



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use

HEARING DATE: 03/14/2019

*File Date:* February 25, 2019  
*Record No.:* **2018-007204CUA/VAR**  
*Project Address:* **754 35<sup>TH</sup> Avenue**  
*Zoning:* RH-2 (Residential, House, Two-Family) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 1610/023  
*Project Sponsor:* Jeremy Schaub  
1360 9<sup>th</sup> Avenue, Suite 210  
San Francisco, CA 94122  
*Staff Contact:* Laura Ajello – (415) 575-9142  
[laura.ajello@sfgov.org](mailto:laura.ajello@sfgov.org)  
*Recommendation:* **Approval with Conditions**

1650 Mission St.  
Suite 400  
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### PROJECT DESCRIPTION

The Project is a request for Conditional Use Authorization for Residential Density of one unit per 1,500 square feet of lot area (three units on a 4,499 square foot lot) pursuant to Planning Code Sections 207, 209.1 and 303 to allow construction of a four-story two-family dwelling on a vacant portion of the subject property currently occupied by a three-story, single-family residential building. The project site is located within the RH-2 (Residential, House, Two-Family) Zoning District, and 40-X height and Bulk District. There will be no expansion of the existing single-family home.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization to allow a dwelling unit density at a ratio of one dwelling unit per 1,500 square feet on the approximately 4,499 square-foot subject lot within the RH-2 District and a 40-X Height and Bulk District pursuant to Planning Code Sections 207, 209.1 and 303.

### ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** To date, the Department has received two letters in opposition of the project from a law firm representing multiple unspecified neighbors (see Exhibits). Concerns include increased dwelling unit density, building mass, loss of privacy, lack of parking, soil excavation, and fire safety.
- **Rear Yard and Exposure Variances.** The proposed project requires rear yard and dwelling unit exposure Variances per Planning code Section 134 and 140 from the Zoning Administrator.

- The Project will add two family-sized dwelling units to the City's housing stock on a large underutilized residential lot while retaining the more naturally affordable existing single-family dwelling.

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project will allow construction of a four-story two-family dwelling on a vacant portion of the subject property currently occupied by a three-story, single-family residential building. The project represents the sensitive infill of unused open space on a large lot within the allowable residential density applicable to the RH-2 Zoning District. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **ATTACHMENTS:**

Draft Motion – Conditional Use Authorization  
Exhibit A – Conditions of Approval  
Exhibit B – Plans  
Exhibit C – Environmental Determination  
Exhibit D – Land Use Data  
Exhibit E – Maps and Context Photos  
Exhibit F – Project Sponsor Submittal  
Exhibit G - Public Correspondence



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: MARCH 14, 2019

*Record No.:* **2018-007204CUA/VAR**  
*Project Address:* **754 35<sup>TH</sup> AVENUE**  
*Zoning:* RH-2 (Residential, House, Two-Family) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 1610/023  
*Project Sponsor:* Jeremy Schaub  
1360 9<sup>th</sup> Avenue, Suite 210  
San Francisco, CA 94122  
*Property Owner:* Wong Construction Inc.  
800 Morningside Drive  
Millbrae, CA 94030  
*Staff Contact:* Laura Ajello – (415) 575-9142  
[laura.ajello@sfgov.org](mailto:laura.ajello@sfgov.org)

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**ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 207, 209.1 AND 303, FOR RESIDENTIAL DENSITY OF ONE UNIT PER 1,500 SQUARE FEET OF LOT AREA TO PERMIT THE CONSTRUCTION OF A FOUR-STORY TWO-FAMILY DWELLING MEASURING APPROXIMATELY 5,002 SQUARE FEET WITH SEVEN TOTAL BEDROOMS, THREE CAR PARKING AND THREE BICYCLE SPACES, ON A VACANT PORTION OF THE SUBJECT PROPERTY CURRENTLY OCCUPIED BY A THREE-STORY, ONE-UNIT RESIDENTIAL BUILDING LOCATED AT 754 35<sup>TH</sup> AVENUE, LOT 023 IN ASSESSOR'S BLOCK 1610, WITHIN THE RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On May 16, 2018, Jeremy Schaub of Schaub Ly Architects (hereinafter "Project Sponsor") filed Application No. 2018-007204CUA/VAR (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to construct a new four-story, 40-foot tall, residential building with two dwelling units (hereinafter "Project") at 754 35<sup>th</sup> Avenue, Block 1610 Lot 023 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-007204CUA/VAR is located at 1650 Mission Street, Suite 400, San Francisco, California.

On February 28, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-007204CUA/VAR and continued the hearing to March 14, 2019.

On March 14, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-007204CUA/VAR.

On March 14, 2019, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2018-007204CUA/VAR, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project proposes the construction of a four-story two-family dwelling totaling approximately 5,002 square feet with three car and bicycle parking spaces, on the vacant portion at the front of the subject property. A three-story, three-bedroom, single-family residential building occupies the rear portion of the approximately 4,499 square-foot site will be retained. The proposed new building has one three-bedroom and one four-bedroom dwelling unit. The new building is set back 10 feet from the front lot line per a Legislated Setback, with two bay windows projecting over the front setback. The top floor of the proposed building is set back an additional 15-feet. All dwelling units on the lot have private open space. Excavation at the site to six feet below grade is proposed to accommodate the foundation.
3. **Site Description and Present Use.** The Project is located mid-block on a slightly upsloping lot on 35<sup>th</sup> Avenue in the Richmond District between Balboa and Cabrillo Streets. The subject lot measures 37.5 feet wide by 120 feet deep. The Project Site contains a circa 1907 single-family residential building that is not considered historic. This building is currently under renovation under a separate building permit.
4. **Surrounding Properties and Neighborhood.** This part of the Richmond neighborhood is zoned RH-2 (Residential, House, Two-Family) and is surrounded primarily by two-family dwellings with a few apartment buildings ranging in height from two to four stories. The building immediately adjacent to the subject property to the north is a three-story, two-unit residential building. A two-story two-unit building is adjacent to the south. Directly across 35<sup>th</sup> Avenue there are three three-story single-family residences. Only one other parcel on the subject block appears to have adequate lot area and dwelling unit density to be eligible for a similar Residential Density entitlement and no parcels on the opposite blockface appear to qualify. The subject property is well-served by



public transit, being located within a quarter-mile of stops for the 5-Fulton, 5R-Fulton Rapid, 18-46<sup>th</sup> Avenue, 31-Balboa, and 31AX-Balboa A Express MUNI transit lines.

5. **Public Outreach and Comments.** To date, the Department has received two letters in opposition of the project from a law firm representing multiple unspecified neighbors (see Exhibits). Concerns include increased dwelling unit density, building mass, loss of privacy, lack of parking, soil excavation, and fire safety.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Dwelling Unit Density.** Planning Code Section 207 permits a maximum residential density of one dwelling unit per 1,500 square feet of lot area in the RH-2 zoning district, as a Conditional Use.

*The subject property is approximately 4,499 square feet, which would allow for a total of three dwelling units through Conditional Use Authorization, pursuant to Planning Code Section 207. The project would bring the total number of dwelling units on the lot to three.*

- B. **Front Setback.** Planning Code Section 132 states that the minimum front setback depth shall be based on the average of adjacent properties or a Legislated Setback.

*Most of the parcels on the subject block are subject to a legislated front setback of 10 feet. As such, the required front setback for the subject property is 10 feet. The project proposes the required front setback of 10 feet. The proposed front bay windows on the second and third floors project approximately 2.5 feet into the required front setback. These features meet the requirements of Planning Code Section 136(c), which regulates permitted obstructions into yards and over streets.*

- C. **Landscaping and Permeability.** Planning Code Section 132(g) requires that for projects involving the construction of a new building; the addition of a new dwelling unit, garage, or additional parking; or any addition that would result in an increase of 20% or more of the existing gross floor area, at least 20% of the required front setback area be and remain unpaved and devoted to plant material, including the use of climate appropriate plant material. Section 132(h) requires that the front setback area be at least 50% permeable to increase stormwater infiltration. The permeable surface may be inclusive of the area counted towards the landscaping requirement; provided, however, that turf pavers or similar planted hardscapes shall be counted only toward the permeable surface requirement and not the landscape requirement.

*The subject property has a frontage of approximately 37.5 feet and has a required front setback of 10 feet; therefore, the required front setback area is 375 square feet in size. The project proposes a landscaped area of approximately 130 square feet (35% of the front yard) and approximately 138 square feet (37%*

*of the front yard) of permeable driveway. The total aggregate landscaped area and permeable area exceeds the minimum 50% requirement and therefore complies with the Planning Code.*

- D. **Rear Yard.** Planning Code Section 134 requires a rear yard equal to 45 percent of the total lot depth, at grade and above, for properties containing dwelling units in RH-2 Zoning Districts. Where applicable, Planning Code Section 134(c) allows for the reduction of the rear yard requirement to the average between the depths of the rear building walls of the two adjacent buildings to a depth equal to 25 percent of the total depth of the lot on which the building is situated, or to 15 feet, whichever is greater. In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley.

*The subject property has a lot depth of approximately 120 feet; therefore, the 45 percent requirement is approximately 54 feet. However, the adjacent conditions allow for the required rear yard to be reduced to 49 feet but a legal nonconforming existing residence is in this area. As such, the proposed new construction requires a Variance from the rear yard requirement.*

- E. **Useable Open Space.** Planning Code Section 135 requires 125 square feet of useable open space for each dwelling unit if all private, or 166 square feet of common usable open space per unit.

*The Project proposes to add two dwelling units to a site that currently has one dwelling unit; all three units have access to private open space that exceeds the minimum requirement. The proposed two-family dwelling has approximately 376 square feet of private open space in the mid yard between the two buildings dedicated to the lower dwelling unit. The Project also proposes a 480 square foot deck as private open space for the upper unit, with approximately 662 square feet of private open space remaining behind the existing building for exclusive use by the occupants of the existing residence.*

- F. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or other open area that meets minimum requirements for area and horizontal dimensions.

*The proposed two-family dwelling has direct exposure onto 35<sup>th</sup> Avenue, which is 70 feet wide. However, neither the proposed mid-yard area between the two buildings nor the existing area behind the existing building meet dwelling unit exposure requirements. As such, the proposed new construction requires a Variance from the dwelling unit exposure requirement.*

- G. **Off-Street Parking.** Planning Code Section 151.1 no longer requires off-street parking but a maximum parking requirement of 1.5 spaces per dwelling unit apply.

*The parking for the existing single-family building has been eliminated in a recent renovation under a separate building permit. The Project proposes to increase the number of dwelling units at the site to a total of three units and provide three off-street parking spaces.*

- H. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit.

*The project proposes three Class 1 bicycle parking spaces.*

- I. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. Section 260(a)(1)(B) states that where a lot is level with or slopes downward from a street at the centerline of the building or building step, such point shall be taken at curb level on such a street.

*The subject property is located within a 40-foot height district. The existing building is approximately 26.5 feet in height. The proposed four-story two-family dwelling will be approximately 40 feet in height.*

- J. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that results in at least one net new residential unit shall comply with the imposition of the Residential Child Care Impact Fee requirement.

*The Project proposes new construction of two residential units. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements outlined in Planning Code Section 414A.*

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

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

*The subject property is larger than typical residential lots, such that the Planning Code allows increased dwelling unit density of one dwelling per 1,500 square feet of lot area. The proposed infill addition of the proposed two-family dwelling within an empty portion of the subject property is necessary and desirable in that the project would add much-needed housing to the City's housing stock within the density limits allowed for by the Planning Code while retaining the more naturally affordable existing single-family building. The proposed four-story building would be comparable in size and intensity to the residential density found elsewhere in the RH-2 Zoning District. The siting of the new building conforms with the requirements of the Planning Code and is consistent with the Residential Design Guidelines in that its massing responds to the unique context of being located between two adjacent buildings.*

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

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The height of the proposed building respects the rear yards and lightwells of the adjacent buildings, meets the 10-foot legislated front setback requirement plus the top floor is set back an additional 15 feet. Therefore, the project will not alter the existing appearance or character of the project vicinity.*

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

*The addition of two new dwelling units with three off-street and bicycle parking spaces will not significantly affect traffic patterns in the immediate area.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*As the proposed project is residential in nature, unlike commercial or industrial uses, the proposed residential use is not expected to produce noxious or offensive emissions. Safeguards will be used during construction to mitigate any impact to the neighborhood.*

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

*Although designed in a more contemporary aesthetic, the façade treatment and materials of the new building have been appropriately selected to be compatible with the surrounding neighborhood. Approximately 375 square feet of the front setback area along 35<sup>th</sup> Avenue is proposed to be landscaped.*

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

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

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

*The proposed project is consistent with the stated purpose of RH-2 Districts which are devoted to one- and two-family buildings that are finely scaled and usually do not exceed 25 feet in width or 40 feet in height. Building styles are often more varied than in single-family areas.*

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

## **HOUSING ELEMENT**

### **Objectives and Policies**

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

##### **Policy 2.1:**

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

##### **OBJECTIVE 3:**

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

##### **Policy 3.1:**

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

##### **Policy 3.4:**

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

##### **OBJECTIVE 11:**

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

##### **Policy 11.1:**

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

##### **Policy 11.2:**

Ensure implementation of accepted design standards in project approvals.

##### **Policy 11.3:**

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

##### **Policy 11.4:**

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

**Policy 11.5:**

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

**URBAN DESIGN ELEMENT**

**OBJECTIVE 1:**

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

**Policy 1.2:**

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

**Policy 1.3:**

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

*The Project proposes the construction of a new four-story, two-family dwelling on a vacant portion of the subject property. The existing three-story, 1-unit residential building also occupying the lot will remain.*

*The project represents the sensitive infill of unused open space on a large lot within the allowable residential density applicable to the RH-2 Zoning District. The proposed new two-family dwelling measures approximately 5,002 square feet with seven total bedrooms, three car parking and three bicycle spaces and private usable open space for each unit.*

*The proposed façade and massing are compatible with the existing neighborhood character and development pattern, particularly by proposing a building with an additional 15-foot front setback on the top floor and building footprint that respects adjacent buildings.*

*On balance, the Project is consistent with the Objectives and Policies of the General Plan.*

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:
  - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*Existing neighborhood-serving retail uses would not be displaced or otherwise adversely affected by the proposal, as the existing building does not contain commercial uses.*

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

*The Project proposes to retain the existing three-story, 1-unit residential building currently occupying the rear portion of the site. The proposed four-story two-family dwelling maintains a height and scale compatible with the surrounding neighborhood and is consistent with the Planning Code and Residential Design Guidelines.*

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

*The project does not propose any affordable housing; however, the proposed two-family dwelling adds two appropriately scaled family-sized units to the city's housing stock.*

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

*The subject property is well-served by public transit, being located within a quarter-mile of stops for the 5-Fulton, 5R-Fulton Rapid, 18-46<sup>th</sup> Avenue, 31-Balboa, and 31AX-Balboa A Express MUNI transit lines. The Project also provides enough bicycle and off-street parking for residents and their guests.*

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

*The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

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

*The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

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

*The project will have no negative impact on existing parks and open spaces.*

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



## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2018-007204CUA/VAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated February 11, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 14, 2019.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 14, 2019

SAN FRANCISCO  
PLANNING DEPARTMENT

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow a Residential Density of one dwelling unit per 1,500 square feet of lot area located at 754 35<sup>th</sup> Avenue, Block 1610, and Lot 023] pursuant to Planning Code Sections 207, 209.1 and 303 within the RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District; in general conformance with plans, dated **February 11, 2019**, and stamped “EXHIBIT B” included in the docket for Record No. **2018-007204CUA/VAR** and subject to conditions of approval reviewed and approved by the Commission on March 14, 2019 under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 14, 2019 under Motion No **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING

6. **Bicycle Parking.** The Project shall provide no fewer than **three** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
7. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than **three (3)** off-street parking spaces.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## PROVISIONS

8. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

9. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
10. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

11. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact

information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

# Exhibit B



ABBREVIATIONS

&	AND
@	AT
CL	CENTER LINE
Ø	DIAMETER
#	POUND OR NUMBER
PL	PROPERTY LINE
A.D.	AREA DRAIN
ADJ.	ADJACENT
ALUM.	ALUMINUM
APPROX.	APPROXIMATE
ARCH.	ARCHITECTURAL
AWN.	AWNING WINDOW
BD.	BOARD
BLDG.	BUILDING
BLKG.	BLOCKING
BM.	BEAM
BOT.	BOTTOM
C.B.	CATCH BASIN
C.O.	CLEANOUT
CAB.	CABINET
CLG.	CEILING
CLG.	CLOSET
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONST.	CONSTRUCTION
CORR.	CORRIDOR
CSMT.	CASEMENT WINDOW
D.H.	DOUBLE HUNG WINDOW
DBL.	DOUBLE
DEPT.	DEPARTMENT
DET.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DN.	DOWN
DR.	DOOR
DW.	DISHWASHER
DWG.	DRAWING
E	EAST
(E)	EXISTING
EA	EACH
EL	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EQ.	EQUAL
EXT.	EXTERIOR
F.D.	FLOOR DRAIN
F.D.C.	FIRE DEPT. CONNECTION
F.G.	FIXED GLASS WINDOW
F.P.	FIREPLACE
FDN.	FOUNDATION
FIN.	FINISH
FLR.	FLOOR
FLUOR.	FLUORESCENT
FT.	FOOT OR FEET
FTG.	FOOTING
G.F.I.	GROUND FAULT
G.S.M.	INTERUPPTER
GA.	GALVANIZED
GL	SHEET METAL
GA.	GAUGE
GL	GLASS
GND.	GROUND
GYP.	GYPSUM
H.B.	HOSE BIBB
HDWD.	HARDWOOD
HORIZ.	HORIZONTAL
HR.	HOUR
HT.	HEIGHT
INSUL.	INSULATION
INT.	INTERIOR
LAV.	LAVATORY
LT.	LIGHT
MAX.	MAXIMUM
MECH.	MECHANICAL
MET.	METAL
MFR.	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
N	NORTH
(N)	NEW
N.T.S.	NOT TO SCALE
NO. OR #	NUMBER
O.C.	ON CENTER
O.F.D.	OVERFLOW DRAIN
O.H.	OVERHANG
OBS.	OBSCURED
OPNG.	OPENING
P/L	PROPERTY LINE
PL	PLATE
PLYWD.	PLYWOOD
PT.	POINT
Q.T.	QUARRY TILE
R.	RISER
R.D.	ROOF DRAIN
R.W.	REDWOOD
R.W.L.	RAIN WATER LEADER
RAD.	RADIUS
REFR.	REFRIGERATOR
REINF.	REINFORCED
REQ.	REQUIRED
RET.	RETAINING
S.	SOUTH
S.G.D.	SLIDING GLASS DOOR
S.H.	SINGLE HUNG WINDOW
SIM.	SIMILAR
SL	SLIDER WINDOW
SPEC.	SPECIFICATION
SQ.	SQUARE
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRL.	STRUCTURAL
SYM.	SYMMETRICAL
T.&G.	TONGUE & GROOVE
THK.	THICK
TYP.	TYPICAL
T.G.	TEMPERED GLASS
U.O.N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
W.	WEST
W.	WITH
WD.	WOOD
W/O	WITHOUT
WP.	WATERPROOF
WT.	WEIGHT

NOTES

PROVIDE FIRE SPRINKLER SYSTEM THROUGHOUT THE BLDG. AND UNDER SEPARATE PERMIT.

FIRE SPRINKLER SYSTEM TO BE DESIGN-BUILT BY A LICENSED FIRE PROTECTION CONTRACTOR.

CONSTRUCTION COST OF THIS PERMIT DOES NOT INCLUDE SPRINKLER AND FIRE ALARM SYSTEM.

PROVIDE ONE HOUR CONSTRUCTION W/ SOUND INSULATION BETWEEN UNIT AND PUBLIC AREA

MINIMUM ONE HOUR CORRIDOR TYPICAL

PROVIDE SMOKE ALARMS PER SEC. 907.2.11.2

PROVIDE CARBON MONOXIDE ALARMS PER SEC. 420.6

ALL FIREPLACES SHALL BE "UL LISTED"

PROVIDE TEMPERED (SAFETY) GLASS AT HAZARDOUS LOCATIONS PER SEC. 2406.4

ROOF DRAIN AND OVERFLOW DRAIN AT ROOF OR DECK SHALL CONNECT TO CITY SEWER

PROVIDE MET. STRAP TO WALL FOR WATER HEATER ON 18" PLATFORM

PROVIDE FLOOR DRAIN AT GARAGE PER SEC. 406.4.5

ALL LIGHTS SHALL COMPLY WITH 2016 CALIFORNIA TITLE 24 RESIDENTIAL STANDARDS

UNDERPINNING & SHORING IF REQUIRED UNDER SEPARATE PERMIT.

STATE INDUSTRIAL SAFETY PERMIT IS REQUIRED

SEE SOIL REPORT PREPARED BY DATED \_\_\_\_\_

GENERAL NOTES

PLEASE TAKE NOTICE THAT THE DRAWINGS AS PREPARED BY SCHAUB LY ARCHITECTS, INC. FOR THE PROJECT ARE LIMITED TO THE EXTENT AS REQUIRED FOR PLAN CHECK PURPOSES BY CITY AGENCIES HAVING JURISDICTION OVER THE PROJECT.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DESIGN-BUILD (DESIGN AND INSTALL) ALL SYSTEMS AND ELEMENTS AS REQUIRED FOR THE CONSTRUCTION OF THE PROJECT, INCLUDING BUT NOT LIMITED TO PLUMBING, MECHANICAL, FIRE SPRINKLER AND ELECTRICAL SYSTEMS; AND ALL DETAILS FOR ROOFING, FLASHING, WATERPROOFING AND SOUND PROOFING STANDARDS.

THE USE OF THESE DRAWINGS FOR THE CONSTRUCTION OF THE PROJECT SHALL CONSTITUTE THE CONTRACTOR'S REPRESENTATION THAT IT HAS REVIEWED AND VERIFIED THE BUILDABILITY OF THE PROJECT AS SHOWN ON THESE DRAWINGS IN THE LIGHT OF SITE CONDITIONS AND APPLICABLE CODE REQUIREMENTS; AND THAT ONCE CONSTRUCTION HAS COMMENCED, THE CONTRACTOR SHALL UNDERTAKE FULL RESPONSIBILITIES TO DESIGN-BUILD ALL ELEMENTS AND MAKE NECESSARY ADJUSTMENTS AS REQUIRED FOR THE COMPLETION OF THE PROJECT IN ITS ENTIRETY PURSUANT TO ALL APPLICABLE CODE REQUIREMENTS, TRADE AND WORKMANSHIP STANDARDS.

ALL CONSTRUCTION WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY BUILDING CODE AND INTERNATIONAL BUILDING CODE, AS WELL AS ALL APPLICABLE FEDERAL, STATE, OSHA, BAY AREA AIR QUALITY MANAGEMENT DISTRICT, COUNTY AND CITY ORDINANCES, AMENDMENTS AND RULINGS. THE CITY CODE SHALL GOVERN WHEN IT AND THE IBC OR ANY OTHER REFERENCE CODES AND STANDARDS ARE IN CONFLICT.

THE CONTRACTOR SHALL GIVE ALL NOTICES NECESSARY AND INCIDENTAL TO THE LAWFUL EXECUTION OF THE WORK.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF THE LOT, EASEMENT, SOIL CONDITIONS, ALL PROPOSED DIMENSIONS, INCLUDING EXCAVATION, UNDERPINNING, DRAINAGE AND UTILITY LINES AT SUBJECT PROPERTY, AS WELL AS, AT ADJACENT PROPERTIES. IF THE CONTRACTOR ENCOUNTERS DISCREPANCIES IN THE DRAWINGS, HE SHALL CONTACT THE ARCHITECT FOR CLARIFICATION BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COSTS OF CORRECTIONS TO THE WORK IF HE NEGLECTS TO ADHERE TO THIS PROCESS.

THE DRAWINGS ARE INTENDED TO DESCRIBE AND PROVIDE FOR A FINISHED PIECE OF WORK. THE CONTRACTOR SHALL UNDERSTAND THAT THE WORK HEREIN DESCRIBED SHALL BE COMPLETED IN A GOOD AND WORKMANLIKE MANNER AND IN EVERY DETAIL ALTHOUGH EVERY NECESSARY ITEM INVOLVED IS NOT PARTICULARLY MENTIONED. EXCEPT AS OTHERWISE SPECIFICALLY STATED, THE CONTRACTOR SHALL PAY FOR ALL NECESSARY PERMITS, FEES, MATERIALS, LABOR, TOOLS, AND EQUIPMENT FOR THE ENTIRE COMPLETION OF THE WORK INTENDED TO BE DESCRIBED.

AT ALL TIMES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR THE CONDITIONS AT THE JOB SITE, INCLUDING SAFETY OF PEOPLE, SUBJECT PROPERTY, AND ADJACENT PROPERTIES. THE ARCHITECT SHALL NOT REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES.

THE ARCHITECT SHALL NOT HAVE CONTROL OR CHARGE OF, AND SHALL NOT BE RESPONSIBLE FOR, CONSTRUCTION MEANS, TECHNIQUES, SEQUENCES OR PROCEDURES, FOR THE OMISSIONS OF THE CONTRACTOR OR SUBCONTRACTORS PERFORMING ANY OF THE WORK OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN CONFORMANCE WITH THE PLANS AND SPECIFICATIONS.



LOT 023 AREA CALCULATION

NEW BUILDING AREA CALCULATION (IN SQUARE FEET):

	#756*	#758*	COMMON**	GARAGE	TOTAL
4 <sup>TH</sup> FLOOR		694	88		782
3 <sup>RD</sup> FLOOR		1,327	115		1,442
2 <sup>ND</sup> FLOOR	1,197		245		1,442
1 <sup>ST</sup> FLOOR			571	785	1,356
TOTAL	1,197	2,021	999	785	5,002

TOTAL LIVING AREA FOR BUILDING= 3,218 S.F.

TOTAL GARAGE & COMMON AREA = 1,784 S.F.

TOTAL GROSS AREA = 5,002 S.F.

EXISTING BUILDING AREA CALCULATION:

	#754
3 <sup>RD</sup> FLOOR	411
2 <sup>ND</sup> FLOOR	1,059
1 <sup>ST</sup> FLOOR	432
TOTAL	1,902

PROJECT AREA

TOTAL (E) LIVING AREA= 1,902 S.F.

TOTAL PROPOSED LIVING AREA= 5,120 S.F.

TOTAL PROPOSED COMMON AREA= 999 S.F.

TOTAL PROPOSED GARAGE AREA= 785 S.F.

TOTAL PROPOSED AREA= 6,904 S.F.

OPEN SPACE

PRIVATE #758 (4TH FLOOR)= 419 S.F.

PRIVATE #756 (MID YARD)= 909 S.F.

PRIVATE #754 (REAR YARD)= 663 S.F.

TOTAL OPEN SPACE= 1,991 S.F.

NOTE:

AREA CALCULATION AS SHOWN IS INTENDED FOR PERMIT APPLICATION PURPOSES ONLY AND SHALL NOT BE USED FOR SELLING OR LEASING PURPOSES. FINAL SQUARE FOOTAGE AND FINISHED DIMENSIONS MAY VARY FROM THESE PLANS DUE TO CONSTRUCTION VARIABLES.

\* UNIT AREA INCLUDES NET AREA INSIDE OF UNIT ONLY

\*\* COMMON AREA INCLUDES ALL AREAS OUTSIDE OF UNIT (COMMON STAIR/HALLWAY,

PROPERTY INFORMATION

BLOCK / LOT	1610 / 023	
ADDRESS	754 35TH AVE	
LOT WIDTH x DEPTH	37'-6" x 120'	
LOT AREA	4,500 S.F.	
ZONING	RH-2	\$209.1
RESIDENTIAL DENSITY	2 PERMITTED, 3 w/ CUA	1:1,500 PER TABLE 209.1
HEIGHT LIMIT	40-X	\$281

BUILDING INFORMATION

	EXISTING	PROPOSED	TOTAL
ADDRESS	754 35 <sup>TH</sup> AVENUE	756 & 758 35 <sup>TH</sup> AVENUE	
# OF RESIDENTIAL UNITS	1	2	3
# OF BEDROOMS	3	3 (#756) & 4 (#758)	10
BUILDING HEIGHT	±26'-6"	40'-0"	±26'-6" & 40'-0"
# OF CAR PARKING	1 (TO BE REMOVED)	3	3
# OF BIKE PARKING	0	3	3

DRAWING INDEX

A-0	RENDERING & PROJECT INFORMATION
A-0.1	DENSITY DIAGRAM
A-0.2	CONTEXT PHOTOS
A-0.3	CONTEXT PHOTOS
A-0.4	CONTEXT PHOTOS
A-1.0	SITE PLAN
A-1.1	LANDSCAPING PLAN
A-2.0	GROUND & SECOND FLOOR PLANS
A-2.1	THIRD & FOURTH FLOOR PLANS
A-2.2	ROOF PLAN
A-3.0	FRONT ELEVATION
A-3.1	REAR ELEVATION
A-3.2	SIDE ELEVATIONS
A-3.3	LONGITUDINAL SECTION A
A-3.4	CROSS SECTION B SURVEY

APPLICABLE CODES & ORDINANCES

2016 CALIFORNIA BUILDING CODE (CBC), W/ SAN FRANCISCO AMENDMENTS

2016 CALIFORNIA MECHANICAL, ELECTRICAL, AND PLUMBING CODES, W/ SAN FRANCISCO AMENDMENT

2016 CALIFORNIA ENERGY CODE - TITLE 24

2016 NFPA 13R STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS

SCOPE OF WORK

CONSTRUCT NEW 4-STORY DUPLEX IN FRONT OF EXISTING SINGLE-FAMILY DWELLING

PROJECT DATA

BUILDING PERMIT APPLICATION #: 2018-0515-9092

BLOCK/LOT: 1610 / 023

ZONING: RH-2

OCCUPANCY: R-3

NUMBER OF UNITS: 2

NUMBER OF STORIES: 4

TYPE OF CONSTRUCTION: V-B (FULLY SPRINKLERED)

VICINITY MAP



SYMBOLS

	COLUMN GRID LINE		EL. = XX.XX' ELEVATION
	SECTION / DETAIL IDENTIFICATION SHEET NUMBER		EXISTING STUD WALL
	INTERIOR ELEVATION ID		NEW STUD WALL
	INTERIOR ELEVATION #		NEW DOOR
	SHEET NUMBER		EXISTING WALL/DOOR TO BE REMOVED
	ENLARGED PLAN SECTION OR DETAIL REFERENCE		EXISTING WALL/DOOR TO REMAIN
	DOOR NUMBER		WALL DETAIL NUMBER
	WINDOW NUMBER		

SLA  
SCHAUB LY  
ARCHITECTS

SCHAUB LY  
ARCHITECTS, INC.

1360 9<sup>TH</sup> AVENUE, SUITE 210  
SAN FRANCISCO CA 94122  
415-682-8060 Fax 510-281-1359  
www.slasf.com

NEW FOUR-STORY DUPLEX  
756-758 35TH AVE (AKA 754 35TH AVE)  
BLOCK 1610, LOT 023  
SAN FRANCISCO, CA 94121

RENDERING & PROJECT  
INFORMATION

Date	By
5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

Job 171115

Sheet

A-0



**SCHAUB LY  
ARCHITECTS, INC.**

1360 9TH AVENUE, SUITE 210  
SAN FRANCISCO CA 94122  
415-682-8060 Fax 510-281-1359  
www.slasf.com

**NEW FOUR-STORY DUPLEX**  
**756-758 35TH AVE (AKA 754 35TH AVE)**  
**BLOCK 1610, LOT 023**  
**SAN FRANCISCO, CA 94121**

## DENSITY DIAGRAM

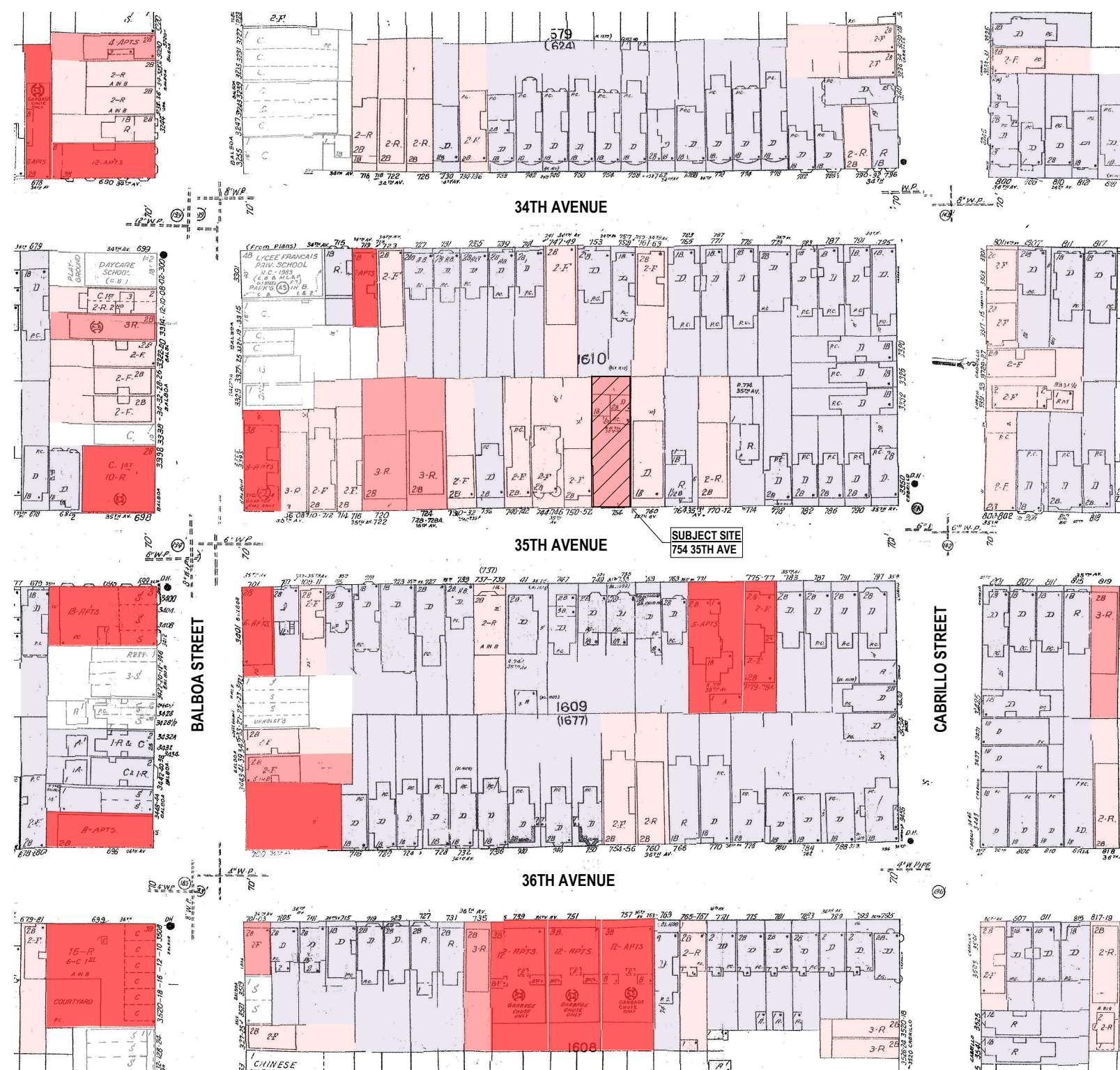
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5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

Job	171115
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Sheet

Sheet **A-0.1**

2 Of 16 Sheets



### DENSITY DIAGRAM

ALL DIMENSIONS FROM FINISH TO FINISH. U.O.N.

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







**NEW FOUR-STORY DUPLEX  
756-758 35TH AVE (AKA 754 35TH AVE)  
BLOCK 1610, LOT 023  
SAN FRANCISCO, CA 94121**

## CONTEXT PHOTOS

Date	By
5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

Job	171115
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Sheet

Sheet **A-0.3**

4 Of 16 Sheets



**BIRDSEYE VIEW LOOKING NORTH AT SUBJECT SITE + ADJACENT BUILDINGS**





**NEW FOUR-STORY DUPLEX  
756-758 35TH AVE (AKA 754 35TH AVE)  
BLOCK 1610, LOT 023  
SAN FRANCISCO, CA 94121**

## CONTEXT PHOTOS

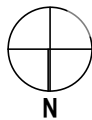
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6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

Job 171115

Sheet

# A-0.4

5 Of 16 Sheets



### PLAN VIEW OF SUBJECT SITE + ADJACENT BUILDINGS

**NEW FOUR-STORY DUPLEX**  
**756-758 35TH AVE (AKA 754 35TH AVE)**  
**BLOCK 1610, LOT 023**  
**SAN FRANCISCO, CA 94121**

## SITE PLAN

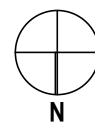
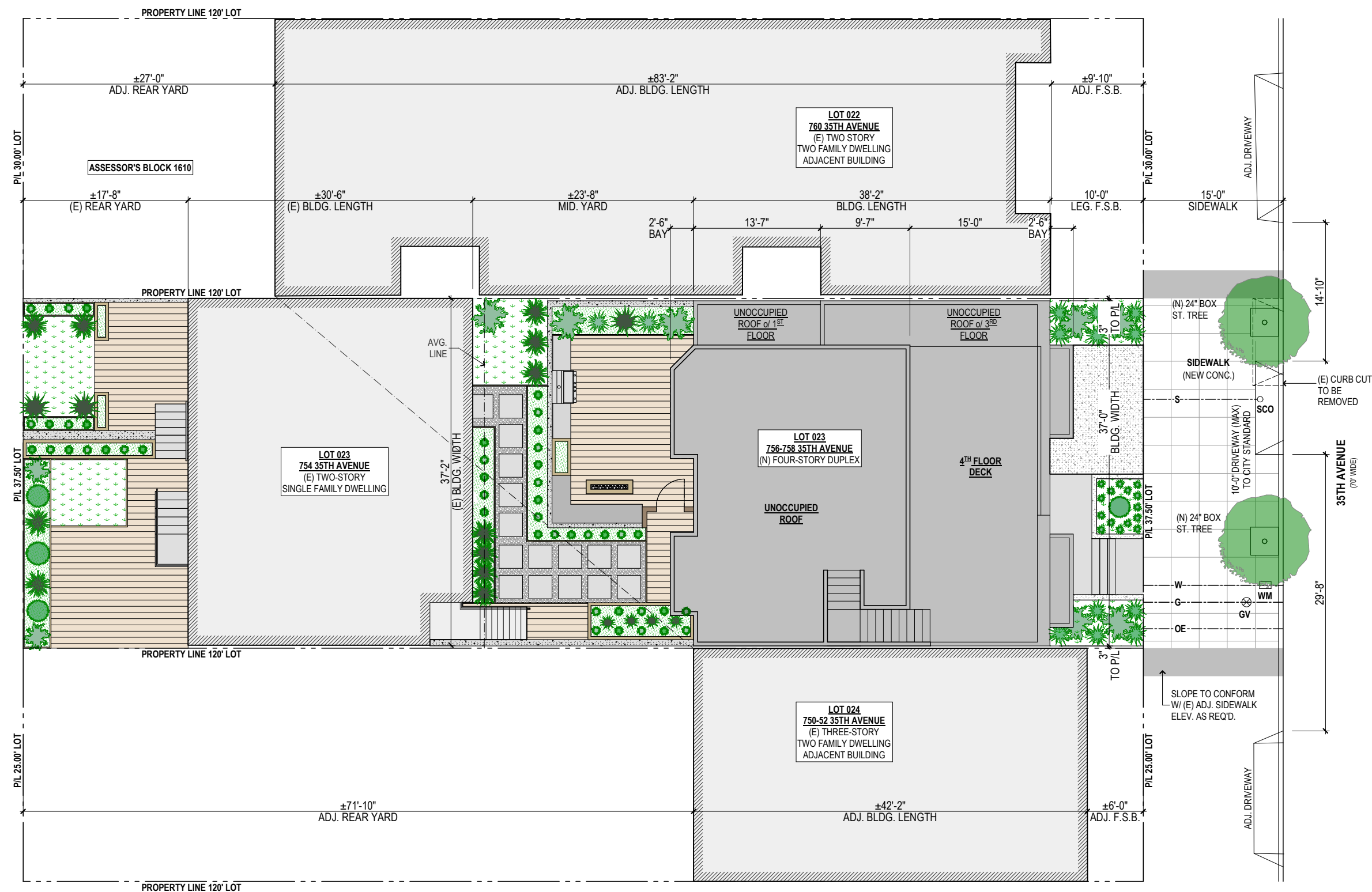
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6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

Job	171115
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Sheet

Sheet **A-1.0**

6 Of 16 Sheets



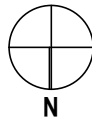
## SITE PLAN

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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



Date	By
5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

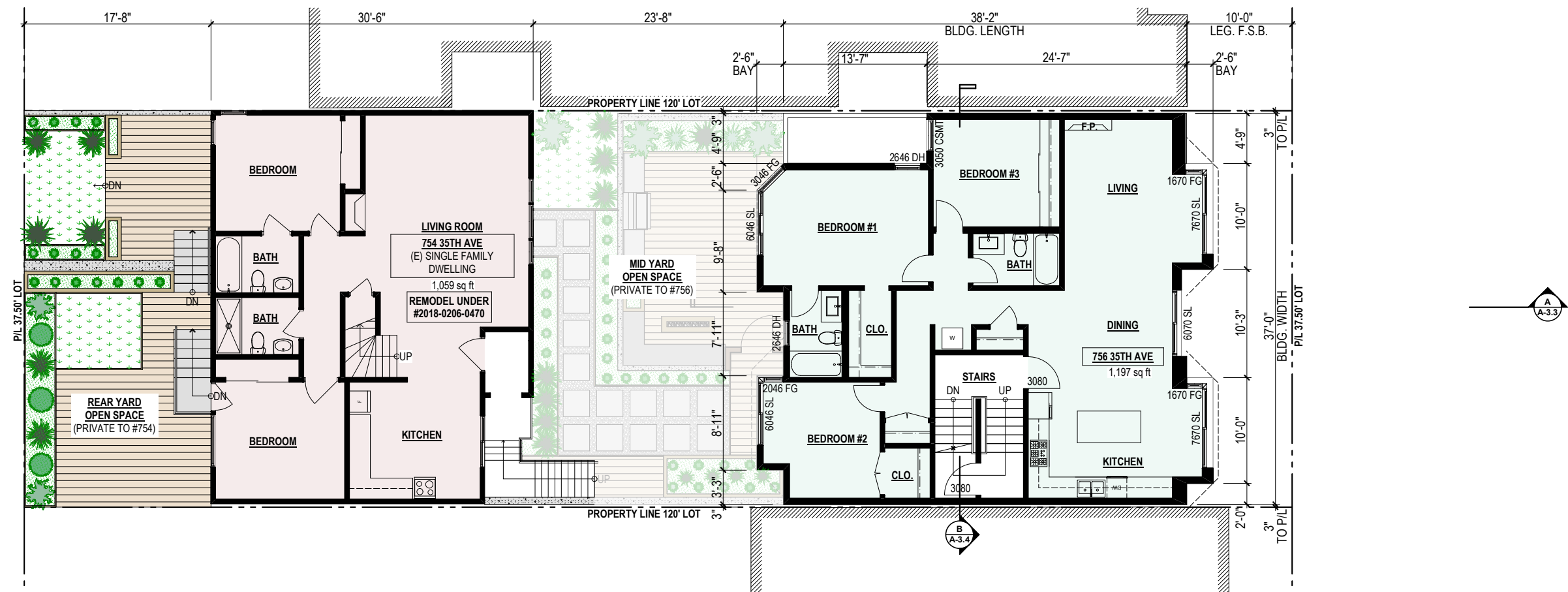


## LANDSCAPING PLAN

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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

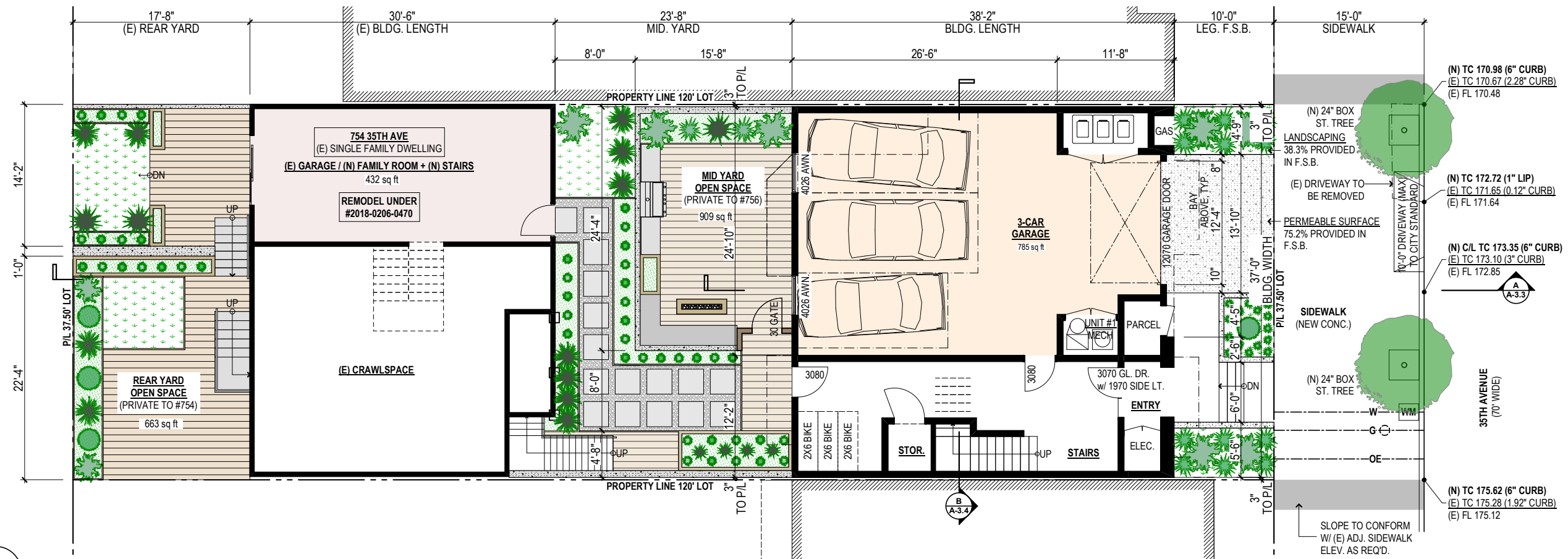
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5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL



## SECOND FLOOR PLAN

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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

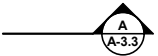


## GROUND FLOOR PLAN

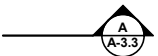
ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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

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6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL



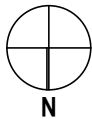
ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N. SCALE: 3/16" = 1'-0"



ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N. SCALE: 3/16" = 1'-0"



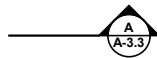
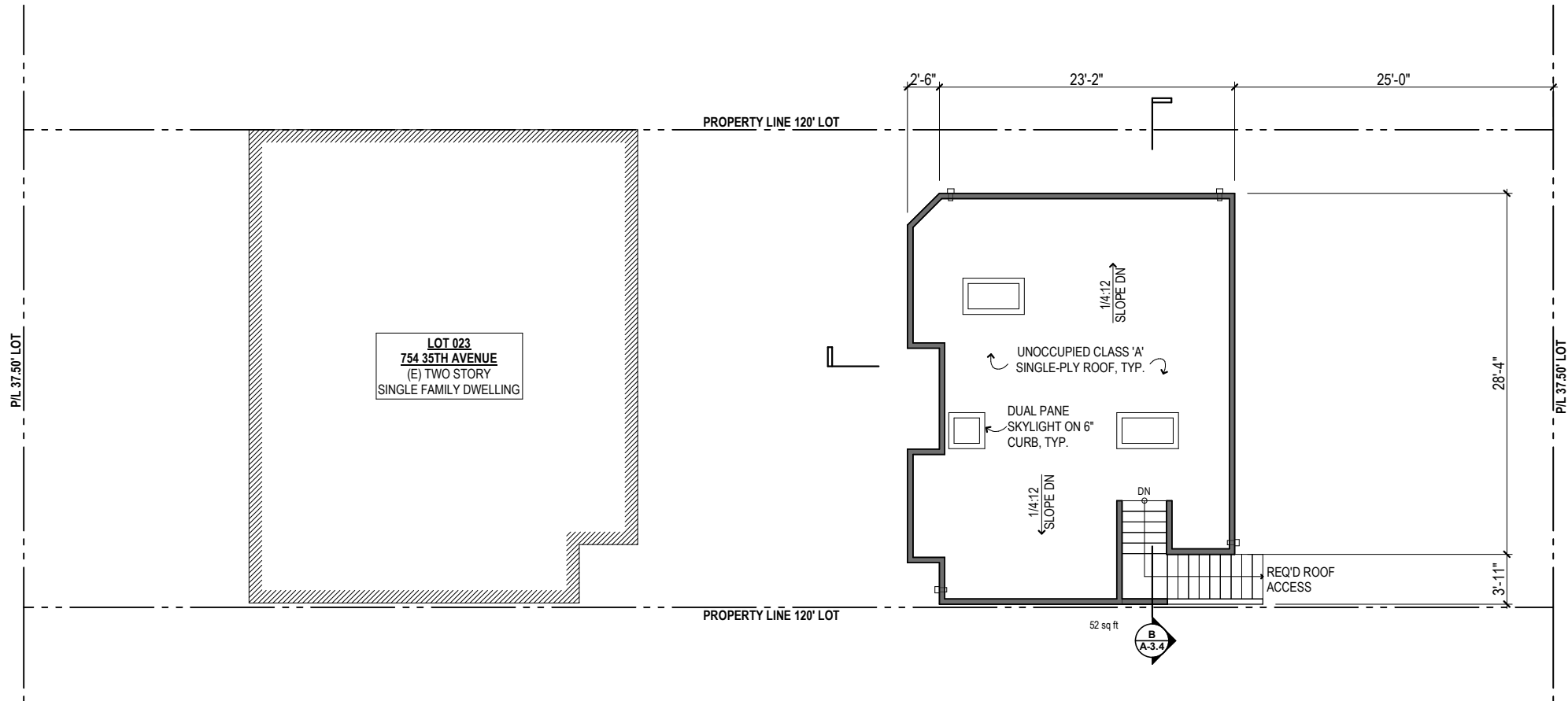
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## ROOF PLAN

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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

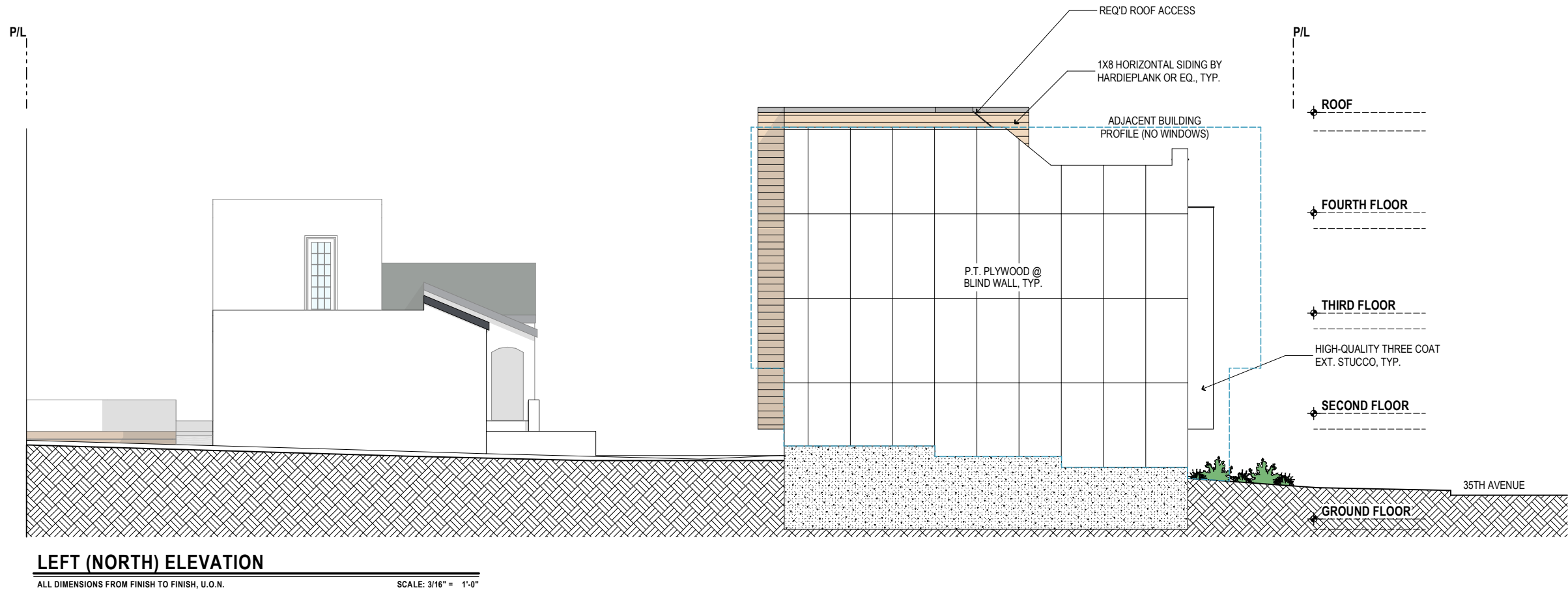
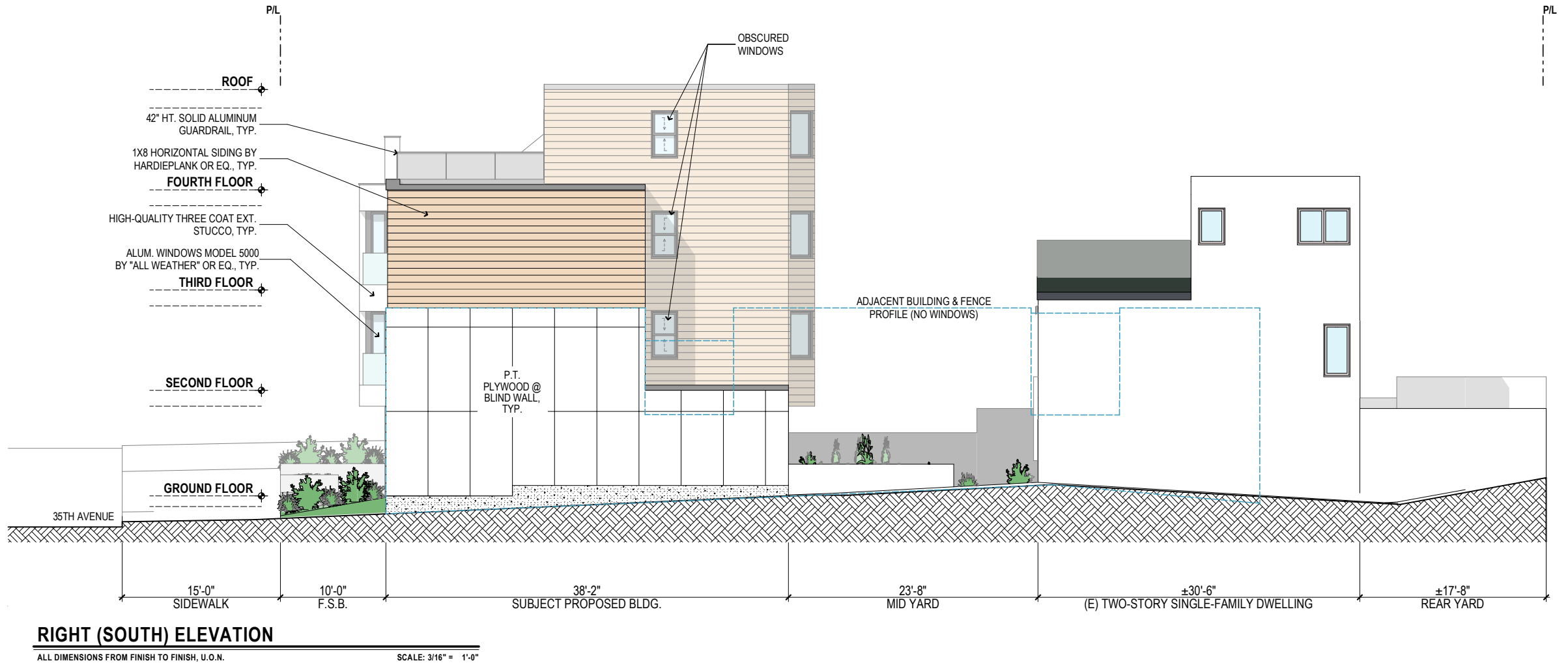


Date	By
5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL



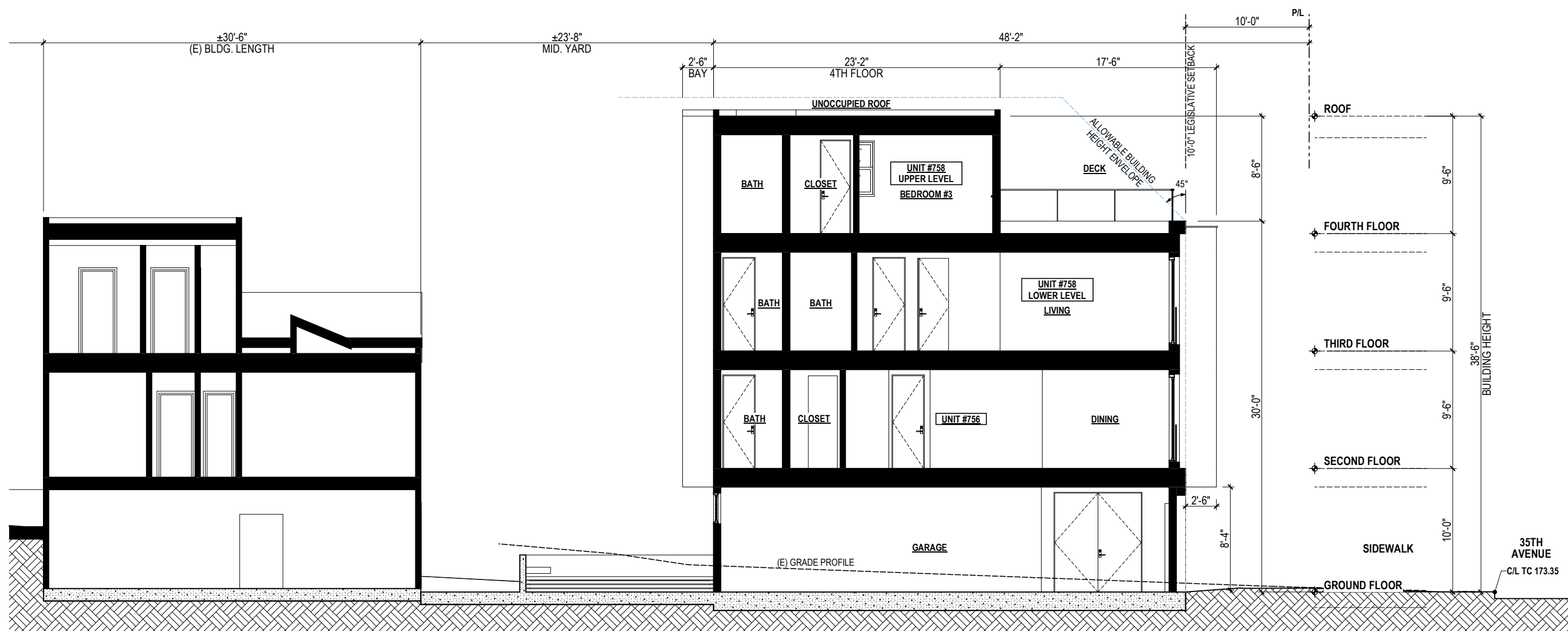






Date	By
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6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

Date	By
5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL

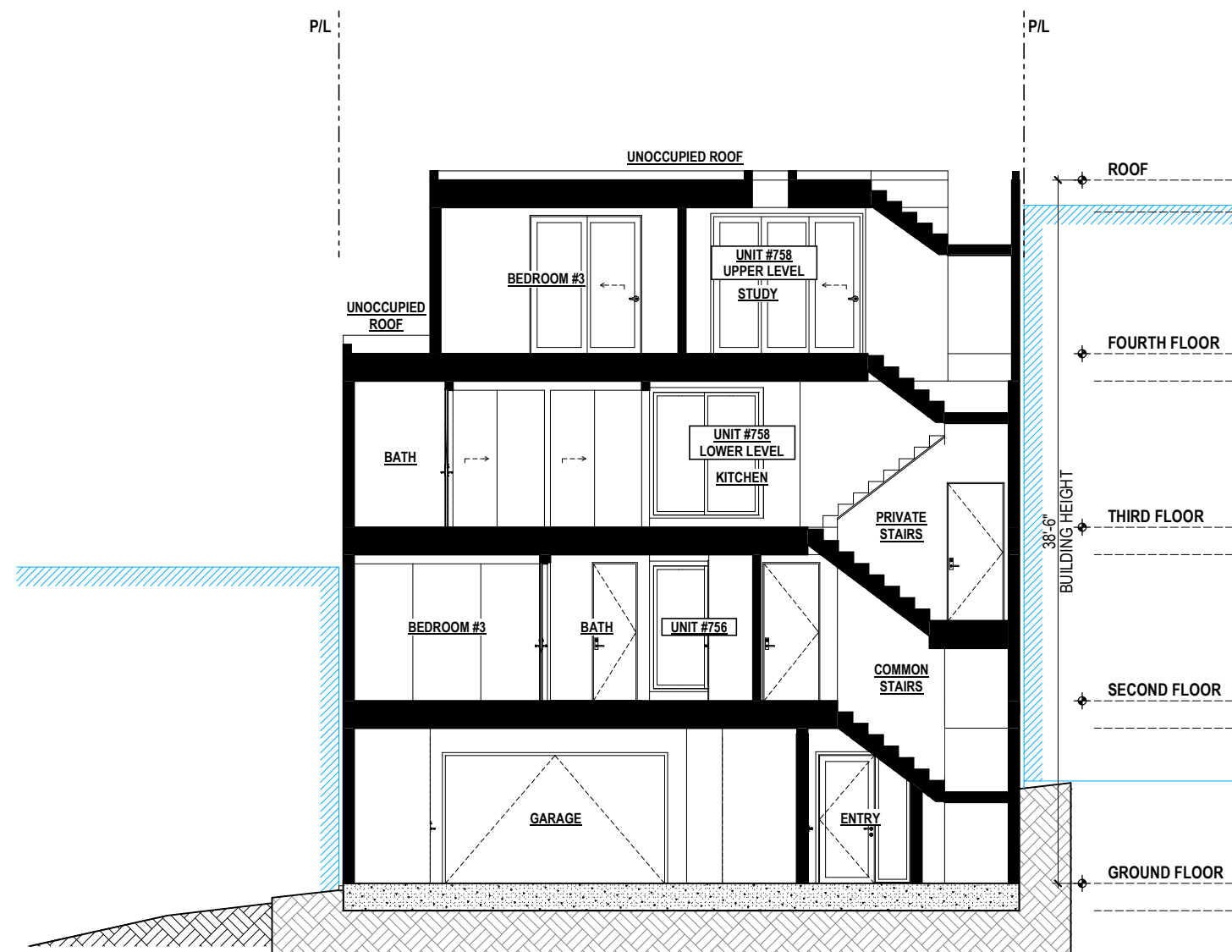


## LONGITUDINAL SECTION A

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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

Date	By
5/14/2018	DL
6/27/2018	JS
9/20/2018 RDAT	JS
12/5/2018 RDAT	YIP
12/27/2018 MID YARD	JS
2/11/2019 LANDSCAPE	DL



**CROSS SECTION B**

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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



35TH AVENUE  
70' WIDE

BALBOA STREET  
80' WIDE

ASSESSOR'S  
BLOCK 1610

BOUNDARY NOTES:

PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE PREDICATED ON AN ANALYSIS OF EXISTING IMPROVEMENTS, RECORD DATA, FIELD TIES AND ASSESSOR'S PARCEL MAPS. IT IS NOT THE INTENT OF THIS MAP TO PROVIDE A FORMAL BOUNDARY RESOLUTION FOR THE SUBJECT PROPERTY SHOWN HEREON. SAID RESOLUTION WOULD REQUIRE THE SETTING OF PROPERTY CORNERS AND THE FILING OF A RECORD OF SURVEY UNDER CALIFORNIA STATE LAW. BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY.

ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED

ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.

DATE OF FIELD SURVEY:

TOPOGRAPHIC INFORMATION SHOWN HERE IS BASED UPON A FIELD SURVEY PERFORMED BY FREDERICK T. SEHER & ASSOCIATES INC. ON NOVEMBER 29, 2017.

SURVEY REFERENCE:

THE SURVEY HEREON IS BASED ON THE LEGAL DESCRIPTION DESCRIBED IN THE FOLLOWING GRANT DEED: LOT 023; RECORDED SEPTEMBER 15, 2017, DOCUMENT NUMBER 2017-K514150-00.

UTILITY NOTE:

UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM A COMBINATION OF OBSERVED SURFACE EVIDENCE (CONDITIONS PERMITTING) AND RECORD INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES, AND ARE NOT INTENDED TO REPRESENT THEIR ACTUAL LOCATIONS. THEREFORE, ALL UTILITIES MUST BE VERIFIED WITH RESPECT TO SIZES, HORIZONTAL AND VERTICAL LOCATIONS BY THE OWNER AND/OR CONTRACTOR PRIOR TO DESIGN OR CONSTRUCTION. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR THE LOCATION AND CAPACITY OF SAID UTILITIES.

PROJECT BENCHMARK - DESCRIPTION:

ELEVATIONS SHOWN HEREON WERE OBTAINED FROM A GROUP OF CITY BENCHMARKS, LOCATED AT THE INTERSECTION OF 35TH AVENUE AND BALBOA STREET. ELEVATIONS ARE BASED ON CITY AND COUNTY OF SAN FRANCISCO DATUM. S.E. CORNER, CROW CUT OUTER RIM SWI. ELEVATION = 193.521'

GENERAL NOTE:

THE FOLIAGE LINES OF ALL TREES PLOTTED HEREON ARE SHOWN IN A GRAPHICAL FORM ONLY, AND ARE NOT INTENDED TO REPRESENT ACTUAL DRIPLINES THEREOF.

NOTE: TO ANYONE HAVING ANY TYPE OF INTEREST IN THIS MAP PLEASE BE ADVISED AS FOLLOWS:

1. THAT ALL TITLE INFORMATION HEREON INCLUDING EASEMENTS WAS PREPARED SOLELY FOR AND IN STRICT CONFORMANCE WITH OUR CLIENTS' OR HIS AGENT'S REQUIREMENTS AND TITLE INFORMATION SUPPLIED TO FREDERICK T. SEHER & ASSOCIATES, INC.; FURTHERMORE, WE HEREBY DISCLAIM ANY AND ALL TITLE SEARCH RESPONSIBILITY ON THIS JOB.
2. NO PRELIMINARY TITLE REPORT WAS REVIEWED IN CONJUNCTION WITH THIS MAPPING. IT IS RECOMMENDED THAT A TITLE REPORT BE RECEIVED FROM THE OWNER TO VERIFY THE EXISTENCE OF ANY ADDITIONAL EASEMENTS OF RECORD OR LOT LINE ADJUSTMENTS THAT MAY HAVE ALTERED THE INFORMATION SHOWN HEREON PRIOR TO ANY DESIGN AND/OR CONSTRUCTION.
3. THAT THIS MAP WAS PREPARED AS A PROFESSIONAL INSTRUMENT OF SERVICE FOR RICK WONG AND THAT IT REMAINS THE PROPERTY OF FREDERICK T. SEHER & ASSOCIATES, INC. WHETHER THE PROJECT (IF ANY PROPOSED) ON THIS SITE IS CONSTRUCTED OR NOT.
4. THAT ANY INFORMATION ON THIS MAP AND ANY DOCUMENT(S) PREPARED BY FREDERICK T. SEHER & ASSOCIATES, INC. IN RELATION HEREOF SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN FOR: BUILDING PERMIT. FURTHERMORE, THE USE OF THIS MAP FOR ANY OTHER PURPOSES WHATSOEVER INCLUDING ENGINEERING DESIGNS OF OFFSITE OR ONSITE IMPROVEMENTS IS BEYOND THIS MAP'S PURPOSES, INTENT & CONTRACT. LIABILITY SHALL REST UPON THE PARTY USING OUR INFORMATION BEYOND THE ESTABLISHED LIMITATION ABOVE, IN WHICH CASE FREDERICK T. SEHER & ASSOCIATES, INC. DISAVOWS ANY AND ALL RESPONSIBILITY.
5. THAT ANY IMPROVEMENT CHANGES WITHIN THIS SITE OR THE ADJACENT SITE THEREOF AS WELL AS TITLE TRANSFERS OF THE PROPERTY IN QUESTION (EXCEPT FOR ALTA MAPS) AND/OR THE LAPSE OF 3 OR MORE YEARS FROM THE DATE OF THE MAP (WHICHEVER COMES FIRST) SHALL VOID ALL INFORMATION, HEREON UNLESS A RE-SURVEY IS ORDERED TO RECTIFY, UPDATE OR RE-CERTIFY THIS MAP.
6. THAT THIS INFORMATION SHALL NOT BE USED FOR ANY IMPROVEMENT STAKING UNLESS STATED IN ITEM NO. 4 ABOVE.
7. THAT THE USE OF THIS MAP BY OTHER CONSULTANTS OR CONTRACTORS ON BEHALF OF OUR CLIENT SHALL PROMPT THE IMMEDIATE FULFILLMENTS OF ALL CLIENT'S OBLIGATIONS TO FREDERICK T. SEHER & ASSOCIATES, INC. UNLESS OTHERWISE AGREED TO.
8. IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ALL ISSUES REGARDING PROPERTY DISPUTES WHICH MAY ARISE OUT OF INFORMATION SHOWN HEREON.
9. THIS MAP WILL BE PROVIDED IN AN ELECTRONIC FORMAT AS A COURTESY TO THE CLIENT. THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. A SIGNED PRINT DELIVERED TO THE CLIENT OR CLIENT REPRESENTATIVE CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. AND IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE PRINT MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. WE SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR FOR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

SURVEYOR'S STATEMENT:

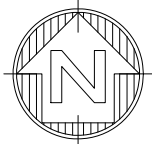
THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY.

DATE: .....

FREDERICK T. SEHER, PLS  
LICENSE NO. 6216

LEGEND

- |      |                               |      |                        |
|------|-------------------------------|------|------------------------|
| ADJ  | ADJACENT BUILDING             | S    | SANITARY SEWER LINE    |
| ASP  | ASPHALT                       | OHE  | OVERHEAD ELECTRIC LINE |
| BK   | BACK OF WALK                  | Ø    | DIAMETER               |
| BW   | BOTTOM OF WALL                | ELEV | SPOT ELEVATION         |
| BLDG | BUILDING                      | DESC | ORNAMENTAL PLANT       |
| CNC  | CONCRETE MASONRY UNIT         |      |                        |
| COR  | CORNER                        |      |                        |
| EC   | EDGE OF CONCRETE              |      |                        |
| FL   | FLOW LINE                     |      |                        |
| GM   | GAS METER                     |      |                        |
| GND  | GROUND                        |      |                        |
| GV   | GAS VALVE                     |      |                        |
| RF   | ROOF                          |      |                        |
| RFP  | ROOF PEAK                     |      |                        |
| RFPF | ROOF PARAPET                  |      |                        |
| SCO  | SANITARY SEWER CLEAN OUT/VENT |      |                        |
| TC   | TOP OF CURB                   |      |                        |
| TW   | TOP OF WALL                   |      |                        |
| UFL  | UNIDENTIFIED LID              |      |                        |
| WM   | WATER METER                   |      |                        |
| WV   | WATER VALVE                   |      |                        |



1' 0' 4' 8' 12' 16' 20' 24'  
SCALE: 1/8"= 1'-0"

PRELIMINARY  
FOR REVIEW PURPOSES  
ONLY

CABRILLO STREET  
80' WIDE

DATE:	DECEMBER 2017	△			
SCALE:	1" = 8'	△			
DRAWN BY:	FC	△			
DRAWING NAME:	2094-17	△			
SURVEYED BY:	FTS	△			
CHECKED BY:	EF	△			
CHECKED BY:		△			
NO.	BY	DATE	REVISIONS		



FREDERICK T. SEHER & ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS  
SURVEYING & MAPPING  
841 LOMBARD STREET, SAN FRANCISCO, CA 94133  
(415) 921-7690 FAX (415) 921-7655

ARCHITECTURAL SITE SURVEY  
APN 1610-023  
754 35TH AVENUE, SAN FRANCISCO, CA

SHEET  
1  
OF 1 SHEETS  
JOB NO.:  
2094-17

# Exhibit C



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
754 35TH AVE		1610023
<b>Case No.</b>		<b>Permit No.</b>
2018-007204ENV		
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input checked="" type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b></p> <p>Retain existing building in the rear, and construct a new two unit building in the front of the parcel. New construction of 4 story, 40 ft tall, approximately 5,986 square foot, two unit building.</p> <p>CEQA Approval Action: Planning Commission Conditional Use Authorization 2018-007204ENV</p>		

### STEP 1: EXEMPTION CLASS

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> 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"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(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.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input type="checkbox"/>	<b>Class ____</b>



## 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"/>	<b>Air Quality:</b> 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"/>	<b>Hazardous Materials:</b> 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 &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> 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 checked="" type="checkbox"/>	<b>Archeological Resources:</b> 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"/>	<b>Subdivision/Lot Line Adjustment:</b> 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"/>	<b>Slope = or &gt; 20%:</b> 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) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> 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) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> 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) <b>If box is checked, a geotechnical report will likely be required.</b>

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  
Archeo Review complete 5/31/2018-- No effects

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

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

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

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> 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. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> 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.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input checked="" type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

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

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

<input type="checkbox"/>	7. <b>Addition(s)</b> , 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. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input checked="" type="checkbox"/>	10. <b>Reclassification of property status.</b> (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): Based on Supplemental and permit history (12/11/2017), no historic resource present, lacks integrity.         </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Reclassify to Category C            (attach HRER)         </div> </div>
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b> Allison Vanderslice	

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

<input type="checkbox"/>	<b>Further environmental review required.</b> 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 <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>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.</b>	
	<b>Project Approval Action:</b> Commission Hearing If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Signature:</b> Laura Lynch 09/12/2018
	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)
754 35TH AVE		1610/023
Case No.	Previous Building Permit No.	New Building Permit No.
2018-007204PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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

# Exhibit D



# SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 754 35TH AVE  
RECORD NO.: 2018-007204CUA

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

	EXISTING	PROPOSED	NET NEW
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF	0	785	785
Residential GSF	<b>1,902</b> (existing building)	<b>3,218</b> (new building)	<b>3,218</b>
Retail/Commercial GSF	N/A	0	0
Office GSF	N/A	0	0
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	N/A	0	0
Medical GSF	N/A	0	0
Visitor GSF	N/A	0	0
CIE GSF	N/A	0	0
Usable Open Space	N/A	1,991	N/A
Public Open Space	N/A	0	0
Other ( )	-	-	-
<b>TOTAL GSF</b>	<b>1,900</b>	<b>3,218</b>	<b>3,218</b>
	EXISTING	NET NEW	TOTALS
<b>PROJECT FEATURES (Units or Amounts)</b>			
Dwelling Units - Affordable	N/A	0	0
Dwelling Units - Market Rate	<b>1</b>	<b>2</b>	<b>3</b>
Dwelling Units - Total	<b>1</b>	<b>2</b>	<b>3</b>
Hotel Rooms	N/A	0	0
Number of Buildings	<b>1</b>	<b>1</b>	<b>2</b>
Number of Stories	3 (existing building)	4 (new building)	N/A
Parking Spaces	<b>0</b>	<b>3</b>	<b>3</b>
Loading Spaces	N/A	0	0
Bicycle Spaces	0	3	3
Car Share Spaces	N/A	0	0
Other ( )	-	-	-

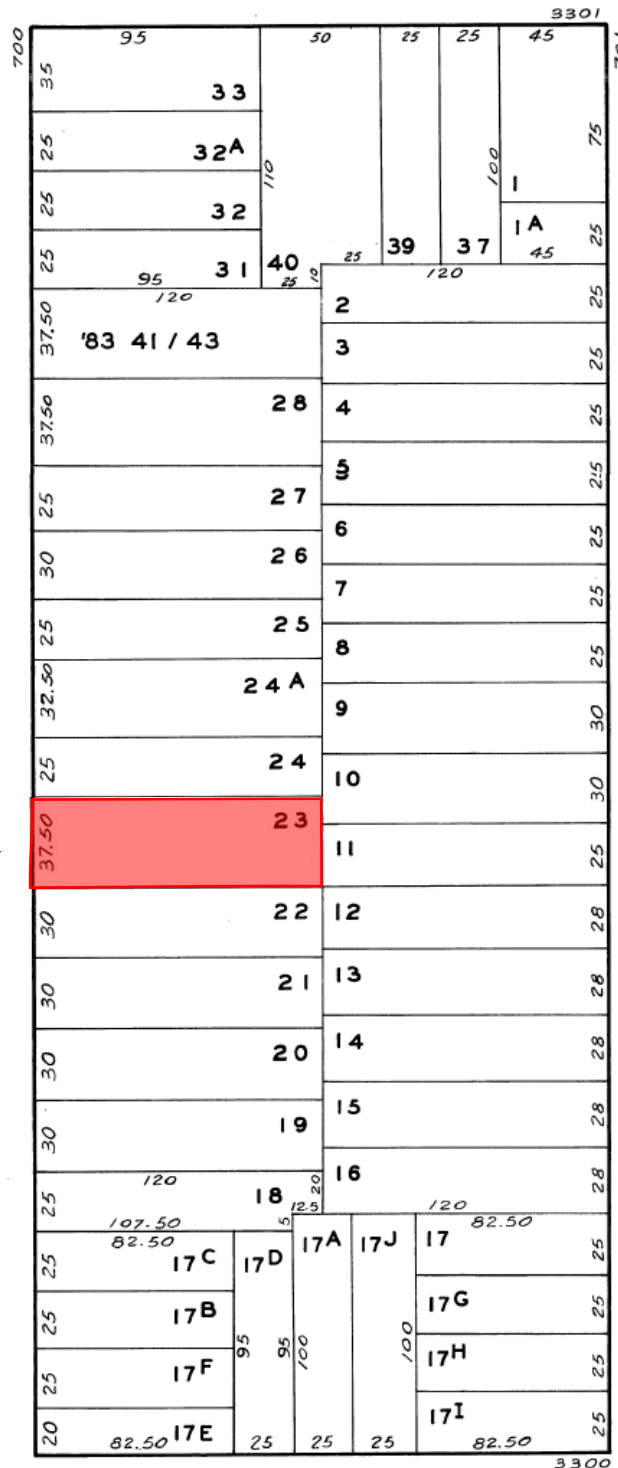
	EXISTING	PROPOSED	NET NEW
<b>LAND USE - RESIDENTIAL</b>			
Studio Units	0	0	0
One Bedroom Units	0	0	0
Two Bedroom Units	0	0	0
Three Bedroom (or +) Units	<b>1</b>	<b>3</b>	<b>2</b>
Group Housing - Rooms	0	0	0
Group Housing - Beds	0	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

# Exhibit E



# Parcel Map

BALBOA



SUBJECT PROPERTY

35TH. AVE.

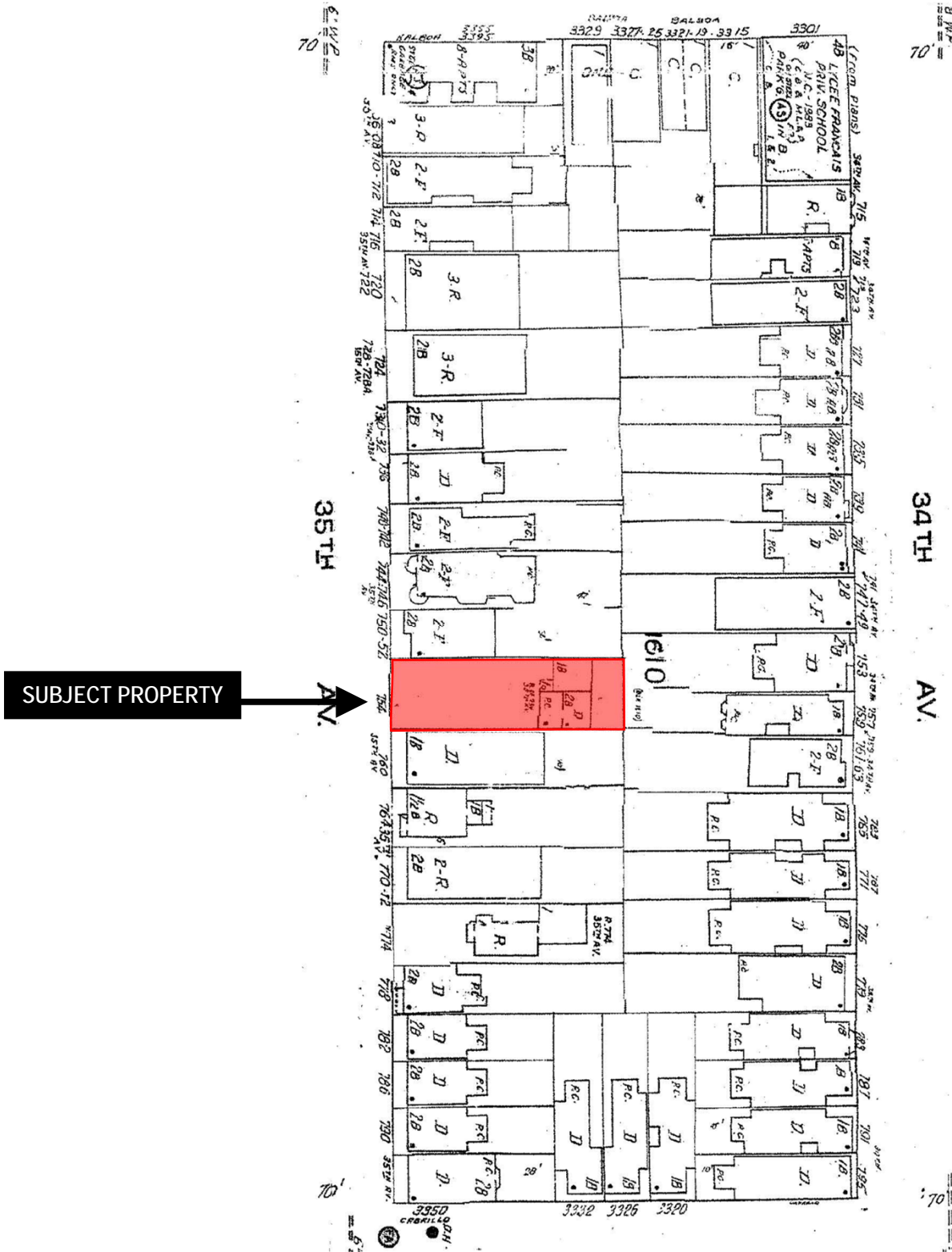
34TH. AVE.

CABRILLO



Conditional Use & Variance Hearing  
Case Number 2018-007204CUAVAR  
754 35<sup>th</sup> Avenue

# Sanborn Map\*



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

Conditional Use & Variance Hearing  
Case Number 2018-007204CUAVAR  
754 35<sup>th</sup> Avenue



# Aerial Photo

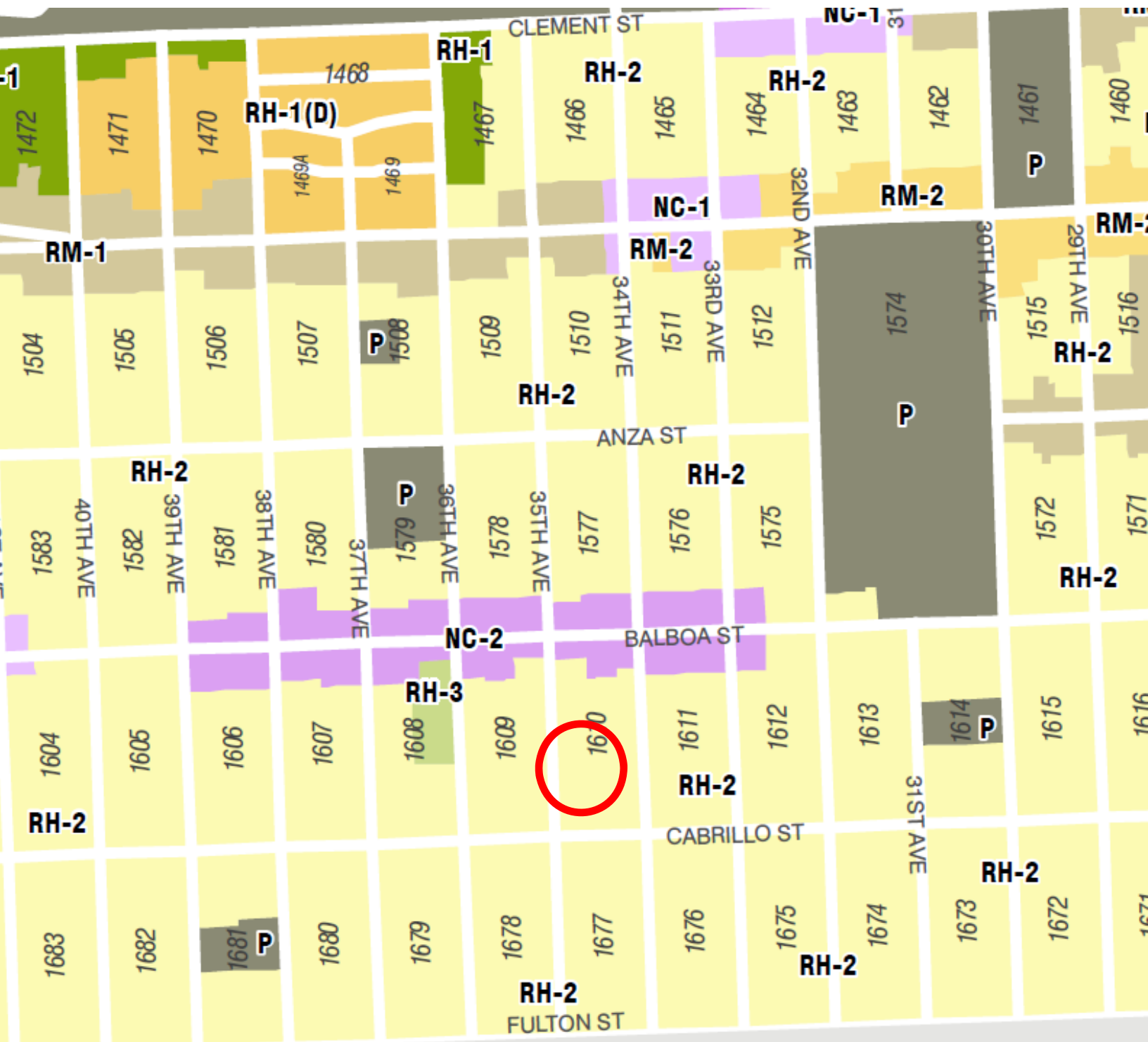


SUBJECT PROPERTY



Conditional Use & Variance Hearing  
Case Number 2018-007204CUAVAR  
754 35<sup>th</sup> Avenue

# Zoning Map



Conditional Use & Variance Hearing  
Case Number 2018-007204CUAVAR  
754 35<sup>th</sup> Avenue



# Site Photo 1



Conditional Use & Variance Hearing  
Case Number 2018-007204CUAVAR  
754 35<sup>th</sup> Avenue

## Site Photo 2



Conditional Use & Variance Hearing  
Case Number 2018-007204CUAVAR  
754 35<sup>th</sup> Avenue

# Exhibit F



# CONDITIONAL USE AUTHORIZATION APPLICATION

## Property Owner's Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

## Applicant Information (if applicable)

Name: \_\_\_\_\_ Same as above ☐

Company/Organization: \_\_\_\_\_

Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Please Select Billing Contact:** ☐ Owner ☐ Applicant ☐ Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**Please Select Primary Project Contact:** ☐ Owner ☐ Applicant ☐ Billing

## Property Information

Project Address: \_\_\_\_\_ Block/Lot(s): \_\_\_\_\_

Plan Area: \_\_\_\_\_

## Project Description:

Please provide a narrative project description that summarizes the project and its purpose. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable. ☐ See Attachment



**Project Details:**

---

- ☐ Change of Use      ☐ New Construction      ☐ Demolition      ☐ Facade Alterations      ☐ ROW Improvements
- ☐ Additions      ☐ Legislative/Zoning Changes      ☐ Lot Line Adjustment-Subdivision      ☐ Other \_\_\_\_\_

**Estimated Construction Cost:** \_\_\_\_\_

- Residential:**    ☐ Special Needs    ☐ Senior Housing    ☐ 100% Affordable    ☐ Student Housing    ☐ Dwelling Unit Legalization
- ☐ Inclusionary Housing Required    ☐ State Density Bonus    ☐ Accessory Dwelling Unit

- Non-Residential:**    ☐ Formula Retail    ☐ Medical Cannabis Dispensary    ☐ Tobacco Paraphernalia Establishment
- ☐ Financial Service    ☐ Massage Establishment    ☐ Other: \_\_\_\_\_

**Related Building Permits Applications**

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Building Permit Applications No(s): \_\_\_\_\_

## PROJECT AND LAND USE TABLES

If you are not sure of the eventual size of the project, provide the maximum estimates.

General Land Use Category		
	Existing (Square footage area)	Proposed (Square footage area)
Parking GSF		
Residential GSF		
Retail/Commercial		
Office		
Industrial-PDR		
Medical		
Visitor		
CIE (Cultural, Institutional, Educational)		
Useable Open Space		
Public Open Space		

Project Features		
	Existing Unit(s) (Count)	Proposed Unit(s) (Count)
Dwelling Units - Affordable		
Hotel Rooms		
Dwelling Units - Market Rate		
Building Number		
Stories Number		
Parking Spaces		
Loading Spaces		
Bicycle Spaces		
Car Share Spaces		
Public Art		
Other		

Land Use - Residential		
	Existing	Proposed
Studio Units		
One Bedroom Units		
Two Bedroom Units		
Three Bedroom (or +) Units		
Group Housing - Rooms		
Group Housing - Beds		
SRO Units		
Micro Units		
Accessory Dwelling Units*  *For ADUs, individually list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.		

## **ACTION(S) REQUESTED**

Action(s) Requested (Including Planning Code Section which authorizes action)

## **CONDITIONAL USE FINDINGS**

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission 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 the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.
  
  
  
  
  
  
  
  
  
  
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
  - (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - (b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
  - (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.
  
  
  
  
  
  
  
  
  
  
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

## PRIORITY GENERAL PLAN POLICIES FINDINGS

### PLANNING CODE SECTION 101

#### (APPLICABLE TO ALL PROJECTS)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.

**Please respond to each policy; if it's not applicable explain why:**

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
3. That the City's supply of affordable housing be preserved and enhanced;
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

**Please respond to each policy; if it's not applicable explain why:**

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

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

7. That landmarks and historic buildings be preserved; and

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

# 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 hereby 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: \_\_\_\_\_

## Conditional Use & Variance Findings

754 35<sup>th</sup> Avenue  
Block 1610 / Lot 023

**PROPERTY ADDRESS:** 754 35<sup>th</sup> Avenue  
Block 1610 / Lot 023

**CASE NUMBER:** 2018-007204

**ZONING DISTRICT:** RH-2

**CONDITIONAL USE:** Residential Density per Table 209.1

**VARIANCES SOUGHT:** Required Rear Yard – §134(c)  
Dwelling Unit Exposure - §140(a)

### **SITE DESCRIPTION:**

The project site at 754 35th Avenue is an approximately 4,500-square-foot (s.f.), lot in the Outer Sunset neighborhood. There is an existing single family dwelling in the rear of the parcel, originally built circa 1907. That home is currently being remodeled under permit application #2018-0206-0470. The project site is located on a block bounded by 34th & 35th Avenues, Balboa & Cabrillo Streets.

The neighbors along 35<sup>th</sup> Avenue are almost all 3-4 story, zoned RH-2. The only smaller building is 774 35<sup>th</sup> Ave, which also extends into the required rear yard. Two nearby larger parcels are also constructed with 3 dwellings, at 722 & 724 35<sup>th</sup> Ave. At the northern end of the block lies the Balboa Street Neighborhood Commercial NC-2 zone, with several buildings containing 10+ units.

### **PROPOSED PROJECT:**

The proposed project would retain the existing building in the rear, and construct a new two unit building in the front of the parcel. The will require a conditional use approval for the lot density. The new ground floor would provide three vehicle & bicycle parking spaces, as well as an access hallway to the rear of the lot. The second floor would contain a three bedroom two bath units of approximately 1,275 square feet, with a small private deck to mirror the adjacent lightwell. The upper unit spans the 3rd and 4th floors, with 4 bedrooms, and 5 baths. A deck is provided at the setback 4th level. The roof is unoccupied.

A Conditional Use Authorization will be required for the density of one dwelling per 1,500 square feet of lot area. Variance are requested because of the existing rear yard structure, and to allow construction in the otherwise buildable area.

### **CONDITIONAL USE FINDINGS:**

- 1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community:**

*The project site is zoned RH-2, surrounded by neighboring one and two unit buildings. The majority of the neighborhood is 3-4 stories. Our project site is slightly larger, such that the code allows us to propose 3 dwelling units. Due to the existing non-conforming structure, the site would contain one single family and one two family building, matching the nearby homes. This layout allows us to retain the existing more naturally affordable unit, and build two new appropriately sized dwellings.*



## Conditional Use & Variance Findings

754 35<sup>th</sup> Avenue  
Block 1610 / Lot 023

**2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:**

- a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The existing building is fully located in the required rear yard, and will be retained. The new building will be more in line with the adjacent 35<sup>th</sup> Avenue facades, although slightly wider. The neighboring rear yards and lightwells are respected.*

- b. The accessibility and traffic patterns for person and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading:

*The proposed project provides 3 off-street spaces for vehicles and 3 secure spaces for bicycles. The existing curb cut will be relocated, so on-street parking is not affected.*

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

*The proposed project would mechanically ventilate all exhaust to the roof, away from the adjacent neighbors. This will alleviate any noise and odor concerns. Safeguards will be used during construction to mitigate any impact to the neighborhood.*

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

*The project will locate the front landscape area, as well as the mid and rear yards.*

**3. That such use or feature as proposed will comply with the applicable provisions of this Code, and will not adversely affect the Master Plan:**

*The proposed project complies with the Master Plan, which supports in-fill housing development under existing zoning. This project is a prime example of allowing smart density in established neighborhoods. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of conditional use & variance applications for consistency with said policies.*

**VARIANCE FINDINGS:**

The proposed project is found to comply with the criteria of Section 305(c) of the Code in that.

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:**

*The subject parcel has a building that was originally built circa 1907, before most of its neighbors. Under the current regulations for a required rear yard, we would be allowed to build approximately 70'-7" deep into the site for a new building. Under the interpretation to Code Section 134 dated 11/86, we would be required to provide a 25% rear yard between the existing and proposed buildings (30'-0"). Due to the legislated front setback, the otherwise allowable building area would be limited to 31'-10". A fully code compliant arrangement then reduces the buildable area by roughly 8'-3", even more than the variance we are requesting. We believe this layout also provides for the best exposure on the front and rear for each building.*

2. **That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this City Planning Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property:**

*Literal enforcement of the Planning Code would push the rear building wall further forward than either of the adjacent neighbors, and so only allow for the creation of 2 off street vehicle parking spaces. The fully code compliant project would be wider than it is deep, which presents challenges in complying with the upper level setback design guidelines. Dwelling unit exposure is also provided onto the front, mid, and rear yards.*

3. **That the 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:**

*The rear wall of the new building is designed to align with northern neighbor. A code compliant building would be the shortest building on the block.*

4. **That the granting of such variance will not be materially detrimental to the public welfare or materials and injurious to the property or improvements in the vicinity:**

*The proposed project is designed to respect the neighboring structures. We have aligned with the northern neighbor, and created a large lightwell adjacent to the southern neighbor. The rear yard and exposure variances only affect the future occupants of the subject site. We believe this layout best retains the existing building while also adding new units.*

5. **That the granting of such variance will be in harmony with the general purpose and intent of this City Planning Code and will not adversely affect the Master Plan:**

*This proposed project is consistent with the generally stated intent and purpose of the Planning Code to promote orderly and beneficial development. Most importantly, the Mayor's policy on housing currently calls for increasing market rate units during a housing shortage. Planning Code Section 101.1 establishes eight priority-planning policies and requires review of variance applications for consistency with said policies. The project meets all relevant policies, including conserving neighborhood character and increasing housing stock.*

**PRIORITY POLICIES:**

- (1) Existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;**

*No neighborhood serving retail uses would be displaced or otherwise adversely affected by the proposal.*

- (2) Existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;**

*Neighborhood character is at the heart of this request – by granting the conditional use & variance requests, the project can retain the single family house, and also provide the economic diversity of multiple units. Economic diversity will not be affected.*

- (3) The City's supply of affordable housing be preserved and enhanced;**

*The project does not contribute to the City's official supply of affordable housing; however, allowing for additional density on the site will create additional supply.*

- (4) Commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;**

*The new buildings are proposed to have one vehicle and one bicycle parking spaces per building, with only one curb cut. This project will not affect MUNI, or add too many commuters.*

- (5) A diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;**

*The Project would not affect industrial or service sector uses or related employment opportunities, as the Project is residential in nature.*

- (6) The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake;**

*The construction of the new building will meet or exceed today's construction standards, and the existing building will be upgraded.*

- (7) Landmarks and historic building be preserved; and**

*The project site is not within a recognized historic district, and the existing building will be retained.*

- (8) Our parks and open space and their access to sunlight and vistas be protected from development.**

*The project does not exceed the 40-foot height limit, thus is not subject to the requirements of Planning Code Section 295 – Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission.*

# Exhibit G

Support for 754 35<sup>th</sup> Avenue, San Francisco

## The Proposed 4-Story, 2-Family Dwelling

Dear Planning Commissioners:

I am a neighbor writing to express my whole-hearted support for the project.

I was excited to learn that the existing long concrete driveway and empty front yard is going to be developed. We need more housing and in-fill projects like this!

I am in support of the project because it will:

- Create 2 much-needed, new family-sized housing units to the neighborhood
- Providing 3 parking spaces so the new residents don't compete with their neighbors
- Encourage alternative transportation by providing bicycle parking
- Enhance the streetscape with a new 4-story building instead of a driveway and void space
- The 4<sup>th</sup> floor is appropriately set back 15' from the front so it's not imposing to pedestrians

For the much-needed housing and improvement in our neighborhood, I urge the Commission to approve this project as proposed. Thank you.

Sincerely yours,

Date:



Signed

2/1/2019

CHUNG-LO KWAN

Print Name

890-34<sup>th</sup> Ave. S.F. CA 94121

Address



A PROFESSIONAL LAW CORPORATION

500 Sutter Street, Suite 300  
San Francisco, CA 94102  
T: 415.398.8308  
F: 415.236.6063  
www.ccdlaws.com

JOHN CHOW, ESQ.  
jchow@ccdlaws.com

February 5, 2019

VIA PRIORITY MAIL  
FOLLOWED BY EMAIL

Laura Ajello, Planner  
Northwest Team, Current Planning Division  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
laura.ajello@sfgov.org

RE: Building Permit Application Number: 201805159092  
Issue Date: May 15, 2018  
Permit Holder: Chick Chuen Wong  
Subject Property: 754 35<sup>th</sup> Avenue, San Francisco

Dear Ms. Ajello,

I write as a follow-up to my voicemail to you from earlier today. This law firm has recently been retained to represent the views and concerns of multiple members in the community who live in close proximity to the Subject Property. My clients found out only yesterday evening, after you sent an email to two of these concerned neighbors at 5:31PM on February 4, 2019, that there is a joint Planning Commission – Variance hearing scheduled for February 28, 2019. I hereby respectfully request that the February 28, 2019 hearing be cancelled so that we can discuss further.

I also write this letter on my behalf of my clients, who formally declare and file for an Appeal/Protest of Issuance of Building Permit Application Number: 201805159092. The reasons for the Appeal/Protest include, but is not limited to the following:

First, we would like to address the physical presentation of the proposed front building. Due to the topographical rise on our street, the proposed front building will tower over the existing two-story and three-story homes down the hill. The proposed front building's significant height and new-age contemporary design shows little attempt to "join" the neighborhood and contrast strikingly to the existing homes that are lovingly maintained and a desirable destination for foot traffic. Regarding the overall height, the scale of the building relative to its neighbors is not only overbearing and out of character for the neighborhood, but will also negatively impact the sunlight on the block. Also, the construction of a rooftop deck as well as the windows and doors that face directly into the immediately adjacent lots on the proposed front building will negatively impact the privacy, especially to the immediately adjacent homes. Please consider reducing the overall height

by utilizing 8-foot finish ceiling heights on the interior rooms to reduce the overall height by approximately four feet. This would soften the presentation of the building from the south view by 10%. Regarding the flat front facade, perhaps vertically splitting the front at some midpoint to meet the varying neighbors' frontage would soften the otherwise blank stare. In addition, use of a flat hatch in lieu of the angular roof access, which would put the building at 50 feet, is desired. Please address the privacy concerns from the proposed rooftop deck as well as the windows and doors that face directly into the adjacent properties.

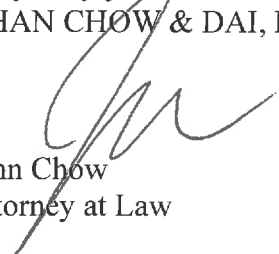
Second, we would like to address the two proposed variances that we are aware of. The first is a reduction in space that shortens the distance from the proposed front building to the existing rear building. As a result, the sunlight would be reduced, thereby adversely impacting the quality of life of future inhabitants in both buildings. This space creates more of a "wasteland" between the two, a canyon forty feet deep to the west. The second variance requests a third family dwelling unit on an otherwise two-unit lot. No adequate parking has been provided in this variance, which leads us to the next issue.

Third, the population density and the ability of the neighborhood to include these new inhabitants should be considered. The proposed plan shows at least eleven bedrooms and only two usable parking spaces. The drawings show only a small garage which likely could not hold more than two cars. The plan has eliminated a useful driveway and parking garage, both of which should remain: the driveway as it is to access both the existing garage, as well as the diagonal parking in the proposed structure, which would allow the possibility of four to five parking spaces, the average number of cars needed for the number of bedrooms proposed. Furthermore, fire safety and emergency access should also be considered. In the event that the existing back building goes on fire, our firemen will have tremendous difficulty in extinguishing fires originating in the back building, once the existing driveway is eliminated, since ready access to the back building would no longer be possible.

Fourth, during May and June in 2018, there were ground-shaking, deep excavations, which removed mountains of dirt underneath the existing building and backyard at the lot in question. We have recorded evidence which captured the use of heavy machinery including a bulldozer and heavy pile driving back and forth along the existing driveway, when the dump trucks were loaded with mountains of dirt from the existing foundation and backyard. The adjacent property located at 760 35<sup>th</sup> Avenue sustained both extensive exterior and interior wall damages, which did not exist before, as documented by two independent inspection reports that were performed in 2015. Therefore, we feel that there's a need for a structural engineering report, including a written assessment as to the structural integrity of the adjacent properties, that should be performed to assess the likelihood of property damage to the adjacent properties from the construction work needed to erect the proposed front building as well as remedial action to repair and fix damages already present from work done to the existing rear building in recent months.

Thank you for your attention to this matter. I look forward to your prompt response.

Very truly yours,  
CHAN CHOW & DAI, P.C.



John Chow  
Attorney at Law

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