Discretionary Review Abbreviated Analysis

HEARING DATE: OCTOBER 17, 2019

CONTINUED FROM AUGUST 22, 2019

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

Reception: **415.558.6378**

Fax:

415.558.6409

Planning Information: **415.558.6377**

Date: October 10, 2019
Case No.: 2018-016955DRP
Project Address: 220 San Jose Avenue

Permit Application: 2018.1214.8349

Zoning: RH-3 [Residential House, Three-Family]

40-X Height and Bulk District

Block/Lot: 6513/004 Project Sponsor: Joe Armin

> JZA Architecture 152 Lundys Lane

San Francisco, CA 94110

Staff Contact: David Winslow – (415) 575-9159

David.Winslow@sfgov.org

Recommendation: Take DR and Approve with Modifications

PROJECT DESCRIPTION

The project consists of a 2-story, rear horizontal addition to an existing 2-story over basement one-family residence.

SITE DESCRIPTION AND PRESENT USE

The site is an approximately 29′-1″ wide x 158′ deep up sloping lot with an existing 2-story at street, one-family house built in 1900. The building is a category 'A' historical resource.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The buildings on this block of San Jose Avenue property are generally 2- 3-stories and define a rather consistent mid-block open space. This property is a deep lot immediately adjacent to a short lot (216 San Jose) to the north which abuts perpendicular lots on 24th Street. The condition of the northern neighbor's lot size in conjunction with the existing building pattern on the 24th street lot leaves the property at 216 San Jose constrained with respect to access to the mid-block open space.

BUILDING PERMIT NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	April 3, 2019 – May 3, 2019	5.3. 2019	8.22. 2019	111 days

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	August 2, 2019	August 2, 2019	20 days
Mailed Notice	20 days	August 2, 2019	August 2, 2019	20 days
Online Notice	20 days	August 2, 2019	August 2, 2019	20 days

PUBLIC COMMENT

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

ENVIRONMENTAL REVIEW

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

DR REQUESTORS

DR requestors:

Vanessa and Matt Ginzton of 228 San Jose Avenue, adjacent neighbors to the South of the proposed project.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

The proposed rear addition is not compatible with the following Residential Design Guidelines:

- 1. Articulate Building to Minimize Impacts to Light and Privacy to Adjacent properties;
- **2.** Design the Height and Depth of the Building to be Compatible with the Existing Building Scale at the Mid-block Open Space.
- **3.** The DR requestor had also provided a following letter before the last hearing in which they allege that the property has been converted from a 2- or more unit building into a single-family dwelling.

See attached Discretionary Review Application, dated May 3, 2019.

SAN FRANCISCO
PLANNING DEPARTMENT
2

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The project sponsor has modified plans to meet all pre-application demands from the neighbors to the South and complied with Planning Code and Residential Design Guidelines. The proposed addition will be built over the existing footprint of the existing building.

See attached Response to Discretionary Review, dated May 30, 2019.

DEPARTMENT REVIEW

The 3-R report summarizes the building permit history and lists the authorized use as a one-family dwelling, as does the Final Certificate of Final Completion and Occupancy from 2015 lists this as a single-family dwelling.

Staff conducted a site visit and based on that and the permit history, this appears to be a single-family dwelling. Two permits from the early 1960's note three units (one permit proposes to reduce the number of units from 3 to 2; however, the permit was not finalized). Additionally, the Sanborn Map indicates three units (the zoning is also RH-3). All other records indicate a single-family residence. In 2015, DBI issued a CFC for the addition of a garage to the building and this permit noted a single-family dwelling. Staff also investigated records with housing services which performs periodic inspections on all multi-unit buildings and found none.

Aside from bath and kitchen renovations, the building appears to be original layout and materials. There is no evidence of a conversion. There is no basement, but a 30" high crawlspace.

The Department's Residential Design Advisory Team (RDAT) re-reviewed this and confirmed that this addition does present an exceptional or extraordinary circumstance with respect to building scale at the rear, access to mid-block open space, and light to the adjacent neighbor to the North (216 San Jose), which was acknowledged in the original RDAT review and was accompanied by the request to provide a 5′ side setback from the north neighbor's property line at the second floor addition. Based on this recommendation, on August 20, the project sponsor submitted revised drawings that provided the requested 5′ side setback, but also extended a 2-story, 4′ deep pop out at the rear that extends further into the rear yard than the originally proposed and noticed. Staff does not support this addition in light of the DR request.

With respect to impacts to the DR requestor's property, since the subject property is North of the DR requestor, extends less than the depth of the DR requestors building, and is set back by a 3'-2" side yard RDAT did not see any exceptional or extraordinary circumstance and deemed the proposal met the Residential Design Guidelines with respect to the property at 228-230 San Jose to the South.

The Department recommends the second story addition be set back 5' from the northern property line to ameliorate the project from further boxing in the property to the North.

RECOMMENDATION: Take DR and Approve with Modifications

SAN FRANCISCO
PLANNING DEPARTMENT

Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photographs

Section 311 Notice

CEQA Determination

3-R report

Building Permits

DR Application

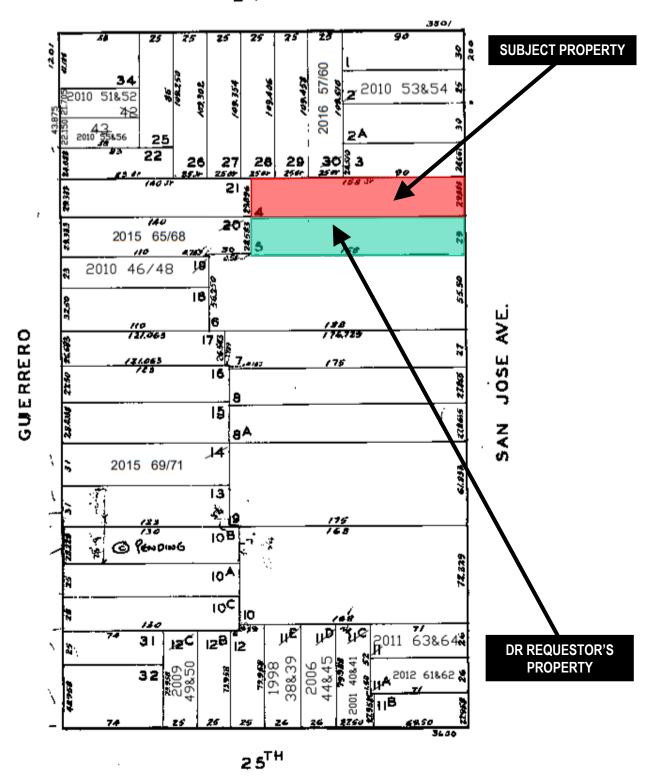
Response to DR Application, drawings dated May 30, 2019

Reduced Plans

Exhibits

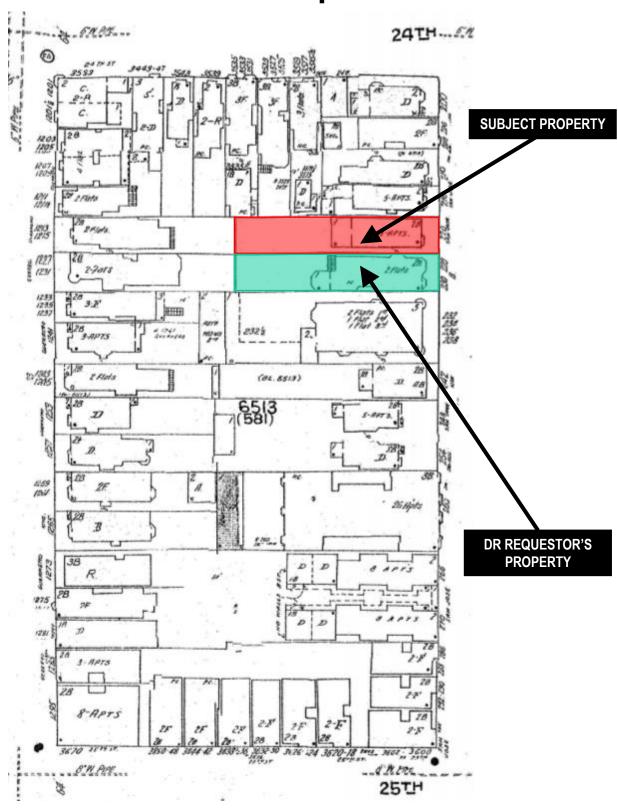
Parcel Map

2 4TH





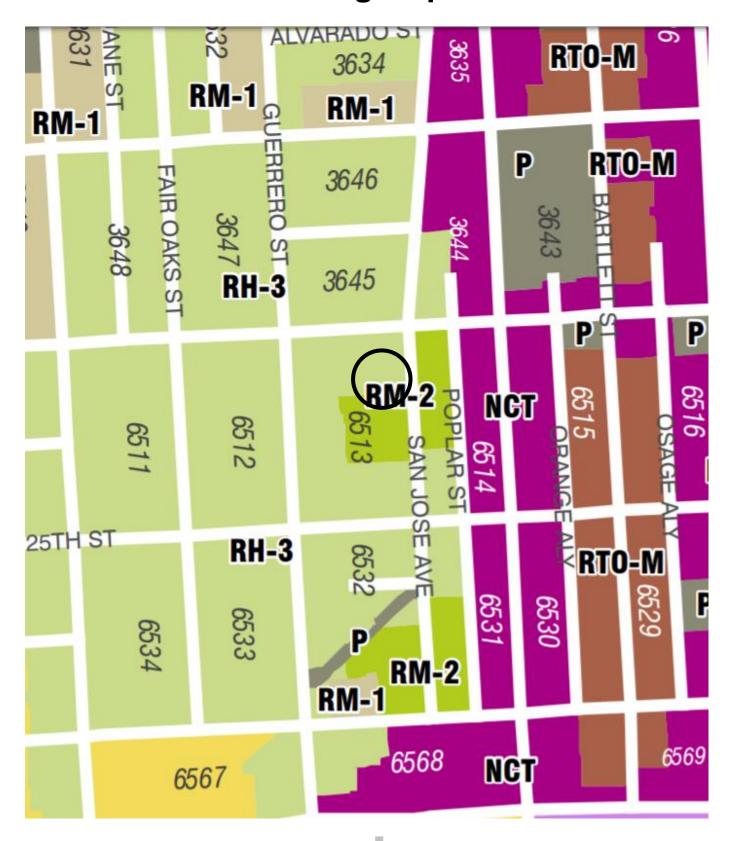
Sanborn Map*



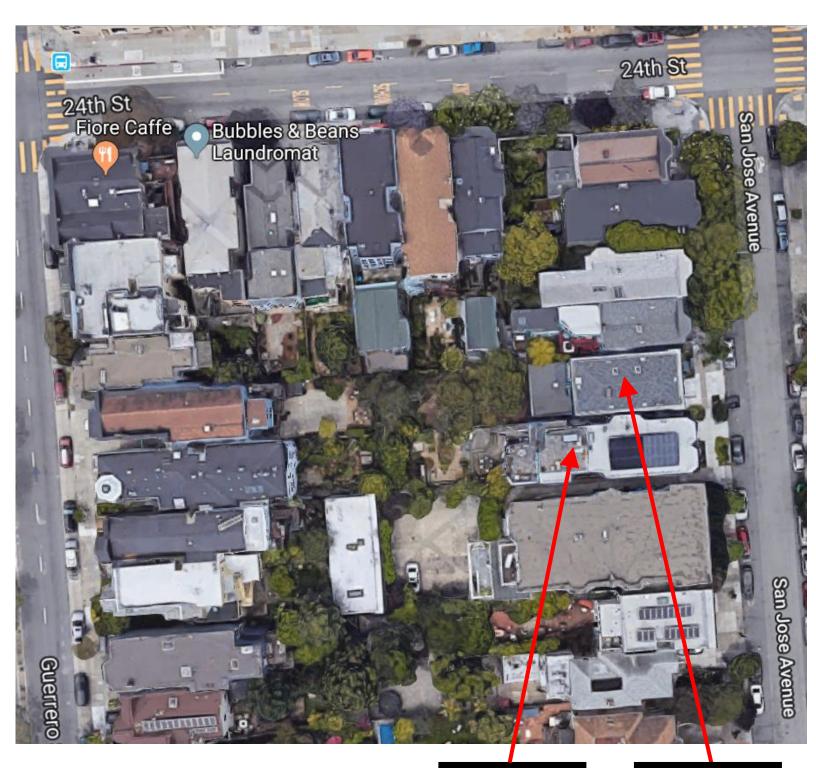
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map



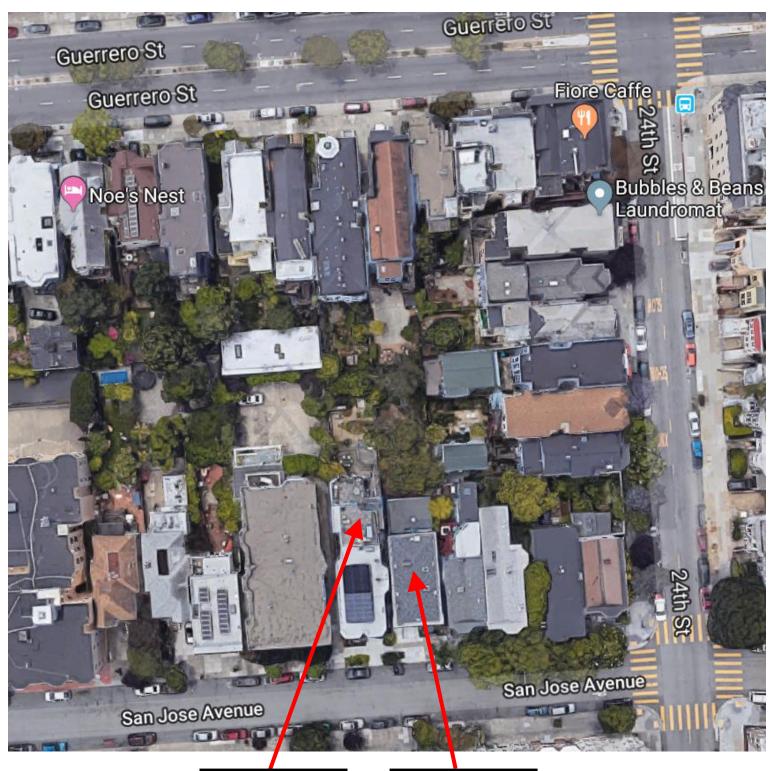




DR REQUESTOR'S PROPERTY

SUBJECT PROPERTY

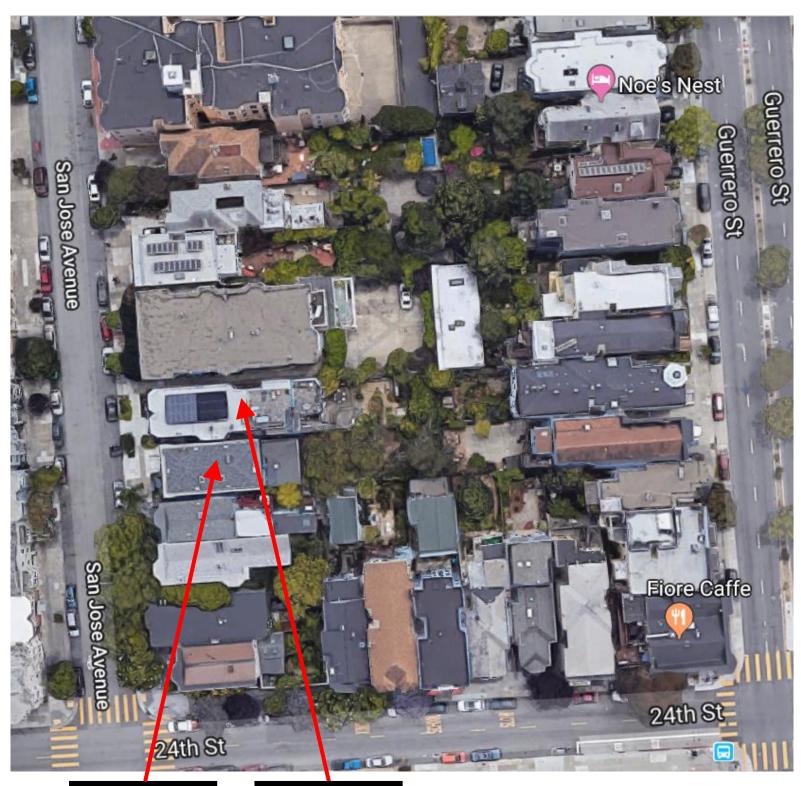




DR REQUESTOR'S PROPERTY

SUBJECT PROPERTY

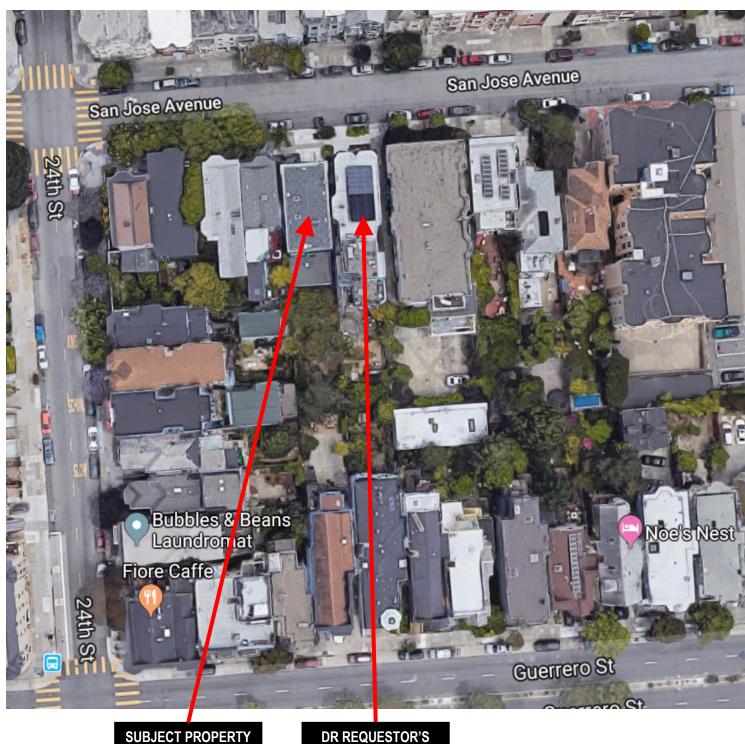




SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



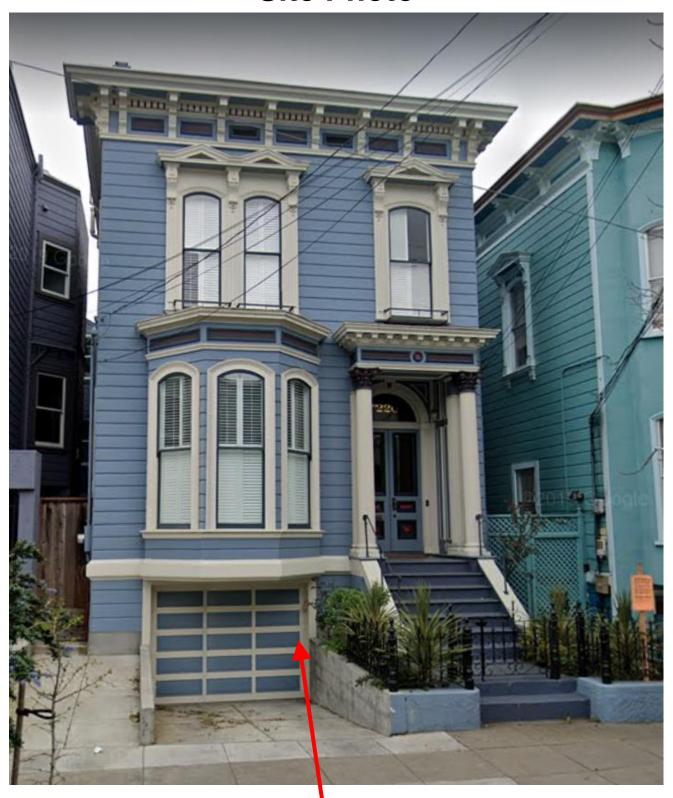


SUBJECT PROPERTY

PROPERTY



Site Photo



SUBJECT PROPERTY

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On December 14, 2018, Building Permit Application No. 201812148349 was filed for work at the Project Address below.

Notice Date: April 3, 2019 Expiration Date: May 3, 2019

PRO.	JECT INFORMATION	APPL	ICANT INFORMATION
Project Address:	220 San Jose Avenue	Applicant:	Joe Armin, JZA Architecture
Cross Street(s):	24th and 25th Streets	Address:	152 Lundys Lane
Block/Lot No.:	6513/004	City, State:	San Francisco, CA 94110
Zoning District(s):	RH-3 / 40-X	Telephone:	415-550-1028
Record Number:	2018-016955PRJ	Email:	jzarmin@sonic.net

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

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

	PROJECT SCOPE	
☐ Demolition	□ New Construction	☐ Alteration
☐ Change of Use	☐ Façade Alteration(s)	☐ Front Addition
☑ Rear Addition	☐ Side Addition	☐ Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	15 feet	No Change
Side Setbacks	2 feet (north), 3 feet (south)	No Change
Building Depth	69 feet	72 feet
Rear Yard	74 feet	71 feet
Building Height	37 feet	No Change
Number of Stories	2 over basement	No Change
Number of Dwelling Units	1	No Change
Number of Parking Spaces	2	No Change
	PROJECT DESCRIPTI	O N

The project is a two story, 500-square feet, 26'-6" tall, rear addition to a single family dwelling. It also includes interior remodeling and replacement of the existing roofing materials.

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

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

For more information, please contact Planning Department staff:

Ella Samonsky, 415-575-9112, ella.samonsky@sfgov.org

GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

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

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

BOARD OF APPEALS

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

ENVIRONMENTAL REVIEW

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

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

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Proje	ct Address		Block/Lot(s)
220 S	AN JOSE AVE		6513004
Case	No.		Permit No.
2018-	016955PRJ		201812148349
Ad	ldition/	☐ Demolition (requires HRE for	New
Alt	teration	Category B Building)	Construction
_		Planning Department approval.	
		IDITION TO EXISTING SFD. INTERIOR REMODING KITCHEN & RELOCATING BATHROOMS,NE	
		NG KITCHEN & RELOCATING BATHROOMS,NE VATE EARTH.EXPANDING STORY INSTALL NE	
		RIES, REDO ROOF, UPGRADE MECH, ELEC	
<u> </u>			
STE	P 1: EXEMPTIC	ON CLASS	
		ON CLASS applies, an Environmental Evaluation Application	on is required.*
	e: If neither class a		
	e: If neither class a Class 1 - Existin Class 3 - New C	applies, an Environmental Evaluation Application gracilities. Interior and exterior alterations; additional construction. Up to three new single-family residen	ions under 10,000 sq. ft. nces or six dwelling units in one
*Note	c: If neither class a Class 1 - Existin Class 3 - New C building; comme	applies, an Environmental Evaluation Application g Facilities. Interior and exterior alterations; addit construction. Up to three new single-family resident recial/office structures; utility extensions; change of	ions under 10,000 sq. ft. nces or six dwelling units in one
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STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map) Category A: Known Historical Resource. GO TO STEP 5. Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6. STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Change of use and new construction. Tenant improvements not included. 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. 3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows. 8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. Note: Project Planner must check box below before proceeding. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER

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

	7. Addition(s), including mechanical equipment that are a and meet the Secretary of the Interior's Standards for Re			
	8. Other work consistent with the Secretary of the Interior Properties (specify or add comments):			
	9. Other work that would not materially impair a historic of	district (s	pecify or add comments):	
	(Requires approval by Senior Preservation Planner/Prese	ervation	Coordinator)	
	10. Reclassification of property status . (Requires appropriate Planner/Preservation	oval by S	enior Preservation	
	Reclassify to Category A	Reclass	ify to Category C	
	a. Per HRER dated (atta	ach HRE	R)	
	b. Other (specify):			
	Note: If ANY box in STEP 5 above is checked, a Pres	servatio	n Planner MUST check one box below.	
	Further environmental review required. Based on the in Environmental Evaluation Application to be submitted. Go			
	Project can proceed with categorical exemption review Preservation Planner and can proceed with categorical ex	-		
Comm		-		
Comm	Preservation Planner and can proceed with categorical ex	-		
	Preservation Planner and can proceed with categorical ex	-		
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical exemts (optional):	xemption		
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Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical exempts (optional): vation Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES COMPLETED BY PROJECT PLANNER	xemption	n review. GO TO STEP 6 .	_
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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

Proje	ct Address (If different than fron	t page)	Block/Lot(s) (If different than front page)
220 S	AN JOSE AVE		6513/004
Case	No.	Previous Building Permit No.	New Building Permit No.
2018-	016955PRJ	201812148349	
Plans	Dated	Previous Approval Action	New Approval Action
		Building Permit	
Modi	fied Project Description:		
DE	FERMINATION IF PROJECT	CONSTITUTES SUBSTANTIAL MODIF	ICATION
Com	pared to the approved project, w	ould the modified project:	
	Result in expansion of the buil	ding envelope, as defined in the Planning (Code;
	Result in the change of use th Sections 311 or 312;	at would require public notice under Planni	ng Code
	Result in demolition as defined	d under Planning Code Section 317 or 1900	05(f)?
	· · · · · · · · · · · · · · · · · · ·	ented that was not known and could not have rmination, that shows the originally approve ption?	
If at I	east one of the above boxes is	checked, further environmental review i	s required.
DET	ERMINATION OF NO SUBSTA	NTIAL MODIFICATION	
	The proposed modification wo	uld not result in any of the above changes.	
approv	al and no additional environmental revi	ons are categorically exempt under CEQA, in accord ew is required. This determination shall be posted on the applicant, City approving entities, and anyone re-	n the Planning
Planı	ner Name:	Date:	

A City and County of San Francisco Department of Building Inspection



Edwin M. Lee, Mayor Tom C. Hui, S.E., C.B.O., Director

DEPARTMENT OF BUILDING INSPECTION FOR OFFICE USE ONLY

Report of Residential Building Record (3R) (Housing Code Section 351(a))

BEWARE: This report describes the current legal use of this property as compiled from records of City Department been no physical examination of the property itself. This record contains no history of any plumbing or report makes no representation that the property is in compliance with the law. Any occupancy or use of the property that listed as authorized in this report may be illegal and subject to removal or abatement, and should be review Planning Department and the Department of Building Inspection. Errors or omissions in this report shall not bind or ste City from enforcing any and all building and zoning codes against the seller, buyer and any subsequent owner. The preparation or delivery of this report shall not impose any liability on the City for any errors or contained in said report, nor shall the City bear any liability not otherwise imposed by law.

Address of Building

220 SAN JOSE AV

Block 6513

Lot 004

Yes

Other Addresses

1. A. Present authorized Occupancy or use: ONE FAMILY DWELLING

B. Is this building classified as a residential condominium?

No ✓

C. Does this building contain any Residential Hotel Guest Rooms as defined in Chap. 41, S.F. Admin. Code?

No ✓

2. Zoning district in which located: RH-3

3. Building Code Occupancy Classification R-3

4. Do Records of the Planning Department reveal an expiration date for any non-conforming use of this property? Yes If Yes, what date? The zoning for this property may have changed. Call Planning Department, (415) 558-6377, for the current status.

No ✓

5. Building Construction Date (Completed Date): UNKNOWN

6. Original Occupancy or Use: UNKNOWN

7. Construction, conversion or alteration permits issued, if any:

Application #	Permit #	Issue Date	Type of Work Done	Status
22114	22114	Mar 06, 1909	HOUSE TO BE MOVED FORWARD 20 FEET	N
251360	225006	Jun 26, 1961	TERMITE CONTROL	C
272585	248740	Mar 05, 1963	REMOVE ONE KITCHEN, CHANGE BUILDING TO TWO LEGAL FLATS	\mathbf{X}
275734	248741	Mar 05, 1963	ROOF REPAIRED AND STAIR WAY FROM 2ND TO BACK YARD. SIDE WALK TO BE REPAIRED	C
287599	256351	Aug 26, 1963	ALUMINUM SIDING AND ALUMINUM WINDOWS	C
7906219	449478	Jun 18, 1979	REPLACE ORIGINAL VICTORIAN WINDOWS AT FRONT BAY, 1 WINDOW AT SIDE, MISSING VICTORIAN TRIM AT SAME AREAS	C
8010341	466443	Dec 01, 1980	REMOVE EXISTING STAIRS ON FRONT ENTRANCE AND REBUILD	C
8404496	514755	Apr 27, 1984	REMOVE LATH & PLASTER IN KITCHEN, BATH, BEDROOM. INSULATE, SHEETROCK & TAPE	X
200405144009	1025196	May 14, 2004	REMODEL EXISTING KITCHEN & 1 BATHROOM. REPLACE CABINETS & APPLIANCES. ADD 1 BATH AT 2ND FLOOR	C
200804290843	1153322	Apr 29, 2008	REROOFING	C
201501307100	1348192	Feb 04, 2015	EXCAVATE EXISTING CRAWL SPACE 4'-0" FOR NEW STORAGE. REPLACE EXISTING PERIMETER FOUNDATION WITH NEW RETAINING WALL AROUND NEW STORAGE, REVISE EXISTING DOOR, NO CHANGES TO EXTERIOR & BUILDING HEIGHT. REPLACE EXISTING BEARING WALL WITH NEW STEEL BEAM ABOVE STORAGE	С
201502067686	1352663	Mar 24, 2015	CONVERT EXISTING STORAGE TO NEW GARAGE, DEMO EXISTING WALL FOR NEW GARAGE, NEW MOMENT FRAME - CFC 1FD	С

Jeparthield of Balkding Inspection 660 Mission Street San Francisco CA 94103 - (415) 558-6080 Report of Residential Record (3R) DEPARTMENT OF BUILDING INSPECTION FOR OFFICE USE ONLY

Address of Building 220 SAN JOSE AV Block 6513

Lot 004

Other Addresses

8. A. Is there an active Franchise Tax Board Referral on file? B. Is this property currently under abatement proceedings for code v Yes No ✓ Yes No ✓

9. Number of residential structures on property? 1

10. A. Has an energy inspection been completed? Yes ✓ No

B. If yes, has a proof of compliance been issued? Yes ✓

No

11. A. Is the building in the Mandatory Earthquake Retrofit of Wood-Frame Building Program? Yes

B. If yes, has the required upgrade work been completed? Yes

Date of Issuance:

21 FEB 2017

Date of Expiration:

21 FEB 2018

By:

MAY YU

Report No: 201702153988

THIS REPORT IS VALID FOR ONE YEAR ONLY.

The law requires that, prior to the consummation of t e sale or exchange of this property, the seller must deliver this report to the buyer and the buyer must sign it.

(For Explanation of terminology, see attached)

OFFICIAL COPY SAN FRANCIS Miss Hilds R. 3h froles Lesses FOR PERMIT TO MAKE ADDITIONS, ALTERATIONS OF REPAIRS 1361 ST DELVELLE ON STREET OF STRE 220 Ban Jose Ave war ynd Superintendent, Bureau of Building" APPLICATION OF Son Francisco TO BUILDING Dert. Public orks BUREAU BUILDING INSPECTION () Total Cost \$ 12,000.00 JUN 2 6 1961 TO POLICE OF THE SECOND CONTRACT OF THE SECOND SECO PPRO June APPROVED Issued 1 2 2 Provided the following conditions are conta I agged to comply with all conditions or sup-ulations of the various Plureaus or Departments noted between. Owner or Owner's Authorized Agent Bureau of Bui Art Commission . . . Dept. of Public Health . Bureau of Engineering Dept. of Electricity . . . BBI Struct, Engineer Boiler Inspector Redevelopment Agency Parking Authority Approved 6.2 Main Building Insp plied with Department of Public Health she is for a timesto serse A deposite skiege of spatification AParking Authority folding used during construction to be closer than 60" to anywive containing more than 750 volts. See Sec. 885 California Penal Codc. No portion of building or structure or scaf-Approved: Approved Approved: Approved: A STATE OF THE STATE OF T of Botilling Inspection Bureau of Fire Provention & Public Saller Bureau of Engineering Civil Engineer, Bureau of Zono Approved: Approved: ិស្សសំឡាំ ខែ សុស្សស

BUILDING

INSPECTION 2

Write in Ink-File Two Copies

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS

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			sion to the building?	yes or no		SA
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successors and assignees.

Market Hilds R. Sherplas
(25) Owner Hills Hilds R. Sherplas DI 2-5727

227 San Jose Avenue, San Francisco

For contract by Bureau

Pursuant to Sec. 304, San Francisco Building Code, the building permit shall be posted on job. Owner is responsible for approved plans and application being kept at building site.

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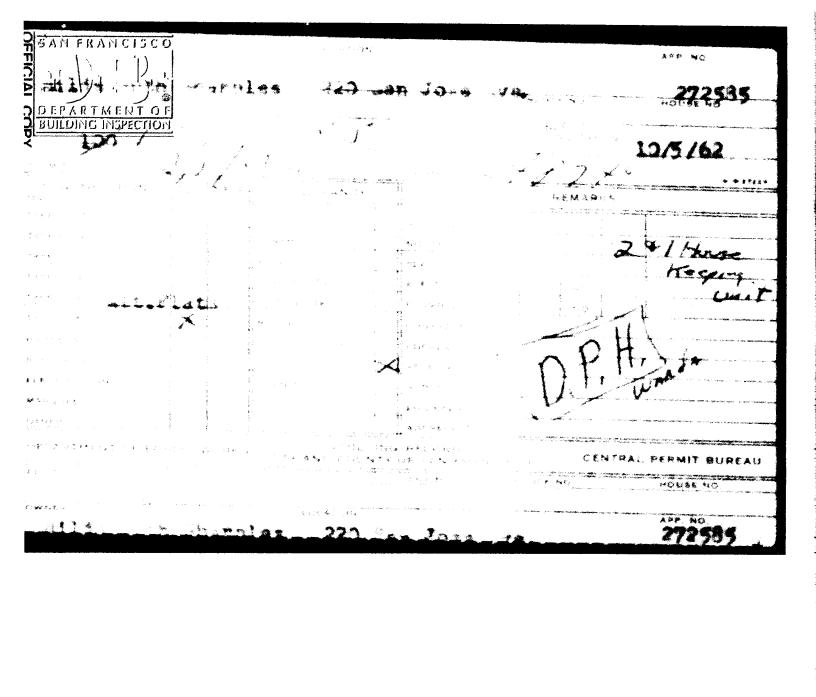
APPLICATION OF FOR PERMIT TO MAKE TO BUILDING	Fued October S	APPROVED:	Superintendent, Burgar of Building P.	1/2
Bureau of Engineering Arper Arcommission Dept. of Public Health Dept. of Public Health Backevelopment Agency Parking Authority To Apprioved 22-13 19-23	Provided the following conditions are complied with: - Og 19 and B 120 m 6148 f - Og 19 and Company 18 miles - Of 7404 Company 18 miles - And 10 and 20 miles - Machine Company 18 miles - Machine Company 18 miles - Machine Company 18 miles - Machine Strates Frequence - The Trans Active 17 miles - The Trans Active 18 miles -		Building Inspection. Burda of Building Inspection Lighte to comply with all conditions or stip- "ulations of the various Bureaus or Departments noted hereon.	HULL CHALLES AND OFFICE
Approved:	Aproved: Approved: Approved:	Approved: Redevelopment Agency	Approved:	No portion of building or structure or scaf- folding used duting construction to be closer than 60" to any wire containing more than 750 volts. See Sec. 385 California Penal Code.
Approved: R. C. Settacks. 2-25-27 MMM. D. C. D. C. D. C. D. C. D. C. D. C.	Approved: Line requirements	Approved :	Civil Engineer, Bureau of Building Inspection	Maja-paging () Danasan

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Dwher's Authorised Agent to be Owner's Authorized Architect, Engineer or General Contractor.

CERTIFICATE OF FINAL COMPLETION AND/OR PERMIT OF OCCUPANCY MUST BE OBTAINED ON COMPLETION OF WORK OR ALTERATION INVOLVING AN ENLARGE-MENT OF THE BUILDING OR A GHANGE OF OCCUPANCY RURSUANT TO SEC. 808 AND 809, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED.

Pursuant to Sec. 304, San Francisco Building Code, the building permit shall be posted on job. Owner is responsible for approved plans and application being kept at building site.





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REFER TO: Bureau of Engineering BBI Struct. Engineer Boiler Inspector Art Commission Dept. of Public Health Dept. of Electricity Redevelopment Agency Parking Authority Approved Approved Approved Fig. 6 Frydded the following conditions are com-	Courted alle son	Building Inspection, Burean of Building Inspection I agree to comply with all conditions or stipulations of the various Bureaus or Departments noted hereon. When the
Approved: For Maintenance Work only. Approval of this Application dees not constitut approval of the useand occupancy of this building ELLIS D. SOX, M. D. FILLIS D. SOX, M. D. FILLIS D. SOX, M. D. Approved: Approved: Department of Floctricity	Approved: Approved: Boller Inspector	Approved: Parking Authority No portion of building or structure or scaffolding used during; construction to be closer than 60% to any wire containing more than 750 volts. See Sec. 385 California Penal Codo.
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NSPECTION

Write in Ink-File Two Copies

CITY AND COUNTY OF SAN FRANCISCO

	DEP A POPMERATOR	On	*****	
NT.	DEPARTMENT	O.	LURFIC	WORKS

Address.

	APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS
AUIL	Application is hereby made to the Department of Public Works of San Francisco for permission to and for the purpose hereinafter set forth:
(1)	Location 220 Lin Open And
(2)	Total Cost (\$) 4 00 (3) No. of Stories 2 (4) Basement or Cellar Usa
(0)	resent Use of building drantmant former was a very or no
(7)	Proposed Use of building appartment thousal (8) No. of families 3
(9)	Type of construction + range (10
	Any other building on lot 74.0 (must be shown on plot plan if answer is yes.)
12)	Does this alteration create an additional story to the building?
13)	Does this alteration create a horizontal extension to the building?
14)	Does this alteration constitute a change of occupancy 22.5
15)	Electrical work to be performed 720' (16) Plumbing work to be performed 220.
17)	Automobile runway to be altered or installed. Yes or no yes or no
	Sidewalk over sub-sidewalk space to be repaired or altered yes
19)	Write in description of all work to be performed under this application: (Reference to plans is not sufficient)

(4) Basement or Cellar. (5) Present Use of building. .(6) No. of families..... (7) Proposed Use of building approximation of the (8) No. of families. (9) Type of construction Frame 1, 2, 3, 4, or 5 Proposed Building Code Classification (11) Any other building on lot 760 .. (must be shown on plot plan if answer is yes.) Ver or an (12) Does this alteration create an additional story to the building? (18) Does this alteration create a horizontal extension to the building? (14) Does this alteration constitute a change of occupancy. (15) Electrical work to be performed. 720 .(16) Plumbing work to be performed. (17) Automobile runway to be altered or installed (18) Sidewalk over sub-sidewalk space to be repaired or altered. yes or no (19) Write in description of all work to be performed under this application: (Reference to plans is not sufficient) (20) Supervision of construction by. (21) General Contractor (22) Architect or Engineer .California Certificate No. (for design) Address. (23) Architect or Engineer. California Certificate No... (for construction) Address I hereby certify and agree that if a permit is issued for the construction described in this application, all the provisions of the permit and all laws and ordinances applicable thereto will be complied with. I further agree to save San Francisco and its officials and employees harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street or subsidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, successors and assignees.

Owner's Authorized Agent to be Owner's Authorized Architect, Engineer or General Contractor.

CERTIFICATE OF FINAL COMPLETION AND/OR FERMIT OF OCCUPANCY MUST BE OBTAINED ON COMPLETION OF WORK OR ALTERATION INVOLVING AN ENLARGEMENT OF THE BUILDING OR A CHANGE OF OCCUPANCY PURSUANT TO SEC. 808 AND 809, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED.

Pursuant to Sec. 304. San Francisco Building Code, the building permit shall be posted on job.

Owner is responsible for approved plans and application being kept at building site.

For contract by Burgau

FRANCISCO INSPECTORS REPORT Kick . EATHING PERMISSION DA PUSTED TALL ASTORIA CENTIFICATE OF FINAL

MAPSHATT OF PUBLIC WORKS

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rrow all casts and damages which may accrue from use or occupancy of the sidewalk, street or subsidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, successors and assignees.

Hilda B. Shazples (Phone. ... AT 2-9285 .2=9285.....) Per contract by Bureau 220 San Jose San Francisco

Address 715 Folsom St., San Francisco
Omacis Auchorized Agens to be Owner's Auchorized Architect. Engineer or Gential Contractor.
CERTIFICATE OF FINAL COMPLETION AND/OR PERMIT OF OCCUPANCY MUST BE
OBTAINED ON COMPLETION OF WORK OR ALTERATION INVOLVING AN ENLARGEMENT OF THE BUILDING OR A CHANGE OF OCCUPANCY PURSUANT TO SEC. 808
AND 809, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED.
Pursuant to Sec. 804, San Francisco Building Code, the building permit shall be posted on job.
Owner's responsible for approved plans and application being kept at building site.

OFFICIAL COPY

DEPARTMENT OF PUBLIC WORKS - BUREAU OF BUILDING INSPECTION
CITY AND COUNTY OF SAN FRANCISCO

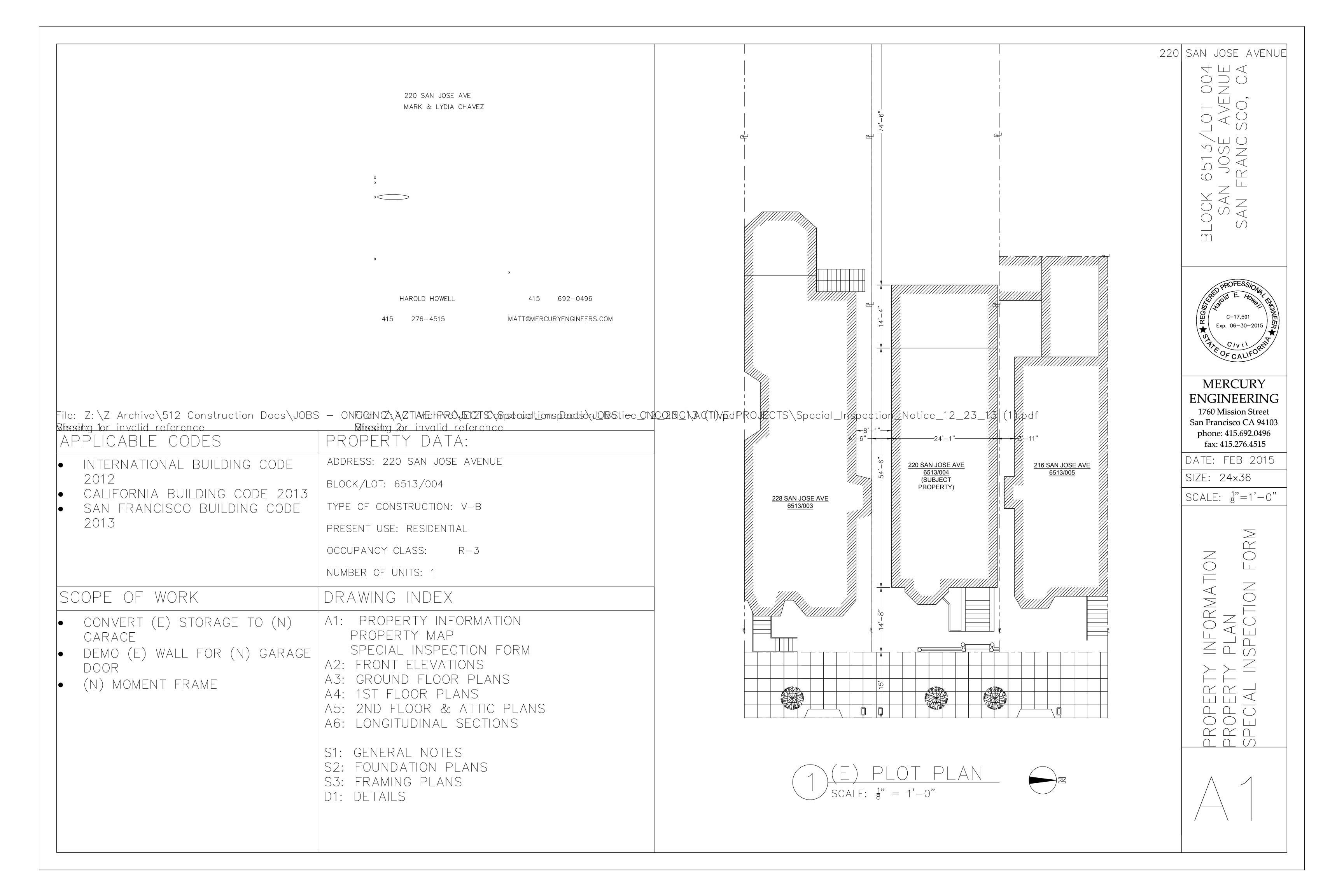


City and County of San Francisco

Department of Building Inspection

CERTIFICATE OF FINAL COMPLETION AND OCCUPANCY

LOCATION: 220 San Jost Avi (number) (street) Permit Application No: 201502067686 Type of Construction: VB	65/3/004 (block and lot) Stories: Dwelling Units:1
· · · · · · · · · · · · · · · · · · ·	
Basements: Occupancy Classification: No. of Guestroom	s: with cooking facilities:
Description of Construction: Conut (E) Shrage,	to (N) garage
New garage + New mament mo	in
To the best of our knowledge, the construction described above has been completed and, effective as of to the Ordinances of the City and County of San Francisco and to the Laws of the State of California. The Section 109A of the San Francisco Building Code.	the date the building permit application was filed, conforms both ne above referenced occupancy classification is approved pursuant
Any change in the use or occupancy of these premises—or any change to the building or premises—could City and County of San Francisco and, thereby, would invalidate this Certificate of Final Completion and premises and shall be available at all times. Another copy of this Certificate should be kept with your im	Occupancy. A copy of this Certificate shall be maintained on the
Before making any changes to the structure in the future, please contact the Department of Building In- wish to make and will assist you in making the change in accordance with the Municipal Codes of the Ci	
This certificate issued on:	
by:	
Tom C. Hui by: (Signal	Building Inspector
Tom C. Hui, S.E., C.B.O., Director	Day Chory
Copies: White (original to microfilm); Blue (to property owner); Yellow (to Building Inspector); Pink (to Housing Inspector)	Printed Name 9003-M-36 (Rev. 1/15)
	9003-M-30 (NOV. 1/13)







BLOCK 6513/LOT 004 ANENNE SAN JOSE AVENUE AVENUE SAN JOSE AVENUE SAN FRANCISCO, CA



MERCURY ENGINEERING

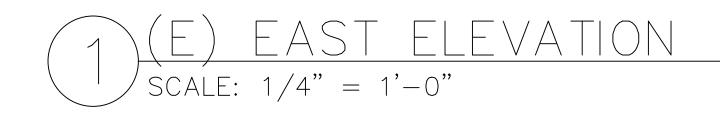
1760 Mission Street San Francisco CA 94103 phone: 415.692.0496 fax: 415.276.4515

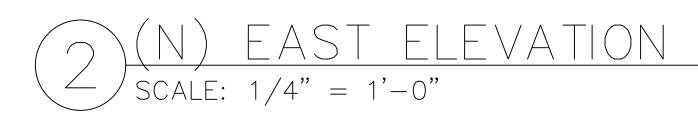
DATE: FEB 2015

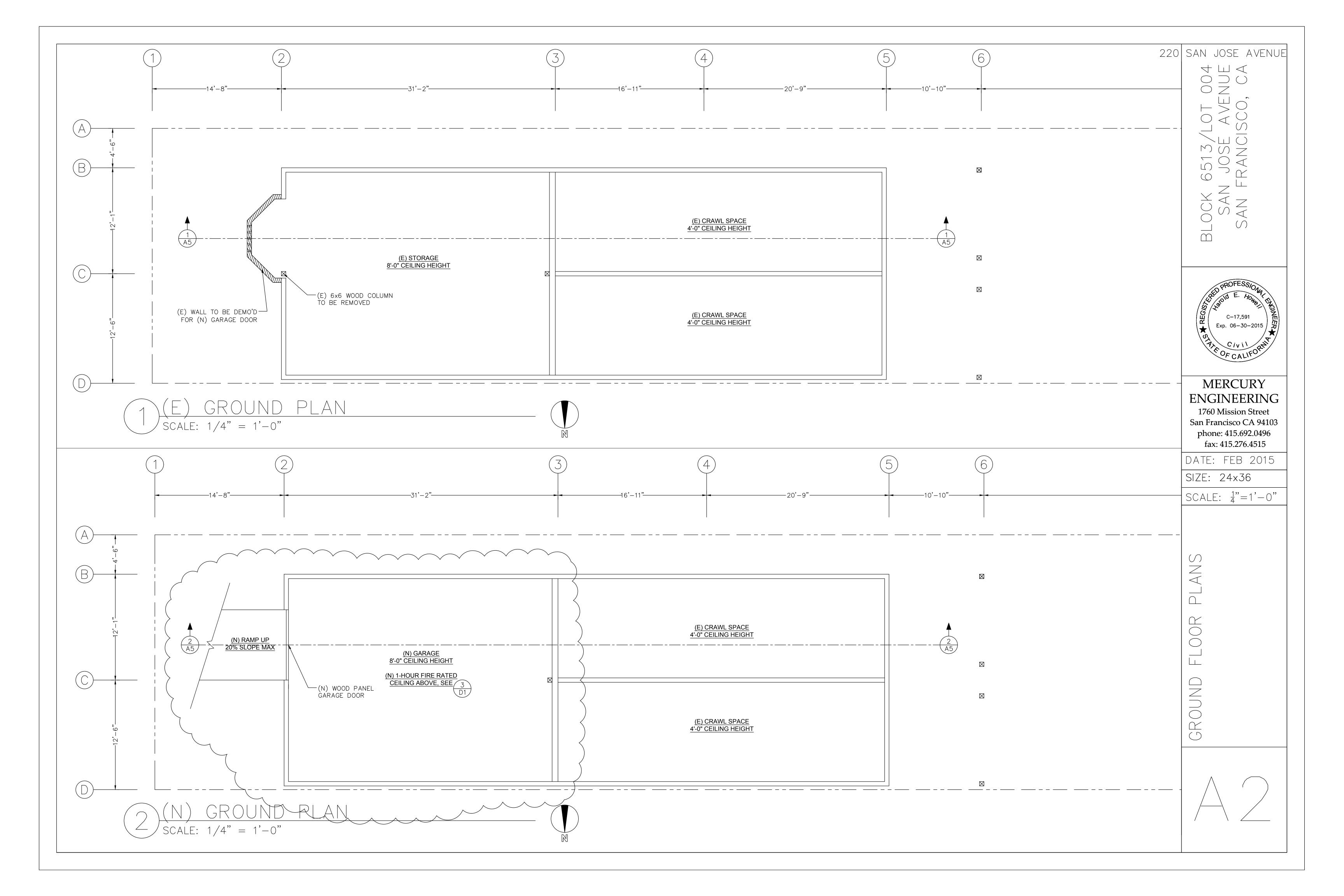
SIZE: 24x36

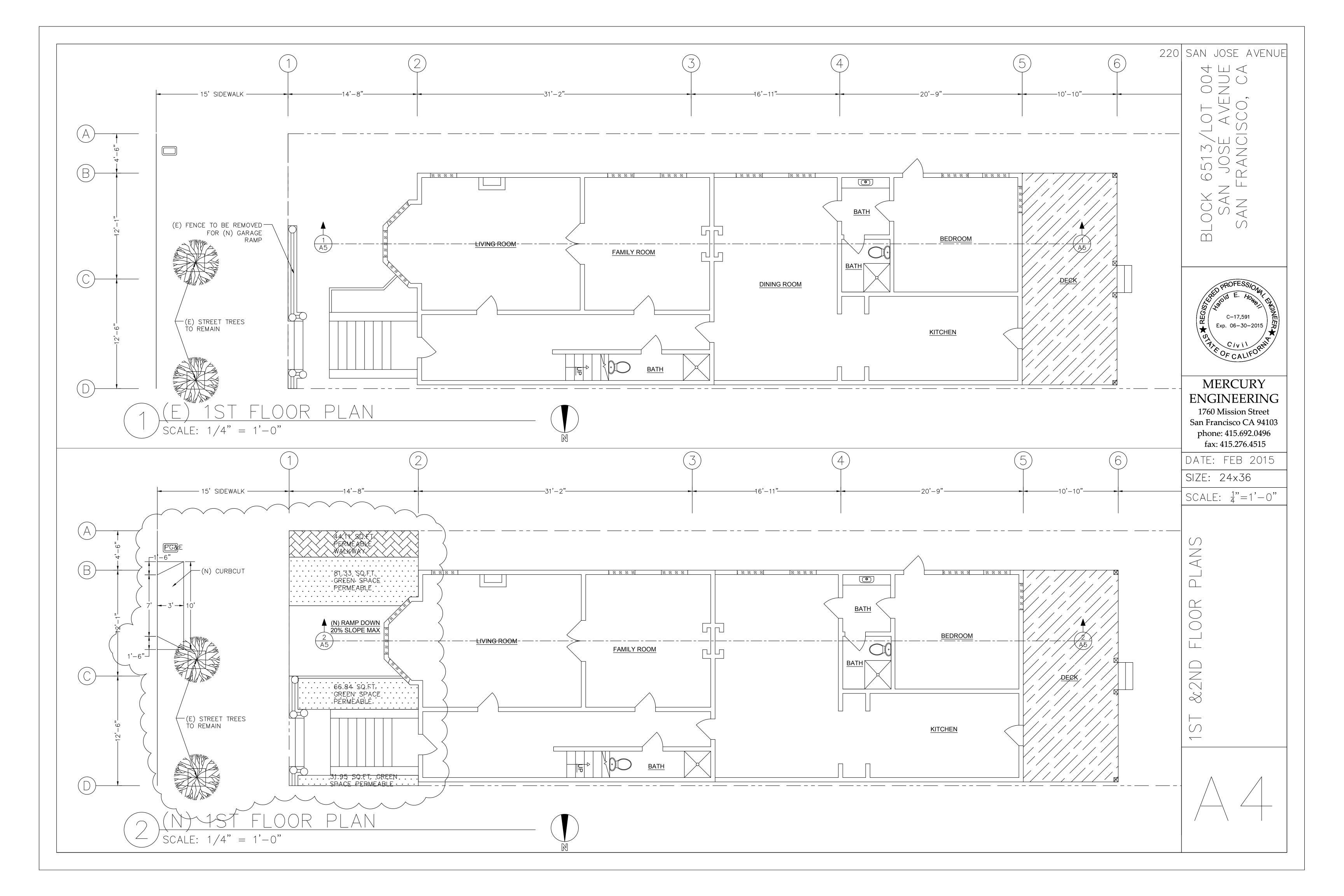
SCALE: $\frac{1}{4}$ "=1'-0"

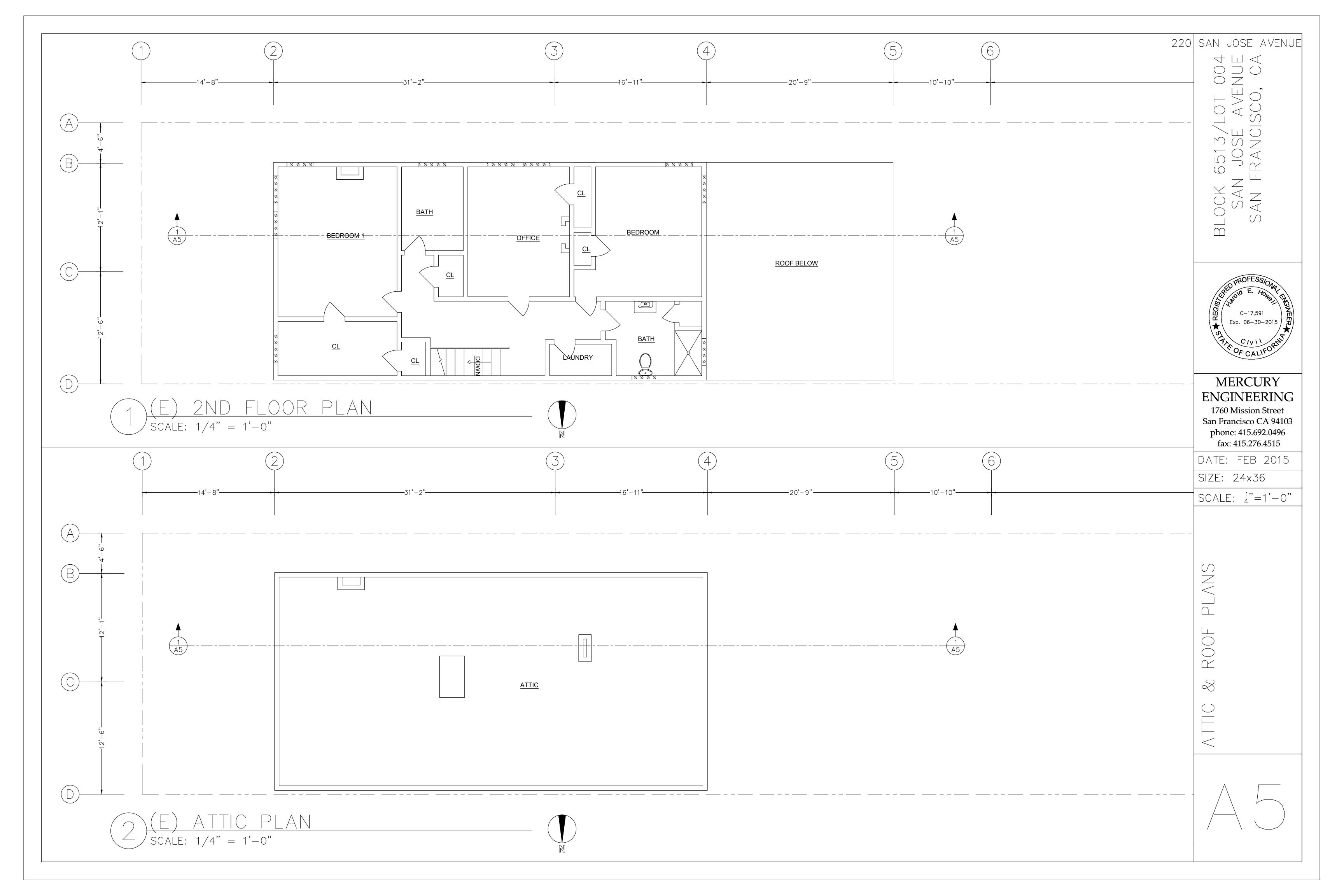
GROUND FLOOR PLANS

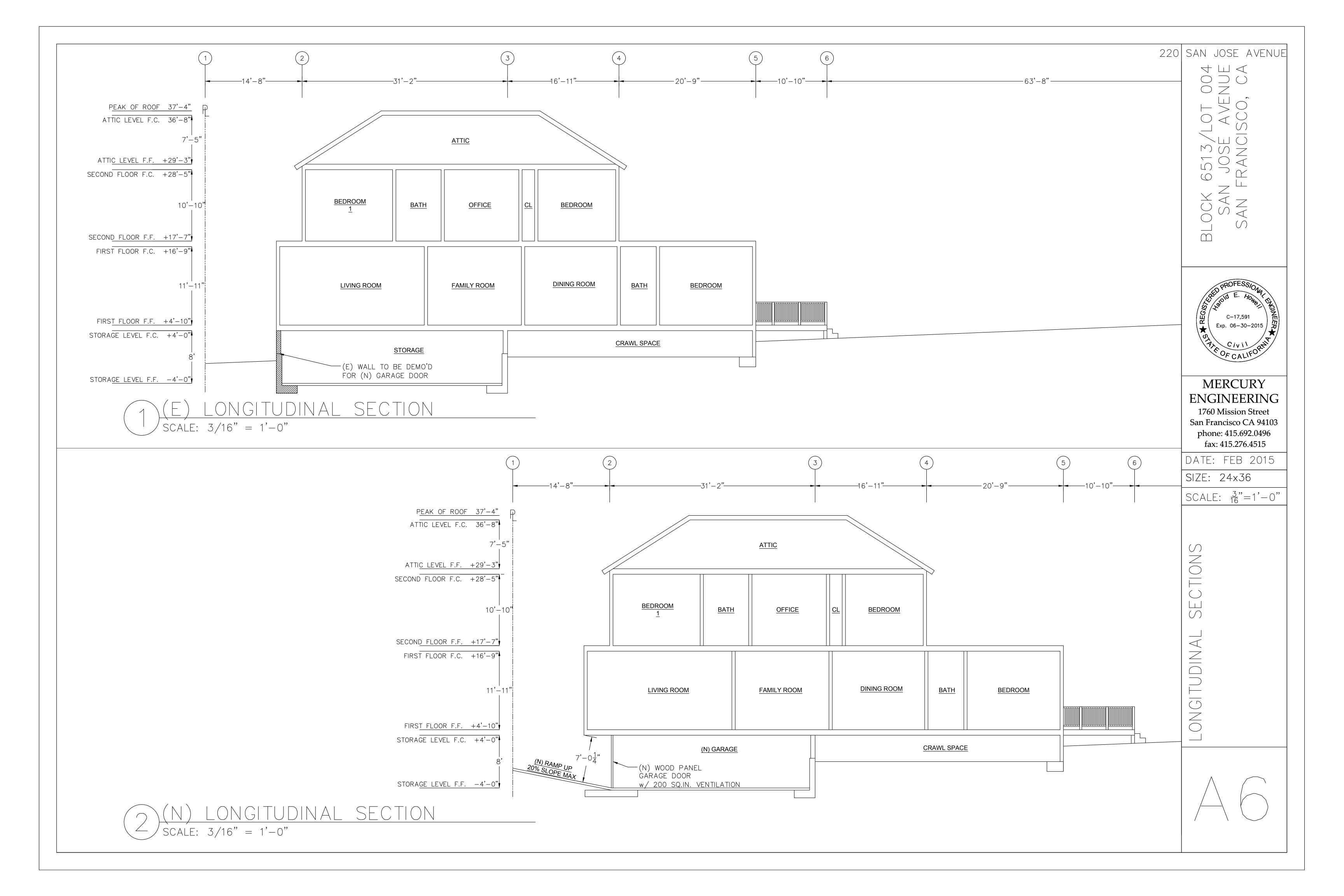


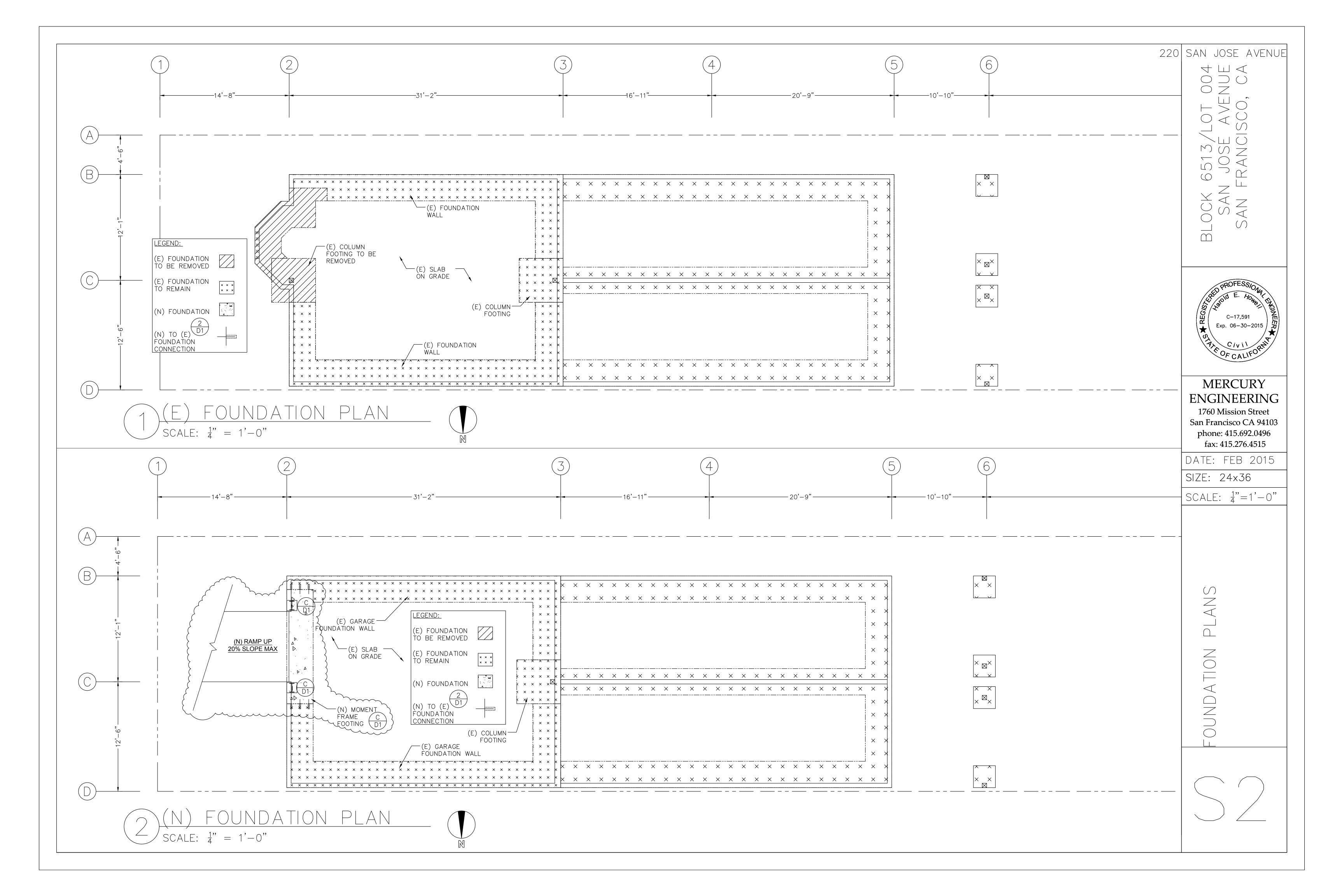


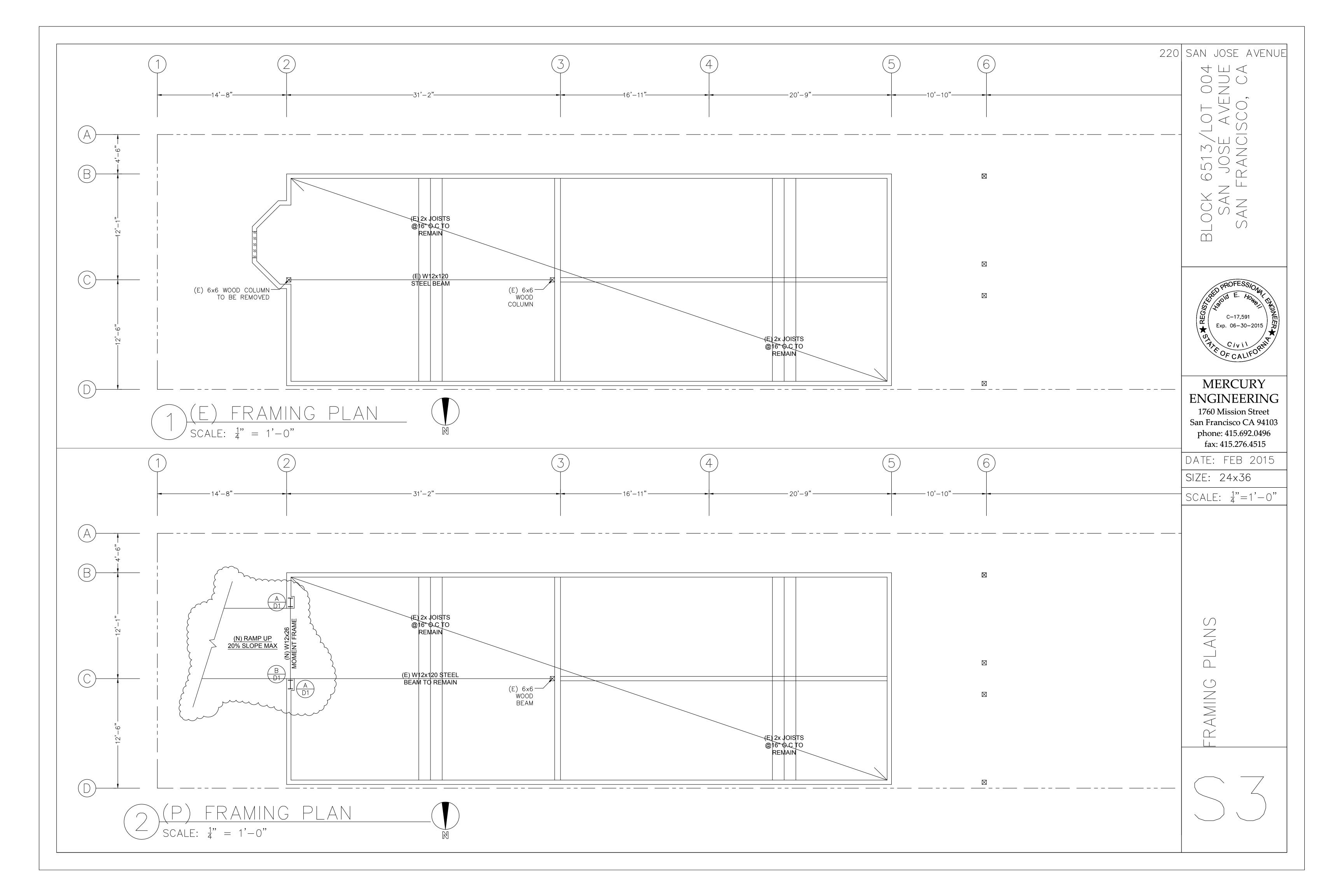


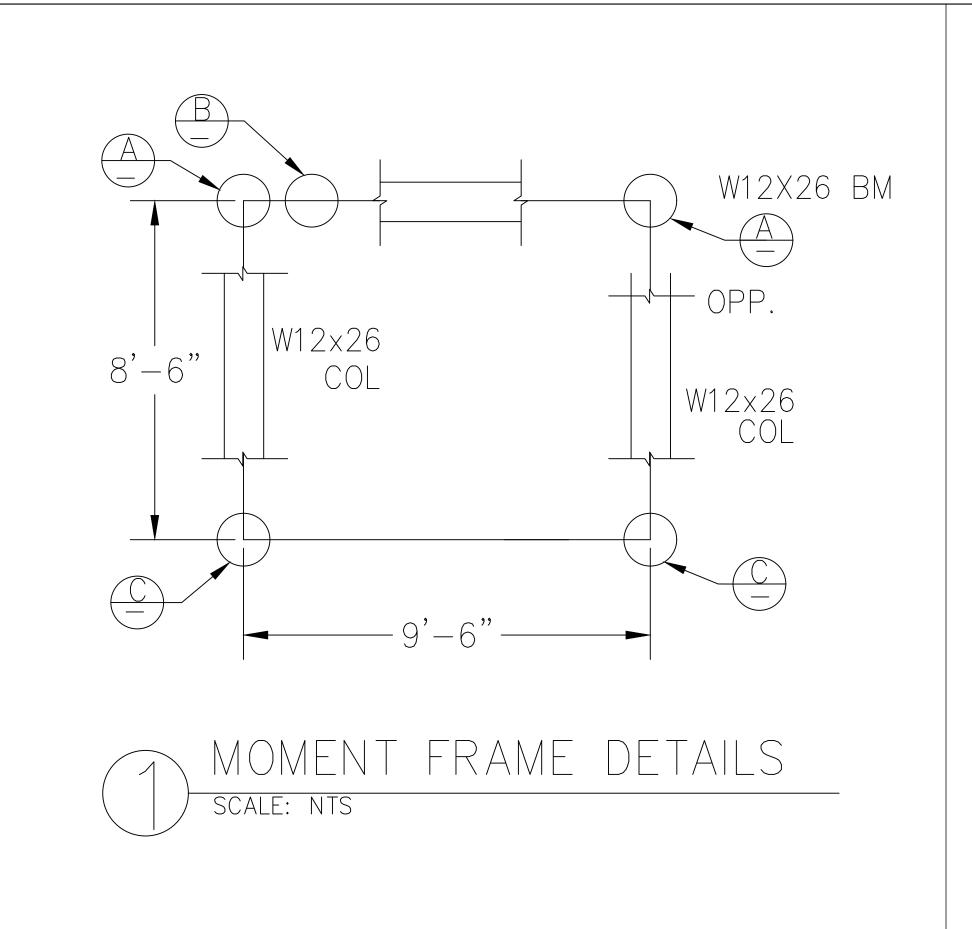


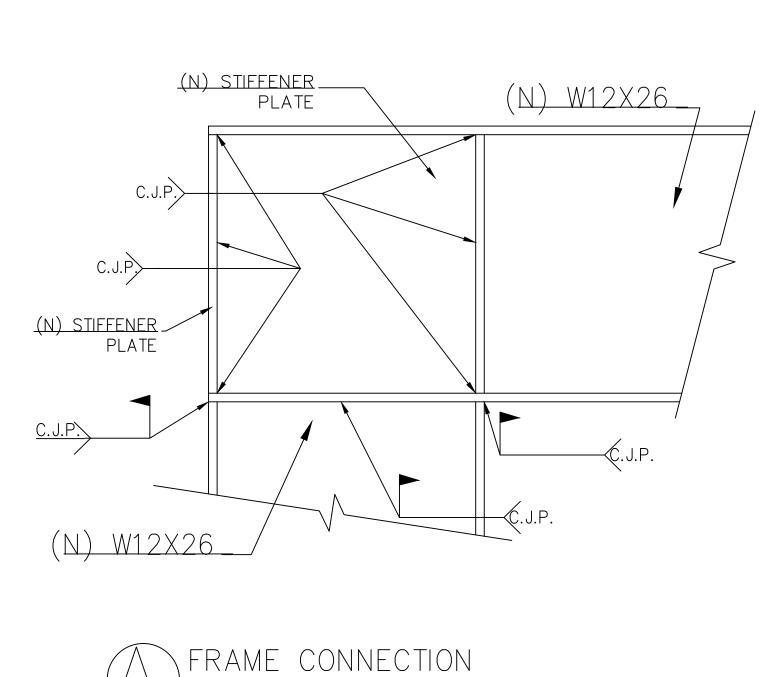


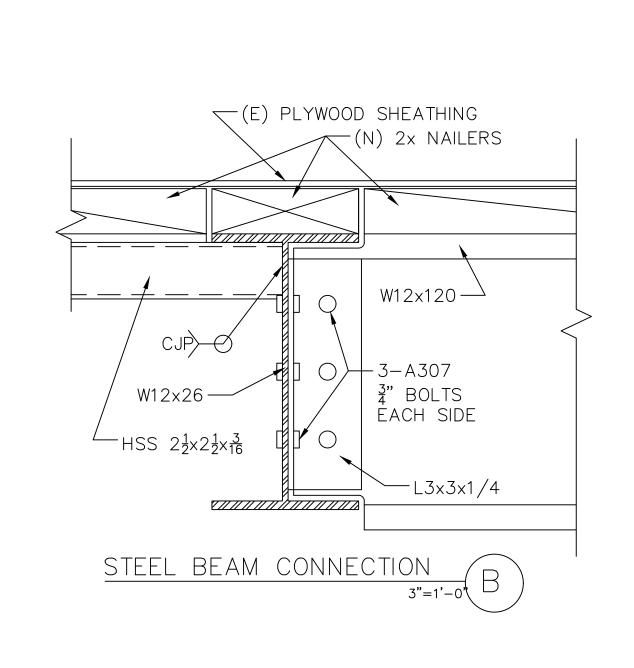












GA # FC 5120 -

Gypsum wallboard

Resilient channels

Glass fiber insulation

Wood joists



220 SAN JOSE AVENUE



MERCURY ENGINEERING

1760 Mission Street San Francisco CA 94103 phone: 415.692.0496 fax: 415.276.4515

DATE: FEB 2015

SIZE: 24x36

SCALE: A.N.

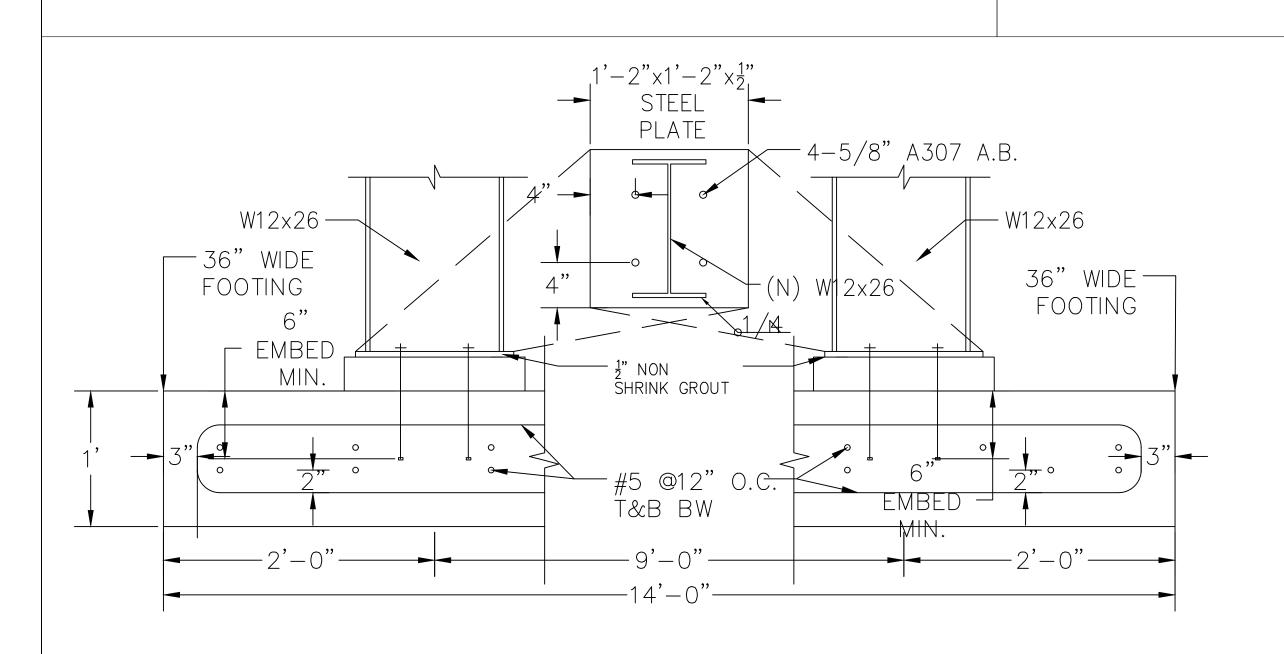
FIRE RATING: 1 HOUR SOUND RATING: 50 TO 54 STC

CARPET AND PADDING 3" PARTICLE BOARD ⁵" PLYWOOD SUBFLOOR 2x10 WOOD JOISTS @16" O.C. $3\frac{1}{2}$ GLASS FIBER INSULATION RESILIENT FURRING CHANNELS @24" O.C.

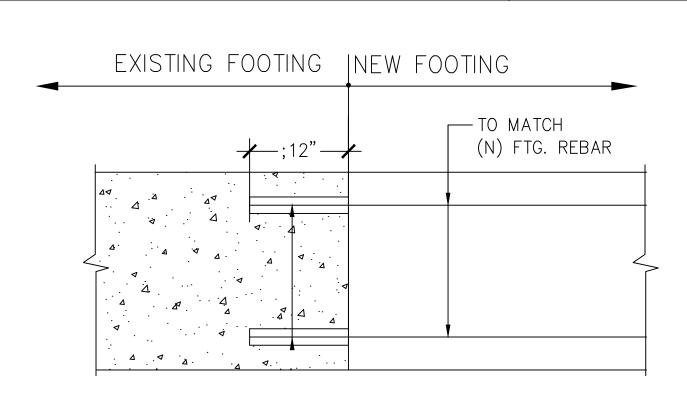
1 LAYER $\frac{1}{2}$ " TYPE X GYPSUM WALLBOARD

RATED FLOOR/CEILING

 \bigcirc







(N) TO (E) FOOTING CONN. N.T.S.



COMPLIANCE WITH ORDINANCE 208-15



UNAUTHORIZED UNIT AFFIDAVIT

Project Address: 220 San	Jose Avenue, San Franci	sco, CA 94110		
Block/Lot (APN): <u>6513/00</u>	004			
	ermit, as a separate and di	within a building that have been used, without stinct living or sleeping space independent from		
		pendent access that does not require entering a pen, visual connection to a Residential Unit on		
I, Meghna subramanian		, do hereby declare as follows:		
To the best of my knowled ☐ There is an U		ed above, located on the subject property.		
☑ There is not a	✓ There is not an Unauthorized Unit, as defined above, located on the subject property.			
I declare under the pe the foregoing is true		r the laws of the State of California that		
EXECUTED ON THIS DA	Y, September 19	, 20, IN <u>San Francisco</u> , CA.		
Phylosopie		Meghna Subramanian		
Signature)		Name (Printed)		
Owner	415-412-4018	meghna.subramanian@gmail.com		
Relationship to Project	Phone	Email		

Submit completed Affidavit upon request by Planning Staff or in conjunction with a UDU Screening Request form.

FOR DEPARTMENT USE ONLY

(Printed)	Date	· · · ·	
	·		<u>.</u>
VIG VVC15591455 Date: 2019.08.23 13:39:52 -07'00'			
vid Moiocologo Digitally signed by David Weissglass			
ing Information Center (PIC) Research Number: $\frac{2018-01695}{1}$	SDRP (220	San Jose Ave	nue)
0010 01505	5DDD (000		
ere are no Unauthorized Units present at the Subject Property			
unauthorized Unit is present at the Subject Property			
<u> </u>			
rias peen checked above, describe the information further below	N :		
		and the state of t	
Is there any other documentation that indicates that the space			
Does the Unauthorized Unit Affidavit indicate that the projec			
If yes, is there evidence of a UDU?			
Did the Rent Board provide records for this property?	☑ YE	S 🗆 NO	
las the space been used as a separate and distinct living space?	☐ YE	S 🗹 NO	
Photographs Provided on (data)			
Plans Dated:		·	-
you've checked no, the space is not considered a UDU.			
	Photographs Provided on (date): as the space been used as a separate and distinct living space? Did the Rent Board provide records for this property? If yes, is there evidence of a UDU? Is there more than one unit accounted for in the Voter Rolls? Does the Unauthorized Unit Affidavit indicate that the project is there any other documentation that indicates that the spannas been checked above, describe the information further below that the spannas been checked above, describe the information further below that understand the Subject Property I Unauthorized Unit is present at the Subject Property are are no Unauthorized Units present at the Subject Property In Information Center (PIC) Research Number: 2018-01695 Wid Weissglass Digitally signed by David Weissglass Date: 2019.08.23 13:39:52-07'00' ture d Weissglass	Photographs Provided on (date): as the space been used as a separate and distinct living space? Did the Rent Board provide records for this property? If yes, is there evidence of a UDU? Is there more than one unit accounted for in the Voter Rolls? Does the Unauthorized Unit Affidavit indicate that the project would remo YE Is there any other documentation that indicates that the space has been on YE That has been checked above, describe the information further below: The Unauthorized Unit is present at the Subject Property The Unauthorized Units present at the Subject Property The Units Property Property Property The Units Property Property Property The Units Property Property Property Property The Units Property Property Property Property Property Prope	Photographs Provided on (date): as the space been used as a separate and distinct living space? Did the Rent Board provide records for this property? If yes, is there evidence of a UDU? Is there more than one unit accounted for in the Voter Rolls? Does the Unauthorized Unit Affidavit indicate that the project would remove a UDU? YES INO Is there any other documentation that indicates that the space has been occupied? YES INO In Unauthorized Unit is present at the Subject Property Property The Unauthorized Units present at the Subject Property The Unauthorized Units present at the Subject Property Property



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Informa	tion				
Name:					
Address:	ss: Email Address:				
	Telephone:				
Information on the Owner of the Property	Being Developed				
Name:					
Company/Organization:					
Address:	Email Address:				
	Telephone:	Telephone:			
Property Information and Related Applica	tions				
Project Address:					
Block/Lot(s):					
Building Permit Application No(s):					
ACTIONS PRIOR TO A DISCRETIONARY REV	/IEW REQUEST				
PRIOR ACTION		YES	NO		
Have you discussed this project with the permit applicant?					
Did you discuss the project with the Planning Department permit review planner?					
Did you participate in outside mediation on this case? (including Community Boards)					
Changes Made to the Project as a Result of Mediati If you have discussed the project with the applicant, plan that were made to the proposed project.	ion. nning staff or gone through mediation, please summarize the re	esult, including ar	ny changes		

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.
2.	The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.
3.	What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

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

The 3 properties at 216, 220 and 228-230 San Jose are built very close together with a careful and longstanding interplay and balance of light, space, and windows, dating back over 100 years. This project significantly harms the balance of space between these properties without respecting this longstanding relationship. Relevant principles from the Residential Design Guidelines include

- "Maintain light to adjacent properties by providing adequate setbacks": the proposed addition is too close to preexisting structures
- "Ensure that the building respects the mid-block open space": the back yard at 216 San Jose is currently part of this open space, and would be walled off from it
- Section III, "Site design": "GUIDELINE: Articulate the building to minimize impacts on light and privacy to adjacent properties." The proposed addition is not articulated and does not minimize impacts to light or privacy.
- Section IV, "Building scale and form": "An out-of-scale rear yard addition can leave surrounding residents feeling "boxed-in" and cut-off from the mid-block open space."
 Nearly all of the properties on the west side of San Jose Ave between 24th and 25th streets -- including the subject property before this proposal -- are stepped as they go up, with a larger lower floor and successively smaller upper floors.
- 2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

The large upstairs bedroom addition will block light and view of sky from kitchen areas of 2 apartments in the building to the south (228 and 230B), and block in the courtyard and windows of the building to the north (216).

The addition with these impacts feels unnecessarily large and the applicants could find multiple other ways to maintain a bedroom for the future needs of elderly family members, as the application materials suggest. The existing first floor room labeled "office" is already a bedroom; the proposal removes a 1st floor bedroom in order to add a 2nd floor bedroom while adding a 3rd sitting room on a floor that already has 2 (living room and family room) and a dining room. The proposed new bedroom suite is 600 square feet. Surely a more efficient use of space could meet the applicants' needs without undue impact on neighboring properties.

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?

Applicants could build the rooms they desire in the ample space in the existing first floor or attic, without expanding the 2nd floor impacting neighboring properties. We suggest that for the proposed use by a retired elderly family member, a ground level room could actually work better. If expanding the 2nd floor, a smaller expansion would be preferable; the Residential Design Guidelines recommends several approaches ("provide side setbacks at the rear of the building", "set back upper floors to provide larger rear yard setbacks", "notch the building at the rear or provide setbacks from side property lines", and "reduce the footprint of the proposed addition") which each would be welcome approaches to mitigating the adverse effects of the current proposal.

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:					
a) The undersigned is the DI	R requestor or	their authorized	representation.		
Vanisn	Gunt			3	Vanessa Gunzton
Signature	/				Name (Printed)
Relationship to Requestor (i.e. Attorney, Architect, etc.)	<u></u> >	<u>620 - 0</u> Phone	146 - 9866	 Email	Vanesa. Ozuna Ogmail. co

For Department Use Only
Application received by Planning Department:

By: ______ Date: _____

Dear San Francisco Planning Department,

I Victoria Kardum, live at 216 San Jose Ave, next door to the proposed renovation property of 220 San Jose Ave, SF, CA 94110.

I have lived in the building, and this apartment for 30+ years and my family has owned the Property for 50+ years.

The proposed enlargement of 220 San Jose Avenue, would greatly affect my property. My backyard would become a cave, it would be boxed in by the upper level addition, also taking warmth from the property itself as much heat is from sun load.

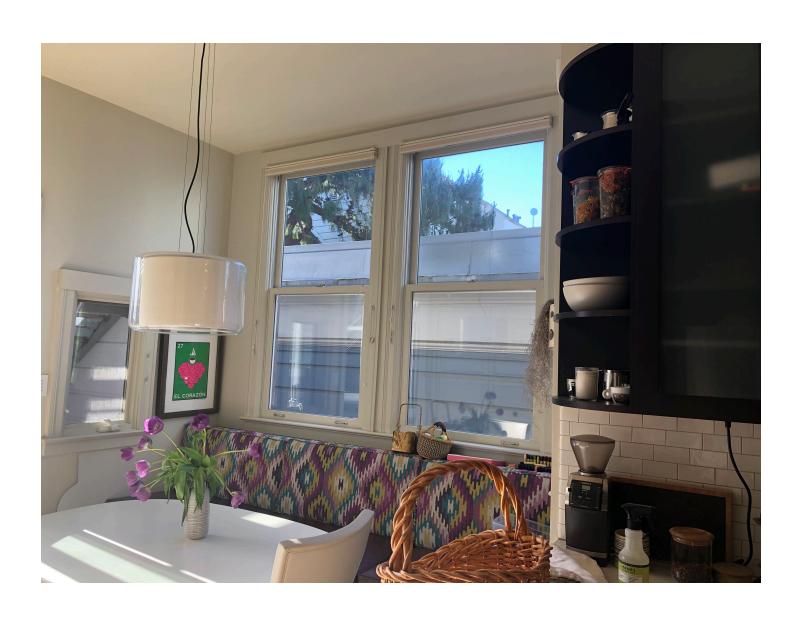
We are concerned about losing the light, heat, sun, and that our property value will be greatly affected.

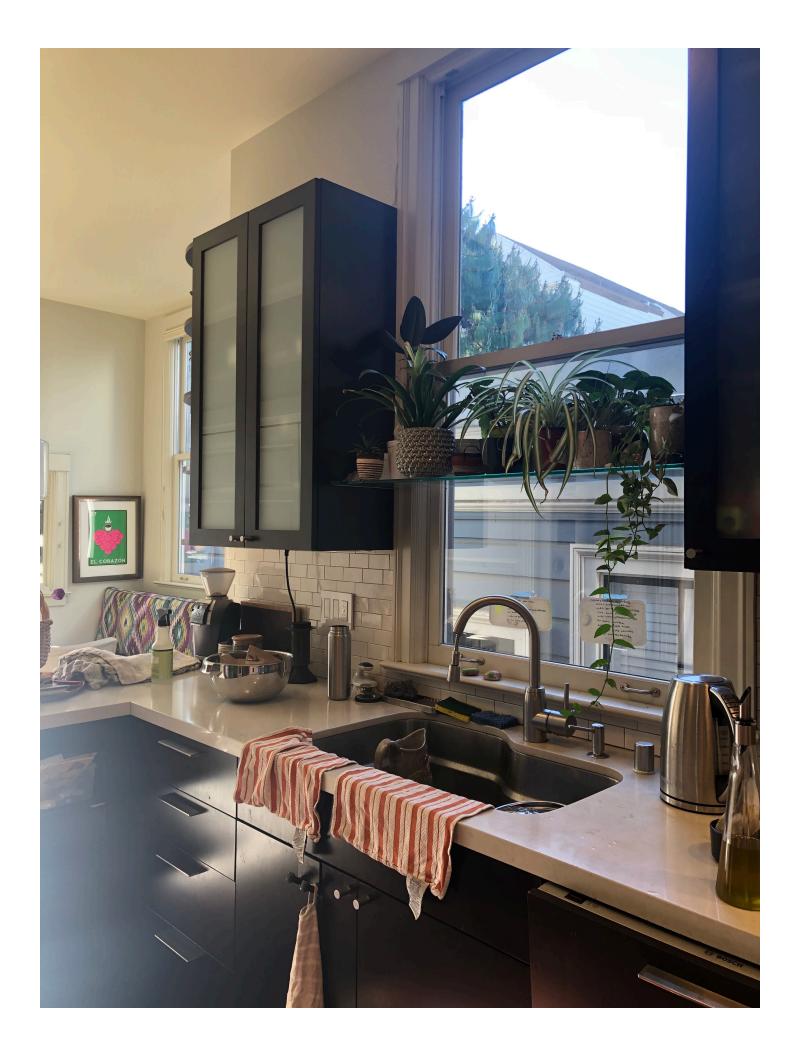
We kindly requested the owners of 220 San Jose Ave, reconsider the second story addition, as we are opposed to it. I personally am intimately familiar with the subject property as the woman living there for many years was very close to my family. That property has a very large stand up attic that could be made into another entire floor of whatever the occupants chose, without adversely affecting their neighbors on both sides.

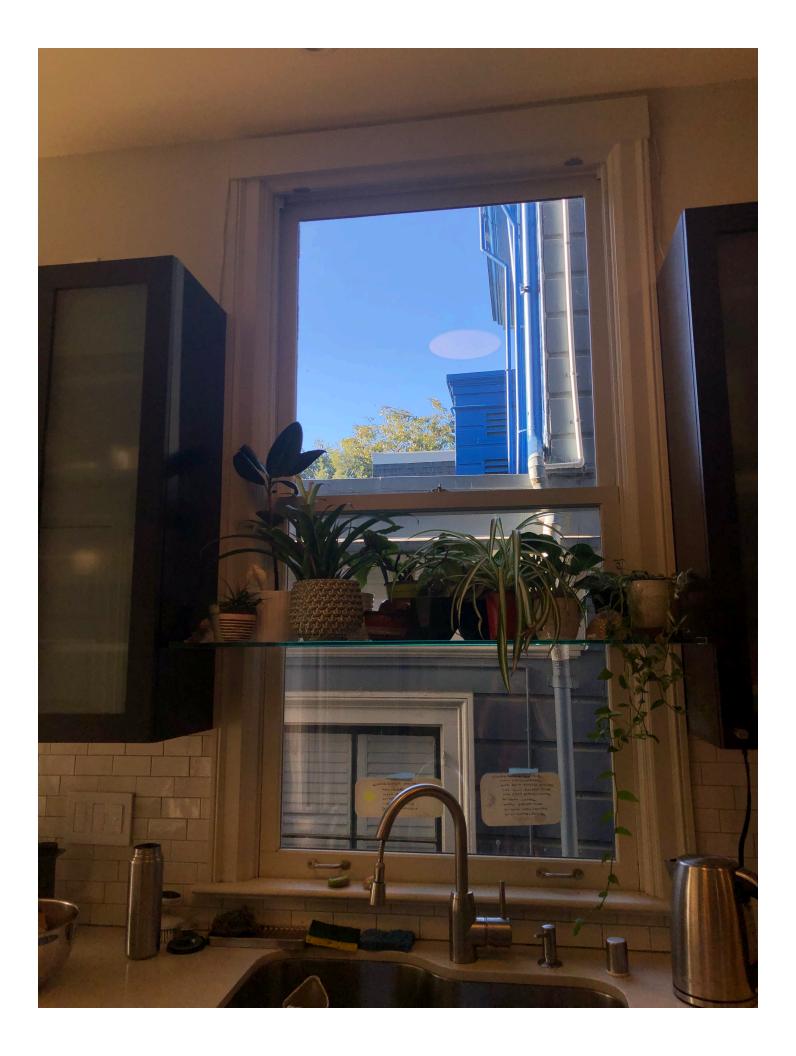
We are in agreement with Matt Ginzton and Vanessa Ozuna Ginzton and are in support of their request for a Discretionary Review of the remodel of 220 San Jose Ave. We very much would appreciate the removal of the second level addition. We suggest using the attic in its stead, since there are alternatives within the footprint of the property, we believe they should use the alternative rather than changing what for me has been my entire lifetime in this neighborhood and depriving me, my family and tenants sunlight and putting us in shadow, as well as the light of the neighbors Vanessa and Matt and their tenants on the other side of the subject property.

Respectfully yours,

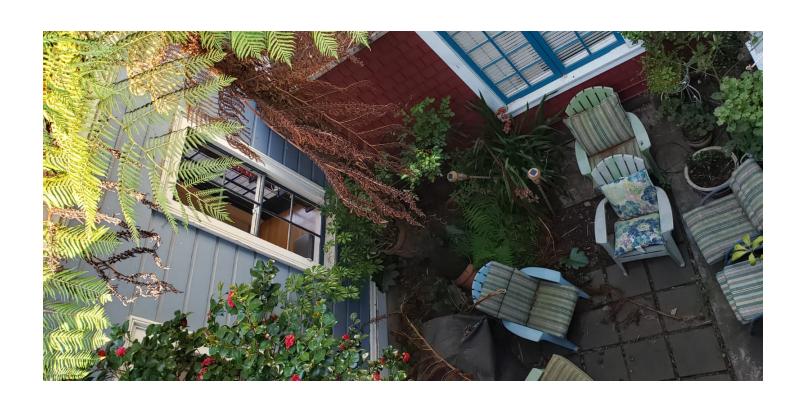
Victoria Kardum
George A. Kardum
216 San Jose Ave #3
San Francisco, CA 94110

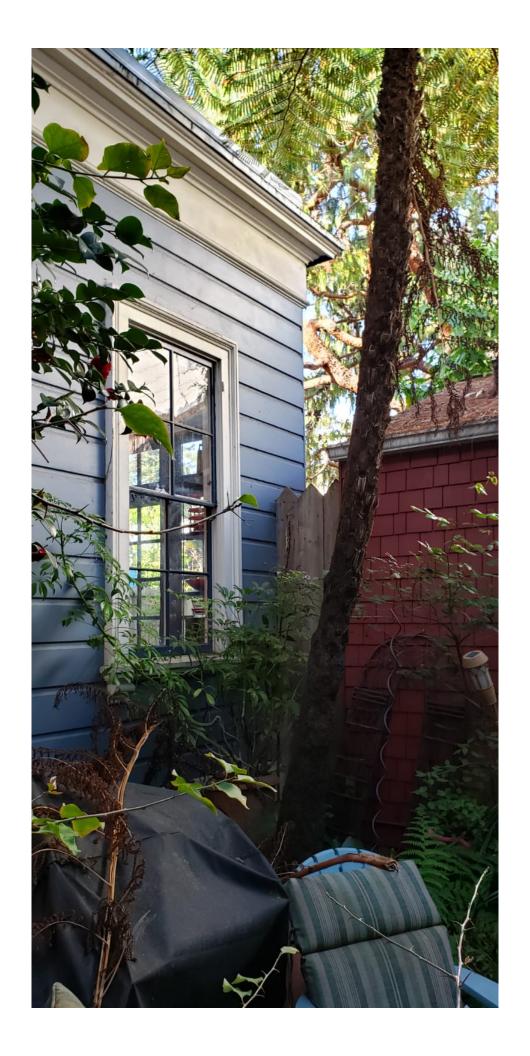














ZACKS, FREEDMAN & PATTERSON

A Professional Corporation

235 Montgomery Street, Suite 400 San Francisco, California 94104 Telephone (415) 956-8100 Facsimile (415) 288-9755 www.zfplaw.com

August 21, 2019

VIA U.S. MAIL AND EMAIL

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

Re: 220 San Jose Avenue

Discretionary Review Request

Dear President Melgar and Members of the Planning Commission:

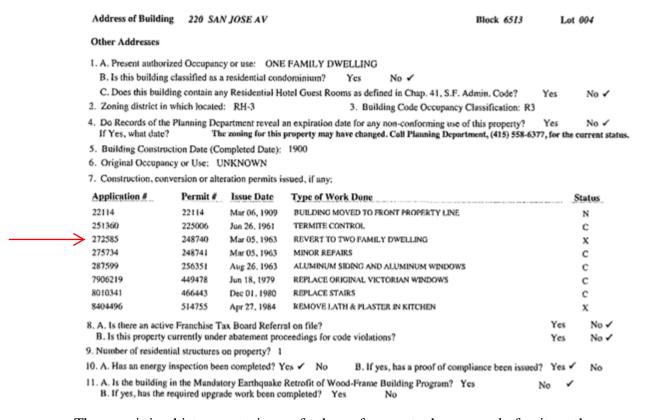
Our office represents Vanessa and Matt Ginzton, who live next door to the proposed project at 220 San Jose Avenue (the "Property"). The Project Sponsor has proposed a two-story rear addition to the existing home at the Property and interior alterations (the "Project"). Discretionary review is appropriate for three reasons:

- 1. The Project would illegally remove at least one existing dwelling unit, without Conditional Use authorization.
- 2. The Project does not comply with the Planning Code or the Residential Design Guidelines, such that it would unnecessarily harm neighboring properties.
- 3. The Project violates CEQA by improperly piecemealing environmental review.

The Project has been designed without consideration of its impacts on neighboring properties, violates several Residential Design Guidelines, and will have an unreasonable impact on the Ginztons' home. For these reasons, the Project cannot be approved.

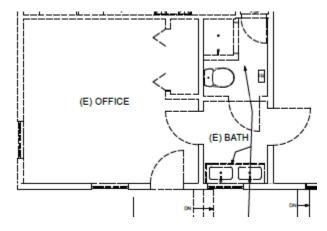
The Project Would Illegally Remove a Dwelling Unit at the Property

The Project application claims that the house is a "single family home." However, the permitting history reveals that the Property was originally a *three* unit building. On August 28 1962, a certificate of occupancy was issued for a "3 unit building" at the Property. In or around October 1962, the owner of the Property filed a permit application to "remove 1 kitchen, change building to 2 legal flats." According to the 3R report for the Property, this permit was never finaled:



The permitting history contains no further reference to the removal of units at the Property. The legal unit count at the Property is therefore at least two.

The Project plans do not disclose that more than one unit exists at the Property. A second unit still exists at the rear of the Property, where is a suite of rooms with independent access from the street and a full bathroom. This room is labeled on the plans as an "office":



San Francisco Planning Commission August 21, 2019 Page 3

This room is more accurately described as a bedroom – it satisfies the size and light requirements for a bedroom and has a closet. Moreover, it has been used as an independent living space by recently, under the previous owners, so it qualifies as an unauthorized dwelling unit in any event. (Planning Code § 317(b)(13).)

The Project plans fail to disclose that there is currently a second unit at the Property. Further, the plans propose to convert this unit to a large kitchen – effectively removing the second unit under the auspices of an alteration permit. Approval of the Permit would result in this unit being illegally removed without Conditional Use authorization, as required by San Francisco Planning Code § 317.

In addition to being unapprovable under § 317, this means that the project's description is unlawfully inaccurate for CEQA purposes.

The Project violates the Planning Code and Residential Design Guidelines

The Project would add a large mass to the rear of the Property that would box in the neighboring properties. In numerous respects, the Project does not comply with the Residential Design Guidelines ("RDGs"). When a rear addition is proposed, the Residential Design Guidelines require a project to "respect the existing pattern of side spacing" and "articulate the building to minimize impacts on light and privacy to adjacent properties." (RDGs, pp. 15, 16.) The Guidelines note that setbacks on the upper floor of a project may be appropriate to achieve this goal. (*Id.*)

The Project does not comply with these guidelines because it proposes an unarticulated mass that will block light to adjacent properties. As the Staff Report notes, the Project "does present an exceptional or extraordinary circumstance with respect to building scale at the rear, access to mid-block open space, and light to the adjacent neighbor at the North . . ." Planning Staff requested a 5-foot side setback at the north of the Project, which the Project Sponsor declined to provide. The Project will have a similarly unacceptable impact on the Ginztons' home, to the south of the Property, as well as to the upstairs unit at 230 San Jose Avenue. The proposed vertical addition is not articulated or stepped back, and will severely block light and access to the sky for their living and sleeping areas:

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The Planning Commission should require the Project to be scaled back and articulated to comply with the Planning Code and RDGs.

Similarly, the "Building Scale at the Mid-Block Open Space" guideline requires the height and depth of the Project to be "compatible with the existing building scale at-the mid-block open space." Even if the Project were permitted by the Planning Code, it is not appropriate because it proposes an addition that is uncharacteristically deep and tall. The RDG goes on to note that an "out-of-scale rear yard addition can leave surrounding residents feeling 'boxed in' and cut-off-from the mid-block open space." This is precisely what will occur here. The addition proposed by the Project would extend beyond the adjacent properties' rear walls, boxing them in and cutting them off from the mid-block open space.

The Project Was Improperly Piecemealed to Avoid CEQA Review of Impacts

The Environmental Evaluation Application for the Project does not disclose the cumulative extent of the excavation and soil disturbance associated with the Project. In 2015, a permit was obtained to "Excavate (E) crawl space 4'-0" for new storage" and upgrade the Property's foundations. (BPA No. 201501307100.) One week later, a second permit was obtained to "Convert E storage new garage, demo E wall for new garage, new moment frame." (BPA No. 201502067686.) A CFC was issued for this garage permit. BPA No. 201501307100 was finaled in 2017. In 2018, the Project Sponsor applied for a permit for the current Project,

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which proposes further excavation work. When the previous excavation work is taken into account, the Project is expected to exceed the 49 cubic-yard threshold that triggers further geotechnical review under the California Environmental Quality Act ("CEQA"). The Project Sponsor should not be allowed to evade CEQA review by piecemealing the permits for two successive excavation projects.

The excavation required for the Project will result in cumulative soil disturbance / modification greater than two feet below grade in a sensitive area, triggering a CEQA requirement for archeological study. No archeological survey has been prepared for the Property, which is located in a historically populated area of the Rancho San Miguel (an 1845 Mexican land grant). The Property is on San Jose, which was the eastern boundary of the Rancho San Miguel. (San Francisco Planning Department, *South Mission Historic Resources Survey Historic District Description*, attached hereto as **Exhibit A**.) It is also located in Horner's Addition East, a historic district dating back to the 1850s. (*Id.*) The existing house – built in 1900 – is a Category A historic resource. In short, this is a historic house, in a district that is steeped in San Francisco history. Given the excavation work that will be required at the Property, an archeological study must be prepared.

Conclusion

The Project violates multiple Code and RDG requirements, would remove at least one dwelling unit at the Property, and has not received proper CEQA review. On that basis, the Project cannot be lawfully approved.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC

Ryan J. Patterson

Encl.



Horner's Addition East



East side of Guerrero Street south of 24th Street.

<u>Boundaries</u>: East side of Guerrero Street between 22nd and 25th Streets, as well as portions of blocks to the east

Period of Significance: 1865-1905

<u>Eligibility</u>: National Register of Historic Places

<u>Thematic Summary</u>: This north-south linear area in the western Mission District consists of Victorian-era, high-style architecture and homes for 19th-century upper middle classes, located along the eastern edge of Horner's Addition, one of the City's first platted residential suburbs.

This historic district, comprised of 69 contributors and 91 total properties, is eligible as an extension of the designated Liberty-Hill Historic District. Areas west of Guerrero Street (outside of the survey area) also appear to be potentially eligible extensions.

Before the U.S. era, the historic district area occupied the eastern, lowland edge of the Rancho San Miguel, a vast tract that included much of the central

Horner's Addition East Historic District Page 1 of 3 San Francisco Planning Department – South Mission Historic Resources Survey Historic District Description

highlands and peaks of San Francisco (the San Miguel Range). The Rancho San Miguel was granted to notable Yerba Buena resident, Jose Noe, in 1845, near the end of Mexican rule in California. The eastern boundary of the rancho was defined by the San Jose Road, formerly the El Camino Real (the alignment of which is partially retained in present-day San Jose Avenue). This road skirted the highlands at the western end of the Mission District along a path that meandered between Dolores and Valencia Streets.

During the early American period, Noe sold off portions of his vast rancho. In 1853, the eastern portion of the Rancho San Miguel, an area roughly bounded by 18th Street, 30th Street, Castro Street and the San Jose Road (including the district area), was purchased by John Meir Horner, an ambitious Mormon who had arrived on the sailing ship *Brooklyn* in 1846. Horner platted his "addition" into blocks and streets with the intention of developing the city's first residential suburb. The long north-south streets in Horner's Addition were named after Mexican pioneer families (Castro, Noe, Sanchez, Guerrero and Valencia); Horner named the shorter east-west streets based on his own personal and religious influences. These included Elizabeth (for his wife); Jersey (for his state of birth); Clipper; Duncan (for Chapman Duncan—a prominent Mormon); and Valley. Other street names bestowed by Horner, such as John, "M", Horner, Park, Temple, Navy, Figg, Yale, and Dale, were renamed primarily as numbered streets in 1861. Another Horner's Addition street name, Army (which was extended east of Horner's Addition in 1884), was more recently renamed Cesar Chavez.

Though Horner was an influential early settler and successful with some of his developments in the East Bay and San Jose area, Horner's Addition in San Francisco remained a "paper" neighborhood throughout the 1850s, in that very little physical development accompanied the platting. During that time, the sloping west Mission District was distant from populated areas and generally inconvenient to access. During the economic downturn of the late 1850s, with his development schemes for the Addition as yet unrealized, Horner was forced to sell his mostly vacant land at a loss. Consequently, large portions of Horner's Addition became the property of homeowners associations, including the San Francisco Homestead Association and the Pacific S. & M. Association. John Meir Horner retired to Hawaii in 1879.

Building construction and installation of early horse car lines on nearby Mission and Valencia Streets in the 1860s resulted in residential development in the most accessible portions of Horner's Addition. By the 1870s, as the central Mission

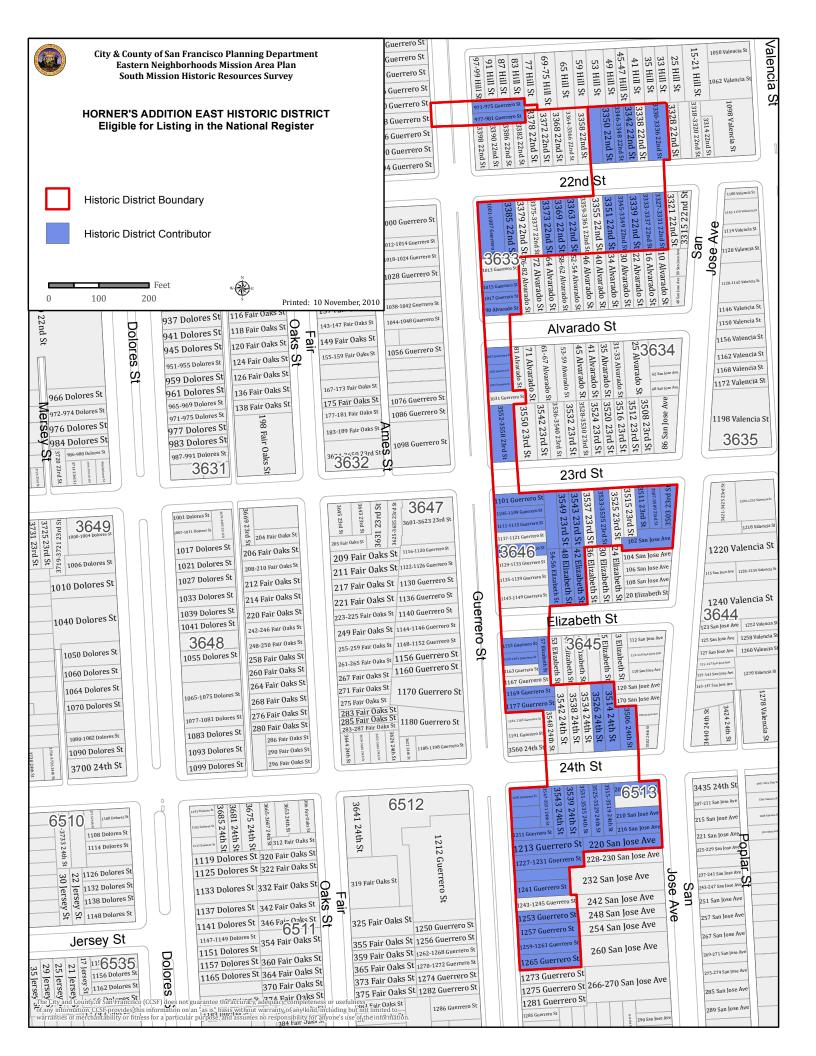
San Francisco Planning Department – South Mission Historic Resources Survey Historic District Description

District corridors became heavily traveled and developed, the nearby hills of the west Mission District, including the district area, became more accessible and desirable places to live. Installation of a cable car line on Valencia Street in 1883, as well as an electric streetcar line on Mission and a regional electric streetcar line on Guerrero Street (1891), facilitated further build-out of the district area with a somewhat affluent character. Other streetcar lines to the west, such as on Castro Street, eventually led to development of the Noe Valley portions of Horner's Addition.

In the 1940s, Guerrero Street was widened into an automobile boulevard. Consequently the sidewalks were narrowed, front setbacks were reduced, and historic landscape features removed. Nonetheless, the buildings constructed along Guerrero Street are among the most ornate and best preserved groupings of late 19th and early 20th century buildings in the Mission District.

Highlights of the district include the 14 buildings that fan out from the southeast corner of Guerrero and 24th Streets, all of which are supremely ornamented and in near pristine condition. Also of note are a grouping of three unusual Queen Anne-style tower-houses on 23rd Street between Guerrero Street and San Jose Avenue. In addition, the district is home to a few much older and less embellished buildings, such as 90 Alvarado Street, a mixed-use, residential-over-storefront corner building constructed in 1869. The home at 42 Elizabeth Street also dates from the 1860s, and appears to retain original Gothic Revival-style verge boards in its gable end. The presence of these older buildings is reflective of the area's early, sparse development pattern before mass residential construction occurred.

The character and development history of this district bears relation to that of properties within the City-designated Liberty-Hill Historic District, an area bounded approximately by Dolores, San Carlos, 20th, and Hill Streets. The portion of the Liberty-Hill Historic District located west of Valencia Street was also included within Horner's Addition and, like the subject historic district, developed into a somewhat affluent west Mission District neighborhood. The southern boundary of the Liberty Hill Historic District (Hill Street) abuts the northern boundary of the subject historic district at a mid-block location between 22nd and Hill Streets. Therefore, the subject historic district is evaluated as an eligible extension of the Liberty-Hill Historic District. In addition, field observations and research indicate that areas west of Guerrero Street (outside of the survey area) are also part of the Horner's Addition residential tract and appear to qualify as eligible extensions to the historic district(s).



San Francisco Planning Department - South Mission Historic Resource Survey Property Information Catalog (sorted by Street Address)

							Primary							
Assessor Block-Lot	Address (Low #)	Address (High #)	Street	Attribute Code/ Description 1	Attribute Code/ Year Description 2 Built	Year Built Source	Record (DPR 532A)		Architectural Style 2	Historic District	CHRSC	Listing Type	Resource Eligibility	Notes
3633-047	3327	3331	22ND ST	HP3. Multiple Family Property	1885	Sanborn Co. maps (est.)	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	Rowhouse quartet (3333-37, 3327-31, 3339, 3345-49 22nd Street).
3617-015	3330	3336	22ND ST	HP3. Multiple Family Property	1881	SFPUC water tap	No	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
3633-030	3333	3337	22ND ST	HP3. Multiple Family Property		Sanborn Co. maps (est.)		Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	Rowhouse quartet (3333-37, 3327-31, 3339, 3345-49 22nd Street).
3617-016	3338	3338	22ND ST	HP2. Single Family Property	HP6. 1-3 Story	SF Assessor	No	Edwardian		Horner's Addition East	67		determined not eligible for listing	Silvery.
				HP3. Multiple Family			INO				02	none	National Register &	Rowhouse quartet (3333-37, 3327-31, 3339, 3345-49 22nd
3633-056	3339	3339	22ND ST	Property HP3. Multiple Family		Sanborn Co. maps (est.)	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register National Register &	Street).
3617-017	3342	3342	22ND ST	Property HP3. Multiple Family	1888	SFPUC water tap	No	Queen Anne		Horner's Addition East	3B	Individual & Contributor	California Register National Register &	Rowhouse quartet (3333-37, 3327-31, 3339, 3345-49 22nd
3633-050	3345	3349	22ND ST	Property HP3. Multiple Family	1885	Sanborn Co. maps (est.)	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register National Register &	Street).
3617-017A	3346	3348	22ND ST	Property HP3. Multiple Family	1888	SFPUC water tap	No	Queen Anne		Horner's Addition East	3B	Individual & Contributor	California Register National Register &	
3617-018	3350	3350	22ND ST	Property	1885	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	
3633-028	3351	3351	22ND ST	HP3. Multiple Family Property	1887	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D	Contributor	National Register & California Register	
3617-019	3354	3354	22ND ST	HP3. Multiple Family Property	1884	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D	Contributor	National Register & California Register	
3633-027	3355	3355	22ND ST	HP3. Multiple Family Property	1911	SF Assessor	No	Edwardian		Horner's Addition East	6L	none	determined not eligible for listing	
3633-026	3359	3361	22ND ST	HP3. Multiple Family Property	1907	SF Assessor	No	Edwardian		Horner's Addition East	3CS	Individual	California Register	
3633-025	3363	3363	22ND ST	HP3. Multiple Family Property		Sanborn Co. maps (est.)	No	Stick/Eastlake		Horner's Addition East	3D. 3CS	Individual & Contributor	National Register & California Register	
	3369			HP2. Single Family		SF Assessor					,		National Register &	
3633-024		3369	22ND ST	Property HP2. Single Family			No	Stick/Eastlake		Horner's Addition East	3D	Contributor	California Register National Register &	
3633-023	3373	3373	22ND ST	Property HP3. Multiple Family	1890	Sanborn Co. maps (est.)	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register determined not eligible	
3633-022	3375	3377	22ND ST	Property HP3. Multiple Family	1941	SF Assessor	No	None		Horner's Addition East	6Z	none	for listing not evaluated: less than	
3633-053	3379	3379	22ND ST	Property HP3. Multiple Family	2001 HP6. 1-3 Story	SF Assessor	No	None		Horner's Addition East	n/a		50 years old National Register &	Faux historical design.
3633-020	3385	3385	22ND ST	Property HP3. Multiple Family	,	Sanborn Co. maps (est.)	No	Classical Revival		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register National Register &	
3646-001	3503	3503	23RD ST	Property	1895	Sanborn Co. maps (est.)	Yes	Queen Anne		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	
3646-028	3507	3509	23RD ST	HP3. Multiple Family Property	1895	Sanborn Co. maps (est.)	No	Queen Anne		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
3646-027	3511	3511	23RD ST	HP3. Multiple Family Property	1895	Sanborn Co. maps (est.)	No	Queen Anne		Horner's Addition East	3D	Contributor	National Register & California Register	
3646-026	3515	3515	23RD ST	HP3. Multiple Family Property	1875	Sanborn Co. maps (est.)	No	Italianate		Horner's Addition East	6L	none	determined not eligible for listing	
3646-025	3525	3525	23RD ST	HP2. Single Family Property	1933	SF Assessor	No	Mediterranean Revival		Horner's Addition East	6Z	none	determined not eligible for listing	
3646-024	3533	3535	23RD ST	HP3. Multiple Family Property		SFPUC water tap	No	Italianate		Horner's Addition East	-	Individual & Contributor	National Register &	
				HP2. Single Family		,					30, 303		determined not eligible	
3646-023	3537	3537	23RD ST	Property HP3. Multiple Family		SFPUC water tap	No	None/Altered		Horner's Addition East	6L	none	for listing National Register &	
3646-022	3543	3543	23RD ST	Property HP2. Single Family	1904	SF Assessor	No	Classical Revival			3D, 3CS	Individual & Contributor	California Register National Register &	
3646-021	3549	3549	23RD ST	Property HP3. Multiple Family	HP6. 1-3 Story	Sanborn Co. maps (est.)	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register National Register &	
3634-013	3552	3558	23RD ST	Property HP3. Multiple Family		SF Assessor	No	Italianate		Horner's Addition East	3B	Individual & Contributor	California Register National Register &	Alteration of building originally designed as "false-front"
3646-020	3553	3557	23RD ST	Property HP3. Multiple Family	1876	SFPUC water tap	No	Classical Revival		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	Italianate.
3645-007	3506	3506	24TH ST	Property	1875	Sanborn Co. maps (est.)	No	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
3645-008	3514	3514	24TH ST	HP2. Single Family Property	1881	SFPUC water tap	No	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
6513-030	3515	3519	24TH ST	HP3. Multiple Family Property	1889	Architectural est.	No	Stick/Eastlake		Horner's Addition East	3B	Individual & Contributor	National Register & California Register	Additional dwelling (pre-1889) located at rear of lot.
6513-029	3525	3529	24TH ST	HP3. Multiple Family Property		SF Assessor	No	Edwardian			3D, 3CS	Individual & Contributor	National Register & California Register	
	3526	3526	24TH ST	HP3. Multiple Family Property		SFPUC water tap	No	Italianate			3D, 3CS	Individual & Contributor	National Register & California Register	
3645-009				HP3. Multiple Family		,							National Register &	A LEG IL THE COLOR OF THE C
6513-028	3531	3535	24TH ST	Property HP2. Single Family		Sanborn Co. maps (est.)		Mission Revival		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register determined not eligible	Additional building located at rear of lot.
3645-010	3534	3534	24TH ST	Property	1882	SFPUC water tap	No	Italianate		Horner's Addition East	6L	none	for listing	

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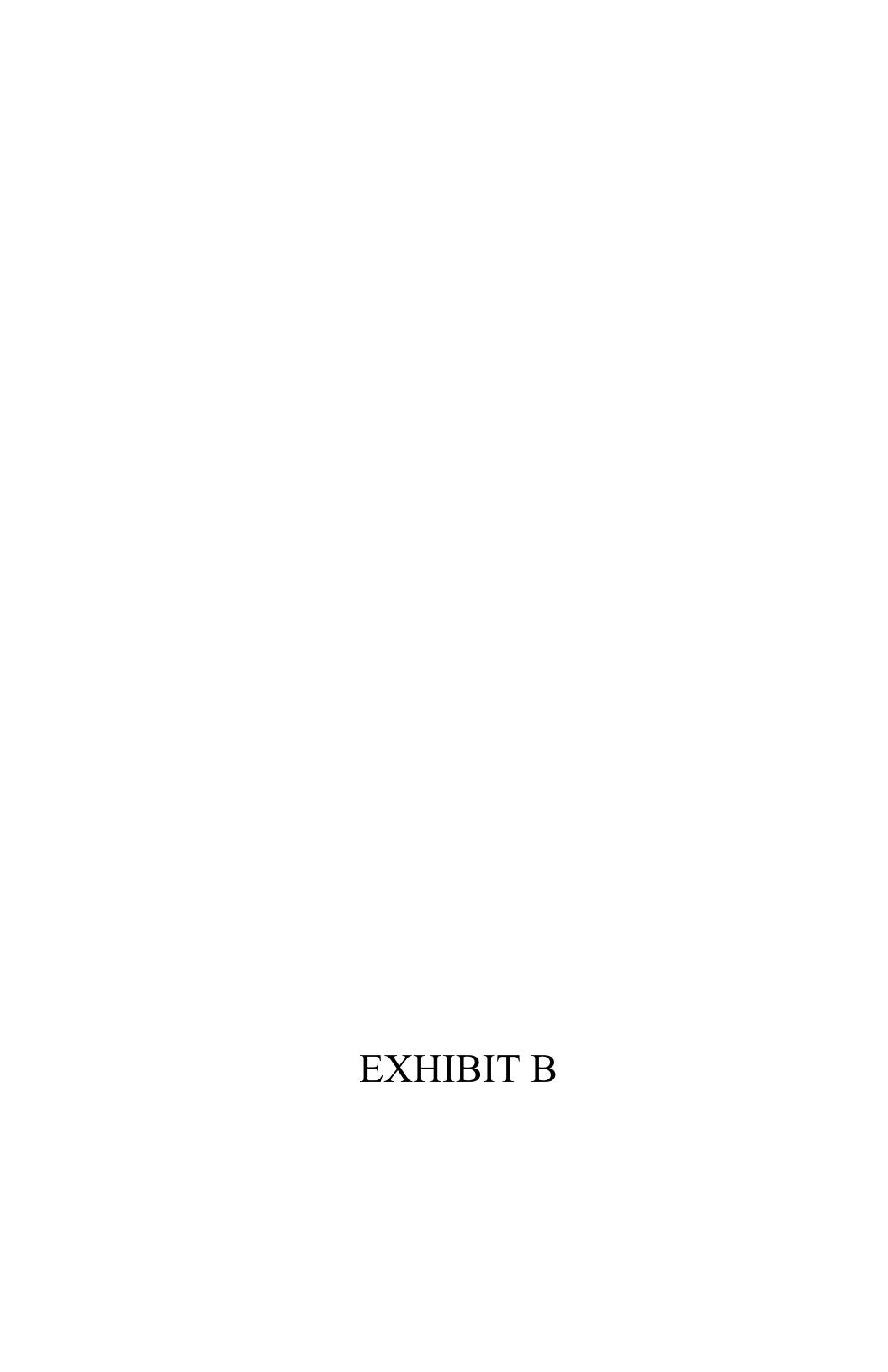
Assessor	Address	Address		Attribute Code/		ear	R	rimary Record (DPR							
Block-Lot	(Low #)	(High #)	Street	Description 1 HP3. Multiple Family	Description 2 B	uilt Year Built So	urce 5	32A)	Architectural Style 1	Architectural Style 2	Historic District	CHRSC	Listing Type	Resource Eligibility determined not eligible	Notes
3645-011	3538	3538	24TH ST	Property		885 Sanborn Co.	naps (est.) N	lo	Mediterranean Revival		Horner's Addition East	6Z	none	for listing	
6513-027	3539	3539	24TH ST	HP2. Single Family Property		885 Sanborn Co.	naps (est.) N	lo	Stick/Eastlake		Horner's Addition East	3D	Contributor	National Register & California Register	Raised to 2 stories circa 1905. Appears to have been originally designed as mirror to 3543 24th Street.
3645-012	3542	3542	24TH ST	HP3. Multiple Family Property		885 Sanborn Co.	naps (est.) N	lo	Stick/Eastlake		Horner's Addition East	6Z	none	determined not eligible for listing	
6513-026	3543	3543	24TH ST	HP2. Single Family Property		885 Sanborn Co.	naps (est.) N	lo	Stick/Eastlake		Horner's Addition East	3D	Contributor	National Register & California Register	Appears to have been originally designed as mirror to 3539 24th Street.
6513-025	3547	3551	24TH ST	HP3. Multiple Family Property	HP6. 1-3 Story Commercial Building	895 Sanborn Co.	naps (est.) N	lo	Stick/Eastlake		Horner's Addition East	3D	Contributor	National Register & California Register	Building moved forward on lot and storefront added circa 1910.
3645-013	3548	3548	24TH ST	HP3. Multiple Family Property		883 SFPUC water	tap N	lo	Italianate		Horner's Addition East	61	none	determined not eligible for listing	
3633-015	90	90	ALVARADO ST	HP2. Single Family Property	HP6. 1-3 Story	869 SFPUC water			Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
3646-010	42	42	ELIZABETH ST	HP2. Single Family Property		865 1869 USCS r			Gothic Revival		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
3646-011	48	48	ELIZABETH ST	HP3. Multiple Family Property		875 SFPUC water		lo	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
				HP3. Multiple Family										National Register &	
3646-012	54	56	ELIZABETH ST	Property HP2. Single Family		876 SFPUC water	tap N	lo	Italianate		Horner's Addition East	3D	Contributor	California Register National Register &	
3645-022	57	57	ELIZABETH ST	Property		887 SFPUC water	tap N	lo	Stick/Eastlake		Horner's Addition East	3D	Contributor	California Register	
				HP3. Multiple Family	HP6. 1-3 Story									National Register &	
3633-019	1001	1007	GUERRERO ST	Property HP3. Multiple Family	Commercial Building HP6. 1-3 Story	895 Sanborn Co.	naps (est.) N	lo	Classical Revival		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register determined not eligible	Additional building located at rear of lot; moved to site and
3633-018	1013	1013	GUERRERO ST	Property HP3. Multiple Family		875 Architectural	st. N	lo	None		Horner's Addition East	6L	none	for listing National Register &	joined with store/residence circa 1910.
3633-017	1015	1015	GUERRERO ST	Property HP2. Single Family		875 Architectural	st. N	lo	Italianate		Horner's Addition East	3D	Contributor	California Register National Register &	Bay window added circa 1910.
3633-016	1017	1017	GUERRERO ST	Property	The state of the s	887 SF Assessor	N	lo	Stick/Eastlake		Horner's Addition East	3D	Contributor	California Register	
3634-017	1021	1021	GUERRERO ST	HP3. Multiple Family Property	HP6. 1-3 Story Commercial Building	895 Architectural	st. N	lo	Stick/Eastlake		Horner's Addition East	3D	Contributor	National Register & California Register	Post-1900 rear addition.
3634-016	1025	1025	GUERRERO ST	HP3. Multiple Family Property		891 SFPUC water	tap N	lo	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	Mirrored with 1027 Guerrero St.
3634-015	1027	1027	GUERRERO ST	HP3. Multiple Family Property		891 SFPUC water	tap N	lo	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
3634-014	1031	1031	GUERRERO ST	HP3. Multiple Family Property		890 SFPUC water	tap N	lo	Stick/Eastlake		Horner's Addition East	6L	none	determined not eligible for listing	
3646-019	1101	1101	GUERRERO ST	HP3. Multiple Family Property	HP6. 1-3 Story Commercial Building	905 Sanborn Co.	naps (est.) N	lo	Edwardian		Horner's Addition East	3D	Contributor	National Register & California Register	
3646-018A	1105	1109	GUERRERO ST	HP3. Multiple Family Property		904 SFPUC water	tap N	lo	Classical Revival		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	Builder Roger Carroll. Mirrored with 1111 Guerrero St.
3646-018	1111	1115	GUERRERO ST	HP3. Multiple Family Property		904 SF Assessor	N	lo	Classical Revival		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	Builder Roger Carroll. Mirrored with 1105 Guerrero St.
3646-017	1117	1121	GUERRERO ST	HP3. Multiple Family Property		904 SFPUC water	tap N	lo	Edwardian		Horner's Addition East	6L	none	determined not eligible for listing	Mirrored with 1123 Guerrero St.
2010.010			OUEDDED OF	HP3. Multiple Family		004 055110			- · · ·				0	National Register &	
3646-016	1123	1127	GUERRERO ST	Property HP3. Multiple Family		904 SFPUC water	tap N	10	Edwardian		Horner's Addition East	3D	Contributor	California Register	
3646-015	1129	1133	GUERRERO ST	Property HP3. Multiple Family		908 SF Assessor	N	lo	Edwardian		Horner's Addition East	3CS	Individual	California Register	
3646-014	1135	1139	GUERRERO ST	Property HP3. Multiple Family		906 SF Assessor	N	lo	Edwardian		Horner's Addition East	3CS	Individual	California Register	
3646-013	1143	1149	GUERRERO ST	Property HP3. Multiple Family		908 SF Assessor	N	lo	Edwardian		Horner's Addition East	3CS	Individual	California Register National Register &	
3645-021	1153	1153	GUERRERO ST	Property		892 SFPUC water	tap N	lo	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	
3645-020	1159	1161	GUERRERO ST	HP3. Multiple Family Property		903 SF Assessor	N	lo	Queen Anne		Horner's Addition East	3D	Contributor	National Register & California Register	
3645-019	1163	1163	GUERRERO ST	HP3. Multiple Family Property		912 SF Assessor	N	lo	Edwardian		Horner's Addition East	3CS	Individual	California Register	
3645-018	1167	1167	GUERRERO ST	HP3. Multiple Family Property		875 Sanborn Co.	naps (est.) N	lo	Art Deco		Horner's Addition East	6L	none	determined not eligible for listing	Quality remodel circa 1925.
3645-017	1169	1169	GUERRERO ST	HP2. Single Family Property		875 Sanborn Co.	naps (est.) N	lo	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
3645-016	1177	1177	GUERRERO ST	HP2. Single Family Property		875 SF Assessor	N	lo	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	
6513-034	1201	1201	GUERRERO ST	HP3. Multiple Family Property	HP6. 1-3 Story Commercial Building	880 SFPUC water	tap N		Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	National Register & California Register	Architect is George Bordwell (Cerny 2007)
0010-004	1201	1201	JOLINIERO 31	Порену	Commercial Bulluling	500 Si FOC Wate	ιαρ ΙΝ		Italialiate		FIGURE 3 AUGITOR EdSt	50, 303	maividual & Continution	California (Vegister	Priorition is George boldwell (Gelliy 2007)
6513-042	1203	1205	GUERRERO ST	HP3. Multiple Family Property		888 SFPUC water	tap N	lo	Stick/Eastlake		Horner's Addition East	3D	Contributor	National Register & California Register	Mirror of 1207-1209 Guerrero St.

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ssessor lock-Lot	Address (Low #)	Address (High #)	Street	Attribute Code/ Description 1	Attribute Code/ Year Description 2 Built	Year Built Source	Primary Record (DPR 532A)	Architectural Style 1	Architectural Style 2	Historic District	CHRSC	Listing Type	Resource Eligibility	Notes
				HP3. Multiple Family									National Register &	
13-043	1207	1209	GUERRERO ST	Property	1888	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D	Contributor	California Register	Mirror of 1203-1205 Guerrero St.
10.000	1211	1211	GUERRERO ST	HP3. Multiple Family	4007	SFPUC water tap	N-	Stick/Eastlake		Hamania Addition Foot	3D. 3CS	Individual & Contributor	National Register & California Register	
13-022	1211	1211	GUERRERU ST	Property HP3. Multiple Family	1887	SFPUC water tap	No	Stick/Eastiake		Horner's Addition East	3D, 3CS	individual & Contributor	National Register &	
3-021	1213	1213	GUERRERO ST	Property	1888	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D	Contributor	California Register	
10 021	1210	1210	COLINICIO	HP2. Single Family	1000	or roo water tap	140	Oliciv Lastianc		Homer's Addition East	30	Contributor	National Register &	
13-020	1227	1231	GUERRERO ST	Property	1905	Sanborn Co. maps (est.)	No	Classical Revival		Horner's Addition East	3D. 3CS	Individual & Contributor	California Register	
	1	1		HP3. Multiple Family	1000		_		1		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		National Register &	
13-019	1233	1237	GUERRERO ST	Property	1889	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3B	Individual & Contributor	California Register	Architect is Absalom J. Barnett (Cerny 2007)
				HP3. Multiple Family									National Register &	
13-018	1241	1241	GUERRERO ST	Property	1887	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	
				HP3. Multiple Family									determined not eligible	
13-017	1243	1245	GUERRERO ST	Property	1891	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	6L	none	for listing	
				HP3. Multiple Family									National Register &	
13-016	1253	1253	GUERRERO ST	Property	1887	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	
10.015	4057	4057	OUEDDEDO OT	HP2. Single Family	1000	OFFILIO	N	0		Harrista Address Front	0.0	0 - 101 - 1 - 0	National Register &	
13-015	1257	1257	GUERRERO ST	Property HP3. Multiple Family	1890	SFPUC water tap	No	Queen Anne		Horner's Addition East	3D	Contributor	California Register National Register &	
13-014	1259	1261	GUERRERO ST	Property	1990	SFPUC water tap	No	Stick/Eastlake		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	2 story building (circa 1890) located at back of lot.
13-014	1259	1201	GUERRERU 31	HP2. Single Family	1869	SFPUC water tap	INO	Slick/Easliake		nomer's Addition East	3D, 3CS	individual & Contributor	National Register &	2 story building (circa 1690) located at back of lot.
13-013	1265	1265	GUERRERO ST	Property	1901	SF Assessor	No	Stick/Eastlake		Horner's Addition East	3B	Individual & Contributor	California Register	Mirrored with neighbor.
10 010	1200	1200	COLITICATION	HP3. Multiple Family	1001	01 710000001	140	Ottory Eucharto		Homer o Addition Educ	0.5	marriada a contributor	National Register &	Will Force Will Holghbot.
17-030	971	975	GUERRERO ST	Property	1875	Architectural est.	No	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	Builder TREA.
	-			HP3. Multiple Family							,		National Register &	
17-029	977	981	GUERRERO ST	Property	1875	Architectural est.	No	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	Builder TREA.
				HP2. Single Family									National Register &	
46-002	102	102	SAN JOSE AV	Property	1905	Sanborn Co. maps (est.)	Yes	Queen Anne		Horner's Addition East	3D	Contributor	California Register	
	1			HP2. Single Family							1		National Register &	
13-001	200	200	SAN JOSE AV	Property	1877	SFPUC water tap	Yes	Italianate		Horner's Addition East	3D, 3CS	Individual & Contributor	California Register	
				HP3. Multiple Family		05.4	L	l					determined not eligible	
13-002	206	206	SAN JOSE AV	Property	1925	SF Assessor	Yes	None		Horner's Addition East	6L	none	for listing	
13-002A	210	210	SAN JOSE AV	HP2. Single Family Property	4077	SFPUC water tap	Yes	Italianate		Horner's Addition East	3D. 3CS	Individual & Contributor	National Register & California Register	
13-002A	210	Z 1U	SAN JUSE AV	HP2. Single Family	1877	orroc water tap	162	nananate		nomer's Addition East	3D, 3C3	muividual & Contributor	National Register &	
13-003	216	216	SAN JOSE AV	Property	1977	SFPUC water tap	Yes	Italianate	None/Altered	Horner's Addition East	3D	Contributor	California Register	
000	12.10	210	O, II V OOOL AV	HP2. Single Family	1077	or i oo water tap	100	nananato	140110/Altorou	Tiomor & Addition Last	05	Contributor	National Register &	
13-004	220	220	SAN JOSE AV	Property	1871	SFPUC water tap	Yes	Italianate		Horner's Addition East	3B	Individual & Contributor	California Register	

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8 August 2019

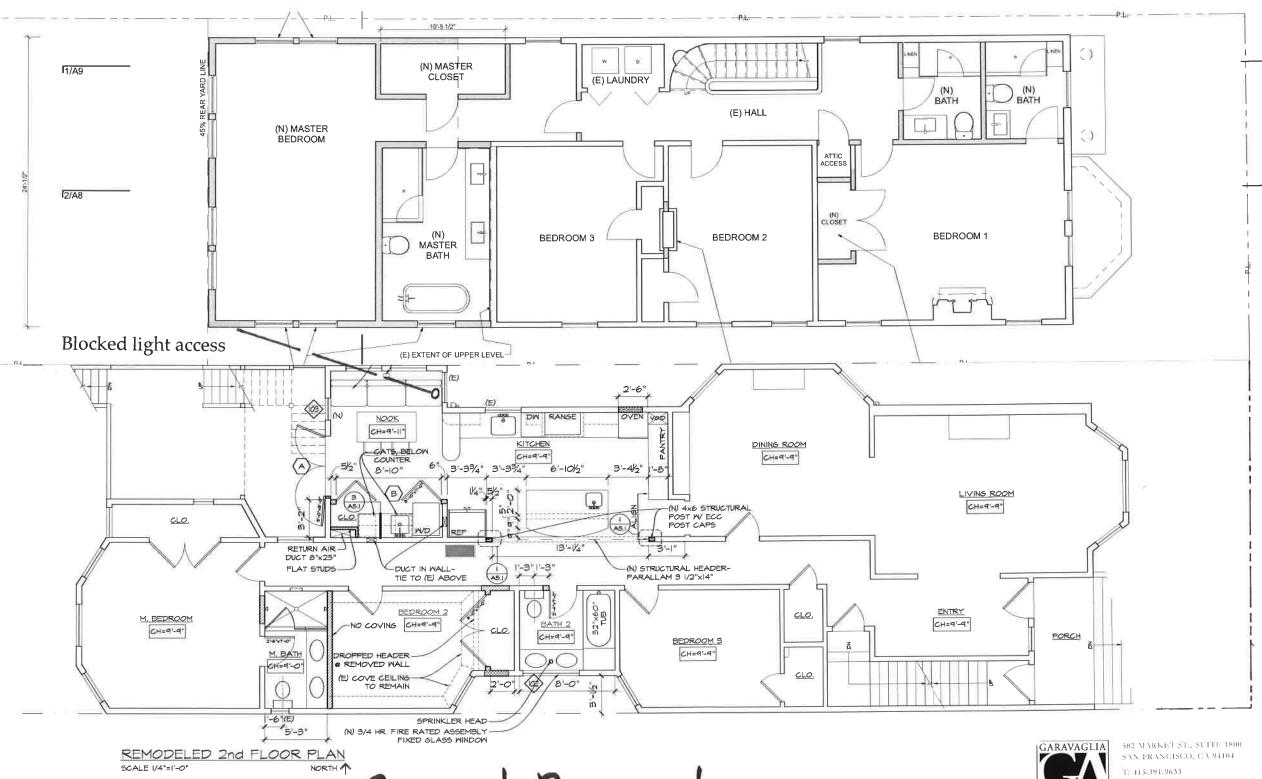
220 San Jose Avenue

The proposed design has a dramatic impact on light and air to the adjacent building kitchen / breakfast area. The current proposed addition configuration creates a full wall aligned with the existing wall that completely blocks access to direct daylight from above and to the side for the adjacent Second Floor of 228 San Jose. The adjacent Third Floor of 230 San Jose would also have their vertical angle of daylight access dramatically reduced and completely blocks their side daylight access. The intent is to retain as much access to direct daylight for 228 & 230 San Jose.

The plan sketch shows a side setback of about 3'-6" at the Master Bedroom. The Master Bath tub alcove would be reduced slightly but should still fit a freestanding tub. The west windows of the Master Bedroom would be a group of four rather than two groups of two double-hung windows. An option would be to add a pop out bay window to recover some of the side reduction in floor area with limited reduction of the room's functionality.

The exterior elevation sketch shows the alternate gable end roof shape rather than the higher flat roof. This alternate roof shape will help retain more of the angle of daylight access for the adjacent building. The sunlight angles of the alternate roof shape are shown relative to the original proposed sunlight angles for both the Second Floor and the Third Floor of the adjacent building.

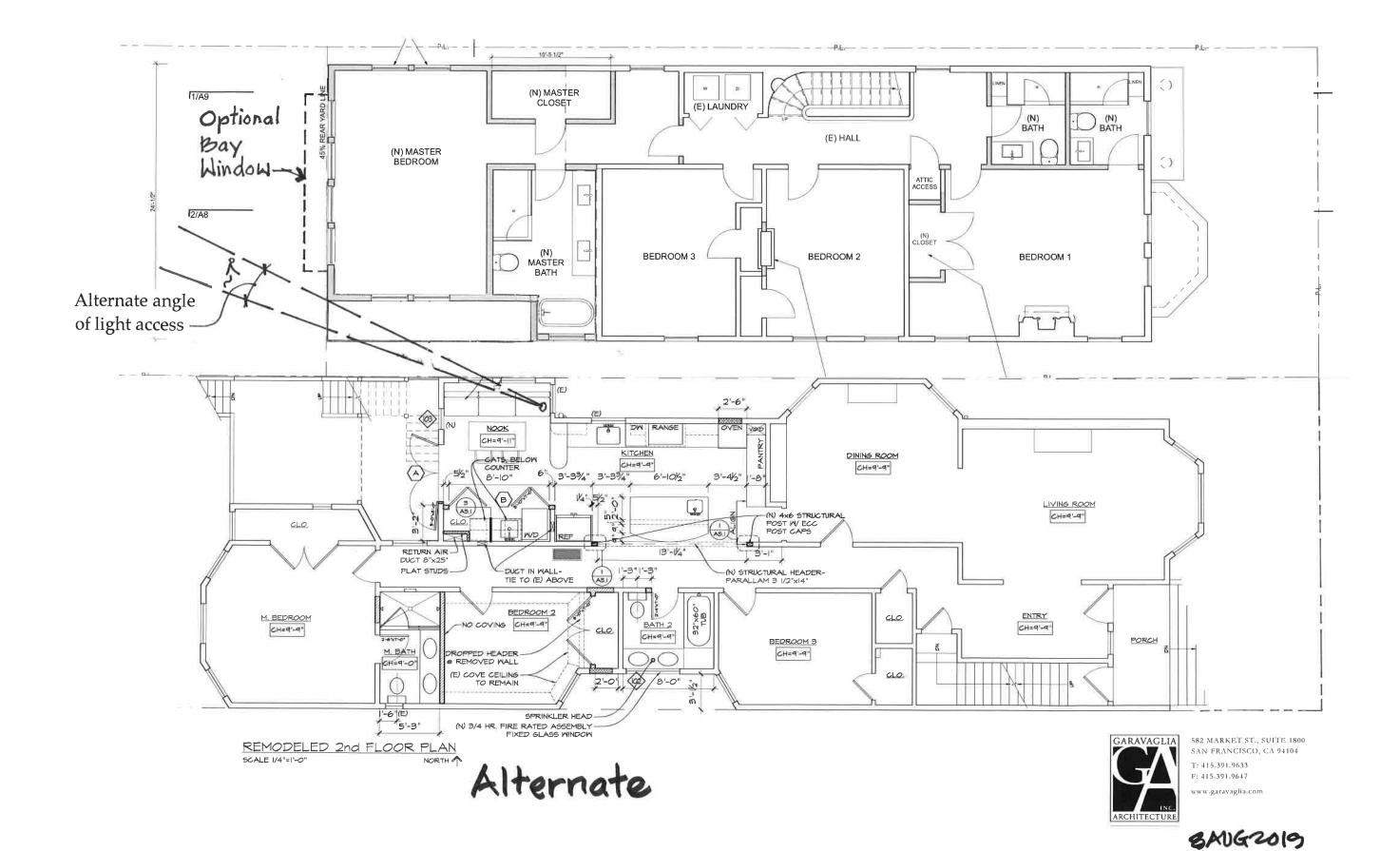
Additionally we recommend a reduction in the size of the Master Bath window to improve the privacy for both parties.

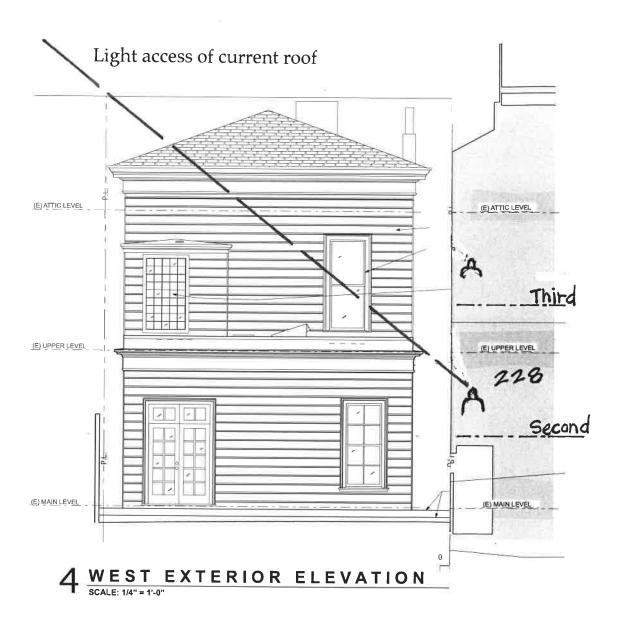


Current Proposed

SAN TRANCISCO: CA 94104 1: 415 391 9633 10.415439149647

8 AUG 2019

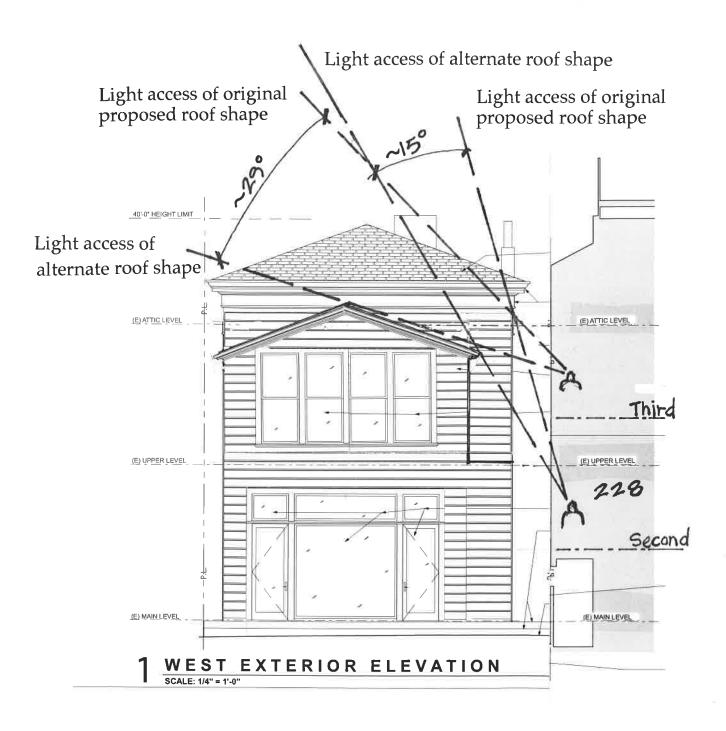






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SAN FRANCISCO PLANNING DEPARTMENT

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

Pro	IDCT	Into	rma	tion
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Property Address: 220 San Jose Avenue Zip Code: 94110

Building Permit Application(s): 201812148349

Record Number: 2018-016955PRJ Assigned Planner: Ella Samonsky & David Winslow

Project Sponsor

Name: Joseph Armin Phone: 415-550-1028

Email: jzarmin@sonic.net

Required Questions

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

Please See Attached

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

Please See Attached

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.

Please See Attached

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)	1	1
Occupied Stories (all levels with habitable rooms)	2	2
Basement Levels (may include garage or windowless storage rooms)	1	1
Parking Spaces (Off-Street)	2	2
Bedrooms	4	4
Height	39'-5"	39'5"
Building Depth	68'-8"	72'-2"
Rental Value (monthly)		
Property Value		

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

Signature: The Sheet	Date: May 30, 2019
Meghna Subramanian	Property Owner
Printed Name:	Authorized Agent

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

1. 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.)

We have proposed a modest addition over the existing footprint of our house to accommodate our multigenerational family (2+ children, 2 adults, and 2 grandparents) in the coming years. We've modified our plans to meet all pre-application demands made of us by our South Neighbors (228 and 230 San Jose Ave), and the Planning Department and RDAT reviewed our plans and concluded that, with the modifications, they comply with the Planning Code and Residential Design Guidelines.

In now opposing our proposed addition, the South Neighbors complain about the flow of light to two sets of north-facing windows at the property line without explaining that, in 2012, they erected a 3-story tall wall at the property line that shades the area facing these windows. They have also expressed some privacy concerns, even though our windows will not overlap or face theirs and even though we've promised to install privacy screens on our windows.

We believe the South Neighbors identify no exceptional or extraordinary circumstances, and for reasons that we hope will become clear over the course of our response, we are very concerned with the circumstances surrounding this DR application. We respectfully urge the Planning Commission to decline to take DR.

Our proposal is modest in relation to other buildings on our block, and especially in relation to the South Neighbors' home

Our proposed addition will be built almost entirely on our home's existing footprint, and will continue to be set back by 3 feet from the South Neighbors' property line down the entire length of our home. Our home will also fit conservatively within the building patterns on both sides of the mid-block area because even with the addition, the second floor of our home will not reach as deeply into the yard as many of the upper floors of other buildings on the block (including the South Neighbors' own second floor). We worked hard to preserve the existing mid-block open space and the neighboring properties' connection to it, in addition to our home's existing setbacks.

With specific reference to the South Neighbors, even after our addition is complete, it will be more than 5 feet shorter in height and our house will be 10 feet shorter in length than their home, a 5,000+ square foot, 3-unit building with internal access to all units that they use as a family residence for themselves, their 2 children, and 2 grandparents, and in which an entire unit of the building functions as a children's play area and guest room. See Exhibit 1.

The South Neighbors' property-line windows aren't an exceptional or extraordinary circumstance because the areas of concern receive light and air from other sources

The Planning Department has repeatedly concluded that windows built at the property line are non-conforming conditions that are not protected by the Planning Code, and do not present exceptional or extraordinary circumstances, especially if there are other sources of light and air to the area of concern. See **Exhibit 2.**

The South Neighbors' property-line windows face north and receive almost no direct light today. Instead, these areas of their home receive light and air through numerous other sources, including glass doors and windows that face west towards the rear of the South Neighbors' building into their yard and that will be unaffected by our addition. See **Exhibit 3.** And because the South Neighbors' building will still be taller than ours, the indirect or ambient light to the property-line windows on the third floor will be largely unaffected by our addition. See **Exhibit 1.**

The impact to the South Neighbors' property line windows is the direct result of their decision to build an unnecessary 3-story tall, 7-foot wide wall at the property line

Seven years ago, before we bought our home, the South Neighbors completed an extensive renovation that, among other things, added multiple roof decks onto their property and external stairs connecting those roof decks. See **Exhibit 4.** The South Neighbors chose to place these stairs near the property line, which necessitated a 3-story tall, 7-foot wide fire-rated wall at the property line.

Because of these choices, the South Neighbors' wall shades the area facing the property-line windows that are the focus of this DR application. Even when light is abundant, such as during late spring/early summer, the area in question is shaded until the early evening. See **Exhibit 5.** Had they not erected this wall, the South Neighbors

would receive significantly more light to their areas of concern. Yet they complain about our addition, which will impact their home significantly less by comparison.

Neither the Planning Code nor the Residential Design Guidelines allow the South Neighbors to use their own poor planning and design choices to curtail our rights to build a modest addition that is well within the rules and is needed to support our own multigenerational family.

We satisfied all of the South Neighbors' pre-application demands

We extensively modified our plans well before this DR application was filed to completely flatten the roof over our addition, reducing the height of the addition by 7 feet, and improve light flow by removing the eaves at the perimeter of the roof, meeting the South Neighbors' demands as they laid them out at the pre-application meeting. See Exhibits 6 (Declaration of Joe Armin) and 7 (Declaration of Zarin Gollogly).

To address any privacy concerns, our design staggers the placement of our windows so that in the area of concern, none of our windows will overlap the South Neighbors' windows. See **Exhibit 1.** We also promised to add privacy screens to our windows to obscure any activity within our home.

By meeting the South Neighbors' demands, we believe we followed the letter and spirit of the Planning Department's pre-application process, identifying possible issues of contention early and making reasonable tradeoffs to accommodate our neighbors. And we were heartened when the Planning Department and RDAT reviewed our project and expressed no concerns about the impact of our addition on the South Neighbors' property.

Against that backdrop, this DR application truly surprised us. We were confused about why it was filed, and to see that it proposes no specific alternative other than for us to scrap plans for an addition and instead make do with the existing space within our home.

We also didn't understand why the South Neighbors waited until the final day of the 311 notification period to file, without first reaching out to us as the Planning Department urges, or why the DR application says that "no changes were made to the project as a result of our discussions with the applicant" when that isn't true.

After the DR application was filed, we continued trying to negotiate, but now believe the Planning Commission needs to intervene

Over the course of three meetings with the South Neighbors since the DR application was filed, we've grown concerned that the integrity of the Planning Department process hasn't been respected here.

First, the South Neighbors falsely state that we did not change our project following our discussions with them.

In reality, we modified our project to meet all of the South Neighbors' pre-application demands, as described in our response to question 2. But when we met with the South Neighbors after the DR application was filed, they said they had now decided to firmly oppose any addition to our home that was visible from or in any way impacted the light to their windows, and that our earlier modifications were insufficient. The South Neighbors went through 311 notification for their own renovation several years ago and surely understand the importance of the pre-application process in surfacing and resolving neighbors' concerns early in order to avoid unnecessary or meritless DRs. We never received a satisfactory explanation for why the South Neighbors raised their new concerns only at the eleventh hour, and why they didn't tell the truth on their application.

Second, we believe the South Neighbors elicited and included the North Neighbor's opposition solely to distract from the shortcomings of their objections.

Because the DR application focuses heavily on concerns that are specific only to the North Neighbor, we wanted to understand whether we should speak directly with her in addition to the South Neighbors. We learned from the South Neighbors that they had actually encouraged the North Neighbor to file her own DR application and that she didn't want to do so. Although they highlight issues specific to the North Neighbor, the South Neighbors said they filed this DR application on their own behalf, and not on behalf of the North Neighbor. Soon after the DR application was filed, the South Neighbors told us that they would withdraw it if we modified our plans to their satisfaction. See **Exhibit 8**.

As our meetings with the South Neighbors centered exclusively on their concerns and not on impacts to the North Neighbor, it became clear to us that the North Neighbor's issues are not especially pertinent to this DR application. For this and other reasons, we concluded that the South Neighbors seem to have invoked the North Neighbor to make the DR application seem more sympathetic than it is, and perhaps to mask that they extensively renovated their own home and are now seeking to prevent us from completing a comparatively modest renovation of a smaller house.

Third, the South Neighbors have rejected every reasonable compromise we've proposed. Despite our discomfort with the circumstances surrounding this DR application, we offered additional concessions to encourage them to withdraw this application (these are described in our answer to question 2) but the South Neighbors rejected every reasonable offer.

At this point, we've grown uncomfortable with what appears to be disregard for the integrity of the Planning Department pre-application process and misuse of the DR process, and we hope the Planning Commission will reject this DR application.

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 change and indicate whether they were made before of after filing your application with the City.

We have proposed 7 substantial modifications to the project to address our neighbors' concerns. This is in addition to considerations we took into account prior to presenting our plans to the South Neighbors before and during the pre-application meeting (which are described in response to question 3).

Changes to our plans after the pre-application meeting

At the pre-application meeting, the South Neighbors requested that we either flatten the roof over our second story addition, or alternatively move the addition further away from their property by 1-2 feet. After the pre-application meeting, we made the following changes:

- To improve the flow of light and air to the South Neighbors' property, we removed a proposed eave that was 1.5 feet deep at the roof of our house.
- We promised to install privacy film on our windows to mitigate any privacy concerns, even though the South Neighbors' windows generally look down and into our home and even though they have never installed privacy filters of their own

We made two additional offers that the South Neighbors rejected.

- We offered to paint our home a light color to increase the reflective light available to their home in the area of concern.
- We offered to install lighting at our expense to brighten the affected area during the day when it is shaded by the South Neighbors' wall at the property line.

Changes to our plans after submission to the Planning Department and before the DR application was filed

• During extensive back and forth discussions with the Planning Department and RDAT to address their concerns about the connection between the North Neighbor's courtyard and the mid-block open space, we completely flattened the roof over the proposed addition, voluntarily reducing the overall height of the addition by 7 feet and satisfying the Planning Department and RDAT, while also meeting the South Neighbors' pre-application demand that we either flatten the roof, or alternatively move the addition 1-2 feet further away from their property. See Exhibits 6 and 7.

Proposals we made after the DR application was filed

- We offered to expand from 6 feet to 8 feet the distance between our proposed bathroom and the South Neighbors' property in an area that faces and overlaps with their property-line windows. See Exhibit 9.
- We offered to angle the walls at the rear of the addition to cut the corners off of both floors of our building and facilitate increased light and air flow to both neighbors. See Exhibit 9.

The South Neighbors rejected both of these offers.

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

We have proposed a modest addition over the existing footprint of our home, and we modified our plans extensively to meet all of the South Neighbors' pre-application demands, and to successfully incorporate RDAT's feedback during their review. We also considered numerous other alternatives to the proposal we submitted to the City, such as expanding into our attic or deeper on our first floor, but each came with unacceptable drawbacks, as explained below.

We believe our proposal correctly balances competing interests and that additional changes would be unfair and unwarranted at this juncture — after we've expended considerable time and money developing and refining plans that clearly comply with the Planning Code and Residential Design Guidelines — especially because our neighbors have rebuffed each of our multiple reasonable compromise proposals.

We are remodeling our home so that we can raise our children and care for our parents here

Our overarching goal for this project is a common one — we seek to modestly alter our home to meet our family needs in the coming years. We will soon have 6+ family members living in our home (2+ young children, 2 parents (us), and 2 grandparents). For safety and so we can effectively care for our family, we need all of our bedrooms to be on the same floor of the house. Our master bedroom must also serve as a home office because Meghna runs her business from home.

We considered but decided not to build in our attic because it would alter our home's historic facade and would not meet our family's needs

Soon after retaining an architect, we explored expanding above our second floor into our attic. Our hope was that this might help us meet our needs while avoiding impacts on our neighbors, but it became clear that this would not work for a number of reasons:

- Our attic does not meet the minimum ceiling height requirements of the California Building Code and would need to be significantly overhauled to make it truly habitable.
- Making the attic space habitable would cause it to be visible from the front of the house, which is impermissible and would mar the exterior appearance of a historic resource home like ours.
- As we considered our family's needs, we concluded that adding a third-floor addition would frustrate our ability to care both for our young children and our aging parents. Shortly after our architect prepared preliminary drawings for a first floor expansion, one of our parents came to stay with us following cataract surgery and lived for several days in our first floor office. She was uncomfortable and felt unsafe sleeping so far from the rest of the family on a different floor of the house, and it made it difficult to care for her at a time when she felt vulnerable.

We decided to minimize our expansion into the rear yard so that we could maximize the light available to our North Neighbor, maximize the available mid-block open space, avoid threatening the vitality of a 40-60 year old pine tree in our yard, and effectively serve our family's needs

In a further effort to avoid unnecessary impact to our neighbors, we also asked our architect to explore expanding our first floor deeper into our rear yard instead of building above it. This too proved impossible for the following reasons:

- Adding a bedroom and bathroom on the first floor would have required cutting down a beautiful pine tree in our rear yard that an arborist estimated to be between 40 and 60 years old. See Exhibit 10.
- Additionally, for the same reason that a third-floor addition wouldn't serve our family's needs (explained above), a first-floor addition wouldn't serve our family because it would require placing one bedroom far from the others.

When a second floor addition appeared inescapable, we also explored whether we could narrow it (to move it further away from the neighbors' respective properties) while pushing a bit more deeply into the rear yard to capture the lost square footage. This too proved problematic for the following reasons:

- Expanding the second floor deeper into the yard by even a few feet would erode
 the North and South Neighbors' access to light and air. For example, narrowing
 the second floor addition by 4 feet on both sides would require building 10 feet
 deeper into the yard than we currently plan, and narrowing it by 3 feet on both
 sides would require building 7 feet deeper into the yard.
- Expanding the first floor deeper into the yard (a necessary corollary to expanding the second floor deeper into the yard) would introduce substantial unusable, unwanted space on the first floor.
- Additionally, expanding the second floor deeper into the yard than we currently plan to even by a few feet would risk endangering the pine tree.

Additional changes would unfairly burden us given that our plans already comply with the Planning Code and Residential Design Guidelines

We have diligently followed the Planning Department process, exhaustively considered alternative proposals, and repeatedly revised our plans to incorporate feedback from our neighbors and guidance from the Planning Department and RDAT. We've invested significant time and money getting to a point where our plans unambiguously comply with the Planning Code and the Residential Design Guidelines. To further amend our plans, particularly given that our South Neighbors propose no reasonable alternatives and have repeatedly rejected every compromise we've offered, would unfairly burden us and unnecessarily strain what we have always intended to be a modest renovation project.

T.O. (E) GRADE AT REAR OF 220 SAN JOSE SOUTH ELEVATION
SCALE: 1"=1'-4" 34'-9" +/-33'-9" +/-31'-0" +/-27'-0" +/-(N) 220 SAN JOSE ROOF
(E) ATTIC LEVEL _ _ _ _ (E) MAIN LEVEL (E) UPPER LEVEL 230 & 228 SAN JOSE ROOF DECK 230 & 228 SAN JOSE ROOF 230 & 228 SAN JOSE PROPERTY-LINE WALI 230 & 228 SAN JOSE PROPERTY-LINE WALL OUTLINE (SHADED) 230 & 228 SAN JOSE BUILDING OUTLINE (SHADED) 45% REAR YARD LINE 230 & 228 SAN JOSE ROOF DECK (DASHED) DATE: 5.28.2019

220 SAN JOSE AVE SAN FRANCISCO, CA 94110

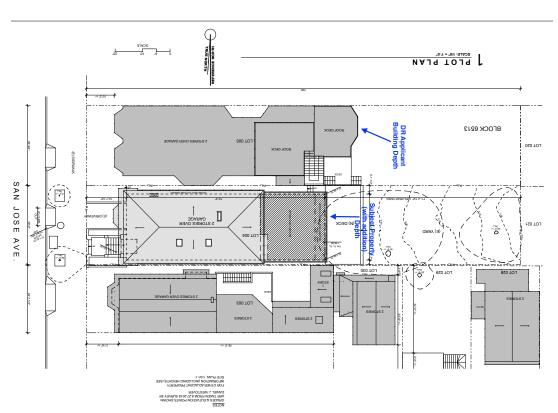
Our Proposed Addition in Relation to DR Applicant's Building Exhibit 1

JZA ARCHITECTURE

Exhibit 1

Our Proposed Addition in Relation to DR Applicant's Building





Recent DR Cases Involving Property-Line Windows

1) DR Case #: 2016-002865DRP

Hearing Date: March 15, 2018

Project Address: 1889-1891 Green Street

In the Discretionary Review Abbreviated Analysis, the Residential Design Team noted, "Nothing in the Planning Code or the Residential Design Guidelines protects non-required property line windows."

At the DR Hearing, the Planning Commission determined that there were no "exceptional or extraordinary circumstances" with regards to the property line windows.

2) DR Case #: 2017-009924DRP

Hearing Date: November 29, 2018 Project Address: 2601 Diamond

In the Discretionary Review Abbreviated Analysis, the Residential Design Team noted, "Property line windows, a non-complying condition, are not protected by Planning Code or guidelines."

At the DR Hearing, the Planning Commission declined to take DR, seeing nothing "exceptional or extraordinary."

3) DR Case #: 2017-015997DRP

Hearing Date: October 4, 2018 Project Address: 1871 Green Street

In the Discretionary Review Abbreviated Analysis, the Residential Design Team noted, "The Planning Department does not make any provisions about maintaining or protecting property line windows, as they are typically non-complying features. By the description of the DR applicant they are not required for light and air to habitable rooms, therefore this is not an exceptional or extraordinary condition."

At the DR Hearing, the planning commission declined to take DR, seeing nothing "exceptional or extraordinary" about the windows at the property line being closed off.

4) DR Case #: 2017-003986DRP-02

Hearing Date: May 3, 2018

Project Address: 739 De Haro Street

In situation where, among other complaints, property-line windows were being covered by a proposed addition, the Residential Design Team noted in the Discretionary

Exhibit 2 Recent DR Cases Involving Property-Line Windows

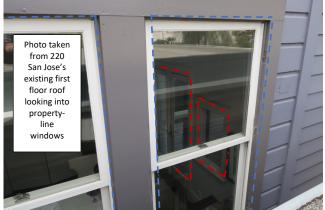
Review Abbreviated Analysis, "The Residential Design Advisory Team (RDAT) reviewed the Project . . . and found that the Project does not demonstrate exceptional or extraordinary circumstances and meets the standards of the Residential Design Guidelines (RDGs)."

At the hearing, the Commission found no exceptional or extraordinary circumstances and rejected DR, noting while "there's going to be an impact to [the DR Applicant] from the covering . . . of lot line windows[, w]e see that often. It's unfortunate, but they're kind of there, and not protected under the rule."

South Neighbors Have At Least Three Other Sources of Light and Air in Room with Property-Line Windows

Note: Red windows are non-property line windows that will be unaffected by our addition. Blue windows are north-facing property-line windows, from which our addition will be set back from the property line by 3 feet.







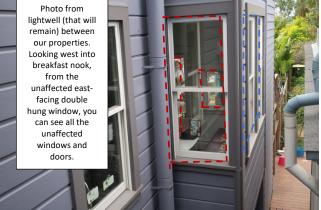


Exhibit 4 DR Applicant's Property



Exhibit 4 DR Applicant's Property

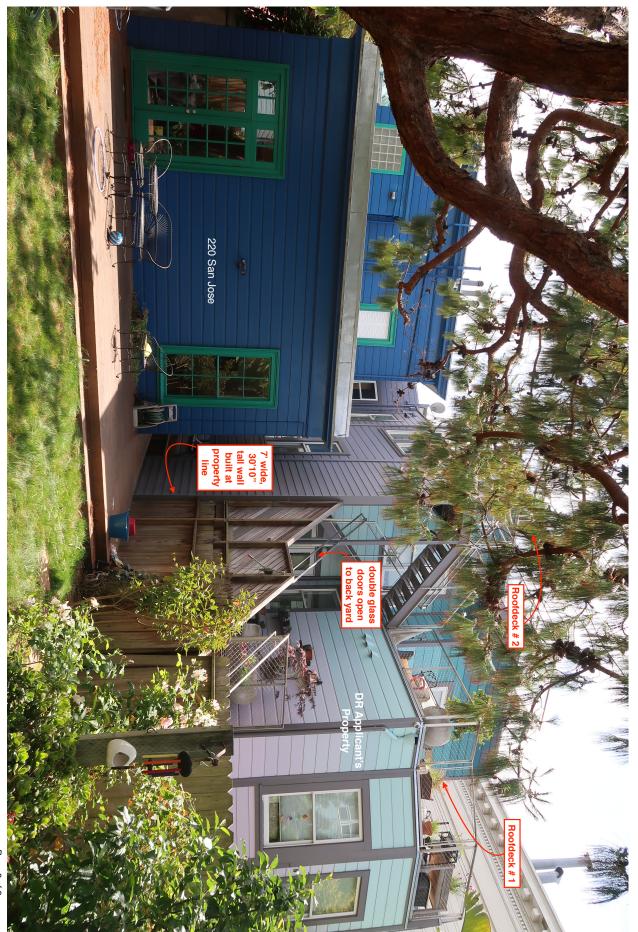
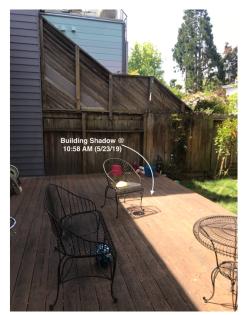


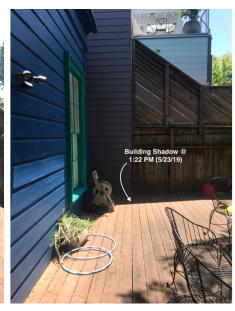
Exhibit 4 DR Applicant's Property

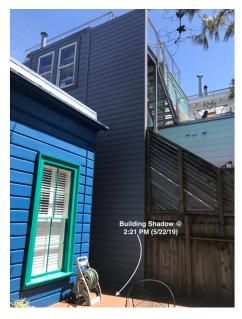


Photos that Demonstrate DR Applicant's Building Shadows at Various Times of Day

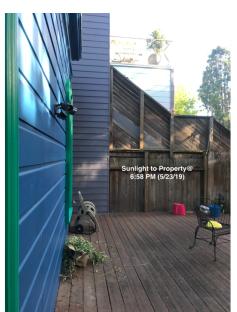




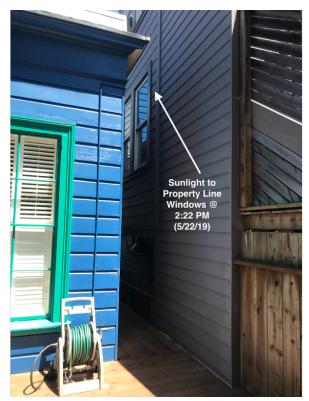




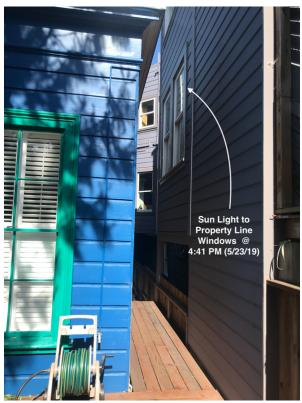




Photos that Demonstrate the Light to DR Applicant's Property Line Windows at Various <u>Times of Day</u>

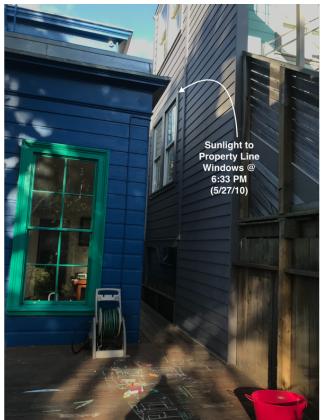








Photos that Demonstrate the Light to DR Applicant's Property Line Windows at Various <u>Times of Day</u>



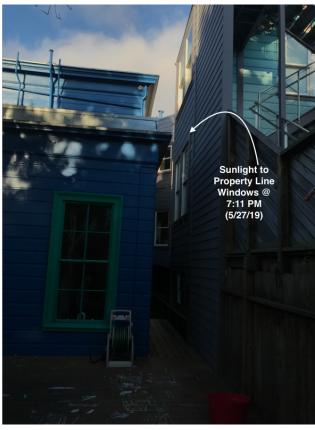


Exhibit 6 Declaration of Joseph Armin

I, Joseph Armin, do hereby declare as follows:

- 1. I am the architect and project sponsor of the development proposal at 220 San Jose Avenue, San Francisco, CA 94110.
- 2. On November 28, 2018, I attended a neighborhood pre-application meeting from 6:00 p.m. to 7:30 p.m., at 220 San Jose Ave, to present architectural plans for the proposed project, answer neighbors' questions about the proposal, and receive any feedback about the architectural plans.
- 3. I took contemporaneous meeting notes summarizing the meeting.
- 4. The only neighbors that attended the pre-application meeting were Matt and Vanessa Ginzton, owners of 228-230 San Jose Avenue (the South Neighbors). The owners of 220 San Jose Ave (Meghna Subramanian and Kareem Ghanem) and the project contractor (Zarin Gollogly) also attended.
- 5. At the meeting, the South Neighbors stated:
 - a. That they had concerns about the impact the second story addition would have on light to their second and third story kitchens, which will be set back from the proposed addition by over 6 feet;
 - b. That they had earlier shared the proposed architectural plans with an architect, and spoken with their architect about ways to mitigate this impact; and
 - c. That after consulting an architect, they requested that the architectural plans be modified to eliminate the proposed gabled roof in favor of a flat roof, or, alternatively, to move the addition further north by 1-2 feet.
- 6. My notes confirm that this is the only request the South Neighbors made at the pre-application meeting. At no point during the pre-application meeting did the South Neighbors request that the architectural plans be modified to remove the second story addition.

Declaration of Joseph Armin

- 7. During the pre-application meeting, Matt Ginzton further encouraged the owners of 220 San Jose Ave to eliminate the proposed gabled roof in favor of a flat roof by suggesting that doing so would allow them to build a roof deck like those that the South Neighbors added to their own property.
- 8. After the pre-application meeting, the architectural plans for the project were revised to address the South Neighbors' light concerns and were submitted to the San Francisco Planning Department on December 14, 2018.
- On February 21, 2019, I received a Plan Check Letter from the Planning
 Department recommending modifications to the architectural plans to address
 impact to the courtyard of 216 San Jose Avenue (the North Neighbor).
- 10. To address the Plan Check Letter recommendations, the architectural plans were modified to eliminate the proposed gabled roof in favor of a flat roof, reducing the height of the proposed addition by 7 feet. The Planning Department did not require this modification but the owners of 220 San Jose Ave believed it would satisfy the Planning Department's concerns about the North Neighbor's courtyard while also definitively satisfying the South Neighbors' exact request at the pre-application meeting.
- 11. On March 26, 2019, I submitted the revised architectural plans to the Planning Department and on March 27, the Planning Department deemed them ready for public notification. The Planning department set the 311 Notification Period from April 3, 2019, through May 3, 2019.
- 12. At no point during the 311 Notification Period did Matt or Vanessa Ginzton contact me.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 29, 2019, in San Francisco.

Joseph Armin

Declaration of Zarin Gollogly

- I, Zarin Gollogly, do hereby declare as follows:
- 1. I am the building contractor for the development proposal at 220 San Jose Avenue, San Francisco, CA 94110.
- 2. On November 28, 2018, I attended a neighborhood pre-application meeting from 6:00 p.m. to 7:30 p.m., at 220 San Jose Ave.
- 3. The other individuals present were Matt and Vanessa Ginzton, owners of 228-230 San Jose Avenue (the South Neighbors), the owners of 220 San Jose Ave (Meghna Subramanian and Kareem Ghanem), and the project architect (Joe Armin).
- 4. At the meeting, the South Neighbors stated:
 - a. That they had concerns about the impact the second story addition would have on light to their kitchen;
 - b. That they had earlier shared the proposed architectural plans with an architect, and spoken with their architect about ways to mitigate this impact; and
 - c. That after consulting an architect, they requested that the architectural plans be modified to eliminate the proposed gabled roof in favor of a flat roof, or, alternatively, to move the addition further north by 1-2 feet.
- 5. At no point during the pre-application meeting did the South Neighbors request that the architectural plans be modified to remove the second story addition.

Exhibit 7

Declaration of Zarin Gollogly

6. During the pre-application meeting, Matt Ginzton further encouraged the owners of 220 San Jose Ave to eliminate the proposed gabled roof in favor of a flat roof by suggesting that doing so would allow them to build a roof deck like those that the South Neighbors added to their own property.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May <u>30</u>, 2019, in San Francisco.

Zarin Gollogly

Exhibit 8 Emails from DR Applicant



Meghna Subramanian <meghna.subramanian@gmail.com>

220 San Jose addition plans

Matt Ginzton <matt@ginzton.net>

Thu, May 2, 2019 at 5:51 PM

To: Kareem Ghanem < kareem.ghanem@gmail.com>

Cc: Meghna Subramanian <meghna.subramanian@gmail.com>, Vanessa Ozuna Ginzton <vanessa.ozuna@gmail.com>

Hi Kareem, and Meghna, sorry to hear that we have nothing to discuss tonight, and please let us know when you think will be productive to meet.

We are, in fact, willing to engage, and it'll be better for all of us if we can reach an amicable agreement, you propose modified plans we can agree to, we withdraw the DR, and you can get on with your project.

I'll note that email/text is known as a medium where subtleties get lost, so I don't think we'll be well served by a bunch of email debate; we will want to meet and make a genuine effort to negotiate which will require understanding and concessions on both sides, and until that happens, I suggest we stay away from language indicating anyone here is acting in bad faith or less than genuine.

[Quoted text hidden]



Meghna Subramanian <meghna.subramanian@gmail.com>

220 San Jose addition plans

Matt Ginzton <matt@ginzton.net>

Sat, May 4, 2019 at 9:24 AM

To: Kareem Ghanem <kareem.ghanem@gmail.com>

Cc: Meghna Subramanian <meghna.subramanian@gmail.com>, Vanessa Ozuna <vanessa.ozuna@gmail.com>

Hi Kareem and Meghna, I think we should meet sooner and without Victoria for a couple reasons

- Victoria isn't actually a signatory on the DR request, I think you'll note. We have been in contact with her and encouraged her to file her own and she didn't want to do that but did want to support ours. I don't think it's accurate that we filed it on her behalf.
- Victoria is out of the country now, until something like May 12
- I imagine that by now, we've built up some amount of frustration with the process (for example, to state one assumption, I assume that you're wondering why this didn't all get resolved months ago) that are making this discussion harder, as well as the actual substance of the matter we need to resolve. I also imagine we won't get all the way through everything in one meeting. I suggest we meet sooner to clear the air on any mistaken assumptions we've made on either side, try to work through what I'm characterizing as process frustrations and hopefully put those to bed, re-establish a tone of mutual respect and if possible mutual understanding, and move on to the substance of the disagreement.

I do think it will be good for the 5 of us including Victoria to meet later, but I don't think that should stop the 4 of us from talking first.

[Quoted text hidden]

Exhibit 9

Proposals We Made After the DR Application was Filed.

DR Applicants Rejected Both.

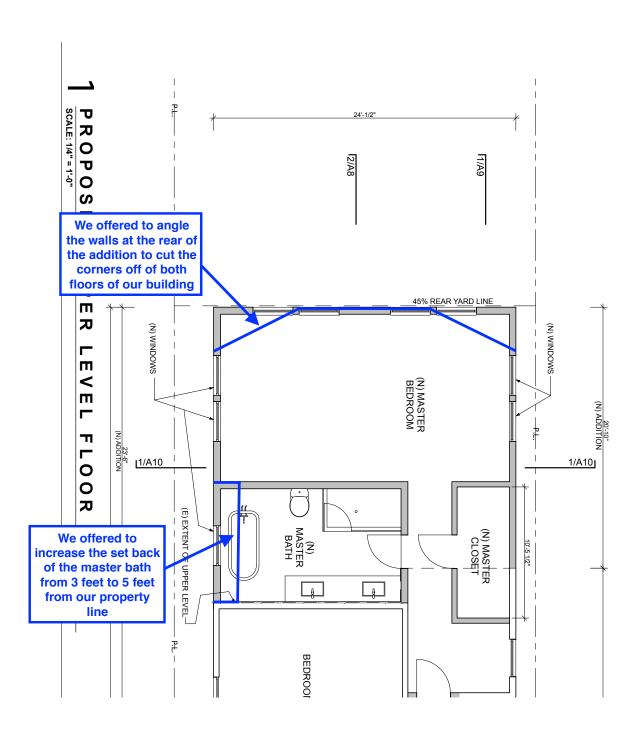


Exhibit 10 Our Pine Tree



View of the tree from our existing first story roof (our proposed project extends back only 3'6" from the edge of the roof in the rear, which requires us to only prune the tree back)

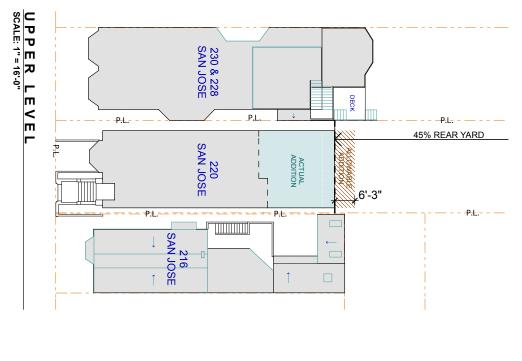
View of tree from our attic's gabled roof)

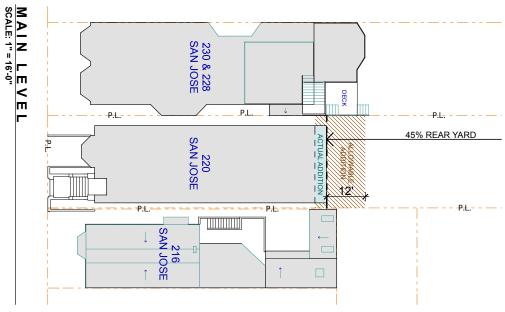




Views from the ground (side profile shows the proximity of the tree to what will be our second story addition and demonstrates why extending further back will jeopardize the tree's survival)













SUBJECT PROPERTY 220 SAN JOSE AVE.







ACROSS FROM SUBJECT PROPERTY SAN JOSE AVE.





offering support for my neighbor's project (220 San Jose Ave)

Christopher Elmendorf <christopher_elmendorf@yahoo.com>
To: "Ella.Samonsky@sfgov.org" <Ella.Samonsky@sfgov.org>
Cc: Christine Van Aken <cbvanaken@gmail.com>

Wed, Feb 13, 2019 at 10:08 PM

Dear Ella,

I understand that you are the planner who has been assigned to my neighbors' Meghna and Kareem's project. My family and I live catty-corner from Meghna and Kareem on Guerrero St. I want to let you know that we support their project, and I hope you will make it easy for them to get it approved!

All best,

Chris

State of California - The Resources Agency DEPARTMENT OF PARKS AND RECREATION	Primary # HRI #					
PRIMARY RECORD	Trinomial CHR Status Code:					
Other Listings						
Review Code	Reviewer Date					
Page 1 of 2 Resource Name or #: (Ass	igned by recorder) 220 SAN JOSE AVE					
P1. Other Identifier:						
*P2. Location: ☐ Not for Publication ✔ Unrestricted *a. County: San Francisco						
*b. USGS Quad: San Francisco North, CA Date:	1995					
c. Address: 220 SAN JOSE AVE	City: San Francisco ZIP 94110					
d. UTM Zone: Easting: North	ning:					
e. Other Locational Data: Assessor's Parcel Number 65						
*P3a. Description: (Describe resource and major elements. Include	e design, materials, condition, alterations, size, setting, and boundaries)					
220 San Jose Avenue is located on a 29' x 158' rectangular lot on the west side of San Jose Avenue between 24th and 25th Streets. Built in 1871, 220 San Jose Avenue is a 2-story over raised basement, wood frame, single-family residence designed in the Italianate style. The rectangular-plan building, clad in channel drop wood siding, is capped by a hip roof. The foundation is not visible. The primary façade faces east and includes 2 structural bays, with a projecting angled bay window on the first floor. Entrances include a recessed, partially-glazed and paneled paired wood door with arched glazed transom accessed by a straight flight of wood steps. Typical fenestration consists of double-hung wood-sash windows with molded arched surrounds. Architectural details include an entry portico with fluted Corinthian columns and pilasters crowned by a bracketed entablature with paneled frieze, bracketed window hoods with triangular pediments, original garden setback fence, and a bracketed cornice with paneled frieze and dentils. Sanborn maps indicate the building was moved forward on its lot after 1900.						
The building appears to be in good condition.						
*P3b. Resource Attributes: (List attributes and codes) HP2	. Single Family Property					
*P4. Resources Present: ✓ Building ☐ Structure ☐ Object	t ☐ Site ☐ District ☐ Element of District ☐ Other					
P5a. Photo	P5b. Description of Photo:					
	Primary facade on San Jose Avenue. 1/17/2008 *P6. Date Constructed/Age:					
*P11. Report Citation: (Cite survey report and other sources, or other sources)	enter "None") Reconnaissance					
Eastern Neighborhoods Mission Survey						
*Attachments: ☐ NONE ☐ Location Map ☐ Sketch Map ☑ Continuation Sheet ☐ Building, Structure, and Object Record						
\square Archaeological Record \square District Record \square Linear Feature	re Record					
☐ Artifact Record ☐ Photograph Record ☐ Other (list):						

DPR 523 A (1/95) *Required Information

State of California - The Resources Agency DEPARTMENT OF PARKS AND RECREATION CONTINUATION SHEET

Primary #	
Trinomial	

Page 2 of 2 Resource Name or #: (Assigned by recorder) 220 SAN JOSE AVE

*Recorded By: Page & Turnbull, Inc. (JGL/GH) *Date Recorded: January 2008 ✓ Continuation ☐ Update



Detail of angled bay and a portion of the southern facade. Source: San Francisco Planning Department

DPR 523 L (1/95) *Required Information

Planning Department Request for Rent Board Documentation

San Francisco, CA 94103-2479

1650 Mission St. Suite 400

Reception: 415.558.6378

415.558.6409

Planning Information: 415.558.6377

(Date) 8/22/19

ATTN: Van Lam Rent Stabilization and Arbitration Board 25 Van Ness Avenue, Suite 320 San Francisco, CA 94102-6033

RE:

Address of Permit Work: 220 San Jose Avenue

Assessor's Block/Lot:

6513 / 004

BPA # / Case #:

2018-016955DRP

Project	Type:	
	Determination of Unauthorized Unit - Planning Code Section	317(g)(6)

Please provide information from the Rent Board's database records regarding possible evidence of residential use at the above referenced unit(s) on or after: (enter date)

Sincerely,

Weissglass

David

Digitally signed by David Weissglass Date: 2019.08.22 16:05:26 -07'00"

Planner

cc: Jennifer Rakowski- Rent Board Supervisor

Rent Board Response to Request for Planning Department Records Search

7.00			-											
This	s confi	rms that	the und	ersigne	ed en	nployee	of the San	Frar	ncisco	Rent B	oard h	as re	viewe	ed its
data	abase	records	pertain	ing to	the	above-	referenced	unit	(s) to	provid	de reco	ords	that	may
den	nonstra	ate evide	ence of	reside	ntial	use. All	searches	are	based	upon	the str	eet	addre	sses

220 San Jose Ave.

No database records were identified.

There are no Rent Board records in our database related to your search request for the property address requested. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

Yes, the following records were identified:

See attached documents.

Pursuant to your request, we have searched the Rent Board's database for records related to the property requested. Attached are some Rent Board records resulting from our search. These records can be used as evidence of prior and/or current residential use of the property. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

Regarding the records provided, please note that the data in the "# of units" field was imported from another department's database in 2002 and may not be accurate. It does not represent a determination by the Rent Board of the number of units at the property.

Signed:

provided.

Van Lam

Citizens Complaint Officer

Dated

8-22-19

The Rent Board is the originating custodian of these records; the applicability of these records to Planning permit decisions resides with the Planning Department.



Listing #454635

220 San Jose Avenue

San Francisco | 94110 List: \$3,798,000

Sold: \$3,788,000

Sold on: 05/12/2017

□ 4 beds

 □ 4.0 baths

A 2222 2 22 /FT

DESCRIPTION

Quiet, tree lined block at the intersection of valencia corridor and noe valley! leave the city behind. walk through the garden gate and up the steps to find find a sweeping banister to the upper large hall & a view all the way through the dining rm, kitchen, to the sun-drenched back garden. this italianate victorian home is truly one of a kind with 5 marble fireplaces, gorgeous handmade italian tile floors & far too many period details to mention. there are two adjoining entertaining areas, one of which can be closed off for a guest/5th bedroom w/ a cleverly tucked in full bath across the hall. gorgeous upper master as well as a 2nd first floor master, this home features one of the biggest rear gardens in the city

INTERIOR FEATURES

Beds and Baths Total Bedrooms: 4

Total Bathrooms: 4.0 # of Full Baths: None # of Partial Baths: None

Additional Rooms None

NOHE

Laundry Room

Fireplace Information Fireplace Information: 4+

Room Information Living Space (sqft): 2820

EXTERIOR FEATURES

Features Style: Victorian Stories: 2 Story

Parking Garage Features: Attached and Garage

Parking: Attached and Garage

Garage Spaces: 2

Lot Information Zoning: RH-3

Parcel #: 6513004 Lot Size (sqft): 4591.0 Lot Size (acres): 0.11

Building Type: Single-Family Homes **Building Information**

Year Built: 1900

Structure Size (sqft): 2820.0

HOA Information HOA Fee: None

HOA Includes: 0.00

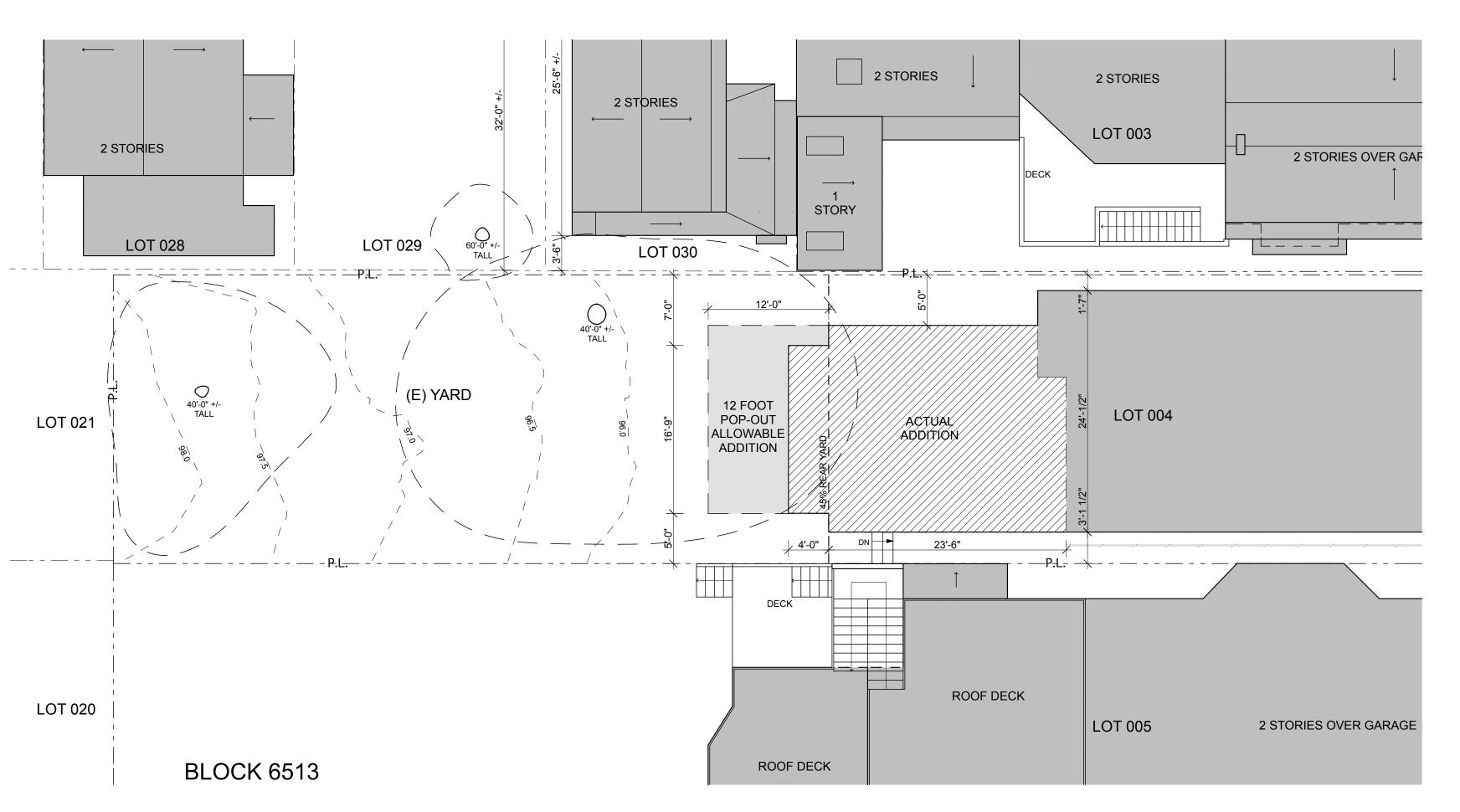
Rent Current Rent: 0.0



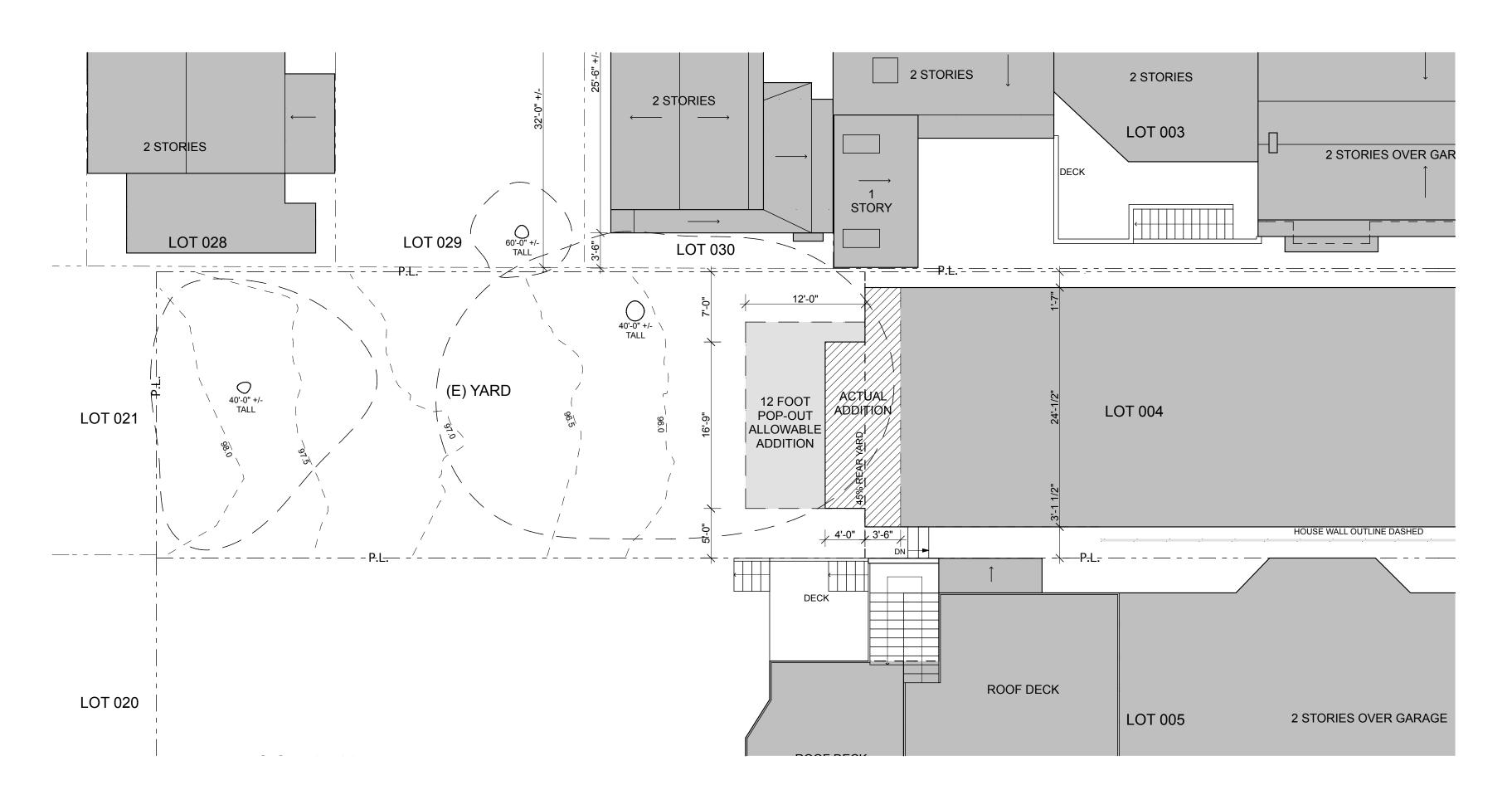


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2 PROPOSED UPPER LEVEL REAR PLAN SCALE: 1/8" = 1'-0"



PROPOSED LOWER LEVEL REAR PLAN
SCALE: 1/8" = 1'-0"

JZA ARCHITECTURE

152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

OWNERS: MEGHNA SUBRAMANIAN, KAREEM GHANEM

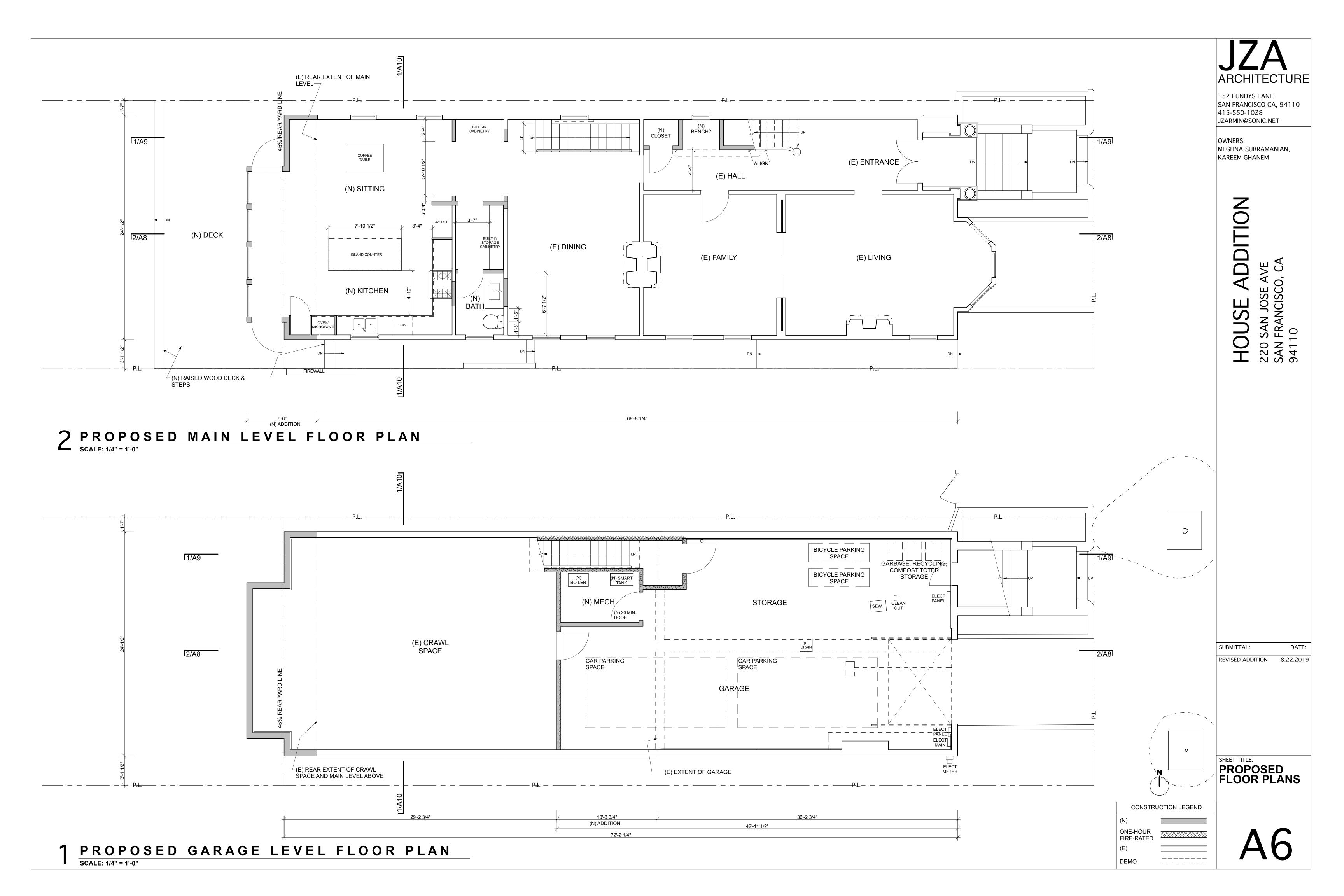
> HOUSE ADDITIC 220 SAN JOSE AVE SAN FRANCISCO, CA 94110

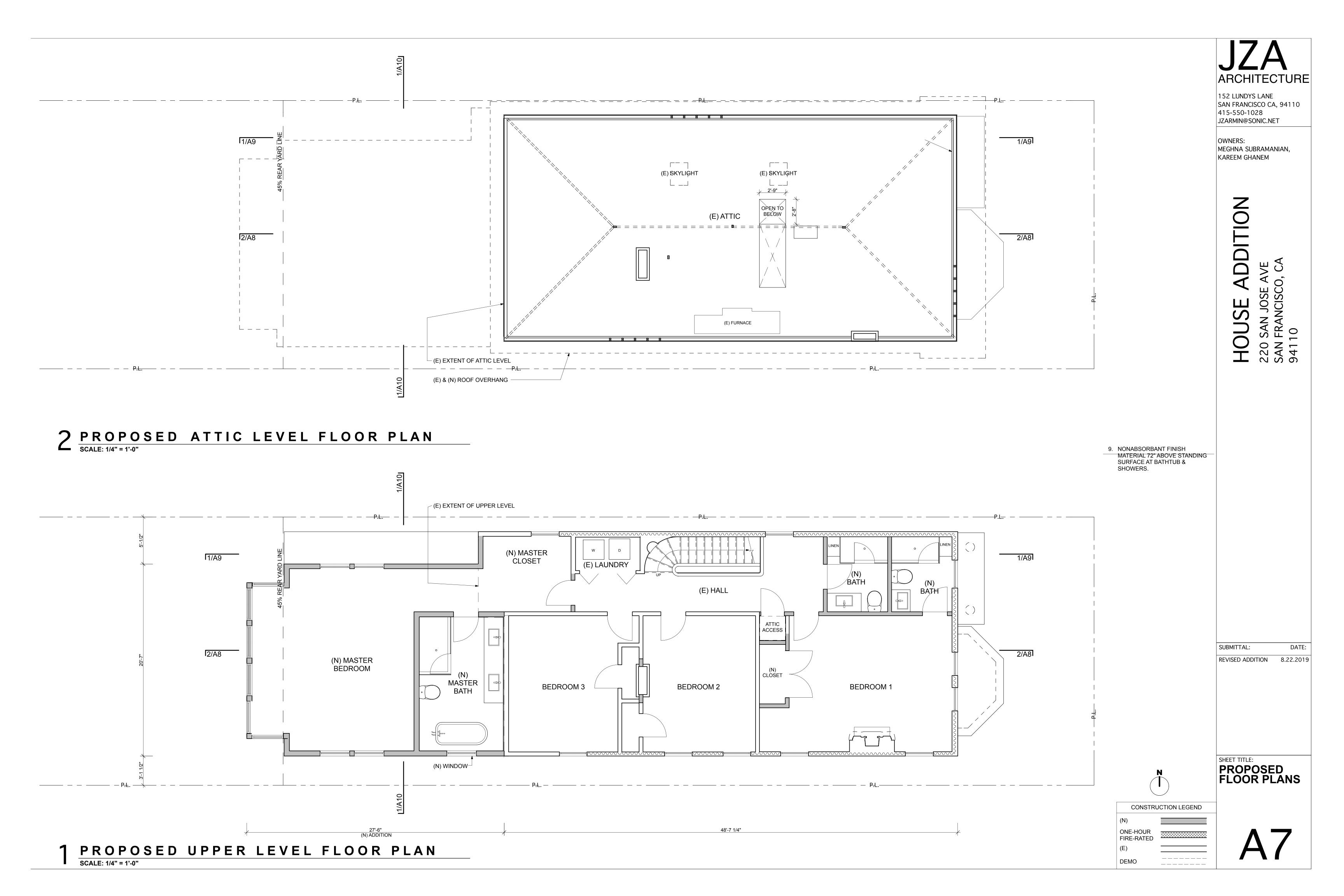
SUBMITTAL: DATE:

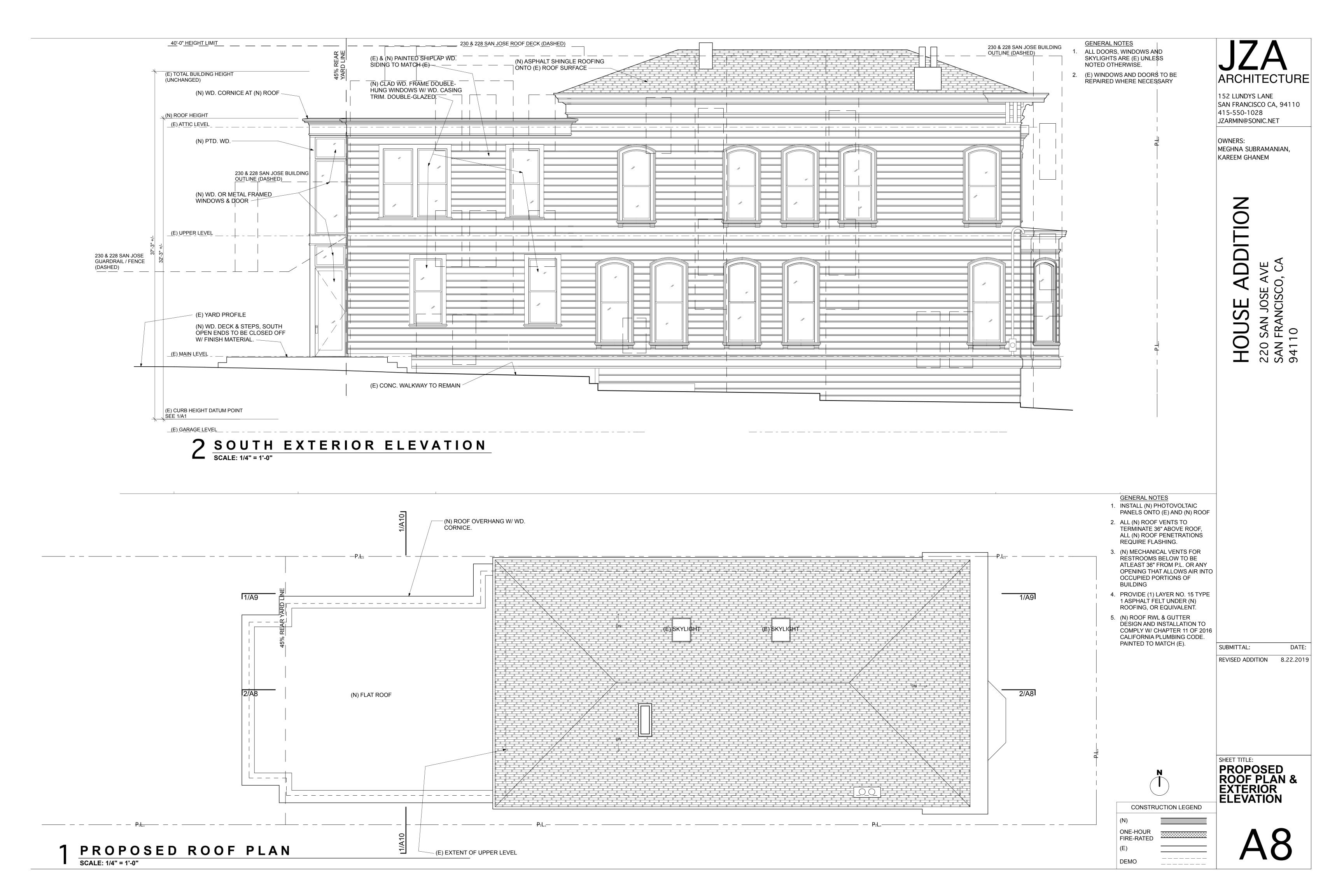
REVISED ADDITION 8.22.2019

SHEET TITLE:
REVISED REAR
ADDITION

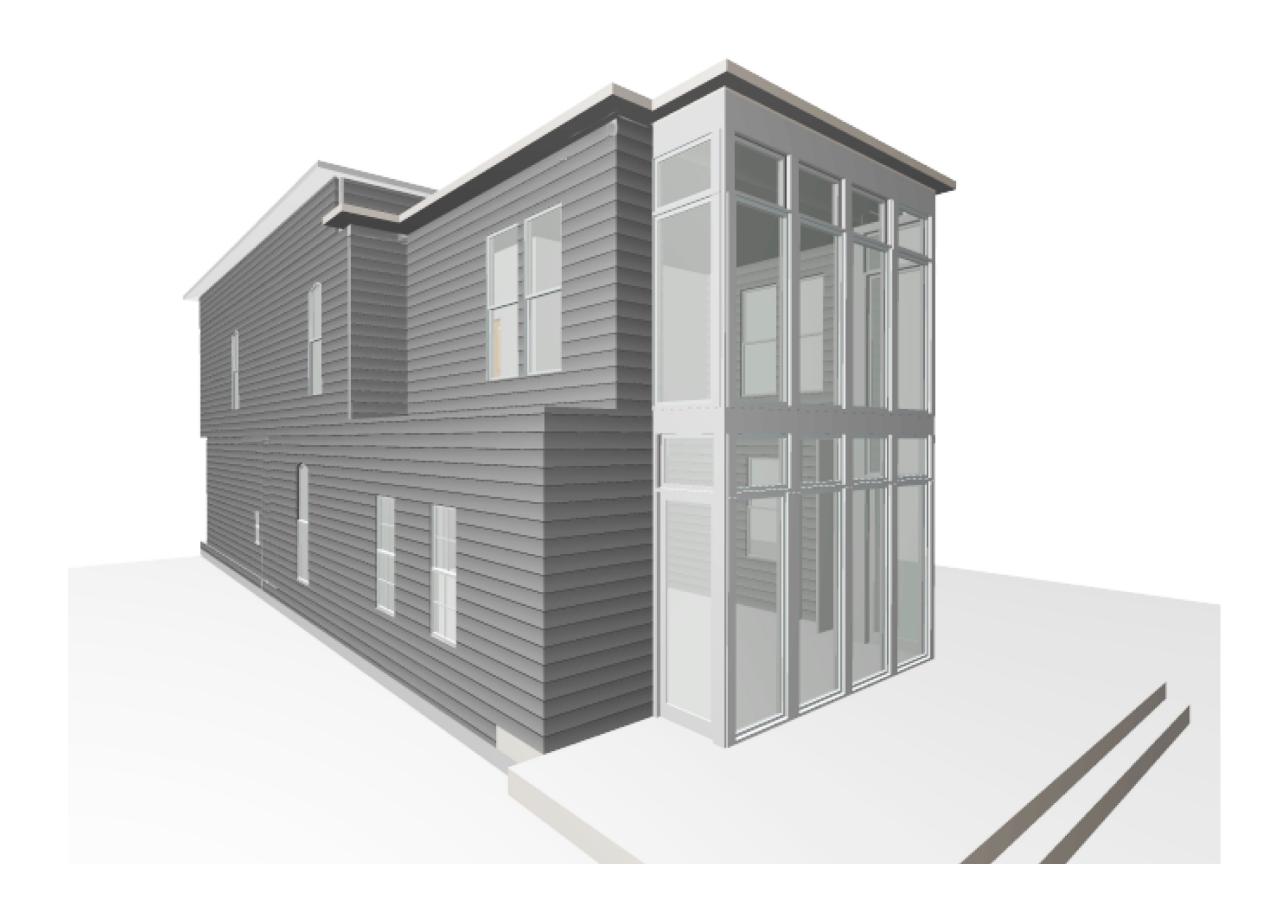
A₁



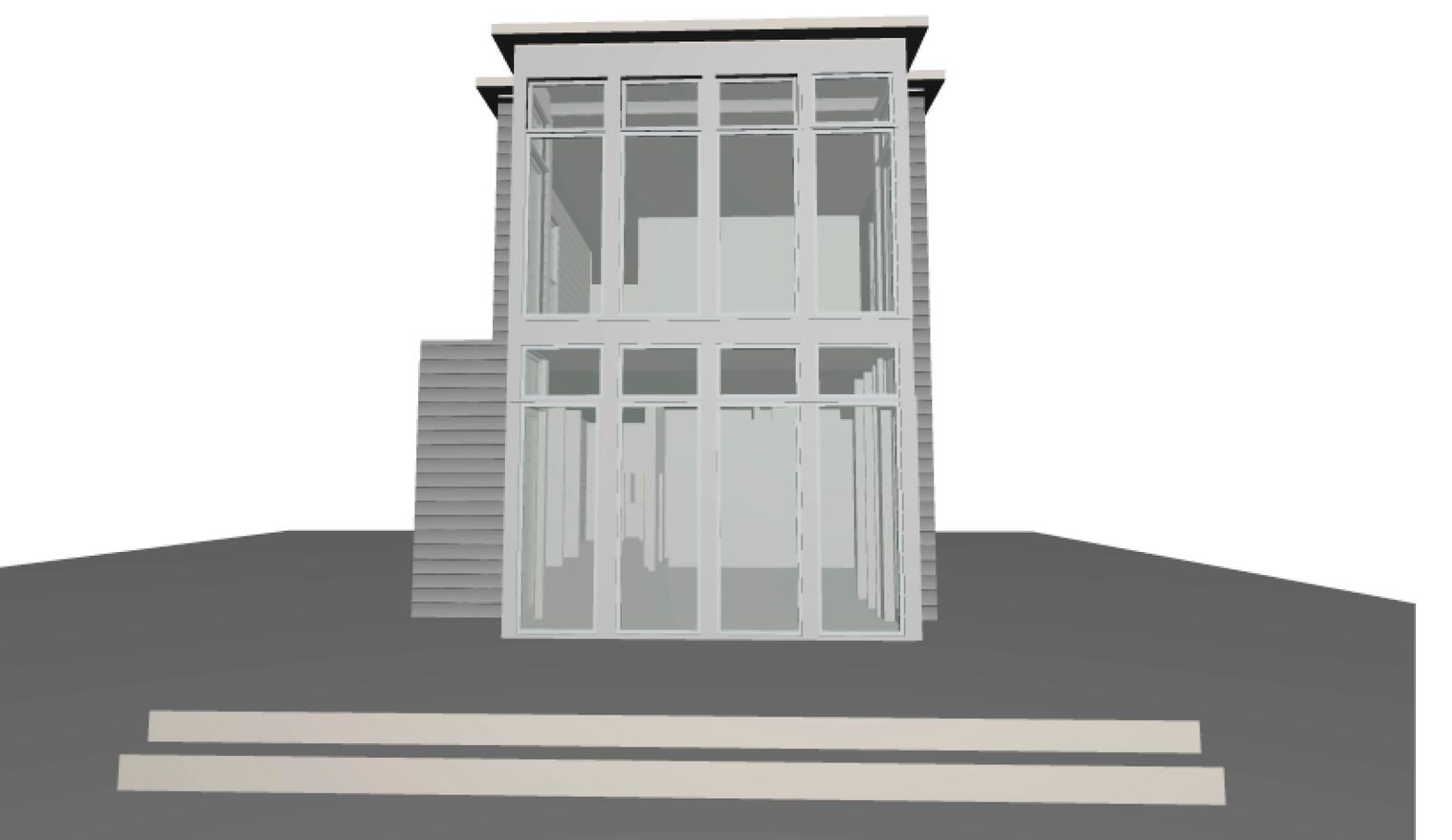








2 VIEW FROM NORTHWEST



1 VIEW FROM WEST

JZA ARCHITECTURE

152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

OWNERS: MEGHNA SUBRAMANIAN, KAREEM GHANEM

> HOUSE ADDITIC 220 SAN JOSE AVE SAN FRANCISCO, CA 94110

SUBMITTAL: DATE:

REVISED ADDITION 8.22.2019

SHEET TITLE:
3D VIEWS

A10

GRADES & ELEVATION POINTS SHOWN ARE TAKEN FROM 8.27.2018 SURVEY BY DANIEL J. WESTOVER FOR OTHER ADJACENT PROPERTY INFORMATION (INCLUDING HEIGHTS) SEE SITE PLAN, 1/A1.1. 2 STORIES 2 STORIES 2 STORIES LOT 003 2 STORIES 2 STORIES OVER GARAGE LOT 028 LOT 029 LOT 030 Ш > ⋖ LOT 004 (E) YARD Ш LOT 021 (N) DECK 2 STORIES OVER S GARAGE (E) DRIVEWA 0 \neg Z THOUSE WALCOUTLINE DASHED - DO - -⋖ S ROOF DECK LOT 020 LOT 005 2 STORIES OVER GARAGE ROOF DECK **BLOCK 6513** 10'-2" +/-

PLOT PLAN

SCALE: 1/8" = 1'-0"

NOTES

PROJECT DESCRIPTION

TWO STORY REAR ADDITION TO EXISTING SINGLE-FAMILY HOUSE. INTERIOR REMODEL AT MAIN & UPPER STORIES, **INCLUDING REBUILDING KITCHEN & RELOCATING** BATHROOMS RESULTING IN NET INCREASE OF 1 BEDROOM AND 1 BATHROOM . AT REAR OF GARAGE LEVEL EXCAVATE EARTH (6'-6" MAX. HEIGHT, 49 CUBIC YARDS) AND EXPAND STORY, INSTALL NEW INTERIOR STAIRWAY BETWEEN GARAGE LEVEL AND MAIN STORY. REDO ROOF FRAMING AND ROOFING. UPGRADE ELECTRICAL, MECHANICAL & REPAIR WINDOWS THROUGHOUT HOUSE. REPLACE EXISTING REAR DECK WITH NEW WOOD DECK.

RH3 R3 TWO OVER GARAGE LOT AREA: EXISTING HOUSE SQUARE FOOTAGE 2952 PROPOSED HOUSE SQUARE FOOTAGE 3452 40'-0" EXISTING & PROPOSED BUILDING HEIGHT 39'-7" (UNCHANGED) CONSTRUCTION TYPE: EXISTING CAR PARKING S.F / # OF SPACES TYPE V PROPOSED CAR PARKING S.F./# OF SPACES 541/2 PROPOSED BIKE PARKING # OF SPACES 2

DRAWING INDEX

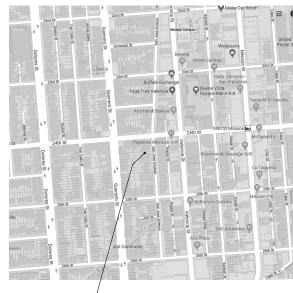
- PLOT PLAN, VICINITY MAP AND PROJECT DESCRIPTION

BLOCK / LOT:

ZONING: OCCUPANCY:

- A1.1 SITE PLAN
 A2 EXISTING / DEMOLITION FLOOR PLANS
 A3 EXISTING / DEMOLITION FLOOR PLANS
 A4 EXISTING / DEMOLITION ROOF PLAN
 A5 EXISTING EXTERIOR ELEVATIONS

- PROPOSED FLOOR PLANS
- Α7 PROPOSED FLOOR PLANS
- PROPOSED ROOF PLAN & BUILDING SECTION
- PROPOSED BUILDING SECTION
- PROPOSED BUILDING SECTION & EXTERIOR ELEVATION
- PROPOSED EXTERIOR ELEVATIONS



PROJECT LOCATION

VICINITY MAP

ARCHITECTURE

152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

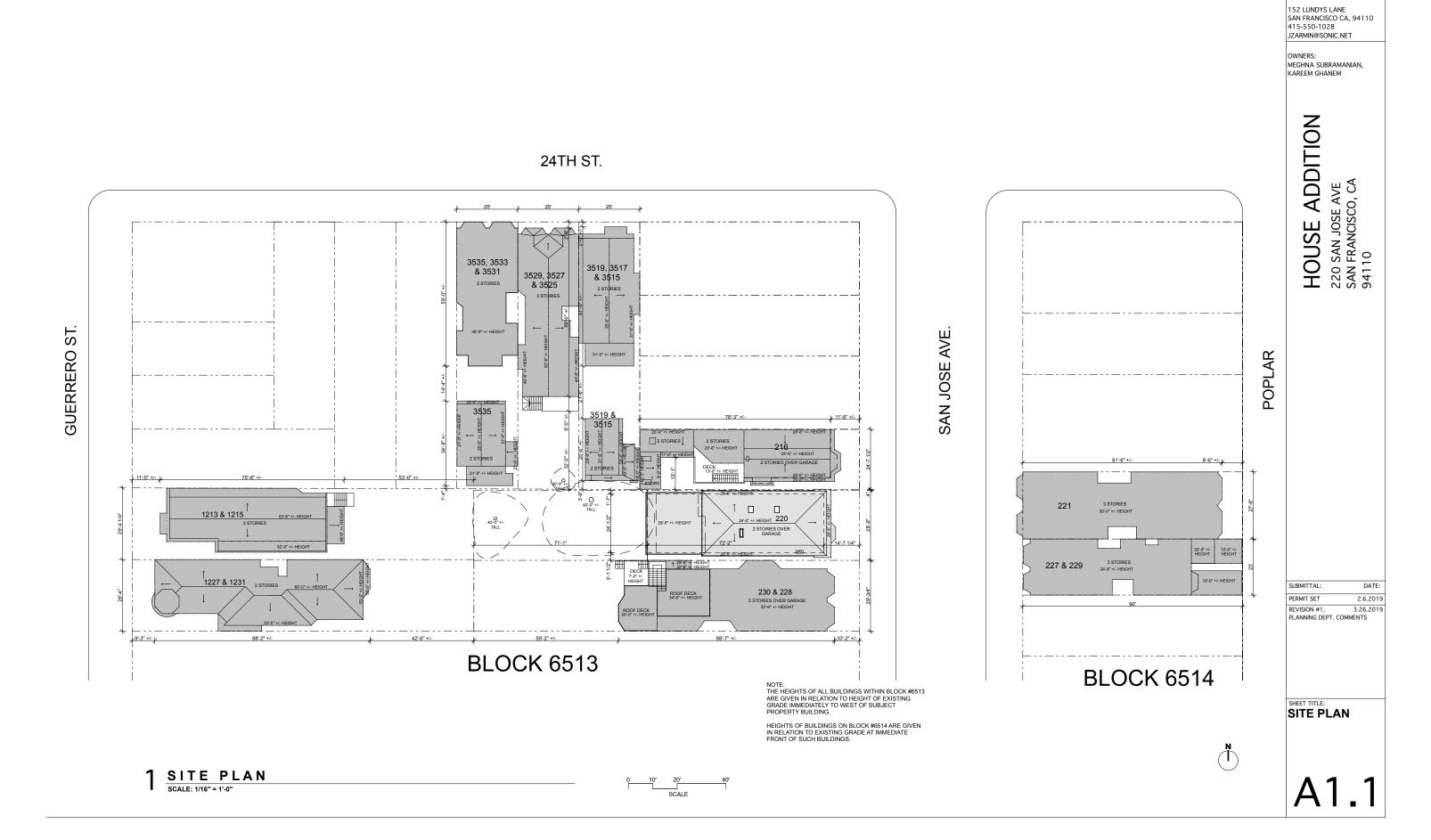
MEGHNA SUBRAMANIAN, KAREEM GHANEM

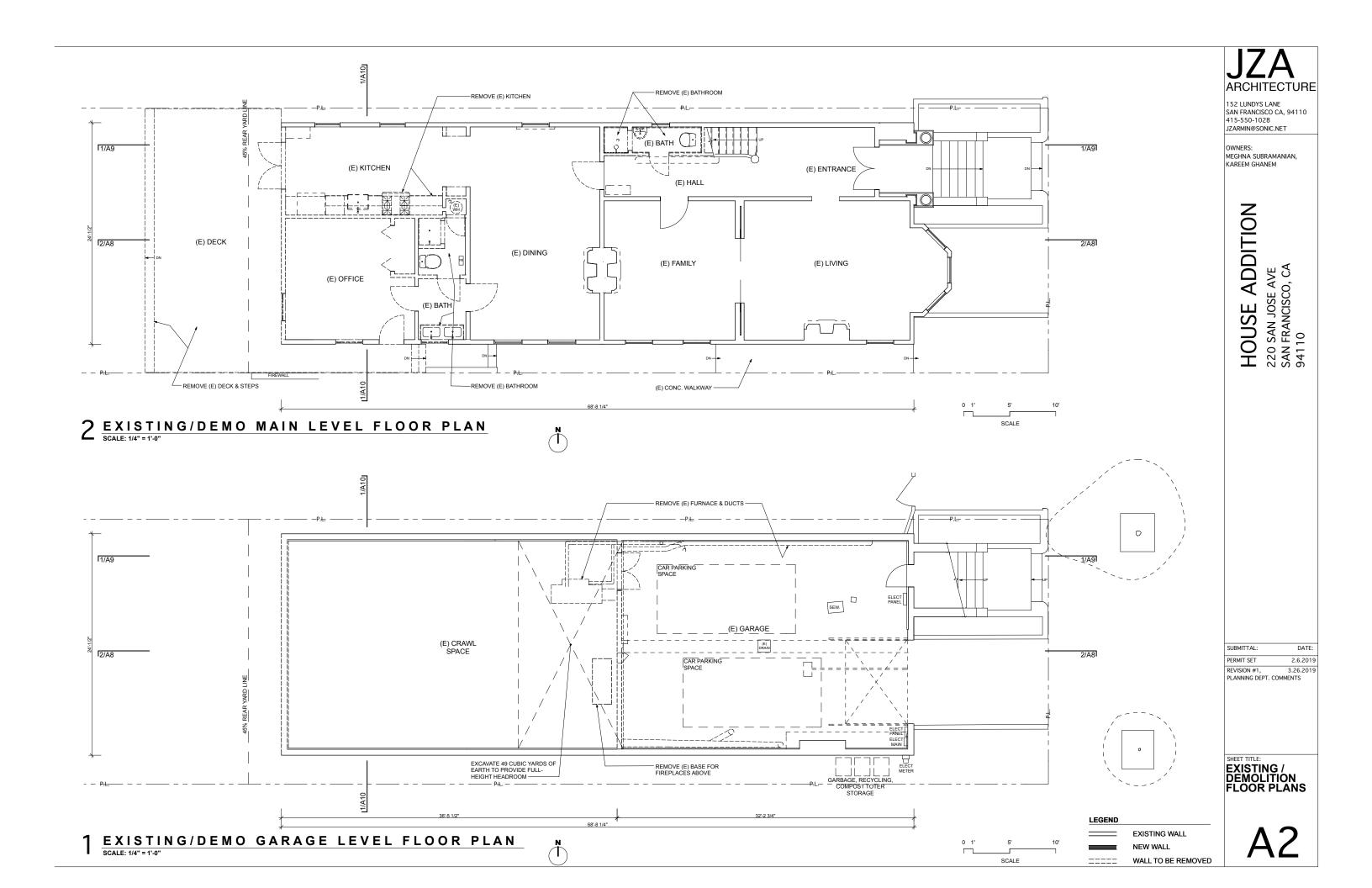
ADDITION HOUSE

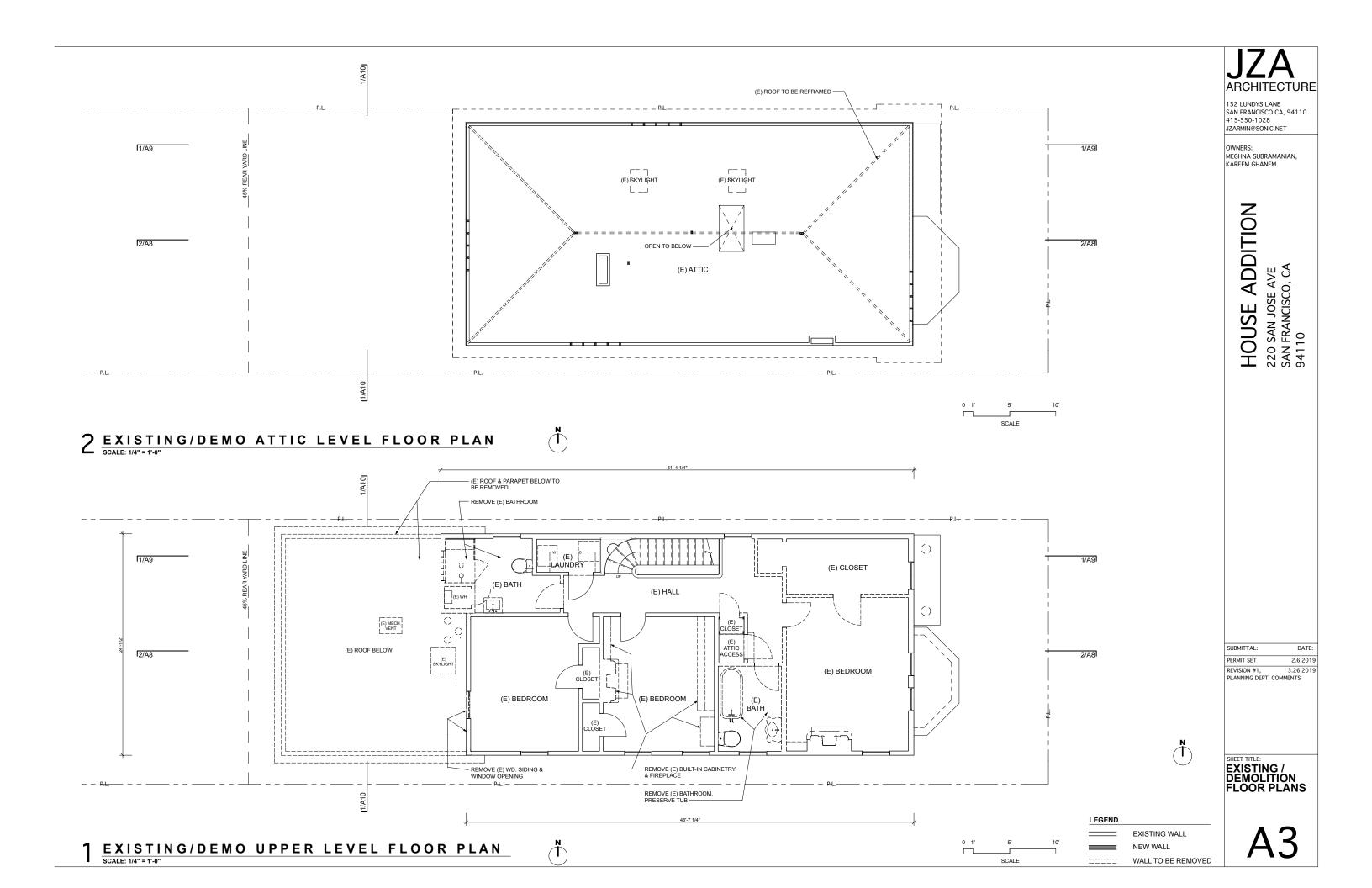
220 SAN JOSE AVE SAN FRANCISCO, CA 94110

SUBMITTAL: DATE: 2.6.2019 REVISION #1. 3.26.2019 PLANNING DEPT. COMMENTS

SHEET TITLE: PLOT PLAN, VICINITY MAP AND PROJECT DESCRIPTION





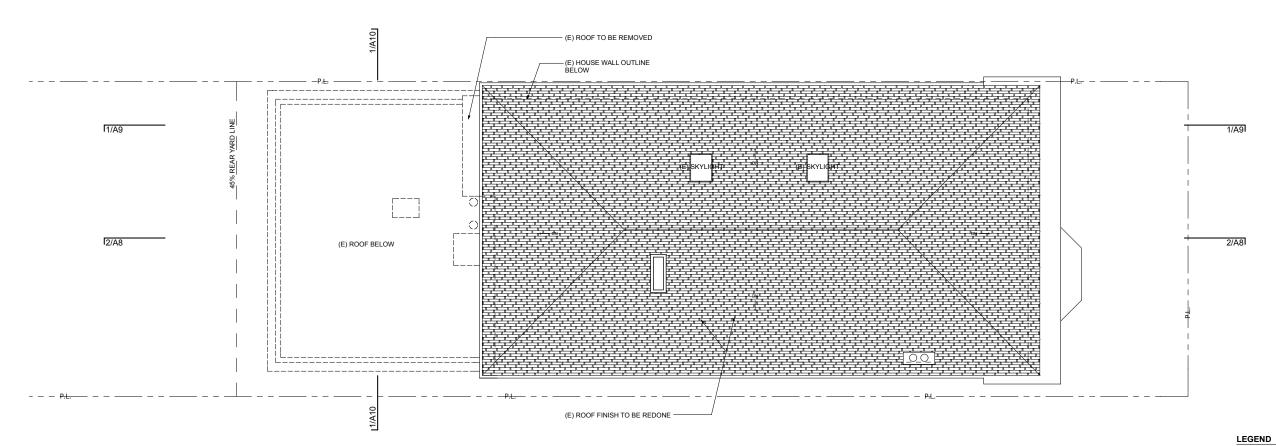




152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

OWNERS: MEGHNA SUBRAMANIAN, KAREEM GHANEM

HOUSE ADDITION
220 SAN JOSE AVE
SAN FRANCISCO, CA
94110



SUBMITTAL: DATE: 2.6.2019 REVISION #1, 3.26.2019 PLANNING DEPT. COMMENTS

SHEET TITLE:
EXISTING /
DEMOLITION
ROOF PLAN

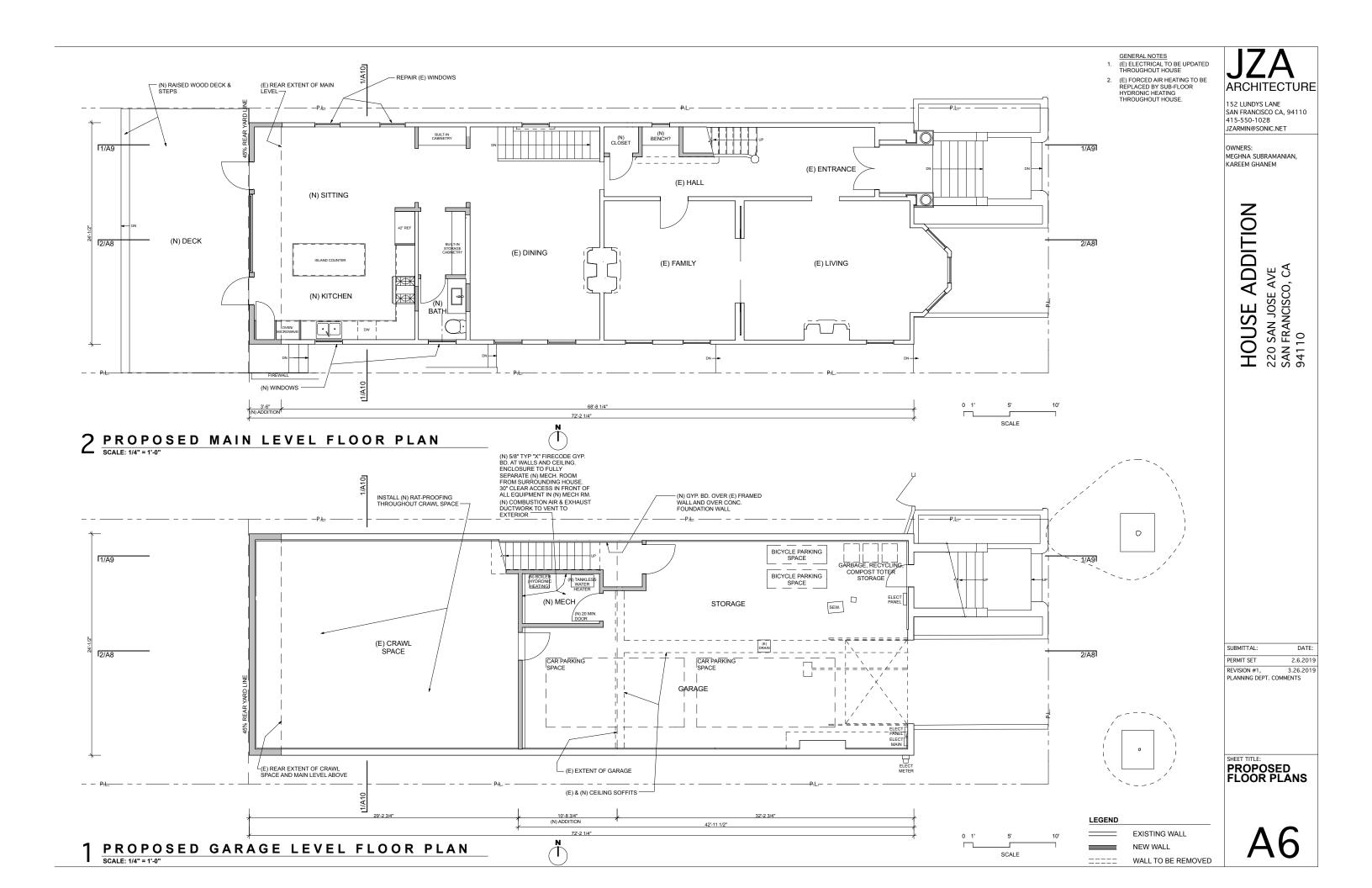
EXISTING/DEMO ROOF PLAN SCALE: 1/4" = 1'-0"

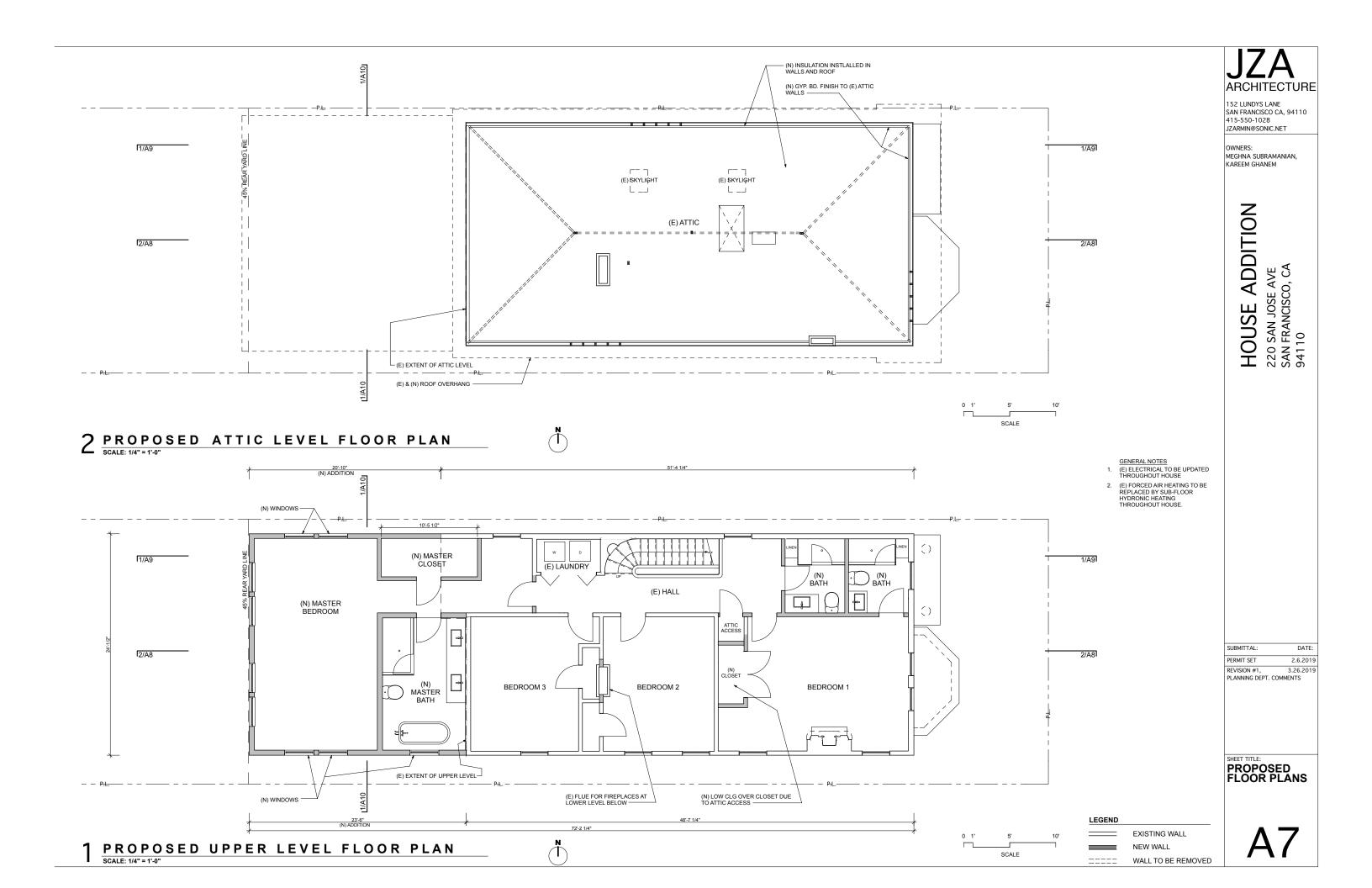
0 1'

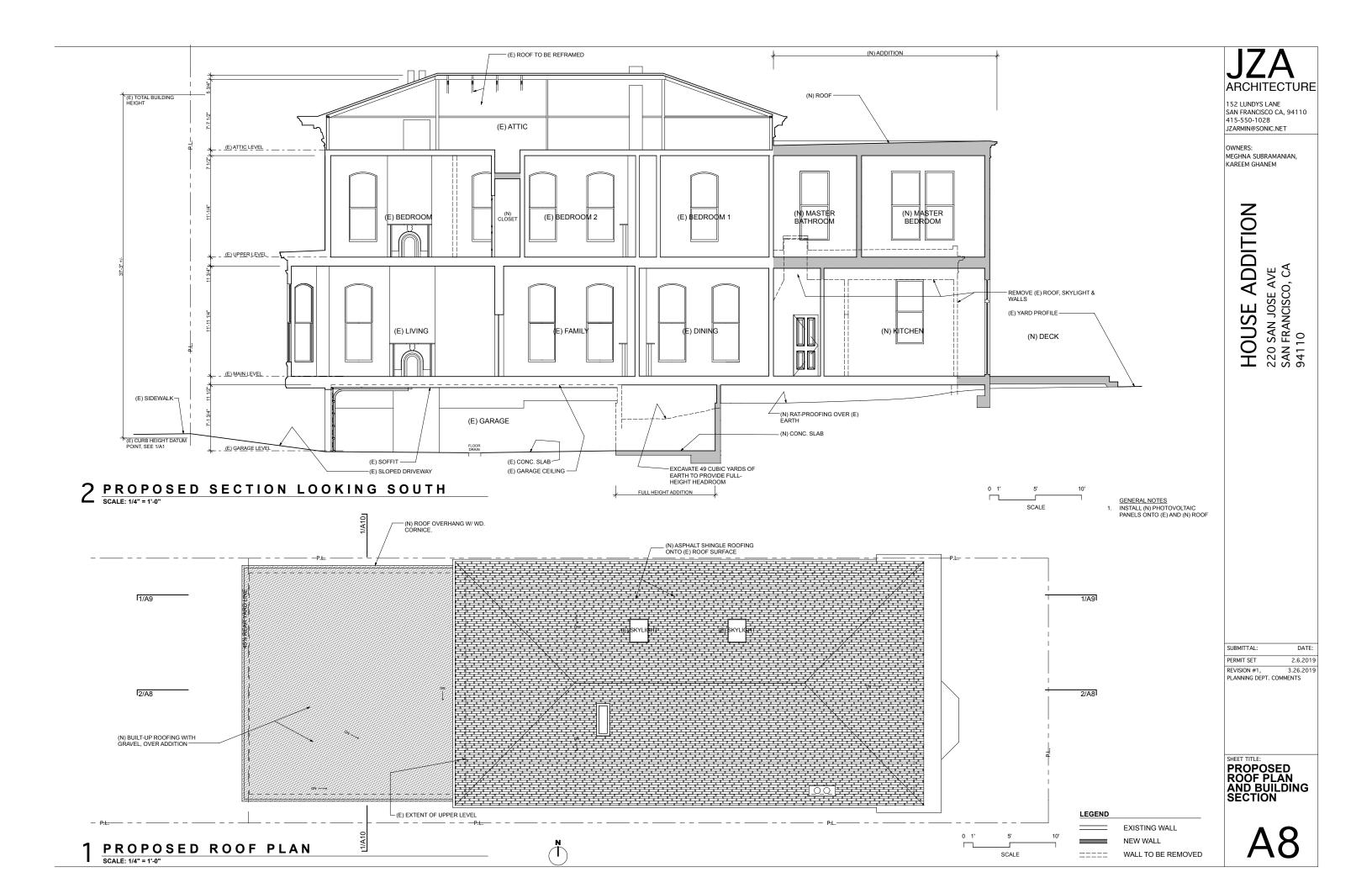
EXISTING WALL SCALE

NEW WALL WALL TO BE REMOVED









JZA ARCHITECTURE

152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

OWNERS: MEGHNA SUBRAMANIAN, KAREEM GHANEM

> HOUSE ADDITION 220 SAN JOSE AVE SAN FRANCISCO, CA 94110

SUBMITTAL: DATE:
PERMIT SET 2.6.2019
REVISION #1, 3.26.2019
PLANNING DEPT. COMMENTS

SHEET TITLE:
PROPOSED
BUILDING
SECTION

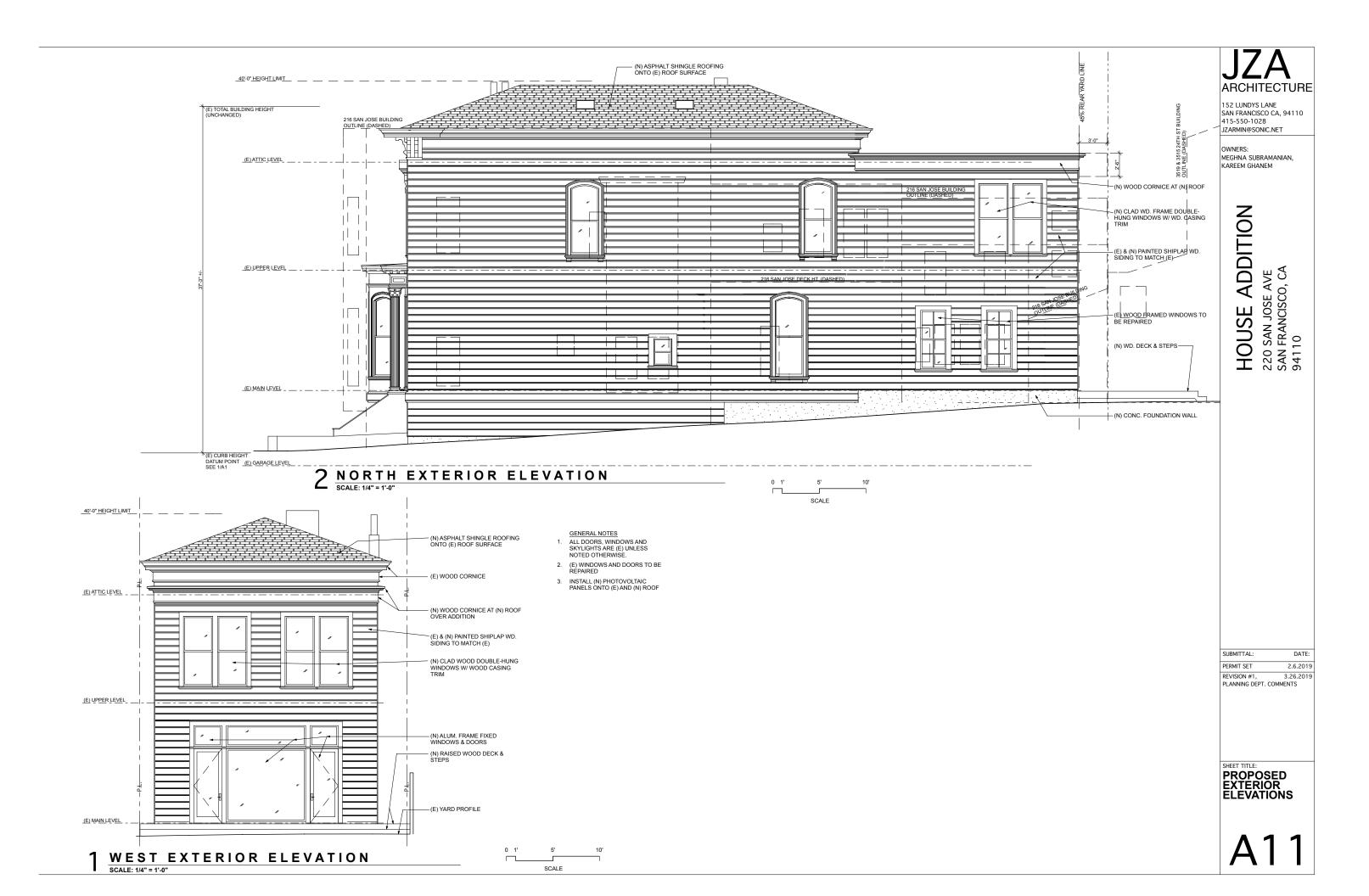
LEGEND

EXISTING WALL NEW WALL

WALL TO BE REMOVED

A9





Abbreviated Analysis

HEARING DATE: AUGUST 22, 2019

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

Reception:

415.558.6378

Fax: **415.558.6409**

Planning Information: 415.558.6377

Date: August 9, 2019
Case No.: 2018-016955DRP
Project Address: 220 San Jose Avenue

Permit Application: 2018.1214.8349

Zoning: RH-3 [Residential House, Three-Family]

40-X Height and Bulk District

Block/Lot: 6513/004 Project Sponsor: Joe Armin

> JZA Architecture 152 Lundys Lane

San Francisco, CA 94110

Staff Contact: David Winslow – (415) 575-9159

David.Winslow@sfgov.org

Recommendation: Take DR and Approve with Modifications

PROJECT DESCRIPTION

The project consists of a 2-story, rear horizontal addition to an existing 2-story over basement one-family residence.

SITE DESCRIPTION AND PRESENT USE

The site is an approximately 29′-1″ wide x 158′ deep up sloping lot with an existing 2-story at street, one-family house built in 1900. The building is a category 'A' historical resource.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The buildings on this block of San Jose Avenue property are generally 2- 3-stories and define a rather consistent mid-block open space. This property is a deep lot immediately adjacent to a short lot (216 San Jose) to the north which abuts perpendicular lots on 24th Street. The condition of the northern neighbor's lot size in conjunction with the existing building pattern on the 24th street lot leaves the property at 216 San Jose constrained with respect to access to the mid-block open space.

BUILDING PERMIT NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	April 3, 2019 – May 3, 2019	5.3. 2019	8.22. 2019	111 days

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	August 2, 2019	August 2, 2019	20 days
Mailed Notice	20 days	August 2, 2019	August 2, 2019	20 days
Online Notice	20 days	August 2, 2019	August 2, 2019	20 days

PUBLIC COMMENT

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

ENVIRONMENTAL REVIEW

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

DR REQUESTORS

DR requestors:

Vanessa and Matt Ginzton of 228 San Jose Avenue, adjacent neighbors to the South of the proposed project.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

The proposed rear addition is not compatible with the following Residential Design Guidelines:

- 1. Articulate Building to Minimize Impacts to Light and Privacy to Adjacent properties;
- **2.** Design the Height and Depth of the Building to be Compatible with the Existing Building Scale at the Mid-block Open Space.

See attached Discretionary Review Application, dated May 3, 2019.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The project sponsor has modified plans to meet all pre-application demands from the neighbors to the South and complied with Planning Code and Residential Design Guidelines. The proposed addition will be built over the existing footprint of the existing building.

See attached Response to Discretionary Review, dated May 30, 2019.

SAN FRANCISCO
PLANNING DEPARTMENT

2

RESIDENTIAL DESIGN TEAM REVIEW

The Department's Residential Design Advisory Team (RDAT) re-reviewed this and confirmed that this addition does present an exceptional or extraordinary circumstance with respect to building scale at the rear, access to mid-block open space, and light to the adjacent neighbor to the North (216 San Jose), which was acknowledged in the original RDAT review and was accompanied by the request to provide a 5′ side setback from the north neighbor's property line at the second floor addition. However, the sponsor opted to not comply with the request. As such staff finds that the project does comply with the Residential Design Guidelines (RDGs) in relation with the DR requestor's issues related to access to mid-block open space and light.

With respect to impacts to the DR requestor's property, since the subject property is North of the DR requestor, extends less than the depth of the DR requestors building, and is set back by a 3'-2" side yard RDAT did not see any exceptional or extraordinary circumstance and deemed the proposal met the Residential Design Guidelines with respect to the property at 228-230 San Jose to the South.

The Department recommends the second story addition be set back 5' from the northern property line to ameliorate the project from further boxing in the property to the North.

RECOMMENDATION:

Take DR and Approve Project with Modifications

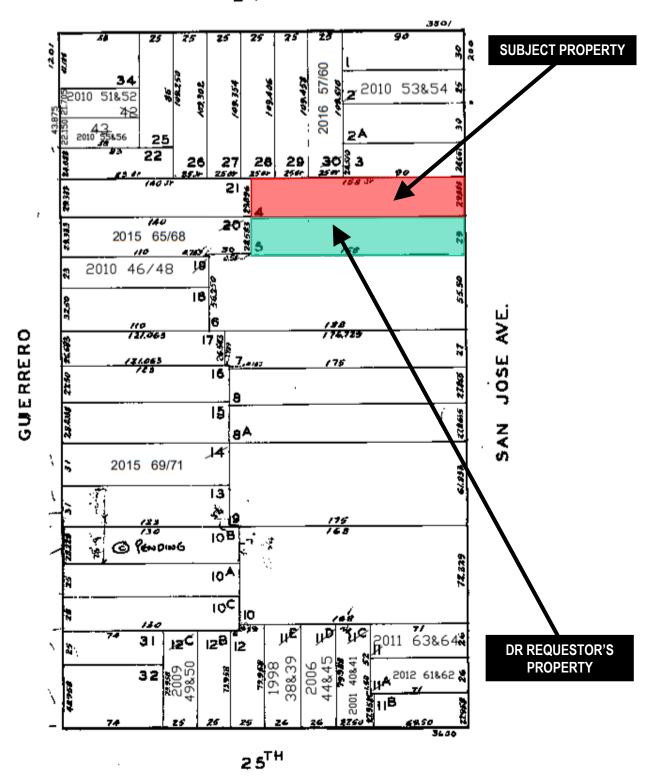
Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Application
Response to DR Application, drawings dated May 30, 2019
Reduced Plans

Exhibits

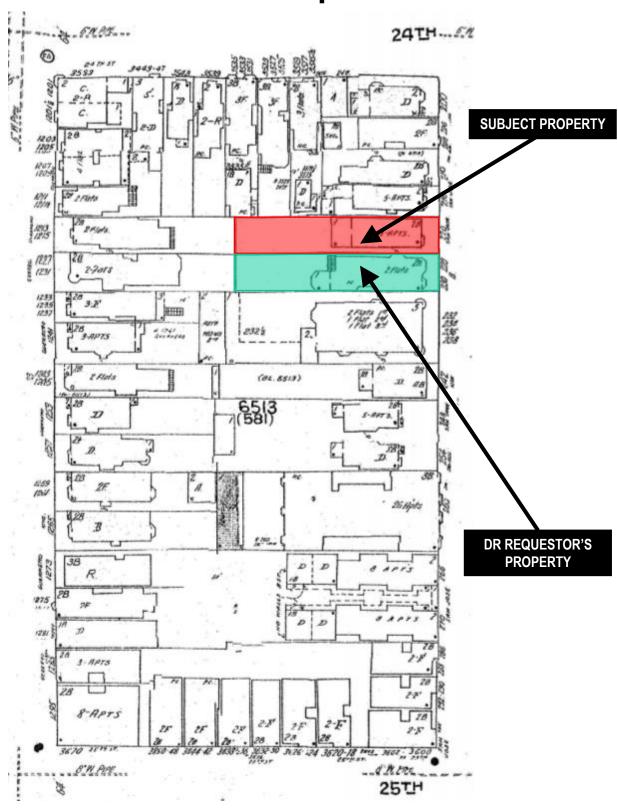
Parcel Map

2 4TH





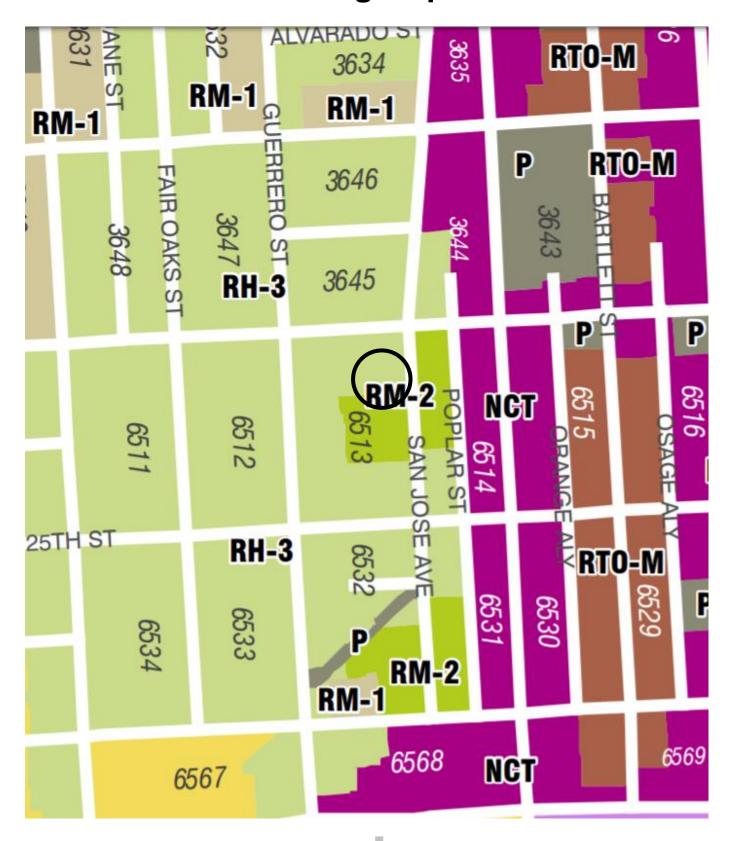
Sanborn Map*



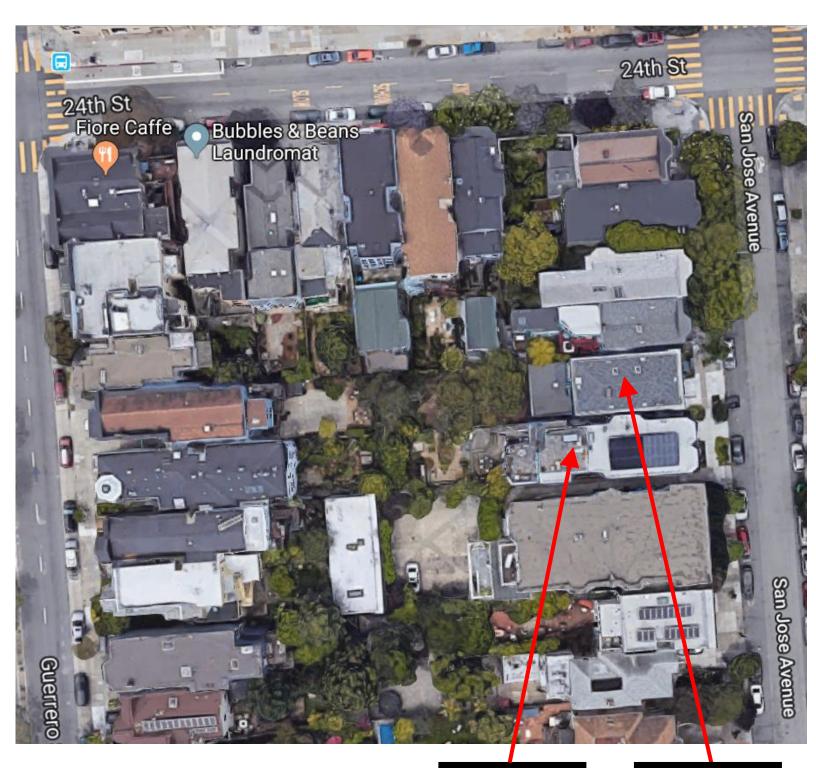
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map



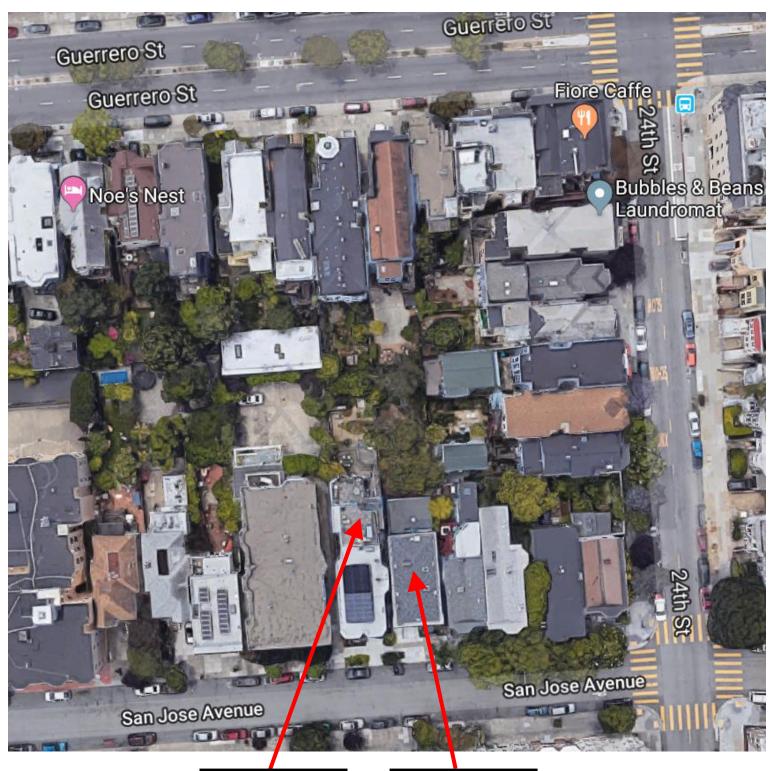




DR REQUESTOR'S PROPERTY

SUBJECT PROPERTY

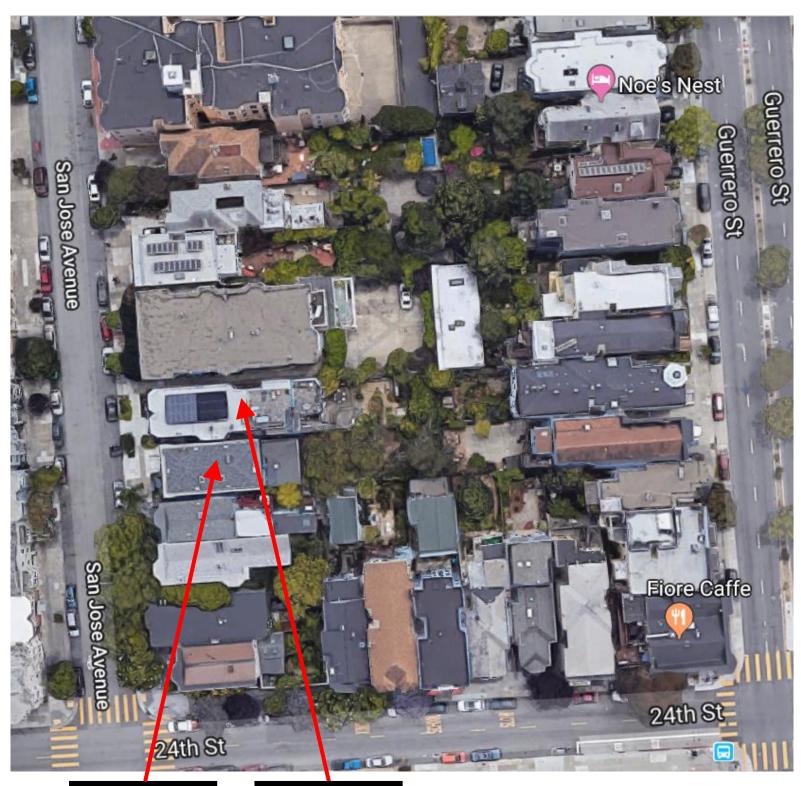




DR REQUESTOR'S PROPERTY

SUBJECT PROPERTY

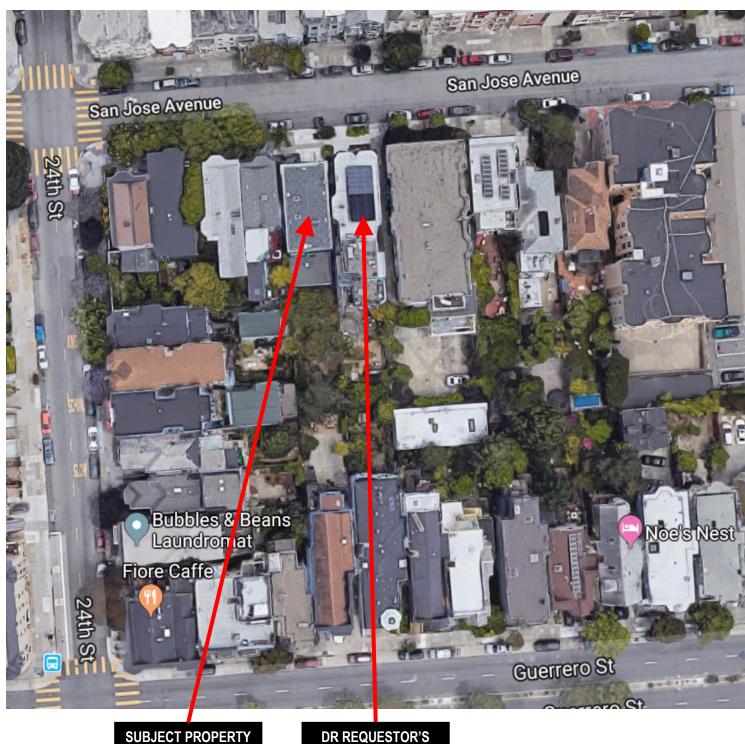




SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



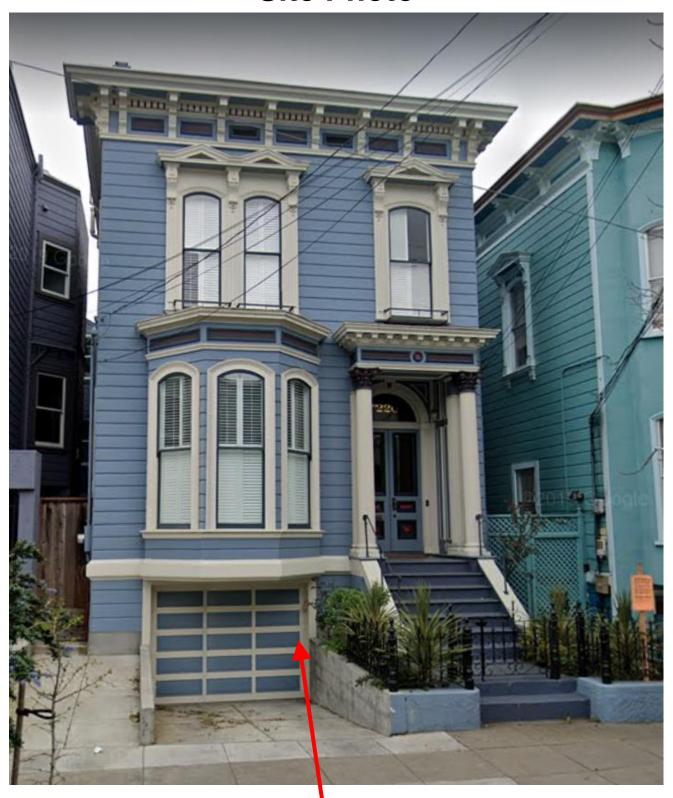


SUBJECT PROPERTY

PROPERTY



Site Photo



SUBJECT PROPERTY

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On December 14, 2018, Building Permit Application No. 201812148349 was filed for work at the Project Address below.

Notice Date: April 3, 2019 Expiration Date: May 3, 2019

PRO.	JECT INFORMATION	APPL	APPLICANT INFORMATION		
Project Address:	220 San Jose Avenue	Applicant:	Joe Armin, JZA Architecture		
Cross Street(s):	24th and 25th Streets	Address:	152 Lundys Lane		
Block/Lot No.:	6513/004	City, State:	San Francisco, CA 94110		
Zoning District(s):	RH-3 / 40-X	Telephone:	415-550-1028		
Record Number:	2018-016955PRJ	Email:	jzarmin@sonic.net		

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

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

	PROJECT SCOPE	
☐ Demolition	□ New Construction	☐ Alteration
☐ Change of Use	☐ Façade Alteration(s)	☐ Front Addition
☑ Rear Addition	☐ Side Addition	☐ Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	No Change
Front Setback	15 feet	No Change
Side Setbacks	2 feet (north), 3 feet (south)	No Change
Building Depth	69 feet	72 feet
Rear Yard	74 feet	71 feet
Building Height	37 feet	No Change
Number of Stories	2 over basement	No Change
Number of Dwelling Units	1	No Change
Number of Parking Spaces	2	No Change
	PROJECT DESCRIPTI	O N

The project is a two story, 500-square feet, 26'-6" tall, rear addition to a single family dwelling. It also includes interior remodeling and replacement of the existing roofing materials.

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

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

For more information, please contact Planning Department staff:

Ella Samonsky, 415-575-9112, ella.samonsky@sfgov.org

GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

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

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

BOARD OF APPEALS

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

ENVIRONMENTAL REVIEW

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

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

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Proje	ct Address		Block/Lot(s)
220 SAN JOSE AVE			6513004
Case No.			Permit No.
2018-016955PRJ			201812148349
Ad	ldition/	☐ Demolition (requires HRE for	New
Alt	teration	Category B Building)	Construction
_		Planning Department approval.	
		IDITION TO EXISTING SFD. INTERIOR REMODING KITCHEN & RELOCATING BATHROOMS,NE	
		NG KITCHEN & RELOCATING BATHROOMS,NE VATE EARTH.EXPANDING STORY INSTALL NE	
		RIES, REDO ROOF, UPGRADE MECH, ELEC	
<u> </u>			
STEP 1: EXEMPTION CLASS			
STE	P 1: EXEMPTIC	ON CLASS	
		ON CLASS applies, an Environmental Evaluation Application	on is required.*
	e: If neither class a		
	e: If neither class a Class 1 - Existin Class 3 - New C	applies, an Environmental Evaluation Application gracilities. Interior and exterior alterations; additional construction. Up to three new single-family residen	ions under 10,000 sq. ft. nces or six dwelling units in one
*Note	c: If neither class a Class 1 - Existin Class 3 - New C building; comme	applies, an Environmental Evaluation Application g Facilities. Interior and exterior alterations; addit construction. Up to three new single-family resident recial/office structures; utility extensions; change of	ions under 10,000 sq. ft. nces or six dwelling units in one
*Note	c: If neither class a Class 1 - Existin Class 3 - New Coulding; comme permitted or with	applies, an Environmental Evaluation Application gracilities. Interior and exterior alterations; additionstruction. Up to three new single-family resident recial/office structures; utility extensions; change of a CU.	ions under 10,000 sq. ft. nces or six dwelling units in one use under 10,000 sq. ft. if principally
*Note	Class 3 - New Coulding; commented or with Class 32 - In-Fil	applies, an Environmental Evaluation Application gracilities. Interior and exterior alterations; additionstruction. Up to three new single-family resident reial/office structures; utility extensions; change of a CU. I Development. New Construction of seven or mo	ions under 10,000 sq. ft. nces or six dwelling units in one use under 10,000 sq. ft. if principally
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*Note	Class 1 - Existin Class 3 - New Cobuilding; commen permitted or with Class 32 - In-Fil 10,000 sq. ft. and (a) The project is policies as well a (b) The proposed substantially sun (c) The project s (d) Approval of the	pplies, an Environmental Evaluation Application gracilities. Interior and exterior alterations; additionstruction. Up to three new single-family resident recial/office structures; utility extensions; change of a CU. I Development. New Construction of seven or mode meets the conditions described below: a consistent with the applicable general plan designs with applicable zoning designation and regulation development occurs within city limits on a project	ions under 10,000 sq. ft. Inces or six dwelling units in one use under 10,000 sq. ft. if principally The units or additions greater than Ination and all applicable general plantons. It site of no more than 5 acres Ithreatened species.
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STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

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.				

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map) Category A: Known Historical Resource. GO TO STEP 5. Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6. STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Change of use and new construction. Tenant improvements not included. 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. 3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows. 8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. Note: Project Planner must check box below before proceeding. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER

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

	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .			
	8. Other work consistent with the Secretary of the Interior Properties (specify or add comments):			
	9. Other work that would not materially impair a historic of	district (s	pecify or add comments):	
	(Requires approval by Senior Preservation Planner/Prese	ervation	Coordinator)	
	10. Reclassification of property status . (Requires appropriate of the property status) (Requires appropriate of	oval by S	enior Preservation	
	Reclassify to Category A	Reclass	ify to Category C	
	a. Per HRER dated (atta	ach HRE	R)	
	b. Other (specify):			
	Note: If ANY box in STEP 5 above is checked, a Pres	servatio	n Planner MUST check one box below.	
	Further environmental review required. Based on the information provided, the project requires an Environmental Evaluation Application to be submitted. GO TO STEP 6.			
	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.			
		-		
Comm		-		
Comm	Preservation Planner and can proceed with categorical ex	-		
	Preservation Planner and can proceed with categorical ex	-		
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical exemts (optional):	xemption		
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical exents (optional): vation Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed proje	xemption	n review. GO TO STEP 6 .	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical exempts (optional): vation Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES COMPLETED BY PROJECT PLANNER	xemption	n review. GO TO STEP 6 .	_
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical exempts (optional): Particle Particle Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES E COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed proje (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review	TION	n review. GO TO STEP 6 .	
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Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical exents (optional): Particle Personal Planner Signature: Personal Planner Sig	TION ect does i	not meet scopes of work in either egorically exempt under CEQA. sonable possibility of a significant Signature: Ella Samonsky 02/21/2019	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)			Block/Lot(s) (If different than front page)			
220 SAN JOSE AVE			6513/004			
Case	No.	Previous Building Permit No.	New Building Permit No.			
2018-	016955PRJ	201812148349				
Plans	Dated	Previous Approval Action	New Approval Action			
		Building Permit				
Modi	fied Project Description:					
DE	FERMINATION IF PROJECT	CONSTITUTES SUBSTANTIAL MODIF	ICATION			
Com	pared to the approved project, w	ould 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	d under Planning Code Section 317 or 190	05(f)?			
	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?					
If at I	east one of the above boxes is	checked, further environmental review i	s required.			
DET	DETERMINATION OF NO SUBSTANTIAL MODIFICATION					
	The proposed modification would not result in any of the above changes.					
approv	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.					
Planı	ner Name:	Date:				



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information				
Name:				
Address:	Email Address:			
	Telephone:			
Information on the Owner of the Property Being Develope	d			
Name:				
Company/Organization:				
Address:	Email Address:			
	Telephone:			
Property Information and Related Applications				
Project Address:				
Block/Lot(s):				
Building Permit Application No(s):				
ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST				
PRIOR ACTION		YES	NO	
Have you discussed this project with the permit applicant?				
Did you discuss the project with the Planning Department permit revie	ew planner?			
Did you participate in outside mediation on this case? (including Comm	munity Boards)			
Changes Made to the Project as a Result of Mediation. If you have discussed the project with the applicant, planning staff or gone throthat were made to the proposed project.	ough mediation, please summarize the result	:, including ar	ny changes	

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.
2.	The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.
3.	What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

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

The 3 properties at 216, 220 and 228-230 San Jose are built very close together with a careful and longstanding interplay and balance of light, space, and windows, dating back over 100 years. This project significantly harms the balance of space between these properties without respecting this longstanding relationship. Relevant principles from the Residential Design Guidelines include

- "Maintain light to adjacent properties by providing adequate setbacks": the proposed addition is too close to preexisting structures
- "Ensure that the building respects the mid-block open space": the back yard at 216 San Jose is currently part of this open space, and would be walled off from it
- Section III, "Site design": "GUIDELINE: Articulate the building to minimize impacts on light and privacy to adjacent properties." The proposed addition is not articulated and does not minimize impacts to light or privacy.
- Section IV, "Building scale and form": "An out-of-scale rear yard addition can leave surrounding residents feeling "boxed-in" and cut-off from the mid-block open space."
 Nearly all of the properties on the west side of San Jose Ave between 24th and 25th streets -- including the subject property before this proposal -- are stepped as they go up, with a larger lower floor and successively smaller upper floors.
- 2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

The large upstairs bedroom addition will block light and view of sky from kitchen areas of 2 apartments in the building to the south (228 and 230B), and block in the courtyard and windows of the building to the north (216).

The addition with these impacts feels unnecessarily large and the applicants could find multiple other ways to maintain a bedroom for the future needs of elderly family members, as the application materials suggest. The existing first floor room labeled "office" is already a bedroom; the proposal removes a 1st floor bedroom in order to add a 2nd floor bedroom while adding a 3rd sitting room on a floor that already has 2 (living room and family room) and a dining room. The proposed new bedroom suite is 600 square feet. Surely a more efficient use of space could meet the applicants' needs without undue impact on neighboring properties.

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?

Applicants could build the rooms they desire in the ample space in the existing first floor or attic, without expanding the 2nd floor impacting neighboring properties. We suggest that for the proposed use by a retired elderly family member, a ground level room could actually work better. If expanding the 2nd floor, a smaller expansion would be preferable; the Residential Design Guidelines recommends several approaches ("provide side setbacks at the rear of the building", "set back upper floors to provide larger rear yard setbacks", "notch the building at the rear or provide setbacks from side property lines", and "reduce the footprint of the proposed addition") which each would be welcome approaches to mitigating the adverse effects of the current proposal.

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:					
a) The undersigned is the D	R requestor or	their authorized	d representation.		
Vancon Signature	gust				Name (Printed)
o,g.,atare	í		771		
Relationship to Requestor (i.e. Attorney, Architect, etc.)		<u>v20 -</u> Phone	446-9866	 Email	Varesa. Otuna Ogmail. co

For Department Use Only		
Application received by Planning Department:		
By:	Date:	1

Dear San Francisco Planning Department,

I Victoria Kardum, live at 216 San Jose Ave, next door to the proposed renovation property of 220 San Jose Ave, SF, CA 94110.

I have lived in the building, and this apartment for 30+ years and my family has owned the Property for 50+ years.

The proposed enlargement of 220 San Jose Avenue, would greatly affect my property. My backyard would become a cave, it would be boxed in by the upper level addition, also taking warmth from the property itself as much heat is from sun load.

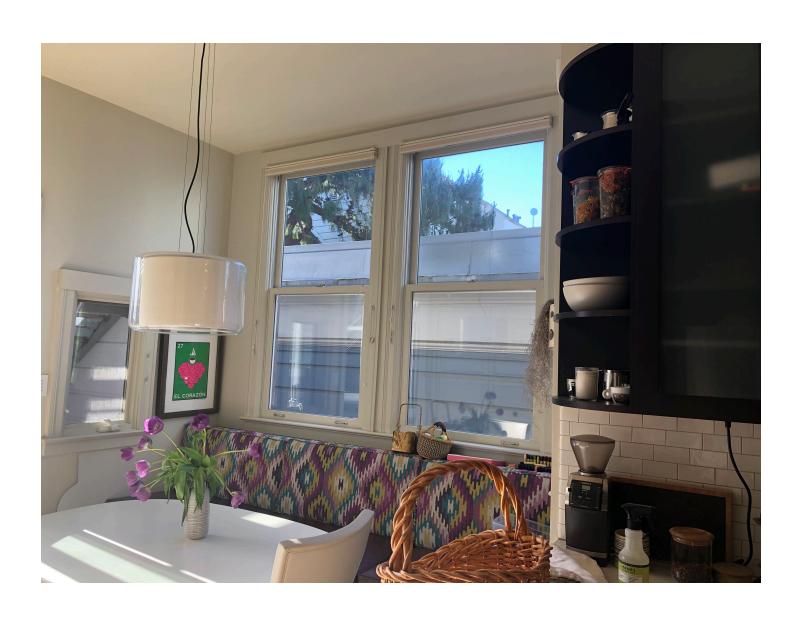
We are concerned about losing the light, heat, sun, and that our property value will be greatly affected.

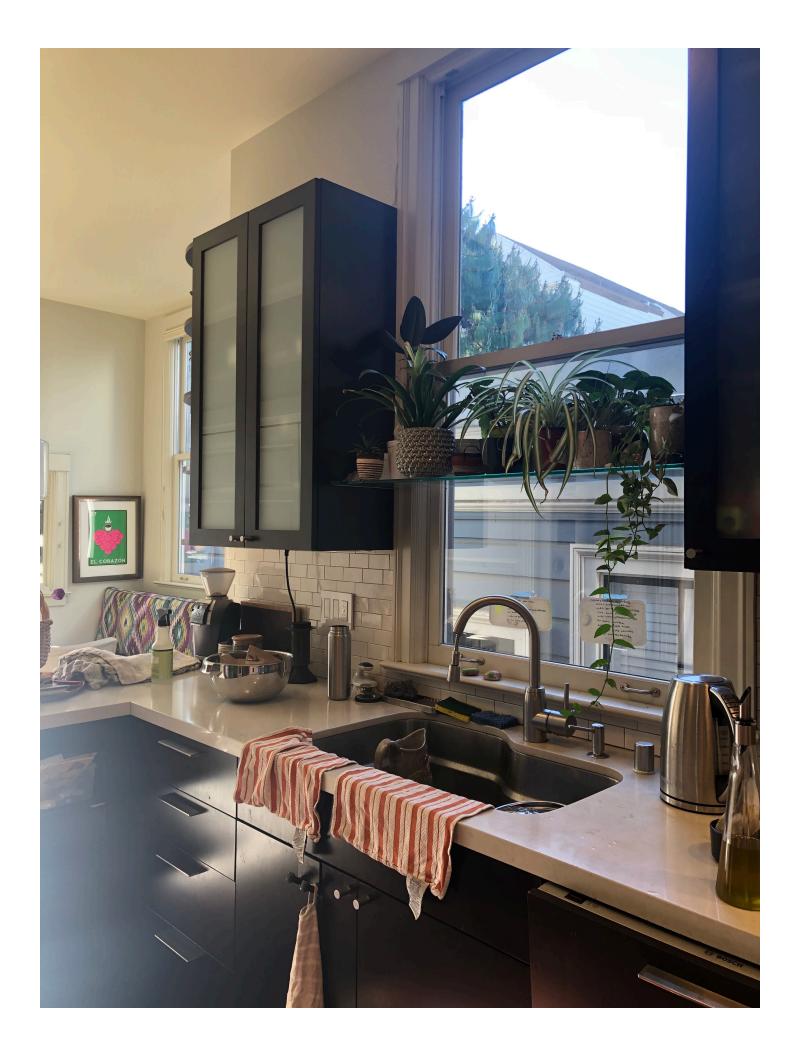
We kindly requested the owners of 220 San Jose Ave, reconsider the second story addition, as we are opposed to it. I personally am intimately familiar with the subject property as the woman living there for many years was very close to my family. That property has a very large stand up attic that could be made into another entire floor of whatever the occupants chose, without adversely affecting their neighbors on both sides.

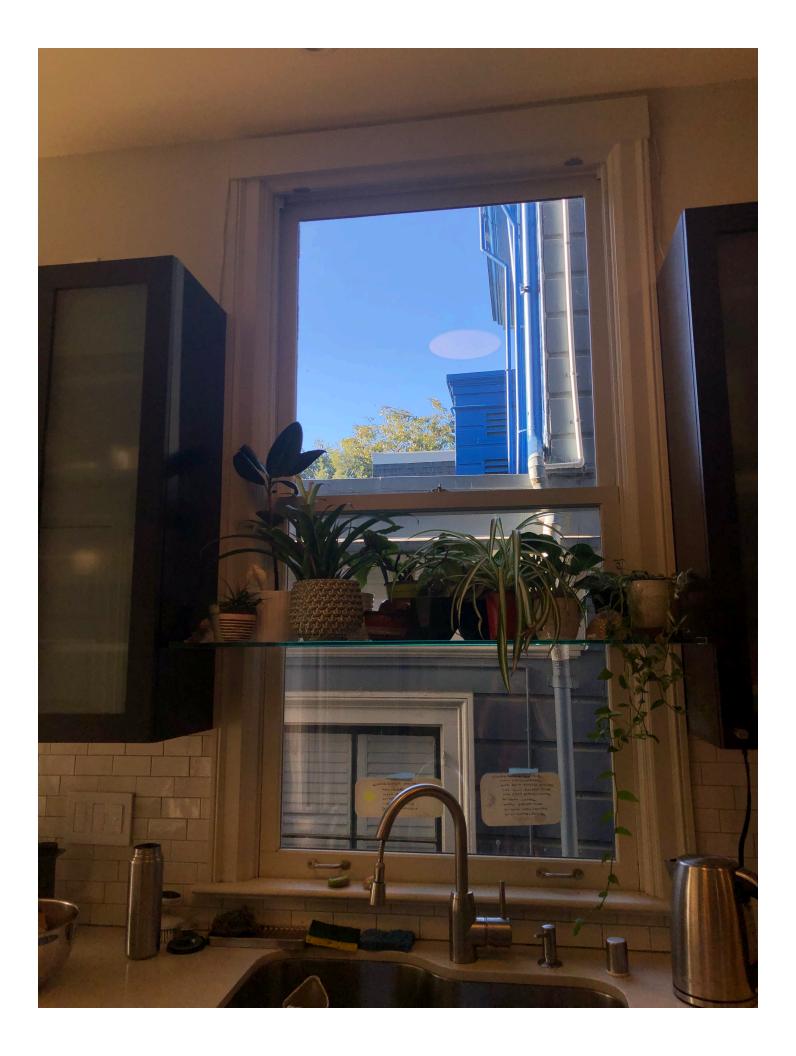
We are in agreement with Matt Ginzton and Vanessa Ozuna Ginzton and are in support of their request for a Discretionary Review of the remodel of 220 San Jose Ave. We very much would appreciate the removal of the second level addition. We suggest using the attic in its stead, since there are alternatives within the footprint of the property, we believe they should use the alternative rather than changing what for me has been my entire lifetime in this neighborhood and depriving me, my family and tenants sunlight and putting us in shadow, as well as the light of the neighbors Vanessa and Matt and their tenants on the other side of the subject property.

Respectfully yours,

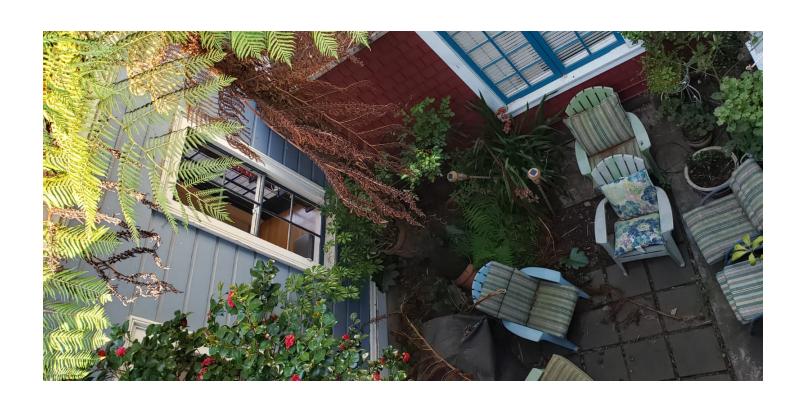
Victoria Kardum
George A. Kardum
216 San Jose Ave #3
San Francisco, CA 94110

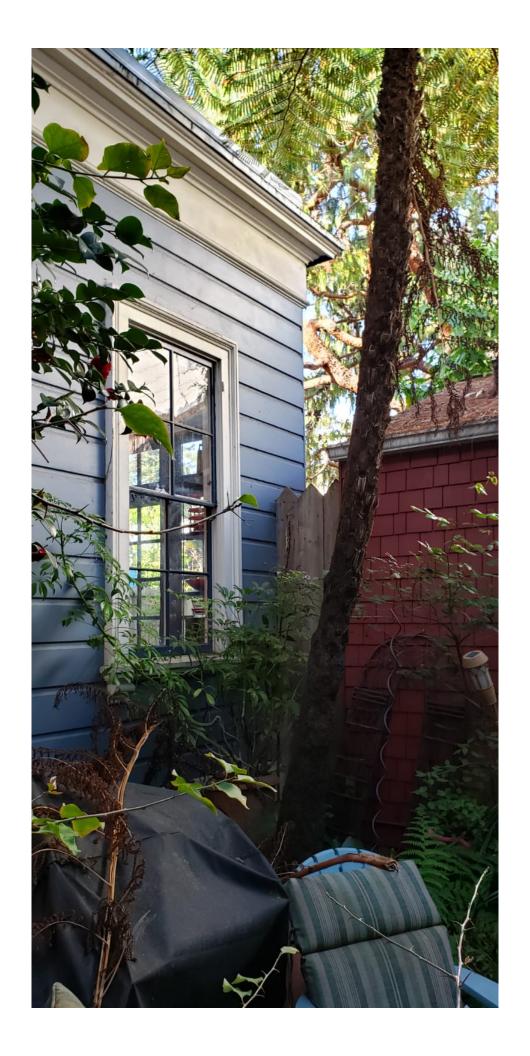




















SAN FRANCISCO PLANNING DEPARTMENT

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

Project Information

Property Address: 220 San Jose Avenue Zip Code: 94110

Building Permit Application(s): 201812148349

Record Number: 2018-016955PRJ Assigned Planner: Ella Samonsky & David Winslow

Project Sponsor

Name: Joseph Armin Phone: 415-550-1028

Email: jzarmin@sonic.net

Required Questions

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

Please See Attached

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

Please See Attached

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.

Please See Attached

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)	1	1
Occupied Stories (all levels with habitable rooms)	2	2
Basement Levels (may include garage or windowless storage rooms)	1	1
Parking Spaces (Off-Street)	2	2
Bedrooms	4	4
Height	39'-5"	39'5"
Building Depth	68'-8"	72'-2"
Rental Value (monthly)		
Property Value		

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

Signature: The Society	Date: May 30, 2019
	Property Owner
Printed Name:	Authorized Agent

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

1. 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.)

We have proposed a modest addition over the existing footprint of our house to accommodate our multigenerational family (2+ children, 2 adults, and 2 grandparents) in the coming years. We've modified our plans to meet all pre-application demands made of us by our South Neighbors (228 and 230 San Jose Ave), and the Planning Department and RDAT reviewed our plans and concluded that, with the modifications, they comply with the Planning Code and Residential Design Guidelines.

In now opposing our proposed addition, the South Neighbors complain about the flow of light to two sets of north-facing windows at the property line without explaining that, in 2012, they erected a 3-story tall wall at the property line that shades the area facing these windows. They have also expressed some privacy concerns, even though our windows will not overlap or face theirs and even though we've promised to install privacy screens on our windows.

We believe the South Neighbors identify no exceptional or extraordinary circumstances, and for reasons that we hope will become clear over the course of our response, we are very concerned with the circumstances surrounding this DR application. We respectfully urge the Planning Commission to decline to take DR.

Our proposal is modest in relation to other buildings on our block, and especially in relation to the South Neighbors' home

Our proposed addition will be built almost entirely on our home's existing footprint, and will continue to be set back by 3 feet from the South Neighbors' property line down the entire length of our home. Our home will also fit conservatively within the building patterns on both sides of the mid-block area because even with the addition, the second floor of our home will not reach as deeply into the yard as many of the upper floors of other buildings on the block (including the South Neighbors' own second floor). We worked hard to preserve the existing mid-block open space and the neighboring properties' connection to it, in addition to our home's existing setbacks.

With specific reference to the South Neighbors, even after our addition is complete, it will be more than 5 feet shorter in height and our house will be 10 feet shorter in length than their home, a 5,000+ square foot, 3-unit building with internal access to all units that they use as a family residence for themselves, their 2 children, and 2 grandparents, and in which an entire unit of the building functions as a children's play area and guest room. See Exhibit 1.

The South Neighbors' property-line windows aren't an exceptional or extraordinary circumstance because the areas of concern receive light and air from other sources

The Planning Department has repeatedly concluded that windows built at the property line are non-conforming conditions that are not protected by the Planning Code, and do not present exceptional or extraordinary circumstances, especially if there are other sources of light and air to the area of concern. See **Exhibit 2**.

The South Neighbors' property-line windows face north and receive almost no direct light today. Instead, these areas of their home receive light and air through numerous other sources, including glass doors and windows that face west towards the rear of the South Neighbors' building into their yard and that will be unaffected by our addition. See **Exhibit 3.** And because the South Neighbors' building will still be taller than ours, the indirect or ambient light to the property-line windows on the third floor will be largely unaffected by our addition. See **Exhibit 1.**

The impact to the South Neighbors' property line windows is the direct result of their decision to build an unnecessary 3-story tall, 7-foot wide wall at the property line

Seven years ago, before we bought our home, the South Neighbors completed an extensive renovation that, among other things, added multiple roof decks onto their property and external stairs connecting those roof decks. See **Exhibit 4.** The South Neighbors chose to place these stairs near the property line, which necessitated a 3-story tall, 7-foot wide fire-rated wall at the property line.

Because of these choices, the South Neighbors' wall shades the area facing the property-line windows that are the focus of this DR application. Even when light is abundant, such as during late spring/early summer, the area in question is shaded until the early evening. See **Exhibit 5.** Had they not erected this wall, the South Neighbors

would receive significantly more light to their areas of concern. Yet they complain about our addition, which will impact their home significantly less by comparison.

Neither the Planning Code nor the Residential Design Guidelines allow the South Neighbors to use their own poor planning and design choices to curtail our rights to build a modest addition that is well within the rules and is needed to support our own multigenerational family.

We satisfied all of the South Neighbors' pre-application demands

We extensively modified our plans well before this DR application was filed to completely flatten the roof over our addition, reducing the height of the addition by 7 feet, and improve light flow by removing the eaves at the perimeter of the roof, meeting the South Neighbors' demands as they laid them out at the pre-application meeting. See Exhibits 6 (Declaration of Joe Armin) and 7 (Declaration of Zarin Gollogly).

To address any privacy concerns, our design staggers the placement of our windows so that in the area of concern, none of our windows will overlap the South Neighbors' windows. See **Exhibit 1.** We also promised to add privacy screens to our windows to obscure any activity within our home.

By meeting the South Neighbors' demands, we believe we followed the letter and spirit of the Planning Department's pre-application process, identifying possible issues of contention early and making reasonable tradeoffs to accommodate our neighbors. And we were heartened when the Planning Department and RDAT reviewed our project and expressed no concerns about the impact of our addition on the South Neighbors' property.

Against that backdrop, this DR application truly surprised us. We were confused about why it was filed, and to see that it proposes no specific alternative other than for us to scrap plans for an addition and instead make do with the existing space within our home.

We also didn't understand why the South Neighbors waited until the final day of the 311 notification period to file, without first reaching out to us as the Planning Department urges, or why the DR application says that "no changes were made to the project as a result of our discussions with the applicant" when that isn't true.

After the DR application was filed, we continued trying to negotiate, but now believe the Planning Commission needs to intervene

Over the course of three meetings with the South Neighbors since the DR application was filed, we've grown concerned that the integrity of the Planning Department process hasn't been respected here.

First, the South Neighbors falsely state that we did not change our project following our discussions with them.

In reality, we modified our project to meet all of the South Neighbors' pre-application demands, as described in our response to question 2. But when we met with the South Neighbors after the DR application was filed, they said they had now decided to firmly oppose any addition to our home that was visible from or in any way impacted the light to their windows, and that our earlier modifications were insufficient. The South Neighbors went through 311 notification for their own renovation several years ago and surely understand the importance of the pre-application process in surfacing and resolving neighbors' concerns early in order to avoid unnecessary or meritless DRs. We never received a satisfactory explanation for why the South Neighbors raised their new concerns only at the eleventh hour, and why they didn't tell the truth on their application.

Second, we believe the South Neighbors elicited and included the North Neighbor's opposition solely to distract from the shortcomings of their objections.

Because the DR application focuses heavily on concerns that are specific only to the North Neighbor, we wanted to understand whether we should speak directly with her in addition to the South Neighbors. We learned from the South Neighbors that they had actually encouraged the North Neighbor to file her own DR application and that she didn't want to do so. Although they highlight issues specific to the North Neighbor, the South Neighbors said they filed this DR application on their own behalf, and not on behalf of the North Neighbor. Soon after the DR application was filed, the South Neighbors told us that they would withdraw it if we modified our plans to their satisfaction. See **Exhibit 8**.

As our meetings with the South Neighbors centered exclusively on their concerns and not on impacts to the North Neighbor, it became clear to us that the North Neighbor's issues are not especially pertinent to this DR application. For this and other reasons, we concluded that the South Neighbors seem to have invoked the North Neighbor to make the DR application seem more sympathetic than it is, and perhaps to mask that they extensively renovated their own home and are now seeking to prevent us from completing a comparatively modest renovation of a smaller house.

Third, the South Neighbors have rejected every reasonable compromise we've proposed. Despite our discomfort with the circumstances surrounding this DR application, we offered additional concessions to encourage them to withdraw this application (these are described in our answer to question 2) but the South Neighbors rejected every reasonable offer.

At this point, we've grown uncomfortable with what appears to be disregard for the integrity of the Planning Department pre-application process and misuse of the DR process, and we hope the Planning Commission will reject this DR application.

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 change and indicate whether they were made before of after filing your application with the City.

We have proposed 7 substantial modifications to the project to address our neighbors' concerns. This is in addition to considerations we took into account prior to presenting our plans to the South Neighbors before and during the pre-application meeting (which are described in response to question 3).

Changes to our plans after the pre-application meeting

At the pre-application meeting, the South Neighbors requested that we either flatten the roof over our second story addition, or alternatively move the addition further away from their property by 1-2 feet. After the pre-application meeting, we made the following changes:

- To improve the flow of light and air to the South Neighbors' property, we removed a proposed eave that was 1.5 feet deep at the roof of our house.
- We promised to install privacy film on our windows to mitigate any privacy concerns, even though the South Neighbors' windows generally look down and into our home and even though they have never installed privacy filters of their own

We made two additional offers that the South Neighbors rejected.

- We offered to paint our home a light color to increase the reflective light available to their home in the area of concern.
- We offered to install lighting at our expense to brighten the affected area during the day when it is shaded by the South Neighbors' wall at the property line.

Changes to our plans after submission to the Planning Department and before the DR application was filed

• During extensive back and forth discussions with the Planning Department and RDAT to address their concerns about the connection between the North Neighbor's courtyard and the mid-block open space, we completely flattened the roof over the proposed addition, voluntarily reducing the overall height of the addition by 7 feet and satisfying the Planning Department and RDAT, while also meeting the South Neighbors' pre-application demand that we either flatten the roof, or alternatively move the addition 1-2 feet further away from their property. See Exhibits 6 and 7.

Proposals we made after the DR application was filed

- We offered to expand from 6 feet to 8 feet the distance between our proposed bathroom and the South Neighbors' property in an area that faces and overlaps with their property-line windows. See **Exhibit 9.**
- We offered to angle the walls at the rear of the addition to cut the corners off of both floors of our building and facilitate increased light and air flow to both neighbors. See Exhibit 9.

The South Neighbors rejected both of these offers.

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

We have proposed a modest addition over the existing footprint of our home, and we modified our plans extensively to meet all of the South Neighbors' pre-application demands, and to successfully incorporate RDAT's feedback during their review. We also considered numerous other alternatives to the proposal we submitted to the City, such as expanding into our attic or deeper on our first floor, but each came with unacceptable drawbacks, as explained below.

We believe our proposal correctly balances competing interests and that additional changes would be unfair and unwarranted at this juncture — after we've expended considerable time and money developing and refining plans that clearly comply with the Planning Code and Residential Design Guidelines — especially because our neighbors have rebuffed each of our multiple reasonable compromise proposals.

We are remodeling our home so that we can raise our children and care for our parents here

Our overarching goal for this project is a common one — we seek to modestly alter our home to meet our family needs in the coming years. We will soon have 6+ family members living in our home (2+ young children, 2 parents (us), and 2 grandparents). For safety and so we can effectively care for our family, we need all of our bedrooms to be on the same floor of the house. Our master bedroom must also serve as a home office because Meghna runs her business from home.

We considered but decided not to build in our attic because it would alter our home's historic facade and would not meet our family's needs

Soon after retaining an architect, we explored expanding above our second floor into our attic. Our hope was that this might help us meet our needs while avoiding impacts on our neighbors, but it became clear that this would not work for a number of reasons:

- Our attic does not meet the minimum ceiling height requirements of the California Building Code and would need to be significantly overhauled to make it truly habitable.
- Making the attic space habitable would cause it to be visible from the front of the house, which is impermissible and would mar the exterior appearance of a historic resource home like ours.
- As we considered our family's needs, we concluded that adding a third-floor addition would frustrate our ability to care both for our young children and our aging parents. Shortly after our architect prepared preliminary drawings for a first floor expansion, one of our parents came to stay with us following cataract surgery and lived for several days in our first floor office. She was uncomfortable and felt unsafe sleeping so far from the rest of the family on a different floor of the house, and it made it difficult to care for her at a time when she felt vulnerable.

We decided to minimize our expansion into the rear yard so that we could maximize the light available to our North Neighbor, maximize the available mid-block open space, avoid threatening the vitality of a 40-60 year old pine tree in our yard, and effectively serve our family's needs

In a further effort to avoid unnecessary impact to our neighbors, we also asked our architect to explore expanding our first floor deeper into our rear yard instead of building above it. This too proved impossible for the following reasons:

- Adding a bedroom and bathroom on the first floor would have required cutting down a beautiful pine tree in our rear yard that an arborist estimated to be between 40 and 60 years old. See Exhibit 10.
- Additionally, for the same reason that a third-floor addition wouldn't serve our family's needs (explained above), a first-floor addition wouldn't serve our family because it would require placing one bedroom far from the others.

When a second floor addition appeared inescapable, we also explored whether we could narrow it (to move it further away from the neighbors' respective properties) while pushing a bit more deeply into the rear yard to capture the lost square footage. This too proved problematic for the following reasons:

- Expanding the second floor deeper into the yard by even a few feet would erode
 the North and South Neighbors' access to light and air. For example, narrowing
 the second floor addition by 4 feet on both sides would require building 10 feet
 deeper into the yard than we currently plan, and narrowing it by 3 feet on both
 sides would require building 7 feet deeper into the yard.
- Expanding the first floor deeper into the yard (a necessary corollary to expanding the second floor deeper into the yard) would introduce substantial unusable, unwanted space on the first floor.
- Additionally, expanding the second floor deeper into the yard than we currently plan to even by a few feet would risk endangering the pine tree.

Additional changes would unfairly burden us given that our plans already comply with the Planning Code and Residential Design Guidelines

We have diligently followed the Planning Department process, exhaustively considered alternative proposals, and repeatedly revised our plans to incorporate feedback from our neighbors and guidance from the Planning Department and RDAT. We've invested significant time and money getting to a point where our plans unambiguously comply with the Planning Code and the Residential Design Guidelines. To further amend our plans, particularly given that our South Neighbors propose no reasonable alternatives and have repeatedly rejected every compromise we've offered, would unfairly burden us and unnecessarily strain what we have always intended to be a modest renovation project.

T.O. (E) GRADE AT REAR OF 220 SAN JOSE SOUTH ELEVATION SCALE: 1"=1'4" 34'-9" +/-33'-9" +/-31'-0" +/-27'-0" +/-(N) 220 SAN JOSE ROOF
(E) ATTIC LEVEL _ _ _ _ (E) MAIN LEVEL (E) UPPER LEVEL 230 & 228 SAN JOSE ROOF DECK 230 & 228 SAN JOSE ROOF 230 & 228 SAN JOSE PROPERTY-LINE WALI 230 & 228 SAN JOSE PROPERTY-LINE WALL OUTLINE (SHADED) 230 & 228 SAN JOSE BUILDING OUTLINE (SHADED) 45% REAR YARD LINE 230 & 228 SAN JOSE ROOF DECK (DASHED) DATE: 5.28.2019

220 SAN JOSE AVE SAN FRANCISCO, CA 94110

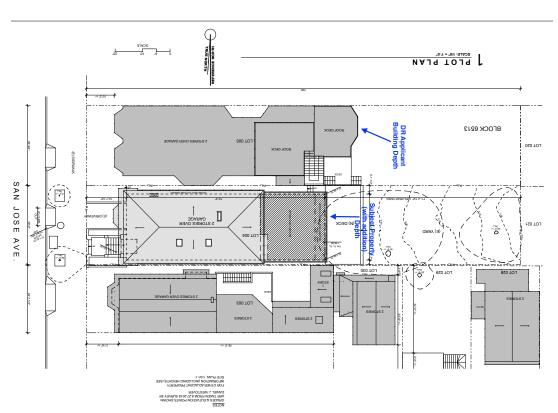
Our Proposed Addition in Relation to DR Applicant's Building Exhibit 1

JZA ARCHITECTURE

Exhibit 1

Our Proposed Addition in Relation to DR Applicant's Building





Recent DR Cases Involving Property-Line Windows

1) DR Case #: 2016-002865DRP

Hearing Date: March 15, 2018

Project Address: 1889-1891 Green Street

In the Discretionary Review Abbreviated Analysis, the Residential Design Team noted, "Nothing in the Planning Code or the Residential Design Guidelines protects non-required property line windows."

At the DR Hearing, the Planning Commission determined that there were no "exceptional or extraordinary circumstances" with regards to the property line windows.

2) DR Case #: 2017-009924DRP

Hearing Date: November 29, 2018 Project Address: 2601 Diamond

In the Discretionary Review Abbreviated Analysis, the Residential Design Team noted, "Property line windows, a non-complying condition, are not protected by Planning Code or guidelines."

At the DR Hearing, the Planning Commission declined to take DR, seeing nothing "exceptional or extraordinary."

3) DR Case #: 2017-015997DRP

Hearing Date: October 4, 2018 Project Address: 1871 Green Street

In the Discretionary Review Abbreviated Analysis, the Residential Design Team noted, "The Planning Department does not make any provisions about maintaining or protecting property line windows, as they are typically non-complying features. By the description of the DR applicant they are not required for light and air to habitable rooms, therefore this is not an exceptional or extraordinary condition."

At the DR Hearing, the planning commission declined to take DR, seeing nothing "exceptional or extraordinary" about the windows at the property line being closed off.

4) DR Case #: 2017-003986DRP-02

Hearing Date: May 3, 2018

Project Address: 739 De Haro Street

In situation where, among other complaints, property-line windows were being covered by a proposed addition, the Residential Design Team noted in the Discretionary

Exhibit 2 Recent DR Cases Involving Property-Line Windows

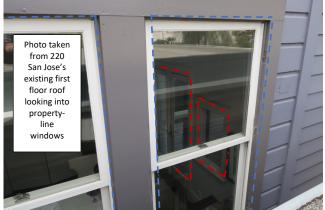
Review Abbreviated Analysis, "The Residential Design Advisory Team (RDAT) reviewed the Project . . . and found that the Project does not demonstrate exceptional or extraordinary circumstances and meets the standards of the Residential Design Guidelines (RDGs)."

At the hearing, the Commission found no exceptional or extraordinary circumstances and rejected DR, noting while "there's going to be an impact to [the DR Applicant] from the covering . . . of lot line windows[, w]e see that often. It's unfortunate, but they're kind of there, and not protected under the rule."

South Neighbors Have At Least Three Other Sources of Light and Air in Room with Property-Line Windows

Note: Red windows are non-property line windows that will be unaffected by our addition. Blue windows are north-facing property-line windows, from which our addition will be set back from the property line by 3 feet.







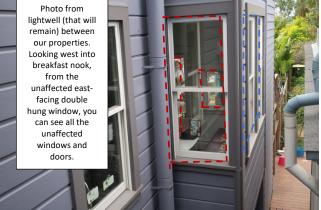


Exhibit 4 DR Applicant's Property



Exhibit 4 DR Applicant's Property

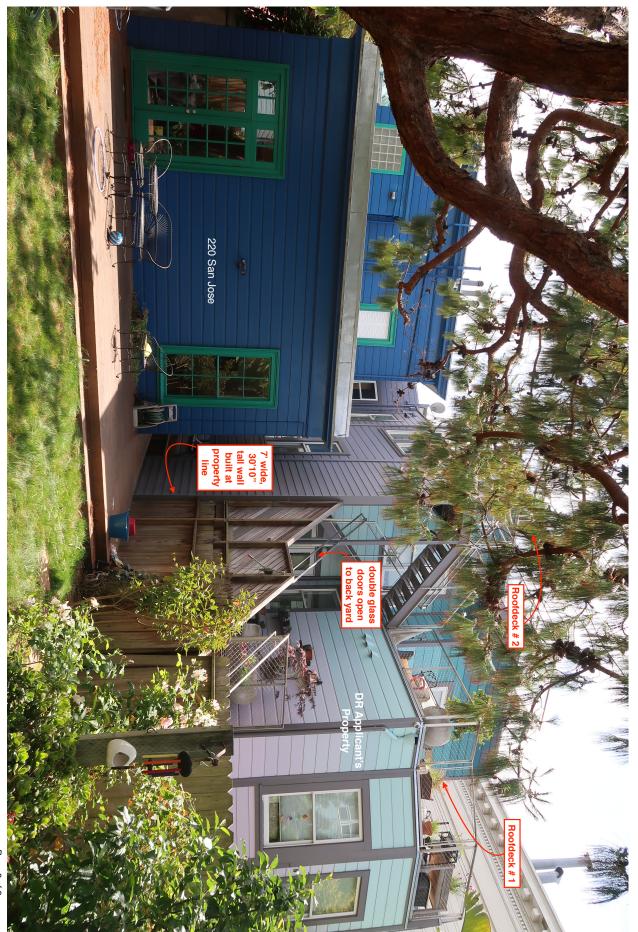
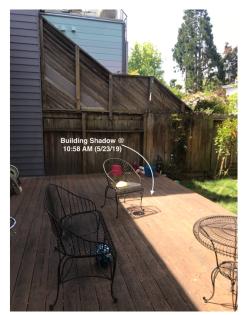


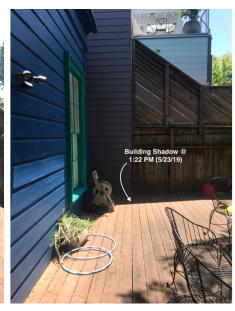
Exhibit 4 DR Applicant's Property

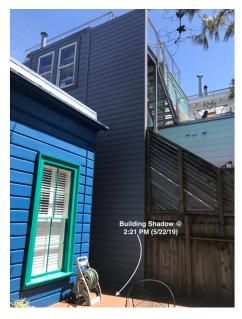


Photos that Demonstrate DR Applicant's Building Shadows at Various Times of Day

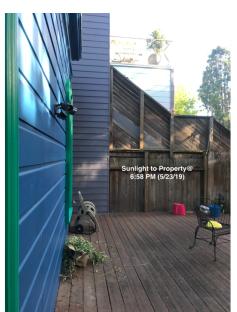




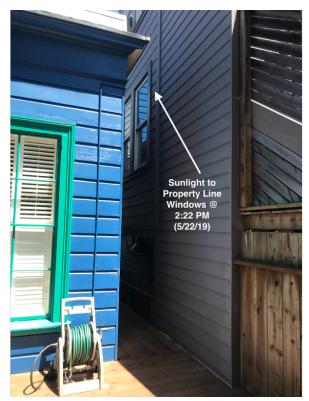




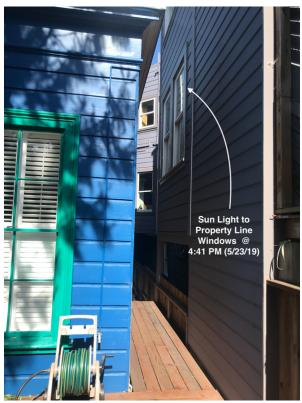




Photos that Demonstrate the Light to DR Applicant's Property Line Windows at Various <u>Times of Day</u>

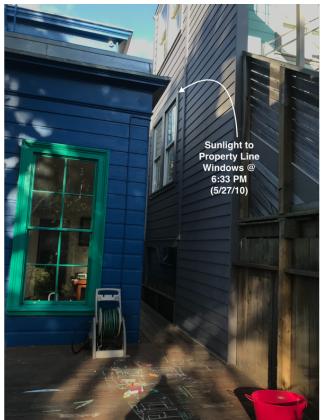








Photos that Demonstrate the Light to DR Applicant's Property Line Windows at Various <u>Times of Day</u>



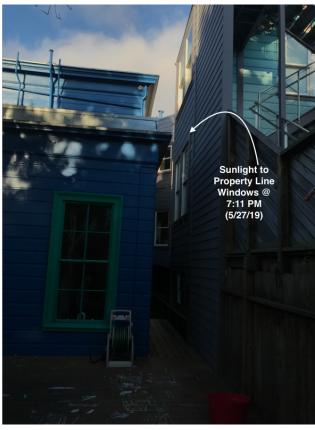


Exhibit 6 Declaration of Joseph Armin

I, Joseph Armin, do hereby declare as follows:

- 1. I am the architect and project sponsor of the development proposal at 220 San Jose Avenue, San Francisco, CA 94110.
- 2. On November 28, 2018, I attended a neighborhood pre-application meeting from 6:00 p.m. to 7:30 p.m., at 220 San Jose Ave, to present architectural plans for the proposed project, answer neighbors' questions about the proposal, and receive any feedback about the architectural plans.
- 3. I took contemporaneous meeting notes summarizing the meeting.
- 4. The only neighbors that attended the pre-application meeting were Matt and Vanessa Ginzton, owners of 228-230 San Jose Avenue (the South Neighbors). The owners of 220 San Jose Ave (Meghna Subramanian and Kareem Ghanem) and the project contractor (Zarin Gollogly) also attended.
- 5. At the meeting, the South Neighbors stated:
 - a. That they had concerns about the impact the second story addition would have on light to their second and third story kitchens, which will be set back from the proposed addition by over 6 feet;
 - b. That they had earlier shared the proposed architectural plans with an architect, and spoken with their architect about ways to mitigate this impact; and
 - c. That after consulting an architect, they requested that the architectural plans be modified to eliminate the proposed gabled roof in favor of a flat roof, or, alternatively, to move the addition further north by 1-2 feet.
- 6. My notes confirm that this is the only request the South Neighbors made at the pre-application meeting. At no point during the pre-application meeting did the South Neighbors request that the architectural plans be modified to remove the second story addition.

Declaration of Joseph Armin

- 7. During the pre-application meeting, Matt Ginzton further encouraged the owners of 220 San Jose Ave to eliminate the proposed gabled roof in favor of a flat roof by suggesting that doing so would allow them to build a roof deck like those that the South Neighbors added to their own property.
- 8. After the pre-application meeting, the architectural plans for the project were revised to address the South Neighbors' light concerns and were submitted to the San Francisco Planning Department on December 14, 2018.
- On February 21, 2019, I received a Plan Check Letter from the Planning
 Department recommending modifications to the architectural plans to address
 impact to the courtyard of 216 San Jose Avenue (the North Neighbor).
- 10. To address the Plan Check Letter recommendations, the architectural plans were modified to eliminate the proposed gabled roof in favor of a flat roof, reducing the height of the proposed addition by 7 feet. The Planning Department did not require this modification but the owners of 220 San Jose Ave believed it would satisfy the Planning Department's concerns about the North Neighbor's courtyard while also definitively satisfying the South Neighbors' exact request at the pre-application meeting.
- 11. On March 26, 2019, I submitted the revised architectural plans to the Planning Department and on March 27, the Planning Department deemed them ready for public notification. The Planning department set the 311 Notification Period from April 3, 2019, through May 3, 2019.
- 12. At no point during the 311 Notification Period did Matt or Vanessa Ginzton contact me.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 29, 2019, in San Francisco.

Joseph Armin

Declaration of Zarin Gollogly

- I, Zarin Gollogly, do hereby declare as follows:
- 1. I am the building contractor for the development proposal at 220 San Jose Avenue, San Francisco, CA 94110.
- 2. On November 28, 2018, I attended a neighborhood pre-application meeting from 6:00 p.m. to 7:30 p.m., at 220 San Jose Ave.
- 3. The other individuals present were Matt and Vanessa Ginzton, owners of 228-230 San Jose Avenue (the South Neighbors), the owners of 220 San Jose Ave (Meghna Subramanian and Kareem Ghanem), and the project architect (Joe Armin).
- 4. At the meeting, the South Neighbors stated:
 - a. That they had concerns about the impact the second story addition would have on light to their kitchen;
 - b. That they had earlier shared the proposed architectural plans with an architect, and spoken with their architect about ways to mitigate this impact; and
 - c. That after consulting an architect, they requested that the architectural plans be modified to eliminate the proposed gabled roof in favor of a flat roof, or, alternatively, to move the addition further north by 1-2 feet.
- 5. At no point during the pre-application meeting did the South Neighbors request that the architectural plans be modified to remove the second story addition.

Declaration of Zarin Gollogly

6. During the pre-application meeting, Matt Ginzton further encouraged the owners of 220 San Jose Ave to eliminate the proposed gabled roof in favor of a flat roof by suggesting that doing so would allow them to build a roof deck like those that the South Neighbors added to their own property.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May <u>30</u>, 2019, in San Francisco.

Zarin Gollogly

Exhibit 8 Emails from DR Applicant



Meghna Subramanian <meghna.subramanian@gmail.com>

220 San Jose addition plans

Matt Ginzton <matt@ginzton.net>

Thu, May 2, 2019 at 5:51 PM

To: Kareem Ghanem < kareem.ghanem@gmail.com>

Cc: Meghna Subramanian <meghna.subramanian@gmail.com>, Vanessa Ozuna Ginzton <vanessa.ozuna@gmail.com>

Hi Kareem, and Meghna, sorry to hear that we have nothing to discuss tonight, and please let us know when you think will be productive to meet.

We are, in fact, willing to engage, and it'll be better for all of us if we can reach an amicable agreement, you propose modified plans we can agree to, we withdraw the DR, and you can get on with your project.

I'll note that email/text is known as a medium where subtleties get lost, so I don't think we'll be well served by a bunch of email debate; we will want to meet and make a genuine effort to negotiate which will require understanding and concessions on both sides, and until that happens, I suggest we stay away from language indicating anyone here is acting in bad faith or less than genuine.

[Quoted text hidden]



Meghna Subramanian <meghna.subramanian@gmail.com>

220 San Jose addition plans

Matt Ginzton <matt@ginzton.net>

Sat, May 4, 2019 at 9:24 AM

To: Kareem Ghanem <kareem.ghanem@gmail.com>

Cc: Meghna Subramanian <meghna.subramanian@gmail.com>, Vanessa Ozuna <vanessa.ozuna@gmail.com>

Hi Kareem and Meghna, I think we should meet sooner and without Victoria for a couple reasons

- Victoria isn't actually a signatory on the DR request, I think you'll note. We have been in contact with her and encouraged her to file her own and she didn't want to do that but did want to support ours. I don't think it's accurate that we filed it on her behalf.
- Victoria is out of the country now, until something like May 12
- I imagine that by now, we've built up some amount of frustration with the process (for example, to state one assumption, I assume that you're wondering why this didn't all get resolved months ago) that are making this discussion harder, as well as the actual substance of the matter we need to resolve. I also imagine we won't get all the way through everything in one meeting. I suggest we meet sooner to clear the air on any mistaken assumptions we've made on either side, try to work through what I'm characterizing as process frustrations and hopefully put those to bed, re-establish a tone of mutual respect and if possible mutual understanding, and move on to the substance of the disagreement.

I do think it will be good for the 5 of us including Victoria to meet later, but I don't think that should stop the 4 of us from talking first.

[Quoted text hidden]

Exhibit 9

Proposals We Made After the DR Application was Filed.

DR Applicants Rejected Both.

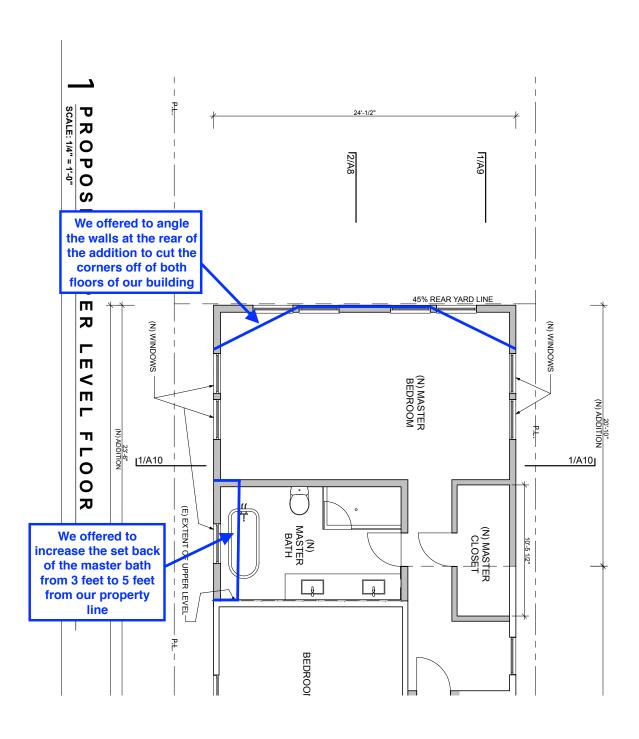


Exhibit 10 Our Pine Tree



View of the tree from our existing first story roof (our proposed project extends back only 3'6" from the edge of the roof in the rear, which requires us to only prune the tree back)

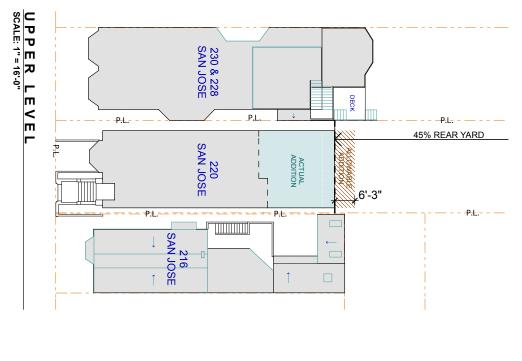
View of tree from our attic's gabled roof)

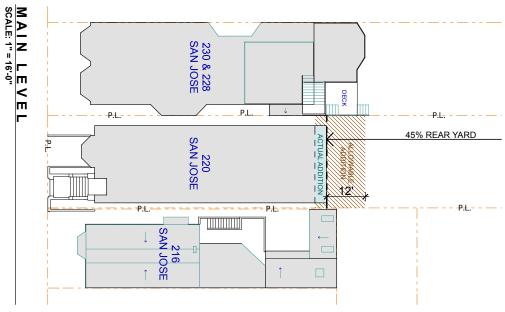




Views from the ground (side profile shows the proximity of the tree to what will be our second story addition and demonstrates why extending further back will jeopardize the tree's survival)













SUBJECT PROPERTY 220 SAN JOSE AVE.







ACROSS FROM SUBJECT PROPERTY SAN JOSE AVE.





offering support for my neighbor's project (220 San Jose Ave)

Christopher Elmendorf <christopher_elmendorf@yahoo.com>
To: "Ella.Samonsky@sfgov.org" <Ella.Samonsky@sfgov.org>
Cc: Christine Van Aken <cbvanaken@gmail.com>

Wed, Feb 13, 2019 at 10:08 PM

Dear Ella,

I understand that you are the planner who has been assigned to my neighbors' Meghna and Kareem's project. My family and I live catty-corner from Meghna and Kareem on Guerrero St. I want to let you know that we support their project, and I hope you will make it easy for them to get it approved!

All best,

Chris

GRADES & ELEVATION POINTS SHOWN ARE TAKEN FROM 8.27.2018 SURVEY BY DANIEL J. WESTOVER FOR OTHER ADJACENT PROPERTY INFORMATION (INCLUDING HEIGHTS) SEE SITE PLAN, 1/A1.1. 2 STORIES 2 STORIES 2 STORIES LOT 003 2 STORIES 2 STORIES OVER GARAGE LOT 028 LOT 029 LOT 030 Ш > ⋖ LOT 004 (E) YARD Ш LOT 021 (N) DECK 2 STORIES OVER S GARAGE (E) DRIVEWA 0 \neg Z THOUSE WALCOUTLINE DASHED - DO - -⋖ S ROOF DECK LOT 020 LOT 005 2 STORIES OVER GARAGE ROOF DECK **BLOCK 6513** 10'-2" +/-

PLOT PLAN

SCALE: 1/8" = 1'-0"

NOTES

PROJECT DESCRIPTION

TWO STORY REAR ADDITION TO EXISTING SINGLE-FAMILY HOUSE. INTERIOR REMODEL AT MAIN & UPPER STORIES, **INCLUDING REBUILDING KITCHEN & RELOCATING** BATHROOMS RESULTING IN NET INCREASE OF 1 BEDROOM AND 1 BATHROOM . AT REAR OF GARAGE LEVEL EXCAVATE EARTH (6'-6" MAX. HEIGHT, 49 CUBIC YARDS) AND EXPAND STORY, INSTALL NEW INTERIOR STAIRWAY BETWEEN GARAGE LEVEL AND MAIN STORY. REDO ROOF FRAMING AND ROOFING. UPGRADE ELECTRICAL, MECHANICAL & REPAIR WINDOWS THROUGHOUT HOUSE. REPLACE EXISTING REAR DECK WITH NEW WOOD DECK.

RH3 R3 TWO OVER GARAGE LOT AREA: EXISTING HOUSE SQUARE FOOTAGE 2952 PROPOSED HOUSE SQUARE FOOTAGE 3452 40'-0" EXISTING & PROPOSED BUILDING HEIGHT 39'-7" (UNCHANGED) CONSTRUCTION TYPE: EXISTING CAR PARKING S.F / # OF SPACES TYPE V PROPOSED CAR PARKING S.F./# OF SPACES 541/2 PROPOSED BIKE PARKING # OF SPACES 2

DRAWING INDEX

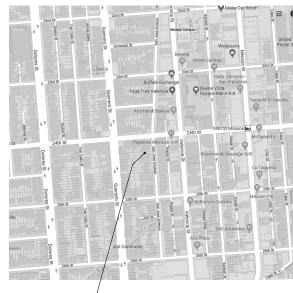
- PLOT PLAN, VICINITY MAP AND PROJECT DESCRIPTION

BLOCK / LOT:

ZONING: OCCUPANCY:

- A1.1 SITE PLAN
 A2 EXISTING / DEMOLITION FLOOR PLANS
 A3 EXISTING / DEMOLITION FLOOR PLANS
 A4 EXISTING / DEMOLITION ROOF PLAN
 A5 EXISTING EXTERIOR ELEVATIONS

- PROPOSED FLOOR PLANS
- Α7 PROPOSED FLOOR PLANS
- PROPOSED ROOF PLAN & BUILDING SECTION
- PROPOSED BUILDING SECTION
- PROPOSED BUILDING SECTION & EXTERIOR ELEVATION
- PROPOSED EXTERIOR ELEVATIONS



PROJECT LOCATION

VICINITY MAP

ARCHITECTURE

152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

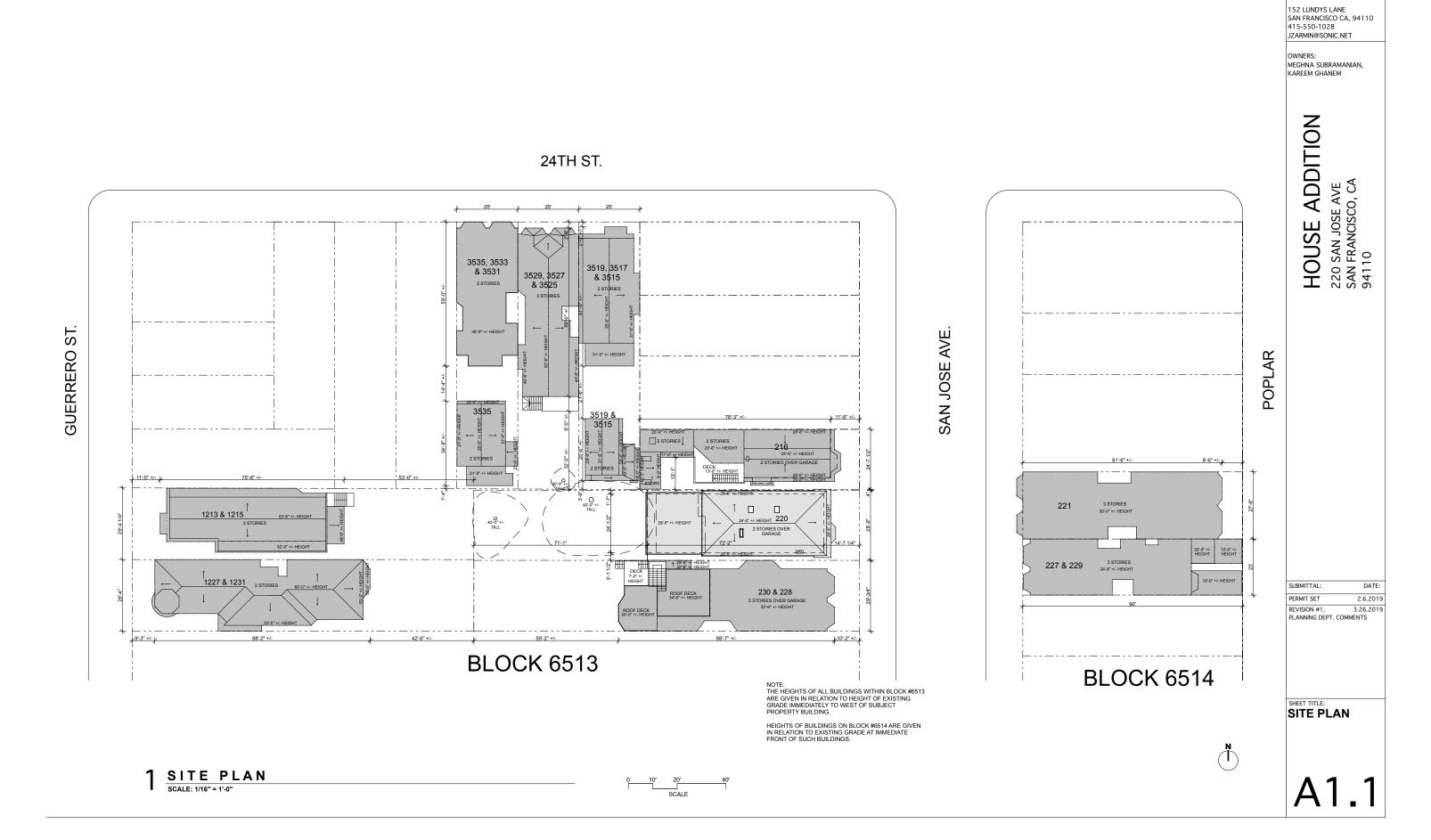
MEGHNA SUBRAMANIAN, KAREEM GHANEM

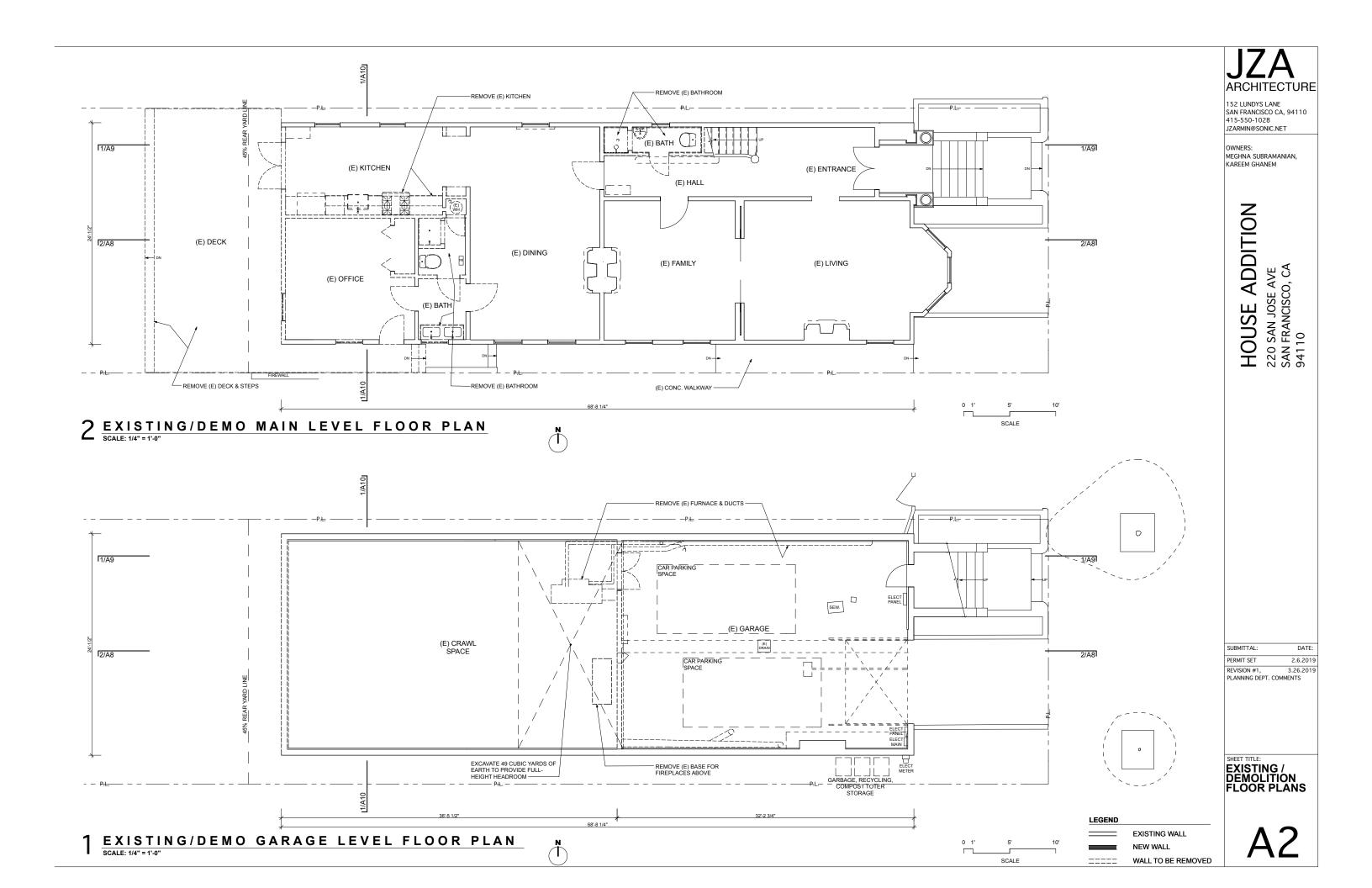
ADDITION HOUSE

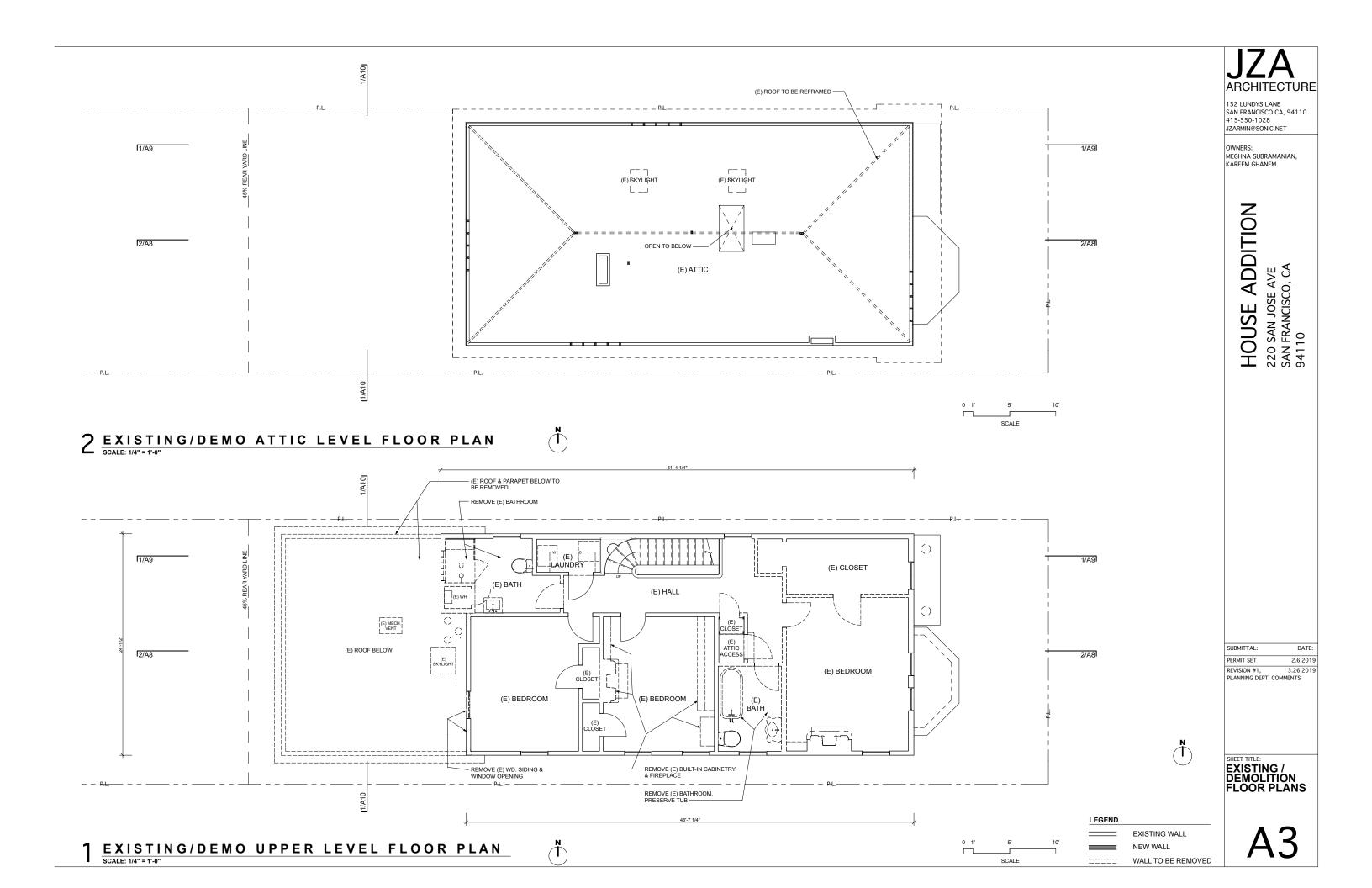
220 SAN JOSE AVE SAN FRANCISCO, CA 94110

SUBMITTAL: DATE: 2.6.2019 REVISION #1. 3.26.2019 PLANNING DEPT. COMMENTS

SHEET TITLE: PLOT PLAN, VICINITY MAP AND PROJECT DESCRIPTION





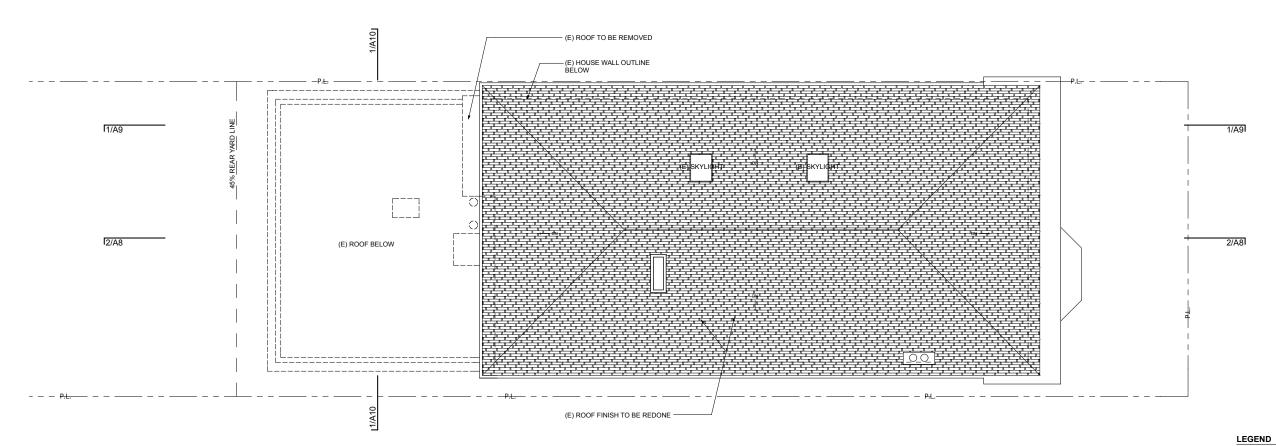




152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

OWNERS: MEGHNA SUBRAMANIAN, KAREEM GHANEM

HOUSE ADDITION
220 SAN JOSE AVE
SAN FRANCISCO, CA
94110



SUBMITTAL: DATE: 2.6.2019 REVISION #1, 3.26.2019 PLANNING DEPT. COMMENTS

SHEET TITLE:
EXISTING /
DEMOLITION
ROOF PLAN

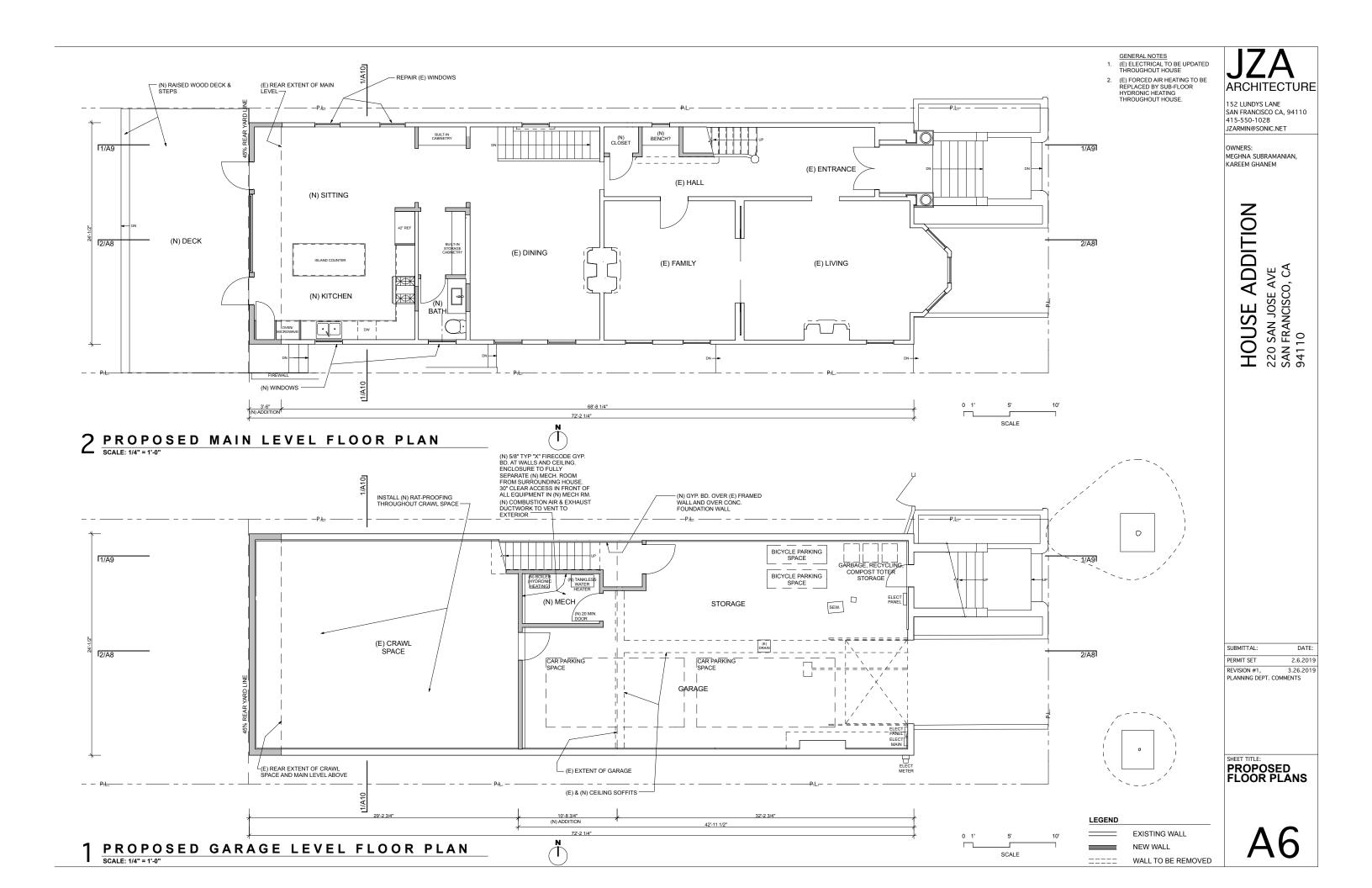
EXISTING/DEMO ROOF PLAN SCALE: 1/4" = 1'-0"

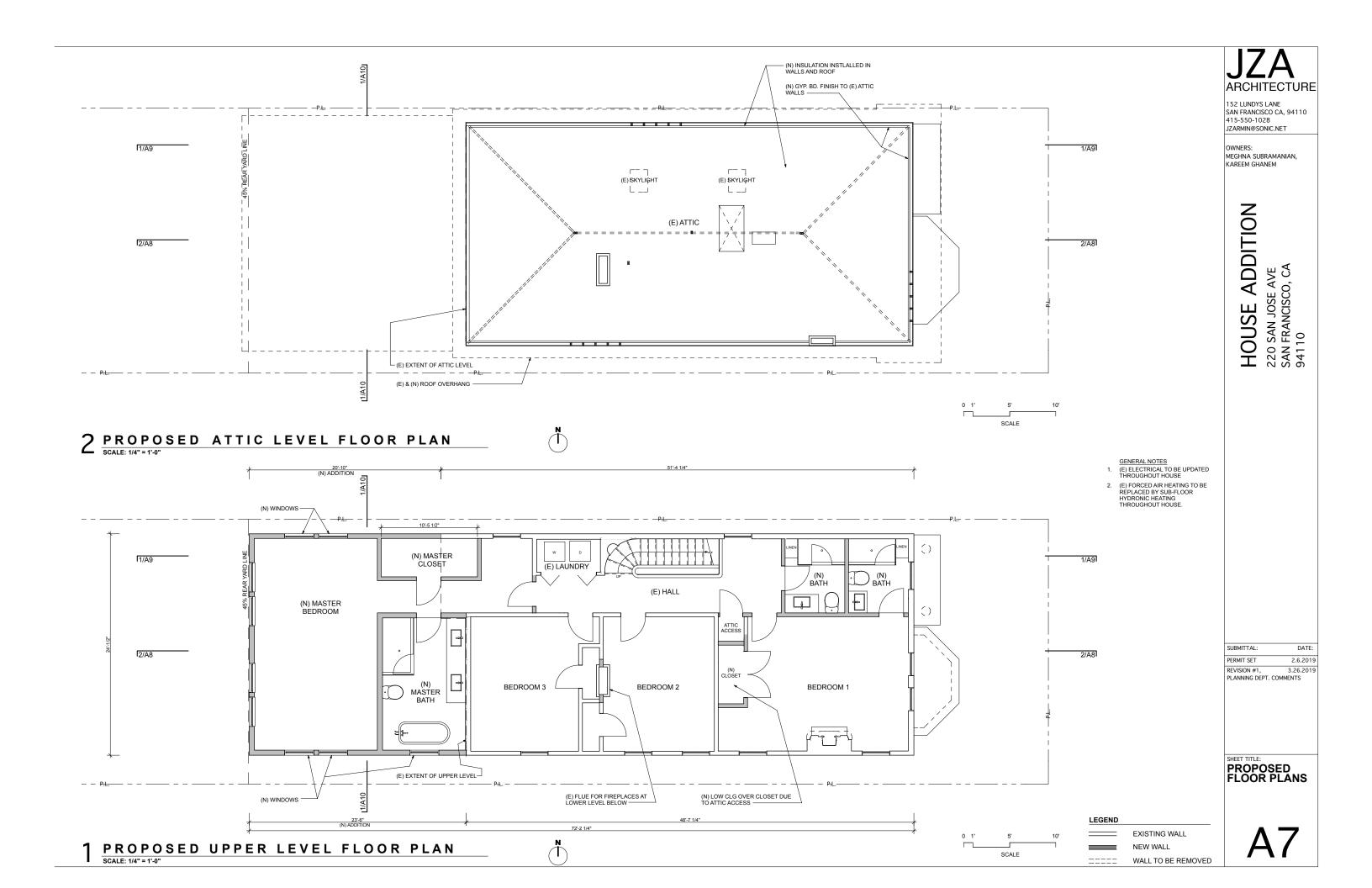
0 1'

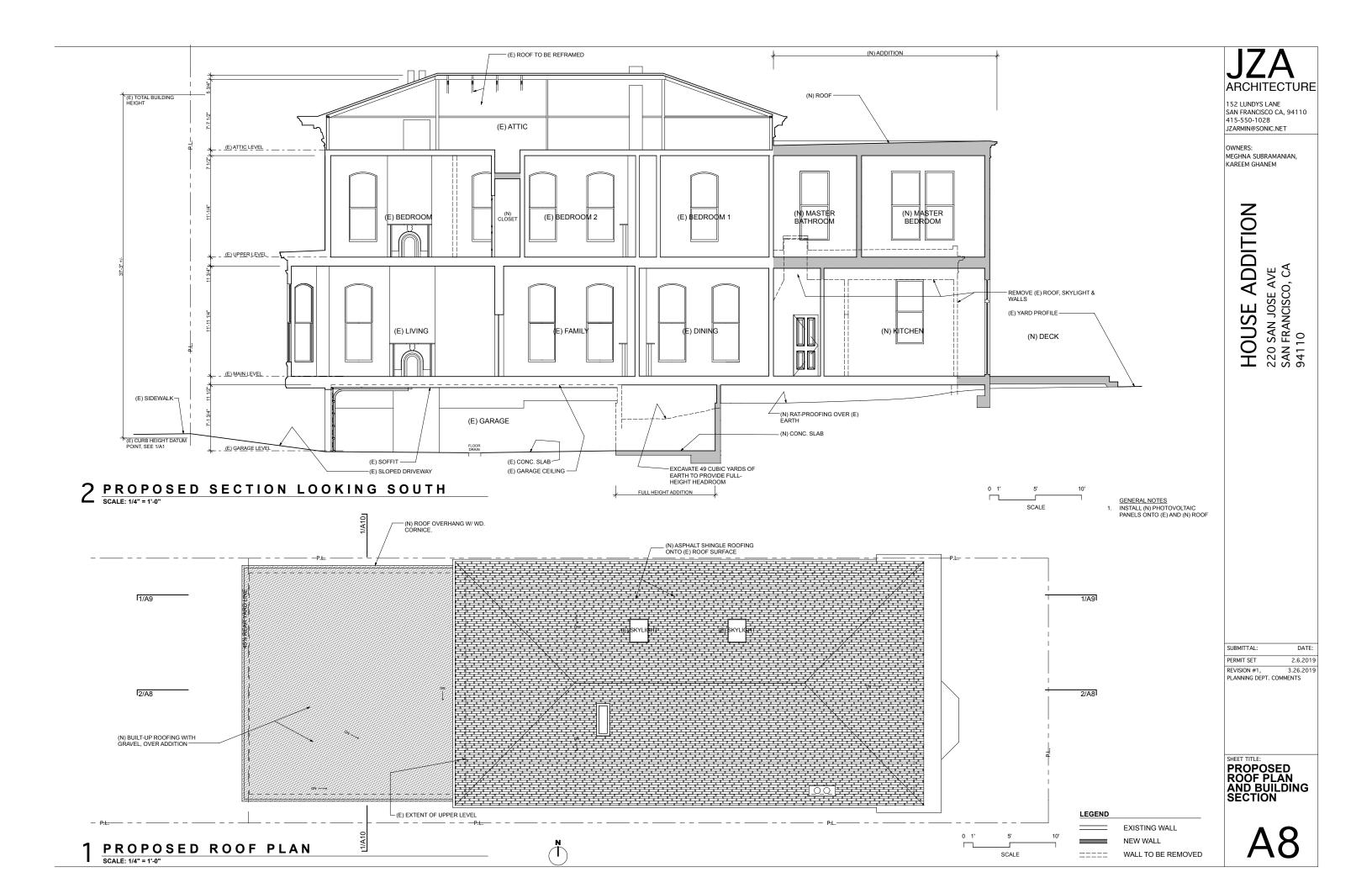
EXISTING WALL SCALE

NEW WALL WALL TO BE REMOVED









JZA ARCHITECTURE

152 LUNDYS LANE SAN FRANCISCO CA, 94110 415-550-1028 JZARMIN@SONIC.NET

OWNERS: MEGHNA SUBRAMANIAN, KAREEM GHANEM

> HOUSE ADDITION 220 SAN JOSE AVE SAN FRANCISCO, CA 94110

SUBMITTAL: DATE:
PERMIT SET 2.6.2019
REVISION #1, 3.26.2019
PLANNING DEPT. COMMENTS

SHEET TITLE:
PROPOSED
BUILDING
SECTION

LEGEND

EXISTING WALL NEW WALL

WALL TO BE REMOVED

A9



