



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis HEARING DATE: MARCH 5, 2020

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: February 27, 2020
Case No.: **2018-002825DRP**
Project Address: **780 Kansas Street**
Permit Applications: 2018.0221.1876
Zoning: RM-1 [Residential Mixed, Low-Density]
40-X Height and Bulk District
Block/Lot: 4074 / 013A
Project Sponsor: Andy Rodgers
156 South Park
San Francisco, CA 94107
Staff Contact: David Winslow – (415) 575-9159
David.Winslow@sfgov.org
Recommendation: **Do Not Take DR and Approve**

PROJECT DESCRIPTION

The project proposes to demolish an existing rear addition and deck on an existing two-dwelling building and construct a vertical and horizontal addition to create a fourth floor sunroom with a roof deck above; enlarge the existing three floors; create roof decks at the second and fourth floors; add a garage at the ground floor; and remodel and reconfigure the interior of the existing two units. The existing building is located within the required rear yard and the proposed addition would result in additional encroachment. Therefore, a rear yard variance is required.

SITE DESCRIPTION AND PRESENT USE

The site is a 25' wide x 78'-3" irregular shaped lateral and down sloping lot with an existing 3-story home built in 1914 and is categorized as a 'C' – no Historic Resource present.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The buildings on this block of Kansas Street are generally 2- to 3-stories at the street face. The mid-block open space is varied- compromised mainly by a 3- story apartment building that occupies its full lot to the North of the DR requestor. The proposed project is set amidst similarly massed 3-story residential buildings that maintain a consistent line at the rear mid-block open space. This presents the responsibility of the subject property to fit into and preserve the adjacent neighbors' access to the mid-block open space.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	September 16, 2019 – October 16, 2019	10.10. 2019	1.23. 2020	105 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	January 3, 2020	January 3, 2020	20 days
Mailed Notice	20 days	January 3, 2020	January 3, 2020	20 days
Online Notice	20 days	January 3, 2020	January 3, 2020	20 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	1	0	0
Other neighbors on the block or directly across the street	3	1	0
Neighborhood groups	0	0	0

ENVIRONMENTAL REVIEW

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

DR REQUESTORS

Steven Altschuler and Lani Wu of 778 Kansas Street, adjacent neighbor to the North and downhill of the proposed project.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

Is concerned by the following issues:

1. The proposed building addition and roof deck will block light, impair access to the mid-block open space, and create privacy impacts.

See attached *Discretionary Review Application*, dated October 19, 2019.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The design has been extensively reviewed and modified to comply with the letter and intent of the Planning Code and Residential Design Guidelines. The proposed design responds to and fits the adjacent context, and here are no exceptional or extraordinary circumstances.

See attached *Responses to Discretionary Review*, dated February 24, 2020.

DEPARTMENT REVIEW

The Department's Residential Design Advisory Team (RDAT) re-reviewed this and confirmed that this meets the Residential Design Guidelines related light, privacy, and preservation of access to mid-block open space. The project sponsor has further modified the design of the building by reducing the massing at areas adjacent to the DR requestor's property to enable privacy and light and mid-block open space access is maintained, and as such Staff deems there are no exceptional or extraordinary circumstances.

Specifically, staff finds:

1. The angled rear extension of the building at the rear maintains visual access to the mid-block open space to the neighbors which along with side property setbacks preserve light and privacy.
2. The roof deck is modestly sized and set back 5' from side and rear building edges so as to pose minimal impacts to the adjacent neighbors' roof deck with respect to noise and privacy.

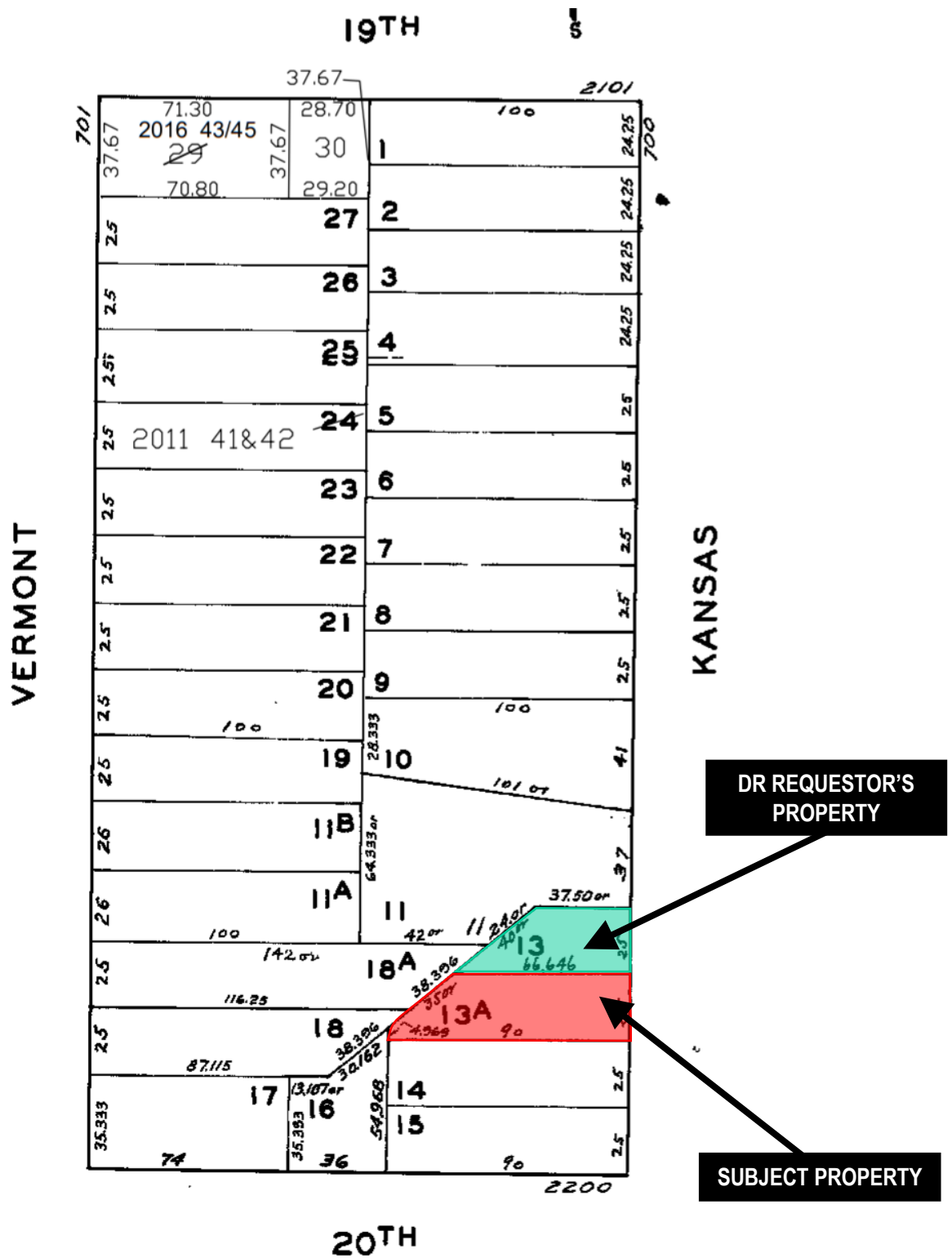
RECOMMENDATION:	Do Not Take DR and Approve
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Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Applications
Response to DR Application, dated February 24, 2020
Reduced Plans and 3-D renderings

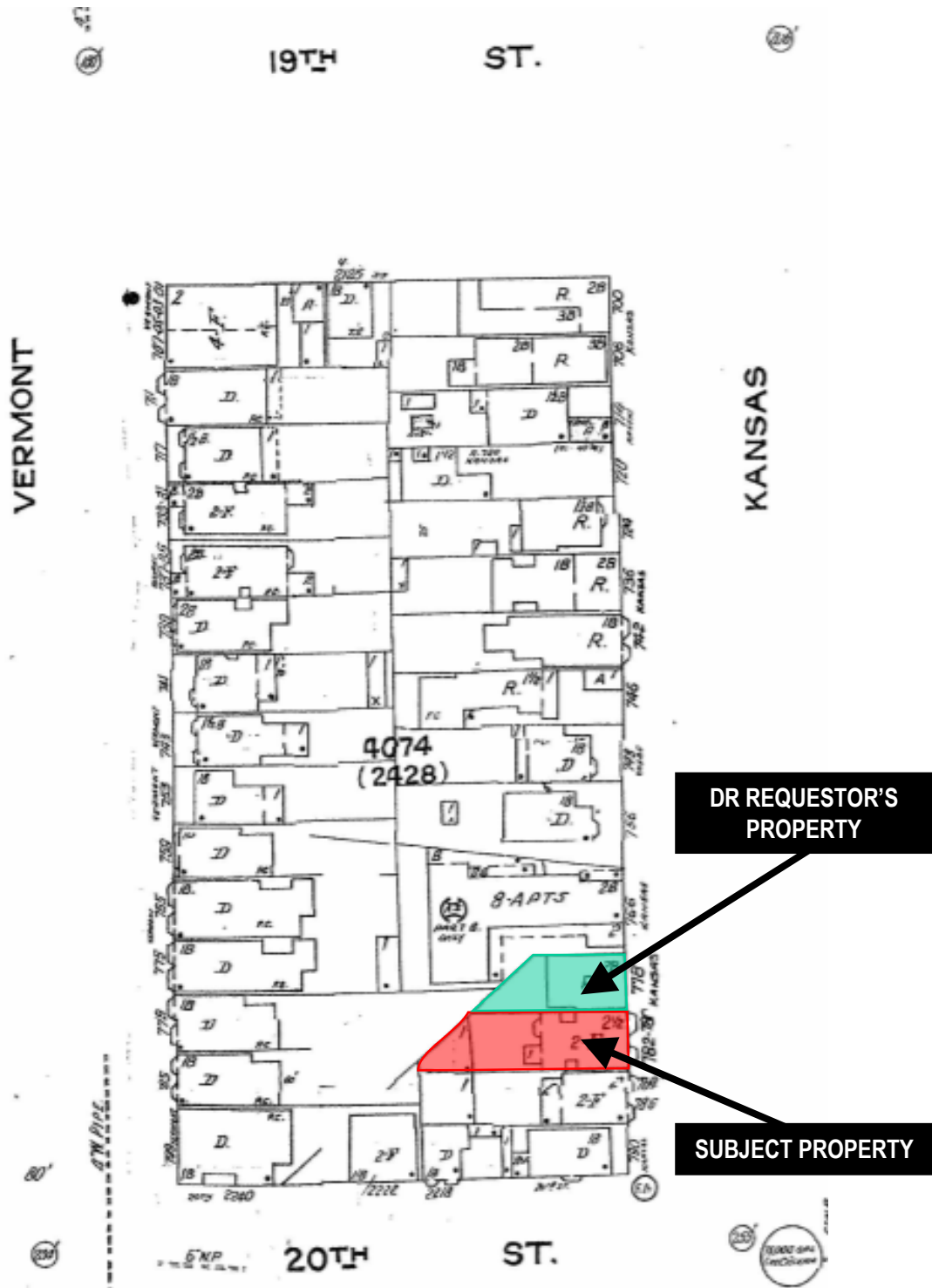
Exhibits

Parcel Map



Discretionary Review Hearing
Case Number 2018-002825DRP
780 Kansas Street

Sanborn Map*

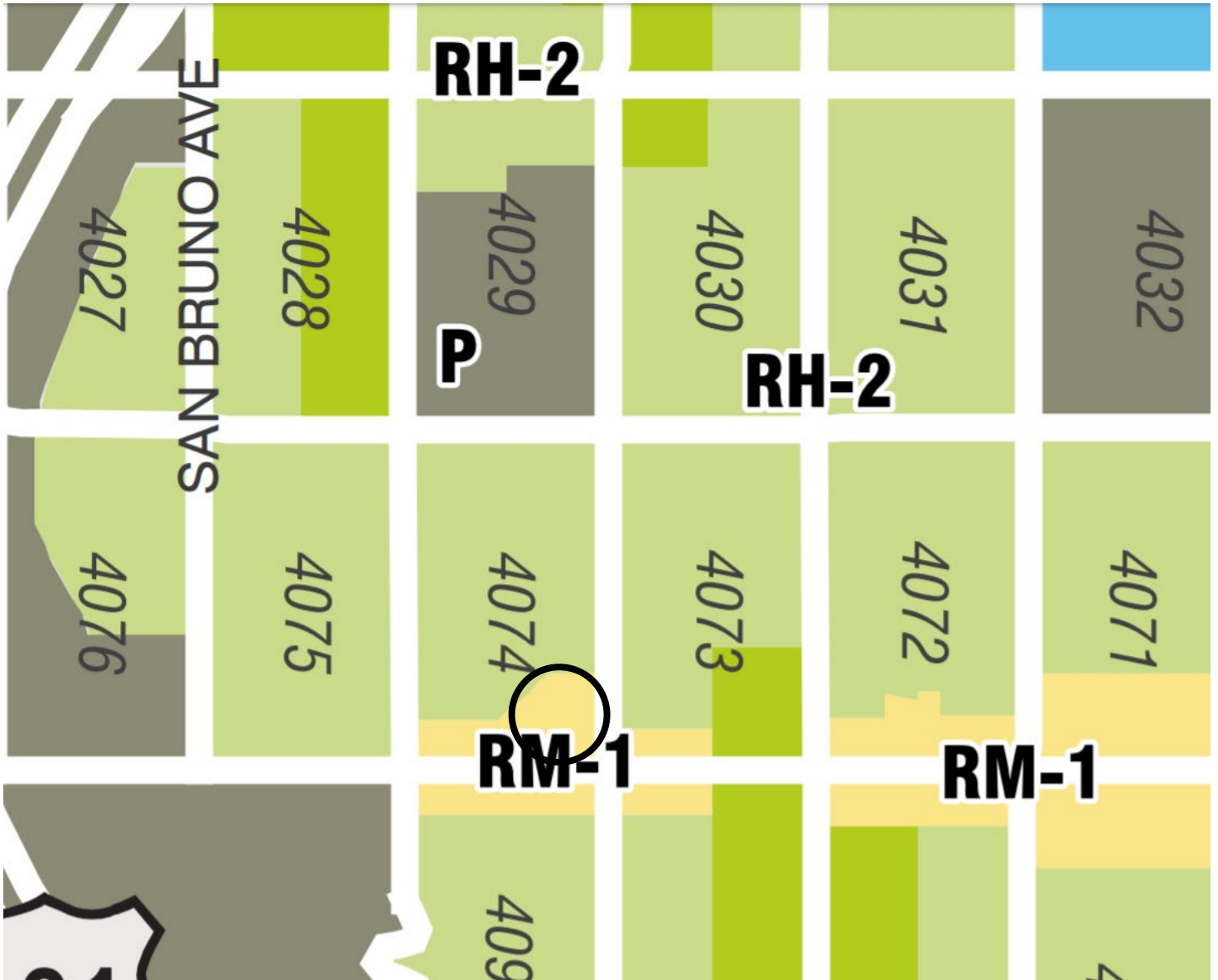


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2018-002825DRP
780 Kansas Street

Zoning Map



Discretionary Review Hearing
Case Number 2018-002825DRP
780 Kansas Street

Aerial Photo



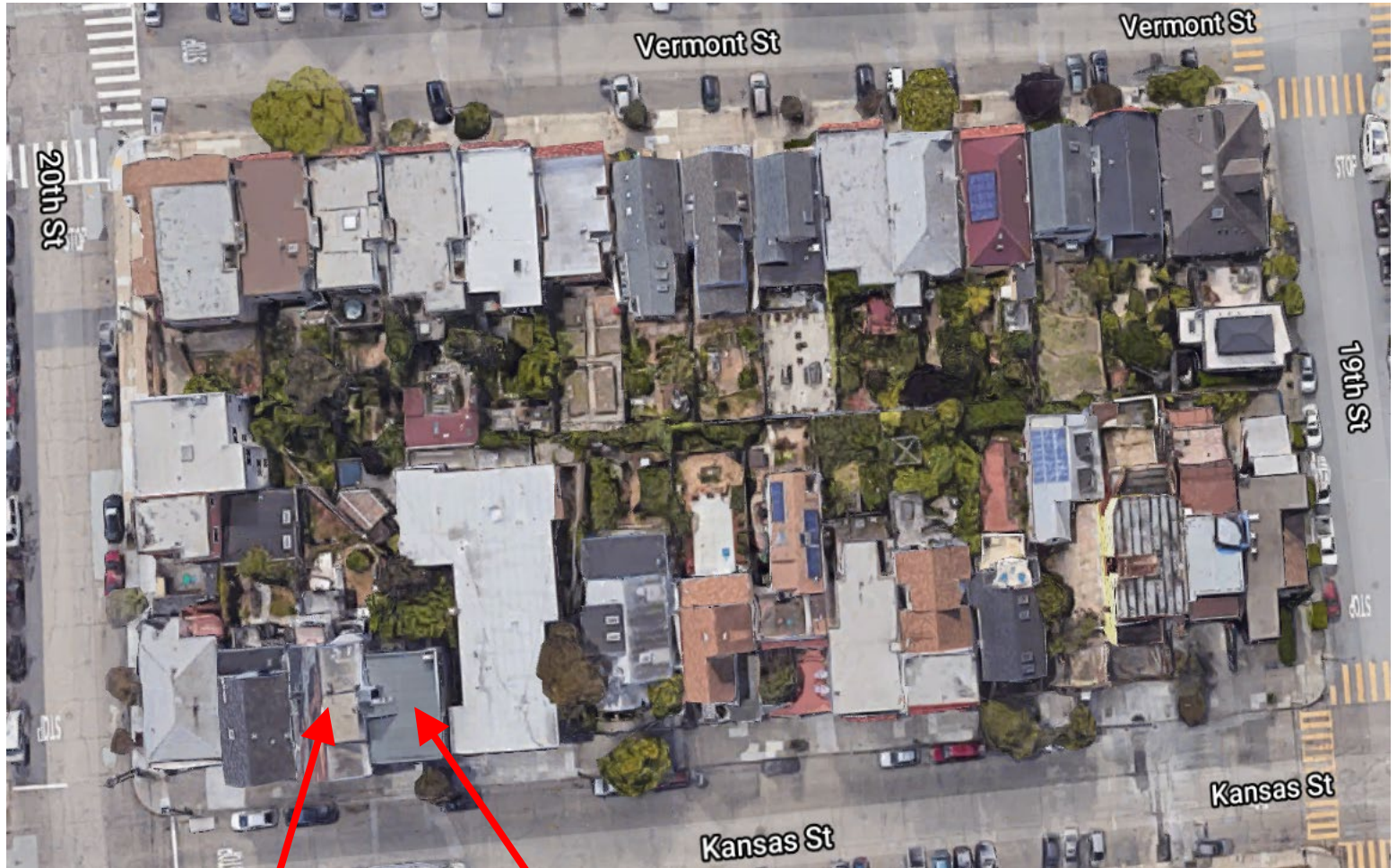
SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY



Discretionary Review Hearing
Case Number 2018-002825DRP
780 Kansas Street

Aerial Photo



SUBJECT PROPERTY

**DR REQUESTOR'S
PROPERTY**



Aerial Photo



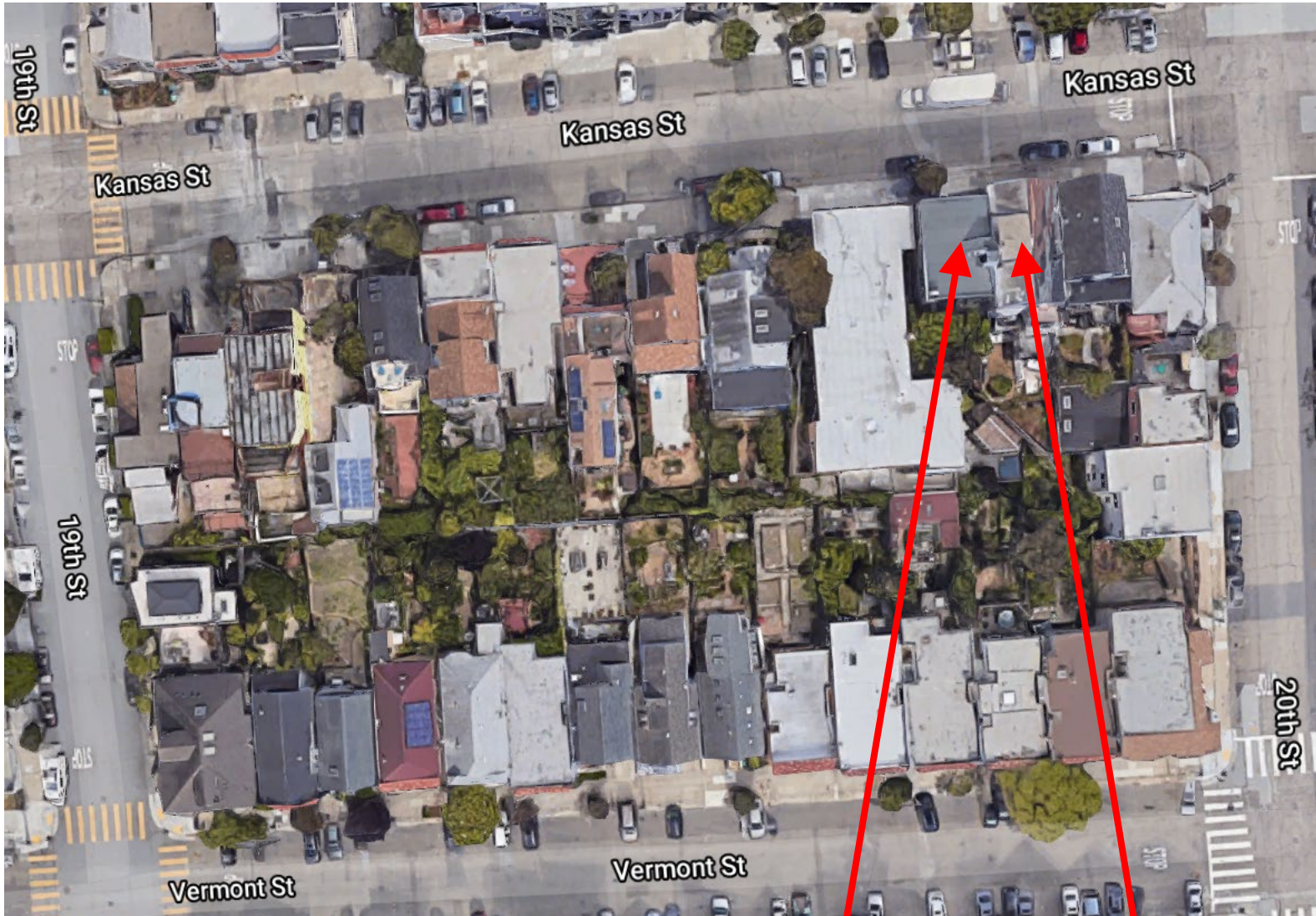
DR REQUESTOR'S
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2018-002825DRP
780 Kansas Street

Aerial Photo



DR REQUESTOR'S
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2018-002825DRP
780 Kansas Street

Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2018-002825DRP
780 Kansas Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **February 22, 2018**, Building Permit Application No. 201802211876 was filed for work at the Project Address below.

Notice Date: September 16th, 2019

Expiration Date: October 16th, 2019

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	780 KANSAS ST	Applicant:	Andy Rodgers
Cross Street(s):	20th Street	Address:	156 South Park
Block/Lot No.:	4074 / 013A	City, State:	San Francisco, CA 94107
Zoning District(s):	RM-1 /40-X	Telephone:	(415) 309-9612
Record Number:	2018-002825PRJ	Email:	ardesign@att.net

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

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	None	No Change
Side Setbacks	None	No Change
Building Depth	~47 feet, 1 inch (1 st floor)	~54 feet, 10 inches (1 st floor)
Rear Yard	~22 feet, 9 inches measured to second level deck. ~47 feet, 2 inches to	~23 feet, 4 inches (to 1-story rear addition w/ roof deck) ~47 feet, 9 inches to fourth floor
Building Height	~32 feet (to mid-point), 36 feet, 6 inches (to top of roof ridge)	40 feet to top of flat roof
Number of Stories	3	4
Number of Dwelling Units	2	2
Number of Parking Spaces	0	1
PROJECT DESCRIPTION		
<p>The Project includes the demolition of the existing rear addition and deck on an existing two-dwelling building and construction of a vertical and horizontal addition to create a fourth floor sunroom with a roof deck above; enlarge the existing three floors; create roof decks at the second and fourth floors; add a garage at the ground floor; and remodel and reconfigure the interior of the existing two units. The existing building is located within the required rear yard and the proposed addition would result in additional encroachment. Therefore, a rear yard variance is required. <i>The applicant has submitted an application for the rear yard variance, in which a Variance Hearing will be scheduled at a later date.</i> A separate notice will be sent. See attached plans. The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.</p>		

To view plans or related documents, visit sf-planning.org/notices and search the Project Address listed above. Once the property is located, click on the dot(s) to view details of the record number above, its related documents and/or plans.

For more information, please contact Planning Department staff:

Linda Ajello Hoagland, 415-575-6823, Linda.AjelloHoagland@sfgov.org

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, contact the Planning Information Center (PIC) at 1660 Mission Street, 1st Floor (415) 558-6377 or pic@sfgov.org. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

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

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

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

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

BOARD OF APPEALS

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

ENVIRONMENTAL REVIEW

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

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



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
780 KANSAS ST		4074/013A
Case No.		Permit No.
2018-002825ENV		201802211876
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. Horizontal Addition to all levels. Utilizing allowable 12' extension at level 1, new deck at level 2. Partial change of pitched roof to flat for new roof deck and viewing platform. No alteration of front facade. Expanded garage, remodeled bathroom, closet and living space on the first floor. Expansion of family room, relocation and expansion of bath and kitchen on second floor. Expansion of master bedroom and bath on third floor. Reconfiguration of internal staircase to accommodate floor plan changes. New windows, doors, electrical and plumbing work as required for the above scope. Proposed addition would be approximately 542 square feet.		

STEP 1: EXEMPTION CLASS

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

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

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

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

Comments and Planner Signature (optional): Laura Lynch

The project is located in an area containing naturally occurring asbestos. Construction activities are subject to the Dust Control Ordinance requirements contained in San Francisco Health Code Article 22B and San Francisco Building Code Section 106.A.3.2.6. Requirements of the Dust Control Ordinance include, but are not limited to, watering to prevent dust from becoming airborne, sweep or vacuum sidewalks, and cover inactive stockpiles of dirt. These measures ensure that serpentinite does not become airborne during construction."

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

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

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

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

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

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

<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER dated _____ b. Other (specify): Reclassify to Category C as per PTR form signed on 4/11/18 </div> <div style="width: 45%; text-align: right;"> <input checked="" type="checkbox"/> Reclassify to Category C (attach HRER) </div> </div>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Michelle A Taylor	

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

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Building Permit If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature: Michelle A Taylor 04/11/2018
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
780 KANSAS ST		4074/013A
Case No.	Previous Building Permit No.	New Building Permit No.
2018-002825PRJ	201802211876	
Plans Dated	Previous Approval Action	New Approval Action
	Building Permit	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:	Date of Form Completion 3/19/2018
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PROJECT INFORMATION:		
Planner:	Address:	
Michelle Taylor	780-782 Kansas Street	
Block/Lot:	Cross Streets:	
4074/013A	19th and 20th Streets	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2018-002825ENV

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

DATE OF PLANS UNDER REVIEW:	11/01/2017
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Supplemental Information Form prepared by Andy Rodgers (dated 1/23/2018).	
Proposed project: Horizontal rear addition to all level. Utilizing allowable 12' extension at level 1, new deck at level 2. Partial change of pitched roof to flat for new roof deck and viewing platform. No alteration of front facade. Interior work includes expanding existing spaces, remodeled bathrooms, and reconfiguration of internal staircase.	

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


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

PRESERVATION TEAM COMMENTS:

According to Planning Department records and the Supplemental Information prepared by Andy Rodgers, 780 Kansas Street is a single family residence constructed in 1913 and located in the Potrero Hill neighborhood. The building is a three-story, wood-frame building with a peak gable roof featuring a pair of stocky square posts at each end of the gable returns. The roofline includes a projecting cornice with dentil molding. The third floor features a pair of one over one double hung windows with wood surrounds. Between the third and second floors is an intermediate cornice with dentil molding and a deep overhang supported by three brackets. The second floor features two canted bays with pilaster supports, upper and lower frieze boards, and three four-over-one double hung windows at each opening. Although a single family residence, historically the building included two units as indicated by two separate entrances located side by side in a recessed vestibule with wood trim and dentil molding. In addition to the two doors, the ground floor features a rear yard access door and a pair of three-over-one, double hung windows with wood surrounds. According to the permit history and photographs, the subject building has undergone some exterior alterations including the likely replacement of the original entry doors (date unknown), and an approved permit to remove the ground floor windows and construct a single car garage (2017 permit; work pending to date).



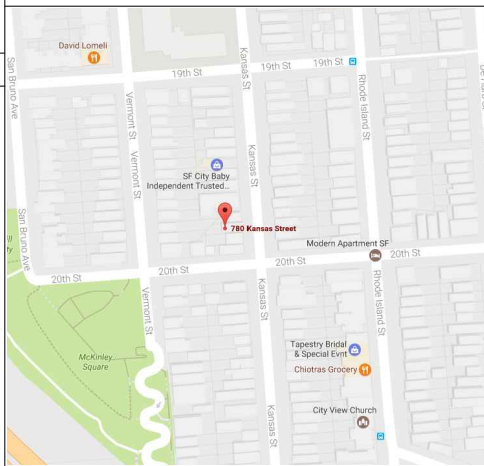
The subject building is not eligible for individual listing in the California Register of Historical Resources under Criterion 1 (events), 2 (persons), 3 (architecture), or 4 (information potential). According to the information provided, the subject property is not associated with events found to be sufficiently important to be significant under Criterion 1. No person associated with the building is significant to history and therefore the property does not appear significant under Criterion 2. Architecturally, the subject building represents an unexceptional example of early twentieth century residential architecture that is not associated with a master architect and does not represent high artistic values; therefore it is not eligible for listing under criterion 3. The subject building is not significant under Criterion 4, since the significance criteria typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type.

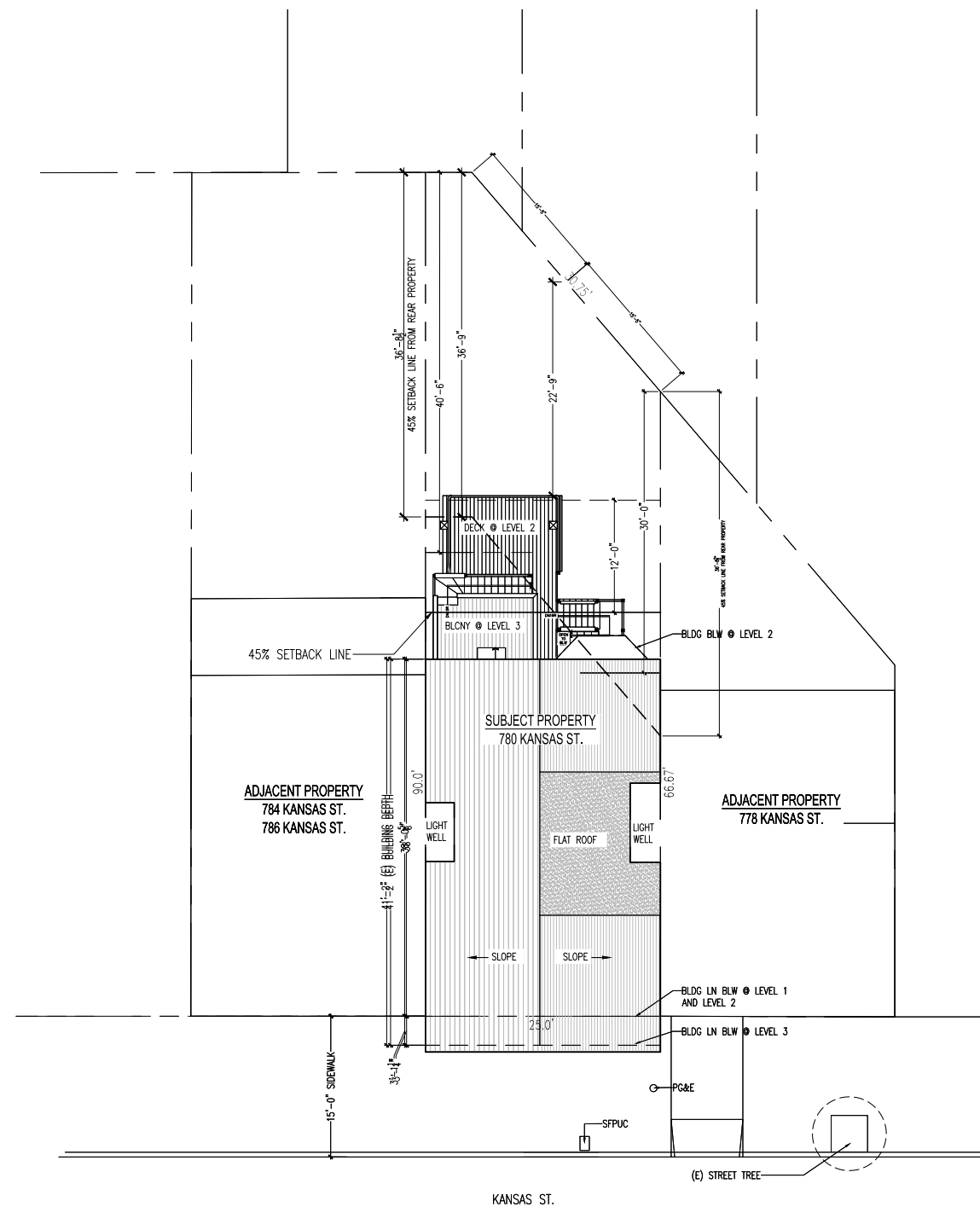
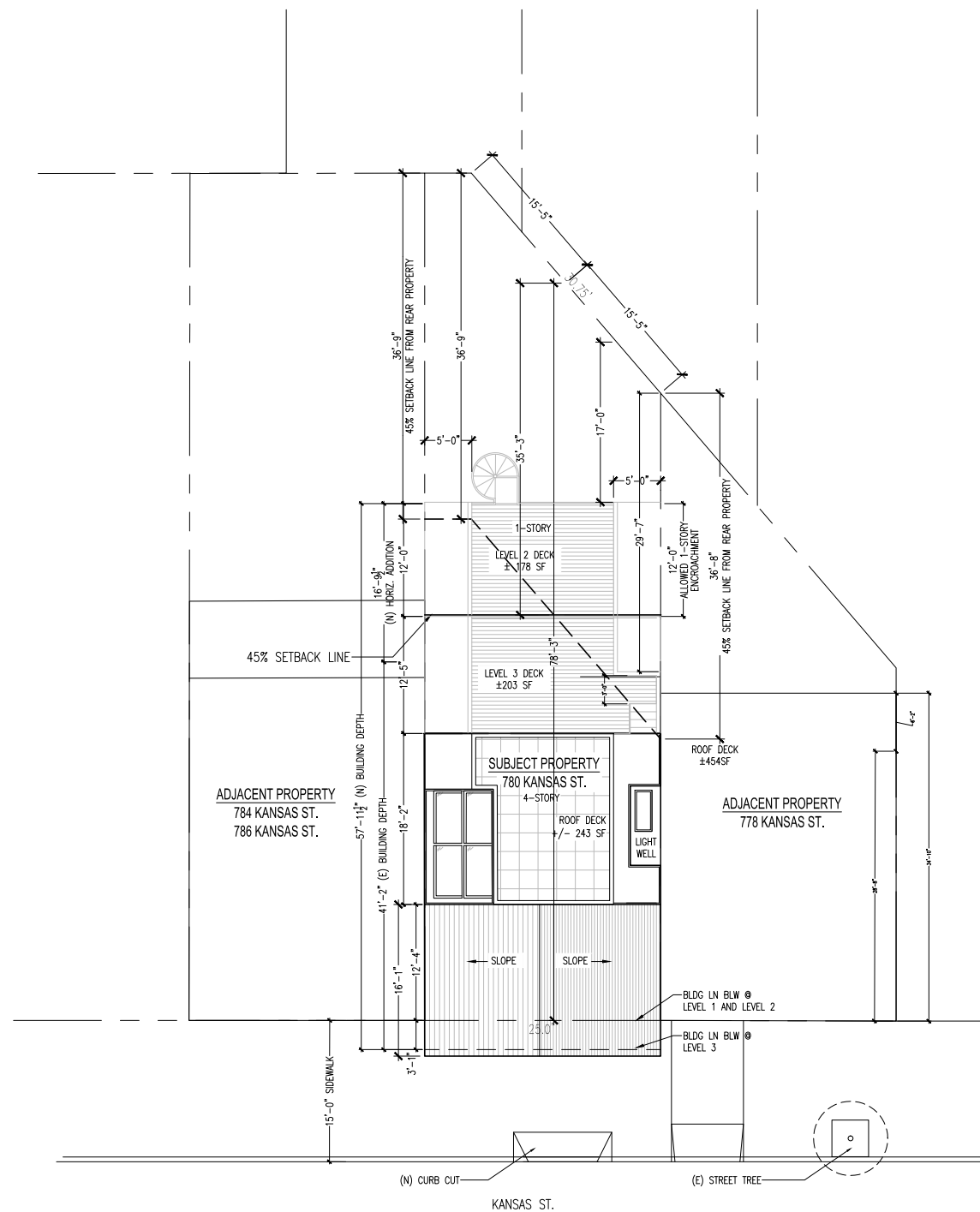
The subject building is not located adjacent to any known historic resources (Category A properties) and does not appear to be located in a potential historic district. The building stock on Kansas Street includes a range of residential building styles built throughout the 20th century. 780 Kansas Street and the neighboring building stock do not possess sufficient architectural, historical significance or cohesion to identify as a historic district.

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	4/11/18



780 Kansas Street (Image: Andy Rodgers)

GENERAL NOTES	SITE PHOTOS	SYMBOLS LEGEND	PROJECT INFORMATION	REVISIONS:																																																							
<p>ALL CONSTRUCTION AND INSTALLATION SHALL CONFIRM TO THE FOLLOWING CODES:</p> <p>2013 CALIFORNIA BUILDING CODE & 2013 SAN FRANCISCO BUILDING CODE AMENDMENTS 2013 CALIFORNIA ELECTRICAL CODE & 2013 SAN FRANCISCO ELECTRICAL CODE AMENDMENTS 2013 CALIFORNIA MECHANICAL CODE & 2013 SAN FRANCISCO MECHANICAL CODE AMENDMENTS 2013 CALIFORNIA PLUMBING CODE & 2013 SAN FRANCISCO PLUMBING CODE AMENDMENTS 2013 GREEN BUILDING CODE & 2013 SAN FRANCISCO GREEN BUILDING CODE AMENDMENTS 2013 CALIFORNIA ENERGY CODE 2013 SAN FRANCISCO HOUSING CODE</p> <p>THE CONTRACTOR SHALL REVIEW AND VERIFY ALL DIMENSIONS OF BUILDING AND SITE AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING WITH CONSTRUCTION.</p> <p>THE GENERAL CONTRACTOR SHALL VERIFY AND ASSUME RESPONSIBILITY FOR ALL DIMENSIONS AND SITE CONDITIONS. THE GENERAL CONTRACTOR SHALL INSPECT THE EXISTING PREMISES AND TAKE NOTE OF EXISTING CONDITIONS PRIOR TO SUBMITTING PRICES. NO CLAIM SHALL BE ALLOWED FOR DIFFICULTIES ENCOUNTERED WHICH COULD HAVE REASONABLY BEEN INFERRED FROM SUCH AN EXAMINATION.</p> <p>CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION BETWEEN ARCHITECTURAL, STRUCTURAL, LANDSCAPE, CIVIL, MECHANICAL, PLUMBING, ELECTRICAL AND FIRE PROTECTION. THIS INCLUDES REVIEWING REQUIREMENTS OF INDIVIDUAL SYSTEMS BEFORE ORDERING AND INSTALLATION OF ANY WORK. VERIFY ALL ARCHITECTURAL DETAILS AND ALL FINISH CONDITIONS (WHETHER DEPICTED IN DRAWINGS OR NOT) WITH SAME DISCIPLINES.</p> <p>ANY ERRORS, OMISSIONS, OR CONFLICTS FOUND IN THE VARIOUS PARTS OF THE CONSTRUCTION DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND THE OWNER BEFORE PROCEEDING WITH THE WORK.</p> <p>DO NOT SCALE DRAWINGS. WRITTEN DIMENSION GOVERN.</p> <p>ALL CLEAR DIMENSIONS ARE NOT TO BE ADJUSTED WITHOUT APPROVAL OF THE ARCHITECT.</p> <p>WHEN SHOWN IN PLAN, ALL DIMENSIONS ARE TO FACE OF GYPSUM BOARD, CONCRETE, CENTERLINE OF COLUMNS, OR CENTERLINE OF STUD WITHIN WALL ASSEMBLIES, UNLESS OTHERWISE NOTED.</p> <p>WHEN SHOWN IN SECTION OR ELEVATION, ALL DIMENSIONS ARE TO TOP OF PLATE OR TOP OF CONCRETE UNLESS OTHERWISE NOTED.</p> <p>DETAILS SHOWN ARE TYPICAL, SIMILAR DETAILS APPLY IN SIMILAR CONDITIONS.</p> <p>THE CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING AND OBTAINING ALL REQUIRED INSPECTIONS TO CONFIRM WITH LOCAL BUILDING AND FIRE CODES.</p> <p>PROVIDE AND INSTALL 2x FLAT WOOD BLOCKING FOR ALL BATH ACCESSORIES, HANDRAILS, CABINETS, TOWEL BARS, WALL MOUNTED FIXTURES AND ANY OTHER ITEMS ATTACHED TO WALLS.</p> <p>ALL CHANGES IN FLOOR MATERIALS OCCUR AT CENTERLINE OF DOOR OR FRAMED OPENINGS UNLESS OTHERWISE INDICATED ON THE DRAWINGS.</p> <p>INSTALL ALL FIXTURES, EQUIPMENT, AND MATERIALS PER MANUFACTURER’S RECOMMENDATIONS AND THE REQUIREMENTS OF THE CODES. ALL APPLIANCES, FIXTURES, AND EQUIPMENT ASSOCIATED WITH PLUMBING, ELECTRICAL, AND MECHANICAL SYSTEMS SHALL BE LISTED BY A NATIONALLY RECOGNIZED AND APPROVED AGENCY.</p> <p>VERIFY CLEARANCES FOR FLUES, VENTS, CHASES, SOFFITS, FIXTURES, FIREPLACES, ETC., BEFORE ANY CONSTRUCTION, ORDERING OF, OR INSTALLATION OF ANY ITEM OF WORK.</p> <p>PROVIDE FIRE-BLOCKING AND DRAFTSTOPPING AT ALL CONCEALED DRAFT OPENINGS (VERTICAL & HORIZONTAL). AS PER 2013 CBC SECTION 718, FIREBLOCKING & DRAFTSTOPS SHALL BE PROVIDED IN THE FOLLOWING LOCATIONS:</p> <p>1) IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING AND FLOOR LEVELS AND AT 10-FOOT INTERVALS BOTH VERTICAL AND HORIZONTAL.</p> <p>2) IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN AND BETWEEN STUDS ALONG AND IN LINE WITH THE RUN OF STAIRS IF THE WALLS UNDER THE STAIRS ARE UNFINISHED.</p> <p>3) IN OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS, FIREPLACES AND SIMILAR OPENINGS WHICH AFFORD A PASSAGE FOR FIRE AT CEILING AND FOOR LEVELS, WITH NONCOMBUSTIBLE MATERIALS.</p> <p>WINDOW SIZES ON DRAWINGS ARE NOMINAL DIMENSIONS. REFER TO MANUFACTURER FOR ACTUAL ROUGH OPENING SIZES.</p> <p>MECHANICAL, PLUMBING, ELECTRICAL, AND OTHER PENETRATIONS OF FLOORS, WALLS AND CEILINGS SHALL BE SEALED AIRTIGHT WITH ACOUSTICAL SEALANT AND FIRESAFING AS REQUIRED.</p> <p>ALL EXTERIOR DOORS AND WINDOWS ARE TO BE WEATHERSTRIPPED PER TITLE 24 REQUIREMENTS.</p> <p>ALL WALL, FLOOR, ROOF, AND SHAFT CONSTRUCTION TO BE RATED, U.O.N.</p> <p>DISCREPANCIES: WHERE A CONFLICT IN REQUIREMENTS OCCURS BETWEEN THE SPECIFICATIONS AND DRAWINGS, OR ON THE DRAWINGS, AND A RESOLUTION IS NOT OBTAINED FROM THE ARCHITECT BEFORE THE BIDDING DTAE, THE MORE STRINGENT ALTERNATE WILL BECOME THE CONTRACTUAL REQUIREMENTS.</p> <p>CONTRACTOR SHALL ENSURE THAT GUIDELINES SET FORTH ON SHEET A0.1 ARE MAINTAINED DURING CONSTRUCTION, INSTALLATION, AND FINISHING OF ALL ASPECTS OF THIS PROJECT.</p> <p>PROVIDE SAFETY GLAZING AT ALL HAZARDOUS LOCATIONS, INCLUDING, BUT NOT LIMITED TO GLAZING WITHIN 18" OF A WALKING SURFACE. GLAZING IN DOORS AND WINDOWS ADJACENT TO DOORS IN ACCORDANCE WITH SECTION 2406.4.</p> <p>ALL TEMPERED GLASS SHALL BE AFFIXED WITH A PERMANENT LABEL PER CBC SECTION 2403</p> <p>ALL SMOKE DETECTORS TO BE HARD WIRED.</p> <p>OPENINGS IN 1, 2, OR 3-HOUR RATED ASSEMBLIES SHOULD BE PROTECTED WITH (1), (2), OR (3)-HOUR RATED ASSEMBLIES, RESPECTIVELY.</p> <p>ALL ASSEMBLIES SHOULD BE APPROVED.</p> <p>ALL DUCT PENETRATIONS THROUGH RATED WALLS SHOULD BE PROTECTED WITH SMOKE AND FIRE DAMPERS.</p>	<div><div><div><div>ADJACENT PROPERTY 784 KANSAS ST.</div><div>SUBJECT PROPERTY 780-782 KANSAS ST. 778 KANSAS ST.</div></div></div><div><div><div>ADJ. PROP. 778 KANSAS ST.</div><div>SUBJECT PROPERTY 780-782 KANSAS ST.</div><div>ADJACENT PROPERTY 784 KANSAS ST.</div></div></div></div> <div><div><div>1 EAST ELEVATION (FRONT) SCALE 1/8" = 1'-0"</div><div>2 EAST ELEVATION (FRONT FACADE) SCALE 1/8" = 1'-0"</div><div>3 WEST ELEVATION (REAR FACADE) SCALE 1/8" = 1'-0"</div><div>4 WEST ELEVATION (REAR) SCALE 1/8" = 1'-0"</div></div></div>	<div><div><div><div></div><div>SECTION: SECTION LETTER SHEET NUMBER</div></div><div><div></div><div>DETAIL: DETAIL NUMBER SHEET NUMBER</div></div><div><div></div><div>ELEVATION: ELEVATION LETTER SHEET NUMBER</div></div><div><div></div><div>DOOR NUMBER</div></div><div><div></div><div>WINDOW TYPE</div></div><div><div></div><div>SHEET LAYOUT DESIGNATION VIEW NUMBER SHEET NUMBER</div></div><div><div></div><div>NORTH DESIGNATION</div></div><div><div></div><div>ROOF SLOPE INDICATION</div></div><div><div></div><div>EQUIPMENT NUMBER L</div></div><div><div></div><div>ELEVATION TAG</div></div><div><div></div><div>SPOT ELEVATION</div></div><div><div></div><div>REVISION</div></div><div><div></div><div>PROPERTY LINE</div></div><div><div></div><div>CENTER LINE</div></div></div></div> <div><div><div><div>ARCHITECTURAL</div><div>A0.1 PROJECT INFO, GEN. NOTES</div><div>A1.0 SITE PLAN</div><div>A1.1 EXISTING/PROPOSED GROUND FLOOR PLAN</div><div>A1.2 EXISTING/PROPOSED 2ND FLOOR PLAN</div><div>A1.3 EXISTING/PROPOSED 3RD FLOOR PLAN</div><div>A1.4 EXISTING/PROPOSED ROOF PLAN</div><div>A2.1 EXISTING EAST (FRONT) ELEVATION</div><div>A2.2 PROPOSED EAST (FRONT) ELEVATION</div><div>A2.3 EXISTING SOUTH ELEVATION</div><div>A2.4 PROPOSED SOUTH ELEVATION</div><div>A2.5 EXISTING WEST (REAR) ELEVATION</div><div>A2.6 PROPOSED WEST (REAR) ELEVATION</div><div>A2.7 EXISTING NORTH ELEVATION</div><div>A2.8 PROPOSED NORTH ELEVATION</div><div>A3.1 EXISTING BUILDING SECTION</div><div>A3.2 PROPOSED BUILDING SECTION</div></div><div><div><div>PROJECT ARCHITECT</div><div>RODGERS ARCHITECTURE</div><div>156 SOUTH PARK</div><div>SAN FRANCISCO, CA 94107</div><div>P: 415.309.9612</div><div>E: ardesign@att.net</div></div><div><div><div>PROPERTY OWNER</div><div>MARK HAMPTON AND GAYLE PIGATTO</div><div>780 KANSAS ST.</div><div>SAN FRANCISCO, CA 94107</div><div>E: markhampton@gmail.com</div><div>P:</div></div></div><div><div><div>GENERAL CONTRACTOR</div><div>T.B.D.</div></div></div></div></div><div><div><div>AREA CALCULATIONS:</div><table><tr><th>GARAGE</th><th>EXISTING</th><th>PROPOSED</th><th>CHANGED</th></tr><tr><td>1ST</td><td></td><td></td><td></td></tr><tr><td>2ND</td><td>NA</td><td>310</td><td>+310 SF</td></tr><tr><td>3RD</td><td>844 SF</td><td>880 SF</td><td>+36 SF</td></tr><tr><td>ROOF</td><td>1024 SF</td><td>1068 SF</td><td>+44 SF</td></tr><tr><td></td><td>984 SF</td><td>1098 SF</td><td>+114 SF</td></tr><tr><td>TOTAL</td><td>NA</td><td>NA</td><td>NA</td></tr></table><div><div><div>OPEN SPACE AREA CALCULATIONS:</div><table><tr><th>GARAGE</th><th>EXISTING</th><th>PROPOSED</th><th>CHANGED</th></tr><tr><td>1ST</td><td></td><td></td><td></td></tr><tr><td>2ND</td><td>NA</td><td>NA</td><td>NA</td></tr><tr><td>3RD</td><td>NA</td><td>NA</td><td>NA</td></tr><tr><td>ROOF</td><td>181 SF</td><td>178 SF</td><td>-3 SF</td></tr><tr><td></td><td>100 SF</td><td>NA</td><td>-100 SF</td></tr><tr><td>TOTAL</td><td>NA</td><td>408 SF</td><td>+408</td></tr></table><div><div>281 SF</div><div>586 SF</div><div>+305 SF</div></div></div></div></div><div><div><div>PROJECT LOCATION MAP</div></div></div></div></div>	GARAGE	EXISTING	PROPOSED	CHANGED	1ST				2ND	NA	310	+310 SF	3RD	844 SF	880 SF	+36 SF	ROOF	1024 SF	1068 SF	+44 SF		984 SF	1098 SF	+114 SF	TOTAL	NA	NA	NA	GARAGE	EXISTING	PROPOSED	CHANGED	1ST				2ND	NA	NA	NA	3RD	NA	NA	NA	ROOF	181 SF	178 SF	-3 SF		100 SF	NA	-100 SF	TOTAL	NA	408 SF	+408	<div><div>ISSUED FOR PERMIT</div><div>GENERAL NOTES, PROJECT INFORMATION</div><div>DATE 2019-07-28</div><div>SCALE NO SCALE</div><div>DRAWN SMH / AR</div><div>JOB</div><div>SHEET</div><div>A0.1</div></div>
GARAGE	EXISTING	PROPOSED	CHANGED																																																								
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TOTAL	NA	408 SF	+408																																																								



REVISIONS:

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ALTERNATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

SITE PLAN

DATE	2019-07-28
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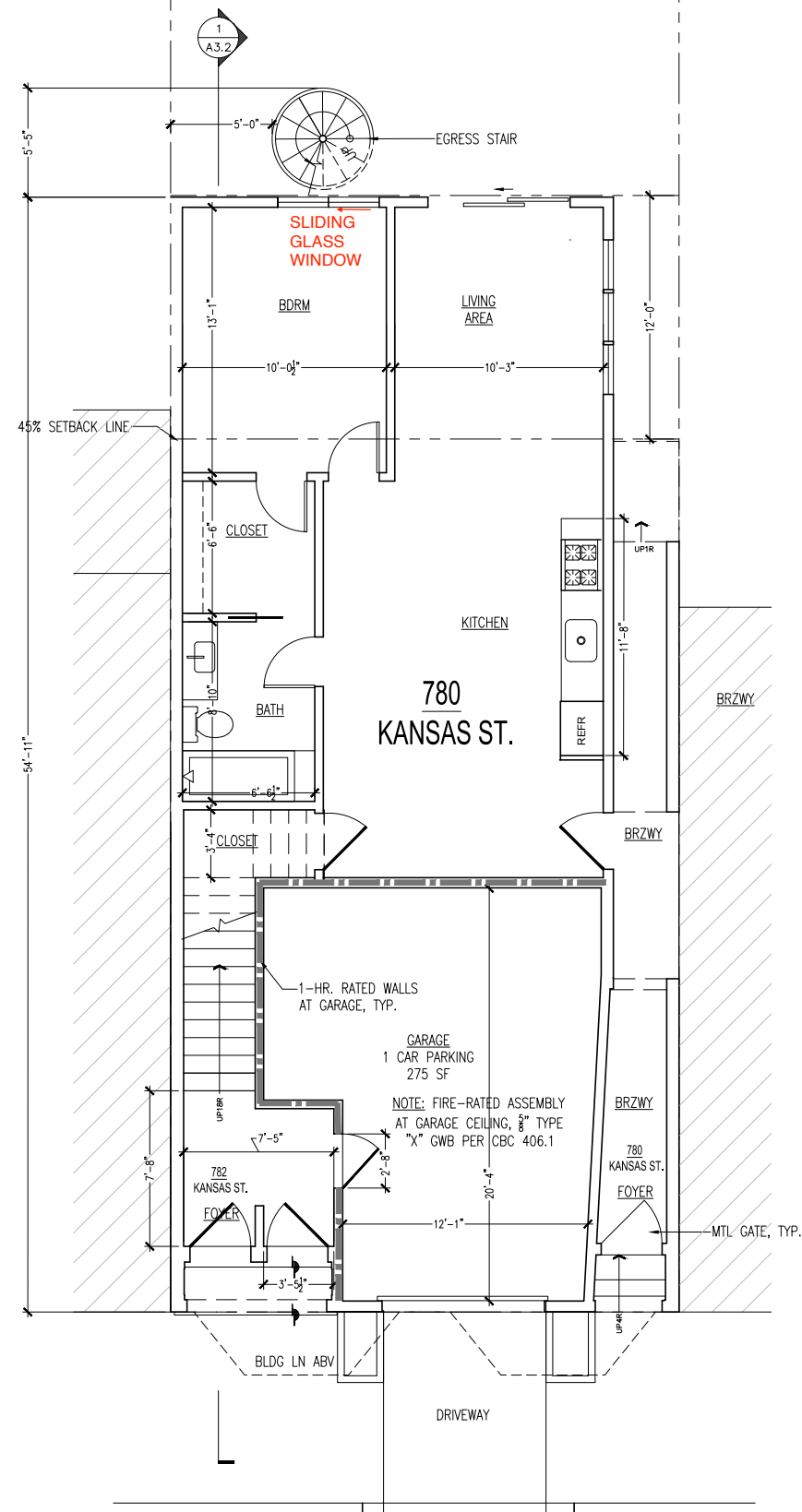
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DRAWN SMH / AR

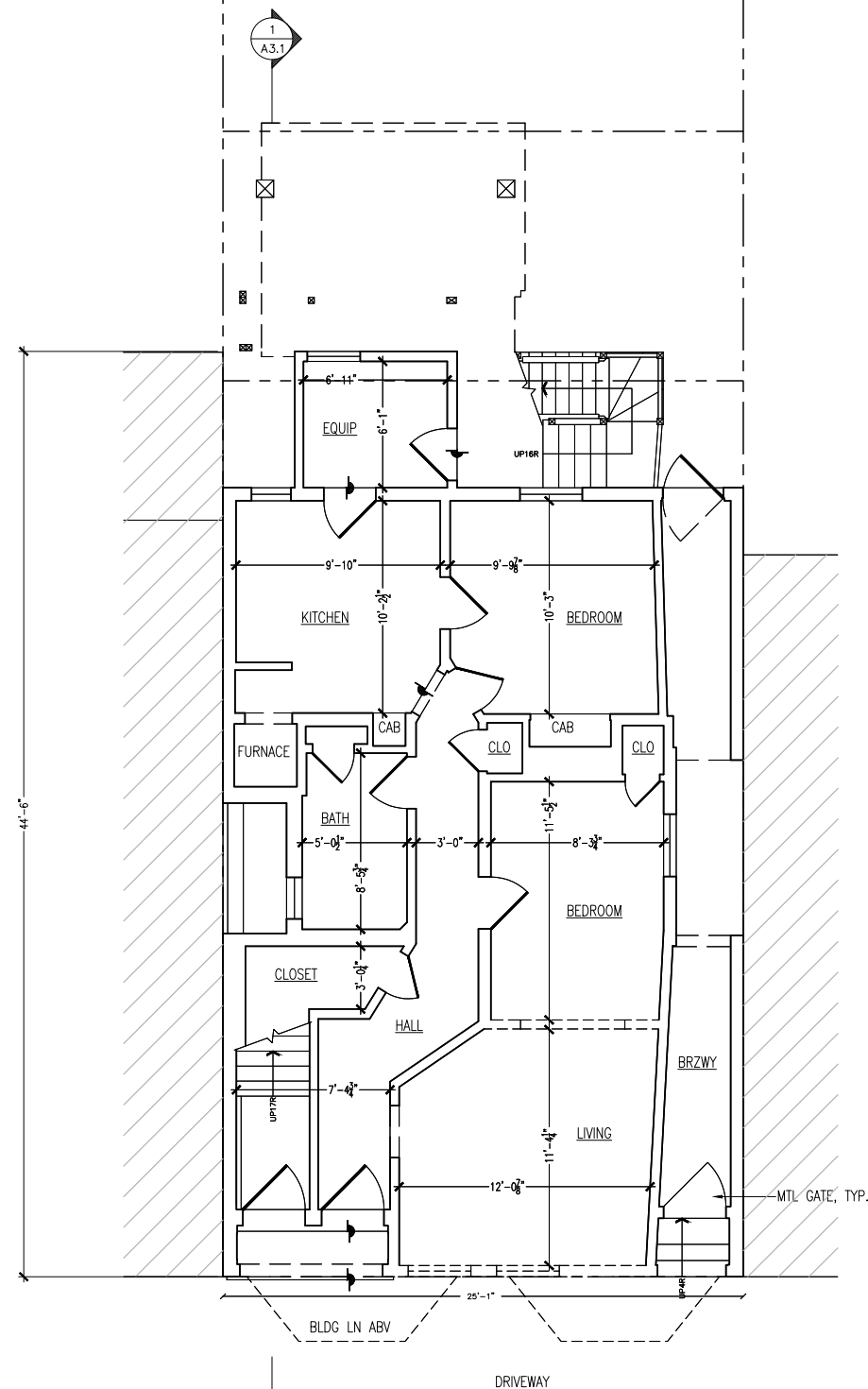
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100	100

SHEET

A1.0



2 PROPOSED GROUND LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0" 1,190 SQFT INTERIOR



1 EXISTING GROUND LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0" 844 SQFT INTERIOR

PLAN LEGEND

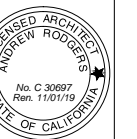
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(E) WALL TO REMAIN	(N) DOOR / (E) DOOR
WALL TO BE REMOVED	MILLWORK MARKER
(N) WALL	CEILING HEIGHT
WALL TYPE	FLOORING FINISH MARKER
DETAIL MARKER	HOSE BIB
TILED WALL	GAS OUTLET

SCALE 0 2 4 8 16 FEET

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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

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EXISTING/
PROPOSED
GROUND
FLOOR PLAN

DATE 2019-07-28

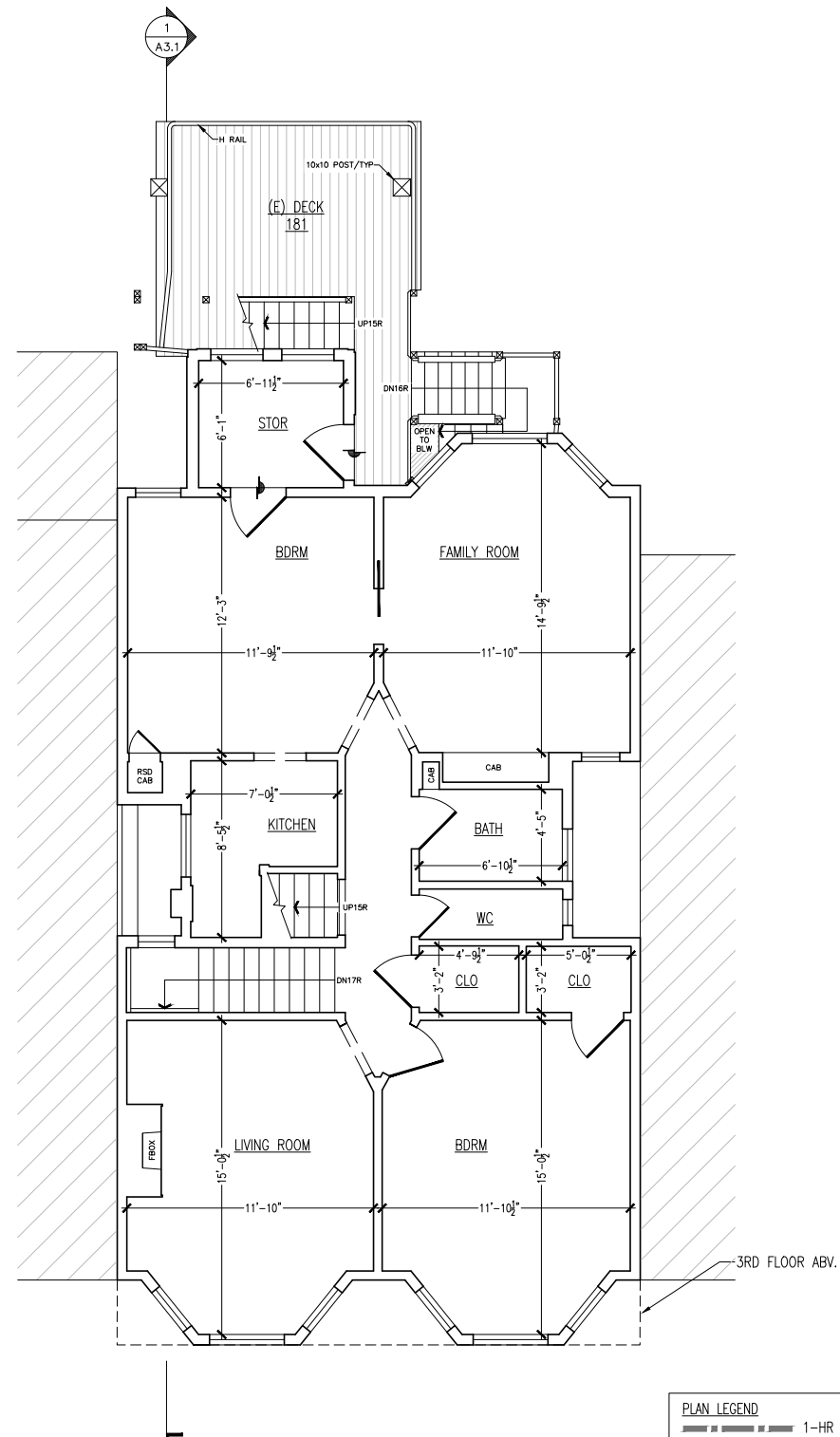
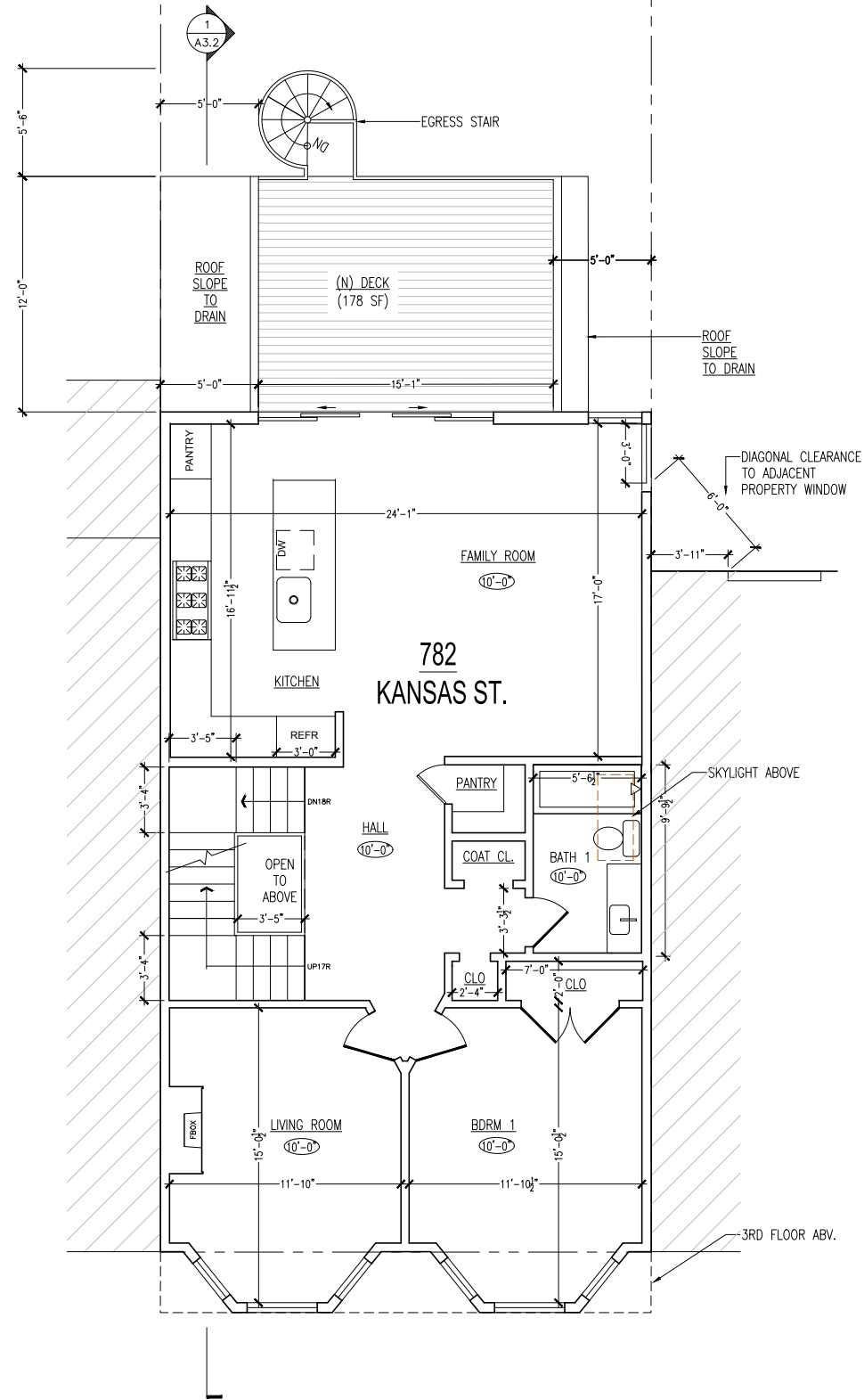
SCALE 1/4" = 1'-0"

DRAWN SMH / AR

JOB

SHEET

A1.1

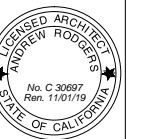


PLAN LEGEND	
	1-HR RATED WALL
	(E) WALL TO REMAIN
	WALL TO BE REMOVED
	(N) WALL
	WALL TYPE
	TILED WALL
	(N) WDW. / (E) WDW.
	(N) DOOR / (E) DOOR
	MILLWORK MARKER
	CEILING HEIGHT
	FLOORING FINISH MARKER
	HOSE BIB
	GAS OUTLET
SCALE 0 2 4 8 16 FEET	

REVISIONS:

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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

EXISTING/
PROPOSED
2ND FLOOR
PLAN

DATE 2019-07-28

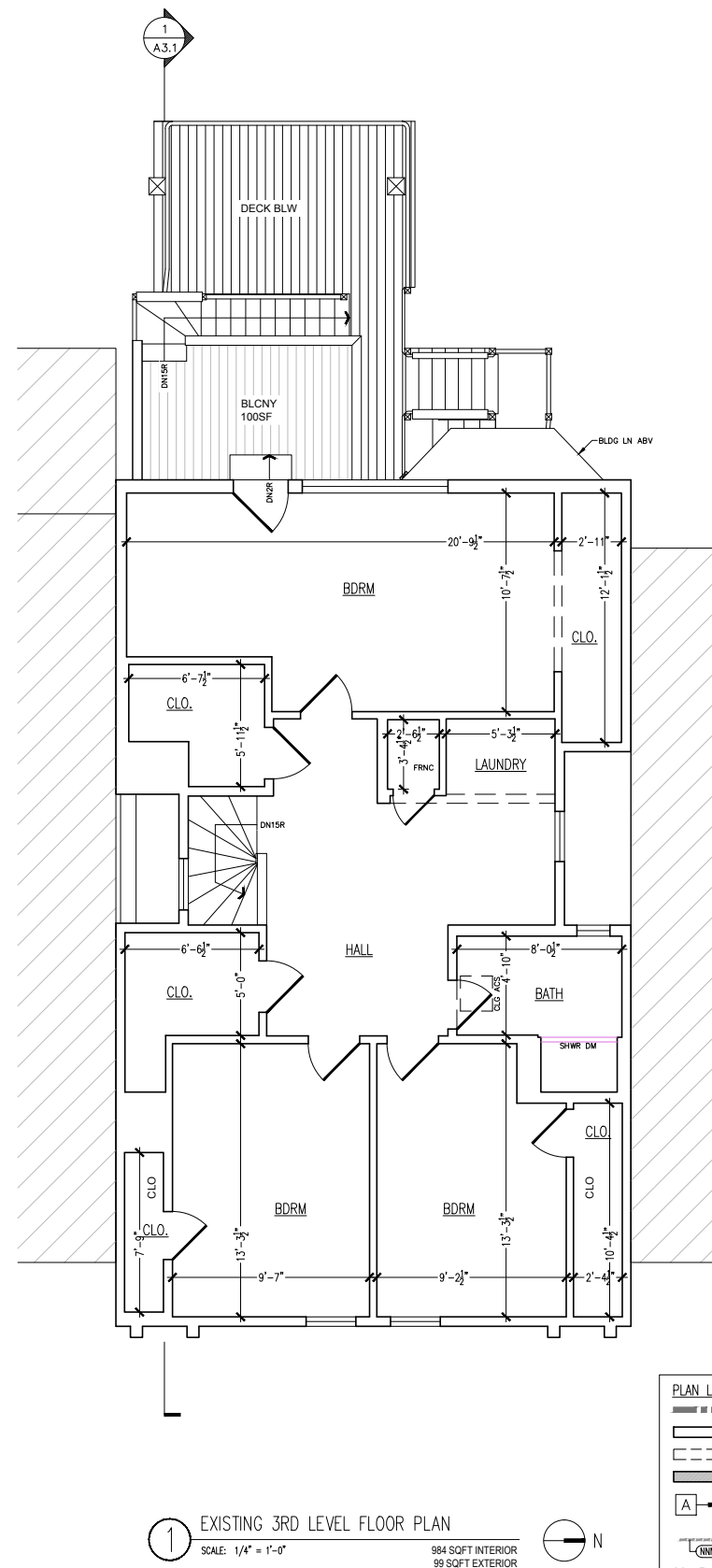
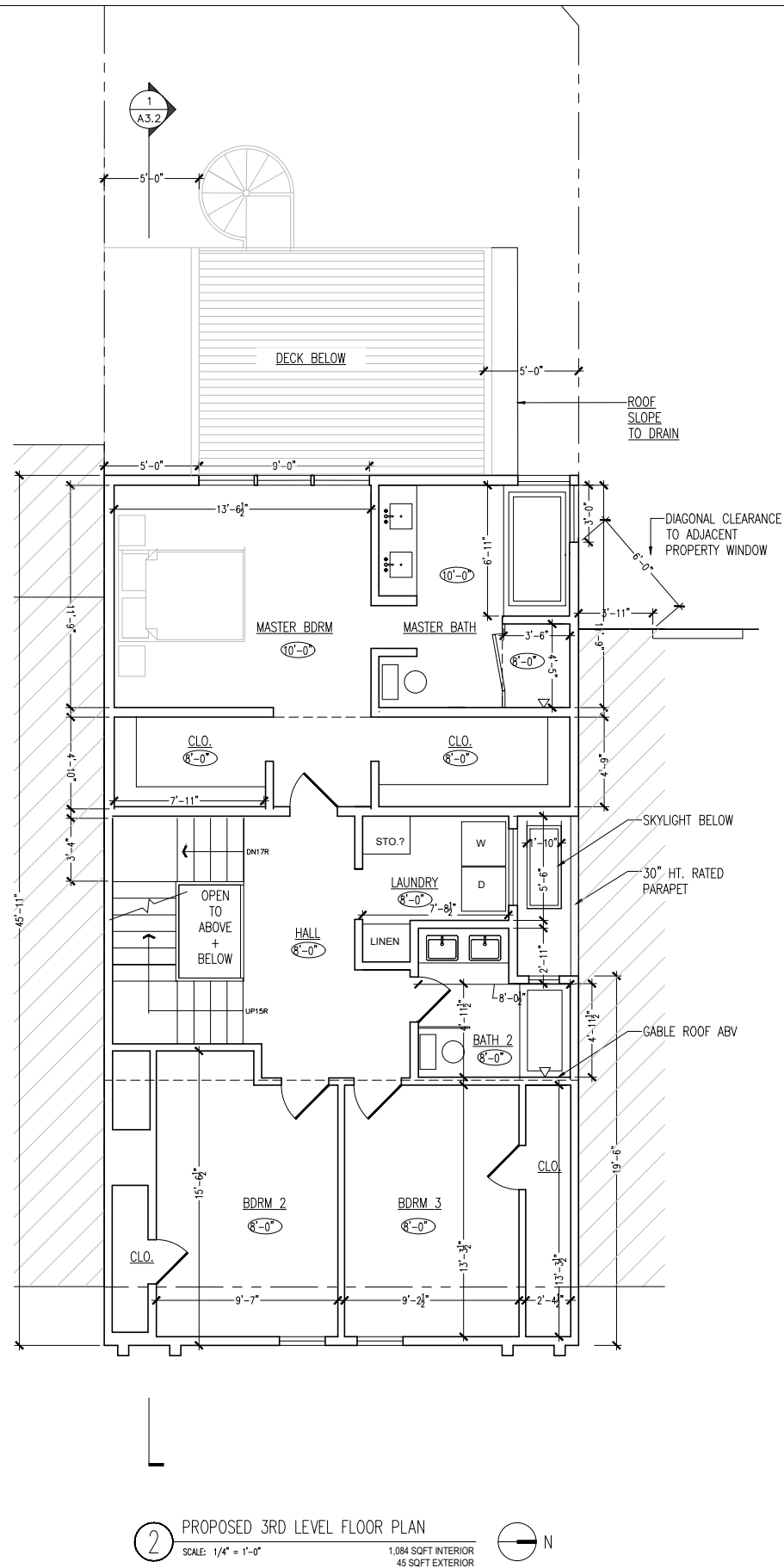
SCALE 1/4" = 1'-0"

DRAWN SMH

JOB

SHEET

A1.2



PLAN LEGEND

	1-HR RATED WALL		(N) WDW. / (E) WDW.
	(E) WALL TO REMAIN		(N) DOOR / (E) DOOR
	WALL TO BE REMOVED		MILLWORK MARKER
	(N) WALL		CEILING HEIGHT
	WALL TYPE		FLOORING FINISH MARKER
	DETAIL MARKER		HOSE BIB
	TILED WALL		GAS OUTLET

SCALE 0 2 4 8 16 FEET

REVISIONS:

rogers architecture
415 309 9612
www.rogersarchitecture.com

LICENSED ARCHITECT
ANDREW RODGERS
No. C 30697
Ren. 11/01/19
STATE OF CALIFORNIA

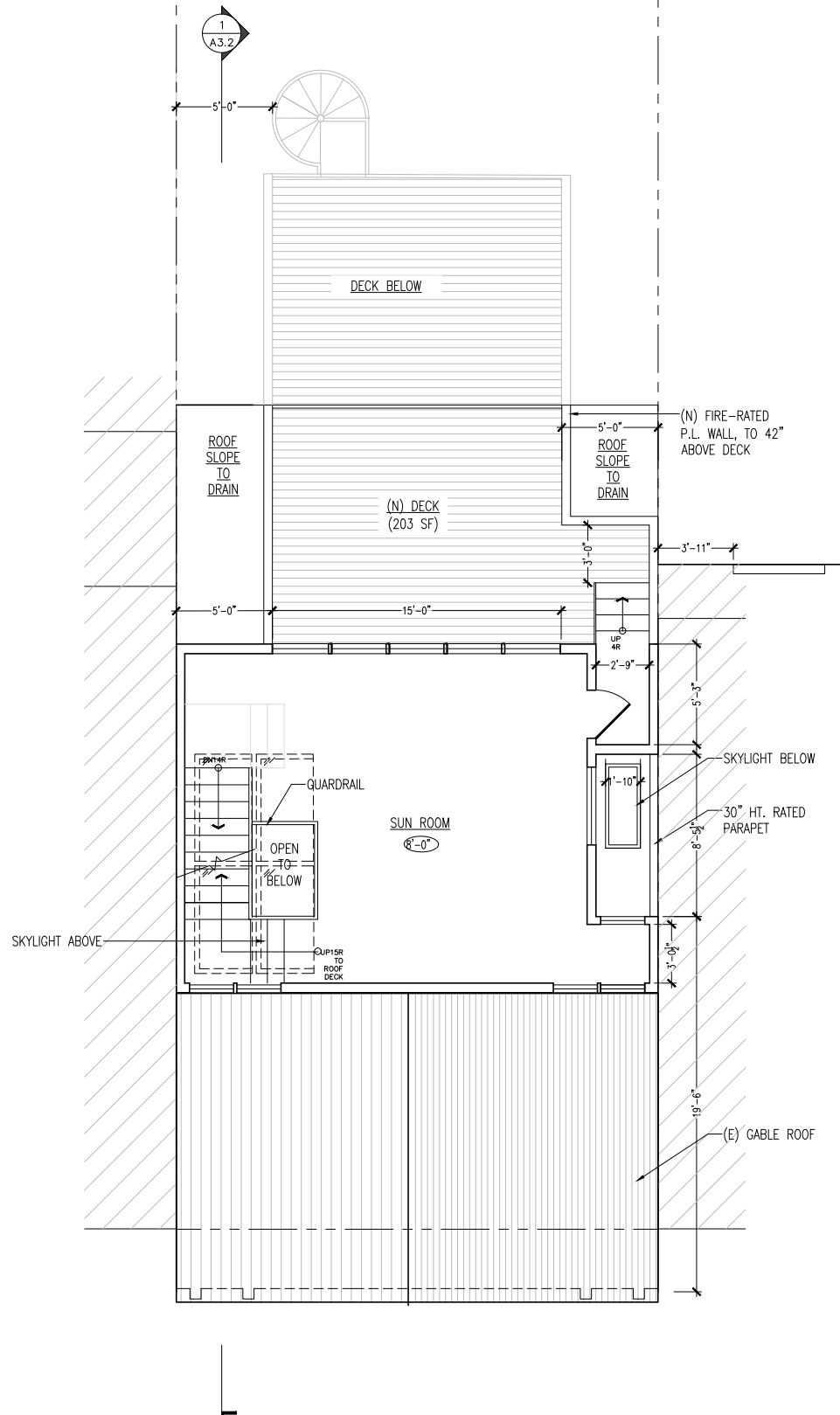
ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR PERMIT

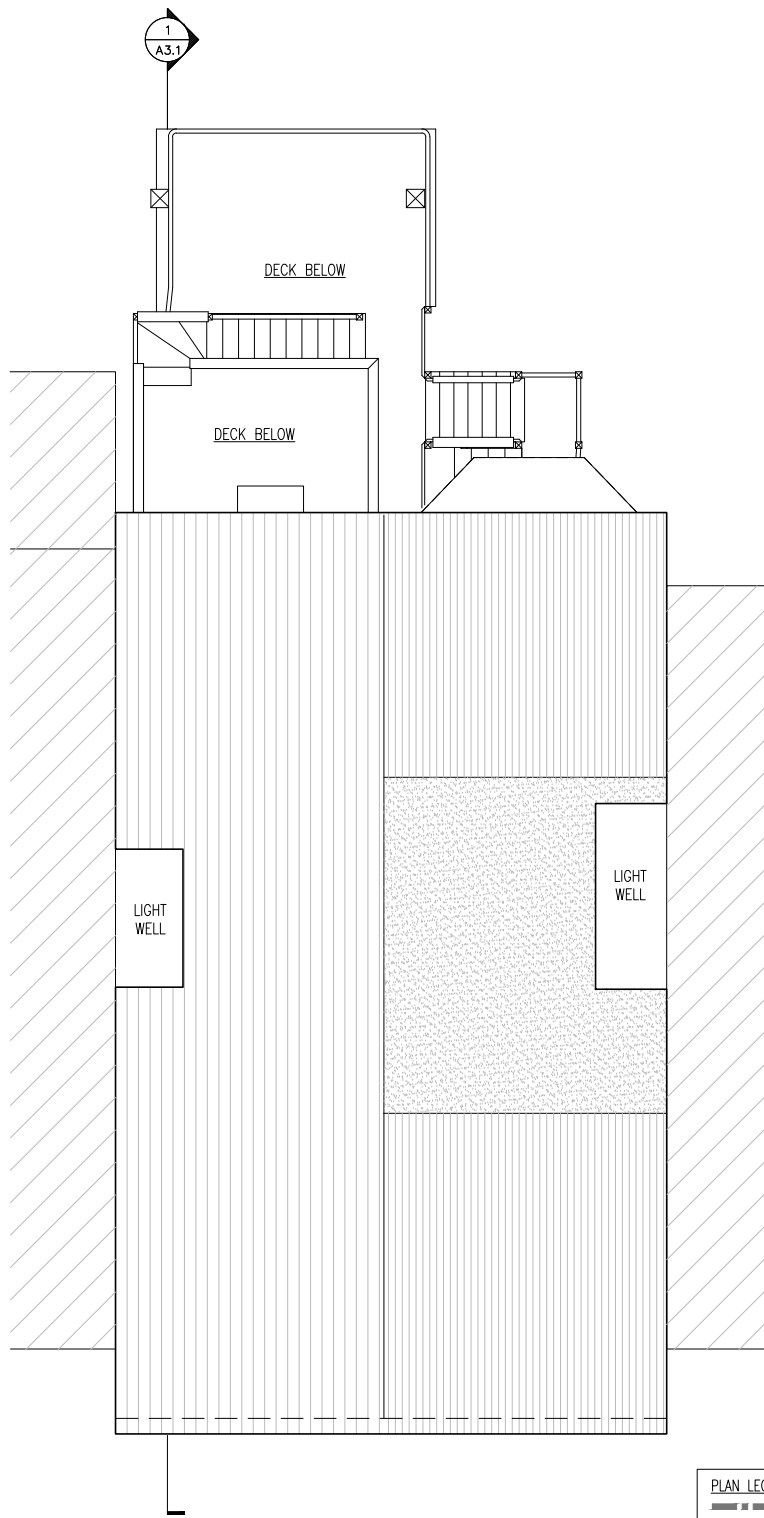
EXISTING/
PROPOSED
3RD FLOOR
PLAN

DATE 2019-07-28
SCALE 1/4" = 1'-0"
DRAWN SMH
JOB
SHEET

A1.3



2 PROPOSED 4TH LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"
1,084 SQFT INTERIOR
45 SQFT EXTERIOR



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

PLAN LEGEND	
1-HR RATED WALL	(N) WDW. / (E) WDW.
(E) WALL TO REMAIN	(N) DOOR / (E) DOOR
WALL TO BE REMOVED	MILLWORK MARKER
(N) WALL	CEILING HEIGHT
WALL TYPE	FLOORING FINISH MARKER
DETAIL MARKER	HOSE BIB
TILED WALL	GAS OUTLET
SCALE	0 2 4 8 16 FEET

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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

PROPOSED
4TH FLOOR

DATE 2019-07-28

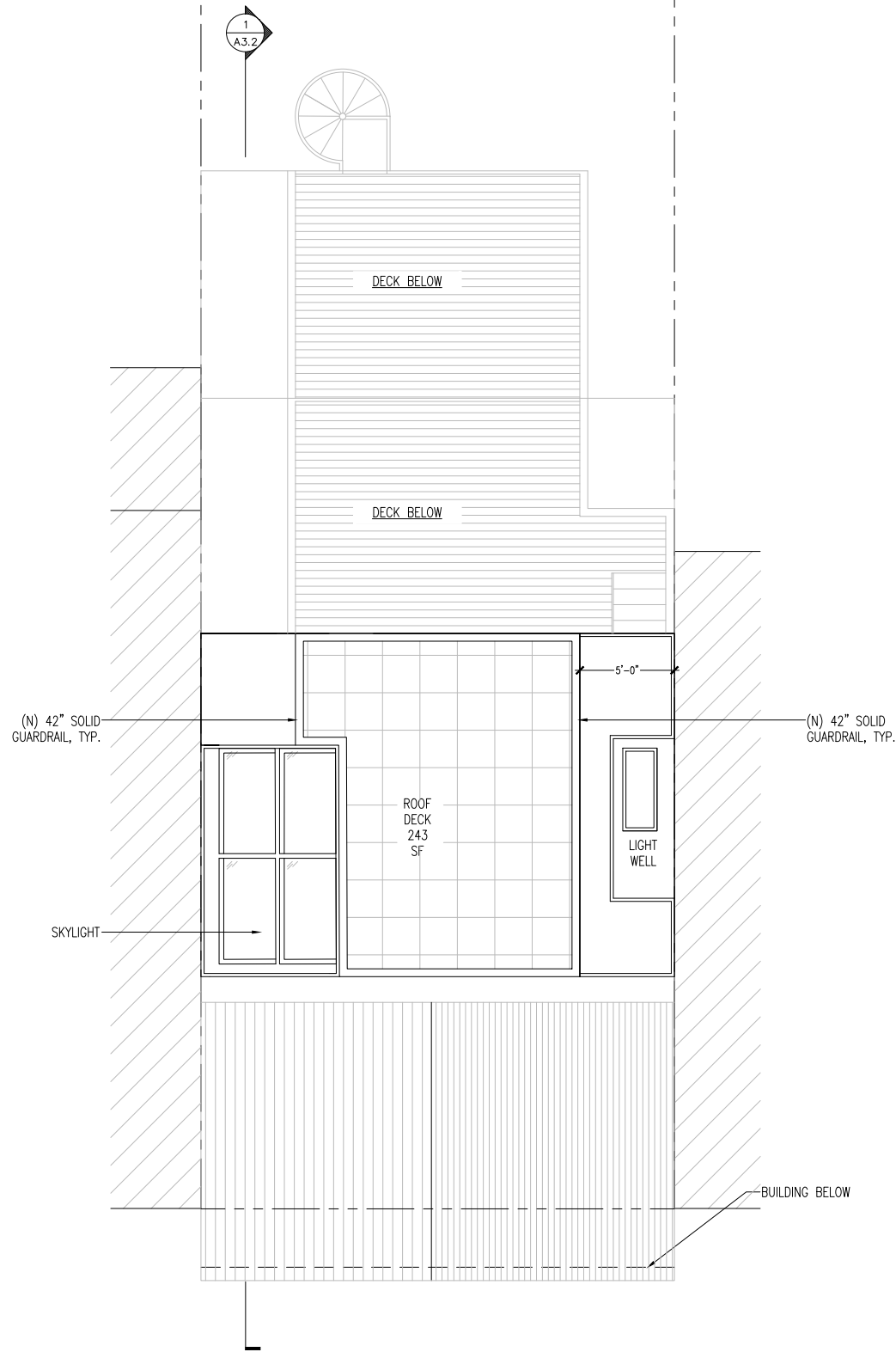
SCALE 1/4" = 1'-0"

DRAWN SMH

JOB

SHEET

A1.4



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



PLAN LEGEND

1-HR RATED WALL	(N) WDW. / (E) WDW.
(E) WALL TO REMAIN	(N) DOOR / (E) DOOR
WALL TO BE REMOVED	MILLWORK MARKER
(N) WALL	CEILING HEIGHT
WALL TYPE	FLOORING FINISH MARKER
DETAIL MARKER	HOSE BIB
TILED WALL	GAS OUTLET

SCALE 0 2 4 8 16 FEET

REVISIONS:

rodgers
architecture

415 309 9612

www.rodgersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR PERMIT

PROPOSED ROOF PLAN

DATE 2019-07-28

SCALE 1/4" = 1'-0"

DRAWN SMH

JOB

SHEET

A1.5

784 KANSAS ST.
786 KANSAS ST.

780 KANSAS ST.

778 KANSAS ST.



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



REVISIONS:

rodgers
architecture
415 309 9612
www.rodgersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR PERMIT

EXISTING EAST
(FRONT)
ELEVATION

DATE 2019-07-28

SCALE 1/4" = 1'-0"

DRAWN SMH / AR

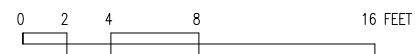
JOB

SHEET

A2.1



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



REVISIONS:

rogers
architecture

415 309 9612



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

PROPOSED
EAST (FRONT)
ELEVATION

DATE 2019-07-28

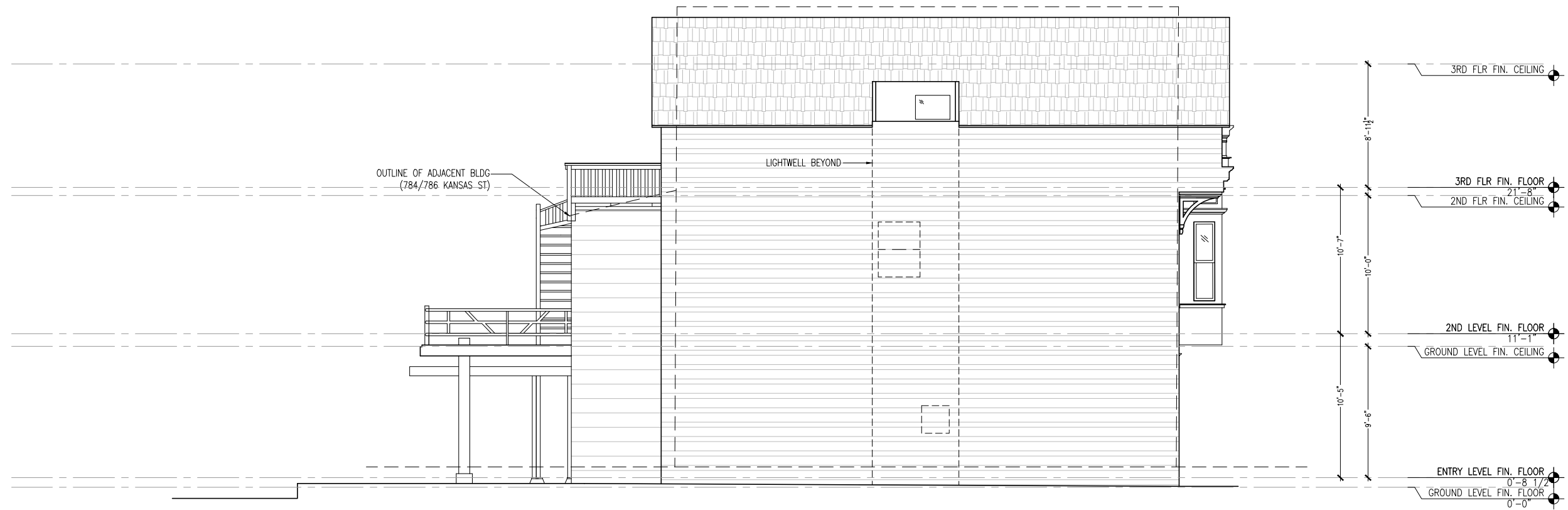
SCALE 1/4" = 1'-0"

DRAWN SH / AR

JOB

SHEET

A2.2



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

REVISIONS:

rodgers
architecture

415 309 9612



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

EXISTING
SOUTH
ELEVATION

DATE 2019-07-28

SCALE 1/4" = 1'-0"

DRAWN SH / AR

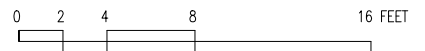
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SHEET

A2.3



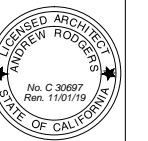
1 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



REVISIONS:

rogers
architecture

415 309 9612
www.rogersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

PROPOSED
SOUTH
ELEVATION

DATE 2019-07-28

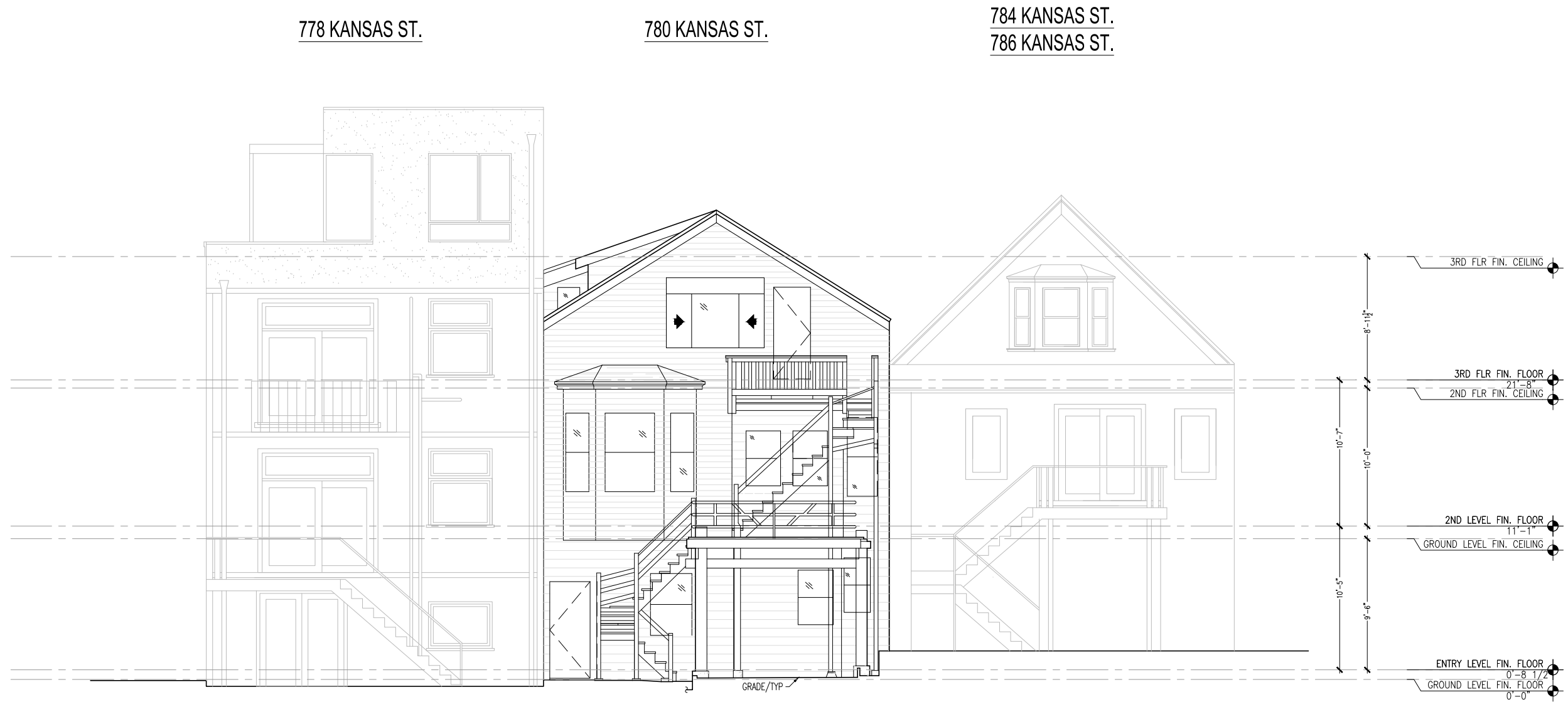
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DRAWN SH / AR

JOB

SHEET

A2.4



REVISIONS:

rodgers
architecture

415 309 9612



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

EXISTING WEST
(REAR)
ELEVATION

DATE 2019-07-28

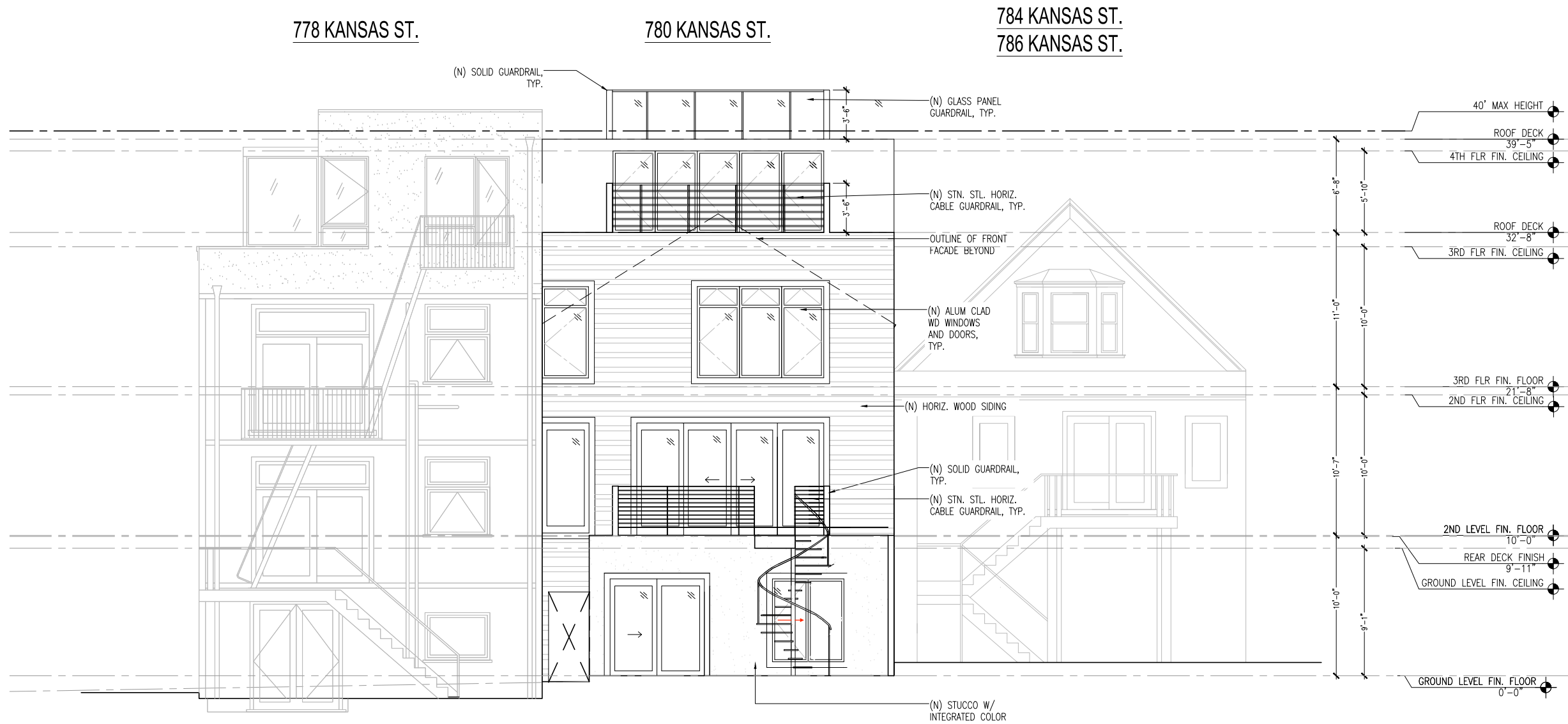
SCALE 1/4" = 1'-0"

DRAWN SH / AR

JOB

SHEET

A2.5

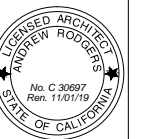


1 PROPOSED WEST ELEVATION (REAR)
SCALE: 1/4" = 1'-0"

REVISIONS:

rogers
architecture

415 309 9612
www.rogersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

PROPOSED
WEST
ELEVATION

DATE 2019-07-28

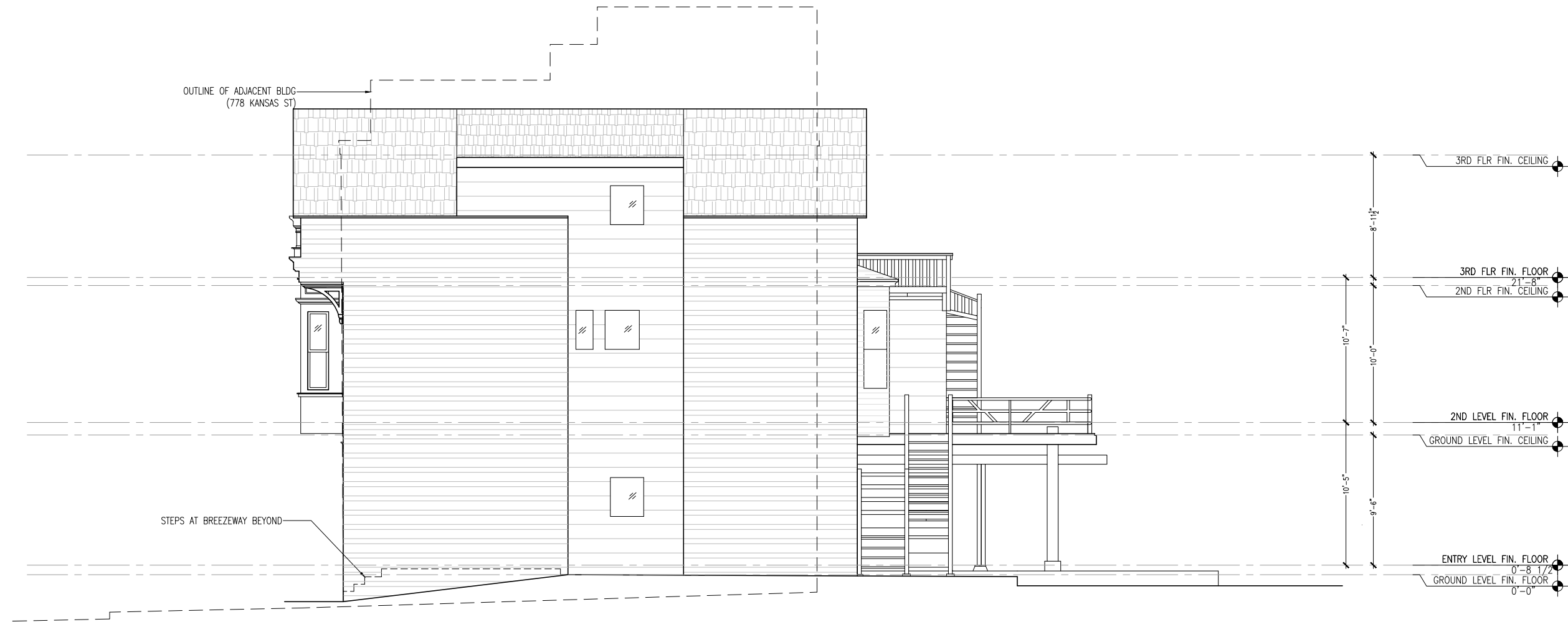
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DRAWN SH / AR

JOB

SHEET

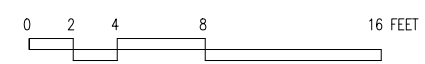
A2.6



OUTLINE OF ADJACENT BLDG
(778 KANSAS ST)

STEPS AT BREEZEWAY BEYOND

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



REVISIONS:

rodgers
architecture

415 309 9612

www.rodgersarchitecture.com

LICENSED ARCHITECT
ANDREW RODGERS
No. C 30697
Ren. 11/01/19
STATE OF CALIFORNIA

ALTERATIONS TO:

780 KANSAS ST.

OWNER:
SAN FRANCISCO, CA, 94107

ISSUED FOR PERMIT

EXISTING NORTH ELEVATION

DATE 2019-07-28

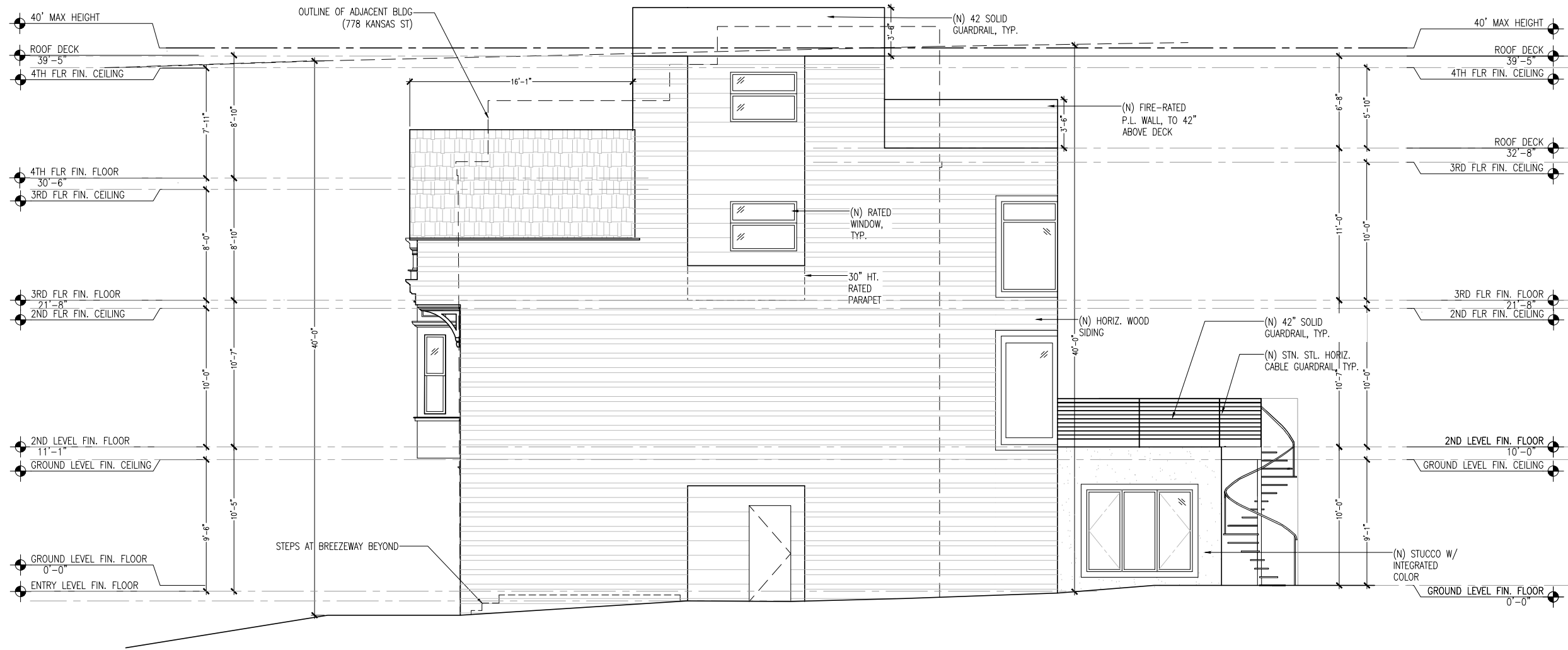
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DRAWN SH / AR

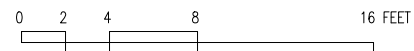
JOB

SHEET

A2.7



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



REVISIONS:

rogers
architecture

415 309 9612



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

PROPOSED
NORTH
ELEVATION

DATE 2019-07-28

SCALE 1/4" = 1'-0"

DRAWN SH / AR

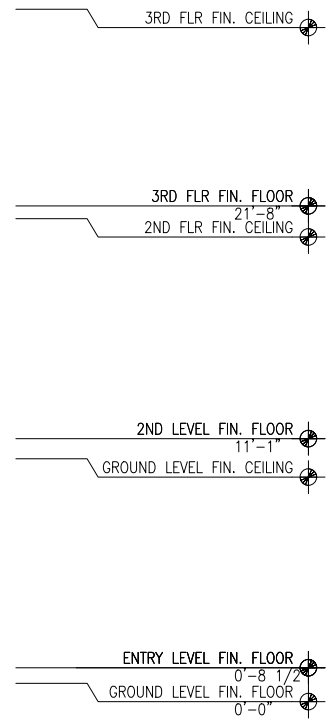
JOB

SHEET

A2.8



1 EXISTING BUILDING SECTION
SCALE: 1/4" = 1'-0"



REVISIONS:

rodgers
architecture

415 309 9612



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

EXISTING
BUILDING
SECTION

DATE 2019-07-28

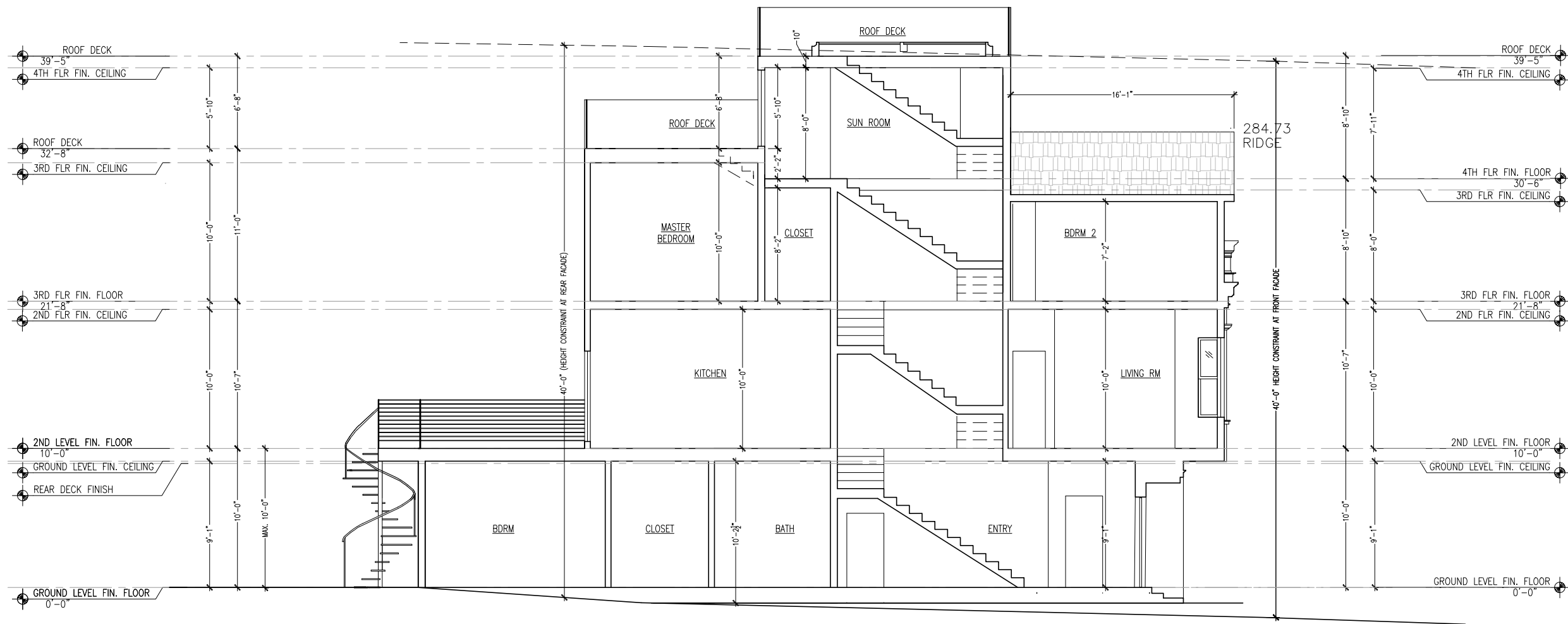
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DRAWN SH / AR

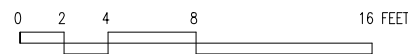
JOB

SHEET

A3.1

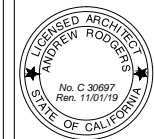


1 PROPOSED BUILDING SECTION
SCALE: 1/4" = 1'-0"



REVISIONS:

rogers
architecture
415 309 9612
www.rogersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

ISSUED FOR
PERMIT

PROPOSED
BUILDING
SECTION

DATE 2019-07-28

SCALE 1/4" = 1'-0"

DRAWN SH / AR

JOB

SHEET

A3.2



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information

Name:

Address:

Email Address:

Telephone:

Information on the Owner of the Property Being Developed

Name:

Company/Organization:

Address:

Email Address:

Telephone:

Property Information and Related Applications

Project Address:

Block/Lot(s):

Building Permit Application No(s):

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?		
Did you participate in outside mediation on this case? (including Community Boards)		
Changes Made to the Project as a Result of Mediation. If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes that were made to the proposed project.		

DISCRETIONARY REVIEW REQUEST

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

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

-
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

Steven Altschuler

Name (Printed)

self

9727950845

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

Phone

Lani.WuA@gmail.com

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



Sun 9/22/2019 7:44 PM

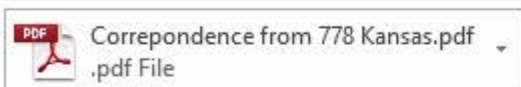
Lani Wu <laniwua@gmail.com>

regarding application for variance at 780 Kansas

To linda.ajellohoagland@sfgov.org

Cc 'Steve Altschuler'; 'Lani Wu'

Bcc design@lejastudio.com; ttunny@reubenlaw.com



Dear Ms. Ajello-Hoagland,

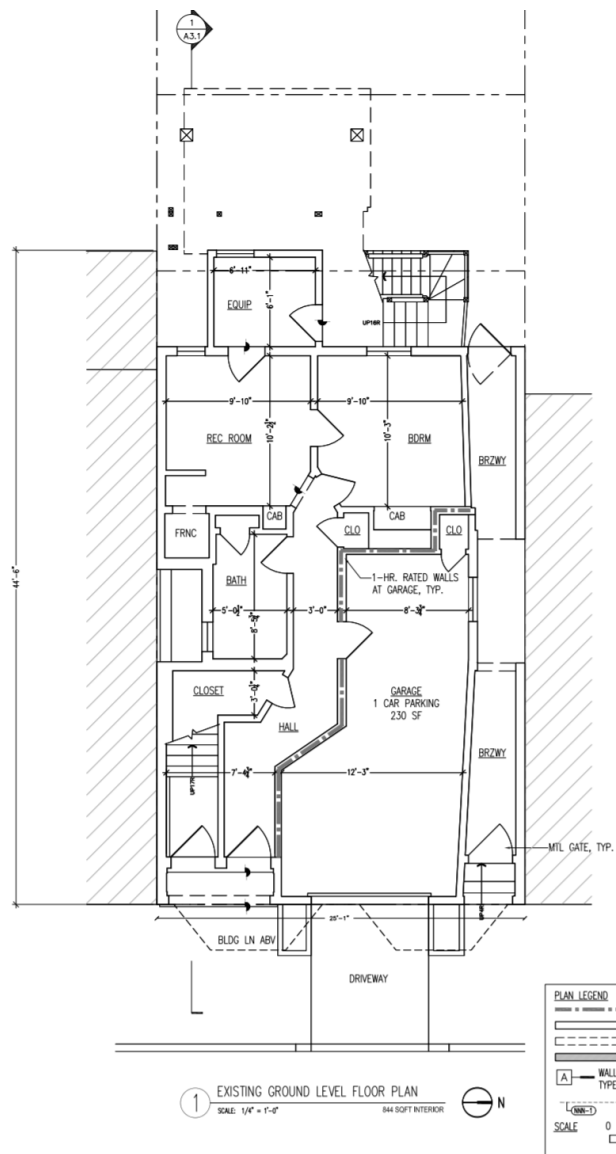
We reside at and own the single family home at 778 Kansas Street. We are writing in regard to an application filed for a variance at the adjacent property at 780 Kansas (application record 2018 0221 1876). The first we learned about the application for variance was from the street posting on 780 Kansas. We were thus very surprised to see that the application states in its Variance Findings Responses section (page 6 point 3) that: "It should be noted that the owners of both adjacent properties (at 778 Kansas, and 784-86 Kansas), who would be most impacted by this project, have no objections to the proposed plans."

This statement is false and misstates our views. In 2017, we did agree to a specific, previous project proposal by the current owner of 780 Kansas, but only on the explicit condition that the project would require no variance. This prior agreement, demanded by and memorialized in writing by the current 780 Kansas owner, was attached to a Special Conditions Permit approved by the Board of Appeals at that time for a project at our property (see attached Request for Special Conditions Permit, Appeal No: 17-152, pages 4-5). 780 Kansas is now seeking a variance in direct violation of an explicit condition of our agreement. Worse yet, they have misled the planning department and the neighborhood about our position in the application.

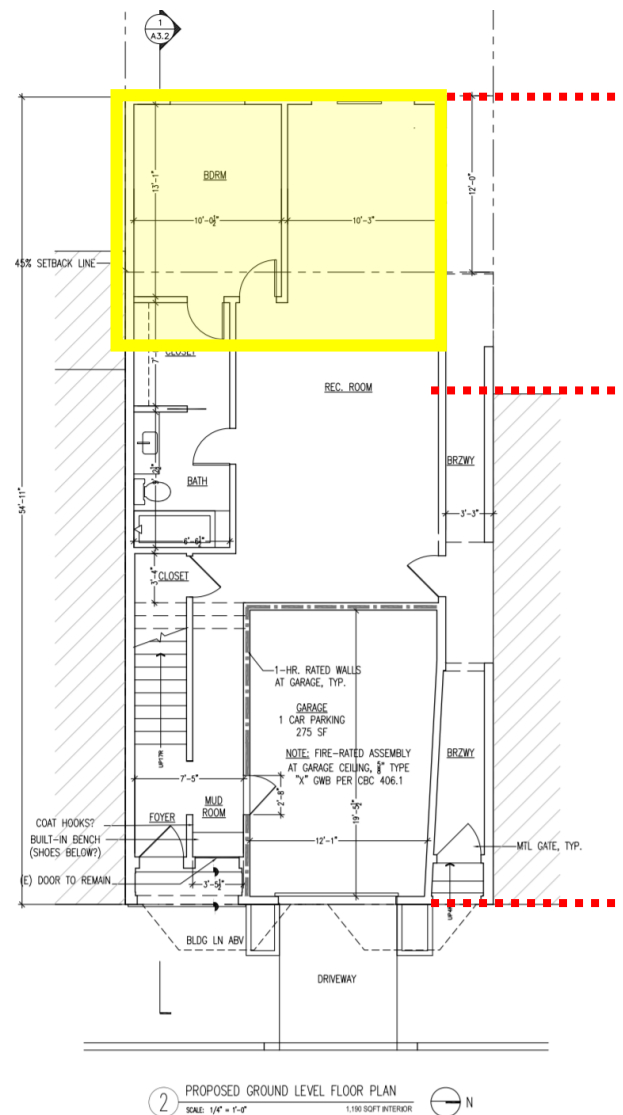
In fact, having reviewed the variance application, we strongly oppose the variance, which will have significant impacts on our privacy and access to light and air. Their proposed extension would encircle our small backyard—our house is already enclosed to the north and west by an apartment building. Further, their proposed expansion places side windows that face directly into our bedroom and kitchen. The attached pdf file indicates the estimated impact of their proposed expansion (pages 1-3).

Thank you for your attention,

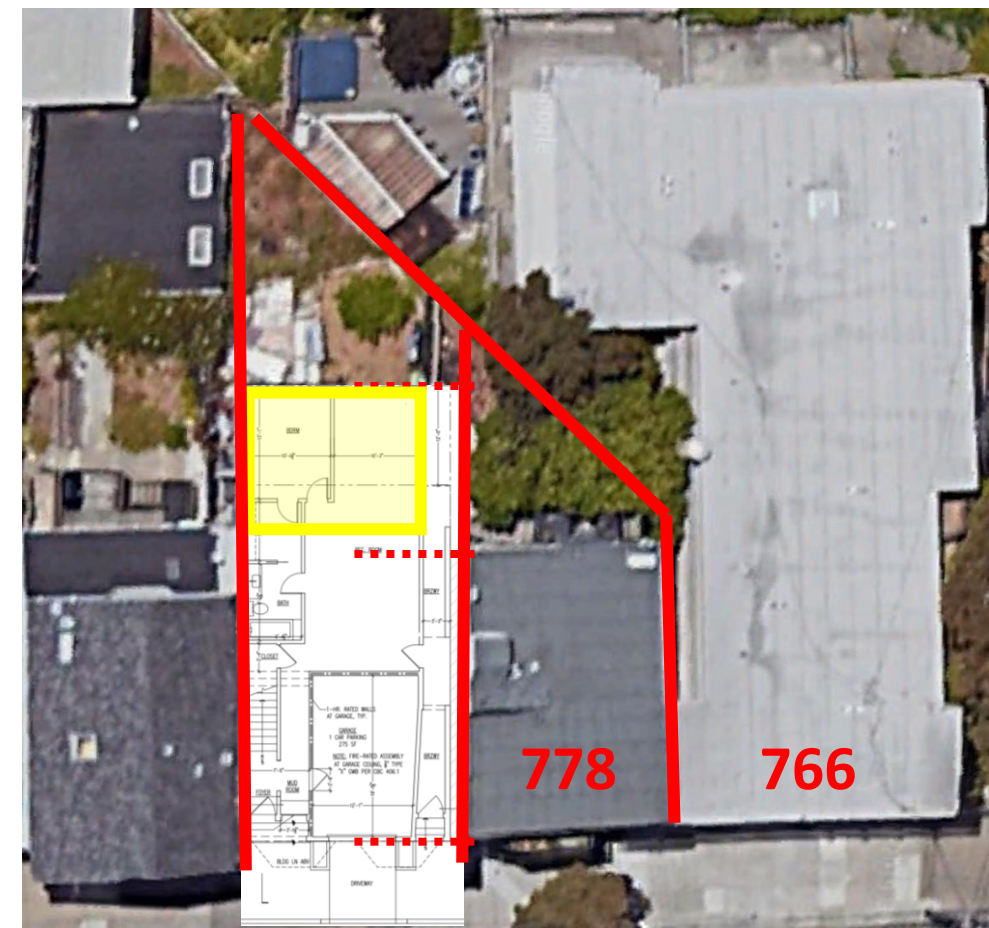
Lani Wu and Steven Altschuler
778 Kansas Street
San Francisco, California 94107



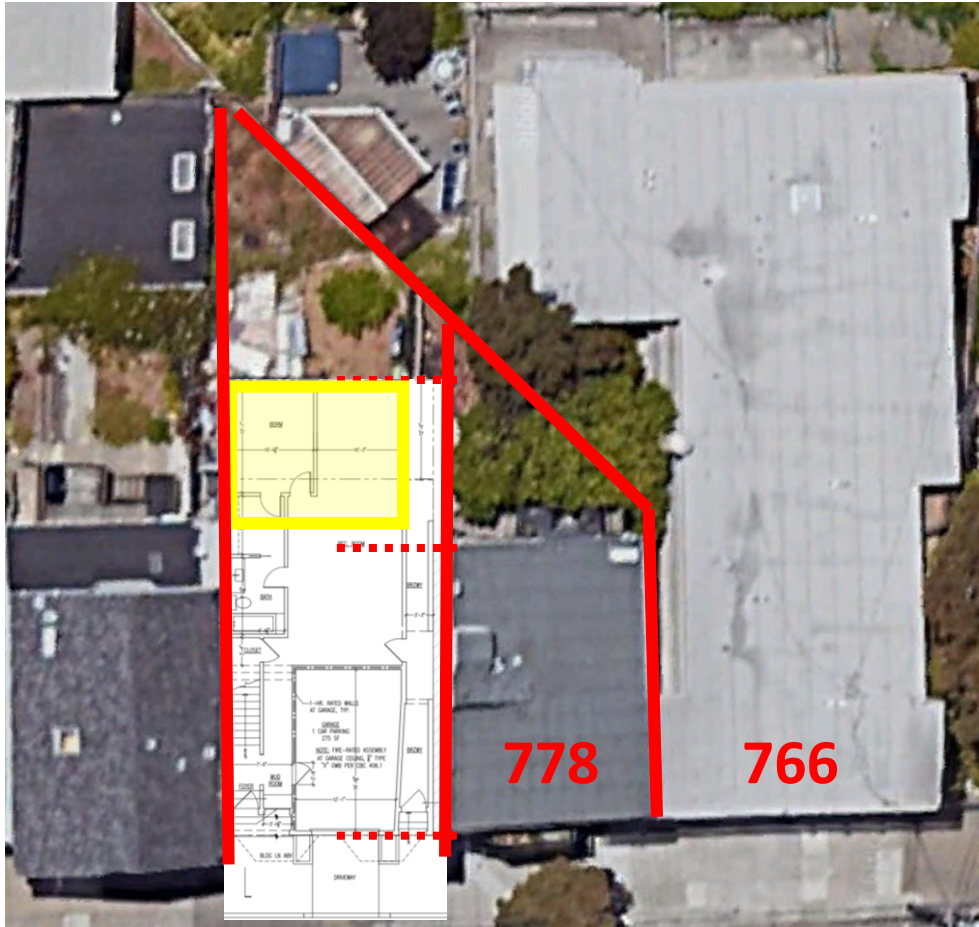
(a) Existing ground level.



(b) Proposed ground level. Yellow square: proposed expansion of interior space.



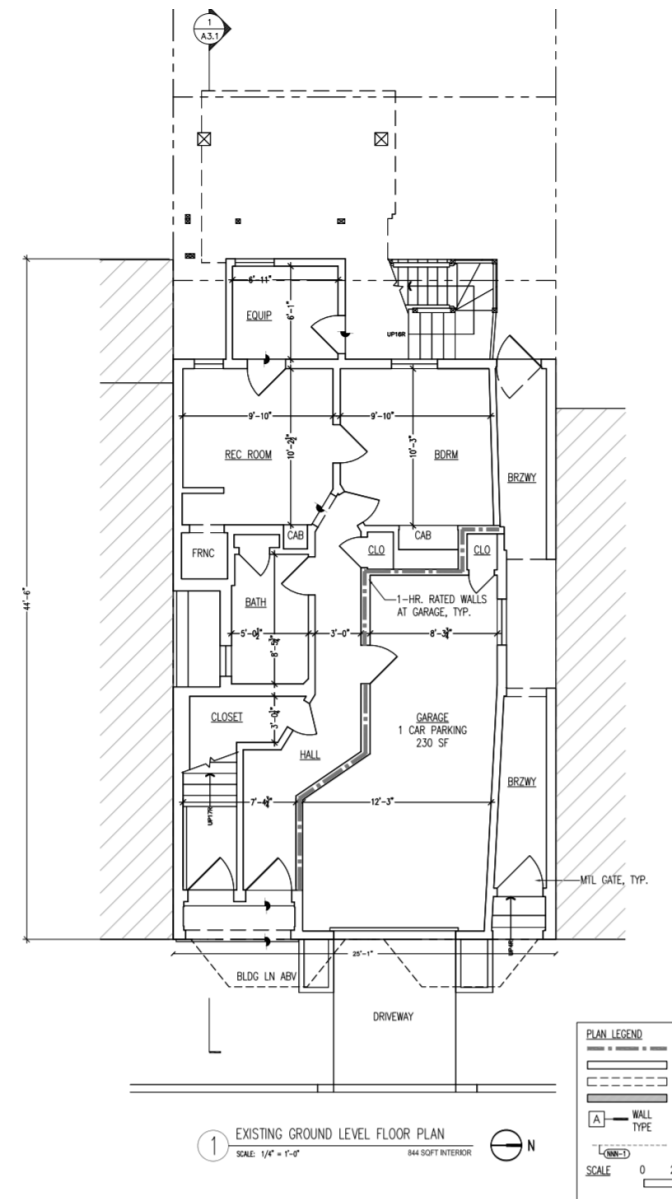
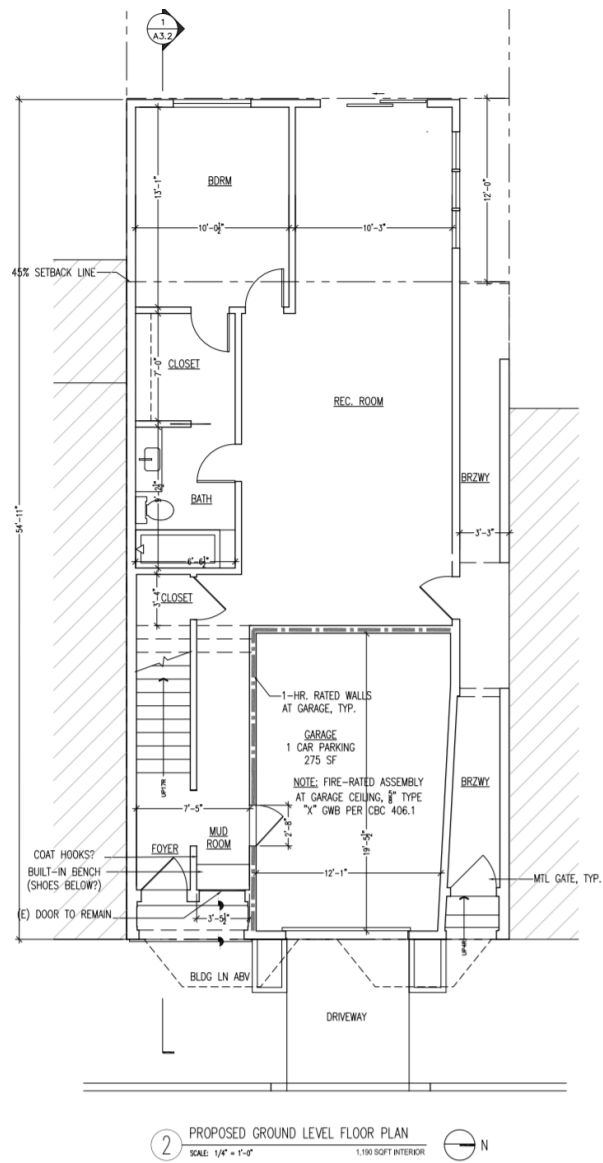
(c) Rough overlay of Google Satellite imagery with (b). Solid red: estimated property lines; dashed red lines: fiducials used to align (b) with Google image.



(a) Overlay from page 1



(b) Panorama photo of triangular backyard in 778 Kansas. Left: 780; Right: 766 apartments. The proposed expansion of 780 will extend nearly to the end of the left, south-facing fence (compare to (a)).



Unedited proposed ground floor plan, downloaded from <https://sfplanninggis.org/planningdocs/?RecordID=2018-002825VAR&RecordName=780%20KANSAS%20ST>, labeled "Plans – 780 Kansas Street0"

November 9, 2017

Board of Appeals, City, and County of San Francisco

1650 Mission St, Suite 304

San Francisco, CA 94103

RE: Request for Special Conditions Permit

Appeal No.: 17-152

Appeal Title: Hampton & Pigatto vs. DBI, PDA

Subject Property: 778 Kansas Street

Permit Type: Site Permit

Permit Number: 2015/12/14/5104S

Dear Board of Appeals,

We are pleased to inform you the following parties: Mark Hampton and Gayle Pigatto of 780 Kansas St. and Steven Altschuler and Lani Wu of 778 Kansas St. have reached mutual agreement with respect to this manner and are seeking a Special Conditions Permit.

Mark and Gayle of 780 Kansas have agreed to the following design changes for 778 Kansas which accompany this letter:

- 1) 18-inch reduction to their proposed parapet at the mezzanine addition;

- 2) Reduce the height of the first 4' of the privacy wall (beginning at the east end) between our properties to 4' above the mezzanine finish floor.

Steve and Lani of 778 Kansas agree to the attached drawings for 780 Kansas on the following condition and that the project complies with all applicable codes and requires no variance.

- 1) Construction of 8 ft. tall fence at the 780 Kansas north property line for the 12 ft. of property line where the first floor of 780 Kansas extends to the West. From that point to the north-west corner of the property, the fence will be 5 ft. tall.

Thank you,

Signed:

The image shows two handwritten signatures in black ink. The first signature, on the left, is 'Lani Wu' written in a cursive, flowing style. The second signature, on the right, is 'Steven Altschuler' also written in a cursive style, with a long horizontal flourish extending to the right.

Steven Altschuler and Lani Wu

778 Kansas Street, San Francisco, CA 94107

Mark Hampton and Gayle Pigatto

780 Kansas Street, San Francisco, CA 94107

We wish to amend our DR filing below.

The 780 Kansas project sponsors proposed in their variance application extensive horizontal and vertical expansion beyond their current building envelope. Our home has an exceptionally small backyard and we are surrounded to the north by an outsized apartment. The project sponsors' submitted plan (2019-08-23, attached) reduces critical neighborhood midblock open space, encircles our home, and invades the privacy of our home and surrounding neighbors. After raising concerns about their project in 2017, the project sponsors demanded—and we honored—a neighbors' agreement (submitted to the Board of Appeals on Nov attached), which they misrepresented in their variance application (2018-02211876, page 4).

After several rounds of mediation, facilitated by Mr. David Winslow, the project sponsors provided a plan (2020-02-14, attached) that removed horizontal expansions outside the allowable 12' extension (Fig. 1). With their revised plan, we request the DR commission's help to resolve remaining privacy and light issues, arising largely from their proposed three extensive decks for their two-unit building.

5th level (roof): Remove rooftop deck (Fig. 2). We lowered the height of our parapet as demanded by the project sponsors and as part of our neighbors' agreement (attached). Now, they want to build a 5th level deck that would, in their own words, "tower over our home and the rest of the neighborhood" (Oct 25th, 2017 Correspondence to Board of Appeals). In fact, their proposed 4th level deck is higher than our pre-existing deck (Fig 3). We also point out that our reduction of building height is not shown on their submitted plans to the city and neighborhood, which misrepresents our agreement and dramatically downplays their actual height impact to the neighbors (Figs. 3-4). In summary, we honored our neighbor's specific demands to reduce building heights at the top of Kansas, and now the project sponsors are applying a double standard to build a roof deck even one floor higher that will look down into our home and all neighboring homes at the top of Kansas and Vermont.

4th level: Remove small portion of occupiable roof deck within 5' side yard setback (Fig. 5). This will preserve light and privacy to our home.

3rd level: No further requests.

2nd level: Remove portion of occupiable roof deck within a 45° cone (Fig. 6). This will preserve privacy to our home.

1st level: Reduce the expansion to match the 2nd floor cone of light (Fig. 6-7). Project Sponsors to build a low fence as per neighbors' agreement. This will preserve access to midblock open space and sunlight in our diminutive yard.

We understand SF residential housing issues are complicated, and we strongly believe in neighbors coming to agreement themselves. In fact, we did come to an agreement with the project sponsors two years ago. In reliance of that agreement we modified our plans at great cost and delay to our own project. However, for SF residents to be motivated to enter into and honor agreements, they have to believe that neighbors' agreements are meaningful to the parties who sign them, as well as to the city.

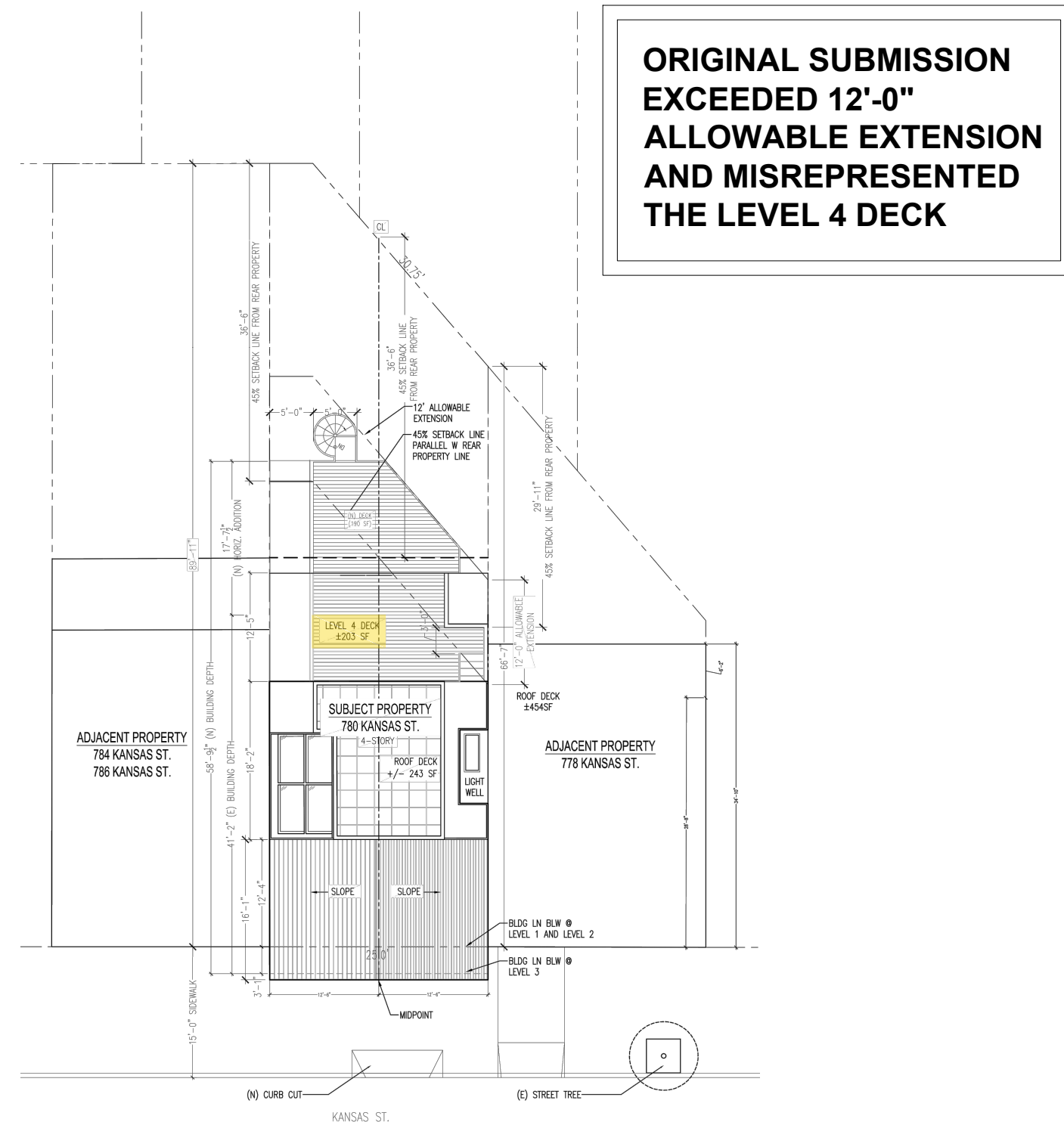
It is not our goal to stop the project sponsors from remodeling their home. And, we are trying to be realistic and reasonable in making the limited requests above, including not objecting to a limited variance request. However, we are asking for fairness in limiting loss of privacy and light to our home, and that the sponsors be held to the same design standards they demanded for our project in our neighbors' agreement.

We remain hopeful that we can come to a resolution and avoid the DR meeting.

Respectfully,

Lani Wu and Steven Altschuler

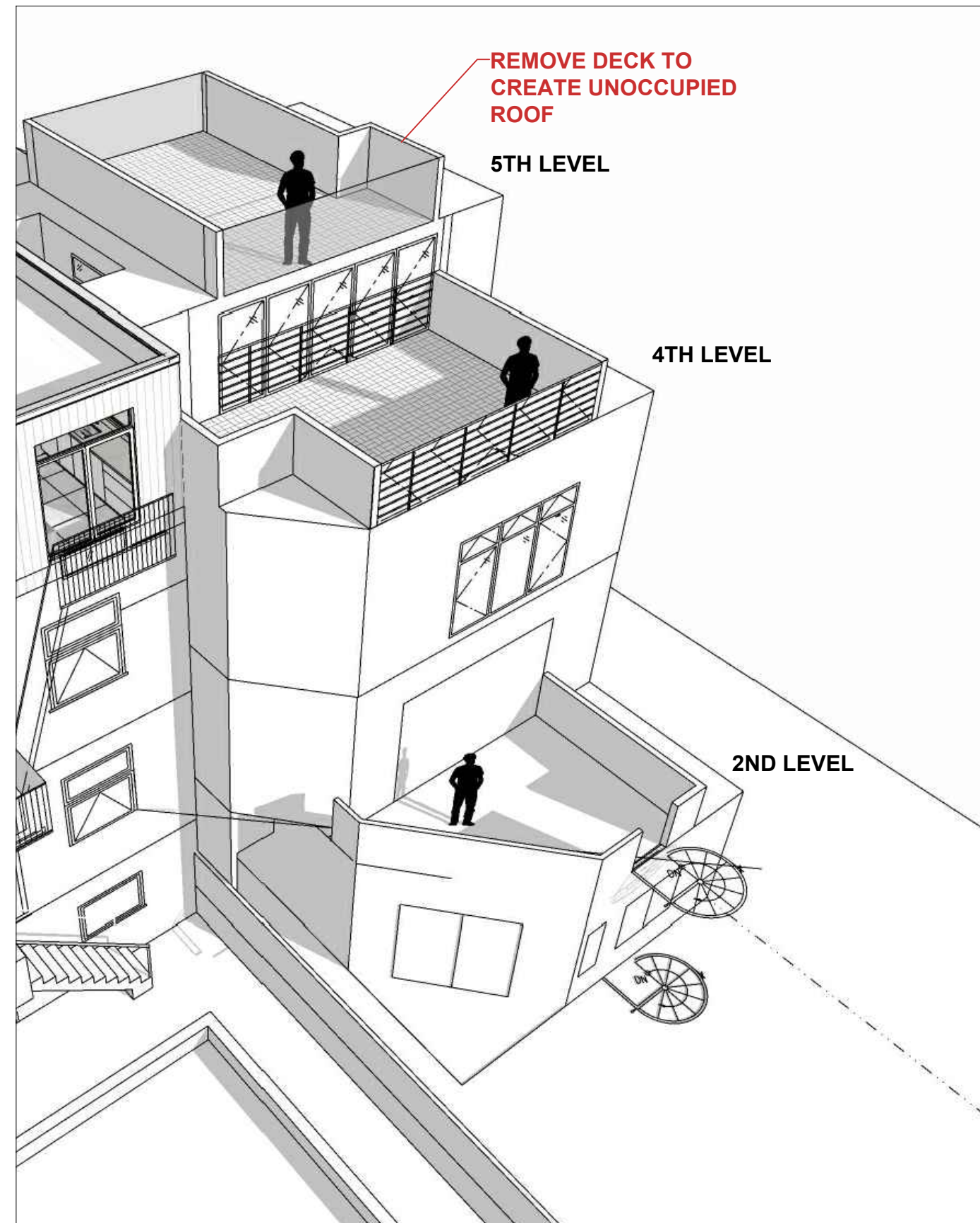
Architectural site plan showing the subject property at 780 Kansas St. The plan includes setbacks, building footprints, decks, and adjacent properties. Key features include a 45% setback line, a 15'-0" sidewalk, and a 15'-5" curb cut. The subject property is a 4-story building with a roof deck of approximately 243 SF. It has a Level 2 deck of 78 SF and a Level 3 deck of 203 SF. The building is situated between 784 Kansas St. (adjacent property) and 778 Kansas St. (adjacent property). The plan also shows a light well, a roof deck of approximately 454 SF, and a 15'-0" building depth. The building is set back 15'-0" from the curb cut and 15'-5" from the street tree. The building is set back 15'-0" from the curb cut and 15'-5" from the street tree. The building is set back 15'-0" from the curb cut and 15'-5" from the street tree.



**ORIGINAL SUBMISSION
EXCEEDED 12'-0"
ALLOWABLE EXTENSION
AND MISREPRESENTED
THE LEVEL 4 DECK**

Fig . 2

NOTE: 780 KANSAS DID NOT PROVIDE 3D MODEL. MASSING MODEL OF 780 KANSAS TO BEST OF ARCHITECT'S KNOWLEDGE FOLLOWING PLANS PROVIDED



TOWERING

ROOF DECK
DIAGRAM
MEDIATION VERSION

lejarraga
STUDIO

5429 Telegraph Ave.
Oakland, CA 94609
510-325-0213
design@lejastudio.com

780 KANSAS STREET
SAN FRANCISCO, CA 94107
FEBRUARY 20, 2020

Fig. 3

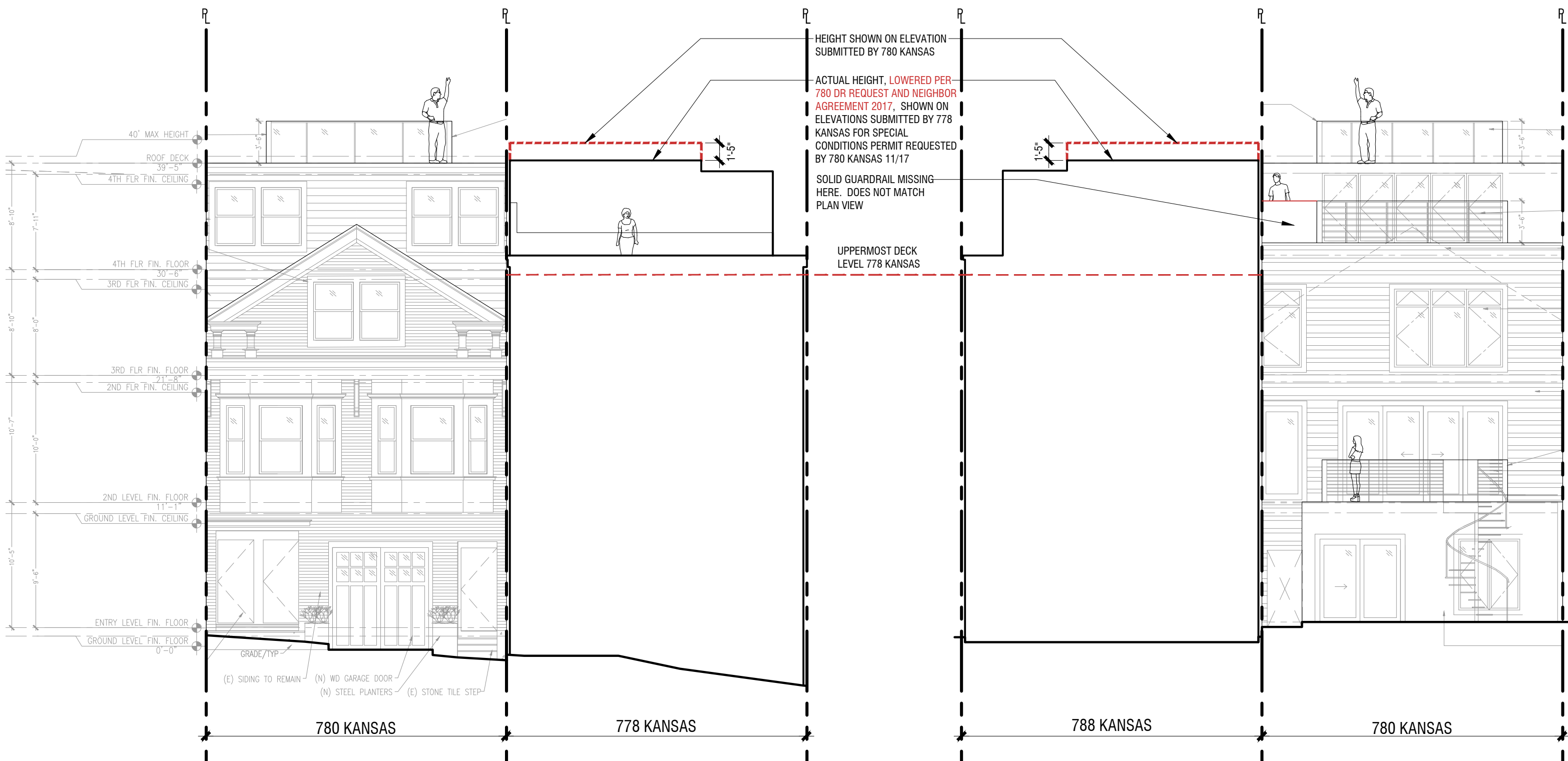


Fig . 4



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

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

lejarraga
STUDIO

5429 Telegraph Ave.
Oakland, CA 94609
510-325-0213
design@lejastudio.com

ELEVATIONS
SUBMITTED BY
780 KANSAS
ELEVATION ORIGINAL PROPOSED

780 KANSAS STREET
SAN FRANCISCO, CA 94107
FEBRUARY 19, 2020

Fig. 5

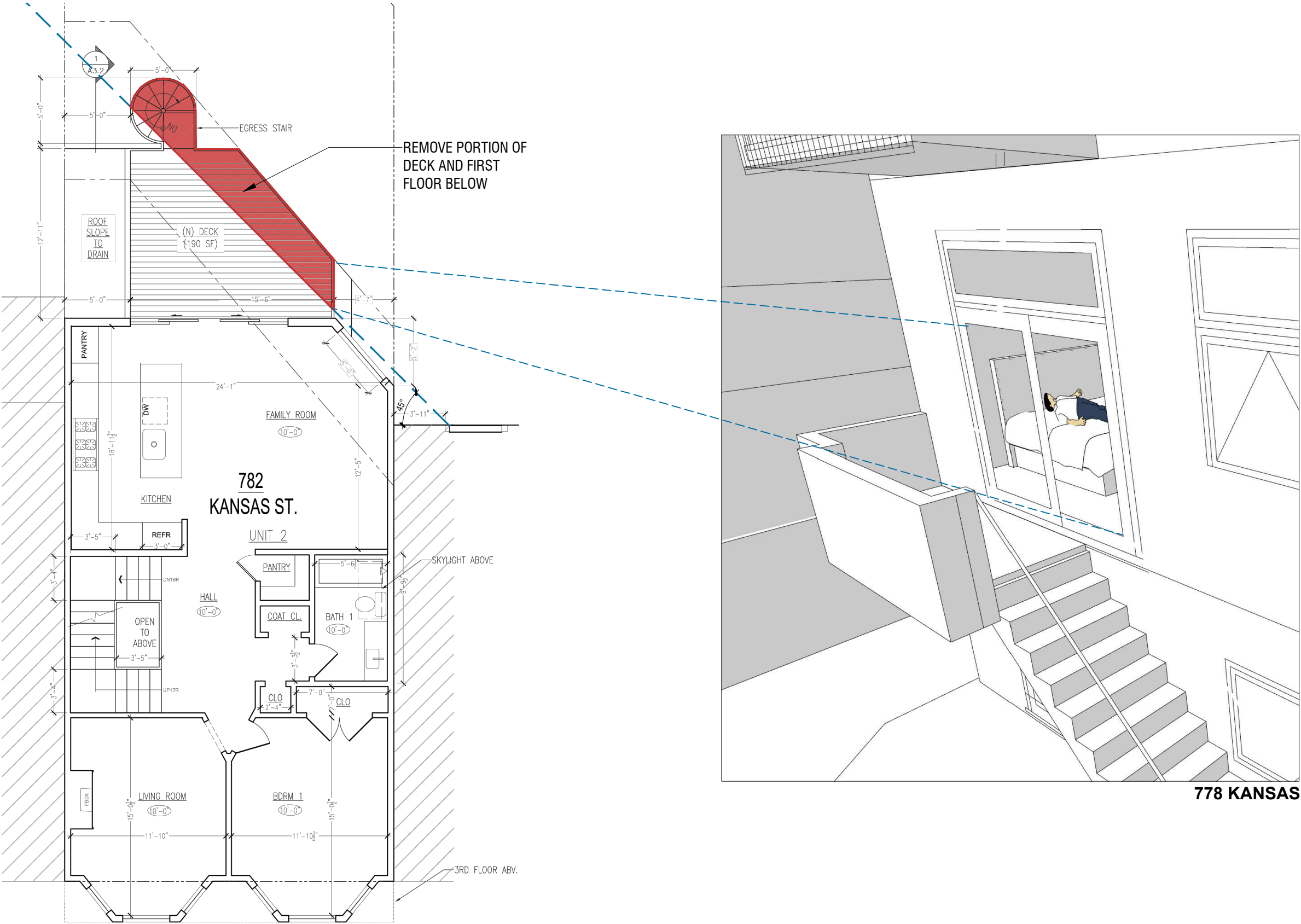


Fig . 6



INVASION OF PRIVACY

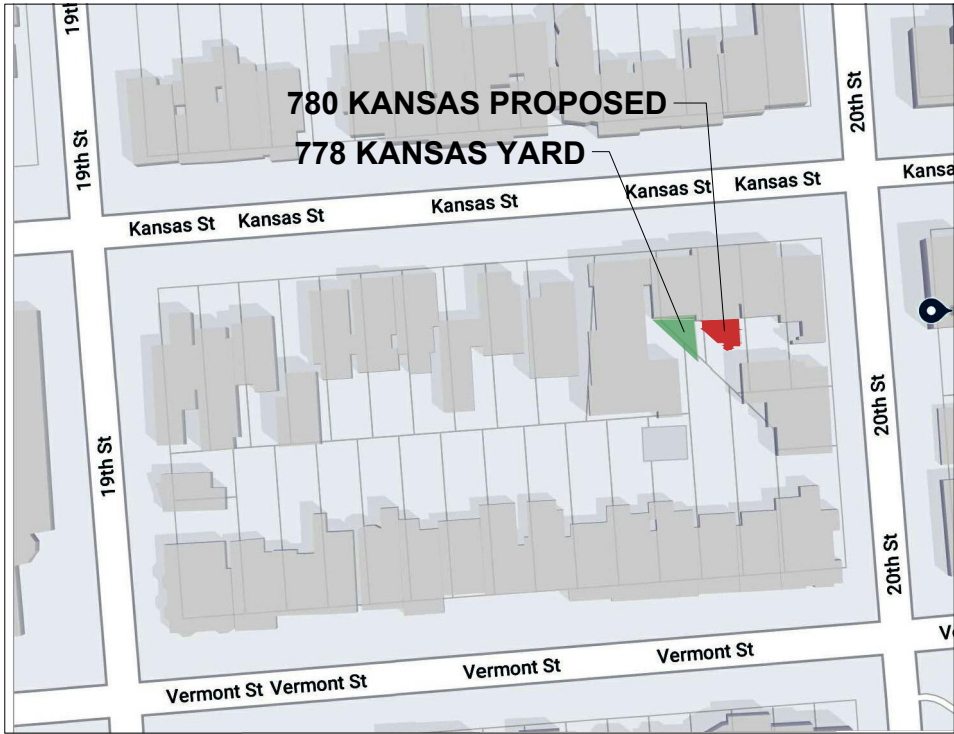
4TH LEVEL DIAGRAM

780 KANSAS STREET
SAN FRANCISCO, CA 94107
FEBRUARY 20, 2020

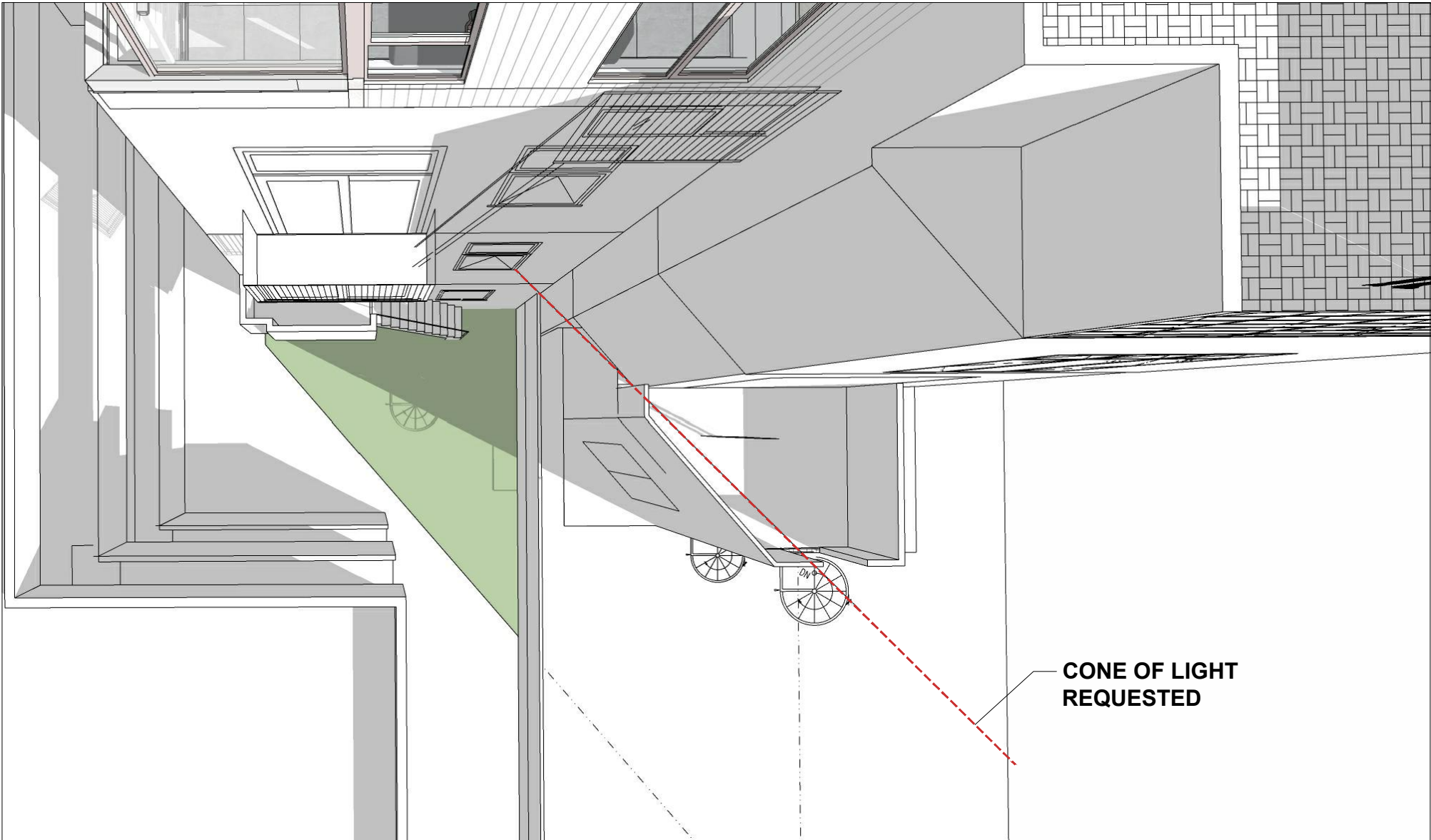
Fig. 7



PHOTO OF EXISTING REAR SUBMITTED BY 780 KANSAS



NOTE: 780 KANSAS DID NOT PROVIDE 3D MODEL. MASSING MODEL OF 780 KANSAS TO BEST OF ARCHITECT'S KNOWLEDGE FOLLOWING PLANS PROVIDED



MODEL OF MEDIATION VERSION

ACCESS TO MIDBLOCK OPEN SPACE & SUNLIGHT

lejarraga
STUDIO

5429 Telegraph Ave.
Oakland, CA 94609
510-325-0213
design@lejastudio.com

ACCESS TO
MID BLOCK
OPEN SPACE - V3

780 KANSAS STREET
SAN FRANCISCO, CA 94107
FEBRUARY 20, 2020

November 9, 2017

Board of Appeals, City, and County of San Francisco

1650 Mission St, Suite 304

San Francisco, CA 94103

RE: Request for Special Conditions Permit

Appeal No.: 17-152

Appeal Title: Hampton & Pigatto vs. DBI, PDA

Subject Property: 778 Kansas Street

Permit Type: Site Permit

Permit Number: 2015/12/14/5104S

Dear Board of Appeals,

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Mark and Gayle of 780 Kansas have agreed to the following design changes for 778 Kansas which accompany this letter:

- 1) 18-inch reduction to their proposed parapet at the mezzanine addition;

Request for Special Conditions Permit

Appeal No: 17-152

- 2) Reduce the height of the first 4' of the privacy wall (beginning at the east end) between our properties to 4' above the mezzanine finish floor.

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Thank you,

Signed:



Steven Altschuler and Lani Wu

778 Kansas Street, San Francisco, CA 94107

Mark Hampton and Gayle Pigatto

780 Kansas Street, San Francisco, CA 94107

Mark Hampton



Digitally signed by Mark Hampton
DN: C=US,
E=mrhampton@haywardbaker.com,
OU=Hayward Baker, CN=Mark Hampton
Date: 2017.11.09 18:35:37-08'00'

Gayle Pigatto



Digitally signed by Gayle Pigatto
DN: C=US,
E=gayle.pigatto@gmail.com,
O=Fanatics Inc, OU=Fanatics Inc,
CN=Gayle Pigatto
Date: 2017.11.09 18:36:07-08'00'



VARIANCE FROM THE PLANNING CODE

SUPPLEMENTAL APPLICATION

Property Information

Project Address:

Block/Lot(s):

Variance Findings

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;
2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;
3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity;
5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan.

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.

Signature 

Name (Printed)

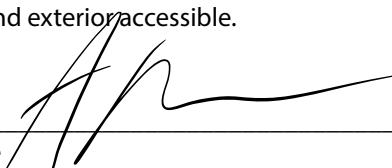
Relationship to Project
(i.e. Owner, Architect, etc.)

Phone

Email

APPLICANT'S SITE VISIT CONSENT FORM

I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.

Signature 

Name (Printed)

Date

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

780 Kansas Street

VARIANCE FINDINGS – RESPONSES

1. The exceptional circumstance related to this property is the very unusual shape of the lot. The rear (west) property line of the parcel has a very sharp angle – it is 50 degrees from being parallel to the front (east) property line. Please see the site plan. The existing building encroaches into the required rear yard as a pre-existing non-conforming condition. Remodeling the house to add even a minimal amount of space horizontally becomes a challenge if staying within the required rear yard setback, even utilizing the allowable 12' extension.
2. The literal enforcement of the code would yield a house that has a sharply angled rear wall, odd and not very usable interior spaces, and a rather dysfunctional rear yard. Further, such a structure would not be compatible with the adjacent houses and would negatively impact the sunlight and privacy of adjacent properties. Thus the literal enforcement of the code would preclude the owners' from creating additional functional living spaces, and would not even make possible the repair of a failing rear deck except for a strict replacement in-kind which would not be prudent as the existing structure is poorly designed and not safe for children.
3. Accepting that a "substantial property right" is the ability to create a living space of reasonable size and shape on one's property; this proposal accomplishes that objective.
It should be noted that the owners of both adjacent properties (at 778 Kansas, and 784-86 Kansas), who would be most impacted by this project, have no objections to the proposed plans. Further, 778 Kansas, just north of the subject property, recently underwent a substantial remodel that includes a sizable rear yard encroachment given a very similar lot shape with a rear lot line with the same sharp angle.
4. This project will not be materially detrimental to the public welfare or materially injurious to property in the vicinity, as it will positively impact the neighborhood. The newly remodeled structure will be consistent with the neighborhood fabric in scale and character, and will allow a resident to adapt without relocating.
5. The granting of this addition will be in harmony with the general purpose and intent of the Planning Code and will not adversely affect the General Plan.

PLANNING CASE NO.

ADDRESS

780 Kansas Street

BLOCK AND LOT NO.

4074 / 013A

PRIORITY GENERAL PLAN POLICIES FINDINGS

1. The proposed project does not contain, nor will it impact, neighborhood-serving retail uses.
2. The proposed project will only serve to enhance existing housing and neighborhood character as it will be updated in a manner consistent with the local historic context.
3. This project will have no effect on the city's supply of affordable housing, except that it will revitalize a long derelict and vacant secondary rental unit on the property's ground level.
4. The project will not generate increased commuter traffic, or have any effect on neighborhood streets or parking. Required off-street parking is already provided within the garage of the existing building.
5. The proposed project will have no effect on the city's industrial and service sectors, nor on opportunities for resident employment or ownership in such sectors.
6. The proposed project will contribute in a positive way to earthquake preparedness in that it will include new construction that is built up to current code and will be a safer building overall after the proposed renovation.
7. The subject property is not considered a landmark or to be of historic significance.
8. The proposed project will have no impact upon public parks or open space.



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information

Name:

Address: Email Address:

Telephone:

Information on the Owner of the Property Being Developed

Name:

Company/Organization:

Address: Email Address:

Telephone:

Property Information and Related Applications

Project Address:

Block/Lot(s):

Building Permit Application No(s):

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?	<input type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case? (including Community Boards)	<input type="checkbox"/>	<input type="checkbox"/>
Changes Made to the Project as a Result of Mediation. If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes that were made to the proposed project.		

DISCRETIONARY REVIEW REQUEST

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

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


-
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

Steven Altschuler

Name (Printed)

self

9727950845

Lani.WuA@gmail.com

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

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



Sun 9/22/2019 7:44 PM

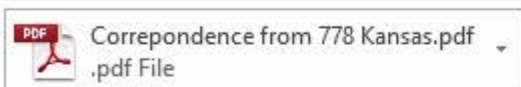
Lani Wu <lani.wua@gmail.com>

regarding application for variance at 780 Kansas

To linda.ajellohoagland@sfgov.org

Cc 'Steve Altschuler'; 'Lani Wu'

Bcc design@lejastudio.com; ttunny@reubenlaw.com



Dear Ms. Ajello-Hoagland,

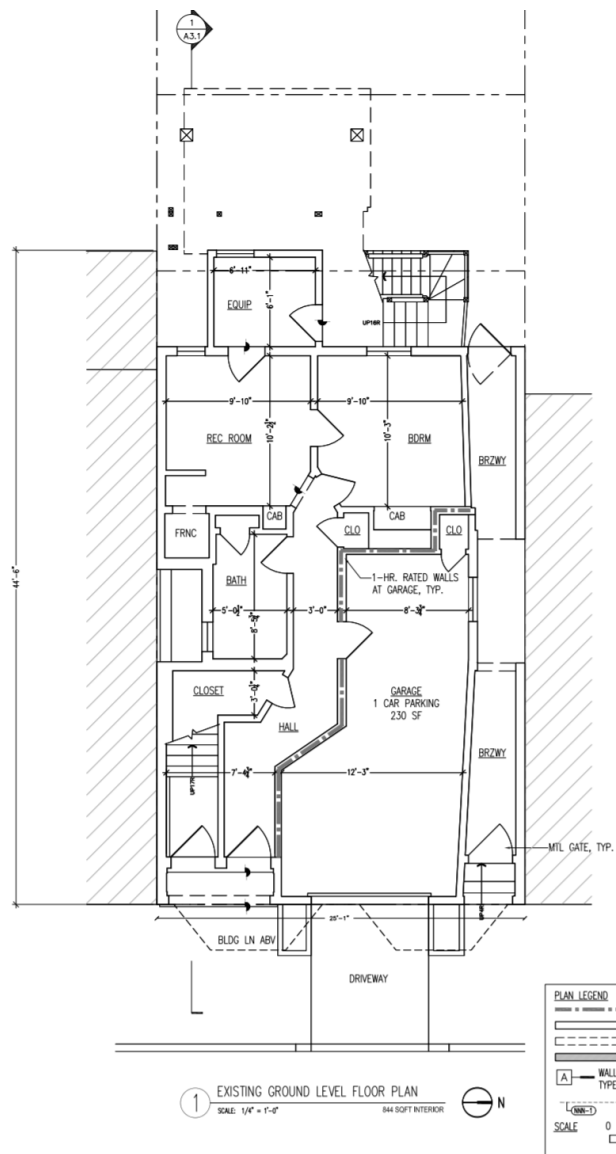
We reside at and own the single family home at 778 Kansas Street. We are writing in regard to an application filed for a variance at the adjacent property at 780 Kansas (application record 2018 0221 1876). The first we learned about the application for variance was from the street posting on 780 Kansas. We were thus very surprised to see that the application states in its Variance Findings Responses section (page 6 point 3) that: "It should be noted that the owners of both adjacent properties (at 778 Kansas, and 784-86 Kansas), who would be most impacted by this project, have no objections to the proposed plans."

This statement is false and misstates our views. In 2017, we did agree to a specific, previous project proposal by the current owner of 780 Kansas, but only on the explicit condition that the project would require no variance. This prior agreement, demanded by and memorialized in writing by the current 780 Kansas owner, was attached to a Special Conditions Permit approved by the Board of Appeals at that time for a project at our property (see attached Request for Special Conditions Permit, Appeal No: 17-152, pages 4-5). 780 Kansas is now seeking a variance in direct violation of an explicit condition of our agreement. Worse yet, they have misled the planning department and the neighborhood about our position in the application.

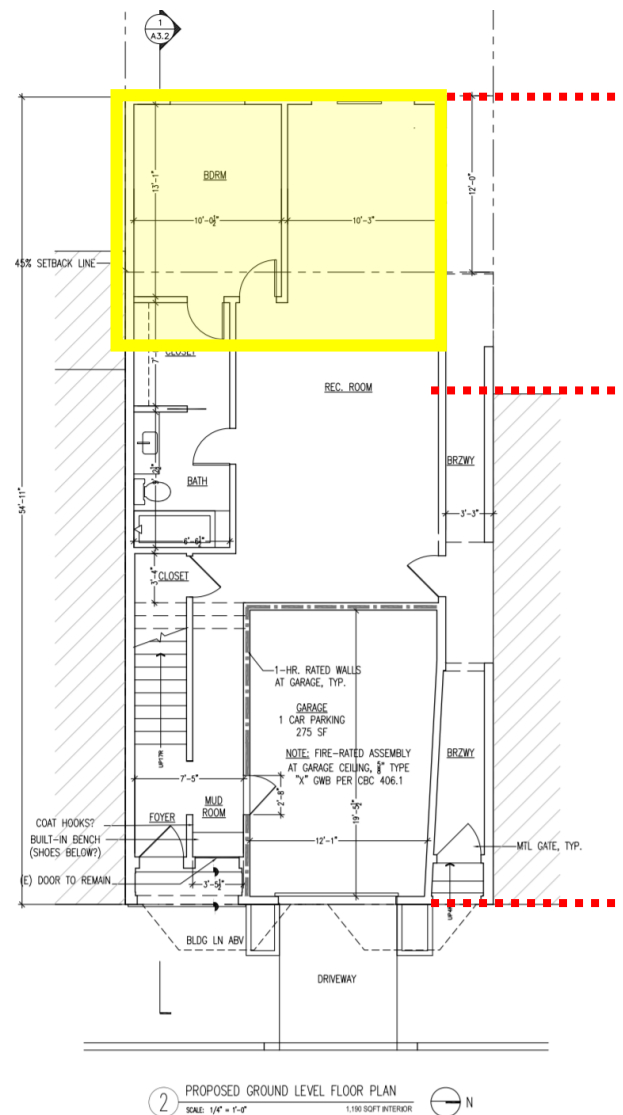
In fact, having reviewed the variance application, we strongly oppose the variance, which will have significant impacts on our privacy and access to light and air. Their proposed extension would encircle our small backyard—our house is already enclosed to the north and west by an apartment building. Further, their proposed expansion places side windows that face directly into our bedroom and kitchen. The attached pdf file indicates the estimated impact of their proposed expansion (pages 1-3).

Thank you for your attention,

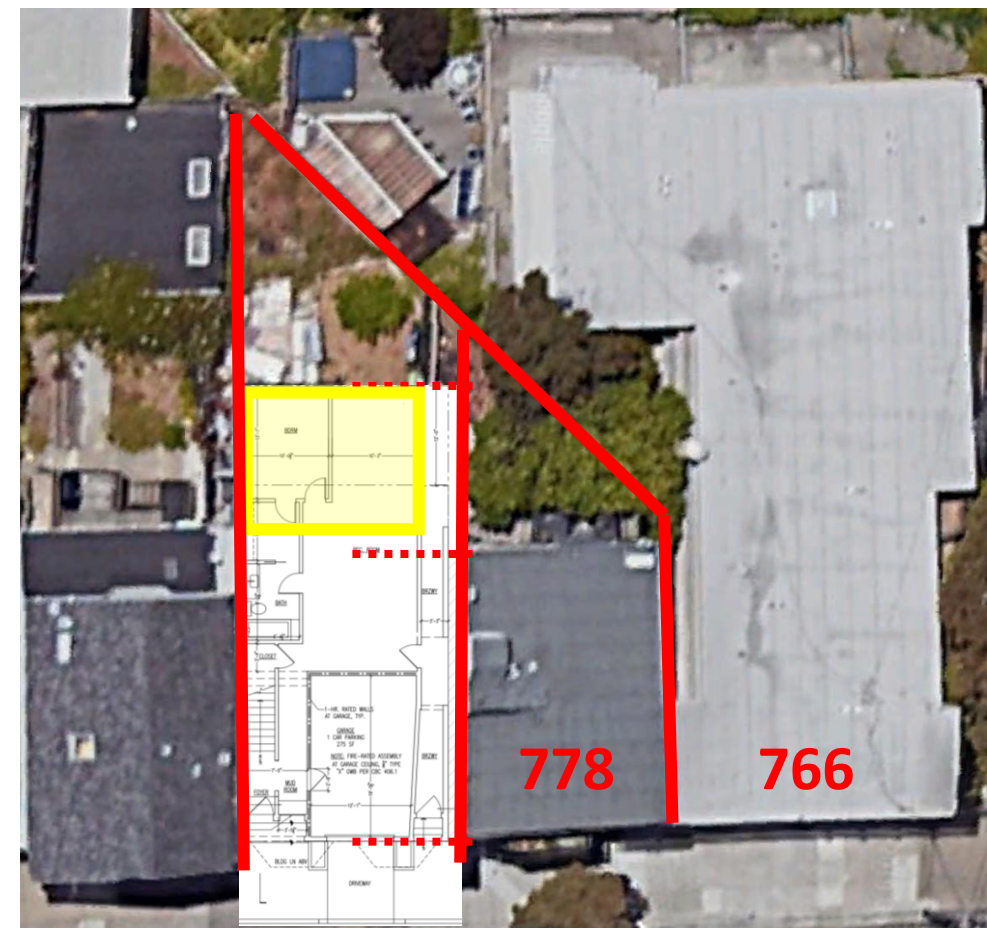
Lani Wu and Steven Altschuler
778 Kansas Street
San Francisco, California 94107



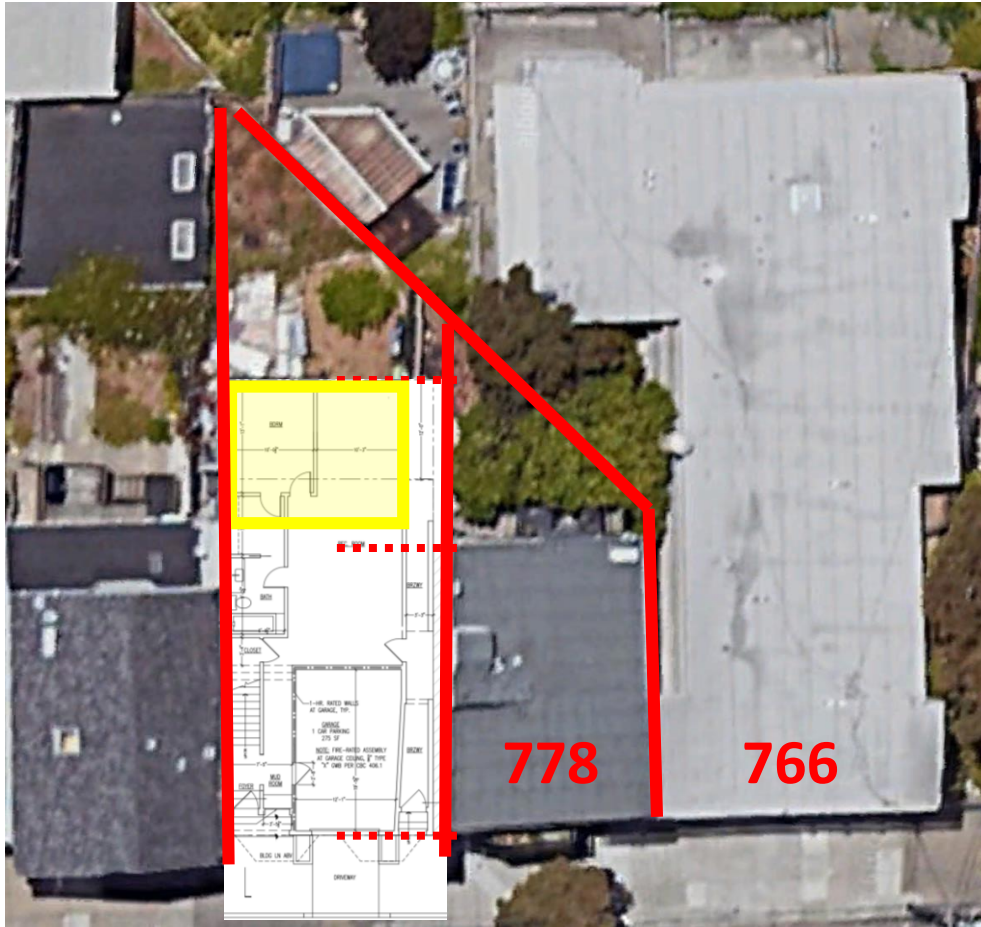
(a) Existing ground level.



(b) Proposed ground level. Yellow square: proposed expansion of interior space.



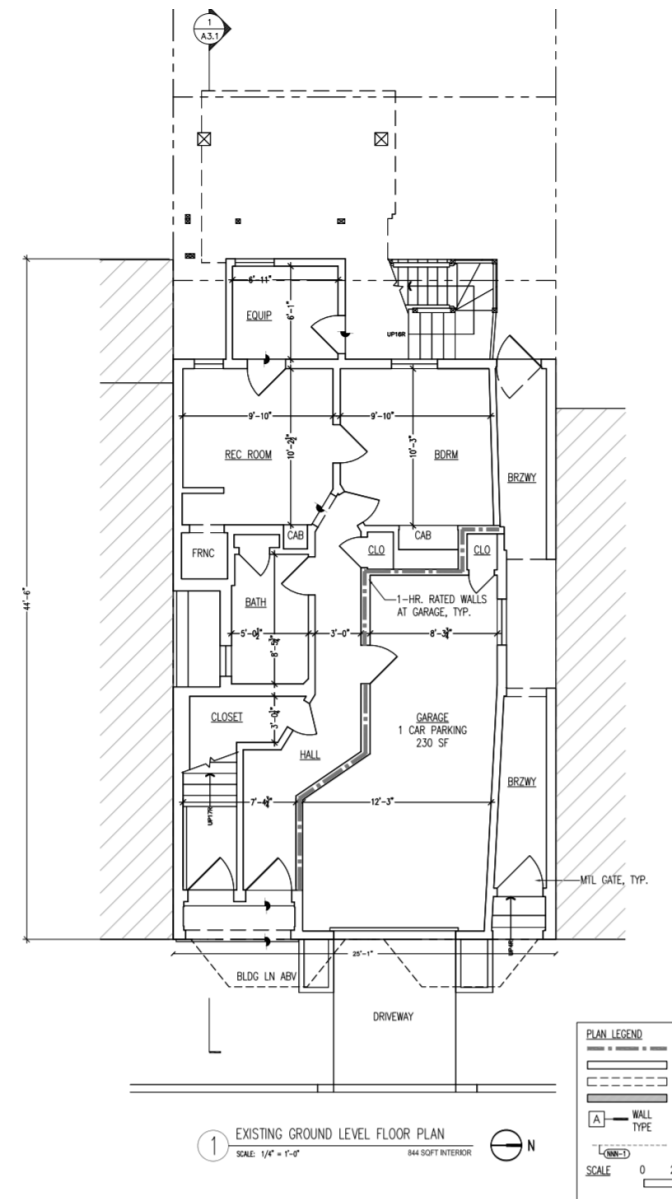
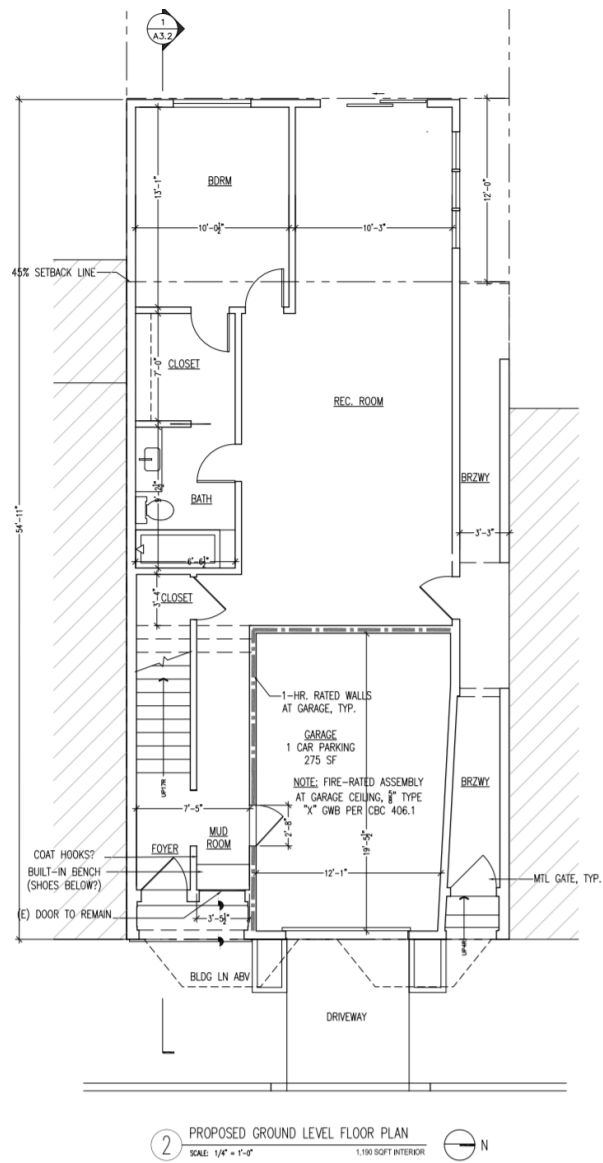
(c) Rough overlay of Google Satellite imagery with (b). Solid red: estimated property lines; dashed red lines: fiducials used to align (b) with Google image.



(a) Overlay from page 1



(b) Panorama photo of triangular backyard in 778 Kansas. Left: 780; Right: 766 apartments. The proposed expansion of 780 will extend nearly to the end of the left, south-facing fence (compare to (a)).



Unedited proposed ground floor plan, downloaded from <https://sfplanninggis.org/planningdocs/?RecordID=2018-002825VAR&RecordName=780%20KANSAS%20ST>, labeled "Plans – 780 Kansas Street0"

November 9, 2017

Board of Appeals, City, and County of San Francisco

1650 Mission St, Suite 304

San Francisco, CA 94103

RE: Request for Special Conditions Permit

Appeal No.: 17-152

Appeal Title: Hampton & Pigatto vs. DBI, PDA

Subject Property: 778 Kansas Street

Permit Type: Site Permit

Permit Number: 2015/12/14/5104S

Dear Board of Appeals,

We are pleased to inform you the following parties: Mark Hampton and Gayle Pigatto of 780 Kansas St. and Steven Altschuler and Lani Wu of 778 Kansas St. have reached mutual agreement with respect to this manner and are seeking a Special Conditions Permit.

Mark and Gayle of 780 Kansas have agreed to the following design changes for 778 Kansas which accompany this letter:

- 1) 18-inch reduction to their proposed parapet at the mezzanine addition;

- 2) Reduce the height of the first 4' of the privacy wall (beginning at the east end) between our properties to 4' above the mezzanine finish floor.

Steve and Lani of 778 Kansas agree to the attached drawings for 780 Kansas on the following condition and that the project complies with all applicable codes and requires no variance.

- 1) Construction of 8 ft. tall fence at the 780 Kansas north property line for the 12 ft. of property line where the first floor of 780 Kansas extends to the West. From that point to the north-west corner of the property, the fence will be 5 ft. tall.

Thank you,

Signed:

The image shows two handwritten signatures in black ink. The first signature, on the left, is 'Lani Wu' written in a cursive, flowing style. The second signature, on the right, is 'Steven Altschuler' written in a more formal, slightly cursive style.

Steven Altschuler and Lani Wu

778 Kansas Street, San Francisco, CA 94107

Mark Hampton and Gayle Pigatto

780 Kansas Street, San Francisco, CA 94107

February 24, 2020

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

Re: 333 780 Kansas Discretionary Review – March 5, 2020 Planning Commission Hearing

Dear President Koppel and Commissioners:

The Discretionary Review (DR) request filed against our project for a modest 623-square-foot addition to our family's home has no merit. Our Response to the Discretionary Review Application filed by our neighbors at 778 Kansas is attached.

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

1. The DR requestor has not identified any exceptional or extraordinary circumstances that justify taking Discretionary Review: the project is compatible with the neighborhood and is consistent with the San Francisco Residential Design Guidelines.
2. We have been incredibly responsive in our efforts to please the DR requestor: we have made three sets of meaningful plan revisions to address their changing demands. And, on February 18, 2020, we offered to make an additional fourth set of changes to settle the matter in exchange for the DR being withdrawn. Unfortunately, to date the DR requestors have not responded to our offer.
3. Because the DR Application is without merit, the DR requestor has resorted to claiming that a 2017 settlement agreement that allowed the DR requestor to build a 538-square-foot roof deck and 297-square-foot penthouse, as well as receive a Rear Yard Variance, should prevent us from requesting a Variance for our project. The DR requestor is wrong, the 2017 agreement has no such clause prohibiting us from seeking a Variance.

We are seeking a Rear Yard Variance for the project because, as we demonstrate in our attached DR Response, we have an unusual sharply angled lot and a home that is currently non-conforming. With the Variance, we can square-off the addition to the house and build a project that respects the mid-block open space and reduces the impacts to our neighbors.

Please deny this DR request and allow us to proceed with our modest expansion. It will allow us to stay in this wonderful neighborhood and make our home safer and more livable for our family.

Sincerely,

Gayle Pigatto and Mark Hampton
780-82 Kansas Street

CC: Commissioner Kathrin Moore (Vice-President), Commissioner Sue Diamond, Commissioner Frank S. Fung, Commissioner Milicent A. Johnson, Commissioner Theresa Imperial, Commissioner Dennis Richards, Jonas P. Ionin, Corey Teague, David Winslow

RESPONSE TO DISCRETIONARY REVIEW (DRP)



**San Francisco
Planning**

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

Project Information

Property Address: **780 Kansas Street**

Zip Code: **94107**

Building Permit Application(s): **201802211876**

Record Number: **2018-002825DRP**

Assigned Planner: **David Winslow**

Project Sponsor

Name: **Mark Hampton and Gayle Pigatto**

Phone:

Email: **markhampton@gmail.com**

Required Questions

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

Please see Attachment 1.

-
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.

Please see Attachment 1.

-
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.

Please see Attachment 1.

The proposed project is demonstrably better for reducing the neighbors' privacy and light and air impacts than a code-compliant design. The results of the site line study, shown in **Table 1**, indicate that the impacts of the proposed change to 780 Kansas are beneficial to most of the windows on the western façade of the 778 Kansas property. Specifically, the planned view from the 1st floor bedroom has 2 degrees more visibility than what is allowed by planning without a variance. The 2nd floor bedroom window of 778 Kansas has 3 more degrees of view under the current plan vs. what is allowed by the planning code. The planned view from the 3rd floor dining room is 3 degrees better under the proposed plan vs what is allowed by planning without a variance. Additionally, the 778 Kansas Penthouse views are not impacted by the proposed 4th floor addition to 780 Kansas.

Table 1. Degrees of Visibility under existing conditions, a code-compliant plan, and the proposed project (see illustrations in Figures 13-19)

Location	Existing	Allowable	Planned
778 Kansas 1st Floor Bathroom Window	125	119	122
778 Kansas 1st Floor Bedroom Window	140	138	140
778 Kansas 2nd Floor Closet Window	141	142	134
778 Kansas 2nd Floor Bedroom Window	158	150	153
778 Kansas 3rd Floor Kitchen Window	136	141	135
778 Kansas 3rd Floor Dining Window	157	149	152

ATTACHMENT 1 –RESPONSE TO REQUEST FOR DISCRETIONARY REVIEW FOR 780-782 KANSAS STREET

I. INTRODUCTION AND BACKGROUND

The Purpose and Benefits of the Proposed Project. We moved to Potrero Hill in 2014 and immediately fell in love with the neighborhood. We purchased 780-82 Kansas in 2015 from the great grandson of the original owner, marking first time in over 100 years the home had changed families. Restoring and revitalizing the property requires a significant investment of our time and resources but preserving this home for future generations is important to us. We are requesting a very modest addition of just *623 square feet* of additional useable interior space and a 275 square-foot garage.

Our family has grown from two to four since we moved in, we now have two small children, Harley (3.5) and Marshall (1.5), and we have an acute need to make our space safer and more livable. Our home has had minimal updates over the last 50 years and needs to be brought up to current codes and seismic standards.

We have to use a makeshift ramp to haul our 85-pound cargo bike and two toddlers up and down each day so we can store my bicycle in our backyard (see **photographs 1 and 2** below). Last week the bike flipped over and the children fell with the bike while trying to push everyone up the ramp. Lugging the two children and our gear up and down the decrepit back stairs to get in and out of the house is difficult and not very safe. This is the primary reason we're seeking a

garage. Our planned remodel will address safety concerns while providing a garage where we can safely load our children into our car and onto our bicycles. We will replace cramped, steep staircases with code complaints ones as well as remove all the lead paint (see **photographs 3 and 4** below). Currently the house has single pane windows, many unsealed openings and has no insulation. Our planned construction will provide a house which is more environmentally friendly.



Photograph 1. Bike ramp



Photograph 2. Back yard



Photograph 3. Interior staircase



Photograph 4. Exterior conditions

The Challenges of the Lot and the Reason for the Variance. Because the home is built on a very oddly shaped lot (shown in **Figure 1**), a code-compliant project is impractical and would be more impactful to neighbors than the proposed project (more on this with illustrative comparisons below in **Section II**) so we need a Variance for our project as proposed.

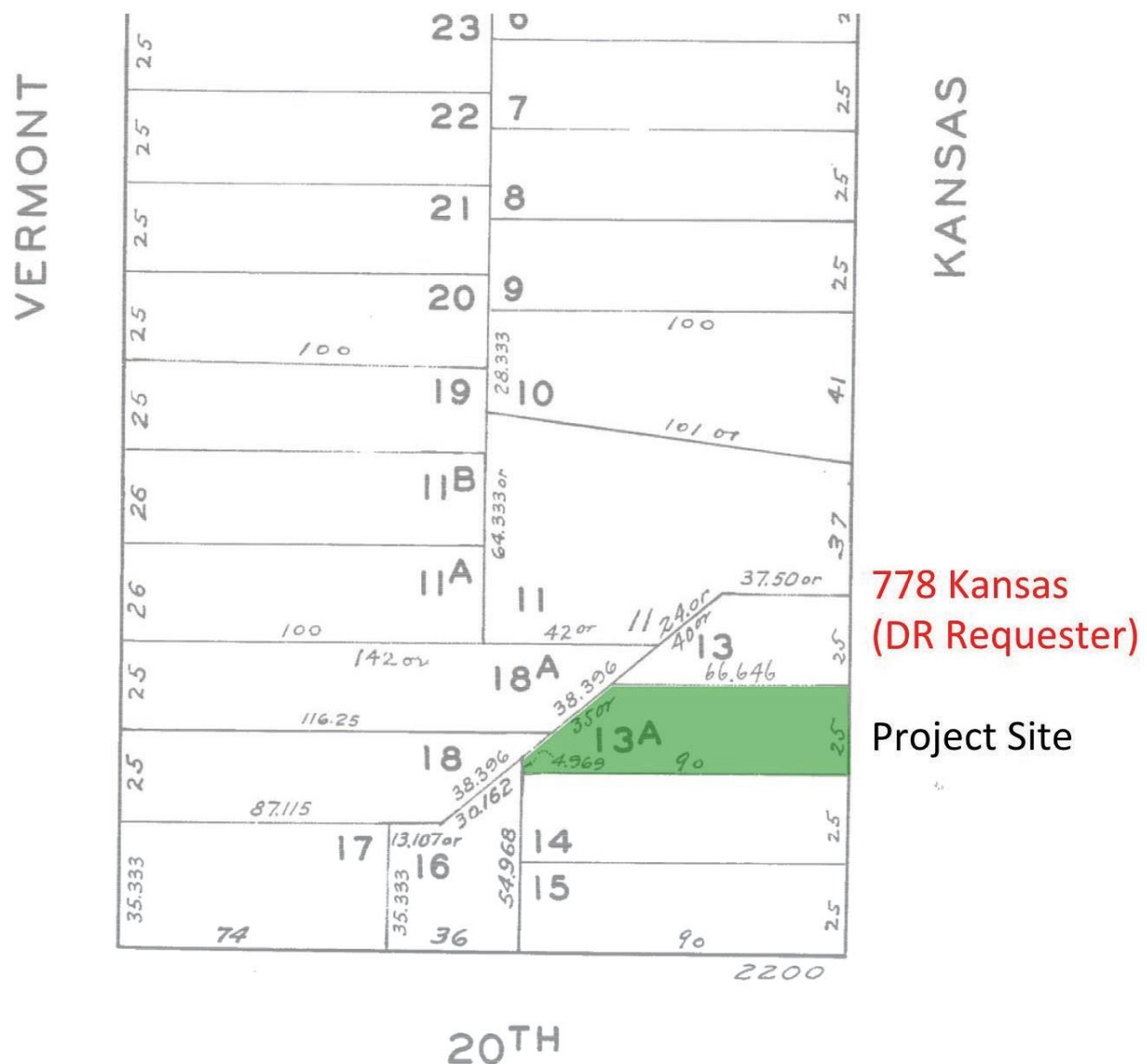


Figure 1. Assessor's Parcel Map

Our home is currently non-conforming, with a portion of our living space and 2nd floor deck encroaching into the rear-yard setback. Even replacing the decrepit, unsafe 2nd floor deck (shown in **photograph 2** above and **Figure 2** below) alone requires a Variance.

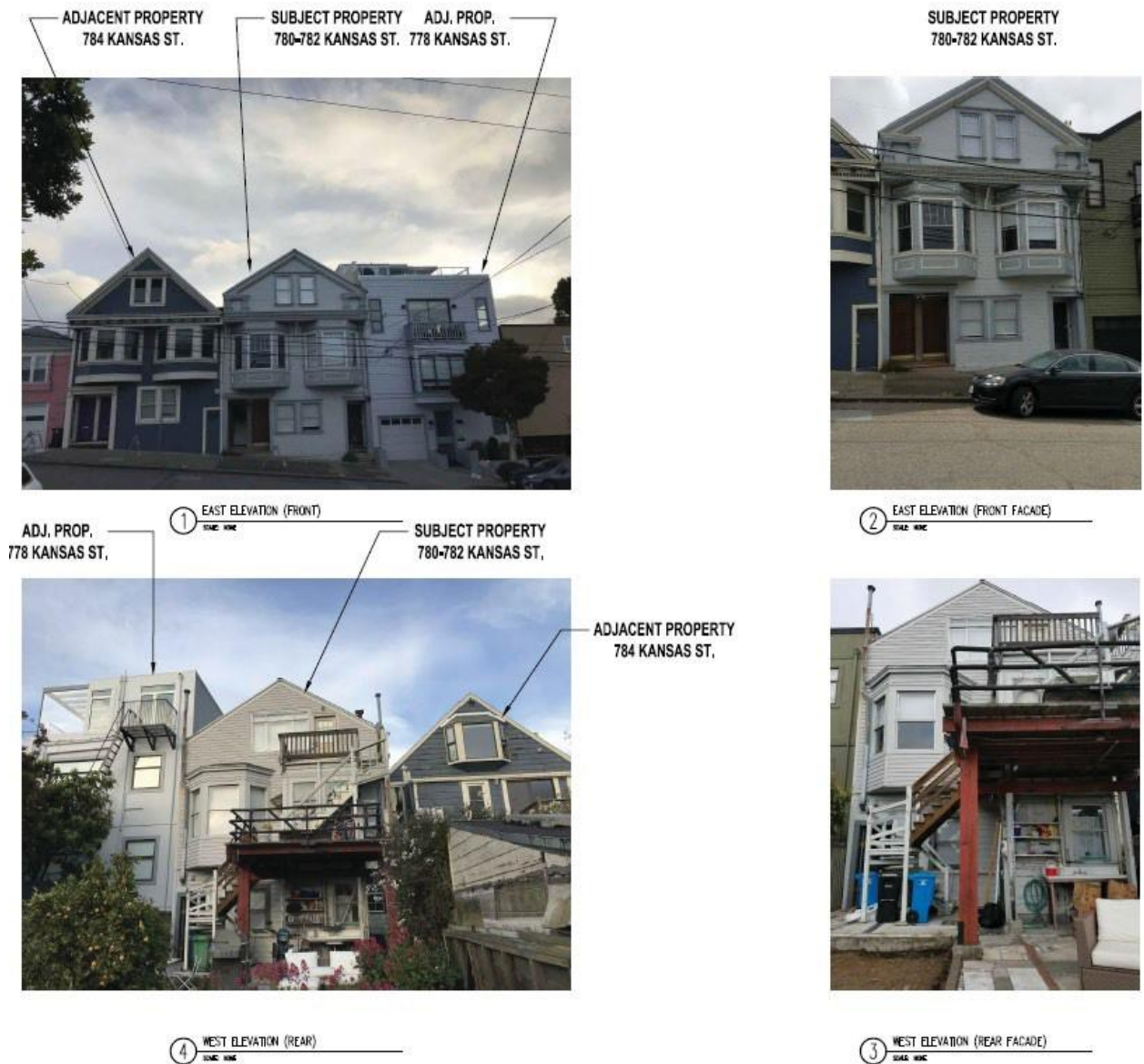


Figure 2. Photographs Showing Existing Conditions

Source: rodgers architecture

With the Variance, we will be able to preserve a contiguous area of green space that contributes to the neighborhood mid-block open space shown in **Figure 3**.



Figure 3. Neighborhood Context Map

The Variance is required to make the back (west) of the property livable and usable. Without a Variance, we would need to build at the odd angle of the rear yard lot line. This 49-degree angle from parallel would result in very strange room shapes and angles and would negatively impact our neighbors to the south at 784-86 Kansas and actually reduce the limited continuous rear yard open space.

Additionally, as shown in **Figures 4** through **6**, the proposed first, second, and third floor horizontal additions have a smaller footprint than is allowed by the Planning Code without a Variance. On the first floor, we are only adding 64 net square feet of new space that isn't already under the deck and not building past the western limit of the existing deck. On the

second floor we are adding just **15 net square feet of space within the variance zone that is not existing**. In all cases, our planned construction uses a smaller footprint than is allowed by planning code without a Variance. We are simply trying to build in a way that makes the structure most usable while limiting the impacts to neighbors.

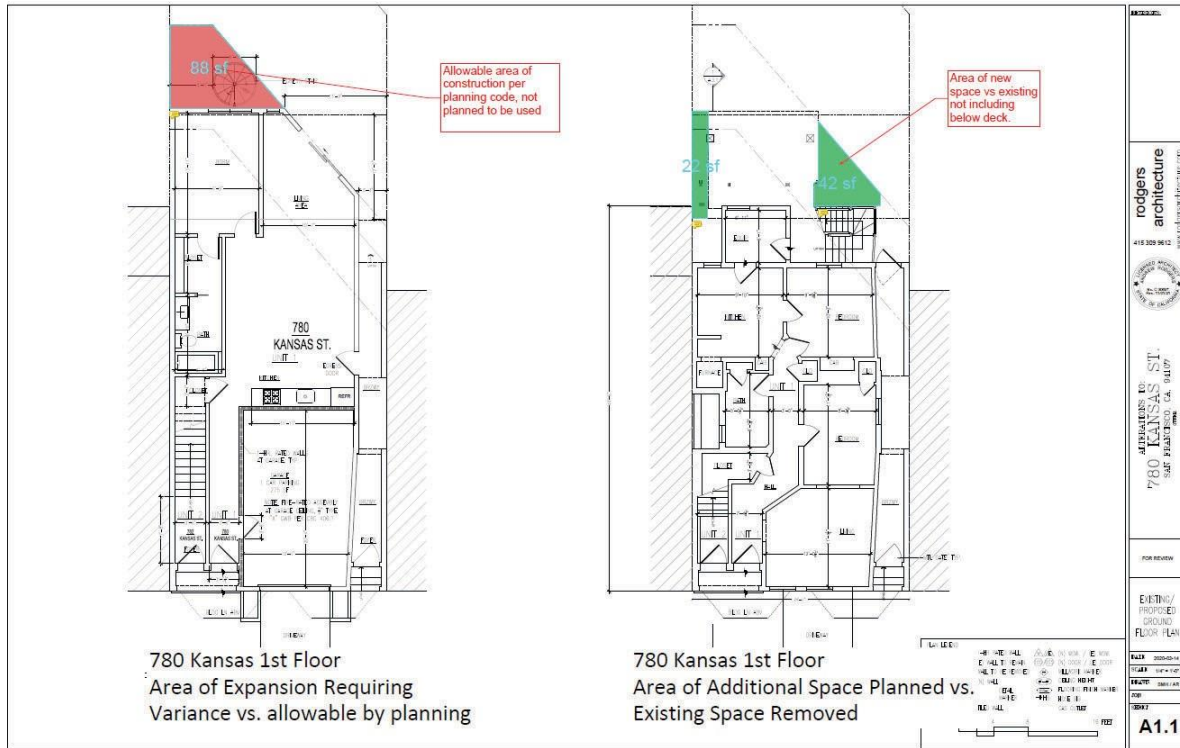


Figure 4. 1st Floor Code-Compliant vs. Proposed Expansion and Removal

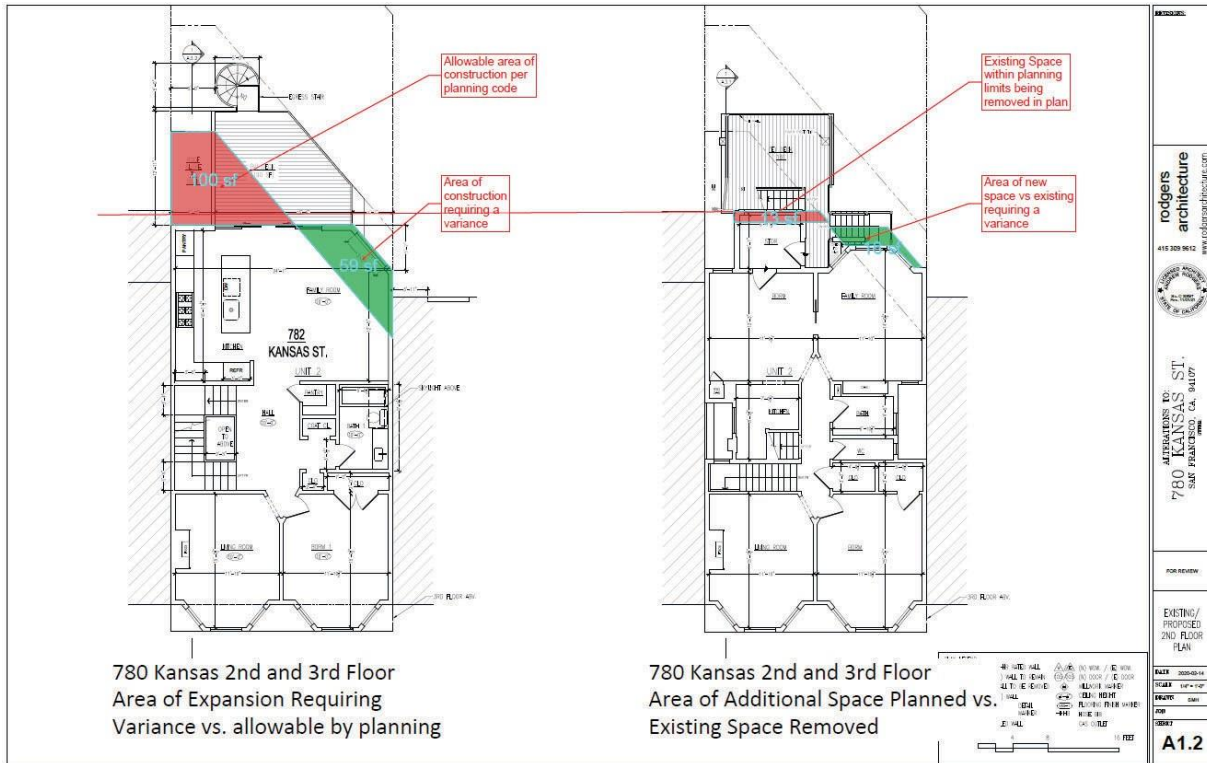


Figure 5. 2nd Floor Code-Compliant vs. Proposed Expansion and Removal

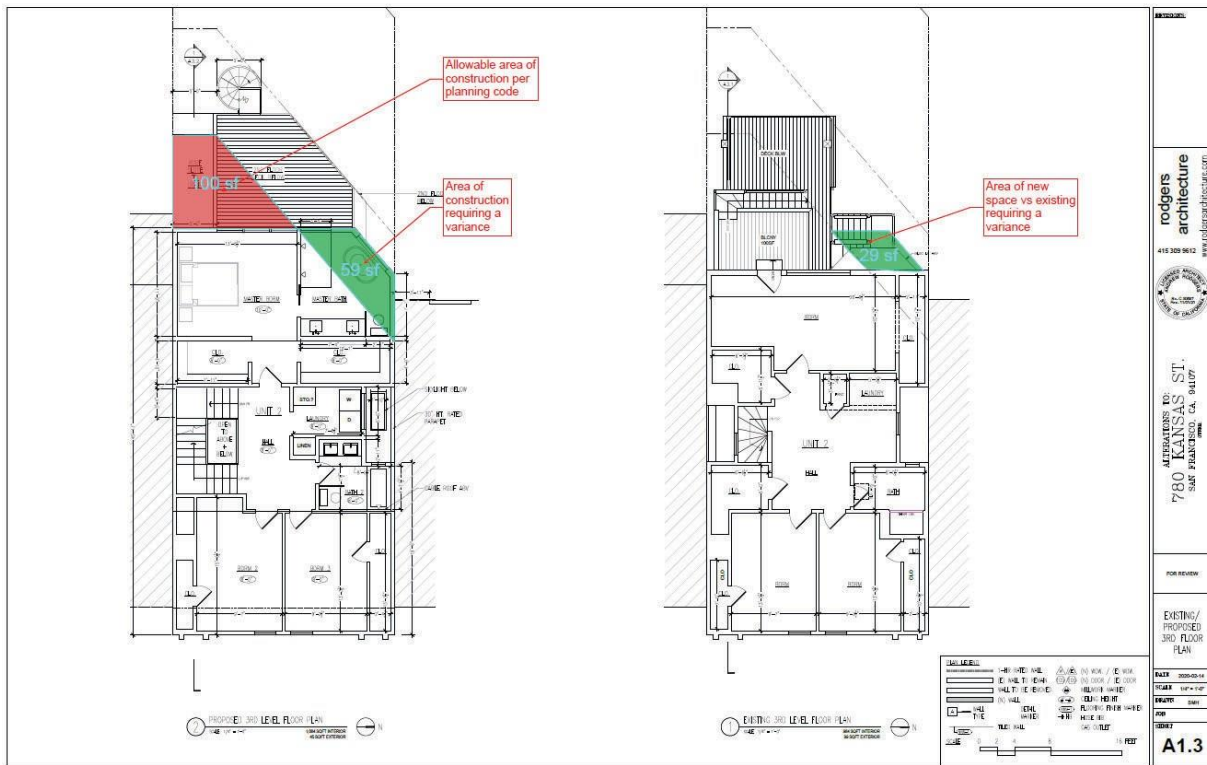


Figure 6. 3rd Floor Code-Compliant vs. Proposed Expansion and Removal

Figures 7 and 8 illustrate the limited expansion at the north and south elevations.

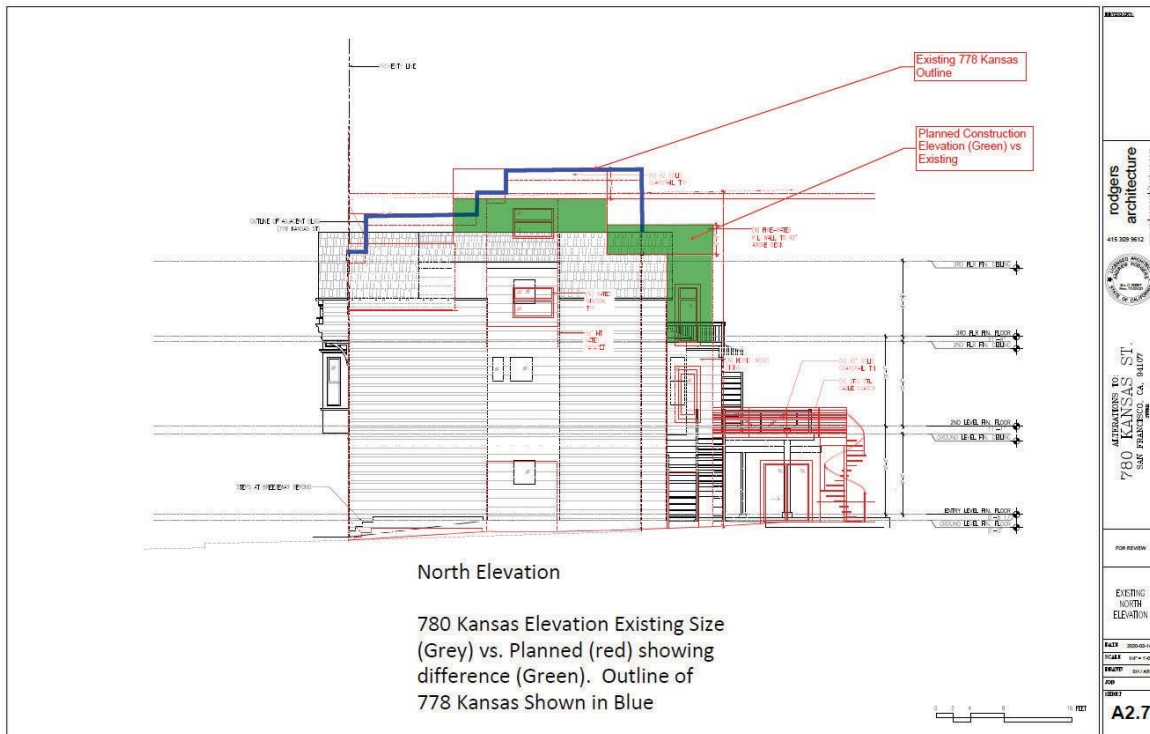


Figure 7. North elevation – Existing and with the project. Blue line shows DR requestors Building outline downhill and north of project

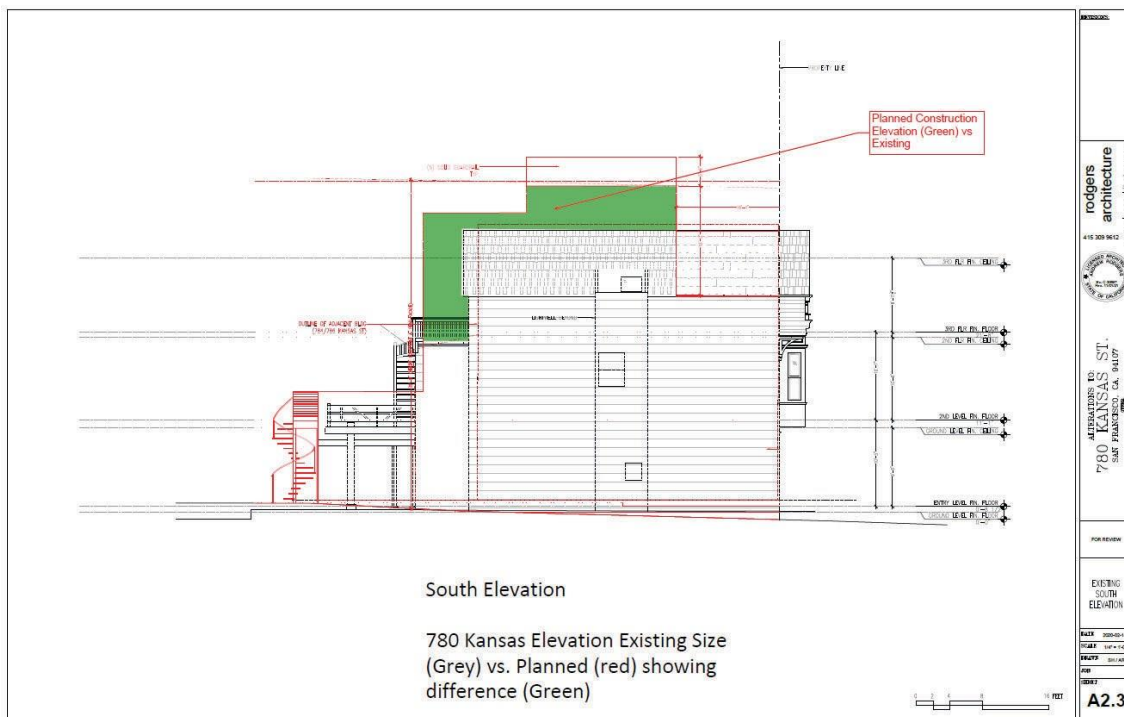


Figure 8. South elevation – Existing and with the project

Project Summary. As illustrated in the plans included as **Exhibit A**, the project can be summarized as follows:

- **No alterations to the front facade.** The project would not change the existing front façade of the building and the fourth-story addition would be set back 16'-1" from the street.
- **Proposed Added Square Feet.** *The project includes just 623 square feet of additional interior habitable space.* Unit 1 would increase from 787 to 811 gross square feet (24 additional GSF) and unit 2 would increase from 2,045 to 2,644 GSF (599 additional GSF). The project would slightly enlarge the square footage of the three existing floors, add a small sunroom and 243-square-foot roof deck on top of the building, and would add a small 275-square-foot garage on the ground floor with one parking space and two bicycle spaces. The floor area ratio (FAR) of our home, including all interior space would increase minimally, from $_1.41$ (2,832 GSF/2,012 SF) to $_1.65$ (3,323 GSF/2,011 SF). The development intensity of our proposed project would be less than that of the DR requestors, who have a FAR of 1.82 (2,354 GSF/1,293 SF).
- **Rear Yard.** With the project, the rear yard would be reduced by 10'9" at the first level: it would be reduced from 36'6" to 25'9". The existing second level deck is 22'-9". With the project, there would be a slightly larger rear yard of 23'-4" to the second level deck and 47'9" to the fourth-floor deck. The existing third-floor deck will be removed under the proposed project.
- **Building Depth.** The current building depth of 48'-1" at the first floor would increase by just 10'9", to 58'-10".
- **Building Height.** The project would add an additional story to the building. The existing structure measures 36'-6" to the top of the roof peak, or 32 feet as measured from the mid-point. At 40', the project would be 3'-6" taller than the existing peak and would have a flat roof with a roof deck occupying 243 square feet with 5' setbacks from the neighbors to the north and south.

Neighborhood Outreach and Communication. We held three neighborhood meetings including the Pre-Application Meeting on July 12, 2017, which was attended by Keith Goldstein of 800 Kansas, Seth Achayra of 784-86 Kansas, and the DR requestors. Two other meetings were held on January 31, 2018 and May 7, 2019, but no one attended.

The 311 Notice for our project was issued on September 16, 2019 and the DR requestors filed a request for Discretionary Review on October 15, 2019. After the request was filed, we tried to work with the DR requestors. The chronology below, demonstrates our responsiveness to the DR requestors:

1. September 22, 2019 -January 20, 2020. Responded to their many emails with additional information (See **Exhibit B** attached.)
2. November 22, 2019. Attended a meeting, which was held at our request with Principal Architect David Winslow and the DR requestor.
3. December 15, 2019. Responded to 778 Kansas with ***first plan revision***, removing all north facing windows and cutting back the 1st floor buildout to rear yard setback line.
4. January 5, 2020. DR requestors ask for additional changes.
5. January 8, 2020. Responded by making a ***second set of changes***, cutting northwest corner off the proposed structure to more closely match the existing building footprint.
6. January 14, 2020. David Winslow informs us our DR hearing is moved to February 20, 2020 in response to a request from Gayle and Mark.
7. January 22, 2020. Receive email from DR requestors asking for a ***third set of changes***, including removal of the roof deck and other new changes – the first time these changes were requested.
8. January 28, 2020. David Winslow asks if we can continue the DR hearing from February 20 to March 5 or 12 because the DR requestors have a family emergency. We agree to March 5 to accommodate the DR requestors and request that as a condition of continuing the hearing that we meet in person again to try to resolve the issues.
9. January 31, 2020. We agree to the DR requestors date change, but they renege on their agreement to have another meeting with us.
10. January 31, 2020. David Winslow called to say that the DR requestors now can't make the March 5 hearing date and want to change it a third time to 2/27/2020 but Mr. Winslow determined that there is no room on the calendar for an earlier date.
11. February 14, 2020. David Winslow meets with the DR requestors and they submit a ***fourth set*** of requested changes to our plans and state that they would withdraw the DR if these additional changes are made.
12. February 18, 2020. We respond to this ***fourth set of requests*** by offering to make further proposed modifications, including pulling back the second-floor deck and adding a planter; planter installed & stairs to roof deck moved at

fourth floor to the east for privacy; and planters added to roof deck for privacy. This offer was proposed in order to settle the matter in exchange for the DDR requestors withdrawing the DR Application. As of February 24, 2020 the DR requestors have not responded to us.

Because the project is relatively modest and was sensitively designed, the adjacent neighbor to the south at 784-86 Kansas (**see Figure 3**), who attended the Pre-Application Meeting and reviewed the project did not oppose the plans. (The email confirming this is included in **Exhibit C**.) To date, the project has support from four additional neighbors, including a neighbor at 697 Rhode Island Street, and a neighbor at 778 Rhode Island Street, and a neighbor at 794 Rhode Island Street, as well as the 1st floor tenant of 780 Kansas St. Their letters are included in **Exhibit D**.

We reached out to every other neighbor who emailed Planning with concerns about the project, none of whom filed for DR. We addressed their concerns directly and offered to meet with them and to go over the plans. Concerns included shadow impacts; construction period impacts, including noise, lead paint, and asbestos; and privacy. In all cases, except for a meeting with Meg McKnight on 2/20/20, our request for meetings were unanswered. These communications, as well as maps showing that these neighbors would not be impacted by the project due to their distance from the project (two live four blocks away or more from the project), existing vegetation that screens their homes from the project, and the differences in elevation, are included in **Exhibit E**.

II. RESPONSES TO THE REQUIRED QUESTIONS ON THE DR RESPONSE FORM

- 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 key reasons why our family’s project should be approved as proposed and why this DR request should be denied are provided below.

- A. No exceptional or extraordinary circumstances have been identified.** In order for the Planning Commission to take DR, the DR requestors (Lani Wu and Steven Altschuler of 778 Kansas) must demonstrate that the project would create exceptional or extraordinary circumstances. The DR requestors have not identified any such exceptional or extraordinary circumstances that justify taking discretionary review.

The DR requestors reasons for requesting Discretionary Review in their DR Application are quoted below followed by our response:

DR Claim 1. “The project is seeking a variance that would extend the existing structure at 780 Kansas to extend nearly the full length of our property. This will effectively enclose our backyard and will have a significant and detrimental effect on the privacy, light and air of our property.”

We have been highly responsive to the DR requestors and have made three sets of meaningful plan revisions to address their concerns regarding light, air, and privacy. We have requested many meetings with the DR Requestors, all of which went unanswered (except for one meeting requested by David Winslow). Below is a summary of the 780 Kansas Plan changes over time and **Figure 5** shows these changes.

Request #1 from DR Requestors. The original request from 778 Kansas filed in the DR shows an exhibit which requests we reduce the bulk of the 1st floor buildout only and remove all north facing windows. The October 11 email request from 778 Kansas requests “Push the footprint of your proposed extension back from our property line. We are not clear on how far would be satisfactory.” **As shown in Figure 9, below, we did exactly this in our**

12/12/19 revision set by removing all north facing windows and cutting back the 1st floor buildout to rear yard setback line.

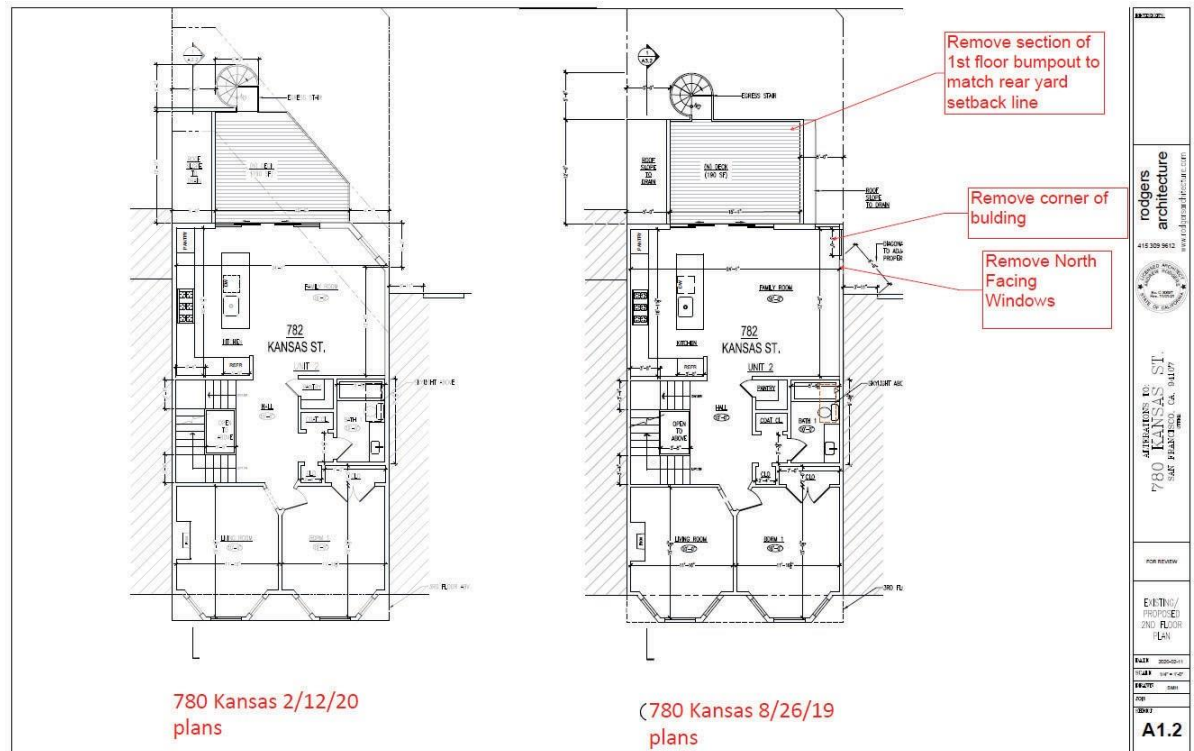


Figure 9. First Two sets of Revisions made to the Project in response to DR requestors First Two sets of requests

Request #2 from DR Requestors. On January 5, 2020, the DR requestors requested that we pull back the proposed 780 Kansas structure 5 ft. from the shared property line and east to the edge of the 778 Kansas Structure.

As shown in Figure 9, above, we responded by cutting northwest corner off the proposed structure to more closely match the existing building footprint.

Request #3 from DR Requestors. On January 5, 2020, 778 Kansas requested that we:

- “Pull back to: a) the solid orange line, to provide the required 5’ setback from our property, and b) the dashed orange line, to provide a clear cone of light to our back windows (see attached markup); this will

provide some relief for the light, air and privacy our house would lose from your proposed, extensive horizontal and vertical expansions.

- *Build a fence on your property with horizontal slats and gaps to allow in light and air but retain privacy. This should match height of current fence along shared property line.*
- *Paint the wall of our house along your breezeway (you are free to choose a color that matches your house).*
- *Allow owners of 778 access to the 780 breezeway for maintenance with 48 hours of e-mail notification.*
- *Fix within 6 months drainage issues on your property causing water leaking problems in our garage.*

We made additional changes to our plan, including removing the northwest corner of the second and third floors, and agreed to build a fence for the DR Requestors, paint the DR Requestors wall, attempt to fix the DR Requestors leaking wall, and allow the DR Requestors to access our property with 48 hours of notice.

Request #4 from DR Requestors On January 21, 2020, the DR requestors made additional demands. They said “*1. Reduce your proposed first floor backyard extension and deck so that there is a clear cone of light and privacy. The cone line is determined by a 45 degree line beginning from the southern-most edge of our window. 2. Provide on all floors and decks a minimum 5’ setback to our entire shared backyard property line. 3. Remove the proposed deck above the sun room.*”

We offered to meet with the DR requestors again at a meeting with David Winslow where we could have discussed their third set of demands. The DR requestors refused to attend such a meeting. On February 14, 2020, we responded to them in the email included in **Exhibit B**.

Request #5 from DR Requestors. On February 14, 2020, 778 Kansas requested that we make more changes to the plans, including: “*2nd and 3rd floor: Starting at the existing corner follow the angle of the rear yard / lot line to extent proposed. Set the deck on the 2nd floor to that line, even if the ground floor below extends slightly further. 4th floor: Align with adjacent neighbors’ rear building wall. This may be accomplished by turning the stair to the deck. Objective is to remove a place that extend beyond neighbors’ rear wall for privacy. Roof deck: reduce size of roof deck to area shown to remove privacy issues to DR requestors’ roof deck.*”

The DR requestors asked us to reduce our proposed **245 square feet** roof deck to approximately one-quarter of the proposed size, which would result in a roof deck of approximately **60 square feet**. For comparison, the DR requestors' expansive roof deck with a mezzanine, outdoor shower, and hot tub, show in **photographs 5 and 6** below, covers approximately **538 square feet** and do not include any setbacks.



Photographs 5 and 6. DR requestors' roof deck with mezzanine 778 Kansas

In response to this fifth request, we offered to cut back our project back even further from the last round shown on the plans dated 2/12/2020. The additional revisions are shown in **Figures 10 through 12.**

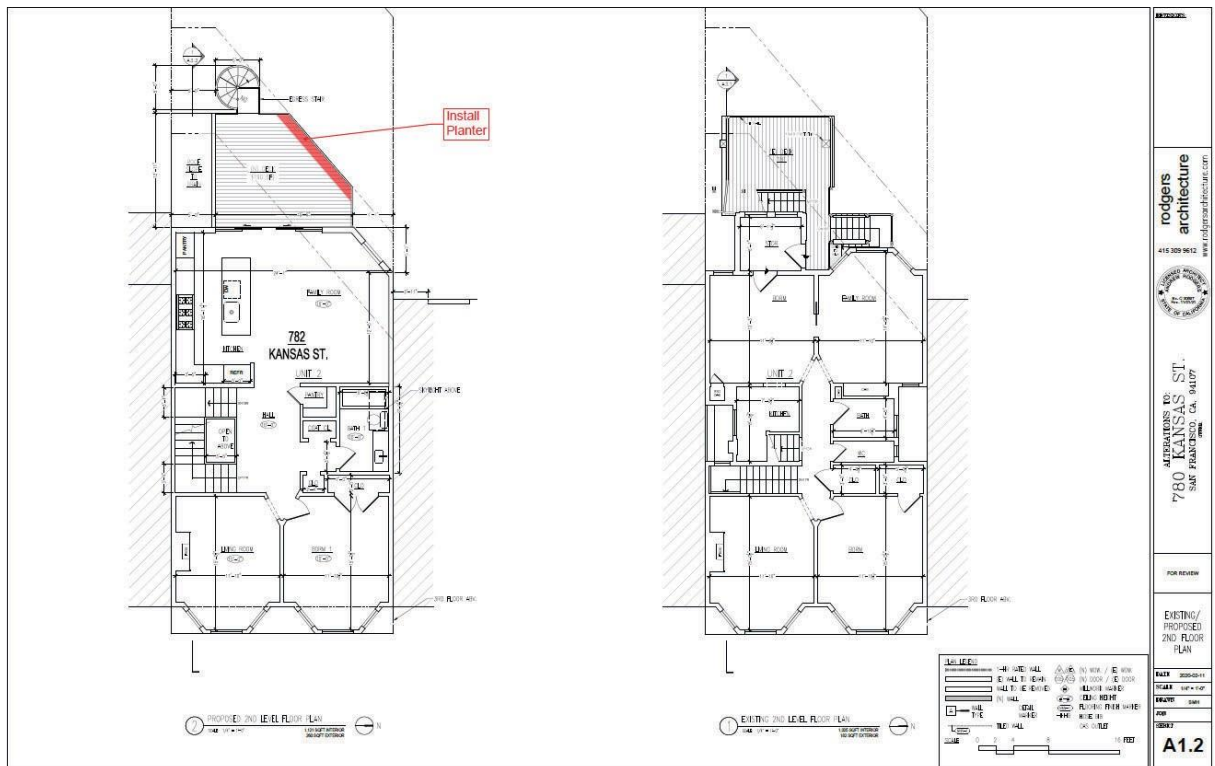


Figure 10. Fourth Set of Proposed Settlement Offer Revisions February 18, 2020
Revised 2nd Floor Plan -- Deck pulled back & planter added for privacy

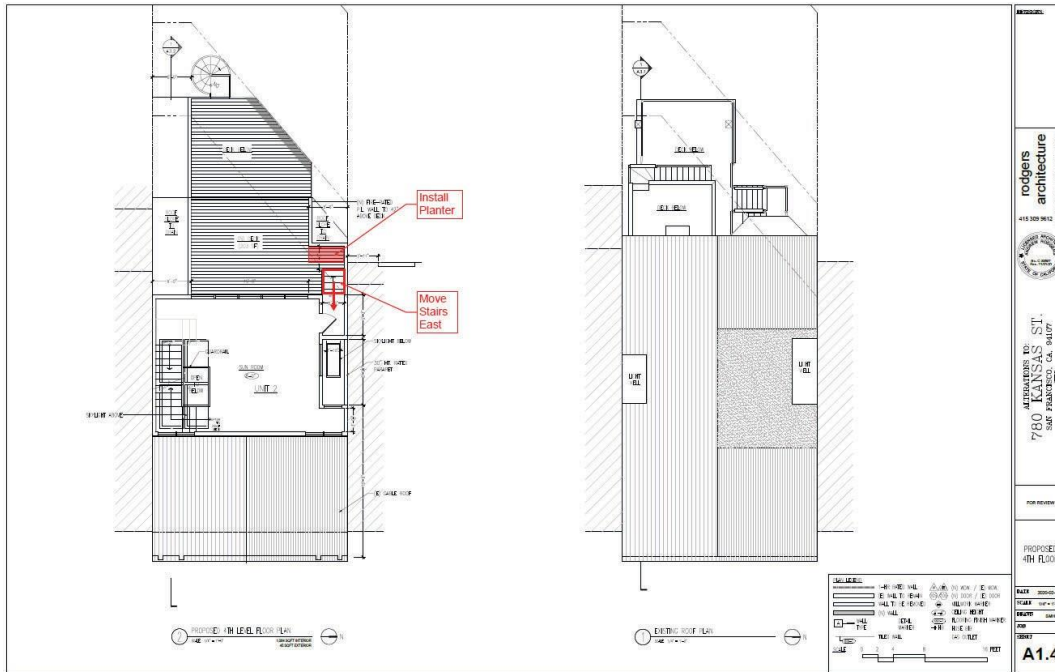


Figure 11. Fourth Set of Proposed Settlement Offer Revisions February 18, 2020 -- Revised 4th Floor Plan -- Planter installed & stairs to roof deck moved to the east for privacy

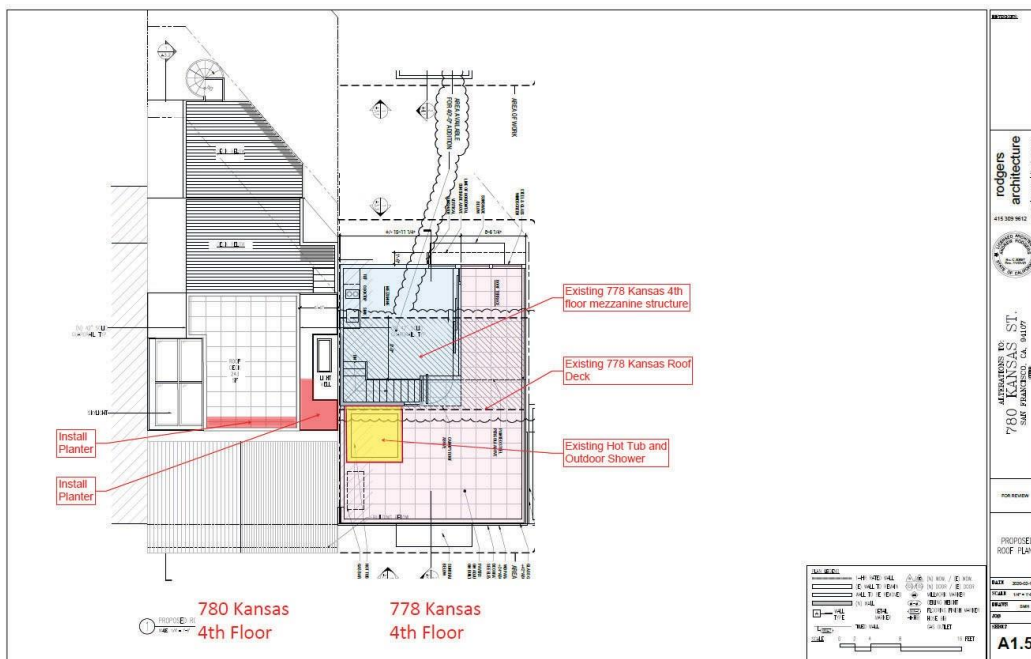


Figure 12. Fourth Set of Proposed Settlement Offer Revisions February 18, 2020 -- Revised Roof Plan and 778 Roof Deck Features shown – Planters installed for privacy

Our written response to the DR requestors fifth set of changing demands was that we would make the following changes contingent upon them withdrawing the DR and supporting the Variance:

- “1st Floor buildout: We are very happy that you are comfortable with this the way it is shown in the 2/14 drawings.
- 2nd Floor Deck: We suggest that we split the difference in where you want the deck and where it is shown on our plans. Please see attached markup in this 2/18 set of plans.
- 2nd Floor SW Corner: We are very happy that you are comfortable with this the way it is shown in the 2/14 drawings
- 3rd Floor SW Corner: We are very happy that you are comfortable with this the way it is shown in the 2/14 drawings
- 4th Floor Deck: We assume your concern is that we may look over the wall and into you property? We therefore propose to delete the deck and add a planter that extends beyond the limit of 778 Kansas. Please see attached markup in this 2/18 set of plans.
- Roof Top Deck: We assume your desire to delete our proposed roof top deck is to ensure privacy for your roof top deck, roof top hot tub and roof top shower. We propose to remove our roof top deck to the limits shown in the attached and add an additional planter south of your hot tub. We believe this will greatly limit the ability to see your roof top hot tub or roof top shower. If you are still concerned about privacy while showering, we’d be happy to pay for some other type of screening for the shower. Please see attached markup in this 2/18 set of plans.”

DR Claim 2. *“We raised these objections to 780 Kansas several years ago, which led to a compromise agreement that was conditional on their not seeking a variance. They demanded this agreement, which they wrote, provided, and insisted be memorialized as a public record (see attached). The current permit request from 780 Kansas requires a variance and will significantly impact on our property and quality of life.”*

The DR Requestors, who themselves received a Variance for their recent expansion project, oppose the granting of a Variance for 780 Kansas on principle, not because the granting of the Variance itself would result in a plan that would be more impactful than a code compliant plan.

As illustrated in **Figures 13 through 19** and shown in **Table 1** below, the Variance allows for a project that would reduce impacts on the DR requestors compared to a code complying project. The drawings show that the sight lines and related privacy for 778 Kansas would not be compromised by the project. We are concerned that the DR requestors have misinterpreted the plans because it does not seem logical that someone would simply oppose the request for a Variance without any substantive reasons. Every request (except one request sent by David Winslow) for a meeting between us and the DR requestors has gone unanswered.





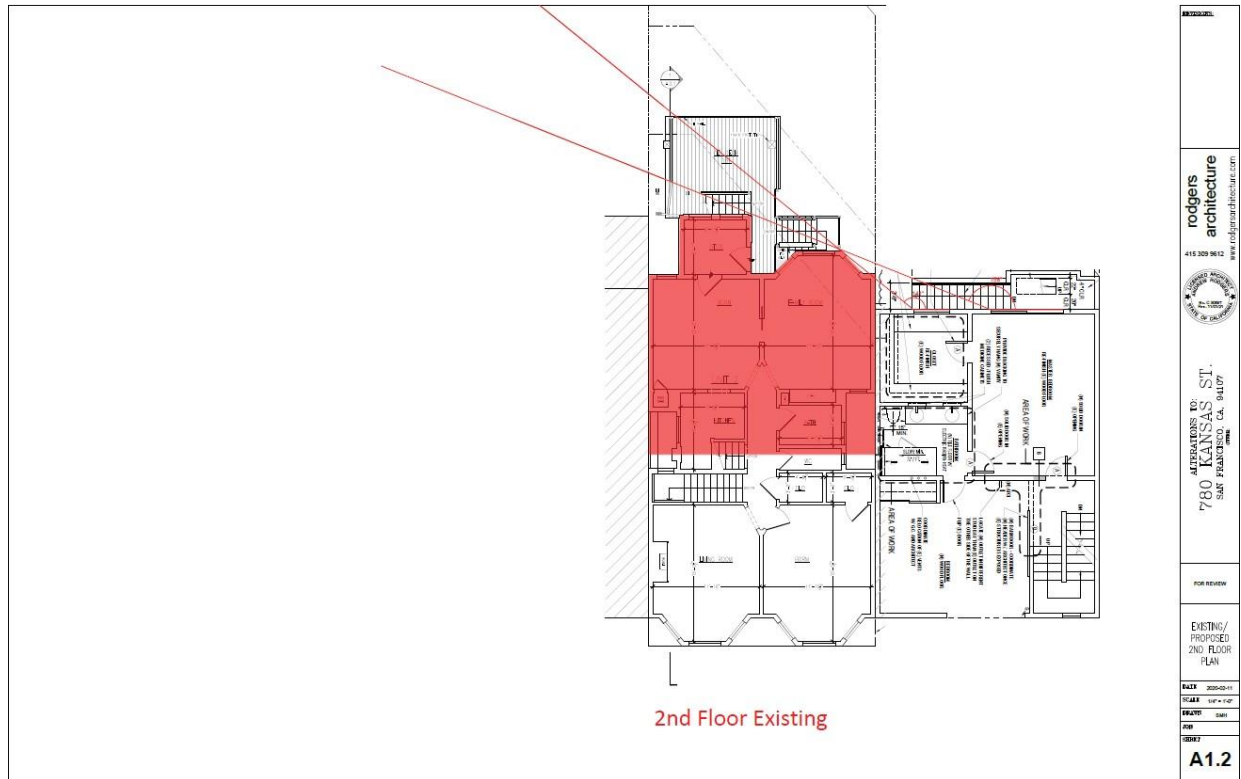


Figure 15. Existing Second Floor with Sightlines from 778 Kansas





Figure 17. Existing Third Floor with Sightlines from 778 Kansas

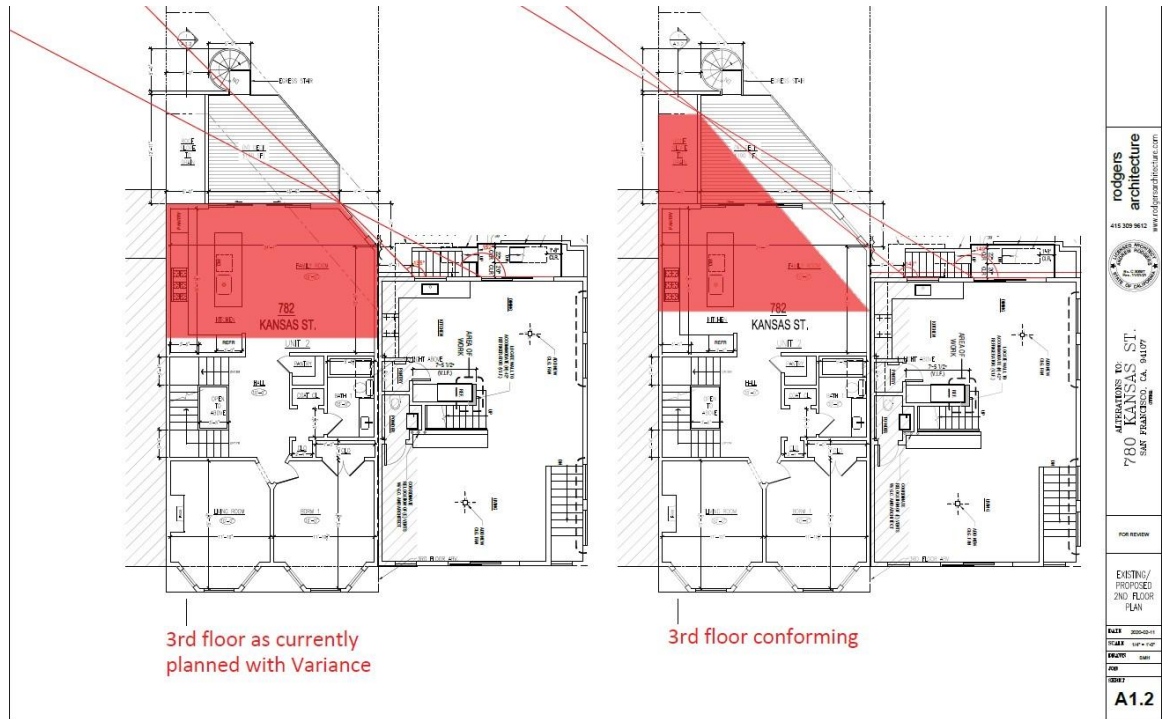


Figure 18. Proposed Third Floor Plan and Code Compliant Configuration with Sightlines from 778 Kansas

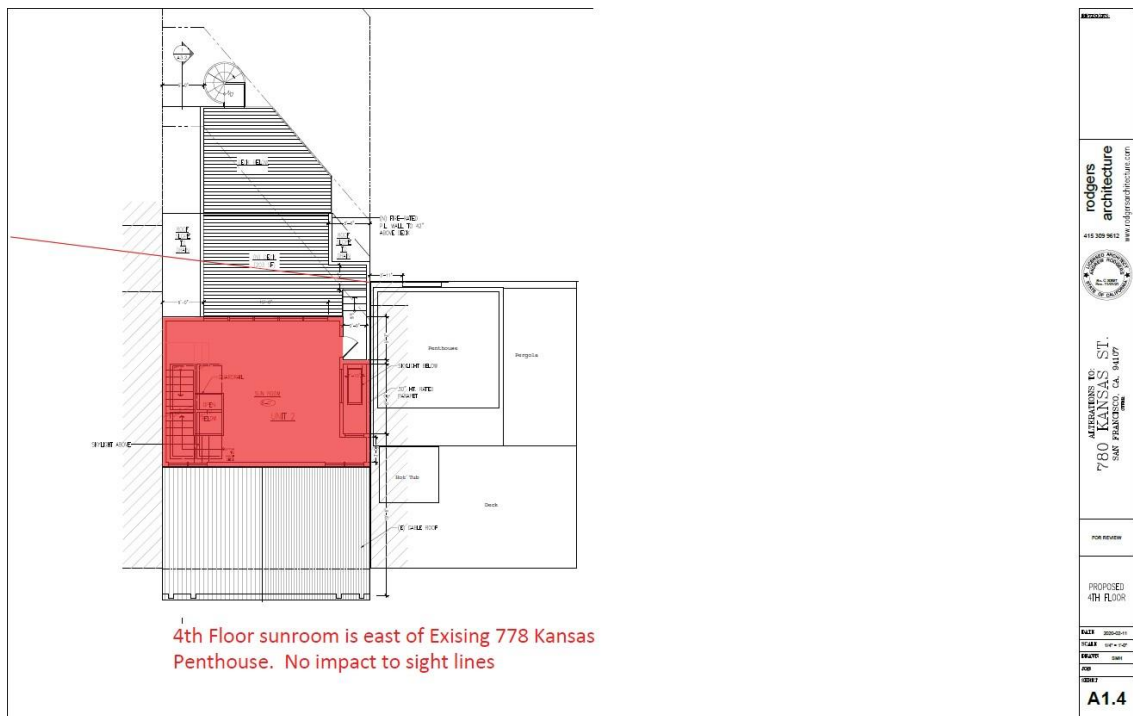


Figure 19. Proposed Fourth Floor Plan

Figure 20 shows that many neighbors in the vicinity, *including the DR requestors* have either been granted or have applied for a Variance. We should not be singled out and prohibited from doing so, especially given our irregular lot configuration.



Figure 20. Other Approved or Currently Proposed Variance Applications in the Vicinity

The literal enforcement of the code would yield a house that has a sharply angled rear wall, odd and not very usable interior spaces, and a rather dysfunctional rear yard. ***Further, as demonstrated by the drawing of a code-compliant addition shown in Figure 10, such a structure would not be compatible with the adjacent houses and would negatively impact the sunlight and privacy of adjacent properties.*** Thus the literal enforcement of the code would preclude us from creating additional functional living spaces, and would not even make possible the repair of a failing rear deck except for a strict replacement in-kind which would not be prudent as the existing structure is poorly designed and not safe for children.

Accepting that a “substantial property right” is the ability to create a living space of reasonable size and shape on one’s property; this proposal accomplishes that objective. It should be noted that the owners of both adjacent properties (at 778 Kansas, and 784-86 Kansas), who would be most impacted by this project, recently underwent substantial remodels that included a sizable rear yard encroachment given a very similar lot shape with a rear lot line with the same sharp angle. ***The DR requestors at 778 Kansas received a Variance for their project.***

The DR requestors also claim that we are not complying with an agreement we made with them several years ago when they were seeking to expand their property. Here is what the agreement says:

“Mark and Gayle of 780 Kansas have agreed to the following design changes for 778 Kansas which accompany this letter:

- 1) 18-inch reduction to their proposed parapet at the mezzanine addition;
- 2) Reduce the height of the first 4' of the privacy wall (beginning at the east end) between our properties to 4' above the mezzanine finish floor.

Steve and Lani of 778 Kansas agree to the attached drawings for 780 Kansas on the following condition and that the project complies with all applicable codes and requires no variance.

- 1) Construction of 8 ft. tall fence at the 780 Kansas north property line for the 12 ft. of property line where the first floor of 780 Kansas extends to the West. From that point to the north-west corner of the property, the fence will be 5 ft. tall.”

We agreed not to oppose their project if they made the changes listed. They agreed not to oppose our project as long as it “requires no variance.” For the reasons stated above, our project does require a variance (which we did not know we reached this agreement in 2017) so our neighbors are released from their promise to not oppose our project. But we were not asked to agree, and never agreed, that we would not seek a Variance if a Variance was necessary to expand our home in the manner shown in the plans we discussed with our neighbors at 778 Kansas.

DR Claim 3. “*This building extension proposed by the variance will block our light and privacy. The proposed north facing windows will intrude into the privacy of our home and adjacent apartments [sic.]*”

As shown in **Figure 3** above and the photograph below in **Figure 21** below, the residents of the apartment building located at 766 Kansas are located too far from the project to be impacted, the closest window at 766 Kansas is located behind a large tree and most of the south-facing wall of the apartment building contains no windows.

Please refer to the discussion above under the response to **DR Claim 1** regarding light and privacy and please note that we removed the proposed north-facing windows to increase their privacy.



Figure 21. Looking north from Project site towards 766 Kansas

- 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 worked with our architect to design a project that would minimize the impact to our neighbors while providing a modest addition for our growing family. The design is sensitive to the neighborhood context and complies with the Residential Design Guidelines.

As detailed above, *we revised the plans three times* since the DR Application was filed. Given that we have already responded to their concerns three times by revising the plans and because there are no significant issues remaining, we

believe that the DR requestor’s claims do not meet the standards for the Commission to take Discretionary Review.

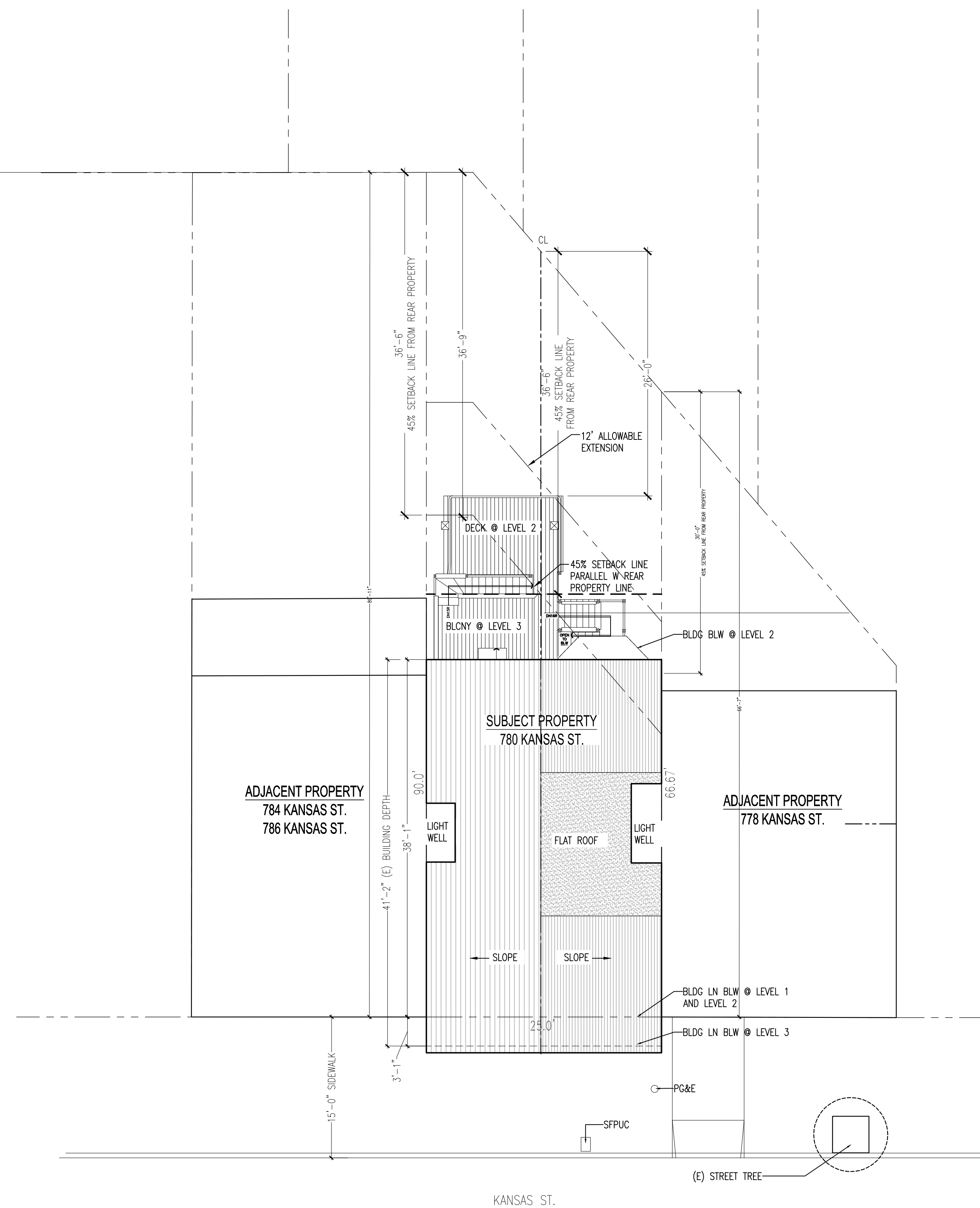
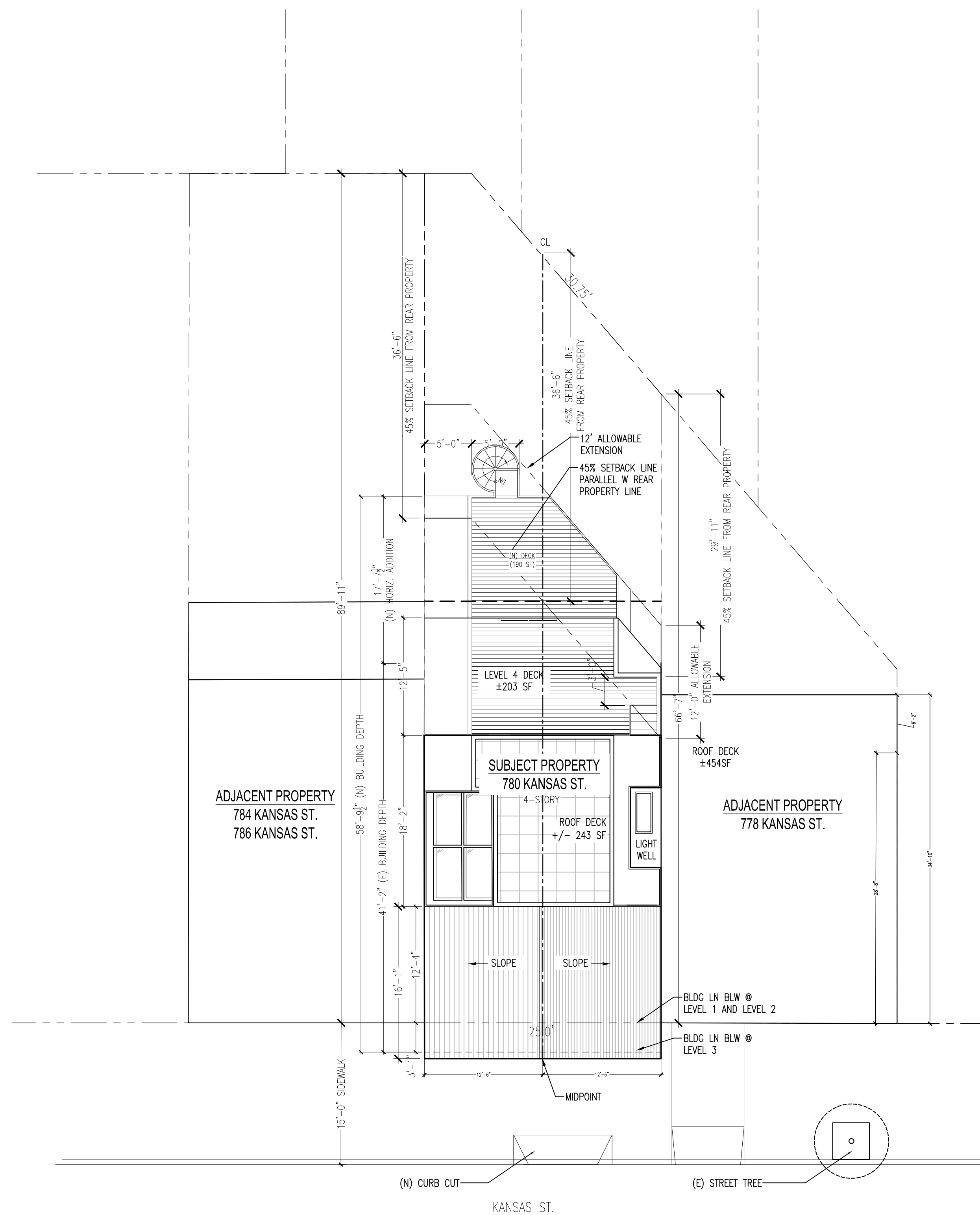
3. “If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making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

The DR requestors state that *“If the project does not seek a variance and removes the proposed north facing windows into our lot, we anticipate that the issues of privacy, light and air will be greatly diminished.”*

As detailed above, the project does not impact the DR requestor’s light, air or privacy and we have already revised the plans three times to address their concerns. The project is small and has been designed to provide a minimal amount of added usable interior space – 623 square feet for the Project Sponsor’s growing family. As detailed above, ***we have revised the project three times*** to respond to the specific and changing asks from the DR requestors and offered to make even further revisions in a fourth round to try to settle the matter to avoid a DR hearing.

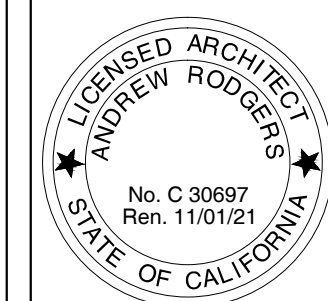
Every time we responded to DR Requestors requests, they asked for additional/ different changes. We have been more than responsive and believe that the current February 14, 2020 version of the project (see **Exhibit A**) should be approved. The simple fact is that the longer this process drags on (we have pushed the DR hearing two times now in an effort to reach an agreement), the more opportunity the DR requestors have had to request changes. And even with all the changes made and offered, they still refuse to settle the matter. They are not being considerate of the energy/time spent by the City or us throughout this process.

EXHIBIT A
Proposed Plans February 14, 2020



REVISIONS:

41 □ 309 9 □ 12



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW □

SITE PLAN

DATE	2020-02-14
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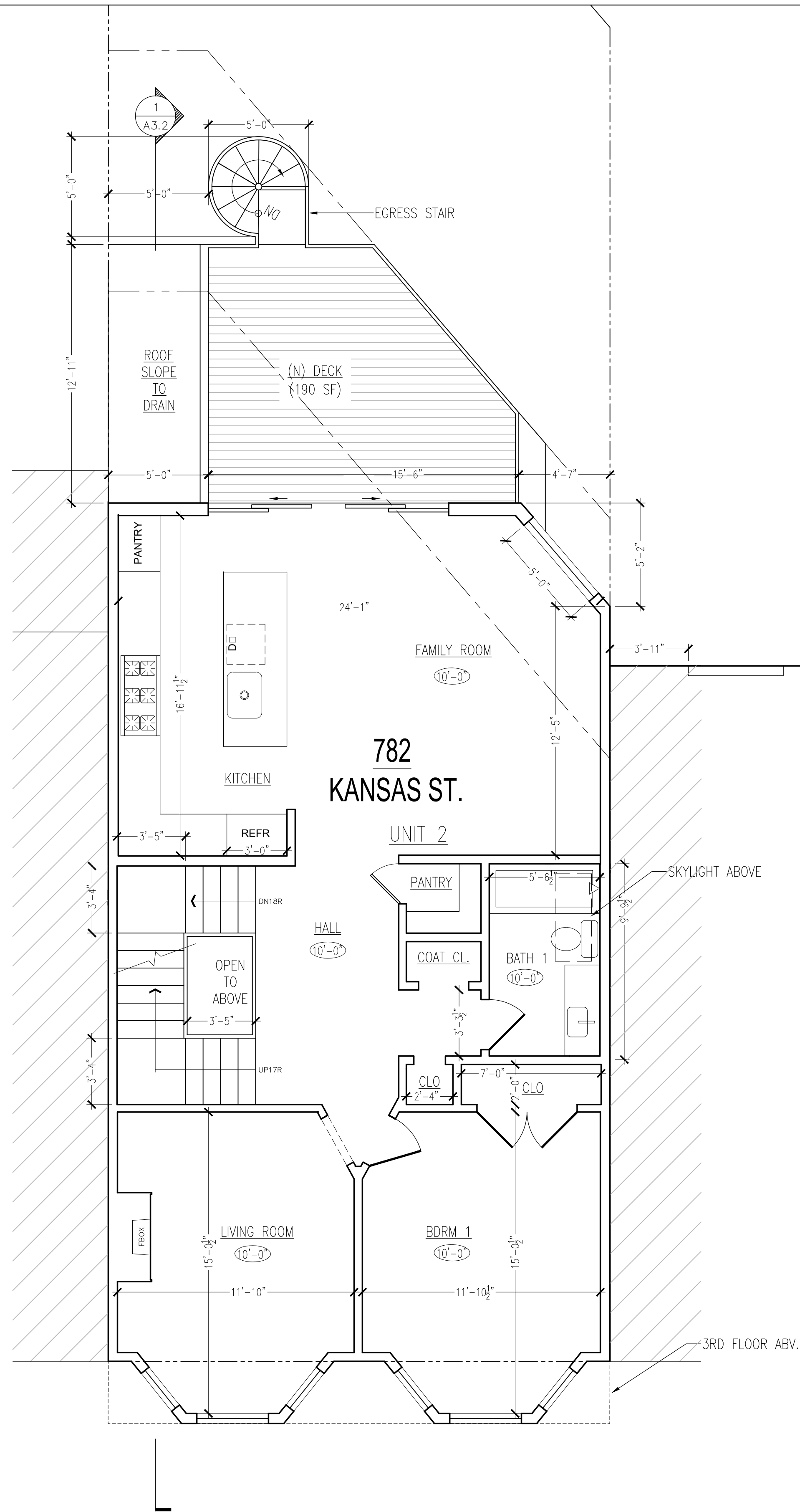
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DRAWN SM ☐ AF ☐

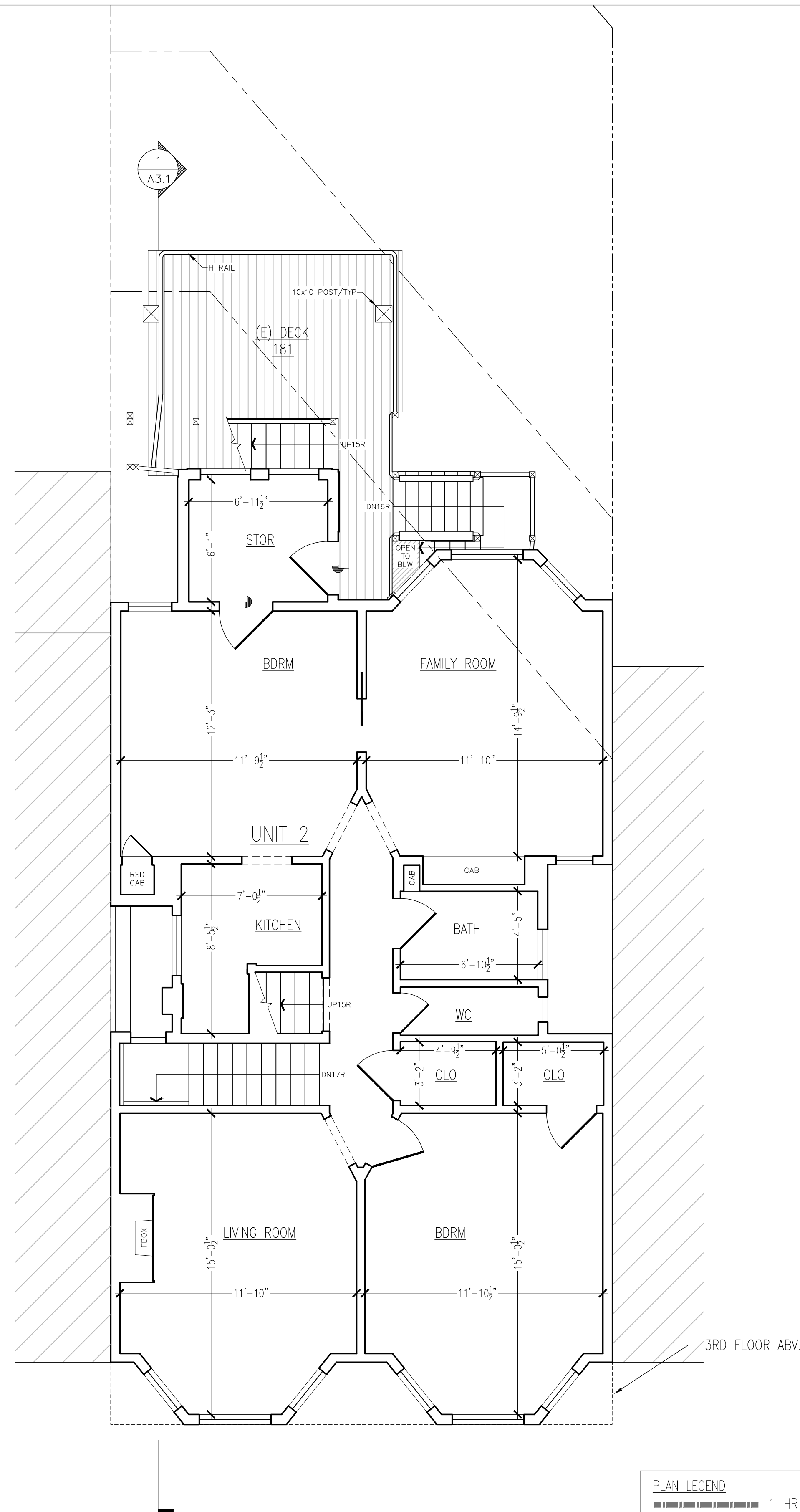
	JOB
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	SHEET
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A1.0



2 PROPOSED 2ND LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"
1,121 SQFT INTERIOR
260 SQFT EXTERIOR



1 EXISTING 2ND LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"
1,025 SQFT INTERIOR
182 SQFT EXTERIOR

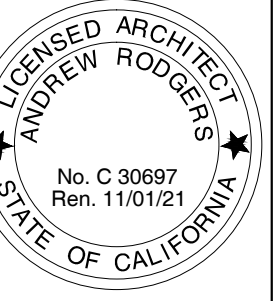
PLAN LEGEND

1-HR RATED WALL	(N) WDW. / (E) WDW.
(E) WALL TO REMAIN	(N) DOOR / (E) DOOR
WALL TO BE REMOVED	MILLWORK MARKER
(N) WALL	CEILING HEIGHT
WALL TYPE	FLOORING FINISH MARKER
DETAIL MARKER	HOSE BIB
TILED WALL	GAS OUTLET

SCALE 0 2 4 8 16 FEET

REVISIONS:

rodgers
415 309 9112
www.rodgersarchitecture.com



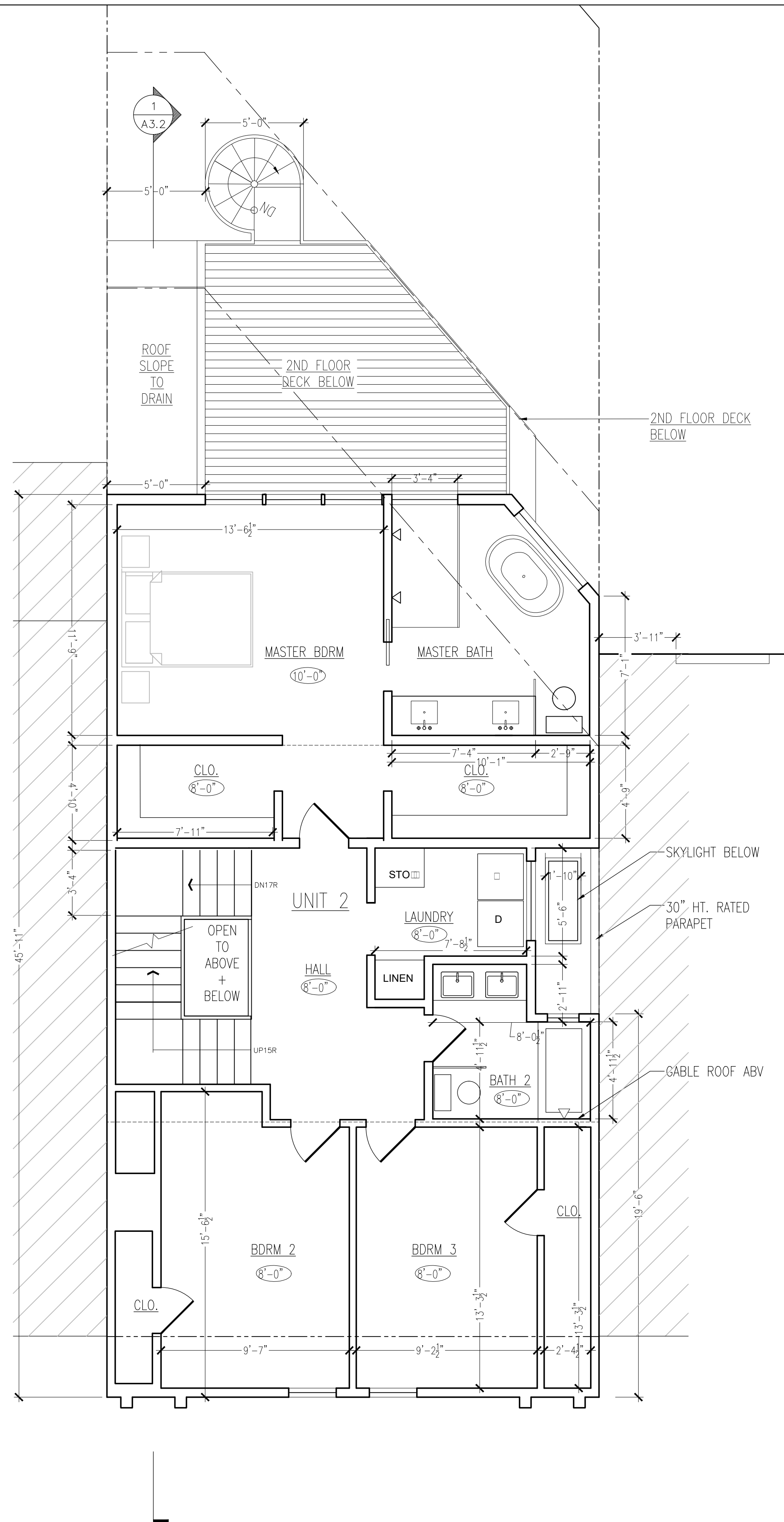
ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

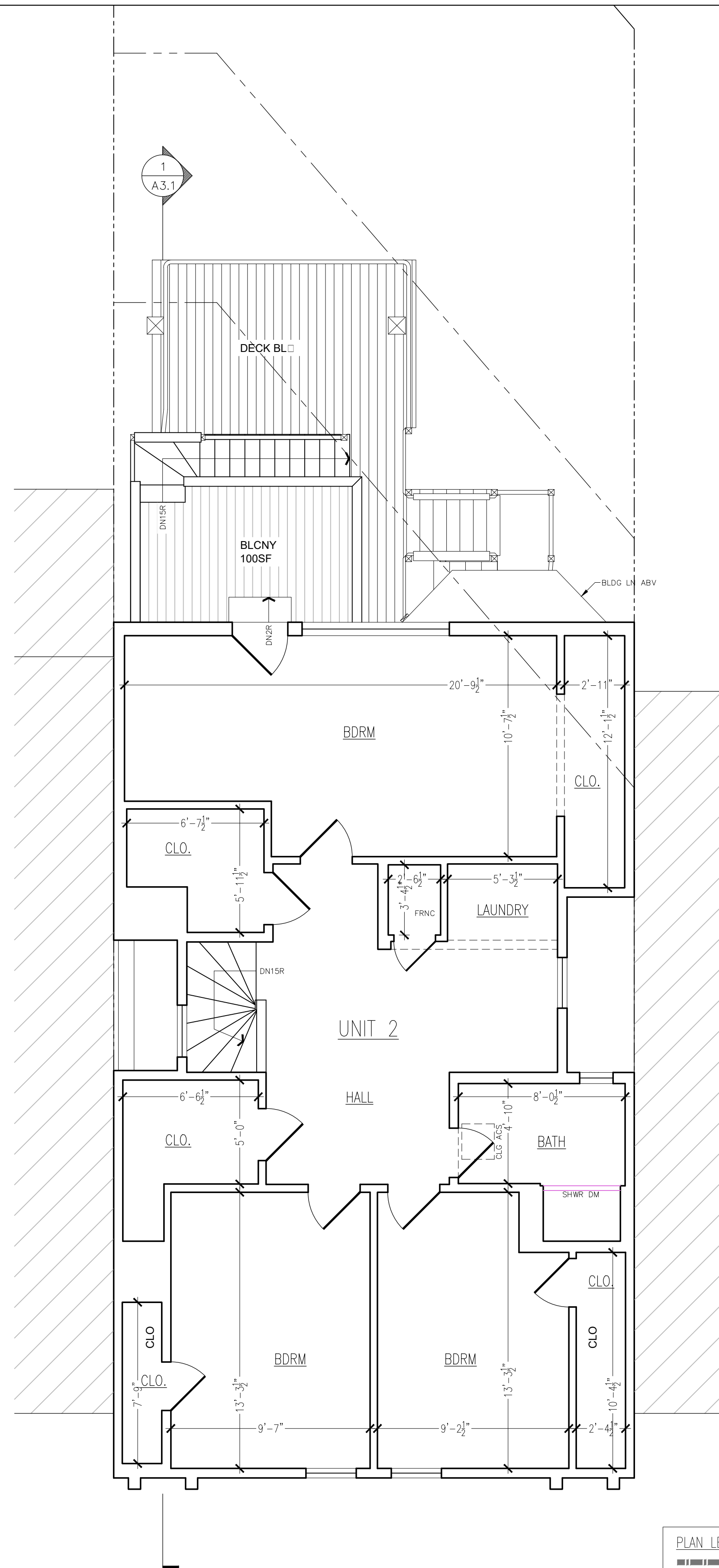
EXISTING/
PROPOSED
2ND FLOOR
PLAN

DATE 2020-02-14
SCALE 1/4" = 1'-0"
DRAWN SM
JOB
SHEET

A1.2



2 PROPOSED 3RD LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"
1,084 SQFT INTERIOR
45 SQFT EXTERIOR

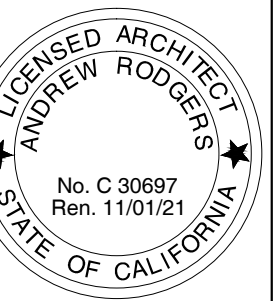


1 EXISTING 3RD LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"
984 SQFT INTERIOR
99 SQFT EXTERIOR

PLAN LEGEND			
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	(E) WALL TO REMAIN		(N) DOOR / (E) DOOR
	WALL TO BE REMOVED		MILLWORK MARKER
	(N) WALL		CEILING HEIGHT
	WALL TYPE		FLOORING FINISH MARKER
	TILED WALL		HOSE BIB
	DETAIL MARKER		GAS OUTLET
SCALE 0 2 4 8 16 FEET			

REVISIONS:

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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

EXISTING/
PROPOSED
3RD FLOOR
PLAN

DATE 2020-02-14

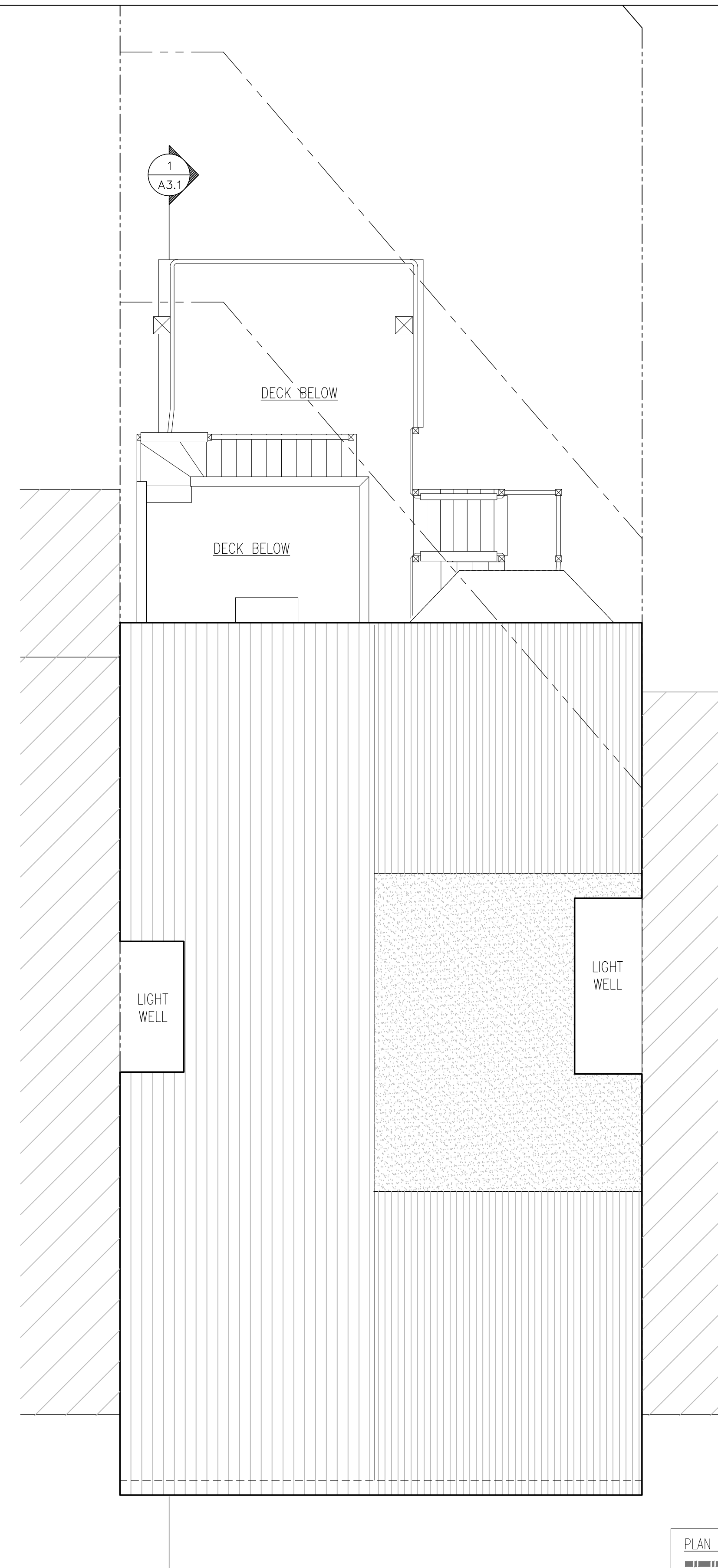
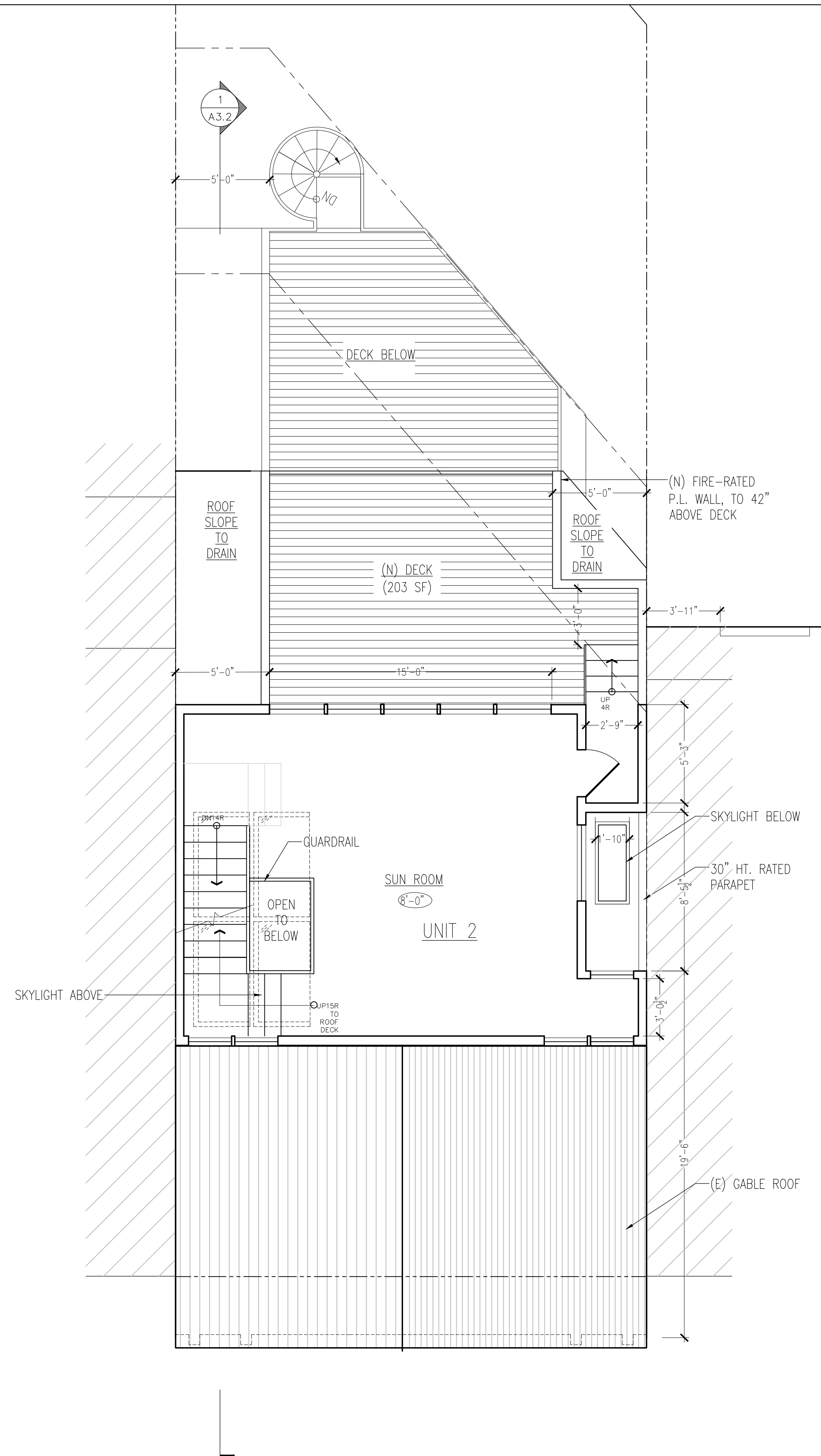
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DRAWN SM

JOB

SHEET

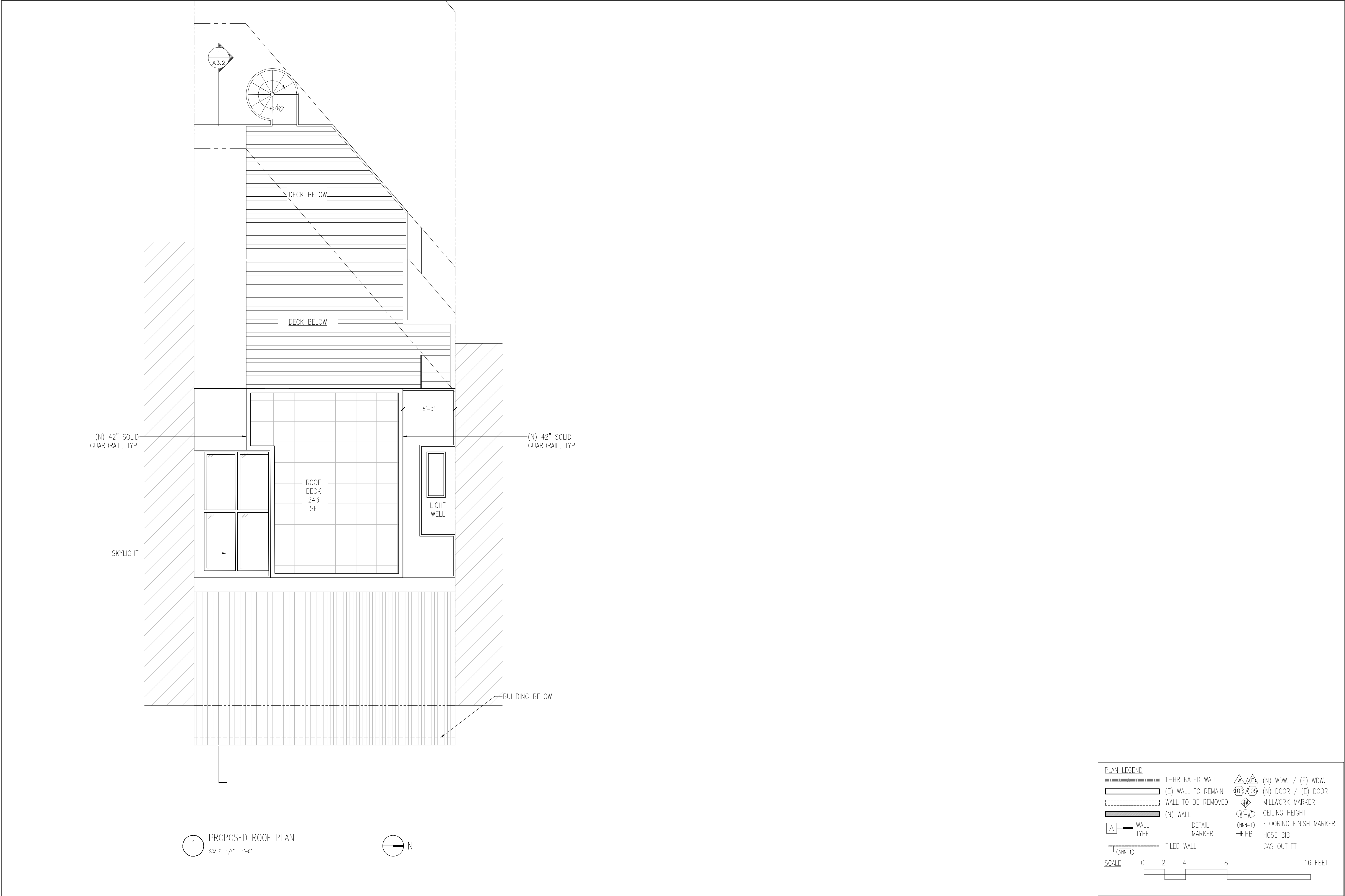
A1.3



PLAN LEGEND

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	WALL TO BE REMOVED		MILLWORK MARKER
	(N) WALL		CEILING HEIGHT
	WALL TYPE		FLOORING FINISH MARKER
	DETAIL MARKER		HOSE BIB
	TILED WALL		GAS OUTLET

SCALE 0 2 4 8 16 FEET



REVISIONS:

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rodgersarchitecture

com

LICENSED ARCHITECT

ANDREW RODGERS

No. C 30697

Ren. 11/01/21

STATE OF CALIFORNIA

ALTERATIONS TO:

780 KANSAS ST.

SAN FRANCISCO, CA, 94107

OWNER:

FOR REVIEW

PROPOSED

ROOF PLAN

DATE

2020-02-14

SCALE

1/4" = 1'-0"

DRAWN

SM

JOB

SHEET

A1.5

REVISIONS:

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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

EXISTING EAST
(FRONT)
ELEVATION

DATE 2020-02-14

SCALE 1/4" = 1'-0"

DRAWN SM AR

JOB

SHEET

A2.1



REVISIONS:

rodgers
r
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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

PROPOSED
EAST (FRONT)
ELEVATION

DATE 2020-02-14

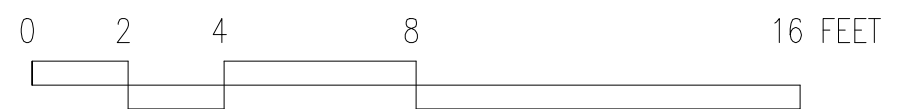
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JOB

SHEET

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REVISIONS:

rodgers

4103099012

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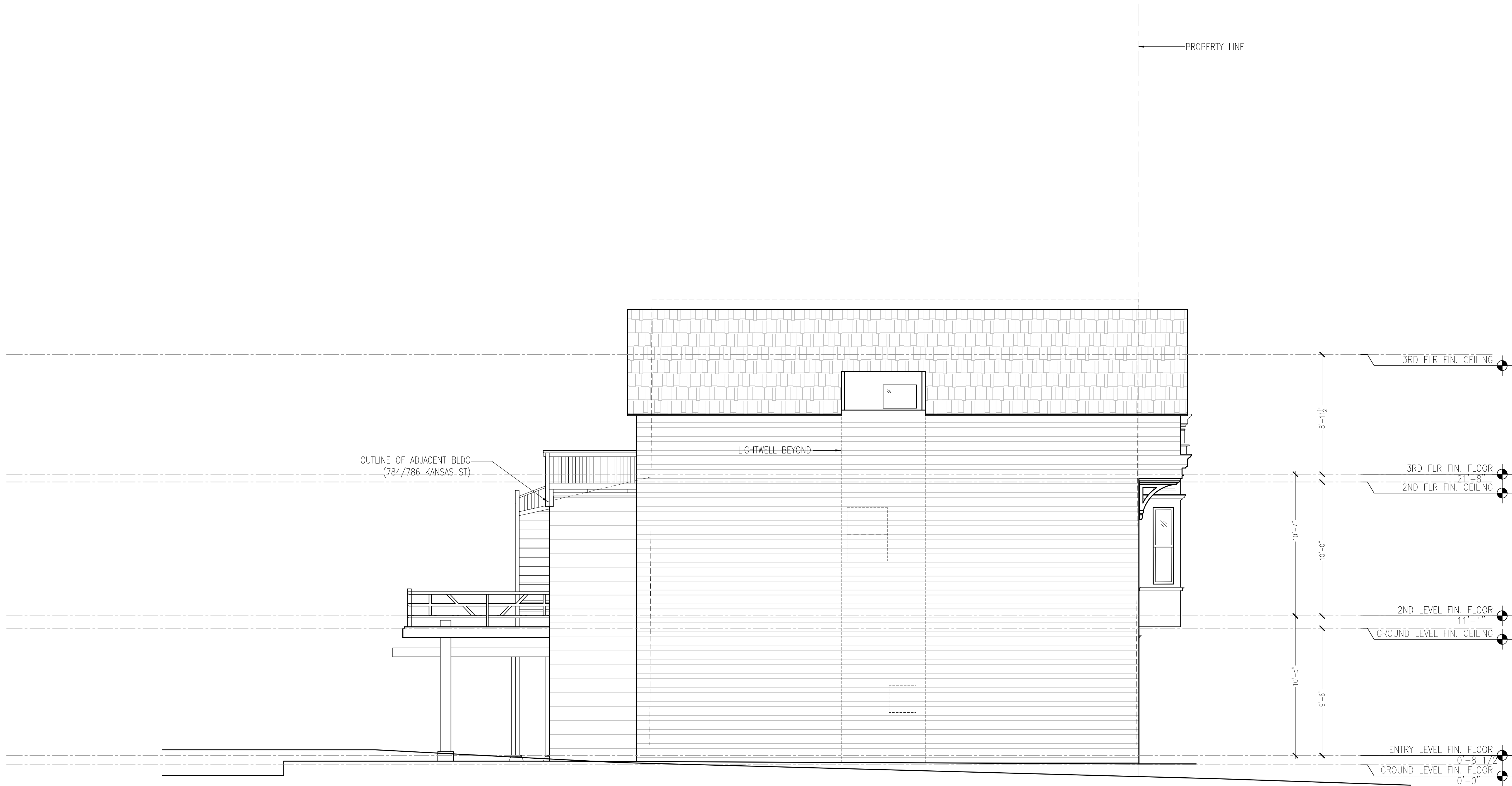
ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

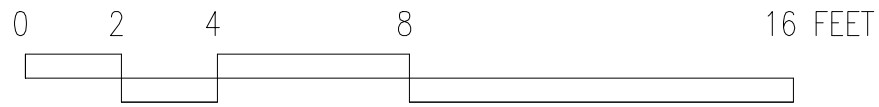
EXISTING
SOUTH
ELEVATION

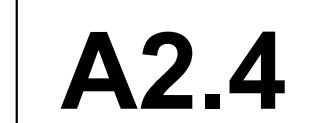
DATE	2020-02-14
SCALE	1/4" = 1'-0"
DRAWN	S AR
JOB	
SHEET	

A2.3



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





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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

EXISTING WEST
(REAR)
ELEVATION

DATE 2020-02-14

SCALE 1/4" = 1'-0"

DRAWN S AR

JOB

SHEET

A2.5



1 EXISTING WEST ELEVATION (REAR)
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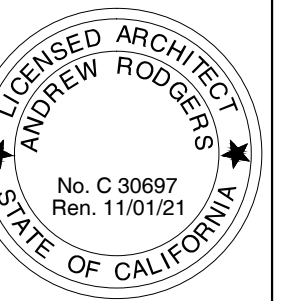


1 PROPOSED WEST ELEVATION (REAR)

SCALE: 1/4" = 1'-0"

REVISIONS:

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41-309 9-12
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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

PROPOSED
WEST
ELEVATION

DATE 2020-02-14

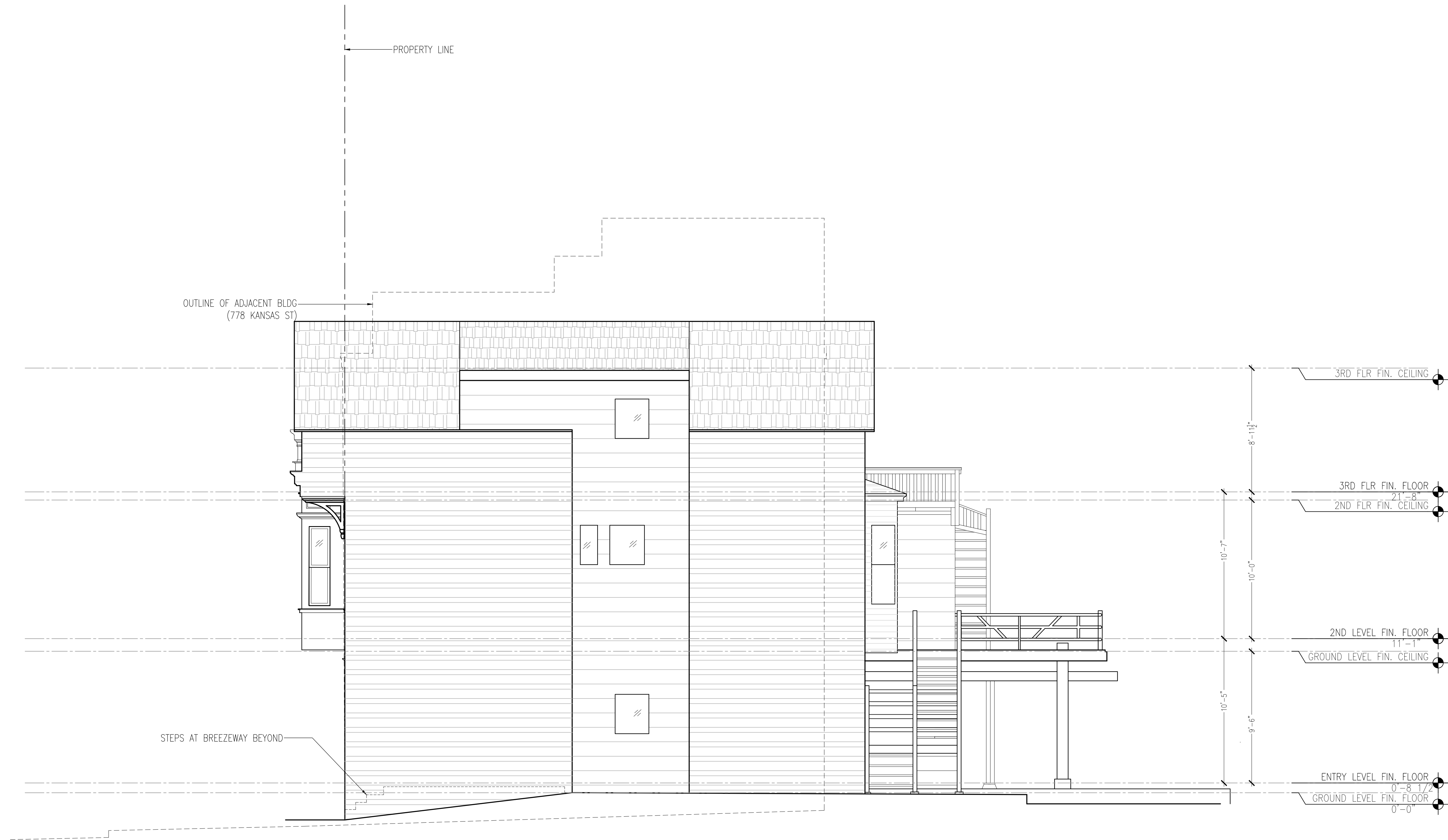
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DRAWN S-AR

JOB

SHEET

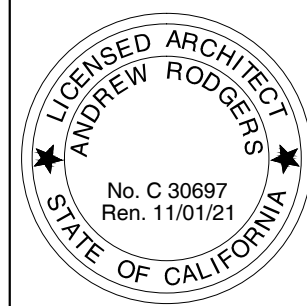
A2.6



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

REVISIONS:

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ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

EXISTING
NORTH
ELEVATION

DATE 2020-02-14

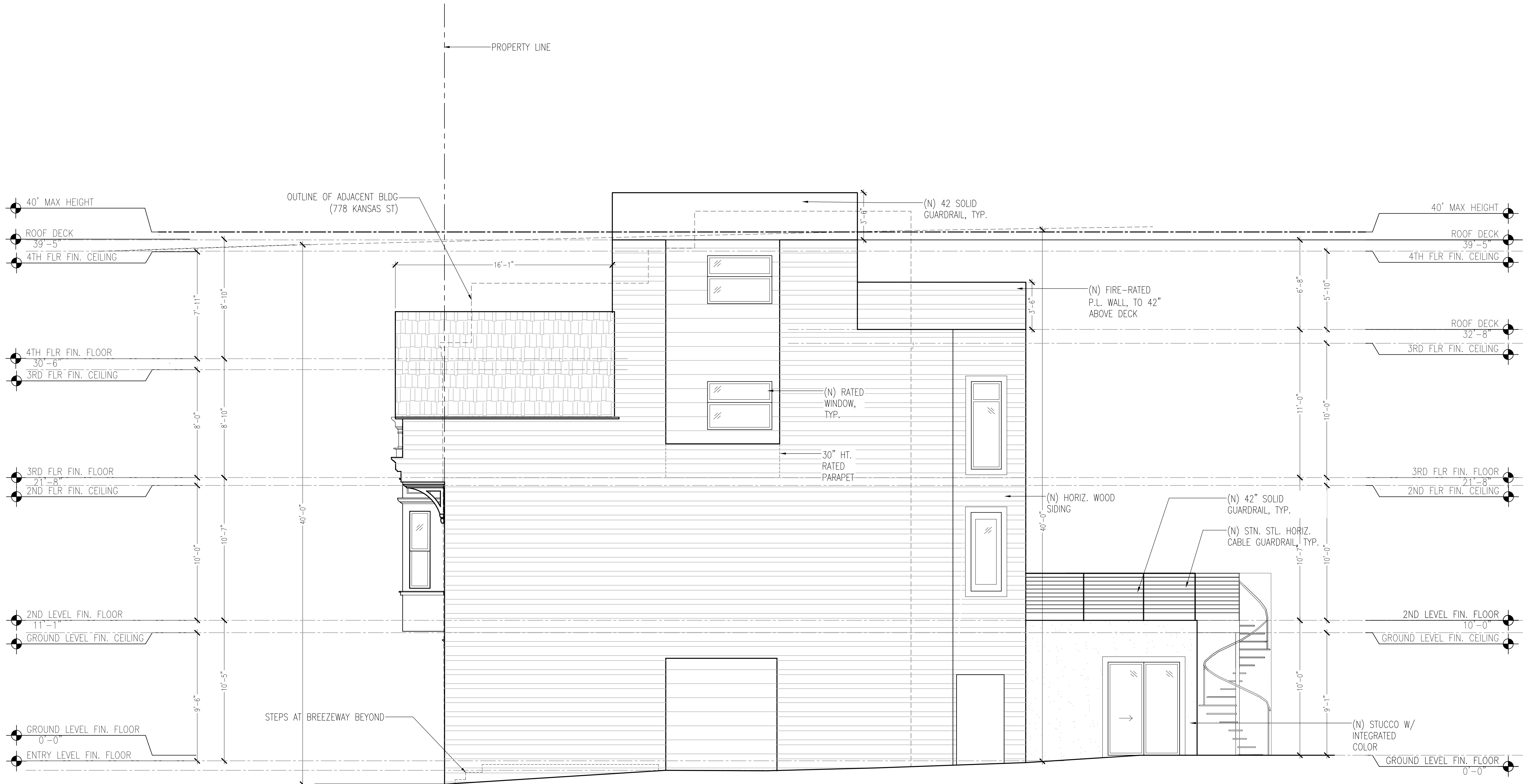
SCALE 1/4" = 1'-0"

DRAWN S. CAR

JOB

SHEET

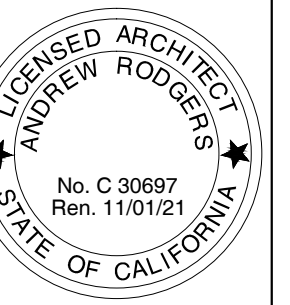
A2.7



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

REVISIONS:

rodgers
41 309 9 12
www.rodgersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

PROPOSED
NORTH
ELEVATION

DATE 2020-02-14

SCALE 1/4" = 1'-0"

DRAWN S AR

JOB

SHEET

A2.8

Project Features

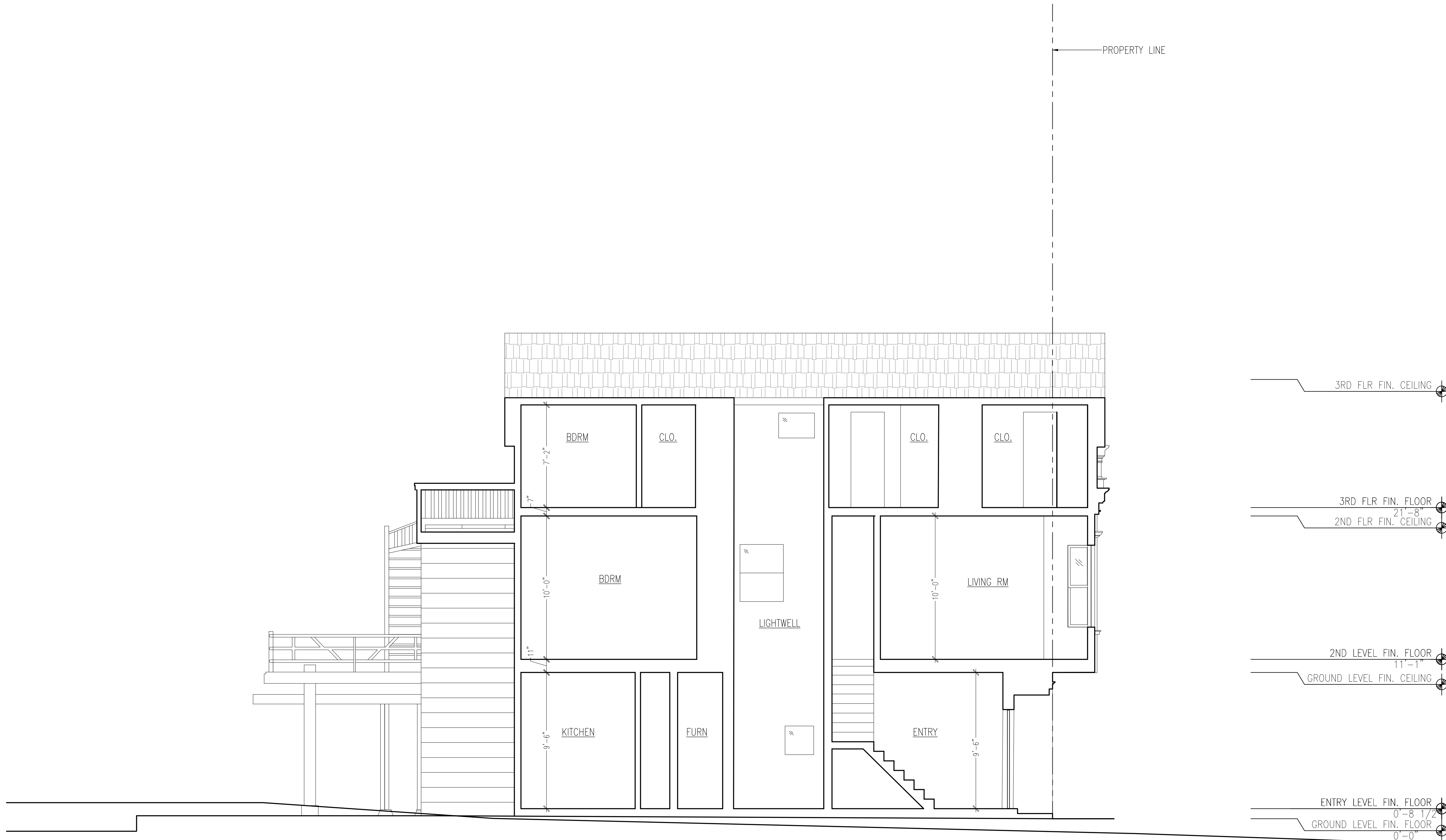
Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.**

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	2	2
Occupied Stories (all levels with habitable rooms)	3	4
Basement Levels (may include garage or windowless storage rooms)	0	0
Parking Spaces (Off-Street)	0	1
Bedrooms	5	5
Height	36.5'	40'
Building Depth	47' 1"	54' 10"
Rental Value (monthly)		
Property Value		

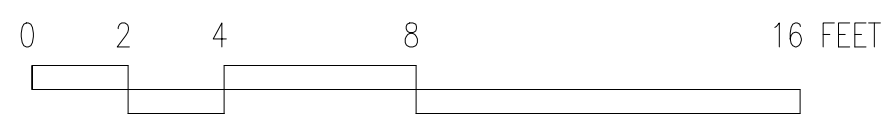
I attest that the above information is true to the best of my knowledge.

Signature:	Date:
Printed Name: Deborah E. Holley	<input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Authorized Agent

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

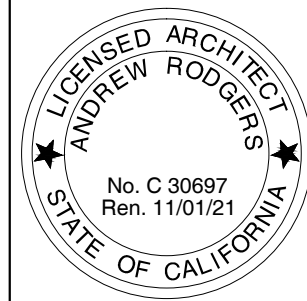


1 EXISTING BUILDING SECTION
SCALE: 1/4" = 1'-0"



REVISIONS:

rodgers
410 309 9112
www.rodgersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

EXISTING
BUILDING
SECTION

DATE 2020-02-14

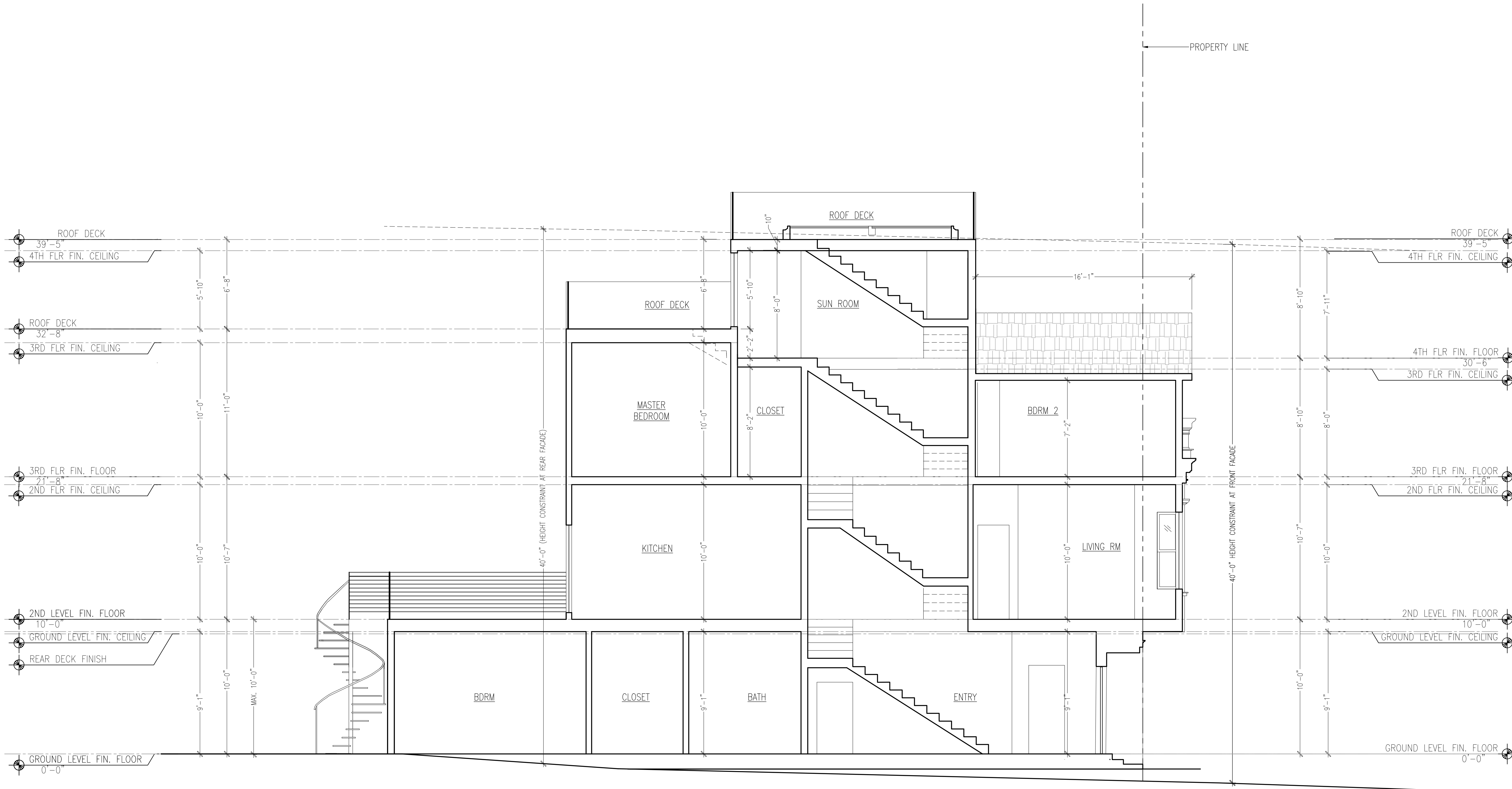
SCALE 1/4" = 1'-0"

DRAWN S AR

JOB

SHEET

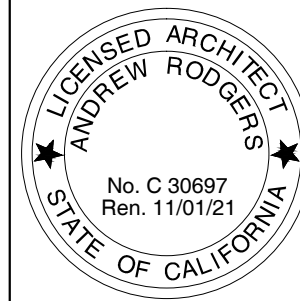
A3.1



1 PROPOSED BUILDING SECTION
SCALE: 1/4" = 1'-0"

REVISIONS:

rodgers
r
41 309 9 12
www.rodgersarchitecture.com



ALTERATIONS TO:
780 KANSAS ST.
SAN FRANCISCO, CA, 94107
OWNER:

FOR REVIEW

PROPOSED
BUILDING
SECTION

DATE 2020-02-14

SCALE 1/4" = 1'-0"

DRAWN S AR

JOB

SHEET

A3.2

EXHIBIT B

EMAIL COMMUNICATIONS BETWEEN PROJECT SPONSORS AND DR REQUESTORS

Sunday, September 22, 2019 7:44 PM

To: Ajello Hoagland, Linda (CPC)

Cc: 'Steve Altschuler'; 'Lani Wu'

Subject: regarding application for variance at 780 Kansas

Attachments: Correspondence from 778 Kansas.

Dear Ms. Ajello-Hoagland,

We reside at and own the single family home at 778 Kansas Street. We are writing in regard to an application filed for a variance at the adjacent property at 780 Kansas (application record 2018 0221 1876). The first we learned about the application for variance was from the street posting on 780 Kansas. We were thus very surprised to see that the application states in its Variance Findings Responses section (page 6 point 3) that: "It should be noted that the owners of both adjacent properties (at 778 Kansas, and 784-86 Kansas), who would be most impacted by this project, have no objections to the proposed plans."

This statement is false and misstates our views. In 2017, we did agree to a specific, previous project proposal by the current owner of 780 Kansas, but only on the explicit condition that the project would require no variance. This prior agreement, demanded by and memorialized in writing by the current 780 Kansas owner, was attached to a Special Conditions Permit approved by the Board of Appeals at that time for a project at our property (see attached Request for Special Conditions Permit, Appeal No: 17-152, pages 4-5). 780 Kansas is now seeking a variance in direct violation of an explicit condition of our agreement. Worse yet, they have misled the planning department and the neighborhood about our position in the application.

In fact, having reviewed the variance application, we strongly oppose the variance, which will have significant impacts on our privacy and access to light and air. Their proposed extension would encircle our small backyard—our house is already enclosed to the north and west by an apartment building. Further, their proposed expansion places side windows that face directly into our bedroom and kitchen. The attached pdf file indicates the estimated impact of their proposed expansion (pages 1-3).

Thank you for your attention,

Lani Wu and Steven Altschuler

778 Kansas Street

San Francisco, California 94107

ATTACHMENT 1 Attachment to Wu Letter Correspondence from 778 Kansas

Tue, Sep 24, 2019, 1:46 PM

From: Mark Hampton

To: steve.altschuler, Lani, Gayle

Hi Lani and Steve,

We just got word from the City that you have submitted a comment regarding the variance we are seeking for 780 Kansas. We appreciate your concerns and hope we can work through them so that we come to a mutually agreeable solution. In order to have these discussions, we have asked for our variance meeting be pushed and are now on the December 5th agenda. I wanted to get this info to you ASAP in case you had planned to attend tomorrow's meeting.

The requirement to get a variance to build the addition as planned November 2017 came as a surprise to us as well. We incorrectly assumed that because the August 2019 drawings were basically the same as the November 2017 drawings that you would take no issue. In retrospect, we should have had a more open conversation with you regarding the variance.

I would love to sit down with you and discuss ways we can work together, please let me know possible dates that work for you. If you have specific thoughts on changes you would like to see, I would love to hear them also.

Thanks for your time,

Mark

Sep 25, 2019, 7:46 PM

From: Lani Wu

To: me, Gayle, steve.altschuler

Hi Mark and Gayle

We are sorry to keep this short, but we have extensive travel and we will be out of touch for the next two weeks.

The agreement we had is that your project will not require a variance. Any additions to the rear that necessitate a variance will worsen our already limited access to light and air, which we will oppose. We are happy to consider a proposal that does not require a variance.

Regards,

Lani and Steve

Oct 1, 2019, 10:40 AM

From: Mark Hampton <markrhampton@gmail.com>

to Lani, Gayle, steve.altschuler

Hi Lani,

Thanks for getting back to us so quickly. I appreciate your concern and agree that the thought of a variance is unappealing. Unfortunately, due to the strange shape our yours and our property, both of our homes are considered non-complying making variances much more common. I wish we had known this 2 years ago, would have saved you and us both a surprise. I want to be clear that the design we are pursuing is exactly the same for the first 3 floors as what we agreed to at the end of 2017. The only difference is that we went away from the "viewing platform" for a more enclosed space toward the center of the building.

Gayle and I worked incredibly hard to get a design through the City that kept with our agreement. After working for over 18 months, we came to the conclusion that to build the agreed upon design, we would need a variance. We moved forward with the agreed upon design at great cost and risk to us as we thought this design was preferable from your perspective, our perspective and 784 Kansas's perspective.

Our planner did support without a variance a design where the back of our house is built at the same sharp angle as the western limit of our property. Under this approach, the angled back of our building and the angled 1st floor bump out would be built from where it is along your property line to where the shed is at 784 Kansas St. We assumed the variance approach we are pursuing is preferable over that angled approach.

We would love to sit down with you when you are back from your travel and go through some of the design iterations which brought us back to the original design. Can we meet Wednesday October 16th in the evening? Happy to host at our house or meet somewhere you prefer. Specifically, we'd like to understand if you have proposed changes. If not, we will continue to push forward based on the city's guidance for what is best for our property and both of our neighbors.

Thanks for your time,

Mark

Oct 11, 2019, 8:38 AM

From Lani Wu <lani.wua@gmail.com>

to me, Gayle, steve.altschuler

Hi Mark,

We appreciate your response. As you know, we raised concerns about privacy and light two years ago and even proposed alternatives, which you dismissed. You have not reached out to us since then, even after finding out you needed a variance, and our concerns have not changed or been addressed.

Ways to address our top-most concerns of privacy and access to light and air on your current plan include:

1. Push the footprint of your proposed extension back from our property line. We are not clear on how far would be satisfactory. You would need to produce a professional rendering of shadow and light as well as story poles so that we and our architect can make an informed evaluation.
2. Remove all windows on the extension facing into our property.

3. Provide a professional rendering of your newly designed rooftop so we and our architect can evaluate its impact to light and privacy.

Alternatively, you should feel free to send us the angled approach that your planner approved, or any modifications to your current plan that would no longer require a variance.

We apologize in advance for not meeting you before you have a concrete proposal or if there are delays in our responses—we are extraordinarily committed during the academic year with teaching, travel and research. We are happy to have a discussion after we have had a chance to review your proposals. We filed a DR request because we did not think there would be a resolution before the filing deadline. But we will continue working with you and hope we can come to a resolution,

Regards,

Lani

Nov 13, 2019, 6:57 PM

From Mark Hampton <markrhampton@gmail.com>

to Lani, steve.altschuler, Gayle

Hi Lani and Steve,

Our apologies that it has been tough to connect! We realize that you have a full schedule these days, as do we. And we understand that our project requiring a variance prompted your concern and the filing of a discretionary review with the planning dept. **Please understand that the variance did not result from a change in the depth or width of our proposed remodel, rather from a change in the city's interpretation of the rear yard setback for our project, given the unusual shape of our properties.**

We are hopeful that by meeting up in person we can further explain and address all of your concerns so as to avoid a planning commission hearing, which would be onerous for all of us. We have availability next week anytime after 6 pm. Please let us know, happy to host at 782 Kansas. We look forward to working through this in a mutually agreeable manner.

In that spirit, please see our thoughts below in response to your request...

1. Push the footprint of your proposed extension back from our property line. We are not clear on how far would be satisfactory. You would need to produce a professional rendering of shadow and light as well as story poles so that we and our architect can make an informed evaluation.

We assume that privacy is your concern with the 1st floor extension considering the proposed 1st floor extension is planned to be similar in shape as the existing deck, will be at about the same elevation and will generally be behind a new 8 ft tall fence. We offer to push the northern edge of the deck atop the extension south so that it is off the property line 7 or 8 ft.

2. Remove all windows on the extension facing into our property

Assuming again that privacy is your concern, we can make the 2nd floor window frosted or etched glass for mutual privacy and the 3rd floor window smaller.

3. Provide a professional rendering of your newly designed rooftop so we and our architect can evaluate its impact to light and privacy.

Please see attached the permit drawings and a layout including your 4th floor plan next to our 4th floor plan. I am not exactly sure what additional information you are interested in here please let us know and we will take a look. Also, we are happy to work through the drawings with you in person.

Please let us know your thoughts and thanks for your time.

Respectfully,

Mark and Gayle

ATTACHMENT 3 780 KANSAS_2019-08-26

ATTACHMENT 4 780 KANSAS_and 778 Kansas

Nov 22, 2019

Meeting with David Winslow, Andy Rogers, Lani Wu, Steven Altschuler, Gayle Pigatto and Mark Hampton

Dec 15, 2019, 10:03 AM

From: Mark Hampton

To: Lani, steve.altschuler, David, Gayle, Andy

Lani and Steve,

Please find attached the revised drawings for 780 Kansas Street. Per your request, we have removed all north facing windows from the 2nd and 3rd floors and removed a large section of the 1st floor build out and reduced the size of the 2nd floor deck. Gayle and I would love to walk you through the drawings in person if that helps. Please let us know if these revisions address your concerns and thanks for your time.

Respectfully,

Mark and Gayle

ATTACHMENT 5 DRAWING DATED 12/12/19

Jan 5, 2020, 9:46 PM

From Lani Wu

To Mark, Gayle, David, Andy, steve.altschuler

Mark and Gayle,

You partially addressed our concerns to privacy, light and air, and we appreciate the progress. We asked the city for an interpretation of your drafted plans. We continue to have serious concerns regarding the impact of your design to our property, and we object to the fact that your proposal continues to require a variance in violation of the written agreement between us. Based on your sketches, the city's code analysis (see attached), and subject to our review of your revised plans, the following points would move in the right direction for an agreement:

1. Pull back to: a) the solid orange line, to provide the required 5' setback from our property, and b) the dashed orange line, to provide a clear cone of light to our back windows (see attached markup); this will provide some relief for the light, air and privacy our house would lose from your proposed, extensive horizontal and vertical expansions.
2. Build a fence on your property with horizontal slats and gaps to allow in light and air but retain privacy. This should match height of current fence along shared property line.
3. Paint the wall of our house along your breezeway (you are free to choose a color that matches your house).
4. Allow owners of 778 access to the 780 breezeway for maintenance with 48 hours of e-mail notification.
5. Fix within 6 months drainage issues on your property causing water leaking problems in our garage.

It took considerable time and effort on our behalf to attempt to interpret your sketches. You only provided sketches without complete information on all floors and elevation, and we do not know if the points above are sufficient. For example, we were unable to evaluate impact to our house arising from your many roof decks. We will evaluate a revision that is complete and contains clear demarcations of regions requiring a variance.

Regards,

Lani and Steven

February 13 ATTACHMENT 6 780 KANSAS_PHASE II_2019-12-12 Code analysis

ATTACHMENT 7 780 KANSAS_PHASE II_2019-12-12 Mark up

Jan 7, 2020, 3:29 PM

From Mark Hampton

To Lani, David, steve.altschuler, Gayle, Andy

Hi Lani and Steve,

Thanks for the response. In the spirit of cooperation and negotiation, please see below.

1. Pull back to: a) the solid orange line, to provide the required 5' setback from our property, and b) the dashed orange line, to provide a clear cone of light to our back windows (see attached markup); this will provide some relief for the light, air and privacy our house would lose from your proposed, extensive horizontal and vertical expansions.

Please see attached our thoughts on a setback line. This line is approximately where the existing structure of 780 Kansas is today, and will effectively provide the cone of light that you requested.

2. Build a fence on your property with horizontal slats and gaps to allow in light and air but retain privacy. This should match height of current fence along shared property line.

No problem

3. Paint the wall of our house along your breezeway (you are free to choose a color that matches your house).

No problem

4. Allow owners of 778 access to the 780 breezeway for maintenance with 48 hours of e-mail notification.

No problem

5. Fix within 6 months drainage issues on your property causing water leaking problems in our garage.

We will endeavor to fix this problem from our end but as the leak is in your house, we can not be certain of the exact source of the leak. We can assure you that our roof and drainage will be redesigned and replaced to code and to current standards during the course of our construction.

Thanks for your time and consideration. We are happy as always to walk you through these drawings in person to try and help answer any questions. Happy to also meet with David if that is your preference, when David is available.

Respectfully,

Mark and Gayle

ATTACHMENT 8 780 KANSAS_PHASE II_20200106

Jan 21, 2020, 8:21 PM

From Lani Wu

To Lani.WuA, Gayle, me, Steve, David

Hi Mark and Gayle,

Thank you for consideration of points #2-5. However, point #1 – the impact to our house and our previous agreement – is the main cause of the DR. Your last response does not address our main concerns about privacy, light and air.

After spending time reviewing your variance plan with the city and our architect, we realized you are proposing to put a roof deck on top of your fourth floor sun room. This deck would tower high above all other homes in our neighborhood and significantly impact everyone's privacy. As you know, the first part of our prior agreement (Nov 09, 2017) was your demand to alter our plans to reduce vertical height, which we honored. Your proposed deck is in clear contradiction to these demands.

Concretely, we ask you to: 1. Reduce your proposed first floor backyard extension and deck so that there is a clear cone of light and privacy. The cone line is determined by a 45 degree line beginning from the southern-most edge of our window. 2. Provide on all floors and decks a minimum 5' setback to our entire shared backyard property line. 3. Remove the proposed deck above the sun room.

This compromise is as far as we are willing to consider. Understand that we have not amended or waved our rights under our previous agreement (Nov 09, 2017), which is still in effect and recorded with the city (appeal no: 17-152). Also, you still have not responded to our request to see elevation plans (Jan 5, 2020). Without complete information on all floors and elevation, we cannot know if the points above are sufficient. We simply are unable to fully evaluate the impact to our house arising from your proposed extensive vertical and horizontal extensions and decks, which will have a very real and significant negative impact to our privacy, light and air.

Regards,

Lani and Steve

February 14, 2020

Lani and Steve,

Thank you for your note. To specifically address your concerns:

1. We continue to request a second in person discussion, as suggested by David Winslow. We view this as critical in our effort to reach a reasonable compromise. There seems to be a misunderstanding of the relationship between the proposed project and the actual impacts on your light, air, and privacy.
2. We have revised our project twice in response to your asks – we did not want our architect to create additional drawings, including elevations prior to a final design. We are now at the point where it makes sense to invest in additional work and finalize drawings. Find attached elevations as requested.

Our hearing is scheduled for March 5th, we continue to have time to meet in person and discuss the actual impacts to your light, air and privacy while saving valuable city resources.

Respectfully,
Mark and Gayle

February 18, 2020

Hi Lani and Steve,

We are happy to have received the below letter from David Winslow late Friday stating your latest round of requested changes for the 780 Kansas Project. The great news is that the majority of these requests have already been incorporated into our last set of drawings (Dated and Sent 2/14). Please see attached and below our thoughts on a reasonable approach based on your feedback provided through David Winslow's markup to our plans.

Specifically:

- 1st Floor buildout: We are very happy that you are comfortable with this the way it is shown in the 2/14 drawings.
- 2nd Floor Deck: We suggest that we split the difference in where you want the deck and where it is shown on our plans. Please see attached markup in this 2/18 set of plans.
- 2nd Floor SW Corner: We are very happy that you are comfortable with this the way it is shown in the 2/14 drawings
- 3rd Floor SW Corner: We are very happy that you are comfortable with this the way it is shown in the 2/14 drawings
- 4th Floor Deck: We assume your concern is that we may look over the wall and into you property? We therefore propose to delete the deck and add a planter that extends beyond the limit of 778 Kansas. Please see attached markup in this 2/18 set of plans.
- Roof Top Deck: We assume your desire to delete our proposed roof top deck is to ensure privacy for your roof top deck, roof top hot tub and roof top shower. We propose to remove our roof top deck to the limits shown in the attached and add an additional planter south of your hot tub. We believe this will greatly limit the ability to see your roof top hot tub or roof top shower. If you are still concerned about privacy while showering, we'd be happy to pay for some other type of screening for the shower. Please see attached markup in this 2/18 set of plans.
- Please note, all of these proposed changes are contingent on your removal of the discretionary review on the property and require a letter of support for our variance.

We feel these proposed changes directly address all of your concerns and should you have comments we request they be discussed in person to ensure mutual understanding between both parties on the impact to your property. Additionally, please note we have been granted a second in person meeting with David for Friday, 2/21 at 10 am in the event we are unable to reach an agreement. Should you be available and have outstanding questions we'd welcome your participation in that meeting, but our hope is we'll reach agreement prior to Friday.

Respectfully,
Mark and Gayle

EXHIBIT C

EMAIL FROM ADJACENT NEIGHBOR TO THE SOUTH AT 784-86

From: **Seth Acharya** <seth@everestsf.com>
Date: Mon, Dec 11, 2017 at 7:59 PM
Subject: Re: Revised Plans for 780 Kansas
To: Mark Hampton <markrhampton@gmail.com>, Gayle Pigatto <gayle.pigatto@gmail.com>
Cc: Gareema Bajgain <gareema.bajgain@gmail.com>

Hello Mark and Gayle,

Thank you for reaching out and sharing your building plans with us.

I apologize for not getting back sooner. We looked at the plans and understand that you are trying to build up the best way possible with the least impact to my property. We appreciate that. I have nothing to add to the plan and wish you success building it.

Cheers,

Seth Acharya
Everest Waterproofing and Restoration, Inc.
1270 Missouri St
San Francisco, CA 94107
415.282.9800 office
415.282.1205 fax
415.517.4117 cell
seth@everestsf.com
www.everestsf.com

EXHIBIT D – ADDITIONAL LETTERS OF SUPPORT FOR PROPOSED PROJECT

1. Wes Freas, 778 Rhode Island Street
2. Naomi Hun and Nicholas Blumm, 697 Rhode Island Street
3. Marcus Wilson and Ruby Ng, 794 Rhode Island Street
4. Keith Trexler, 780 Kansas Street

Feb. 10, 2020

Wes Freas
778 Rhode Island Street
San Francisco , Ca 94107

Re: 782 Kansas Street, Letter of Support

I have been a resident and home owner on Potrero Hill since May of 1994. I live at 778 Rhode Island Street. Over the past 26 years I have seen many changes to Potrero Hill. Some have been positive and some have been not so positive.

There have been other projects that have been approved that have far exceeded what the Hamptons are requesting.

I believe that the changes and minor modifications will greatly improve the property and therefore also improve the overall appearance of the Street

The cost of owning and remodeling has driven many families out of San Francisco. I am thrilled to hear that the Hamptons are making every effort to remodel their home in a manner that is thoughtful and will allow them to stay in the neighborhood and raise their family here.

I often see them at the park with their children when I am walking my dog. I would hate to lose them as good neighbors.

I write this in full support of the proposed plan for remodeling the property at 782 Kansas Street

Sincerely,



Wes Freas

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

From: **Naomi Hyun** <naomih@gmail.com>

Date: Mon, Feb 17, 2020 at 10:18 PM

Subject: Letter of Support for 780 Kansas Street

To: <david.winslow@sfgov.org>, <linda.ajellohoagland@sfgov.org>, Gayle Pigatto <gayle.pigatto@gmail.com>, Mark Hampton <markrhampton@gmail.com>

February 15, 2020

David Winslow, Principal Architect
Linda Ajello Hoagland, AICP Senior Planner

Dear Mr. Winslow and Ms. Ajello Hoagland,

We are 7 year residents of San Francisco, who moved to Potrero Hill 4 years ago because of the family friendly nature, proximity to transit, and wonderful weather.

We are writing in strong support of the 2 unit project at [780 Kansas Street](#). San Francisco needs to see more common sense remodels of dilapidated properties and acceptance of modest expansions that help keep families with children in the city.

We have known the Hamptons for many years, and love having them in our neighborhood. Our preschooler was in a sharecare with the Hamptons' older daughter for nearly 2 years, so we are very familiar with this property and it's oddly shaped lot. They have since had a second child, and space is starting to get tight. The Hamptons need to upgrade their home to meet the changing needs of their growing family, and we would hate to lose them as neighbors if they were forced to leave San Francisco in order to obtain a house more suitable to their needs.

The existing property at 780 Kansas Street is proposing expanding by a measly 500 or so square feet. This additional space would help support the Hamptons' growing family, and in no way makes the property monstrous or out of scale with the neighborhood.

We feel that the Hamptons' plans for remodeling are reasonable, that they have considered the optimal way to preserve mid-block open space, given the irregular shape of their lot, and that an update to their property is in the neighborhood's best interest. We are in full support of the proposed plans.

Sincerely,
Naomi Hyun and Nicholas Blumm
Owners of [697 Rhode Island Street](#)

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

From: **Ruby Ng** <rubyng@gmail.com>

Date: Wed, Feb 19, 2020 at 12:12 PM

Subject: Letter of Support for 780 Kansas Street

To: <david.winslow@sfgov.org>, <linda.ajellohoagland@sfgov.org>

CC: Gayle Pigatto <gayle.pigatto@gmail.com>, Mark Hampton <markhampton@gmail.com>, Marcus Wu <marcus.wu@gmail.com>

Dear Mr. David Winslow and Ms. Ajello Hoagland,

Thank you for the opportunity to share our strong support for the proposed upgrade of the 2 unit home at 780 Kansas. We are neighbors and the homeowners and residents of [794 Rhode Island Street](#). Our family has been a resident of Portrero Hill for over 20 years.

We accept and applaud the proposed plans made by the Hampton Family. While they have made every effort to update the current home, their proposed renovation, while modest in scope, will significantly improve the safety of the house and structure while improving our neighborhood.

We met the Hampton family when we were both pregnant with our first child. Mark and Gayle's 2 young children, Harley and Marshall, play regularly with our toddlers at our neighborhood's parks. We consider them close family friends now and love having them in our neighborhood. They could use the extra space in their multi-family home, especially as their children grow. We cannot dream of Portrero Hill if they were not allowed to upgrade their home to meet the changing needs of their family and forced to leave the city to find a house more suitable to their needs. It's wonderful to keep families with children in the city.

Revitalizing the property to its original glory requires a significant investment of the Hampton's time and resources. We greatly appreciate their efforts and the positive impact it will have on our neighborhood. The Hamptons purchased 780 Kansas from the great grandson of the original owner. The property is in desperate need of the upgrades and its wonderful the Hampton's have taken on this challenge. Their plans celebrate the history of the house.

The Hamptons have been very open and collaborative with us regarding their plans for remodeling their existing home and they have our full support for their proposal. The variance process is a challenge to navigate, especially with their irregular lot shape, and they are making every effort to optimize the open space between Kansas and Vermont Street. The Hamptons are requesting a smaller encroachment into their rear yard than is allowable by code. Their plan for remodel and expansion is appropriate and modest by the standards of what has been allowed in this neighborhood, even compared to the recent remodel of the next door home located at 778 Kansas. 780 Kansas is a thoughtful, multi-family home that houses two families. It will not impact the views or the single living style of the property at 778 Kansas.

Thank you for your review. We fully support the renovation efforts and proposed plans of the Hampton Family for 780 Kansas.

Warmest regards,

The Wilson Family

Marcus Wilson and Ruby Ng (homeowners for [794 Rhode Island Street](#))

Elle Wilson (3 years old) and Grant Wilson (1 years old)

From: "Trexler, Keith" <JKTrexler@keller-na.com>

Date: February 19, 2020 at 11:21:00 AM PST

780 Kansas Street DR Response February 20, 2020

To: "david.winslow@sfgov.org" <david.winslow@sfgov.org>, "linda.ajellohoagland@sfgov.org" <linda.ajellohoagland@sfgov.org>

Subject: Proposed Construction at 780 Kansas Street

Dear San Francisco Planning Department.

This is regarding the proposed construction at [780 Kansas Street](#).

I live on the first floor of the proposed project (780 Kansas). I understand the scope of the project at [780-782 Kansas Street](#) and fully support it. I will in no way be harmed or displaced by the construction planned by the Hamptons and think it is critical that the project be approved to ensure the livability of the unit for years to come. I would also hate to see the Hamptons and their growing family leave the City of San Francisco because they were not able to remodel their home.

Thank you for your consideration,

Please note: As of January 1, 2020, North America Keller companies Bencor, Case Atlantic, Case Foundation, Hayward Baker, HJ Foundation, Keller Canada, McKinney Drilling and Moretrench have joined together and rebranded to Keller. [Learn more](#)

Keith Trexler
Keller North America, Inc.
847-417-7008

jktrexler@keller-na.com

EXHIBIT E

Communications between other Neighbors and Project Sponsors and supporting graphics

From: Gayle Pigatto <gayle.pigatto@gmail.com>

Sent: Thursday, February 13, 2020 11:01 AM

To: Margaret Weir <margaretweir5@gmail.com>

Cc: Mark Hampton <markhampton@gmail.com>; linda.ajellohoagland@sfgov.org; david.winslow@sfgov.org; Andy Rodgers <ardesign@att.net>

Subject: Re: 780 Kansas Street Proposed Remodel

Ms. Weir, 779 Vermont Street Homeowner

Thank you for your comments regarding the variance request at our residence of 780 Kansas Street. We appreciate your concern for the Potrero community which we all call home. We would love to meet with you in person to show you the current set of plans, better understand your specific concerns and answer any questions you might have. If nothing else, we welcome the opportunity to know another neighbor.

A bit about our family - my husband Mark and I moved to Potrero Hill from Chicago in 2014 and immediately fell in love with the neighborhood. We purchased 780 Kansas in 2015 from the great grandson of the original owner, marking first time in over 100 years the home had changed families. Restoring and revitalizing the property requires a significant investment of our time and resources but preserving this home for future generations is important to our family.

We currently have two small children, Harley (3.5) and Marshall (1.5), and have an acute need to make our space safer and more livable. As you mention in your letter, our home has had minimal updates over the last 50 years and needs to be brought up to current codes and seismic standards as well as remove all the lead paint. Our planned remodel will address safety concerns while providing a garage where we can safely load our children into our car and onto our bicycles.

We agree that the description used in the variance request makes it seem like we are making huge changes to the property but in fact, the changes are relatively modest, and we have reduced the scale of the project since you received the Variance Notification. As you know, our house is built on a very oddly shaped lot. Replacing the decrepit 2nd floor deck alone requires a variance.

To specifically address the concerns you raised:

- The variance we are requesting is to preserve green space and contiguous open space in the mid yard area. Our request for a variance is to make the back of our property even (north/south) to the front and not built at the odd angle of our rear yard lot line which would negatively impact our southern neighbors. Additionally, the proposed 1st floor buildout has a smaller footprint than is allowed by the planning code.
- We are not adding two floors to the project, the total building height increases by 4.5 ft, from 35.5 ft tall to 40 ft tall. Code on our block allows for a maximum height of 40 ft.
- Regarding our shared retaining wall, the city of San Francisco has rigorous design checks during the building code issuing process. The safety of the surrounding properties is paramount to us.
- Regarding demolition and lead / hazardous material abatement. As the parents to two young children we cannot stress enough the importance of undergoing this project to address much needed safety concerns in our home. The City of San Francisco building and environmental requirements ensure the safety of neighboring people (and pets).
- Regarding construction days and hours, we will comply with the City's Noise Ordinance.
- Finally, it's important to note that 780-782 Kansas is home to two families who will both benefit from much needed safety improvements as well as the 1st floor garage. While we will not be adding a third unit, we will be preserving the square footage of our second unit which ensures the livability of this unit for years to come.

We recognize you may have been unable to attend our three neighborhood review meetings; is there a convenient time to discuss the latest drawings?

Warm regards,

Gayle Pigatto and Mark Hampton

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Gayle Pigatto

From: Gayle Pigatto <gayle.pigatto@gmail.com>

Sent: Thursday, February 13, 2020 10:47 AM

To: Anna Doyle <annaeliz4@aol.com>

Cc: Mark Hampton <markhampton@gmail.com>; linda.ajellohoagland@sfgov.org; david.winslow@sfgov.org; Andy Rodgers <ardesign@att.net>

Subject: Re: 780 Kansas Street Proposed Remodel

Ms. Doyle, 785 Vermont Street Homeowner

Thank you for your comments regarding the variance request at our residence of 780 Kansas Street. We appreciate your concern for the Potrero community which we all call home. We would love to meet with you in person to show you the current set of plans, better understand your specific concerns and answer any questions you might have. If nothing else, we welcome the opportunity to know another neighbor.

A bit about our family - my husband Mark and I moved to Potrero Hill from Chicago in 2014 and immediately fell in love with the neighborhood. We purchased 780 Kansas in 2015 from the great grandson of the original owner, marking first time in over 100 years the home had changed families. Restoring and revitalizing the property requires a significant investment of our time and resources but preserving this home for future generations is important to our family.

We currently have two small children, Harley (3.5) and Marshall (1.5), and have an acute need to make our space safer and more livable. As you mention in your letter, our home has had minimal updates over the last 50 years and needs to be brought up to current codes and seismic standards as well as remove all the lead paint. Our planned remodel will address safety concerns while providing a garage where we can safely load our children into our car and onto our bicycles.

We agree that the description used in the variance request makes it seem like we are making huge changes to the property but in fact, the changes are relatively modest, and we have reduced the scale of the project since you received the Variance Notification. As you know, our house is built on a very oddly shaped lot. Replacing the decrepit 2nd floor deck alone requires a variance.

To specifically address the concerns you raised:

- We did a quick study of rear yard sunlight on your property. Considering our proposed structure is north of yours, sunlight will not be impacted. Additionally considering that there is a large retaining wall and a shed (owned by 784 Kansas) immediately abutting your property and approximately 20 ft above your back yard grade, we find that the modest increase in height of our proposed building (from 35.5 ft to 40 ft) will be unnoticeable for the entirety of your backyard.
- The proposed 1st floor buildout has a smaller footprint than is allowed by the planning code. Our request for a variance is to make the back of our property even (north/south) to the front and not built at the odd angle of our rear yard lot line which would negatively impact all our southern neighbors, yourself included. This point may be best explained in person so we can overlay the “conforming expansion” compared to our proposal.
- Many of us enjoy the use of outdoor space in the Potrero Hill area, our current home has a decrepit 2nd floor deck which will be replaced. Additionally, we will be removing our 3rd floor deck as part of this remodel and replacing it with a deck on the 4th floor. This deck will be built to code and will include a 5 ft setback from both the north and south property lines which will ensure the privacy of all our neighbors.
- Regarding demolition and lead / hazardous material abatement. As the parents of two young children we cannot stress enough the importance of undergoing this project to address much needed safety concerns in our home. The City of San Francisco building and environmental requirements ensure the safety of neighboring people (and pets).

- Regarding our shared retaining wall, the city of San Francisco has rigorous design checks during the building code issuing process. The safety of the surrounding properties is paramount to us.
- Finally, it's important to note that 780-782 Kansas is home to two families who will both benefit from much needed safety improvements as well as the 1st floor garage. While we will not be adding a third unit, we will be preserving the square footage of our second unit which ensures the livability of this unit for years to come.

We recognize you may have been unable to attend our three neighborhood review meetings; is there a convenient time to discuss the latest drawings?

Warm regards,

Gayle Pigatto and Mark Hampton

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Gayle Pigatto

Ms. Krebs, 514 Wisconsin St

Thank you for your comments regarding the variance request at our residence of 780 Kansas Street. We appreciate your concern for the Potrero community which we all call home. We would love to meet with you in person to show you the current set of plans, better understand your specific concerns and answer any questions you might have. If nothing else, we welcome the opportunity to know another neighbor.

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The changes we are proposing are very modest. Our house is built on a very oddly shaped lot. Replacing the decrepit 2nd floor deck alone requires a variance.

To specifically address the concerns you raised:

- The variance we are requesting is to preserve green space and contiguous open space in the mid yard area. Our request for a variance is to make the back of our property even (north/south) to the front and not built at the odd angle of our rear yard lot line which would negatively impact our southern neighbors.
- The proposed 1st floor buildout has a smaller footprint than is allowed by the planning code and our 2nd / 3rd floor proposal encroaches into our backyard by an incremental 3 square feet.
- Finally, 780 – 782 Kansas is home to two families who will both benefit from much needed safety improvements as well as the 1st floor garage. While we will not be adding a third unit, we will be preserving the square footage of our second unit which ensures the livability of this unit for our tenants, who support our remodel.

We recognize you may have been unable to attend our neighbor reviews; is there a convenient time to discuss the latest drawings?

Warm regards,

Gayle Pigatto and Mark Hampton

Mr. Ng, Resident of 623 Carolina

Thank you for your comments regarding the proposed remodel of our residence at 780 Kansas Street. We appreciate your concern for the Potrero community which we all call home. We would love to meet with you in person to show you the current set of plans, better understand your specific concerns and answer any questions you might have. If nothing else, we welcome the opportunity to know another neighbor.

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The changes we are proposing are very modest. Our house is built on a very oddly shaped lot. Replacing the decrepit 2nd floor deck alone requires a variance.

To specifically address the concerns you raised:

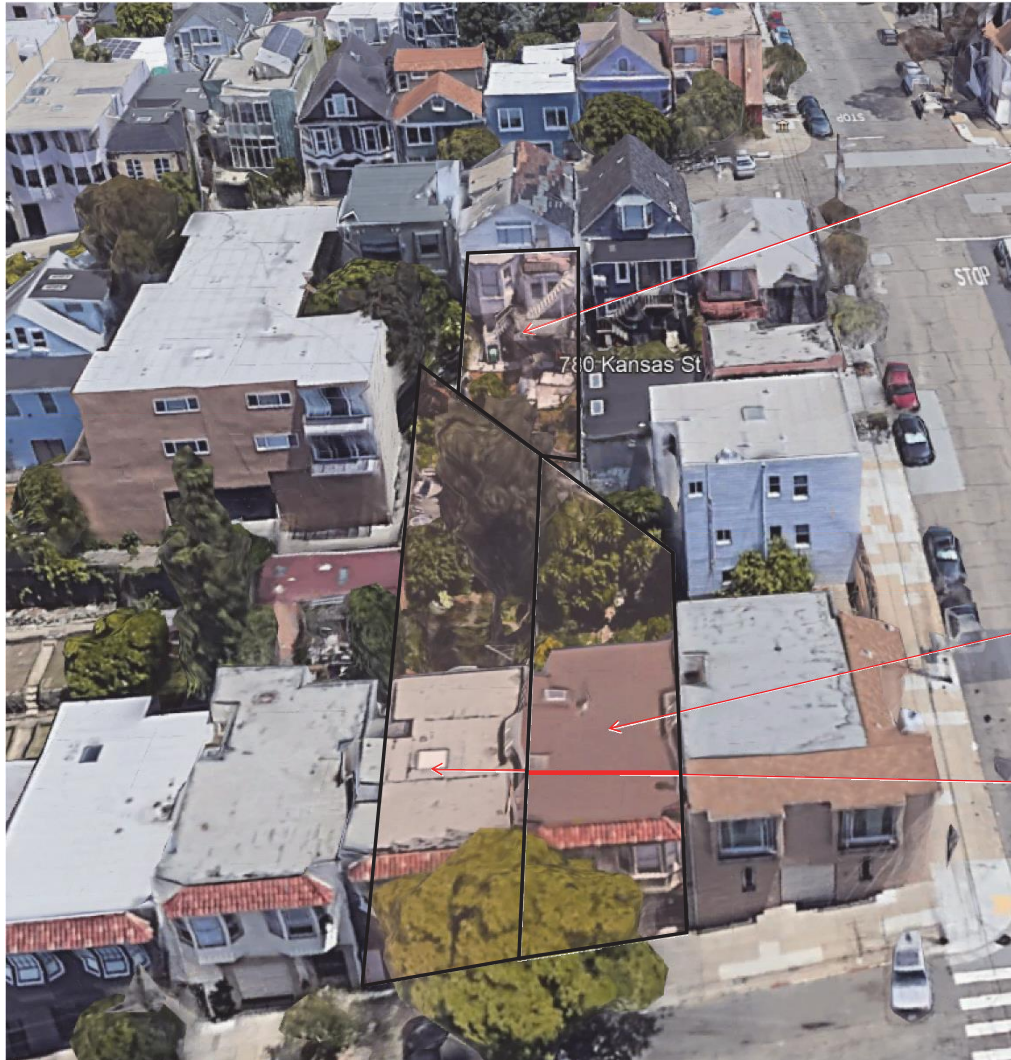
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- Finally, 780 – 782 Kansas is home to two families who will both benefit from much needed safety improvements as well as the 1st floor garage. While we will not be adding a third unit, we will be preserving the square footage of our second unit which ensures the livability of this unit for our tenants, who support our remodel.

We recognize you may have been unable to attend our neighbor reviews; is there a convenient time to discuss the latest drawings?

Warm regards,

Gayle Pigatto and Mark Hampton

Looking East over 785 and 779 Vermont St. to 780 Kansas St.



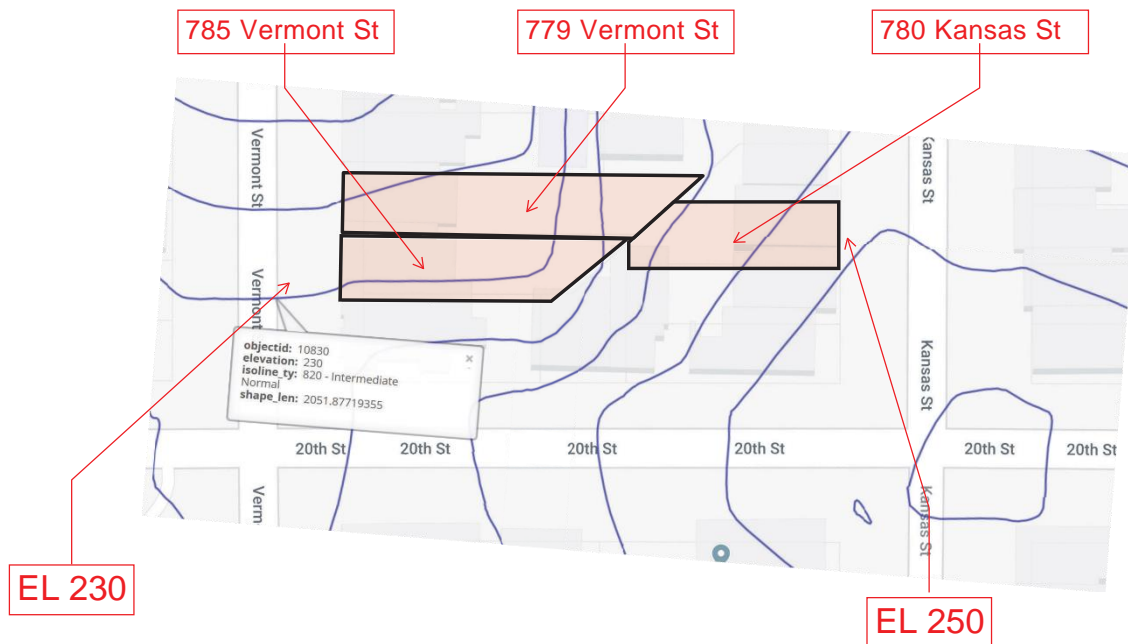
780 Kansas St

785 Vermont St

779 Vermont St

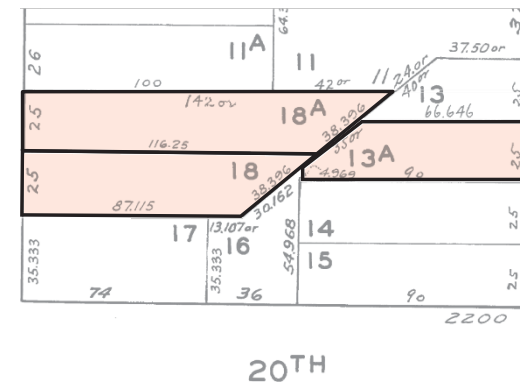
Looking West from Roof of 780 Kansas St. to 785 and 779 Vermont St.





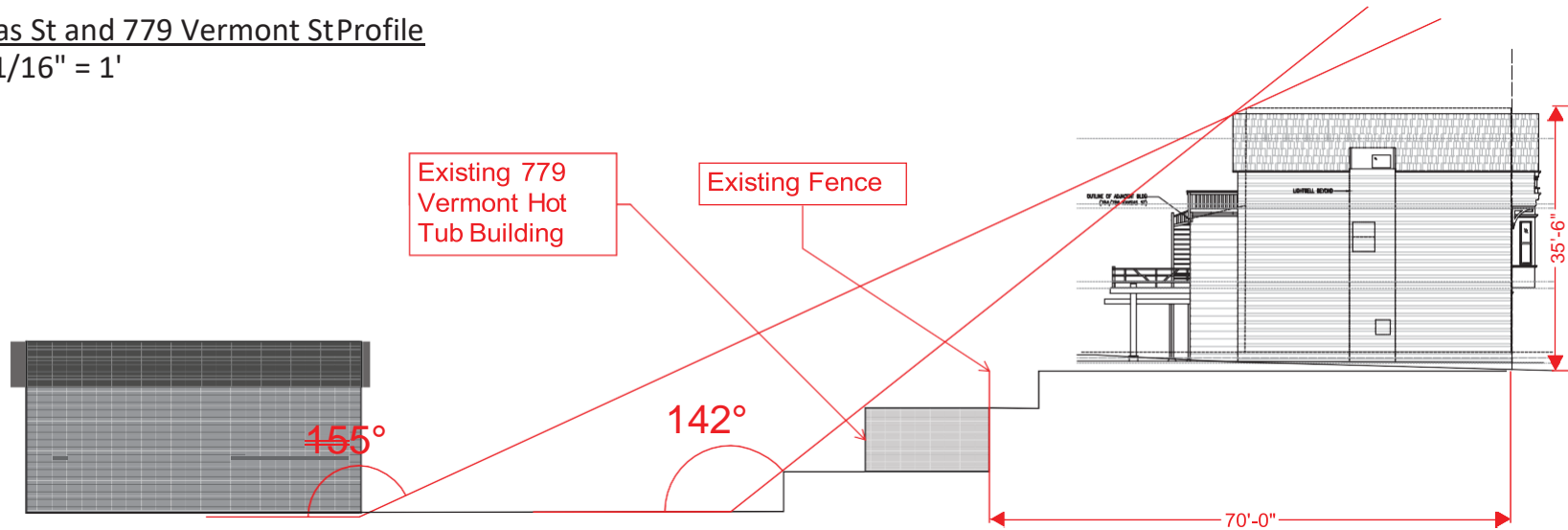
Topographic Map of 20th and Vermont St and 20th and Kansas St.

The front of 785 Vermont St is at EL 230
To front of 780 Kansas St is at EL 250

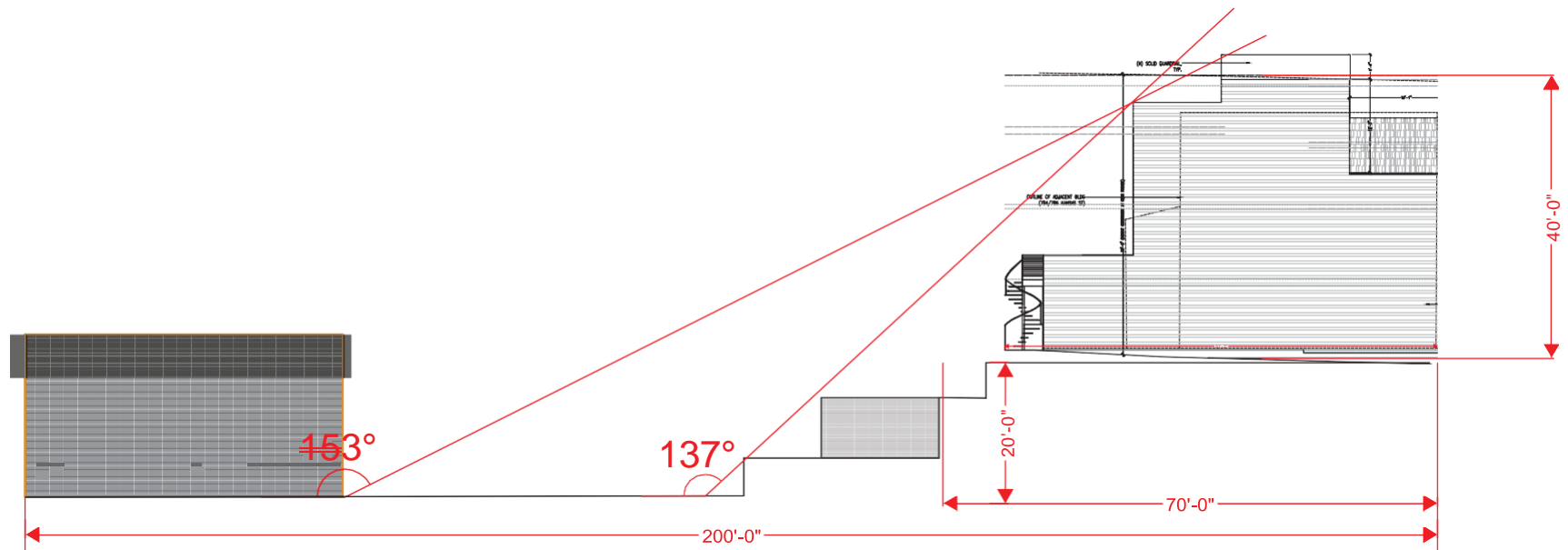


San Francisco Parcel Map Showing Lot Dimensions

780 Kansas St and 779 Vermont St Profile
To Scale 1/16" = 1'

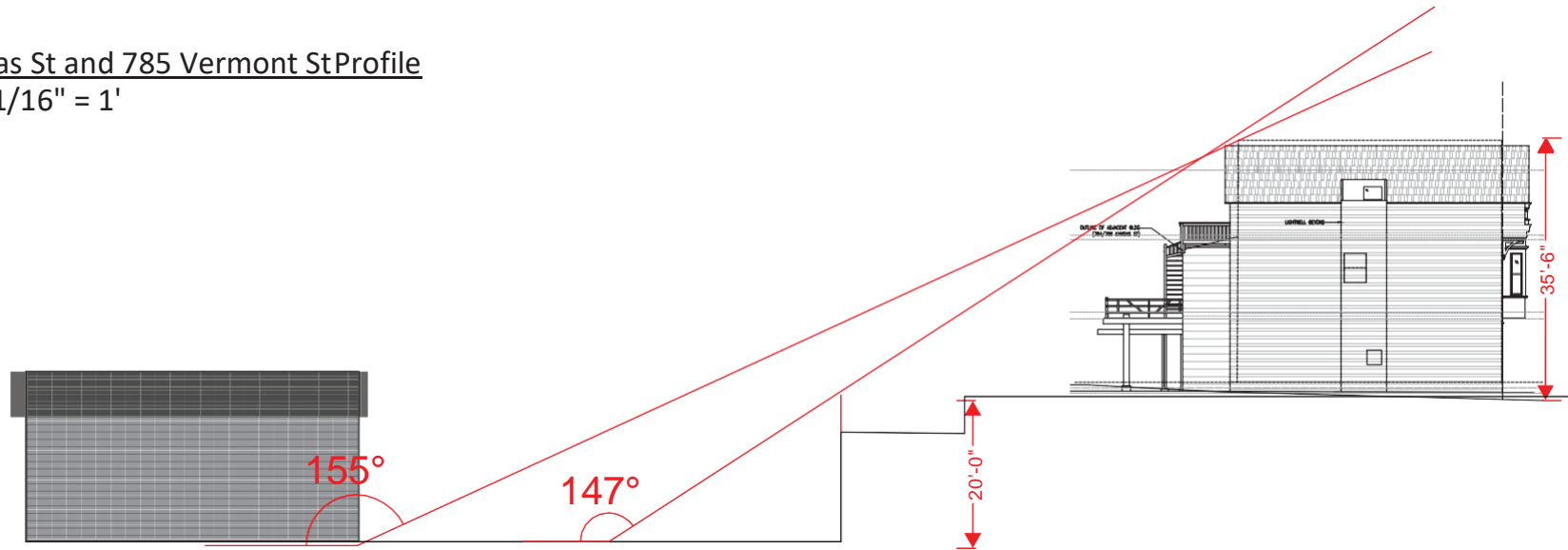


779 Vermont St and 780 Kansas Street Current

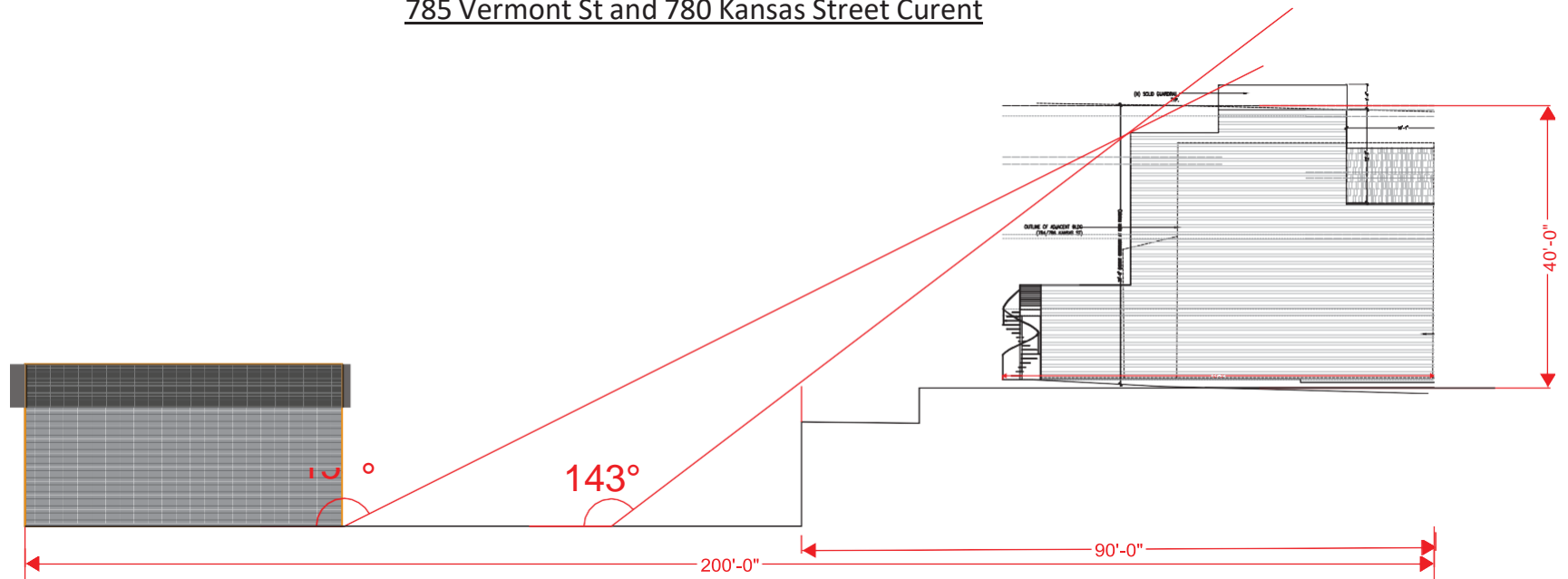


785 Vermont St and 780 Kansas Street Planned

780 Kansas St and 785 Vermont St Profile
 To Scale 1/16" = 1'



785 Vermont St and 780 Kansas Street Curent



785 Vermont St and 780 Kansas Street Planned