

DISCRETIONARY REVIEW ABBREVIATED ANALYSIS

HEARING DATE: JULY 15, 2021

CONTINUED FROM JUNE 24, 2021

Record No.: 2018-002508DRP-05 Project Address: 4250 26th Street

Permit Applications: 2018.0214.1219 and 2018.0214.1218 **Zoning:** RH-1 [Residential House, One-Family]

40-X Height and Bulk District

Block/Lot: 6555 / 019 **Project Sponsor:** Jodie Knight

1 Bush St. Suite 600 San Francisco, CA 94104

Staff Contact: David Winslow – (628) 652-7335

david.winslow@sfgov.org

Recommendation: Do Not Take DR and Approve

Project Description

The project proposes demolish an existing two-story, single family residence and to construct a new four-story, single family residence with an Accessory Dwelling Unit at the ground floor pursuant to Planning Code Section 207(c)(6). The demolition of the existing building at the subject property was administratively approved pursuant to Planning Code Section 317(c)(6).

Site Description and Present Use

The site is a 40'-0" wide x 114' deep lateral and down-sloping lot which has an existing 2-story single-family house that was built in 1929 and rated as Category C – No Historic Resource present.

Surrounding Properties and Neighborhood

The buildings on this block of 26th Street are typically 2- to 3-story single family residences at the street with front setbacks and a mix of flat and gabled roofs. The mid-block open space is defined by massing and a rough alignment of buildings that steps in height at the rear. Side setbacks are not a pattern but do occur on the two adjacent buildings.

Building Permit Notification

Type	Required Period	Notification Dates	DR File Date	DR Hearing Date	Filing to Hearing Date
311 Notice	30 days	March 5, 2021– April 5. 2021	April 5. 2021	June 24, 2021 to July 15, 2021	101 days

Hearing Notification

Туре	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	20 days	June 4, 2021	June 4, 2021	20 days
Mailed Notice	20 days	June 4, 2021	June 4, 2021	20 days
Online Notice	20 days	June 4, 2021	June 4, 2021	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	1	0

Environmental Review

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15303 (Class Three – New Construction, up to three new single-family residences.)

DR Requestors

- 1. <u>DR requestor #1</u>: Christopher Jones of 4264 26th Street, resident of the property two doors to the west.
- 2. <u>DR requestor #2</u>: Ashish Mahadwar of 4258 26th Street, resident of the adjacent property to the west.
- 3. <u>DR requestor #3</u>: Peggy and Steve McAlister of 4228 26th Street, residents of the adjacent property to the east.
- 4. <u>DR requestor #4</u>: Jacob Schwartz and Shannon Hughes of 447 Clipper Street, residents of the property to the north.
- 5. <u>DR requestor #5</u>: Maura Cyrus of 445 Clipper Street, resident of the property to the north.



DR Requestors' Concerns and Proposed Alternatives

<u>DR requestor #1</u> is concerned that the proposed project does not comply with the Residential Design Guidelines:

"Articulate buildings to minimize impact on light and privacy."

"Design the scale and form of the building to be compatible with the height and depth of surrounding buildings."

"Design the height and depth of the building to be compatible with the existing building scale at the midblock open space".

Proposed alternatives:

Redesign to improve light coming to top floor and reduce overall massing by removing top floor or reduction of overall height.

See attached Discretionary Review Application, dated April 5, 2021.

<u>DR requestor #2</u> is concerned that the proposed project does not comply with the Residential Design Guidelines:

"Respect the topography of the site and surrounding area."

Design the height and depth of the building to be comparable with the existing building scale at the street."

"Articulate buildings to minimize impact on light and privacy."

"Respect the existing pattern of side spacing."

"Design the height and depth of the building to be compatible with the existing building scale at the midblock open space".

"Relate the size and proportion of windows to that of the existing neighborhood."

Proposed alternatives:

- 1. Remove the fourth floor.
- 2. Reduce the overall height by reducing the ceiling heights by 1'.
- 3. Create side setbacks of 5' on both sides.
- 4. Increase the upper floor building setbacks at the rear.
- 5. Reduce the extension into the rear yard.
- 6. Reduce the garage to one parking space.

See attached Discretionary Review Application, dated April 5, 2021.

<u>DR requestor #3</u> is concerned that the proposed project does not comply with the Residential Design Principles and Guidelines:

"Design the building's scale and form to be compatible with that of surrounding buildings, in order to preserve neighborhood character."

"Design the height and depth of the building to be compatible with the existing building scale at the mid-



block open space."

"Articulate buildings to minimize impact on light and privacy."

"Ensure that the character-defining features of an historic building are maintained."

Proposed alternatives:

- 1. Reduce the extension onto the rear and side yards.
- 2. Eliminate the fourth floor.
- 3. Prepare and share a construction management and shoring plan to provide assurance that the McAlisters' foundation and home and garden will be protected.

See attached Discretionary Review Application, dated April 5, 2021.

<u>DR requestor #4</u> is concerned that the proposed project concerned that the proposed project:

- 1. Is out of scale and character with the neighborhood.
- 2. Intrudes into the mid-block open space.
- 3. Will negatively impact their privacy due to the large amount of glass.
- 4. Will impact the light of surrounding neighbors from reflection and loss of light due to massing.
- 5. Will impact the natural ground water.

Proposed alternatives:

- 1. Reduce the overall mass by adhering to the 30% rear yard depth and reconsider the top floor.
- 2. Reduce the amount of glazing at the rear to reduce glare and preserve privacy.

See attached Discretionary Review Application, dated April 5, 2021.

<u>DR requestor #5</u> is concerned that the proposed project does not comply with the Residential Design Guidelines related to scale and is out of character with the neighborhood context due to its exceptional height, width, and depth. Further the proposed design intrudes into the mid-block open space and has negative impacts with respect to privacy and light.

Proposed alternatives:

- 1. Redesign the project to reduce the overall mass (height, width, and depth).
- 2. Remove the top floor penthouse.
- 3. Preserve the historical home by retaining the façade and the majority of the existing footprint.

See attached Discretionary Review Application, dated April 4, 2021.



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Project Sponsor's Response to DR Application

The proposal has been reviewed and determined to be Code-compliant and consistent with the Planning Department's Residential Design Guidelines. The proposed building is compatible with the large lot. The project maintains a 5' side set back at the east to respond to light and air to the neighbors. It is also articulated with a 5' side setback at the rear on the west side. The upper rear deck is unoccupied landscape roof to preserve privacy to neighbors at 4258 26th St.

See attached Response to Discretionary Review, dated May 10, 2021

Department Review

The Planning Department's review of this proposal confirms support for this Code-conforming project as it also conforms to the Residential Design Guidelines.

The existing house is not a historic resource and was valuated above the threshold for affordability per Code section 317.

The fourth floor is set back 16'-5" from the front building wall and 5' from the east side. The setback renders the primary scale defining façade of the building to be three stories which is compatible with the prevailing scale of the neighboring buildings and for the perception of the building to follow the topography of the site. The scale at the street is also articulated by incorporating a 5' side setback and raised and recessed entrance to lessen the visual width of the building to bring it into close relationship with the prevailing width of buildings on the street face.

This building permit application was submitted on February 14, 2018, nearly a year before the effective date (January 15, 2019) of the revised rear yard requirement and is therefore not subject to the minimum 30% rear yard depth. Nevertheless, the ground floor is the only level that extends to the 25% allowable rear yard line which would be allowed by the current Code in Section 136.

The massing at the rear is articulated by side setbacks and step backs on upper floors that roughly align with the massing of the immediate adjacent neighbors. The side setbacks and sequential stepping of upper floors at the rear also retain visual accessibility to the rear yard and to retain it as a functional component of the mid-block open space.

Although the existing condition has a side yard to the east and a 5' side yard is proposed, side yards are not a prevailing pattern.

The two roof decks at the rear are modestly sized and maintain appropriate landscaped buffers along their edges to maintain privacy.

The DR requestors on Clipper are separated from the proposed project by over 80' and dense foliage that would normatively provide privacy. The overall amount and proportion of glass to solid at the rear is in keeping with the surrounding buildings.

The sponsor provided a shadow study which indicates minimal additional shading on adjacent neighbors.



Therefore, staff deems there are no exceptional or extraordinary circumstances and recommends not taking Discretionary Review.

Recommendation: Do Not Take DR and Approve

Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Applications
Letter of opposition to project
Response to Discretionary Review, dated May 10, 2021
3-D renderings
Site Section
311 plans
Shadow Studies

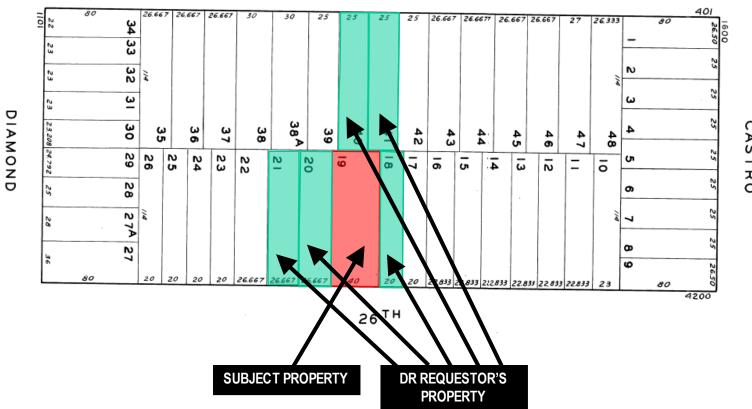


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Exhibits

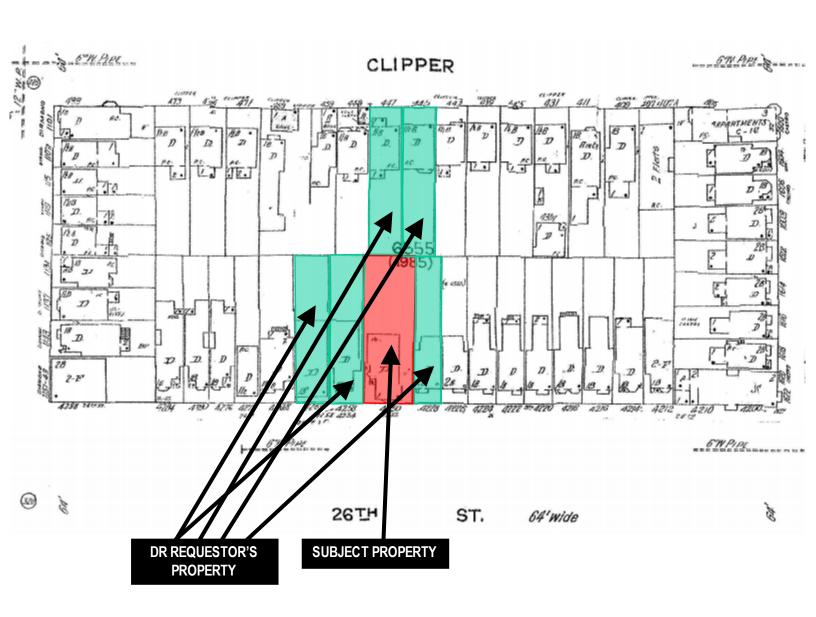
Parcel Map

CLIPPER





Sanborn Map*

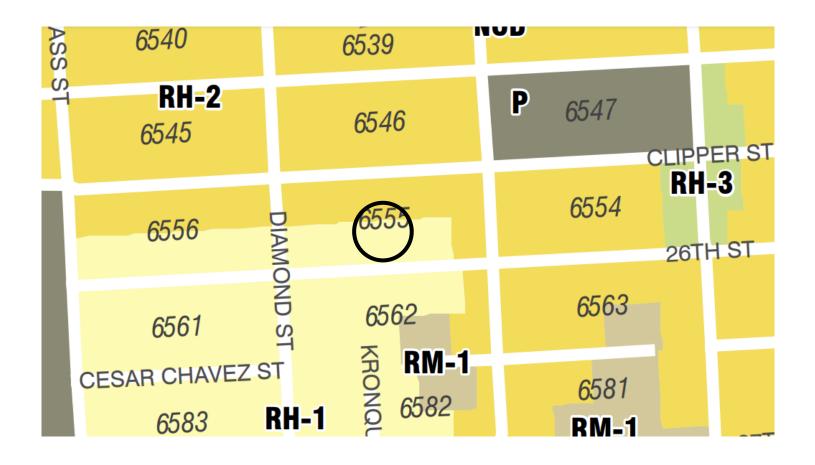


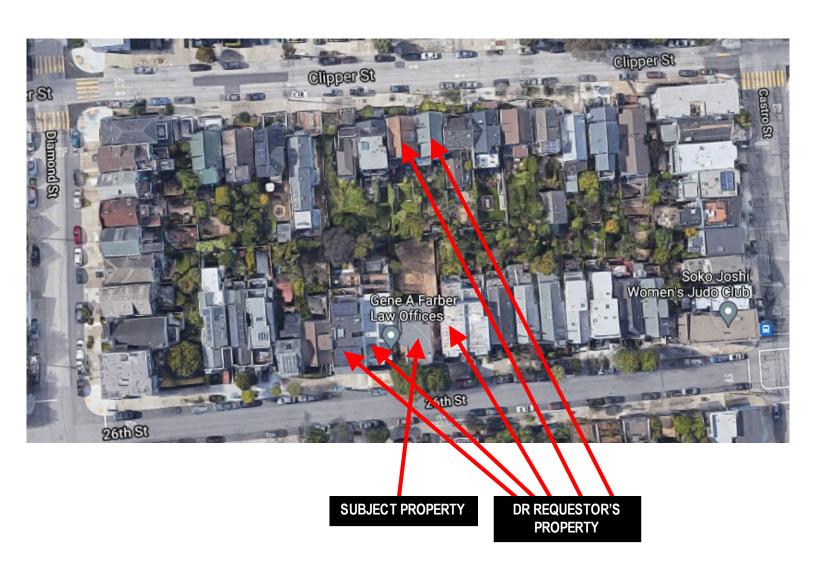
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



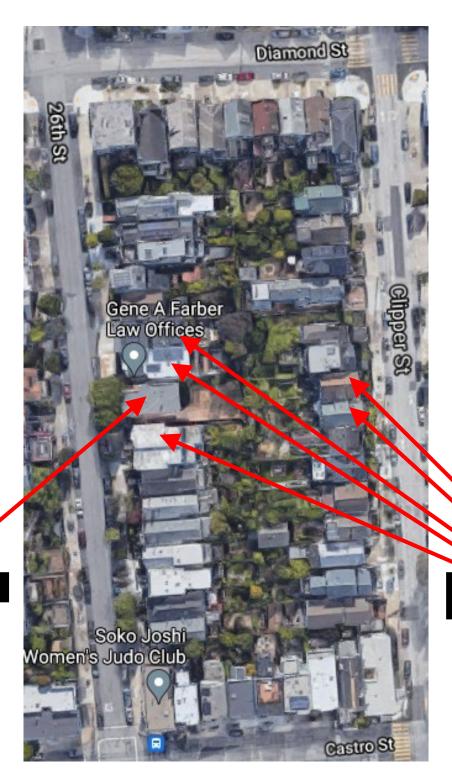
Discretionary Review Hearing Case Number 2018-002508DRP-05 4250 26th Street

Zoning Map









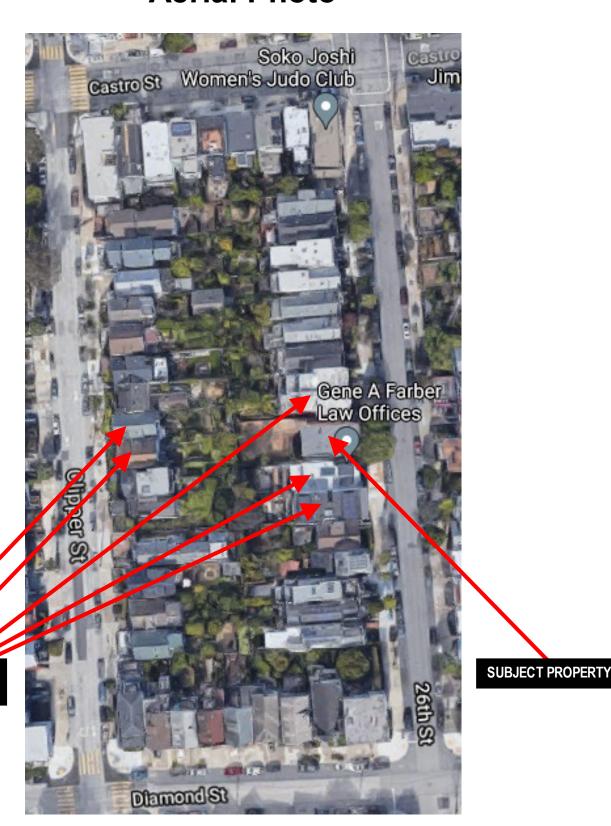
SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



Discretionary Review Hearing Case Number 2018-002508DRP-05 4250 26th Street





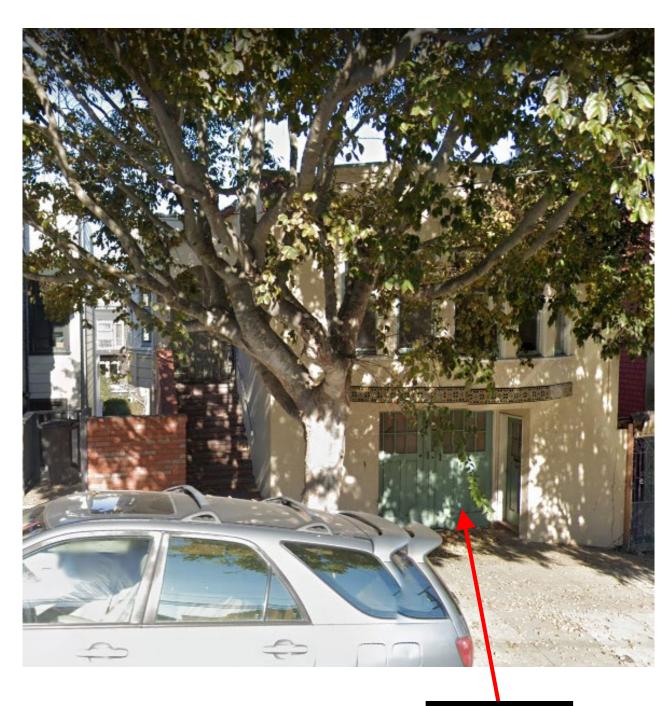
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Discretionary Review Hearing Case Number 2018-002508DRP-05 4250 26th Street

DR REQUESTOR'S

PROPERTY

Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2018-002508DRP-05
4250 26th Street



49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 628.652.7600 www.sfplanning.org

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **February 14, 2018**, Building Permit Application Nos. **2018.0214.1219** and **2018.0214.1218** was filed for work at the Project Address below.

Notice Date: 3/5/21 Expiration Date: 4/5/21

PROJECT INFORMATION

Project Address: 4250 26th Street
Cross Streets: Diamond and Castro Streets
Block / Lot No.: 6555 / 019
Zoning District(s): RH-1 / 40-X
Record No.: 2018-002508PRJ

APPLICANT INFORMATION

Applicant: Jody Knight
Address: One Bush Street, Suite 600
City, State: San Francisco, CA 94104
Telephone: (415) 567- 9000
Email: jknight@reubenlaw.com

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

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

PROJECT SCOPE	PROJECT FEATURES	Existing	Proposed
☑ Demolition	Building Use:	Residential	No Change
☐ Change of Use	Front Setback:	None	+/- 11 feet- 3 inches
☐ Rear Addition	East Side Setback:	+/- 10 feet- 5 inches	+/- 5 feet
☑ New Construction	West Side Setback	+/- 2 feet- 8 inches	None
☐ Alteration	Building Depth:	+/- 55 feet	+/- 85 feet- 6 inches
☐ Façade Alteration(s)	Rear Yard:	+/- 59 feet	+/- 28 feet- 6 inches
☐ Side Addition	Building Height:	+/- 20 feet	+/- 30 feet- 9 inches
☐ Vertical Addition	Number of Stories:	2 Stories	4 Stories
☐ Front Addition	Number of Dwelling Units	1 Dwelling Unit	2 Dwelling Units
	Number of Parking Spaces	1 Off-Street Parking Space	2 Off-Street Parking Spaces

PROJECT DESCRIPTION

The proposal is for the demolition of an existing two-story, single family residence and the construction of a four-story, single family residence with an Accessory Dwelling Unit at the ground floor pursuant to Planning Code Section 207(c)(6). The demolition of the existing building at the subject property was administratively approved pursuant to Planning Code Section 317(c)(6). See attached plans for additional details.

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

To view plans or related documents, visit sfplanning.org/notices and search the Project Address listed above.

For more information, please contact Planning Department staff:

Planner: Gabriela Pantoja Telephone: 628-652-7380 Email: Gabriela.Pantoja@sfgov.org

中文詢問請電 Para información en Español llamar al Para sa impormasyon sa Tagalog tumawag sa 628.652.7550

General Information About Procedures During COVID-19 Shelter-In-Place Order

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice. If you have general questions about the Planning Department's review process, contact the Planning counter at the Permit Center via email at pic@sfgov.org.

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

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

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects that conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review ("DR"). If you believe the project warrants Discretionary Review by the Planning Commission, you must file a DR Application prior to the Expiration Date shown on the front of this notice.

To file a DR Application, you must:

- 1. Create an account or be an existing registered user through our Public Portal (https://aca-ccsf.accela.com/ccsf/Default.aspx).
- Complete the Discretionary Review PDF application (https://sfplanning.org/resource/drp-application) and email the completed PDF application to CPC.Intake@sfgov.org. You will receive follow-up

instructions via email on how to post payment for the DR Application through our Public Portal.

To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

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

Board of Appeals

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the Board of Appeals within 15 calendar days after the building permit is issued (or denied) by the Department of Building Inspection. The Board of Appeals is accepting appeals via e-mail. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

Environmental Review

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

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



CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address			Block/Lot(s)
4250	26th STREET		6555019
Case	Case No.		Permit No.
2018-	2018-002508ENV		201802141218
	Addition/ Demolition (requires HRE for Alteration Category B Building) New Construction		
Project description for Planning Department approval. Demolition of an (existing) 3-story, 1-unit residential building, and the construction of a (new) 4-story, 1-unit residential building. Proposed building would consist of an approximately 7,688 square foot, 31 foot tall building.			
	P 1: EXEMPTIO		on in manufacid *
"NOTE	*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*		
	Class 1 - Existin	g Facilities. Interior and exterior alterations; addi	tions under 10,000 sq. ft.
		onstruction. Up to three new single-family reside rcial/office structures; utility extensions; change o a CU.	•
	10,000 sq. ft. and (a) The project is policies as well at (b) The proposed substantially surf (c) The project state (d) Approval of the water quality.	Development. New Construction of seven or mode meets the conditions described below: so consistent with the applicable general plan designs with applicable zoning designation and regulated development occurs within city limits on a project rounded by urban uses. The project would not result in any significant effect the adequately served by all required utilities and	gnation and all applicable general plan ons. ct site of no more than 5 acres r threatened species. ts relating to traffic, noise, air quality, or

Class ___

FOR ENVIRONMENTAL PLANNING USE ONLY

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any b	ox is checked below, an Environmental Evaluation Application is required.
	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)
	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. 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).
	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?
	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)
	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)
	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.
	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.
	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.
	boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an ronmental Evaluation Application is required, unless reviewed by an Environmental Planner.
Com	ments and Planner Signature (optional): Laura Lynch
Arch	eo review complete 2/22/2018- no effects

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map) Category A: Known Historical Resource. GO TO STEP 5. Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. 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. 1. Change of use and new construction. Tenant improvements not included. 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. 3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows. 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. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 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. 2. Interior alterations to publicly accessible spaces. 3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character. 4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

5. Raising the building in a manner that does not remove, alter, or obscure character-defining

6. Restoration based upon documented evidence of a building's historic condition, such as historic

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photographs, plans, physical evidence, or similar buildings.

features.

	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> .			
	8. Other work consistent with the Secretary of the Interior Stand Properties (specify or add comments):	ards for the Treatment of Historic		
	9. Other work that would not materially impair a historic district (s	pecify or add comments):		
	(Requires approval by Senior Preservation Planner/Preservation	Coordinator)		
	10. Reclassification of property status . (Requires approval by S Planner/Preservation	Senior Preservation		
	Reclassify to Category A Reclass	sify to Category C		
	a. Per HRER dated (attach HRE	R)		
	b. Other (specify): Reclassify to Category C as per HF	RER Part 1 signed on 5/22/18		
	Note: If ANY box in STEP 5 above is checked, a Preservatio	n Planner MUST check one box below.		
	Further environmental review required. Based on the information provided, the project requires an Environmental Evaluation Application to be submitted. GO TO STEP 6.			
	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.			
Comm	ents (optional):			
Preser	vation Planner Signature: Michelle A Taylor			
	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER			
	Further environmental review required. Proposed project does (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Application.	not meet scopes of work in either		
	No further environmental review is required. The project is cat There are no unusual circumstances that would result in a rea effect.			
	Project Approval Action:	Signature:		
	Building Permit If Discretionary Review before the Planning Commission is requested,	Michelle A Taylor 05/23/2018		
	the Discretionary Review hearing is the Approval Action for the project. Once signed or stamped and dated, this document constitutes a categorical exem	ption pursuant to CEQA Guidelines and Chapter		
	31of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appelliled within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please co	eal of an exemption determination can only be		

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)	
4250	26th STREET		6555/019	
Case	No.	Previous Building Permit No.	New Building Permit No.	
2018-	002508PRJ	201802141218		
Plans	s Dated	Previous Approval Action	New Approval Action	
		Building Permit		
Modi	fied Project Description:			
DET	FERMINATION IF PROJECT	CONSTITUTES SUBSTANTIAL MODIF	ICATION	
Com	pared to the approved project, w	rould the modified project:		
Result in expansion of the building envelope, as defined in the Planning Code;			Code;	
Result in the change of use that would require public notice under Planning Code Sections 311 or 312;			ng Code	
	Result in demolition as defined	d under Planning Code Section 317 or 190	05(f)?	
Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?				
If at I	east one of the above boxes is	checked, further environmental review i	s required.	
DETERMINATION OF NO SUBSTANTIAL MODIFICATION				
The proposed modification would not result in any of the above changes.				
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.		n the Planning		
Planı	ner Name:	Signature or Stamp:		

Historic Resource Evaluation Response

Date

May 16, 2018

Case No.:

2018-002508ENV

Project Address:

4250 26th Street

Zoning:

RH-1

40-X Height and Bulk District

Block/Lot:

6555/019

Staff Contact:

Michelle Taylor (Preservation Planner)

(415) 575-9197

michelle.taylor@sfgov.org

1650 Mission St. Suite 400 San Francisco,

CA 94103-2479

Reception:

415.558.6378

Fax.

415.558.6409

Planning Information: 415.558.6377

PART I: HISTORIC RESOURCE EVALUATION

Buildings and Property Description

4250 26th Street is located on the north side of 26th Street between Castro and Diamond Streets in the Noe Valley neighborhood. The property is located within a RH-1 (Residential, House, One-Family) Zoning District and a 40 -X Height and Bulk District.

4250 26th Street is a single family residence constructed in 1929 designed in the Mediterranean Revival style by William H. Armitage, a San Francisco architect with notable residential and commercial buildings in San Francisco built from the late 19th through the early twentieth century.

The subject building is a one-story over garage structure with a flat roof and clad in textured stucco. The primary (south) elevation features a barrel bay with five, four-over-one wood-frame double hung windows with decorative upper sashes; a row of decorative tiles runs along the base of the bay. A recessed garage opening is located beneath the bay and includes two side by side wood panel doors with multi-light uppers and a tradesman wood panel door with upper lights. West of the main façade are a set of terrazzo and tile stairs with a brick cheek wall that that lead up to a partially enclosed vestibule with an arched opening, metal gate and Spanish clay tile roof. The building is located on a 40' by 114' lot allowing for both east and west side setbacks. A low brick wall fronts the west side setback and at east side is a metal gate set into a stucco wall with Spanish roof tile coping. The east and west elevations feature horizontal wood siding and several one-over-one, wood-frame, double hung windows. According to the permit history and historic documents, the subject building has undergone limited exterior alterations including removal and resetting of terrazzo steps with new brick supports and railing.

Pre-Existing Historic Rating / Survey

The subject property is not included on any historic resource surveys or listed on any local, state or national registries. The building is considered a "Category B" property (Properties Requiring Further Consultation and Review) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures due to its age (constructed in 1929).

Neighborhood Context and Description

4250 26th Street is located in the Noe Valley neighborhood an area with borders generally considered to be 21st Street to the north, 30th Street to the south, Grand View Avenue and Diamond Heights Boulevard to

Historic Resource Evaluation Response May 16, 2018

the west and Dolores Street to the east. The neighborhood is largely residential with mixed residential/commercial corridor located along 24th Street.

Noe Valley is named after ranchero Don Jose de Jesus Noe but is most closely associated with John Horner, who purchased 600 acres from Noe in 1854. Although subdivided for development, Horner's Addition, as it was known, had limited infrastructure and poor proximity to downtown, and subsequently was used primarily as farm land. Development in the area increased following the construction of the Market Street Railway's Market Street Extension in 1878. The railway allowed for greater connection to the downtown, resulting in a growing development of single family homes by mainly working class families. The building boom continued following the 1906 earthquake, which had largely spared the Noe Valley neighborhood, with further development of one and two family homes. Although housing demand increased into the twentieth century, Noe Valley neighborhood maintained its reputation as an affordable neighborhood in San Francisco. The greatest period of development for the Noe Valley occurred 1878 to 1914 with infill construction, mainly in the higher elevations of the neighborhood, continuing into the mid-century.

Today, the Noe Valley neighborhood contains a range of residential, commercial retail, and mixed use buildings typically two to four stories in height. The residential buildings include one or two unit homes, multi-family flats, or residential units above ground floor commercial space. The buildings are designed in a variety of styles including Victorian, Edwardian, Period Revival and Mid-Century reflecting the various stages of development within the neighborhood.

4250 26th Street is located on a residential block that includes one or two-unit homes, two-to-three stories in height and constructed from the Victorian era up to the present. Sanborn maps indicate that most of the subject block was developed by 1915 with only a few vacant lots, including the subject lot.¹ The architectural styles on the subject block are reflective of its early development and include modest Victorian and Edwardian one and two story homes. The remaining buildings represent later construction dates or older homes modified to reflect changing tastes and styles.

Records indicate that all buildings east of the subject lot date from the Victorian-era, however only five of these nine buildings appear to retain architectural integrity. Directly east of the subject building are a pair of two-and-half story stick style buildings, followed by four Victorian-era cottages, two of which feature Spanish Colonial Revival modifications such as stucco cladding and Spanish tile roofing. The remaining buildings include a mix of styles including two highly altered Victorian-era buildings and a largely intact Queen Anne style cottage.

The building stock west of the subject lot features a greater range of building dates and styles. Directly adjacent to the subject property is a Stick-style building that is not present on Sanborn maps until 1950, suggesting that the building may have been moved from another location. Neighboring to the west is a two-story single family residence from 1961, followed by a row of modest, and largely unaltered, one to two story Victorian and Edwardian-era homes. The end of the block is dominated by a three-story multifamily midcentury building.

Located at the east and west ends of the subject block are the boundaries of the California Registereligible Clipper Street Historic District (see HRER for Case 2011.1354E dated 4/19/2013). This eligible

¹ Sanborn Map Company, San Francisco, California (New York: Sanborn Map Company), 1915.

Historic Resource Evaluation Response May 16, 2018

historic district is located on Clipper Street between Diamond and Castro Streets and includes the street frontages along Diamond Street between Clipper and 26th Streets. The eligible Clipper Street Historic District is significant for its association with the early development associated with Horner's Addition and increased development during the period of reconstruction following the 1906 earthquake (Criteria 1). The eligible district is also significant as a cohesive collection of Victorian and Edwardian homes constructed during the Period of Significance of c.1880 to c. 1914 (Criteria 3).

It should be noted that the immediate blocks surrounding the site have not been formally surveyed.

CEQA Historical Resource(s) Evaluation

Step A: Significance

Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA.

Individual	Historic District/Context		
Property is individually eligible for inclusion in a	Property is eligible for inclusion in a California		
California Register under one or more of the	Register Historic District/Context under one or		
following Criteria:	more of the following Criteria:		
Criterion 1 - Event: Criterion 2 - Persons: Criterion 3 - Architecture: Criterion 4 - Info. Potential: Period of Significance:	Criterion 1 - Event:		

To assist in the evaluation of the properties associated with the proposed project, the Project Sponsor has submitted a consultant report:

□ Preservation Architecture, Supplemental Information Form for Historic Resource Determination for 4250 26th Street, San Francisco, CA (November 30, 2017) (PA report)

The subject building located at 4250 26th Street has been identified as not being individually eligible for listing in the California Register of Historical Resources. Furthermore, staff finds that the subject building is not located adjacent to any known historic resources (Category A properties) and does not appear to be located in a potential historic district.

Below is a brief description of the determination of no historical significance per the criteria for inclusion on the National and California Registers for 4250 26th Street. This summary is based upon the information provided by the Preservation Architecture documents supplemented by Planning Department records and staff research.

Criterion 1: Property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

To be eligible under the event Criterion, the building cannot merely be associated with historic events or trends but must have a specific association to be considered significant. Staff finds that the subject building is not eligible for inclusion on the California Register individually or as a contributor to a potential historic district under Criterion 1.

The development period of Noe Valley spans several decades with the original subdivision of Horner's addition in 1854 and up through the early post-war era, with the most intensive period of development occurring from 1880 to 1914. 4250 26th Street was constructed 1929, following the most active period of development in Noe Valley. Furthermore, no notable local or state events are associated with gradual infill development in Noe Valley after 1914, but instead follow general trends of infill development found in established neighborhoods throughout the city during this period. Additional research has not revealed that any significant events occurred on the property, thus the building is not eligible for listing on the California Register under this Criterion.

Given the construction date of the subject property, it would not contribute to the nearby California Register-eligible Clipper Street Historic District. This eligible district is significant under Criterion 1 for the early development associated with Horner's Addition and increased development during the period of reconstruction following the 1906 earthquake, with a period of significance of 1880 to 1914.

Additionally, it is unlikely that the neighboring building stock east and west of 4250 26th Street would contribute to the nearby California Register-eligible Clipper Street Historic District. Although many of these buildings were constructed between 1880 and 1914, alterations to these buildings have resulted in a loss of integrity and lack of visual cohesion that adequately conveys the district's period of significance. It is therefore determined that the California Register-eligible Clipper Street Historic District would not extend to include the subject property or the surrounding block face. The property at 4250 26th Street, is not eligible individually or as part of a historic district under this Criterion.

Criterion 2: Property is associated with the lives of persons important in our local, regional or national past.

Staff concurs with the PA report finding that the subject property does not appear eligible for listing on the California Register under Criterion 2.

John F. Bohn, the first owner of the subject building, constructed 4250 26th Street in 1929 and sold it to Robert G. Brougham (1903-1974) and Clara Brougham (1904-1973) in 1930. Mr. Brougham, an electrician, and Mrs. Brougham owned and occupied the property until 1974 when the estate was sold to his daughter Lorraine Sherrill. Records show that none of the property owners or tenants of the building are important to the local, regional or national past. Therefore, 4250 26th Street is not eligible under Criterion 2.

Criterion 3: Property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

The subject property is a Mediterranean Revival building designed by William H. Armitage, a San Francisco architect with residential and commercial buildings in San Francisco that date from the late 19th through the early twentieth century. A small number of Armitage's buildings, primarily constructed in the 1890's, are identified resources in San Francisco. These include the Seattle Block, a twelve unit residential flat at 1057 Steiner Street, along with a single family residence at 1043 Steiner Street; both

buildings are contributors to the Alamo Square Landmark District. Extant known work by Armitage from the 1890's exhibit characteristics typical of the Queen Anne style, including asymmetrical massing, towers and a variety of siding surface treatments. Armitage later residential work was generally more modest and exhibit characteristics typical of Edwardian and Revival trends of the first couple decades of the twentieth century. Although credited with a small number of notable buildings, Armitage is not considered as a Master Architect.

The subject building does not appear to be eligible for listing on the California Register as an individual resource under Criterion 3. 4250 26th Street is modest in design and does not represent distinctive characteristics of a style or period and does not possess high artistic value. Additionally, the subject building, constructed in 1929, does not exhibit the high artistic style of Armitage's Queen Anne style buildings and is not representative of the architect's best work.

Architecturally, the subject property is not associated with the Victorian and Edwardian-era buildings in the nearby California Register-eligible Clipper Street Historic District and was constructed outside of the eligible district's proposed Period of Significance of c.1890 to c.1914. Additionally, the building stock on this portion of 26th Street near the subject property would not likely contribute to the nearby eligible historic district. Although this block face includes buildings constructed between 1880 and 1914, infill construction up to 1960, along with later alterations to several buildings, has resulted in a generally mixed architectural character. The block that contains the subject property lacks stylistic consistency and appears to lack potential for inclusion within a potential historic district or extension of the nearby eligible district. It is therefore determined the subject property is not eligible individually, and the subject building and nearby building stock are not eligible as part of a historic district under this Criterion.

Criterion 4: Property yields, or may be likely to yield, information important in prehistory or history.² Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 since this significance criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type.

Step B: Integrity

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

The subject propert	ty has retained	or lacks integ	rity from the period o	f significance	noted in Step	ο A:
Location:	Retains	Lacks	Setting:	Retains	Lacks	
Association:	Retains	Lacks	Feeling:	Retains	Lacks	
Design:	Retains	Lacks	Materials:	Retains	Lacks	
Workmanship	: 🗌 Retains	Lacks				
Since 4250 26th Stre	eet was determ	nined not to m	neet any of the criteria	that would:	identify it as	eligible for
the California Regi	ster of Historic	cal Resources,	analysis of integrity v	vas not condu	ıcted.	-

² Assessment of archeological sensitivity is undertaken through the Department's Preliminary Archeological Review process.

Historic Resource Evaluation Response May 16, 2018

Step C: Character Defining Features

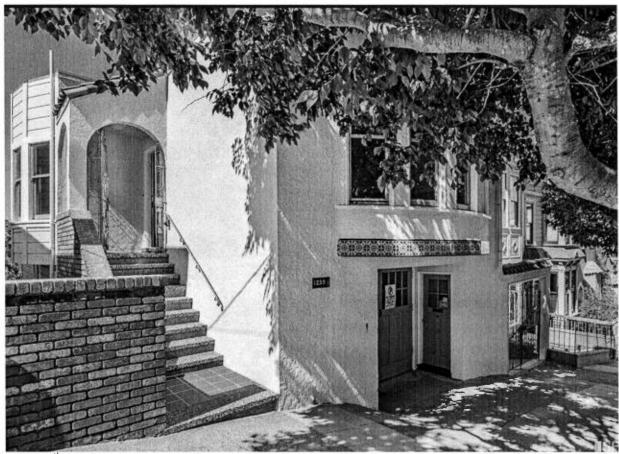
If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

Since 4250 26th Street was determined not to meet any of the criteria that would identify it as eligible for the California Register of Historical Resources, this analysis was not conducted.

CEQA Historic Resource Determination	
Historical Resource Present Individually-eligible Resource Contributor to an eligible Historic District Non-contributor to an eligible Historic District	
∑ No Historical Resource Present	
FART I: PRINCIPAL PRESERVATION PLANNER REVIEW Signature: M. Pilar LaValley, Acting Principal Preservation Planner	Date: 5/22/18

Virnaliza Byrd, Environmental Division/ Historic Resource Impact Review File Project planner, Elizabeth Gordon Jonckheer

cc:



4250 26th Street (Image: SFARMLS)

July 7, 2021

San Francisco Planning Commission Commission President Koppel Commission Vice President Moore 49 South Van Ness Avenue San Francisco, CA 94103

Subject: Discretionary Review for Demolition of Existing Home and Development of 4250 26th Street

Dear Planning Commission President Koppel, Vice President Moore, and Commissioners,

I am writing on behalf of three neighbors of 4250 26th Street, who submitted three separate DR Applications: Peggy and Steve McAlister (4228 26th Street), Ashish Mahadwar (4258 26th Street), and Chris Jones (4264 26th Street).

This letter provides an update to the neighbors' DRs as far as the (1) specific modifications being proposed for the 6,330 gross square foot home and ADU, and (2) the status of negotiations with the project sponsor.



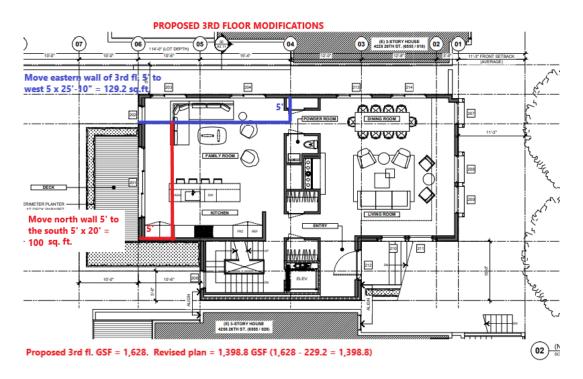
Existing home at 4250 26th Street to be demolished to make way for a fourstory, 6,350 GSF structure shown in the two images below



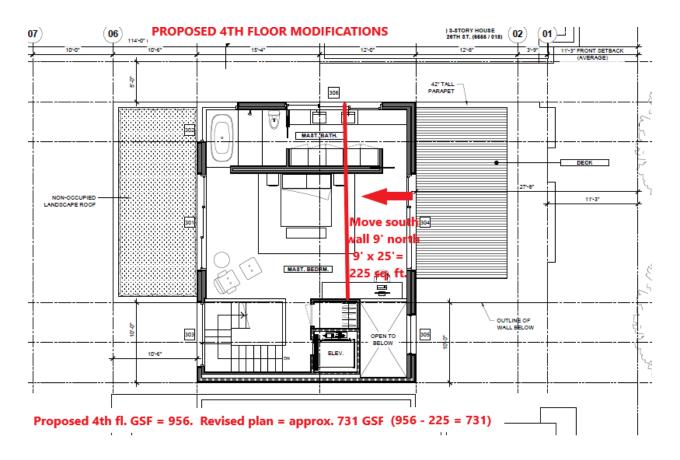


Here are the specific, refined set of asks that we provided for the project sponsor on June 14, 2021, to address the concerns of the neighbors. Since then, we have had a meeting with the project sponsors mediated by Jacob Bintliff from Supervisor Mandelman's office, and we are scheduled to have one more meeting tomorrow to try to reach a compromise.

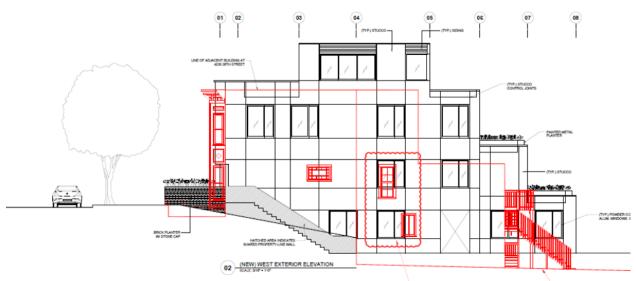
- 1. Reduce total building height by 4' by reducing ceiling heights and or excavating slightly below the existing grade. An overall heigh reduction of 4' total (one foot per floor) is also critical. They can achieve this through reducing ceiling heights. They could also consider excavating down a foot or two if they do not want to reduce all of the ceiling heights. As of July 7, the project sponsors are unwilling to do this.
- 2. Increase setbacks on 3rd floor to reduce light and air impacts on Ashish and Peggy and Steve as shown below: As of July 7, the project sponsors have offered a counter proposal for a lesser setback of 2' to the east and 2'-4" on the north. Please note that while they have agreed in principle, they have not detailed how they would accomplish this.



3. Setback 4th floor 9' from the street as shown below attached sheet to be compatible with the existing building scale of the street instead of disrupting the established topography of buildings stepping down along with the slope of the street. As of July 7, the project sponsors were unwilling to do this.



4. Address privacy for Peggy and Steve by making two of the 6' by 6' east-facing windows (see the subject windows below clouded in red) transom windows or windows with obscured glass. As of July 7, the project sponsors were unwilling to do this and said they could provide shades instead.



5. Protect Peggy and Steve's foundation and structure during demo and construction. The project sponsors have agreed to this. Past construction by the

project sponsors of the retaining wall separating the properties damaged Peggy and Steve's home, and therefore the heightened concern.

Here are the requested modified 3rd and 4th floor square footage reductions in the context of the proposed project:

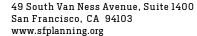
Total proposed project GSF = 6,330Total modified project GSF = 5,875.80 (3rd fl. reduction is 229.2 GSF; 4th fl. reduction is 225 GSF; total = 454.20 GSF - 6,330 = 5,875.80)

Due to the substantial adverse impacts that the project would have on the DR requestors, we ask that you take DR and required that the project be modified as requested above.

Respectfully,

Deborah Holley
Holley Consulting

Cc: Deland Chan, Sue Diamond, Frank Fung, Theresa Imperial, Rachel Tanner, David Winslow, Jonas Ionin, Supervisor Mandelman, Jacob Bintliff





DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION PACKET

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

For questions, you can call the Planning counter at 628.652.7300 or email pic@sfgov.org where planners are able to assist you.

Please read the <u>Discretionary Review Informational Packet</u> carefully before the application form is completed.

WHAT TO SUBMIT:

Fee Schedule).

\square Two (2) complete applications signed.
☐ A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
☐ Photographs or plans that illustrate your concerns.
$\hfill\Box$ Related covenants or deed restrictions (if any).
☐ A digital copy (CD or USB drive) of the above materials (optional).

☐ Payment via check, money order or debit/credit

for the total fee amount for this application. (See

HOW TO SUBMIT:

To file your Discretionary Review Public application, please email the completed application to cpc.intake@sfgov.org.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文:如果您希望獲得使用中文填寫這份申請表的幫助,請致電628.652.7550。請注意,規劃部門需要至少一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionar	y Review	Requestor's	Inf	formation
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Name: Christopher Jones

4264 26th St

San Francisco, CA 94131

Address:

Email Address: christopherjones@gmail.com

Telephone: (415) 271 3344

Information on the Owner of the Property Being Developed

Name: Jody Knight, Appliant

Company/Organization: Ruben, Junius and Rose

One Bush Street, Suite 600

Address: San Francisco, CA 94104

jknight@rubenlaw.com **Email Address:**

Telephone: 415 567-9000

Property Information and Related Applications

Project Address: 4250 26th St

Block/Lot(s): 6555/019

Building Permit Application No(s):

2018-002508PRJ, 201802141219, 201802141218

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

YES	NO

Changes Made to the Project as a Result of Mediation.

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

no changes have been made by the applicant to address our concerns

DISCRETIONARY REVIEW REQUEST

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

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

or the Plainning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

Please see attachment

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 attachment

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 attachment

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

M_{Q}		Christopher Jones		
Signature		Name (Printed)		
self)	415-271-3344	christopherjones@gmail.com		
lationship to Requestor Attorney, Architect, etc.)	Phone	Email		

By: _

Application received by Planning Department:

Date: __

Attachment - 4250 26th St DR

(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 live at 4264 26th st., two houses to the west of the proposed development at 4250 26th St. We've been in our house since 1998 and gone through several remodels of our own. Over the years, we've also worked with neighbors to reach a mutually agreeable compromise on their own remodel projects.

While we consider ourselves pro-development, we are very concerned about the scale of this new house and how dramatically out of character it is with the rest of the neighborhood. The existing *two-story*, 3,084 gross square foot (GSF) historic home built in 1929, will be demolished and replaced with a *four-story*, 6,318 GSF structure. The occupiable area would increase from 1,330 to 4,789 square feet (SF), or a 260 percent increase. The new house is one story higher than any in the immediate neighborhood.

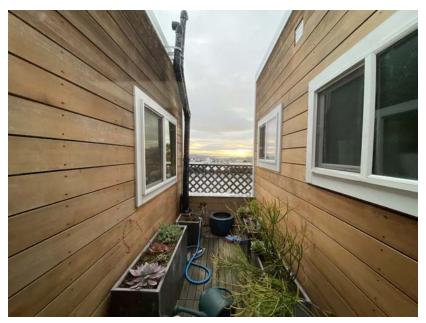
We also have specific concerns about the impact of this home to the light coming into our top floor.

We have raised all these issues with the architect, both in the pre-application planning meeting and in follow up conversations. We have met in good faith with a desire to find a compromise, but the project sponsor has been unwilling to consider or incorporate any of our concerns or provide basic shadow studies or 3d images from vantage points other than those obscuring the true impact on the neighborhood.

We are not expert in the residential design guidelines, but our understanding is that these are the exact sorts of concerns they are supposed to address. We are hoping you will consider these concerns in granting a discretionary review.

(1) Project Impacts on Light into our top floor (4264 26th)

Our east facing light-well shown in the photograph below provides most of the light into the middle portion of our top floor. The light well serves the hallway and kitchen, and is the only source of natural light into the top floor bathrooms. (See photographs of the hallway, kitchen, and bathrooms, below.)



Lightwell view looking east, toward 4250 26th. The kitchen window is to the left, and the 2 bathroom windows are on the right. Most of the morning light into these spaces is provided by this lightwell



The central hallway is illuminated from the light well. The previous photo is looking through the glazed door in the center of this photo



East bathroom. 100% of its light comes from the lightwell



West bathroom. 100% of its light comes from the lightwell



The Kitchen also receives considerable light from this light well, especially in the morning

The plans for 4250 include a top floor that we anticipate will dramatically reduce the amount of light received through this light well. Because this lightwell faces east, this will be particularly significant in the morning hours.



(2) Project Impacts on the Mid Block Open Space

Most of the resident neighbors along 26th and Clipper St have designed our own remodels to protect the mid-block open space. For example, when we developed our basement floor three years ago, we were careful not to go outside the envelope of the preexisting deck, so that the neighbors' experience of the space was conserved.

Unlike the rest of the neighbors, this project sponsor is proposing a substantial expansion into the existing mid-block open space leaving only the minimum 25% rear yard that was required at the time that the application was submitted instead of the current 30% requirement. The project proposes to extend an additional 30' feet into the rear yard. The existing rear yard is 59', or 51.8 percent. The project would reduce the rear yard to the old minimum requirement – 28' 6", or 25 percent.

And, as shown in the images below, the rear wall of the project would extend further into the rear yard than its neighbors. At a minimum, the rear wall should be set back to the midpoint between the rear wall of the adjacent neighbors.



This proposed development will push into the space at multiple levels in a way that we fear will set precedent for years to come.

(3) Overall Massing

The overall mass of the development is significantly out of character with the block. This is a product of the height and depth together with the full-lot width on a lot that, at **40'**, is far wider than any in the surrounding area. The adjacent and nearby lots on the blockface range from 20' to 26.7' in width.

As shown in the image below, the height specifically puts it dramatically higher than the surrounding rooflines. Even with a top floor setback from the street, the discontinuity will be visible from multiple points on 26th St.

Finally, there are no 4-story buildings in this neighborhood as far as I know.



(2) The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how thie 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 the points above in response to question 1. This project significantly impacts several houses along 26th street (notably the immediate neighbors on either side), as well as Clipper St, who will perhaps feel the impact of the massing the most.

(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 would like the sponsors to redesign the project to better preserve the light coming into the top floor of our house (kitchen, hallway, 2 bathrooms), and to reduce the overall massing. This

would be achieved by removing the top-floor penthouse or through a significant reduction in the overall height attained through other means.	те



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information

Name:	Ashish Mahadwar				
				Email Address:	ashishmahadwar@gmail.com
Address:	4258 26th St San Francisco, CA 94131			Telephone:	
Please Sel	ect Billing Contact:	х Д	pplicant	Other (see below	for details)
Name: _A	shish Mahadwar	Email:	ashishmaha	dwar@gmail.com	Phone:
Inform	ation on the Owner	of the	Property	/ Being Develor	ped
Name:	Jody Knight, Applicant				
Company,	Organization: Ruben, Jur	ius and	Rose		
				Email Address:	jknight@rubenlaw.com
Address:	One Bush Street, Suite 600 San Francisco, CA 94104			Telephone: 4	15 567-9000
Proper	ty Information and	Relate	d Applica	ations	
Project Ad	dress: 4250 26th S	t			
Block/Lot	(s): 6555/019				
Building P	ermit Application No(s):	201802	141219, 2018	02141218 ,2018-0025	08PRJ

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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

If you	es Made to the Project as a Result of Mediation. have discussed the project with the applicant, planning staff or gone through mediation, please summarize the including any changes that were made to the proposed project.
DISC	RETIONARY REVIEW REQUEST
In the	space below and on seperate paper, if necessary, please present facts sufficient to answer each question.
1.	What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.
	The 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.
	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?

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made: a) The undersigned is the DR requestor or their authorized representation. deborah holley Signature Name (Printed) Relationship to Requestor Phone **Email** (i.e. Attorney, Architect, etc.) For Department Use Only Application received by Planning Department:

By: _

Date: _

April 1, 2021

San Francisco Planning Department 49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103

Re: Letter of Authorization – 4250 26th Street Discretionary Review Application

Dear Sir or Madam:

I reside at and am the owner of 4258 26th Street in San Francisco.

By this letter, I authorize Deborah Holley of Holley Consulting and Scott Emblidge of Moscone Emblidge & Rubens, to communicate with the Planning Department on my behalf.

Thank you,

Ashish Mahadwar

4250 26 Street DR ATTACHMENT 1

Background and Proposed Project

The project sponsor is proposing to demolish the charming, circa 1929 Mediterranean Revival style home designed by William H. Armitage, a San Francisco Architect who built a number of notable residential and commercial buildings in the city from the late 19th through the early 20th century. This sound two-story, single-family home shown below in *Figure 1* would be razed to make way for a huge *four-story* building.



Figure 1. Existing Two-Story Home at 4250 26th Street

As shown in *Figure 2* below, Ashish Mahadwar and his son and daughter live next door and to the west of the project site, at 4258 26th Street.

¹ San Francisco Planning Department, Historic Resources Evaluation Response, 4250 26th Street, May 16, 2018.



Figure 2. DR Requestor lives at 4258 26th Street, adjacent and west of 4250 26th Street

The project sponsors are requesting to demolish the existing, sound 3,084 gross square foot (GSF) home with a structure more than double in size: the project includes 6,357 GSF. The *occupiable area* would increase from 1,330 to 4,789 square feet (SF), or a 260 percent increase.

While all residential demolitions now require Conditional Use Authorization (CUA), this project application was submitted before this requirement into effect. And because it was appraised at \$2.3 million, it was just above the \$2.2 million threshold that would have required CUA under Planning Code Section 317 under the old regulations.

The project site, located at 4250 26th Street, is an approximately 40'wide and 114' deep lot that is almost twice as wide as most of the lots of the street. The existing house is approximately 25' wide with side setbacks of 4.59' on the west and 10.46' on the east.

The project proposes to extend an additional 30' feet into the rear yard. The existing rear yard is 59', or 51.8 percent. The project would reduce the rear yard to the minimum that was once permitted in the RH-1 Zoning District -28' 6'', or 25 percent. The minimum of 30 percent went into effect after the project application was submitted.

Question 1

What are the reasons for requesting Discretionary Review? The project meets the minimum 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.

Because this project would significantly impact the DR Requestors and the other neighbors, Ashish is requesting that the Planning Commission take Discretionary Review.

When Ashish remodeled his historic home, he worked with his neighbors and made revisions to his plans that responded to their concerns. No DRs were filed for his project and he has a very good relationship with his neighbors. Unfortunately, the project sponsor has not responded to many of Ashish's concerns or those of the other neighbors.

There are seven key reasons why the Planning Commission should take Discretionary Review of this project. The project is inconsistent with numerous guidelines contained in the San Francisco Residential Design Guidelines. These factors establish that there are extraordinary circumstances that require Discretionary Review. They are listed here and expanded upon in the narrative following the list.

- 1. The proposed oversized building does not respect the topography of the site and the surrounding area. The proposed new building is too tall and too wide for the block face context, especially given the historic nature of this cluster of homes. (RDGs page 11)
- 2. The proposed building height and depth is not compatible with the existing building scale at the street. (RDGs pages 23-27)
- 3. The new building does not respect the existing pattern of side spacing. (RDGs page 15)
- 4. The proposed building is not articulated to minimize impacts on light and air to adjacent properties. (RDGs pages 12-15)
- 5. The building is not articulated to minimize impacts on privacy to adjacent properties. (RDGs page 16-17)
- 6. The new building's height and depth is not compatible with the existing building scale at the midblock open space (RDGs pages 23-27)
- 7. The proportion and size of the windows are not related to that of existing buildings in the neighborhood (RDGs pages 44-46)

OBJECTIONS 1 AND 2

1. The proposed building is oversized and does not respect the topography of the site and surrounding area. The proposed new building is too tall and too wide for the block face context, especially given the historic nature of this cluster of homes. (RDGs page 11)

2. The proposed building height and depth is not compatible with the existing building scale at the street. (RDGs pages 23-27)

Since the beginning of the process Ashish and many other neighbors have been concerned that the project will have direct impacts due to the project massing, which is out of scale with the existing buildings in the neighborhood.

The project would demolish the sound, charming historic home and replace it with a four-story supersized single-family home. As shown in *Table 1*, the existing home would be replaced with a *6,318 gross square feet (GSF)* structure containing a *4,297 GSF main house* and an ADU with 1,402 GSF.

Table 1. Existing and Proposed Area Calculations

Occupiable Area	Existing sf	Proposed ADU	Proposed Main Unit	Total
Ground/Basement	0	1,220	307	+ 1,527
2nd ^t Floor	150	0	1,141	+ 1,141
2 nd Floor	1,180	0	1,447	+ 411
4 th Floor	0	0	721	+ 721
Total	1,330	1,220	3,646	+ 4,866
INCREASE				3,536 (266%)
Gross Area				
Ground/Basement	698	1,402	414	1,816
2 nd Floor	1,134	0	1,918*	1,918
3 rd Floor	1,252	0	1,628	495
4 th Floor	0	0	956	956
Total	3,084	1,402	4,297	6,318
INCREASE				3,254 (105%)

^{*}Includes 619 GSF of garage space

Attachment 1 4250 26th Street Discretionary Review Application

As illustrated in *Figure 3 below*, the proposed building massing is out of scale – it is too tall and too wide for its context. The width of the proposed building is double that found on every other house on the street face. It breaks the otherwise consistent pattern of rooflines on this block that step down with the grade of the street. It needs to be modified as shown below to be in line with the block's roofline progression.

The buildings on 4200 block of 26th Street are generally two or three stories (one to two stories above a garage or basement). At four stories, the project would be one story higher than the other homes on the street. While the fourth story is set back from the street, it will be still be highly visible from vantage points along the street.

The proposed project would be 40' wide, or an additional 15' wider than the existing home onsite. This structure would be grossly out of scale with the existing homes on the north side of 26th Street which range from 20' to 26.7' in width. (**See Figure 3.**)

Figure 3. **Project Massing is Out of Scale for the Block Face**



The proposed building is just too tall and too wide for its context. It breaks the otherwise consistent pattern of rooflines on this block that gently fall with the street grade – See *Figures 4* and 5.

As shown in *Figures 3 and 6*, the new building would be a full story higher than any of the nearby buildings and would tower 11 feet over Ashish's home.



Figure 4. Existing homes on the north side of the 4200 block of 26^{th} Street slope down with the street grade



Figure 5. Existing homes on the south side of the 4200 block of 26th Street slope down with the street grade



Figure 6. Proposed project is one story/11' taller than DR Requestor's home and other homes on the block

The following guidelines and images from the Residential Design Guidelines specifically address the proposed project and underscore the reasons that it needs to be modified.

"GUIDELINE: New buildings and additions to existing buildings cannot disregard or significantly alter the existing topography of a site. The surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes and hills. This can be achieved by designing the building so it follows the topography in a manner similar to surrounding buildings.



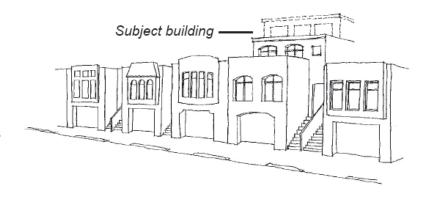
These buildings respect the topography of the surrounding area by stepping down to the street. This is reinforced by garages at the street edge, elevated building entrances and setbacks to the mass of the buildings." (Page 11 of the RDGs)

"GUIDELINE: Design the scale of the building to be compatible with the height and depth of surrounding buildings. The building scale is stablished primarily by its height and depth. It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character. Poorly scaled buildings will seem incompatible (too large or small) and inharmonious with their surroundings. [Emphasis added.]

A building that is larger than its neighbors can still be in scale and be compatible with the smaller buildings in the area. It can often be made to look smaller by facade articulations and through setbacks to upper floors. In other cases, it may be necessary to reduce the height or depth of the building." (Page 23 of the RDGs)

GUIDELINE: Design the height and depth of the building to be compatible with the existing building scale at the street. If a proposed building is taller than surrounding buildings, or a new floor is being added to an existing building, it may be necessary to modify the building height or depth to maintain the existing scale at the street. By making these modifications, the visibility of the upper floor is limited from the street, and the upper floor appears subordinate to the primary facade. The key is to design a building that complements other buildings on the block and does not stand out, even while displaying an individual design." (Page 24 RDGs)

On this block face of twostory buildings, it is possible to preserve the building scale at the street by setting back the third floor. However, an additional setback for a proposed fourth floor is not sufficient. The fourth floor must be eliminated to respect the neighborhood scale.



The Residential Design Guidelines embody one of the key design principles in San Francisco: buildings step down with the topography. This design element ensures that topography guides massing and height, as opposed to quantitative regulations alone. It ensures cohesion on a block face, preventing visual focus on just one or several buildings, and links the natural feature for which San Francisco is best known -- hills — with the architecture on it.

It is disappointing that the proposed building ignores this key design principle, instead, attempting to remove the building from its key natural feature and to draw attention away from the existing scale, historic architecture, and charm that defines the character of the eligible historic district and surrounding eligible historic district. (See below under Objection 8 for more on this.)

OBJECTIONS 3, 4, AND 5

- 3. The new building does not respect the existing pattern of side spacing. (RDGs page 15)
- 4. The proposed building is not articulated to minimize impacts on light and air to adjacent properties. (RDGs pages 12-15)
- 5. The building is not articulated to minimize impacts on privacy to adjacent properties. (RDGs page 16-17)

Figure 7 shows the existing side setback. Many properties in this neighborhood have side setbacks – see for example, the side setbacks across the street shown in Figure 6. The project would significantly reduce the existing side yard setbacks for this unusually wide site. The existing (west) side yard setback between the proposed project and Ashish's home would be reduced from 2'-8" to 0'. The side setback on the other side (east) would be reduced from 10'-5" down to 5'. Figure 8 shows the diminished and eliminated setbacks.



Figure 7. Existing Side Yard Setbacks

Side yards similar to the existing side yards and respecting adjacent neighbors' side-facing windows are necessary to protect the neighbors' light, air, and privacy, and to bring the <u>facade</u> <u>width</u> into context with the block face. See *Figures 3 and 7* above, which demonstrate how out of proportion the width of the new building would be unless modified.

As shown in *Figures 8-11 and the photos* below, the current open sky, light and air that Ashish and his family receive from their dining room and deck will be replaced by the third-story wall. No consideration has been given to this in the project design. The fourth-story master suite will further impact light as it will block sunlight coming from the east and south.

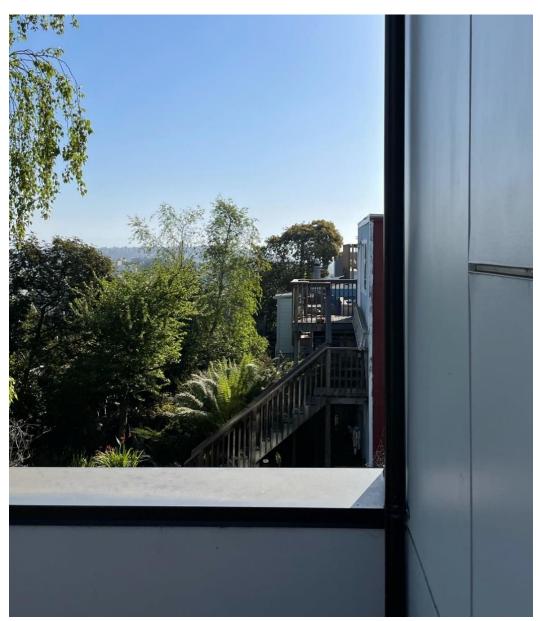
Because the building is so wide at the rear, because it has side-facing windows, and because decks are inordinately large there are privacy impacts are also of concern to Ashish and his family. As shown in *Figures 8-11 and the photos* below, the future occupants of 4250 will look down from the proposed third-story deck to Ashish's decks and dining room.



Figure 8. Diminished and eliminated setbacks and privacy concerns due to decks and multiple large rear windows



Current light and open sky from Dining Room looking east. As shown in Figures 9-11, below, with the project this would be replaced with a wall and deck towering above



Current light and open sky from upper deck looking east. As shown in Figures 9-11, below, with the project this would be replaced with a wall and deck towering above

OBJECTION 6

The new building's height and depth is not compatible with the existing building scale at the midblock open space (RDGs pages 23-27) The project would adversely impact the visual quality of and visual access to the mid-block open space. The San Francisco Residential Design Guidelines (RDGs) have numerous guidelines to protect midblock open space including:

"Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space." (Page 25 of the RDGs)

"An out-of-scale rear yard addition can leave surrounding residents feeling "boxed-in" and cut-off from the mid-block open space." (Page 26 of the RDGs)

(Page 26 RDGs)

Block with a strong mid-block open space pattern.

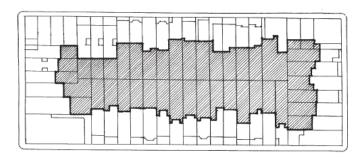


Figure 9 below, is a 3d image prepared by the project architect showing that the building mass would be higher, wider, and deeper than its neighbors and would adversely impact the modblock open space.



Figure 9. Proposed project impacts from the rear (north elevation)

As shown in **Figure 10**, the block has a strong mid-block open pattern mirroring that shown above in the Residential Design Guidelines. The reduction in the mid-block open space that would result from the project and the introduction of an oversized structure with excessive glazing would adversely impact the adjacent neighbors as well as the other neighbors on the block because the mid-block open space is shared visually by all residents of the block.

The project should be modified to incorporate a rear yard setback that transitions between 4228 and 4258 26^{th} as shown in *Figures 10 and 11*.



Figure 10. Strong Existing Mid-Block Open Space Pattern

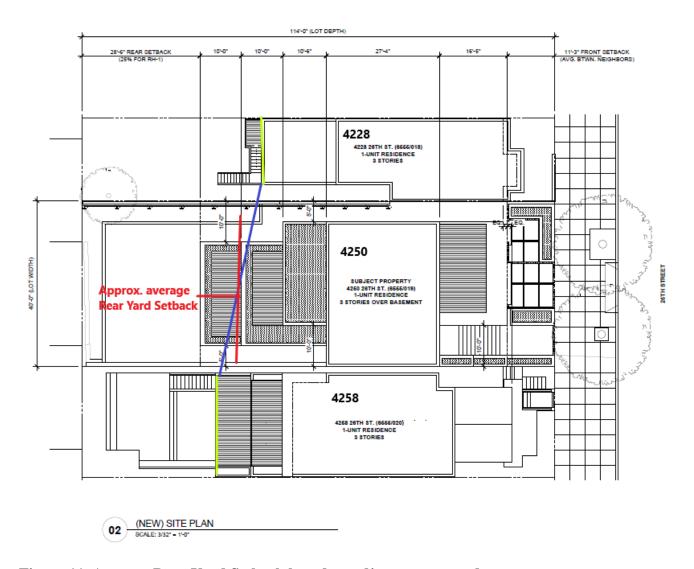


Figure 11. Average Rear Yard Setback based on adjacent rear yards

OBJECTION 7

The proportion and size of the windows are not related to that of existing buildings in the neighborhood (RDGs pages 44-46)

The proposed windows are incompatible with the architectural character of the neighborhood and exacerbate the oversized scale of the project.

The RDGs state that projects should "Use windows that contribute to the architectural character of the building and the neighborhood." (Page 44 of the RDGs) The proportions of the project

windows and the window design have no relationship to the architectural character of the homes on the street and exacerbate the massive scale of the project, particularly as viewed from the street. See *Figure 3* for context.

Question 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?

Some modest changes have been made to address some privacy concerns in response to Ashish's concerns. However, the major issues expressed above have not been addressed by the project sponsor. Moreover, we have asked for standard information including additional representative3D images, a shadow study, and story poles, none of which the architect/project sponsor has been willing to provide despite repeated requests. The only 3D image provided to which illustrate how the project would look from the street and rear are shown from only the least impactful vantage point, thus misrepresenting the true impacts of the project.

Given the tremendous amount of square footage included in the project, we are hopeful that the project sponsor will make reasonable modifications to complement and respect the established neighborhood scale, the mid-block open space, and the privacy and light and air of the neighbors.

All of these concerns were raised with the architect at the pre-application meeting, but so far, none seem to have been addressed.

Preliminarily, the project should be revised as follows, but we reserve the right to refine these requests if we receive more complete information from the project sponsor.

A. Eliminate the 956-square-foot fourth floor Master Suite and reduce ceiling heights to reduce overall height so that the building is consistent with and respects the established roofline progression and building heights on the block and reduces the light and air impacts on the surrounding neighbors.

Even if the fourth floor were eliminated the project would be larger than most homes on the block. As proposed, the project would contain 6,318 square feet.

If the 956 square-foot master bedroom and bathroom on fourth floor were removed from the plans, the main house would still be larger than most homes at **3,341** GSF plus the garage and the total structure would include **5,362** GSF.

Please note that even this reduced size home is almost 1,000 square feet over the new threshold being proposed by Supervisor Mandelman for mandatory CUA approval for monster homes.

Removal of the fourth floor is required to maintain the uniformity of height characterized by this block face and block.

Reduce ceiling heights. The proposed ceiling heights are as follows assuming 1' in between each floor:

• Ground Floor: 9'-6"

2nd floor: 9"-6"
3rd Floor: 10'6"
4th floor: 10'-10"

If the 4th floor were eliminated and each floor reduced by 1', this would reduce project impacts and result in a project that would, in combination with other measures identified below, be more compatible with the neighborhood and responsive to the Residential Design Guidelines.

B. Revise the project so that the existing side setbacks are not so dramatically reduced and so the massing of the project is more compatible with the massing of the other buildings on the street. As mentioned above, the existing home is set back 10' on the east and 2'-8" to 4.5' on the west and the structure is of the same scale as other homes on the street. Side yard setbacks similar to the existing side yards and respecting adjacent neighbors' side-facing windows, are necessary to bring the façade width into context with the block face.

The project should be revised to provide at least a 5' breezeway or substantial side setbacks on <u>both</u> sides of the home to reduce the building width. Even with such modifications, at 30' the new building would still be wider than any other home on the north side of 26th Street which range from 20' to 26.7' in width.

C. Increase the setbacks at the second story and eliminate the top story to reduce the privacy and light and air impacts on 4258 26th Street. The proposed design of the third floor would create significant privacy impacts and would reduce or eliminate light and air to Ashish's dining room and deck. The fourth floor further reduces light. The third floor should be pulled back from the rear to reduce these impacts.

- D. Reduce the size of the windows on the front and rear facades to make the project more compatible with the neighborhood. See Figure 3 for references to compatible window size and design.
- E. Reduce the Horizontal Extension into the rear yard. The extension should be reduced to a midpoint between 4258 and 4228 as shown in Figures 10 and 11 above.
- **F.** Reduce parking to one space. The project replaces an existing one-car garage with a two-car garage. The size of the garage could be reduced to accommodate additional square-footage for the main house at this second-floor level. Living space could be added here in order to reallocate space from the reduction of the third-floor horizontal expansion.



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information

Name: Peggy and Steve McAlister

Email Address: pegmcalister@gmail.com

Address: 4228 26th St

San Francisco, CA 94131

Telephone:

Please Select Billing Contact: Applicant X Other (see below for details)

Information on the Owner of the Property Being Developed

Name: Jody Knight, Applicant

Company/Organization: Ruben, Junius and Rose

Email Address: jknight@rubenlaw.com

Address: One Bush Street, Suite 600

San Francisco, CA 94104 Telephone: 415 567-9000

Property Information and Related Applications

Project Address: 4250 26th St

Block/Lot(s): 6555/019

Building Permit Application No(s): 201802141219, 201802141218, 2018-002508PRJ

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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

If you	ges Made to the Project as a Result of Mediation. have discussed the project with the applicant, planning staff or gone through mediation, please summarize the , including any changes that were made to the proposed project. .
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DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made: a) The undersigned is the DR requestor or their authorized representation. Signature Name (Printed) Relationship to Requestor Phone Email (i.e. Attorney, Architect, etc.) For Department Use Only

By: _

Application received by Planning Department:

Date: _

4250 26th Street DR ATTACHMENT 1

Question 1

What are the reasons for requesting Discretionary Review? The project meets the minimum 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.

Peggy and Steve McAlister have lived at 4228 26th Street in their 126-year-old house for 36 years. They are seniors who want to be able to continue to live in their home and age comfortably in place, but they are very concerned that this project will compromise their ability to do so.

Figures 1 through 4 show that the McAlisters live right next door and to the east of the project site. The McAlisters are requesting Discretionary because the project sponsor has not adequately addressed their concerns and because this project would significantly impact them and their neighbors.

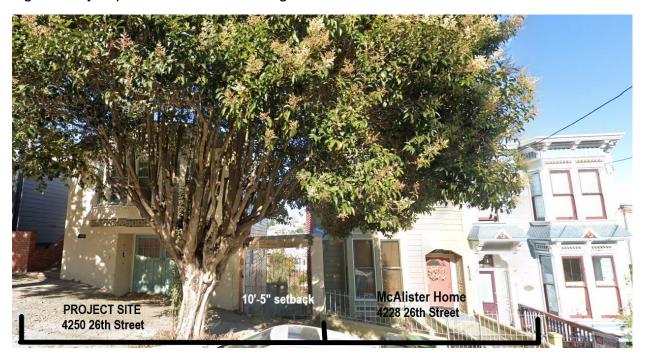


Figure 1. Street View: Home proposed for demolition (4250 26th) on the left, existing setback, and McAlister home on the right (4228 26th)



Figure 2. Aerial View from West



Figure 3. Aerial View from North



Figure 4. View from the south showing the relationship between the two properties

If this project is approved, the modest <u>two-story home</u> at 4250 26th, which is similar in scale to the McAlister's home, would be demolished and replaced with a gargantuan four-story building that would dwarf any of the homes around it. *Figure 5* compares the height and width of the existing home and the proposed building in the context of its neighbors.



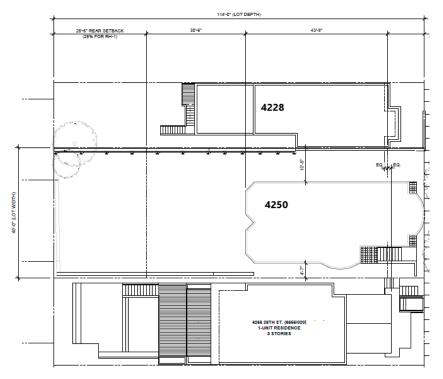
Figure 5. Existing and proposed buildings in context

The McAlisters had one meeting with the project sponsor's representative – Robert Edmonds – on November 4, 2019 which resulted in little meaningful change to the original design. Given the lack of responsiveness, their only option was to file for Discretionary Review.

The incomplete information in the plans and lack of shadow studies and additional useful 3D images make it difficult to understand all of the project impacts. We reserve the right to identify additional concerns upon receipt of basic information such as a plan set showing our window locations on the floor plans and overlaid on the plan elevations, as well as a shadow study, and additional 3D images.

The McAlister's primary initial concerns as they relate to the Residential Design Guidelines are as follows:

- 1. The first Design Principle of the Residential Design Guidelines is to "Ensure that the building's scale is compatible with surrounding buildings." The proposed oversized home will dwarf the McAlister's home and will not be compatible in scale resulting in adverse light, air, and privacy impacts. This oversized building will also adversely impact the neighborhood and will be inconsistent with this key Design Principle and many Residential Guidelines including compatibility of building height with the existing building scale at the street. (See Figure 5 above and Figures 6 and 7 below.)
- 2. The second Design Principle of the Residential Design Guidelines is to "Ensure that the building respects the mid-block open space." The project would demolish the existing home which includes a rear yard of approximately 59' and replace it with a structure that extends almost 30 additional feet into the rear yard. This design does not respect the mid-block open space pattern and is therefore inconsistent with this Design Principle. As shown in Figures 7 and 8, the project will box Peggy and Steve in on the west side of their property and deprive them of important light to their kitchen, dining room, and bedroom windows. Thee design also vastly decreases the existing visual relief and access to the mid-block open space to the west.



Existing Site Plan

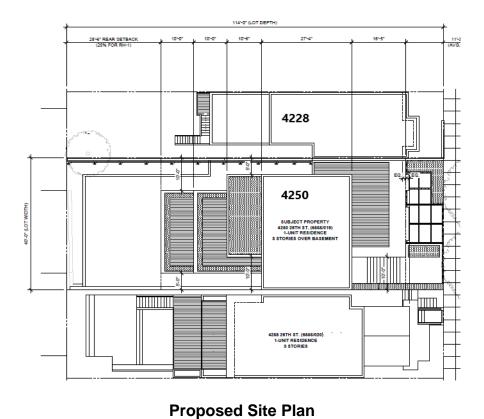


Figure 6. Existing and Proposed Site Plans

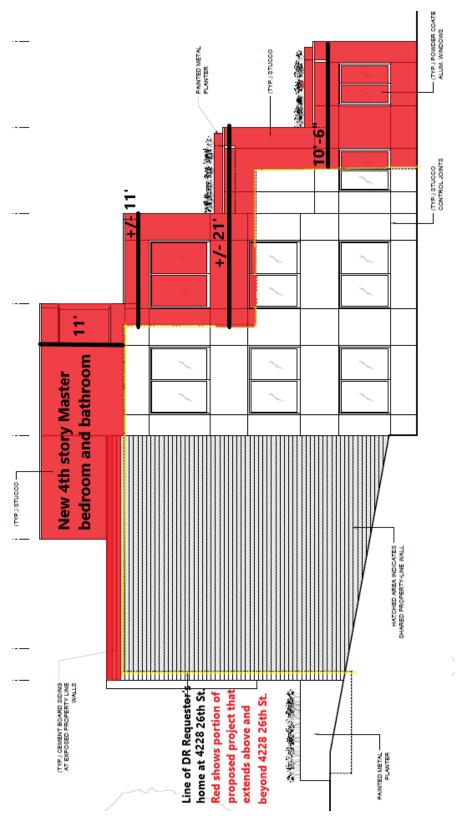


Figure 7. Substantial Horizontal and Vertical Expansion Proposed Far Beyond the McAlister's Home

3. The third Design Principle of the Residential Design Guidelines is to "Maintain light to adjacent properties by providing adequate setbacks." As clearly demonstrated in Figures 7 and 8, the project does not provide adequate setbacks to maintain light and air to the McAlister's home. The project design eclipses their home at every level and the fourth story towers above them. Figure 7 shows that the project would extend 10"-6" beyond the first floor, 21' beyond the second floor and 11' above them.

Figure 9 and the accompanying photos show the windows that would be severely impacted by the proposed project.

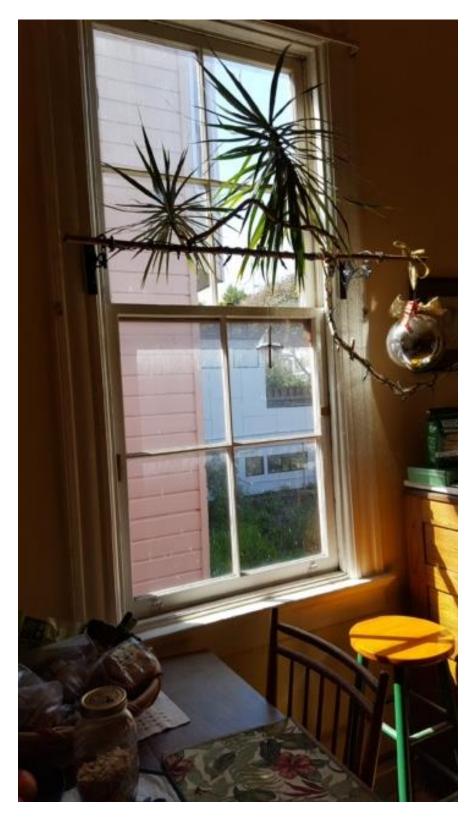
The McAlister's sunny kitchen will be darkened, and they will be staring at wall just five feet away from them. Their main dining room window and stained-glass window will also be darkened.



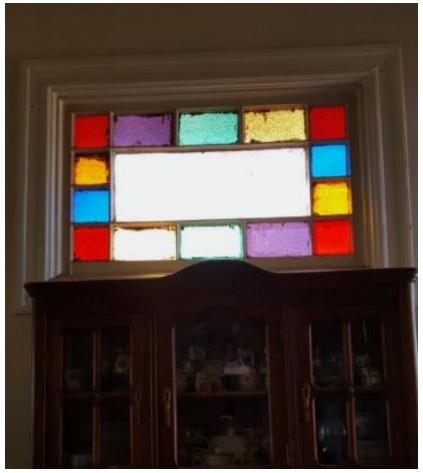
Figure 8. 3D Image showing Project Impacts on McAlister Home



Figure 9. Windows to be darkened by the project – See photos below for existing light from some of these windows



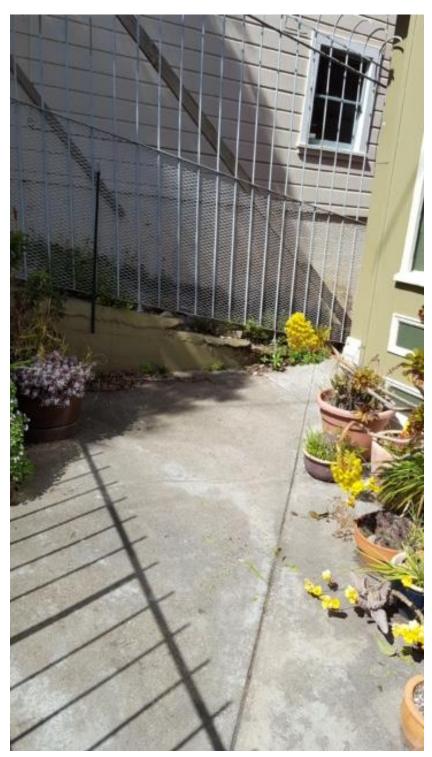
Kitchen Window looking west – Existing sunlight will be eliminated with the project



Stained-Glass Window will be darkened by the project

4. The Residential Design Guidelines (page 50) aim to "Ensure that character-defining features of an historic building are maintained." One of the character-defining features of the McAlister's home is its 130-year-old original brick foundation. They are very concerned that the project will damage their brick foundation. The demolition, excavation, and construction of the project could undermine the foundation and damage windows, and other important historic features of their home.

This is of particular concern given the project sponsor already has already been careless and reckless. They have damaged the McAlister's property and ignored their requests. The retaining wall on the project sponsor's property was failing and leaning up against the McAlister's house. The wall surrounding the front of our house is cracked and broken on the side facing 4250 26th Street and, based on their survey, is located on their property. The post holding up the gate at 4250 is attached to their front



Damaged wall near front of our home

yard wall. Despite our requests, the property owners have not addressed this damage.

They are requesting permits to demolish the existing home and associated improvements but have provided no plan or even talked to us about addressing this damage to our home or protecting us from future damage associated with their project.

It took almost <u>three years</u> for the project sponsors to take care of the problem despite many warnings from DBI. (See Exhibit A for the DBI report.)

When the project sponsors finally replaced the failing retaining wall between the properties in response to Notice of Violations, they did so in a dangerous manner: the vibration resulted in a broken window, and they damaged a tree thereby creating a hazard for the McAlister's as well as completely destroying their garden. As shown in *Figure 9*, the project sponsors replaced damaged shingles with plywood and have just left it that way instead of replacing the shingles.

Moreover, the McAlisters told them that they did not want them to take out the wall along the back garden, because there was nothing wrong with it. However, they did it anyway. When they asked them not to cut down a tree on the McAlister's property near their dining room window, they did it anyway.

Question 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 adversely affected, please state who would be affected, and how.

Please see responses to Question 1 above. Because the project would adversely impact so many other neighbors, other neighbors are requesting Discretionary Review for many of the same reasons the McAlisters are making such a request.

Question 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?

- 1. The horizontal extension into the rear and side yards needs to be vastly reduced to protect the McAlister's light and air and visual access to the midblock open space.
- 2. The fourth floor should be eliminated, and the side setbacks increased so that the scale of the structure is more in keeping with the neighborhood.
- 3. A construction management plan and shoring plan should be prepared and shared with the McAlisters to guarantee that their historic home, garden, and foundation will be protected. Pre-and post-construction surveys should be provided and funded by the project sponsor. The damage that they already caused due to the old retaining wall must also be addressed.

EXHIBIT A PROJECT SPONSOR'S NOTICE OF VIOLATION HISTORY

Property purchased by project sponsors on June 30, 2017 (Source: San Francisco Assessor's Office). It took them almost three years to do something about the failing retaining wall.

Welcome to our Permit / Complaint Tracking System!

COMPLAINT DATA SHEET

Complaint Number: 201773191

OWNER DATA Owner/Agent: Date Filed: SUPPRESSED

Owner's Phone: 4250 26TH ST Location:

Contact Name: Block: 6555 Contact Phone: 019 Lot:

COMPLAINANT DATA Complainant: Site: SUPPRESSED Rating:

Occupancy Code:

Received By:

Adora Canotal Complainant's

Division: PID Phone:

Complaint Source: 311 INTERNET REFERRAL

Assigned to Division: CES

4250 26th St. --- Homeowner's deceased & backwall is pushing onto 4228 26th's homeowner's yard. Driveway is Description:

also in hazardous condition. Inspection is requested.

Instructions: 311 SR No. 7003967

INSPECTOR INFORMATION

DIVISION	J	INSPECTOR	ID	DISTRICT PRIORITY
CES	HINCHION		1125	

REFFERAL INFORMATION

DATE	REFERRED BY	ТО	COMMENT
9/28/2017	GSA USER	CES	Referred to CES per D. Duffy -jtran

COMPLAINT STATUS AND COMMENTS

Attachment 1 McAlister DR Application Attachment

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
04/10/17	CASE OPENED	BID	Simas	CASE RECEIVED	
04/14/17	OTHER BLDG/HOUSING VIOLATION	BID	Duffy	FIRST NOV SENT	Issued N.O.V
04/18/17	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	CASE UPDATE	Mailed 1st NOV; s.thai
09/26/17	6/30/2017 Sale Date OTHER BLDG/HOUSING VIOLATION	BID	Duffy	FINAL WARNING LETTER SENT	
09/28/17	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	CASE UPDATE	Final Warning Letter Sent -jtran
09/28/17	GENERAL MAINTENANCE	BID	Duffy	REFERRED TO OTHER DIV	tranfer to div CES
10/05/17	GENERAL MAINTENANCE	CES	Hinchion	CASE RECEIVED	rec by CES - jr
11/28/17	OTHER BLDG/HOUSING VIOLATION	CES	Keane	REFER TO DIRECTOR'S HEARING	Ref.DH.12/12/17.tdk.
11/30/17	OTHER BLDG/HOUSING VIOLATION	CES	Keane	DIRECTOR HEARING NOTICE POSTED	Post. for 12/12/17.tdk.
12/12/17	OTHER BLDG/HOUSING VIOLATION	CES	Keane	CASE CONTINUED	Cont.DH.1/16/18.tdk.
01/16/18	OTHER BLDG/HOUSING VIOLATION	CES	Keane	CASE RETURNED	Returned to CES. tdk.
01/24/20	OTHER BLDG/HOUSING VIOLATION	CES	Hinchion	CASE ABATED	per Pa #201712206959
01/27/20	OTHER BLDG/HOUSING VIOLATION	CES	Hinchion	CASE CLOSED	cbs

COMPLAINT ACTION BY DIVISION

NOV (HIS):	NOV (BID):	04/14/17

Inspector Contact Information



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

questor's Inform	ation		
	Email Address:		
	Telephone:		
Applicant	Other (see below for details)		
Email:	Phone: _		
er of the Propert	y Being Developed		
	Email Address:		
	Telephone:		
d Related Applic	ations		
CRETIONARY REV	/IEW REQUEST		
PRIOR ACTION		YES	NO
th the permit applicant	?		
e Planning Department	permit review planner?		
iation on this case? (inc	cluding Community Boards)		
	Applicant Email: or of the Property CRETIONARY REV PRIOR ACTION th the permit applicant e Planning Department	Telephone: Applicant Other (see below for details) Email:Phone: Prof the Property Being Developed Email Address: Telephone: d Related Applications CRETIONARY REVIEW REQUEST	Email Address: Telephone: Applicant Other (see below for details) Email:Phone: er of the Property Being Developed Email Address: Telephone: d Related Applications CRETIONARY REVIEW REQUEST PRIOR ACTION YES th the permit applicant? e Planning Department permit review planner?

If you	es Made to the Project as a Result of Mediation. have discussed the project with the applicant, planning staff or gone through mediation, please summarize the including any changes that were made to the proposed project.
DISC	RETIONARY REVIEW REQUEST
In the	space below and on seperate paper, if necessary, please present facts sufficient to answer each question.
1.	What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.
	The 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.
	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?

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made: a) The undersigned is the DR requestor or their authorized representation. Name (Printed) Phone Relationship to Requestor Email (i.e. Attorney, Architect, etc.) For Department Use Only Application received by Planning Department:

By: _

Date: _

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 circumstance 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 have lived at 447 Clipper St (directly in back of the proposed project) since 2007. We're not anti-development. We remodeled our home and worked with our neighbors during our project to ensure we kept with the spirit of the neighborhood as well as address any concerns about how our project would impact their homes. This project is the very definition of a monster home. It is a significant and unsettling new approach to development. Aside from the project itself, we are extremely dismayed about the approach taken by the developer to take advantage of every loophole and refuse to address concerns of the neighbors around the project.

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 impacts of this project are significant:

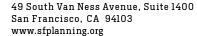
- 1) The **overall mass** of this project is outside of the scale of the neighborhood. In fact, the project would not be approved under current ordinances. Given that zero shovels have touched ground, it is completely fair for this project to be subject to the most updated ordinances regarding development.
- 2) **Loss of privacy**: the proposed home has an inordinate amount of glass and windows (to capture the lovely view, no doubt). Unfortunately, this means that there will be far less privacy for those of us on the south side of the home.
- 3) Encroachment on **mid-block open space**: one of the unique aspects of our block is mid-block open space. The mass of this project will significantly reduce this open yard space that defines this particular section of Noe Valley. Encroaching on this space in this manner is a dangerous precedent for future development.
- 4) Impact to **light for surrounding neighbors:** the scale of this home will significantly alter the light for neighbors on all sides. Aside from reduced light to the east and west, those of us to the south will experience light reflecting and refracting from all of the windows.
- 4) **Unexplored environmental impacts** to natural springs: this will be the largest home in this area of Noe Valley. There are significant natural springs in the area. We've noted changes to the wetness of our backyard from other uphill remodeling projects and would anticipate a project of this size will significantly alter the flow of these springs, and this impact should be explored.

Even if the springs are not taken into account, the reduction of ground surface area will result in rainfall being pushed toward the neighbors, instead of being soaked into the property's backyard. Water runs downhill if it has no place to settle. That is just a fact. Our property is likely to be the unfair repository for much of this extra water.

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 would like for the applicants to reduce the overall mass of the project to adhere to the most recent guidelines. This could be accomplished in 3 ways: 1) increase the rear-yard to 30% (the current guideline) rather than the 25% in the developer's proposal. 2) Reconsider the top floor of the home to reduce the house mass and keep more in the size and spirit of the neighborhood. 3) reduce the overall area of the glass on the back of the house to reduce glare and ensure a modicum of privacy for the neighbors.

In addition, we would like to understand how the proposal will address the environmental impacts of introducing such a large structure into a hilly area with significant natural springs.





DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION PACKET

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

For questions, you can call the Planning counter at 628.652.7300 or email <u>pic@sfgov.org</u> where planners are able to assist you.

Please read the <u>Discretionary Review Informational Packet</u> carefully before the application form is completed.

WHAT TO SUBMIT:

Fee Schedule).

\square Two (2) complete applications signed.
☐ A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
☐ Photographs or plans that illustrate your concerns.
$\hfill\Box$ Related covenants or deed restrictions (if any).
☐ A digital copy (CD or USB drive) of the above materials (optional).

☐ Payment via check, money order or debit/credit

for the total fee amount for this application. (See

HOW TO SUBMIT:

To file your Discretionary Review Public application, please email the completed application to cpc.intake@sfgov.org.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文:如果您希望獲得使用中文填寫這份申請表的幫助,請致電628.652.7550。請注意,規劃部門需要至少一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

iscretionary Review Requestor's Information				
Name:				
	Email Address:			
Address:	Telephone:			
Information on the Owner of the Pr	operty Being Developed			
Name:				
Company/Organization:				
	Email Address:			
Address:	Telephone:			
Property Information and Related A	Applications			
Project Address:				
Block/Lot(s):				
Building Permit Application No(s):				
ACTIONS PRIOR TO A DISCRETIONAL	RY REVIEW REQUEST			
PRIOR AC		YES	NO	
Have you discussed this project with the permit a	pplicant?			
Did you discuss the project with the Planning Dep	artment permit review planner?			
Did you participate in outside mediation on this ca	ase? (including Community Boards)			
Changes Made to the Project as a Result of Mediat If you have discussed the project with the applicathe result, including any changes that were made	nt, planning staff or gone through mediation	, please sum	marize	

DISCRETIONARY REVIEW REQUEST

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

CITC	space below and on seperate paper, if necessary, prease present facts sufficient to answer each question.
1.	What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.
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.
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?

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made: a) The undersigned is the DR requestor or their authorized representation. Signature Name (Printed) Relationship to Requestor Phone Email (i.e. Attorney, Architect, etc.) For Department Use Only Application received by Planning Department:

By: _

Date: _

Attachment - 4250 26th St DR

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

The proposed development is not in keeping with current standards of the Planning Code and Residential Design Guidelines - they snuck in under a lapse that has since been remedied.

We live at 445 Clipper Street, north (behind) of the proposed development at 4250 26th St. We've been in our house since late 2018 and gone through a remodel of our own. We worked with neighbors to reach mutually agreeable plans on our remodel and also their remodel projects.

We are in favor of building improvements and restoration, however; we are very concerned about the scale of the proposed development and how dramatically out of character it is with the rest of the homes in this neighborhood. The existing *two-story*, 3,084 gross square foot (GSF) **historic** home built in 1929, is planned to be demolished and replaced with a *four-story*, 6,318 GSF structure. The occupiable area would increase from 1,330 to 4,789 square feet (SF), or a **260 percent increase**. The planned development is a full story higher than any in the immediate neighborhood.

We also have specific concerns about the negative impact to privacy, open space, and sun this proposed development would have to the back of our property.

We, along with many neighbors, have raised these issues with the architect, both in the pre-application planning meeting and in follow up conversations. We have met in good faith with a desire to find a compromise, but the project sponsor has been unwilling to consider or incorporate any changes to mitigate our concerns or provide basic shadow studies or 3d images from vantage points other than those obscuring the true impact on the neighborhood.

We are not expert in the residential design guidelines but in speaking with the Office of Supervisor, our understanding is that these are the exact sorts of concerns the guidelines are supposed to address and protect against. We trust you will acknowledge these legitimate concerns in granting a discretionary review.

(1) Exceptional height, width, depth mass

The overall mass of the proposed development is exceptional - each independent dimension (height, width, depth) would be exceptional on its own and together the structure would be extraordinarily out of character with the block and neighborhood. The looming height and immense depth together with the full-lot width on a lot that, at **40'**, is **far higher, deeper, and wider** than any home in the surrounding area. The adjacent and nearby lots on the blockface range from 20' to 26.7' in width.

As shown in the image below, the height specifically puts it dramatically higher than the surrounding rooflines. Even with a top floor setback from the street, the discontinuity will be visible from multiple points on 26th St and Clipper St. There are no 4-story buildings of mass like this; it would be completely out of place and domineering. Note: a portion of the highlighted existing structure is just a gate (open space) and not a structure (its misleading to have it highlighted).



(2) Exceptional impacts on the mid-block open space

There are no existing homes that would impact the open space like this proposed development - it would set precedence. Resident neighbors along 26th St and Clipper St have designed their remodels to protect the mid-block open space. For example, when we remodeled our kitchen two years ago, we were careful not to go outside the envelope of the preexisting footprint, so that the neighbors' experience of the space was conserved.

Unlike the neighbors, this project sponsor is proposing a substantial expansion into the existing mid-block open space leaving only the bare minimum 25% rear yard that was required at the time that the application was submitted **instead of the current 30% min requirement**. The project proposes to extend an additional 30' feet into the rear yard. The existing rear yard is 59', or 51.8 percent. The project would reduce the rear yard to the old minimum requirement – 28' 6", or 25 percent. This massive structure would loom into our privacy and light.

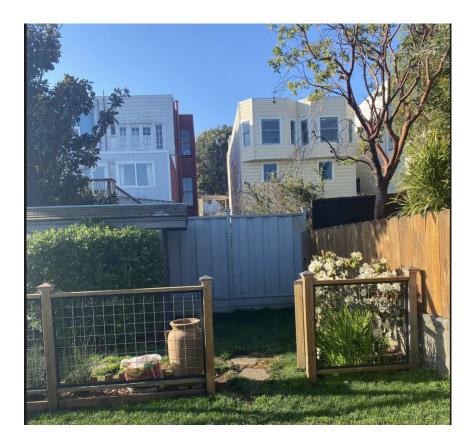
As shown in the images below, the rear wall of the project would extend further into the rear yard than its neighbors. At a minimum, the rear wall should be set back to the midpoint between the rear wall of the adjacent neighbors. This proposed development would significantly push into the height, width, and depth of the open space in a way that would likely set precedent for years to come.



(3) Exceptional impacts on privacy and sun to our bedrooms and backyard

The size and proximity (and size of windows) of the proposed development would stare directly over and into our home and yard. It would be completely and disproportionally looming over the rest of the homes in the vicinity as well. (See photographs below.)





(2) The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how the 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 the points above in response to question 1. This proposed project is unprecedented in its size and significantly impacts several neighbors along 26th Street (notably the immediate homes on either side), as well as neighbors on Clipper Street.

(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 would like the sponsors to redesign the project to be in keeping with the character and size of the neighborhood by reducing the overall massing (height, width, depth) and reconsideration of preserving the historical San Franciscan home. This would be achieved by removing the top-floor penthouse or through a significant reduction in the overall height attained through other means and retaining the facade and majority footprint of the current home. This would allow for better preservation of our privacy and sun coming into the back of our house and property (kitchen, 3 bedrooms).

To: President Koppel, Vice-President Moore and Members of the Commission

cc: David Winslow and Gabriela Pantoja

From: G. Schuttish

Re: 4250 26th Street 32018-002508 DRP-05

4250 26th Street should not be demolished.

It is a specific to San Francisco style of domestic (or vernacular) architecture known as <u>Barrel-Front Mediterranean Revival</u>. Sometimes these houses are called "Marina-Style", but not all Marina-Style homes have the Barrel-Front. Nor do all Mediterranean Revival homes have the Barrel-Front with original windows.

The <u>Barrel Front</u> makes it unique to San Francisco per the Department's own documents, most specifically Mary Brown's Study, "Sunset District Residential Builders, 1925-1950".

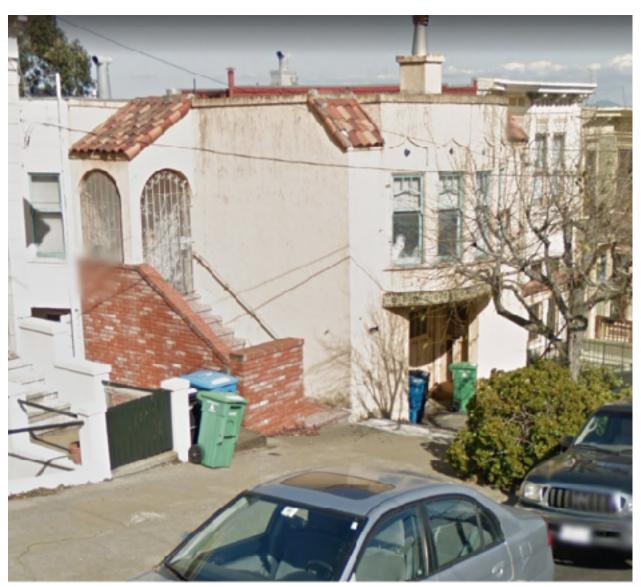
Mary Brown, a member of the Department's staff, wrote in her Study, that this style was *only* built from circa 1925 - 1931 (page 90). 4250 26th Street was built in 1929. She also wrote (page 118) that she recommends further study of the Barrel-Front Mediterranean Revival houses because "...it appears to be the most commonly and uniformly constructed style in the mid-1920s".

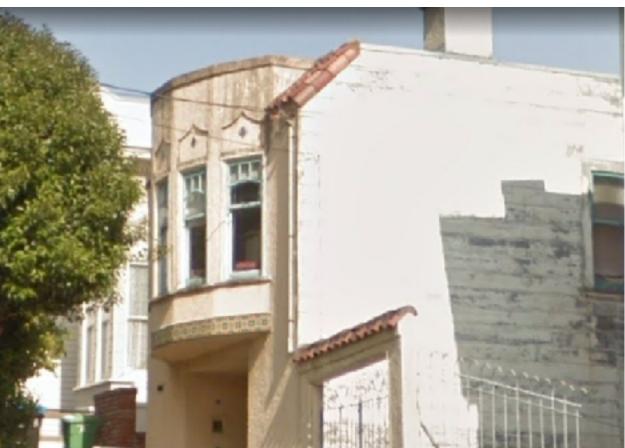
Granted her study focuses on the Sunset, however two other studies cite Mediterranean Revival as the main infill in Noe Valley. (See the HRE for 801 Sanchez Street, which was prepared for Reuben, Junius and Rose and the HRE for 835 Sanchez which was prepared by Page & Turnbull)

However, Ms. Brown's recommendation of further study of <u>Barrel-Front</u> Mediterranean Revival houses should not be ignored or overlooked.

This <u>Barrel-Front Mediterranean Revival</u> house on 26th Street is a particularly good example because it is detached on all sides. The house next door at 4258 26th Street which is for sale, preserved its Victorian facade. Victorians were the most "constructed style" in the pre-WWI period of development, just as the <u>Barrel-Front Mediterranean-Revival</u> was a decade later per Mary Brown and it is very unfortunate that she could do the further study that she recommended.

The Mediterranean Revival with the Barrel Front home is unique to San Francisco, a style built in a narrow window of time. Given the lot size there could be a reasonable expansion of the home, even with the addition of an ADU, that would not cross the thresholds of the Demolition Calculations. The Planning Commission should take Discretionary Review, deny the Demolition, and preserve this Barrel-Front Mediterranean Revival home.







RESPONSE TO DISCRETIONARY REVIEW

Pro	operty Address:	Zip Code:
Bu	uilding Permit Application(s):	
Re	ecord Number:	Discretionary Review Coordinator:
Pr	roject Sponsor	
Na	ame:	Phone:
En	mail:	
Re	equired Questions	
1.		r and other concerned parties, why do you feel your proposed project should ne issues of concern to the DR requester, please meet the DR requester in addition .)
2.	requester and other concerned parties? I	osed project are you willing to make in order to address the concerns of the DR If you have already changed the project to meet neighborhood concerns, please her they were made before or after filing your application with the City.
3.	would not have any adverse effect on the	sed project or pursue other alternatives, please state why you feel that your project surrounding properties. Include an explaination of your needs for space or other from making the changes requested by the DR requester.

Project Features

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

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

^{*} As of 12/3/2018 Appraisal

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

Signature:	Judy Kight	Date:
Printed Name:		☐ Property Owner ☐ Authorized Agent

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

4250 26th Street Discretionary Review Response

Attachment I

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 Project proposes a four-bedroom dwelling unit over a large two-bedroom ADU. The primary unit, at 4,297 gross square-feet, would be only 1,213 square-feet larger than the existing 3,084 square-foot house. The living space of the proposed primary unit without the garage would be 3,678 gross square-feet. The proposed ground floor ADU would be 1,402 square-feet, which is larger than most of the ADU's being added to the San Francisco housing stock. Therefore, the Project as proposed provides housing for two San Francisco families.

The size of the building would be compatible with the large lot, which is 40 feet wide and 114 feet deep. The Project is Code-complaint and has been pulled back at the sides and at the top floor to minimize impacts on neighbors. The Project proposes a five-foot setback between the Proposed building and the building to the east at 4228 26th Street to preserve light and air to existing property line windows. It also provides a five-foot setback between the new built area and the property to the west at 4258 26th Street, increasing to a 10-foot setback at the second and third floors. In addition, the rear roof has been made non-occupied landscaped roof instead of occupied roof deck in order to preserve the privacy of 4258 26th Street. The second floor was further revised to remove the west facing window and replace the wrap-around roof deck adjacent to 4258 26th Street with unoccupied planted roof.

The proposed top floor is 956 gross square-feet, which on a lot of this size is quite appropriate in scale. The deck at the top floor is at the front of the property, minimizing the massing of the top floor at the streetfront. The third-floor level is set back 27'8" from the front property line and is only 17' 4" deep. Therefore, the footprint of the top level is quite minimal. The third-floor deck is set back 15 feet from the front property line. Therefore, the impact of the top floor on the streetfront is also minimal.

The Project is in compliance with the 25% rear yard setback requirement. After the Project, the rear of the building will extend only 3' 8" past the rear of the property to the west at 4258 26th Street. The rear yard would also be consistent with many of the other houses on the block. The proposed Project would leave significant room between the new house and the houses to the rear on Clipper street. The houses at 445, 447, and 449 Clipper Street would be approximately 85'-0" on average from the rear of the new building. In addition, there are numerous trees between the properties. Therefore, the Project will not have privacy impacts in the Clipper Street properties.

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

We have already made changes to address the DR Requestors' concerns:

- In response to concern about the size of the primary unit, the Project was voluntarily modified prior to 311 notice to significantly reduce the size of the primary unit and provide additional housing by creating a two-bedroom 1,402 square-foot ADU;
- A five-foot setback was added between the proposed building and the property line adjacent to 4228 26th to provide greater light and air to that property, including an existing property line stained glass window;
- The second floor was modified to remove the west facing window and the deck adjacent to the property at 4258 26th Street to protect the privacy of that property.

These changes represent significant modifications to address the neighbors' concerns after the application was filed with the City.

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 Project includes two family-sized units. The main unit contains four bedrooms, which is a unit size that is in demand by families who wish to remain in the City rather than leaving to meet the space demands of growing families. The ADU is also a family-sized unit, which is a type of rental housing very much in need in the City. The Project has already been reduced in massing to reduce impacts to adjacent properties. Any further reduction would needlessly reduce the family living space of the two proposed units.







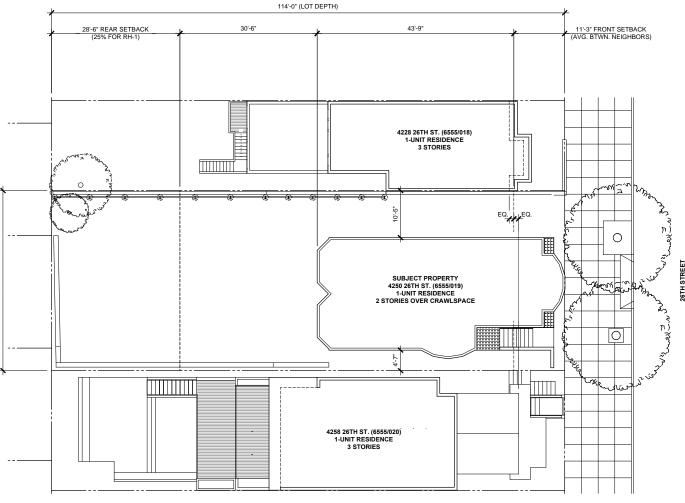


NOT FOR CONSTRUCTION

EDMONDS + LEE ARCHITECTS, INC.

2601 Mission \$1., #503 \$an Francisco, CA 94110 T 415 . 285 . 1300 www.edmondslee.com





(NEW) SITE PLAN

SCALE: 3/32" = 1'-0"

114'-0" (LOT DEPTH)

4228 26TH ST. (6555/018) 1-UNIT RESIDENCE 3 STORIES

SUBJECT PROPERTY 4250 26TH ST. (6555/019) 1-UNIT RESIDENCE 3 STORIES OVER BASEMENT

4258 26TH ST. (6555/020) 1-UNIT RESIDENCE 3 STORIES 11'-3" FRONT SETBACK (AVG. BTWN. NEIGHBORS)

Ö

(EXISING) SITE PLAN

SCALE: 3/32" = 1'-0"

N 4

PROJECT:

26TH STREET

RESIDENCES

4250 26TH STREET

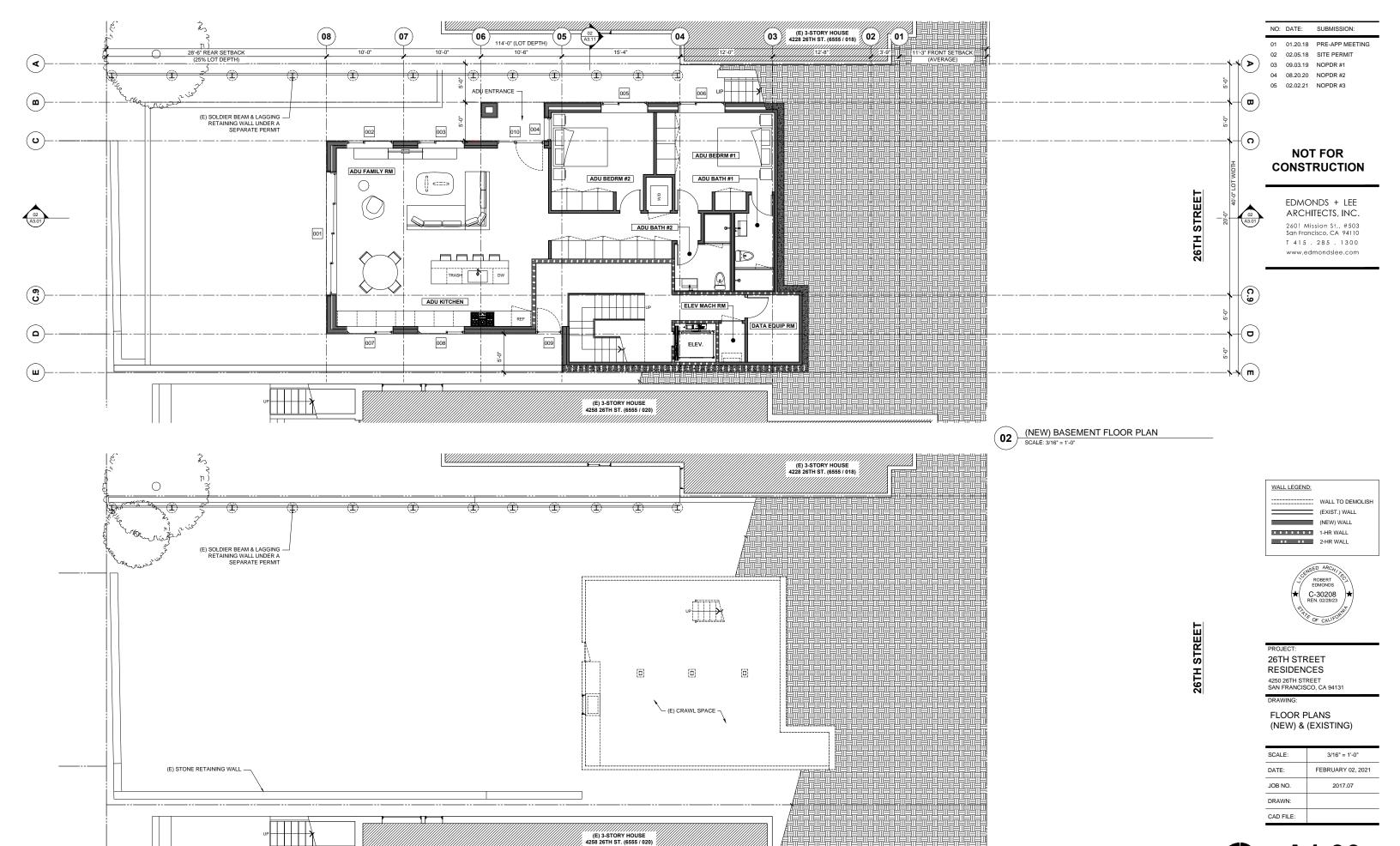
SAN FRANCISCO, CA 94131

DRAWING:

SITE PLAN (NEW) & (EXISTING)

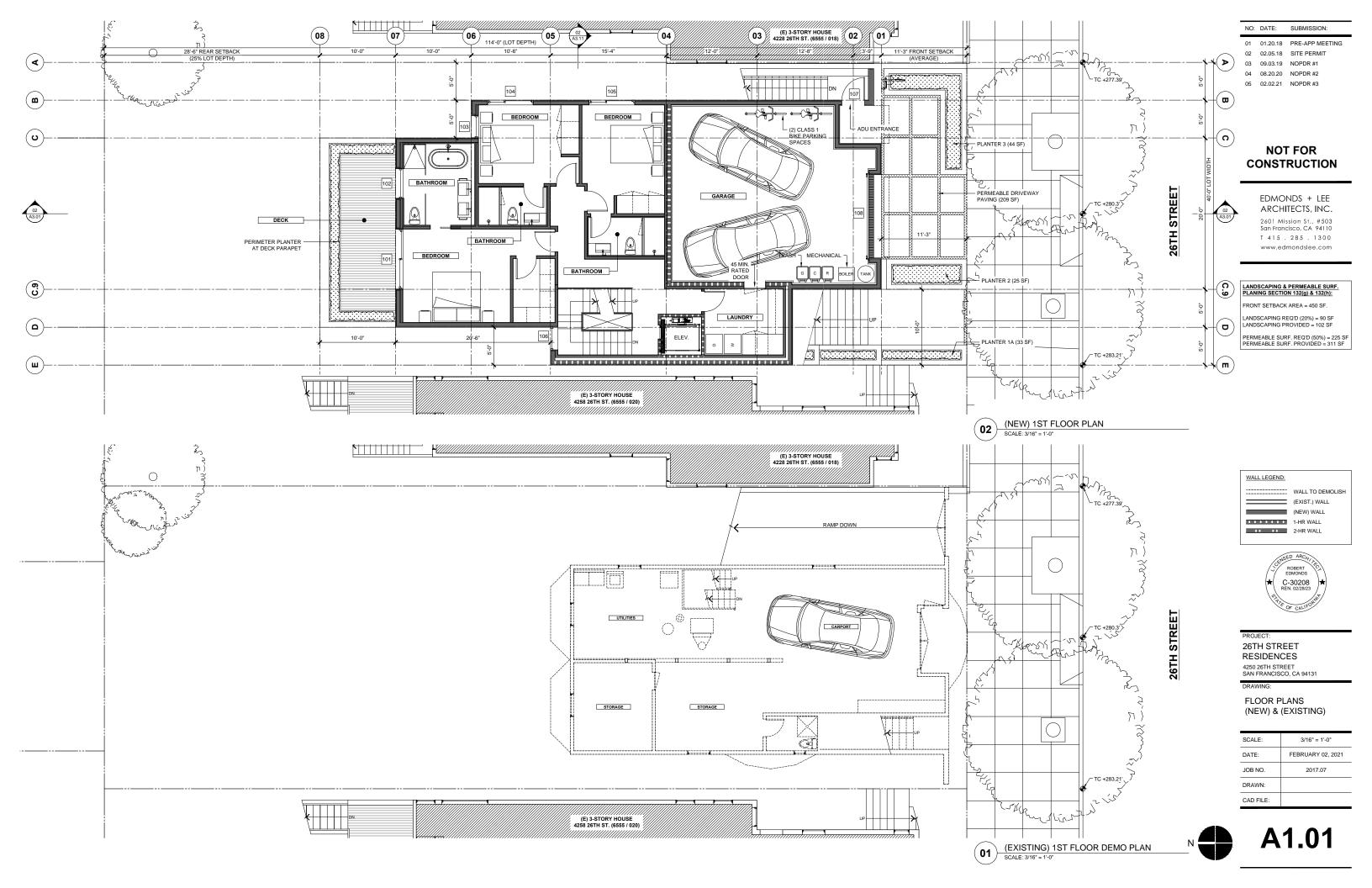
SCALE:	3/32" = 1'-0"	
DATE:	FEBRUARY 02, 2021	
JOB NO.	2017.07	
DRAWN:		
CAD FILE:		

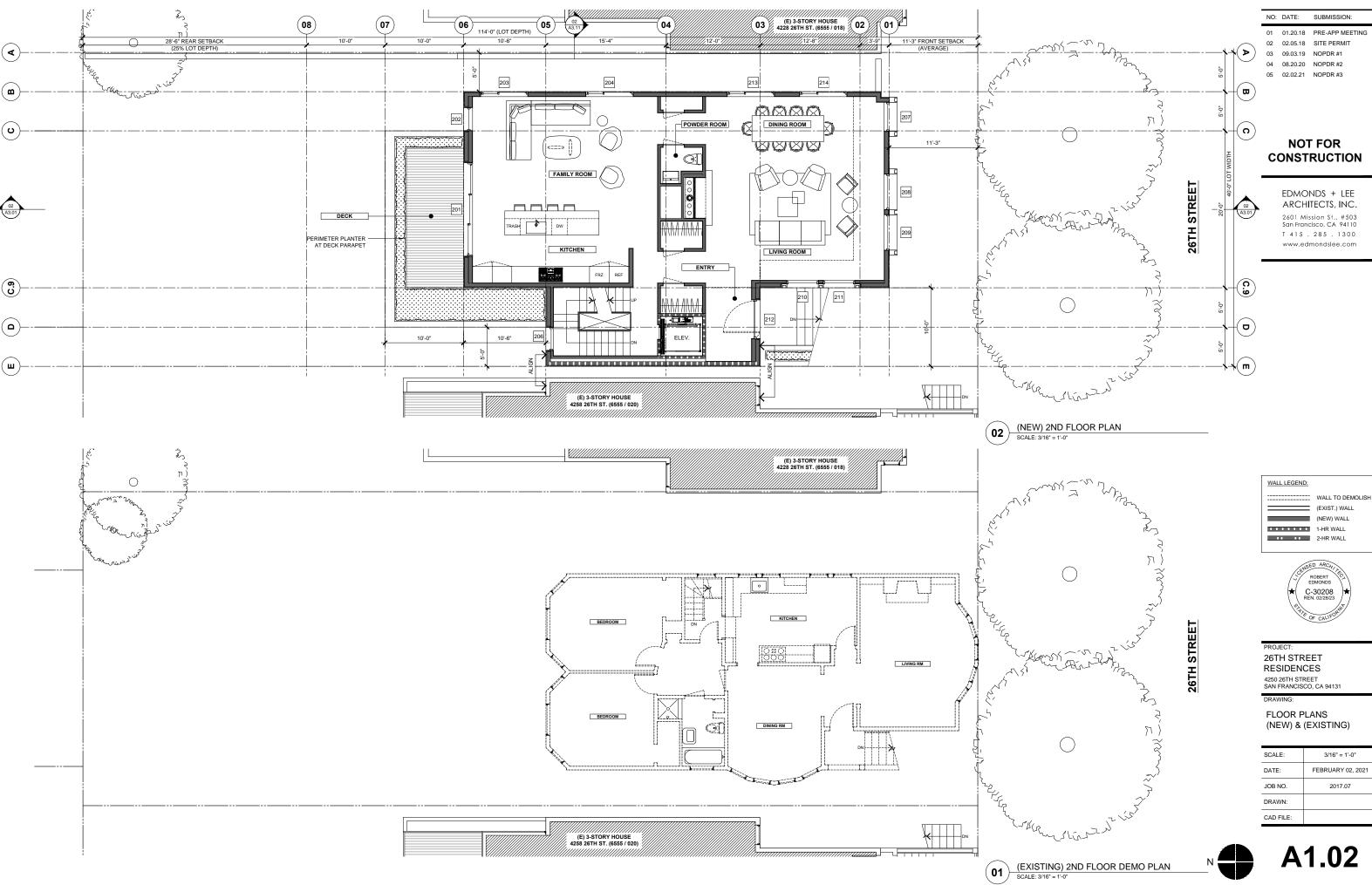
A0.10



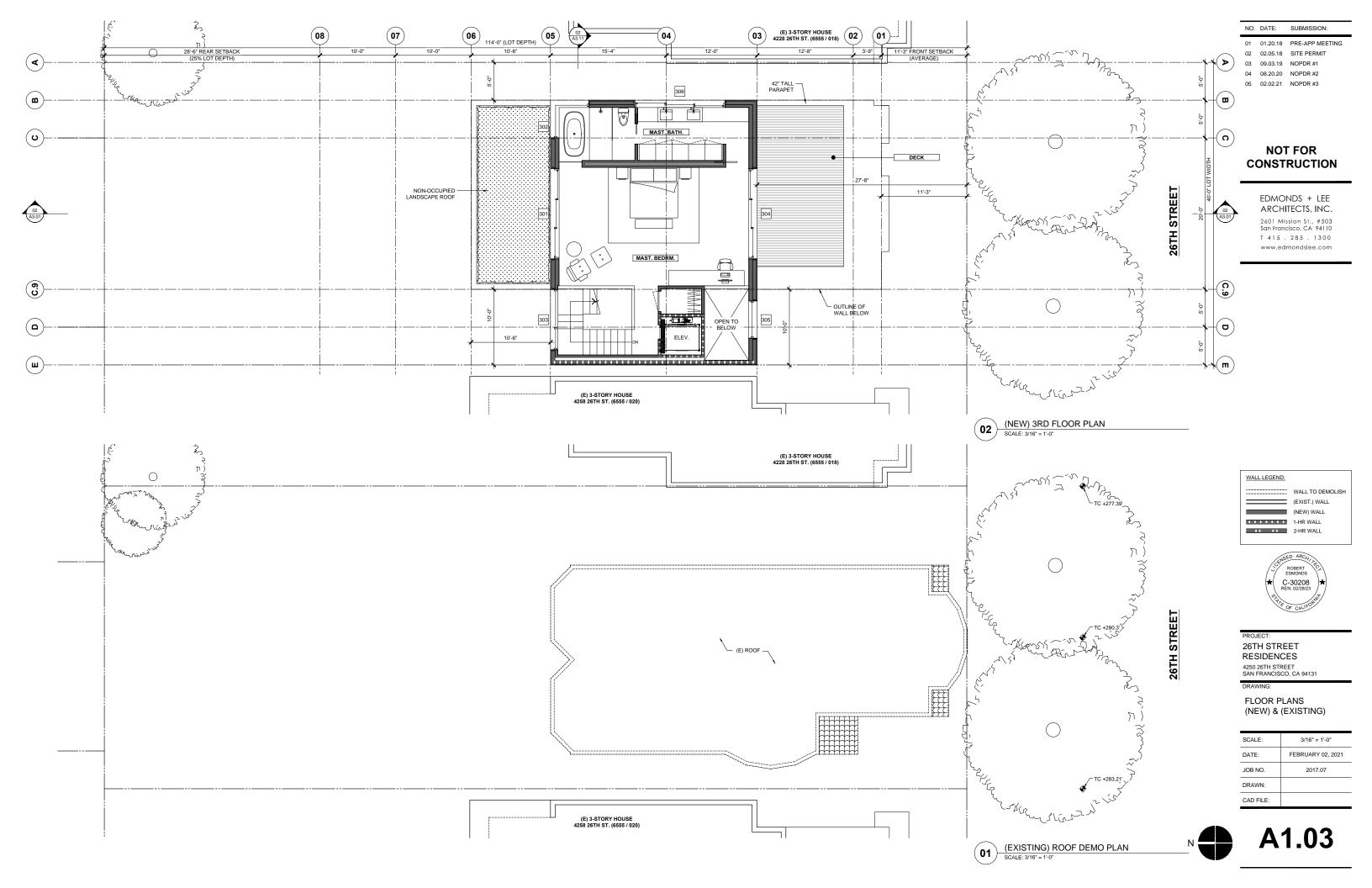
___N

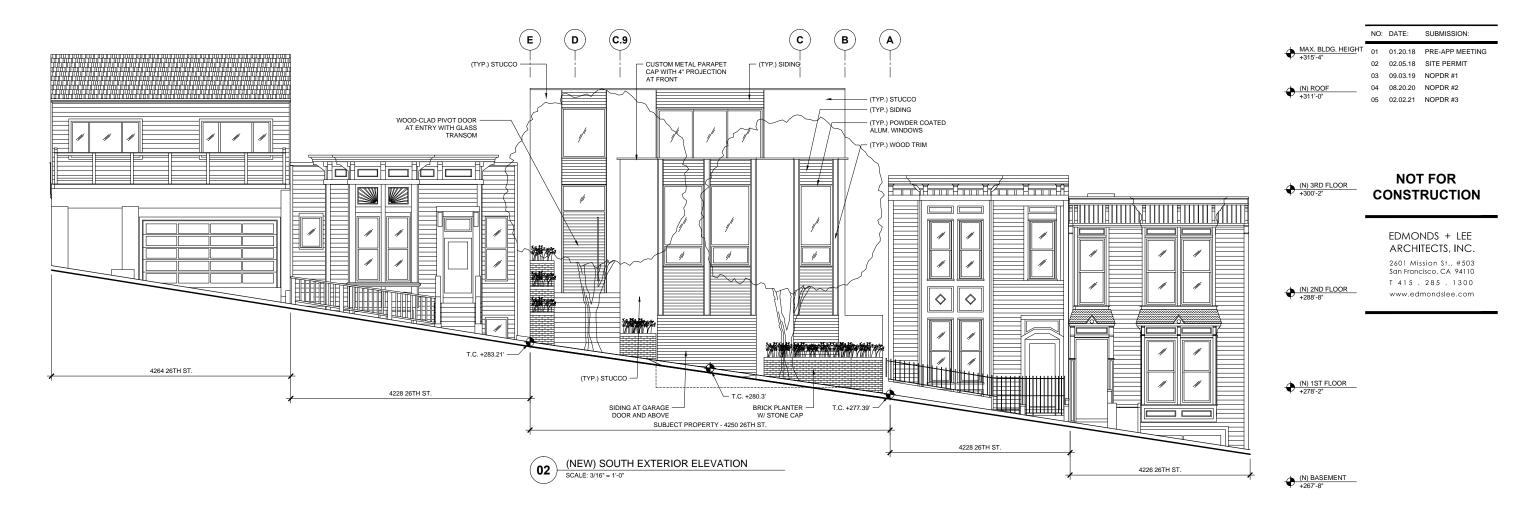
A1.00

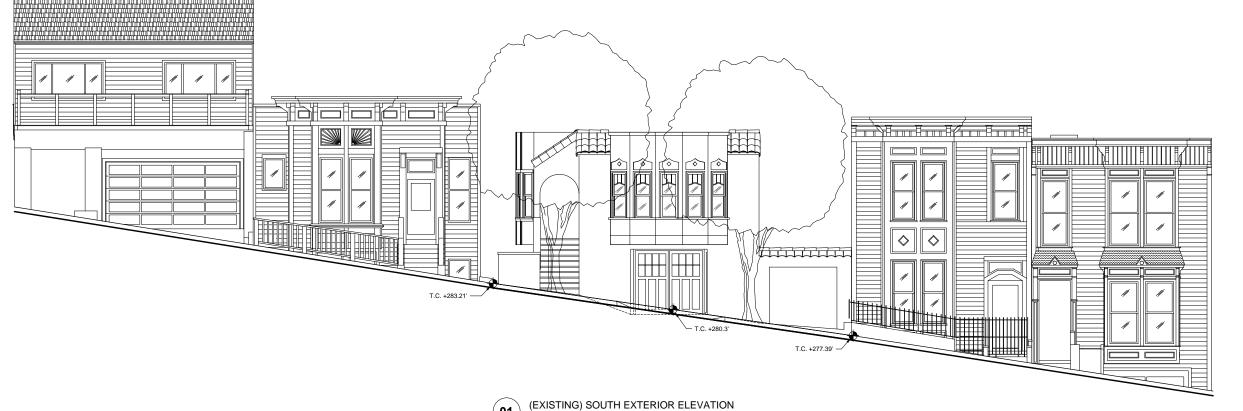




A1.02







SCALE: 3/16" = 1'-0"





(E) 2ND FLOOR +288'-6"

PROJECT:

26TH STREET

RESIDENCES

4250 26TH STREET

SAN FRANCISCO, CA 94131

DRAWING:

(E) 1ST FLOOR +280'-2"

EXTERIOR ELEVATIONS (NEW) & (EXISTING)

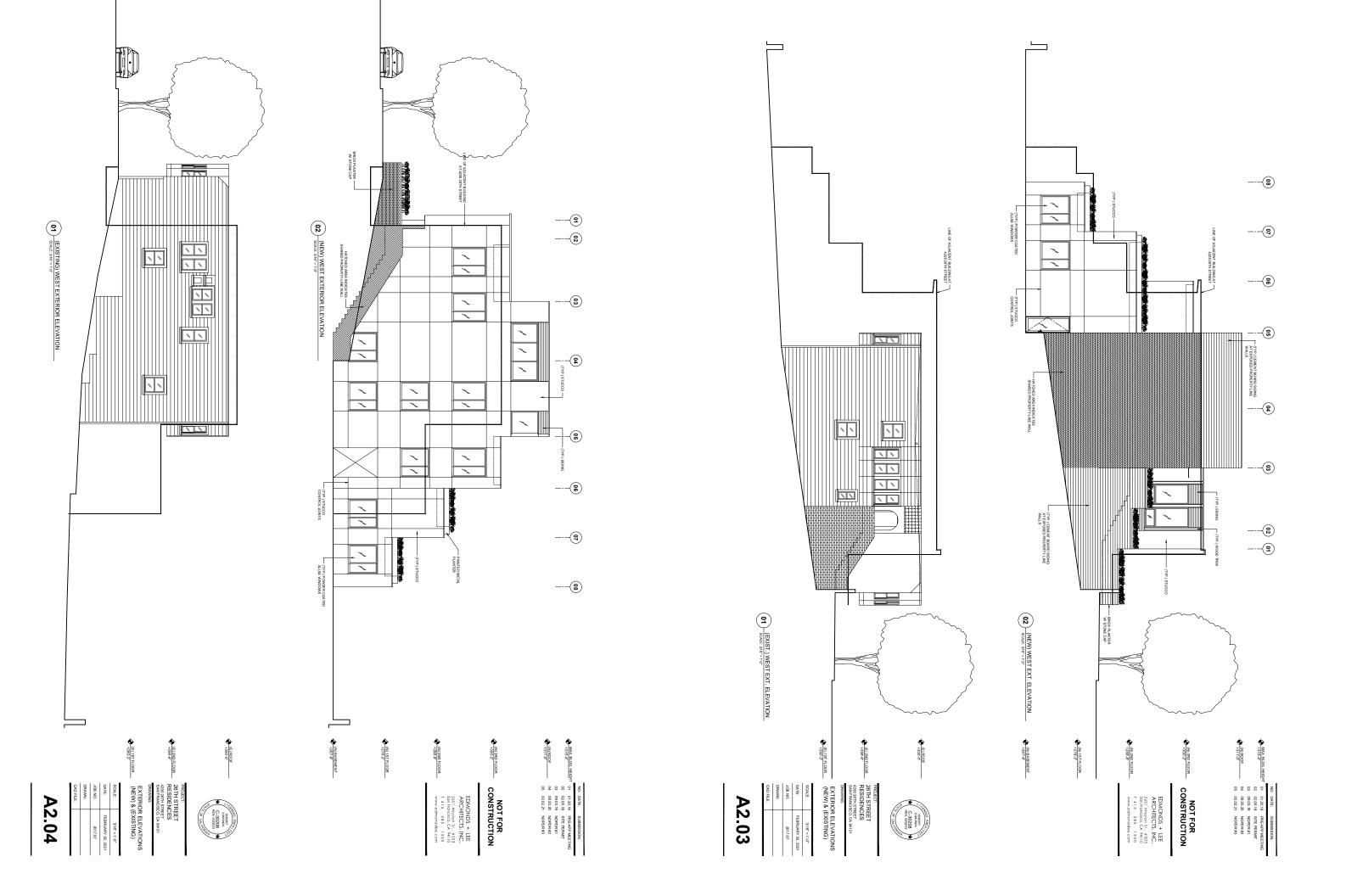
SCALE: 3/16" = 1'-0"

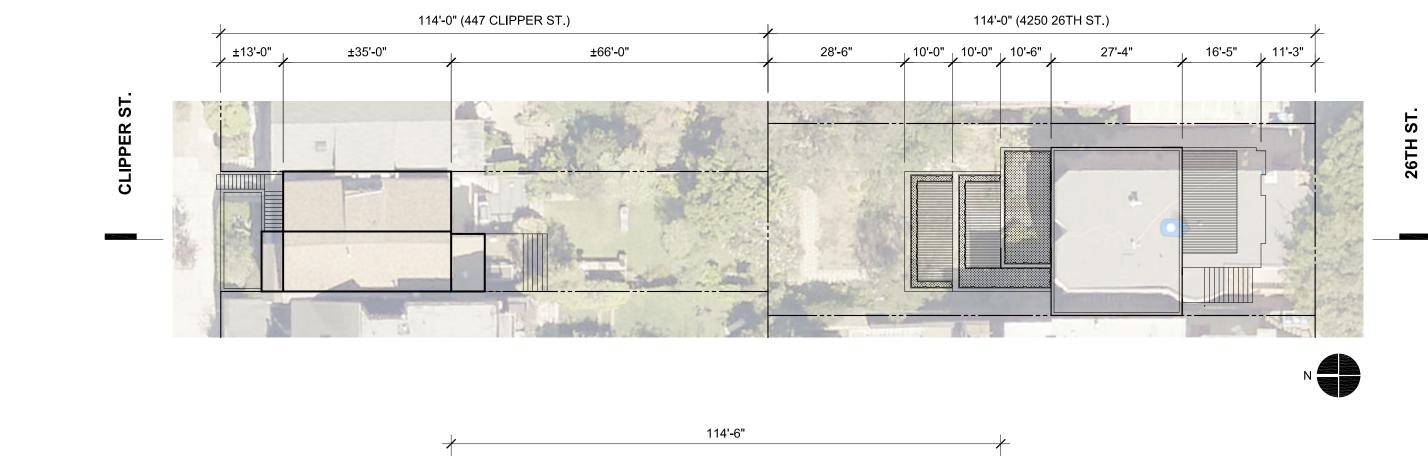
SCALE:	3/16" = 1'-0"	
DATE:	FEBRUARY 02, 2021	
JOB NO.	2017.07	
DRAWN:		
CAD FILE:		

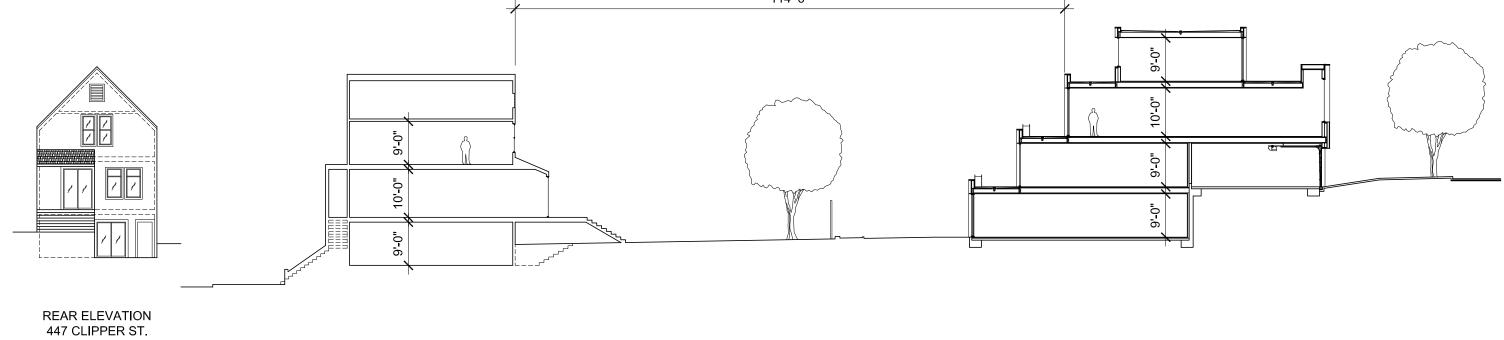


SCALE: 3/16" = 1'-0"

A2.02







DRAWING:	SITE SECTION	EDMONDS + LEE ARCHITECTS, INC.	SCALE: 1" = 20'-0"	DATE: 06.04.21
PROJECT:	26T ST. RESIDENCE 4250 26TH STREET, SAN FRANCISCO, CA 94131	2601 Mission Street, #503 San Francisco,CA 94110 T 415 . 285 . 1300 www.edmondslee.com	SK-202	1.06.04

