

# SAN FRANCISCO PLANNING DEPARTMENT

# Discretionary Review Full Analysis

HEARING DATE JULY 18TH, 2013

CONTUINUED FROM JUNE 6<sup>TH</sup>, 2013

Date:	May 30 <sup>th</sup> , 2013
Case No.:	2006.0647DD
Project Address:	2166 12 <sup>th</sup> AVENUE
Permit Application:	2005.06.23.5892
Zoning:	RH-1 (Residential, House, One-Family) Zoning District
	40-X Height and Bulk District
Block/Lot:	2206/036
Project Sponsor:	Suheil Shatara
	26 Lakeview Drive
	Daly City, CA 94015
Staff Contact:	Tom Wang – (415) 558-6335
	thomas.wang@sfgov.org
Recommendation:	Take DR and approve with modification.

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

## PROJECT DESCRIPTION

The proposal is to alter an existing one-story over garage, single-family dwelling, including the construction of (1) a two-story rear addition with a roof deck above and a stairway behind, providing a direct connection between the second story and the rear yard, and (2) a third-story vertical addition.

The proposed third-story will be constructed within the footprint of the existing dwelling and contain a floor area of approximately 513 square feet. It will have staggered setbacks from the existing front building wall of 15 feet and 12 feet 6 inches. The proposed two-story rear addition with a stairway behind will project a total of 18 feet into the rear yard, reducing the existing rear yard depth from 63 feet to 45 feet, but not encroaching into the required rear yard. It will be set in 5 feet from the north side lot line and 3 feet from the south side lot line with a total floor area of approximately 510 square feet.

With the additions containing a total of 1,023 square feet, the subject dwelling's floor area will be increased from the current 1,712 square feet to 2,735 square feet. The subject dwelling is two stories at the street level and measures 16 feet 6 inches at the center of the front façade from the street curb to the top of the roof. With the proposed third story addition, building height will be increased to 26 feet 10 inches at the center of the front facade from the current dwelling is 34 feet 5 inches and will be increased by 15 feet to 49 feet 5 inches, not including the rear stairway.

# SITE DESCRIPTION AND PRESENT USE

The subject property is at 2166 12<sup>th</sup> Avenue between 9<sup>th</sup> Avenue and Quintara Street in the West of Twin Peaks Neighborhood. The subject lot measures 25 feet wide and 100 feet deep with grade slightly sloping upward from the front property line towards the rear property line, rising approximately 2 feet. The subject property currently is occupied by a one-story over garage, single-family dwelling constructed in 1949. The existing dwelling's ground floor consists of one bedroom and a one-car garage. The second floor features living and dining area, kitchen, two-bedrooms and one full-bathroom. The subject property is in an RH-1 (Residential, House, One-Family) Zoning District and a 40-X Height and Bulk District.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is on the east side of 12<sup>th</sup> Avenue. Along the subject block-face, only one existing home is three stories at the street level and the remaining homes are two stories at the street level. These homes were completed from 1940s to 1950s. Along the opposite block-face, all existing homes are two stories at the street level and completed in 1949 to 1951.

Both of the immediately adjacent lots measure 25 feet wide and 100 feet deep. Each adjacent lot contains a two-story, single-family dwelling.

A landslide zone, containing steep hillside and rock walls, occupies much of the mid-block open space as well as some portion at the rear of the subject and the DR requestors' lots.

# FIRST BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILLING TO HEARING TIME
311/312 Notice	30 days	April 3 <sup>rd</sup> , 2006 – May 3 <sup>rd</sup> , 2006	May 1 <sup>st</sup> , 2006	May 23 <sup>rd</sup> , 2013	2,577 days from May 1 <sup>st</sup> , 2006*

\* After a DR had been filed on May 1<sup>st</sup>, 2006 by the owners of the property at 2158 12<sup>th</sup> Avenue, little progress was done by the original architect to address the DR Requestors' concerns over an extended period of time. The subject property owner hired another architect to work on numerous design alternatives to respond to the DR Requestors' concerns.

# SECOND BUILDING PERMIT NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILLING TO HEARING TIME
311/312 Notice	30 days	January 26 <sup>th</sup> , 2012 – February 25 <sup>th</sup> , 2012	February 27 <sup>th</sup> , 2012	May 23 <sup>rd</sup> , 2013	452 days from February 27 <sup>th</sup> , 2012**

\*\*A second Section 311 notice was sent for the final revised design. A second DR was filed by the owners of the adjacent property at 2162 12<sup>th</sup> Avenue.

The Project Sponsor submitted the response to both DR Applications on May 13th, 2013.

# **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	May 13th, 2008	May 10 <sup>th</sup> , 2008	13 days
Mailed Notice	10 days	May 13 <sup>th</sup> , 2008	May 10 <sup>th</sup> , 2008	13 days

# PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)		DR Requestors No. 2	
Other neighbors on the			
block or directly across		DR Requestors No. 1	
the street			
Neighborhood groups			

# **DR REQUESTORS**

- 1. Michael and Trace Kannel, owners of a single-family home at 2158 12<sup>th</sup> Avenue, which is the second house north of the subject property.
- 2. Curtiss and Mona Sarikey, owners of a single-family home at 2162 12<sup>th</sup> Avenue, which is immediately north of the subject property.

# DR REQUESTORS' CONCERNS AND PROPOSED ALTERNATIVES

### 1. Concerns form Michael and Trace Kannel (see the DR Application for a complete description):

- (a) The scale of the subject house with the vertical and rear additions is not compatible with surrounding homes and does not preserve the neighborhood character;
- (b) The vertical and rear additions will affect solar access to their limited rear yard open space because some portion at rear of their lot and the mid-block open space are occupied by steep hillside and rock walls; and
- (c) Second floor windows on the rear addition's north side wall result in an impact on privacy to their rear yard open space; and
- (d) A landslide zone, consisting steep hillside and rock walls, occupies much of the mid-block open space as well as some portion at rear of the subject and the DR requestors' lots. The proposed rear addition may disturb this landslide zone, which should require environmental review.

### **Proposed Alternatives:**

- (a) Remove the third-story vertical addition;
- (b) Reduce the depth of the two-story rear addition from 15 feet to 12 feet and set it in 7 feet from the north side lot line; and
- (c) Modify second floor windows on the north side wall of the two-story rear addition.

### 2. Concerns from Curtiss and Mona Sarikey (see the DR Application for a complete description):

- (a) The subject house with the vertical and rear additions will result in a home size not appropriate on this block of "Junior Five" homes; and
- (b) The vertical and rear additions will affect the current sunlight to their rear yard open space and privacy to the interior living spaces of the rear rooms in their house.

### **Proposed Alternatives:**

(a) Remove the third-story vertical addition;

# Discretionary Review – Full Analysis JULY 18<sup>th</sup>, 2013

- (b) Reduce the depth of the two-story rear addition from 15 feet to 12 feet and set it in 7 feet from the north side lot line; and
- (c) Remove the roof deck above the two-story rear addition.

## **PROJECT SPONSOR'S RESPONSE**

The Project Sponsor provided their response in the Discretionary Review packet. The following is a brief summary:

Based upon the Residential Design guidelines, the project has been revised to address those reasonable concerns expressed by all DR Requestors. However, the Project Sponsor wishes to set the two-story rear addition in 3 feet from the south side lot line instead of 5 feet for the purpose of a more functional interior layout on both floors.

### PROJECT ANALYSIS

#### 1. Responses to the DR Requestors' Concerns:

The Residential Design Guidelines do not require each building on the block to be uniform in height or in depth; however, any vertical or horizontal addition must consider the overall neighborhood context. In areas with a dense building pattern, some reduction of light and privacy to neighboring buildings and rear yards can be expected with a building expansion; however, certain design modifications can minimize impacts on light and privacy.

Staff's opinion is that the proposed third-story with staggered setbacks from the existing front building wall of 15 feet and 12 feet 6 inches will appear subordinate to the subject dwelling's two-story, primary façade and result in minimal visibility from the street and no significant impact on the visual character of the current two-story homes on the subject block-face.

Secondly, within a dense urban setting of San Francisco, the project will result in no significant impact on current light and privacy to all DR Requestors' rear yard open space and the interior living spaces of the rear rooms in the adjacent DR Requestors' house at 2162 12<sup>th</sup> Avenue because (1) the third-story addition will be within the existing building footprint and will include a ceiling height of only 8 feet and no parapet walls surrounding the one-hour fire rated flat roof and (2) the two-story rear addition is limited to a depth of 15 feet and will be set in <u>5 feet</u>\* from either side lot line, which will not be substantially deeper than both adjacent houses or significantly affect the existing building scale at the mid-block open space; the original second floor roof deck has been reduced to 10 feet by 10 feet, located along the south side wall and further away from the rear yard of the adjacent DR Requestors' lot at 2162 12<sup>th</sup> Avenue; and the second floor windows on the north side wall of the rear addition have been changed to high windows above the eye level.

Thirdly, although the size of the subject dwelling will be greater than that of other homes along the subject block-face as a result of the project, it will create a family-sized dwelling, including four bedrooms.

Finally, the Department is aware that a landslide zone, which consists of steep hillside and rock walls, occupies the current mid-block open space and some portion at rear of the subject and all DR Requestors' lots. Based upon the Project Sponsor's site survey, the distance between the subject building's existing rear wall and the steep hillside and rock walls is approximately 90 feet. The two-

story rear addition, including the stairway, projecting a total of 18 feet into the rear yard, will still be approximately 72 feet away from the steep hillside and rock walls. The Department's Environmental Review Division determined that no environmental evaluation will be required for the proposed twostory rear addition because it will not disturb the steep hillside and rock walls.

### 2. The proposed two-story rear addition's setback from the south side lot line:

The revised plans included with the second Section 311 Notice showed that the two-story rear addition had been set in 5 feet from either side lot line. However, the Project Sponsor reduced the 5 feet setback from the south side lot line to 3 feet after the Section 311 notice had expired for the purpose of a more functional interior layout on both floors. This change is indicated on the reduced plans included in the Project Sponsor's DR hearing packet. The Department maintains that the two-story rear addition must be set in <u>5 feet</u> from the south side lot line to be consistent with the Residential Design Guidelines.

### 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).

## **RESIDENTIAL DESIGN TEAM REVIEW**

The final revised design of the project and both Discretionary Review Applications were reviewed by the Residential Design Team (RDT). The RDT's comments include:

The RDT determined that it would be in support of the project, provided that the two-story rear addition must be set in <u>5 feet</u> from the south side lot line, the same amount as that along the north side line, in order to minimize its impact on light, air, and privacy to <u>both</u> adjacent properties, pursuant to the Residential Design Guidelines.

Under the Planning Department's proposed DR Reform Policy, this project <u>would</u> be referred to the Planning Commission as this project <u>does</u> contain or create exceptional and extraordinary circumstances when the two-story rear addition is not set in <u>5 feet</u> from the south side lot line.

### BASIS FOR RECOMMENDATION

The Department believes the project, including setting the two-story rear addition in 5 feet from the south side lot line, will comply with applicable provisions of the Planning Code, will be consistent with the Residential Design Guidelines and the General Plan, and will result in no significant impact on the visual character of the current two-story homes along the subject block-face or current light, air and privacy to both DR Requestors' homes. Additionally, the project will create a family-sized dwelling, including four bedrooms.

**RECOMMENDATION:** <u>Take</u> DR and approve the project with modification.

Discretionary Review – Full Analysis JULY 18<sup>th</sup>, 2013

Attachments: Block Book Map Sanborn Map Zoning Map Section 311Notice Aerial Photographs Neighborhood Context Photos DR Applications Response to DR Applications 3-D Rendering Reduced Plans

# **Design Review Checklist**

## **NEIGHBORHOOD CHARACTER (PAGES 7-10)**

QUESTION	
The visual character is: (check one)	
Defined	X
Mixed	

**Comments:** The surrounding residential neighborhood contains predominantly two-story, single-family dwellings with a range of architectural styles and forms, and an overall uniform building scale.

## SITE DESIGN (PAGES 11 - 21)

QUESTION	YES	NO	N/A
Topography (page 11)			
Does the building respect the topography of the site and the surrounding area?	X		
Is the building placed on its site so it responds to its position on the block and to the placement of surrounding buildings?	x		
Front Setback (pages 12 - 15)			
Does the front setback provide a pedestrian scale and enhance the street?	grannin <u>, m</u>		X
In areas with varied front setbacks, is the building designed to act as transition between adjacent buildings and to unify the overall streetscape?			x
Does the building provide landscaping in the front setback?			X
Side Spacing (page 15)			
Does the building respect the existing pattern of side spacing?			X
Rear Yard (pages 16 - 17)			
Is the building articulated to minimize impacts on light to adjacent properties?	X		
Is the building articulated to minimize impacts on privacy to adjacent properties?	X		
Views (page 18)			
Does the project protect major public views from public spaces?			X
Special Building Locations (pages 19 - 21)			
Is greater visual emphasis provided for corner buildings?			Х
Is the building facade designed to enhance and complement adjacent public spaces?			x
Is the building articulated to minimize impacts on light to adjacent cottages?		1.7	X

**Comments:** Within a dense urban setting of San Francisco, concerns about light and privacy to all DR Requestors' rear yard open space and the interior living spaces of the rear rooms in the adjacent DR Requestors' house at 2162 12<sup>th</sup> Avenue have been addressed by the following: (1) the third-story addition will be within the existing building footprint and will include a ceiling height of only 8 feet and no parapet walls surrounding the one-hour fire rated roof; (2) the two-story rear addition is limited to a depth of 15 feet and will be set in 5 feet from either side lot line, and the second floor roof deck has been reduced to 10 feet by 10 feet, located along the south side wall and (3) the rear addition's second floor windows on the north side wall will be high windows above the eye level.

# BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
Building Scale (pages 23 - 27)			
Is the building's height and depth compatible with the existing building scale at the street?	x		
Is the building's height and depth compatible with the existing building scale at the mid-block open space?	х		
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?	X		
Is the building's facade width compatible with those found on surrounding buildings?	x		
Are the building's proportions compatible with those found on surrounding buildings?	x		
Is the building's roofline compatible with those found on surrounding buildings?	X	-	

**Comments:** The proposed third-story with staggered setbacks from the existing front building wall of 15 feet and 12 feet 6 inches will appear subordinate to the subject dwelling's two-story, primary façade and result in minimal visibility from the street and no significant impact on the visual character of the current two-story homes on the subject block-face. The proposed two-story rear addition will project 15 feet into the rear yard, which will not be substantially deeper than both adjacent houses or significantly affect the existing building scale at the mid-block open space.

# ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
Building Entrances (pages 31 - 33)			
Does the building entrance enhance the connection between the public realm of	-		x
the street and sidewalk and the private realm of the building?			~
Does the location of the building entrance respect the existing pattern of building			x
entrances?			A
Is the building's front porch compatible with existing porches of surrounding			x
buildings?			
Are utility panels located so they are not visible on the front building wall or on			x
the sidewalk?			
Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on			x
surrounding buildings?	v		~
Garages (pages 34 - 37)			
Is the garage structure detailed to create a visually interesting street frontage?			X
Are the design and placement of the garage entrance and door compatible with			x
the building and the surrounding area?		1	^
Is the width of the garage entrance minimized?			X
Is the placement of the curb cut coordinated to maximize on-street parking?			X
Rooftop Architectural Features (pages 38 - 41)			
Is the stair penthouse designed to minimize its visibility from the street?			X

Are the parapets compatible with the overall building proportions and other	x
building elements?	 ~
Are the dormers compatible with the architectural character of surrounding buildings?	x
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?	x

Comments: None.

# **BUILDING DETAILS (PAGES 43 - 48)**

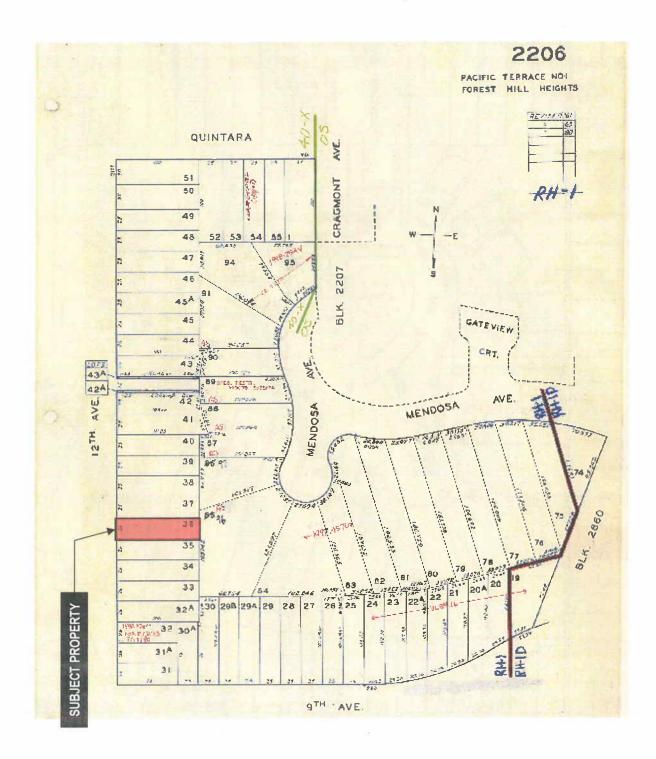
QUESTION	YES	NO	N/A
Architectural Details (pages 43 - 44)			
Are the placement and scale of architectural details compatible with the building and the surrounding area?	x		
Windows (pages 44 - 46)			
Do the windows contribute to the architectural character of the building and the neighborhood?	x		
Are the proportion and size of the windows related to that of existing buildings in the neighborhood?	x		
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?	x		
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?	x		
Exterior Materials (pages 47 - 48)			
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?	x		
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?			
Are the building's materials properly detailed and appropriately applied?	X		

**Comments:** The third-story addition will incorporate minimal amounts of architectural detailing to ensure the subordinate treatment of the vertical addition. All windows visible from the street will be wood clad windows. All exterior materials will be high quality and appropriate for the architectural style of the existing residence.

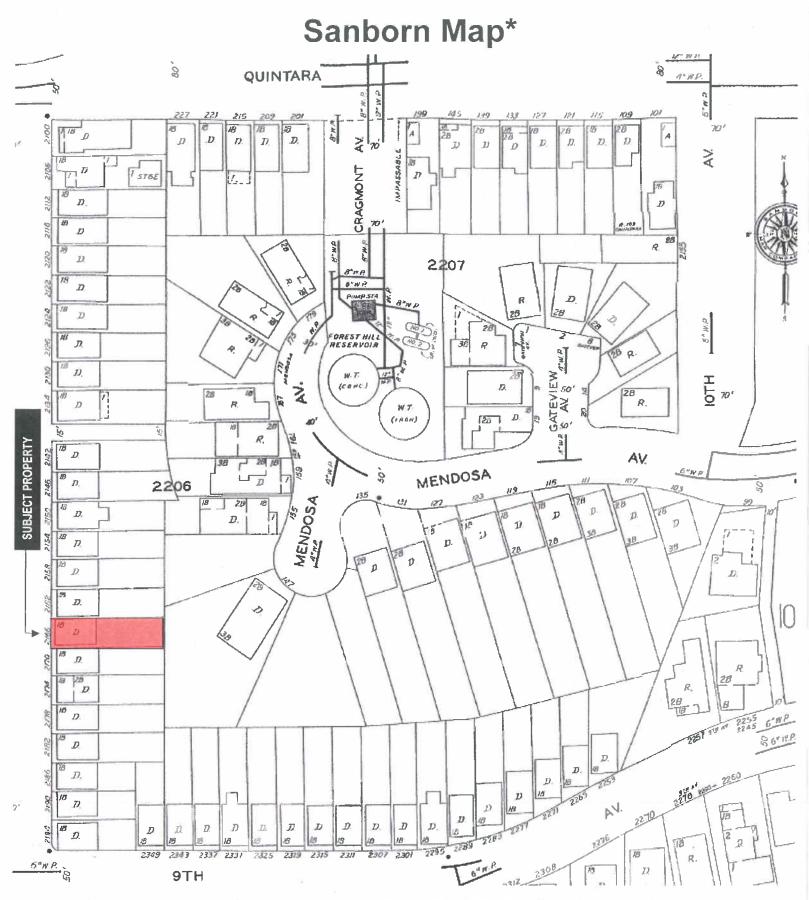
\* All page numbers refer to the Residential Design Guidelines.

U:\TWANG\WP51\CASE SUMMARY\DR\2166 12<sup>th</sup> Avenue=2006.0647DD.doc

# **Parcel Map**



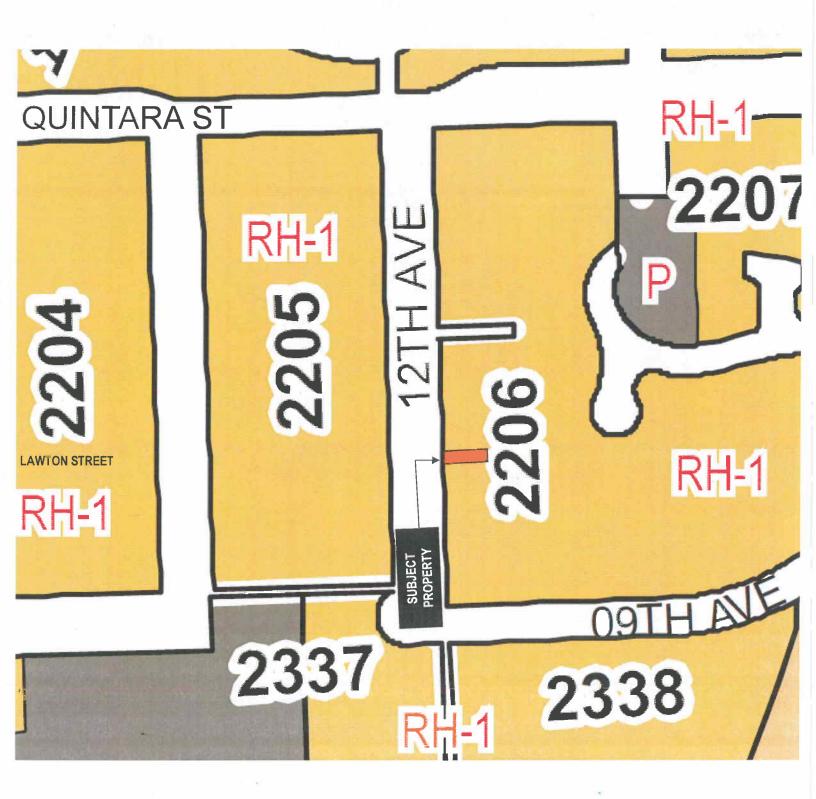
G



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

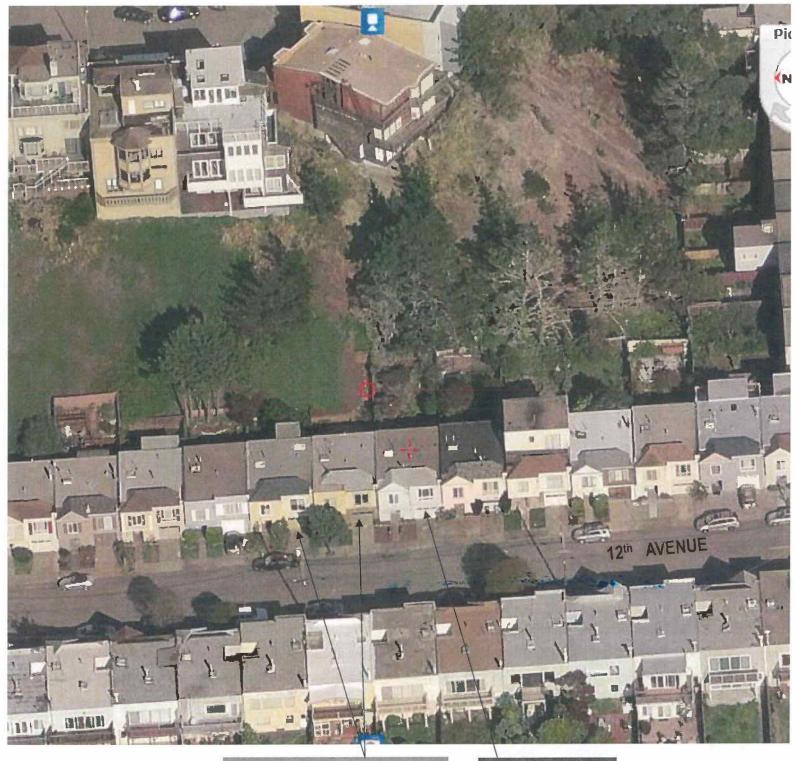


# **Zoning Map**





# **Aerial Photo**

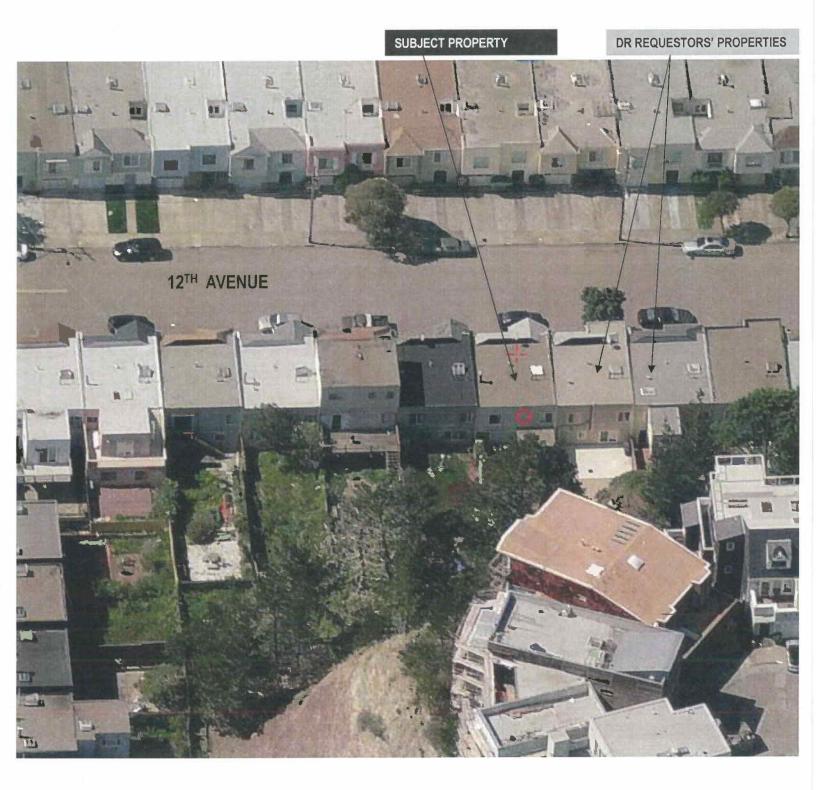


**DR REQUESTORS' PROPERTIES** 

SUBJECT PROPERTY



# **Aerial Photo**







# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

# NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On June 23<sup>rd</sup>, 2005, the Applicant named below filed Building Permit Application No. 2005.06.23.5892 (Alteration) with the City and County of San Francisco.

This is a second Notice of Building Permit Application (Section 311).

C	ONTACT INFORMATION	PROJECT	SITE INFORMATION
Applicant:	Shatara Architecture	Project Address:	2166 12 <sup>th</sup> Avenue
Address:	522 Second Street	Cross Streets:	Between Quintara & 9th Avenue
City, State:	San Francisco, CA 94107	Assessor's Block /Lot No.:	2206/036
Telephone:	(415) 512-7566	Zoning Districts:	RH-1/40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, 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.

[] DEMOLITIONand/or[] NEW CONSTRUCTIONor[X] ALTERATION[X] VERTICAL EXTENSION[] CHANGE # OF DWELLING UNITS[] FACADE ALTERATION(S)[] HORIZ. EXTENSION (FRONT)[] HORIZ. EXTENSION (SIDE)[X] HORIZ. EXTENSION (REAR)PROJECT FEATURESEXISTING CONDITIONPROPOSED CONDITIONSBUILDING USESingle-family dwellingNo ChangeFRONT SETBACK5 feet 7 inchesNo ChangeSIDE SETBACKSNoneNo ChangeBUILDING DEPTH34 feet 5 inches59 feet 5 inchesREAR YARD62 feet 11 inches44 feet11 inchesHEIGHT OF BUILDING20 feet26 feet 5 inchesNUMBER OF STORIESTwo-storyThree-storyNUMBER OF OFF-STREET PARKING SPACESOneNo Change		PROJEC,T SCOPE	
[] HORIZ. EXTENSION (FRONT)[] HORIZ. EXTENSION (SIDE)[X] HORIZ. EXTENSION (REAR)PROJECT FEATURESEXISTING CONDITIONPROPOSED CONDITIONSBUILDING USESingle-family dwellingNo ChangeFRONT SETBACK5 feet 7 inchesNo ChangeSIDE SETBACKSNoneNo ChangeBUILDING DEPTH34 feet 5 inches59 feet 5 inchesREAR YARD62 feet 11 inches44 feet11 inchesHEIGHT OF BUILDING20 feet26 feet 5 inchesNUMBER OF STORIESTwo-storyThree-storyNUMBER OF DWELLING UNITSOneNo Change	[] DEMOLITION and/or	[] NEW CONSTRUCTION or	[X] ALTERATION
PROJECT FEATURESEXISTING CONDITIONPROPOSED CONDITIONBUILDING USE FRONT SETBACKSingle-family dwelling 5 feet 7 inchesNo Change No ChangeSIDE SETBACKS BUILDING DEPTHNo ne 34 feet 5 inchesNo Change 59 feet 5 inchesBUILDING DEPTH REAR YARD62 feet 11 inches44 feet11 inchesHEIGHT OF BUILDING NUMBER OF STORIES20 feet Two-story26 feet 5 inchesNUMBER OF DWELLING UNITSOneNo Change	[X] VERTICAL EXTENSION	[] CHANGE # OF DWELLING UNITS	[ ] FACADE ALTERATION(S)
BUILDING USE       Single-family dwelling       No Change         FRONT SETBACK       5 feet 7 inches       No Change         SIDE SETBACKS       None       No Change         BUILDING DEPTH       34 feet 5 inches       59 feet 5 inches         REAR YARD       62 feet 11 inches       44 feet11 inches         HEIGHT OF BUILDING       20 feet       26 feet 5 inches         NUMBER OF STORIES       Two-story       Three-story         NUMBER OF DWELLING UNITS       One       No Change	[] HORIZ. EXTENSION (FRONT)	[] HORIZ. EXTENSION (SIDE)	[X] HORIZ. EXTENSION (REAR)
FRONT SETBACK       5 feet 7 inches       No Change         SIDE SETBACKS       None       No Change         BUILDING DEPTH       34 feet 5 inches       59 feet 5 inches         REAR YARD       62 feet 11 inches       44 feet11 inches         HEIGHT OF BUILDING       20 feet       26 feet 5 inches         NUMBER OF STORIES       Two-story       Three-story         NUMBER OF DWELLING UNITS       One       No Change	PROJECT FEATURES	EXISTING CONDITIO	N PROPOSED CONDITION
	FRONT SETBACK SIDE SETBACKS BUILDING DEPTH REAR YARD HEIGHT OF BUILDING NUMBER OF STORIES NUMBER OF DWELLING UNITS	5 feet 7 inches None	No Change No Change 59 feet 5 inches 44 feet11 inches 26 feet 5 inches Three-story No Change

The currently proposed work to the existing two-story, single-family dwelling includes: (1) a two-story rear addition with an open stairway connecting the second floor roof deck to grade and (2) a partial third-story vertical addition.

The currently proposed work represents a revision to the originally proposed work, which was notified under a previous Notice of Building Permit Application (Section 311).

PLANNER'S NAME: PHONE NUMBER: EMAIL:

(415) 558-6335 thomas.wang@sfgov.org

**Thomas Wang** 

DATE OF THIS NOTICE:

EXPIRATION DATE:

1-26-12 2-25-12



# PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

# NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

# On 6/23/2005

, the Applicant named below filed **Building Permit Application No(s).** 

### APPLICANT INFORMATION

# PROJECT SITE INFORMATION

Applicant: HERMANCIA LAI Address: >/66 IZTH AVENUE City, State: SAN FRANCISCE, CA 94116 Telephone: C/0 TONY FONG 415 810-4583

Project Address: 2166 12 TH AVENUE Assessor's Block /Lot No. 2206 /036 Zoning District: RH-1

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if their 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.

#### PROJECT SCOPE

[] DEMOLITION

- VI VERTICAL EXTENSION
- [ ] HORIZ. EXTENSION (FRONT)
- [] NEW CONSTRUCTION
  [] CHANGE # OF DWELLING UNITS
  [] HORIZ. EXTENSION (SIDE)

「イALTERATION 「J FACADE ALTERATION(S) 「タ HORIZ EXTENSION (REAR)

PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK	5-7"	51-711
BUILDING DEPTH	331	56.1
REAR YARD	60'	341
HEIGHT OF BUILDING	18'-6"	29'-6"
NUMBER OF STORIES	NE-STORY OVER GARAGE	TWO-STORY OVER GARAGE
NUMBER OF DWELLING UNITS	ONE	ONE
NUMBER OF OFF-STREET PARKING SPACES	ONE	TWO

PROJECT DESCRIPTION

THE PROPOSAL 15 TO CONSTRUCT A TWO-STORY REAR ADDITION AND A PARTIAL THIRD STORY VERTICAL ADDITION, AT THE EXISTING THO-STORY, SINGLE-FAMILY DWELLING,

PLANNER'S NAME: TOM WANG PHONE NUMBER: (415) 558-6335 DATE OF THIS NOTICE: 4/03 EXPIRATION DATE: 5/03

# NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

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

- Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
- Call the local Community Board (415 / 920-3820) for assistance in conflict resolution/mediation. They may be helpful in negotiations where parties are in substantial disagreement. On many occasions both sides have agreed to their suggestions and no further action has been necessary.
- 3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request within 30 days of this notice, prior to the Expiration Date shown on the reverse side, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at <u>www.sfgov.org/planning</u>). You must submit the application to the Planning Information Center during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check for \$200.00, for each Discretionary Review request payable to the Planning Department. If the project includes multi building permits, i.e. demolition and new construction, a <u>separate request</u> for Discretionary Review must be submitted, with all required materials and fee, for <u>each</u> 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 approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the **Board of Appeals within 15 days** after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the **Board's office at 1660 Mission Street**, **3rd Floor, Room 3036**. For further information about appeals to the Board of Appeals, including their current fees, **contact the Board of Appeals** at **415 / 575-6880**. President Rodney Fong San Francisco Planning Commission 1650 Mission St., 4<sup>th</sup> Floor San Francisco, CA 94103

RE: Objections to Proposed Vertical Extension to 2166 12<sup>th</sup> Avenue Permit # 2005.06.23.5892

President Fong and Honorable Planning Commissioners,

As property owners and residents of 2158 - 12<sup>th</sup> Avenue, we object to the proposed vertical extension to 2166 - 12<sup>th</sup> Ave. The vertical extension does not comply with San Francisco's General Plan Priority Policies, and it does not comply with the San Francisco Residential Design Guidelines (RDG):

- 1. The vertical extension is neither appropriate, nor compatible, with the level homes on this block.
- The vertical extension would impact access to sun and air for three properties (home interiors and rear yards) to the North of 2166 – 12<sup>th</sup> Avenue. Privacy would be compromised and mid-block open space would be impacted.
- 3. Loss of affordable entry-level housing in this neighborhood.

Over the years, we met with the owners and the neighbors a number of times to identify a more agreeable design. We have been unable to find a solution we all agreed on.

We have another concern:

4. Questionable integrity of the property owners, and a concern about the quality and safety of any proposed construction.

In 2005, the owners sent a letter to our neighbors telling of plans to enlarge their newly acquired house for their family. We heard this same story from the owner's neighbors elsewhere in town.

We looked briefly into the Department of Building Inspection (DBI) records for other properties owned Edmund and Hermancia Lai. We found a trail of BDI permit and complaint records that showed an unsettling pattern of guestionable and possibly unsafe construction practices.

It appears that the property owners do not intend to move into 2166 - 12<sup>th</sup> Avenue.

We believe the owners are serial developers hoping to replace the 2-bedroom 1-bath entry-level home with a massive 4-bedroom, 3-bath structure that is incompatible with all homes on this block.

We feel that we have been held hostage these past 8 years, with major periods of inactivity (more than 12 months on two occasions), and almost no progress in the last 2 years. It is unclear why this matter has not been resolved sooner.

We ask that **no** vertical extension be allowed at 2166 – 12<sup>th</sup> Avenue. Thank you for your considering this important issue which will impact our block for many years.

Modal Kommen Trace Kanal

Michael and Trace Kannel 2158 – 12<sup>th</sup> Avenue

### 1) The Vertical Extension is out of character for this block.

San Francisco's General Plan, Sec. 101.1(b) of the Planning Code, which was added by Proposition M, November 4, 1986, provides as follows:

The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:

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

A vertical extension is out of scale and out of character for this block in Golden Gates Heights. *(see attached letter to Mr. Wang dated 2-15-2012)* 

The only house on the block with a vertical extension (2174 - 12<sup>th</sup> Ave) was built in the 1970's by the homeowners, pre-dating the San Francisco's Residential Design Guidelines. His son lives there today.

If built, the proposed addition at 2166 – 12<sup>th</sup> Avenue would create the largest house on the block, with a 3<sup>rd</sup> floor extension that does not comply with the RDG.

2) The vertical extension would impact access to sun and air, Privacy would be compromised and Mid-block open space would be impacted.

San Francisco's General Plan, Sec. 101.1(b) of the Planning Code, which was added by Proposition M, November 4, 1986, provides as follows:

The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:

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

This Inner Sunset community is often foggy, typically during the summer months of June, July and August. The greatest impact of the proposed vertical extension would be during the Inner Sunset's sunny months, from September through May.

(see attached letter to Mr. Wang dated 2-15-2012)

### 3) Loss of affordable entry-level housing in this neighborhood

San Francisco's General Plan, Sec. 101.1(b) of the Planning Code, which was added by Proposition M, November 4, 1986, provides as follows:

The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:

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

The modest homes in this neighborhood provide much needed entry-level housing for property owners and renters. It would be unfortunate for the proposed massive addition to remove affordable housing from this neighborhood.

# 4) Questionable integrity of the property owners, and a concern about the quality and safety of any proposed construction

With a brief look into City of San Francisco records and DBI records, we found at least 15 properties bought and developed by these owners in the last 20 years. Numerous permits and complaints are recorded. The following issues and complaints repeated on more than one property.

Permit records include:

- o Expired permits.
- Renewing permits for final inspection
- o Permits filed for work already completed
- o Plans revised to reflect recently built work or to correct inaccurate information on plans
- o Construction of new multi-story homes with no or few inspections recorded
- Notice of Violations (NOV) filed.
- o Multiple NOV's filed on a property

Complaint records include:

- o Demolition without a permit.
- o Working without a permit.
- o Working with expired permit
- Pilings and retaining walls built without permit
- Work exceeding scope of permit.
- Work not matching permit plans (building height, steps, doors, windows)
- Working until midnight.
- o Construction of additional unit without a permit.
- o Illegal building in garage. Building illegal unit in garage at nighttime
- Work proceeding after NOV is posted
- o Plans not representing true site, slope, number of floors, building height
- Work causing cracking in neighbor's home and city sidewalk
- Unsafe building
- Debris pile 6-feet high in front of house for more than 6 months, and Construction debris causing mess on sidewalk

It might be fair to say that the quality of construction completed is in question, especially if inspectors are not able to inspect all work as it is completed.

In August 2007, the house at 2170 –  $12^{th}$  Avenue (next to 2166 –  $12^{th}$  Ave) was purchased by Mr. Thomas C. K. Lai, the son of Edmund Lai & Hermancia Lai. Thomas Lai and Edmund Lai share the same mailing address at 1766 –  $40^{th}$  Ave. Work on 2170 –  $12^{th}$  Ave began in July 2011. DBI records for 2170 –  $12^{th}$  Ave include:

- Complaint filed for "windows installed without permit, bathroom added in garage without permit, shaky electrical outlets"
- Permit plans are submitted. Scope of work noted on permit plans does not include all changes shown on plans (Remodeled kitchen, Relocated new heating system, Relocated new water heater, Removed bearing wall)
- Work observed exceeded permits (Remodeled kitchen, New concrete slab and foundation work, Replaced sidewalk sections, water main box and water main without public works permit)
- o For 9 months, there was "No Inspection History" for the 4 permits, as per city inspector
- o PG& E has no record of service at site during the same 9-month period of construction
- Overhead electrical service location was changed across an active public street without notifying PG&E or city
  officials
- o Work proceeded after Notice of Violation posted

With the permit and complaint history recorded on the owners' other properties, and after observing the construction work at  $2170 - 12^{\text{th}}$  Ave, there is a question about the quality of construction work proposed for  $2166 - 12^{\text{th}}$  Ave.

We are concerned for the safety of our family and our home, especially since there are no side yards (no fire breaks) to separate one house from the next.

Thank you for your considering this important issue which will impact our block for many years.

Trace Kannap Midal Zenn

Michael and Trace Kannel 2158 – 12<sup>th</sup> Avenue

CASE HUMBER:

# APPLICATION FOR Discretionary Review

1. Owner Applicant Information

DR APPLICANT'S NAME. Michael & Trace Kannel (UPDATE to 4/30/2006 Appl for	Mari DR, filed jointly with Marha	
DR APPLICANT'S ADDRESS:	ZIP CODE:	TELEPHONE.
2158 12th Ave, San Francisco, CA	94116	( <b>415</b> ) <b>297-4675</b>

ADDRESS:	ZIP CODE:	TELEPHONE	
1766 40th Ave, San Francisco, CA	94122	( )	

DDRESS:	ZIP CODE:	TELEPHONE:
522 Second St, San Francisco, CA	94107	(415) 512-7566

#### Location and Glassification

STREET ADDRESS OF PROJECT: 2166 12th Ave, San Fra		ner o name prese neren o neren o neren en e			ZIP CODE:
CROSS STREETS: Between Quintara and		and Locate and a second a			24110
ASSESSORS BLOCK/LOT: 2206 / 036	LOT DIMENSIONS: 25' x 100'	LOT AREA (SQ FT): 2,500 SF	ZONING DISTRICT: RH-1/40-X	HEIGHT/BULK	DISTRICT

#### 3. Project Description

Please check all that ap Change of Use		nge of Hours 🗌	New Construction	] Alterations 🔀	Demolition 🗋	Other 🗌
Additions to Bu Present or Previ	0	Rear 🗙 From From From From From From From From	0	Side Yard 🔲		
Proposed Use:	single far	nily residence				
Building Permit	t Applicati	2005.06.2	3.5892	Date	Filed: 06/23/20	05

4. 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?	X	
Did you participate in outside mediation on this case?		

### 5. 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 there were made to the proposed project. We had many meetings with Edmund Lai, property owner, and a number of calls to Tom Wang, city planner. Many drawing errors on existing plans were corrected. Errors included non-existing bathrooms & rooms; inaccurate ceiling & building heights. Changes were made to 2-story rear addition – ground floor was reduced; 2nd floor width reduced but depth increased. 2nd fir rear deck was removed. Third floor is mostly unchanged. Site topography is not shown. Shadows studies of revised design should be provided to neighbors.

CASE NUMBER:

# **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 minimum standards of the Planning Code. 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.

Design of project's scale and form is not compatible with surrounding homes, and does not preserve neighborhood character. Project would create house with 2,417 SF living area (4 bdrm/3 bath), which is more than 2.75 times the size of the entry-level homes on block (2 bdrm/1 bath, 875 SF living area). Proposed rear addition is larger than the few rear additions on block. Of 53 homes on block, only 9 have modest rear additions, and only one has 3rd floor addition, which pre-dates Residential Design Guidelines.

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

Topography was not considered. Mid-block open space is all steep hillside & rock walls, resulting in many small usable rear yards. Height & depth of additions would severely reduce light to rear rooms at 2162 12th Ave & greatly impact solar access to rear yards at 2162, 2158 and 2154 12th Ave. Height & depth of additions would 'box in" and cut-off adjoining properties from mid-block open space. Proposed windows impact privacy to nearby interiors and yards. Property values of nearby homes would be reduced due to limited light & views.

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?

No 3rd floor addition. Reduce rear addition to max. 12-ft deep. Increase North setback at addition to 7-ft. No deck over 2nd floor. Provide shadow study of revised design. Modify North-facing windows to reduce impact on privacy to nearby homes/yards. These changes would reduce impact on solar access to adjoining rooms & rear yards. Also 2166 12th Ave would still be a 4 bdrm/2 bath home. Also, correct drawing errors and in-fill missing drawing information, as discussed with Tom Wang. See attached letter dated 02/15/2012.

# Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Michael Kann Signature: Trace Kannel

Date: 2.27.2012 2.27.2012

Print name, and indicate whether owner, or authorized agent:

Michael Kannel & Trace Kannel

Owner Authorized Agent (circle one)

SAN FRANCISCO PLANNING DEPARTMENT V 10 21 2011

CASE NUMBER Per Staty Unit.

# Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and signed by the applicant or authorized agent.

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	
Address labels (original), if applicable	0
Address labels (copy of the above), if applicable	0
Photocopy of this completed application	
Photographs that illustrate your concerns	
Convenant or Deed Restrictions	
Check payable to Planning Dept.	
Letter of authorization for agent	
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	

NOTES:

Required Material.

Optional Material.
 O Two sets of original labels and one copy of addresses of adjacent property owners and owners of property agross street.

For Department Use Only

Application received by Planning Department:

Byn

Date:

February 15, 2012

TO: Tom Wang, City Planner Planning Department City and County of San Francisco 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Mr. Wang,

Re: Proposed addition to 2166 12<sup>th</sup> Avenue, San Francisco Sheets AO.O, A1.O, A1.1, A2.1, A3.1, Revision date 1-1-12

On January 28, 2012, we received the revised plans for the proposed changes to 2166 12<sup>th</sup> Ave. prepared by Shatara Architecture Inc. Aside from minor changes, the current design is essentially unchanged from the previous design (received January 2011).

- We believe that a 3<sup>rd</sup> floor addition is neither appropriate, nor compatible, in this community of homes.
- The horizontal addition is too large (15-ft deep) and too close to the North property line, limiting daylight into the adjacent homes and into the adjacent rear yards. Existing midblock additions are no more than 10 to 12-ft deep. Reducing the addition depth and increasing the North setback from 5-ft to 7-ft would lessen to impact of shadows on the adjoining properties.
- We ask that the roof deck over the 2<sup>nd</sup> floor horizontal addition be eliminated. Any roof deck would create a loss of privacy to adjoining neighbors.

We met with Edmund Lai and Hermancia Lai, the property owners of 2166 12<sup>th</sup> Avenue, on a number of occasions to discuss the proposed addition. We raised our concerns about the potential impact of the proposed addition on the adjacent homes and the neighborhood. We looked to the City of San Francisco Residential Design Guidelines to explore an alternate design solution. We hope to find a design solution that would 1) Maintain light to adjacent properties, 2) Preserve the mid-block open space, and 3) Maintain the original 1949 character and scale of this one-block stretch of "Junior Five" entry-level homes (on 12<sup>th</sup> Avenue from Quintara Avenue to 9<sup>th</sup> Avenue).

To date, we have been unable to find a design solution agreeable to Mr. Lai and his neighbors. We will move forward with a filing an Application Requesting Discretionary Review.

A third floor addition is out of scale and out of character for this block in Golden Gates Heights. Our street is one block long, running between Quintara and 9<sup>th</sup> Ave. There are 53 "Junior Five" homes on this block, built in 1950 to 1951. Each home was originally built with a living/dining room, a kitchen, 2 bedrooms and one bathroom on the 2<sup>nd</sup> floor with a ground level garage. In the past 60 years, only nine homes have added modest rear additions, and only one home has a third floor.

The mid-block open space behind 2166 12<sup>th</sup> Ave. is a steeply sloping hillside dotted with pine trees, and includes the rugged remains of a quarry. From the 1870's and 1880's, rock was quarried from this site for use as road base material in Golden Gate Park. This unusual open space has very few rear fences, and appears as a mid-block park.

The proposed horizontal and vertical additions impact a number of adjacent properties. To the North of 2166 12<sup>th</sup> Ave, the rear yards are much smaller, with limited usable garden areas. A 25-to 30-ft tall rock wall abruptly shortens the adjacent usable yards. The proposed horizontal addition at 2166 12<sup>th</sup> Ave would 'box in' these already shortened open yards. This Inner Sunset community is often foggy. If the rear yards are 'boxed in' and the sunlight into

the homes and gardens is reduced, this could lead to a potential decrease in property values.

Also, portions of the drawings were confusing, and some information appeared to be missing.

- There are a number of minor discrepancies on the drawings that should be corrected or clarified: Label rooms consistently; Label (E) ground floor ceiling height accurately; Label (E) height to rear grade accurately; Illustrate windows, patio door and railing consistently (at rear addition); and Note existing rear wall siding material accurately.
- For clarity, it would be helpful if some information was noted on the plans: Include interior dimension of garage; and Identify the location of furnace, water heater and laundry appliances.

On Feb 2, Curtiss Sarikey spoke with Tom Wang to discuss the proposed design. On Feb 14<sup>th</sup>, Trace Kannel spoke with Tom Wang to discuss the design and also outline the discrepancies found in the drawings. Tom indicated that he would contact the architect for corrections and a set of revised drawings are to be re-distributed.

On Feb 14<sup>th</sup>, Trace Kannel contacted the project architect, Suheil Shatara. She is awaiting a call back. Tom suggested that she contact the architect to discuss the proposed grade change at the rear door. While not noted on the drawings, it appears that the rear grade may be about 18" higher than the family room floor level. It would be helpful to better understand how this grade change is to be addressed. There are concerns about how the proposed changes might impact the foundation of the adjacent home and the shared fence, or potential flooding at this area.

We would like to keep the communication open with the applicant and the city. We would like to review a final drawing, signed by the applicant's architect, as well as a shadow study illustrating the proposed day light patterns on our homes and properties.

Michael Kannel 2158 12 <sup>th</sup> Ave., SF 94116	date	Curtiss Sarikey 2162 12th Ave., SF 94116	date
Trace K am.	h = ( 2-15.	-12	
Trace Kannel 2158 12th Ave., SF 94116	date	Mona Marachli 2162 12th Ave., SF 94116	date

President Rodney Fong San Francisco Planning Commission 1650 Mission Street, Fourth Floor San Francisco, CA 94103

# RE: DISCRETIONARY REVIEW FOR VERTICAL AND HORIZONTAL EXPANSION AT 2166 - 12<sup>TH</sup> AVENUE PERMIT #2005.06.23.5892

President Fong and Planning Commissioners,

We represent the homeowners of the north adjacent property to 2166 – 12<sup>th</sup> Avenue. We purchased our home in April of 2007 on this one block stretch of entry-level junior-five homes in the Golden Gate Heights neighborhood. As first time homebuyers, we were looking for an entry-level home in San Francisco and were pleased when we discovered this simple yet distinct block of homes. We bring this discretionary review to your attention after a number of attempts to negotiate with the owner of 2166 – 12<sup>th</sup> Avenue, particularly on the vertical extension. Our attached Application for Discretionary Review (DR) clearly delineates the Residential Design Guidelines (RDGs) called into question by this project.

In considering this application for a horizontal and vertical extension, we respectfully ask that Commissioners find non-compliance with San Francisco's RDGs. Additionally, we strongly request your consideration of the impact of development in residential neighborhoods which diminishes affordable entry level home ownership in San Francisco. Keeping development to appropriate corridors and not exploiting residential neighborhoods is sound policy and good practice for San Francisco, as far too many are still left out of the chance for home ownership.

Please note the following RDG violations for the proposed project at 2166 – 12<sup>th</sup> Avenue:

- 1. Creates the tallest building on the entire block which is neither appropriate, nor compatible, in this one-block community of Junior-Five homes (there is only one home with a third floor which was built before RDGs were in place, certainly not precedent setting)
- 2. Creates the largest home on the block, more than doubling the current size of the home to make it a four bedroom three bath home
- 3. Clearly impacts light, privacy and rear yard open space on our property. Despite the simple two month shadow study done by Shatara Architecture, which does not represent the topography or size of the rear yard due to the rock cliff, and it does not capture the sunniest months in our "fog-belt" region. North and east facing windows, as well as a second-story roof deck clearly impacts privacy directly into our home and backyard.

Please note the following information with regards to the impact of development on our residential community:

1. There is evidence on the record that the owner and family members of 2166 – 12<sup>th</sup> Avenue have developed numerous residential properties throughout San Francisco

- 2. 2170 12<sup>th</sup> Avenue, the south adjacent property to 2166 12<sup>th</sup> Avenue, is in the owner's son's name although he has never resided there, and recent work completed to this property would suggest preparation for further expansion
- 3. Contrary to what the owner of 2166 12<sup>th</sup> Avenue has told us regarding his desire to move into 2166 – 12<sup>th</sup> Avenue, we have heard this exact story from other neighbors where he has had projects in the past; this is simply to point out that this project is about the exploitation of a residential neighborhood by a developer

During our unsuccessful negotiations with the owner, we did agree to a horizontal extension, however, with a 7' north facing set back and no second story roof top deck. We did not agree on the vertical extension.

Thank you for your consideration of our discretionary review. We trust that you will find this project out of compliance with our "neighborhood character" and RDGs, and that it is contrary to the commission's commitment to protecting residential neighborhoods from development and preserving what little entry-level affordable home ownership is still available in San Francisco.

Respectfully,

Sutur Sauke Mong flaretili

Curtiss Sarikey and Mona Marachli  $2162 - 12^{\text{th}}$  Avenue

Application for Discretionary Review

CASE NUMBER: For Staff Use antly

# APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:	menning min	
Curtiss and Mona Sarikey		
DR APPLICANT'S ADDRESS;	ZIP CODE.	TELEPHONE;
2162 12th Avenue, San Francisco CA	94116	(415)753-6637
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIC	ONARY REVIEW NAME:	
Edmund and Hermancia Lai		
ADDRESS;	ZIP CODE.	TELEPHONE:
2166 12th Avenue, San Francisco CA	94116	(415) 850-7722
CONTACT FOR DR APPLICATION:		
Same as Above Mr. Suheil Shatara		
ADDRESS	ZIP CODE:	TELEPHONE:
Shatara Architecture Inc., 522 Second Street, San Francisco, CA	94103	(415) 546-7566
E-MAIL ADDRESS:		and a second secon
unknown		

## 2. Location and Classification

2166 12th	RESS OF PROJECT	n Francisco CA			ZIP CODE: 94116
CROSS STREE	and 9th Aver	nue			
ASSESSORS E	вLOCK/LOT: / <b>036</b>	LOT DIMENSIONS: 25'x100'	LOT AREA (SQ FT): 2500	ZONING DISTRICT: RH-1/40-X	HEIGHT/BULK DISTRICT: 20'/
	<u> </u>				
1. Project	Description	7			
ease check all t		1 ange of Hours 🗌	New Construc	ction 🗌 Alterations	s 🔀 Demolition 🗌 Other 🗌
lease check all t Change of U Additions t	hat apply	ange of Hours 🗌	nt 🗌 Heigh		s 🔀 🔹 Demolition 🗌 🦷 Other 🗌
lease check all t Change of U Additions t	hat apply Jse Cha o Building: revious Use:	ange of Hours 🗌 Rear 🔀 Fro	nt 🗌 Heigh		s 🔀 Demolition 🗌 Other 🗌

#### 4. 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?		X

### 5. 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 there were made to the proposed project. On October 21, 2007 we met with Mr. Lai and on November 6, 2007 we met with both Mr. and Mrs. Lai. Both meetings were also attended by Michael and Trace Kannel, neighbors at 2158 12th Avenue. Plans were reviewed and compromises discussed (see Attachment A for summary). A subsequent set of drawings were presented, under the name of a new Architect, Shatara Architecture, in August 2009. We reviewed the plans, and again communicated with Mr. Lai (see Attachment B for summary) but outstanding issues remain. (con't)

CASE NUMBER: For Staff Use only

# **Discretionary Review Request**

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

 What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. 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.

The 3rd floor vertical addition is neither appropriate, nor compatible, in this one block community of "Junior Five" homes (see Attachment D). Neighborhood Context: the defined visual character is not compatible with the neighborhood, in both it's abrupt size and design of vertical extension facade. Site Design: even though guidelines suggest some impact to light and privacy of adjacent properties, modifications are inadequate to address the impact in this case, (continued on attached additional sheet)

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 adversely affected, please state who would be affected, and how:

Clearly the properties at 2162 and 2158 12th Avenue would be most directly impacted by the lack of light and privacy created by the proposed design. It is important to note that the same owner/family for this property also owns the property immediately to the south (2170 12th Ave. is in the name of Mr. Lai's son who has never resided there), for which they will certainly propose the same expansion plan the Planning Department. The vertical addition impacts the entire neighborhood in terms of character and scale of homes, (continued)

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?

 Horizontal addition not more than 12' deep, consistent with all other rear additions on the block; reduce the north set-back from 5' to 7' to lesson impact of shadows and privacy issues.
 No vertical addition (third floor).
 No roof deck over 2nd floor horizontal addition. These changes still provide for significant additional living space, still create a 2 bath 4 bedroom home with much larger kitchen and dining areas, and would make it the largest home on the block.

### Continuation of responses to application questions:

#### 5. Changes Made to the Project as a Result of Mediation

Then on January 28, 2012, we received revised plans and Notice of Building Permit Application for 2166 12<sup>th</sup> Ave, prepared by Shatara Architecture Inc. Aside from minor changes, the current design is essentially the same as the previous plans received. We provided further communication about the plan to Mr. Thomas Wang, Planner (see Attachment C). Attachments A, B, and C clearly describe our communication with Mr. Lai and the Planning Department, compromises we attempted to reach, and the few outstanding issues remaining, particularly the vertical addition.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. 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.

(con't) given rear yard topography and significant shadows and lack of sun exposure. There is extraordinary impact to light access and privacy to the adjacent properties. A shadow study was provided with the initial DR filed on this project which demonstrated this extraordinary impact to rear light. The rear/horizontal addition impacts mid-block open space, particularly with a 27' vertical rock wall on adjacent properties, in effect, "boxing" in the available rear yard/garden space and again, impacting privacy (see Attachments D & E). Building Scale: The scope of the proposed project is out of scale and character for this modest one block neighborhood of 53 "Junior Five" homes built between 1949-1951. The current design more than doubles the current size of the home, creating a four bedroom, three baths dwelling, adding approximately 1,800 sq ft of living space to the current design. In the past 60 years, only 9 homes have added modest rear additions, and only one home has a third floor, unfortunately built before design guidelines were in place, and certainly not precedent setting. Attachments F, G & H demonstrate these points, and show the very modest additions of other dwellings on the block in comparison to the proposed scale of this project.

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 adversely affected, please state who would be affected, and how:

(con't) and property values. Undoubtedly, the property value of adjacent homes to the north would be adversely impacted due to encroachment on open space, diminished light throughout the year, with the winter months completely shadowed and blocked from the sun, and the lack of privacy created by north and east facing windows, and third floor addition with east facing windows and sliding glass doors. (See Attachments I, J, K & L)

#### November 6, 2007

TO: Tom Wang, City Planner Planning Department City and County of San Francisco 1650 Mission Street, Suite 400 San Francisco, CA 94103

#### Dear Mr. Wang,

Re: Proposed addition to 2166 12<sup>th</sup> Avenue, San Francisco

On October 31 and on November 6, 2007 at 7:00 pm, meetings were held with Mr. Edmund Lai, owner of 2166 12<sup>th</sup> Avenue, at the home of Mona Marachli & Curtiss Sarikey to discuss the proposed addition to 2166 12<sup>th</sup> Avenue. Meetings were attended by: Edmund Lai, Curtiss Sarikey, Mona Marachli, Michael Kannel and Trace Kannel. Drawings for the proposed addition to 2166 12<sup>th</sup> Avenue (sheets 1-3, dated 9-23-07) were reviewed. No architect's or designer's name is noted on these plans. Mr. Lai said that he is working with Tony Fong, a retired architect, to prepare the drawings.

Concerns were raised about the potential impact of the proposed addition on the adjacent homes and the neighborhood.

Following the Design Principles outlined in the Residential Design Guidelines, an alternate design for the addition was explored to find a design solution that would 1) Ensure daylight and access to air for neighboring homes, 2) Preserve mid-block open space, the site of the rock quarry used for Golden Gate Park road paving material, and 3) Maintain the original 1949 character and scale of this one-block stretch of "Junior Five" entry level homes from Quintara Avenue to 9<sup>th</sup> Avenue.

In an effort to find a design solution agreeable to Mr. Lai and his neighbors, an alternate proposed addition was suggested, and agreed to, by all attendees. The proposed addition is described as follows:

- The lower level rear addition is 10'-6" deep and 25'-0" wide maximum.
- The main level rear addition is 10'-6" deep and 18'-0" wide maximum, with a 7'-0" minimum side setback from the north property line.
- The lower level and main level roofs shall be one-hour roofs, with a minimal parapet, only as required.
- The ceiling heights at the additions are 8-foot maximum. The roof line is approximately 9-foot above the finish floor level for the lower and main levels.
- There is no rear deck off of the main level. A minimal landing and stairs provide access to the rear yard.
- No third floor addition is proposed.

Mr. Lai will have the drawings modified to reflect the revised proposed addition, noting dimensions on the floor plans, elevations and building sections. If the design for the proposed addition meets this description, the neighbors will withdraw the Discretionary Review Application and support the proposed addition to 2166 12<sup>th</sup> Avenue.

Mona Marachli	date	Curtiss Sarikey	date	Trace Kannel	date
Michael Kannel	date	Edmund Lai	date	Hermancia Lai	date
cc: Mr. Delvin Wash	inaton				

A

August 23, 2009

TO: Edmund Lai 1766 40<sup>th</sup> Avenue San Francisco, CA 94122

Dear Edmund,

Re: Proposed addition to 2166 12<sup>th</sup> Avenue, San Francisco

We met with Michael and Trace Kannel a little over a week ago to discuss the new drawings for your proposed addition to 2166 12<sup>th</sup> Avenue. As I mentioned previously, the plan is just about identical to the one that we all met about back in November 2007, and therefore, much of our feedback is similar to what we put forward at that time.

We again refer to the Design Principles outlined in the Residential Design Guidelines, as a basis for an alternate design for the addition that would 1) Ensure daylight and access to air for neighboring homes, 2) Preserve mid-block open space, the site of the rock quarry used for Golden Gate Park road paving material, and 3) Maintain the original 1949 character and scale of this one-block stretch of "Junior Five" entry level homes from Quintara Avenue to 9<sup>th</sup> Avenue.

As such, here are our initial ideas:

- The lower level rear addition is 10'-6" deep and 25'-0" wide maximum.
- The main level rear addition is 10'-6" deep and 18'-0" wide maximum, with a 7'-0" minimum side setback from the north property line.
- The lower level and main level roofs shall be one-hour roofs, with a minimal parapet, only as required.
- The ceiling heights at the additions are 8-foot maximum.
- There is no rear deck off of the main level. A minimal landing and stairs provide access to the rear yard.
- No third floor addition is proposed.

Upon a cursory look at the recent drawings by Shatara Architecture, we noted a discrepancy on the length of the third floor addition: on page A0.0 the 3<sup>rd</sup> floor addition is 19'-5" in length and on page A2.1 it is 21'-10".

We still want to work with you to find a solution for an addition that is reasonable within the design guidelines and fitting with the character of the neighborhood. We are also keenly aware that your property at 2170 12<sup>th</sup>Avenue may be subject to the same type of extensive expansion should this project move forward as per your current plans. It is in all of our interest to find a solution amongst us; however, it is becoming apparent that our most significant barrier is the third floor, which most adversely impacts the quality of our living space, indoors and outdoors.

Thank you for providing the new drawing and let us know your thoughts about next steps in an effort to arrive at a solution.

Sincerely,

Curtiss Sarikey and Mona Marachli

February 14, 2012

TO: Tom Wang, City Planner Planning Department City and County of San Francisco 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Mr. Wang,

Re: Proposed addition to 2166 12<sup>th</sup> Avenue, San Francisco Sheets A0.0, A1.0, A1.1, A2.1, A3.1, Revision date 1-1-12

On January 28, 2012, we received the revised plans for the proposed changes to 2166 12<sup>th</sup> Ave. prepared by Shatara Architecture Inc. Aside from minor changes, the current design is essentially unchanged from the previous design (received January 2011).

C

- We believe that a 3<sup>rd</sup> floor addition is neither appropriate, nor compatible, in this community of homes.
- The horizontal addition is too large (15-ft deep) and too close to the North property line, limiting daylight into the adjacent homes and into the adjacent rear yards. Existing midblock additions are no more than 10 to 12-ft deep. Reducing the addition depth and increasing the North setback from 5-ft to 7-ft would lessen to impact of shadows on the adjoining properties.
- We ask that the roof deck over the 2<sup>nd</sup> floor horizontal addition be eliminated. Any roof deck would create a loss of privacy to adjoining neighbors.

We met with Edmund Lai and Hermancia Lai, the property owners of 2166 12<sup>th</sup> Avenue, on a number of occasions to discuss the proposed addition. We raised our concerns about the potential impact of the proposed addition on the adjacent homes and the neighborhood. We looked to the City of San Francisco Residential Design Guidelines to explore an alternate design solution. We hope to find a design solution that would 1) Maintain light to adjacent properties, 2) Preserve the mid-block open space, and 3) Maintain the original 1949 character and scale of this one-block stretch of "Junior Five" entry-level homes (on 12<sup>th</sup> Avenue from Quintara Avenue to 9<sup>th</sup> Avenue).

To date, we have been unable to find a design solution agreeable to Mr. Lai and his neighbors. We will move forward with a filing an Application Requesting Discretionary Review.

A third floor addition is out of scale and out of character for this block in Golden Gates Heights. Our street is one block long, running between Quintara and 9<sup>th</sup> Ave. There are 53 "Junior Five" homes on this block, built in 1950 to 1951. Each home was originally built with a living/dining room, a kitchen, 2 bedrooms and one bathroom on the 2<sup>nd</sup> floor with a ground level garage. In the past 60 years, only nine homes have added modest rear additions, and only one home has a third floor.

The mid-block open space behind 2166 12<sup>th</sup> Ave. is a steeply sloping hillside dotted with pine trees, and includes the rugged remains of a quarry. From the 1870's and 1880's, rock was quarried from this site for use as road base material in Golden Gate Park. This unusual open space has very few rear fences, and appears as a mid-block park.

The proposed horizontal and vertical additions impact a number of adjacent properties. To the North of 2166 12<sup>th</sup> Ave, the rear yards are much smaller, with limited usable garden areas. A 25-to 30-ft tail rock wall abruptly shortens the adjacent usable yards. The proposed horizontal addition at 2166 12<sup>th</sup> Ave would 'box in' these already shortened open yards. This inner Sunset community it often foggy. If the rear yards are 'boxed in' and the sunlight into the homes and gardens is 'reduced, this could lead to a potential decrease in property values.

Also, portions of the drawings were confusing, and some information appeared to be missing.

- There are a number of minor discrepancies on the drawings that should be corrected or clarified: Label rooms consistently: Label (E) ground floor ceiling height accurately; Label (E) height to rear grade accurately; Illustrate windows, patio door and railing consistently (at rear addition); and Note existing rear wall siding material accurately.
- For clarity, it would be helpful if some information was noted on the plans: Include interior dimension of garage; and identify the location of furnace, water heater and laundry appliances.

On Feb 2, Curtiss Sarikey spoke with Tom Wang to discuss the proposed design. On Feb 14<sup>st</sup>, Trace Kannel spoke with Tom Wang to discuss the design and also outline the discrepancies found in the drawings. Tom indicated that he would contact the architect for corrections and a set of revised drawings are to be re-distributed.

On Feb 14<sup>th</sup>, Trace Kannel contacted the project architect, Suhell Shatara. She is awaiting a call back. Tom suggested that she contact the architect to discuss the proposed grade change at the rear door. While not noted on the drawings, it appears that the rear grade may be about 18" higher than the family room floor level. It would be helpful to better understand how this grade change is to be addressed. There are concerns about how the proposed changes might impact the foundation of the adjacent home and the shared fence, or potential flooding at this area.

We would like to keep the communication open with the applicant and the city. We would like to review a final drawing, signed by the applicant's architect, as well as a shadow study illustrating the proposed day light patterns on our homes and properties.

Michael Kannel date 2158 12<sup>th</sup> Ave., SF 94116

Trace Kannel date

2158-12" Ave., SF 94116

Curtiss Sarikey date 2162 12<sup>th</sup> Ave., SF 94116

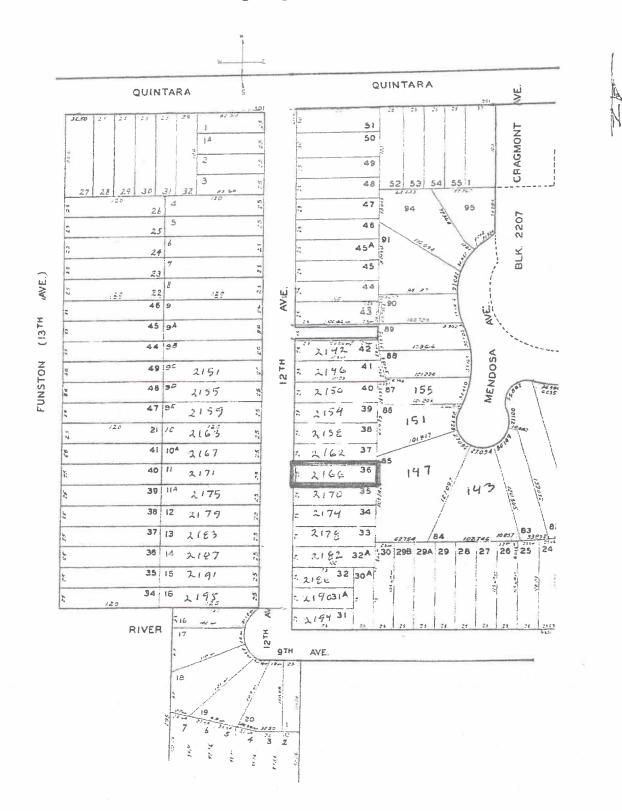
date

Mona Marachli 2162 12th Ave., SF 94116

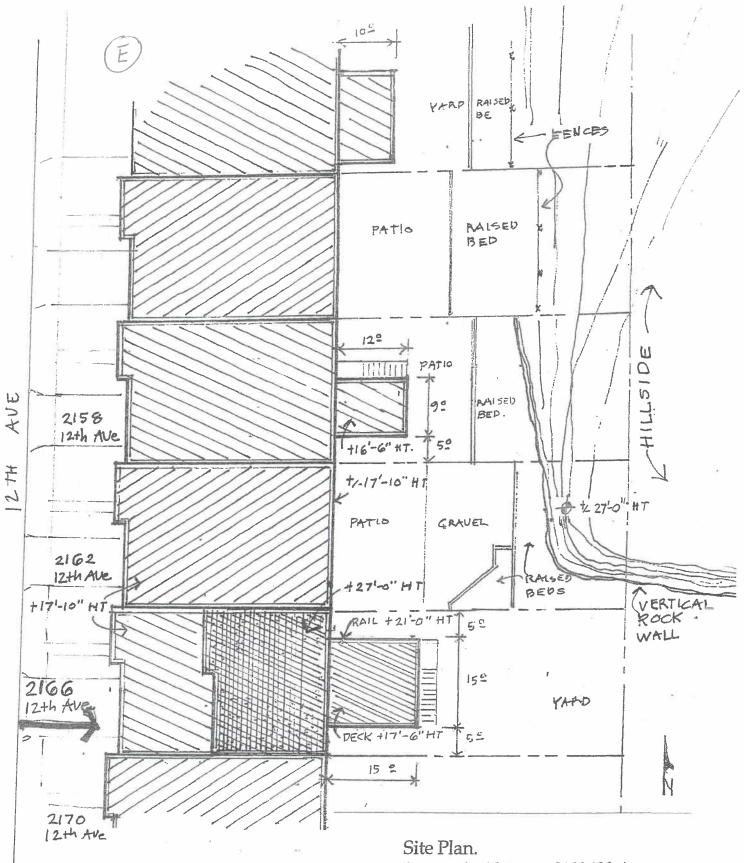
2262



D



Re: Notice of Building Permit Application No. 2005 06235892 Proposed addition at 2166 12<sup>th</sup> Ave, SF, CA 94116

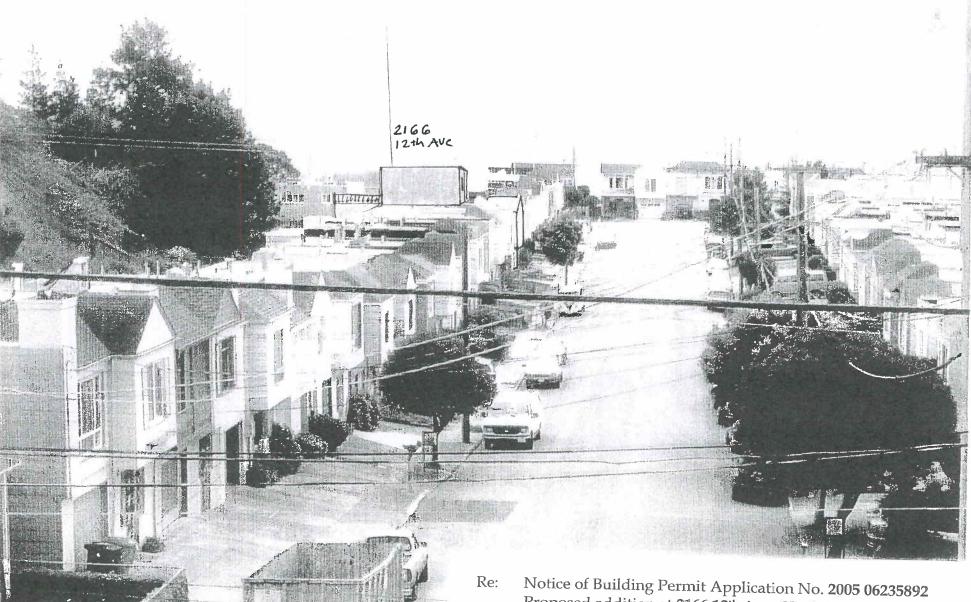


Proposed addition at 2166 12<sup>th</sup> Ave is too massive for this neighborhood.

Re: Notice of Building Permit Application No. 2005 06235892 Proposed addition at 2166 12th Ave, SF, CA 94116

12<sup>th</sup> Ave looking South from Quintara Ave. Proposed addition at 2166 12th (overlay) is too massive for neighborhood. Box-like additions lack architectural character.

F



Proposed addition at 2166 12th Ave, SF, CA 94116

12<sup>th</sup> Ave, a birds-eye view looking East. Proposed addition is out of scale with neighboring homes. Box-like additions lack architectural character. Note: Shallow rear yards to North of 2166 12<sup>th</sup> Ave.

G



Re: Notice of Building Permit Application No. 2005 06235892 Proposed addition at 2166 12<sup>th</sup> Ave, SF, CA 94116 2166 12<sup>th</sup> Ave viewed from across the street. Proposed addition is much too massive for neighborhood. Architectural character of box-like additions don't relate to nearby homes. Note: Nearby addition at 2174 12<sup>th</sup> Ave was built in 1970's.

加加

8 KC

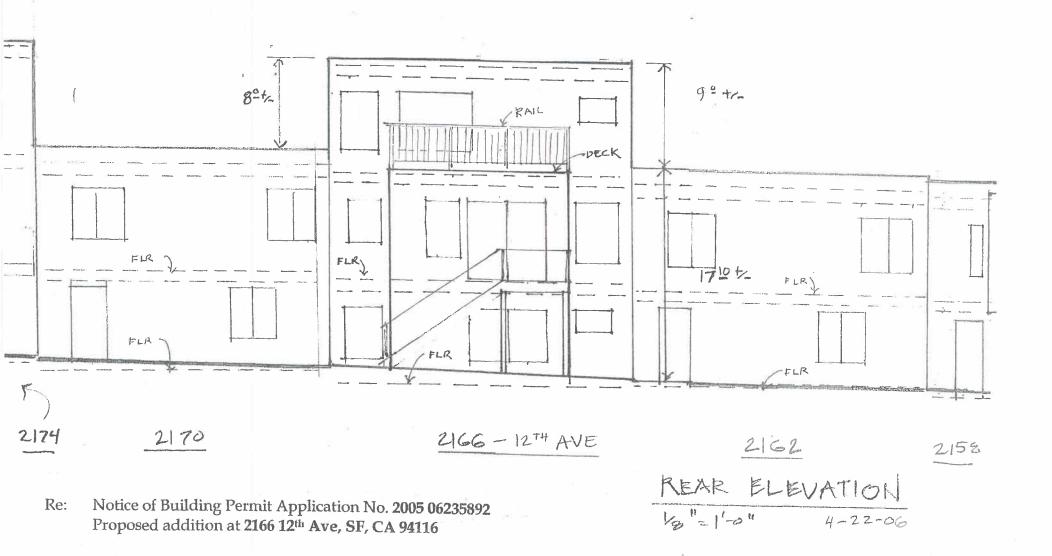
Re: Notice of Building Permit Application No. 2005 06235892 Proposed addition at 2166 12<sup>th</sup> Ave, SF, CA 94116

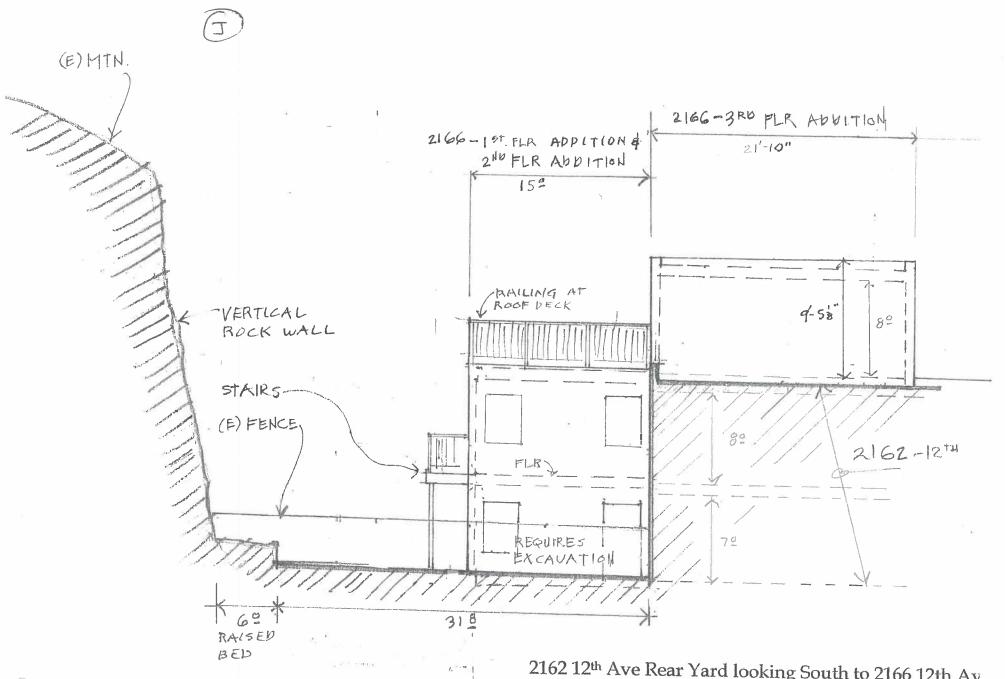
2166 12th Ave Rear Elevation.

I

Massive addition, out of scale with neighboring homes. Roof-top deck will result in lack of privacy for adjacent homes.

ł





Re: Notice of Building Permit Application No. 2005 06235892 Proposed addition at 2166 12<sup>th</sup> Ave, SF, CA 94116 2162 12<sup>th</sup> Ave Rear Yard looking South to 2166 12th Av Proposed addition at 2166 is too massive.

Shadows cast by proposed addition will shade most of Rear Yard at 2162 12<sup>th</sup> Ave during the few sunny months of the year.

2162 12<sup>th</sup> Ave Rear Yard looking East to mountain. This is the site of an old rock quarry. Rear yards to North of 2166 12<sup>th</sup> Ave at much smaller.

Re: Notice of Building Permit Application No. 2005 06235892 Proposed addition at 2166 12<sup>th</sup> Ave, SF, CA 94116



2162 12<sup>th</sup> Ave Rear Yard looking South to 2166 12<sup>th</sup> Ave. Proposed addition (overlay) is massive and will cut off access to light and air. There will be a loss of privacy with proposed window and roof-top deck.



Re: Notice of Building Permit Application No. 2005 06235892 Proposed addition at 2166 12<sup>th</sup> Ave, SF, CA 94116

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

uter Sant Signature:

Date: 2/26/2012

Print name, and indicate whether owner, or authorized agent:

Curtiss Sarikey & Mona Marachli

Owner / Authorized Agent (circle one)

## DISCRETIONARY REVIEW RESPONSE PACKET 2166 12<sup>TH</sup> AVENUE



June 6, 2013

Architect: Shatara Architecture, Inc. 26 Lakeview Drive -Daly City, CA 94015

Owner: Edmund Lai 1266 12<sup>th</sup> Avenue – San Francisco, CA 94116

# **TABLE OF CONTENTS**

Cover Letter

Discretionary Review Response

Exhibits A – H Progression of Modification of Plans

Photographs of Property

Renderings

Site Permit

05-13-13

To: Rodney Fong Planning Commission President c/o S.F. planning Department 1650 Mission Street, suite 400 San Francisco, CA 94131

## Re: **Response to Discretionary Review** 2166 12th Ave. - San Francisco, CA 94116 Building Permit Application number 2005.06.23.5892

Dear President Fong,

The attached response is in regard to the discretionary review application dated, June 23, 2005 and re-submitted at planning department on February 27, 2012.

The Response addresses the Issues pertaining to the proposed addition to the property and the concerns raised by neighbors and the planning department.

Architect and Owner have been working with the planning department and are willing keep working with the planning department to achieve the proposed project and make sure that the project approaches the concerns of the Residential Design Guidelines.

Very truly yours,

Suheil Shatara Archtiect Shatara Architecture Inc.

## Response to Application For Discretionary Review 2166 12<sup>th</sup> Avenue

# 1. Third floor vertical addition is neither appropriate, nor compatible to the block.

## Response:

The third floor vertical addition is approximately 6'-0" above the existing, pitched roof at the front of the house. The addition is also set back fifteen feet from the front façade. The angle of sight is such that a minimal portion of the vertical addition is seen from across the street. Additionally, at the request of the D.R. Applicant the suggestion was made Slope the front façade of the addition and lowering the sloped pitch to mimic a slope roof line at the front, thus reducing the vertical surface height of the vertical addition.

The Vertical addition has been setback to accommodate light and shadow impacts to the neighbors.

The neighborhood is also at the fog belt line, since it is almost at the high point of the hill where the fog stagnates and does not allow the use of the rear yard. The addition indoor space allows the occupants to use the interior footprint should the weather not permit the use or the rear yard.

2. The Horizontal Addition is too large 15ft deep and too close to the North Property line. Limiting daylight into the adjacent homes and into the adjacent rear yards. Existing mid-block additions are no more then 10-12 feet deep. Reducing the addition depth and increasing the North setback from 5ft-to 7ft would lessen to impact of shadows on the adjoining properties

## Response:

The proposed horizontal addition is setback from the north property line five feet and three feet from the south property line. Since the sun angles are from the south there is no impact to the southern neighbor. The horizontal addition is five feet from the northern neighbor this has minimal impact to the northern neighbor with the existing six foot fence at the property line. A shadow study has been included in the report to show the minimum impact.

The subject property does not have a typical mid-block condition as there are no lots east of the property. The open space east, towards the back yard, is a large steep sloping hillside. The neighbors to the east are at a different elevation level far above the subject property.

The fifteen foot depth of the proposed horizontal addition does not affect the daylight significantly more than a twelve foot deep footprint.

# 3. We ask that the Roof deck over the 2<sup>nd</sup> floor horizontal addition be eliminated. Any Roof deck would create a loss of privacy to adjoining neighbors

### **Response:**

The roof deck has been set back from the edge of the addition by seven feet, making a total setback from the property line twelve feet. The deck is also setback from the east edge by five feet. The deck is limited to a 10' x10' foot, footprint to accommodate the neighbor's privacy concerns.

4. Maintain the original 1949 character and scale of the one-block stretch of "Junior Five" entry level home.

### **Response**:

The neighborhood character is maintained as there are no exterior alterations to the street facade of the house. The vertical addition is set back fifteen feet and is behind a raised roof line at 12th Avenue. The two story character of the original façade is in tack with no changes to the character.

The nature of a family or an extended family living at these homes and trying to accommodate the conditions of economic difference from the period to which these homes were built does not necessarily meet requirements today

The additions allow a family to maintain three bedrooms and an office or a fourth bedroom to accommodate their needs. We feel that the additions are modest to the neighborhood.

The project as currently proposed are additions totaling 1024 square feet. The existing dwelling is a total of 1748 sq ft less the garage space which is 481 sq ft. making existing habitable area is 1267 sq ft. The total square footage of the habitable area is 2460 square feet plus the garage, which is 272 sq. ft.

### 5. Drawings Discrepancies.

### Response:

The ground floor ceiling height is 7'-7". The drawings have been revised - please see existing and proposed elevations. Drawing discrepancies have been modified and are reflected in the current plans, elevations and sections.

The existing height to rear grade is  $\pm 22' - 5 1/4"$ . The drawings have been revised - please see existing and proposed elevations.

The elevations elements and notes have been revised for consistency. Please see existing and proposed elevations.

### 6. Noted information on the plans.

#### Response:

The required information has been noted. Please see the existing and proposed plans.

### 7. Rear grade and Adjacent Foundation and Shared Fence.

### Response:

The elevation change at the rear yard may vary in height. In all cases where it does vary there will be retaining walls or plant cover the will direct any run-off water away from the property lines and back towards the new addition.

The addition is set back five feet from the north property line and three feet from the south property line. The intent is to have perimeter French drains to direct any runoff water, and tie these drains to the main sewer connection. The grade along the fence line will remain the same since the addition is setback there is room to adjust the grade.

The elevation change at the interior is approximately 6" to 8" in height, and should not impact the adjacent neighboring foundations. The design of the foundation has not been reviewed by the structural consultant and concerns for adjacent property foundations will be resolved within the guidelines of the code with sensitivity to adjacent neighbors concerns.

Shatara Architecture Inc., CA 94015 415-512-7566 26 Lakeview Drive – Daly City, e-mail: suheil@shataraarch.com PROJECT:

## 2166 12<sup>TH</sup> AVENUE

## SHATARA ARCHITECTURE INC. 26 Lakeview Drive Daly City, CA 94015

05-13-13

To: Rodney Fong Planning Commission President c/o S.F. planning Department 1650 Mission Street, suite 400 San Francisco, CA 94131

## Re: **Response to Discretionary Review** 2166 12th Ave. - San Francisco, CA 94116 Building Permit Application number 2005.06.23.5892

Dear President Fong,

The attached response is in regard to the discretionary review application dated, June 23, 2005 and re-submitted at planning department on February 27, 2012.

The Response addresses the Issues pertaining to the proposed addition to the property and the concerns raised by neighbors and the planning department.

Architect and Owner have been working with the planning department and are willing keep working with the planning department to achieve the proposed project and make sure that the project approaches the concerns of the Residential Design Guidelines.

Very truly yours,

Suheil Shatara Archtiect Shatara Architecture Inc.

## Response to Application For Discretionary Review 2166 12<sup>th</sup> Avenue

# 1. Third floor vertical addition is neither appropriate, nor compatible to the block.

## **Response:**

The third floor vertical addition is approximately 6'-0" above the existing, pitched roof at the front of the house. The addition is also set back fifteen feet from the front façade. The angle of sight is such that a minimal portion of the vertical addition is seen from across the street. Additionally, at the request of the D.R. Applicant the suggestion was made Slope the front façade of the addition and lowering the sloped pitch to mimic a slope roof line at the front, thus reducing the vertical surface height of the vertical addition.

The Vertical addition has been setback to accommodate light and shadow impacts to the neighbors.

The neighborhood is also at the fog belt line, since it is almost at the high point of the hill where the fog stagnates and does not allow the use of the rear yard. The addition indoor space allows the occupants to use the interior footprint should the weather not permit the use or the rear yard.

2. The Horizontal Addition is too large 15ft deep and too close to the North Property line. Limiting daylight into the adjacent homes and into the adjacent rear yards. Existing mid-block additions are no more then 10-12 feet deep. Reducing the addition depth and increasing the North setback from 5ft-to 7ft would lessen to impact of shadows on the adjoining properties

## **Response:**

The proposed horizontal addition is setback from the north property line five feet and three feet from the south property line. Since the sun angles are from the south there is no impact to the southern neighbor. The horizontal addition is five feet from the northern neighbor this has minimal impact to the northern neighbor with the existing six foot fence at the property line. A shadow study has been included in the report to show the minimum impact.

The subject property does not have a typical mid-block condition as there are no lots east of the property. The open space east, towards the back yard, is a large steep sloping hillside. The neighbors to the east are at a different elevation level far above the subject property.

The fifteen foot depth of the proposed horizontal addition does not affect the daylight significantly more than a twelve foot deep footprint.

# 3. We ask that the Roof deck over the $2^{nd}$ floor horizontal addition be eliminated. Any Roof deck would create a loss of privacy to adjoining neighbors

## Response:

The roof deck has been set back from the edge of the addition by seven feet, making a total setback from the property line twelve feet. The deck is also setback from the east edge by five feet. The deck is limited to a 10' x10' foot, footprint to accommodate the neighbor's privacy concerns.

4. Maintain the original 1949 character and scale of the one-block stretch of "Junior Five" entry level home.

## **Response:**

The neighborhood character is maintained as there are no exterior alterations to the street facade of the house. The vertical addition is set back fifteen feet and is behind a raised roof line at 12th Avenue. The two story character of the original façade is in tack with no changes to the character.

The nature of a family or an extended family living at these homes and trying to accommodate the conditions of economic difference from the period to which these homes were built does not necessarily meet requirements today

The additions allow a family to maintain three bedrooms and an office or a fourth bedroom to accommodate their needs. We feel that the additions are modest to the neighborhood.

The project as currently proposed are additions totaling 1024 square feet. The existing dwelling is a total of 1748 sq ft less the garage space which is 481 sq ft. making existing habitable area is 1267 sq ft. The total square footage of the habitable area is 2460 square feet plus the garage, which is 272 sq. ft.

## 5. Drawings Discrepancies.

## **Response:**

The ground floor ceiling height is 7'-7". The drawings have been revised - please see existing and proposed elevations. Drawing discrepancies have been modified and are reflected in the current plans, elevations and sections.

The existing height to rear grade is  $\pm 22' - 5 1/4''$ . The drawings have been revised - please see existing and proposed elevations.

The elevations elements and notes have been revised for consistency. Please see existing and proposed elevations.

## 6. Noted information on the plans.

## **Response:**

The required information has been noted. Please see the existing and proposed plans.

7. Rear grade and Adjacent Foundation and Shared Fence.

## Response:

The elevation change at the rear yard may vary in height. In all cases where it does vary there will be retaining walls or plant cover the will direct any run-off water away from the property lines and back towards the new addition.

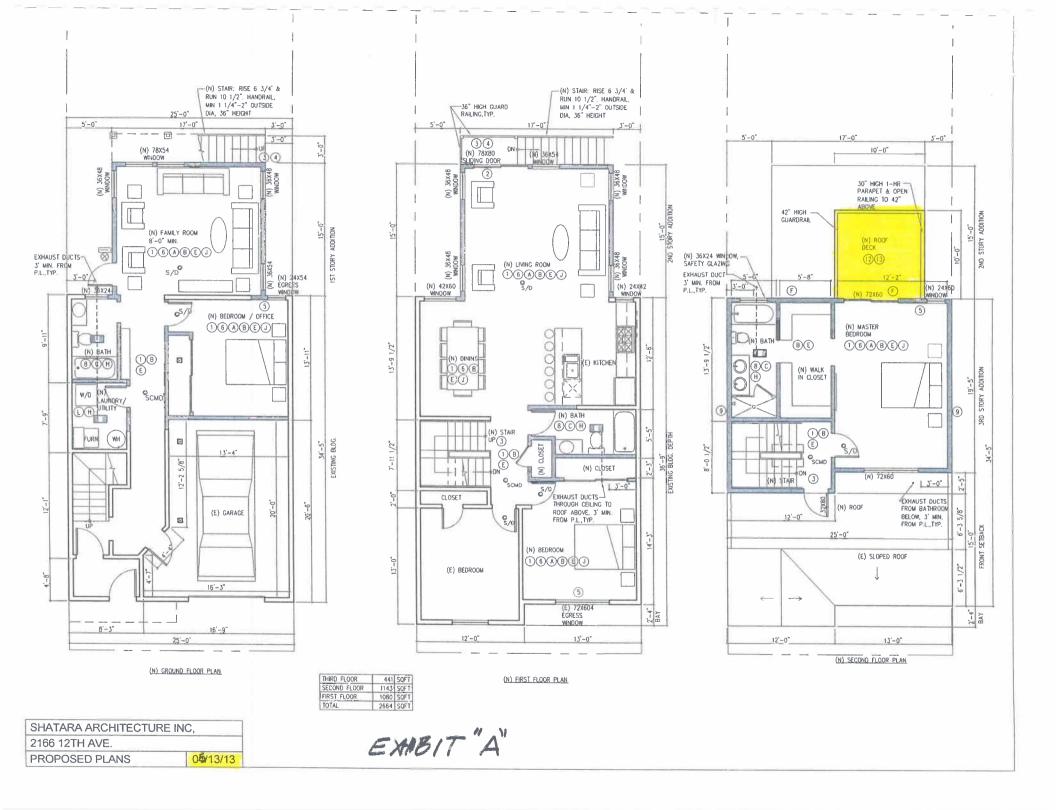
The addition is set back five feet from the north property line and three feet from the south property line. The intent is to have perimeter French drains to direct any runoff water, and tie these drains to the main sewer connection. The grade along the fence line will remain the same since the addition is setback there is room to adjust the grade.

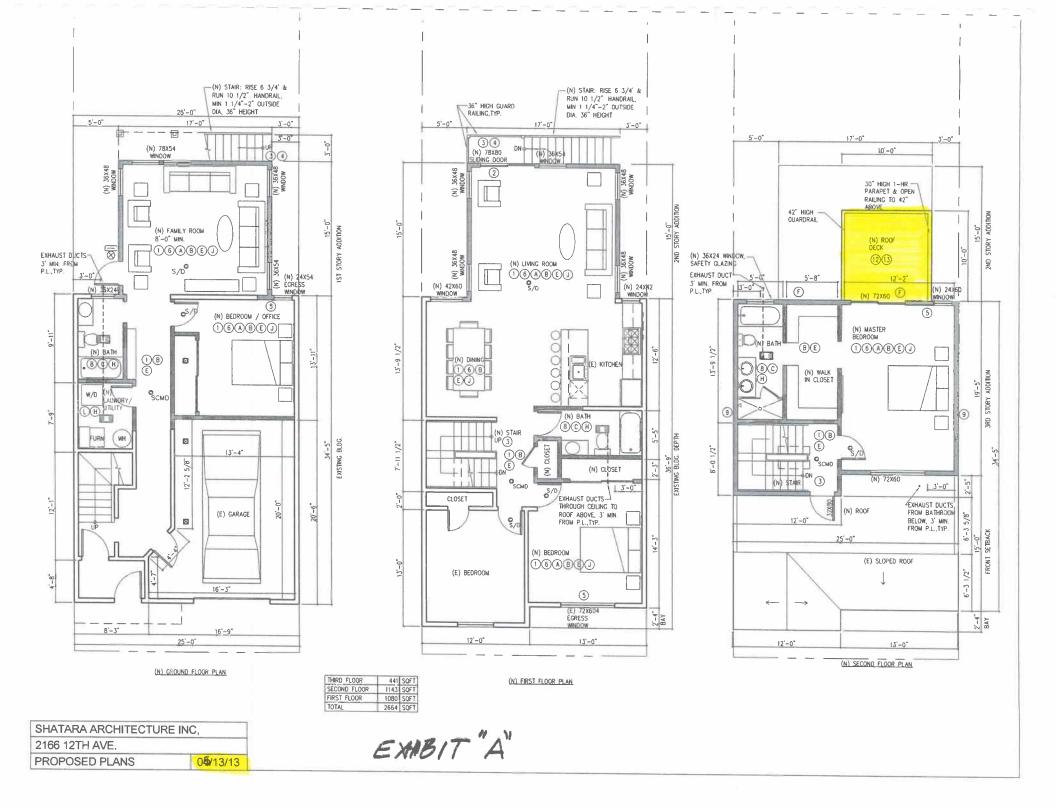
The elevation change at the interior is approximately 6" to 8" in height, and should not impact the adjacent neighboring foundations. The design of the foundation has not been reviewed by the structural consultant and concerns for adjacent property foundations will be resolved within the guidelines of the code with sensitivity to adjacent neighbors concerns.

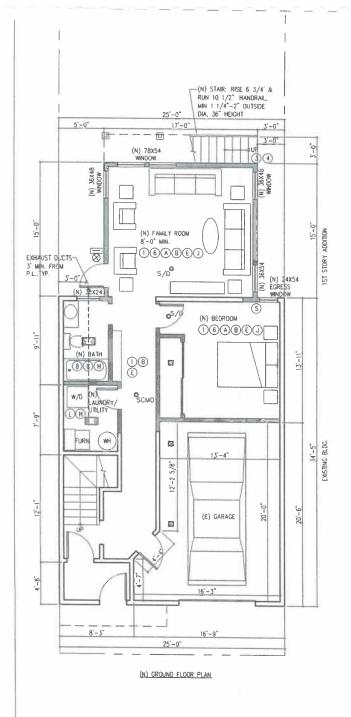
Shatara Architecture Inc., CA 94015 415-512-7566 26 Lakeview Drive – Daly City, e-mail: suheil@shataraarch.com

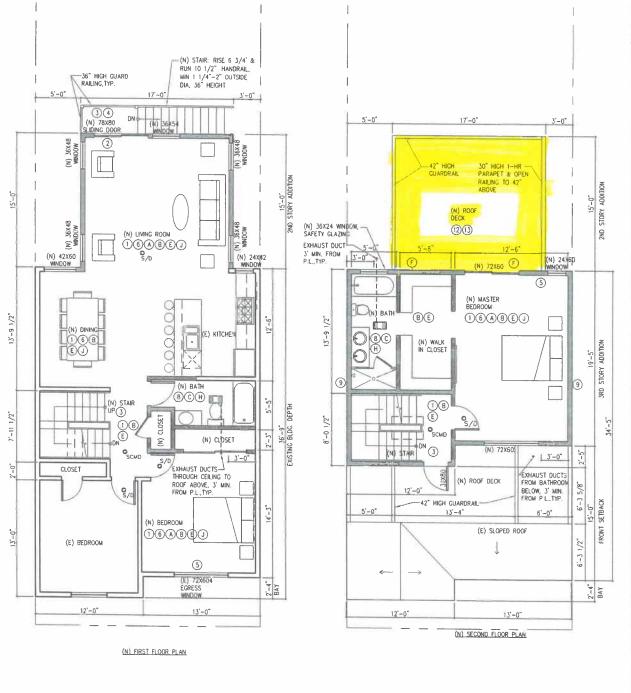
## EXHIBITS A- H

## PROGRESSION OF DESIGN SCHEMES



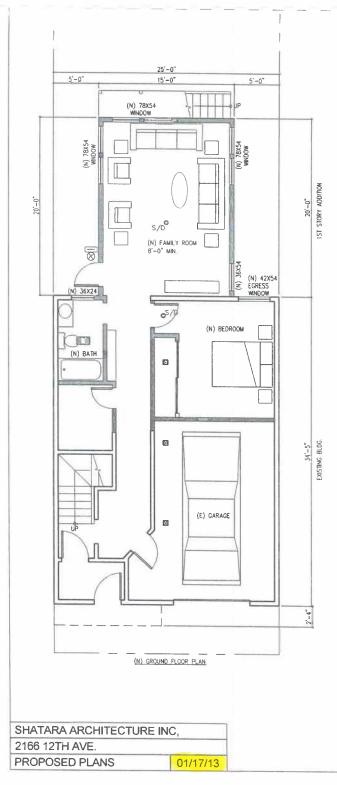


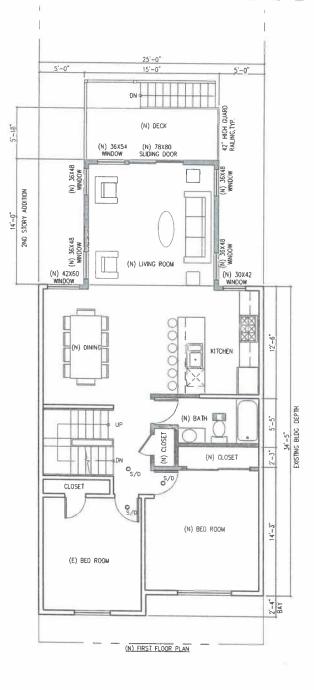


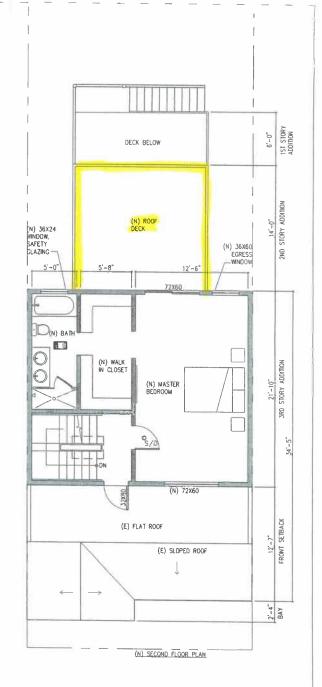


SHATARA ARCHITECTURE INC, 2166 12TH AVE. PROPOSED PLANS 04/13/13

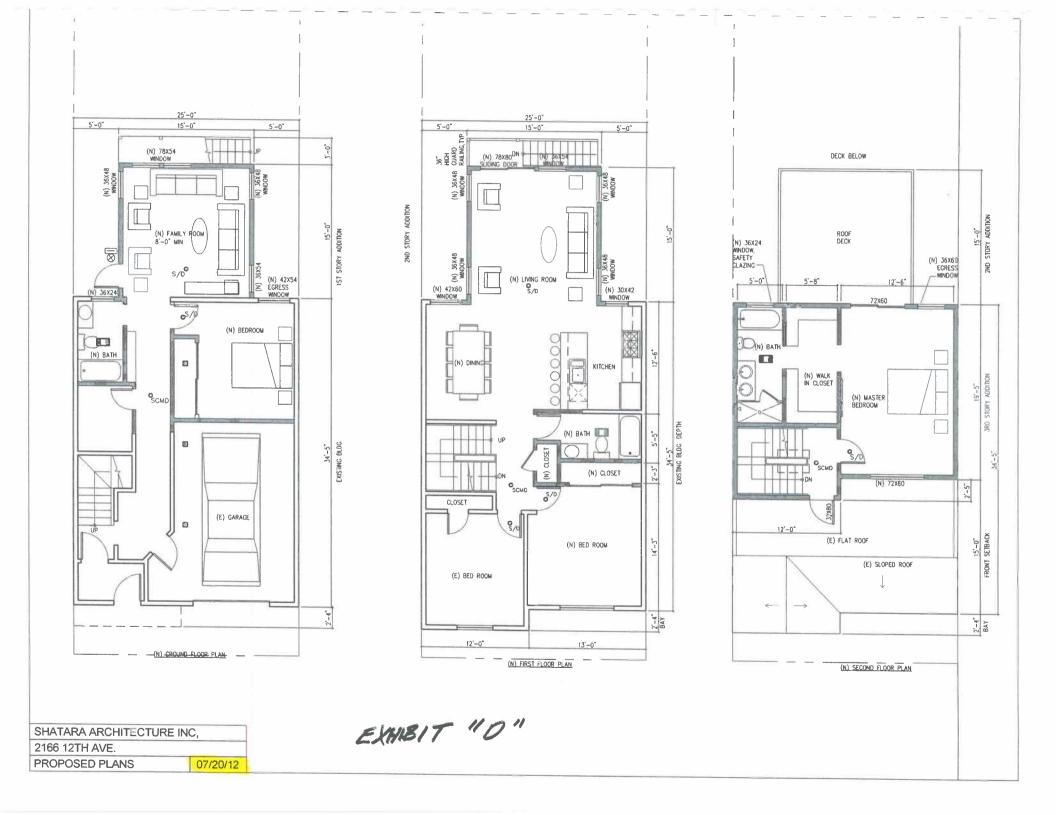
EXHIBIT "B"

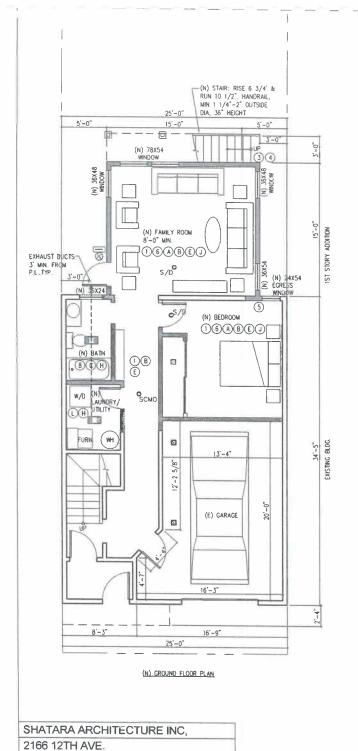






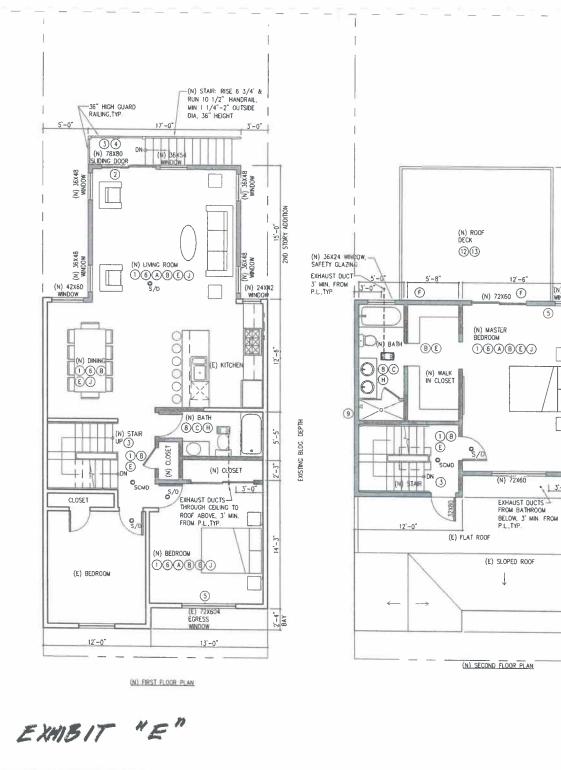
EXHBIT "C"





01/17/12

**PROPOSED PLANS** 



15'-0" 2ND STORY ADDITION

19'-5" 3RD STORY ADDITION

34'-5"

9

2,-5"

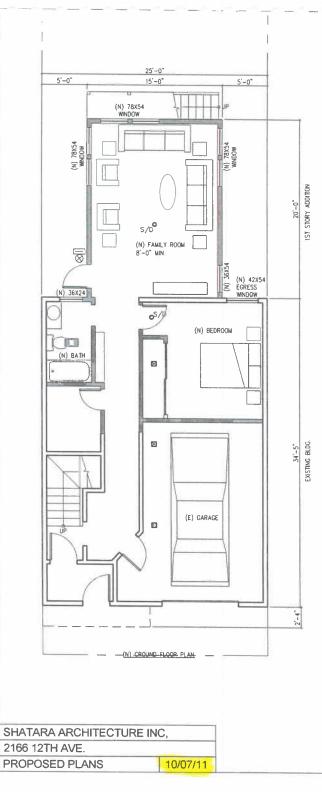
15'-0" FRONT SETBACK

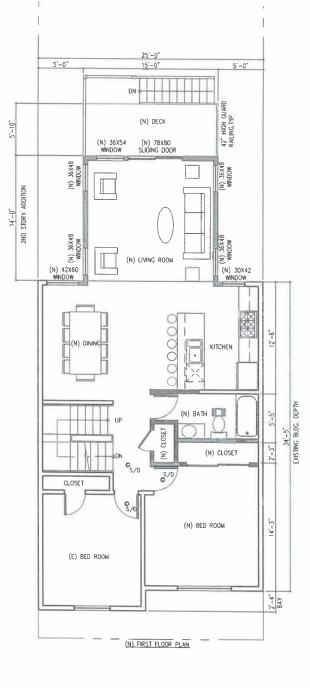
2'-4" BAY

1 3'-0"

(N) 24XED WINDOW

5





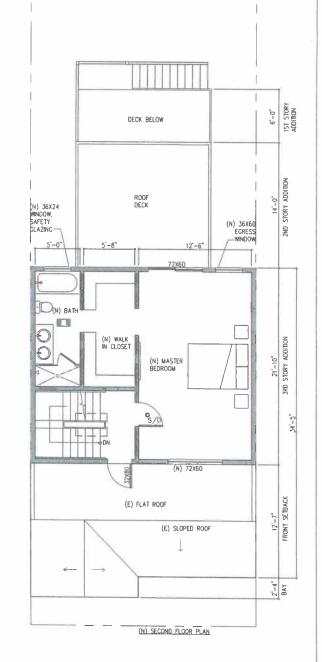
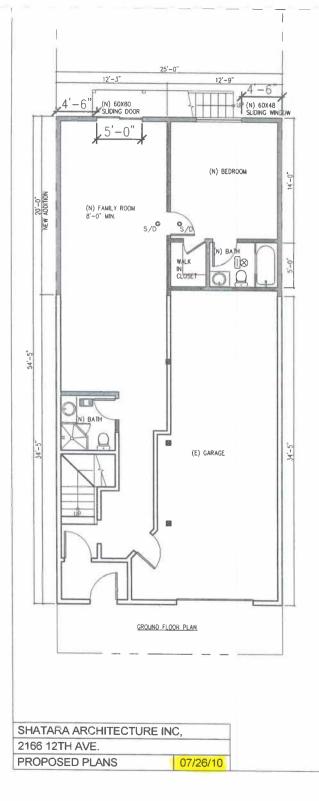
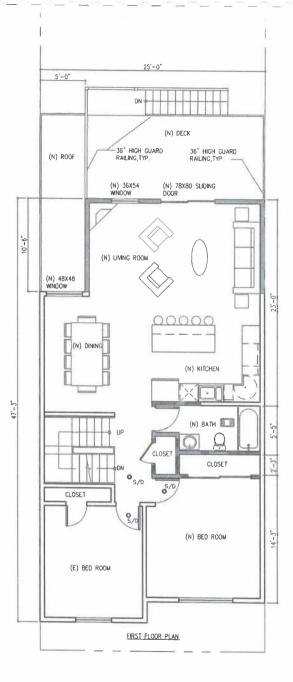


EXHIBIT "F"





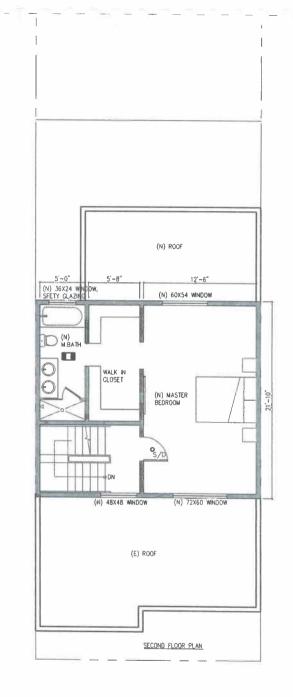
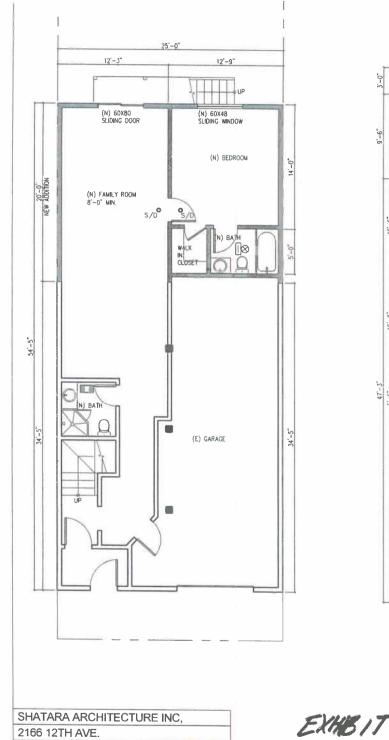


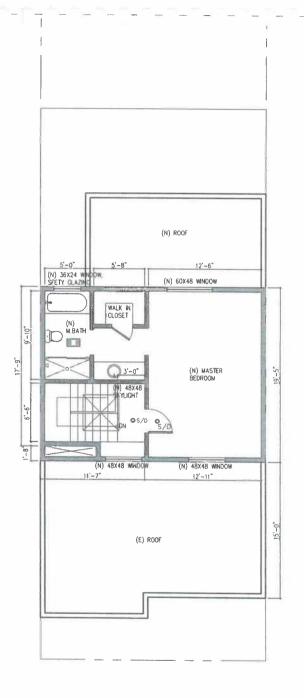
EXHIBIT "G"



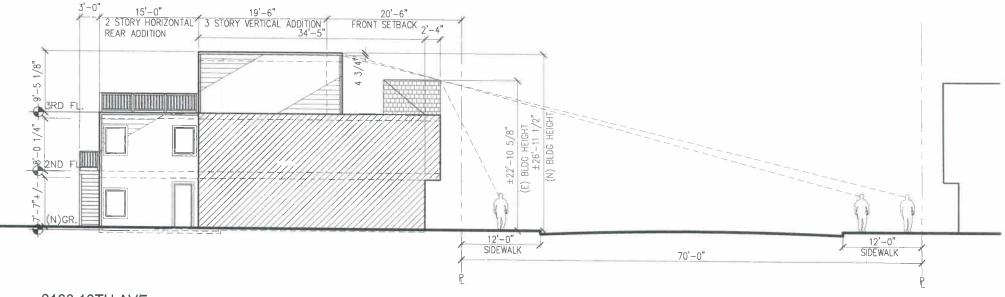
12/12/08

PROPOSED PLANS





EXHBIT "H"



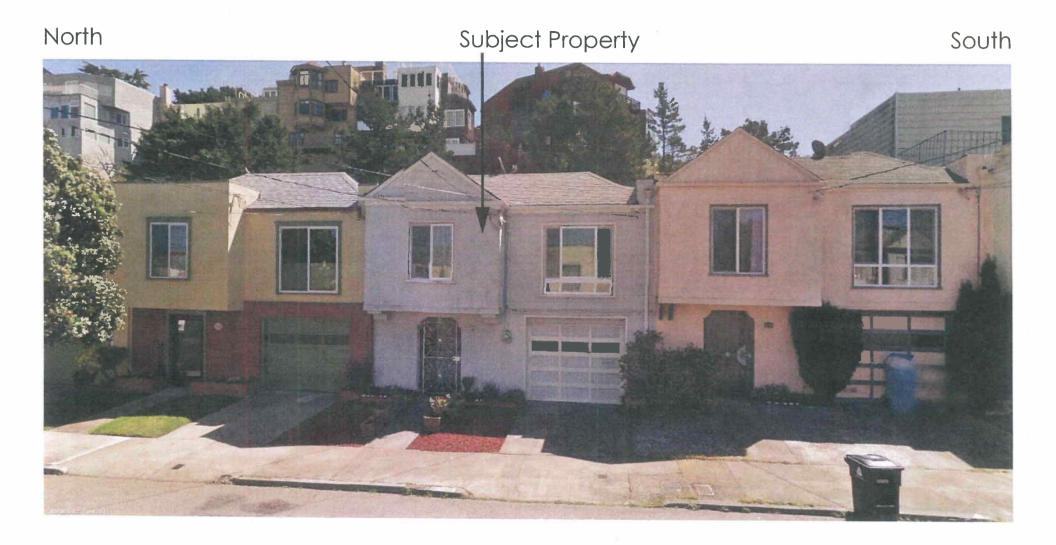
2166 12TH AVE. (N) VERTICAL ADDITION - VISIBILITY STUDY DIAGRAM

# 2166 12th Ave

# Subject property

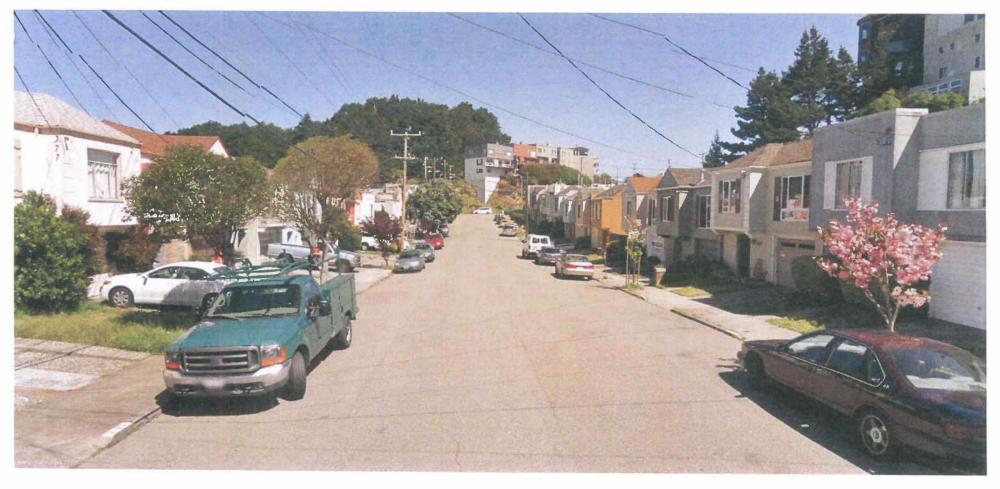


## 2166 12th Ave Street view of the subject property



2166 12th Ave

Looking North



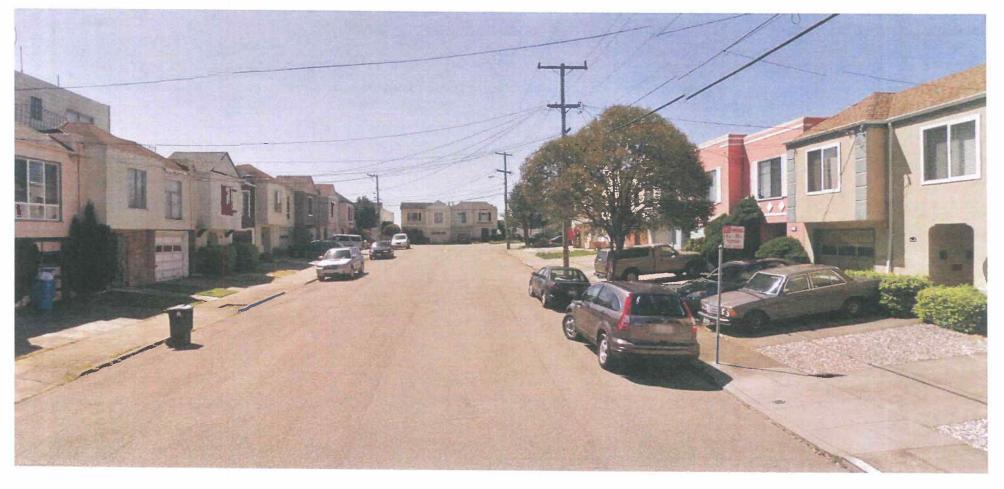
## 2166 12th Ave Street view across the subject property

#### South





## Looking South



### 2166 12th Ave Rear Yard

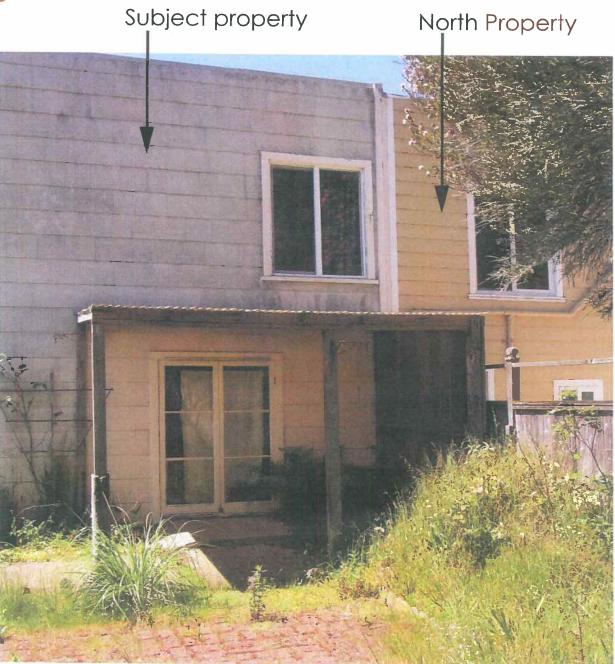


Back Yard of subject property

## 2166 12th Ave Rear Yard



Back Yard of subject property



Property North

TITI I III

Subject property looking north

> Subject fence

looking South

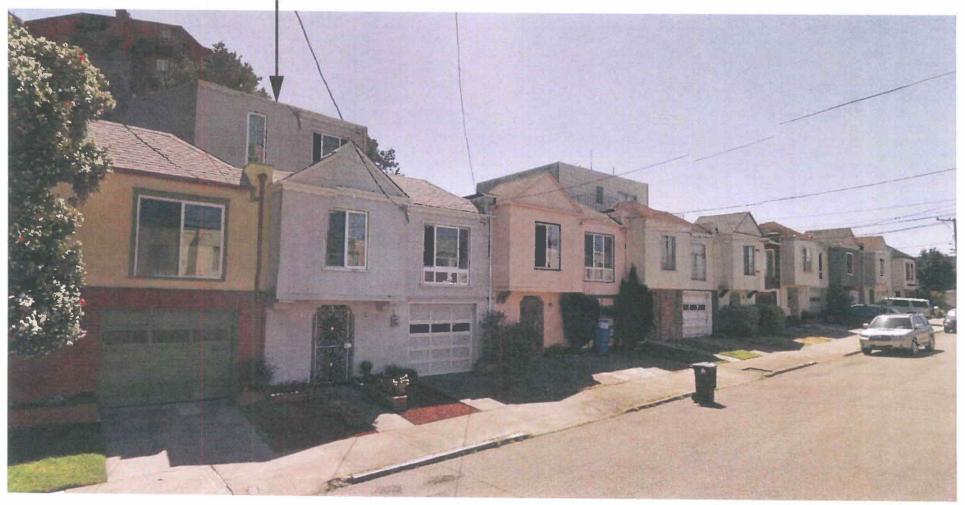
#### Property South



Subject fence

### **2166 12th Ave** Photomontage for the proposed extention of the subject propoerty

Proposed vertical extention



#### Front View

## Dec 21, 10:00 am



#### **Rear View**

Dec 21, 10:00 am



#### Front View

## Dec 21, 03:00 pm



#### **Rear View**

#### Dec 21, 03:00 pm



#### Front View

#### June 21, 10:00 am



#### **Rear View**

June 21, 10:00 am



#### Front View

### June 21, 03:00 pm



#### Rear View

June 21, 03:00 pm



GENERAL NOTES	DRAWING INDEX	SCOPE OF WORK	SITE PLAN - SCALE 1-1/8"	SHATARA
<ol> <li>CONTRACTOR SHALL ADHERE TO ALL CODES, RULES, AND REDULATIONS GOVERNING CONSTRUCTION, BULLIANG ACCESS AND THE USE OF FACULTIES AS SET BY LOGAL BULLING, OPENATIONAL ADAPTION FOR THE BULLING, OMERST, TITLE 24, CLASS REDUREMENTS, ANTHENE SHOWN ON THESE DRAWINGS, NOT IN ACCORDINACE WITH THESE RULES AND REGULATIONS SHALL BE BONDON'T TO THE ATTENTION OF THE DESIGNER BEFORE PROCEEDING WITH ANY WORK.</li> </ol>	AG.0         COVER SHEET & PROPOSED SITE PLAN           A1.0         EXISTING SITE PLAN & FLOOR PLANS           A1.1         EXISTING SITE PLANS AND SECTION           A2.1         PROPOSED FLOOR PLANS           A2.1         PROPOSED FLOOR PLANS           A3.1         PROPOSED FLOOR PLANS           A3.1         PROPOSED FLOOR PLANS	REVISION TO PERMIT APPLICATION # 200506235692 NEW KERICAL AND HORIZONTAL ADDITION TO EXISTING 2 STORY SINGLE FAMILY DWELLING	Scot Fore Attor	ARCHITECTURE INC. 26 LAKEVIEW DR DALY CITY CA 94015
2. DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONAL INFORMATION.			1 mg	TEL (415) 512-7566
3. THE CONTRACTOR AND SUBCONTRACTORS SHALL VERFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE DESIGNER OF ANY CONFLICTS HEREIN, ETHER APPARENT OR DEVIDUE FROM TO START OF WORK ON THAT THEN OR BEAR THE RESPONSIBILITY OF CORRECTING SUCH WORK AS DIRECTED BY THE ARCHITECT.			(E) WOOD FENCE	CR-P-INGS AND EVEC HEAVINGS, AS INSTANDARDS OF INCLUSIONS, SAVICE, MAX AND SHALL SAVANT HIM AND CR-PANE THE ANALYSIC I THE ANALYSIC INCLUSION AND ANY THE MALESO.
$4_{\rm p}$ all work shall be done in a first class worknamlike manner by mechanics skilled in their respective trades.		-	,6 .0-	THESE DOC HERE'S ARE NOT TO BE USED. IN MARKE ON THE MARY REAL ANY MORE'S DR. PURPOSE WHIP POSTAGE, WAT HOLE THE PROFE BRICHES WHIP TO BE AUTHORIZATION OF ENTITIES AND THE TURE HIS.
5. THE CONTRACTOR SHALL REVIEW PLANS AND THE AREA OF CONSTRUCTION CAREFULLY TO INSURE FULL UNDERSTANDING OF EXACT SCOPE OF WORK. THE ARCHITECT MILL BE AVAILABLE TO REVIEW ALL WORK ON SITE AND RESOLVE ANY UNCLEAR ITEMS			25'-0' 25'-0' 25'-0'	RESIDENTIAL
5. THE CONTRACTOR SHALL CONTACT THE BUILDING MANAGEMENT TO BE ADVISED OF THE RULES OF THE BUILDING WITH RESPECT TO CONSTRUCTION, MEDN AND HOW DELIVERIES AND/OR REDUVALS CAN BE DONE ON REGULAR OR OVERTIME AND IN CENERAL, ANY BUILDING REQUIREMENTS WHICH WILL AFFECT THEIR WORK.	PLANNING INFORMATION	SYMBOLS	n	2166-12TH AVENUE SAN FRANCISCO, CA BLOCK: 2206 LOT: 036
THE CONTRACTOR SHALL SUBMIT TO THE ARCHITECT ALL FABRICATION SHOP DWGS. AND FIXTURE CUTS FOR APPROVAL AFTER HAVING CHECKED AND APPROVED THEM FIRST, WHERE APPLICABLE	ZOMING: RH - 1 HEIGHT LIMIT: 40-X	SECTION SECTION M		PROJECT DIRECTORY
<ol> <li>THE CONTRACTOR SHALL FURNISH A SYSTEM OF TEMPORARY LIGHTS AND WATER THROUGHOUT THE SPACE UNDER CONSTRUCTION, IF REQUIRED.</li> </ol>	EXISTING NUMBER OF UNITS: 1 SINGLE FAMILY DWELLING PROPOSED NUMBER OF UNITS: 1	SHEET NUMBER EQUIPMENT GROUP	CRAY RAJR	ARCHITECT SHATARA ARCHITECTURE INC. 26 LAKEVIEW DRIVE DALY CITY, CA 94015 TEL: 4:15-512-7565
<ol> <li>THE CONTRACTOR SHALL REMOVE FROM THE BUILDING ALL RUBBISH AND WASTE MATERIALS, FOR HIS OWN SUBCONTRACTING. IF REQUIRED.</li> </ol>		AS SHEET NUMBER WALL TYPE	44- 44-	FRE 415-546-6415 CONTACT: MR. SUHFIL SHATARA OWNER CONTACT ARCHITEC
10. NO WORK DEPENDING ON PARTITION LOCATIONS SHALL BE DONE UNTIL THE CONTRACTOR HAS MARKED PARTITION LOCATIONS ON THE FLOOR SLAB IN THE FIELD AND THE ARCHITECT HAS APPROVED THEM.		DETAIL DRAWING SHEET NUMBER HP MATCH LINE	5'-0" 17-0' 3'-0"	Contraction Contraction
11. THE CONTRACTOR SHALL LEAVE THE PREMISES IN A CLEAN AND ORDERLY MANNER.		INTERIOR ELEVATION - SHADED PORTION		
<ol> <li>THE CONTRACTOR'S PRICE IS TO BE COMPLETE IN ALL WAYS INCLUDING TAXES, GVER-TIME, SHIPPING, ETC.</li> </ol>		DOWN DRAWING NUMBER	5.50 Mg	
<ol> <li>ALL MATERIALS AND INSTALLATIONS SHALL BE IN ACCORDANCE WITH MANUFACTURER'S LATEST PRINTED SPECIFICATIONS AND WITH CODE REQUIREMENTS.</li> </ol>		OFFICE ROOM IDENTIFICATION	No. The	
<ol> <li>THE WORK INCLUDED UNDER THIS CONTRACT SHALL BE DONE IN ACCORDANCE WITH AIA GENERAL CONDITIONS DOCUMENT A-201, 1991 EDITION.</li> </ol>	EXISTING: 2 STORIES TYPE V - B	DOOR NUMBER	0-51	2SSUED DATE NO.
15. CONTRACTORS, SUBCONTRACTORS AND SUPPLIERS SHALL GUARANTEE THAT THE WORK IS FREE FROM ANY DETECTS IN WORKJMASHIP AND MATERIALS FOR A PERIOD OF ONE YEAR FROM DATE OF COMPLETION AND BE RESPONSIBLE FOR REPARE OR REPLACEMENT AT NO ADDITIONAL CHARGE	PROPOSED: 3 STORIES	WINDOW NUMBER		PLANNING 12.17.2008 PLANNING 08.30.2010
	(E) OCCUPANCY CLASS: R-3		2168 12TH AVE. PLCOS: 2226/	PLANNING 10,07,2011
16. CONTRACTORS TO CARRY EMPLOYER'S LIABILITY INSURANCE OF NOT LESS THAN \$1,000,000 PER OCCURRENCE, AND COMPREHENSVE GENERAL LIABILITY OF AT LEAST \$2,000,000 COMBINED SINGLE LIMIT FOR BODILY INJURY, DEATH, OR PROPERTY DAMAGE THE FOLIDES TO ALSO COVER LANGLORD AND TEVANT AS	(N) OCCUPANCY CLASS: NO CHANGE		BOOK 2206/ LOT: 036	PLANNING 11.16.2011
	(E) # OF DWELLING UNITS: 1		SRD FLOOR	PLANNING 01.06.2013 PLANNING 04.10.2013
ADDITIONAL INSURED.	(N) # OF DWELLING UNIT: NO CHANGE		(E) ADJACENT 2 STORY PPOPORETY 35 4 4 4 4 4 4 4 4 4 4 4 4 4	PLANNING 05,20,2013
VICINITY MAP	ABBREVIATIONS		U. F. (v) Roor Deck (D. 7.4.4)	
1230	& AND DBL DOUBLE F.O.S. F @ AT DEPT. DEPARTMENT FPRF. F	TACE OF STUD N.L.C, NOT IN CONTRACT SPEC SPECIFICATION TREPROOF NO./# NUMBER SQ. SQUARE	(E) SLOPED ROOF	
- Step Alig	(E) EXISTING DIA, DIAMETER FT. F ADJ ADJUS ARI F DIM DIMENSION FTG 5	FOOT OR FEET NOW, NOMINAL S.ST. STAINLESS STEEL FOOTING N.T.S. NOT TO SCALE STL. STEEL	CIULIA - CIELLIA	AND DESCRIPTION OF THE OWNER
	ADDROY ADDROYMATE DR DODR CA (	GAUGE OPIG OPENING SIRL STRUCTURAL	L L L	A BASSA
		SALVÄNIZED ÖPP, DPPÖSITE SUSP, SUSPENDED BRAB BAR P.L. PROPERTY LINE SYM. SYMMETRICAL SYMSUM P.L. PLATE T.C. TOP OF CURB		Na C24700 R21103/113
	BITUM. BITUMINOUS E. EAST H.B. H BLDG. BUILDING EA. EACH HOWD	NAR UNALLAT OFF. DEPUBLIEV DEPUBLIE NAR BAR PL. PROPERT LINE SOUN SYMMETRICAL SPESUM PL. PLATE I.C. TOP OF CURB SPESUM PL. PLATE I.C. TOP OF CURB ARDWOOD FI. POINT TER TERRAZZO MARZONTAL FI. PLANTEL T.C. TOWNER AND	177'	A Record
	BLK. BLOCK EL ELEVATION HORIZ. H BLKG BLOCKING ELEC. ELEVATION HORIZ. H BM. BEAM ELEV. ELEVATOR HGT. H BOT. BOTTOM ENCL. ENCLOSURE INSUL. 9	HOUR PIN, PARTITUNI GRUGVE JEICHT OT OLIARRY THE THE THE THEOR	12 <sup></sup>	
	BOT. BOTTOM ENCL ENCLOSURE INSUL 9 CAB. CABINET EQ. EQUAL INT. II C.B. CATOH BASIN EQPT. EQUIPMENT JAN. J CEM. CEVENT (E) EXEMING JT. J	NSULATION R. RISER T.P. TOP OF NTERIOR RAD. RADIUS PAVEMENT	A	
120	C.B. CATCH BASIN ECPT. EQUIPMENT JAN. CEM. CEMENT (E) EXISTING JT. J CLG. CELING EXPOSED LAV. L	WINT DEE DEEEDENCE TYD TYDICAL	12TH AVENUE	
Avera	CLKG. CAULKING EXP. EXPANSION LT. L CLG. CLOSET EXT. EXTERIOR MAX. N CUR. CLEAR F. ENT. EXTERIOR MAX. N	JGHT RGTR, RECOTTR U.O.N. UNLESS OTHERWISE		11
10.11 d	COL CILLAR F.A. FIRE ALARM MEMB A	ABICHANICAL REQ'O. REQUIRED VERT. VERTICAL IEMERANE RM. ROOM VEST. VESTBULE		
	CONSTRUCTION FIN FINISH MIN N	MANUFACTURER R.W.L. RAIN WATER LEADER W/ WITH		COVER SHEET & PROPOSED
	CORR. CORRIDOR FLASH, FLASHING MTD, M	ARMANDA S. SUPER SCHEDULE WD. WOOD KEINTED S.D. SWOKE DETECTOR WD. WOOD KEINTED S.D. SWOKE DETECTOR WO WITHOUT AULION SECT. SECTION WP. WATERPROOF EM. SHI. SHIFT, WT. WEIGHT		SITE PLAN
124	CNTR COUNTER F.O.C. FACE OF CONCRETE UN 1 IN	NULLON SLCT, SELTION WF WALENFROOP LEW SHT, SHTFT WT WEICHT OORTH SIM SIMILAR		A0.0
1		1997 Y		10.0

