



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: MARCH 27, 2014

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: March 20, 2014
Case No.: 2012.1552D
Project Address: 18 Vicksburg Street
Permit Application: 2012.06.21.3128
Zoning: RH-2 (Residential, House, Two-Family) District
40-X Height and Bulk District
Block/Lot: 3627/007
Project Sponsor: Richard Robertson and Pete Litwinowicz
18 Vicksburg Street
San Francisco, CA 94114
Staff Contact: Michael Smith – (415) 588-6322
michael.e.smith@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The proposal is to construct a garage and basement level beneath the existing building, construct a multi-story addition at the south side of the building to house an elevator, and construct a one-story vertical addition. The vertical addition would be set back 14'-3" from the front of the building and set back 19'-9" from the existing rear building wall with roof decks within the setback areas, and would be minimally visible from the street. The south side addition would also be set back 14'-3" from the front of the building.

SITE DESCRIPTION AND PRESENT USE

The subject property is located on the west side of Vicksburg Street, between 22nd and 23rd Streets, within the Noe Valley neighborhood. The subject lot measures 22.5 feet in width and 100 feet in depth. The front portion of the lot slopes up steeply from the street before levelling off. The site is developed with a two story, Slanted Bay Italianate, dwelling that was constructed circa 1890. The property is listed on the Department's 1976 Architectural Survey. The building is set back 21'-9" from the front property line and located over 20' above the street curb. The building has one bedroom, a den, and two full bathrooms in approximately 2,150 square-feet of habitable area. Circa 1994, the building was partially destroyed by fire and reconstructed.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located on Vicksburg Street within the Noe Valley neighborhood. The neighborhood is defined by single-family and multi-family dwellings representing architecture from the turn-of-the-century. The subject block slopes up laterally from south to north. Most of the buildings on the west side of the street are located many feet above the street and exhibit varying degrees of side spacing. The subject building is located within a row of eight similar Italianate styled buildings with slanted front bay windows that are all listed on the Department's 1976 Architectural Survey. The

adjacent building to the north of the subject building was also destroyed by the circa 1994 and completely reconstructed. The subject building and the adjacent building to the south (22 Vicksburg St.) are set back a few feet further from the street than the six Italianate buildings to the north.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	Nov. 15, 2012 Dec. 15, 2012	Dec. 17, 2012	March 27, 2014	465 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	March 17, 2014	March 17, 2014	10 days
Mailed Notice	10 days	March 17, 2014	March 17, 2014	10 days

PUBLIC COMMENT

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

The Department has received one correspondence in support of the project from a neighbor down the street. Please note that this correspondence does not include neighborhood correspondence that is included within the DR requestor’s and Project Sponsor’s hearing submittals.

DR REQUESTOR

Richard Fowler, occupant of 22 Vicksburg Street, the adjacent property to the south of the subject property.

DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*.

PROJECT SPONSOR’S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated March 19, 2014

ENVIRONMENTAL REVIEW

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

RESIDENTIAL DESIGN TEAM REVIEW

RDT reviewed the project in preparation for the DR hearing and determined that the concerns raised by the DR requestor are not exceptional or extraordinary circumstances for the following reasons:

1. Potential damage to adjacent properties is not covered in the Residential Design Guidelines and is outside the purview of the RDT.
2. The proposed addition at the south side of the building is set back from the front building façade, ensuring that the gap between buildings remains prominent and thus maintaining the consistent pattern of side spacing between buildings.
3. The proposed vertical addition is set back from the front building façade and is screened from view by the building's high parapet. The addition is minimally visible from the Accurate plans have been provided by the project sponsor.
5. Clear and legible plans have been provided by the project sponsor.
6. The proposed garage and basement step up and back from the street, consistent with the lot's upsloping topography. The proposed vertical addition is set back from the building's façade, and would not visually interfere with the block pattern of strong cornices that step up with the slope of the street.
7. The proposed deck is set back from the existing rear wall of the subject building. It does not project beyond the rear wall of the adjacent property to the south, and projects minimally (one foot) beyond the rear wall of the adjacent property to the north. It would not impact the privacy of the adjacent properties.
8. Egress requirements are not covered in the Residential Design Guidelines and are outside the purview of the RDT.

For these reasons, the project will be reviewed as an Abbreviated DR.

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

RECOMMENDATION: Do not take DR and approve project as proposed

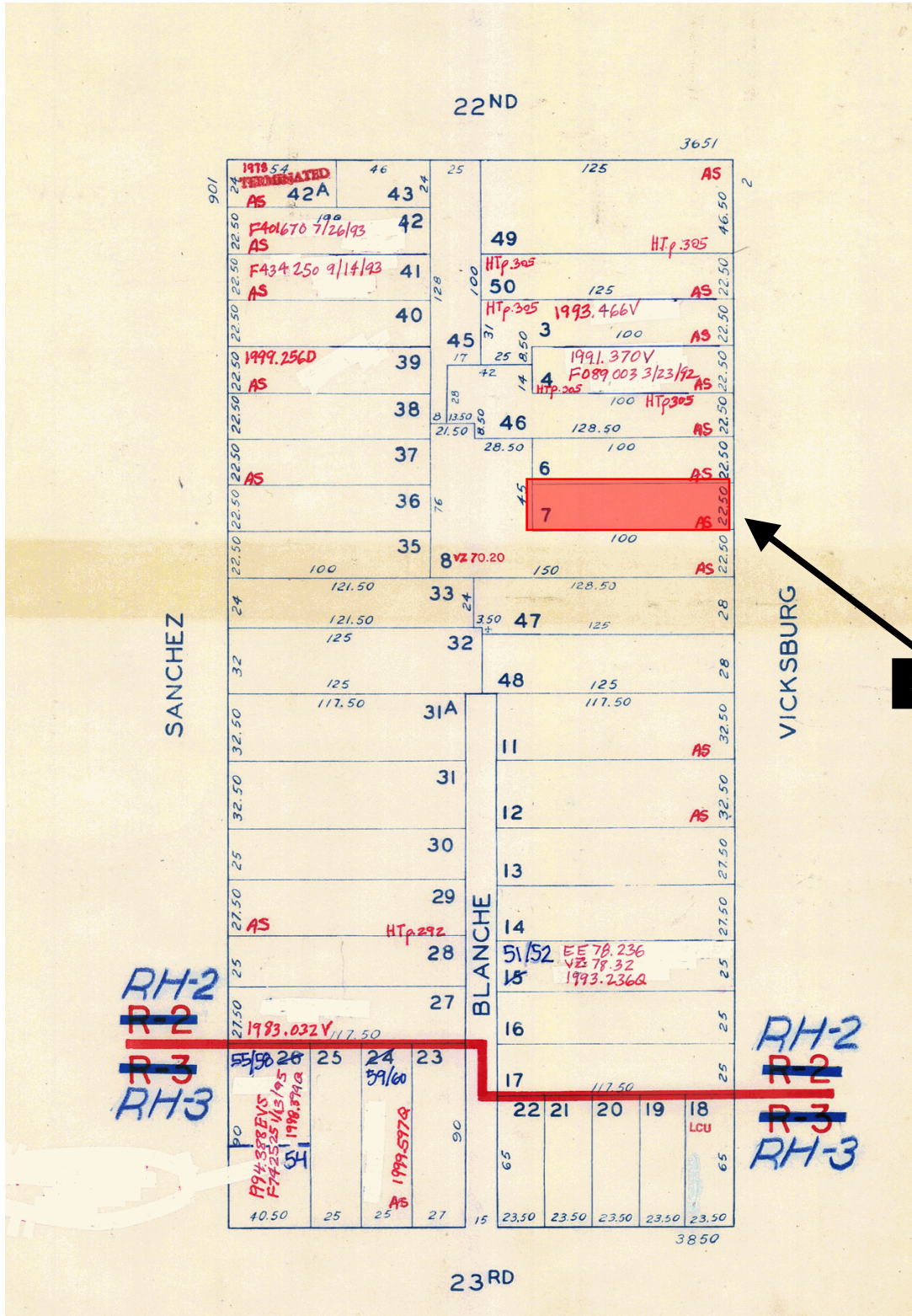
Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Section 311 Notice
DR Application
DR requestor's submittal

Project Sponsor's Submittal:

- Response to DR Application
- Environmental Determination
- Reduced Plans
- Context Photos
- 3-D Rendering(s)

Parcel Map

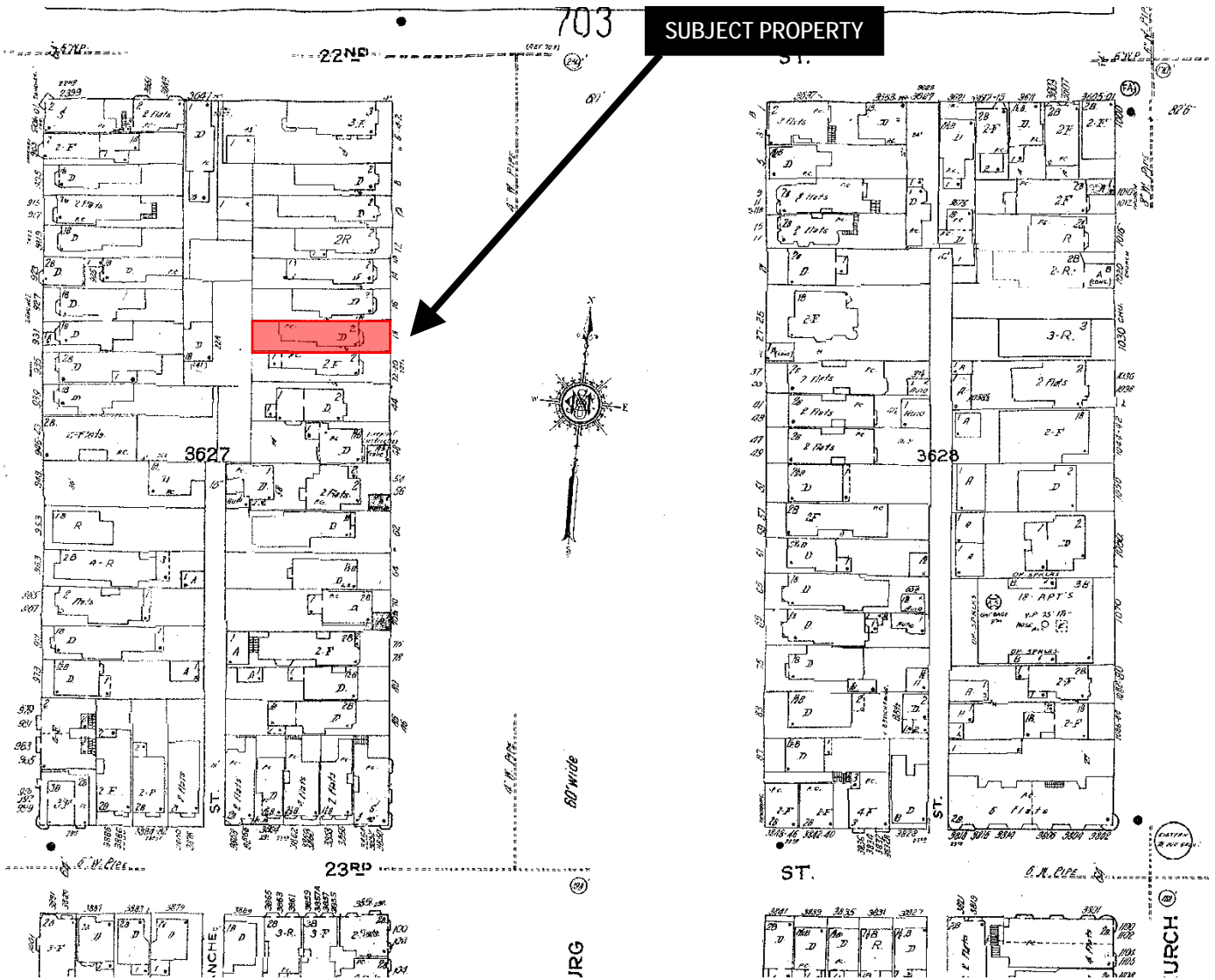


SUBJECT PROPERTY



Discretionary Review Hearing
 Case Number 2012.1552D
 18 Vicksburg Street

Sanborn Map*

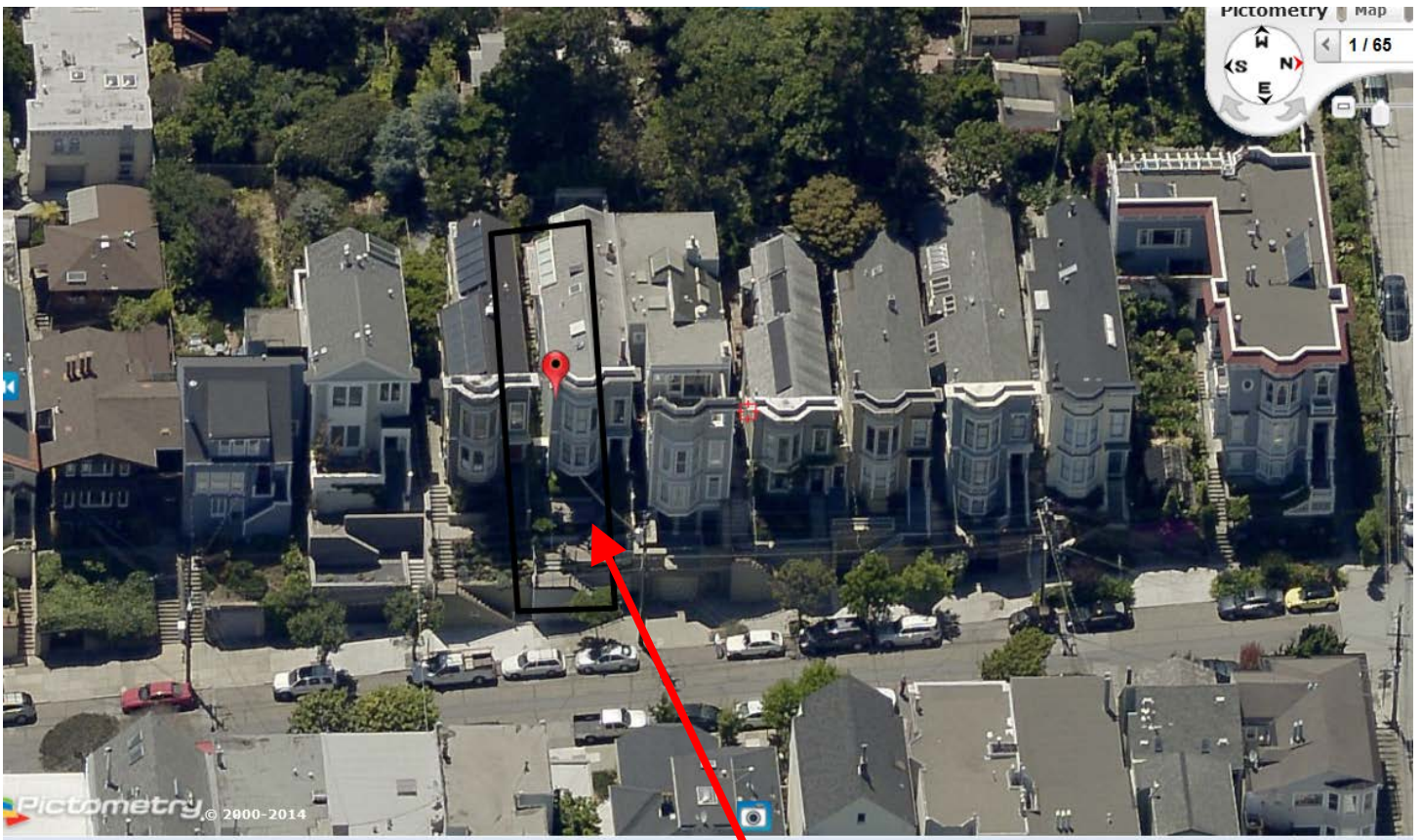


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2012.1552D
18 Vicksburg Street

Aerial Photo

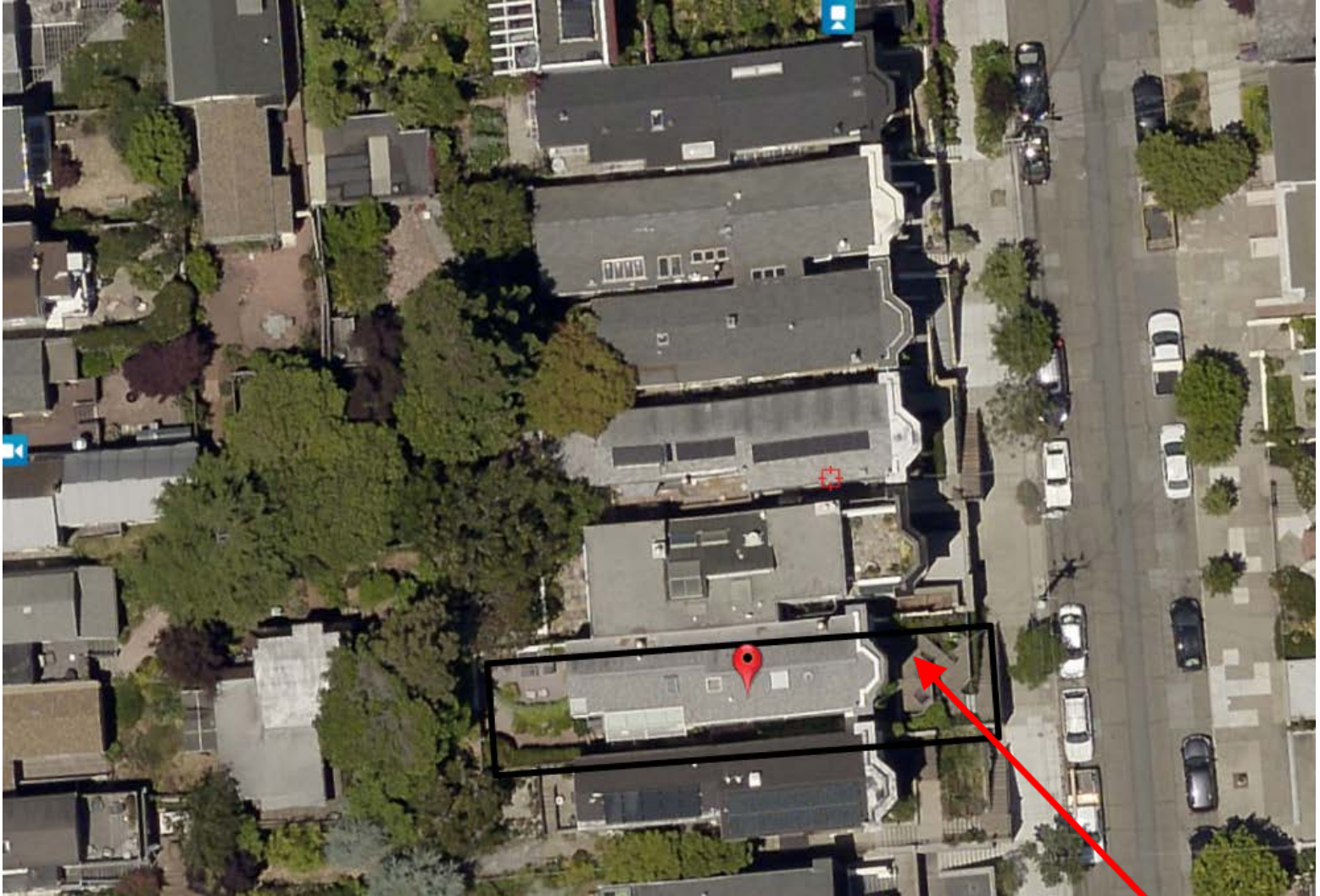


SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2012.1552D
18 Vicksburg Street

Aerial Photo



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2012.1552D
18 Vicksburg Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **June 21, 2012**, the Applicant named below filed Building Permit Application No. **2012.06.21.3128** (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Brian Pearson, Mark English Architects	Project Address:	18 Vicksburg Street
Address:	250 Columbus Avenue, Suite 200	Cross Streets:	22nd and 23rd Streets
City, State:	San Francisco, CA 94133	Assessor's Block /Lot No.:	3627/007
Telephone:	(415) 391.0186	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		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input checked="" type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input checked="" type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input type="checkbox"/> HORIZ. EXTENSION (REAR)

PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK	21 feet, 9 inches	No Change
SOUTH SIDE SETBACK	4 feet	0 feet
BUILDING DEPTH	59 feet	No Change
REAR YARD	19 feet, 3 inches	No Change
HEIGHT OF BUILDING (measured above grade level)	33 feet	37 feet
NUMBER OF STORIES	2	3 (with basement and garage)
NUMBER OF DWELLING UNITS	1	1
NUMBER OF OFF-STREET PARKING SPACES	0	2

PROJECT DESCRIPTION

The proposal is to construct a garage and basement level beneath the existing building, construct a multi-story addition at the south side of the building, and construct a one-story vertical addition. The vertical addition would be set back 14'-3" from the front of the building and set back 19'-9" from the existing rear building wall and would be minimally visible from the street. The south side addition would also be set back 14'-3" from the front of the building. The additions to the building would be finished in painted wood siding. See attached plans.

PLANNER'S NAME: **Michael Smith**

PHONE NUMBER: **(415) 558-6322**

EMAIL: **michael.e.smith@sfgov.org**

DATE OF THIS NOTICE: **11-15-12**

EXPIRATION DATE: **12-15-12**

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 www.communityboards.org 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 each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

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

BOARD OF APPEALS

An appeal of the 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**.

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Richard Fowler		
DR APPLICANT'S ADDRESS: 22 Vicksburg St., San Francisco, CA	ZIP CODE: 94114	TELEPHONE: (415) 821-0196
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Richard Robertson and Pete Litwinowicz		
ADDRESS: 18 Vicksburg St., San Francisco, CA	ZIP CODE: 94114	TELEPHONE: (415) 647-1389
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: ()
E-MAIL ADDRESS:		

2. Location and Classification

STREET ADDRESS OF PROJECT: 18 Vicksburg St.		ZIP CODE: 94114
CROSS STREETS: 22nd Street / 23rd Street		
ASSESSORS BLOCK/LOT: 3627 / 007	LOT DIMENSIONS: 22'6" x 100'	LOT AREA (SQ FT): 2,250
ZONING DISTRICT: RH-2		HEIGHT/BULK DISTRICT: 40-X

3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other Additions to Building: Rear Front Height Side Yard Present or Previous Use: Single family dwelling: 2 stories, no garageProposed Use: Single family dwelling: 5 stories (4 stories above 2-car garage)Building Permit Application No. 2012.06.21.3128Date Filed: June 21, 2012

4. Actions Prior to a Discretionary Review Request

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

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

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

No changes were made to the proposed project following discussions with the project sponsor or planning staff. The project sponsors have not modified the project plans in response to neighbors' feedback and suggested alternatives. Six neighbors attended the sponsor's neighborhood notification meeting. All six in attendance voiced numerous concerns, many of which are listed in this request for discretionary review, and suggested alternatives to the proposed project. When the 311 notice was mailed out several months later, the proposed plans contained no changes or modifications. The assigned planner, Michael Smith, has been helpful in answering questions and addressing concerns regarding the proposed project but to my knowledge no changes to the plans have occurred as a result.

Discretionary Review Request

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

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

Several factors merit discretionary review of this project:

1. a. Historical Resource, Built in 1874

The subject property, #18 Vicksburg, is designated a historical resource, the seventh in a row of eight Italianate Stick Victorians built in 1874 by P.F. Ferguson and cited in the 1968 survey, "Here Today: San Francisco's Architectural Heritage".

(Continued on attached pages)

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

A. UNSTABLE GEOLOGY

This block of Vicksburg Street has a history of unstable geology and repeated cave-ins during garage excavation projects similar to — but less extensive than — the excavation work proposed. Every recent garage excavation on this block has resulted in cave-in and damage to adjacent properties. These preceding excavation projects occurred in 1992, 1995 and 2007 with approved engineering, using modern equipment and consistent with existing building code. (Continued on attached pages)

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

The proposed top story and flat roof are incompatible with this 1874 Italianate Victorian which has been designated a historical resource. Unfortunately there are no changes that could make an additional story acceptable due to the Residential Guidelines.

To prevent the loss of the side setback, the elevator could be relocated within the existing building envelope.

To minimize excavation risks to the subject property and adjacent properties, the garage could be scaled back to a 1-car garage, which could be built without excavating underneath the existing building envelope.

12-1552 0

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: _____

DEC-17, 2012

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

Owner / Authorized Agent (circle one)

12-1552-0

Discretionary Review Application Submittal Checklist

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

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

NOTES:

Required Material

Optional Material

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

Kelvin Lee *Dec. 12, 2012*

For Department Use Only

Application received by Planning Department:

By: _____

Paul Hambray

Date: _____

12/18/12

12.1552 D

1. REASONS FOR REQUESTING DISCRETIONARY REVIEW

1. a. Historical Resource, Built in 1874

The subject property, #18 Vicksburg, is designated a historical resource, the seventh in a row of eight Italianate Stick Victorians built in 1874 by P.F. Ferguson and cited in the 1968 survey, "Here Today: San Francisco's Architectural Heritage".

A 1995 fire destroyed the rear portion of the subject property, but fortunately its Italianate facade was carefully preserved during the reconstruction that followed. Its original building envelope were restored, except that the building's width at rear was increased.

From the street, the subject property retains the essential, character-defining features of a well preserved Victorian, including its original, finely detailed Italianate facade and gabled roof.

This building and its companion Victorians are frequently photographed by tourists and other passers-by who admire their architecture, striking setting and grace. These buildings are national treasures to be protected, as specified by the Residential Guidelines:

"DESIGN PRINCIPLE: Ensure that the character-defining features of an historic building are maintained.

The overall purpose of these guidelines is to ensure that the character-defining features of an historic building are maintained, so that the building continues to convey a sense of time and place. Character-defining features include the following:

- *A building's location and orientation on the site*
- *Relationship to adjacent buildings or placement in a grouping of buildings*
- *Overall form of the building*
- *Materials, craftsmanship, and decorative details.*

Avoid removing or altering character-defining features of a building, especially those that are visible from the street or public way."

Notably, the submitted plans do not clearly show the ornate detailing of subject property's Italianate facade. As a result it may not be clear when viewing the plans the extent to which the proposed alterations are out of character for a building with this heritage.



#18 VICKSBURG

1. b. Historic Building Forms Should Not Be Changed

The proposed alterations to #18 would convert its Victorian gabled roof to a flat roof and add a new top story above the height of the facade. This alters major, character-defining features of a designated historical resource, in violation of the Residential Guidelines:

"Preserve the historic building form. If a building has a gabled roof, it should not be changed to a flat roof. Retain the original height and width of the facade."

Even though the proposed top story would be set back from the facade, it nonetheless would be visible from the street and is an awkward, out-of-character modification to a protected historic resource. The proposed alterations are specifically prohibited by the Residential Guidelines.

1. c. Character-Defining Features of Historic Building Should Be Maintained

From the street, this row of 1874 Italianates is unusually well preserved. Most retain their original Italianate facades, building envelopes, gabled rooflines and side setbacks. None of the other surviving Victorians in this row has undergone the addition of a story above its original roofline.

While some of the Victorians in the row have undergone renovations, they have not altered their character-defining features and have not expanded their original building envelopes. In 1992 when an additional story was added to nearby #10 Vicksburg, it was created below the existing first floor and above the new garage.

The proposed alterations to #18 would increase the building from 2 stories to 5 stories, setting another precedent for the surrounding buildings. The permit application indicates the proposed number of stories is "3 (with basement and garage)". This may not clearly convey that the proposed alterations will create a total of 5 stories, or put another way, 4 stories above a street-level garage. The vast majority of buildings in this RH-2 zoned neighborhood have 2 stories. A few have 3 stories. To my knowledge, there are no 5 story buildings in the area.

"DESIGN PRINCIPLE: Ensure that the character-defining features of an historic building are maintained."

"Character-defining features include the following:

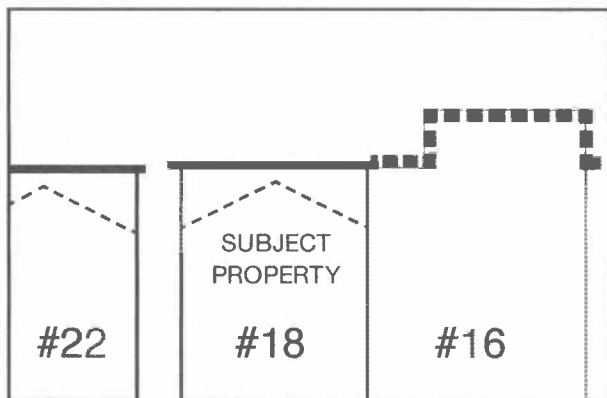
- *A building's location and orientation on the site*
- *Relationship to adjacent buildings or placement in a grouping of buildings*
- *Overall form of the building"*

1. d. Plans Do Not Show Correct Height of Adjacent Building

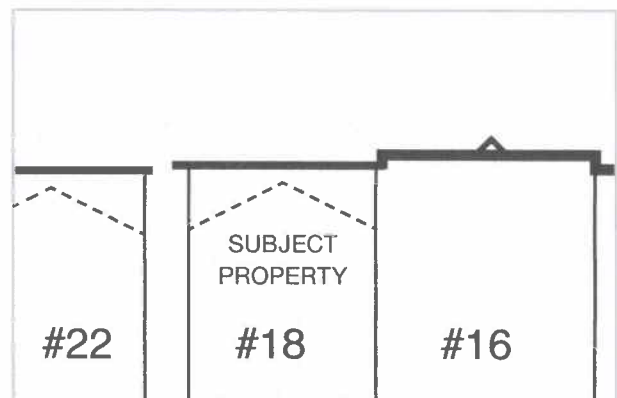
The plans of the proposed facade (drawing G.1.1) do not show the correct existing height of #16 Vicksburg, the subject property's adjacent uphill building. In reality the roofline of #16 has a different profile and is several feet shorter than shown. This is significant because the plans could create the false impression that the proposed increased height and bulk of the subject property, #18 Vicksburg, is compatible with neighboring buildings, when in fact the opposite is true. Per the Residential Guidelines:

"GUIDELINE: Design the scale of the building to be compatible with the height and depth of surrounding buildings.

It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character."



HEIGHT OF #16 VICKSBURG AS SHOWN (DRAWING G1.1)



ACTUAL HEIGHT OF #16 VICKSBURG

1. e. Topography of Site Not Respected

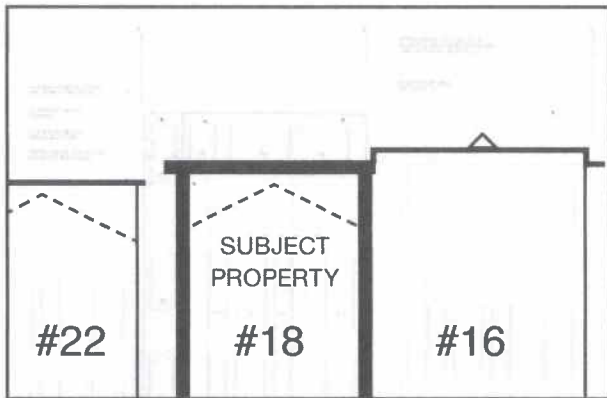
Because the plans do not accurately show the existing roofline of #16 Vicksburg, they obscure the fact that the proposed new roofline of #18 Vicksburg, which would extend the full width of the parcel, would actually be several feet higher than its uphill neighbor, #16.

Currently the existing rooflines of the subject property and its surrounding buildings closely parallel the slope of Vicksburg Street, as required by the Residential Guidelines. When viewed from the sidewalk, the stepped rooflines create a rhythmical, staircased pattern.

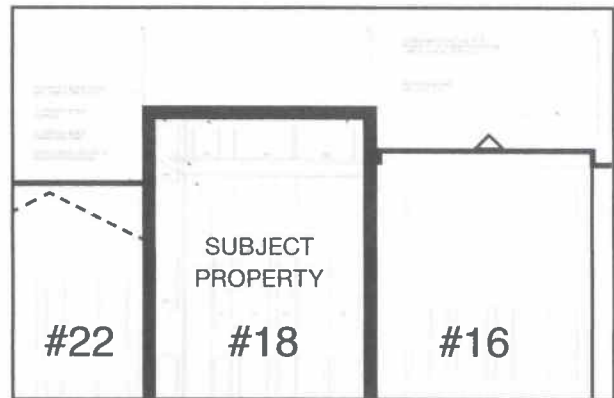
The proposed addition breaks this pattern and violates the Residential Guidelines requirement to respect the topology of the site and surrounding area.

“GUIDELINE: Respect the topography of the site and the surrounding area.

New buildings and additions to existing buildings cannot disregard or significantly alter the existing topography of a site. The surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes and hills. This can be achieved by designing the building so it follows the topography in a manner similar to surrounding buildings.”



EXISTING BUILDING ENVELOPE AND ADJACENT ROOFLINES



PROPOSED BUILDING ENVELOPE AND ADJACENT ROOFLINES



EXISTING VICKSBURG ROOFLINES RESPECT THE TOPOLOGY OF THE SITE.
LEFT TO RIGHT: #22, #18, #16, #14, #12, #10, #8, #2-6

1. f. Side Setback Eliminated

Regular side setbacks clearly delineate the surviving Victorian facades in this row. The side setbacks provide clear, unobstructed views of the sky and trees in rear yards and offset the Victorians' characteristic outlines, eaves and mouldings.

The adjacent uphill building, #16, is the exception to this pattern. It was destroyed and rebuilt in 1995. #16 now exceeds its original building envelope and looks out of scale compared to its finely detailed and proportioned neighboring Italianate structures. #16 lacks a side setback and fills the full width of its parcel.

The proposed alterations to #18 would amplify and extend this anomaly, creating an uninterrupted mass of buildings spanning three parcels. Although the proposed addition of an elevator shaft is set back from the facade, it would still be visible from the street.



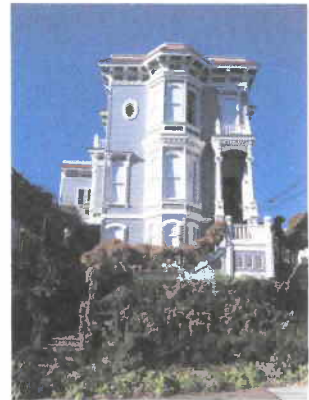
LEFT TO RIGHT:
#22, #18, #16



#14, #12, #10



#8, #2-6



#2-6

ITALIANATE VICTORIAN FACADES WITH SIDE SETBACKS,
BUILT 1874

1. g. Plans Do Not Clearly Show Proposed Front Entry

The submitted plan and elevation views of the proposed front stairs conflict with each other. The plan (G1.1) indicates the front stairs and railings will be identical to the existing design. However, the elevation (also G1.1) indicates a different location of stairs and railings. The diagonal railings shown in the elevation view make it difficult to determine what is planned for the lower portion of the facade, which is where the proposed "storage level" will be situated.

It is possible that this storage level could be converted to living space, making it all the more important to clearly show the proposed treatment of this section of the facade.



PLAN (G1.1)



ELEVATION (G1.1)

1. h. Plans Do Not Clearly Show Proposed Grade Alongside Building

The plans do not clearly indicate what is being proposed for the area near the southeast edge of the existing building. It is unclear whether the proposed alterations will reconstruct the grade alongside the south edge of the existing building to match its current height. Alternatively, it could be lowered in order to create a light well, if windows or other features are planned alongside the south side of the proposed storage level.

1. i. Conditional Use Review Is Required

Notwithstanding all other issues raised, this project is subject to Conditional Use review, due to the height of the proposed structure. The top of the proposed elevator shaft structure would be approximately 60 feet tall measured from its actual, physical base at street level. Even if the existing grade at the base of the building's current facade is used for the purpose of determining the allowable building envelope, this does not change the fact that the height of the proposed structure would reach nearly 60 feet. Section 253 does not exempt a building or structure from Conditional Use review if its lot has been excavated to the same level as the sidewalk. It states:

"... any building or structure exceeding 40 feet in height in a RH District, [...] shall be permitted only upon approval by the Planning Commission according to the procedures for conditional use approval in Section 303 of this Code..."

Therefore the proposed structure is subject to the Conditional Use application and approval process per Section 253 of the Planning Code.

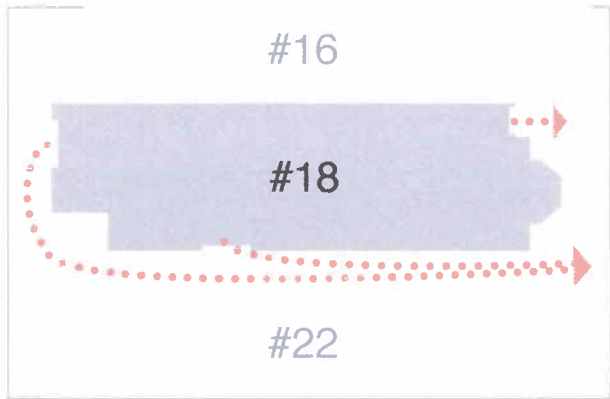
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FIRE-RELATED ISSUES:

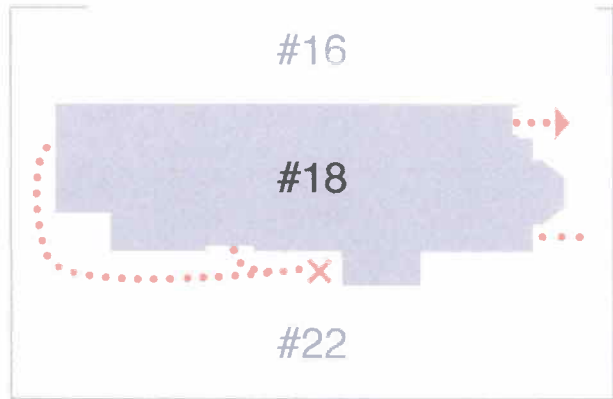
Fire-related issues, while not under the purview of the Planning Department, merit concern.

Blocked Escape Route

Currently the subject property has a side setback that provides an alternate escape route from the rear of the building in the event of fire. The proposed elevator shaft would block off this route. In the event of fire, the only means of exit for residents and fire crews alike would be through the building core: either via the front door or the proposed interior staircase which exits via the proposed garage.



EXISTING SIDE SETBACK PROVIDES ESCAPE ROUTE FROM REAR



PROPOSED ELEVATOR SHAFT BLOCKS ESCAPE ROUTE FROM REAR

Inaccessible to Firefighters

The proposed alterations would expand the existing 2-story structure to 4 stories above a new garage: a total of 5 levels. The proposed new rooftop would be nearly 60 feet above street level and inaccessible to firefighters, due to several factors:

- the existing facade is set back approximately 34 feet from the curb
- the existing first floor is approximately 25 feet above the street, due to regrading
- Vicksburg Street is 60 feet wide and has a lateral slope of approximately 8%
- dense electrical and telephone wires block access to ladder trucks and hand-carried ladders

This threat became real in 1995 when a fire consumed 16 Vicksburg and severely damaged its adjacent buildings, 18 Vicksburg and 14 Vicksburg. Responding fire crews had great difficulty containing the fire, due to the factors cited.

2. UNREASONABLE IMPACTS

Unstable Geology

This block of Vicksburg Street has a history of unstable geology and repeated cave-ins during garage excavation projects similar to — but less extensive than — the excavation work proposed. Every recent garage excavation on this block has resulted in cave-in and damage to adjacent properties. These preceding excavation projects occurred in 1992, 1995 and 2007 with approved engineering, using modern equipment and consistent with existing building code. They were all within 100 feet of the subject property. There is every reason to expect that excavation work for the proposed garage and elevator shaft would cause unreasonable impacts on adjacent properties.

Prior to each of the previous excavations, numerous test bores were drilled but failed to fully identify the nature of the geology, since it varies in unpredictable ways in each parcel. In some areas the soils were unstable and collapsed unpredictably, resulting in cave-ins. In other areas the rock was far more dense and impenetrable than indicated by tests. Accordingly, excavation timelines that were projected to take one year stretched to two years due to the density of the rock and difficulty of working within a narrow parcel. In every project, adjoining properties were damaged and required repairs, leading to protracted legal disputes.

Moreover, in every project, the resulting damage to adjacent properties continued after the initial cave-in and repairs had been completed. This is because the underlying soils have continued to shift and settle for years after construction was completed. On two of the three projects, #8 and #22 Vicksburg, sewer lines have had to be replaced twice: both during the excavation and again within 5 years, due to ongoing ground movement.

History of Garage Excavation Cave-Ins

Years	Excavation Site	Volume Excavated <i>as measured from front property line</i>	Properties Damaged	Description
1992-1994	10 Vicksburg	Width: 22.5' Depth: 30.0' Height: 20.0'	8 Vicksburg	Cave-in caused cavity under front stairs and broke sewer line. Sewer line broke again ~5 years later.
1995-1996	16 Vicksburg	Width: 22.5' Depth: 40.0' Height: 20.0'	14 Vicksburg 18 Vicksburg	No building existed on the construction site during excavation, as #16 and #18 had been destroyed in a fire. Cave-in damaged the one existing adjacent building (#14) foundation, water line and sewer line. The same sewer line broke again ~5 years later.
2007-2008	44 Vicksburg	Width: 28.0' Depth: 20.0' Height: 20.0'	22 Vicksburg 48 Vicksburg	Excavation did not extend under the building foundation, as is proposed for the 18 Vicksburg project. Cave-in occurred under front stairs of #22, damaged the foundation, broke sewer line, and caused numerous cracks. Sewer line broke again ~2 years later.

The proposed project at #18 Vicksburg is greater in scope, more complex and poses greater risk to adjacent properties than these previous excavations:

- The proposed excavation work extends approximately 30 feet back from the facade and under the existing building envelope of #18 Vicksburg

12-1552

- Access for digging equipment is more restricted due to the existing building overhead and the adjacent existing buildings
- The excavated void abuts the foundations of #16 and #22 for ~50 feet and ~30 feet, respectively

Richard Robertson, the project sponsor, shared his concerns about the risk of cave-ins on Vicksburg Street in a letter to neighbor Will Sprietsma on Nov. 30, 2004 regarding planned foundation repairs:

"I am concerned about soil movement on my property and the risk to the structural integrity of my adjacent building for the following reasons: [...] Our neighbors at #8 and #16 Vicksburg Street experienced a cave-in creating large voids that undermined their sewer piping and structures during recent construction on their adjacent property line. Those properties have similar soil conditions and this occurred during the dry season."

This comment was in reference to replacing a section of old cinderblock foundation with reinforced concrete at the rear of #22 Vicksburg. The total area being repaired was at grade and less than 20 linear feet — far less extensive the proposed garage excavation at #18 which would span the full 22 1/2 foot width of the parcel by over 20 feet high by nearly 60 feet deep and remove all soils and rock underneath the first 30 feet of the existing building and abutting the adjacent foundations of #16 and #22 Vicksburg.

Given his stated concerns regarding structural integrity and cave-ins, it is difficult to understand why Mr. Robertson has sponsored the immense, risk-prone excavation project under review.

12-1552 0

Affidavit for Notification Material Preparation

Notification Map, Mailing List, and Mailing Labels

Please submit this completed Affidavit with Notification Materials. Notification Materials are required for projects subject to Neighborhood Notification and certain Planning Department applications (e.g. Conditional Use Authorization, Variance, etc.).

I, Javier Solerzano, do hereby declare as follows:

1. I have prepared the Notification Map, Mailing List, and Mailing Labels for Public notification in accordance with Planning Department requirements as referenced in the Planning Code.
2. I understand that I am responsible for the accuracy of this information, and that erroneous information may require re-mailing or lead to suspension or revocation of the permit.
3. I have prepared these materials in good faith and to the best of my ability.

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

Executed on this day, Dec. 12, 2012 in San Francisco.
Date

Signature

Javier Solerzano

Name (Print), Title

AGENT - DRAFTING

Relationship to Project, e.g. Owner, Agent (if Agent, give business name and profession)

18 VICKSBURG ST.

Project Address

3627/004

Block / Lot

March 19, 2014

San Francisco Planning Commission
c/o San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94013

RE: 18 Vicksburg Street, Permit Application
2012.1552D, for hearing on March 27, 2014
Zoning: RH-2

President Wu and Commissioners:

Summary and Requested Action

The existing building is a notable example of Italianate architecture in an intact row of Italianate homes that rise to the level of significance of National Register and local Article 10 designation as an historic district (Attachment 1). The proposal doubles the floor area of the building (adding 2,025 sf to the existing 2,150 sf home) by excavating two floors down for storage and garage, adding a 560 sf 5th floor above the current roof level, with new decks both in front of and behind this penthouse, and installing an elevator in the currently open side yard up to our property line.

After a more complete CEQA review, we request your approval of the proposed project with the following changes:

- 1) Moving the elevator in from our property line by six inches;**
- 2) Constructing sound walls around the elevator shaft to a 50 dBA (decibel) acoustical value;**
- 3) Making all deck railings solid wall or glass and opaque;**
- 4) Requiring opaque glass for the 2 west-facing penthouse windows and west-facing exterior door;**
- 5) Removing the proposed rear decks;**
- 6) Increasing the height of the existing property line fences between the subject property and our property to 6 feet, measured up from the surface of the existing rear deck.**

Insufficient CEQA Review

As we documented in the attached letter to the Environmental Review Officer (Attachment 2), the CEQA document for this proposal is insufficient to fulfill CEQA requirements. The CEQA document sidesteps the critical point: **it never answers the question** of whether or not the building is significant under CEQA. It is not sufficient to sidestep this issue because it is perceived by planners that the proposal would meet the Secretary of the Interior's Guidelines for Rehabilitation (Guidelines). The Guidelines cannot be applied until after the elements relevant to significance are identified. Until that is done, it is not possible to determine whether or not those elements are impacted and to what extent.

The preservation memo utilized as the documentation for the CEQA conclusions states the proposal "is minimally visible from the public right-of-way." There is currently an open side yard between the existing building and ours. This is where the proposed elevator will be situated — taking up the full width of the side yard. All but the lowest part of the elevator will be 100% visible from in front of the building. Moreover the elevator and penthouse will be visible from multiple vantage points along the sidewalk on the opposite side of Vicksburg Street. Therefore it is inaccurate to describe the proposed additions as "minimally visible from the public right-of-way". These shortcomings in the CEQA document would have never occurred if a full and proper historic study (HRE) of the building had been completed. It is ironic that such reports are routinely required for buildings that are of dubious historic value when one was not required for a building that is so obviously meets National Register criteria.

The CEQA document must be made accurate and complete before the Commission can take any action on this project.

Requested Minor Changes

In addition to the revisions to the CEQA document which is not discretionary and must be done for state CEQA compliance, we are requesting relatively minor changes to a substantial project that doubles the size of the existing building.

To date, the project sponsors have refused to alter the project to minimize its impacts on neighboring properties. In several meetings we and other neighbors have made repeated requests to minimize the noise generated by the proposed elevator and the loss of privacy resulting from construction of the proposed penthouse level and rear deck. Neighbor Alexander Johnson of 44 Vicksburg outlines his concerns regarding loss of privacy and his objection to the proposed project in an attached letter (Attachment 4.) Despite months of meetings and negotiations, the project sponsors have refused to compromise at all — they have not modified a single detail in their plans to address neighbors' feedback and concerns.

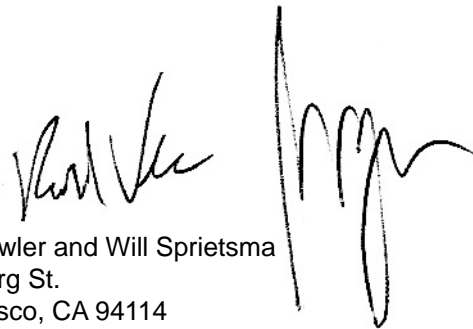
The elevator is proposed for location in the side yard between our properties and built right up to our property line. The noise from the elevator is likely to be heard more substantially in our house than in the subject house. For this reason we ask that the elevator be moved in six inches from the property line and, additionally, that a sound wall be built around the elevator. The 50 dBA threshold standard is the threshold standard the Board of Appeals recently imposed on the project at 1050 Valencia Street for a wall and elevator built several inches away from the property line of the Marsh Theater.

Our lot is "L-shaped" with our house at street front and a small cottage in the other portion of the lot, behind both our house and the subject property (Attachment 3). The proposed additions and rear decks will look directly on our yard and into the windows of the rear cottage, as well as other neighboring properties. Because of this unique circumstance we ask that the proposed rear decks be removed and that the penthouse level's west-facing windows and door be opaque glass. Finally, to retain as much privacy as possible and still allow such a substantial addition, we ask that the penthouse level railing be constructed of opaque materials and that the existing property line fences between our property and the subject property be increased to a height of six feet, as measured up from the surface of the subject property's existing rear deck.

Exceptional and Extraordinary Circumstances

There are two clear exceptional and extraordinary circumstances: first is our "L-shaped" lot with rear cottage directly behind the subject property; second is the historic nature of the property and the properties around it. "L-shaped" lots with rear buildings are extremely rare. This cottage is also unusual in that it does not have an open street-facing front yard, as most rear cottages do. Instead, it faces the rear of the subject property and our property. It is surrounded by little open space and suffers from a lack of existing privacy. Without the proposed project changes it will have no privacy at all.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Richard Fowler' and the signature on the right is 'Will Sprietsma'. Both signatures are written in a cursive, flowing style.

Richard Fowler and Will Sprietsma
22 Vicksburg St.
San Francisco, CA 94114

Attachments

Attachment 1
18 Vicksburg

ROW OF ITALIANATE VICTORIAN HOMES, BUILT 1876
2-22 VICKSBURG STREET



L-R: #22,
#18 (subject property),
#16



#14, #12, #10



#8, #2-6



#2-6



Subject Property:
18 Vicksburg

Attachment 2
18 Vicksburg

Richard Fowler
22 Vicksburg St.
San Francisco, CA 94114

February 14, 2014

Sarah Jones
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: 2012.1552E, Certificate of Determination from Environmental Review dated 8/18/2013
18 Vicksburg Street

Dear Ms. Jones:

I believe the above referenced environmental review is deficient by its failure to properly address the impacts on a historic resource. There appear to have been several aspects of the historic resource review which were inconsistent with your published procedures, past practice and CEQA Guidelines. I respectfully request additional environmental review to address these deficiencies.

First, the Certificate of Determination **does not clearly state whether or not the property has been determined a historic resource under CEQA**. The Certificate reader is left to guess what determination has been made. This conclusion must be clearly stated in order to determine what level of environmental review is required of the project. The following points speak to this issue:

- The Property Information Map states, "Property is not a Historic Resource" as determined by "HRER Decision (8/19/2013)" (see Attachment 1). There is no 8/19/2013 HRER decision on this property. The only document dated 8/19/2013 is the Certificate of Determination you signed. You do not conclude in the Certificate the property is not historic. You fail to classify the building as either historic or not historic. The only other document on this property regarding historic resources is a memo from Heidi Kline to Michael Smith dated July 26, 2013 (Attachment 2) which similarly fails to clearly state whether the building is historic or is not historic. That memo does, however, indicate the Secretary of the Interior's Standards for Rehabilitation (Standards) were applied to this project, which imply (but again **do not state**) that the building is indeed historic.
- The building is most certainly historic, at minimum as a contributor to a locally eligible historic district under Article 10 of the Planning Code. It was constructed in 1874 and is one of an intact row of Italianate Stick style Victorians built by P.F. Ferguson, cited in "Here Today." Although a fire destroyed the back of the building, the historic front facade, which is the defining architectural feature of the building, was not affected by the fire (see photo, Attachment 3).
- I am aware of many other projects which have required evaluations by a qualified experts in order to determine historic status and which include extensive documentation supporting the conclusion. I do not understand why this project was not made to follow the same review and documentation standards required of other projects.

Attachment 2
18 Vicksburg

February 14, 2014

Page 2

Second, **neither the Certificate of Determination nor the 7/26/2013 memo from Heidi Kline to Michael Smith identify those aspects of the building that are defining features of and important to the determination of the historic resource.** The purpose of the architectural and historical evaluation of a building is dual: to determine whether a property is an historic resource within the meaning of CEQA and to document the aspects of the resource that are relevant to its historic classification. If the documentation is not provided, a proposal's impact on a historic resource cannot be accurately evaluated.

Third, **preservation staff misstated and misapplied the standards in the CEQA checklist.** The CEQA checklist does not exempt proposals that are "minimally visible from the public right-of-way," as stated in the July 26, 2013 memo from Heidi Kline to Michael Smith. The CEQA checklist only exempts proposals that "are not visible from immediately adjacent public right-of-way for 150' in each direction" (see CEQA checklist, attachment 4). The penthouse, the garage and the elevator will all be visible from immediately adjacent public right-of-way within 150 feet. This is acknowledged in the memo from Heidi Kline to Michael Smith. Therefore the proposal is most certainly not exempt from environmental review.

Fourth, **there is no documentation in the administrative record that supports the finding that the proposal "is minimally visible."** In advance of the finding there were no montages, no 3D drawings, no records of any kind to support this conclusion. And in fact the elevations alone prove the project will be clearly visible: the elevator will be viewed from directly across the street; the garage will be visible up and down the street; and I believe the elevator and penthouse will be visible from the sidewalk south of the project site.

In summary, the environmental evaluation of the this proposal is deficient and does not meet the requirements of CEQA or CEQA Guidelines. I urge you to provide a determination of historic resource that provides a well-researched and documented conclusion as to historic status and that fully documents those aspects of the building that define and contribute to its historic status, and to provide a fully documented evaluation of impact of the project on the resource, all consistent with CEQA standards.

Sincerely,

Richard Fowler

cc: Michael Smith
Tim Frye
Heidi Kline

Attachment 2

18 Vicksburg

ATTACHMENT 1

The screenshot shows the San Francisco Property Information Map website. The browser address bar displays 'propertymap.sfplanning.org/?dept=planning'. The page title is 'San Francisco Property Information Map' with the subtitle 'Public Access to Useful Property Information & Resources at the Click of a Mouse'. There are links for 'Map Help', 'Your Feedback', 'Link', and 'Disclaimer'. The page is divided into two main sections: 'Step 1: Search or Click on the Map' and 'Step 2: Review Property Information'. In Step 1, search examples include '400 Van Ness Ave 0787/001', 'Mission and Van Ness 2011.0218', and 'Ferry Building'. A search box contains '18 vicksburg' and a 'SEARCH' button. Below the search box are links for 'Measure Distance', 'Street View', 'Map Legend', and 'Clear Map'. A map shows the location of 18 Vicksburg, with a blue rectangle highlighting the property. The map includes a scale bar (0 to 100 feet) and is powered by Esri. Step 2 provides detailed information about the property, including its registration status, historic designations, and architectural details.

San Francisco Property Information Map
Public Access to Useful Property Information & Resources at the Click of a Mouse

Step 1: Search or Click on the Map
Search Examples: 400 Van Ness Ave 0787/001
Mission and Van Ness 2011.0218
Ferry Building

18 vicksburg **SEARCH**

Step 2: Review Property Information
Click tabs below to view property or parcel information

Property Zoning Preservation **Projects** Building Permits Other Permits Complaints Appeals

California Register:
National Register:

ARTICLE 10 DESIGNATED HISTORIC DISTRICTS AND LANDMARKS: **MAP**
None

ARTICLE 11 PRESERVATION DESIGNATION: **MAP**
None

NATIONAL REGISTER HISTORIC DISTRICTS: **MAP**
None

HISTORIC SURVEYS: **MAP**

Parcel: 3627007
Survey Name: DCP 1976 SURVEY
CEQA Category: B - [Potential Historic Resource](#)
Evaluation Date: 1/1/1976
Survey Rating: 3
Rating Description:

HISTORIC RESOURCE EVALUATION RESPONSES: **MAP**

HRER Decision (8/19/2013): Property is not a Historic Resource

ARCHITECTURE: **MAP**

Historic Name:
Year Built:
Architect: UNKNOWN
Builder: P.F. FERGUSON
Style: ITALIANATE-STICK
Stories: 2
Height:
Construction Type: F



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

DATE: July 26, 2013
TO: Heidi Kline
FROM: Michael Smith
RE: 18 Vicksburg Street

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

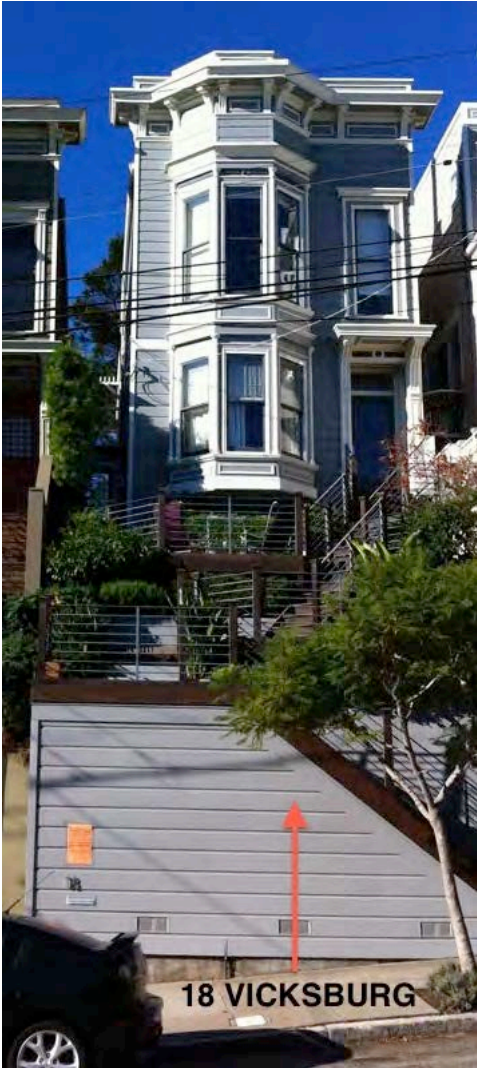
Preservation Staff has reviewed the plans dated 8/27/2012 associated with permit No. 2012.06.21.3128 proposing to construct a garage and basement level beneath the existing building, construct a multi-story addition at the south side of the building, and construct a one-story vertical addition for the property at 18 Vicksburg Street. Staff finds that the proposal complies with the CEQA Categorical Exemption Checklist because the addition is minimally visible from the public right-of-way and meets the *Secretary of the Interior's Standards for Rehabilitation* (Standards). The addition would be set back approximately 15-feet from the front of the building which combined with the deep and steeply sloped front yard would make it minimally visible from the public right-of-way. The proposed garage and basement additions also comply with the Standards because they would replace a multi-leveled, terraced deck in the same location and would have a similar appearance from the street. Staff has referred the project to environmental staff for review of potential impacts the project may have as a result of the large amounts excavation on a steeply sloped lot.

Please contact me if you have questions regarding this determination.

Attachment 2

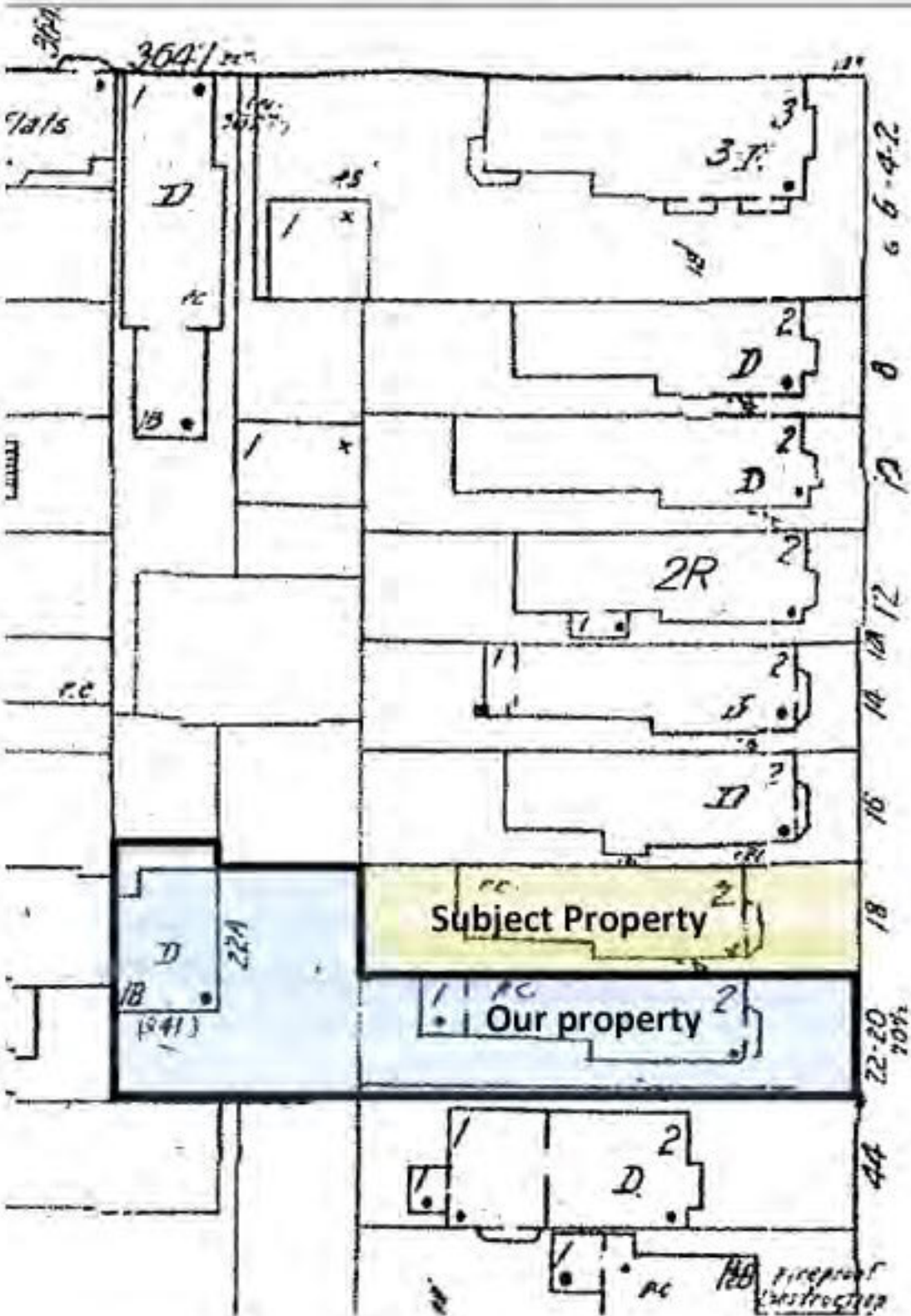
18 Vicksburg

ATTACHMENT 3



Attachment 3

18 Vicksburg



Attachment 4
18 Vicksburg

Alexander Johnson
44 Vicksburg St.
San Francisco, CA 94114

March 17, 2014

Re: Proposal for 18 Vicksburg

Dear Members of the Planning Commission,

I am writing to express my strong objection to the scale of the construction proposal for 18 Vicksburg Street. My house (which I have owned and lived in for over 25 years) is two houses downhill from the proposed construction, on the same side of the street. The addition of a third story and accompanying deck to 18 Vicksburg will, I believe, have a severely negative impact on the mid-block open space behind the proposed construction. For example, the proposed deck will tower over the backyards of many of the neighboring houses (including mine), profoundly affecting the atmosphere and appearance of the mid-block open space and impinging on the privacy and garden-like character of the existing backyards. It is also worth pointing out that, because most of 18 Vicksburg's back yard is covered by a deck, it contributes very little to the existing mid-block open space.

Over the last year and a half, I met four times with the owners of 18 Vicksburg and the architect (twice with the owners, once with the architect, once with the owners and the architect together.) These meetings were cordial and, at each of them, I expressed my concerns over the impact on the size of the proposed addition to the mid-block open space. I even invited the architect to my house, so we could discuss the impact from the perspective of my back yard. At that meeting, the architect brought up the possibility of shortening the deck, thereby lessening the impact. He also brought up the possibility of putting up story poles so we could better assess the impact.

Despite my numerous good faith meetings with the architect and owners, absolutely nothing was changed in the plans to address my concerns. Even the possibility of placing story poles was withdrawn at a subsequent meeting.

Due to a prior commitment (made over a year ago) to speak at a scientific conference, I will not be in town to attend the hearing. But I want to make my objections to the scale of the project absolutely clear; further, I want to make it clear that the owners and architect, although cordial, have consistently ignored my concerns. I certainly hope that the planning commission has not been given the impression that there were no concerns from neighbors over this project.

Finally, I should add that I am not opposed to construction projects; I did a major renovation on my house on Vicksburg Street eight years ago that involved a modest addition to the second floor and a new garage. My architect and I met with neighbors and minimized the impact of the project on them; as a result, not a single objection was raised

at the planning commission hearing (the construction required a variance and thus a hearing). That experience was very different from that involving 18 Vicksburg. I sincerely hope, in making your decision, you will consider the negative impact of the project on the surrounding neighbors and the consistent unwillingness of the owners/architects to address neighbor concerns.

Sincerely,

A handwritten signature in black ink that reads "Alexander Johnson". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Alexander Johnson

**Before the
San Francisco Planning Commission**

**PROJECT SPONSORS' SUBMITTAL IN RESPONSE TO
REQUEST FOR DISCRETIONARY REVIEW REGARDING
PERMIT FOR DISABILITY ACCESS**

18 Vicksburg Street

**Project Sponsors:
Richard Robertson and Peter Litwinowicz**

**Building Permit Application
(Disability Access for Single Family Home and Related)**

**Hearing Date:
March 27, 2014**

Attorneys for Project Sponsors:

REUBEN, JUNIUS & ROSE, LLP

One Bush Street, Suite 600, San Francisco, CA 94104
t] 415 567 9000 f] 415 399 9480

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A. INTRODUCTION

Richard Robertson and Peter Litwinowicz (collectively, “Project Sponsors”) propose to alter their single family home (“Project”) at 18 Vicksburg Street (“Project Site”) to add a disability access elevator. Thirty-seven neighbors on and very near Vicksburg Street have signed letters supporting the Project Sponsors’ application. (See **Exhibit A**, a location map of supportive neighbors and **Exhibit B**, 30 letters supporting the Project.) Related alterations are a garage at street level (the house entry way is 37 steps up from the street level), and a 4-foot vertical addition set back 14-ft. 3” from the front façade and 19 ft. 9” from the rear building wall to create a bedroom, with adjacent decks.

But for the DR requester’s application for discretionary review, this addition would have been administratively approved.

B. SITE INFORMATION

Street Address: 18 Vicksburg Street
Cross Streets: 2nd Street and 23rd Street
Assessor’s Block/Lot: Block 3627/Lot 007
Zoning District: RH-2(D)
Height and Bulk District: 40-X
Proposed Use: One dwelling unit (No change)
Proposed Additions: Garage at street level, elevator for disability access, 4-foot vertical addition in middle of house to create one bedroom, with decks.

C. BACKGROUND

Richard Robertson has lived at 18 Vicksburg Street for 34 years. His partner, Peter Litwinowicz, has lived at Vicksburg for 16 years. The entire structure at the Project Site burned to the ground in 1993, excepting only the front façade. (See Photos attached as **Exhibit C**.) Richard Robertson rebuilt the home with the same building envelope in 1994.

The front façade was preserved in the new house built in 1994. Tall and slim, 18-foot wide in the Victorian style, the new house has only two bedrooms. The 4-foot vertical addition in the middle of the house, with a 14’3” front setback and a 19’9” rear

setback, will be used as a bedroom because one of the existing bedrooms will be used as an office for medical reasons.

The Project Sponsors wish to live their remaining years in the house. However, the entrance to the house is 3 flights (37 steps) above the sidewalk level and is very inaccessible to anyone with frailties or disabilities. Additionally, there are 15 steps internal to the home to reach the living areas. To be accessible, the house requires an elevator, and one that goes down to street level. Inaccessibility has become a problem because both owners have injuries and surgeries making getting into and out of the house a challenge. Mr. Robertson has had several knee and foot surgeries, and has another foot surgery planned for April 2014. He also suffers from osteoporosis with high fracture risk to his spine and hips. Mr. Litwinowicz was a professional dancer for 11 years, and also co-ran his own dance company for an additional 6 years. As a result, he has serious back and neck issues, and was required to use a wheelchair for 3 weeks in October 2012 due to back pain that kept him from walking longer than 30 to 40 feet at a time. (See letters dated March 18, 2014 from Marsha Bluto, M.D., attached as **Exhibit D.**)

D. THE DR APPLICANT HAS FAILED TO SATISFY THE STANDARD OF REVIEW - THERE ARE NO EXCEPTIONAL OR EXTRAORDINARY CIRCUMSTANCES THAT JUSTIFY DISCRETIONARY REVIEW

The Planning Commission's authority to review permits on a case-by-case basis under "Discretionary Review" (Municipal Code of the City and County of San Francisco, Part III, Section 26(a)¹ must be carefully exercised. In 1943, the California Supreme Court held that the San Francisco Board of Permit Appeals, pursuant to the above-referenced Section 26(a), had the authority to exercise its "sound discretion" in granting or denying building permits (See Lindell Co. v. Board of Permit Appeals (1943) 23 Cal.2d 303). In 1954, then San Francisco City Attorney Dion R. Holm issued Opinion No. 845, in which he opined that the Planning Commission has similar discretion to grant or deny building permits. However, the City Attorney cautioned the Planning Commission with respect to the judicious exercise of this discretion. In his opinion, the City Attorney stated as follows:

"I think it is entirely plain, on the authority of the above-enunciated general principles, that the reservation of authority in the present ordinances to deal in a special manner with exceptional cases is unassailable upon constitutional grounds . . . this is,

¹ Section 26(a) provides that "[I]n the granting or denying of any permit, or the revoking or the refusing to revoke any permit, the granting or revoking power may take into consideration the effect of the proposed business or calling upon surrounding property and upon its residents and inhabitants thereof; and in granting or denying said permit, or revoking or refusing to revoke a permit, may exercise its sound discretion as to whether said permit should be granted, transferred, denied or revoked."

however, a sensitive discretion and one which must be exercised with the utmost restraint.” (City Attorney Opinion No. 845, p. 8, emphasis in original).

The discretionary review handout provided to the public by the Planning Department reiterates this underlying foundation of the discretionary review power. That publication provides that “discretionary review is a special power of the Commission, outside the normal building permit application approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with a proposed project. The Commission has been advised by the City Attorney that the Commission’s discretion is sensitive and must be exercised with utmost constraint.” In this case, the Planning Commission should exercise such constraint by approving the Project.

There are no exceptional and extraordinary circumstances in this case that would justify the Planning Commission’s exercise of its discretionary review powers. Each of the specific issues raised by the DR Applicant are meritless, for the reasons that follow.

E. RESPONSE TO DISCRETIONARY REVIEW REQUESTER’S CONCERNS

The Project Sponsors and their architect, Mark English, have met with the DR requester several times to try to resolve their differences.

The responses and comments below respond to the numbered questions on Richard Fowler’s Application for DR.

#1: What are the reasons for requesting DR? What are the Exceptional and extraordinary and extraordinary circumstances that justify a DR of the project? Does the project conflict with . . . the Residential Design Guidelines? “#18 Vicksburg is an Historic Resource built in 1874 seventh in a row”

Response:

#18 Vicksburg is not a historic resource.

The Planning Department staff (Monica Pereira) stated in a February 2, 2013 memo to the Project Sponsors: “There is no historic review required since the Project falls within the scope of CEQA Categorical Exemption checklist (the addition is minimally visible from the public right-of-way).”

A Categorical Exemption from Environmental Review was granted by Planning Department on August 19, 2013. See Exemption attached as **Exhibit E**.

The residence at #18 was destroyed by fire in 1993 and was totally rebuilt from foundation up (except for the front façade, which was preserved) in 1994. The Façade will not be altered or changed in the proposed Project. See Project plans attached as **Exhibit F**.

1.b. “Preserve the historic building form. If a building has a gabled roof, it should not be changed to a flat roof”

Response:

#18 was constructed in 1994 and is not “historic”. #18 Vicksburg does not have a gable roof.

1.c. “Character-defining features of Historic Building should be maintained . . . to my knowledge there are no 5 story buildings in the area.”

Response:

.” The Elevation Plans attached for #16 Vicksburg, directly adjacent to the Project Site, show a total of 5 floors. The fifth floor at #16 Vicksburg is a full floor, set back from the front façade approximately 14’, and extending all the way to the rear of the building.

The DR requestor is not able to see the number of floors at #16 Vicksburg, which reinforces that the proposed Project at # 18 Vicksburg will be minimally visible from the side, and not visible from the street due to the front set back of 14 ft. 3”.

1.d. “ Plans do not show correct height of Adjacent Building”

Response:

The plans are accurate.

Project Sponsors went to the additional cost of obtaining a survey to ensure that the plans are accurate. The latest version of the revised plans was physically delivered to the Planning Department on January 21, 2014 and stamped, signed drawings were again delivered on March 6, 2014.

The DR requestor continues to claim that the plans are not representative, yet the plans were revised to reflect requests made during the Project Sponsors’ meetings with him.

Post survey plans were shown and discussed at a meeting with the DR requestor on October 10, 2013. The revised plans were again shown and discussed with the DR requestor in a one-on-one meeting on December 17, 2013.

While the DR application alleges that the Project Sponsors do not accurately represent the profile of 16 Vicksburg Street, the DR application contains a drawing that does not accurately depict the pop-out atop the roof of #16. The existing structure on top of #16 is a full atrium above a central stair way .

The proposed pop-up in the middle of 18 Vicksburg, at 4 feet high above the existing roof, does not exceed the height of the existing stairwell atrium on top of 16 Vicksburg.

1.e. “Topography of Site Not Respected”

Response:

See response above.

1.f. “Side Setback Eliminated . . . proposal extends to full width of property and exceeds height of surrounding buildings”

Response:

The DR statements are not truthful. A gap will remain between #20 and #18, and # 16 and #10 both extend to the full lot width (i.e., no side yards).

Height addressed by 1.b., 1.c. and 1.d. above.

1.g. “Plans do not clearly show proposed front entry”.

Response:

Plans show the garage door (as requested) and these plans were presented and discussed with DR requestor in a one-on-one meeting on December 17, 2013.

The Project Sponsors are not changing the entry stairs or “lower portion of the façade” as alleged by DR requester, but they intend to make the most minimal changes as possible to the existing look and feel of the structure as was discussed in one-on-one meetings on October 10, 2013 and December 17, 2013.

1.h. “Plans do not clearly show proposed grade alongside building”

Response:

The Project architect, Mark English, confirmed that there are no grade inaccuracies.

1.i. “Conditional Use Review is Required . . . elevator shaft structure would be approximately 60 feet tall . . . per Section 253 that any structure exceeding 40 feet in RH district requires approval of Planning Commission.”

Response:

The claim is erroneous. Subterranean volumes are not included in building height; in any case, the maximum height line indicated on the elevations was determined with the assistance and approval by the Planning Department staff. All parts of the proposed alteration are well below the height limit. The elevator will not exceed the height of the building, which is 30 feet currently.

2. a. “Unstable Geology . . . history of other cave in on the street . . . every recent garage excavation on the block has resulted in cave-in and damage to adjacent properties.”

Response:

The Project Sponsors are relying on the findings of Harold Lewis and Associates, Geotechnical Consultants, as outlined in his report “Foundation Investigation, proposed Additions to 18 Vicksburg Street, San Francisco, California that was provided to the Planning Department in April 2013. Project Sponsors will instruct their contractor to follow the recommendations as outlined in the Harold Lewis Geotechnical Report.

DR Application says that the property at 18 Vicksburg Street was damaged during the garage excavation at 16 Vicksburg Street. The Project Sponsors are and were the owner of 18 Vicksburg at the time, and the allegation is false.

2. b. Mr. Fowler quotes out of context from a November 30, 2004 letter to Mr. Sprietsma from Richard Robertson about concern over soil movement.

Response:

The quote omits the primary concerns raised in the letter which were:

- Mr. Spriestma did not have a city building permit to replace 19 + linear feet of foundation under the neighboring building at 20 Vicksburg Street;
- He had not provided any engineering plans to the city (or to the Project Sponsors at 18 Vicksburg) for the foundation replacement project;
- He could not explain plans for shoring and was proposing to use an unlicensed contractor to do the work; and
- He proposed to start the project with only 36 hours notice to his neighbors at 18 Vicksburg.

3. “To prevent the loss of side set back, the elevator could be relocated within the existing building envelope. To minimize excavation risks to the subject property and adjacent properties, the garage could be scaled back to a 1 car garage, which could be built without excavating underneath the existing building envelope.”

Response:

There is no reasonable way to locate an elevator within the existing building given that it does not fit within the layout of the building. The space available in the unused side yard of #18 Vicksburg Street is an ideal location for the elevator structure. An elevator is essential to the Project given Project Sponsors’ current disabilities and need for disability access.

The property at 931 Sanchez (which is adjacent to the 20/22 Vicksburg property), has recently excavated extensively from lot line to lot line, and did not experience any cave-ins, because the contractor used proper shoring.

3 - Fire Related Issues: “No alternative escape route if elevator structure blocks route and hard to fight fires in the proposed structure.”

Response:

The proposed Project meets the Planning Code and Building Code and the additions will have sprinklers. An area of safe refuge is available in the rear yard area.

F. NEIGHBORHOOD SUPPORT FOR PROJECT

The Project Sponsors have signed letters of support from 30 nearby neighbors, especially those who are close enough to see #18 Vicksburg. All individuals signing a letter of support reviewed the actual plans, 3D renderings of the proposed Project and discussed the Project individually with the Project Sponsors. The majority of houses in San Francisco do not have any side setbacks – they are built lot line to lot line.

G. CONCLUSION

The Project Sponsors’ proposed alterations are allowed as a matter of right by the Planning Code, and the majority are needed for disability access due to the unusual topography of the site (entry way is 37 steps above the street level), and the Project Sponsors’ disabilities, which severely impact their ability to climb stairs.

Accordingly, the Project Sponsors respectfully request that the Planning Commission deny the request for Discretionary Review.

Thank you for your consideration.

REUBEN, JUNIUS & ROSE, LLP

By:


David Silverman

Attorneys for the Project Sponsors,

Richard Robertson and

Peter Litwinowicz

Dated: March 19, 2014

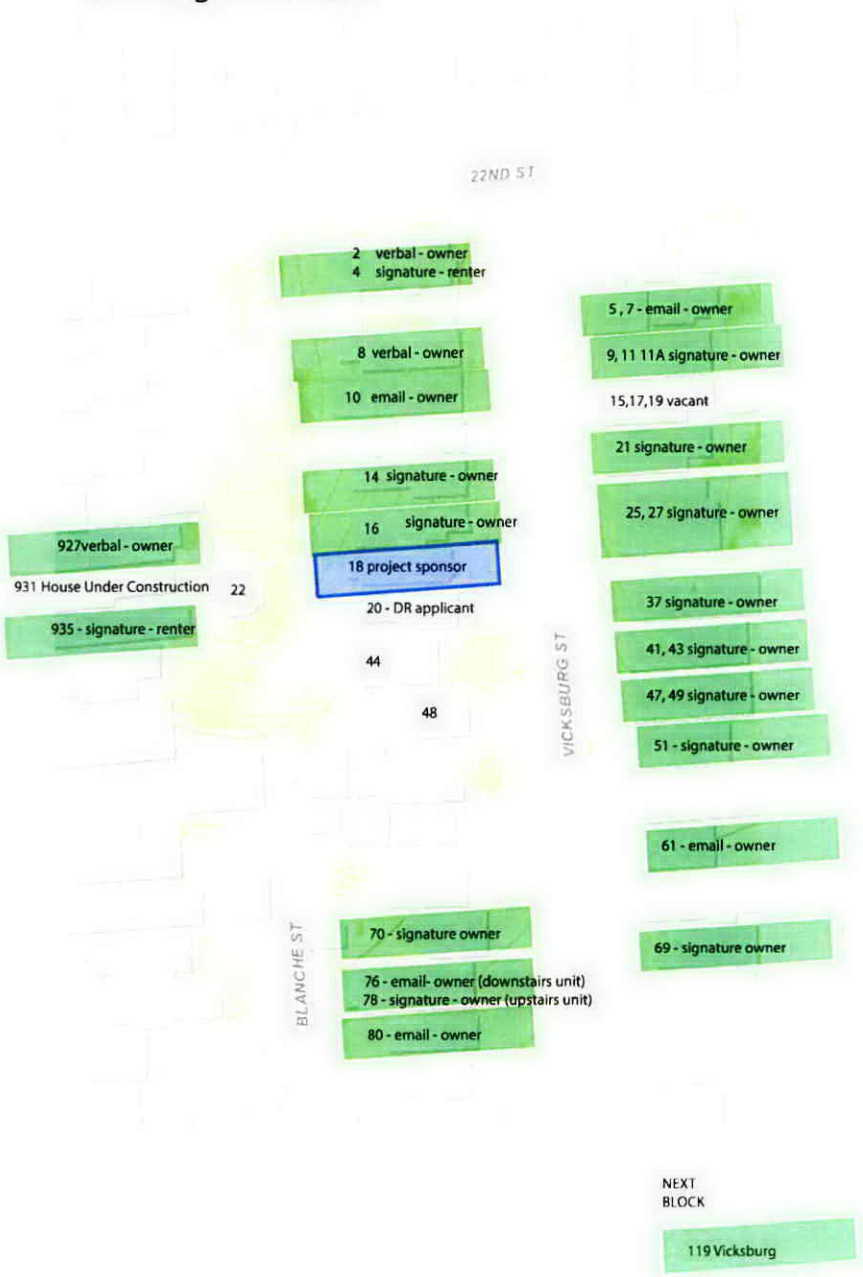
Exhibit List

- A. - Location Map and List of 30 Supportive Neighbors
- B. - 30 Letters of Support for the Project From Nearby Neighbors
- C. - Photos of the Burned Structure at 18 Vicksburg taken in 1993
- D. - Letters from Marsha Bluto, M.D. dated March 18, 2014
- E. - Categorical Exemption
- F. - Project Plans, photos, and renderings

18 Vicksburg

This map shows locations of people who have made statements of support and no objection on Vicksburg.

We have more supporters from other streets in the neighborhood.



2-6 & 8 Vicksburg (2 owners of multi unit...	3/11/2014 9:55 AM	Adobe Acrobat D...	46 KB
4 Vicksburg (tenant)	12/15/2013 12:26 ...	Adobe Acrobat D...	220 KB
5 & 7 Vicksburg (2 co-owners)	3/10/2014 6:14 PM	Adobe Acrobat D...	45 KB
5 & 7 Vicksburg@outlook.com	3/10/2014 6:05 PM	Adobe Acrobat D...	104 KB
10 Vicksburg - Yahoo Mail	3/9/2014 1:44 PM	Adobe Acrobat D...	29 KB
10 VicksburgStreet (2 owners)	3/9/2014 1:48 PM	Adobe Acrobat D...	33 KB
11A Vicksburg (owner of multi unit bldg)	12/15/2013 12:26 ...	Adobe Acrobat D...	213 KB
14 Vicksburg (co-owner)	12/15/2013 12:21 ...	Adobe Acrobat D...	215 KB
14 Vicksburg#2 (co-owner)	12/15/2013 12:27 ...	Adobe Acrobat D...	213 KB
16 Vicksburg (2 owners)	12/15/2013 12:29 ...	Adobe Acrobat D...	223 KB
21 Vicksburg (2 owners)	12/15/2013 12:28 ...	Adobe Acrobat D...	225 KB
25 Vicksburg (owner multi uit bldg)	12/15/2013 12:29 ...	Adobe Acrobat D...	214 KB
37 Vicksburg (owner of multi unit bldg)	12/15/2013 12:31 ...	Adobe Acrobat D...	213 KB
41 Vicksburg (owners multi unit bldg)	12/27/2013 9:02 AM	Adobe Acrobat D...	215 KB
45 Franklin	12/15/2013 12:22 ...	Adobe Acrobat D...	221 KB
47-49 Vicksburg (2 owners of multi unit b...	12/15/2013 12:32 ...	Adobe Acrobat D...	223 KB
51 Vicksburg.jpg	3/11/2014 9:44 AM	OISjpegfile	310 KB
53 Pond St	1/26/2014 1:20 PM	Adobe Acrobat D...	221 KB
61 Vicksburg (2 co-owners)	3/9/2014 1:37 PM	Adobe Acrobat D...	39 KB
61 Vicksburg @outlook.com	3/9/2014 1:35 PM	Adobe Acrobat D...	113 KB
69 Vicksburg (2 owners).jpg	3/9/2014 11:48 AM	OISjpegfile	322 KB
70Vicksburg (2 coowners)	3/13/2014 8:33 AM	Adobe Acrobat D...	95 KB
76 Vicksburg(2 coowners)	3/10/2014 6:02 PM	Adobe Acrobat D...	52 KB
76 Vicksburg@outlook.com	3/10/2014 5:58 PM	Adobe Acrobat D...	117 KB
78 Vicksburg (2 owners).jpg	3/9/2014 11:52 AM	OISjpegfile	327 KB
80 Vicksburg (2 co-owners)	3/9/2014 1:22 PM	Adobe Acrobat D...	33 KB
80 Vicksburg Outlook - hr_robertson@ou...	3/9/2014 1:29 PM	Adobe Acrobat D...	105 KB
119 Vicksburg (owner)	12/15/2013 12:27 ...	Adobe Acrobat D...	222 KB
824 Elizabeth (owner)	12/15/2013 12:20 ...	Adobe Acrobat D...	216 KB
927 Sanchez (owner)	3/9/2014 1:15 PM	Adobe Acrobat D...	35 KB
935 Sanchez (tenant)	12/15/2013 12:27 ...	Adobe Acrobat D...	215 KB
2530 Lucas ave (2 owners)	12/15/2013 11:59 ...	Adobe Acrobat D...	229 KB

70 Vicksburg Street, San Francisco, CA 94114

March 7, 2014

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
Attn: Michael Smith

Re: 18 Vicksburg Street Discretionary Review

Dear President Wu, Vice President Fong, and Commissioners Antonini, Borden, Hillis, Moore and Sugaya:

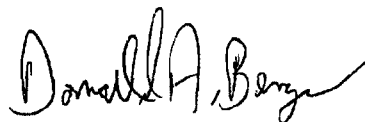
We are writing to express our support for the development plans proposed by our neighbors Richard and Pete at 18 Vicksburg Street. We have reviewed the revised plans.

Their overall project will have no adverse affect on our property, and we strongly support the desire of long-term residents to age in place through the construction of a garage and elevator. The design is attractive and in keeping with the neighborhood character.

Respectfully Submitted,



Kate Black



Don Berger

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Annis Arthur & Andrie Bausse

Address

Annis Arthur & Andrie Bausse
2530 Lucas Avenue

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

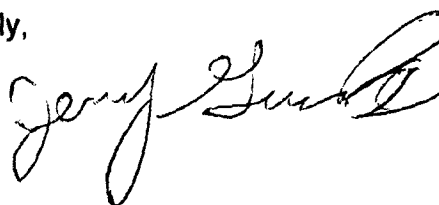
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We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

 12-14-13

Address

935 SANCTUARY

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

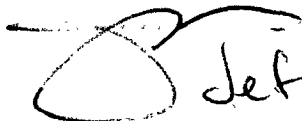
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We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

 Jeff Baker

Address

824 Elizabeth St
San Fran, CA 94114

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Carol Butschgi

Address

119 Vicksburg St
San Francisco, Ca
94114

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Vincent Campanella

Address

4 Vicksburg St.
S.F. 94114

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name *Sally S. Hallis 12/4/13*

Address *11 A Vicksburg*

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name



Address

Donald Stuart Harniss
16 Vicksburg St.
San Francisco, CA 94114

March 9, 2014
December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Joyce and Robert Kurtz

Address

18 Vicksburg Street
San Francisco 94114

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We have no objection to the request for building permit for renovation of the home at 18 Vicksburg Street.

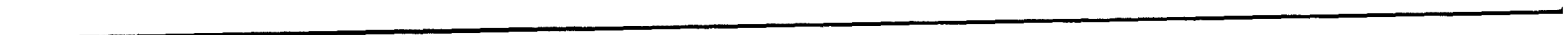
Sincerely,

Name TERRY CASTLE

A handwritten signature in black ink, appearing to read "Terry Castle", with a long, sweeping horizontal stroke extending to the right.

Address

14 Vicksburg St



December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We have no objection to the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Blakely Vermeul

Address

14 VICKSBURG ST.
SF CA 94114

December 1, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

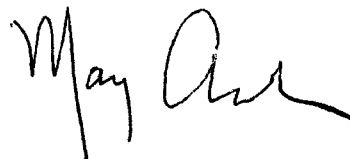
Sincerely,

Name

Stephen Seligman
Mary Amster

Address

21 Vicksburg St
SF 94114



December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Sandra Striobelt

Address

*25 Vicksburg St.
S.F., CA 94114*

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name *Richard + Linda MAES*

Address *37 Vicksburg St.
S.F. 94114*

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Laura S. Grebene (with Alan Grebene)

Address

41 Vicksburg

12/19/13

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

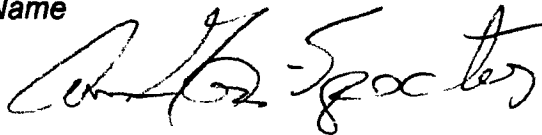
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We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

A handwritten signature in black ink, appearing to read "Michael Smith". The signature is fluid and cursive, written over a white background.

Address

45 Franklin St. #306
S.F., CA 94102

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name *Kevin Mahoney* 12/7/13

Kevin Mahoney 12/7/13
Address

49 Vicksburg St.
SF 94114

Date: 3 / 11 / 14

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

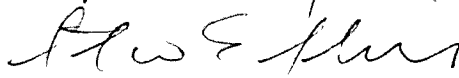
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We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Stephen Smilling
 3/11/14

Address

51 Vicksburg St

December, 2013

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

Dear Members of the Planning Commission:

We have reviewed the plans for the project as described in the "Notice of Building Permit Application" (Section 311) and as shown on revised drawings and on the visual rendering of the proposed addition to 18 Vicksburg Street.

We support the request for building permit for renovation of the home at 18 Vicksburg Street.

Sincerely,

Name

Address

53 Pond St.
San Francisco CA 94114

Jan 25, 2014

March 9, 2014

“We are still in Toronto, actually, but do still own 5 and 7 Vicksburg. We have not delved into your plans, but on the surface, have no objection and do not plan to oppose them.” (RE: project at 18 Vicksburg Street)

Sincerely,

Name

Ilana Kotin and Peter Lowe
(via e-mail – copy of which is attached)

Address:

Owners: 5 & 7 Vicksburg Street
San Francisco, Ca 94114

March 5, 2014

“Nothing that you have described sounds at all concerning” about the project at 18 Vicksburg Street

Sincerely,

Name

Bob Zeches and Charley Zeches
(via e-mail – copy of which is attached

Address:

61 Vicksburg Street San Francisco, Ca 94114

9 March 2014
~~December, 2013~~

Michael Smith
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479
michael.e.smith@sfgov.org

Re: 18 Vicksburg Street

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Sincerely,

Name

Barbara Slotnick

Barbara Slotnick

F. STEVEN KEENS



Address

69 Vicksburg St.

March 5, 2014

“We reside at 76 Vicksburg and have no objection to your project.” (at 18 Vicksburg Street)

Sincerely,

Name

Wrenn Levenberg and Aaron Andalman
(via e-mail – copy of which is attached

Address:

76 Vicksburg Street San Francisco, Ca 94114

New Reply Delete Archive Junk Sweep Move to Categories

Richard Robertson

Search email

Re Brief meeting to talk about our bldg permit req /view project renderings

Wrenn Levenberg

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@yahoo - hr_robertson

18 Vicksburg Street

1845 Blue Spruce

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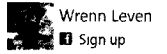
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Wrenn Levenberg (wrennl@yahoo.com) Add to contacts 9:02 AM
To Richard Robertson



Wrenn Levenberg Sign up

Already on Facebook?

Hi Richard

We reside at 76 Vicksburg and have no objection to your project

Thank you.

Wrenn Levenberg and Aaron Andelman

iPhone message

On Mar 6, 2014, at 9:00 AM, Richard Robertson <hr_robertson@outlook.com> wrote:

Hi,

Thanks for forward it My understanding from the City Planning process is that they are interested in impact on "neighbors" irrespective of ownership. If you can find the time, let me know and we can share with you as well

Regards,
Richard

Date: Wed, 5 Mar 2014 21:47:08 -0800

From: wrennl@yahoo.com

Subject: Re: Brief meeting to talk about our bldg permit req /view project renderings

To: hr_robertson@outlook.com; aaron.andelman@gmail.com; zapatasf@gmail.com; verna.kuo@gmail.com

Hello! I have forwarded this email to Josh Levenberg and Verna Kuo the owners of 76 Vicksburg (Josh is my brother) Thanks very much Wrenn Levenberg

On Wednesday, March 5, 2014 5:46 PM, Richard Robertson <hr_robertson@outlook.com> wrote

Hi Aaron and Wrenn,

As you may recall from the "SF Planning Department Notice of a Building Permit Application" you received in the mail (over a year ago now), Pete and I are seeking a building permit for number 18 Vicksburg Street to add

A garage under the area of the existing decks (with a garage door in the area under the existing steps),

A structure for an elevator (set back on the south side of the building in the open area beside the building),

A bedroom set back and centered on the existing roof (very similar in set back and appearance as the room on top of number 16 Vicksburg which is minimally visible from the street)

I have lived at 18 Vicksburg Street for 33 years and Pete has lived here 15 years We love the neighbor and it is our goal to age in place in a fully accessible home I think we met you when your downstairs neighbor hosted a block watch meeting

We requested that our architect develop three-dimensional renderings of the building so that our neighbors can visually see how the completed structure will appear. This is to ask you to let us know when one (or both) of us could stop by and show you the renderings and answer any questions that you may have about our proposed project. The meeting will be very brief depending on whether or not you have questions Please provide any available times that could work for you, as we are very flexible especially on the weekend or evenings We look forward to finding a time and date that work for us to meet prior to an up coming meeting with the Planning Commission

Thank you,

Richard Robertson and Pete Litwinowicz

March 5, 2014

"Nothing that you have described sounds at all concerning" about the project at
18 Vicksburg Street

Sincerely,

Name

Keith Buckingham and Soshanna Kirk
(via e-mail – copy of which is attached

Address:

80 Vicksburg Street
San Francisco, Ca 94114

New Reply Delete Archive Junk Sweep Move to

Richard Robertson

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Re: Brief meeting to talk about our bldg permit app./view project renderings

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Keith Buckingham (keith.buckingham sf@gmail.com) Add to contacts 3/06/14
 To: Richard Robertson
 Cc: Shoshanna Kirk

Hi Richard, Pete,
 Thanks for reaching out and giving an outline of the project
 There is no need from our point of view to require that you come and explain the project to us. For one, we are quite a way down the other end of the street from you, and secondly, you seem to have a disposition that means that your plans will be quite fine. Nothing that you have described sounds at all concerning
 Just curious (and this is not a trick question) - Is there an area of the plan that makes you think you might have a hard time at the planning commission or anything?

Best regards,
Keith

On Mar 5, 2014, at 6:00 PM, Richard Robertson <hr_robertson@outlook.com> wrote

Hi Keith and Shoshanna,

We have spoken on the street but we live as the other end of the block As you may recall from the "SF Planning Department Notice of a Building Permit Application" you received in the mail (over a year ago now), Pete and I are seeking a building permit for number 18 Vicksburg Street to add

- A garage under the area of the existing decks (with a garage door in the area under the existing steps),
- A structure for an elevator (set back on the south side of the building in the open area beside the building),
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I have lived at 18 Vicksburg Street for 33 years and Pete has lived here 15 years We love the neighbor and it is our goal to age in place in a fully accessible home

We requested that our architect develop three-dimensional renderings of the building so that our neighbors can visually see how the completed structure will appear [This is to ask you to let us know when one \(or both\) of us could stop by and show you the renderings and answer any questions that you may have about our proposed project.](#) The meeting will be very brief depending on whether or not you have questions Please provide any available times that could work for you, as we are very flexible especially on the weekend or evenings We look forward to finding a time and date that work for us to meet prior to an up coming meeting with the Planning Commission

Thank you,

Richard Robertson and Pete Litwinowicz

December 19, 2013

"We have no objection to the request for building permit for renovation of the home at 18 Vicksburg Street."

Sincerely,

Name

Michael Mc Kinnely
(via phone conversation) 415-285-4083

Address

927 Sanchez Street
San Francisco, Ca 94114

December 19, 2013

January 22, 2014

Regarding 18 Vicksburg Street

“Just so you know: Bob and I have no intention of challenging your project. Nor are we interested in getting in the fray. I hope you understand.”

Name

Anne Magennis (and Bob Molke)
(via e-mail) on January 22, 2014

Address

10 Vicksburg Street
San Francisco, Ca 94114

March 9, 2014

"I will not take a side either way by signing something but I hope that you are able to build what you want" (RE: project at 18 Vicksburg Street)

Name

Rolla Spotts

(via one-on-one meeting)

Address:

Owner: #2-6 and #8 Vicksburg Street

San Francisco, Ca 94114

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Richard Robertson

Search email

Re: Schedule a brief meeting to review our permit app /view plans & renderings

Charley Zeches

Folders



Charley Zeches 3/06/14
To: Richard Robertson
Cc: Peter Litwinowicz



Charley Zeches
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Hi Richard,
No need to meet... We are fine with your plans Good luck with your project, hope you guys are having a great day!
Charley

On Thursday, March 6, 2014, Richard Robertson <hr_robertson@outlook.com> wrote:

Hi Charley,
I wanted to reach out again so see if you might have any time available this coming weekend to discuss my e-mail below.

Unfortunately, that was Gwen Mahnoey's Accura that got most of the damage.

Richard

From: hr_robertson@outlook.com
To: charley@zeches.net
CC: pete@revisionfx.com
Subject: Schedule a time to review our plans with you
Date: Tue, 4 Mar 2014 02:01:58 +0000

Hi Charley and Bob,

Charley, as you may recall from the "SF Planning Department Notice of a Building Permit Application" you received in the mail and my telephone conversation with you (over a year ago now), Pete and I are seeking a building permit for number 18 Vicksburg Street to add:

- A garage under the area of the existing decks (with a garage door in the area under the existing steps),
- A structure for an elevator (set back on the south side of the building in the open area beside the building),
- A bedroom set back and centered on the existing roof (very similar in set back and appearance as the room on top of number 16 Vicksburg which is minimally visible from the street).

I have lived at 18 Vicksburg Street for 34 years and Pete has lived here 16 years. We love the neighbor and it is our goal to age in place in a fully accessible home.

We requested that our architect develop three-dimensional renderings of the building so that our neighbors can visually see how the completed structure will appear. This is to ask you to let us know when one (or both) of us could stop by and show you the renderings and answer any questions that you may have about our proposed project. Please provide any available times during this week, if that could work for you, as we are very flexible especially on the weekend. We look forward to finding another time and date that work for us to meet and prior to our upcoming meeting with the Planning Commissioners.

Thank you,

Richard Robertson and Pete Litwinowicz

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Richard Robertson

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Re: Opportunity to discuss our project with you

Ilana Kotin

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To see messages related to this one, group messages by conversation

 Ilana Kotin 3/09/14
 To: Richard Robertson
 Cc: Peter Lowe

Hi Richard,

We are still in Toronto, actually, but do still own 5 and 7 Vicksburg. We have not delved into your plans, but on the surface, have no objection and do not plan to oppose them

I hope all is well with you both and in the neighborhood in general

Best regards,
Ilana

On Mar 9, 2014, at 6:33 pm, Richard Robertson <hr_robertson@outlook.com> wrote:

Hi Ilana and Peter,

We miss having you on the block and your strong community involvement. I recall that I heard that you and Peter may be living back in San Francisco again. If I have this wrong, my apologies. However, we still want to tell you about our project no matter where you are since I assume you still own the house here at # 5 & 7 Vicksburg.

Even though you are not living on Vicksburg Street currently (as the owner of #5&7) you should have received a mailing from the "SF Planning Department Notice of a Building Permit Application" (over a year ago now). As a reminder, Pete and I are seeking a building permit for number 18 Vicksburg Street to add:

- A garage under the area of the existing decks (with a garage door in the area under the existing steps),
- A structure for an elevator (set back on the south side of the building in the open area beside the building),
- A bedroom set back and centered on the existing roof (very similar in set back and appearance as the room on top of number 16 Vicksburg which is minimally visible from the street).

I have lived at 18 Vicksburg Street for 34 years and Pete has lived here 16 years. We love the neighborhood and it is our goal to age in place in a fully accessible home.

We requested that our architect develop three-dimensional renderings of the building so that our neighbors can visually see how the completed structure will appear. This is to ask you to let us know when one (or both) of us could stop by and show you the renderings and answer any questions that you may have about our proposed project. Please provide any available times that could work for you, as we are very flexible especially on the weekends and evenings. We look forward to finding a time and date that work for us to meet (even if virtually) and prior to our upcoming meeting with the Planning Commisioners.

Thank you,

Richard Robertson and Pete Litwinowicz





MARSHA J. BLUTO, M.D., FAAPMR.
CALIFORNIA SPINE, SPORTS & REHABILITATION

NONOPERATIVE ORTHOPEDICS · PAIN MANAGEMENT · MUSCULOSKELETAL EVALUATIONS

Fellow of the American Academy of Physical Medicine and Rehabilitation
591 Redwood Hwy., Suite 5285 Mill Valley, CA 94941

March 18, 2014

RE: Pete Litwinowicz

Dear Sir/Madam,

To whom it may concern,

I have been seeing Mr. Litwinowicz as a patient since October 2011 and am very familiar with his medical history. Mr. Litwinowicz has been an active athlete (I know danced professionally for many years) and as such, he has many significant chronic health issues. He has seen me for his chronic neck pain that he has been suffering from since 2001. In 2009 it was determined when under the care of Dr. David Kell that there was anterior marginal spurring at the C4-C5 and C5-C6 level and that he had grade 1 retrolisthesis of C5 on C6 with associated degenerative disk disease. He continues to have chronic neck pain today. Mr. Litwinowicz became a patient of mine in October 2011 when he could not walk upright due to severe pain related to L3 and L4 (lumbar spine) sensory radiculopathy and central canal stenosis. In fact, Mr. Litwinowicz was using a wheelchair for 3 weeks in 2011 because of the extreme pain he was experiencing would not allow him to walk more than 30 or 40 feet without the need to sit and wait for the pain to subside. At the time I treated him with some oral medications, but more importantly, arranged for Mr. Litwinowicz to have two epidural steroidal injections, which helped him through the initial crisis. His pain in his lumbar region is no longer in crisis, but he still suffers from chronic pain in L3/L4 area. Also, in December 2012 he was also diagnosed to have a left hip labral tear. Since then, I have diagnosed him with neuromas in both his feet that at times cause his feet to go numb and can, at other times, make it extremely painful for him to walk.

It has come to my attention that Mr. Litwinowicz would like to modify his home to be more accessible, including an elevator that goes to street level. He also needs to move the office in his house from out of a loft space, which has the side effect of requiring an addition room to be built so that the current loft office can be moved to pre-existing room that is more accessible. It is my opinion that Mr. Litwinowicz should make these modifications to his home because it is likely that going up and down stairs, and traversing a vertical ladder to a loft space, will become an impossibility for him as he ages.

In my opinion as his doctor, Mr. Litwinowicz is disabled due to the medical conditions described above, and disability access improvements to his home are imperative.

Sincerely,



Marsha J. Bluto, MD

MARSHA J. BLUTO, M.D., FAAPMR.
CALIFORNIA SPINE, SPORTS & REHABILITATION

NONOPERATIVE ORTHOPEDICS · PAIN MANAGEMENT · MUSCULOSKELETAL EVALUATIONS

Fellow of the American Academy of Physical Medicine and Rehabilitation
591 Redwood Hwy., Suite 5285 Mill Valley, CA 94941

March 18, 2014

RE: Harold Richard Robertson

Dear Sir/Madam,

Dr. Marsha Bluto

To whom it may concern,

I have been seeing Mr. Robertson as a patient since January 2012 and I am very familiar with his medical history and have treated him for several significant chronic health issues. I initially saw Mr. Robertson for his chronic back pain, which has reportedly worsened over the past 10 years. In 2012 it was determined during a Bone Density Scan that Mr. Robertson has osteoporosis of the lumbar spine L-1 through L-4 with a high fracture risk. He also suffers from osteopenia of the femoral neck region. His osteoporosis is currently being treated with Boniva. I also treat his back pain with a compounded topical pain medication, intermittent courses of physical therapy and ongoing specialized exercises. Mr. Robertson's mother was confined to a wheelchair for the last 10 years of her life due to her severe osteoporosis (spinal fractures) and it remains a concern for Mr. Robertson as to whether or not his condition will deteriorate to the same level.

Mr. Robertson has had past surgeries on both knees and two separate foot surgeries on his right foot. He has another foot surgery planned for April 2014 on his right foot to correct a foot deformity. An MRI scan revealed in December 2013 that Mr. Robertson currently has a complex meniscus tear in his left knee that is currently treated with various prescription anti-inflammatory drugs. Additionally, to avoid another surgery to his knee at this time, I have recommended that Mr. Robertson avoid stooping, knee flexion, walking on declines and inclines. Going up and down steps is very painful for Mr. Robertson and I understand that the entrance to the house is 3 flights (37 steps) above the sidewalk level and the living area within the house is reached by climbing an additional 14 steps within the residence. This number of steps makes it extremely painful for him to walk in and out of his home.

In my opinion as his doctor, Mr. Robertson is disabled due to the medical conditions described above, and disability access improvements to his home are imperative. I have recommended that he not climb stairs but he currently has no option in his personal residence. An elevator should be used for access to upper floors from street level because going up and down stairs will become an impossibility for him as he ages.

Sincerely,



Marsha J. Bluto, MD



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No : 2012.1552E
 Project Title: 18 Vicksburg Street
 Zoning: RH-2 (Residential – House, Two Family) Use District
 40-X Height and Bulk District
 Block/Lot: 3627/007
 Lot Size: 2,250 square feet
 Project Sponsor: Mark English, Mark English Architects, (415) 391-0186
 Staff Contact: Heidi Kline – (415) 575-9043, Heidi.Kline@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:

The proposed project includes the addition of 2,025 square feet of building area to an existing 2,150-square-foot single-family residence built in 1900. The planned improvements would expand the two-story structure into a 4,175-square-foot, five-level residence. The new building area would include 1) two new floors excavated into the sloped front yard under the existing residence, adding a two-car garage on the first level and a 900-square-foot storage room on the second, 2) a new 560-square-foot top floor (fifth level) above the two existing floors, and 3) an elevator shaft on the south side of the residence serving all five levels of the remodeled residence. The proposed project also includes the addition of roof decks at the front and rear of the new top floor. The project site is an uphill lot with a 27 percent slope from front to back. The maximum height of the residence would increase from 32 feet to 37 1/2 feet, as calculated by the San Francisco Planning Code. The project is located within the Noe Valley neighborhood on the west side of Vicksburg Street between 22nd and 23rd Streets.

EXEMPT STATUS:

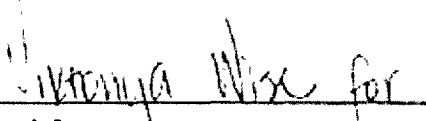
Categorical Exemption, Class 1 (California Environmental Quality Act (CEQA) Guidelines Section 15301(e)(2))

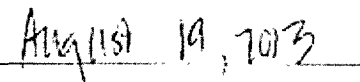
REMARKS:

See next page.

DETERMINATION:

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


 Sarah Jones
 Environmental Review Officer


 Date August 19, 2013

cc: Mark English, Project Sponsor, Historic Preservation Distribution List, Supervisor Scott Wiener,
 District 8, Virna Byrd, MDF

PROJECT APPROVALS NEEDED:

A building permit from the Department of Building Inspection (DBI) is required before construction on the project can begin.

REMARKS:

Historic Resource. The existing residence was constructed in 1900, but was extensively rebuilt in 1995 after a fire destroyed all parts of the structure except for its front façade. The existing structure is classified as a Category "B", or potential historic resource, in the Planning Department's records and is not located in a Federal, State, or local historic district. An analysis of the new top floor of the residence (fifth level) shows that it would be set back approximately 15 feet from the existing front building façade. The existing building has a 20-foot-deep front yard setback and is on a steep, uphill lot, limiting visibility of the planned improvements from the public street. Additionally, the proposed lower levels would be constructed below grade and the front entry stairs would be rebuilt above them. Based on these factors, the Planning Department's Preservation Planning staff has determined that there would not be a significant impact on a historic resource because the expanded building areas would have limited visibility from the public street and the project would conform to the Secretary of the Interior's Standards for Rehabilitation.¹

Air Quality. Project-related excavation, grading and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California Air Resources Board, reducing ambient particulate matter from 1998-2000 levels to natural background concentrations in San Francisco would prevent over 200 premature deaths.

Dust can be an irritant causing watering eyes or irritation to the lungs, nose and throat. Demolition, excavation, grading and other construction activities can cause wind-blown dust to add to particulate matter in the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI)

¹ Michael Smith, Preservation Planner, Email to Heidi Kline, July 26, 2013

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust.

The project sponsor and the contractor responsible for construction activities at the project site shall use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible. Contractors shall provide as much water as necessary to control dust (without creating run-off in any area of land clearing, and/or earth movement. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 millimeter (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques.

These regulations and procedures set forth by the San Francisco Building Code would ensure that potential dust-related air quality impacts would be reduced to a level of insignificance.

Geotechnical. The existing single-family residence is located on a 22-foot-wide by 100-foot-deep, uphill-sloping lot with a 27 percent grade. The lot's lowest elevation, 236 feet above sea level, is at the southeast corner of the front lot line and its highest elevation, 267 feet above sea level, is at the northwest corner of the rear lot line. The existing structure was built on a split pad in the center of the site, approximately 20 feet above the elevation of the curb, with sloped front and rear yard areas. There is no garage on the project site. Rather, the approximately 20-foot-deep front yard contains stairs and terraces, supported by several concrete and lumber retaining walls, which provide access to the residence from the public right-of-way. Construction of the planned improvements would require the removal of the front stairs and terraces during construction in order to allow the excavation and removal of soil and bedrock from under the existing structure. Cuts up to 22 feet in depth under the existing residence would be required to build the two lower levels. The existing structure's spread footing foundation would be removed and replaced by the new concrete walls and associated foundation for the two lower levels. Upon completion of these lower levels, retaining walls and stairs similar to the existing configuration would be rebuilt above the garage to provide access to the front of the residence.

A geotechnical report was prepared for the proposed addition at 18 Vicksburg Street² and includes information gathered by the geotechnical engineer during his field observation of a similar excavation on the adjoining lot at 16 Vicksburg Street. The excavation at 16 Vicksburg Street exposed hard Radiolarian Chert bedrock materials with medium wide to closely spaced fractures cemented in some locations with quartz intrusions. No groundwater was

² Harold Lewis & Associates Geotechnical Consultants, Foundation Investigation, Proposed Additions to 18 Vicksburg Street, San Francisco, California, April 18, 2013. This report is available for review as part of Case No. 2012.1552E.

encountered, though based on the hillside location and soil and bedrock morphology it is possible that groundwater seepage could be encountered during excavation on the project site.

The geotechnical report includes information about the project site's potential for liquefaction and surface subsidence, expansive soils, flooding, and inundation due to reservoir failure with the conclusion that they would not be a problem at the site. The project site is in a zone of "estimated intensity of future ground shaking" described as weak for an earthquake similar to the magnitude, duration, and proximity of the 1906 San Francisco earthquake event. The 2010 San Francisco Building Code (Building Code) requires Site Classification and Values of Site Coefficients for the design of earthquake resistant structures to minimize damage from earthquakes. The geotechnical report includes seismic design parameters for use by the structural engineer for the project in complying with the Building Code during the Department of Building Inspection (DBI) building permit plancheck process. According to the San Francisco Seismic Safety Investigation Report³, the site is in a zone of potential landslide hazard, though no landslides have been recorded on or near the project site. The geotechnical report concludes that there is a very low potential for landslides or slope instability on the project site as long as proposed construction activities, i.e. temporary slopes, adhere to the recommendations in the geotechnical report.

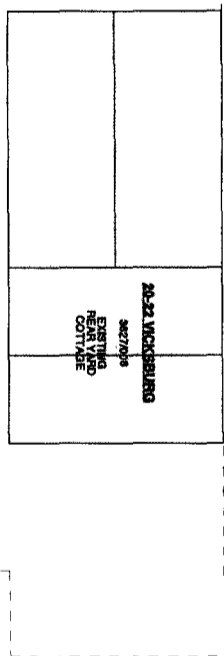
The geotechnical report found that the site is suitable for the proposed construction provided that the recommendations in the geotechnical study are incorporated into the design and construction of the proposed project. Those recommendations include construction during the dry season, the use of staged excavation operations and temporary shoring, the installation of subdrains under the garage slab, the establishment and monitoring of survey points on adjacent buildings to detect any signs of movement, and the construction of the foundation to bear on the underlying bedrock. The project sponsor has agreed to adhere to the recommendations of the geotechnical report and to include the report's design recommendations into the plans submitted for the building permit plancheck process, subject to final review by DBI. Thus, the proposed project would not have any significant geotechnical impacts.

Exemption Class. Under CEQA State Guidelines Section 15301(e)(2), or Class 1(e)(2), additions to existing structures of up to 10,000 square feet are exempt from environmental review provided that the project is located in an area where all public services and facilities are available and the area is not environmentally sensitive. The proposed project would increase the existing 2,025-square-foot building by 2,150 square feet to a total of 4,175-square-foot building, less than 10,000 square feet. In addition, the project site does not provide habitat for any sensitive species and is located in an urbanized area where all public services and facilities are available. Therefore, the proposed project would be exempt from environmental review under Class 1(e)(2).

Summary. 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. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would not have significant geotechnical or historical resource impacts. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

³ John A. Blume and Associates, San Francisco Seismic Safety Investigation Report, June 1974.

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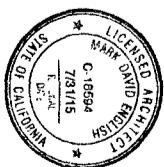
MARK ENGLISH architects

250 Columbus Avenue Suite 200
San Francisco California
94133

T 415 391 0166
E mark@markenglisharchitects.com
W www.markenglisharchitects.com

VICKSBURG RESIDENCE

18 VICKSBURG STREET
SAN FRANCISCO CA 94114
BLOCK & LOT 3627/007
PROJECT NUMBER: U-01



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SITE PLAN

CLIENT APPROVAL:
SIGNATURE

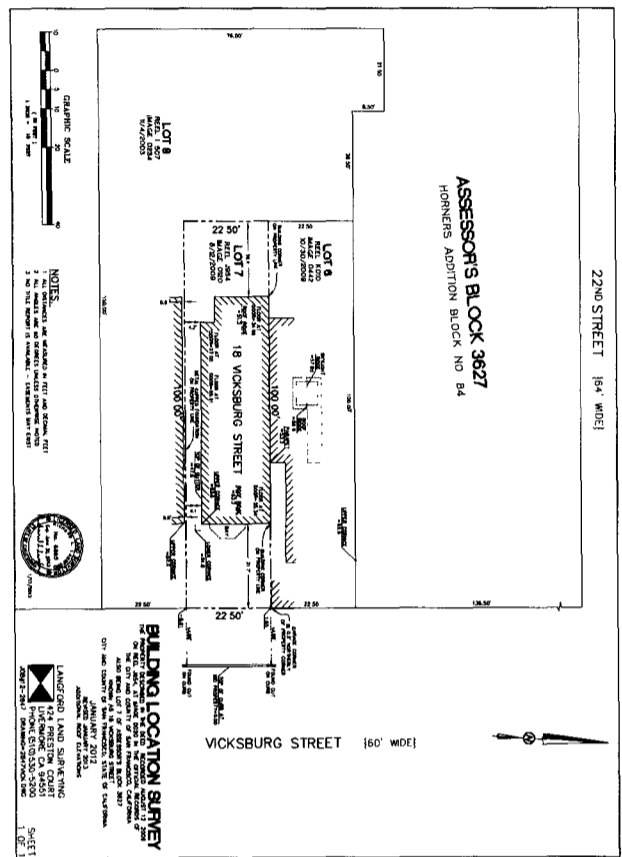
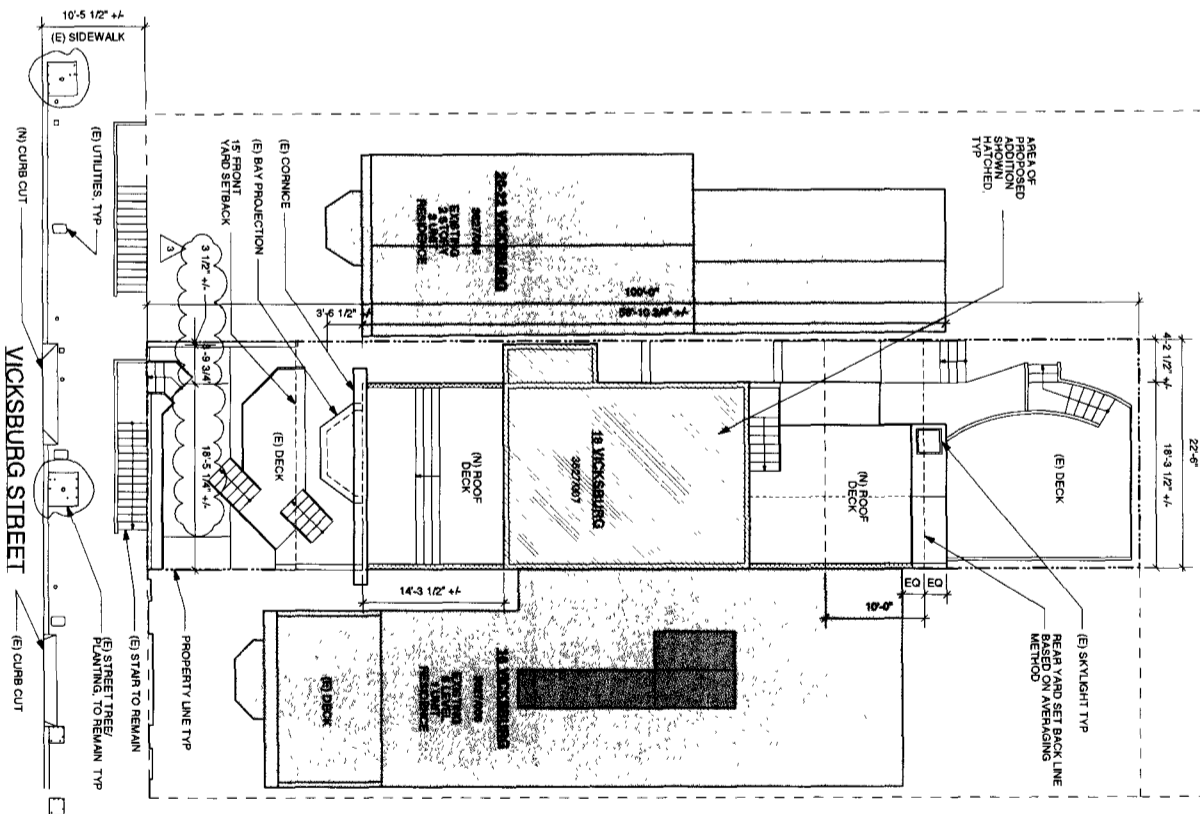
REVISIONS	NO	DATE	DESCRIPTION
—	04	24 2012	311 PRE-APPLICATION
—	06	14 2012	SITE PERMIT
▲	08	27 2012	PLNG COMMENTS
▲	12	17 2013	NHBR REVISION
▲	01	14 2014	NHBR REVISION

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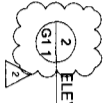
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PRINT DATE	01 15 2014		
SCALE	1/8" = 1'-0"		

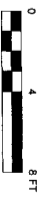
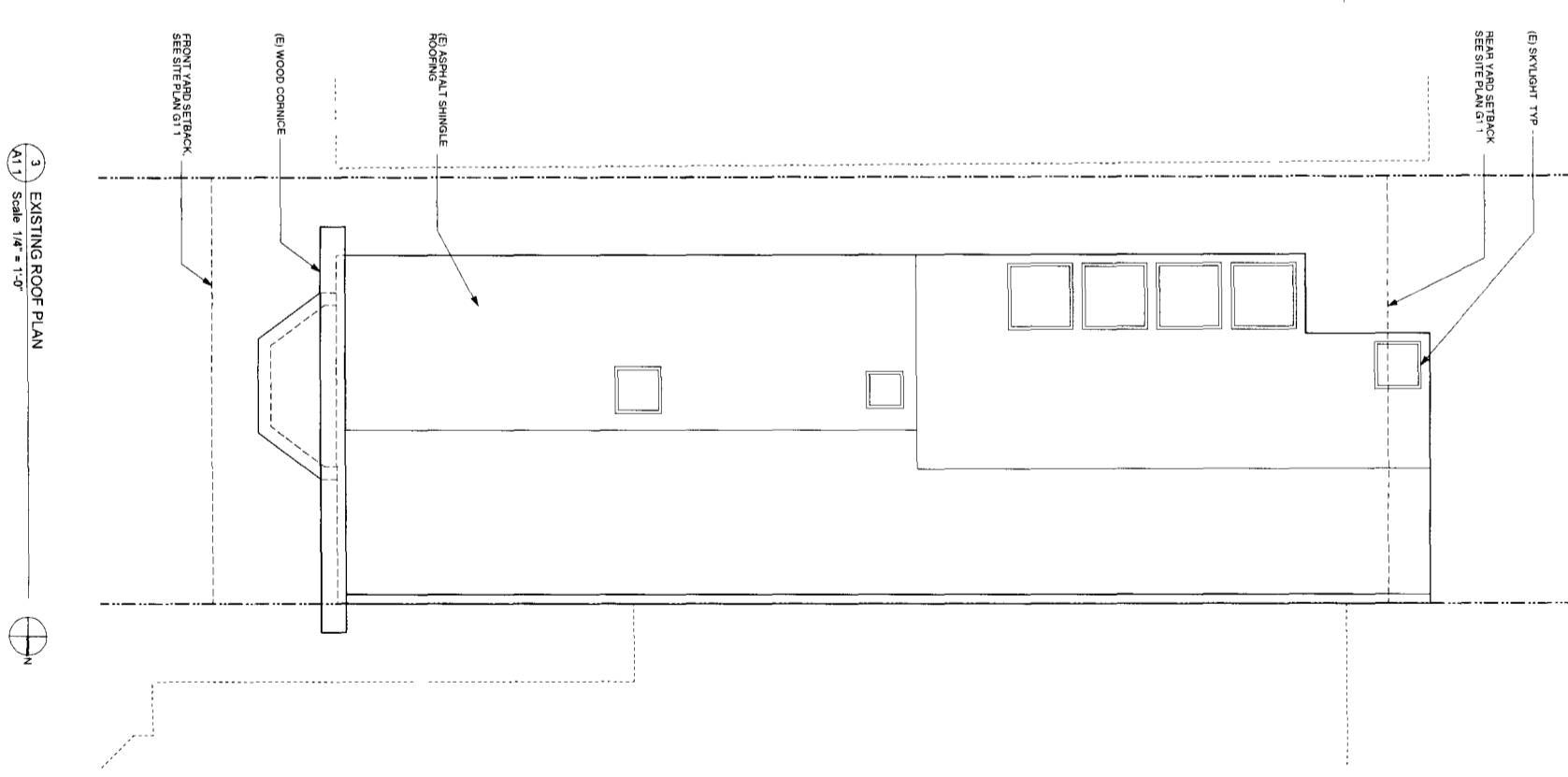
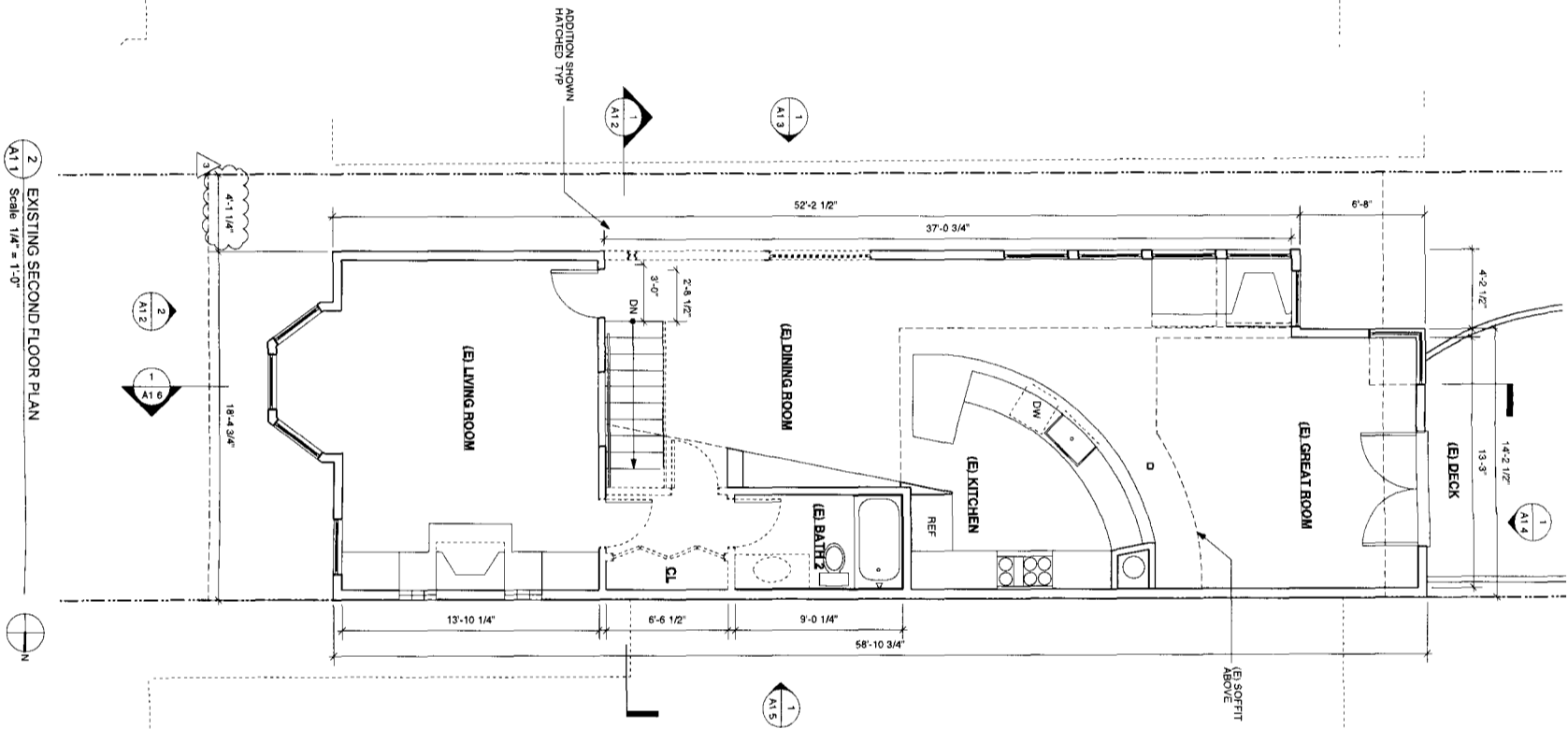
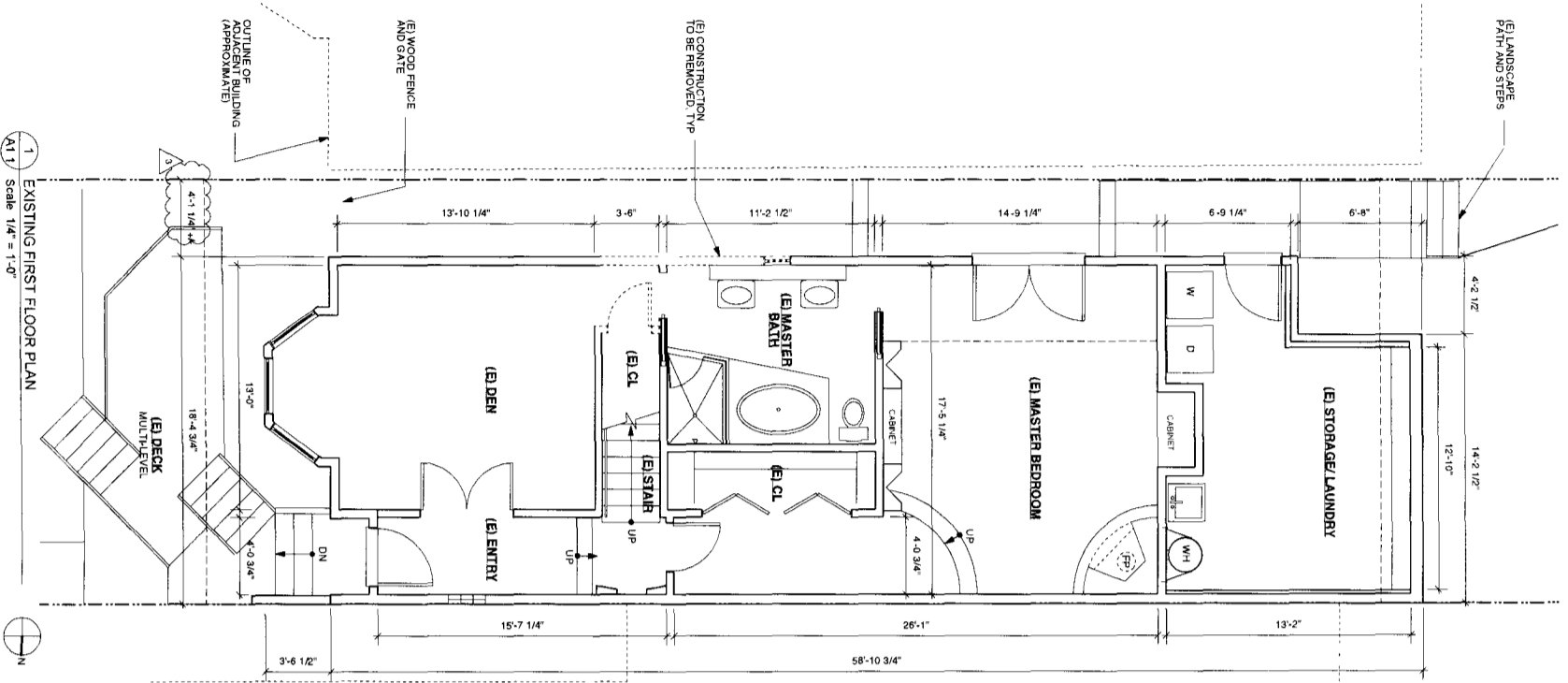
G1.1

1 SITE PLAN (PROPOSED CONDITIONS SHOWN)
Scale: 1/8" = 1'-0"



2 ELEVATION SURVEY BY LANGFORD LAND SURVEYING





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PRINT DATE: 01.15.2014			
SCALE: 1/4" = 1'-0"			
A1.1			

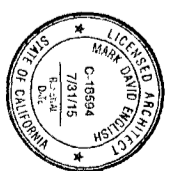
REVISIONS

NO.	DATE	DESCRIPTION
06-14-2012	06-14-2012	SITE PERMIT
08-27-2012	08-27-2012	PLNG COMMENTS
12-17-2013	12-17-2013	NHBR MEETING
01-14-2014	01-14-2014	NHBR REVISION

EXISTING FLOOR PLANS

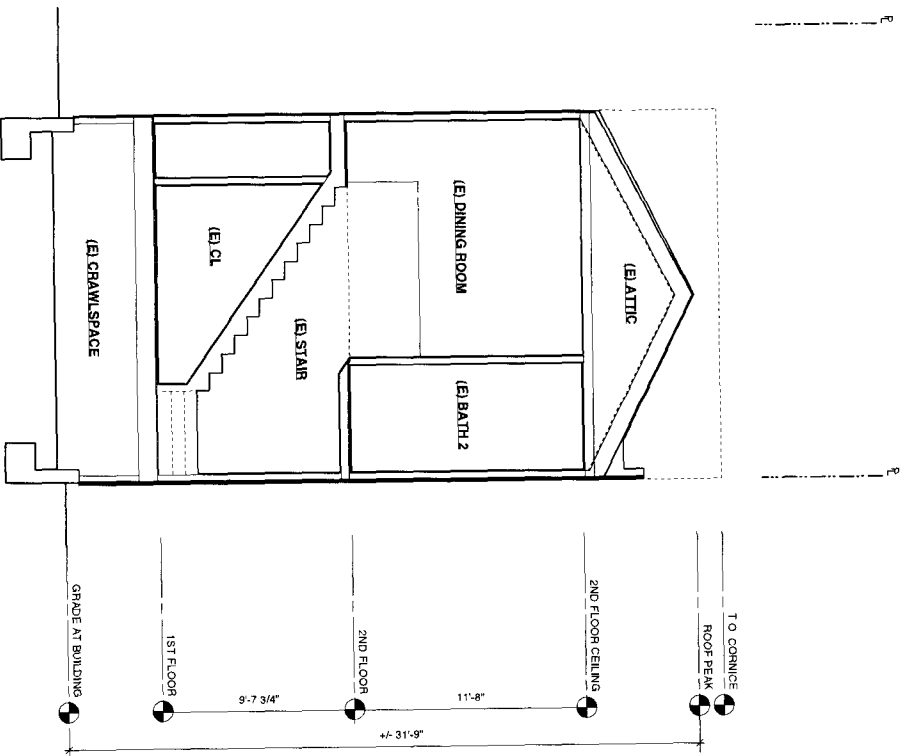
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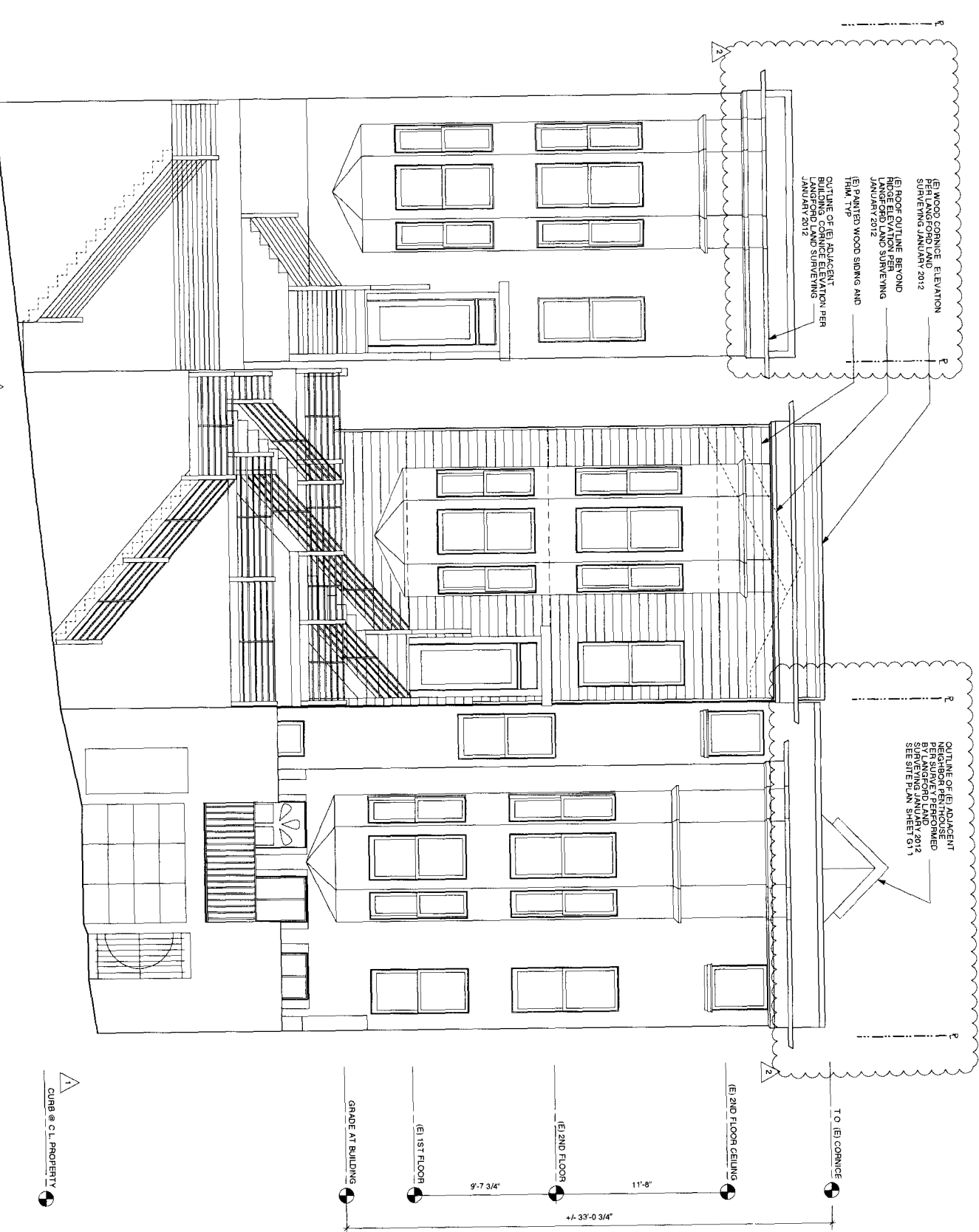
VICKSBURG RESIDENCE
 18 VICKSBURG STREET
 SAN FRANCISCO CA 94114
 BLOCK & LOT 3627/007
 PROJECT NUMBER: U-01

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1 EXISTING CROSS SECTION
A1.2 Scale 1/4" = 1'-0"

CURB @ C.L. PROPERTY



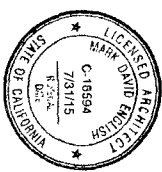
2 EXISTING EAST ELEVATION (STREET ELEVATION)
A1.2 Scale 1/4" = 1'-0"

CURB @ C.L. PROPERTY

EXISTING ELEVATION

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REVISIONS

NO	DATE	DESCRIPTION
01	04/24/2012	311 PFE APPLICATION
02	08/14/2012	SITE PERMIT
03	08/27/2012	PLUG COMMENTS
04	12/17/2013	NHBR MEETING
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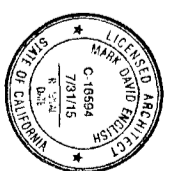
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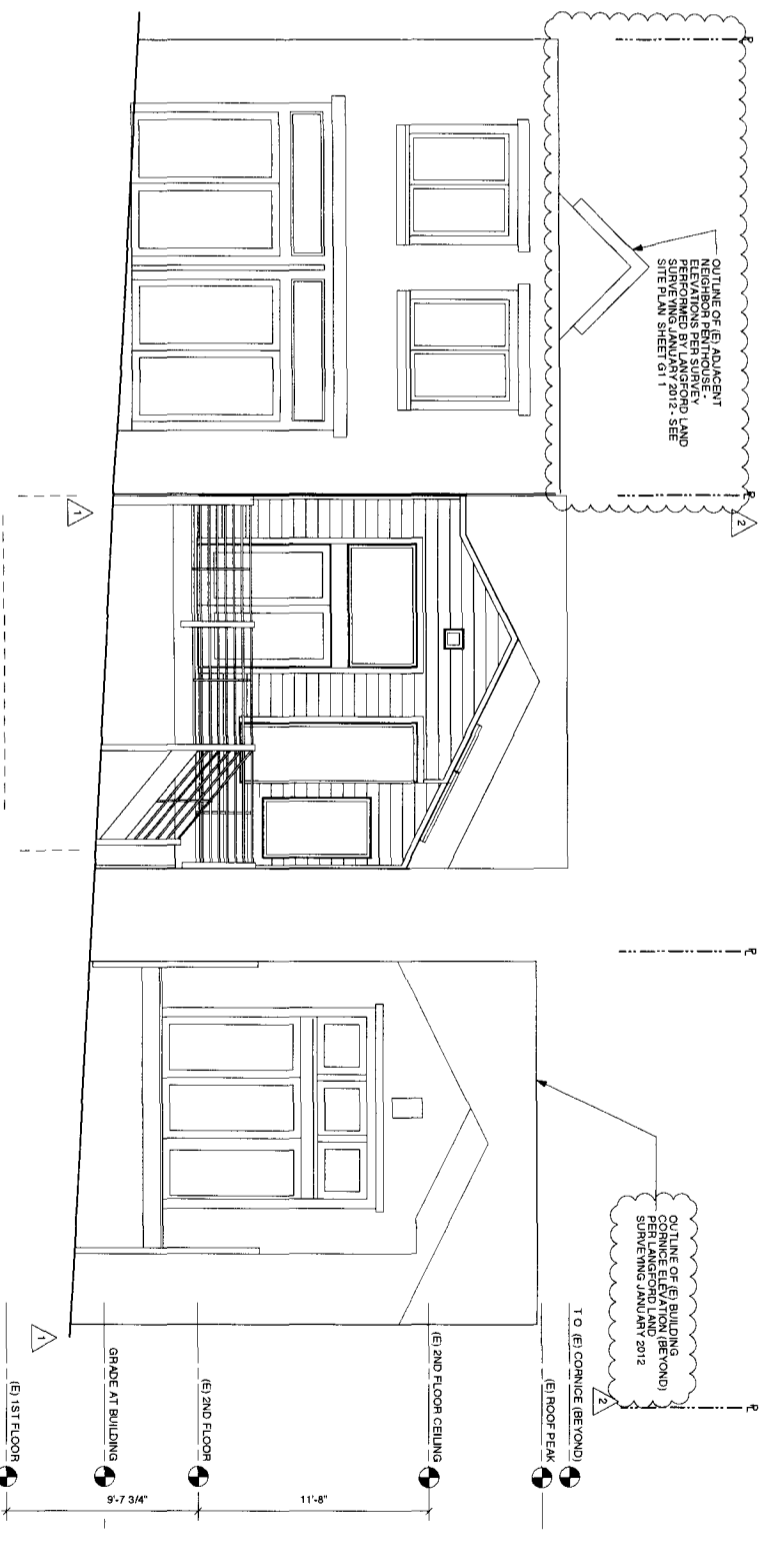
EXISTING ELEVATION

SEALY APPROVAL
SEALY DATE

REVISIONS

NO	DATE	DESCRIPTION
04	04/20/12	311 PRE-APPLICATION
06	06/14/2012	SITE PERMIT
08	08/27/2013	PLING COMMENTS
12	12/17/2013	NHBR MEETING
01	01/14/2014	NHBR REVISION

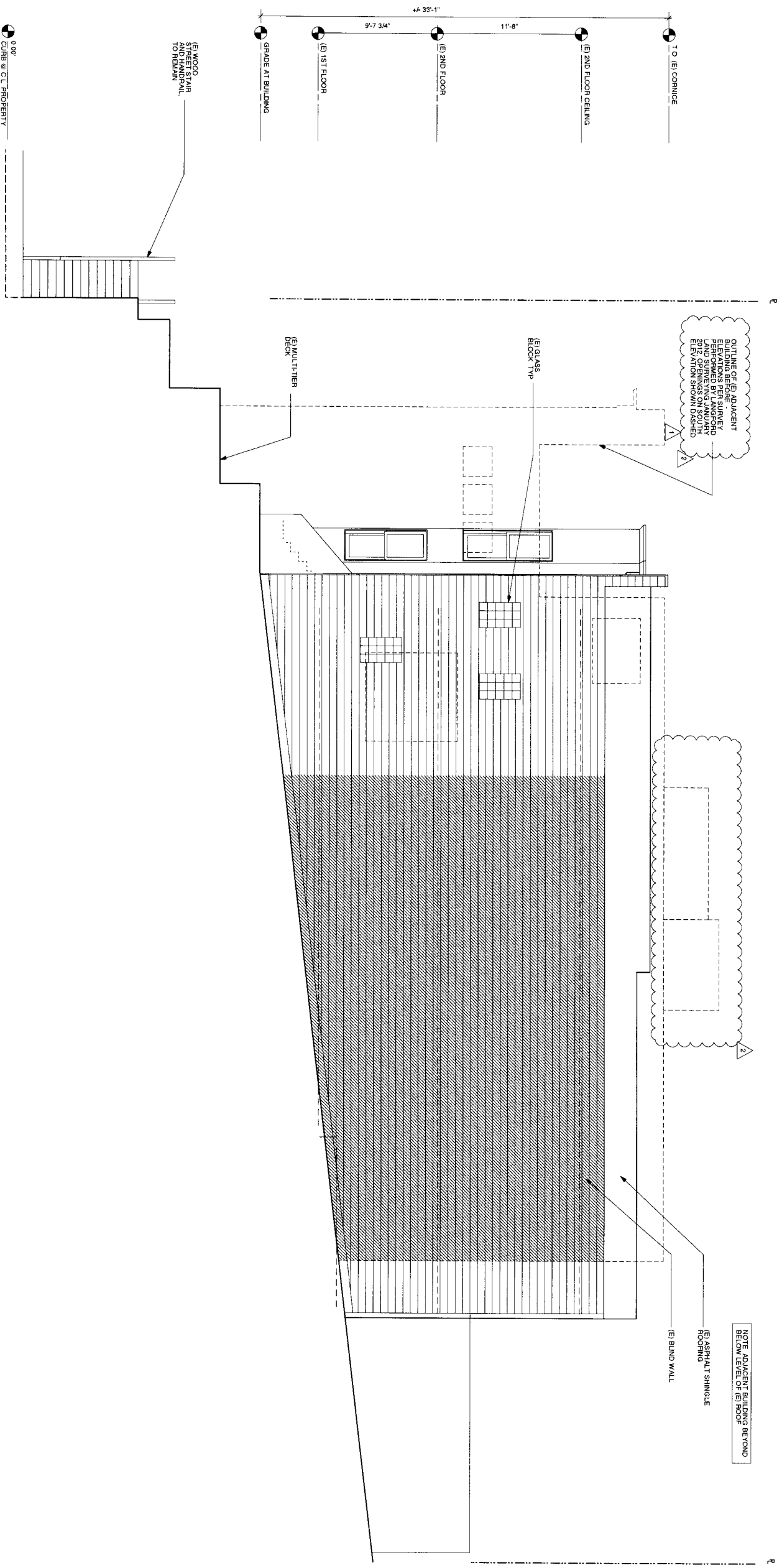
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A1.4 EXISTING WEST ELEVATION
Scale 1/4" = 1'-0"



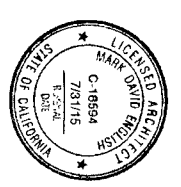
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SCALE	1/4" = 1'-0"		
A1.4			



1 EXISTING NORTH ELEVATION
A1.5 Scale 1/4" = 1'-0"

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EXISTING ELEVATION

REVISIONS

NO	DATE	DESCRIPTION
01	04/24/2012	311 PRE-APPLICATION
02	06/14/2012	SITE PERMIT
03	08/27/2012	PLNG COMMENTS
04	12/17/2013	INHR-MEETING
05	01/14/2014	INHR-R REVISION

CLIENT APPROVAL

NO. DATE DESCRIPTION

04/24/2012 311 PRE-APPLICATION

06/14/2012 SITE PERMIT

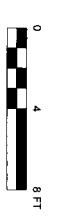
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12/17/2013 INHR-MEETING

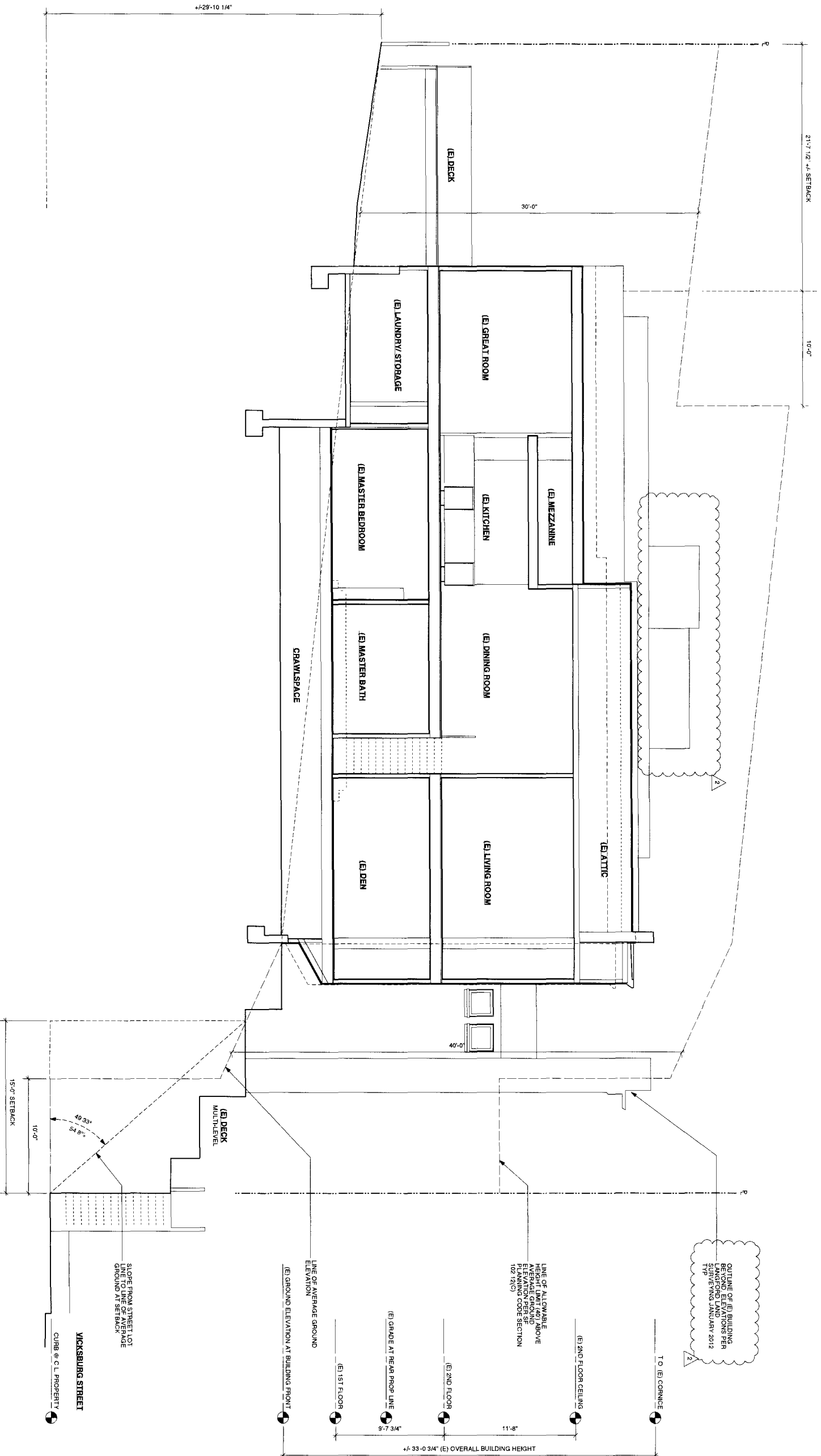
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A1.5



1 EXISTING SECTION
 A1.6 Scale: 1/4" = 1'-0"



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SCALE	1/4" = 1'-0"		
A1.6			

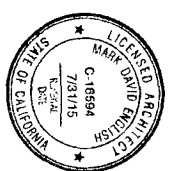
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	09	27/2012	PLNG COMMENTS
	12	17/2013	NHBR MEETING
	01	14/2014	NHBR REVISION

EXISTING BUILDING SECTION

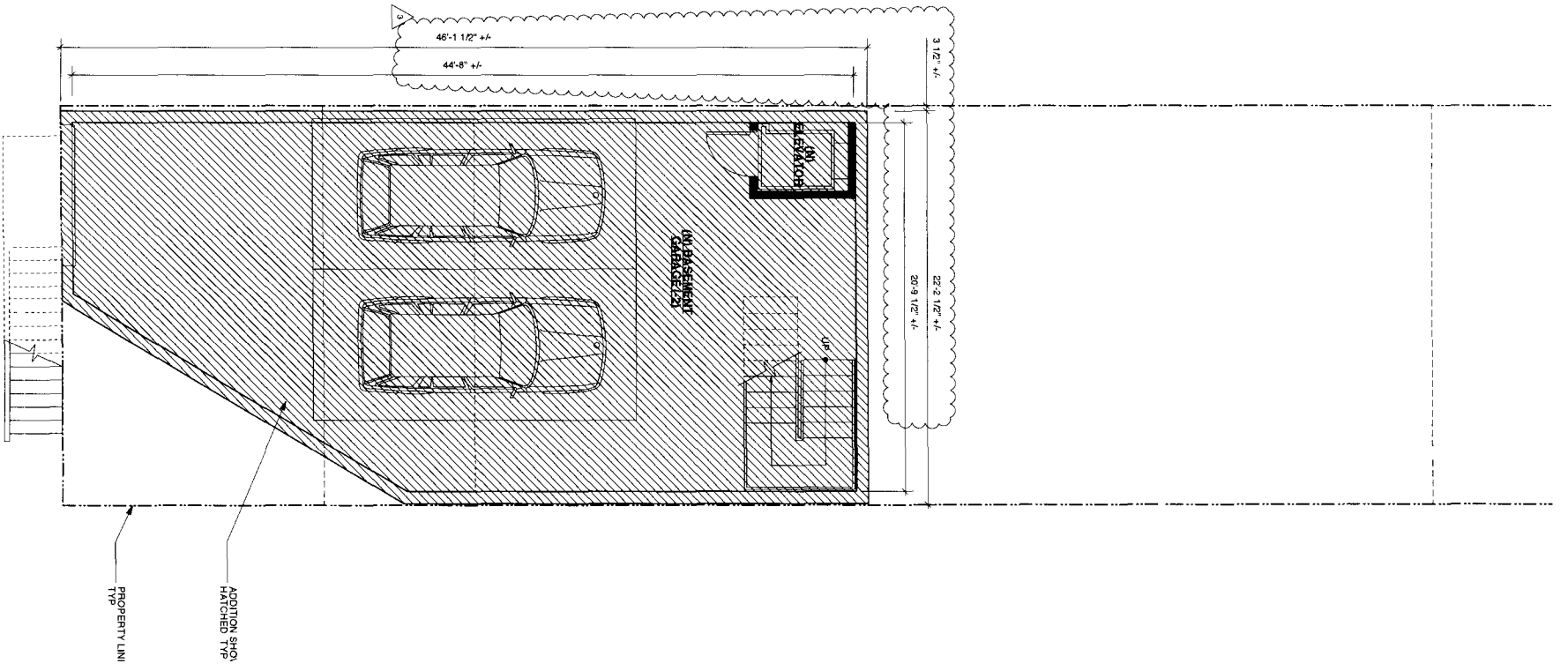
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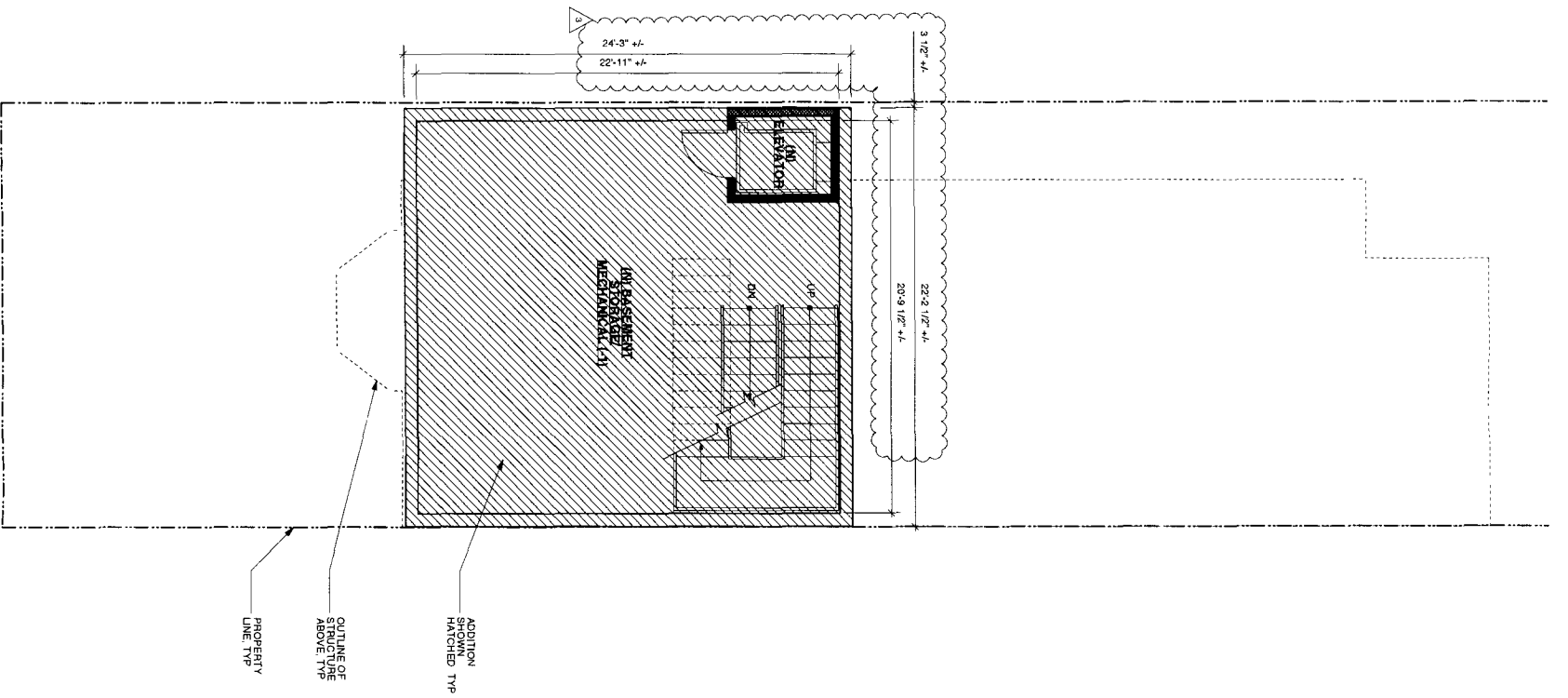


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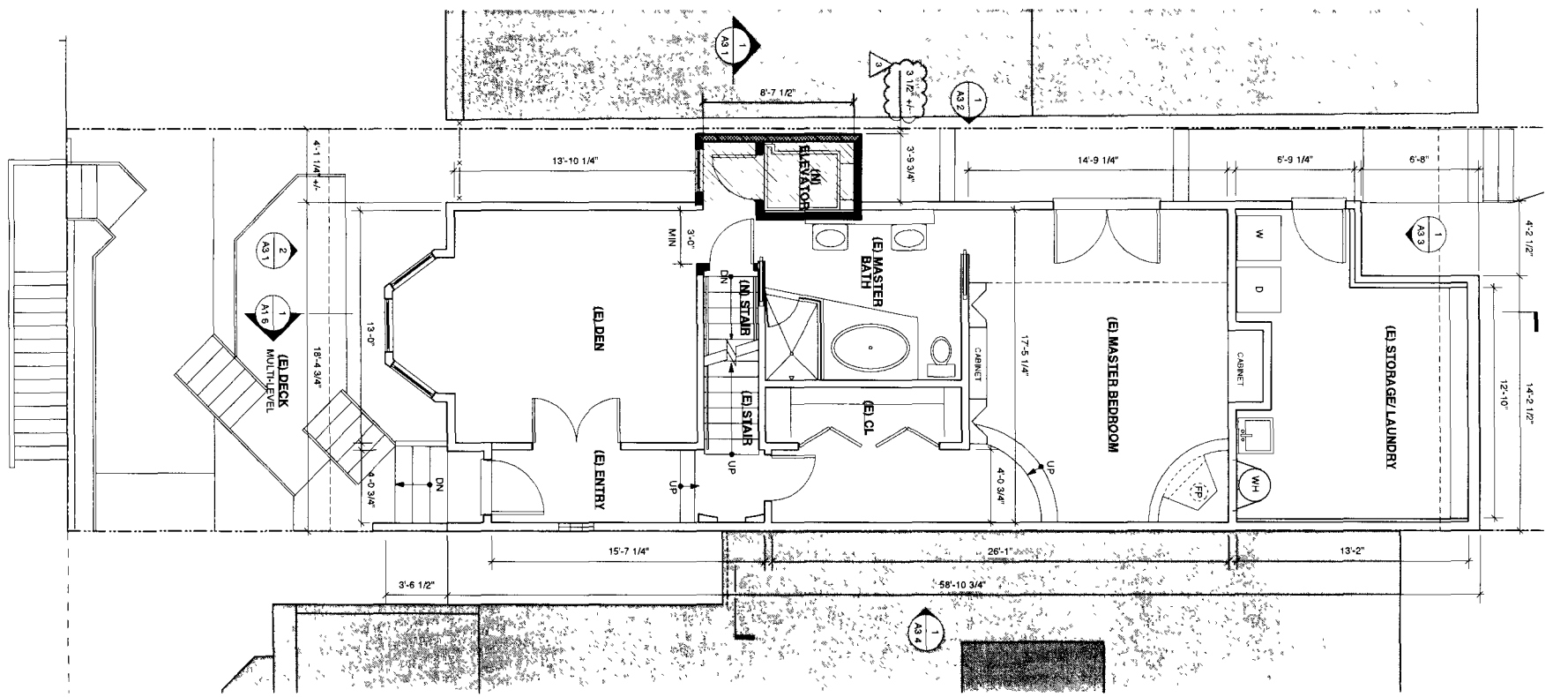
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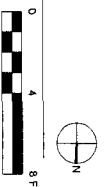
1 PROPOSED BASEMENT GARAGE (-2) FLOOR PLAN
A2.1 Scale 1/4" = 1'-0"



2 PROPOSED BASEMENT STORAGE (-1) FLOOR PLAN
A2.1 Scale 1/4" = 1'-0"



3 PROPOSED SECOND FLOOR PLAN
A2.1 Scale 1/4" = 1'-0"



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A2.1

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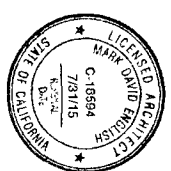
REVISIONS

NO	DATE	DESCRIPTION
06-14-2012	06-14-2012	06-14-2012 SITE PERMIT
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01-14-2014	01-14-2014	01-14-2014 NIMSR REVISION

PROPOSED FLOOR PLANS

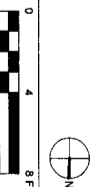
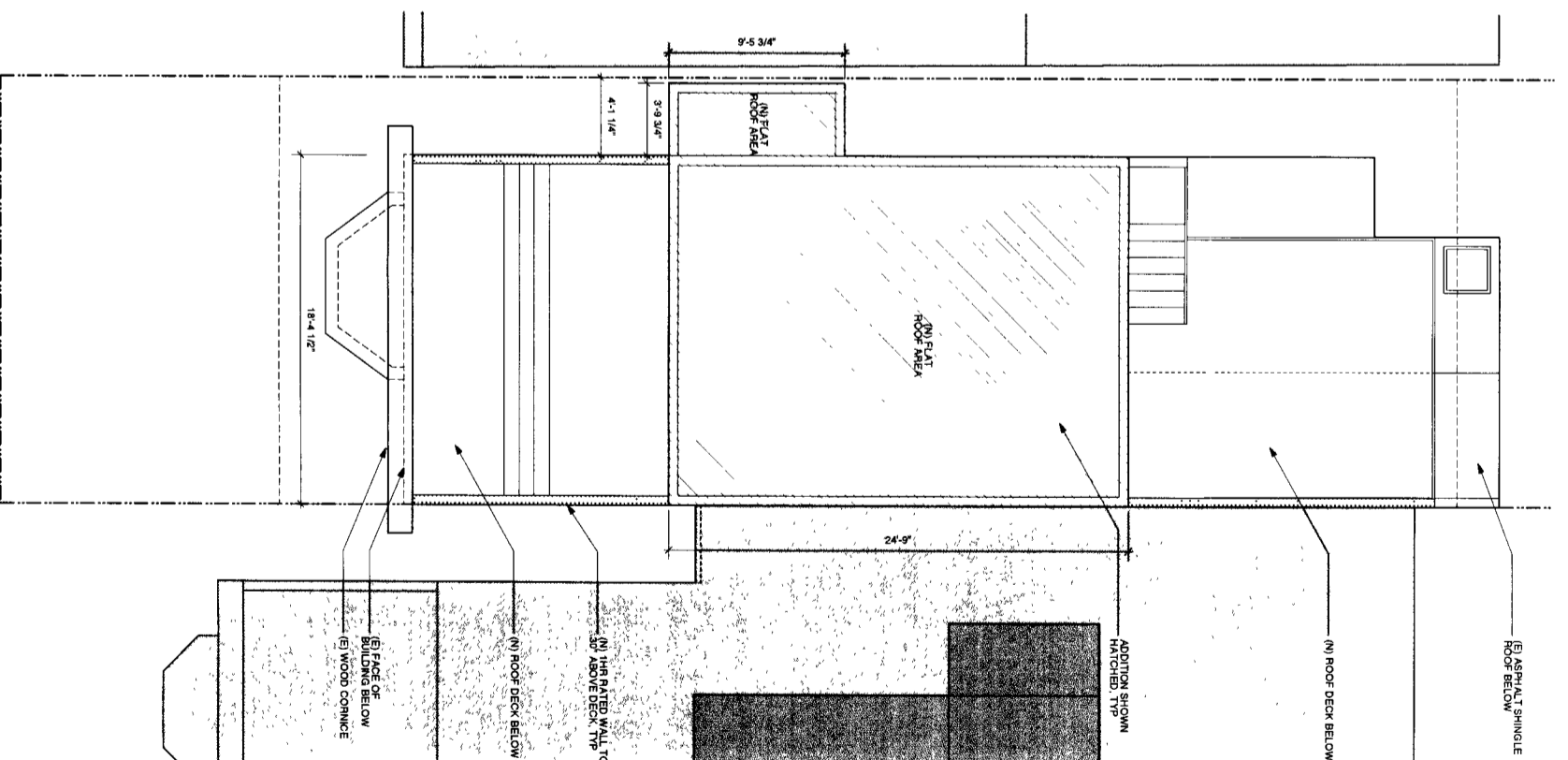
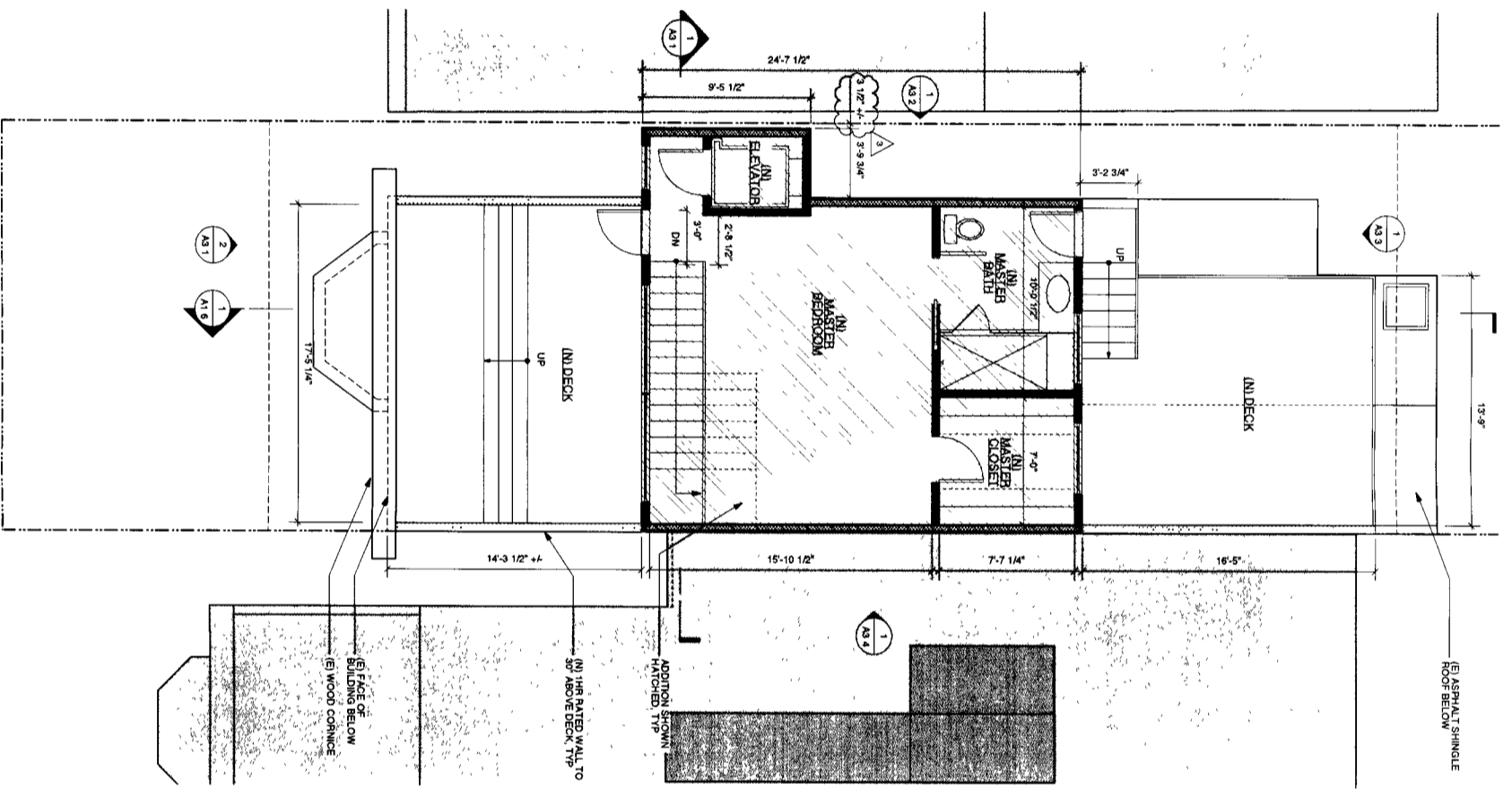
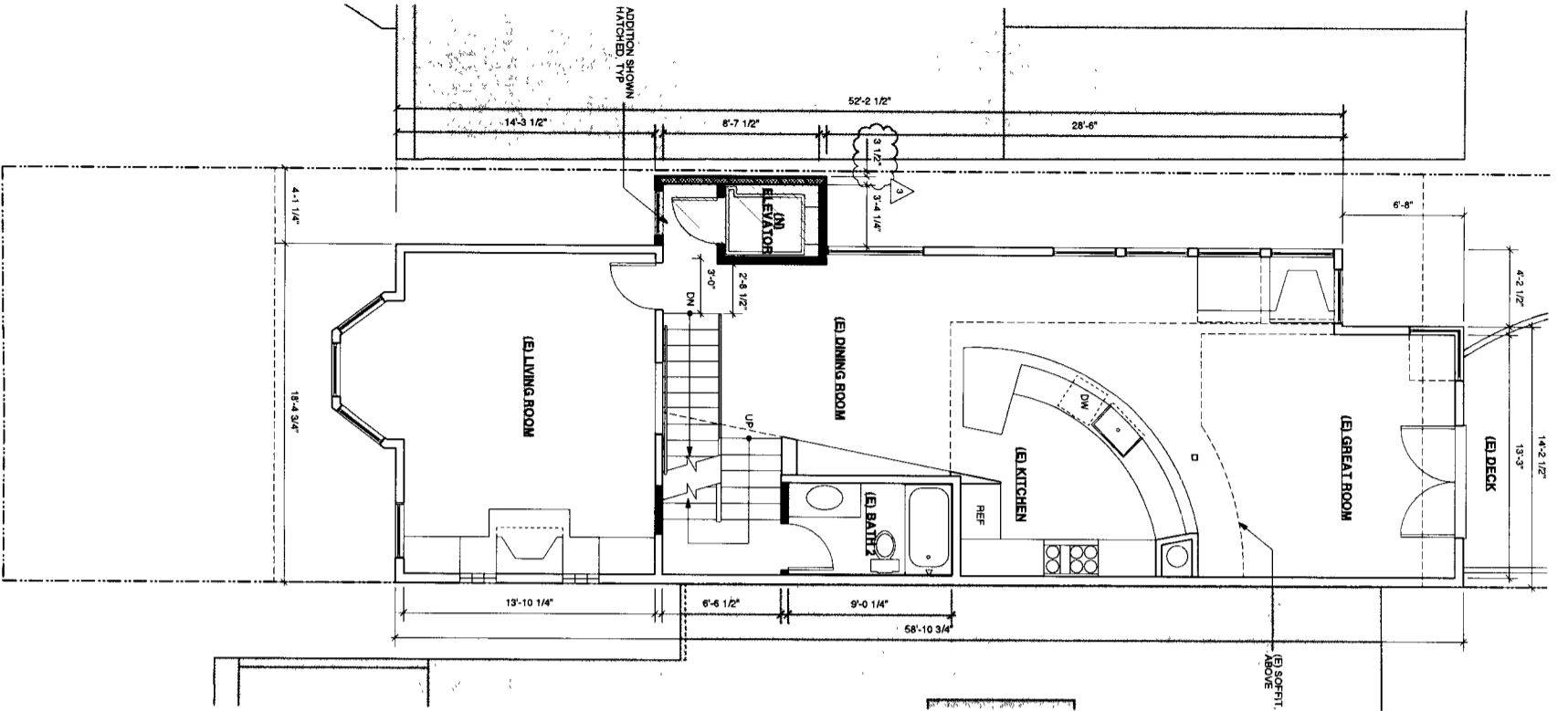
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PROPOSED FLOOR PLANS

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PROJECT NUMBER: U-01

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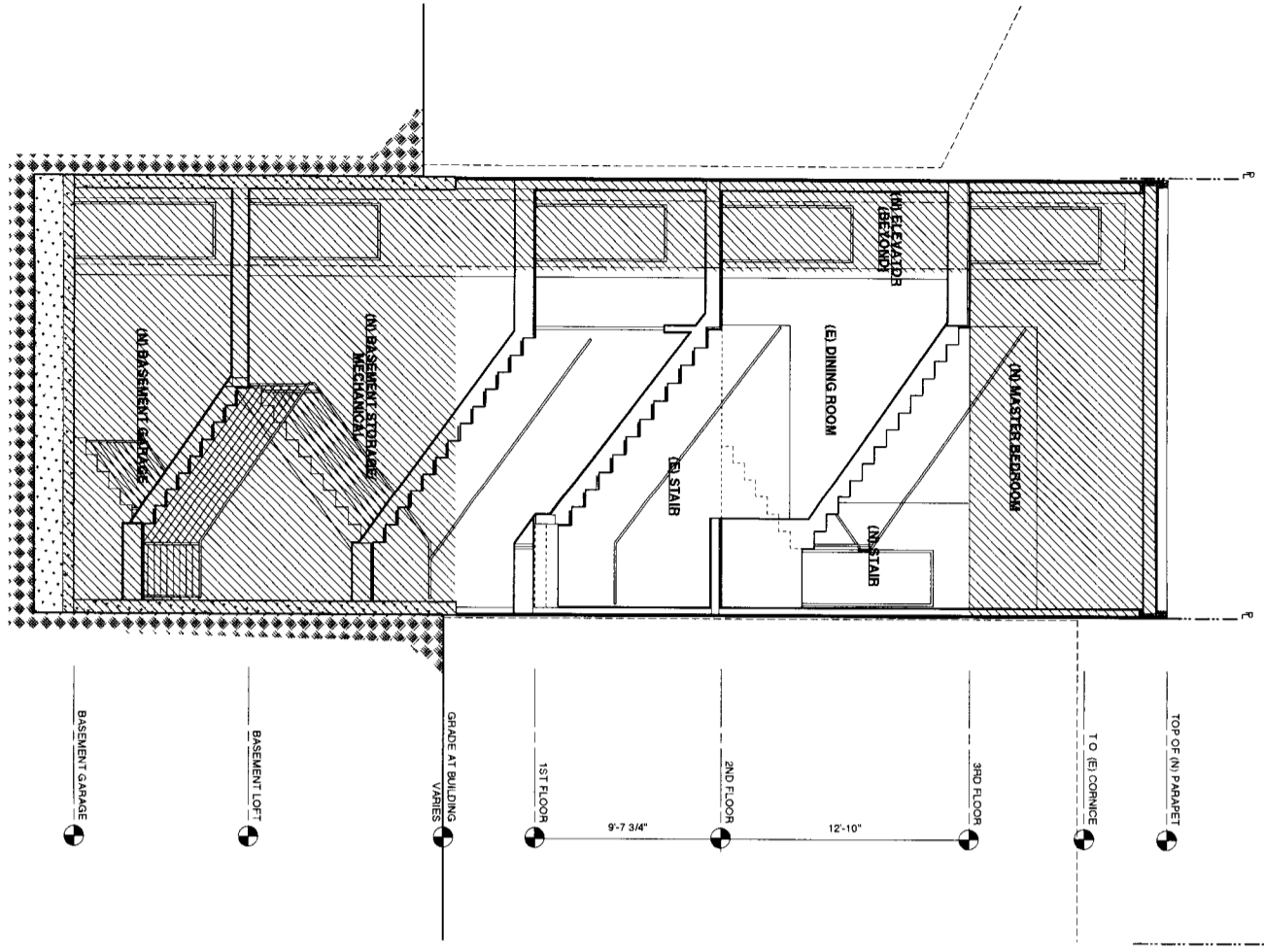
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94133
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W www.markenglisharchitects.com

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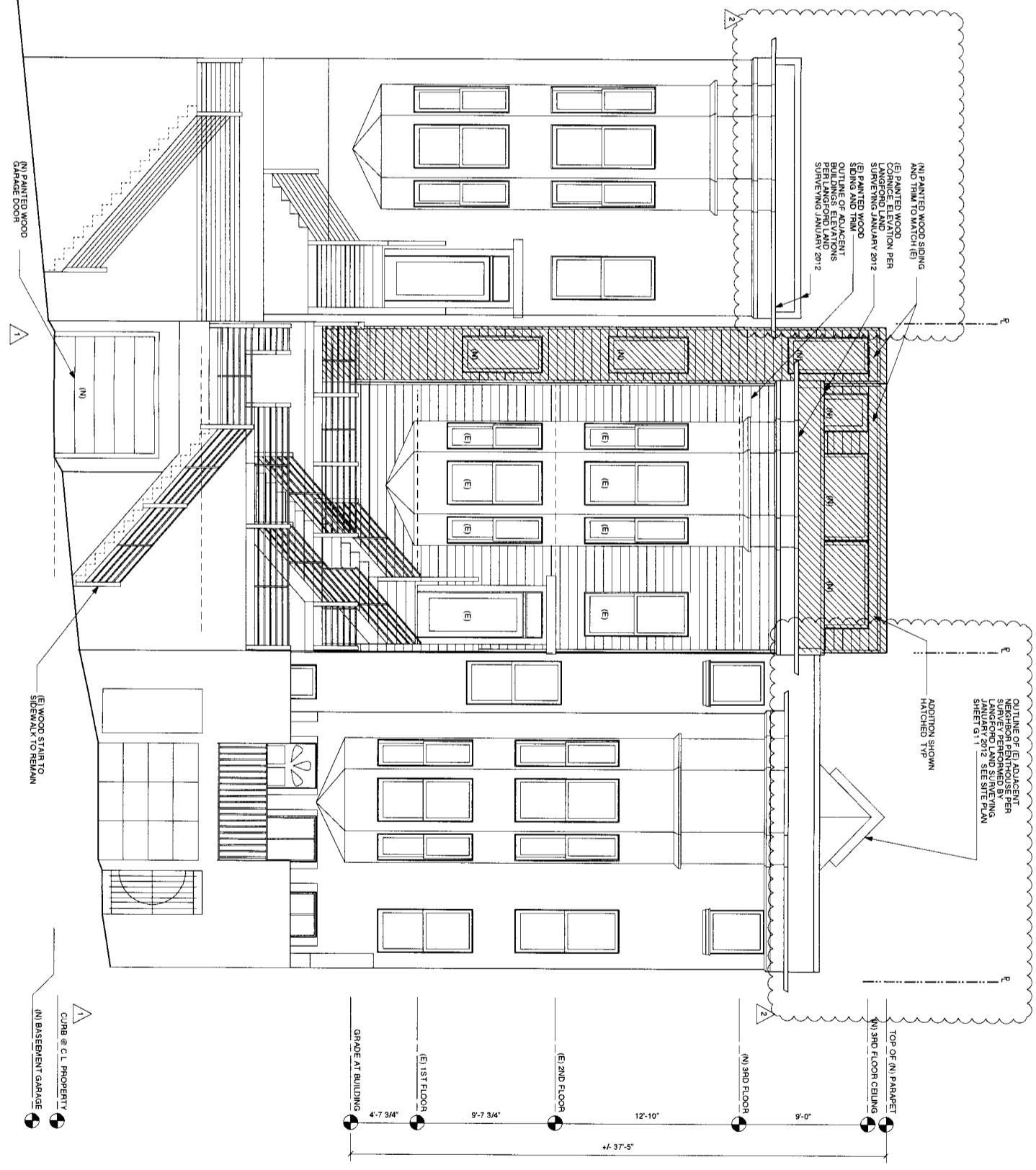
NO	DATE	DESCRIPTION
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06	06/14/2012	SITE PERMIT
08	08/27/2012	PLANS COMMENTS
12	12/17/2013	NHBR MEETING
01	01/14/2014	NHBR REVISION

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SCALE	1/4" = 1'-0"		
A2.2			

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1 PROPOSED CROSS SECTION
A3.1 Scale 1/4" = 1'-0"

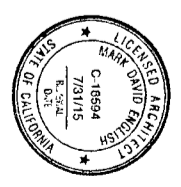


2 PROPOSED EAST ELEVATION (STREET ELEVATION)
A3.1 Scale 1/4" = 1'-0"



PROPOSED ELEVATION

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PROJECT NUMBER: U-01

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REVISIONS

NO	DATE	DESCRIPTION
04	04/24/2012	311 PRE-APPLICATION
06	06/14/2012	SITE PERMIT
08	08/27/2012	PLING COMMENTS
12	12/17/2013	NHBR MEETING
01	01/14/2014	NHBR REVISION

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PRINT DATE	01/15/2014		
SCALE	1/4" = 1'-0"		

A3.1

REAR SETBACK BASED
ON AVERAGING
REAR SETBACK
PLAN 011 SEE SITE

21'-7 1/2" ±

10'-0"

(N) PAINTED WOOD
SHEATHING TO
INTEGRATE WITH (E)

(N) METAL AND
WOOD RAILING

ADDITION
SHOWN
HATCHED TYP

(E) ASPHALT
SHINGLE ROOFING

(E) SKYLIGHT

(N) WOOD SIDING
UNDERLIE OF
PROPOSED DECK

(E) WOOD AND
METAL RAILING

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

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(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(E)

(N) WOOD AND GLASS
GUARDRAIL @ ±4'-2" AFF
OUTLINE OF (E) ADJACENT
BUILDING BEFORE AND GORNS
ON NORTH ELEVATION FOR
ADVACENT BUILDING JOB PER
LANGFORD LAND SURVEYING
JANUARY 2012

LINE OF ALLOWABLE
HEIGHT LIMIT (A07) ABOVE
PLANNING CODE SECTION
102.12(C)

OUTLINE OF (E) ADJACENT
BUILDING BEYOND

T.O. (N) PARAPET
(N) 3RD FLOOR CEILING
T.O. (E) CORNICE
(N) 3RD FLOOR
GRADE AT BUILDING
(E) 1ST FLOOR
(E) 2ND FLOOR
4'-7 3/4"
9'-7 3/4"
12'-10"
9'-0"
±4'-37'-5"

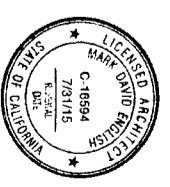
CURB @ C.L. PROPERTY
0'-00"
(N) BASEMENT GARAGE



1 PROPOSED SOUTH ELEVATION
A3.2 Scale 1/4" = 1'-0"

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PROPOSED ELEVATION
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SIGNATURE

NO	DATE	DESCRIPTION
04-24-2012	04-24-2012	311 PRE-APPLICATION
06-14-2012	06-14-2012	SITE PERMIT
08-27-2012	08-27-2012	PLNG COMMENTS
12-17-2013	12-17-2013	NHBR MEETING
01-14-2014	01-14-2014	NHBR REVISION

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PRINT DATE 01 15 2014	
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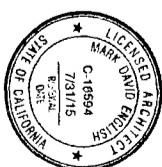
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PROPOSED ELEVATION

C. BENT ARCHITECT
SANTA LUNA

REVISIONS

NO	DATE	DESCRIPTION
04	24 2012	311 PNE APPLICATION
06	14 2012	SITE PERMITS
08	27 2012	PLNG COMMENTS
12	17 2013	NHBR MEETING
01	14 2014	NHBR REVISION

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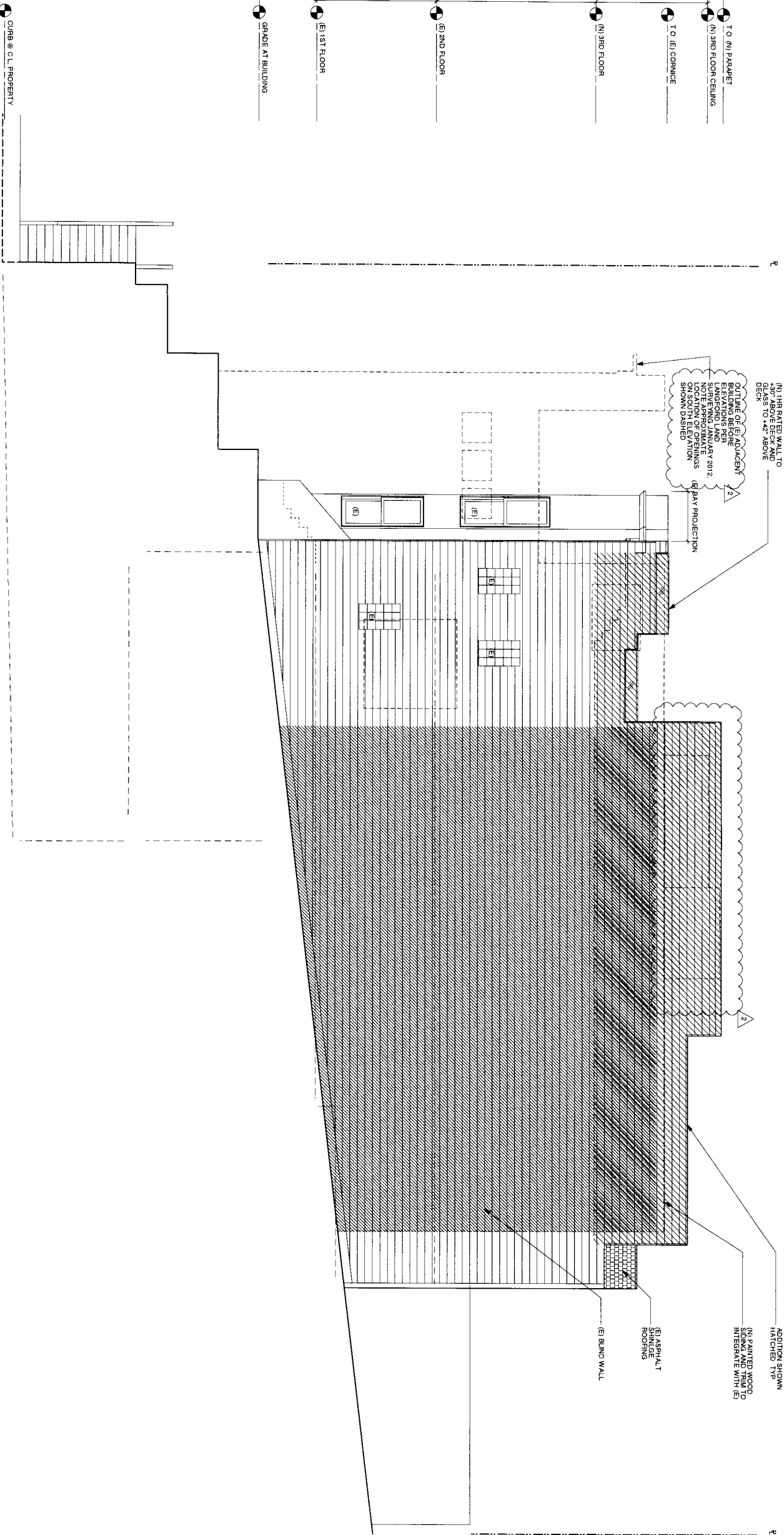
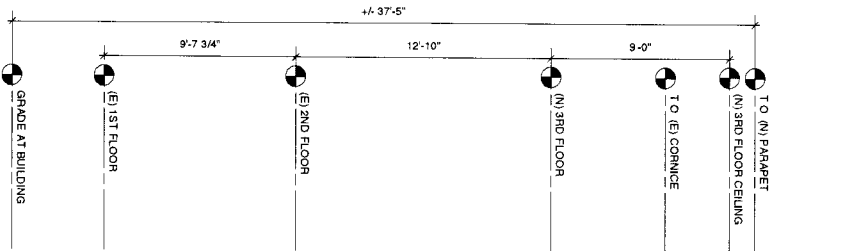
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PRINT DATE 01 15 2014	
SCALE 1/4" = 1'-0"	

A3.3

1 PROPOSED WEST ELEVATION
A3.3 Scale 1/4" = 1'-0"



NOTE: THE PROPOSED REAR DECK AND ADDITION ARE SET BACK FROM THE EXISTING REAR FACADE AND WILL APPEAR DIFFERENTIALLY THAN DEPICTED IN THIS DIMENSIONAL ELEVATION.



NOTE ADJACENT BUILDING BEYOND BELOW LEVEL OF (E) ROOF

ADDITION SHOWN HATCHED TYP

(N) PAINTED WOOD INTERGRATE WITH (E)

(E) ASPHALT SHINGLE ROOFING

(E) BLIND WALL

(N) 1 1/2\"/>

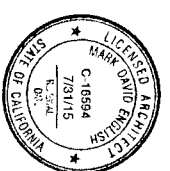
(E) PAV PROJECTION

(E) ASPHALT SHINGLE ROOFING

(E) BLIND WALL

PROPOSED ELEVATION

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VICKSBURG RESIDENCE
 18 VICKSBURG STREET
 SAN FRANCISCO CA 94114
 BLOCK & LOT 3627/007
 PROJECT NUMBER: U-01

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 San Francisco, California 94133
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 E mark@markenglisharchitects.com
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REVISIONS

NO	DATE	DESCRIPTION
04	04/24/2012	311 PRE-APPLICATION
06	06/14/2012	SITE PERMIT
09	09/27/2012	PLUG COMMENTS
12	12/17/2013	NHBR MEETING
01	01/14/2014	NHBR REVISION

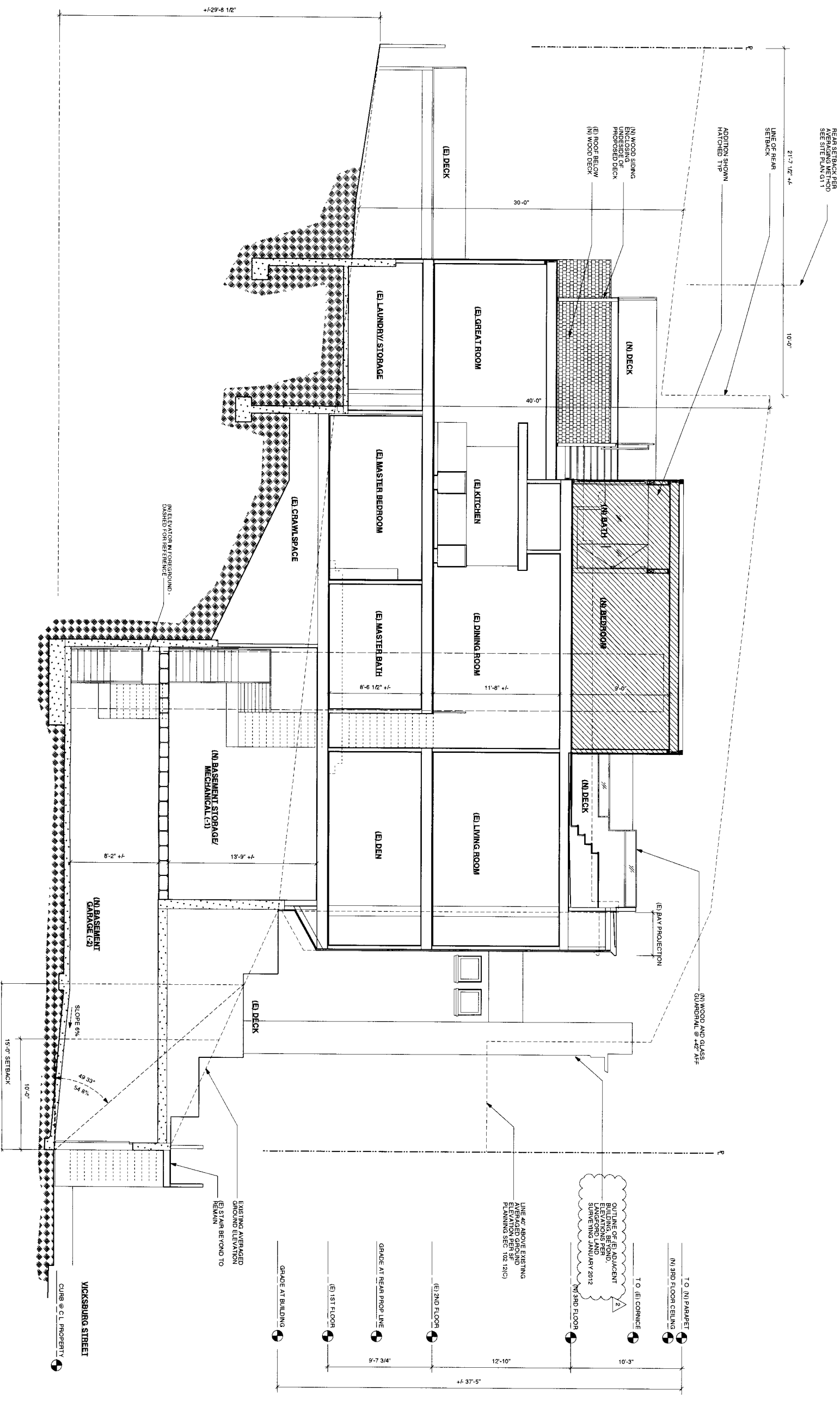
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DRAFTED BY	CHECKED BY
MEP	ME
PRINT DATE	01/15/2014
SCALE	1/4" = 1'-0"



1 PROPOSED NORTH ELEVATION
 A3.4 Scale 1/4" = 1'-0"

A3.4

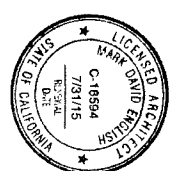


1 PROPOSED SECTION
 AS1 Scale 1/4" = 1'-0"



PROPOSED BUILDING SECTION

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CLIENT APPROVAL
 SIGNATURE

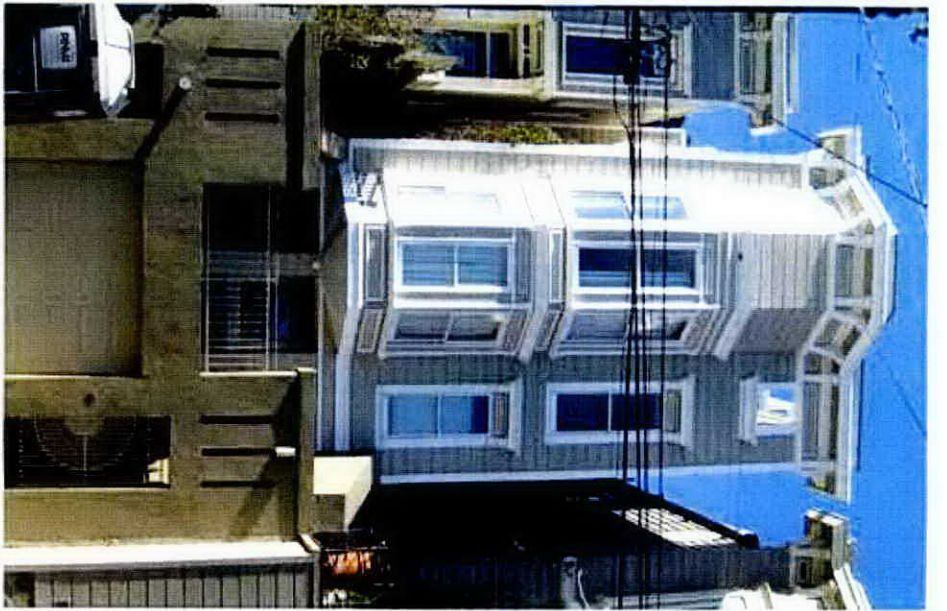
REVISIONS

NO	DATE	DESCRIPTION
1	04/24/2012	311 PRE-APPLICATION
2	06/14/2012	SITE PERMIT
3	08/27/2012	PLNG COMMENTS
4	12/17/2013	NHBR MEETING
5	01/14/2014	NHBR REVISION

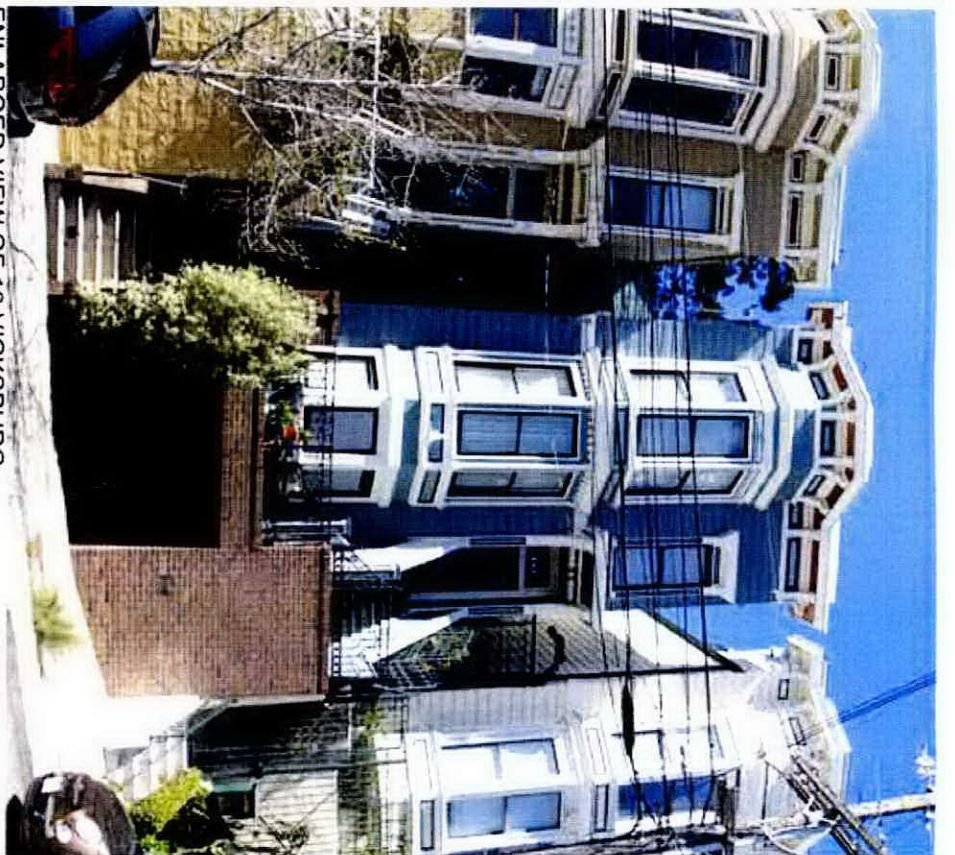
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PRINT DATE	01/15/2014		
SCALE	1/4" = 1'-0"		

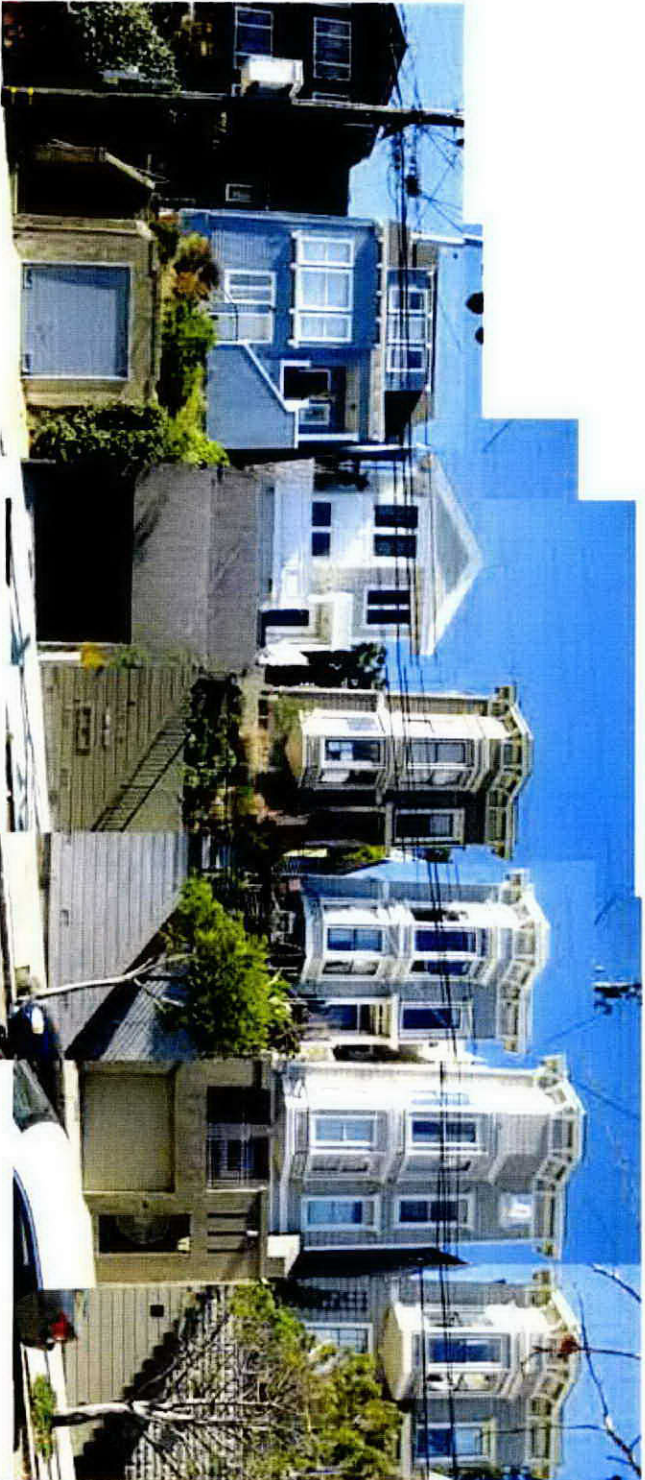
A3.5



ENLARGED VIEW OF 16 VICKSBURG



ENLARGED VIEW OF 10 VICKSBURG



54, 56, & 58

48

44

22

SUBJECT PROPERTY
18 VICKSBURG ST.

16

14

12

10

8



2, 4 & 6
(AT THE CORNER
OF 22ND STREET)

EXPANDED COMPOSITE STREET SCAPE
VICKSBURG WEST SIDE

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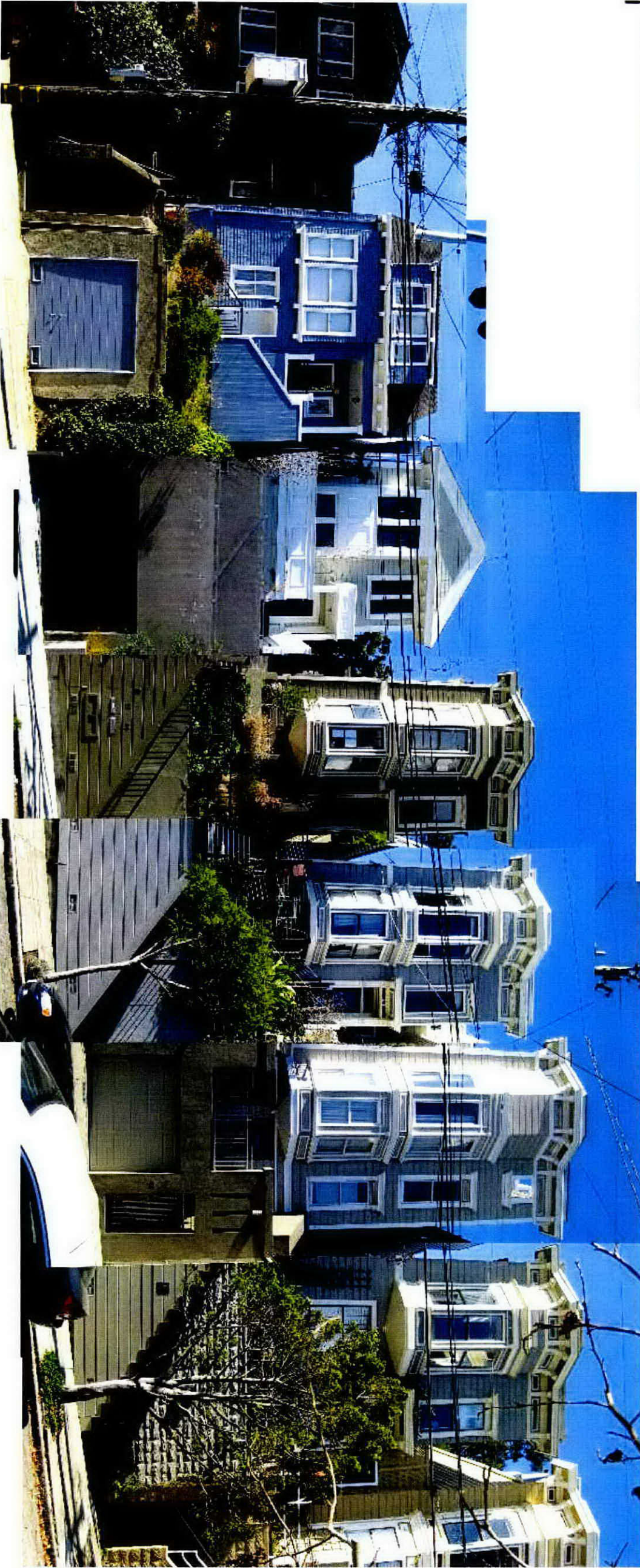
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**18 VICKSBURG STREET
SAN FRANCISCO CA 94114**

13 MARCH 2014



COMPOSITE STREET SCAPE
VICKSBURG WEST SIDE

SUBJECT PROPERTY
18 VICKSBURG ST.

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**18 VICKSBURG STREET
SAN FRANCISCO CA 94114**

25 JANUARY 2012



REAR OF ADJACENT PROPERTY
16 VICKSBURG
3627/006



REAR OF SUBJECT PROPERTY
18 VICKSBURG
3627/007



REAR OF ADJACENT PROPERTY
20-22 VICKSBURG
3627/008

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**18 VICKSBURG STREET
SAN FRANCISCO CA 94114**

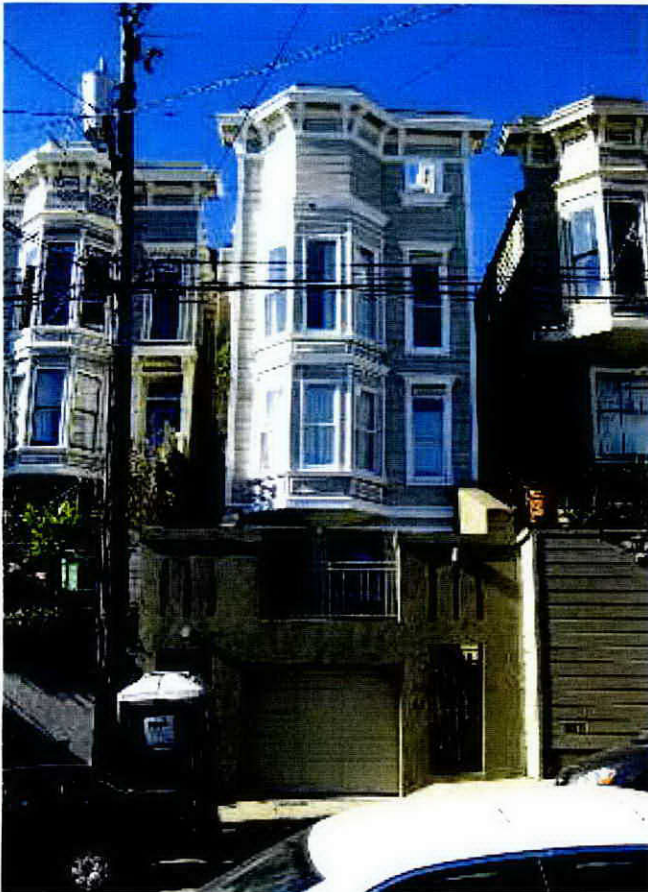
25 JANUARY 2012



FRONT OF ADJACENT PROPERTY
20-22 VICKSBURG ST.
3627/008



FRONT OF SUBJECT PROPERTY
18 VICKSBURG ST.
3627/008



FRONT OF ADJACENT PROPERTY
16 VICKSBURG ST.
3627/006

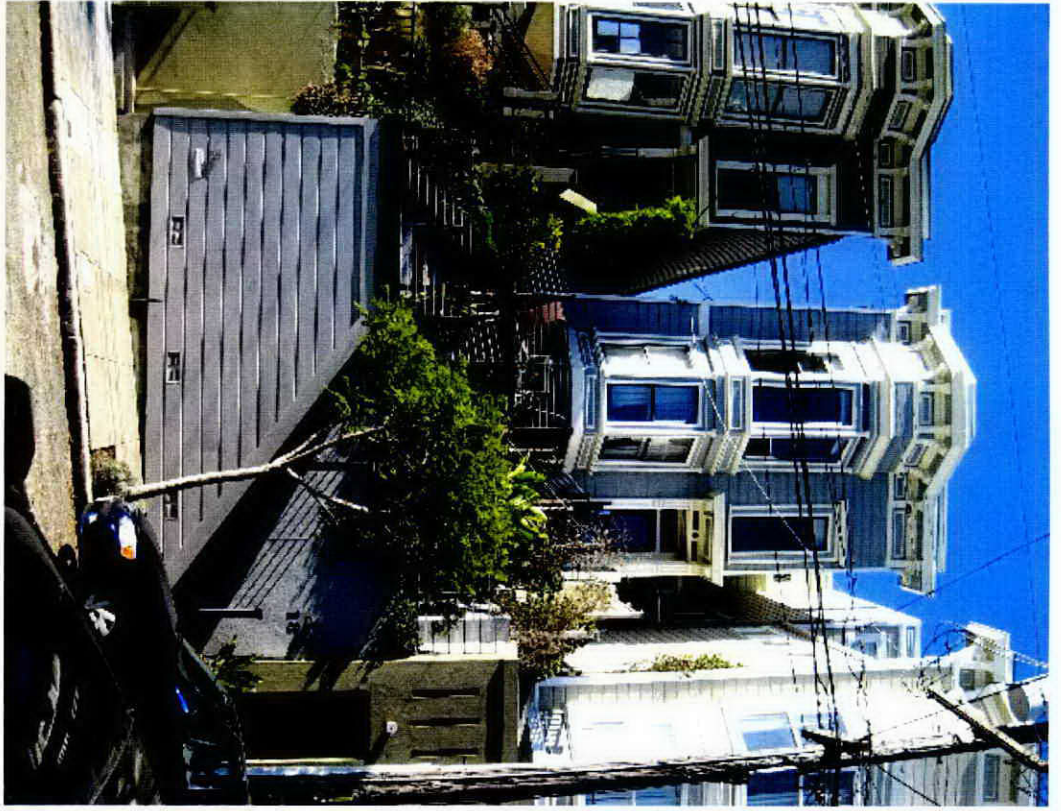
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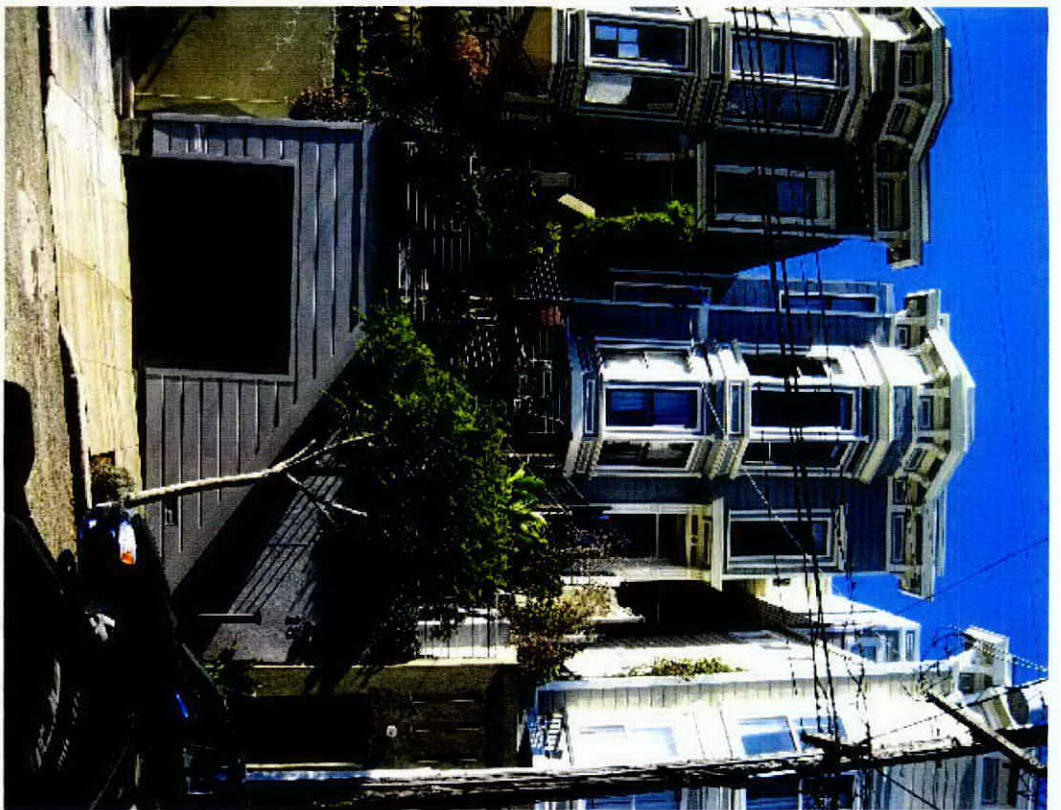
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**18 VICKSBURG STREET
SAN FRANCISCO CA 94114**

25 JANUARY 2012

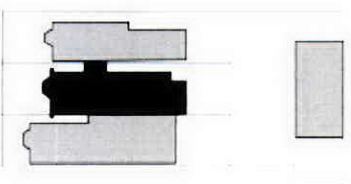


EXISTING CONDITION



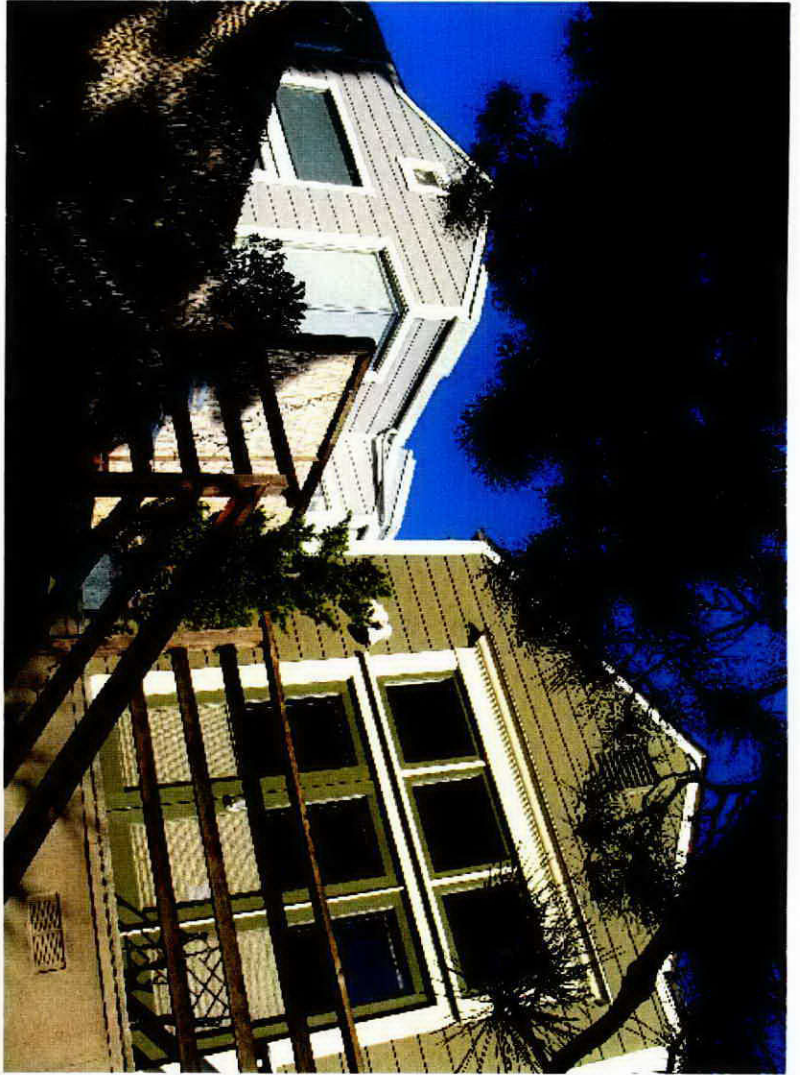
PROPOSED

2 18 VICKSBURG PROPOSED ADDITION - STREET VIEW 2

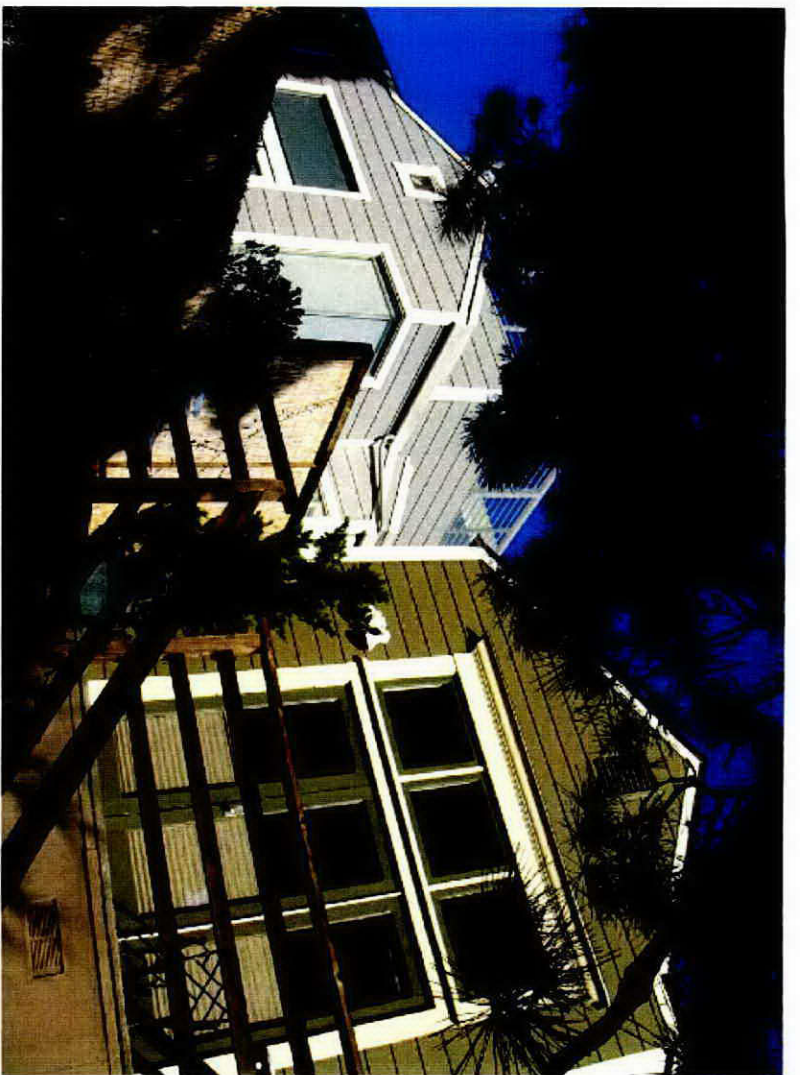


2

<p>PROPOSED ADDITION - STREET VIEW 2</p>	<p>SCALE: NTS</p>	<p>MARK ENGLISH architects T: 415.391.0186 250 Columbus Avenue Suite 200 F: 415.362.9104 San Francisco, California 94133</p>
<p>18 VICKSBURG STREET SAN FRANCISCO CA 94114</p>	<p>DATE: 19 DEC. 2013</p>	<p>e. mark@markenglisharchitects.com web. www.markenglisharchitects.com</p>

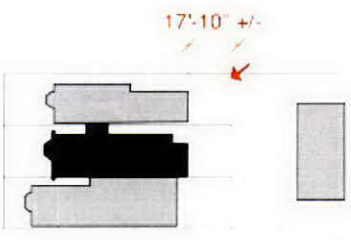


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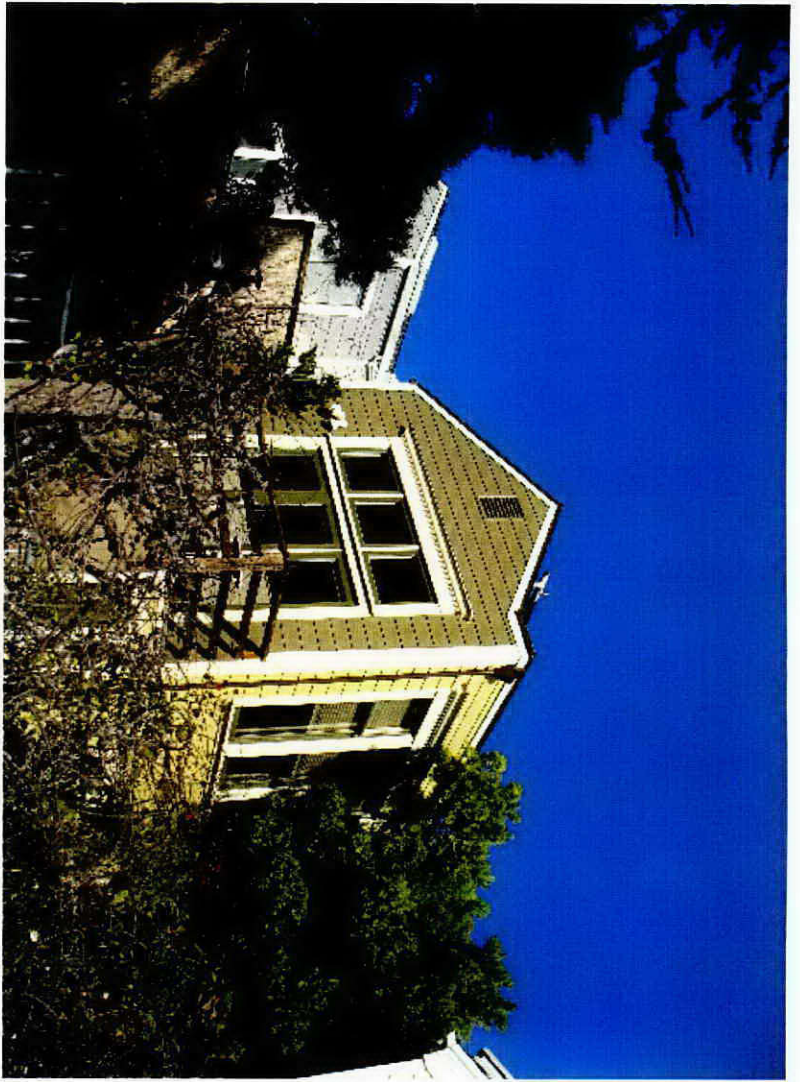
PROPOSED

3 18 VICKSBURG PROPOSED ADDITION - REAR YARD VIEW AT NEIGHBOR'S SOUTH PROPERTY LINE

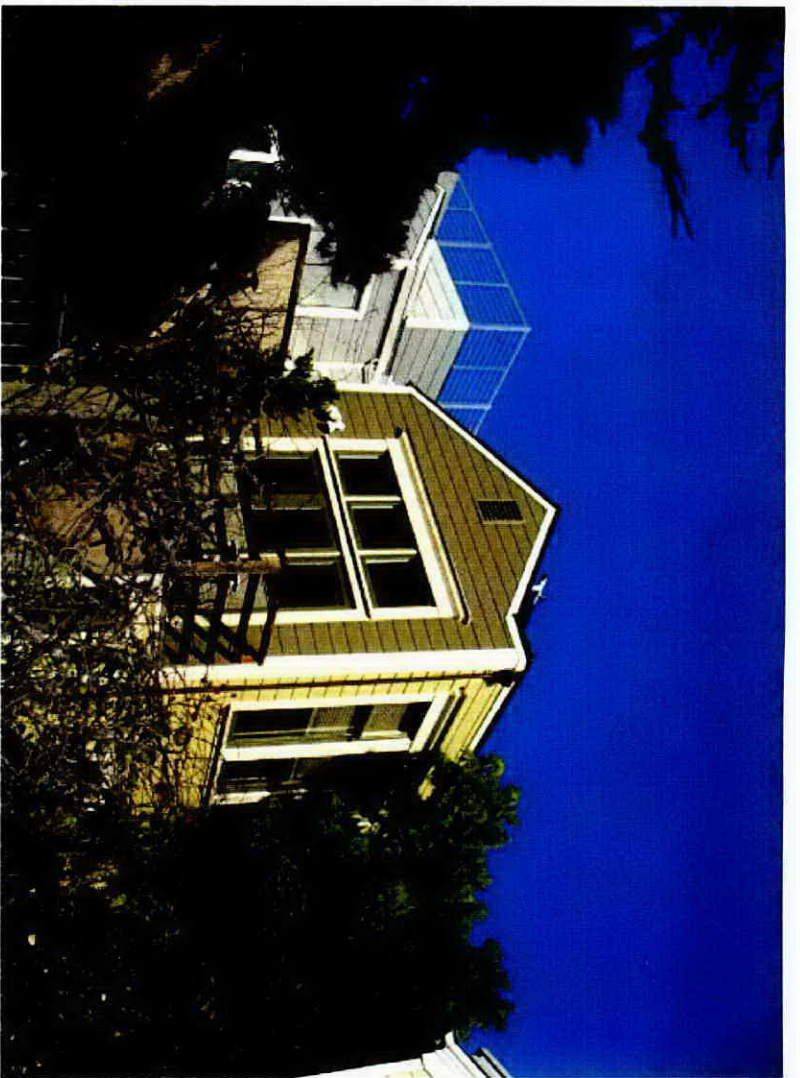


3

<p>PROPOSED ADDITION - REAR YARD VIEW FROM NEIGHBOR'S SOUTH PROPERTY LINE</p>	<p>SCALE: NTS</p>	<p>MARK ENGLISH architects T 415.391.0186 250 Columbus Avenue Suite 200 F 415.362.9104 San Francisco, California 94133</p>
<p>18 VICKSBURG STREET SAN FRANCISCO CA 94114</p>	<p>DATE: 17 DEC. 2013</p>	<p>e. mark@markenglisharchitects.com web. www.markenglisharchitects.com</p>

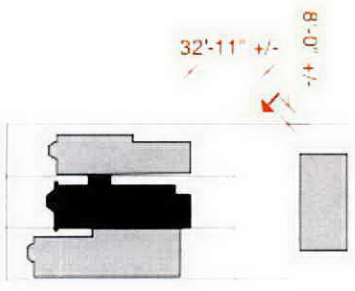


EXISTING CONDITION



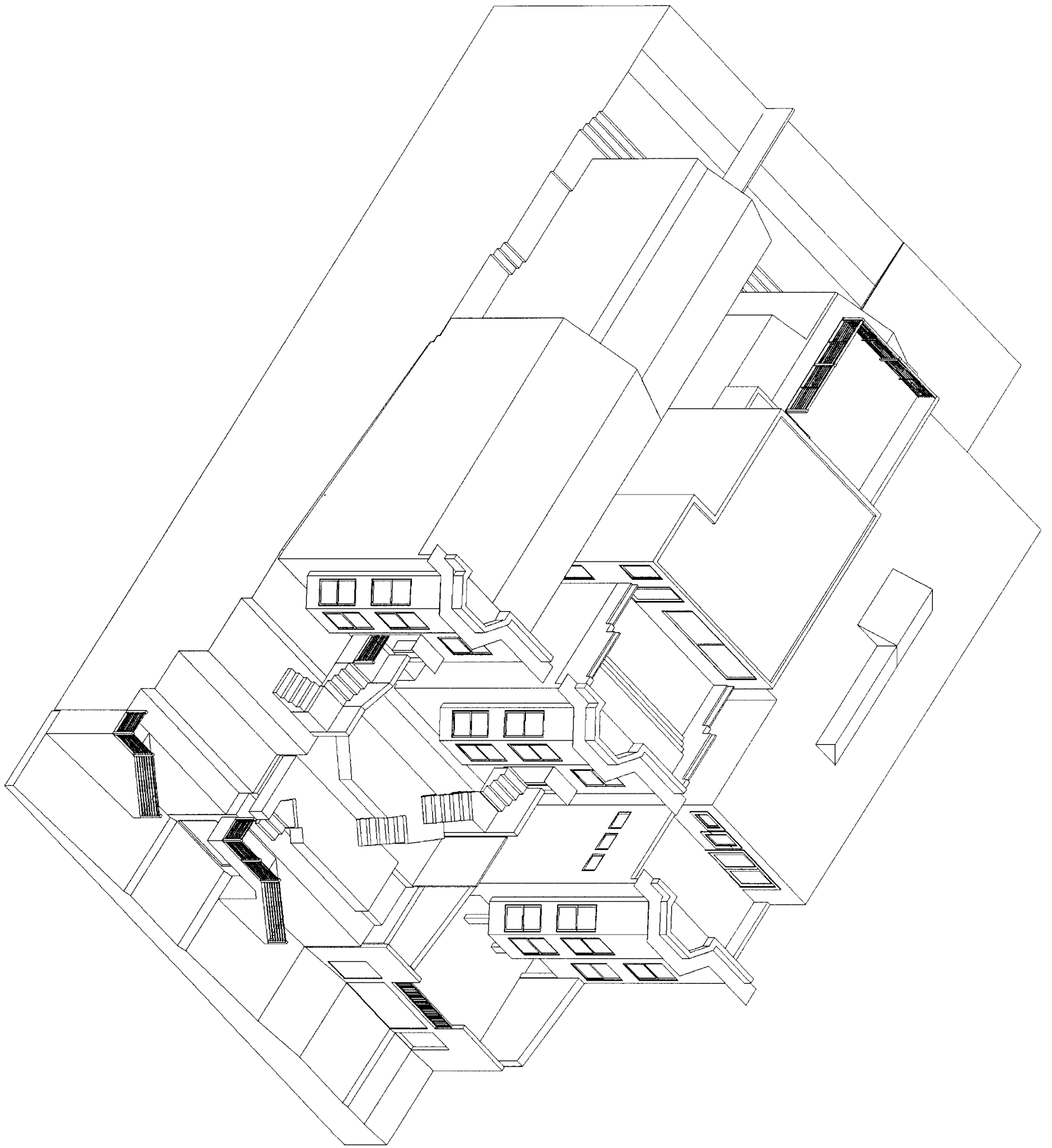
PROPOSED

5 18 VICKSBURG PROPOSED ADDITION - REAR YARD VIEW FROM 44 VICKSBURG



5

<p>PROPOSED ADDITION - REAR YARD VIEW AS SEEN FROM 44 VICKSBURG</p>	<p>SCALE: NTS</p>	<p>MARK ENGLISH architects T. 415.391.0186 250 Columbus Avenue Suite 200 F. 415.362.9104 San Francisco, California 94133</p>
<p>18 VICKSBURG STREET SAN FRANCISCO CA 94114</p>	<p>DATE: 17 DEC. 2013</p>	<p>e. mark@markenglisharchitects.com web. www.markenglisharchitects.com</p>



6

<p>PROPOSED ADDITION - REAR YARD VIEW AS SEEN FROM 44 VICKSBURG</p>	<p>SCALE NTS</p>	<p>MARK ENGLISH architects T 415 391 0186 250 Columbus Avenue Suite 200 F 415 362 9104 San Francisco, California 94133</p>
<p>18 VICKSBURG STREET SAN FRANCISCO CA 94114</p>	<p>DATE 18 MAR 2014</p>	<p>e. mark@markenglisharchitects.com web www.markenglisharchitects.com</p>