Discretionary Review Abbreviated Analysis

HEARING DATE: JULY 9, 2020

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

Reception: **415.558.6378**

Fax.

415.558.6409

Planning Information: 415.558.6377

Date: July 2, 2020

Case No.: 2019-000507DRP
Project Address: 3537 23rd Street
Permit Applications: 2019.0107.9729

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

40-X Height and Bulk District

Block/Lot: 3846 / 023

Project Sponsor: William Pashelinsky Architect

1937 Hayes Street

San Francisco, CA 94117

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

David.Winslow@sfgov.org

Recommendation: Do Not Take DR and Approve

PROJECT DESCRIPTION

The project proposes a two-story vertical addition and horizontal rear addition to an existing two-story single-family-home to add a dwelling unit. The project also includes alterations to the front façade. A variance for front setback was requested and heard at a separate hearing. This is not a demolition per Planning Code Section 317.

SITE DESCRIPTION AND PRESENT USE

The site is a 25'-0" wide x 114'-0" deep slightly lateral sloping lot with an existing 2-story, one-family house built in 1900 and is categorized as an 'A' – Historic Resource due to its status as a non-contributor within an historic district.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The buildings on this block of 23rd Street are primarily 3- 4 story wood clad multi-unit buildings with, varied front setbacks at the street face. The open space at the rear faces South. This building is set in between buildings that extend deeper into the rear to define an irregular 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	March 20, 2020 – April 21, 2020	4.21.2020	7.9.2020	79 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	June 19, 2020	June 19, 2020	20 days
Mailed Notice	20 days	June 19, 2020	June 19, 2020	20 days
Online Notice	20 days	June 19, 2020	June 19, 2020	20 days

PUBLIC COMMENT

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

Antonio Mezquiriz of 3535 23rd Street, adjacent neighbor to the East of the proposed project.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

DR requestor is concerned that the proposed new massing of the building will block light to his side property line windows.

Proposed alternatives:

Provide light wells or a setback of 22'-9" at the third floor to preserve function of windows.

See attached Discretionary Review Applications, dated April 21, 2020.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The project has been reviewed by Planning Department staff and modified per recommendations from Planning staff and found to be compliant to the Planning Code and Residential Design Guidelines. Although the DR requestor's property line windows are not protected, attempts have been to compensate

SAN FRANCISCO
PLANNING DEPARTMENT

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for their loss by offering to pay for their closure and providing skylights. None of the windows are required for light or ventilation to either of the rooms they serve. There are no exceptional or extraordinary circumstances.

See attached Response to Discretionary Review Applications, dated 6.30.20

DEPARTMENT REVIEW

The Department's Residential Design Advisory Team (RDAT) re- reviewed this and confirmed that the proposed project conforms to the Residential Design Guidelines. Furthermore, the proposed blockage or diminishment of light to existing property line windows - a non-complying condition of the adjacent property – are not protected by Planning Code, Policy, or Design Guidelines and are not an exceptional or extraordinary circumstance.

Therefore, staff recommends not taking Discretionary Review.

RECOMMENDATION:

Do Not Take DR and Approve

Attachments:

Block Book Map Sanborn Map Zoning Map Aerial Photographs

Aeriai i notograpiis

Context Photographs

Section 311 Notice

CEQA Determination

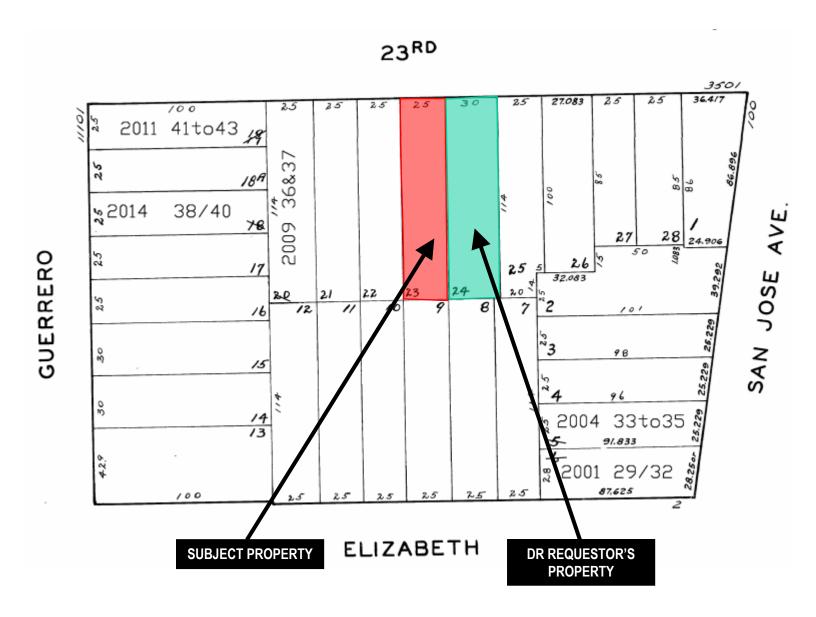
DR Applications

Response to DR Applications dated 6.30.20

311 Notification plans and dated 1.10.19 (and revised set for clarity, received 6.31.20)

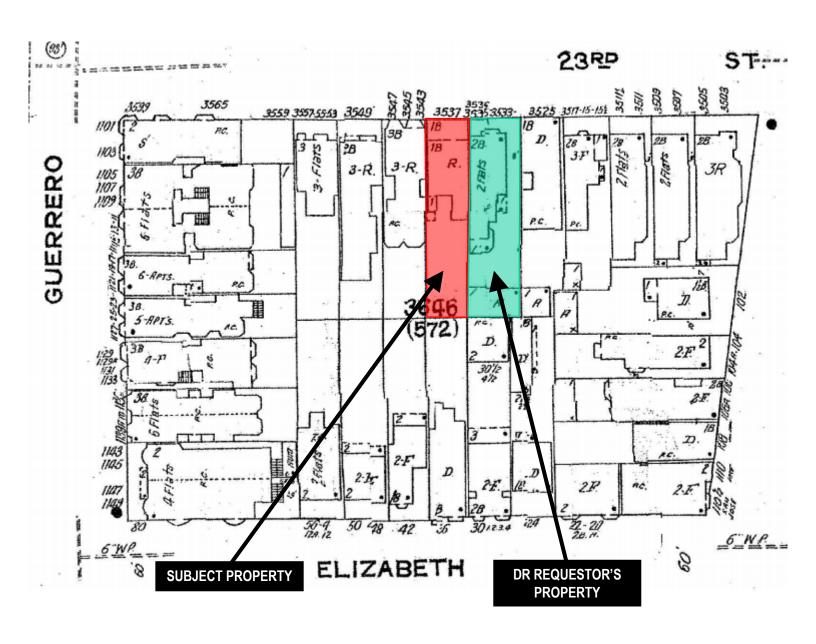
Exhibits

Parcel Map





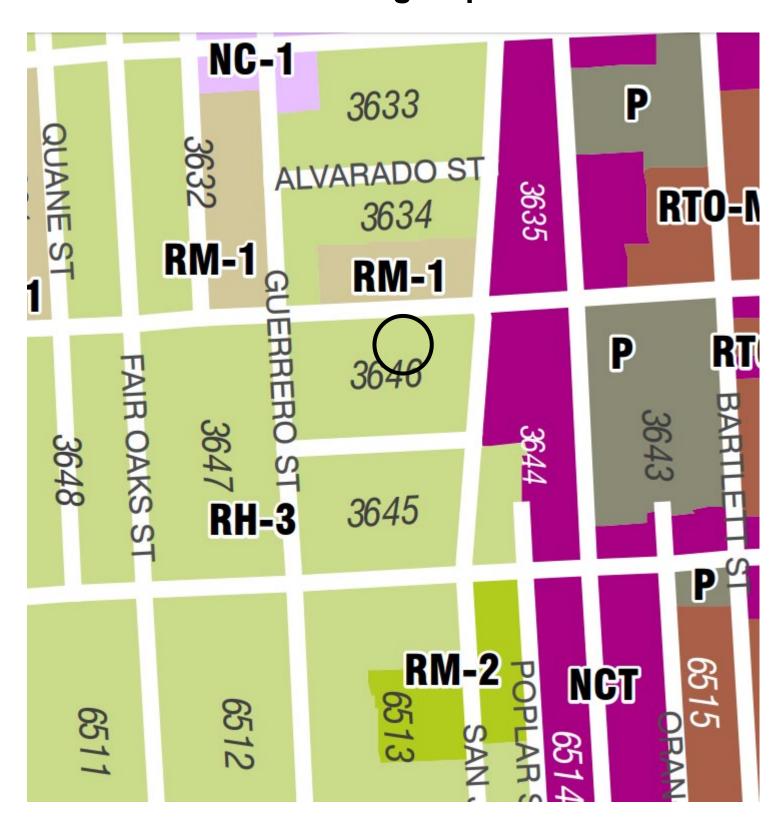
Sanborn Map*



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



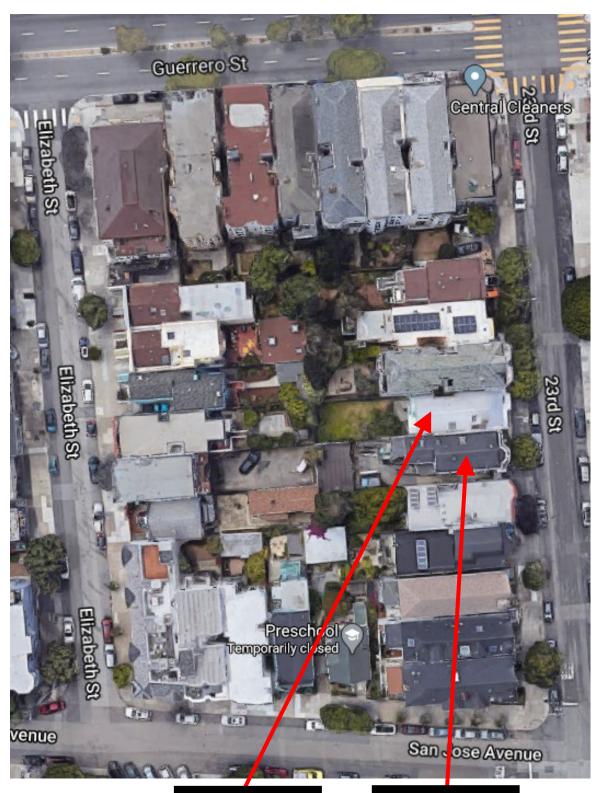
Zoning Map











SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



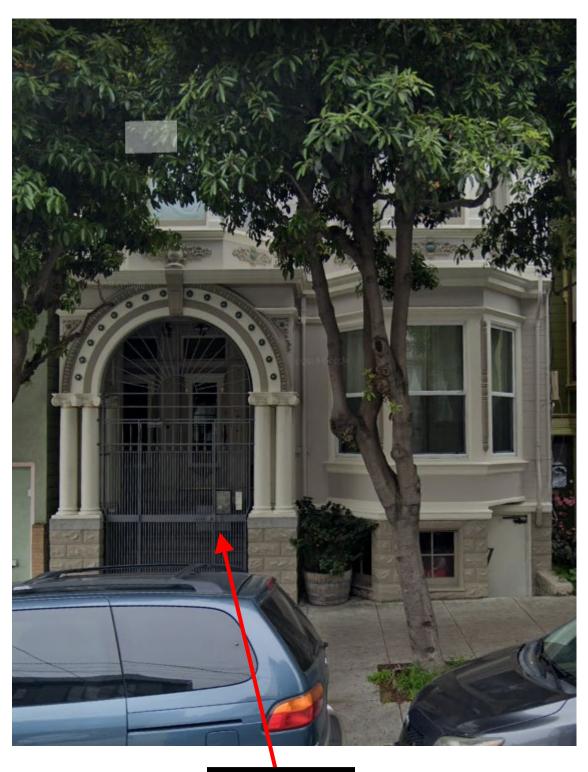






B

Site Photo



SUBJECT PROPERTY

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On January 7, 2019, Building Permit Application No. 201901079729 was filed for work at the Project Address below.

Notice Date: March 20, 2020 Expiration Date: April 21, 2020

PROJ	ECT INFORMATION	APPLICANT INFORMATION	
Project Address:	3537 23 rd Street	Applicant:	William Pashelinsky
Cross Street(s):	Guerrero Street & San Jose Avenue	Address:	1937 Hayes Street
Block/Lot No.:	3646/023	City, State:	San Francisco CA 94117
Zoning District(s):	RH-3 / 40-X	Telephone:	415-379-3676
Record Number:	2019-000507PRJ	Email:	billpash@gmail.com

You are receiving this notice as an owner or occupant of property within 150 feet of the proposed project. **You are not required to take any action.** For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a 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	1 foot	No Change			
Side Setbacks	None	No Change			
Building Depth	56 feet	78 feet			
Rear Yard	57 feet	34 feet			
Building Height	22 feet	40 feet			
Number of Stories	2	4			
Number of Dwelling Units	1	2			
Number of Parking Spaces	2	No Change			
PROJECT DESCRIPTION					

The project includes a two story vertical and horizontal additions of approximately 3463 square feet, and the addition of a dwelling unit to a single family dwelling.

The proposal requires a Variance from the required front yard, which will be noticed separately. A public hearing on the Variance is scheduled on March 25, 2020.

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) in person at 1660 Mission Street, via phone at (415) 558-6377, or via email at 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.
- Contact the nonprofit organization Community Boards at (415) 920-3820, or online at <u>www.communityboards.org</u> for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
- 3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice. Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 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

Block/Lot(s)

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address

3537	23RD ST		3646023
Case	No.		Permit No.
2019-	-000507ENV		201901079729
_	ddition/	Demolition (requires HRE for	New
	teration	Category B Building)	Construction
_	=	Planning Department approval.	
		& roof decks. Horizontal rear yard addition. Provid d & 4th floor. remodel front facade.	e new unit. 1ST UNIT at 1st floor and
Ziiu ii	oor. Zha anii @ on	a a sur noor. Terrioder north facade.	
STE	P 1: EXEMPTIC	ON CLASS	
	-	letermined to be categorically exempt under the	California Environmental Quality
Act (CEQA).	-	
	Class 1 - Existin	g Facilities. Interior and exterior alterations; addit	ions under 10,000 sq. π.
		onstruction. Up to three new single-family resider	
	building; comme permitted or with	rcial/office structures; utility extensions; change of	use under 10,000 sq. ft. if principally
			re units or additions greater than
$ \; \sqcup \; $		I Development. New Construction of seven or mo d meets the conditions described below:	re units or additions greater than
		s consistent with the applicable general plan desig	nation and all applicable general plan
		as with applicable zoning designation and regulation	
		d development occurs within city limits on a project rounded by urban uses.	t site of no more than 5 acres
		ite has no value as habitat for endangered rare or	threatened species.
	(d) Approval of the	he project would not result in any significant effect	
	water quality.	be adequately served by all required utilities and p	nublic convices
	` '	nental Planning USE Only	dublic services.
		-	
	Class		
	I		

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
	Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.
	Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.
Com	ments and Planner Signature (optional): Laura Lynch

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Property 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	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 minimall and meet the <i>Secretary of the Interior's Standards for Rehabilitat</i>		
	8. Other work consistent with the Secretary of the Interior Stand Properties (specify or add comments):	ards for the Treatment of Historic	
	9. Other work that would not materially impair a historic district (s	pecify or add comments):	
	See HRER Part II signed 3/9/20 (2019-000507ENV). Property is Addition East Historic District and proposed project will not impact		
	(Requires approval by Senior Preservation Planner/Preservation	Coordinator)	
	10. Reclassification of property status . (Requires approval by S Planner/Preservation	Senior Preservation	
	Reclassify to Category A	Reclassify to Category C	
	a. Per HRER or PTR dated	(attach HRER or PTR)	
	b. Other (specify):		
	Note: If ANY box in STEP 5 above is checked, a Prese	vation Planner MUST sign below.	
	Project can proceed with categorical exemption review . The p Preservation Planner and can proceed with categorical exemptio	· · · · · · · · · · · · · · · · · · ·	
Comm	ents (optional):		
Prosor	vation Planner Signature: Allison Vanderslice		
	valion Flamer Orginatore.		
	P 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER		
	No further environmental review is required. The project is car	egorically exempt under CEQA.	
	There are no unusual circumstances that would result in a rea effect.	sonable possibility of a significant	
ŀ	Project Approval Action:	Signature:	
	Building Permit	Ella Samonsky	
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	06/30/2020	
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be		

Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.

filed within 30 days of the project receiving the approval action.

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.

MODIFIED PROJECT DESCRIPTION

Modi	Modified Project Description:				
DE	TERMINATION IF PROJECT (CONSTITUTES SUBSTANTIAL MODIFICATION			
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 under Planning Code Section 317 or 19005(f)?				
	Is any information being presented that was not known and could not have been known				
	at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?				
If at I	east one of the above boxes is	checked, further environmental review is required.			
DET	ERMINATION OF NO SUBSTA	NTIAL MODIFICATION			
	The proposed modification wo	uld not result in any of the above changes.			
		ons are categorically exempt under CEQA, in accordance with prior project			
website	e and office and mailed to the applicant	ew is required. This determination shall be posted on the Planning Department , City approving entities, and anyone requesting written notice. In accordance			
	with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.				
Plan	ner Name:	Date:			



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION PACKET

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

For questions, call 415.558.6377, email pic@sfgov.org, or visit the Planning Information Center (PIC) at 1660 Mission Street, San Francisco, where planners are available to assist you.

Please read the Discretionary Review Informational Packet carefully before the application form is completed.

WHAT TO SUBMIT:

IIAI 10 SUDMIII.
$\hfill\square$ Two (2) complete applications signed.
☐ A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
\Box Photographs or plans that illustrate your concerns.
$\hfill\square$ Related covenants or deed restrictions (if any).
☐ A digital copy (CD or USB drive) of the above materials (optional).
☐ Payment via check, money order or debit/credit for the total fee amount for this application. (See <u>Fee Schedule</u>).

HOW TO SUBMIT:

To file your Discretionary Review Public application, please submit in person at the Planning Information Center:

Location: 1660 Mission Street, Fifth Floor

San Francisco, CA 94103-2479

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

中文: 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電415.575.9010。請注意, 規劃部門需要至少一個工作日來回應。

Tagalog: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.





DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION

Discretionary Review Requestor's Information

Name: Antonio Mezquiriz

Address: Email Address: antoniomezquiriz@yahoo.com

Telephone: 4159710997

Information on the Owner of the Property Being Developed

Name: William Pashelinsky

Company/Organization:

Address: 1937 Hayes Street Email Address: billpash@gmail.com

Telephone: 4153793676

Property Information and Related Applications

Project Address: 3537 23rd Street

Block/Lot(s): 3046/023

Building Permit Application No(s): 201901079729

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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

Changes Made to the Project as a Result of Mediation.

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

DISCRETIONARY REVIEW REQUEST

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

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.

The construction of this building will completely cover the windows to the bathrooms on the second and third floor. There are two different views on the plans provided of the new build for the facade. Page A-3.04 shows a 3rd floor setback at 22.70' and a 4th floor setback at 30.00 feet, page A-4.01 shows a single setback at the 4th floor at 30.00'. If their is only a 4th floor setback at 30.00' it would box us in and deprive us of natural daylight.

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

We need clarification on the setback. We're okay if the setback starts at 22.70'. The construction of light wells at our bathroom windows would reduce the impact of this new build.

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

Name (Printed) antoniomezquiriz@yahoo.com Email
Email

William Pashelinsky
Architect
1937 Hayes Street
San Francisco, California 94117
(415) 379 3676
Email billpash@gmail.com

David Winslow c/o San Francisco Planning Commission San Francisco Planning Department San Francisco, Ca. 94103

June 30th, 2020

Re: DR P.A. 2019.01.07.9729 Proposed addition and alterations 3537 23rd Street San Francisco. Ca. 94114

DR Applicant: Antonio Mezquiriz, 3535 23rd Street, San Francisco, Ca. 94114

The Architect William Pashelinsky and project sponsor Kieran Buckley met with the DR applicant Antonio Mezquiriz at the project site 3537 23rd Street, on June 15th, 2020. At the meeting Mr. Mezquiriz was concerned about his loss of light to his 6 small windows at his 3rd floor bathroom and to loss of light to his window located at his 3rd floor at the northwest corner of his building. He noted he also had 2 property line windows at his 2nd floor towards the rear. However he stated he was not so concerned about their removal as he was about the other 2 locations.

A tentative agreement was worked to include the following. Kieran Buckley would re-imburse Mr. Mezquiriz for the provision at 3535 23rd Street of a new skylight at the front 3rd floor bedroom and for 2 legal skylights to be located above the 3rd floor bathroom. Mr Buckley would also reimburse Mr. Mezquiriz for the cost of removing and closing in the property line windows at the west elevation of 3535 23rd Street. This tentative agreement was emailed to Mr. Mezquiriz on June 15th, 2020. As of June 31st there has been no reply.

- 1). Property line windows are not legal under any circumstances. The windows located at the west elevation of 3535 23rd street are not part of the original construction of the building. The lower rear 2 windows appear to be recently constructed.
- 2). The bathroom at the 3rd floor is not required to have light as long as a fan is provided. However Mr Mezquiriz noted he constructed a ventilating skylight.

As noted we are willing to provide 2 legal skylights at this location. The current skylight appears to be undocumented.

3). The window at the front bedroom already receives good light. The top floor of the proposed addition set backs and does not impact this window. The new 3rd floor would have a minimal impact. The 3rd floor does exceed the required front setback by 44 inches. However, it was the recommendation of the San Francisco Planning RDAT team to bring the front wall out to match the already existing 1st and 2nd floors. They felt there was a strong pattern on the block for 3-4 story buildings providing a strong vertical plane at the front. We agreed to a a new skylight at this room. The skylight would not be visible from the street as there is already a significant front parapet to 3535 23rd street. Planning stated they would strongly support the required variance. The variance is only for the 3rd floor and the reconstruction of the existing front bay.

The issues are not significant. We remain optimistic an agreement can be worked out.

GENERAL NOTES:

INTENT OF DOCUMENTS:

It is the intent of these Contract Documents to establish a high quality of material and workmanship, but not necessarily to note and call for every last item of work to be done. Any item not specifically covered but deemed necessary for satisfactory completion of the work shall be accomplished by the Contractor in a manner consistent with the quality of the work without additional cost to the Owner. All materials and methods of installation shall be in accordance with industry standards and manufacturers recommendations.

A. All materials and workmanship shall conform to the requirements of the following codes and regulations and any other local and state laws and regulations:

San francisco Building Code 2016 Edition San franciscoFire Code 2016 Edition San francisco Plumbing Code 2016 Edition San francisco Electrical Code 2016 Edition San francisco Mechanical Code 2016 Edition

Verify all existing conditions and dimensions at the project site. Notify the Architect and/or Engineer of any discrepancie before beginning construction. B. Provide adequate and proper shoring and bracing to maintain

safe conditions at all times. The contractor shall be solely responsible for providing adequate shoring and bracing as required for protection of life and property during the construction of the project. C. At all times the Contractor shall be solely and completely responsible for all conditions at the jobsite, including safety of persons and property, and all necessary independent engineering reviews of these conditions. The Architects jobsite reviews are not intended nor shall they be construed to include a review of the adequancy of the contractors safety measures. D. Unless otherwise shown or noted, all typical details shall used where applicable.

E. All details shall be constued typical at similar conditions. F. All Drawing conflicts shall be brought to the attention of the Architect

and/or Consulting Engineer for clarification before work proceeds. G. The Contractor shall supply all labor, materials, equipment and services, including water and power, necessary for the proper execution of the work shown on these drawings. All materials shall be new and workmanship shall be good quality. All workman and subcontractors shall be skilled in their trade. Any inspections, special or otherwise, that are required by the building codes, local builing departments, on these plans shall be done by an independent inspection company.

H. Finishes: Replace patch, repair and refinish all existing surfaces affected by the new work. All new finishes shall match the adjacent surface. all surfaces shall align. I. The General Contractor shall visit the site and familiarize themselves with the existing site conditions prior to finalizing of any proposal to the owner.

of potential existing conditions that need to be addressed and or modified inorder to emplete the work as herein described in these Drawings. J. The General Contractor shall be reponsible for all means and methods of construction including but not limited to leveling, shiming, and blocking. The General Contractor shall make specific note of such items that can not be known prior to the commencement of construction.

The general Contractor shall be responsibe to inform the owner or Architect

DRAWING INDEX:

A 1.01 SITE AND ROOF PLAN, GENERAL NOTES, AND DRAWING INDEX

A 1.02 SITE AND ROOF PLANS A 1.03 VERTICAL DEMOLITION ANALYSIS

A 2.01 FLOOR PLANS EXISTING A 2 02 FLOOR PLANS PROPOSED

A 2.03 FLOOR PLAN PROPOSED

A 3.01 EXTERIOR ELEVATIONS A 3.02 EXTERIOR ELEVATIONS

A 3.03 EXTERIOR ELEVATIONS

A 3.04 EXTERIOR ELEVATIONS A 4.01 BUILDING SECTION

PROJECT INFORMATION:

ZONING: RH-2 CLASS B HISTORIC HEIGHT AND BULK DISTRICT: 40-X EXISTING OCCUPANCY: R-3 PROPOSED OCCUPANCY: R-3

EXISTING USE: SINGLE FAMILY RESIDENCE PROPOSED USE: TWO FAMILY RESIDENCE

EXTSTING: 2 STORYS PROPOSED: 4 STORYS

EXISTING CONSTRUCTION TYPE: 5-B PROPOSED CONSTRUCTION TYPE: 5-B

BUILDING HEIGHT EXISTING: 25 FEET BUILDING HEIGHT PROPOSED: 40 FEET

BLOCK:1015 LOT: 043

SCOPE OF WORK:

2 STORY VERTICAL ADDITION AND ROOF DECKS HORIZONTAL REAR AND FRONT ADDITION PROVIDE NEW 2ND UNIT AT 1ST FLOOR INTERIOR REMODEL OF EXISTING UNIT INCLUDING KITCHEN

BUILDING TO BE FULLY FIRE SPRINKLERED PER NFPA 13-R. WORK TO BE DONE BY SEPERATE PERMIT

ABBREVIATIONS:

@ G	AT CENTERLINE	HGT./HT.	HEIGHT	
ø	DIAMETER OR ROUND	INSUL.	INSULATION	
(E)	EXISTING	INSUL.	INSULATION	
(N)	NEW			
(R)	REPLACE	MFG.	MANUFACTURING	
()		MAX.	MAXIMUM	
		MTL.	METAL	
		MIN.	MINIMUM	
AFF	ABOVE FINISH FLOOR			
		O.C.	ON CENTER	
BM.	BEAM			
BLDG.	BUILDING	PR.	PAIR	
		PKT.	POCKET	
CBC	CALIFORNIA BUILDING CODE	P.T.	PRESSURE TREATED	
CLR.	CLEAR			
CLOS.	CLOSET	REF.	REFRIGERATOR	
CONC.	CONCRETE	REQ'D	REQUIRED	
		REQ'T	REQUIREMENT	
DECK'G	DECKING	RTG.	RETAINING	
DET.	DETAIL	R & S	ROD AND SHELF	
DIA.	DIAMETER	RM.	ROOM	
DISP.	DISPOSAL			
DW.	DISHWASHER	SIM.	SIMILAR	
DR.	DOOR	5.C.	SOLID CORE	
DBL.	DOUBLE	5Q. FT.		
DN.	DOWN	STOR.	STORAGE	
DRWGS.	DRAWINGS	STRUCT.		
D	DRYER	STRUCT.	STRUCTURAL	
EA.	EACH	TEMP.	TEMPERED	
		TRANS.	TRANSPARENT	
-	CALIBER WIETT	TYP.	TYPICAL	
F	FAHRENHEIT			
FIN.	FINISH	U.O.N.	UNLESS OTHERWISE	
F.R.	FIRE RATED		NOTED	CVT CTTN C
FLR.	FLOOR			EXISTING
FT.	FOOT OR FEET	V.I.F.	VERIFY IN FIELD	GARAGE/STORAGE:
ED	EDENCH			LIADTTADIE

WH

WP

W/

WD.

WDO.

WASHER

WATER HEATER

WATERPROOF

WINDOW

WITH

WOOD

DRAWING SYMBOLS

GYPSUM BOARD

FRENCH

FURNISH

FURRING

GAUGE

GYPSUM

GI AZTNG

FURN.

FURR.

GYP

GYP.BD.

101 DOOR NUMBER

(201) WINDOW NUMBER

101) SKYLIGHT NUMBER

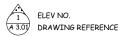
 $\stackrel{\textstyle \wedge}{1}$ DRAWING REVISION

DETAIL NUMBER AND DRAWING REFERENCE

1 NOTE/ITEM NUMBER

0'-0" GRADE

- PROPERTY LINE



EXISTING BUILDING STATISTICS

FLOOR	UNIT1	TOTAL HABITABLE	GARAGE/ STORAGE	TOTAL
1ST FLOOR	508	508	898	1,406
2ND FLOOR	1,429	1,429	0	1,429
TOTAL	1,937	1,937	898	2,835

HABITABLE

1ST FLOOR:

2ND FLOOR:

TOTAL:

TOTAL 1ST FLOOR:

898 SQ FT

508 SQ FT

1,406 SQ FT

1429 SQ FT

2,835 SQ FT

PROPOSED BUILDING STATISTICS

FLOOR	UNIT1	UNIT 2	TOTAL HABITABLE	GARAGE/ STORAGE	TOTAL
1ST FLOOR	1,078	0	1,078	881	1,959
2ND FLOOR	1,534	86	1,620	0	1,620
3RD FLOOR	0	1,587	1,587	0	1,587
4TH FLOOR	0	1,132	1,132	0	1,132
TOTAL	2,612	2,805	5,417	881	6,298

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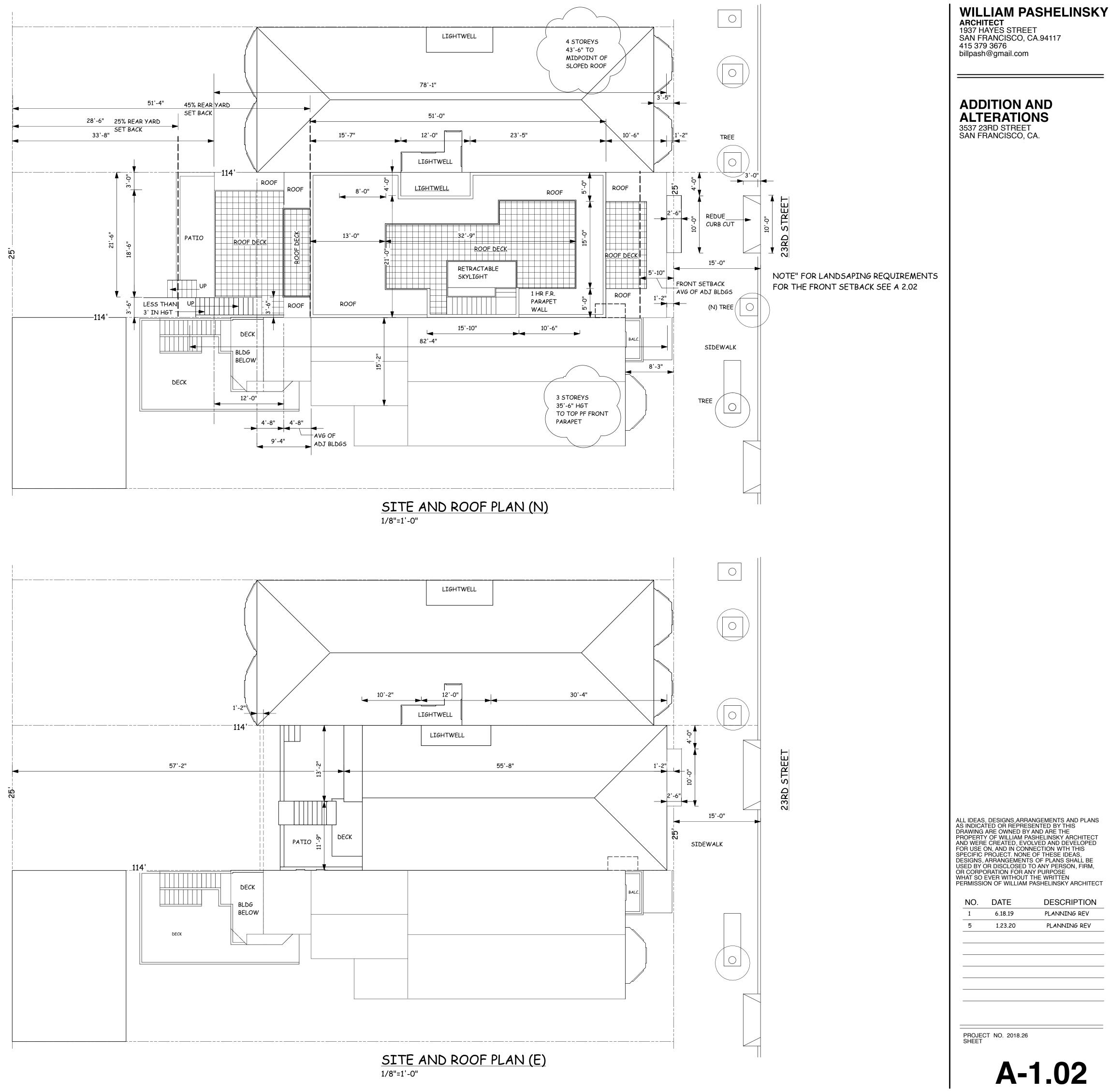
ADDITION AND **ALTERATIONS**

NO.	DATE	DESCRIPTION	
1	1/10/19	SUBMITTAL	

PROJECT NO. 2018.26

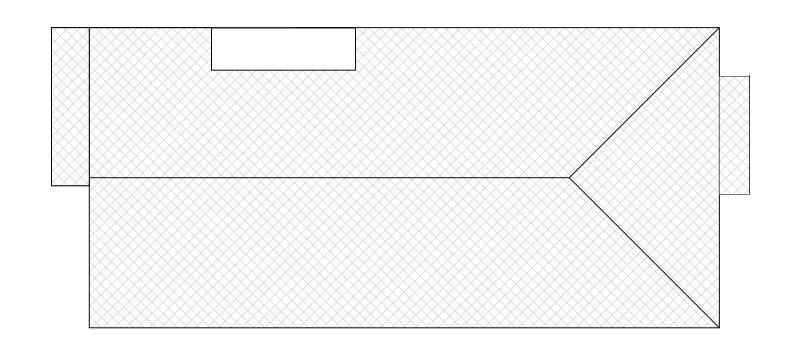
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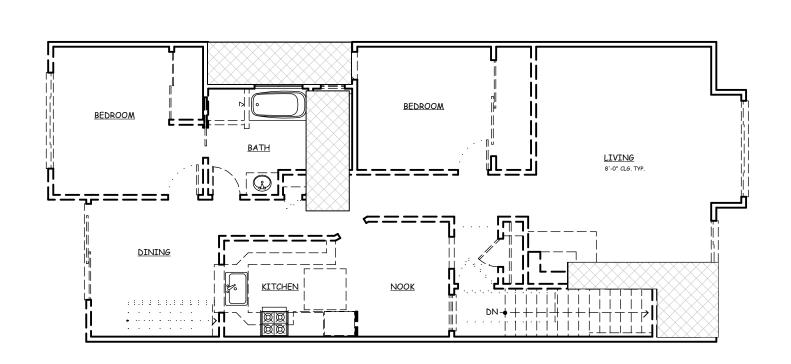
VIICINITY MAP

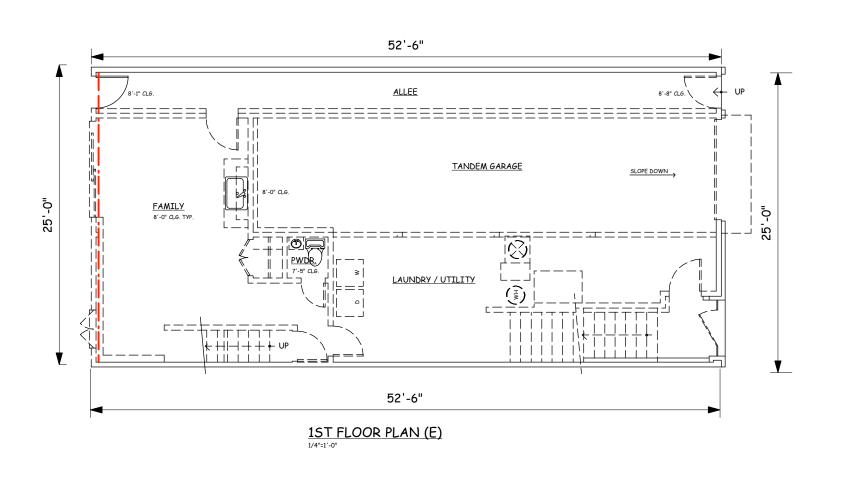


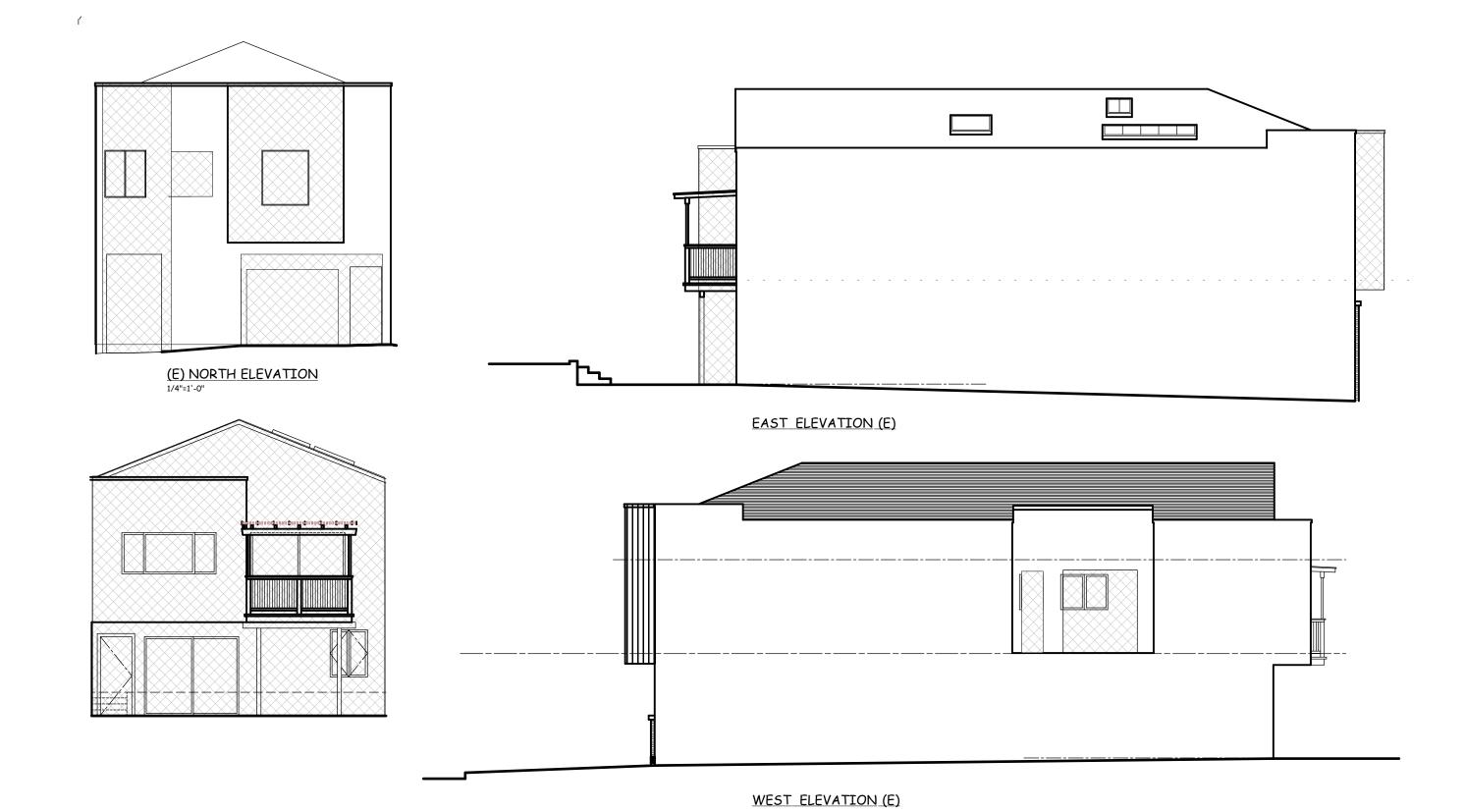
WILLIAM PASHELINSKY

DESCRIPTION PLANNING REV PLANNING REV









ELEVATION	EXISTING	DEMOLISH	PERCENT
NORTH	556 SQ FT	373 SQ FT	
SOUTH	561 SQ FT	561 SQ FT	
EAST	1,185 SQ FT	87 SQ FT	
WEST	1,176 SQ FT	120 SQ FT	
TOTAL	3,478 SQ FT	1,141 SQ FT	33%

29%	DEMOL	ITION V	ERTICAL	ELEMENTS	

EXISTING	DEMOLISH	
1,377 SQ FT	56 SQ FT	
1,377 SQ FT	1,377 SQ FT	
2,754 SQ FT	1,433 SQ FT	52%
	1,377 SQ FT 1,377 SQ FT	1,377 SQ FT 56 SQ FT 1,377 SQ FT 1,377 SQ FT

53% DEMOLITION HORIZONTAL ELEMENTS

ELEVATION	EXISTING	DEMOLISH	PERCENT
NORTH	25' LF	0 LF	0%
SOUTH	25' LF	25' LF	100%
TOTAL	50'0" LF	25'0" LF	50%
EAST	52'6" LF	0' LF	0%
WEST	52'6" LF	0' LF	0%
TOTAL	155'0" LF	25'0" LF	16.0%

16% DEMOLITION PERIMETER ELEMENTS AS TAKEN FROM THE FOUNDATION LEVEL

LEGEND

EXISTING TO REMAIN

DEMOLISH

PERIMETER ELEMENTS

TO BE DEMOLISHED

DEMOLITION ANALYSIS

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET

ARCHITECT
1937 HAYES STREET
SAN FRANCISCO, CA.94117
415 379 3676
billpash@gmail.com

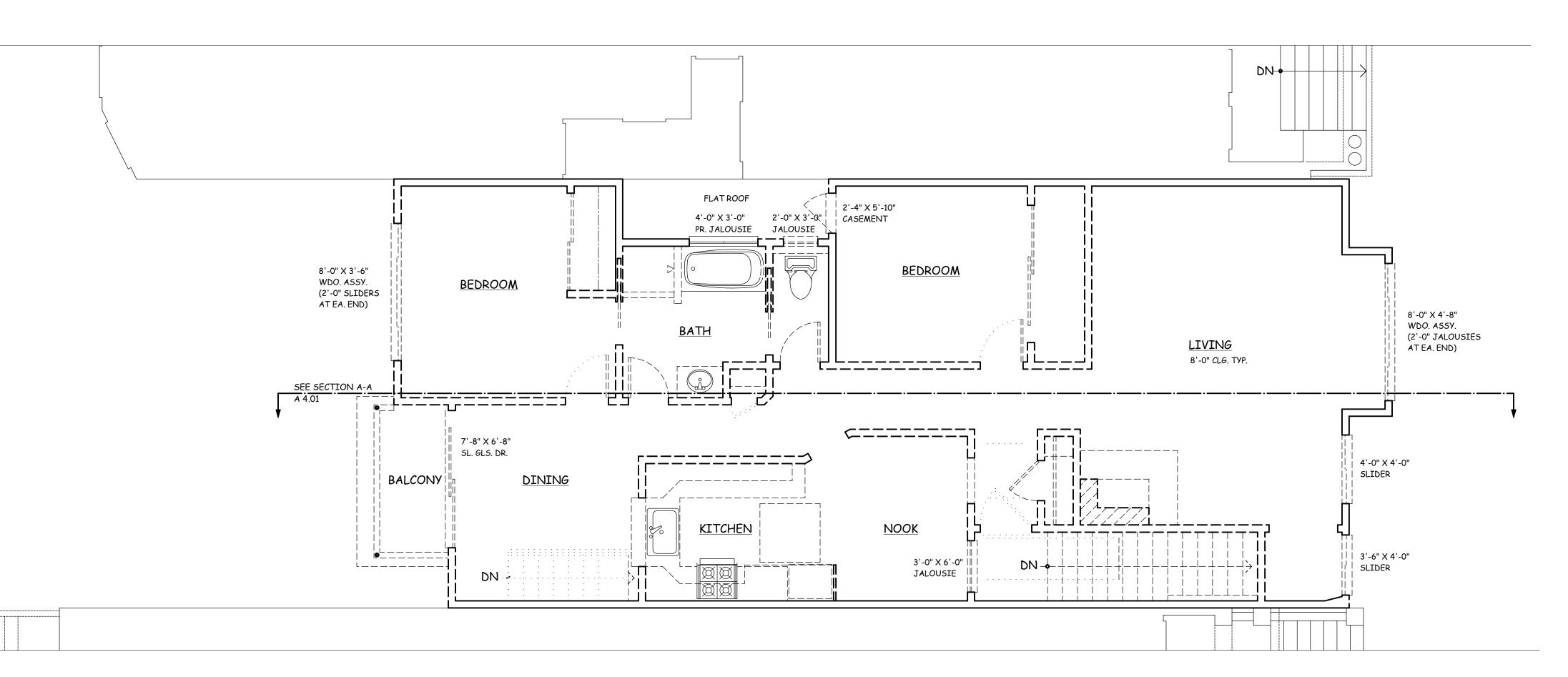
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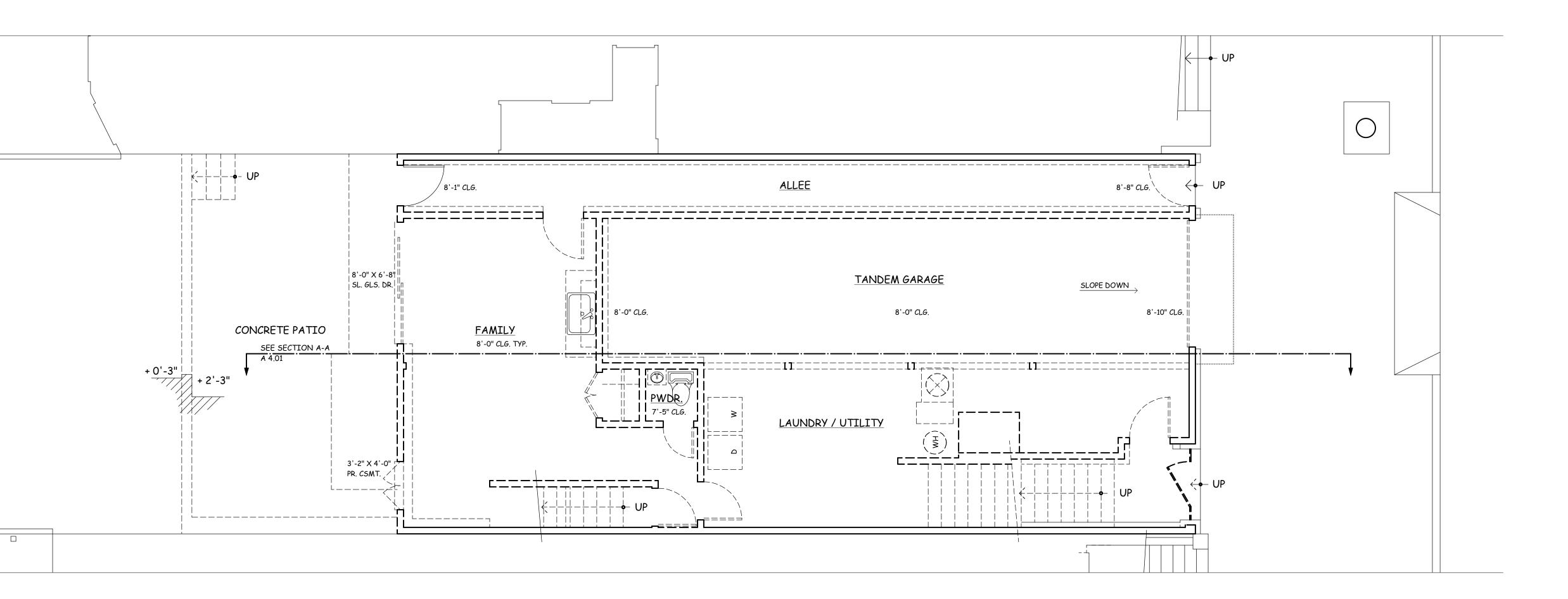


WALL LEGEND

EXISTING TO REMAIN

DEMOLISH [=====]

2ND FLOOR PLAN (E)



1ST FLOOR PLAN (E)
1/4"=1'-0"

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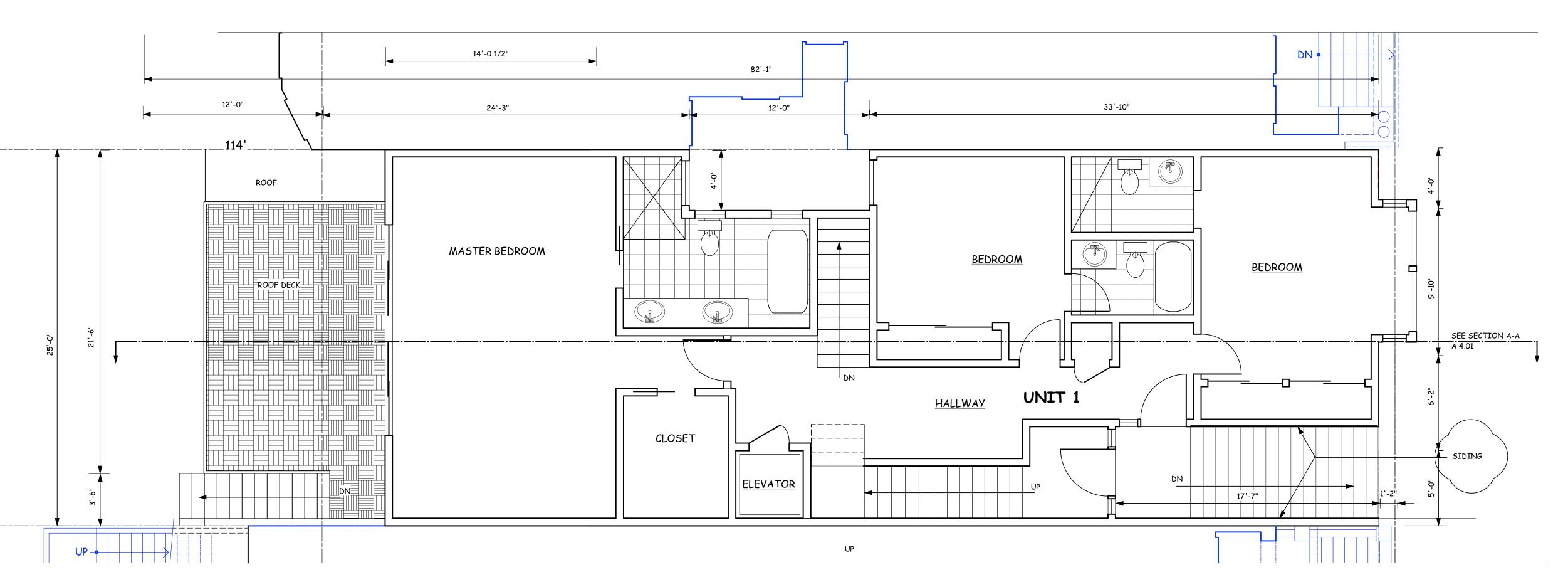
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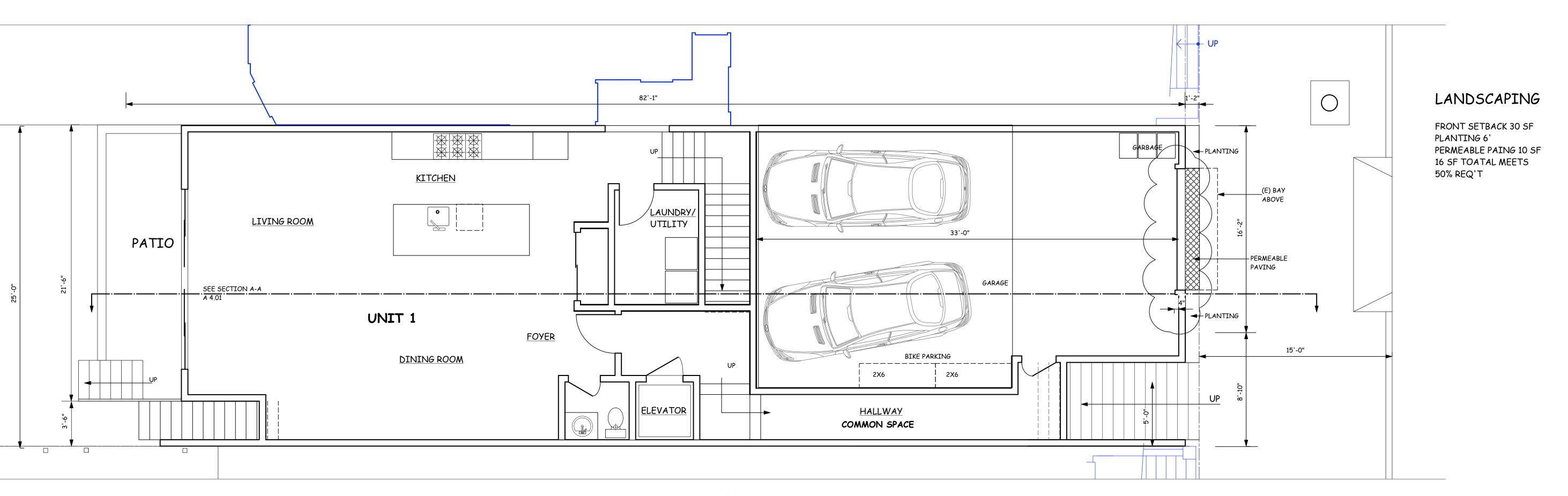
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2ND FLOOR PLAN (N) 1/4"=1'-0"



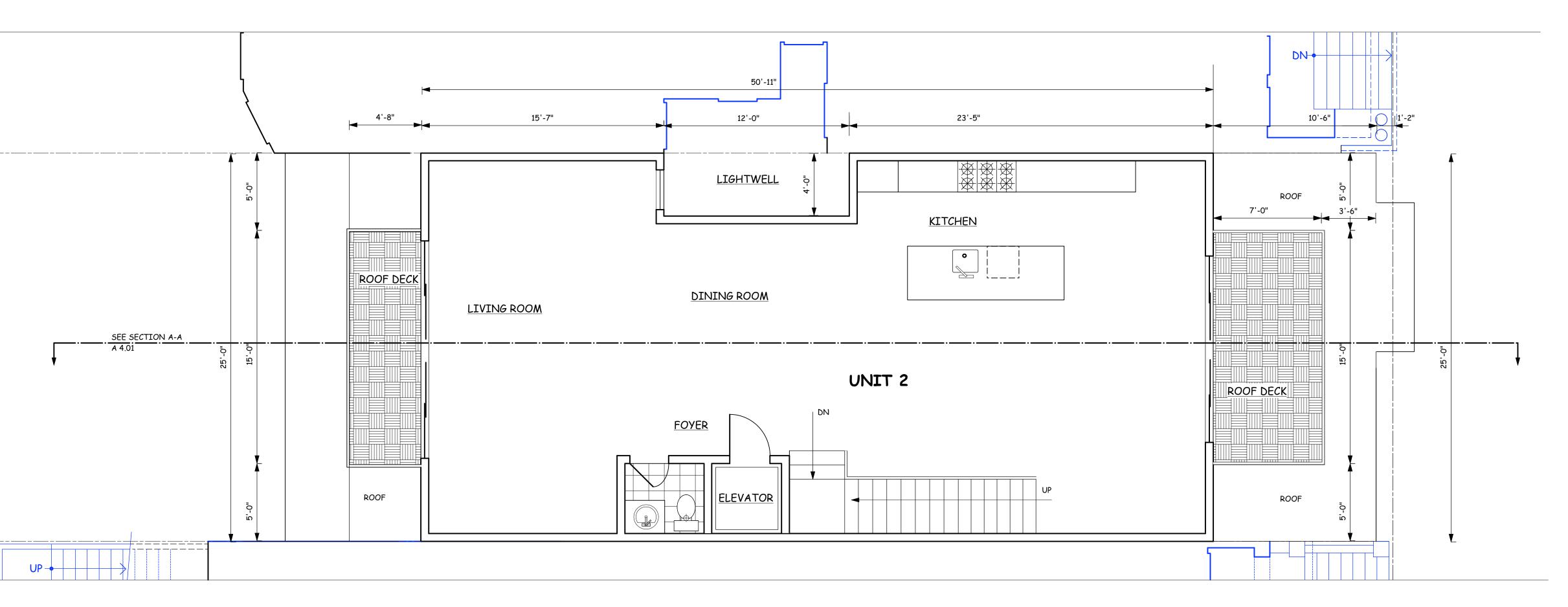
1ST FLOOR PLAN (N)

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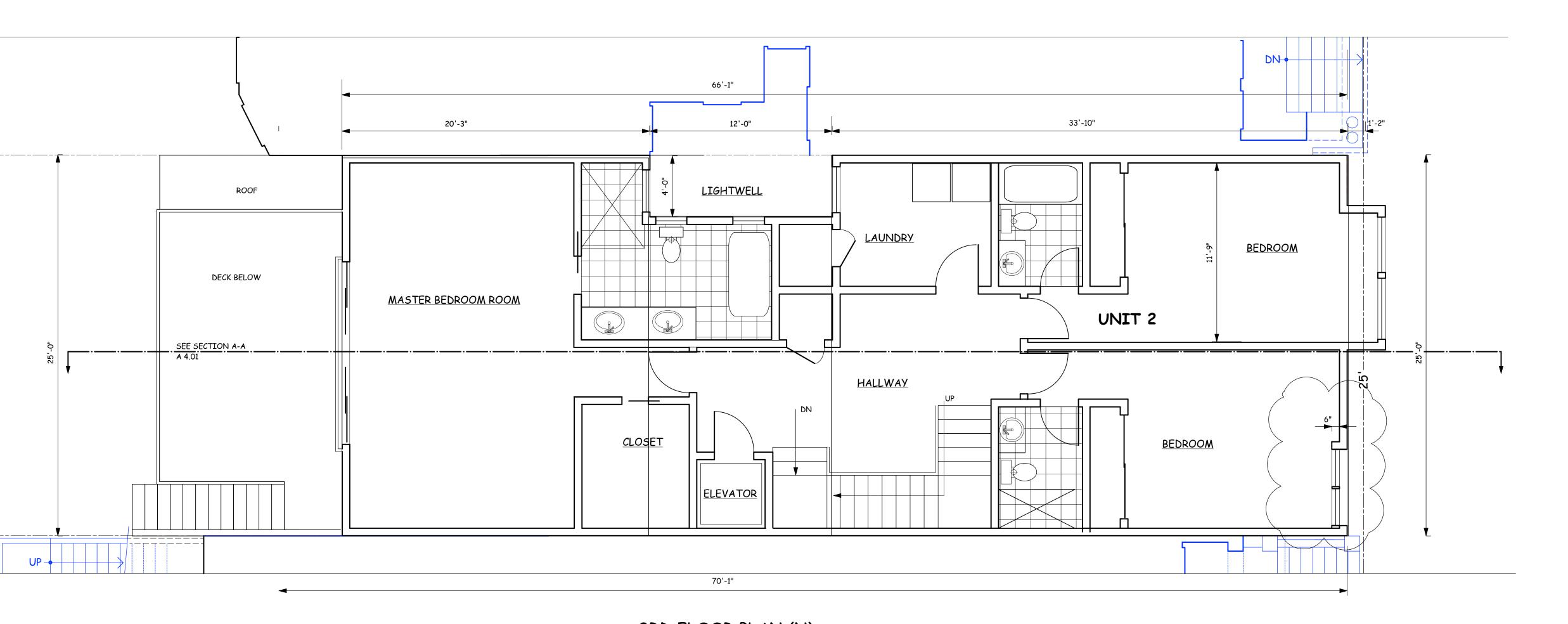
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2	10.3.19	PLANNING REV	
3	12.31.19	PLANNING REV	



4TH FLOOR PLAN (N)



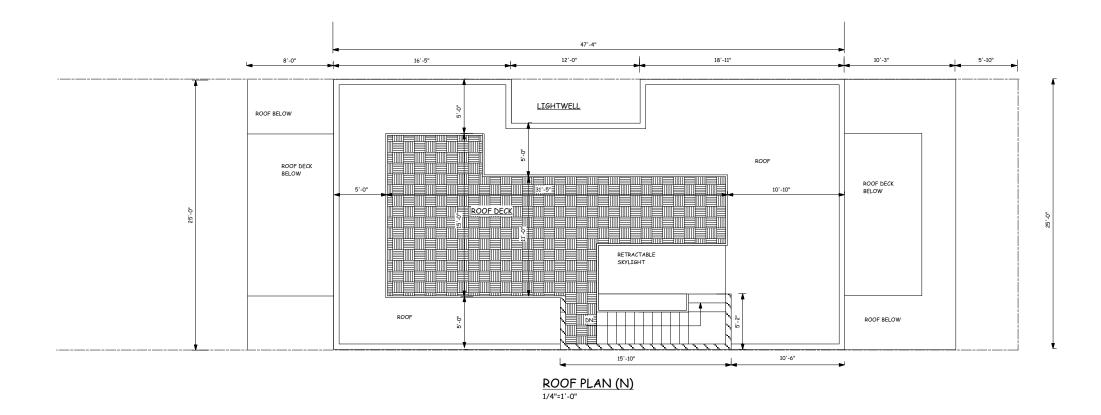
3RD FLOOR PLAN (N)
1/4"=1'-0"

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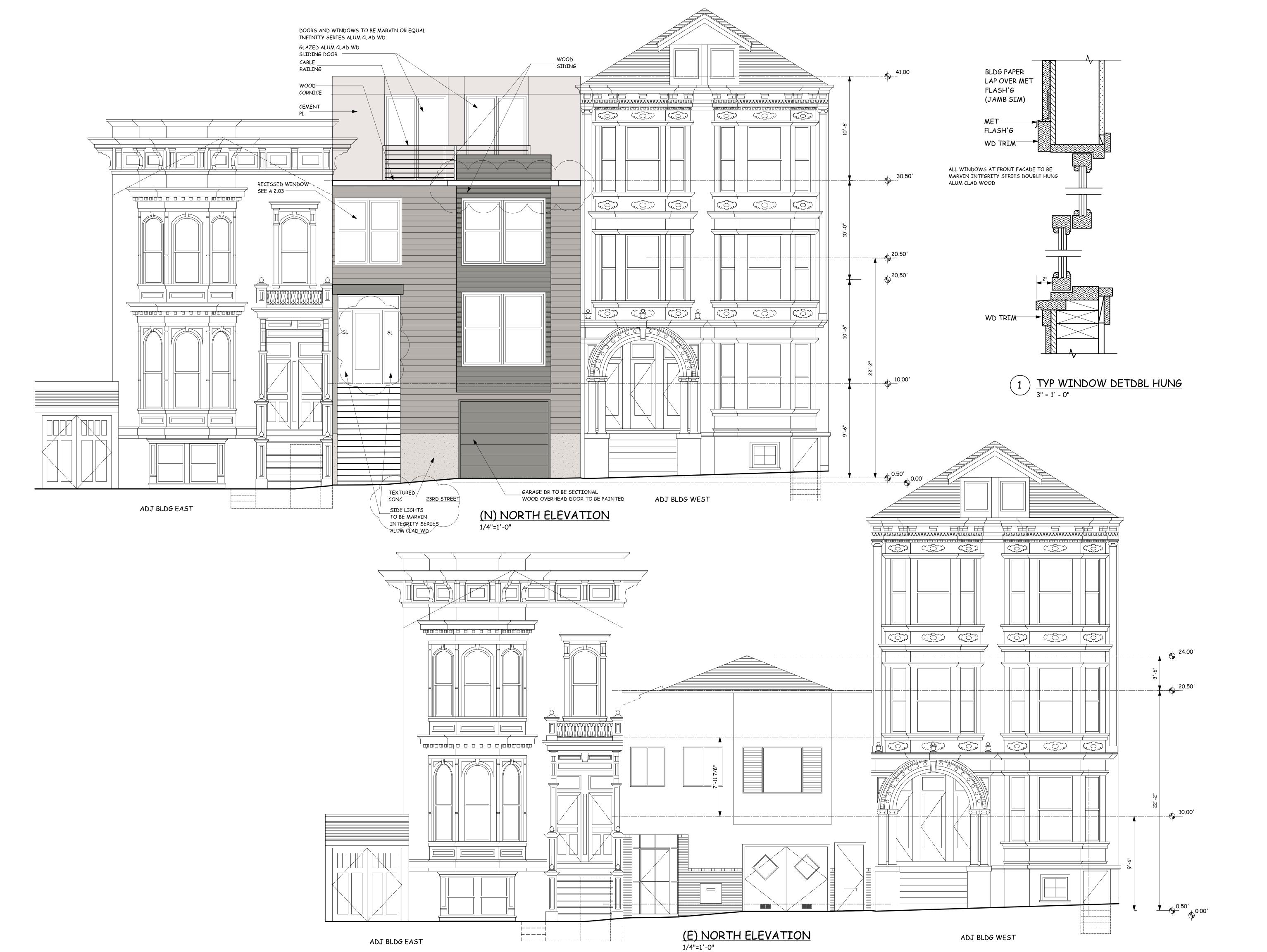


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1	1/10/19	SUBMITTAL



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SAN FRANCISCO, CA.94117
415 379 3676

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1	6.18.19	PLANNING REV
2	10.3.19	PLANNING REV
3	12.31.19	PLANNING REV
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PROJECT NO. 2018.26 SHEET

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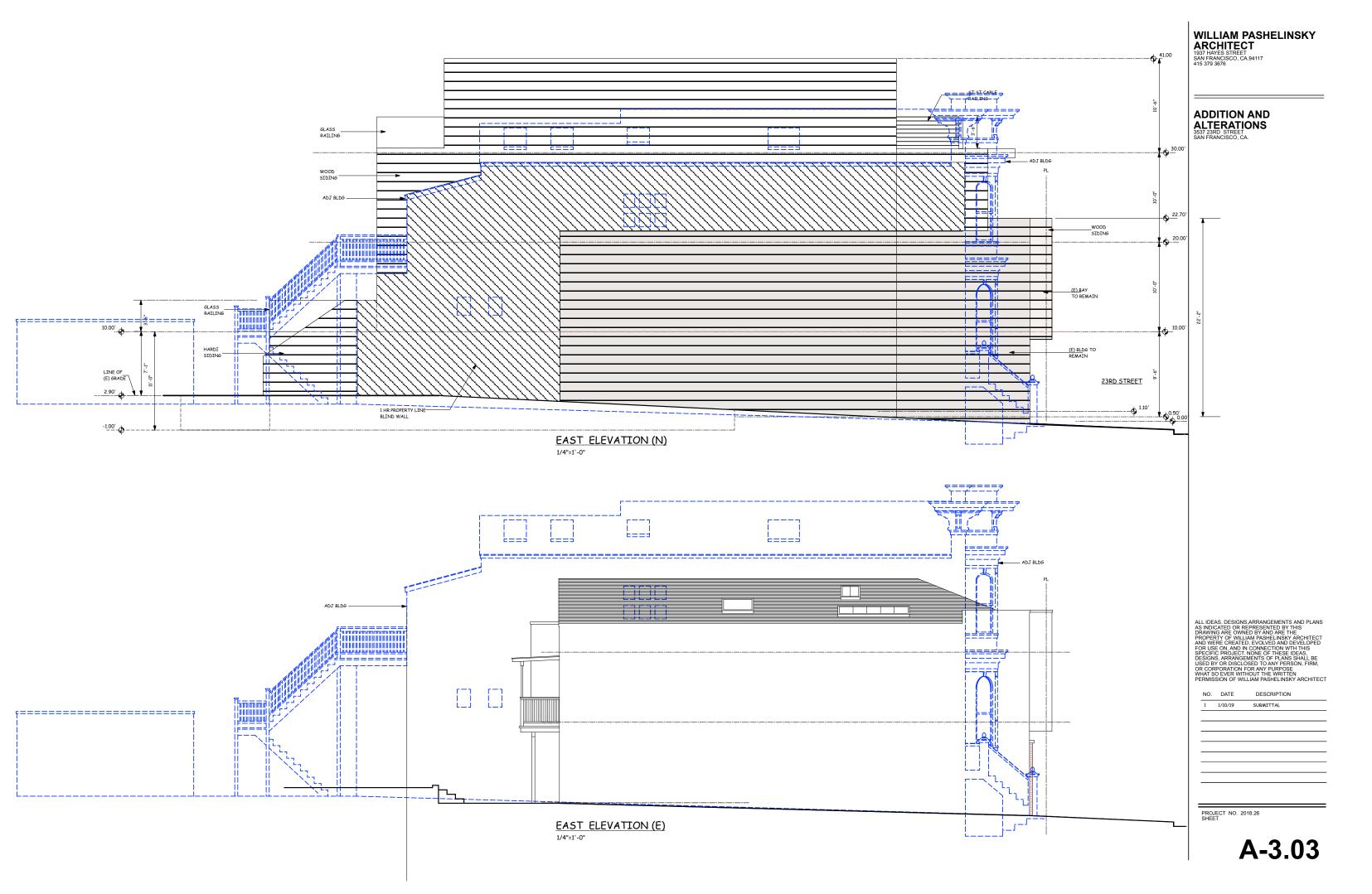
(E) SOUTH ELEVATION
1/4"=1'-0"

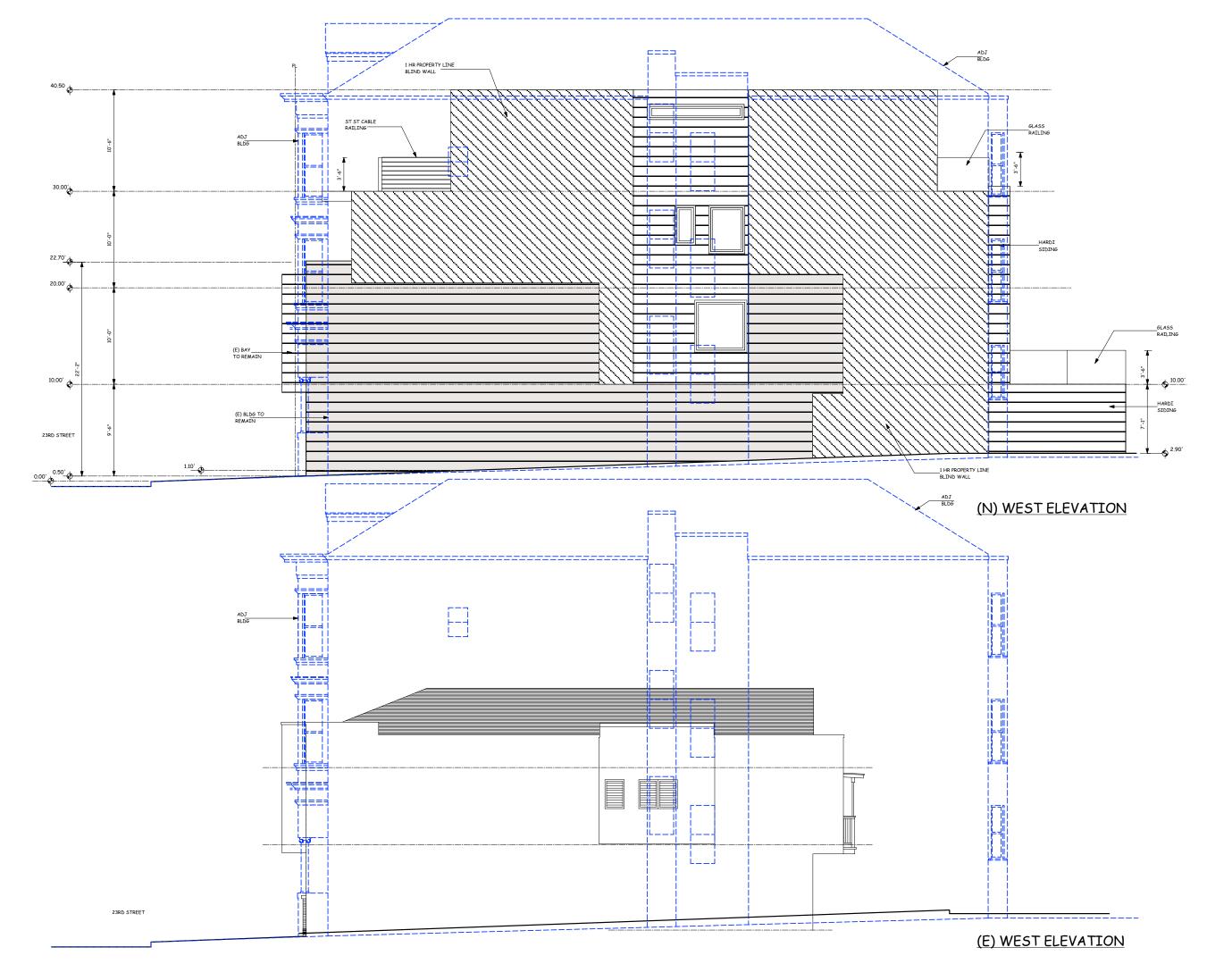
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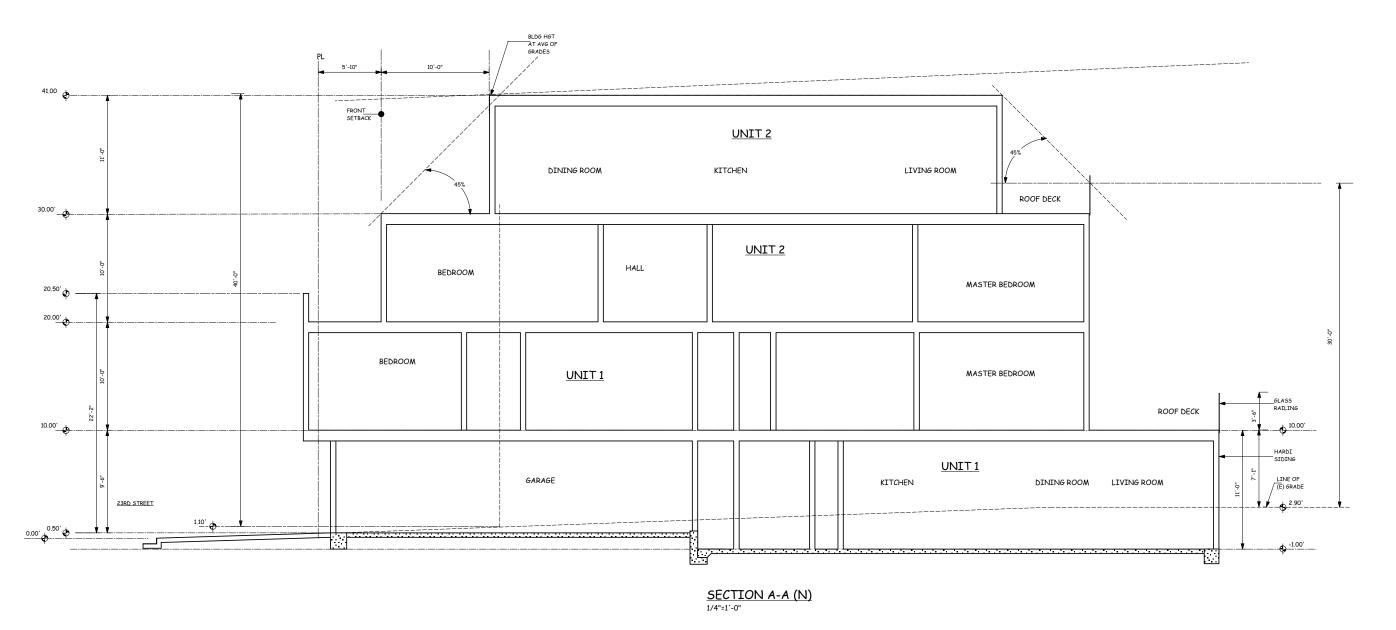
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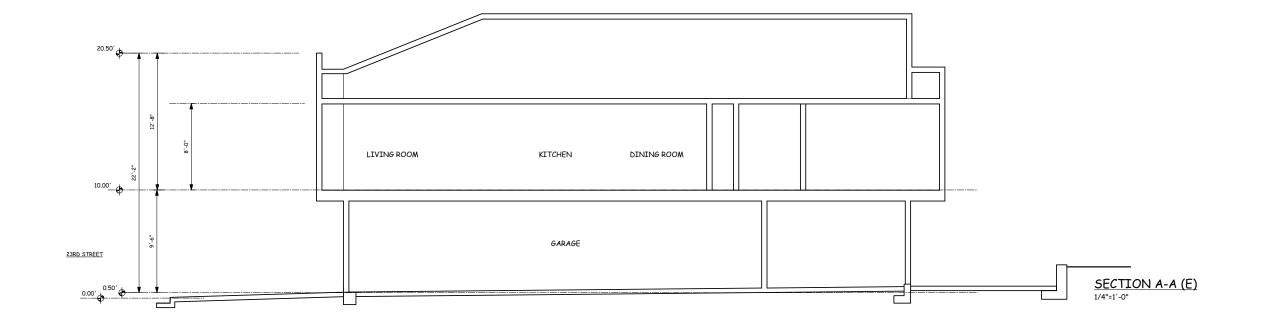
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PROJECT NO. 2018.26 SHEET

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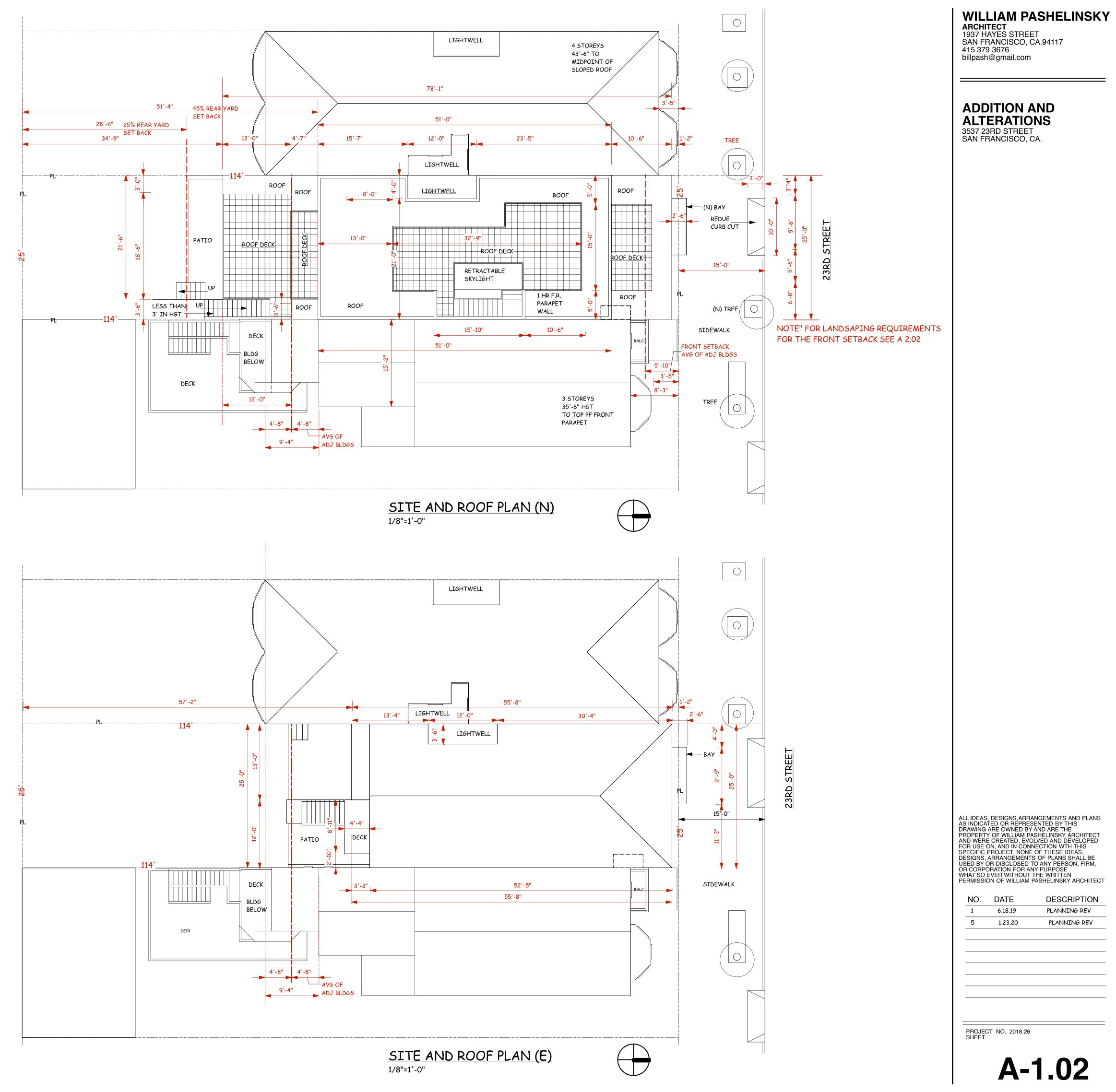


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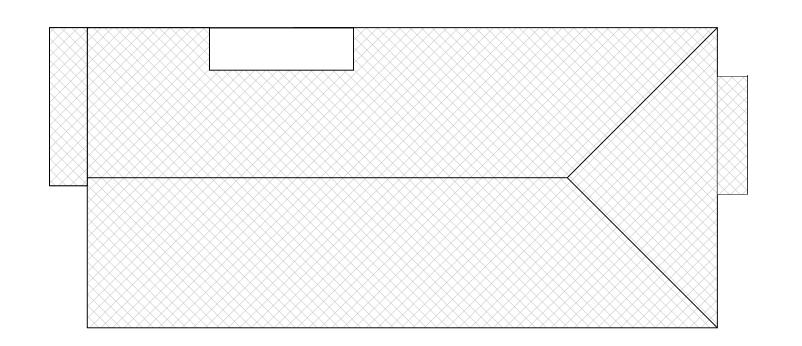
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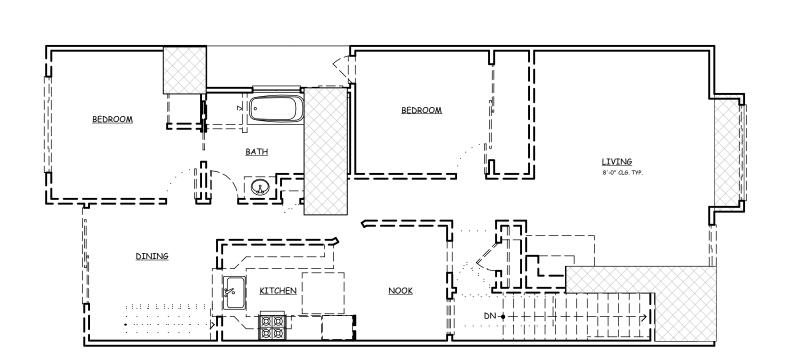
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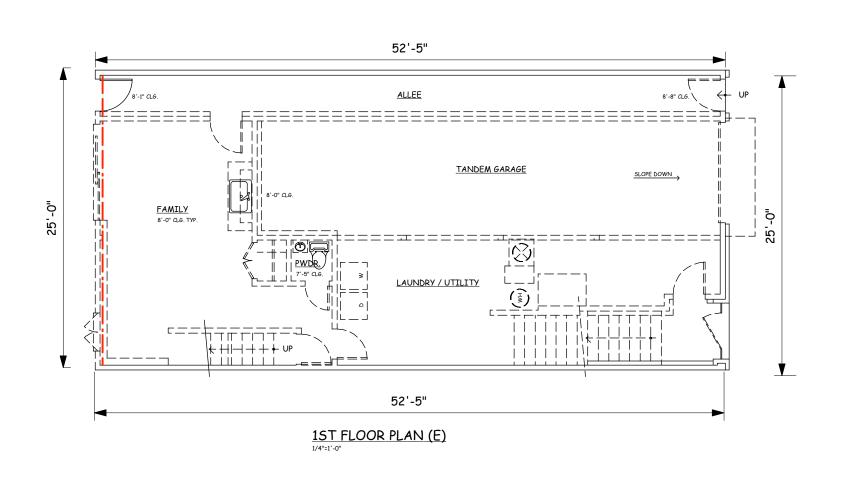
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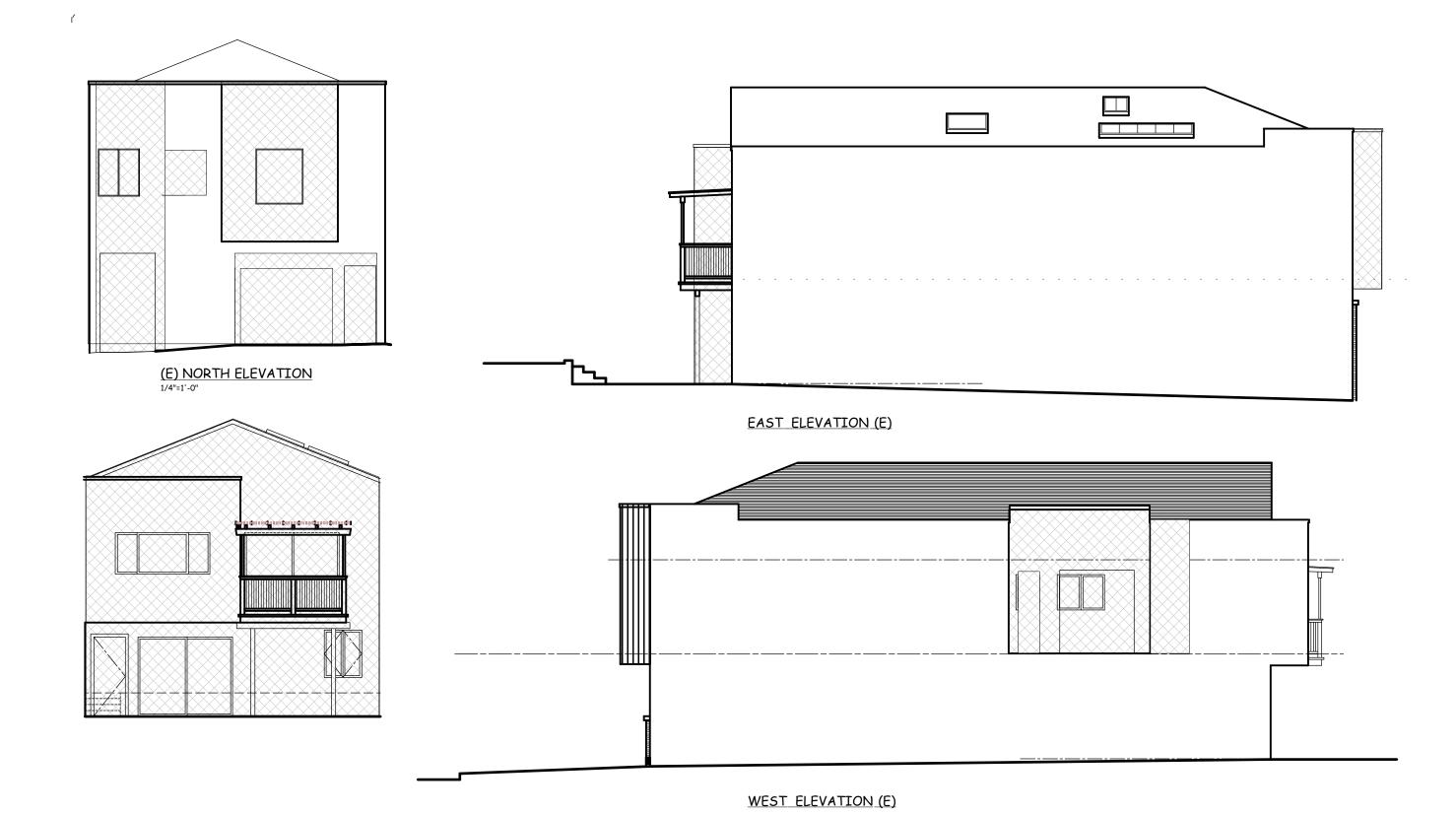


DESCRIPTION PLANNING REV PLANNING REV









ELEVATION	EXISTING	DEMOLISH	PERCENT
NORTH	556 SQ FT	373 SQ FT	
SOUTH	561 SQ FT	561 SQ FT	
EAST	1,185 SQ FT	87 SQ FT	
WEST	1,176 SQ FT	246 SQ FT	
TOTAL	3,478 SQ FT	1,265 SQ FT	36%

36%	DEMOL	IV NOITI	ERTICAL	ELEMENTS	

	1	
EXISTING	DEMOLISH	
1,377 SQ FT	120 SQ FT	
1,377 SQ FT	1,377 SQ FT	
2,754 SQ FT	1,497 SQ FT	54%
	1,377 SQ FT 1,377 SQ FT	1,377 SQ FT 120 SQ FT 1,377 SQ FT 1,377 SQ FT

54% DEMOLITION HORIZONTAL ELEMENTS

			T
ELEVATION	EXISTING	DEMOLISH	PERCENT
NORTH	25' LF	0 LF	0%
SOUTH	25' LF	25' LF	100%
TOTAL	50'0" LF	25'0" LF	50%
EAST	52'6" LF	0' LF	0%
WEST	52'6" LF	0' LF	0%
TOTAL	155'0" LF	25'0" LF	16.0%

16% DEMOLITION PERIMETER ELEMENTS AS TAKEN FROM THE FOUNDATION LEVEL

LEGEND EXISTING TO REMAIN DEMOLISH PERIMETER ELEMENTS

TO BE DEMOLISHED

DEMOLITION ANALYSIS

WILLIAM PASHELINSKY ARCHITECT
1937 HAYES STREET

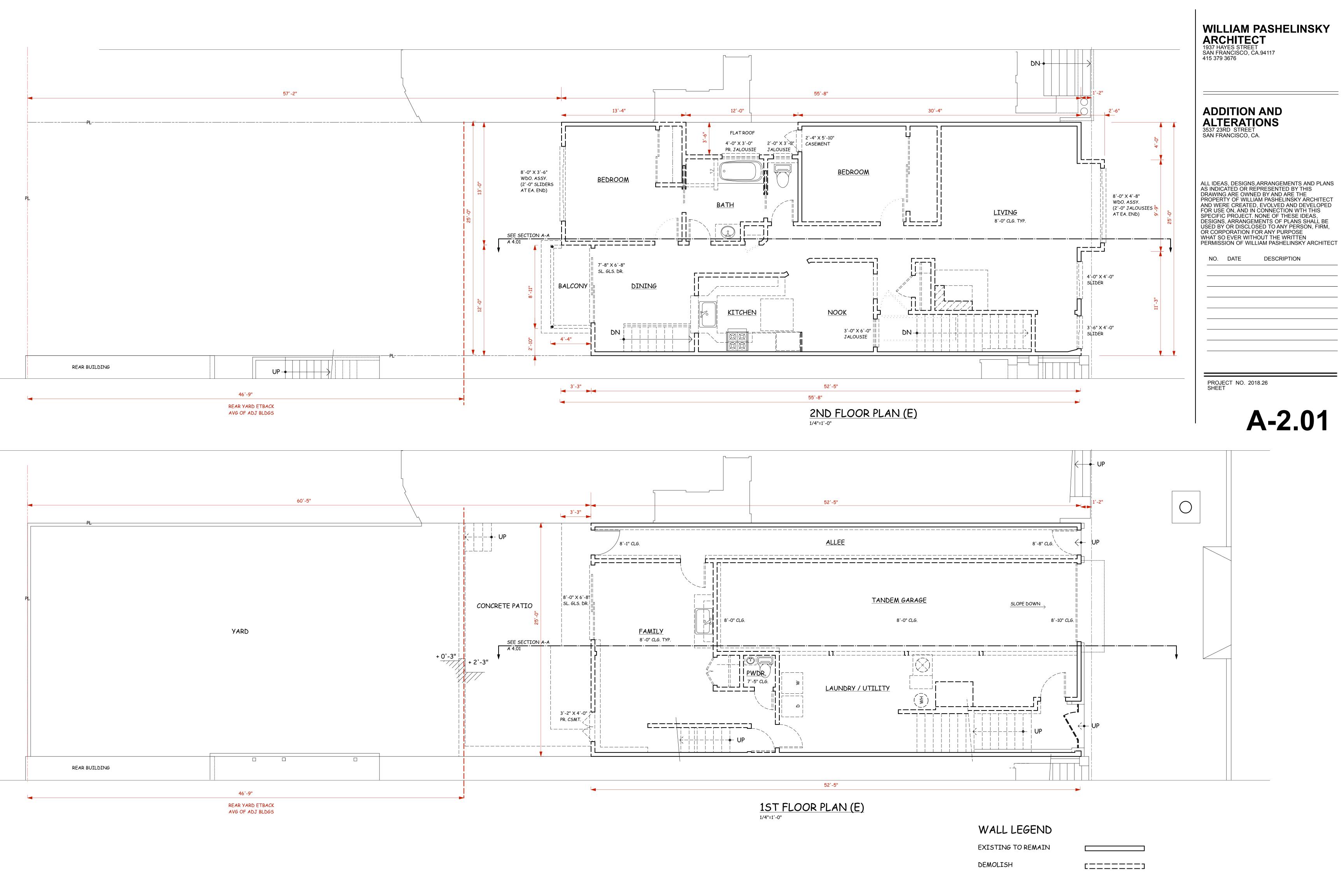
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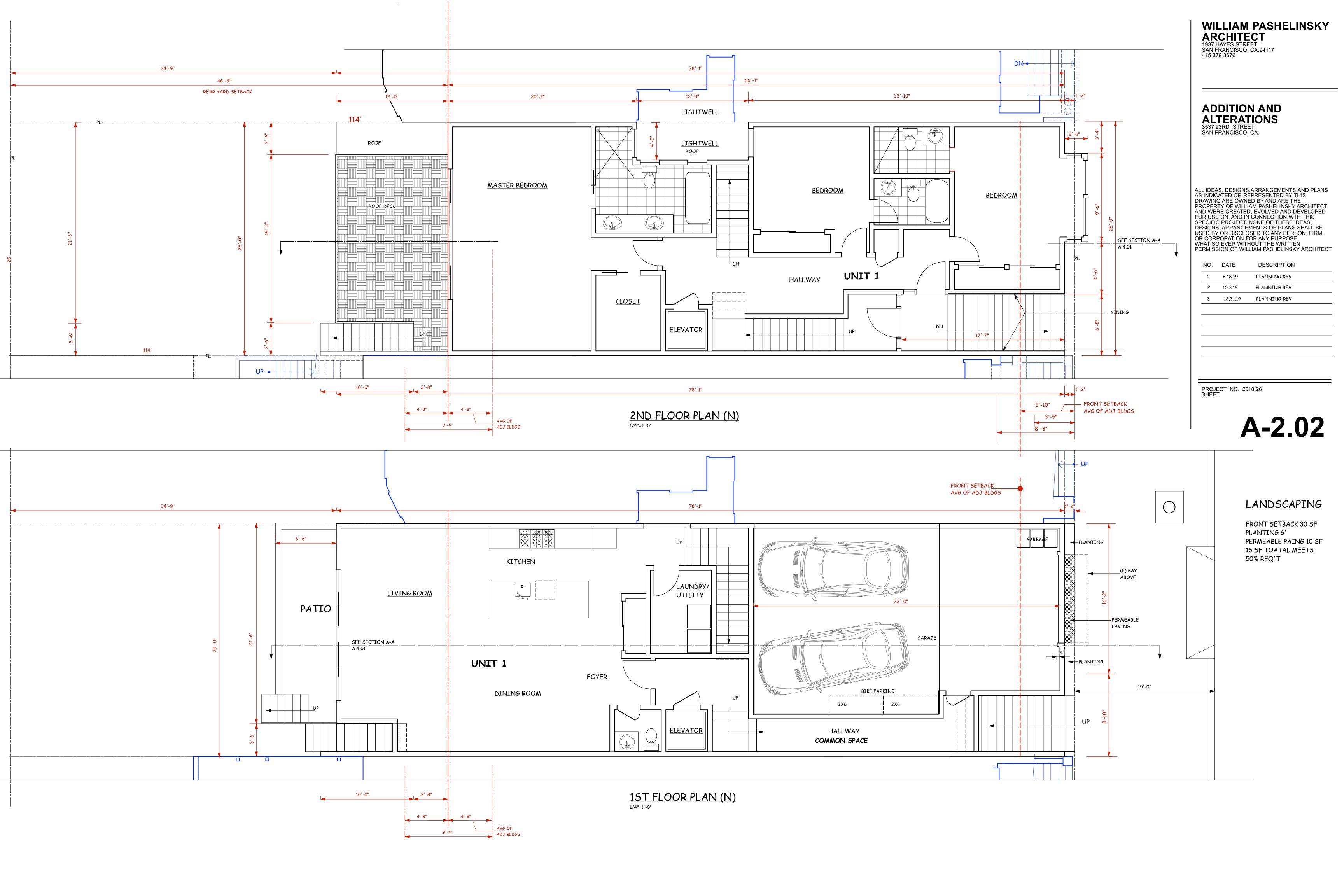
ADDITION AND ALTERATIONS
3537 23RD STREET
SAN FRANCISCO, CA.

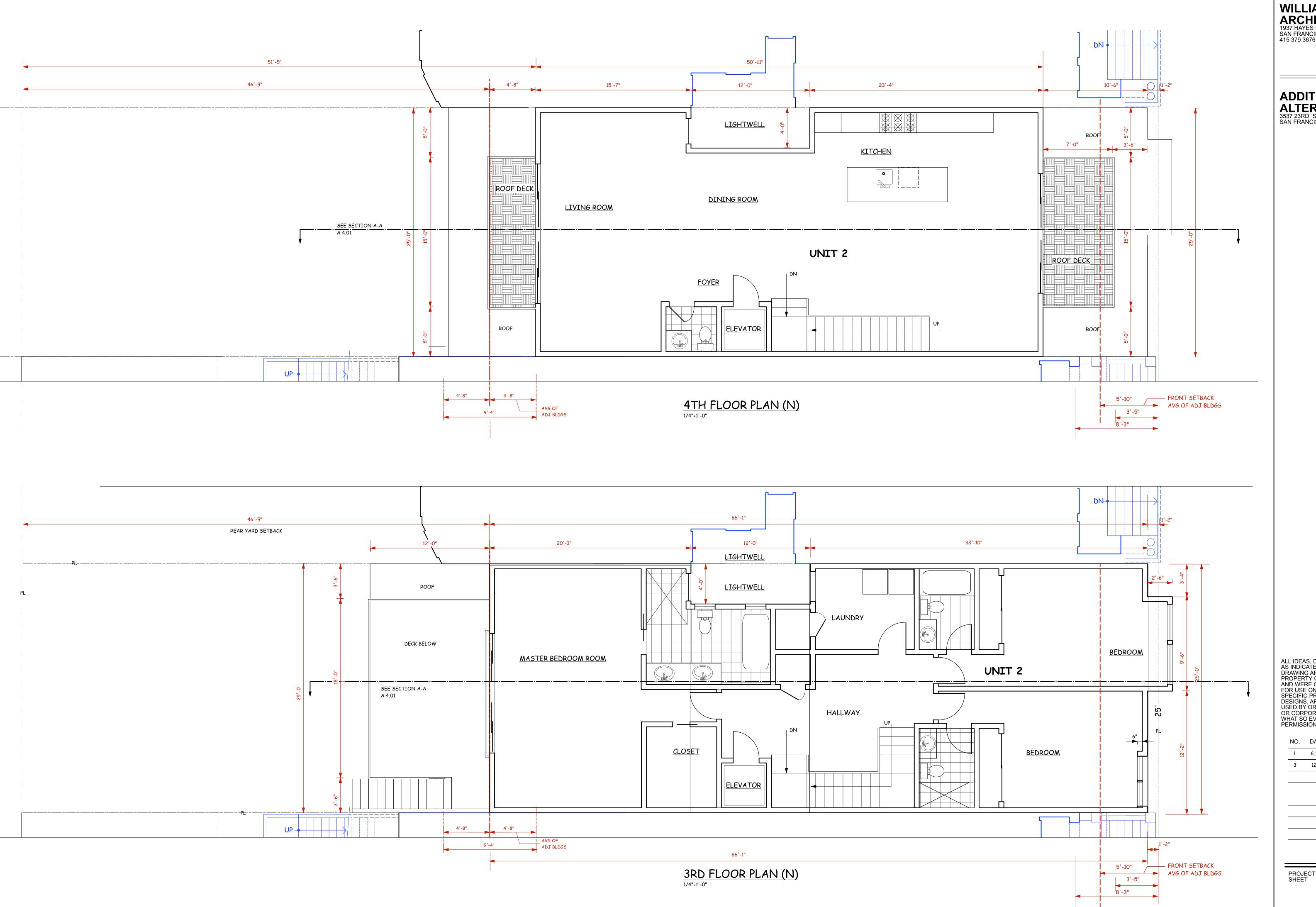
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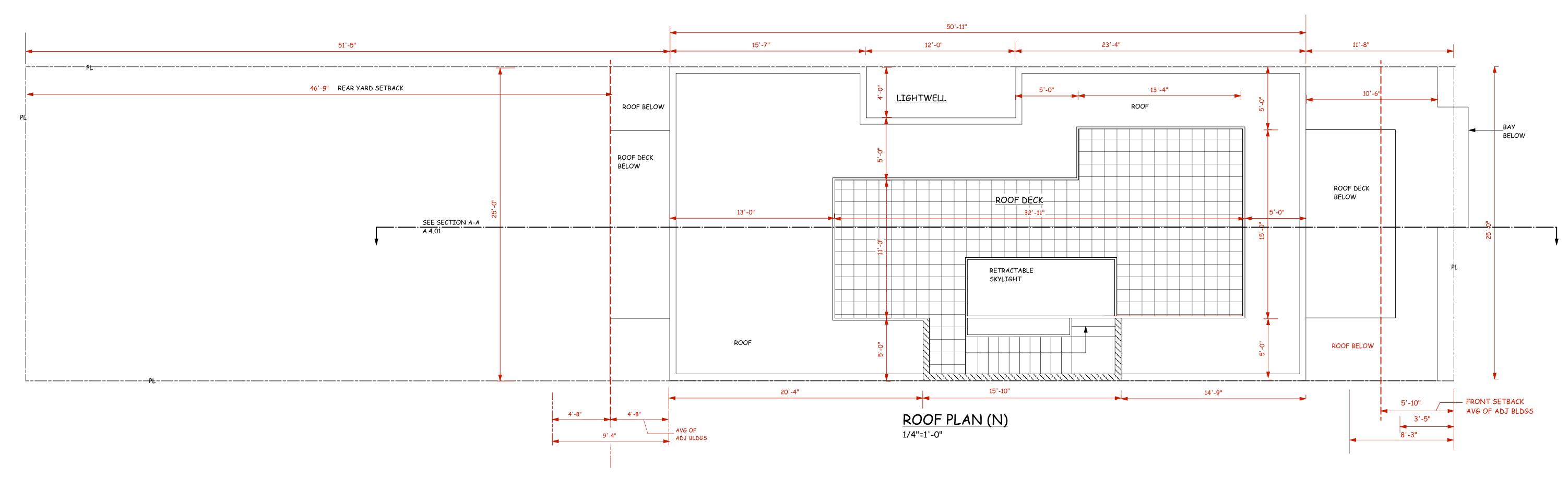
ADDITION AND ALTERATIONS
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NO. DATE DESCRIPTION 1 6.18.19 PLANNING REV 3 12.31.19 PLANNING REV

PROJECT NO. 2018.26 SHEET

A-2.03

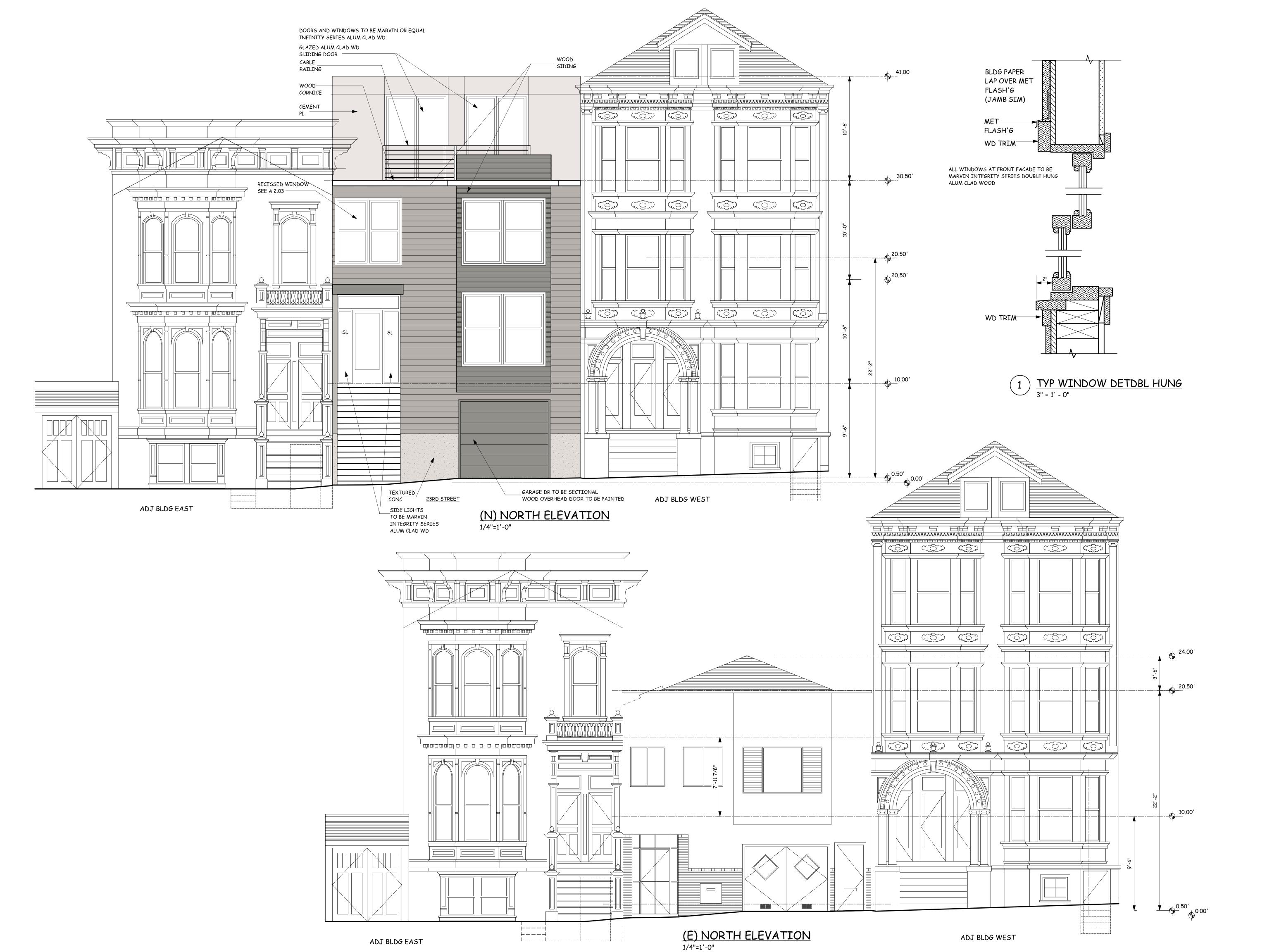


ADDITION AND ALTERATIONS 3537 23RD STREET SAN FRANCISCO, CA.

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1	6.18.19	PLANNING REV	

PROJECT NO. 2018.26 SHEET



ADDITION AND ALTERATIONS 3537 23RD STREET SAN FRANCISCO, CA.

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NO.	DATE	DESCRIPTION	
1	6.18.19	PLANNING REV	
2	10.3.19	PLANNING REV	
3	12.31.19	PLANNING REV	
4	1.22.20	PLANNING REV	
5	1.23.20	PLANNING REV	

PROJECT NO. 2018.26 SHEET

A-3.01



ADDITION AND ALTERATIONS
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NO.	DATE	DESCRIPTION	
1	6.18.19	PLANNING REV	

PROJECT NO. 2018.26 SHEET

A-3.02

