



# EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

**HEARING DATE: DECEMBER 2, 2021**

**Record No.:** 2020-008133CUA  
**Project Address:** 228 Vicksburg Street  
**Zoning:** RH-3 (Residential House, Three-Family) Zoning District  
40-X Height and Bulk District  
**Block/Lot:** 3652/011  
**Project Sponsor:** Earle Weiss  
EE Weiss Architects  
21 Corte Madera Avenue, Suite 4  
Mill Valley, CA 94941  
**Property Owner:** David O'Donnell & Patricia Gillespie  
101 Arbor Street  
San Francisco, CA 94131  
**Staff Contact:** Jeff Horn – (628) 652-7366  
[jeffrey.horn@sfgov.org](mailto:jeffrey.horn@sfgov.org)

**Recommendation:** Approval with Conditions

## Project Description

The Project proposes the demolition of an existing 1,270 square-foot, one-story one-family dwelling and the new construction of a 6,325 gross-square-foot, four-story (three-story-over-basement/garage) three-family dwelling which includes a 2,262 square-foot, two-bedroom dwelling unit (Unit 1), a 1,499-square-foot two-bedroom dwelling unit (Unit 2), a 1,235-square-foot two-bedroom dwelling unit (Unit 3), and a 789-square-foot garage providing two vehicle parking space and three Class 1 bicycle parking spaces.

## Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 209.1, 303 and 317, to demolish the existing single-family dwelling and construct a new three-unit residential building.

## Issues and Other Considerations

- **Public Comment & Outreach.**
  - **Support/Opposition:** The Department has received one correspondence in support and 11 correspondences in opposition to the Project, including one from the Noe Neighborhood Council.
    - The opposition to the Project is centered on the loss of the existing structure, tree protection, construction impacts, the new buildings' scale and massing and related impacts to light and air access and protection, affordability of the new units, and the potential existence and unauthorized removal of a dwelling unit.
  - **Outreach:** The Sponsor has hosted a pre-application meeting with the community, on February 4, 2020. Project Sponsors responded to neighbor's comments at this meeting including lack of parking in one building and questions on the height and scale of the new buildings.
- **Unauthorized Dwelling Unit Screening.** The project completed an Unauthorized Dwelling Unit (UDU) Screening (Attachment F) and the Department found no UDU to be present. The details of a potential second unit at the site were related to the number of PG&E meters, a 2<sup>nd</sup> mailbox, an address of "230" on a rear door, and references to occupants within the City's 1980 directory and recent voter rolls, However, review by the Rent Board found no record of evictions or leases on file, and therefore occupancy of a second unit could not be confirmed. In 1974, a building permit (393364) was issued for proposed work to "Convert to a two family dwelling..." however Department of Building Inspection determined that a Certificate of Final Occupancy was not issued for a second unit at the site. At the time of the submittal of the project's application, the building's current configuration is that of a single-family home with one kitchen and open visual connections throughout.
- **Design Review Comments.** The project has changed in the following significant ways since the original submittal to the Department:
  - Reduction in depth of rear building wall to provide Code-complying rear yard;
  - Increase set back of the upper floor at the building's front;
  - Reduction in size from 6,826 to 6,325 gross square feet, resulting in removal of a proposed ADU.

## Environmental Review

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and Class 3 categorical exemption.

## Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Mission Area Plan and the Objectives and Policies of the General Plan. The proposed new building is Code-complying and designed to be in-keeping with the existing development pattern and neighborhood character of the neighborhood. Although the Project includes the demolition of an existing residential unit, the Project would create a total of three new larger units and a total of three additional bedrooms on the site, thereby maintaining the maximum allowed density at the

Project site while creating additional family-sized housing. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

### **Attachments:**

- Draft Motion – Conditional Use Authorization with Conditions of Approval
- Exhibit B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F – Unauthorized Dwelling Unit Screening Form



# PLANNING COMMISSION DRAFT MOTION

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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 209.1, 303 AND 317, TO ALLOW THE DEMOLITION OF AN EXISTING 1,270 SQUARE-FOOT, ONE-STORY ONE-FAMILY DWELLING AND TO CONSTRUCT A NEW 6,325 GROSS-SQUARE-FOOT, FOUR-STORY THREE-FAMILY DWELLING WHICH INCLUDES A 2,262 SQUARE-FOOT, TWO-BEDROOM DWELLING UNIT, A 1,499-SQUARE-FOOT TWO-BEDROOM DWELLING UNIT, A 1,235-SQUARE-FOOT TWO-BEDROOM DWELLING UNIT, AND A 789-SQUARE-FOOT GARAGE PROVIDING TWO VEHICLE PARKING SPACE AND THREE CLASS 1 BICYCLE PARKING SPACES LOCATED AT 228 VICKSBURG STREET, BLOCK 3652 LOT 011 WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

On September 11, 2020, Earle Weiss of EE Weiss Architects (hereinafter "Project Sponsor") filed Application 2020-0081339CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to demolish an existing 1,270 square-foot, one-story one-family dwelling and to construct a new 6,325 gross-square-foot, four-story three-family dwelling which includes a 2,262 square-foot, two-bedroom dwelling unit, a 1,499-square-foot two-bedroom dwelling unit, a 1,235-square-foot two-bedroom dwelling unit, and a 789-square-foot garage providing two vehicle parking space and three Class 1 bicycle parking spaces located at 228 Vicksburg Street, Block 3652, Lot 011 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and Class 3 categorical exemption.

On December 2, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-008133CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-008133CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2020-008133CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## 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. **The above recitals are accurate and constitute findings of this Commission.**
2. **Project Description.** The Project proposes the demolition of an existing 1,270 square-foot, one-story one-family dwelling and the new construction of a 6,325 gross-square-foot, four-story (three-story-over-basement/garage) three-family dwelling which includes a 2,262 square-foot, two-bedroom dwelling unit (Unit 1), a 1,499-square-foot two-bedroom dwelling unit (Unit 2), a 1,235-square-foot two-bedroom dwelling unit (Unit 3), and a 789-square-foot garage providing two vehicle parking space and three Class 1 bicycle parking spaces.
3. **Site Description and Present Use.** The Project site is on the east side of Vicksburg Street, between Elizabeth and 24<sup>th</sup> Streets; Lot 011 in Assessor's Block 3652 and is located within the RH-3 (Residential House, Three-Family) Zoning District and a 40-X Height and Bulk District. The 2,900 square foot lot has a width 29 feet and a depth of 100 feet. The lot slopes upwards toward the rear of the lot and laterally to the north along the street frontage. The lot is developed with an existing one-story, 1,270 square foot, three-bedroom, one-family dwelling (constructed circa 1900) that is sited above the sidewalk and accessed via a raised staircase. The building has width of 25 feet and a depth of 70 feet 7 inches, encroaching into the lot's required rear yard.

**Surrounding Properties and Neighborhood.** The subject property is located in the Noe Valley neighborhood within Supervisor District 8. Parcels within the immediate vicinity consist of residential and mixed-use two- to three-story multifamily buildings and smaller one-family dwellings constructed mostly in the early 1900s. The lots adjacent to the subject property almost all front onto either Elizabeth Street or 24<sup>th</sup> Street, creating a double key lot configuration. Surrounding zoning districts in the vicinity of the project site include the RH-3 (Residential House, One-Family) to the north and 24th Street—Noe Valley NCD to the south. The area surrounding the project site is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts in the 24th Street—Noe Valley NCD, including restaurants, bars, apparel stores, and other types of retailers.

4. **Public Outreach and Comments.** The Department has received one correspondence in support and 11 correspondence in opposition to the Project, including one from the Noe Neighborhood Council. The opposition to the Project is centered on the loss of the existing structure, tree protection, construction impacts, the new buildings' scale and massing and related impacts to light and air access and protection, affordability of the new units, and the potential existence and unauthorized removal of a dwelling unit. The Sponsor hosted a pre-application meeting with the community, on February 4, 2020.
5. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Per Planning Code Section 209.1 permits up to three dwelling units per lot in an RH-3 District.

*The project proposes the new construction of three dwelling units therefore is a permitted.*

- B. **Residential Demolition.** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to demolish a residential unit in a RH-1 Zoning District. This Code Section establishes criteria that the Planning Commission shall consider in the review of applications for Residential Demolition.

*The Project proposes the demolition of an existing one-family residential building and therefore requires Conditional Use Authorization. The additional criteria specified under Section 317 have been incorporated as findings in Subsection 8 below.*

- C. **Front Setback.** Planning Code Section 132 states that the minimum front setback depth shall be based on the average of adjacent properties or a Legislated Setback and not to be more than 15 feet.

*The adjacent property to the north is has a no front setback the adjacent property to the south fronts onto 24<sup>th</sup> Street, which results in an average depth of zero feet. The front building wall of the Project is located on the lot's front property line and meets front setback requirements.*

- D. **Landscaping and Permeability.** Planning Code Section 132(g) requires that for projects involving the construction of a new building, the addition of a new dwelling unit, garage, or additional parking; at least 20% of the required front setback area be and remain unpaved and devoted to plant material, including the use of climate appropriate plant material. Section 132(h) requires that the front setback area be at least 50% permeable so as to increase stormwater infiltration. The permeable surface may be inclusive of the area counted towards the landscaping requirement; provided, however, that turf pavers or similar planted hardscapes shall be counted only toward the permeable surface requirement and not the landscape requirement.

*Although the project has no required front setback, the project proposes a recessed entry that provides an opportunity for landscaping within a raised planter.*

- A. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard depth equal to 45% of the total depth of the lot on which the building is situated, except that rear yard requirements can be reduced to a line on the lot, parallel to the rear lot line, which is the average between the depths of the rear building walls of both adjacent properties.

*The project proposes a building depth of 55 feet on the 100 foot deep lot, that results a rear yard of 45 feet in depth, which is 45% of the subject lots' depth. Additionally, the project proposes a 12 foot deep, two-story tall (above existing grade) rear projection that does not extend into the last 25% of the lot's depth, as allowed by PCS 136(2)(25).*

- E. **Useable Open Space.** In the RH-3 Zoning District, Planning Code Section 135 requires 1 square feet of useable open space for each dwelling unit if all private open space or 133 square feet of common usable open space for each dwelling unit.

*The Project contains a total of three dwelling units, and each has access to qualifying private usable open space. Unit 1 has access to the 943 square foot Code-complying rear yard, while Unit 2 and Unit 3 have access to private roof decks sized at 207 square feet and 227 square feet.*

- F. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or other open area that meets minimum requirements for area and horizontal dimensions.

*Within the Project, Unit 1 has direct exposure onto both the Code-compliant rear yard and Vicksburg Street. Unit 2 have direct exposure onto Vicksburg Street and Unit 3 has direct exposure onto the Code-compliant rear yard. Therefore, all of the proposed units meet exposure requirements.*

- G. **Street Frontages.** Section 144 of the Planning Code requires that no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is setback from any such lot line, shall be devoted to entrances to off-street parking, except that in no event shall a lot be limited by this requirement to a single such entrance of less than ten feet in width.

*The Project complies as the off-street parking entrance will not exceed 10 feet and the minimum 1/3 width visual relief at the ground story street frontage will be provided.*

- H. **Off-Street Parking.** Planning Code Section 151 does not require a minimum number of off-street parking spaces and permits a maximum of 1.5 parking space for each dwelling unit.

*The Project will provide three off-street parking spaces within the proposed garage.*

- I. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit.

*The Project proposes three Class 1 bicycle parking spaces within the proposed garage.*

- J. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 40-foot height limit.

*The building has a height of 30 feet at the building's front and the proposed ultimate height of 40 feet is within the maximum height permitted.*

- K. **Residential Child-Care Impact Fee.** Planning Code Section 411 is applicable to any residential development that results in at least one new residential unit.

*The Project includes approximately 6,325 gross square feet of newly constructed residential use. This use is subject to Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A. This fee must be paid prior to the issuance of the building permit application.*

6. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the

neighborhood or the community.

*The size of the Project and the units within the proposed three-story-over-basement three-unit building are in-keeping with other residential properties in the neighborhood. The Project is necessary and desirable because it will replace an aging single-family home located in a non-complying structure with a new building that maximizes the allowed density of the lot. The property is compliant with the Planning Code and the Residential Design Guidelines and contributes to the mixed visual character of the neighborhood. The entirety of the new building is within its buildable area and will not require any variances or modifications. Overall, the Project is proposing increase the total number of dwelling units, while providing them as upgraded, modern, family-sized units. The new building is compatible with the neighborhood and zoning and will bring the lot into compliance with the Planning Code, resulting in a Project that is necessary, desirable, and compatible with the City at-large.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The Project has been designed to be compatible with its surroundings and the unique double-key lot configuration. The Project provides a code-complying rear yard, a 15-foot setback of the 4<sup>th</sup> floor at the buildings front, and 3-foot setbacks along both sides of the upper floor which provide relief to the rear yards of the adjacent properties that have frontage on Elizabeth Street and 24<sup>th</sup> Street. The building has a height of 30 feet at the building's front and the proposed ultimate height of 40 feet is within the maximum height permitted in the 40-X Height and Bulk District and is appropriate for the site location and size. The proposed size, shape, and arrangement of the Project will also match that of neighboring structures, and the Project overall will aesthetically enhance the neighborhood.*

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Project will not result in any new traffic impacts adversely affect public transit or place a burden on the existing supply of parking on Vicksburg Street or within the neighborhood or. The Project will provide three off-street parking space and three Class 1 bicycle parking spaces in within a new garage. The Property is situated in a walkable area in which daily errands can be done by foot and do not require a car, and there are numerous public transit options nearby. The Project Site is in a location well-served by transit including the 48-24<sup>th</sup> Street, 24-Divisadero, and the J-Church MUNI Metro lines.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The Project proposes a new three-story-over-basement/garage, three-unit residential building. The proposed uses are not expected to generate any noxious or offensive emissions, such as*

*noise, glare, dust, or odor. The Project will comply with all applicable regulations regarding construction noise and dust, and will not produce, or include, any permanent uses that will generate substantial levels of noxious or offensive emissions, such as excessive noise, glare, dust, and odor.*

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The Project will replace a single-family home with a thoughtfully-designed, visually-appealing, three-unit residential building. The facade treatment and materials of the building have been appropriately selected to be compatible with the surrounding neighborhood. The Project will provide planting in the building's recessed entry vestibule.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with Objectives and Policies of the General Plan, as detailed below.*

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Use District.

*The Project is consistent with the stated purpose of the RH-3 Zoning District, which is characterized by multi-family and mixed-use buildings and some single-family houses. The Project is consistent with the Planning Code requirements for dwelling units in an RH-3 Zoning District.*

- 7. Residential Demolition Findings.** Section 317 of the Planning Code establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert residential buildings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met pursuant to Section 317(g)(6):

- a) Whether the property is free of a history of serious, continuing code violations;

*A review of the Department of Building Inspection and the Planning Department databases showed no open enforcement cases or notices of violation (NOV) for the subject property. In February of 2020, a complaint was filed for work without a permit (NOV No. 202015796), an inspection by DBI lead to a closure of the case without issuance of an NOV.*

- b) Whether the housing has been maintained in a decent, safe, and sanitary condition;

*The existing building appears to be in decent, safe, and sanitary condition with an original construction date circa 1900.*

- c) Whether the property is an "historical resource" under CEQA;

*Although the existing building is more than 50 years old, a review of supplemental information resulted*

*in a determination that the property is not a historical resource.*

- d) Whether the removal of the resource will have a substantial adverse impact under CEQA;

*The existing building is not a historical resource and its removal will not have any substantial adverse impacts under CEQA.*

- e) Whether the Project converts rental housing to other forms of tenure or occupancy;

*The Project does not convert rental housing to other forms of tenure.*

- f) Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

*The Planning Department cannot definitively determine whether the single-family home is subject to the Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board. The single family home was not deed-restricted, tax-credit funded affordable housing. No evidence has been provided demonstrating the property is subject to the Residential Rent Stabilization and Arbitration Ordinance.*

- g) Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

*Although the Project proposes the demolition of a three-bedroom single-family dwelling, there will be a net gain two units at the project site. The project would be consistent with the density and development pattern as it would provide three-story-over-basement/garage three-family dwelling a neighborhood that is a comprised of two- and three-story multi-family and mixed-use buildings and one-family dwellings.*

- h) Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

*The Project conserves neighborhood character with appropriate scale, design, and materials, and improves cultural and economic diversity by constructing a new building with three family-sized dwelling units, maximizing the density of the site and that are consistent with the Residential Design Guidelines and the provisions of the RH-3 Zoning District.*

- i) Whether the Project protects the relative affordability of existing housing;

*The Project does not protect the relative affordability of existing housing, as the project proposes demolition of the existing, older single-family home, which is generally considered more affordable. However, the project will increase the total number of units and bedrooms to provide family-sized dwellings.*

- j) Whether the Project increases the number of permanently affordable units as governed by Section 415;

*The Project is not subject to the provisions of Planning Code Section 415, as the Project proposes fewer than ten units.*

- k) Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

*The Project represents the redevelopment on a parcel within an established neighborhood at a dwelling unit density consistent with the requirements of the RH-3 Zoning District.*

- l) Whether the project increases the number of family-sized units on-site;

*The Project will create three family-sized dwelling unit, each with two bedrooms, resulting in a net increase of two units and three bedrooms on the site.*

- m) Whether the Project creates new supportive housing;

*The Project does not create supportive housing.*

- n) Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

*The Project is of superb architectural and urban design that has been thoughtfully designed to integrate into the neighborhood by taking into consideration the existing adjacent lots and buildings and the site's unique double key lot configuration. The neighborhood does not have a consistent design character; rather, it is characterized by its eclectic building styles and types. The facade treatment and materials of the building have been appropriately selected to be compatible with the surrounding neighborhood. The Project will add landscaping in the buildings' front setback and will provide a Code-complying rear yard that is compatible with the development pattern of the subject block's mid-block open space.*

- o) Whether the Project increases the number of on-site dwelling units;

*The Project will provide a net gain of two units at the site. The proposed replacement structure is in keeping with the scale and mass of the immediately surrounding development*

- p) Whether the Project increases the number of on-site bedrooms.

*The Project proposes three units, each with two bedrooms, which is an increase of three bedrooms more than the original building.*

- q) Whether or not the replacement project would maximize density on the subject lot; and,

*The Project proposes three units and maximizes the density on the Property, as Planning Code Section 209.1 principally permits up to three units per lot in the RH-3 Zoning District.*

- r) If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all the existing units with new dwelling units of a similar size and

with the same number of bedrooms.

*The Planning Department cannot definitively determine whether the existing single-family home on the site is subject to the Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board. The Project proposes replacing the existing 1,270 square foot unit with a total of three larger dwelling units with areas of 1,325, 1,499 and 2,262 square feet. The Project results in two additional family-sized and an increase of three bedrooms on the site.*

- 8. General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

**HOUSING ELEMENT**

Objectives and Policies

**OBJECTIVE 1**

**IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.**

Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

**OBJECTIVE 4**

**FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.**

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

**OBJECTIVE 11**

**SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.**

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

**OBJECTIVE 12**

**BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.**

Policy 12.2

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

**URBAN DESIGN ELEMENT**

Objectives and Policies

**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 its districts.

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

*The Project proposes demolition of a single-family dwelling, and the Project will provide a new building that will contain three dwelling units, which are larger in size than the existing unit and in total the project will provide three additional bedrooms on the site. The Project will include space for up to two off-street vehicle parking spaces, three Class 1 bicycle parking, and the subject property is located within close proximity of*

*public transit. The proposed new construction conforms to the Residential Design Guidelines and is appropriate in terms of materials, scale, proportions, and massing for the surrounding neighborhood.*

*The Project has been designed to be compatible with its surroundings and the unique double-key lot configuration. The Project provides a Code-complying rear yard, a 15-foot setback of the 4th floor at the buildings front, and 3-foot setbacks along both sides of the upper floor which provide relief to the rear yards of the adjacent properties that have frontage on Elizabeth Street and 24th Street. The proposed size, shape, and arrangement of the Project will also match that of neighboring structures, and the Project overall will aesthetically enhance the neighborhood. The Project proposes new construction that will reinforce the existing street pattern as the building scale is appropriate for the subject block's street frontage and will contribute to the neighborhood's mixed character.*

**9. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project site does not possess any neighborhood-serving retail uses. Existing neighborhood-serving retail uses would not be displaced or otherwise adversely affected by the proposal.*

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*While the existing one-family dwelling is proposed to be demolished, the Project will provide two additional units and a total of three additional bedrooms on the site. The Project includes a building height and scale compatible with the surrounding neighborhood and is consistent with the Planning Code and the Residential Design Guidelines.*

C. That the City's supply of affordable housing be preserved and enhanced,

*While the affordability of the existing unit is not preserved since it is proposed to be demolished, the replacement building will provide two additional dwelling that are well-designed, family-sized units and a result in a total net gain of three additional bedrooms.*

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

*The Project Site is served by nearby public transportation options. Specifically, the property is located within ¼ mile of the 48-24th Street, 24-Divisadero, and the J-Church MUNI Metro lines. The Project will provide a two off-street vehicle spaces, which are the principally permitted amount, and three Class 1 bicycle spaces.*

E. 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 Project does not include commercial office development. The Project is a residential project in an RH-3 Zoning District. Therefore, the Project would not affect industrial, or service sector uses or related employment opportunities. Ownership of industrial or service sector uses would not be affected by the Project.*

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

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*The Project Site does not contain any City Landmarks or historic buildings.*

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

*The Project will not have negative impact on existing parks and open space.*

- 10.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 11.** The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2020-008133CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated July 15, 2021, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 2, 2021.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: December 2, 2021

## EXHIBIT A

### Authorization

This authorization is for a conditional use to demolish an existing 1,270 square-foot, one-story one-family dwelling and to construct a new 6,325 gross-square-foot, four-story three-family dwelling which includes a 2,262 square-foot, two-bedroom dwelling unit, a 1,499-square-foot two-bedroom dwelling unit, a 1,235-square-foot two-bedroom dwelling unit, and a 789-square-foot garage providing two vehicle parking space and three Class 1 bicycle parking spaces located at 228 Vicksburg Street, Block 3652, Lot 011, pursuant to Planning Code Sections 209.1, 303, and 317 within the RH-3 (Residential-House, Three Family) Zoning District, 40-X Height and Bulk District; in general conformance with plans, dated **July 15, 2021**, and stamped “EXHIBIT B” included in the docket for Record No. **2020-008133CUA** and subject to conditions of approval reviewed and approved by the Commission on **December 2, 2021** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **December 2, 2021** under Motion No **XXXXXX**.

### Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

### Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

## CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

### Performance

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 3. Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463,*

[www.sfplanning.org](http://www.sfplanning.org)

## Design – Compliance at Plan Stage

- 6. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 7. Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 8. Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sfplanning.org](http://www.sfplanning.org)*

## Parking and Traffic

- 9. Bicycle Parking.** The Project shall provide no fewer than **three** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 10. Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than **five** off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Provisions

- 11. Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable,

pursuant to Planning Code Section 414A.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

- 12. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 13. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Operation

- 14. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org)*

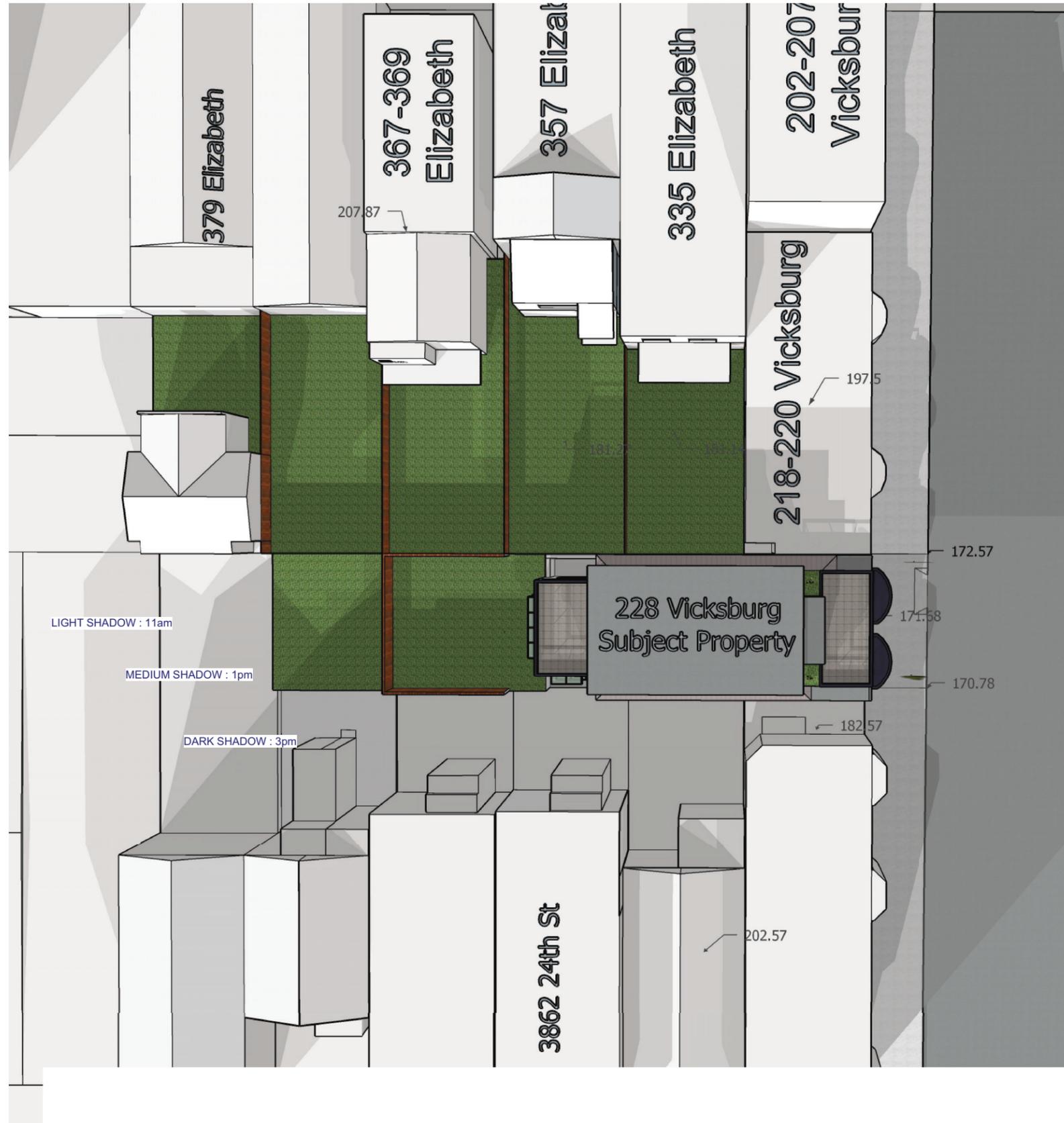
- 15. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*









1 SITE PLAN - SHADOW STUDY  
A1.3 No Scale

**E.E. WEISS**  
Architects, Inc.  
21 Corte Madera Ave.  
Mill Valley, CA 94941  
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Tel 415.381.8700

HISTORY	BY
PLANNING PERMIT 2020-0709-0901	



- SHADOW STUDY NOTES:**
- STUDY IS GENERATED IN SKETCH UP PRO USING SUN AND MODEL GEO-LOCATION
  - TOPOGRAPHY AND ELEVATION BENCHMARKS TAKEN FROM SITE SURVEY
  - STUDY ALSO INCLUDES SHADOWS CAST BY NEIGHBORING BUILDINGS; THE STUDY IS THREE DIMENSIONAL, SO THE MODEL WILL SHOW SHADOWS ON NEIGHBORING BUILDING FACES, AS THEY OCCUR BY SUN POSITION
  - STUDY DATE: **DECEMBER 21st, 2021**; THE WINTER SOLSTICE HAS THE MAXIMUM SHADOW IMPACT
  - VIDEO ANIMATION OF ENTIRE DAY SHADOW AVAILABLE

SITE PLAN : SHADOW STUDY  
SITE PERMIT SET  
(PLANNING NOPDR2)

228 VICKSBURG ST  
SAN FRANCISCO, CA 94114  
ASSESSOR'S PARCEL: 3652011

Date: 7/15/21  
Time: 1:27:16 PM

**A1.3**

HISTORY	BY
PLANNING PERMIT 2020-0709-0901	



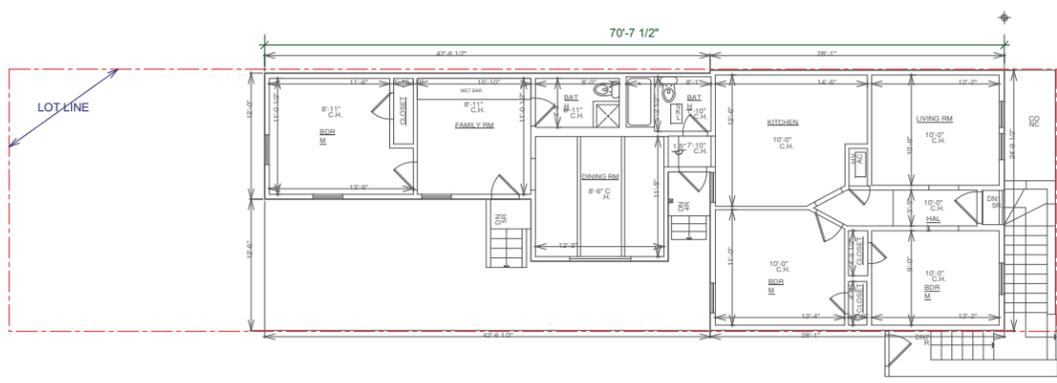
*Ernie Weiss*

EXISTING BUILDING PLANS  
 SITE PERMIT SET  
 (PLANNING NOPDR2)

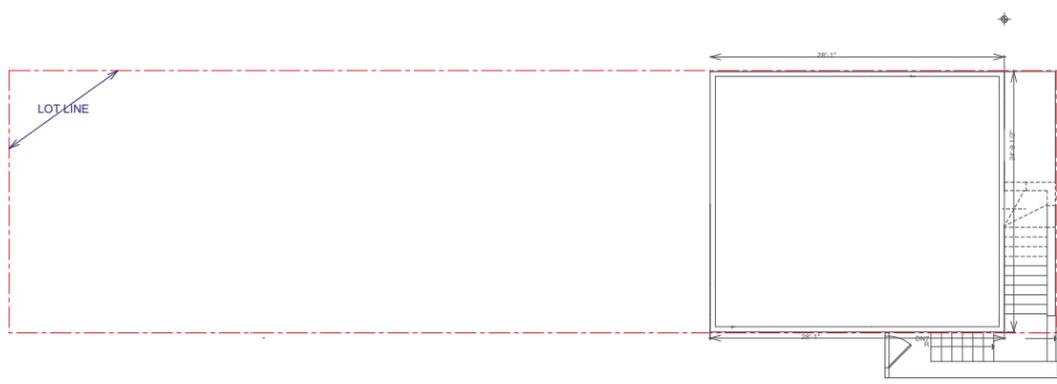
228 VICKSBURG ST  
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Date: 7/15/21  
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**A2.0**



2 FIRST FLOOR PLAN - EXISTING  
 A2.0 Scale: 1/8" = 1'-0"



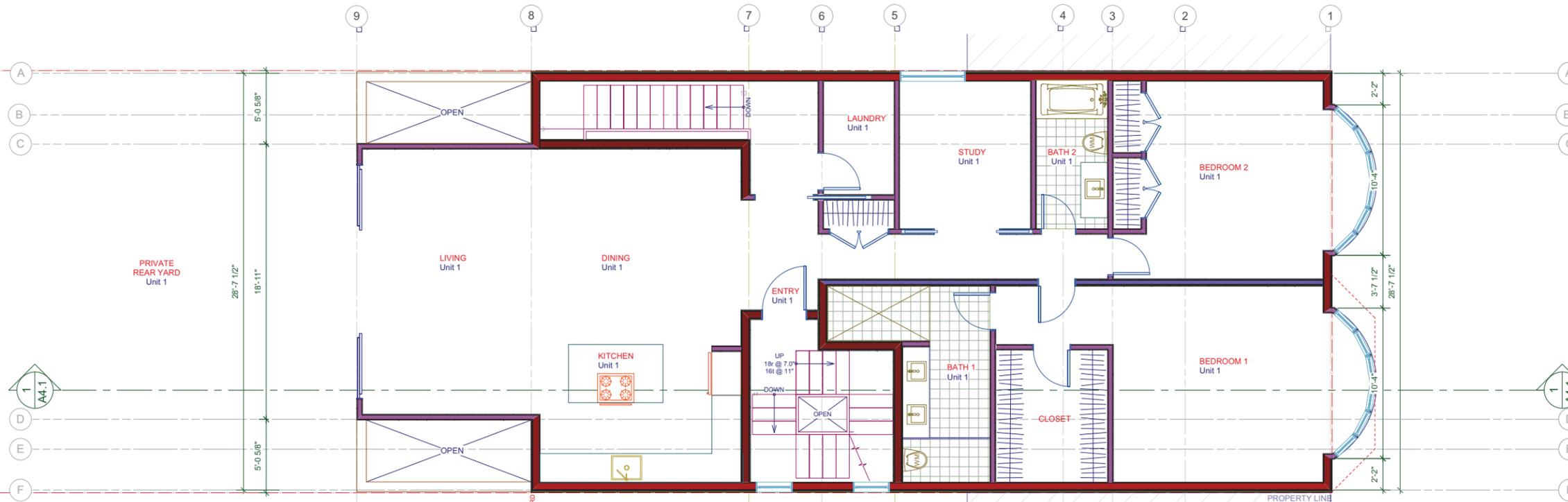
1 BASEMENT PLAN - EXISTING  
 A2.0 Scale: 1/8" = 1'-0"

**WALL SCHEDULE**

- PLATE SIZE GRAPHIC KEY:**  
 2x6's ARE CROSS-HATCHED  
 2x4's ARE HATCHED
- 2x NON-COMBUSTIBLE WOOD FRAMING FOR TYPE III-A CONSTRUCTION
  - 2x6 ONE-HOUR EXTERIOR WALL: 5/8" TYPE X GWB ON INTERIOR, 5/8" GYP SHEATHING OVER STUDS, BUILDING PAPER OVER GYP SHEATHING, EXT T&G P.T. PLYWOOD PER STRUCTURAL, "Z" FLASHING AT HORIZONTAL JOINTS, ADDITIONAL FINISH OVER PLYWOOD WHERE PLYWOOD IS VISIBLE.
  - 2x6 TWO-HOUR SOUND WALLS: STAGGER 2x4 STUDS ON 2x6 PLATES, SOUND INSULATION IN ALL VOIDS, TWO LAYERS 5/8" TYPE X EACH SIDE OF WOOD STUDS; STAGGER SEAMS. SEE DETAIL 90 MINUTE DOORS
  - 2x6 ONE-HOUR WALLS: ONE LAYER 5/8" TYPE X EACH SIDE OF WOOD STUDS
  - 2x4 ONE-HOUR EXTERIOR WALL: 5/8" TYPE X GWB ON INTERIOR, 5/8" GYP SHEATHING OVER STUDS, BUILDING PAPER OVER GYP SHEATHING, EXT T&G P.T. PLYWOOD PER STRUCTURAL, "Z" FLASHING AT HORIZONTAL JOINTS, ADDITIONAL FINISH OVER PLYWOOD WHERE PLYWOOD IS VISIBLE.
  - 2x4 TWO-HOUR WALLS: TWO LAYERS 5/8" TYPE X EACH SIDE OF WOOD STUDS; STAGGER SEAMS 90 MINUTE DOORS
  - 2x4 ONE-HOUR WALLS: ONE LAYER 5/8" TYPE X EACH SIDE OF WOOD STUDS
  - 2x4 ONE-HOUR PARAPET: 30" MIN. HEIGHT WALL ABOVE ROOFS, 42" AT DECKS, WITHIN 60" OF PROPERTY LINE, ONE LAYER 5/8" TYPE X EXT SHEATHING EACH SIDE OF WOOD STUDS, BUILDING PAPER, P.T. PLYWOOD PER STRUCTURAL, EXTERIOR FINISHES WHERE PLY IS EXPOSED, TOP 18" OF PARAPET NON-COMBUSTIBLE FINISH, TYPICAL

2x6 WALL PLATES

2x4 WALL PLATES



2 FIRST FLOOR PLAN - PROPOSED  
 A2.1 Scale: 1/4" = 1'-0"

1 A3.2

1 A3.1

**STAIR NOTES**

IF STAIR LAYOUT DOES NOT CONFORM TO THE FOLLOWING, OR VARIES SIGNIFICANTLY FROM DRAWINGS, CONTACT THE ARCHITECT BEFORE INSTALLATION.

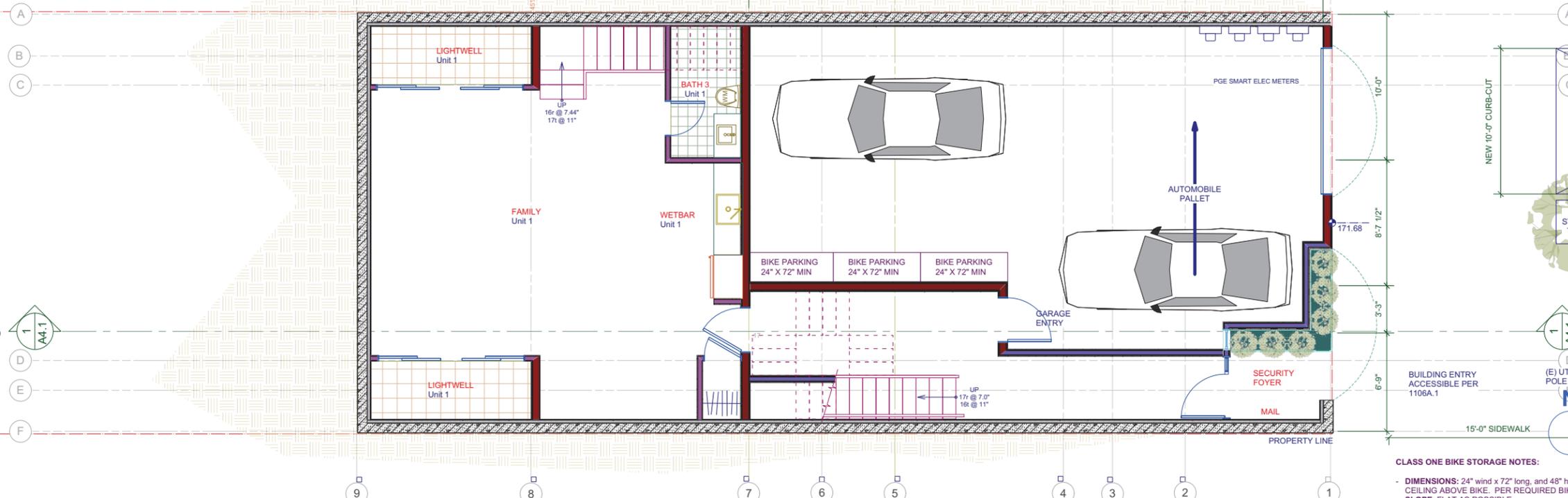
- 7" RISER AND 11" TREAD (7.75" MAXIMUM RISER AND 10" MINIMAL TREAD AT PRIVATE STAIRS) MAXIMUM.
- NOSING TO BE NOT LESS THAN 3/4" BUT NO MORE THAN 1 1/2" WHERE TREAD DEPTH IS LESS THAN 11"
- RISER TO PREVENT PASSAGE OF A 4" SPHERE
- THE HIGHEST RISER SHALL NOT BE MORE THAN 3/8" MORE THAN THE LOWEST RISER. THE GREATEST TREAD DEPTH SHALL NOT BE GREATER THAN 3/8" THAN THE SHALLOWEST TREAD
- 5/8" TYPE X GWB AT WALLS AND SOFFITS OF ENCLOSED USABLE SPACE UNDER STAIRS. DRAFT STOP BLOCKS AT STUDS BEHIND STRINGER WHERE GWB IS NOT CONTINUOUS.
- WOOD STAIRS TO BE 1 1/8" PLYWOOD SCREWED 3" ON CENTER AND GLUED AT ALL JOINTS WITH UNDERLAYMENT ADHESIVE AT INTERIOR; SEE EXTERIOR STAIR NOTES FOR ADDITIONAL NOTES 6-17

**GUARD AND HAND RAIL NOTES:**

HANDRAILS TO BE 36" ABOVE NOSING, BRACKETS INTO FRAMING OR BLOCKING; EXTEND 6" TOP & BOTTOM, 1 1/2" DIAMETER CROSS-SECTION. RAIL TO WITHSTAND 200 POUNDS APPLIED IN ANY DIRECTION AT ANY POINT ON RAIL, TYPICAL.

GUARDS TO BE 42" ABOVE FINISH AND SHALL BE ABLE TO RESIST A SINGLE CONCENTRATED LOAD OF 200 POUNDS, APPLIED IN ANY DIRECTION AT ANY POINT ALONG THE TOP, AND HAVE ATTACHMENT DEVICES AND SUPPORTING STRUCTURE TO TRANSFER THIS LOADING TO APPROPRIATE STRUCTURAL ELEMENTS OF THE BUILDING

INTERMEDIATE RAILS (ALL THOSE EXCEPT THE HANDRAIL), BALUSTERS AND PANEL FILLERS SHALL BE DESIGNED TO WITHSTAND A HORIZONTALLY APPLIED NORMAL LOAD OF 50 POUNDS ON AN AREA EQUAL TO 1 SQUARE FOOT, INCLUDING OPENINGS AND SPACE BETWEEN RAILS 6-18



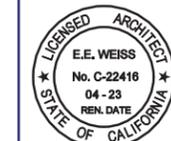
1 BASEMENT PLAN - PROPOSED  
 A2.1 Scale: 1/4" = 1'-0"

**CLASS ONE BIKE STORAGE NOTES:**

- DIMENSIONS: 24" wide x 72" long, and 48" high, 84" CEILING ABOVE BIKE. PER REQUIRED BIKE, MIN.
- SLOPE: FLAT AS POSSIBLE
- ACCESS ROUTE: 60" WIDE. NO MORE THAN (2) 36" DOORS 151.1(b)(1)(A)

**E.E. WEISS Architects, Inc.**  
 21 Corte Madera Ave.  
 Mill Valley, CA 94941  
 admin@eeweiss.com  
 Tel 415.381.8700

HISTORY	BY
PLANNING PERMIT 2020-0709-0901	



*Ernie Weiss*

**BASEMENT & FIRST FLOOR PLANS**  
**SITE PERMIT SET**  
 (PLANNING NOPDR2)

**228 VICKSBURG ST**  
 SAN FRANCISCO, CA 94114  
 ASSESSOR'S PARCEL: 3652011

Date: 7/15/21  
 Time: 1:27:16 PM

**A2.1**









**2 EYE-LEVEL PERSPECTIVE FROM OPPOSITE CURB**  
A3.1 Scale: 1/4" = 1'-0"



**3 OPPOSITE CURB VIEW LINE FOR 2/A3.1**  
A3.1 Scale: 1/4" = 1'-0"

- FINISH SCHEDULE:**
- NATURAL STONE BRICKS, 8"x14". UNPOLISHED SURFACE. 1/8" SANDED GROUT. LIGHT GREY STONE WITH MEDIUM GREY GROUT. FINAL COLOR TBD
  - PAINTED V-GROOVE 1x12 SIDING. MITER ALL CORNERS. CREAM COLOR TBD IN FIELD
  - HIGH PROFILE WOOD PROFILE WINDOWS. LOW-E THERMOPANES. SEE A3.3. DARK SLATE COLOR; ARCHITECT APPROVAL PRIOR TO ORDERING
  - 1x4 NATURAL WOOD SIDING WITH LIGHT WHITE SEMI-TRANSPARENT STAIN.
  - EXPOSED PROPERTY LINE WALLS IN CEMENTIOUS SIDING; PAINT TO MATCH ADJACENT SIDING
  - CONCEALED PROPERTY LINE WALLS TO BE PRESSURE TREATED PLYWOOD. 'Z' BAR FLASHING AT HORIZONTAL JOINTS
  - CABLE RAIL WITH 3x6 WOOD TOP
  - SOLID RAIL. FINISH SIMILAR TO EXTERIOR WALLS
  - 1x4 NATURAL WOOD SIDING WITH TRANSPARENT STAIN.

**HIGH PROFILE WINDOW SECTION**  
SEE 3/A3.3

- COLOR DETERMINATION ORDER:**
- WINDOWS
  - STONE BASE
  - STONE ENTRY PAVERS
  - VENETIAN PLASTER
  - CLEAR WOOD STAIN
  - PAINTED SURFACES

SUBMIT COLORS TO ARCHITECT BEFORE ORDERING, TYPICAL

EXTERIOR FENESTRATION AND FINISHES TO MEET U-FACTOR IN TITLE -24 ENERGY REPORT, TYPICAL

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*Ernie Weiss*



**1 PROPOSED EAST (STREET) ELEVATION**  
A3.1 Scale: 1/4" = 1'-0"

- OBSCURE GLASS GARAGE DOOR
- ILLUMINATED HOUSE NUMBER
- SIEDLE VIDEO ENTRY SYSTEM WITH INTEGRAL MAILBOXES
- RED 10" TRIANGLE WITH 3" WHITE FR
- FIRE BELL WITH FD REQUIRED SIGN

FRONT ELEVATION  
SITE PERMIT SET  
(PLANNING NOPDR2)

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**A3.1**





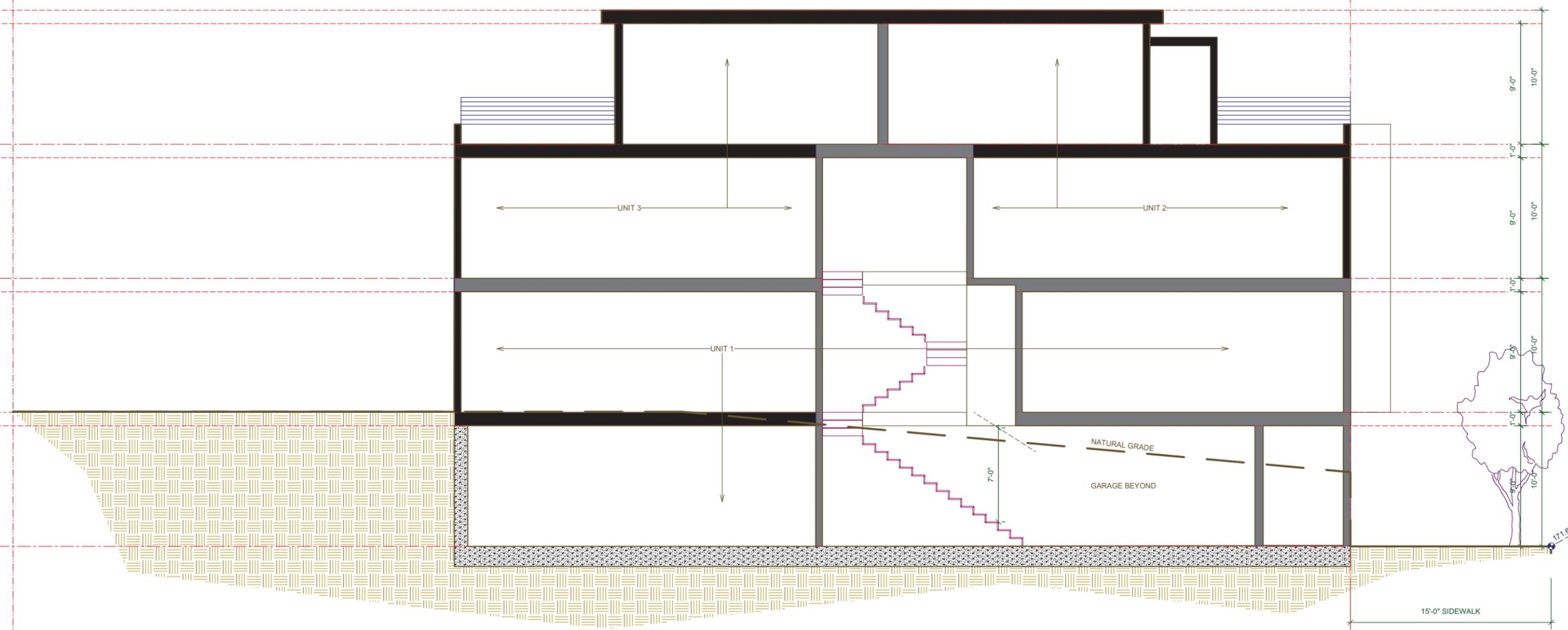
**FIRE RATING AND CONSTRUCTION TYPE KEY**

- TYPE III-A: 1-HOUR (MINIMUM RATING) WALL & CEILING
- TYPE III-A: 2-HOUR WALLS AND CEILING

(2) LAYERS 5/8" TYPE 'X' GWB  
 EACH SIDE OF COMMON WALLS  
 AT FIRE CORRIDORS, TYP.

PROPERTY LINE

PROPERTY LINE



HISTORY	BY
PLANNING PERMIT 2020-0709-0901	



*Ernie Weiss*

SECTION  
 SITE PERMIT SET  
 (PLANNING NOPDR2)

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A4.1

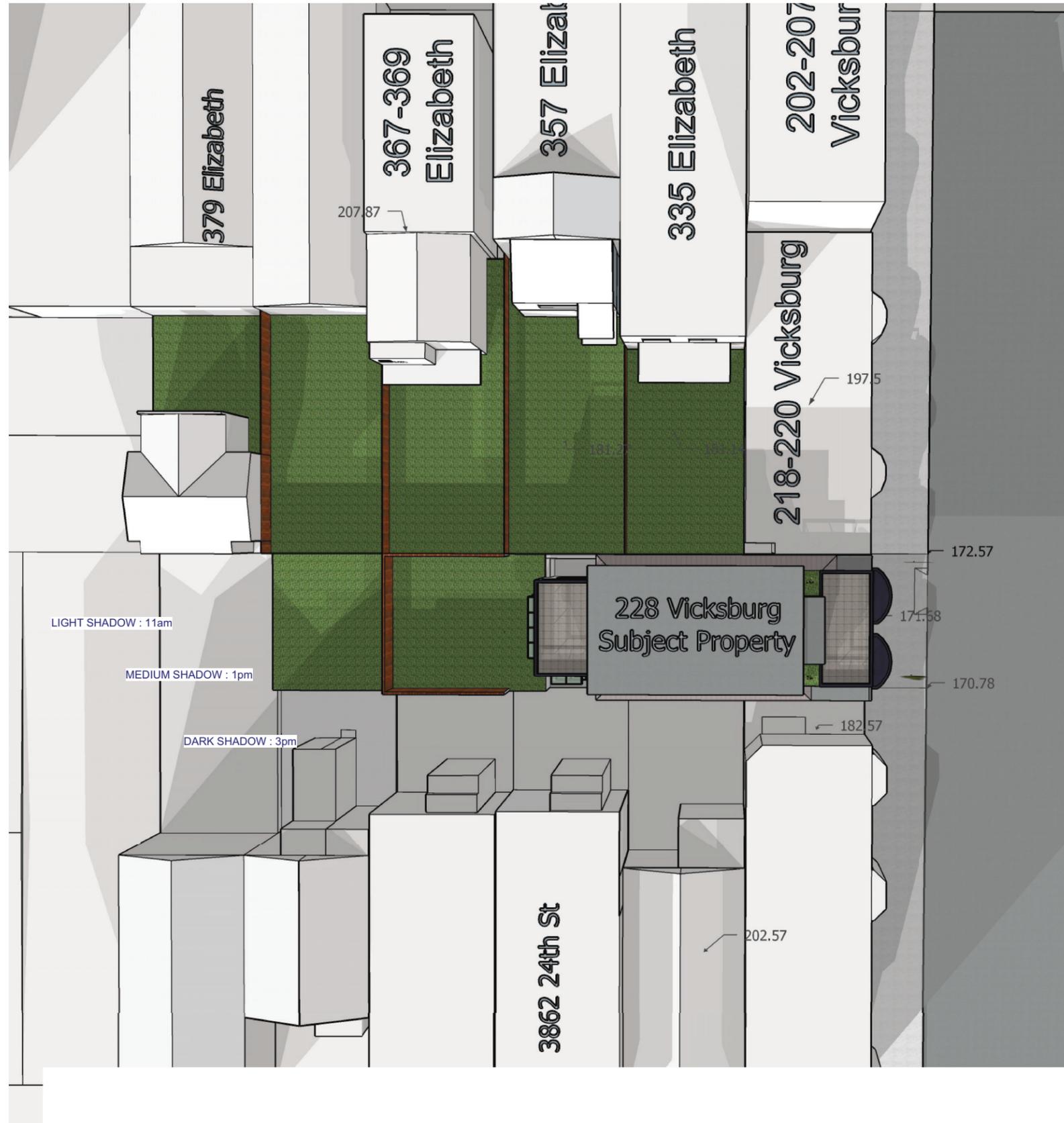
1 PROPOSED WEST (REAR) ELEVATION  
 A3.2 Scale: 1/4" = 1'-0"

FOUNDATION CRAWL SPACE TO HAVE STRUCTURAL  
 SLAB, DRAINED AND WATERPROOFED. FURR AND  
 INSULATE WALLS. NO VENTILATION REQUIRED  
 SEC. 2317.7









1 SITE PLAN - SHADOW STUDY  
A1.3 No Scale

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- SHADOW STUDY NOTES:**
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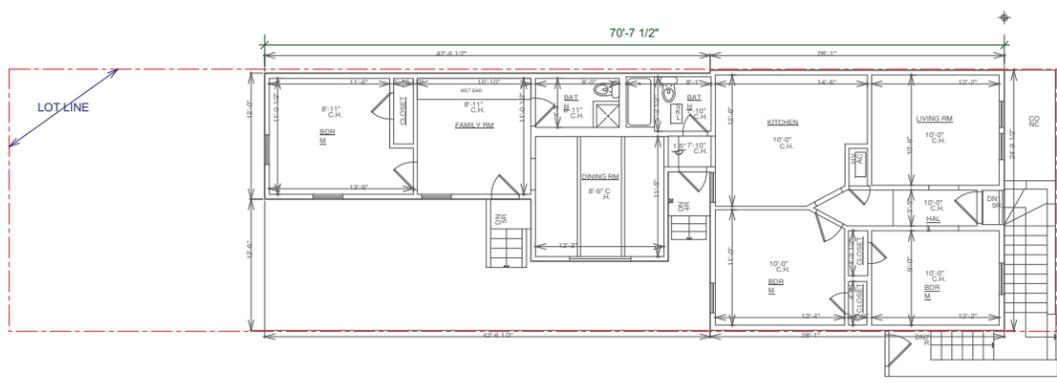
*Ernie Weiss*

EXISTING BUILDING PLANS  
 SITE PERMIT SET  
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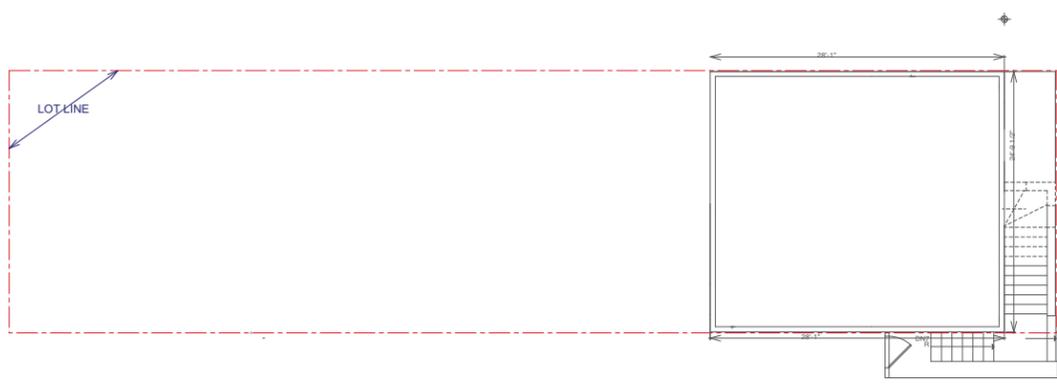
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**A2.0**



2 FIRST FLOOR PLAN - EXISTING  
 A2.0 Scale: 1/8" = 1'-0"



1 BASEMENT PLAN - EXISTING  
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**WALL SCHEDULE**

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  - 2x6 **ONE-HOUR EXTERIOR WALL:** 5/8" TYPE X GWB ON INTERIOR, 5/8" GYP SHEATHING OVER STUDS, BUILDING PAPER OVER GYP SHEATHING, EXT T&G P.T. PLYWOOD PER STRUCTURAL, "Z" FLASHING AT HORIZONTAL JOINTS, ADDITIONAL FINISH OVER PLYWOOD WHERE PLYWOOD IS VISIBLE.
  - 2x6 **TWO-HOUR SOUND WALLS:** STAGGER 2x4 STUDS ON 2x6 PLATES, SOUND INSULATION IN ALL VOIDS, TWO LAYERS 5/8" TYPE X EACH SIDE OF WOOD STUDS; STAGGER SEAMS. **SEE DETAIL 90 MINUTE DOORS**
  - 2x6 **ONE-HOUR WALLS:** ONE LAYER 5/8" TYPE X EACH SIDE OF WOOD STUDS
  - 2x4 **ONE-HOUR EXTERIOR WALL:** 5/8" TYPE X GWB ON INTERIOR, 5/8" GYP SHEATHING OVER STUDS, BUILDING PAPER OVER GYP SHEATHING, EXT T&G P.T. PLYWOOD PER STRUCTURAL, "Z" FLASHING AT HORIZONTAL JOINTS, ADDITIONAL FINISH OVER PLYWOOD WHERE PLYWOOD IS VISIBLE.
  - 2x4 **TWO-HOUR WALLS:** TWO LAYERS 5/8" TYPE X EACH SIDE OF WOOD STUDS; STAGGER SEAMS **90 MINUTE DOORS**
  - 2x4 **ONE-HOUR WALLS:** ONE LAYER 5/8" TYPE X EACH SIDE OF WOOD STUDS
  - 2x4 **ONE-HOUR PARAPET:** 30" MIN. HEIGHT WALL ABOVE ROOFS, 42" AT DECKS, WITHIN 60" OF PROPERTY LINE, ONE LAYER 5/8" TYPE X EXT SHEATHING EACH SIDE OF WOOD STUDS, BUILDING PAPER, P.T. PLYWOOD PER STRUCTURAL, EXTERIOR FINISHES WHERE PLY IS EXPOSED, TOP 18" OF PARAPET NON-COMBUSTIBLE FINISH, TYPICAL

**VENTILATE ALL ROOF CAVITIES:**

EACH UNIT ROOF CAVITY TO BE ENTIRELY SEPARATED FROM EVERY OTHER UNIT'S ROOF CAVITY

CROSS-VENTILATE BETWEEN ROOFS; AT ALL JOIST BAYS AND OBSTRUCTIONS DRILL (3) 1 1/2" HOLES AT THE TOP OF ALL BLOCKS AND JOISTS THAT PREVENT AIR FLOW, TYPICAL

ALL ROOF(S) TO HAVE VENTILATION AND COMPLY WITH UBC SECTION

NO OPENING WITHIN 60" OF PROPERTY LINE

**ROOFING UNDER DECK NOTES**

LOW PITCH ROOF: TAPERED SLEEPERS OVER JOISTS TO PROVIDED POSITIVE SLOPE TO DRAIN AT ALL LOCATIONS, TYPICAL

MODIFIED 1 PLY ROOFING, CLASS 'A' BY DIBITEN (ICBO #4392) INSTALL PER MANUFACTURE'S RECOMMENDATION COLOR: WEATHERED GRAY

NO DOWN SPOUT OPENING WITHIN 36" OF PROPERTY LINE. ROUTE ALL RAIN WATER TO SANITARY SEWER

SCUPPER TO AREA DRAIN OVER BAY WINDOWS, OVERFLOW SCUPPER BETWEEN BAYS, TYPICAL

**SFFD AND DBI REQUIRES A STAIR TO THE ROOF FROM THE LOBBY AS FOLLOWS:**

IN R-2 OCCUPANCY BUILDINGS FOUR STORIES OR GREATER, ONE STAIR SHALL EXTEND TO THE ROOF, EXCEPT IN ROOFS EXCEEDING 4:12 PITCH, SECTION 1011.12

**NO ROOF ACCESS REQUIRED**

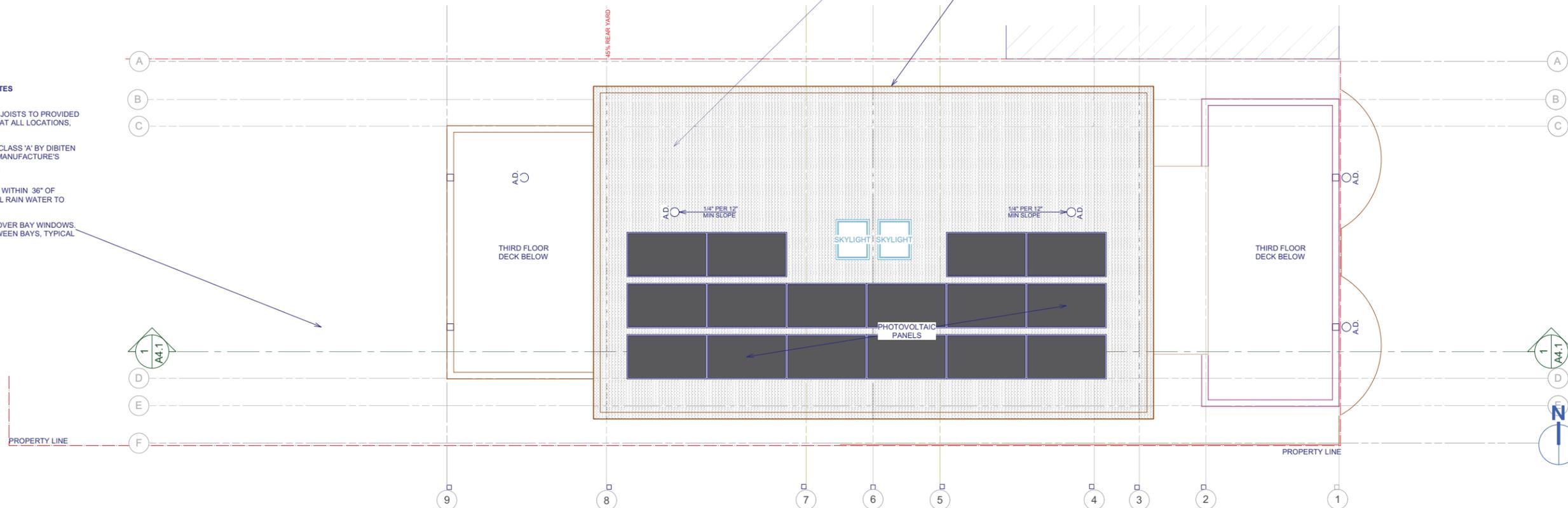
**TERMINATION OF FLUES, DUCTS, & DOWNSPOUTS**

**TERMINATION OF VENTS:** ALL ENVIRONMENTAL VENTS (BATH, KITCHEN, LAUNDRY, ETC.) AND EXHAUST WITH BACK DAMPER MAY NOT TERMINATE WITHIN 36" OF PROPERTY LINE

**TERMINATION OF FLUES:** FLUES FROM MECHANICAL EQUIPMENT, GAS FIREPLACES, ETC. MAY NOT TERMINATE WITHIN 48" OF PROPERTY LINE

**TERMINATION OF DOWNSPOUTS AND PLUMBING FLUES:** DOWNSPOUTS AND PLUMBING VENTS MAY NOT TERMINATE WITHIN 36" OF PROPERTY LINE OR WITHIN 10'-0" OF OPERABLE SKYLIGHT OR WINDOW

ALL EAVES TO BE ONE-HOUR WITHIN 60" OF PROPERTY LINE, TYPICAL



1 ROOF PLAN - PROPOSED  
 A2.3 Scale: 1/4" = 1'-0"



**E.E. WEISS**  
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 Tel 415.381.8700

HISTORY	BY
PLANNING PERMIT 2020-0709-0901	



*Ernie Weiss*

**ROOF PLANS**  
**SITE PERMIT SET**  
 (PLANNING NOPDR2)

**228 VICKSBURG ST**  
 SAN FRANCISCO, CA 94114  
 ASSESSOR'S PARCEL: 3652011

Date: 7/15/21  
 Time: 1:27:16 PM  
**A2.3**





**2 EYE-LEVEL PERSPECTIVE FROM OPPOSITE CURB**  
A3.1 Scale: 1/4" = 1'-0"



**3 OPPOSITE CURB VIEW LINE FOR 2/A3.1**  
A3.1 Scale: 1/4" = 1'-0"

- FINISH SCHEDULE:**
- NATURAL STONE BRICKS, 8"x14". UNPOLISHED SURFACE. 1/8" SANDED GROUT. LIGHT GREY STONE WITH MEDIUM GREY GROUT. FINAL COLOR TBD
  - PAINTED V-GROOVE 1x12 SIDING. MITER ALL CORNERS. CREAM COLOR TBD IN FIELD
  - HIGH PROFILE WOOD PROFILE WINDOWS. LOW-E THERMOPANES. SEE A3.3. DARK SLATE COLOR; ARCHITECT APPROVAL PRIOR TO ORDERING
  - 1x4 NATURAL WOOD SIDING WITH LIGHT WHITE SEMI-TRANSPARENT STAIN.
  - EXPOSED PROPERTY LINE WALLS IN CEMENTIOUS SIDING; PAINT TO MATCH ADJACENT SIDING
  - CONCEALED PROPERTY LINE WALLS TO BE PRESSURE TREATED PLYWOOD. 2" BAR FLASHING AT HORIZONTAL JOINTS
  - CABLE RAIL WITH 3x6 WOOD TOP
  - SOLID RAIL. FINISH SIMILAR TO EXTERIOR WALLS
  - 1x4 NATURAL WOOD SIDING WITH TRANSPARENT STAIN.

**HIGH PROFILE WINDOW SECTION**  
SEE 3/A3.3

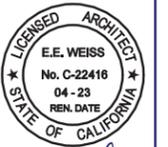
- COLOR DETERMINATION ORDER:**
- WINDOWS
  - STONE BASE
  - STONE ENTRY PAVERS
  - VENETIAN PLASTER
  - CLEAR WOOD STAIN
  - PAINTED SURFACES

SUBMIT COLORS TO ARCHITECT BEFORE ORDERING, TYPICAL

EXTERIOR FENESTRATION AND FINISHES TO MEET U-FACTOR IN TITLE -24 ENERGY REPORT, TYPICAL

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HISTORY	BY
PLANNING PERMIT 2020-0709-0901	



*Ernie Weiss*



**1 PROPOSED EAST (STREET) ELEVATION**  
A3.1 Scale: 1/4" = 1'-0"

OBSCURE GLASS GARAGE DOOR

ILLUMINATED HOUSE NUMBER  
SIEDLE VIDEO ENTRY SYSTEM  
WITH INTEGRAL MAILBOXES

RED 10" TRIANGLE WITH 3" WHITE FR  
FIRE BELL WITH FD REQUIRED SIGN

FRONT ELEVATION  
SITE PERMIT SET  
(PLANNING NOPDR2)

228 VICKSBURG ST  
SAN FRANCISCO, CA 94114  
ASSESSOR'S PARCEL: 3652011

Date: 7/15/21  
Time: 1:27:16 PM

**A3.1**





**FIRE RATING AND CONSTRUCTION TYPE KEY**

- TYPE III-A: 1-HOUR (MINIMUM RATING) WALL & CEILING
- TYPE III-A: 2-HOUR WALLS AND CEILING

(2) LAYERS 5/8" TYPE 'X' GWB  
 EACH SIDE OF COMMON WALLS  
 AT FIRE CORRIDORS, TYP.

HISTORY	BY
PLANNING PERMIT 2020-0709-0901	



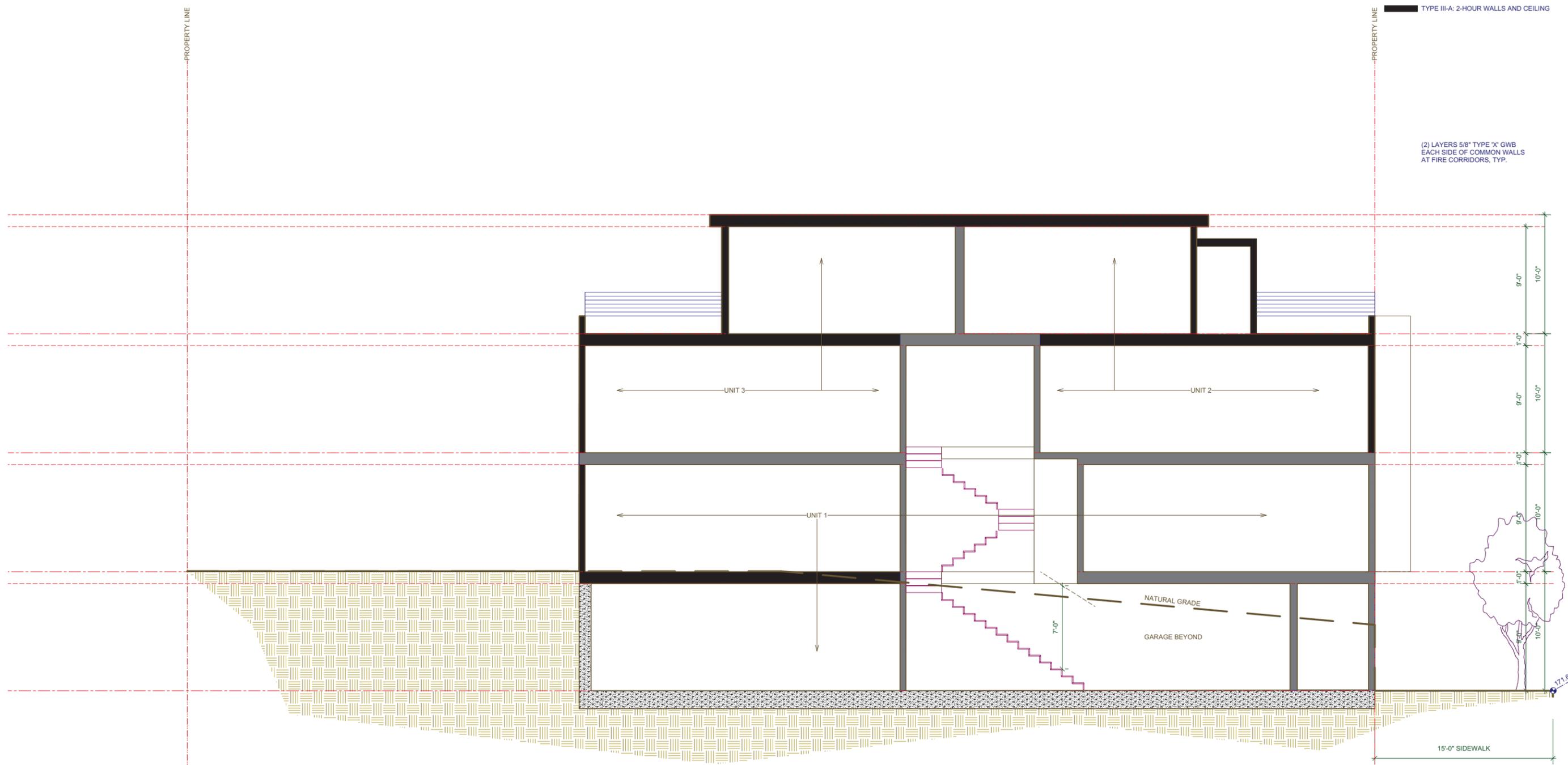
*Ernie Weiss*

**SECTION**  
**SITE PERMIT SET**  
 (PLANNING NOPDR2)

**228 VICKSBURG ST**  
 SAN FRANCISCO, CA 94114  
 ASSESSOR'S PARCEL: 3652011

Date: 7/15/21  
 Time: 1:27:16 PM

A4.1



1 PROPOSED WEST (REAR) ELEVATION  
 A3.2 Scale: 1/4" = 1'-0"

FOUNDATION CRAWL SPACE TO HAVE STRUCTURAL  
 SLAB, DRAINED AND WATERPROOFED. FURR AND  
 INSULATE WALLS. NO VENTILATION REQUIRED  
 SEC. 2317.7



## CEQA Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
228 VICKSBURG ST		3652011
<b>Case No.</b>		<b>Permit No.</b>
2020-008133ENV		202007099901
<input type="checkbox"/> <b>Addition/Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input checked="" type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b>          The project proposes the demolition of the existing single-family residence and construction of a three-story over basement residential building with three residential units and two off-street parking spaces.</p>		

### STEP 1: EXEMPTION TYPE

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

**STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT**

**TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p><b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</p>
<input type="checkbox"/>	<p><b>Hazardous Materials:</b>    <input type="checkbox"/> <b>Maher</b> or    <input type="checkbox"/> <b>Cortese</b></p> <p>If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p><b>Note that a categorical exemption shall not be issued for a project located on the Cortese List if box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant. (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</b></p>
<input type="checkbox"/>	<p><b>Transportation:</b> Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities? Would the project involve the intensification of or a substantial increase in vehicle trips at the site due to autonomous vehicle or for-hire vehicle fleet maintenance, operations or charging?</p>
<input checked="" type="checkbox"/>	<p><b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.</p>
<input type="checkbox"/>	<p><b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>) <b>If box is checked, Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Average Slope of Parcel = or &gt; 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area:</b> Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? (refer to <i>The Environmental Planning tab on the San Francisco Property Information Map</i>) <b>If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Seismic Hazard:</b>    <input type="checkbox"/> <b>Landslide</b> or    <input type="checkbox"/> <b>Liquefaction Hazard Zone:</b></p> <p>Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? (refer to <i>The Environmental tab on the San Francisco Property Information Map</i>) <b>If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</b></p>
<p><b>Comments and Planner Signature (optional):</b>                      Don Lewis</p> <p>The department's staff archeologist conducted preliminary archeological review on 12/17/2020 and determined that no CEQA-significant archeological resources are expected within project-affected soils.</p>	

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

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

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

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

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

<b>Check all that apply to the project.</b>							
<input checked="" type="checkbox"/>	<p>1. <b>Reclassification of property status.</b> (Attach HRER Part I)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><input type="checkbox"/> Reclassify to Category A</td> <td style="width: 50%; border: none;"><input checked="" type="checkbox"/> Reclassify to Category C</td> </tr> <tr> <td style="border: none;"> <p>a. Per HRER 05/27/2021</p> </td> <td style="border: none;"> <p>(No further historic review)</p> </td> </tr> <tr> <td colspan="2" style="border: none;"> <p>b. Other (specify): Reclassify to Category C as per HRER Part I dated 05/27/2021</p> </td> </tr> </table>	<input type="checkbox"/> Reclassify to Category A	<input checked="" type="checkbox"/> Reclassify to Category C	<p>a. Per HRER 05/27/2021</p>	<p>(No further historic review)</p>	<p>b. Other (specify): Reclassify to Category C as per HRER Part I dated 05/27/2021</p>	
<input type="checkbox"/> Reclassify to Category A	<input checked="" type="checkbox"/> Reclassify to Category C						
<p>a. Per HRER 05/27/2021</p>	<p>(No further historic review)</p>						
<p>b. Other (specify): Reclassify to Category C as per HRER Part I dated 05/27/2021</p>							
<input type="checkbox"/>	2. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.						
<input type="checkbox"/>	3. <b>Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.</b>						
<input type="checkbox"/>	4. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.						
<input type="checkbox"/>	5. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.						

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

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

<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Planning Commission Hearing	<b>Signature:</b> Maggie Smith
		06/01/2021
<p>Once signed or stamped and dated, this document constitutes a n exemption pursuant to CEQA Guidelines and Chapter 31of the Administrative Code.          In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.          Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>		

## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

### TO BE COMPLETED BY PROJECT PLANNER

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

### MODIFIED PROJECT DESCRIPTION

Modified Project Description:

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | Result in expansion of the building envelope, as defined in the Planning Code;   |
| <input type="checkbox"/> | Result in the change of use that would require public notice under Planning Code Sections 311 or 312;  |
| <input type="checkbox"/> | Result in demolition as defined under Planning Code Section 317 or 19005(f)?   |
| <input type="checkbox"/> | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |

**If at least one of the above boxes is checked, further environmental review is required.**

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

If this box is checked, the proposed modifications are exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed to the Environmental Review Officer within 10 days of posting of this determination.

**Planner Name:**

**Date:**



## PART I HISTORIC RESOURCE EVALUATION RESPONSE

**Record No.:** 2020-008133ENV  
**Project Address:** 228 VICKSBURG ST  
**Zoning:** RH-3 RESIDENTIAL- HOUSE, THREE FAMILY Zoning District  
40-X Height and Bulk District  
**Block/Lot:** 3652/011  
**Staff Contact:** Maggie Smith - 628-652-7549  
Maggie.Smith@sfgov.org

### PART I: Historic Resource Evaluation

#### PROJECT SPONSOR SUBMITTAL

To assist in the evaluation of the proposed project, the Project Sponsor has submitted a:

- Supplemental Information for Historic Resource Determination Form (HRD)
- Consultant-prepared Historic Resource Evaluation (HRE) Part I

Prepared by: Tim Kelley Consulting, LLC (TKC), *Historical Resource Evaluation Part I, 228 Vicksburg Street* (February 2020)

Staff consensus with Consultant's HRE report:  Agree  Disagree

#### BUILDINGS AND PROPERTY DESCRIPTION

**Neighborhood:** Noe Valley

**Date of Construction:** ca. 1891

**Construction Type:** Wood frame

**Architect:** Unknown

**Builder:** Unknown, likely William Linden

**Architectural Style:** Vernacular

**Exterior Alterations:** Demolition of rear two-story attached building and one-story detached outbuilding (ca.1910); construction of rear 12-foot-by-25-foot wood-frame addition with concrete foundation and rustic wood siding (1912); replacement of wood steps with terrazzo steps with brick support underneath and brick stair railings (1948); alterations to primary façade, including stucco cladding, loss of architectural details, and likely changes to the parapet (pre-ca. 1950); rear 12-foot-by-12.5-foot addition (1974); and replacement of front door (post-ca.1950)

**Stories:** One story

**Roof Form:** Front gable with stepped parapet and flat

**Cladding:** Stucco and rustic wood siding

**Primary Façade:** Vicksburg Street (east)

**Visible Facades:** East and south

**EXISTING PROPERTY PHOTO / CURRENT CONDITION**



Source: Planning Department, April 2021

**PRE-EXISTING HISTORIC RATING / SURVEY**

- Category A – Known Historic Resource, per: \_\_\_\_\_
- Category B – Age Eligible/Historic Status Unknown
- Category C – Not Age Eligible / No Historic Resource Present, per: \_\_\_\_\_

Adjacent or Nearby Historic Resources:  No  Yes: California Register-eligible 24<sup>th</sup> Street Commercial Corridor Historic District (see HRER signed 6/4/2015 for Record No. 2015-000391ENV)

**CEQA HISTORICAL RESOURCE(S) EVALUATION**

**Step A: Significance**

Individual Significance	Historic District / Context Significance
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:  <b>Criterion 1 - Event:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Criterion 2 - Persons:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Criterion 3 - Architecture:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Criterion 4 - Info. Potential:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  Period of Significance: _____ _____	Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria:  <b>Criterion 1 - Event:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Criterion 2 - Persons:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Criterion 3 - Architecture:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Criterion 4 - Info. Potential:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  Period of Significance: _____ <input type="checkbox"/> Contributor <input type="checkbox"/> Non-Contributor <input checked="" type="checkbox"/> N/A

**Analysis:**

The following evaluation is based on the HRE Part I for 228 Vicksburg Street by TKC (dated February 2020); additional information found in the Planning Department's files; and other public records such as maps, newspapers, city directories, and federal censuses.

No known historic events occurred at 228 Vicksburg Street and it does not represent a significant development in its neighborhood (Criterion 1). None of the subject property's owners or occupants have been identified as having made lasting contributions to local, state, or national history or cultural heritage in association with this property (Criterion 2). 228 Vicksburg Street does not rise to the level architecturally such that it embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master or possesses high artistic value (Criterion 3). Please refer to the HRE Part I for further criteria 1, 2, and 3 analysis. Based upon a review of information





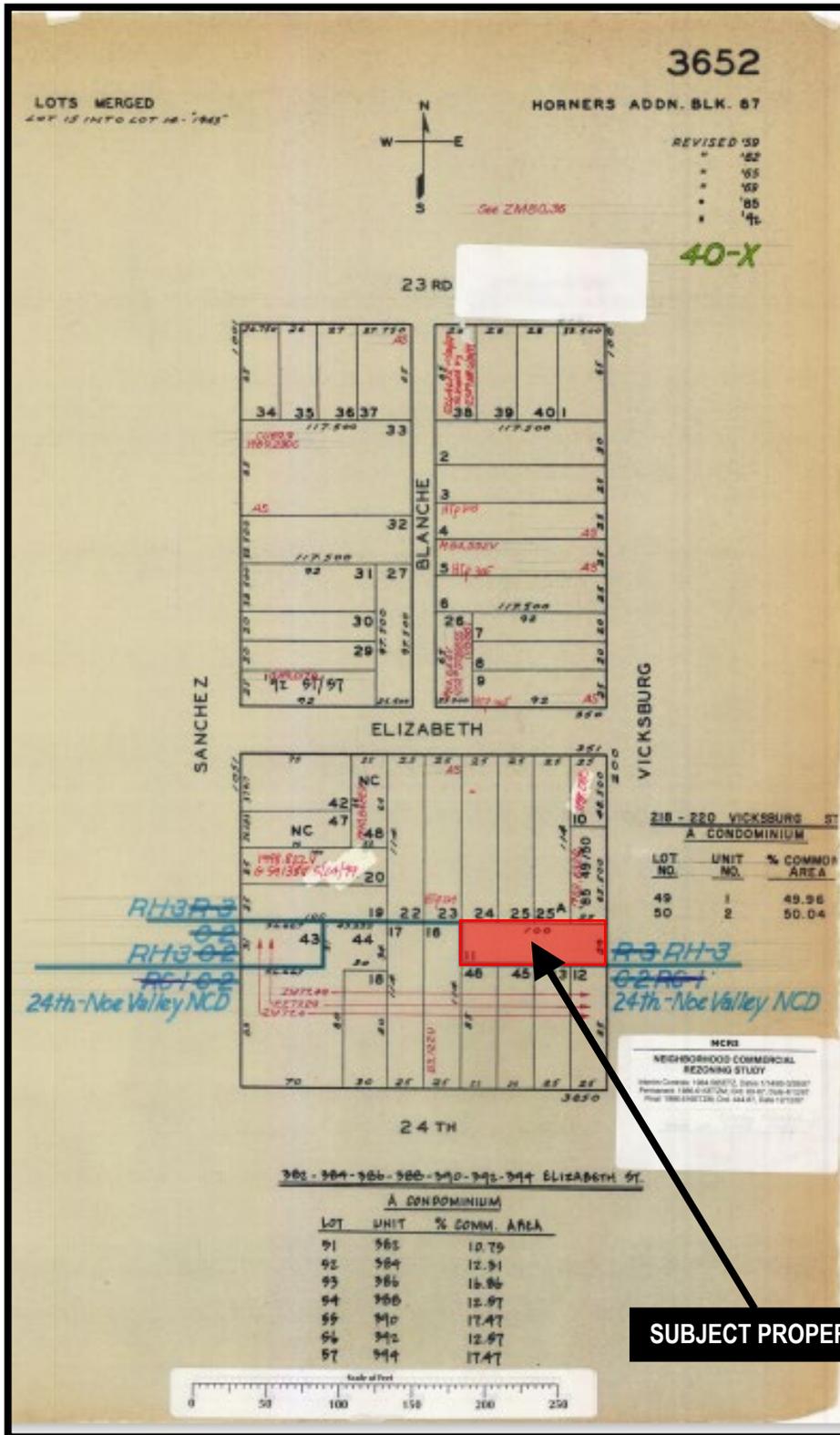
# LAND USE INFORMATION

PROJECT ADDRESS: 228 VICKSBURG STREET  
RECORD NO.: 2020-008133CUA

	EXISTING	PROPOSED	NET NEW
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF	0	789	789
Residential GSF	1,270	5,536	4,266
Retail/Commercial GSF			
Office GSF			
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>			
Medical GSF			
Visitor GSF			
CIE GSF			
Usable Open Space	NA	1,377	NA
Public Open Space			
Other ( )			
<b>TOTAL GSF</b>	<b>1,270</b>	<b>6,325</b>	<b>5,055</b>
	<b>EXISTING</b>	<b>NET NEW</b>	<b>TOTALS</b>
<b>PROJECT FEATURES (Units or Amounts)</b>			
Dwelling Units - Affordable			
Dwelling Units - Market Rate	1	2	3
Dwelling Units - Total			
Hotel Rooms			
Number of Buildings	1 (to be demo'd)	1	1
Number of Stories	1	3	4
Parking Spaces	0	3	3
Loading Spaces			
Bicycle Spaces	0	3	3
Car Share Spaces			
Other ( )			

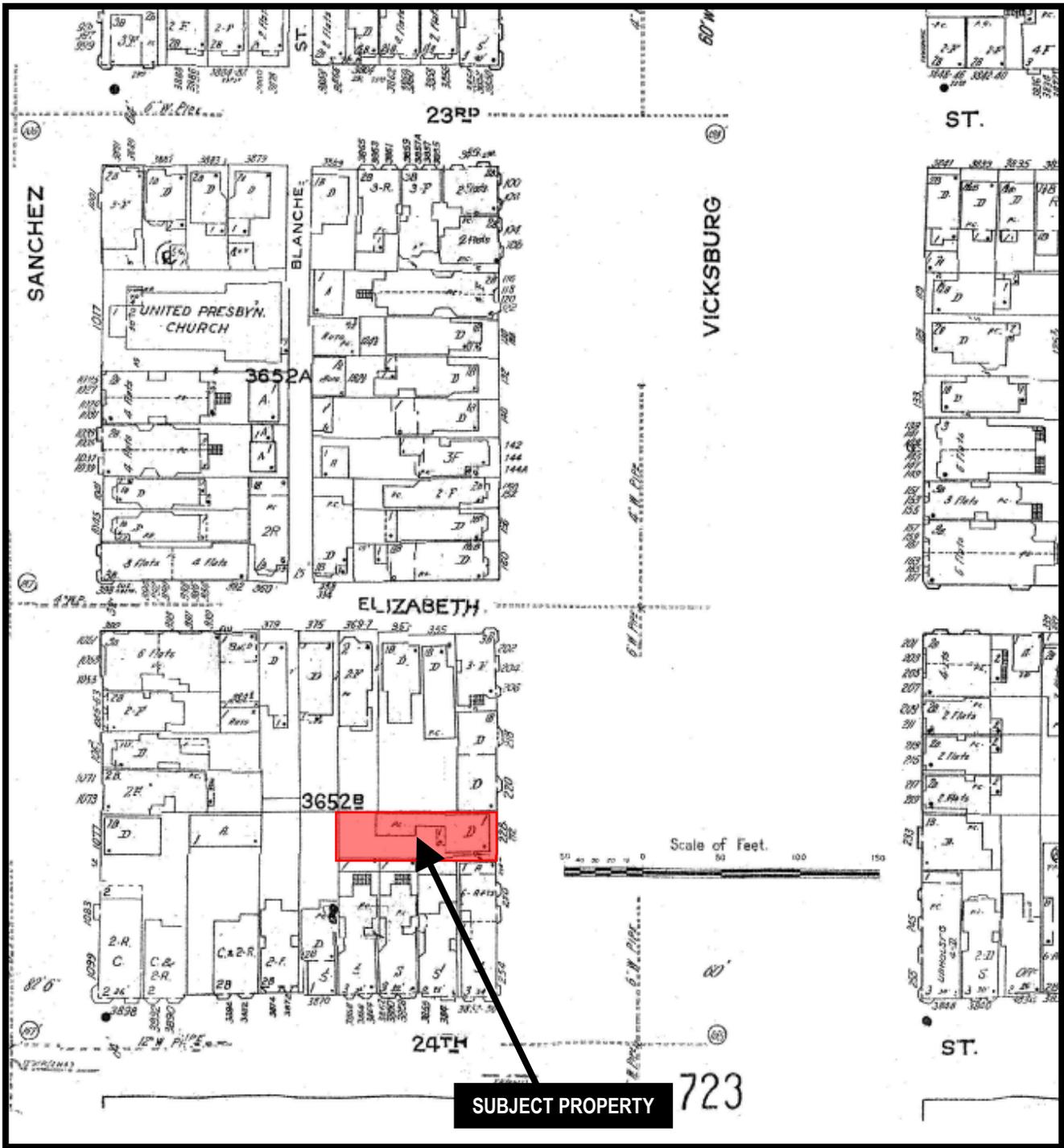
	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units			
One Bedroom Units			
Two Bedroom Units	0	3	3
Three Bedroom (or +) Units	1	0	-1
Group Housing - Rooms			
Group Housing - Beds			
SRO Units			
Micro Units			
Accessory Dwelling Units			

# Parcel Map



Conditional Use Authorization  
 Case Number 2020-008133CUA  
 Residential Demolition  
 228 Vicksburg Street

# Sanborn Map\*

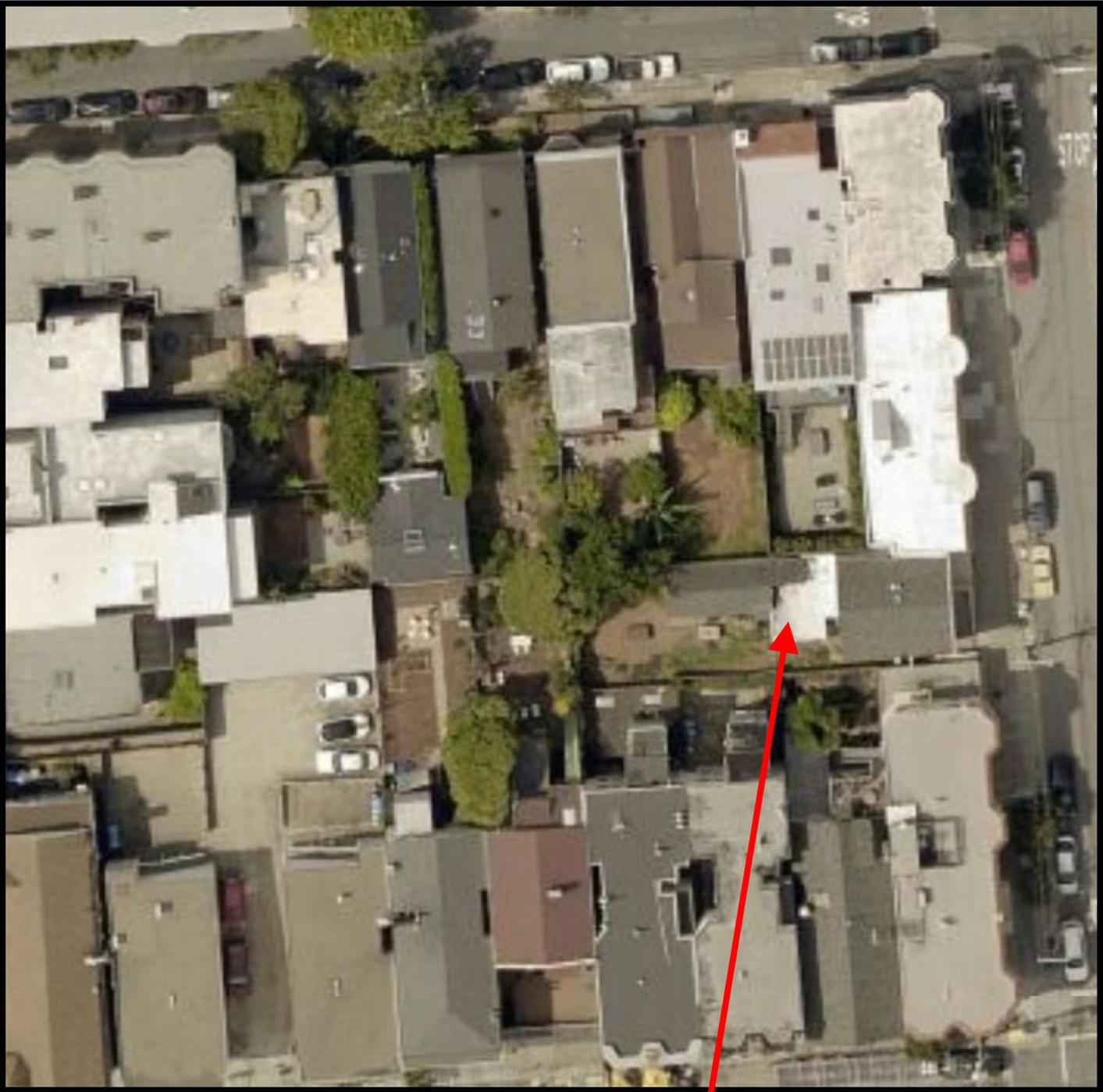


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization  
Case Number 2020-008133CUA  
Residential Demolition  
228 Vicksburg Street

# Aerial Photo – View 1

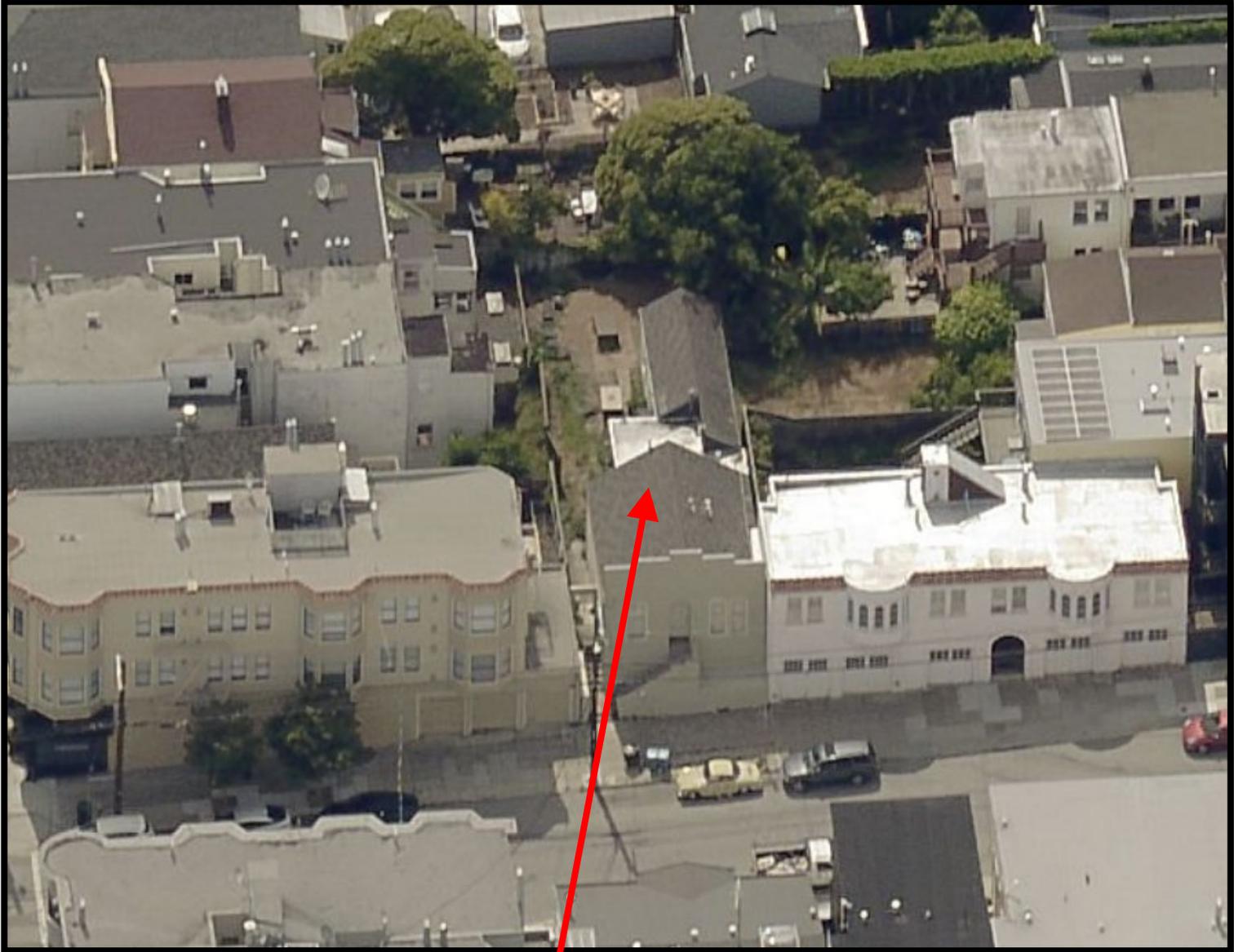


**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2020-008133CUA  
Residential Demolition  
228 Vicksburg Street

# Aerial Photo – View 2

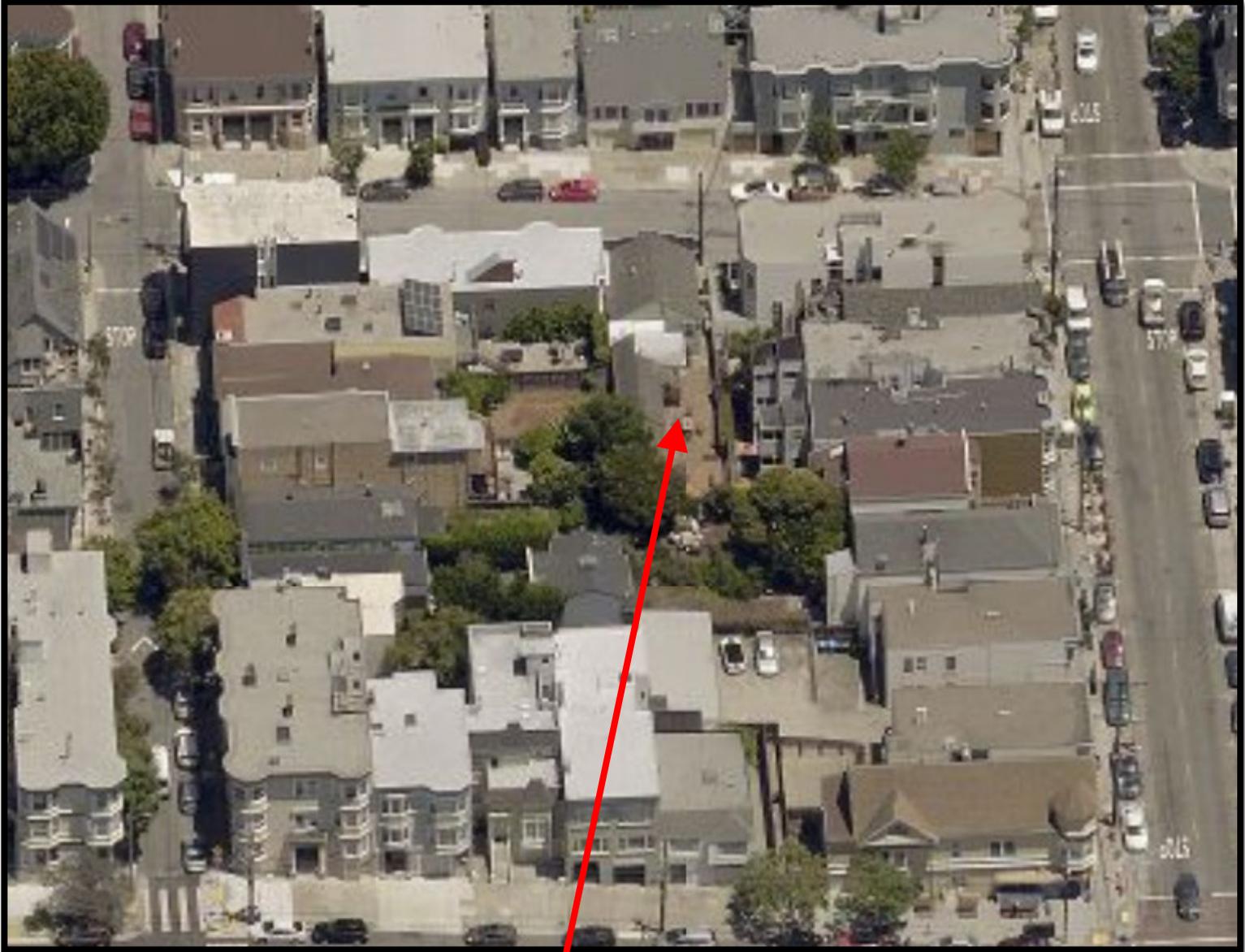


**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2020-008133CUA  
Residential Demolition  
228 Vicksburg Street

# Aerial Photo – View 3



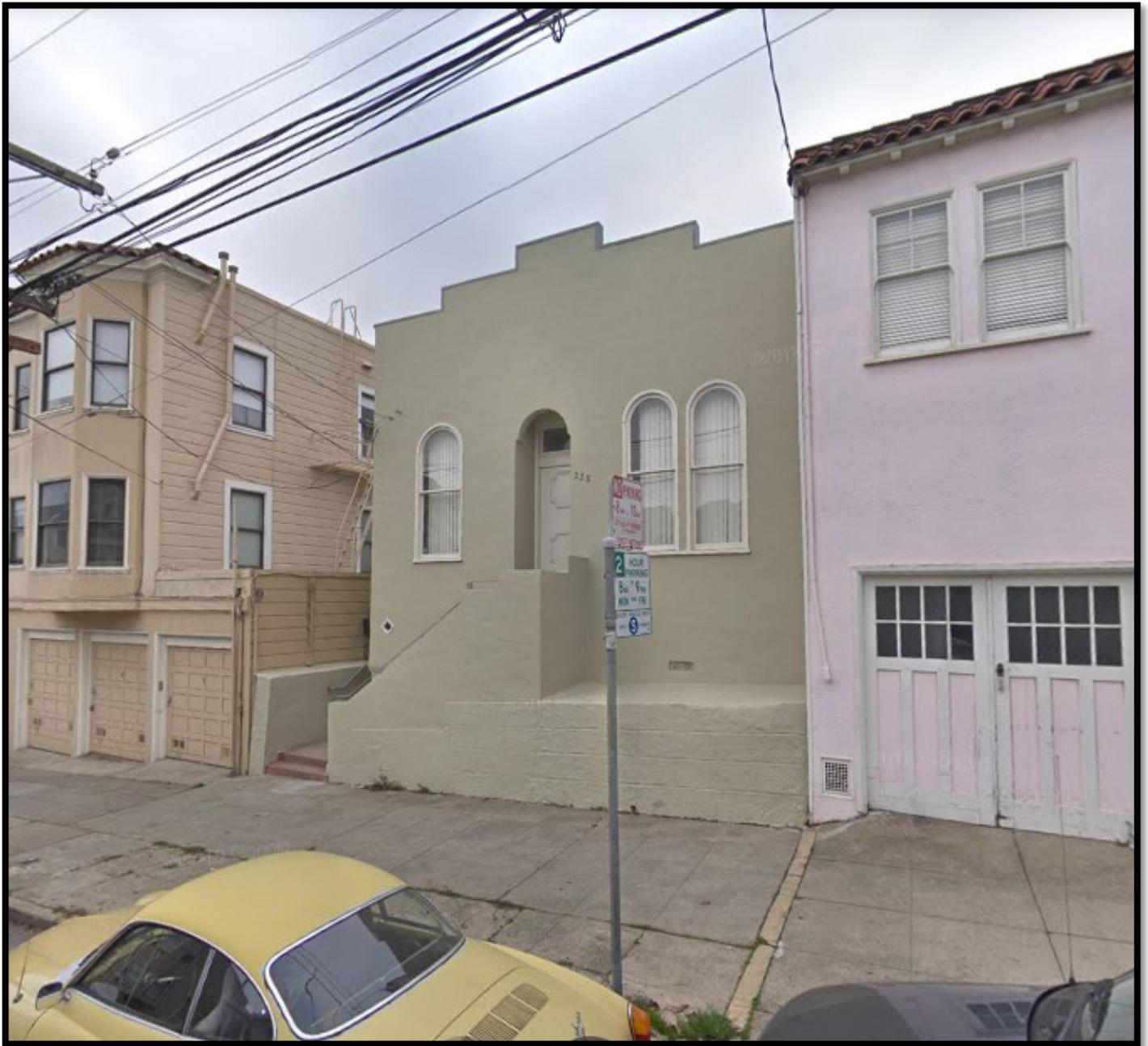
**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2020-008133CUA  
Residential Demolition  
228 Vicksburg Street



# Site Photo



Conditional Use Authorization  
Case Number 2020-008133CUA  
Residential Demolition  
228 Vicksburg Street

# Site Photo



Conditional Use Authorization  
Case Number 2020-008133CUA  
Residential Demolition  
228 Vicksburg Street



## UNAUTHORIZED DWELLING UNIT SCREENING REQUEST FORM AND AFFIDAVIT

An Unauthorized Dwelling Unit, or UDU, is defined in Planning Code Section 317(b)(13) as one or more rooms within a building that have been used, without the benefit of a permit, as a separate and distinct living or sleeping space independent from other Residential Units on the property.

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

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

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

### CRITERIA FOR AN UNAUTHORIZED DWELLING UNIT (UDU)

A UDU must meet two criteria:

1. An UDU must be independent from other Residential Units on the property, which means that the space has independent access, and there is no open, visual connection to a Residential Unit on the property.
2. Use as Independent Dwelling Space. A UDU must have been used as a separate and distinct living or sleeping space.

Please note that the definition of a UDU does not rely on the existence of any cooking facilities, so a space may still be considered a UDU even if it doesn't have a kitchen; however a full bathroom is required to be considered a UDU.

Planning Staff may request a UDU screening for permits for interior work to determine if a project removes certain features that allow the space to operate as a separate unit. Scopes of work that may require UDU screening include but are not limited to:

- Removal of direct or indirect access doors
- Removal of a full bathroom
- Removal of a kitchen
- Removal of a wet bar
- Addition of a staircase to create an interior connection between floors

### SUBMITTAL INSTRUCTIONS

Please complete the form below and submit it to [CPC.ADU@sfgov.org](mailto:CPC.ADU@sfgov.org) with the following materials:

1. A completed [Unauthorized Unit Affidavit](#) (attached);
2. A digital set of existing and proposed plans (.pdf or .jpeg); and
3. Photographs of the space that may be a UDU.

Planning Staff will contact you with a determination if the space in question is considered a UDU.

**Please note that if the Planning Department determines that a UDU is present at the site, the property owner will be required to legalize the unit, which can usually be completed administratively, or seek a Conditional Use Authorization from the Planning Commission to remove the unit. If a UDU is not present at the site, Planning Staff will review the plans for any unpermitted work on the premises. Staff may provide comments to bring the work into compliance with the Planning Code, which may include removal of the unpermitted work. If Planning Code violations persist, Staff may refer the property to the Code Enforcement Division.**



# UNAUTHORIZED DWELLING UNIT SCREENING REQUEST FORM AND AFFIDAVIT

## Property Information

Project Address: 228 Vicksburg St, San Francisco, CA 94114

Block/Lot(s): 36523652 / 011

## Related Building Permits Applications

N/A

Building Permit Applications No(s): 202008111558, 202007095901

## Applicant Information

Name: David O'Donnell

Owner  Authorized Agent

Primary Phone Number: 415 717 6872

E-mail: Dave\_ODonnell1@yahoo.com

# APPLICANT'S AFFIDAVIT AND SITE VISIT CONSENT FORM

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.

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

(i.e. Owner, Architect, etc.)

DocuSigned by:

Signature: 06B33858D9814CE...

Dave O'Donnell

Name (Printed)

David O'Donnell - owner

Relationship to Project

415 717 6872

Phone

Dave\_ODonnell1@yahoo.com

Email

**AFFIDAVIT**

# COMPLIANCE WITH ORDINANCE 208-15



**San Francisco Planning**  
1650 MISSION STREET, SUITE 400  
SAN FRANCISCO, CA 94103  
TEL: 415.575.9121

## UNAUTHORIZED UNIT AFFIDAVIT

Project Address: 228 Vicksburg St, San Francisco, CA 94114

Block/Lot (APN): 36523652 / 011

“Unauthorized Unit” shall mean one or more rooms within a building that have been used, without the benefit of a building permit, as a separate and distinct living or sleeping space independent from Residential Units on the same property.

“Independent” shall mean that (i) the space has independent access that does not require entering a Residential Unit on the property and (ii) there is no open, visual connection to a Residential Unit on the property.

I, David O'Donnell, do hereby declare as follows:

To the best of my knowledge:

- There is an Unauthorized Dwelling Unit, as defined above, located on the subject property.
- There is not an Unauthorized Dwelling Unit, as defined above, located on the subject property.

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

EXECUTED ON THIS DAY, July 12, 2021, IN San Francisco, CA.

DocuSigned by:  
  
Signature

Dave O'Donnell  
Name (Printed)

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

4157176872  
Phone

Dave\_ODonnell1@yahoo.com  
Email

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

**FOR DEPARTMENT USE ONLY**

1. Does the space meet the criteria for Physical Independence as described in Planning Code Section 317(b) (13)?      YES      NO

If you've checked no, the space is **not** considered a UDU.

Plans Dated: \_\_\_\_\_

Photographs Provided on (date): \_\_\_\_\_

2. Has the space been used as a separate and distinct living space?      YES      NO
- Did the Rent Board provide records for this property?      YES      NO
- If yes, is there evidence of a UDU?      YES      NO
- Is there more than one unit accounted for in the Voter Rolls?      YES      NO
- Does the Unauthorized Unit Affidavit indicate that the project would remove a UDU?      YES      NO
- Is there any other documentation that indicates that the space has been occupied?      YES      NO

If yes has been checked above, describe the information further below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

An Unauthorized Unit is present at the Subject Property

There are no Unauthorized Units present at the Subject Property

Planning Information Center (PIC) Research Number: \_\_\_\_\_

*Heidi Kline*

Signature

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

\_\_\_\_\_  
Date