



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Abbreviated Analysis

HEARING DATE: JANUARY 19, 2012

*Date:* January 12, 2012  
*Case No.:* **2011.1143D**  
*Project Address:* **2123 PIERCE STREET**  
*Permit Application:* 2011.02.04.9646  
*Zoning:* RH-3 [Residential House, Three-Family]  
40-X Height and Bulk District  
*Block/Lot:* 0632/002  
*Project Sponsor:* Cheng Design  
2808 San Pablo Avenue  
Berkeley, CA 94115  
*Staff Contact:* Aaron Starr – (415) 588-6362  
[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

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 construct a two-story, horizontal addition at the rear of the two-story-over-garage, single-family house. The proposed rear addition will extend approximately 13' from the existing rear wall at the south side of the building and approximately 7' from the existing rear wall at the north side of the building. The proposal also includes a 12' deep rear deck approximately 7.5' above grade at the south side of the property and approximately 5.5' above grade at the north side of the property (laterally sloping lot), property line widows and solar panels.

### SITE DESCRIPTION AND PRESENT USE

The subject property is located in the Pacific Heights neighborhood on the west side of Pierce Street between Clay and Sacramento Streets and is approximately 32.5' wide by 137.5' long. The subject two-story-over-garage, single-family Stick-Style Victorian house covers approximately 40% of the lot and is listed in the Junior League's 1969 "Here Today" survey, making it a known historic resource.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located approximately one block south of Alta Plaza Park in a residential neighborhood. The subject building is the shortest house on the block; the adjacent building to the north is four stories tall and the adjacent building to the south is three stories tall. Most of the other buildings on the subject block face are three stories tall. The adjacent buildings are pretty much in line with the subject building; however the building to the south does extend a few feet further into the midblock than the subject building. The subject building appears to be the oldest building on the block. Most of the other buildings were constructed in the early 1900s.

**BUILDING PERMIT NOTIFICATION**

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	8/31/11-9/29/11	9/29/11	1/19/12	113 days

**HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	January 9, 2012	January 9, 2012	10 days
Mailed Notice	10 days	January 9, 2012	January 9, 2012	10 days

**PUBLIC COMMENT**

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	1	-
Other neighbors on the block or directly across the street	-	-	-
Neighborhood groups	-	-	-

The Department has not received any statements of opposition or support for the proposed project, other than from the DR Requestor.

**DR REQUESTOR**

Harold Gerber  
 2131 Pierce Street  
 SF, CA 94115  
 (Adjacent neighbor to the north)

**DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES**

See attached *Discretionary Review Application*, dated September 29, 2011

**PROJECT SPONSOR’S RESPONSE TO DR APPLICATION**

See attached *Response to Discretionary Review*, dated January 9, 2012

## 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 project is a minimal expansion to the existing rear wall in both depth and height. The proposed property line window is not at eye level with the DR requestor's adjacent deck. (RDGs, p. 16-17). The proposed solar panels are not subject to discretionary action/review.

**Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.**

<b>RECOMMENDATION:</b> <b>Do not take DR and approve project as proposed</b>
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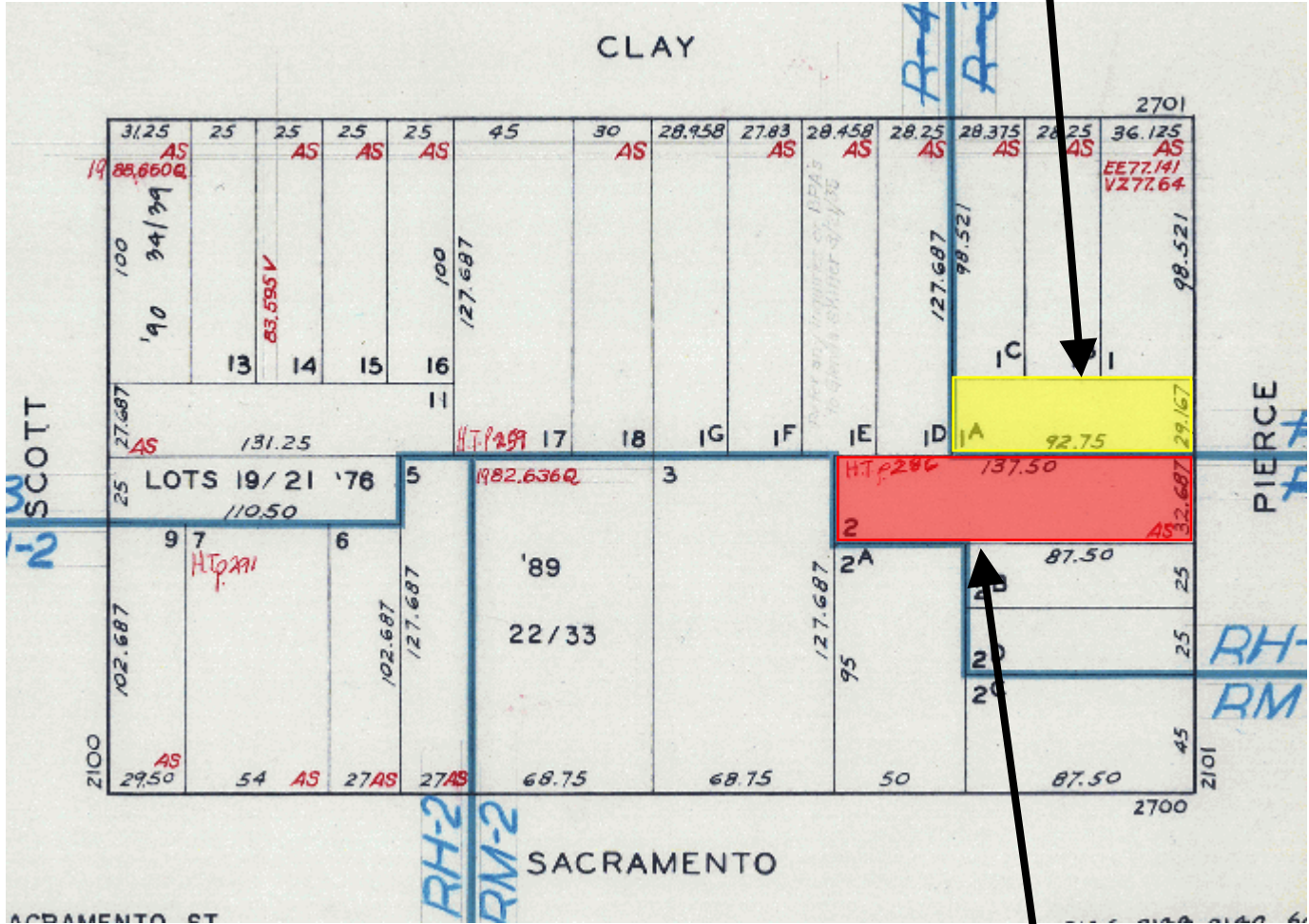
### Attachments:

Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Context Photographs  
Section 311 Notice  
DR Application  
Response to DR Application dated January 9, 2011  
Reduced Plans

AS: G:\DOCUMENTS\Discretionary Review\2123 Pierce Street\Case Report.doc

# Parcel Map

DR REQUESTOR'S  
PROPERTY

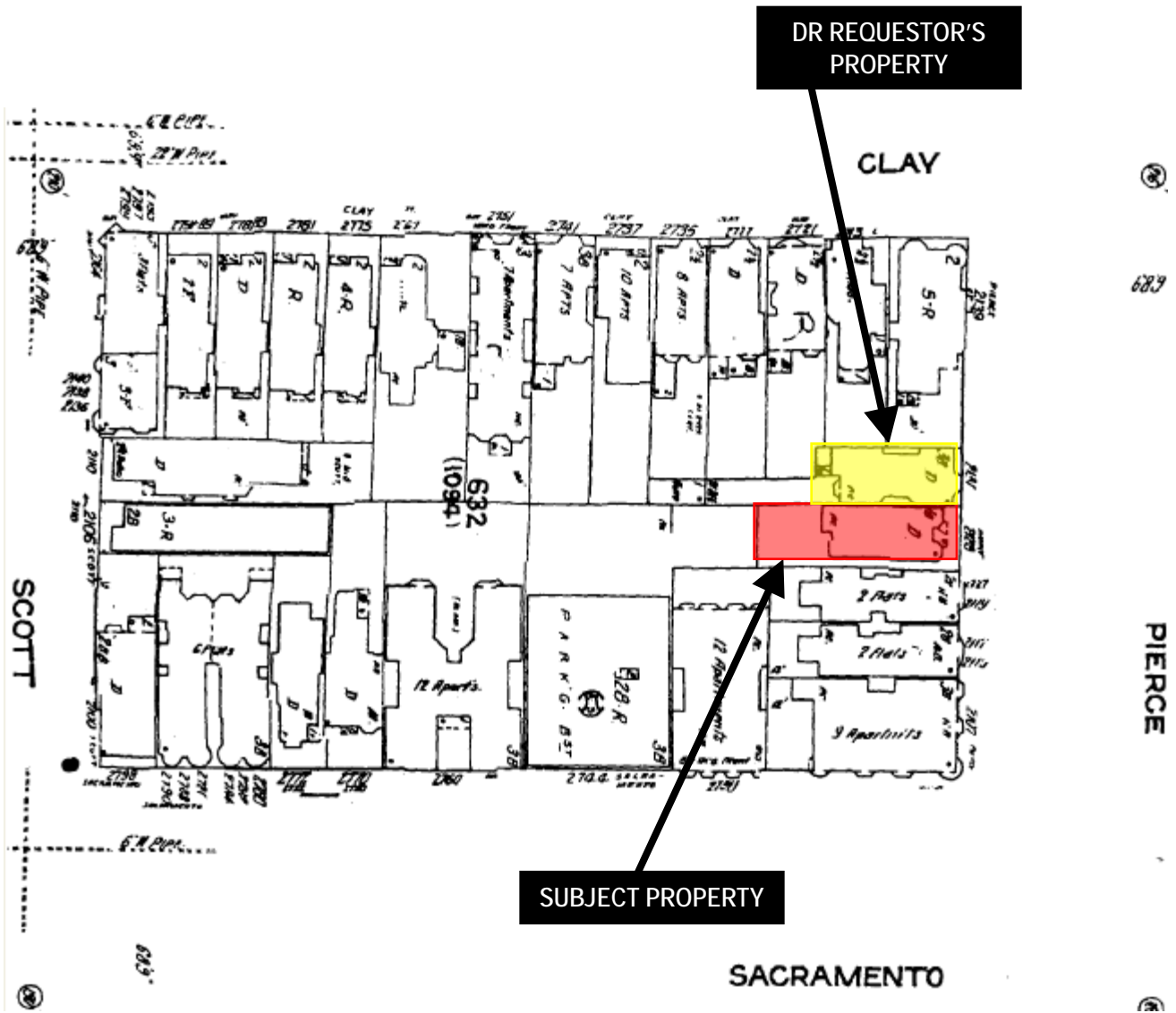


SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2011.1143D  
Request for Discretionary Review  
2123 Pierce Street

# Sanborn Map\*



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



Discretionary Review Hearing  
Case Number 2011.1143D  
Request for Discretionary Review  
2123 Pierce Street

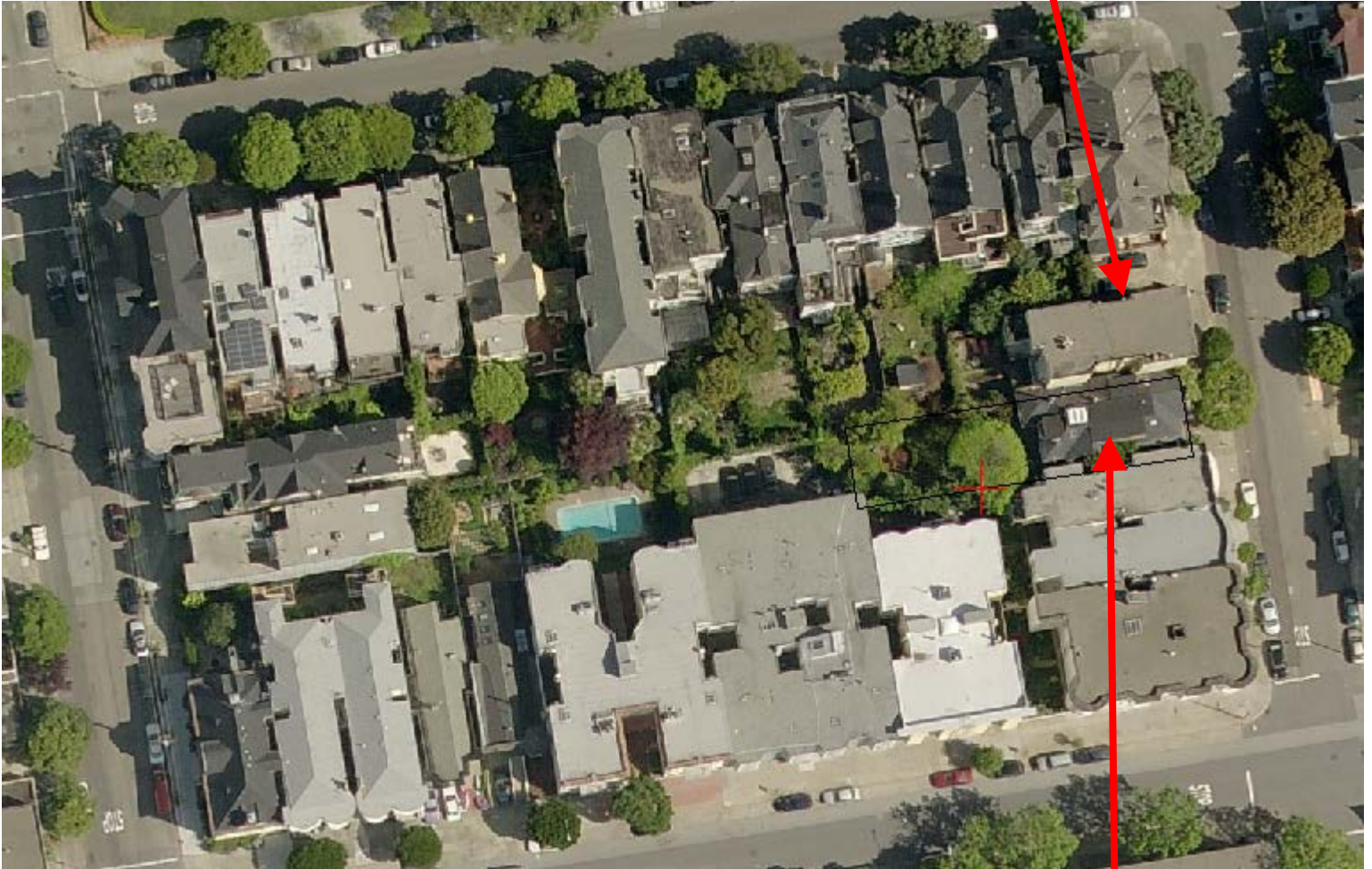
# Zoning Map



Discretionary Review Hearing  
Case Number 2011.1143D  
Request for Discretionary Review  
2123 Pierce Street

# Aerial Photo

DR REQUESTOR'S  
PROPERTY



SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2011.1143D  
Request for Discretionary Review  
2123 Pierce Street

# Aerial Photo



SUBJECT PROPERTY

DR REQUESTOR'S  
PROPERTY







# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **February 4, 2011**, the Applicant named below filed Building Permit Application No. **2011.02.04.9646** (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	<b>Cheng Design</b>	Project Address:	<b>2123 Pierce Street</b>
Address:	<b>2808 San Pablo Avenue</b>	Cross Streets:	<b>Sacramento St./Clay St.</b>
City, State:	<b>Berkeley, CA 94702</b>	Assessor's Block /Lot No.:	<b>0632/002</b>
Telephone:	<b>(510) 849-3272</b>	Zoning Districts:	<b>RH-3 /40-X</b>

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 you believe that there are exceptional or extraordinary circumstances associated with the project, you may 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.

PROJECT SCOPE		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK .....	±8.5'	No Change
BUILDING DEPTH .....	±60'	±67'
REAR YARD (to deck) .....	±57'	±50'
HEIGHT OF BUILDING (to peak of roof) .....	±24'	No Change
NUMBER OF STORIES .....	2-over-garage	No Change
NUMBER OF DWELLING UNITS .....	1	No Change
NUMBER OF OFF-STREET PARKING SPACES .....	2 tandem	No Change

### PROJECT DESCRIPTION

The proposal is to construct a 2-story, rear horizontal addition onto the existing 2-story-over-garage, single-family house. The proposed rear addition will extend approximately 13' from the existing rear wall at the south side of the building and approximately 7' from the existing rear wall at the north side of the building. The proposal also includes a 12' deep rear deck approximately 7.5' above grade at the south side of the property and approximately 5.5' above grade at the north side of the property (laterally sloping lot).

PLANNER'S NAME: **Aaron Starr**  
 PHONE NUMBER: **(415) 558-6362**  
 EMAIL: **aaron.starr@sfgov.org**

DATE OF THIS NOTICE:  
 EXPIRATION DATE: \_\_\_\_\_

11.11430  
RECEIVED

# APPLICATION FOR Discretionary Review

SEP 29 2011  
CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
P I C

1. Owner/Applicant Information

DR APPLICANT'S NAME: Harold and Lisa Gerber		
DR APPLICANT'S ADDRESS: 2131 Pierce Street #1	ZIP CODE: 94115	TELEPHONE: (415 )347 1492

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Charles Eichler		
ADDRESS: 2123 Pierce Street	ZIP CODE: 94115	TELEPHONE: (415 ) 353 2357

CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/> <input type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: ( )
E-MAIL ADDRESS:		

2. Location and Classification

STREET ADDRESS OF PROJECT: 2123 Pierce Street	ZIP CODE: 94115
CROSS STREETS: Clay and Sacramento	

ASSESSORS BLOCK/LOT: 0632 /002	LOT DIMENSIONS: 32"x137.5	LOT AREA (SQ FT): ~4384	ZONING DISTRICT: RH-3	HEIGHT/BULK DISTRICT: 40-X
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3. Project Description

Please check all that apply

Change of Use  Change of Hours  New Construction  Alterations  Demolition  Other

Additions to Building: Rear  Front  Height  Side Yard

Present or Previous Use: Residential

Proposed Use: Residential

Building Permit Application No. 2011.02.04.9646

Date Filed: 2/4/2011

4. Additional Prior Action Discussed with the Applicant

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

No changes were made despite our suggestions .....

.....

.....

.....

## 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.

See attached

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:

See attached

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?

See attached

11.11430

## 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.

Signature:  Date: 9/29/11

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

Owner / <sup>(HAG)</sup> Harold & Lisa Gerber

Owner / Authorized Agent (circle one)

## Discretionary Review Application Submission 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	<input type="checkbox"/>
Address labels (original), if applicable	<input type="radio"/>
Address labels (copy of the above), if applicable	<input type="radio"/>
Photocopy of this completed application	<input type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
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)	<input type="checkbox"/>

## NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

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

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

**Discretionary Review Request****2123 Pierce St****Answers to p. 9 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.*

My wife Lisa and I are the owners of the north adjacent building to the applicant and have resided in this building for the past 28 years.

We have concerns with the plans in its current form.

1. It will block our light substantially entering our garden, family room, kitchen and deck which is where we spend most of our time.
2. We believe the site plan is misleading in representing the footprint of our home. There is a deck at the upper level. So the wall at the west on the north side of the property is 8'9" wide, 2 story, but less than 20' tall. See sketch attached and photo. The applicant's rear building line already extends 10 feet deeper (further) than what we consider the rear wall of our building and the proposal is to extend it 7 feet deeper for a total of 17 feet deeper than our back wall. (See attached Sketch 1 and photos)
3. The windows proposed on the north property line of the proposed addition would compromise our privacy and look directly into our master bedroom

When first shown the project in January, we engaged Suzanne Greischel AIA. After reviewing the plans, she voiced concerns to the applicant directly and to his architect via calls and several emails inviting a discussion or a meeting. Neither their architect nor the owner responded to any of our offers to discuss our concerns. (copies of our emails available upon request)

Approval of this new construction as proposed would adversely and dramatically impact our adjacent neighboring home at 2131 Pierce Street, a home that has been owned and occupied by our family for 28 years. The proposed project substantially threatens our quality of life primarily by affecting our light, which comes from the south. The proposed addition will substantially cast shadows on our deck and garden. The proposed addition rear wall would be 17.5 ft deeper than our rear wall, where our family room is located, SF Planning Bulletin 5 Planning Guidelines (the wall that is half the width of the lot and 2 stories or 20 feet high) . Planning has advised us that the applicant is using the 55% rule strictly however, our architect advisor who has been working in SF for 35 years indicated that it is also reasonable in certain cases for the planners to take into consideration the averaging issue regardless of lot depth.

It is our interpretation of the Planning code, Rear Yard, Section 134 p.5 and 6, Figures 6 and 7, that the proposed addition should take into consideration the rear line of our building. We would like to see the applicant consider either not extending the rear line of their building or stepping it back and only expanding on the south side of their lot. See sketch 2. We would also like the applicant to consider stepping the proposed deck back as well. It is the suggestion of our architect that the upper level plan which is extremely spacious could be reorganized to accommodate the two adults and 1 small child members of their family.

Answer to p. 9 question #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:*

The proposed addition would be built in an congested backyard area affecting the peace and calm of a large number of tenants and owners in the surrounding buildings. The tenants have been noticed by the applicant only as "Occupant" so a large number don't even know what may be happening to their peace and quiet for a approximately a year's worth of construction as well as loss of light, view etc.

Our building will lose a substantial amount of sun coming from the south as will our tenants who have expressed concern and dismay.

The applicant's architect based in another city told my wife and I at the pre application meeting to "get with it" "this is the way it goes in the city, every body blocks every body's light". He then suggested as a solution to our lose of light in our bedroom, kitchen, den and back deck that " You ought to buy a large mirror and synchronize it through Google maps so that it can move throughout the day and put some light onto the back of your house" mitigating the impact. We were stunned into silence at the bizarre ness of this comment. When asked about the juxtaposition of the large square whale of block on the back of this lovely historical SF home from the 1880's, he acknowledged a resemblance to IM Pei's triangle within the Louve" ....ughh!

In addition what was a wonderful historical home will be brutalized by the addition of a large ugly unsculpted whale of a box on the back rump of it ruining what had been historical views that we and other neighbors had appreciated for years. The solar panels on the top are totally out of character, will further block our light and also, according to our architect consultant will be visible from the street and by residents across the street.

A window facing directly north from this addition into our bedroom and backyard is an extreme invasion of privacy and unnecessary. The planners suggested that our request for the removal of this window was reasonable but this was balked at by the architect and applicant.

Answer to p.9 Question 3.

*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?*

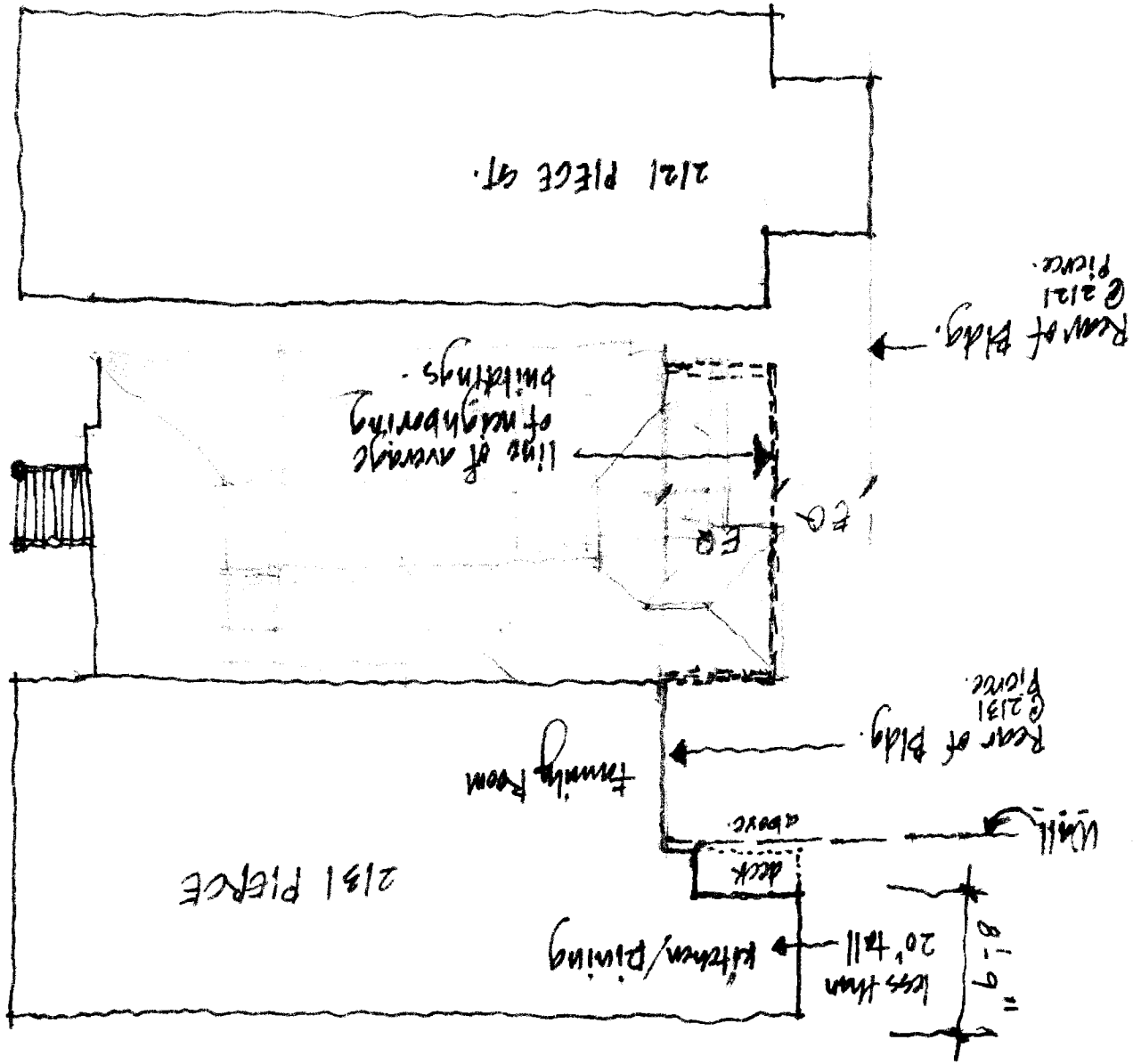


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We have requested the following reasonable approaches to mitigating this

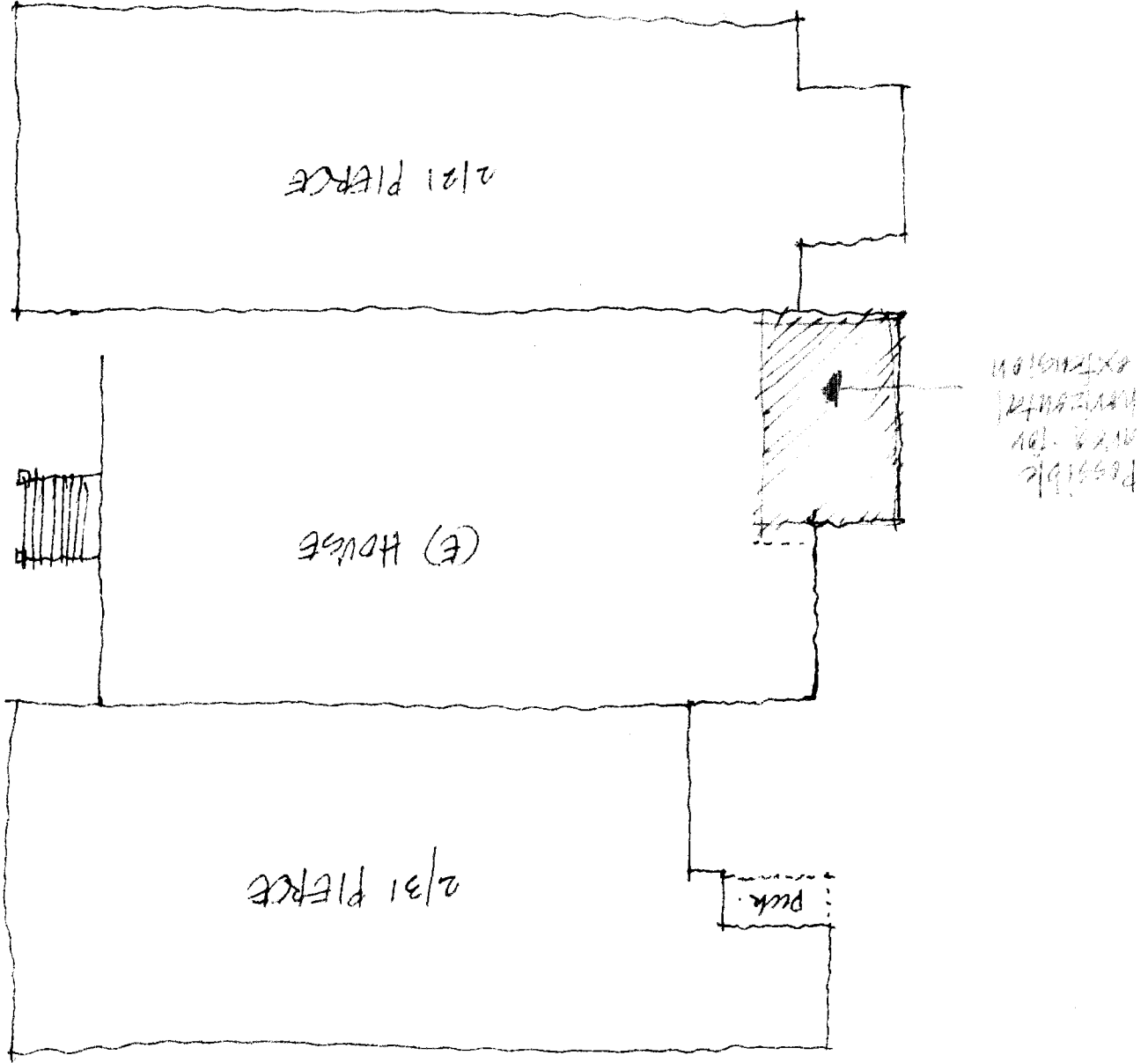
- a. Do an internal reconfiguration of the property. They have ~3000 sq ft for 2 adults and an infant and surely they should be able to make due without this addition.
- b. Failing that, step the addition back and to the south to be more in keeping with the rear walls of the adjacent buildings. Zoning Administrator Bulletin #5 p. 5 states that "to the extent that the building intrudes into the rear yard otherwise required by conventional averaging, there must be an offsetting undeveloped area that would otherwise be permitted by conventional averaging that is equal to or greater than the intrusion. See attached Sketch #1 by our architect consultant re: Averaging and Sketch #2 with a proposed solution which is in keeping with the above stated reference. 5 feet of set back from our property line from this project would be reasonable and mitigate the light issue significantly.
- c. Please sculpt the addition via coving or sloping of the roof to allow more light into our yard with no loss to the applicant. The Solar panels could then go on the south side where they would be more effective anyway and not block our sun.
- d. Remove the window directly into our bedroom that is proposed. This has been suggested as a reasonable request by planning.

11.11430



11.1143D

Sheet 2



BACK WALL OF 2131 Pierce St

BACK WALL OF 2123 Pierce St.  
(applicant)

11 1143D



# REUBEN & JUNIUS<sup>LLP</sup>

January 9, 2012

Ms. Christina Olague, President  
San Francisco Planning Commission  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

**Re: 2123 Pierce Street – Response to DR Application**  
**Our File No.: 6882.01**

Dear President Olague and Commissioners:

This office represents Charles Eichler and Melanie Henry, the owners of a home at 2123 Pierce Street (the “Property”), who are proposing to add a modest addition to the rear of the home. Charles and Melanie currently live at the Property with their baby son, and the addition to the Property is being proposed to accommodate their growing family.

The existing structure is a two-story, two-bedroom home consisting of roughly 3,000 square feet and built in 1900. Due to the historic nature of the Property, the only practical way of expanding the existing home is to propose an addition that cannot be seen from a public right-of-way. This leaves an expansion of the rear of the property as the only practical option. The project proposes a horizontal expansion of both stories at the rear of the home, adding 770 square feet of floor area. The expansion will extend the home by less than eight feet from the existing rear wall at the north side of the home and 13 feet from the existing rear wall at the south side of the home. A 12-foot deep deck is also proposed at the rear of the expanded home. The proposed addition fully complies with the Planning Code and no variances are needed.

The project will establish a second bedroom on the second floor of the home, allowing for two bedrooms at that level, so that Charles and Melanie will be on the same floor as their child. The project will provide Charles and Melanie’s family a comfortable home and is either supported or not opposed by all of their neighbors with the exception of the DR Requestors. We respectfully request that you deny the request for discretionary review and approve the home expansion as proposed.

**A. The Current Project is Significantly Smaller than First Proposed**

At the outset, the project sponsors proposed a rear addition to the house that consisted of an extension of the house roughly 25 feet (and less than 20 feet along the DR Requestors’ property line). After discussing these plans with the Planning Department, it became evident that the complexities of the sloping lot would slow down the entitlement process and add costs to the project. Considering the fact that their family is already expanding and that they wanted to get moving on the project as soon as possible, they modified the project to extend only 13 feet (and less than 8 feet along the DR Requestors’ property line).

One Bush Street, Suite 600  
San Francisco, CA 94104

tel: 415-567-9000  
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[www.reubenlaw.com](http://www.reubenlaw.com)

James A. Reuben | Andrew J. Junius | Kevin H. Rose | David Silverman | Sheryl Reuben<sup>1</sup> | Jay F. Drake  
Daniel A. Frattin | Lindsay M. Petrone | John Kevlin | Benjamin J. Schnayerson | Jared Eigerman<sup>2</sup> | John McInerney III<sup>2</sup>

<sup>1</sup> Also admitted in New York <sup>2</sup> Of Counsel

**B. The Project Complies with Residential Design Guidelines**

The DR Requestors' main concerns are that (1) the home expansion will block light that currently enters their rear yard and into the rear of their home, and (2) the two windows proposed on the north property line will compromise their privacy.

***Light and Air***

The DR Requestors' main concern with the Project is the effect it would have on light and air reaching the rear yard of their property. The project sponsors have proposed a modest addition that will have a minimal effect on the DR Requestors' property. The Residential Design Guidelines recognize that in areas with a dense building pattern, some reduction of light to neighboring buildings can be expected with a building expansion.

The DR Requestors' property is located on the north side of the subject Property. In response to the DR Requestors' concern, the project sponsors' architect conducted shadow studies to determine the impact of the expansion on the neighboring rear yard. The studies concluded that the only noteworthy impacts on light access will take place between 11 a.m. and 1 p.m. during the day. This is due to the fact that both properties face east, meaning the morning sun does not reach either rear yard, and that the sun shines from the south, meaning the only impact the rear of the project sponsors' property has on the DR Requestors' yard is when the sun first begins to reach the rear of both properties – near midday. By 1 p.m. there is no significant effect on the DR Requestors' rear yard. It should be further noted that the shadow studies were conducted for an earlier version of the Project that extended an additional 12 feet beyond what is currently proposed.

The character of the DR Requestors' rear yard is also important. Their rear yard enjoys complete western exposure that will never be obstructed by a building as it faces directly onto other neighbors' rear yards that are undevelopable. The DR Requestors' property is also four stories tall and upslope from the Property, further reducing any impact that the project sponsors' relatively small home will have on their rear yard or interior space at the rear of their building. The neighbor to the south of the subject Property, which is located downslope, supports the Project, further underscoring the reasonableness of the proposal. (See letter of support attached as **Exhibit A.**)

The proposed expansion is very minor in scale – just 770 square feet. Along the DR Requestors' property line, the proposed expansion of the rear of the existing home is less than eight feet. The proposed addition will be less than one foot taller than the existing home. The Planning Code rear yard requirement is quite large in this district at 45%, and the project sponsors are simply expanding the rear of their home to what the Planning Code permits. Also, the neighboring property to the south of the subject Property is already built out to the full 45% rear yard.

One Bush Street, Suite 600  
San Francisco, CA 94104

tel: 415-567-9000  
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**REUBEN & JUNIUS**

www.reubentlaw.com

***Privacy***

The DR Requestor also cites that the project will have an adverse effect on the privacy they currently enjoy at their home. They identify the two small windows that are proposed on the second story of the addition along their property line. Again, the Residential Design Guidelines recognize that some loss of privacy to existing neighboring buildings can be expected with a building expansion.

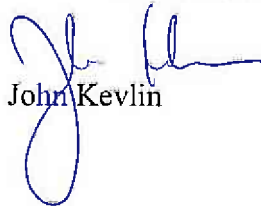
The Planning Department's policy is to encourage project sponsors to modify windows when they look directly at each other and are three feet from each other or closer. This is not the case here. The proposed window at the corner of the addition is located beyond the rear edge of the DR Requestors' building. The subject Property currently has a rear balcony at the second floor, which lines up with some of the windows on the DR Requestors' building, so the existing conditions already provide sight lines between the two properties. Further, the smaller circular window on the addition will be opaque, and therefore will not affect the DR Requestors' privacy in any way. Both proposed windows will look in on the child's bathroom, so the project sponsors designed the windows with the intent of maintaining privacy for the room. Any effect the Project will have on the DR Requestors' privacy will be minimal at worst.

**C. Conclusion**

The project sponsors are excited to take up the proposed project, which will allow them and their growing family to live in the city for years to come. The project transforms the house that is currently ill-suited for babies and young children into a home that allows the project sponsors and their baby to sleep on the same story. Due to the historic character of the Property, the project sponsors are extremely limited in their options to expand their home, and they are simply proposing a modest rear addition that fully complies with the requirements of the Planning Code. Only the DR Requestors are opposed to the project. The project sponsors' southern neighbor is expressly supportive. We respectfully request the Planning Commission to deny the discretionary review request and to allow the project to move forward. Thank you for your time.

Very truly yours,

REUBEN & JUNIUS, LLP



John Kevlin

Enclosures

cc: Charles Eichler and Melanie Henry

One Bush Street, Suite 600  
San Francisco, CA 94104

tel: 415-567-9000  
fax: 415-399-9480

**REUBEN & JUNIUS**

[www.reubenlaw.com](http://www.reubenlaw.com)

September 26, 2011

Dear Planning Commission,

I am the southern next-door neighbor to the 2123 Pierce St. address. My family and I have been neighbors with the Eichlers for the past 30 years.

I have reviewed their plans for their addition and have no concerns or objections. I am in complete support of their project.

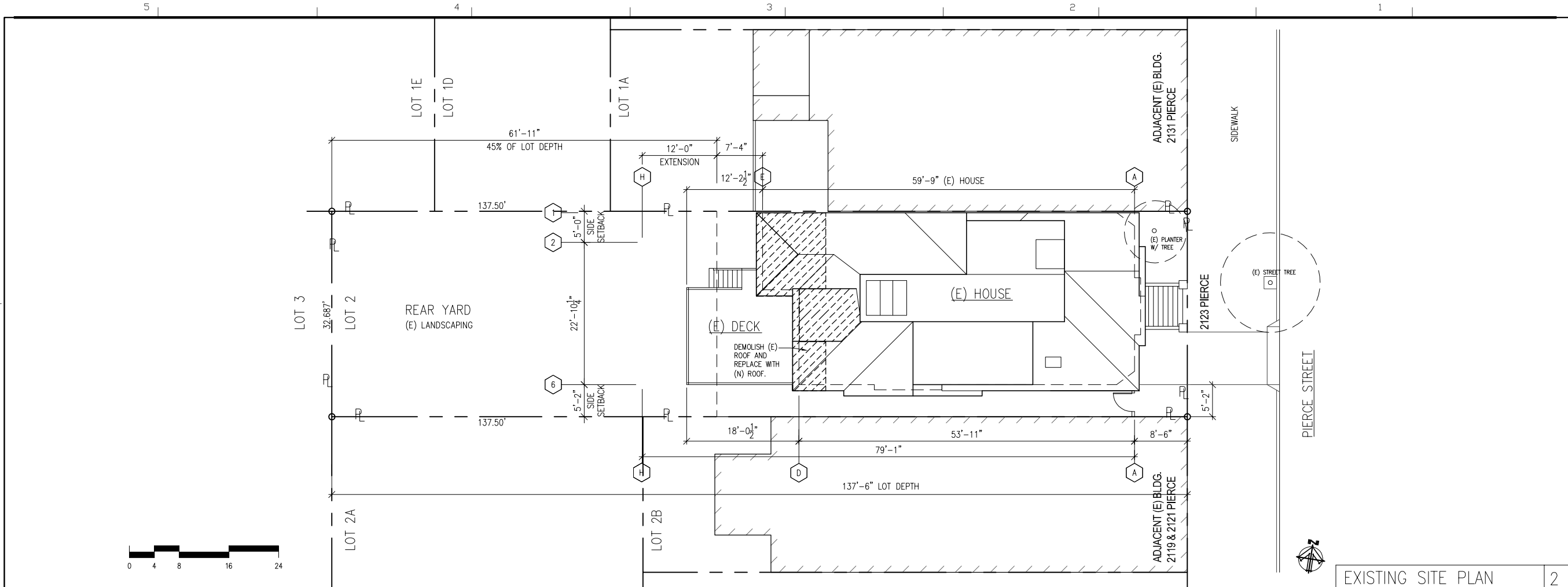
Please feel free to contact me if you have any further questions, 2117 Pierce Street, San Francisco, CA 94115.

Sincerely,

Jason Wroten

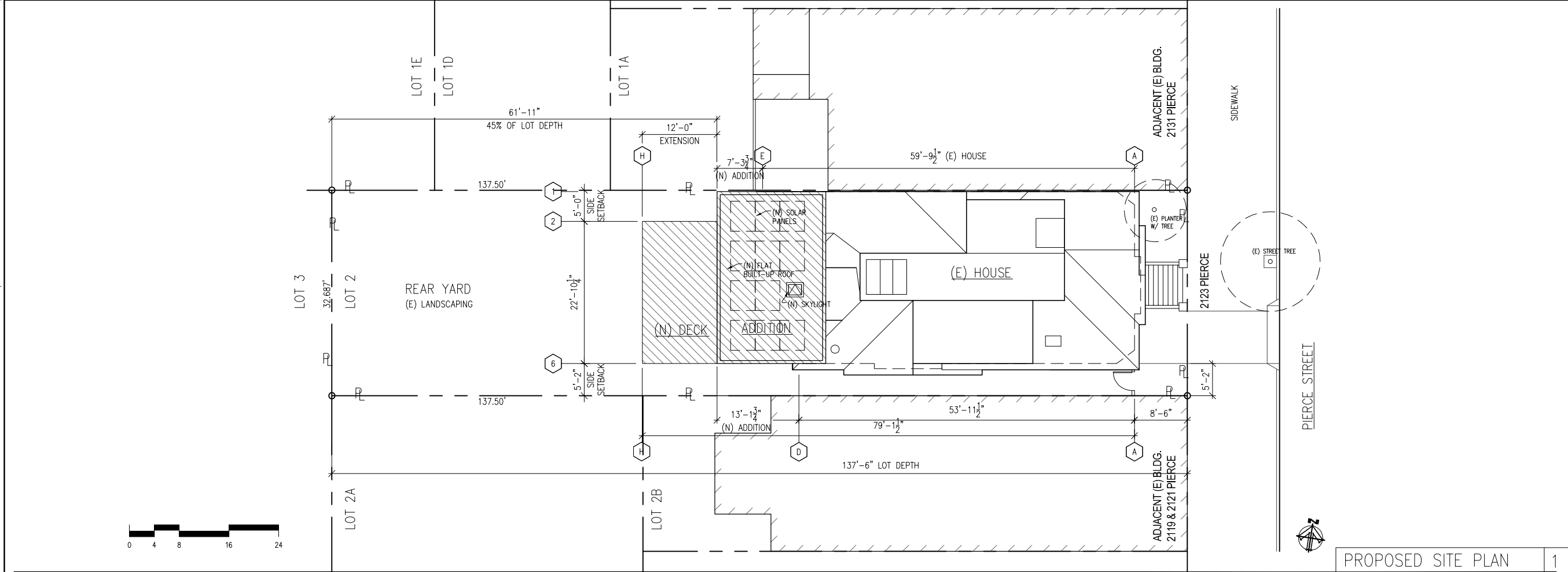
A handwritten signature in black ink, appearing to read "Jason Wroten", written over the printed name.





EXISTING SITE PLAN

2



PROPOSED SITE PLAN

1

**C H E N G d e s i g n**

2808 SAN PABLO AVENUE, BERKELEY, CA 94702  
 TEL / 510.849.3272 FAX / 510.849.3274

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**EICHLER ADDITION**

2123 PIERCE ST  
 SAN FRANCISCO, CA 94115

SCALE  
 1/8" = 1'-0"

DRAWN BY  
 MT

DATE  
 AUGUST 17, 2011

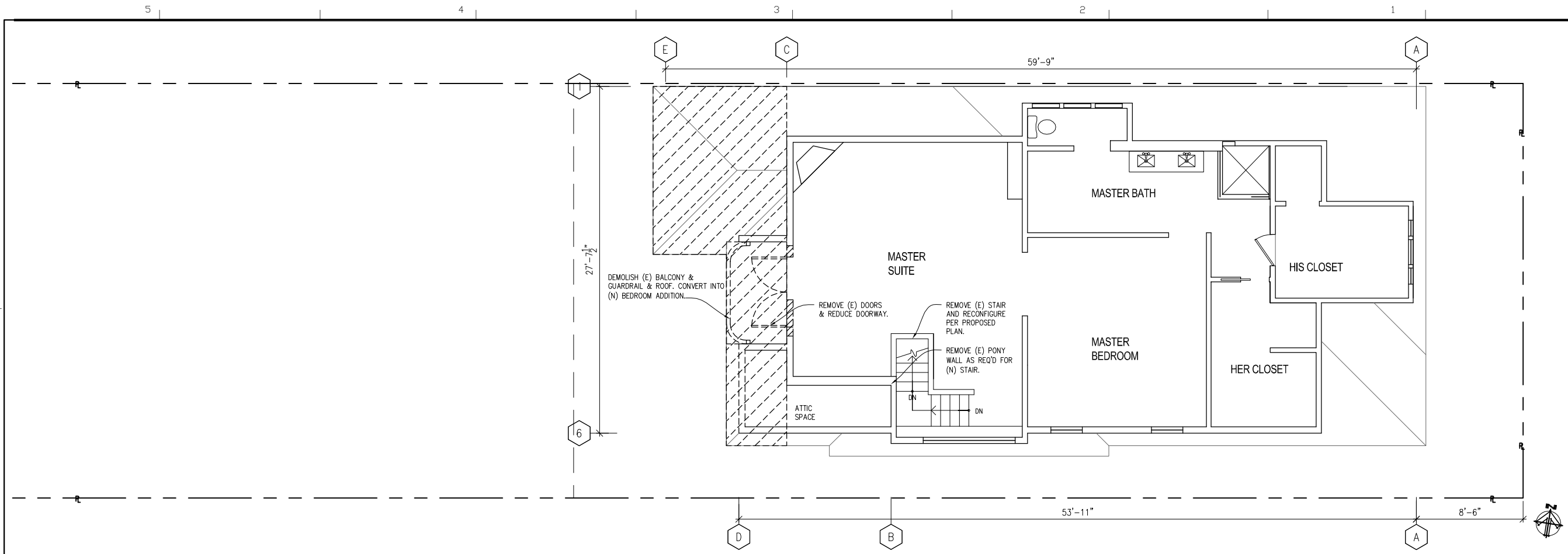
ISSUE FOR  
 PLANNING - SECT 311 NOTICE

JOB NUMBER  
 0914D

REVISIONS

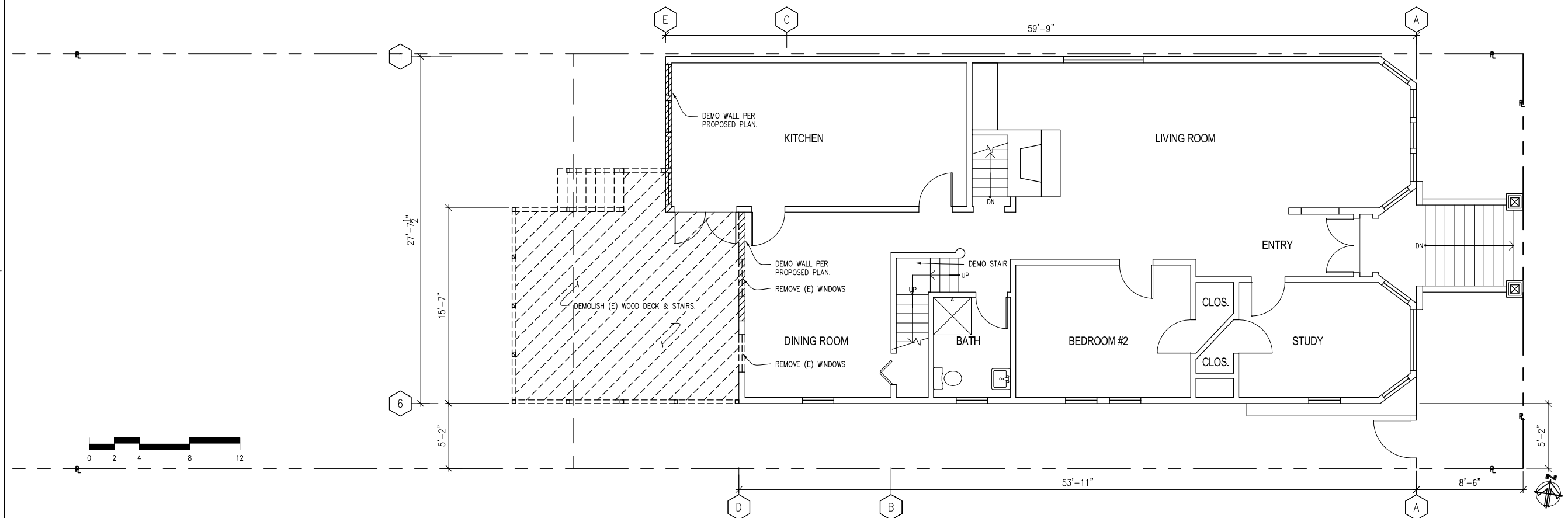

EXISTING & PROPOSED SITE PLANS

**A1.0**



PLAN- EXISTING SECOND FLOOR

2



PLAN- EXISTING FIRST FLOOR

1

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**EICHLER ADDITION**

2123 PIERCE ST  
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**SCALE**  
1/4" = 1'-0"

**DRAWN BY**  
MT

**DATE**  
AUGUST 17, 2011

**ISSUE FOR**  
PLANNING - SECT 311 NOTICE

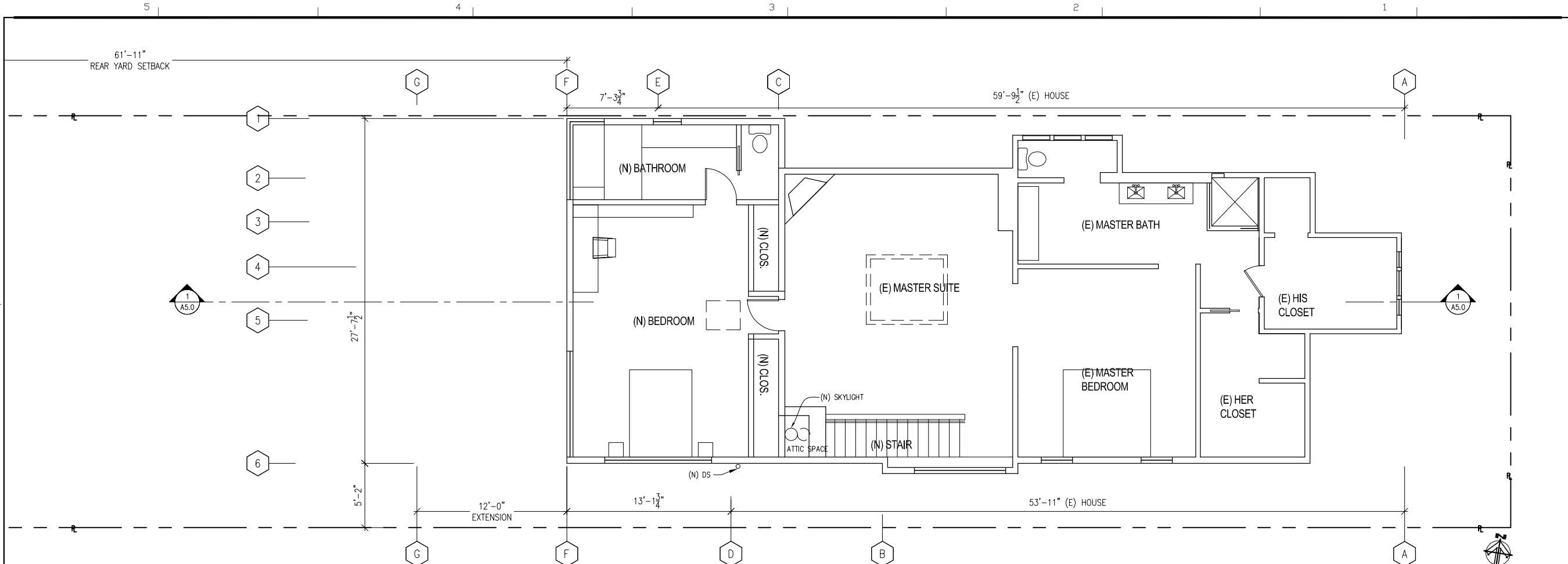
**JOB NUMBER**  
0914D

**REVISIONS**

NO.	DESCRIPTION

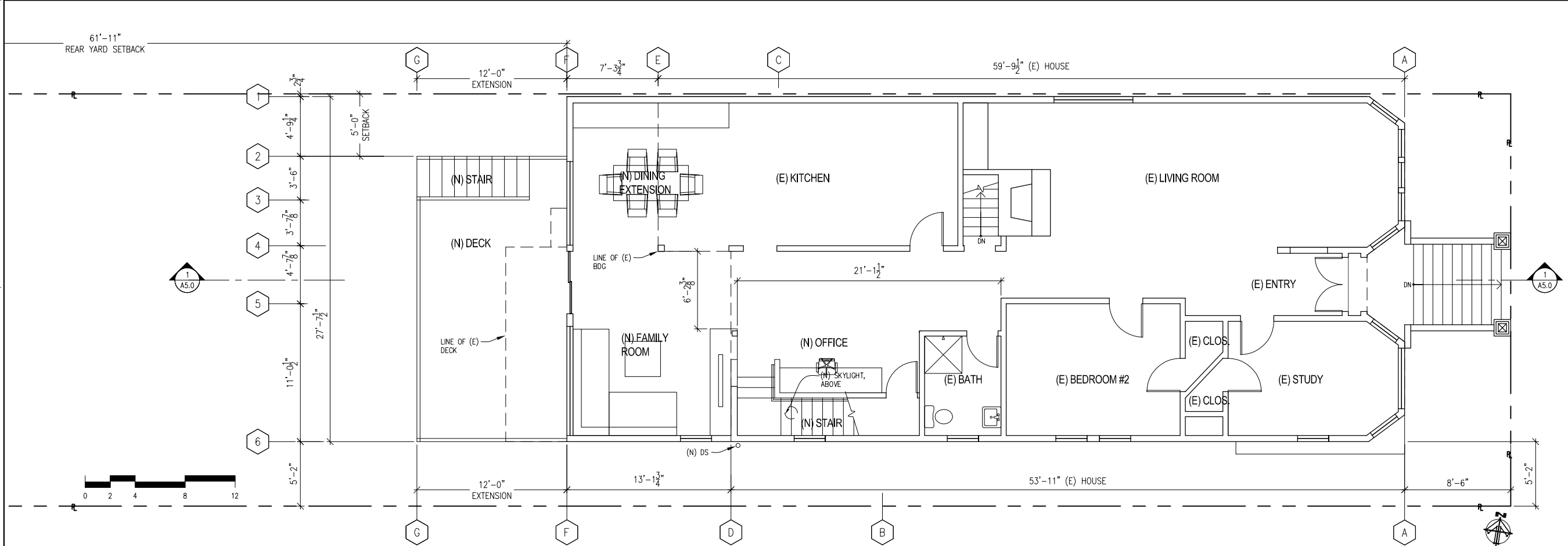
EXISTING 1st & 2nd FLOOR PLANS

**A1.2**



PLAN - PROPOSED SECOND FLOOR

2



PLAN - PROPOSED FIRST FLOOR

1

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**EICHLER ADDITION**

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PROPOSED 1st and 2nd FLOOR PLANS

**A2.1**

EXISTING MATERIALS

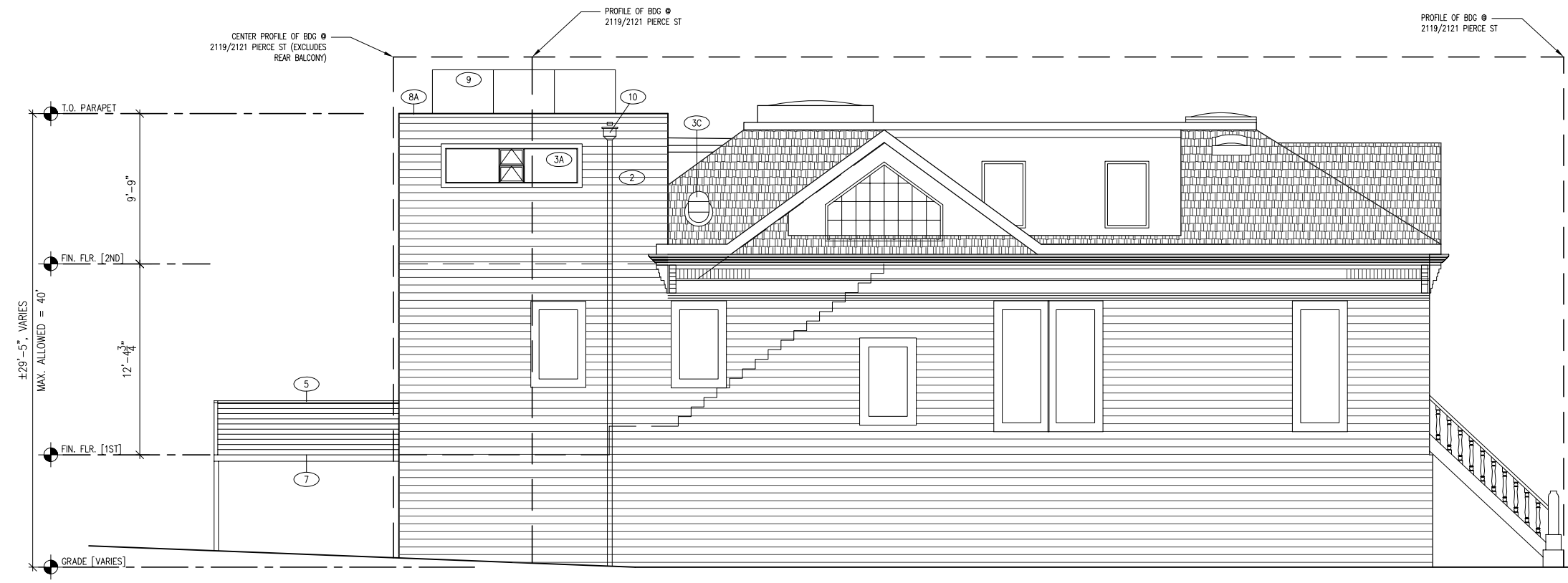
- 1 (E) ASPHALT FIBERGLASS COMPOSITION SHINGLE ROOFING
- 2 (E) ASPHALT MEMBRANE SIDING
- 3 (E) WOOD HORIZONTAL SIDING
- 4A (E) WOOD WINDOWS
- 4B (E) WOOD DOORS
- 4C (E) ALUMINUM SKYLIGHTS
- 5 (E) WOOD GAURDRAIL, DECK AND STAIRS
- 6 (E) GUTTERS: PAINTED



EXISTING SOUTH ELEVATION

NEW MATERIALS

- 1 MEMBRANE FLAT ROOFING.
- 2 WOOD SIDING
- 3A METAL WINDOWS: COLOR SILVER
- 3B PATIO DOORS
- 3C SKYLIGHT
- 4 CABLE GUARDRAIL
- 5 WOOD STAIRS
- 7 WOOD EXTERIOR DECKING, STAINED
- 8A METAL PARAPET COPING: PAINTED
- 8B
- 9 SOLAR ROOF PANELS
- 10 DOWNSPOUT & SCUPPER



PROPOSED SOUTH ELEVATION

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EICHLER ADDITION

2123 PIERCE ST  
 SAN FRANCISCO, CA 94115

SCALE  
1/4" = 1'-0"

DRAWN BY  
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REVISIONS


EXISTING AND PROPOSED EXT. ELEVATIONS

A4.0

5

4

3

2

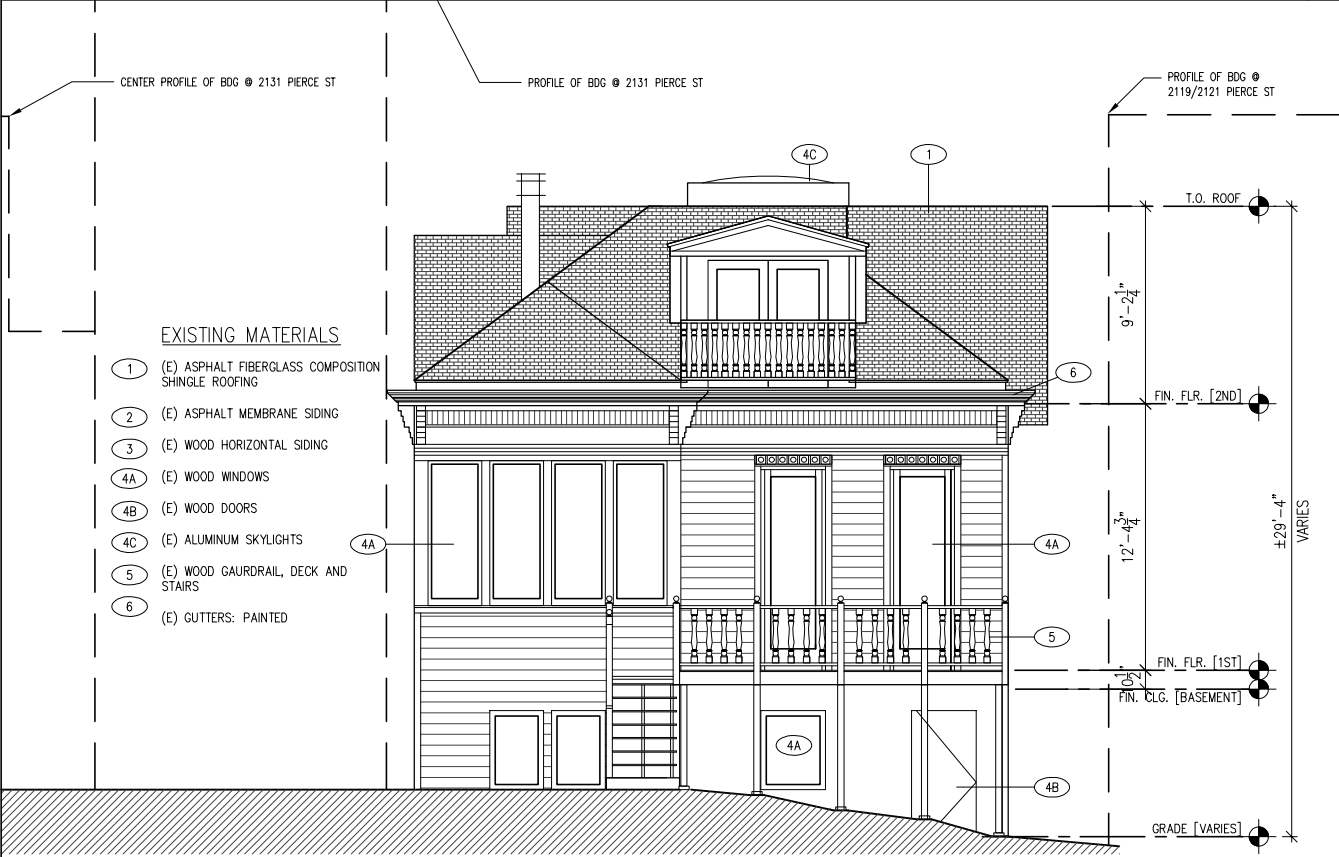
1



NO CHANGES WILL BE MADE TO THE FRONT ELEVATION

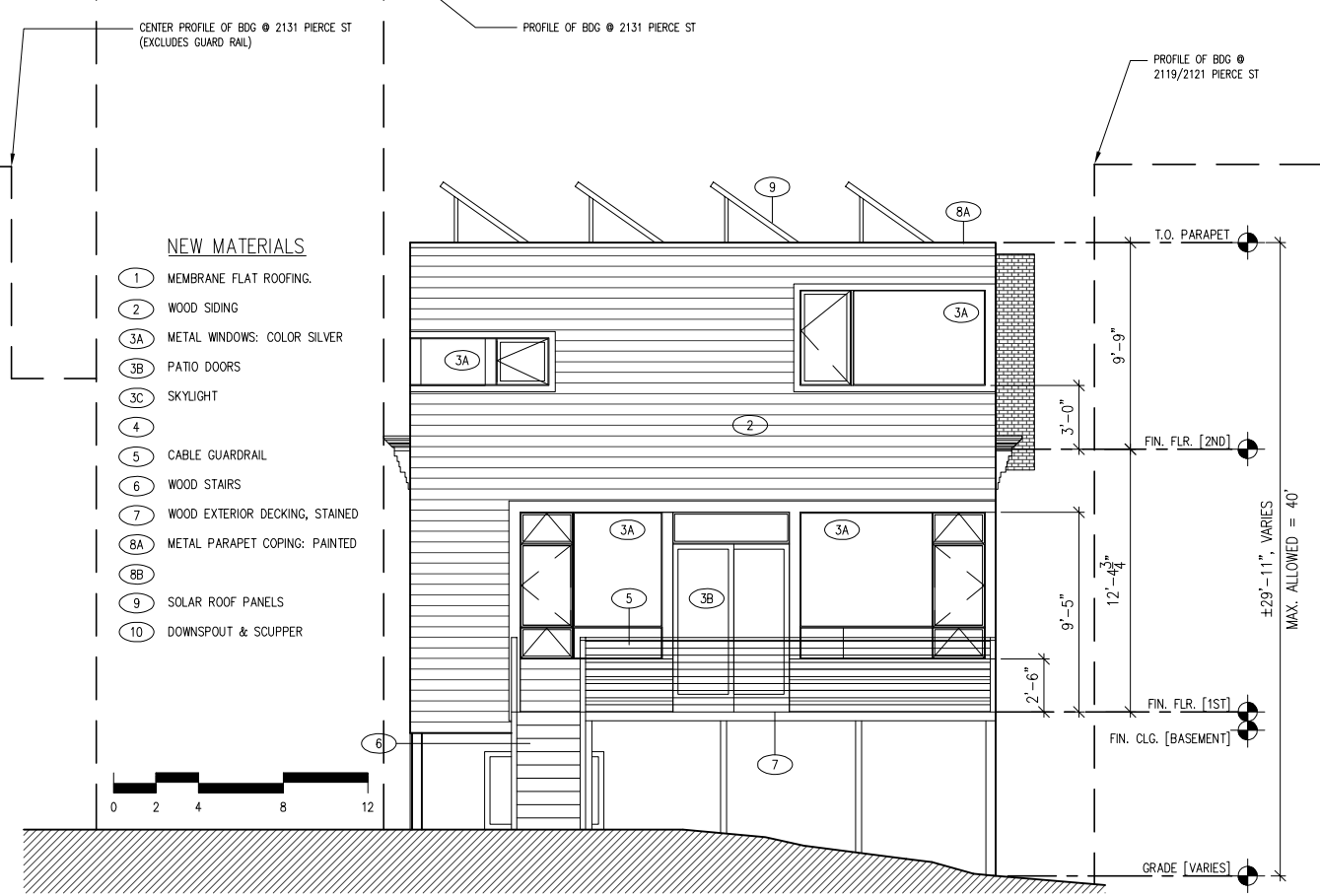
EXISTING EAST ELEVATION

3



EXISTING WEST ELEVATION

2



PROPOSED WEST ELEVATION

1

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EICHLER ADDITION

2123 PIERCE ST  
SAN FRANCISCO, CA 94115

SCALE  
1/4" = 1'-0"

DRAWN BY  
MT

DATE  
AUGUST 17, 2011

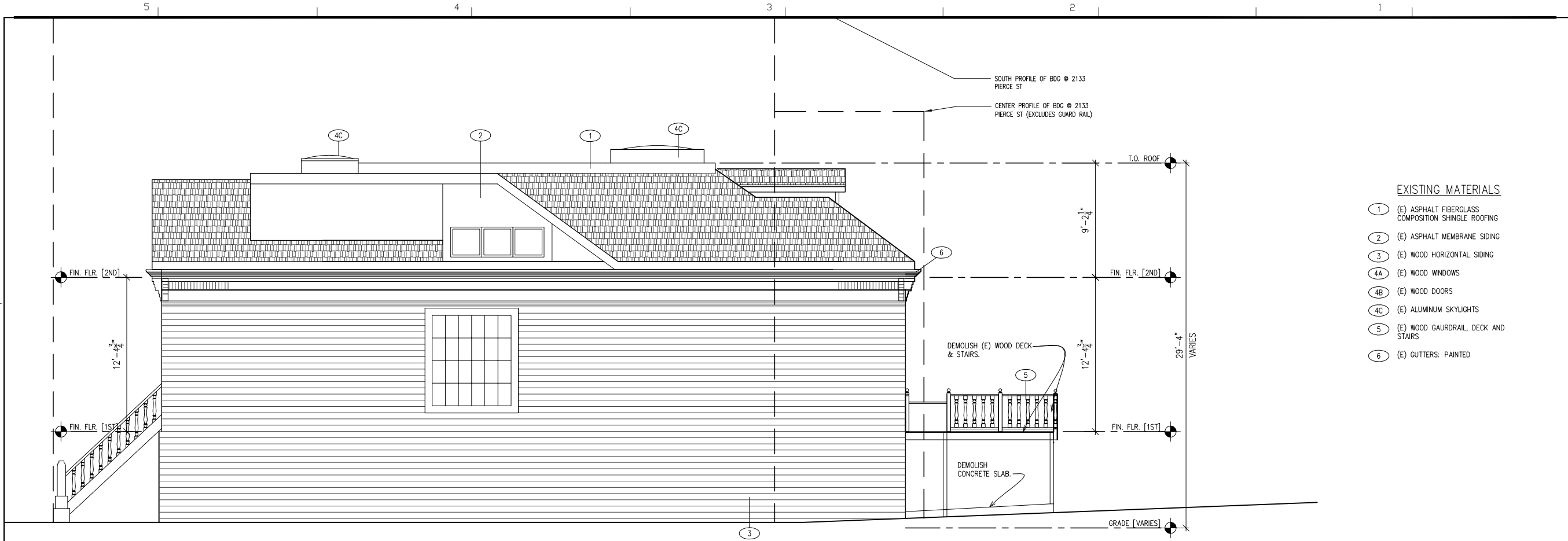
ISSUE FOR  
PLANNING - SECT 311 NOTICE

JOB NUMBER  
0914D

REVISIONS


EXISTING AND PROPOSED EXT. ELEVATIONS

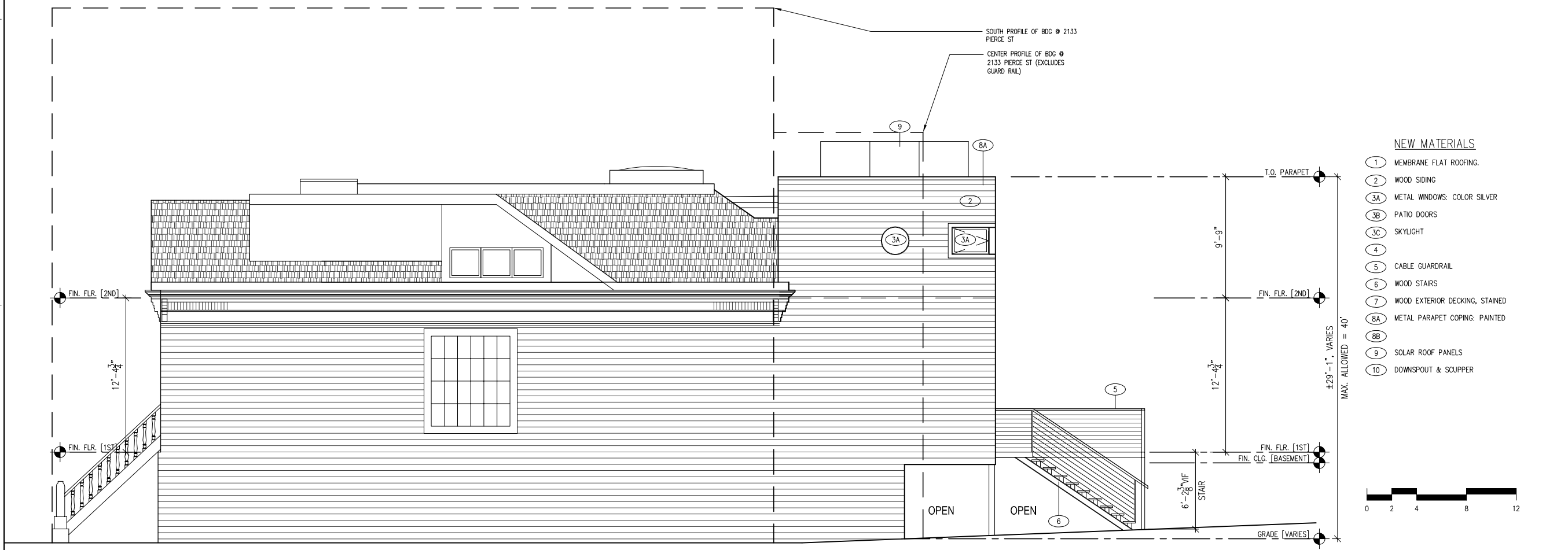
A4.1



- EXISTING MATERIALS**
- ① (E) ASPHALT FIBERGLASS COMPOSITION SHINGLE ROOFING
  - ② (E) ASPHALT MEMBRANE SIDING
  - ③ (E) WOOD HORIZONTAL SIDING
  - ④A (E) WOOD WINDOWS
  - ④B (E) WOOD DOORS
  - ④C (E) ALUMINUM SKYLIGHTS
  - ⑤ (E) WOOD GAURDRAIL, DECK AND STAIRS
  - ⑥ (E) GUTTERS: PAINTED

EXISTING NORTH ELEVATION

2



- NEW MATERIALS**
- ① MEMBRANE FLAT ROOFING.
  - ② WOOD SIDING
  - ③A METAL WINDOWS: COLOR SILVER
  - ③B PATIO DOORS
  - ③C SKYLIGHT
  - ④ CABLE GUARDRAIL
  - ⑤ WOOD STAIRS
  - ⑦ WOOD EXTERIOR DECKING, STAINED
  - ⑧A METAL PARAPET COPING: PAINTED
  - ⑧B
  - ⑨ SOLAR ROOF PANELS
  - ⑩ DOWNSPOUT & SCUPPER



PROPOSED NORTH ELEVATION

1

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**EICHLER ADDITION**  
 2123 PIERCE ST  
 SAN FRANCISCO, CA 94115

**S C A L E**  
 1/4" = 1'-0"  
**D R A W N B Y**  
 MT  
**D A T E**  
 AUGUST 17, 2011  
**I S S U E F O R**  
 PLANNING - SECT 311 NOTICE  
**J O B N U M B E R**  
 0914D  
**R E V I S I O N S**  
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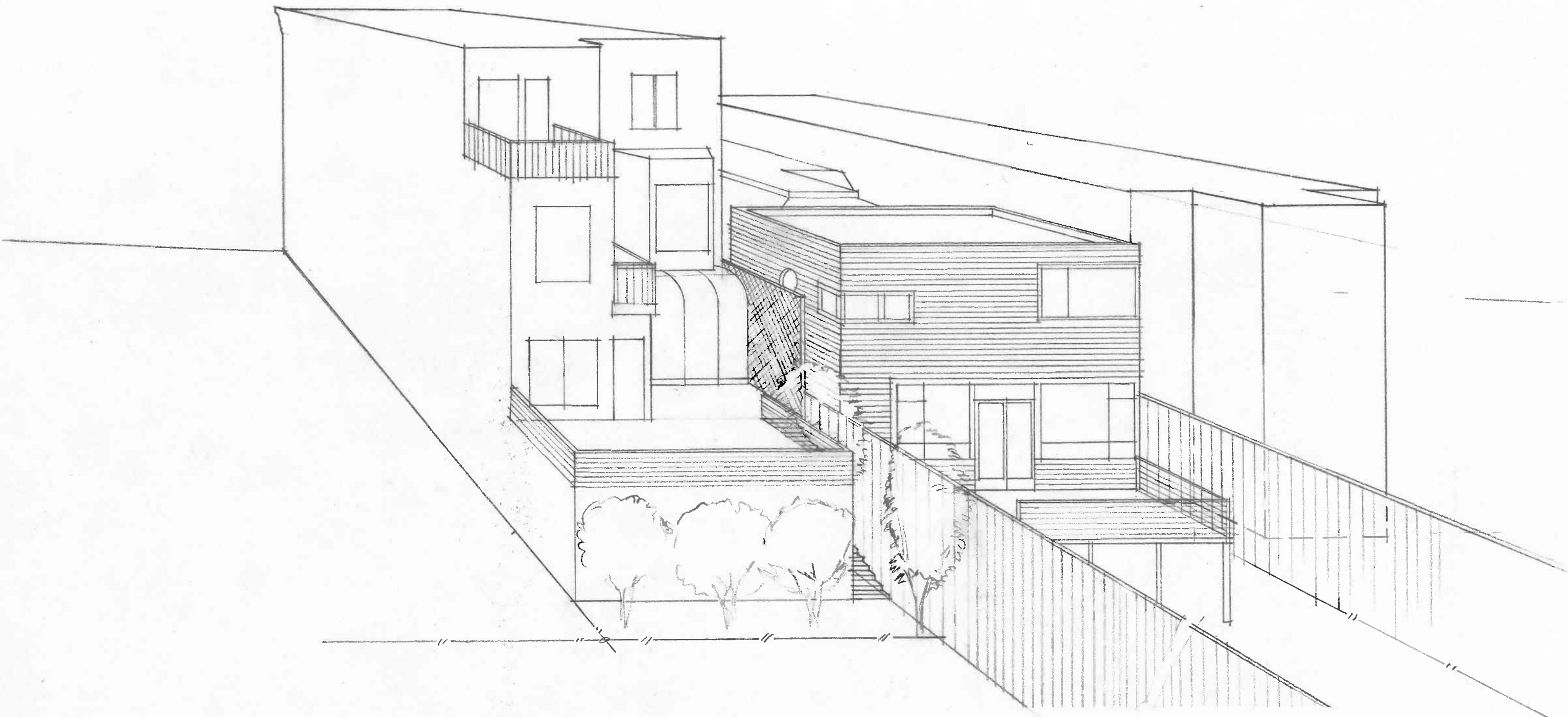
EXISTING AND PROPOSED EXT. ELEVATIONS

**A4.2**

2131 Pierce

2123 Pierce

2119-2121 Pierce



PROPOSED ADDITION FOR 2123 PIERCE STREET  
EICHLER RESIDENCE      CHENG DESIGN, 1-6-12

**2131 Pierce Street  
(DR Requestors' Property)**

**2119 - 2121 Pierce Street**

**2123 Pierce Street  
(Subject Property)**





2131 Pierce Street (DR Requestor)

2123 Pierce Street  
(Subject Property)



**2123 Pierce Street  
Subject Property  
Rear view of existing home**



**Rear of 2132 Pierce Street  
(DR Requestor)**

**Rear of 2123 Pierce Street  
(Subject Property)**



**Rear yard of 2131 Pierce Street  
(DR Requestor)**



**Rear of 2123 Pierce Street  
(Subject Property)**

**Rear of 2119-2121 Pierce Street**



**Rear yard of 2123 Pierce Street  
(Subject Property)**

