



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use / Residential Demolition

HEARING DATE: DECEMBER 13, 2018

Record No.: **2017-016050CUA**
Project Address: **49 HOPKINS AVENUE**
Zoning: RH-1 (Residential- House, One Family District)
40-X Height and Bulk District
Block/Lot: 2799/042
Applicant: Yakuh Askew
Y.A. Studio
777 Florida Street 94110
Staff Contact: Jeffrey Horn – (415) 575-6925
Jeffrey.Horn@sfgov.org
Recommendation: **Approval with Modifications and Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project proposes to legalize the tantamount to demolition of an 1,312 square foot, two-story single-family home, a 240 square foot attached garage and 1,580 square foot, steel and glass enclosed pool/sunroom and to permit a new 3,960 gross square foot, three-story single-family home.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization Conditional Use Authorization pursuant to Planning Code Section 303 and 317 for the de facto demolition of a residential unit. Pursuant to Planning Code 317 (c), "where an application for a permit that would result in the loss of one or more Residential Units is required to obtain Conditional Use Authorization by other sections of this Code, the application for a replacement building or alteration permit shall also be subject to Conditional Use requirements."

ISSUES AND OTHER CONSIDERATIONS

- **Design Review Comments:** The Department recommends the following modifications be made to the project:

To comply with the Residential Design Guidelines "Design the scale of the building to be compatible with the height and depth of surrounding buildings" and "Design the height and depth of the building to be compatible with the existing building scale at the street," remove the proposal's top floor and the roof deck.

- **Preservation Review:** The Property is not an “Historical Resource” under CEQA. A historic resource evaluation, dated February 5, 2015, determined “No Historic Resource Present.” (See Case No. 2014.1567E.
- **Previous Notification:** Section 311 Neighborhood Notification occurred at this property for a proposed vertical and horizontal addition to add 2,353 square feet of conditioned area. The noticing period occurred from July 7, 2015 to August 6, 2015, no requests for Discretionary Review were received.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, if modified, on balance, consistent with the Objectives and Policies of the General Plan. Although the Project results in the demolition of a existing single family home, the replacement home will provide an increased number of bedrooms, suitable for a family. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization
Exhibit A – Conditions of Approval
Exhibit B – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F – Original 311 Notice and Plans
Exhibit G - Project Sponsor Brief



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|---|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input checked="" type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Draft Motion

HEARING DATE: DECEMBER 13, 2018

Record No.: **2017-016050CUA**
Project Address: **49 HOPKINS AVENUE**
Zoning: RH-1 (Residential- House, One Family District)
40-X Height and Bulk District
Block/Lot: 2799/042
Applicant: Yakuh Askew
Y.A. Studio
777 Florida Street 94110
Staff Contact: Jeff Horn – (415) 575-6925
Jeffrey.Horn@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 317 REQUIRING CONDITIONAL USE AUTHORIZATION FOR THE LEGALIZATION OF TANTAMOUNT TO DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE.

PREAMBLE

On April 26, 2018, Yakuh Askew (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for a Conditional Use Authorization under Planning Code Sections 303 and 317 to legalize the demolition of an 1,312 square foot, two-story single-family home, a 240 square foot attached garage and 1,580 square foot, steel and glass enclosed pool/sunroom and to permit a new 3,960 gross square foot, three-story single-family home (hereinafter "Project"), within an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

On December 13, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-016050CUA.

On February 2, 2015, the Project was determined by the Department to be categorically exempt from environmental review under Case No. 2014.1567E.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2017-016050CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The property at 49 Hopkins Avenue is located at the southeast corner of the intersection with Burnett Avenue within the Twin Peaks neighborhood. The subject property is 100 feet in depth and slopes laterally downward to the east along the Hopkins Avenue frontage. The subject property is developed with an almost completely demolished two-story single-family dwelling of 1,312 square feet originally built in 1937, with subsequent additions, including a 240 square foot attached garage and 1,580 square foot, steel and glass enclosed pool/sunroom to the rear of the home. The parcel total approximately 3,092 square feet in size and is in a RH-1 (Residential-House, One Family) Zoning District and a 40-X Height and Bulk District.
3. **Surrounding Properties and Neighborhood.** The use and size of the proposed Project is compatible with the immediate neighborhood. The site is in the RH-1 Zoning District, which permits the development of single dwelling units on the lot. The site is adjacent to properties with RH-2 and RM-1 zoning designations. The neighborhood is developed with a mix of one- and two-family houses that are two- to three-stories in height and larger multi-family structures that are three- to four-stories in height. The architecture is varied mixed-character along Hopkins and Burnett Avenues.
4. **Project Description.** legalize the demolition of an 1,312 square foot, two-story single-family home, a 240 square foot attached garage and 1,580 square foot, steel and glass enclosed pool/sunroom and to permit a new 3,960 gross square foot, three-story single-family home within a Residential House – One Family (RH-1) Zoning District and a 40-X Height and Bulk District.

Staff recommends that the project be modified to remove the third floor.

5. **Public Comment/Community Outreach.** As of November 29, 2018, the Department received no comments in opposition to the project. Three emails have been received with questions about the design and height of the proposal.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Residential Demolition – Section 317:** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to remove one or more residential units. This Code Section establishes a checklist of criteria that delineate the relevant General Plan Policies and Objectives.

As the project requires Conditional Use Authorization per the requirements of the Section 317, the additional criteria specified under Section 317 for residential demolition and merger have been incorporated as findings a part of this Motion. See Item 7 , “Additional Findings pursuant to Section 317,” below.

- B. **Rear Yard Requirement.** Planning Code Section 134 requires, in RH-1 Districts, a rear yard measuring 25 percent of the total depth.

The Project proposes an 25 foot rear yard for the replacement structure on the 100-foot deep lot. The rear yard is equal to 25 percent of the lot depth.

- C. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 40-foot height limit. Planning Code Section 261 further restricts height in RH-1 Districts to 30-feet at the front lot line, then at such setback, height shall increase at an angle of 45° toward the rear lot line until the prescribed 35-foot height limit is reached.

The Project proposes a total height of 30 feet. The height at the front of the building is 20 feet.

- D. **Open Space.** Planning Code Section 135 requires the project to provide 125 square feet of useable open space per unit if privately accessible (including minimum dimensions), and 166 square feet of useable open space per unit if commonly accessible (including minimum dimensions).

The project provides a rear yard equal to the required 25% and roof decks at the front.

- E. **Parking.** Planning Code Section 151 requires one parking space for each dwelling unit.

The Project proposes a new garage with a parking space for the existing dwelling unit.

- F. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit and one Class 2 bicycle parking space for every 20 dwelling units.

The project provides space for one (1) Class 1 bicycle parking space.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the Project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The use and size of the proposed Project is compatible with the immediate neighborhood. The site is in the RH-1 Zoning District, which permits the development of single dwelling units on the lot. The site is adjacent to properties with RH-2 and RM-1 zoning designations. The neighborhood is developed with a mix of one- and two-family houses that are two- to three-stories in height and larger multi-family structures that are three- to four-stories in height. The Project, as proposed, would include the legalization of tantamount to demolition of the existing one-family home and approve its replacement with a three-story single home. The structure is designed to be compatible in height and façade design with the character of the block face.

Additionally, the Project is consistent with the RH-1 zoning district, which is characterized and occupied almost exclusively by single-family homes. RH-1 districts have large units suitable for family occupancy, considerable open space, and limited non-residential uses. The Project will maintain the principally-permitted dwelling unit density of one unit per lot. The Project will provide ample open space in the form of a connected backyard and three terraces and does not propose any non-residential uses. In terms of design, the Project will use of high-quality materials, and the street elevation of both Hopkins and Burnett Avenues will exhibit a regular fenestration pattern with openings of a residential scale.

- B. The proposed Project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project is designed to be compatible with the surrounding neighborhood; the replacement building is similar in massing to the structures on the block. The Project results in a building size, shape, and height that is appropriate for the neighborhood context. The structure will be smaller in overall massing than the previously existing 1-bedroom home with pool/sunroom.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

Planning Code requires one off-street parking space per dwelling unit. The Project proposes a garage with a parking space for one dwelling unit. As stated in Planning Code Section 150(e) off-

street parking spaces may be reduced and replaced by bicycle parking spaces based on standards provided in Section 155.1(d). parking.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project is residential in nature, which is a use that typically is not considered to have the potential to produce noxious or offensive emissions.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project proposes landscape in the front setback and generally maintains the existing configuration of open space on the site. The driveways and garage doors have been minimized in width and are visually subordinate to the pedestrian entries to the residences.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project substantially complies with relevant requirements and standards of the Planning Code as detailed above and is consistent with objectives and policies of the General Plan as detailed below.

The proposed Project will maintain the residential character of the site, and unlike certain commercial or industrial uses, is not expected to produce noxious or offensive emissions. The proposed Project has been designed to ensure that there are no negative impacts to the building adjacent to the southwest of the Project site. During the deconstruction phase of the Property, the general contractor spoke with the adjacent home-owner to the south regarding the Project. The general contractor and that neighbor discussed noise concerns. No large machinery (e.g., Caterpillar) was used for the deconstruction and small machines (e.g., Bobcats) and hand removal of the CMU walls were performed. To achieve this, platforms/scaffolding had to be constructed around the then-existing home to facilitate hand removal of the pool/sunroom and CMU wall with rebar throughout.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable RH-1 District.

The project will establish the front setback, which was previously occupied with an off-street surface parking spot and a then-existing non-complying structure, e.g., the CMU wall in the northeast corner of the Property. The design proposes to remove an existing off-street surface parking spot in the front setback to be replaced with landscaping, which is encouraged by the Residential Design Guidelines. Thus, the extent of non-compliance of the building's front setback will be eliminated by the Project.

- 8. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish residential buildings and to merge dwelling units.

- a. **Residential Demolition Criteria.** On balance, the Project complies with said criteria in that:

- i. Whether the property is free of a history of serious, continuing code violations;

Since the current owner purchased the Property in January 2018, there has been no history of serious or continuing Code violations at the Property prior to the issuance of violations for the present demolition exceeding scope. On April 13, 2017, a complaint that the Property was vacant was made (Complaint No. 201773871). Within a week, on April 17 DBI inspector Gunnell determined that the Property was not vacant and that complaint was abated. Subsequently in 2017, three complaints were made pertaining to alterations of the then-existing home in September (Complaint No. 201704781), October (Complaint No. 201709144), and December (Complaint No. 201727091).

The September 2017 complaint made on the 8th stated that "They are tearing down/rebuilding the entire top floor of the structure and it appears they're doing it without a permit." In response, on September 13, DBI abated the complaint finding "work being performed under pa 20140725157."

The October 2017 complaint was for work beyond scope of permit. And the December 2017 complaint for the same issue was determined by DBI to be "a duplicate complaint und [sic] is being delt [sic] with under 201709144."

Long prior to the current owner's purchase of the Property in January 2018, in 2001 and 2002, the Property received two complaints. In 2001, Complaint No. 200123724 was issued for work without a permit. That complaint was abated by the DBI shortly after a notice of violation was sent. In 2002, Complaint No. 200234013 was issued for construction work before permit issued. The day after receiving that complaint, a DBI inspector conducted a site visit and determined "no violation, no work on filed permit."

- ii. Whether the housing has been maintained in a decent, safe, and sanitary condition;

The structure appeared to have been in decent condition, with no deficiencies documented prior to the demolition.

- iii. Whether the property is an "historic resource" under CEQA;

Although the existing structures are more than 50 years old, a review of the supplemental information resulted in a determination that the property is not a historical resource. The Property is not an "Historical Resource" under CEQA. A historic resource evaluation, dated February 5, 2015, determined "No Historic Resource Present." (See Case No. 2014.1567E)

- iv. Whether the removal of the resource will have a substantial adverse impact under CEQA;

The Property is not an "Historical Resource" under CEQA. A historic resource evaluation, dated February 5, 2015, determined "No Historic Resource Present." (See Case No. 2014.1567E

- v. Whether the Project converts rental housing to other forms of tenure or occupancy;

The single-family building is proposed to be owner occupied. The previous owner sold the Property to the current owner as owner-occupied. The prior owner had someone staying at the Property as an accommodation unknown to Project Sponsor. The sales agreement called for the Property to be delivered vacant. Upon purchase of the Property it was learned that the prior owner was allowing a friend to stay at the Property as an accommodation. It is believed that the person was staying at the Property as a courtesy from the prior owner while the Property was being prepared for development and listed for sale. Shortly after Project Sponsor's taking possession of the Property, that person staying at the Property "approached [Project Sponsor] and inquired if [Project Sponsor] would be interested in financially assisting Tenant should Tenant choose to vacate the Premises and surrender the same to [Project Sponsor] free and clear of all persons and property." In response, Project sponsor and the person staying as an accommodation amicably reached an agreement, filed May 2, 2017, whereby the person voluntarily vacated the Property.

- vi. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

The single family home was not deed-restricted, tax-credit funded affordable housing. Although Planning Staff does not have the authority to make a determination on the rent control status of a property, it is to be assumed that the unit that was demolished was not subject to the Residential Rent Stabilization and Arbitration Ordinance.

- vii. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

The Project will construct a family-sized, 4-bedroom, 3-story single-family home smaller in livable square footage and height and with increased setbacks compared to the 4-bedroom, 3-story home that was previously approved in the 2014 plans, replacing the 1-bedroom single-family home. The construction of a single-family home with more bedrooms and better suited for a family will preserve the neighborhood character, which is in a RH-1 zoning district, while creating new family housing at the site. The RH-1 zoning district is characterized by single-family homes.

- viii. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The project, with modifications, would be consistent with the density and development pattern as it would provide a family sized building on a single lot in a neighborhood that is a mix of one- and two-family building.

- ix. Whether the Project protects the relative affordability of existing housing;

The Project does not protect the relative affordability of existing housing, as the Project proposes to legalize the tantamount to demolition and the alteration and enlargement of the existing single-family home, which is generally considered to be less affordable.

- x. Whether the Project increases the number of permanently affordable units as governed by Section 415;

The Project is not subject to the provisions of Planning Code Section 415, as the Project proposes less than ten units.

- xi. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

The Twin Peaks neighborhood is an established residential neighborhood. The Project has been designed to be in-keeping with the scale and development pattern of the established neighborhood character.

- xii. Whether the Project increases the number of family-sized units on-site;

The Project increases the number of family-sized homes. The Project will result in the construction of a 4-bedroom, family-sized, single-family home.

- xiii. Whether the Project creates new supportive housing;

The Project does not create supportive housing.

- xiv. Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

The overall scale, design, and materials of the proposed buildings are consistent with the block-face on Hopkins Avenue, respectively, and compliment the neighborhood character with a contextual design.

- xv. Whether the Project increases the number of on-site dwelling units;

No, the Project will not increase the number of dwelling units. But will result in the creation of a family-sized home with 4-bedrooms.

- xvi. Whether the Project increases the number of on-site bedrooms;

The structure proposes four bedrooms, an net increase of three bedrooms.

- xvii. Whether or not the replacement project would maximize density on the subject lot; and;

The Project site is zoned RH-1, where one home is principally permitted on each lot. The Project will be consistent with this density limit.

- xviii. if replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

The existing building being replaced is not subject to the Residential Rent Stabilization and Arbitration Ordinance because it is a single-family residence, constructed in 1936.

9. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1:

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

OBJECTIVE 3

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.1:

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

Policy 3.4:

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOOD.

Policy 11.1:

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.4:

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

The existing building (prior to construction activities) appeared to be structurally sound, but has been almost completely demolished. The Project, with modifications, does more to protect the relative affordability of existing housing. The Project would redevelop the site and construct a 4-bedroom single-family home in the RH-1 Zoning District. The Project is consistent with the RH-1 zoning district, which is characterized and occupied almost exclusively by single-family homes. The massing of the 4-bedroom home would be similar to that of the existing 1-bedroom home with pool/sunroom. The new home will be family-sized and able to meet the needs of a growing and expanding family. The Project proposes to retain the existing one-car garage and remove one off-street surface parking spot located within the front setback to allow for the construction of a 4-bedroom home. Residents and guests will be able to easily access the Project site by way of public transit. The Project site is a block away from the 37 Corbett Muni bus stop (Corbett at the intersection of Hopkins) and less than a quarter mile away from a 48 Quintara/24th Street Muni bus stop. In addition, there are several schools within half a mile.

URBAN DESIGN

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.1:

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

Policy 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLIMENT THE CITY PATTERN, THE RESOURCES TO BE PRESERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.3:

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Policy 3.5:

Relate the height of building to important attributes of the city pattern and to the height and character of existing development.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

Policy 4.4:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.12:

Install, promote and maintain landscaping in public and private areas.

The Project is in line with the scale, form, and proportion of older development in and around the Project site, while not creating a false sense of history. The existing neighborhood is composed of single-family homes and multi-family dwellings terraced upon a hill in the Twin Peaks neighborhood. The design of the Project will continue the pattern of 2- to 3-story single-family homes, overall superior level of architectural details, and use of high-quality materials. The proposed 3-story home would be slightly taller than the then-existing pool/sunroom, which had a peak height of 26'8". The street elevations of Burnett and Hopkins Avenues will exhibit a regular fenestration pattern with openings of a residential scale. Finally, the Project proposes removing one off-street surface parking spot located within the front setback which will reduce danger to pedestrians walking on the sidewalk on in front of the home. The removed surface parking spot will be replaced with landscaping in the front setback.

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the Project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

Existing neighborhood-serving retail uses would not be displaced or otherwise adversely affected by the proposal, as the existing buildings do not contain commercial uses/spaces. Ownership of neighborhood-serving retail businesses would not be affected by the Project, and the Project maintains the existing number of dwelling units on the site, which will preserve the customer base for local retail businesses.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project would result in a new home more appropriate for a family than the prior 1-bedroom structure. The neighborhood character would be protected and enhanced by the creation of a continuous street wall. In addition, a continuous front yard setback fronting Hopkins Avenue will result in a safer pedestrian experience, compared to the previously-existing non-complying structure and off-street surface parking spot that encroached into the front yard setback.

- C. That the City's supply of affordable housing be preserved and enhanced,

The Conditional Use Authorization will not remove any existing affordable housing. It will have an incremental downward impact on housing costs by providing a family-sized home to meet existing demand.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project would not impede MUNI transit service or significantly affect automobile traffic congestion or create parking problems in the neighborhood. The modified project would provide one vehicle and one bicycle parking spaces, consistent with the parking standards for the RH-1 Zoning District.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project Site is located in an RH-1 District and is a residential development; therefore, the Project would not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses would not be affected by the Project.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will meet or exceed all current structural and seismic requirements under the San Francisco Building Code, and thus protect against injury or loss of life in an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project Site does not contain Landmark or historic buildings.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will not negatively impact any existing parks and open spaces because the proposed structure does not exceed the 35-foot height limit per the RH-1 Zoning District. The Project is not subject to the requirements of Planning Code Section 295 – Height Restrictions on Structures

Shadowing Property under the Jurisdiction of the Recreation and Park Commission. The Project would not adversely affect impact any existing parks and open spaces, nor their access to sunlight and vistas.

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use Authorization as modified would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2017-016050CUA** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17820. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 13, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to tantamount to demolish and add an addition and alteration to the subject building located at 49 Hopkins Avenue, Block 2799 and Lot 042, pursuant to Planning Code Sections 303 and 317 within the RH-1 (Residential-House, One Family) District and a 40-X Height and Bulk District; in general conformance with plans, dated November 28, 2018, and stamped "EXHIBIT B" included in the docket for Case No. 2017-016050CUA and subject to conditions of approval reviewed and approved by the Commission on December 13, 2018 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **December 13, 2018** under Motion No. XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

6. **Landscaping.** Pursuant to Planning Code Section 132, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 50% of the front setback areas shall be surfaced in permeable materials and further, that 20% of the front setback areas shall be landscaped with approved plant species. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Bicycle Parking.** The Project shall provide no fewer than **one** Class 1 bicycle parking spaces as required by Planning Code Section 155.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

8. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

9. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

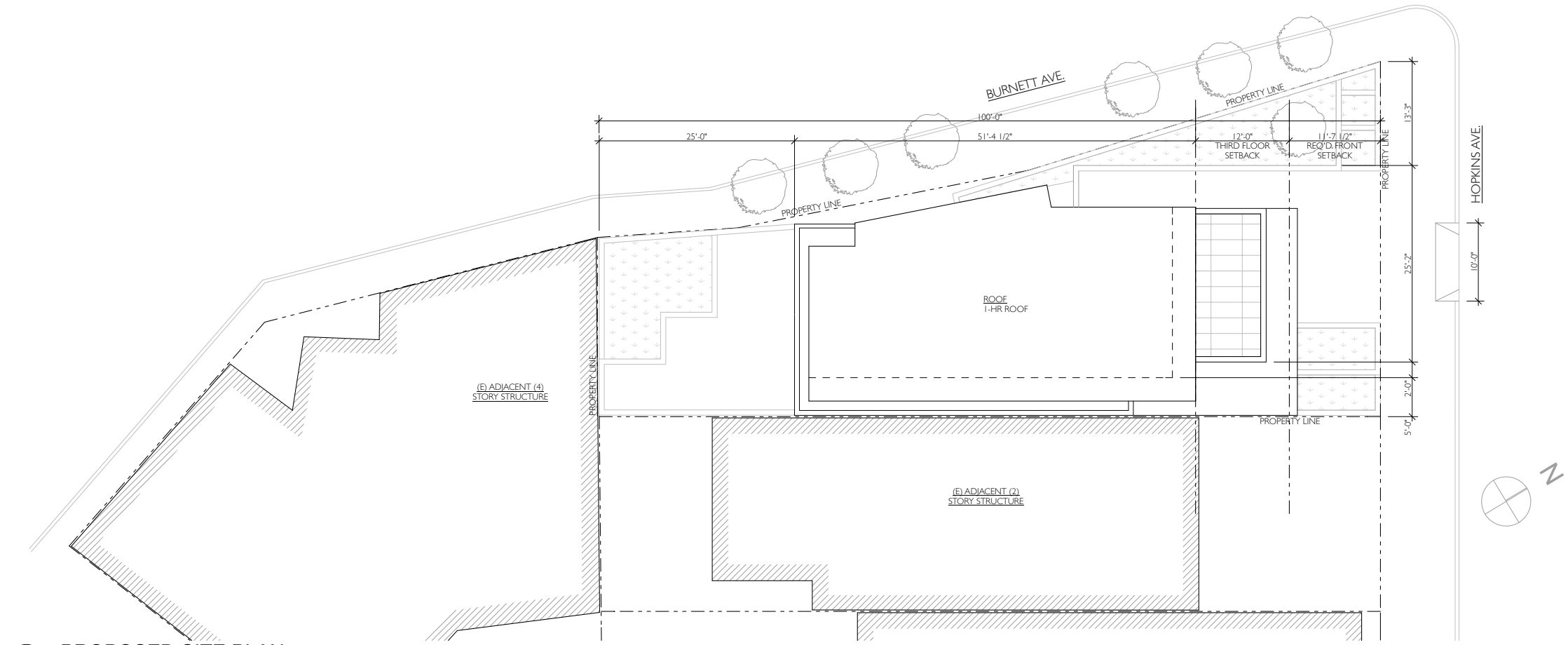
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

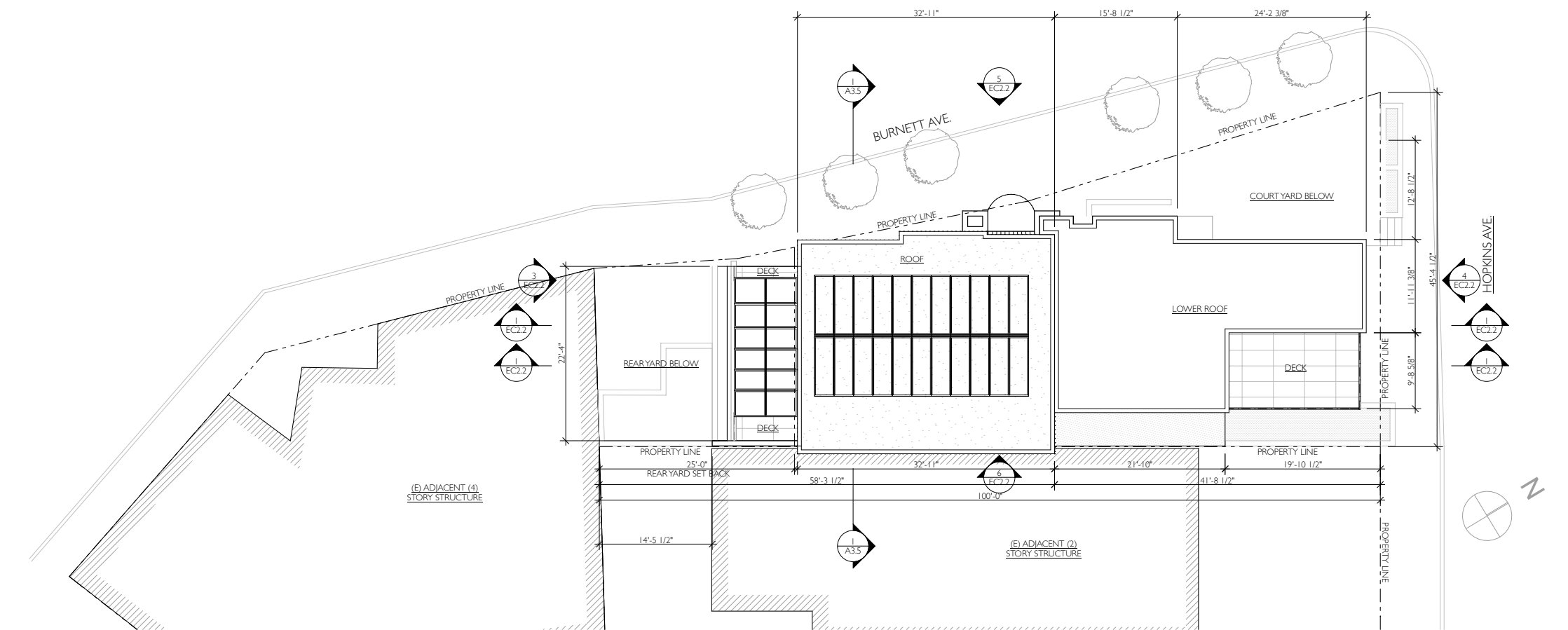
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

11. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*
12. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.



1 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"



2 PREVIOUSLY EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

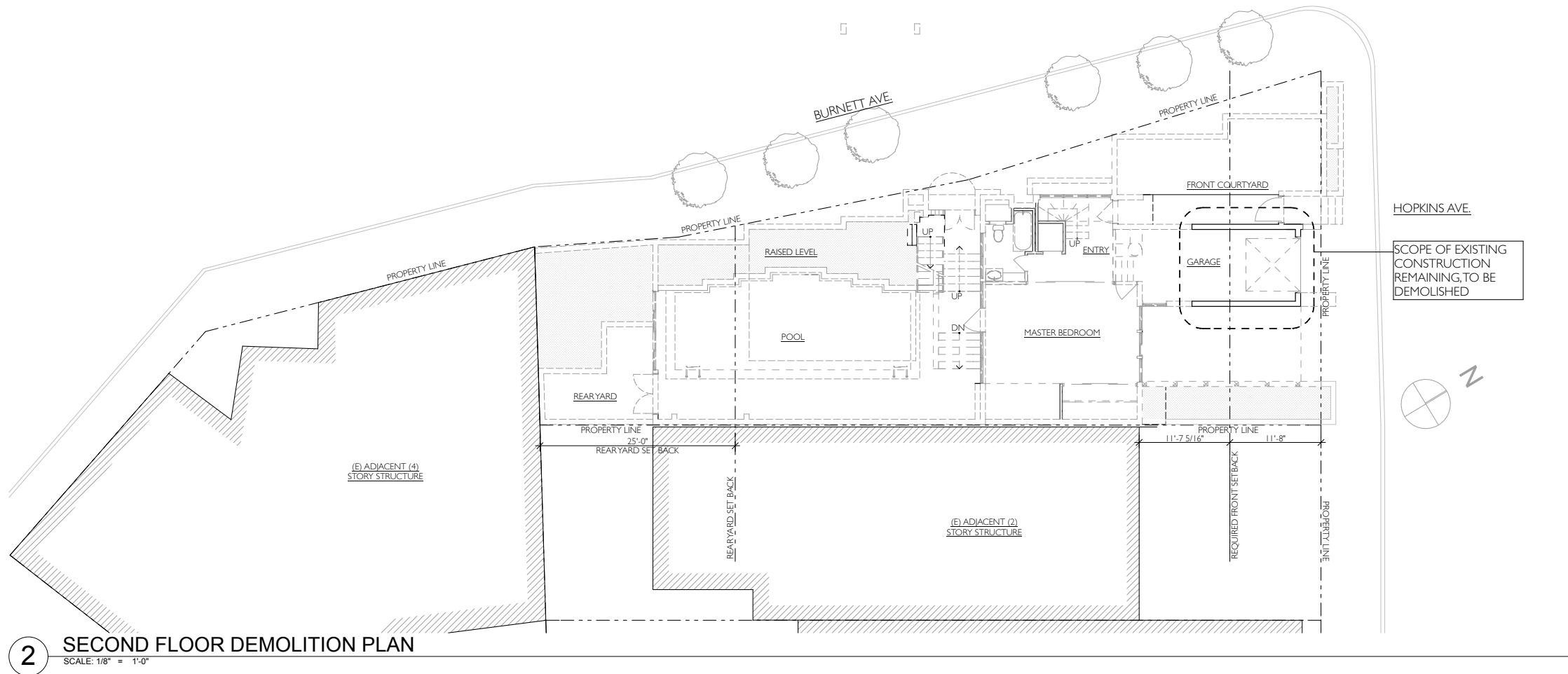
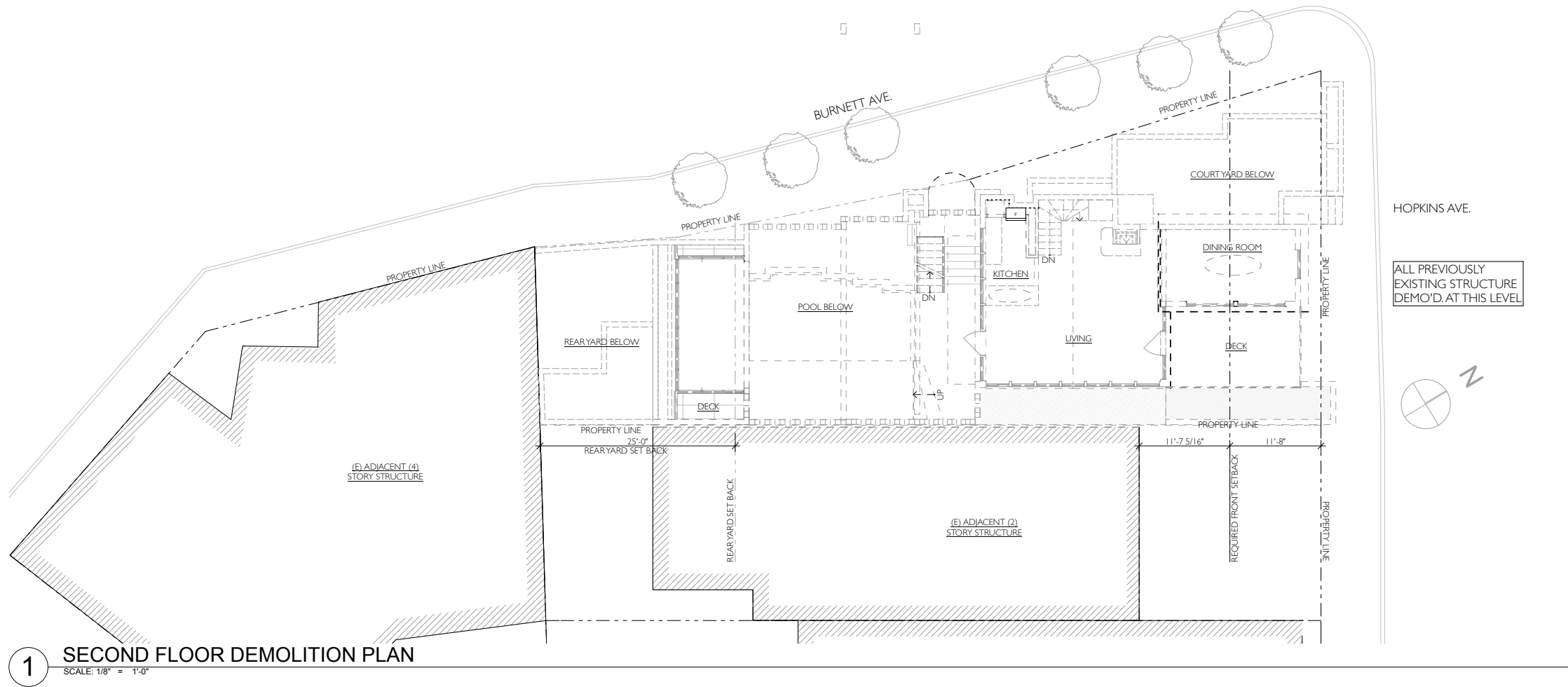
STAMP:

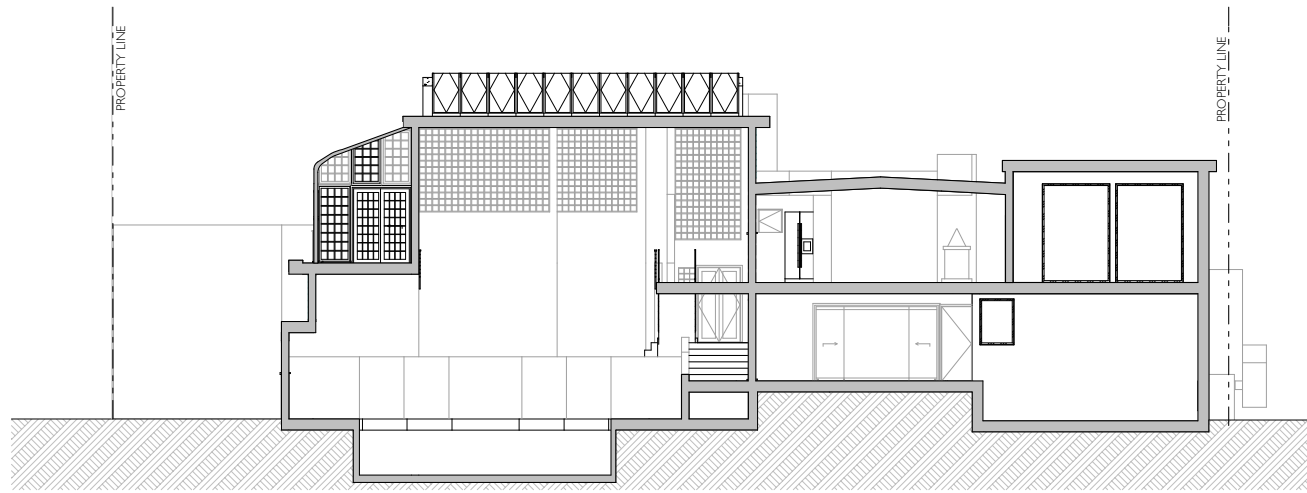
TITLE:
EXISTING AND
PROPOSED SITE
PLANS

| | | |
|------|------------------|----------|
| REV: | PRINTING: | DATE: |
| 1 | SITE PERMIT | 05.22.14 |
| 2 | SITE PERMIT REV. | 05.16.15 |
| 3 | ADDENDUM | 12.03.15 |
| 4 | REV. PERMIT | 11.10.17 |
| 5 | DR HEARING | 11.26.18 |

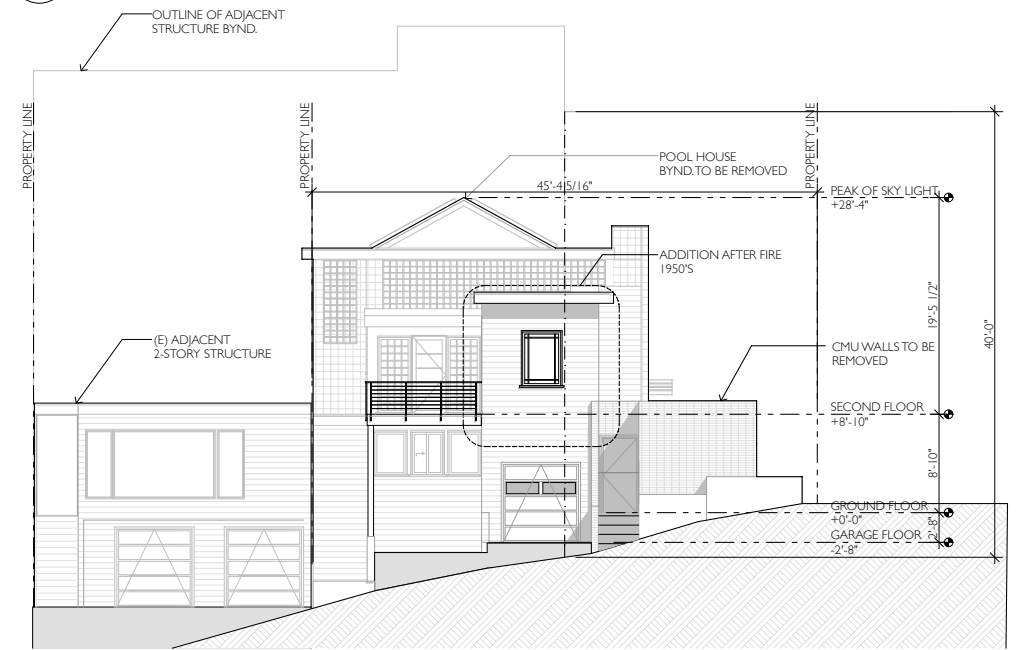
JOB NO: 17004
DRAWN BY: Y.A.
CHECKED BY: Y.A.
PRINTED: 11/28/18
SHEET:

A1.1

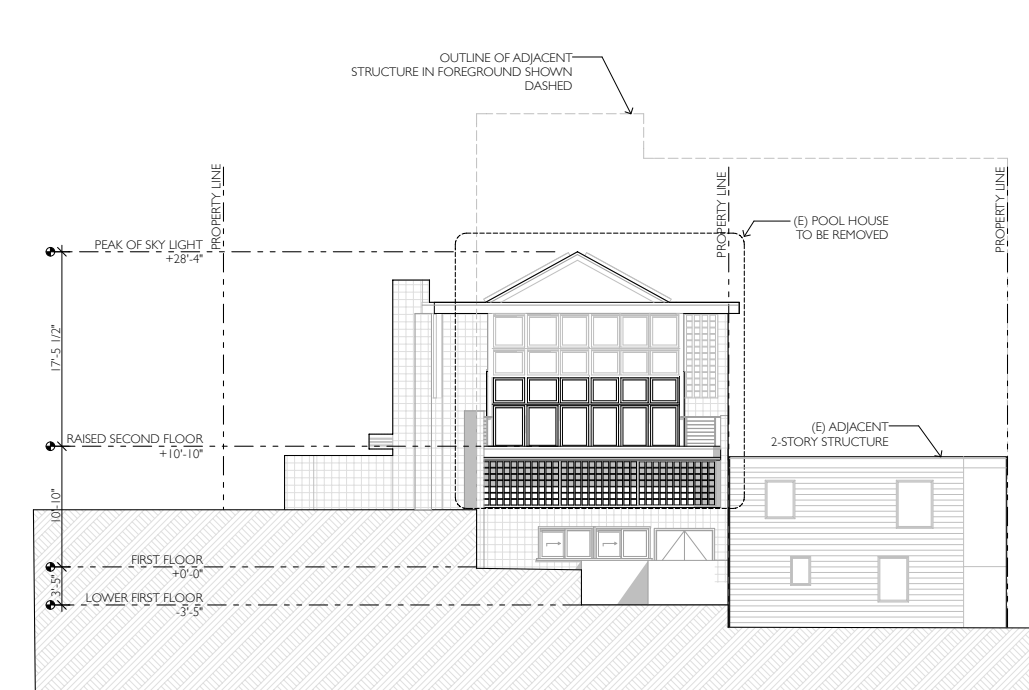




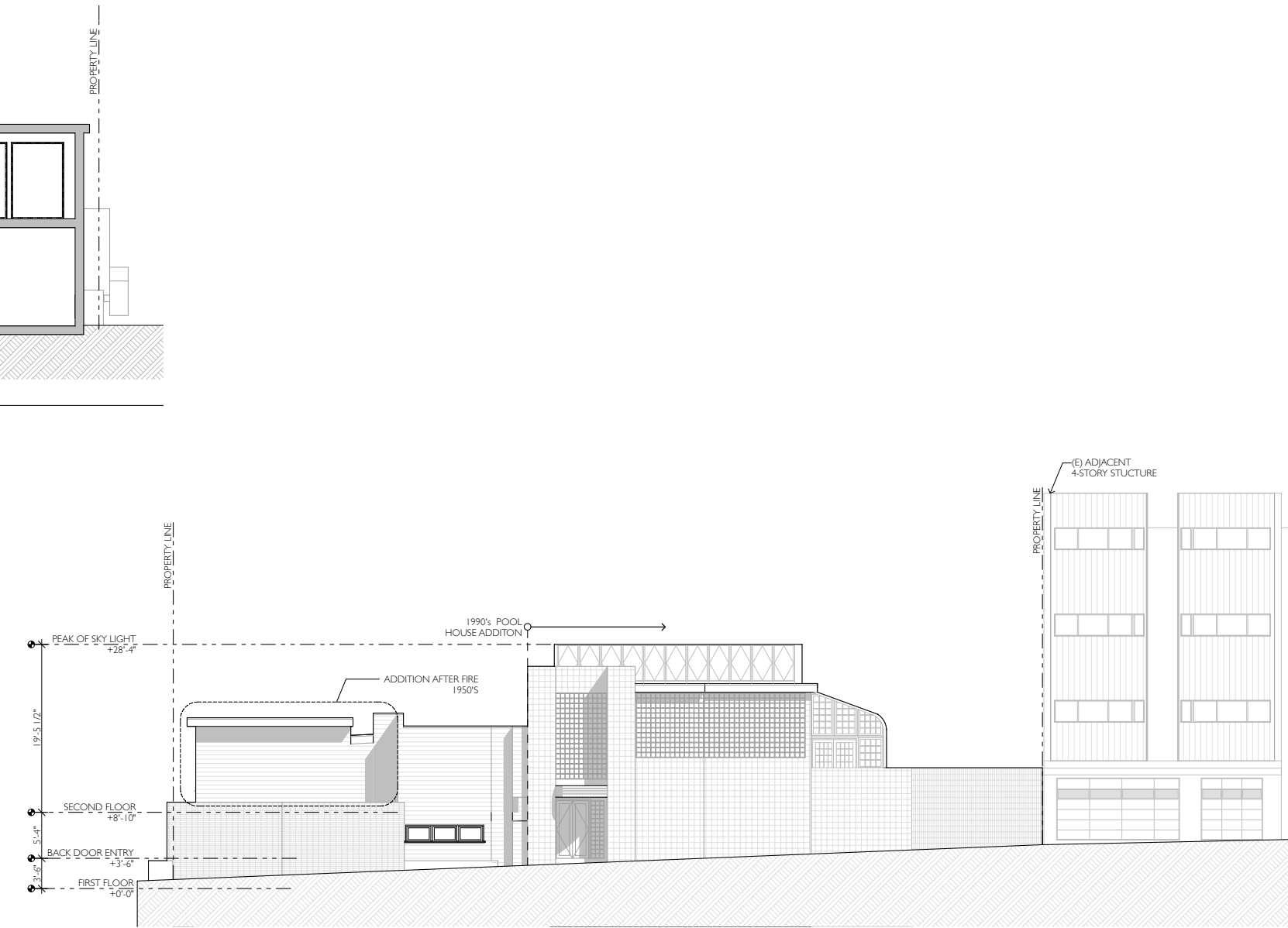
5 EXISTING SECTION
SCALE: 1/8" = 1'-0"



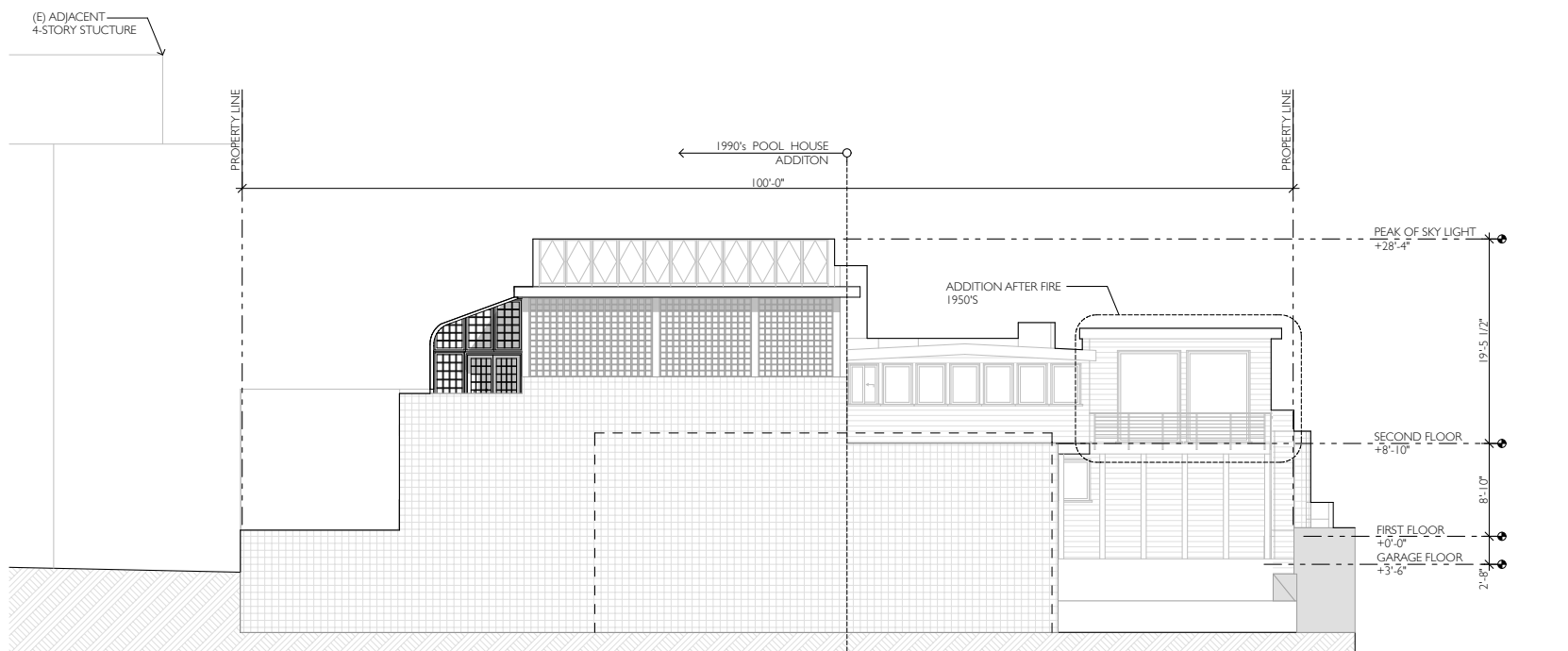
4 EXISTING FRONT (NORTH) ELEVATION
SCALE: 1/8" = 1'-0"



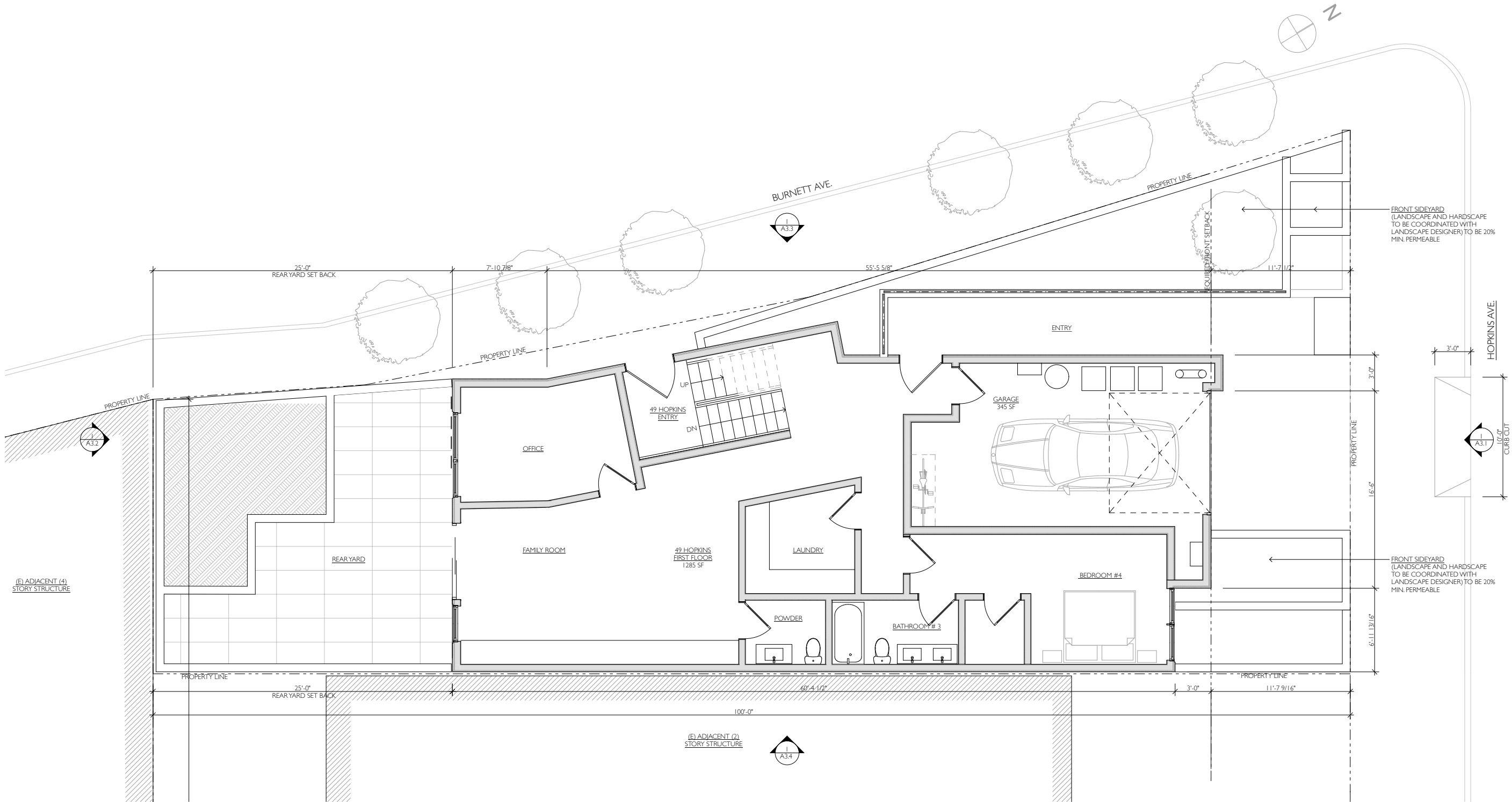
3 EXISTING REAR (SOUTH) ELEVATION
SCALE: 1/8" = 1'-0"



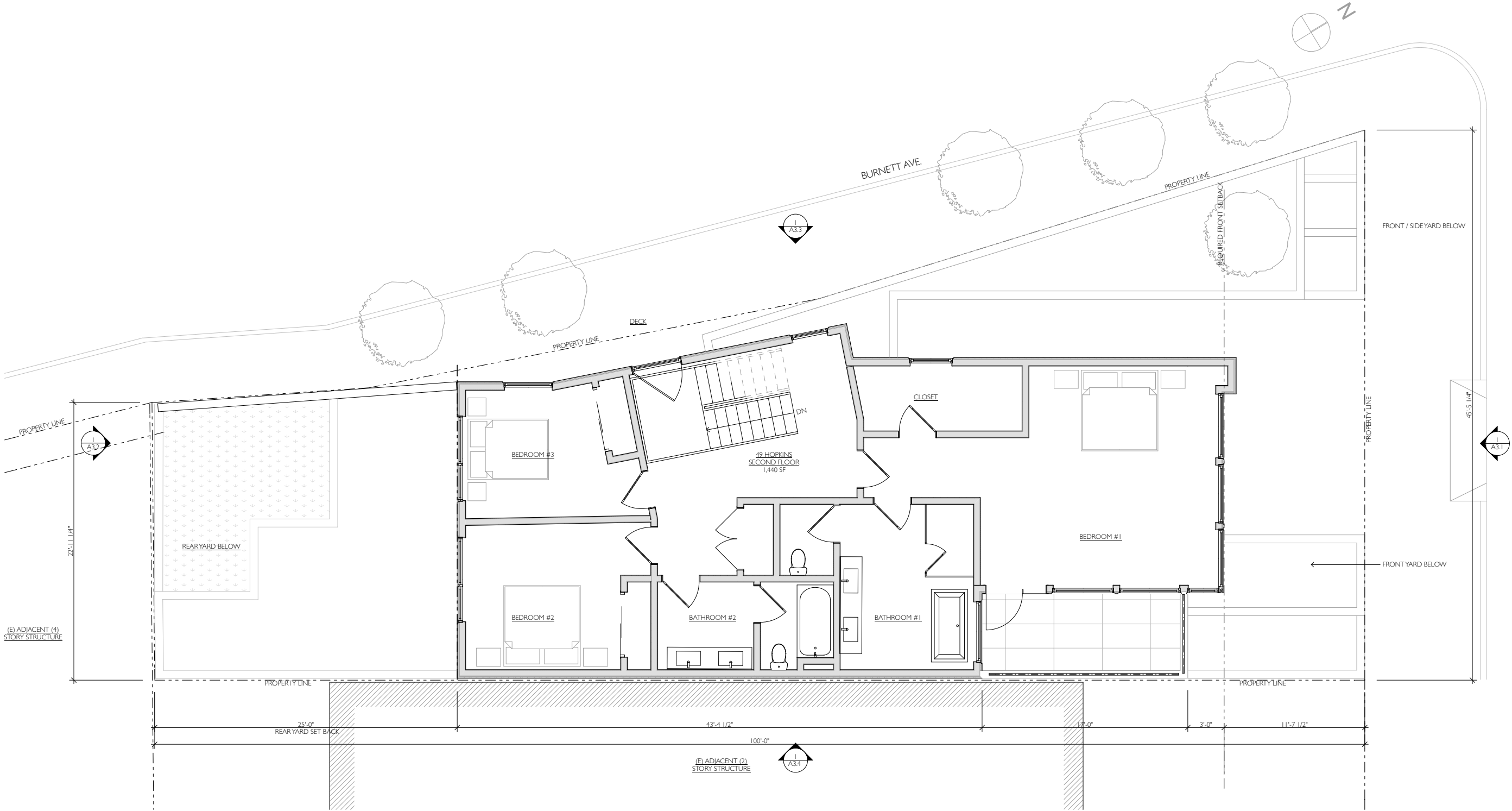
2 EXISTING SIDE (WEST) ELEVATION
SCALE: 1/8" = 1'-0"



1 EXISTING SIDE (EAST) ELEVATION
SCALE: 1/8" = 1'-0"



1 PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



1 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

PROJECT
SINGLE FAMILY NEW CONSTRUCTION
RESPONSE TO: 2017.913913 ENF
2017.09144 NOV

BLOCK/LOT: 2799/042
49 HOPKINS AVE, SAN FRANCISCO, CA 94131

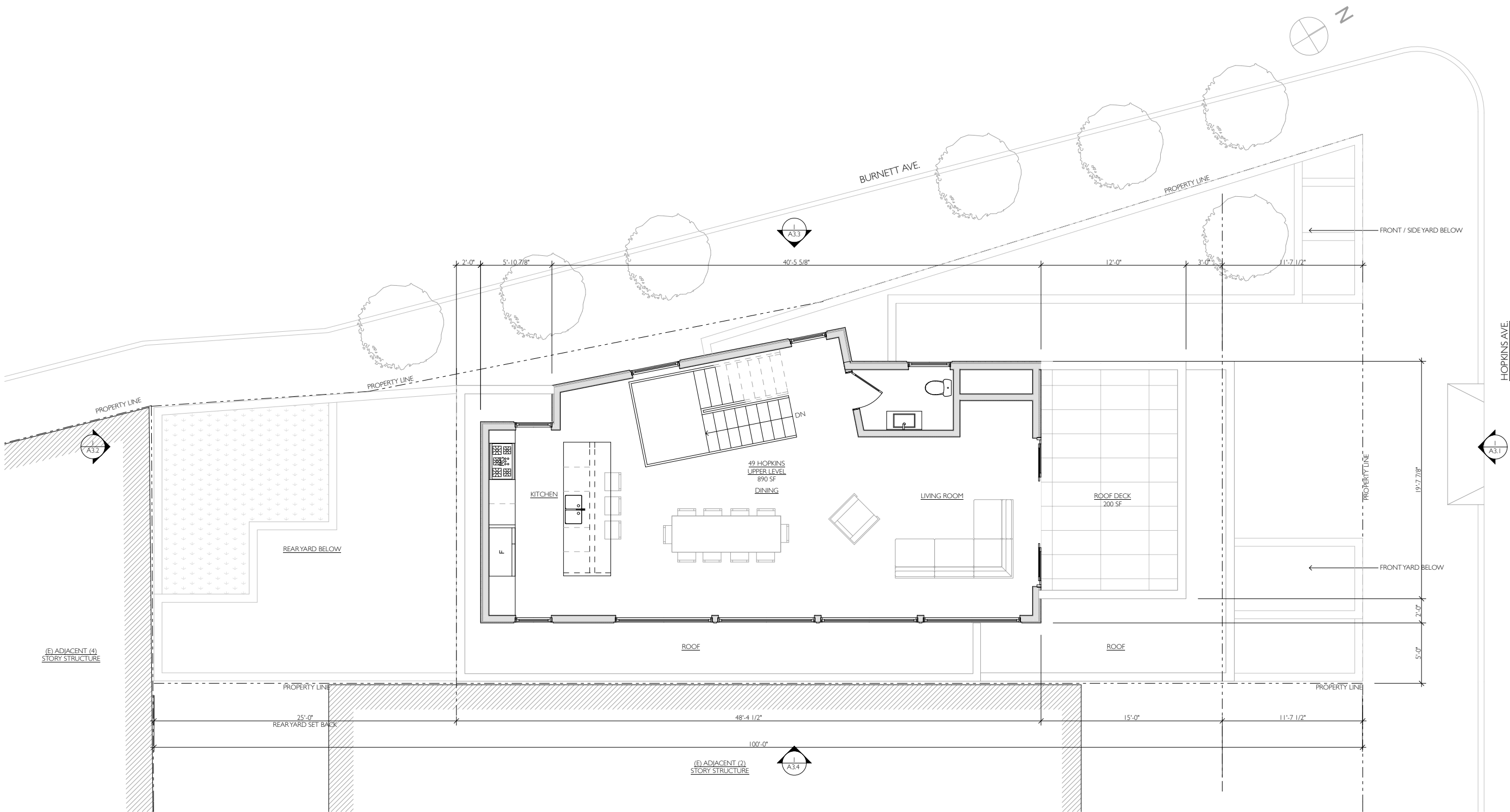
STAMP:

TITLE:
**PROPOSED
SECOND FLOOR
PLAN**

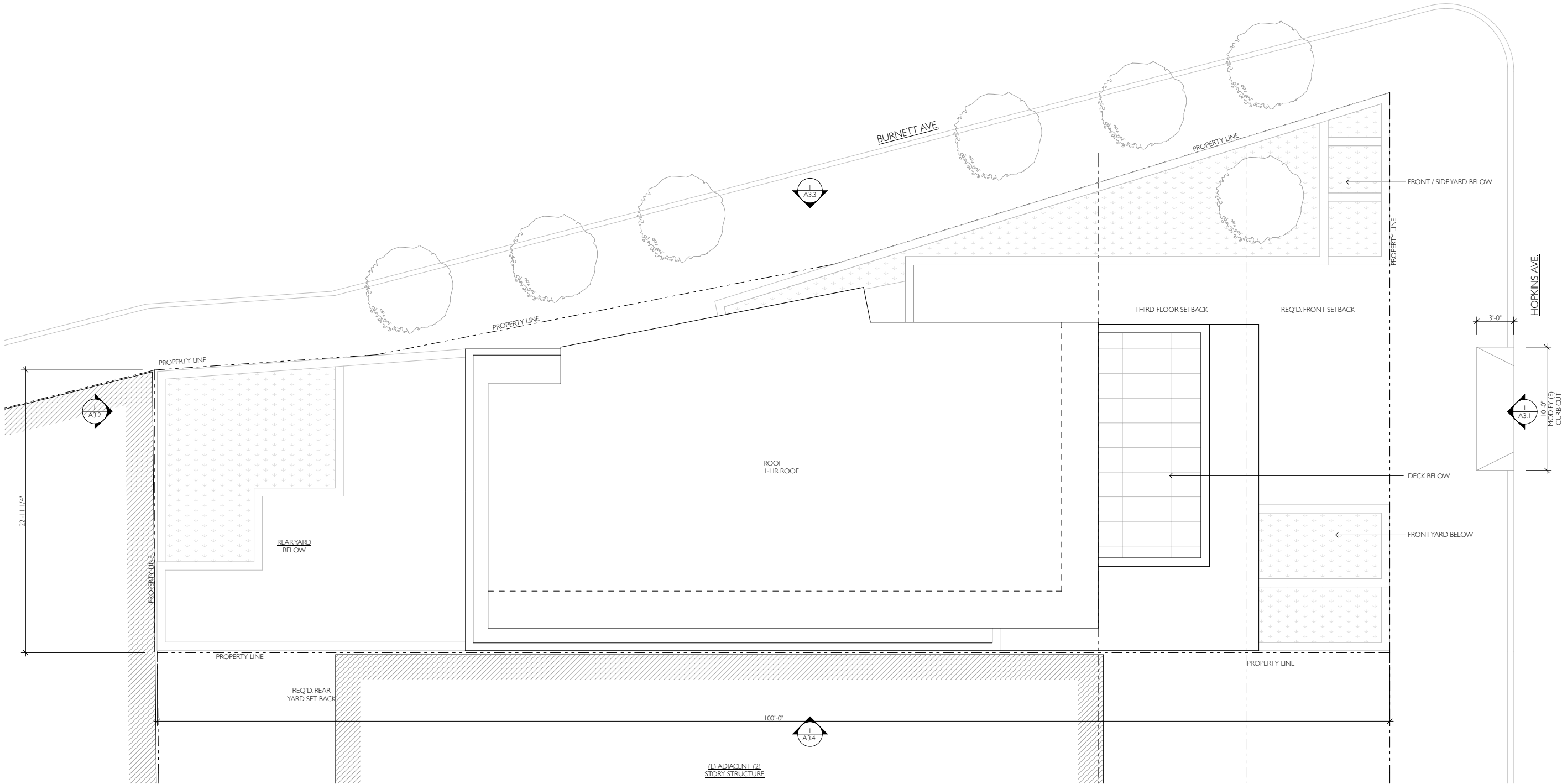
| | | |
|------|------------------|----------|
| REV: | PRINTING: | DATE: |
| — | SITE PERMIT | 05.22.14 |
| — | SITE PERMIT REV. | 05.16.15 |
| — | ADDENDUM | 12.03.15 |
| — | REV. PERMIT | 11.10.17 |
| — | DR HEARING | 11.26.18 |

JOB NO: 17004
DRAWN BY: Y.A.
CHECKED BY: Y.A.
PRINTED: 11/28/18
SHEET:

A2.2



1 PROPOSED THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"



1 PROPOSED ROOF PLAN
SCALE: 1/4" = 1'-0"

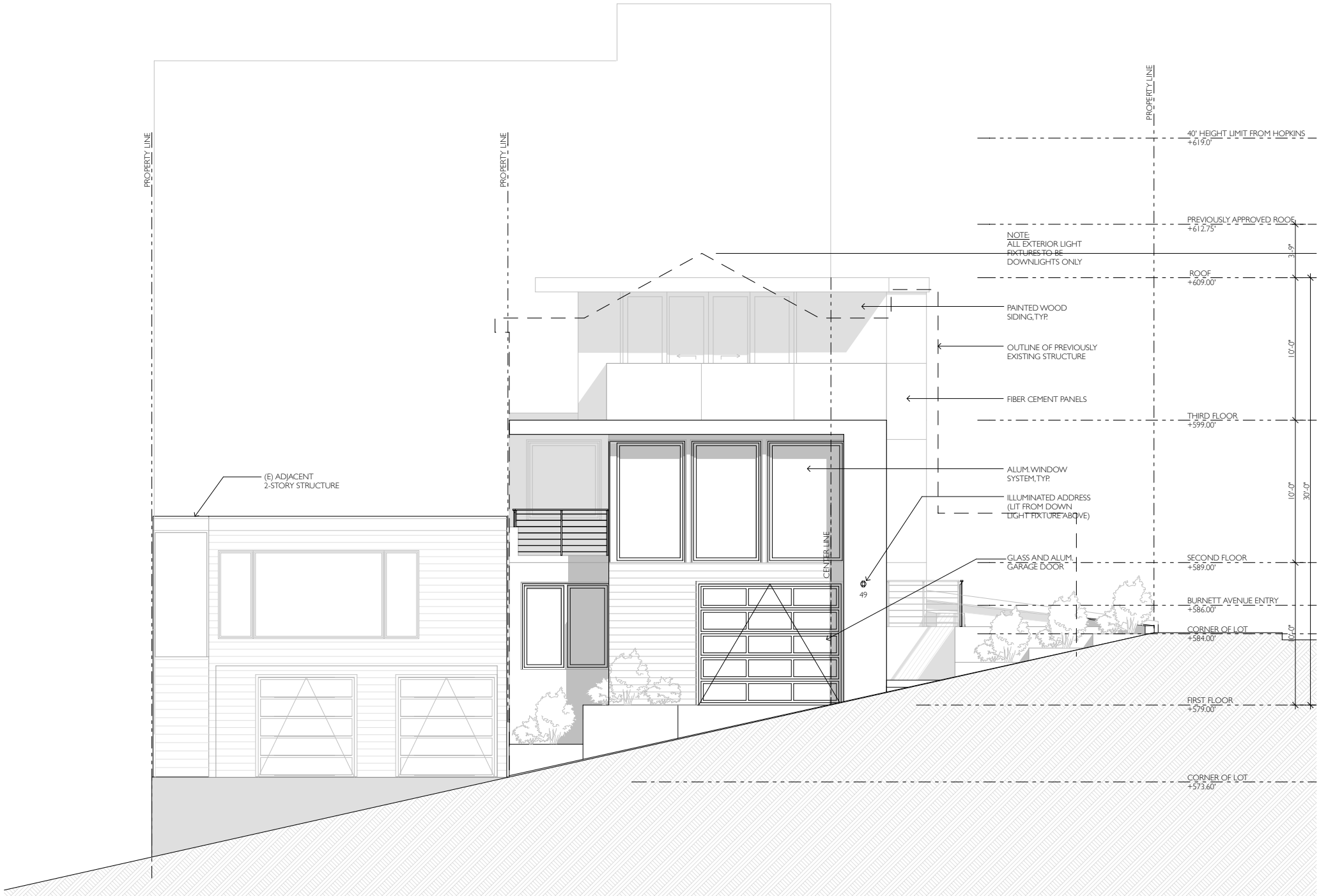
STAMP:

TITLE:
PROPOSED ROOF
PLAN

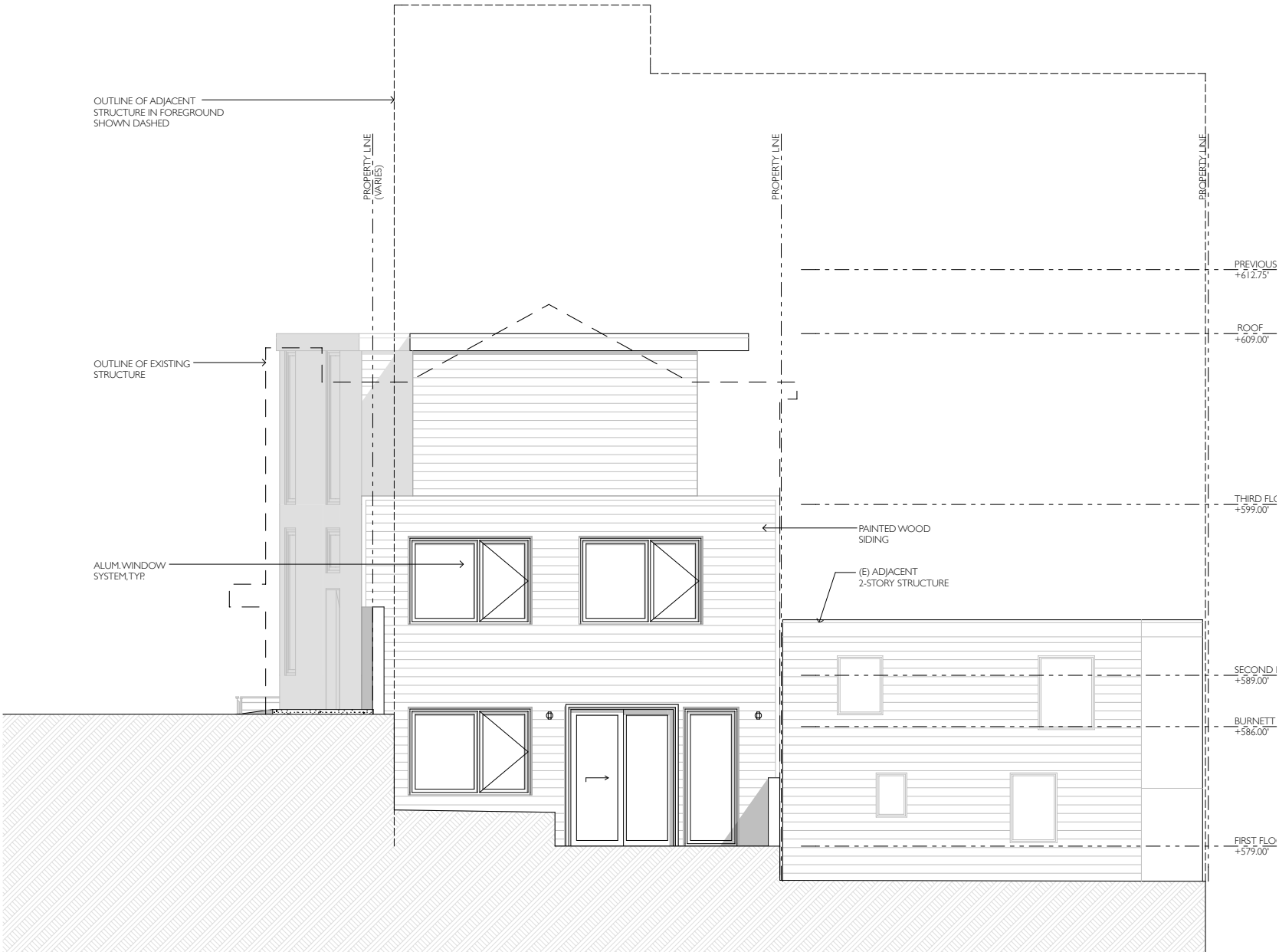
| | | |
|------|------------------|----------|
| REV: | PRINTING: | DATE: |
| — | SITE PERMIT | 05.22.14 |
| — | SITE PERMIT REV. | 05.16.15 |
| — | ADDENDUM | 12.03.15 |
| — | REV. PERMIT | 11.10.17 |
| — | DR HEARING | 11.26.18 |

JOB NO: 17004
DRAWN BY: Y.A.
CHECKED BY: Y.A.
PRINTED: 11/28/18
SHEET:

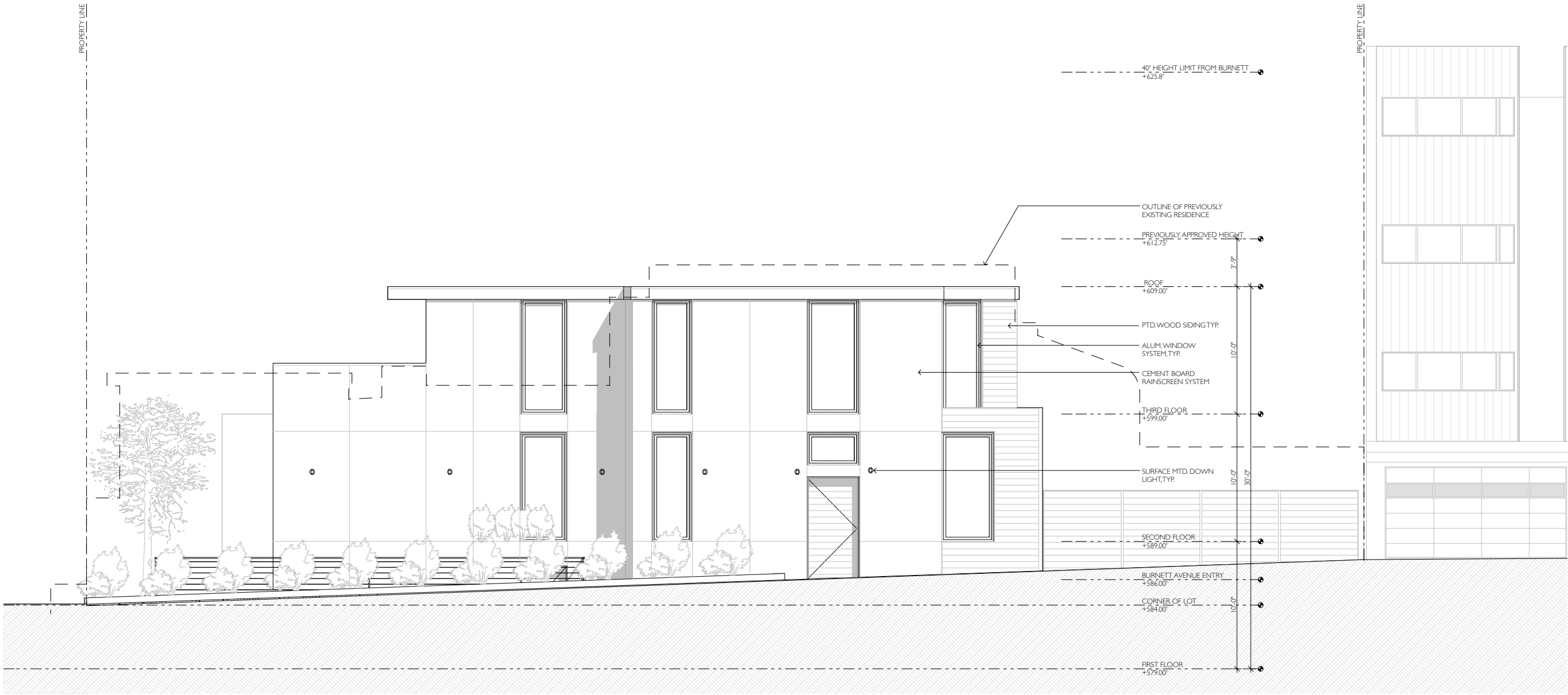
A2.4



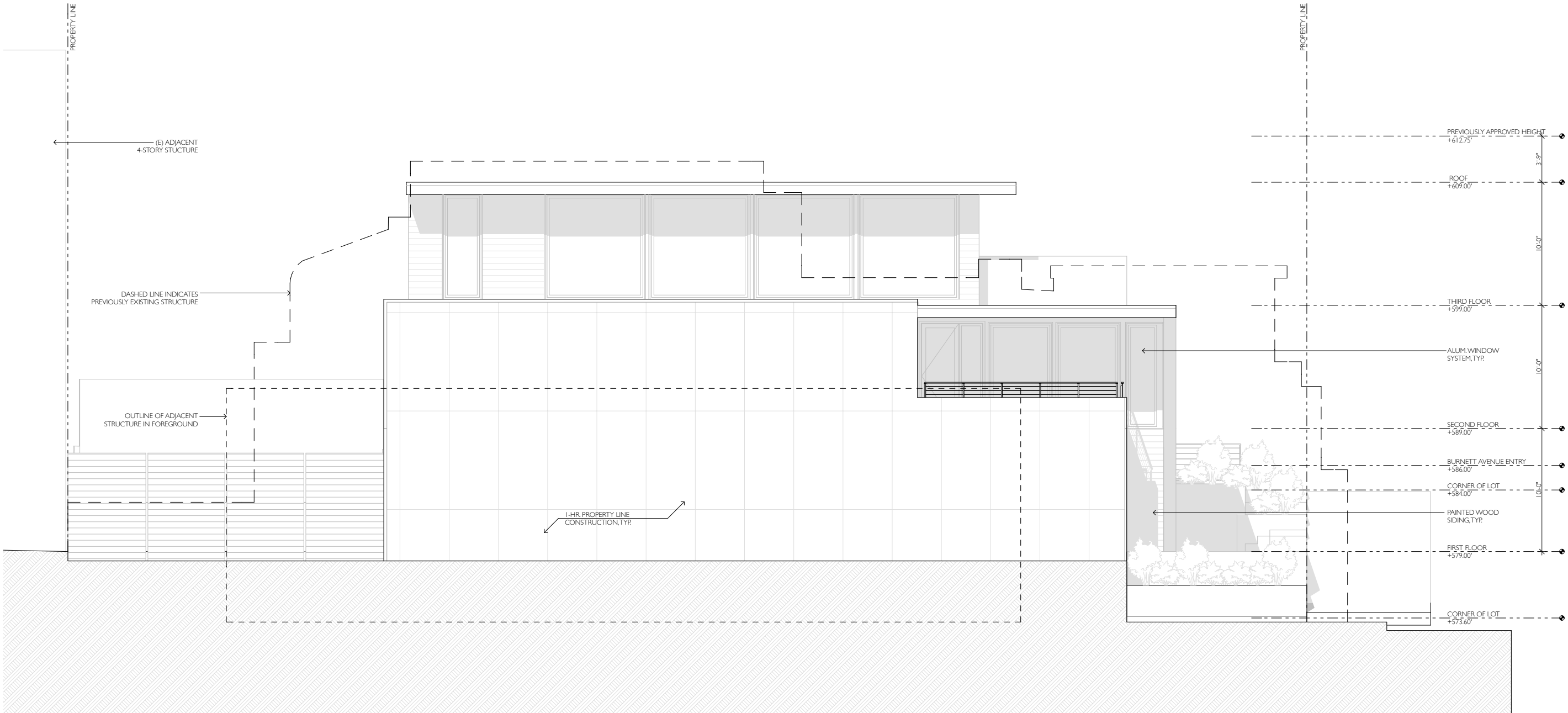
1 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"



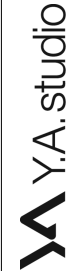
1 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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



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



PROJECT
SINGLE FAMILY NEW CONSTRUCTION
RESPONSE TO: 2017.913913 ENF
2017.09144 NOV

STAMP:

TITLE:
PROPOSED EAST
ELEVATION

| | | |
|------|------------------|----------|
| REV: | PRINTING: | DATE: |
| | SITE PERMIT | 05.22.14 |
| | SITE PERMIT REV. | 05.16.15 |
| | ADDENDUM | 12.03.15 |
| | REV. PERMIT | 11.10.17 |
| | DR HEARING | 11.26.18 |

JOB NO: 17004
DRAWN BY: Y.A.
CHECKED BY: Y.A.
PRINTED: 11/28/18
SHEET:

A3.4

SHEET 19 OF 35 © Y.A. studio 2018

BLOCK/LOT: 2799/042
49 HOPKINS AVE, SAN FRANCISCO, CA 94131

777 Florida Street, Suite #301, San Francisco, CA 94110
office +15320.1838 fax +15320.1940
www.ya-studio.com



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

| | | | |
|---|---|--|---|
| Project Address | | Block/Lot(s) | |
| 49 Hopkins Ave. | | 2799/042 | |
| Case No. | Permit No. | Plans Dated | |
| 2014.1567E | 201407252157 | 10/8/2014 | |
| <input checked="" type="checkbox"/> Addition/ Alteration | <input type="checkbox"/> Demolition (requires HRER if over 45 years old) | <input type="checkbox"/> New Construction | <input type="checkbox"/> Project Modification (GO TO STEP 7) |
| Project description for Planning Department approval. Remove pool and pool enclosure. Expand enclosed one-vehicle garage to include existing adjacent exterior single parking space. Add third floor. Remove front wall enclosure. | | | |

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

| | |
|--|--|
| *Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.* | |
| <input checked="" type="checkbox"/> | Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft. |
| <input type="checkbox"/> | Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU. |
| <input type="checkbox"/> | Class__ |

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

| | |
|---|---|
| If any box is checked below, an <i>Environmental Evaluation Application</i> is required. | |
| <input type="checkbox"/> | Transportation: 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"/> | Air Quality: 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"/> | Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i> |

| | |
|---|--|
| | <i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i> |
| <input type="checkbox"/> | Soil Disturbance/Modification: 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"/> | Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area) |
| <input type="checkbox"/> | Subdivision/Lot Line Adjustment: 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"/> | Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required |
| <input type="checkbox"/> | Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required |
| <input type="checkbox"/> | Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required |
| <input type="checkbox"/> | Serpentine Rock: Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)</i> |
| *If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u> | |
| <input checked="" type="checkbox"/> | Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above. |
| Comments and Planner Signature (optional): Jean Poling | |

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

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

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

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

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

| | |
|--------------------------------------|---|
| Check all that apply to the project. | |
| <input type="checkbox"/> | 1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. |
| <input type="checkbox"/> | 2. Interior alterations to publicly accessible spaces. |
| <input type="checkbox"/> | 3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character. |
| <input type="checkbox"/> | 4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features. |
| <input type="checkbox"/> | 5. Raising the building in a manner that does not remove, alter, or obscure character-defining features. |
| <input type="checkbox"/> | 6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings. |
| <input type="checkbox"/> | 7. Addition(s) , 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. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments): |
| <input checked="" type="checkbox"/> | 9. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: <u>September 2014</u> (attach HRER) b. Other (specify): |
| Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below. | |
| <input type="checkbox"/> | Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6. |
| <input checked="" type="checkbox"/> | Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6. |
| Comments (optional): | |
| Preservation Planner Signature: Justin Greving <small>Digitally signed by Justin Greving DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Justin Greving, email=Justin.Greving@sfgov.org Date: 2015.02.02 13:10:45 -08'00'</small> | |

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

| | | |
|-------------------------------------|--|---|
| <input type="checkbox"/> | Further environmental review required. 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 STOP! Must file an <i>Environmental Evaluation Application</i>. | |
| <input checked="" type="checkbox"/> | No further environmental review is required. The project is categorically exempt under CEQA. | |
| | Planner Name: Justin A Greving Project Approval Action: Building Permit <i>*If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</i> | Signature: Justin Greving <small>Digitally signed by Justin Greving DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Justin Greving, email=Justin.Greving@sfgov.org Date: 2015.02.02 13:10:45 -08'00'</small> |
| | 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. | |

**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) |
| | | |
| Case No. | Previous Building Permit No. | New Building Permit No. |
| | | |
| Plans Dated | Previous Approval Action | New Approval Action |
| | | |
| 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 CATEX FORM | |

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

| | | | |
|--|--|--------------------------------|-----------|
| Preservation Team Meeting Date: | | Date of Form Completion | 1/30/2015 |
|--|--|--------------------------------|-----------|

| | | |
|-----------------------------|-----------------------------|----------------------|
| PROJECT INFORMATION: | | |
| Planner: | Address: | |
| Justin Greving | 49 Hopkins Avenue | |
| Block/Lot: | Cross Streets: | |
| 2799/042 | Burnett and Corbett avenues | |
| CEQA Category: | Art. 10/11: | BPA/Case No.: |
| B | n/a | 2014.1567E |

| | | | | |
|---------------------------------------|-------------------------------------|---------------------------------------|---|---|
| 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 |

| | |
|------------------------------------|-----------|
| DATE OF PLANS UNDER REVIEW: | 10/8/2014 |
|------------------------------------|-----------|

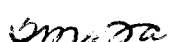
| | |
|--|--|
| PROJECT ISSUES: | |
| <input checked="" type="checkbox"/> | Is the subject Property an eligible historic resource? |
| <input type="checkbox"/> | If so, are the proposed changes a significant impact? |
| Additional Notes: | |
| Submitted: Historic Resource Evaluation prepared by William Kostura (dated September 2014) | |
| Proposed Project: Remove pool and pool enclosure. Expand enclosed one-vehicle garage to include existing adjacent exterior single parking space. Add third floor. Remove front wall enclosure. | |

| | | | | |
|---|---|---|---|---------------------------|
| PRESERVATION TEAM REVIEW: | | | | |
| Historic Resource Present | | <input type="radio"/> Yes | <input checked="" type="radio"/> No * | <input type="radio"/> N/A |
| Individual | | Historic District/Context | | |
| 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: | n/a | Period of Significance: | n/a | |
| | | <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: | <input type="radio"/> Yes | <input checked="" type="radio"/> No | |
| Needs More Information: | <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 | |

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

| |
|---|
| <p>PRESERVATION TEAM COMMENTS:</p> <p>According to the Historic Resource Evaluation (HRE) prepared by William Kostura (dated September 2014) and information found in the Planning Department files, the subject property at 49 Hopkins Avenue contains a one-story over garage wood-frame single-family residence constructed in 1936 (source: building permit). The subject property was designed by master architect Richard Neutra for Lewis Largent and his wife, who went by the name Lydia Frederica Fuller-Largent. Largent was a salesman for Davis and Dunn while his wife was an artist and teacher who also served as a Board of Education Supervisor. It appears Lewis moved away sometime after 1940 while the property was transferred in Lydia's name. Although Lydia appears to have had some success as an artist, the location of her art is unknown. In 1962 the subject property was purchased by Howard Stegman, an accountant, who owned it for less than a decade before selling it to Robert T. Sorensen, a music teacher, in 1971.</p> <p>Known exterior alterations to the subject property include construction of a 20' long retaining wall (1959, likely the wall south of the driveway), fire damage repair including window and door replacement (1968), construction of a swimming pool south of the house (1985), enclosure of the swimming pool including the addition of a glass and concrete block wall along Burnett Avenue (1993), and replacement of eight windows not visible from the street (2004). In 2002 a permit was filed for the legalization of an additional masonry wall. Visual inspection reveals that at an unknown date a balcony was constructed over the carport and a second story addition was constructed above the garage.</p> <p>No known historic events occurred at the subject property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). Although Lydia Fredericka Fuller-Largent may have had some success as an artist there is no indication she made a significant contribution to the art community on the local, state, or national level.</p> <p>(see continuation sheet)</p> |
|---|

| | |
|---|-----------|
| Signature of a Senior Preservation Planner / Preservation Coordinator: | Date: |
|  | 1-30-2015 |

(continuation sheet)

Although Neutra's influence in the Modern architectural movement is undisputed, not every house designed by him is significant. Although it appears the subject property was the first house in San Francisco designed by Neutra, it did not receive the media attention of some other better known works by him in the City. In his seminal book on Neutra titled, *Richard Neutra and the Search for Modern Architecture*, architectural historian Thomas Hines states, "the clapboarded Largent house of 1935 was designed to fit a long narrow corner hillside lot on Twin Peaks, and combined older memories of clapboarded, vertically attenuated Victorian San Francisco with typically Neutra fenestration and detailing."¹ Neutra designed four other residences in San Francisco: the Darling house (1937), the Ford-Aquino house (1937, remodel of an existing Edwardian townhouse), the Schiff house (1938), and the Kahn house (1940). With regard to these other houses, Hines goes in greater detail and describes their history, ownership, and includes photographs taken by Julius Shulman of the Darling, Schiff, and Kahn house.² While there is much information about the history of patronage by the other owners of San Francisco Neutra houses, very little can be said about the Largent house and it does not appear to have been a significant commission for Neutra.

The subject property has also been altered so that it is impossible to know the original design intention of Neutra. If the Largent house was a competent execution by Neutra and retained integrity, it might be significant as his first commission in San Francisco. However, there isn't sufficient evidence to document the original appearance of the building. An aerial photo from 1938 shows a simple rectangular form and a small extension where the garage is currently located. Other original elements of the subject property included a band of steel sash windows along the east elevation below a slightly peaked roof and clapboard siding on the exterior elevations. Research has not uncovered original photographs of the subject property to determine its original appearance and it is difficult to compare with the other houses designed by Neutra in San Francisco. However, given Neutra's reputation as a media savvy architect, if the Largent house was a significant commission, there would likely be more original documentation surrounding its construction in the form of journal articles and historic photographs.

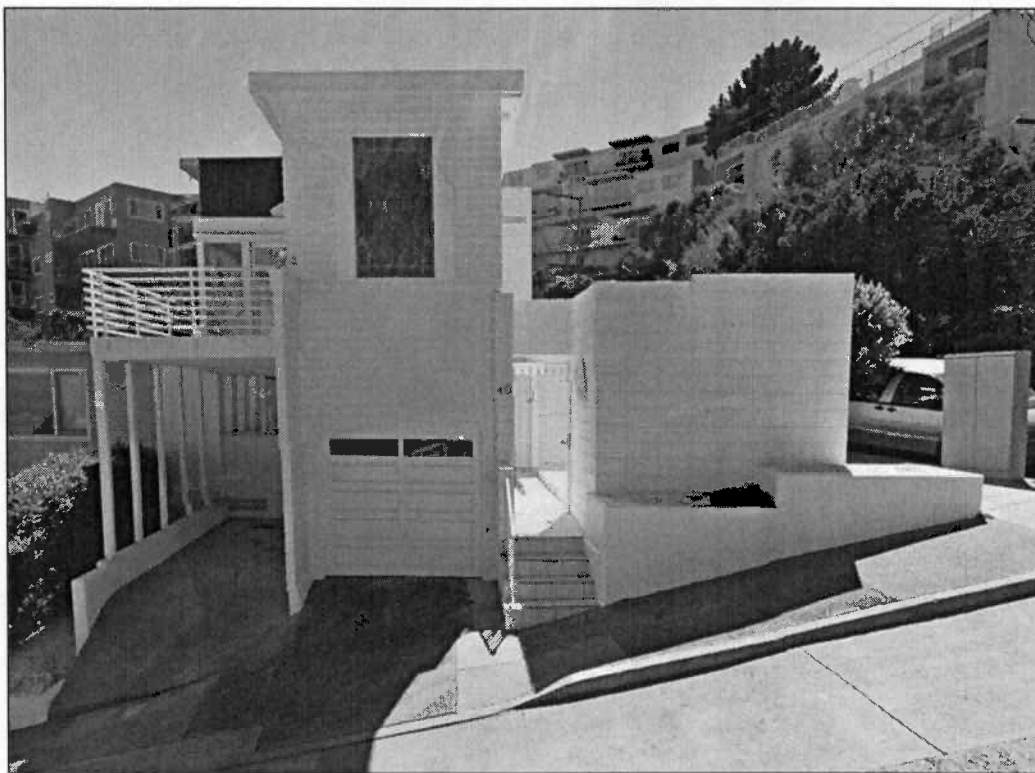
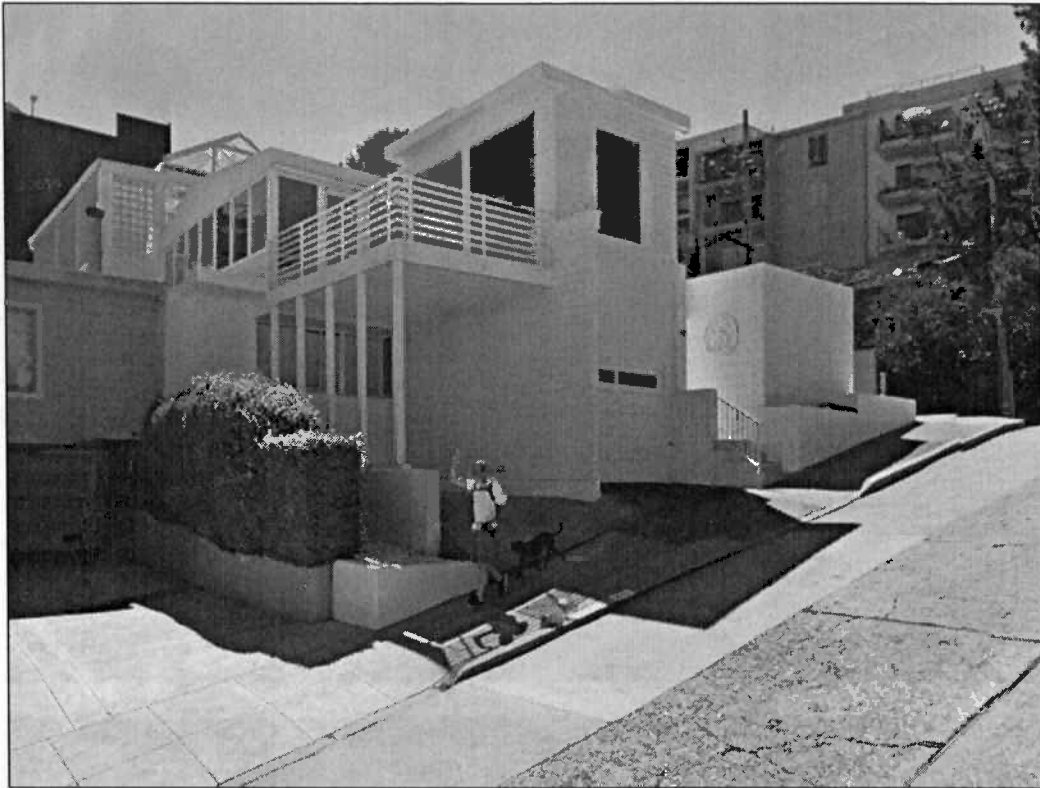
Furthermore, although it may have been significant as Neutra's first commission in San Francisco, the Largent house no longer retains integrity to convey that significance. Planning staff performed a site visit to determine the extent of alterations on the exterior and interior of 49 Hopkins on January 29th. Due to the substantial additions to the rear and primary elevations, as well as removal of most original exterior and interior building fabric, the subject property no longer reads as an International Style house designed by one of California's most important Modern architects. Alterations and additions have compromised the integrity of the Largent house's workmanship, design, materials, feeling, and association, although it retains integrity of setting and location. Therefore the subject property would not qualify individually for listing in the California Register under Criterion 3.

¹ Thomas S. Hines, *Richard Neutra and the Search for Modern Architecture* (New York: Rizzoli, 2005), 160.

² Hines, 160-165.

The subject property is not located within the boundaries of any identified historic district. The subject property is located in the Twin Peaks neighborhood on a block that exhibits mostly non-descript apartment buildings constructed during the 1960s and 1970s in no identifiable architectural style. The area surrounding the subject property does not contain a significant concentration of historically or aesthetically unified buildings.

Therefore the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.







SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 49 HOPKINS AVENUE
RECORD NO.: 2017-016050CUA

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

| | EXISTING | PROPOSED | NET NEW |
|---|----------|----------|---------|
| GROSS SQUARE FOOTAGE (GSF) | | | |
| Parking GSF | 240 | 345 | 105 |
| Residential GSF | 3,132 | 3,615 | 483 |
| Retail/Commercial GSF | | | |
| Office GSF | | | |
| Industrial/PDR GSF <i>Production, Distribution, & Repair</i> | | | |
| Medical GSF | | | |
| Visitor GSF | | | |
| CIE GSF | | | |
| Usable Open Space | 556 | 504 | 52 |
| Public Open Space | | | |
| Other () | | | |
| TOTAL GSF | | | |
| | EXISTING | NET NEW | TOTALS |
| PROJECT FEATURES (Units or Amounts) | | | |
| Dwelling Units - Affordable | | | |
| Dwelling Units - Market Rate | | | |
| Dwelling Units - Total | 1 | 0 | 1 |
| Hotel Rooms | | | |
| Number of Buildings | | | |
| Number of Stories | | | |
| Parking Spaces | 1 | 0 | 1 |
| Loading Spaces | | | |
| Bicycle Spaces | | | |
| Car Share Spaces | | | |
| Other () | | | |

| | EXISTING | PROPOSED | NET NEW |
|-------------------------------|----------|----------|---------|
| LAND USE - RESIDENTIAL | | | |
| Studio Units | | | |
| One Bedroom Units | 1 | 0 | -1 |
| Two Bedroom Units | | | |
| Three Bedroom (or +) Units | 0 | 1 | 1 |
| Group Housing - Rooms | | | |
| Group Housing - Beds | | | |
| SRO Units | | | |
| Micro Units | | | |
| Accessory Dwelling Units | | | |

Parcel Map

2799

LOTS MERGED

LOT 5 INTO LOT 22 - 1940
1 40/52 1981

77 for 2000 roll
3/58 for 2000 roll
& 82 for 200 roll
0 for 2001 roll
185 for 2008 roll
a74 for 2009 roll



HEYMAN

TR. LOTS 270-306

REVISED '58
REVISED '60
" '62
REVISED '63
" '68
REVISED '70
REVISED '79
" '81
" '86
" '89

Revised 2000
Revised 2001
Revised 2008
Revised 2009

SUBJECT PROPERTY



902 CORBETT A

A CONDOMINIUM

| LOT NO. | UNIT NO. | % COM/ ARE/ |
|---------|----------|-------------|
| 49 | 1 | 20.8 |
| 50 | 2 | 20.8 |
| 51 | 3 | 28.6 |
| 52 | 4 | 29.6 |

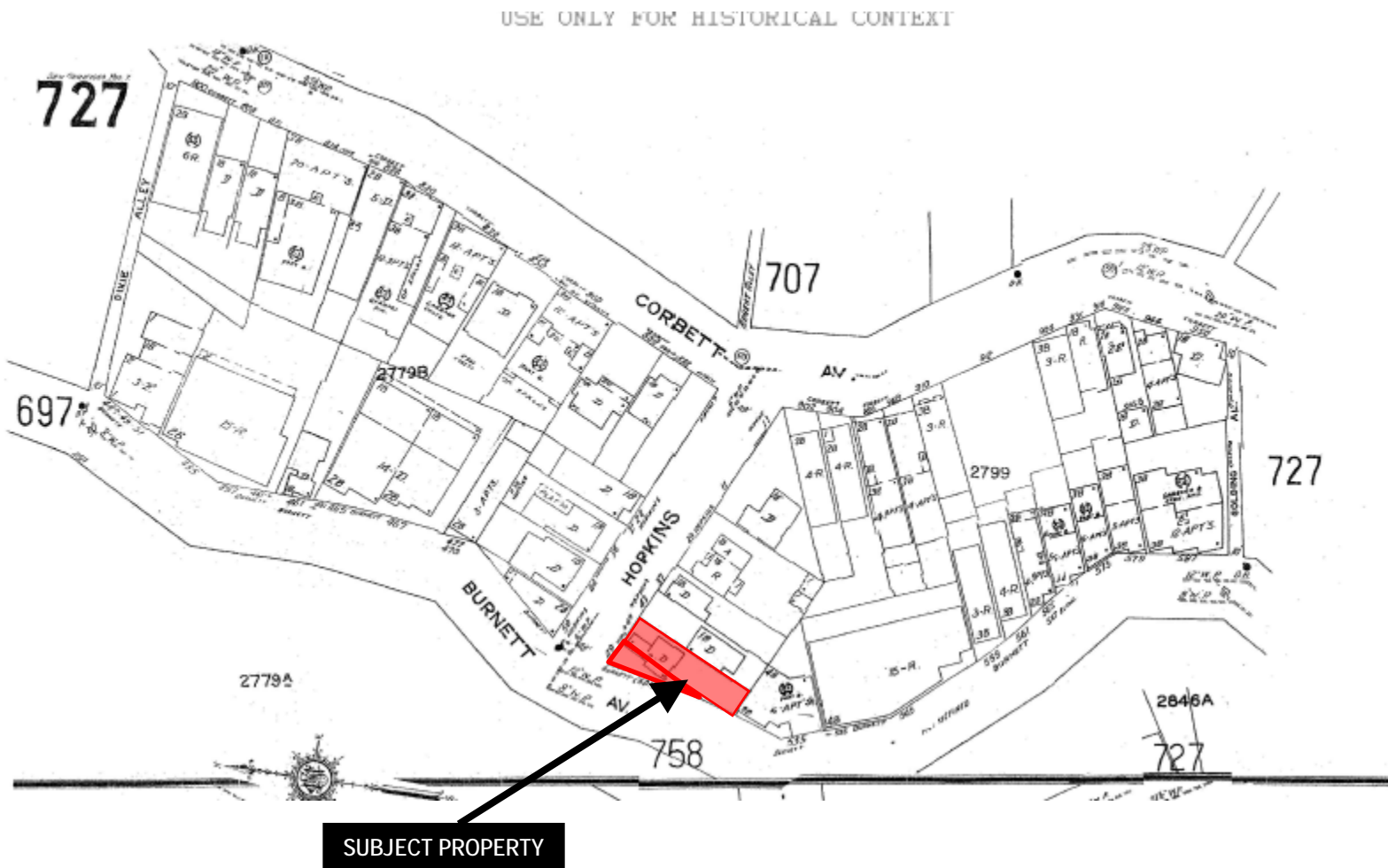
902 CORBETT AVE.
A CONDOMINIUM

GOLDING LANE



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Sanborn Map*

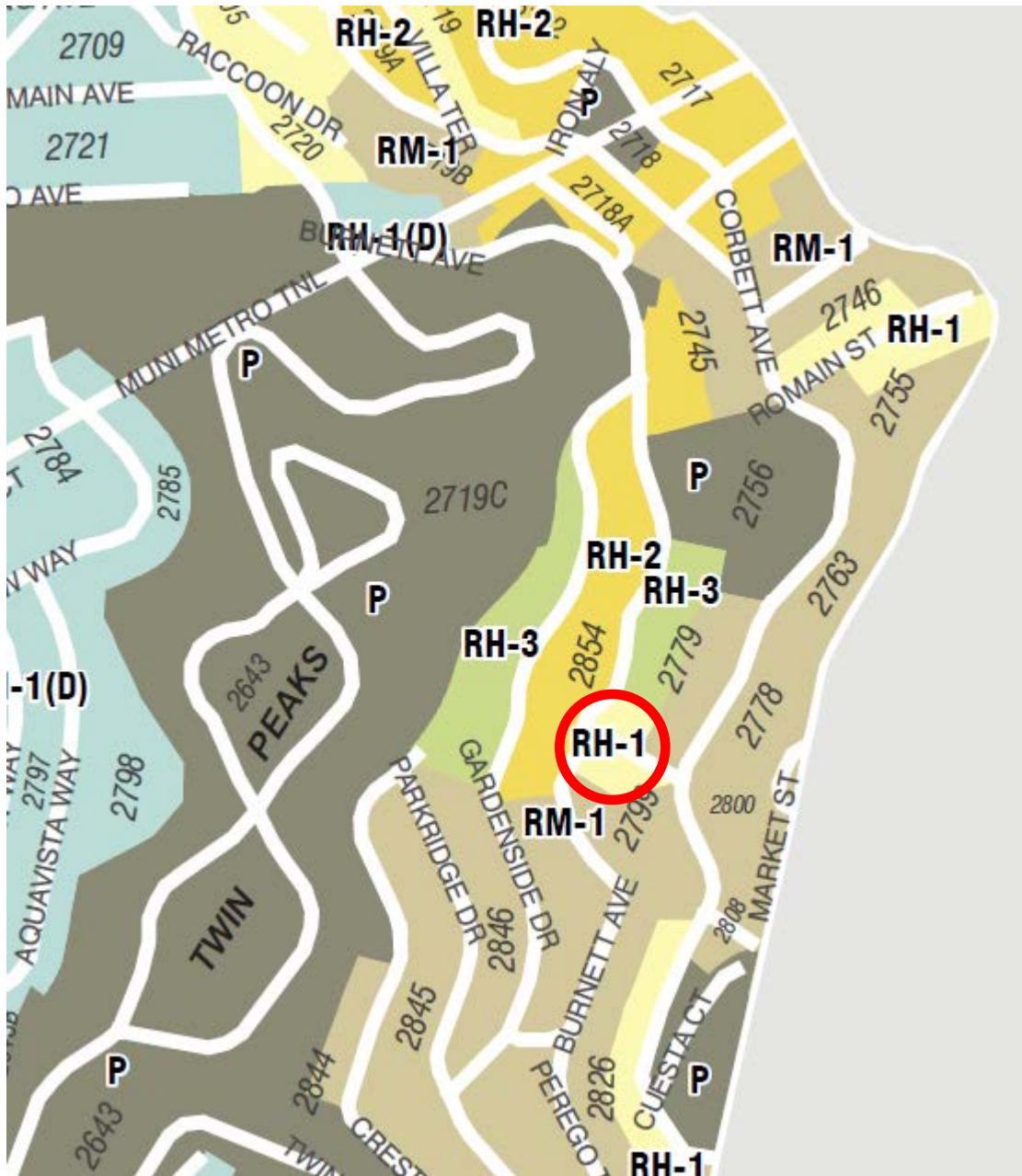


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Zoning Map



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Aerial Photo Prior to Removal

SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Aerial Photo Prior to Removal

SUBJECT PROPERTY



Aerial Photo After Removal

SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Site Photo Prior to Removal



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Site Photo Prior to Removal



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Existing Site Photo



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue

Existing Site Photo



Conditional Use Authorization
Case Number 2017-016050CUA
49 Hopkins Avenue



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **July 25, 2014**, the Applicant named below filed Building Permit Application No. **2014.07.25.2157** with the City and County of San Francisco.

| PROPERTY INFORMATION | | APPLICANT INFORMATION | |
|----------------------|--------------------------|-----------------------|--------------------------------------|
| Project Address: | 49 Hopkins Avenue | Applicant: | Yakuh Askew |
| Cross Street(s): | Burnett Ave. | Address: | 777 Florida Street, Suite 306 |
| Block/Lot No.: | 2799/042 | City, State: | San Francisco, CA 94110 |
| Zoning District(s): | RH-1 / 40-X | Telephone: | (415) 920-1839 |

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

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

| PROJECT SCOPE | | |
|--|--|---|
| <input type="checkbox"/> Demolition | <input type="checkbox"/> New Construction | <input type="checkbox"/> Alteration |
| <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Façade Alteration(s) | <input type="checkbox"/> Front Addition |
| <input type="checkbox"/> Rear Addition | <input type="checkbox"/> Side Addition | <input checked="" type="checkbox"/> Vertical Addition |
| PROJECT FEATURES | EXISTING | PROPOSED |
| Front Setback | 11'-8"; existing conditions are varied | No Change |
| Building Depth | ~ 83 feet | ~ 72.5 feet |
| Rear Yard | ~15.5 feet | ~ 25 feet |
| Building Height | 31'-6" | 33'-6" |
| Number of Stories | 2 | 3 |
| Number of Dwelling Units | 1 | No Change |
| Number of Parking Spaces | 1 | No Change |
| PROJECT DESCRIPTION | | |
| <p>The proposal is remove the existing sunroom and pool area at the rear of the house, and do an interior remodel of the first and second floors. In addition, a new third story is proposed, however the overall height of the building will only increase by ~2 feet compared with the previous peak of the glass sunroom roof. The existing building is nonconforming with respect to the front setback area, however no further expansion into the required front setback is proposed. At the eastern side of the lot, the proposal will remove the existing wall enclosure and replace with landscaping. The proposal will add approximately 2,353sf of conditioned, habitable floor area to the existing building (as the existing pool enclosure is not factored into that calculation). See attached plans.</p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.</p> | | |

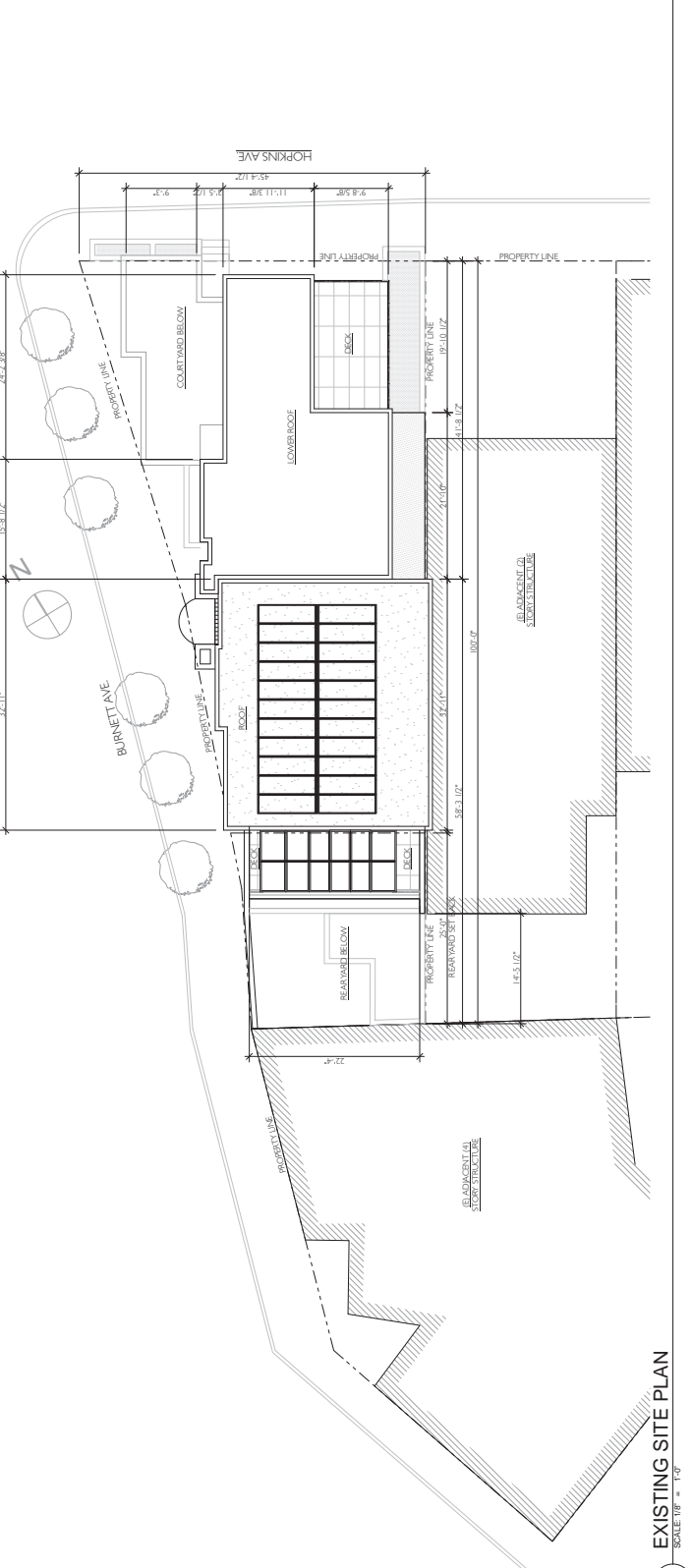
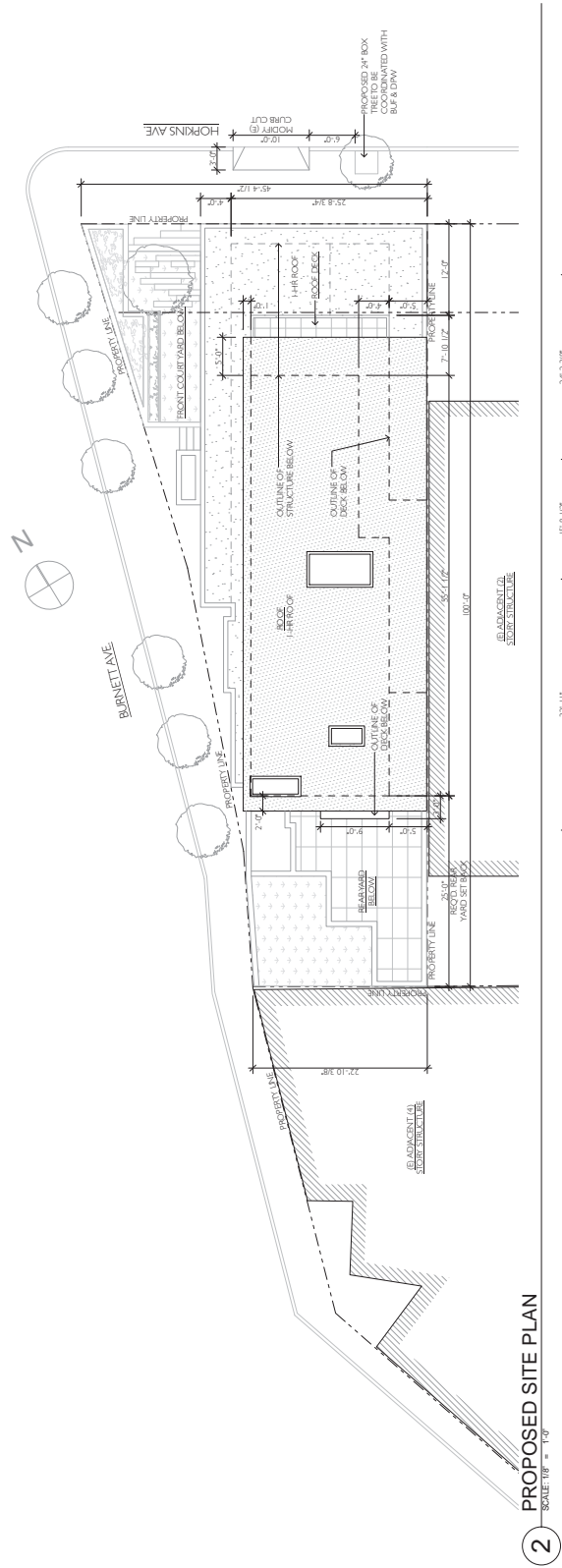
For more information, please contact Planning Department staff:

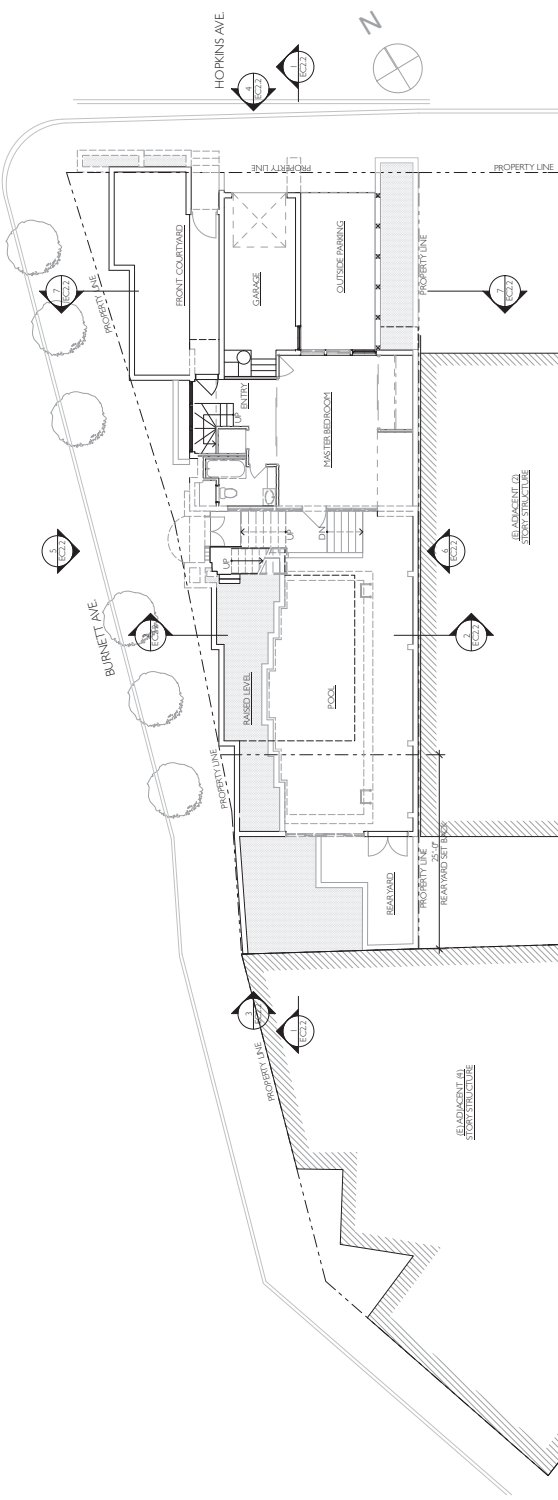
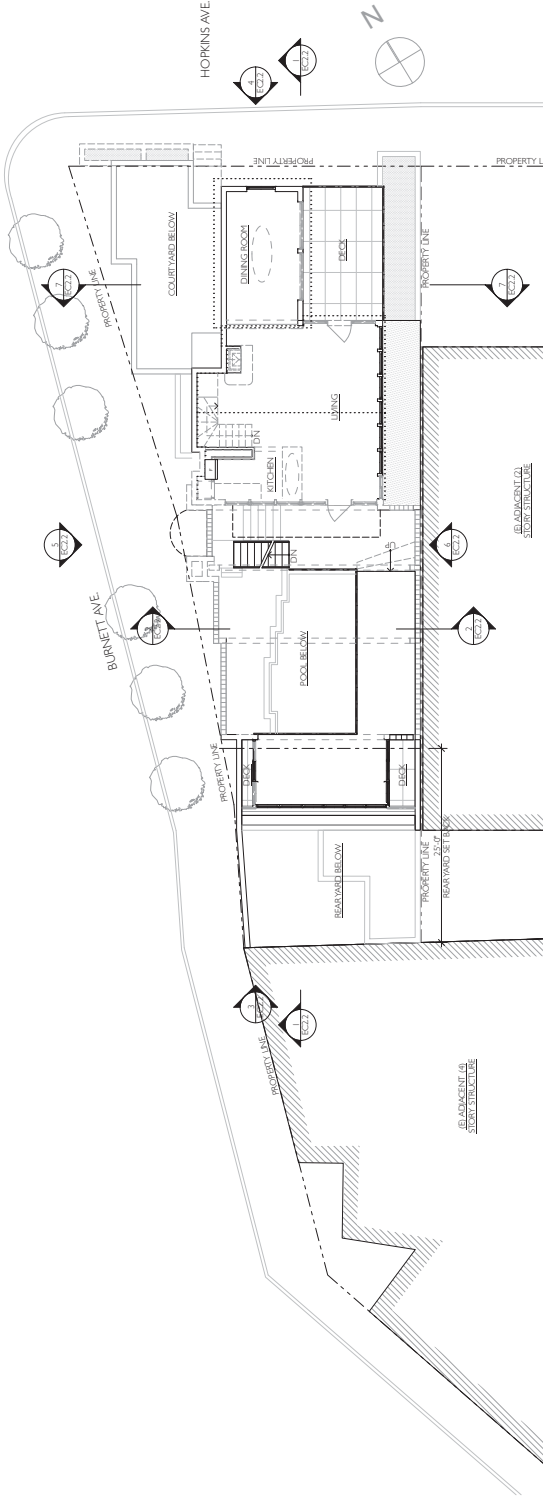
Planner: Andrew Perry
Telephone: (415) 575-9017
E-mail: andrew.perry@sfgov.org

Notice Date: 7/7/15
Expiration Date: 8/6/15

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010





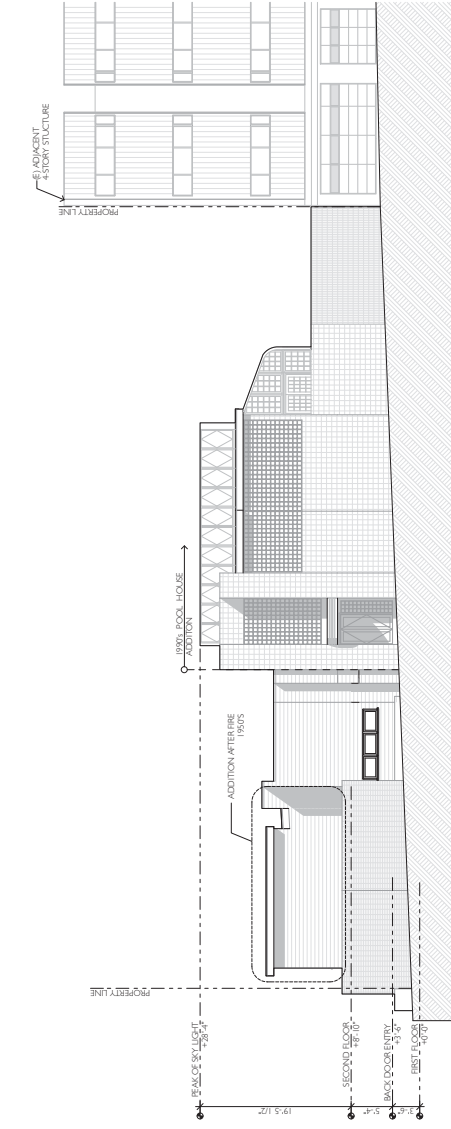
| TITLE |
|------------------------|
| EXISTING ELEVATIONS |

| REV. | PRINTING: | DATE |
|----------|-----------------|------|
| 05.22.14 | SITE PERMIT | |
| 05.16.15 | SITE PERMIT REV | |

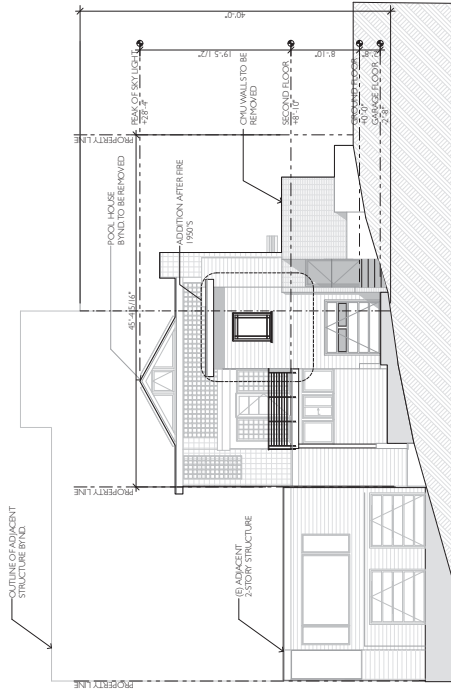
JOB NO: 14016
DRAWN BY: G.B.
CHECKED BY: YA.
PRINTED: 6/12/15
SHEET:

၈

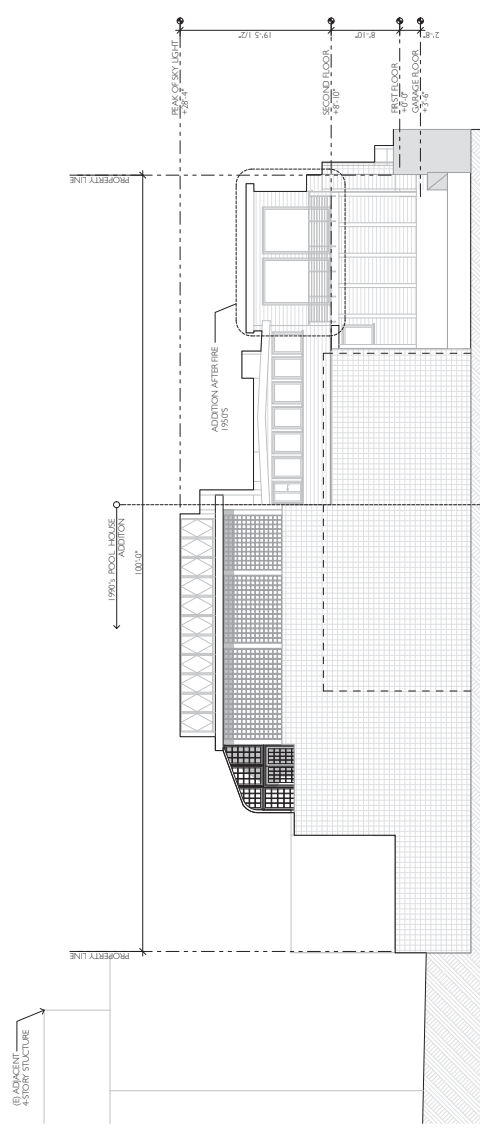
SHEET 18 OF 21 © Y.A. studio 2015



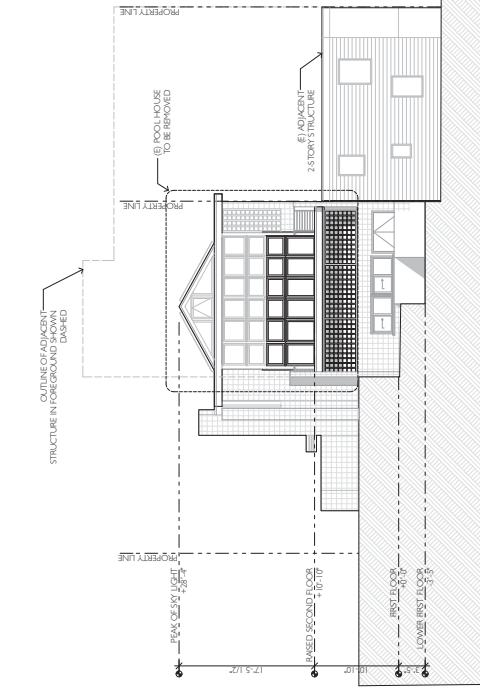
EXISTING SIDE (WEST) ELEVATION



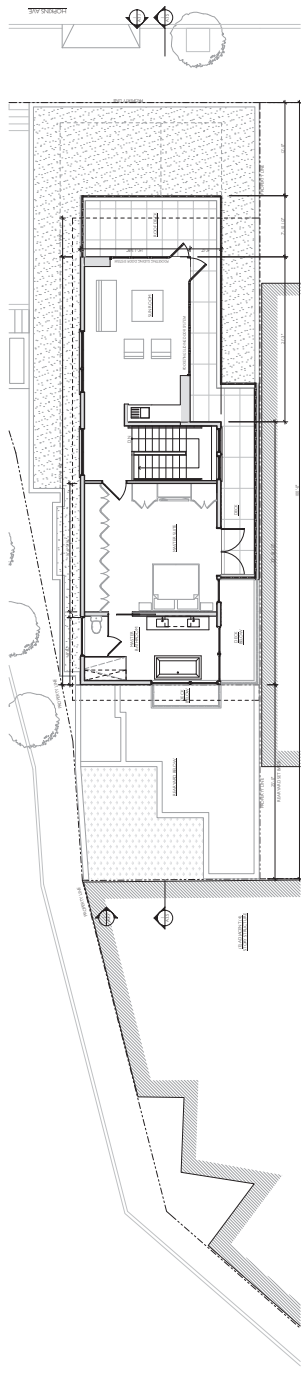
EXISTING FRONT (NORTH) ELEVATION



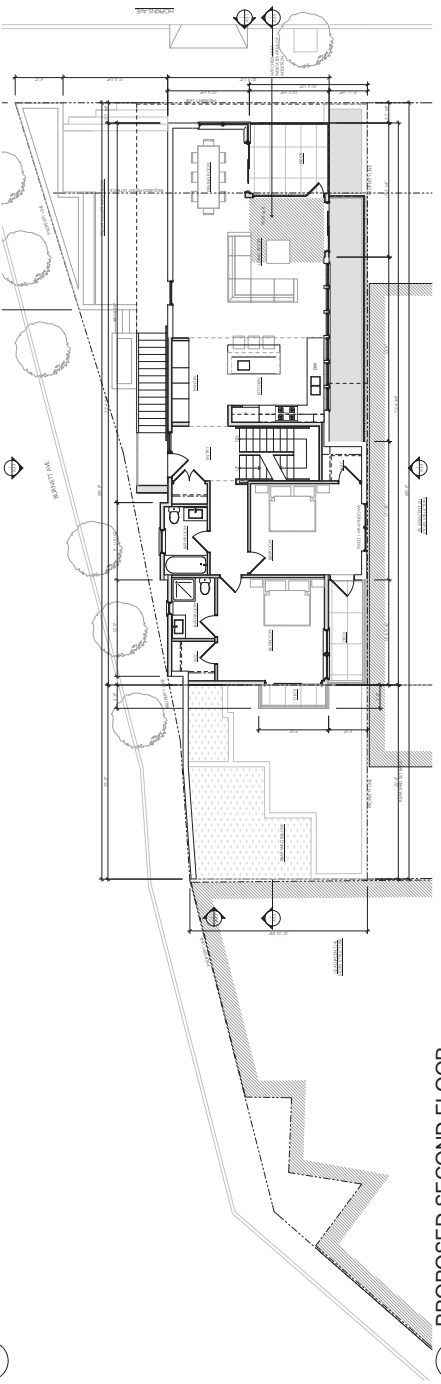
EXISTING SIDE (EAST) ELEVATION



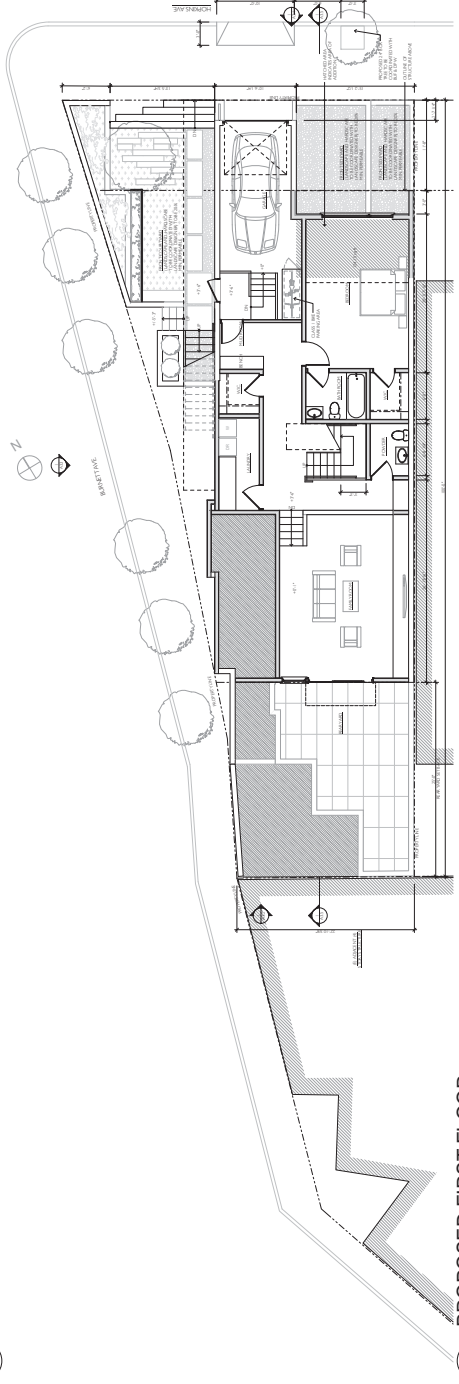
EXISTING REAR (SOUTH) ELEVATION



3 PROPOSED THIRD FLOOR
SCALE 1/8" = 1'-0"

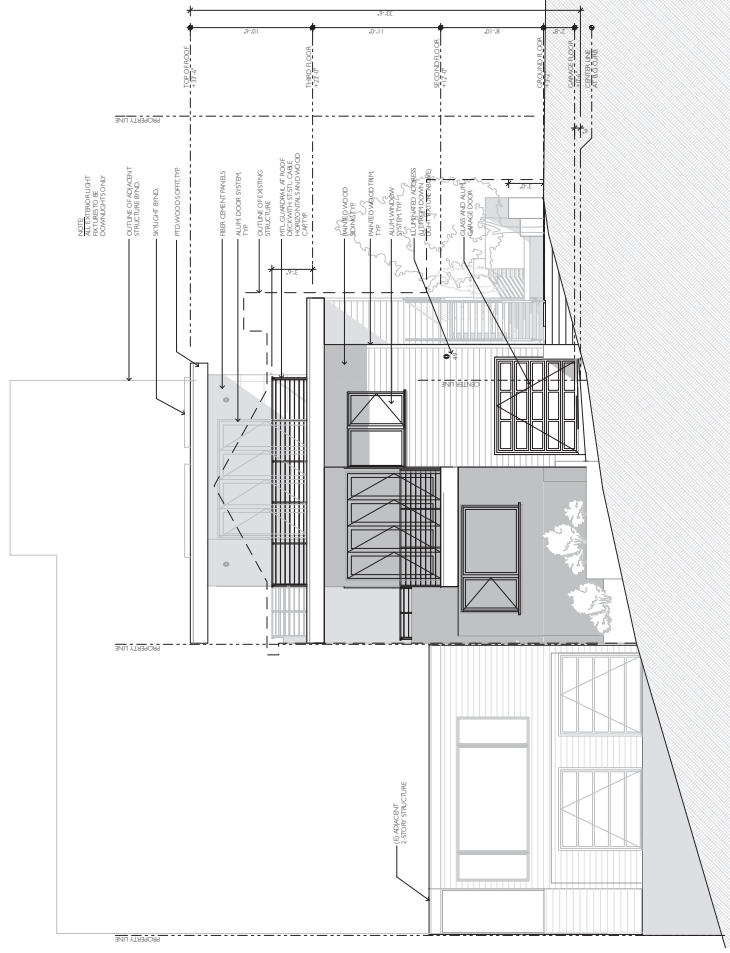


2 PROPOSED SECOND FLOOR
SCALE 1/8" = 1'-0"

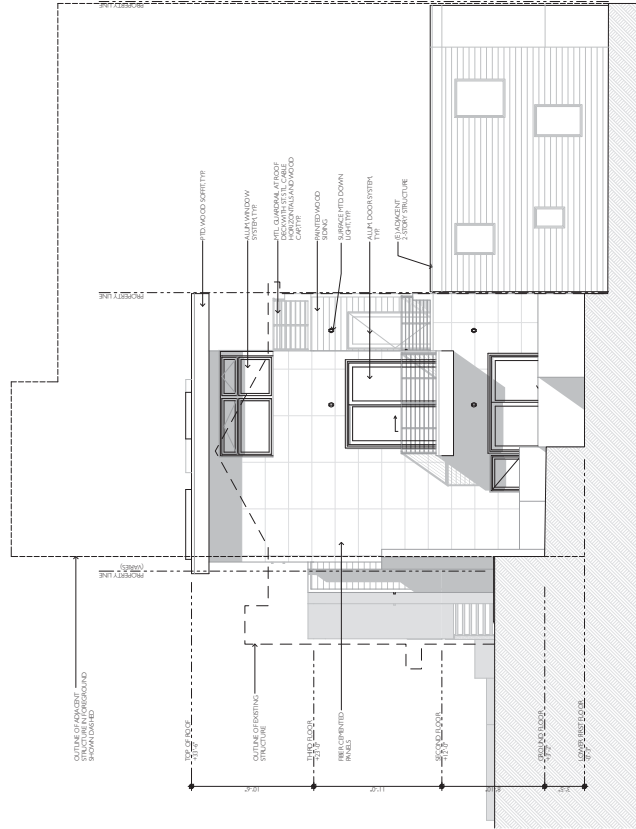


1 PROPOSED FIRST FLOOR
SCALE 1/8" = 1'-0"

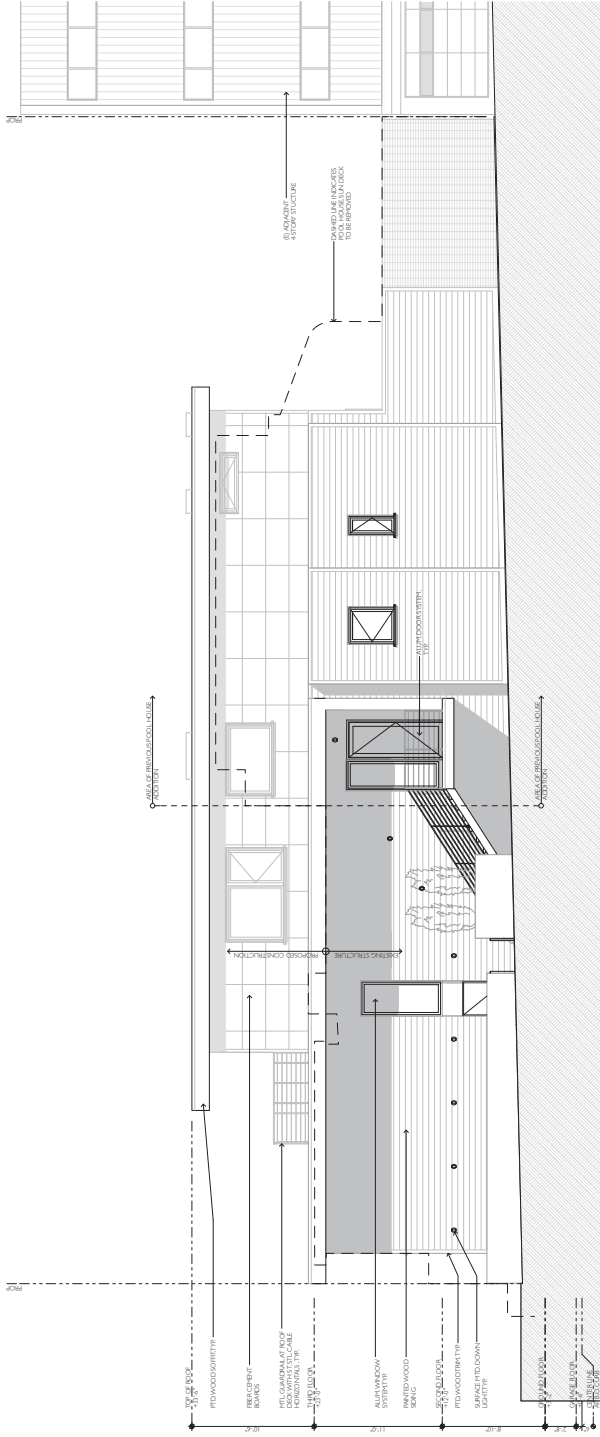
- LEGEND
- (W) WALLS TO BE REMOVED
 - (P) PROPOSED WALLS
 - (E) WALLS
 - HATCH INDICATES OUTLINE OF ADJACENT STRUCTURE



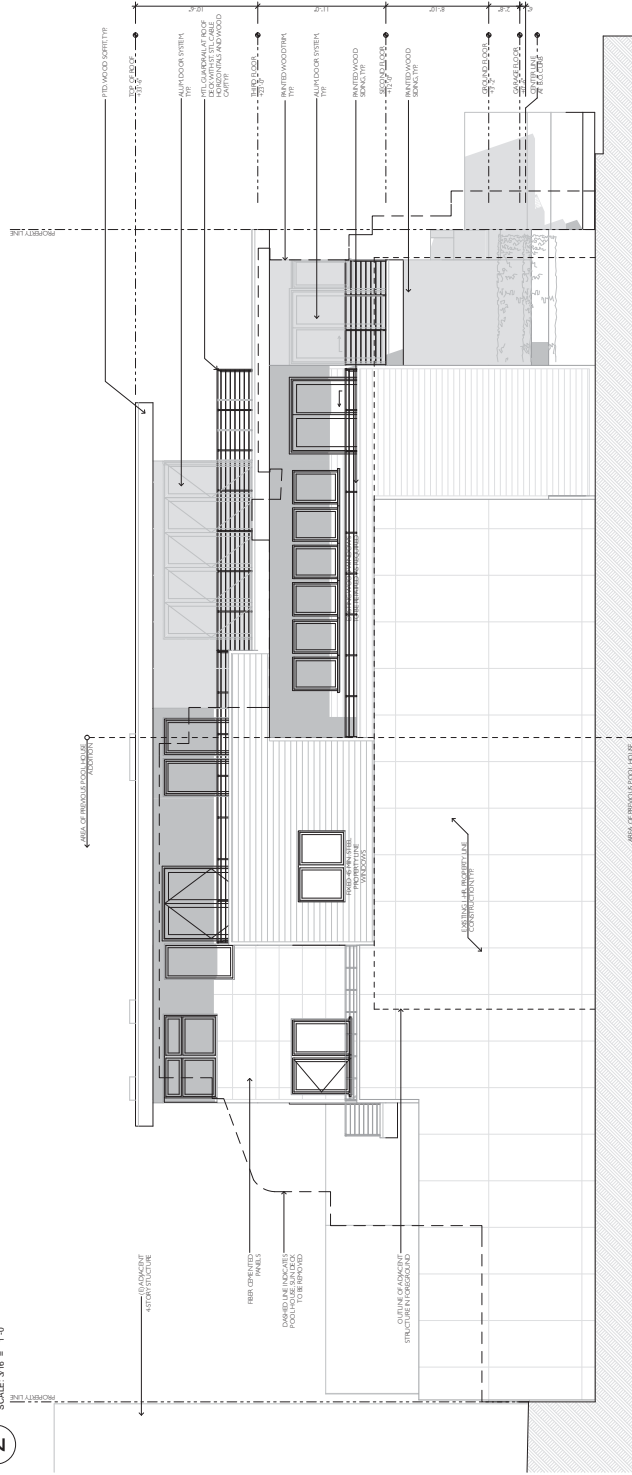
1 PROPOSED FRONT (NORTH) ELEVATION



2 PROPOSED REAR (SOUTH) ELEVATION



PROPOSED SIDE (WEST) ELEVATION



1 PROPOSED SIDE (EAST) ELEVATION

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker
jzucker@reubenlaw.com

November 28, 2018

By Messenger

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

Re: 49 Hopkins Avenue
Planning Case Number: 2017-0165050
Hearing Date: December 13, 2018
Our File No.: 11145.01

Dear President Hillis and Commissioners:

This office represents Ross Johnston (“**Mr. Johnston**”) the sole owner of 49 Hopkins LLC, who is considering moving back to San Francisco to live in the Project with his wife and family, which includes four young children. Mr. Johnston seeks to construct a family-sized, 3-story, 4-bedroom single-family home at 49 Hopkins Avenue (Block 2799, Lot 042; the “**Property**”) smaller than the 3-story 4-bedroom plans previously approved by the Planning Department in 2014 (the “**Project**”). The following are key issues distinguishing this case from other projects that have exceeded the scope as follows:

- (1) The Planning Department previously approved in 2014 an extensive renovation project at the Property that would transform a 1-Bedroom "bachelor pad" with pool into a 4-Bedroom family-friendly home. (See p. 2)
- (2) Unlike other projects, this project minimally exceeded the scope of approved alterations because of life-safety issues encountered by the general contractor, who is also a structural engineer. (See pp. 3-4)
- (3) The Project’s proposed 4-bedroom, 3-story home is smaller in livable square footage and greatly reduced height than what the Planning Department approved in 2014. The Project contains a code-compliant front setback and increased setbacks of the third-story compared to the previously approved plans in 2014. (See p. 3)
- (4) The Project team has been responsive to neighbors and Planning Department concerns. (See pp. 5-6)
- (5) The Project will create a family-sized home that will enable Mr. Johnston, a married man with four children, to move back to San Francisco. (See pp. 5)

- (6) The then-existing building at the Property designed by Richard Neutra is not an “Historic Resource” as determined by a February 5, 2015, historic resource evaluation. (See Case No. 2014.1567E)
- (7) Mr. Johnson is the sole owner, member and manager of 49 Hopkins LLC. (See **Exhibit A**)

The 2014 project approved by the Planning Department and Department of Building Inspection (“DBI”), Planning Case No. 2014.001512 and DBI Case No. 2014.0725.2157 (the “**2014 Approved Plans**”) authorized an extensive remodel to the then-existing structure. The 2014 Approved Plans’ included the following elements to allow for construction of a 3-story, 4-bedroom, 3,665 square foot family-sized home with 240 square foot attached garage:

- Removal of the 1,580 square foot indoor pool/sunroom that was enclosed by a 26’8” high, steel and glass structure;
- Addition of a third story; and
- Retention of non-code compliant obstructions in the front setback.

Mr. Johnston has been sensitive to concerns about how the Project fits into the neighborhood. After comments from adjacent neighbors and Planning Staff, the project team went back to the drawing board and produced a code-compliant design that does not retain any non-code compliant elements, does not need any variances from the Planning Code, and is of lower height and similar mass to the plans previously approved by the Planning Department in 2014. The reduced sized, code-complying Project is now before the Planning Commission.

The Project is smaller in size and mass than the 2014 Approved Plans as follows:

| | Peak Height | Living Square Ft. | Garage Square Ft. |
|---|--------------------|-------------------|-------------------|
| <i>Original 1-Bedroom with pool/sunroom</i> | 26’8” ¹ | 3,132 | 240 |
| <i>2014 Approved Plans(4-Bedroom)</i> | 28’9” | 3,665 | 240 |
| <i>Proposed Plans(4-Bedroom)</i> | 25’ | 3,615 | 345 |

The Project’s benefits to the community and city include: (a) construction of a family-sized, 4-bedroom home consistent with plans previously approved by the Planning Department in 2014; (b) restoration of the front setback obstructed with an off-street parking space and wall; (c) restoration of the rear yard obstructed with the 1,580 square foot pool/sunroom; (d) reduction in building height; (e) improvement of neighborhood safety; and (f) increased setbacks of the third-

¹ These measurements are all relative from the same point, i.e., from the corner of Burnett Avenue, allowing an accurate comparison.

story floor east and north facades compared to the previous 2014 Approved Plans and original home with respect to side setbacks.

Mr. Johnston respectfully requests the Planning Commission grant a Conditional Use Authorization at the December 13, 2018, hearing to allow the Project to proceed.

A. Surrounding Neighborhood

The Property is a corner lot located in the Twin Peaks Neighborhood, which contains many 3- and 4-story single-family homes with several 2- and 3-stories over a garage. These homes include some in the immediate vicinity of the Project site such as 50 Hopkins (3-stories), which is the corner property across the street; 930 Corbett (3-stories); 956 Corbett (3-stories); 958 Corbett (3-stories); 968 Corbett (4-stories); 980 Corbett (4-stories); 990 Corbett (4-stories); 994 Corbett (4-stories); 1000 Corbett (4-stories); 10 Portola (4-stories); and 22 Portola (4-stories). The proposed design of 49 Hopkins Avenue, with 3-stories at 25' in height, will continue the pattern of 3- and 4-story single-family homes and is consistent but smaller in size and height than the 3-story home authorized by the 2014 Approved Plans.

B. Project Description

Mr. Johnston seeks to construct a family-sized home smaller in size and height to what was previously approved in 2014 by the Planning Department with increased setbacks. The Project is smaller in size and mass as the 2014 Approved Plans as follows:

| | Peak Height | Living Square Ft. | Garage Square Ft. |
|---------------------------------------|-------------|-------------------|-------------------|
| <i>2014 Approved Plans(4-Bedroom)</i> | 28'9" | 3,665 | 240 |
| <i>Proposed Plans(4-Bedroom)</i> | 25' | 3,615 | 345 |

At 25' in height, the Project is lower than the then-existing 1-bedroom home with pool/sunroom and smaller in livable square footage and height than the 3-story home authorized in the 2014 Approved Plans. The Project will have a code-compliant front setback and rear yard, eliminating non code-compliant elements of the Property that were part of the 2014 Approved Plans.

C. Project Background

The 2014 Approved Plans called for an extensive remodel to the 1-bedroom home, including the removal of the entire pool/sunroom and vast portions of the east elevation of the concrete masonry unit ("CMU") walls. In 2014, the project was approved as an extensive remodel. However, the 2014 project in all likelihood would have qualified as a "demolition" eligible for an administrative approval because the assessed value exceeded the applicable monetary threshold at that time.

In late 2017, while performing the extensive remodel authorized by the 2014 Approved Plans, the general contractor discovered structural conditions that differed from those assumed in the 2014 Approved Plans. Specifically, the general contractor encountered multiple instances of compromised structural elements that only became visible during the remodel. Based on his many years as both a licensed structural engineer and licensed general contractor, he made in-the-field decisions to alter four areas exceeding the scope permitted.² Unlike other excessive demolition projects that have come before the Planning Commission, the general contractor – who is also a licensed structural engineer – made decisions to exceed scope for life-safety concerns for construction workers on the job site and future residents as described below:

- 1) East Elevation CMU Wall. This wall was not solid concrete, as assumed in the 2014 Approved Plans, and the portion to remain was not structurally sound to support 2014 Approved Plan's authorized 3-story home.
- 2) Framing Above Garage. The framing above the garage was non code-compliant 2x4s that were badly charred from a fire in the 1950s/60s, as opposed to code-compliant 2x10s. The badly charred and compromised framing, supporting 2-3 inches of solid concrete and heavy granite tile suspended approximately 11' in the air, created a major safety risk for construction workers below.
- 3) Kitchen Area Floor. The second-story kitchen area floor was removed because of severe water damage and dry rot to the subfloor and framing that supported heavy granite tile and 2-3 inches of solid concrete that was attached to the subfloor with chicken wire. The structural integrity of the floor was compromised and posed a life-safety risk.
- 4) West Elevation Wall. This wall by the bottom of the stairwell leading to the front entrance was removed because the general contractor discovered the wall's studs went directly into the dirt/ground and there was no foundation. The wall's wood studs had dry rot throughout, which compromised its ability to support the 2014 Approved Plans' authorized 3-story home.

Mr. Johnston fully acknowledges that the general contractor made judgment calls in the field that resulted in alterations beyond the scope of the 2014 Approved Plans. The general contractor, who is also a licensed structural engineer, understood that updated structural plans would have to be submitted prior to any construction. Though there can be debate in hindsight on the process and sequencing of events taken by the general contractor in the field, the excess alterations were not performed surreptitiously, without conscious thought, or with a nefarious intent of gaining Mr. Johnston a significantly increased footprint. Instead, the additional alterations were necessitated by legitimate life-safety and structural integrity concerns that impacted construction workers on the job site and future residents as set forth above.

² Windows on the second story of the east elevation wall were also removed because they were not usable.

D. Summary of Project Benefits

The Project will provide significant benefits to the neighborhood and City, including the following:

- **Adds A Family-Sized Home.** The existing 3,132 square foot structure, consisting of a 1,312 square foot 1-bedroom home, 1,580 square foot pool/sunroom, and 240 square foot attached garage was a “bachelor pad” and would not be able accommodate a family. The Project will construct a fully code-compliant family-sized, 4-bedroom home, and restore the rear yard and front setback in a single-family residential zoning district.
- **Establishes Front Setback.** The 1-bedroom home included an off-street surface parking spot in the front setback. Thereafter, in 2002, a variance was granted for a wall constructed within the front setback. (Case No. 2002.0137V.) The 2014 Approved Plans called for retaining elements obstructing the front setback. The Project eliminates this off-street surface parking spot and replaces it with a code-complaint front setback. The front setback will be an attractive, architecturally interesting landscaped area with appropriate permeable surface, enhancing the pedestrian experience along Hopkins Avenue.
- **Restores Rear Yard.** In 1992, a 3-story, 26’8” high steel and glass enclosed, 1,580 square foot, pool/sunroom was added to the rear of the home, encroaching and obstructing the rear yard. (Case No. 1992.085V.) The Project calls for removal of the pool/sunroom and restoration of a code-compliant rear yard greater than 550 square feet for families with children to use and enjoy.
- **Reduces Height and Square Footage.** The Project calls for replacing a 3,132 square foot 1-bedroom home with pool/sunroom with an attractive family-sized, 3-story, 4-bedroom home consistent but smaller in livable square footage and massing than the 3-story, 4-bedroom home previously approved in 2014. The proposed home is 25’ in height and will not be as tall as the pool/sunroom, which was 26’8” or the 28’9”, 3-story home the 2014 Approved Plans authorized to be constructed.
- **Improves Neighborhood Safety.** The Project’s removal of an off-street parking spot in the front setback adjacent to the sidewalk on the western side of Hopkins Avenue will improve pedestrian safety. A family-sized home with multiple residents and their children occupying the 4-bedrooms, will activate the sidewalk, provide eyes on the streets, and generally increase the safety of the neighborhood.

E. Neighborhood Outreach and Design Development

Mr. Johnston has prioritized community outreach in the neighborhood. During the deconstruction phase of the Property, the general contractor spoke with the adjacent homeowner

to the south regarding the Project. In addition, the Project team has held two neighborhood meetings at the Property to address the complaints of alterations exceeding the scope of the 2014 Approved Plans as well as Planning Department staff. As a result of those meetings and discussions, Mr. Johnston modified the Project as follows:

Noise: The general contractor and adjacent neighbor to the south discussed noise concerns on multiple occasions prior to commencing and during the deconstruction phase. No large, loud machinery (e.g., Caterpillar) was used for the deconstruction. Rather, small, quieter machines (e.g., Bobcat) were used in conjunction with hand removal of the CMU walls due to rebar running throughout the height of the wall. To achieve this, platforms/scaffolding had to be constructed around the then-existing home to facilitate hand removal of the pool/sunroom and CMU wall with rebar throughout.

Building Mass: The Project is fully code-compliant, including those for rear yard, front setback, and building height that is smaller in livable square footage and height compared to the 2014 Approved Plans. The 2014 Approved Plans did not call for a fully code-compliant home. Compared to the previous 2014 Approved Plans, the present Project as proposed nearly doubles the third-floor front façade setback from 7'10.5" to 15'; it increases the third-floor east façade setback from 3' to 5'; and reduces the height of the building from 28'9" to 25', which is below the previous-existing 1-bedroom home with pool/sunroom that was 26'8" tall.

Mr. Johnston has gone out of his way to ensure the Project is compatible with the neighborhood and incorporates community input, and as a result, the Project will be a positive addition to the neighborhood. Comments have been made regarding the size of the Project's proposed 4-bedroom home and as a result the livable square footage and height of the Project has been reduced. Due to Mr. Johnston's family size, further reduction of the number of bedrooms would not accommodate him, his wife, and four young children.

F. Conclusion

The Project proposes to transform an underutilized 1,312 square foot 1-bedroom and 1,580 square foot pool/sunroom (i.e., a "bachelor pad") to a home suitable for families. The Project will provide a fully code-compliant family-sized, 4-bedroom, 3-story home smaller in size and mass compared to the 4-bedroom, 3-story home that was previously approved in 2014, but with a lower height and increased setbacks. For all of the reasons stated herein and those listed in the application, we respectfully request the Planning Commission to support this Project at the December 13 hearing. Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Justin A. Zucker

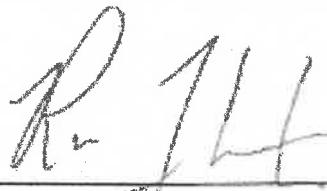
Enclosure: Exhibit A – Ross Johnston Affidavit

cc: Vice President Myrna Melgar
Commissioner Rodney Fong
Commissioner Milicent A. Johnson
Commissioner Joel Koppel
Commissioner Kathrin Moore
Commissioner Dennis Richards
Jonas P. Ionin, Commission Secretary
Jeffrey Horn, Project Planner

EXHIBIT A

My name is Ross Johnston. I declare under the penalty of perjury the following to be true and correct:

1. 49 Hopkins LLC, the entity owning the property at 49 Hopkins Avenue in San Francisco, was legally organized as a California LLC on 1/3/2017.
2. 49 Hopkins LLC took 100% ownership of the property at 49 Hopkins Avenue on 1/19/17 and has continuously held 100% ownership interest in the property since that date.
3. Since the legal organization of 49 Hopkins LLC, I have been and continue to be the sole owner, member, and manager of 49 Hopkins LLC.
4. Timothy Brown, Mark Brown, Jon Kantor, Matthew Miller, and TABNOTES do not currently and have never held any ownership interest in 49 Hopkins LLC or the 49 Hopkins property either through their own person or any affiliated business entity at any time.
5. Brown and Company (Timothy Brown and Mark Brown) acted as my real estate agents in the purchase of the 49 Hopkins property from the seller.
6. TABNOTES LLC provided 49 Hopkins LLC an arm's length, short-term "bridge loan" of \$350,000 on 1/3/17 to help close the acquisition for cash with the understanding that the bridge loan would be re-paid when financing was secured from a construction lender.
7. Construction financing was secured from Fremont Bank on 8/15/17 at which point the TABNOTES bridge loan was fully paid off.
8. The formation of a California LLC requires an office street address and an agent for service of process that are located in California. Mark Brown, who has an office at 775 Monterrey Street in San Francisco, was listed as my agent for service of process in the LLC incorporation documents.



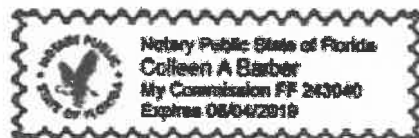
Ross Johnston

STATE OF FLORIDA
COUNTY OF ORANGE

THE FOREGOING INSTRUMENT was acknowledged before me this 10th day of September, 2018, by ROSS JOHNSTON as Manager of 49 HOPKINS LLC, a Florida limited liability company, on behalf of the company, who is personally known to me and did take an oath.



Notary Public



**HISTORICAL EVALUATION of
49 HOPKINS STREET, SAN FRANCISCO**

According to California Register Criteria



Perspective view looking southeast, showing 49 Hopkins Street

by

William Kostura, architectural historian
P. O. Box 60211
Palo Alto, CA 94306
(650) 815-1174

September 2014

Summary

The property at 49 Hopkins Street, in the lower Twin Peaks neighborhood of San Francisco, was built in 1935-1936 to a design by the Los Angeles architect Richard Neutra. Beginning in 1959 several additions to the house, in the form of a swimming pool, a high masonry wall that encloses a yard, a second story addition, insertion of a garage, and creation of a carport, have obscured the general lines of the original house and resulted in a loss of integrity; and for this reason this property does not appear to be eligible for the California Register under criteria 1, 2, or 3. There also does not appear to be a potential California Register historic district in the vicinity. Please see a discussion of these issues in the "Evaluation" section of this report, on pages 8-9.

Description

The neighborhood

This house is located at the southeast corner of Burnett Avenue and Hopkins Street, on the eastern slope of Twin Peaks. The streets are curvilinear and where possible follow the contours of the hillside. Running from east to west, the ground slopes sharply upward. At the lower levels, along Corbett Avenue and on Hopkins, one finds many single-family houses. Those on Hopkins (other than the subject house) were built in the 1950s, while most houses on Corbett were built during the 1960s-1970s. At the higher levels, to the west, along Burnett and on Gardenside, one finds large apartment buildings that were also built during the 1960s and 1970s. Very roughly, the farther west and uphill one goes, the later in construction date and the larger the buildings are.

Regardless of their size, these buildings are modern in feeling and take their stylistic influence primarily from the International style. Siding is usually of stucco, roofs are flat, windows are wide, and ornament is lacking. Four houses on Hopkins, including the subject house, have wooden siding instead of stucco, and a few apartment buildings combine wooden with stucco sheathing. The feeling is generally spare. On Gardenside the apartment buildings feature balconies built on cantilevered concrete slabs. Only one building in the vicinity employs traditional or historic imagery. This is a restrained, and late, example of a Swiss Chalet or Tudor Revival style at 888 Corbett. It has carved bargeboard, prominent wooden window framing, and some faux half-timbering.

On the long avenues, Corbett and Burnett, the buildings are squeezed next to each other and the density is very high. By contrast, on Hopkins Street, there is usually some space between the houses. Hopkins, however, is only one short block in length, and so the density pattern there is not typical of the vicinity.

Market Street runs only one block to the east, roughly parallel with Corbett Avenue. Beyond Market Street is Noe Valley, which is laid out on a rectangular street grid.

The subject house

49 Hopkins occupies an irregularly-shaped lot at the corner of Hopkins and Burnett avenues. The house occupies most of its lot, the exceptions being a patio at the west corner, a small back yard, and short driveways on the Hopkins side. These driveways lead to a garage and a carport. There are also two low, gravel-filled planters, one each on the Hopkins and Burnett sides. The latter is planted with three conical bushes.

The patio and its enclosing wall are a prominent design element of this property. It is enclosed on two sides by a masonry wall of concrete blocks that are painted white. This wall is level at the top, but because of the slope of the land it varies from eight to eleven feet in height. It is similar in material, finish, and form to the wall of the swimming pool addition to the south, and, further south, to a wall that encloses the back yard. One example of ornamentation can be found on the patio wall, facing the steps: a circular medallion depicting a woman and staghound. It is the only ornament on the building. On the Hopkins side, and adjacent to the patio wall, a short flight of four tile-covered steps leads to a steel grille and, past the grille, to the patio and the entrance to the house.

The house itself is composed of four parts that are described below:

1) The main body of the house was built in 1935-1936, is two stories in height, and is clad in clapboard siding, painted white. Parts of it are visible in two places: 1) It is principally visible on the Burnett Street side, between the patio and the pool house. This section is a monolithic wall pierced only by a very low window at ground level, behind a planter. 2) A short stretch of the old house can also be seen from Hopkins Street, where it forms a backdrop to the carport. This wall is pierced in the lower story by a steel sash window that is nine feet in width by three feet high.

2) Projecting north from the main body of the house, toward Hopkins Street, is a narrow wing that is two stories in height. A one-story wing at this location is depicted in an early aerial photo and in Sanborn maps of 1950 to 1985, and so it is probable that the first story of this wing also dates to 1935-1936. Like the main body of the house described above, it is also clad in clapboard siding. The first story is occupied by a garage and has a roll-up paneled door. A large fixed window illuminates the room above. The flat roof projects several inches from the wall plane on all sides and is trimmed by a flat fascia board. No auto use was indicated for this wing in the Sanborn maps, so it seems evident that the garage door opening is an alteration.

3) East of this wing is a semi-enclosed car port and a second-story deck. The deck is ringed by steel railings and supported by six square wooden posts. These posts, in turn, rest upon a four-foot high concrete retaining wall. This carport and deck structure is of

unknown date, but it does not show in the aerial photo of 1938 or Sanborn maps through 1985, so perhaps post-dates that period. The retaining wall may date to 1959.

4) The southernmost part of the house, with frontage on Burnett Street, is a pool house addition built in two stages. According to building permits, the swimming pool itself was built during 1984-1985, and it was roofed over in 1993-1995. The long facade of this addition is broken up by means of shallow setbacks. The most forward part of the facade is the entrance pavilion, at far left (to the north); two further setbacks occur at right (to the south). The facade is masonry construction composed of concrete blocks and glass bricks.

In the entrance pavilion, the concrete blocks rise above the roofline, forming a parapet. The entrance itself features a protective steel grille, paired wooden doors with full-length glazing, and a sidelight of glass bricks. Above the entrance is a half-round marquee, and above it, a large window of glass bricks.

In the two setbacks at right, concrete blocks form the lower wall, while glass bricks form the upper portion. The wall is topped by a fascia board.

The concrete blocks continue further to the right, to the south end of the swimming pool addition, but the glass bricks are absent, revealing curved the steel and glass roof over the pool.

Finally, the concrete block wall continues to the south end of the property, where it encloses a small back yard.

The concrete blocks that are found at different places on this property have varied dimensions. Those that compose the patio wall at the north end measure 7" by 14" in height and width. Those that form the wall of the swimming pool addition are 7" square. Those that compose the wall adjacent to the back yard are 7" by 3" in height and width. Thus, all blocks have the same height, but the widths vary. Regardless of their dimensions, all of the concrete blocks are similar in their finish, and the walls they compose are similar in their form. This suggests that these walls were purposefully built to a common aesthetic, most likely in the 1980s or later.

History

The neighborhood

The oldest street in the vicinity is Corbett Avenue, which, as the Corbett Road, wound along the eastern slope of Twin Peaks during the 19th century. It was dotted with small, widely scattered farm houses such as can be seen in the historic photograph on pages 128-129 of the Junior League book *Here Today* (Chronicle Books, 1968).

Judging from street guides in the front of city directories, Hopkins Street was created in the 1890s, and Burnett Avenue was created in the early 20th century. Despite these early dates, no 19th century or early 20th century buildings survive in the immediate vicinity of the subject house. Some Victorian-era houses can still be found several blocks to the north, near the commencement of Corbett Avenue at 17th and Douglass streets.

As the Description part of this report makes clear, all buildings in the vicinity of the subject house are residential in use and nearly all were built from the 1950s to the 1970s. The oldest exceptions are the subject house (1935-1936) and 888 Corbett (1940).

The house

This house was built in 1935-1936 for owner Lewis G. Largent to a design by architect Richard Neutra. The contractor was Oscar Swanson, and the cost of construction was \$3,000. According to the building permit, the house contained only four rooms. During its early years, through 1953, the house had an address of 601 Burnett, and after that year it became 49 Hopkins. The owners and residents from 1936 through 1982 included:

1936-1962: Louis and Lydia Largent. In 1936 Louis Largent was a salesman for Davis and Dunn, a real estate firm at 5550 Geary Boulevard. He had a very different occupation in 1939, that of an artist, and in 1940 he was unemployed. In the latter year ownership of the house was transferred to his wife, Lydia, and Louis was no longer listed in city directories.

Lydia Largent was a teacher in the San Francisco public schools from 1936 through 1954. During 1940-1943 she was elevated to a more responsible position, that of supervisor for the Board of Education, and after that period she returned to being a school teacher. She changed her name in 1949, to Lydia Fuller. Since no one else named Fuller was shown in city directories as living at this address, it appears that she resumed her maiden name. From 1957 on she had no occupation.

1962-1971: Howard Stegman. When he purchased this property in 1962 he had no occupation. In 1966 he worked as an accountant for an unknown employer. He then moved away from this house and in 1969 the renter was Steve Gungl, who worked as a music teacher.

1971-2004: Robert T. Sorenson and renters. Robert T. Sorenson owned this property from 1971 to 2004 and rented it out during the 1970s. Renters included Lynwood S. Rankin, who owned the Lisa-Dorian beauty shop at 1235 Vicente Street, in 1974; and T. Hilcrest, who had no listed occupation, in 1978. By 1982 the owner, Robert Sorenson, had moved in; he had no occupation then. His occupation after that date is unknown.

The architect, Richard Neutra

Richard Neutra (1892-1970) is renowned as one of the first architects, if not the first, to popularize the International style in the United States. A native of Vienna, Neutra was influenced by Otto Wagner and Adolf Loos, whom he knew and who had famously equated “ornament with crime.” He immigrated to the United States in 1923, worked briefly for Frank Lloyd Wright and then Holabird and Roche; and in 1925 settled in Los Angeles. There, he became well-known for his design of large International style houses, often built on hillsides and on large suburban or rural lots. One of the earliest and largest was the Lovell “Health” house of 1929, which was built with a steel frame and featured cantilevered floors, balconies suspended by steel cables, and long bands of windows. It set the tone for many houses that followed. In addition to his work as an architect, Neutra also advocated for the new style in at least three books that he published.

His career has been summarized in numerous books and essays. A website, www.trianglemodernisthouses.com/neutra, features many photos of Neutra’s works. It includes photos of 49 Hopkins without distinguishing original from later elements.

Neutra had four or five known projects (besides the subject house) in San Francisco and four more on the peninsula south of the city. The projects in San Francisco were:

90 Woodland Avenue (1936). This two-story, free-standing, flat-roofed house is a rectangular box with a wide, forward-projecting wing or pavilion. It is sheathed in clapboard siding and features horizontal bands of windows.

2056-2058 Jefferson Street (Neutra and Winkler; 1937). Situated on a narrow urban lot, this house’s facade is all but filled by horizontal bands of steel-sash windows.

2430 Leavenworth Street (1937). This was a front addition and complete remodeling of an Edwardian-era building. The flat front is clad in clapboard siding, and bands of wooden windows stretch across each floor.

Kahn house, 66 Calhoun Terrace (1939). Neutra’s best-known San Francisco house. Here, horizontal bands of windows offer the only relief to a flat stucco facade.

1441-1445 Montgomery Street. This apartment building’s facade is similarly characterized by bands of metal-sash windows and flat stucco. It has been variously attributed to Neutra and Winkler and to Otto Winkler, solo.

All of the above buildings, except possibly for the apartment building on Montgomery Street, retain high integrity. Compared to the large houses and institutional buildings in southern California for which he is famous, these are all relatively minor examples of Neutra’s work.

Alterations

Alterations to the subject house can be gleaned from building permits, a visual examination of the fabric, and comparison with the 1938 aerial photo and Sanborn maps. They include the following:

1959. Permit #199839. This building permit was for the addition of a retaining wall 20' long by eight feet wide and three to four feet high. While this is uncertain, it may have been for the retaining wall on the east side of the property that supports the balcony over the carport.

Unknown date. Construction of a balcony over the carport. This may have been done in 1959, the same year a retaining wall was built.

Unknown date. Conversion of the first story of the northern wing into a garage, and addition of a second story over this garage. This second story addition is clad in clapboard siding that is the same as that used in the main part of the house.

1968. Permit #316844. Repair fire damage. Add new doors, windows, and trim. The locations of these windows and doors are unknown.

1984, 1985. Permit # unknown and permit #538498, respectively. Build swimming pool in rear of house.

1993 and 1995. Permits #725740 and #776286. Build cover over swimming pool. Works includes foundation, steel fabrication, and glass and concrete block. Presumably this work included the concrete block and glass brick wall that fronts the pool along Burnett Avenue.

Unknown date. Concrete block walls that surround the patio (along Hopkins and Burnett) and that hide the back yard (at the far south of the property along Burnett). These walls are so similar to that of the pool house that they were most likely built at the same time as the pool house, or shortly afterward.

2002. Permit #985074. "Legalize existing masonry wall without glass blocks." This language suggests the masonry wall had already been built.

2004. Permit #1024918. Replace eight windows, size for size, in same location. Not visible from the street.

Integrity

The original body of the house can be seen in two places. These include the section along Burnett Avenue between the patio wall and the pool house (behind a planter box and three conical shrubs), and the wall with an early metal sash window directly behind the carport. While it is not certain to what degree even these sections of wall remain unchanged since 1936, both parts are clad in clapboard siding, just as another house by Neutra at 90 Woodland Avenue is, and so it seems somewhat likely this cladding is original.

These two sections are surrounded by the additions of 1959 and later, and now form only a small percentage of the entire current structure. The pool house accounts for at least as much frontage along Burnett Avenue as the original house does. In its materials, the patio wall to the north relates visually to the pool house to the south, and these newer elements, along with the back yard wall to the extreme south, form the dominant aesthetic along the Burnett side. The original structure of 1936, while relating well enough to the additions, is visually subordinate to them.

On the Hopkins side, the projecting wing has been generally altered by the insertion of a garage opening in the first story and the addition of a second story. The carport and balcony to the east and the patio wall to the west further obscure the original lines of the house. Very little of the original house is now visible from Hopkins Street.

In sum, the aesthetic of the house is now defined primarily by its additions, especially those of the pool house and patio wall. For this reason, 49 Hopkins Street has lost integrity of design, materials, workmanship, feeling, and association. The house has not been moved, so it retains integrity of location. The setting of this property is primarily that of houses dating to the 1950s (along Hopkins Street) and of apartments dating to the 1960s-1970s (along Burnett). Thus, this property can only be considered to retain integrity of setting to those decades.

Evaluation

Evaluation under Criterion 1 of the California Register, association with events and patterns of history

This house was built long after the initial phase of development in this neighborhood, when scattered farm houses predominated. Instead, it represents the beginning of the final phase of development, when dense residential development filled the landscape. This pattern of history is of doubtful interest, and at any rate the house has lost integrity. For this reason, the subject property does not appear to be eligible for the California Register under this criterion.

Evaluation under Criterion 2 of the California Register, association with persons

None of the residents of this house were historically significant under California Register criteria. For this reason, and because of loss of integrity, the subject property does not appear to be eligible for the California Register under this criterion.

Evaluation under Criterion 3 of the California Register, design

No record of this house's original appearance has been found, and thus it cannot be said with any confidence that it would possess architectural significance even if it was unaltered. Four other houses in San Francisco by Richard Neutra do retain integrity, and even they are minor examples of Neutra's work compared to his much larger houses and institutional buildings in southern California. If any houses by Neutra in the San Francisco Bay region do possess architectural significance, it would be one of his intact houses in San Francisco or his houses on the peninsula.

The pool house addition of the 1980s-1990s, along with the associated patio wall and back yard wall, form a coherent aesthetic, but this aesthetic was achieved only in the 1990s, much too late to be considered for eligibility under the California Register.

Accordingly, this property does not appear to be individually eligible for the California Register under this criterion.

Investigation of a potential historic district in the vicinity

The great majority of the buildings in this vicinity date to the 1960s and 1970s. Several houses on Hopkins date to the 1950s, and one house on Corbett dates to 1940. Because most of the buildings in the neighborhood are under fifty years old, no potential for a historic district exists in this vicinity.

References

Sales Ledgers 1914-2004 for sales of this property. At the Assessor-Recorder's Office, City Hall. Provided to this writer by the property owner and the project architect.

San Francisco city directory listings 1936-1982 for owners and renters.

1914, 1950, 1969, and 1985 Sanborn insurance maps, vol. 7, p. 727. The first two of these were provided to this writer by the property owner and the project architect.

Building permits for this address. At the Department of Building Inspection, 1660 Mission Street. Provided to this writer by the property owner and the project architect.

Alson Clark, "Richard Neutra," in Diane Maddex, editor, *Master Builders: A Guide to Famous American Architects* (Preservation Press: 1985) provided background material on Richard Neutra.

James Benet, *A Guide to San Francisco and the Bay Region* (Random House, 1962) and Sally Woodbridge, et. al., *San Francisco Architecture* (Chronicle Books, 1992) were the secondary sources used to identify Neutra's other San Francisco buildings. Houses by Neutra on the San Francisco peninsula that they identified include:

The Hoffman house, 1048 La Cuesta Road, Hillsborough (1937)
The Eurich house, 13081 W. Sunset Drive, Los Altos Hills (1939)
180 and 184 Marvin Avenue, Los Altos (1939)
1430 Carlton Road, Hillsborough (1952)

Due to time constraints, these houses were not viewed for this report. At least some and probably all of them possess much greater integrity than the subject house does.

The Department of Building Inspection's website gives the Assessor's dates for buildings in the vicinity.



1969 Sanborn insurance map. The footprint shown for 49 Hopkins/601 Burnett is the same as is shown on the 1938 aerial photo and the 1950 Sanborn. The pool house addition, patio wall, and carport-balcony are not shown here.

Photographs of 49 Hopkins Street



Top: Hopkins Street side
Bottom: Burnett Avenue side



Two views of the carport and balcony. A section of original (1936) wall, with window, is visible at the end. The retaining wall may correspond with a 1959 permit for such a wall.



At left: Main entrance, Hopkins side. At left is the garage wing, at right is the patio wall.
At right: Ornament on the patio wall.



Two views
of the
entrance.
It is
located at
the south
end of the
patio.



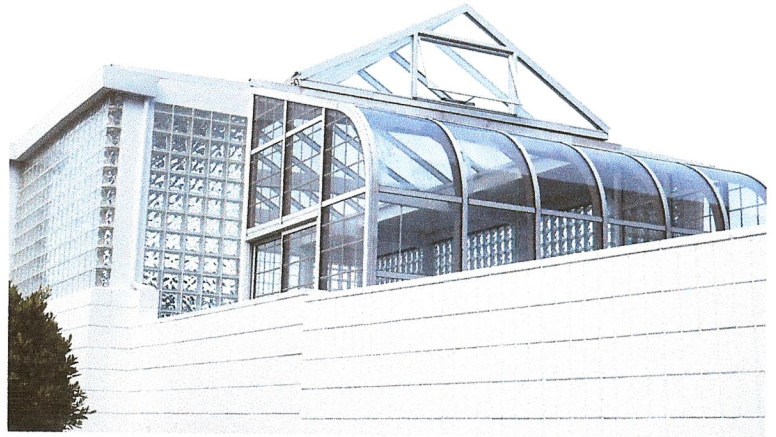
The patio
enclosure, built of
7" x 14" concrete
blocks. Steps to
patio at far left.



At left: The Burnett Avenue side showing the original part of the house (1936).

Below: The swimming pool and pool house of the 1980s-1990s. It is located immediately south of the portion shown in the photo above.





Entrance pavilion and roof of the pool house.



View of the house from Gardenside, above.

Buildings in the vicinity

On Hopkins Street



At left: 11 and 29 Hopkins. At right: 37 and 43 Hopkins



Middle left: 50 Hopkins. Middle right: 44 Hopkins. Bottom left: 36 and 28 Hopkins.

All buildings on this page except for #29 were built in the 1950s.

On Burnett Avenue



At left: 477 and 467 Burnett. At right: 535 Burnett.



Middle left: 545 Burnett

Nearly all buildings on this page were built
in the 1960s and 1970s.



Six buildings at
559 to 579 Burnett.

On Corbett Avenue



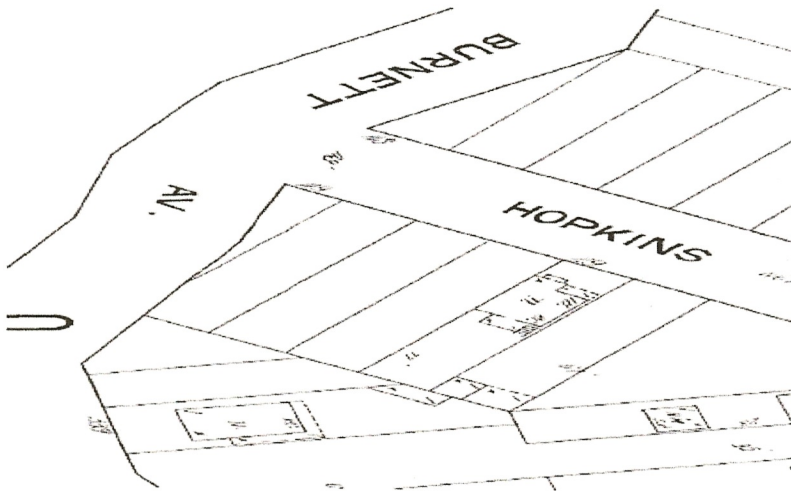
At left: 888 Corbett (1940) and 880 Corbett.
At right: 908 to 902 Corbett (built 1960s and 1970s).



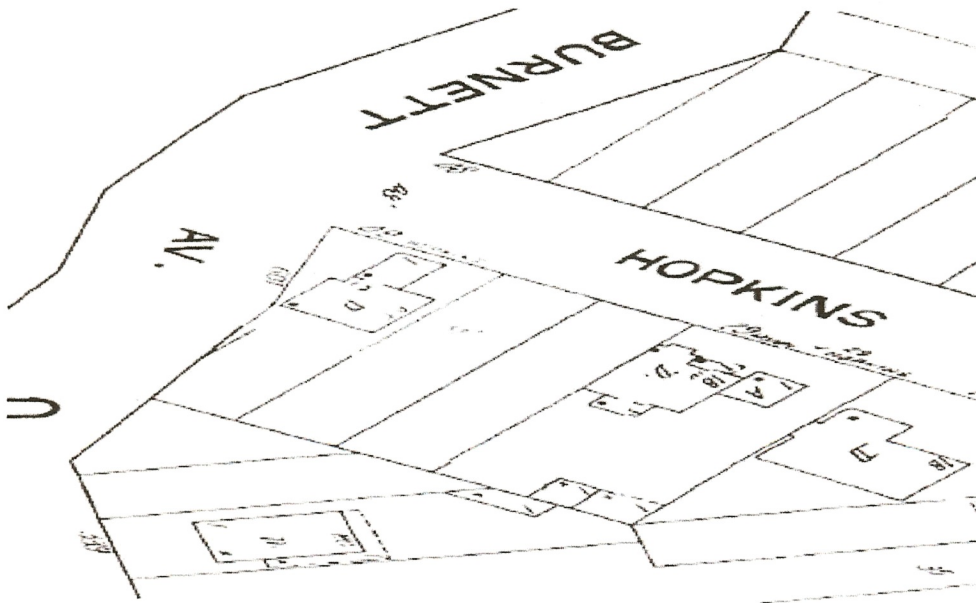
110 Gardenside, one of a row of several large apartment buildings built in the mid-1970s.

Gardenside is the street directly west of Burnett Avenue, at a higher elevation and behind a high retaining wall.

Sanborn insurance maps provided by TA Studio, architects, and the owner of the property

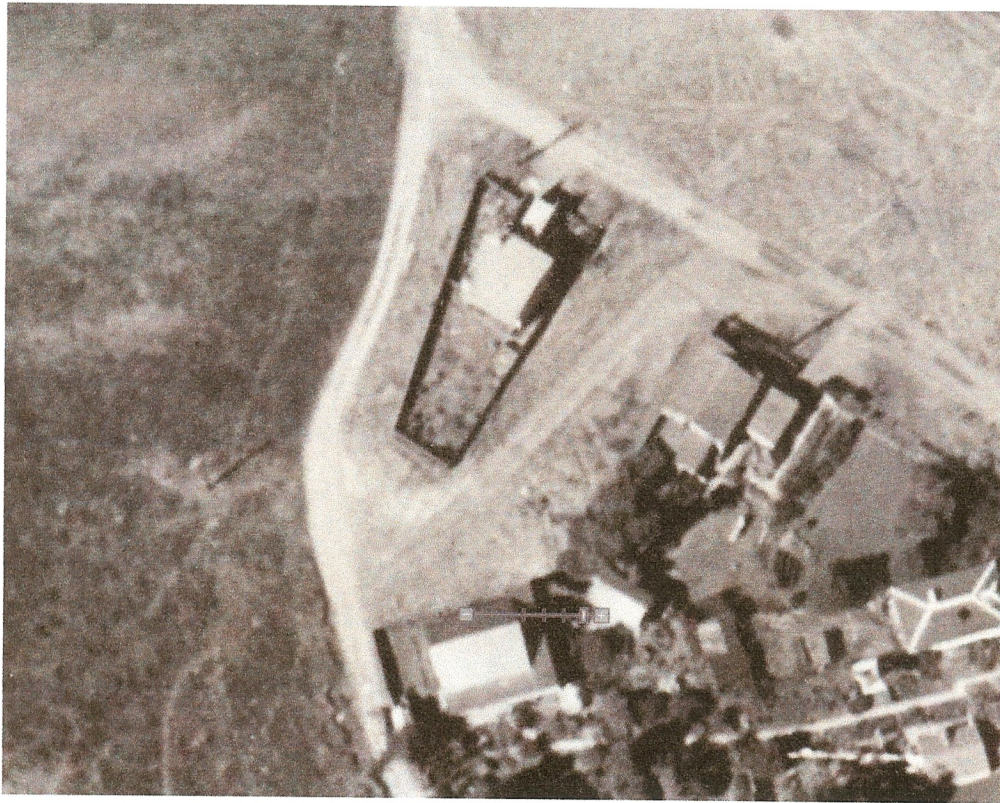


1914 Sanborn map showing the subject lot as vacant. A few small houses in the vicinity have since been demolished or, perhaps in one case, heavily altered.

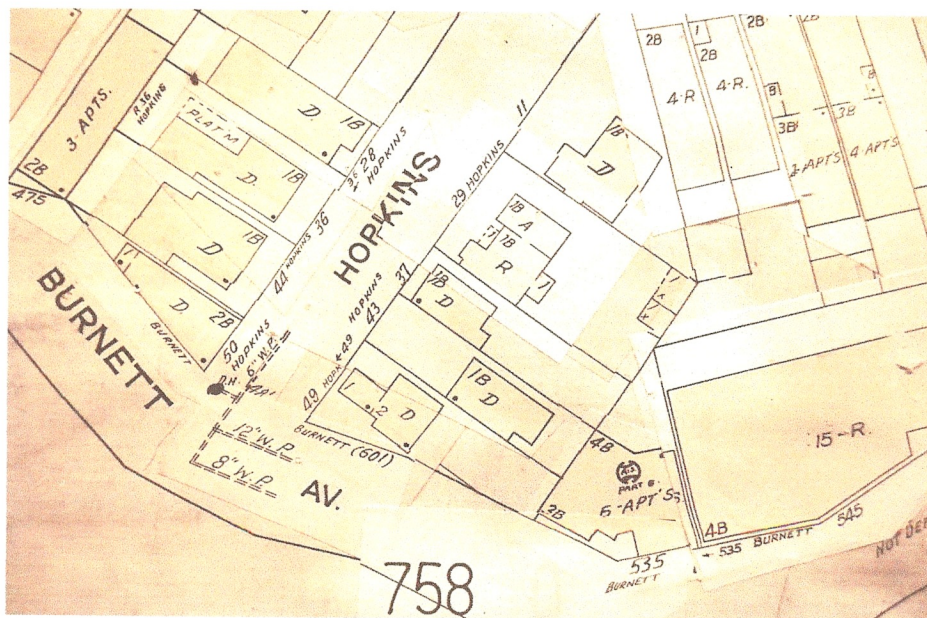


1950 Sanborn map. The subject house is shown with two addresses, 601 Burnett and 49 Hopkins. The main body of the house is two stories in height, and the narrow projecting wing on the Hopkins side is one story. This wing is not labeled "A" (for auto use), suggesting that it did not then have its current use as a garage.

David Rumsey aerial photo (1938), provided by TA Studio, architects, and the owner of the property



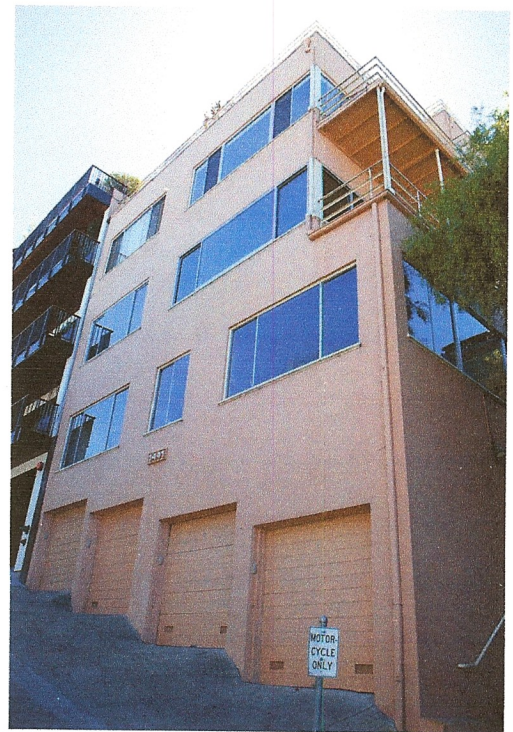
In this photograph, the house is seen as a square box, and the narrow wing that projects toward Hopkins Street appears to be lower in height. No patio or surrounding wall existed then. This photograph matches the diagram shown in the 1950 and 1985 Sanborn maps.



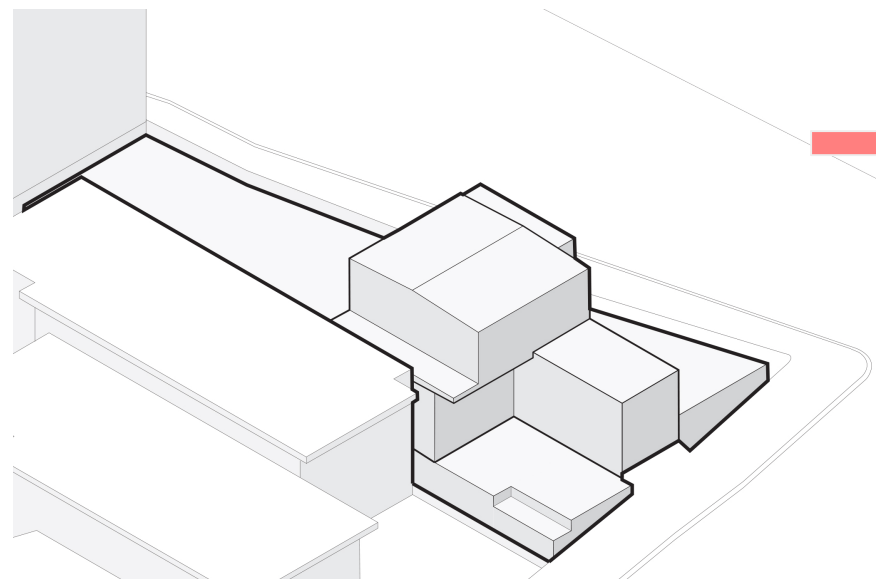
1985 Sanborn
insurance map
(from SFPL).

49 Hopkins
appears
unchanged
relative to its
outline in
earlier
Sanborns.

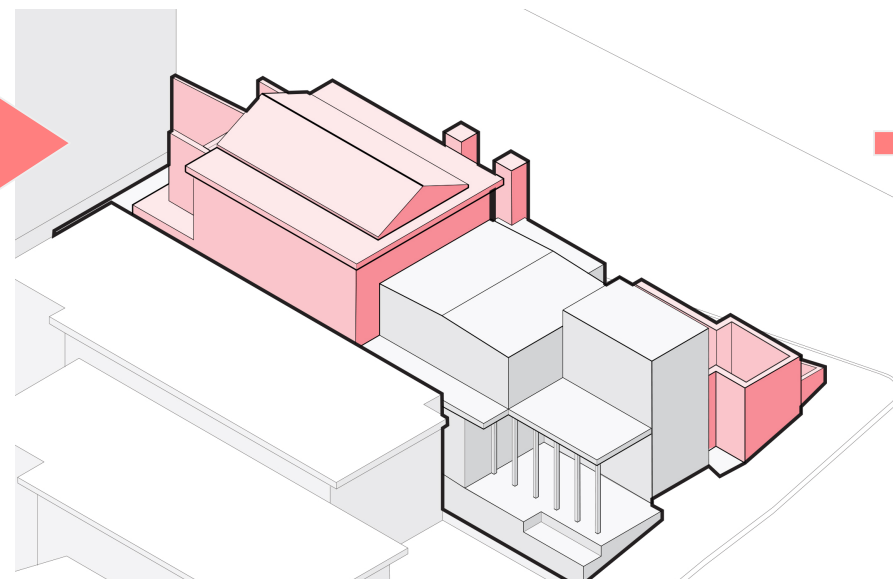
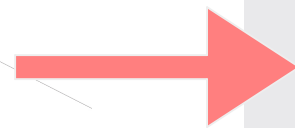
San Francisco houses by Richard Neutra



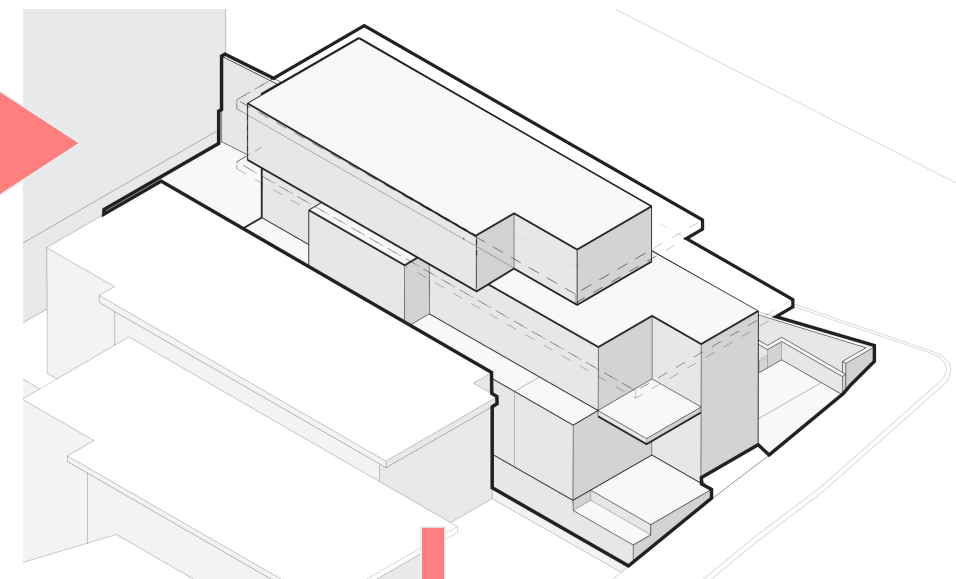
Top left: 90 Woodland Avenue
Top right: 2056-2058 Jefferson St.
Bottom left: 66 Calhoun Terrace
Bottom right: 1441 Montgomery St.



ORIGINAL NEUTRA



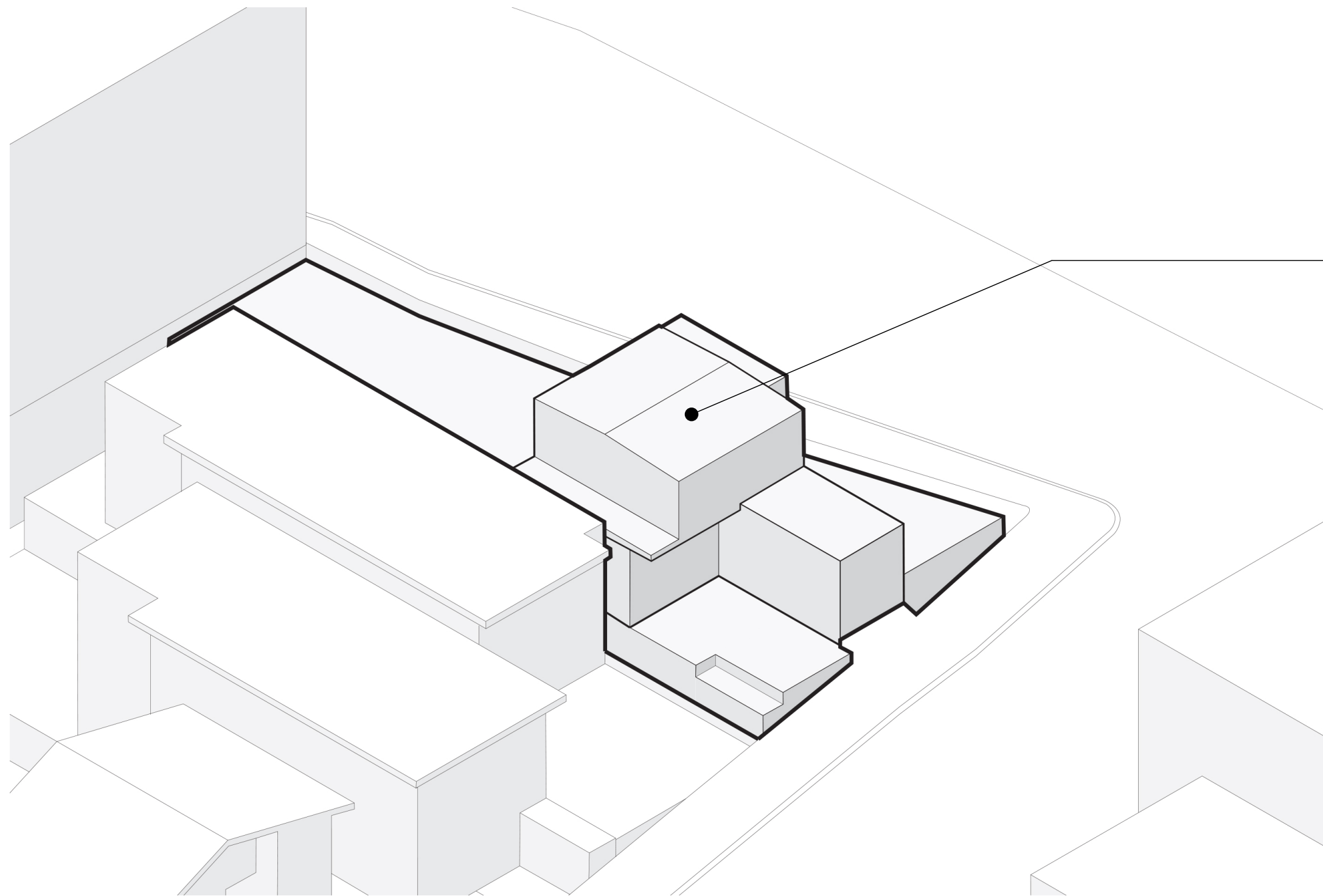
1995 REMODEL



APPROVED 2014 PERMIT

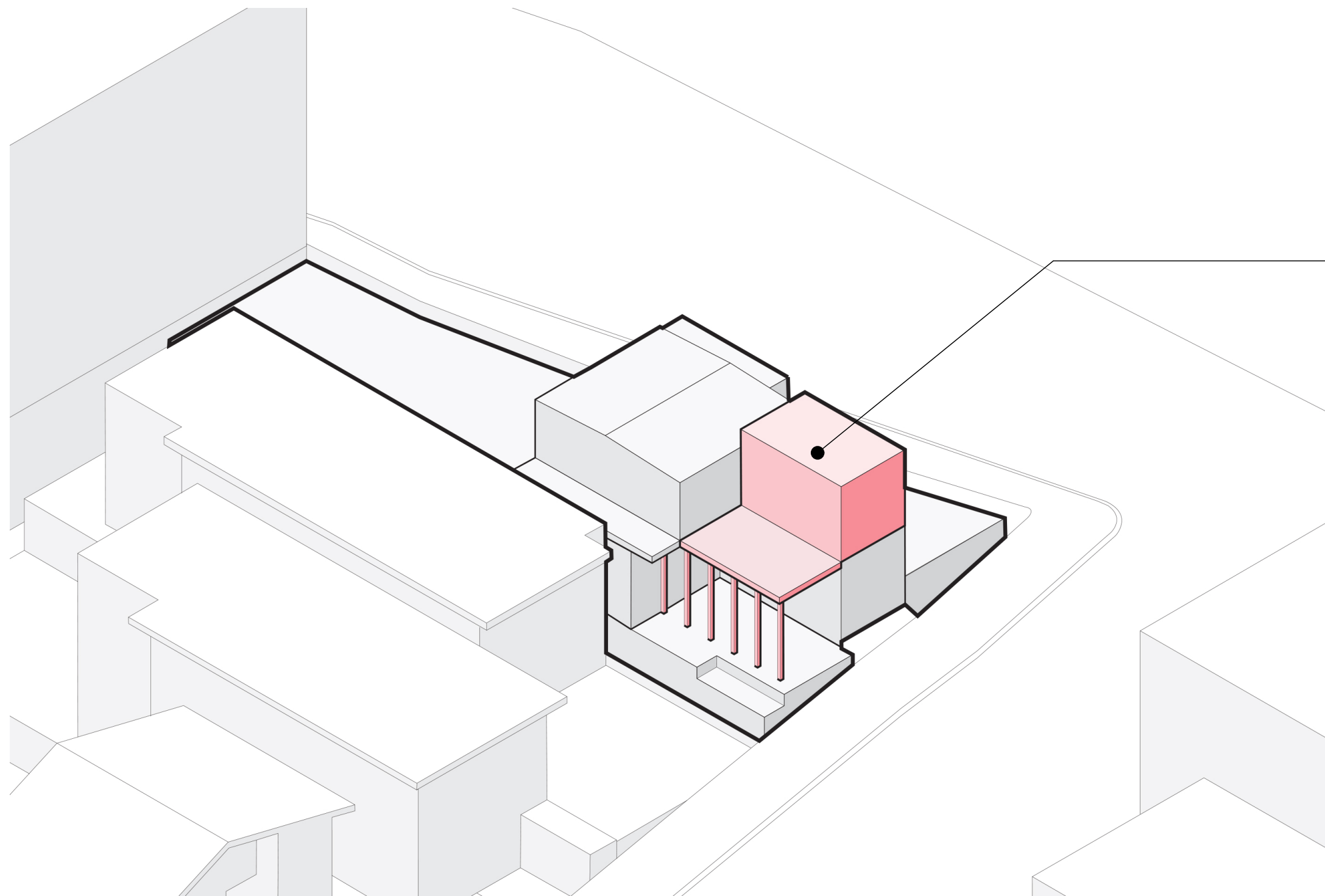


PROPOSED - 2 STORIES FROM BURNETT WITH SMALLER BUILDING MASS



RICHARD NEUTRA DESIGNED
1935

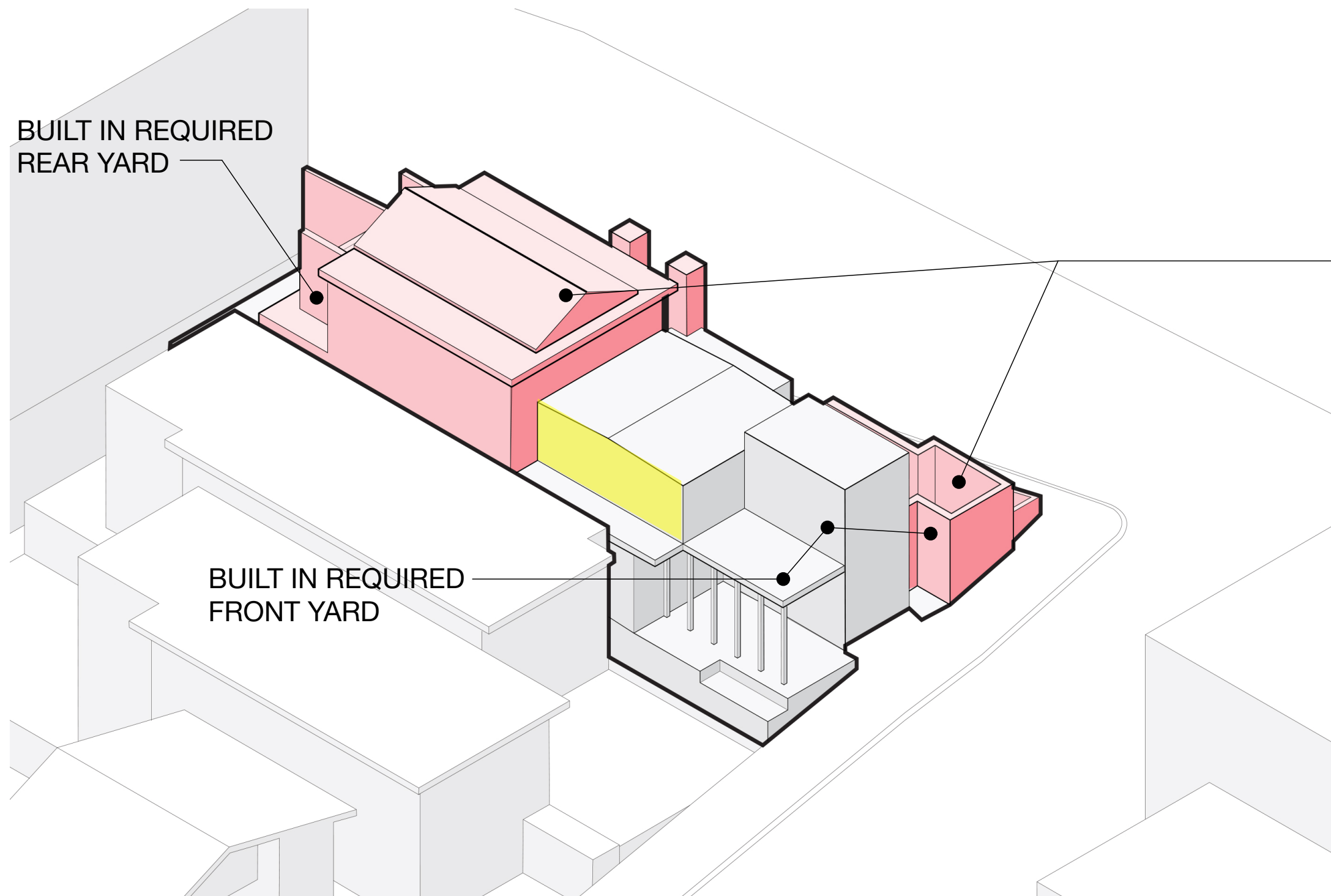
- MASTER ARCHITECT
- INTERNATIONAL STYLE
- BUILT FOR \$3,000 FOR LARGENT
- 1 OF 5 NEUTRA DESIGNED RESIDENTIAL BUILDINGS IN SF



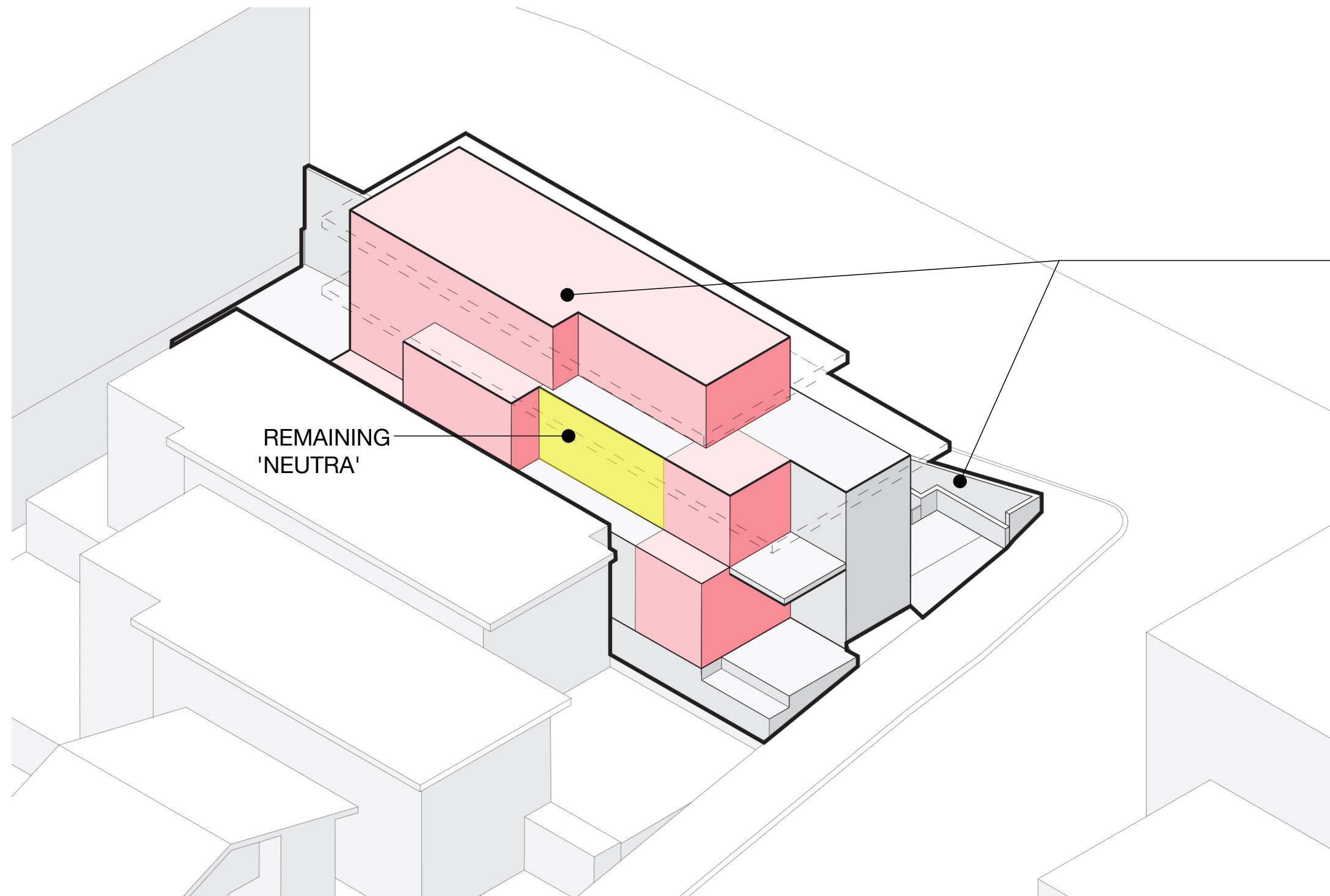
1950's -1968 FIRE DAMAGE

- DECK EXPANSION

- RESIDENTIAL EXPANSION

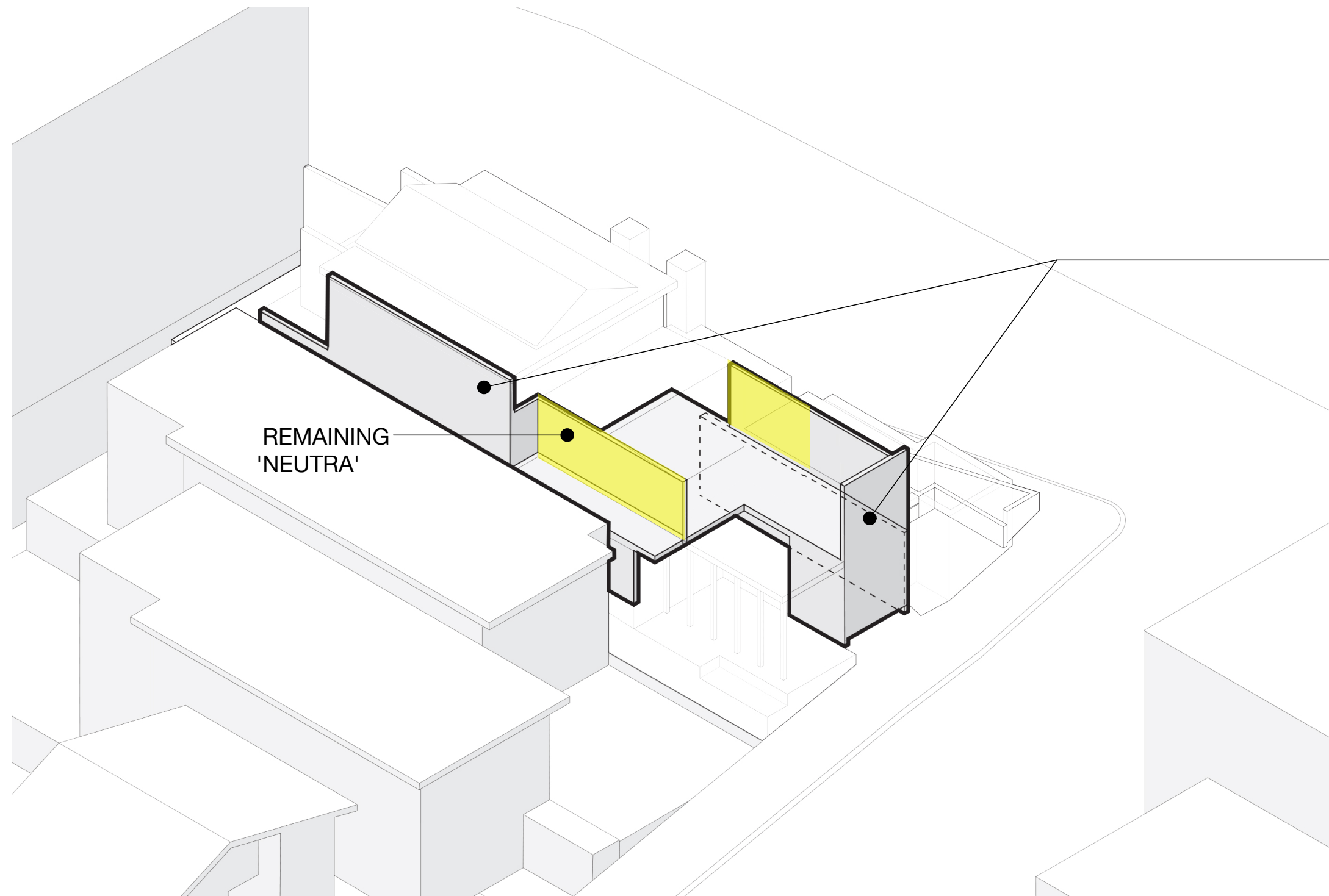


- 1985 POOL WAS ADDED
- 1995 POOL ENCLOSURE ADDED
- CMU RETAINING WALLS
- 1-BEDROOM RESIDENCE
- Y.A. studio HIRED IN 2014
- 2014 HISTORIC EVALUATION
WILLIAM KOSTURA,
ARCHITECTURAL HISTORIAN
- UNFORTUNATELY LOST ITS
INTEGRITY



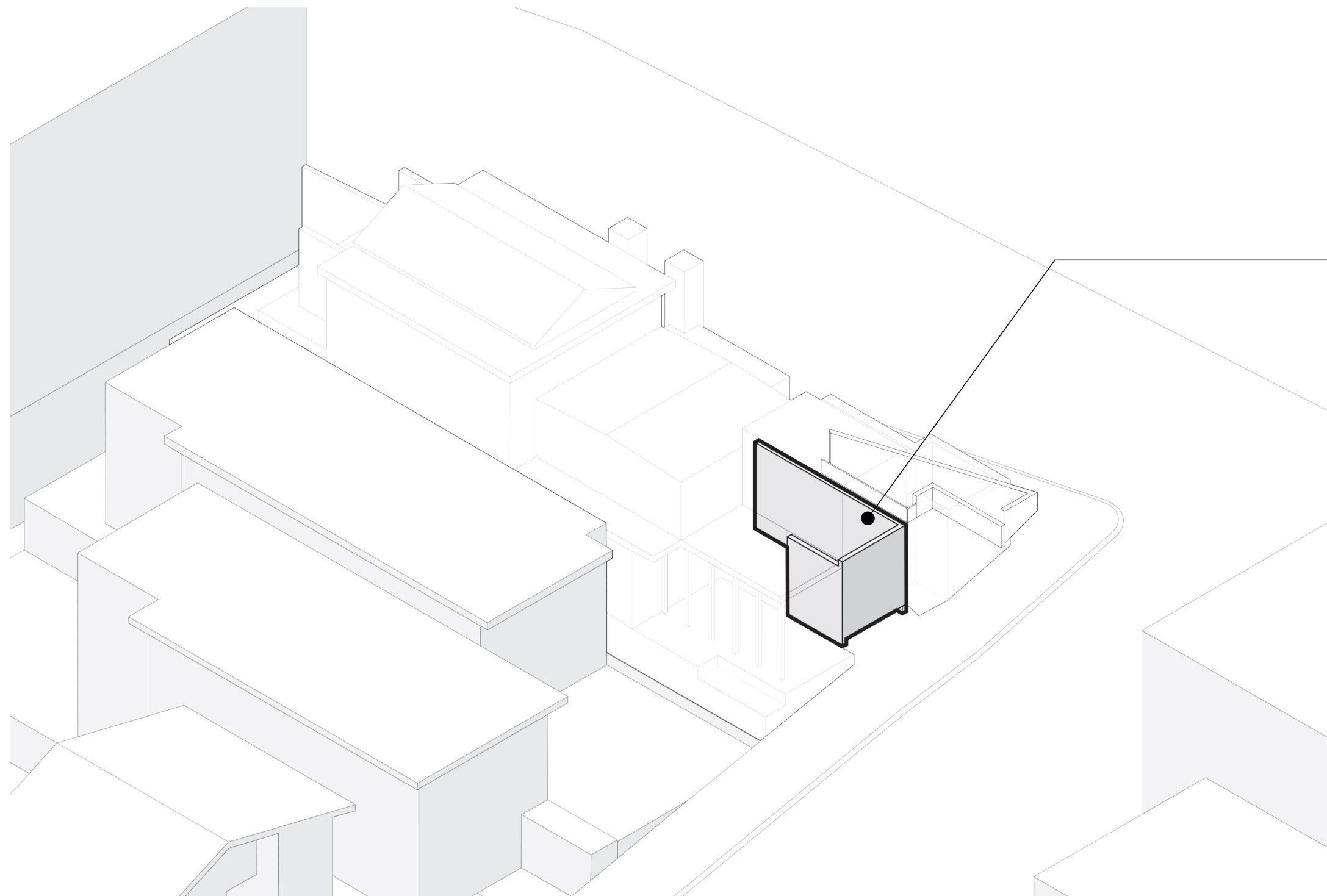
2014 APPROVED PERMIT

- VERTICAL AND HORIZONTAL ADDITION TO CREATE A 3-STORY 4-BEDROOM RESIDENCE
- REDUCED RETAINING WALLS AT BURNETT AVENUE
- LARGE OVERHANGS
- MAINTAINED MUCH OF ORIGINAL FOOTPRINT, BUT INCREASED REAR YARD TO 25%
- RESIDENCE AND APPROVED PLANS SOLD IN 2017



2014 APPROVED PERMIT

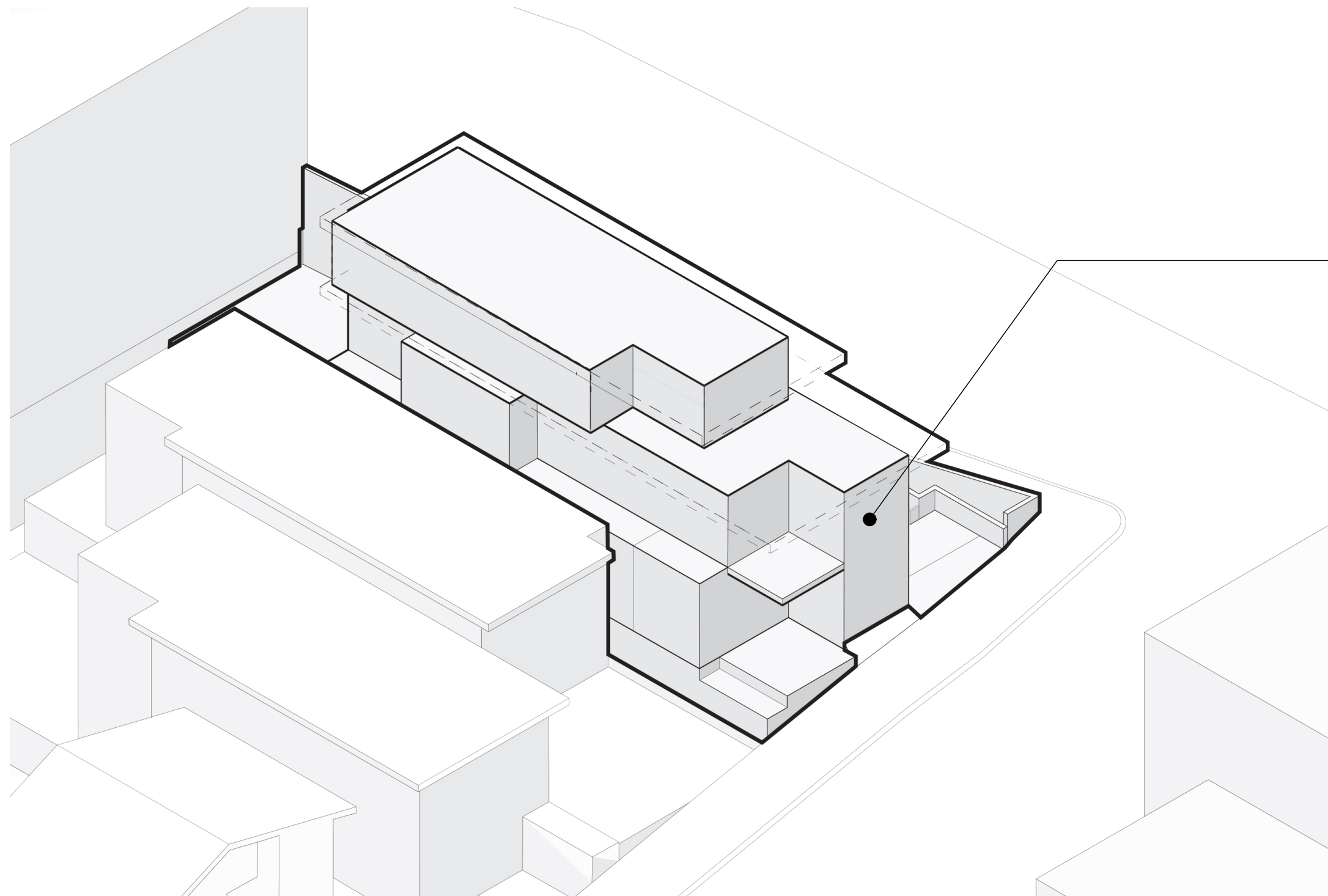
- RH-1 ZONING
- EXCEEDED DEMOLITION VALUATION IN 2014
- EXCEEDED DEMOLITION VALUATION IN 2017
- NO DEMOLITION CALC'S OR DRAWINGS REQUIRED
- LIMITED STRUCTURE TO REMAIN:
EAST PROPERTY LINE WALLS,
GARAGE, AND PORTION OF
SECOND FLOOR FRAMING.



MOST OF THE PREVIOUS
CONSTRUCTION REMOVED

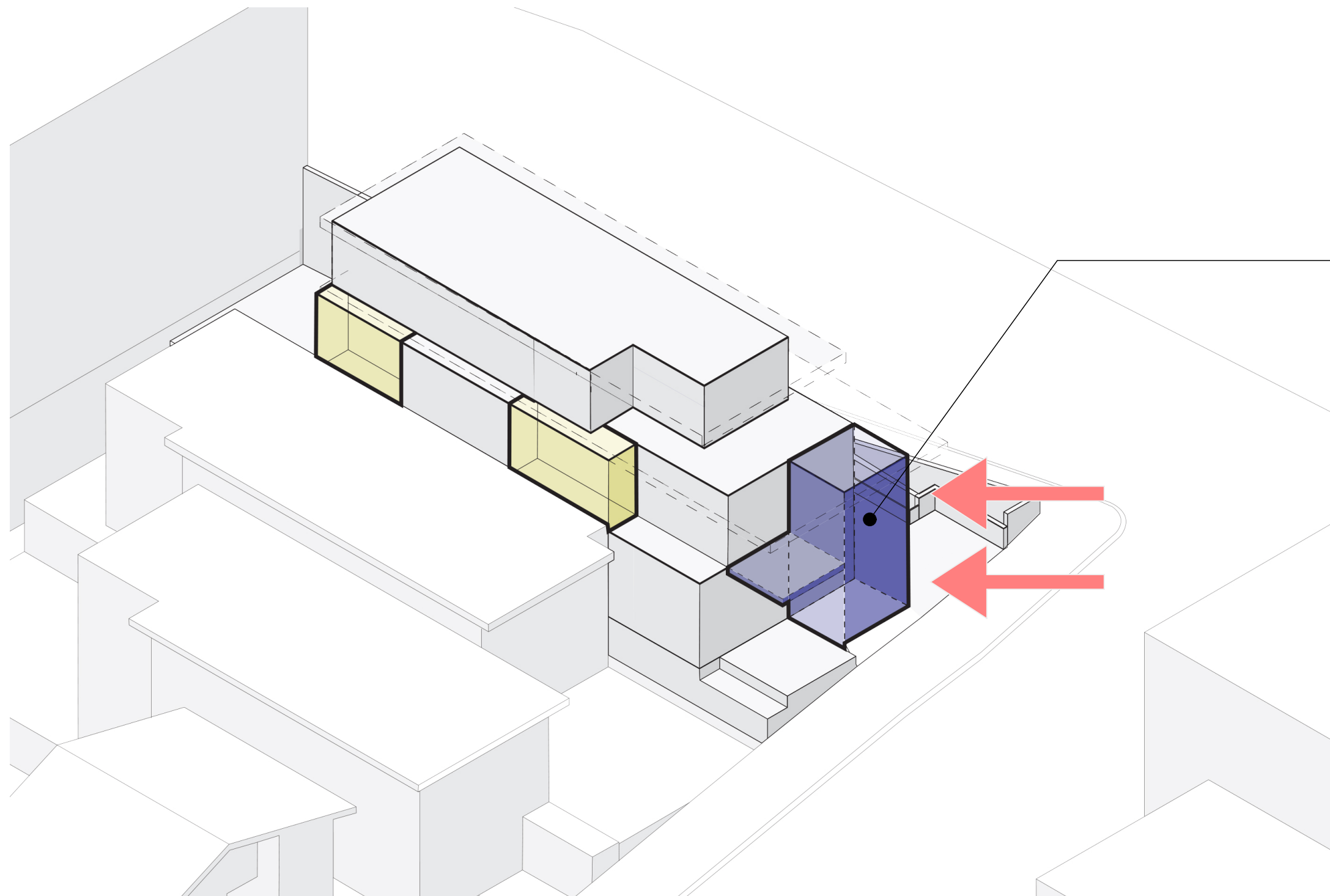
PER GC:

- "DISCOVERY OF CHARRED JOISTS AND FIRE DAMAGE
- TILE & 3" CONCRETE SLAB ON EXISTING SECOND FLOOR
- SIGNIFICANT DRY ROT AND FIRE DAMAGE
- CMU CONSTRUCTION
- UNDERSIZED FRAMING
- LIFE SAFETY ISSUES"



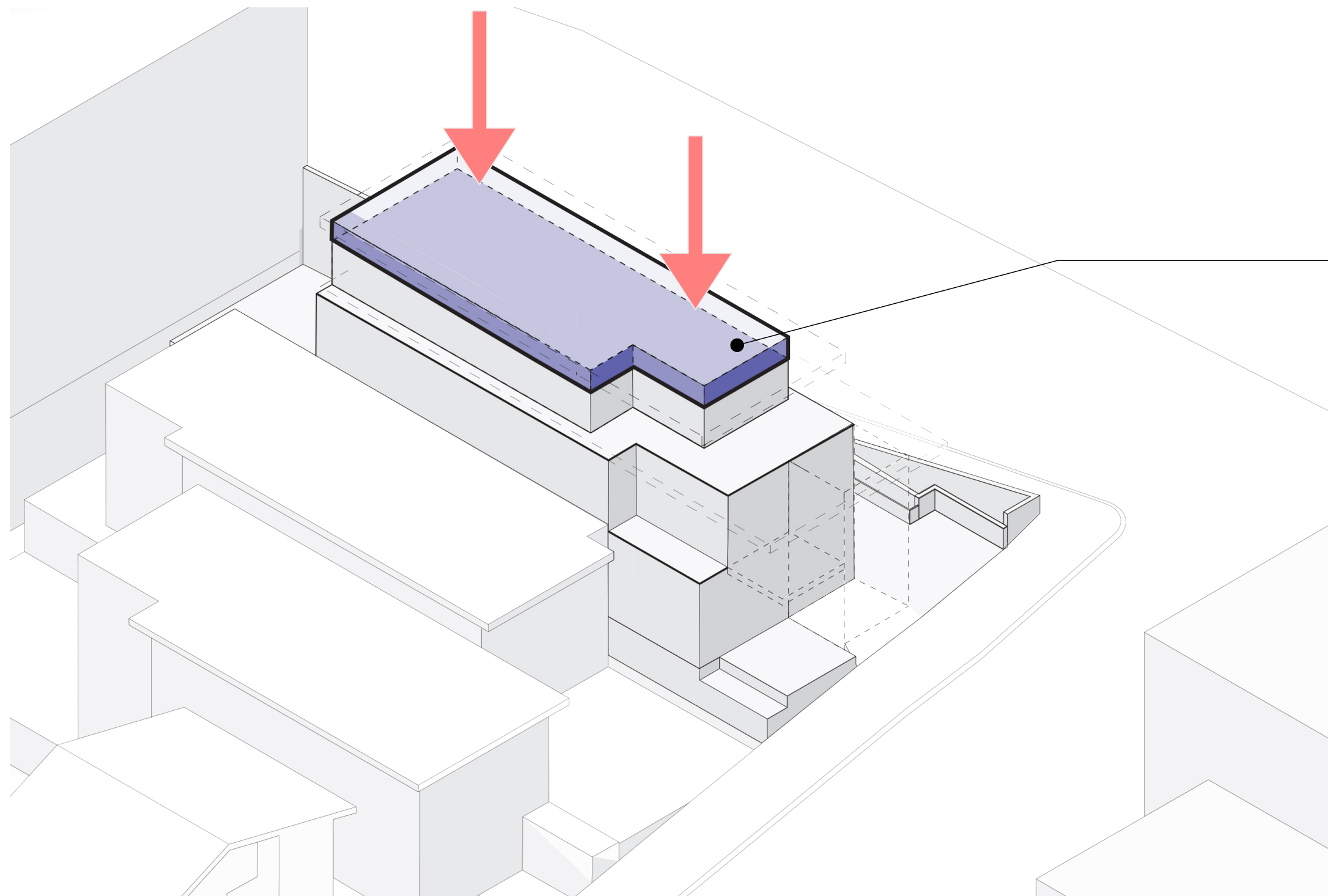
2014 PERMIT UTILIZED FEATURES
OF THE EXISTING STRUCTURE AND
ENLARGED THE OVERALL
STRUCTURE

- LARGE OVERHANGS
- MAINTAINED FRONT YARD
CONSTRUCTION
- HIGH CEILINGS ON LOWER LEVEL
- MULTIPLE FLOOR LEVELS,
MULTIPLE STAIRS



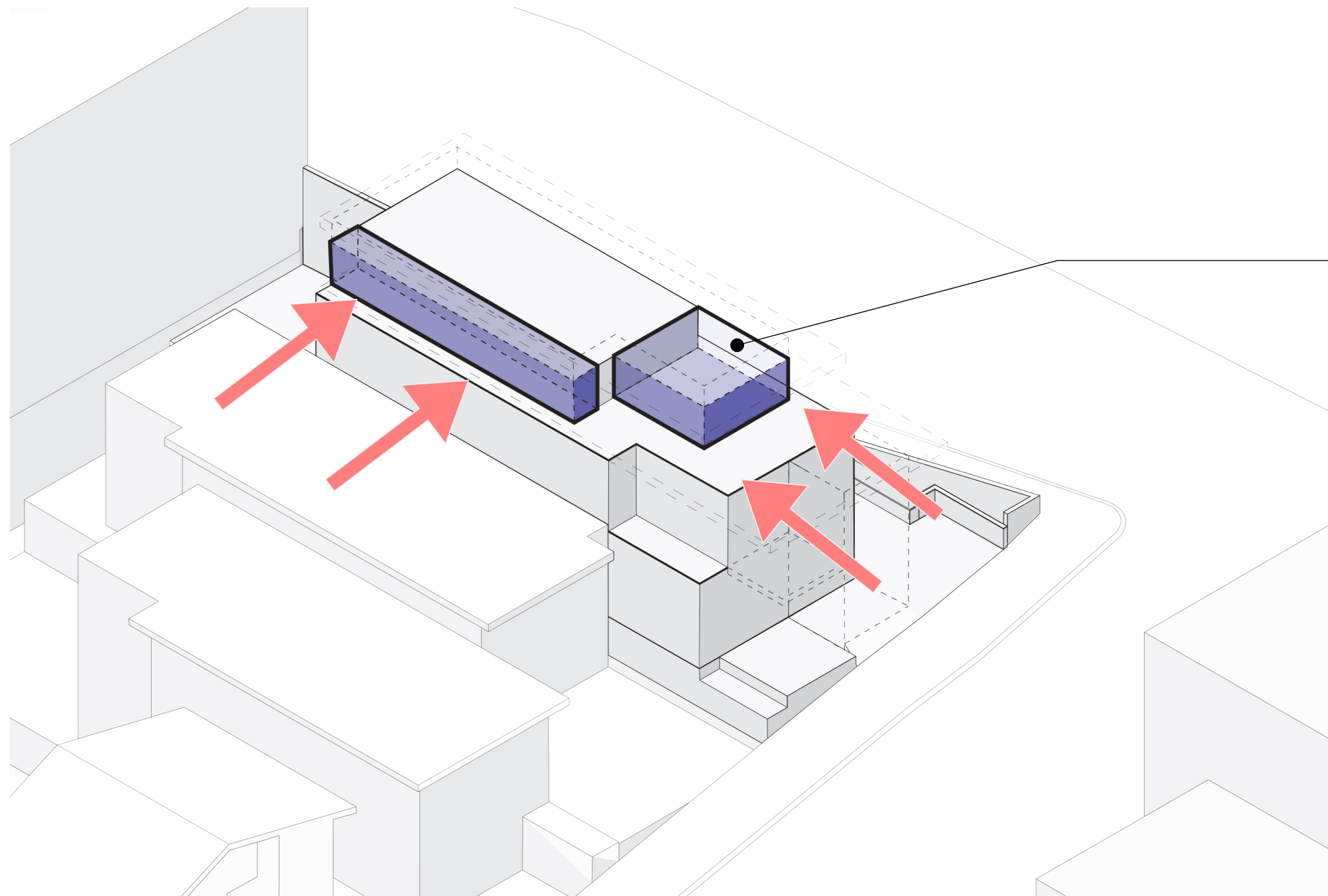
REMOVE THE REMAINING
CONSTRUCTION

- COMPRESS SECOND FLOOR
- CREATE LARGER FRONT YARD
SETBACK



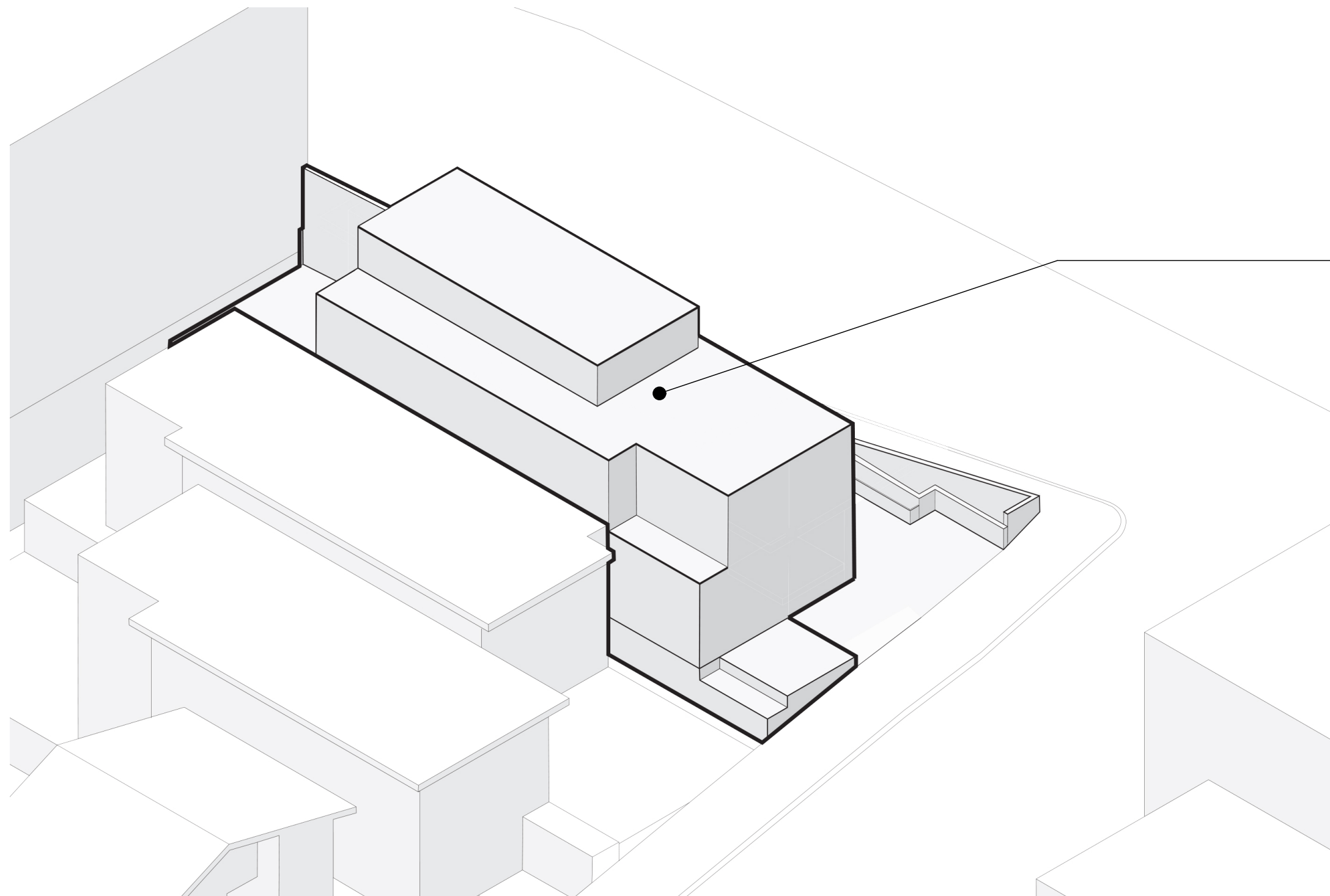
REDUCE PROPOSED HEIGHT OF
THE RESIDENCE

- DROP THE ENTIRE STRUCTURE
3'-9" INTO THE HILLSIDE
- DAYLIGHT AS A 2-STORY
STRUCTURE AT BURNETT AVENUE



INCREASE SETBACKS AT THIRD FLOOR

- INCREASE SETBACK FROM 8' TO 15' FROM NEW FRONT FACADE
- INCREASE SIDE SETBACK FROM 3' TO 5' AT THIRD FLOOR
- PROVIDE REAR SETBACK



NEW PROPOSAL IS WELL SCALED
FOR THE NEIGHBORHOOD

- PROVIDES APPROPRIATE SIZED
FAMILY HOUSING

- SMALER MASS THEN ORIGINAL
STRUCTURE



