the plans below: 1. Stars: the planning department allows certain features to extend past the 25% time. These are called permitted obstructions. In this particular case, the code allows the stairs to extend into the serback line but only for 6 feet and Previous Conty before 3 first in height, (\$10, 136)(314)) Construction days & hours: we will plan to work outdomary hours but nothing has been decided, yet Landboaping we have not decided as final landscaping but sell lively plan to have as much green as possible in the bsoyves. 4. Deck: I will call out the deckigarage legend to the profitects; to your point. It likely won't affect the premi

Email #2

+ does not

- Candidating. I believe #3 above should address your gaestions about strubbery for now
- (0) Windows: There is a notich planned to accommodate the sendows for the units above our bacement lovel. this is a 21
- appropriate

 (12) Timeline: untortunately, still undetermined, se you know, we have been trying to work on our plans for years but I tryly hope the construction furneline is shorter

 a more weekend.

 (Construction to keep the string together hopefully that is height.)

 (Nov it, 2018 at) 46 PM Alleon Flows -spheroses thamal posts wrote.

Have a nice weekend.

Joseph .

PS - I copacidated the emails below to keep the strep together, hopefully that is helpful

St. Fri. Nov 9, 2018 at 3 At PM Alson Flows «alterowed/amail.com» wrote: HE-CHARTEST A JUST.

I thought 7d summarce my comments and questions in one email:

MY PRIVICY - #1 CONCERN

- You may not realize that I work in my litchen. Both privacy and returns light are performing important to me and Tve enjoyed. that privacy for over 20 years. If am sure you appreciate privacy from you uptill neighbor, where about a 12" + tercelistations wall danch between you bull.
- 2. My bitchen has a large window (35" write x 50" high, energy dimension) is on the properly from which directly farm your york.
- 3. My private deck is considered part of my apartment unit even though it is outdoors. While there is a garage underneath my deck, we are on a hill and the deck in flush with your back yard. It is on top of the garage and part of my private fiving space. The plans call deck a /1 STORY GAPAGE and my outdoor living space is not a parage.
- 4. There are four major trees on the edge of your property which are directly edjacent to my apartment unit and private deck. I am concerned that these four large trees were condied from the Existing/Demo Site Plan and the Proposed Site Plan and that the ground in which they grow is called a PLANTER. The PLANTER area is the actual ground that is separated from a small ben brick width wall (\$17), which asparates those large from timby planted into the ground from the slightly higher part of the lovel yard. The PLANTER areas do not seem to be planters in the haddlone sense.
- 5. The plans do not about the large trees that protect my proces. Two 30 + high trees with side, lose-level transities and leaves. are directly in fight of my lateries window, which creates privacy in my apartment white allowing good at-day light. The trees, branches and leaves have been here for decades. Hemoving them would hurt my pinkery because I could see into your back. yand and you'your kids could see into my apartment.
- 6. Notifier set of prime note the large cameria tree adjacent to my deck. In addition to the beauty of the flowers every sear. The tree provides pretty fowers and additional privacy between my apartment and your back yant. The Existing little Pair shows prty prie tree in the south east corner of your yard.
- 7. What do you plan to do with each of the large trees that bolder my apartment?

STARS TO YARD - PART OF HOUSE STRUCTURE.

5. Do starts that connect a frouse to the back yard court as part of the house structure? Your plans show the back yard starts. extend beyond the 25% line by about 6. Your part's 25% eathers is 25' 1.5' deep 125% at 100 6' local for depths. The proposed soon appear to extend approximately 6 into the back yand, exceeding the limit by 24%.

BLOCKING WINDOWS OF UNITS 2, 4, AND 6 IN MY BUILDING

0. Fam not save I read the plans property. It look the the new toppe will completely book the south-facing windows of three of my neighbors. Units 2, A, and 6, is that right?

MISCELLANEOUS

- 10. What are your plans for the fance that stands between my dock and your back yard?"
- TT. What are your planned communities days and hours?
- 12. How many years do you expect the retuild to lake?

I look forward to getting clear on your plane. Thank you

Sincerelly

Albinot

Email #3

on This Not B 3048 at 5.55 PM About Flower values well subseques wroten

- 1. Its you plan to lessig the last large trees that create privacy white leaving light that grow between my little and your back part? Your plants note a "planter" under my window. This sounds like I will now see into your back yard, and obe versa.
- Affrough it may not affect anything, I would like to specify that your plans denote my private deck as a "I story garage".
 While there is a garage underheath my disck, we all are on a Nill. My deck is on top of the parage and part of my firing specie. It is Right with your back yant.

I look forward to learning more about your plant.

Co. Thu, Nov. E, 2018 at \$10 PM Alson Rows -allienteed values com-write-HCCRESTON & John.

Do the allam count as just of the house structure? It home they extend beyong the 20% line.

What are your planned construction days and hours?

Allester.

- > On Nov 8, 2016, at 4.23 PM, charlote hass prime -chasspotte@gmel.com+ write:
- > 10.88mm.
- > Sutro contacted on to let us know that you have questions regarding our plans. We are happy to talk to you and answer any further questions you may have. If it is more technical, we can always loop Sutro in as well. How is bed to talk - email, phone or to have you come over? Please let us know what works for you.
- in Chartotte & Joseph
- > Sent from my if hore

Cow Hollow

NEIGHBORHOOD DESIGN GUIDELINES



APRIL 2001

COW HOLLOW ASSOCIATION



The Planning and Building Codes establish basic limitations on the size of a building. A building built out to the legal limits established for height and setbacks and rear yards may, however, result in a building which is not compatible with the character of its neighborhood.

To address this problem, Section 311 of the Planning Code establishes procedures for review of building permit applications in Residential Districts in order to determine compatibility of the proposal with the neighborhood.

The Cow Hollow Neighborhood Design Guidelines establish minimum criteria for neighborhood compatibility, not the maximum expectations for good design. Meeting the criteria will not alone assure a successful project. A successful project will require sensitive design, careful execution, and use of quality materials. A thoughtful application of the guidelines will, however, assist in creating a project that is compatible with neighborhood character, and will reduce the potential for conflict and the delay and expense of project revisions.

The Cow Hollow Neighborhood Design Guidelines do not prescribe specific architectural styles or images, nor do they encourage direct imitation of the past or radical departures from the existing design context. There are many appropriate design responses to a given situation. These Guidelines are most concerned with whether the design respects the project's context, and consciously responds to patterns and rhythms on the exterior and interior block-face with a design that is compatible and that will contribute to the quality of the neighborhood.

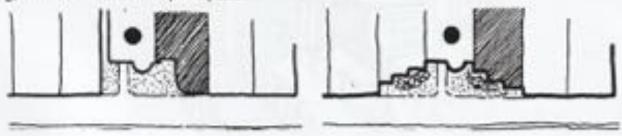
Because of the diversity of architecture in Cow Hollow, there is great opportunity for design to drifty and contribute positively to the existing visual context. The key issues for the Cow Hollow neighborhood are preservation and enhancement of the neighborhood character as perceived from the block face as well as the rear facades of buildings, which includes enjoyment of the mid-block open space. These play an important role in the definition of a backdrop for lower neighboring districts and for the Presidio, a National Park. Even after meeting the basic structural criteria set forth in these Neighborhood Design Guidelines, project sponsors and designers must work to sensitively respond to the other visual design characteristics addressed here. Attention to scale, proportion, texture and detailing, building openings, etc. will help to unify the neighborhood in a positive way.

The Cow Hollow Neighborhood Design Guidelines are intended to be used by project sponsors and their designers in the project design process, by neighbors and community groups in their review of projects, and by the Department of City Planning staff and the City Planning Commission in their review and approval or disapproval of projects.



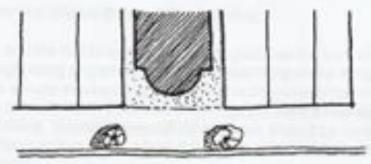
Acknowledge Significant Neighboring Buildings

In some cases, a proposed project is adjacent to a historically or architecturally significant building. These structures are often set back from the street or are on wider lots with gardens in front. For these lots, open space can sometimes be even more important than the building itself. The setback treatment should be sympathetic to the importance of the building, its setback and the open space.



Provide a Setback to Accommodate Projections of Architectural or Decorative Features

Except for minor encroachments, architectural or decorative features are not permitted to overhang the sidewalk for the first 10 feet above the sidewalk, a height intended to provide the pedestrian adequate headroom. Therefore, in order to allow for appropriate architectural or decorative features at the base of the building, the building may need to be set back from the property line.



D. Rear Yards

Rear yards are the spaces between the back of the building and the rear property line. In addition to serving the residences to which they are attached, they are in a sense public in that they contribute to the interior block open space which is shared visually by all residents of the block.

- Is there a pattern of rear yard depths creating a common open space?
- Will changing this pattern have a negative effect?
- Are light and air to adjacent properties significantly diminished?

Respect Rear Yard and Adjacent Buildings

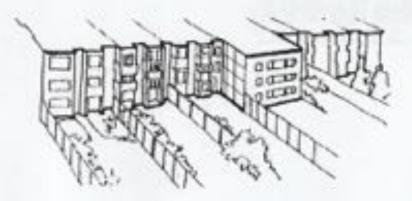
Intrusions into the rear yard, even though permitted by the Planning Code, may not be appropriate if they fail to respect the mid-block open space and have adverse impacts on adjacent buildings.



In Cow Hollow, the mid-block open space constituted by the open adjoining rear yards are a major and defining element of the neighborhood character. Preservation of these the mid-block open space is an important goal of these Neighborhood Design Guidelines. Not only should rear additions respect the midblock open space, but they should also minimize adverse impacts on adjacent buildings, such as significant deprivation of light, air and views. Expansions should be designed to avoid overshadowing neighboring gardens, existing sunit secks, sunny yard space, or blocking significant views.

Finish the Rear Facade and Visible Sides of the Building

The rear of the building, and the visible sides, while not as public as the front of the building, still are in view of the neighboring properties, and often, depending on the topography, of those far beyond. This facade should also be compatible with the character of its neighborhood. The exposed siding of a rear extension should be architecturally finished because of its visual impact on adjacent properties. Exposed plywood, for example, should be considered inappropriate in the Cow Hollow neighborhood, where the majority of the building facades are finished with siding or stucco.



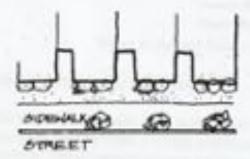
E. Side Spacing (Side Yards)

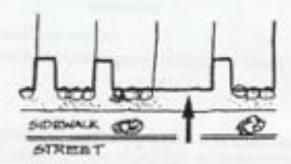
Spacings are the separations, existing or perceived, between buildings. Side or "notchbacks" between buildings help to underscore the separate nature of each unit and set up a characteristic rhythm to the street scape composition.

- Is there a pattern of side spacing between the buildings?
- Will changing this pattern have a negative effect?
- Can a negative impact be minimized by changing the design?

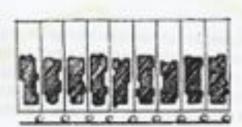
Respect Spacing Pattern

As with front setbacks, a poorly designed side setback between buildings can strongly impact the neighboring buildings as well as be visually disruptive.



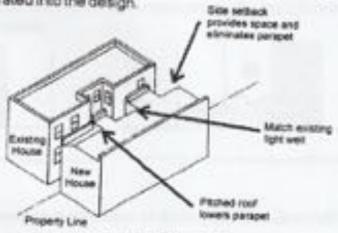


Proposed projects should respect the existing pattern of spacings between buildings.



Incorporate "Good Neighbor" Gestures

Often a small side setback or notch can prevent blockage of a neighbor's window or light well. or a slight reduction in height can avoid blockage of a view. These kinds of "good neighbor" gestures should be incorporated into the design.



Drawing by Ruth Segelikmoid Lerner, AlA

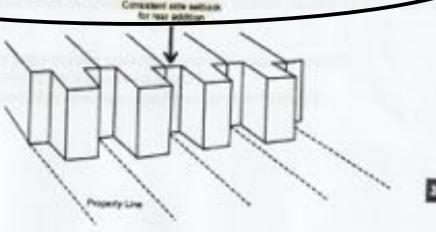
Ways to Adjust Envelope and Add Light/Preserve Neighbor's Views

Lateral Lighting, Air and Views

Where side yards exist, new buildings or expansions should be designed so as to preserve these side yards in their entirety and thus to protect the privacy of and light to neighboring buildings. When rear additions impinge on light and air to adjacent homes, serbacks can be used to preserve the extent of light and air intended in the existing design.

Rear Expansions

In attached homes in Cow Hollow, the lack of side yards limits light received by residences and limits the sight lines (air envelope) around the residences. For this reason, attachare particularly vulnerable to deprivation of light and air by a neighboring rear expansion. perefore, it is particularly important in attached homes that the rear additions be set back at their sides as much as necessary to preserve the existing extent of light and air to adjacent." structures, as shown in the following figure.



Cow Hollow Association Policies

D.1 Rear Yard Setbacks and Open Space

As described above in the section Cow Hollow Neighborhood Character, the Cow Hollow Neighborhood is zoned predominately RH-1 and RH-2. The San Francisco Planning Code establishes a 25 percent rear yard open space requirement for the RH-1 zone, meaning the building may cover 75 percent of the lot. The Planning Code requirement for the RH-2 zone is a 45 percent open space requirement, or, the building may cover 55 percent of the lot. Because the RH-1 and RH-2 zones are intermingled, as shown in zoning diagram figure in Section 1, the Cow Hollow Neighborhood would benefit from a consistent rear yard open space requirement.

Cow Hollow Neighborhood Policy:

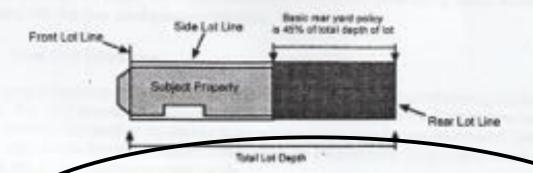
New construction and additions outside of the existing building envelope in both RH-1 and RH-2 zones must follow an overriding 45 percent rear yard open space policy. (See Next Page for Diagram)

This policy will primarily Smit expansions of existing homes within the RH-1 zone. According to analysis performed by the Cow Hollow Association, presented in greater detail in the Cow Hollow Neighborhood Character section of this document, 34 percent of the RH-1 lots can expand under this policy (169 lots). The remainder of the lots (328 lots) are built out, with 55% or greater lot coverage. This rear yard policy, however, must be considered along with the rear yard equalization policy, described immediately below.

Cow Hollow Neighborhood Policy: The only time an extension into the 45 percent rear yard open space requirement is allowed is when both adjacent neighbors intrude into that space. The extension must be measured by "equalization" to the more complying of the two adjacent properties.

(See Next Page for Diagram)

Cow Hollow Neighborhood Policy RH-1 and RH-2 Rear Yard Setback

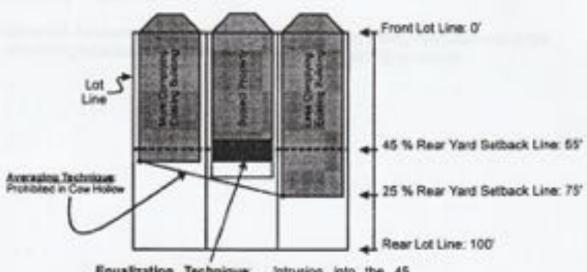


Cow Hollow Neighborhood Setback Policy compared to Planning Code:

RH-1: Reduction in building footprint from 75 percent lot coverage to 55 percent lot coverage.

RH-2: No reduction in building footprint.

Cow Hollow Neighborhood Policy Rear Yard Equalization for RH-1 and RH-2



Equalization Technique Intrusion into the 45 percent rear yard space should be allowed only when both neighbors are within the 45 percent area. In this case, the subject property may expand to the more complying of the two adjacent properties. Equalization is distinct from "averaging," as depicted.

Equalization should be based on legally installed and permitted extensions. If a neighbor has an illegally constructed rear yard extension, equalization based on measurement of the illegal structure should not be allowed. Equalization is distinct from averaging, which allows for creeping into the rear yard space indefinitely.

D.2 Rear Yard Extensions

Rear yard extensions allowed by the Planning Code often have overwhelming impacts on rear yards. The 12 foot extension allowed by the code is prohibited in the Cow Hollow neighborhood, in order to preserve the limited rear yard open space in the neighborhood. Generally, these extensions diminish midblock open space by breaking the continuity of views and green space shared by neighboring rear yards.

> Cow Hollow Neighborhood Policy: No 12-foot rear yard extension. The 12foot extensions allowed by the Planning Code is prohibited in the Cow Hollow Neighborhood in order to preserve valuable midblock open space.

Finish of the Rear Façade and Visible Sides of the Building

The rear of the building, and the visible sides, while not as public as the front of the building, still are in view of neighboring properties and often, depending on topography, of those far beyond. This façade should also be compatible with the character of its neighborhood. The exposed siding of a rear extension should be architecturally finished because of its visual impact on adjacent properties.

Exposed plywood, for example, is prohibited in the Cow Hollow Neighborhood where the majority of building facades are finished with shingle, brick, siding or stucco.



From: Katie Woodruff katie.woodruff@gmail.com

Subject: Fwd: 2552 Baker Street Permit Date: December 3, 2018 at 11:27 AM

To: allierowe@gmail.com

This is what I sent tot he architect.

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

From: Katie Woodruff < katie.woodruff@gmail.com >

Date: Thu, Nov 29, 2018 at 3:20 PM Subject: 2552 Baker Street Permit To: <hr/>
-HSeldin@sutroarchitects.com>

Hello,

I am writing in regards to the permit application for the rear addition add on for 2552 Baker Street as I feel I'd be greatly impacted by my kitchen window that would evidently be walled off? It looks like only 3 feet of space that would allow for very little sunlight. I currently get a fair amount of light from that window and have a view of trees.

The second is that per the plans it looks like "all existing trees remain" Is that true? Per the drawing, and the trees I currently see outside my kitchen window, it looks like the trees are actually denoted as planters? Can you please clarify this for me?

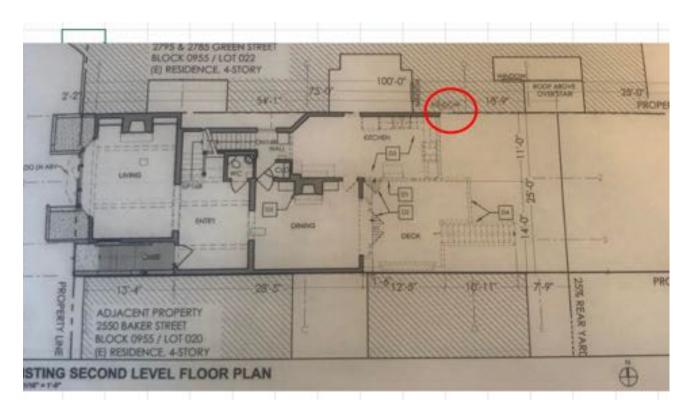
I have lived there for nearly 9 years; the idea of a wall outside of my kitchen window and the only trees I see regularly from my living space is not something I would like to see happen, not to mention the environmental impact.

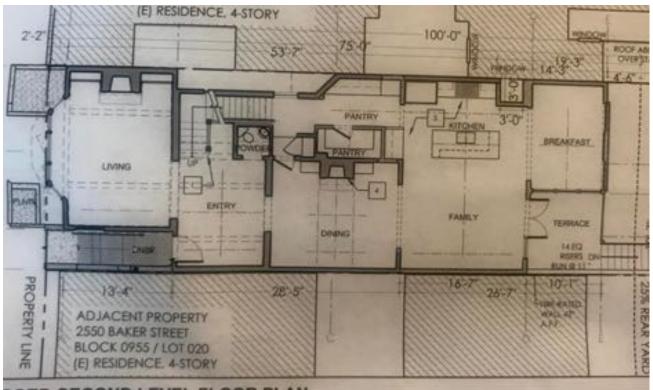
Lastly, our neighborhood has been a non-stop construction zone for years. I'd also like to understand the intended timing of such a project, inclusive of hours of construction. While no fault of your client, the construction has all been extremely disturbing. Perhaps this is something to address with the city planner but if you could please clarify my questions regarding the actual plans, I would appreciate it.

Below I've circled the specific areas or concern. I look forward to hearing from you.

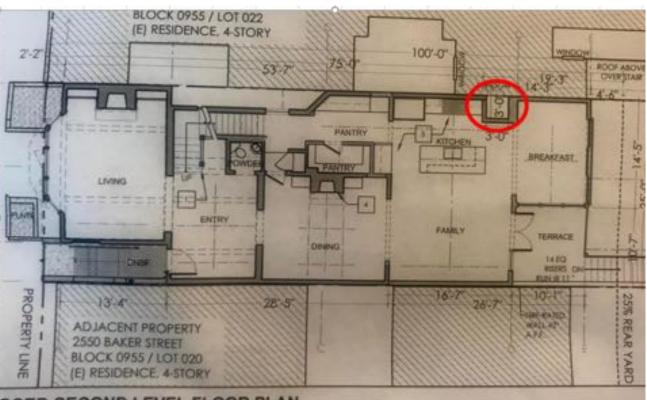
Thank you,

Katie Woodruff 2785 Green Street Apt 4

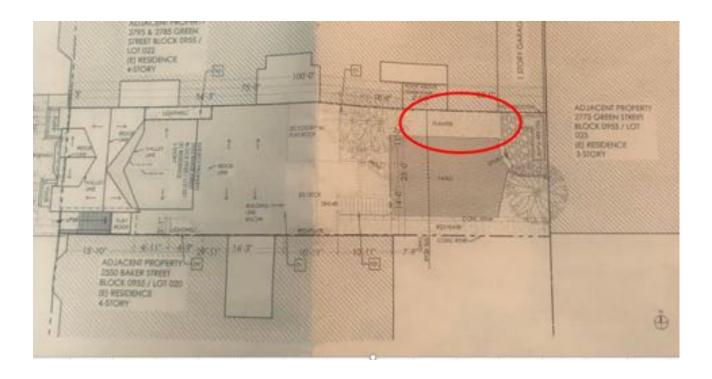




OSED SECOND LEVEL FLOOR PLAN



OSED SECOND LEVEL FLOOR PLAN



From: Katie Woodruff katie.woodruff@gmail.com

Subject: Fwd: Project @ 2552 Baker Date: December 3, 2018 at 11:28 AM

To: allierowe@gmail.com



This is what he responded.

-------Forwarded message ------From: Josh Prime <peprime@gmail.com>
Date: Fri, Nov 30, 2018 at 10:16 AM
Subject: Project @ 2552 Baker

Cc: Charlotte Haas Prime < chaasprime@gmail.com>, Helen Seldin < hseldin@sutroarchitects.com>, Georgianna Kleman

To: katie.woodruff@gmail.com
Cc: Charlotte Haas Prime chaas
katie.woodruff@gmail.com
katie.woodruff@gmail.com
katie.katie

Good morning Katie,

My name is Josh Prime and I am your neighbor to the south at 2552 Baker Street. Sutro Architects passed along your email and I wanted to respond directly.

We love our neighborhood and our home and our goal is to modify our house to adapt it to the needs of our growing family. In doing so, we need to update and expand our kitchen and add a bedroom. That expansion to the east will go beyond your window, but we have included a 3-foot light well to allow as much space as possible to give you continued light and air.

As for the landscaping, we have not decided on final plans. We are environmentally conscious people and hope to have as much green in the backyard as possible.

Finally, we agree about the the amount of construction in the neighborhood. We will plan to work customary hours but nothing has been decided on the timeline, yet.

Please let us know if you have more questions.

Best, Josh 2785 Green Apartment #4's Southern View (3rd Floor of 2785 Green Street)



From: Mike Davies <mike@madavies.com>
Sent: Monday, March 04, 2019 11:29 AM

To: Winslow, David (CPC)
Cc: Mike Davies; Rosie
Subject: Fwd: 2017-014420PRJ

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

David,

Thank you for taking the time to talk with us and explain the current status of the proposed 2552 Baker project. Attached here and in the following emails are some of communications with Alexandra Kirby outlining our concerns about the project. There were also several phone calls discussing our objections.

Please insert this email and the following comments in the record. I have decided to attend the DR meeting on the 14th and speak as well.

This project is directly next door and impacts our property and our tenants at 2785 and 2795 Green St.

The proposed addition will permanently block light and air flow to the kitchens of 3 units. The blocked windows are south facing and provide both warmth and light to the units. The small size of the light well will make maintenance of the structure and windows difficult or impossible. Should the project be approved despite our objections, we have requested that a maintenance agreement for the blocked areas be included in the approval.

The project will cause disturbance and loss of privacy to 12 households directly adjacent to the work. Should the project be approved despite our objections, we are requesting that the owners, architects and contractors accept responsibility in writing for any tenant claims related to the project. We also request contact information to be distributed to all tenants so they can address any problems directly with the owners and their representatives.

The property and proposed addition are supported below by a very high unreinforced masonry retaining wall. We would like the owners, designers, and their contractors to provide an engineering report attesting to the safety of the work and that there will be no potential impacts on the wall or our property below.

| Thank you |
|---|
| Michael Davies |
| |
| Forwarded message |
| From: Mike Davies < mike@madavies.com > |
| Date: Wed Mar 28 2018 at 10:44 AM |

Subject: 2017-014420PRJ

To: <alexandra.kirby@sfgov.org>

Cc: <amwaldman@sbcglobal.net>, Rosie <turbo508@mac.com>

Hi Alexandra

We are the owners of 2795 Green St, directly next door to the proposed project at 2552 Baker. We have many concerns about this project, particularly that it covers the windows in of our tenants apartments. The tenants are also expressing concern and I believe rightly so. We request that we be informed of the status of this project and any milestones or changes as you progress in your review. I am always available by email, text or phone at 415-497-5950.

Thank you

Michael Davies

--

Mike Davies PO Box 1819 La Jolla, CA 92038 415-497-5950

RESPONSE TO DISCRETIONARY REVIEW (DRP)





SAN FRANCISCO PLANNING DEPARTMENT

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

| Project Information | | | | |
|---------------------|--|---|--|--|
| Pro | Property Address: | Zip Code: | | |
| Bu | Building Permit Application(s): | | | |
| Re | Record Number: Assigned | d Planner: | | |
| Pr | Project Sponsor | | | |
| Na | Name: | Phone: | | |
| Em | Email: | | | |
| Re | Required Questions | | | |
| 1. | Given the concerns of the DR requester and other concerns project should be approved? (If you are not aware of the issues requester in addition to reviewing the attached DR application.) | | | |
| 2. | 2. What alternatives or changes to the proposed project are y concerns of the DR requester and other concerned parties' meet neighborhood concerns, please explain those change or after filing your application with the City. | If you have already changed the project to | | |
| 3. | If you are not willing to change the proposed project or pur that your project would not have any adverse effect on the of your needs for space or other personal requirements that requested by the DR requester. | surrounding properties. Include an explaination | | |

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

| | EXISTING | PROPOSED |
|--|----------|----------|
| Dwelling Units (only one kitchen per unit - additional kitchens count as additional units) | | |
| Occupied Stories (all levels with habitable rooms) | | |
| Basement Levels (may include garage or windowless storage rooms) | | |
| Parking Spaces (Off-Street) | | |
| Bedrooms | | |
| Height | | |
| Building Depth | | |
| Rental Value (monthly) | | |
| Property Value | | |

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

| Signature: | Date: |
|---------------|---------------------------------|
| Printed Name: | Property Owner Authorized Agent |

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

ATTACHMENT 1

RESPONSE TO REQUEST FOR DISCRETIONARY REVIEW FOR 2552 BAKER STREET

Question 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.)

SUMMARY OF THE KEY ISSUE AT THE HEART OF THE DISCRETIONARY REVIEW REQUEST

The Discretionary Review (DR) request submitted by Alison Rowe has no merit and was filed to try to remedy one issue which has already been addressed by the project sponsor (the Prime family): the DR requestor is concerned that trees located in the project sponsor's backyard which provide privacy for her property-line kitchen window and deck be preserved. Figure 1, below, shows the location of the Prime's existing rear yard and existing trees in relation to the DR requestor's property-line kitchen window and deck. Figure 2, below, shows the locations of the DR requestor's property-line kitchen window and deck as those locations relate to the proposed project. Figure 3, below, is a photo of the approximately six-foot-high fence between the Prime's rear yard and the DR requestor's deck. Figure 4, below, shows the location of the DR requestor's kitchen property-line window from the Prime's yard.

The Commission should deny the request and approve the project as proposed for the following reasons:

- 1. The proposed plans do not include removal of any trees that provide privacy to both the Primes and the DR requestor.
- 2. The Primes have stated explicitly in a letter sent to Ms. Rowe dated January 18, 2019 (See **Exhibit A, attached**), that they, like the DR requestor place a high value on the privacy provided by their trees, that it is not their intent to remove the trees, that they will be asking their contractors to "...take all reasonable steps to preserve the existing trees" and that "If, for some reason, the trees are fatally damaged by the construction (which we do not anticipate), we will be planting at least one large replacement tree in approximately the same location..."
- 3. The DR requestor has not identified any exceptional or extraordinary circumstances that justify taking discretionary review and the project is compatible with the neighborhood,

- complies with the Planning Code, and is consistent with the San Francisco Residential Design Guidelines and the Cow Hollow Neighborhood Design Guidelines.
- 4. The Primes and their project have the support of many of their neighbors including adjoining property owners.



FIGURE 1. LOCATIONS OF DR REQUESTOR'S DECK AND PROPERTY-LINE KITCHEN WINDOW IN RELATION TO PROJECT SPONSOR'S EXISTING REAR YARD



FIGURE 2. DECK AND PROPERTY-LINE KITCHEN WINDOW LOCATION IN RELATION TO PROJECT



FIGURE 3. PHOTO FROM THE PRIME'S YARD SHOWING FENCE BETWEEN THE YARD AND THE DR REQUESTORS DECK



FIGURE 4. PHOTO FROM THE PRIME'S YARD SHOWING DR REQUESTORS PROPERTY-LINE KITCHEN WINDOW

DETAILED RESPONSE TO EACH OF THE CLAIMS IN THE DR APPLICATION

The DR requester identifies three reasons for requesting DR in her application. Each of these claims is followed by our response.

1. <u>"The plans are inaccurate."</u> On page 5 of DR Application Ms. Rowe states that "The back yard's existing/demo site plan is inaccurate. It is missing all but one large tree. The existing plan also shows planters that do not exist. The proposed site plan is identical to the existing site plan, as if there will be no changes to the yard." Please note that Ms. Rowe is only referring to the notes on the plans for the yard, not to the plans for the house.

Project Sponsor's response to the claim that the plans are inaccurate: This claim is simply false. The plans for the project accurately reflect existing and proposed conditions for the modification to the home that would require Planning Approval or a Building Permit. The 'planter' is an existing planted area that is two small steps and approximately eight inches below the rest of the yard, and is shown in **Figure 5**, below. Detailed landscape plans are not required for this type of permit. **Exhibit B, attached**, does not describe any modifications to the rear yard that would require a permit.



FIGURE 5. PHOTOGRAPH SHOWING EXSITING PLANTER/PLANTED AREA IN PRIME YARD

2. <u>DR Requestor mistakenly thinks that trees will be removed</u>. On page 5 of DR Application, the DR requestor states that "The many trees [in the 2552 Baker Street backyard] have been firmly rooted in the ground for decades. This matters because removing the trees will completely remove my privacy."

Project Sponsor's response to the claim that the trees will be removed. Ms. Rowe's primary reason for requesting Discretionary Review is that she is worried that the trees in our backyard provide privacy and that if they are damaged during construction, she will lose her privacy. First of all, **there are no plans to remove trees – the trees are not part of this project**. And second, with some exceptions, the Planning Department has no jurisdiction over tree removal on private property. While not required to do so, to be good neighbors, we have already agreed to address Ms. Rowe's concern and assured her so in a letter sent on January 18, 2019 and attached as **Exhibit A**, which states that:

"We intend to continue...nurturing greenspace during and after the construction process. To that end, we will be asking our contractors to take all steps to preserve the existing trees. If, for some reason, trees are fatally damaged by the construction (which we do not anticipate), we will be planting at least one, large replacement tree in approximately the same location to provide us with greenery, and consequently, both of our homes with privacy."

Ms. Rowe responded to the January 18 letter by demanding a contract regarding the trees in the Prime's backyard. This is unreasonable and we can't agree to this demand for a legally-binding contract regarding our trees.

3. <u>DR Requestor makes a broad claim that the design does not meet the Cow Hollow Neighborhood Design Guidelines without providing adequate narrative to support this assertion</u>. On page 5 of the DR Application the DR requestor states that "The design does not meet Cow Hollow's Design Guidelines."

Project Sponsor's response to the claim that the design does not meet the Cow Hollow Guidelines. The DR requestor makes this claim without narrative to support it. Instead, she includes a copy of pages from the Guidelines with approximately 11 guidelines or drawings circled and highlighted and/or underlined.

For example, DR requestor's Exhibit 7a is page 2 of the CHNDGs, with the following statements circled, highlighted, and underlined: "The key issues for the Cow Hollow neighborhood are preservation and enhancement of the neighborhood character as perceived from the block face as well as the rear facades of buildings which includes enjoyment of the mid-block open space."

Contrary to what the DR requestor implies, our proposed project is entirely consistent with this principle. As shown in **Figures 6 and 7**, the project preserves and enhances the neighborhood character from the front façade as no changes are proposed to the front façade except the addition of a door to the right of the garage door. No portion of the historical façade is changing so that the existing historic character of the building and neighborhood character will be protected.



FIGURE 6. PHOTOGRAPH OF EXISTING FRONT FAÇADE



3 EXISTING/DEMO WEST ELEVATION

EXISTING WEST ELEVATION KEY NOTES:

DI (N) DOOR TO GARAGE



4 | PROPOSED WEST ELEVATION

FIGURE 7. EXITING AND PROPOSED BAKER STREET (WEST) ELEVATIONS

The project also preserves and enhances the neighborhood character and the mid-block open space at the rear of the property by providing a rear façade design that is in keeping with the neighborhood character (see **Figures 8** and **9**) and by limiting the rear yard extension to 14'-3", which is less than that permitted by the Planning Code, at just the first and second floors. Moreover, as shown below in **Figures 10** and **11**, the project maintains the mid-block open space pattern, maintains a rear yard that is similar to the rear yards to the south at 2550, and 2544-46 Baker Street. It is also important to note that there is no rear yard provided at all for the DR requestor's building. As shown in **Figure 10**, the building in which the DR requestor resides at 2785-2795 Green, adjacent and to the north, covers the entire lot providing no rear yard.

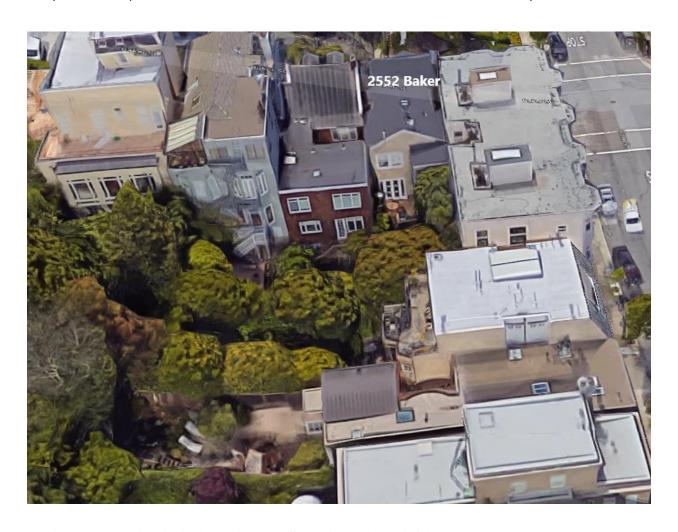
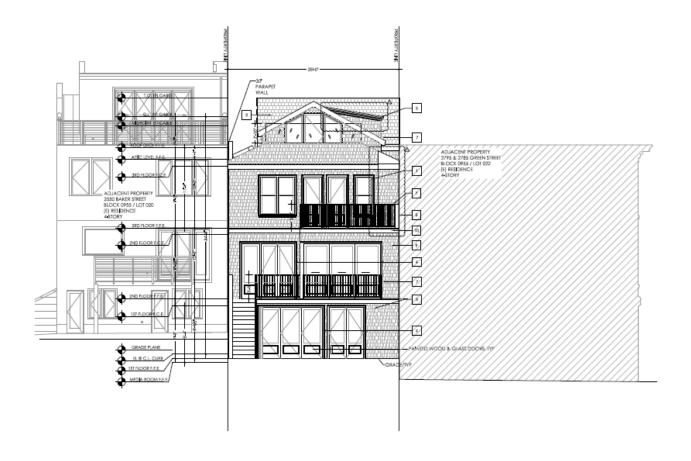


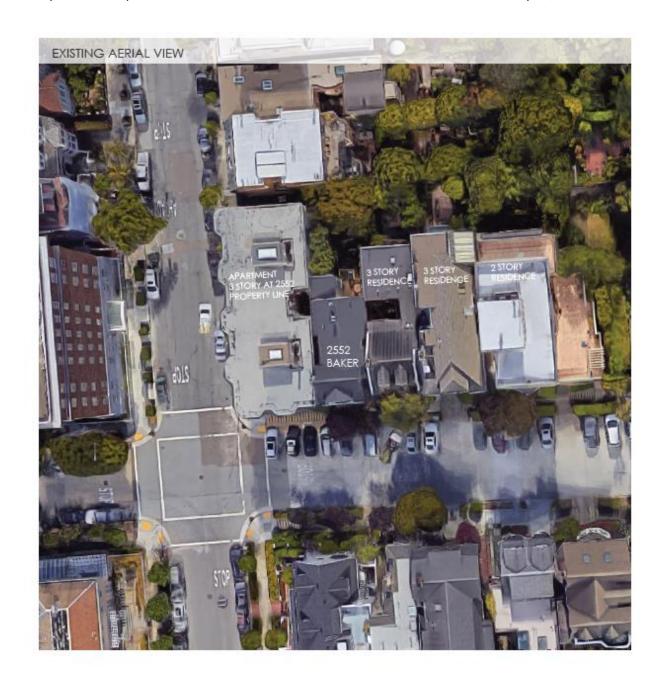
FIGURE 8. PHOTOGRAPH OF EXISTING REAR FAÇADE



PROPOSED EAST ELEVATION

1/4 • NO STATE OF THE PROPERTY OF THE

FIGURE 9. PROPOSED REAR FAÇADE



SUTROARCHITECTS

FIGURE 10. EXISTING REAR YARD

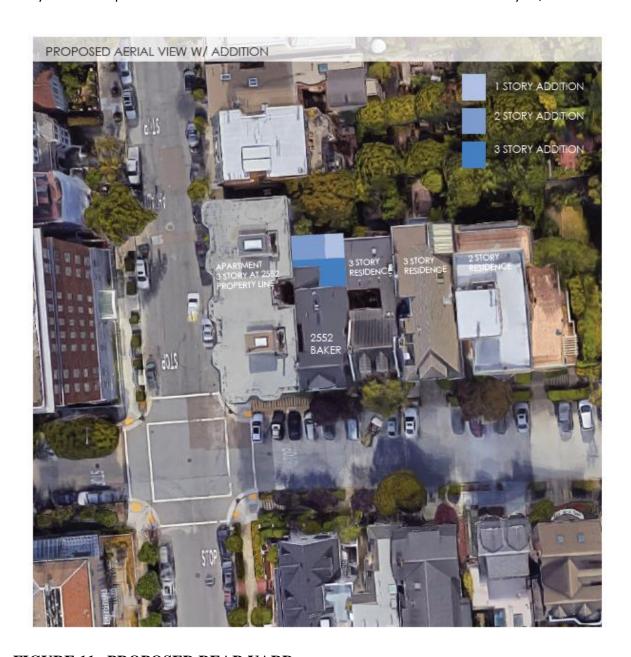


FIGURE 11. PROPOSED REAR YARD

Another Cow Hollow guideline underlined in DR requestor's Exhibit 7b, which is page 28 of the CHNDGs, "Are light and air to adjacent properties significantly diminished?" The DR requestor does not demonstrate that the project would cause significant reductions in light and air to adjacent properties. In fact, although not required, the project was revised well prior to the issuance of the 311 Notice to provide three-foot setbacks, at the second, third and attic levels from these property-line kitchen windows at the request of Mike Davies, the owner of the apartment building in which the DR requestor resides (2785-2795 Green Street). The location of the added lightwells are shown in **Figure 12**.

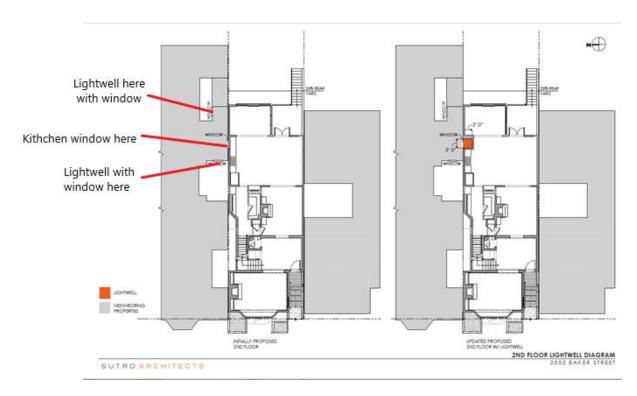


FIGURE 12. LIGHTWELL ADDED TO 2^{ND} FLOOR TO PROVIDE SETBACK FROM PROPERTY LINE WINDOWS NEXT DOOR (THE LIGHTWELL WAS ADDED TO THE 3^{RD} FLOOR AND ATTIC LEVELS AS WELL)

While not listed under the reasons for the DR request on page 5 of the Application, the DR Requestor states under the Project Description heading on page 1 of the Application that "The expansion will remove privacy, air and/or light to apartment and three others at 2785 Green Street, which shares a border with the [sic] 2552 Baker. It also will remove mid-block open space views. Three of my apartment neighbors would see walls of a lightwell instead of greenery." Please see the responses under item 2 above regarding greenery and landscaping – these features will be preserved or replaced. Regarding light and air impacts to property line windows in the apartments she refers to, as noted in the preceding paragraph, although not required, the project was revised well prior to the issuance of the 311 Notice to provide three-foot setbacks from these property-line windows that are not code-compliant. Moreover, there are other windows close to the kitchen (and perhaps even within the kitchen or adjacent porch/pantry) so natural light and air will be maintained to those spaces. Also, as shown in **Figure 12**, the adjacent 2785-95 Green Street building has two large lightwells with windows adjacent to the kitchens.

Question 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.

As stated in our letter (Exhibit C) we will maintain as many trees as possible and provide replacement landscaping to provide screening between the DR requestor's kitchen window and our back yard.

The project was modified from the original design to address concerns that Mike Davies, the owner of 2785-95 Green had regarding his property line windows. (This is the same building in which the DR requestor is a tenant.) He was concerned that the project would reduce light and air to some of the property-line kitchen windows in his building. Although not required, as a neighborly gesture, we revised the project to provide a three-foot setback from these property-line windows on the second floor, third floor, and attic level. In direct communications with Sutro Architects, the owner of the building, Mr. Davies, expressed satisfaction with the addition of the lightwell and removed his 'block' on the project.

A majority of neighbors either support the project, as demonstrated by the list of nine neighbors in support and the six letters submitted to date which are provided in **Exhibit C**, or are not opposed to the project. **Figure 13** shows the location of neighbors who support the project, including the neighbors immediately adjacent to the south at 2550 Baker, the neighbors immediately adjacent to the north at 2795 Green #2, and the neighbors immediately adjacent to the east at 2775 Green.

Question 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.

As stated above, the Prime's have already agreed to address the DR requestor's concern in their January 18, 2019 letter; they intend to preserve the trees and would replace those which may be unintentionally damaged. The DR requestor has been unreasonable in asking that the Prime's enter into a legally binding contract with her regarding the Prime's trees.



NEIGHBORS SUPPORTING PROJECT Letters of support and list included in Exhibit C

1 2550 Green 6 2801 Green

2 2545 Baker 7 2829 Green

3 2625 Baker 8 2854 Green

4 2795 Green #2 9 2872 Green

5 2775 Green

FIGURE 13. NEIGHBOR SUPPORT MAP

February 21, 2019

President Myra Melgar San Francisco Planning Commission 1650 Mission Street, #400 San Francisco, CA 94103

Re: 2552 Baker Street Discretionary Review -- March 14, 2019 Planning Commission Hearing

Dear President Melgar and Commissioners:

This Discretionary Review (DR) request filed about our home renovation project has no merit. It was filed by Alison Rowe, a tenant in an adjacent building, ostensibly to address one issue which we have already addressed: the DR requestor is concerned we preserve trees in our backyard that are not part of this project and that provide privacy for her deck and property-line kitchen window. We have told her that we intend to preserve those trees. Our Response to the Discretionary Review Application filed by Ms. Rowe is attached.

In sum, these are the reasons why this DR request is without merit and why you should deny the request:

- 1. The proposed plans do not include removal of any trees that provide privacy to the DR requestor.
- 2. We have explicitly stated in a letter sent to the DR requester (dated January 18, 2019), that we, like the DR requestor place a high value on the privacy provided by their trees, that it is not our intent to remove the trees, that we will be asking our contractors to "...take all reasonable steps to preserve the existing trees" and that "If, for some reason, the trees are fatally damaged by the construction (which we do not anticipate), we will be planting at least one large replacement tree in approximately the same location..."
- 3. The proposed horizontal expansion does not reach the portion of our rear yard bordering the DR requestor's property-line kitchen window or deck.
- 4. The deck for which she has privacy concerns is screened off from our yard by a six-foot wooden fence.
- 5. The DR requestor has not identified any exceptional or extraordinary circumstances that justify taking Discretionary Review: the project is compatible with the neighborhood, complies with the San Francisco Planning Code, and is consistent with the San Francisco Residential Design Guidelines and the Cow Hollow Neighborhood Design Guidelines.
- 6. Our neighbors overwhelmingly support our project.

Please deny this DR request and allow us to proceed with our modest expansion so that we can stay in our home of eight years in the neighborhood we love and provide additional needed space for our family of two parents and three children.

Sincerely,

Josh Prime and Charlotte Haas-Prime

2552 Baker Street

Cc: Jonas P. Ionin, Director of Commission Affairs

David Winslow, San Francisco Planning Department

EXHIBIT A

Josh Prime 2552 Baker Street San Francisco, CA 94123 jeprime@gmail.com (415) 310-5674

January 18, 2018

Alison Rowe 2785 Green Street, #1 San Francisco, CA 94123 allierowe@gmail.com (415) 756-7406

Dear Alison:

I understand that your opposition to our project is based on you wanting to keep some of the privacy afforded to you by the trees in our back yard. Let me take this opportunity to assure you that Charlotte and I want a very green backyard for our family and we, like you, place a high value on the privacy provided by our trees. In the nearly 8 years we have lived in our home, we have never once removed a tree or shrub from our backyard. All landscaping projects have been confined in scope to trimming overgrowth or planting new vegetation.

We intend to continue that trend of nurturing greenspace during and after the construction process. To that end, we will be asking our contractors to take all reasonable steps to preserve the existing trees. If, for some reason, the trees are fatally damaged by the construction (which we do not anticipate), we will be planting at least one, large replacement tree in approximately the same location to provide us with greenery and, consequently, both of our homes with privacy. We hope this alleviates your concerns and that you will withdraw your application for discretionary review.

Sincerely,

Josh Prime

Delivered by email and USPS

Copied by email:

David Winslow (david.winslow@sfgov.org)

Deborah Holley (deborah@holleyconsulting.com)

Charlotte Haas Prime (chaasprime@gmail.com)

Geoff Wood (ggwood@aol.com)

EXHIBIT C NEIGHBOR SUPPORT

LIST OF SUPPORTERS (Numbers keyed to Figure 13 locations)

1.Greg & Helena Lalicker

2550 Baker Street

San Francisco, CA 94123

2. Kathy Nyrop & Stephen Koch

2545 Baker Street

San Francisco, CA 94123

3. Mike & Beatie Seidenberg

2625 Baker Street

San Francisco, CA 94123

4.Zoe & Brian Kitch

2795 Green Street #2

San Francisco, CA 94123

5.Ned & Maya Segal

2775 Green Street

San Francisco, CA 94123

6. Jack & Irene Kraus

2801 Green Street

San Francisco, CA 94123

7.Tony & Shipley Salewski

2829 Green Street

San Francisco, CA 94123 8.Phil Black & Brigitte Sandquist 2854 Green Street San Francisco, CA 94123

9.Roy & Betsy Eisenhardt2872 Green StreetSan Francisco, CA 94123

LETTERS OF SUPPORT

Dear Mr. Winslow,

My wife, Zoe, and I have had the good fortune to live next door to the Primes for roughly eight years. Over that time, we've passed cookies and pies to Charlotte and Josh through our kitchen window on holidays, and received the same from them. Our 20-month-old daughter, Mabel, loves playing with the junior Primes (as well as the family dog). They're a great family and we'd like to keep them here in the neighborhood.

The Primes are conscientious and thoughtful and we trust that they have approached this construction project with that same mindset. We hereby agree to support the proposed project for 2552 Baker Street, San Francisco, CA 94123

Our address is 2795 Green St, Apt 2, San Francisco, CA 94123.

Sincerely,

Bryan Kitch on 2/12/2018

February 10, 2019

Stephen R. Koch 2545 Baker Street San Francisco, CA 94123

Mr. David Winslow Principal Architect

Design Review/Citywide and Current Planning San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Re: 2552 Baker Street, San Francisco, CA

Dear Mr. Winslow:

It has come to my attention that the plan to remodel 2552 Baker Street proposed by Josh and Charlotte Prime as been diverted into a Discretionary Review process. I am a neighbor of the Prime's, and I write this letter in support of the Prime's plan.

The Prime's plan for remodel and expansion is modest by the standards of what has been permitted in this neighborhood by the Planning Department. Further, the Primes have been transparent with the neighbors as to their plan and have diligently sought to inform and obtain neighborhood support, both from those directly affected by the plan and those more removed. I applaud the Primes' efforts. In fact, they have obtained the support of Mike Davies, the owner of the building most affected.

The Primes have lived in their home for many years and have three children. Their contribution to the neighborhood and cheery presence brings life to our street. In this economy and this achingly tight housing market, it is important to allow such a family to make a modest expansion to their home of long-standing so they can continue to live in the house in which their children have so far been raised. It would be a huge shame if the relatively minor concerns of a neighbor would get in the way of this modest (but important to the Primes) expansion.

We urge the Commission and the department to support the Prime proposal to remodel 2552 Baker Street.

Sincerely,

Stephen Koch and Kathy Nyrop

February 8, 2019

David

Winslow

Principal

Architect

Design Review I Citywide and Current Planning
San Francisco Planning Department
1650 Mission Street, Suite 400 I San Francisco, California, 94103
david.winslow@sfgov.org

Dear Mr. Winslow,

Thank you for taking the time to consider my letter. My wife, Helena, and I are neighbors of Josh Prime and Charlotte Haas Prime at 2552 Baker Street, San Francisco, CA 94123. Ever since we purchased our home at 2550 Baker Street, they have been very good neighbors and we have enjoyed living next to them. They are a very nice couple and have three terrific kids. I know that having had their third child in recent years, they need to upgrade their home to meet the changing needs of their family. They have been very open and collaborative with us regarding their plans for remodeling their existing home and I want to express my full support for these plans. We would hate to lose them as neighbors if they were forced to move to obtain a house more suitable to their needs. If I can provide any additional information regarding this matter, please do not hesitate to contact me. My email address is glalick er@hilcorp.com.

Thank you again for your consideration,

Greg Lalicker

4.

February 6, 2019 David Winslow Principal Architect Design Review | Citywide and Current Planning San Francisco Planning Department 1650 Mission Street, Suite 400 | San Francisco, California, 94103 Dear Mr. Winslow, We, Roy and Betsy Eisenhardt, enthusiastically support the new construction project proposed by Josh Prime and Charlotte Haas Prime at 2552 Baker Street, San Francisco, CA 94123. We need to keep this family in our neighborhood. They are great neighbors, participate in all neighborhood celebrations and get-togethers, and fully participate in our crime and neighborhood watch. We know they would like to stay in the neighborhood and have been working with their neighbors for many years to ensure that their remodel would be acceptable to all. [Full disclosure, Charlotte is the daughter of my brother. However, that is not the premise for our writing.] With three growing children, they need more space and their remodel requests for a family of 5 are quite modest and appropriate. In addition, like many of the homes in our neighborhood, theirs needs updating. In addition, Charlotte and Josh contribute fully to the San Francisco community with their service on many local committees and boards. It would be a loss to have them leave our community. Our address is 2872 Green Street, right around the corner, on the flat block where scooters and bicycles are welcome. Signed_

From: Brigitte Sandquist < b sandquist@hotmail.com >

Date: Tue, Feb 5, 2019 at 5:36 PM Subject: Prime Project on Baker Street

To: david.winslow@sfgov.org

Dear Mr. Winslow,

My husband, Phil Black, and I would like to offer our support to the new construction project proposed by Josh Prime and Charlotte Haas Prime at 2552 Baker Street in San Francisco.

We have know the Primes and their family for many years and love having them in our neighborhood. They have three kids, Olivia, James and Ben, and I'm sure they could use the extra space in their single-family home as their children grow. They are a positive, active presence on our block. We also know they will do a nice and tasteful job on their remodel. Its update will be a noticeable improvement to their block on Baker as well as to this corner of Cow Hollow as a whole. It's wonderful to keep families with children in San Francisco!

Please accept our approval of their project.

Sincerely, Brigitte Sandquist and Phil Black 2854 Green Street San Francisco, CA 94123

My cell phone # is 415-336-9379

From: <u>Seidenberg, Michael (AllianzGI)</u>

To: Winslow, David (CPC)

Cc:Seidenberg Beatie (beatie110@gmail.com)Subject:Josh and Charlotte Prime, 2552 Baker StreetDate:Friday, February 08, 2019 2:19:47 PM

Attachments: <u>image001.png</u>

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

Dear David,

I am writing today as a neighbor of Charlotte and Josh Prime (Michael and Beatrix Seidenberg 2625 Baker Street) and in support of their project. The Primes are a wonderful family who are pillars of the Green Street community. They are active in the various block activities, very present/inclusive and have 3 wonderful children. Ben, their youngest, is the official mayor of our neighbor and all three of them put a smile on my face when I see them. They are the type of family who make an effort to get to know everyone and we recently had dinner with a tenant (Zoe) from next door, the Primes, and our family. Our neighborhood prides itself on getting to know one another and it is one of reasons we chose to expand our own house as our family grew. The Primes want to stay at 2552 Baker Street and as their family has grown, they need to update, expand, and adopt their dwelling like others do in San Francisco (we did). The path of least resistance for them would be to move and not incur the numerous delays they have dealt with but they are committed to raising their family in the wonderful neck of the woods we call our neighborhood. These delays cut at the fabric of neighborhoods and families who live there and result in developers buying existing homes, causing a lot of noise, redoing a house, and flipping it. The latter is much less palatable as owners will be cognizant of their neighbors needs during construction and planning. As a side note, I am shocked a renter with no ownership interest has the right to delay their already delayed project by Mike Davies, the apartment building owner whose building was red tagged and is in constant disrepair but less I digress. In conclusion, we want the Charlotte and Josh to stay, their plan is beyond reasonable, and it is a shame they have been delayed. We support them 100%.

Best,

Mike and Beatie Seidenberg 2625 Baker St. SF, CA 94123

Michael Seidenberg



ALLIANZ GLOBAL INVESTORS
555 Mission Street, San Francisco, CA 94105
415.954.5458 Telephone
415.722.8533 Mobile
Michael.Seidenberg@allianzgi.com
www.us.allianzgi.com

February 6, 2019

David Winslow
Principal Architect
Design Review | Citywide and Current Planning
San Francisco Planning Department
1650 Mission Street, Suite 400 | San Francisco, California, 94103

Dear Mr. Winslow,

We, Roy and Betsy Eisenhardt, enthusiastically support the new construction project proposed by Josh Prime and Charlotte Haas Prime at 2552 Baker Street, San Francisco, CA 94123.

We need to keep this family in our neighborhood.

By Culars

They are great neighbors, participate in all neighborhood celebrations and get-togethers, and fully participate in our crime and neighborhood watch. We know they would like to stay in the neighborhood and have been working with their neighbors for many years to ensure that their remodel would be acceptable to all. [Full disclosure, Charlotte is the daughter of my brother. However, that is not the premise for our writing.]

With three growing children, they need more space and their remodel requests for a family of 5 are quite modest and appropriate. In addition, like many of the homes in our neighborhood, theirs needs updating.

In addition, Charlotte and Josh contribute fully to the San Francisco community with their service on many local committees and boards. It would be a loss to have them leave our community.

Our address is 2872 Green Street, right around the corner, on the flat block where scooters and bicycles are welcome.

Signed

Jebs 6, 2019

Feb 19, 2019

David Winslow
Principal Architect
Design Review; Citywide and Current Planning
San Francisco Planning Department
1650 Mission Street, Suite 400, San Francisco, CA 94103
david.winslow@sfqov.org

Dear Mr. Winslow,

We are writing to support the new construction project proposed by Josh Prime and Charlotte Haas Prime at 2552 Baker Street, San Francisco, CA 94123. We met Josh and Charlotte the day we moved into our home right around the corner on 2829 Green Street, and they immediately made us feel at home in the neighborhood. We have two children similar ages to theirs (they have three) and got to know each other better during sunny afternoon bike rides up and down the flat part of our block, lemonade stands, and sidewalk chalk drawing sessions. Charlotte's Aunt, Becky Eiserhardt, lives on the other side of our block, and together they help our whole spot hold together. Charlotte and Josh know every family up and down the street and can often be seen walking their children to the bus-stop, delivering home-baked treats to neighbors, and getting their dog Turley some exercise. In other words, they are exactly the kind of family any neighborhood would love to have, and we want them to stay here forever!

Their house, in which we've now enjoyed many dinners, does need updating, and a bit more space for their growing brood would certainly come in handy. We believe that the small inconvenience of their proposed construction project is absolutely worth it -- for them and for all of us who adore them and want them to stay in our neighborhood.

Many thanks,

Shipley Salewski 2829 Green Street

San Francisco, CA 94123 shipley.srs@gmail.com

MR. AND MRS. JACK STANLEY KAUS 2801 GREEN STREET SAN FRANCISCO CA 94123

February 19, 2019

Mr. David Winslow Principal Architect Design Review, Citywide and Current Planning San Francisco Planning Department 1650 Mission Street, suite 400 San Francisco CA 94103

Dear Mr. Winslow:

We are writing in support of the remodeling project of Charlotte and Josh Prime at 2552 Baker Street. We are their neighbors immediately across the street at the corner of Green and Baker Sts.

Charlotte and Josh have been our neighbors for several years and we know them and their family very well. Their children are wonderful and visit us frequently. Charlotte and Josh have created a wonderful home and have been welcomed warmly into the neighborhood. They are very active in community affairs, are very helpful when asked and are very kind to all of us.

When they moved here they had onlyone child and now they have three. The house, unfortunately, has not grown with them. They do need to do some enlarging and updating as the home is not keeping up with their needs. We heartily support them in their design and plans. We would like them to stay in the neighborhood rather than looking elsewhere for larger quarters.

Charlotte is a native San Franciscan as are we. We are losing too many of our natives because of unnecessary, frivolous objections to residents' desires to change their homes. This request for a discretionary review is one of them.

Please grant their request to remodel their home so they can stay in our neighborhood and San Francisco. We need more families like them, not fewer.

Sincerely,

Jack and Irene Kaus 2801 Green Street

San Francisco CA 94123

415-922-5225 h

415-699-2525 m

jikaus@comcast.net

Josh Prime 2552 Baker Street San Francisco, CA 94123 jeprime@gmail.com (415) 310-5674

January 18, 2018

Alison Rowe 2785 Green Street, #1 San Francisco, CA 94123 allierowe@gmail.com (415) 756-7406

Dear Alison:

I understand that your opposition to our project is based on you wanting to keep some of the privacy afforded to you by the trees in our back yard. Let me take this opportunity to assure you that Charlotte and I want a very green backyard for our family and we, like you, place a high value on the privacy provided by our trees. In the nearly 8 years we have lived in our home, we have never once removed a tree or shrub from our backyard. All landscaping projects have been confined in scope to trimming overgrowth or planting new vegetation.

We intend to continue that trend of nurturing greenspace during and after the construction process. To that end, we will be asking our contractors to take all reasonable steps to preserve the existing trees. If, for some reason, the trees are fatally damaged by the construction (which we do not anticipate), we will be planting at least one, large replacement tree in approximately the same location to provide us with greenery and, consequently, both of our homes with privacy. We hope this alleviates your concerns and that you will withdraw your application for discretionary review.

Sincerely,

Josh Prime

Delivered by email and USPS

Copied by email:

David Winslow (<u>david.winslow@sfgov.org</u>)

Deborah Holley (<u>deborah@holleyconsulting.com</u>)

Charlotte Haas Prime (<u>chaasprime@gmail.com</u>)

Geoff Wood (<u>ggwood@aol.com</u>)

Alison Rowe 2785 Green Street, Apt. 1 San Francisco, CA 94123 allierowe@gmail.com

Josh Prime 2552 Baker Street San Francisco, CA 94123 Sent by email to jeprime@gmail.com and chaasprime@gmail.com

February 17, 2019

Dear Josh,

This letter is in response to your letter of 1/18/19. I want to keep *all* of my privacy, not "some" of it. I have been consistent with this objective ever since I learned about your proposed project in April, 2014. I have lived continuously in my home for 25 years and have enjoyed privacy from the property line trees, as have you. The greenbelt is an essential component of my home.

The following may serve as an agenda for meaningful discussion.

- 1. Privacy & Loss of Mid-Block Greenbelt. <u>Issue</u> Plans show no preservation of existing trees that line the property line. Plans violate Cow Hollow Neighborhood Design Guidelines (CHNDG) Pages 2 & 29, as presented in my DR. <u>Solution</u> Protect and preserve all trees on property line. Trees should be measured, marked and protected with fencing during construction. Create accurate "existing" yard plans that match reality. Create "after" plans that show what trees will remain contractually. If you have concern for maintaining the trees as you say, then agree that you will take responsibility to replace any tree accidentally killed with trees of equal maturity or size.
- 2. House Footprint & Rear Yard Setback. <u>Issue</u> Your plans show a footprint that exceeds both the SF Planning Department guidelines and the CHNDGs by 5 feet in depth (CHNDG Pages 58 & 60). <u>Solution</u> Consider pulling rear wall back 5' to conform to the lawful maximum footprint of the house.
- 3. Replacing Mid-Block Open Space with Light Wells in Apartment 2/4/6's Kitchens. <u>Issue</u> 3' wide light wells substituting for light, air and mid-block open space for my neighbors is unacceptable, as Apartment #4 expressed. <u>Solution</u> Modify home plans so that the upper two apartment units maintain light, air and their greenbelt view. A 5' light well would keep the existing 5' tree buffer along property line. CHNDG instructs "that rear additions be set back at their sides as much as necessary to preserve the existing extent of light and air to adjacent structures" (Page 31).

Thank you in advance for your consideration.

Sincerely,

Alison Rowe

cc: David Winslow (david.winslow@sfgov.org)
Geoff Wood, Cow Hollow Association (ggwood@aol.com)
Deborah Holley (Deborah@holleyconsulting.com)

