

Date:

### SAN FRANCISCO PLANNING DEPARTMENT

September 20, 2012

## **Discretionary Review Analysis** Residential Demolition/New Construction

HEARING DATE: SEPTEMBER 27, 2012

Suite 400
San Francisco,
CA 94103-2479

1650 Mission St.

Reception: 415.558.6378

Case No.:	2009.0724D/2012.0888D	Fax:
Project Address:	2833-2835 Fillmore Street/2300 Vallejo Street	415.558.6409
Zoning:	RH-2 (Residential House, Two-Family)	
-	40-X Height and Bulk District	Planning Information:
Block/Lot:	0558/043 and 044	415.558.6377
Project Sponsor:	Thomas Tunny, Ruben and Junius	
	One Bush Street, Suite 600	
	San Francisco, CA 94104	
Staff Contact:	Aaron Starr – (415) 588-6362	
	<u>aaron.starr@sfgov.org</u>	
Recommendation.	Take DR and disapprove demolition and new construction	

Recommendation:	Take DR and disapprove demolition and new construction
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DEMOLITION APPLICAT	ION	NEW BUILDING APPLICATION		
Demolition Case Number	2009.0724D	New Building Case Number	2012.0888D	
Recommendation	Take DR and Disapprove	Recommendation	Take DR and Disapprove	
Demolition Application Number	2012.03.05.5415	New Building Application Number	2012.03.05.5407	
Number Of Existing Units	2	Number Of New Units	2	
Existing Parking	0	New Parking	0	
Number Of Existing Bedrooms	4	Number Of New Bedrooms	21	
Existing Building Area	±1,384 sq. ft.	New Building Area	±1,069 sq. ft.	
Public DR Also Filed?	No	Public DR Also Filed?	No	
311 Expiration Date	9/26/12	Date Time & Materials Fees Paid	N/A	

#### PROJECT DESCRIPTION

The proposal is to demolish the two-unit, two-story-over-basement building located at 2833 Fillmore Street and construct a new two-unit, two-story building with a partially covered roof deck. The roof deck will extend over the property line dividing 2833 Fillmore Street and 2300 Vallejo Street and serve as open

<sup>&</sup>lt;sup>1</sup> The Department is counting a studio unit as having one bedroom even though there are technically no separate bedrooms provided in the units.

space for both the proposed building and 2300 Vallejo Street. The project also includes a minor lot line adjustment between the two lots.

#### SITE DESCRIPTION AND PRESENT USE

2833-2835 Fillmore Street is a 788 sq. ft. laterally sloping lot occupied by a 1,384 sq. ft, two-unit, twostory-over-basement building. The subject building almost covers the entire lot. The property is within a RH-2 (Residential, House, Two-Family) Zoning District with a 40-X Height and Bulk designation. This building was constructed in 1956, and while listed on the City's 1976 Architectural Survey, it is not considered to be a Historical Resource for the purposes of CEQA.

2300 Vallejo Street is a 2,015 sq. ft. downward sloping lot occupied by a 6,249 sq. ft. single-family, fourstory-over-basement, building. It is also located within a RH-2 Zoning District and 40-X height and bulk district. This building was constructed in 1899 and was determined to be a historic resource for the purposes of CEQA. In 2006, the current owner of 2300 Vallejo applied for and was granted a dwelling unit merger to remove a one-bedroom unit with a full bath, a full kitchen, and its own separate entry that was subject to rent control. In 1996, a previous owner of 2300 Vallejo applied for and was granted a substandard lot Variance to create a separate lot for 2833-2835 Vallejo Street.

#### SURROUNDING PROPERTIES & NEIGHBORHOOD

The project site is located at the corner of Vallejo Street and Fillmore Street in Pacific Heights. Immediately across the street from the subject property is the Vedanta Society of North California. The zoning in the immediate area includes RH-1, RH-2 and RH-3 Districts; however, there are also some large apartment buildings in the area. The subject site is within four blocks of the Upper Fillmore Street Neighborhood Commercial District and within two blocks of the Union Street Neighborhood Commercial District.

#### HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	September 17, 2012	September 17, 2012	10 days
Mailed Notice	10 days	September 17, 2012	September 17, 2012	10 days

#### PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	-
Other neighbors on the			
block or directly across	0	0	-
the street			
Neighborhood groups	0	0	-

#### REPLACEMENT STRUCTURE

The replacement structure will cover almost the entire lot, contain two studio units and rise to approximately 24 feet in height. Open space for the two units would be provided on a roof deck above the new structure; this deck will also be shared with the occupants of 2300 Vallejo Street. The proposed replacement structure requires front setback, rear yard, substandard lot, parking and dwelling unit exposure variances from the Planning Code. The project also includes enclosing the rear yard of 2300 Vallejo to create a garage that will contain three parking spaces.

#### PUBLIC COMMENT

The Project has completed the Section 311 and Mandatory DR notification. Staff has not received any communications regarding this project from neighbors or other members of the public. No separate Discretionary Review was filed.

#### GENERAL PLAN COMPLIANCE

The Project is, on balance, not consistent with the Objectives and Policies of the General Plan:

#### HOUSING ELEMENT Objectives and Policies

#### **OBJECTIVE 2:**

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

#### Policy 2.1:

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

The proposal is to demolish sound existing housing and will not increase the net number of affordable units or market rate units.

#### **OBJECTIVE 3:**

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

#### Policy 3.1

Preserve rental units; especially rent controlled units, to meet the City's affordable housing needs.

The proposal will demolish existing units that are subject to rent control.

#### Policy 3.4

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

The proposal will demolish two units that are considered "naturally affordable" because they are smaller and older units.

#### SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

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

The proposal will have no impact on neighborhood serving retail uses.

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

The proposal would not preserve existing housing or conserve neighborhood character. The project proposes to demolish two, two-bedroom, rent controlled units and replace them with two new studio units, one of which will not have adequate exposure.

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

The proposal will not demolish existing affordable housing, but it will demolish two units that are subject to rent control and considered "naturally affordable" due to their size and age.

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

The proposal will have no impact on MUNI transit services and will not overburden city streets or neighborhood parking.

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

The proposal will have no impact on industrial or service sector jobs.

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not affect the property's ability to withstand an earthquake.* 

7. Landmarks and historic buildings be preserved.

The proposal has gone through historic review and will not have a negative impact on the adjacent historic structure at 2300 Vallejo Street.

8. Parks and open space and their access to sunlight and vistas be protected from development.

The proposal will have no effect on the City's parks or open space.

#### ENVIRONMENTAL REVIEW

The Project was issued a Categorical Exemption, Classes 1 and 5 [State CEQA Guidelines Section 15301(1)(1) and 15303(b)] on December 22, 2009.

#### **BASIS FOR RECOMMENDATION**

The Department recommends that the demolition of the existing two-unit building and the construction of a new two-unit dwelling be disapproved. On balance, the Project is not consistent with the Objectives and Policies of the General Plan or the demolition criteria outline in Planning Code Section 317. The Project does not meet the criteria set forth in Sections 101.1 of the Planning Code or the General Plan in that:

- The proposal would not preserve existing housing or conserve neighborhood character. The project proposes to demolish two, two-bedroom, rent controlled units and replace them with two new studio units, one of which will not have adequate exposure.
- The project will not result in a net gain of dwelling units.
- The project will result in a net loss of bedrooms.
- The project will not create family-sized dwelling units.
- The proposal will demolish two "naturally affordable" units that are also subject to rent control.
- The subject property is at its maximum density for this zoning district; this project cannot be considered infill housing on an under-utilized lot.

#### **RECOMMENDATION:**

Case No. 2009.0724D – Take DR and disapprove the demolition. Case No. 2012.0888D – Take DR and disapprove the new construction.

#### **DEMOLITION CRITERIA - ADMINISTRATIVE REVIEW**

#### **Existing Value and Soundness**

1. Whether the Project Sponsor has demonstrated that the value of the existing land and structure of a single-family dwelling is not affordable or financially accessible housing (above the 80% average price of single-family homes in San Francisco, as determined by a credible appraisal within six months);

#### Criteria Not Applicable to Project

The proposed project does not qualify for this exception because it is a two-unit building in an RH-2 Zoning District.

2. Whether the housing has been found to be unsound at the 50% threshold (applicable to one- and two-family dwellings);

#### Project Does Not Meets Criteria

The project sponsor is not claiming that the subject building is unsound; no soundness report has been provided to the Planning Department for review.

#### **DEMOLITION CRITERIA**

#### **Existing Building**

1. Whether the property is free of a history of serious, continuing code violations;

#### **Project Meets Criteria**

A review of the databases for the Department of Building Inspection and the Planning Department did not show any enforcement cases or notices of violation.

2. Whether the housing has been maintained in a decent, safe, and sanitary condition;

#### **Project Meets Criteria**

The housing is free of Housing Code violations and appears to have been maintained in a decent, safe, and sanitary condition.

3. Whether the property is a "historical resource" under CEQA;

#### **Project Meets Criteria**

Although the structure is more than 50-years old, a review of the Historic Resource Evaluation resulted in a determination that it is not an historic resource for the purposes of CEQA.

4. If the property is a historical resource, whether the removal of the resource will have a substantial adverse impact under CEQA;

#### Criteria Not Applicable to Project

The property is not a historical resource.

#### **Rental Protection**

5. Whether the Project converts rental housing to other forms of tenure or occupancy;

#### Criteria Not Applicable to Project

The existing unit is currently vacant and thus not rental housing.

6. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

#### Project Does Not Meets Criteria

*The subject building is a two-unit building that was constructed prior to 1979 and is subject to the Rent Stabilization and Arbitration Ordinance* 

#### **Priority Policies**

7. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

#### Project Does Not Meet Criteria

The project does not meet this criterion because the existing dwelling units will be demolished. The replacement units will be smaller and with fewer bedrooms.

8. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

#### Project Does Not Meet Criteria

The project will conserve the neighborhood character by constructing a replacement building that is compatible with regard to materials, massing, and glazing pattern with the dwellings in the surrounding neighborhood. However, the proposed project will demolish two units of sound housing, which are considered "naturally affordable" units because of their age and size and will thus not preserve neighborhood economic diversity.

9. Whether the Project protects the relative affordability of existing housing;

#### Project Does Not Meet Criteria

The proposed project demolishes two units of sound existing housing and replaces them with two new units. Because existing housing tends to be more affordable than new construction, and the unit count is not being increased, the proposed project does not protect the relative affordability of existing housing.

10. Whether the Project increases the number of permanently affordable units as governed by Section 415;

#### Project Does Not Meet Criteria

The project does not include any permanently affordable units, as the construction of two units does not trigger Section 415 review.

#### **Replacement Structure**

11. Whether the Project located in-fill housing on appropriate sites in established neighborhoods;

#### Project Does Not Meet Criteria

The project replaces two units with two units on a lot zoned for two units; it does not better utilize an underutilized lot in an established neighborhood and therefore cannot be considered in-fill housing.

12. Whether the Project creates quality, new family housing;

#### Project Does Not Meet Criteria

The project demolishes two, two bedrooms units and constructs two studio units; the proposed project does not create quality, new family housing but rather takes away housing that could be considered family housing.

13. Whether the Project creates new supportive housing;

#### Project Does Not Meet Criteria

*The project is not specifically designed to accommodate any particular Special Population Group as defined in the Housing Element.* 

14. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;

#### **Project Meets Criteria**

The project is in scale with the surrounding neighborhood, constructed of high-quality materials and creatively joins the subject property to 2300 Vallejo Street to provide open space for both properties.

15. Whether the Project increases the number of on-site dwelling units;

#### Project Does Not Meet Criteria

*The project will not increase the number of units on site; it will maintain the existing the number of units on the site.* 

16. Whether the Project increases the number of on-site bedrooms.

#### Project Does Not Meet Criteria

*The project decreases the number of bedrooms from four to two. The Department is counting a studio unit as having one bedroom even though there are no separate bedrooms provided in the units.* 

## **Design Review Checklist**

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

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

**Comments:** The surrounding neighborhood consists of a mixture of three- and four-story buildings containing mostly one or two residential units. The buildings are rendered in a variety of styles from the Victorian the Modern Era. However the majority of homes are rendered in period revival or eclectic styles and clad in wood, brick or stucco.

#### 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?	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?			x
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?			X

**Comments:** The new building respects the existing block pattern by having a similar foot print to the building it is replacing. The overall height of the proposed new building is lower than the building it would be replacing, and lower than the adjacent buildings or the buildings across the street. While the building covers the entire rear yard, the lot is very shallow and the building does not extend into the

midblock open space. While the building does not provide a better transition between buildings at the front setback, the nature of its location and the size of the lot lessen the importance of this guideline.

#### 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?	x		
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?			
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**: Given that the building is significantly smaller than the adjacent buildings and its unusual program, the proposed design is entirely appropriate for the scale and form of the surrounding neighborhood.

#### **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?	λ		
Does the location of the building entrance respect the existing pattern of building			x
entrances?			•
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?			•
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?			~
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 building elements?		x
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:** The entrance to the two units enhances the connection between the public realm of the street and sidewalk and the private realm of the building. The proposed structure does not include any off-street parking. The stair penthouse and roof deck features are well within the height limit and compatible with the surrounding area.

#### **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?	x		
Are the building's materials properly detailed and appropriately applied?	X		

**Comments:** The placement and scale of the architectural details are compatible with the mixed residential character of this neighborhood. The aluminum windows with are residential in character and compatible with the window patterns found on neighboring buildings. The mix of stucco and wood siding is compatible with the existing buildings in the neighborhood.

# SPECIAL GUIDELINES FOR ALTERATIONS TO BUILDINGS OF POTENTIAL HISTORIC OR ARCHITECTURAL MERIT (PAGES 49 – 54)

QUESTION	YES	NO	N/A
Is the building subject to these Special Guidelines for Alterations to Buildings of Potential Historic or Architectural Merit?			
Are the character-defining features of the historic building maintained?	X		

Are the character-defining building form and materials of the historic building maintained?	x	
Are the character-defining building components of the historic building maintained?	x	
Are the character-defining windows of the historic building maintained?	X	
Are the character-defining garages of the historic building maintained?		X

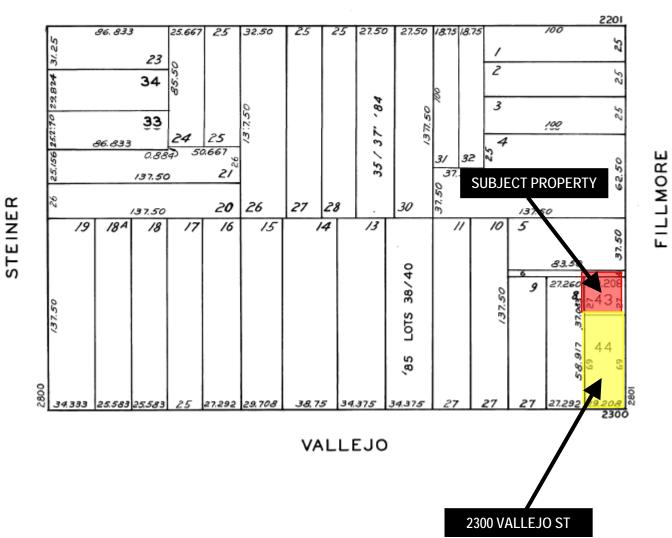
**Comments:** The dwelling that will be demolished has been determined not to be an historical resource for the purposes of CEQA. The proposed garage and roof deck have been determined not to be an impact to 2300 Vallejo Street, which was found to be a historical resource for the purposes of CEQA.

#### Attachments:

Design Review Checklist for replacement building Block Book Sanborn and Zoning Map Aerial Photographs Section 311 Notice Residential Demolition Application and Prop M findings Environmental Evaluation / Historic Resources Information Reduced Plans, Context Photos and Color Rendering

\* All page numbers refer to the Residential Design Guidelines

## **Parcel Map**



GREEN



Discretionary Review Hearing Case Number 2009.0724D & 2012.0888D Demo/New Construction 2833-2835 Fillmore St./2300 Vallejo St.

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# **Block Pattern**

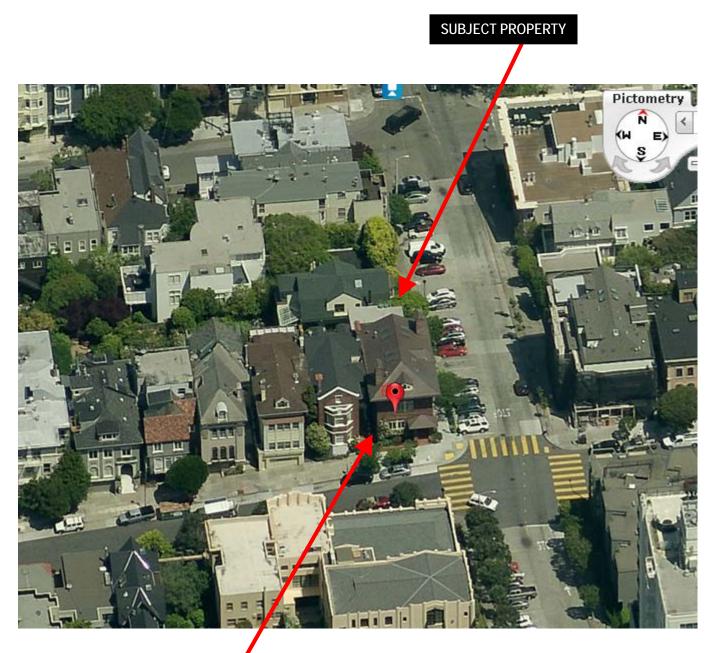




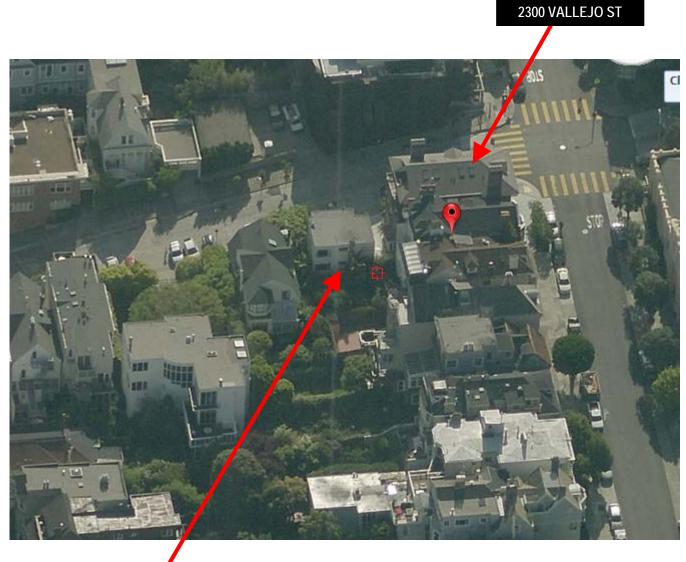






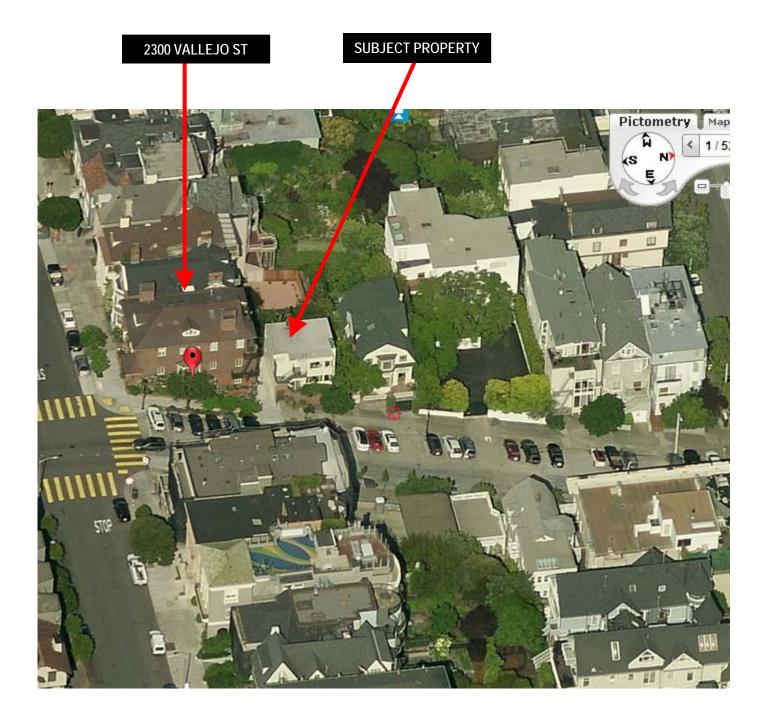






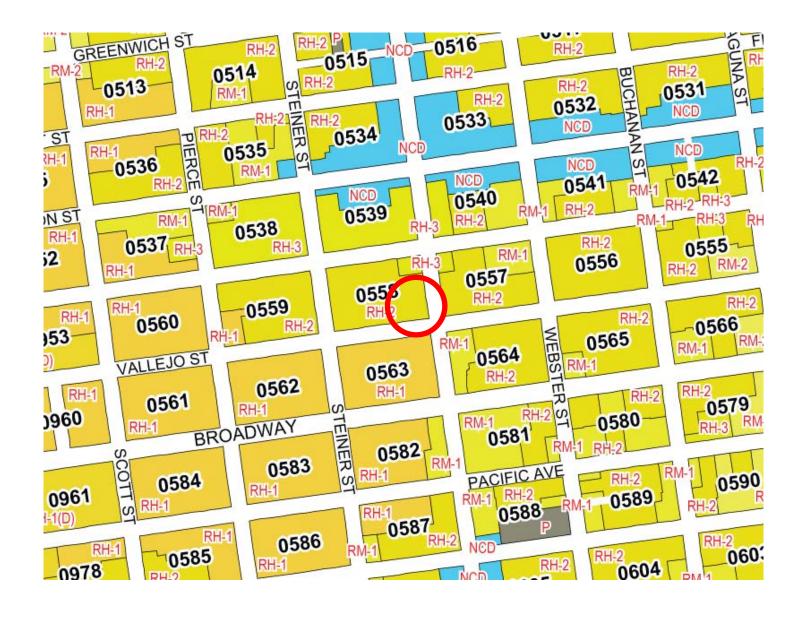








# **Zoning Map**







### SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

### NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On March 5, 2012, the Applicant named below filed Building Permit Application Nos. 2012.03.05.5415 (Demolition) and 2012.03.05.5407 (New Construction) with the City and County of San Francisco.

С	ONTACT INFORMATION	PROJECT	SITE INFORMATION
Applicant:	Gast Architects	Project Address:	2833-2835 Fillmore Street
Address:	355 – 11 <sup>th</sup> Street, Suite 300	Cross Streets:	Vallejo St. and Green St.
City, State:	San Francisco, CA 94103	Assessor's Block /Lot No.:	0558/043
Telephone:	(415) 885-2946	Zoning Districts:	RH-2 /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 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			
[X] DEMOLITION and/or	[X] NEW CONSTRUCTION or	[] ALTERATION		
[] VERTICAL EXTENSION	] CHANGE # OF DWELLING UNIT	S [] FACADE ALTERATION(S)		
[] HORIZ. EXTENSION (FRONT)	] HORIZ. EXTENSION (SIDE)	[] HORIZ. EXTENSION (REAR)		
PROJECT FEATURES	EXISTING CONDIT	TION PROPOSED CONDITIO		
FRONT SETBACK		0'		
SIDE SETBACKS	None	No Change		
BUILDING DEPTH				
REAR YARD				
HEIGHT OF BUILDING				
NUMBER OF STORIES				
NUMBER OF DWELLING UNITS	2	No Change		
NUMBER OF OFF-STREET PARKING SPA				
PROJECT DESCRIPTION				

The proposal is to demolish the existing two-unit, two-story-over-basement building and construct a two-unit, two-story building with a partially covered roof deck. The roof deck will extend over the south side property line and serve as outdoor open space for both the proposed building and 2300 Vallejo Street (APN 0558/044). The project also includes a minor lot line adjustment between 2300 Vallejo and the subject lot. The proposed project requires a mandatory Discretionary Review hearing before the Planning Commission for the demolition of the two existing units and rear yard, front setback, substandard lot, exposure and parking variances, which will be heard by the Zoning Administrator. A hearing for the DR and variances has been tentatively scheduled for September 27, 2012, Case #2009.0724DV.

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

DATE OF THIS NOTICE: EXPIRATION DATE:

### NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) 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.

- 1. 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.
- 2. **Call the nonprofit organization Community Boards at (415) 920-3820, or online at <u>www.communityboards.org</u> for a facilitated discussion in a safe and collaborative environment through mediation. Community Boards acts as a neutral third party and has, on many occasions, helped parties reach mutually agreeable solutions.**
- 3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, 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 www.sfplanning.org). You must submit the application to the Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check, for each Discretionary Review request payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. If the project includes multi building permits, i.e. demolition and new construction, a separate request 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 1650 Mission Street, 3rd Floor, Room 304**. For further information about appeals to the Board of Appeals, including their current fees, **contact the Board of Appeals** at **(415) 575-6880**.



SAN FRANCISCO PLANNING DEPARTMENT

### **Section 317 Application**

Section 317 of the Planning Code requires that a public hearing will be held prior to approval of any permit that will remove existing housing, with certain codified exceptions. Where a project will result in the loss of one or two residential units, the project is subject to a Mandatory Discretionary Review (DR) hearing before the Planning Commission, unless the Code specifically requires Conditional Use (CU) Authorization. Projects resulting in the loss of three or more units will require a Conditional Use hearing by the Planning Commission. If a Conditional Use is required, attach this Application as a supplemental document. All projects subject to Section 317 must fill out this cover sheet and the relevant attached Form(s) (A, B, or C), and contact Georgia Powell at (415) 558-6371 to schedule an intake appointment.

Project	Address	2833 – 2835 Fillmore Street	Name Andrew Junius / Thomas Tunny					
Block /	Lot	0558 / 043	Address	S One Bush Street, Suite 600		Street,		
Zoning		RH-2	City, State		e San Francisco, CA		San Francisco, CA	
Lot Are	а	788	Phone		(415) 567-9000		(415) 567-9000	
#	PF	ROJECT INFORMATION	EXISTING	- DONONGEN		NET CHANGE		
1	Total number	er of units	2	.2		0		
2	Total numb	er of parking spaces	0	1 1		1		1
3	Total gross	habitable square footage	1,384 1,069 -:		-315			
4	Total number of bedrooms		4 <sup>1</sup> 2 -2			-2		
5	Date of prop	perty purchase	2007					
6	Number of I	rental units	0 1 1			1		
7	Number of bedrooms rented		0 1 1		1			
8	Number of units subject to rent control		2	0		~2		
9	Number of bedrooms subject to rent control		ol 4 0 -4		-4			
10	Number of units currently vacant		2 0		0	-2		
11	Was the bui within the la	Iding subject to the Ellis Act ast decade?	No					
12	Number of (	owner-occupied units	2 <sup>2</sup> 1 -1			-1		

I have read and understood the information in this Application, including the required payment of time and material fees for processing this Application. I certify that I will pay all Planning Department time and material costs for processing this Application, as required by Sections 350(c) and 352(B) of the Planning Code.

Thomas Tunny July 10, 2012 REUBEN'& JUNIUS, LLP, ATTORNEYS FOR THE OWNER & PRINT NAME DATE PROJECT SPONSOR, DENNIS MYATT

<sup>&</sup>lt;sup>1</sup> Two rear bedrooms are legal non-conforming, and do not have adequate ventilation and lack emergency egress windows as required by current Building Code standards.

<sup>&</sup>lt;sup>2</sup> The Project Sponsor currently owns these units, but does not live in them. The Project Sponsor purchased the units vacant in January, 2007. The upper unit has been vacant since Aug. 2007, while the lower unit has been vacant since Jan. 2009. I:\R&a2\634001\Section 317 App v7.doc 1

### Loss of Dwelling Units through Demolition (FORM A – COMPLETE IF APPLICABLE)

Pursuant to Planning Code Section 317(d), the demolition of residential dwellings not otherwise subject to a Conditional Use Authorization shall be either subject to a Mandatory Discretionary Review hearing or will qualify for administrative approval. Administrative approval only applies to (1) single-family dwellings in RH-1 Districts proposed for Demolition that are not affordable or financially accessible housing (valued by a credible appraisal within the past six months to be greater than 80% of combined land and structure value of single-family homes in San Francisco); or (2) residential buildings of two units or fewer that are found to be unsound housing.

The Planning Commission will consider the following criteria in the review of applications to demolish Residential Buildings. Please fill out answers to the criteria below:

#### **PROJECT DEFINITION**

Dennis Myatt ("Project Sponsor") owns the property located at 2300 Vallejo Street (Block 0558, Lot 043) ("Vallejo Street Property") and the subject property, 2833 - 2835 Fillmore Street (Block 0558, Lot 044) ("Fillmore Street Property") (collectively, the "Properties"). The Properties are adjacent. The proposed demolition is a part of a larger project, which includes the following: (a) replacing the existing building on the Fillmore Street Property (now consisting of two 692-sf dwelling units) with 2 new dwelling units in a new, 1,069-sf 'green-point' rated 1-story over basement residential building; (b) constructing a 760-sf roof deck on top of the new Fillmore Street Property building accessible to both Properties; (c) constructing a 241-sf roof deck over a new 270-sf, 1-story attached garage, which replaces the existing exterior parking at the rear of the Vallejo Street Property; (d) the conversion of 2 rear-façade windows into doors to allow access to this roof deck, and other work sufficient to permit access to the roof deck constructed on the Fillmore Street Property; (e) a very slight adjustment of the lot line shared by the Properties, in a way that maintains the existing areas of both lots (the "Project"). Key benefits of the Project will be improved livability for families and added open space and rear yard access for both of the Properties. There will be no demolition of the Vallejo Street Property.

The proposed demolition and reconstruction will result in new high-quality family housing that is well-designed and enhances the existing neighborhood character. The demolition requirement also arises due to unusual factors surrounding these Properties. At the time the Vallejo Street Property was built in 1899, the Vallejo Street Property lot also encompassed the entirety of the Fillmore Street Property lot, which was then the Vallejo Street Property's rear yard ("Original Vallejo Street Property"). In 1955, the Planning Department approved a 2-unit building in the rear yard of the Original Vallejo Street Property. In 1996, the Original Vallejo Street Property lot was split into two lots, which resulted in the current Vallejo Street Property and the Fillmore Street Property, both of which were subsequently substandard lots. The Project upgrades the existing two units on the Fillmore Street Property and provides much-needed open space for both Properties.

#### EXISTING VALUE AND SOUNDNESS

1. Whether the Project Sponsor has demonstrated that the value of the existing land and structure of a single-family dwelling is not affordable or financially accessible housing (above the 80% average price of single-family homes in San Francisco, as determined by a credible appraisal within six months);

The Project DOES NOT MEET this criterion. A July 7, 2009 appraisal conducted by appraiser Howard M. Steiermann found that the Fillmore Street Property's existing land and structure value was \$1.35 million, which is below the \$1.9 million affordability threshold established by the

Implementation Document<sup>3</sup> for a two-family home. This value likely has increased since 2009 because of the gradual improvement in the real estate market generally. Moreover, it should be noted that the two dwelling units in the Fillmore Street Property are small (1<sup>st</sup> floor: 692 sf; 2<sup>nd</sup> floor: 692 sf; Total: 1,384 sf). On a per square footage basis, the units' value (as of 2009) was approximately \$975 / sf, which makes this some of the most expensive real estate in the City. For instance, sources that track residential real estate prices estimate San Francisco residential real estate currently averages approximately \$419-\$544 / sf,<sup>4</sup> and thus the subject unit has a value approximately double the City's per square foot average rate.

2. <u>Whether the housing has been found to be unsound at the 50% threshold (applicable to one and two-family dwellings).</u>

The Project DOES NOT MEET this criterion. The current housing is sound at the 50% threshold. No study has been conducted to determine the soundness threshold, as the Project Sponsor acknowledges that the Property is sound at the 50% threshold as of the time of this application.

#### **EXISTING BUILDING**

1. Whether the property is free of a history of serious, continuing code violations;

The Project MEETS this criterion. The applicant knows of no code violations associated with this Property. The Implementation Document states that the purpose for considering this criterion is to prevent the Project Sponsor from purposefully failing to maintain the Property so as to cause a decline in the housing quality. (General Plan Objective 3 & Policy 3.1, Implementation Document at 4). The Project Sponsor has not failed to maintain the Property and has not sought to cause a decline in housing quality, and therefore has operated within the required intent of this criterion.

2. Whether the housing has been maintained in a decent, safe, and sanitary condition;

The Project MEETS this criterion. The applicant has maintained the house in a decent, safe, and sanitary condition. The Implementation Document states that the purpose for considering this criterion is to "eliminate building degradation causes by lack of maintenance from consideration of the building's soundness," so that "negligent owners are not 'rewarded' for poor maintenance." (General Plan Policy 3.1, Implementation Document at 4.) The Project Sponsor has not negligently maintained the Property poorly for purposes of seeking to demolish the Property. Therefore, the Project Sponsor has proceeded with the proper intent as defined by this criterion.

3. Whether the property is a "historical resource" under CEOA;

The Project is not a historic resource under CEQA and therefore MEETS this criterion. The Implementation Document states that the purpose for discussing this criterion is that "historic structures have a profound effect on defining neighborhood character," and thus "consideration of a building's potential as an historical resource is part of the review of any application to demolish ... such structures." (General Plan Policy 3.6, Implementation Document at 4.)

The Fillmore Street Property to be demolished was built in 1956. The Property is not formally listed in, or determined to be eligible for listing in, the California Register of Historical Resources, and therefore is not a mandatory historical resource. (Pub. Res. Code §21084.1.) The Planning Department issued a Categorical Exemption for the Properties on December 22, 2009 concluding that the Fillmore Street Property is not a historical resource under CEQA. (See <u>Exhibit A</u>.)

<sup>&</sup>lt;sup>3</sup> The "Implementation Document," as referenced in this application, is the Department of City Planning's Zoning Controls on the Removal of Dwelling Units: A San Francisco Planning Code Implementation Document (October 2010), which was approved by the Planning Commission. <sup>4</sup> See, e.g., Trulia (listing City and County of San Francisco average residential rate of \$544/sf) (available at:

<sup>&</sup>lt;sup>4</sup> See, e.g., Trulia (listing City and County of San Francisco average residential rate of \$544/sf) (*available at:* <u>http://www.trulia.com/real\_estate/San\_Francisco-California/</u>) (last visited: May 13, 2012); Zillow (listing City and County of San Francisco average residential rate of \$419/sf) (*available at:* http://www.zillow.com/local-info/CA-San-Francisco-home-value/r\_20330/#metric=mt%3D11%26dt%3D1%26tp%3D5%26rt%3D8%26r%3D20330) (last visited: May 13, 2012).

Presumptive historic resources are categorized in two manners. First, this group includes those sites included on a local register of historic resources, which is defined as a "list of properties officially designated or recognized as historically significant by a local government under a local ordinance or resolution." (Pub. Res. Code §5020.1(k).) The City has not officially adopted by ordinance or resolution any list that designates or recognizes the Property as an historic resource. Therefore, the Property is not a presumptive historic resource under this prong. Second, a site may be a presumptive historic resource if the State Office of Historic Preservation finds that the property has been or will be included in the State Historic Resources Inventory; that the survey and documentation were prepared in accordance with the State Office of Historic Preservation procedures and requirements; and that the resource has a specified significance rating. (Pub. Res. Code §21084.1.) The State Office of Historic Preservation has made none of these findings with regard to the Property; thus, the Property is not a presumptive historic resource under this prong. As the Property does not meet the requirements under either prong, the Property is not a presumptive historic resource. Even where a property is not listed on the California Register or a local register adopted by ordinance or resolution, the Planning Department may independently determine whether the property should be treated as a historical resource under CEQA. (Pub. Res. Code §21084.1; CEQA Guidelines §15064.5(a)(4).) This is referred to as a discretionary historic resource.

The Property is not listed in Article 10, nor is it a Category I building listed in Article 11, and thus is not a landmark. The Property's only rating on any of the adopted or unofficial landmark surveys is a rating of "1" in the Planning Department's 1976 Architectural Survey ("1976 Survey"). (See **Exhibit B**.) The 1976 Survey is the most exhaustive of the Department's surveys, including over 10,000 buildings in its review. (Preservation Bulletin No. 16, p. 31.) Therefore, inclusion in this survey does not necessarily indicate that a property is a discretionary historic resource for purposes of CEQA. Rather, the 1976 Survey ranks buildings on a scale of 0 to 5, with a 5 being the highest rating. The Property was ranked a "1," which is one of the lowest ratings on the scale, and places it within the bottom tier of the 10,000 buildings in the survey.

This constitutes a low ranking in what was the most comprehensive survey of properties by the City. In addition, a historical resources report by Carey & Co. that accompanies the Project's Environmental Evaluation application confirms this analysis. For these reasons, as stated above, the Planning Department has concluded that the Fillmore Street Property is not a historical resource under CEQA.

4. If the property is a historical resource, whether the removal of the resource will have a substantial adverse impact under CEQA;

The Project MEETS this criterion. Because the Property is not a historical resource, the Property's demolition will not have a substantial adverse impact under CEQA.

#### **RENTAL PROTECTION**

#### 5. Whether the Project converts rental housing to other forms of tenure or occupancy;

The Project MEETS this criterion. The Implementation Document states that the purpose of this criterion is determined by the fact that as "approximately two-thirds of San Francisco's residents are renters, the availability of sound and affordable rental housing is of major importance." (Policy 8.1, Implementation Document at 5.) The two dwelling units in the Fillmore Street Property are not rental properties. These dwelling units were previously owned by other owners, and are presently vacant and owned by the Project Sponsor. The Project Sponsor briefly rented these units after purchasing the units in January, 2007; however, the upper unit has been vacant since August, 2008, and the lower unit has been vacant since January, 2009. This period of rental is not significant in light of the fact that the units have primarily been owner-occupied.

Therefore, this Project will not convert rental housing to other forms of tenure or occupancy.

#### 6. <u>Whether the Project removes rental units subject to the Rent Stabilization and Arbitration</u> Ordinance;

The Project DOES NOT MEET this criterion. The Rent Stabilization and Arbitration Ordinance applies to "all residential dwelling units" built prior to the Ordinance's enactment in 1979. The Property currently consists of two residential dwelling units built in 1956, and therefore will remove two dwelling units subject to the Ordinance.

#### PRIORITY POLICIES

7. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

The Project MEETS this criterion. The Implementation Document states that "the Code and the procedures embodied in this document advance the goals of the General Plan by conserving sound housing, and by allowing the removal of housing if the replacement units increase the City's housing stock, or create family housing and other special needs housing, or increase density where appropriate." (General Plan Priority Policy 3, Implementation Document at 2.) The Project meets this criterion by providing a home more suitable for family living at the Vallejo Street Property. The two units proposed for demolition are each approximately 692 square feet in size, which is insufficient for raising a family. Therefore, the Project is not removing any family housing. The proposed Project's new improvements will provide an ample outdoor living area to be shared by both the newly-constructed units and the existing home at Vallejo Street Property. The home on the Vallejo Street Property has 4 bedrooms, and is of the size that would typically be required for a family. However, the Vallejo Street Property currently has no usable open space and a minimal rear yard, which are highly desirable for families. There is no usable open space at the lowest living level of the Vallejo Street Property, and the only open space on the Vallejo Street Property is on the third and fourth floor roof decks that are also a secondary means of egress. By providing a rear yard and usable open space for the Vallejo Street Property, the Project increases the attractiveness of this Property to families and assists the City in providing a housing stock amenable to family living.

The Fillmore Street Property to be demolished has been recognized as not contributing to the neighborhood character or contributing to the cultural diversity of the existing neighborhood, therefore, the demolition will not affect neighborhood character or the neighborhood's cultural diversity.

## 8. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The Project MEETS this criterion. The Project is in compliance with the City's Residential Design Guidelines, and therefore meets the stated purpose of conserving neighborhood character by requiring new residential buildings to meet those requirements. The Project also has been designed to be in compliance with the Secretary of Interior Standards, as is analyzed in the Carey & Co. historic resources report enclosed with the Project's Environmental Evaluation application.

#### 9. Whether the Project protects the relative affordability of existing housing;

The Project MEETS this criterion. The Implementation Document does not directly address this criterion. The Implementation Document's discussion of affordability, however, focuses primarily on those General Plan objectives and policies that speak to an effort to retain affordable rental housing. (General Plan Priority Policies 2, 3, and Policy 8.1, Implementation Document at 2, 5.) The dwelling units to be demolished were not previously rental units, and are currently owned by the Project Sponsor and are vacant. No renter will be affected by the demolition of these units. The criterion is also careful to note that it is concerned with "relative affordability" of units. The Pacific Heights neighborhood in which the Project is located is one of the City's most expensive and most sought-after neighborhoods. This simply is not the location where affordable housing—as it is typically defined and with which the General Plan policies are concerned—is available because of the desirability of the neighborhood. When last rented, the units received \$2,700 -

\$2,800 in rent. That rent is far above every threshold for affordability established by the Mayor's Office of Housing, including those for middle-income residents.<sup>5</sup> The City's policy regarding the loss of rental housing has always focused on affordable housing, and these units simply are not those units that are the target of the City's policy.

10. Whether the Project increases the number of permanently affordable units as governed by Section 315;

The Project MEETS this criterion. The affordable unit requirements of Section 315 apply to projects of five or more units. (Planning Code Section 315.3(a).) The proposed Project replaces two dwelling units with two new dwelling units, and therefore does not require any affordable units and is in compliance with the requirements of Section 315.

#### **REPLACEMENT STRUCTURE**

11. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods:

The Project MEETS this criterion. The Property will maintain two dwelling units in the established Pacific Heights residential neighborhood. The site is appropriate for residential use, as the surrounding neighborhood use is also residential.

12. Whether the Project creates quality, new family housing;

The Project MEETS this criterion. The two units proposed for demolition are each approximately 692 square feet in size, which is insufficient for raising a family. Therefore, the Project is not removing any family housing. The proposed Project's new improvements will provide an ample outdoor living area to be shared by both the newly-constructed unit and the existing home at the Vallejo Street Property. The home at the Vallejo Street Property has 4 bedrooms, and is of the size that would typically be required for a family. However, the Vallejo Street Property currently has no usable open space and a minimal rear yard, which is highly desirable for families. There is no usable open space at the lowest living level of the Vallejo Street Property, and the only open space on the Vallejo Street Property is on the third and fourth floor roof decks that are also a secondary means of egress. By providing a rear yard and usable open space for the Vallejo Street Property to families.

13. Whether the Project creates new supportive housing;

The Project MEETS this criterion. The Implementation Document defines "supportive housing" as servicing, in part, the "disabled," "households with special needs," "large families, especially those newly immigrated to the United States," "elderly citizens," the "city's homeless population," and "the mentally disabled." (General Plan Policy 8.6, Implementation Document at 5.) No single project is able to service all of the supportive housing needs mentioned by the Implementation Document, or that are envisioned by this criterion. However, to the extent that a project is amenable to assisting a sub-set of these groups, it should be considered to meet this criterion. The new units proposed in the Project on the Fillmore Street Property are ideal for an elderly citizen of the City; in fact, a contemplated use of one of the new units is for the Project Sponsor's parent. Independent of that, the location of the units near a neighborhood commercial district is ideal for an elderly citizen, for whom car travel may no longer be an option, as it provides ready access to essential goods and services within a walkable distance of the Union Street Neighborhood Commercial District.

14. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;

The Project MEETS this criterion. The Project provides a new building that is designed to be in accordance with the Residential Design Guidelines and the Secretary of Interior Standards. The proposed new building was also designed in response to neighborhood concerns regarding the

<sup>&</sup>lt;sup>5</sup> See http://sf-moh.org/modules/showdocument.aspx?documentid=5608

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scale of an earlier proposal, and the desire for less excavation and a shorter construction time by the neighbors. The design of the new building is also smaller than the existing building envelope, which will provide adjoining neighbors additional light, air, and views. The architects, Gast Architects, are a well-known architectural firm with experience in both historical preservation and green building processes. The proposed new building is designed to gain 95 GreenPoints in the Build It Green rating system, far in excess of the City's green building requirements and nearly twice the number of points required to be GreenPoint Rated. In addition, the Project Sponsor plans to deconstruct, rather than demolish, the existing structure, permitting re-use of those building materials in the existing building.

15. Whether the Project increases the number of on-site dwelling units;

The Project DOES NOT MEET this criterion. The Project will demolish two existing dwelling units and replace them with two new dwelling units.

16. Whether the Project increases the number of on-site bedrooms.

The Project DOES NOT MEET this criterion. There are currently 4 existing bedrooms; the proposed Project would demolish the existing bedrooms and replace them with 2 new bedrooms. However, it should be noted that two of the existing bedrooms do not have adequate ventilation and lack emergency egress windows, as would be required under current Building Code requirements.

### Loss of Dwelling Units through Merger (FORM B – COMPLETE IF APPLICABLE)

Pursuant to Planning Code Section 317(e), the merger of residential dwelling-units not otherwise subject to a Conditional Use Authorization shall be either subject to a Mandatory Discretionary Review hearing or will qualify for administrative approval. Administrative review criteria only applies to those Residential Units proposed for Merger that are (1) not affordable or financially accessible housing are exempt from Mandatory DR (valued by a credible appraisal within the past six months to be greater than 80% of combined land and structure value of single-family homes in San Francisco); and (2) meet a supermajority of the merger criteria listed below.

Please state how the project meets or does not meet the following criteria:

- 1. Does the removal of the unit(s) eliminate only owner-occupied housing, and if so, for how long was the unit(s) proposed to be removed owner-occupied?
- 2. Is the removal of the unit(s) and the merger with another intended for owner occupancy?
- 3. <u>Will the removal of the unit(s) bring the building closer into conformance with the prevailing density in its immediate area and in the same zoning district?</u>
- 4. <u>Will the removal of the unit(s) bring the building closer into conformance with the prescribed</u> zoning?
- 5. <u>Is the removal of the unit(s) necessary to correct design or functional deficiencies that cannot be</u> <u>corrected through interior alterations?</u>

### Loss of Dwelling Units through Conversion (FORM C – COMPLETE IF APPLICABLE)

Pursuant to Planning Code Section 317(f), the Conversion of residential dwelling-units not otherwise subject to a Conditional Use Authorization shall be subject to a Mandatory Discretionary Review. In reviewing proposals for the Conversion of residential dwelling-units to other forms of occupancy, the Planning Commission will review criteria 1-5 listed below.

Please state how the project meets or does not meet the following criteria:

- 1. <u>Will the conversion of the unit(s) eliminate only owner-occupied housing, and if so, for how long</u> has the unit(s) proposed to be removed been owner-occupied?
- 2. <u>Will the conversion of the unit(s) provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s)?</u>
- 3. <u>Will the conversion of the unit(s) bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district?</u>
- 4. Will the conversion of the unit(s) be detrimental to the City's housing stock?
- 5. <u>Is the conversion of the unit(s) necessary to eliminate design, functional, or habitability</u> <u>deficiencies that cannot otherwise be corrected?</u>

## Priority General Plan Policies – Planning Code Section 101.1

(APPLICABLE TO ALL PROJECTS SUBJECT TO THIS APPLICATION)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain *why* it is not applicable.

1. <u>That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities</u> for resident employment in and ownership of such businesses enhanced;

The policy does not apply to the Project because the Project proposes the replacement of two dwelling units with two new dwelling units.

2. <u>That existing housing and neighborhood character be conserved and protected in order to preserve</u> the cultural and economic diversity of our neighborhoods;

The Project meets this criterion by providing a home more suitable for family living. The two units proposed for demolition are each approximately 692 square feet in size, which is insufficient for raising a family. Therefore, the Project is not removing any family housing. The proposed Project's new improvements will provide an ample outdoor living area to be shared by both the newly-constructed units and the existing home at the Vallejo Street Property. The home on the Vallejo Street Property has 4 bedrooms, and is of the size that would typically be required for a family. However, the Vallejo Street Property currently has no usable open space and a minimal rear yard, which are highly desirable for families. There is no usable open space at the lowest living level of the Vallejo Street Property, and the only open space on the Vallejo Street Property is on the third and fourth floor decks that are also means of egress. By providing a rear yard and usable open space for the Vallejo Street Property, the Project increases the attractiveness of this Property to families.

The Fillmore Street Property to be demolished has been recognized as not contributing to the neighborhood character or contributing to the cultural diversity of the existing neighborhood, and for this reason the Planning Department issued a Categorical Exemption for the Properties on December 22, 2009 concluding that the existing building is not a historical resource under CEQA. Moreover, the Project replaces two dwelling units with two new dwelling units, has been revised to address neighborhood concerns, and is designed to be in accordance with the Residential Design Guidelines and the Secretary of Interior Standards. Therefore, the Project conserves and protects existing housing and neighborhood character.

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

The existing building does not contain affordable housing units, and is not subject to any affordable housing requirements under Planning Code Section 315; thus, the proposed demolition will have no impact on this policy.

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

The proposed Project maintains the existing density at the site, and therefore will not overburden MUNI, streets, or neighborhood parking. In addition, the Project will include 3 spaces of off-street parking, thus easing parking in the neighborhood.

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

The Project is not an office project, and the Project site does not contain any industrial or service sector uses, and thus this policy does not apply.

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

The proposed Project will demolish two dwelling units built in 1956 and replace them with two dwelling units that comply with current seismic building requirements. As the current building requirements exceed those of the original, existing structure, the proposed Project will increase the City's earthquake preparedness.

7. That landmarks and historic buildings be preserved; and

The existing building consists of two dwelling units, and is not listed as a landmark. The 1976 Survey reviewed the building, and gave it a low rating, finding that the existing building had no unique architectural features. For these and other reasons, the Planning Department issued a Categorical Exemption for the Properties on December 22, 2009 concluding that the existing building is not a historical resource under CEQA. Thus, demolition of the proposed building will have no impact on this policy. Also, the new building that will connect to the existing Vallejo Street Property is designed to be in accordance with the Secretary of Interior Standards so as not to have an adverse impact on the Vallejo Street Property.

8. <u>That our parks and open space and their access to sunlight and vistas be protected from development.</u>

The Project Site is not located near a park; thus, the Project will have no effect on any park's access to sunlight and vistas.

#### Planning Department Submittal Requirements

To be considered complete by the Planning Department, a permit application to demolish a residential structure (DBI Application "Form 6") or to make alterations to a structure (DBI Application "Form 3/8") must be accompanied by this Section 317 Application and the following information (as well as any other requirements imposed by the Department of Building Inspection):

- □ CONDITIONAL USE (CU) APPLICATION if the project is subject to a Conditional Use under the Planning Code. If a CU Application is required, use this application as supplemental information that must be submitted in conjunction with the CU Application. The CU fee will be charged rather than a Mandatory DR fee.
- □ A SOUNDNESS REPORT if the Applicant contends that the residence is unsound (see Section 317 Implementation Document for details on assessing an unsound structure). A site visit will be conducted to assess the soundness and condition of the structure proposed for demolition. Only one- and two-family dwellings determined to be unsound may be exempt from a public hearing. A soundness determination is not required for projects otherwise exempt from a public hearing.
- □ AN APPRAISAL not older than six months if the Applicant contends that the value of the single-family dwelling and land has a value greater than the 80<sup>th</sup> percentile of the combined land and structure values of single-family homes in San Francisco (see Section 317 Implementation Document for current value). Only single-family dwellings in RH-I Districts that exceed this value may be exempt from a public hearing under this criterion.
- ENVIRONMENTAL REVIEW must conclude prior to the review of any structure proposed for demolition. The environmental review must determine that the structure proposed for demolition is not a potential historical resource under the California Environmental Quality Act (CEQA), or that its removal does not create a significant negative environmental impact, if it is a resource. Applicants filing a Residential Demolition Application for buildings 50 years in age or order must submit a Historic Resource Evaluation along with the Environmental Evaluation Application. This Application does not govern any property subject to the controls of Article 10 or 11 of the Planning Code.
- □ A SITE SURVEY of existing conditions (prepared, stamped and signed by a licensed civil engineer or land surveyor) showing the property lines; existing subject and adjacent structures, sidewalk, curb cuts, utilities; and topographic information sufficient to determine site slopes and grades, building heights, and other Planning Code site and dimensional requirements. This is only required for projects defined as demolitions by DBI ("Form 6").
- □ **DEMOLITION PLANS** showing the amount and percentage of the building being demolished or enveloped, measured in lineal feet at the foundation level, *and*, the amount and percentage of the building being removed or enveloped measured in square feet of actual surface area. An Application for Demolition (DBI Application "Form 6") is also required.
- □ EXISTING PLANS, including floor plans (showing the existing number of dwelling units, number of bedrooms, location of kitchens, legal square footage of building), elevations, and cross sections.

- □ NEW CONSTRUCTION PLANS and a separate Building Permit Application (DBI Application "Form 1/2") must be submitted concurrently with the Demolition Permit, unless DBI only requires an Alteration Permit (DBI Application "Form 3/8"). Please include site plans (showing the adjacent properties, proposed landscaping, street trees and curb cuts), floor plans (showing the proposed number of dwelling units, number of bedrooms, location of kitchens, and proposed square footage), elevations (showing the outlines of adjacent structures), color renderings/perspectives/models, and cross sections.
- □ **PHOTOS** of the block faces on the subject side of the street and across the street, and of the rear facades of the subject and adjacent buildings, and close-up photos of the structure proposed for demolition.

#### D NOTIFICATION MATERIALS

- (Mandatory Discretionary Review) Discretionary Review notification materials are required for the loss or Removal of one or two residential dwelling-units in all zoning districts, unless a Conditional Use Authorization is already required.
  - Submit two typewritten lists of all abutting property owners and occupants, and property owners and occupants directly across the street from the subject property owners. The first copy must be on gum-backed, selfadhering labels, and the second must be a photocopy of the labels. A map representing those included on the list must accompany the labels and list.
  - These notification materials are in addition to any Section 311 or 312 notification materials that are required for Projects located in the RH, RM, RTO, or NC Districts.
  - If you believe the Project is exempt from Mandatory Discretionary Review under Planning Code Section 317, please complete the relevant aspects of this Section 317 Application and submit it through an intake appointment along with the associated Mandatory DR fee. Planning Staff will assess the merits of the Application, and if it is determined that the Project is exempt, you will be refunded the unused portion of your fee. The DR Case will be closed and deemed approved for purposes of meeting Section 317. Before moving the project onto the Department of Building, the Planning Department must first review and approve the Building Permit Applications.
- o (Conditional Use Authorization) Conditional Use Authorization is required for the loss or Removal of three or more residential dwelling-units in all zoning districts.
  - Submit two typewritten lists of property owners located within 300-feet of the Subject Property's boundaries. The first copy must be on gum-backed, self-adhering labels, and the second must be a photocopy of the labels. A map representing those included on the list must accompany the labels and list.
  - If the Subject Property is located in an RH, RM, RTO, or NC District, submit mailing labels and a copy of those labels for tenants who live within 150-feet of the Subject Property in order to cover the notification requirements of Section 311/312.
  - If the Subject Property is located in a zoning district that does not typically require notification for alterations or demolitions, submit only the notification requirements for a Conditional Use Application.

#### **Planning Department Submittal Requirements**

To be considered complete by the Planning Department, a permit application to demolish a residential structure (DBI Application "Form 6") or to make alterations to a structure (DBI Application "Form 3/8") must be accompanied by this Section 317 Application and the following information (as well as any other requirements imposed by the Department of Building Inspection):

- CONDITIONAL USE (CU) APPLICATION if the project is subject to a Conditional Use under the Planning Code. If a CU Application is required, use this application as supplemental information that must be submitted in conjunction with the CU Application. The CU fee will be charged rather than a Mandatory DR fee.
- □ A SOUNDNESS REPORT if the Applicant contends that the residence is unsound (see Section 317 Implementation Document for details on assessing an unsound structure). A site visit will be conducted to assess the soundness and condition of the structure proposed for demolition. Only one- and two-family dwellings determined to be unsound may be exempt from a public hearing. A soundness determination is not required for projects otherwise exempt from a public hearing.
- □ AN APPRAISAL not older than six months if the Applicant contends that the value of the single-family dwelling and land has a value greater than the 80<sup>th</sup> percentile of the combined land and structure values of single-family homes in San Francisco (see Section 317 Implementation Document for current value). Only single-family dwellings in RH-I Districts that exceed this value may be exempt from a public hearing under this criterion.
- □ ENVIRONMENTAL REVIEW must conclude prior to the review of any structure proposed for demolition. The environmental review must determine that the structure proposed for demolition is not a potential historical resource under the California Environmental Quality Act (CEQA), or that its removal does not create a significant negative environmental impact, if it is a resource. Applicants filing a Residential Demolition Application for buildings 50 years in age or order must submit a Historic Resource Evaluation along with the Environmental Evaluation Application. This Application does not govern any property subject to the controls of Article 10 or 11 of the Planning Code.
- □ A SITE SURVEY of existing conditions (prepared, stamped and signed by a licensed civil engineer or land surveyor) showing the property lines; existing subject and adjacent structures, sidewalk, curb cuts, utilities; and topographic information sufficient to determine site slopes and grades, building heights, and other Planning Code site and dimensional requirements. This is only required for projects defined as demolitions by DBI ("Form 6").
- DEMOLITION PLANS showing the amount and percentage of the building being demolished or enveloped, measured in lineal feet at the foundation level, *and*, the amount and percentage of the building being removed or enveloped measured in square feet of actual surface area. An Application for Demolition (DBI Application "Form 6") is also required.
- EXISTING PLANS, including floor plans (showing the existing number of dwelling units, number of bedrooms, location of kitchens, legal square footage of building), elevations, and cross sections.

- □ NEW CONSTRUCTION PLANS and a separate Building Permit Application (DBI Application "Form 1/2") must be submitted concurrently with the Demolition Permit, unless DBI only requires an Alteration Permit (DBI Application "Form 3/8"). Please include site plans (showing the adjacent properties, proposed landscaping, street trees and curb cuts), floor plans (showing the proposed number of dwelling units, number of bedrooms, location of kitchens, and proposed square footage), elevations (showing the outlines of adjacent structures), color renderings/perspectives/models, and cross sections.
- □ **PHOTOS** of the block faces on the subject side of the street and across the street, and of the rear facades of the subject and adjacent buildings, and close-up photos of the structure proposed for demolition.

#### **D** NOTIFICATION MATERIALS

- o (Mandatory Discretionary Review) Discretionary Review notification materials are required for the loss or Removal of one or two residential dwelling-units in all zoning districts, unless a Conditional Use Authorization is already required.
  - Submit two typewritten lists of all abutting property owners and occupants, and property owners and occupants directly across the street from the subject property owners. The first copy must be on gum-backed, selfadhering labels, and the second must be a photocopy of the labels. A map representing those included on the list must accompany the labels and list.
  - These notification materials are in addition to any Section 311 or 312 notification materials that are required for Projects located in the RH, RM, RTO, or NC Districts.
  - If you believe the Project is exempt from Mandatory Discretionary Review under Planning Code Section 317, please complete the relevant aspects of this Section 317 Application and submit it through an intake appointment along with the associated Mandatory DR fee. Planning Staff will assess the merits of the Application, and if it is determined that the Project is exempt, you will be refunded the unused portion of your fee. The DR Case will be closed and deemed approved for purposes of meeting Section 317. Before moving the project onto the Department of Building, the Planning Department must first review and approve the Building Permit Applications.
- o (Conditional Use Authorization) Conditional Use Authorization is required for the loss or Removal of three or more residential dwelling-units in all zoning districts.
  - Submit two typewritten lists of property owners located within 300-feet of the Subject Property's boundaries. The first copy must be on gum-backed, self-adhering labels, and the second must be a photocopy of the labels. A map representing those included on the list must accompany the labels and list.
  - If the Subject Property is located in an RH, RM, RTO, or NC District, submit mailing labels and a copy of those labels for tenants who live within 150-feet of the Subject Property in order to cover the notification requirements of Section 311/312.
  - If the Subject Property is located in a zoning district that does not typically require notification for alterations or demolitions, submit only the notification requirements for a Conditional Use Application.

## EXHIBIT A



# CEQA Categorical Exemption Determination

SAN FRANCISCO PLANNING DEPARTMENT

CASE NO.

Property Information/Project Description

PROJECT ADDRESS

2833-2835 Fillmore /2300Villeje St

BLOCK/LOT(S) 0558/043:044

PLANS DATED

2012,0888E

2012,0305, 5415 /2012,0305, 5407

Addition/ Alteration (detailed below)

Demolition (requires HRER if over 50 years old)

New Construction

3/5/12

STEP 1 EXEMPTION CLASS

#### Class 1: Existing Facilities

Interior and exterior alterations; additions under 10,000 sq.ft.; change of use if principally permitted or with a CU.

#### Class 3: New Construction

Up to three (3) single family residences; six (6) dwelling units in one building; commercial/office structures under 10,000 sq.ft.; accessory structures; utility extensions.

STEP 2 CEQA IMPACTS (To be completed by Project Planner)

If ANY box is initialed below an Environmental Evaluation Application is required.

**Transportation:** Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?

**Air Quality:** Would the project add new sensitive receptors (specifically, schools, colleges, universities, day care facilities, hospitals, residential dwellings [subject to Article 38 of the Health Code], and senior-care facilities)?

Hazardous Materials: Would the project involve 1) change of use (including tenant improvements) and/or 2) soil disturbance; on a site with a former gas station, auto repair, dry cleaners, or heavy manufacturing use, or on a site with underground storage tanks?

Phase I Environmental Site Assessment required for CEQA clearance (E.P. initials required)

Soil Disturbance/Modification: Would the project result in the soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in non-archeological sensitive areas?

Refer to: EP ArcMap > CEQA CatEx Determination Layers > Archeological Sensitive Areas

**Noise:** Does the project include new noise-sensitive receptors (schools, colleges, universities, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? Refer to: EPArcMap > CEQA CatEx Determination Layers > Noise Mitigation Area

**Subdivision/Lot-Line Adjustment:** Does the project site involve a subdivision or lot-line adjustment on a lot with a slope of 20% or more? Refer to: EP ArcMap > CEQA CatEx Determination Layers >Topography NOTE: If neither class applies, an Environmental Evaluation Application is required.

NOTE:

Project Planner must initial box below before proceeding to Step 3.

Project Can Proceed With Categorical Exemption Review.

GO TO STEP 3

The project does not trigger any of the CEQA Impacts and can proceed with categorical exemption review.

09113/12

P3 PROPERTY STATUS - HISTORICAL RESOURCE	
operty is one of the following: (Refer to: San Francisco Property Information Map)	
Category A: Known Historical Resource GO TO STEP 5	
Category B: Potential Historical Resource (over 50 years of age) GO TO STEP 4	
Category C: Not a Historical Resource or Not Age Eligible (under 50 years of age) GO	O STEP 6
TEP 4 PROPOSED WORK CHECKLIST (To be completed by Project Planner)	
condition applies, please initial.	NOTE:
1. Change of Use and New Construction (tenant improvements not included).	Project Planner must check box below
<ol> <li>Interior alterations/interior tenant improvements. Note: Publicly-accessible spaces (i.e. lobby, auditorium, or sanctuary) require preservation planner</li> </ol>	before proceeding.
<ul> <li>review.</li> <li>3. Regular maintenance and repair to correct or repair deterioration, decay, or</li> </ul>	Project is not listed:
damage to the building.	GO TO STEP 5
<ol> <li>Window replacement that meets the Department's Window Replacement Standards (does not includ storefront window alterations).</li> </ol>	Project does not
<ol> <li>Garage work, specifically, a new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of garage door in an existing opening.</li> </ol>	conform to the scopes of work: GO TO STEP 5
<ol> <li>Deck, terrace construction, or fences that are not visible from any immediately adjacent public right-of-way.</li> </ol>	Project involves
7. Mechanical equipment installation not visible from any immediately adjacent public right-of-way.	4 or more work descriptions:
8. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin: Dormer Windows</i> .	GO TO STEP 5
9. Additions that are not visible from any immediately adjacent public right-of- way for 150' in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not be fully adjacent of the structure of the structure of the story in height; does not be fully adjacent of the structure of the story of the story of the structure of the story of the structure of the story of the st	Project involves less than 4 work descriptions:
have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.	GO TO STEP 6

## STEP 5 CEQA IMPACTS - ADVANCED HISTORICAL REVIEW (To be completed by Preservation Planner)

If condition applies, please initial.

- 1. Project involves a Known Historical Resource (CEQA Category A) as determined by Step 3 and conforms entirely to Scope of Work Descriptions listed in Step 4. (Please initial scopes of work in STEP 4 that apply.)
- 2. Interior alterations to publicly-accessible spaces.

If ANY box is initialed in STEP 5, Preservation Planner MUST review

**Further Environmental Review** 

Based on the information

provided, the project requires

Preservation Planner Initials

Preservation Planner In

an Environmental Evaluation Application to be submitted.

**Project Can Proceed With** 

**Categorical Exemption Review.** 

The project has been reviewed by the Preservation Planner and

can proceed with categorical

exemption review.

GO TO STEP 6

NOTE:

& initial below.

**Required.** 

GO TO STEP 6

- 3. Window replacement of original/historic windows that are not "in-kind" but are is consistent with existing historic character.
- 4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
- 5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
- 6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
- 7. Addition(s), including mechanical equipment that are minimally visible from a public right of way and meets the Secretary of the Interior's Standards for Rehabilitation.
- 8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties

Specify: See PRUSAS Case # 2009. 0724E includy HRER and new note b file up reuse project scope.

9. Reclassification of property status to Category C

a. Per Environmental Evaluation Evaluation, dated \* Attach Historic Resource Evaluation Report

b. Other, please specify:

\* Requires initial by Senior Preservation Planner ) Preservation Coordinator

STEP 6 CATEGORICAL EXEMPTION DETERMINATION ( To be completed by Project Planner )

SAC

Further Environmental Review Required.

Proposed Project does not meet scopes of work in either:

(check all that apply)

Step 2 (CEQA Impacts) or

1

arm

Step 5 (Advanced Historical Review)

STOP	ł

Must file Environmental Evaluation Application.

No Further Environmental Review Required. Project is categorically exempt under CEQA.

7/13/12

Print Name

Plann

Once signed and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.



## SAN FRANCISCO PLANNING DEPARTMENT

## MEMC

1650 Mission St. Suite 400 DATE: September 13, 2012 TO: Case No. 2009.0724E File Reception: FROM: Shelley Caltagirone, Preservation Planner, NW Quadrant Fax: RE: Revision to 2300 Vallejo Project (Case No. 2012.0888E)

San Francisco, CA 94103-2479

415.558.6378

415.558.6409

Planning Information: 415.558.6377

On December 22, 2009, the Planning Department (Department) issued a Categorical Exemption for the project at 2300 Vallejo Street and 2833-2835 Fillmore Street under Case No. 2009.0724E. 2300 Vallejo Street is a 6,249 square-foot (sq. ft.) single-family building located on a 2,015 sq. ft. lot, and 2833-2835 Fillmore Street is a 1,384 sq. ft., two-unit building located on a 788 sq. ft. lot. The 2300 Vallejo Street property is a historic resource individually eligible for listing on the California Register under Criterion 3 (Architecture) for embodying the distinctive characteristics of a type, period or method of construction. The property is also eligible for listing under Criterion 1 as a contributor to a potential historic district loosely defined by the boundaries of the Pacific Heights neighborhood with a period of significance from approximately 1895 to 1920. The 2833-2835 Fillmore Street property is not a historic resource.

In 2009, the proposed project involved merging the two lots, lots 43 and 44, into one lot for a total of 2,803 sq. ft., demolishing the two-story duplex located at 2833-2835 Fillmore Street and the constructing a 555 sq. ft. one-story-over-crawl space, one-unit residence with a garage as an addition to the building at 2300 Vallejo Street. The new residence featured 951 sq. ft. of deck space spanning its roof and an enclosed storage space accessible to both the residences. The new addition to 2300 Vallejo resulted in no demolition to the structure and alterations were limited to the north elevation. This project was found to be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties and, therefore, to cause no substantial adverse change such that the significance of the resource would be materially impaired.

In June 2012, a revised project was submitted to the Department for review under Case No. 2012.0888E. The proposed project now involves a minor lot line adjustment that will have a negligible impact on the lot area of the two subject lots; demolishing the two-story, 1,384 sq. ft., two-unit, building located at 2833-2835 Fillmore Street and constructing a new 1,069 square foot two-story, two-unit, building; enclosing the rear yard of 2300 Vallejo to create a garage accessible to both 2300 Vallejo and 2833-2835 Fillmore; and constructing an approximately 951 sq. ft. partially covered deck that covers the roof of the new two-unit building at 2833-2835 Fillmore and the new garage at 2300 Vallejo Street. The new deck will be used as open space for both properties. The new addition to 2300 Vallejo will result in no demolition to the structure and alterations will be limited to the north elevation of the historic building to modify existing openings at the first floor.

Department staff has reviewed the revised project and found that it will continue to be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties and will cause no substantial adverse change such that the significance of the resource would be materially impaired. Although the revised project will add a dwelling unit at the new building by reconfiguring the interior layout and further excavating the lower level, the change in use will not expand the height or footprint of the previously approved building envelope. The new design will add some window and door openings at the east and west facades of the new building; however these changes will not affect the building's compatibility with the historic building at 2300 Vallejo or the surrounding potential historic district. The minor changes to the rear (north) façade of the historic building will not be visible from the public right-of-way and will not harm any character-defining features of the historic resource. The proposed design is otherwise unchanged and will not cause a substantial adverse change to the identified historic resource.

G:\DOCUMENTS\Cases\CEQA\HRER Memos\2012.0888E\_2300 Vallejo\_Memo to File.doc



## SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

Case No.:	2009.0724E
Project Title:	2300 Vallejo Street and 2833-2835 Fillmore Street
Zoning:	RH-2 (Residential, House, Two-Family)
	40-X Height and Bulk District
Block/Lot:	0558/044 and 043
Lot Size:	2,803 square feet
Project Sponsor:	Stephen Miller, Agent
	415-567-9000
Staff Contact:	Aaron Starr – (415) 558-6362
	aaron.starr@sfgov.org

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:**

2300 Vallejo Street contains a 6,249 square foot (sq. ft.) single-family building located on a 2,015 s.q. ft. lot, and 2833-2835 Fillmore Street contains a 1,384 sq. ft, two-unit building located on a 788 sq. ft. iot. The proposed project involves merging the two lots, lots 43 and 44, into one lot for a total of 2,803 sq. ft. with a slope less than 20%, demolishing the two-story duplex located at 2833-2835 Fillmore Street and the constructing a 555 sq. ft. one-story-over-crawl space, one-unit residence with a garage as an addition to the building at 2300 Vallejo Street. The new residence will feature 951 sq. ft. of deck space spanning its roof and an enclosed storage space accessible to both the residences. The building at 2300 Vallejo would remain intact with alterations limited to the north elevation.

## **EXEMPT STATUS:**

Categorical Exemption, Classes 1 and 5 (State CEQA Guidelines Section 15301(l)(1), 15301(e)(1) and 15305(a))

## **REMARKS:**

See next page.

## **DETERMINATION:**

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Ho√ Bill Ŵycko Environmental Review Officer

> cc: Stephen Miller, Project Sponsor Aaron Starr, Preservation Planner Supervisor Michela Alioto-Pier, District 2

22/09

Virna Byrd, M.D.F. Distribution List Historic Preservation Distribution List

2009.01/24E

#### **REMARKS:**

In a memorandum dated October 14, 2009, Planning Department preservation staff determined that 2300 Vallejo Street is a historic resource and 2833-2835 Fillmore Street is not a historic resource.<sup>1</sup> As described in the memorandum, 2300 Vallejo is eligible for inclusion on the California Register individually under Criterion 3 (Architecture) for embodying the distinctive characteristics of a type, period or method of construction. The subject building is a blend of several revival styles, including Mission and Classical Revival, reflecting the emerging Edwardian Style and a transition from the dominate Victorian style of architecture built en masse in San Francisco in the last part of the nineteenth century. The property at 2300 Vallejo is also eligible for inclusion on the California Register under Criterion 1 as a contributor to a potential district loosely defined by the boundaries of the Pacific Heights Neighborhood. The potential district has a period of significance from approximately 1895 to 1920.

As described in the memorandum, not only has the subject property been found significant under California Register Criteria 1 and 3, the existing building site retains much of its original integrity with respect to location, association, design, materials, feeling, workmanship and setting.<sup>2</sup>

Since the building was determined to be a historic resource, the Planning Department assessed whether the proposed project would be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties (Standards). It was determined that the proposed project would not cause a substantial adverse change such that the significance of the resource would be materially impaired for the following reasons.

#### Standard 1

A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The property at 2300 Vallejo was constructed as a single-family residence and will continue to be used as a single-family residence. The new residence would also continue the residential use of the property. Therefore, the proposed project complies with Standard 1.

#### Standard 2

The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

The following work would involve the removal and alteration of some portions of the building:

a. Demolition of the two-story duplex at 2833-2835 Fillmore Street.

The duplex at 2833-2835 Fillmore Street was constructed in 1956 and features a Modern design. It does not contribute to the historic significance of the potential district or 2300 Vallejo Street, and its

<sup>2</sup> Ibid.

<sup>&</sup>lt;sup>1</sup> Historic Resource Evaluation Response Memorandum for 2300 Vallejo Street and 2833-2835 Fillmore Street from Aaron Starr, Preservation Technical Specialist, to Brett Bollinger, Environmental Planner, October 14, 2009. A copy of this memorandum is attached.

demolition will not alter the features, spaces or special relationships that characterize the property or the district.

#### b. Conversion of two windows to doors on the north elevation

A photograph of the building's north elevation taken in 1912 reveals that these windows were originally double-hung, one-over-one. They were replaced with casement windows during the 2006-2008 renovation of the building. Therefore they do not contribute to the historic character of the house.

#### c. Addition of water proofing and flashing to the brick veneer.

Water proofing and flashing provisions will be added to the brick veneer where the new residence's roof deck would be attached to the first story. However, these additions are minor in scale and would not cause a substantial alteration to the building's character-defining features. In addition, these provisions would prevent deterioration of the surrounding brick masonry. Therefore the proposed project complies with Standard 2.

#### Standard 3

Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

The proposed addition's modern design is distinct from the building's historic design and would not create a false sense of historical development. No elements from other historic properties are proposed. Therefore, the proposed project complies with Standard 3.

#### Standard 4

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

The 1914 alterations that consisted of replacing the exterior cladding with brick veneer, replacing the frames and sashes on the façade's windows and select windows on the east elevation, and replacing the façade's quatrefoil ornamentation with panels of patterned brick have acquired significance and would be retained and preserved. The proposed project therefore is in compliance with Standard 4.

#### Standard 5

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

Character defining features of the existing building include the scale; the brick veneer cladding; the sections of pattern brick on the façade's second story; the hipped roof with overhanging eaves; the classical cornice; the fenestration, including the bay window on the east elevation; the front porch

with the brick supports and the overhanging eave with brackets; and the brick chimneys. These features would be retained. Therefore the proposed project is in compliance with Standard 5.

#### Standard 9

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The addition of the one-story-over crawl space residence to the building at the north elevation features a contemporary design with a flat roof, large windows and metal railing with glass panels. It would also be clad in materials such as copper and wood siding that are distinctive from 2300 Vallejo Street. In addition, the Fillmore Street elevation would be set back from that of the historic building. Therefore the new work would be differentiated from the old. The proposed addition's scale and proportions as a one-story structure and its location on the parcel's downward slope at the rear elevation of the building do not detract from the primary façade of 2300 Vallejo.

The two windows, which would be converted to doors, are not original or from the 1914 renovation and their conversion to doors would not destroy historic materials of the building. The proposed project therefore complies with Standard 9.

#### Standard 10

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

While the new residence abuts the main building's north elevation, the building's historic masonry walls would remain substantially intact, in that historic fabric will not be removed or substantially altered. Should the addition be removed in the future the original wall would be revealed in its present form. The proposed design of the project therefore complies with Standard 10.

CEQA State Guidelines Section 15301(l)(l), or Class 1, provides an exemption from environmental review for the demolition of a duplex or similar multifamily residential structure. Section 15301(e)(1) provides an exemption from environmental review for additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition or 2,500 sq. ft., which ever is less. Additions of dwelling units to an existing building that do not involve mere partitioning of existing space are included in this class. Section 15305(a), or Class 5, provides an exemption from environmental review for minor lot line adjustments not resulting in the creation of any new parcels for lots with a slope of less than 20%. The proposed project would meet these criteria by demolishing an existing duplex structure, merging two lots into one lot and constructing a new singlefamily unit as an addition to the existing structure. The proposed project would not impact the historic significance of the 2300 Vallejo Street or surrounding properties.

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. 2300 Vallejo is a historical resource as a contributor to a

potential historic district and an individual resource, and the proposed project would not adversely impact the resource, the potential historic district, or any off-site historical resources. There are no other unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.



## SAN FRANCISCO PLANNING DEPARTMENT

**Brett Bollinger** 

0558/044 & 043

October 14, 2009

2009.0724E

## МЕМО

## **Historic Resource Evaluation Response**

(415) 558-6362 | aaron.starr@sfgov.org

2300 Vallejo Street and 2833-2835 Fillmore Street

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

### **PROPOSED PROJECT**

**2300 Vallejo Street**Demolition

Alteration

Planning Dept. Reviewer: Aaron Starr

 2833-2835 Fillmore Street

 Demolition

 Alteration

MEA Planner:

Project Address:

Date of Review:

Block/Lot:

Case No.:

## PROJECT DESCRIPTION

2300 Vallejo Street is a 6,249 sq. ft. single-family building located on a 2,015 sq. ft. lot, and 2833-2835 Fillmore Street is a 1,384 sq. ft, two-unit building located on a 788 sq. ft. lot. The proposed project involves merging the two lots, lots 43 and 44, into one lot for a total of 2,803 sq. ft., demolishing the two-story duplex located at 2833-2835 Fillmore Street and the constructing a 555 sq. ft. one-story-over-crawl space, one-unit residence with a garage as an addition to the building at 2300 Vallejo Street. The new residence will feature 951 sq. ft. of deck space spanning its roof and an enclosed storage space accessible to both the residences. The new addition to 2300 Vallejo will result in no demolition to the structure and alterations will be limited to the north elevation.

## PRE-EXISTING HISTORIC RATING / SURVEY

2300 Vallejo Street and 2833-2835 Fillmore Street constructed in 1899 and 1956 respectively are listed on the City's 1976 Architectural Survey. On a Scale of -2 to 5, 2300 Vallejo Street and has an overall listing of 2 and 2833-2835 Fillmore Street has an overall rating of 1. Both properties are not listed on any other City survey, or the National or California Register. For the purposes of CEQA, these properties are Category B Buildings, or potential historic resources due to their age.

## HISTORIC DISTRICT / NEIGHBORHOOD CONTEXT

The parcels are located on the northwest corner of Vallejo and Fillmore Streets in the City's Pacific Heights neighborhood, right at the border of Pacific Heights and the Marina District. The Pacific Heights neighborhood was annexed as part of the City's western expansion in 1856. Cable cars spurred the main period of development of Pacific Heights by providing an easier method of transportation up and down the steep slopes. The cable car line along Fillmore Street was installed in 1895. As a consequence this neighborhood had its greatest period of growth around this time. Since Pacific Heights was largely

spared from the 1906 earthquake and fires, numerous houses from this era are still extant, including the residence at 2300 Vallejo Street.

1. California Register Criteria of Significance: Note, a building may be an historical resource if it meets any of the California Register criteria listed below. If more information is needed to make such a determination please specify what information is needed. (*This determination for California Register Eligibility is made based on existing data and research provided to the Planning Department by the above named preparer / consultant and other parties. Key pages of report and a photograph of the subject building are attached.*)

2300 Vallejo Street			
Event: or	🔀 Yes	🗌 No	Unable to determine
Persons: or	Yes	🛛 No	Unable to determine
Architecture: or	🔀 Yes	🗌 No	Unable to determine
Information Potential:	Furth	er investiga	ation recommended.
District or Context:	🛛 Yes, n	nay contrib	ute to a potential district or significant context
2833-2835 Fillmore Stree	et		
Event: or	🗌 Yes	🛛 No	Unable to determine
Persons: or	🗌 Yes	🛛 No	Unable to determine
Architecture: or	🗌 Yes	🛛 No	Unable to determine
Information Potential:	🗌 Furthe	er investiga	ation recommended.

#### If Yes; Period of significance: 1895-1920

Notes: Based on the criteria, staff believes that 2300 Vallejo Street is eligible for inclusion on the California Register individually under Criterion 3 and as a contributor to a potential historic district under Criterion 1; however 2833-2835 Fillmore Street is not eligible for the California Register individually or as a contributor to a potential historic district.

Designed by a well known architect Frank S. Van Trees and originally built in 1899, 2300 Vallejo Street went through a major renovation in 1914, which replaced the exterior plaster cladding with brick veneer cladding, constructed a new front porch, replaced frames and sashes on the facade's windows and three oval windows at the east elevation's second story. During this renovation the façade's quatrefoil ornamentation was also replaced with the still extant brick pattern, and the roof was covered in clay tile. This renovation was designed by another well known architect for the time Bernard Joseph. Between 2006 and 2008, 2300 Vallejo went through another renovation consisting of constructing a 30-square-foot addition at the north façade's first story for eating space adjacent to the kitchen; removing the dormer window on the west elevation; re cladding the roof with diamond shaped copper tiles; replacing the secondary roofs as the porch and bay windows with standing seam

copper; and adding new roof decks at the north elevation's third and fourth stories and adding a decorative fire escape.

2833-2835 Fillmore Street was constructed in 1956, and designed in the Modern Style with a flat roof, minimal detailing and a prominent corner window. Architect John G. Kelley, who did some work on 2300 Vallejo Street at the time 2833-2835 Fillmore was constructed and was a fairly well know architect, may have designed the duplex since it was commissioned by the owner of 2300 Vallejo, but the original building permit record and drawings are not on file at the Department of Building Inspection so the actual architect is unknown. 2833-2835 Fillmore was constructed after the Pacific Heights neighborhood was well established and does not appear to have made a significant contribution to the development of the neighborhood.

**Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

**2300 Vallejo St.:** Built in 1899, 2300 Vallejo was constructed in the Pacific Heights neighborhood during a period of growth following the installment of the cable car line in 1895 that provided an easy means of transportation up and down the neighborhood's steep hills. The residence contributed to the development of the neighborhood, which was largely built out by the early 20<sup>th</sup> Century. Therefore it appears to be eligible as a contributing resource to a potential district under Criterion 1 for making a significant contribution to the broad pattern of local or regional history.

**2833-2835 Fillmore St:** Built in 1956, the subject building was constructed in the Pacific Heights Neighborhood long after the it had been largely established in the late nineteenth century, and therefore does not appear to have made a significant contribution to the development of the neighborhood or to broad patterns of local or regional history, or the cultural heritage of California of the United States. Therefore it is not eligible for the California Register under Criterion 1.

Criterion 2: It is associated with the lives of persons important in our local, regional or national past;

**2300 Vallejo St. and 2833-2835 Fillmore St.:** The subject buildings do not appear to be eligible for listing in the California Register as an individual resource under Criterion 2. Research about the original owners and subsequent owners and occupants of the two subject properties resulted in little information of consequence. None of the people associated with the subject buildings appear to be important to our local, regional or national past.

*Criterion* 3: It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values;

**2300 Vallejo St.:** The subject building appears to be eligible as an individual resource for the California Register under Criterion 3 for embodying the distinctive characteristics of a type, period or method of construction. The subject building is a blend of several revival styles, including Mission and Classical Revival, reflect the emerging Edwardian Style and a transition form the dominate

Victorian style of architecture built en masse in San Francisco in the last part of the nineteenth century. Although it is the work of a prolific architect, Frank S Tress, the building lacks integrity to the original design. Also, the 1914 renovation designed by architect Bernard Joseph is an update to the windows and cladding of an existing building and would not be considered a significant example of his work. Therefore the building does not appear to be eligible under Criterion 3 as the work of a master or for possessing high artistic value, but is eligible under Criterion 3 for embodying the distinctive characteristics of a type and period.

**2833-2835** Fillmore St.: 2833-2835 Fillmore Street does not appear to be eligible for the California Register under Criterion 3 for embodying the distinctive characteristic of type, period or method of construction; representing the work of a master; or possessing high artistic values. While it was designed in the Modern style, it does not appear to be a significant example of this style. It was designed as a simple structure with a flat roof and minimal detailing, with its corner windows as its most distinguishing design element. Therefore, it does not appear to be an architecturally distinctive example of this style.

Criterion 4: It yields information to contribute to our understanding of human history or prehistory;

**2300 Vallejo St. and 2833-2835 Fillmore St.:** There is no indication that the subject buildings will yield any information to contribute to our understanding of human history or prehistory to make it eligible under Criterion 4.

2. Integrity is the ability of a property to convey its significance. To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register criteria, but it also must have integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The subject property has retained or lacks integrity from the period of significance noted above:

Location:	🔀 Retains	Lacks	Setting:	🔀 Retains	Lacks
Association:	🔀 Retains	Lacks	Feeling:	🔀 Retains	🗌 Lacks
Design:	🔀 Retains	Lacks	Materials:	🔀 Retains	Lacks
Workmanship	: 🔀 Retains	Lacks			

2833-2835 Fillmore Street is not eligible for the California Register; therefore an investigation into the subject buildings integrity was not conducted.

2300 Vallejo Street retains a good level of integrity dating to its construction in 1899 and its renovation in 1914. It retains its overall integrity of design, workmanship, feeling and materials, including its plan, scale as a multi-story residential structure, and its pattern brick veneer cladding hip roof, front porch and bar window on the east elevation. The house retains integrity of location and association, having never been moved, and its residential setting in Pacific Heights. Therefore it continues to convey its feeling and association as a turn-of-the century home in a predominately residential neighborhood in San Francisco.

3.	Determination Whether the property is an "historical resource" for purposes of CEQA
	No Resource Present (Go to 6. below)
4.	If the property appears to be an historical resource, whether the proposed project is consistent with the Secretary of Interior's Standards or if any proposed modifications would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).
	The project appears to meet the Secretary of the Interior's Standards. ( Go to 6. below ) Optional: $\bigotimes$ See attached explanation of how the project meets standards.
	The project is NOT consistent with the Secretary of the Interior's Standards; however the project will not cause a substantial adverse change in the significance of the resource such that the significance of the resource would be materially impaired. ( <i>Continue to 5. if the project is an alteration</i> )
	The project is NOT consistent with the Secretary of the Interior's Standards and is a significant impact as proposed. ( <i>Continue to 5. if the project is an alteration</i> )
5.	Character-defining features of the building to be retained or respected in order to be consistent with the Standards and/or avoid a significant adverse effect by the project, presently or cumulatively. Please recommend conditions of approval that may be desirable to avoid or reduce any adverse effects.

6. Whether the proposed project may have an adverse effect on off-site historical resources, such as adjacent historic properties.

🗌 Yes 🛛 No	Unable to determine
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Notes: The proposed project is located within a potential historic district, loosely defined by the boundaries of Pacific Heights. The proposed project will not remove a contributor to the potential historic district and the replacement structure fits within its context with regards to massing and height and it is smaller than the building it is replacing. It will not have a negative impact on 2300 Vallejo Street or the potential historic district.

### PRESERVATION COORDINATOR REVIEW

3ma D Signature: \_

Date: 11-24-09

Tina Tam, Preservation Coordinator

cc: Linda Avery, *Recording Secretary*, Historic Preservation Commission Virnaliza Byrd / Historic Resource Impact Review File

AS: G:\DOCUMENTS\Preservation\HRERs\2300 Vallejo St.HRER.doc

Final Historic Resources Evaluation Report, 2300 Vallejo Street and 2833-2835 Fillmore Street, San Francisco, CA

August 13, 2009

1. The property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The property at 2300 Vallejo Street was constructed as a single-family residence, and the current owner intends to continue this historic use. Therefore, the proposed project complies with Standard 1.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.

The following work will involve removal or alteration of some portions of the building:

a. Demolition of the two-story duplex at 2833-2835 Fillmore Street.

The duplex at 2833-2835 Fillmore Street was constructed in 1956 and features a Mödern design. It does not contribute to the historic significance of the building, and its demolition will not alter the features, spaces, or special relationships that characterize the property.

b. Conversion of two windows to doors on the north elevation.

A photograph of the building's north elevation taken in 1912 reveals that these windows were originally double-hung, one-over-one. They were replaced with casement windows during the 2006-2008 renovation of the building. Therefore, they do not contribute to the historic character of the property.

b. Addition of water proofing and flashing to the brick veneer.

Water proofing and flashing provisions will be added to the brick veneer where the new residence's roof deck will be attached to the first story. However, these additions are extremely minor in scale and will not cause a substantial alteration to the building's character-defining features. In addition, these provisions will prevent deterioration of the surrounding brick masonry. Therefore, the proposed project complies with Standard 2.

3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

The proposed addition's modern design is distinct from the building's historic design and will not create a false sense of historical development. No elements from other historic properties are proposed. Therefore, the proposed project complies with Standard 3.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

The 1914 alterations that consisted of replacing the exterior cladding with brick veneer, replacing the frames and sashes on the façade's windows and select windows on the east elevation, and replacing the façade's

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quatrefoil ornamentation with panels of patterned brick have acquired significance and will be retained and preserved. The proposed project therefore is in compliance with Standard 4.

5. Distinctive materials, features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will be preserved.

Character-defining features of the existing building include the brick veneer cladding; the sections of patterned brick on the façade's second story; the hipped roof with overhanging eaves; the classical cornice; the fenestration, including the bay window on the east elevation; the front porch with the brick supports and overhanging eave with brackets; and the brick chimneys. These features will be retained. Therefore the proposed project is in compliance with Standard 5.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

No deteriorated historic features from the existing building are proposed to be replaced or repaired.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

We are not aware of any proposed chemical or physical treatments affecting the historic fabric. Should masonry cleaning be proposed, products and methods should be tested to determine the gentlest means possible. Coatings of masonry "waterproof" treatments should be avoided.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

The project will involve subsurface disturbance. However, the soil has been previously disturbed due to the construction of the existing structure at 2833-2835 Fillmore Street in 1956. In the event archeological artifacts are uncovered, they should be protected and preserved in place. An archeologist should be contacted if such features must be disturbed.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated

from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

a. Addition of the residence to the north elevation.

The addition of the one-story-over crawl space residence to the building's north elevation features a contemporary design with a flat roof, large windows, and a metal railing with glass panels. It will also be clad in materials such as copper and wood siding that are distinctive from 2300 Vallejo Street. In addition, the Fillmore Street elevation will be set back from that of the historic building. Therefore, the new work will be differentiated from the old. The proposed addition's scale and proportion as a one-story structure and its location on the parcel's downward slope at the rear elevation of the building do not detract from the primary façade of 2300 Vallejo Street.

b. Conversion of two windows to doors on the north elevation.

As stated previously, these windows are not original or from the 1914 renovation, and their conversion to doors will not destroy historic materials of the building. The proposed project therefore complies with Standard 9.

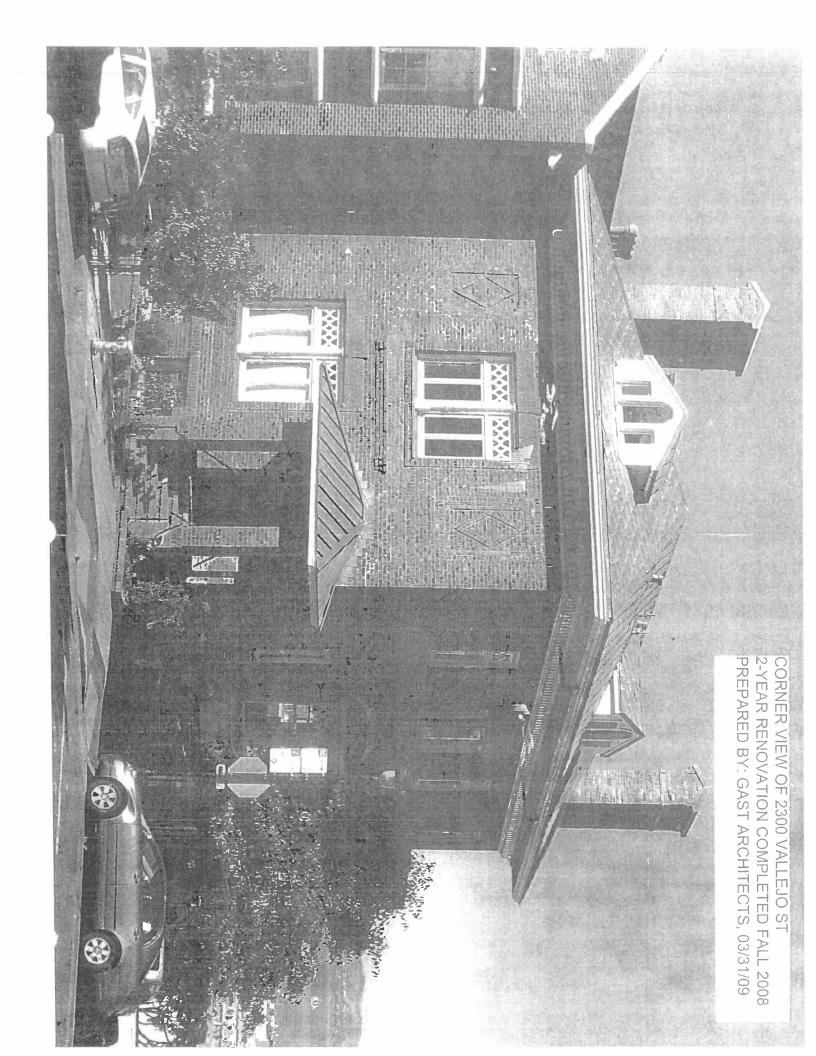
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would not be impaired:

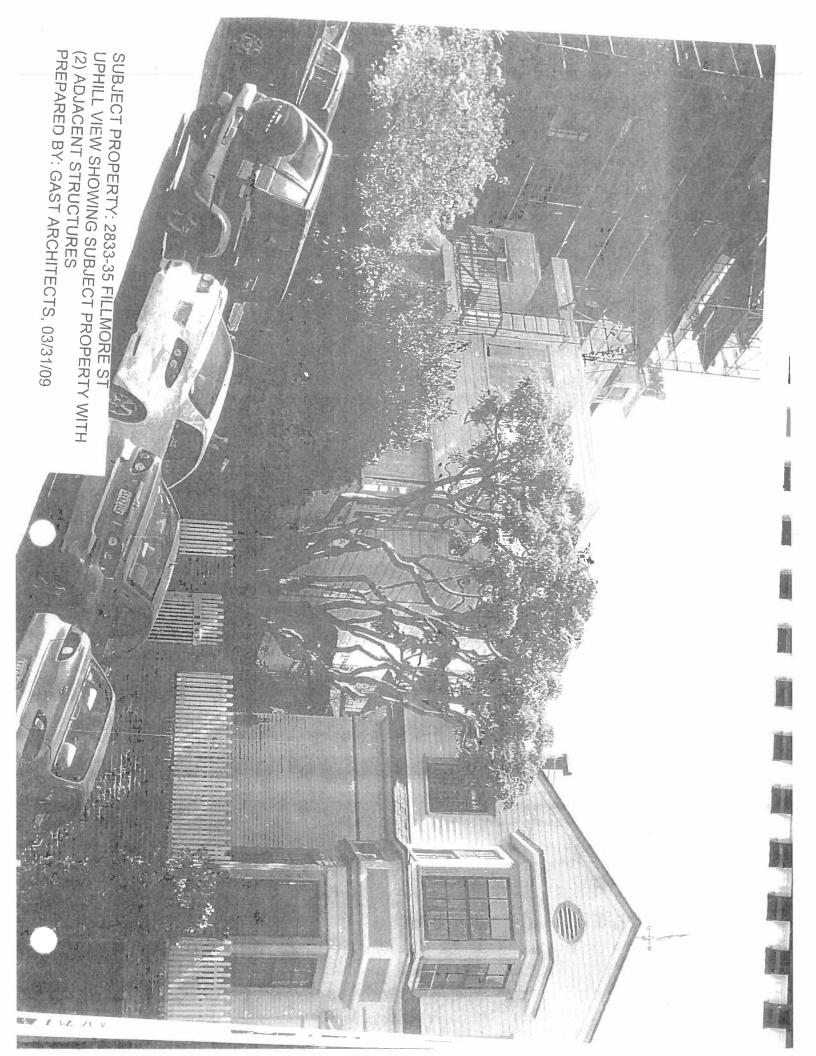
While the new residence abuts the main building's north elevation, the building's historic masonry walls will remain substantially intact. The proposed design therefore complies with Standard 10.

In conclusion, the proposed project involving the demolition of the current structure at 2833-2835 Fillmore Street and the construction in its place of a one-story-over-crawl space residence as an addition to 2300 Vallejo Street appears to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards). Therefore, there are no significant impacts, and there will be no substantial adverse changes to this historical resource.

#### 2833-2835 FILLMORE STREET

The proposed project entails demolition of the existing structure in order to construct a one-story-overcrawl space residence with a garage and roof deck as an addition to 2300 Vallejo Street. Because the property does not appear to be a historical resource, the proposed project does not appear to have the potential to impact any historical resources. Therefore, the *Standards* do not apply.





## REUBEN & JUNIUS

September 17, 2012

### **Delivered by Hand**

Mr. Rodney Fong, President San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

## Re: 2833-2835 Fillmore Street Section 317 Authorization: 2009.0724D Hearing Date: September 27, 2012 Our File No.: 6340.01

Dear President Fong and Commissioners:

This office represents Dennis Myatt, project sponsor and applicant for approval under Planning Code Section 317 to demolish an existing two-unit residential structure at 2833-2835 Fillmore Street (the "Fillmore Street Property"), and replace it with a new two-unit residential structure. No loss of dwelling units will result. Mr. Myatt also owns the adjacent 2300 Vallejo Street (the "Vallejo Street Property," collectively, the "Properties").

The new two-unit structure is part of a broader proposed project that includes a roof deck on the new structure that will provide usable rear yard open space for both Properties where none exists presently, and will replace the existing building at the Fillmore Street Property with a gracefully designed, 'green-point' rated structure that integrates a contemporary aesthetic with the historic character of the Vallejo Street Property building and meets the Secretary of the Interior's Standards for Rehabilitation of Historic Properties. (Renderings of the proposed structure and project plans are attached as **EXHIBIT A**.) The new structure would occupy a smaller building envelope than the existing structure, and is supported by the neighborhood. This Project will significantly enhance both the Properties and the neighborhood generally.

The two existing units being replaced are rent control units. Mr. Myatt is proposing to replace these older units with two new below market rate ("BMR") units. These units will be subject to all the income and rental controls and will be restricted with a Notice of Special Restrictions ("NSR") like any other BMR unit in the City. This will dramatically increase the affordability of these units in a neighborhood with virtually no truly affordable housing stock. While the City's rent control ordinance does offer protections to existing tenants, the ordinance is a "vacancy decontrol" ordinance that allows an owner to raise the rent to market rate for new tenants when the unit becomes vacant for any reason. A BMR restricted unit has its rent permanently restricted and controlled by regulations administered by the Mayor's Office of Housing. The proposal before you will provide a higher level of affordability than currently exists.

One Bush Street, Suite 600 San Francisco, CA 94104

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Sheryl Reuben<sup>1</sup> | David Silverman | Thomas P. Tunny | Jay F. Drake Daniel A. Frattin | Lindsay M. Petrone | John Kevlin | Jared Eigerman<sup>2,3</sup> | John McInerney III<sup>2</sup> tel: 415-567-9000 fax: 415-399-9480

## A. PROJECT DESCRIPTION AND BENEFITS

In addition to the Planning Code Section<sup>1</sup> 317 application, the proposed project requires variances that are being concurrently evaluated by the Zoning Administrator, and has been determined by Planning Department staff to be categorically exempt under the California Environmental Quality Act ("CEQA;" see **EXHIBIT B**).

The proposed "Project" in its entirety consists of the following: (1) replacing the existing building on the Fillmore Street Property (now consisting of two 692-sf dwelling units) with 2 new BMR dwelling units in a new, 1,069-sf 'green-point' rated 1-story over basement residential building; (2) constructing a 760-sf roof deck on top of the new Fillmore Street Property building accessible to both Properties; (3) constructing a 241-sf roof deck over a new 270-sf, 1-story attached garage, which replaces the existing exterior parking at the rear of the Vallejo Street Property; (4) the conversion of 2 rear-façade windows into doors on the Vallejo Street Property building, and other work sufficient to allow access to the roof deck; and (5) a very slight adjustment of the lot line shared by the Properties, so that the existing areas of both lots are maintained.

The Project's benefits are as follows:

- Replacing an outdated 55 year-old building with an elegant new, green-point rated structure that integrates a contemporary aesthetic with the historic character of the existing Vallejo Street Property building, thus enhancing the neighborhood's aesthetic and property values;
- The Project will replace the two existing dwelling units with two new dwelling units, therefore, no loss of dwelling units will result;
- Increasing the affordability at this site by replacing the two existing units with two BMR restricted units.
- Provides usable rear yard open space for both Properties where none exists presently;
- The new structure will occupy less building envelope than the existing structure, and thus will be less obtrusive for neighboring properties (a comparison of the proposed structure with the existing building envelope is shown in **EXHIBIT A**); and
- The Project is widely supported by the neighborhood (see letters of support attached as **EXHIBIT C**).

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### **B.** THE PROJECT MEETS NEARLY ALL SECTION 317 CRITERIA

Section 317 requires the Planning Commission to first consider whether the two dwelling units proposed for demolition fall under the "affordability threshold" for two units, which at this time is \$1.9 million for a two-family home. (See "Implementation Document"<sup>2</sup> at 14.) A July 7, 2009 appraisal conducted by Howard M. Steiermann valued the existing land and structure at \$1.35 million. This value likely has increased since 2009 because of the improvement in the real estate market generally. Moreover, it should be noted that the two dwelling units on the Fillmore Street Property are small (1,384 sf combined). On a per square footage basis, the units' value (as of 2009) was approximately \$975 per sf, which makes this some of the most expensive real estate in the City. For instance, sources that track residential real estate prices estimate San Francisco residential real estate currently averages approximately \$419-\$544 per sf.<sup>3</sup> The subject units have a value approximately double the City's per square foot average rate.

In addition to the foregoing, Section 317 requires the Planning Commission to consider whether the Project meets sixteen other criteria. <u>The Project meets thirteen of the sixteen criteria</u>, and arguably meets a fourteenth concerning rental housing, as follows:

### **Existing Building**

### 1. Whether the property is free of a history of serious, continuing code violations;

The Project MEETS this criterion. No known code violations are associated with this Property. The Implementation Document states that the purpose for considering this criterion is to prevent the project sponsor from purposefully failing to maintain the Property so as to cause a decline in the housing quality. (General Plan Objective 3 & Policy 3.1, Implementation Document at 4). The project sponsor has not failed to maintain the Property and has not sought to cause a decline in housing quality, and therefore has operated within the required intent of this criterion.

# 2. Whether the housing has been maintained in a decent, safe, and sanitary condition;

The Project MEETS this criterion. The project sponsor has maintained the house in a decent, safe, and sanitary condition. The Implementation Document states that the purpose for considering this criterion is to "eliminate building degradation caused by lack of maintenance

<sup>3</sup> See, *e.g.*, Trulia (listing City and County of San Francisco average residential rate of \$544/sf) (*available at:* http://www.trulia.com/real\_estate/San\_Francisco-California) (last visited: May 13, 2012); Zillow (listing City and County of San Francisco average residential rate of \$419/sf) (*available at:* http://www.zillow.com/local-info/CA-San-Francisco-home-value/r\_20330/#metric=mt%3D11%26dt%3D1%26tp%3D5%26rt%3D8%26r%3D20330) (last visited: May 13, 2012).

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<sup>&</sup>lt;sup>2</sup>The Implementation Document is the Department of City Planning's *Zoning Controls on the Removal of Dwelling Units: A San Francisco Planning Code Implementation Document* (October 2010).

from consideration of the building's soundness," so that "negligent owners are not 'rewarded' for poor maintenance." (General Plan Policy 3.1, Implementation Document at 4.) The project sponsor has not negligently maintained the Property poorly for purposes of seeking to demolish the Property. Therefore, the project sponsor has complied with the intent of this criterion.

## 3. Whether the property is a "historical resource" under CEQA;

Planning Department staff concluded that the Fillmore Street Property building is not a historic resource under CEQA, and therefore that the Project is categorically exempt from CEQA (See **EXHIBIT B**.) Therefore, the Project MEETS this criterion.

4. <u>If the property is a historical resource, whether the removal of the resource will</u> have a substantial adverse impact under CEQA;

The Project MEETS this criterion. The existing structure is not a historical resource, and Planning Department staff has concluded that the Project is categorically exempt under CEQA.

### **Rental Protection**

5. <u>Whether the Project converts rental housing to other forms of tenure or occupancy;</u>

The project MEETS this criterion. The two units currently are available for rental (although they are vacant at this time). Creating two new BMR units at this site will continue to allow the units to be rented at below market rates. The project will in no way prevent the units from being rented in the future.

## 6. <u>Whether the Project removes rental units subject to the Rent Stabilization and</u> <u>Arbitration Ordinance;</u>

The Project technically DOES NOT MEET this criterion. The Rent Stabilization and Arbitration Ordinance applies to "all residential dwelling units" built prior to the Ordinance's enactment in 1979. The Property currently consists of two residential dwelling units built in 1956, and therefore will remove two dwelling units subject to the Ordinance. <u>However</u>, the new units would be BMR rental units, and thus arguable would have better rental protection than rental units subject to the Rent Stabilization and Arbitration Ordinance.

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### **Priority Policies**

7. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

The Project MEETS this criterion. The two dwelling units to be demolished would be replaced by two new dwelling units. No loss of dwelling units would result. In addition, the Implementation Document states that "the Code and the procedures embodied in this document advance the goals of the General Plan by conserving sound housing, and by allowing the removal of housing if the replacement units increase the City's housing stock, or create family housing and other special needs housing, or increase density where appropriate." (General Plan Priority Policy 3, Implementation Document at 2.) The Project meets this criterion by providing a home more suitable for family living at the Vallejo Street Property. The two units proposed for demolition are each approximately 692 square feet in size, which is insufficient for raising a family. Therefore, the Project is not removing any family housing.

The Project's new improvements will provide an ample outdoor living area to be shared by both the newly-constructed units and the existing home at Vallejo Street Property. The home on the Vallejo Street Property has four bedrooms, and is of the size that would typically be required for a family. However, the Vallejo Street Property currently has no usable open space and a minimal rear yard, which are highly desirable for families. By providing a rear yard and usable open space for the Vallejo Street Property, the Project increases the attractiveness of this Property to families and assists the City in providing a housing stock amenable to family living.

The Fillmore Street Property to be demolished has been recognized as not contributing to the neighborhood character or contributing to the cultural diversity of the existing neighborhood, therefore, the demolition will not affect neighborhood character or the neighborhood's cultural diversity.

8. <u>Whether the Project conserves neighborhood character to preserve neighborhood</u> cultural and economic diversity;

The Project MEETS this criterion. The Project is in compliance with the City's Residential Design Guidelines, and therefore meets the stated purpose of conserving neighborhood character by requiring new residential buildings to meet those requirements. The Project also complies with the Secretary of the Interior's Standards, as determined by Planning Department staff. The replacement of these units with BMR units also will increase the economic diversity of the area.

9. Whether the Project protects the relative affordability of existing housing;

The Project MEETS this criterion. The Implementation Document does not directly

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address this criterion. The Implementation Document's discussion of affordability, however, focuses primarily on those General Plan objectives and policies that speak to an effort to retain affordable rental housing. (General Plan Priority Policies 2, 3, and Policy 8.1, Implementation Document at 2, 5.) The dwelling units to be demolished are not "affordable" units, and are currently owned by the project sponsor and are vacant. No renter will be affected by the demolition of these units. When last rented, the units received \$2,700 - \$2,800 in rent. That rent is far above every threshold for affordability established by the Mayor's Office of Housing, including those for middle-income residents.<sup>4</sup> The Project protects the relative affordability of existing housing by providing the new units as BMR units.

# 10. <u>Whether the Project increases the number of permanently affordable units as</u> governed by Section 315;

The Project MEETS this criterion. The affordable unit requirements of Section 315 apply to projects of five or more units. (Section 315.3(a).) The proposed Project replaces two dwelling units with two new dwelling units, and therefore is not required to provide any affordable units. Nevertheless, the project sponsor is willing to make the new units permanently affordable as BMR units.

## **Replacement Structure**

# 11. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

The Project MEETS this criterion. The Property will maintain two dwelling units in the established Pacific Heights residential neighborhood. The site is appropriate for residential use, as the surrounding neighborhood use also is residential.

## 12. Whether the Project creates quality, new family housing;

The Project MEETS this criterion. The two units proposed for demolition are each approximately 692 square feet in size, which is insufficient for raising a family. Therefore, the Project is not removing any family housing. The Project's new improvements will provide an ample outdoor living area to be shared by both the newly-constructed unit and the existing home at the Vallejo Street Property. The home at the Vallejo Street Property has four bedrooms, and is of the size that would typically be required for a family. However, the Vallejo Street Property currently has no usable open space and a minimal rear yard, which is highly desirable for families. By providing usable open space, the Project increases the attractiveness of these Properties to families.

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<sup>&</sup>lt;sup>4</sup> See http://sf-moh.org/modules/showdocument.aspx?documentid=5608

#### 13. Whether the Project creates new supportive housing;

The Project MEETS this criterion. The Implementation Document defines "supportive housing" as servicing, in part, the "disabled," "households with special needs," "large families, especially those newly immigrated to the United States," "elderly citizens," the "city's homeless population," and "the mentally disabled." (General Plan Policy 8.6, Implementation Document at 5.) No single project is able to service all of the supportive housing needs mentioned by the Implementation Document, or that are envisioned by this criterion. However, to the extent that a project is amenable to assisting a subset of these groups, it should be considered to meet this criterion. The new units proposed in the Project on the Fillmore Street Property are ideal for an elderly citizen of the City; in fact, a contemplated use of one of the new units is for the project sponsor's elderly parents. The location of the units near a neighborhood commercial district is ideal for an elderly citizen, for whom car travel may no longer be an option, as it provides ready access to essential goods and services within a walkable distance of the Union Street Neighborhood Commercial District.

## 14. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;

The Project MEETS this criterion. The Project provides a well-designed, new structure that complies with the Residential Design Guidelines and the Secretary of the Interior's Standards. The proposed new building also was designed in response to neighborhood concerns regarding the scale of an earlier proposal, and the desire for less excavation and a shorter construction time by the neighbors. The design of the new building is smaller than the existing building envelope, which will provide adjoining neighbors additional light, air, and views. The architects, Gast Architects, are a well-known architectural firm with experience in both historical preservation and green building processes. The proposed new building is designed to gain 95 GreenPoints in the Build It Green rating system, far in excess of the City's green building requirements and nearly twice the number of points required to be GreenPoint Rated. In addition, the project sponsor plans to deconstruct, rather than demolish, the existing structure, permitting re-use of those building materials in the existing building.

One Bush Street, Suite 600 San Francisco, CA 94104

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

REUBEN & JUNIUS

#### **D. CONCLUSION**

The proposed Project requires approval under Section 317 to demolish two older dwelling units, and replace them with two new BMR units in an aesthetically-pleasing structure. The Project will provide usable rear yard open space for two Properties, brings architectural cohesion to the Properties and the neighborhood, and reduces the building envelope on the Fillmore Street Property. The Project is widely supported by the neighborhood. For all of these reasons, we urge your support of this Project.

Very truly yours,

REUBEN & JUNIUS, LLP Thomas Tunny

Enclosures

cc: Commission Vice-President, Cindy Wu Commissioner Michael Antonini Commissioner Gwyneth Borden Commissioner Rich Hillis Commissioner Kathrin Moore Commissioner Hisashi Sugaya Linda Avery, Commission Secretary John Rahaim, Planning Director Aaron Starr, Planner Dennis Myatt Gast Architects Andrew J. Junius

> One Bush Street, Suite 600 San Francisco, CA 94104

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

**REUBEN & JUNIUS** 

## EXHIBIT A



GAST ARCHITECTS
335 11th Street, Suite 300 San Francisco CA 94103 Tel 415.885.2946 Fax 415.885 2808
MYATT - 2 UNIT RESIDENCE 2833-2835 FILLMORE STREET 5an Francisco, CA 94123
PROPOSED RENDERING
REVISIONS
REVISIONS PHRA MEETING 6/01/09 PLANNING SUBMITTAL 7/31/09
7/31/09 PHRA MEETING 4/05/10
PLANNING HEARING 9/27/12
Sec. (\$22)/25/2
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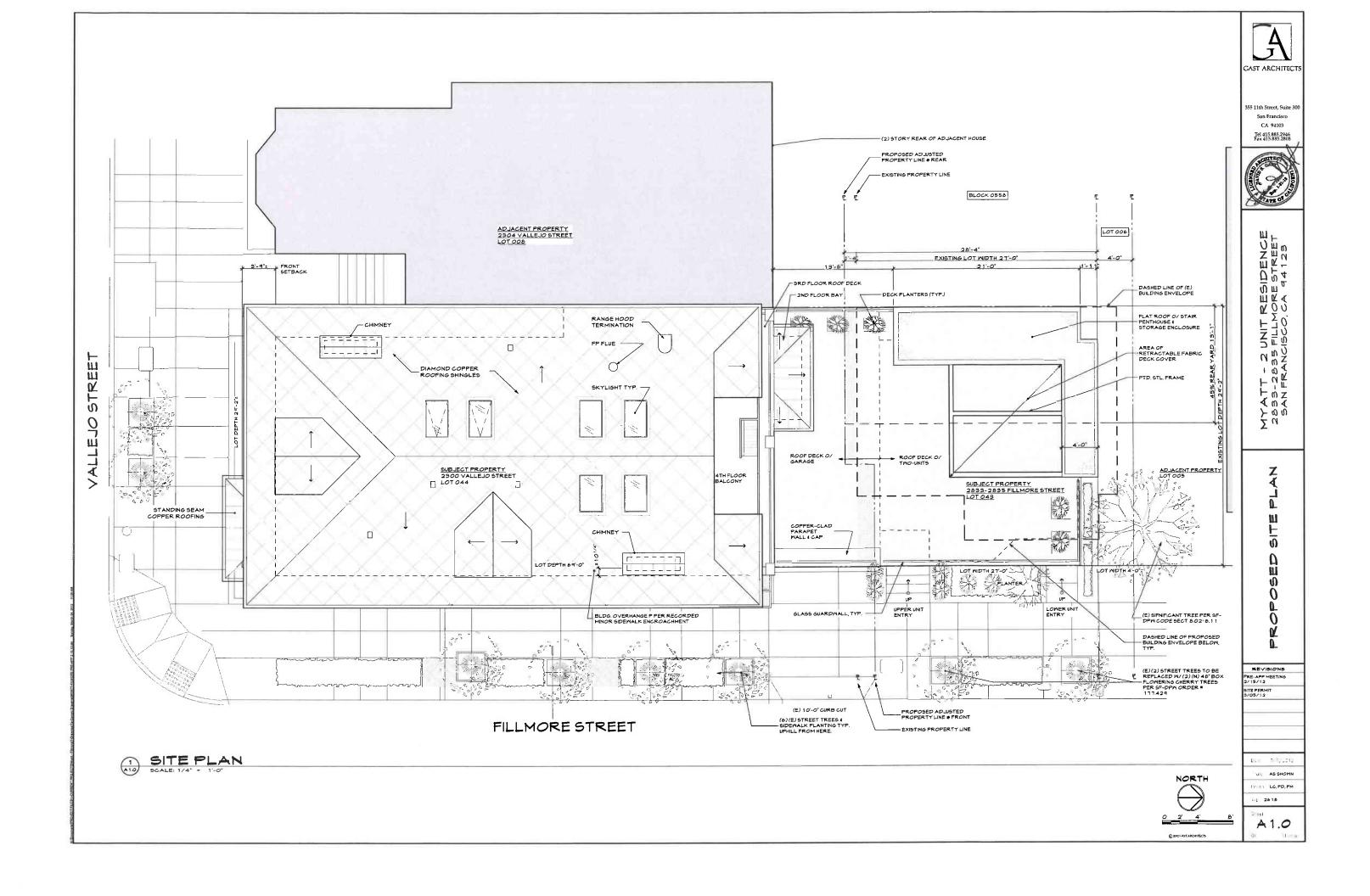
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335 11th Str. San Fr CA Tel 415 Fax 415
MYATT - 2 UNIT RESIDENCE
PHRA MEET 6/01/09 PLANNING 5 7/81/09 PHRA MEET 4/05/10 PLANNING H 9/27/12
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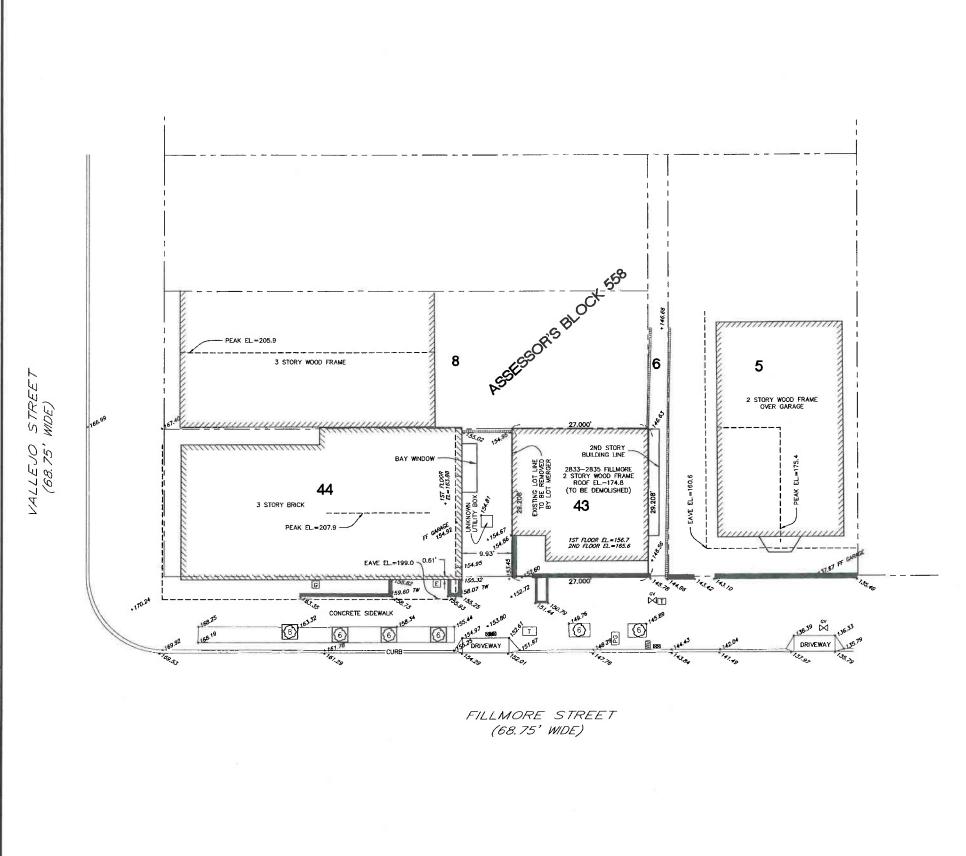
335 11th Street, Suite 300 San Francisco CA 94103 Tel 415,885,2046 Fox 413,885,2046
MYATT - 2 UNIT RESIDENCE 2833-2835 FILLMORE STREET San Francisco, CA 94123
PROPOSED RENDERING
REVISIONS PHRA MEETING 6/01/09 7LANING SUBMITAL 7/291/09 PHRA MEETING 4/05/10 FLANNING HEARING 1/21/12
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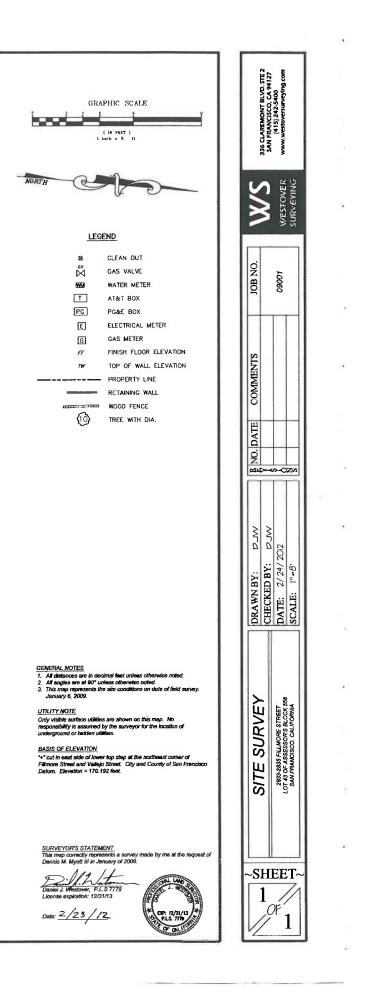
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MYATT - 2 UNIT RESIDENCE 2833-2835 FILLMORE STREET 5an Francisco, CA 94123
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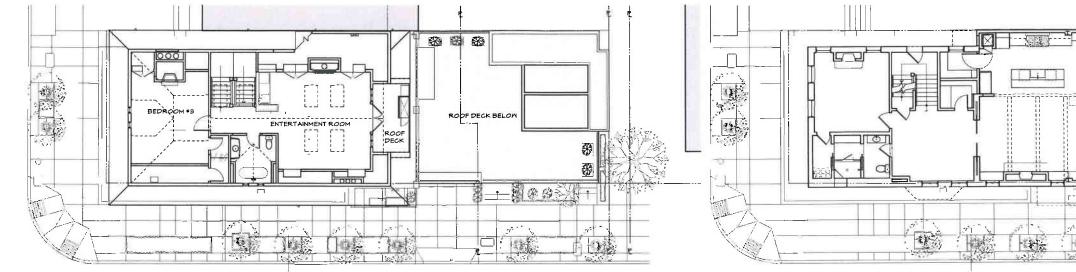
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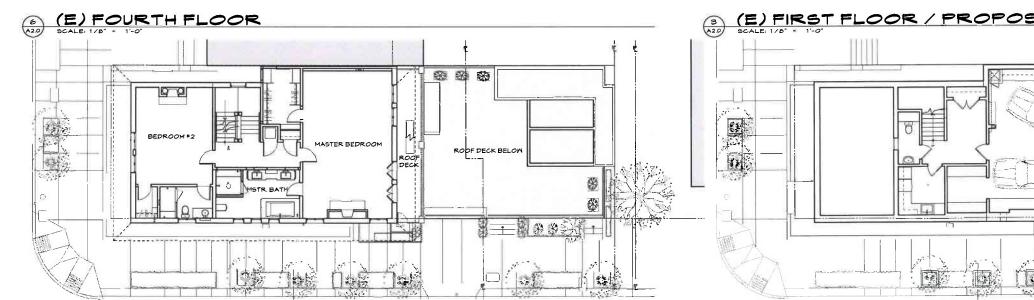


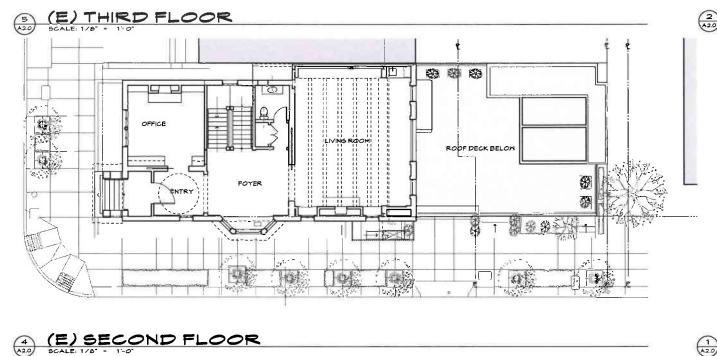


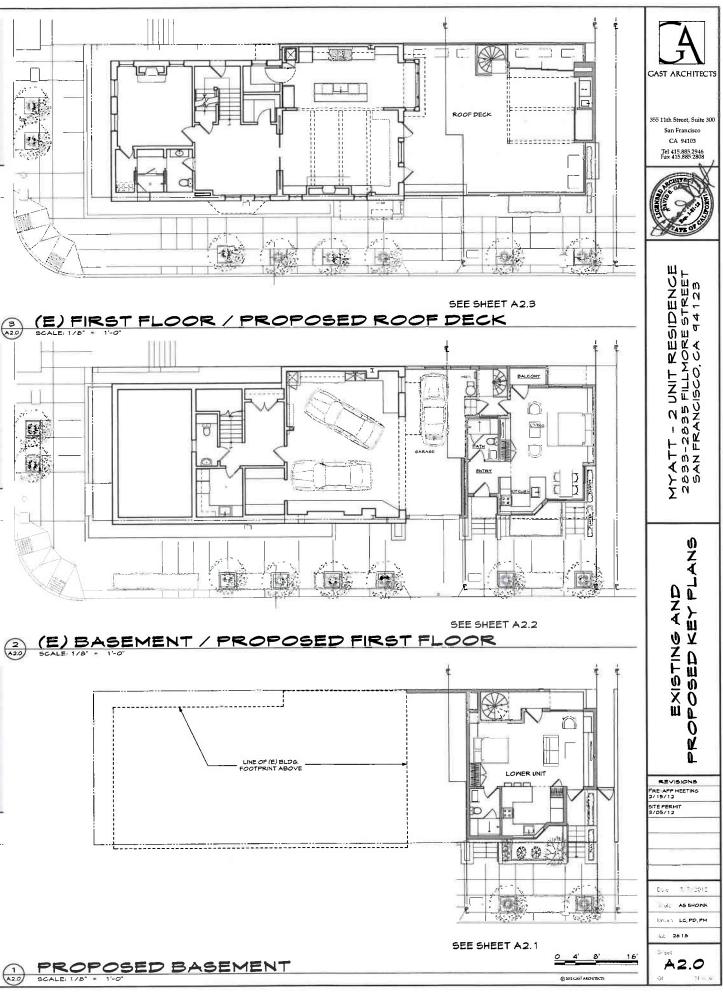
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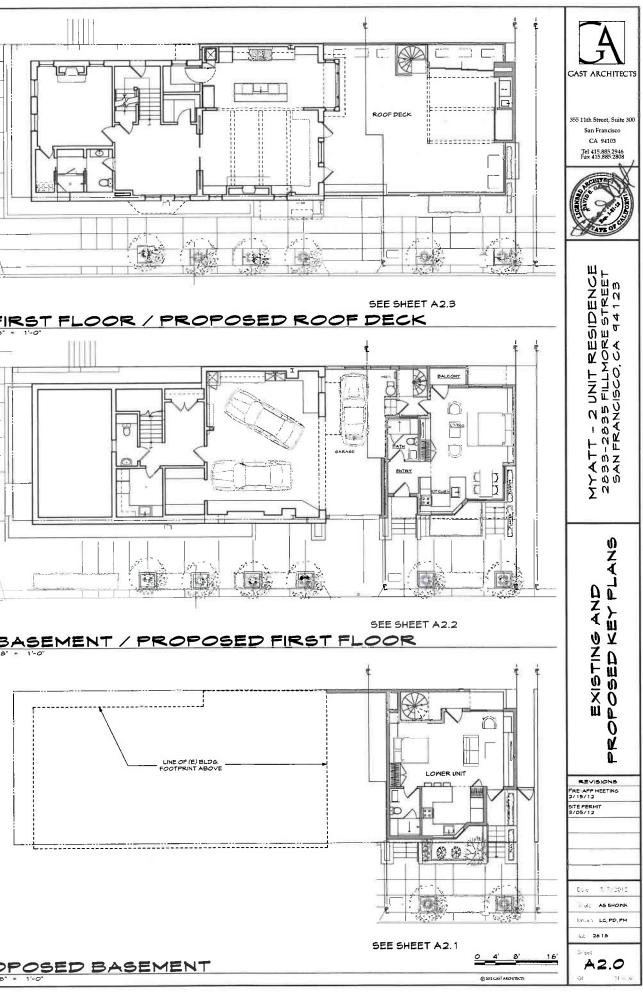


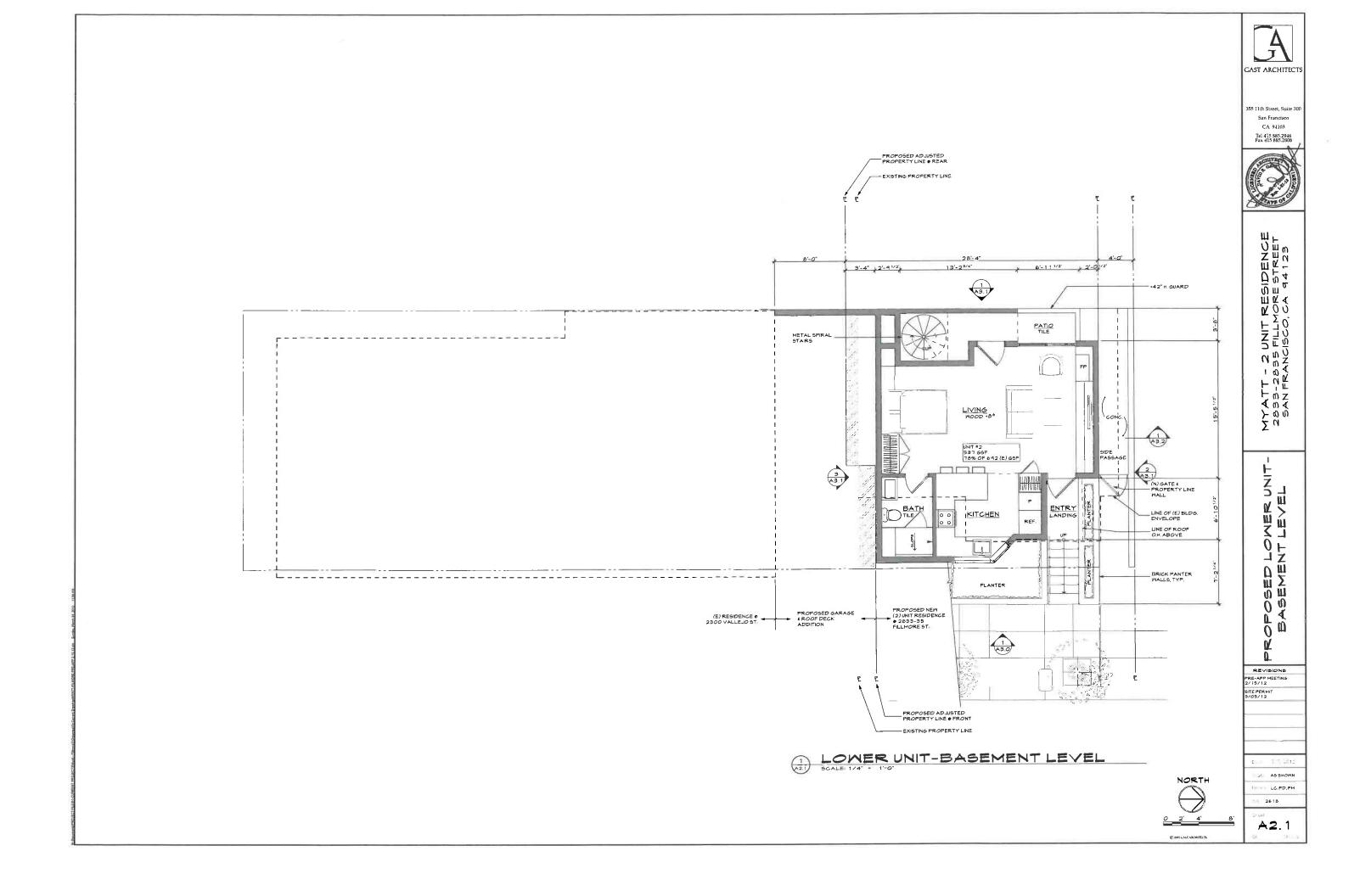


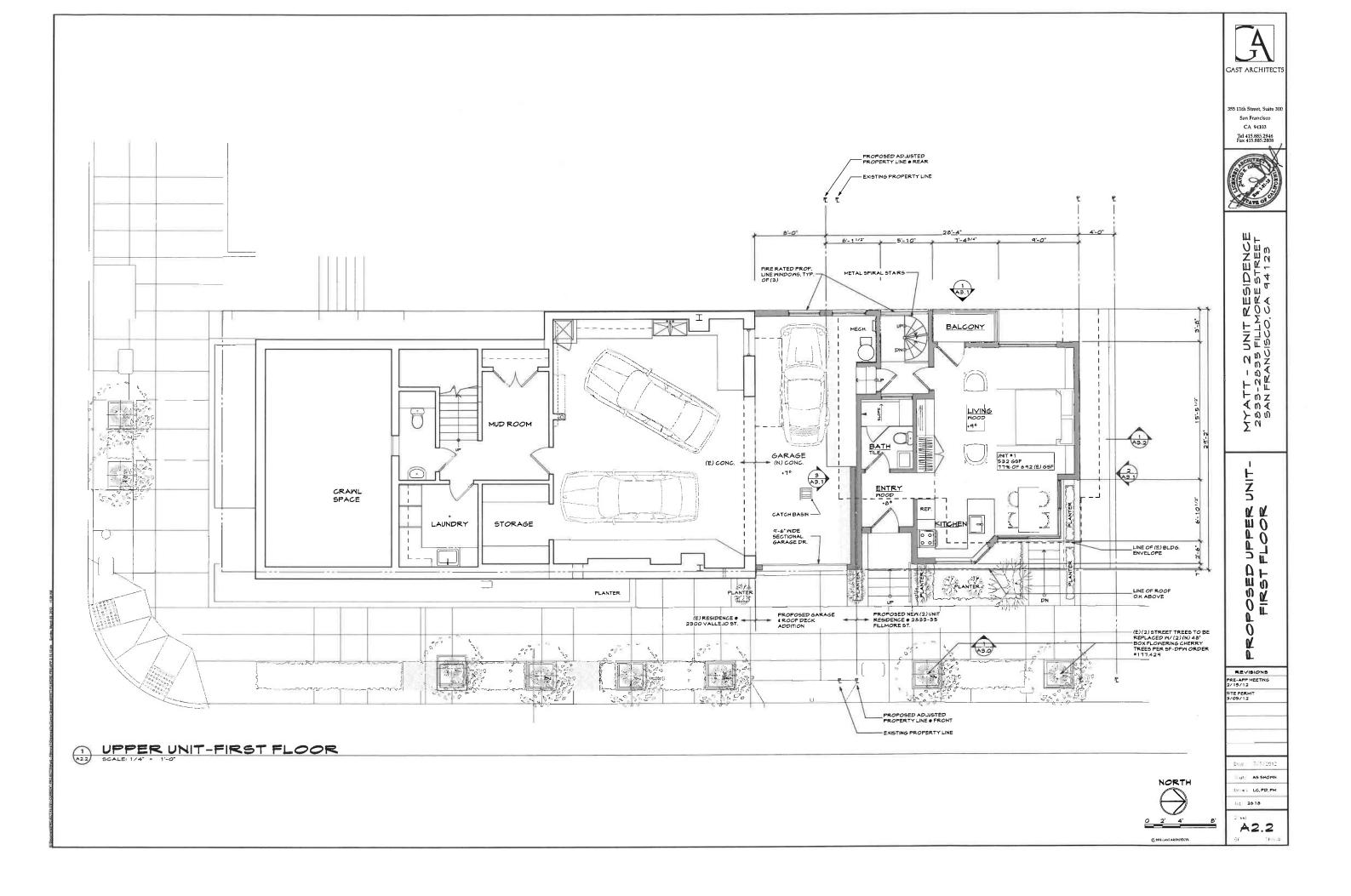


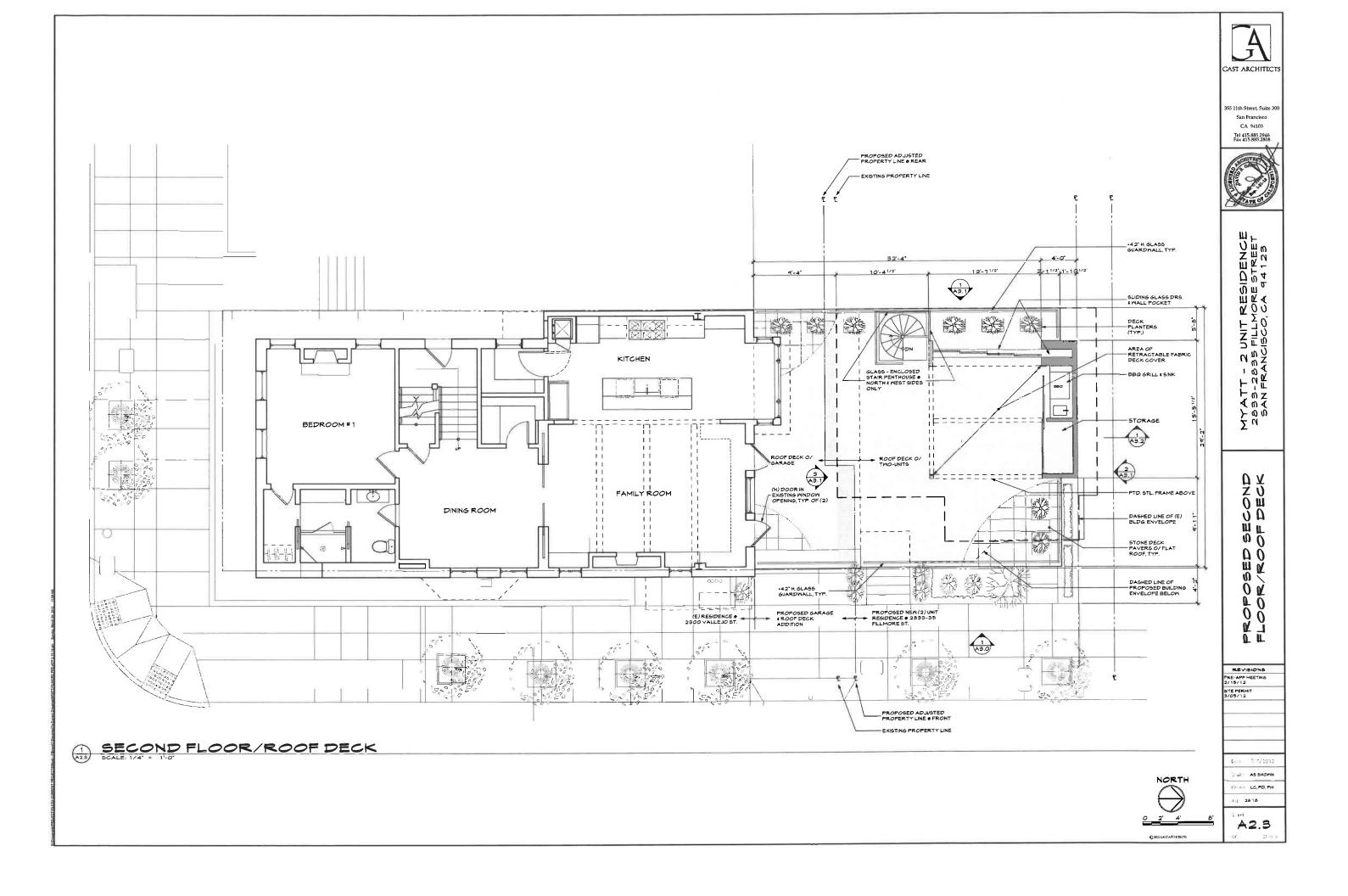


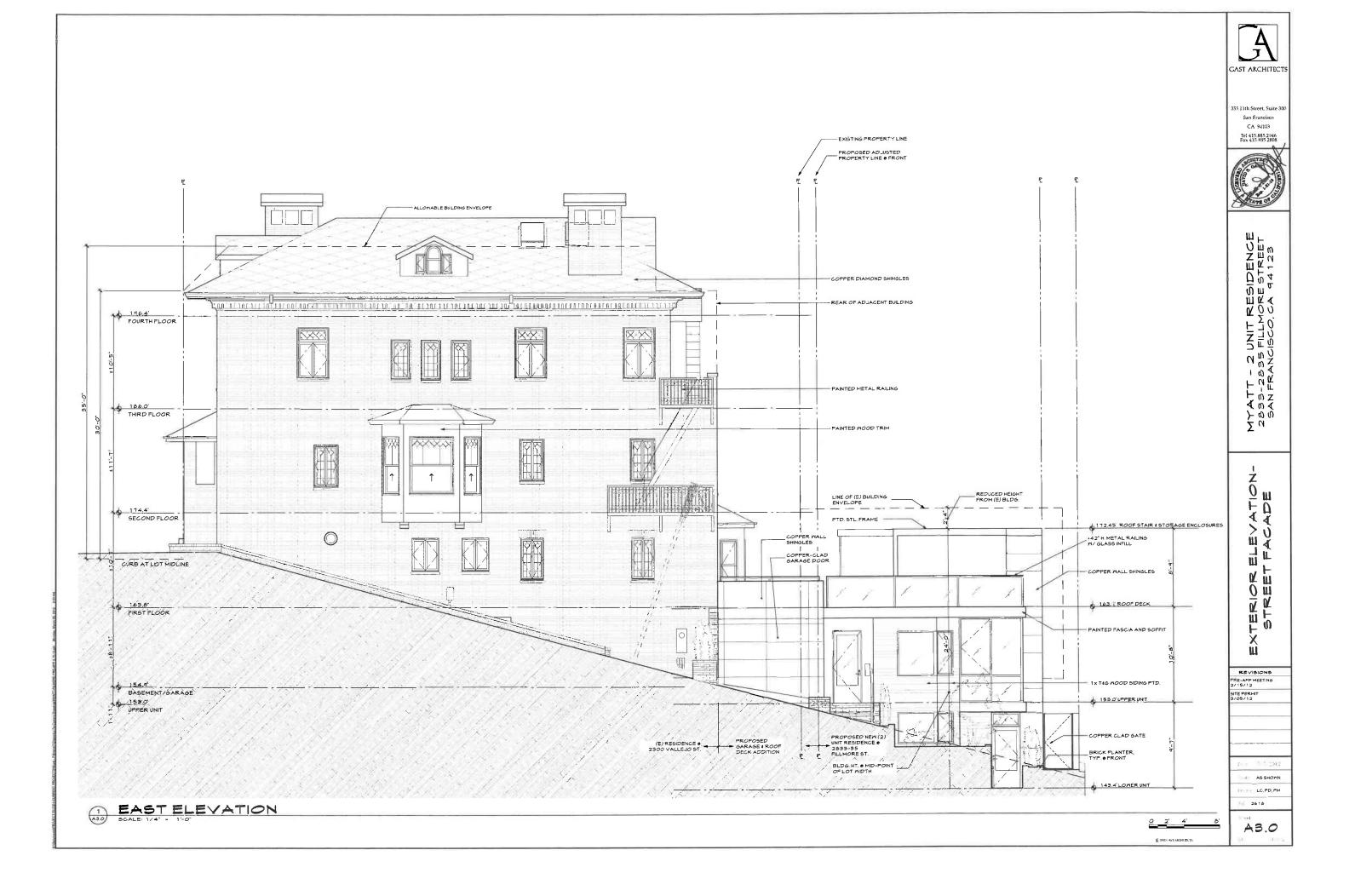


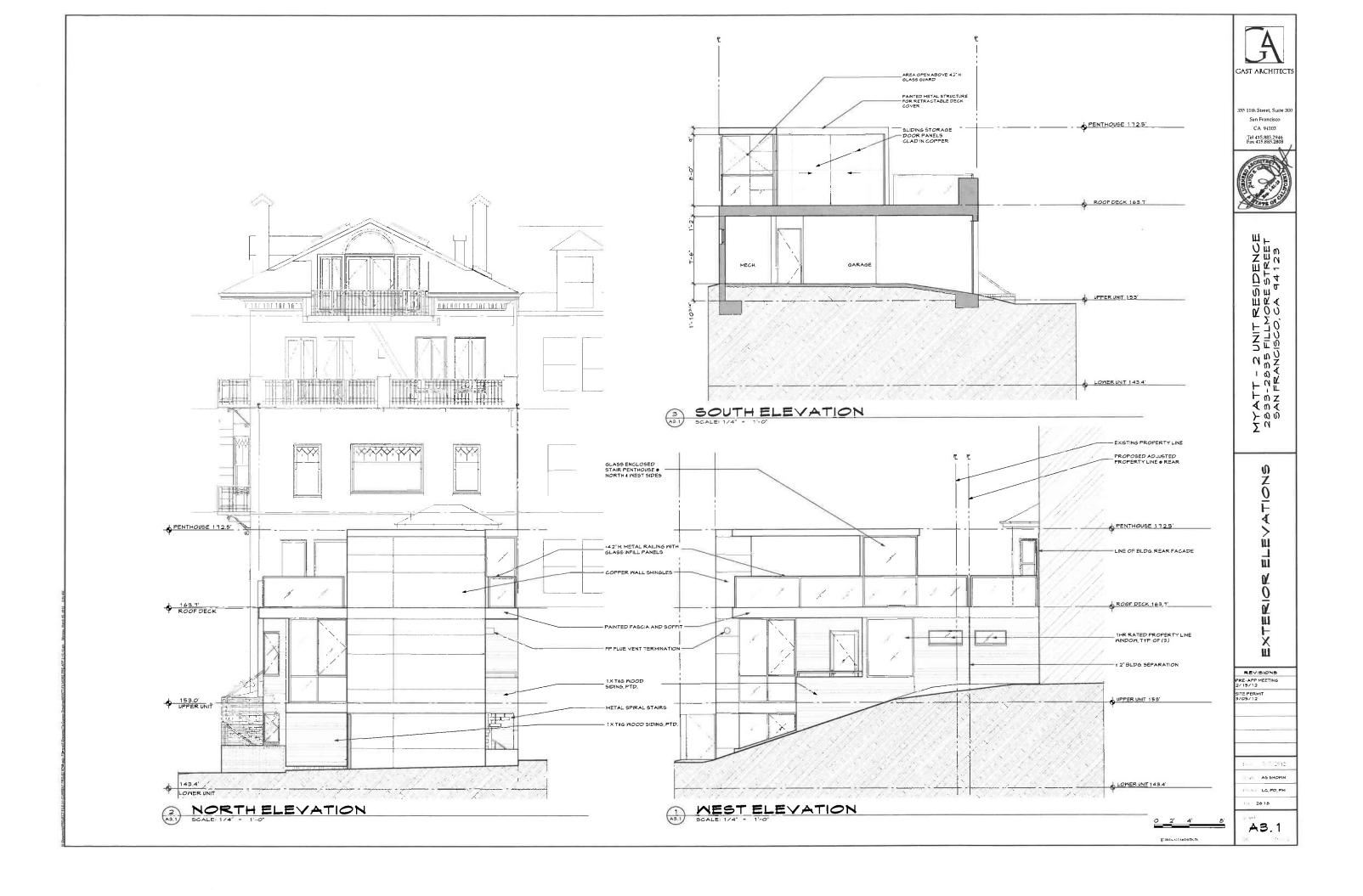


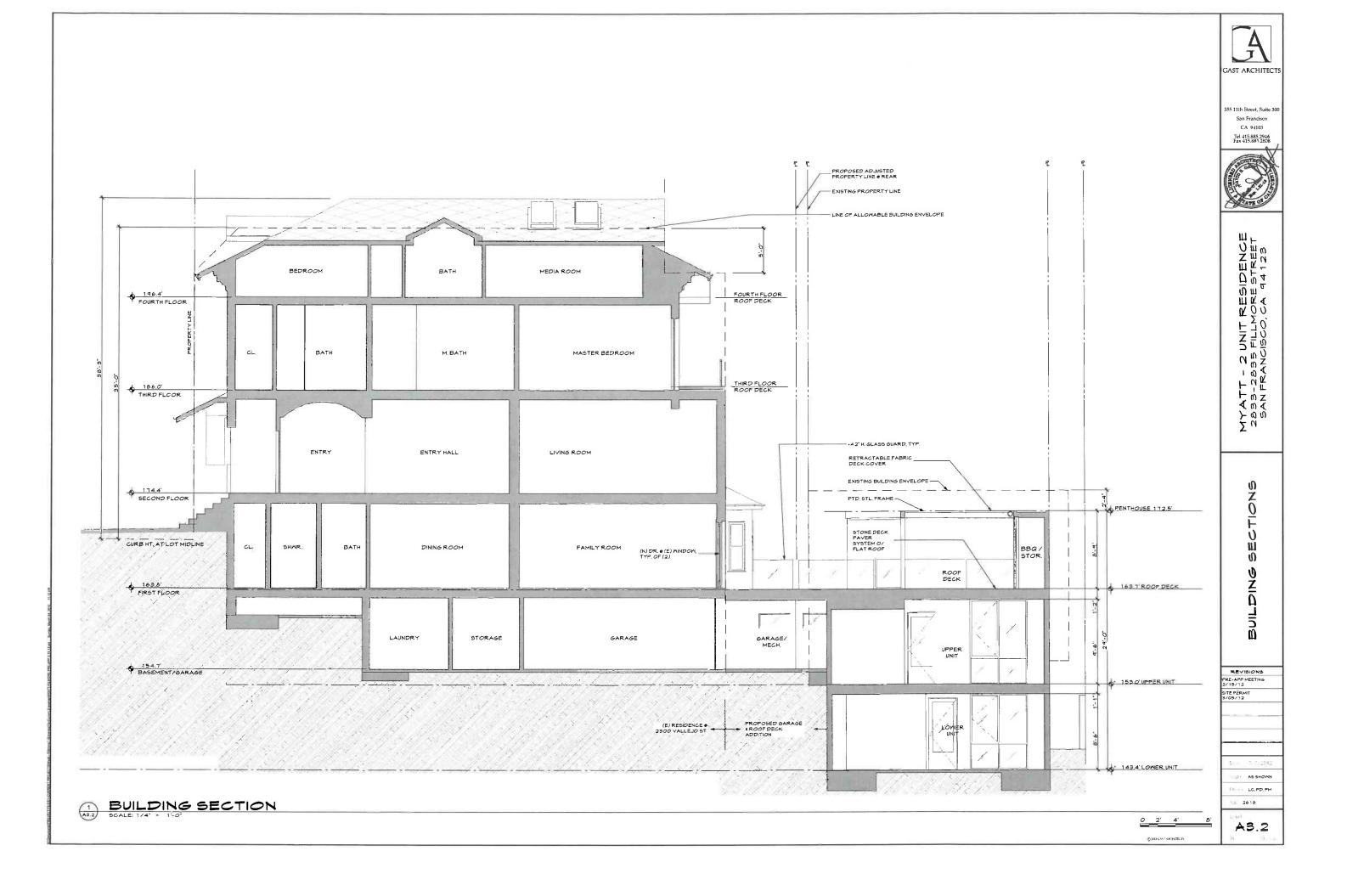


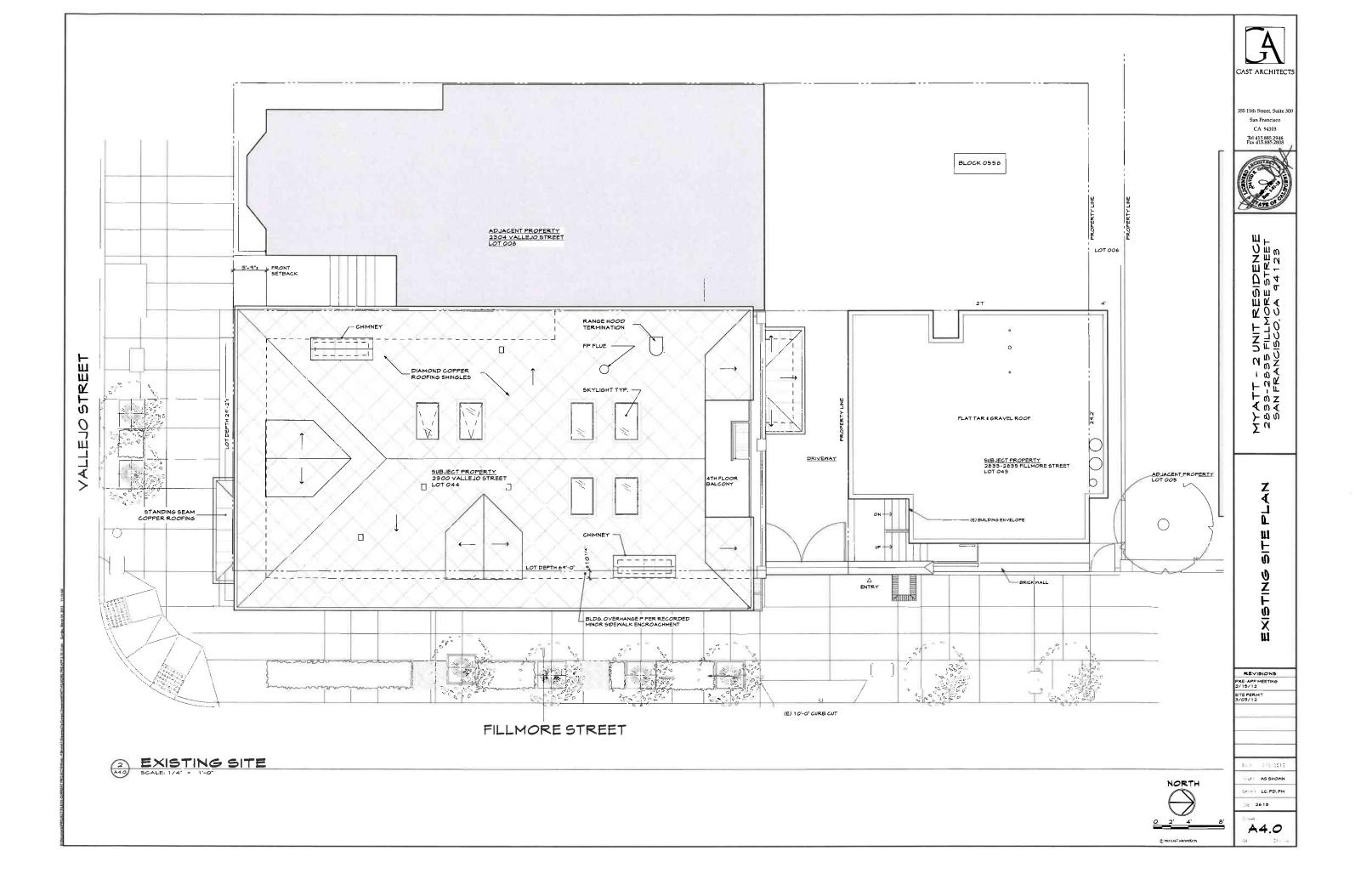


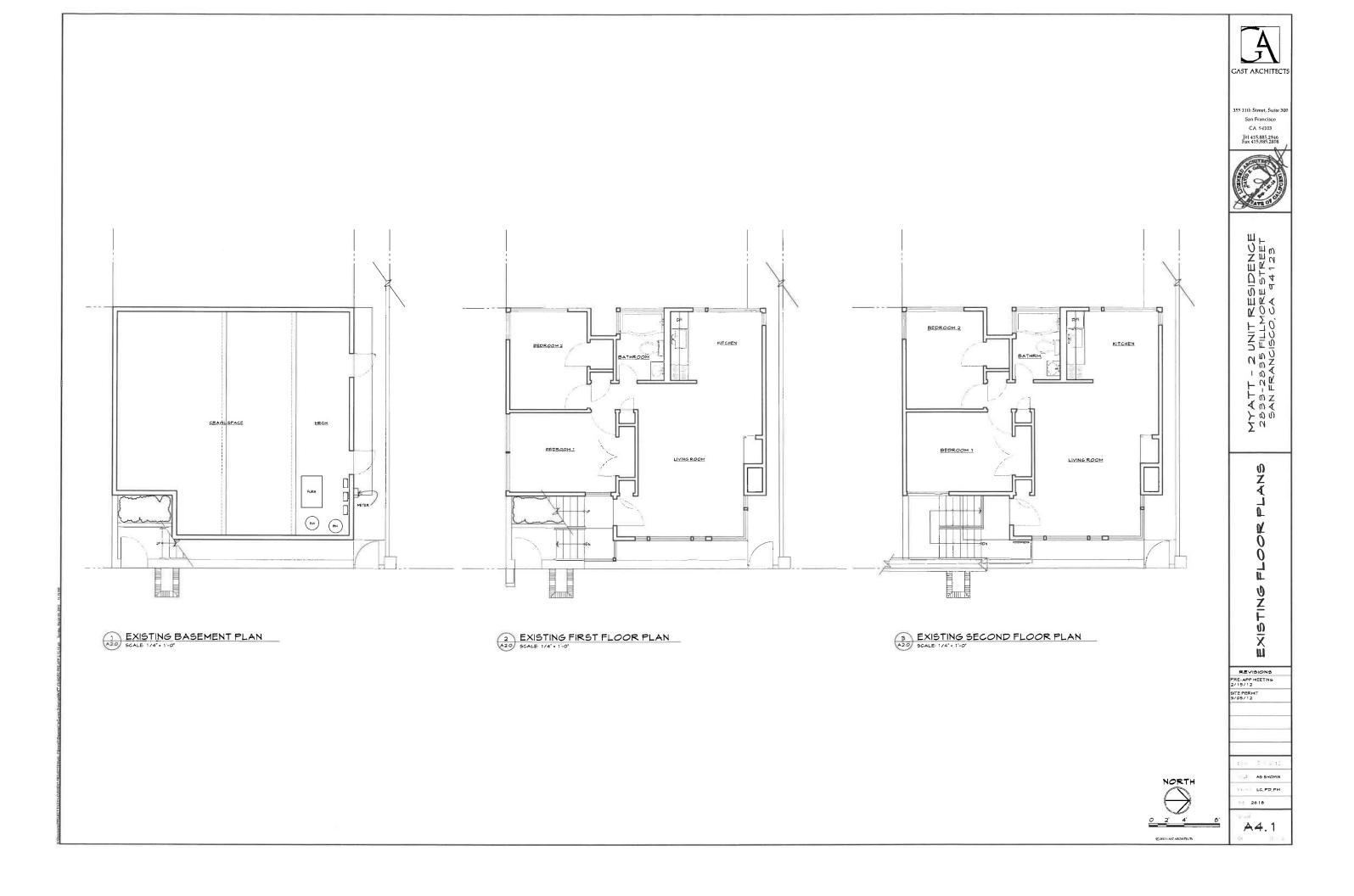


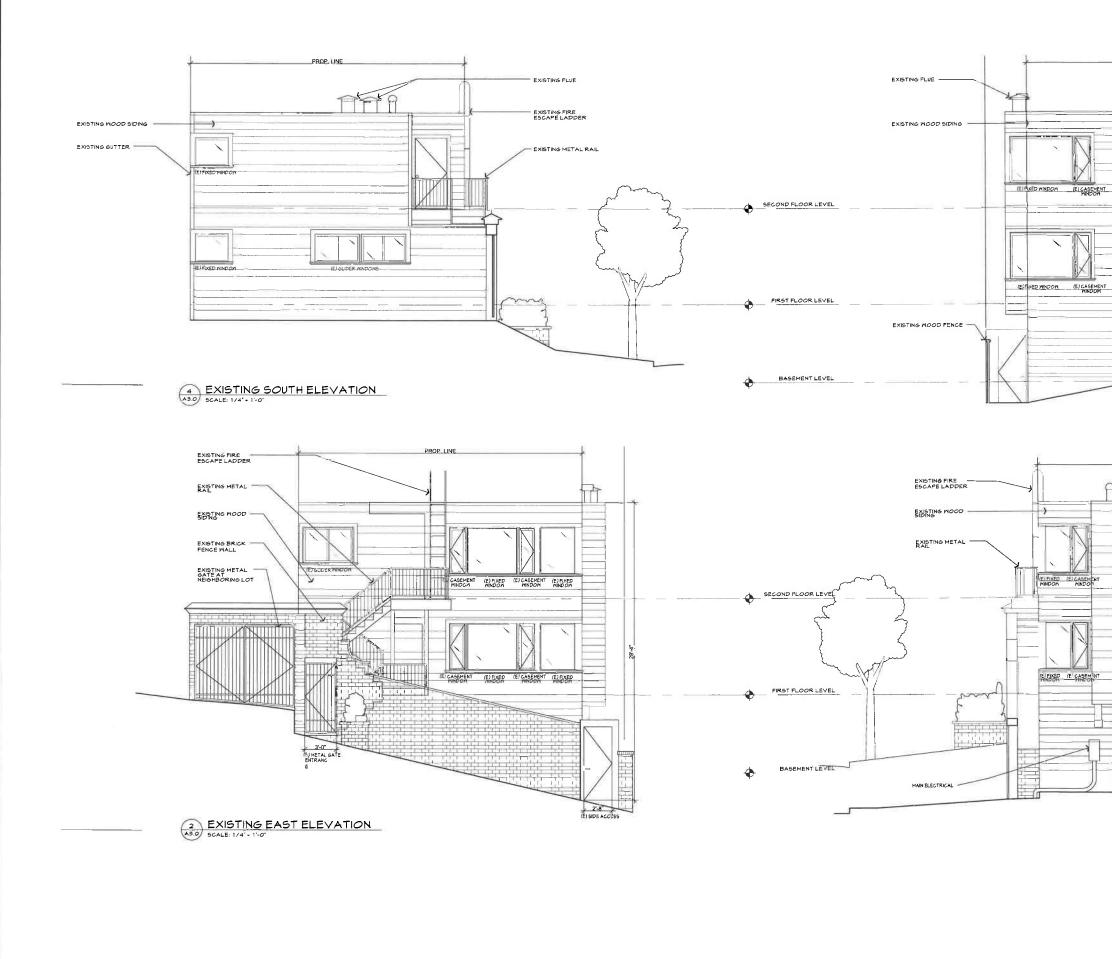












PROP. LINE	CAST ARCHITECTS
(E) FIXED VINDOW (E) SLIDER VINDOW	355 11th Street, Suite 300 San Francisco CA 94103 Tel 415 885 2946 Fax 415 885 2808
CE FREED MINDOW  CE JOLUDER MIN	MYATT - 2 UNIT RESIDENCE 2033-2035 FILLMORE STREET SAN FRANCISCO, CA 94123
(1) EXISTING NORTH ELEVATION SCALE: 1/4' - 1'-0'	с А5 5HO/IN LC,PD,PM 2616 А4.2

# **EXHIBIT B**



## SAN FRANCISCO PLANNING DEPARTMENT

### МЕМО

DATE:September 13, 2012TO:Case No. 2009.0724E FileFROM:Shelley Caltagirone, Preservation Planner, NW QuadrantRE:Revision to 2300 Vallejo Project (Case No. 2012.0888E)

1650 Mission S Suite 400 San Francisco CA 94103-2479

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information 415.558.6377

On December 22, 2009, the Planning Department (Department) issued a Categorical Exemption for the project at 2300 Vallejo Street and 2833-2835 Fillmore Street under Case No. 2009.0724E. 2300 Vallejo Street is a 6,249 square-foot (sq. ft.) single-family building located on a 2,015 sq. ft. lot, and 2833-2835 Fillmore Street is a 1,384 sq. ft., two-unit building located on a 788 sq. ft. lot. The 2300 Vallejo Street property is a historic resource individually eligible for listing on the California Register under Criterion 3 (Architecture) for embodying the distinctive characteristics of a type, period or method of construction. The property is also eligible for listing under Criterion 1 as a contributor to a potential historic district loosely defined by the boundaries of the Pacific Heights neighborhood with a period of significance from approximately 1895 to 1920. The 2833-2835 Fillmore Street property is not a historic resource.

In 2009, the proposed project involved merging the two lots, lots 43 and 44, into one lot for a total of 2,803 sq. ft., demolishing the two-story duplex located at 2833-2835 Fillmore Street and the constructing a 555 sq. ft. one-story-over-crawl space, one-unit residence with a garage as an addition to the building at 2300 Vallejo Street. The new residence featured 951 sq. ft. of deck space spanning its roof and an enclosed storage space accessible to both the residences. The new addition to 2300 Vallejo resulted in no demolition to the structure and alterations were limited to the north elevation. This project was found to be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties and, therefore, to cause no substantial adverse change such that the significance of the resource would be materially impaired.

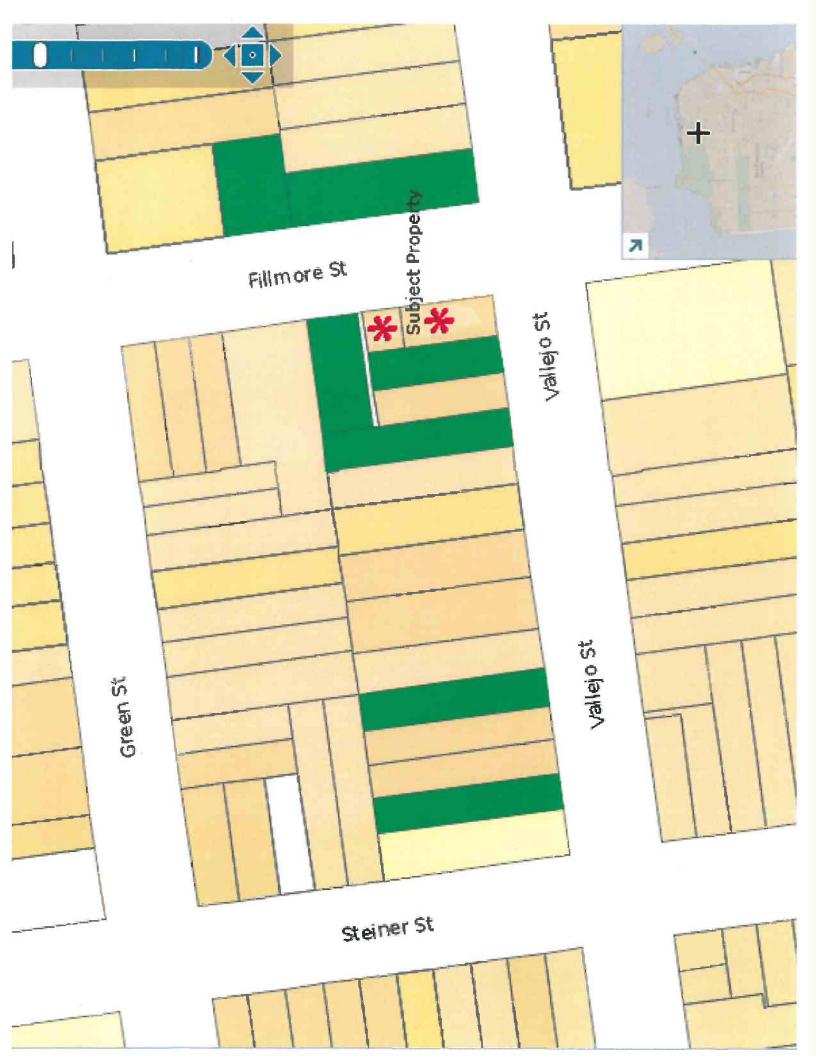
In June 2012, a revised project was submitted to the Department for review under Case No. 2012.0888E. The proposed project now involves a minor lot line adjustment that will have a negligible impact on the lot area of the two subject lots; demolishing the two-story, 1,384 sq. ft., two-unit, building located at 2833-2835 Fillmore Street and constructing a new 1,069 square foot two-story, two-unit, building; enclosing the rear yard of 2300 Vallejo to create a garage accessible to both 2300 Vallejo and 2833-2835 Fillmore; and constructing an approximately 951 sq. ft. partially covered deck that covers the roof of the new two-unit building at 2833-2835 Fillmore and the new garage at 2300 Vallejo Street. The new deck will be used as open space for both properties. The new addition to 2300 Vallejo will result in no demolition to the structure and alterations will be limited to the north elevation of the historic building to modify existing openings at the first floor.

Department staff has reviewed the revised project and found that it will continue to be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties and will cause no substantial adverse change such that the significance of the resource would be materially impaired. Although the revised project will add a dwelling unit at the new building by reconfiguring the interior layout and further excavating the lower level, the change in use will not expand the height or footprint of the previously approved building envelope. The new design will add some window and door openings at the east and west facades of the new building; however these changes will not affect the building's compatibility with the historic building at 2300 Vallejo or the surrounding potential historic district. The minor changes to the rear (north) façade of the historic building will not be visible from the public right-of-way and will not harm any character-defining features of the historic resource. The proposed design is otherwise unchanged and will not cause a substantial adverse change to the identified historic resource.

G:\DOCUMENTS\Cases\CEQA\HRER Memos\2012.0888E\_2300 Vallejo\_Memo to File.doc

EXHIBIT C

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8.29.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Re: Proposed New Building Construction at 2833-2835 Fillmore Street (Block 0558, Lot 043)

Dear Planning Commission,

We are the owners of the home at 2298 Vallejo St. adjacent and to East of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans dated 8.24.12 indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a two-story multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

er R. Honricows, LLC Owner

<u>8-29-12-</u> Date

9.1.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Re: Proposed New Building Construction at 2833-2835 Fillmore Street (Block 0558, Lot 043)

Dear Planning Commission,

We are the owners of the home at 2844 Fillmore St. located to the East of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a two-story multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

Owner Alice L. Ryan

9/1/12 Date

8.24.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Re: Proposed New Building Construction at 2833-2835 Fillmore Street (Block 0558, Lot 043)

Dear Planning Commission,

We are the owners of the home at 2843 Fillmore St. adjacent and to North of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans dated 8.24.12 indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a two-story multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

Sincerely yours, Owner

82812

9.1.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Proposed New Building Construction Re: at 2833-2835 Fillmore Street (Block 0558, Lot 043)

UN

Dear Planning Commission,

We are the owners of the home at 2304 Vallejo St. adjacent and to West of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans dated 8.24.12 indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a twostory multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

Owner

9/5/2 Date

9.1.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Re: Proposed New Building Construction at 2833-2835 Fillmore Street (Block 0558, Lot 043)

Dear Planning Commission,

We are the owners of the home at 2320 Vallejo St. three lots to the West of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans dated 8.24.12 indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a two-story multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

Jess German Millethan 9/5/12 Owner

9.1.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Re: Proposed New Building Construction at 2833-2835 Fillmore Street (Block 0558, Lot 043)

Dear Planning Commission,

We are the owners of the home at 2362/64 Vallejo St. located to the West of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a two-story multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

Owner Owner Gulton

9/6/2012 Date

8.24:12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Re: Proposed New Building Construction at 2833-2835 Fillmore Street (Block 0558, Lot 043)

Dear Mr. Lindsay:

We are the residents at 2362 Vallejo St. located to the West of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans dated 8.24,12 indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a twostory multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

Sincerely yours,

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Van and fudy Fucilla Residents

9/1/2012

8.24.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Proposed New Building Construction Re: at 2833-2835 Fillmore Street (Block 0558, Lot 043)

Dear Mr. Lindsay:

We are the residents at 2364B Vallejo St. located to the West of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans dated 8.24.12 indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a twostory multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

- Owner Resident

09/06/12 Date

91.12

Department of City Planning City and County of San Francisco 1650 Mission Street San Francisco, CA 94103

Re: Proposed New Building Construction at 2833-2835 Fillmore Street (Block 0558, Lot.043)

Dear Planning Commission,

We are the owners of the home at 2380 Vallejo St. located to the West of the subject property at 2833-2835 Fillmore Street owned by Dennis M. Myatt III.

We have reviewed the attached plans indicating the demolition of an existing two-story two-unit residential building with the proposed replacement of a two-story multi-family residence with roof deck that serves as outdoor space for Mr. Myatt's primary residence at 2300 Vallejo Street. We have no objection to this development.

Sincerely yours,

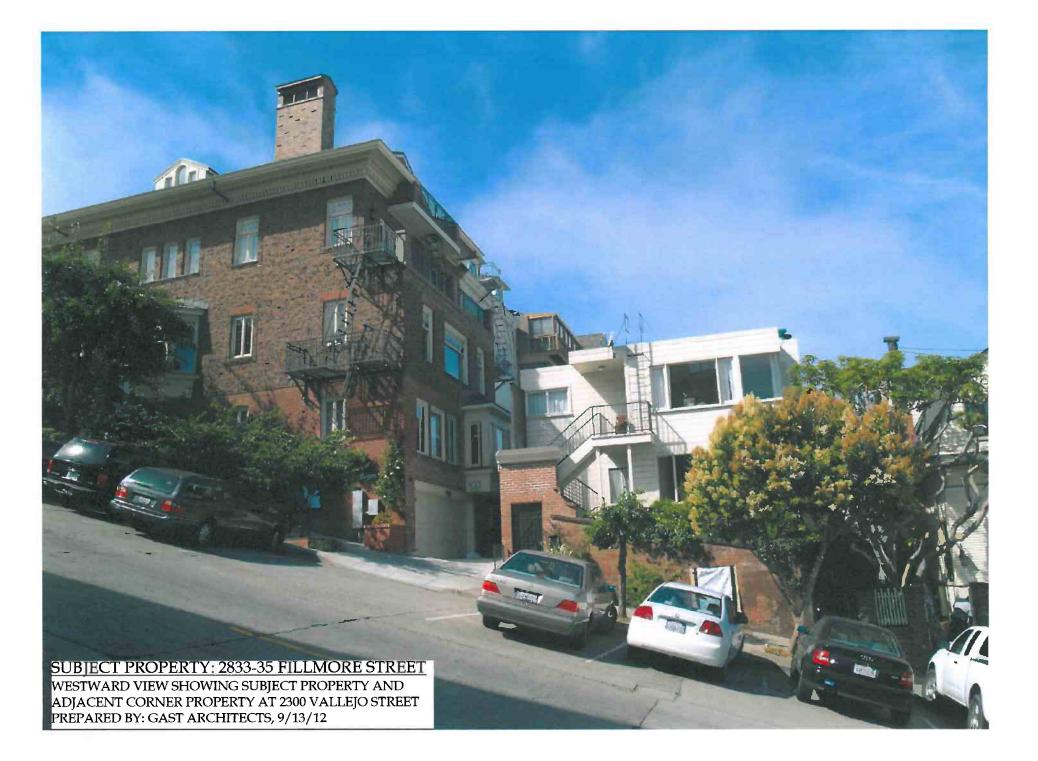
Leslie Roth

Owner

Sept. 7, 2012

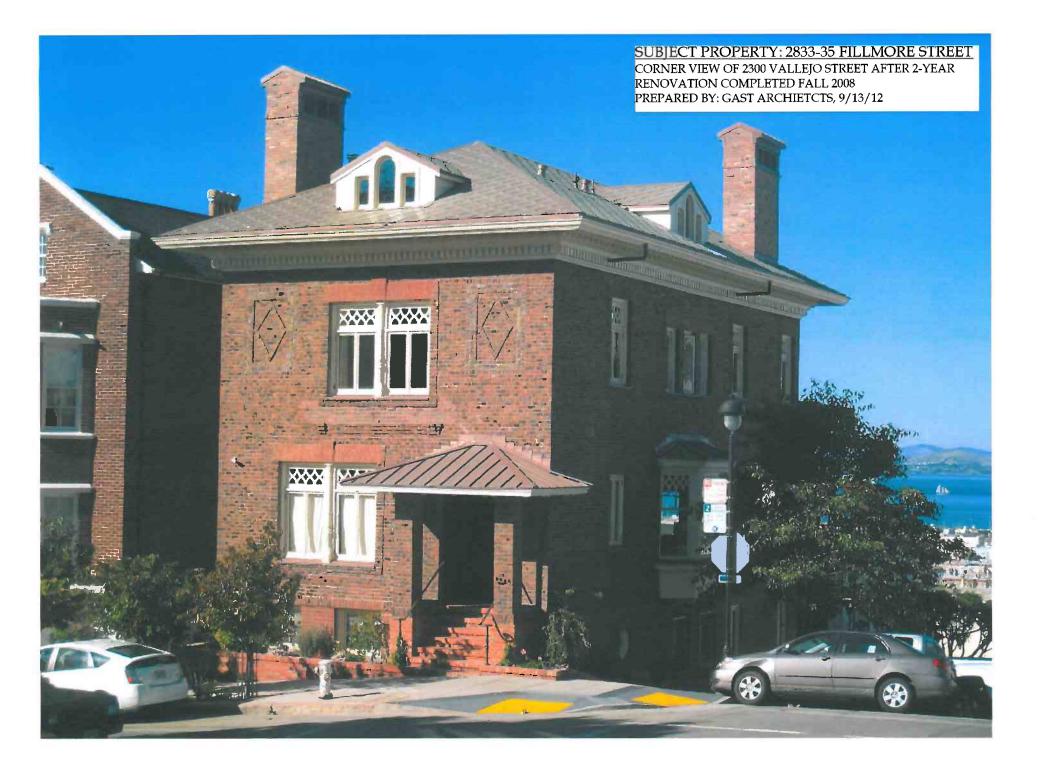
#### SUBJECT PROPERTY: 2833-35 FILLMORE STREET

1912 HISTORICAL PHOTO FILLMORE STREET UPHILL VIEW SHOWING REAR-YARD GARDEN AT 2300 VALLEJO STREET. BRICK WALL WITH DOOR ENCLOSES REAR YARD OPEN AREA. PREPARED BY: GAST ARCHITECTS, 9/13/12









#### SUBJECT PROPERTY: 2833-35 FILLMORE STREET ADJACENT NORTH SIDE DOWNHILL NEIGHBOR AT 2843 FILLMORE STREET

the state of the state

PREPARED BY: GAST ARCHIETCTS, 9/13/12

SUBJECT PROPERTY: 2833-35 FILLMORE STREET VIEW EAST TO OPPOSITE ADJACENT CORNER BUILDING AT FILLMORE & VALLEJO STREETS PREPARED BY: GAST ARCHIETCTS, 9/13/12

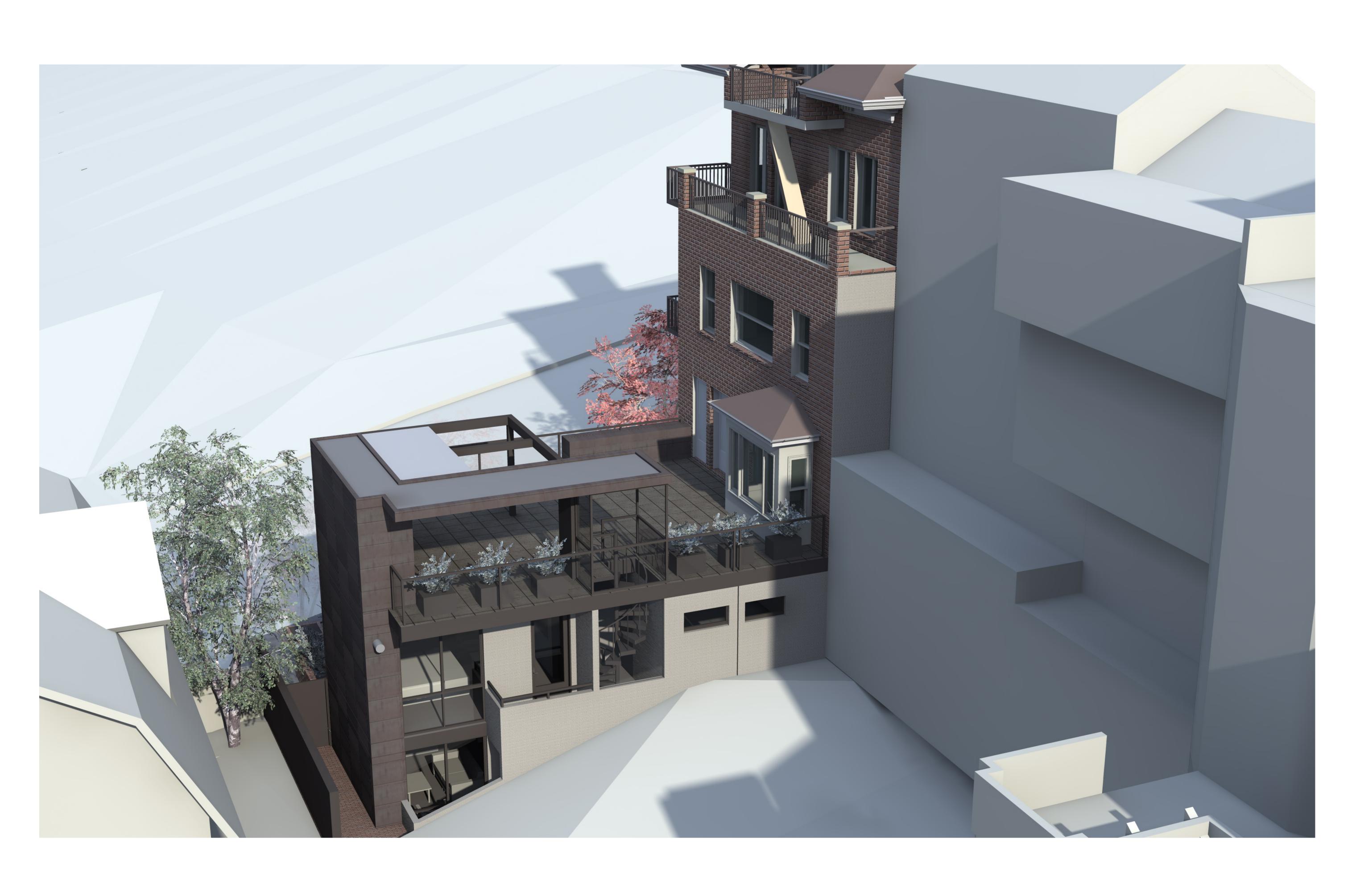
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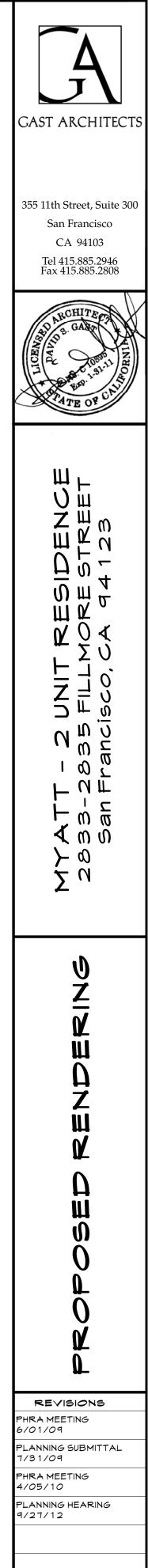


PROPOSED VIEW LOOKING WEST WITH SUPERIMPOSED OUTLINE OF EXISTING BUILDING ENVELOPE

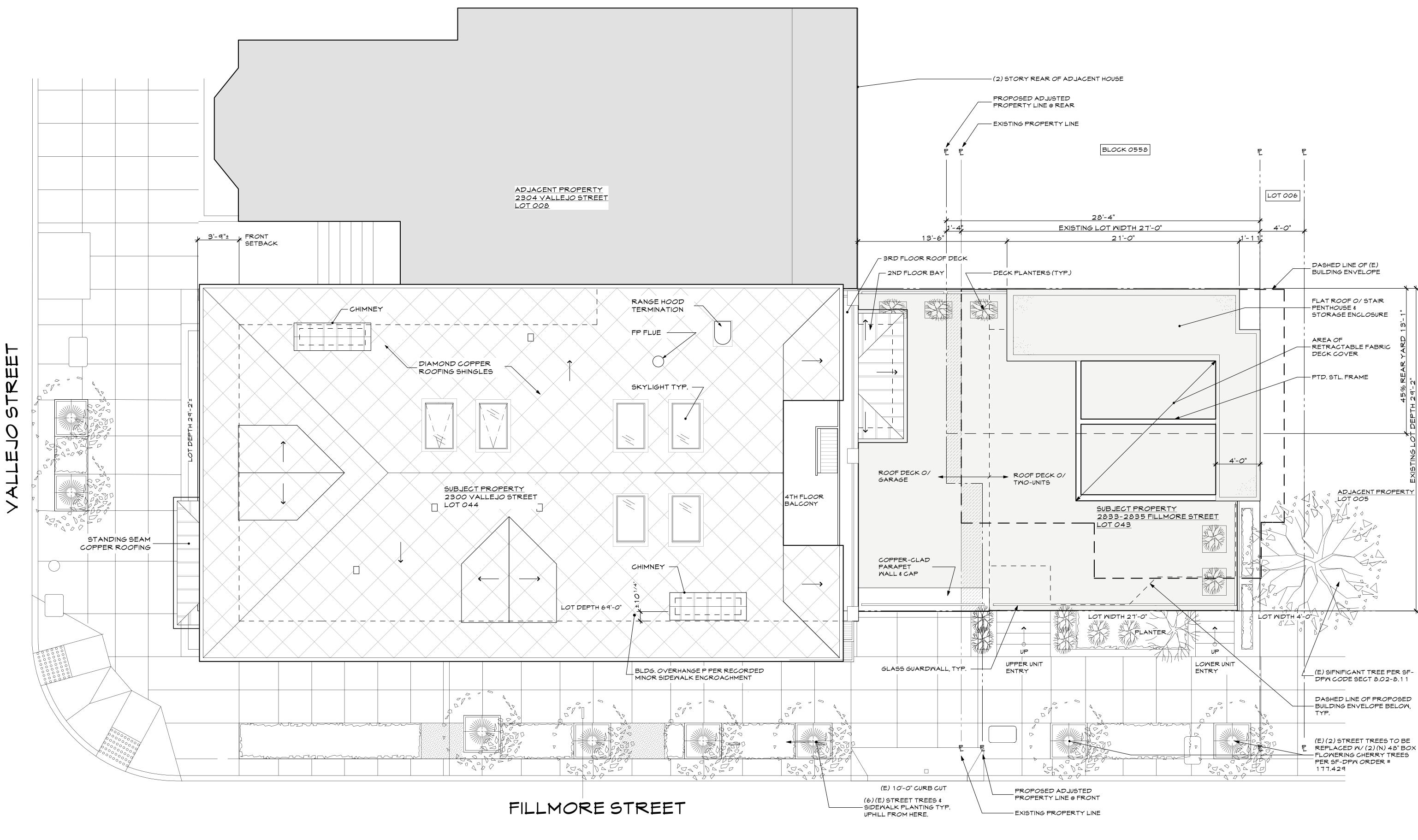
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Date 9/27/2012 Scale AS SHOMN Drawn \_\_\_ Job 2618 Sheet AO.B



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**SITE PLAN** SCALE: 1/4" = 1'-0"

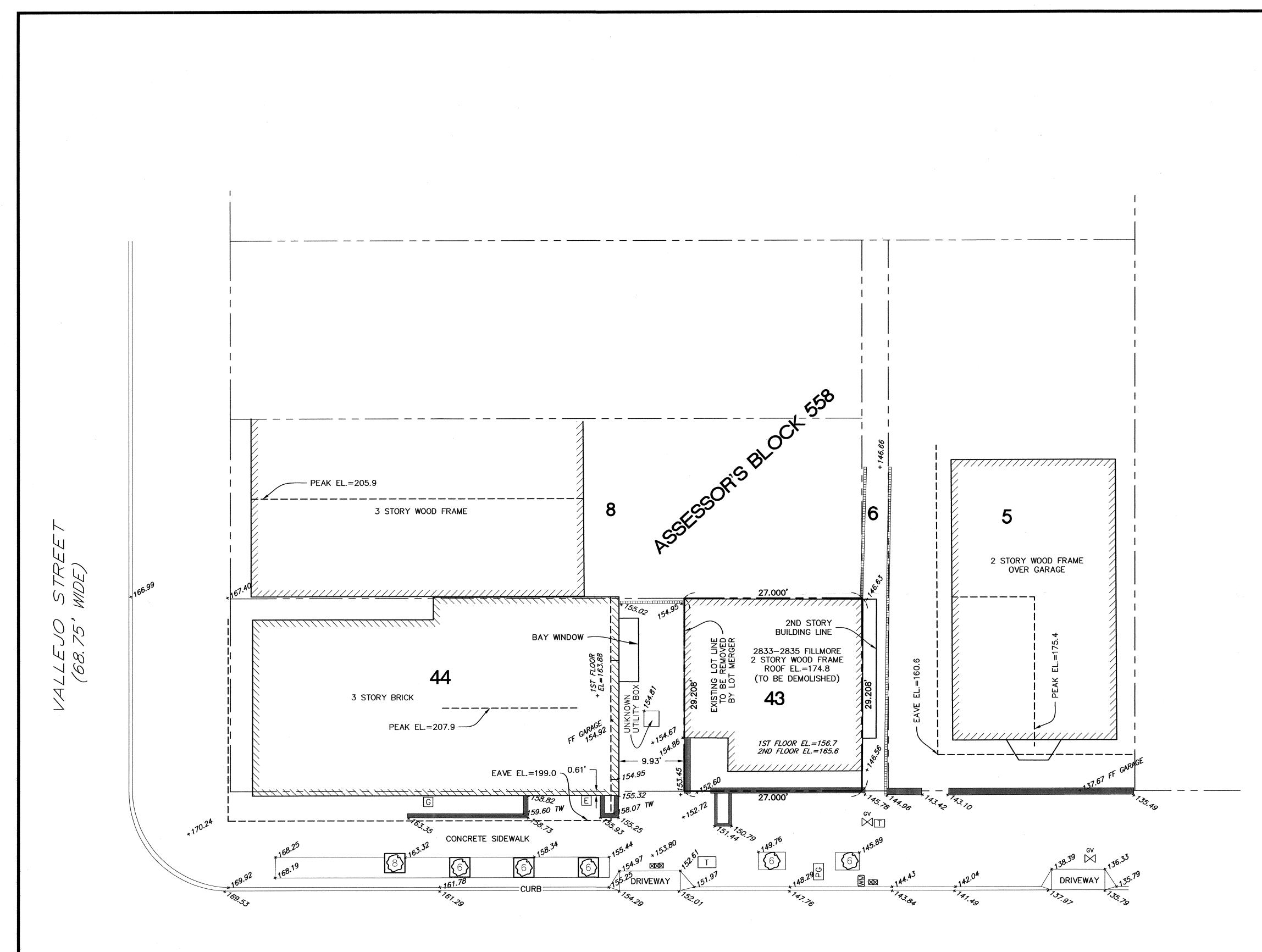
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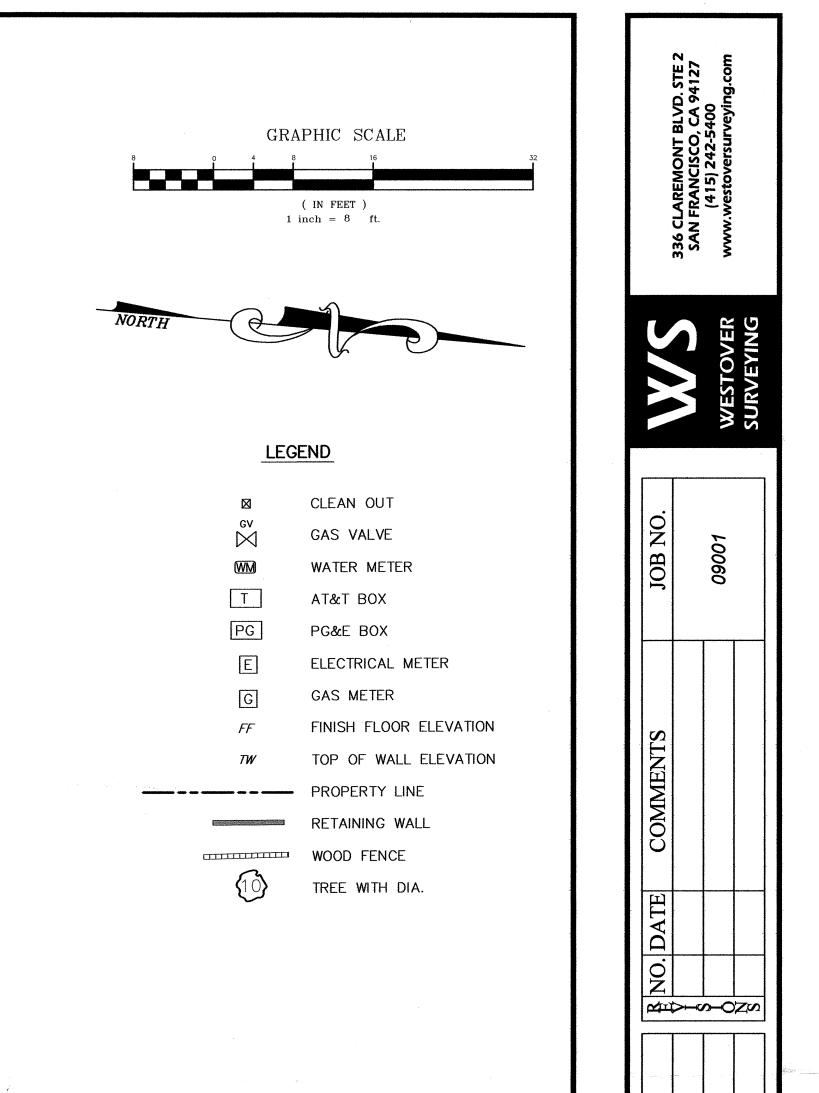
NORTH

© 2012 GAST ARCHITECTS

Sheets



FILLMORE STREET (68.75' WIDE)



## GENERAL NOTES

1. All distances are in decimal feet unless otherwise noted.

2. All angles are at 90° unless otherwise noted. This map represents the site conditions on date of field survey. January 6, 2009.

### UTILITY NOTE

Only visible surface utilities are shown on this map. No responsibility is assumed by the surveyor for the location of underground or hidden utilities.

#### BASIS OF ELEVATION

"+" cut in east side of lower top step at the northeast corner of Fillmore Street and Vallejo Street. City and County of San Francisco Datum. Elevation = 170.192 feet.

<u>SURVEYOR'S STATEMENT</u> This map correctly represents a survey made by me at the request of

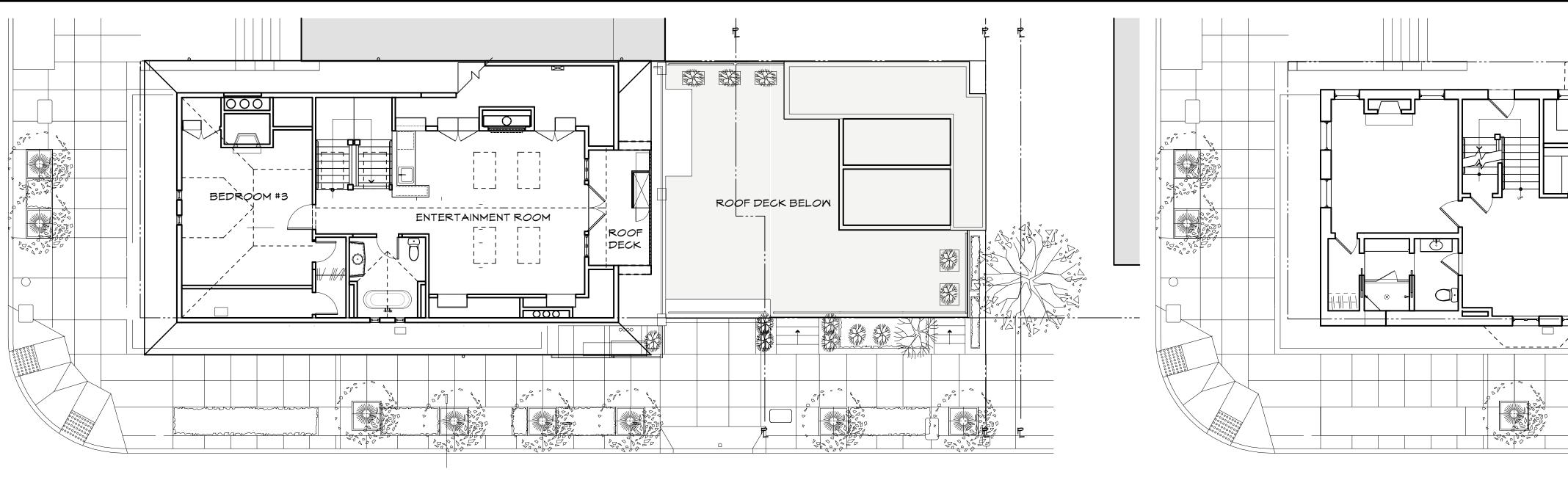
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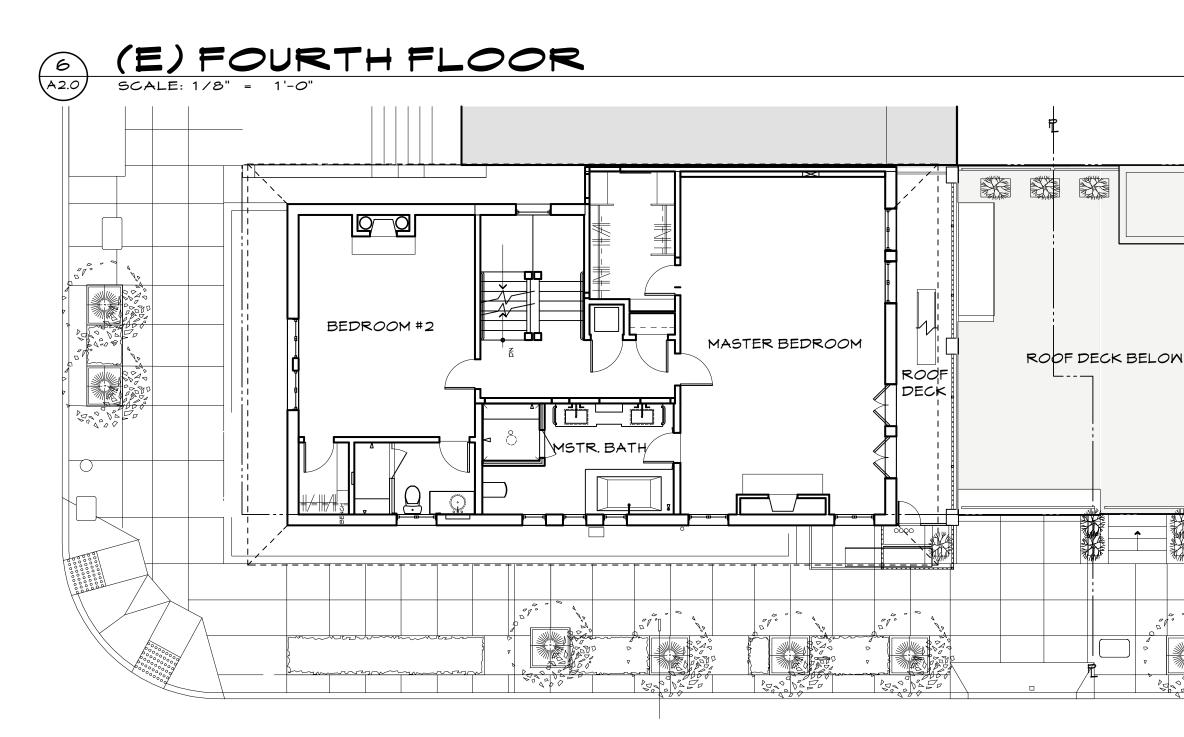
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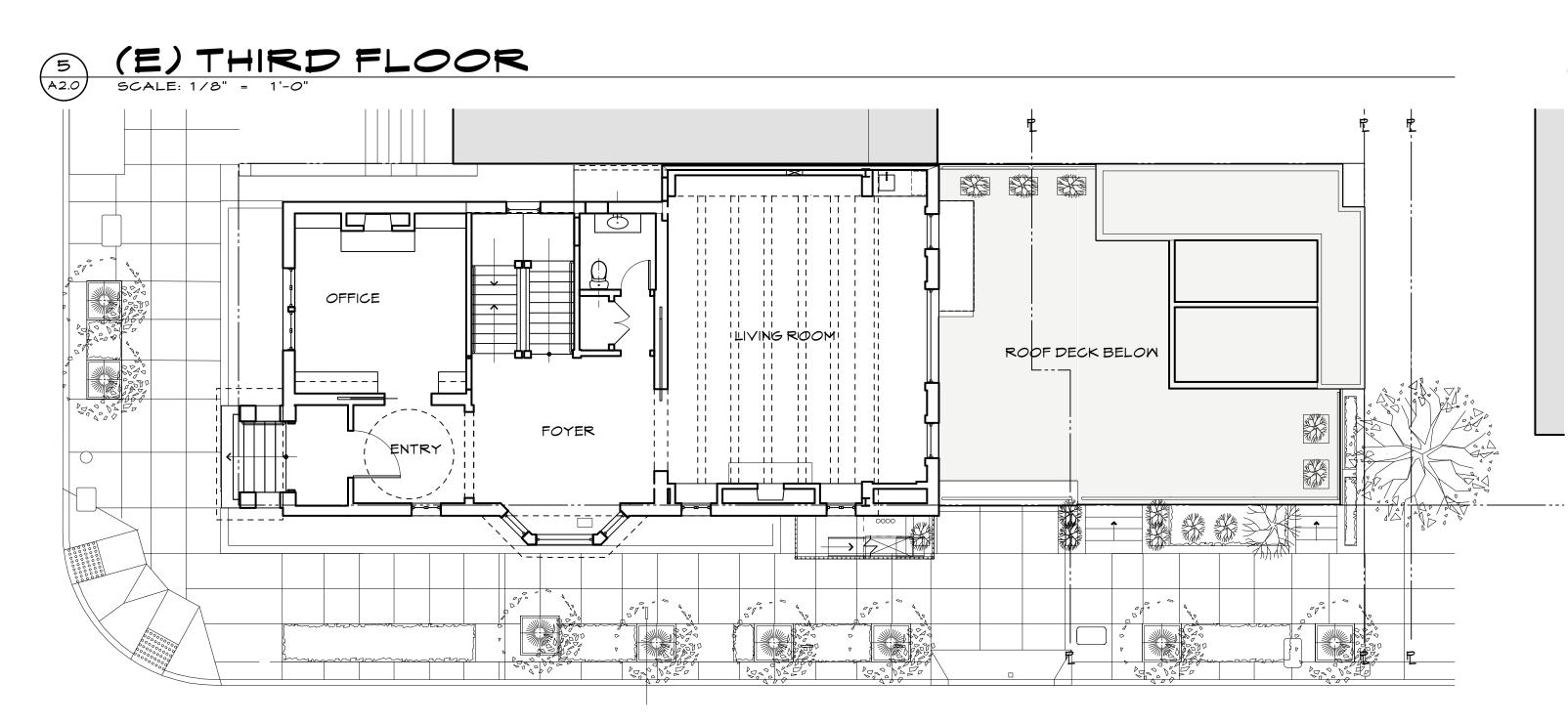
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Daniel J. Westover, P.L.S 7779 License expiration: 12/31/13 Date: 2/23/12

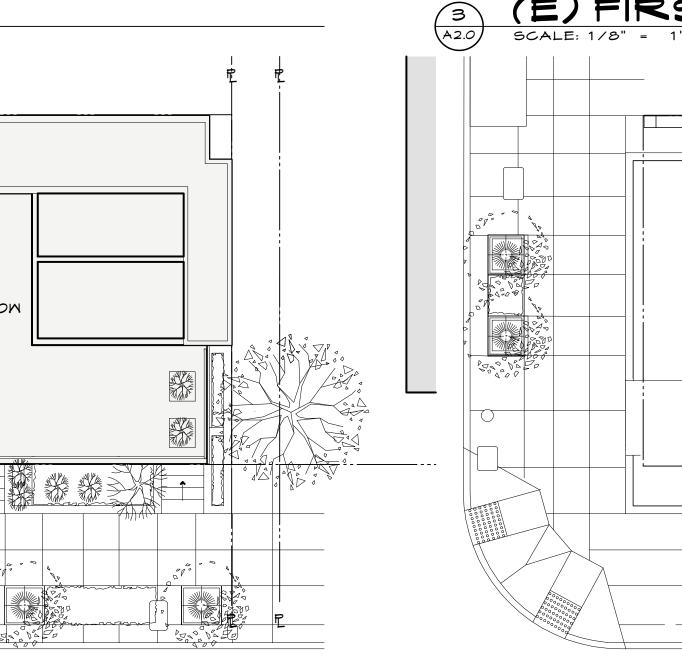
Dennis M. Myatt III in January of 2009.

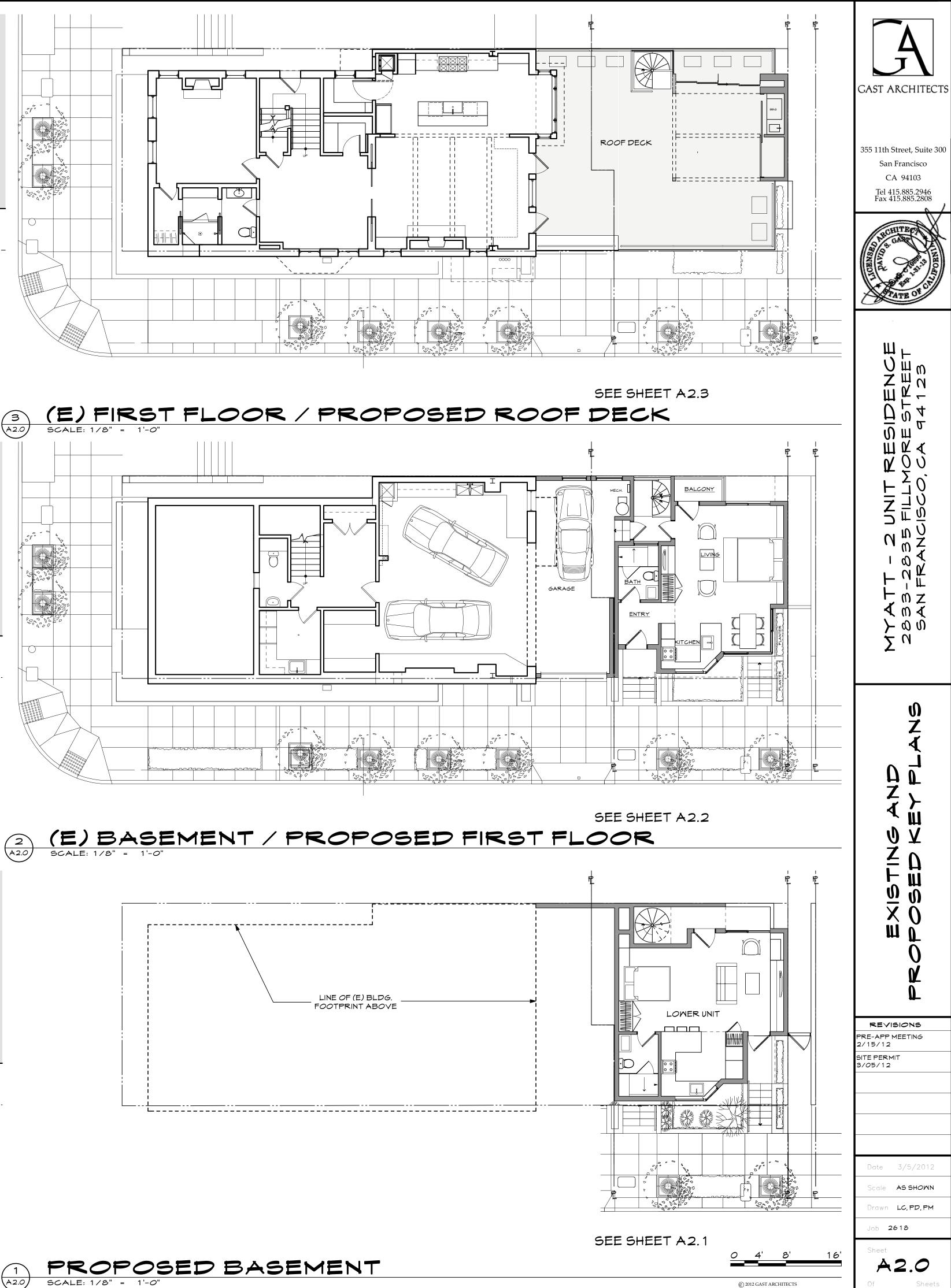


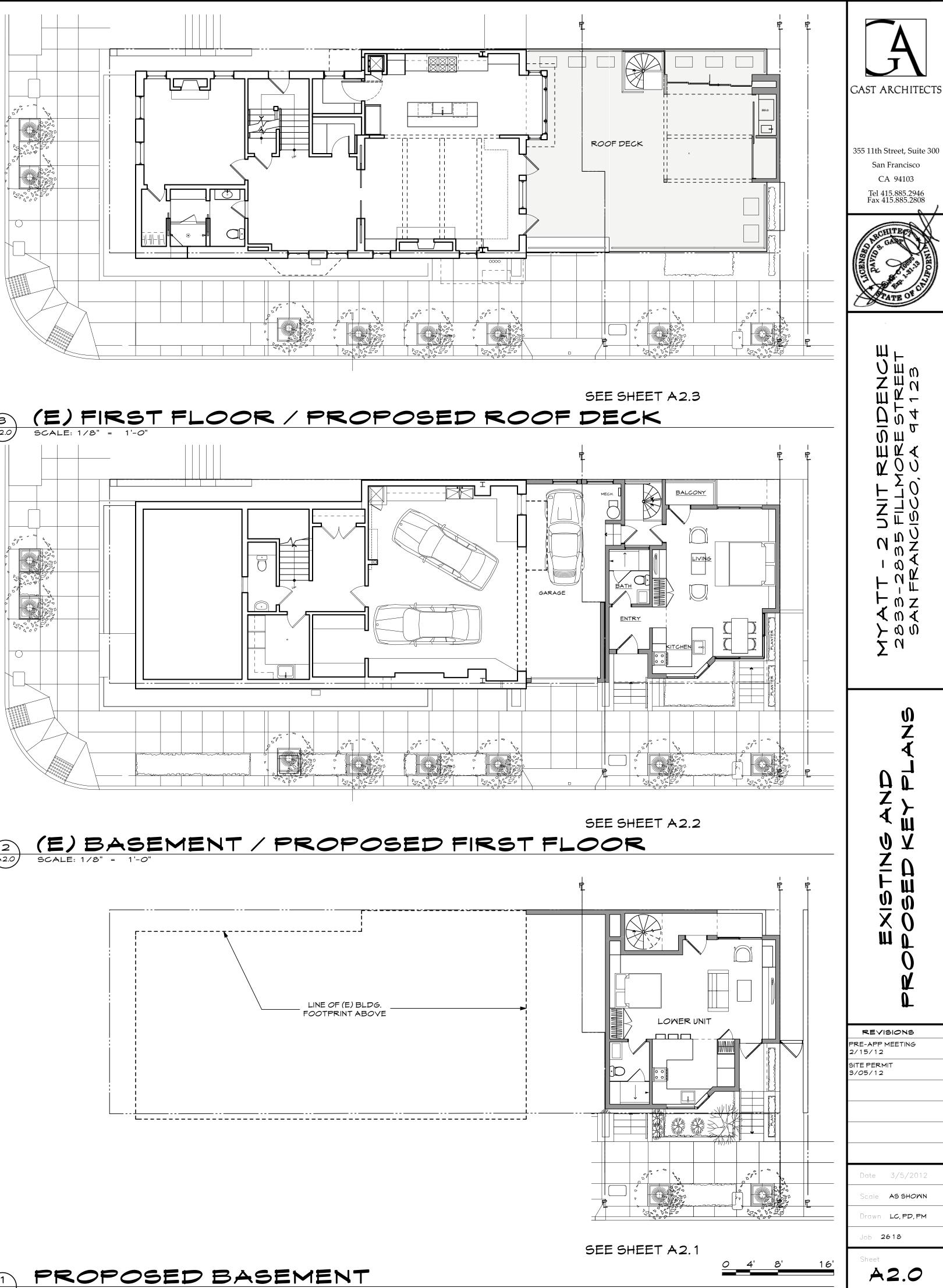


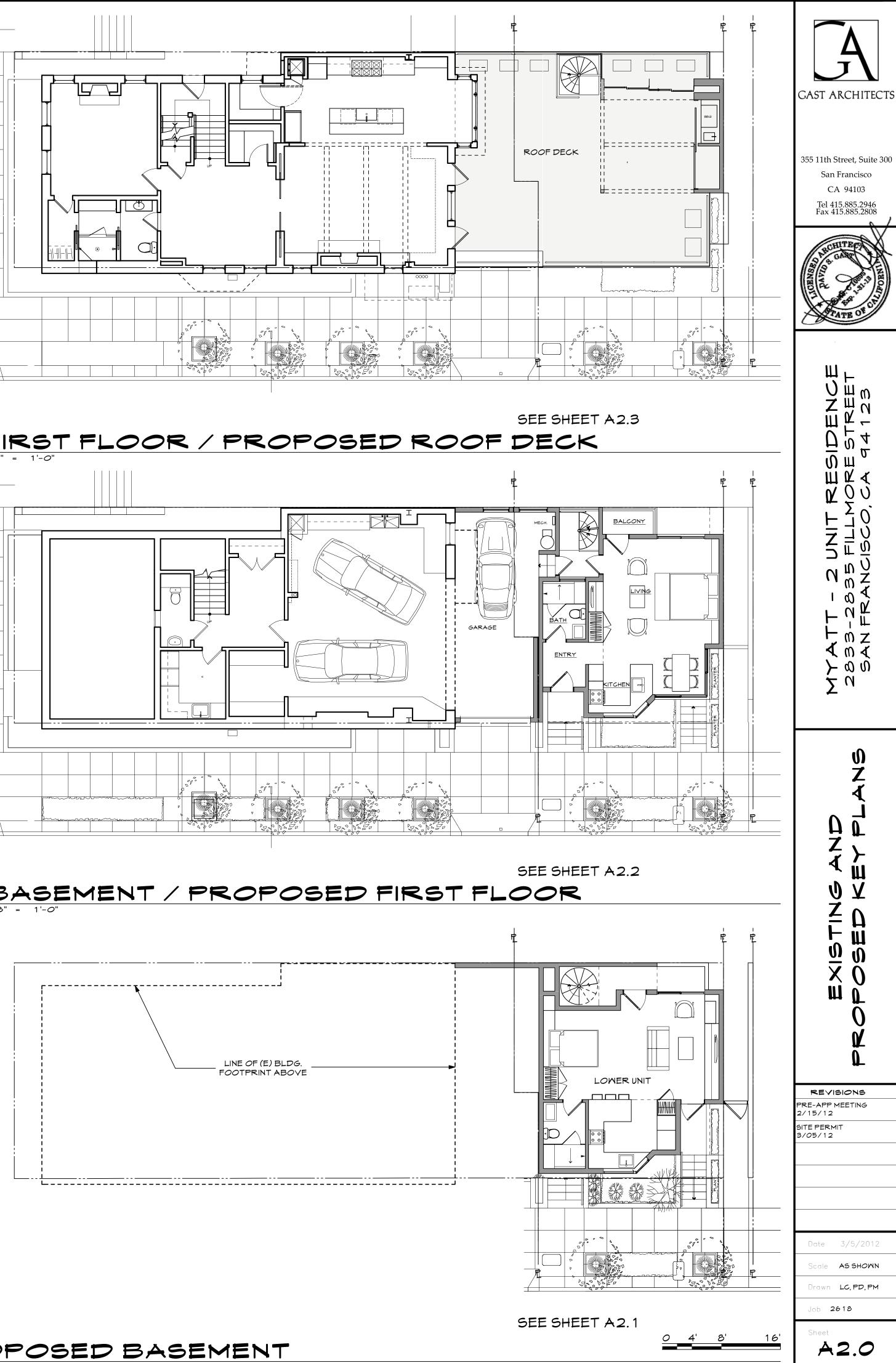




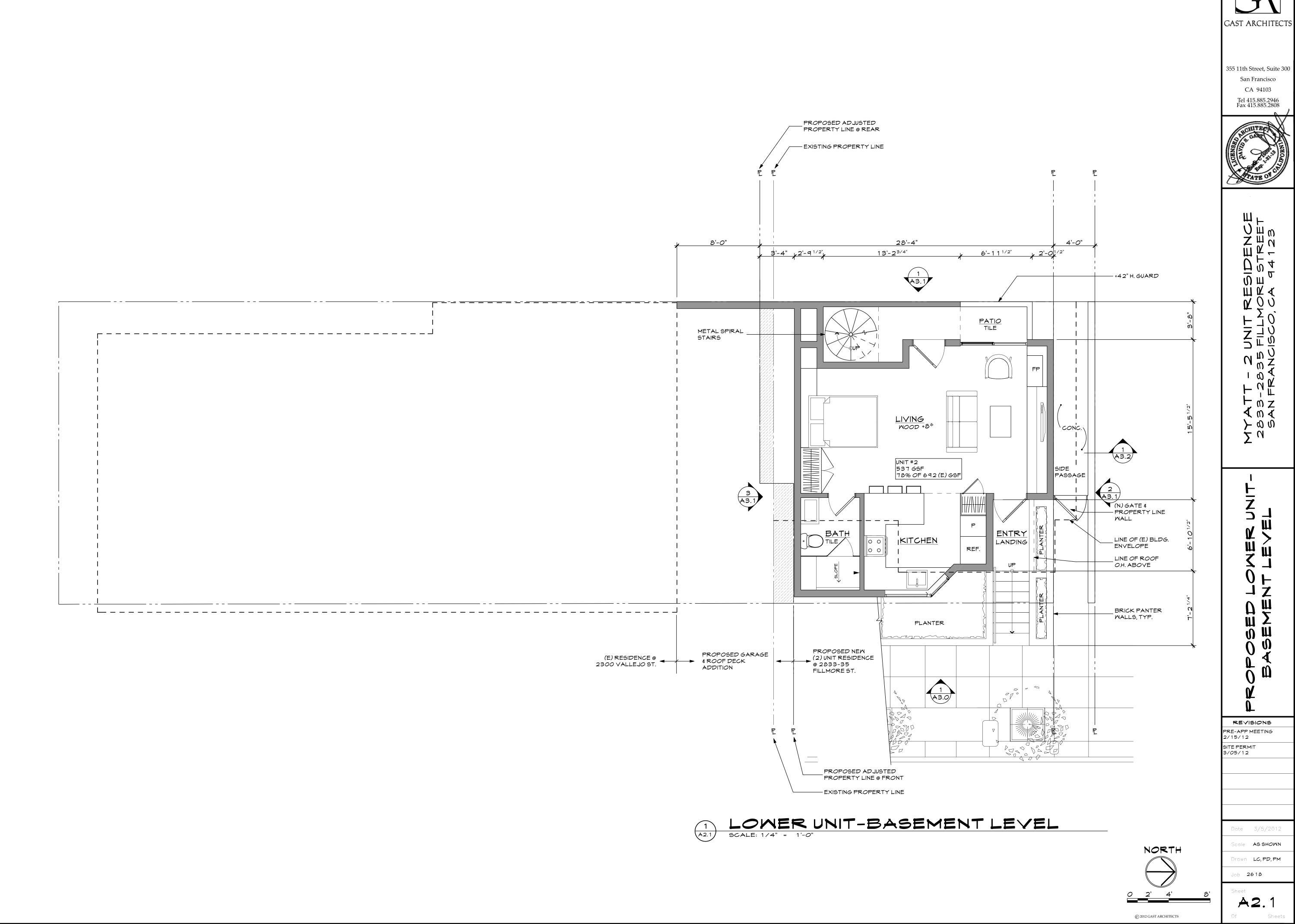


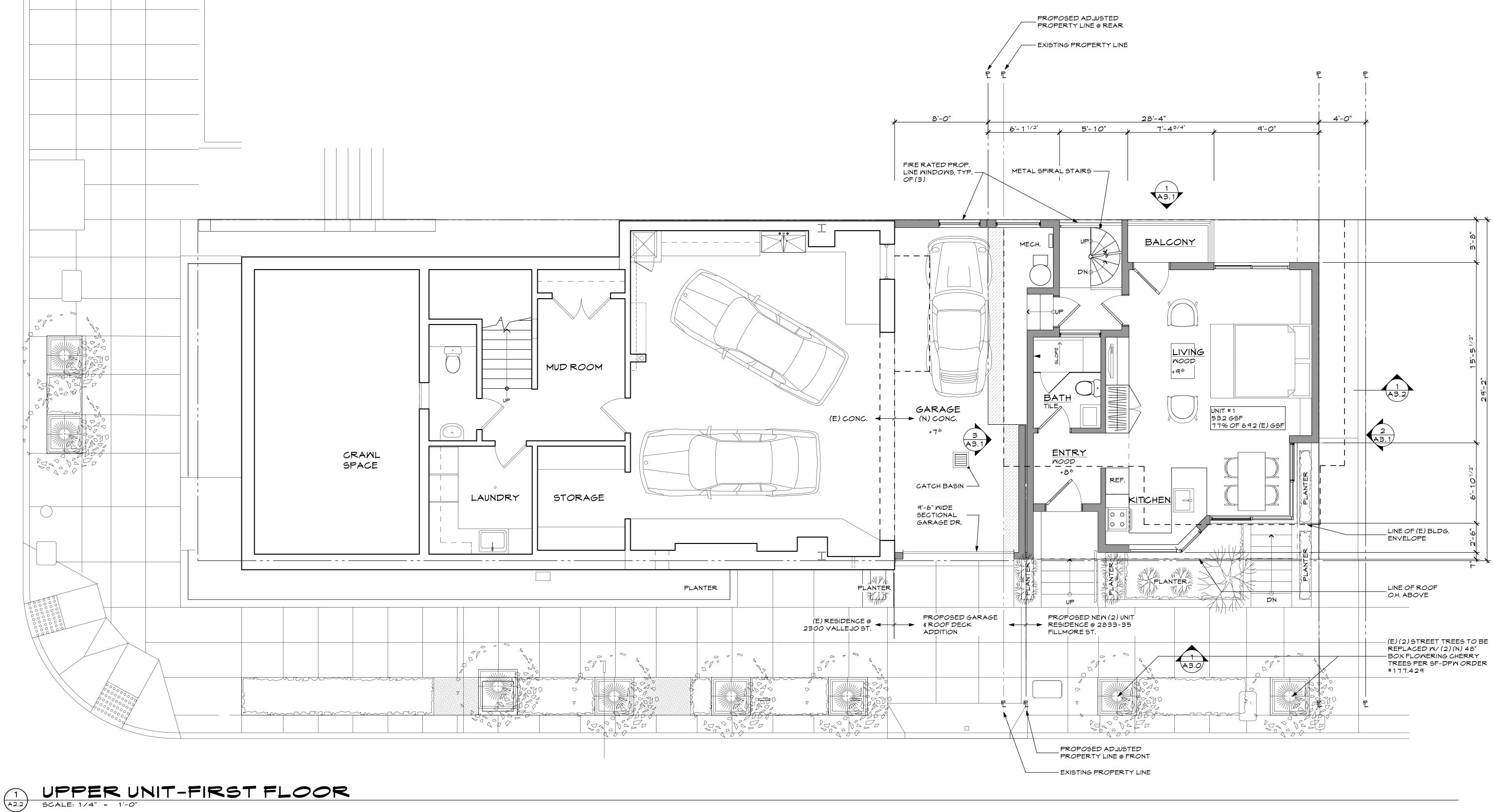


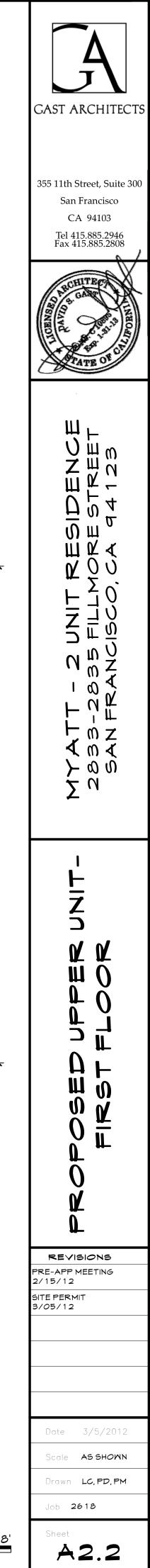








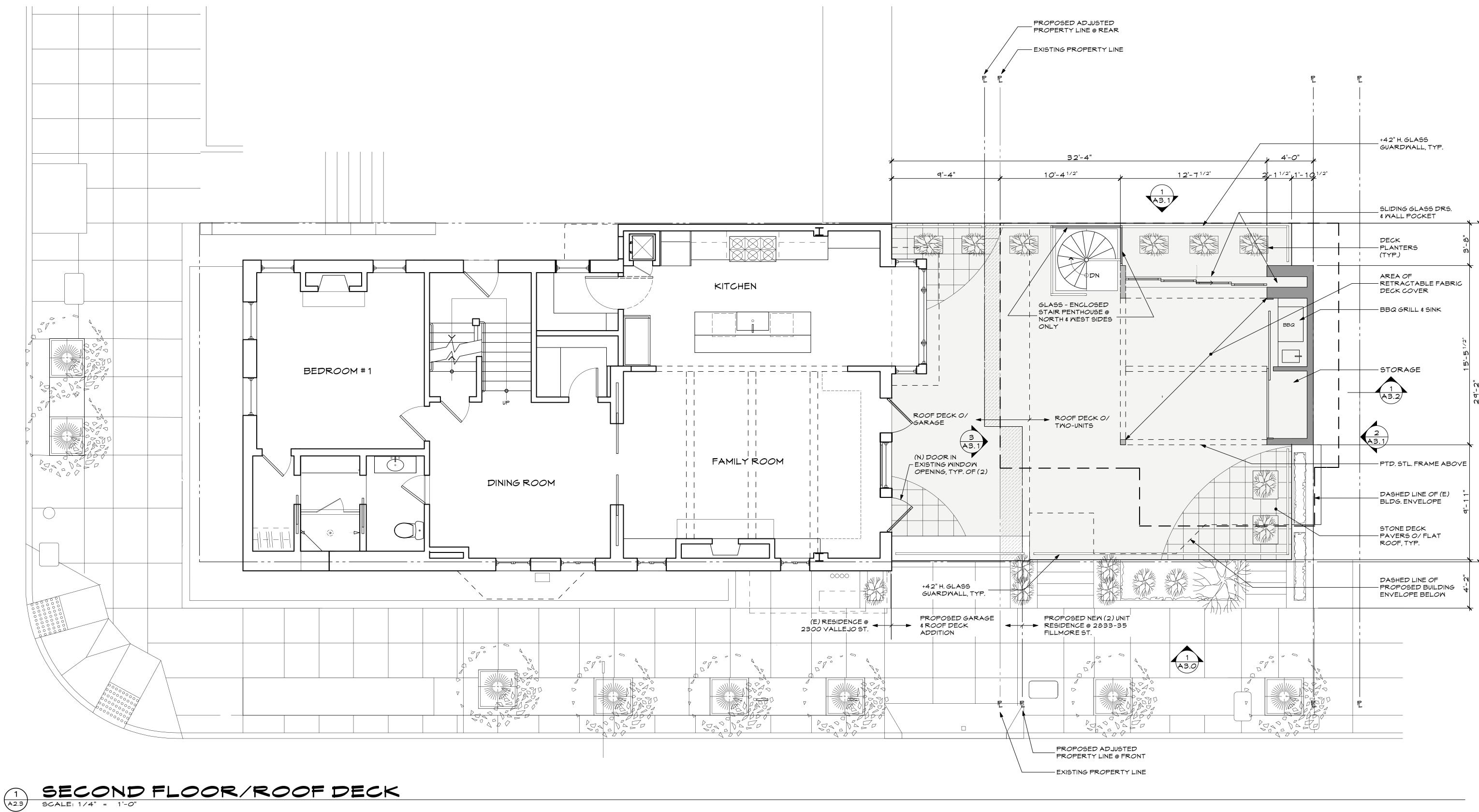


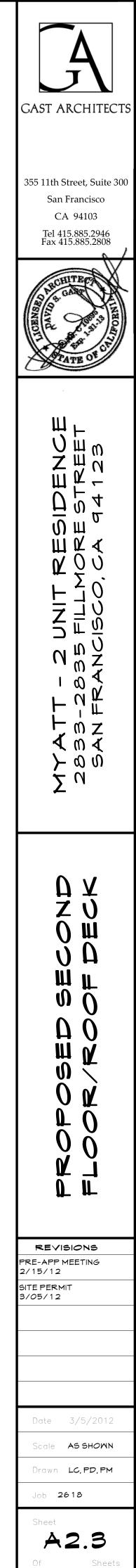


NORTH

© 2012 GAST ARCHITECTS

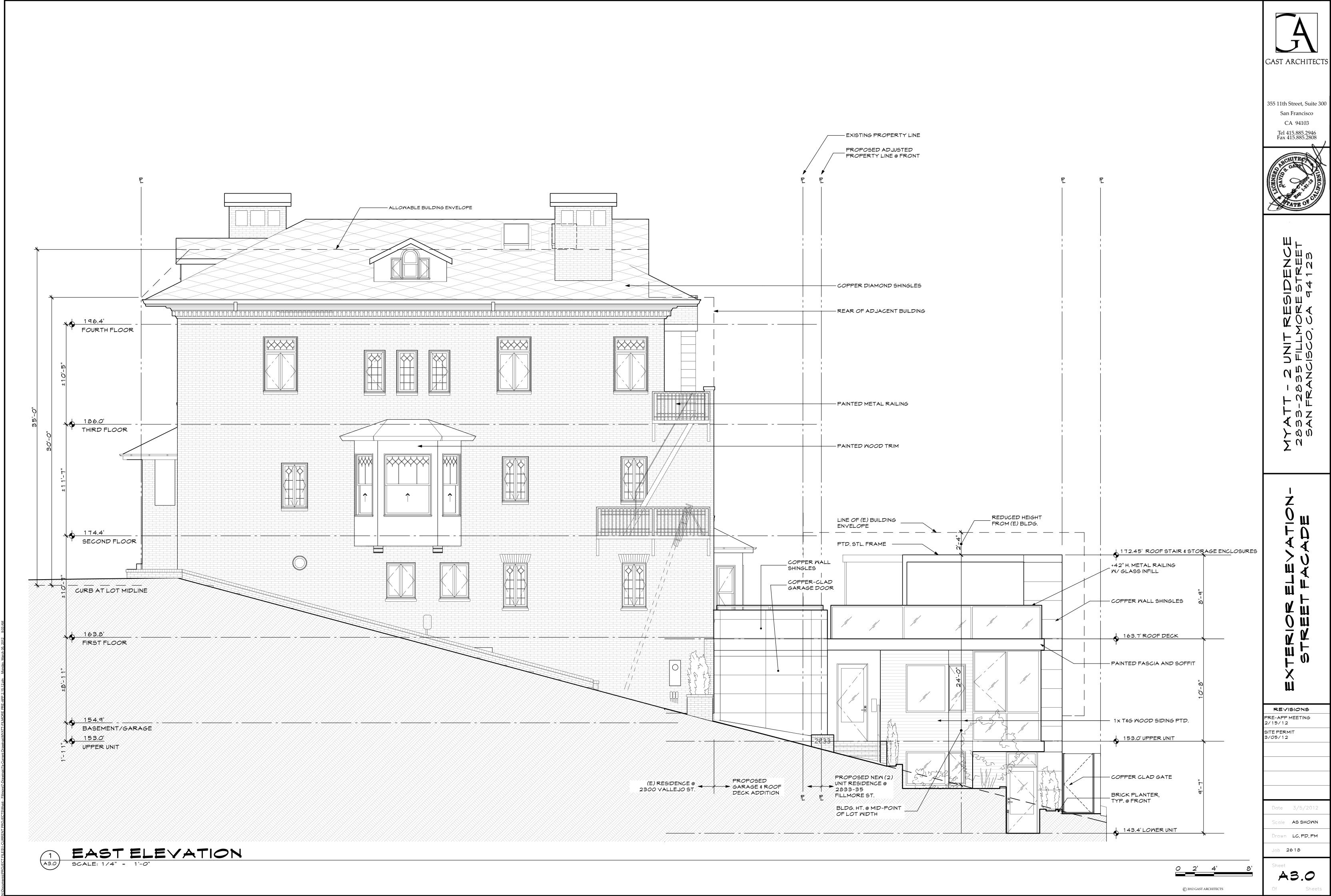
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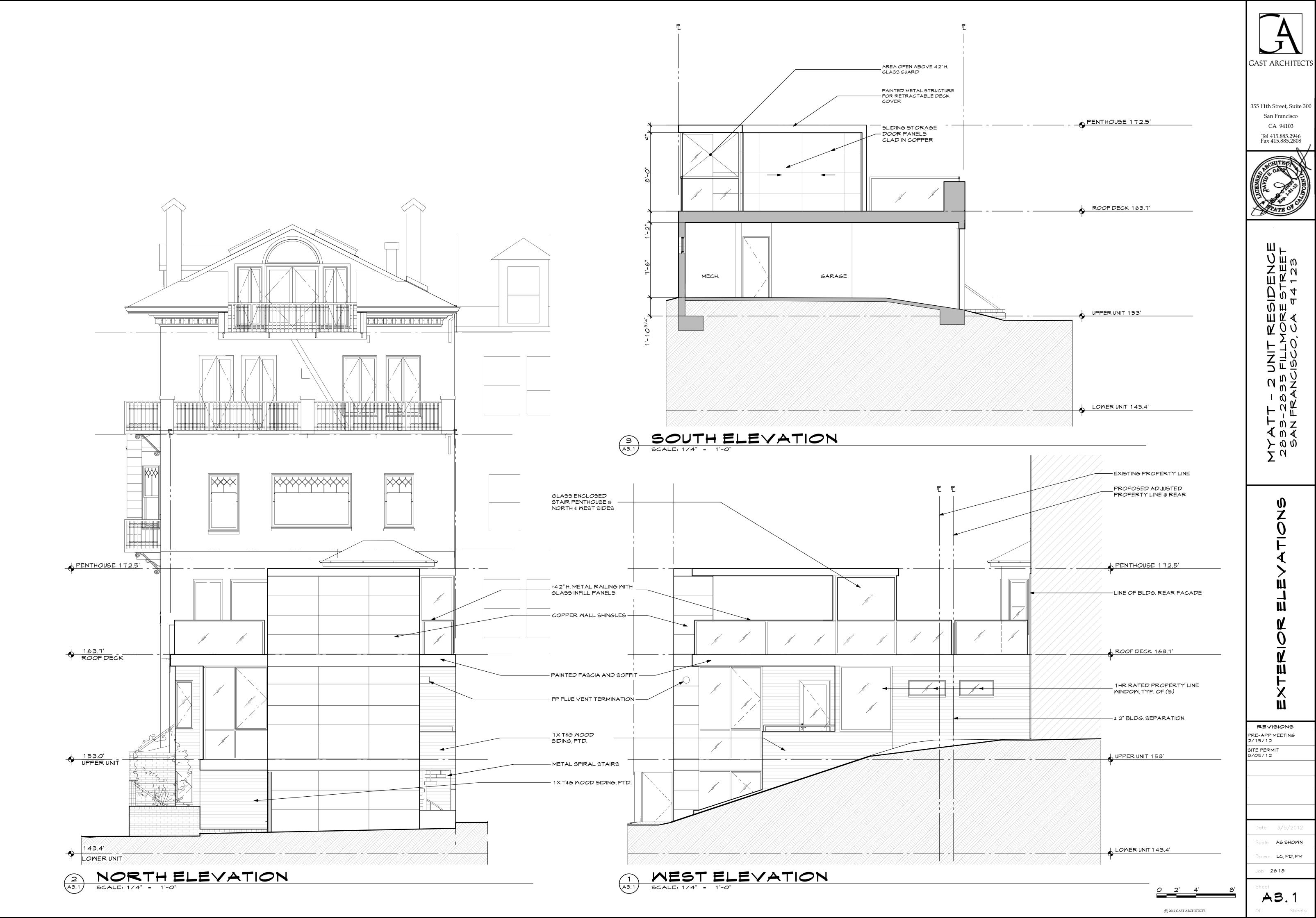


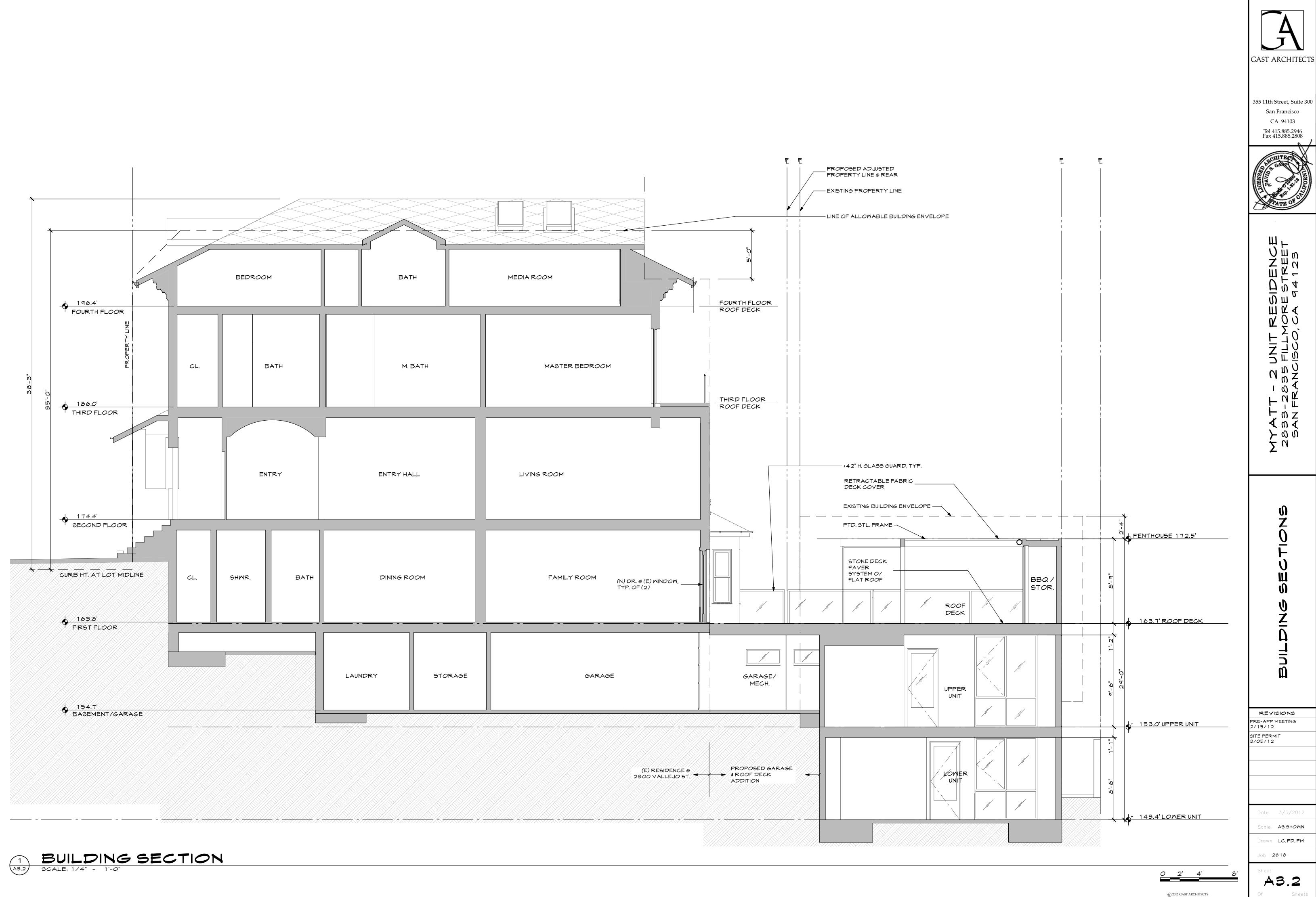


NORTH

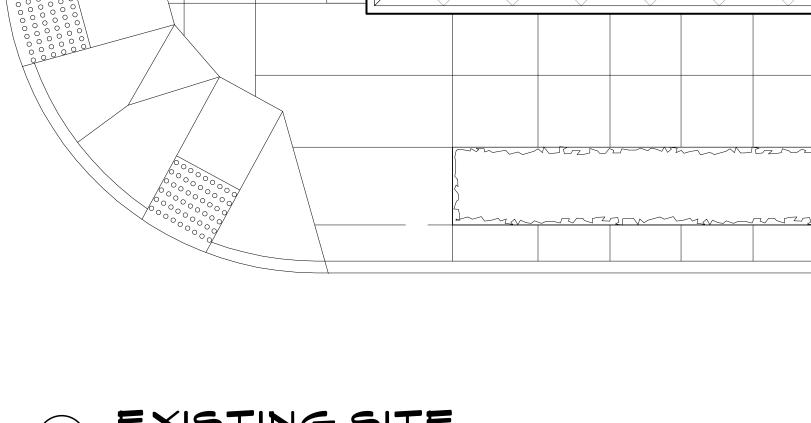
© 2012 GAST ARCHITECTS



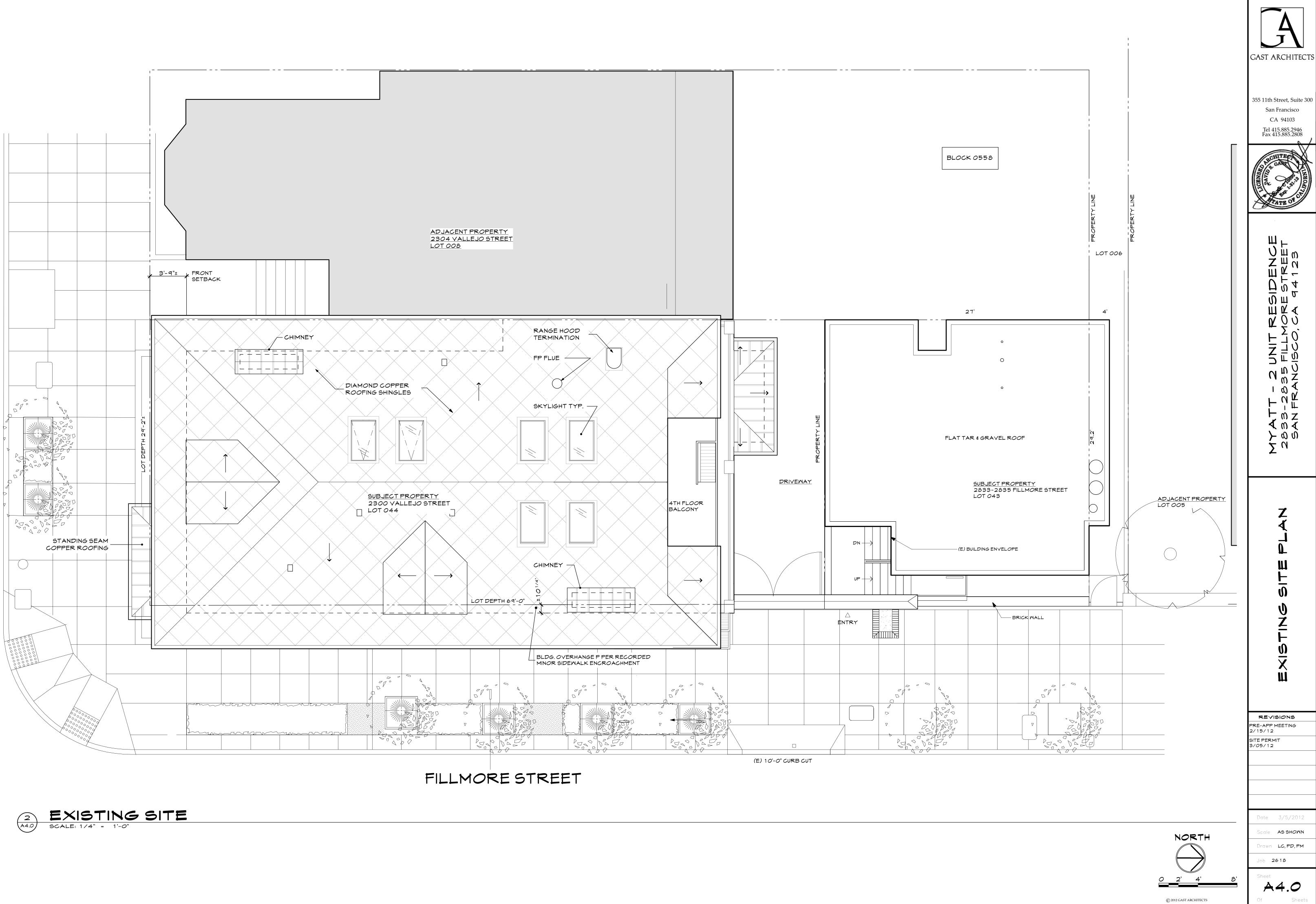


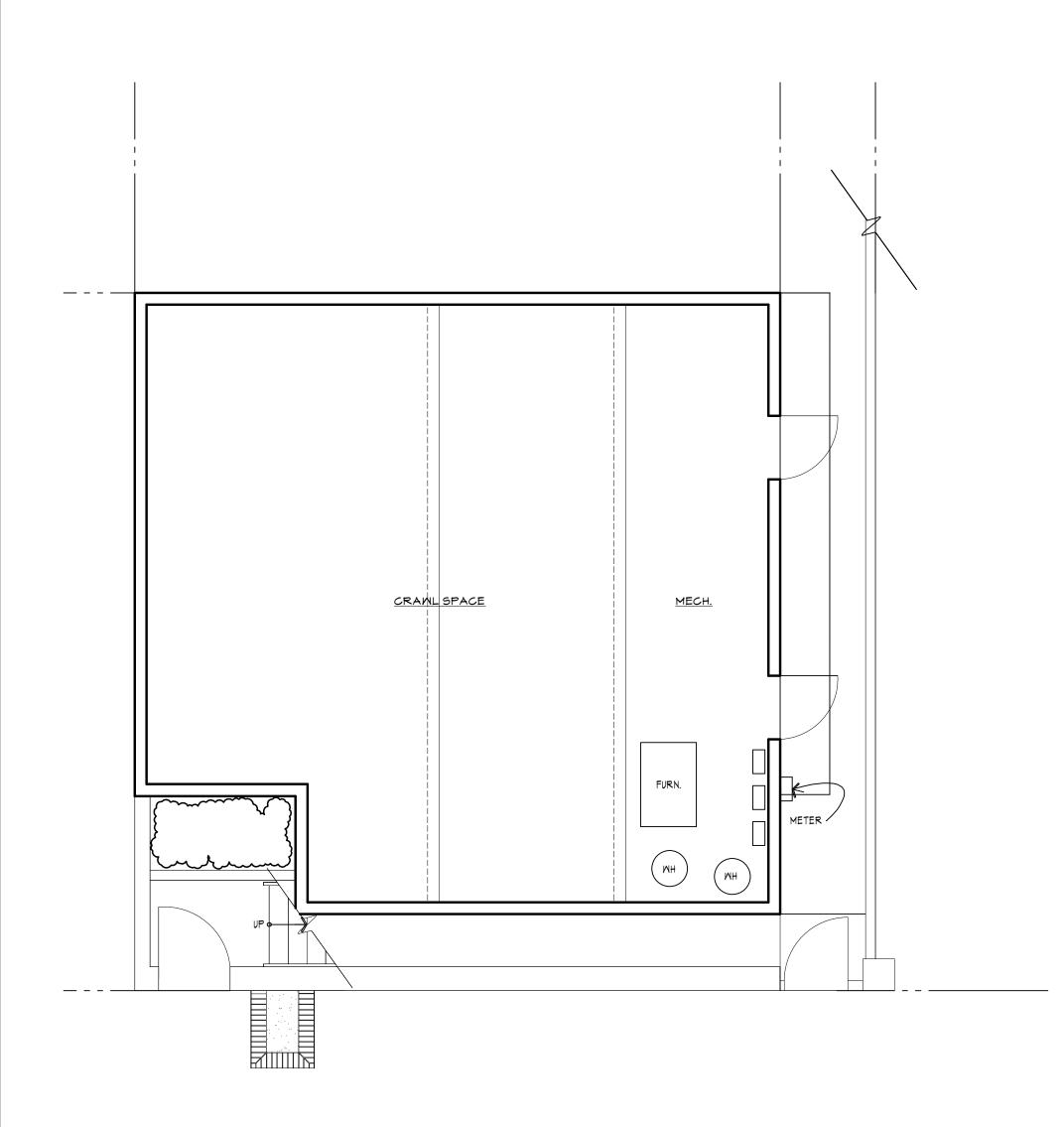




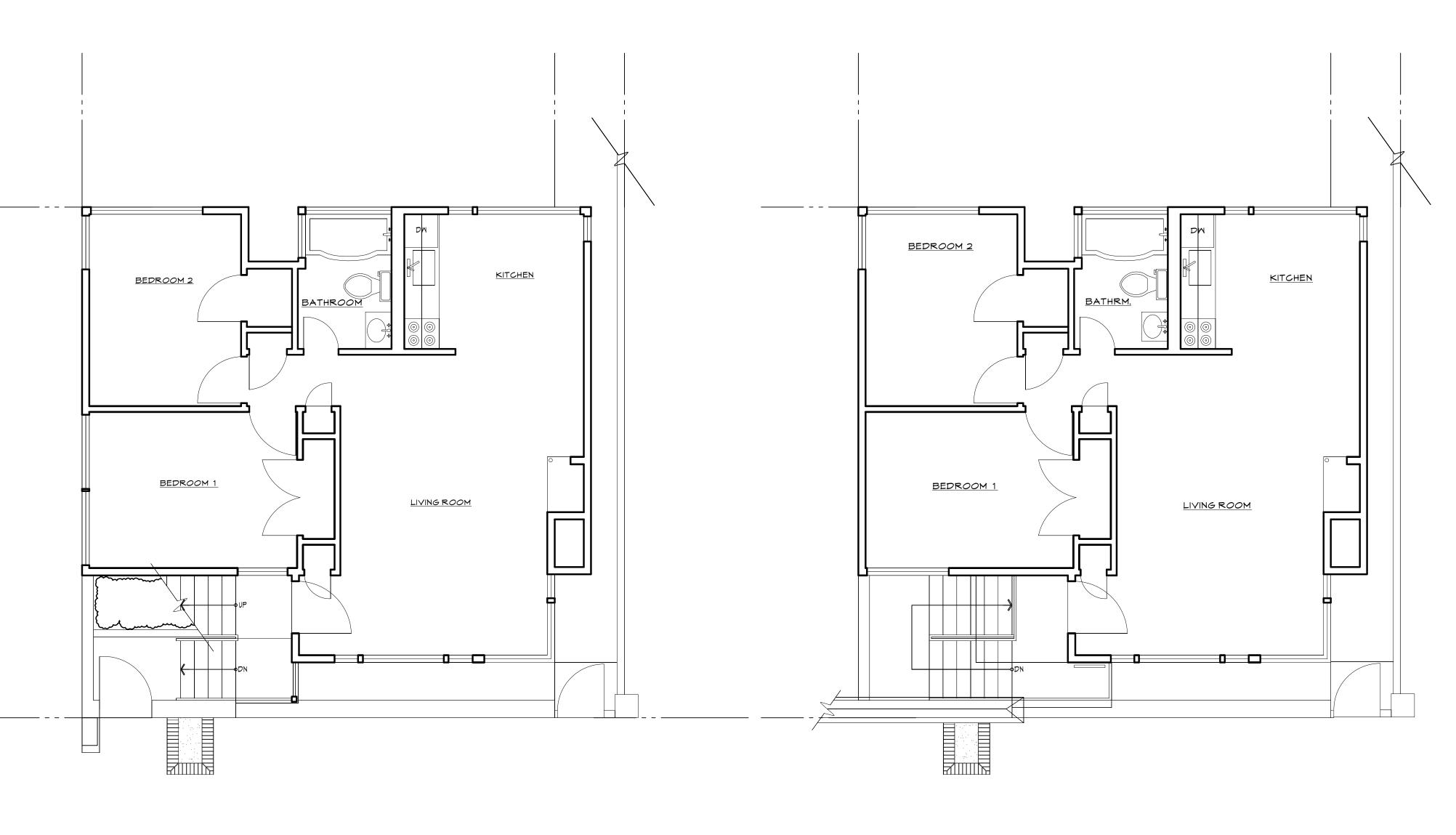






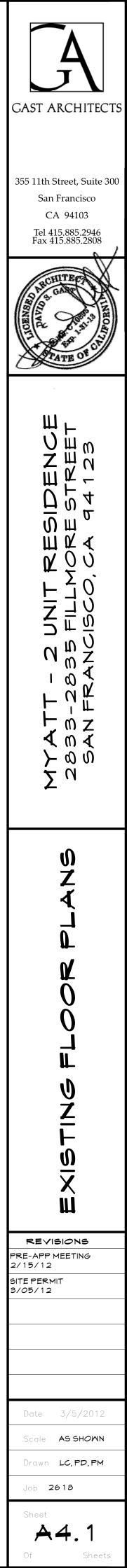


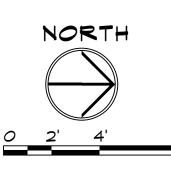
1 EXISTING BASEMENT PLAN A2.0 SCALE: 1/4" = 1'-0"



2 EXISTING FIRST FLOOR PLAN A2.0 SCALE: 1/4" = 1'-0"

3 EXISTING SECOND FLOOR PLAN A2.0 SCALE: 1/4" = 1'-0"

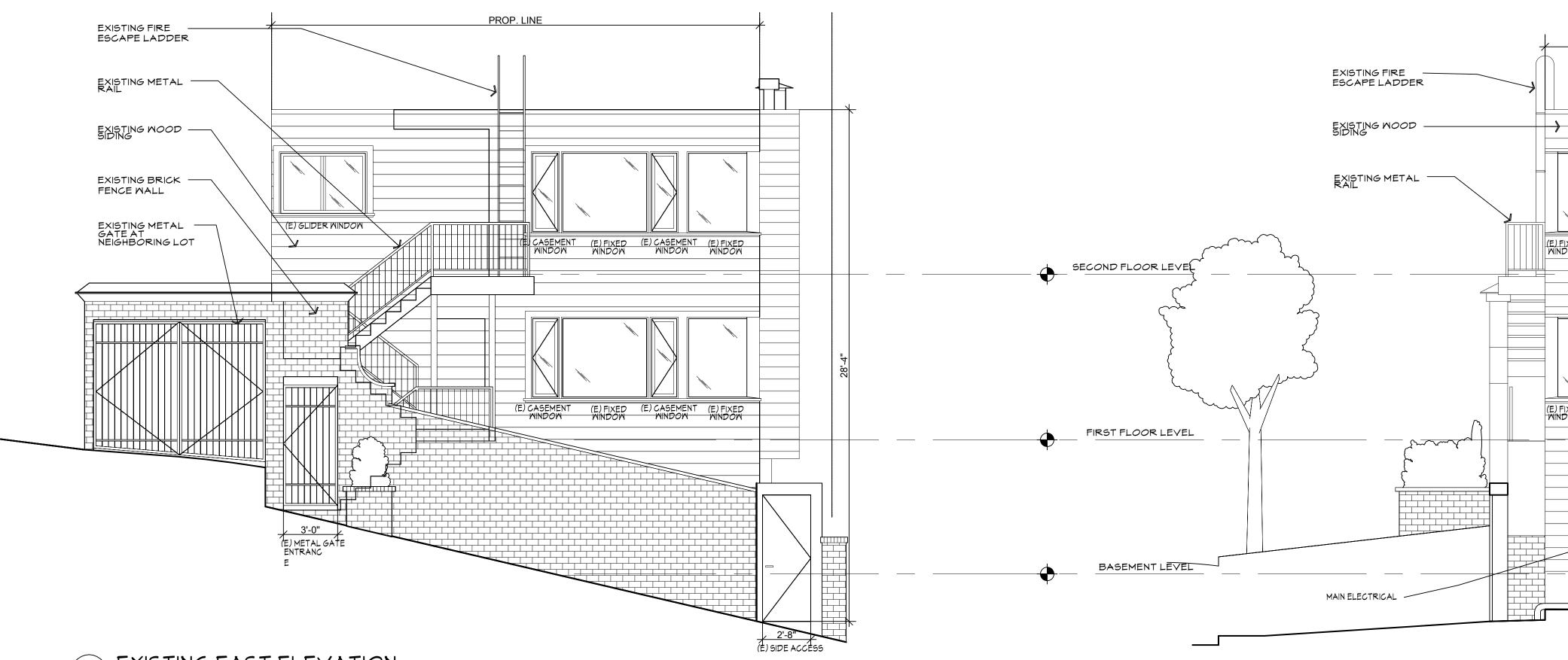




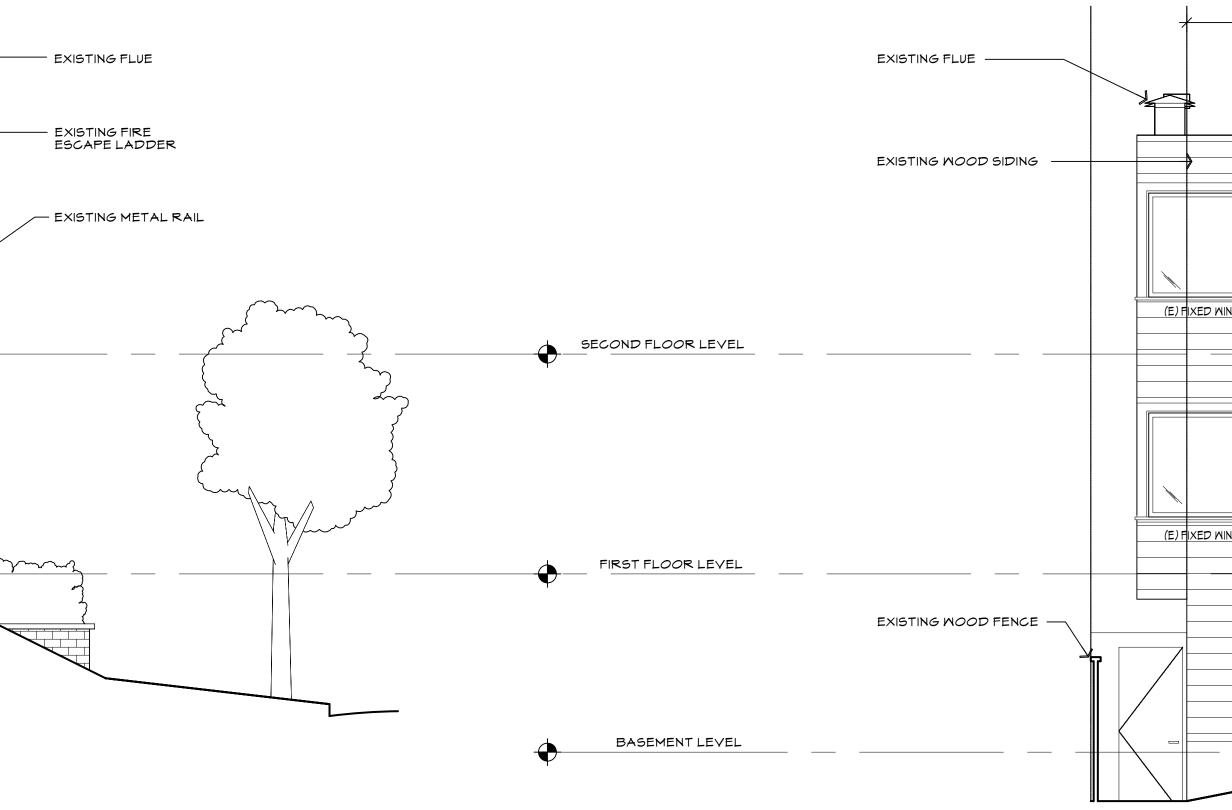
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7	PROP. LINE	
EXISTING WOOD SIDING		
EXISTING GUTTER		

# 4 EXISTING SOUTH ELEVATION A3.0 SCALE: 1/4" = 1'-0"



2 EXISTING EAST ELEVATION A3.0 SCALE: 1/4" = 1'-0"



PROP. LINE	GAST ARCHITECTS 355 11th Street, Suite 300 San Francisco
	CA 94103 Tel 415.885.2946 Fax 415.885.2808
Image: Non       (E) FIXED WINDOW         (E) CASEMENT       (E) GLIDER WINDOW         (E) CASEMENT	MYATT - 2 UNIT RESIDENCE 2833-2835 FILLMORE STREET SAN FRANCISCO, CA 94123
FINED (E) CASEMENT MINDON FINED (E) CASEMENT MINDON FINED (E) CASEMENT MINDON FINED (E) CASEMENT MINDON (E) CASEMENT MINDON (E) CASEMENT MINDON (E) CASEMENT MINDON (E) CASEMENT MINDON (E) CASEMENT MINDON	Y       Y
$\underbrace{1}_{A30} \underbrace{\text{EXISTING NORTH ELEVATION}}_{\text{SCALE: }1/4" = 1'-0"}$	Date 3/5/2012 Scale AS SHOWN Drawn LC, PD, PM Job 2618 Sheet A 4.2 Of Sheets

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