



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis HEARING DATE: JANUARY 10, 2019

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

Reception:
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Planning
Information:
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Date: December 8, 2018
Case No.: **2018-001609DRP**
Project Address: **144 Peralta Ave.**
Permit Application: 2018.0112.8597
Zoning: RH-2 [Residential House, Two-Family]
40-X Height and Bulk District
Block/Lot: 5515/012
Project Sponsor: Gregory Smith, Architect
PO Box 756
Kentfield, CA 94914
Staff Contact: David Winslow – (415) 575-9159
David.Winslow@sfgov.org
Recommendation: **Do not take DR and approve**

PROJECT DESCRIPTION

The project consists of construction of 2-story horizontal addition extending 20' to the rear of an existing single-family house, maintaining the existing roof form and aligning with existing sidewalls.

SITE DESCRIPTION AND PRESENT USE

The site is a 30' x 150' lot with a 7'-3" side yard to the east (between the subject property and DR requestor) with an existing 3-story, 2,010 s.f. single-family house built in 1905.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

This block of Peralta consists of 2-story wood and stucco clad houses set back from the street front. Buildings in the rear of deep lots create an irregular mid-block open space pattern.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	August 21, 2018 – September 20, 2018	09.20. 2018	1.10. 2019	112 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	December 22, 2018	December 22, 2018	20 days
Mailed Notice	20 days	December 22, 2018	December 22, 2018	20 days

PUBLIC COMMENT

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

DR REQUESTOR

Julie Kelner, of 142 Peralta, the adjacent neighbor to the northeast.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

1. Scale at the mid-block open space is not compatible with the surrounding buildings.
2. The building is not articulated to minimize impacts to light and air to adjacent properties.
3. Privacy impacts due to side windows.
4. Requested changes: provide a 12' upper floor set back and reduce 5' of the overall length.

See attached *Discretionary Review Application*, dated September 20, 2018.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The sponsor has complied with the Residential Design Team (RDAT) recommendations enumerated below, in relation to building massing at the rear to address issues related to scale.

See attached *Response to Discretionary Review Application*, dated October 12, 2018.

ENVIRONMENTAL REVIEW

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

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Advisory Design Team (RDAT) review found that:

1. The extent of the rear addition is approximately the average depth of the two adjacent 2 -story buildings and is comparable in scale and massing and therefore maintains the mid-block open space pattern. The existing side set back to the North is maintained which further provides a physical and visual buffer to the DR requestor's property;
2. The addition is articulated by maintaining the 7'-3" side setback adjacent to the DR requestor's property so as to not create exceptional impacts to light and air or privacy; and
3. The Bernal Heights East Slope Building Guidelines cited requiring reduction of rear massing are intended to reduce massing for down sloping lots. Since this is not a down sloping lot, this guideline does not apply.

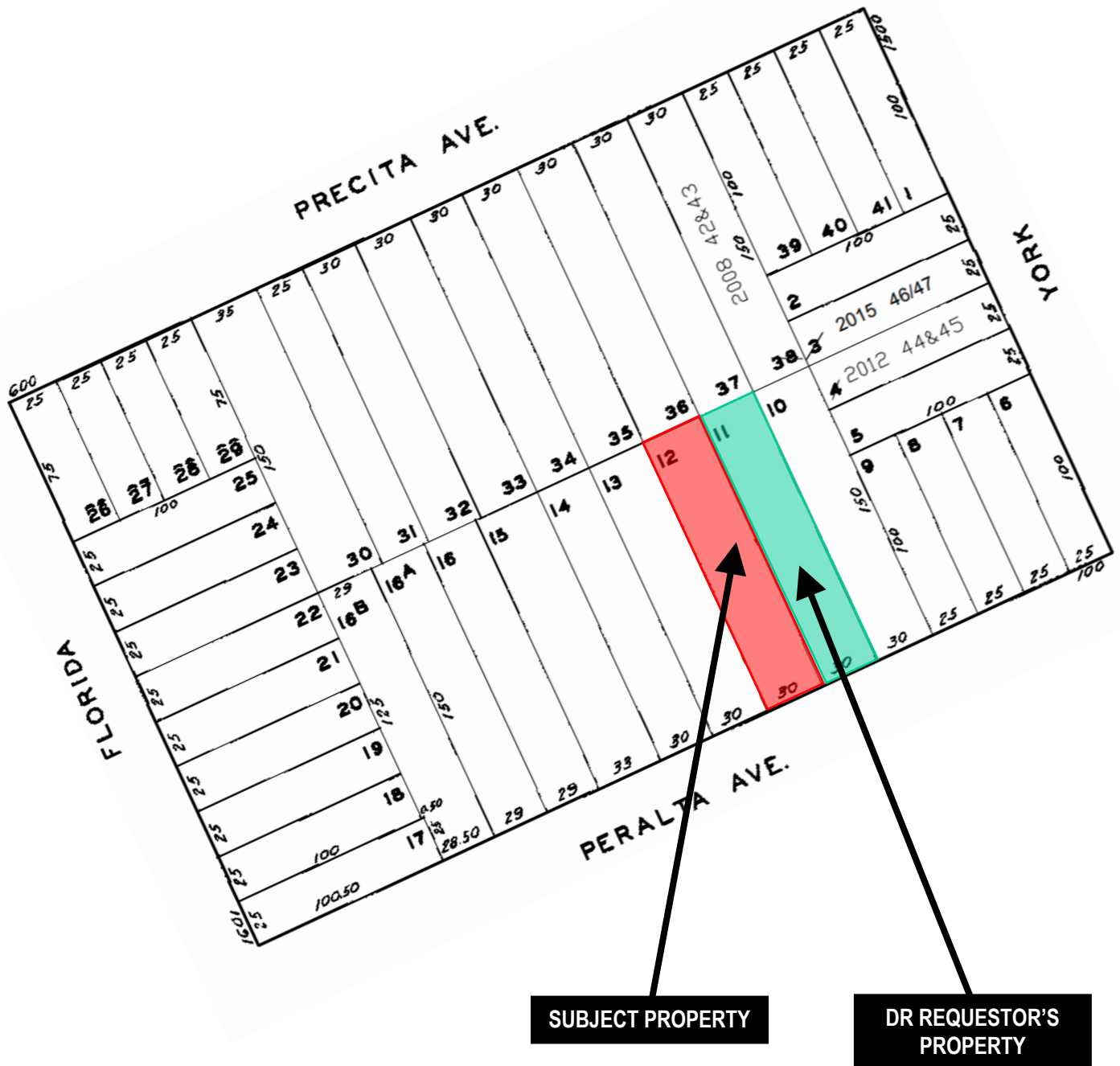
RECOMMENDATION:	Do not take DR and approve
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Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Application
Response to DR Application dated August 24, 2018
Reduced Plans
3-d images

Exhibits

Parcel Map



Discretionary Review Hearing
Case Number 2018-001609DRP
144 Peralta Avenue

Sanborn Map*

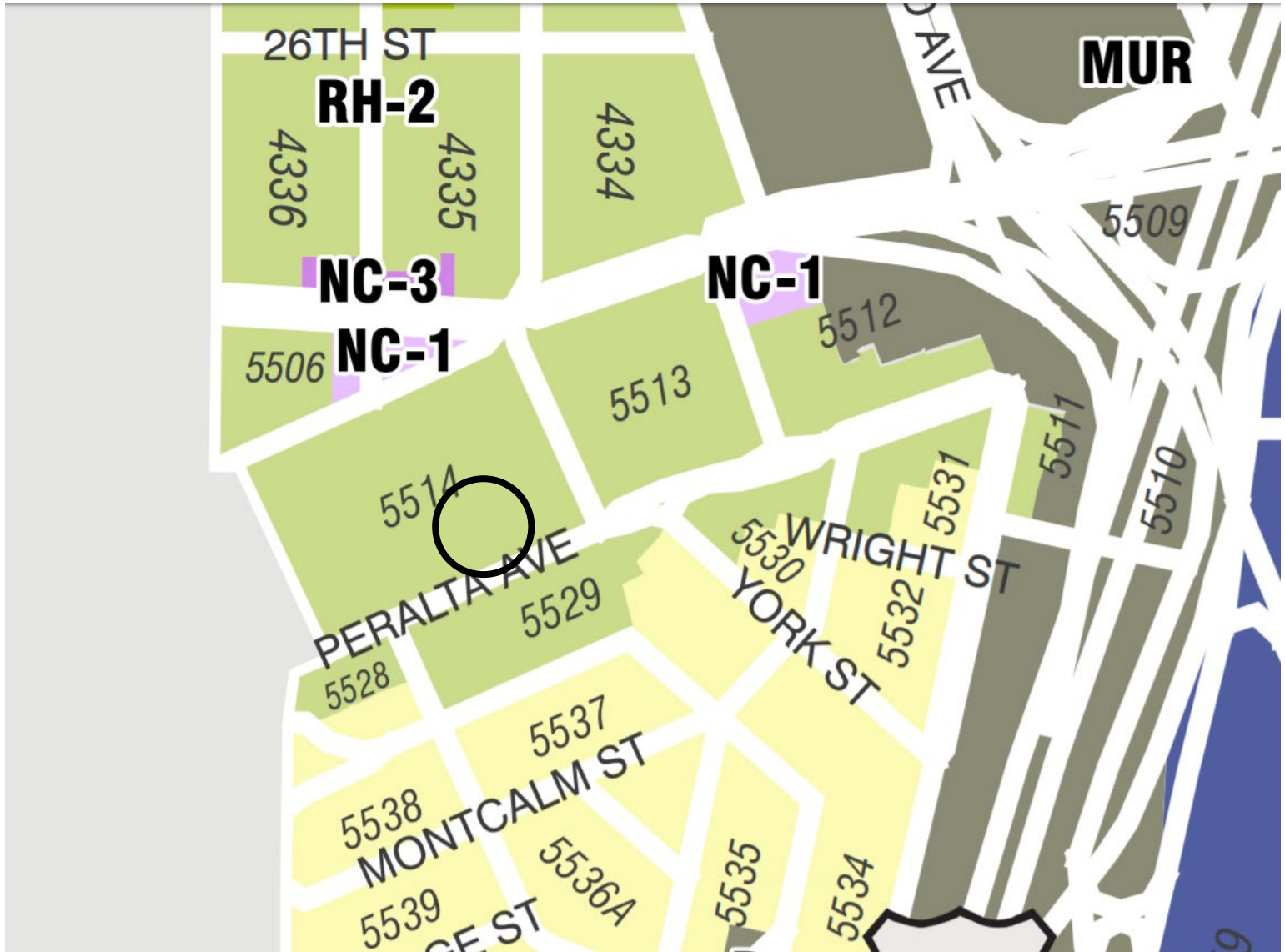


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



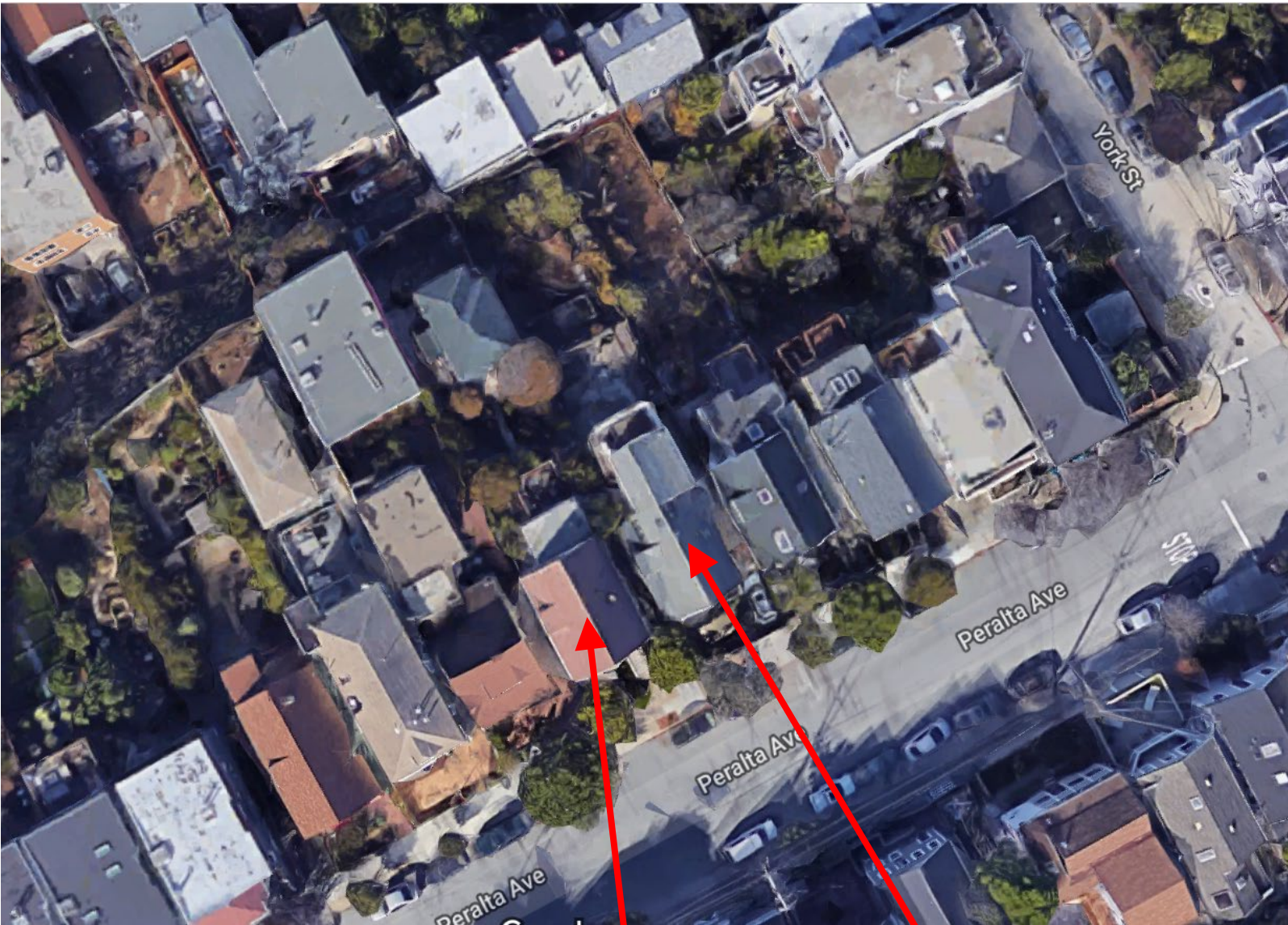
Discretionary Review Hearing
Case Number 2018-001609DRP
144 Peralta Avenue

Zoning Map



Discretionary Review Hearing
Case Number 2018-001609DRP
144 Peralta Avenue

Aerial Photo



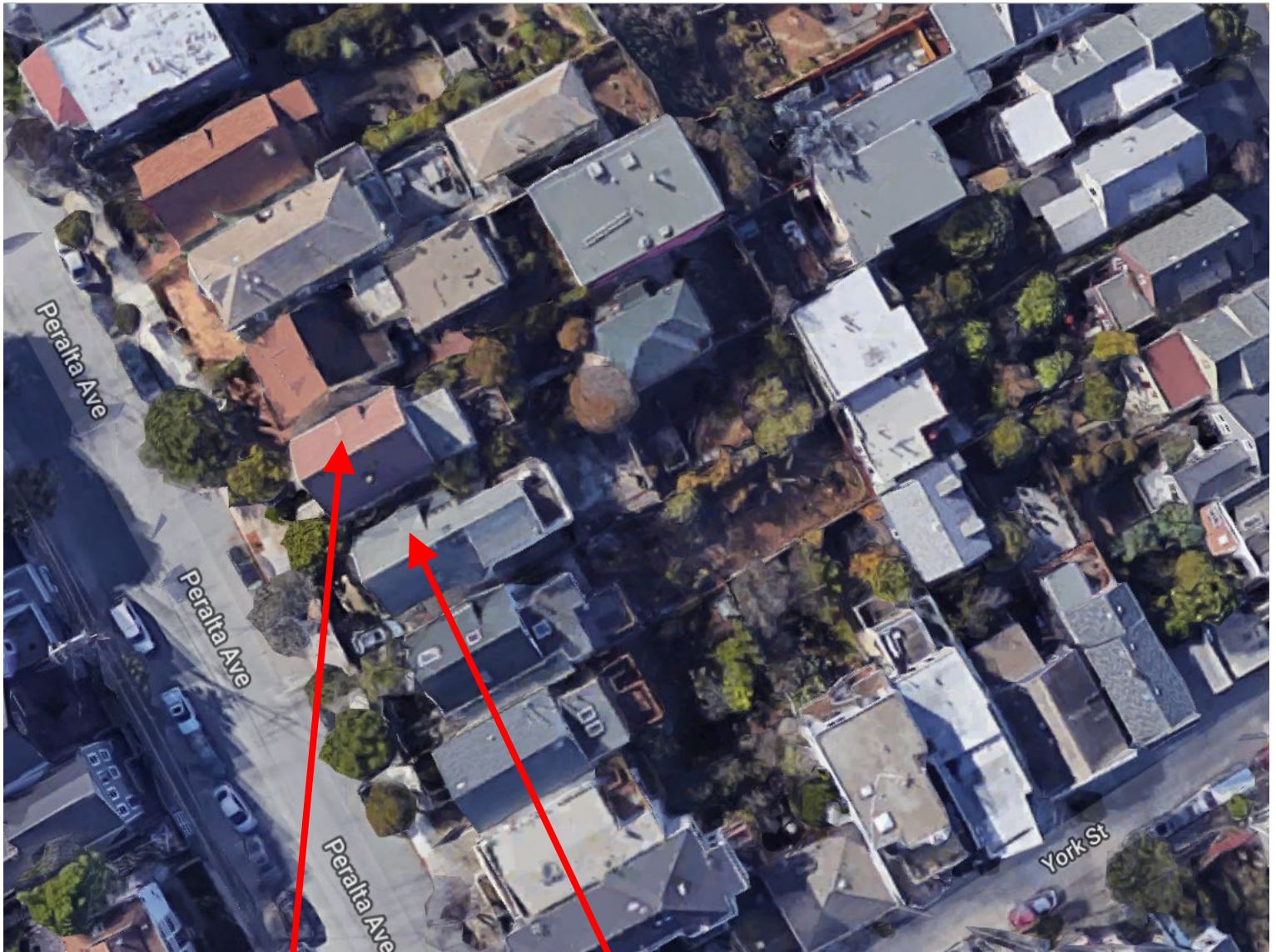
SUBJECT PROPERTY

**DR REQUESTOR'S
PROPERTY**



Discretionary Review Hearing
Case Number 2018-001609DRP
144 Peralta Avenue

Aerial Photo

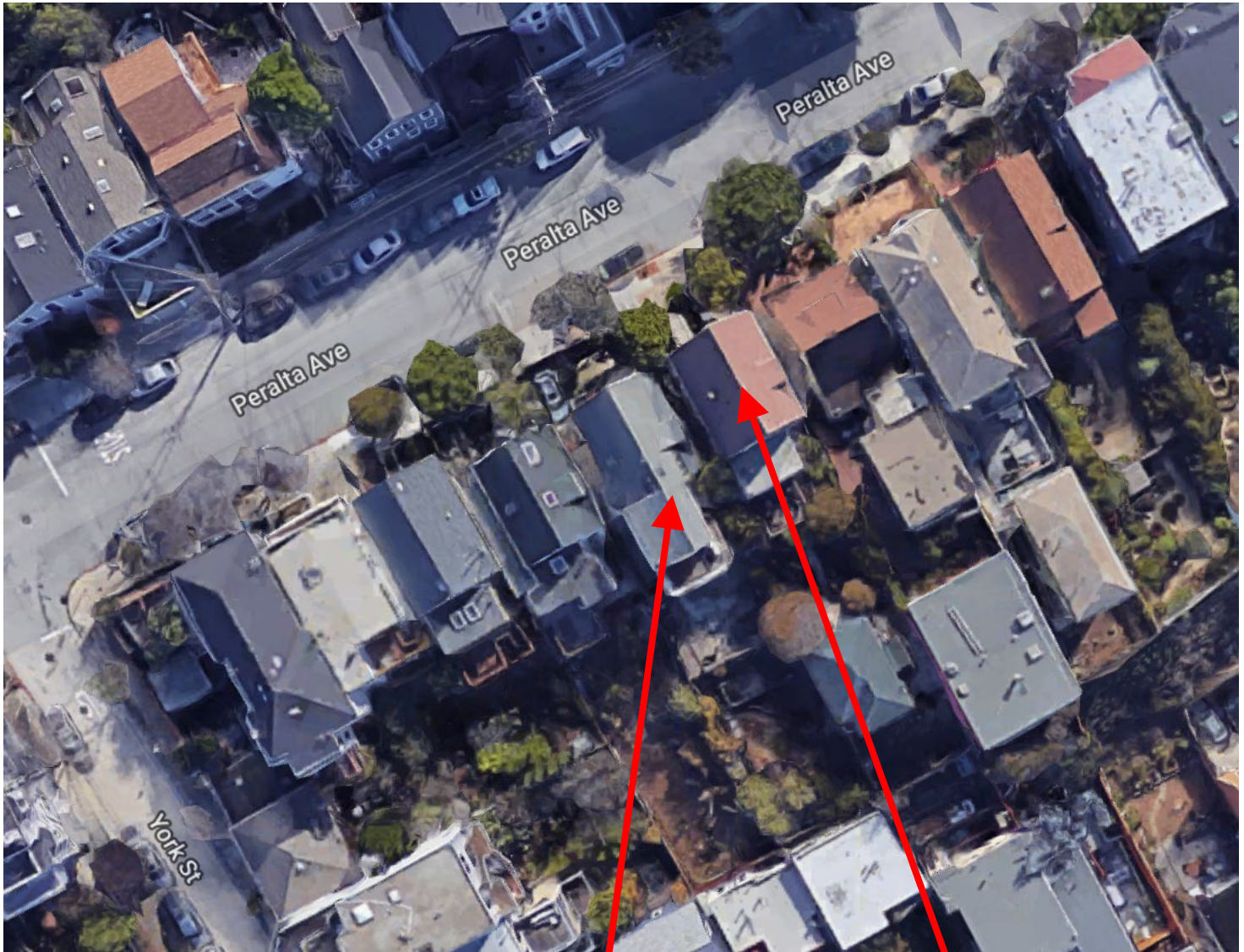


SUBJECT PROPERTY

**DR REQUESTOR'S
PROPERTY**



Aerial Photo



**DR REQUESTOR'S
PROPERTY**

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2018-001609DRP
144 Peralta Avenue

Aerial Photo



**DR REQUESTOR'S
PROPERTY**

SUBJECT PROPERTY



Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2018-001609DRP
144 Peralta Avenue



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **January 12, 2018**, the Applicant named below filed Building Permit Application No. **2018.0112.8597** with the City and County of San Francisco.

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	144 Peralta Avenue	Applicant:	Gregory Smith
Cross Street(s):	York and Florida Streets	Address:	P.O. Box 756
Block/Lot No.:	5514 / 012	City, State:	Kentfield, CA 94914
Zoning District(s):	RH-2 / 40-X	Telephone:	(415) 451-1740
Record No.:	2018-001609PRJ	Email:	gregscomputer@comcast.net

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 type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	15' 9 1/2"	No Change
Side Setbacks	7' 3" and 5"	No Change
Building Depth	40' 6 1/2"	60'
Rear Yard	93' 8" (partially obstructed)	51' 6 1/2" (partially obstructed)
Building Height	27' 3 3/4"	No Change
Number of Stories	3	No Change
Number of Dwelling Units	2 (full site)	No Change
Number of Parking Spaces	1	No Change
PROJECT DESCRIPTION		
The project includes a rear addition to the existing single-family home and interior alterations. See attached plans.		
The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.		

For more information, please contact Planning Department staff:

Planner: Michael Christensen
Telephone: (415) 575-8742
E-mail: michael.christensen@sfgov.org

Notice Date: 8/21/18
Expiration Date: 9/20/18



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
144 PERALTA AVE		5514012
Case No.		Permit No.
2018-001609PRJ		201801128597
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. REAR YARD ADDITION ADDING (1) BED & (2.5) BATHS TO (E), NEW TOTAL (5) BED, (3.5) BATH HOUSE		

STEP 1: EXEMPTION CLASS

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. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

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

<input type="checkbox"/>	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 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"/>	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"/>	Archeological Resources: 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"/>	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 any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.

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

Comments and Planner Signature (optional): Michael Christensen
Within Slope >20% area but area of expansion is less than 1,000 square feet.

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 checked="" 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 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 checked="" type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PROJECT 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 type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER dated b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C (attach HRER) </div> </div>
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 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:	

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. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Commission Hearing If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature: Michael Christensen 12/13/2018
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
144 PERALTA AVE		5514/012
Case No.	Previous Building Permit No.	New Building Permit No.
2018-001609PRJ	201801128597	
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



DISCRETIONARY REVIEW PUBLIC (DRP) APPLICATION

RECEIVED

SEP 20 2018

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

Discretionary Review Requestor's Information

Name: Julie Kelner

Address: 142 Peralta Ave., SF/CA 94110

Email Address: julie@rubymuse.com

Telephone: 415/ 606-1271

Information on the Owner of the Property Being Developed

Name: Hiten Madhani

Company/Organization:

Address: 144 Peralta Ave., SF/CA 94110

Email Address: hitenmadhani@gmail.com

Telephone: 415/ 264-4338

Property Information

Project Address: 144 Peralta Ave., SF/CA 94110

Block/Lot(s): 5514 / 012

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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

We were deprived of the opportunity to discuss this project with our local Community Board because that process was somehow bypassed.

The permit applicant (property owner) listened briefly to our concerns but was not willing to make changes.

DISCRETIONARY REVIEW REQUEST

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and cite specific sections of the Residential Design Guidelines.

Please see attached page #1.

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

Please see attached page #2.

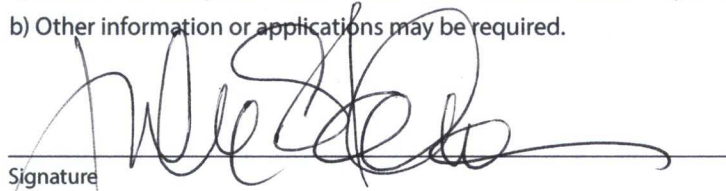
-
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

Please see attached page #3.

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

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



Signature

Next-door neighbor

Relationship to Project

(i.e. Owner, Architect, etc.)

415/ 606-1271

Phone

Julie S. Kelner

Name (Printed)

julie@rubymuse.com

Email

For Department Use Only

Application received by Planning Department:

By: JEFF SPEIRS

Date: 9/20/18

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

We feel that this project does not respect the following Design Principles as stated on page 5 of the Residential Design Guidelines:

- Ensure that the building's scale is compatible with surrounding buildings.
- Maintain light to adjacent properties by providing adequate setbacks.

What is not evident from the project plans is the existing height of the subject property relative to its neighbors. (Please see attached Photo #1 on pg. 4). Because the property is already significantly taller than those around it, the proposed rear addition would be bulky and out-of-scale (please see attached Sketch #1 on pg. 5), and would negatively impact its neighbors with regard to light, privacy and visual access to the mid-block open space.

Below are more specific references from the Residential Design Guidelines that we believe are relevant:

III. Site Design [p.11]

REAR YARD [p.16]

GUIDELINE: Articulate the building to minimize impacts on light and privacy to adjacent properties.

IV. Building Scale and Form [p.23]

Building Scale at the Mid-Block Open Space [p.25]

GUIDELINE: Design the height and depth of the building to be compatible with the existing scale at the mid-block open space.

Even when permitted by the Planning Code, building expansions into the rear yard may not be appropriate if they are uncharacteristically deep or tall, depending on the context of the other buildings that define the mid-block open space.

In addition, the proposed design does not conform to the following from the Bernal Heights East Slope Building Guidelines:

Summary of Design Guidelines [p.31]

4. Building and Architectural Massing

No point of the last 10'-0" depth of the building may exceed 2/3 the height of the highest point of the structure. Highest point is defined as the average height of the pitch on a sloped roof or the highest point of a flat roof.

In all of the references above, upper floor setbacks are a recommended solution.

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

The most significant and concrete impact would be to the adjacent properties: 142 and 146 Peralta. Both would experience a significant reduction in light and visual access to the mid-block open space. (Please see attached Photos #2 and #3.)

There is also a privacy impact on our property, 142. Due to the 1/2-floor raised height of the subject property combined with the number/placement of windows, we will need to cover our windows completely to prevent a view down into our master bedroom. (If the houses were on the same level, the upper half of the windows could be left uncovered to allow light while maintaining privacy.)

More generally, the proposed project has unnecessary negative aesthetic impact to the block as a whole. Because there are no proposed setbacks in the height of the subject building, its bulk is out of character. Virtually all of the homes are significantly shorter or have setbacks on the top floor. And though we understand that private views are not protected, we believe that much of the north side of the block of Peralta Avenue between York and Florida will be affected with respect to views, which makes the impact slightly more public. (Please see attached Photos #4 and #5.)

Finally, while the owners are within their rights to negatively impact their own property, we feel compelled to mention that their 2nd unit, the backyard cottage that is currently occupied by an elderly family member, is very significantly impacted by the reduction of light. (Please see attached Photo #6.)

144 Peralta Avenue

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

We propose a setback of 12 feet to the top floor, along with a reduction of 5 feet to the overall length of the building.

144 Peralta Avenue

Photo #1

Shot from the south side of Peralta Avenue, facing the subject building and neighboring facades.

Note that subject property is significantly taller than all surrounding buildings.



144 Peralta Avenue

Sketch #1

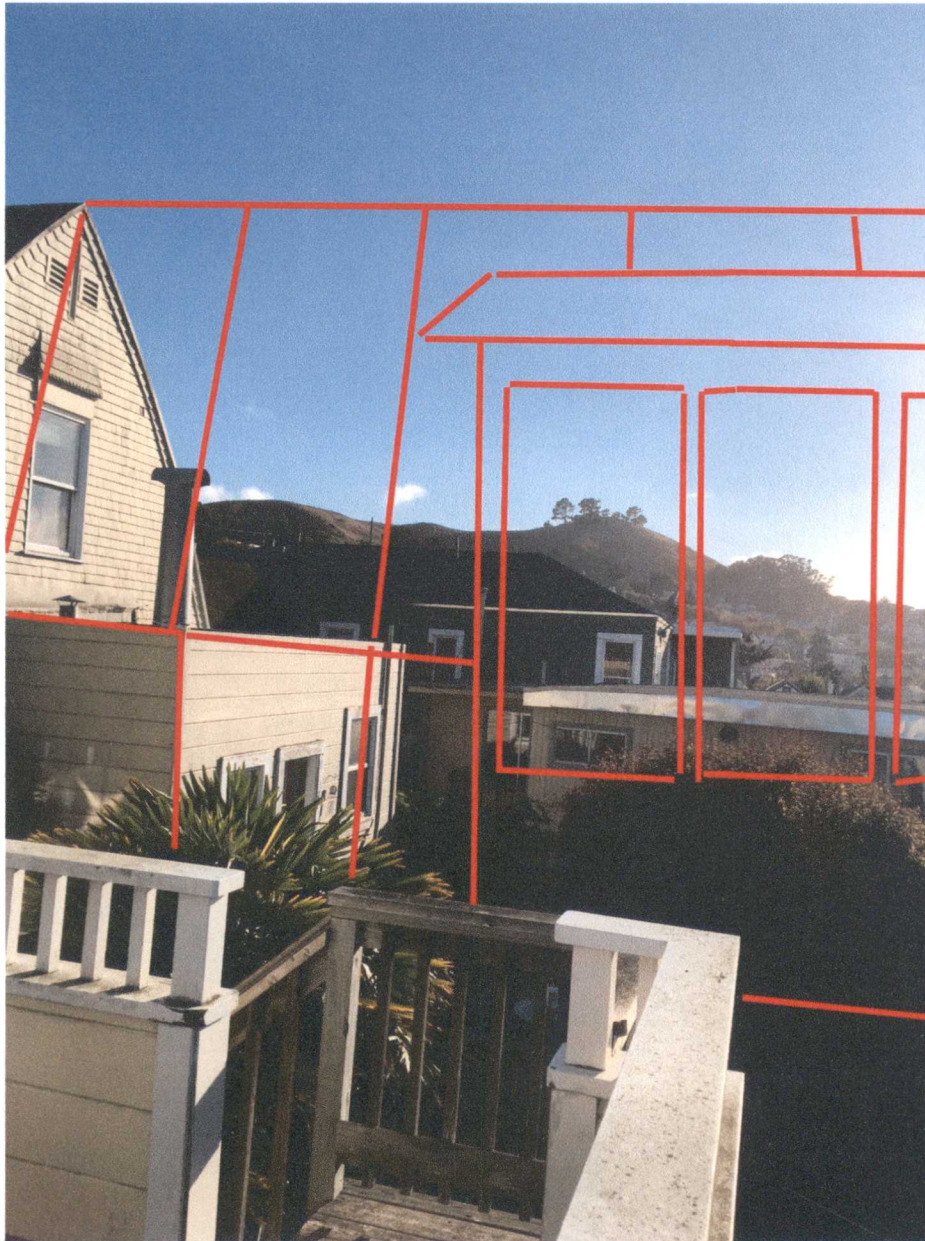
Sketch of the rear of subject property with proposed addition, and adjacent property to the East.



144 Peralta Avenue

Photo #2

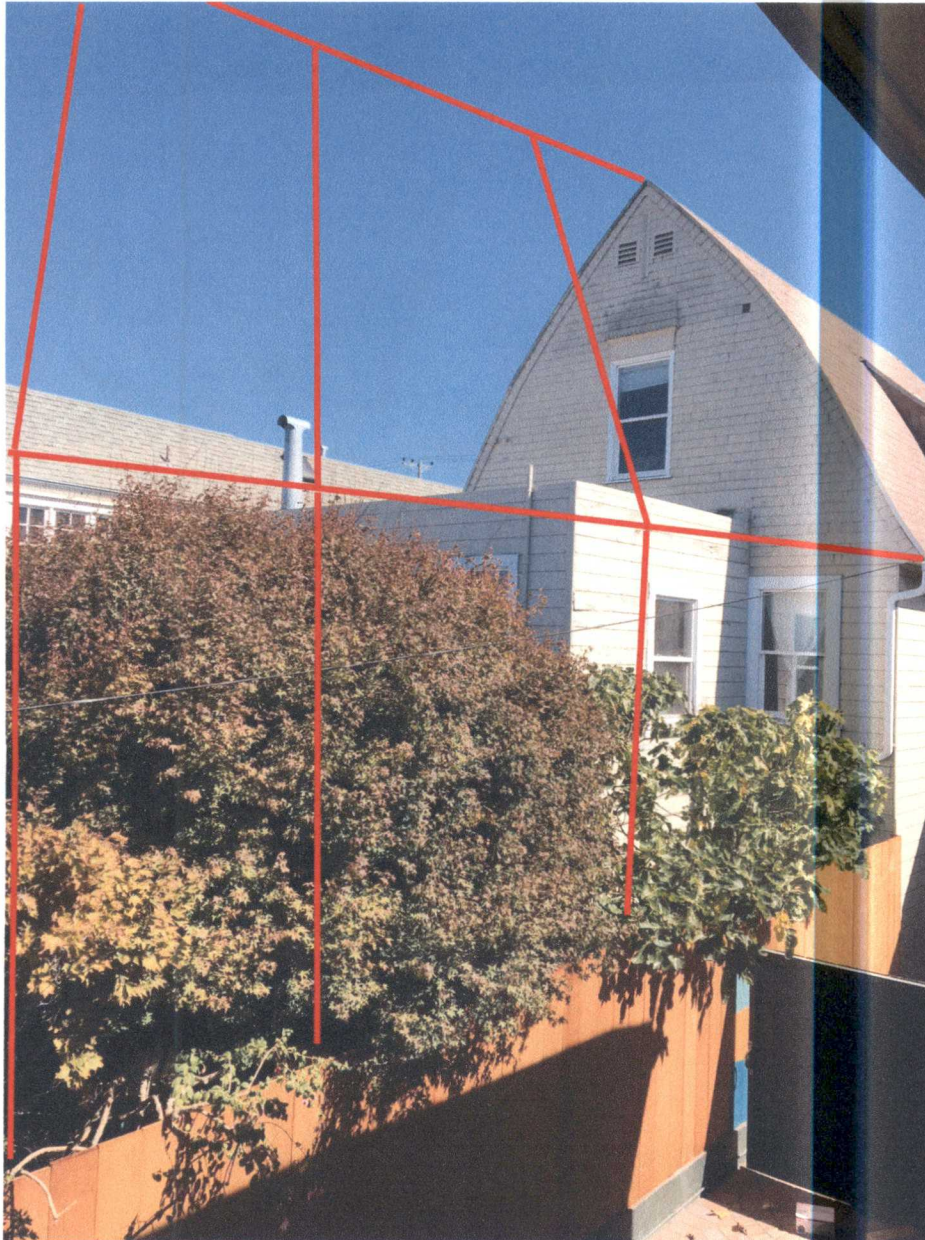
Shot from upper rear deck of 142 Peralta, facing West toward the subject property. Red lines roughly represent shape and position of proposed addition.



144 Peralta Avenue

Photo #3

Shot from rear deck of 146B Peralta, facing Southeast toward subject property. Red lines roughly represent shape and position of proposed addition.

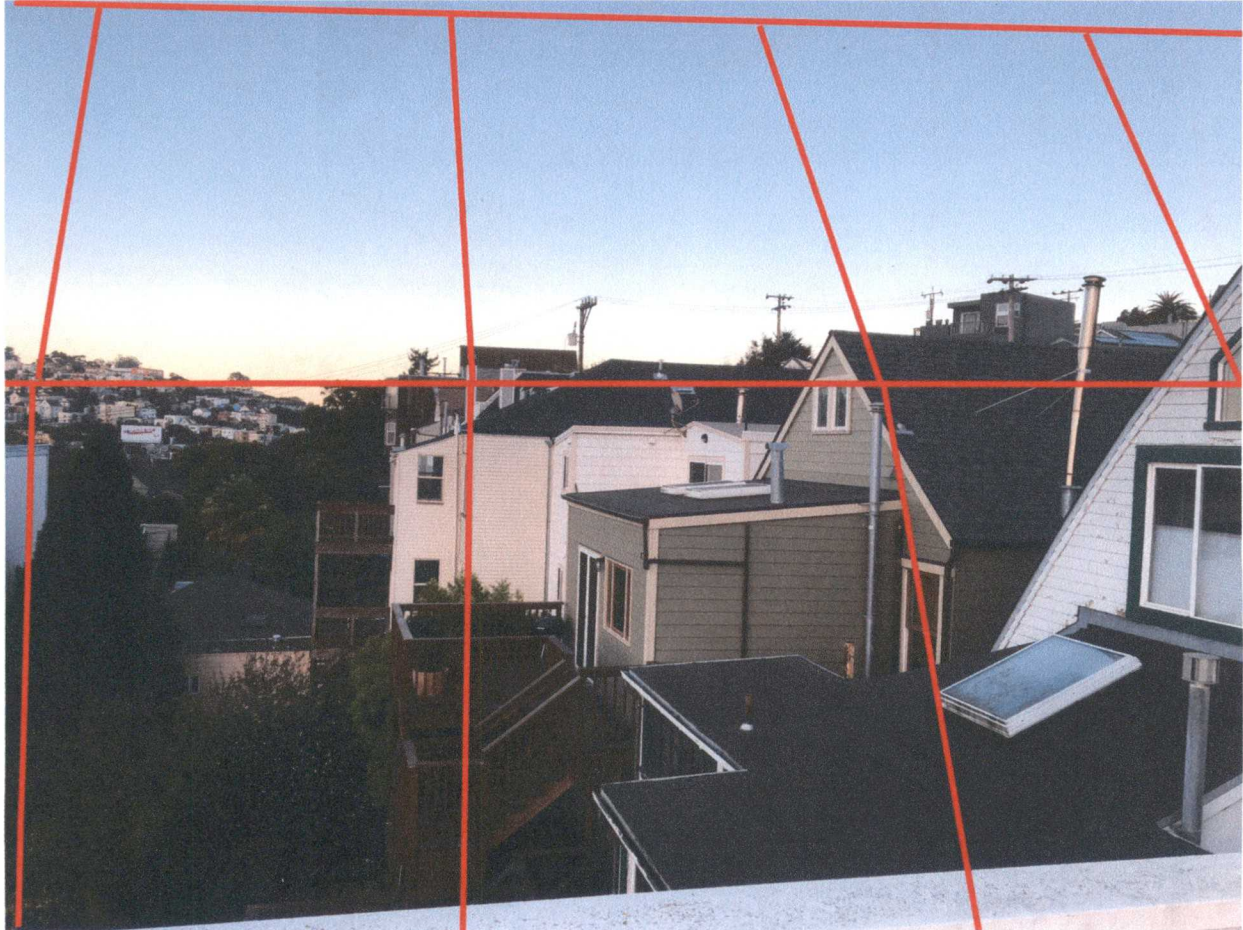


144 Peralta Avenue

Photo #4

Shot from upper rear deck of 142 Peralta facing East. Red lines roughly represent shape and position of proposed addition as it would stand *behind* the camera (subject property is behind us).

Note typical upper floor building setbacks.

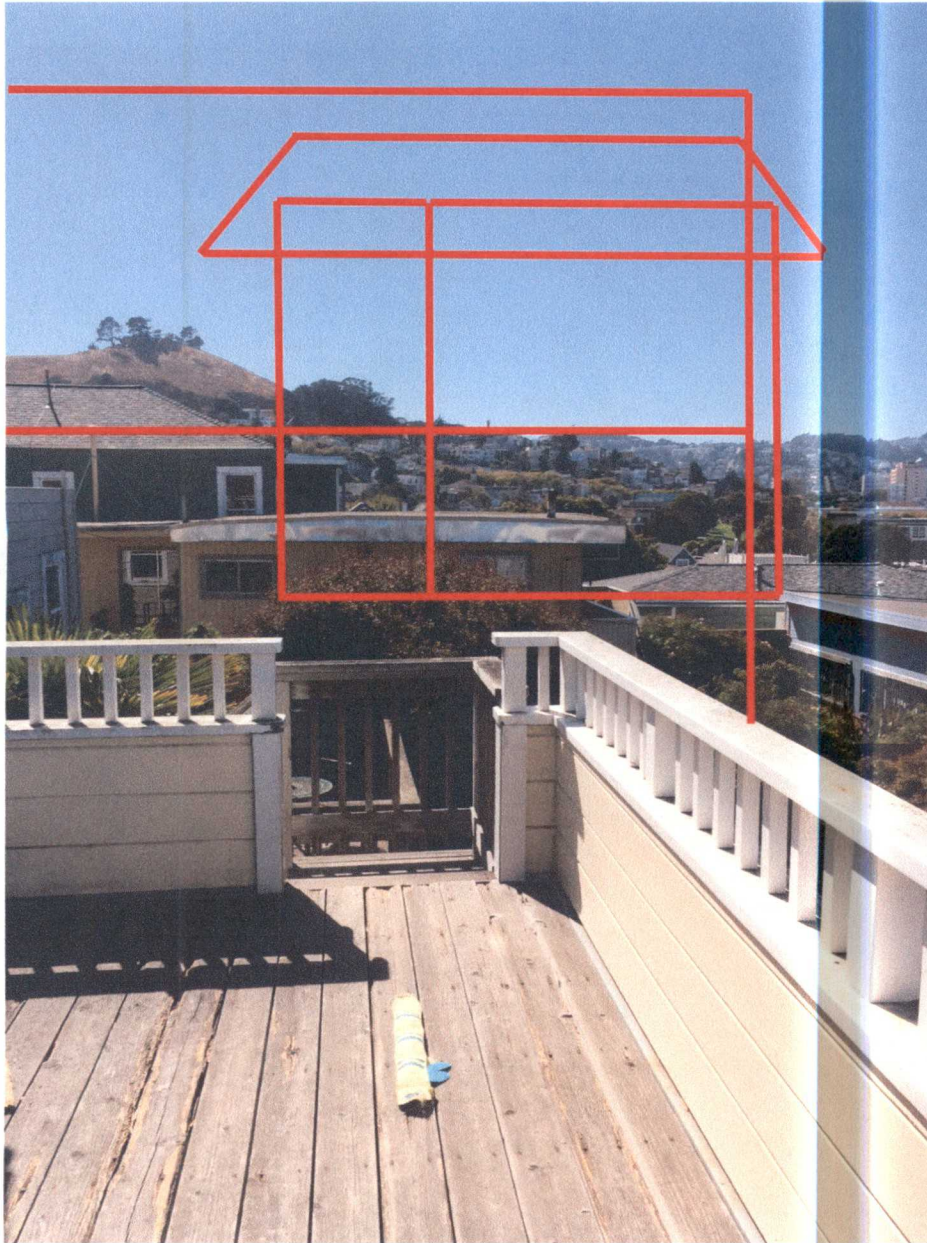


144 Peralta Avenue

Photo #5

Shot from upper rear deck of 142 Peralta, facing West toward the subject property. Red lines roughly represent shape and position of proposed addition.

Note low building heights relative to proposed addition (and blocked views in both directions).

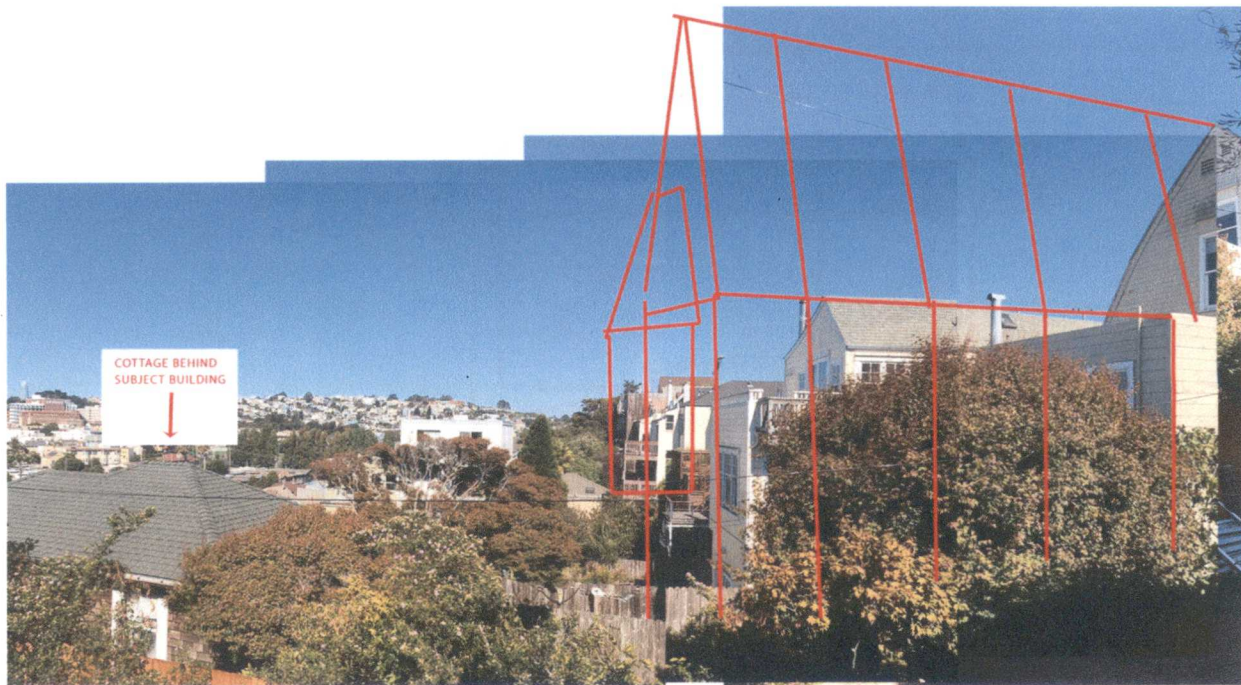


144 Peralta Avenue

Photo #6

Shot from rear deck of 146B Peralta, facing East toward the subject property. Red lines roughly represent shape and position of proposed addition.

Note reduced South light exposure to rear cottage.



RESPONSE TO DISCRETIONARY REVIEW (DRP)



**San Francisco
Planning**

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

Project Information

Property Address: **144 Peralta Avenue**

Zip Code: **94110**

Building Permit Application(s): **2018.0112.8597**

Record Number: **2018-001609DRP**

Assigned Planner: **Michael Christensen**

Project Sponsor

Name: **Gregory Smith, Architect**

Phone: **(415) 451-1740**

Email: **greg@gregorysmitharchitect.com**

Required Questions

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

The proposed rear yard addition meets the Bernal Heights East Slope Design Guidelines height limits of 32 feet, max. and is 6'-3.5" short of the allowable rear yard setback. The expressed intent of the Bernal Guidelines (paraphrased) for a top floor, rear yard setback is to:

1. Maximize sun on DOWNHILL lots. (Without the top floor setback, we still don't shade a downhill neighbor.)
 2. Access rear yards. (Our proposal has direct connection to the rear yard outdoor space.)
 3. Avoid dominant buildings with blank facades. (We include a bay, porches, and varied materials and elements to make the facade interesting.)
 4. Harmonize with the neighboring buildings. (The dominant pattern of development on this block does not have a top floor, rear yard, setback.)
 5. Encourage buildings which meet the ground. (Our proposal has patio doors which lead to a rear yard terrace.)
- Our proposed development addresses all of the expressed intent of the Guidelines without a top floor, rear yard setback.

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

In the original design, we took into account the interests of adjacent properties. We are 1'-3" below the 32'-0" height limit, we are 6'-3.5" short of the allowable rear yard setback, we maintained the existing side yard width of 7'-3" which is 3'-3" greater than the Guidelines requirement of 4'-0", and we took great effort to design the new facades for an interesting visual and textural composition that fit in with the neighboring architecture. We exceed the Bernal Heights East Slope Design Guidelines, San Francisco Planning Code and Residential Design Guidelines requirements in all respects to minimize any negative effects on neighboring properties.

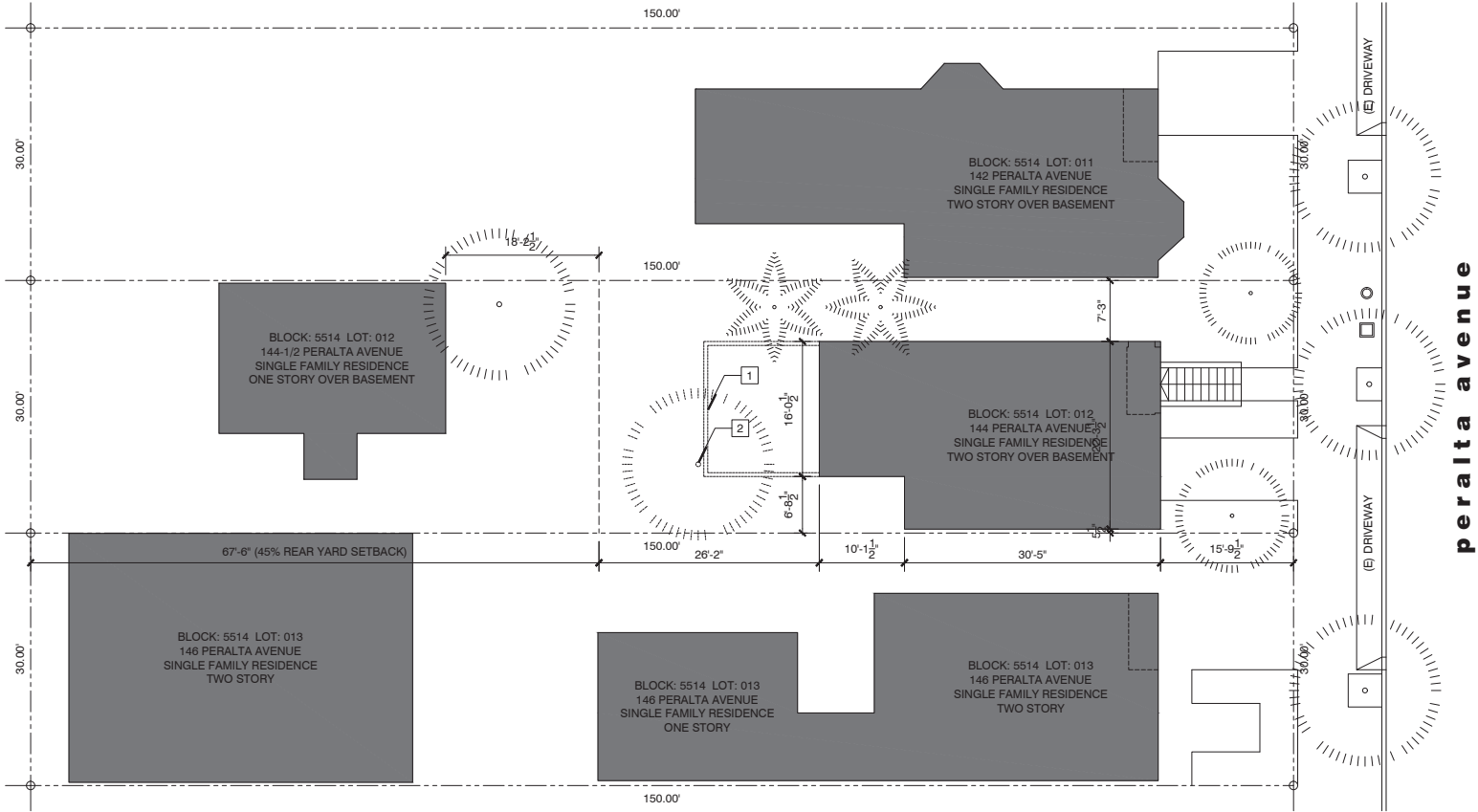
The Bernal Heights East Slope Group was included in the two official Notification mailings, and I left a voicemail with the Group Contact, Terry Milne before the second Notification, but never heard back. After learning of the neighbor's concerns, but prior to the filing of this DR, I again telephoned Terry Milne. Terry told me that the East Slope Group declined to review this project and they took no exceptions to the proposed design.

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

The proposed design follows the predominant neighborhood pattern as described above. The typical rear yard facades of this block is a 3 story facade with no setbacks. Our proposed addition follows this pattern. We set the rear yard face of our building back an average of the rear faces of the immediate neighbors and we have a larger than required side yard to allow for light and air.

The proposed addition will allow the house to include a multi-generational family with grandparents on the lowest level, the family gathering rooms on the main level, and the parent's and children's bedrooms on the top level.

It should also be noted that no other neighbors expressed any concerns with the proposed design. The Bernal Heights East Slope Group had no concerns with the proposed design and declined to review the project twice.



23 existing conditions and demolition site plan

0' 4' 8'
north scale: 1/8"=1'

site demolition notes

- 1. INFORMATION SOURCE:** THE SITE PLAN IS BASED ON THE TOPOGRAPHIC & BOUNDARY SURVEY BY: PAUL O. WEBB, LICENSED SURVEYOR 2724 9TH STREET, SUITE B BERKELEY, CA 94710 DATED: NOVEMBER 2014
- 2. ACCURACY:** BASE INFORMATION AND UTILITIES ARE DIAGRAMMATIC AND HAVE NOT BEEN VERIFIED BY THE ARCHITECT. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO COMMENCING WITH THE WORK. REPORT ALL CONFLICTS OR DISCREPANCIES TO THE ARCHITECT.
- 3. IDENTIFICATION:** MARK AREA OF DEMOLITION IN THE FIELD FOR REVIEW AND APPROVAL PRIOR TO COMMENCING WITH WORK.
- 4 SITE DRAINAGE:** PROTECT EXISTING SITE DRAINAGE IMPROVEMENTS FROM DAMAGE AND ACCUMULATION OF DEBRIS. PROVIDE TEMPORARY SITE DRAINAGE MEASURES AS REQUIRED BY CONSTRUCTION.
- 5. SHORING AND BRACING:** COORDINATE DEMOLITIONS WITH THE ENGINEER FOR REQUIRED PRECAUTIONS.
- 6. PROTECTION:** CONTRACTOR SHALL PROTECT EXISTING UTILITIES, TREES, VEGETATION, AND SITE IMPROVEMENTS DESIGNATED TO REMAIN.

tree protection notes

- 1. GENERAL:** PROTECT EXISTING TREES TO REMAIN AGAINST INJURY, COMPACTION OF ROOTS, OR INJURY DUE TO CUTTING, BREAKING OR ABRASION.
- 2. CUTTING AND PRUNING:** NO CUTTING OF EXISTING TREES SHALL BE UNDERTAKEN WITHOUT PRIOR APPROVAL. THE CONTRACTOR SHALL USE HAND TOOLS FOR ALL WORK TO MINIMIZE POTENTIAL DAMAGE. AVOID CUTTING ROOTS TWO-INCHES DIAMETER AND GREATER. FOR LARGER ROOTS, THE CONTRACTOR SHALL CONSULT AN ARBORIST FOR RECOMMENDATIONS ON HOW TO PROCEED.
- 3. PROTECTION FENCE:** PROTECT TREES TO REMAIN WITH TEMPORARY FENCE OF SIX-FOOT HIGH PLASTIC MESH, WIRED TO EIGHT-FOOT POSTS OF TWO-INCH GALVANIZED PIPE, DRIVEN TWO-FEET MINIMUM INTO THE GROUND AT THE DRIP LINE OR BEYOND.
- 4. PROTECTION ZONE:** DO NOT STOCKPILE MATERIALS, STORE TOOLS, CLEAN EQUIPMENT OR TOOLS WITHIN THE DRIP LINE OF EXISTING VEGETATION TO REMAIN.
- 5. DAMAGE:** ANY TREES SEVERELY DAMAGED BY CONSTRUCTION OPERATIONS SHALL BE REPLACED, WITH TREE SPECIES SELECTED BY ARCHITECT, AT THE CONTRACTOR'S EXPENSE. REPLACEMENT TREE MUST BE COMPARABLE IN SIZE TO DAMAGED TREES.

site demolition keynotes

- 1** COMPLETELY REMOVE (E) WOOD DECK, RAILING AND STAIRS.
- 2** REMOVE (E) SPECIMEN TREE INCLUDING ALL ROOTS TO TWO-FOOT DEPTH.
- 3** -
- 4** -
- 5** -
- 6** -
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- 8** -
- 9** -
- 10** -
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- 12** -
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- 14** -
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- 16** -
- 17** -
- 18** -
- 19** -
- 20** -
- 21** -
- 22** -

04.26.18 NOPOR #2 Response
03.08.18 NOPOR #1 Response
01.12.18 Issue for Site Permit
Issue date description
GREGORY SMITH ARCHITECTURE & DESIGN
C-26697-S
G.P. 300 750, Kentfield, CA 94
office telephone: (415) 451-1
www.gregorysmitharchitect.com

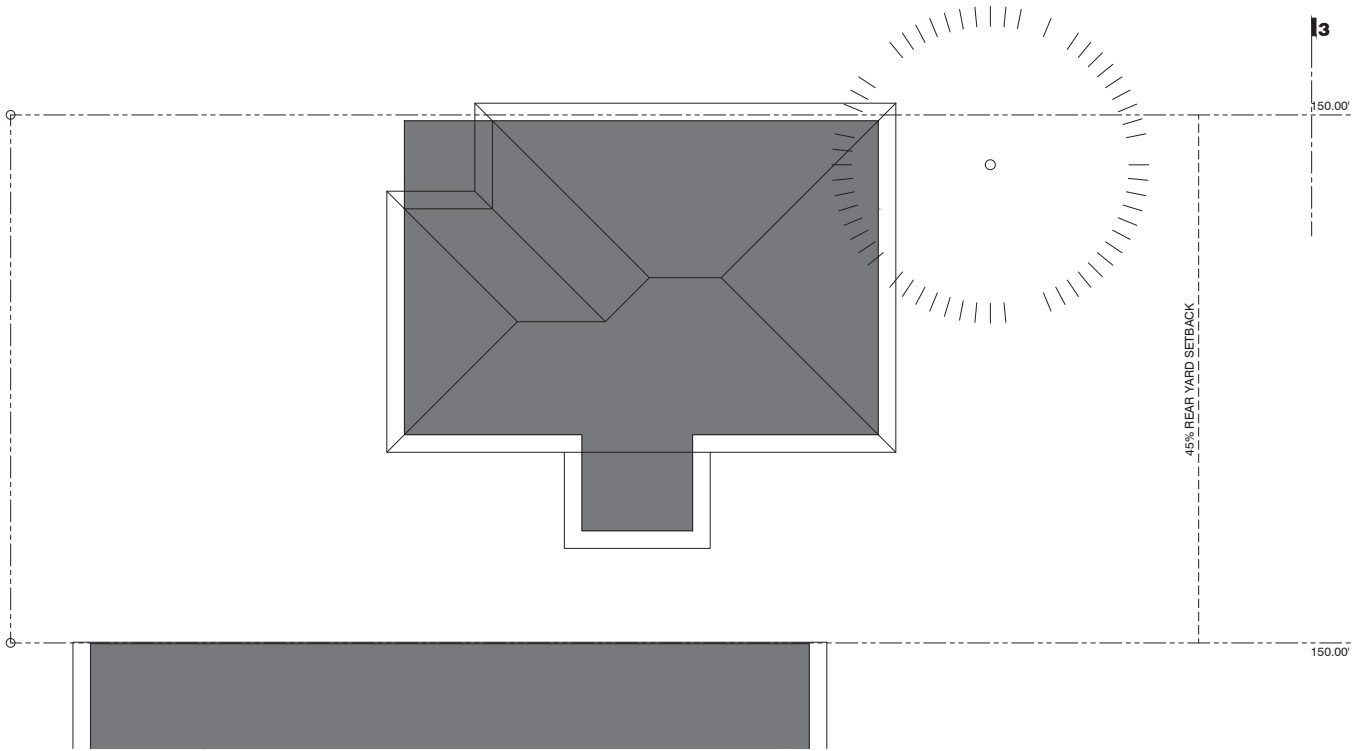
madhani/noble home
144 peralta avenue
san francisco, ca 94111
block/lot: 5514/012
lat. 37.747425, lon. -122.408043

drawing title:
demo plans site

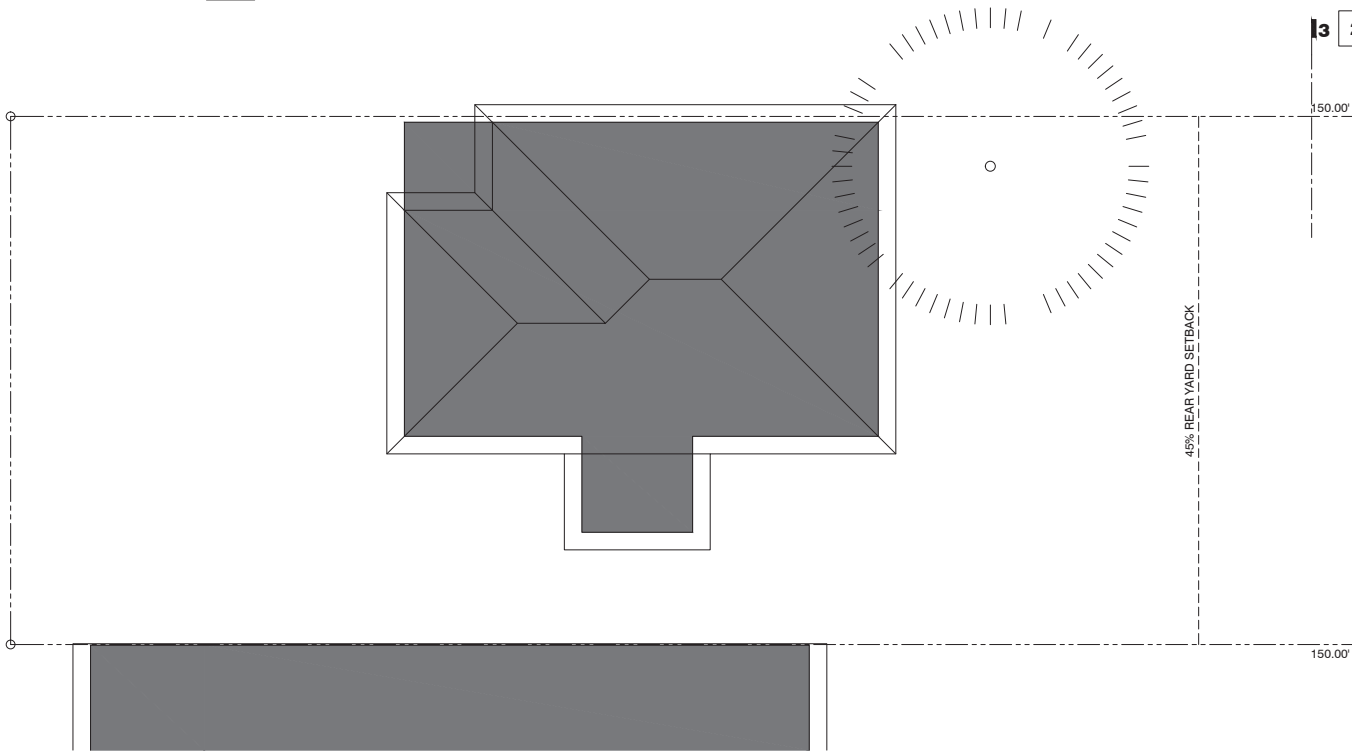
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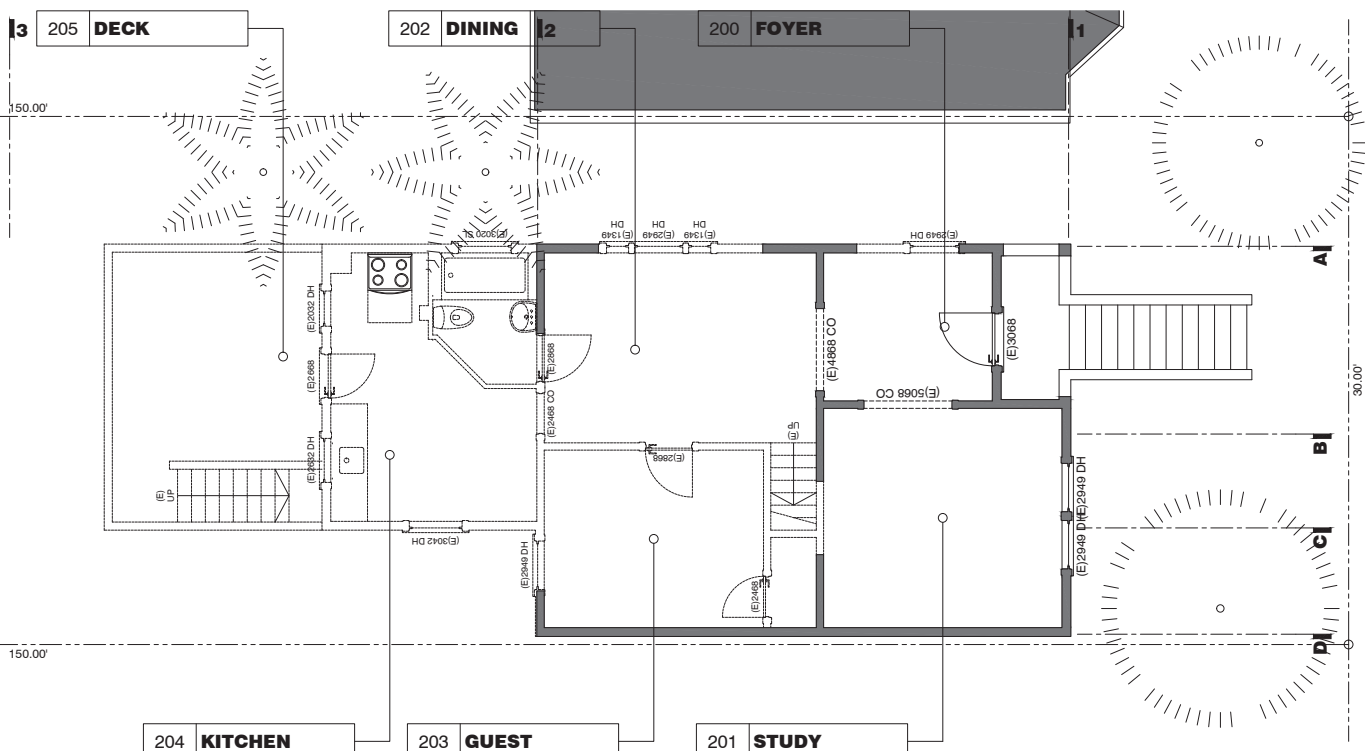
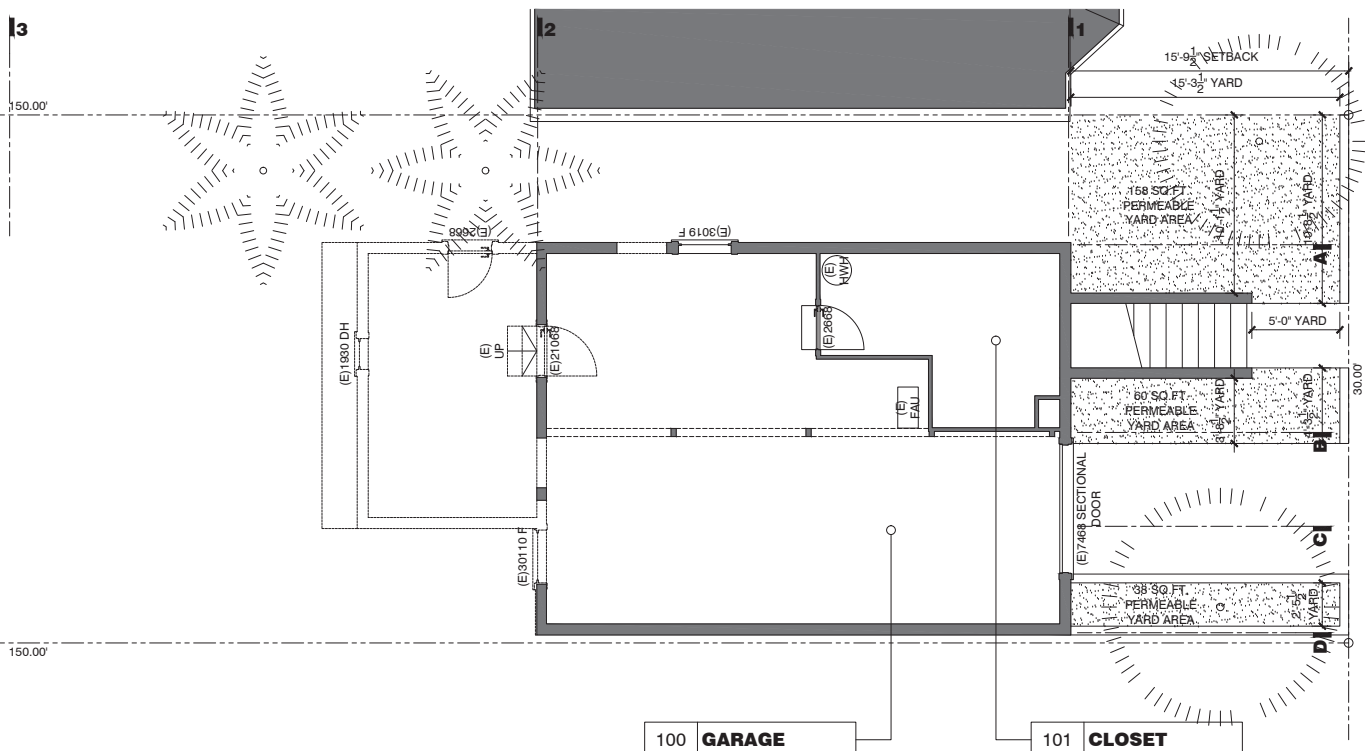
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32 existing conditions and demolition plan - first floor



34 existing conditions and demolition plan - second floor



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03.08.18 NOPDR #1 Response
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LICENSED ARCHITECT
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STATE OF CALIFORNIA
P.O. Box 756, Kentfield, CA 94021
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www.gregorysmitharchitect.com

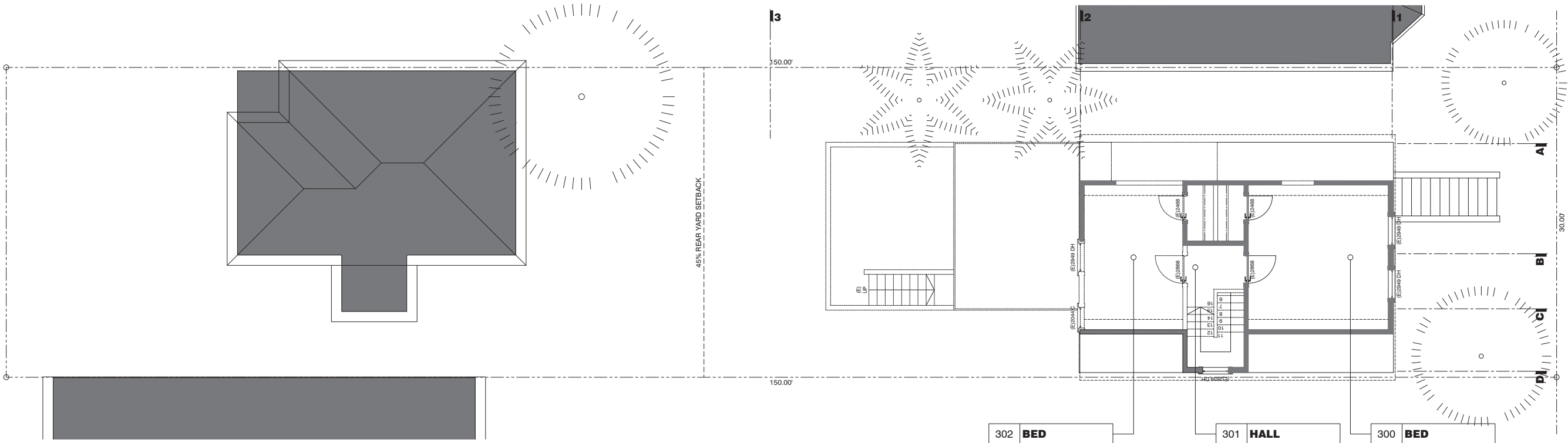
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144 peralta avenue
san francisco, ca 94110
block/lot: 5514/012
lat. 37.747425, lon. -122.408043

Drawing title:
demo plans
first floor
second floor

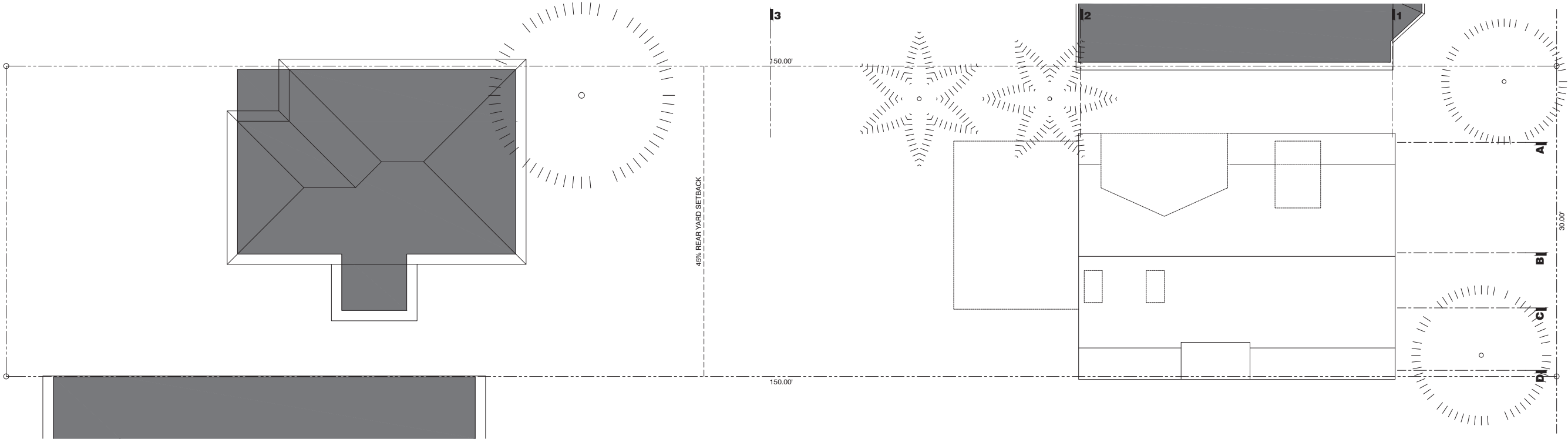
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32 existing conditions and demolition plan - third floor



34 existing conditions and demolition plan - roof

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2	04.26.18	NOPDR #2 Response
1	03.08.18	NOPDR #1 Response
1	01.12.18	Issue for Site Permit
issue	date	description

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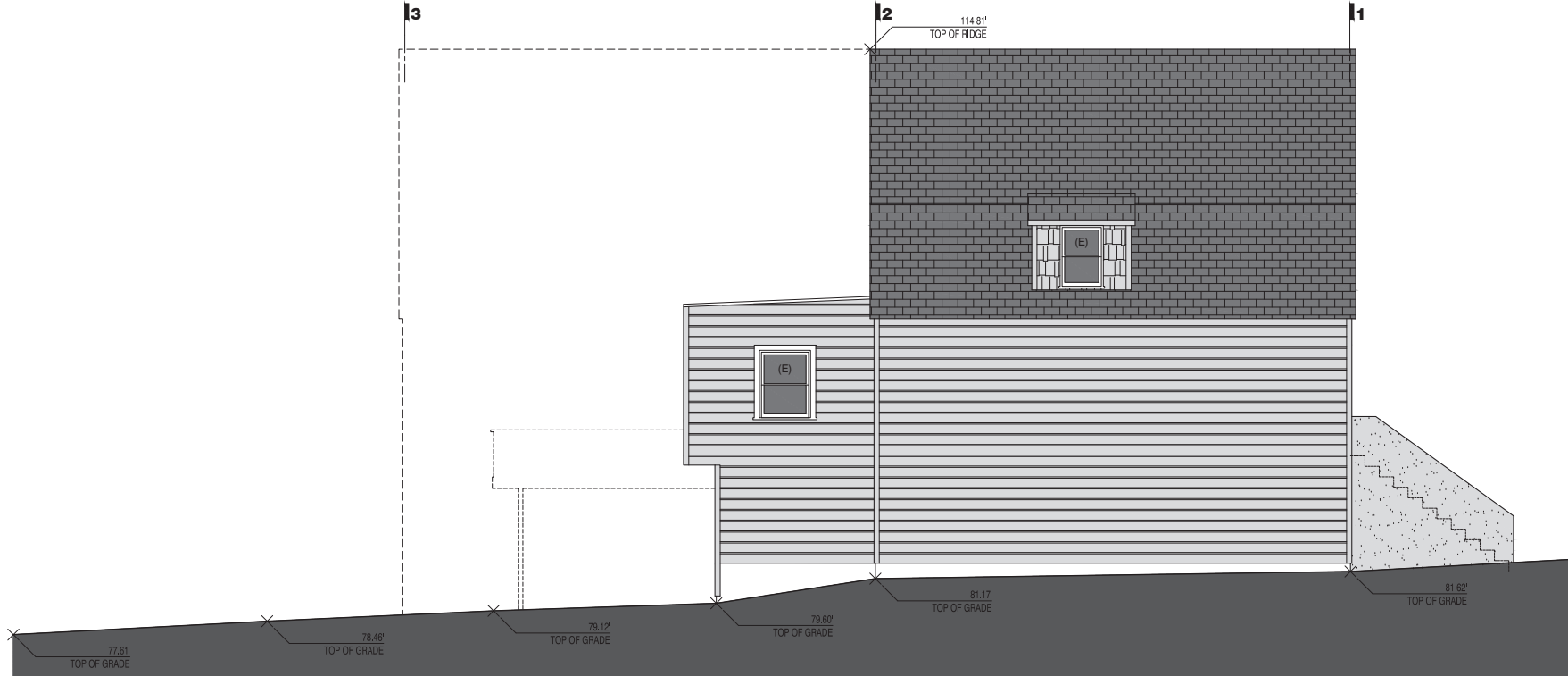
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demo plans
third floor
roof

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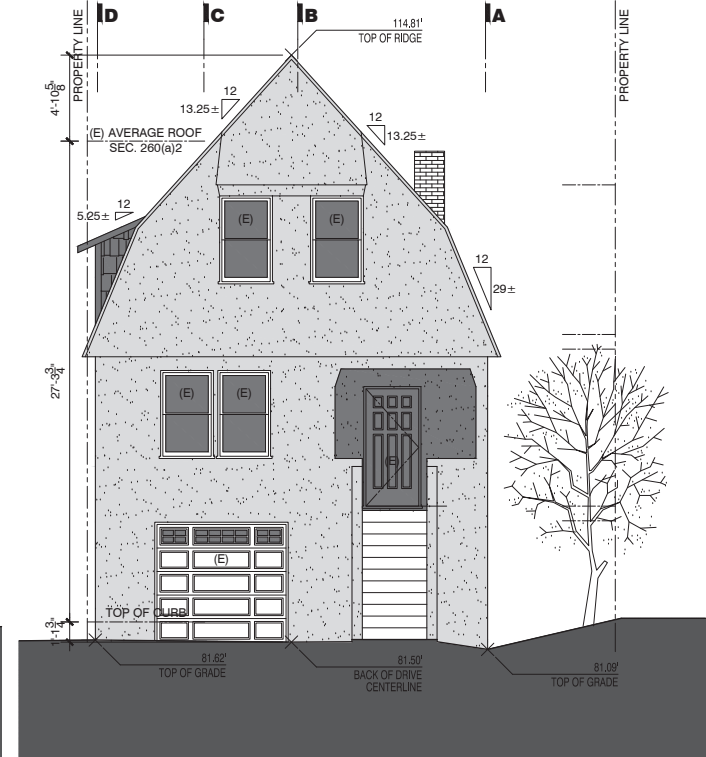
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32 existing elevation - west



07 existing elevation - south (peralta street front)



34 existing elevation - east



09 existing elevation - north (rear yard)

03.08.18 NOPOR #1 Response
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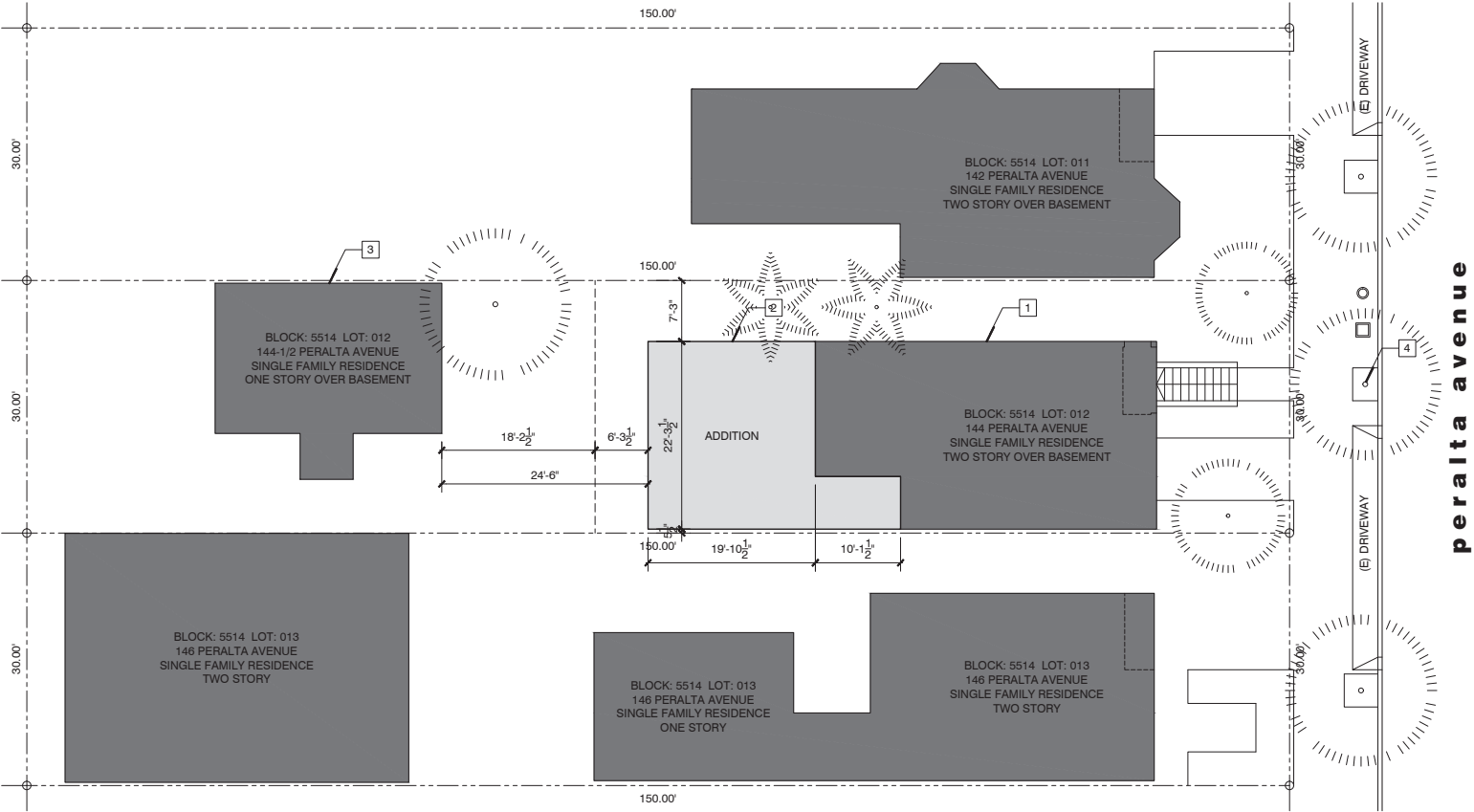
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madhani/noble home
144 peralta avenue
san francisco, ca 94110
block/lot: 5514/012
lat. 37.747425, lon. -122.408043

demolition
elevations

Sheet:
A 1.3

Drawn: gs Date: 03.08.18 Scale: 1/4"=1'



23 site plan

0' 4' 8'
north scale: 1/8"=1'

site plan keynotes

- 1 EXISTING TWO STORY OVER GARAGE, SINGLE FAMILY RESIDENCE TO REMAIN.
- 2 NEW, THREE-STORY REAR-YARD RESIDENTIAL ADDITION.
- 3 EXISTING ONE STORY, SINGLE FAMILY COTTAGE RESIDENCE TO REMAIN.
- 4 EXISTING STREET TREE AND WELL TO REMAIN. PROTECT DURING CONSTRUCTION.

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03.08.18 NOPOR #1 Response

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madhani/noble home
144 peralta avenue
san francisco, ca 94111

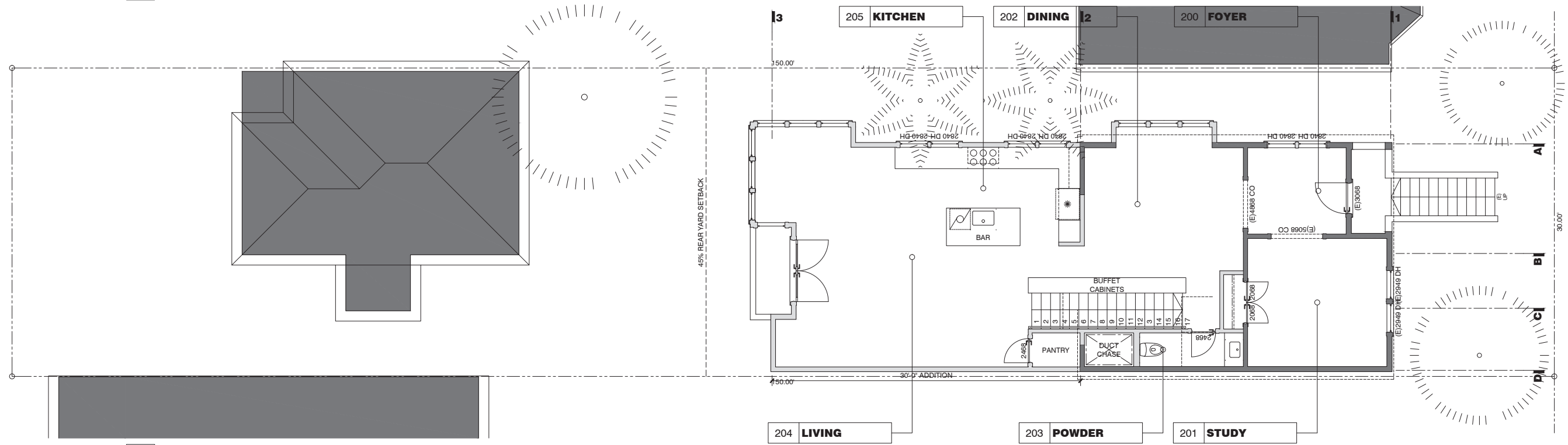
block/lot: 5514/012
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site plan

sheet:

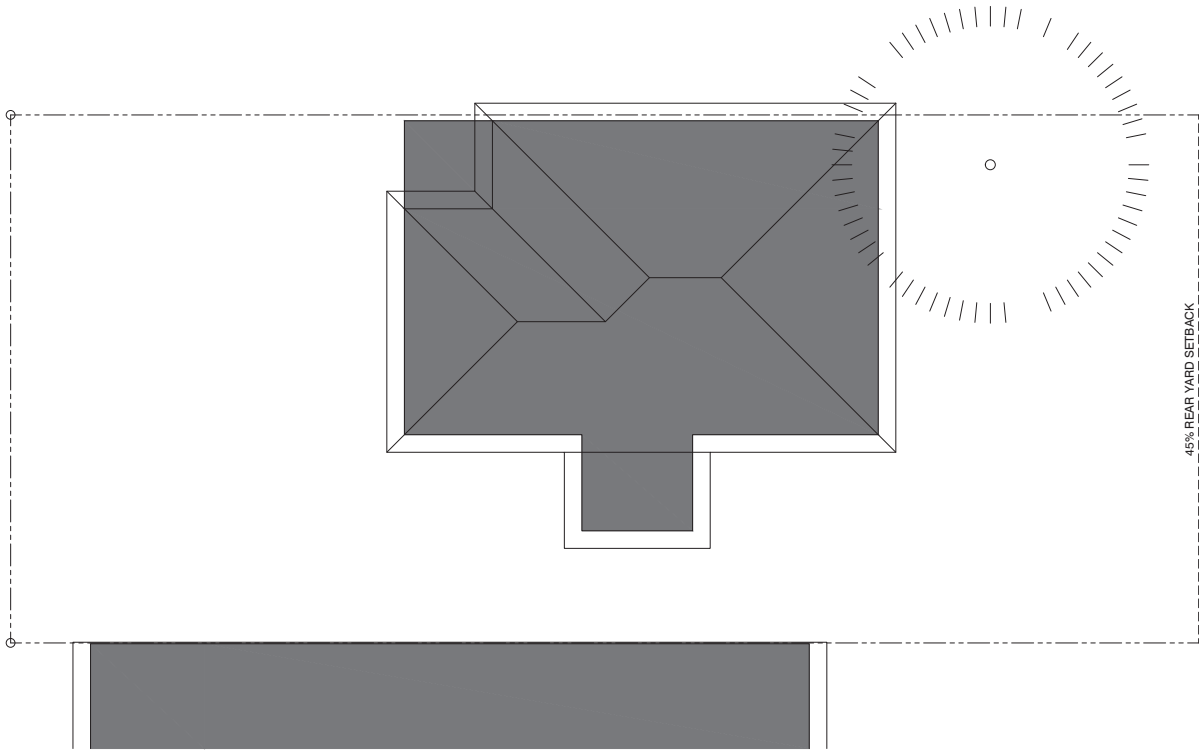
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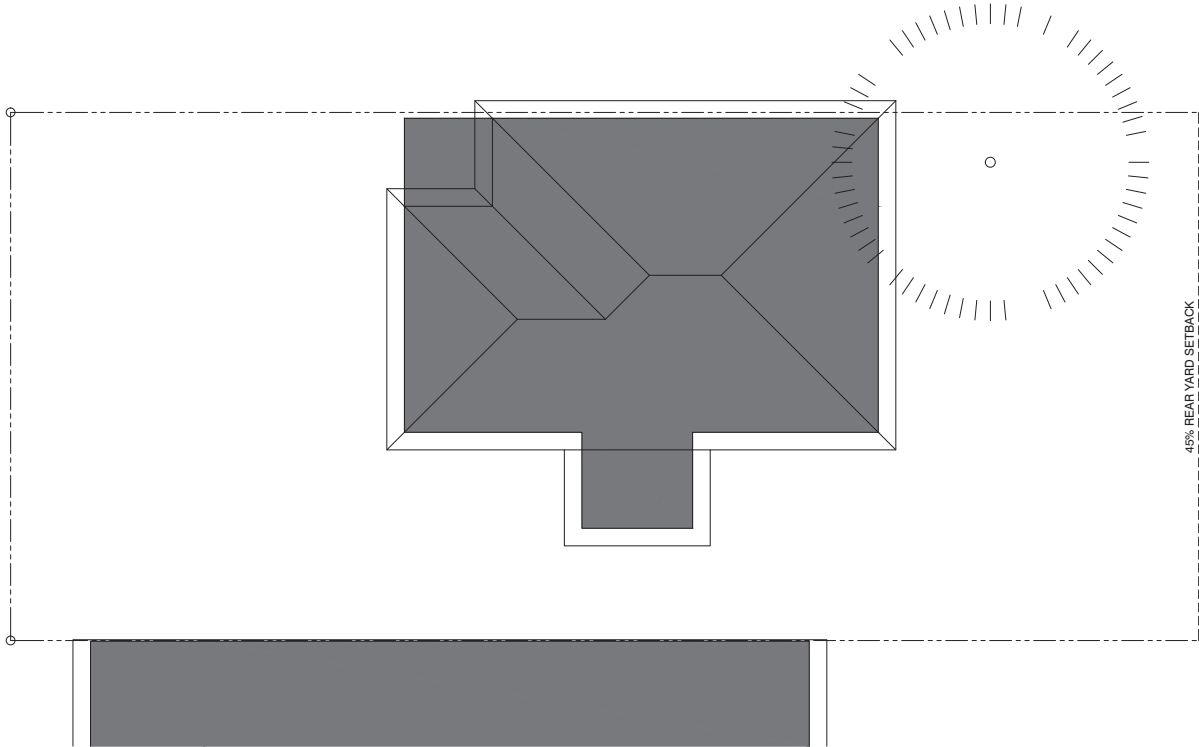
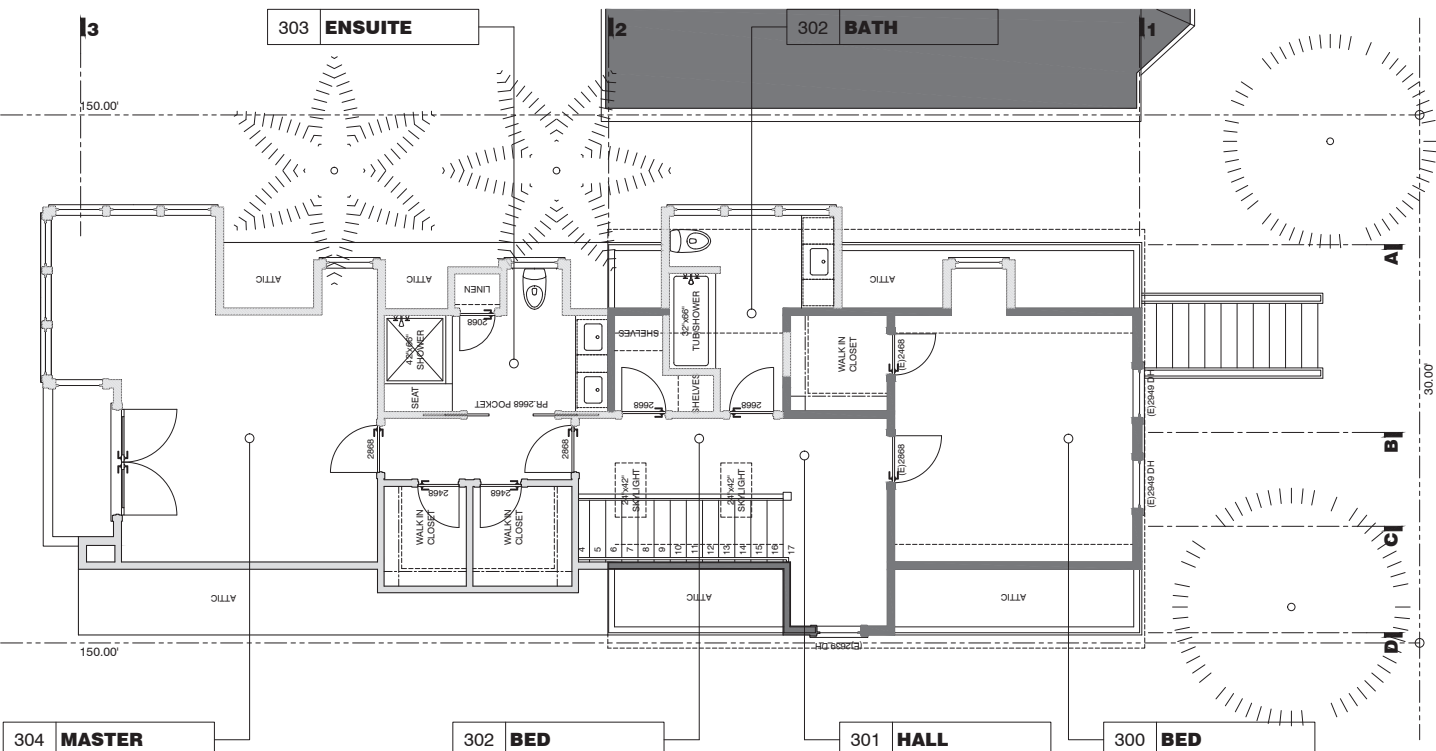


34 second floor plan

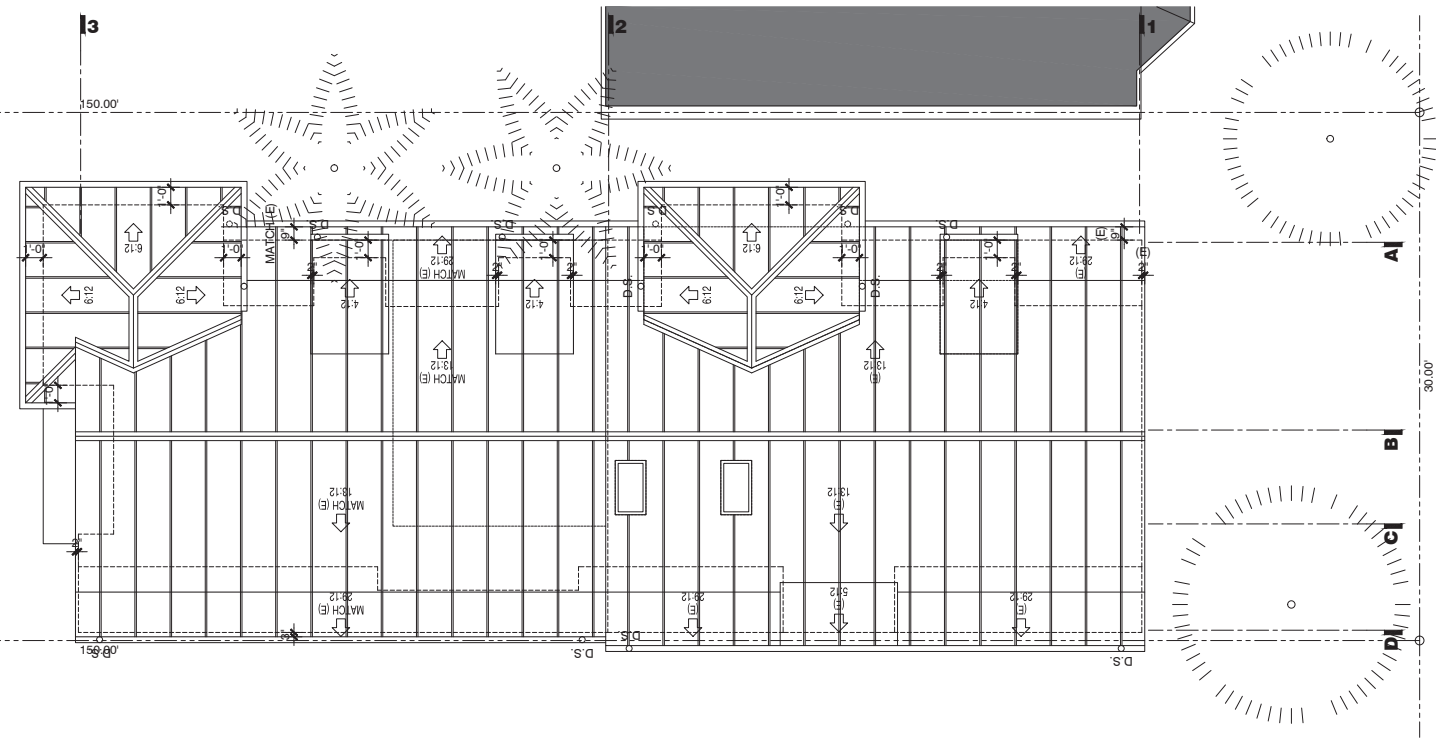
floor plan keynotes			
1	8'-0" WIDE BY 18'-0" LONG STANDARD AUTOMOBILE PARKING SPACE.	11	-
2	7'-6" WIDE BY 15'-0" LONG COMPACT AUTOMOBILE PARKING SPACE.	12	-
3	24" WIDE BY 60" LONG, CLASS-1 BICYCLE PARKING SPACE.	13	-
4	24" WIDE BY 40" LONG, CLASS-1 WALL-RACK BICYCLE PARKING SPACE.	14	-
5	-	15	-
6	-	16	-
7	-	17	-
8	-	18	-
9	-	19	-
10	-	20	-



32 third floor plan



34 roof plan



floor plan keynotes

1	8'-0" WIDE BY 18'-0" LONG STANDARD AUTOMOBILE PARKING SPACE.	11
2	7'-6" WIDE BY 15'-0" LONG COMPACT AUTOMOBILE PARKING SPACE.	12
3	24" WIDE BY 60" LONG, CLASS-1 BICYCLE PARKING SPACE.	13
4	24" WIDE BY 40" LONG, CLASS-1 WALL-RACK BICYCLE PARKING SPACE.	14
5		15
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7		17
8		18
9		19
10		20

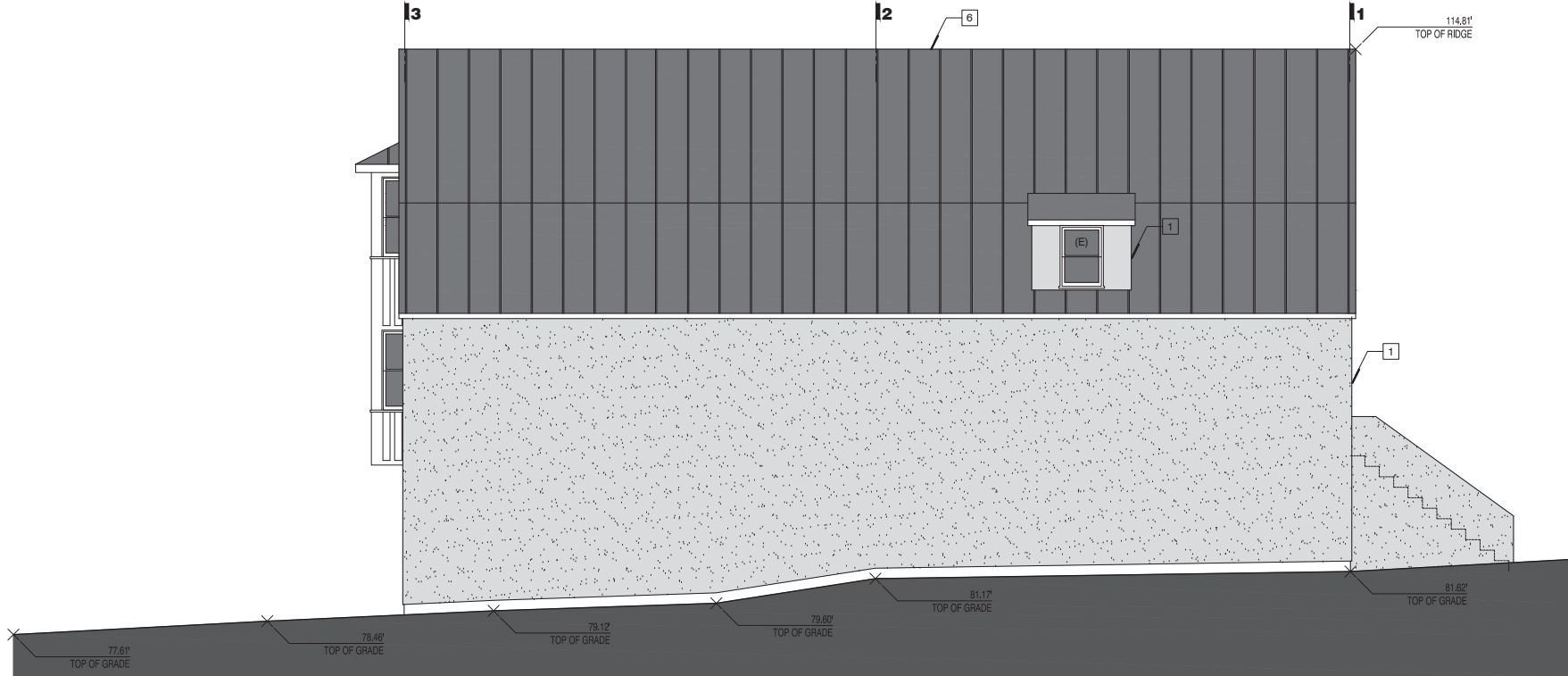
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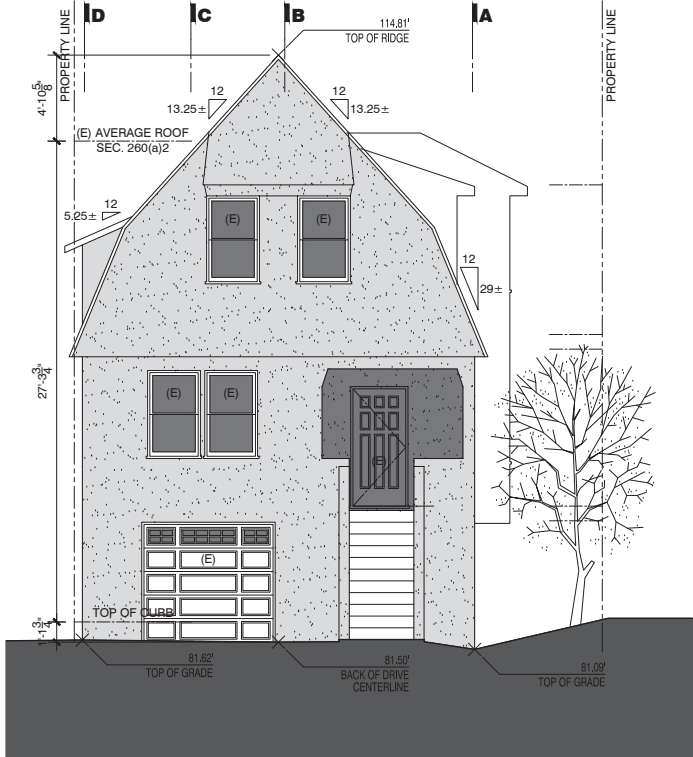
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drawing title:
floor plans
third floor
roof

sheet:
A 2.2
drawn: gs date: 04.26.18 scale: 1/4"=1'



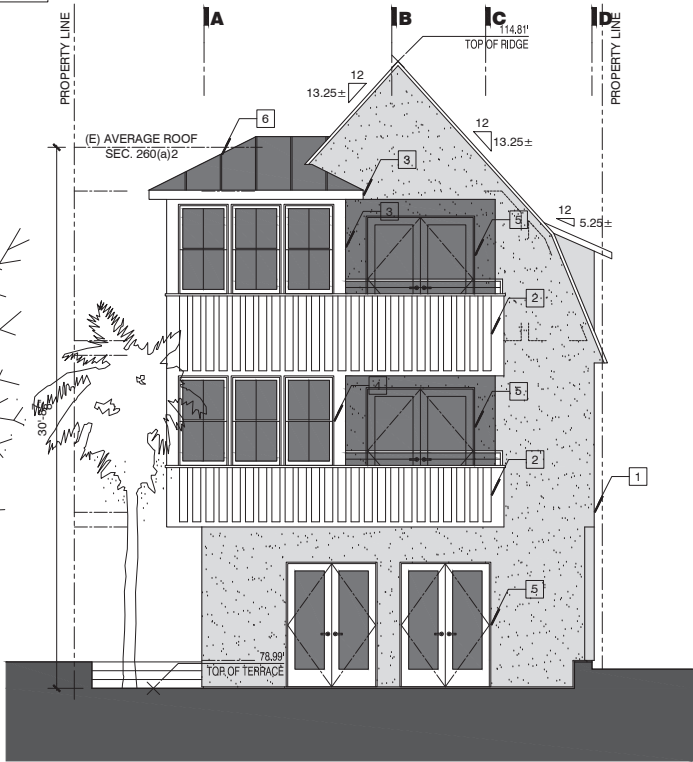
32 elevation - west



07 elevation - south (peralta street front)



34 elevation - east



09 elevation - north (rear yard)

elevation general notes

1. **WEATHER PROTECTION:** EXTERIOR WALLS SHALL PROVIDE THE BUILDING WITH A WEATHER-RESISTANT EXTERIOR WALL ENVELOPE. THE EXTERIOR WALL ENVELOPE SHALL INCLUDE FLASHING. THE EXTERIOR WALL ENVELOPE SHALL BE DESIGNED AND CONSTRUCTED IN SUCH A MANNER AS TO PREVENT THE ACCUMULATION OF WATER WITHIN THE WALL ASSEMBLY BY PROVIDING A WATER-RESISTIVE BARRIER BEHIND THE EXTERIOR VENEER AND A MEANS FOR DRAINING WATER THAT ENTERS THE ASSEMBLY TO THE EXTERIOR. (CBC 1403.2)

2. **FLASHING:** FLASHING SHALL BE INSTALLED IN SUCH A MANNER AS TO PREVENT MOISTURE FROM ENTERING THE WALL OR TO REDIRECT THAT MOISTURE TO THE EXTERIOR. FLASHING SHALL BE INSTALLED AT THE PERIMETERS OF EXTERIOR DOOR AND WINDOW ASSEMBLIES, EXTERIOR WALL INTERSECTIONS WITH ROOFS, CHIMNEYS, PORCHES, DECKS, BALCONIES AND AT SIMILAR PROJECTIONS AND AT BUILT-IN GUTTERS AND SIMILAR LOCATIONS WHERE MOISTURE COULD ENTER THE WALL. FLASHING WITH PROJECTING FLANGES SHALL BE INSTALLED ON BOTH SIDES AND THE ENDS OF COPINGS, UNDER SILLS AND CONTINUOUSLY ABOVE PROJECTING TRIM. (CBC 1405.4)

3. **EXTERIOR CEMENT PLASTER FINISH:** APPLY STUCCO FINISH AT ALL EXTERIOR WALL SURFACES UNLESS NOTED OTHERWISE.

4. **EXTERIOR PAINTING:** PAINT ALL EXTERIOR STUCCO FINISH SURFACES AS SCHEDULED.

5. **PAINT COLOR TRANSITIONS:** DO NOT CHANGE PAINT COLORS AT OUTSIDE CORNERS OF WALLS AND TRIM. CHANGES IN COLORS SHALL OCCUR AT INSIDE WALL AND TRIM CORNERS ONLY, UNLESS NOTED OTHERWISE.

6. **PAINTING OF ACCESSORIES:** PAINT UTILITY PIPES, CONDUITS, WALL VENTS, DOWNSPOUTS, EXPOSED FLASHING AND SIMILAR ITEMS TO MATCH SURROUNDING WALL COLOR.

7. **ENVIRONMENTAL AIR DUCTS:** ENVIRONMENTAL AIR DUCT EXHAUST SHALL TERMINATE NOT LESS THAN 3 FEET FROM A PROPERTY LINE, 10 FEET FROM A FORCED AIR INLET, AND 3 FEET FROM AN OPENING INTO THE BUILDING. ENVIRONMENTAL EXHAUST DUCTS SHALL NOT DISCHARGE ONTO A PUBLIC WALKWAY. (CMC 502.2.1).

elevation keynotes

- | | | | |
|----|---|----|---|
| 1 | WALL FINISH: 3-COAT CEMENT PLASTER (STUCCO), NON-COMBUSTIBLE. | 11 | - |
| 2 | WALL FINISH: FIBER CEMENT 'BOARD ON BOARD' SIDING, NON-COMBUSTIBLE, PAINTED. | 12 | - |
| 3 | WALL TRIM: FIBER CEMENT BOARD WALL, WINDOW AND DOOR TRIM, NON-COMBUSTIBLE, PAINTED. | 13 | - |
| 4 | NEW WINDOWS: CLAD WOOD CONSTRUCTION, OPERATIONS AS NOTED. | 14 | - |
| 5 | NEW DOORS: CLAD WOOD CONSTRUCTION, OPERATIONS AS NOTED. | 15 | - |
| 6 | ROOFING: METAL ROOFING, STANDING SEAM, NON-COMBUSTIBLE. | 16 | - |
| 7 | - | 17 | - |
| 8 | - | 18 | - |
| 9 | - | 19 | - |
| 10 | - | 20 | - |

03.08.18 NOPOR #1 Response
01.12.18 Issue for Site Permit
Issue date description

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architecture & design
C-26697-19
STATE OF CALIFORNIA
P.O. Box 756, Livermore, CA 94551
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madhani/noble home
144 peralta avenue
san francisco, ca 94110
block/lot: 5514/012
lat. 37.747425, lon. -122.408043

drawing title:
**building
elevations**

sheet:
A 3.1

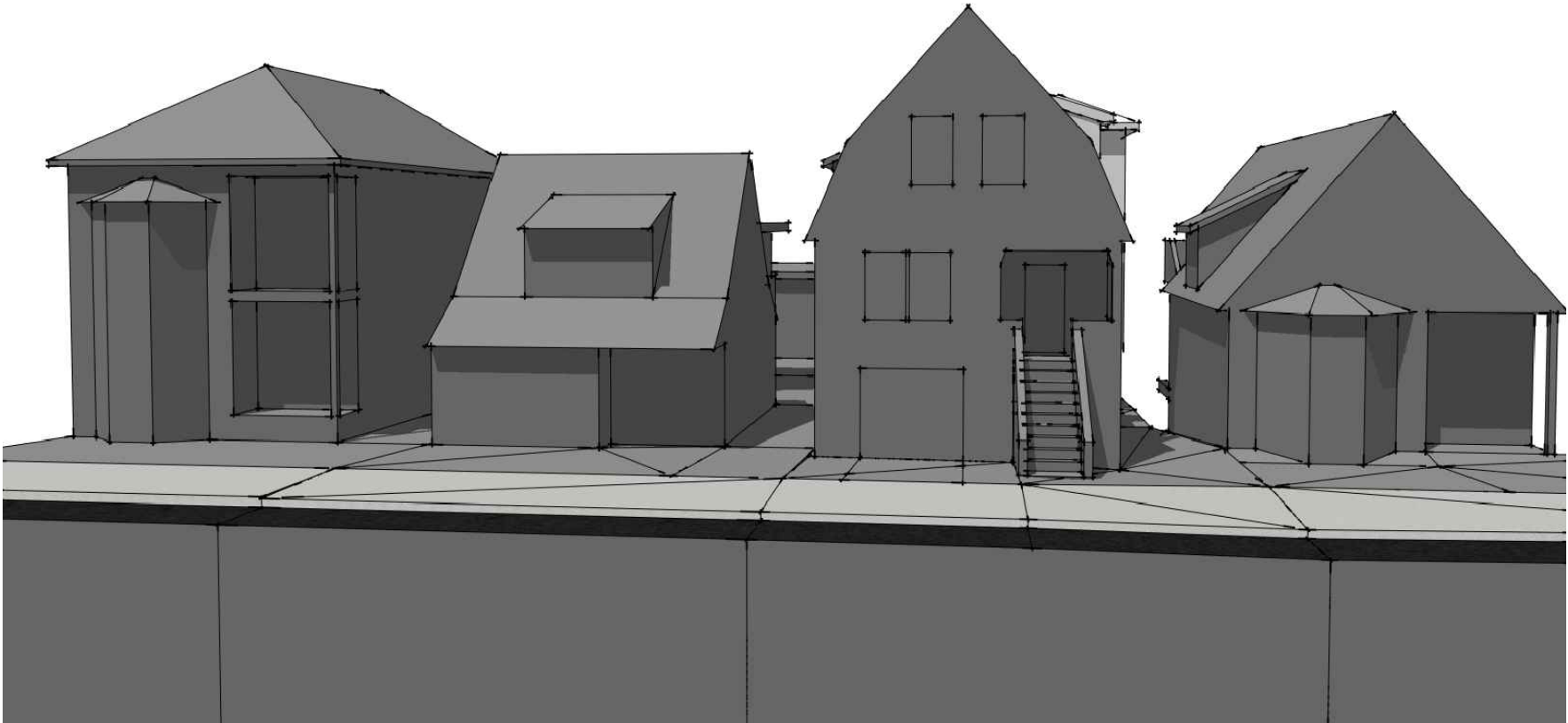
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148 PERALTA

146 PERALTA

SUBJECT LOT
144 PERALTA

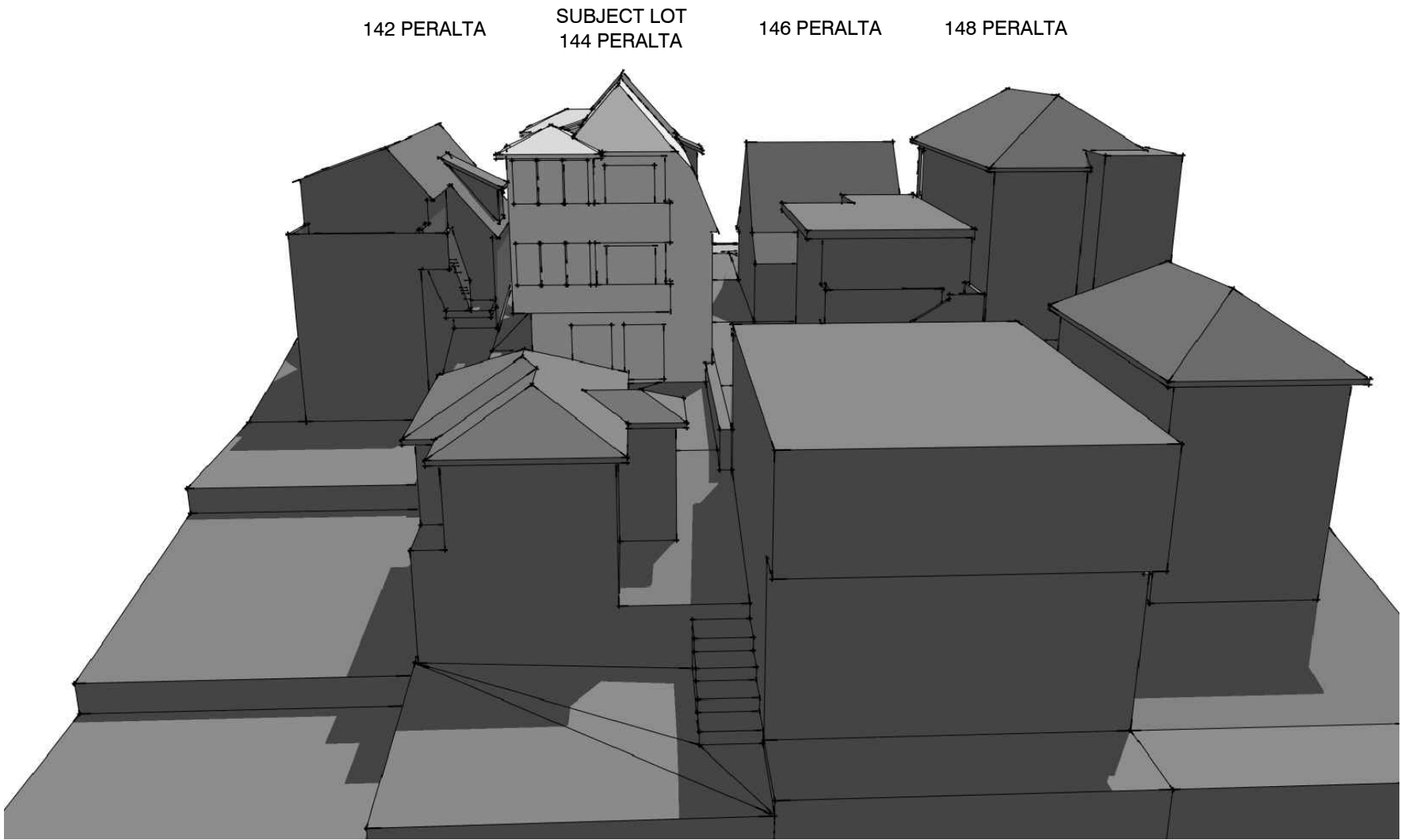
142 PERALTA



**144 Peralta
Street View**

1

GREGORY SMITH, ARCHITECT
PO BOX 756, KENTFIELD CA 94914
12.13.18



142 PERALTA

SUBJECT LOT
144 PERALTA

146 PERALTA

148 PERALTA

144 Peralta
Rear Yard View

2

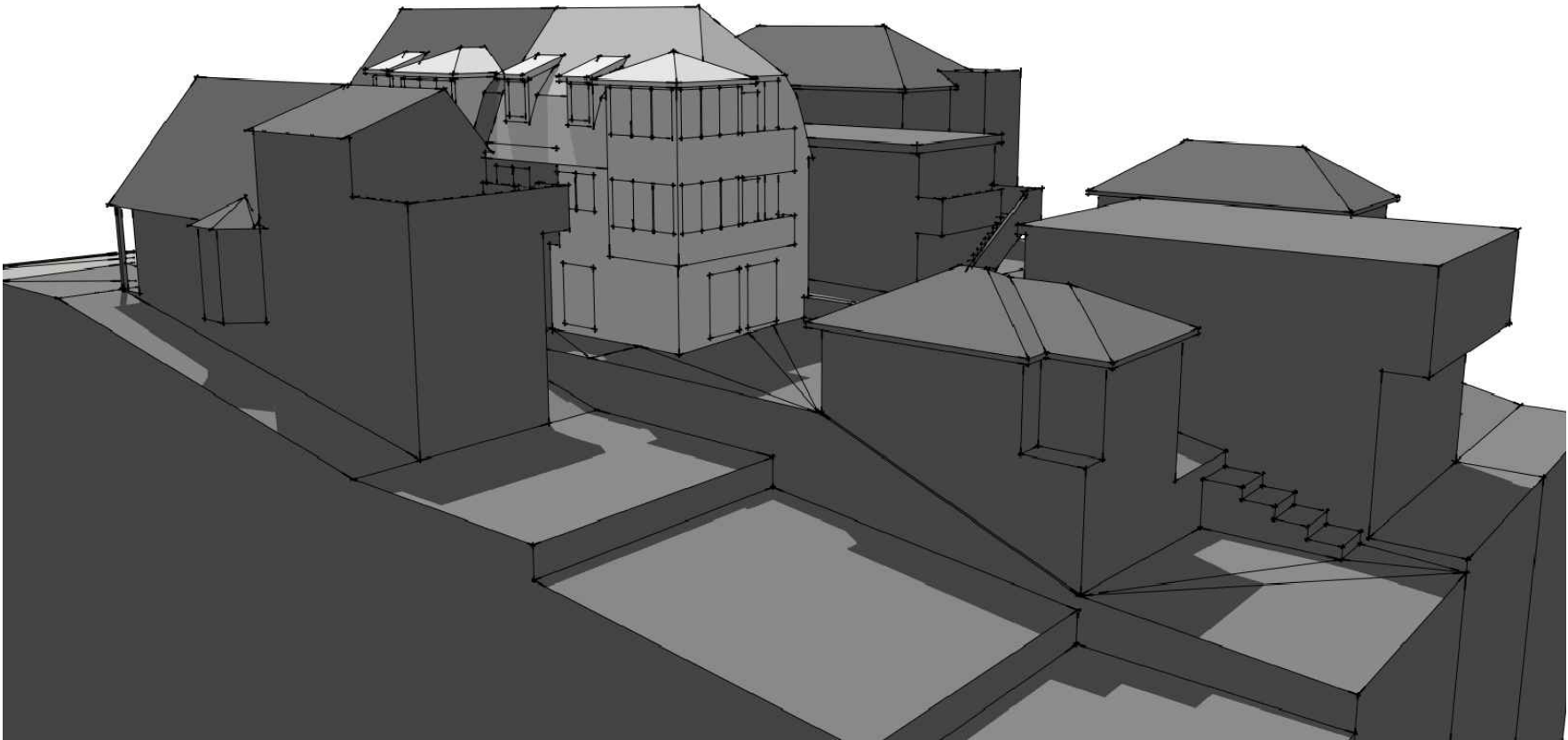
GREGORY SMITH, ARCHITECT
PO BOX 756, KENTFIELD CA 94914
12.13.18

142 PERALTA

SUBJECT LOT
144 PERALTA

146 PERALTA

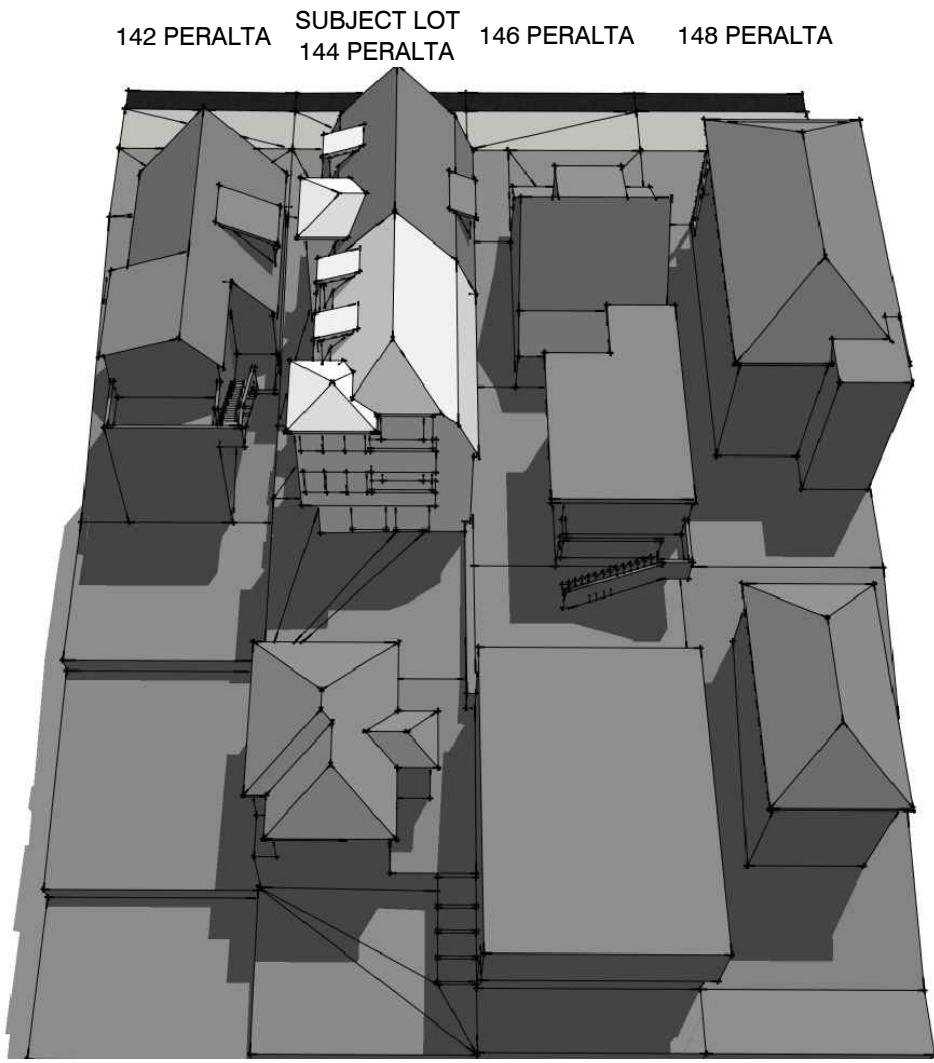
148 PERALTA



144 Peralta
Rear View - North

3

GREGORY SMITH, ARCHITECT
PO BOX 756, KENTFIELD CA 94914
12.13.18



142 PERALTA SUBJECT LOT
144 PERALTA 146 PERALTA 148 PERALTA

4

144 Peralta
Rear Yard Birdseye

GREGORY SMITH, ARCHITECT

PO BOX 756, KENTFIELD CA 94914

12.13.18