

SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission Hearing Date: December 19, 2019 Continued from May 9, 2019, July 18, 2019, August 29, 2019, and October 24, 2019

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

Reception: 415.558.6378

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Planning Information: 415.558.6377

Record No.:	2018-009551DRPVAR
Project Address:	3847-3849 18th Street
Permit Application	s: 2018.06.22.2714
Zoning:	RH-3 (Residential House, Three-Family)
	40-X Height and Bulk District
Block/Lot:	3585 / 077
Project Sponsor:	Dawson & Clinton General Contractors
	PO Box 410475
	San Francisco, CA 94141
Staff Contact:	David Winslow – (415) 575-9159
	david.winslow@sfgov.org
	Jeff Horn – (415) 575-6925
	jeffrey.horn@sfgov.org

BACKGROUND

On July 18, 2019 the San Francisco Planning Commission (hereinafter "Commission") adopted a Motion of Intent to Take DR and revise the project to "have the building restored to the original flat configuration, including that third unit, which is allowed in RH-3." The Commission continued the item to August 29, 2019 to allow more time for Department staff, the City Attorney's Office, and the Project Sponsor to consider the procedural implications of such a decision. Department staff met and consulted with both the City Attorney's Office and the Project Sponsor since the July 18, 2019 hearing.

At the August 29, 2019 hearing, the Commission continued the item and to allow the Sponsor time to simplify the drawings of the site permit and to have a Pre-Application Review Meeting with the Department of Building Inspection (DBI) to ensure the feasibility of the proposed plans receiving approval by DBI and other City Agencies. The project was continued with being heard on October 24, 2019.

In response to the Commission's requests at the August 29, 2019 hearing the Sponsor worked with DBI and the Fire Department to further explore the viability of adding a third unit to the project. As a result of those communications and pre-application meeting held on September 24, 2019, it has now been confirmed that the building classification would need to change from R3 to R2 to accommodate the additional unit, which would in-turn require new internal building systems, entrance/egress changes and additions, new fire ratings, elevators, dry standpipes, etc. in order to comply with the standards of an R2 building.

RECOMMENDATION

The Department makes no recommendation on the alternative plans submitted by the Project Sponsor.

ATTACHMENTS:

Project Sponsor letter to the Commission dated December 12, 2019 Revised Plan Set dated December 5, 2019 Memo to the Planning Commission from October 24, 2019 Revised Plan Set dated August 29, 2019 Memo to the Planning Commission from August 29, 2019 Sponsor's letter to the Commission dated August 16, 2019 Sponsor's letter to the Commission dated July 16, 2019 Memo to the Planning Commission from July 18, 2019 Abbreviated Analysis from the March 7, 2019 Hearing December 12, 2019

Myrna Melgar, Commission President San Francisco Planning Commission San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

RE: 3847-3849 18th Street Case No.: 2018-009551DRP Hearing Date: December 19, 2019

Dear Commission President Melgar,

We, Tim Clinton and Paul Dawson, are writing as the sponsors of the project at 3847-3849 18th St., Case No. 2018-009951DRP.

Since our last hearing nearly two months ago, our primary lender has moved forward with foreclosure on the building. Attached is the Notice of Foreclosure for your reference. As we have stated before, the length of this Planning enforcement process and the repeated delays in getting a decision from the Commission have pushed us beyond our ability to service our loan. After working in good faith with Planning Department enforcement staff for 14 months, and with the Commission for more than 7 months with four hearings already come and gone, we have lost the building. Our 20-year San Francisco construction company, with 18 long-term employees, is teetering on the brink of bankruptcy. This impact has not only resulted in a complete financial loss on the building, but has now put our entire financial lives and that of our families in ruin. A severe punishment has already been delivered for the planning violations we regretfully committed. We respectfully urge that the Commission finally make a determination on our revised permit application so we may move forward with what has been a more than five-year arduous and costly planning, construction and enforcement process.

There has been a lot of discussion – both at the Commission and more recently in the press – regarding the "egregious" nature of our various permit violations. While we have and do take responsibility for our errors and instances of poor judgment, we also feel that certain representations and accusations have been incorrect. A detailed outline and explanation of the permitting issues is attached for your review. Please note that none of our "excess of scope" or other violations represent work that would not have been allowed or fully permitted if the proper procedures had been followed.

Something we can certainly agree on with the Commission and other stakeholders is that this system is broken. Many aspects of approving, building and overseeing housing projects in San Francisco operate ineffectively at best. Our project took 36 months of construction with numerous permits, inspections and required upgrades that can be difficult for even a seasoned contractor to navigate. The incentive to "identify short-cuts" and rely on permit expeditors is real and widespread.

We also wish to remind you of the following:

- 1) Unlike many other projects or developers that run into trouble, we have been transparent and fully cooperative with Planning staff -- as well as with the project's neighbors to correct and resolve the various violations and related issues from the beginning.
- 2) We have worked closely with the Planning Department to create a comprehensive plan set with Planning staff's approval, which was sent out for 311 neighborhood notification earlier this year.
- 3) No actual neighborhood opposition was received. The one Discretionary Review application that was received was filed fraudulently by Mr. Kevin Cheng under the name "Malcolm Xiang." We hope and trust that the Commission is fully aware of Kevin Cheng's unusual and deceptive actions to bring this project in front of the Commission for reasons we still do not fully understand.
- 4) December 19, 2019 will be our 4th full Commission hearing and 5th scheduled hearing date. After nearly two years of enforcement proceedings to resolve a Notice of Violation and recommendations for approval from Planning staff, we still have not received clear direction from the Planning Commission.

As directed at the conclusion of our hearing in late August, we have since worked with DBI and the Fire Department to further explore the viability of adding a third unit to our completed project. As a result of those communications and pre-application meeting held on September 24, 2019, it has now been confirmed that the building classification would need to change from R3 to R2 to accommodate the additional unit, which would in-turn require new internal building systems, entrance/egress changes and additions, new fire ratings, elevators, dry standpipes, etc. in order to comply with the standards of an R2 building. R2 is the same standard required for buildings of 50, 100, or even more units. We would essentially be required to completely remodel the existing completed project.

If our project was in the conceptual stage, we could build the numerous requirements of an R2 building into the design. **The reality is that at the specific direction and mandate of the City, our project was designed – and its status as a two-unit building confirmed – more than five years ago.** And as you may know, the project has been completed and vacant for the past two years. To now be required to meet the standards of an R2 building is completely financially infeasible not only for us, but for whomever may end up owning the property. Such a requirement would render this completed 2-unit building a vacant structure for the foreseeable future.

Throughout this process, we have made several proposals in front of the Commission directly and through staff, all of which have ultimately been rejected. We are therefore now requesting that the existing and vested two-unit status of the building be maintained as presented in the updated plan set dated December 5, 2019. At earlier hearings, we have communicated our willingness to make a substantial contribution into a City fund designated for housing construction. That remains something that we are open to and it is our understanding that our lender, who we expect to end up owning the building, would be amenable to as well.

By way of comparison with what we view as a much more extreme case of permit violations, the Willis Polk house at 950 Lombard, a designated historic structure that was allegedly demolished

without approvals in order to create a 45 million dollar property, is/was considered to have been penalized heavily. According to the *San Francisco Chronicle*, "Troon Pacific agreed to pay a \$400,000 settlement to the city without admitting having done anything illegal. It was the biggest settlement ever paid by a developer for the illegal demolition of a single-family home in San Francisco."

It is our opinion that the scale of violation in our case in no way rises to the level of violations in the 950 Lombard case, 49 Hopkins, 214 States St. etc. Further, we believe that the multitude of negative impacts we have experienced to date should certainly help dissuade members of the building community and other project sponsors from making similar errors. Most importantly, we must insist that due process be granted to us and that a vote and determination by the Planning Commission on our permit application be made on December 19th.

Thank you for your time and careful consideration.

Sincerely,

Tim Clinton & Paul Dawson

Cc: Commission Vice-President Joel Koppel Commissioner Sue Diamond Commissioner Frank S. Fung Commissioner Milicent A. Johnson Commissioner Kathrin Moore Commissioner Dennis Richards Jeff Horn, Senior Planner David Winslow, Architect Manager RECORDING REQUESTED BY

Simplifile

AND WHEN RECORDED MAIL TO

GOLDEN WEST FORECLOSURE SERVICE, INC. The Monterey Offices 611 Veterans Blvd., Suite 206 Redwood City, CA 94063-1401

APN 3585-77 3847-3849 18th St., San Francisco, CA

20199K85999900004 San Francisco Assessor-Recorder Carmen Chu, Assessor-Recorder DOC 2019-K859999-00 Acct 2009-Pacific Coast Title Company Thursday, NOV 21, 2019 10:56:03 Ttl Pd \$101.00 Nbr-0006107544 okc/RE/1-4

Space above this line for recorder's use only

Trustee Sale No. 8103 Loan No. PMF-000604 Title Order No. 91216292

IMPORTANT NOTICE NOTICE OF DEFAULT AND ELECTION TO SELL UNDER DEED OF TRUST

NOTE: THERE IS A SUMMARY OF THE INFORMATION IN THIS DOCUMENT ATTACHED* 注:本文件包含一个信息摘要

참고사항: 본 침부 문서에 정보 요약서가 있습니다 NOTA: SE ADJUNTA UN RESUMEN DE LA INFORMACIÓN DE ESTE DOCUMENTO TALA: MAYROONG BUOD NG IMPORMASYON SA DOKUMENTONG ITO NA NAKALAKIP LƯU Ý: KÈM THEO ĐÂY LÀ BẢN TRÌNH BÀY TÓM LƯỢC VÈ THÔNG TIN TRONG TÀI LIỆU NÀY

*PURSUANT TO CIVIL CODE § 2923.3(a), THE SUMMARY OF INFORMATION REFERRED TO ABOVE IS NOT ATTACHED TO THE RECORDED COPY OF THIS DOCUMENT BUT ONLY TO THE COPIES PROVIDED TO THE TRUSTOR.

IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR PAYMENTS, IT MAY BE SOLD WITHOUT ANY COURT ACTION, and you may have the legal right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account, which is normally five business days prior to the date set for the sale of your property. No sale date may be set until approximately 90 days from the date this notice of default may be recorded (which date of recordation appears on this notice).

This amount is <u>\$135,267.85</u> as of <u>11/20/2019</u> and will increase until your account becomes current.

While your property is in foreclosure, you still must pay other obligations (such as insurance and taxes) required by your note and deed of trust or mortgage. If you fail to make future payments on the loan, pay taxes on the property, provide insurance on the property, or pay other obligations as required in the note and deed of trust or mortgage, the beneficiary or mortgagee may insist that you do so in order to reinstate your account in good standing. In addition, the beneficiary or mortgagee may require as a condition to reinstatement that you provide reliable written evidence that you paid all senior liens, property taxes, and hazard insurance premiums.

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Upon your written request, the beneficiary or mortgagee will give you a written itemization of the entire amount you must pay. You may not have to pay the entire unpaid portion of your account, even though full payment was demanded, but you must pay all amounts in default at the time payment is made. However, you and your beneficiary or mortgagee may mutually agree in writing prior to the time the notice of sale is posted (which may not be earlier than three-months after this notice of default is recorded) to, among other things, (1) provide additional time in which to cure the default by transfer of the property or otherwise; or (2) establish a schedule of payments in order to cure your default; or both (1) and (2).

Following the expiration of the time period referred to in the first paragraph of this notice, unless the obligation being foreclosed upon or a separate written agreement between you and your creditor permits a longer period, you have only the legal right to stop the sale of property by paying the entire amount demanded by your creditor.

To find out the amount you must pay, to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact: FJM PRIVATE MORTGAGE FUND, LLC; c/o Golden West Foreclosure Service, Inc., 611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401. Phone: (650) 369-5505.

If you have any questions, you should contact a lawyer or the governmental agency which may have insured your loan. Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure.

REMEMBER, YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION. NOTICE IS HEREBY GIVEN THAT: GOLDEN WEST FORECLOSURE SERVICE, INC. is the duly appointed Trustee under a Deed of Trust dated 02/03/2017. executed by KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, as trustor, to secure obligations in favor of FJM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST, as Beneficiary Recorded on 02/10/2017 DOC 2017-K407153-00 of official records in the Office of the Recorder of San Francisco County, California, as more fully described on said Deed of Trust. Including the note(s) for the sum of \$5,200,000.00 that the beneficial interest under said Deed of Trust and the obligations secured thereby are presently held by the beneficiary; that a breach of, and default in, the obligations for which said Deed of Trust is security has occurred in that the payment has not been made of: FAILURE TO MAKE THE 11/01/2019 INSTALLMENT OF PRINCIPAL AND/OR INTEREST AND ALL SUBSEQUENT INSTALLMENTS. INCLUDING WITHOUT LIMITATION THE BALANCE OF THE PRINCIPAL SUM OF \$4,950,000.00 WHICH WILL BECOME ALL DUE AND PAYABLE ON 01/01/2020, WITH INTEREST THEREON, TOGETHER WITH LATE CHARGES, DEFAULT INTEREST, FORECLOSURE/ATTORNEY'S FEES, AND ALL OTHER SUMS DUE AND PAYABLE UNDER ALL OF THE TERMS AND CONDITIONS OF THE ORIGINAL NOTE AND DEED OF TRUST. SHOULD ANY SENIOR LIENS, INCLUDING REAL ESTATE TAXES AND/OR INSURANCE BE OR BECOME DELINQUENT IT SHALL BE A REQUIREMENT OF THE BENEFICIARY THAT CURRENT WITH SUPPORTED PROOF BEFORE ANY THESE BE BROUGHT REINSTATEMENT. ALSO ANY AND ALL ADVANCES BY THE BENEFICIARY TO PROTECT THEIR SECURITY MUST BE REIMBURSED AT REINSTATEMENT/PAYOFF.

That by reason thereof, the present beneficiary under such Deed of Trust, has executed and delivered to said Trustee, a written Declaration and Demand for Sale, and has deposited with said duly appointed Trustee, such Deed of Trust and all documents evidencing the obligations secured thereby, and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

A declaration from the mortgagee, beneficiary or authorized agent is attached to the Notice of Default duly recorded with the appropriate County Recorder's office.

DATE: <u>11/20/19</u>

GOLDEN WEST FORECLOSURE SERVICE, INC., as Trustee

Michael D. Orth, President

Declaration of Mortgage Servicer Pursuant to Civil Code §2923.5(b)

Borrower(s):KANSAS STREET DEVELOPMENT, LLCProperty Address:3847-3849 18TH STREET, SAN FRANCISCO, CA 94114T.S. No.:8103

The undersigned, as an authorized agent or employee of the mortgage servicer named below, declares that:

- 1. The mortgage servicer has contacted the borrower pursuant to California Civil Code § 2923.5(a)(2) "to assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since the initial contact was made.
- 2. Despite the exercise of due diligence pursuant to California Civil Code § 2923.5(e), the mortgage servicer has been unable to contact the borrower "to assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since these due diligence efforts were satisfied.
- 3. No contact was required by the mortgage servicer because the individual(s) did not meet the definition of "borrower" pursuant to subdivision (c) of Section 2920.5.
- 4. X The requirements of Cal. Civil Code § 2923.5 do not apply because the loan is not secured by a first mortgage or first deed of trust that secures a loan, or that encumbers real property, described in Civil Code § 2924.15(a).

I certify that this declaration is accurate, complete and supported by competent and reliable evidence which the mortgage servicer has reviewed to substantiate the borrower's default and the right to foreclose, including the borrower's loan status and loan information.

Dated:

NOV 1 9 2019

FJM PRIVATE MORTGAGE FUND, LLC BY: Sherry Mae E. Crisostomo, Authorized Signatory Mortgage Servicer

VALIDATION NOTICE PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. SECTION 1601 AMENDED

Date: T.S.# To: 11/20/2019

8103 KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY P.O. BOX 410475 SAN FRANCISCO, CA 94141

The Amount of the Debt: \$4,950,000.00, plus interest, late charges, escrow shortages, and collection costs pursuant to the Note.

As of 11/20/2019, you owe \$135,267.85. Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater.

The Name of Creditor to whom the Debt is Owed is: FJM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST Serviced By: FIRST BRIDGE LENDING Property Address: 3847-3849 18TH STREET, SAN FRANCISCO, CA 94114

Dear Mortgagor(s):

Your Mortgage Loan with the above referenced Creditor, has been referred to our office for foreclosure based upon a default under the terms of the subject Note and Deed of Trust. Pursuant to and in compliance with the Fair Debt Collection Practices Act (Federal [15 USC 1692], as amended), our office, acting on behalf of the above named Creditor hereby provides the following notifications:

- 1) We are attempting to collect a debt and any information we obtain will be used for that purpose.
- 2) The debt described in the foregoing Notice of Default will be assumed to be valid unless the Debtor (Property Owner) disputes the same within THIRTY (30) DAYS from the date hereof. If the debt is disputed, written verification of the debt will be obtained by our firm and mailed to the Debtor.
- 3) The amount required to reinstate or pay off the Debtor's account will be provided to the Debtor upon request. The Debtor should telephone our office at the telephone number set forth below for a quotation of such amount.
- Written requests or claims of dispute may be sent to the creditor or our office at the address set forth below.

You have the right to dispute the validity of the debt, not withstanding the filing of the foreclosure action. The foreclosure action can be withdrawn if it is determined by the Creditor that there has been no default or the default has been cured or corrected.

You have various rights and duties under **California** Law, which may include the right to reinstate the loan or redeem the property from the foreclosure sale. This letter is not intended to, and does not, advise you of what those rights are. You should seek independent advice with respect to those rights and your obligations under this debt.

Golden West Foreclosure Service, Inc. 611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401 Phone (650) 369-5505 Fax (650) 369-2261 Hours: Monday-Friday 9:00am-5:00pm (P.S.T.)

8103 NOTICE OF DEFAULT SUMMARY OF KEY INFORMATION

The attached notice of default was sent to KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, in relation to 3847-3849 18TH STREET, SAN FRANCISCO, CA 94114. This property may be sold to satisfy your obligation and any other obligation secured by the deed of trust or mortgage that is in default. KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY has, as described in the notice of default, breached the mortgage or deed of trust on the property described above.

IMPORTANT NOTICE: IF YOUR PROPERTY IS IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR PAYMENTS, IT MAY BE SOLD WITHOUT ANY COURT ACTION, and you may have the legal right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account, which is normally five business days prior to the date set for the sale of your property. No sale date may be set until approximately 90 days from the date the attached notice of default may be recorded (which date of recordation appears on the notice).

This amount is \$135,267.85 as of 11/20/2019 and will increase until your

account becomes current.

While your property is in foreclosure, you still must pay other obligations (such as insurance and taxes) required by your note and deed of trust or mortgage. If you fail to make future payments on the loan, pay taxes on the property, provide insurance on the property, or pay other obligations as required in the note and deed of trust or mortgage, the beneficiary or mortgagee may insist that you do so in order to reinstate your account in good standing. In addition, the beneficiary or mortgagee may require as a condition to reinstatement that you provide reliable written evidence that you paid all senior liens, property taxes, and hazard insurance premiums.

Upon your written request, the beneficiary or mortgagee will give you a written itemization of the entire amount you must pay. You may not have to pay the entire unpaid portion of your account, even though full payment was demanded, but you must pay all amounts in default at the time payment is made. However, you and your beneficiary or mortgagee may mutually agree in writing prior to the time the notice of sale is posted (which may not be earlier than three months after this notice of default is recorded) to, among other things, (1) provide additional time in which to cure the default by transfer of the property or otherwise; or (2) establish a schedule of payments in order to cure your default; or both (1) and (2).

Following the expiration of the time period referred to in the first paragraph of this notice, unless the obligation being foreclosed upon or a separate written agreement between you and your creditor permits a longer period, you have only the legal right to stop the sale of your property by paying the entire amount demanded by your creditor.

To find out the amount you must pay, or to arrange for payment to stop the foreclosure, or if your property is in foreclosure for any other reason, contact: FJM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST; c/o Golden West Foreclosure Service, Inc.611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401

If you have any questions, you should contact a lawyer or the governmental agency which may have insured your loan.

Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure.

Remember, YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.

If you would like additional copies of this summary, you may obtain them by calling (650) 369-5505

違約通知

關鍵信息摘要

本文中包含有關 3847-3849 18TH STREET, SAN FRANCISCO, CA 94114 的違約通知發送給 KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY.

該房產可能被出售,以履行你的產權契約,抵押貸款及所應承擔的任何其它義務。 KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY 如違約通知中所描述,違反了上述房產的抵押貸款或產權契約。

重要注意事項:如果你的房產因為你逾期未付款而進入法拍程序,可能不經任何法庭行動而被出售。你可能有權 利在法律允許的恢復賬戶時間內,支付你所有的逾期款項,加上應付的成本和費用,使你的帳戶保持良好信譽。 時間通常是確定你財產出售日期的五個工作日之前。法拍日期要到本文中包含的違約通知被記錄在案(記錄日期 出現在通知上)之后的90天,才可能確定。

這一金額在 \$135,267.85 時為 11/20/2019, 並會增加, 直到你的帳戶回歸正常。

當你的房產進入法拍程序,你仍須支付應付票據和產權契約或抵押貸款的其它付款義務(如保險費和稅金)。如 果你沒有支付接下來的貸款,房地產稅,或財產保險及其它應付票據和產權契約或抵押貸款所要求的付款義務, 受益人或抵押權人可以堅持要求你履行這些義務,以恢復你的帳戶信譽。此外,受益人或抵押權人可以以恢復你 的帳戶為條件,要求你提供已經付清需優先處理的放置在你產權上的債務,房地產稅及財產保險保費的可靠書面 証據。

一旦你書面申請,受益人或抵押權人會提供給你分類支付的全部帳單金額。雖然要求全額付款,你可以不用支付 賬戶中的全部未付款,但你必須支付所有已逾期的款項。但是,你和你的受益人或抵押權人在發布法拍書面通知 前(本通知被記錄在案的3個月后),可以以書面形式相互同意,其中包括(1)提供更多的時間來轉讓房產及以 其它方式糾正違約,或(2)建立付款時間表以糾正違約,或兩者兼而有之。

當本通知第一段中提到的時間段到期,如果法拍未進行,或者你和你的債權人之間有單獨的書面協議允許更長的 時間,你隻有在支付你債權人所要求的全部金額后,才有權利停止債權人出售你的房產。

如果要了解必須支付的款項或安排支付以停止法拍,或者要了解你的房產進入法拍程序的其他原因,請聯系:F JM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST; c/o Golden West Foreclosure Service, Inc.611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401

如果你有任何疑問,應咨詢律師及可能為你的貸款提供擔保的政府機構。

盡管事實上你的房產已進入法拍程序,你可以上市出售你的房產。隻要出售程序在法拍程序結束之前完成即可。 請記住,如果你不迅速採取行動,你可能失去法律權利。

如果你想獲得更多的本摘要副本,請撥打下列電話 (650) 369-5505。

채무 불이행 통지서

주요 정보 요약

첨부된 채무 불이행 통지서는 KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY 에게 발송되는 것이며,

이는 3847-3849 18TH STREET, SAN FRANCISCO, CA 94114 에 관한 것입니다.

이 부동산은 귀하의 채무 및 신탁 증서나 저당권에 의해 보증된 기타 채무를 이행하기 위해 매각될 수 있습니다.채무 불이행 통지서에서 설명된 바와 같이, KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY 는(은)

상기 설명된 부동산의 저당권 또는 신탁 증서를 위반했습니다.

중요 통보: <u>귀하의 부동산이 체납으로 인해 차압이 진행 중인 경우, 그 부동산은 법원의 판결 없이</u> <u>매각될 수 있으며</u>, 귀하에게는 모든 미불금과 허용 가능 원가 및 법이 허용하는 시간 내에 계정 복구를 위한 비용을 지불함으로써 귀하의 계정을 완불 상태로 만들 수 있는 법적 권리가 있으며, 이 허용 시간은 보통 영업일로 부동산의 매각 예정일로부터 5일 전입니다. 부동산 매각 날짜는 채무 불이행 통지가 기록되는 날짜(통지서에 기재되어 있음)로부터 약 90일 이내로 정해질 수 없습니다.

이 금액은 \$135,267.85 현재 11/20/2019 이며, 귀하의 계정이 기한 내 지불 상태가 될 때까지 증가할 것입니다. 귀하의 부동산 차압이 진행되는 동안에도 귀하는 신탁 어음 및 증서 또는 저당권에 의해 요구되는 기타 채무(보험, 세금 등)를 지불해야 합니다. 장래 대부금 지불, 부동산에 대한 세금 납부, 부동산에 대한 보험 유지, 또는 신탁 어음 및 증서 또는 저당권에 의해 요구되는 기타 채무에 대한 지불을 불이행하는 경우, 신탁수익자나 저당권자는 상기 사항이 이행되지 않으면 귀하의 계정이 완불 상태로 복구될 수 없다고 주장할 수 있습니다. 또한 신탁수익자나 저당권자는 복구의 조건으로 귀하에게 모든 선순위 담보권, 재산세 및 재해 보험료을 지불했다는 확실한 서면 증거를 제공할 것을 요구할 수 있습니다.

서면 요청시, 신탁수익자나 저당권자는 지불되어야 할 전체 금액에 대한 조목별 기재 문서를 제공할 것입니다. 완불을 요구한다 하더라도 귀하는 귀하 계정의 전체 미납 부분을 모두 지불할 필요는 없지만, 지불하는 당시 모든 채무 불이행 금액이 지불되어야 합니다. 그러나, 귀하와 귀하의 신탁수익자 또는 저당권자는 매각 통보의 게시 시점 이전에, (1) 부동산의 양도 또는 다른 방법으로 채무 불이행을 해결할 수 있는 추가적인 시간 제공, 또는 (2) 채무 불이행을 해결하기 위한 지급 일정의 확립, 또는 (1)과 (2)를 함께 수행하는 서면 사전 합의와 같은 해결 방법들이 있습니다.

본 통지서의 첫번째 단락에 나타난 만기일 이후, 차압이 진행되는 채무 또는 귀하와 귀하의 채권자에 의한 별도의 서면 합의에 의해 추가적인 시간이 허용되지 않는 한, 채권자가 요구하는 전체 금액을 지불하는 것이 귀하의 부동산 매각을 저지할 수 있는 유일한 법적 권리입니다.

귀하가 지불해야 할 금액을 알아보시려면, 차압을 중단하기 위한 지불 방법에 대해 합의하시려면 또는 다른 어떤 이유로 인해 귀하의 부동산에 대한 차압이 진행되는 경우, 다음으로 연락하십시오: FJM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST; c/o Golden West Foreclosure Service, Inc.611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401

질문이 있으신 경우, 변호사 또는 귀하의 대부금을 보증한 정부 기관에 연락하십시오.

귀하의 부동산에 대한 차압이 진행됨에도 불구하고 귀하는 부동산을 매각 처분할 수 있으며, 이때 부동산의 매각은 차압이 완료되기 전에 완료되어야 합니다.

신속히 행동하지 않으시는 경우, 법적 권리를 잃을 수 있는 사실을 명심하시기 바랍니다.

본 요약서의 추가적인 사본을 원하시는 경우, (650) 369-5505 (으)로

전화하시면 보내드립니다.

AVISO DE INCUMPLIMIENTO

RESUMEN DE LA INFORMACIÓN CLAVE

El aviso de incumplimiento adjunto se envió a KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, en relación con 3847-3849 18TH STREET, SAN FRANCISCO, CA 94114.

Es posible que esta propiedad sea subastada para cancelar su deuda y cualquier otra obligación garantizada por la escritura de fideicomiso o hipoteca en mora. Tal como se

describe en el aviso de incumplimiento, KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY ha incumplido los términos de la

hipoteca o escritura de fideicomiso relacionadas con la propiedad antes mencionado.

ADVERTENCIA DE IMPORTANCIA: SI LA PROPIEDAD VA A SER EJECUTADO POR UN ATRASO EN LOS PAGOS, PUEDE VENDERSE SIN NECESIDAD DE ENTABLAR NINGUNA ACCIÓN ANTE LA CORTE, pero usted tiene el derecho jurídico de regularizar su cuenta mediante el pago de todos los importes atrasados, más los costos y gastos permitidos, dentro del plazo permitido por ley para la regularización de la deuda, que es, por lo general, de cinco días hábiles antes de la fecha fijada para la subasta la propiedad. No se puede fijar una fecha para la subasta hasta aproximadamente 90 días después de la fecha en que se registre el aviso de incumplimiento adjunto (fecha que figura en el aviso). El importe adeudado es de \$135,267.85 al día 11/20/2019 y aumentará hasta que se ponga al corriente en los pagos.

Mientras se mantenga vigente el procedimiento de ejecución de su propiedad, usted debe pagar otras obligaciones (tales como seguro e impuestos) exigidas en su vale y escritura de fideicomiso o hipoteca. Si no realiza los próximos pagos del préstamo, los impuestos de la propiedad, el seguro de la propiedad u otras obligaciones requeridas por el vale y la escritura de fideicomiso o hipoteca, el beneficiario o acreedor hipotecario pueden insistir en que los pague como condición para regularizar su cuenta. Asimismo, el beneficiario o acreedor hipotecario pueden exigirle, como condición para la regularización, que presente un comprobante confiable por escrito de que ha pagado todos los gravámenes principales, impuestos inmobiliarios y primas del seguro contra riesgos.

Si usted lo solicita por escrito, el beneficiario o acreedor hipotecario le entregarán un resumen por escrito del importe total que debe pagar. Es posible que usted no tenga que pagar la totalidad del monto adeudado de su cuenta, aunque la intimación haya incluido la totalidad de dicho monto, pero sí deberá pagar todos los importes vencidos a la fecha de la realización del pago. Sin embargo, antes de la fecha de publicación del aviso de venta (que no podrá ser menos de tres meses antes de la fecha de registro de este aviso de incumplimiento), usted y su beneficiario o acreedor hipotecario podrán acordar mutuamente por escrito, entre otras cosas: (1) un plazo adicional para subsanar el incumplimiento mediante una transferencia del bien o de otro modo; (2) un programa de pagos para subsanar el incumplimiento; o ambos.

Una vez vencido el plazo mencionado en el primer párrafo del presente aviso, salvo que la obligación que se ejecuta o un acuerdo por escrito separado entre usted y su acreedor permitan un plazo mayor, usted solo tendrá el derecho jurídico de detener la subasta del bien mediante el pago de todo el importe adeudado cuyo pago haya exigido el acreedor.

Para averiguar el importe que debe pagar o coordinar un programa de pagos para suspender la ejecución, o si su bien va a ser ejecutado por cualquier otro motivo, comuníquese con: FJM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST; c/o Golden West Foreclosure Service, Inc.611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401

Si tiene alguna duda, debe consultar a un abogado o a la agencia de gobierno que asegura su préstamo.

Aun cuando ya se haya iniciado el procedimiento de ejecución, usted puede vender su propiedad, siempre que la venta se realice antes de la finalización del procedimiento de ejecución.

Recuerde que SI NO TOMA MEDIDAS DE INMEDIATO, ES POSIBLE QUE PIERDA SUS DERECHOS JURÍDICOS.

Si desea recibir copias adicionales de este resumen, puede llamar al teléfono (650) 369-5505

NOTICE OF DEFAULT (PABATID NG HINDI PAGKAKABAYAD)

BUOD NG PANGUNAHING IMPORMASYON

Ang nakakalip na notice of default (pabatid ng hindi pagkakabayad) ay ipinadala kay KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, sa may kaugnayan sa 3847-3849 18TH STREET, SAN FRANCISCO, CA 94114.

Ang ari-arian na ito ay maaaring ibenta para masiyahan ang inyong obligasyon at alinmang iba pang obligasyong natibay ng deed of trust (papeles ng panagot sa utang) o isinangla na hindi nabayaran. KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY ay, tulad nang inilarawan sa notice of default (pabatid ng hindi pagkakabayad), hindi natupad na isinangla o deed of trust (papeles ng panagot sa utang) sa ari-arian na inilarawan sa itaas.

MAHALAGANG PAUNAWA: KUNG ANG INYONG ARI-ARIAN AY MAREREMATA SANHI NG INYONG PAGKUKULANG SA MGA KABAYARAN, MAAARI ITONG IBENTA NANG WALANG ANUMANG PAGKILOS MULA KORTE, at maaaring kayo ay may legal na karapatan na muling maisaayos para maturing na mainam na katayuan ang inyong account sa pamamagitan ng pagbabayad sa lahat ng inyong nakalipas na bayarin at ang mga pinahihntulutan na gastusin at singil sa loob ng panahon na pinahihintulutan ng batas para sa muling pagtatalaga ng inyong account, na karaniwang limang araw ng trabaho bago ang petsang itinakda para sa pagbebenta ng inyong ari-arian. Walang petsa ng pagbebenta ang maaaring itakda hanggang sa halos 90 araw mula sa petsang nakasaad sa notice of default (pabatid ng hindi pagkakabayad na maaaring maitala (aling petsa ng muling pagtatala na ipinapakita sa pabatid).

Ang halagang ito ay \$135,267.85 mula nang 11/20/2019 at tataas ay masapanahon.

hanggang ang inyong account

Habang ang inyong ari-arian ay inireremata, maaari ninyo pa rin bayaran ang iba pang mga obligasyon (tulad ng insurance at mga buwis) na hinihiling ang inyong tala at deed of trust (papeles ng panagot sa utang) o isinangla. Kung mabigo kayong makapagbayad sa utang, magbayad sa mga buwis sa ari-arian, kumuha ng insurance sa ari-arian, o bayaran ang iba pang mga obligasyon tulad nang hinihiling sa tala o deed of trust (papeles ng panagot sa utang) o isinangla, maaaring pilitin ng benepisyaryo o nag-sangla (nagkaloob ng isinangla) na gawin ninyo ito upang muling maitalaga ang inyong account patungo sa mainam na katayuan. Bilang karagdagan dito, maaaring hilingin bilang kondisyon ng benepisyaryo o nag-sangla para sa muling pagtatalaga, na kayo ay magbigay ng mapagkakatiwalaang nakasulat na katibayan na inyong nabayaran ang mga lumang garantiya, buwis sa ari-arian, at mga hulog sa seguro para sa pinsala.

Sa inyong naibigay na nakasulat na kahilingan, ang benepisyaryo o nag-sangla ay magbibigay sa inyo ng nakasulat na detalyadong listahan ng kabuuang halaga na dapat ninyong bayaran. Maaaring hindi ninyo kailangang bayaran ang buong hindi pa bayad na bahagi ng inyong account, kahit na hinihiling ang buong kabayaran, pero kailangan muna ninyong bayaran ang lahat ng mga halaga na nagkukulang ayon sa kasunduan sa panahon na naisagawa ang pagbabayad. Gayunman, kayo at ang inyong benepisyaryo o nag-sangla ay maaaring magkasundo sa pamamagitan ng kasulatan bago ilagay ang abiso ng pagbebenta (na hindi maaaring mas maaga sa tatlong buwan makalipas na matala itong notice of default o abiso ng hindi pagkakabayad) sa, bukod sa iba pang mga bagay, (1) magbigay ng dagdag na panahon kung saan ang kalutasan sa hindi pagtutupad sa napagkasunduan sa pamamagitan ng paglilipat ng ari-arian o sa iba pang paraan; o (2) magtatag ng tipanan ng mga pagbabayad upang malutas ang inyong pagkukulang; o parehong (1) at (2).

Kasunod ng pagpapaso ng itinakdang panahon na tinutukoy sa unang talaga ng pabatid na ito, maliban kung ang obligasyon sa pagkakaremata o sa hiwalay na nakasulat na kasunduan sa pagitan ninyo at ng inyong creditor ay nagpapahintulot sa isang mas pinatagal na panahon, mayroon lamang kayong legal na karapatan na ihinto ang pagbebenta ng inyong legal na ari-arian sa pamamagitan ng pagbabayad ng buong halagang hinihingi ng inyong creditor.

Upang malaman ang halagang kailangan ninyong bayaran, o para isaayos ang mga pagbabayad para maihinto ang pagkakaremata, o kung ang inyong ari-arian ay maremata sa iba pang kadahilanan, makipagugnayan sa: FJM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST; c/o Golden West Foreclosure Service, Inc.611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401

Kung kayo ay mayroong kahit na anong katanungan, kailangan ninyong makipag-ugnayan sa isang abogado o ahensya ng pamahalaan na maaaring nagkaloob ng insurance sa inyong utang.

Sa kabila ng katotohanan na ang inyong ari-arian ay nireremata, maaari ninyong ihandog na ipagbenta ang inyong ari-arian, sa kundisyon na ang pagbebenta ay natapos bago ang pagtatapos ng pagkakaremata.

Tandaan, MAAARING MAWALA SA INYO ANG MGA LEGAL NA KARAPATAN KUNG HINDI KAYO KUMILOS KAAGAD.

Kung nais ninyo ng karagdagang mga kopya ng buod na ito, maaari ninyong makuha ang mga ito sa pamamagitan ng pagtawag sa (650) 369-5505.

THÔNG BÁO VỀ VIỆC QUÁ HẠN TRẢ NỢ

BẢN TÓM LƯỢC CÁC THÔNG TIN CHÍNH

Thông báo quá hạn trả nợ kèm theo đây được gửi cho có quan hệ với KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY,

3847-3849 18TH STREET, SAN FRANCISCO, CA 94114.

Căn nhà này có thể được bán để hoàn trả số tiền nợ của quý vị và bất kỳ khoản nợ nào khác theo khế ước ủy thác hoặc hợp đồng vay thế chấp mua nhà đã quá hạn trả. Như trình bày trong thông báo quá hạn trả nợ, KANSAS STREET DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY đã vi phạm hợp đồng vay thế chấp mua nhà hoặc khế ước ủy thác đối với căn nhà ghi trên.

THÔNG BÁO QUAN TRỌNG: NẾU CĂN NHÀ CỦA QUÝ VỊ BỊ TỊCH THU THẾ NỢ VÌ QUÝ VỊ KHÔNG TRẢ TIÈN ĐÚNG HẠN, CĂN NHÀ ĐÓ CÓ THỂ ĐƯỢC BÁN MÀ KHÔNG CẦN KIỆN RA TÒA, và theo luật quý vị có quyền trả nợ đầy đủ cho trương mục của mình bằng cách trả toàn bộ số tiền đã quá hạn trả cộng với các khoản chi phí và phí tổn được phép trong thời gian luật pháp cho phép để khôi phục lại tài khoản của quý vị, thường là năm ngày làm việc trước ngày dự định bán căn nhà của quý vị. Không được thu xếp ngày bán nhà cho tới khoảng 90 ngày kể từ ngày thông báo quá hạn trả nợ kèm theo có thể được lưu hồ sơ (ngày lưu hồ sơ như trên thông báo).

Số tiền này là \$135,267.85 tính tới ngày 11/20/2019 và sẽ tăng cho tới khi tài khoản của quý vị được thanh toán đầy đủ.

Trong thời gian căn nhà của quý vị bị tịch thu thế nợ, quý vị vẫn phải trả các khoản tiền khác (ví dụ như bảo hiểm và thuế) theo giấy vay nợ và khế ước ủy thác hoặc hợp đồng vay thế chấp mua nhà của quý vị. Nếu sau này quý vị không tiếp tục trả nợ khoản vay đó, trả thuế cho căn nhà đó, cung cấp bảo hiểm cho căn nhà, hoặc trả các khoản tiền khác theo qui định trong giấy cam kết trả nợ và khế ước ủy thác hoặc hợp đồng vay thế chấp mua nhà, người thụ hưởng hoặc người cho vay thế chấp mua nhà có thể yêu cầu quý vị làm như vậy để phục hồi tài khoản của quý vị. Ngoài ra, người thụ hưởng hoặc bên cho vay thế chấp mua nhà có thể đưa ra điều kiện tái phục hồi, đó là quý vị phải cung cấp chứng từ đáng tin cậy về việc đã trả tất cả các khoản tịch thu thế nợ trước đó, thuế bất động sản, và lệ phí bảo hiểm nguy.

Sau khi nhận được yêu cầu bằng văn bản của quý vị, người thụ hưởng hoặc người cho vay thế chấp mua nhà sẽ gửi cho quý vị một bản liệt kê chi tiết toàn bộ số tiền mà quý vị phải trả. Quý vị có thể không phải trả toàn bộ phần chưa trả trong trương mục của quý vị, mặc dù phải trả toàn bộ, nhưng phải trả tất cả các khoản tiền đã quá hạn trả nợ vào thời điểm trả tiền. Tuy nhiên, quý vị và người thụ hưởng hoặc bên cho vay thế chấp mua nhà có thể thỏa thuận bằng văn bản trước thời điểm niêm yết thông báo bán (không được sớm hơn ba tháng sau khi thông báo vi phạm hợp đồng này được lưu hồ sơ) để (ngoài các việc khác) (1) gia hạn thêm thời gian khắc phục tình trạng quá hạn trả nợ bằng cách chuyển nhượng căn nhà hoặc theo cách khác; hoặc (2) sắp xếp kế hoạch trả góp để khắc phục tình trạng vi phạm hợp đồng của quý vị; hoặc cả (1) và (2).

Sau khi hết khoảng thời gian được nhắc tới trong đoạn đầu tiên của thông báo này, trừ khi số tiền bị tịch thu thế nợ hoặc có thỏa thuận riêng bằng văn bản giữa quý vị và chủ nợ cho phép gia hạn thêm thời gian, theo luật quý vị chỉ có quyền ngừng việc bán căn nhà của quý vị bằng cách trả toàn bộ số tiền mà chủ nợ yêu cầu.

Để biết số tiền mà quý vị phải trả, hoặc để thu xếp việc trả tiền nhằm ngăn chặn tình trạng tịch thu nhà thế nợ, hoặc nếu căn nhà của quý vị đang bị tịch thu thế nợ vì bất kỳ lý do nào khác, liên lạc:

FJM PRIVATE MORTGAGE FUND, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 100.00% INTEREST; c/o Golden West Foreclosure Service, Inc.611 Veterans Blvd., Suite 206, Redwood City, CA 94063-1401

Nếu có thắc mắc, quý vị nên liên lạc với một luật sư hoặc cơ quan chính phủ có thể giúp bảo hiểm cho khoản vay của quý vị.

Cho dù căn nhà của quý vị hiện đang bị tịch thu thế nợ của quý vị, quý vị có thể chào bán căn nhà đó, với điều kiện việc bán nhà phải kết thúc trước khi kết thúc trử tịch thu nhà thế nợ.

Xin nhớ, QUÝ VỊ CÓ THỂ MẤT CÁC QUYỀN HẠN PHÁP LÝ NẾU KHÔNG HÀNH ĐỘNG NGAY. Nếu muốn có thêm bản sao của thông báo này, quý vị có thể gọi (650) 369-5505.

Explanation of Excess Scope of Work for 3847-3849 18th St.

1. Two-story horizontal addition at rear SE corner of the building

Regarding the violations on our project, there is a public perception, one further advanced by inferences in the Brief submitted to the Board of Appeals by Mr. Richards' Six Dogs, LLC, that we added 2 levels without permits. The reality is that we filled-in a notched corner at the rear of the existing structure. Please note that Commissioner Richards own project filled in a notched corner of his building in the required rear yard setback which would have required a variance. We squared-off 219 square ft. total at the rear corner of the structure to match the existing rear of the building, which equates to approximately 3% of the gross building area.

2. Enclosure of existing light wells (east and west sides) at levels 1 & 3

We enclosed 44 square ft. of the existing light well. This enclosure does not affect the neighboring properties and is not visible from the public right-of-way. This change has been included in our permit set, noticed and is supported by Planning Staff.

3. Enlargement of the existing light-well (west) at levels 2 & 3

We removed 50 square ft. of the existing structure to increase the light-well to provide more light and air. This enlargement of the light-well does not affect the neighboring properties and is not visible from the public right-of-way. This change has been included in our permit set, noticed and is supported by Planning Staff.

4. Increase the habitable square footage of the attic space

We removed some existing non-structural interior attic perimeter walls to increase storage and livable floor space in the existing habitable attic. This does not increase the building envelope. This change has been included in our permit set, noticed and is supported by Planning Staff.

5. Addition of a bay window at front of the basement level, located beneath the front stairs

This 20 square ft. addition encloses an existing non-conditioned space under the landing of the front stairs. This addition is not visible from the public right-of-way. This change has been included in our permit set, noticed and is supported by Planning Staff.

6. Front addition to the garage to align with the front property line

This addition seeks to maintain the consistent block face pattern where garage doors align with the front property line. This feature has been thoroughly reviewed and has gained support of RDAT. This change has been included in our permit set, noticed and is supported by Planning Staff.

7. A 40 SF roof deck at the rear of level 3

We provided access to a permitted roof area for use as a balcony. This change has been included in our permit set, noticed and is supported by Planning Staff.

8. The combining of two "exempt" dormers into one single dormer

The two dormers were approved by SF Planning under BPA# 2015.12.24.5908. The approval consists of two dormers that are 6 inches apart. SF Planning should have required 311 notification but overlooked this requirement. Dormers that are 36 inches apart are exempt from 311 notification. This change has been included in our permit set, noticed and is supported by Planning Staff.

9. A 11'-4" (max height) wall along the east side property line

We matched the height of the existing neighbor's garage wall at the property line. This change has been included in our permit set, noticed and will require a variance to be determined by the Zoning Administrator.

10. A 4'-8" white laminated glass guardrail/privacy screen along the east side property line

We matched the height of the existing neighbor's trellis at the property line with a frosted glass guardrail. We propose to remove this feature.

11. A new steel garage door and pedestrian gate.

The permit seeks to legalize a change of material from wood to steel for the garage door and gate. The garage door and gate were approved under BPA# 2014.12.30.4758. We strayed from the approved material and design. This change has been included in our permit set, noticed and is supported by Planning Staff.

12. Retaining walls and guardrails at front property line

Item #12 refers to item #9 and #10 above.

13. Cumulative excavation for all work performed, estimated at 822 Cubic Yards

The amount of excavation on our permits was not quantified and underestimated by our excavation and garage sub-contractor. Our sub-contractor could have readily called out and received approval for the amount of excavation. This would have added a few months onto the permitting process with an additional permit application for a Categorical Exemption, but regrettably, this did not happen. We have fully cooperated with Planning staff since the beginning of the Planning enforcement process. Planning staff's estimate of the scope of our over-excavation was initially about 250 cubic yards. After reviewing the excavation plans, we found that the actual excavation amount was 822 cubic yards and immediately informed our enforcement planner John Purvis. Please note that any amount over 50 cubic yards, whether 51 yards or 5,000 yards all require the same steps, and all are approvable. Our huge misstep was to overlook the permitting processes, which we relied on 3rd parties. Regardless, the actual amount of work completed was fully and completely permittable and not an unprecedented amount of work when done through the proper approvals



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December 12, 2019

VIA ELECTRONIC MAIL

Myrna Melgar, Commission President (<u>melgarsf@gmail.com</u>) Planning Commissioners San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

Kate Stacy, Office of the City Attorney (kate.stacy@sfcityatty.org)

Re: 3847-3849 18th Street – Discretionary Review

Dear Commissioners and Ms. Stacy:

This firm represents Dawson & Clinton ("Applicant"), proponent of the above referenced project ("Project"), which is scheduled for yet another hearing on a request for discretionary review on December 19, 2019.

Background Facts

These are the basic facts that form the basis of our request herein:

Planning Commissioner Dennis Richards is part owner of a project located at 3426-3432 22nd Street ("Richards Project"), which is the subject of multiple notices of violation issued by the Department of Building Inspection. His financial interest in the Richards Project, according to his 3/31/19 Statement of Economic Interests Disclosure, is approximately \$1,000,000. DBI has revoked nine building permits on the Richards Project. Commissioner Richards, personally and through his legal representative, has publicly stated that he feels that DBI's actions to revoke the permits on the Richards Project result directly from Richards' actions, rhetoric, and votes regarding the 18th Street Project. In short, he has stated that DBI is retaliating against his project because of his harsh treatment of DBI and the Applicant's subcontractor in this matter.

Commissioner Richards Should Recuse Himself or, Failing That, Should Not Be Permitted To Participate In This Process

Commissioner Richards has a conflict of interest as defined in California Code of Regulations Section 18,700, regulations under the Fair Political Practices Commission or FPPC. That section sets forth a series of questions to determine whether a government official has a prohibited conflict of interest. The rules are lengthy and intricate and so are not repeated here in their entirety.

(1) Step One: Is it reasonably foreseeable that the governmental decision will have a financial effect on any of the public official's financial interests?

Commissioner Richards has asserted repeatedly, both personally and through his attorney, that his actions on this Project are directly resulting in impacts on the Richards Project. For example, "Mr. Buscovich interpreted their comments to mean that until Commissioner Richards backed off his opposition to the 18th Street Project, they were going to hold up the [Richards] Project."¹ The very gist of Richards' brief before the Board of Appeals is that a project in which he has a significant financial interest is being held up because of his actions vis a vis the 18th Street project.

Whether or not this type of connection is what was intended to be addressed by the FPPC rules, it is clear that Commissioner Richards himself believes that his financial interest in the Richards Project is tied to the fate of the 18th Street project. And that belief is more than enough to create the kind of financial conflict of interest requiring recusal.

In addition, the Richards Project recently went on the market, listing residential units for sale. Mr. Richards' financial interests are served by preventing other multi-unit housing projects from going to market, at least until his units are sold.

(2) Step Two: Will the reasonably foreseeable financial effect be material?

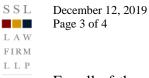
Commissioner Richards valued his interest in the Richards Project at \$1,000,000. Even in the Bay Area, that amount is material to most folks. In any event, the rules find materiality in real estate whenever the issuance or denial of a permit or a potential sale is involved, as they are here. (CCR Section 18,702.2).

(3) Step Three: Can the public official demonstrate that the material financial effect on the public official's financial interest is indistinguishable from its effect on the public generally?

The interest involved here is clearly distinguishable from that of the general public. Commissioner Richards, in fact, specifically asserts that he is being singled out or treated differently from other members of the general public.²

¹ Board of Appeal Brief of Appellant Six Dogs, LLC ("Board of Appeal Brief"), p. 6. See also generally the arguments in the Brief. Attached (without lengthy exhibits) as Exhibit 1. A complete copy with exhibits totaling 369 pages has been provided to staff for the record and is therefore available for Commissioners review and examination.

² Board of Appeal Brief pp. 7-11.



For all of the above reasons, Commissioner Dennis Richards needs to recuse himself from further proceedings involving this Project. Commissioner Richards has a financial conflict of interest requiring that he do so. Put another way, Richards believes that how he votes on this Project and what his says about this Project has a direct impact on the Richards Project, in which he has a significant financial interest. This is precisely the type of conflict that is targeted by the FPPC and its regulations.

In addition to Commissioner Richards' financial conflict, during the August 29, 2019 hearing, Commissioner Richards repeatedly sought the input of engineer Pat Buscovich, without disclosing to my clients or the Commission that Mr. Richards employs Mr. Buscovich on the Richards Project. Mr. Buscovich was invited to come forward multiple times to provide testimony and opinion, which was treated as expert opinion, on my client's Project, despite having never set foot on the property. Mr. Richards, the entire time, concealed the fact that he has a business and financial relationship with Mr. Buscovich.

The Applicant's Right To Due Process Has Been and Continues To Be Violated.

The basic rule of procedural due process is very simply stated: Before government deprives a person of a protected interest in property, that person must be given reasonable notice of the action and <u>a reasonable opportunity to be heard</u>. This body over the course of the hearings on this matter repeatedly refused to allow my clients to speak on allegations being thrown at them. My clients have been given only a few minutes to make a presentation and have never been allowed to come forward to clarify facts or answer questions. Instead, as stated above, the Commission invited Mr. Buscovich to give testimony on the Project and the viability of draft plans presented by my client, despite that Mr. Buscovich has no known relationship with the 18th Street Project and has never even visited the site.

In a letter dated July 17, 2019, I demonstrated that the Commission's decision to reverse the vested right in a permit to remove the third unit in the 18^{th} Street building violated my clients' rights. We have also set forth in various communications, the financial costs resulting from this Commissions actions and inaction. The law requires a **reasonable** right to be heard – a two or threeminute presentation can hardly be considered reasonable when such important property rights and millions of dollars are at issue. What is reasonable in this context depends on the complexity of the issues and the significance of the stake.

Commissioner Richards' clear bias in this matter further undermines my clients' due process rights. The courts have made clear that a disqualifying bias can be shown where a commissioner or council member's behavior and words demonstrates that they cannot be a "disinterested, unbiased decision-maker." (*Clark v. City of Hermosa Beach* (1996) 48 Cal.App.4th 1152, 1172-73). Commissioner Richards' statements in the press, at the Board of Appeals and during Commission hearings clearly demonstrate that he is anything but disinterested. For example, "It's me. That's why they're doing this. [The building and planning officials] are trying to get back at me. They're holding it over my head so that I let that [18th Street project] go and stop pursuing it."³ Both due process and the common law conflict of interest doctrine are implicated when a decision-maker's appreciable personal stake in the outcome of a matter make holding a fair hearing and rendering fair decision impossible.

³ Hearing at Board of Appeals, December 4, 2019, at approximately 4:38. Written transcript not yet available.



The Planning Commission Must Make a Decision On This Project Now

It has become apparent that no matter what decision the Planning Commission makes, this matter will end up in front of the Board of Permit Appeals and may ultimately be resolved in court. This DR request was filed on February 7, 2019 and this is the fifth hearing date on this DR ten months later. The Planning Commission just needs to make a decision and let this Project move on to the next step in its arduous journey. Commissioner Richards has made it clear that he considers it entirely appropriate to continue to delay a decision by the Planning Commission and continue to push for additional hearings and investigations.

The Property is currently in foreclosure. As my clients have previously stated, this process now threatens the very livelihood of their company, a company that has been operating in San Francisco for over 20 years. This is penalty enough for the violations that occurred.

In sum, Commissioner Richards has tied his Richards Project to this 18th Street Project and it is no longer appropriate that he participate in any decision on this Project. And his rhetoric has infected the entire Planning Commission, calling into question this body's ability to make a fair decision at all.

My clients will be available at the hearing but, under my instructions, will not participate if Commissioner Richards does not recuse himself from these proceedings. I can be reached by phone and would be happy to discuss the matters set forth herein prior to the hearing.

Regards, hristine R. Wade

cc: Jeffrey Horn, Senior Planner (<u>jeffrey.horn@sfgov.org</u>) Corey Teague, Zoning Administrator (<u>corey.teague@sfgov.org</u>)

Exhibit 1 1 G. SCOTT EMBLIDGE, State Bar No. 121613 MOSCONE EMBLIDGE & OTIS LLP **BOARD OF APPEALS** 220 Montgomery Street, Suite 2100 San Francisco, CA.94104 Telephone: (415) 362-3599 Facsimile: (415) 362-2006 2 3 NOV 2 1 2019 APPEAL 19-116 4 Email: emblidge@mosconelaw.com 5 Attorneys for Appellant Six Dogs LLC 6 7 SAN FRANCISCO BOARD OF APPEALS 8 9 Case No. 19-116 SIX DOGS LLC, L 10 **BRIEF OF APPELLANT SIX DOGS, LLC** 11 Appellant, VS. 12 Hearing Date: December 4, 2019 DEPARTMENT OF BUILDING 13 INSPECTION, 14 Respondent. 15 16 17 18 19 20 21 22 23 24 25 26 27 28 **APPELLANT'S BRIEF** Case No.: 19-116

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I. **INTRODUCTION**

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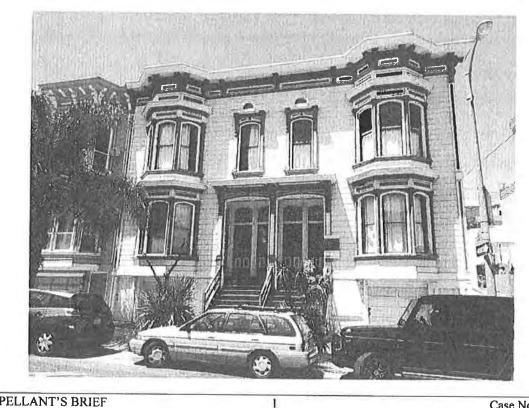
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2 This appeal involves unwarranted, unprecedented and retaliatory actions taken by the Department of Building Inspection against Appellant Six Dogs LLC. Even worse than the baseless nature of DBI's extreme actions is its motivation for trying to penalize Six Dogs. Planning Commissioner Dennis Richards is a member of Six Dogs and DBI's actions followed directly after Commissioner Richards public criticized DBI and called into question the integrity of information DBI provided to the Planning Commission about projects where DBI's actions smacked of favoritism towards certain contractors with close ties to DBI personnel.

9 Thus, this is not an ordinary appeal. Six Dogs seeks to overturn DBI's unprecedented revocation of Six Dogs' routine renovation permits, but also seeks to shine a bright light on 10 11 practices that no public official should sanction.

II. THE PROJECT

The project at issue is located at 3426-3432 22nd Street ("the Property" or "the Project"). The Project involves relatively routine renovation of a four-unit building, that is two stories over a garage level. This photograph shows the building before the renovation work started:



APPELLANT'S BRIEF

This photograph shows the building as it exists today:



The Project involved no change to the building's envelope. The building had, and continues to have, four residential units.

III. SIX DOGS OBTAINED PERMITS FOR THIS RENOVATION PROJECT

Six Dogs retained well-known San Francisco engineer Patrick Buscovich to oversee the
renovation work. He obtained several permits for different aspects of the renovation work. On
August 3, 2018, Mr. Buscovich obtained permit 201807235200 for a soft-story retrofit. That
permit was reviewed by DBI, SFFD, Planning and the Housing Inspection Division, and the
work under that permit was inspected on August 14, 2018 and October 5, 2018. Ex. 1.)

Also, in August 2018, RC Construction obtained permit 201808016151 to replace
windows in the building. The permit was approved by DBI, Planning and Housing Inspection
Division. (Ex. 2)

In late 2018, Mr. Buscovich applied for permit 201811216573 to remove and replace the
building's siding. That permit was approved by DBI, Planning, SFFD and the Housing
Inspection Division. The work was inspected by DBI on March 20, 2019. (Ex. 3.)

In November 2018, Mr. Buscovich obtain four permits, one for each of the four units, to 2 remodel the interior and add baths (permits 201811216577, 201811216578, 201811216579 and 3 201811216580). Between November 2018 and January 2019, these permits were approved by SFFD, DBI, SFPUC Planning and Housing Inspection Division. The work was inspected on five separate dates by DBI. (Ex. 4.)

6 On December 24, 2018, Mr. Buscovich obtained permit 201812249088 to rebuild an exit 7 deck in the rear of the building because it became apparent the deck was no longer safe due to 8 dry rot. The permit was approved by DBI, Planning SFFD and the Housing Inspection Division. 9 The work was inspected by DBI on March 20, 2019. (Ex. 5.)

10 Finally, on September 27, 2019, High Quality Roofing belatedly obtained permit 201909272941 for reroofing and a skylight, work that had already been completed. (Ex. 6.) 11

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IV. **BEFORE COMMISSION RICHARDS SPOKE OUT THE PROJECT** PROCEEDED SMOOTHLY WITH DBI OVERSIGHT AND INSPECTIONS

The renovation Project proceeded without controversy from mid-2018 to early 2019 when the work was substantially completed. On September 2, 2019, Six Dogs listed the building for sale (as "coming soon").

In the meantime, trouble was brewing for DBI at the Planning Commission. On May 9, 2019, a project at 3847-3849 18th Street ("the 18th Street Project") came before the Planning Commission. That project was the latest in a series of projects involving a startling amount of work being done without, or far outside the scope of, permits. This is list of what the Planning Department found to be unpermitted, unauthorized work on the 18th Street Project:

•	I wo-story norizontal addition at rear SE corner of the building
•	Enclosure of existing lightwells (east and west sides) at levels 1 & 3

- Enlargement of the existing lightwell (west) at levels 2 & 3
- Increase the habitable square footage of the attic space
- Addition of a bay window at front of the basement level, located beneath the front stairs

APPELLANT'S BRIEF

3

Front addition to the garage to align with the front property line

1	• A 40 SF roof deck at the rear of level 3
2	• The combining of two "exempt" dormers into one single dormer
3	 A 11'-4" (max height) wall along the east side property line
4	• A 4'-8" white laminated glass guardrail/privacy screen along the east side property
5	line
6	• A new steel garage door and pedestrian gate.
7	Retaining walls and guardrails at front property line
8	 Cumulative excavation calculation for all work performed, estimated at 882 Cubic
9	Yards (Ex. 7.)
10	That's right, the 18th Street Project involved a "two-story horizontal addition" with <u>882</u>
11	cubic yards of excavation without permits. Moreover, the 18th Street Project team included John
12	Pollard and Annabel McClellan, two convicted felons with close ties to members of DBI staff
13	and who have been associated with many other recent complaints about projects done without
14	proper permits, Planning review, CEQA review or neighborhood notification. ¹
15	The Planning Commission was incensed and continued the matter to its July 18, 2019
16	meeting. At that meeting, Commissioner Richards led an inquiry by several of his fellow
17	Commissioners into how DBI could have approved a series of permits of the 18th Street Project
18	and supposedly inspected the work on many separate occasions but not noticed the huge amount
19	of excavation and other work being done outside the scope of the permits for the project. ²
20	Commission Richards pointed out that the Commission has been confronted with several
21	recent projects involving gross misrepresentations but that "this one takes the cake."
22	Commission Richards went through many of the 18th Street Project's permits and explained that
23	DBI appeared to have failed to conduct sufficient inspections, catch an obvious case of serial
24	permitting, or notice a gross disparity between what was represented on the permitted plans and
25	¹ See details in Section VII below.
26	² You can view the bearing at this link:
27	https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=33681 The 3847-3849 18th Street matter is item 14 on the Commission's agenda.
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	APPELLANT'S BRIEF 4 Case No.: 19-1

the actual conditions at the site. The project sponsor acknowledged that the project was "a runaround" and "serial permitting," and that "we screwed up bad." Near the conclusion of the July 18 hearing Commissioner Richards spoke out strongly about a "pay-to-play problem" in the City. The Commission voted 5-2 to continue the hearing on the 18th Street Project until August 29, 2019.

At the August 29, 2019 meeting, Commissioner Richards raised questions about DBI's 6 testimony at the prior Commission meeting, stated that he had "lost faith" in DBI, and supported 7 8 Commission President's call for the City Attorney to do an investigation into what happened with the project. Other Commissioners followed Commissioner Richards lead. For example, 9 then-Commissioner (now Commission President) Myrna Melgar said she could not trust DBI to 10 "do what they're supposed to do" because "they've already failed to do what they're supposed to 11 do," and that "our system" has "failed us egregiously."³ The Commission voted 4-2 to continue 12 13 the matter to the Commission's October 24, 2019 meeting. At the October 29 meeting the Commission voted 4-1 to continue the matter to its December 19, 2019 meeting. 14

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AFTER COMMISSIONER RICHARDS SPOKE OUT DBI ENGAGED IN A PATTERN OF RETALIATORY AND UNPRECEDENTED ACTIONS

Less than a month after Commissioner Richards called for a City Attorney investigation 17 and while the 18th Street matter was still pending before the Planning Commission (and about 18 three weeks after Six Dogs advertised the Property for sale), those upset by Commissioner 19 Richards' unwillingness to turn a blind eye to the "pay to play" culture sprang into action. On 20 September 25, 2019 DBI supposedly received an anonymous complaint about work on the Six Dogs Project that had been performed and inspected months earlier. According to the DBI 22 website the complaint "criticizes the approval of PA#20180785200." (Ex. 8.) Even though there was no indication of public safety or other urgent issues, the next day DBI Chief Building Inspector Mauricio Hernandez dropped what he was doing to conduct a site inspection on the Project and then sent an Inspection Request Letter to Six Dogs. (Shortly thereafter Mr.

³ You can view the hearing at this link:

27 https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=33901 The items is number 18 on the Commission's agenda. 28

APPELLANT'S BRIEF

Hernandez and Mr. Sweeney made it clear to Mr. Buscovich that they were going to find a way
 to come down as hard as possible on this Project. Mr. Buscovich interpreted their comments to
 mean that until Commissioner Richards backed off his opposition to the 18th Street Project, they
 were going to hold up the Six Dogs Project.)

The following day, September 27, Commissioner Richards received a text from Board 5 Member Daryl Honda stating: "Hey bro, there's some not so nice stuff going around about you 6 right now. What's up."⁴ (Ex. 9.) As a result of the text Commissioner Richards placed a call to 7 Board Member Honda and asked what he had heard and where he heard it. Board Member 8 Honda said that he "hears things" and that Commissioner Richards was in deep trouble with 9 DBI. When Board Member Honda intimated to Commissioner Richards that there was a need 10 for him to go to DBI and get this all resolved (which Commissioner Richards understood to 11 mean that he should make a deal with Ed Sweeney to back off the 18th Street Project in order to 12 get Mr. Sweeney to allow the Six Dogs Project to move forward). Commissioner Richards told 13 Board Member Honda that he could not be bought and that he is not giving in to extortion. 14 Incensed at the messages Board Member Honda was delivering for Mr. Sweeney, Commissioner 15 Richards told Board Member Honda to tell Mr. Sweeney "to go to hell." 16

Three days later, on September 30, 2019, DBI issued a Notice of Violation (No.
201987211) telating to the Property. (Ex. 10.) If that was not extraordinary enough, that same
day, Chief Building Inspector Hernandez signed a letter to Six Dogs revoking, not suspending,
nine separate permits relating to the projects, many of which were for work that had long since
been completed and approved by DBI's Bill Walsh. (Ex. 11.) Why is this extraordinary? Let's
count the ways.

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- 24
- ⁴ Board member Honda also called Commissioner Richards' colleague on the Planning
 Commission, Joel Koppel, and told him that "it looks like the Commission will be needing to fill
 two vacant seats," suggesting that in addition to one already vacant seat, Commissioner Richards
 would be removed from his seat on the Commission. Given Board Member Honda's insertion of
 himself into this controversy and his communications with others about the project sponsor and
 the Project, he should not participate in hearing or voting on this appeal.
- 28

APPELLANT'S BRIEF

1. According to records provided by this Board in response to a public records request, since 2011, revocations of building permits (as opposed to suspensions) are so rare that this Board has never heard an appeal of a DBI-initiated permit revocation. 2. The most notorious and egregious examples in the past several years of developers doing work outside the scope of permits have not resulted in revocation of permits (see discussion in Section VII below). 3. Based on records produced by DBI in response to a public records request, since 2011 DBI has issued revocation letters relating to just 35 properties (about four per year). The vast majority of the revocation letters stemmed from Planning Code violations (and were issued typically at the request of the Planning Department) or actions by this Board (21 of 35). Of the 14 DBI-initiated revocations 12 were for wrongful demolition activity, unauthorized additions to a building, or permits that were not authorized by the actual building owner. The other two involved dangerous foundation work or flagrant circumvention of previous Notices of Violation. None of the routine renovation permitting activity associated with the Project is remotely similar to these categories. 4. Of the 35 revocation letters DBI has sent since 2011, all but one (from 2014) were signed by Chief Building Inspector Patrick O'Riordan. According the records produced by DBI, Mr. Hernandez had never before issued a revocation letter. We believe Mr. Hernandez sent this letter at Mr. Sweeney's urging and without the review or approval of Director Tom Hui or Chief Building Inspector Patrick O'Riordan, and that their motivation was to retaliate against Commissioner Richards for his criticism of DBI and his unwillingness to let certain DBI-connected contractors avoid facing significant consequences for doing work without permits.

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VI. THE ALLEGED VIOLATIONS ARE EITHER BASED ON FALSE INFORMATION OR AT MOST INVOLVE MINOR PERMIT DISCREPANCIES THAT WOULD NORMALLY BE DEALT WITH BY AN AS BUILT OR REVISION PERMIT

As this brief is being written, DBI appears to be backing off many of the unsupportable claims made in the Notices of Violation they have issued. Mr. Buscovich has filed a separate appeal in this matter and his brief will address the permit-by-permit issues. We have attached a copy of a statement from Mr. Buscovich as Exhibit 12 and we incorporate it in this brief.

At the end of the day, DBI – through Mr. Sweeney and Mr. Hernandez – took the
extraordinary step of revoking <u>all</u> the permits associated with the Project when only a few minor
permitting missteps occurred. As shown in Section V above, this type of punitive, Draconian
behavior is unprecedented. Typically, those minor issues would be dealt with by a clean-up
revision permit at the end of a project. According to documents produced in response to our
public records requests to this Board and to DBI, <u>never before</u> have minor issues like these
resulted in DBI revoking permits.

VII. DBI DOES NOT REVOKE PERMITS EVEN FOR THE MOST EGREGIOUS PERMITTING VIOLATIONS

Below is a brief summary of some, but by no means all, of the outrageous projects involving demolition and/or construction without permits (or proper permits) that have come to light in the past several years. In <u>none</u> of these cases did DBI revoke permits; in many it did not even suspend permits.

25 17th Avenue. A total of 15 building and planning code violations occurred at this property including unpermitted demolition of a deck, a three-story bay, a three-story chimney, eleven windows and a lightwell. Thirteen complaints were filed. On 8/2/2017 DBI suspended a permit per this Board's request under Appeal #17-128 but no permits were revoked. (Ex. 13.)

<u>7 Seymour</u>. This project increased building height, which was not permitted under the approved plans; no 311 Notice occurred during permit review; and the work damaged the historical resource and adversely impacted its relationship to adjacent historical properties. Despite these serious violations, no permits were revoked. (Ex. 14.)

457 Roosevelt Way. Among other egregious actions, this project involved illegal 1 excavation work which undermined the foundation of two neighboring homes. Work was 2 conducted beyond scope pf permits or without permits at all. Work continued in violation of stop work orders. The scope of work was misrepresented in order to evade mandatory review. DBI issued a NOV for unsafe building in violation of Building Code Section 106.4.7. Despite all of this, no permits were revoked. (Ex. 15.)

49 Hopkins. This entire Richard Neutra house was illegally demolished without permits. No permits were revoked. (Ex. 16.)

9 310 Montcalm Street. This project involved illegal alteration of an historical building and work exceeding the approved plans, including the addition of a new unpermitted new story. Despite continual work outside permitted plans no permits were revoked. (Ex. 17.)

12 278 Monticello. This developer turned the single-family home into group housing with twelve rooms for students with a shared kitchen and a dining area. Per the Planning 13 Department's request, DBI suspended but did not revoke the permit. (Ex. 18.) Then President of 14 the Board of Supervisors publicly called out this case as involving "egregious abuses" that 15 16 requires the City to "root out the corruption" at DBI.⁵

841 Chestnut Street. All exterior walls and windows of this historic Willis Polk home were demolished without proper permits. No permits were revoked. (Ex. 19.)

2465 Mission Street. The developer engaged in unpermitted interior construction at a 19 theater, which was eligible for listing as a resource on the California Register of Historic Places. 20 Despite unpermitted construction, and concern over the possible destruction of a WPA-era 21 mural, while NOVs, letters of Abatement etc. were issued, no permits were revoked. (Ex. 20.) 22 23 4068 Folsom. This project involved unpermitted construction, unpermitted demolition of the building façade, and misrepresentation of existing conditions. Permits were suspended by 24

25 DBI but not revoked. (Ex. 21.)

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⁵ You can view the hearing at this link:

https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=30901&meta_id=6234 99 The items is number 18 on the Commission's agenda. 28

9

APPELLANT'S BRIEF

<u>3636 21st Street</u>. This project was found to be tantamount to a demolition without proper permits or approvals The Planning Department issued a NOE for work beyond the scope of the permits. No permit suspension or revocation issued. (Ex. 22.)

1

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4 <u>157 Marview</u>. "Despite a complete change to front facade without Planning review," no 5 permits were revoked (Ex. 23.)

531 33rd Avenue. This project involved the unauthorized demolition of a portion of a
single-family dwelling. The permit was suspended by DBI per letter of request from Planning,
but no permits were revoked. (Ex. 24.)

9 <u>120 Brewster Street</u>. This project involved unpermitted demolition and the illegal change 10 of use. The permit was suspended but not revoked. (Ex. 25.)

<u>903 Minnesota</u>. This project involved extensive damage to a locally designated
landmark building within the Dogpatch Historic District. No permits were revoked. (Ex. 26.)

<u>235 Jersey Street</u>. This project involved illegal demolition of front and rear facades and
 side walls with completely new construction of floor/ceiling assemblies beyond scope of permit.
 Per the Planning Department's request. DBI suspended but did not revoke this permit. (Ex. 27.)

<u>4118 21st Street</u>. This project involved substantial demolition of all floor levels without
 permits. The front façade was removed despite permit specifically stating that façade would not
 be removed. (Ex. 28)

<u>336 Pierce Street</u>. This project involved the demolition of a single-family dwelling
without permits. (Ex. 29.)

As discussed above the project that broke the camel's back for Commissioner Richards 21 was 3847-3849 18th Street. The 18th Street Project team include John Pollard and Annabel 22 McClellan. In 2011, Ms. McClellan was convicted and then served time in prison for lying to 23 the SEC about her role in an insider trading scheme she allegedly orchestrated using secrets 24 obtained behind the back of her then-husband, who headed a merger and acquisition team at 25 Deloitte, LLC. (Ex. 30.) She also was ordered to pay a civil penalty of \$1,000,000. (Id.) In 26 2013, Mr. Pollard pleaded guilty to aiding and assisting in the preparation and presentation of a 27 false federal tax return. (Ex. 31.) In 2014, he was sentenced to two years' probation including a 28 Case No.: 19-116 10 **APPELLANT'S BRIEF**

year of home detention. (Ex. 32.) During the sentencing phase, Deputy Director Sweeney filed
an affidavit in support of Mr. Pollard in which he stated he has known Pollard since 2004 and
that Pollard had given his son a job. (Ex. 33.) Mr. Pollard later violated his probation when he
was accused of assault with a deadly weapon and felony hit-and-run, and, during the
investigation of that incident, he lied to police. (Ex. 34.) Two years of additional probation were
added to his criminal sentence. (Ex. 35.)

7 In the past several years Pollard/McClellan projects other than the 18th Street Project 8 have been the subject of widespread complaints and alleged permit violations. For example, their project at 2068 Pine Street was the subject of five separate neighborhood complaints to DBI 9 including complaints of "work beyond the scope" of permits "causing damage to sub-structure of 10 the neighboring property including significant cracking to foundation," "demo work without a 11 permit," "uncontained construction dust with lead." (Ex. 36.) DBI never revoked or even 12 13 suspended Pollard/McClellan's permits, forcing a neighboring property owner to file a lawsuit 14 against Mr. Pollard and Ms. McClellan in 2016. (Ex. 37.)

More recently, in 2019, a Pollard/McClellan project at 2046 Filbert Street generated
neighborhood complaints for "work beyond scope of permit; illegal change of use," resulting in a
Planning Department enforcement action for unlawfully merging a two-unit building into a oneunit building. (Ex. 38.) DBI never revoked or even suspended Pollard/McClellan's permits.

And a project at 125 Lundy's Lane associated with Pollard/McClellan generated
neighborhood complaints for work exceeding the scope of permits including the unpermitted
excavation of new floor. (Ex. 39.) Again, DBI did not suspend or revoke and permits, but the
Planning Department opened an investigation that appears to be ongoing. (Ex. 40.)

23 24

VIII. THIS BOARD SHOULD RESCIND THE NOTICES OF VIOLATION, REQUIRE DBI TO WORK WITH SIX DOGS TO CLOSE OUT THE PERMITS AND DEMAND AN INVESTIGATION INTO DBI'S RETALIATORY ACTIONS.

DBI had no justification for the extreme action it took towards the Project. The few valid
permit issues identified are minor - the types of issues that arise in most construction projects
and that are dealt with by a clean-up permit at a project's conclusion.

28

APPELLANT'S BRIEF

In contrast, DBI used the Building Code equivalent of the nuclear option on the Project –
 revocation of all the permits associated with the Project. It did so without substantiation of its
 allegations. And it did so just weeks after Commissioner Richards questioned DBI's honesty
 and called for a City Attorney-led investigation into DBI's practices, citing pay-to-play activity.
 Moreover, the specific project that provoked Commissioner Richards' comments was a project
 by a notorious development team that curries favor with DBI despite their felony convictions and
 their track record of Building and Planning Code violations.

BI's long-standing way of doing business has been to work with developers and
contractors to abate problems, not to punish them, even when their conduct is nothing short of
outrageous. Reasonable minds could differ about whether DBI's lenient approach is good public
policy. What reasonable minds could not disagree about is whether DBI personnel should apply
one standard to developers they like, and another uniquely harsh standard to public officials who
speak out about dishonesty and corruption.

This Board should grant this appeal, rescind the NOVs relating to this Project, instruct
DBI members not associated with the NOVs to work with Six Dogs to close out all permits
related to the Project, retain jurisdiction over these permits to make sure DBI does not continue
to retaliate against Six Dogs, and demand an investigation into DBI's conduct in this matter and
the ties between DBI staff members and developers with a history of misconduct.

19			
20	Dated: November 21 , 2019	Respectfully Submitted,	
21		MOSCONE EMBLIDGE & OTIS LLF	P
22			
23		By:G. Scott Emblidge	
24		Attorneys for Appellant Six Dogs, LLC	С
25			
26			
27			
28			
	APPELLANT'S BRIEF	12	Case No

				SITE PE	RMI		
	PROJEC	CT DATA		PROJECT	TEAM		
PROPERTY ADDRESS:	3847-3849 18th San Francisc	-		OWNER:	ARCHITECT:	A-0.1 A-0.2	TITLE SHEET PRE-CONSTRUCTION ANI
BLOCK / LOT:	BLOCK 3585 / L	-OT 077		Kansas street development llc po box 410475 san francisco, ca. 94141	RYAN BORMAN LICENSE # C-36689	A-1.01	site plan - existing
ZONING DISTRICT:	RH-3			415.359.9991	301 UPPER TERRACE SAN FRANCISCO, CA 94117 415.218.6556	A-1.1	SITE PLAN - PROPOSED
HEIGHT / BULK:	40-X					A-2.01	GARAGE & BASEMENT LE
YEAR BUILT: HISTORIC RESOURCE STATUS:	1907 B					A-2.02 A-2.03	LEVEL 1 & 2 PLAN - EXISTI LEVEL 3 & ROOF PLAN - E
HISTORIC RESOURCE STATUS.	unknown / Ag	GE ELIGIBLE		DESIGN-BUILD G.C.:	ENGINEER:	A-2.1	GARAGE & BASEMENT LE
	2,848 SQ.FT.			DAWSON-CLINTON GENERAL CONTRACTORS CORP. LICENSE # 791724	MERCURY ENGINEERING LICENSE # C-17591	A-2.2 A-2.3	LEVEL 1 & 2 PLAN - PROP LEVEL 3 & ROOF PLAN - F
OCCUPANCY TYPE:	R-3 RESIDENTIAL			P.O. BOX 410475 SAN FRANCISCO, CA 94141 415.359.9991	1041A FOLGER AVE BERKELEY CA 94710 510.549.0440	A-3.01	EXTERIOR ELEVATIONS - E
CONSTRUCTION TYPE:	VB					A-3.02 A-3.03	EXTERIOR ELEVATIONS - E EXTERIOR ELEVATIONS - E EXTERIOR ELEVATIONS - E
FIRE SPRINKLER:	YES		BPA # 2015.12.24.5900 & BPA # 2017.06.26.0353				
						A-3.1 A-3.2 A-3.3	EXTERIOR ELEVATIONS - P EXTERIOR ELEVATIONS - P EXTERIOR ELEVATIONS - P
	EXISTING	PROPOSED				A-3.4	EXTERIOR ELEVATIONS - P
NUMBER OF OFF-STREET PARKING:	0	4	BPA # 2014.12.30.4758				
NUMBER OF DWELLING UNITS:	2 3	2	BPA # 2014.09.22.6974			A-4.01 A-4.1	BUILDING SECTION - EXIS BUILDING SECTION - PRO
	O/ BASEMENT	O/ BASEMENT & GARAGE	BPA # 2014.12.30.4758			A-5.1	DEMOLITION CALCULATION
BUILDING HEIGHT:	37'-5"	37'-5''		DESCRIPTION:	BPA #:	A-5.2	EXCAVATION CALCULAT
BUILDING AREA (GROSS):	4,700 SQ.FT.	6,490 SQ.FT.		REMOVE ILLEGAL DWELLING UNIT AT BASEMENT LEVEL	2014.09.22.6974		
BUILDING AREA (CONDITIONED): 3847 18TH ST	1,169 SQ.FT.	1,264 SQ.FT.	BPA # 2015.12.24.5908	FOUNDATION REPLACEMENT	2014.11.25.2493		
3849 18TH ST PROJECT TOTAL	<u>2,001 SQ.FT.</u> 3,170 SQ.FT.	4,021 SQ.FT. 5,285 SQ.FT.	BPA # 2015.12.24.5908	EXCAVATE AT CRAWL SPACE	2014.12.12.3665		
				REMOVE WALLS AND EXCAVATE FOR NEW GARAGE	2014.12.30.4758		
				VOLUNTARY SEISMIC UPGRADE SPRINKLER SYSTEM	2015.07.24.2364 2015.12.24.5900		
				INTERIOR REMODEL, RELOCATE 3847 18TH ST FROM LEVEL 1 TO BASEMENT LEVEL, (N) WINDOWS AND DOORS, (N) ELEVATOR, AND (N) DORMERS	2015.12.24.5908		
				EXCAVATE AT LEVEL 1 STORAGE	2016.06.30.1316		
				STUCCO FENCE AT REAR YARD	2017.02.03.8618		
				SPRINKLER MONITORING SYSTEM	2017.06.26.0353		
	CODE R	REFERENCES		PROJECTS	SCOPE		
CURRENT CODES:				CORRECT NOV / COMPLAINT # 2018-002303ENF		Haight St (1)	Halight St
THE 2016 CALIFORNIA BUILDING S	TANDARDS CODE:			 219 SQ.FT. HORIZONTAL ADDITION. FILL IN CORNER AT I ENCLOSE 44 SQ.FT. OF EXISTING LIGHTWELL AT LEVEL 1 		let St Delin Bu	ena Vista Park
PART 1 - CALIFORNIA BUILDING ST PART 2 - CALIFORNIA BUILDING CO		STRATIVE CODE		- REMOVE 50 SQ.FT. OF EXISTING STRUCTURE TO ENLARG		St shibury S Dow	
PART 2 - CALIFORNIA BUILDING C PART 3 - CALIFORNIA ELECTRICAL PART 4 - CALIFORNIA MECHANICA	CODE			 EXPAND 198 SQ.FT. INTO EXISTING ATTIC SPACE. NO BU EXPAND 20 SQ.FT. UNDER FRONT YARD STAIR AT BASEM 		ney St	ISIN 31 ISIN SI
PART 5 - CALIFORNIA PLUMBING C PART 6 - CALIFORNIA ENERGY CO	CODE			- EXTEND GARAGE 63 SQ.FT. TO THE FRONT PROPERTY LIN		Clayte	Randall Museum Beaver Book
PART 7 - NO LONGER PUBLISHED II PART 8 - CALIFORNIA HISTORICAL	N TITLE 24; SEE TITLE	8 CCR		- NEW 11'-4" WALL AT FRONT YARD SIDE PROPERTY LINE - 4'-8" WHITE LAMINATED GLASS GUARDRAIL IN THE FRO		Belvedere Saturn	G Cr States St
PART 9 - CALIFORNIA FIRE CODE PART 10 - CALIFORNIA EXISTING BI				- NEW 40 SQ.FT. DECK AT LEVEL 3			th St
PART 11 - CALIFORNIA GREEN BUI PART 12 - CALIFORNIA REFERENCE	LDING STANDARDS			- COMBINE TWO DORMERS APPROVED UNDER BPA # 20	015.12.24.5908 INTO ONE SINGLE DORMER	nel St	P-18th St -THE CAST
2016 ASME 17.1 SAFETY CODE F				 REVISE WINDOW AT FRONT FACADE, LEVEL 3 NEW STEEL GARAGE DOOR AND GATE 			Caselli Ave g g 19th S UREKA VALLEY
CURRENT SAN FRANCISCO PLANN				- NEW WOOD ENTRY DOOR		ather St	Swin St E 20th St
CURRENT SAN FRANCISCO BUILDI				NEW WOOD GUARDRAIL AT FRONT YARD PROVIDE DEMOLITION CALCULATION FOR ALL APPROV	VED BPAs	Peaks	Diamoni a St
AS WELL AS ANY AND ALL OTHER		es and ordina	NCES.	- PROVIDE EXCAVATION CALCULATION FOR ALL APPRO		N PEAKS	21 st Castro
IN EVENT OF CONFLICT, THE MOST				CHANGE OF USE OF THE LEVEL 1 "FAMILY ROOM" FROM NEW WHITE LAMINATED GLASS SCREEN AT WEST PROPE		Sandenaride Di	Alvarado St Jon Alvarado St Jon Jon Jon Jon Jon Jon Jon Jon Jon Jon
						win Peaks wolge Dr	Elizabeth St

SITE PERMIT

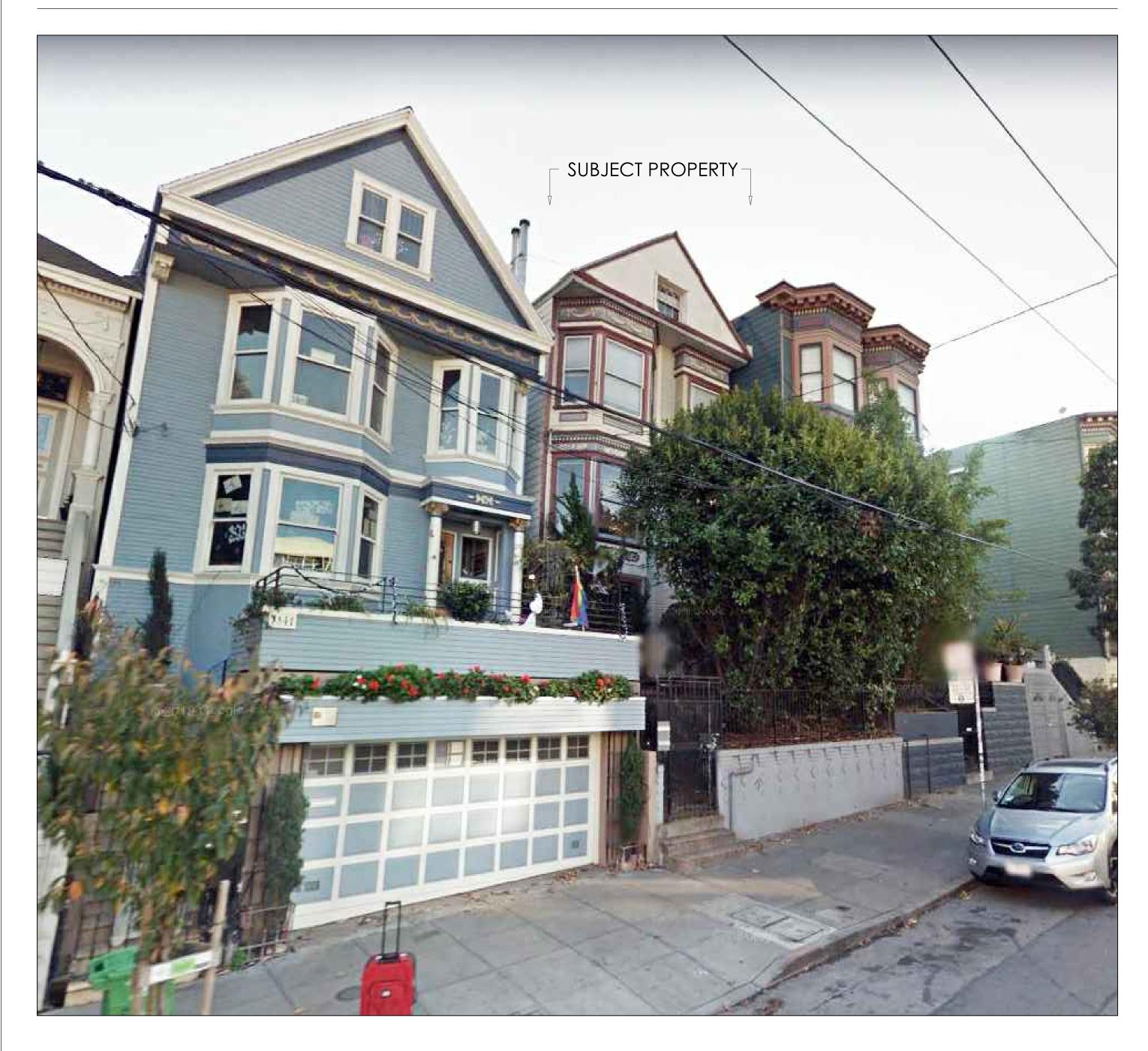
SHEET INDEX CTION AND CURRENT PHOTOGRAPHS ISTING OPOSED ASEMENT LEVEL PLAN - EXISTING lan - existing OF PLAN - EXISTING DAWSON & CLINTON GENERAL CONTRACTORS ASEMENT LEVEL PLAN - PROPOSED PO BOX 410475 : SAN FRANCISCO : CA : 94141-0475 P: 415.359.9991 F: 415.359.9992 lan - proposed OF PLAN - PROPOSED VATIONS - EXISTING VATIONS - EXISTING VATIONS - EXISTING VATIONS - PROPOSED VATIONS - PROPOSED VATIONS - PROPOSED 05/31/2021 RENEWAL DATE ATIONS - PROPOSED tion - existing TION - PROPOSED CALCULATIONS CALCULATIONS NO. DATE SUBMISSION JAN 10TH 2019 2 JULY 3RD 2019 NOPDR #2 PROJECT: VICINITY MAP **SITE PERMIT** Waller ST Germania St Hermann St Duboce Ave unioce Ave Public Works 14th St 14th St PROPERTY ADDRESS: DUBOCE 9 TRIANGLE Valencia so 3847-3849 15th St Ti Henry St **18TH STREET** 52 St 16th St S 2 16th St Mission Beaver St 0 BLOCK / LOT: _17th 55 Shotwe 255 Ave 10 T SI 3585 / 077 a 17th St th St 😝 Ford St 18th St DRAWING: 3847 18th St HECASTRO S MISSION AND DISTRICT **TITLE SHEET** a 19th St 19th St Mission Dolores Park - 22 20th St JOB NUMBER: 14009 noth St 20th St Liberty St Liberty St 21st St None Hill St Castro 22nd St 55 scale: N/A 22nd St 22nd St DATE: DECEMBER 5TH 2019 Alvarado St. S St. 23rd St SHEET: 12 **A-0.1** 24th St Mission bo

25th St

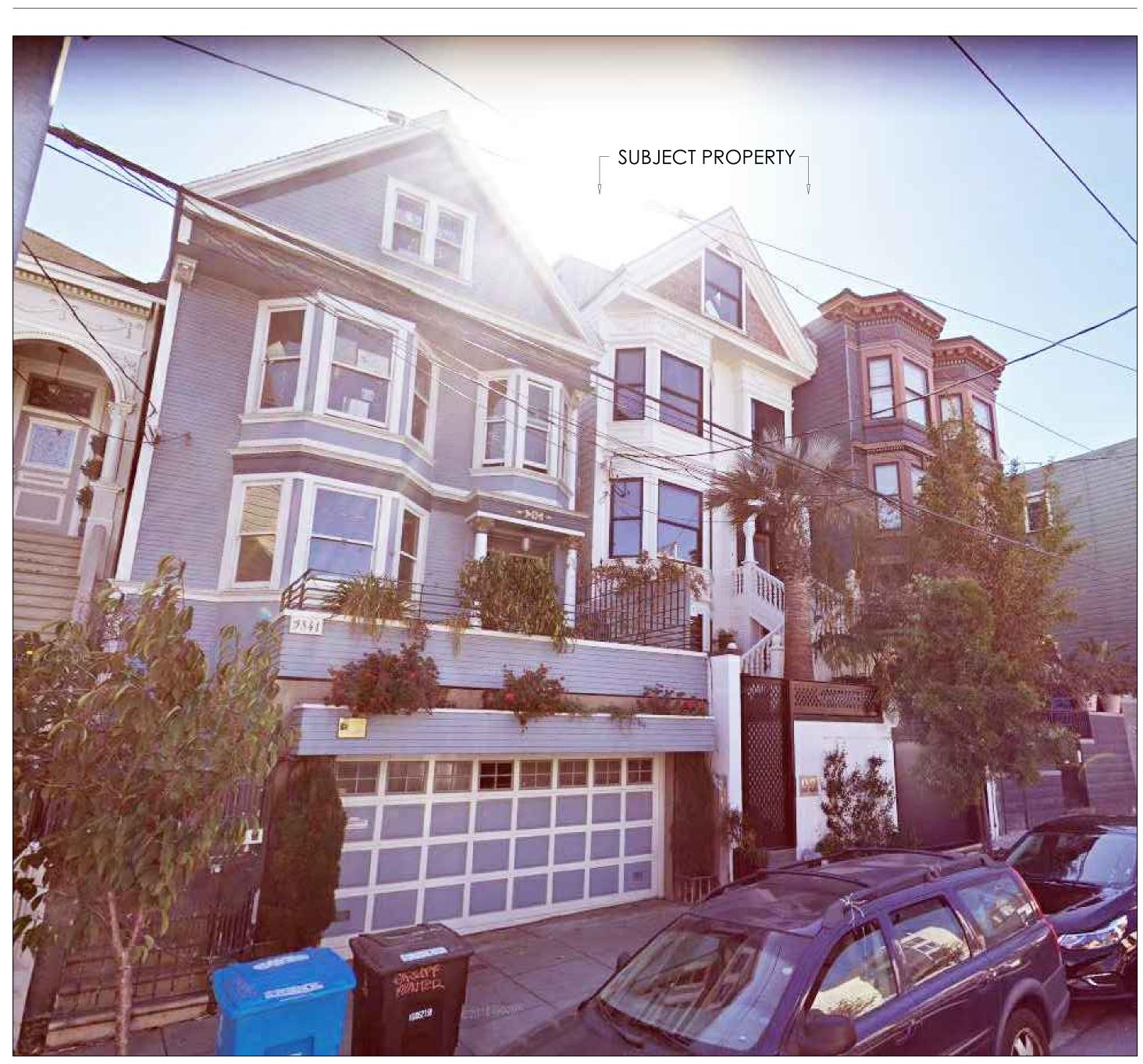
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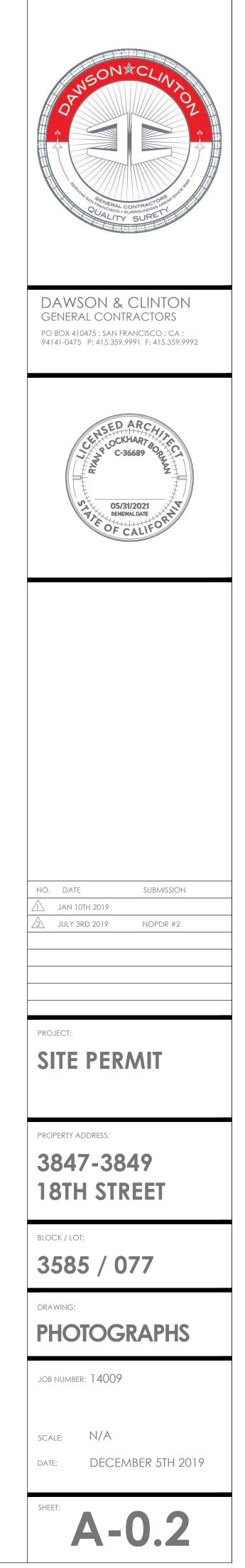
24th St

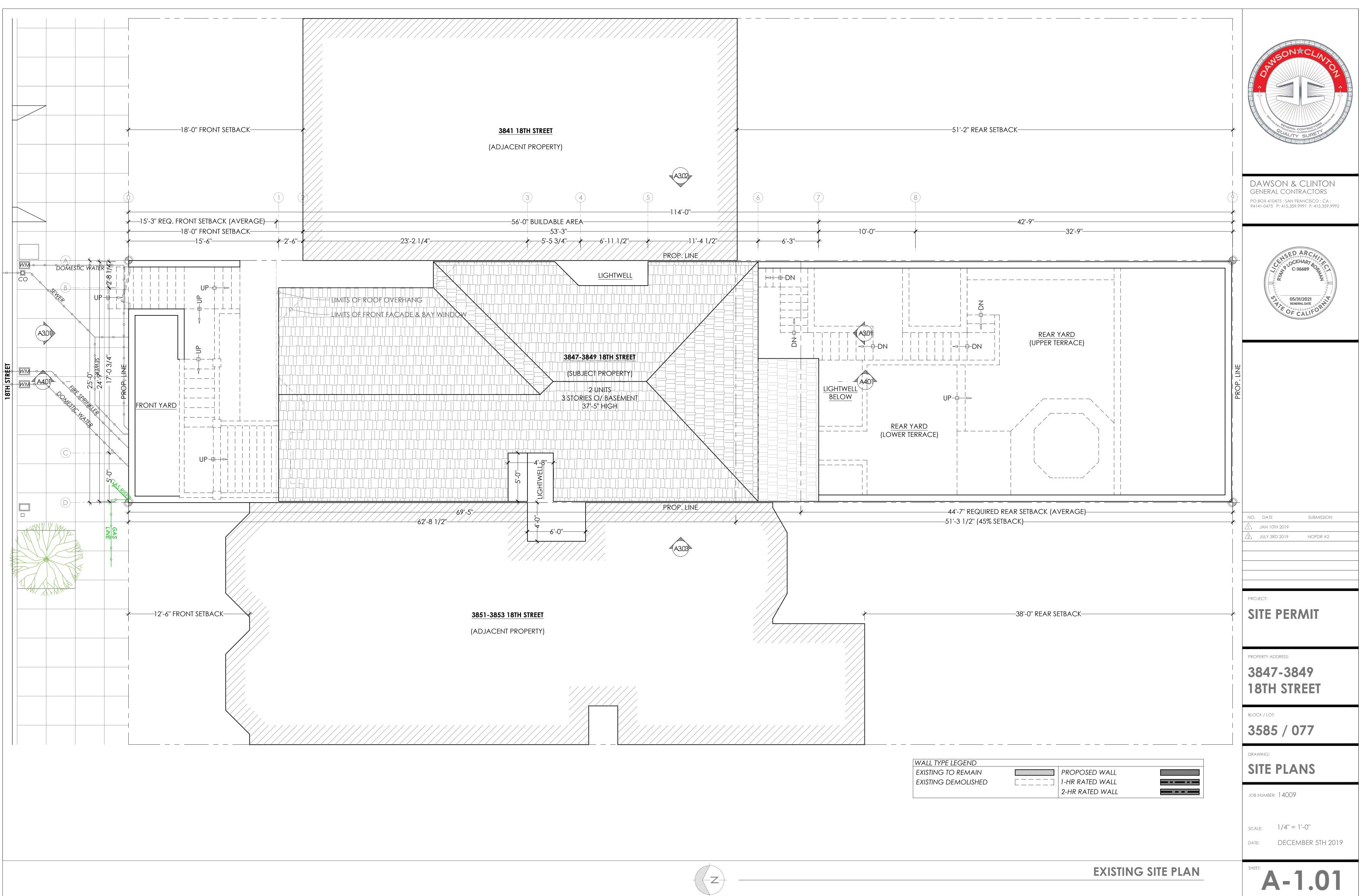
PRE-CONSTRUCTION



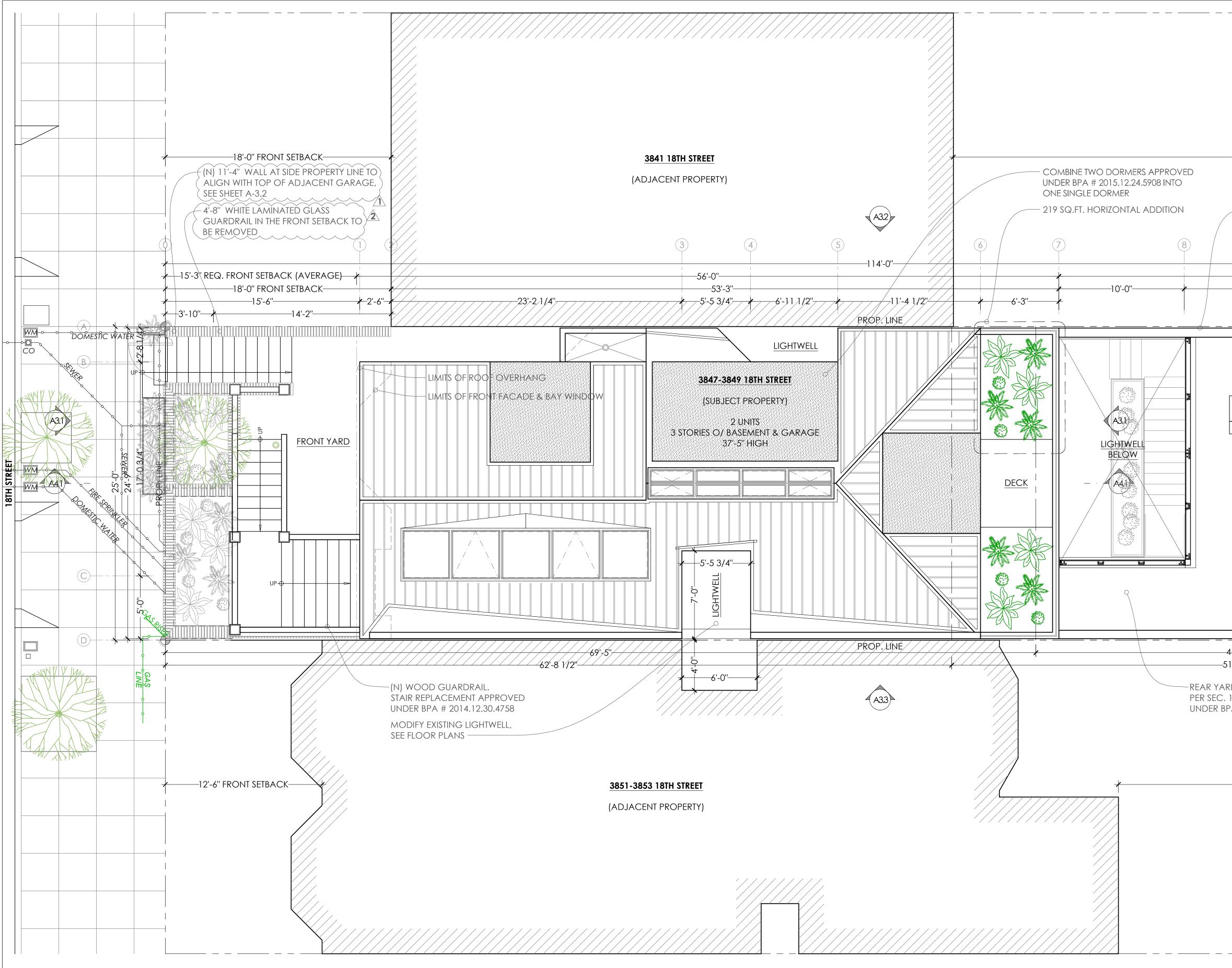
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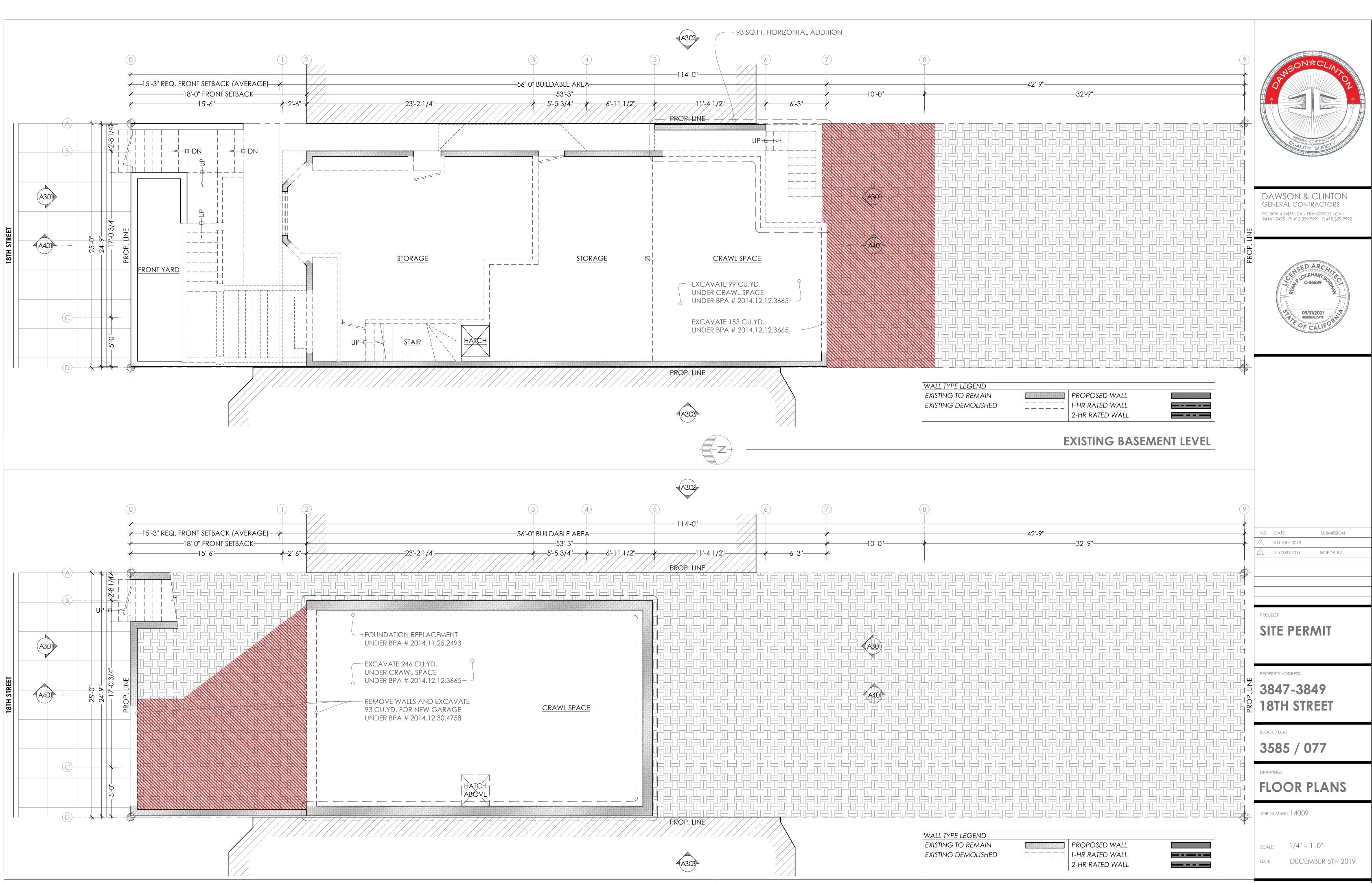




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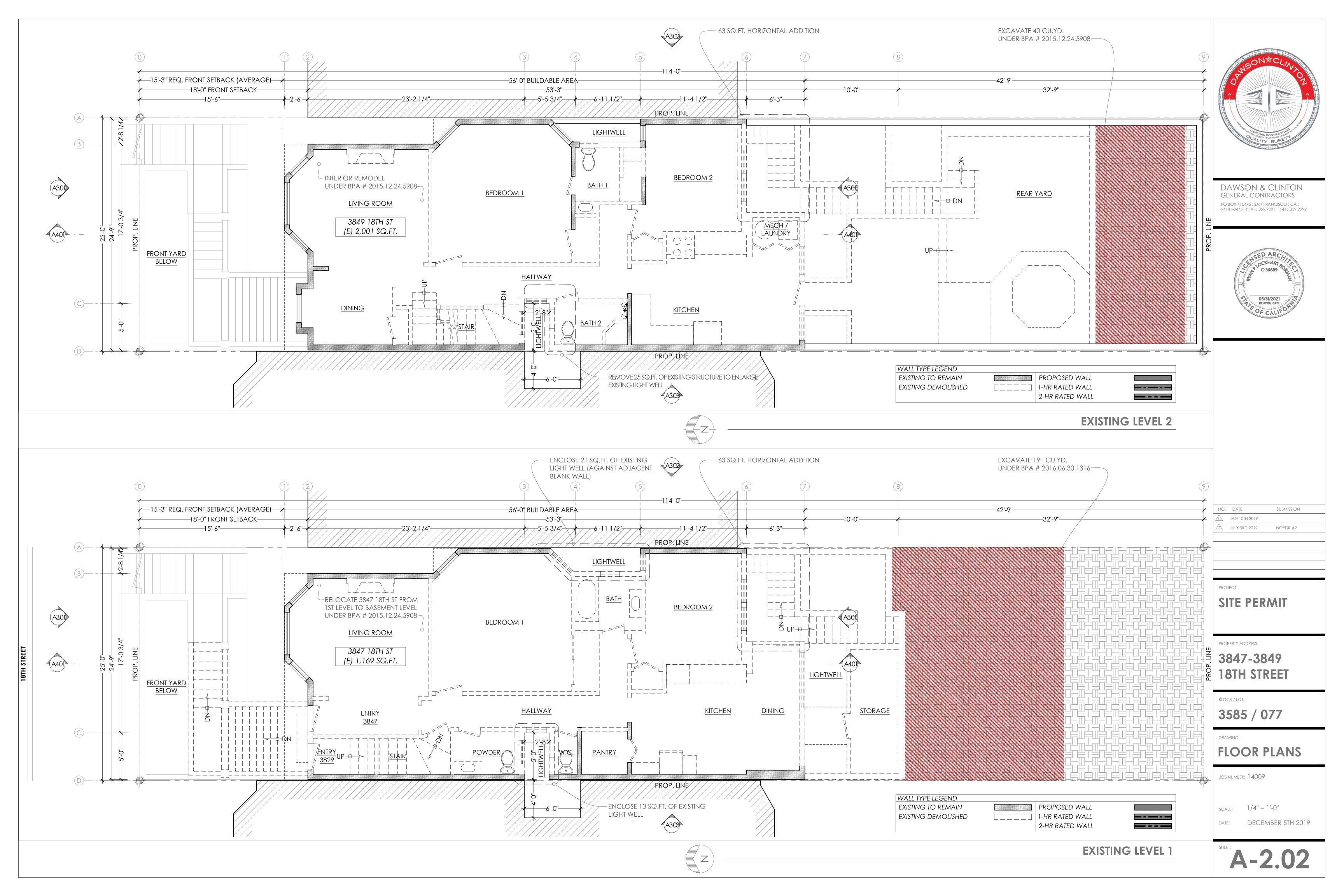
-51'-2" REAR SETBACK STUCCO FENCE UNDER BPA # 2017.02.03.8618	<image/>
	PO BOX 410475 : SAN FRANCISCO : CA : 94141-0475 P: 415.359.9991 F: 415.359.9992
	CENSED ARC4 CENSED ARC4 CKHAR/80 CCHAR/80 CCHAR/8
REAR YARD	-
RD ACCESS 136(c)(25) PA # 2015.12.24.5908	JULY 3RD 2019 NOPDR #2 PROJECT: PROJECT:
	SITE PERMIT PROPERTY ADDRESS: 3847-3849 18TH STREET BLOCK / LOT: 3585 / 077
LEGEND O REMAIN DEMOLISHED Image: state sta	DRAWING: SITE PLANS JOB NUMBER: 14009 SCALE: 1/4'' = 1'-0'' DATE: DECEMBER 5TH 2019
PROPOSED SITE PLAN	SHEET: A-1.1

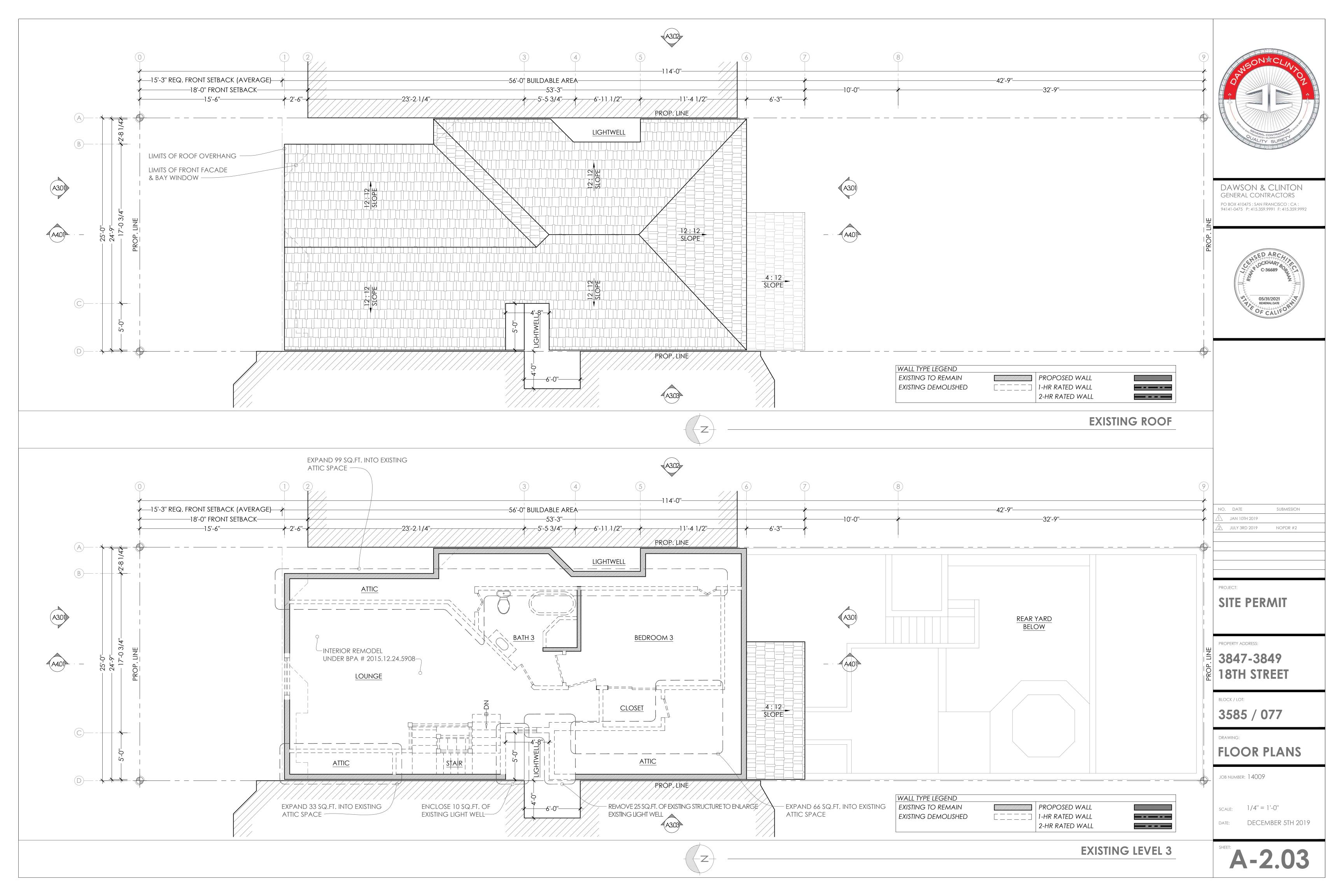


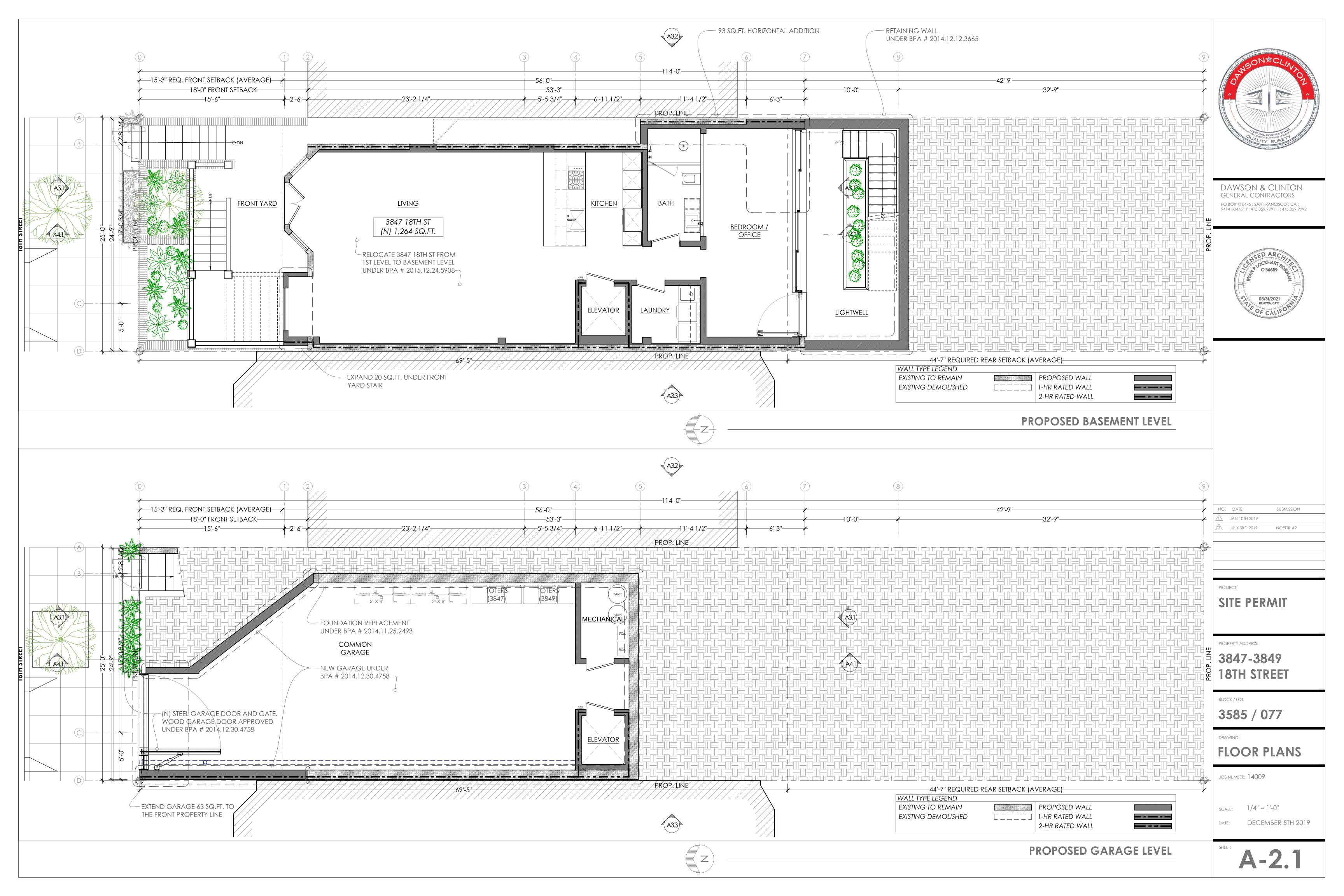
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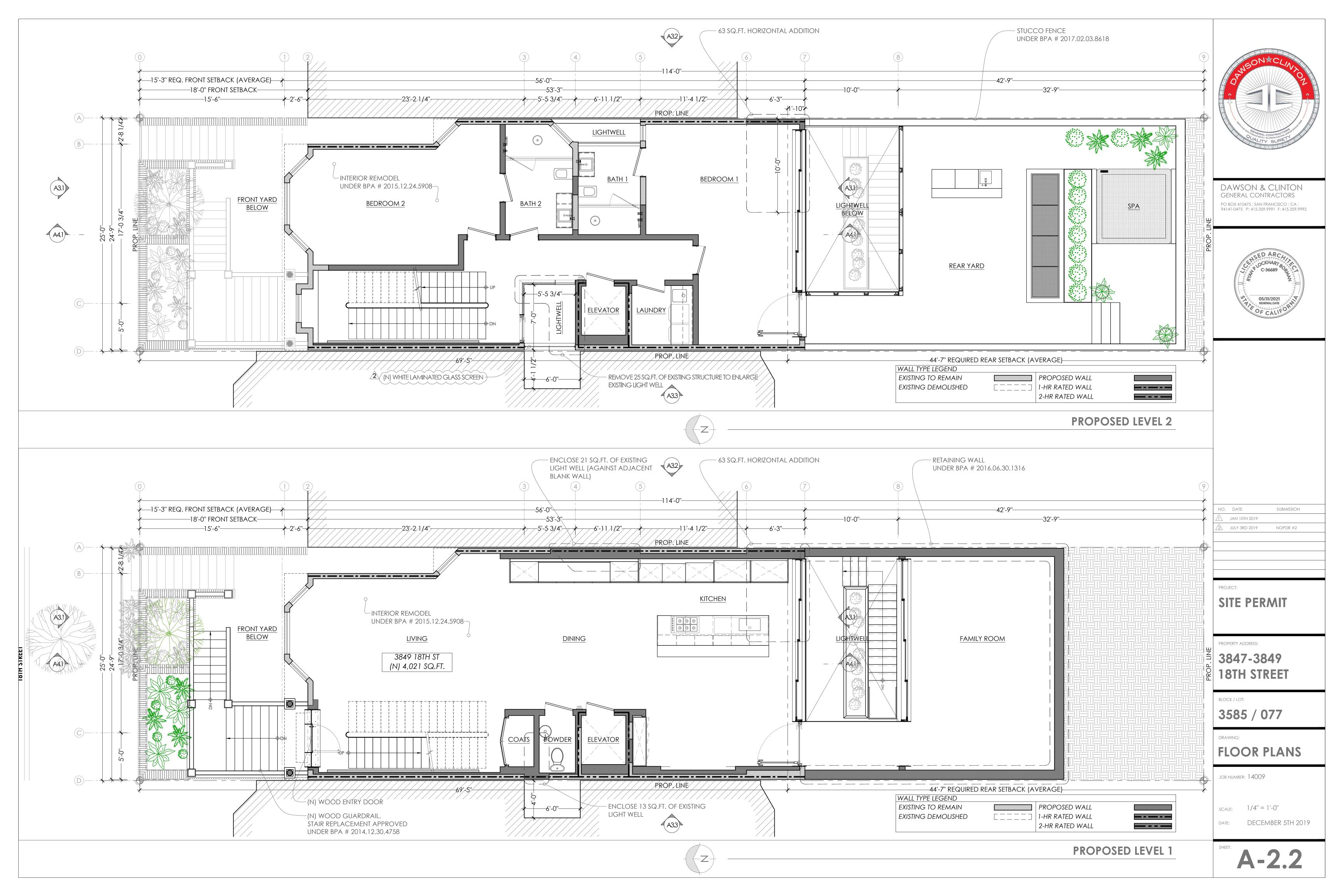
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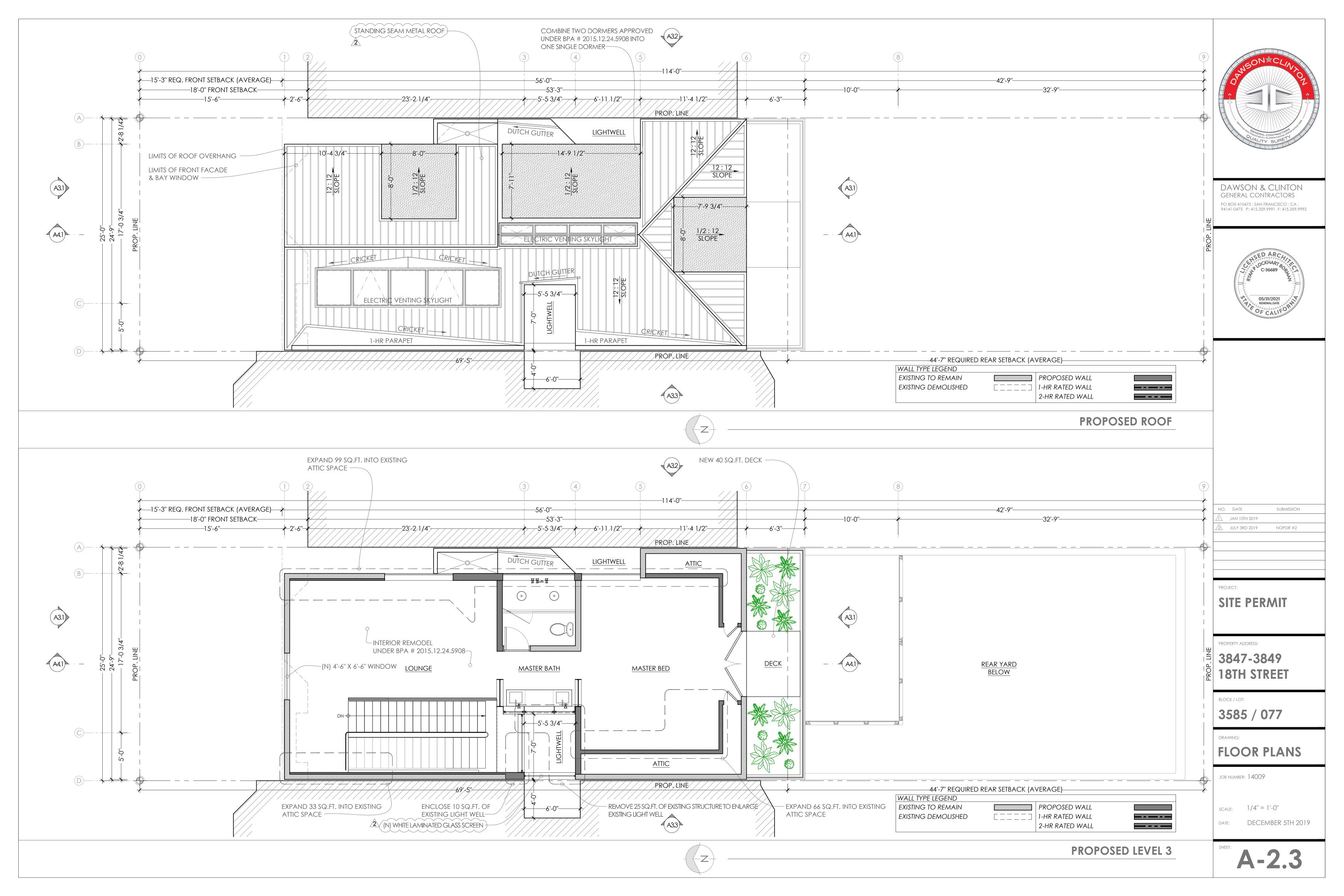
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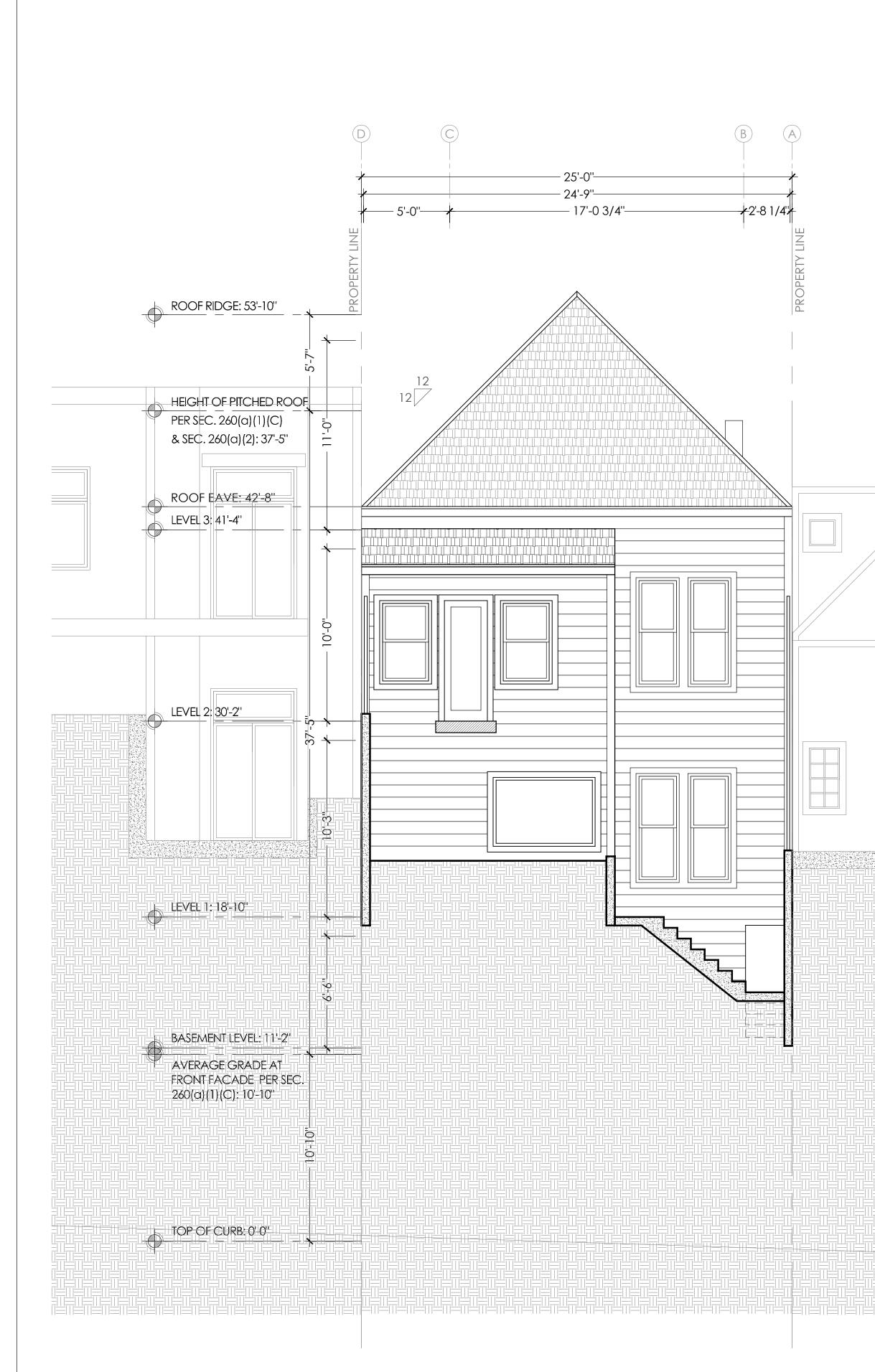








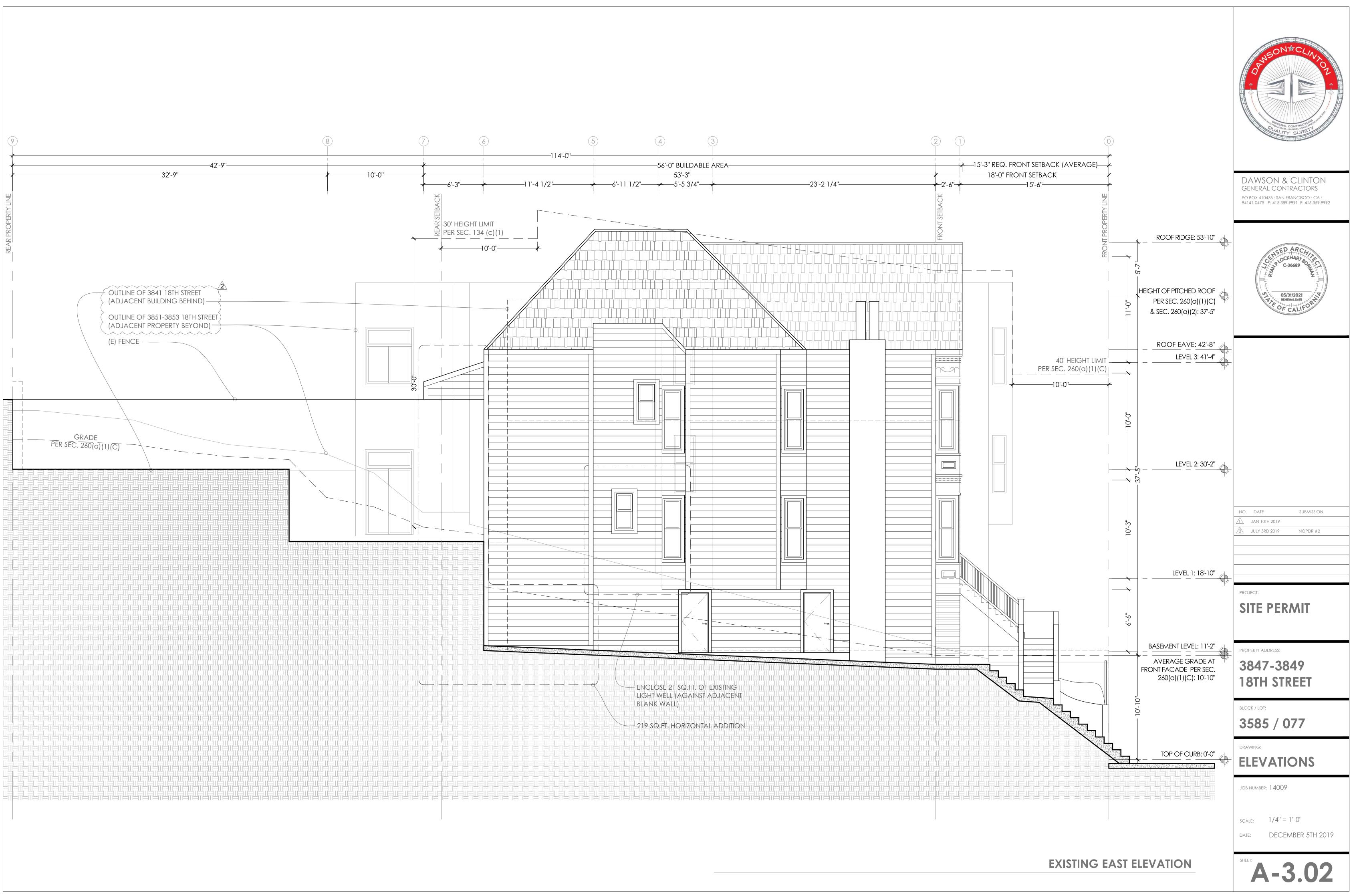


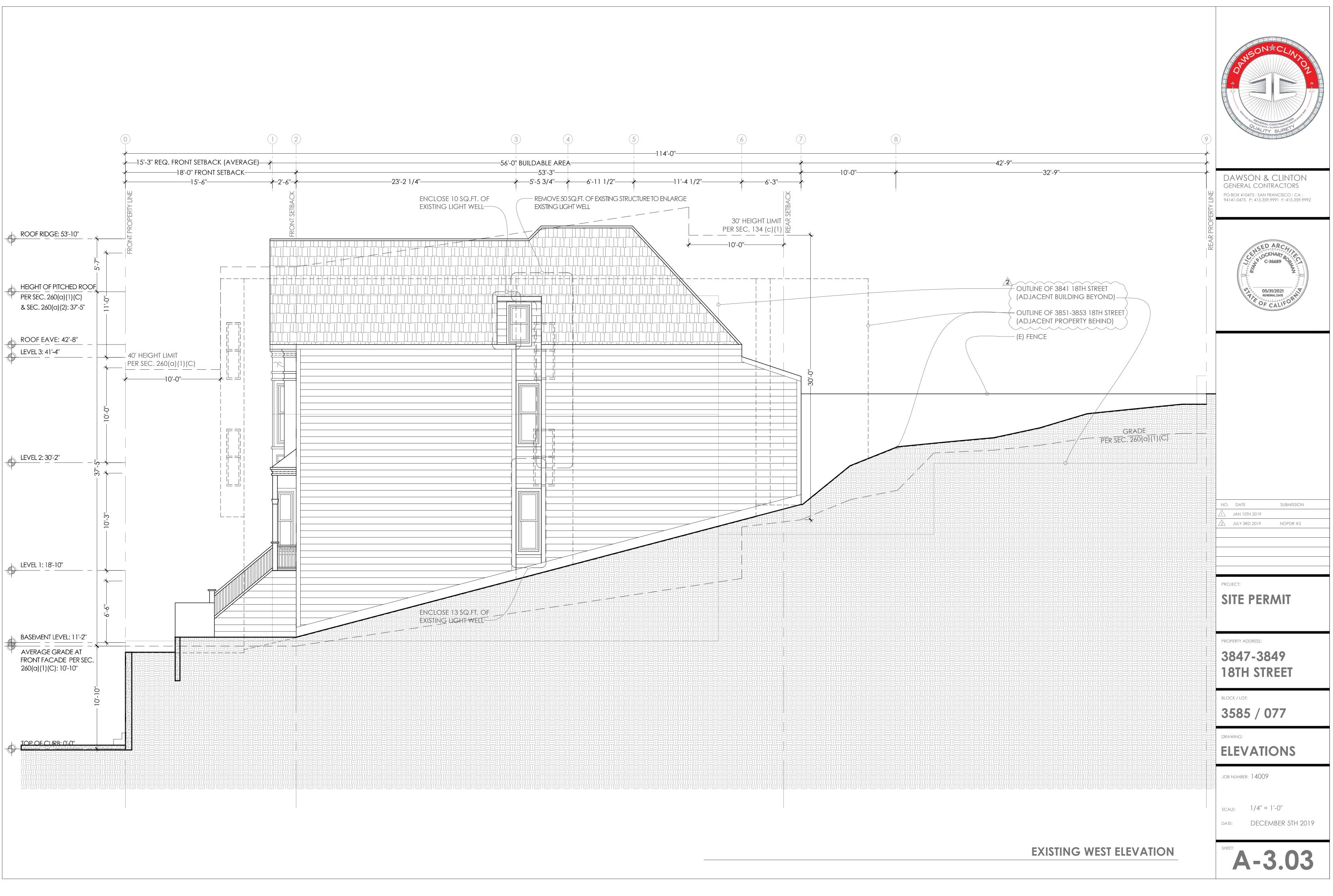






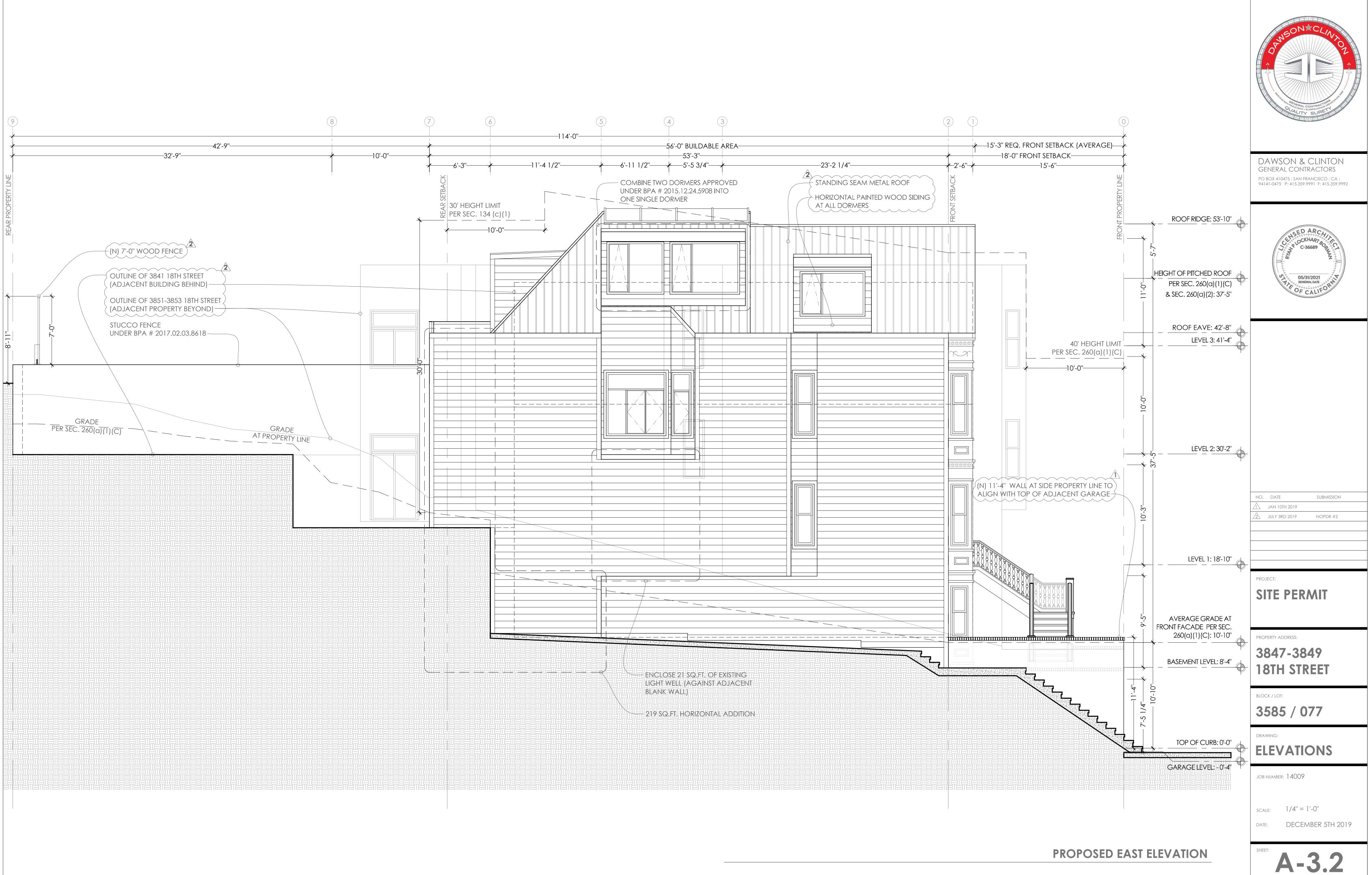


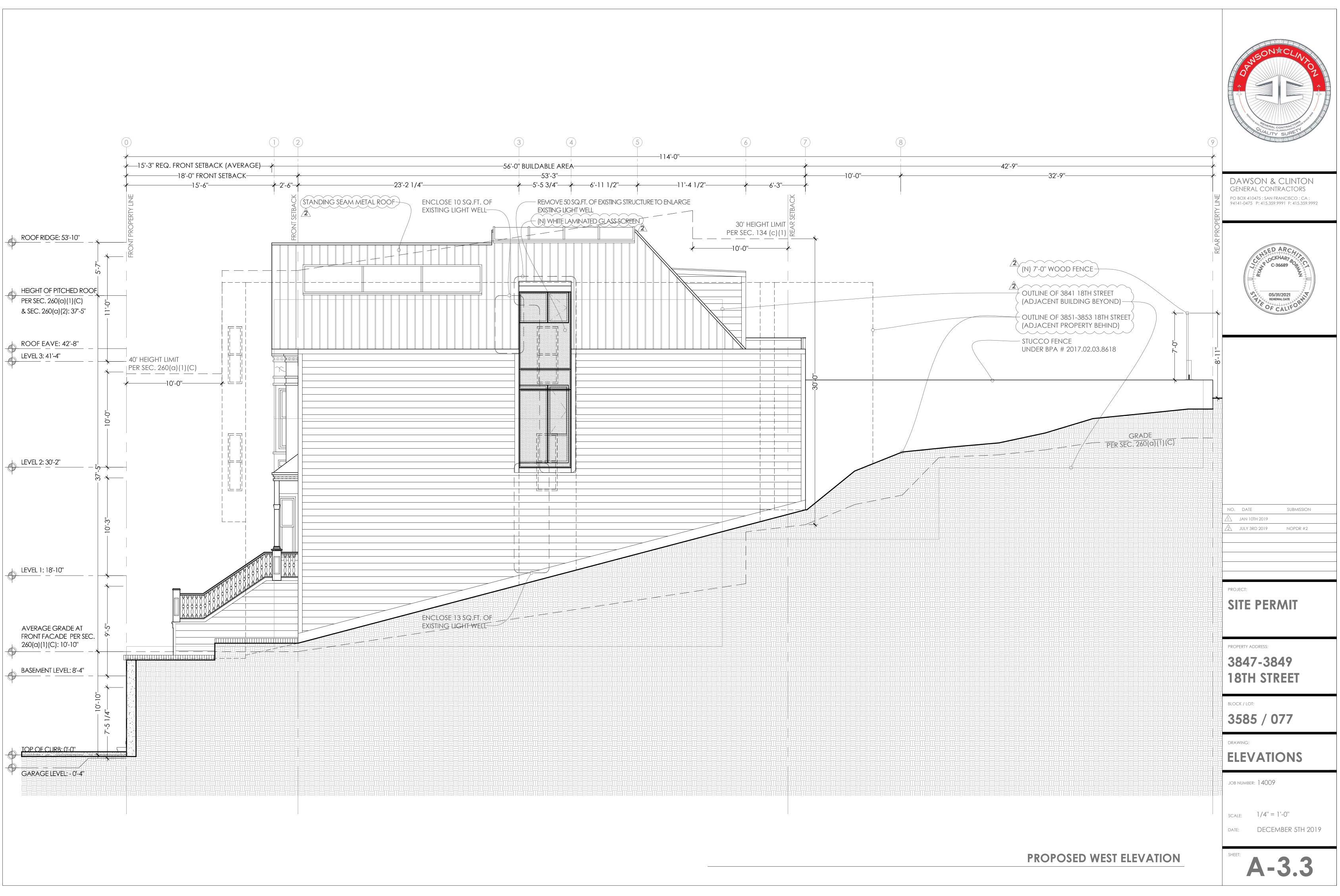


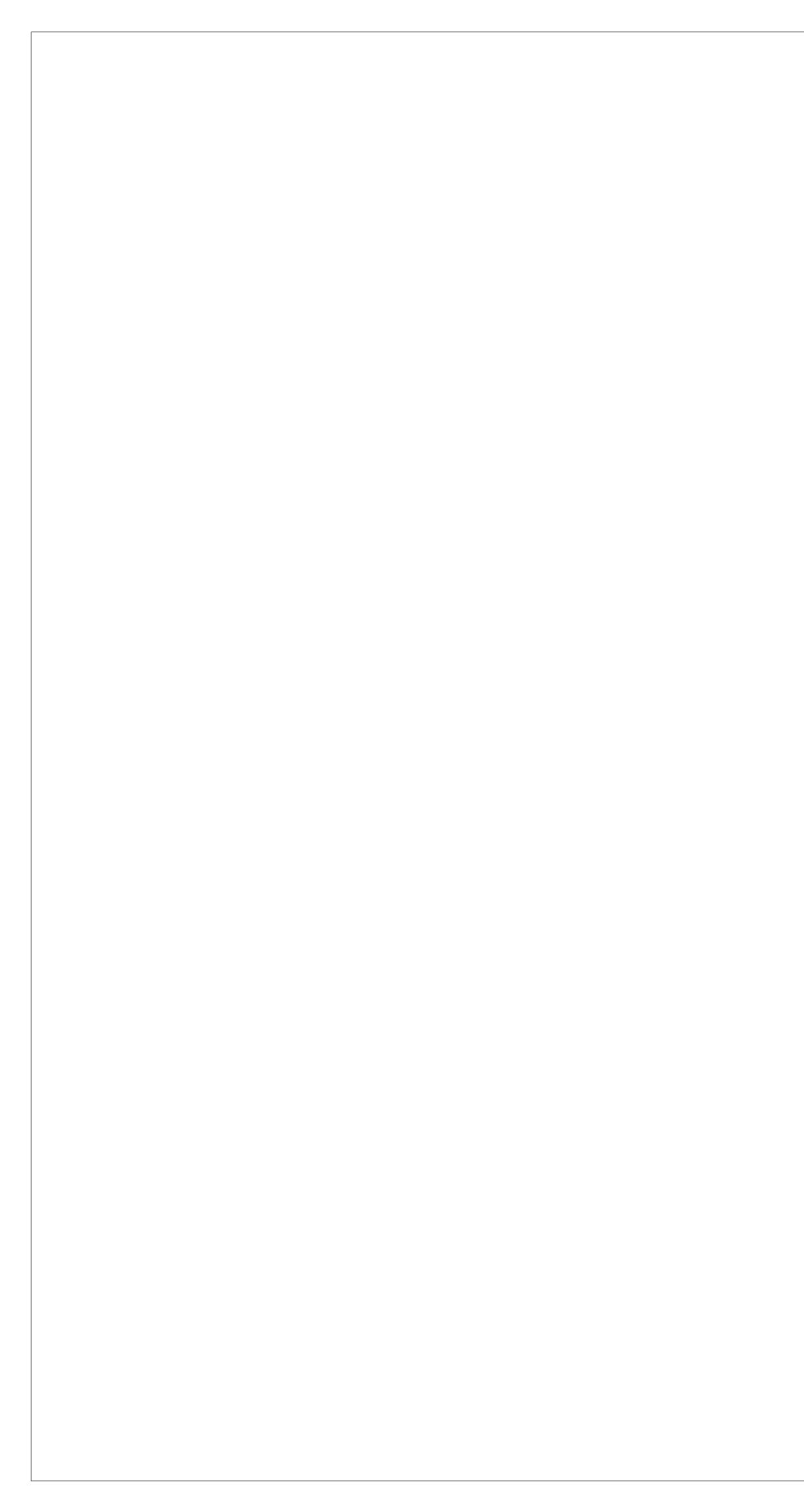


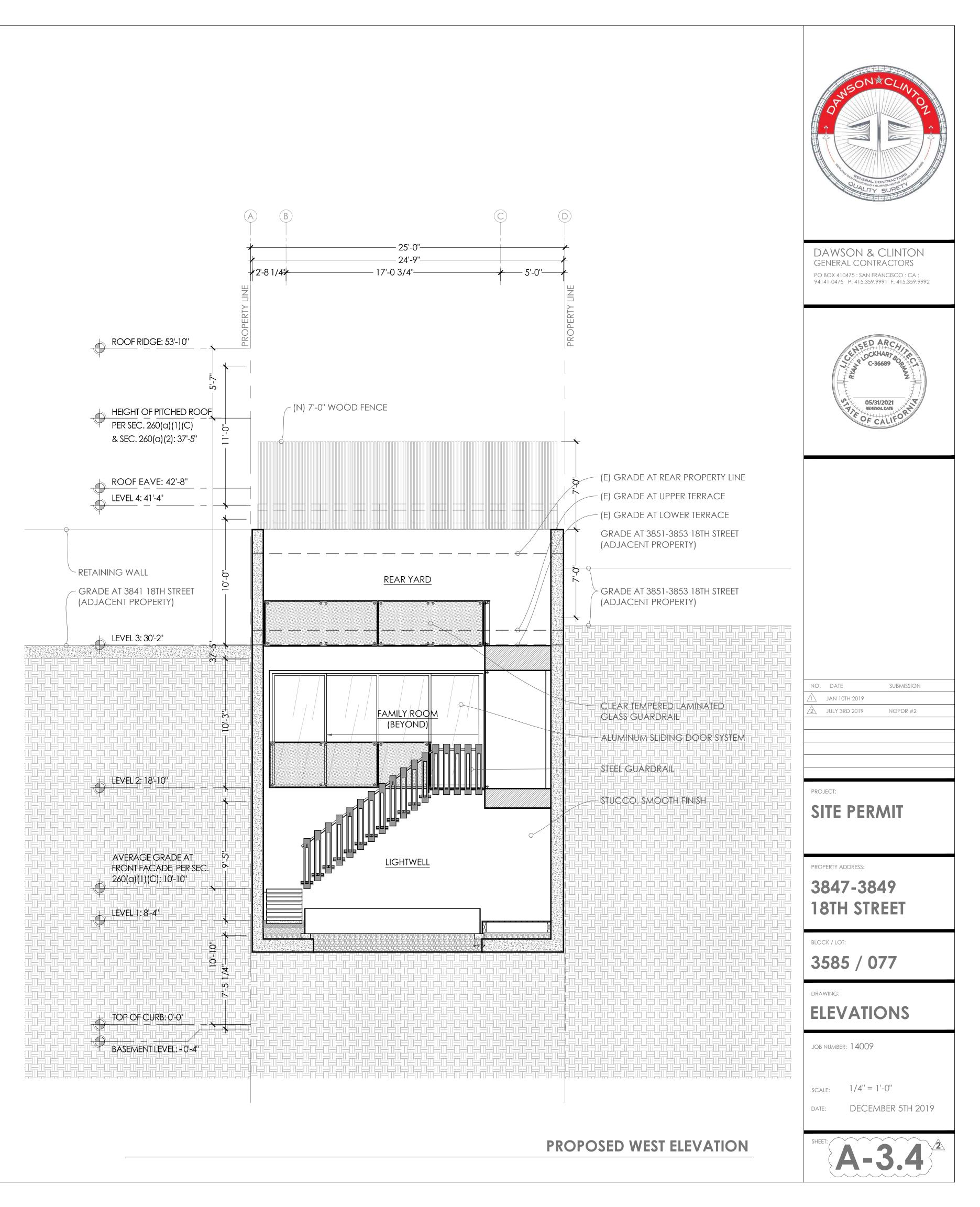


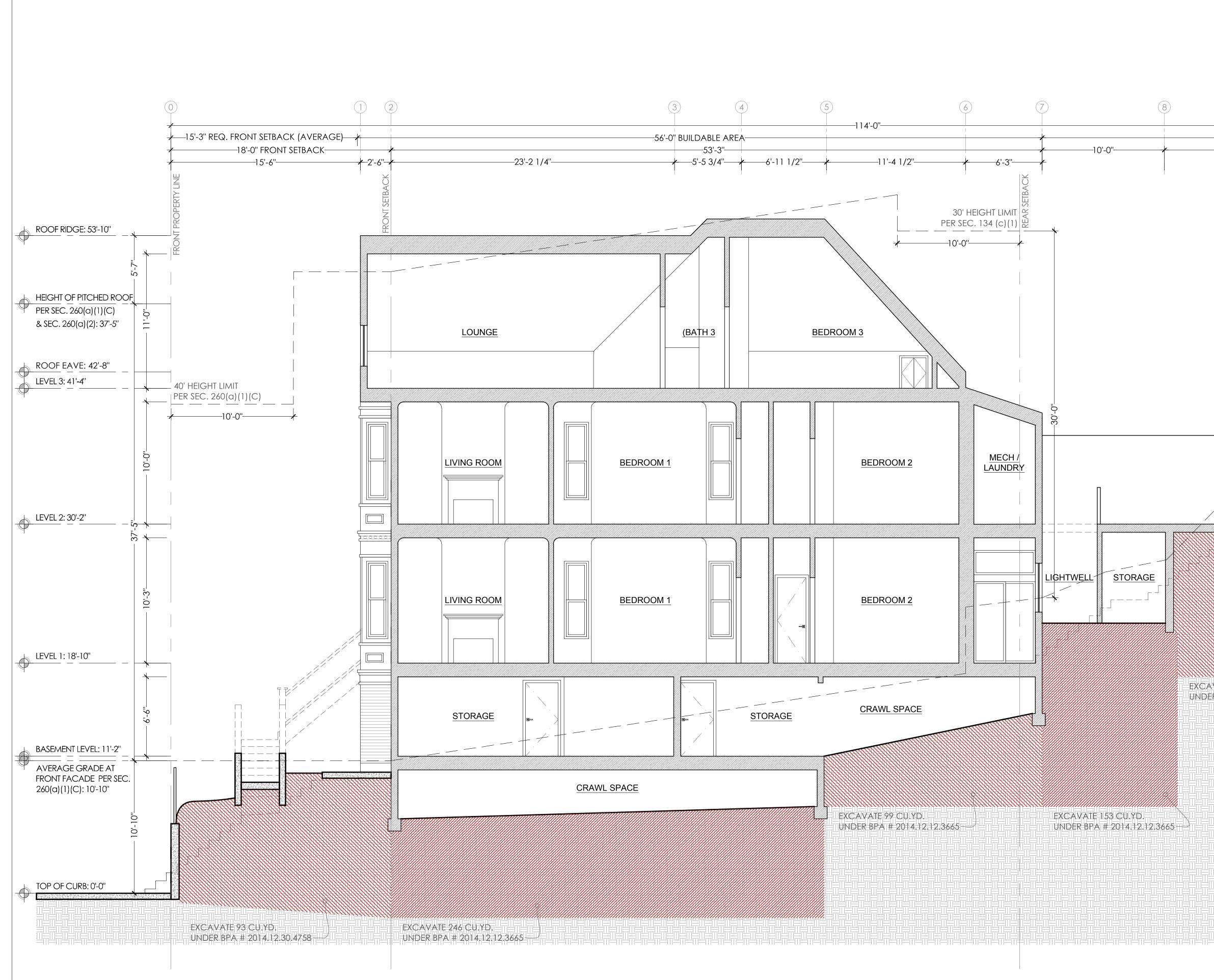








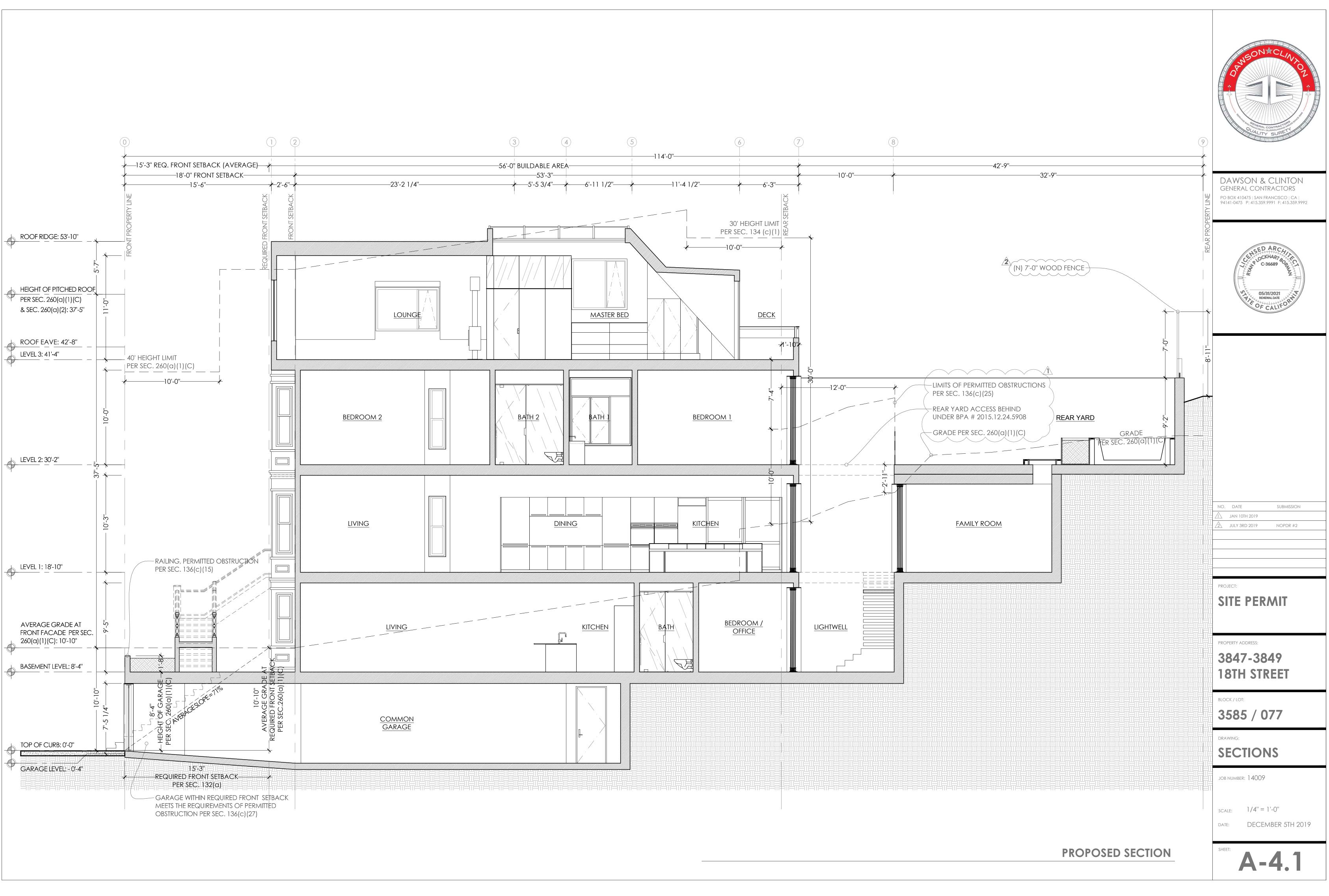


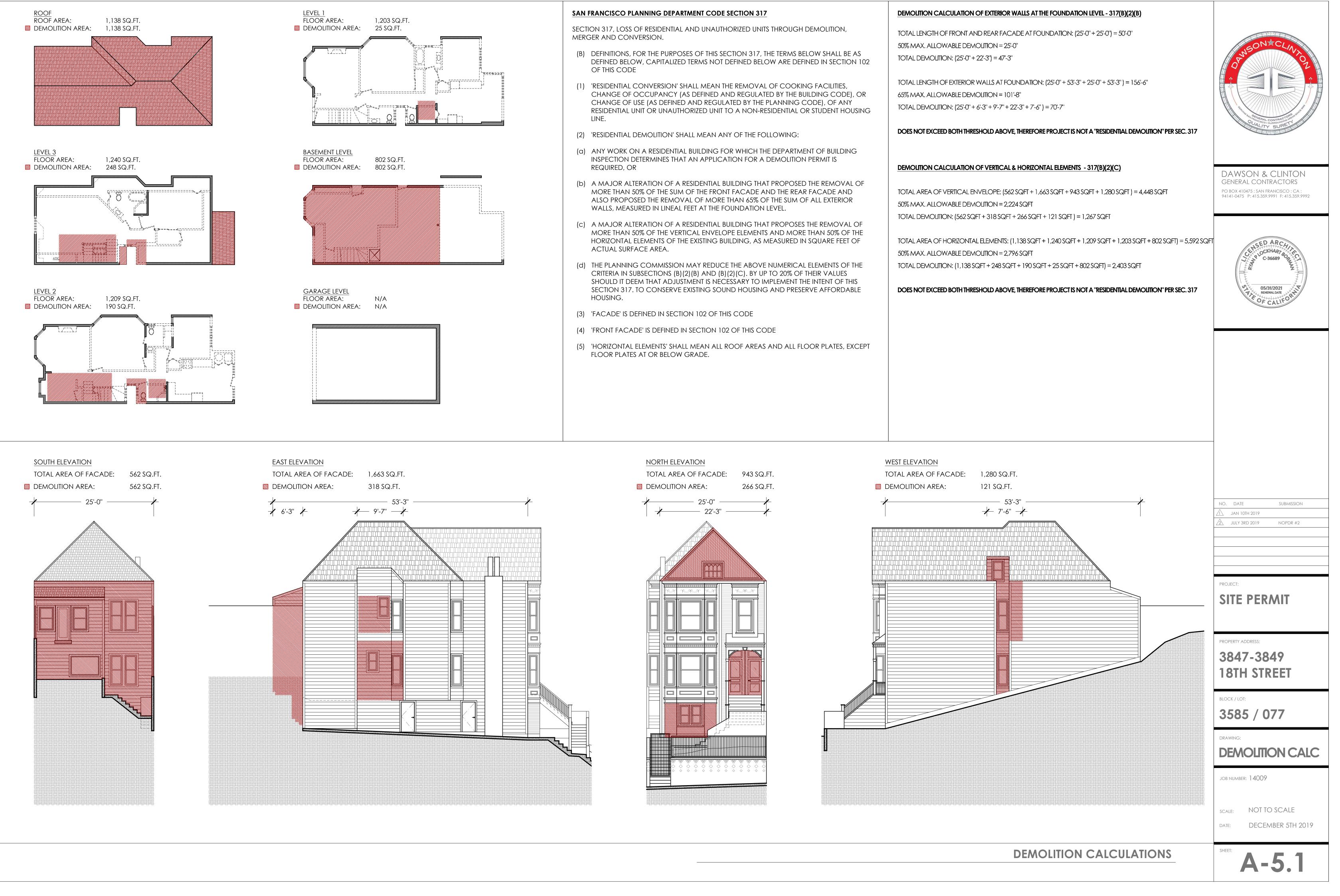


—42'-9''— —32'-9''-DAWSON & CLINTON GENERAL CONTRACTORS PO BOX 410475 : SAN FRANCISCO : CA : 94141-0475 P: 415.359.9991 F: 415.359.9992 O5/31/2021 RENEWAL DATE REAR YARD EXCAVATE 40 CU.YD. UNDER BPA # 2015.12.24.5908 NO. DATE SUBMISSION JAN 10TH 2019 JULY 3RD 2019 NOPDR #2 PROJECT: EXCAVATE 191 CU.YD. UNDER BPA # 2016,06.30.1316 SITE PERMIT PROPERTY ADDRESS: 3847-3849 **18TH STREET** BLOCK / LOT: 3585 / 077 DRAWING: SECTIONS JOB NUMBER: 14009 SCALE: 1/4'' = 1'-0''DATE: DECEMBER 5TH 2019

EXISTING SECTION

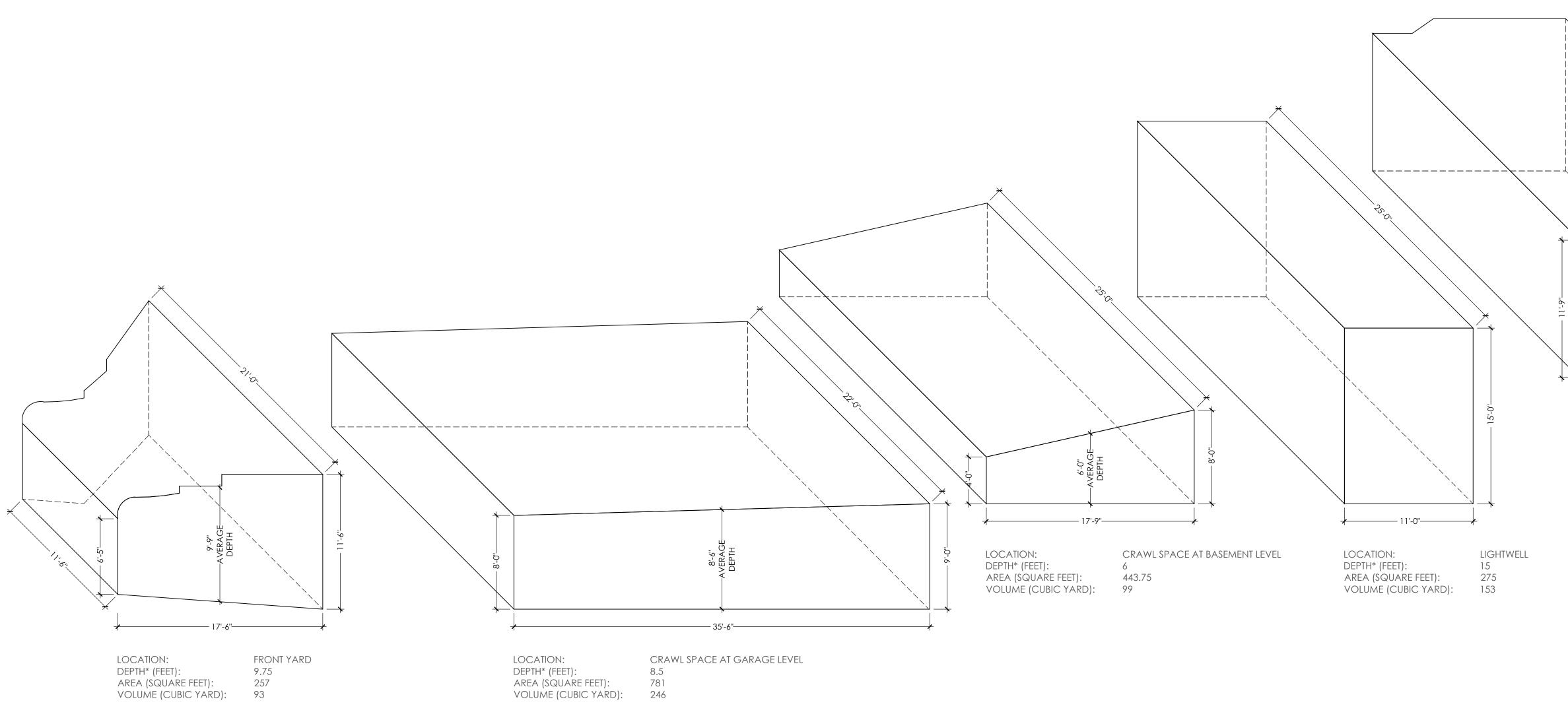
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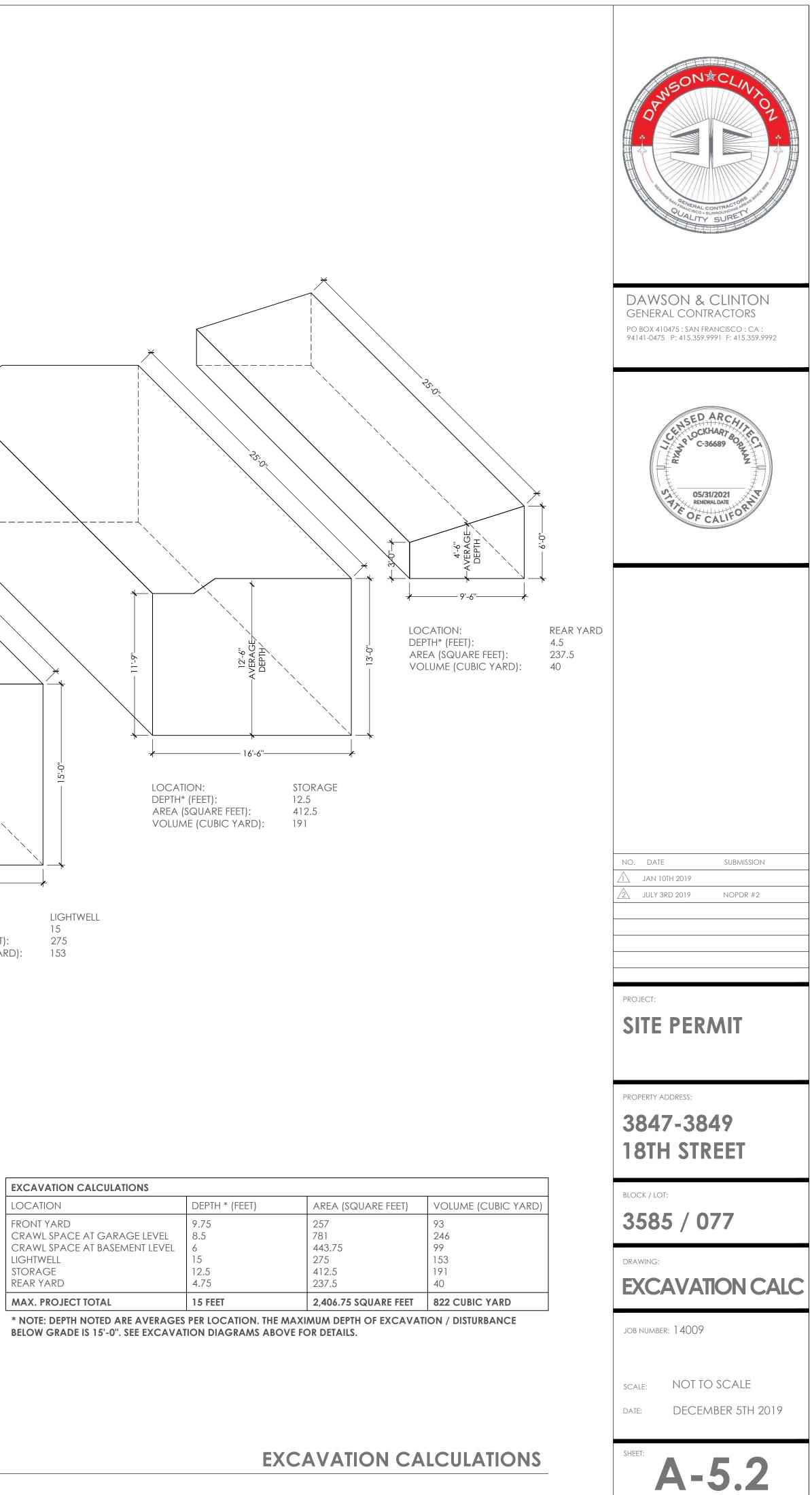








EXCAVATION CALCULATIONS LOCATION FRONT YARD CRAWL SPACE AT GARAGE LEVEL CRAWL SPACE AT BASEMENT LEVEL LIGHTWELL STORAGE REAR YARD MAX. PROJECT TOTAL





SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission Hearing Date: October 24, 2019 Continued from May 9, 2019, July 18, 2019, August 29, 2019

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

Record No.:	2018-009551DRPVAR
Project Address:	3847-3849 18th Street
Permit Applications	s: 2018.06.22.2714
Zoning:	RH-3 (Residential House, Three-Family)
	40-X Height and Bulk District
Block/Lot:	3585 / 077
Project Sponsor:	Dawson & Clinton General Contractors
	PO Box 410475
	San Francisco, CA 94141
Staff Contact:	David Winslow – (415) 575-9159
	david.winslow@sfgov.org
	Jeff Horn – (415) 575-6925
	jeffrey.horn@sfgov.org

BACKGROUND

On July 18, 2019 the San Francisco Planning Commission (hereinafter "Commission") adopted a Motion of Intent to Take DR and revise the project to "have the building restored to the original flat configuration, including that third unit, which is allowed in RH-3." The Commission continued the item to August 29, 2019 to allow more time for Department staff, the City Attorney's Office, and the Project Sponsor to consider the procedural implications of such a decision. Department staff met and consulted with both the City Attorney's Office and the Project Sponsor since the July 18, 2019 hearing.

At the August 29, 2019 hearing, the Commission continued the item and to allow the Sponsor time to simplify the drawings of the site permit and to have a Pre-Application Review Meeting with the Department of Building Inspection (DBI) to ensure the feasibility of the proposed plans receiving approval by DBI and other City Agencies.

PROJECT DESIGN CHANGES AND PLANNING REVIEW

1. The following changes were made drawings of the floor plans:

Deleted notes, revision clouds, closets/furnishings, and finish floor patterns to simplify drawing set and increase clarity of floor plans.

2. The following changes were made to the Site Permit as a result of the Pre-Application meeting with DBI and the San Francisco Fire Department (SFFD):

- a. Added sheet A-0.3 to illustrate code compliance including path of egress travel, number of exits, emergency escape and rescue openings, natural ventilation, and natural light requirements.
- b. Added sheet A-0.5, DBI form AB-005 and added (4) WS sprinkler heads at the windows and doors located at the rear façade of Level 3 as an acceptable local equivalency per DBI Information Sheet EG-05 B.2.a.

RECOMMENDATION

The Department makes no recommendation on the alternative plans submitted by the Project Sponsor.

ATTACHMENTS:

Revised Plan Set dated August 29, 2019 Memo to the Planning Commission from August 29, 2019 Sponsor's letter to the Commission dated August 16, 2019 Sponsor's letter to the Commission dated July 16, 2019 Memo to the Planning Commission from July 18, 2019 Abbreviated Analysis from the March 7, 2019 Hearing

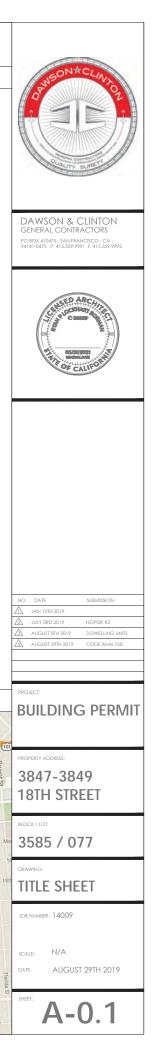
BUILDING PERMIT - PLANNING COMMISSION

	PROJECT DATA		PROJECT TEAM		Sheet index
PROPERTY ADDRESS:	3847-3849 181H STREET SAN FRANCISCO, CA 94114	OWNER:	Kansas street development LLC 415,359,9991 - po box 410475, San Francisco, ca 94141	A-0.1 A-0.2	TITLE SHEET PRE-CONSTRUCTION AND CURRENT PHOTOGRAPHS
BLOCK / LOT:	BLOCK 3585 / LOT 077	DESIGN-BUILD G.C.:	DAWSON-CLINTON GENERAL CONTRACTORS CORP. LICENSE # 791724	A-0.3	CODE ANALYSIS
ZONING DISTRICT:	RH-3		415.359.9991 - P.O. BOX 410475, SAN FRANCISCO, CA 94141	A-0.5	AB-005
HEIGHT / BULK:	40-X	ARCHITECT:	RYAN BORMAN. LICENSE # C-36689 415.218.6556 - 301 UPPER TERRACE , SAN FRANCISCO, CA 94117	A-0.6 A-0.7	ENERGY INSPECTION REQUIREMENTS GS5: SAN FRANCISCO GREEN BUILDING SUBMITTAL
YEAR BUILT:	1907	ENGINEER:	MERCURY ENGINEERING. LICENSE # C-17591 510.549.0440 - 1041A FOLGER AVE . BERKELEY CA 94710	4.1.01	
HISTORIC RESOURCE STATUS:	B UNKNOWN / AGE ELIGIBLE		510.547.0440 - 1041A FOLGER AVE , BERKELEY CA 74710	A-1.01 A-1.1	SITE PLAN - EXISTING SITE PLAN - PROPOSED
TOTAL LOT AREA:	2,848 SQ.FT.		PROJECT SCOPE	A-2.01	BASEMENT (CRAWL SPACE) & LEVEL 1 PLAN - EXISTI
OCCUPANCY TYPE:	R-2, RESIDENTIAL			A-2.02 A-2.03	LEVEL 2 & 3 PLAN - EXISTING LEVEL 4 & ROOF PLAN - EXISTING
CONSTRUCTION TYPE:	V	CORRECT NOV / COMPLAINT	# 2018-002303ENF		
FIRE SPRINKLER:	YES		ADDITION. FILL IN CORNER AT REAR OF BUILDING	A-2.1 A-2.2	BASEMENT (GARAGE) & LEVEL 1 PLAN - PROPOSED LEVEL 2 & 3 PLAN - PROPOSED
			ISTING LIGHTWELL AT LEVEL 1 & 3 STING STRUCTURE TO ENLARGE EXISTING LIGHTWELL AT LEVEL 2 & 3	A-2.3	LEVEL 4 & ROOF PLAN - PROPOSED
	EXISTING PROPOSED	- EXPAND 198 SQ.FT. INTO	EXISTING ATTIC SPACE. NO BUILDING ENVELOPE EXPANSION	A-3.01	EXTERIOR ELEVATIONS - EXISTING
	0 4		REPORT YARD STAIR AT BASEMENT LEVEL	A-3.02 A-3.03	EXTERIOR ELEVATIONS - EXISTING EXTERIOR ELEVATIONS - EXISTING
	2 3		T. TO THE FRONT PROPERTY LINE NT YARD SIDE PROPERTY LINE TO ALIGN WITH TOP OF ADJACENT GARAGE		
NUMBER OF STORIES:	4 4 O/ BASEMENT O/ BASEMENT		GLASS GUARDRAIL IN THE FRONT SETBACK TO BE REMOVED	A-3.1 A-3.2	EXTERIOR ELEVATIONS - PROPOSED EXTERIOR ELEVATIONS - PROPOSED
BUILDING HEIGHT:	37'-5" 37'-5"	- NEW 40 SQ.FT. DECK AT I		A-3.3	
BUILDING AREA (GROSS):	4,700 SQ.FT. 6,490 SQ.FT.	- COMBINE IWO DORMER - REVISE WINDOW AT FRO	S APPROVED UNDER BPA # 2015.12.24.5908 INTO ONE SINGLE DORMER IT FACADE, LEVEL 3	A-3.4	EXTERIOR ELEVATIONS - PROPOSED
BUILDING AREA (CONDITIONED):		- NEW STEEL GARAGE DO		A-4.01	BUILDING SECTION - EXISTING
3847-B 18TH ST 3847-A 18TH ST	0 SQ.FT. 1,264 SQ.FT. 1,169 SQ.FT. 1,696 SQ.FT.	- NEW WOOD ENTRY DOC		A-4.1	BUILDING SECTION - PROPOSED
3849 18TH ST PROJECT TOTAL	<u>2,001 SQ.FT.</u> <u>2,325 SQ.FT.</u> 3,170 SQ.FT. <u>5,285 SQ.FT.</u>	- NEW WOOD GUARDRAIL	AT FRONT YARD ALCULATION FOR ALL APPROVED BPAs	A-5.1	DEMOLITION CALCULATIONS
			ALCULATION FOR ALL APPROVED BPAs	A-5.2	EXCAVATION CALCULATIONS
			level 1 "family room" from Storage Slass Screen at west property line lightwell		
		DEMO POWDER AND RE DEMO M.P.E. AND FIRE S PROVIDE NEW SEPARATE NEW 1-HR FIRE SEPARATE NEW CEILING, WALL AND NEW M.P.E., CABINETRY	D PROVIDE (2) ENTRY DOORS AND DEMISING WALL. PLACE WITH FULL BATH. PRINKLERS. UTILITY METERS, M.P.E. AND FIRE SPRINKLERS FOR 3RD UNIT. DN BETWEEN UNITS.		
	CODE REFERENCES		PERMIT HISTORY		VICINITY MAP
				(E)	9 Halght St Waller St Germanie St Hermann St
CURRENT CODES:		DESCRIPTION:	BPA #:	Haight St.	Dubote Ave g
THE 2016 CALIFORNIA BUILDING ST.	ANDARDS CODE:	REMOVE ILLEGAL DWELLING U		But But	ena Vista Park
PART 1 - CALIFORNIA BUILDING STA PART 2 - CALIFORNIA BUILDING CC		FOUNDATION REPLACEMENT	2014.11.25.2493	nbury St Dow	Henry St Henry St
PART 3 - CALIFORNIA ELECTRICAL (PART 4 - CALIFORNIA MECHANICA	CODE	EXCAVATE AT CRAWL SPACE	2014.12.12.3665	Hey H	Sh St Car
PART 5 - CALIFORNIA PLUMBING C	ODE	REMOVE WALLS AND EXCAVA		day	Randall Museum Besver St
PART 6 - CALIFORNIA ENERGY COE PART 7 - NO LONGER PUBLISHED IN	I TITLE 24; SEE TITLE 8 CCR	VOLUNTARY SEISMIC UPGRADI		Belvede	States States St
PART 8 - CALIFORNIA HISTORICAL E PART 9 - CALIFORNIA FIRE CODE	BUILDING CODE	SPRINKLER SYSTEM	2015.12.24.5900	Salum 20	st 17th St a 17th St a St Dore St
PART 10 - CALIFORNIA EXISTING BU PART 11 - CALIFORNIA GREEN BUILI PART 12 - CALIFORNIA REFERENCE	DING STANDARDS CODE	INTERIOR REMODEL, RELOCATE TO BASEMENT LEVEL, (N) WIND ELEVATOR, AND (N) DORMERS		nel St	p-18th St THE CASTRO
2016 ASME 17.1 SAFETY CODE FO		EXCAVATE AT LEVEL 1 STORAG	E 2016.06.30.1316		Caselli Ave 5 19th St. Mission Dolores
CURRENT SAN FRANCISCO PLANNI		STUCCO FENCE AT REAR YARD	2017.02.03.8618	As a second	Shin st 20th St 0
CURRENT SAN FRANCISCO BUILDIN		SPRINKLER MONITORING SYSTE	M 2017.06.26.0353	Peaks	Si annon zistst g
					2111 51 SI
	GOVERNING CODES AND ORDINANCES. STRINGENT REQUIREMENTS SHALL APPLY.			N PEAKS	22nd St 22nd
				win Peaks	2 23rd St 22 23rd St Elizabeth St 24th St 24th St 24th St

HEET INDEX

DING SUBMITTAL FORM

el 1 plan - existing

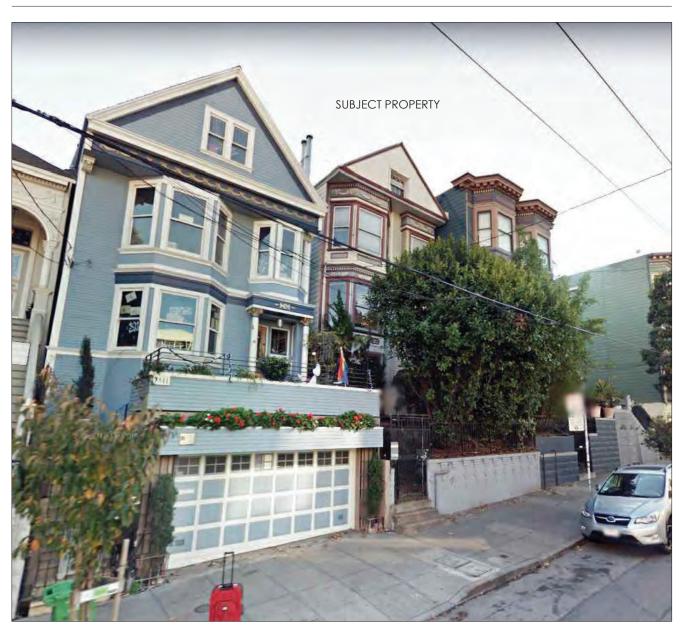


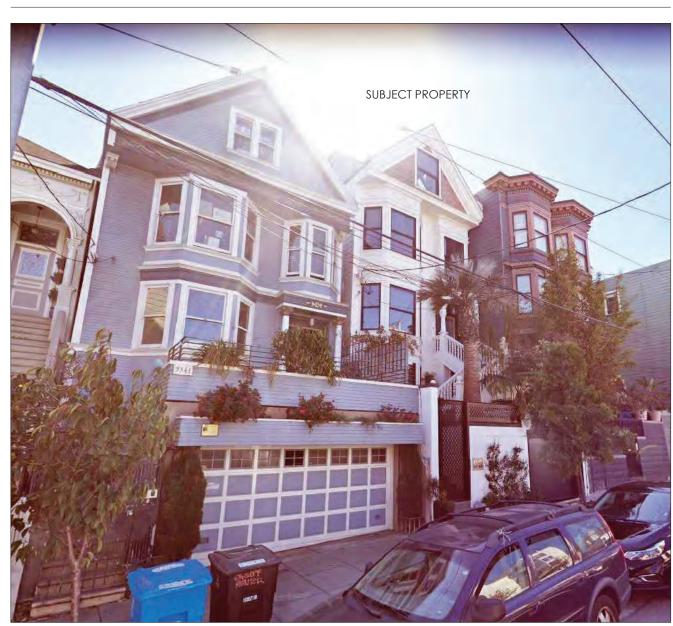
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Public Works

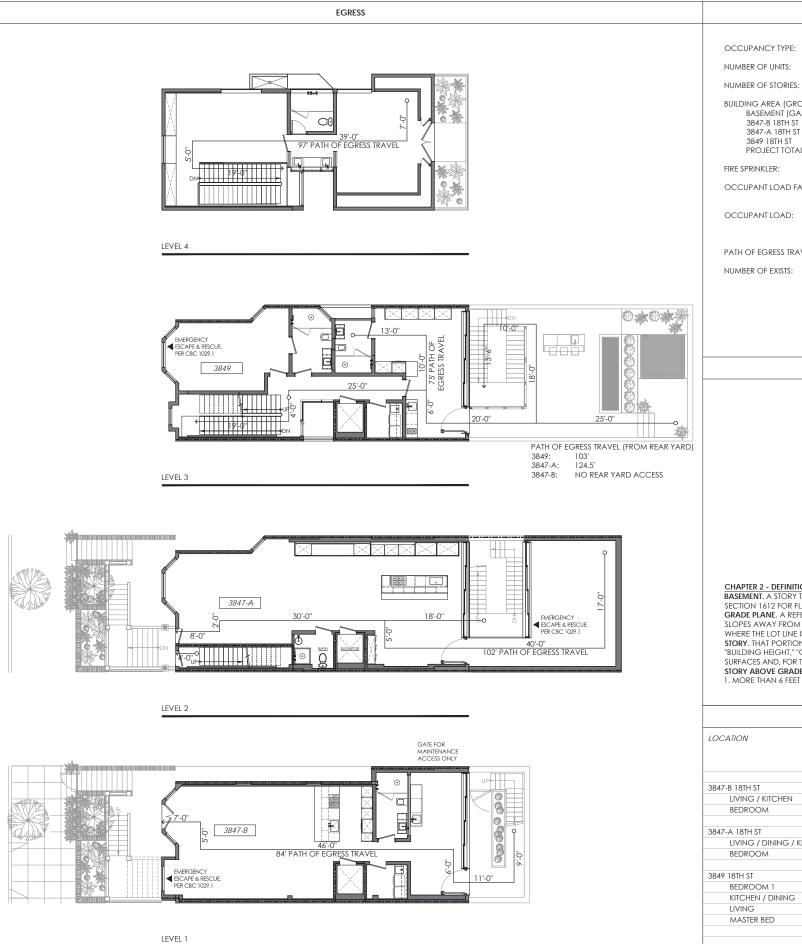
PRE-CONSTRUCTION

CURRENT





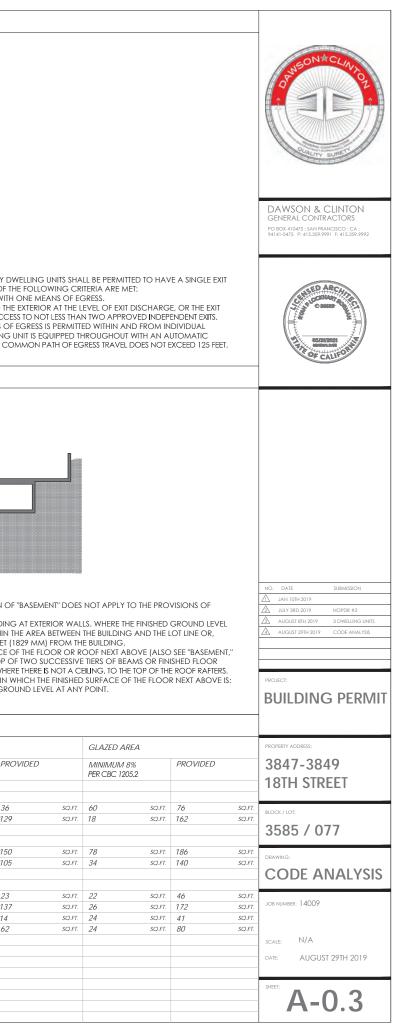




			PROJECT DATA	
OCCUPANCY TYPE:	R-2, RESIDENTIAL			
NUMBER OF UNITS:	3			
NUMBER OF STORIES:	4 OVER BASEMENT			
BUILDING AREA (GROSS): BASEMENT (GARAGE) 3847-B 18TH ST 3847-A 18TH ST 3849 18TH ST PROJECT TOTAL	1,205 SQ.FT. 1,264 SQ.FT. 1,696 SQ.FT. <u>2,325 SQ.FT.</u> 6,490 SQ.FT.			
FIRE SPRINKLER:	NFPA 13R			
OCCUPANT LOAD FACTOR :	200 GROSS PER OCCUPAN PER CBC TABLE 1004.1.2	1T		
OCCUPANT LOAD:	3847-A 18TH ST = 1,696	SQ.FT. / 200 = 7 SQ.FT. / 200 = 9 SQ.FT. / 200 = 12	2	
PATH OF EGRESS TRAVEL:	125 FEET MAX., PER CBC T/	ABLE 1006.2.1		
NUMBER OF EXISTS:	OR ACCESS TO A SINGLE E 5.1. THE DWELLING 5.2. EITHER THE EXI ACCESS OUTSI CBC 1006.2.1 EXCEPTION DWELLING UNITS WITH A M	EXIT FROM THE DWEL GUNIT COMPLIES WIT T FROM THE DWELLIN DE THE DWELLING UN 1: IN GROUP R-2 ANI IAXIMUM OCCUPAN	UAL SINGLE-STORY OR MUL LING UNIT PROVIDED THAT I'H SECTION 1006.2.1 AS A SI IG UNIT DISCHARGES DIREC IT'S ENTRANCE DOOR PROV D R-3 OCCUPANCIES, ONE UT LOAD OF 20 WHERE THE I ON 903.3.1.1 OR 903.3.1.2. A	BOTH OF THE FOL PACE WITH ONE / CTLY TO THE EXTER IDES ACCESS TO N MEANS OF EGRES OWELLING UNIT IS
		BASEMENT,	GRADE PLANE AND STOR	۲Y
CHAPTER 2 - DEFINITIONS BASEMENT. A STORY THAT IS NOT SECTION 1612 FOR FLOOD LOAL GRADE PLANE. A REFERENCE PL SLOPES AWAY FROM THE EXTERI WHERE THE LOT LINE IS MORE TH. STORY. THAT PORTION OF A BUI "BUILDING HEIGHT," "GRADE PLA SURFACES AND, FOR THE TOP MC STORY ABOVE GRADE PLANE. AN 1. MORE THAN 6 FEET (1829 MM)	DS. ANE REPRESENTING THE AVERA OR WALLS, THE REFERENCE PLA AN 6 FEET (1829 MM) FROM TH LDING INCLUDED BETWEEN THE NE" AND "MEZZANINE"). TI SI MI ST STORY, FROM THE TOP OF THE YY STORY HAVING ITS FINISHED	GE OF FINISHED GR(NNE SHALL BE ESTABL E BUILDING, BETWEE E UPPER SURFACE OF EASURED AS THE VEE E FLOOR FINISH TO TH FLOOR SURFACE EN	DUND LEVEL AD JOINING TH ISHED BY THE LOWEST POIN N THE BUILDING AND A POI A FLOOR AND THE UPPER ITICAL DISTANCE FROM TOF E TOP OF THE CEI LING JOIST ITIRELY ABOVE GRADE PLAT	HE BUILDING AT EX TS WITHIN THE AR NT 6 FEET (1829 M SURFACE OF THE 2 TO TOP OF TWC S OR, WHERE THEF NE, OR IN WHICH
		NATURAL VEN	ILATION AND NATURAL L	IGHT
OCATION		FLOOR AREA	OPENABLE AREA	
			MINIMUM 4%	PROVIDEL

CHAPTER	2 -	DEFINITI	o

	NATURAL V	'ENTILATION	N AND NA	IURAL LIGHT	LIGHT				
LOCATION	FLOOR AR	EA	OPENABL	E AREA					
			MINIMUN PER CBC 1		Pł				
3847-B 18TH ST									
LIVING / KITCHEN	732	SQ.FT.	30	SQ.FT.	30				
BEDROOM	207	SQ.FT.	9	SQ.FT.	12				
3847-A 18TH ST									
LIVING / DINING / KITCHEN	965	SQ.FT.	39	SQ.FT.	15				
BEDROOM	422	SQ.FT.	17	SQ.FT.	10				
3849 18TH ST									
BEDROOM 1	268	SQ.FT.	11	SQ.FT.	23				
KITCHEN / DINING	324	SQ.FT.	13	SQ.FT.	13				
LIVING	288	SQ.FT.	12	SQ.FT.	14				
MASTER BED	292	SQ.FT.	12	SQ.FT.	62				

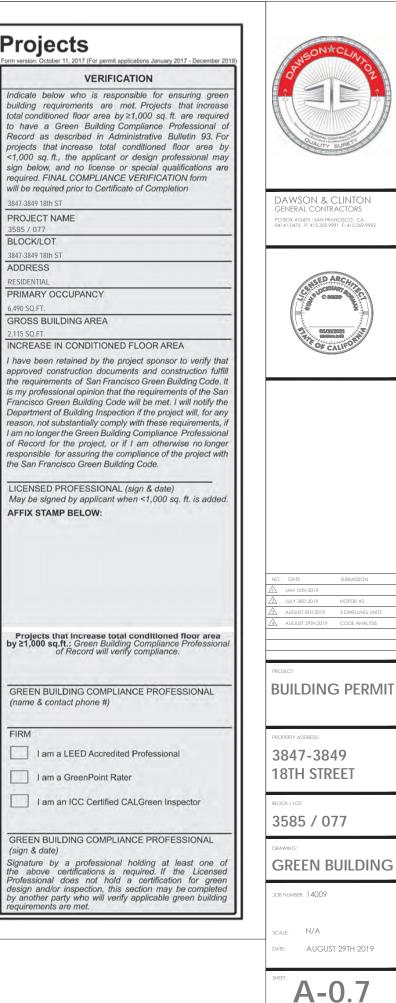


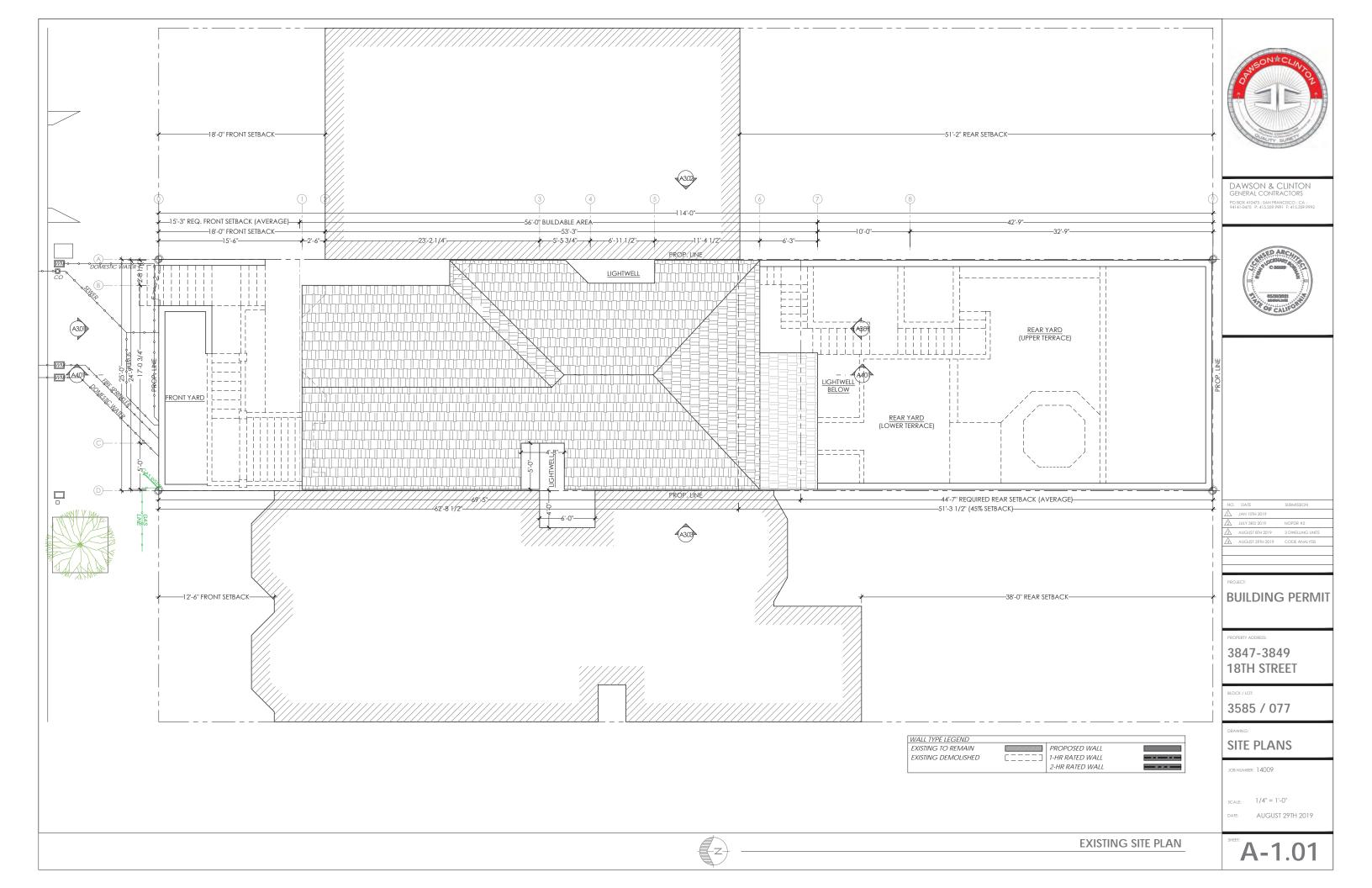
ATTACHMENT A		PLAN REVIEWER COMMENTS:	1
DEPARTMENT OF BUILDING INSPECTION	Proposed Modification or Alternate		0
City & County of San Francisco 1660 Mission Street, San Francisco, California 94103-2414	Proposed Emergency Escape and Rescue openings open to a vard that is 39 feet 9 inches. The project sponsor proposes to install (4) WS sprinkler heads at the windows and doors		î
REQUEST FOR APPROVAL OF LOCAL EQUIVALENCY FOR MODIFICATION	located at the rear facade of Level 3. Proposed sprinkler heads shall be ordinary temperature quick-response type sprinkler heads installed within 18 inches of the openings and spaced no less than 6 feet on center or manufacturer's minimum recommended spacing, whichever is	RECOMMENDATIONS: Approve Approve with conditions Disapprove	17 1
OR ALTERNATE MATERIALS, DESIGN OR METHODS OF CONSTRUCTION	closer, and designed to flow at 3 gpm per linear foot.	[signed off/dated by:]	U.
DATE SUBMITTED 10.01.19 [Note: This form shall be recorded as part of the permanent construction records of the property]		Plan Reviewer:	
If no permit application has been filed, a Preapplication Review Fee is required for review of a request for local		Division Manager:	
equivalency or modification per SFBC Table 1A-B, Item 5. Additional fees may be required by Fire Department and other City review agencies.		Bldg. Inspection	
If a permit application has been filed, no additional fees are required for this review.	Case-by-Case Basis of Request - Describe the practical difficulties presented in meeting the specific conditions of the code and how the proposed modification or alternate meets the intent of the code. A separate form should	for Fire Marshal:	DAW
Permit Application # 2018.06.22.2714	be filled for each requested modification or alternate. Attach copies of any Administrative Bulletin, Code Ruling, reference, test reports, expert opinions, etc., which support this request. The Department may require	CONDITIONS OF APPROVAL or OTHER COMMENTS	GENER
Property Address: 3847-3849 18th STREET	that an approved consultant be hired by the applicant to perform tests or analysis and to submit an evaluation report to the Department for consideration. The proposed modification meets the intent of the code and is an acceptable local equivalency.		PO BOX / 94141-04
Block and Lot: 3585 / 077 Occupancy Group: R2 Type of Construction: V No. of Stories: 4	per SFDBI Information Sheet EG-05 B.2.a.		
Describe Use of Building 3 DWELLING UNITS			
Under the authority of the 2016 San Francisco Building Code, Sections 104A.2.7 and 104A.2.8; the 2016 San Francisco Mechanical Code, Section 302.2; the 2016 San Francisco Electrical Code, Section 89.117; and the			
2016 San Francisco Plumbing Code, Section 301.3; the undersigned requests modifications of the provisions of these codes and/or approval of alternate materials, designs or methods of construction. Two copies of supporting			
documents, including plans showing the proposed modifications or alternate materials, design or methods of construction, are attached.			
Regular Code Requirement (specify Code and Sections) Per CBC 1030, Emergency Escape and Rescue openings shall open directly into a public way	Requested by: PROJECT SPONSOR ARCHITECT/ENGINEER		
or to a yard or court that opens to a public way.	Print Name: Tim Clinton Ryan Borman [PROFESSIONAL		
	Signature: STAMP HERE]		
	Telephone: 4153599991 4153599991		
Page 1 of 3	Page 2 of 3	Page 3 of 3	
	1050 = 010	10800010	
Constant and the second s	INFORMATION SHEET		
City and County of San Francisco Department of Building inspection Tom C. Hui, S.E., C.B.O., Director	INFORMATION SHEET EIG-05 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits.	INFORMATION SHEET 3. Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Refrofitting 4. Ordinance No. 162-16: Construction of Accessory Dwelling Units	NO. DA
City and County of San Francisco	REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16; Construction of Accessory Dwelling Units Ordinance No. 95-17; Construction of Accessory Dwelling Units 	A
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City and County of San Francisco Tom Chuid Seed, Mayor Department of Building Inspection Tom C. Hui, S.E., C.B.O., Director INFORMATION SHEET No. EG-05 DATE : August 24, 2013 CATEGORY : Egress	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. 	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 95-17: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: 	AUG
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City and County of San Francisco Information London N. Breed, Mayor Tom C. Hui, S.E., C.B.O., Director INFORMATION SHEET NO. EG-05 DATE : August 24, 2013 CATEGORY : Egress SUBJECT : Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization .	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building I on coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shell be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire alarm system yeach and rescue route shall be protected as a 1-hour passageway with full sprinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabine shall meet the requirements of Section E in PG&Er's GDS J-16. PG&E is responsible for the 	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 95-17: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. 	A JAN A JULY A AUG A AUG PROJECT:
City and County of San Francisco Department of Building Inspection Inspection Inspection INFORMATION SHEET INFORMATION SHEET NO. EG-05 Intervention DATE : August 24, 2013 CATEGORY : Egress SUBJECT : Local equivalencies for Accessory Dwelling Units (ADU) and Unit REFERENCE : 2016 San Francisco Building Code (SFBG) 2016 San Francisco Housing Code (SFFG) 2016 San Francisco Housing Code (SFFG)	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shell be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code sat 1-hour passageway with full sprinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PO&Er's GDS J-15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum width or required capacity of a means 	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 95-17: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Fre-application meeting and/or approval of AB-005 is required. 	A JAN JULY A AUG PROJECT: BUII
City and County of San Francisco Condon N. Breed, Mayor Department of Building Inspection Tom C. Hui, S.E., C.B.O., Director INFORMATION SHEET NO. EG-05 August 24, 2013 CATEGORY Egress SUBJECT : Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE : 2016 San Francisco Building Code (SFBC) 2016 San Francisco Housing Code (SFHC) 2016 San Francisco Housing Code (SFHC) Ordinance No. 43-14	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue routs shall be protected as a 1-hour passageway with full sprinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabine shall meet the requirements of Section 2 in PG&E's GDS J-15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure 	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 95-17: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Pre-application meeting and/or approval of AB-005 is required. Daniel de Cossio Daniel de Cossio Fire Marshal & Assistant Deputy Chief 	A JAN A JULY A AUG PROJECT: BUII
City and County of San Francisco Department of Building Inspection Information London N. Breed, Mayor Tom C, Hui, S.E., C.B.O., Director INFORMATION SHEET NO. EG-05 August 24, 2013 CATEGORY Egress SUBJECT t. Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE : 2016 San Francisco Building Code (SFBC) 2016 San Francisco Fire Code (SFFC) 2016 San Francisco Housing Code (SFHC) Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 30-15 Ordinance No. 30-15	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shell be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code soft. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sprinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PG&E's COS J-15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum width or required capacity of a means of egress component (exit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire 	S. Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting 4. Ordinance No. 162-16: Construction of Accessory Dwelling Units 5. Ordinance No. 95-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 7. These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. E. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager, Pre-application meeting and/or approval of AB-005 is required. Daniel de Cossio	A JAN A JULY A AUG PROJECT: BUII
City and County of San Francisco Condon N. Breed, Mayor Department of Building Inspection INFORMATION SHEET INFORMATION SHEET NO, EG-05 August 24, 2013 CATEGORY Egress SUBJECT SUBJECT Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE : 2016 San Francisco Building Code (SFB6) 2016 San Francisco Fire Code (SFFC) 2016 San Francisco Housing Code (SFBC) Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 49-17 Ordinance No. 49-17	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shell be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sortinkler coverage. d. Gas and electric melers shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PO&Ers GDS J-15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum width or required capacity of a means of egress component (exit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire ground floor. g. Toters (trashcans) shall not be stored in the exit passageway. Toter recel^{placle} 	 3. Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting 4. Ordinance No. 162-16: Construction of Accessory Dwelling Units 5. Ordinance No. 95-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 7. These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. 8. These requirements do not apply to ground floor units provided with 2 separate means of access. 7. Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Pre-application meeting and/or approval of AB-005 is required. 7. Daniel de Cossio 7. Fire Marshal & Assistant Deputy Chief San Francisco Fire Department. 	
City and County of San Francisco Condon N. Breed, Mayor Department of Building Inspection INFORMATION SHEET INFORMATION SHEET NO, EG-05 JATE DATE : August 24, 2013 CATEGORY : Egress SUBJECT : Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE : 2016 San Francisco Building Code (SFBC) 2016 San Francisco Huising Code (SFFC) 2016 San Francisco Huising Code (SFFC) 2016 San Francisco Huising Code (SFHC) Ordinance No. 30:15 Ordinance No. 30:15 Ordinance No. 30:15 Ordinance No. 162:17 Information Sheet F3:08	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sortinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PG&E's GDS J-15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum widh or required capacity of a means of egress component (exit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire ground floor. 	 3. Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting 4. Ordinance No. 162-16: Construction of Accessory Dwelling Units 5. Ordinance No. 95-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 7. These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. E. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Pre-application meeting and/or approval of AB-005 is required. Daniel de Cossio Daniel de Cossio Fire Marshal & Assistant Deputy Chief San Francisco Fire Department. M. L. M. Market Marke	BUII PROPERTY 384 18T
City and County of San Francisco Image: County of San Francisco Department of Building Inspection Image: County of San Francisco INFORMATION SHEET NO. EG-05 Image: County of San Francisco DATE : August 24, 2013 CATEGORY : Egress SUBJECT : Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization 2016 San Francisco Building Code (SFBC) 2016 San Francisco File Code (SFFC) 2016 San Francisco Housing Code (SFFC) 2016 San Francisco File Code (SFFC) 2016 San Francisco Housing Code (SFFC) 2016 San Francisco Housing Code (SFFC) 2016 San Francisco Housing Code (SFFC) 2017 Continance No. 30:15 Ordinance No. 30:15 Ordinance No. 30:16 Ordinance No. 30:17 Ordinance No. 30:17 Ordinance No. 30:17 Ordinance No. 30:17 Ordinanc	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 903. including Code and Fire Code Section 907. c. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section EI n PG&E/E SOB J-15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum widh or required capacity of a means of gress component (axit passageway). e. New ground floor interior load bearing walls shall be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire ground floor. g. Toters (trashcans) shall not be stored in the exit passageway. Toter receptacle compartments shall be in accordance with SFH2 Section 707. Pre-application 	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 95-17: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Pre-application meeting and/or approval of AB-005 is required. Darliel de Cossio Darliel de Cossio Darliel de Cossio Tom C. Hul, S.E., C.B.O. Tom C. Hul, S.E., C.B.O. Director 	A JAN A JULY A AUG PROJECT: BUII PROPERTY 384 18T
Objectment of San Francisco London N. Breed, Mayor Tom C, Hui, S.E., C.B.O., Director INFORMATION SHEET NO. EG-06 DATE : August 24, 2013 CATEGORY : Egress SUBJECT : Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE : 2016 San Francisco Building Code (SFBG) 2016 San Francisco Fire Code (SFFC) 2016 San Francisco Housing Code (SFFC) 2016 San Francisco Housing Code (SFHC) Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 49-14 Ordinance No. 49-16 Ordinance No. 49-17 Information Sheet FS-05 Information Sheet G-23 Gas Design Stantard (GDS) J-15, published by PC&E on 11/15/17: Interformation Sheet G-23 Gas Design Stantard (GDS) J-15, published by PC&E on 11/15/17: Interformation Sheet G-23 <td> REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). 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The Date </td> <td></td>	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. 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Date Tom C, Hul, S.E., C.B.O. The Date 	
City and County of San Francisco Department of Building Inspection Torn C. Hui, S.E., C.B.O., Director INFORMATION SHEET NO. EG-05 INFORMATION SHEET DATE August 24, 2013 CATEGORY Egress SUBJECT Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE 2016 San Francisco Building Code (SFBO) 2016 San Francisco File Code (SFFO) 2016 San Francisco Housing Code (SFFO) 2016 San Francisco Housing Code (SFFO) 2016 San Francisco Housing Code (SFHC) Ordinance No. 43-14 Ordinance No. 95-17 Ordinance No. 95-17 Ordinance No. 95-17 Ordinance No. 95-17 Cordinance No. 95-17 Ordinance No. 95-17 Cordinance No. 95-17 Ordinance No. 95-10 Ordinance No. 95-17 Ordinance No. 95-17 Ordinance No. 95-10 Ordinance No.	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 foet deep, access to the public way can re-enter the building code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 903, including and garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sprinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PG&E'E SOS J.15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum width or required capacity of a means of gress companterit (xit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire ground floor. g. Toters (trashcans) shall not be stored in the exit passageway. Toter receptacte compartments sh	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 95-17: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Pre-application meeting and/or approval of AB-005 is required. Darliel de Cossio Darliel de Cossio Darliel de Cossio Tom C. Hul, S.E., C.B.O. Tom C. Hul, S.E., C.B.O. Director 	A JAN JULY A JULY A AUG PROJECT: BUII PROPERTY 384 18T BLOCK / LU 358 DRAWING
City and County of San Francisco Department of Building Inspection Model Service	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and reacue route shall be protected as a 1-hour passageway with full sortikler coverage. d. Gas and electric melers shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PG&E's GDS J-16. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum widh or required capacity of a means of egress component (exit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire ground floor. g. Toters (trashcans) shall not be stored in the exit passageway. Toter receptacle compartments shall be in accordance with SFH2 Section 707. Pre-application meeting may be required. h. The m	 3. Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Selsmic Retrofitting 4. Ordinance No. 162-16: Construction of Accessory Dwelling Units 5. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 6. Ordinance No. 162-17: Construction of Accessory Dwelling Units 7. These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. E. These requirements do not apply to ground floor units provided with 2 separate means of access. Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Pre-application meeting and/or approval of AB-005 is required. Daniel de Cossio Daniel de Cossio Date Fire Marshal & Assistant Deputy Chief San Francisco Fire Department. Date Director Department of Building Inspection. 	 ▲ JAN ▲ JULY ▲ AUG ▲ AUG ▲ AUG ▲ AUG ▲ PROPERTY 384 18T BLOCK / L 358 DRAWING
City and County of San Francisco Department of Building Inspection Torn C. Hui, S.E., C.B.O., Director INFORMATION SHEET NO. EG-05 INFORMATION SHEET DATE August 24, 2013 CATEGORY Egress SUBJECT Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE 2016 San Francisco Building Code (SFBO) 2016 San Francisco File Code (SFFO) 2016 San Francisco Housing Code (SFFO) 2016 San Francisco Housing Code (SFFO) 2016 San Francisco Housing Code (SFHC) Ordinance No. 43-14 Ordinance No. 95-17 Ordinance No. 95-17 Ordinance No. 95-17 Ordinance No. 95-17 Cordinance No. 95-17 Ordinance No. 95-17 Cordinance No. 95-17 Ordinance No. 95-10 Ordinance No. 95-17 Ordinance No. 95-17 Ordinance No. 95-10 Ordinance No.	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 foet deep, access to the public way can re-enter the building code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 903, including and garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sprinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PG&E'E SOS J.15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum width or required capacity of a means of gress companterit (xit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire ground floor. g. Toters (trashcans) shall not be stored in the exit passageway. Toter receptacte compartments sh	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Seismic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 95-17: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SFBC and SFFC. These requirements do not apply to ground floor units provided with 2 separate means of access. OTHER CONDITIONS: Other conditions will be evaluated on a case-by-case basis by the Supervisor or Manager. Pre-application meeting and/or approval of AB-005 is required. Darliel de Cossio Darliel de Cossio Darliel de Cossio Tom C. Hul, S.E., C.B.O. Tom C. Hul, S.E., C.B.O. Director 	A JAN JULY A JULY AUG AUG AUG PROJECT: BUII PROJECT: PROJ
City and County of San Francisco London N. Breed, Mayor Department of Building inspection Image: Color	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the egress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sprinkler coverage. d. Gas and electric meters shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PG&E's GDS J-15. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum width or required capacity of a means of gress component (exit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level abcve shall be provided at the entire ground floor. g. Toters (trashcans) shall not be stored in the exit passageway. Toter receptacle compartments shall be in accordance with SFHC Section 707. Pre-application meeting may be required. h. The m	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Selsmic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SEBC and SEFC. Inter conditions will be evaluated on a case-by-case basis by the Supervisor or Manager Pre-application meeting and/or approval of AB-005 is required. Daniel de Cossio Daniel de Cossio Daniel de Cossio Daniel de Cossio Intersteit & Assistant Deputy Chief San Francisco Fire Department. Date Director Department of Building Inspection: 	 ▲ JAN ▲ JULY ▲ AUG ▲ AUG ▲ AUG ■ PROPERTY 384 181 ■ BLOCK / LG 358
Object Endon N. Breed, Mayor Department of Building Inspection Information Structure INFORMATION SHEET Information Structure NO. EG-86 Information Structure DATE a August 24, 2013 CATEGORY Egress SUBJECT a Coal equivalencies for Accessory Dwalling Units (ADU) and Unit. REFERENCE : 2018 San Francisco Building Code (SFBC) 2018 San Francisco File Code (SFFC) 2019 San Francisco File Code (SFFC) 2019 San Francisco File Code (SFFC) 2019 San Francisco Mousing Code (SFFC) 2019 Codinance No. 162-17 Information Sheet F3-305 Information Sheet G-23 Gas Design Stantard (CDS).J -15, published by PO&E on 11/1/15/17: Intelevi	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the eqress paths per FS-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including rany garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sprinkler develoaure. The enclosure cabinet shall meet the requirements of Section E in PG&E's GDS J-16. PG&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum width or required capacity of a means of egress component (avit passageway). e. New ground floor interior load bearing walls shell be 1-hour rated construction. f. 1-hour horizontal separation from the level above shall be provided at the entire ground floor interior load bearing walls shell be 1-hour rated construction. f. Toters (trashcans) shall not be stored in the exit passageway. Toter receptacle compartments shall be in accordance with SFH2 Section 707. Pre-application meeting may be required. where new openings are created and/or existing opering utilized that ar	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Selsmic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SEBC and SEFC. Inter conditions will be evaluated on a case-by-case basis by the Supervisor or Manager Pre-application meeting and/or approval of AB-005 is required. Daniel de Cossio Daniel de Cossio Daniel de Cossio Daniel de Cossio Intersteit & Assistant Deputy Chief San Francisco Fire Department. Date Director Department of Building Inspection: 	A JAN JAN JULY A JULY PROJECT: BUII PROPERTY 384 18T BLOCK / L 358 DRAWING AB- JOB NUME
Oty and County of San Francisco Department of Building Inspection Important Section 2010 INFORMATION SHEET NO. EG-05 DATE : August 24, 2013 CATEGORY : Egress SUBJECT : Local equivalencies for Accessory Dwelling Units (ADU) and Unit Legalization REFERENCE : 2016 San Francisco Building Code (SFBC) 2016 San Francisco Building Code (SFBC) 2016 San Francisco Housing Code (SFFC) 2016 San Francisco Housing Code (SFFC) 2017 San Bar	 REQUIREMENTS: Per SFBC, the entire building is required to be equipped throughout with a sprinkler system in order to use Table 1006.3.2(1). Providing fully sprinklered new units and the eqress paths per F5-05 is considered a partial system, and the building is not considered to be equipped throughout with a sprinkler system. The other option is to provide two exits. B. Acceptable local equivalencies are as follows: 1. In ADU or unit legalization projects, when a new sleeping room facing a rear yard less than 50 feet deep, access to the public way can re-enter the building and coincide with the unit's single exit in accordance with all of the following: a. Entire ground floor shall be sprinklered per San Francisco Building Code and Fire Code Section 903, including any garages, laundry room, trash rooms, common areas, storage spaces and crawl spaces. b. The entire building (3 units or more) will need to be provided with a manual fire alarm system per San Francisco Building Code and Fire Code Section 907. c. The exit and emergency escape and rescue route shall be protected as a 1-hour passageway with full sortickler coverage. d. Gas and electric melers shall be relocated outside the exit passageway or protected in a 1-hour fire rated enclosure. The enclosure cabinet shall meet the requirements of Section E in PC&E's GDS J-15. PC&E is responsible for the design and final approval of the location for metering facilities. The enclosure cabinet shall not be placed in the minimum widh or required capacity of a means of egress component (exit passageway). e. New ground floor interior load bearing walls shall be 1-hour rated construction. 1hour horizontal separation from the level above shall be provided at the entire ground floor. g. Toters (trashcans) shall not be stored in the exit passageway. Toter receptacle compatiments shall be in accordance with SFH2 Section 707. Pre-application meeting may be required. h. The m	 Ordinance No. 30-15: Adding Dwelling Units to Existing Buildings Undergoing Selsmic Retrofitting Ordinance No. 162-16: Construction of Accessory Dwelling Units Ordinance No. 162-17: Construction of Accessory Dwelling Units These requirements do not alleviate and shall not diminish any other code requirements established in the SEBC and SEFC. Inter conditions will be evaluated on a case-by-case basis by the Supervisor or Manager Pre-application meeting and/or approval of AB-005 is required. Daniel de Cossio Daniel de Cossio Daniel de Cossio Daniel de Cossio Intersteit & Assistant Deputy Chief San Francisco Fire Department. Date Director Department of Building Inspection: 	AUC JULI JULI AUC AUC AUC AUC AUC AUC AUC AUC

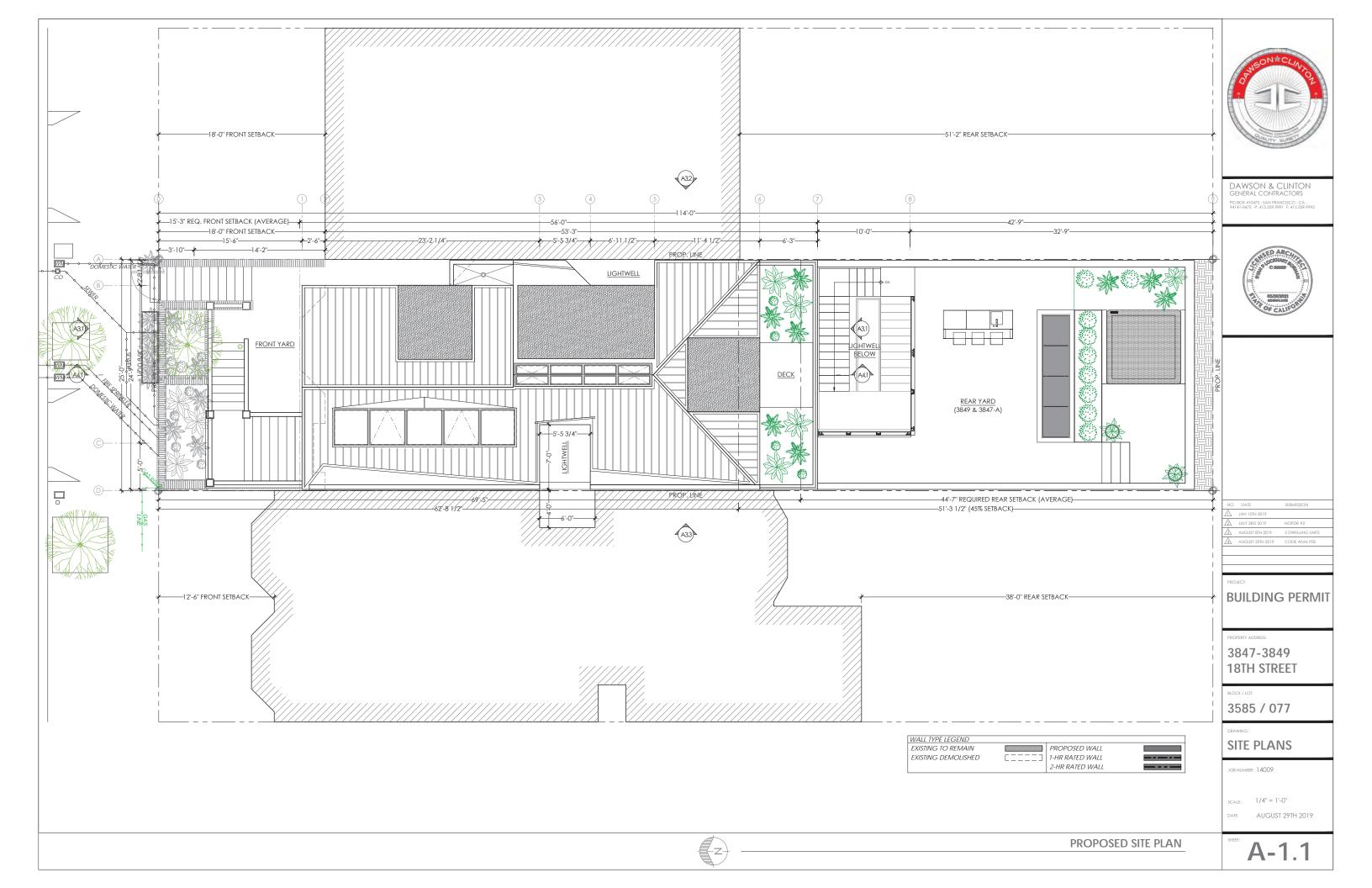
City and County of San Francisco			
<page-header><page-header><page-header><section-header><section-header><section-header></section-header></section-header></section-header></page-header></page-header></page-header>	TITLE-24 LOW-RISE RESIDENTIAL ENERGY INSPECTION (BUILENDOY A COPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET ACCOPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET ACCOPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET ACCOPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET ACCOPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET ACCOPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET ADDR ADDRESS 3847-3849 18th STREET APPLOATE NO. (APPLOATE NO. (ACLS 1, 352 9791 Breaking elements on the OCTIG California Energy Code, the following documentation required for the Building elements in this project: I Installation ACCOPY OF THES - APPLOATE NO. (APPLO	<page-header><page-header><page-header><image/><image/><section-header><section-header><text><text><section-header><text><text></text></text></section-header></text></text></section-header></section-header></page-header></page-header></page-header>	
Office (415) 558-6132 - FAX (415) 558-6474 - www.sfrov.org/dbl (website) Rev 22826012	City and County of San Francisco Department of Building Inspection Tom C, Hul, S.E., C.B.O., Director	TITLE-24 LOW-RISE RESIDENTIAL SPECIAL INSPECTION (PLUMBING) A COPY OF THIS DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAWING SET Attachment RP JOB ADDRESS 3847-3849 18th STREETAPPLICATION NO.2018.06.22.2714ADDENDUM NO IENGINEER/ARCHITECT NAMERYAN BORMANPHONE NO. 7 415 3 359 9991	
Ensuring the completion of installation documentation as well as the required acceptance/verification testing is the direct responsibility of the undersigned. Installation documentation must be completed by the contractor performing the installation. Verification testing must be completed by a certified HERS rater. In accordance with the requirements of the 2016 California Energy Code, the following documentation is required for the electrical elements in this project. 1. Installation Electrical elements in this project 2. Installation Electrical elements in the requirements of the 2016 California Energy Code, the following documentation is required for the electrical elements in this project 3. Installation Electrical 3. (CF2R-LTG-02.E Lighting – Single Family Oveillings (E1) 3. (CF2R-LTG-02.E Lighting – Multi-Family Oveillings (E2) 3. (CF2R-SPV-01-E) Photovoltaic Systems Compliance Credit (E17)	NOTICE TITLE-24 ENERGY INSPECTION REQUIREMENTS LOW-RISE RESIDENTIAL (PLUMBING) Please note that Certificates of installation and/or Verification are required for this project, as indicated on this form issued with this permit. Ensuring the accurate completion of this documentation is the direct responsibility of the engineer/architect of record. This documentation is the direct responsibility of the engineer/architect of record. This documentation is guired in addition to the called inspections performed by the Department of Building Inspection. For questions regarding the details or extent of required documentation or testing, and if there are any field problems regarding documentation or testing, please call your District Plumbing Inspector or (415) 558-6570.	Ensuring the completion of installation documentation as well as the required acceptance/venfication testing is the direct responsibility of the undersigned. Installation documentation must be completed by the completed by the contractor performing the installation. Verification testing must be completed by a certified HERS rate: In accordance with the requirements of the 2016 California Energy Code, the following documentation is required for the plumbing work in this project: I installation Plumbing: I CE2R-REB 01-E Driv/Noa-HERS - Multifamily Central Het Water System Distribution (IPS) I CE2R-REB 01-E Driv/Noa-HERS - Multifamily Central Het Water System Distribution (IPS) I CE2R-REB 01-E Driv/Noa-HERS - Multifamily Central Het Water System Distribution (IPS) I CE2R-REB 03-E DW Noa-HERS - Single Develop Unit Het Water System Distribution (IPS) I CE2R-REB 03-E DW Noa-HERS - Songle Develop Unit Het Water System Distribution (IPS) I CE2R-REB 03-E DW Noa-HERS - Bool and Spa Healing System (IP1) I CE2R-REB 03-E DW Near-HERS - Bool and Spa Healing System Distribution (IPS) I CE2R-REB 03-E DW Near-HERS - Hers Single Dwelling Unit Hot Water System Distribution (IPS)	NO. DATE SUBMISSION JAN 10TH 2019 JULY 3RD 2019 JULY 3RD 2019 NOPDR #2 JULY 3RD 2019 NOPDR #2 AUGUST 8TH 2019 AUGUST 8TH 2019 CODE ANALYSE
	Before final plumbing inspection is scheduled, documentation of energy compliance "Certificate of Installation, Acceptance, and Verification" must be completed and signed by the responsible person in charge. The permit will not be finalized without compliance with the energy inspection requirements. Energy Inspection Services Contact Information 1. Telephone: (415) 558-6132 2. Fax: (415) 558-6474 3. Email: dbi.energyinspections@sfgov.org	Solar [] CF2R-STH-01-E [Solar Water Heating System (IP1) Medianical [] CF2R-MCH-04-E Non HERS – Evaporative occern; (IP2) 2. Verification [] CF3R-PLB-21-H DHW HERS – HERS Multifamily Central Hot Water System Distribution (VP2) [] CF3R-PLB-22-H DHW HERS – HERS Single Dwelling Unit Hot Water System Distribution (VP3)	PROPERTY ADDRESS: 3847-3849 18TH STREET
Required information: Prepared by: RYAN BORMAN	4. In person: 3 rd Floor at 1660 Mission St. Note: We are moving towards a 'paperless' mode of operation. All special inspection submittals, including final letters, may be emailed (preferred) or faxed. We will also be shifting to a paperless fax receipt mode.	Required information:	BLOCK / LOT: 3585 / 077
Enginee//Architect of Record Signature Fax:Email: RYAN@DAWSON-CLINTON.COM 7 3 1 Review by:Phone: (415) 559-	Installation and Verification certificates can be found on the California Energy Commission website at <u>http://energy.ca.gov/title24/2016standards/</u>	Prepared by: RYAN BORMAN Engineer/Architect of Record Signature Fax: Email: RYAN@DAWSON-CLINTON.COM	DRAWING:
DBI Engineer or Plan Checken	Information Sheet M-06 provides submittal instructions for the Title-24 installation, verification, and acceptance energy certificates. M-06 may be found on the SFDBI website at http://sfdbi.org/information-sheets	Review by: Phone: (415) 558 DBI Engineer or Plan Checker	ENERGY INSPECTION
APPROVAL (Based on submitted reports).			
APPROVAL (Based on submitted reports). DATE DBI Electrical Inspector or Energy Inspection Services Staff.	Bilportuptus tal estatembris i pr	APPROVAL (Based on submitted reports) DATE DBI Plumbhou Instantion as Ensature State	JOB NUMBER: 14009
		APPROVAL (Based on submitted reports) DATE	JOB NUMBER: 14009 scale: N/A date: AUGUST 29TH 2019

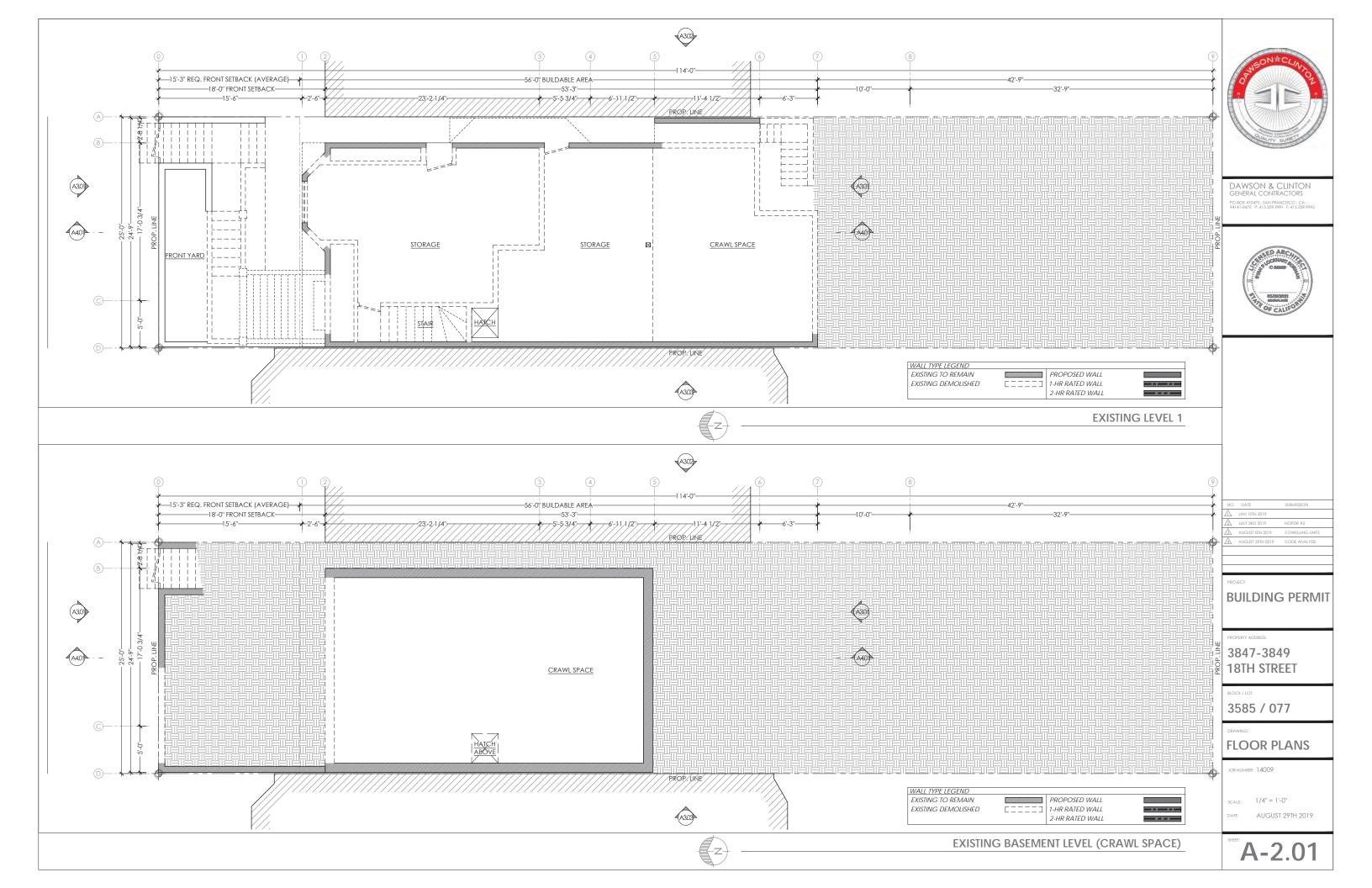
GS5: San Francisco Green Building Submittal Form for Residential Alteration + Addition Projects

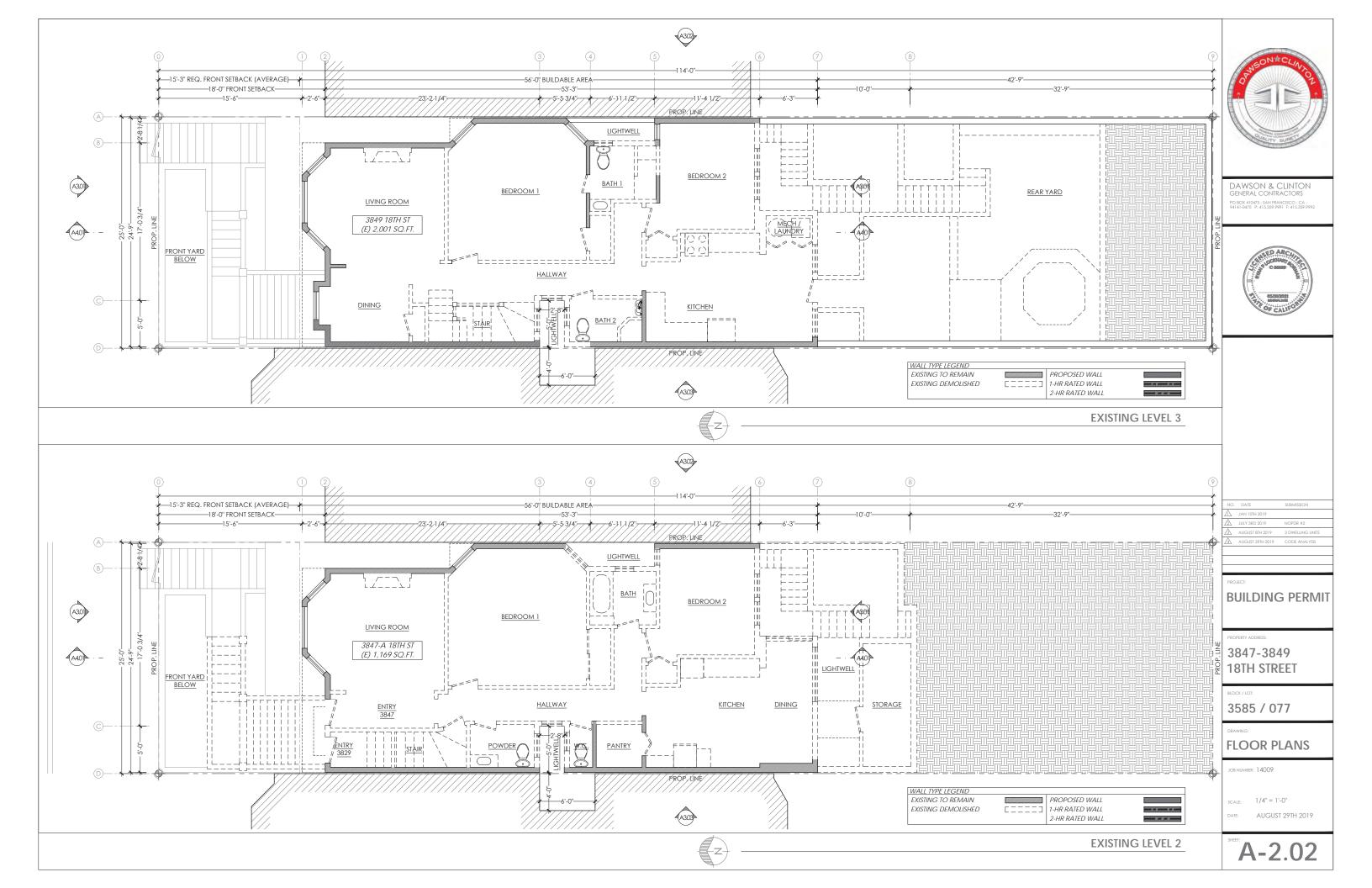
1. Fill o	RUCTIONS: ut the project information in the Verificatio nittal must be a minimum of 11" x 17".	n box at the right.			OTHER RESIDENTIAL ALTERATIONS + ADDITIONS		
	form is for permit applications submitted a be submitted until January 1, 2018.	January 2017 through Decembe	2019. The prior version				
,	TITLE	SOURCE OF REQUIREMENT	DESCRIPTIO	N OF REQUIREMENT	adds any amount of conditio area, volume, or size		
	GRADING & PAVING	CALGreen 4.106.3	Show how surface drainage (grading, swales, drains, retention		if applicable		
	RODENT PROOFING	CALGreen 4.406.1	Seal around pipe, cable, conduit, and other openings in exter	ior walls with cement mortar or DBI-approved similar method.			
H	FIREPLACES &	CALGreen 4.503.1					
KESIDENTIAL	WOODSTOVES CAPILLARY BREAK, SLAB ON GRADE	CALGreen 4.505.2	Install only direct-vent or sealed-combustion, EPA Phase II-compliant appliances. Itab on grade foundation requiring vapor retarder also requires a capillary break such as: 4 inches of base 1/2-inch aggregate under retarder; slab design specified by licensed or foressional.				
ž	MOISTURE CONTENT	CALGreen 4.505.3	Wall + floor <19% moisture content before enclosure.				
	BATHROOM EXHAUST	CALGreen 4.506.1		or, and its humidistat shall be capable of adjusting between <50% to >80% (humicistat may be separate component).			
MAIEKIALS	LOW-EMITTING MATERIALS			s of 4.504.2.1-5, 5.504.4.1-6 for adhesives, sealants, paints, coatings, carpet systems including cushions and adhesives,	•		
WAIEK	INDOOR WATER USE REDUCTION	CALGreen 4.303.1, SF Housing Code sec.12A10		125gpf wall, 0.5gpf floor); showerheads (2.0gpm); lavatories (1.2gpm private, 0.5gpm public/common); kitchen faucets c); food waste disposers (1gpm/8gpm). Residential major improvement projects must upgrade all non-compliant fixtures per	· · ·		
TYAA	WATER-EFFICIENT IRRIGATION	Administrative Code ch.63		e plants or climate appropriate plants, restrict turf areas and comply with Model Water Efficient Landscape Ordinance ipliance for projects with ≤2,500 sq.ft. of landscape area.			
ENERGI	ENERGY EFFICIENCY	CA Energy Code	Comply with all provisions of the CA Energy Code.				
	BICYCLE PARKING	Planning Code sec.155.1-2	Provide short- and long-term bike parking to meet requireme	nts of SF Planning Code sec.155.1-2.	if applicable		
SION	RECYCLING BY OCCUPANTS	SF Building Code AB-088	Provide adequate space and equal access for storage, collect	tion, and loading of compostable, recyclable and landfill materials.	•		
DIVERSION	CONSTRUCTION & DEMOLITION (C&D) WASTE MANAGEMENT	SFGBC 4.103.2.3	For 100% of mixed C&D debris use registered transporters a	nd registered processing facilities with a minimum of 65% diversion rate.	•		
2	HVAC INSTALLER QUALS	CALGreen 4.702.1	Installers must be trained in best practices.		•		
DEVE	HVAC DESIGN	CALGreen 4.507.2	HVAC shall be designed to ACCA Manual J, D, and S.	shall be designed to ACCA Manual J, D, and S.			
NEIGHBOR	BIRD-SAFE BUILDINGS	Planning Code sec.139	Glass facades and bird hazards facing and/or near Urban Bir	d Refuges may need to treat their glass for opacity.	•		
NEIGI	TOBACCO SMOKE CONTROL	Health Code art.19F	Prohibit smoking within 10 feet of building entries, air intakes	, and operable windows and enclosed common areas.	•		
VENTION	STORMWATER CONTROL PLAN	Public Works Code art.4.2 sec.147	Projects disturbing ≥5,000 sq.ft. in combined or separate sev SFPUC Stormwater Management Requirements.	ver areas, or replacing ≥2,500 impervious sq.ft. in separate sewer area, must implement a Stormwater Control Plan meeting	if project extends outside envelope		
PREVEN	CONSTRUCTION SITE RUNOFF	Public Works Code art.4.2 sec.146	Provide a construction site Stormwater Pollution Prevention I	Plan and implement SFPUC Best Management Practices.	if project extends outside envelope		
QUALITY	AIR FILTRATION (CONSTRUCTION)	CALGreen 4.504.1	Seal permanent HVAC ducts/equipment stored onsite before	installation.			
INDOOR WATER EFFICIENCY	Indoor W Each fixture must not exceed FIXTURE TYPE Showerheads? Lavatory Faucets: residential Kitchen Faucets Wash Fountains Metering Faucets Tank-type water closets Flushometer valve water closets Urinals	Ater Efficiency CAL Green 4.303 maximum fic MAXIMUM FIXTURE FLOW RA 2 gpm @ 80 psi 1.2 gpm @ 60 psi 1.8 gpm @ 80 psi default 1.8 gpm / 20 (rim space (nches) @ .20 gallons per cycle 1.28 gallons / flush' and EPA W 1.28 gallons / flush' Wall mount: 0.125 gallons / flush Floor mount: 0.5 gallons / flush	TE NOTES: 1. For dual flush toilets, effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. The referenced standard is ASME A112.19.14 and USEPA WaterSense Tank- Type High Efficiency Toilet Specification – 1.28 gal (4.8L) 2. The combined flow rate of all showerheads in one shower stall shall not exceed the maximum flow rate for one showerhead, or the shower shall be designed to allow only one shower shall be designed to allow only	Water Efficiency of Existing Non-Compliant Fixtures All fixtures that are not compliant with the San Francisco Commercial Water Conservation Ordinance that serve or are located within the project area must be replaced with fixtures or fittings meeting the maximum flow rates and standards referenced above. For more information, see the Commercial Water Conservation Program Brochure, available at SFDBI. org. NON-COMPLIANT PLUMBING FIXTURES INCLUDE: 1. Any toilet manufactured to use more than 1.6 gailons/flush 2. 2. Any urinal manufactured to use more than 1 gallon/flush 3. 3. Any showerhead manufactured to have a flow capacity of more than 2.5 gpm 4. Any interior faucet that emits more than 2.2 gpm Exceptions to this requirement are limited to situations where replacement of fix/ure(s) would detract from the historic integrity of the building, as determined by the Department of Building Inspection pursuant to San Francisco Building Code Chapter 13A.	0		

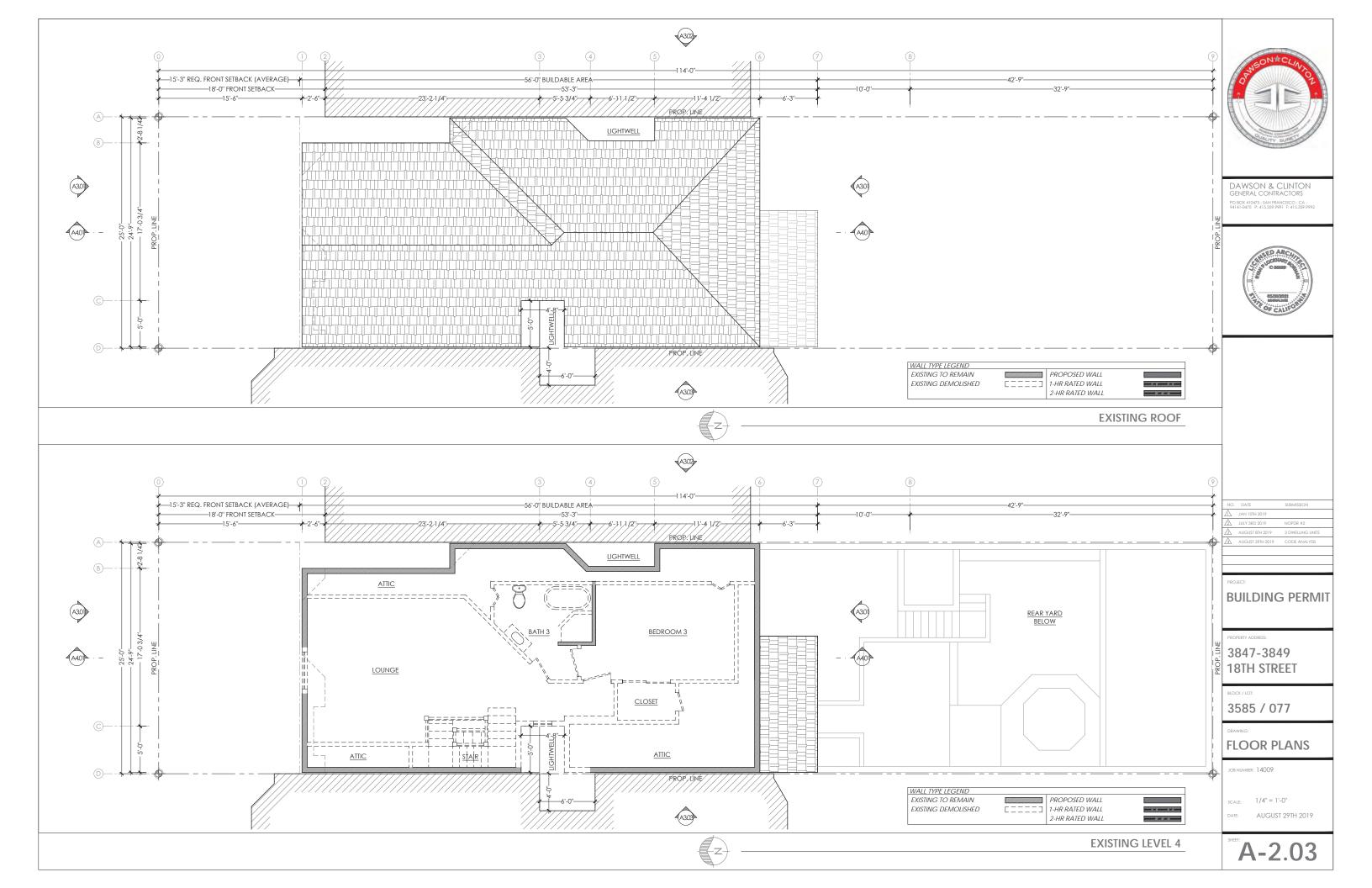




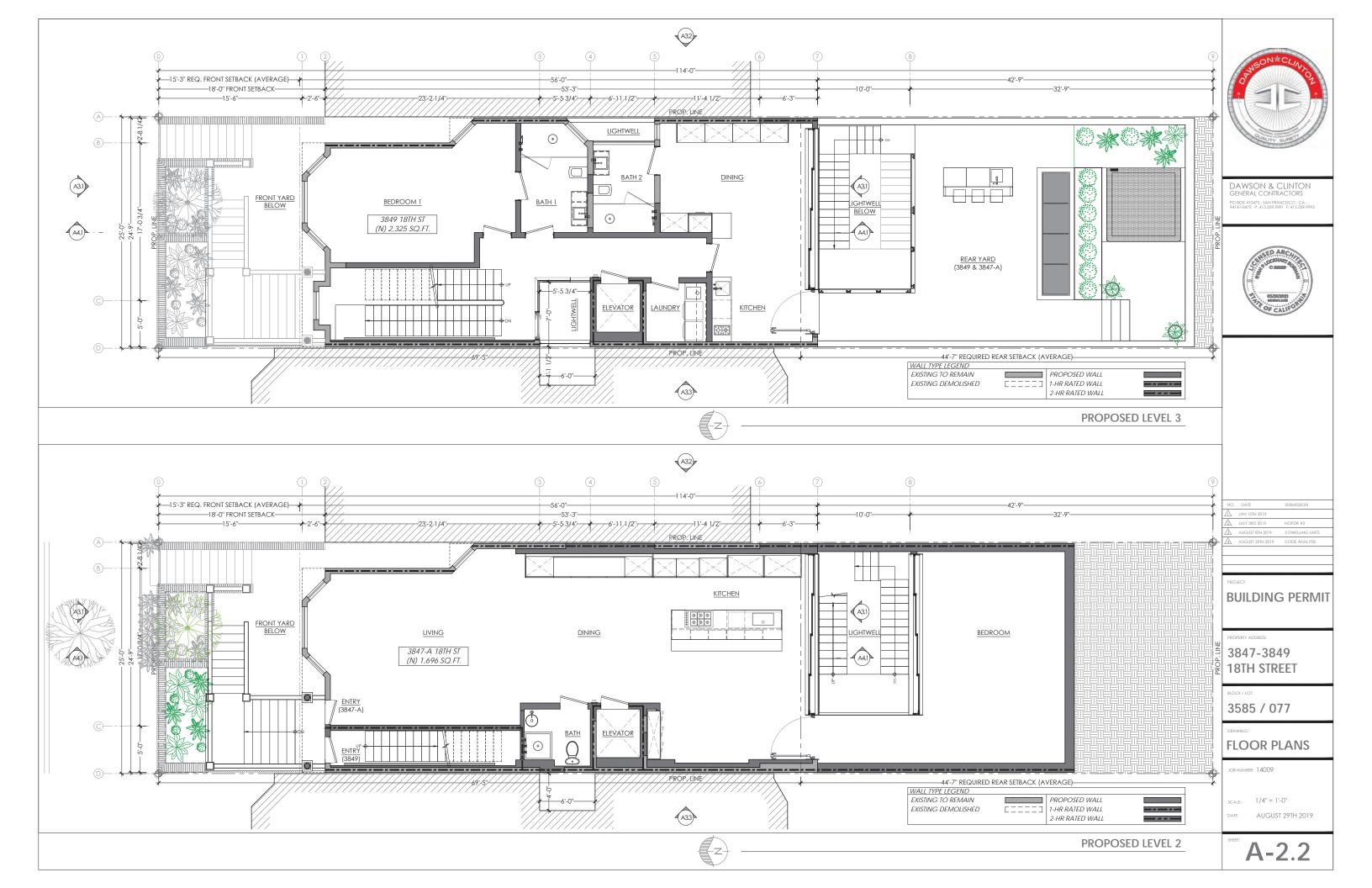


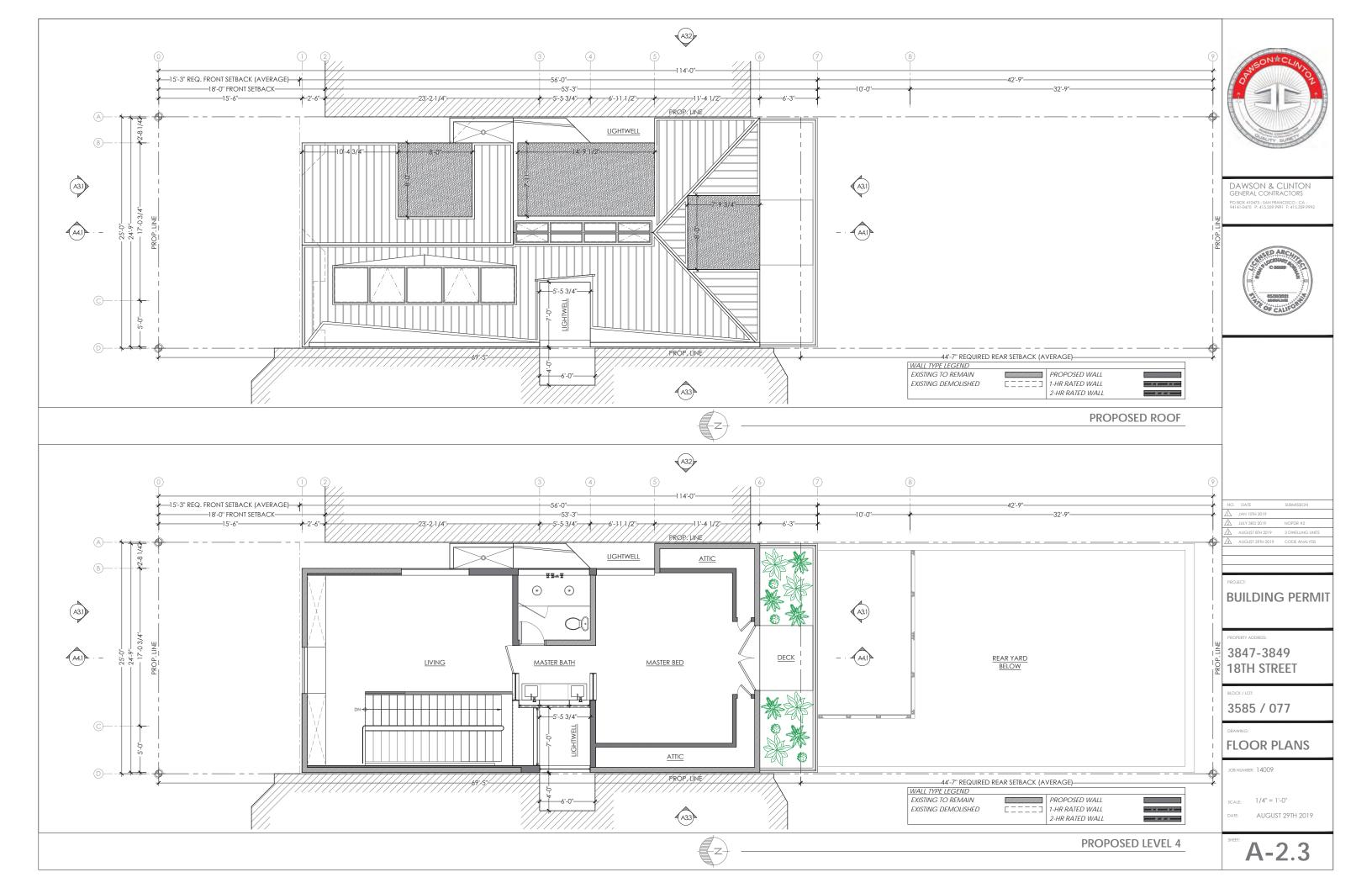




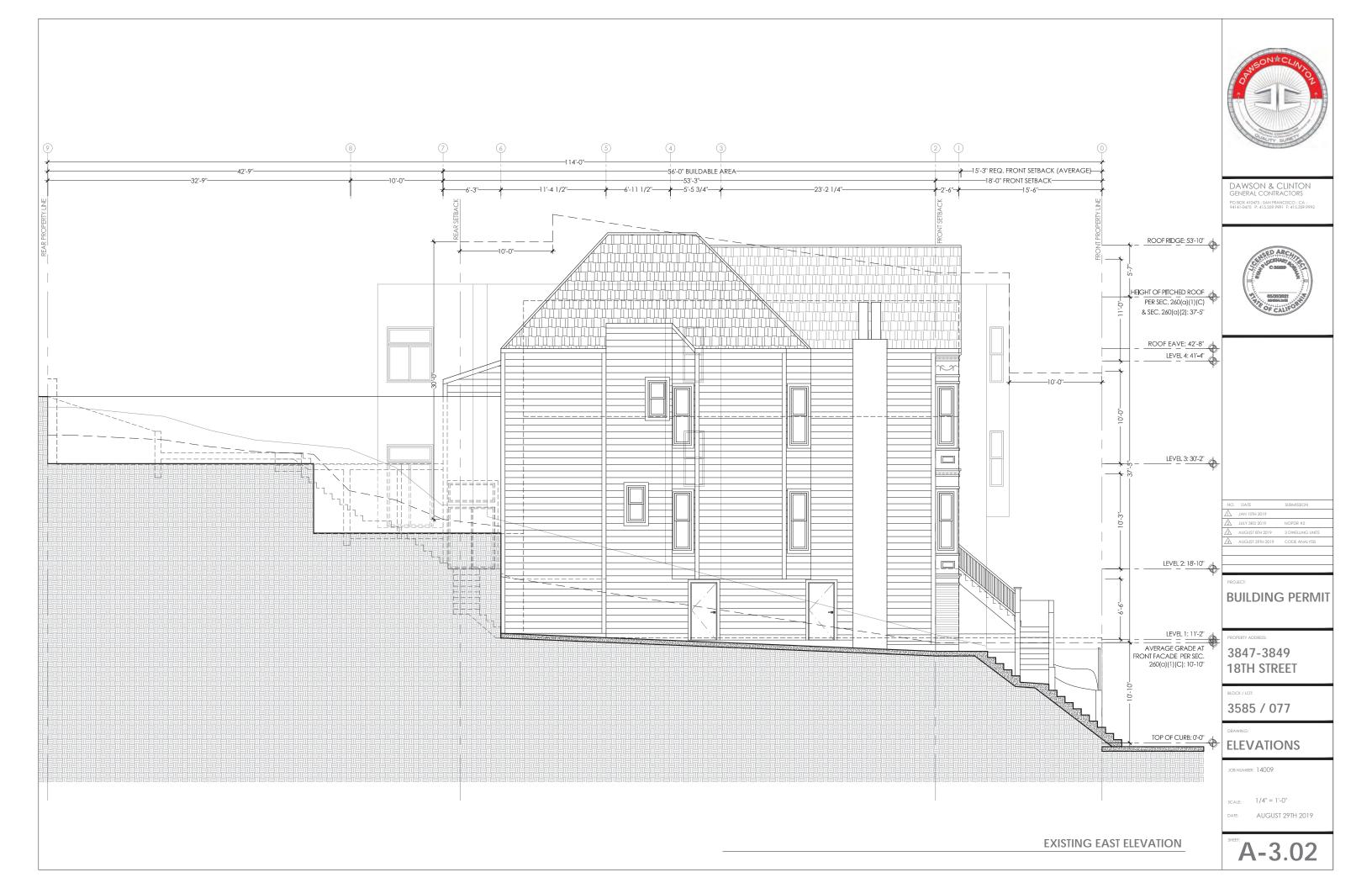


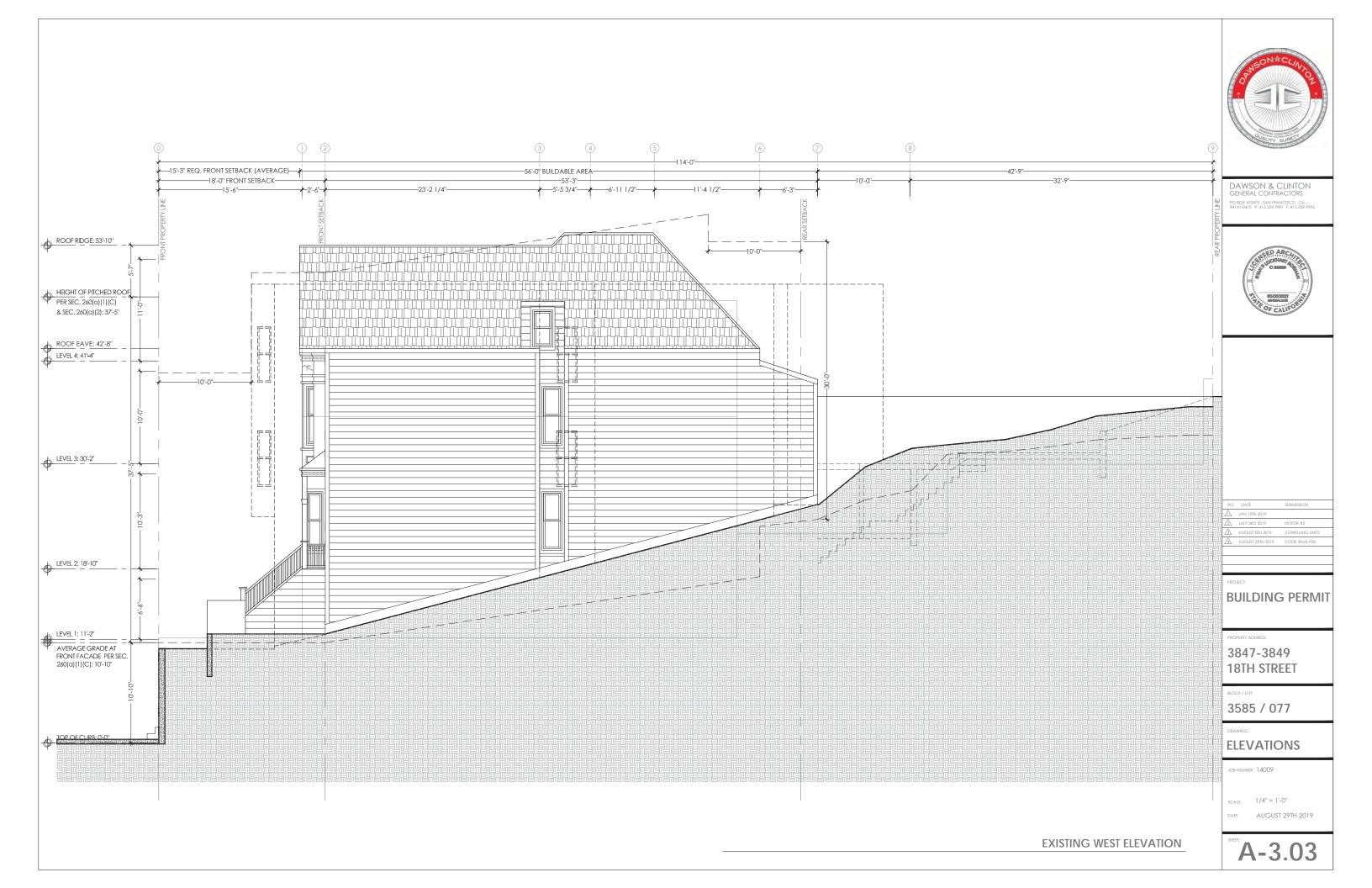




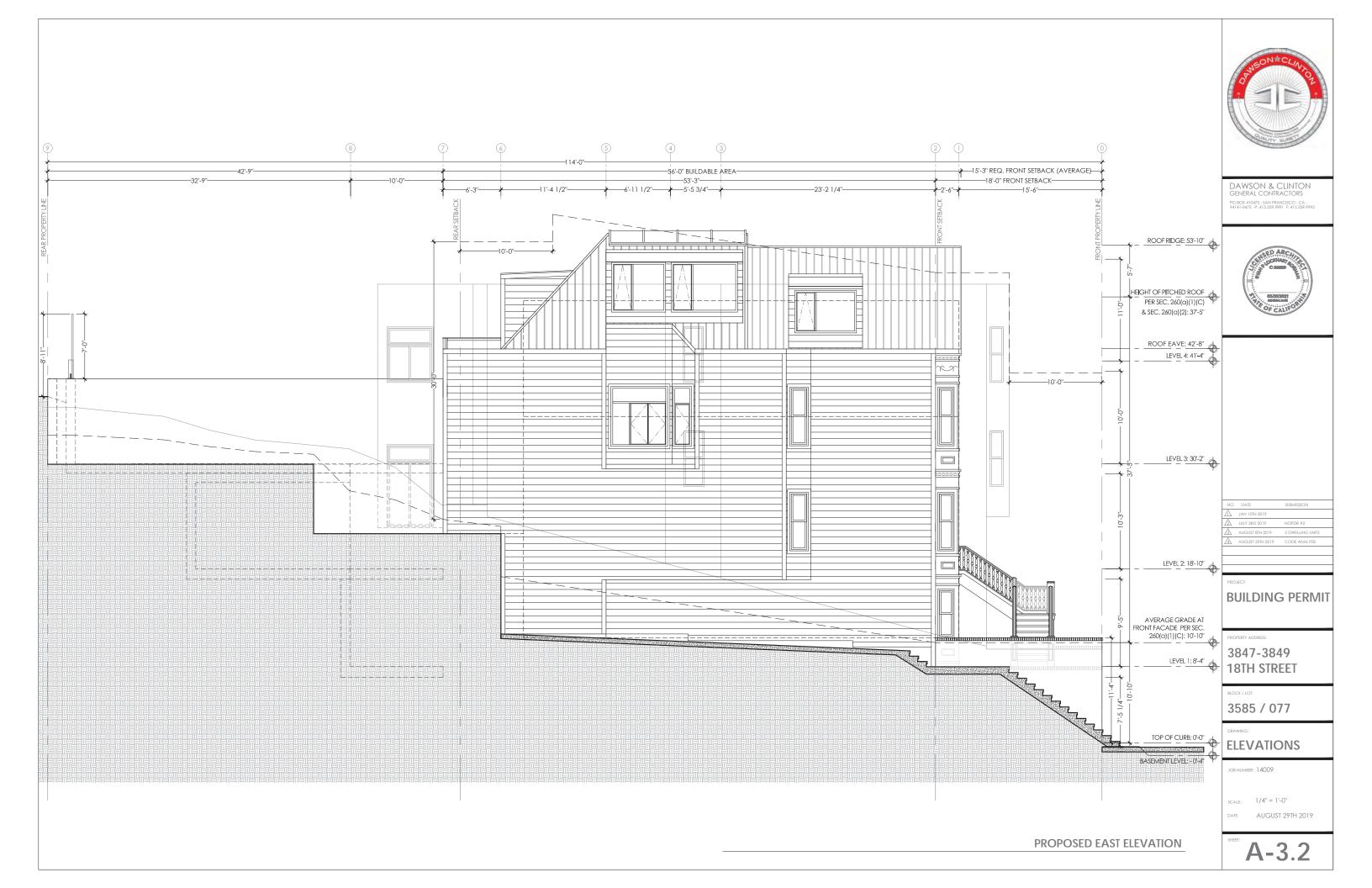


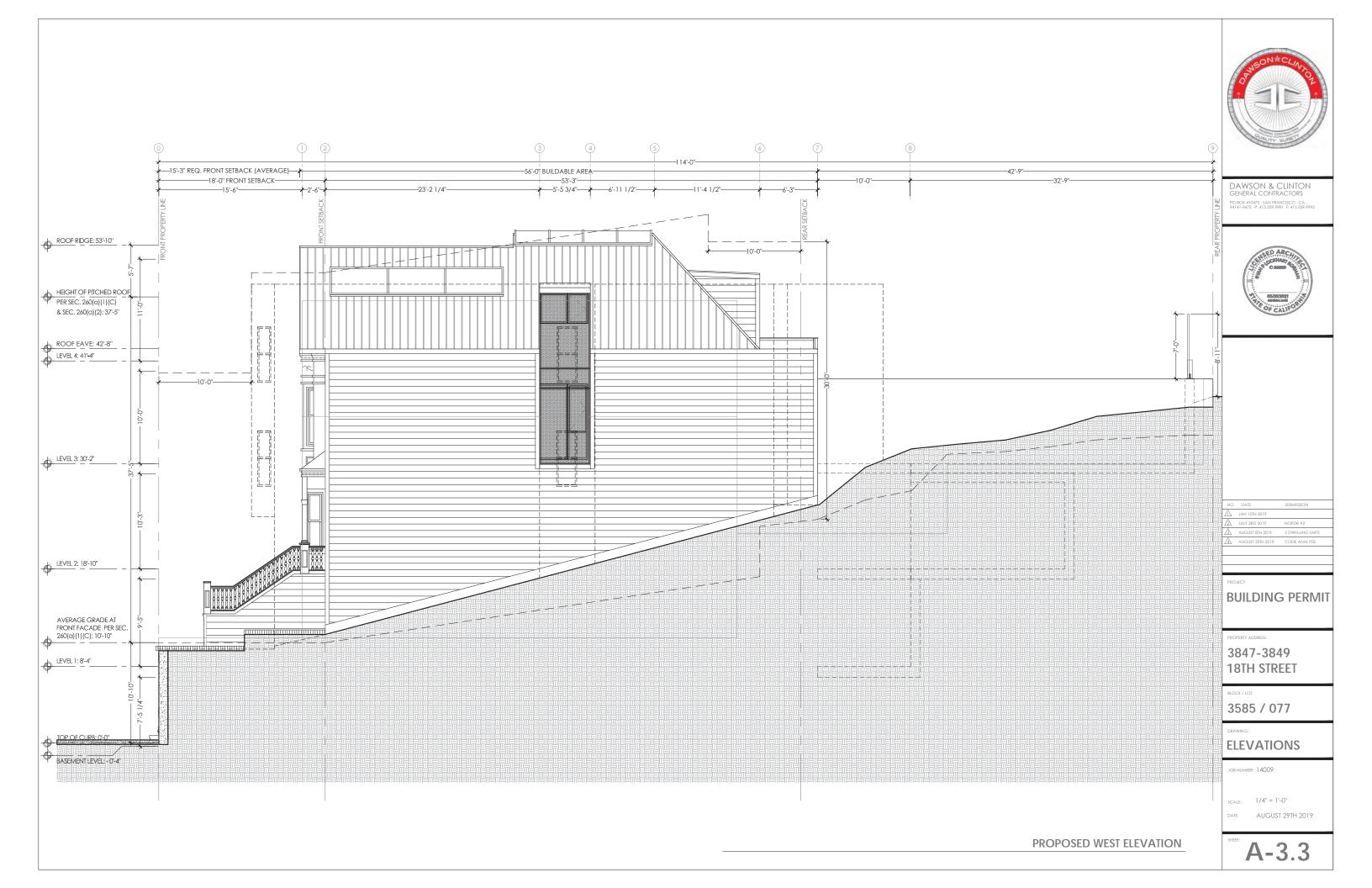


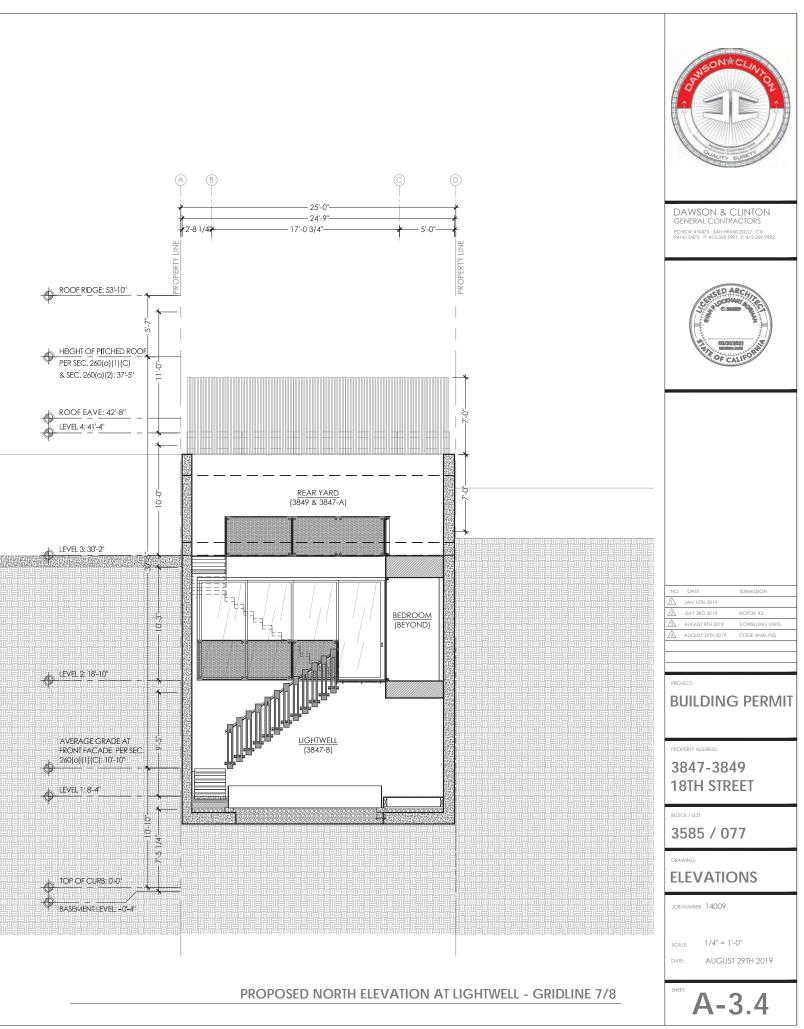


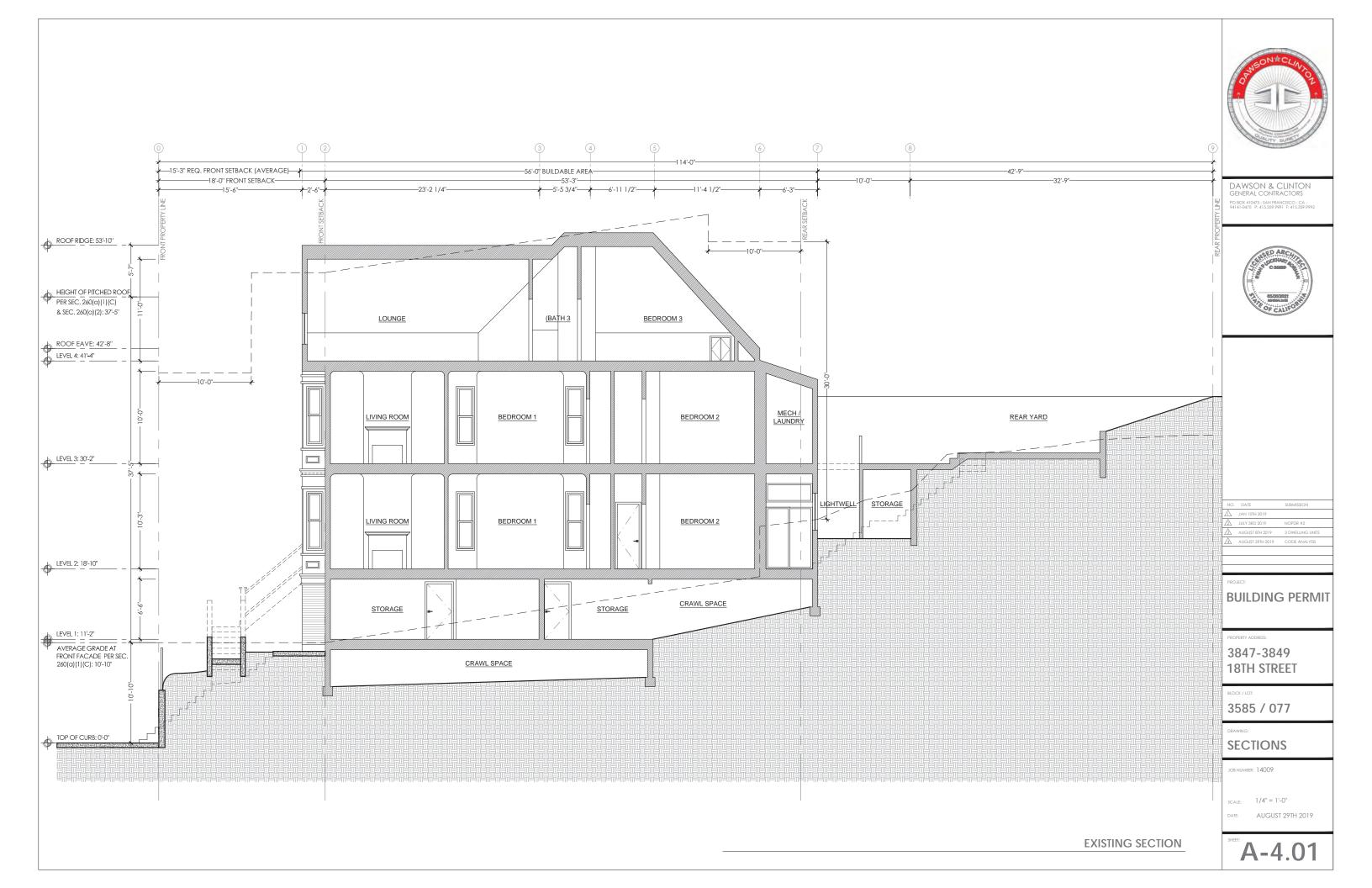


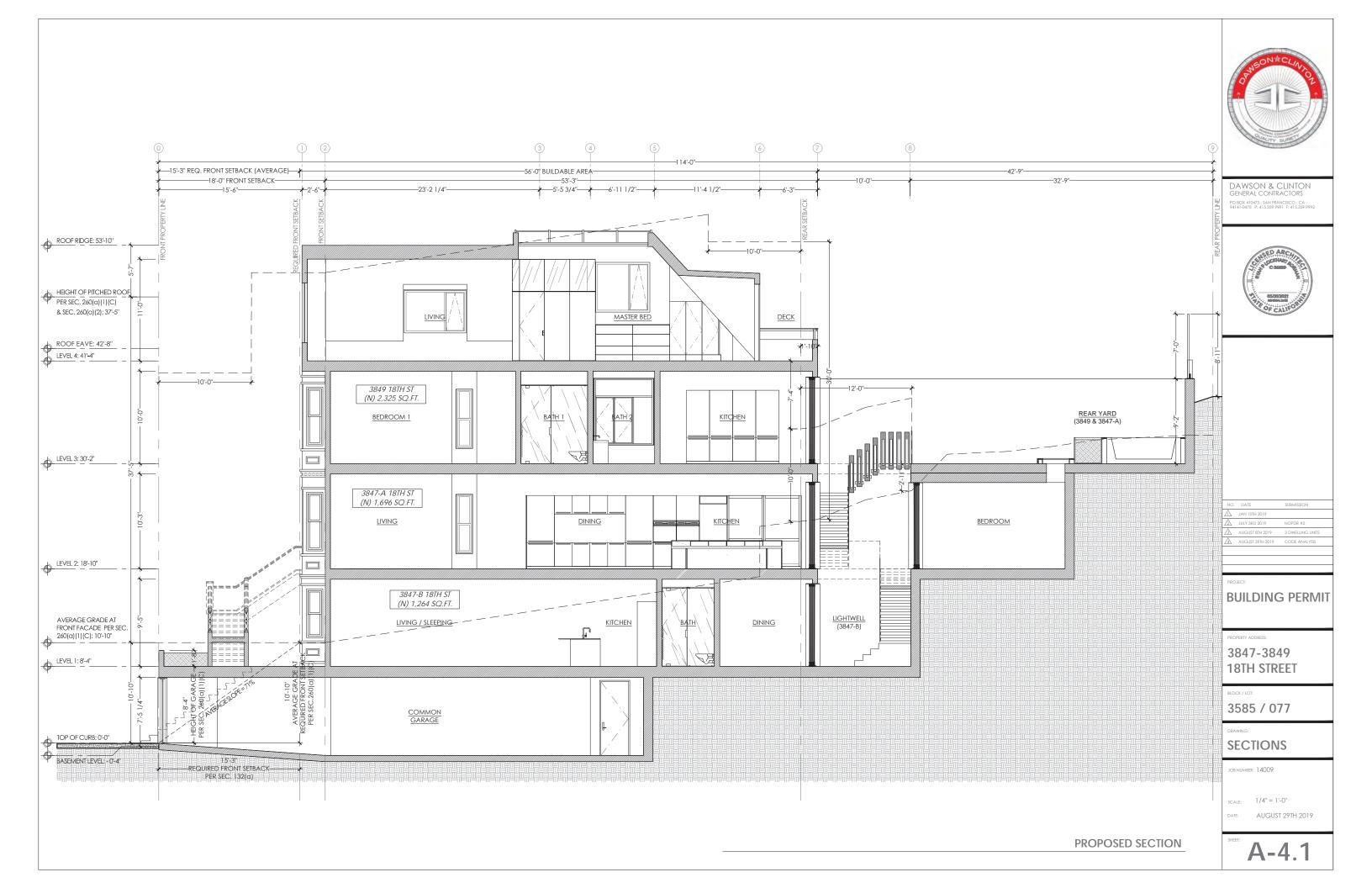


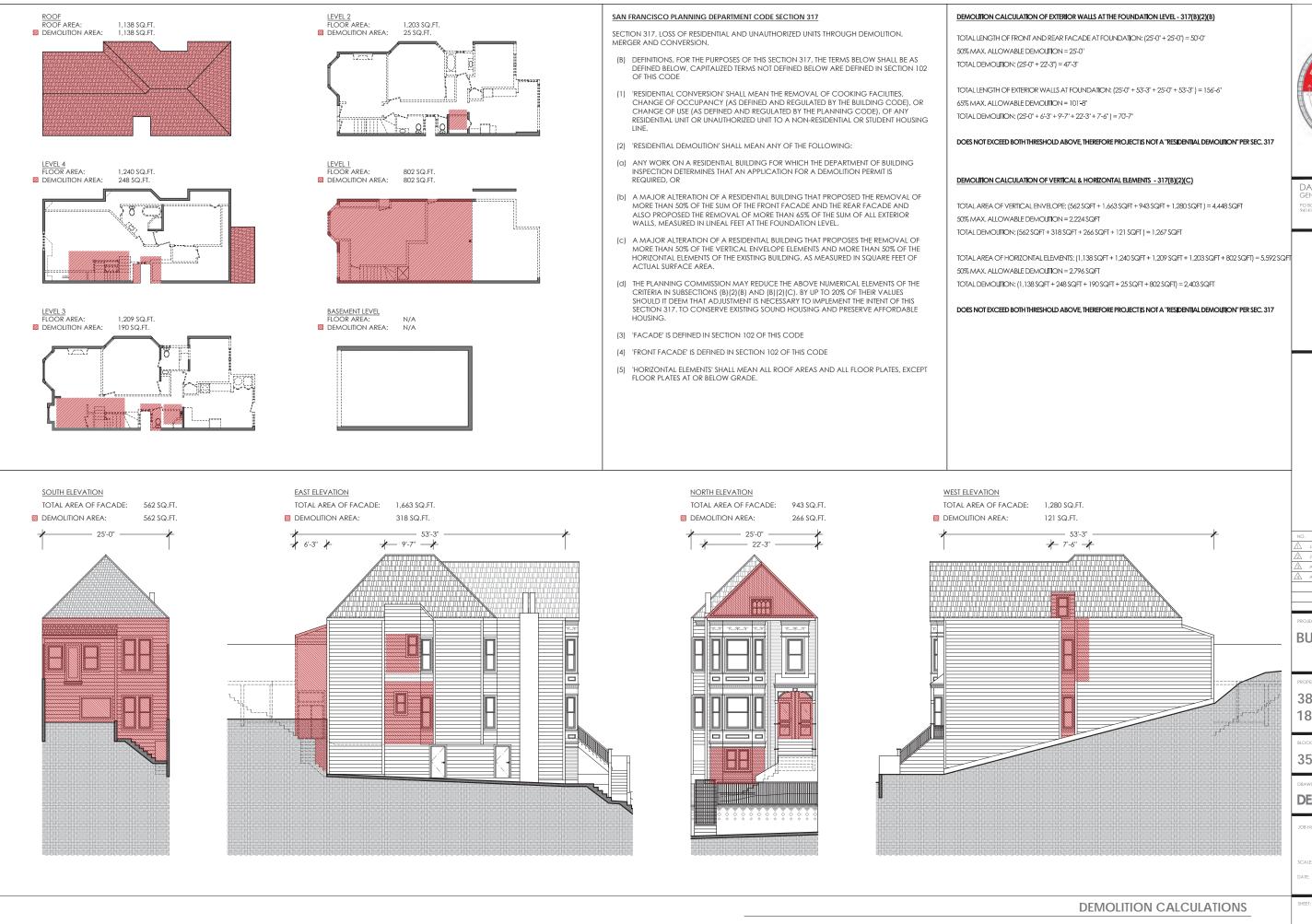














1		
NO.	DATE	SUBMISSION
\triangle	JAN 10TH 2019	
\triangle	JULY 3RD 2019	NOPDR #2
A	AUGUST 8TH 2019	3 DWELLING UNITS
Δ	AUGUST 29TH 2019	CODE ANALYSIS

BUILDING PERMIT

3847-3849 **18TH STREET**

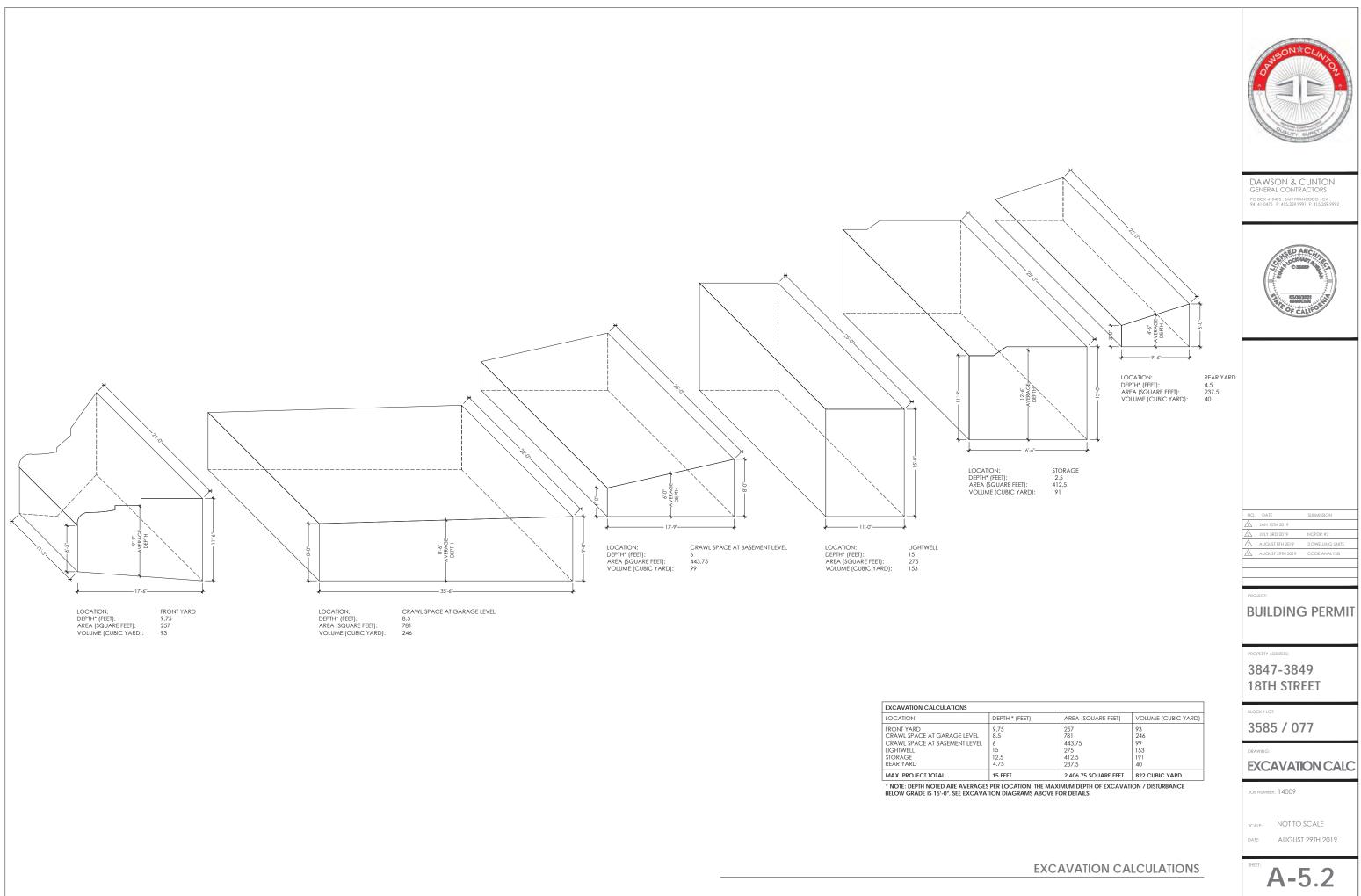
3585 / 077

DEMOLITION CALC

OB NUMBER: 14009

NOT TO SCALE CALE: AUGUST 29TH 2019





* NOTE: DEPTH NOTED ARE AVERAGES	
MAX. PROJECT TOTAL	15 FEET
REAR YARD	4.75
STORAGE	12.5
LIGHTWELL	15
CRAWL SPACE AT BASEMENT LEVEL	6
CRAWL SPACE AT GARAGE LEVEL	8.5
FRONT YARD	9.75
LOCATION	DEPTH * (F
EXCAVATION CALCULATIONS	



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission Hearing Date: August 29, 2019 Continued from May 9, 2019 and July 18, 2019

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

Record No.: Project Address:	2018-009551DRPVAR 3847-3849 18th Street
Permit Applications	s: 2018.06.22.2714
Zoning:	RH-3 (Residential House, Three-Family)
	40-X Height and Bulk District
Block/Lot:	3585 / 077
Project Sponsor:	Dawson & Clinton General Contractors
	PO Box 410475
	San Francisco, CA 94141
Staff Contact:	David Winslow – (415) 575-9159
	david.winslow@sfgov.org
	Jeff Horn – (415) 575-6925
	jeffrey.horn@sfgov.org

BACKGROUND

On July 18, 2019 the San Francisco Planning Commission (hereinafter "Commission") adopted a Motion of Intent to Take DR and revise the project to "have the building restored to the original flat configuration, including that third unit, which is allowed in RH-3." The Commission continued the item to August 29, 2019 to allow more time for Department staff, the City Attorney's Office, and the Project Sponsor to consider the procedural implications of such a decision. Department staff met and consulted with both the City Attorney's Office and the Project Sponsor since the July 18, 2019 hearing.

PROJECT DESIGN CHANGES AND PLANNING REVIEW

In response to the Commission's continuance, the Project Sponsor submitted plans for a proposed threeunit residential building for the Commission's consideration. However, this 3-unit proposal is not consistent with the original 3-unit configuration, and it keeps the additions constructed and proposed for legalization on the plans dated July 3rd, 2019. The following is a list of changes required of the as-built structure to conform to the revised plans dated August 8, 2019. Additionally, a letter is attached from the Project Sponsor describing the new proposal in greater detail.

- 1. Garage Level No changes, the floor is proposed to remain as a three-car garage.
- 2. Basement Level No changes, the floor is proposed to remain as a 1,264 square foot 1-bedrom unit.

- 3. Levels 1, 2 and 3 (Attic) Originally proposed as a 4,021 square foot 3-bedroom unit, the kitchen/living spaces were on Level 1, two bedrooms were located on Level 2, and the master bedroom was in the attic. The revised plans propose a to create two units in this building area; Level 1 would provide a 1,696 square foot one-bedroom unit, with the rear yard encroachment proposed to remain to accommodate the bedroom (the Variance would still be required). Levels 2 and 3 would provide a 2,325 two-bedroom unit.
- 4. New Features:
 - a. The upper two units would both be accessed at the front of the building at Level 1, consistent with the building's original design. Two independent doorway entrances would be reintroduced, and a demising wall would be added. This façade alteration would be supportable by Preservation Staff.
 - b. A kitchen would be added at the rear of Level 2 to accommodate the third unit.
 - c. Rear access stairs would be added within the lightwell/courtyard from Level 1 to Level 2, providing all three units with access to the rear yard's usable open space. This structure would require a Variance for the additional rear yard encroachment.

RECOMMENDATION

The Department makes no recommendation on the alternative plans submitted by the Project Sponsor.

ATTACHMENTS:

Revised Plan Set dated August 8, 2019 Sponsor's letter to the Commission dated August 16, 2019 Sponsor's letter to the Commission dated July 16, 2019 Memo to the Planning Commission from July 18, 2019 Abbreviated Analysis from the March 7, 2019 Hearing



Mailing Address: PO Box 410475 | San Francisco, CA 94141-0475

August 16, 2019

San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

Re: 3847-3849 18th Street Project Case No.: 2018-009551DRP Hearing Date: August 29, 2019

Dear Commissioners:

As the sponsors of 3847-3849 18th Street, we are writing in reference to Building Permit Application No. 2018.06.22.2714 and the continuance of the Discretionary Review hearing for our project, which is on the Planning Commission agenda for Thursday, August 29, 2019.

At our first hearing in May, and again at the hearing on July 18th, we received direction from the Commission to add a 3rd unit to our project proposal. As we explained at the hearing last month and in our July 16th letter to Commissioners, which is attached for your reference, it will not be financially possible for us to maintain ownership of the building if we are required to permit and construct a 3rd unit due to the tremendous carrying costs we have already incurred working with Planning over the last 18 months, the additional time and associated expenses to complete permitting and construction, and the actual construction costs themselves. That said, while we still disagree with the logic and legality of requiring construction of an additional unit, we have proceeded to work with Planning staff to identify a path forward that would include the desired 3rd unit in an effort to come to resolution on this matter.

Your hearing packet includes new plans that would create three housing units on the property, each on individual and discreet levels. We believe that the proposed plan now before you is the best and most responsible configuration for the existing building that meets what we interpret as the Commission's intent. We have also tried to factor in the need for producing housing in a timely manner, as well as our neighbor's fatigue with construction and the continued vacancy of the building. While financially impossible for us to execute, we nonetheless believe that successfully permitting the project as currently proposed could prove to be a viable project for someone else, eventually getting three housing units onto the market.

While feasible, the work required to reconfigure this already completed building is still very significant and includes:

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- Demo ceiling, wall and floor finishes as required;
- Demo entry door, and provide (2) entry doors and demising wall;
- Demo powder room to replace with full bath;
- Demo M.P.E. as required throughout;
- Provide new separate utility meters for new unit;
- New M.P.E. for 3rd unit, including radiant heat and fire sprinkler systems;
- New 1-hr fire separation between units;
- New ceiling, wall and floor finishes as required;
- New M.P.E., cabinetry and appliances for new kitchen;
- New M.P.E, as required, at new full bath location including fixtures, finishes and cabinetry;
- New 36" wide exterior stair for egress and rear yard access, reconfigure all guardrails as required.

To be clear, this project will be a complete and tremendous loss for our company no matter what happens next. The building will need to go through a short sale/foreclosure, and the remaining obligations on the building will likely force our company, which has been operating in San Francisco for over 20 years, out of business.

We ask and hope that the Commission will see the earnest logic in our proposal, and allow this property to be completed and utilized to it's best potential in the least amount of possible time.

Thank you for your time and careful consideration regarding all of the above.

Sincerely,

Tim Clinton and Paul Dawson

Cc:

Commission President Myrna Melgar Commission Vice-President Joel Koppel Commissioner Frank S. Fung Commissioner Rich Hillis Commissioner Milicent A. Johnson Commissioner Kathrin Moore Commissioner Dennis Richards Supervisor Rafael Mandelman Jeff Horn, Senior Planner David Winslow, Architect Manager



Mailing Address: PO Box 410475 | San Francisco, CA 94141-0475

July 16, 2019

San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

Re: 3847-3849 18th Street Project Case No.: 2018-009551DRP Hearing Date: July 18, 2019

Dear Commissioners:

As the sponsors of 3847-3849 18th Street, we are writing in reference to Building Permit Application No. 2018.06.22.2714 and the continuance of the Discretionary Review hearing for our project, which is on the Planning Commission agenda for this Thursday, July 18. We appreciate the time that was spent and the discussion that occurred during our Commission hearing in May, and have been working closely with Planning Dept. staff to address outstanding issues and diligently explore the suggestions made by Commissioners regarding the path forward.

Please know that we deeply regret the mistakes we made regarding the permitting of our project and have been committed to correcting any and all violations through the process that the Planning Department has in place. We have worked cooperatively and transparently for the past 16 months with Code Enforcement Planner Jon Purvis, Senior Planner Jeff Horn, and RDAT Architect Manager David Winslow, as well as with numerous neighbors whose support and trust we are very grateful to have earned.

By way of background and to refresh your memories, we first undertook this project back in 2014 as a designbuild project. The complete program and plans were not yet determined when we began and we were exploring various options. The building was in foreclosure, had several violations, and a pending Notice of Abatement to remove an unwarranted 3rd unit. As residents of San Francisco for the past 23 years, it has always been our goal and intent to transform the building into something for which we, as well as the neighborhood, would be proud.

That said, in order to decrease the length of time it can take to complete and gain approval for such a project – and thus reduce our hefty carrying costs – we fully acknowledge that we exercised poor judgment and inadequate oversight of various important details. To be clear, we did have the proper permits for the vast majority of the work and the project was inspected a number of different times. The final certificate of completion and occupancy for the building was issued back in February of 2018. Following that action, inaccurate allegations were submitted to the Building and Planning Departments, which eventually brought to light the actual violations that have been detailed for you in your meeting packets.

The process over the past 16 months has included multiple meetings with Planning staff and comprehensive reviews of our project by Planning Code Enforcement and Senior Planning staff. This has resulted in a number of agreed upon revisions and revised plan sets, including the latest version that we prepared and submitted <u>www.dawson-clinton.com</u> State license # 791724 under the direction of Planning staff in anticipation of our hearing this week. We have had Planning staff, as well as multiple DBI Inspectors, on-site to evaluate the building first-hand and to confirm the comprehensive and accurate nature of our revised plan set.

Revised plans were sent out for 311 Notification at the beginning of this year and no objections were received from any actual neighbors or neighborhood groups. As you may recall, the only reason our project is being reviewed by the Commission is because of a Discretionary Review application that was fraudulently filed under a fictitious name by a disgruntled local builder. The Commission ruled against this individual and a project of his a few years ago, and we and others believe that he has been seeking some sort of strange retribution against fellow builders such as us, if not the Commission and/or Planning Department itself.

Regardless of how we got here, we understand that the upcoming DR hearing is about us and our project, and the need to determine an appropriate remedy for the situation. At the hearing in May, Commission President Melgar indicated that she would like us to look into converting the finished two-unit building into three units as a remedy for our errors and as an opportunity to increase the City's housing stock.

The slight irony in this approach is that when we first acquired the building in 2014, among the countless code violations there was also a Notice of Abatement requiring us to remove an unwarranted 3rd unit as we have mentioned. At that time, had the City encouraged or even allowed us to maintain and bring the 3rd unit up to code, we may have gone in a completely different direction with the project. Instead, we complied with the order from the City, removed the unwarranted unit, and maintained the building's 2-unit status.

Nonetheless, we have diligently evaluated what it would take to add a 3rd unit and even engaged a third party expert architect to advise us on the feasibility and estimated expenses of such an action. (A letter from the architect and draft estimate is attached for your information.) Adding a unit would effectively require a complete interior remodel, including: separating and reconfiguring the building's hydronic heating system, lighting control systems, plumbing and electrical; the fire sprinkler systems would all need to be redone and separated; new metering for utilities; new staircases and means of entry and egress; a new kitchen and relocation of bathrooms, which would all require significant reconfigurations to the floor plans. The construction costs to perform such work on what is already a finished building are estimated to be \$800,000 to \$1.2 million. In addition, it could easily take a year or more for the new plans and required permits to be approved, followed by a minimum of nine months of additional construction activity for already fatigued neighbors. The cost of our debt financing to-date and the ongoing carrying costs of such a scenario make this path a simply impossible one.

So that you can fully understand our position, we would like to share the current financial realities of our situation. Over the last 16 months since we began working with the Planning Code Enforcement staff, we have already incurred \$700,000 in additional carrying costs on the building. Our loan of \$4.95 million is currently more than 170 days in default and we have no path forward to sell the building until the permitting issues are resolved. The outstanding balance to just bring the loan current is an additional \$400,000+ and the loan payments continue to compile at just under \$64,000/month at the current default interest rate (recent correspondence from our lender is attached). Moreover, a second loan of \$600k on the property is accruing interest at a rate of 19%. We also have outstanding accounts payable on the project in excess of \$350,000 owed to longtime vendors and subcontractors whose considerable patience and trust are coming to an end. Just since the time we began working with Planning enforcement in March of last year, we have incurred \$1.1 million in carrying costs through today, which doesn't include the range of other related professional and project expenses during this period.

www.dawson-clinton.com State license # 791724 office 415.359.9991 fax 415.359.9992 We certainly understand the desire to increase the City's housing stock and to identify a remedy that would create a strong disincentive for mistakes such as ours to be repeated. However, we hope that the ultimate remedy and action taken by the Commission will take into account the significant negative consequences we have already experienced, and that the Commission can reach agreement on a path forward that does not force the building into foreclosure and unnecessarily destroy our small business, which has been operating in San Francisco for more than 20 years. While we no longer anticipate profiting from this now 5-year project, we do desperately hope to survive it.

Our goal and sincere hope this Thursday is for this process to come to a viable conclusion – one that can provide real benefits to the local community and avoids the collapse of our company and the loss of jobs for our employees. We also do acknowledge our errors and take responsibility for them. We would therefore like to respectfully propose an alternative approach.

Our Proposal: In lieu of significant changes to the current building, we propose making a sizable payment toward the construction of an off-site BMR unit consistent with the City's inclusionary housing program directly following the sale of the building or either of the units. Using the City's current calculation methods based on the square footage of a project, we estimate such a payment to be approximately \$250,000. We put this forward as a remedy as it would genuinely help address the City's housing crisis, allow our small business to survive, and avoid additional construction disruption for our neighbors. We also believe that it would appropriately recognize the fact that we have been acting in full cooperation with the Planning Department, and would help demonstrate the importance and value of the system that the Planning Department has in place to address violations.

In conclusion, we fully acknowledge our wrongdoing and hope you will understand that we have already paid a heavy price for our errors, and conclude that any additional punitive measures the Commission may require should fall within our capacity to execute without collapsing our company. Please also note that a further delay in making a determination on the path forward would in itself push us closer to bankruptcy and could result in foreclosure on the building.

Thank you for your time and careful consideration regarding all of the above. We look forward to seeing you on Thursday.

Sincerely,

Tim Clinton and Paul Dawson

Cc:

Commission President Myrna Melgar Commission Vice-President Joel Koppel Commissioner Frank S. Fung Commissioner Rich Hillis Commissioner Milicent A. Johnson Commissioner Kathrin Moore Commissioner Dennis Richards Supervisor Rafael Mandelman Jeff Horn, Senior Planner David Winslow, Architect Manager

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SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission Hearing Date: July 18, 2019 Continued from the May 9, 2019

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

Record No.:	2018-009551DRPVAR
Project Address:	3847-3849 18th Street
Permit Applications	s: 2018.06.22.2714
Zoning:	RH-3 (Residential House, Three-Family)
	40-X Height and Bulk District
Block/Lot:	3585 / 077
Project Sponsor:	Dawson & Clinton General Contractors
	PO Box 410475
	San Francisco, CA 94141
Staff Contact:	David Winslow – (415) 575-9159
	david.winslow@sfgov.org
	Jeff Horn – (415) 575-6925
	jeffrey.horn@sfgov.org

BACKGROUND

On May 9, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on a Discretionary Review request No. 2018-009551DRP. The Planning Commission continued the item to July 18, 2019, to allow staff from the Planning Department and the Department of Building Inspection (DBI) to meet to review the permit history of the project and to perform a site visit to confirm that all alterations to the building and site, permitted or unpermitted, are accurately reflected in the plan set.

SITE VISIT

On June 13th, 2019, the Project Sponsor led a site visit of the property with staff from Planning and DBI. The following scopes of work and plan drawing revisions have been added to the Plan Set in response to unpermitted changes and clarifications that were determined by staff review of the as-built conditions.

- "Change of use of the Level 1 "Family Room" from storage" added to Project Scope. See Sheet A-0.1.
- The 4'-8" white laminated glass guardrail located in the in the front setback and proposed for legalization was removed. See Sheets A-0.1 and A-1.1.
- White laminated glass screen at west property line lightwell is proposed for legalization. See Sheets A-0.1, A-2.2, A-2.3, and A-3.3.

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- A wood fence at rear property line and noted fence height in relation to grade at adjacent rear property (48/50 Hancock) is proposed for legalization. See Sheets A-3.2, A-3.3, and A-4.1.
- Legalization of the as-built standing seam metal roof. See Sheets A-2.3, A-3.2, and A-3.3.
- Legalization of a west property line parapet used as a gutter to divert water.
- Updated plans to propose siding material for the dormers to be horizontal painted wood siding. See Sheet A-3.2.
- Changed all windows to double-hung wood windows with integral ogee lugs at north elevation. See Sheet A-3.1.
- Added rear elevations of adjacent structures. See Sheets A-3.01, and A-3.1.
- Provided section drawing at lightwell showing north elevation of lightwell, family room and rear yard. Noted existing grade and materials. See Sheet A-3.4.
- Clarification of the grade at eastern and western neighbors. See Sheets A-3.02, A-3.03, A-3.2, and A-3.3.

ATTACHMENTS:

Abbreviated Analysis from the March 7, 2019 Hearing Revised Plan Set dated July 3, 2019



SAN FRANCISCO **PLANNING DEPARTMENT**

Discretionary Review Abbreviated Analysis

HEARING DATE: MAY 9, 2019

Date:	May 2, 2019
Case No.:	2018-009551DRP
Project Addresses:	3847-3849 18th Street
Permit Applications	: 2018.06.22.2714
Zoning:	RH-3 [Residential House, Three-Family]
	40-X Height and Bulk District
Area Plan:	N/A
Block/Lot:	3585/077
Project Sponsor:	Dawson & Clinton General Contractors
	PO Box 410475
	San Francisco, CA 94141
Staff Contact:	David Winslow - (415) 575-9159
	David.Winslow@sfgov.org
	Jeff Horn – (415) 575-6926
	Jeffrey.Horn@sfgov.org
Recommendation:	Do Not Take DR

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

Reception: 415.558.6378

Fax. 415.558.6409

Planning Information: 415.558.6377

PROJECT DESCRIPTION

The proposed scope of work is to abate an outstanding Planning Enforcement case relating to the project sponsor exceeding the scope of work of a series of permits issued on the property, most of which were issued over the counter.

The proposed scope of work seeking legalization includes:

- Two-story horizontal addition at rear SE corner of the building •
- Enclosure of existing lightwells (east and west sides) at levels 1 & 3
- Enlargement of the existing lightwell (west) at levels 2 & 3 •
- Increase the habitable square footage of the attic space •
- Addition of a bay window at front of the basement level, located beneath the front stairs •
- Front addition to the garage to align with the front property line
- A 40 SF roof deck at the rear of level 3 •
- The combining of two "exempt" dormers into one single dormer
- A 11'-4" (max height) wall along the east side property line •
- A 4'-8" white laminated glass guardrail/privacy screen along the east side property line
- A new steel garage door and pedestrian gate. •
- Retaining walls and guardrails at front property line •
- Cumulative excavation calculation for all work performed, estimated at 882 Cubic Yards

The project proposes to make the following modifications to the current as-built building based on comments providing by RDAT and Preservation Staff:

- Front gable window to be reduced in size to match proportions of the original window
- Wood paneling added to front entry way
- All front façade windows to be wood, double-hung with ogee lugs

In total, the description of the project as-built and with proposed legalizations and modifications would be a 6,490 square foot, four-story-over-garage, two-family dwelling. Project details include a 4,021 SF upper unit, a 1,624 SF lower unit, and an 848 SF garage.

BACKGROUND

Below is a summary of the permit, complaint and enforcement history of the subject property. A series of plans were submitted in a manner that presented all scopes of work presented as being exempt from Section 311 neighborhoods notification requirements, in some cases by not correctly portraying the existing conditions:

A Department of Building Inspection (DBI) Notice of Violation (NOV 201310261) was issued on August 23rd, 2013, based on a complaint filed in June of that year, for an illegal unit at the basement level. The Project Sponsor came into possession of the property in August 2014. In September 2014, the Project Sponsor submitted their 1st Building Permit on this property; BPA #2014.0922.6974 proposed to remove the unit at abate the NOV. The plans for this permit described the existing square footage of the structure as 2,463 square feet.

A summary of all over-the-counter permits is as follows, notations describing major discrepancies or outof-scope work associated with these permits are in parenthesis:

- 2014.09.22.6974 Correct N.O.V. #201310261. Remove illegal dwelling unit at basement.
- 2014.11.25.2493 Replace perimeter foundation of (e) crawl space in-kind.
- 2014.12.12.3665 Excavate Crawl Space to create basement "storage." (Over excavation per Project Sponsor's Sheet A-4.01)
- 2014.12.30.4758 Convert "storage" to garage. (Over excavation per Project Sponsor's Sheet A-4.01, front garage wall built out 5'-3" further than approved, additional retaining walls and railings/fences constructed at front and side property lines)
- 2015.07.24.2364 Voluntary full seismic upgrade.
- 2015.12.24.5900 Install new fire sprinkler system.
- 2015.12.24.5908 Interior remodel, relocate lower unit from 1st level to basement level. New windows and door on north elevation, (Over excavation per Project Sponsor's Sheet A-4.01, out-of-scope alterations to windows, doors, rear addition shown as existing, dormers enlarged)
- 2016.06.30.1316 Excavate to expand rear yard storage space. (Over excavation per Project Sponsor's Sheet A-4.01)

Discretionary Review – Abbreviated Analysis May 9, 2019

- 2017.02.03.8618 Replace existing property line fence in rear yard with new stucco wall, 9'-6" height.
- 2017.06.26.0353 Install new sprinkler monitoring system.

Seven subsequent DBI complaints were received after construction began on the project, dating from July 2016 to February 2018. On February 12, 2018 Planning opened Enforcement Case no. 2018-002303ENF, and on May 3, 2018 Planning sent a Notice of Violation to the Project Sponsor providing a detailed account of the out-of-scope work performed at the property (Attached). To correct all complaints, violations and enforcement actions, the Project Sponsor submitted a Building Permit Application (2018.0622.2714) on June 22, 2018. A plan check review of the submitted plans by Planning Staff resulted in a determination that some of the as-built features were located within the required front setback and required rear yard. The Sponsor proposes to legalize these features and is seeking a variance within case no. 2018-009551VAR, filed on January 24, 2019.

SITE DESCRIPTION AND PRESENT USE

The site is a 25' x 114" rectangular shaped and up sloping lot with an existing, as-built, 4-story-over-garage, 6,490 SF two-family residence that was recently altered and originally constructed in 1907. The building is classified as a category 'B' historic resource.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The street face of this block of 18th has a consistent pattern of 3- and 4-story buildings of varying styles, with large setbacks, stepping with the slope of the street, many with protruding "snout" garages. The subject property and the two buildings to the both the east and west are setback from the front property line, with protruding "snout" garages, while the buildings further to the west and east abut the front property line. The mid-block open space is bounded by consistent alignment of buildings, although neighbors to the rear contain non-complying structures on their respective rear lot lines.

BUILDING PERMIT NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	January 9, 2019 – February 08, 2019	February 07, 2019	May 09, 2019	91 days

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	April 20, 2019	April 20, 2019	20 days
Mailed Notice	20 days	April 20, 2019	April 20, 2019	20 days
Online Notice	20 days	April 20, 2019	April 20, 2019	20 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	5	0	0
Other neighbors on the			
block or directly across	1	0	0
the street			
Neighborhood groups	0	0	0

DR REQUESTOR

Malcom Xiang, no address provided. There has been no correspondence with Mr. Xiang since the DR was received.

DR REQUESTORS' CONCERNS AND PROPOSED ALTERNATIVES

Issues:

- 1. The project should be considered tantamount to demolition.
- 2. The project "eliminated" two equal-sized units, and removed an illegal unit

<u>Request</u>:

1. Planning Commission should exercise its Discretionary Review and deny permit application. Project Sponsor should return building to its original configuration, as many other similar properties have been required to do by the Planning Commission.

See attached Discretionary Review Application, dated February 07, 2019

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached Response to Discretionary Review, dated April 18, 2019.

PROJECT ANALYSIS

The Residential Design Advisory team reviewed the project and found the alterations seeking legalization to generally be in compliance with the Residential Design Guidelines. The RDAT noted a consistent pattern of full lot width "snout" garages in the immediate vicinity of the project. The RDAT and Preservation Staff provided the following comments to the Sponsor, which have been incorporated into the current design proposal.

- Reduce the front gable window to match the proportions of the original window.
- Add solidity to front entry way.
- Retain existing window design and operation at front façade.

The Sponsor submitted Section 317 calculations that determined the amount of removal that occurred does not exceed threshold that would be consider the project as tantamount to demolition. Staff acknowledges that because the construction has been completed and the series of plans submitted contained inaccuracies, it is difficult to fully verify the quantities of removal provided by the Sponsor.

ENVIRONMENTAL REVIEW

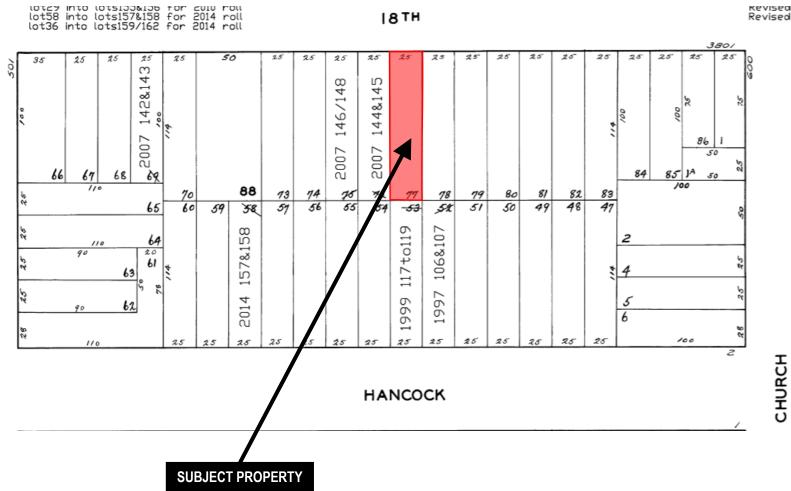
The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than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

RECOMMENDATION: Do Not Ta	te DR
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Attachments: Block Book Map Sanborn Map Zoning Map Aerial Photographs Context Photographs Section 311 Notice CEQA Determination Enforcement's Notice of Violation dated May 3, 2018 DR Application Response to DR Application dated April 18, 2019 Letters of Support Reduced Plans

Exhibits

Parcel Map

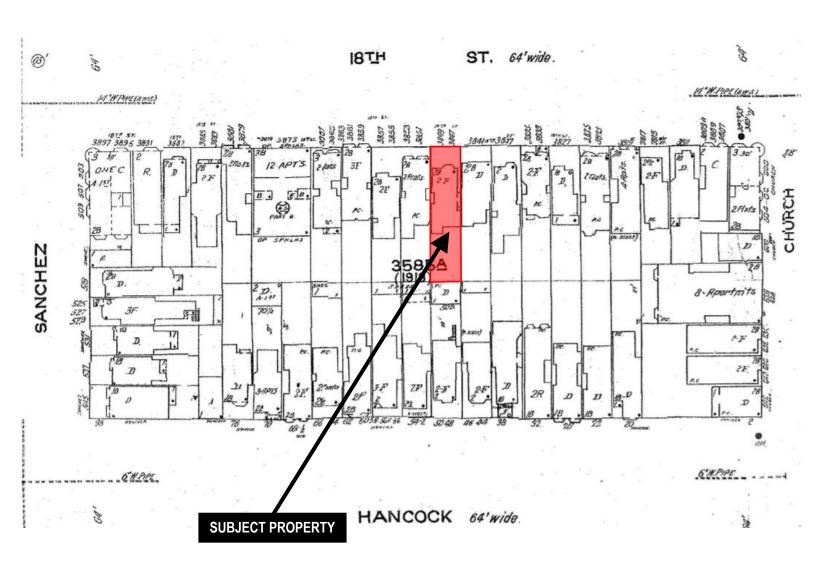




Discretionary Review Hearing Case Number 2018-009551DRPVAR 3847-3849 18th Street

SANCHEZ

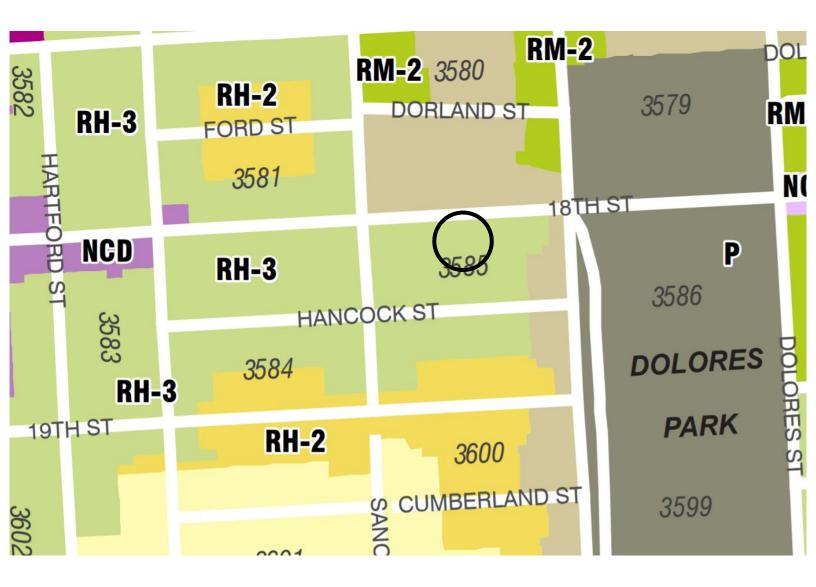
Sanborn Map*



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



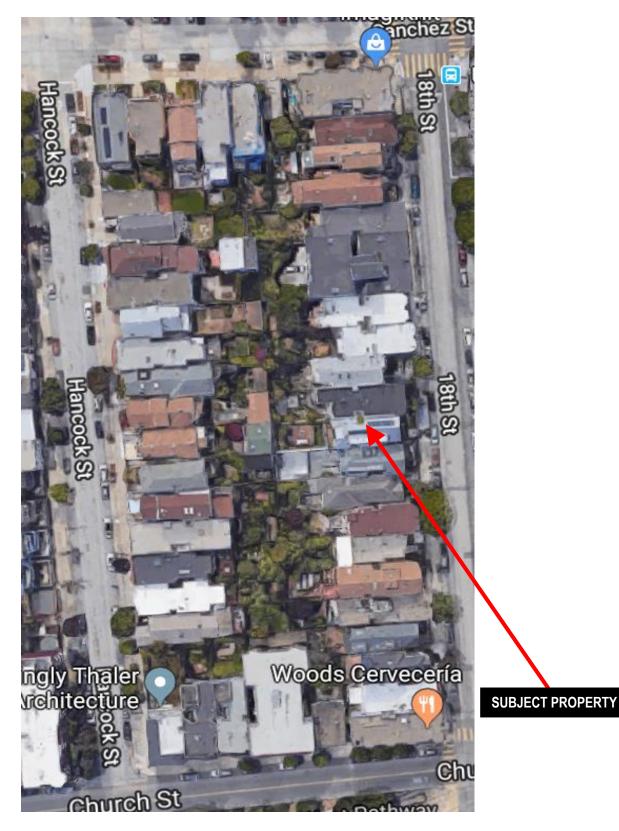
Zoning Map



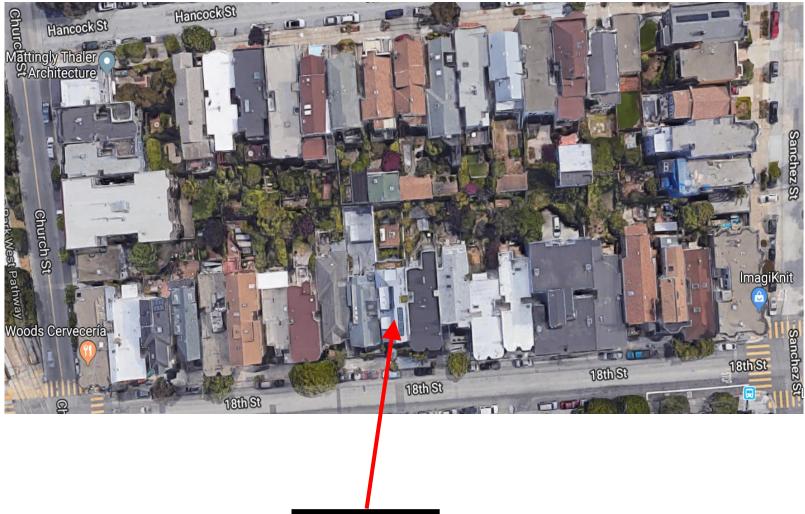






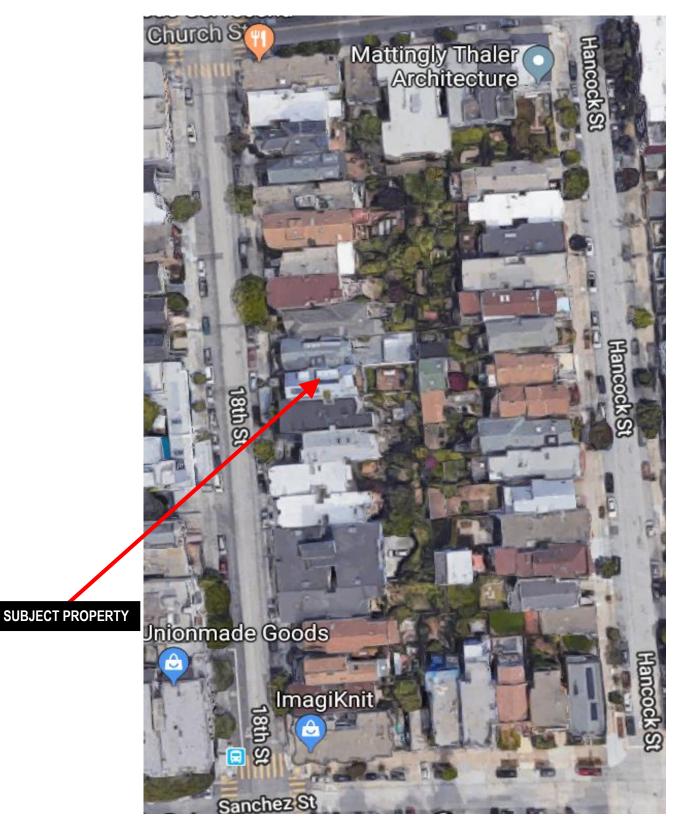






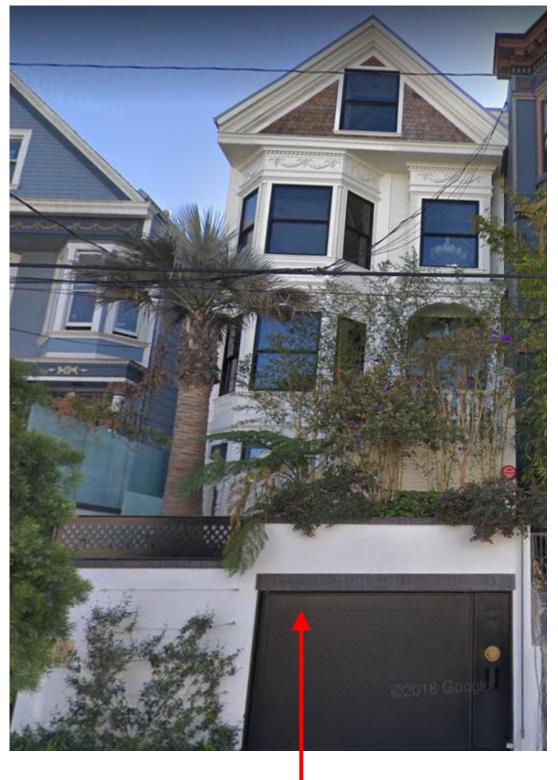








Site Photo



SUBJECT PROPERTY



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **June 22, 2018**, the Applicant named below filed Building Permit Application No. **2018.06.22.2714** with the City and County of San Francisco.

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	3847-3849 18th Street	Applicant:	DAWSON + CLINTON
Cross Street(s):	Church Street / Sanchez Street	Address:	PO Box 410475
Block/Lot No.:	3585/077	City, State:	San Francisco, CA 94141
Zoning District(s):	RH-3 / 40-X	Telephone:	(415) 359-9991
Record No.:	2018-009551PRJ	Email:	paul@dawson-clinton.com

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

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

PROJECT SCOPE		
Demolition	New Construction	☑ Alteration
Change of Use	Façade Alteration(s)	Front Addition
☑ Rear Addition	□ Side Addition	Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Two-Family Residence	No Change
Front Setback	15 feet, 6 inches	No Change
Side Setbacks	NA	NA
Building Depth	71 feet, 3 inches	No Change
Rear Yard	42 feet, 9 inches	No Change
Building Height	37 feet, 5 inches	No Change
Number of Stories	4	4 over garage
Number of Dwelling Units	2	No Change
Number of Parking Spaces	0	2
PROJECT DESCRIPTION		

An expansion and alteration to the existing two-family residence occurred from 2015 to 2017 under a series of issued permits as well as work that was performed beyond the scope of the permits or not included in any permits issued by the City. Expansions to the structure includes a 219 square foot (SF) addition at the rear of the building, the enclosure of a 44 SF lightwell, roof dormers, and the addition of a basement/garage level. The project also includes major interior renovations and the enlarging of the basement floor and the attic, improvements to the rear yard and fencing, and exterior alterations to the front windows, doors, entryway, stairs, railings, decks and the addition of a garage. Prior to any construction activities the original structure was 4,700 Gross SF in total area, the current structure is 6,490 GSF, an increase of 1,790 square feet. Three features require a Variance for approval, which will be noticed separately, these include the 11'-4" tall property line wall along the front stairs, the 219 SF addition at the rear of building and an elevated rear yard access bridge

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

For more information, please contact Planning Department staff:

Planner:	Jeff Horn			
Telephone:	(415) 575-6925	Notice Date:	1/9/19	
E-mail:	jeffrey.horn@sfgov.org	Expiration Date:	2/8/19	

中文詢問請電: 415.575.9010 | Para Información en Español Llamar al: 415.575.9010 | Para sa Impormasyon sa Tagalog Tumawag sa: 415.575.9121

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

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

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

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice. Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a <u>separate request</u> for Discretionary Review must be submitted, with all required materials and fee, for <u>each</u> permit that you feel will have an impact on you. Incomplete applications will not be accepted.

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

BOARD OF APPEALS

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

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at <u>www.sfplanning.org</u>. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
3847-3849 18TH ST		3585077	
Case No.		Permit No.	
2018-009551PRJ		201806222714	
Addition/	Demolition (requires HRE for	New	
Alteration	Category B Building)	Construction	
Project description for	Planning Department approval.		
	02303ENF:HORIZONTAL ADD. ENCLOSE (E)LI		
	MERS.REVISE WINDOW AT FRT FACADE.NEW		
	OOD ENTRY DOOR.NEW WOOD GUARDRAIL A		
FOR ALL APPROV BPA	AS.PROVIDE EXCAVATION CALCULATION FOR	ALL APPROVED BPAS.	

STEP 1: EXEMPTION CLASS

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

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an Environmental Evaluation Application is required.		
	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone</i>)	
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>	
	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?	
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area</i>)	
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>)	
	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>) If box is checked, a geotechnical report is required.	
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report is required.	
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.	
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.		
Com	ments and Planner Signature (optional): Jeffrey Horn	

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

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

STEP 4: PROPOSED WORK CHECKLIST

TO BE COMPLETED BY PROJECT PLANNER

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

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project. Image: Description of the involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. Image: Description of the involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. Image: Description of the involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. Image: Description of the involves a known historic state of the involves and the involves of the involves and the involves of the

	7. Addition(s), including mechanical equipment that a and meet the Secretary of the Interior's Standards for		
	8. Other work consistent with the Secretary of the Int Properties (specify or add comments):	erior Standards for the Treatment of Historic	
	r ropenies (specify of add comments).		
	9. Other work that would not materially impair a histor	ic district (specify or add comments):	
	(Requires approval by Senior Preservation Planner/Pr	eservation Coordinator)	
	10. Reclassification of property status . (Requires ap Planner/Preservation	proval by Senior Preservation	
	Reclassify to Category A	Reclassify to Category C	
	a. Per HRER dated	attach HRER)	
	h Other (specify):		
	b. Other <i>(specify)</i> :		
	Note: If ANV boy in STED 5 above is abacked a f	Necessarian Diamag MUST check and hav below	
	Note: If ANY box in STEP 5 above is checked, a F		
	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.		
	Project can proceed with categorical exemption review . The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.		
Comm	ents (optional):		
Preser	vation Planner Signature: Natalia Kwiatkowski	а	
STE	EP 6: CATEGORICAL EXEMPTION DETERMIN	IATION	
	BE COMPLETED BY PROJECT PLANNER		
	Further environmental review required. Proposed pr (check all that apply):	oject does not meet scopes of work in either	
	Step 2 - CEQA Impacts		
	Step 5 - Advanced Historical Review		
	STOP! Must file an Environmental Evaluation Appli	cation.	
	No further environmental review is required. The province of t	oject is categorically exempt under CEQA.	
	There are no unusual circumstances that would res	ult in a reasonable possibility of a significant	
	effect.		
	Project Approval Action:	Signature:	
	Building Permit	Natalia Kwiatkowska	
	If Discretionary Review before the Planning Commission is requeste the Discretionary Review hearing is the Approval Action for the proj	0	
	Once signed or stamped and dated, this document constitutes a cat	egorical exemption pursuant to CEQA Guidelines and Chapter	
	31of 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.		
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SAN FRANCISCO PLANNING DEPARTMENT

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 from	Block/Lot(s) (If different than front page)	
3847-3849 18TH ST	3585/077	
Case No.	Previous Building Permit No.	New Building Permit No.
2018-009551PRJ	201806222714	
Plans Dated	Previous Approval Action	New Approval Action
Building Permit		
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



SAN FRANCISCO PLANNING DEPARTMENT

NOTICE OF VIOLATION

May 3, 2018

Property Owner Kansas Street Development LLC P.O. Box 410475 San Francisco, CA 94141

Site Address:	3847-3849 18th Street
Assessor's Block/Lot:	3585/077
Zoning District:	RH-3, Residential, House, Three-Family
Complaint Number:	2018-002303ENF
Code Violation:	Sections 174 and 175: Unauthorized Alterations and Building Expansion
Administrative Penalty:	Up to \$250 Each Day of Violation
Response Due:	Within 15 days from the date of this Notice
Staff Contact:	Jon Purvis, (415) 558-6354, jonathan.purvis@sfgov.org

The Planning Department has determined that the above referenced property is in violation of the Planning Code. As the owner of the subject property, you are responsible to bring the above property into compliance with the Planning Code. Details of the violation are discussed below:

DESCRIPTION OF VIOLATION

Our records indicate that the subject property is currently authorized for a two-family dwelling. The violation pertains to the remodeling done to the above property between 2014 and 2017. It appears that work was done without permit or proper noticing, and other work is inconsistent with the Planning Code or with approved building permits. The discrepancies include expansions to the building envelope without permit, serial permitting for excavation, and revisions to windows and doors without permit.

Considering the extent of work performed on this property with multiple permits in just two years, most of this project should have been submitted under one Building Permit application with neighborhood notification. It should also have been subject to excavation calculations, demolition calculations, and possibly Environmental Review.

On April 10, 2018, the Planning Department sent you a Notice of Enforcement to inform you about the complaint and to meet and discuss the apparent violations. On April 12, 2018, Planning Department staff met with you to review the permits and plans to understand the reasons for the discrepancies. To date you have not contacted the Planning Department to resolve these issues. Below is a list of some of the permit work in question:

www.sfplanning.org

中文詢問請電。415.575.9010 | PARA INFORMACION EN ESPANOL LLAMAR AL: 415.576.9010 | PARA SA IMPORMASYON SA TAGALOG TUMAWAG SA: 415.575.9121 | WWW.SFPLANNING.DRG

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

3847 18th Street Complaint No.: 2018-002303ENF

- Building Permit application (BPA) no. 2014.09.22.6974 was approved by the Planning Department to "remove illegal dwelling unit at basement." The Floor Plan (A-2.1) shows the basement is to be converted entirely to storage and the stair access between the basement storage and the first floor dwelling is restored. Note that the Site Plan (A-1.1) shows that the existing rear wall closely aligns with the adjacent building to the east.
- BPA no. 2014.11.25.2493 was approved without Planning Department review to "replace perimeter foundation of existing crawl space in kind." The crawl space under the basement is shown in Section (A4) to have about a 3-foot clearance. Note that in the Floor Plans (A3) the rear wall is now shown to project several feet beyond the adjacent building to the east, inconsistent with the prior plans. All plans submitted after this show this rear expansion on all floors of the building. This represents an expansion of the building envelope without permit.
- BPA no. 2014.12.12.3665 was also approved without Planning Department review to revise BPA no. 2014.11.25.2493 to "excavate 4 feet under existing crawl space for new storage." This is shown in Section (A5) to provide a crawl space with a 7-foot clearance for additional storage to be provided underneath the basement storage. There are no calculations showing the amount of soil excavated from under the building, but it is likely about 100 cubic yards, which should have triggered California Environmental Quality Act (CEQA) review or at minimum a geotechnical report. Furthermore, without an apparent need for two levels of "storage," this permit and the prior one are just incremental steps in a two-year process of over-the-counter serial permitting to disguise the total scope of the project.
- BPA no. 2014.12.30.4758 was approved to "convert existing storage to a new garage and demo front wall for new garage door." What was identified as proposed "new" storage on December 12 is identified as "existing" storage on December 30. The Elevation (A2) shows the approved garage door to be a traditional style 8ft x 8ft wood-paneled door, while the as-built door is modern, metallic and larger than approved. As with the prior permit, this permit and the plans make no reference to required excavation. The Sections (A6) only refer to demolition of "walls" to access the new garage, but photos of the construction show substantial excavation into the hillside for the garage access.
- BPA no. 2015.12.24.5908 was approved for "interior remodel; relocate lower unit from first level to basement; new windows and doors on north elevation; new hydraulic elevator and new dormer windows per ZA Bulletin No. 3." The work shown in the plans is a major remodel that includes interior demolition on all floors and a possible dwelling unit merger. There are no calculations showing the extent of the demolition, nor are there dwelling unit size calculations demonstrating that this is not a dwelling unit merger.

The North Elevation (A-3.1) submitted and approved with this application shows the attic window and garage door unchanged, and the Roof Plan (A-2.6) shows four individual dormers, each 8ft x 8ft. The as-built attic window and the garage door were enlarged and two of the east side dormers were combined into a single 8ft x 16ft dormer, which is inconsistent

with ZA Bulletin No. 3 and should have triggered neighborhood notification under Planning Code Section 311.

The Basement Plans (A-2.2) and First Floor Plans (A-2.3) show existing crawlspace and a light well at the rear of the building, which in prior plans was shown only as a sloping rear yard supported by retaining walls. This suggests additional excavation was done in the rear yard without permit. The First Floor Plans (A-2.3) also show that a light well existing in prior plans had been filled in without permit. The Attic Floor Plan (A-2.5) shows an existing bedroom at the rear to be larger than as depicted in prior plans, suggesting another expansion without permit and without neighborhood notification.

• BPA no. 2016.06.30.1316 was approved to "excavate to expand rear yard storage." Under CEQA, any excavation of more than 50 cubic yards on a property with a slope of greater than 20 percent requires a geotechnical report. There are no calculations showing the extent of the excavation added to what had already been done at the front under BPA no. 2014.12.30.4758 and at the rear under BPA no. 2015.12.24.5908. It is likely to be at least 200 cubic yards.

A comparison between the Longitudinal Section (A-4.1) of the property with that shown in BPA no. 2014.11.25.2493 (A4) shows the full extent of the excavation of the lot and expansion of the building.

The extent of work performed on this property over the course of two years with multiple permits, some filed within days of others and some not referred to the Planning Department suggests an attempt to disguise the full extent of the project. This work should have included excavation calculations, demolition calculations, and dwelling unit size figures. It should have been filed under a single building permit with neighborhood notification and possibly an Environmental Review application.

Pursuant to Planning Code Section 174, every condition, stipulation, special restriction and other limitation imposed by administrative actions pursuant to this Code, whether such actions are discretionary or ministerial, shall be complied with in the development and use of land and structures. All such conditions, stipulations, special restrictions and other limitations shall become requirements of this Code, and failure to comply with any such condition, stipulation, special restriction or other limitation shall constitute a violation of the provisions of this Code.

Pursuant to Planning Code Section 175, (a) no application for a building permit or other permit or license, or for a permit of Occupancy, shall be approved by the Planning Department, and no permit or license shall be issued by any City department, which would authorize a new use, a change of use or maintenance of an existing use of any land or structure contrary to the provisions of this Code; and (b) no such application, permit or license shall be approved or issued by any City department for the construction, reconstruction, enlargement, alteration, relocation or occupancy of any structure if the construction or other activities that would be authorized by the requested permit or license would not conform in all respects to this Code, or if the structure or any feature thereof is designed, constructed, arranged, maintained or intended to be used for a purpose or in a manner contrary to the provisions of this Code.

TIMELINE OF INVESTIGATION

On February 13, 2018, the Planning Department sent you a Notice of Complaint to inform you about the complaint. In that notice, you were advised to contact the Planning Department to resolve the complaint. You contacted the Department and acknowledged some discrepancies, including an attic window and a garage door replaced without permit or inconsistent with the permit approved.

On March 28, 2018, you submitted Building Permit application no. 2018.03.28.4843 seeking a "revision to BPA no. 2015.12.24.5908, with new steel garage door and gate, guardrail at front yard, and a new 3'6 x 5x6" window at north elevation." This Building Permit application is on hold pending resolution of this Notice of Violation.

On April 10, 2018, the Planning Department sent you a Notice of Enforcement outlining the complaint and some of the discrepancies and omissions in the permits that were issued for this project. In that Notice, you were advised to take corrective actions and provide evidence of compliance to the Planning Department within fifteen (15) days. To help you with this, Planning Department staff met with you on April 12, 2018 to review the permits and plans and to get an explanation for the multiple discrepancies. You have not contacted the Planning Department since that meeting to demonstrate how you intend to bring the subject property into compliance with the Planning Code.

HOW TO CORRECT THE VIOLATION

The Planning Department requires that you immediately proceed to abate the violation by applying for new building permit that complies with all provisions of the Planning Code to correct the record. The scope of this permit would be for all work done beginning with BPA no. 2014.11.25.2493 and up to and including BPA no. 2016.06.30.1316. This should include the demolition of floors and walls, excavation, new garage, rear building expansion, lightwell fill-in, rearrangement of the dwelling units, new windows, doors, and dormers, plus any other work that was done but not fully and accurately represented on a building permit or plan.

Pursuant to Planning Code Section 317, if the extent of the demolition work exceeds that as defined in Code Section 317(b)(2), you must also file a Conditional Use Authorization application to seek approval. The Conditional Use Authorization application is available from the Planning Department's website at http://www.sf-planning.org. Only if the Conditional Use Authorization is granted may you then proceed with the building permit.

You must also indicate all expansions of the building envelope in the permit description and show this on the plans. This would include the rear addition, the dormers, and any other expansion not previously indicated. This will be subject to neighborhood notification under Planning Code Section 311.

The plans must show the required front setback and rear yard lines and work outside those lines may be subject to variance. The Variance application is also available on our website.

Alternatively, the responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence that includes duly issued permits reviewed and approved by Planning for all of the above-referenced work. A site visit may also be required to verify compliance.

Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: www.sfgov.org/dbi, regarding the Building Permit Application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street or website: www.sf-planning.org for any questions regarding the planning process.

TIMELINE TO RESPOND

The responsible party has fifteen (15) days from the date of this notice to either;

- 1) Correct the violation as noted above; or
- 2) Appeal this Notice of Violation as noted below.

The corrective actions shall be taken as early as possible. Please contact the enforcement staff as noted above to submit evidence of correction. Any unreasonable delays in abatement of the violation will result in further enforcement action by the Planning Department.

APPEAL PROCESSES

If the responsible party believes that this order to remove violation of the Planning Code is an abuse of discretion by the Zoning Administrator, the following appeal processes are available <u>within fifteen</u> (15) days from the date of this notice:

- 1) The responsible party may request a Zoning Administrator Hearing under Planning Code Section 176 to show cause why this Notice of Violation is issued in error and should be rescinded by submitting the Request for Zoning Administrator Hearing Form and supporting evidence to the Planning Department. The Zoning Administrator shall render a decision on the Notice of Violation within 30 days of such hearing. The responsible party may appeal the Zoning Administrator's decision to the Board of Appeals within 15 days from the date of the decision.
- 2) The responsible or any interested party may waive the right to a Zoning Administrator Hearing and proceed directly to appeal the Notice of Violation to the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, CA 94103, telephone: (415) 575-6880, website: <u>www.sfgov.org/bdappeal</u>. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation continues unabated, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

ADMINISTRATIVE PENALTIES

If any responsible party does not request any appeal process and does not take corrective action to abate the violation **within the 15-day time limit** as noted above, this Notice of Violation will become final. Beginning on the following day, administrative penalties of up to **\$250 per day** to the responsible party will start to accrue for each day the violation continues unabated. The penalty amount shall be paid **within 30 days** from the final date of the Notice of Violation. After 30 days, the

Planning Department may forward the matter to the Bureau of Delinquent Revenue for collection as authorized by Article V, Section 10.39 of the San Francisco Administrative Code. Please be advised that payment of penalty does not excuse failure to correct the violation or bar further enforcement action. Additional penalties will continue to accrue until a corrective action is taken to abate the violation.

ENFORCEMENT TIME AND MATERIALS FEE

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting the Planning Code violations. Accordingly, the responsible party is currently subject to a fee of <u>\$1,351</u> for 'Time and Materials' cost associated with the Code Enforcement investigation. Please submit a check payable to 'San Francisco Planning Department' for Code Enforcement within 15 days from the date of this notice. Additional fees will continue to accrue until the violation is abated. This fee is separate from the administrative penalties as noted above and is not appealable.

OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code.

Please contact the enforcement planner noted above if you have any questions or wish to review the enforcement file related to the above matter. The enforcement file may be available for public inspection at the Planning Department during normal office hours (Monday to Friday, 8:00 a.m. to 5:00 p.m., 1650 Mission Street, Room 400) and in the hearing room on the date the matter is scheduled to be heard upon receipt of a request for a hearing.

Sincerely,

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Tina Tam Acting Zoning Administrator

Enc.: Notice of Enforcement dated April 10, 2018

cc: Dawson and Clinton Pier 50 San Francisco, CA 94158

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3847 18th Street Complaint No.: 2018-002303ENF Notice of Violation May 3, 2018

Mercury Engineering/SF Garage 1760 Mission Street San Francisco, CA 94103

Patrick O'Riordan, Chief Building Inspector



SAN FRANCISCO PLANNING DEPARTMENT

NOTICE OF ENFORCEMENT

April 10, 2018

Property Owner

Kansas Street Development LLC P.O. Box 410475 San Francisco, CA 94141

Site Address:	3847-3849 18th Street
Assessor's Block/Lot:	3585/077
Zoning District:	RH-3, Residential, House, Three-Family
Complaint Number:	2018-002303ENF
Code Violation:	Sections 174 and 175: Unauthorized Alterations and Building Expansion
Administrative Penalty:	Up to \$250 Each Day of Violation
Response Due:	Within 15 days from the date of this Notice
Staff Contact:	Jon Purvis, (415) 558-6354, jonathan.purvis@sfgov.org

The Planning Department has received a complaint that a Planning Code violation exists on the above referenced property that needs to be resolved. As the owner of the subject property, you are responsible. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

DESCRIPTION OF VIOLATION

Our records indicate that the subject property is currently authorized for a two-family dwelling. The violation pertains to the remodeling done to the above property between 2014 and 2017. It appears that work was done without permit or proper noticing, and other work is inconsistent with the Planning Code or with approved building permits. The discrepancies include expansions to the building envelope without permit, serial permitting for excavation, and revisions to windows and doors without permit.

Considering the extent of work performed on this property with multiple permits in just two years, most of this project should have been submitted under one building permit application with neighborhood notification. It should also have been subject to excavation calculations, demolition calculations, and possibly environmental review.

On February 13, 2018, the Planning Department sent you a Notice of Complaint to inform you about the complaint. You did not contact the Planning Department to respond to this notice.

Pursuant to Planning Code Section 174, every condition, stipulation, special restriction and other limitation imposed by administrative actions pursuant to this Code, whether such actions are discretionary or ministerial, shall be complied with in the development and use of land and structures.

www.sfplanning.org

中文詞間講覺 415.575.9010 / PARA INFORMACION EN ESPANOL LLAMAR AL: 415.575.9010 / PARA SA IMPORMASYON SA TAGALOG TUMAWAG SA: 415.575.9121 / WWW.SFPLANNING.ORG

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377 3847-3849 18th Street Complaint No.: 2018-002303ENF

All such conditions, stipulations, special restrictions and other limitations shall become requirements of this Code, and failure to comply with any such condition, stipulation, special restriction or other limitation shall constitute a violation of the provisions of this Code.

Pursuant to Planning Code Section 175, (a) no application for a building permit or other permit or license, or for a permit of Occupancy, shall be approved by the Planning Department, and no permit or license shall be issued by any City department, which would authorize a new use, a change of use or maintenance of an existing use of any land or structure contrary to the provisions of this Code; and (b) no such application, permit or license shall be approved or issued by any City department for the construction, reconstruction, enlargement, alteration, relocation or occupancy of any structure if the construction or other activities that would be authorized by the requested permit or license would not conform in all respects to this Code, or if the structure or any feature thereof is designed, constructed, arranged, maintained or intended to be used for a purpose or in a manner contrary to the provisions of this Code.

HOW TO CORRECT THE VIOLATION

Contact the Enforcement Planner listed above to arrange for a site inspection of the subject property within 15 days from the date of this notice. If the building has work that is inconsistent with any of the approved building permits or with the Planning Code, or with CEQA guidelines, you must immediately proceed to abate the violation by applying retroactively for revisions to clarify and legalize the actual work that was done. If these changes are not approved, you may have to alter the work or appeal the permit decisions.

The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Evidence would include duly issued permits and plans showing conditions reviewed and approved by the Planning Department, and the condition as it exists today or you wish to legalize. A site visit will be required to verify compliance.

Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: www.sfgov.org/dbi, regarding the Building Permit application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street or website: www.sf-planning.org for any questions regarding the planning process.

TIMELINE TO RESPOND

The responsible party has <u>fifteen (15) days from the date of this notice</u> to contact the staff planner noted at the top of this notice and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property into compliance with the Planning Code. A site visit may also be required to verify the authorized use at the above property. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

PENALTIES AND APPEAL RIGHTS

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code within fifteen (15) days from the date of this notice will result in issuance of a Notice of Violation by the Zoning Administrator. Administrative penalties of up to \$250 per day will also be assessed to the responsible party for each day the violation continues thereafter. The Notice of Violation provides appeal processes noted below.

- 1) Request for Zoning Administrator Hearing. The Zoning Administrator's decision is appealable to the Board of Appeals.
- 2) Appeal of the Notice of Violation to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation exists, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

ENFORCEMENT TIME AND MATERIALS FEE

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning Department's Conditions of Approval. Accordingly, the responsible party may be subject to an amount of <u>\$1,351</u> plus any additional accrued time and materials cost for Code Enforcement investigation and abatement of violation. This fee is separate from the administrative penalties as noted above and is not appealable.

OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code. You may contact the enforcement planner as noted above for any questions.

cc: Current Owner or Occupant 3847-3849 18th Street San Francisco, CA 94114

> Patrick O'Riordan, Chief Building Inspector Department of Building Inspection



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DISCRETIONARY REVIEW APPLICATION



PLANNING APPLICATION RECORD NUMBER

2018-009551DRP

FEB 0 7 2019

Property Owner's Information			CITY & COUNTY OF S.F. PLANNING DEPARTMENT
Name:			PIC
Address:			۵.
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Applicant Information (if applicable)			
Name: Malcolm Xiang			Same as above
Company/Organization: Public Initiated Dis			i
Address:		Email Address:	malcolmlxiang@gmail.com
		Telephone:	415-320-7736
Please Select Billing Contact:	🗌 Owner	🗹 Applicant	Other (see below for details)
Name: Email:	<u></u>		Phone:
Please Select Primary Project Contact:	🗌 Owner	🗹 Applicant	🔲 Billing
Property Information			
Project Address: 3847-3849 18th Street		Block/Lot(s): 35	585/077
Plan Area:			

Project Description:

Please provide a narrative project description that summarizes the project and its purpose.

An expansion and alteration to the existing two-family residence occurred from 2015 to 2017 under a series of issued permits as well as work that was performed beyond the scope of the permits or not included in any permits issued by the City. Expansions to the structure includes a 219 square foot (SF) addition at the rear of the building, the enclosure of a 44 SF lightwell, roof dormers, and the addition of a basement/garage level. The project also includes major interior renovations and the enlarging of the basement floor and the attic, improvements to the rear yard and fencing, and exterior alterations to the front windows, doors, entryway, stairs, railings, decks and the addition of a garage. Prior to any construction activities the original structure was 4,700 Gross SF in total area, the current structure is 6,490 GSF, an increase of 1,790 square feet. Three features require a Variance for approval, which will be noticed separately, these include the 11'-4" tall property line wall along the front stairs, the 219 SF addition at the rear of building and an elevated rear yard access bridge.

Project Details:				المعارفة والمحافظة والمح
Change of Use	New Construction	Demolition	Facade Alterations	ROW Improvements
Additions] Legislative/Zoning Changes	i 🗌 Lot Line Adjustme	ent-Subdivision] Other
Estimated Const	ruction Cost:			
_	Special Needs 🔲 Senior Hou Inclusionary Housing Require	_		
Non-Residential:		 Medical Cannabis Dispe Massage Establishmer 		o Paraphernalia Establishment
Related Building F	Permits Applications			

Building Permit Applications No(s): 2018.06.22.2714

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ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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In reviewing applications for Certificate of Appropriateness the Historic Preservation Commission, Department staff, Board of Appeals and/or Board of Supervisors, and the Planning Commission shall be governed by *The Secretary of the Interior's Standards for the Treatment of Historic Properties* pursuant to Section 1006.6 of the Planning Code. Please respond to each statement completely (Note: Attach continuation sheets, if necessary). Give reasons as to *how* and *why* the project meets the ten Standards rather than merely concluding that it does so. IF A GIVEN REQUIREMENT DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?		J
Did you discuss the project with the Planning Department permit review planner?	7	
Did you participate in outside mediation on this case? (Including Community Boards)		J

CHANGES MADE TO THE PROJECT AS A RESULT OF MEDIATION

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

DISCRETIONARY REVIEW REQUEST

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

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

- Project is tantamount to demolition, given the extensive gutting of all interior spaces and exterior walls / envelop, and over 822cy of excavation

- Project expanded / in-filled building and added garage / subterranean living spaces without permits

- Project disguised its true program over a series of permits and misrepresentations on its architectural / engineer submissions

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

- Project eliminated two equal-sized, affordable, rent-controlled apartments (with an unwarranted basement studio) to create a \$11.85 million, 6490sf single family home with au pair

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

- Planning Commission should exercise its Discretionary Review and deny permit application. Project Sponsor should return building to its original configuration, as many other similar properties have been required to do by the Planning Commission

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

Public Initiated DR

415-320-7736

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

Malcolm Xiang

Name (Printed)

malcolmlxiang@gmail.com

Email

APPLICANT'S SITE VISIT CONSENT FORM

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

Signature

Name (Printed)

Date

For Department Use Only						
Application received by		nent:			11	
BY: JEFF 5	PRINS		_ Date:	2/	7/19	

RESPONSE TO DISCRETIONARY REVIEW (DRP)



Assigned Planner: Jeffrey Horn

Plan Francisco

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

Project Information

Property Address: 3847 - 3849 18th Street

Building Permit Application(s): 2018 06 22 2714

Record Number: 2018-009551DRP

Project Sponsor

Name: Kansas Street Development LLC

Zip Code: 94114

Phone: (415) 850-9319

Email: paul@dawson-clinton.com

Required Questions

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

The pre-existing building lacked proper maintenance, lost many character-defining features, and negatively contributed to the neighborhood character. The proposed project greatly improves the building and neighborhood character. Additionally, the proposed project maintains existing housing units and improves its desirability.

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

No alternative or change is proposed. The proposed project does not have any adverse effect on the surrounding properties.

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

The proposed project does not increase massing and scale of the building that is visible from the public right-of-way. The choice of quality materials and craftsmanship provides visual interest and texture to the building and enhances the neighborhood character. The proposed project does not have any adverse effect on the surrounding properties. No owner or occupant of surrounding properties who are most likely to be adversely affected (if such adverse effect exists) have filed a DR as a result of this building permit application.

Project Features

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

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	2	2
Occupied Stories (all levels with habitable rooms)	4	4
Basement Levels (may include garage or windowless storage rooms)	1	1
Parking Spaces (Off-Street)	4	4
Bedrooms	4	4
Height	37'-5"	37'-5"
Building Depth	56'-0"	56'-0"
Rental Value (monthly)	\$7,000	\$7,500
Property Value	\$7.5m	\$7.6m

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

Signature:	Date: 3/5/19
Printed Name: Paul Dawson	Property OwnerAuthorized Agent

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

April 18, 2019

Myrna Melgar, Commission President San Francisco Planning Commission San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

RE: 3847-3849 18th Street – Response to DR Application Case No.: 2018-009551DRP Hearing Date: May 09, 2019

Dear Commission President Melgar,

We are writing to respond to, and correct misrepresentations made by "Malcolm Xiang", the applicant of the Discretionary Review Case No.: 2018-009551DRP.

We also want to point out that the applicant failed to establish the numerous requirements of a Discretionary Review Request. The applicant failed to establish "the exceptional and extraordinary circumstances that justify Discretionary Review of the project." The applicant failed to establish how "the project conflicts with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines." And the applicant also failed to establish "how this project would cause unreasonable impacts."

Following are the claims made by the applicant, as well as the project sponsor's responses.

- Applicant: "Project is tantamount to demolition, given the extensive gutting of all interior spaces and exterior walls / envelop, and over 822cy of excavation"
- Response: The proposed project is not tantamount to demolition as determined by both planning code enforcement and planning staff.
- Applicant: "Project expanded / in-filled building and added garage / subterranean living spaces without permits"
- Response: The garage and subterranean living spaces were done under permit numbers 2014.12.30.4758 and 2016.06.30.1316. A 219 sq.ft. addition at the rear of the building, a 44 sq.ft. lightwell infill, and a 20 sq.ft. infill under an existing stair were done without permits, which led to the project sponsor subsequently submitting building permit application 2018.06.00.2714 to remedy the discrepancies. All of these items were included in a 311 notification and no comments were received from actual neighbors. The only comment was from this applicant "Malcolm Xiang."

- Applicant: "Project disguised its true program over a series of permits and misrepresentations on its architectural / engineer submissions"
- Response: The project sponsor undertook this project as a design-build project. The complete program of the project was unknown at the start of the project. As the project evolved, the project sponsor engaged with subcontractors and consultants to acquire the appropriate building permits. Regrettably, several areas were erroneously presented during this process. The project sponsor has since worked diligently with various department staff, including thorough review by planning code enforcement and additional complete review by planning staff and RDAT, to identify and remedy discrepancies in previously approved permit applications, hence submitting building permit application 2018.06.00.2714.
- Applicant: "Project eliminated two equal-sized, affordable, rent-controlled apartments (with an unwarranted basement studio) to create a \$11.85 million, 6490sf single family home with au pair"
- Response: This is inaccurate on many levels. The project consists of 2 units, whose respective sizes were never equal, and is consistent with RH-2 zoning as approved by planning staff under permit number 2015.12.24.5908. The value of the property will be determined by the market. It has yet to be sold. Additionally, rent control ordinances and regulations remain applicable to the project.

Additionally, please note that the proposed project does not increase the massing and scale of the building that is visible from the public right-of-way. Moreover, the proposed project does not have any adverse effect on the surrounding properties. No owner or occupant of surrounding properties, who would be most likely to be impacted, registered complaints during the 311 notification process or anytime following the corrective actions that have been undertaken.

We therefore respectfully ask for your support for our project. Thank you for your time and consideration.

Sincerely, Paul Dawson & Tim Clinton

Cc: Commission Vice-President Joel Koppel Commissioner Rich Hillis Commissioner Milicent A. Johnson Commissioner Kathrin Moore Commissioner Dennis Richards Jeff Horn, Senior Planner David Winslow, Architect Manager

From:Sam Fishman <sfishman827@gmail.com>Sent:Thursday, April 25, 2019 6:24 PMTo:Horn, Jeffrey (CPC)Cc:tim@dawson-clinton.comSubject:3847-3849 18th St

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Jeffrey Horn,

I am a tenant who lives at 3851 18th Street which is directly next door to 3847-3849 18th Street. I am writing to say that I support the proposal I received in the 311 notification package. I am pleased with the outcome of their renovations and I would be opposed to any other changes.

Sincerely, Sam Fishman

From:Timothy Morano <timothyjmorano@gmail.com>Sent:Thursday, April 25, 2019 5:09 PMTo:Horn, Jeffrey (CPC)Cc:Tim ClintonSubject:3847 - 3849 18th Street project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Timothy Morano

3853 18th Street

San Francisco, CA 94114

timothyjmorano@gmail.com

415-583-9912

April 25, 2019

Jeffrey Horn

San Francisco Planning Department

1650 Mission Street, Suite 400

San Francisco, CA 94103

Jeffrey.horn@sfgov.org

Dear Jeffrey Horn:

I am the owner and resident of 3853 18th Street which is located directly adjacent to the project at 3847- 3849 18th street. I want to state for the record that I am pleased with the building, I support the proposal I received in the 311 notification package, and I would be opposed to any other changes.

The developers were very respectful and accessible throughout the project. They went to great lengths to insure the comfort and safety of all the surrounding neighbors. Also,

their project had minimal impact on my property other than a few scuffs which they quickly rectified.

In the end, my family is grateful for the dramatic improvement to our quality of life brought on by the beautiful house they created. Their renovations blend in well with the other houses and contribute to the overall beauty of the block. I feel that the entire neighborhood has benefited from their project.

Sincerely,

Timothy Morano

From:sf2earth@aol.comSent:Friday, April 26, 2019 2:18 PMTo:Horn, Jeffrey (CPC)Cc:tim@dawson-clinton.comSubject:3847-3849 18th Street

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Planning Dept. -

I am a joint owner of 3853 18th street which is directly next door to 3847-3849 18th Street.

I have been living at this location for over 20 years and have witnessed a lot of change in this neighborhood. The renovation and restoration of 3847-3849 18th St is the most dramatic improvement I've observed on our street.

I am writing to say that I am pleased with their building and I support the proposal I received in the 311 notification package, and would be opposed to any other changes.

The building is beautiful and has improved the look and quality of life on our block. The contractors have been friendly, agreeable and attentive to our needs throughout the entire process, nothing but professional.

As large construction projects go this has been as non invasive as possible, and as the next door neighbor I am thrilled with the end results. This has been a radical improvement to our community and I wouldn't change a thing.

The building itself has been upgraded and presents a contemporary and prestigious addition to our neighborhood. I am excited to see this project

finished and eager to see the building occupied and meet my new neighbors.

Sincerely,

John O'Leary 3853 18th Street San Francisco, CA 94114 (415) 290-8491

Sent from AOL Mobile Mail Get the new AOL app: mail.mobile.aol.com

From:	Nicholas Palter <nicholaspalter@yahoo.com></nicholaspalter@yahoo.com>
Sent:	Monday, April 29, 2019 2:23 PM
То:	Horn, Jeffrey (CPC)
Cc:	paul Dawson
Subject:	3847~3849 18th Street: Discretionary Review - Letter of Support for Applicant

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Jeffrey:

I am the Owner of the freestanding Garden Cottage @ 50-B Hancock Street (part of a 3-unit condominium) which is located @ the rear property line directly behind the subject property & am also a licensed Architect / Owner of Palter / Donzelli Design + Architecture, Inc. who has been practicing in San Francisco / specializing in residential construction for over 25 years.

While I certainly do not condone some of the means by which the Applicant proceeded with the refurbishment of the property (including exceeding the approved scope of work), I do believe they were generally undertaken with honorable intentions & my dealings & interactions with them over the past several years have always been very positive.

Furthermore, the resulting development is certainly an overall positive for the neighborhood, particularly when compared to the previous condition of the property which was is a very poor state of disrepair.

As such, I am in support of the Project as it is currently built & believe that any requirement for demolition / removal of any of the un-permitted elements will be overly punitive, while not substantively improving the built environment. The delay of sale of the completed development has already, no doubt, had an adverse affect on the Applicant & I feel no further penalties are necessary as a deterrent to them not following proper permitting procedures in the future.

While I am not available to attend the upcoming Public Hearing, please take this email correspondence as my support for the Project as it is currently configured.

I am also happy to answer any questions you might have.

Regards,

Nick Palter, Architect, Certified Green Point Rater PALTER / DONZELLI DESIGN + ARCHITECTURE, INC. cell: 415.215.7808

From:Ben Scharfstein <scharf.ben@gmail.com>Sent:Thursday, April 25, 2019 8:57 PMTo:Horn, Jeffrey (CPC)Cc:tim@dawson-clinton.comSubject:3847 - 3849 18th Street

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Jeffrey Horn,

I live at 3851 18th Street, directly next door to 3847- 3849 18th st. I am writing to say that I support the proposal I received in the 311 notification package. I am pleased with the outcome of their renovations and I would be opposed to any other changes.

Sincerely, Ben Scharfstein

From:	Toni Divic <tocivid@gmail.com></tocivid@gmail.com>
Sent:	Friday, April 26, 2019 9:40 PM
То:	Horn, Jeffrey (CPC)
Cc:	tim@dawson-clinton.com
Subject:	3847 - 3849 18th St

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Horn,

I am a current resident of 3851 18th St, a neighbor to the properties at 3847-3849 18th St. I support the proposal I received in the 311 notification package. The renovations done are to my satisfaction, and I am opposed to any further changes.

Best, Toni

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