



# DISCRETIONARY REVIEW ABBREVIATED ANALYSIS

**HEARING DATE: May 20, 2021**

**Record No.:** 2019-016244DRP  
**Project Address:** 239-241 Broad Street  
**Permit Applications:** 2019.0820.9263  
**Zoning:** RH-1 [Residential House-One Family]  
40-X Height and Bulk District  
Oceanview Large Residence SUD  
**Block/Lot:** 7114 / 075  
**Project Sponsor:** Derek Vinh  
338 N Canal St, #20,  
South San Francisco, CA 94080  
**Staff Contact:** David Winslow – (628) 652-7335  
[david.winslow@sfgov.org](mailto:david.winslow@sfgov.org)

**Recommendation:** Do Not Take DR and Approve with Modification

## Project Description

The project proposes to construct a new two-story single-family home with an accessory dwelling unit on a vacant parcel. The 1,149 square foot ADU will be located on the ground floor and accommodate 2 bedrooms and 3 full bathrooms. The 1,433 square foot main unit will be located on the second floor and accommodate 3 bedrooms and 3 full bathrooms. The project includes a deck at the rear of the second floor to provide access to the shared rear yard.

## Site Description and Present Use

The site is a 25' wide x 125'-0" deep vacant lot.

## Surrounding Properties and Neighborhood

The buildings on this block of Broad Street are mostly 2-stories set back from the street face. The mid-block open space is defined by a deeper adjacent building to the west, a shallower building to the east- and more widely with an inconsistent alignment of rear building walls on deep and wide lots.

## Building Permit Notification

Type	Required Period	Notification Dates	DR File Date	DR Hearing Date	Filing to Hearing Date
311 Notice	30 days	February 22, 2021 – March 24, 2021	March 24, 2021	May 20, 2021	57 days

## Hearing Notification

Type	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	20 days	May 1, 2021	May 1, 2021	20 days
Mailed Notice	20 days	May 1, 2021	May 1, 2021	20 days
Online Notice	20 days	May 1, 2021	May 1, 2021	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 15303 (Class 3 – New Construction. Up to three new single-family residences or six dwelling units in one building.

## DR Requestor

Sam Yang of 243 Broad Street, resident of the adjacent property to the west of the proposed project.

## DR Requestor’s Concerns and Proposed Alternatives

Is concerned that the proposed project:

1. Blocks light to several windows;
2. Only one off-street parking space would impact already crowded street parking and;
3. proposes too many bathrooms and kitchens in RH-1 zoning district.

**Proposed alternatives:**

Add more parking to proposed project.

See attached *Discretionary Review Application*, dated March 24, 2021.

**Project Sponsor’s Response to DR Application**

The proposal has been designed with the adjacent properties in mind and maintains sufficient light and ventilations of neighbors windows which are almost 4’ from the side lot line. The ADU and parking are both allowed by Planning Code.

See attached Response to Discretionary Review, dated May 11, 2021

**Department Review**

The Planning Department confirms support for this Code-complying project because it promotes the goal of providing new housing while fulfilling the intent of the Residential Design Guidelines related to scale, light, privacy.

The windows on Mr. Yang’s property face a side yard that ensure and enable their continued use. The project proposes one on-site parking space and one bicycle parking space. There is no Code requirement for on-site parking. Per the Oceanview Large Residence SUD up to four bedrooms are permitted without a conditional Use Authorization. The primary residential unit has three bedrooms and an office.

However, the depth of the proposed second floor at the rear extends into the rear to an extent that it limits the access to the common mid-block open space from the of the DR requestor’s property. Therefore, staff recommends taking DR to provide a 5’ side setback at the last 5’ of building at southwest corner

**Recommendation:** Take DR and Approve with Modification

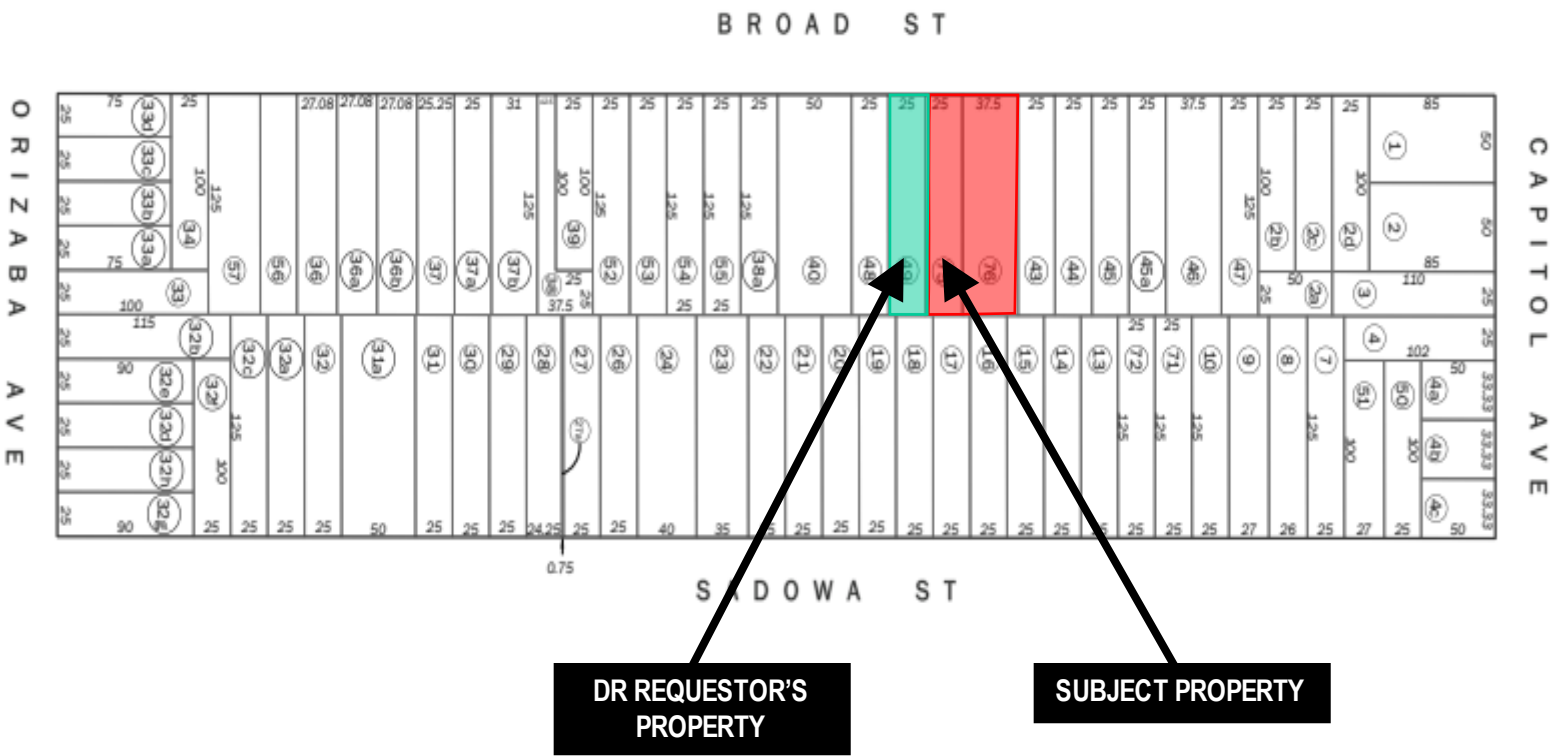
**Attachments:**

Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Context Photographs  
Section 311 Notice  
CEQA Determination  
DR Application  
Response to DR Application, dated May 11, 2021  
311 plans

# Exhibits

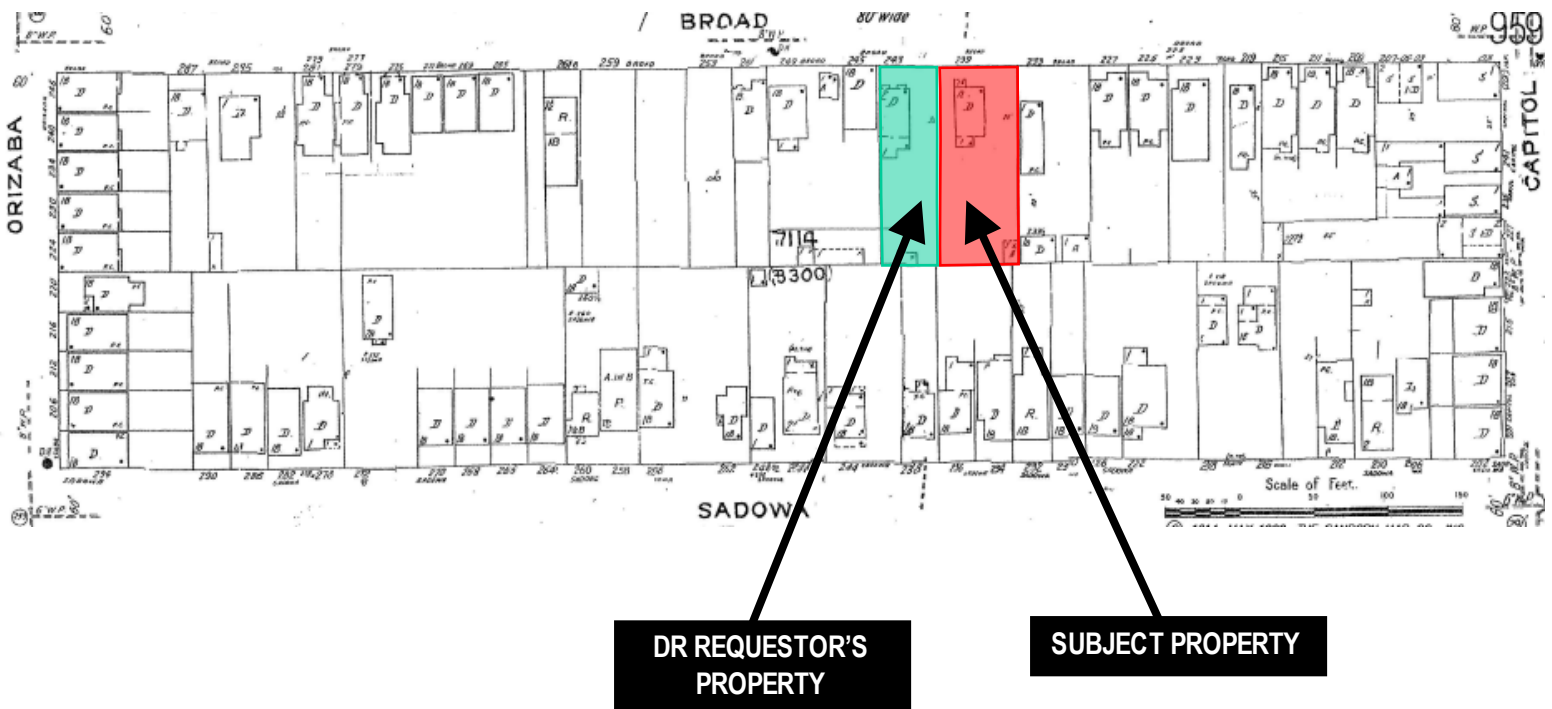
Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street

# Parcel Map



Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street

# Sanborn Map\*

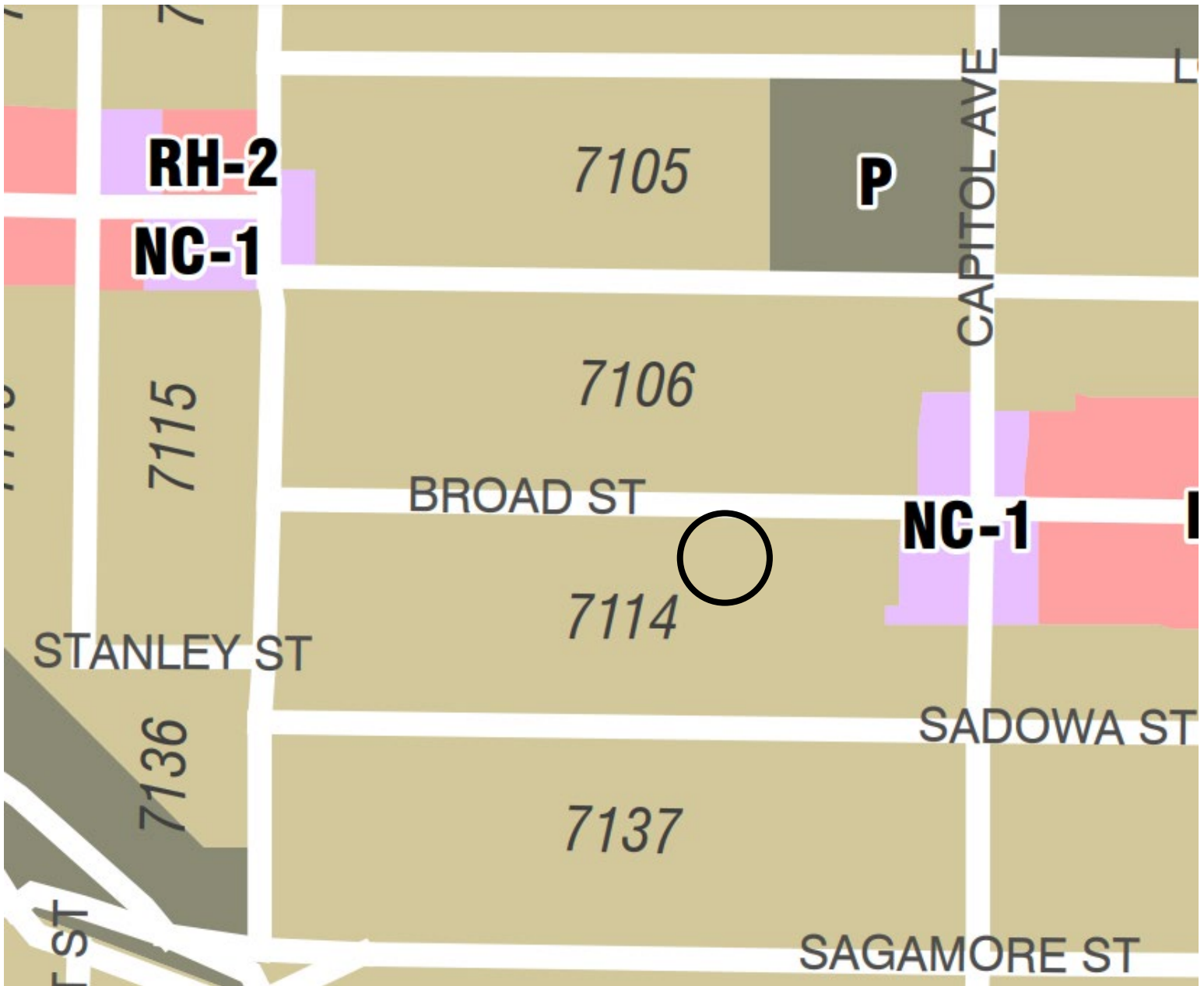


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street

# Zoning Map



Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street



# Aerial Photo



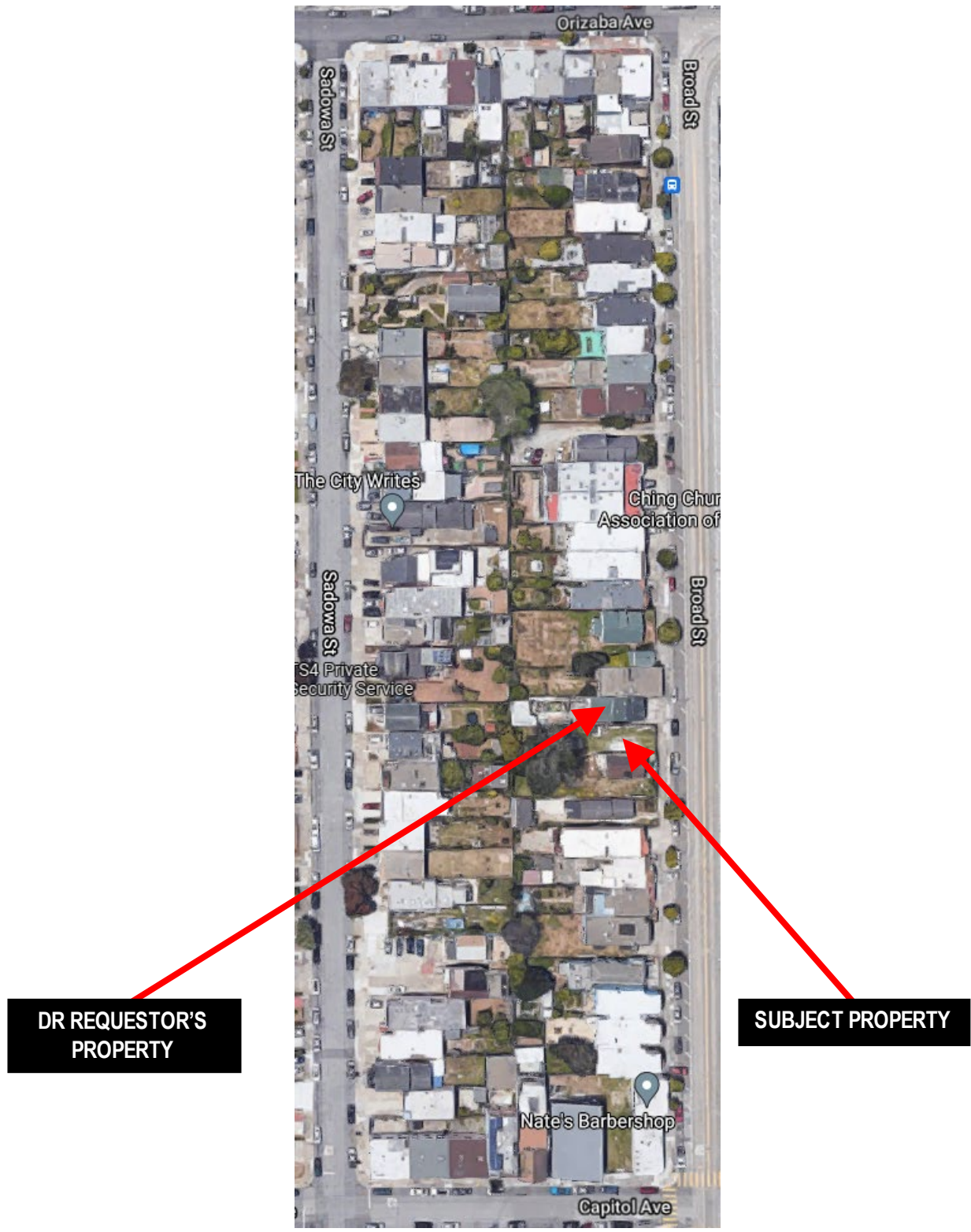
**DR REQUESTOR'S  
PROPERTY**

**SUBJECT PROPERTY**



Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street

# Aerial Photo



**DR REQUESTOR'S  
PROPERTY**

**SUBJECT PROPERTY**



Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street

# Aerial Photo



**SUBJECT PROPERTY**

**DR REQUESTOR'S  
PROPERTY**



Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street



# Aerial Photo



**SUBJECT PROPERTY**

**DR REQUESTOR'S  
PROPERTY**



Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street

# Site Photo



**SUBJECT PROPERTY**

Discretionary Review Hearing  
Case Number 2019-016244DRP  
239 Broad Street





## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On August 20, 2019, Building Permit Application No. 201908209263 was filed for work at the Project Address below.

**Notice Date: 2/22/21      Expiration Date: 3/24/21**

### PROJECT INFORMATION

Project Address: 239 BROAD ST  
Cross Streets: Capitol Ave and Orizaba Ave  
Block / Lot No.: 7114 / 075  
Zoning District(s): RH-1 / 40-X / Oceanview Large Residence SUD  
Record No.: 2019-016244PRJ

### APPLICANT INFORMATION

Applicant: Derek Vinh  
Address: 90 South Spruce Avenue  
City, State: South San Francisco, CA 94080  
Telephone: 650-741-6968  
  
Email: info@icedesigninc.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	PROJECT FEATURES	Existing	Proposed
<input type="checkbox"/> Demolition	Building Use:	Vacant parcel	Residential
<input type="checkbox"/> Change of Use	Front Setback:	None	13 feet
<input type="checkbox"/> Rear Addition	Side Setbacks:	None	None
<input checked="" type="checkbox"/> New Construction	Building Depth:	None	64 feet 5 inches
<input type="checkbox"/> Façade Alteration(s)	Rear Yard:	None	39 feet 2 inches
<input type="checkbox"/> Side Addition	Building Height:	None	21 feet 4 inches
<input type="checkbox"/> Alteration	Number of Stories:	0	2
<input type="checkbox"/> Front Addition	Number of Dwelling Units	0	1 + ADU
<input type="checkbox"/> Vertical Addition	Number of Parking Spaces	0	1

### PROJECT DESCRIPTION

The project includes the new construction of a two story single family home with an accessory dwelling unit on a vacant parcel. The ADU will be located on the ground floor, be 1,149 square feet, and accommodate 2 bedrooms and 3 full bathrooms. The main unit will be located on the second floor, be 1,433 square feet, and accommodate 3 bedrooms and 3 full bathrooms. The project includes a deck at the rear of the second floor to provide access to the shared rear yard.

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 [sfplanning.org/notices](http://sfplanning.org/notices) and search the Project Address listed above.

**For more information, please contact Planning Department staff:**

Planner: **Bridget M. Hicks**      Telephone: **628-652-7528**      Email: **Bridget.Hicks@sfgov.org**

## General Information About Procedures During COVID-19 Shelter-In-Place Order

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 specific questions about the proposed project, you should contact the planner listed on the front of this notice. If you have general questions about the Planning Department's review process, contact the Planning counter at the Permit Center via email at [pic@sfgov.org](mailto:pic@sfgov.org).

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. Contact the project Applicant to get more information and to discuss the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at [www.communityboards.org](http://www.communityboards.org) for a facilitated. 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 that 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 ("DR"). If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a DR Application prior to the Expiration Date shown on the front of this notice.**

To file a DR Application, you must:

1. Create an account or be an existing registered user through our Public Portal (<https://aca-ccsf.accela.com/ccsf/Default.aspx>).
2. Complete the Discretionary Review PDF application (<https://sfplanning.org/resource/dr-application>) and email the completed PDF application to

[CPC.Intake@sfgov.org](mailto:CPC.Intake@sfgov.org). You will receive follow-up instructions via email on how to post payment for the DR Application through our Public Portal.

To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://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. The Board of Appeals is accepting appeals via e-mail. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

### 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](http://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 Board of Supervisors at [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org), 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 Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
239 BROAD ST		7114042
<b>Case No.</b>		<b>Permit No.</b>
2019-016244PRJ		201908209263
<input type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input checked="" type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b> Erect a two story type vb construction single family house.</p>		

### STEP 1: EXEMPTION TYPE

<b>The project has been determined to be exempt under the California Environmental Quality Act (CEQA).</b>	
<input type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input type="checkbox"/>	<b>Other</b> _____
<input type="checkbox"/>	<b>Common Sense Exemption (CEQA Guidelines section 15061(b)(3)).</b> It can be seen with certainty that there is no possibility of a significant effect on the environment . <b>FOR ENVIRONMENTAL PLANNING USE ONLY</b>



## STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

### TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p><b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</p>
<input type="checkbox"/>	<p><b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p><b>Note that a categorical exemption shall not be issued for a project located on the Cortese List if box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant.</b> (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</p>
<input type="checkbox"/>	<p><b>Transportation:</b> 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?</p>
<input type="checkbox"/>	<p><b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.</p>
<input type="checkbox"/>	<p><b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>) <b>If box is checked, Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Average Slope of Parcel = or &gt; 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area:</b> Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? (refer to <i>The Environmental Planning tab on the San Francisco Property Information Map</i>) <b>If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Seismic Hazard:</b> <input type="checkbox"/> <b>Landslide or</b> <input type="checkbox"/> <b>Liquefaction Hazard Zone:</b></p> <p>Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? (refer to <i>The Environmental tab on the San Francisco Property Information Map</i>) <b>If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</b></p>
<p><b>Comments and Planner Signature (optional):</b> Bridget Hicks</p> <p>16 cy excavation, max depth 1.5 feet, not in any layers.</p>	

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

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

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

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

**STEP 5: ADVANCED HISTORICAL REVIEW**  
**TO BE COMPLETED BY PRESERVATION PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Reclassification of property status.</b> <i>(Attach HRER Part I)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify)</i> : <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i>
<input type="checkbox"/>	2. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	3. <b>Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.</b>
<input type="checkbox"/>	4. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	8. <b>Work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties (Analysis required)</i> :
<input type="checkbox"/>	9. <b>Work compatible</b> with a historic district (Analysis required):
<input type="checkbox"/>	10. <b>Work that would not materially impair</b> a historic resource (Attach HRER Part II).
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b> Bridget Hicks	

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

<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Building Permit	<b>Signature:</b> Bridget Hicks
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	01/27/2021
	Once signed or stamped and dated, this document constitutes a n 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 to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

### TO BE COMPLETED BY PROJECT PLANNER

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

### MODIFIED PROJECT DESCRIPTION

Modified Project Description:
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### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are 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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed to the Environmental Review Officer within 10 days of posting of this determination.	
<b>Planner Name:</b>	<b>Date:</b>



## DISCRETIONARY REVIEW PUBLIC (DRP)

### APPLICATION

#### Discretionary Review Requestor's Information

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

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

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

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

#### Information on the Owner of the Property Being Developed

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

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

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

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

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

#### Property Information and Related Applications

Project Address: \_\_\_\_\_

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

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

#### ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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

## DISCRETIONARY REVIEW REQUEST

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

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

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

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

# DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

a) The undersigned is the DR requestor or their authorized representation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

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

\_\_\_\_\_  
Phone

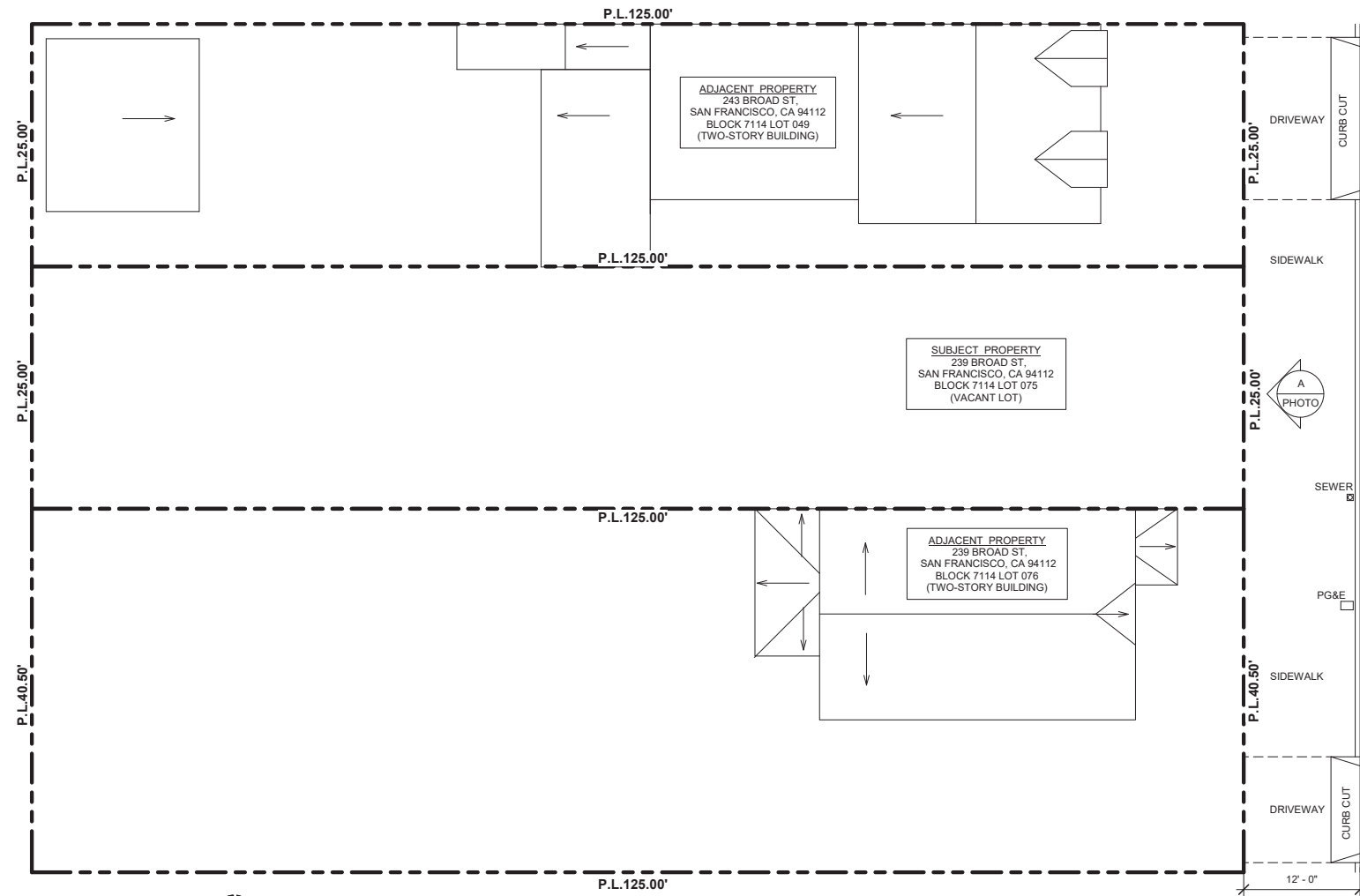
\_\_\_\_\_  
Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



(A) (E) SITE PLAN  
1/8" = 1'-0"



PHOTO A



PHOTO B

APPLICANT:

DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

(E) SITE PLAN &  
PHOTOGRAPHS

PROJECT ADDRESS:

239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:

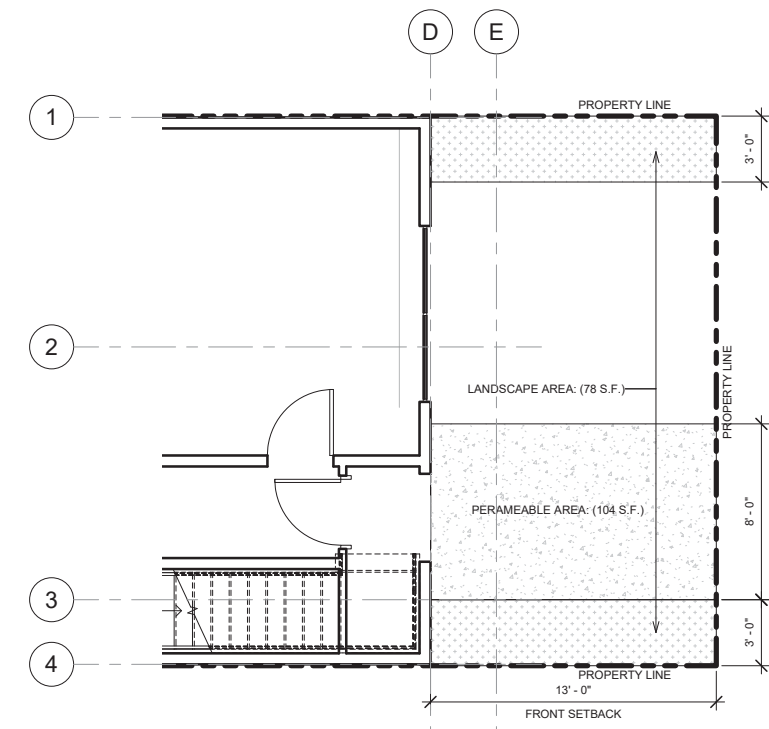
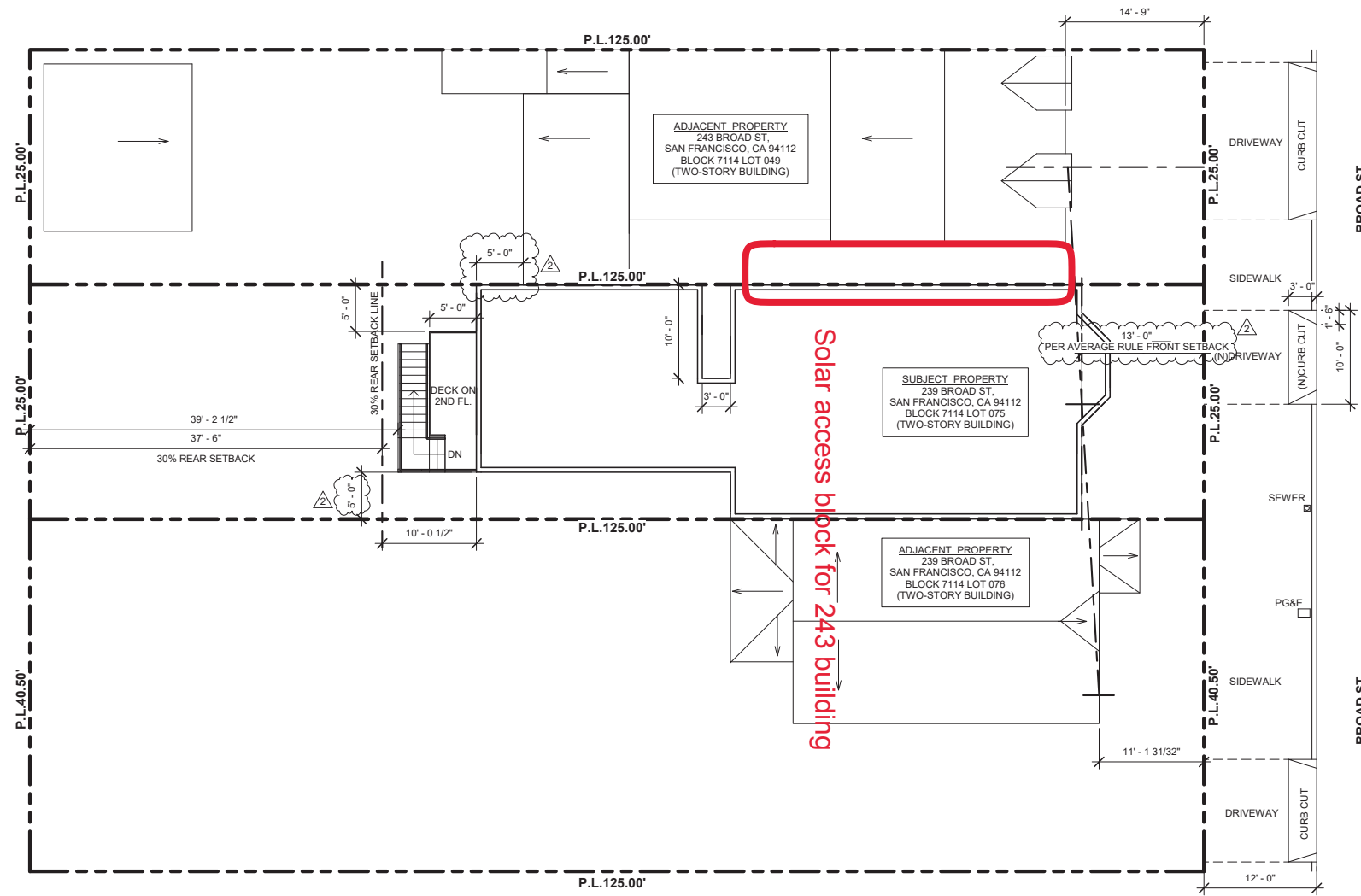
ERECT NEW TWO STORIES  
BUILDING w/ TWO DWELLING UNITS

NOTES	BY
PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
JOB 160130  
SHEET

A1.0





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

NOTE:  
LANDSCAPING:  
COMPLY WITH PLANNING CODE 132. (G) PROVIDE 50 PERCENT OF UNPAVED AND LANDSCAPE OF THE FRONT SETBACK WITH MINIMUM OF 20 PERCENT LANDSCAPING REQUIREMENT COUNTED TOWARDS THE SETBACK AREA. THE SETBACK AREA FOR THE SUBJECT SITE IS 325 SQUARE FEET, AND THE REQUIRED GREEN LANDSCAPING REQUIREMENT WOULD BE 162.5 SQUARE FEET.

CALCULATION:  
TOTAL FRONT SETBACK AREA = 325 S.F.  
TOTAL LANDSCAPE AREA = 65 S.F.  
TOTAL PERMEABLE AREA = 104 S.F.  
TOTAL PERCENT = G.L. AREA/F.SB. AREA  
TOTAL PERCENT = 169 S.F./325 S.F.  
TOTAL PERCENT = 52% ≥ REQUIRED

(B) (N)SITE PLAN  
1/8" = 1'-0"

APPLICANT:  
DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

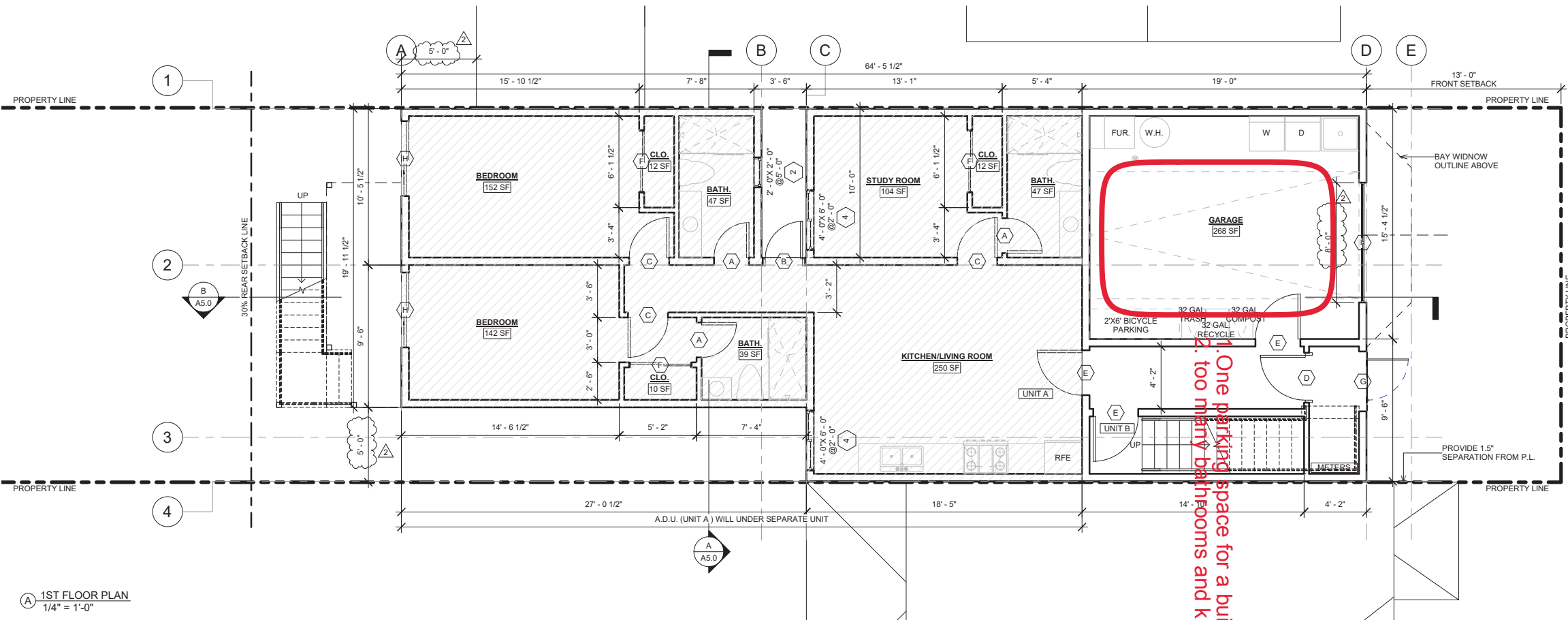
SHEET TITLE:  
**(N)SITE PLAN**

PROJECT ADDRESS:  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

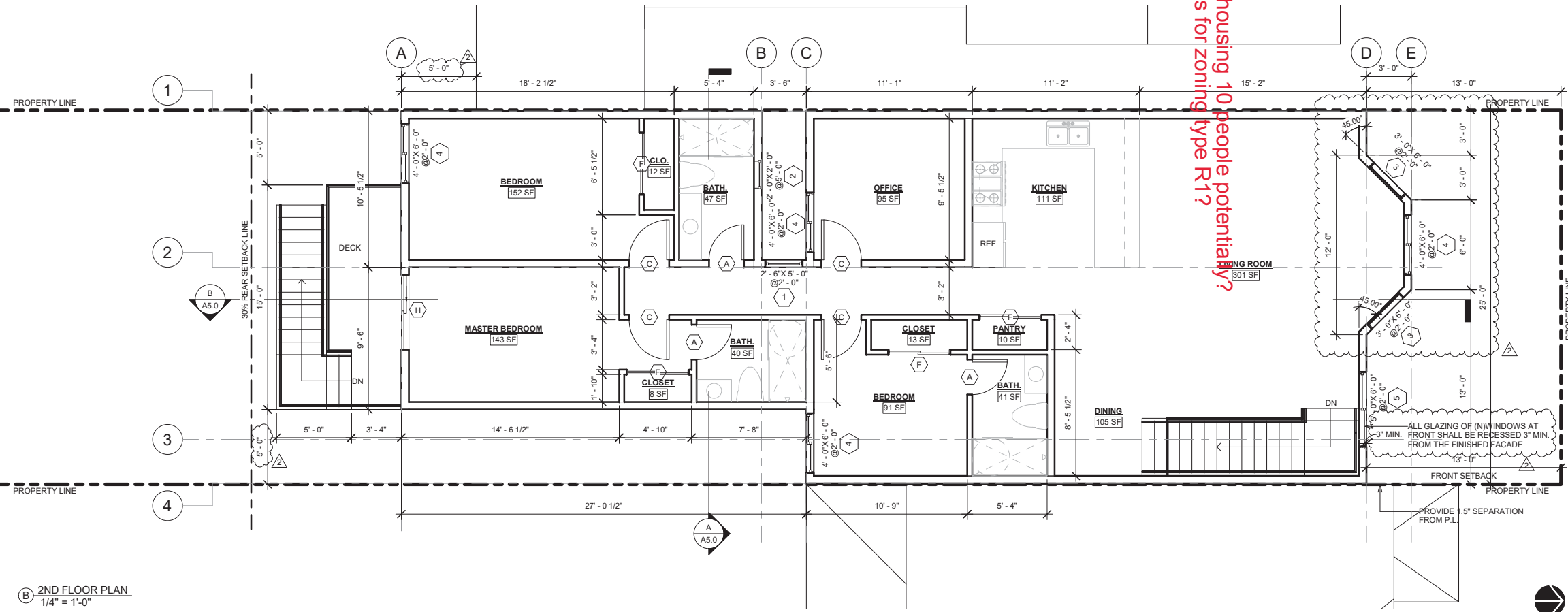
PROJECT DESCRIPTION:  
ERECT NEW TWO STORIES  
BUILDING w/ TWO DWELLING UNITS

NOTES	BY
PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
JOB 160130  
SHEET



A 1ST FLOOR PLAN  
1/4" = 1'-0"



B 2ND FLOOR PLAN  
1/4" = 1'-0"

1 One parking space for a building housing 10 people potential?  
2 too many bathrooms and kitchens for zoning type R1?

APPLICANT:  
  
DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

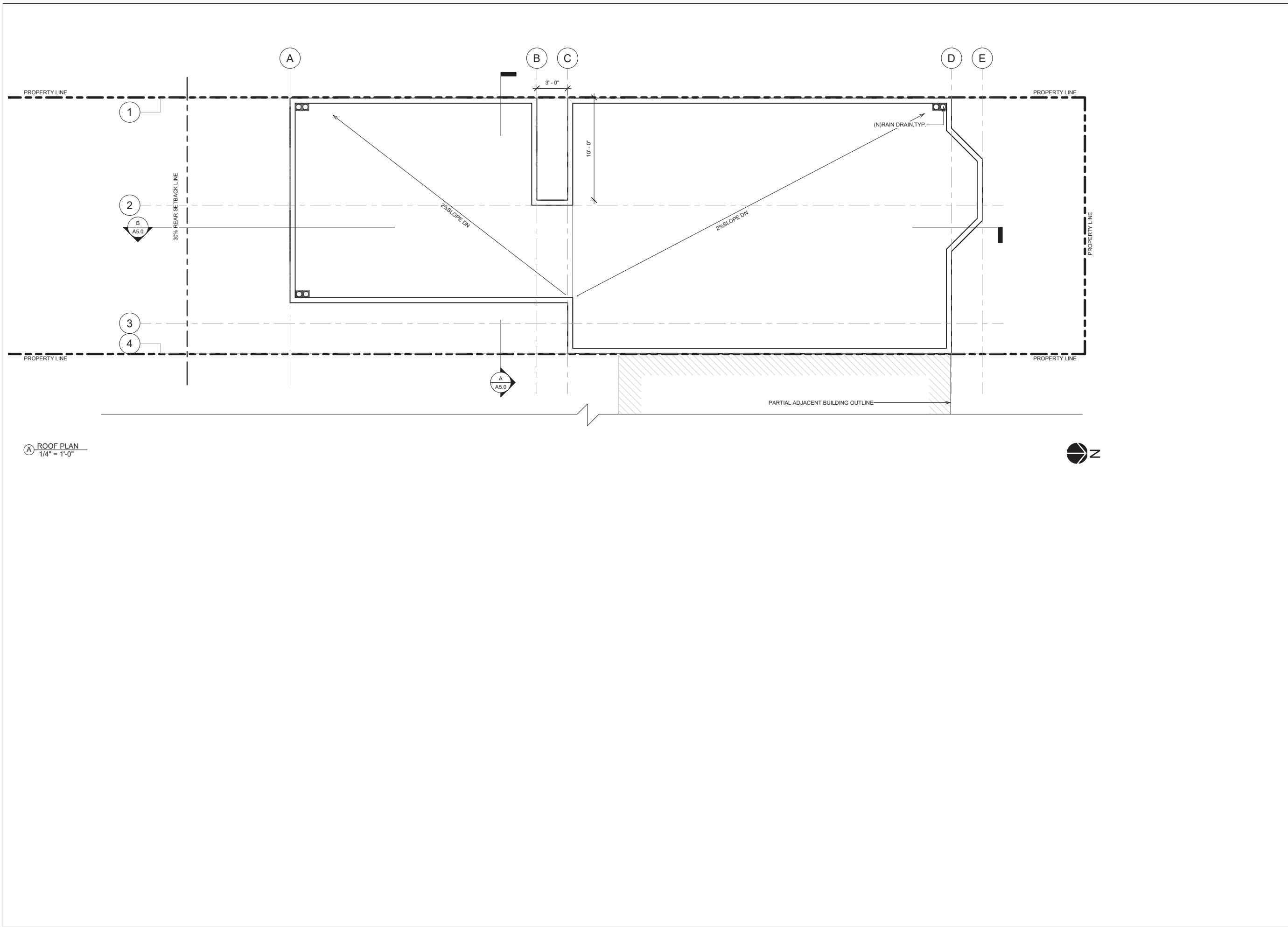
FLOOR PLANS

PROJECT ADDRESS:  
  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:  
  
ERECT NEW TWO STORIES  
BUILDING w/ TWO DWELLING UNITS

NOTES	BY
2 PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
JOB 160130  
SHEET



Ⓐ ROOF PLAN  
1/4" = 1'-0"

APPLICANT:

DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

ROOF PLAN

PROJECT ADDRESS:

239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

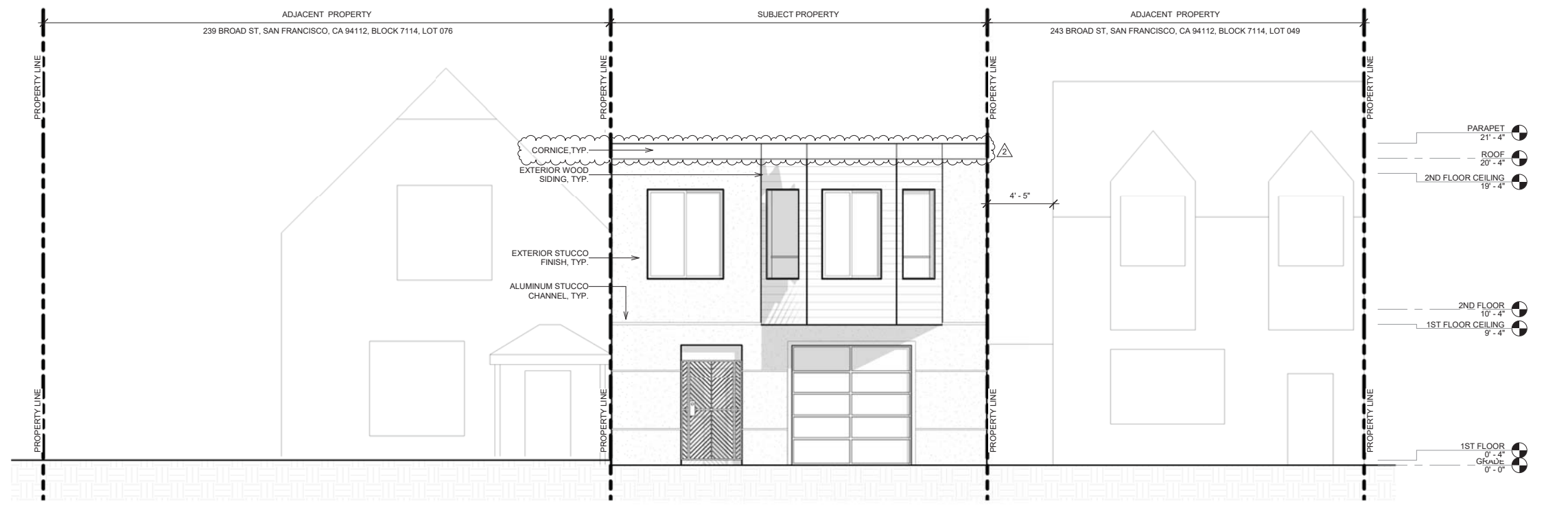
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ERECT NEW TWO STORIES  
BUILDING w/ TWO DWELLING UNITS

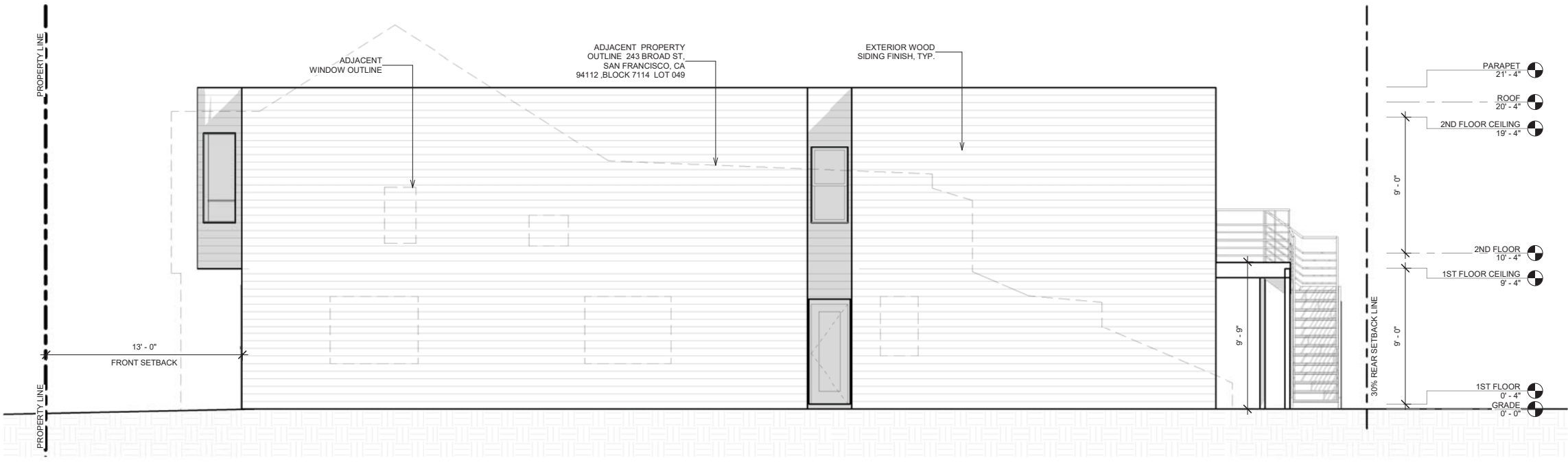
NOTES	BY
Ⓐ PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
JOB 160130  
SHEET

A2.1



(A) FRONT (NORTH) ELEVATION  
1/4" = 1'-0"



(B) WEST SIDE ELEVATION  
1/4" = 1'-0"

APPLICANT:

DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

ELEVATIONS

PROJECT ADDRESS:

239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

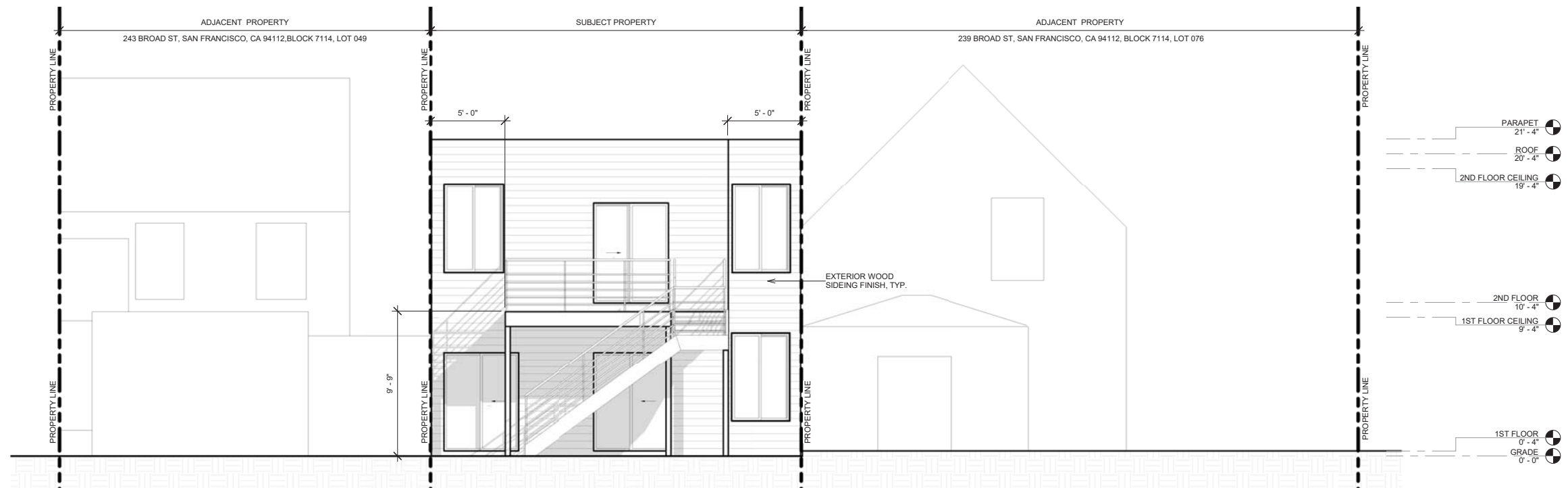
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BUILDING w/ TWO DWELLING UNITS

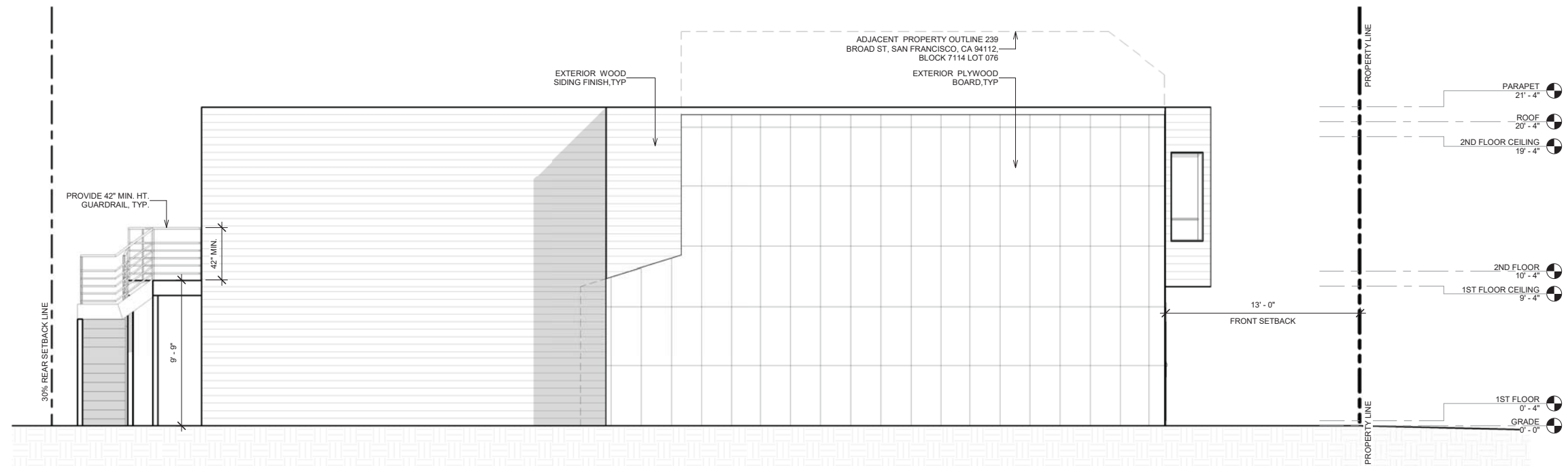
NOTES	BY
△ PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
JOB 160130  
SHEET

A4.0



**(A) REAR(SOUTH) ELEVATION**  
1/4" = 1'-0"



**(B) EAST SIDE ELEVATION**  
1/4" = 1'-0"

APPLICANT:

DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

ELEVATIONS

PROJECT ADDRESS:

239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:

ERECT NEW TWO STORIES  
BUILDING w/ TWO DWELLING UNITS

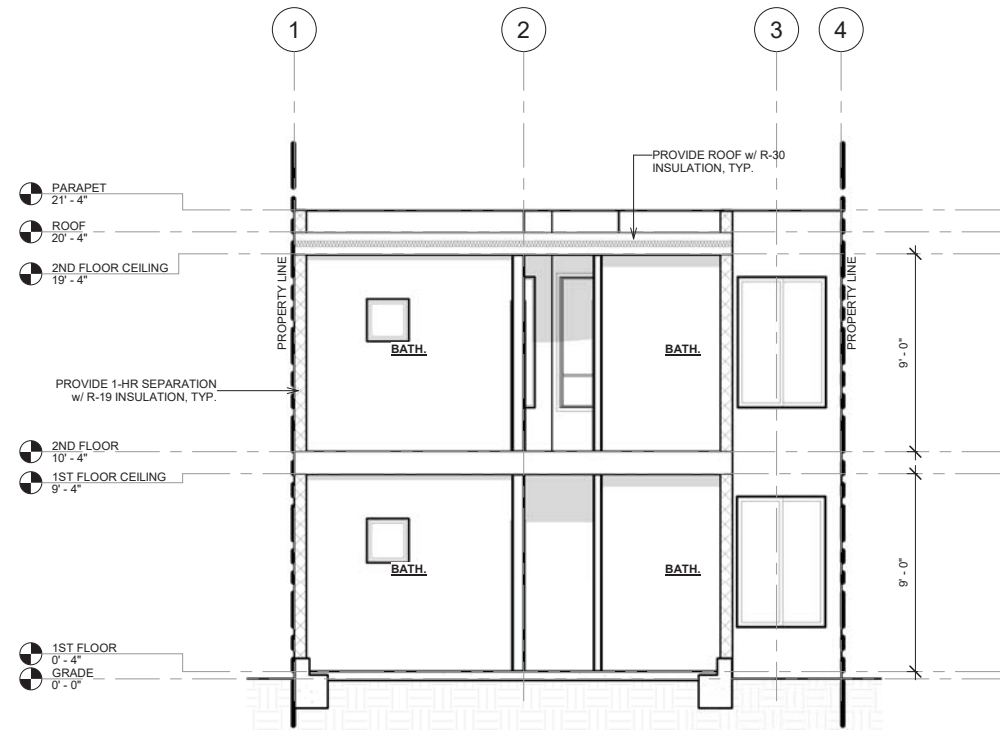
NOTES	BY
△ PLAN CHECK 041320	T.Y.

SCALE AS NOTED

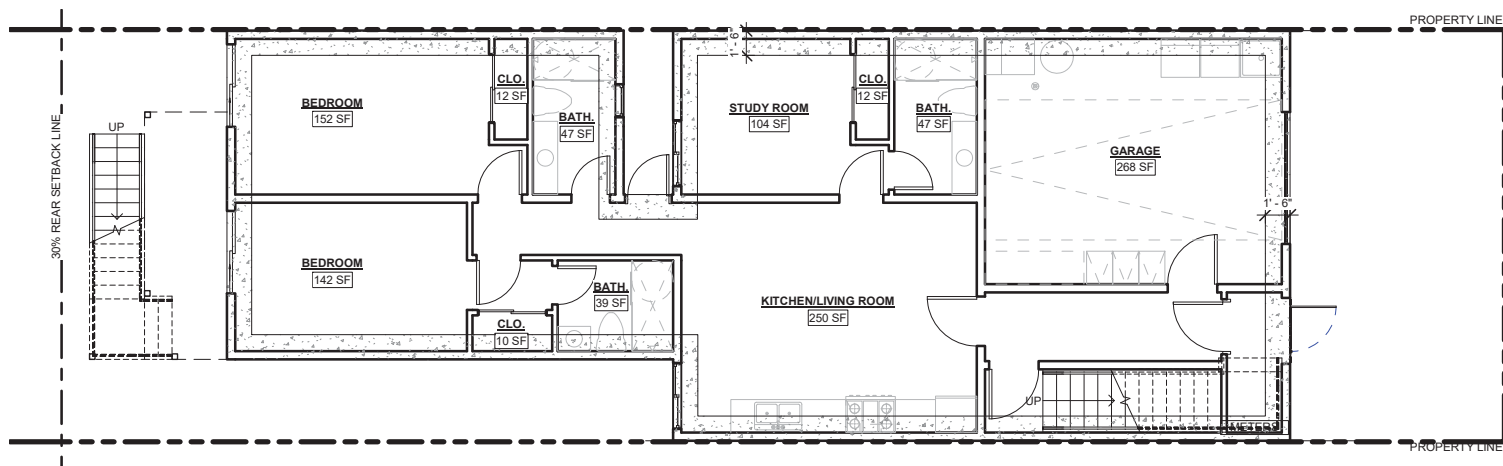
JOB 160130

SHEET

A4.1

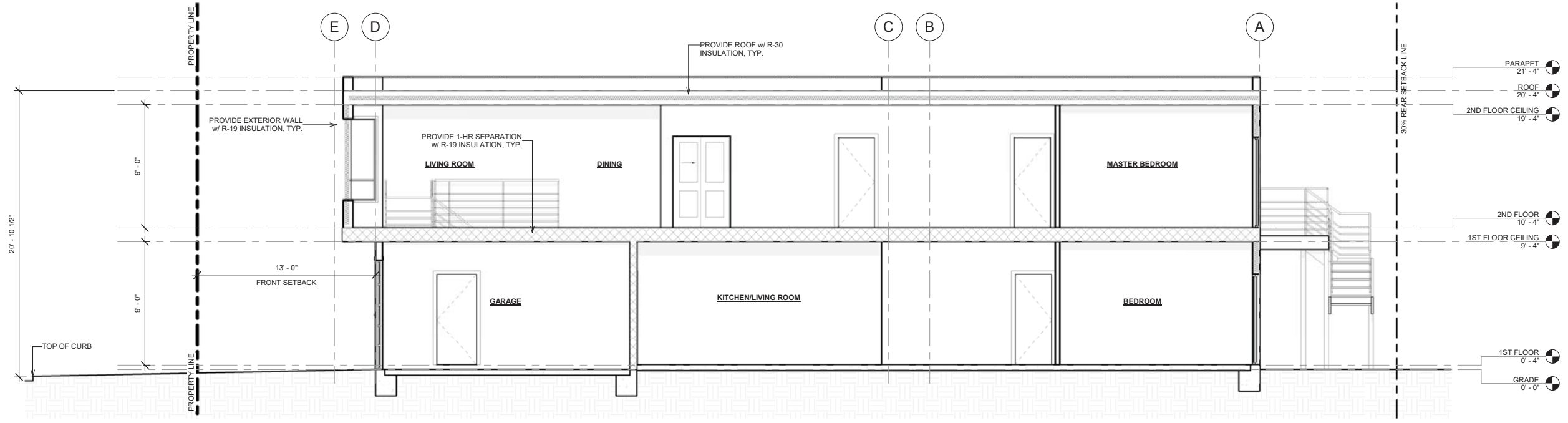


**A** LATITUDINAL SECTION  
1/4" = 1'-0"



**C** FOUNDATION PLAN  
3/16" = 1'-0"

EXCAVATE CALCULATION	
AREA	= 289 S.F.
HEIGHT	= 1'-6"
433.5X1.5	= 433.5 S.F.
433.5/27	= 16 C.Y.
<b>TOTAL EARTH TO BE REMOVED</b>	<b>= ±16 C.Y.</b>



**B** LONGITUDINAL SECTION  
1/4" = 1'-0"

APPLICANT:

DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

SECTIONS

PROJECT ADDRESS:

239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:

ERECT NEW TWO STORIES  
BUILDING w/ TWO DWELLING UNITS

NOTES	BY
2 PLAN CHECK 041320	T.Y.

SCALE	AS NOTED
JOB	160130
SHEET	

**A5.0**

**RESPONSE TO**  
**DISCRETIONARY**  
**REVIEW (DRP)**



**San Francisco**  
**Planning**

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

**Project Information**

---

Property Address: 239 BROAD STREET

Zip Code: 94112

Building Permit Application(s):

Record Number: 201908209263

Assigned Planner:

**Project Sponsor**

---

Name: DEREK VINH

Phone: (650) 741-6968

Email: INFO@ICEDESIGNINC.COM

**Required Questions**

---

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

DR REQUESTER SIDE WINDOWS ARE APPROXIMATELY 4 FEET AWAY FROM PROPOSED PROJECT.  
PROPOSED PROJECT PROPOSED FOR ONE CAR PARKING FOR THE MAIN RESIDENT.  
ONE ADU ARE ALLOW UNDER RH1 ZONED LOT.

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.

PROJECT IS DESIGN WITH ADJACENT PROPERTY IN MIND AND HAD PROVIDED SUFFICIENT LIGHT AND VENTILATION TO ADJACENT NEIGHBOR.

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.

PROPOSED PROJECT DID NOT BLOCK DR REQUESTER WINDOWS. PROPOSED PROJECT CONSIST WITH SURROUNDING PROPERTIES IN DESIGN AND SIZE. PROPOSED PROJECT INCREASE PARKING FROM NONE TO ONE.

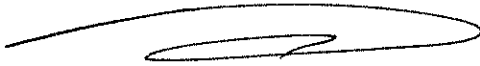
## Project Features

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)	0	2
Occupied Stories (all levels with habitable rooms)	0	2
Basement Levels (may include garage or windowless storage rooms)	0	1
Parking Spaces (Off-Street)	0	1
Bedrooms	0	5
Height	0	21'
Building Depth	0	64'5
Rental Value (monthly)	0	\$3000
Property Value		

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

Signature:



Date:

5/11/21

Printed Name: DEREK VINH

- Property Owner  
 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.*





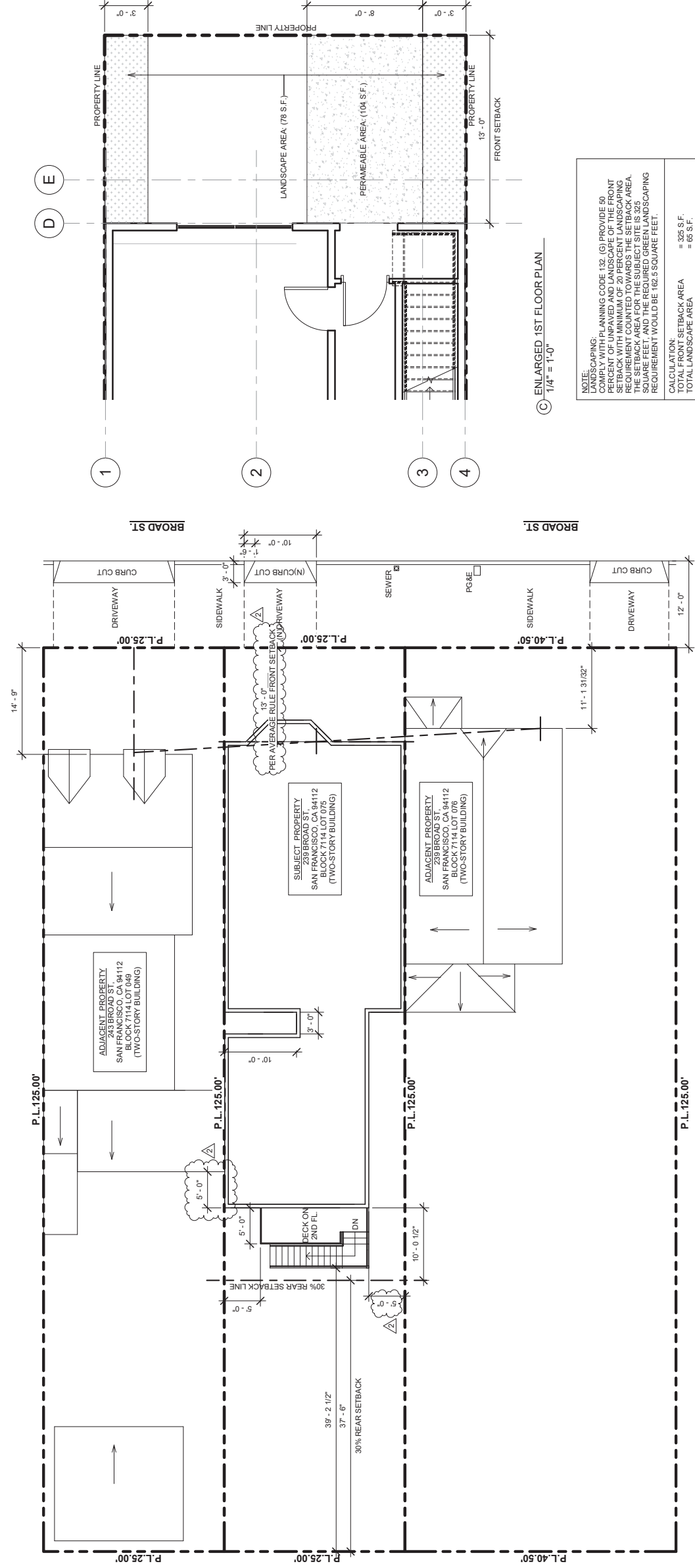
APPLICANT:  
 DAVID YEE  
 239 BROAD ST  
 SAN FRANCISCO, CA 94112  
 415.279.1775

SHEET TITLE:

(N)SITE PLAN

PROJECT ADDRESS:  
 239 BROAD ST  
 SAN FRANCISCO, CA 94112  
 BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:  
 ERECT NEW TWO STORIES  
 BUILDING W/ TWO DWELLING UNITS



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

NOTE: LANDSCAPING: COMPLY WITH PLANNING CODE 132 (G) PROVIDE 50 PERCENT OF UNPAVED AND LANDSCAPE OF THE FRONT SETBACK WITH MINIMUM OF 20 PERCENT LANDSCAPING REQUIREMENT COUNTED TOWARDS THE SETBACK AREA. PERMEABLE AREA AND THE REQUIRED GREEN LANDSCAPING REQUIREMENT WOULD BE 162.8 SQUARE FEET.

CALCULATION:  
 SETBACK AREA = 828 S.F.  
 TOTAL LANDSCAPE AREA = 85 S.F.  
 TOTAL PERMEABLE AREA = 104 S.F.  
 G.L. AREA/F.S.B. AREA = 169 S.F./828 S.F.  
 TOTAL PERCENT = 32% (2 REQUIRED)



NOTES	BY
PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
 JOB 160130  
 SHEET



APPLICANT:

DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

### ROOF PLAN

PROJECT ADDRESS:

239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

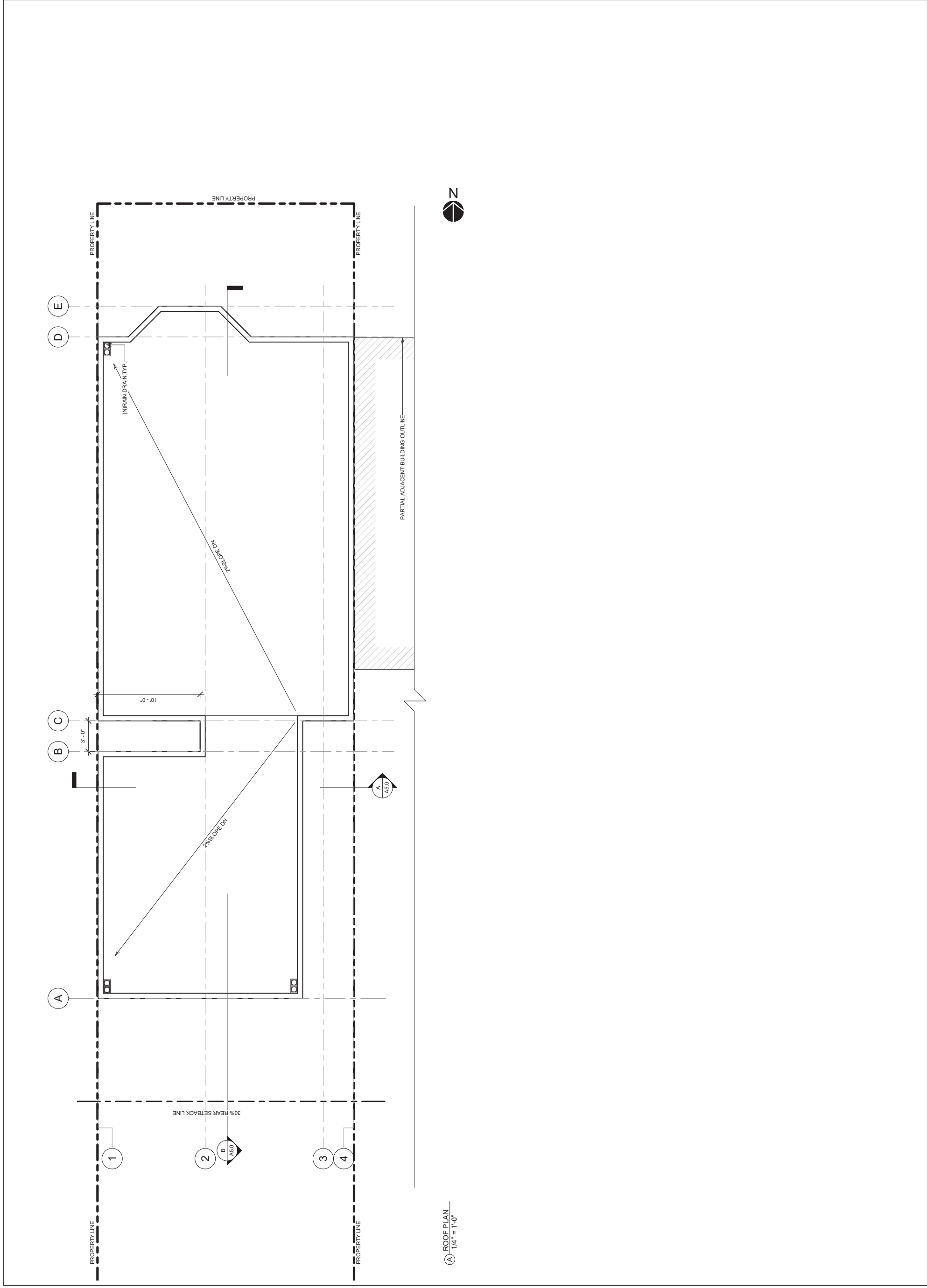
PROJECT DESCRIPTION:

ERECT NEW TWO STORIES  
BUILDING w/ TWO DWELLING UNITS

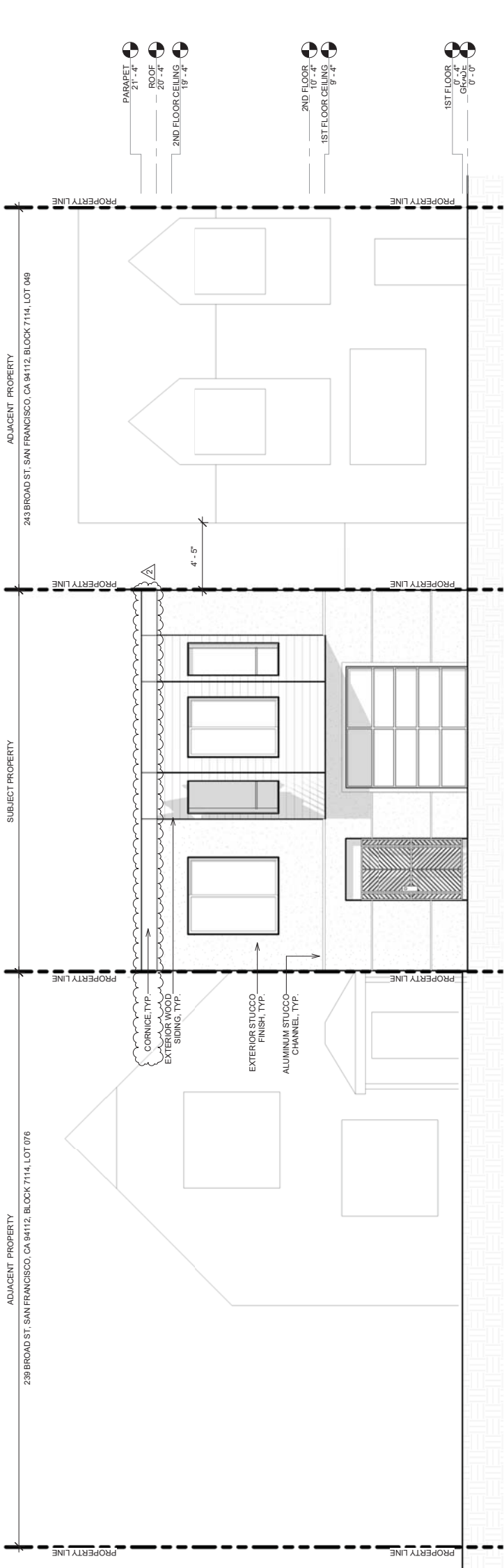
NOTES	BY
PLAN CHECK 041320	T.Y.

SCALE	AS NOTED
JOB	160130
SHEET	

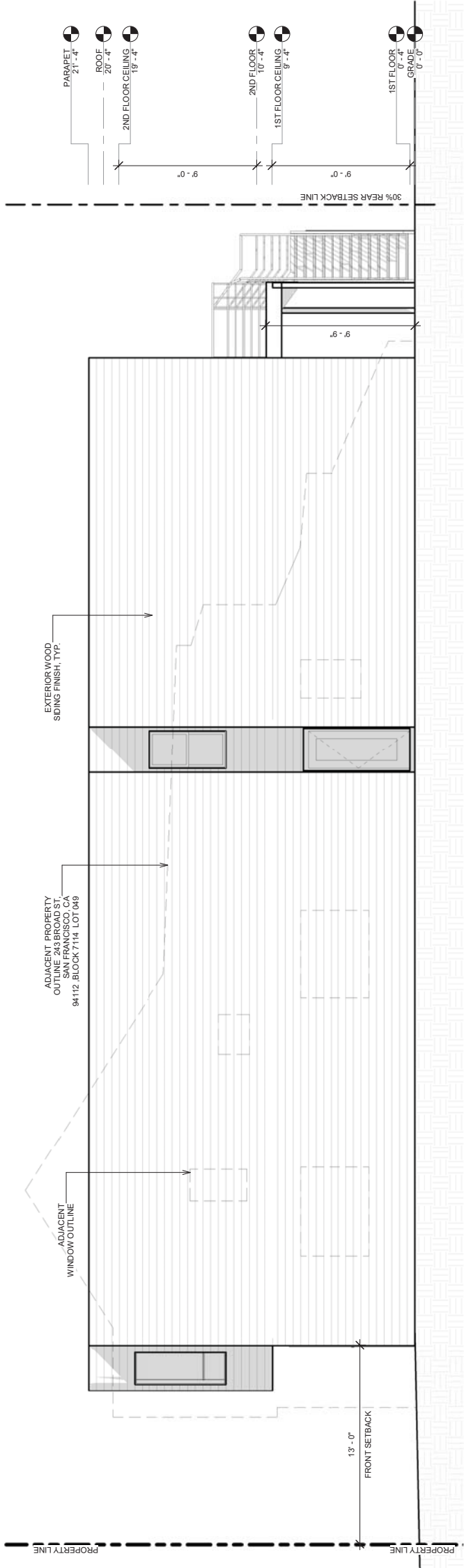
# A2.1



(A) ROOF PLAN  
1/4" = 1'-0"



(A) FRONT(NORTH) ELEVATION  
1/4" = 1'-0"



(B) WEST SIDE ELEVATION  
1/4" = 1'-0"

APPLICANT:  
DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

ELEVATIONS

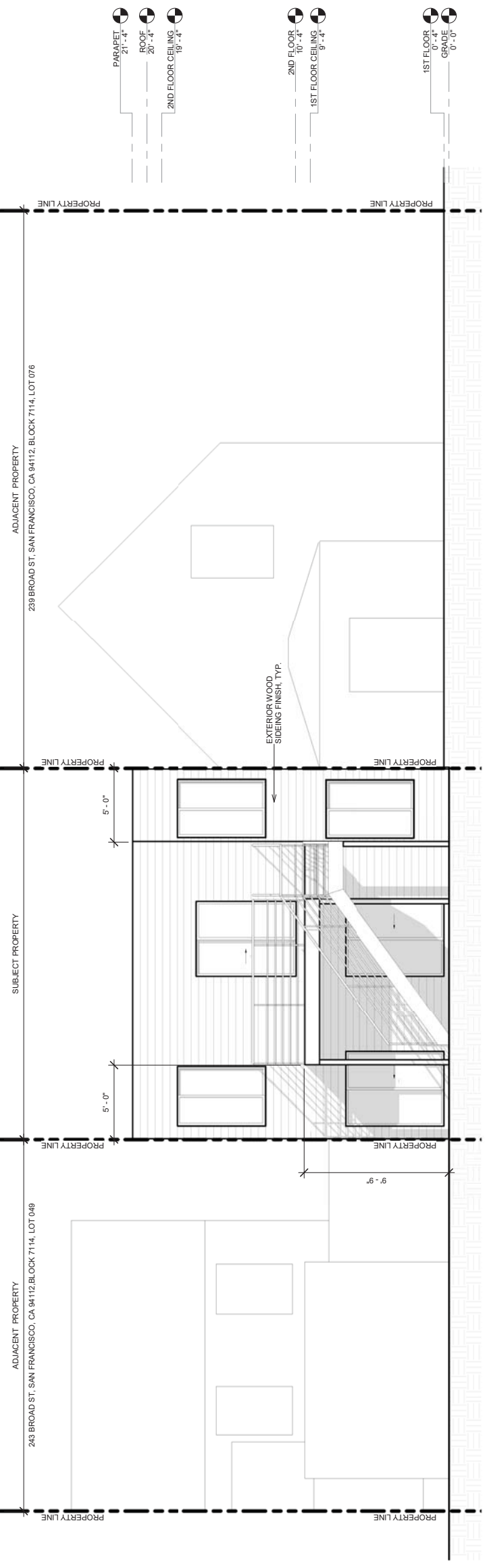
PROJECT ADDRESS:  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:  
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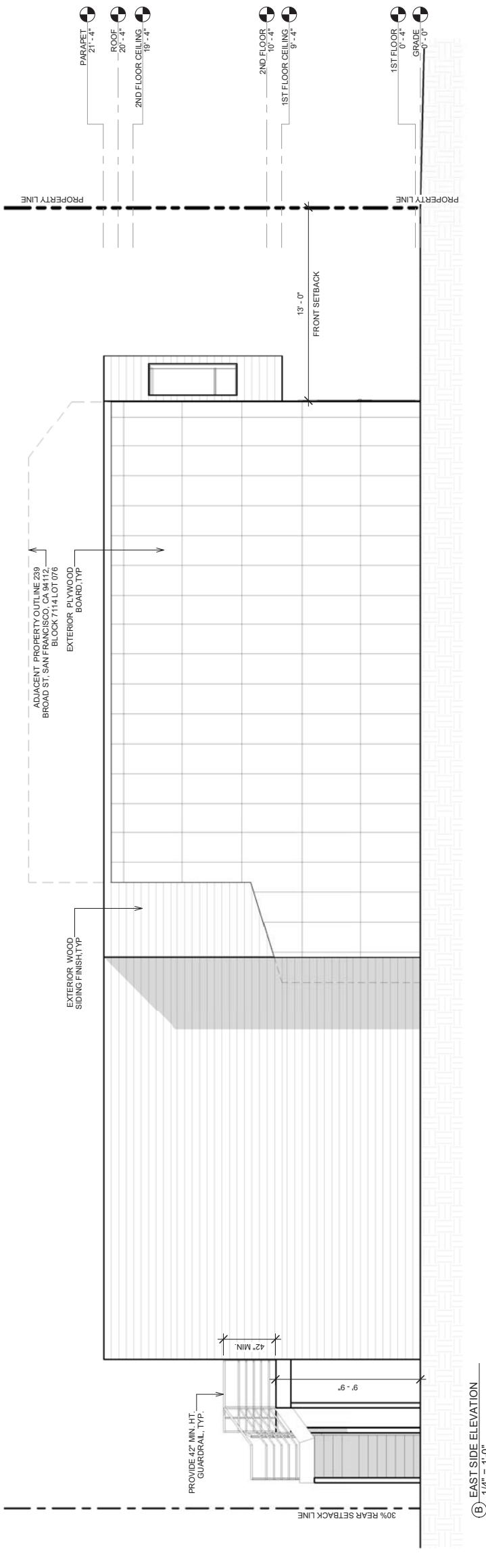
NOTES	BY
PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
JOB 160130  
SHEET

A4.0



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



(B) EAST SIDE ELEVATION  
1/4" = 1'-0"

APPLICANT:  
DAVID YEE  
239 BROAD ST  
SAN FRANCISCO, CA 94112  
415.279.1775

SHEET TITLE:

ELEVATIONS

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BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:  
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PLAN CHECK 041320	T.Y.

SCALE AS NOTED  
JOB 160130  
SHEET



APPLICANT:  
 DAVID YEE  
 239 BROAD ST  
 SAN FRANCISCO, CA 94112  
 415.279.1775

SHEET TITLE:

SECTIONS

PROJECT ADDRESS:  
 239 BROAD ST  
 SAN FRANCISCO, CA 94112  
 BLOCK/LOT: 7114/075

PROJECT DESCRIPTION:  
 ERECT NEW TWO STORIES  
 BUILDING W/ TWO DWELLING UNITS

NOTES	BY
PLAN CHECK 04/13/20	T.Y.

SCALE AS NOTED  
 JOB 160130  
 SHEET

A5.0

