Received at CPC Hearing 12/19/19

October 2, 2019

Mr. Jeffrey Ma, P.E. Department of Building Inspection 1660 Mission Street San Francisco, CA 94103 Mr. Jerry Estrella, P.E. San Francisco Fire Department

#### Re: 3847-3849 18th Street – DBI and SFFD Plan Review

The following is the confirmation letter following our pre-application meeting of September 24, 2019.

Maximum path of egress travel is 125 feet. See Sheet A-0.3.

SFDBI



2. 1 exit at 3847-A and 3847-B. 2 exits at 3849. See Sheet A-0.3.

### **Response: Confirmed.**

**Response: Confirmed.** 

SFDBI

0	
X	SFFD
/	
()	

3. Openable and glazed area provided for natural ventilation and natural light meets the minimum requirements. See Sheet A-0.3.

#### **Response:** Confirmed.



SFFD

 Please confirm the location of Emergency Escape and Rescue openings. See Sheet A-0.3 and A-0.5.

**Response: Confirmed** 

SFDBI

SFFD

5. Please confirm that 1-hr rated separation is required at property line, in between units, as well as between units and garage. See Sheet A-2.1 to A-2.3.

Response: Confirmed. Need to comply with SFDBI Information Sheet FS-05 D.

SFDBI

SFFD

6.

PALTE

Please confirm that 2-hr rated separation is required at elevator shaft. See Sheet A-2.1 to A-2.3.

Response: Confirmed.

SFFD

Sincerely,

F. Martine Diaz, Project Manager 415 254 5389

Agreed to the above responses:

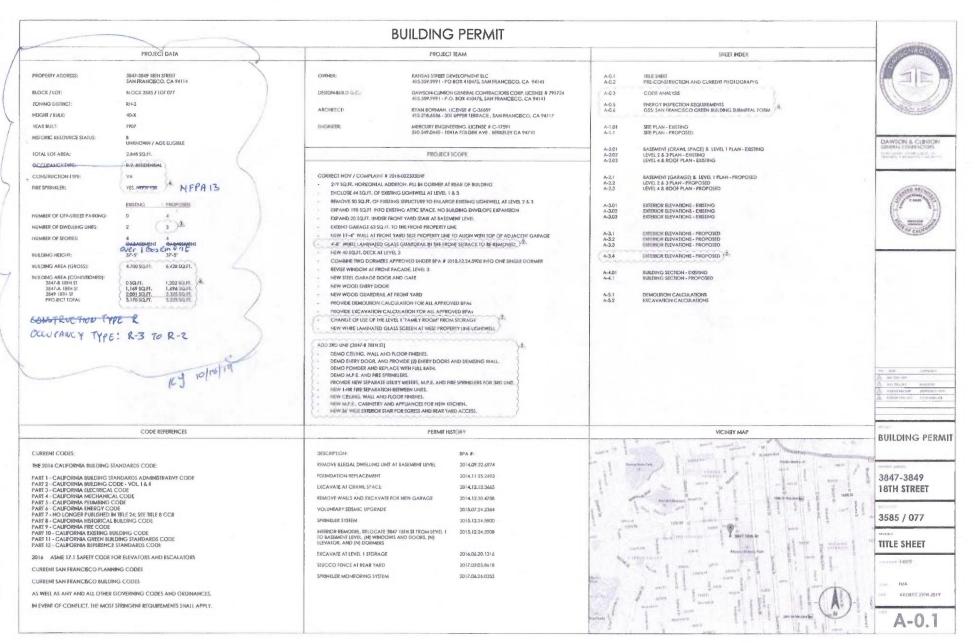
P.E., SFDBI Ma

Date:

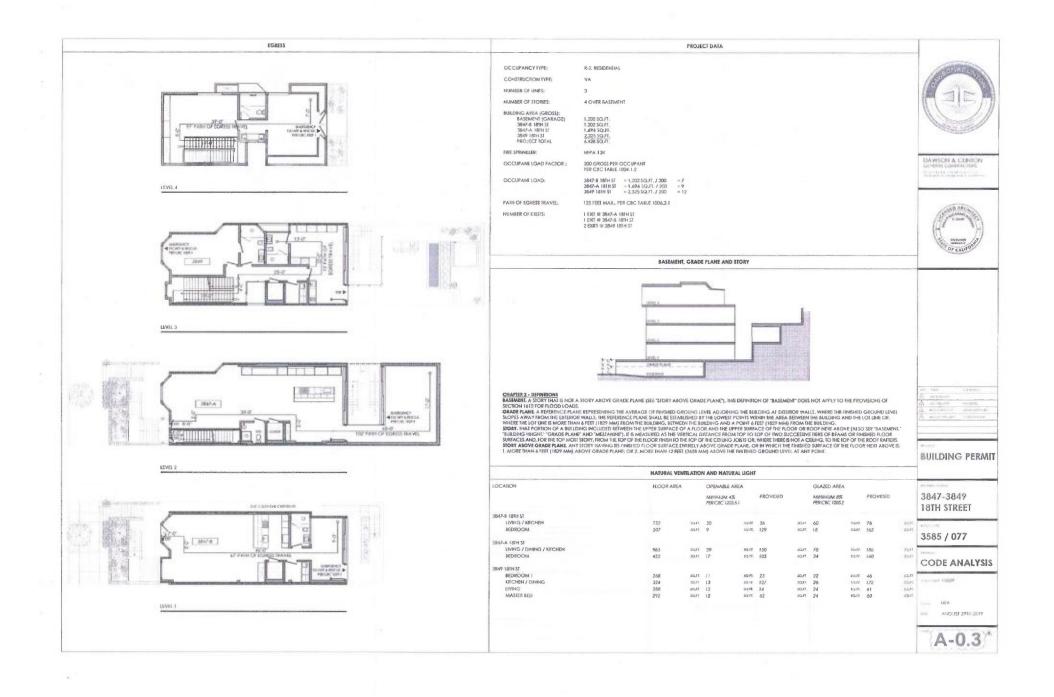
Jerry Estrella, P.E., SFFD

007 20101 Date:

SURIECT REVIEW PLAN LA.

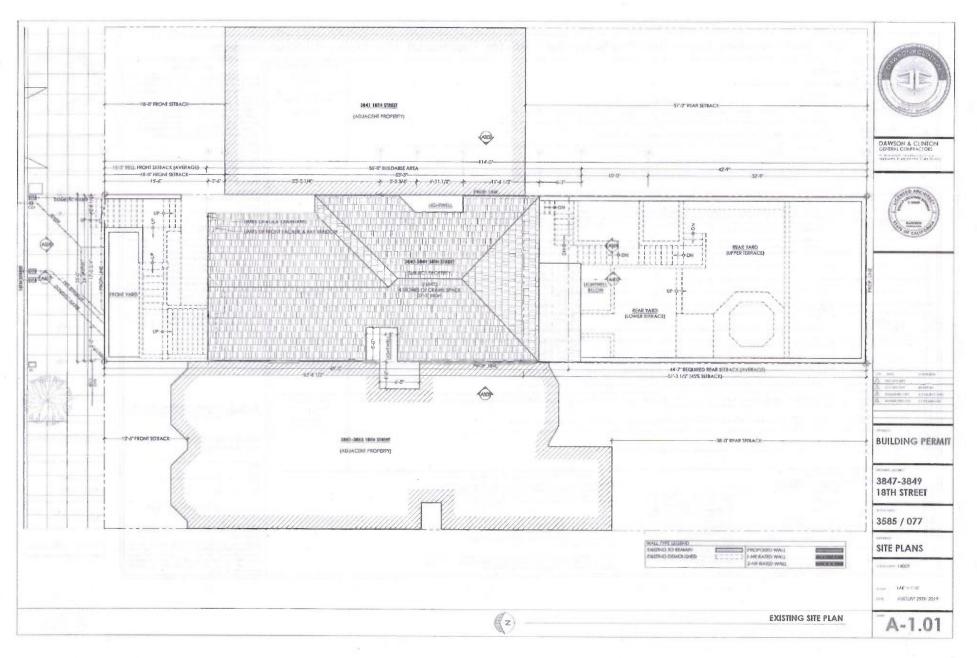


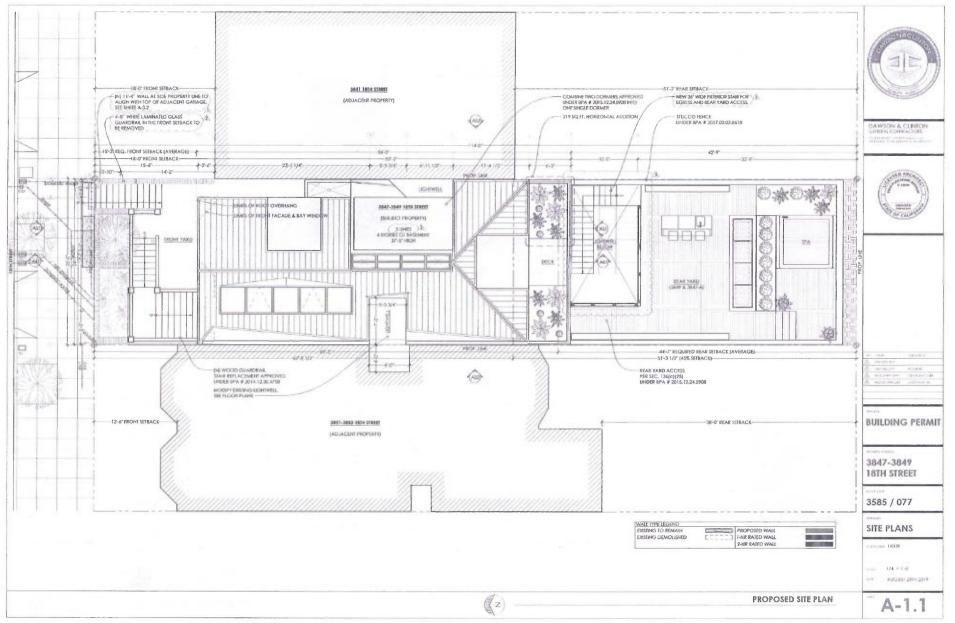


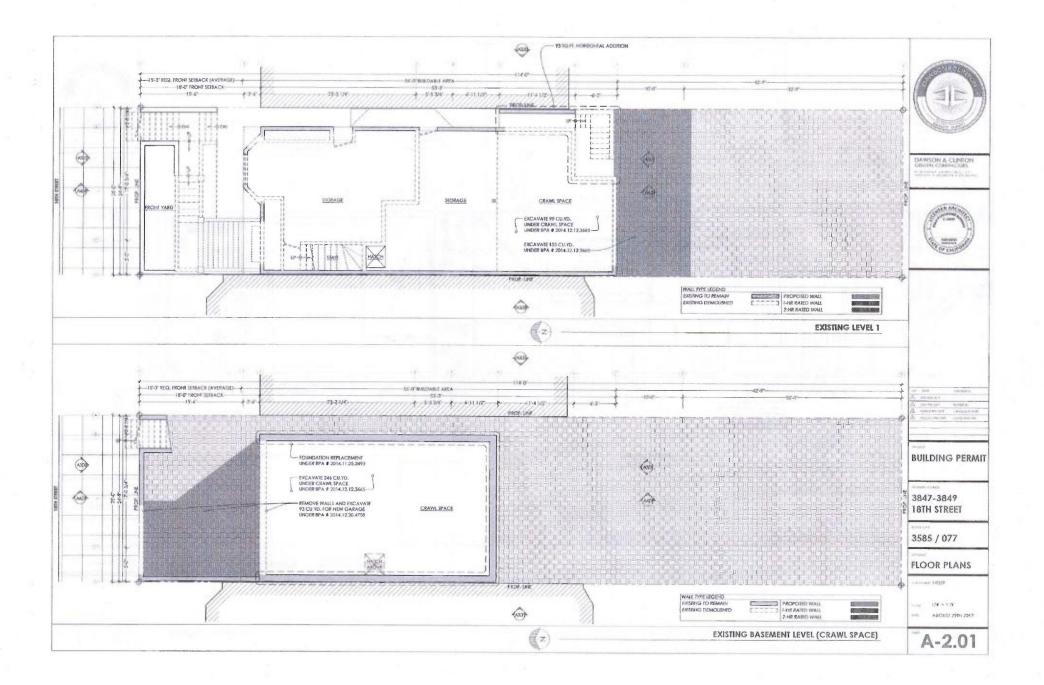


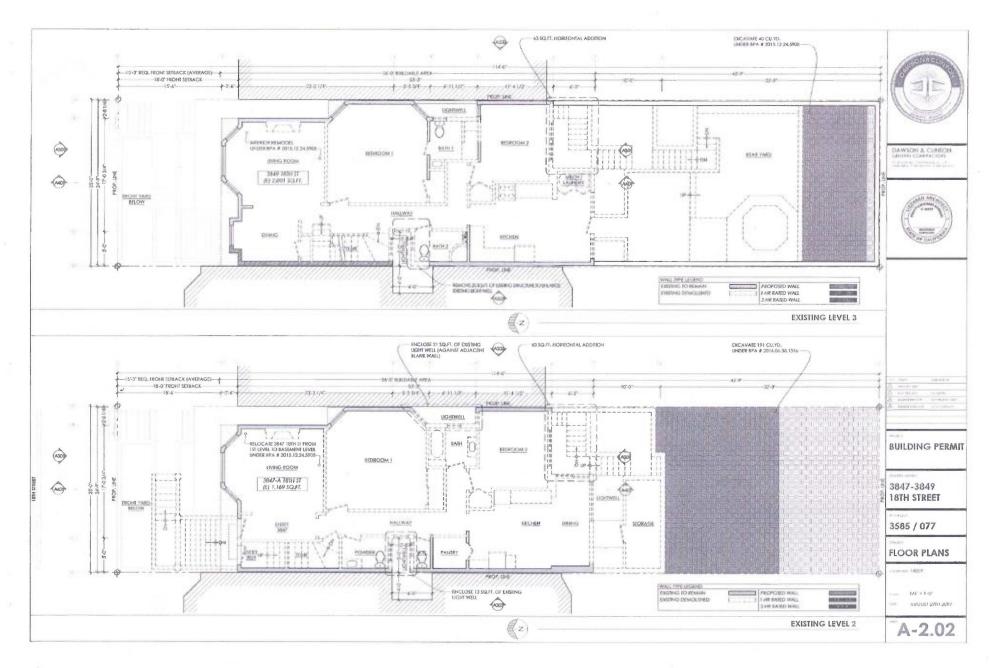
City and County of Sun Products Department of Building Inspection Ten C, Het, S.S., C.B.D., Director	HTLL OF LOW HIRE RESIDENTIAL ENERGY INSPECTION (BUILDING) A CEPT OF THE INCLUMENT SHALL OF KEPT WITH THE APPROVED DRAWING NET ADMINISTRATION OF 2018.05 (21.2714) ADMINISTRATION OF 2018.05 (21.2714)	City and County of San Pennitore Department of Balancing Instantions	( and a state of the state of t
NOTICE	AND A DECEMBER 2010/02/22/2714 ADDRESSING	NOTICE	
TITLE-24 ENERGY INSPECTION REQUIREMENTS LOW-RESE RESIDENTIAL (BUILDING) Please vote that Control and a final transmission are regarded for this project, as indicated on this form based and the Vertiliation are regarded for this completion of the doorward/on it for divergence/particle doorward/on- doorward/on a the source and the source and the source and the source and the completion of the doorward/on the source and the s	Transing the surgement of the service operation of the control of	NOTICE TITLE-24 ENERGY INSPECTION REQUIREMENTS LOW-RISE RESIDENTIAL (ELECTRICAL) Plane note that Confidence of Installion and/or Verification are required for this project, as indicated on this from issued with the planes. Example the account completion of this documentation is the click responsibility of the engineerimetrized of model in this documentation is mayned in Admittion to the cuttle buscations	C
of recent. This documentation is required an addeter to the called trapections performed by the Department of Failing's impaction. For questions regarding the debets or extend of insistant documentation of teating, and	A DEVice and Administra 14 OEM AND ADM 24 Nov SIRRA - Premis (New AntiVene Single (SEE) 19 OEM AND 56 F Tenn 9765 - Ferningtone Allers/see Single (SEE) 20 OEM - See Tenn 9765 - Ferningtone Allers/see Single (SEE) Foreiting	performed by this Department of Surating Inspection.	
If them are any left problems requiring documentation or insting, elector cell your District Building Implement (ell 50, 558, 950, 970). Before final building inspection is scheduled, documentations of emergy compliance "Confidence of Installation, Cooperation, and Yourgenergy and a scheduled and signed by the responsible parameter beings. The parent will not be theatined within a compliance with the earrying impaction requirements.	CONTRACT CONTRACTOR DESCRIPTION OF A DE	If there are any gligg providents inguiting (documentation or teacing, closure cet) your District Electrical Impactor (c1) 5606 dis70. Bofore that alcottact inspectice is achieved in the comparison of the second second second second second second "Genetical of Installation, complement, and Verage International Second and signed by the second second second second second second second second second without complications with the second secon	DAWSON & CUMPON GENERAL COMPACINE Industry of Participation (Lass
Energy Inspection Services Contact Information 1. Telepines (418) 558-513 2. Fax: (418) 558-513 3. Energy: difference on the service of th	C 229 MoDQ 24 is 1003. In case was also also also also also also also al	Energy Inspection Services Contact Information 1. Teleptons: (41) 654 412 2. Fax: (41) 854 917 3. Email: did_accrystasec@oup@aftev. 4. In parson: 37 float 1569 Mission 34.	A MARTIN
Note: Very an anoning and the single state of a dispersion activate Note: Very an anoning local and single state of a dispersion. All expected impections submittinks, including that letters, may be extended (preferred) or land. We will also be thilling to a paymines far except mode. Installation and Verification certification can be found on the Celifornia Energy	<ol> <li>C. Die Alcohof and Strategy Testing Testi</li></ol>	Note: We are inoving towards a "papertees" mode of operation. All special inspection submittles, including that before, may be emailed [preferred] or fased: We will also be abiling to a specifies fast accelutes mode.	
Commission website at http://energy.ca.gov/s0e24/2010stenderds/	Regulted telementanc	Institution and Verification contributes can be found on the Cationnia Energy Consents can website at <u>bibliopicenetry can contribute2420318thandendar</u> Information Sheet M 66 provides subathat Instructions for the Title-24 institution.	
vertification, and acceptance energy certificates. M-66 may be found on the SPDBI website at http://stdbb.org/intoroation.sheets	Proposalive/meet all floored Biovelaus Pace	verification, and acceptance anargy cardinates. M-06 may be found on the SFDDF website at http://fefdb.org/information-sharin	
	Diff Simponer of Max Dischart <u>ADDB07454</u> , (Internet or scheduling Appendix) UNX Internet Scheduling Appendix or i range Impaction flows as Sched		
Energy Inspection Services 1869 Millelie Stryf. Teo Transites G 54163 Office (41): 546 4132 - FAX (16):558 414 - <u>workshort.cos(5)</u> pertails) Rox 200017	QUESTRANS ACCUT BILE 24 EXCHONG MILESE FOR BOOLD IN LINESCILD ID: Grugg Repartice Revices (HI) SINBIDZ et. Int programmed insights mg. or FAIr (HI); 558 6474 may make in	Energy Regionation Sarricas Gillica (245) 9786an Breed-San Francisco CA 18760 Gillica (245) 578-4132 - FXA (411) 518-4474 - investationcompilis (muhaite) sin 2001117	
TITLE-24 LOW RISE RESIDENTIAL ENERGY INSPECTION (ELECTRICAL) A COPY OF THIS DOCUMENT DIVAL BE KEPT WITH THE APPROVED INSUMING INF ADDITIONAL DESCRIPTION	City our County of Ion Humaniya Department of Building, Ionarchine	TITLE-24 LOW-RISE RESIDENTIAL SPECIAL INSPECTION (PLUMBING) A GOPY OF THEI DOCUMENT SHALL BE KEPT WITH THE APPROVED DRAMMAD BET Attachment RP	
208 ADDRESS 3847-3849 1816 STREET APPLICATION INC. 2018.05.22.2714 ADDRESS 404 ADDR. Engine Example For Insure <sup>Fit</sup> A.N. 3 (2014) MAIN PROVE INC. (2014) ADDRESS 404 ADDRESS	NOTICE	CR ADDIRGE 3847-3847 105th SUBJECT APPLICATION NO 2018/06/22/2714	111 A.M. 2003114
Ensuring the services of all institution towards are written the respective angular towards and the service of	TITLE-24 ENERGY INSPECTION REQUIREMENTS	Excludes the complete or all installation decreases stated as and as to be applied associated with the state as a to more compared by other states and the state of the states and the states and the states and the the states and the states of the states of the states and the states and the states and the states and the the states and the states of the states of the state and the states and t	A solution A solution ware A solution resolution
1 Induktion Biologia	Determined with the second sec	In according with the application of the 2012 Calibratic Decays Carlo, the Information International	A committee conserva-
2 (2014) Clove CL (Linker - Steady Linker) Clove (CL (Linker)) 1 (2014) Clove CL (Linker - Steady Linker) Clove (CL (Linker)) 2017 1 (2014) CL (Velar - Steady Linker) CL (Linker) CL (Linker) 1 (2014) CL (Velar - Steady Linker) CL (Linker) 1 (2014) CL (Velar - Steady Linker) 2 (2014) CL (Velar - Stead	evencement of our conservation to an exacting integration. For questions in agenticity the database conservation of a sequence documentation or building, and if there are any first problem on the database of approximation or leasing, please call your Divisit Plumbing Improved or (45) 55 65 6/30.	Portrag J CORPT-51-22 Ministration of the strategy control of the strategy control of the strategy of the ST CORPT-51-22 Ministration of the strategy of the strategy of the strategy of the strategy of the CORPT-51-22 Ministration of the strategy of the strategy of the strategy of the strategy of the CORPT-51-22 Ministration of the strategy of the CORPT-51-22 Ministration of the strategy of	BUILDING PERA
	Before final plumbing improcion in schudulad, documentations of energy comptinent 'Contificate of installation, Acceptance, and Verification' must be completed and signed by the responsible person in charge. The parent will not be itselfeed wikhout complexes with the energy ingescion requiriments.	- 2.22 V = 0 + 0 + 0 + 0 + 0 + 0 + 0 + 0 + 0 + 0	
	Energy Inspection Services Contact Information 1. Telephone: (415) 584 4122 2. Para: (415) 585-474 3. Email: ditamengrospectionnilintex.com 4. In primer: J* Press 1159 Ministro R1.	COMPLEX CONTROL HER Sign State	3847-3849 18TH STREET
Required Universitions Perspanse by: RYAN 8C/RAAM SequenceScience	Note: We are moving towards a "paperises" mode of operation. All special inspection submittais, uncluding final lotters, may be emailed (proferred) or farset We will sick but withing to a paperises far arcocipt mode.	Regulars Internation	3585 / 077
Fee:	Installation and Vertitication certificates can be found on the California Energy Commission websits at <u>http://mnorty.ca.nov/Wije2428198atemJaruar</u>	Propenday, BYAYI BORRANI Res Records and American Street Processing of Control of Contro	
COT Explore or Point Ex	Information Sheet 83-05 provides automittel Instructions for the TIBe-24 Institletion, verification, and accordance energy certifications. 68-06 may be found on the SFDBI website at http://fidbl.org/information.shosts	Textee 17 DB Experie Textee Press (etc.) 556	ENERGY INSPECTIC
DATE DBI Probable browshit or Prange browshite Services Services (Section 2017)		APERDYAL (filmend na svänditad argants) KATE (El Derfinstras tenans och Fasta i standar tenans tenans	
routestrained, Alexan's Juris 1948 (Alexany Assemblishing in the Openical States of D County Impediates Reviews (\$100,100,81137) are international States and a state of the Alexandroutes (\$100,100,100,100,100,100,100,100,100,100	Energy Inspection Services		MIGES 2011 2011
Per 92/991-1	Einnergy Inspaction Services 1000 Mile Jahr Berner Len Franzisco CA 9403 Office (416) 569 4192 – FAX (419 558 4474 – <u>wryte afaite conditio</u> peebalta)	QUESTING AND THE STATEMENT WARPENT WARPENT NOT THE CONTROL OF THE	

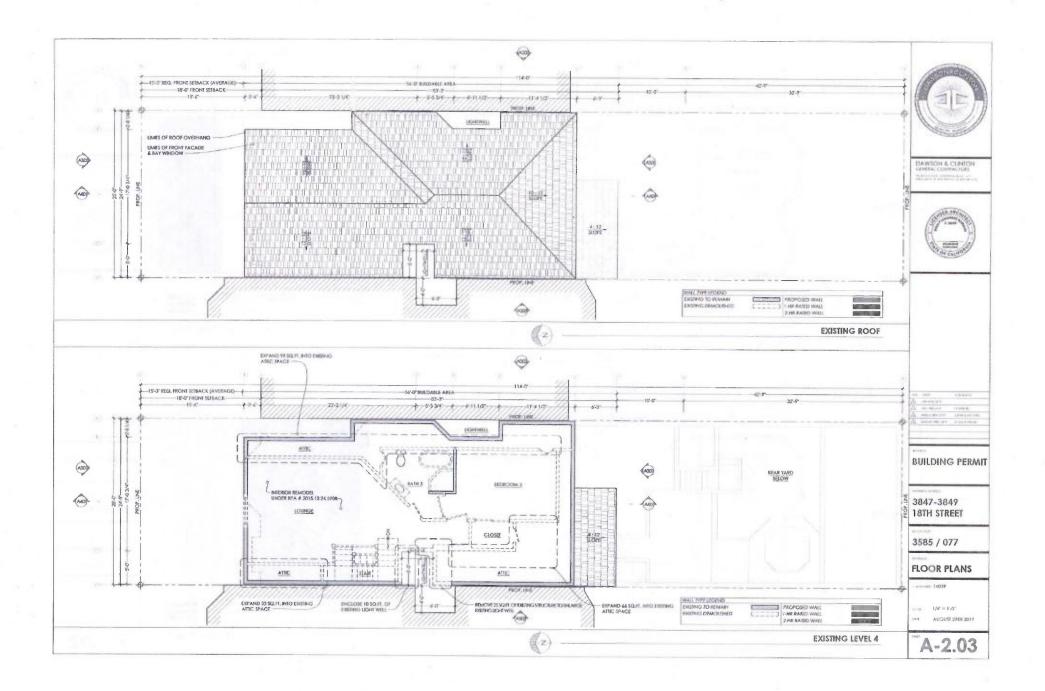
	RUCTIONS:					OTHER RESIDENTIAL	Foreversion October II 2017 (Foreigner) and category January 2017 December 2019)	6
	at the project information in the Vertilicatio stitut must be a minimum of 15° x 17°.	in box at the right.				ALTERATIONS +	Indicate below who is responsible for ensuring green	
a. Tesap	form to for permit applications submitted - to submitted until Jacoury 1, 2018		ber 2019. The price vers	sion		adds any amount of conditioned	building requirements are met Projects that increase total conditioned floor area by ≥1,000 sq. ft. are required	
	TITLE	SOURCE OF REQUIREMENT		DESCRIPTION OF	REQUIREMENT	area, voluma, or size	to have a Green Building Compliance Professional of Record as described in Administrative Bulletin 93. For	11
	GRADING & PAVING	CALGroon 4.108.3	Show how surte		as) will keep surface water from enlering the build	if applicable	projects that increase total conditioned floor area by	and a second
	RODENT PROOFING	CAL Green 4.405.1	and the second se		with cameni mortar or DBI-approved similar mail and		<1,000 sq. ft, the applicant or design professional may sign below, and no scense or special qualifications are	
UNT	FIREPLACES &	CALGmen 4 503.1		I-vent or sealed-combustion, EPA Phase II-complia			required, FINAL COMPLIANCE VERIFICATION form will be required prior to Certificate of Completion	
DEN	WOODSTOVES CAPILLARY BREAK				apillary break such as 4 = es of base 1/2-inch aggregate under retarder, siab design = cified by licensed		3847-1849 18th ST	DAWION & CUNTON
RESI	SLAB ON GRADE	CALGreen 4.905.2	protossional.		openal transmanning a second of the second statement of the second statement and second statements	•	PROJECT NAME	CIPHER - I HIM - LIPES
	MOISTURE CONTENT	CALGreen 4.005.3	Wall + floor <195	% moisture content before enclosure.			3585 / 077 BLOCK/LOT	
	BATHROOM EXHAUST	GALGreen 4.506.1	Must be ENERG	BY STAR compliant, ducted to building exterior, and	its humidistal shall be capable of adjusting between <50% to >80% (humidistal may be separate component).		1047-3849 tath \$7	
3			1	ат на Салиниа на у Правила на акадина.			ADDRESS	C. Sectors
SKIA	LOW-EMITTING MATERIALS	CALGreen 4.504.2.1-5	Use products live	at comply with the emission limit requirements of 4	114 2.1-5, 5.504.4.1-6 for adhesives, sealants, paints, coalings, carpet systems including cushions and adhesives,	•	RESIDENTIAL PRIMARY OCCUPANCY	SED ART
IV		SFG8C 4.103.3.2	rosilient Booring	(80% of area), and composite wood products.			PRIMARY OCCUPANCY \$480 SO.FT.	(Stream Ch
-		CALGreen 4.303.1,	Meet flushiftow	equirements for: Ioliets (1 2Rmf): winste (1 125m	f wall, 0.5gpf floor); showerheads (2.0gpm); lavalories (1.2gpm private, 0.5gpm public/comman); kitchen faucets		GROSS BUILDING AREA	IT Th
e.	INDOOR WATER USE REDUCTION	SF Housing Code	(1.8gpm); wash i	fountains (1.6gpm); metering feucets (0.2gpc); foor	i was, o sgjin kosij, snoversadu i zzoganij, ravatores (i zggin privak, o sgjin pusicionimicin), kitalim nuziks d wasto disposors (1gpm/8gpm). Residential major improvement projects must upgrade all non-compliant fixtures per		2,115 SQLFT.	04/3/2038
UND.	WATER-EFFICIENT	sec. 12A10	F Housing Cod				INCREASE IN CONDITIONED FLOOR AREA I have been reteined by the project sponsor to verify that	UP CALIF
	WATER-EFFICIENT IRRIGATION	Administrative Code ch.63	restrictions by ca	cape area is ≥1.000 sq.fL, use low water use plant alculated ETAF of ≲.55 or by prescriptive complianc	a or climate appropriate plants, restrict furf areas and compty with Model Water Efficient Landscape Ordinance a for projects with \$2,500 sq.ft. of tandscape area.	•	approved construction documents and construction fulfill	
-			1				the requirements of San Francisce Green Building Code. It is my professional opinion that the requirements of the San	
IE RO	ENERGY EFFICIENCY	CA Energy Code	Comply with all p	provisions of the CA Energy Code			Francisco Green Building Code will be met. I will notify the Department of Building Inspection if the project will, for any	
6					Security March 1994 March 1994		reason, not substantially comply with these requirements, if	
1		Planning Code					Lam no longer the Green Building Compliance Professional of Record for the project, or if Lam otherwise no longer	
9	BICYCLE PARKING	sec 155.1-2	Provide short- ar	nd long-term biks parking to meet requirements of	SF Planning Code sec.155.1-2.	il applicable	responsible for assuring the compliance of the project with the San Francisco Green Building Code	
-	BEOVER NO BY OCCUPANTE	SF Building Code						
1980	CONSTRUCTION &	A8-088	Parovide adaduat	e space and equal access for storage, conection, e	ind loading of compostable, recyclable and landfill materials.	•	LICENSED PROFESSIONAL (sign & date) May be signed by applicant when <1,000 sq. ft. is added.	
DIVE	DEMOLITION (C&D)	SFGBC 4.103.2.3	For 100% of mix	ed C&D debris use remained transporters and reg	istered processing facilities with a minumum of 85% diversion rate.		AFFIX STAMP BELOW:	
	WASTE MANAGEMENT		<u></u>					
MC	HVAC INSTALLER QUALS	CALGreen 4.782.1		e trained in best practices.		•		
x	HVAC DESIGN	CALGreen 4.507.2	HVAC shall be de	esigned to ACCA Manual J, D, and S.		8		
Se l	BIRD-SAFE BUILDINGS	Planning Code sec.139	Glass facades ar	nd bird hazards facing and/or near Urban Bird Rek	iges may need to treet their glass for opacity.			in the second
3	TOBACCO SMOKE CONTROL	Health Code art. 19F	Prohibit smoking	within 10 feet of building ontries, eir intekes, and o	sperable windows and enclosed common areas.		I I I	Anna an and an and an and an
22			1					The desired of the second
0E	STORMWATER CONTROL PLAN	Public Works Code art.4.2 sec. 147	Projects disturble SFPUC Stormwa	ng ≥5,000 sq.ft. in combined or separate sewer are ater Management Requirements.	za, or replacing ≥2,500 impervious sq.ft. In separate sewer area, must implement a Stormwater Control Pian meeting	if project extends outside envelope	Projects that increase total conditioned floor area	Ph. Andrewski Contraction
NEW	CONSTRUCTION SITE	Public Works Code				If project extends	Projects that increase lotal conditioned floor area by ≥1,000 sp.ft : Green Building Compliance Professional of Record will verify compliance	
R	RUNOFF	srt.4.2 sec. 146	Provide a constru	uction site Stomwater Pollution Prevention Plan at	nd Implement SFPUC Best Management Practices.	outside envelope		+12.5
							GREEN BUILDING COMPLIANCE PROFESSIONAL	BUILDING PER
ALL I	AIR FILTRATION	CALGreen 4.504,1	San normanant	HVAC ducts/equipment stored onsite before install	a Kon		(name & contact phone #)	
CUA	(CONSTRUCTION)	GP16 GROBERT 9, 504, 1	Crame Destroyed	нимо лектерафирниент если ос знаков растив навля	apsan.			
							FIRM	10-101 #2101
*	Each fature roust not exceed	ater Efficiency CALGreen 4 303 maximum R	law rates:		Water Efficiency of Existing Non-Compliant Fixtures		I am a LEED Accordited Professional	3847-3849
NC	FIXTURE TYPE	MAXIMUM FIETURE FEOW R	STA	NOTES: 1. For dual Bush tailata, effective Sush volume	All fistures that are not complexit with the Sun Francisco Commercial Water Conservation Ordinance that serve or are located within the project area must be replaced with lixtures		I om a Gress/Posst Retor	<b>18TH STREET</b>
EFFICIENCY		1 2 gpm (i) 00 ps		is defined as the composite, everage Bush	or Manga meeting the maximum flow rates and standards referenced above. For more information, and the Commarcial Water Conservation Program Brochure, evaluation at SFDBI.			
EFF		I & gen @ 60 på defaat		volume of two reduced flustees and one ful flusts. The referenced standard is ASME	org.		I am an ICC Certified CALGreen Inspector	held bared
ER	Wesh Fountains	I B gipter / 20 (net space section) gi	60 pa}	A112.19.14 and USEPA WaterSense Tank- Type High Efficiency Todat Specification	NON-COMPLIANT PLUMBING FIXTURES INCLUDE: 3. Any tolet manufactured to use more than 1.6 gallons/hush			3585 / 077
VAT	Menenterg Finuorets	50 Belicite bei chos		1.28 gel (4.8L) 2. The combined flow rate of eli showerheads	2 Any uninal manufactured to use more than 1 gallon/flush		GREEN BUILDING COMPLIANCE PROFESSIONAL	
N NC		1 28 gallans i flyshi and EPA th	iverSense Cerbilled	in one shower stall shall not exceed the maximum flow rate for one showerhead, or	Any showerhead menufactured to have a flow capacity of more than 2.5 gpm     Any interver favoet that emits more than 2.2 gpm		(sign & data) Signature by a profassional holding at least one of	GREEN BUILDI
NDOOR		1 28 gnittane / liu sh'		The slower shall be designed to allow only one shower shall be designed to allow only			Signature by a professional holding at least one of the above cartifications is required, if the Licensed Professional does not hold a cartification for green	GULLIA DOILDI
NI		Weit mount. @ 125 galana / Bus	h	(CALGreen 5.303.2.1)	Exceptions to this requirement are firsted to situations where reprisement of fixine(a) woold detact from the letance integrily of the tooking, as a downined by the Department of Builden; Inspection parsant to San Francisco Builden Code Chapter 12A.		design and/or inspection, this section may be completed by another party who will venty applicable graen building	11 Mar 1487
	1	Paper mount: 0.5 gatters / Rest			Inspection pursuant to San Francisca Building Code Chapter 13A		requirements are met	CONTROL AND CO
							······································	and Vala

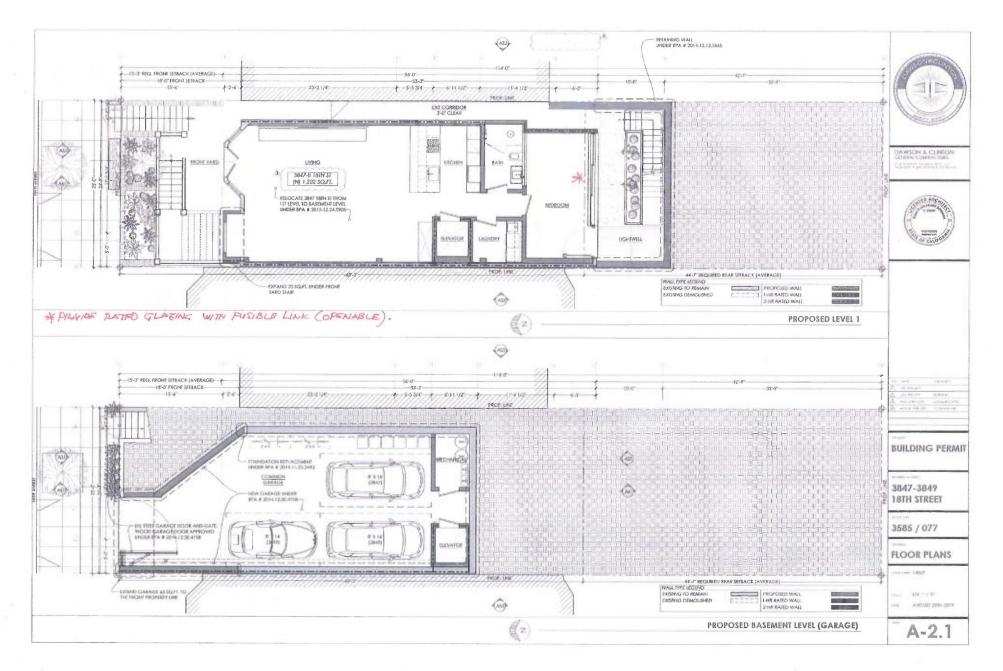


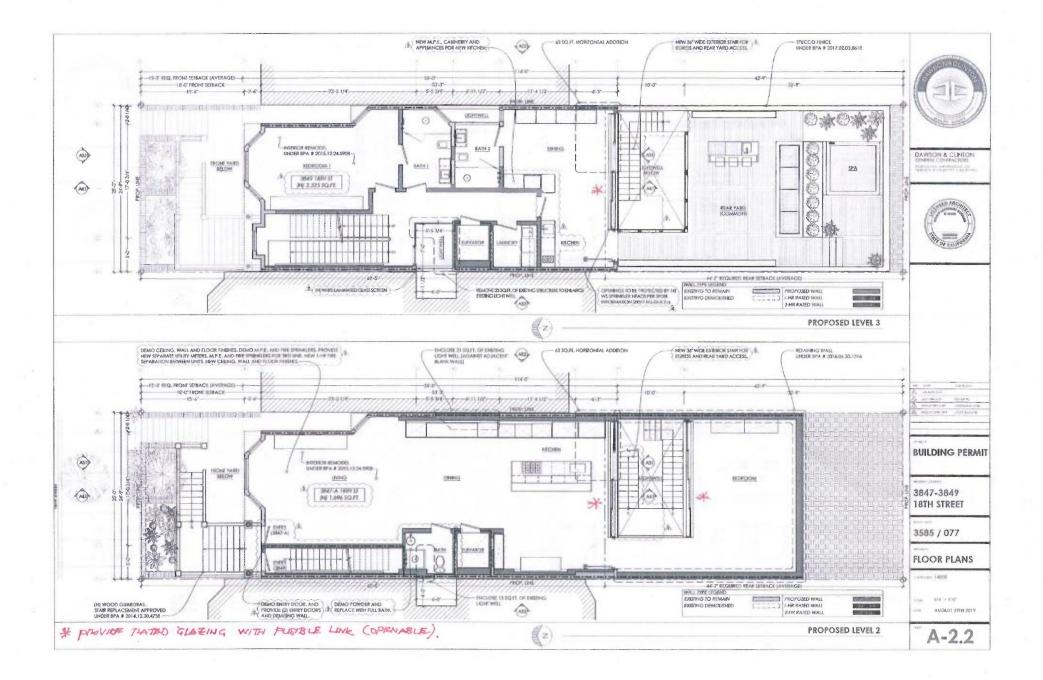


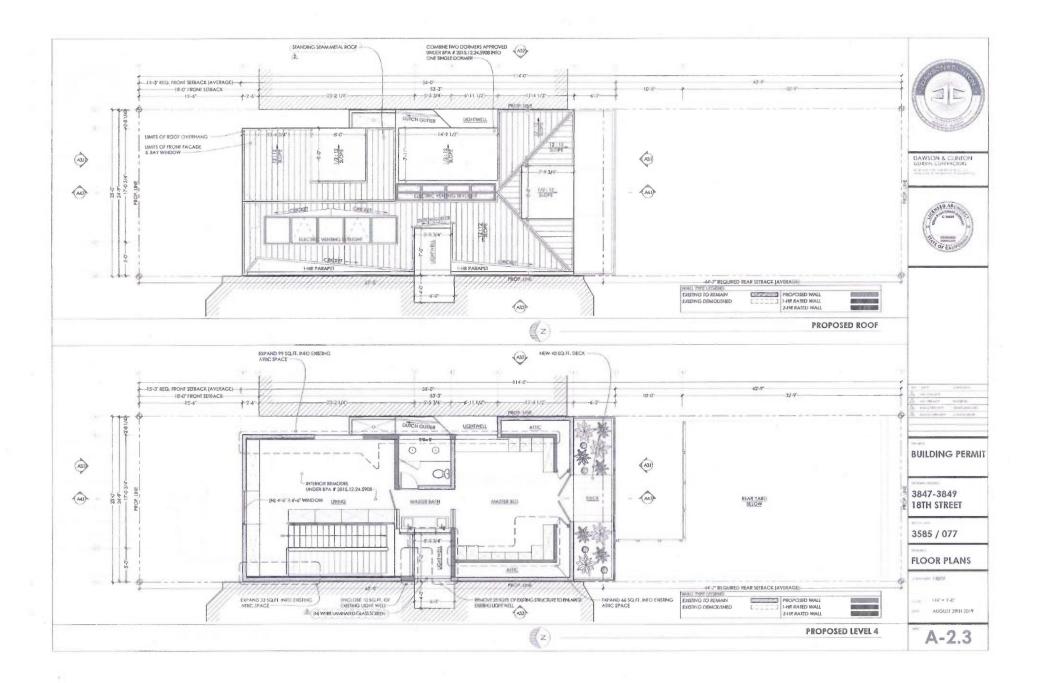




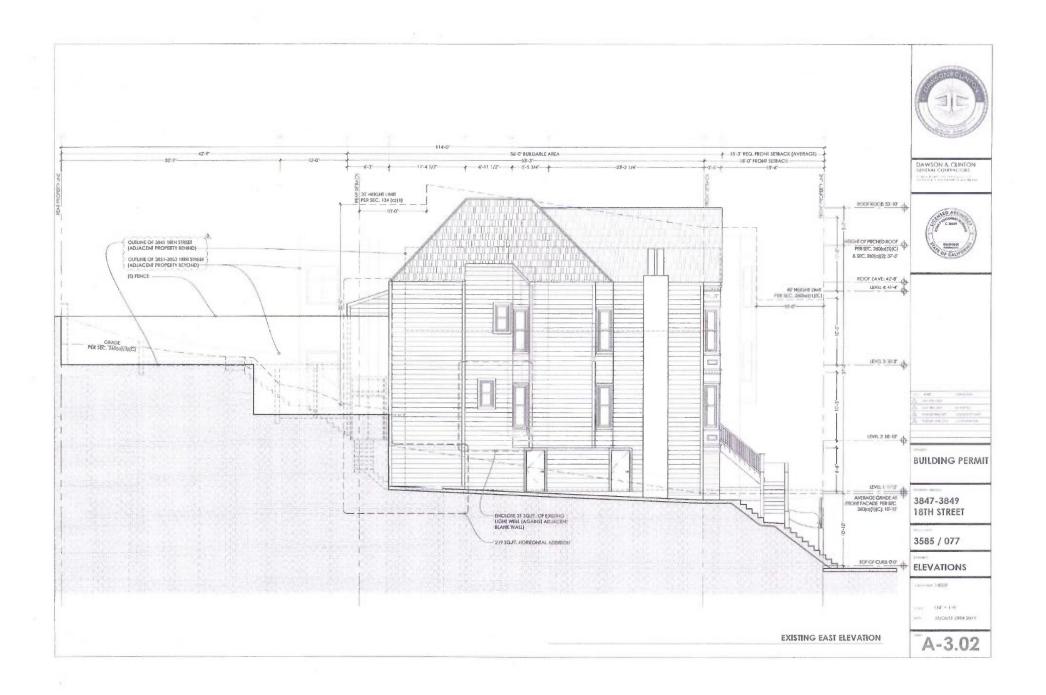


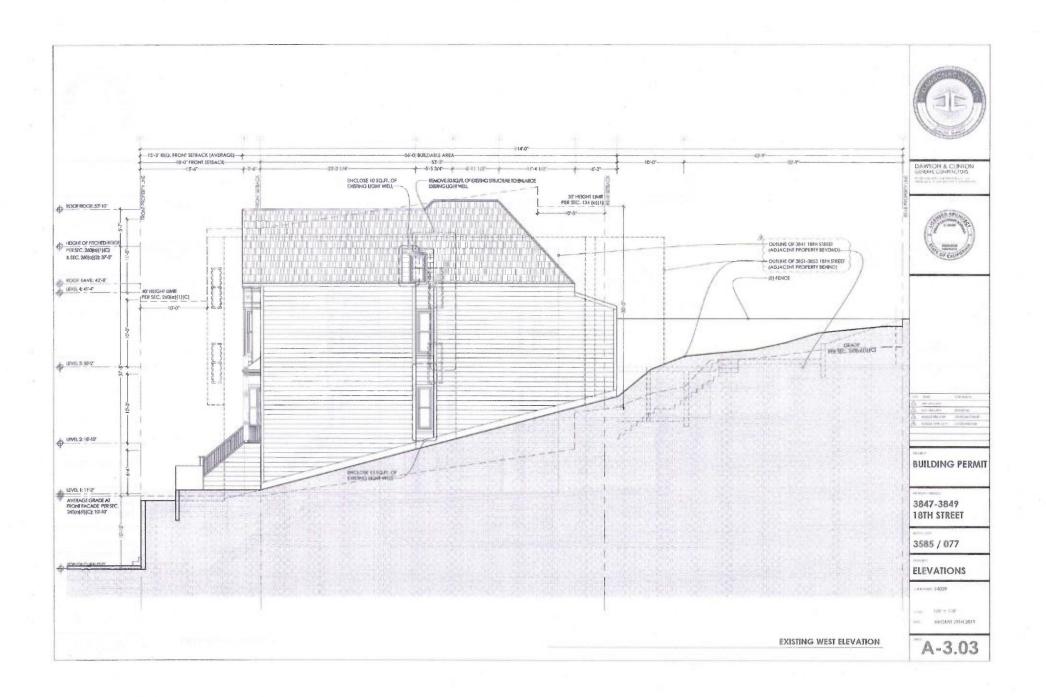




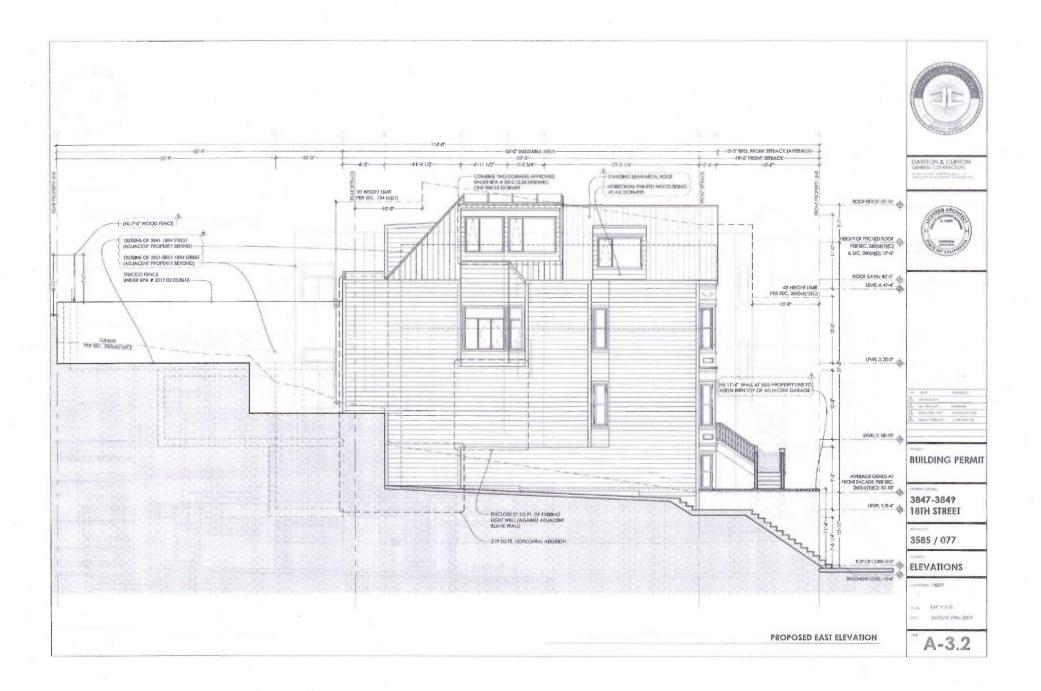


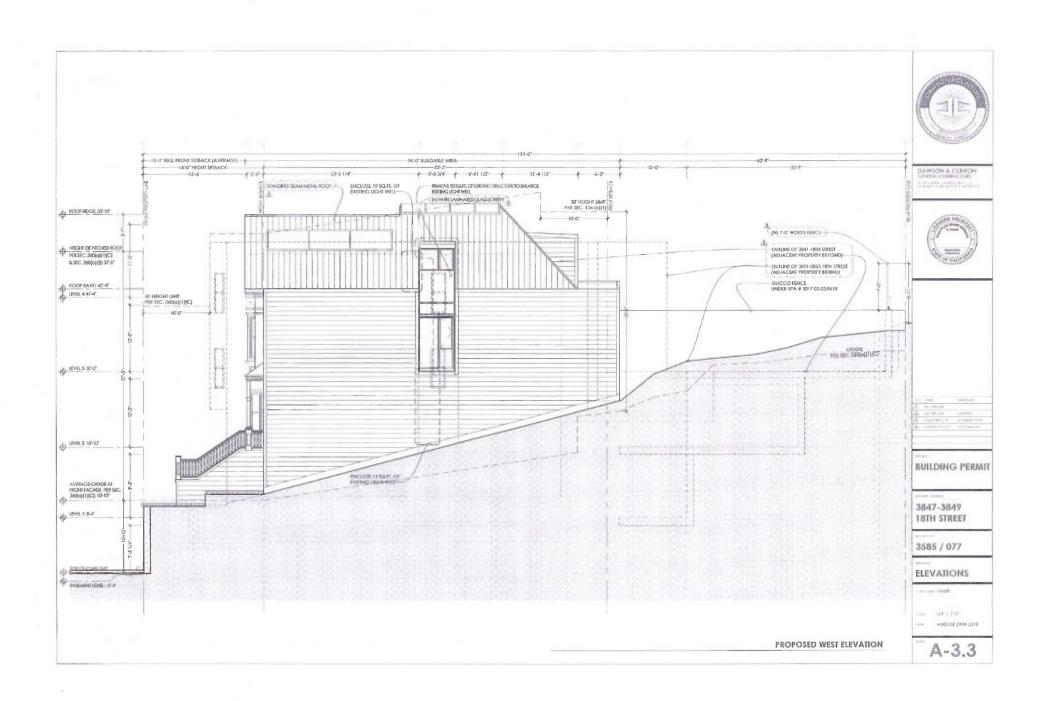


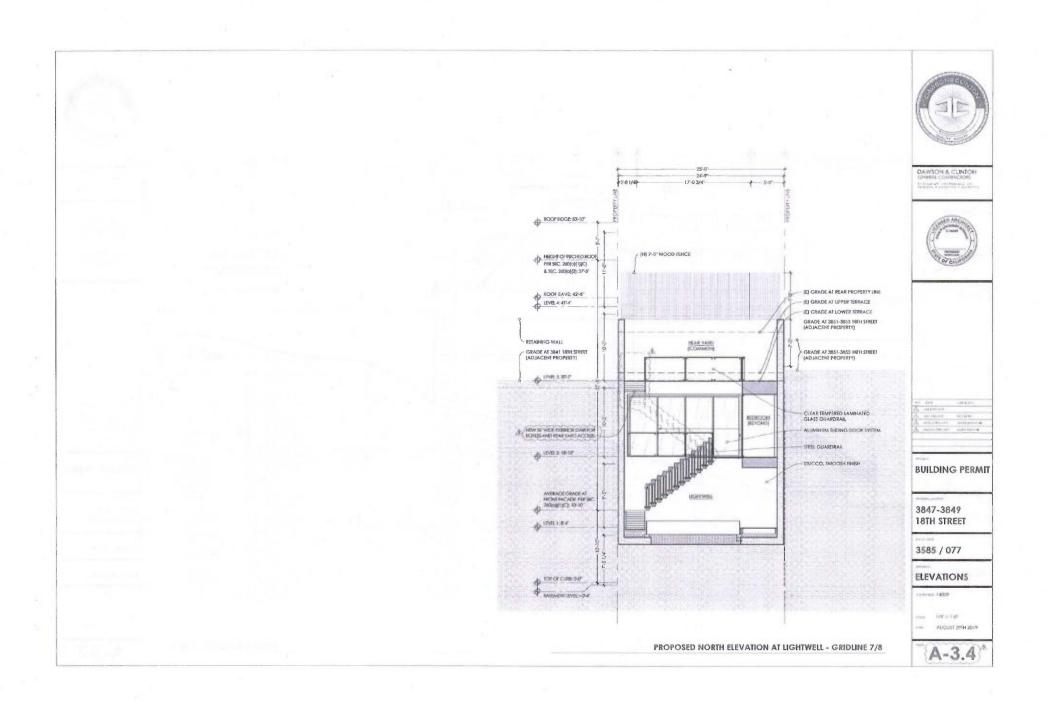


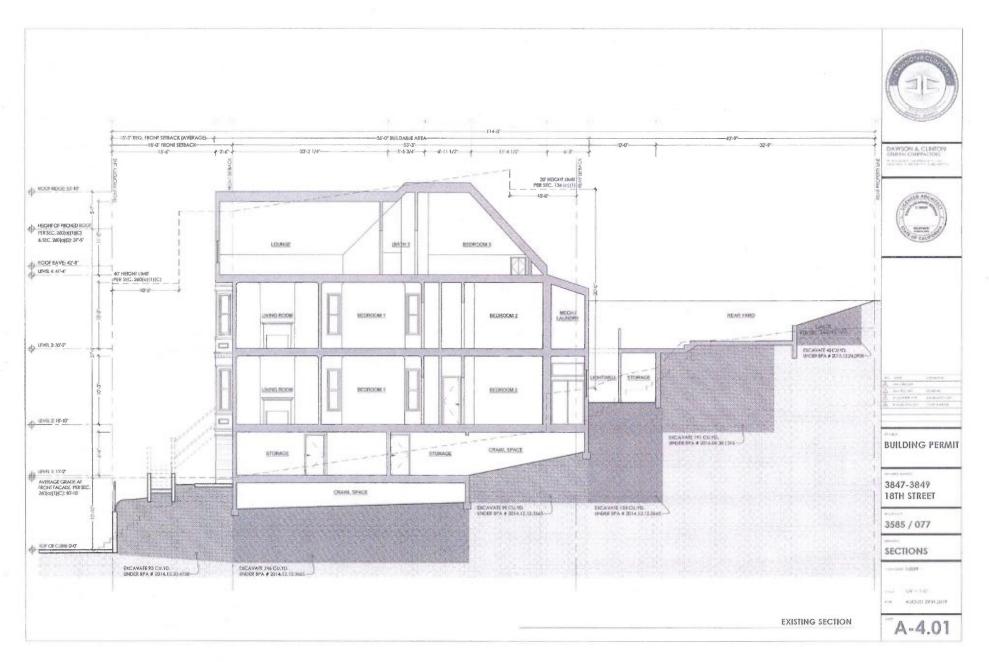




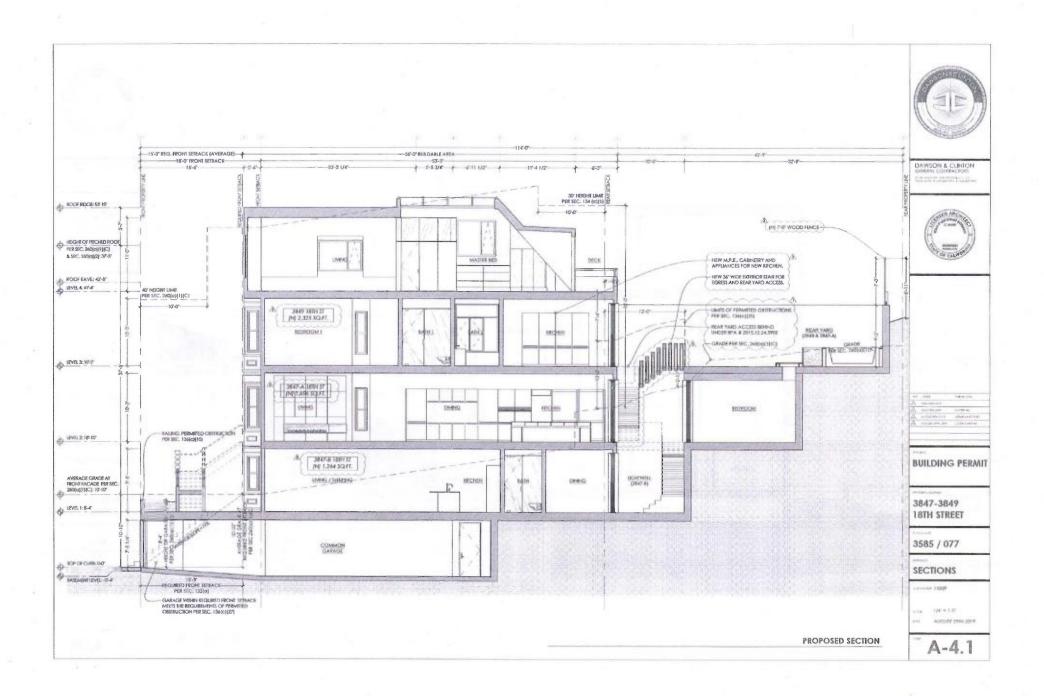


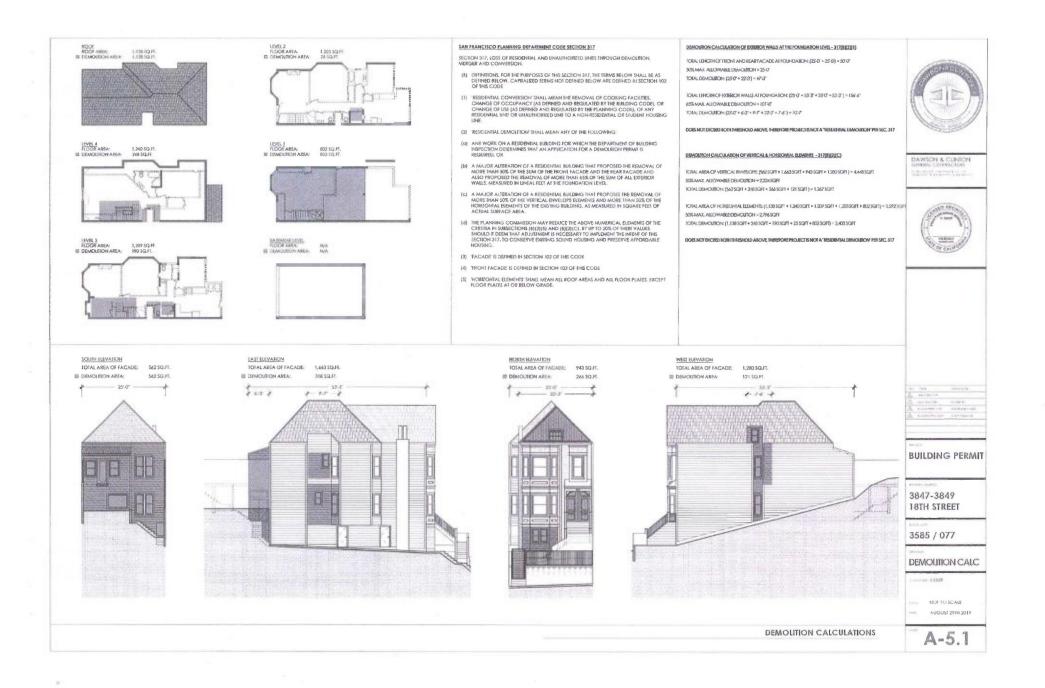


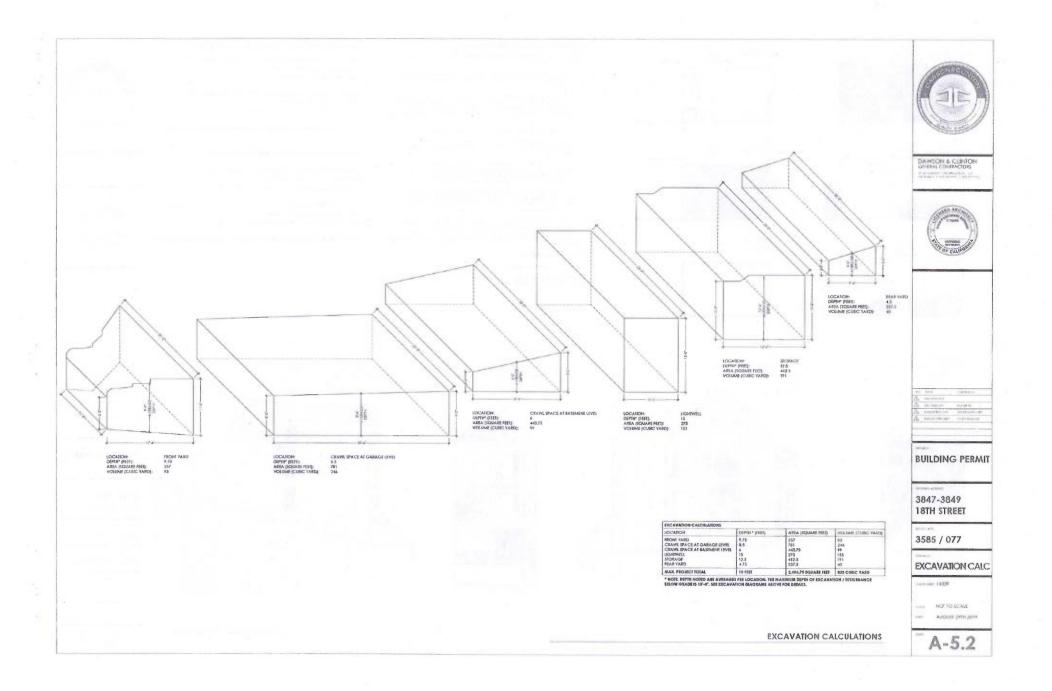




1.4.5







at CPC Hearing

# Additional Proposed Conditions of Approval One Front St Case # 2019-001995CUA

A public cafe of approximately 610 square feet shall be constructed in general conformance with the plans on file as Exhibit B and, once constructed, shall be regularly open to the public on weekdays, generally consistent with the hours employees are served in the employee cafeteria.

The employee cafeteria shall be made available on a regular basis to non-profit organizations for meetings and events.





415/431-2359

formerly "Merchants of Upper Market & Castro - MUMC"

Info@CastroMerchants.com www.CastroMerchants.com

Masood Samereie, President

November 8, 2019

# By Email and USPS Hardcopy

Cathleen Campbell, Staff Planner San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco CA 94103 Re: Your File No, 2017-000140CUA, etc. Skin on Market/Deedee Crossett, 2299-C Market Street, San Francisco

Dear Ms. Campbell,

This confirms that Members of Castro Merchants (formerly "Merchants of Upper Market & Castro – MUMC") voted yesterday to re-confirm their **SUPPORT** of the Application(s) by Ms. Crossett on behalf of Skin on Market, for a Conditional Use Permit, Formula Retail, business sign and related approvals to continue to operation of the subject business.

Our SUPPORT includes for related applications to other San Francisco Departments with jurisdiction including Building Inspection, Public Health, and Fire and to other City and State jurisdictions, and other entitlements related to the operation of a personal services skin care and beauty products business at the location described above.

Castro Merchants' support is based on information provided by Ms.Crossett over an extended period at Castro Merchants Members Meetings and in other communications, including an update at the November 7, 2019 Members Meeting, The support communicated in this letter remains in effect until withdrawn in writing. We have asked Ms. Crossett to continue to update us promptly, if there is/are any substantial change(s) in information or Conditions of Approval as the business continues to proceed through Planning Department and other approval milestones. We understand that a Planning Commission Hearing currently is scheduled for November 14, 2019.

Given the late notice we received for the November 14 Hearing and our Members Meeting schedules, this letter is being sent "late" vs. your distribution of Commissioners' packets for that Meeting. At your suggestion, we have copied the SFMTA Board at its group email address listed at www.SFMTA.com, as well as to Planning Commission Secretary, Ms. Boomer. Please assure that our support is communicated to Commissioners during the November 14 Hearing or any adjournment or postponement thereof.



# **CASTRO MERCHANTS**

November 8, 2019

San Francisco Planning Department

RE: Your File No, 2017-000140CUA, etc. Skin on Market/Deedee Crossett, 2299-C Market Street, San Francisco

Castro Merchants represents business owners and managers in San Francisco's Castro-Upper Market area, generally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19<sup>th</sup> Streets; and commercially zoned portions of cross streets throughout that area. Castro Merchants has about 300 currently paid Members through April 30, 2020. 2299-C Market at Noe Streets is within Castro Merchants' primary service area.

Thank you for your very helpful assistance as we followed this matter and communicated our decision to you. Please let us know if you have any questions regarding Castro Merchants support for this(ese)Application(s). Please include this letter in the matter's permanent file and any successor files and assure that our support is communicated to all applicable Staff in your Department and to all Commissioners prior to any Hearing on this matter, and to any Appeal panel(s) and other bodies with regulatory jurisdiction in the matter, at the time that this matter is considered by them.

A hardcopy of this letter is being mailed to you today.

Thank you for considering our comments.

Respectfully and with warmest regards,

Masood Samereie

Masood Samereie, CASTRO MERCHANTS President

 email cc: SFMTA Board of Directors at <u>SFMTABoard@SFMTA.com</u> Robert Boomer, SFMTA Board Secretary S.F. District 8 Supervisor Rafael Mandelman, Staff Tom Temprano SFPD Mission Station Captain Gaetano Caltagirone
 cc: Deedee Crossett

LtrPlanningSkin110819



Skin on market sign was approved under Permit #2014-08-20-4285. Client was unable to fund the sign after it was permitted. She got an extension on the permit and discussed with bldg dept at that time her copy change to dermalogica. She had revised sign drawings in hand showing this change. Bldg. dept. said it didn't matter what copy was on the sign as long as the new sign was the same size as approved.

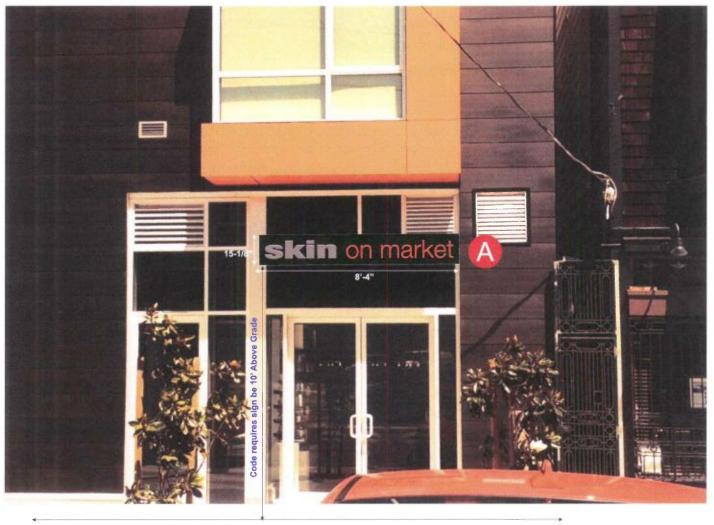
Dermalogica sign was mfr'd, installed and the permit was finaled by the inspector. (3) times inspector came out and viewed this sign installed.

After installation of the sign, planning determined that the site fell under formula retail.

## Arguments for sign to remain:

Square footage of this sign is 10.51 SF (.5 SF for each If of frontage). Sign is only 50% of the width of entire storefront. Sign fits the architecture of this bldg. in size and design. It is able to be lowered but this placement is adverse to architectural compatibility of the bldg. Indirect lighting of a sign is the recommendation for formula retail, existing sign is this sign design type. The 10-1/8" letter height is not excessive in height. Existing sign is unable to be reworked to a smaller size now that planning has assigned formula retail to this site. Cost prohibitive to a small retailer to entirely replace this sign. Estimated replacement cost for new sign \$8,000.00 - \$10,000.00. Sign was properly permitted through correct channels and not installed without a permit in hand. Page 1 Discussion relative to the sign and arguments for keeping existing sign. Page 2 15-1/8" x 8'-4" Backer "to contain lighting" from Reverse Halo Illuminated Channel Letters "skin on market" Page 3 Specification Sheet for Sign Shown on Page 1 - Reverse Halo Illuminated Channel Letters Page 4 15-1/8" x 8'-4" Backer Reverse Halo Illuminated Channel Letters "dermalogica" Page 5 Specification Sheet for Sign Shown on Page 3 - Same size as permitted sign and design for "skin on market" sign Page 6 12" x 6'-4" Backer for Reverse Halo Illuminated Chl Ltrs - formula retail sign design guidelines

Dermalogica signage 2299 Market St. San Francisco, CA October 14, 2019



Dermalogica signage 2299 Market St. San Francisco, CA October 14, 2019

Scale 1/4" = 1'

Tenant Leasehold Width 22'

Original sign design and copy approved under sign permit



Reverse Halo Illuminated Letters Mounted on Background 15-1/8" x 8'-4" = 10.51 SF

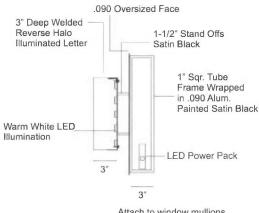
#### 8'-4"

#### 15-1/8"



Copy 9-1/8"

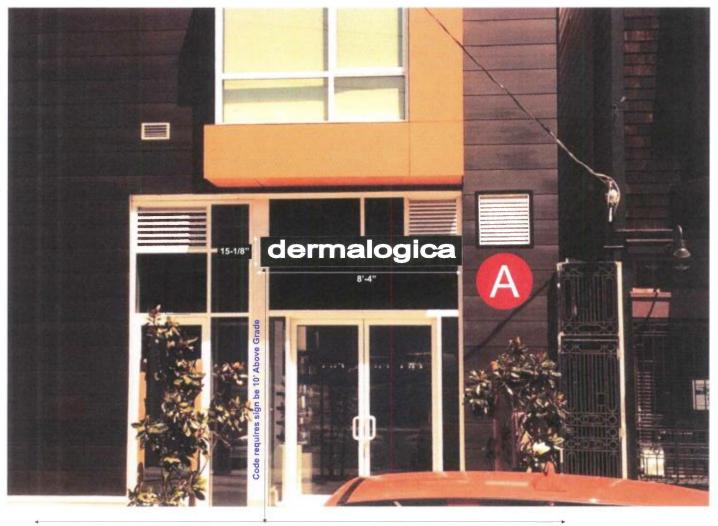
Scale 1" = 1



Specifications:	
" <b>skin"</b> Returns:	Reverse Aluminum Halo Illuminated Letters .063 3" Deep Aluminum Painted Enamel PMS #403C Grey
Faces:	Welded .090 Aluminum Painted Enamel PMS #403C Grey
Backs:	3/16" Clear Lexan with 1-1/2" Stand Offs
"on market":	Reverse Aluminum Halo Illuminated Letters
Returns:	.063 3" Deep Aluminum Painted Enamel PMS #1655C Orange
Faces:	Welded .090 PMS Aluminum Painted Enamel #1655C Orange
Backs:	3/16" Clear Lexan with 1-1/2" Stand Offs
Background:	3" Deep 1" Square Tube Frame Wrapped in .090 Aluminum - Painted Black
Illumination:	Warm White LED's, Power Packs Located in Background

Dermalogica signage 2299 Market St. San Francisco, CA October 14, 2019

Attach to window mullions with 3/8 #12 Hexhead Self Tapping Screws 2' O.C.

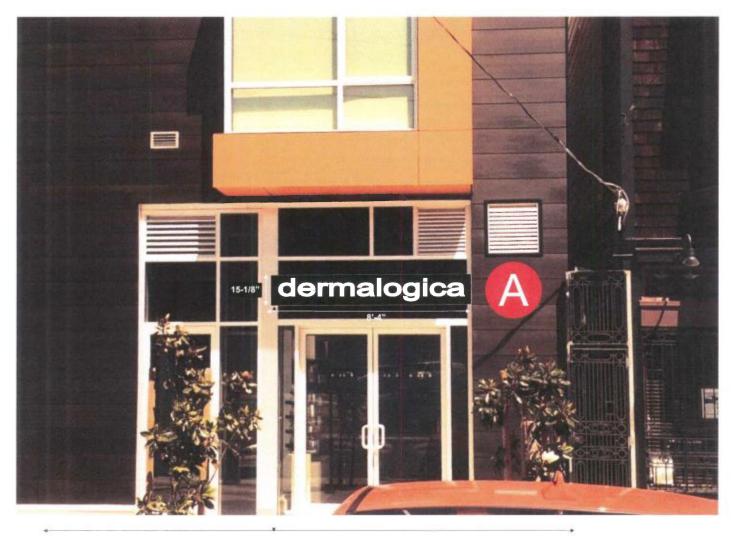


Dermalogica signage 2299 Market St. San Francisco, CA October 14, 2019

Scale 1/4" = 1'

Tenant Leasehold Width 22'

Original sign design with different copy installed



Dermalogica signage 2299 Market St. San Francisco, CA October 14, 2019

Scale 1/4" = 1'

Tenant Leasehold Width 22

Existing sign installed shown lowering to a lower height



Reverse Halo Illuminated Letters Mounted on Background 15-1/8" x 8'-4" = 10.51 SF

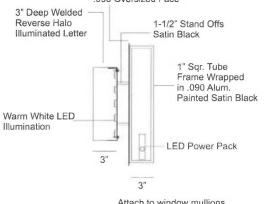
#### 8'-4"

# 15-1/8" dermalogica

Specifications:

Scale 1" = 1

.090 Oversized Face



Faces:	Reverse Aluminum Halo Illuminated Letters .090 Welded Construction White
Returns:	.063 Aluminum White
Backs:	3/16" Clear Lexan with 1-1/2" Stand Offs
Background:	3" Deep 1" Square Tube Frame Wrapped in .090 Aluminum - Painted Black
Illumination:	Warm White LED's, Power Packs Located in Background

Dermalogica signage 2299 Market St. San Francisco, CA October 14, 2019

Copy 10"

Attach to window mullions with 3/8 #12 Hexhead Self Tapping Screws 2' O.C.

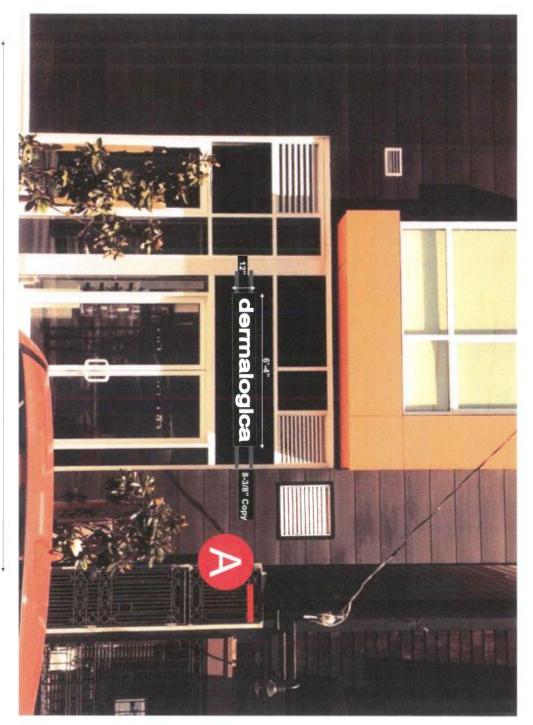
Page 7 of 7

Note: Existing sign cannot be reworked into this configuration because the letters are too tall and there is no room to take out spacing between the letters due to the font Sign as interpreted by Planning for store opening, not inclusive of the sidelight windows at store opening

Tenant Leasehold Width 22 Formula Retail

Scale 1/4" = 1'

Dermalogica signage 2299 Market St. San Francisco, CA October 14, 2019





Name Support Permit Address Support Sign Coda Mclaffray 617 Forest Lake Dr. LRAIGESOYNER 329 HOE Auden TANG TIELong Bridges-David Bowden Apt. A SF 94/103 Vanessa Brown 1420 Turk St. 94115 Gilovanna Hug 1109 Elm St. Mehilka Miglani 1188 Valencia MI Baurer 465 Central Ave Un



Name Address Support Sign Support Permit Epic Waldron 947 Bodericks Romforton 1332J. VarNess 8911 A st Apt 3 Mediny Ocikiandica, 9464 8811 A St Art 3 Ima Meding oakland to 94621 Caltlyn Cadigan Dr SSF ca 4181 Duncansi Bardon VOLL STATUSI. 8811 A St Apt3 Ouinones oakland (rgyber Shu 115 Sanchez St lagan Francisco(A 8400 acounter Terriel Mike Popham #111 San Fron CAG4132 any Mueller Store Briket Mudler Kekey Lakers Taken Kekey Lakers SF 167 Lexington St. Uriel Gonzaltz San Francisco, ca. Calvin Lam 2524 Ullistica



Name Address Support Sign **Support Permit** MARIA GORRE 438 ARGUELLO BUD SAN REANCISCO, 94/18 Lauren Weymooth 21 Albion St. SF, CA 94103 Andreas Nuchagun 294. Liberty St OF CA 94114 Egy liberty st Camelle Newbager SF CA 741/4 2120 Colyonia St 4pt 1+ SF, CA 94115 -4ico, 4pt 1+ SF, CA 94115 2120 Colificação Empa Juce CD 94115 3874 CHEST WHT AVE HANDIN GADKICL LINCORD LA Asya Wilson 700 Plymouth Ave SF. Ca. 94112 Kane Kelley 4046 171459 #208 San Francisco, 1A 94/14 913 Noe Stik Buena Vista Realty Villin J. Williams da MARKASENIG 317 NOEST SECA94114 ROGER GROSS 317 NOES St 94/14 Samblath 453 Noest.



Address Support Sign Support Permit Name NIMPA Maria Huaman Dototes Ion Mellett 87 324 NOS S NINA KAMIOS VALONCIA 170 GANDOUIDE 1340 Scott St. JUSTIN GOURLIE ST, CA 94/15 243 Henry Strat SF CA 94114 Catta Rice 341 Noe ST SF CA 94114 re 4 Cash & #64 32 7014 1-12 247 Construg Aoife Gibbs SF, CA, 94114



Name Address Support Sign **Support Permit** ANNON BUNS John Goldsmith 146 Noe St. 3FGA ea Xenaleis94114 AnalSanaldi 4 14110 Hmituboh MILAD RASHIDAN 94116 H. Sentha 94133 Margaret Gaseg 94117 Jesus Mora 94114

Chris Lane Resurface Skin Studio 491 Castro Street, Second Floor San Francisco CA 94114 chris@resurfaceskinstudio.com

December 14, 2017

San Francisco Planning Commission 1650 Mission Street #400 San Francisco CA 94103

To Whom It May Concern,

I am a small business owner in the Castro District and I am writing a letter in support Deedee Crossett and her business, Skin On Market.

I have professionally and personally known Deedee for over 10 years. I first met her when I enrolled her school, The San Francisco Institute of Esthetics and Cosmetology I attended this school because it has an excellent reputation and it is clean and modern. Upon graduating this school and becoming a licensed esthetician, I began to work for Deedee as an educator at her school. Deedee is fair, professional, and inspirational. In 2016, I opened a small skin studio in the Castro called Resurface Skin Studio. Even though our businesses may be considered competition, we respect each other and often refer clients to one another.

I learned that Skin On Market received a complaint because it gives the appearance of a polished large business in our neighborhood. One of the many things that Deedee succeeds in is creating a professional image, that also includes successful marketing and branding. Despite the fact that Skin On Market works with a well recognized skin care line, Skin On Market is still a locally owned and operated business. In addition to selling Dermalogica products, they also offer skin treatments, waxing services, and retail other skin health related products. The complaint made against this business is outrageous and entirely inaccurate.

Deedee and I are both a part of the Castro Merchants Association and I am thankful to have Deedee's support and blessing with my new business. This is what this neighborhood is all about: supporting one another and staying involved in our community.

Thank you for hearing me.

Sincerely yours,

Chris Lane



Received at CPC Hearing 1

# **CASTRO MERCHANTS**

November 8, 2019

San Francisco Planning Department RE: Your File No, 2017-000140CUA, etc.

Skin on Market/Deedee Crossett, 2299-C Market Street, San Francisco

Castro Merchants represents business owners and managers in San Francisco's Castro-Upper Market area, generally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19<sup>th</sup> Streets; and commercially zoned portions of cross streets throughout that area. Castro Merchants has about 300 currently paid Members through April 30, 2020. 2299-C Market at Noe Streets is within Castro Merchants' primary service area.

Thank you for your very helpful assistance as we followed this matter and communicated our decision to you. Please let us know if you have any questions regarding Castro Merchants support for this(ese)Application(s). Please include this letter in the matter's permanent file and any successor files and assure that our support is communicated to all applicable Staff in your Department and to all Commissioners prior to any Hearing on this matter, and to any Appeal panel(s) and other bodies with regulatory jurisdiction in the matter, at the time that this matter is considered by them.

A hardcopy of this letter is being mailed to you today.

Thank you for considering our comments.

Respectfully and with warmest regards,

Masood Samereie

Masood Samereie, CASTRO MERCHANTS President

 email cc: SFMTA Board of Directors at <u>SFMTABoard@SFMTA.com</u> Robert Boomer, SFMTA Board Secretary S.F. District 8 Supervisor Rafael Mandelman, Staff Tom Temprano SFPD Mission Station Captain Gaetano Caltagirone
 cc: Deedee Crossett

.... LtrPlanningSkin110819



584 Castro Street #333 San Francisco CA 94114-2512

415/431-2359

formerly "Merchants of Upper Market & Castro - MUMC"

Info@CastroMerchants.com www.CastroMerchants.com

Masood Samereie, President

November 8, 2019

# By Email and USPS Hardcopy

Cathleen Campbell, Staff Planner San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco CA 94103 Re: Your File No, 2017-000140CUA, etc. Skin on Market/Deedee Crossett, 2299-C Market Street, San Francisco

Dear Ms. Campbell,

This confirms that Members of Castro Merchants (formerly "Merchants of Upper Market & Castro – MUMC") voted yesterday to re-confirm their **SUPPORT** of the Application(s) by Ms. Crossett on behalf of Skin on Market, for a Conditional Use Permit, Formula Retail, business sign and related approvals to continue to operation of the subject business.

Our SUPPORT includes for related applications to other San Francisco Departments with jurisdiction including Building Inspection, Public Health, and Fire and to other City and State jurisdictions, and other entitlements related to the operation of a personal services skin care and beauty products business at the location described above.

Castro Merchants' support is based on information provided by Ms.Crossett over an extended period at Castro Merchants Members Meetings and in other communications, including an update at the November 7, 2019 Members Meeting, The support communicated in this letter remains in effect until withdrawn in writing. We have asked Ms. Crossett to continue to update us promptly, if there is/are any substantial change(s) in information or Conditions of Approval as the business continues to proceed through Planning Department and other approval milestones. We understand that a Planning Commission Hearing currently is scheduled for November 14, 2019.

Given the late notice we received for the November 14 Hearing and our Members Meeting schedules, this letter is being sent "late" vs. your distribution of Commissioners' packets for that Meeting. At your suggestion, we have copied the SFMTA Board at its group email address listed at www.SFMTA.com, as well as to Planning Commission Secretary, Ms. Boomer. Please assure that our support is communicated to Commissioners during the November 14 Hearing or any adjournment or postponement thereof.

## 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 2013 Edition San franciscoFire Code 2013 Edition San francisco Plumbing Code 2013 Edition San francisco Electrical Code 2013 Edition San francisco Mechanical Code 2013 Edition

Verify all existing conditions and dimensions at the project site. Notify the Architect and/or Engineer of any discrepancies 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. The general Contractor shall be responsibe to inform the owner or Architect of potential existing conditions that need to be addressed and or modified inorder to cmplete 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.

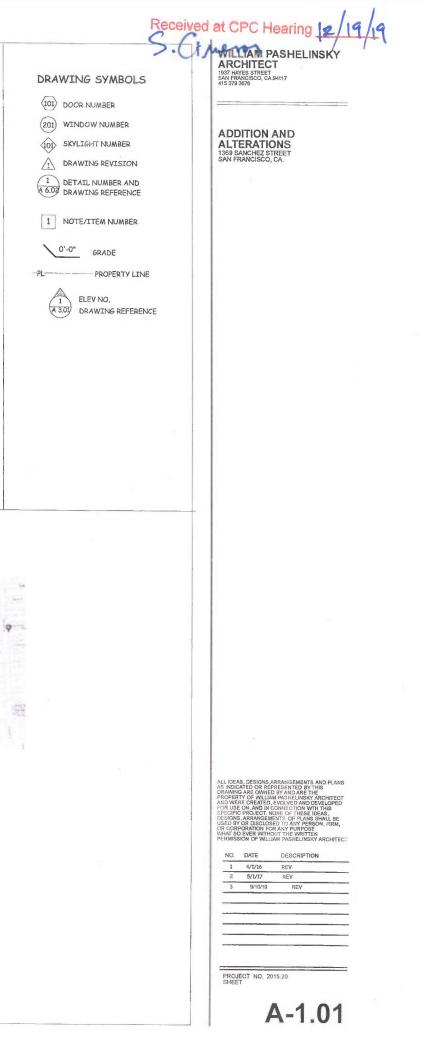
BUILDING TO BE FULLY FIRE SPRINKLERED PER NFPA 13-R. WORK TO BE DONE BY SEPERATE PERMIT

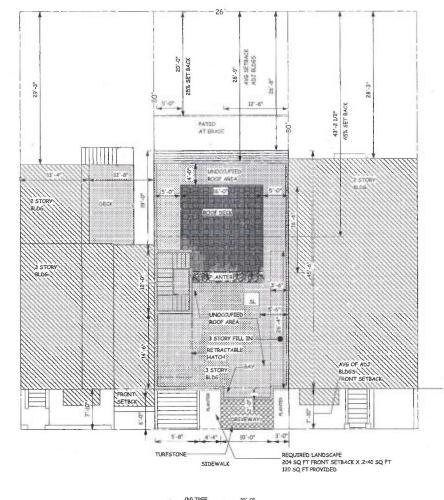
EXISTING:	UNIT 1	UNIT 2	STORAGE/GARAGE	TOTAL
1ST FLOOR	0	0	851 SQ FT	851 SQ FT
2ND FLOOR	887 SQ FT	106 SQ FT	33	1.015 SQ FT
3RD FLOOR	0 SQ FT	1,035 SQ FT	0	1,035 SQ FT
TOTAL BUILDING:	887 SQ FT	1,141 SQ FT	884 SQ FT	2,912 SQ FT
NEW:				
1ST FLOOR	760 SQ FT	0	427 SQ FT	1,187 SQ FT
2ND FLOOR	1,008 SQ FT	86 SQ FT	0	1,094 5Q FT
3RD FLOOR	0 SQ FT	1,209 SQ FT	0	1,209 SQ FT
TOTAL BUILDING:	1,768 SQ FT	1,295 SQ FT	427 SQ FT	3,490 SQ FT

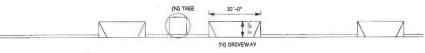
DRAWING INDEX:	PROJECT INFORMATION:	ABBR	EVIATIONS:		
A 1.01 SITE AND ROOF PLAN, GENERAL NOTES,	ZONING: RH-2	@ G	AT	HGT./HT.	HEIGHT
AND DRAWING INDEX	OCCUPANCY R-3	Ø (E)	DIAMETER OR ROUND EXISTING	INSUL.	INSULATION
A 1.02 SITE AND ROOF PLANS	PROPOSED USE: SINGLE FAMILY RESIDENCE	(N) (R)	NEW REPLACE	MFG.	MANUFACTURING
A 1.03 DEMOLITION ANALYSIS	CONSTRUCTION TYPE: 5-B			MAX. MTL	MAXIMUM METAL
A 2.01 FLOOR PLANS EXISTING	BLOCK 6579 LOT 027	AFF	ABOVE FINISH FLOOR	MIN.	MINIMUM
A 2.02 FLOOR PLANS PROPOSED	SCOPE OF WORK: REMODEL FRONT ELEVATION.	BM.	BEAM	O.C.	ON CENTER
A 2.03 FLOOR PLANS PROPOSED	3 STORYHORIZONTAL ADDITION AT SOUTH.	BLDG. CBC	BUILDING	PR. PKT.	PAIR POCKET
A 3.01 EXTERIOR ELEVATIONS	PROVIDE NEW HABITABLE SAPACE BEHIND THE GARAGE AND CONNECT TO UNIT 1 AT THE 2ND FLOOR WITH NEW STAIR.	CLR.	CALIFORNIA BUILDING CODE	P.T.	PRESSURE TREATED
A 3.02 EXTERIOR ELEVATIONS	RÉMODEL 2ND AND 3RD FLOOR INCLUDING THE KITCHENS AND BATHROOMS	CLOS. CONC.	CLOSET CONCRETE	REF. REQ'D	REFRIGERATOR
A 3.03 EXTERIOR ELEVATIONS	NEW ROOF DECK ACCESSED BY SLIDING HATCH.	DECK'G DET.	DECKING DETAIL	REQ'T RTG.	REQUIREMENT
A 3.04 EXTERIOR ELEVATIONS		DIA. DISP.	DIAMETER	R & S RM.	ROD AND SHELF
A 4.01 BUILDING SECTION		DW.	DISHWASHER	SIM.	SIMILAR
A 4.02 BUILDING SECTION		DBL.	DOUBLE	S.C. SQ. FT.	SOLID CORE SQUARE FOOT/FEET
		DRWGS.	DRAWINGS DRYER	STOR. STRUCT.	STORAGE STRUCTURAL
		EA.	EACH	TEMP. TRANS.	TEMPERED
		F	FAHRENHEIT	TYP.	TYPICAL
		FIN. F.R. FLR.	FINISH FIRE RATED FLOOR	U.O.N.	UNLESS OTHERWISE NOTED
		FT. FR.	FOOT OR FEET FRENCH	V.I.F.	VERIFY IN FIELD
		FURN. FURR.	FURNISH FURRING	W WH. WP	WASHER WATER HEATER WATERPROOF
		GA. GL. GYP.	GAUGE GLAZING GYPSUM	WDO, W/ WD,	WINDOW WITH WOOD
		GYP.BD.	GYPSUM BOARD		



## VICINITY MAP

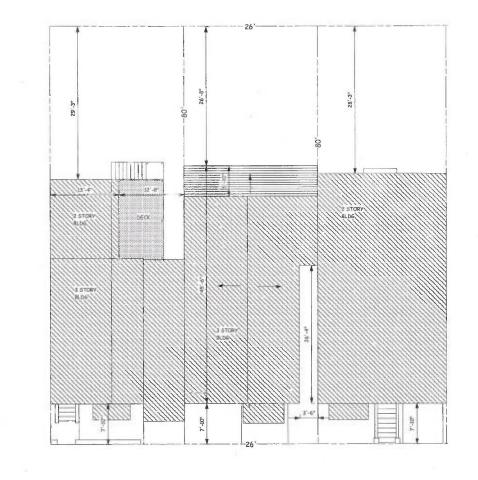


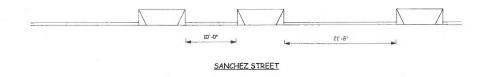




SANCHEZ STREET

SITE AND ROOF PLAN (N)





SITE AND ROOF PLAN (E)

A-1.02

.

PROJECT NO. 2015.20 SHEET

1	4/1/16	REV
2	4/30/16	REV
3	5/3/16	REV
4	12/14/16	REV
5	05/01/17	REV
6	06/02/17	REV

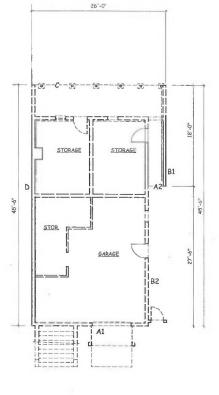
AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH THIS SPECIFIC PROJECT, NONE OF THESE IDEAS, DESIGNS, ARRANGEMENTS OF PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORFORATION FOR ANY PURPOSE WHAT SO EVER WITHOUT THE WRITTER

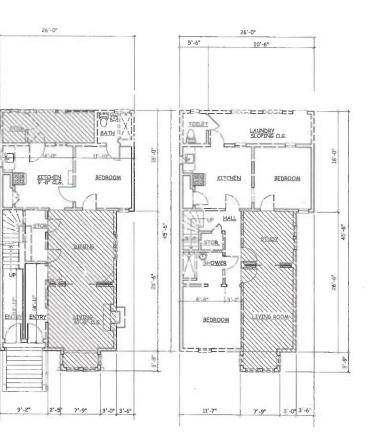
ALL IDEAS, DESIGNS, ARRANG

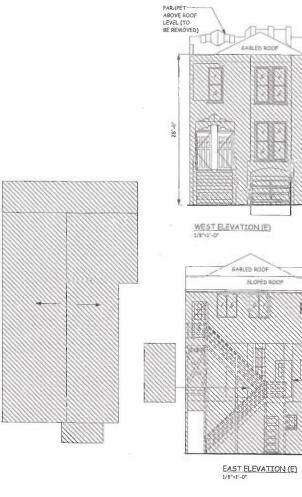
ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA.94117 415 579 3070 Utipush@gumat.com LINEAR FOOTAGE MEASUREMENT

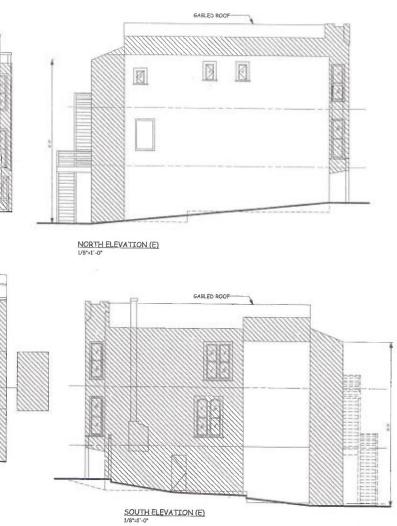
## AREA MEASUREMENTT HORIZONTAL ELEMENTS







趐



1ST FLOOR PLAN (E) 1/8=1'-0"

TABULATION FOR

WALL REMOVED LENGTH TO REMAIN

TOTAL 57.0' 86.0'

22.5' 0' 18' 0' 0' 45.5'

LINEAR FOOTAGE MEASUREMENT

# 2ND FLOOR PLAN (E) 1/8"=1'-0"

## 3RD FLOOR PLAN (E) 1/8"=1'-0"

## ROOF PLAN (E) 1/8=1'-0"



AIN

# 

## VER

ELEVATION	SQ FT	DEMOLISH	PERCENT
FRONT	739 SQ FT	671 SQ FT	
REAR	801 SQ FT	775 SQ FT	
SIDE 1 NORTH	1,606 5Q FT	430 SQ FT	
SIDE 2 SOUTH	1,606 SQ FT	1,248 SQ FT	
VERTICAL TOTAL	4,752 SQ FT	3,124 SQ FT	65% > 50%

## HORIZONTAL ELEMENTS

HORIZONTAL	3,366 SQ FT	1,112 SQ FT	64%>50%
ROOF	1,122 SQ FT	1112 CO FT	
3RD FLOOR	1,122 SQ FT	502 SQ FT	
2ND FLOOR	1,122 SQ FT	556 SQ FT	
FLOOR	EXISTING	DEMOLISH	

AREA MEAS

ERTICAL	ELEMENTS	

	EXISTING TO REM
SUREMENTS	DEMOLISH
ELEMENTS	

# LINEAR FOOTAGE MEASUREMENT

A1 0 A2 3.5' B1 0 B2 27.5' C 26' D 0

ELEMENT	LENGTH	REMOVED	PERCENT
A FRONT FACADE	26'-0 <sup>u</sup>	3"-6"	14%
C REAR FACADE	26'-0"	26'-0"	100%
TOTAL (B,C)	52'-0"	29'-6"	56%
B SIDE FACADE 1	45'-6"	26'-6"	0%
D SIDE FACADE 2	45'-6"	0	100%
GRAND TOTAL (A,B,C,D,)	143'-0"	56'-0"	39% < 65%

TIC	AL ELEME	ENTS	
ION	SQ FT	DEMOLISH	PERCENT
	739 SQ FT	671 SQ FT	
	801 SQ FT	775 SQ FT	



A-1.03

PROJECT NO. 2014.41 SHEET

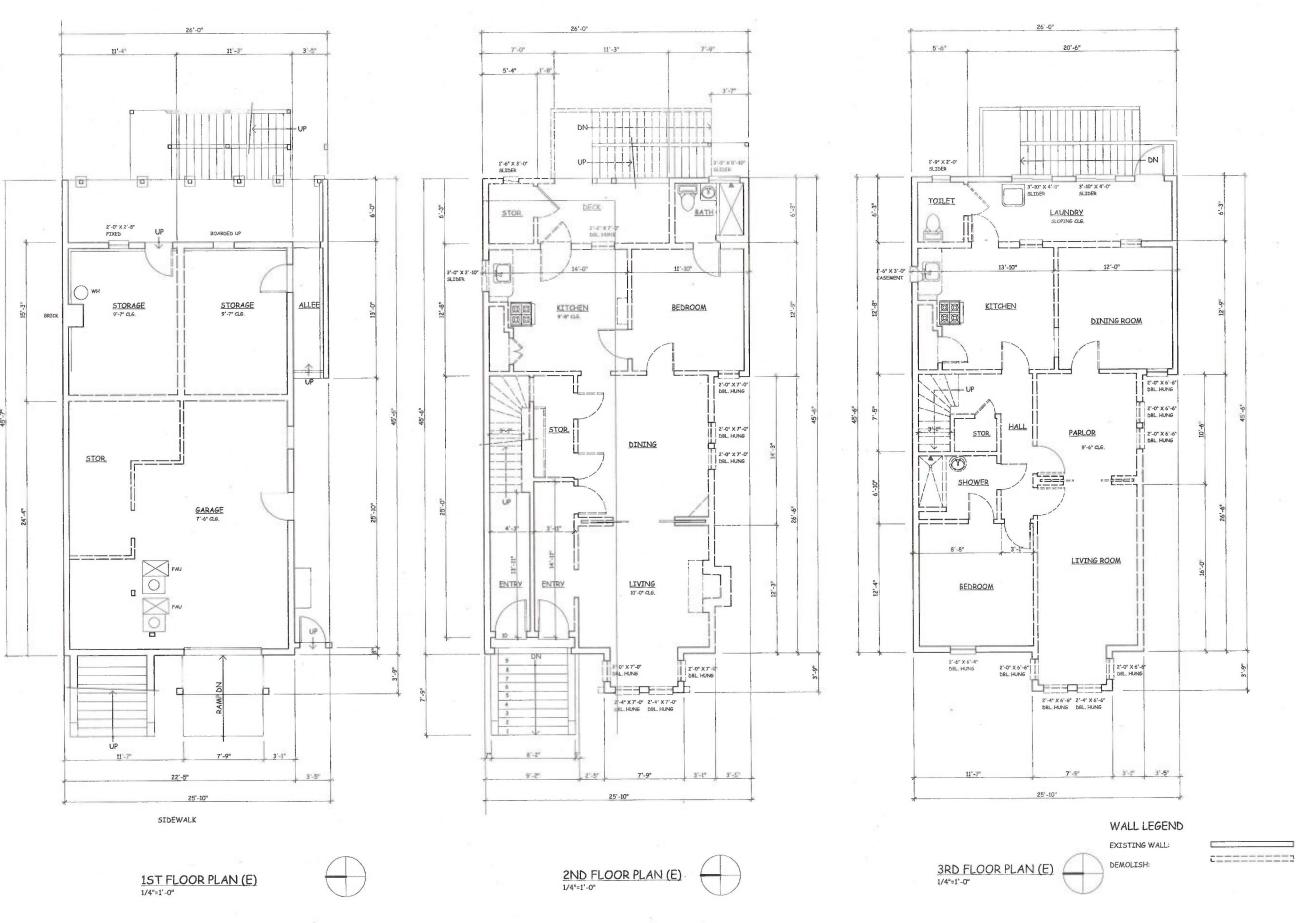
1	4/1/16	REV
	4/30/16	REV
	1/03/17	REV
5	5/01/17	REV
5	9/10/19	REV

OR CORPORAT



ADDITION AND ALTERATIONS 1399 SANCHEZ STREET SAN FRANCISCO, CA.

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA.94117 415 373 4876 Ulipanal Igumal Loom



WILLIAM PASHELINSKY ARCHITECT 1937 NAVES STREET SAN FRANCISCO, CA.94117 415 373 8676 Dilipash@gmail.com

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

ALL IDEAS, DESI AS INDICATED O DRAWING ARE O PROPERTY OF W ENTS AND PLANS SPECIFIC PROJECT, NONE D'SIGNS, ARRANGEMENTS USED BY OR DISCLOSED TO OR CORPORATION FOR AN WHAT SO EVER WITHOUT T ALL B

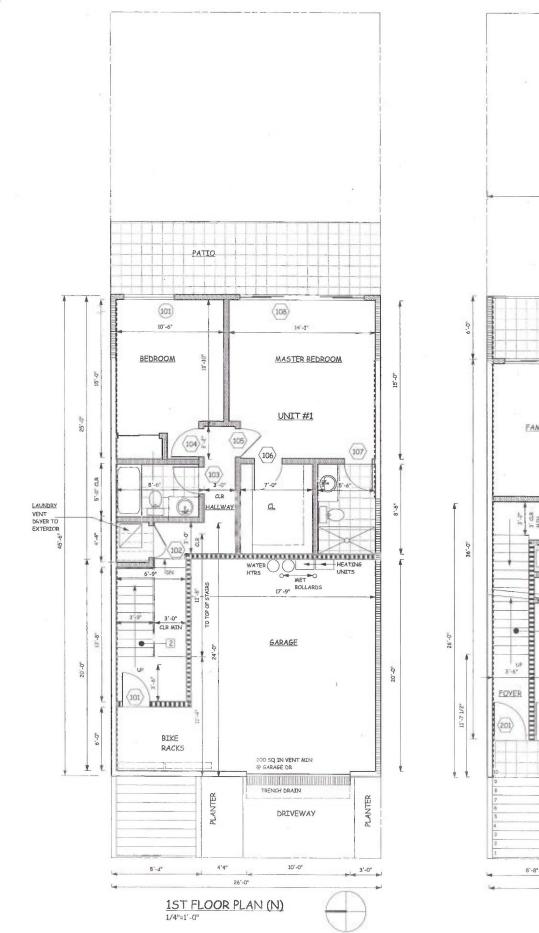
DESCRIPTION

1	4/1/16	REV	
-			-

A-2.01

PROJECT NO. 2015.20 SHEET

NO DATE





## WALL LEGEND

EA SIDE 2 X4 WOOD STUDS @ 16" O.C. U.O.N. (SEE STRUCT) NEW INTERIOR 1 HR WALL: FIRE RATED 5/8 TYPE X GYP BD EA SIDE OVER 2 X4 WOOD STUDS @ 16" O.C. U.O.N. (SEE STRUCT) UL DES U305,U314 NEW INTERIOR WALL: GYP BD EA SIDE OVER 2 X4 WOOD STUDS @ 16" O.C. U.O.N. (SEE STRUCT) NEW EXTERIOR 1 HR WALL: WD SIDING OVER BLDG PAPER OVER FIRE RATED 5/8 TYPE X GYP BD OVER PLYWD SHEATHING 2 X6 WOOD STUDS @ 16" O.C. U.O.N. INT 5/8" TYPE X GYP BD UL DES U305 U314 NEW EXTERIOR 1 HR BLIND WALL: NAME AL COMPANY AND A COMPANY AND A COMPANY P.T. PLYWOOD WD OVER BLDG PAPER OVER FIRE RATED 5/8 TYPE X GYP BD 2 X6 WOOD STUDS @ 16" O.C. U.O.N. SEE STRUCT. 5/8" TYPE X GYP BD @ INT. UL DES U305, U314 NEW EXTERIOR NON RATED WALL: 10000 WD SIDING OVER BLOG PAPER OVER PLYWD SHEATHING EA SIDE 2 X6 WOOD STUDS @ 16" O.C. GYP BD @ INT NEW EXTERIOR NON RATED WALL: -----CEMENTITIOUS PANELS OVER BLDG PAPER (RAIN SCREEN) OVER PLYWD SHEATHING 2 X6 WOOD STUDS @16" O.C. GYP BD @ INT PLUMBING/HEATING NOTES 1. ALL NEW DRAINS, WAISTES, AND VENTS TO BE CAST IRON. 2. DWELLING SHALL BE PROVIDED WITH HEATING FACILITYIES CAPAPBLE OF MAINTAINING A ROOM TEMPERATURE OF 70 DEGREES F. AT A POINT 3 FEET ABOVE THE FLOOR IN ALL HABITABLE ROOMS. 3. ALL NEW WATER CLOSETS SHALL USE A 1.28 GALLONS/FLUSH MAX. PER STATE HEALTH AND SAFETY CODE. 4. AT TUB AND SHOWER PROVIDE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVE CONTROLS. HANDLE POSITION STOPS SHALL BE PROVIDED ON SUCH VALVES AND SHALL BE ADJUSTED PER MFG. INSTRUCTIONS TO DELIVER A MAX. MIXED WATER SETTING OF 120 DEGREE F. THE WATER HEATER THERMOSTAT SHALL NOT BE A SUITABLE CONTROL FOR THIS PROVISION. 5. PRIOR TO COMENCEMENT OF CONSTRUCTION VERIFY FLUE LOCATION FOR WH & FURN TO PROVIDE VENT AS REQ'D BY CBC 6. PROVIDE PLATFORM FOR W.H.MIN. 18" A.F.F. (IF REQUIRED) SEISMIC STRAPPING OF W.H. (REQUIRED) STRAP W.H. WITHIN THE UPPER 1/3 AND LOWER 1/3 OF ITS VERTICAL DIM. STRAP AT THE LOWER POINT SHALL BE INSTALLED 4" ABOVE W.H. CONTROLS ALL BATHROOMS TO HAVE EXHAUST FANS CAPABLE OF PROVIDING A MINIMUM OF 5 AIR CHANGES PER HOUR. FANS TO EXHAUST 8. BATHROOM AND KITCHEN EXHAST FANS IF RUN VERTICALLY TO BE 3'-O" MIN FROM PROPERTY LINE. 9. NEW DUCTWORK IN GARAGE TO BE 26 GA SHEET METAL OR PROVIDE FIRE DAMPERS. 10. FURNACE AND WATER HEATER FLUES TO BE A MIN OF 4'-0" FROM PROPERTY LINE. 11. GAS VENT TERMINATION SHALL MEET REQUIREMENTS OF CMC 802.6 & 12. COMBUSTION AIR SHALL MEET REQUIREMENTS OF CMC CHAPTER 7 13. DOMESTIC RANGE HOOD SHALL MEET REQUIRMENTS OF CMC 504.2 AND COMPLY W/ CMC 403.7 14. UPPER CABINETS SHALL BE MIN 30" ABOVE COOKING TOP PER CMC 916.1.2 15 PROVIDE THE COOKING APPLIANCES MIN CLEARANCE TO COMBUSTIBLE MATERIALS PER CMC 916.1.1. 16. CLOTHES DRYER EXHAUST SHALL BE MIN 4", TERMINATE TO THE OUTSIDE OF THE BUILDING SHALL BE EQUIPEED W/ BACK DRAFT DAMPER, AND MEET THE REQUIRMENTS OF CMC 504.3. PROVIDE 100 SQ IN MIN MAKEUP AIR OPENING FOR DOMESTIC DRYERS. 17. DIRECT VENT APPLIANCES PER CMC 802.2.4 (PER MFG INSTALLATION INSTRUCTIONS) AND SFMC 802,6,2 18. PROVIDE 200 SQ IN VENT OUTLET AT GARAGE DOOR OF AT GARAGE WALLS

EXISTING WALL TO REMAIN:

DEMOLISH:

MIIIIIIIIIIIIIII

5/8 EXISTING WALL TO BE 1 HR FIRE RATED: 5/8" TYPE X GYP BD OVER WOOD STUDS

-	_	_		-	_
-			-		-

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA.94117 415 379 3076

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

### INSULATION NOTES AT (N) OR OPENED WALLS

AT (N) OR OPENED WALLS BETWEEN HEATED AND UNHEATED AREA PROVIDE INSULATION AS FOLLOWS:

AT 2 X 6 WALLS: PROVIDE R 19 AT ALL 2 X 4 WALLS: PROVIDE R 13 AT SOFFITS/CEILINGS: PROVIDE R 19 AT ROOF: PROVIDE R 30

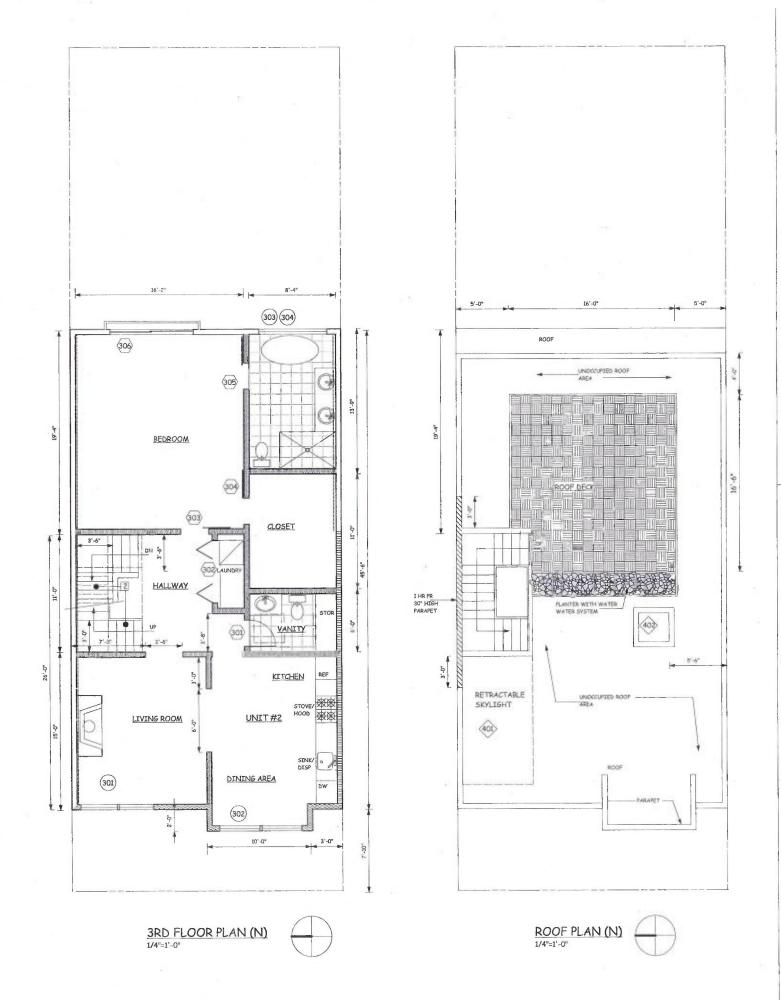
## DRAWING NOTES:

1. PROVIDE EMERGENCY RESCUE WINDOW: 5.7 SQ FT MIN 20" NET WID TH 24" NET HGT 2. SEE STAIR DETAILS A 4.01 FOR STAIR AND RAILING REQ'TS 3. PROVIDE 1 HR F.R. ASSEMBLY © STEEL COL. 2 LAYERS 5/8" TYPE X GYP BD ON MET CHANNEL

> ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS AS INDICATE DO REPRESENTED BY THIS BAINDCATE DO REPRESENTED BY THIS PROPERTY OF WILLIAM PASHEDINSHY ARCHITECT PROPERTY OF WILLIAM PASHEDINSHY ARCHITECT SPECIFIC PROJECT NONE OF THESE IDEAS BECIFIC PROJECT NONE OF THESE IDEAS DESIGNS, ARRANCEMENTS OF PLANS SHALL BE DESIGNS, ARRANCEMENTS OF PLANS SHALL DESIGNS, ARRANCEMENTS OF PLANS SHALL BE WHAT SO EVER WITHOUT THE WRITEN PERMISSION OF WILLIAM PASHELINSKY ARCHITECT

NO,	DATE	DESCRIPTION
1	4/1/16	REV
τ.	5/1/17	REV
6	9/10/19	REV
-		

A-2.02



# WALL LEGEND NEW INTERIOR 2 HR WALL:

	NEW INTERIOR 2 HR WALL:	1111111111111111	EXIS
	FIRE RATED 2 LAYERS		DEM
	5/8 TYPE X GYP BD EA SIDE 2 X4 WOOD STUDS @		OCHI
	16" O.C. U.O.N. (SEE STRUCT)		5/8 E
	UL DES U301		1 HR
		****************	5/8" OVER
	NEW INTERIOR 1 HR WALL: FIRE RATED 5/8 TYPE X GYP BD		OTL
	EA SIDE OVER 2 X4 WOOD STUDS @		
	16" O.C. U.O.N. (SEE STRUCT)		
	UL DES U305,U314		
	NEW INTERIOR WALL:		
	GYP BD EA SIDE OVER		
	2 X4 WOOD STUDS @		
	16" O.C. U.O.N. (SEE STRUCT)		
	NEW EXTERIOR 1 HR WALL:	anononononono	
	WD SIDING OVER BLDG PAPER		
	OVER FIRE RATED 5/8 TYPE X GYP BD		
	OVER PLYWD SHEATHING 2 X6 WOOD STUDS @ 16" O.C. U.O.N.		
	INT 5/8" TYPE X GYP BD		
	UL DES U305,U314		
	NEW EXTERIOR 1 HR BLIND WALL: P.T. PLYWOOD WD OVER BLDG PAPER	ATTIVITE CONTINUES OF A DESCRIPTION OF A	
	OVER FIRE RATED 5/8 TYPE X GYP BD		
	2 X6 WOOD STUDS @ 16" O.C. U.O.N.		
	SEE STRUCT. 5/8" TYPE X GYP BD @ INT.		
	UL DES U305,U314		
	NEW EXTERIOR NON RATED WALL:		
	WD SIDING OVER BLDG PAPER		
	OVER PLYWD SHEATHING EA SIDE 2 X6 WOOD STUDS @		
	16" O.C. GYP BD @ INT		
		and the second	
	CEMENTITIOUS PANELS OVER BLDG PAPER (RAIN SCREEN)		
	OVER PLYWD SHEATHING		
	2 X6 WOOD STUDS @16" O.C. GYP BD @ I	NT	
_	DI LIMOTANC // IE ATTANC AND	TEC	
	PLUMBING/HEATING NO	IES	
	1. ALL NEW DRAINS, WAISTES, AND VEN	TS TO BE CAST IRON.	
	2. DWELLING SHALL BE PROVIDED WITH		
	CAPAPBLE OF MAINTAINING A ROOM TEA		0
	AT A POINT 3 FEET ABOVE THE FLOOR IN 3. ALL NEW WATER CLOSETS SHALL USE		
	PER STATE HEALTH AND SAFETY CODE.	A LED BALLONG/ LOON MAA	
	4. AT TUB AND SHOWER PROVIDE PRESSU		
	OR THERMOSTATIC MIXING VALVE CONT		
	STOPS SHALL BE PROVIDED ON SUCH VAL ADJUSTED PER MFG. INSTRUCTIONS TO		
	MIXED WATER SETTING OF 120 DEGREE F		
	THERMOSTAT SHALL NOT BE A SUITABLE		ION.
	5. PRIOR TO COMENCEMENT OF CONSTRU		
	LOCATION FOR WH & FURN TO PROVIDE 6. PROVIDE PLATFORM FOR W.H.MIN. 18"		
	SEISMIC STRAPPING OF W.H. (REQUIRED		
	STRAP W.H. WITHIN THE UPPER 1/3	AND LOWER	
	1/3 OF ITS VERTICAL DIM.	DE THICT ALLED AL	
	STRAP AT THE LOWER POINT SHALL ABOVE W.H. CONTROLS	. BE INSTALLED 4"	
	7. ALL BATHROOMS TO HAVE EXHAUST F	ANS CAPABLE OF PROVIDING	9
	A MINIMUM OF 5 AIR CHANGES PER HOU	R. FANS TO EXHAUST	
	TO EXTERIOR. 8. BATHROOM AND KITCHEN EXHAST FA		
	B. BATHROOM AND KITCHEN EXHAST FA TO BE 3'-0" MIN FROM PROPERTY LINE.	NO TE KON VEKTTOALLY	
	9. NEW DUCTWORK IN GARAGE TO BE 26	GA SHEET METAL OR	
	PROVIDE FIRE DAMPERS.		
	10. FURNACE AND WATER HEATER FLUES	TO BE A MIN OF 4'-0"	
	FROM PROPERTY LINE.	PEOUTPENENTS OF CHARA	7/ 1

FROM PROP 11. GAS VENT TERMINATION SHALL MEET REQUIREMENTS OF CMC 802.6 & SFMC 802.6.2

12. COMBUSTION AIR SHALL MEET REQUIREMENTS OF CMC CHAPTER 7 13. DOMESTIC RANGE HOOD SHALL MEET REQUIRMENTS OF CMC 504.2 AND COMPLY W/ CMC 403.7

14. UPPER CABINETS SHALL BE MIN 30" ABOVE COOKING TOP PER CMC 916.1.2 15 PROVIDE THE COOKING APPLIANCES MIN CLEARANCE TO COMBUSTIBLE

MATERIALS PER CMC 916.1.1. 16. CLOTHES DRYER EXHAUST SHALL BE MIN 4", TERMINATE TO THE OUTSIDE OF THE BUILDING SHALL BE EQUIPEED W/ BACK DRAFT DAMPER, AND MEET THE REQUIRMENTS OF CMC 504.3. PROVIDE 100 SQ IN MIN MAKEUP

AIR OPENING FOR DOMESTIC DRYERS. 17. DIRECT VENT APPLIANCES PER CMC 802.2.4 (PER MFG INSTALLATION INSTRUCTIONS) AND SFMC 802.6.2

18. PROVIDE 200 SQ IN VENT OUTLET AT GARAGE DOOR OF AT GARAGE WALLS PER SFBC 406.3.3

EXISTING WALL TO REMAIN:

EMOLISH:

11111111111111

/8 EXISTING WALL TO BE HR FIRE RATED: /8" TYPE X GYP BD VER WOOD STUDS

E .....

## WILLIAM PASHELINSKY

ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA.94117 415 379 3876 billpash@gmail.com

# ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

## INSULATION NOTES

AT (N) OR OPENED WALLS BETWEEN HEATED AND UNHEATED AREA PROVIDE INSULATION AS FOLLOWS: AT 2 X 6 WALLS: PROVIDE R 19 AT ALL 2 X 4 WALLS: PROVIDE R 13 AT SOFFITS/CEILINGS: PROVIDE R 19 AT ROOF: PROVIDE R 30

## DRAWING NOTES:

1. PROVIDE EMERGENCY RESCUE WINDOW: 5.7 SQ FT MIN 20" NET WIDTH 24" NET HGT 2. SEE STAIR DETAILS A 4.01 FOR STAIR AND RAILING REQ'TS 3. PROVIDE 1 HR F.R. ASSEMBLY @ STEEL COL. 2 LAYERS 5/8" TYPE X GYP BD ON MET CHANNEL

> ON FOR ANY P T SO EVER

NO.	DATE	DESCRIPTION
1	4/1/16	REV
5	5/1/17	REV
6	9/10/19	REV
-		

A-2.03



WEST ELEVATION (E)



WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA34117 415 379 3676 Milpanetgemail.com

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

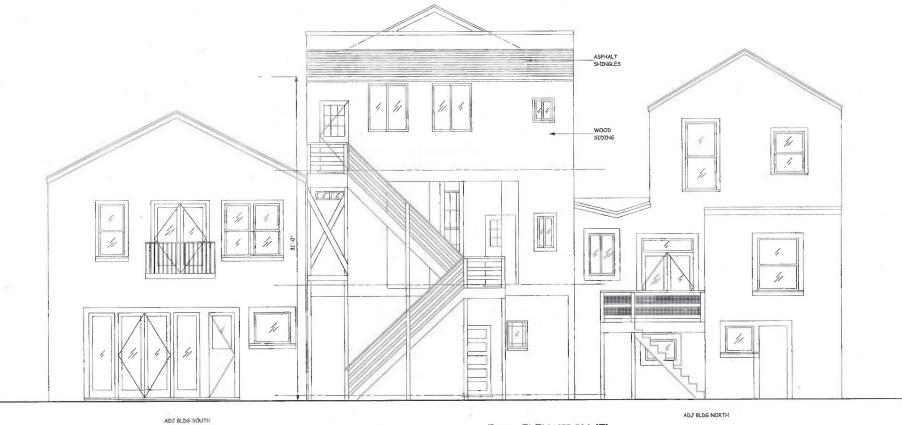


OR COR-WHAT SO E

DESCRIPTION

A-3.01

NO. DATE



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



EAST ELEVATION (N)

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANKESO, GA 94117 415 379 3870 billpash (gumal.com

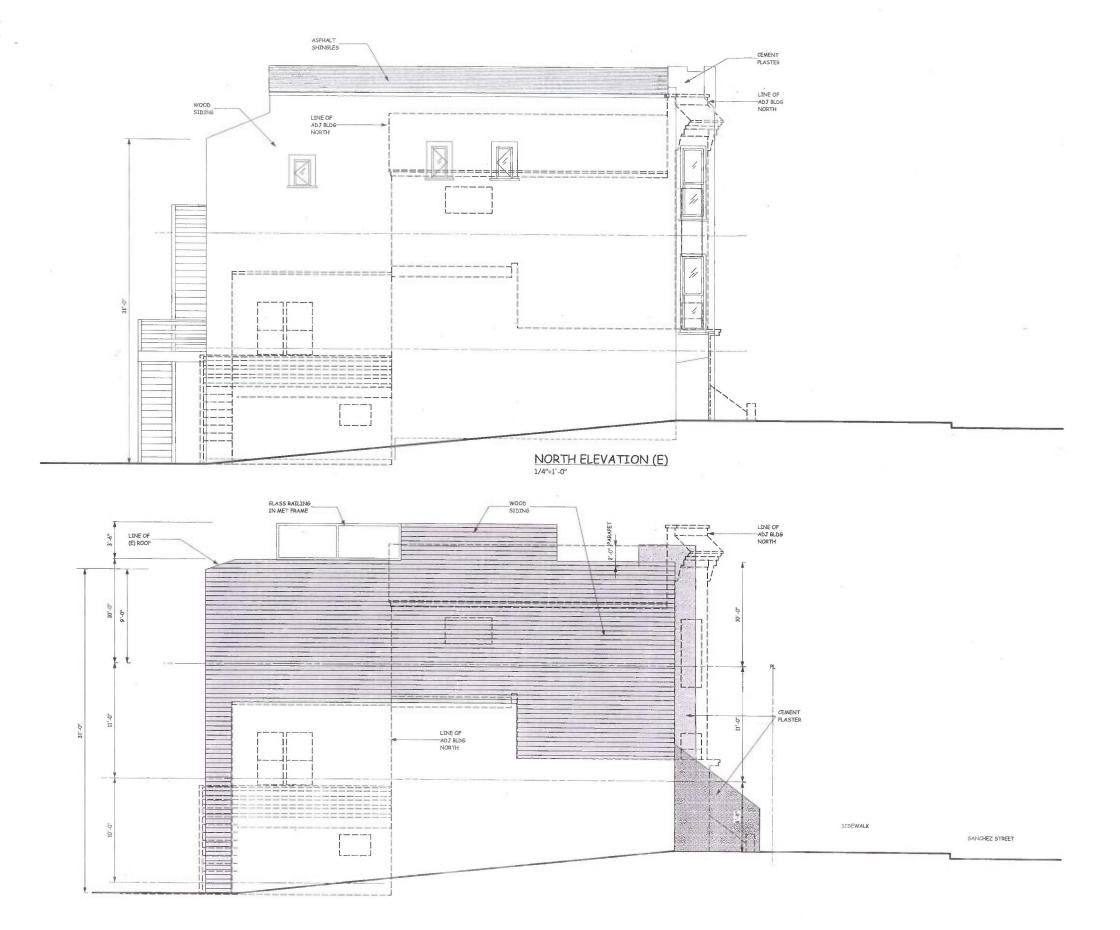
ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

ALL IDEAS, DESIGNS, AR ION FOR ANY P WHAT SO EVER WIT PERMISSION OF WIL

NO. DATE DESCRIP

PROJECT NO. 2015.20 SHEET

A-3.02



. .

NORTH ELEVATION (N)

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAM FRANCISCO, CA94117 415 379 S076 Milysam GrumsLcam

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

AS INDICAT DRAWING / PROPERTY AND WERE FOR USE C SPECIFIC F DESIGNS, / USED BY C OR CORPCC NONE OF THES NANGEMENTS OF PL

DESCRIPTION

A-3.03

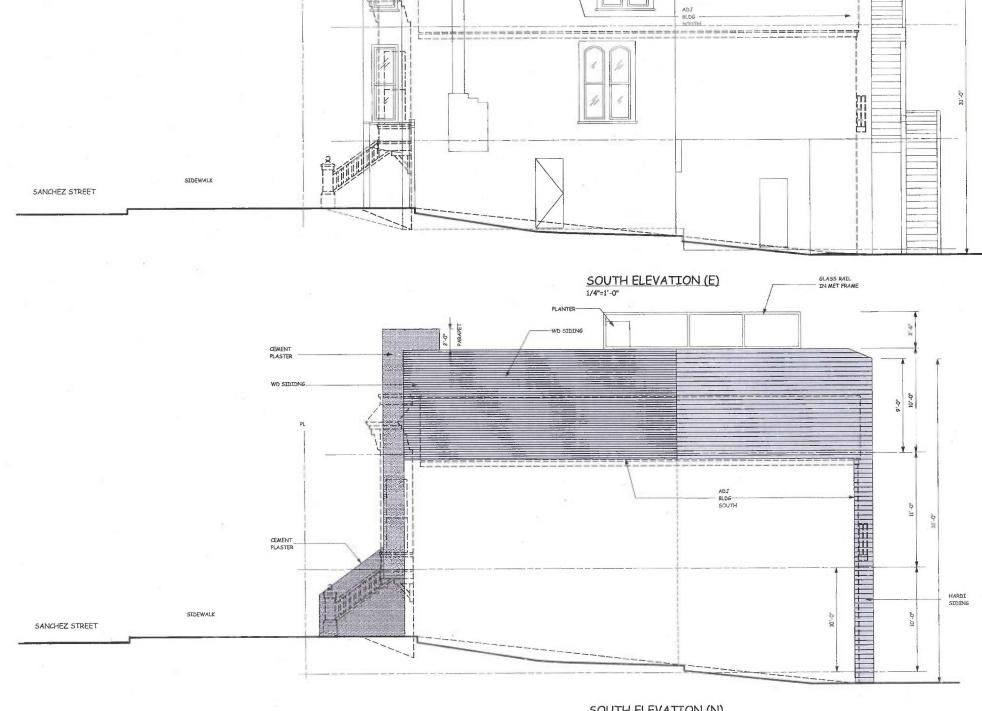
REV

NO. DATE

6 6/1/17

PROJECT NO. 2015.20 SHEET

LEPRESENTED BY IT IED BY AND ARE THE LIAM PASHELINSKY A ED, EVOLVED AND DE IN CONNECTION WITH



CEMENT

5===

SOUTH ELEVATION (N)

11 1

ASPHALT SHINGLE

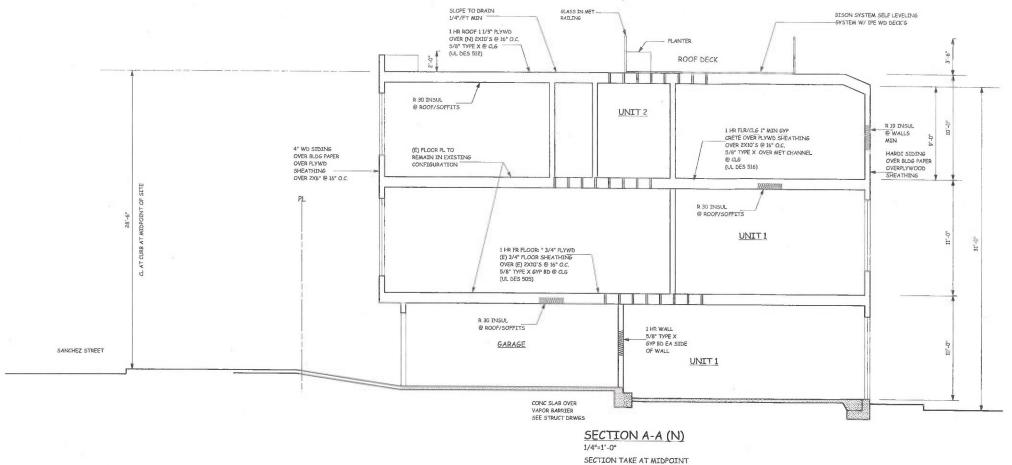
WOOD SIDING

WILLIAM PASHELINSKY ARCHITECT 1937 HYES STREET SAN FRANCISCO, CA.94117 415 373 3876 Ulipaeh@gmail.com

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

NO. DATE DESCRIPTION 6 6/1/17 REV

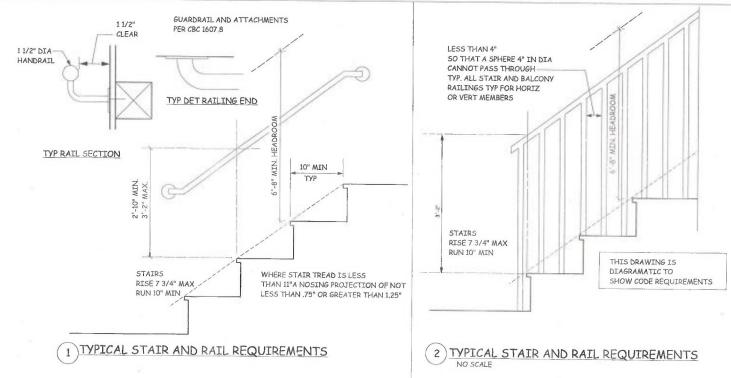
A-3.04



4 ...

.

OF SITE

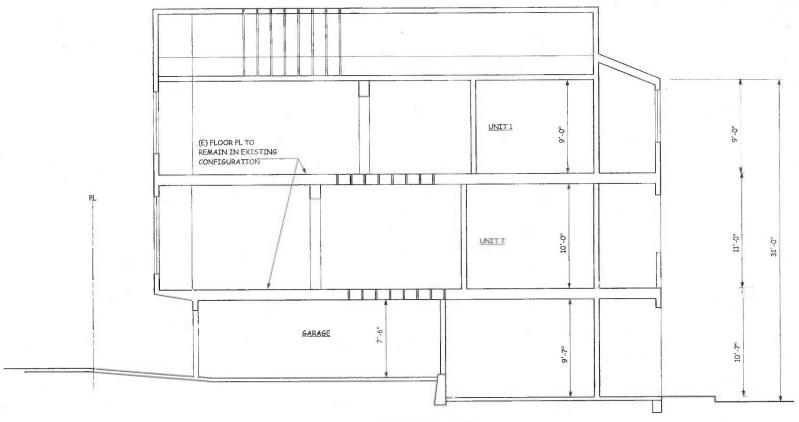


# WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA.94117 415 379 3076 Ulipari (gumat.com

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

NO. DATE DESCRIPTIO 5 5/1/17 REV 6 6/1/17 REV

A-4.01



<u>SECTION A-A (E)</u> 1/4"=1'-0" SECTION TAKE AT MIDPOINT OF SITE WILLIAM PASHELINSKY ARCHITECT 1937 HWRS STREET SAN FRANCISCO, C.A.94117 415 379 3076 Ulipasti@gmail.com

ADDITION AND ALTERATIONS 1368 SANCHEZ STREET SAN FRANCISCO, CA.

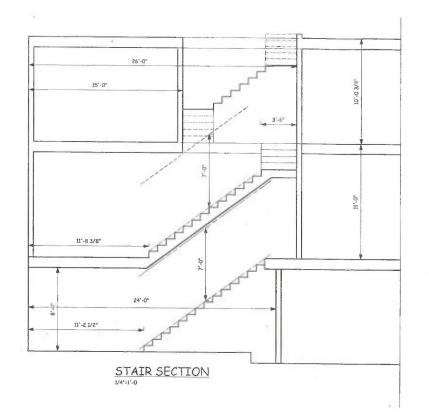
ALL IDEAS, DESIGNS, ARRA AS INDICATED OR REPRES DRAWING ARE OWNED BY PROPERTY OF WILLIAM PA ED BY AND EVOL

NO. DATE DESCRIPTION

PROJECT NO. 2015.20 SHEET

A-4.02

AND WERE CREATED, EVOLVED AND D FOR USE ON, AND IN CONNECTION WT SPECIFIC PROJECT. NONE OF THESE IL DESIGNS, ARRANGEMENTS OF PLANS : USED BY OR DISCLOSED TO ANY PERS OR CORPORATION FOR ANY PURPOSE WHAT SO EVER WITHOUT THE WRITTEL PERMISSION OF WILLIAM PASHELINSKY





PROJECT NO. 2015.20 SHEET

NO.	DATE	DESCRIPTION

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA.94117 415 379 3876 bilipanal Qurmal Loom

DOOR SCHEDULE	WINDOW SCHEDULE		FINISH SCHEDULE	FINISH SCHEDULE	
UNIT 1	UNIT 1	6'-6"		3RD FLOOR	
	1ST FLOOR	5-70	1ST FLOOR		
1ST FLOOR	101 5'X5'6" SLD'G MET WINDOW	ALL GLASS TEMPERED	GUESTROOM	MASTER BEDROOM FLOOR: HDWD	
101 3'X7' WD 20 MIN F.R. DR W/ CLOSER	2ND FLOOR		FLOOR: HDWD BASE: WD	BASE: WD WALLS: 5/8" TYPE X GYP. BD.	
102 2'6"X8' LOUV WD DR 103 2'6"X8' SC WD DR			WALLS: 5/8" TYPE X GYP. CEILING: GYP. BD.	CEILING: 5/8" TYPE X GYP. BD	
104 2'X8' 5C WD DR	201 PR 4'X7' WD DH WINDOWS	2'-0" 4'-6" ? FIN FLR	HALLWAY	MASTER BATHROOM FLOOR: TILE MORTAR SET	
105 2'8"X8' SC WD DR 106 2'6"X8' SC WD DR	202 7'X5'6"MET SLD'G, SAFETY GL WINDOW	303 304	FLOOR: HDWD BASE: WD	BASE:TILE DRAWINGS	
107 2'6"X8' SC WD DR 108 12'X8' SLD'G GL MET DRS	UNIT 2		WALLS: 5/8" TYPE X GYP. BD. CEILING: 5/8" TYPE X GYP. BD.	WALLS: W.R. GYP. BD. CEILING: W.R. GYP. BD.	ļ
4 PANEL BI-PART'G	3RD FLOOR		MEDIA ROOM	BEDROOM #1	
2ND FLOOR	301 PR 3'6"X6' WD DH WINDOWS		FLOOR: HDWD BASE: WD	FLOOR: HDWD BASE: WD	
201. 3'X8' GL WD ENTRY DR	302 PR 4'X6' WD DH WINDOWS		WALLS: 5/8" TYPE X GYP. BD. CEILING: 5/8" TYPE X GYP. BD	WALLS: 5/8" TYPE X GYP. BD. CEILING: 5/8" TYPE X GYP. BD	
202 3'X8' GL WD ENTRY DR	303 MET WINDOWS SEE ELEVATIONS			BEDROOM #2	
203 PR 2'6"X8' SLD'G 5C WD DRS 204 2'4"X8' 5C WD PKT DR			BATHROOM FLOOR: TILE	FLOOR: HDWD BASE: WD	
205 12'X8' SLD'G GL MET DRS 4 PANEL BI-PART'G	NOTES:		BASE: TILE WALLS: W.R. GYP. BD.	WALLS: 5/8" TYPE X GYP. BD. CEILING: 5/8" TYPE X GYP. BD	
207 2'6"X8' FIXED MET DR	ALL WINDOWS LESS THAN		CEILING: W.R. GYP. BD.	BATHROOM	
UNIT 2	18 INCHES FROM FIN FLR TO BE TEMPERED GLASS(TEMP)		STUDY FLOOR: TILE	FLOOR: TILE MORTAR SET	
3RD FLOOR	ALL WINDOWS ADJACENT TO		BASE: TILE WALLS: W.R. GYP. BD.	BASE:TILE DRAWINGS	
	TUBS OR SHOWERS	×	CEILING: W.R. GYP. BD.	WALLS: W.R. GYP. BD. CEILING: W.R. GYP. BD.	5
301 2'6"X8' SC WD DR 302 PR 3'X8' LOUV BI-FOLD WD DRS	TO HAVE SAFETY GLASS		GARAGE FLOOR: CONC	HALLWAY	
303 3'X8' SLD'G SC WD BARN DR 304 2'6"X8' SC WD BARN DR	EMERGENCY ESCAPE WINDOW: 5.7 5Q FT MIN		BASE: NONE	FLOOR: HDWD BASE: WD	
305 2'6"X8' SC WD BARN DR 306 6'X8'BI SLD'6 MET 6L DR	20 NET WITH MIN		WALLS: 5/8" TYPE X GYP. BD. CEILING: 5/8" TYPE X GYP. BD.	WALLS: 5/8" TYPE X GYP. BD. CEILING: 5/8" TYPE X GYP. BD.	
SUD O XO DI SLO D MET OL OK	24 NET HGT MIN SILL TO BE LESS THAN 42" FROM				
	FIN FLOOR				
NOTES:			2ND FLOOR	4TH FLOOR	
ALL EXTERIOR GLAZED DOORS:				SUNROOM	
<ol> <li>DBL GLAZING ALL DRS</li> <li>GLAZING AT ALL DOORS TO</li> </ol>			LIVING AREA/KITCHEN FLOOR: HDWD	FLOOR: HDWD BASE: WD	
BE TEMPERED/SAFETY GLAZED			BASE: WD WALLS: 5/8" TYPE X GYP.	WALLS: 5/8" TYPE X GYP. CEILING: GYP. BD.	
			CEILING: GYP. BD.	VANITY	ł
			ENTRY FLOOR: HDWD	FLOOR: TILE BASE: TILE	
	-1		BASE: WD WALLS: 5/8" TYPE X GYP. BD.	WALLS: W.R. GYP, BD. CEILING: W.R. GYP, BD.	
	-		CEILING: 5/8" TYPE X GYP. BD.	STAIR	
			VANITY FLOOR: TILE	TREADS: HDWD RISER: HDWD	
			BASE: TILE WALLS: W.R. GYP. BD.	BASE: WD	
			CETLING: W.R. GYP. BD.		
		2	STAIR		
			TREADS: HDWD RISER: HDWD		
			BASE: WD		
			(		
		SKYLIGHT SCHEDULE			
		401 6'6"X12-6" RETRACTABLE HATCH 3'6"X10' IN MET FRAME			
		402 2'6"X2'6" MET SKYLT			
			2.40		1
			1.5		
		**			
	2				

## NOTES

ALL GYP. BD. FINISH SMOOTH

ALL WD TRIM AND DOORS TO BE SEMI-GLOSS

WOOD CASING: PROVIDE WD APRON ALL WINDOWS AND WD TRIM AT ALL DRS AND WINDOW HEAD AND JAMB TYP

AT BATHROOMS PROVIDE TILE TO CEILING AT ALLSHOWERS. TILE TO BE MORTAR SET AT ALL SHOWER ENCLOSURES

WILLIAM PASHELINSKY ARCHITECT 1937 HAYES STREET SAN FRANCISCO, CA.94117 415379 357 bilipash@gmail.com

ADDITION AND ALTERATIONS 1369 SANCHEZ STREET SAN FRANCISCO, CA.

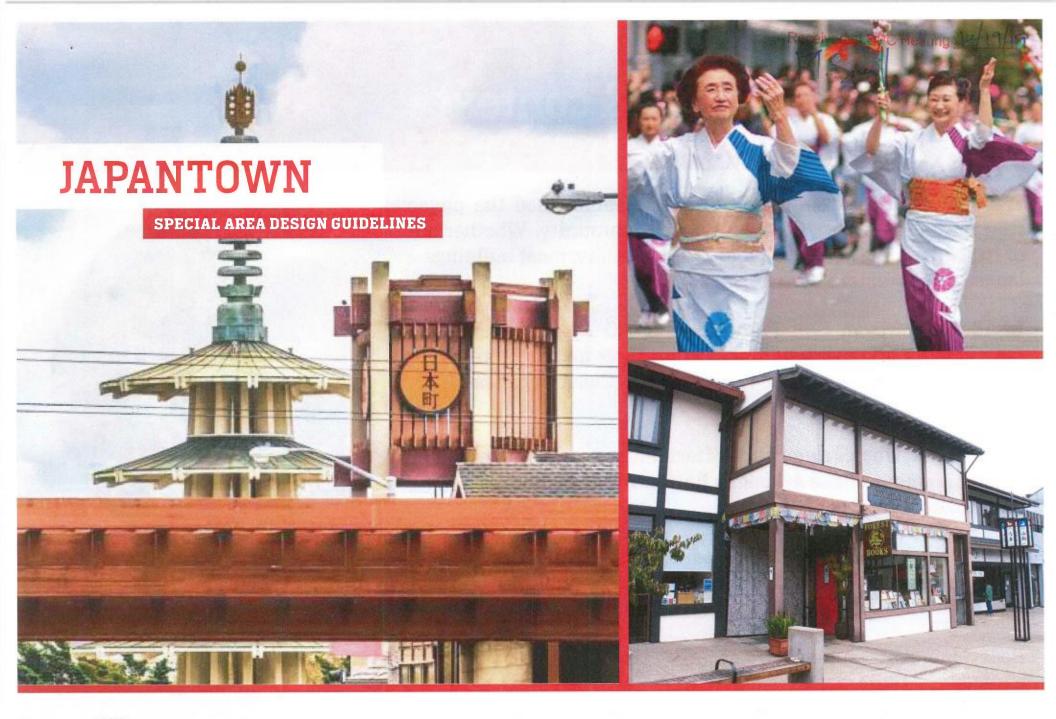
NO. DATE DESCRIPTION

A-6.01

PROJECT NO. 2015.20 SHEET

ALLIDEAS, DESIGNS, ARRANCEMENTS AND FLANS AS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF WILLIAM PASHELINSKY ARCHITECT AND WERE CREATED, EVOLUCE AND DEVELOPED DESIGNS, ARRANCEMENTS OF PLANS SHALL BE USED BY OR DISCLOSED TO ANY PENSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHAT SO EXECUTION FOR ANY PURPOSE WHAT SO EXECUTION FOR ANY PURPOSE WHAT SO EXECUTION FOR ANY PURPOSE







PLANNING COMMISSION - ADOPTION 19 December 2019



# Japantown history & context

**Western Addition** & **Post-Earthquake** established the physical core formation of Japanese-American Community. Whether out of frugality or the desire to avoid racial hostility, most buildings looked more Western than Japanese.

In 1942, however, San Francisco's 5,280 Japanese and Japanese Americans were forced from their homes by the wartime internment of the entire West Coast Japanese American population.

**In 1956**, after wholesale eviction of residents and businesses, **Redevelopment Phase A-1 began flattening entire blocks** of buildings south of Post Street...

St. Francis Square Cooperative Apartments became a model of multi-ethnic cooperative development, and of the Japan Cultural and Trade Center, which reflected the rise of Japan as a world power...

Redevelopment buildings of the 1970s–1980s, all proudly express traditional Japanese architectural influences. **Redevelopment's devastation also gave rise to a new movement within the City...** 





# Japantown history & context

From 2000–2001, the Japantown Preservation, Planning & Development Taskforce began the community planning discussion... from 2006-2009, the Japantown Better Neighborhood Planning (BNP) initiative - but ultimately rejected...

In 2013.

PANTOWN

CULTURAL HERITAGE and

ECONOMIC SUSTAINABILITY

STRATEGY

# Japantown Cultural Heritage and Economic Sustainability Strategy - JCHESS

10. Create Japantown Design Guidelines

KEY LEADERS Planning Department, community stakeholders, property developers

NEXT STEPS The Planning Department should complete development of these Japantown Design Guidelines in conjunction with the community and submit them to the Planning Commission for adoption.

# **Japantown Special Use District**

Planning Code Section 249.31(a)(4) Encourage the representational expression of Japanese architectural design and aesthetic for commercial, cultural, and institutional uses.

# Japantown guideline history & recent events

Design guideline concepts in 2011. Preparation in 2013–2014 . Put on hold for UDG adoption in 2018. In 2019, Japantown's Special Area Design Guidelines was revived.

Japantown Taskforce Board Meeting Votes in support: November 20 and December 10

**Public Meetings: November 21 and December 3** 

**J-SADG Drafts published:** November 27, December 6, December 10.





# Japantown additional feedback

# Letters of Support or Input:

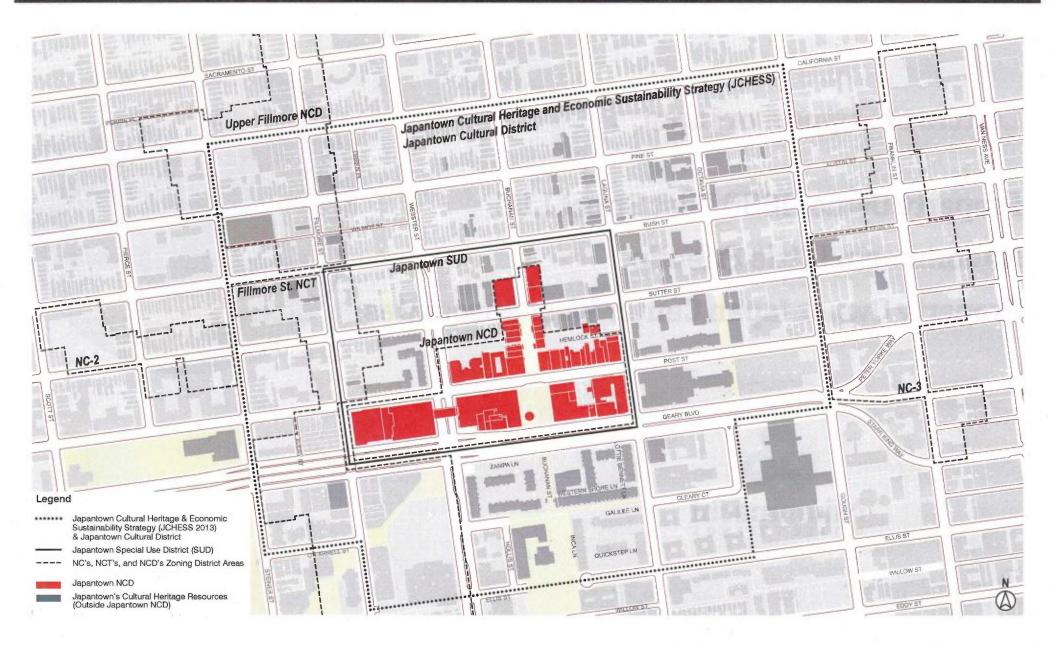
# Property Owner 1680 Post Street LLC Nahonmachi Little Friends Property Owner Japan Center West Associates





# **Japantown SADGs** applicability

e



# Japantown SADGs applicability matches the UDGs



Japantown NCD: All projects

R-Districts within the Japantown Cultural District:

Any nonresidential project

> Any residential project with 150 feet or more of frontage or 25 or more units

# **Japantown** values & authenticity

Japantown Values Inclusive, Flexible, Human-Centered, Community-building

Complexity of Authenticity Variable expression, Honoring past community choices, Approach with sensitivity

**Use of Design Concepts** 

Recognize influence of Japanese culture, Investigate meaning and appropriateness

# Racial & Social Equity Assessment

# Potential Benefits, Burdens, and Unintended Consequences and Mitigations

	Description	Stakeholder Impacted	Opportunity to enhance benefit
<b>Benefits</b> The Japantown SADGs should result in	Clearer expectations from City staff and community during design review, which reduces review time and design costs. This could also ad-dress/off-set some of the burdens below.	City staff, project sponsors, community	Consider modifying pre-app meeting application to call attention to these guidelines/how the project addresses them early on in the project.
	Designs that honor the context of Japantown in architecture, landscape, and public space.	City, community	Update guidelines at a future date to demonstrate new examples that continue the guidelines' relevancy.
	Active ground floor character which reinforces pedestrian patronage and business vitality.	City, community	
	Description	Stakeholder Impacted	Mitigation
Burdens The Japantown SADGs could result in	Potentially somewhat higher construction costs due to higher quality materials and design expectations.	Project sponsors	Look for other ways to reduce costs in the project that do not diminish the public expression or benefits within the project such as through streamlined review.
	Minor limitations on design flexibility.	Project sponsors	Better design and neighborhood cohesiveness should enhance property value.
Unintended Consequences The Japantown SADGs could result in	Potentially somewhat higher housing or retail rents/costs due to slightly higher construction costs due to higher quality materials and design expectations.	Community	Each site should be reviewed individually to evaluate the scale of those potential burdens and minimize them as is possible.

# S SITE DESIGN

- S3.1 Use Building Form to Respond to Character, Pedestrian Scale, and Use of Peace Plaza and Buchanan Mall/Osaka Way
- S4.1 Organize New Development to Support Peace Pagoda as a Visual Landmark
- S5.1 Build to Front Lot Line or Vary Building Front Setbacks Where Pattern Exists
- S8.1 Reinforce Neighborhood "Bowl" Shape



# **ORGANIZE NEW DEVELOPMENT TO SUPPORT PEACE PAGODA AS A VISUAL LANDMARK**

The Peace Plaza Pagoda is an important visual marker and can be seen from many public vantage points. This guideline is intended to encourage points of visibility but not to restrict development.

"Views to Peace Pagoda need to be preserved. It is a landmark only if it can be seen from afar."

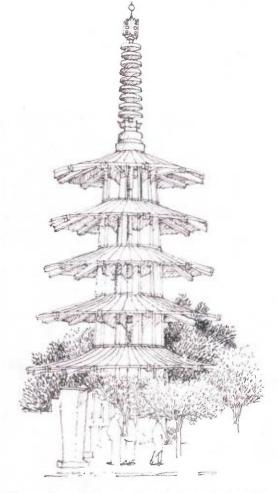
- » Shape the profiles of vertical building edges to frame views where possible.
- Mass taller buildings to accommodate visual access of Peace Pagoda from the axis of Buchanan Street, from pedestrians and vehicles on north side of Geary at Laguna, from pedestrians and vehicles on the south side of Geary at Webster, and from pedestrians on the Webster Street pedestrian bridge.
- Provide setbacks in private development to direct views from the street towards these two locations.
- » Provide publicly-accessible bay windows or rooftop viewpoints in new development that offer views.



Building edges can shape views from public space to help the pagoda read even if there is larger development.



Icons in Japantown layer against the backdrop of the city from many vantage points and connect them to the city at large.



The Peace Pagoda is a visual and cultural landmark in Japantown.

# A ARCHITECTURE



A1.1	Root Architectural Design Principles in those Found in Japantown
A3.1	Use Natural Materials in Facades and Finish Them Honestly
A5.1	Shape Rooflines to Support Building Form and Scale
A7.1	Integrate Signage with Building Architecture
A8.1	Use Transparency, Translucency, and Layering at the Ground Floor Facade

# A8.1

### USE TRANSPARENCY, TRANSLUCENCY, AND LAYERING AT THE GROUND FLOOR FACADE

Privacy, semi-private, and publicness can layer into a ground floor facade both providing enlivening activity by both provoking interest and curiosity. Storefronts in Japantown are characterized by a fine grain scale that address the pedestrian with elements including varying textures, layering and a pattern of solids and voids.



Landscape elements can help buffer the transition zones between inside and outside.

- Consider elements that provide transitional spaces between public realm and storefronts such as Engawas (Verandas).
- » Utilize sliding storefront windows where appropriate to the business to encourage openness and transparency.
- Consider screening elements that provide a sense of layering and depth. Treatments may include wood slats, decorative metals, glass, and interpretations of shoji or paper walls.
- » Expansive, undivided storefront windows are recommended to support window displays.
- Use deeply recessed alcoves to highlight entries and contribute to façade layering.
   Entries may face the sidewalk or located on the side.

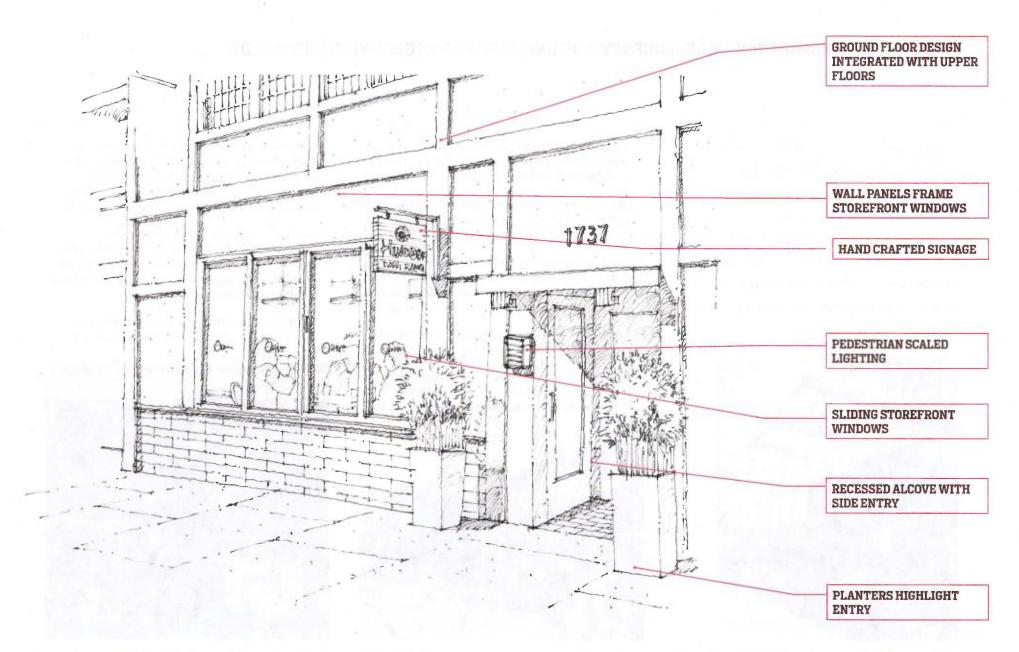


Screens, while they can seem more private, also invite light, some view, and variability.

- A minimal amount of wall surfaces may be appropriate to frame and give emphasis to storefront windows and maintain pattern of solids and voids. Blank surfaces should be textured and considered for sign placement.
- Contain storefront elements to within approximately 8-10' in height to maintain the existing pattern that supports a human scale.
   Projecting signage may extend above to meet clearance requirements.
- » Consider integrating natural elements into the ground floor design including planters or green walls.



Building recesses associated with screens can provide spatial layering between interior and exterior areas.



Elements of a common Japantown storefront.

# **PUBLIC REALM**

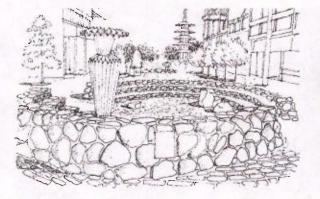


- P6.1 Balance Areas for Social Activity and Personal Space in Public Space Design
- P7.1 Highlight Sustainability Benefits of Open Space



### BALANCE AREAS FOR SOCIAL ACTIVITY AND PERSONAL SPACE IN PUBLIC SPACE DESIGN

Public space has a dual role in Japantown, it is both: a place for people to meet, come together, and hold events and a place for personal reflection and respite. Spaces include both intimate, walkable spaces such as Buchanan Mall and the auto-dominated Geary Blvd. Recommendations are intended to enhance the primary spaces while mitigating the impact of challenging conditions.



Use of natural materials is highly recommended.

- Incorporate nature into the public realm by utilizing natural materials such as stone, wood and metal for paving and built features.
- Provide both flexible open space for large crowds and smaller, intimate spaces for daily gathering.
- » Artwork that draws upon local Japanese culture and history are encouraged. Built features should promote transparency to maintain clear site lines across spaces.
- Preserve and maintain existing features that have cultural value to the community including the Ruth Asawa fountain and benches.
- » Maintain abundant sunlight to public spaces.
- » Asymmetric designs that encourage a fluid pedestrian experience are encouraged. Locate built features off center.



Landscape may be for a visual natural experience alone.

- » Coordinate public space design to highlight and respond to building entries and maintain visibility to storefronts.
- » Utilize special paving at crossings to increase crossing safety, highlight district and link open spaces together.
- Plant continuous street trees at the back of curb to create a buffer from traffic, encourage traffic calming, and enhanced pedestrian experience. Coordinate tree placement with utilities to maximize number.
- » Use subtle lighting that accentuates landscape, built features and promotes a safe nighttime environment.
- » Blank walls that front pubic spaces should be avoided in new development. For existing walls consider murals by community based artists.



The new Peace Plaza design proposal includes a variety of open and shaded areas.



# Department recommends adoption of the Japantown Special Area Design Guidelines

# Next public meeting will be held in March, 2020

# For more information

Contact: maia.small@sfgov.org sfplanning.org/project/japantown-special-area-design-guidelines







# SAN FRANCISCO PLANNING DEPARTMENT

2019-022159CWP

# Planning Commission Draft Resolution

Japantown Special Area Design Guidelines

Current and Citywide Planning Divisions

maia.small@sfgov.org, 415-575-9160 Jeff Joslin, Director of Current Planning

jeff.joslin@sfgov.org, 415-575-9117

Maia Small, Principal Urban Designer and Architect,

HEARING DATE DECEMBER 19, 2019

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

Project Name: Case Number: Staff Contact:

Reviewed by:

RESOLUTION ADOPTING THE JAPANTOWN SPECIAL AREA DESIGN GUIDELINES FOR ALL PROJECTS IN THE JAPANTOWN NEIGHBORHOOD COMMERCIAL DISTRICT, AND FOR PROJECTS IN RESIDENTIAL DISTRICTS WITHIN THE JAPANTOWN CULTURAL DISTRICT THAT INCLUDE TWENTY-FIVE OR MORE RESIDENTIAL UNITS, 150' OR LONGER STREET FRONTAGE, OR NON-RESIDENTIAL USES; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, IN 2013, the Planning Commission adopted the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS) which included the strategy to "Create Japantown Design Guidelines";

WHEREAS, the Planning Department, in response, has developed the Japantown Special Area Design Guidelines through an analysis of best professional architectural practices, research into the history of Japantown, and community feedback that cover the topics of Site Design, Architecture, and Public Realm;

WHEREAS, the Japantown Special Area Design Guidelines support the built environment goals and values found in the General Plan that include that new projects be contextual and reflect existing neighborhood architecture and urban patterns; contribute high quality design to the city based on best professional standards and practices; enhance neighborhood uniqueness and cultural character; support an active pedestrian environment and human-scaled design; and reinforce sustainability practices.

WHEREAS, the Japantown Special Area Design Guidelines are developed to work in concert with the Urban Design Guidelines and to supersede them in case of conflict, and will not modify the General Plan;

WHEREAS, the proposed guidelines are not defined as a project under the California Environmental Quality Act Sections 15378 and 15060(c)(2) because they do not intensify development or change or affect zoning or transportation in the built environment;

# CASE NO. 2019-022159CWP Japantown Special Area Design Guidelines

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at public hearings and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties on December 5th.

WHEREAS, the Department will schedule additional outreach meetings with the Japantown community at the guidance of the Japantown Task Force to inform the community of the intent, meaning, and impact of the Japantown SADGs, to correct any factual errors in the introduction section, and revise any supportive text or images within the design guideline pages to clarify guideline usage as long as it does not include substantive changes.

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

MOVED, that the Planning Commission hereby approves the proposed Japantown Special Area Design Guidelines (included as Exhibit A) for all projects in the Japantown Neighborhood Commercial district, and for projects in residential districts within the Japantown cultural district that include twenty-five or more residential units, 150' or longer street frontage, or non-residential uses.

The effective date for application of the Japantown Special Area Design Guidelines will be for site permits or project applications submitted on or after December 20, 2019.

#### FINDINGS

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

1. General Plan Compliance. The proposed Japantown Special Area Design Guidelines (J-SADGs) are consistent with the following Objectives and Policies of the General Plan:

# URBAN DESIGN ELEMENT

**OBJECTIVE 1** 

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

Policy 1.3 Recognize that buildings, when seen together, produce a total effect that characterizes the city and

The proposed J-SADG S8.1. "Reinforce Neighborhood "Bowl" Shape" encourages new projects to relate and extend the existing context of Japantown to support its identity to members of the community—both locally and regionally-- and to visitors.

Protect and promote large-scale landscaping and open space that define districts and topography.

The proposed J-SADG requires projects to "S3.1 Use Building Form to Respond to Character, Pedestrian Scale, and Use of Peace Plaza and Buchanan Mall/Osaka Way," two areas of Japantown identified by community members as essential open spaces to be protected.

Emphasize the special nature of each district through distinctive landscaping and other features.

The proposed J-SADG P3.1 requires projects to "Create Public Space that Supports Cultural Activities."

#### **OBJECTIVE 2**

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

The proposed J-SADGs include the guideline S4.1 to "Organize New Development to Support Peace Pagoda as a Visual Landmark," which requires new projects to maintain the importance visual connection and presence of the Peace Pagoda, identified as a key cultural asset by community members.

Respect the character of older development nearby in the design of new buildings.

The proposed J-SADGs include the guideline A1.1 to "Root Architectural Design Principles in Those Found in Japantown," which requires projects to recognize and respond to neighboring building and the heritage of Japantown's development. The proposed J-SADGs include the guideline A5.1 to "Shape Rooflines to Support Building Form and Scale," which requires projects to reflect the overall existing pattern of building scales and their collective created topography.

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

#### Policy 3.2

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

The proposed J-SADGs include the guideline A3.1 to "Use Natural Materials and Finish them Honestly," which requires new development to recognize the neighborhood self-defined cultural values around natural elements, simplicity, and resiliency to fit into the context of Japantown.

#### **OBJECTIVE 4**

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY

#### Policy 4.12

Install, promote and maintain landscaping in public and private areas.

The proposed J-SADG S5.1 requires projects to "Build to Front Lot Line or Vary Building Front Setbacks Where Pattern Exists" including adding landscaping to sidewalk areas for public enjoyment and stormwater management.

#### Policy 4.13

Improve pedestrian areas by providing human scale and interest.

The proposed J-SADG A8.1 requires projects to "Use Transparency, Translucency, and Layering at the Ground Floor Facade" to enhance the pedestrian experience and encourage neighborhood activity.

# COMMERCE AND INDUSTRY ELEMENT

#### **OBJECTIVE 6**

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

#### Policy 6.7

Promote high quality urban design on commercial streets.

The proposed J-SADGs include the guideline A8.1 to "Use Transparency, Translucency, and Layering at the Ground Floor Facade" which requires projects to make active uses visually evident in neighborhood commercial areas

- 2. Planning Code Section 101 Findings. The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:
  - 1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed J-SADGs would enhance neighborhood-serving retail by retaining and supporting the maintenance of its use and built environment character.

 That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods; The proposed J-SADGs would enhance the retention and maintenance of neighborhood character by requiring that new projects be compatible with neighborhood characteristics at the site design, architecture and public realm scales.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed J-SADGs would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed J-SADGs would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

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

The proposed J-SADGs would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

The proposed J-SADGs would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed J-SADGs would not have an adverse effect on the City's Landmarks and historic buildings because these guidelines do not apply to historic resources.

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

The proposed J-SADGs would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

3. The application of the J-SADGs will support neighborhood compatibility and encourage the use of best professional design practices in the Japantown Neighborhood Commercial District.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Japantown Special Area Design Guidelines as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on DECEMBER 19, 2019.

Jonas P. Ionin Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:



December 9, 2019

Glynis Nakahara, Co-Chairperson JTF Land Use and Transportation Committee

Dear Glynis,

Thank you for the opportunity to give feedback on the proposed Japantown Special Area Design Guidelines (SADG). As a non-profit property owner that has recently completed construction of a new building addition in Japantown, Nihonmachi Little Friends (NLF) believes that community specific design guidelines would have been helpful both in designing our new building and in making the overall process more efficient and more economical, especially in working with the Planning Department.

From the outset of our new building project NLF emphasized the need to retain a Japanese/Japanese American cultural feeling for the structure and the site, and in particular making the new building addition complement our historic 1830 Sutter building. Without guidance specific to Japantown, NLF's building committee had to develop an architectural vision and design vocabulary on its own. Our lay committee members then had to educate the "pros" about the types of features we felt would harmonize with the neighborhood, the existing historic building, and express the Japanese American experience. The proposed design guidelines would have made that process easier, giving us all (NLF, architects, community and Planning) common concepts and a common language to work with.

Looking at the draft SADG, there do not appear to be any requirements that would have increased the cost of our building through design or required materials. Like any property owner we looked to spend our money wisely and having the opportunity to look ahead, through the content of the design guide-lines, would have made it easier to make decisions regarding the exterior finishes and features.

One of NLF's goals is to bring our students and their families into the community. Learning to appreciate the community culture does not take place only in the classroom. Our students can often be seen walking through the community with their teachers. The distinctive sense of place and culture visible in Japantown enriches our efforts as educators and the lives of our families.

The forced dispersal of the Japanese American community during World War II and Redevelopment makes the preservation of Japantown important as a center for community-based institutions and small businesses, and as a community gathering point that keeps our culture alive and cohesive. Nihonmachi Little Friends is pleased to support the proposed design guidelines and their reinforcement of the enduring community spirit of Japantown.

Sincerely,

Cury chan

Cathy Inamasu, Executive Director

From:	Robert Kiichi Sakai
То:	Glynis Nakahara
Cc:	kenta takamori@yahoo.com; Small. Maia (CPC)
Subject:	Re: Design Guidelines Support Letters
Date:	Tuesday, December 17, 2019 10:18:42 AM

#### To San Francisco Planning Commissioners

My name is Robert Sakai. I am a property owner in the San Francisco Japantown. My family has worked and lived in the current Japantown since it's inception after the 1906 earthquake.

I am in favor of the San Francisco Japantown Guidelines that you will reviewing. I urge you to support these guidelines. In the coming years I worry that the unique culture that is Japantown will be allowed to disappear.

I am not opposed to development, but simply ask that developers respect and listen to our community when they seek to develop in our neighborhood.

Respectfully yours,

Robert Kiichi Sakai K. Sakai Company 1680 Post LLC Managing Partner

Sent from my iPhone

#### Japan Center Associates West, LP

468 N. Camden Drive, Suite 300 Beverly Hills, CA 90210 Tel: (310)-276-1290 / Fax: (310)-276-1590

Ms. Glynis Nakahara Mr. Kenta Takamori JTF Land Use Committee for The Japantown Special Area Design Guidelines (SADG) Committee Japantown Task Force, Inc. 1765 Sutter Street 3rd Floor San Francisco, California 94115

December 12, 2019

RE: JCHESS – Japantown Special Area Design Guidelines – Revised Draft December 10, 2019

Dear Japantown Special Area Design Guidelines (SADG) Committee,

We appreciate your invitation to respond to the revised draft of the Japantown Special Area Design Guidelines, issued on December 10, 2019. Thank you for reconsidering the language of sections S3.1, S4.1 and S8.1. We agree with the modifications you made on these sections except for point #2 of section S4.1.

Point #2 currently states: Mass taller buildings to accommodate visual access of Peace Pagoda from the axis of Buchanan Street, from pedestrians and vehicles on the north side of Geary and Laguna, and from pedestrians on the Webster Street pedestrian bridge.

We understand the intent of Point #2, but believe it is too restrictive for future development. We have studied the views of Peace Pagoda from the Webster Street pedestrian bridge, and from the northern intersection of Geary and Laguna. It is evident that a new development, with any additional height at the East and West Malls, would impede visual access of Peace Pagoda from these specific locations. As outlined in the Draft Japantown Better Nieghborhood Plan 2009, Geary is better suited for taller buildings than Post Street but this language contradicts the idea of higher density along Geary. We would like you to reconsider the language to be less specific and more aspirational.

Our recommendation: Mass taller buildings to accommodate visual access of Peace Pagoda from the axis of Buchanan Street. Taller buildings along Geary should use transparency and massing to feature Peace Pagoda and provide visual access where possible.

Geary and Laguna:

Webster Pedestrian Bridge:



Thank you for your consideration.

Sincerely,

Daniel F. Byron II Director of Asset Management 3D Investments, LLC for Japan Center West Associates, LP

cc: Maia Small, San Francisco Planning Department

Received at CPC Hearing

June 10, 2019

President Myrna Melgar San Francisco Planning Commission 1650 Mission Street San Francisco, California

Dear President Melgar:

This letter has two requests concerning Demo Calcs.

First, that the Planning Commission adjust the Demolition Calculations (aka "values") as defined at Planning Code Section 317 (b) (2) (B) and Planning Code Section 317 (b) (2) (C).

And second, the Planning Commission ask the City Attorney if the Commission can further adjust the Demolition Calculations to align with the three adjustments to the values that the Zoning Administrator has made regarding Administrative Approval of Demolitions over the past five years.

#### Adjusting Demo Calculations per Section 317

Please see Part 7, page 27 of "Zoning Controls on the Removal of Dwelling Units, A San Francisco Planning Code Implementation Document, October 2010". The "values" of the Demo Calcs are also defined here. Regarding the Demo Calcs it says,

"The following values are subject to non-legislative updates **and may be adjusted periodically by the Planning Commission** <u>to further the efficacy</u> of Section 317, in order to promote the objectives of the General Plan and Planning Code".

And what is that efficacy? As it says in Section 317 (b) (2) (D):

"...to conserve existing sound housing and preserve affordable housing."

I know that you and the other Commissioners understand this issue. All I would add is that there have been many extreme alterations over the past four to five years. Maybe even longer. These alterations have used the current Demo Calcs to their Project Sponsor's advantage and are masking the fact that they really are Demolitions. Whether it is called "Tantamount" or "DeFacto", the outcome is the same — no efficacy for promoting the *objectives*.

Previously I submitted to the Commission for the record a list of over 70 projects, mostly in Noe Valley that are with a few exceptions, speculative projects that have had exponential increases from the pre-work sale of the property to the post-work sale of the property, with an average increase of \$3 million+. Additionally, back in December of 2015, Commissioner Richards and Staff looked over a sample of five projects in Noe Valley. At that time, according to Staff's analysis, 40% of the projects from the sample should have been reviewed as actual Demolitions, not as Alterations.

The Commission has the right and may seize the reins and make an adjustment per <u>Section</u> <u>317 (b) (2) (D)</u> regardless of any legislation that may or may not be coming over from the Board. The Commission has never adjusted the values of the Demolition Calculations since Section 317 was enacted....although I don't know why there is any reason that you could not adjust them on the Consent Calendar? While I did not agree with the RET because it did not have a definition of Demolition, I am sorry that it was withdrawn. At least there would have been a debate over the past year and a half, instead of nothing.

#### Further Adjustment to Demolition Calculations

I am also asking that the Commission request the City Attorney to issue an opinion as to whether or not the Commission can adjust the Demo Calcs beyond the amount defined by the values in <u>Section 317 (b) (2) (B)</u> and <u>Section 317 (b) (2) (C)</u>.

The Zoning Administrator has adjusted the values for the RH-1 at least three times since Section 317 was added to the Planning Code. (There have likely been more times than three\* but the three that are published, I submitted previously for the Record during General Public Comment). Any proposed Demolition in the RH-1 could receive Administrative Approval from the ZA with an official appraisal, if that appraisal is greater than the dollar amount of the value at that time. In March 2014 the value was \$1.506 million; by November 2015 the value was \$1.63 million and the value was most recently increased to \$1.9 million in December 2017. According to recent correspondence with Mr. Teague the value will be increased again shortly.

Why should the Planning Commission further adjust the values for the Demo Calcs to "catch up" to the adjustments the Zoning Administrator has made to the RH-1 values since 2014 and *"...to further the efficacy of Section 317..."*?

One reason is that the original idea for what is nicknamed "the Pacific Heights Exemption" was that some RH-1 neighborhoods were more *naturally unaffordable* and that a Demolition in these neighborhoods would not have an effect on the intent of Section 317 because some of these zoned neighborhoods were already expensive and affordable housing *would not* be lost by approving a Demolition. By making further adjustment to the Demo Calcs the Commission could better protect the more *naturally affordable* neighborhoods and homes from Demolitions masked as Alterations regardless of the underlying zoning just as the Zoning Administrator does in the RH-1 neighborhoods that may still be *naturally affordable*.

Another reason is that prior to March 2014, I cannot find any officially published listing of the value for the RH-1\*. However, I have attached a letter concerning the request for a Section 317 exemption for the Demolition of 125 Crown Terrace dated April 2009. According to the letter at that time "properties containing single-family dwellings must be valued at \$1.54 million or more to be exempt from this ordinance". Putting aside the later permit history at 125 Crown Terrace, the attached letter concerning its appraised value suggests that the values in San Francisco were flat (or even fell) for quite a long period of time (in parallel with the economic crisis and recovery for those years 2008 to 2014). However the recent rapid rate of increase of the RH-1 value as adjusted by the ZA *three times* since 2014 illustrates the affordability crisis....and the highly speculative nature of the market. This should be offset by further adjusting the values of Demo Calcs by the Planning Commission as Section 317 intended.

Another reason for further adjustment to the Demo Calcs by the Commission is that Part 7 of the Periodic Adjustment to the Criteria includes both criteria for the Commission's adjustments and the criteria for the Zoning Administrator's adjustments to the values on the same Part 7, page 27 of the Code Implementation Document (CID). I discussed this history of both of these values on May 6, 2019 hearing during General Public Comment and submitted my testimony which is in the approved Minutes.

Another reason is that in the original legislation as passed by both the Planning Commission and the Board of Supervisors, Section 317 (d) (3) (A) regarding the adjustment of the values for

the RH-1 was to have the adjustment made by the Planning Commission and not the Zoning Administrator. This language in the Code has not changed and still says that the Planning Commission makes the adjustment. The Code Implementation Document gives the ZA this job of making the actual adjustment in the document. (The CID is dated October 2010 which says the ZA makes the adjustments, while the letter on Crown Terrace from the ZA is dated a year and a half earlier on April 29, 2009. However <u>Section 317 (d) (3) (A)</u> does grant the authority to the Planning Commission, just as it does in Section 317 (b) (2) (D). Section 317 was finalized and signed by Mayor Newsom on April 17, 2008. The powers in Section 317 to adjust all values seem to be linked to the Planning Commission. The rationale to adjust is linked.

Another reason is that since the new ADU legislation there are technically no more RH-1 zoned neighborhoods. This came up in the Commissioner's discussion at the June 6th at General Public Comment. The Commission needs to recalibrate the values overall and catch up by enacting further adjustments.

The most important reason for further adjustments is the original intent of Section 317. For the past five years housing in San Francisco has been besieged by the boom economy or as some like to call it, "the money bomb". Mitigating this impact and catching up with the original intent of Section 317 to "....conserve exciting housing and preserve affordable housing" is more than necessary.

In addition to the 125 Crown Terrace letter, I am attaching my work sheet of what the Demo Calcs could be, whether adjusted once or three times. These numbers are based on the maximum adjustments to <u>Section 317 (b) (2) (B)</u> and <u>Section 317 (b) (2) (C)</u> as allowed by <u>Section 317 (b) (2) (D)</u>. The third attachment that the Commission may find helpful, as well as historically import is from an unpublished case from the Court of Appeal, First District, Division 2, California. It is entitled, "Ara TEHLIRIAN et al, Plantiffs and Appellants, v. City and County of San Francisco, Defendant and Respondent; Jose Morales, Real Party in Interest and Respondent. It concerns the issues at the heart of this request for a further adjustment to the Demolition Calculations by the Planning Commission.

#### Closing

It took the better part of the first decade of the 21st century to get an Ordinance passed that created Section 317. Section 317 has its faults, but the intent is very sound. There was no major opposition to it as best I can tell from the record when it was before decision makers more than a decade ago. Adjusting the values of the Demo Calcs in 2019 would be a good thing. Please consider adjusting them at least once and please consider asking the City Attorney if you may use your powers as a Planning Commission to go even further.

Sincerely,

Georgia Schuttish 460 Duncan Street

- cc: Commission Vice President Koppel; Commissioner Moore; Commissioner Fung; Commissioner Johnson; Commissioner Richards; Commissioner Hillis Deputy City Attorney Kristen A. Jensen; Deputy City Attorney Kate Stacy
- att: Letter re: Crown Terrace from L. Badiner to A. Brown; 4/29/2009 Work Sheet on Demo Calcs (G. Schuttish) Tehlirian v. City and County of San Francisco (WestlawNext) © 2016 Thomson Reuters



# SAN FRANCISCO PLANNING DEPARTMENT

#### April 29, 2009

Ms. Amy Brown Director of Real Estate Real Estate Division General Services Agency 25 Van Ness Avenue, Suite 400 San Francisco, CA 94102

RE:

Residential Appraisal Report 125 Crown Terrace 2719B/003 1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

Dear Ms. Brown:

Attached, please find a copy of a Residential Appraisal Report for the above-mentioned property for your review and comments.

Due to the continuing shortage of affordable housing in San Francisco, a public hearing before the Planning Commission is required prior to the approval of any permit that would remove existing housing, with certain exceptions. Section 317. Loss of Dwelling Units through Merger, Conversion, and Demolition, within the Planning Code was adopted in May of 2008 to address these issues. The Zoning Administrator may modify economic criteria related to property values and construction costs as warranted by changing economic conditions to meet the intent of this Section, therefore, the exception to Section 317 of the Planning Code requires that properties containing single-family dwellings must be valued at \$1.54 million or more to be exempt from this ordinance.

The submitted appraisel indicates the croperty value is \$1.6 million, while ZILLOW.COM lists the value as approximately \$750.000 Your comments regarding the accuracy of the submitted document would be appreciated. If you have any questions, please contact Cecilia Jaroslawsky at (415) 558-6348.

Thank you.

Sincerely.

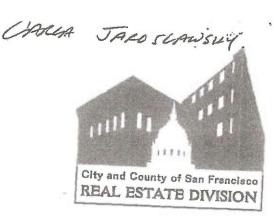
Lawrence E Badiner Zoning Administrator Acting Director

cc: Cecilia Jaroslawsky, Planner Encl. G:LETTERS OF DETERMINATION VZA LETTER.doc





Amy L. Brown Director of Real Estate



May 15, 2009

REI 09-07

Larry B. Badiner Zoning Administrator Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Subject: | Residential Appraisal Report - 125 Crown Terrace Block 2719B, Lot 003

Dear Mr. Badiner:

At your request we completed a brief review of the appraisal report prepared by Brian Cassidy for the single family residence located at 125 Crown Terrace and have the following comments:

1) The Appraiser used three "comparable" sales to justify the \$1,600,000 indicated value.

The record shows that Comparable Sale No. 1 sold in June 2007 (not July 2008) for \$1,850,000 (not \$1,995,000). From June 2007 to January 2009 (the date of value) property values have trended lower. The site area is 8,489 sf (potential for two sites) versus 3,700 sf for the subject property and the living area 1,795 sf versus 878 sf for the subject property. In our opinion the adjustment for site area should be greater than the \$200,000 used by the appraiser. The appraiser adjusted for the difference in living area based on \$75 sf. In our opinion this adjustment should have been higher (closer to the \$225 sf the appraiser used in his cost approach).

The other two comparable sales also had considerably more living area. Again this adjustment should have been greater.

2) The subject property sold for \$250,000 in August 2006 at the real. of the market

It is therefore our opinion that the market value of the subject property in January 2009 was,considerably less than \$1,600,000.

I:\Work\LRitter\RE Inquiries\09 07\_Planning\_125CrownTerrace.doc

)ffice of the Director of Real Estate · 25 Van Ness Avenue, Suite 400 · San Francisco, CA 94102 (415) 554-9850 · FAX: (415) 552-9216

65%/or/ 50% and 50% Biz. C. Cz 14. Bi YEAR1 40.0% 40% 40% 52 % -32°/8 32°/1 41.69% 32 % YEAR2 25.6% 25.6% 33.28% 25.6% YEAR 3 26.62 70 20.48% 20 48% YEAR 4?? 20.480%

2018-2019 WORK SITEET "PLANMING CODE SECTIONS 317(b)(2)(B) 317(b)(2)(C)

current demo calcs.

317(b)(2)(0)YEARSI-3

YEAR A

MATCH ADJUSTMENTS TO VALUES FOLLOWING ZA 2014 - 2018

HYPOTTETICAL ADJUST-MENT??

ATTACH MENT 2

# NUMERICAL CRITERIA VALUES FOR RH-1 from 2009 - September 12, 2019

\$2.2 MILLION July 2019

## \$1.9 MILLION

December 2017

# \$1.63 MILLION

November 2015

\$1.54 MILLION April 2009

\$1.506 MILLION March 2014

\$1.3 MILLION August 2013

No Adjustment to Demo Calculations for RH-2 and RH-3 since Code Implementation Document, October 2010

2009 value stated in 4/29/2009 ZA Letter to Amy Brown re: Crown Terrace; 2013 value based on RJ&R memo by D. Silverman found on Internet; All other values published by Planning Department in "Removal of Dwelling Units Periodic Adjustment to Numerical Criteria"

Tehlirian v. City and County of San Francisco, Not Reported in Cal. Rptr.3d (2007)

KeyCite Red Flag - Severe Negative Treatment Unpublished/noncitable

2007 WL 779353 Not Officially Published (Cal. Rules of Court, Rules 8.1105 and 8.1110, 8.1115) Only the Westlaw citation is currently available.

California Rules of Court, rule 8.1115, restricts citation of unpublished opinions in California courts.

Court of Appeal, First District, Division 2, California.

Ara TEHLIRIAN et al, Plaintiffs and Appellants,

V.

CITY AND COUNTY OF SAN FRANCISCO, Defendant and Respondent; Jose Morales, Real Party in Interest and Respondent.

No. A112246. | ( San Francisco City and County Super. Ct. No. 505035). | March 16, 2007.

**Attorneys and Law Firms** 

James Brandan Kraus, Andrew Mayer Zacks, Zacks Utrecht & Leadbetter P.C., San Francisco, CA, for Plaintiffs and Appellants.

Susan S. Cleveland, Sarah Ellen Owsowitz, Office of the City Attorney, San Francisco, CA, for Defendant and Respondent.

Raquel Fox, Tenderloin Housing Clinic, Inc., San Francisco, CA, for Real Party in Interest and Respondent.

Opinion

LAMBDEN, J.

\*1 Appellants Ara Tehlirian, Berg Tehlirian, and ABT LLC (petitioners)<sup>1</sup> seek reversal of the superior court's denial of their petition for writ of administrative mandate, as well as an order directing issuance of a writ to the San Francisco Board of Appeals instructing them to reconsider petitioners' permit application and make legally relevant findings. We affirm the superior court's denial of their petition.

#### BACKGROUND

Petitioners own an old residential duplex located a 572-572A San Jose Avenue in San Francisco, purchased by Ara and Berg Tehlirian in 1994. The duplex consists of two units, one on the ground floor and one on the second floor, each containing two bedrooms and one bath, and measuring approximately 750 square feet. Real party in interest Jose Morales, 76 years old as of June 2005 and a self-described "low-income senior," has resided in one of the two residential units in the building since 1965; the other unit has been vacant during this dispute.

In November 2002, petitioners, through their architect, Best Design and Construction, submitted a building permit application to the Department of Building Inspection for the **City and County of San Francisco (City)**.<sup>2</sup> The proposed project would remove the existing brick foundation, convert the ground floor residential unit into a two-car garage and storage facility, renovate the second floor residential unit, and add a third floor, to be used as a second residential unit. The project would add 335 square feet to the ground floor, 368 square feet to the second floor, and a 1,038 square foot third floor, extending the building in the front and back.

Morales requested the Planning Commission (Commission) conduct a discretionary review of petitioners' application. The subsequent Planning Department staff report to the Commission summarized petitioners' proposed project as follows:

"The proposed project aims to convert the first floor into a garage (currently it is used as a dwelling unit), in order to provide parking for the two dwelling units located above. The second floor the existing dwelling unit, the entryway, [*sic*] and provides a horizontal rear addition of 135 square feet. It proposes a horizontal front addition of 625 square feet and a new bay window. This second floor unit has two bedrooms and two bathrooms. The proposal also includes a vertical addition, a new third floor to house the second dwelling unit. The unit has two bedrooms and two bathrooms and is larger than the existing dwelling unit by approximately 300 square feet. The re-modeled units measure approximately 1,050."

According to the Planning Department staff summary, Morales was "concerned that his displacement will affect his health, he will incur relocation costs, and that the proposal will result in increased rental costs. The tenant is also concerned that the project would reduce the city's affordable housing stock."

\*2 After further analysis, the Planning Department staff reported: "There are concerns that this project is a demolition. The Department of Building Inspection has made the determination that this project is an alteration, not a demolition. Therefore, the Planning Department has received the application as an alteration." The staff recommended that the Commission not take discretionary review and approve the project as proposed. The Commission subsequently conducted a discretionary review of the project and denied the building permit application in October 2003 by a four-to-one vote, based on the following findings:

ă

"The proposed project is not a major alteration but a de facto demolition; [J] The project would result in the de facto loss of affordable housing by improving and expanding the existing units that are currently accessible to lower-income tenants because of their size and relative lack of amenities; [J] The proposal might result in the displacement of an elderly man with limited income; and [J] Any conditions of approval attached to the building permit relating to rental rates, relocation, tenant's right of return, and other arrangements made between the landlord and tenant would not be enforceable by the [Commission]."

Petitioners appealed to the Board of Appeals (Board) on the ground that the Commission erred in its determination that the alterations were a de facto demolition. In February 2004, the Board heard statements from, among others, Ara **Tehlirian**, Morales, and the public. Ara **Tehlirian** stated that he and his family wanted to move to **San Francisco** and live on the premises in order to be closer to family, and needed to make the alterations called for by the project in order to do so. The Board voted three to two to overrule the denial and grant the permit with conditions as presented by petitioners, which vote was insufficient to overturn the denial. After a rehearing in November 2004, the Board voted three to two to uphold the denial. The Board did not make specific findings regarding either ruling.

Petitioners filed a petition for a writ of administrative mandate in superior court pursuant to Code of Civil Procedure section 1094.5. The court denied the writ in September 2005, finding that the Board had substantial evidence before it that the project would impact the City's health, safety, and welfare by reducing its stock of affordable housing. This timely appeal followed. We have granted each party's request for judicial notice of certain documents. These include excerpts from the Housing Element of the City's General Plan and documents related to petitioners' notice of withdrawal of the rental unit occupied by Morales pursuant to the Ellis Act, which we discuss further, *post.*<sup>3</sup>

#### DISCUSSION

On appeal, petitioners argue that (1) the board "failed to proceed in a manner required by law because it failed to make findings in affirming the Commission's decision to deny the permit"; and (2) "there is no substantial evidence to support the findings that the proposed remodel is either a demolition or would negatively affect the City's affordable rental housing stock." Neither argument has merit.

#### I. The "Fi ndings" Issue

**\*3** Petitioners argue that the Board failed to make findings in this case, constituting an abuse of discretion under Code of Civil Procedure section 1094.5, citing *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515 (*Topanga*) and *Hadley v. City of Ontario* (1974) 43 Cal.App.3d 121, 127-129 (*Hadley*).)

Code of Civil Procedure section 1094.5, subdivision (b) states in relevant part that "[a]buse of discretion is established if the respondent has not proceeded in the manner required by law, the order or decision is not supported by the findings, or the findings are not supported by the evidence." This section "clearly imports a duty on the part of the administrative agency to make findings as a basis for judicial review." (Hadley, supra, 43 Cal.App.3d at p. 127, citing Topanga, supra, 11 Cal.3d at pp. 515-517.) However, this duty has not been extended to appellate bodies reviewing administrative agency decisions. (Ross v. City of Rolling Hills Estates (1987) 192 Cal.App.3d 370, 376 (Ross ) [stating, "[b]y affirming the Commission's decision, the Council in effect adopted its findings"]; Carmel Valley View, Ltd. v. Board of Supervisors (1976) 58 Cal. App.3d 817, 823 (Carmel Valley View ) [the action of the board of supervisors in effect adopted the findings of the Commission].)

Here, the Commission made specific findings, which we quote in the discussion portion above. These findings "are

sufficient to apprise the parties and the court of the basis" for the City's action here. (*Ross, supra*, 192 Cal.App.3d at p. 377.) The Board, by upholding the Commission's ruling, in effect adopted these findings. (*Id.* at pp. 376-377; *Carmel Valley View, supra,* 58 Cal.App.3d at p. 823.) Petitioners' argument is without merit.

#### II. The Substantial Evidence Issue

#### A. Substantial Evidence Standard of Review

The parties agree that because the right at stake is not a fundamental right, we apply a substantial evidence standard of review (*Strumsky-v. San Diego County Employees Retirement Assn.* (1974) 11 Cal.3d, 28, 44-45), doing so to review the Board's decision, not the trial court's. (*Auburn Woods 1 Homeowners Assn. v. Fair Employment & Housing Com.* (2004) 121 Cal.App.4th 1578, 1583 (*Auburn* ).) In reviewing the validity of the Board's decision, Code of Civil Procedure section 1094.5 requires we inquire into whether the Board "acted in excess of its jurisdiction and whether there was any prejudicial abuse of discretion." (*Auburn*, at p. 1583.) Abuse of discretion is established if the Board "failed to proceed in the manner required by law or its finding ... is not supported by substantial evidence in light of the whole record." (*Ibid.*)

We exercise the same function as the trial court and must decide if the Board's findings were based on substantial evidence. (Auburn, supra, 121 Cal.App.4th at 1583.) We do not reweigh the evidence, and must view the evidence in the light most favorable to the Board's findings and indulge in all reasonable inferences in support thereof. (Ibid.) " " "We may not isolate only the evidence which supports the administrative finding and disregard other relevant evidence in the record. [Citations.] On the other hand, neither we nor the trial court may disregard or overturn the [Board's] finding "for the reason that it is considered that a contrary finding would have been equally or more reasonable" " " (Ibid.) We must uphold the Board's decision " 'unless the review of the entire record shows it is so lacking in evidentiary support as to render the decision unreasonable." " (Ibid.) " 'Substantial evidence is defined as: " 'relevant evidence that a reasonable mind might accept as adequate to support a conclusion, ...' " [Citation] or evidence of " ' "ponderable legal significance ... reasonable in nature, credible, and of solid value." "" (Auburn, supra, 121 Cal. App. 4th at 1583.) \*4 Moreover, if the Board committed errors of law, we are not bound by its legal conclusions. (*Auburn, supra,* 121 Cal.App.4th at 1583.)

#### B. The Scope of A dministrative Review

San Francisco administrative authorities exercise discretion in the review of permit applications pursuant to San Francisco Business and Tax Regulations Code, article I, section 26, subdivision (b), which provides: "[I]n the granting or denying of any permit ... the granting ... power may take into consideration the effect of the proposed business or calling upon surrounding property and upon its residents, and inhabitants thereof; and in granting or denying said permit ... may exercise its sound discretion as to whether said permit should be granted ... denied or revoked."

Article I, section 26 of the San Francisco Business and Tax Regulations is "comprehensive language affecting the issuance of *all* permits sought under the authority of the relevant San Francisco Charter and ordinance provisions [that] in plain terms vests the granting power with a 'sound discretion' generally." (*Lindell Co. v. Board of Permit Appeals* (1943) 23 Cal.2d 303, 311; see also Guinnane v. San Francisco City Planning Com. (1989) 209 Cal.App.3d 732, 738, fn. 4 (Guinnane); Martin v. City and County of San Francisco (2005) 135 Cal.App.4th 392, 406-407 (Martin).)

Furthermore, "[s]ection 26 ... vest[s] administrative authorities with very broad discretion to decide whether and on what conditions an applicant will be granted a permit. And if the application is for a building permit, the fact that the applicant's project complies with zoning ordinance and building codes does not restrict the scope of that discretion." (*Martin, supra.* 135 Cal . App.4th at p. 400; accord, *Guinnane, supra.* 209 Cal.App.3d at p. 736 ["compliance with the zoning laws and building codes did not entitle [the applicant] to a building permit as a matter of course"].) Thus, the Commission has the discretion to reject a permit simply because a proposed residential development is "unsuitable for the indicated location." (*Guinnane, supra.* 209 Cal.App.3d at p. 736.) As Division Four of this District recently stated:

"[I]t is well established that section 26 administrative discretion is not cabined by specific criteria that may be set forth in city codes or ordinances. Instead, that discretion is informed by public interest, encompassing anything impacting the public health, safety or general welfare." (Martin, supra, 135 Cal. App.4th at p. 407.)

Under the City's Charter, the Board of Appeals has broad discretionary review powers. Section 4.106 of the Charter of the City and County of San Francisco (Charter section 4.106) authorizes the Board of Appeals to hear and determine appeals arising from the grant or denial of a permit, and to take the public interest into account in doing so. It states in relevant part:

"The Board shall hear and determine appeals with respect to any person who has been denied a permit ... or who believes that his or her interest or the public interest will be adversely affected by the grant [or] denial ... of a ... permit." (Charter, § 4.106, subd. (b).)

\*5 Charter section 4.106, subdivision (d) states:

"After hearing and necessary investigation, the Board may concur in the action of the department involved, or by the affirmative vote of four members (or if a vacancy exists, by a vote of three members) overrule the action of the Department.

"Where the Board exercises its authority to modify or overrule the action of the department, the board shall state in summary its reasons in writing."

Thus, "both the planning commission (under § 26) and the board of permit appeals (under § 3.651 of the city charter)<sup>4</sup> are authorized to exercise independent discretionary review of a building permit application, the final authority being reposed in the board. Further ... such review is not confined to a determination whether the applicant has complied with the city's zoning ordinances and building codes." (*Guinnane, supra*, 209 Cal. App.3d at p. 740, fn. added.) "The board generally enjoys ' "complete power to hear and determine the entire controversy, [is] free to draw its own conclusions from the conflicting evidence before it and, in the exercise of its independent judgment in the matter, affirm or overrule...."

<sup>4</sup> [Citations.] However, that power must be exercised within the bounds of all applicable city charter, ordinance and code sections, and any action on its part that exceeds these bounds is void." (*City and County of San Francisco v. Board of Permit Appeals* (1989) 207 Cal. App.3d 1099, 1104-1105.)

C: The Board's Ruling

Petitioners contend no substantial evidence supported the Board's finding that their project was a demolition or would result in the loss of "affordable" housing, either to Morales or the City at large. This is incorrect.

#### 1. "De Facto Demolition "

The Commission's findings referred to the project as resulting in a "de facto demolition." It is not completely clear whether the Commission's use of this phrase was intended to find that the project constituted a "demolition" as that term is defined under municipal law, rather than an "alteration." <sup>5</sup> However, the record indicates that the Board reviewed the appeal with this in mind, as the Board's Vice President Sugaya stated at the November 2004 rehearing, "I still believe that this is an *illegal demolition* and that's what we're voting on." (Italics added.) Accordingly, we review the record to determine whether substantial evidence was presented to support the finding that the project was a "demolition" as that term is defined under municipal law. We conclude that such evidence was presented.

The City's Building Code defines "demolition" for the purpose of determining whether an unlawful residential demolition has occurred. It is defined as "the total tearing down or destruction of a building containing one or more residential units, or any alteration which destroys or removes ... principal portions of an existing structure containing one or more residential units." (S.F. Building Code, § 103.3.2.<sup>6</sup>)

\*6 The term "principal portion" is defined as "that construction which determines the shape and size of the building envelope (such as the exterior walls, roof and interior bearing elements), or that construction which alters two-thirds or more of the interior elements (such as walls, partitions, floors or ceilings)." (S.F. Building Code, § 103.3.2.)

Thus, under the City Building Code, a "demolition" includes an alteration which destroys or removes principal portions of an existing structure containing one or more residential units, which "principal portions" include "a construction which determines the shape and size of the building envelope," including, but not limited to, exterior walls, roof, and interior bearing elements. Petitioners' proposed project meets this definition of "demolition ." Petitioners' plans, rather than being "fairly modest" as petitioners claim, indicated that the project would, among other things, replace the existing brick

West Next # 2016 Thomson Relaters, No claim to original U.S. Government Works.

foundation, convert the first floor 750 square foot residential unit into an expanded two-car garage, renovate and expand the second floor rental unit occupied by Morales from 750 to 1,050 square feet, and add an entirely new third floor on top of the building, where a 1,050 square foot modern residential unit would be constructed. It can be reasonably concluded from these plans that both the shape and size of the building envelope would be significantly altered, and that "principal portions" of the building would be removed or destroyed (such as the second floor roof, a significant portion of the building "envelope" for the horizontal expansion of the first and second floors, the first floor residential unit, some portion of the first floor exterior for cars to enter the new garage, and the existing foundation).

Furthermore, there was substantial evidence that two-thirds or more of the interior gravity bearing walls would be removed by the project. A letter by Stuart Stoller, a senior associate at SGPA, an architecture and planning firm, was submitted to the Board,<sup>7</sup> in which Stoller disagreed with the estimate by Tehlirian's own architect, Charles Ng, that "less than 57% of the existing bearing walls" would be removed in the proposed construction. Stoller opined, based on his review of petitioners' "existing wall diagram," that the diagram did not take into consideration certain specified aspects of the premises or address certain "potential" requirements which, if considered, "could likely indicate that 33% or less of the existing wall structure will be retained." Stoller's letter called into question whether or not two-thirds of the interior gravity load bearing walls would be removed in the course of the project.

A letter by licensed contractor Alan Klonsky was also submitted to the Board. Klonsky reviewed Mr. Morales's rental unit and certain unspecified project plans. He stated:

"Although the project drawings are labeled as vertical and horizontal additions, in reality, the scope of work constitutes a demolition and the construction of a new building. At ground level, now occupied by the second unit, a garage is proposed along with the foundation and structural upgrades required by the construction of a 3-story building. Over the garage 2 floors of new construction will be built with an increase in the footprint of the building to current allowable lot coverage. The 2 new units will be significantly larger than the existing apartments. [J] ... [J] This project will require the existing building to disappear as a new building takes its place. Any remnant of the original construction will be symbolic at best It appears to me that proposed scope of [sic ] far exceeds the definition of a remodel."

\*7 Based on this substantial evidence, the Board could reasonably conclude that the project, rather than calling for "alterations" as claimed by petitioners, was in fact ("de facto") a "demolition" as that term is defined by the City's Building Code. The plans called for significant changes to the shape and size of the building by the destruction or removal of significant principle portions of it. Klonsky's views, while not discussing the City's definition of demolition, confirmed these dramatic changes. The Board also could reasonably rely on Stoller's letter to conclude that the project more likely than not would destroy two-thirds or more of the linear feet of gravity load bearing walls, which would also constitute a "demolition" as defined in the City's Building Code.

Petitioners argue that we should disregard Stoller's letter as "soundly defective," amounting to "merely speculation and unsubstantiated opinion," because Stoller's qualifications are unclear, he examined only an "existing wall diagram" without showing how he could rely on it for his conclusions, and stated his conclusions in an unacceptably equivocal fashion (using such terms as "could" and "likely").

Petitioners' arguments lack merit. The Board could reasonably infer that a senior associate of an architecture and planning firm has the expertise to evaluate the materials Stoller reviewed and opine about them. Indeed, Ng's own qualifications appear to be less than what petitioners represent, i.e., a "licensed architect."<sup>8</sup> The evidence also strongly suggests that Stoller and Ng relied on the same or a very similar document in stating their views of the proposed project, since Stoller refers to "the 'Existing Wall Diagram' submitted by the project sponsor" and Ng refers to an "existing walls diagram." Neither explains how he could rely on such a document for his conclusions.

As for the quality of Stoller's opinion, his statements were not conclusory, and are a far cry from those discussed in the cases petitioners cite. (See *Gentry v. City of Murrieta* 1995) 36 Cal.App.4th 1359, 1421-1422 [expert found no effect on groundwater except for a "possible exception," and relied on unspecified information]; *Drouet v. Superior Court* (2003) 31 Cal.4th 583, 598 [referring to a "snippet" of a Senate Committee analysis in discussing a statute's interpretation, merely identified as "sufficiently tentative and equivocal to caution us against relying too heavily on [it]"]; *Citizen Action to Serve All Students v. Thornlev* (1990) 222 Cal.App.3d 748, 756 [referring to a "conclusory" comment regarding what "might" occur as speculative and not substantive evidence]; *Keeton v. Workers' Comp. Appeals Bd*. (1979) 94 Cal. App.3d 307, 312, fn. 2 [merely referring to a "conclusory" doctor's report].) Stoller identified specific areas of the structure and potential requirements that factor into his views, and listed five specific items of concern. He used the phrase "could ... indicate" because he reached different conclusions depending

on which of his stated items of concern are considered. <sup>9</sup> His use of terms such as "likely" or "potential requirements" to qualify his conclusions is hardly fatal in an expert opinion. They may go to the weight afforded to his opinion, but do not eliminate their merit altogether.

ă

**\*8** Petitioners also argue that Klonsky's statement is an "unsupported conclusion, especially because it is contrary to the Planning Department's informed determination. Nothing in his conclusion attempted to apply relevant building code standards governing remodel versus demolition." Petitioners miss the relevance of Klonsky's statement, which is to support the conclusion that, practically speaking, the project "demolishes" the old building and places a new, significantly different one in its place, regardless of the Building Code definitions.

Petitioners also argue that we should rely on the Planning Department, which petitioners contend "repeatedly found ... the project *not* a demolition." The record does not support petitioners' contention. The Planning Department stated in recommending that the Commission not take discretionary review: "The Department of Building Inspection has made the determination that this project is an alteration, not a demolition. Therefore, the Planning Department has received the application as an alteration."

Regardless, we will not reweigh the evidence. The Board was entitled to rely on the substantial evidence that the **Tehlirian** project was a "de facto" demolition, even in the face of contrary evidence.

In their reply brief, petitioners also distinguish the City's and Morales's reference to a "de facto demolition" from a "de jure demolition," arguing that it constitutes an "admission" that there is no evidence of the latter, and that the Board acted without authority to reject a permit application for a mere "de facto demolition." To the contrary, the City argues that "the Project rose to the level of a demolition," and Morales, as he argued before the Board, contends that the "de facto demolition" constituted a "demolition" as the term is defined by the City's Building Code. As we have already stated, Board Vice President Sugaya stated that the Board was considering whether this was an "illegal demolition." In any event, there was substantial evidence that the project called for a "demolition" as that term is defined by the City's Building Code.

#### 2. Affordable Housing

The Board did not abuse its discretion in finding that petitioners' project would eliminate affordable housing from the rental market.

Pursuant to state and municipal law, the Board may consider the need to retain affordable housing in deciding whether to grant or deny permits. "[C]reating affordable housing for low and moderate income families" is a "legitimate state interest." (*Home Builders Assn. v. City of Napa* (2001) 90 Cal.App.4th 188, 195.) "The assistance of moderate-income households with their housing needs is recognized in this state as a legitimate government purpose. (See, e.g., Gov.Code, § 65583, subd. (c)(2) [local communities must set forth in housing elements of their general plan a program that will 'assist in the development of adequate housing to meet the needs of low-and moderate-income households' (italics added) ].)" (Santa Monica Beach, Ltd. v. Superior Court (1990) 19 Cal.4th 952, 970-971.)

**\*9** Municipal law requires the Board to consider the City's supply of affordable housing in making its decisions. The City's Planning Code section 101.1, subdivision (b) (3), states as a "priority policy" "[t]hat the City's supply of affordable housing be preserved and enhanced," and the City's departments must comply with the Planning Code's provisions in issuing permits. (S.F. Planning Code, § 175, subds. (a), (b).)

Furthermore, the Housing Element of the City's General Plan emphasizes the importance of retaining affordable housing. Objective 2 of the Housing Element states:

"The existing housing stock is the City's major source of relatively affordable housing. It is very difficult to replace given the cost of new construction and the size of public budgets to support housing construction. Priority should be given to the retention of existing units as a primary means to provide affordable housing." (S.F. General Plan, Housing Element (adopted May 13, 2004) p. 145.) Consistent with this emphasis on retaining affordable housing, Policy 2.1 of the Housing Element discourages the "demolition" of sound existing housing. It states:

"Demolition of existing housing often results in the loss of lower-cost rental housing units. Even if the existing housing is replaced, the new units are generally more costly. Demolition often results in displacement of residents, causing personal hardship and relocation problems. [J] ... The City should continue to discourage the demolition of existing housing that is sound or can be rehabilitated, particularly where those units provide an affordable housing resource." (S.F. General Plan, Housing Element (adopted May 13, 2004) pp. 145-146.)

Also consistent with this emphasis, Implementation 2.1 of the Housing Element states, among other things, "[t]he feasibility of expanding the demolition definition will continue to be evaluated in order to prevent the loss of housing classified as 'alterations.' " (S.F. General Plan, Housing Element, (adopted May 13, 2004) pp. 145-146.)

The Board's decision to uphold the denial of petitioners' permit application took into account the impact of the project on the City's stock of affordable housing. This was evidenced not only by its implicit adoption of the Commission's findings, but also by Board member Knox's statement at the November 2004 rehearing:

"I'm sensitive to the fact that Mr. Morales would be displaced and ultimately what we are looking at is the denial of the permit, not the fairness of people being able to buy property and make changes. [J] Or frankly, I don't think we are going to be able to address the lack of affordable housing in **San Francisco** in this Board, with this Board in any case, including this case. [J] As long as there is the private ownership of property in a limited geographical area, housing is going to be really expensive in this town. [J] But I am not inclined to grant the appeal and overturn the denial of the permit."

\*10 There was substantial evidence that the enlarged, renovated second floor rental unit would become unaffordable to persons in Morales's modest circumstances. Morales stated to the Board at the February 2004 hearing that he already was spending "more than 30 percent" of his income in rent, which was approximately \$873 a month as of July 2005. Although petitioners eventually made certain promises to accommodate Morales's income limitations and displacement concerns as a part of their appeal to the Board, <sup>10</sup> Ara **Tehlirian** acknowledged to the Board during the February 2004 hearing that he was encouraging Morales to apply for government housing assistance and to consider taking on a roommate to pay for rent increases. Among other things, **Tehlirian** stated:

"[I]'d be taking a hit on the existing costs, but I'll take on that extra burden for a period of time, a reasonable period of time, until such time that the tenant can perhaps get in a roommate that can pay him several hundred dollars a month, or assistance where the government will try to assist him and by being able to get that assistance that will take some of the burden off of me."

Thus, whether or not petitioners accommodated Morales's concerns and limitations for a time, this testimony suggested that the new unit would no longer be affordable to a person in Morales's circumstances.

There was also substantial evidence that the project would remove the existing first floor, 750 square foot residential unit from the housing market as well, and that it, too, was of a more affordable nature than its "replacement." Although it was apparently vacant throughout this dispute, its conversion into a parking garage would obviously eliminate it from use. Petitioners' construction of a new third floor for the building, consisting of a modernized, 1,050 square foot residential unit, does not necessarily require its destruction. It is also reasonable to conclude that the modernized and enlarged third floor unit would be significantly more expensive if offered on the rental market.

Petitioners argue that the Board's affordable housing determination was improper for a number of reasons. First, they contend that there was no substantial evidence that affordable housing would be lost to Morales or the City at large. They point to their offer to limit capital improvement pass-throughs to Morales to \$43 per month, and to the lack of evidence that the project would result in "luxury" amenities. We think these arguments avoid the obvious. The Board could reasonably conclude based on substantial evidence that the project would eliminate two residential rental units that are affordable to persons of modest circumstances, as we have discussed herein.

Petitioners also assert that Morales's unit in its present state is "perhaps dangerous," and suggest that it may violate the implied warranty of habitability, and contain "defects." Petitioners do not point to anything in the record so indicating, and there was substantial evidence to the contrary. Klonsky, the licensed contractor, reviewed Morales's living conditions and found he lived "in a small Victorian building that appeared to suffer from deferred maintenance but was far from uninhabitable."

\*11 Petitioners argue further that neither the Board nor the Commission are qualified to determine what is affordable housing, and neither body has "authority to prevent property owners from making moderate improvements to their property because doing so would affect the supply of affordable housing." They also insist that there were no standards or evidence of what constituted "affordable housing," or that the project once it completed would not be affordable. These arguments presuppose that petitioners were entitled to approval of their permit application absent some definitive proof to the contrary. As we have already discussed, the Board has broad discretion in granting or denying permits. We see no reason under the circumstances of this case to question the Board's decision that the project would eliminate affordable housing because the term was not precisely defined.

In short, given our deferential standard of review, the City's stated priority of retaining affordable housing and discouraging its "demolition," and the substantial evidence reviewed herein, <sup>11</sup> we cannot conclude that the Board abused its discretion when it denied petitioners' appeal because, as stated in the Commission's findings, the "project would result in the de facto loss of affordable housing by improving and expanding the existing units that are currently accessible to lower-income tenants because of their size and relative lack of amenities."

#### D. The Board Did Not Improperly Consider Tenancy-Related Issues

Petitioners argue that the Board's consideration of the impact of the project on the City's stock of affordable housing was somehow precluded by the Board of Supervisors' creation of the Rent Stabilization and Arbitration Board (Rent Board) and enactment of related laws establishing certain rights and obligations between landlords and tenants (Rent Ordinance), and was beyond the Board's authority under **San Francisco** Business and Tax Regulations Code, article I, section 26. Petitioners contend that the Board improperly considered "tenancy-related issues," and that allowing the Board to base its decision on considerations regarding affordable housing "would undermine the creation of the Rent Ordinance and usurp the jurisdiction of the Rent Board." This argument also lacks merit.

As we have already discussed, the Board may, pursuant to Charter section 4.106, subdivision (b) of the Charter consider the "public interest" in its review of a permit. Pursuant to San Francisco Business and Tax Regulations Code, article I, section 26, it may review permits with regard to "public health, safety, and general welfare." (*Martin, supra,* 135 Cal.App.4th at p. 407.) Given these provisions and the City's stated priorities regarding affordable housing, the Board was entitled to consider the project's impact on the City's affordable housing stock in its deliberations.

Petitioners argue that the Board acted similarly to the Board in *City and County of San Francisco v. Board of Permit Appeals, supra,* 207 Cal. App.3d 1099, an opinion issued by this court. We disagree. In that case, the court held that the board acted in excess of its jurisdiction when it authorized a third unit for a property zoned for single family use. (*Id.* at p. 1102.) The court concluded that the board had effectively rezoned the property, a legislative act exclusively within the power of the board of supervisors. (*Id.* at p. 1110.) No such "legislating" occurred here. As we have discussed, the Board acted within its authority to review permits, and to consider such things as the public health, safety, and general welfare, and the City's priorities regarding its affordable housing stock, in doing so.

\*12 Furthermore, the Board did not decide any issues covered by the Rent Ordinance. The Board did consider the possible impact of the project on Morales, and encouraged negotiations between petitioner and Morales to mitigate that impact. The municipal ordinances allow for the Board's consideration of the project's impact on Morales. (Charter, § 4.106, subd. (b) ["The Board shall hear and determine appeals with respect to any person who has been denied a permit ... or who believes that his or her interest ... will be adversely affected by the grant [or] denial ... of a ... permit"]; S.F. Bus. & Tax Regs.Code, art. I, § 26 ["in the granting or denying of any permit ... the granting ... power may take into consideration the effect of the proposed business or calling upon surrounding property and upon its residents, and inhabitants thereof"].) The Board inevitably considered his tenant circumstances in assessing the project's impact on him, given his status as petitioners' tenant. However, the Board did not decide any issues covered by the Rent Board or the Rent Ordinance. For example, it made no determinations related to Morales's displacement or temporary eviction, his relocation

West III 2016 Thomson Fieutors, No daim to original U.S. Government Works,

benefits, the amount of rent to be paid should the project be completed, or the amount of capital improvement passthrough that should be allowed. <sup>12</sup>

#### E. Petitioners' Ellis Act Notice

Petitioners represent that, while this appeal was pending, they invoked their Ellis Act rights pursuant to Government Code section 7060 et seq. and the City's Rent Ordinance, **San Francisco** Administrative Code section 37.9A, and gave notice to terminate Morales's tenancy and withdraw his unit from the rental market. They contend that, as a result, "a remand should result in a determination that the building no longer contains any rental housing, thus precluding any finding that this project will affect the City's affordable housing stock," and "submit that a writ of administrative mandate should issue compelling the [Board] to make legally relevant findings, which if done, will lead to permit issuance."

The courts review the Board's decision pursuant to Code of Civil Procedure, section 1094.5, based upon the record before the Board at the time it made its decision, with limited exceptions. (Code Civ. Proc., § 1094.5, subd. (e); Eureka Teacher's Assn. v. Board of Education (1988) 199 Cal. App.3d 353, 366-367.) We see no reason to consider petitioners' actions and contentions regarding the Ellis Act, other than to determine whether or not this appeal is moot in light of them. We conclude that it is not, as the record indicates that petitioners have extended the date of withdrawal of the unit to April 18, 2007, as indicated by petitioners' May 17, 2006 letter, of which we have taken judicial notice at Morales's request. (See DeLaura v. Beckett (2006) 137 Cal. App.4th 542, 547, fn. 4 [determining the merits of a dispute after Ellis Act notice had been given because the notice could still be rescinded].)

**\*13** The City also argues that we should determine that petitioners' Ellis Act notice cannot effect the Board's decision because "[i]t does not necessarily alter the property's character as 'affordable housing' or change the proposed Project from a demolition to an alteration." These issues also were not before the Board and, therefore, we do not consider them.

#### F. Other Arguments by Petitioners

Petitioners make a number of additional arguments, none of which are persuasive. Petitioners repeatedly allege improprieties that have no support in the record, such as that Morales "called in political favors," the Commission and Board made findings that were "utterly pretextual" and "unfettered whim," and petitioners were "singled ... out solely for political reasons." We disregard these unsupported contentions.

Petitioners also argue that the Board's action effectively bans property owners from making any improvements to their buildings, stating: "If the City's position really is to keep housing affordable by encouraging dilapidation and preventing improvements, this court should order the City to cease issuing residential improvement permits of any kind to anyone. In fact, it should order that all permits already issued be rescinded and that all improvements ever made to any property be removed. That will undoubtedly not only prevent housing from becoming more expensive, it will ensure that it becomes truly affordable."

This hyperbole cannot obscure the substantial evidence of the dramatic overhaul called for in the petitioners' proposed project. Nothing in the record indicates that the Board barred petitioners from making any improvements to their property.

We also disagree with petitioners' assertions in their reply brief that the Board's action was "irrational" and "arbitrary" and against the "sound discretion" standard of San Francisco Business and Tax Regulations Code, article I, section 26. Petitioners' overbroad, scattershot arguments, such as their claim that the Board's action was in conflict with statutory provisions regarding the improvement and rehabilitation of property, and their contention that the City has "telegraphed" that it will continue to "retaliate" against them and "never approve any permit they seek," are unpersuasive. Petitioners repeatedly ignore the substantial evidence discussed herein that their project was a "demolition" and would eliminate affordable housing from the rental market, and the Board's broad discretion to act consistent with the City's interest in discouraging such demolitions and preserving such housing.

#### DISPOSITION

The superior court's denial of petitioners' petition for writ of administrative mandate is affirmed. Respondent and real party in interest are awarded costs.

We concur: KLINE, P.J., and HAERLE, J.

#### **All Citations**

Not Reported in Cal. Rptr.3d, 2007 WL 779353

#### Footnotes

- The record indicates that ABT, LLC became the owner of the subject real property in 2004. To avoid unnecessary confusion, we refer to the actions of "petitioners" throughout without distinguishing between appellants.
- 2 All governmental entities referred to herein are part of the City and County of San Francisco, unless otherwise indicated.
- 3 We also take judicial notice of the City's Charter pursuant to Evidence Code section 451, subdivision (a), and of the municipal laws discussed herein pursuant to Evidence Code sections 452, subdivision (b) and 459.
- 4 Section 3.651 of the City Charter dealt with the Board's authority prior to Charter section 4.106, and language from that provision similar to that found in Charter section 4.106 was relied upon by the *Guinnane* court. (*Guinnane*, supra, 209 Cal.App.3d at p. 739.)
- A zoning administrator summarizing the Commission's finding to the Board at its February 2004 hearing stated that "[t]he primary basis of the [Commission's] denial was that as a defacto demolition, this project resulted in the loss of affordable housing, and the destruction of sound housing." He later stated: "I did want to talk a little bit about the defacto demolition. While that's not an official term or part of the demolition policy, I believe the [Commission's] issue here was that by extending the building to the rear, removing the front façade and extending the front wall forward, totally remodeling the interior and removing most of the walls, it is not a technical demolition, but it was substantially the same effect from a design point of view of being a demolition."
- 6 The parties refer to the City's Building Code section 103.3 or 103.3.1 in their briefs for these same provisions. We refer to section 103.3.2, as the relevant provisions are presently denominated.
- 7 The parties do not dispute that hearsay evidence may be considered in such a municipal administrative proceeding. (See Mohilief v. Janovici (1996) 51 Cal.App.4th 267, 294-295 [unsworn statements and letters in the case file may be considered as evidence in municipal nuisance abatement proceedings].)
- 8 While Ng states in his letter that as "project engineer and architect of record, in *our* professional opinion, the subject building permit application is an alteration and not a demolition" (italics added), he merely identifies himself as a "P.E." and principal of the "BEST Design & Construction Company" (the letterhead also identifies him as a "CLC"); another individual, not a signatory to the letter, is identified as an architect on the letterhead.
- Stoller stated, "I believe that taking into consideration items 1 through 3 above, could indicate that only 38% of the existing gravity load wall is being retained. Including items 4 & 5 into consideration, could likely indicate that 33% or less of the existing wall structure will be retained."
- 10 These were stated by petitioners' representative Bret Gladstone at the November 2004 rehearing.
- We find sufficient substantial evidence without needing to determine whether or not the Board was entitled to rely on statements from the public or the Commission regarding the project's impact on affordable housing, a matter referred to by the superior court and debated between the parties in their appellate papers.
- 12 The Commission's findings recognized that Rent Board issues were beyond its purview, stating, "Any conditions of approval attached to the building permit relating to rental rates, relocation, tenant's right of return, and other arrangements made between the landlord and tenant would not be enforceable by the Planning Commission."

End of Document

© 2016 Thomson Reuters. No claim to original U.S. Government Works.

# ADDRESSES TO CONSIDER AS POTENTIAL DEMOLITIONS SINCE JANUARY 2015 EMAILS

2149 Castro 2430 Castro 2025 Castro 4055 Cesar Chavez \* ^ L 4068 Cesar Chavez 4173 Cesar Chavez, L 4326 Cesar Chavez, L 1559 Church\* 41 Clipper 33 Day L 118 Day 1188 Diamond \$ L 1608 Dolores \* 1156 Dolores \* 1408 Douglass, L 310 Duncan\*^ 276 Duncan \* L 844 Duncan 725 Duncan L 752 Duncan, L 55 Homestead L 235 Jersey \* L 290 Jersey ^ \* L 481 Jersey L 143 Laidley \$ L 537 Laidley L 130 Randall 548 Rhode Island L 1235 Sanchez 1163 Shotwell \* ^ 1110 York\*\* 1161 York \*^ L 171 Valley 3790 21st Street \* \$ L 4028 25th Street \$ L 4186 25th Street \* L 3855 26th Street L 709 27th Street 739 27th Street L 450 27th Street 255 28th Street L 386 28th Street ^ 556 28th Street L 159 7th Avenue \* ^ L 138 8th Avenue \* ^ 1540 17th Avenue 2829 Baker \* L 2321 Bush \* ^ 150 Vicksburg\*^ L 376 San Carlos \* ^ L 17 Temple L

#### January 2015 Addresses in Emails to Commission

2220 Castro L 1612 Church 1433 Diamond 865 Duncan 90 Jersey \$ 168 Jersey. L 1375 Noe \$ 50 Oakwood \* L

4218 24th Street 4318 26th Street L 4365 26th Street. L 525 28th Street

#### New Addresses Since April 2018 Joint BIC/Planning Meeting

1369 Sanchez ^ 139 Grand View L 4466 24th Street \*\* \$ 4061 Cesar Chavez \*\* \$ L 322 Chattanooga \* L 350 Jersey L 245 Euclid

1071 Alabama ^ L (Planning Enforcement Action restored this Pioneer District house)

#### Key to Symbols

\* Originally pair of flats
 \*\* Added a second condo unit

 \$ Extensive Excavation
 ^ Did not have vertical addition sold as single family (unit merger?)
 L Permits issued under LLC ownership

 RED Addresses are December 2015 Noe Valley Five Project Sample 40% are Demolitions per Staff

At least 48 are completed projects that were resold in a range > \$3.5 to \$5 million plus. Others are on the market either for sale or pending. Others are not complete. At least 3 never appeared on the market. At least 1 had violations corrected with new permits.