



DISCRETIONARY REVIEW ABBREVIATED ANALYSIS

HEARING DATE: JUNE 10, 2021

Record No.: 2020-009332DRP
Project Address: 311 Jersey Street
Permit Application: 2020.0810.1497
Zoning: RH-2 [Residential House, Two-Family]
40-X Height and Bulk District
Block/Lot: 6539 / 040
Project Sponsor: Andy Rodgers
156 South Park
San Francisco, CA 94107
Staff Contact: David Winslow – (628) 652-7335
david.winslow@sfgov.org

Recommendation: Do Not Take DR and Approve

Project Description

The project proposes to construct a third story vertical addition with a roof deck above on an existing single-family home.

Site Description and Present Use

The site is a 22'-0" wide x 114' deep lateral and up-sloping lot which has an existing 2-story single-family house that was built in 1900 and rated as Category B – Potential Historic Resource present.

Surrounding Properties and Neighborhood

The buildings on this block of Jersey Street are typically 2- to 3-story single family residences at the street with varying front setbacks and a strong pattern of gabled roofs. The mid-block open space is defined by buildings that extend deep into the lots and roughly align at the rear. The one-story rear walls of the subject and the immediate neighboring buildings align, articulated by narrow side yards.

Building Permit Notification

Type	Required Period	Notification Dates	DR File Date	DR Hearing Date	Filing to Hearing Date
311 Notice	30 days	March 19, 2021– April 19, 2021	April 19, 2021	June 10, 2021	83 days

Hearing Notification

Type	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	20 days	May 21, 2021	May 21, 2021	20 days
Mailed Notice	20 days	May 21, 2021	May 21, 2021	20 days
Online Notice	20 days	May 21, 2021	May 21, 2021	20 days

Public Comment

	Support	Opposed	No Position
Adjacent neighbor(s)	0	1	0
Other neighbors on the block or directly across the street	3	0	0
Neighborhood groups	0	0	0

Environmental Review

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

DR Requestor

Christine Boudreau resident of 327 Jersey Street, the adjacent property to the west.

DR Requestors' Concerns and Proposed Alternatives

DR requestor is concerned that the proposed project does not comply with the Residential Design Guidelines:

“Design Buildings to be responsive of the overall neighborhood context, in order to preserve existing visual

character.”

“In areas with defined visual character, design buildings to be compatible with patterns and architectural features of surrounding buildings.”

“Articulate buildings to minimize impact on light and privacy.”

“Design the scale and form of the building to be compatible with the height and depth of surrounding buildings.”

“Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space”.

“Design roof lines to be compatible with those found in the surrounding buildings.”

Proposed alternatives:

1. Remove the roof deck, provide a continuous gable roof.
2. Remove the new window in the first-floor laundry room

See attached *Discretionary Review Application*, dated April 19, 2021.

Project Sponsor’s Response to DR Application

The proposal has been reviewed and determined to be consistent with the City’s Residential Design Guidelines. The concerns raised by the DR requestor do not rise to the level of exceptional or extraordinary.

The project sponsor is willing to make the following changes:

1. Modify the materials for the railing on the east west and south facing sides of the deck to etched glass to help with sound and privacy concerns and;
2. Modify the glass in the first-floor clerestory window to frosted glass.

See attached Response to Discretionary Review, dated May 7, 2021

Department Review

The Planning Department’s review of this proposal confirms support for this Code-conforming project as it also conforms to the Residential Design Guidelines. The roof deck also retains privacy from the light well. The 5-foot setback of the roof deck from the property line, and the location of the neighbor’s light well windows at the first-floor renders virtually no view angle to visually access the windows from the deck.

The project sponsor has also offered to modify the guardrails to attenuate sound. Therefore, staff deems there are no exceptional or extraordinary circumstances and recommends not taking Discretionary Review.

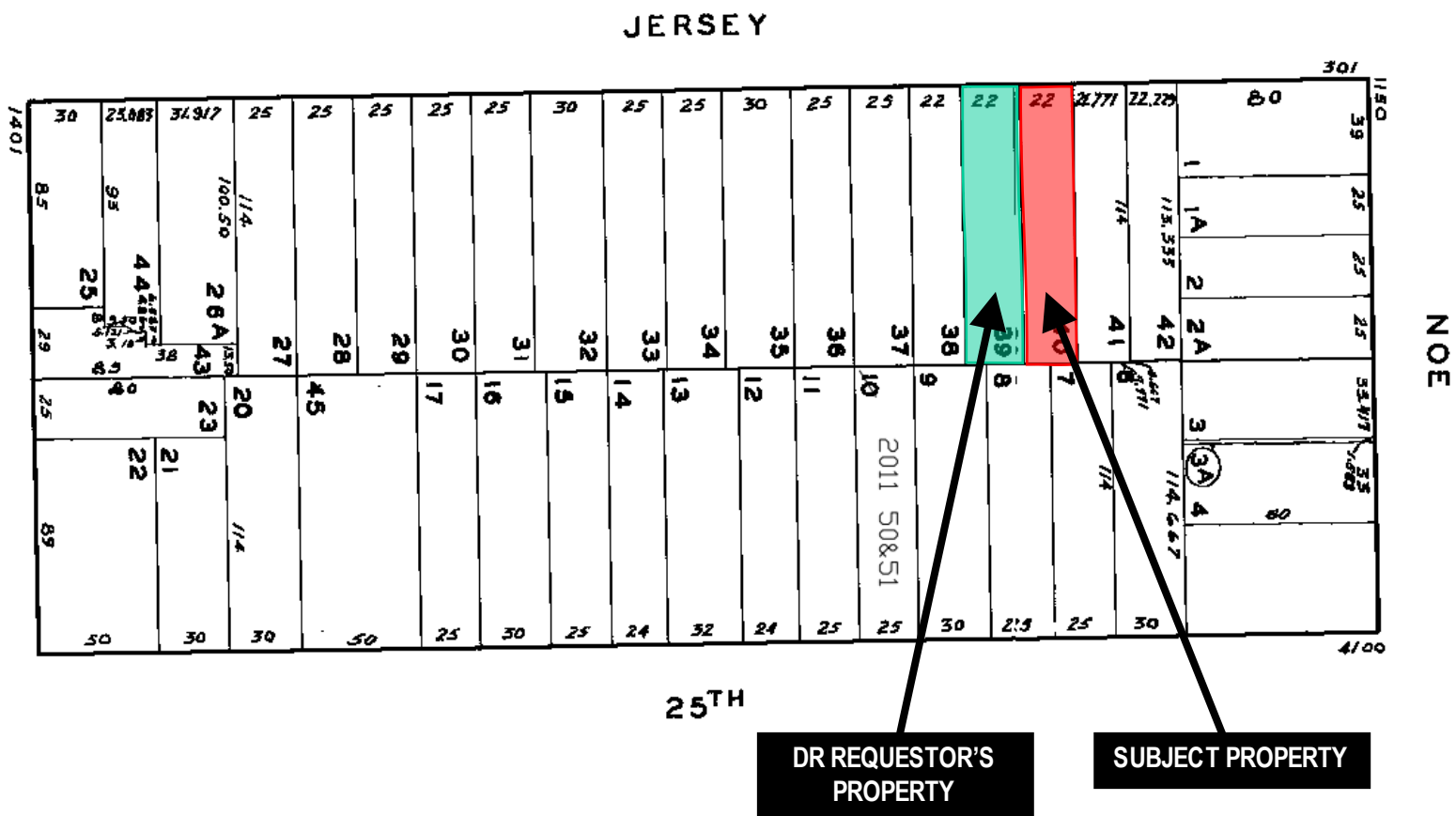
Recommendation: Do Not Take DR and Approve

Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Application
Response to Discretionary Review, dated May 7, 2021
311 plans

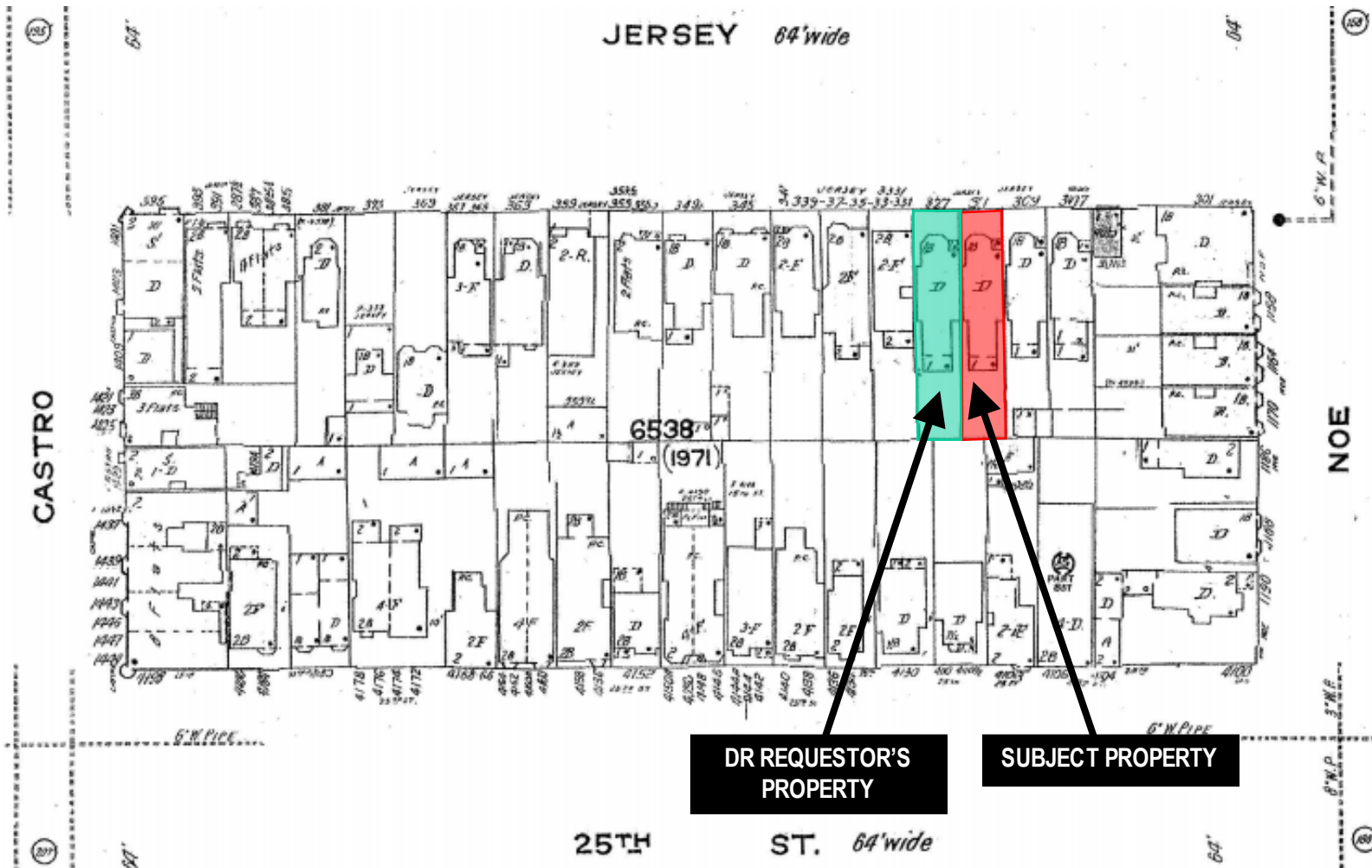
Exhibits

Parcel Map



Discretionary Review Hearing
Case Number 2020-009332DRP
 311 Jersey Street

Sanborn Map*

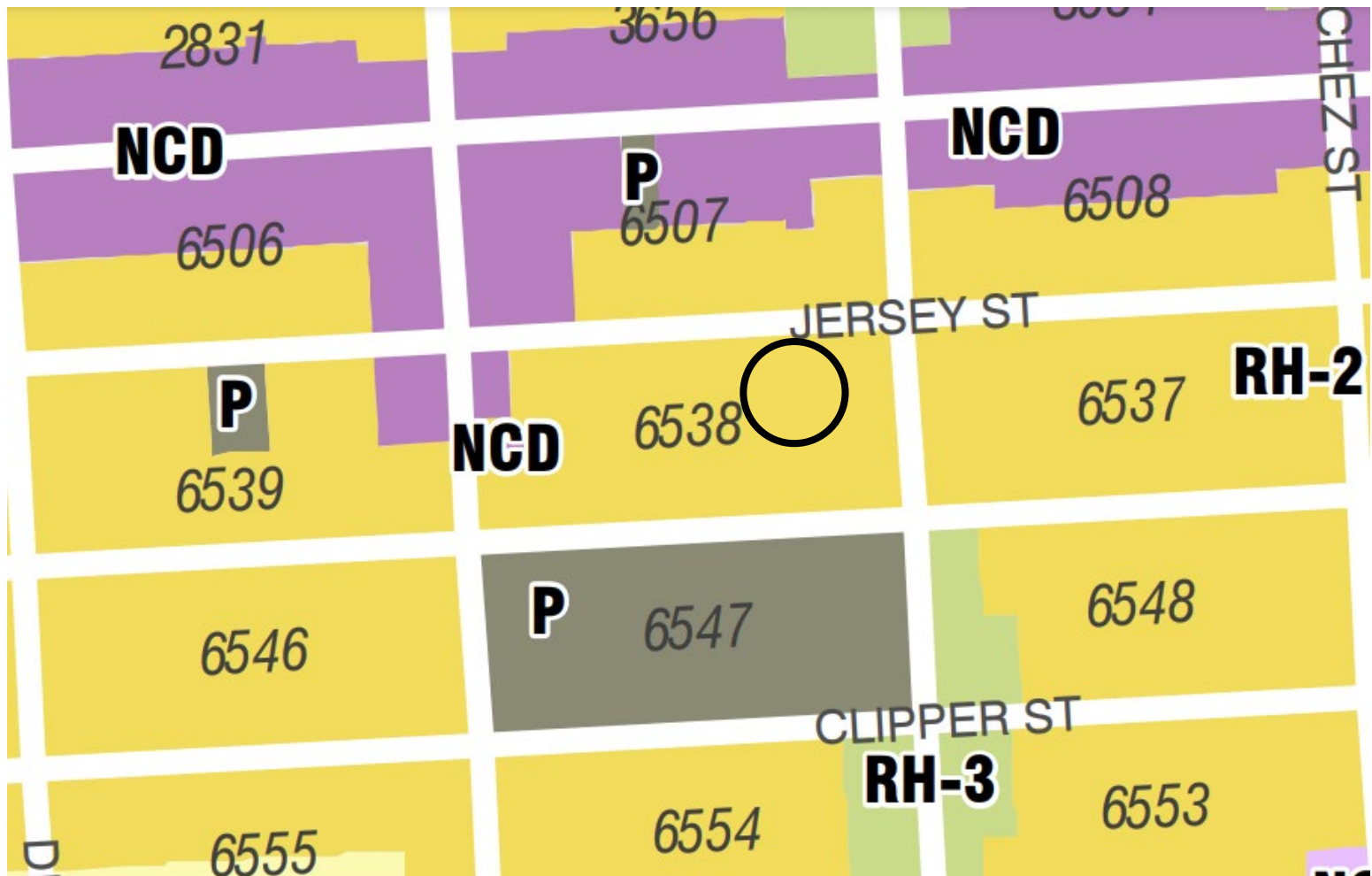


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2020-009332DRP
311 Jersey Street

Zoning Map



Discretionary Review Hearing
Case Number 2020-009332DRP
 311 Jersey Street

Aerial Photo



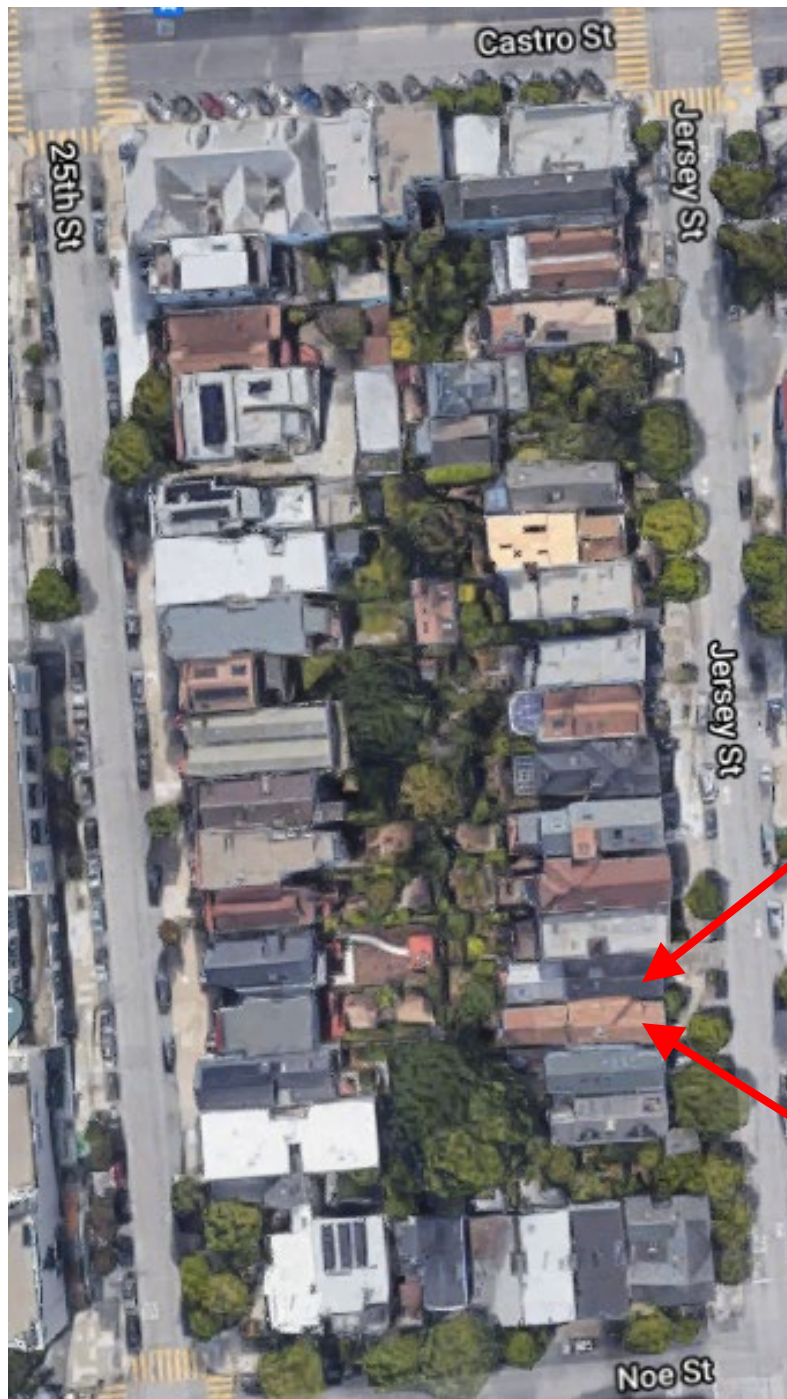
DR REQUESTOR'S
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2020-009332DRP
311 Jersey Street

Aerial Photo



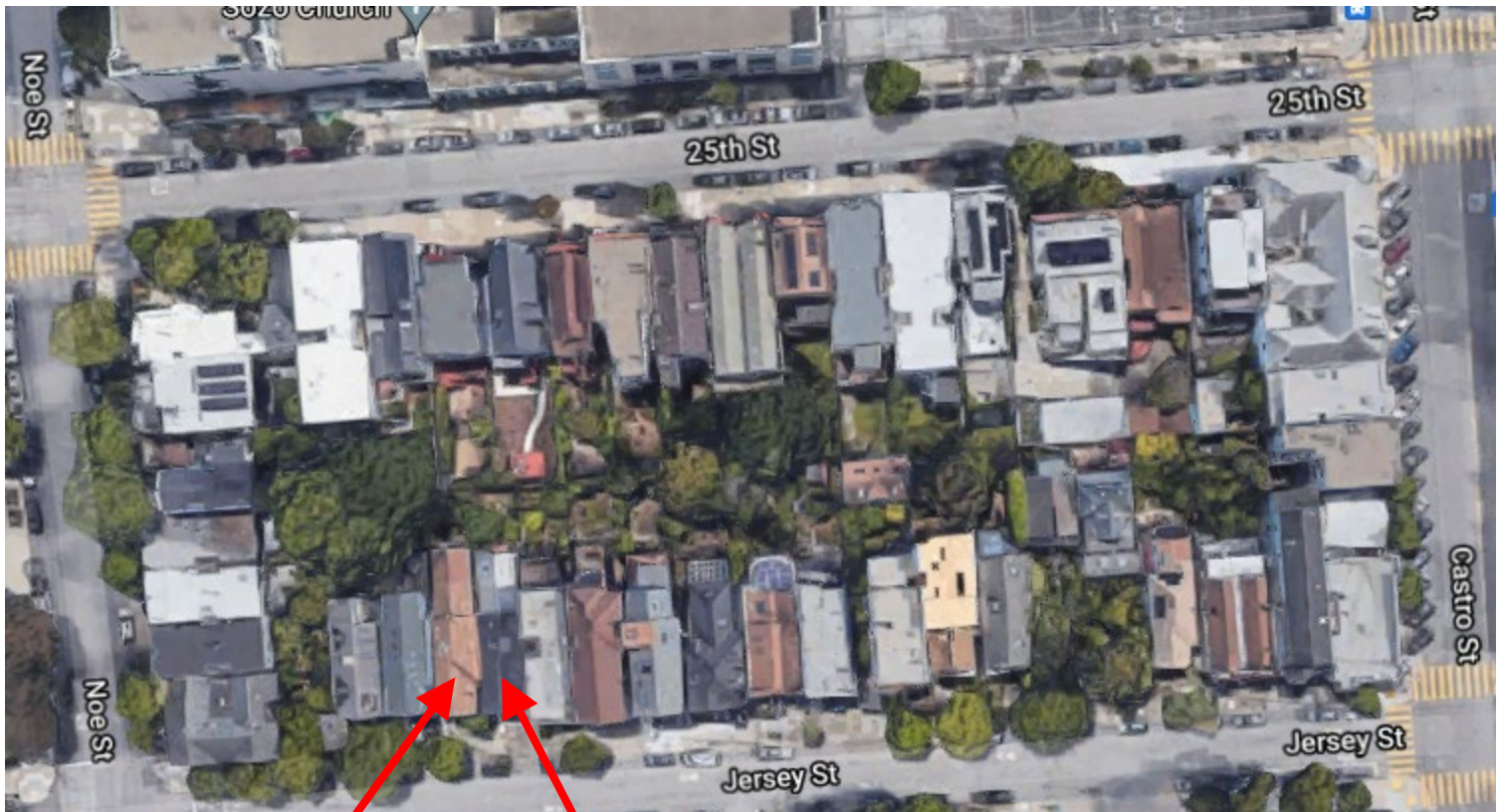
DR REQUESTOR'S
PROPERTY

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2020-009332DRP
311 Jersey Street

Aerial Photo



SUBJECT PROPERTY

**DR REQUESTOR'S
PROPERTY**



Discretionary Review Hearing
Case Number 2020-009332DRP
311 Jersey Street

Aerial Photo

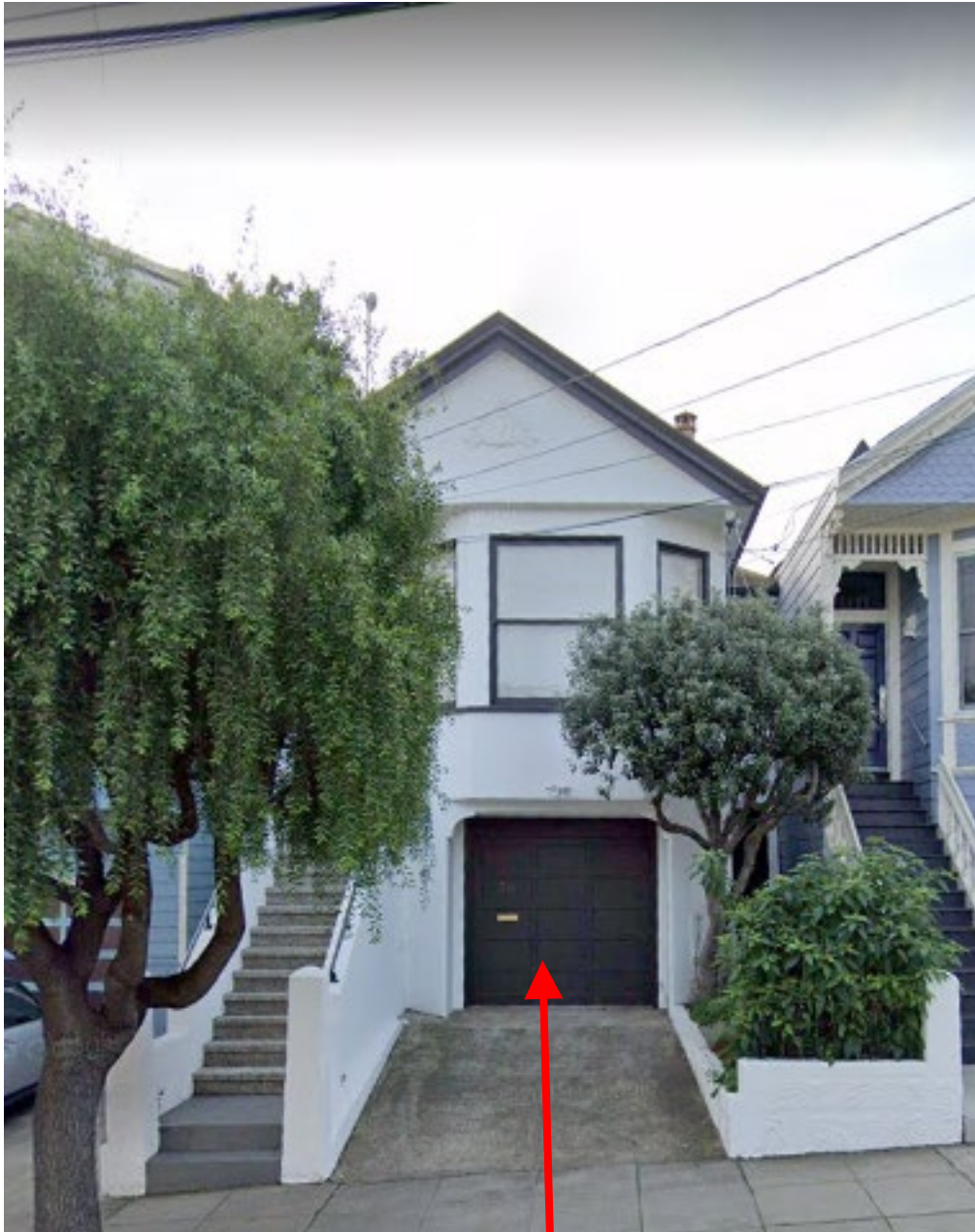
SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY



Discretionary Review Hearing
Case Number 2020-009332DRP
311 Jersey Street

Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2020-009332DRP
311 Jersey Street



NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On 8/10/20 Building Permit Application No. 202008101497
was filed for work at the Project Address below.

Notice Date: 3/19/21 Expiration Date: 4/19/21

PROJECT INFORMATION

Project Address: 311 Jersey Street
Cross Streets: Noe Street & Castro Street
Block / Lot No.: 6538/040
Zoning District(s): RH-2 / 40-X
Record No.: 2020-009332PRJ

APPLICANT INFORMATION

Applicant: Andy Rodgers
Address: 156 South Park St.
City, State: San Francisco, CA 94107
Telephone: (415) 309 - 9612
Email: ardesign@att.net

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

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

PROJECT SCOPE	PROJECT FEATURES	Existing	Proposed
<input type="checkbox"/> Demolition	Building Use:	Residential	Residential
<input type="checkbox"/> Change of Use	Front Setback:	9'5"	No Change
<input checked="" type="checkbox"/> Rear Addition	Side Setbacks:	N/A	No Change
<input type="checkbox"/> New Construction	Building Depth:	76'1"	No Change
<input type="checkbox"/> Façade Alteration(s)	Rear Yard:	28'6"	No Change
<input type="checkbox"/> Side Addition	Building Height:	25'10"	+33'3"
<input checked="" type="checkbox"/> Alteration	Number of Stories:	2	3
<input type="checkbox"/> Front Addition	Number of Dwelling Units	1	No Change
<input checked="" type="checkbox"/> Vertical Addition	Number of Parking Spaces	1	No Change
PROJECT DESCRIPTION <p>The project includes a vertical addition with a roof deck above on an existing single family home. No alterations are proposed to the front façade. The addition includes 3 bedrooms, 2 bathrooms, and new 2nd floor roofdeck.</p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.</p>			

To view plans or related documents, visit sfplanning.org/notices and search the Project Address listed above.

For more information, please contact Planning Department staff:

Planner: **Cathleen Campbell** Telephone: 628-652-7387 Email: **Cathleen.Campbell@sfgov.org**

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

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice. If you have general questions about the Planning Department's review process, contact the Planning counter at the Permit Center via email at pic@sfgov.org.

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

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

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

To file a DR Application, you must:

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

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

To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

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

Board of Appeals

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. The Board of Appeals is accepting appeals via e-mail. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

Environmental Review

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

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



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
311 JERSEY ST		6538040
Case No.		Permit No.
2020-009332PRJ		202008101497
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. Vertical addition to include a roof deck above and a stair penthouse structure for access. No alteration of front facade. Project to include new interior stair, 3 bedrooms + 2 bathrooms @ new 2nd floor, & remodeled laundry area @ 1st floor. New windows, doors, electrical/plumbing work as req'd.		

STEP 1: EXEMPTION TYPE

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

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? <i>(refer to The Environmental Information tab on the San Francisco Property Information Map)</i>
<input type="checkbox"/>	Hazardous Materials: <input type="checkbox"/> Maher or <input type="checkbox"/> Cortese If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? Note that a categorical exemption shall not be issued for a project located on the Cortese List if 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 The Environmental Information tab on the San Francisco Property Information Map)
<input type="checkbox"/>	Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities? 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?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to The Environmental Information tab on the San Francisco Property Information Map)</i> If box is checked, Environmental Planning must issue the exemption.
<input type="checkbox"/>	Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: 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? <i>(refer to The Environmental Planning tab on the San Francisco Property Information Map)</i> If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.
<input type="checkbox"/>	Seismic Hazard: <input type="checkbox"/> Landslide or <input type="checkbox"/> Liquefaction Hazard Zone: 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? <i>(refer to The Environmental tab on the San Francisco Property Information Map)</i> If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
Comments and Planner Signature (optional): Cathleen Campbell	

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

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

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

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

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Reclassification of property status. <i>(Attach HRER Part I)</i> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify)</i>: </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i> </div> </div>
<input type="checkbox"/>	2. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.
<input type="checkbox"/>	4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input checked="" type="checkbox"/>	8. Work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (Analysis required): Vertical Addition Reviewed by Stephanie Cisneros setback +/-14'
<input type="checkbox"/>	9. Work compatible with a historic district (Analysis required):
<input type="checkbox"/>	10. Work that would not materially impair a historic resource (Attach HRER Part II).
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.
Comments (optional): Vertical Addition Reviewed by Stephanie Cisneros setback +/-14' Original Height reduced and altered to meet Secretary of the Interior Standards for the Treatment of Historic Properties	
Preservation Planner Signature: Cathleen Campbell	

STEP 6: EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input checked="" type="checkbox"/>	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.	
	Project Approval Action: Building Permit	Signature: Cathleen Campbell
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	05/25/2021
	Once signed or stamped and dated, this document constitutes an exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

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:



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION PACKET

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

For questions, you can call the Planning counter at 628.652.7300 or email pic@sfgov.org where planners are able to assist you.

Please read the [Discretionary Review Informational Packet](#) carefully before the application form is completed.

WHAT TO SUBMIT:

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

HOW TO SUBMIT:

To file your Discretionary Review Public application, please email the completed application to cpc.intake@sfgov.org.

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. 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628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

Filipino: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



DISCRETIONARY REVIEW PUBLIC (DRP) APPLICATION

Discretionary Review Requestor's Information

Name:

Email Address:

Address:

Telephone:

Information on the Owner of the Property Being Developed

Name:

Company/Organization:

Email Address:

Address:

Telephone:

Property Information and Related Applications

Project Address:

Block/Lot(s):

Building Permit Application No(s):

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

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

DISCRETIONARY REVIEW REQUEST

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

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

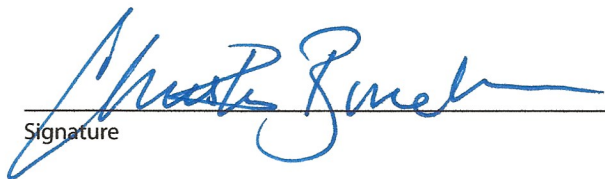
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2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood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

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

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

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



Signature

Christine Boudreau

Name (Printed)

415-296-1155

Phone

cboudreau@boudreaullc.com

Email

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

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

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

We do not object to the second story addition which includes a deck to provide open space in addition to the existing backyard. However, the third story roof deck is objectionable and results in exceptional or extraordinary impacts to the adjacent properties' light, air and privacy. We are requesting Discretionary Review for exceptional and extraordinary circumstances. The project as proposed conflicts with the following RDGs:

- a) Residential Design Guideline (pg 7): Design buildings to be responsive to the overall neighborhood context, in order to preserve the existing visual character.
 - b) Residential Design Guideline (pg 9): In areas with defined visual character, design buildings to be compatible with patterns and architectural features of surrounding buildings.
 - c) Residential Design Guideline (pg 16): Articulate the building to minimize impacts on light and privacy to adjacent properties.
 - d) Residential Design Guideline (pg 23): Design the building's scale and form to be compatible with that of surrounding buildings, in order to preserve neighborhood character.
 - e) Residential Design Guideline (pg 25): Design the height and depth of the building to be compatible with the existing building scale at the mid-block open space
 - f) Residential Design Guideline (pg 30): Design rooflines to be compatible with those found on surrounding buildings.
- The size and scale in particular the roof deck of the proposed project are not consistent with the strong visual and historic character of 311 Jersey Street as well as the three adjacent homes east and west of the project. This renovation is out of character with the immediate homes. In the late 1800's, four similar neighboring Queen-Anne Victorian row houses were built (307, 309, 311 & 327 Jersey Street; See Figure 1). In the ensuing 120+ yrs, all have had some renovations but still faithfully maintained their Victorian character and scale.
 - The 311 Jersey proposed remodel makes no effort to keep or improve the neighborhood character and several Residential Design Guidelines listed above regarding neighborhood character, scale and form, and architectural features have not been adhered to with this design.
 - The loss of natural light, air, and privacy will significantly impact the quality of life of the neighbors at 327, 309, and 307 Jersey street and 4110 25th Street as well as those neighbors north and south of the project (See Figures 1 and 2). The primary objection is that the "3rd story" roof deck is out of scale and character with the neighboring homes and will promote and

create adverse levels of noise while blocking light and significantly adversely impact privacy of neighbors:

- 327 and 309 jersey homes both of have skylights which anyone on a roof top deck would be able to see into.
- Neighbors north of the project site would have the privacy of their bedrooms invaded by anyone on a roof top deck. In addition, light pollution at night would adversely impact these neighbors.
- The privacy of the neighbors south of the project site would also be adversely impacted through increased noise and general intrusion of backyards below.

Further, there are currently no homes in the vicinity (radius of multiple blocks) with a roof deck such as this and certainly none that are visible from the street or adjacent homes. Recent attempts by other neighborhood projects to add a roof deck were declined by this Commission (e.g., See DRs for 308 Duncan Street permit application #2020.0128.2919 and 363 Jersey Street Permit application No. 2014.11.18.1848).

The current design of the second story already has a deck and with the existing backyard provides similar open space square footage to the surrounding homes. The current design looks like a box party deck plopped on top of a Victoria cottage home. The roof deck will be plainly visible from virtually every location on both sides of the project site and from homes north and south of jersey street and thus any use would invade the privacy of these neighbors.

- I also have an issue with the “new” window being installed in the proposed first floor laundry room. With installation of this window; people would directly see into the main living area of my home. Currently there is no window in the laundry room of 311 Jersey and in earlier discussions with the applicants requested that they remove this due to privacy issues.

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

As previously stated in response to Question 1 above which lists the Design Guidelines that would not be met, there are issues that will arise should this project get approved in its current form:

- a) My home 327 jersey as well as 309 and 307 Jersey and the proposed project (311 jersey) were all built in the late 1800s and are prime examples of modest Queen Anne style Victorian rowhouses. My house will be greatly impacted by the loss of light, air, and privacy if the proposed project is approved. My skylights are directly across from and would be under the stories proposed which would adversely affect light and privacy in my home. It would be pointless for me to now install solar panels due to the shading impacts from this project.

- b) Even before COVID shelter in place, I have worked out of my home and spend almost all my time at my home. The privacy and quiet I currently enjoy both inside and using my backyard will be adversely impacted by the creation of a third story roof deck; use of these decks exacerbates sound transmission and will severely intrude on my privacy and affect my working conditions as well as those of my neighbors.
- c) As previously stated, I oppose the “new” window being installed in the proposed first floor laundry room. With installation of this window; people would now be able to view directly into the main living area of my home significantly impacting privacy within my own home. Currently there is no window in the laundry room of 311 Jersey and in earlier discussions with the applicants, I requested that they remove this due to privacy issues.

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

We ask that the roof deck be removed and the “new” window in the laundry room on the first floor due to exceptional and extraordinary circumstance which adversely impact privacy, light/air, and noise issues.

The roof deck poses privacy and noise issues and adds to the height and bulk of the project. As previously stated, a deck is already proposed on the second story and with the existing backyard this represents open space square footage that is similar to surrounding homes. In addition, our neighborhood has multiple public parks within 5-15 minute walk from our street. The position of the currently proposed second story deck has shielding in the form of the vaulted peak roof south and the second story itself which lends to buffer noise transmission and line of sight. Further, anyone who lives in Noe Valley knows that a roof deck will rarely be used because of the strong winds and cold conditions that prevail in this area. There are no nearby or adjacent roof decks, so the proposed roof deck has no justification. Further, it seems the Commission would be consistent with past decisions not allowing roof decks in our Noe Valley Neighborhood.

This feature (roof deck) is typically used as a marketing tool for resale not for viable open space. The removal of the roof deck would considerably preserve the individual and joint (adjacent homes) Victorian character of the four homes and overall within this block of Jersey Street. The removal of the roof deck will also mitigate the loss of light, air and privacy which my home will suffer if the project is approved.

We would also suggest that with the removal of the roof deck that the design continue the gable roof over the 2nd story addition instead of leaving the flat roof. The sides of that flat roof are visible from the street. Having a consistent roofline addresses the Design Guideline items (a) (b) (d) (f).

It should be noted that removing the roof deck will decrease overall construction costs.

ATTACHMENT - Discretionary Review Application for 311 Jersey Street, Permit application No. 2020-009332PRJ

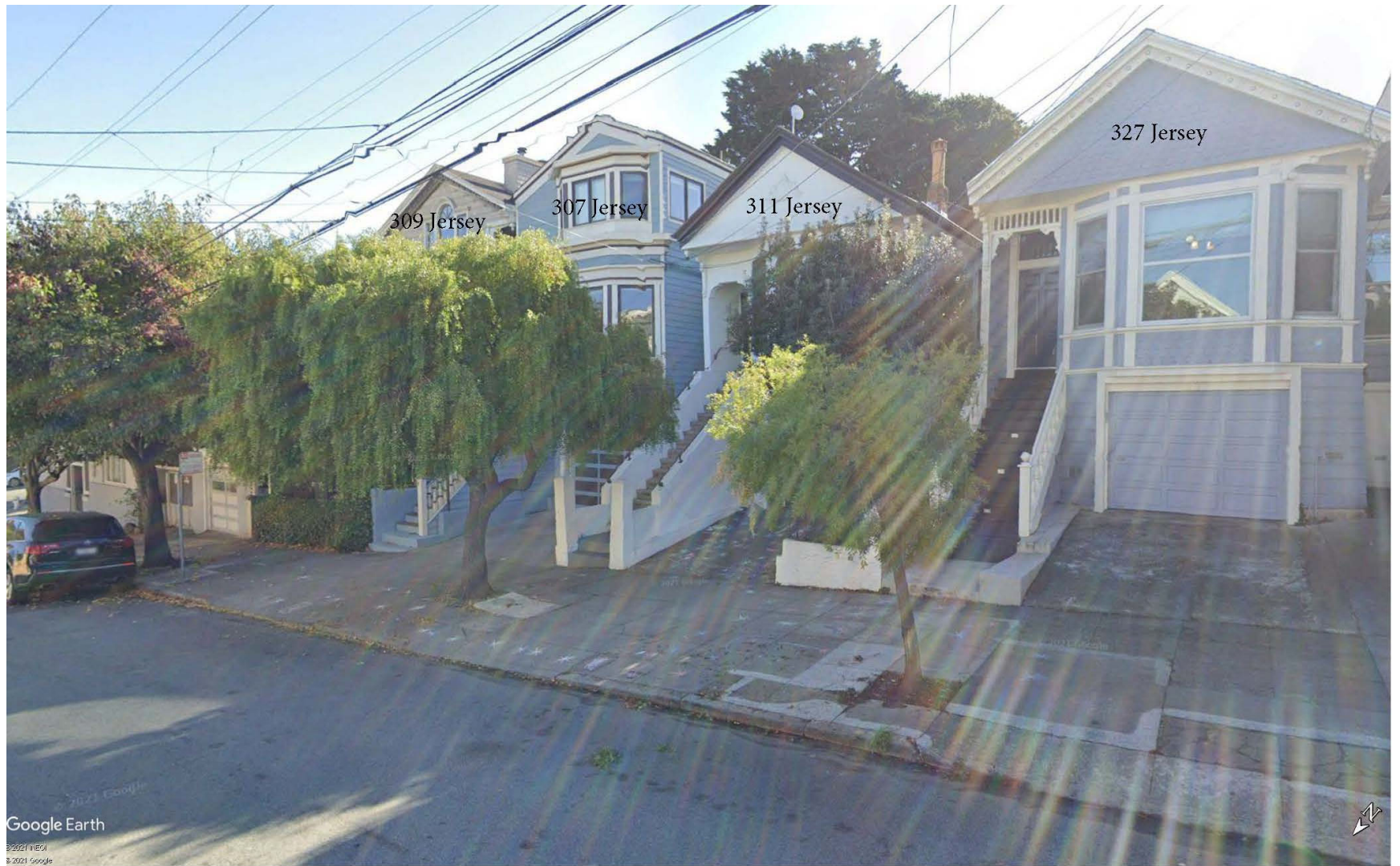


Figure 1. Four Queen Ann Row Houses on Jersey Street (309, 307, 311 and 327) in Noe Valley.

ATTACHMENT - Discretionary Review Application for 311 Jersey Street, Permit application No. 2020-009332PRJ



Figure 2. View from the backyard of 4110 25th Street looking North toward 327, 311 and 307 jersey Street.

From: [Trishan Arul](#)
To: [CPC-Commissions Secretary](#)
Cc: [Campbell, Cathleen \(CPC\)](#); [Washington, Delvin \(CPC\)](#); [Winslow, David \(CPC\)](#); [Carrie Arul](#)
Subject: DR Support Letter re: 311 Jersey Street - 2020-009332DRP
Date: Friday, April 16, 2021 8:00:13 AM
Attachments: [image.png](#)
[image.png](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Planning Commission:

We own the house at 309 Jersey Street, next door to the subject property, and Trishan has lived there for nearly 20 years. This letter is in support of the above referenced discretionary review application by Christine Boudreau, our neighbor on the other side of the subject property.

For context, the 300 block of Jersey Street is a block with many long time residents who know each other well. Pre-COVID, we hosted an annual neighbor holiday gathering in our home. Our neighbor across the street has hosted larger outdoor block parties. We have also shared emergency preparedness information (Trishan is a trained NERT volunteer) with our local neighbors. In short, this particular block has friendly residents living together without a history of disputes (serious or frivolous) for decades. Our house is the 2nd of 4 nearly identical adjacent Victorian cottage style homes built in the 1890's. Our neighbor at 307 Jersey renovated his home to add a second story in the 1970's or 80's, we renovated ours to do the same in 2011, so we fully expected at some point that the other two homes may add a second story. From the outset, our renovation plans maintained the visual character and minimized the impact on our neighbors. Specific examples include building the gable roof peak at the same height and matching second story rear setback of 307 Jersey. While those decisions reduced our interior space, we made those trade-offs to preserve the style and be harmonious with the adjacent properties and neighbors. As a result, not a single neighbor expressed concern or objected to our renovation plans at any point in the process.

With that background, we'd like to address the current renovation plans for 311 Jersey Street. When the initial plans were sent out for neighborhood review, all of the adjacent and nearby neighbors had concerns about the scale/height of the second story and the aesthetics of the flat roof & roof deck over part of the house. These elements of the design deviated from the visual character of all the neighboring houses which, as we understand, is the primary goal of the Residential Design Guidelines. In addition, this design creates light and privacy issues for all three adjacent properties. The minor modifications made prior to design submission to the Planning Department did not address any of those concerns. Accordingly, many neighbors raised the same objections with the Planning Department. During the Department's review, the staff required the owners to make more extensive modifications to the design. Those modifications were a significant improvement and very much welcomed. However, while addressing many of the concerns, the modifications did not fully resolve the roof deck issues.

The addition of a flat roof & deck will make the front of the house look like a cruise ship with an upper party deck instead of a Victorian style home. Despite the architecture drawings, this will be visible from almost every vantage point. Measuring pedestrian sight lines from

immediately in front of the peak roof is very misleading even if it is standard architecture/planning practice. Similarly, looking at an elevation line drawing does not properly convey what a building will look like in three dimensions. Anyone standing a foot on either side of the center-line, and certainly anyone walking down either side of the street, will clearly see the flat roof deck. No other home on this block has a roof deck and the most recent attempt to build one at 363 Jersey was halted through a Discretionary Review in 2017. In fact, we're not aware of any home in Noe Valley with a roof deck plainly visible from the street. It is clearly out of character with the neighborhood. In addition to the appearance, we are concerned about the noise. A deck on the roof with no permanent barriers in any direction will allow sound to carry to neighboring properties and on to the street in front. This would deprive neighbors of the quiet enjoyment of their own outdoor spaces. Finally, we have specific privacy concerns that the roof deck overlooks skylights into both our upstairs bathrooms. Those rooms are on the side of the house and the skylights are the only source of natural sunlight.

The current plans incorporating the changes required by the Planning Department, include a second story deck near the rear of the home. This deck is consistent with second story rear decks of other homes on the block, including our own. Such a second story deck does not reduce the mid block open space and offers some noise buffering by the walls of the house & adjacent houses. This 2nd story deck is an ideal solution to obtain additional outdoor space with minimal privacy and noise issues. As with all the other homes, 311 Jersey also has a flat backyard, which combined with the proposed second story deck would provide ample outdoor space for a single family home. An intrusive roof deck in addition to these other two outdoor spaces is simply unwarranted given the street level appearance and noise issues which it would create.

We request that the Planning Commission require the project sponsors to eliminate the roof deck and carry the gable roof over the entire second story addition. This would preserve the visual character of the neighborhood, address neighbor's privacy and noise concerns, and be consistent with all of the adjacent homes.

Thank you for your attention to this matter.

Sincerely,

The image shows two handwritten signatures in black ink. The first signature on the left is 'Trishan' and the second signature on the right is 'Carrie Arul'.

Trishan & Carrie Arul
309 Jersey Street
415-824-0420
home@arul.ca



RESPONSE TO DISCRETIONARY REVIEW

Project Information

Property Address:

Zip Code:

Building Permit Application(s):

Record Number:

Discretionary Review Coordinator:

Project Sponsor

Name:

Phone:

Email:

Required Questions

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

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

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

Project Features

Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.**

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)		
Occupied Stories (all levels with habitable rooms)		
Basement Levels (may include garage or windowless storage rooms)		
Parking Spaces (Off-Street)		
Bedrooms		
Height		
Building Depth		
Rental Value (monthly)		
Property Value		

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

Signature: 	Date:
Printed Name:	<input type="checkbox"/> Property Owner <input type="checkbox"/> Authorized Agent

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

Attachments

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved?

Our plans have already addressed all changes requested by the city planning department. We also believe that they are consistent with the city's Residential Design Guidelines.

Regarding specific concerns raised...

- A. **First floor window** - *"I also have an issue with the "new" window being installed in the proposed first floor laundry room. With installation of this window; people would directly see into the main living area of my home. Currently there is no window in the laundry room of 311 Jersey and in earlier discussions with the applicants requested that they remove this due to privacy issues."*

Response - We did, in fact, incorporate Christine's privacy concerns into our plan. See figure 1 below. Our new west-facing window on the 1st floor is now a short clerestory window, located 7.5 feet from the floor. This is well above eye level. Our goal in adding the window is to let some natural light into the room.

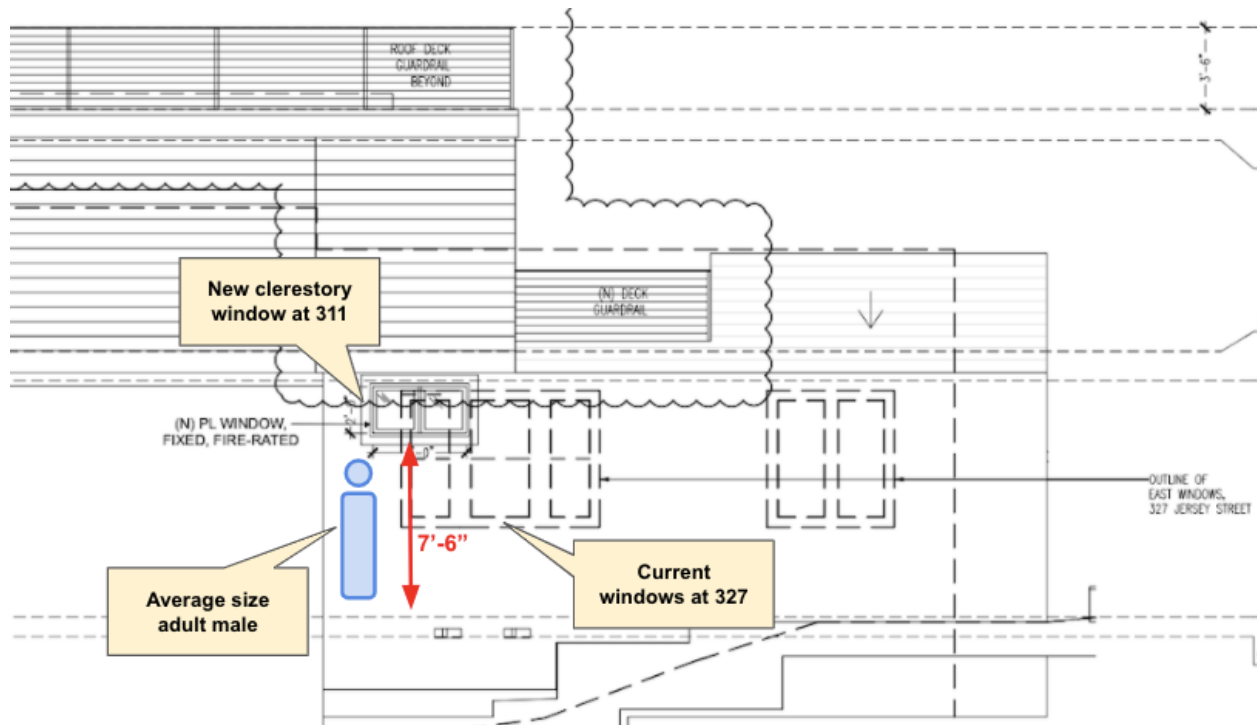


Figure 1. West-facing window (detail from A2.3 of plans sent out during 30 day notice period)

- B. **Roofdeck Impact - Loss of natural light:** due to the north-to-south orientation of our houses and the angle of the sun coming from the south, shadows never extend to the back half of the neighbor's house or backyard. On most mornings we do not have direct sunlight at all. See figure 2 below. To the extent that there are any shadows cast westward from 311 onto 327, they would

only occur during the early morning hours. The primary shade all three houses get comes from an enormous tree located in the backyard of 4106 25th street to our south. See figure 3 below.

Adding a second level to our house will have little impact on this. At 311 Jersey, for instance, we get few shadows coming from the two story building at 309, even in the morning on a sunny day. Even still, per guidance from the city planning department, our new second story starts 23' from the south end of our building. This means that any light impact from this new second level will be cast on only the northernmost areas of 327's roof - if at all - and only during the early morning.

With all of that said, the roofdeck is simply not a factor. With a 5' setback from the east and west sides of the building the minimal shadow cast by a 42" railing (be it cables or glass) will not have any meaningful impact on the natural light of any of our neighbors' properties.



Figure 2. 7am typical morning, no direct sunlight, no shadows



Figure 3. 1pm sunny day - shadows mostly cast northward, and never on rear half of 327's lot

Roofdeck Impact - Loss of air: it's very unclear how the presence of a roof deck would have a material difference on the air circulation to neighboring houses - versus the rest of the proposed second story construction. We don't believe any reasonable evidence exists for this point.

Roofdeck Impact - Noise: We are a family and will not be having loud parties on our deck. Also, the location of the deck on the roof in the middle of the house will probably lead to *less* noise transmission than would a comparable space anywhere else on the property. Most sound will travel up, whereas activity in a backyard or lower level deck would be noisier for our neighbors.

Roofdeck Impact - Loss of privacy: we respect our neighbor's desire for privacy and have looked carefully at the sightlines that will be available from the roof deck. In particular we understand there are concerns related to visibility into the skylights at 309 and 327 Jersey. In our judgement and given the geometry here there will be very limited visibility in all cases.

The images below (4 & 5) illustrate sightlines into the four visible skylights.

- A) Living room at 327 - this skylight will be roughly 20' from the SW corner of the deck so visibility into this room will be limited to only a sliver of the ceiling and very top of a wall.
- B) Kitchen at 327 - this skylight is closer, roughly 12' from the NW corner of the deck, however visibility into most of this skylight will be blocked by the edge of the flat roof at 311 that the deck railing is setback from. Likely all that will be visible is a little of the top of the west-facing wall of the room.
- C) Bathroom at 309 - this skylight is the closest one, roughly 10' from the NE corner of the deck. However, because this skylight sits on a second story roof, the angle of the sightline prevents visibility into anything but the ceiling and the very top of a wall.
- D) Bathroom at 309 - this skylight is roughly 18' from the NE corner of the deck. As with the other skylight, the elevation will prevent visibility into most if not all of this room.

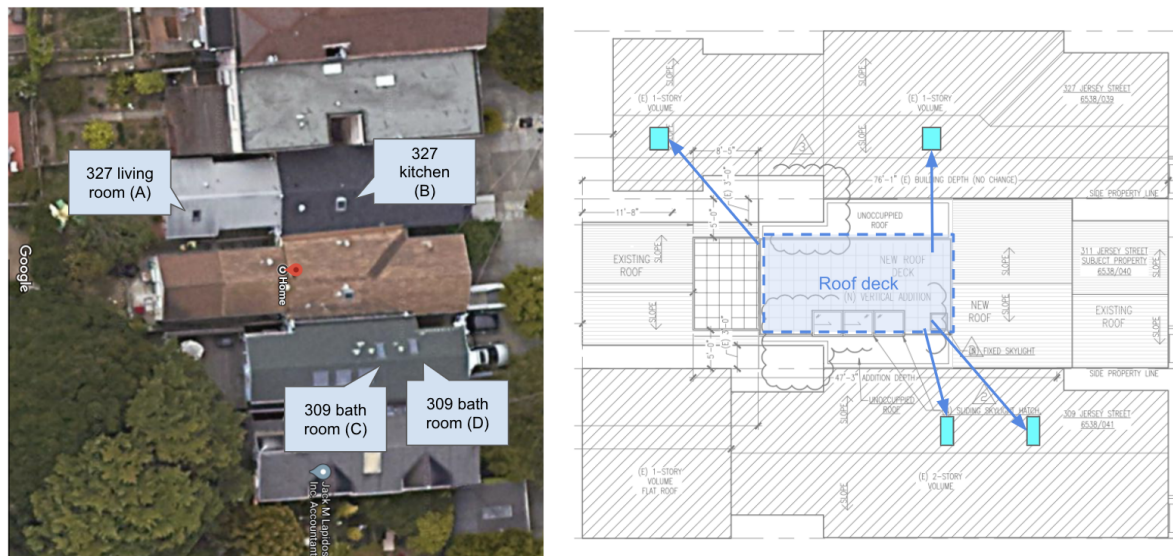


Figure 4. skylights and roof deck

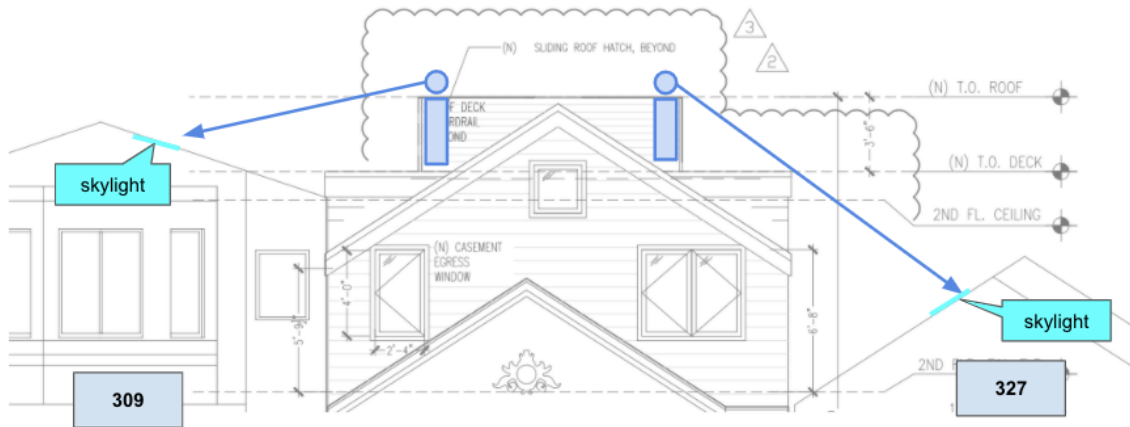


Figure 5. sightlines from deck

Other than the skylights, several comments have been made by neighbors about privacy related to visibility into backyards and windows at the front of their houses.

As the pictures below (6) clearly demonstrate, elevated views into the back of each other's property - very common in a city - already exist all around. The views from the roof deck, setback 5' or further from the exterior of the house, are unlikely to provide any more visibility than a second floor window from any of the surrounding properties.



Figure 6. Elevated visibility into backyards already exists throughout the neighborhood

- C. **Roofdeck Aesthetics/Design** - otherwise, it seems as if the concerns raised by Christine and others in the neighborhood are almost entirely about the visual character of the design and whether it conforms to neighborhood design guidelines. For example...

"The current design looks like a box party deck plopped on top of a Victoria cottage home. The roof deck will be plainly visible from virtually every location on both sides of the project site and from homes north and south of jersey street and thus any use would invade the privacy of these neighbors."

Response - We disagree. Andy Rodgers, our architect, has worked in the city for more than 20 years, designing over 150 homes including 35+ in Noe Valley. From the outset he aimed to minimize impact on our immediate neighbors. Indeed, consideration for our neighbor's light and design aesthetics were major reasons the new second story did not extend all the way to the north of the house in the original design.

His plan meets our needs while also keeping true to the aesthetic of the current building and those around it. In fact, we think it compares quite favorably aesthetically to the neighboring houses. To help illustrate the impact, his team has provided 3D renderings as below.

The roof deck itself is barely visible from the front of the property. Figure 7 below shows the view from across the street at eye level. With the new second level set 14' back from the front of our house and the deck itself 11' further behind the new second story gable roof, the top of the railing is 25' from the front of the house and only minimally appears. From the south side of the street or directly in front of the house, it wouldn't be visible at all.



Figure 7. 3D rendering, view from across the street at eye level

From the back of the house, the deck will indeed be more visible (see figure 8). However, we believe this new design is modest, functional and very consistent with the rest of our existing home and in scale with our neighbors' houses.



Figure 8. 3D rendering, view from southwest corner of the back yard (lower level unchanged)

Regarding additional arguments about the prevalence of roof decks...

“Further, there are currently no homes in the vicinity (radius of multiple blocks) with a roof deck such as this and certainly none that are visible from the street or adjacent homes. Recent attempts by other neighborhood projects to add a roof deck were declined by this Commission (e.g., See DRs for 308 Duncan Street ... and 363 Jersey Street ...).”

“There are no nearby or adjacent roof decks, so the proposed roof deck has no justification. Further, it seems the Commission would be consistent with past decisions not allowing roof decks in our Noe Valley Neighborhood.”

Response: Roof decks exist throughout the city in general and Noe Valley in particular. Reviewing houses within a 4 block radius using aerial photography from Google Earth, there are over 60 houses that have a deck either on the roof or on the top level of the house. See figures 9 & 10 below. In fact, right across the street at 330 Jersey there is a top story street facing deck. Construction is also underway now at 340 Jersey with plans approved for a roof deck quite similar to ours that is twice as large. No DR was submitted for this.

The DR attempts to suggest that the commission has consistently ruled against roof decks. However it seems like such decisions are themselves the exception as the city and the commission typically supports the development of usable outdoor space. Reference to the roof deck for 363 Jersey street is a mischaracterization as this was not declined by the city, rather removed in mediation by the parties prior to the DR review.

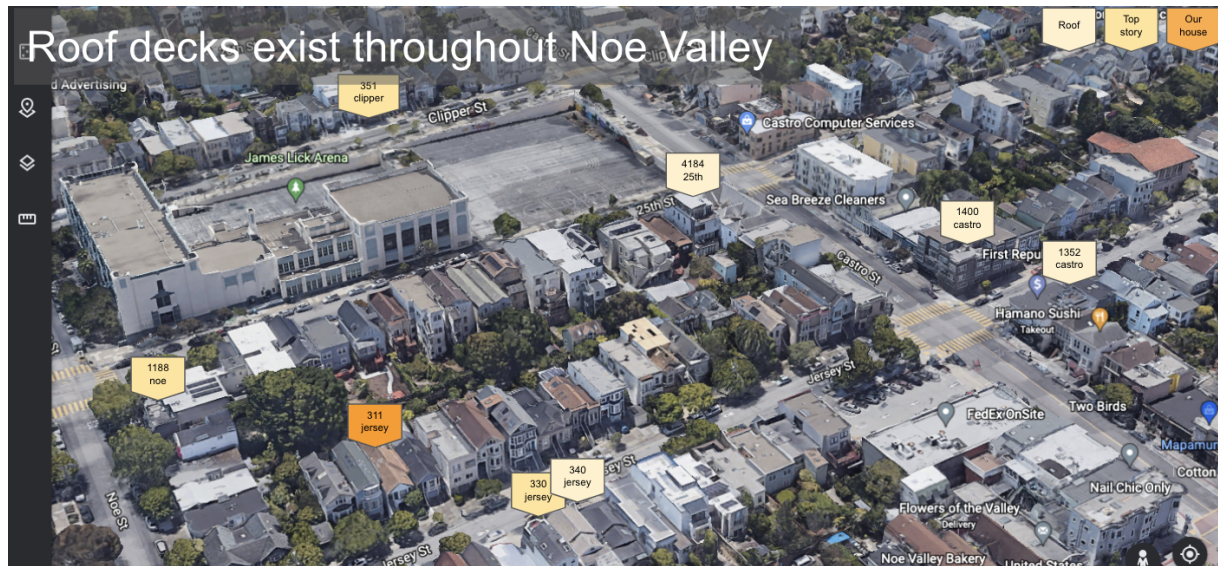


Figure 9. Overhead view of nearby houses, with decks noted in yellow

Number	Street	Blocks away	Style	Size	Placement
330	Jersey	0	Top Floor Deck	Small	Street
340	Jersey	0	Roof	Large	Middle
4184	25th	1	Roof	Medium	Street/Back
1352	Castro	1	Roof	Small	Middle
1400	Castro	1	Roof	Medium	Street
1188	Noe	1	Top Floor Deck	Small	Street
3908	24th	2	Top Floor Deck	Small	Street
3953	24th	2	Top Floor Deck	Medium	Street
4169	24th	2	Top Floor Deck	Medium	Street/Back
4247	25th	2	Top Floor Deck	Small	Back
1502	Castro	2	Roof	Small	Street
355	Clipper	2	Top Floor Deck	Small	Street
265	Clipper	2	Top Floor Deck	Small	Street
549	Jersey	2	Top Floor Deck	Small	Back
570	Jersey	2	Top Floor Deck	Medium	Back
1070	Noe	2	Roof	Medium	Street
4218	24th	3	Roof	Large	Street
4319	25th	3	Top Floor Deck	Small	Back
4323	25th	3	Top Floor Deck	Small	Back
4341	25th	3	Top Floor Deck	Small	Back
4345	25th	3	Top Floor Deck	Small	Back
1117	Castro	3	Top Floor Deck	Small	Back
1119	Castro	3	Top Floor Deck	Small	Back

119	Clipper	3	Top Floor Deck	Small	Back
143	Clipper	3	Top Floor Deck	Small	Back
170	Clipper	3	Top Floor Deck	Medium	Street
424	Clipper	3	Top Floor Deck	Small	Back
1101	Diamond	3	Top Floor Deck	Small	Back
1107	Diamond	3	Top Floor Deck	Small	Back
1188	Diamond	3	Top Floor Deck	Medium	Street
1140	Diamond	3	Roof	Large	Street
90	Jersey	3	Top Floor Deck	Medium	Street
1039	Noe	3	Top Floor Deck	Medium	Street
1267	Noe	3	Top Floor Deck	Medium	Street
1246	Sanchez	3	Roof	Medium	Street
3814	24th	4	Top Floor Deck	Medium	Street
3816	24th	4	Roof	XL	Street
4311	24th	4	Top Floor Deck	Small	Street
4115	26th	4	Roof	Medium	Back
4164	26th	4	Top Floor Deck	Medium	Back
4180	26th	4	Top Floor Deck	Medium	Back
4276	26th	4	Top Floor Deck	Medium	Street/Back
1013	Castro	4	Top Floor Deck	Small	Back
1341	Church	4	Roof	Medium	Back
560	Clipper	4	Top Floor Deck	Large	Back
561	Clipper	4	Top Floor Deck	Medium	Street/back
574	Clipper	4	Top Floor Deck	Medium	Back
936	Diamond	4	Roof	Large	Back
1201	Diamond	4	Top Floor Deck	Large	Street/back
1214	Diamond	4	Roof	Large	Street
1220	Diamond	4	Top Floor Deck	Medium	Street
662	Elizabeth	4	Top Floor Deck	Small	Back
25	Jersey	4	Roof	Large	Middle
44	Jersey	4	Roof	Large	Street
1334	Noe	4	Top Floor Deck	Small	Street

Figure 10. 60+ decks (roof and top floor) within 4 blocks of 311 Jersey

2. If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

Throughout this process, we've been sensitive to our neighbors and their concerns. We feel the DR unfairly minimizes the changes and concessions we've already made.

Changes made before filing application (May 2020)

- Roof deck moved from front to middle of building; 2nd floor gable roof moved forward

Changes made prior to 30 day notice (Feb 2021)

- Roof deck setback 5 feet from east & west property lines (10 feet narrower)
- Stair penthouse on roof deck removed, replaced with a low-profile sliding roof hatch
- Second floor reduced in length by 8 feet on south end (~120 sq/ft smaller)
- Second floor front gable roof lowered 2 feet
- 1st floor window from pantry now a small clerestory window, high on the wall

Timeline of changes and communication

- April/May 2020*: Direct, in-person conversations with neighbors at 309 & 327 regarding our plans
- May 18, 2020: Pre-application meeting held
- May 21, 2020*: We redesigned & emailed the neighbors changes before submitting (see above)
- May 26, 2020: Plans sent to city
- July 2020 - Feb 2021: Changes made per input from city planning department (see above)
- Feb 10, 2021: Plans approved by city planning department
- Feb 19, 2021: We sent an email explaining all changes made to address concerns
- March 19 - April 19: 30 day notice period
- April 26, 2021*: We reached out to DR submitter to discuss options, she declined to meet

* extra steps - not required by the city - that we took in outreach to our neighbors

Email communications with neighbors can be found at the end of this document.

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

We do not believe our planned renovation will have any adverse effect on the surrounding properties. In no way does it rise to the level of exceptional or extraordinary circumstances. Please see responses to question 1 above.

We are a family with two young girls. We would like to have the space for them to have their own bedrooms and for their grandparents to stay with us when they visit. With respect to why we need the outdoor space, we would like to be able to host another family or two (be it relatives or friends) in an outdoor space that is larger than 200 square feet. We value sunshine, fresh air and views of city lights and would like to have the space within our property to enjoy them.

Regarding specific outstanding suggestions for changes...

First floor window - Removing the 1st floor window would deprive our house of some much needed natural light. As discussed previously, we believe the window placement addresses the privacy concern.

Regarding various alternatives to roof deck...

Backyard - Our backyard is very small, is sloped, and has very little area not covered in trees and flowers. See figure 11 below. There is less than 175 square feet of open space in the yard. The vegetation was planted by a previous owner and is part of the unique charm of our house. We have no plans to clear it and level the yard.

2nd floor deck - The new second floor deck, located off the new master bedroom, will be less than 100 square feet - barely enough room to fit Nikki and me and a couple small chairs.

Nearby parks - Honestly, suggesting we take our kids or guests to a park instead of developing an outdoor space on our own property feels pretty dismissive of our needs. We love our neighborhood parks, but ultimately, if we want to have any guests visit - even just one other family - we currently have nowhere outside to host.



Figure 11. Our small open spaces: planned 2nd floor deck and existing backyard

Appendix

Relevant emails with neighbors below...

Trishan Arul <trishan.arul@gmail.com>

May 14, 2020, 10:47 PM

to me, Nikki, Carrie

Hi Dan & Nikki - When we initially spoke, I misunderstood the renovation plan. I got the impression that the deck was going to be in front of the 2nd story addition, not a 3rd story. Since then, we've looked at the plans more carefully and also spoken with a few neighbors who are also concerned. Our primary issues are:

1) Appearance - the 2nd story goes straight up to the 3rd story deck making for a bulky addition. I realize now that this is the "flat roof" which you were referring to in our discussion. And more so, I realize that the sides of the house will go all the way to the top height of the 2nd story build out. This is going to look very out of place, it will essentially be like a cruise ship with a flat deck above a lower bow. It will be clearly visible from the sidewalk even with the setback. This is not consistent with the four 1890's Victorian homes including the two which have already been renovated to add another story.

2) Light - in addition to how it looks, the shape and location towards the back will block more light from the backyard, deck and skylights of both neighboring houses. We specifically have skylights into our bathrooms which the deck will overlook. Not sure there is a privacy issue but there will certainly be a greater impact on the afternoon light relative to a typical peaked roof.

The plans don't really reflect the mass of the addition or the impact it will have on the neighboring homes. As we discussed, when we renovated our home, we took great pains to maintain the Victorian style of the house. We also limited our 2nd story to be no higher or further back than Jack's 2nd story at 307 Jersey Street. The appearance and neighbor impact are things which we feel should be respected in a renovation.

Also, Jack spoke with me to understand the renovation and he really wants to have an in-person meeting. I told him that I'm not sure that is feasible/allowable but if you're open to that, we'd be willing to meet in a driveway or somewhere similar with ample space and masks. We could even join the Google Meet live from there to include everyone else in the same discussion. Jack doesn't really use email much and certainly would not join a video call.

Anyway, let us know what you'd like to do and/or let Jack know directly. Otherwise, we'll just join the Google Meet on Monday from home.

Thanks,

Trishan & Carrie

Dan Milbrath <dmilbrath@gmail.com>

May 15, 2020, 12:05 PM

to Trishan, Carrie, Nikki, bcc: Andy

Hey guys,

Thanks for taking the time to review the plans and sharing your concerns with us ahead of the meeting.

We thought it might help to reply to some of your comments here, but of course we can also talk more.

Re Aesthetics / Character - we appreciate the character of San Francisco architecture and feel that our current design is consistent with this aesthetic. The design we've chosen - with the addition set back 15' from the front - will look very much as it does today

from the street. The flat roof we've included above the girls' bedrooms and bathroom helps us to fit the floor area we need within a smaller footprint. We think the work we're doing will be more attractive and architecturally compatible with many houses on the street, including some of the construction recently completed. At the bottom of this email, we've included a couple of diagrams that shows how little of the flat roof deck would actually be visible from the street and the back yards - a gable roof would be quite a bit taller at the peak.

Re Natural Light Impacts - this is a tough one as any external addition is bound to have some impact on a neighbors' sunlight. That said, what might not have been immediately apparent from our plan is that we were very sensitive to the neighborhood impact in the way that we approached the design. While it is usually within the rights of a homeowner to build an addition up to the front and rear of the existing house, we've deliberately set the front and the rear of the vertical addition 15' further back from these points. The portion in the back closest to your yard has a gable roof - not a flat roof structure - which will create less impact on your natural light. Also, if our vertical addition were to extend north (in the front of our houses) there would certainly be adverse impact on your west-facing upper level window. This can be seen in the Google image below - so we wanted to highlight that the impact to your upstairs view and light was already a consideration in our initial design.

Re privacy - we are absolutely sensitive to this and we will talk with our architect about how to further mitigate any concerns.

Re Jack - we think it better to hear from everyone impacted directly, so we'll reach out to him.

As mentioned when we spoke, we completely appreciate that construction and changes like this are always challenging for neighbors and we want to do everything we can to be considerate of your needs and concerns.

Thanks

Dan & Nikki

Dan Milbrath <dmilbrath@gmail.com>

Attachments

Thu, May 21, 2020, 11:00 PM

to Trishan, Carrie, Christine, Nikki, Andy

Hey guys,

We wanted to drop you a personal note after our meeting.

It goes without saying that changes like this are always a hard topic with neighbors and we want to be sensitive to everyone's input. To that end, Nikki, Andy and I have agreed on some changes to the design. This will include making the front of the house - above the girl's bedrooms - a gable roof. See attached. This should address the main objection we were hearing from you and our other neighbors. While we don't expect our final designs will please everyone, or please everyone completely, we are listening.

Because of our relationship with you guys and the fact that you are the ones being most directly impacted, we are sharing this new revision with you prior to submitting our plans to the city. We're happy to answer any questions about it. If you want to share this with other interested neighbors, we have no objection.

As discussed on Monday, this is just a first step in the process - we will get the feedback from the city and there will be ample opportunities to discuss further before any construction begins - hopefully next summer!

Thanks

Dan & Nikki

Trishan Arul <trishan.arul@gmail.com>

May 27, 2020, 11:19 PM

to Carrie, Christine, Nikki, me, Andy

Thanks for making an effort to address the concerns. I wanted to spend some time comparing this to the original plans but it's hard with the light printing on the original elevation drawing. It does seem like this is significantly higher than the prior version, not just the peak of the gable roof, but even the floor of the roof deck. My primary questions would be:

- 1) Why does this keep getting higher, why can't it be brought down to be in line with the other two roofs?
- 2) Are you still doing a shading analysis/study? It's hard to get a sense of how much sunlight this will block.
- 3) What foundation shoring/replacement is needed to build up that high and what impact would it have on the neighboring foundations (there is still exposed brick on our side, but ours seems like it "capped" at some point). And I think Christine is still all brick.

As for sending this to the other neighbors, I'm not sure it's our place to send it out. That said, if you won't be sending it to them, I'm happy to do so to keep everyone apprised.

Dan Milbrath <dmilbrath@gmail.com>

May 29, 2020, 10:51 AM

to Trishan, Carrie, Christine, Nikki, Andy

Hey Trishan,

The normal process is to hold a pre-app meeting, hear neighbors questions/concerns and then submit plans to the city. We've gone the extra step of revising our plans based on the feedback prior to submitting them and sharing these with you and Christine. Both of these steps are extra steps we've done out of consideration for you guys. As mentioned, we'd like to hear back from the city and see what their feedback is before we make any decisions about further revisions or analyses.

That all said, I'm very happy to discuss your questions or any others you or Christine have but would rather just do that off of email.

Thanks,

Dan & Nikki

Trishan Arul <trishan.arul@gmail.com>

Fri, May 29, 2020, 12:09 PM

to Carrie, Christine, Nikki, me, Andy

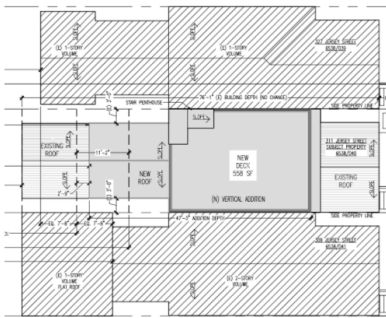
That's fine, we can wait to see what the Planning department says and work through them. I was just replying because you said that you'd be happy to answer any other questions...

Dan Milbrath <dmilbrath@gmail.com>

May 29, 2020, 1:12 PM

- A. Deck reduced 5 feet on both sides
- B. Penthouse stairs replaced with hatch
- C. Gable roof dropped >2 feet lower

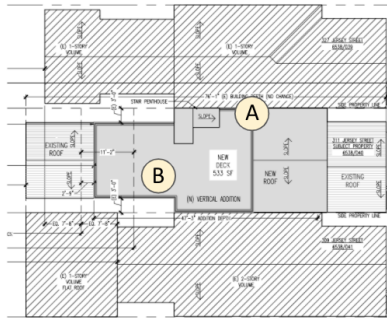
4/30/20



Original plans for pre-app meeting

- Roof deck 558 SF

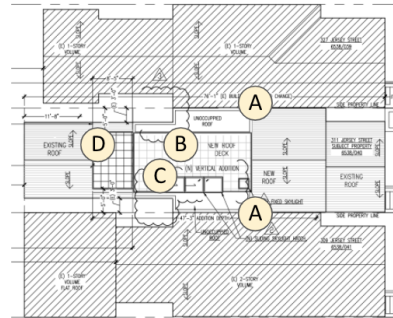
5/21/20



Revisions post pre-app meeting, submitted to city planning department (also sent to neighbors as a courtesy)

- Gable roof brought to front, deck moved behind it to address neighbors concerns about aesthetics, noise & privacy
- Smaller roof deck: 533 SF

2/10/21



City-approved plans sent for 30 day notice

- Deck reduced 5 feet on both sides, improves privacy
- Penthouse stairs replaced with hatch
- Smaller roof deck: 288 SF
- 2nd floor ends 8 feet further north, replaced with small second floor deck; reduces light impact, no variance

Key points of note

- the roof deck is ~50% smaller than in the original design. It is now set back 5' from the east and west property lines and we've removed the penthouse stairs
- the second floor now ends 8 feet further north than before, replaced by a deck, reducing light impact and removing the need for a variance
- we shrunk the height of the ceiling on the second floor to the bare minimum

Also of interest to you

- the new west-facing window from our pantry is a small window up high above eye level, simply permitting light into the room without providing any visibility between our windows
- foundation work will be addressed during the building review and planning phase. As we have said before, we're committed to doing everything according to the city's codes and regulations.

We know this process is hard for everyone involved. However, construction and development is a reality of city life. We wouldn't be doing this if we didn't love our home and Jersey street so much. We want to have enough space to raise our daughters and see them grow up and graduate high school here in San Francisco.

As homeowners, we believe it is our right to create a home that fits our needs. We have taken, and will continue to take everyone's needs and concerns seriously but appreciate if you would do the same for us. We'd love to have your support, but at very least we'd appreciate the opportunity to discuss further if you are considering filing a discretionary review with the city.

Thanks,

Dan & Nikki

Jack Lapidos <jack@2424pine.com>

Feb 20, 2021, 9:52 AM

to Trishan, me

I have deferred to your 2 adjacent neighbors for the obvious reason. Thank you for being sensitive on this. Jack

Sent from my iPhone

Trishan Arul <trishan.arul@gmail.com>

Feb 24, 2021, 9:10 AM

to Jack, me

Thanks Jack.

Hi Dan - It's hard to see the details from the email pictures so we look forward to reviewing the 30 day notice plans when they are eventually sent out. It appears that the revised plans are a significant improvement but we wanted to circle back with others before responding. I believe that Christine will be getting back to you shortly.

Dan Milbrath

Feb 24, 2021, 9:51 AM

Appreciate the replies and glad to hear you see improvements with the latest revision. Yes, I realize the images are small. Didn't want to bloat your inboxes.

Dan Milbrath <dmilbrath@gmail.com>

Attachments

Feb 25, 2021, 10:39 AM

to Christine, Nikki, Andy, Trishan, Jack

+ Christine + Andy (our architect)

Hey guys, as mentioned, I'm not sure how soon the printed designs will arrive in the mail so I've just gone ahead and attached the latest as a PDF.

Good to view these in concert with my original email. I realize that images there were small but that email does a good job of highlighting the most relevant changes.

Once again, happy to answer any questions if there are outstanding concerns.

Take care,

Dan & Nikki

Christine Boudreau <cboudreau@boudreaullc.com>

Thu, Feb 25, 11:27 AM

to me, Trishan, Jack, Nikki, Andy

Hello Dan,

Thank you for forwarding the proposed changes to your design and today the pdf of the printed designs in full. Regarding the Planning comments, it is appreciated that some changes were made, those being notably the lower roof height and second story deck which are now consistent with neighboring properties. I nor I believe any of the neighbors have received notification from the City yet and I for one (and I assume others) would want to look at the official submitted plans in detail when they are finalized.

However, the neighbors have had a discussion about their individual concerns based on your email and were in agreement that the roof deck is still an issue – for reasons previously stated: consistency on aesthetics in keeping with the character of the neighborhood, privacy reasons to the homes in all directions, and noise being amplified in all directions. In addition, no other home in the area has a roof deck - many previous efforts of developers trying to add roof decks during renovations have been rejected by the Planning Commission (most recently at 363 Jersey Street). It seems the mid-building deck seems like an ideal solution, not only providing light and open space to other properties but also the outdoor space which you want.

As I have stated previously, myself, Trishan and Carrie personally have additional concerns notably the foundation work and soundproofing. While it's not a planning issue at this phase, we would like to reach an official agreement with you now about what foundation work will be done, how it will affect the neighboring homes, and what will happen if our foundations are undermined. Also, we'd like to ensure that any new construction has the highest level of sound insulation in the walls to reduce any additional noise transmission. Agreements covering construction issues have been negotiated by renovating homeowners and neighbors at this stage in the past.

Thanks,

Christine

Dan Milbrath <dmlbrath@gmail.com>

Feb 26, 2021, 3:58 PM

to Christine, Trishan, Jack, Nikki, Andy

Hi Christine,

we're sorry to hear you still have concerns about the roof deck. It's obviously important to us which is why it still appears in our plans. As mentioned, the new deck is much smaller and is now set back in all four directions. The 2-D views in the designs aren't really representative of how the deck would appear from our yards, our houses or the street - which is to say very minimally, if at all. Whatever may have happened at 363 Jersey, roof decks are not uncommon in Noe Valley nor throughout the city. The roof deck in the latest plans has, in fact, already been approved by the city planning department.

With respect to sound, we have been and will continue to be respectful and considerate of your needs and those of all our neighbors. We have two small girls now who we recognize can be noisy at times, but we've always been sensitive and responsive to this. Covid has all of us - kids and adults alike - spending more of our time in adjacent spaces. We would expect that as our girls get older and return to school they will be less noisy day-to-day and will also be more aware of their own impact as well. We'd also note that renovating upward will very likely reduce the sound impact for you since much of our daily activity will be happening in rooms that no longer share walls with you.

Finally, as far as foundation work goes our project will meet or exceed all structural requirements and applicable building codes, and we'll have highly skilled local professionals on board to design and execute the work.

Best Regards,

Dan and Nikki

Trishan Arul <trishan.arul@gmail.com>

Sun, Feb 28, 4:54 PM

to me, Christine, Nikki, Andy

Jack - moving you to BCC, let me know if you want to stay on this email chain.

Hi Dan & Nikki - The roof deck issue came from a call organized by another neighbor. Christine was the messenger because of the additional construction issues. It would likely be more helpful to have a call instead of sending separate emails to every neighbor since everyone has varying concerns related to the deck. That said, if the roof deck is not negotiable then that could just be communicated to everyone.

On the building issues:

1) Sound - we do have adjacent walls but the soundproofing isn't just for that. We asked for upgraded soundproofing during our renovation and still can hear all the street noise (and I assume vice versa). If there are no plans to upgrade the soundproofing, that's a concern.

2) Foundation - We'd like to ensure that our foundations are not impaired by the construction. I believe Christine still has the original brick foundation. Our eastern foundation was redone during the renovation but I don't even know what's on the west side adjacent to your home. When the prior owner of 311 was doing renovations, our walls violently shook one morning. All of the foundations clearly affect the neighboring homes, even if it's just due to abutting each other. We don't feel that we should have to hire our own engineers to assess and monitor our foundations for movement and repair any damage caused by construction. Do you have a proposed solution to this issue?

Thanks.

Dan Milbrath <dmilbrath@gmail.com>

Mar 2, 2021, 10:01 AM

to Trishan, Christine, Nikki, Andy

Hi Trishan and Christine,

Regarding sound transmission, as adjacent neighbors we are happy to discuss this more with you guys. However, we didn't totally understand your point on this. Does this have to do with the existing walls? With the exception of a small window being added from the laundry room on the west side we weren't planning to touch any of the walls on the first floor. Our second floor will use modern materials and the best options for soundproofing, which is important to us as well.

Regarding the foundation, a few points to make here. 1) First off, it's premature at this point to say whether any additional foundation work is even required. After our structural engineer has evaluated and drawn up plans we will know if any of our footings or stem walls need to be updated. 2) Andy (our architect) has explained that compromising the integrity of neighboring foundations on a project like ours typically results from undermining adjacent structure, such as from excavation or adding lower level living space, which is not within our project's scope. 3) That said, we are happy to share our structural plans once they are completed and you are welcome to have your engineers review them. 4) Finally, if there were, somehow, to be damage to either of your houses resulting from our construction, of course we or our GC would take responsibility and pay for the necessary repairs.

Regarding the construction itself, we know that there were some issues with the construction company from the previous owner's work. We will not be hiring Narrowback Construction. We are committed to hiring a company that does high quality work and is considerate of their impact on the neighborhood.

Trishan, I took the time to send emails directly to each of the people who contacted the city as a courtesy and sign of respect, rather than sending a mass email. In general we'd prefer to speak directly to anyone who has significant concerns rather than having you guys be proxies for the neighborhood.

Thanks and be well.

Dan and Nikki

Christine Boudreau <cboudreau@boudreaullc.com>

Mar 10, 2021, 12:41 PM

to Jack, me, Trishan, Nikki, Andy

Hello Dan,

I'm following up on the need for a formal agreement on conditions and specifications for the contractor regarding foundation work. Trishan and I both feel this is important and necessary for all parties to feel confident that their homes are not adversely impacted. In my career I have had to monitor numerous contractors for large and small maritime and waterfront/development construction projects; I have never found that providing specifications and conditions and monitoring for compliance is not necessary. To that end we have hired a structural engineer, Patrick Buscovich to advise us on foundation issues and Patrick would like your architect to answer some initial questions:

Are the existing footings brick and if you are replacing the footings are you lowering the bottom of the footings 6-12 inches?

Do they know if they are digging through residual black soil and are the footings sitting on orange stiff clay?

Are they doing an A, B, C shoring sequence?

Regards,

Andy Rodgers <ardesign@att.net>

Mar 11, 2021, 7:13 PM

to Christine, Patrick, Trishan, me, Nikki

Thanks for your email, Christine. And please see -

On Mar 10, 2021, at 12:41 PM, Christine Boudreau <cboudreau@boudreaullc.com> wrote:

Hello Dan,

I'm following up on the need for a formal agreement on conditions and specifications for the contractor regarding foundation work. Trishan and I both feel this is important and necessary for all parties to feel confident that their homes are not adversely impacted. In my career I have had to monitor numerous contractors for large and small maritime and waterfront/development construction projects; I have never found that providing specifications and conditions and monitoring for compliance is not necessary.

Understood. We are happy to share with you the structural design - plans and details and specifications - for this project, once designed. We will be engaging with a licensed and very experienced S.E. who has worked in San Francisco for several decades. All of the work will meet or exceed all applicable codes and requirements, will be thoroughly reviewed by DBI prior to permit issuance, will be inspected by the SF Building Dept. and by independent special inspectors where applicable. Shoring will most likely not be necessary, given minimal or no excavation required, but as the structural plan won't be completed for 6-8 weeks we don't know for sure at this time. It is possible that some of the existing foundations

will not need replacement as the previous remodel work included some new foundation and framing scope for a future vertical addition.

To that end we have hired a structural engineer, Patrick Buscovich to advise us on foundation issues and Patrick would like your architect to answer some initial questions:

Hi Pat, I look forward to working with you on this project, and value your input, as always. And -

Are the existing footings brick

No. But we'll be looking at the existing foundation more closely once structural engineering has commenced. Please understand that our project hasn't yet even gone out for 311 notification.

and if you are replacing the footings are you lowering the bottom of the footings 6-12 inches?

Not sure. TBD.

Do they know if they are digging through residual black soil and are the footings sitting on orange stiff clay?

Also TBD. We're still in site permit review. No soils report has been completed.

Are they doing an A, B, C shoring sequence?

TBD. Happy to let you know, Pat, once we know, but again - there is no ground level development as part of this project, so most likely no shoring will be necessary. Will let you know later.

Thank you, Andy

Dan Milbrath <dmilbrath@gmail.com>

Fri, Apr 23, 1:38 PM (7 days ago)

to Christine, Nikki

Hi Christine,

We have reviewed the DR you submitted with the city.

We understand that construction like this is never easy and will have impacts - especially on our immediate neighbors - and we regret that.

We wanted to have a conversation to discuss your concerns further as there were a couple of points we thought we could clarify about the west-facing window and the roof deck.

Let us know if you're amenable for a conversation - either meeting out front or doing a phone call. We're around and generally available so you could likely pick a time. We'd be happy to bring a bottle of wine to share!

Thanks

Dan & Nikki

Christine Bodureau

Mon, Apr 26, 1:40 PM (4 days ago)

Hello Dan,

The DR was a joint effort by all the neighbors and if you have changes to your plans then all the neighbors should participate in that presentation. The DR process is set up so that opposition to plans and changes to plans can be officially presented and documented. Our opposition to the roof deck and my opposition to the window are clearly stated in the DR and the other opposition letters submitted to the commission. Unless this discussion is about changing plans, it is best to continue with the official process so there is no miscommunication.

Thanks,

Christine

Dan Milbrath <dmilbrath@gmail.com>

Mon, Apr 26, 4:01 PM (4 days ago)

to Christine, Trishan, E, janislavidos, Jack, Thomas, mlardner, Nancy, Roger, Robin, Nikki, bcc: Andy

Christine,

If you'd prefer to proceed with the official process, we respect your decision.

One clarification that we did want to specifically address, because I'm not sure it was well understood. From your DR...

"I also have an issue with the "new" window being installed in the proposed first floor laundry room. With installation of this window; people would directly see into the main living area of my home. Currently there is no window in the laundry room of 311 Jersey and in earlier discussions with the applicants requested that they remove this due to privacy issues."

We did, in fact, incorporate your privacy concerns into the designs most recently sent - I've included below for reference. Our new west-facing window on the 1st floor is now a short celestory window, the bottom of which is 7.5 feet from the floor. This is well above eye level. Our only motivation in adding the window is to let some sunlight into the room. All we will see and hope to see out of it the sky. We thought it was worth clarifying.

Be well,

Dan and Nikki

Trishan Arul

Tue, Apr 27, 1:33 PM (3 days ago)

to me, Nikki

Hi Dan & Nikki - While I'm not officially speaking for all the others, based on the discussions we've had it's clear that the roof deck is driving the neighbor opposition. There may be a path forward without the DR hearing/delay if you were open to removing the roof deck while keeping everything else the same. Everyone has the same impression from your responses to us that you'd rather take this to the Planning Commission than remove the roof deck. However, if that's not the case, I (and perhaps others) would be happy to have a discussion about it. In fact, we probably don't even need a discussion - to be blunt, if the roof deck were removed and a gable roof put over the whole addition, then we would withdraw our letter of support for the DR and I suspect most, if not all, of the others would as well.

Even if that's not what you wanted to hear, I hope it's helpful.

Dan Milbrath <dmilbrath@gmail.com>

Tue, Apr 27, 5:07 PM (3 days ago)

to Trishan, Nikki, bcc: Andy

Hey Trishan,

Thanks for reaching out and we appreciate the direct offer to help bring this to closure. Yes, we'd certainly prefer to avoid the DR hearing and to have the comments removed if that were possible. However at this point the deck isn't a negotiable element for us. We've made many changes already based on suggestions from you and others. We feel the deck in its current form is a very reasonable compromise and won't be nearly as visible as people think.

We look forward to getting past the DR, getting the construction behind us, and hopefully hosting you and other neighbors on the deck down the road.

Dan and Nikki

Trishan Arul

Apr 28, 2021, 4:19 AM (2 days ago)

to me, Nikki

I understand. Just wanted to make sure everyone was on the same page vs refusing to discuss it. Not quite the same but I don't love the "I'll see you in court" aspect of all this.

From: [Jason Friedrichs](#)
To: [Winslow, David \(CPC\)](#)
Cc: ardesign@att.net; [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)
Subject: Support for project at 311 Jersey Street
Date: Tuesday, May 25, 2021 9:11:05 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

David:
cc: Supervisor Mandelman and Staff

I would like to register my support for this project at 311 Jersey Street, though I will not be able to attend the public hearing.

In addition, I would like to express my extreme displeasure with the planning department that they have created rules where something straightforward like an addition and a roofdeck require a public hearing in the first place. It is a ridiculous waste of taxpayer time and money to have these restrictions, and rules like this contribute to the general perception that San Francisco is unaffordable. We are MAKING our city unaffordable by placing arbitrary and unnecessarily prohibitive restrictions on neighbors who want to improve homes. Please do your part to push back on this, and help make San Francisco a better place to live.

Best regards,
Jason Friedrichs
1188 Noe Street

From: [Andrea Barnette](#)
To: [Winslow, David \(CPC\)](#)
Subject: Support for the homeowner's plans at 311 Jersey (2020-009332PRJ)
Date: Monday, May 31, 2021 2:36:28 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Winslow,

My name is Andrea Barnette. I live on Jersey street with my husband and our two young children. In fact, I was born and raised on this street.

I'm writing on behalf of my friends and neighbors, Nikki and Dan Milbrath. I'd like to voice support for their renovation plans for their home at 311 Jersey street, and in opposition to DR 2020-009332DRP.

As homeowners, Nikki and Dan should have the right to modify their home to fit their family's needs. I've reviewed their plans and they seem very reasonable and consistent with other houses on Jersey and in the neighborhood, including the one next door to them.

I respectfully request that you consider approving the project without DR.

Thank you,
Andrea

From: mcfadden94114@gmail.com
To: [Winslow, David \(CPC\)](#)
Subject: Support for the homeowner's plans at 311 Jersey (2020-009332PRJ)
Date: Friday, May 28, 2021 6:03:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Winslow and the Planning Commission:

We live at 353 Jersey, up the block from the 311 Jersey renovation project.
We are writing in support of the plans for 311 Jersey street and in opposition to Discretionary Review, 2020-009332DRP.

I have talked with Nikki and Dan and reviewed the plans. I understand that they have made several efforts to address their neighbors' concerns. We see no reason that Nikki and Dan Milbrath shouldn't be able to adapt their home to fit their family's needs so that they can stay in San Francisco. Several roof decks have been approved in Noe Valley – including a larger one being built just across the street at 340 Jersey. Any privacy issues can be easily addressed with lattice or plants, and allow both home owners to enjoy their property. The downhill neighbor complaining about the roof deck does not even live there, as they recently moved to Ohio.

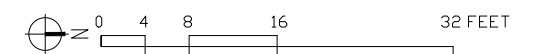
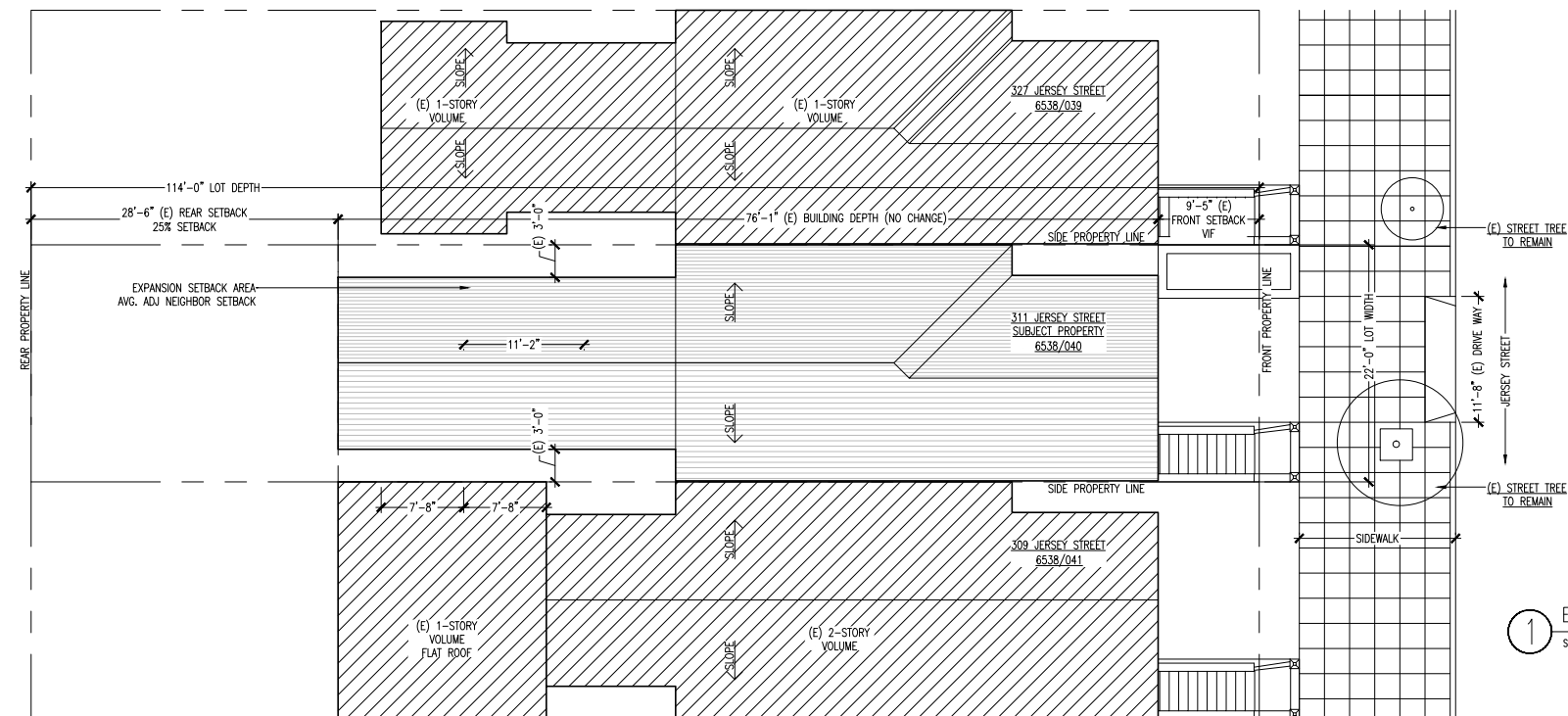
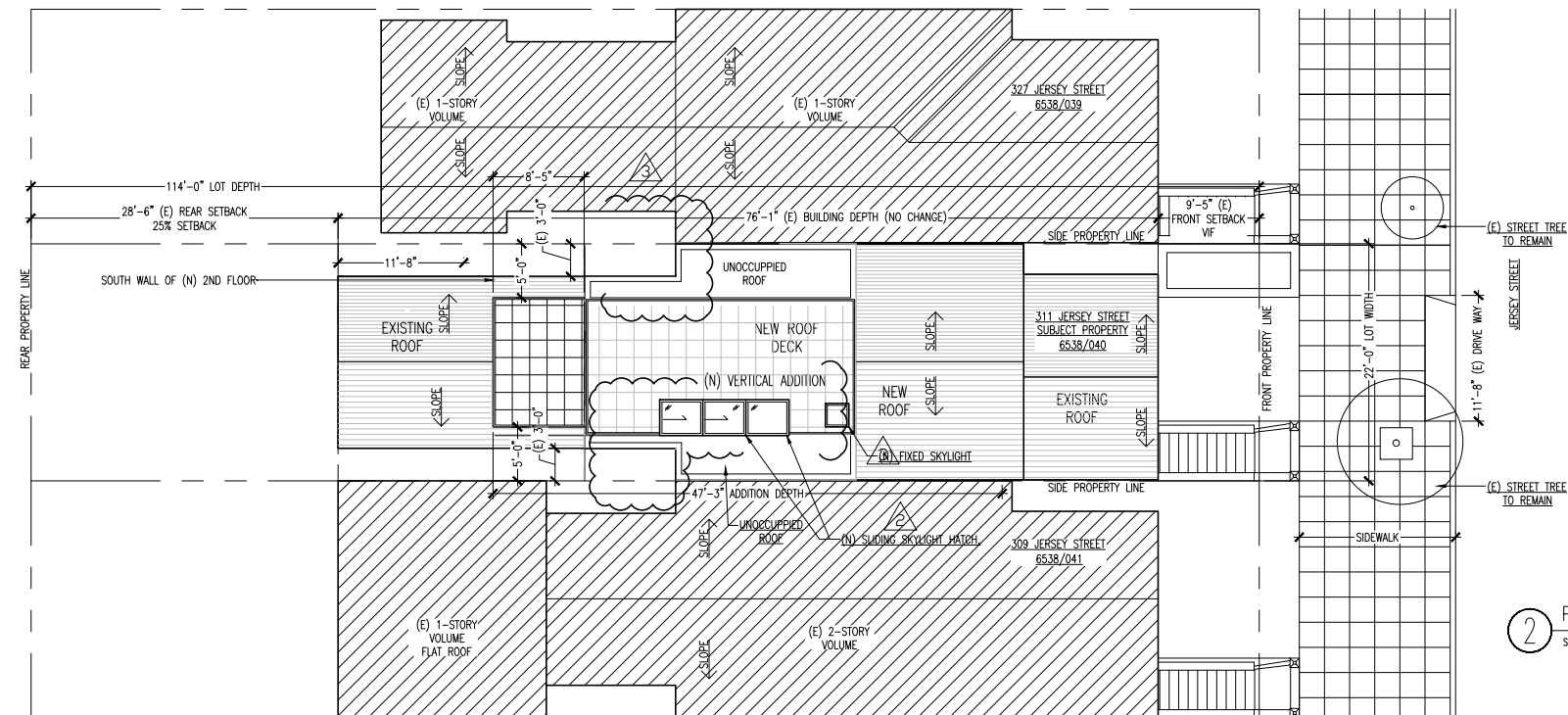
The Milbrath's plans are very reasonable and consistent with other houses approved and built in the neighborhood and within the block. We request that the project be approved without DR.

I grew up in Noe Valley and I've seen many changes. While I haven't agreed with all the changes, I don't think it's good practice to let loud complaints control what happens for one project, but not another. Either you, the Planning Department and Commission allow roof decks or you don't, but don't let complaints be driving reasonable planning and remodeling decisions.

Regards,
Patricia McFadden
John Chamberlin
353 Jersey Street
415-312-7403



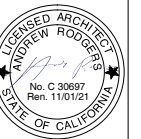
Virus-free. www.avg.com



REVISIONS:

2020-05-27	PERMIT	
2020-10-08	REV 1	1
2020-12-29	REV 2	2
2021-02-09	REV 3	3

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ALTERATIONS TO:
311 JERSEY STREET
SAN FRANCISCO, CA 94114
OWNERS: DAN & NIKKI MILLBATH

ITY STAMP

ISSUE FOR:
SITE PERMIT

EXISTING &
PROPOSED
SITE PLAN

DATE 02.09.2021

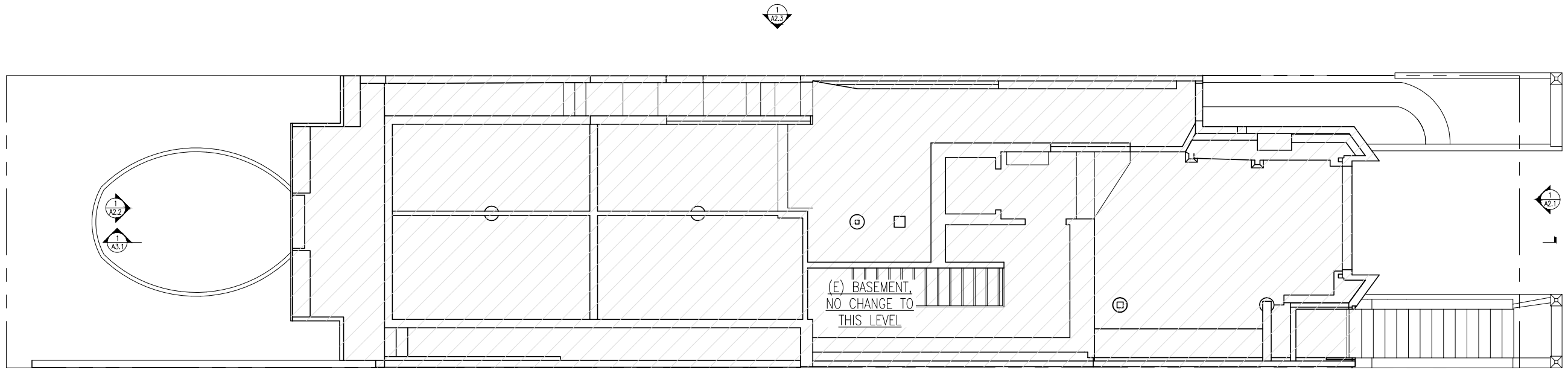
SCALE	1/8" = 1'-0"
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RAWN

COUNT 2 OF 12

HEET

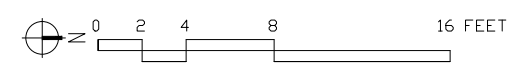
A0.9



1
A2.4

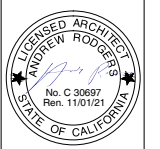
1
EXISTING BASEMENT PLAN
SCALE: 1/4" = 1'-0"

DRAWING KEY	
	(E) CONSTRUCTION TO REMAIN
	(N) CONSTRUCTION
	1-HR CONSTRUCTION
	(E) CONSTRUCTION TO BE REMOVED



REVISIONS:
2020-05-27 PERMIT
2020-10-08 REV 1
2020-12-29 REV 2
2021-02-09 REV 3

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ALTERATIONS TO:
311 JERSEY STREET
SAN FRANCISCO, CA 94114
OWNERS: DAN & NIKKI MILBRATH

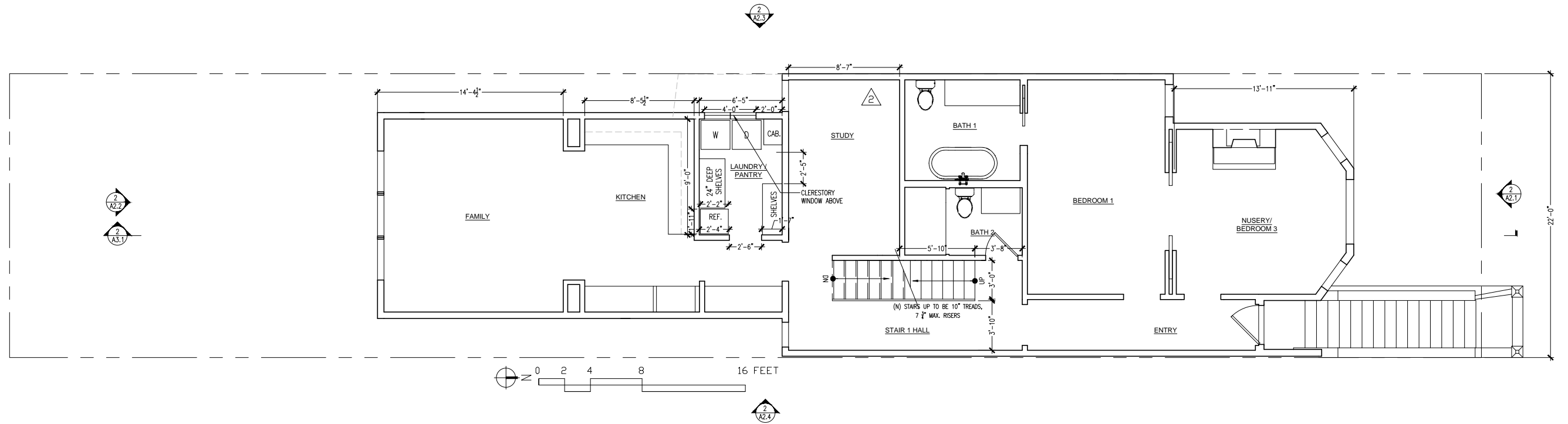
CITY STAMP

ISSUE FOR:
SITE PERMIT

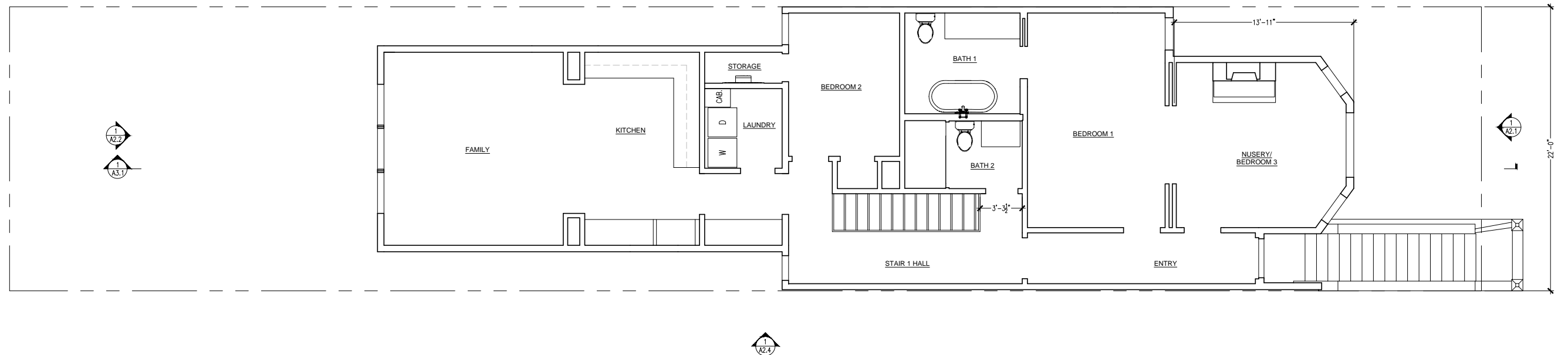
EXISTING
BASEMENT
PLAN

DATE 02.09.2021
SCALE 1/4" = 1'-0"
DRAWN
COUNT 3 OF 12
SHEET

A1.0



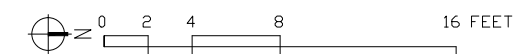
2 PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



1 EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

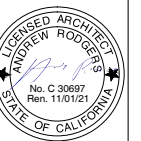
DRAWING KEY

(E) CONSTRUCTION TO REMAIN
(N) CONSTRUCTION
1-HR CONSTRUCTION
(E) CONSTRUCTION TO BE REMOVED



REVISIONS:
2020-05-27 PERMIT
2020-10-08 REV 1
2020-12-29 REV 2
2021-02-09 REV 3

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ALTERATIONS TO:
311 JERSEY STREET
SAN FRANCISCO, CA 94114
OWNERS: DAN & NIKKI MILBRATH

CITY STAMP

ISSUE FOR:
SITE PERMIT

EXISTING &
PROPOSED
FIRST FLOOR
PLAN

DATE 02.09.2021

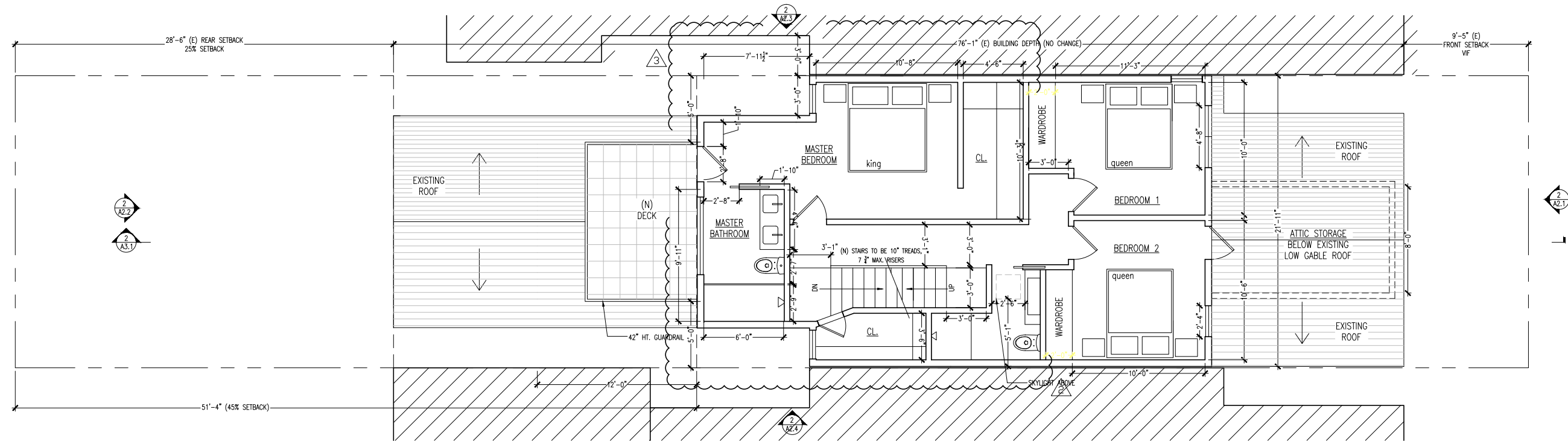
SCALE 1/4" = 1'-0"

DRAWN

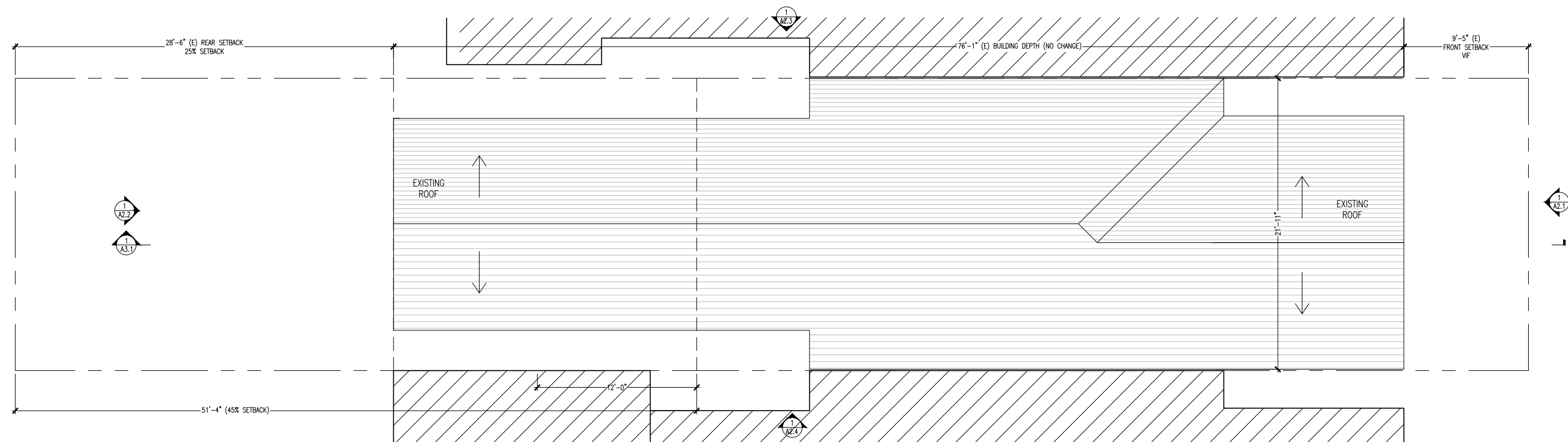
COUNT 4 OF 12

SHEET

A1.1



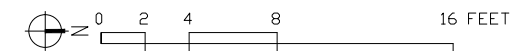
2 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



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

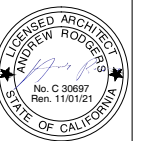
DRAWING KEY

(E) CONSTRUCTION TO REMAIN
(N) CONSTRUCTION
1-HR CONSTRUCTION
(E) CONSTRUCTION TO BE REMOVED



REVISIONS:
2020-05-27 PERMIT
2020-10-08 REV 1
2020-12-29 REV 2
2021-02-09 REV 3

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ALTERATIONS TO:
311 JERSEY STREET
SAN FRANCISCO, CA 94114
OWNERS: DAN & NIKKI MILBRATH

CITY STAMP

ISSUE FOR:
SITE PERMIT

EXISTING
ROOF PLAN &
PROPOSED
SECOND
FLOOR PLAN

DATE 02.09.2021

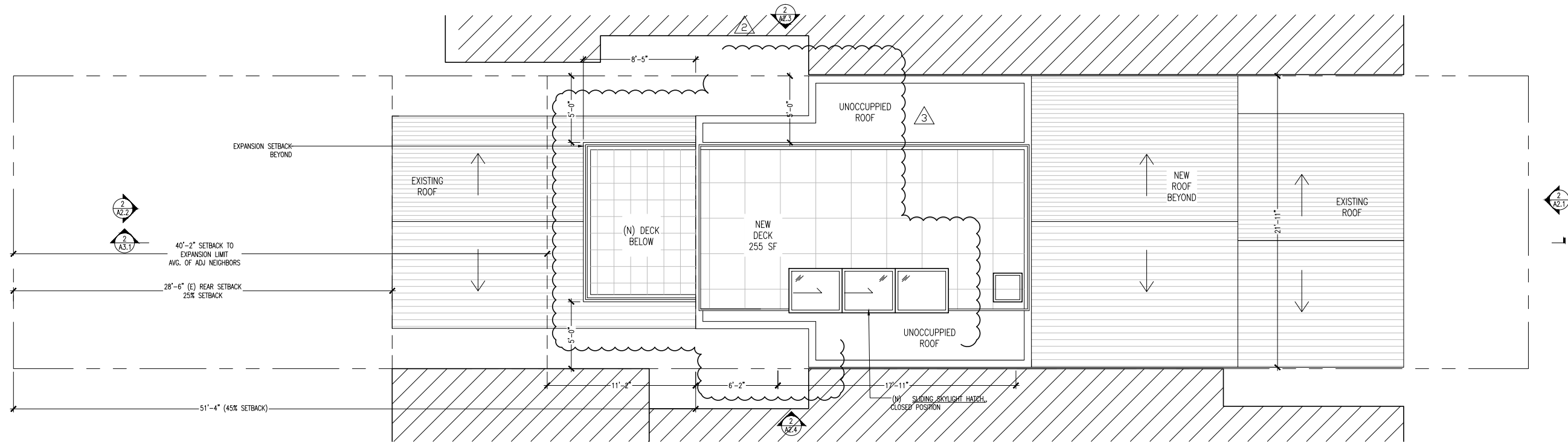
SCALE 1/4" = 1'-0"

DRAWN

COUNT 5 OF 12

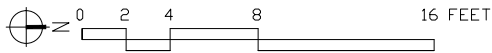
SHEET

A1.2



1 PROPOSED ROOF/DECK FLOOR PLAN
SCALE: 1/4" = 1'-0"

DRAWING KEY	
	(E) CONSTRUCTION TO REMAIN
	(N) CONSTRUCTION
	1-HR CONSTRUCTION
	(E) CONSTRUCTION TO BE REMOVED



REVISIONS:

2020-05-27 PERMIT

2020-10-08 REV 1

2020-12-29 REV 2

2021-02-09 REV 3

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ALTERATIONS TO:

311 JERSEY STREET

SAN FRANCISCO, CA 94114

OWNERS: DAN & NIKKI MILBRATH

CITY STAMP

ISSUE FOR:

SITE PERMIT

PROPOSED ROOF PLAN

DATE 02.09.2021

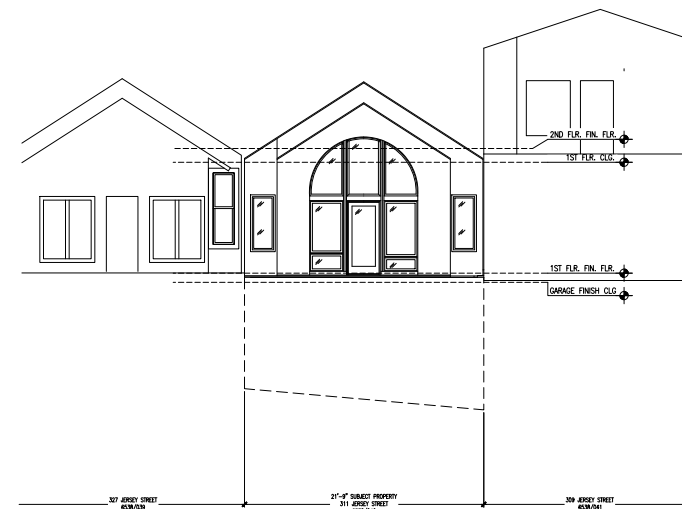
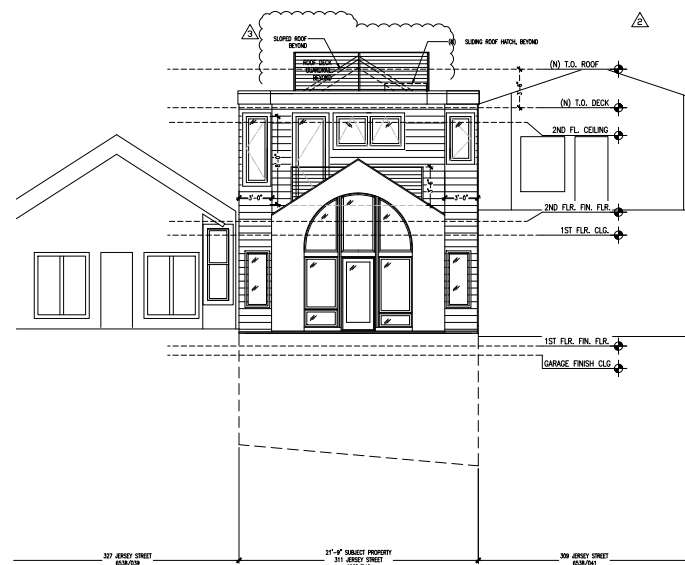
SCALE 1/4" = 1'-0"

DRAWN BM / AR

COUNT 6 OF 12

SHEET

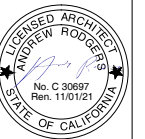
A1.3



REVISIONS:

2020-05-27	PERMIT	
2020-10-08	REV 1	1
2020-12-29	REV 2	2
2021-02-09	REV 3	3

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ALTERNATIONS TO:
311 JERSEY STREET
SAN FRANCISCO, CA 94114
OWNERS: DAN & NIKKI MILBRATH

ITY STAMP

ISSUE FOR:
SITE PERMIT

EXISTING &
PROPOSED
FRONT
ELEVATION
(NORTH)

DATE	02.09.2021
------	------------

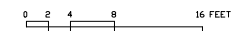
CALE	$\frac{1}{4}" = 1'-0"$
------	------------------------

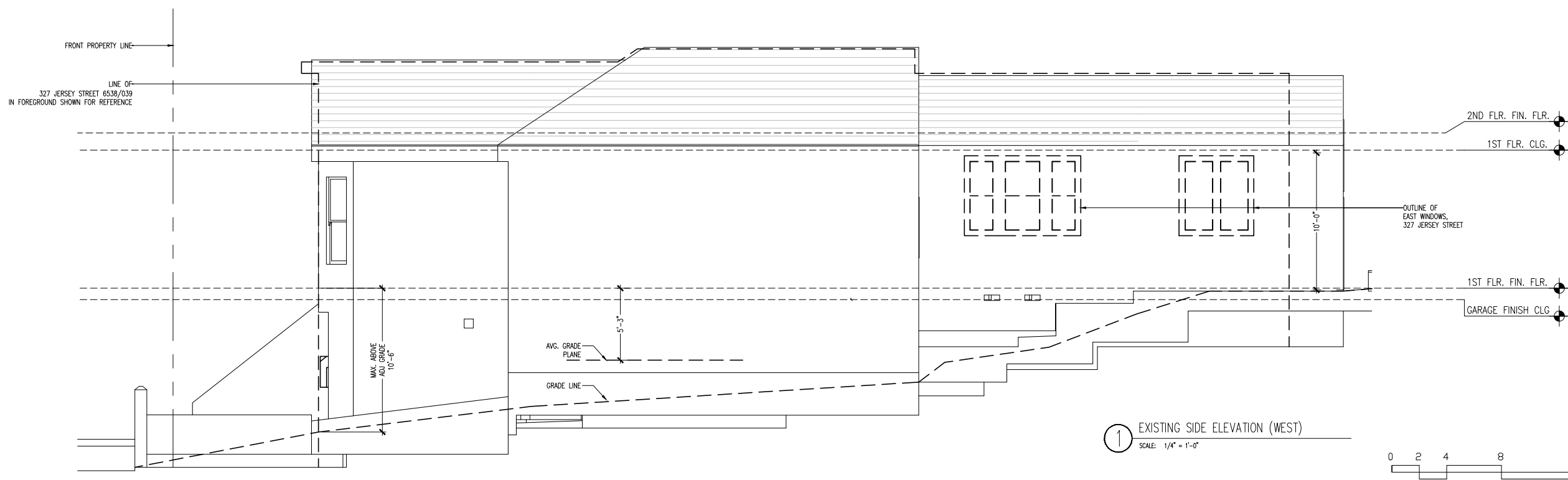
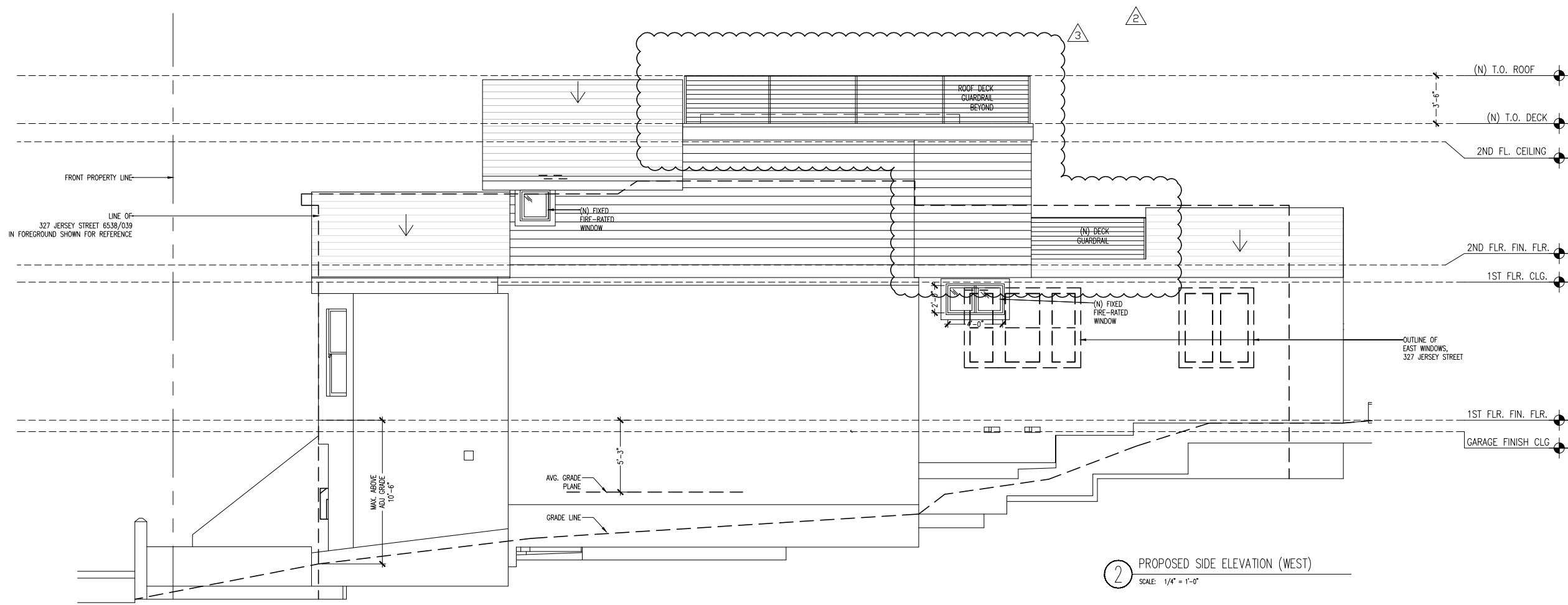
<p> <input type="checkbox"/> DRAWN </p>

COUNT 7 OF 12

HEET

A2.1





REVISIONS:
2020-05-27 PERMIT
2020-10-08 REV 1
2020-12-29 REV 2
2021-02-09 REV 3

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ALTERATIONS TO:
311 JERSEY STREET
SAN FRANCISCO, CA 94114
OWNERS: DAN & NIKKI MILBRATH

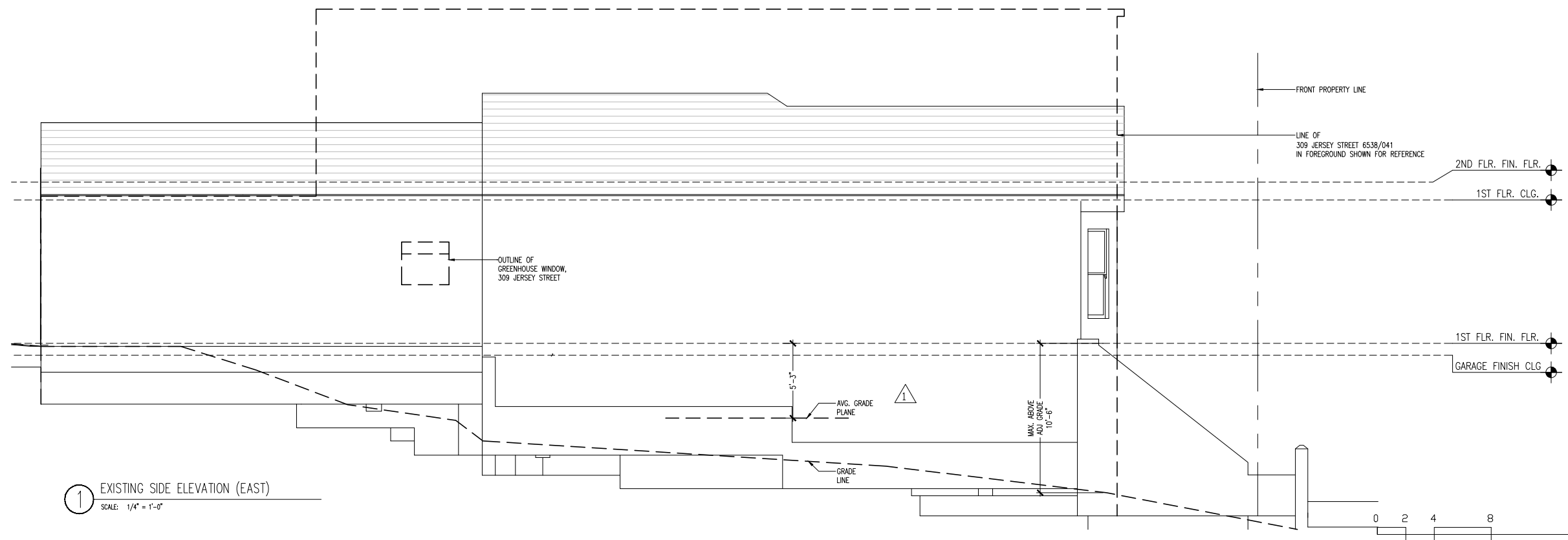
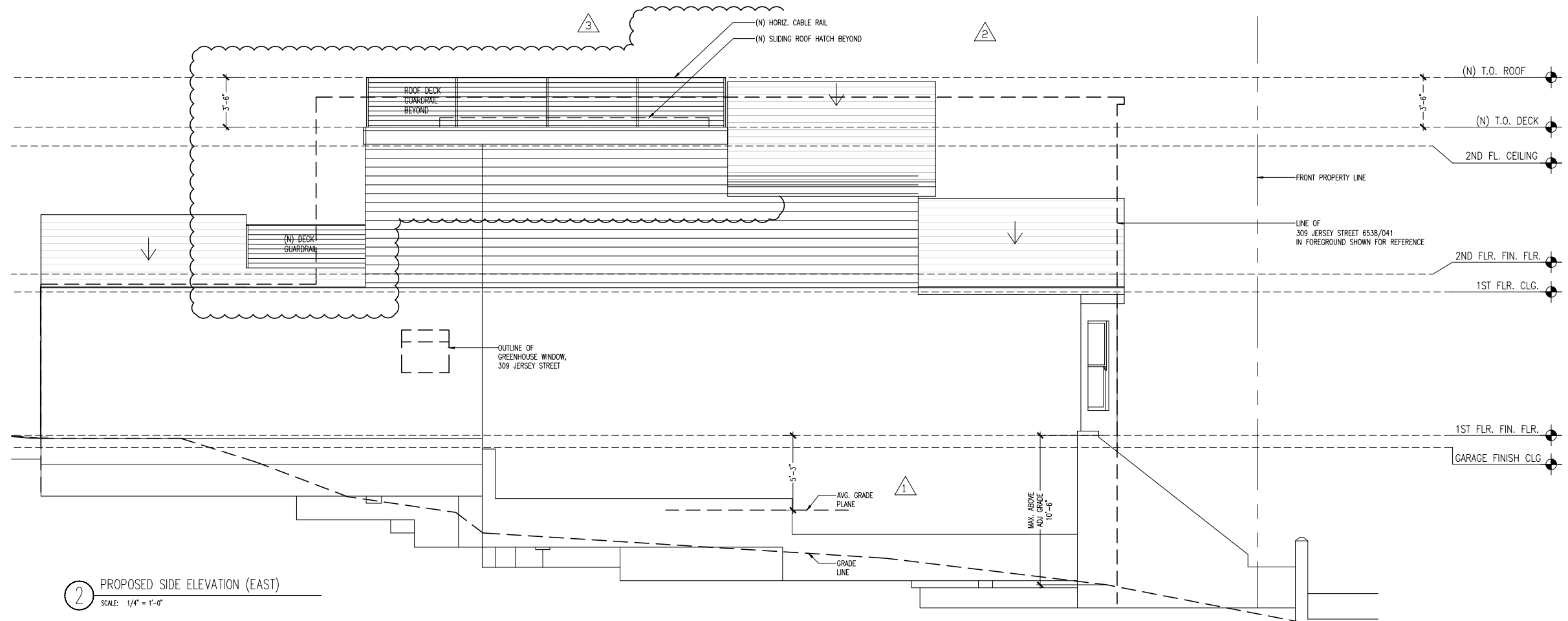
CITY STAMP

ISSUE FOR:
SITE PERMIT

EXISTING & PROPOSED SIDE ELEVATION (WEST)

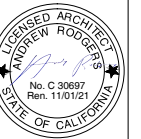
DATE 02.09.2021
SCALE 1/4" = 1'-0"
DRAWN
COUNT 9 OF 12
SHEET

A2.3



REVISIONS:
2020-05-27 PERMIT
2020-10-08 REV 1
2020-12-29 REV 2
2021-02-09 REV 3

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ALTERATIONS TO:
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SAN FRANCISCO, CA 94114
OWNERS: DAN & NIKKI MILBRATH

CITY STAMP

ISSUE FOR:
SITE PERMIT

EXISTING &
PROPOSED
SIDE ELEVATION
(EAST)

DATE 02.09.2021

SCALE 3/8" = 1'-0"

DRAWN

COUNT 10 OF 12

SHEET

A2.4

An architectural rendering of a modern building complex. The central focus is a rooftop terrace with a glass railing. Three red arrows originate from a text block on the right and point to different sections of the railing. The building has white walls and brown-tiled roofs. There are external staircases on the left side. The surrounding area includes a sidewalk, a small tree, and a grassy courtyard with a yellow wall and trees in the background.

glass guardrail
here?
possibly
frosted /
etched glass for
added privacy?

Front - post renovation

