SAN FRANCISCO
PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: JULY 8, 2010

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Date:	July 1, 2010
Case No.:	**2009.1124DDV**
Project Address:	**136 Ord Street**
Permit Application:	2009.07.14.2604
Zoning:	RH-2 (Residential House, Two-Family) 40-X Height and Bulk District
Block/Lot:	2657/004
Project Sponsor:	John Moroney P.O. Box 14092 San Francisco, CA 94114
Staff Contact:	Sophie Hayward – (415) 558-6372 sophie.hayward@sfgov.org

SUMMARY OF APRIL 15, 2010 PUBLIC HEARING

At the April 15, 2010 Planning Commission hearing, the Planning Commission did not take a final action, but rather continued the item to the May 27, 2010 public hearing.[1] At the hearing, Commissioners discussed various modifications to the proposed project that could be made in order to reduce the impact of the proposed project on the existing neighborhood character. Of particular concern were the existing landscaped front setback of the subject property, which measures approximately 91' in length, and the impact of the new structure proposed to be located within the existing front setback. As originally proposed, the project included a 15' front setback, and an open courtyard between the new and existing buildings that measured approximately 34' in length.

After the April 15, 2010 hearing, the Project Sponsor revised the proposed project by sliding the proposed new building back, which would result in a front setback that measures approximately 24'6" in length, and an open courtyard between the new and existing building that measures approximately 24'6" in length.

REAR YARD VARIANCE

As originally proposed, the front bay of the new building did not provide sufficient headroom to be considered a permitted obstruction within the front setback, and therefore required a Variance from the Front Setback requirement of Section 132 of the Planning Code.

As currently proposed in the revised plans, the proposal does not require a Variance from the Front Setback requirement, but does require a Variance from the Rear Yard requirement of Section 134 of the Planning Code.

[1] The Commission's vote on the continuance was +5,-2. Commissioners Antonini and Lee voted against. At the May 27, 2010 public hearing, the Commission voted to continue the item, at the request of Commissioner Moore, to July 8, 2010.

Section 134 of the Planning Code requires that the subject property maintain a courtyard between the two structures that measures a minimum of 34' feet. As proposed in the revised plans, the open space between the new and existing structure would measure approximately 24'6".

ENCLOSURES

Enclosed with your packets are the revised plans, as well as new information submitted by the DR Requestors, supporters of the two DR Requests, and the Project Sponsor. The original case report, the original DR applications, and the original response from the Project Sponsor have also been included in your packets for reference.

To: Planning Commissioners

From: DR Filers and Supporters

RE: Hearing of May 27, 2010

136 Ord Street

DR of BPA 2009.07.14.2604 and Variance request # 2009.1124DV

To meet Department deadlines for inclusion in your packets, this memo has been prepared prior to the availability of the Department's analysis of, as well as its recommendation for, the minor revision of the site plan/design for this project which has been submitted to you.

To the best of our knowledge at this time, most of the issues & reasons for which we believed this project in its April 15 form had been incorrectly deemed by Staff to meet the Residential Design Guidelines and mistakenly recommended for approval remain relevant.

"NEW" PLAN SUBMITTED WITHOUT CONSULTATION WITH DR FILERS or NEIGHBORS DOES NOT ADDRESS FUNDAMENTAL CONCERN

(See Separate "Time-line of Communication with Project Sponsor" since April 15)

DR Filers first contacted Project Sponsor seeking to engage in dialogue on Monday following the April 15 hearing. Project Sponsor responded on April 29 that he would only meet or discuss under the auspices of "Mediation through Community Boards" and on May 3rd a date of May 14 was decided on. Apparently at the same time, Project Sponsor was preparing final revised plans to the Department for submission to the Commission. Those plans, which we learned of from Ms. Hayward for the first time on May 10, when she responded to DR filers

inquiry by stating that she had received new plans "at the end of last week". The plan drawing s are dated May 3. They show the structure adjusted westward by 9.5 feet and were submitted without conversation or notice to DR filers.

While Project Sponsor, at the suggestion of the Department, then electronically transmitted pdf drawings to DR Filers, no further information was provided to, received by or solicited from DR Filers prior to May 14.

BASIS for the REQUEST

The proposed project still does not conserve or protect the neighborhood character of the 100 block of Ord Street. It continues to negatively impact it, in violation of the Section 101.1 requirement that neighborhood character be conserved and protected.

The "new" design does not adequately reflect the direction given by the 5 Commissioners who supported the motion on April 15 continuing the hearing to enable the Project Sponsor to contemplate re-design to make it more consistent with the block for which it is proposed .

It appears instead to reflect Commissioner Antonini's suggestion during the hearing that the proposed structure be moved back 5 feet, a suggestion he later increased to 9 feet. This suggestion was not accepted by at least 5 other Commissioners. Commissioner Antonini voted against the motion which was adopted and which implicitly called for a more substantial setback and/or re-design.

STAFF REPORT

In their April DR Report, staff mis-characterizes the setting as

mixed with regard to siting and front setback, and therefore--perhaps unintentionally but nonetheless-- misleads the reader. The Department has traditionally applied the term "mixed visual character" where there wasn't a strong visual character in the neighborhood. This is not the case on the 100 block of Ord Street. The seven lots on the west side of the 100-block of Ord Street collectively create a distinctive and unique landscape and site design feature.

(The April staff report erroneously stated that there are 5 lots on the west side of the street, of which only 3 have "unusually deep setbacks".)

Two structures at the south end (Market Street) and one structure at north end (Corbett Street) are built with more common front setbacks, (which in this case are approximately 11 feet, 11 feet and 9 feet respectively). These structures "bookend" the middle four lots with their generous landscaped front setbacks (3 at 90-feet, 1 at 34-feet) and with their residences sited at the rear of the lots. These four contiguous lots are a unique feature to Ord Street, and to San Francisco, a characteristic of the neighborhood worth preserving.

The staff report fails to include the adjacent (to the south) property at 140 Ord Street when it cites three properties in the block as having "unusually deep setbacks". Later it states number 140 as having a "more moderate front setback..." and in that context seemingly implies that it does not contribute to the consistency of the mid block character.

How can a 34-ft front setback be described and considered as a "more moderate setback" that need not be taken into account?

The April Staff Report included the Design Review Checklist prepared for the DR Report. Please note that Staff has responded "Yes" to each and every of the "Site Design" and "Building Scale" question. This is an incorrect, inaccurate and a misleading Design Review analysis.

For example, Question No. 2 under Site Design: "Is the building placed on its site so it responds to its position on the block and the placement of surrounding buildings? Staff checked "yes", but the more accurate response would be "no".

Question No. 4 asks: "In an area of varied front setbacks (the very characterization the staff makes about the block) is the building designed to act as a transition between adjacent buildings and to unify the overall streetscape?" Incredibly the Staff Report states "Yes", when clearly, the facts call for an answer of "No".

ISSUE TO BE RESOLVED

The design challenge facing the project sponsor and the Commission remain how to insert a new structure into this setting.

All DR Filers and neighbors in support of the DRs have indicated that they would support a rear yard variance that would meet the Planning Code's variance requirements in conjunction with a design which better respects the character of the street.

ADDITIONAL ISSUES NEEDING RESOLUTION

PROPOSED FRONT SETBACK DETAILS: INSUFFICIENT INFORMATION

The front setbacks of the subject property and its adjacent neighbors are landscaped and create a semi-pastoral setting along Ord Street. The Commission has discussed the challenging issue of how to sensitively introduce a driveway or garage into an historic garden or structure. The same question is raised by the proposed project.

Currently two tire tracks enter the subject property and slope uphill to the garage located in the structure at the rear of the lot.

From the drawings mailed with the Section 311 notice, the proposed project intends to excavate the front setback to access the proposed garage. The Section 311 plans are vague and indicate a very large excavated front setback. It appears to be excavated to the south side property line (with 140 Ord Street) and excavated to the front property line. In November neighbors and DR filers, asked staff for longitudinal and transverse sections through the front setback to document and explain the proposed changes of grade and how they would to be retained by walls or berms. DR filers are concerned that the front of the proposed project not wind up as an excavated below-street-level pit which would damage the continuity of the block's streetscape where all four existing front setbacks slope gently up from the street. To date neither the Department nor project sponsor has not provided these drawings for us. In addition we asked staff for documentation of the height and additional details of the proposed fence, which is limited by the Planning Code to 3-feet in height or 6-feet in height if it is 75% open to perpendicular view. The drawing mailed with the Section 311 notice illustrated a fence that appears not to meet the Planning Code requirement of 75% open to perpendicular view for a 6-foot high fence. To date no response has been provided.

EXISTING REAR BUILDING:

The existing house at the rear of the subject property has a garage located at the ground level. Neighbors have not seen plans for the alteration of this garage space, which will be rendered useless once the driveway to it is blocked by the proposed project. The question the neighbors have is will the living area of the existing house be expanded to include this former garage area. Or to what other use will this space be put? Oddly, although the project sponsor has indicated that the existing house is

unsuitable to be occupied, no information has been provided on what work will be done on the structure.

LARGE STREET TREE

Under the earlier design, although not identified in the staff report the large street tree, one of five matched on the west side of the block, would have been destroyed in the proposed widening of the driveway cut by 2.5 feet eliminating the tree's capacity to buffer and blend the new structure with its surroundings, and further contributing to the total cumulative impact of the proposed design.

The impact of the "new" plan on the street tree is unclear to us at this time.

CONCLUSION:

Staff's original analysis was based on a recommendation of the Residential Design Team (RDT). The neighbors contend that the analysis of the RDT was misguided and its recommendation to the Commission flawed. The additional setback of 9.5 feet (into which a Bay window still protrudes making it debatably a lesser setback, is neither consistent with the existing block character nor reflects an effort to respond to the sense of the motion adopted by the Commission on April 15.

BPA # 2009.07.14.2604 - 136 Ord Street

Time line of communication with Project Sponsor since April 15 PC Hearing.

Summary:

Following the PC hearing on April 15th, DR Filers initiate contact with the Project Sponsor. Project Sponsor delays responding, then declines to converse in any forum but "Mediation through Community Boards". On May 3 the date of May 14 with "Community Boards" is chosen. During the same time Project Sponsor finalizes plans (drawings dated May 3) and shortly submits (sometime prior to May 8) to Commission without notifying DR Filers. Filers learn of newly filed plans from Department after the fact.

April 15: DR Hearing At Planning Commission

Continued to May 27 for re-design by vote of 5-2.

April 19: E-mail from DR filers to project sponsor **to request meeting:**

"..... would like to invite you to meet with us with the hope of working together to find an acceptable solution.....It is our hope that we can work together to find a compromise that will allow you to build something you are happy with that works within the character of the neighborhood. Please let me know if you would be interested in meeting....."

April 24, 2010 – E-mail response from project sponsor to DR filers

"Thanks.....I will have to get back to you next week after taking the opportunity to refocus on this."

April 29, 2010 – Email from DR filers to project sponsor

"Just checking back with you....."

April 29, 2010 – Email from project sponsor to DR filers

"I appreciate your interest in getting together to re-engage in a discussion..... Mediation through the Community Boards remains a venue in which I am interested in pursuing a dialogue around compromise..... If you, Sarah, or Gary have new information that you would like to convey, please do not hesitate to email it to me as soon as possible. I continue to modify the plans in response to the feedback I have been receiving...."

April 29, 2010 – Email from DR filers to project sponsor

> **".....What I suggest is that we have a meeting first - just the 4 of us - at one of our residences and see if it's possible to put everything on the table".**

April 30, 2010 – Email from project sponsor to DR filers

> **"....Please let me know if you are willing to revisit Community Boards....."**

April 30, 2010 – Email from DR filers to project sponsor

> **".....I want to assure you that finding a solution that allows you to design and live in a home you will be happy with while working within the character of a neighborhood we feel should be preserved is our foremost priority.**
> **Our preference is to meet first as neighbors, and if it is uncomfortable for anyone we can contact Community Boards to arrange another meeting....."**

May 2, 2010 – Email from project sponsor to DR filers

> **"I am most comfortable and believe our chances for success are greatest if we resume our work with the Community Boards. ....."**

May 3, 2010 – Email from DR filers to project sponsor

> **"We are all available Friday after 6.00PM ....."**

May 3, 2010 – Email from project sponsor to DR filers

> **"I called Community Boards....."**

May 10, 2010 – Email from DR filers to Planning Department

> **"We are just checking in with you to see if you have any additional information since the April 15th hearing about the proposed plans/variance request for 136 Ord Street."**

May 10, 2010 – Email from Planning Department to DR filers

> **"I did receive plans at the end of last week for the revised position of the new building..... I only have hard copies at this point, but feel free to come by.....When I get the electronic copy of the drawings, I will be posting them via a link to the Planning Commission agenda, which will be up by Monday, May 24.**

May 10, 2010 – Email from DR filers to Planning Department

".....I am concerned that not having access to the plans before you post them on May 24th.....Can soft copies be provided by John this week?"

May 10, 2010 – Email from Planning Department to DR filers

"I will certainly encourage him to do so, but I can't require him to....."

May 10, 2010 – Email from Project Sponsor to DR filers

"Attached you will find the large .pdf file for the revised plans which were submitted last week to meet the deadline for the notification for the variance request."

May 11, 2010 – Email from DR filers to Project Sponsor

"I received a letter from Community Boards confirming our scheduled mediation for Friday May 14th at 6.30pm....."

May 13, 2010 – Email from Project Sponsor to DR filers

".....I'll see the three of you tomorrow at 6:30 pm."

BPA # 2009.07.14.2604 - 136 Ord Street
DR Continuance hearing
Comments from DR filing parties

Revised Plan Comments
The suggested modifications to the proposed structure were do not address the neighbors' concerns and in some cases further exacerbate the problem of positioning a large house on the front of 136 Ord Street.

Our primary concerns continue to be:

- the character of the neighborhood and the importance of preserving the unique nature of the 100 block of Ord Street,
- the size and bulk (footprint and height) of the proposed structure dwarfing adjacent structures, disrupting the pattern of the existing buildings and obstructing the mid-block open space,
- the negative impact to 130 Ord Street's light, air and privacy threatened by the proposed project.

The modifications to the project propose less than 10 feet of additional front "yard" space, most of which is shown to be taken up by a driveway. This does not adequately address the widespread concern over the impact to the neighborhood. Additionally, by merely sliding the same structure back on the lot, and making no structural modifications, the impact to 130 Ord Street is even more acute with additional light being lost and privacy more fully compromised.

The neighbors continue to feel that the most desirable solution is for the construction to happen at the rear of the lot, such as in an "L" shaped configuration suggested by Commissioner Moore on April 15th. If containing the construction to the rear of the lot is not possible, we feel there are alternative and more creative solutions that would address our concerns and allow a smaller building to be placed on the middle of the lot (no further forward than 34').

Design Comments
During the April 15th DR hearing the DR files did not comment on the aesthetics of the proposed construction. We feel that the building is not unattractive, but is not appropriate for the site it is being proposed. We would support Mr. Moroney building this structure at the rear of the lot.

We feel strongly that the overall mass (including height) of the building is not acceptable and will negatively impact our neighborhood if allowed. We would like to see something either exclusively at the back of the lot, or something much smaller towards the front of the lot.

Furthermore, we feel that the illustrations provided by the project sponsor are misleading. The drawings do not show the proposed structure in the context and perspective of the neighborhood which are necessary to understand the overall impact of the proposed design. Furthermore, the illustrations outline the building rather than providing full color images. It is important to remember that the proposed structure is to be clad in stone and wood shingles and will appear very substantial and solid on the lot.

"Before and After" photo generation comments
The "before and after" images provided at the April 15th hearing show photos of the block in its current state vs. what the block would look like with the proposed structure. At the April 15th hearing there was mention that the "before and after" photos looked different from the graphic provided by the project sponsor. The "before and after" images leverage a drawing provided by the project sponsor's architect that depicts the building in its proposed materials – stone and shingle – rather than the outline provided by the project sponsor for the April 15th hearing. Therefore, these images do provide a clear understanding of the tremendous impact the proposed project would have on the 100 block of Ord Street.

SAN FRANCISCO
PLANNING DEPARTMENT

Discretionary Review Analysis

HEARING DATE APRIL 15, 2010

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Date:	April 8, 2010
Case No.:	**2009.1124DDV**
Project Address:	**136 Ord Street**
Permit Application:	2009.07.14.2604
Zoning:	RH-2 (Residential House, Two-Family) 40-X Height and Bulk District
Block/Lot:	2657/004
Project Sponsor:	John Moroney P.O. Box 14092 San Francisco, CA 94114
Staff Contact:	Sophie Hayward – (415) 558-6372 sophie.hayward@sfgov.org
Recommendation:	**Do not take DR and approve project as proposed.**

PROJECT DESCRIPTION

The proposed project is to construct a new single-family home at the front of the subject lot on Ord Street. The proposed new residence would be constructed on a parcel that is currently developed with a single-family home located at the rear of the lot. A shared courtyard will be provided between the two structures that will measure approximately 34' in length. The proposed new dwelling will have a height of approximately 28'6" above grade, with two-stories above a below-grade garage. Parking for both residential units would be provided in the proposed new structure.

Two Discretionary Review Applications (Case No. 2009.1124DD) were filed by one adjacent neighbor and one neighborhood group:

1. Corbett Heights Neighbors, c/o Alison Freeman;
2. Sarah Sobel, adjacent neighbor to the north at 130 Ord Street.

VARIANCE

As proposed, the project requires a Variance from the Front Setback requirement of the Planning Code. Pursuant to Section 132 of the Planning Code, the proposed project is required to maintain a front setback that measures 15' in length. Any bay window that extends into the required front setback must provide a minimum of 7'6" of clearance between the bottom of the bay window and grade. As proposed, the bay window projects into the required front setback and provides only 3' of clearance above natural grade.

SITE DESCRIPTION AND PRESENT USE

The Property at 136 Ord Street is located on the west side of Ord Street, between Corbett Avenue and Market Street, in the Upper Market Neighborhood. The Property is located within an RH-2 (Residential, Two-Family) Zoning District with a 40-X Height and Bulk designation. The Subject Property has

approximately 28′ of street frontage along Ord Street, and measures approximately 136′ in depth west toward Hattie Street

The Subject Property currently contains a one-story-over-garage, single-family dwelling that measures approximately 625 square feet according to records from the City Assessor's Office. The County Assessor's records indicate that the building was constructed in 1900; Spring Valley water records indicate that the building was connected to the City's water system in 1905. Based on a review of historic Sanborn Fire Insurance Survey maps, it appears that the building that currently occupies the lot at 136 Ord Street was moved to its current location after 1905 and prior to 1913, at approximately the same time that Market Street was extended to include the south end of what is now known as Ord Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Subject Property is located in the Upper Market neighborhood, on the west side of Ord Street between Corbett Avenue and Market Street. The subject block consists primarily of one- and two-family residential structures that are one- and two-stories in height above grade. Three of the five houses on the West side of Ord Street at this location – including the subject building, the adjacent property to the north, and a parcel further down the block to the north – have unusually deep front setbacks. Buildings on the opposite side of Ord Street appear to have been constructed after the Market Street extension, and are built up to the front property line.

RH-2 Zoning Districts are devoted to one-family and two-family houses, with the latter commonly consisting of two large flats, one occupied by the owner and the other available for rental. Structures are finely scaled and usually do not exceed 25 feet in width or 40 feet in height. Building styles are often more varied than in single-family areas, but certain streets and tracts are quite uniform. Considerable ground-level open space is available, and it frequently is private for each unit. The districts may have easy access to shopping facilities and transit lines. In some cases, group housing and institutions are found in these areas, although nonresidential uses tend to be quite limited.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	March 27, 2010	March 26, 2010	21 days
Mailed Notice	10 days	April 5, 2010	April 5, 2010	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	1	1
Other neighbors on the block or directly across the street	5	7	12

Neighborhood groups		2	

At the time of this report, Staff has received 26 letters in support of the project as proposed and 51 letters in opposition to the project as currently proposed. In addition to the Corbett Heights Neighbors Association, the Eureka Valley Neighborhood Association is also in opposition to the proposed project.

DR REQUESTOR

Two DR applications were filed, as noted above. The two DR requestors are:

1. Corbett Heights Neighbors, a local neighborhood organization registered as such with the Planning Department;
2. Sarah Sobel, adjacent neighbor to the north at 130 Ord Street.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

As noted above, two applications for Discretionary Review were filed for the proposed project. One application was filed by the adjacent neighbor to the north; the second application was filed by a neighborhood organization by the name of Corbett Heights Neighbors. Please see the attached DR applications, as well as the two amendments to the DR applications, for the full text of each submittal. A summary of the reasons for their requests for Discretionary Review is provided below:

Issue 1: A concern highlighted in the DR application filed by Sarah Sobel is that the proposed project will impact access to light, air, and privacy by adjacent neighbors. Specifically noted in the submitted DR application is access to privacy and light, "as the rear bedroom windows of the new building would face directly into the existing living room of the adjacent property." In addition, the submitted DR application states, "130 Ord currently receives sun exposure that supports a garden of fruit trees and established roses as well as solar path lights."

Response: The subject property and the adjacent property to the north at 130 Ord Street each have a front setback that measures approximately 91' in length. These front setbacks are exceptionally deep. With the proposed new building at the front of the lot, an open space that measures approximately 34' in length will be maintained between the existing structure at the rear of the lot and the new building. While the rear bedroom windows of the new building would face directly into the existing living room of the adjacent building, there would be a distance of 34' between the two structures. This 34' distance should be adequate to protect the privacy of the adjacent structure. As proposed, the placement of the new building on the lot provides the maximum amount of open space between the new building and that of the adjacent neighbor at 130 Ord Street, while still maintaining the 15' front setback required by the Planning Code. As proposed, the placement of the subject building minimizes new shadows on the deep front setback of the adjacent property to the extent possible allowed by the Planning Code.

Page 21 of the Residential Design Guidelines addresses the condition of cottages located at the rear of the lot and states:

> Buildings located in rear yards are non-complying structures under the Planning Code and may themselves have an impact on the rear yard open space. However, when a proposed project is adjacent to a lot that has a cottage used as a dwelling unit at the rear of the lot, modifications

> to the building's design may be necessary to reduce light impacts to that cottage specifically.

The proposed new building has specifically been designed to minimize impacts to the property line windows of the adjacent neighbor to the south (140 Ord Street), and maintains an open space that measures 34' in length between the existing building on the lot and the proposed new structure. Similarly, the proposed new building is located as far forward as possible while maintaining the required 15' front setback in order to minimize impacts to the adjacent property to the north (130 Ord Street). No rear projections, such as a rear deck, have been proposed for the new building in order to minimize impacts such as access to light, air, and privacy by the adjacent building at 130 Ord Street or the existing building at the rear of the subject lot.

Issue 2: Each of the two DR applications filed asserts that the proposed project would have a negative impact on the overall character of the neighborhood, and that it conflicts with Policies 1.2, 1.3, and 1.5 of the Urban Design Element of the General Plan. Specifically, the DR Application filed by the Corbett Heights Neighbors states:

> Policy 1.2 in general speaks to the importance of recognizing existing street patterns and working within them, in this case all the properties in the mid block have large front setbacks. The policy 1.2 specifically addresses that "new and remodeled buildings should maintain the existing façade lines." Policy 1.3 talks about each building and remodel should produce a total effect that characterizes the district. In this case the project would form a visual barrier in the middle of the block dividing a large swath of open space in the mid block. Policy 1.5 of the Urban Design Element of the General Plan also speaks to the importance of conserving and maintaining open space and landscaping "for private properties" to "emphasize the distinctive nature of districts and neighborhoods" which this project should it be built as currently planned would permanently destroy.

Response: The proposed new building on the subject lot is designed in a manner that is consistent with the surrounding neighborhood in terms of its size, scale, cladding, architectural detail, and massing. As noted in the August, 2009 comments on the proposed project by the Planning Department's internal Residential Design Team (RDT), the existing block pattern is mixed with regard to siting and front setback. While the subject property and the adjacent property to the north have strikingly deep front setbacks, the property to the south has a more moderate front set back that measures approximately 34' in length. The property two lots south of the subject property (142 Ord Street) also has a very deep front setback, while the two southernmost lots on the west side of Ord Street at this location, as well as the northernmost lot have more minimal and standard front setbacks. Houses on the east side of Ord Street at this location are constructed to the front property line, without significant front setbacks.

The Department's position is that, as proposed, the new building is consistent with the general pattern of development in the neighborhood, which is characterized by a range of setbacks in both the front and rear. There is neither a defined pattern of front setbacks, nor is there a defined pattern of existing mid-block open space on the subject block. The proposed new building, including its location on the subject lot, respects the varied character of the existing rhythm of front setbacks in the immediate neighborhood.

Issue 3: In the Amendment to the Discretionary Review filed by the adjacent neighbor at 130 Ord Street, additional concerns regarding the impact of new shadows were raised. The submitted statement notes that "during the winter months there will be significant loss of light to both the main structure of my house as well as to my entire property."

Response: As noted above, both the subject property at 136 Ord Street and the adjacent property at 130 Ord Street have unusually deep front setbacks, measuring approximately 91' in length. Any expansion within the buildable area of the subject lot would increase shadow during portions of the day on the adjacent lot to the north. As proposed, the new building is placed as far forward on the subject lot as possible in order to minimize shadow impacts to the adjacent neighbor to the north.

Proposed Alternatives: Each of the two DR filers has offered the following compromise:

- Build no further forward than that of the front building wall of the adjacent property at 140 Ord Street; therefore, providing a front setback that measures approximately 34'. This would require a Variance from the rear yard requirements outlined in Section 134 of the Planning Code. Both of the DR filers have indicated that they would support such a Variance.

PROJECT SPONSOR'S RESPONSE

See attached *Response to Discretionary Review*.
To summarize the project sponsor's response to the DR applications:

- Based on pre-application neighborhood outreach meetings held with neighbors in the spring of 2009, two specific design modifications were made to the original proposal:
  1. The height of the proposed new building was lowered by 7' to a height of 28'6". This was achieved through excavating the garage level, reducing floor-to-ceiling heights, and minimizing the height of the roof parapet;
  2. The removal of a bay window on the north elevation of the proposed new structure, in order to preserve the privacy of the adjacent neighbor to the north and to preserve a 4' side setback at all levels.
- The project sponsor and the two DR filers participated in the mediation process offered by the Community Boards on March 19, 2010. The session did not result in a compromise that was amenable to both sides.

PROJECT ANALYSIS

The Subject Property is a rectangular lot that measures approximately 28' along Ord Street and 136' deep west toward Hattie Street. The existing building located at the rear of the subject lot is a one-story-over-basement, wood frame, flat front, single-family dwelling clad in brick. As noted above, the proposed project is to construct a second single-family home at the front of the subject lot.

As proposed, the new building is summarized below:

- The building is set back 15' from the front property line, and includes a two-story front bay window that extends into the required 15' front setback. Due to the front bay window, the proposed project requires a Variance from the front setback requirement of the Planning Code.
- The proposed new building measures 28'6" above grade, and 42' deep.

- As proposed, the project includes an open courtyard between the new building and the existing building that measures approximately 34' in length.
- As proposed, the exterior of the proposed new building is clad in horizontal wood shingles, with wood, double hung windows.

The Project proposes to add a second dwelling unit to the existing lot which is zoned RH-2. As noted in the attached comments from the Department's Residential Design Team (RDT), the proposed project appears to be consistent and compatible with the surrounding area.

The subject lot and that of the adjacent neighbor to the north, 130 Ord Street, have unusually deep front setbacks, each measuring over 90' in length. Although development at the rear of lots is addressed in general in the Residential Design Guidelines, as noted above, the Guidelines do not give specific or detailed direction regarding development on lots adjacent to those with cottages constructed at the rear. These projects are evaluated on a case-by-case basis by the Residential Design Team in order to evaluate whether the proposal provides an appropriate balance between preserving access to light, air, and privacy of the adjacent parcel with the development rights of the project sponsor and the existing neighborhood character.

As proposed, the new building on the lot will maintain a front setback that measures approximately 15' in length, with a front bay window that extends two additional feet into the front setback for the width of the bay window. With the proposed new construction, a shared courtyard between the new and existing structure will measure approximately 34' in length. The courtyard will also provide 34' of distance between the rear windows of the proposed new building and the front windows of the existing building at the rear of the adjacent lot. As proposed, the placement of the new building would maintain the privacy, as well as access to light and air by the adjacent property, while maintaining a front setback that is consistent with the neighborhood character.

The DR Requestors expresses concern regarding the impact of the proposed project to the overall neighborhood character.

As proposed, the new structure is compatible with the surrounding neighborhood in its size, scale, cladding, and form. The proposed new structure is modest in scale, is clad in wood shingles, and provides a traditional fenestration pattern with wood, double hung windows that are consistent with the neighborhood character.

ENVIRONMENTAL REVIEW

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

RESIDENTIAL DESIGN TEAM REVIEW

The request(s) for Discretionary Review was reviewed by the Department's Residential Design Team (RDT). The Residential Design Team's specific comment on the proposed project read, "DR not exceptional or extraordinary. Development of pattern along block face is mixed [sic]. Proposed

development follows standard pattern of development and is also consistent with the residential design guidelines."

The RDT supports the project as proposed.

Under the Planning Department's proposed DR Reform Policy, this project would be referred to the Planning Commission as this project involves both new construction and an existing cottage at the rear of the lot.

BASIS FOR RECOMMENDATION

The Department believes the project does not have exceptional or extraordinary circumstances for the following reasons:

- The proposed project is consistent with the existing neighborhood character.
- As proposed, the project maintains a 15' front setback as well as sufficient privacy and access to light and air for the rear cottage on the subject property and the rear cottage on the adjacent lot.

RECOMMENDATION:	**Do not take DR and approve project as proposed.**

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

Comments: The visual character of the neighborhood is mixed.

SITE DESIGN (PAGES 11 - 21)

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

Comments: The proposal provides the maximum front setback as required under Section 132 of the Planning Code, and is designed to minimize impacts to light, air, and privacy to the existing cottage located at the rear of the subject lot as well as to the adjacent parcel, which also has a cottage located at the rear of the lot.

BUILDING SCALE AND FORM (PAGES 23 - 30)

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

Comments: The new building's scale and form are compatible with the surrounding neighborhood.

ARCHITECTURAL FEATURES (PAGES 31 - 41)

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

buildings?			
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?			X

Comments: The architectural features for the proposed new building are compatible with the surrounding neighborhood. The proposal calls for shifting the curb cut by 2'6", which will have a minimal impact to existing on-street parking.

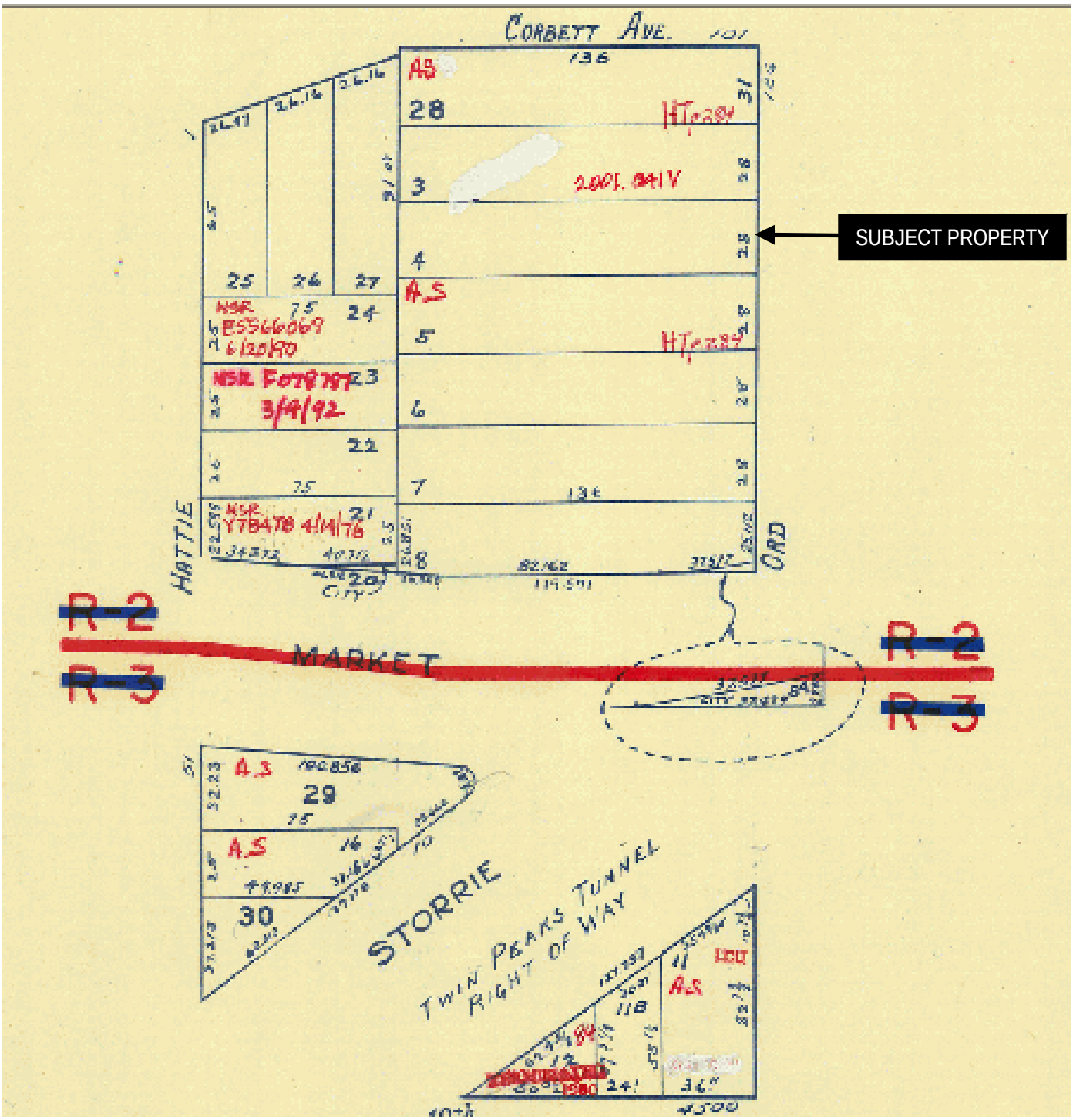
BUILDING DETAILS (PAGES 43 - 48)

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

Comments: As proposed, the details on the new building are compatible with the building as a whole.

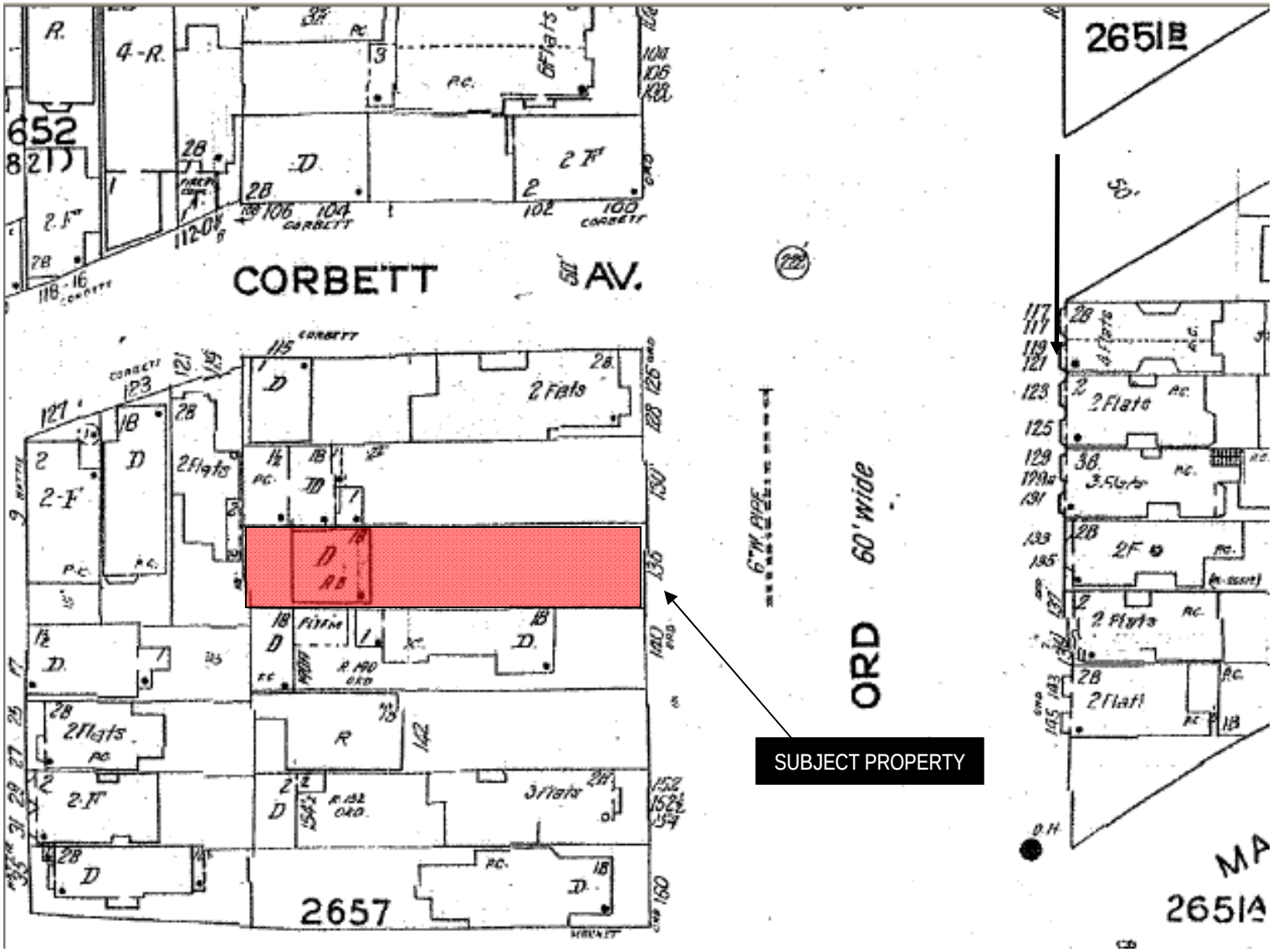
Attachments:
Block Book Map
Sanborn Map
Aerial Photographs
Section 311 Notice
DR Applications
Amended DR Application
Response to DR Application
Correspondence
Reduced Plans
Rendering

Parcel Map



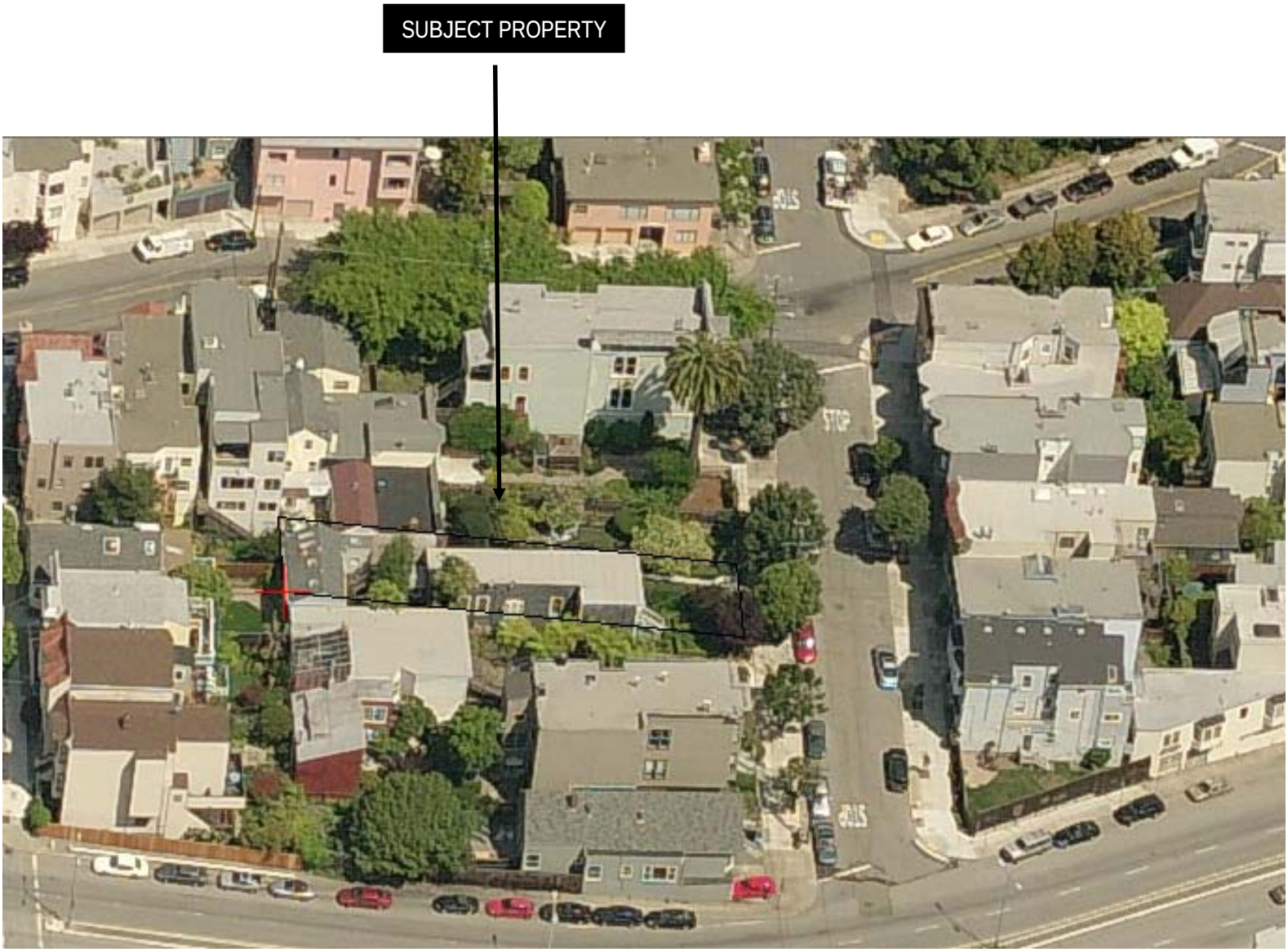
Discretionary Review Hearing
Case Number 2009.1124DV
136 Ord Street

Sanborn Map*



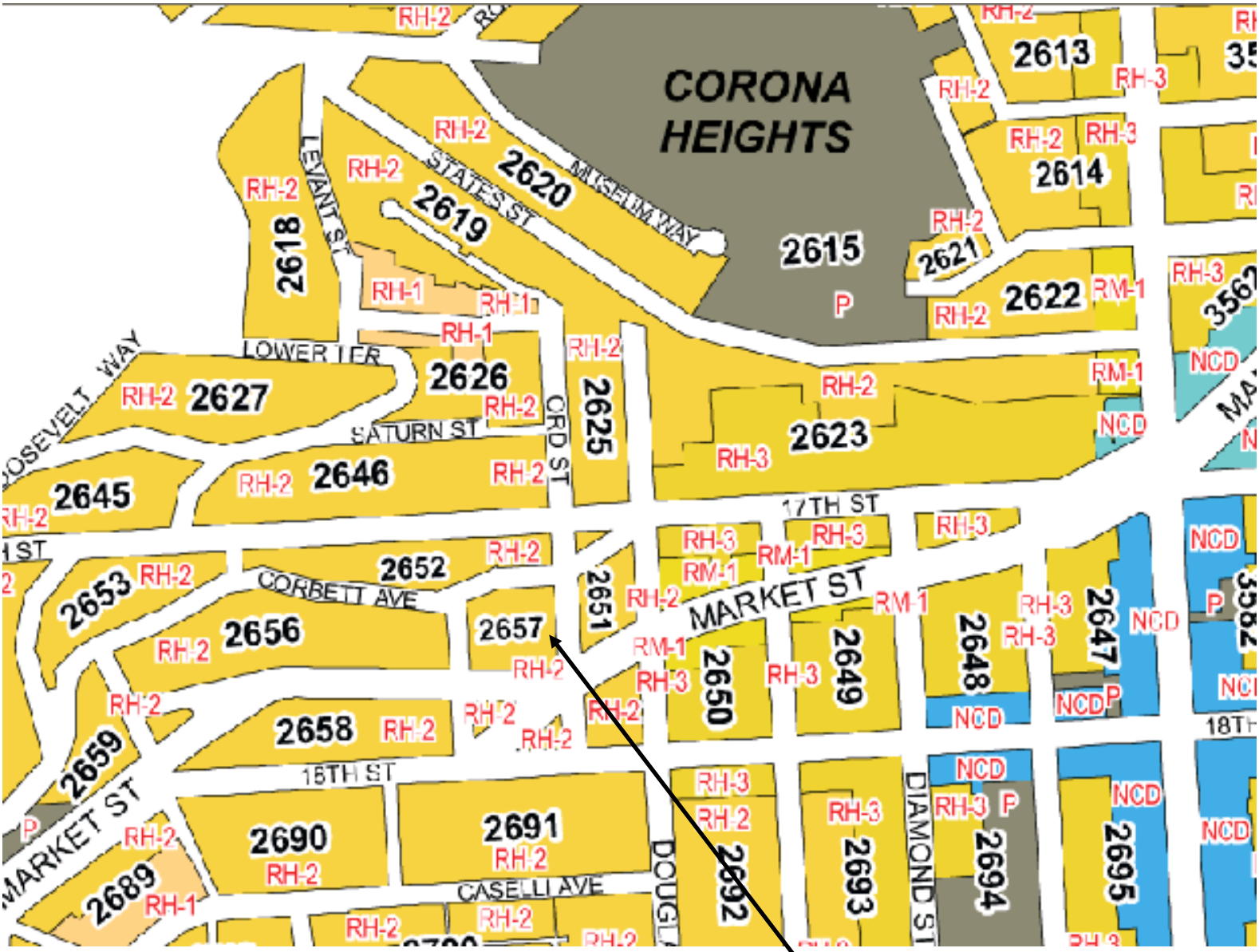
**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*

Aerial Photo



Aerial Photo

Zoning Map



ZONING DISTRICTS INCLUDED IN THIS MAP:

RH-1, RH-1(S), RH-1(D), RH-2, RH-3	SLR, SLI
RM-1, RM-2, RM-3, RM-4	C-3-S, C-3-G
UMU, RTO-M, RED, RC-3, RC-4	PDR-1-G
NC-1, NC-2, NC-3, NCD	P
NCT, NCT-3	

Discretionary Review Hearing
Case Number 2009.1124DV
136 Ord Street

Site Photo


136-142 Ord St, San Francisco, CA 94114, USA (approx).
136 Ord St
© 2009 MapJack

APPLICATION REQUESTING DISCRETIONARY REVIEW ("D.R.")

This application is for projects where there are exceptional and extraordinary circumstances that justify further consideration, even though the project already meets requirements of the Planning Code, City General Plan and Priority Policies of the Planning Code.

D.R. Applicant's Name Sarah Sobel Telephone No: (415) 829-7801

D.R. Applicant's Address 130 Ord street
Number & Street (Apt. #)
San Francisco 94114
City Zip Code

D.R. Applicant's telephone number (for Planning Department to contact): 415 829-7801 (home) 510 816-8982 (cell)
If you are acting as the agent for another person(s) in making this request please indicate the name and address of that person(s) (if applicable):

Name N/A Telephone No:

Address
Number & Street (Apt. #)
City Zip Code

Address of the property that you are requesting the Commission consider under the Discretionary Review: 136 Ord Street

Name and phone number of the property owner who is doing the project on which you are requesting D.R.: John Moroney (415) 987-1754

Building Permit Application Number of the project for which you are requesting D.R.: 2009.07.14.2604

Where is your property located in relation to the permit applicant's property?
Directly adjacent to the North

A. ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

Citizens should make very effort to resolve disputes before requesting D.R. Listed below are a variety of ways and resources to help this happen.

1. Have you discussed this project with the permit applicant? (YES G) NO G

2. Did you discuss the project with the Planning Department permit review planner? (YES G) NO G

3. Did you participate in outside mediation on this case? Community Board G (Other G) NO G

Actively working to schedule mediation with Bevan Dufty and Boe Hayward

09.1124D

Please write (in ink) or type your answers on this form. Please feel free to attach additional sheets to this form to continue with any additional information that does not fit on this form.

CHECKLIST FOR APPLICANT:

Indicate which of the following are included with this Application:

REQUIRED:

- G Check made payable to Planning Department (see current fee schedule).
- G Address list for nearby property owners, in label format, plus photocopy of labels.
- G Letter of authorization for representative/agent of D.R. applicant (if applicable).
- G Photocopy of this completed application.

OPTIONAL:

- G Photographs that illustrate your concerns.
- G Covenants or Deed Restrictions.
- G Other Items (specify).

File this objection in person at the Planning Information Center. If you have **questions** about this form, please contact Information Center Staff from 8 a.m. to 5 p.m., Monday to Friday.

Plan to attend the Planning Commission public hearing which must be scheduled after the close of the public notification period for the permit.

Signed _____ 11/10/09
Applicant Date

N:\applicat\drapp.doc

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Additional Contents

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Proposed project address: 136 Ord Street, San Francisco, CA 94114, BPA # 2009/07/14/6045

Attachment A

Answer to question A.4

On March 10th, 2009 the applicant initiated discussions with an email indicating that while the original plan was to remodel the existing house, at the back of the lot, that the revised plan was to construct a new unit on the front of the lot:

> In initially pursuing a plan to lift the existing structure and update the foundation to allow 9 foot ceilings on the garden level, I learned this would trigger variance proceedings because the existing envelope of the building would be breached. These can be slow and costly. Instead, I would like to build a new structure at the front of the lot and address improvements to the existing structure within the envelope. (Attachment B)

On March 14th, 2009 Jason and Sarah met with John, the applicant, to express concern for the design plan and to request reconsideration of the original plan. At this time the applicant expressed that the design at the front of the lot was largely motivated by the desire to avoid a variance hearing. Jason and Sarah offered to enlist the support of the neighborhood for a variance that would allow a significant remodel of the rear house and asked to engage in further conversation about the process and how to help reach a compromise.

On April 13, 2009 Sarah and Jason received notification from the applicant that there would be a community outreach meeting to review the current plans for the new unit on the front of the lot. Upon contacting the project sponsor to express surprise that the process had moved forward without response to the March 14th meeting, the applicant once again expressed that the new design was motivated by a desire to avoid a variance hearing. (Attachment C)

The community outreach meeting was held on April 23rd, 2009 with abutting neighbors to discuss the proposed project. During the meeting there was overwhelming consensus that the neighborhood would support an alternate plan that involved the remodeling of the existing unit rather than a new structure at the front of the lot. Neighbors expressed concern about the height and bulk of the proposed building as well as the loss of green space, light, air and privacy.

On April 27th, 2009 Sarah had a phone conversation with the applicant in which he expressed his intent to work with the architect to address some of the neighbors' concerns.

Applicant held another neighborhood meeting on Tuesday September 29th, 2009 with neighbors to discuss the revised project proposal. The plans discussed at this time had been modified to reduce the height of the building and eliminate one overhang on the north side of the property. Again, the overwhelming consensus was that the neighborhood would support and prefer an application for a variance allowing applicant to re-build the current structure on the lot to meet his needs rather than proceed with the revised plans. Project sponsor was unwilling to consider this option or any of the proposed options below:

- Building no further forward than the neighboring facade lines (29 ft back from side walk)
- Reducing height of proposed structure by flipping proposed structure around with existing structure to keep front building lower
- Any plan requiring a variance hearing

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---------- Forwarded message ----------
From: **John F. Moroney** <jfmoroney@usa.net>
Date: Tue, Mar 10, 2009 at 11:44 AM
Subject: 136 Ord Street Neighbor
To: Sarah Linker Sobel <sarah.linker@gmail.com>

Sarah,

I hope all is well next door. I wanted to take the opportunity to bring you up to speed on developments on my side of the fence.

In January, the San Francisco Planning Department determined the existing structure at 136 Ord is not historically significant. This enables me
to move forward in the process of planning improvements, and while the project will continue to be held to high regulatory standards, historic preservation
will not be among the considerations for the existing circa pre-1914 structure.

As I continue the slow process of working with my architect to develop plans, I would like to sit down with you and Jason to discuss in the broadest terms what we
would like to submit to the Planning Department. I have sketches which will help tell this story.

In initially pursuing a plan to lift the existing structure and update the foundation to allow 9 foot ceilings on the garden level, I learned this would trigger variance proceedings because the existing envelope of the building would be breached. These can be slow and costly. Instead, I would like to build a new structure at the front of the lot and address improvements to the existing structure within the envelope.

The planned new structure would be two stories above a garage and conform to setback requirements which include 15 ft from the front lot line and 25% of lot depth (=34'6") between the rear of the planned structure and the face of the existing structure. It would also fall well within the 40 ft height limit for buildings in our district and given the 9 ft slope of the lot down to the street, would likely be approximately the same height as the existing structure since it would be situated towards the front of the lot.

For the existing building, I would like to remove the brick cladding and replace the exterior finish with brown shingles trimmed in wood painted a dark shade. The entry stairs would be removed and replaced with a door to permit entry at garden level. An example in the neighborhood of my architect's work can be seen at 39-41 Ord Street:
http://www.socketsite.com/archives/2007/10/3941_ord_street_before_and_after_and_on_the_market_1.html

Before plans can be submitted, I am required to call a "Community Outreach Meeting" with abutting neighbors to respond to questions and concerns about the project. I am not at that point yet, and thought informally sharing the sketches would be a good first step. I met with Bob to the south at 138 Ord last week. I am leaving for two back-to-back work trips starting Sunday, but could meet with you and Jason either before I depart or after I return on the 29th.

I have surveyors coming to measure and stake the lot this week. This is a preliminary, data-gathering step required for any project of this sort, and will help with plan development.

My living situation next door is very humble, but I would be happy to have you and Jason over for wine, cheese, and conversation on this topic.

I hope this finds you well.

Thanks,

John

415-987-1754

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The plans currently being prepared represent further development of the sketches I shared March 14.

I am around this weekend if you would like to meet face to face to discuss further.

Thanks,

John

------ Original Message ------
Received: Mon, 13 Apr 2009 08:22:54 PM PDT
From: Jason Sobel <jsobel@gmail.com>
To: "John F. Moroney" <jfmoroney@usa.net>
Cc: Sarah Linker Sobel <sarah.linker@gmail.com>
Subject: Re: 136 Ord Street Neighbor

Hi John-
We got your notice of the outreach meeting today and wanted to check in since we haven't heard from you. As I said we looked in to how variance works and were told it is not that intense a procedure, especially if their is neighbor support, and we'd be happy to do so to allow your existing structure to expand.
Further, we're curious if you're going forward with the plans you presented to us or if they have been changed in any way?

thanks!
-jason

09.1124D

April 29, 2009

Dear Neighbor:

Thank you for attending the Community Outreach Meeting on April 23. While the conversation was not always an easy one, I appreciate the opportunity to share my plans and to hear your concerns.

Change understandably arouses concern. I hope that integration into the neighborhood and living comfortably here for a very long time is possible at the conclusion of this process.

I have always had in mind building on the front of the lot, and this has been conveyed to neighbors I have had the opportunity to meet before April 23rd. A particularly memorable conversation on the topic of building at the front of the lot took place in October 2008 with one of the neighbors in attendance. At that time, the specific concept of a four foot corridor (from front of lot to rear, around a structure) was discussed without the alarm expressed on April 23rd. The approach of building a larger structure at the front of the lot and not amplifying the footprint and profile of the existing structure was adopted in January 2009 after careful consideration of alternatives.

I heard three main areas of concern expressed April 23rd to which I would like to respond:

1. Specific concerns were expressed by the owner of the adjacent lot to the south with regard to impact of new construction in close proximity to the foundation of his structure and loss of a 16 ½" x 32" non-conforming jalousie window to a bathroom.

2. General concerns about light, air, and views and subsequent impact on quality of life and property value were voiced most strongly by owners and occupants of both the adjacent and non-abutting lots to the north.

3. General concerns about loss of privately maintained green space and alteration of streetscape were expressed by neighbors to the north and across the street.

Impacts on the south neighbor's foundation and property line window were discussed with the owner on March 4. I left that conversation confident that reasonable accommodations could be made, the specifics of which would need to be negotiated after a plan was approved and more specificity about precisely what would be impacted and how was clearer. The solution to loss of the window that seemed agreeable on March 4 was that I would bear the expense of sealing and tastefully finishing the interior and exterior surfaces of the window fenestration and install an exhaust fan in the associated bathroom. The design shared April 23 consequently shows no light well.

I view satisfactorily and simultaneously addressing concerns about light, air, and views and maintenance of green space to be incredibly challenging without triggering a variance hearing. The presented plan occupies the footprint allowed by the Planning Department of the City and County of San Francisco. Pushing the proposed footprint westward would violate the 25%

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John Moroney
136 Ord Street
San Francisco, CA

Dear John:

We appreciated the opportunity to attend the "Pre Application Community Outreach Meeting" you held Thursday April 23rd.

The meeting was attended by a sizable group, and it is our understanding that there were others who are interested but who could not or did not attend for various reasons, including time conflicts. We also realize that there may be others who are not yet aware of your proposal and may have concerns.

We can not speak for others at this time, but thought it would be a good idea to state what we think were key points of the discussion.

These, for us, seem like the central points of the meeting:

1. No one appeared to oppose your desire to improve the quality of structure on your lot.

2. As we understand it, you propose to construct a second structure at the front of your lot, providing the minimum setback required, approaching the maximum height allowed and --we are less certain about this--with the maximum footprint allowed. Work is also planned on the existing structure which is located on the rear lot line, but what is specifically intended for the rear building is not clear to us, except for your statements that it would be within what is allowed without variance.

3. Prior to the meeting and your recent communications to us, we had understood that your desire was to expand the rear building.

In the meeting you and your architect stated that you no longer proposed to expand the rear building because to do so would require a variance, and you instead propose a new building at the front of the lot. You also said that our earlier understanding was not correct; that you always intended to build something at the front of the lot.

4. You emphasized your concern over the variance process.

5. We pointed out that we were potentially concerned about the following:

- Your house is one of four contiguous lots which is set back at the rear of its lot. These four properties with deep setbacks together create a special character in the 100 block of Ord Street and compliment the special character of this neighborhood.

By proposing your new construction so far to the front of you lot, with only the minimum required setback, we feel that you do not appear to place value on this aspect of our neighborhood.

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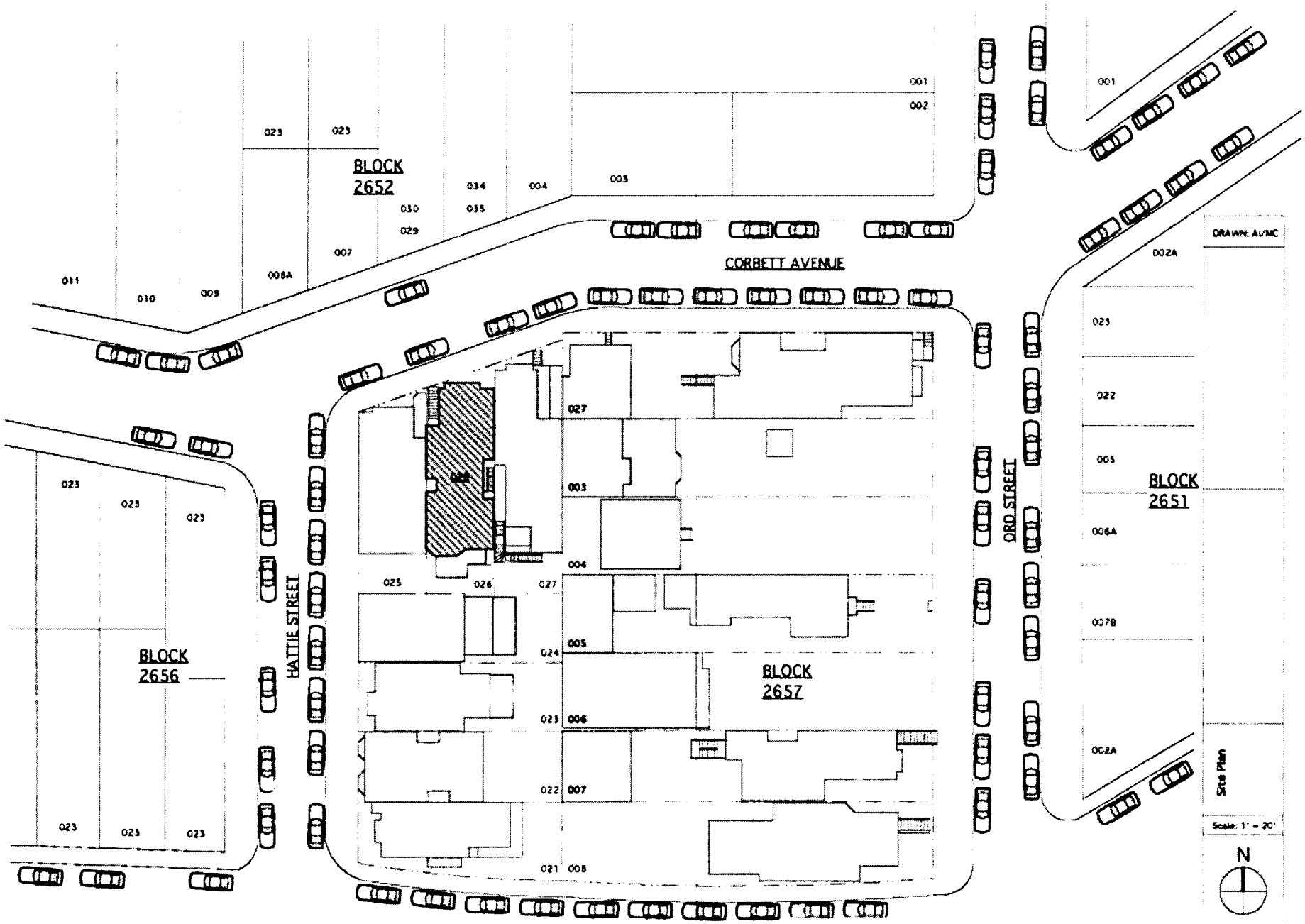
BLOCK
2652
CORBETT AVENUE
HATTIE STREET
ORD STREET
BLOCK
2656
BLOCK
2657
BLOCK
2651
MARKET STREET
DRAWN: AL/MC
Site Plan
Scale: 1" = 20'
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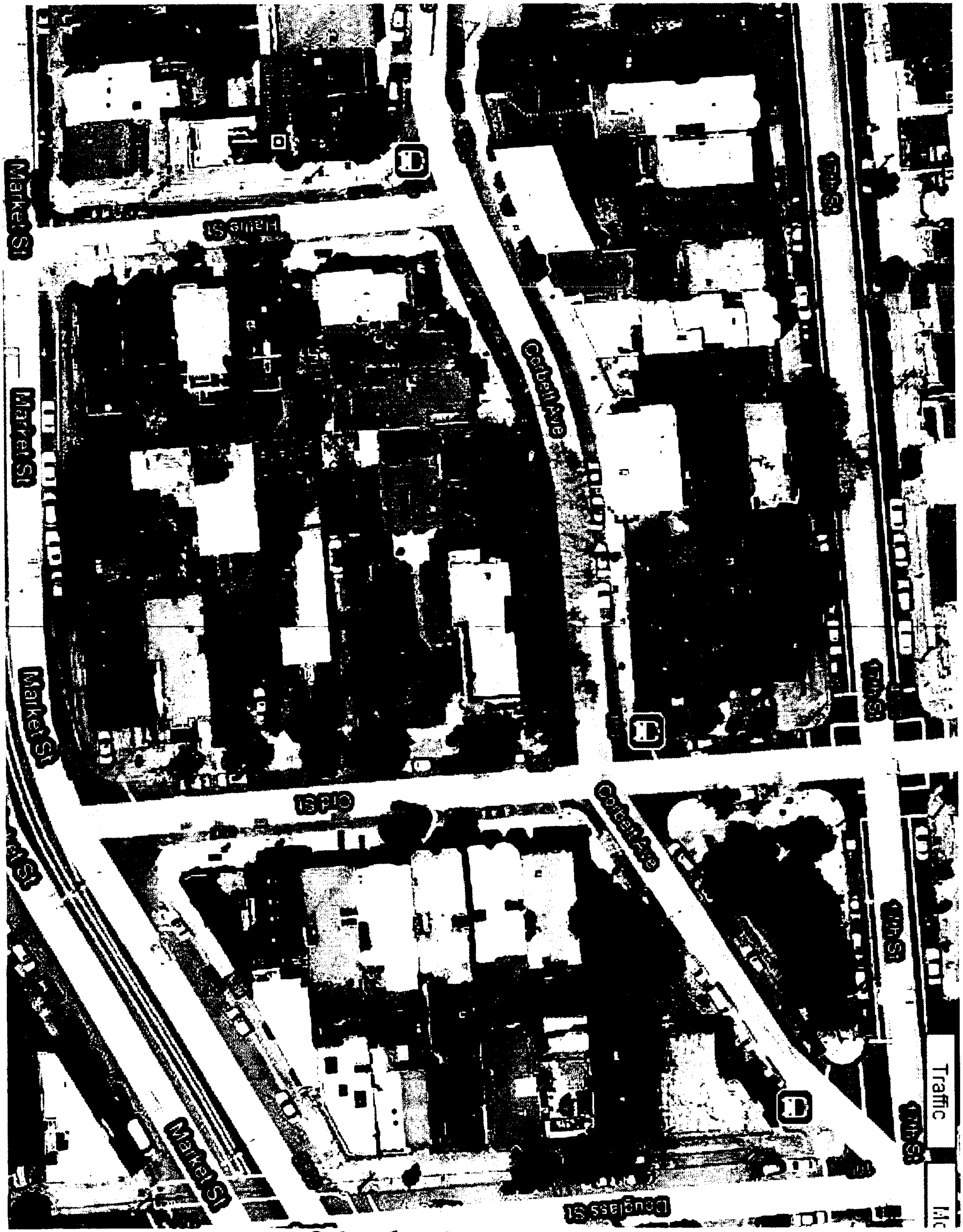
Market St
Hattie St
17th St
Corbett Ave
Market St
Market St
17th St
Ord St
Corbett Ave
17th St
Market St
Douglass St
17th St
Traffic

09.1124D

Before and After Photos

136 Ord Street from multiple angles

- Before photos show story poles of proposed construction.

- After photos are representations based on existing story poles.
  - After representations do not depict extensions beyond the frame of the story poles such as bay windows, porches, stairs, chimneys and pergolas

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From inside 130 Ord

Please note – Light exposure comes from the South (right side of photo). The proposed building would block all light to the garden.

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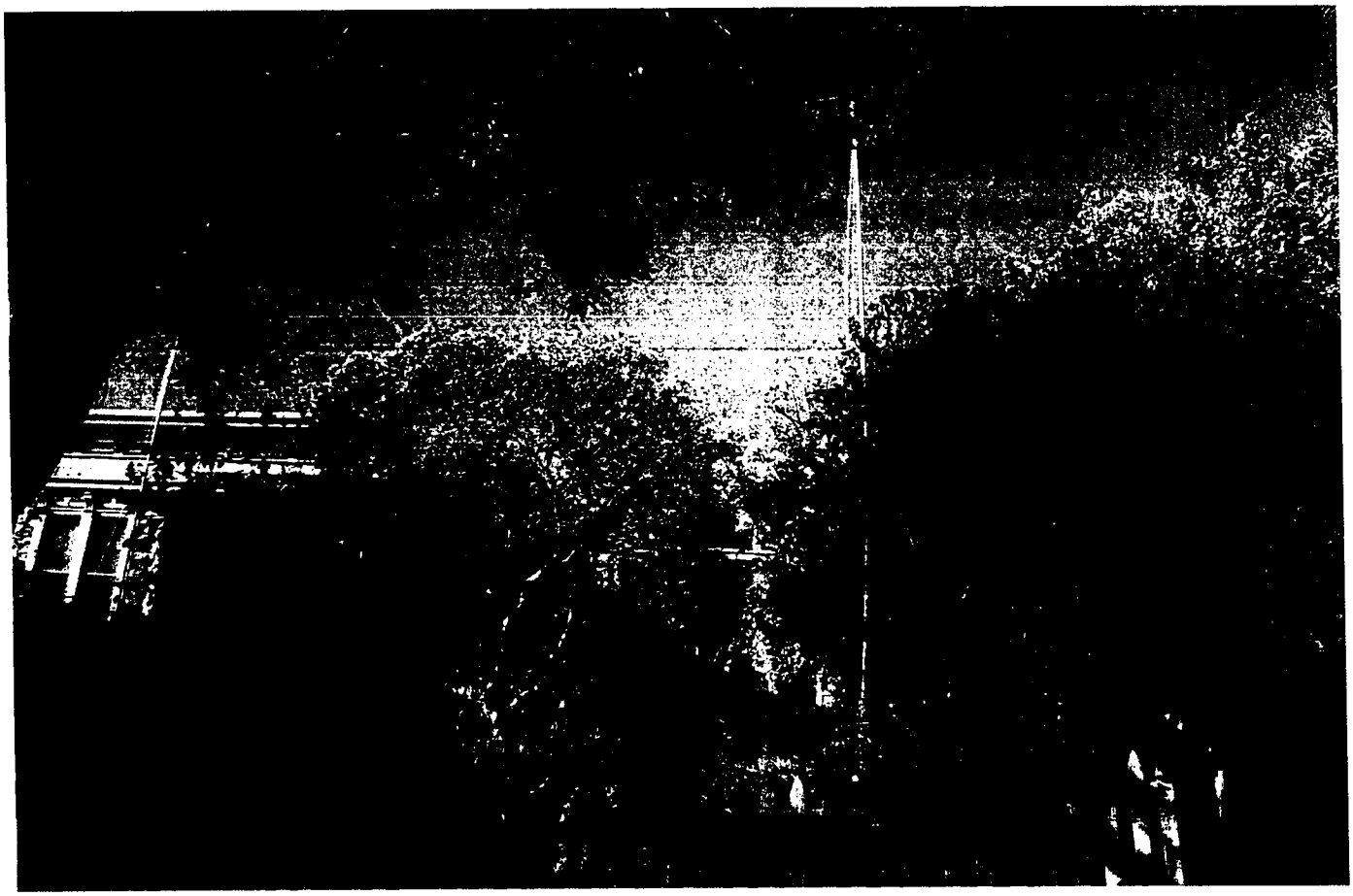
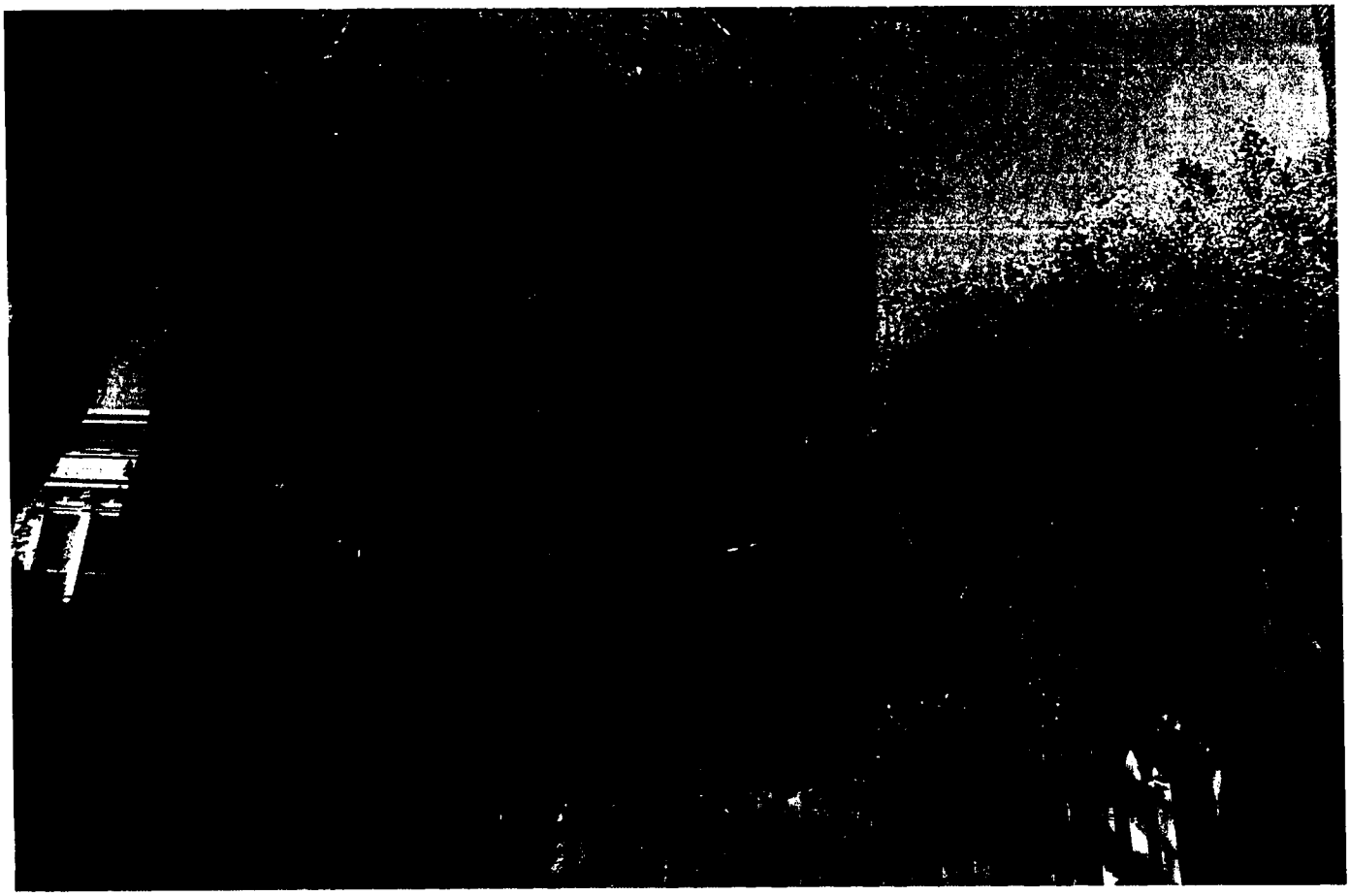


From sidewalk directly in front of 136 Ord



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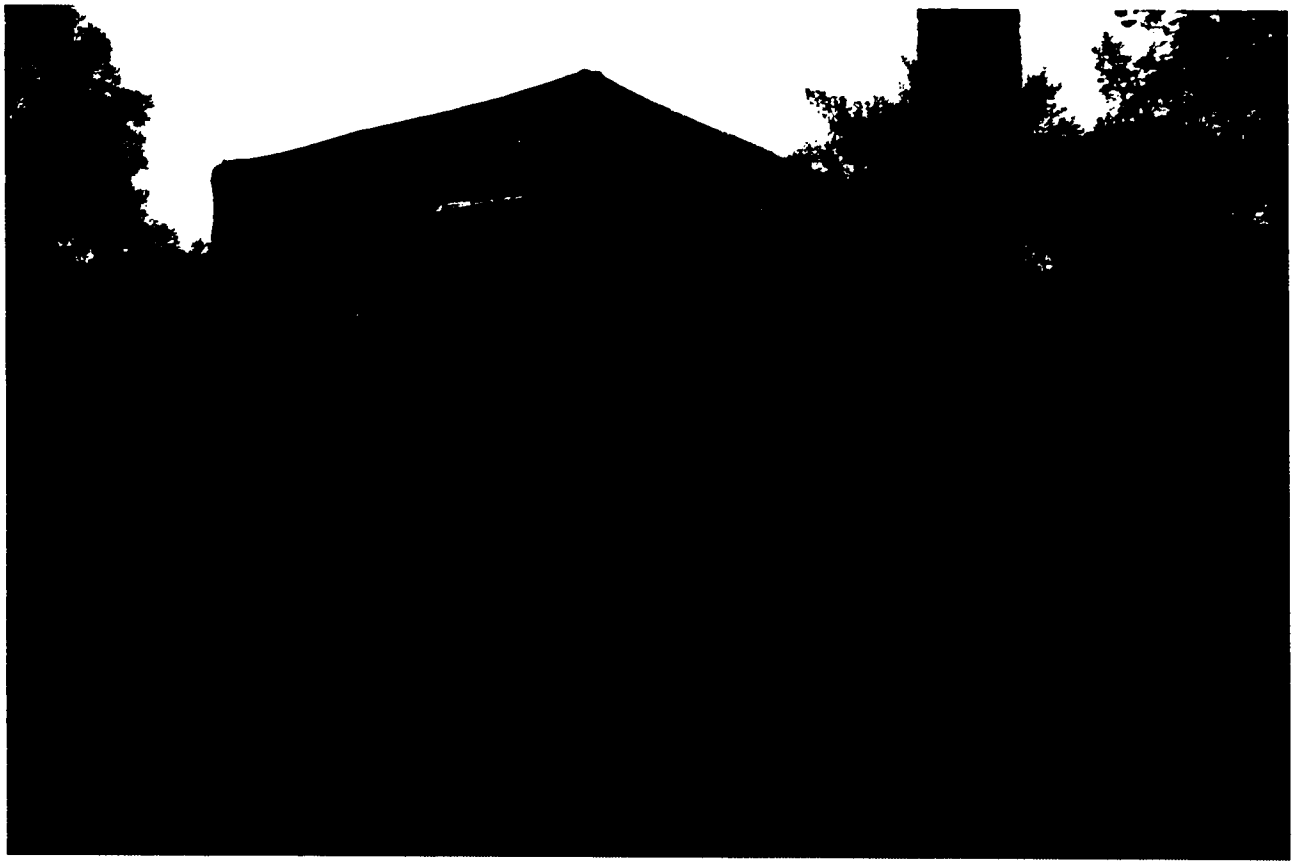
Looking across Ord towards Twin Peaks



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Janice T. Low
223 Corbett Ave.
San Francisco, CA 94114

November, 10 2009

RE: 136 Ord St

Dear Planning Commission,

I have been a resident of this neighborhood for over 20 years, on Corbett, near Ord Street and have seen the plans for the project at 136 Ord. I would like to express my opposition to the plans as they currently exist. The 100 block of Ord Street is unique in San Francisco and I feel that the character of the neighborhood, with set-back lots and front yard gardens, is a special resource and needs to be protected. I would like to see different plans for 136 Ord to help preserve the look and feel of the neighboring properties.

Signed,

Janice T. Low

Janice Low
223 Corbett Ave.
San Francisco, CA 94114

09.1124D

Kathleen Flanders

To: The San Francisco Planning Commission

Re: 136 Ord Street, 94114

We are expressing our opposition to the present plans for the project at 136 Ord Street, 94114. This block is wonderful, unique and a San Francisco treasure that needs to be preserved.

We are sixty five year homeowners and neighborhood residents. We have enjoyed their front yard open spaces and gardens many years and can't believe that this project can be allowed to go forward as planned.

Please think — what if a bulldozer was allowed to "take out" the "Painted Ladies" on Steiner. Something should not be destroyed!

Sincerely, Mr. & M[illegible] Flanders

1328 Clayton Street, San Francisco, CA 94114-1813

09.1124D

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197 Corbett Avenue
San Francisco, CA 94114-1870
November 10, 2009

RE: 134 or 136 Ord Street, San Francisco

Dear Planning Commission:

As a member of the neighborhood organization, Corbett Heights Neighbors, I have seen the plans for the project at 136 Ord Street and have participated in some of the discussion with the project sponsor and architect.

As a thirty-two year resident in the neighborhood, we recall the first time I saw the block of Ord Street where this project is located, and was amazed to find it, as it is unique in the city. Four cottages sit 30' to 90' back on the lot, leaving a wonderful expanse of 112' of open garden space. The current plan would disrupt this setting, and open the area even more to the same sort of building. The code seems to have forgotten to address houses that sit on the back of the lot. Currently these types of houses are being bought throughout the city to take advantage of building two houses on one lot. In some cases, the lot is then split (e.g., the recent development of the Victorian on Douglas which now fronts on Ord while an entirely new building in built in front of the Douglas house. Another is proposed on the lot on 17th Street that shares a lot that goes through to 150 Corbett Avenue. And another is proposed at 1344 Clayton and Corbett.

The plans themselves are quite nicely developed. It is a very attractive building. However, it doesn't fit in that location. It will block all the light of the house uphill side, a house that sits 90' back. It is proposed that this house be situated only 15' front the street. Ideally, if the owner could build this house on the current

November 16, 2009

RE: 136 Ord St

Dear Planning Commission,

I am a native San Franciscan, having grown up in this neighborhood. While there will always be some changes over the years, I have seen what has happened on other streets – complete disregard for the uniqueness of the neighborhood and projects approved that are not in keeping with the character of the neighborhood, or the specific street. This is what neighbors fear may happen to Ord Street, IF the present plans for 136 Ord are approved as they now stand. Can't some compromise be made so that it will not ruin the character and uniqueness of this "special" block? After all, it is the Ord Streets of our great City which make it so special. Once they are "over-built," it can't be reversed.

Thank you for taking these remarks under consideration when you review this project.

Nancy Peoples
32 Mars Street

09.1124D

Gary Weiss
78 Mars Street
San Francisco, CA 94114

Daniel & Alison Freeman
145 Ord Street
San Francisco, CA 94114

Nancy Peoples
32 Mars Street
San Francisco, CA 94114

Mark Ryser
135 Ord Street
San Francisco, CA 94114

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San Francisco, CA 94114

Adam (occupant)
135A Ord Street
San Francisco, CA 94114

Albert (occupant)
137 Ord Street
San Francisco, CA 94114

Terrance Giovanni
293 Lafayette Avenue
Geneva, NY 14456

Kris Konietzko
139 Ord Street
San Francisco, CA 94114

Janice Low
223 Corbett Avenue
San Francisco, CA 94114

Kathleen Flanders
1328 Clayton Street
San Francisco, CA 94114

09.1124D

70

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1328 Clayton Street
San Francisco, CA 94114

C9.1124D

2 December 2009

To: Sophie Hayward, City Planning Department

From: Corbett Heights Neighbors

Re: DR filing on project at 136 Ord street, San Francisco, CA 94114
BPA # 2009.0714.2604

Attached is a supplement to our DR filing which was submitted to the Department earlier today.

This supplemental material consists of:

1) The e-mail and attachment sent by Mark Ryser to you on November 17 stating, in pertinent part, that it appeared that the proposed project was not code conforming in all regards.

2) His e-mail of November 23 in which he again stated our belief that the 311 notice was sent prematurely due to the fact the project as proposed in the notice is not fully code conforming and explicitly asking the Department re-review the plans and indicate whether this is correct.

We have had no reply.

We maintain that the 311 notice has been prematurely sent and needs to be rescinded until the project is fully code conforming. We will continue to request the Department re-review the plans *prior to any DR hearing* to determine whether this is the case.

In the interim, we want to ensure that the questions and points raised by Mark Ryser his memo and related e-mails are a formal part of our DR request.

Thank you.

Allison Freeman
Secretary
Corbett Heights Neighbors

09.1124D

Main Identity

From: <mrmpr@earthlink.net>
To: "Sophie Hayward" <Sophie.Hayward@sfgov.org>
Cc: "Gary Weiss" <gary@ixia.com>; "Judith Hoyem" <jhoyem@sbcglobal.net>; "Sarah Linker Sobel" <sarah.linker@gmail.com>; "Delvin Washington" <Delvin.Washington@sfgov.org>; "Kelley Amdur" <Kelley.Amdur@sfgov.org>; "John Moroney" <jfmoroney@gmail.com>
Sent: Monday, November 23, 2009 2:32 PM
Attach: 136 ORD STREET-311 Plan Comments.doc
Subject: Re: 136 Ord Street- 311 Notice

Hello Sophie:

Thank you for your reply.

The reason I have raised these questions and in some cases asked for additional drawings is because I felt the Department needed them to do a complete check of the proposed project.

It is my understanding that projects need to be verified as meeting the quantitative standards of the Planning Code before the 311 noitice is mailed. I don't believe these proposed plans do for reasons raised in my earlier e-mail.

As I understand it, if the project is not Code complying, the Section 311 notice should be rescinded and re mailed at a later time once it is. It should not be necessary to file a DR application at this time in order to extract information necessary to establish whether the project as proposed meets the quantitative requirements of the Planning Code nor, surely, if in fact aspects of the plans clearly appear to violate requirements.

It is my understanding that the DR hearing is primarily for the purpose of addressing other, non quantitative, aspects.

Thanks for your attention to these issues.

Mark Ryser

proposed project address: 136 ORD Street
San Francisco
CA 94114

BPA # 2009.07.14.2604

09.1124D

12/2/2009

Main Identity

From: <mrmpr@earthlink.net>
To: <sophie.hayward@sfgov.org>
Cc: "Sarah Linker Sobel" <sarah.linker@gmail.com>; "Gary Weiss" <gary@ixia.com>; "Judith Hoyem" <jhoyem@sbcglobal.net>
Sent: Tuesday, November 17, 2009 5:41 PM
Attach: 136 ORD STREET-311 Plan Comments.doc
Subject: 136 Ord Street- 311 Notice

Hello Sophie:

Attached are some comments, questions and requests for additional information which have arisen from a review of the drawings included with the 311 notice recently sent me and other neighbors.

We are requesting a written response from the Department at its earliest convenience.

Thank you.

Mark Ryser

proposed project address: 136 ORD street
san francisco
CA 94114

BPA# 2009.0714.2604

09.1124D

12/2/2009

Page 3 of 6

136 ORD STREET, BPA # 2009/07/14/~~6045~~ 2604

Plan Comments and Revisions Required to Meet the Quantitative Standards of the SF Planning Code:

15-FOOT FRONT SETBACK:

1. EXCAVATED FRONT SETBACK AND DRIVEWAY:

The 15-foot front setback is being excavated to accommodate a driveway for the garage, entry steps to the front house, and a passageway to the rear house. It is not clear how much of the front setback area is being excavated. Please provide graphic documentation to illustrate the extent of the excavation and retaining walls for the excavation; for example, provide two cross sections across the site from and including 138-140 Ord to and including 130 Ord Street. The first section should be 7.5-feet into the lot from the street; the second section should be 15-feet in from the street at the front façade of the front structure. These two sections will illustrate where the retaining walls or retaining berms are located for the driveway and the entry stairs into the front structure. The submitted drawings do not clearly illustrate this information.

Also, Drawing A-6 indicates dotted lines but it is not clear what these are intended to represent. Footings, driveway, and/or sunken garden?

In addition, please provide longitudinal sections through the front setback. Drawings A-7 and A-9 which are elevations show a driveway slope, but the location of this drawn slopeis not clear. Is it at the centerline of the driveway or the centerline of the site? It would be clearer if the project sponsor provided two longitudinal sections through the 15-foot setback to document the proposed slope of the site from the street to the front façade of the front structure. One section should be through the centerline of the garage, the other section should be through the centerline of the entry stairs.

2. BAY WINDOW:

It is our understanding that Bay windows projecting into the front setback are required to have 7.5 foot clearance under them measured from ***existing not excavated grade***. The bay window at the first level of occupancy (labeled 2nd floor, shown in elevation on Sheet A-7 and A-9) does not meet this requirement. This is particularly egregious because the bay window is only a couple of feet off-the existing grade and only a few feet away from the property line of 138-140 Ord Street. The bay window at the 3rd floor is permitted, but the 2nd floor bay should be removed. Allowing the bay at that level appears to be in violation of the Planning Code and effectively reduces the required 15-foot front setback.

3. FENCE:

It is our understanding that fences within the front setback are limited by Code Section 136 to 3-feet in height unless they are 75% open to perpendicular view. The proposed fence is 5-feet in height. It is not 75% open to perpendicular view. It is also our understanding that fences with solid and open portions as indicated are not allowed by Code. Please require project sponsor to revise the fence design to meet this requirement and remove the solid portions.

PROJECTING ROOF EAVES:

1. EAVES:

Code Section 136 describes the distance a roof eave can project. The distance is a maximum of 3-feet, but only a 1-foot projection is allowed over a bay window. The various plans and elevations filed with the 311 notifciation are inconsistent in how they portray the depth of the eaves. As the plans and elevations are not to scale, the drawings are even more confusing.

For example, Sheet A-5, proposed floor plans, shows the eaves as being 2-feet in depth. However, the drawing is not to scale and visually they appear to be deeper than 2-feet. The eave is portrayed as over hanging the bay window by a distance greater than the 1-foot permitted by Code. The drawing needs to be corrected and appropriately dimensioned.

On sheets A-7 and A-9, the elevations, the eaves are not drawn to scale and they appear to be overhanging the building greater than the maximum 3-feet distance allowed by Code. The overhangs of the eaves as drawn in the elevations are inconsistent with how they are portrayed in the plans on Sheet A-5.

REAR YARD:

1. DOCUMENT ALL PERMITTED OBSTRUCTIONS:

Sheet A-3 illustrates the rear yard, 25% of the lot depth or 34-feet. All the projections into the rear yard are not indicated on the proposed plot plan, Sheet A-3.

Please indicate the entry stairs to the rear structure (shown in existing conditions Sheet A-2) on the plot plan. In addition, illustrate the two bay windows on the front structure that project into the rear yard.

What obstructions are permitted into the 25% rear yard located between two structures, if any? Is the proposed trellis permitted under Section 136? Are the bay windows permitted? The deck, if it is no higher than 3-feet above grade?

PARKING - REAR STRUCTURE:

It is our understanding that the Code requires that parking once provided cannot be removed. The independently accessible parking space in the rear structure is being replaced by a tandem parking space (Code Section 154 a5) in the front structure.

136 ORD Street, San Francisco, CA 94114
BPA # 2009.07.14.2604

1. NSR:

Will a Notice of Special Restrictions be recorded to document this parking transfer so it is not lost in future land transactions, subdivisions, or condominium conversions?

2. BUILDING PERMIT:

The Department should require as a condition of approval of the building permit application that a separate building permit be filed for the rear structure to document that the former parking space is being integrated into the rear structure as living space, to prevent it from being converted without benefit of permit into an illegal third dwelling unit on the site.

09.1124D

Proposed project address: 136 Ord Street, San Francisco, CA 94114
BPA# 2009.07.14.2604

Contents

09.1124D

APPLICATION REQUESTING DISCRETIONARY REVIEW ("D.R.")

This application is for projects where there are exceptional and extraordinary circumstances that justify further consideration, even though the project already meets requirements of the Planning Code, City General Plan and Priority Policies of the Planning Code.

D.R. Applicant's Name Corbett Heights Neighbors Telephone No: 415-252-8728

D.R. Applicant's Address c/o Alissa Fremon 145 ORD Street
Number & Street (Apt. #)
San Francisco CA 94114
City Zip Code

D.R. Applicant's telephone number (for Planning Department to contact): 415-252-8728
If you are acting as the agent for another person(s) in making this request please indicate the name and address of that person(s) (if applicable):

Name N/A Telephone No: N/A

Address N/A
Number & Street (Apt. #)
N/A
City Zip Code

Address of the property that you are requesting the Commission consider under the Discretionary Review: 136 ORD Street, San Francisco, CA 94114

Name and phone number of the property owner who is doing the project on which you are requesting D.R.: John Mooney, Tel: 415-987-1754

Building Permit Application Number of the project for which you are requesting D.R.: BPA# 2009.07.14.2604

Where is your property located in relation to the permit applicant's property?
filing on behalf of neighborhood association

A. ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST
Citizens should make very effort to resolve disputes before requesting D.R. Listed below are a variety of ways and resources to help this happen.

1. Have you discussed this project with the permit applicant? YES G NO G

2. Did you discuss the project with the Planning Department permit review planner? YES G NO G

3. Did you participate in outside mediation on this case? Community Board G Other G NO G
We are currently in the process of working with Bevan Dufty and Bob Hayward to set up a Meeting with all parties.

09.1124D

4. If you have discussed the project with the applicant, planning staff or gone thorough mediation, please summarize the results, including any changes that were made to the proposed project so far.

See Attachment A

B. DISCRETIONARY REVIEW REQUEST

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?

See Attachment A

2. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

See Attachment A

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 B1)?

See Attachment A

Please write (in ink) or type your answers on this form. Please feel free to attach additional sheets to this form to continue with any additional information that does not fit on this form.

CHECKLIST FOR APPLICANT:

Indicate which of the following are included with this Application:

REQUIRED:

- G Check made payable to Planning Department (see current fee schedule).
- G Address list for nearby property owners, in label format, plus photocopy of labels.
- G Letter of authorization for representative/agent of D.R. applicant (if applicable).
- G Photocopy of this completed application.

OPTIONAL:

- G Photographs that illustrate your concerns.
- G Covenants or Deed Restrictions.
- G Other Items (specify).

File this objection in person at the Planning Information Center. If you have **questions** about this form, please contact Information Center Staff from 8 a.m. to 5 p.m., Monday to Friday.

Plan to attend the Planning Commission public hearing which must be scheduled after the close of the public notification period for the permit.

Signed _____ November 24, 2009
Applicant CHN Secretary Alison Friedman — Date

Signed _____ 11-24-09
CHN President Greg Wass — Date

N:\applicat\drapp.doc

09·1124D

Proposed project address: 136 Ord Street, San Francisco, CA 94114
BPA# 2009.07.14.2604

Attachment A (page 1 of 2)

Answer to question A.4

July 23rd 2009, applicant was invited to speak at the Corbett Heights Neighbors meeting, at which time he described the project to the group.
September 29th 2009, applicant held a meeting with neighbors to discuss proposed project. During which time the overwhelming consensus was that the neighborhood would support an application for a variance allowing him to remodel the current structure on the lot to meet his needs. Project sponsor was unwilling to consider this option or any of the proposed options below:

- Building no further forward than the neighboring facade lines (29 ft back from side walk)
- Support variance required for project sponsor to demolish existing structure, and rebuild to meet his housing requirements

October 22nd 2009, neighbors were invited by Gary Weiss (President of Corbett Heights Neighbors) invited to attend the regularly scheduled quarterly Corbett Heights Neighbors meeting. The meeting was advertised as one during which a vote of members would be taken to show support for, or opposition too, the project. The members present voted 19 - 0 to oppose the project as it stands and support the Discretionary Review Application.

Answer to question B. 1

There are numerous points where this project conflicts with both the city *General Plan* and the *San Francisco Residential Design Guidelines.* In the *General Plan, Urban Design Element* there are several points where conflicts are present in the Image and Character policy section. Policy 1.2 in general speaks to the importance of recognizing existing street patterns and working within them, in this case all the properties in the mid block have large front setbacks. The policy 1.2 specifically addresses that "new and remodeled buildings should maintain the existing façade lines." Policy 1.3 talks about each building and remodel should produce a total effect that characterizes the district. In this case the project would form a visual barrier in the middle of the block dividing a large swath of open space in the mid block. Policy 1.5 of the Urban Design Element of the General Plan also speaks to the importance of conserving and maintaining open space and landscaping "for private properties" to "emphasize the distinctive nature of districts and neighborhoods" which this project should it be built as currently planned would permanently destroy.

In the *Residential Design Guidelines* the front setback section speaks to the importance of creating a harmonious transition within the existing "rhythm of the streetscape." Additionally, the Residential Design Guidelines speak to the importance of "averaging" the setback, however, to stop at an arbitrary15 foot limit, in the case of most neighborhoods this would be sufficient to achieve the goal of creating harmony between existing construction but unfortunately, this level of setback requirement fails to preserve the unique character of this neighborhood.

Answer to question B. 2

As stated in B.1 we feel that the open space, light and character of the neighborhood would be signify and permanently diminished.

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Proposed project address: 136 Ord Street, San Francisco, CA 94114
BPA# 2009.07.14.2604

Attachment A (page 2 of 2)

Answer to question B.3

- Building no further forward than the neighboring facade lines (29 ft back from side walk)
- Support variance required for project sponsor to demolish existing structure, and rebuild to meet his housing requirements

09.1124D

DR Amendments

1) The submitted document "136 ORD STREET, BPA # 2009/07/14/6045: Plan Comment and Revisions Required to Meet the Quantitative Standards of the SF Planning Code" indicated that the proposed bay window on the 2nd floor (first level of occupancy) is in violation of the 15-foot setback requirement. We feel that the inclusion of this window requires a variance. As the setback of the proposed structure is one of our key concerns with the project any incursion on the setback is a significant issue, can not be dismissed as administrative, and requires it's own variance hearing.

2) At the time of our original filing the pans indicated that the building to the South had a 29 foot setback. The revised plan indicates that the lot to the South has a 34 foot setback. Therefore our answer to question B.3 on the DR application should now read "Building no further forward than the neighboring façade lines (34 feet back from the side walk)."

3) It has come to our attention that the project sponsor and the owner of the lot to the South, Bob Goldware, have reached a verbal agreement regarding the protection of Mr.Goldware's interests. Mr. Goldware's has two primary concerns

   i) Venting of the front bathroom - If any approved structure were to block Mr. Goldware's bathroom window Mr. Moroney has agreed to pay for the sealing of the existing window and install a vent to the roof.

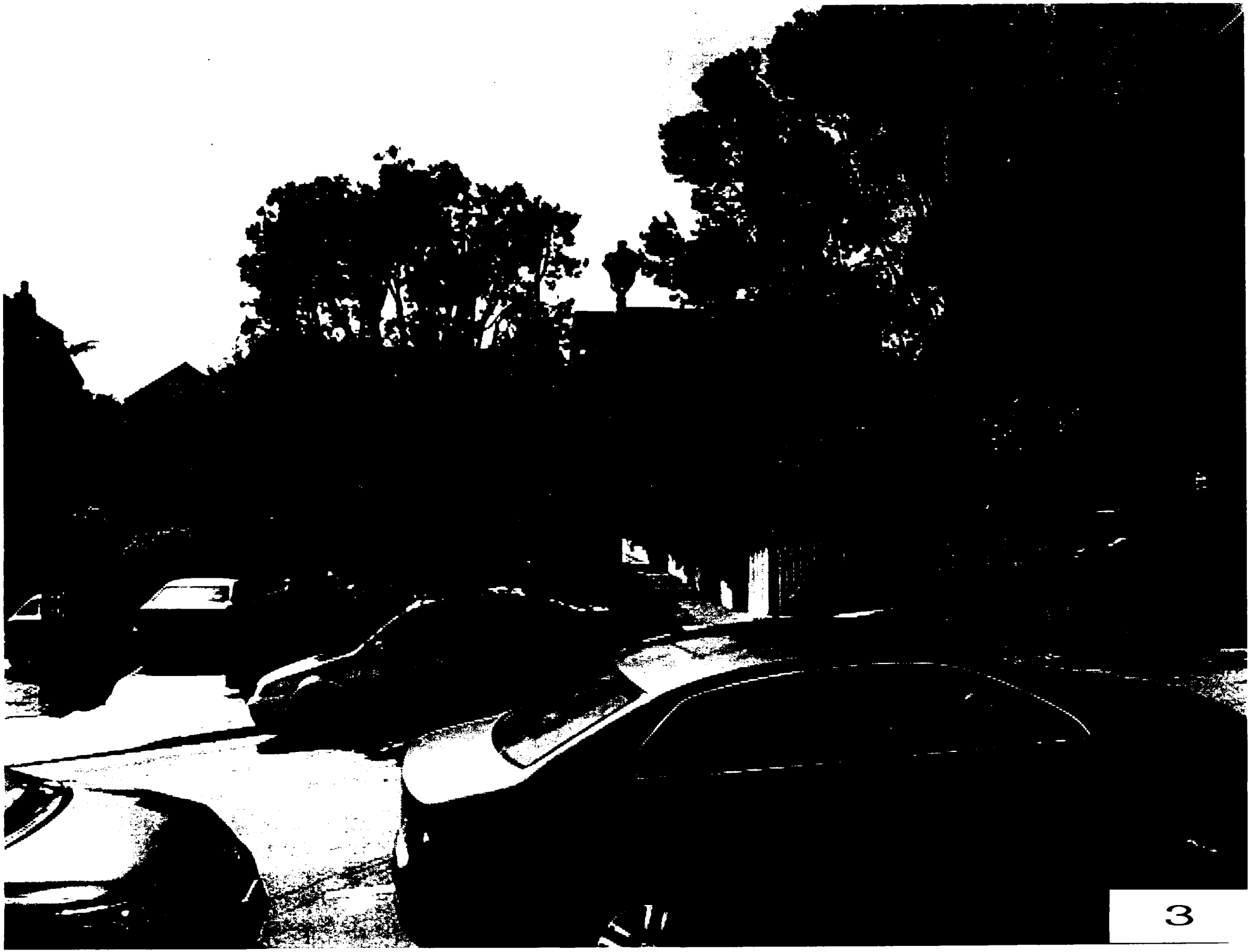
   ii) Light to the kitchen window – If any approved structure were to block Mr. Goldeware's kitchen window Mr. Moroney has committed to providing a light well for continued daylight access into Mr. Goldeware's kitchen.

   We would like to ensure that if any structure is built on the front of the 134 Ord lot that these agreements be upheld.

Market St. - South Side of Ord St.

1

2

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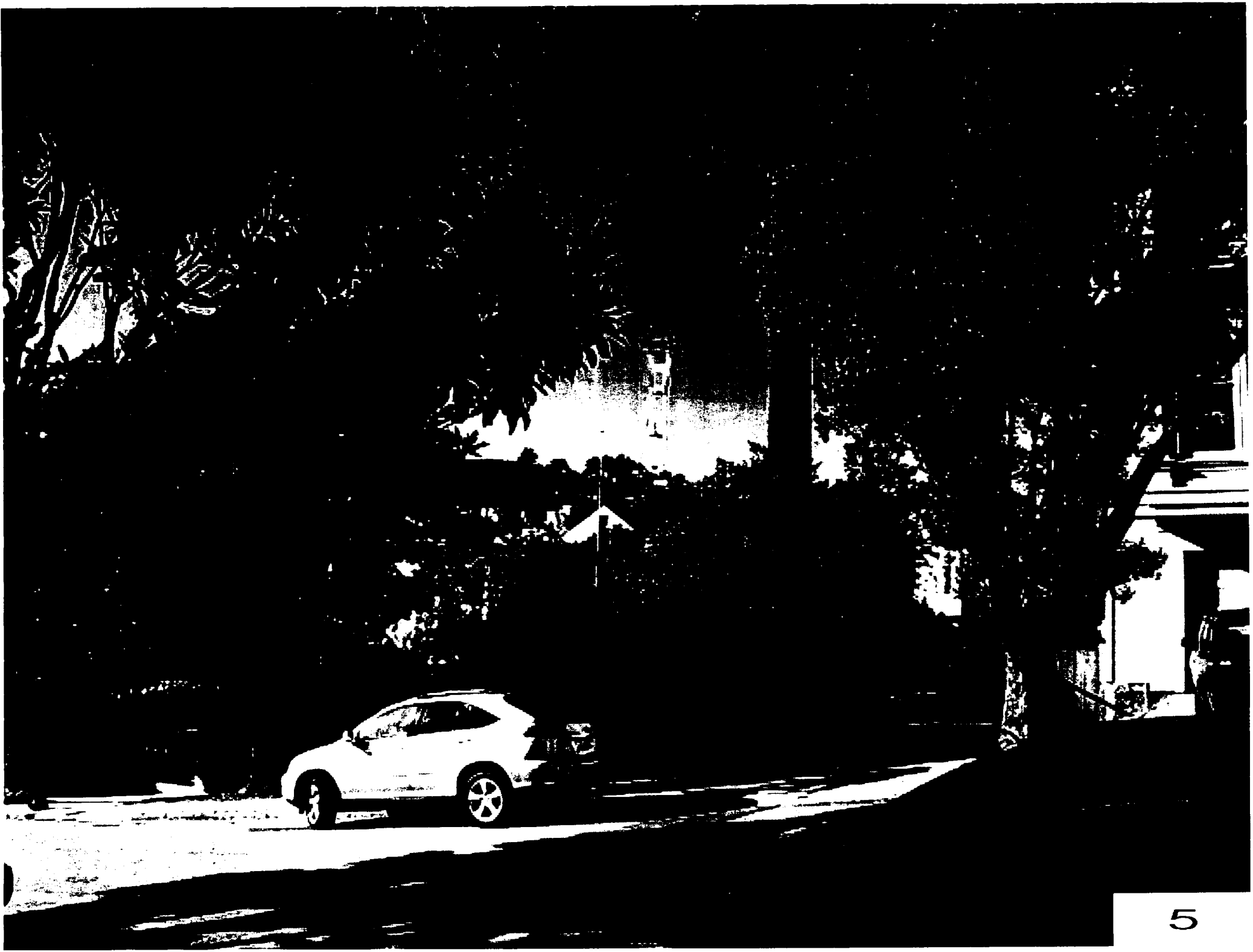
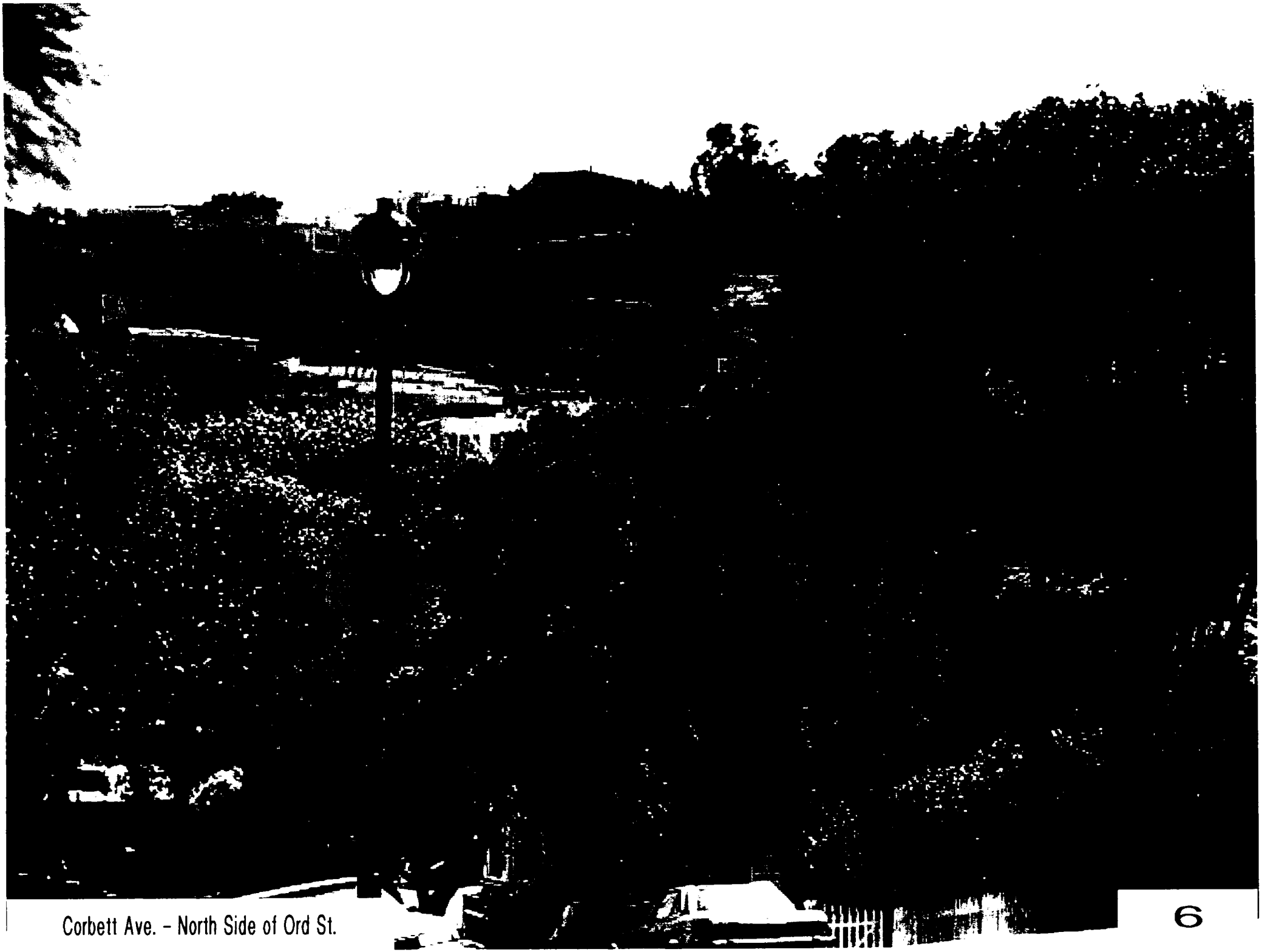
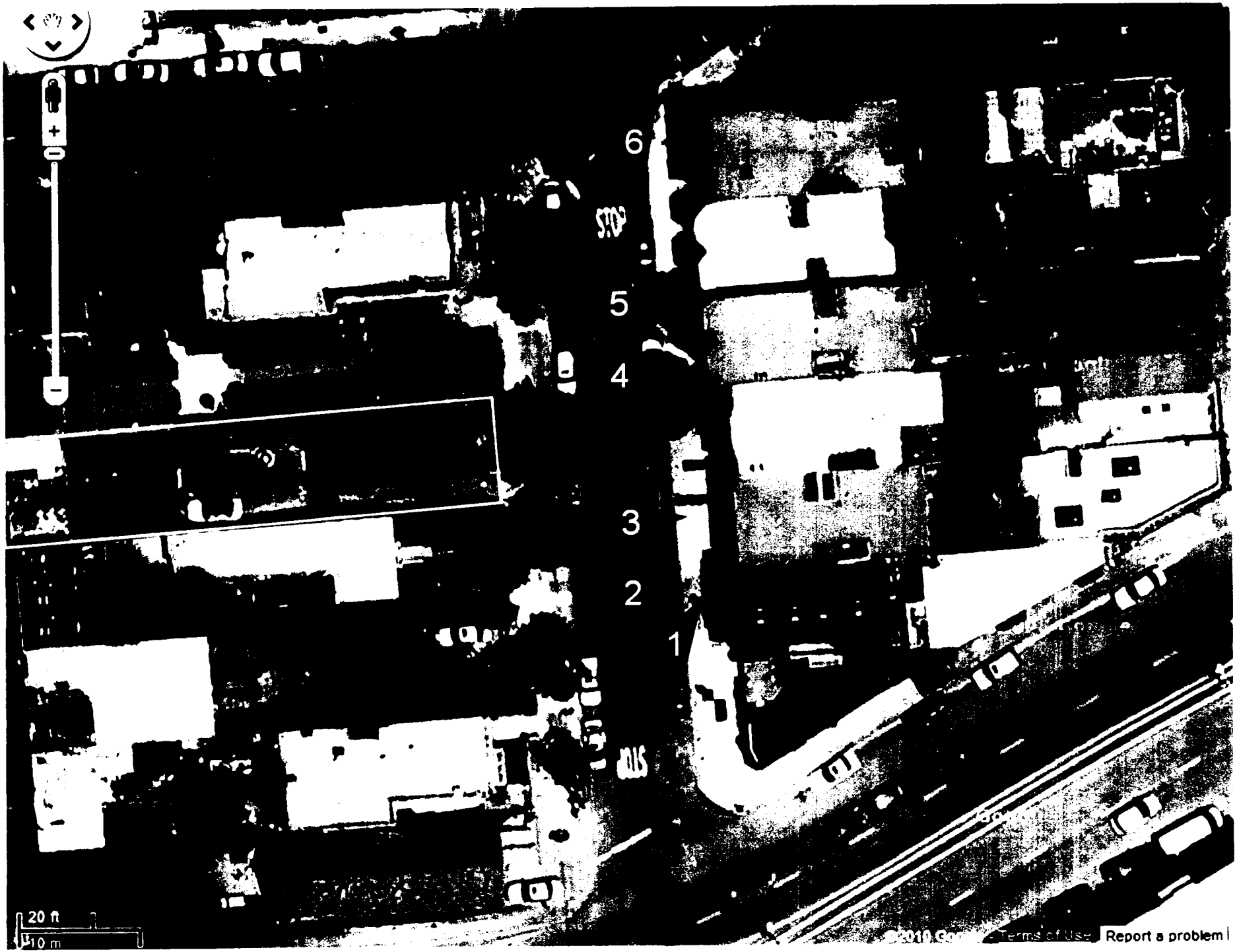




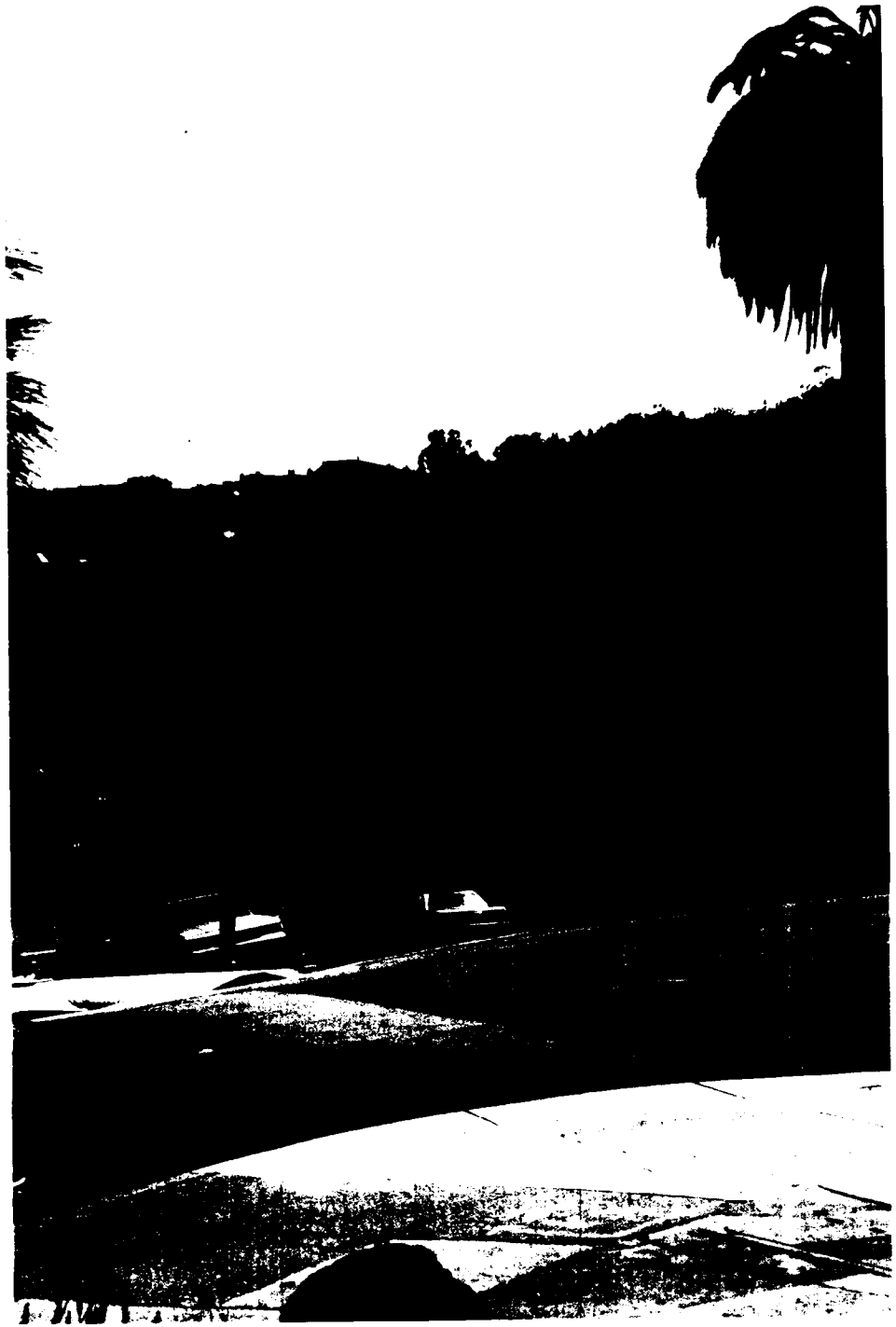
Corbett Ave. - North Side of Ord St.


6
5
4
3
2
1
20 ft
10 m
Terms of Use
Report a problem

Ord Street

West Side

Looking Down Ord St. from the Triangle Park



Greenery opening up the Neighborhood

View from Corbett Avenue

Setback houses line the street

Nature in the City

Four Unique Gardens

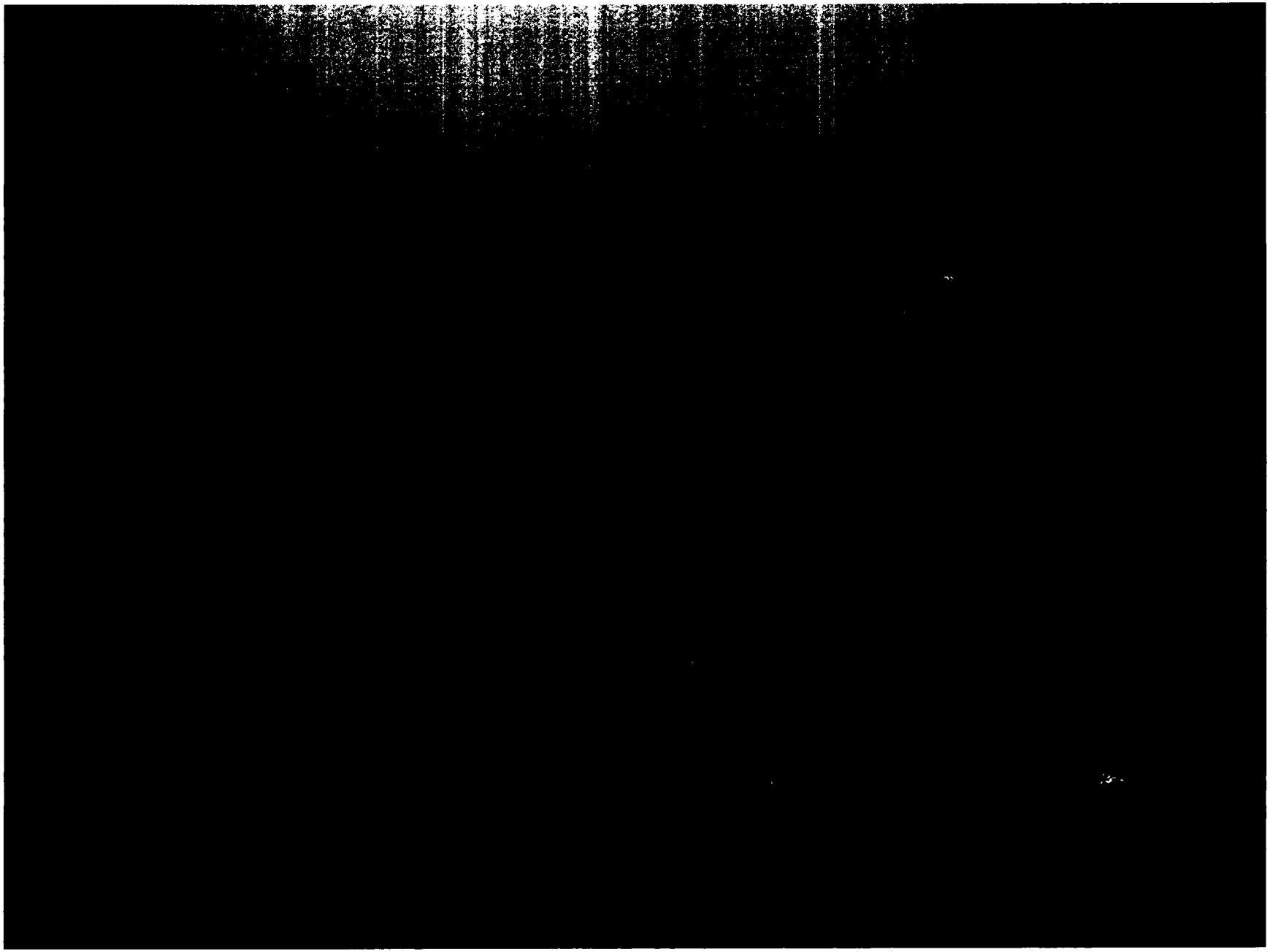
Four Unique Gardens

Four Unique Gardens

Four Unique Gardens

Four Unique Gardens

34 ft. to 91 ft. Setbacks



Light, Air and Privacy

Ord Street

Proposed project address: 136 Ord Street, San Francisco, CA 94114
BPA# 2009.07.14.2604

Attachment B (page 1 of 3)

Mailing List of all concerned parties:

Gary Weiss (President - Corbett Heights Neighbors)
78 Mars Street
San Francisco, CA 94114

Daniel & Alison Freeman
145 Ord Street
San Francisco, CA 94114

Jennifer Anderson
145 Ord Street
San Francisco, CA 94114

Mark Ryser
135 Ord Street
San Francisco, CA 94114

Ben Frombgen
128 Ord Street
San Francisco, CA 94114

Jessica Eicher
128 Ord Street
San Francisco, CA 94114

Sarah and Jason Sobel
130 Ord Street
San Francisco, CA 94114

Kevin Dunn & Rick Johnson
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San Francisco, CA 94114

Leslie Koelsch
197 Corbett Avenue
San Francisco, CA 94114

Julia Shiang
866 Tolman Drive
Stanford, CA 94305

Proposed project address: 136 Ord Street, San Francisco, CA 94114
BPA# 2009.07.14.2604

Attachment B (page2 of 3)

Mailing List of permit applicant:

John Moroney
P.O. Box 14092
San Francisco, CA 94114-0092

Mailing List of discretionary review applicant:

Corbett Heights Neighbor
c/o Alison Freeman (Secretary)
145 Ord Street
San Francisco, CA 94114

Mailing List of abutting property owners and occupants property owners and occupants directly across the street :

Abutting property owners:

Sarah and Jason Sobel
130 Ord Street
San Francisco, CA 94114

Robert Goldware
140 Ord Street
San Francisco, CA 94114

David Dehner (tenant)
138 Ord Street
San Francisco, CA 94114

Martin Chai (tenant)
138 Ord Street
San Francisco, CA 94114

Names and addresses of people directly across the street:

Vacant
129 Ord Street
San Francisco, CA 94114

Marty Fox (tenant)
129A Ord Street
San Francisco, CA 94114

Proposed project address: 136 Ord Street, San Francisco, CA 94114
BPA# 2009.07.14.2604

Attachment B (page 3 of 3)

Ken Sandy (tenant)
131 Ord Street
San Francisco, CA 94114

Young Soo Choe
133 Ord Street (owner)
135 & 135A Ord Street (owner)
San Francisco, CA 94114

Mark Ryser
135 Ord Street (tenant)
129 - 131 Ord (owner)
San Francisco, CA 94114

Adam (tenant)
135A Ord Street
San Francisco, CA 94114

Albert (tenant)
137 Ord Street
San Francisco, CA 94114

Terrance Giovanni
137 - 139 Ord Street (owner)
San Francisco, CA 94114
293 Lafayette Avenue (mailing address)
Geneva, NY 14456

Kris Konietzko (tenant)
139 Ord Street
San Francisco, CA 94114

Gary Weiss
78 Mars Street
San Francisco, CA 94114

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137 Ord Street
San Francisco, CA 94114

Terrance Giovanni
293 Lafayette Avenue
Geneva, NY 14456

Kris Konietzko
139 Ord Street
San Francisco, CA 94114

proposed project address: 136 ORD street, san francisco, cA 94114
BPA # 2009.07.14.2604

09.1124D

10f page

[redacted]

November 19, 2009

SF Planning Department
1650 Mission Street
San Francisco, CA 94103

To whom it may concern:

As Secretary of our organization, Alison Freeman may represent us in applying for a Discretionary Review.

Thank you,

Gary Weiss, President
Corbett Heights Neighbors
78 Mars
SF 94114

09.1124D

B: The importance of transfer points can be expressed by the amount and type of landscaping, provision of shelters for waiting passengers, and nighttime lighting.

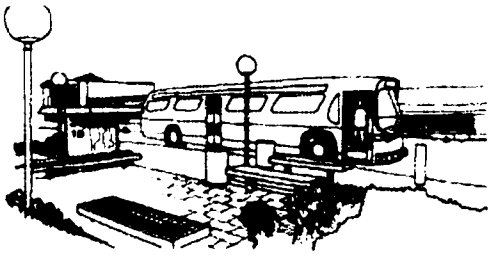

Image and Character

POLICY 1.1

Recognize and protect major views in the city, with particular attention to those of open space and water.

Views contribute immeasurably to the quality of the city and to the lives of its residents. Protection should be given to major views whenever it is feasible, with special attention to the characteristic views of open space and water that reflect the natural setting of the city and give a colorful and refreshing contrast to man's development.

Overlooks and other viewpoints for appreciation of the city and its environs should be protected and supplemented, by limitation of buildings and other obstructions where necessary and by establishment of new viewpoints at key locations.

Visibility of open spaces, especially those on hilltops, should be maintained and improved, in order to enhance the overall form of the city, contribute to the distinctiveness of districts and permit easy identification of recreational resources. The landscaping at such locations also provides a pleasant focus for views along streets.

POLICY 1.2

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

Streets are a stable and unifying component of the city pattern. Changes in the street system that would significantly alter this pattern should be made only after due consideration for their effects upon the environment. Such changes should not counteract the established rhythm of the streets with respect to topography, or break the grid system without compensating advantages.

The width of streets should be considered in determining the type and size of building development, so as to provide enclosing street facades and complement the nature of the street. Streets and development bordering open spaces are especially important with respect to the strength and order in their design. Where setbacks establish facade lines that form an important component of a street's visual character, new and remodeled buildings should maintain the existing facade lines.

Streets cutting across the normal grid pattern produce unusual and often beneficial design relationships that should not be weakened or interrupted in building development. Special consideration should be given to the quality of buildings and other features closing major vistas at the ends of these and other streets.

POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Buildings, which collectively contribute to the characteristic pattern of the city, are the greatest variable because they are most easily altered by man. Therefore, the relationships of building forms to one another and to other elements of the city pattern should be moderated so that the effects will be complementary and harmonious.

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The general pattern of buildings should emphasize the topographic form of the city and the importance of centers of activity. It should also help to define street areas and other public open spaces. Individual buildings and other structures should stand out prominently in the city pattern only in exceptional circumstances, where they signify the presence of important community facilities and occupy visual focal points that benefit from buildings and structures of such design.
The form of buildings is covered in greater detail in this Plan under the section on Major New Development.

POLICY 1.4

Protect and promote large-scale landscaping and open space that define districts and topography.

Open spaces provide a unifying and often continuous framework across the city. These open spaces are most prominent when they occur on hills and ridges and when they contain large trees and other large-scale masses of landscaping. Future landscaping efforts, both public and private, should be directed toward preservation of existing trees and other planting that contribute to this framework, and toward addition of large-scale landscaping that will add to and fill out the framework.
Where open spaces of any kind can be made more prominent by addition of new or large-scale landscaping, such additions should be made in order to enhance the city pattern and make the open spaces more visible in nearby neighborhoods. New building development should respect existing landscaping and avoid displacing or obscuring it. In the event that such landscaping must be displaced or obscured, a strong effort should be made to replace it with new landscaping of equal or greater prominence.

Organization and Sense of Purpose

POLICY 1.5

Emphasize the special nature of each district through distinctive landscaping and other features.

MAP 1- Plan to Strengthen City Pattern Through Visually Prominent Landscaping

The design of improvements for street areas, and to some extent for private properties as well, should capitalize on opportunities to emphasize the distinctive nature of districts and neighborhoods.
Street landscaping, in particular, can be selected and designed according to a special theme for each area, providing a sense of place in addition to its other amenities. Planting for public open spaces and on private properties can be carried out in the same way, taking account of established themes and the differences in climate among districts. Distinctiveness can also be imparted by preservation and highlighting of architectural features common to the area, and the use of special materials and colors in buildings.

POLICY 1.6

Make centers of activity more prominent through design of street features and by other means.

Shopping streets and other centers for activity and congregation of people should stand out in an attractive manner in their districts. Some such centers, in appropriate cases, will have buildings larger than those in the surrounding area, while others will be set off only by their distinctive design treatment.
Street landscaping of a type and size appropriate to the area should be used, as well as lighting that identifies the area through special fixtures and quality of light. Sidewalk treatment should be coordinated, with distinctive paving, benches and other elements suitable to the needs and desires of merchants, shoppers and other people using the area. Building facades and the total composition of the activity center should be designed to make clear the geographical extent of the center and its relationship to the district.

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SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St
Suite 400
San Francisco,
CA 94103 2479

Reception
415.558.6378

Fax
415.558.6409

Planning
Information
415.558.6377

RESPONSE TO DISCRETIONARY REVIEW

CASE NO.: _____
BUILDING PERMIT NO.: Building Permit Application No. 2009.07.14.6045
ADDRESS: 136 Ord Street

PROJECT SPONSOR'S NAME(S): John F. Moroney
TELEPHONE NUMBER FOR PLANNING DEPARTMENT TO CONTACT.: 415-987-1754

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

4. **Please supply the following information about the proposed project and the existing improvements on the property.**

Number of	Existing	Proposed
Dwelling units (only one kitchen per unit – additional kitchens count as additional units)	1	2
Occupied stories (all levels with habitable rooms)	1	3 (2 new + 1)
Basement levels (may include garage or windowless storage rooms)	1	2
Parking spaces (off-street)	1	2
Bedrooms	2	5
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas	900	2900
Height	Please see	attached
Building depth	Please see	attached
Most recent rent received (if any)	Please see	attached
Projected rents after completion of project	Please see	attached
Current value of property	Please see	attached
Projected value (sale price) after completion of project (if known)	Please see	attached

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

Context of Block Face

The west side of Ord Street between Corbett Avenue and Market Street includes seven lots, all of which are 28 x 136 feet, except the southernmost which tapers slightly at its southeast corner. The subject lot is mid-block with two lots to the north and four lots to the south and sits in an RH-2 Zoning District and a 40-X Height and Bulk District. In contrast to the east side of Ord Street, there is no common development pattern on the west side of Ord Street on this block. Four adjacent lots on the block face of the west side of Ord Street have atypically deep setbacks which vary from between 34 and 91 feet from the sidewalk. The existing structure on the subject lot is 91 feet from the sidewalk. One of the structures on the lot to the south of the subject lot is set back 34 feet from the sidewalk resulting in an uninterrupted 57-foot long wall on the south property line of the subject lot that runs into the façade of the existing structure on the subject lot.

At least three of the seven lots on the subject block face contain at least two detached structures situated at the front and rear of the lot. At least three lots on the block face include a dominant front structure which is set back less than 15 feet from the sidewalk.

Current Conditions at 136 Ord

The subject lot is the least improved on the block. The sponsor intends to improve the lot by first constructing a detached, single family home with two-stories over a basement garage. When complete, this will serve as the primary residence for the project sponsor.

The living space in the existing cottage at the rear of the lot measures less than 1000 square feet and sits atop an incompletely excavated basement which opens into the yard and has a seven-foot high ceiling. A low intensity, inside-the-envelope renovation of the existing structure is planned after the new structure has been completed and occupied, and this will eventually be used as a rental unit.

Proposed Structure at 134 Ord

Two stories of living space (approximately 2000 square feet) over a basement garage are proposed. The structure would measure 42 feet at its longest dimension and 24 feet at its widest dimension. It would be set back 15 feet from the sidewalk. There would be 34 feet (25% of lot depth) of spacing between the proposed and existing structure.

The proposed structure will divide the existing nonconforming yard into two parts—a private middle yard between the planned and existing structure, measuring 34 feet by 28 feet, and a front yard between the planned structure and the sidewalk, measuring 28 feet by 15 feet. In addition, a four-foot corridor running along the north property line will permit visual access to the middle yard from the street and a side setback from the neighboring lot to the north. A three-foot side yard setback from the neighboring lot to the south is proposed, except where the neighboring structure to the south is situated along the property line.

A landscape architect who comes highly recommended and whose clients include the Golden Gate National Recreation Area has visited the site and will assist in developing and executing a plan for beautifying all of the outdoor spaces after a building plan is approved. A low, open design iron fence is planned for front of lot to allow visual access to the front garden.

The submitted plans conform to the Residential Design Guidelines and respond to the sponsor's need for more living space, a garage with two off-street parking spaces, and a private yard.

This project was favorably reviewed by the Residential Design Team on August 5, 2009 and was described as being "consistent with the neighborhood character." The DR filers have not documented concerns about the appearance of the proposed structure.

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

Modifications Already Incorporated into the Submitted Plans
Incorporating feedback from informal meetings with adjacent neighbors, a neighborhood outreach meeting with adjacent neighbors on April 23, 2009, and a presentation of plans to the Eureka Valley Promotional Association on May 7, 2009; the following design modifications were submitted with the building permit application on July 14, 2009:

- The height of the proposed building was reduced seven feet to 28 feet 6 inches (in a 40-X Height and Bulk District) through excavation of a basement garage, reduced ceiling heights in the garage and living spaces, and lowering of the roof parapet.

- Removal of a protruding bay on the north side of the building reduces the profile of the building, affords visual access to the middle garden and existing

rear structure, and provides the north neighbor with a complete 4 foot side yard setback at all levels.

Without radically altering the submitted plans, satisfactorily and simultaneously addressing concerns about light, air, and views expressed by neighbors to the north and maintenance of a deep front setback is virtually impossible. Substantial modifications have already been made out of sensitivity to the light, air, and views concerns. Responding to the concerns which would be addressed by moving the proposed structure more than 15 feet from the east property is at odds with attempts to respond to concerns about light, air, and views.

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

Great care has been taken in conceiving this project with sensitivity to minimizing its adverse impact on adjacent neighbors. The submitted plans embody restraint while attempting to meet the Sponsor's needs. A flat roof design was initially conceived to reduce the proposed building's profile and conform to the neighborhood character. The building height was reduced seven feet to 28 feet 6 inches in a 40-X Height and Bulk District where taller buildings exist both to the north and south in the subject block face.

Positioning of the proposed structure on the lowest (southeast) corner of the lot within the buildable area permitted by the Residential Design Guidelines has been proposed to minimize the impact of its mass. The 34-foot deep middle court in the current design allows for a private garden for herbs and vegetables with proximity to the kitchen—of great importance to the Sponsor. This middle court along with the four-foot side yard setback offers substantial separation from the north neighbor's building façade and garden.

The Sponsor requires more habitable square footage than the current structure provides, a garage, a useable private yard, and a rental unit.

4. **Please supply the following information about the proposed project and the existing improvements on the property**

The existing 28-foot x 29-foot cottage at the rear of the lot measures less than 1000 square feet and sits atop an incompletely excavated basement which opens into the yard and has a seven-foot high ceiling. A low intensity, inside-the-envelope renovation of the existing structure is planned after the new structure has been completed and occupied, and this will eventually be used as a rental unit. The height of the proposed building, situated at the lowest part of the lot, approximates the height of the existing structure. The proposed structure is 42

feet long at its longest dimension and 24 feet wide at its widest. The owner/sponsor has no rental history to report for this property and no imminent plans to sell the property upon completion of the project.

THE FORESTREE COMPANY
Urban Tree Services
1207 Peralta Avenue
Berkeley, CA 94706

Phone & Fax: 510-528-8060 **forestree@lmi.net** **forestreecompany.com**

1 May 2009

John Moroney
P.O. Box 424971
San Francisco, CA 94142-4971

415.987-1754
jfmoroney@usa.net

Mr. Moroney:

This letter is to serve as a record of my observations concerning the trees that I inspected at your home at 136 Ord St. in San Francisco on April 28th. I will list the trees, starting with the street tree, in clockwise order, according to the survey dated April 2009.

1) New Zealand Christmas Tree (Metrosideros excelsus)
16.5" dbh, 22' height, 25' dripline
Previously pollarded at 14' height, interior intensely thinned
Large sidewalk cut of 6' by 6' allows incursion of driveway cut by 10"

2) Pittosporum tobira
11" d at 42" above grade, 3 forks at 54" (6", 5", 8.5 " d), 15' height, 15' dripline
Though the tree possesses an attractive architecture, its overall condition is poor, as evidenced by semi-chlorotic foliage, low leaf retention and a very thin crown. It appears to be of low vigor that would render a transplanting effort very risky.

3) English Yew (Taxus baccata)
multi-stemmed, 15' height, 6' dripline
Condition is good but proximity to building excludes transplanting.

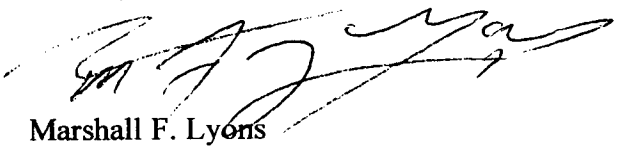
4) Camellia (Camellia reticulata)
multi-stemmed, 15' height, 10' dripline, fair to poor form, good vigor

5) Lemon (Citrus sp.)
4.5 dbh, 9' height, 5' dripline
Chlorotic foliage, root crown rot, trunk wound, crown dieback, poor condition

6) Apple (Malus domestica)
8.5 dbh, 15' height, 12' dripline
basal wound, wooly aphid, dead limbs, thin crown, poor condition

I trust that this brief description will adequately meet your needs. If you have any further concerns please contact me.

Thank you,



Marshall F. Lyons
Certified Arborist

DMG Engineering, Inc.
30 Oakvue Court, Pleasant Hill, CA 94523
Phone: 925-787-0463 Fax: 925-287-8503

November 24, 2009

Attn: City of San Francisco Planning Department

Reference: Story Pole Certification – 136 Ord Street, San Francisco

This letter is to certify that November 20, 2009 DMG Engineering, Inc. layed out the story poles for the proposed two (2) story over garage new building based upon the architectural drawings prepared by Philip Mathews, Architect, with a revision date of 10/01/09.

A total of four (4) story poles were installed, each pole was installed at the proposed corner of the new building except for the pole at the front left corner of the building. The northeast pole is positioned 15 feet west of the east property line (PL), and 4 feet south of the north PL. The northwest pole is positioned 57 feet west of the east PL, and 4 feet south of the north PL, The southwest pole is positioned 57 feet west of the east PL, along the south PL. The southeast pole is positioned 15 feet from the east PL, along the south PL. The pole at the southeast corner of the building was installed at the prolongation of the front face with the left face of the building. The heights of the poles and the rope connecting the tops of the poles is at the elevation of 250.0 as shown on sheet A6 of the architectural drawings.

If you have any further questions regarding this matter, please contact me at your convenience.

Sincerely,

Dylan Gonsalves, PE, PLS

Sponsor convened two meetings in his home to share plans and revisions with neighbors.

- A Community Outreach Meeting was held April 23, 2009, announced well in advance by written invitation, and attended by 15 persons from the neighborhood including representatives from the Corbett Heights Neighbors Association and the Eureka Valley Promotional Association. Initial plans were presented at this meeting.

- A "Pre-311 Notification" Community Outreach Meeting was held September 29, 2009, announced well in advance through a mailing to the entire 150-foot notification radius, and was attended by 14 persons from the neighborhood including representatives from the Corbett Heights Neighbors Association and the Eureka Valley Promotional Association. The substantially revised plans were presented at this meeting.

April 11, 2009

Dear Neighbor,

I am the owner and occupant of the brick cottage at 136 Ord Street. While in some cases we have not yet had the opportunity to meet, I am nevertheless required to take the admittedly awkward and impersonal step of notifying you in writing that I will soon be initiating the lengthy process of applying for a building permit for a new structure at the front of my lot.

San Francisco Planning Code Section 311 stipulates that I must conduct a Pre-Application Community Outreach meeting of the "abutting" property owners and occupants. This includes the two adjacent lots; three to the rear; and three across the street. Anticipating that adjacent neighbors will have the most immediate concerns, I have already shared preliminary sketches with them.

THE PRE-APPLICATION COMMUNITY OUTREACH MEETING WILL BE HELD AT THE SUBJECT PROPERTY, 136 ORD STREET, AT 6 PM ON THURSDAY, APRIL 23. YOUR ATTENDANCE AT THIS MEETING IS OF COURSE OPTIONAL.

At the meeting, preliminary plans that include the height and depth of the subject building and its adjacent properties dimensioned shall be made available. My architect, Phil Mathews, will be present to help respond to questions and concerns.

For accountability purposes, I am required to use a sign-in sheet to verify who attended and sign an affidavit confirming that a Community Outreach meeting was held and an opportunity to review a preliminary proposal provided.

These items will be submitted with the 311 Notification Packet at the time the building permit application is filed. In addition, a list of issues raised at the Community Outreach Meeting and the sponsor's response to those issues shall be included in the 311 Notification Packet as part of the Pre-Application process.

While I plan to submit plans in early to mid-May, a plan check by the City will undoubtedly take a number of months, I am told. After this initial review by the City is complete, a notice along with copies of the revised plans will be sent to neighbors, within a wider radius than those defined as "abutting", allowing a 30-day public comment period to occur.

Details of this process can be found in the document contained here:

http://www.sfgov.org/site/uploadedfiles/planning/Applications/311_312fnl.pdf

I would greatly appreciate an e-mailed response if you plan to attend to help me plan for the meeting April 23. It would also be nice to have a way to contact you in the future in a way that saves paper and opens channels for communication, particularly if you are unable to attend the meeting on April 23.

For those of you I have not yet met, I look forward to that opportunity, whenever it comes.

Thank you,

John Moroney
136ord@gmail.com

[redacted] [redacted]

136 Ord Street
Community Outreach Meeting Sign-In Sheet
April 23, 2009

Printed Name	Signature	Address
[illegible]	[signature]	[illegible]
[illegible]	[signature]	[illegible]
Jack Keating	[signature]	4134 17th St
Robert Goldware	[signature]	140 Ord St.
Leslie Koelsch (Kolch)	[signature]	for 123 Corbett 191 Corbett
Jessica Fisher	[signature]	128 Ord St
Brian Kahis	[signature]	126 Ord St.
Ben Fromboen	[signature]	120 Ord St.
Sarah Sobel	[signature]	130 Ord.
Tulia Shiang + Richard Tsien		128 Ord / 115 Corbett
Mary Mueller	[signature]	2135 22nd Street
Richard Tsien rwtsien@stanford.edu	[signature]	128 Ord Street
Ben Fromboen	[signature]	128 Ord Street
Greg Tsien	[signature]	115 Corbett

bhkahis@gmail.com

April 29, 2009

Dear Neighbor:

Thank you for attending the Community Outreach Meeting on April 23. While the conversation was not always an easy one, I appreciate the opportunity to share my plans and to hear your concerns.

Change understandably arouses concern. I hope that integration into the neighborhood and living comfortably here for a very long time is possible at the conclusion of this process.

I have always had in mind building on the front of the lot, and this has been conveyed to neighbors I have had the opportunity to meet before April 23rd. A particularly memorable conversation on the topic of building at the front of the lot took place in October 2008 with one of the neighbors in attendance. At that time, the specific concept of a four foot corridor (from front of lot to rear, around a structure) was discussed without the alarm expressed on April 23rd. The approach of building a larger structure at the front of the lot and not amplifying the footprint and profile of the existing structure was adopted in January 2009 after careful consideration of alternatives.

I heard three main areas of concern expressed April 23rd to which I would like to respond:

1. Specific concerns were expressed by the owner of the adjacent lot to the south with regard to impact of new construction in close proximity to the foundation of his structure and loss of a 16 ½" x 32" non-conforming jalousie window to a bathroom.

2. General concerns about light, air, and views and subsequent impact on quality of life and property value were voiced most strongly by owners and occupants of both the adjacent and non-abutting lots to the north.

3. General concerns about loss of privately maintained green space and alteration of streetscape were expressed by neighbors to the north and across the street.

Impacts on the south neighbor's foundation and property line window were discussed with the owner on March 4. I left that conversation confident that reasonable accommodations could be made, the specifics of which would need to be negotiated after a plan was approved and more specificity about precisely what would be impacted and how was clearer. The solution to loss of the window that seemed agreeable on March 4 was that I would bear the expense of sealing and tastefully finishing the interior and exterior surfaces of the window fenestration and install an exhaust fan in the associated bathroom. The design shared April 23 consequently shows no light well.

I view satisfactorily and simultaneously addressing concerns about light, air, and views and maintenance of green space to be incredibly challenging without triggering a variance hearing. The presented plan occupies the footprint allowed by the Planning Department of the City and County of San Francisco. Pushing the proposed footprint westward would violate the 25%

required setback between planned and existing structures. Reducing the footprint leaves less room for making modifications with regard to vertical dimension.

I remain extremely reluctant to pursue a plan which triggers variance proceedings, and the competing concerns expressed at the Community Outreach Meeting merely validated the peril in such an approach.

Synthesizing all the concerns raised leads me to the following rhetorical questions:

1. Is it possible to develop a plan which meets my requirements and sufficiently addresses the concerns of adjacent neighbors?

2. If modifications are made with respect to the vertical dimension in an effort to respond to light, air, and view concerns, would there be sufficient support from neighbors?

I welcome input which guides my processing of the rhetorical questions posed above as my architect and I review the current plans and identify areas where modifications can be made.

To those most concerned about loss of green space, I would like to respond with some additional facts. The current front garden is eccentric, poorly planned, and needs attention. The rear terrace is an unsightly slab of green-painted concrete. I intend to improve both, in time, however investing in upgrading the garden and rear terrace makes sense to me only after a building plan is approved. The plans shared April 23rd leave well over 40% of the lot without structures and exposed to sky—a rear terrace, a middle courtyard between buildings, a front yard, and a four foot passageway between front and middle yards. A landscape architect who comes highly recommended and whose clients include the Golden Gate National Recreation Area has visited the site and will help me develop and execute a plan for beautifying all of the outdoor spaces after a building plan is approved. Among the challenges we discussed were maintaining privacy and preserving light and air not only between planned and existing structures on my lot, but between the structure on the adjacent lot to the north and the planned structure on my lot.

As a result of the Community Outreach Meeting, I hope that at the very least you developed a deeper appreciation of the diligence and careful consideration that has been given to a variety of options and scenarios as I plan improvements to my property. I want to recognize that there seemed to be general support for the style and appearance of the planned building and that the concerns presented relate to its bulk and placement on the lot.

Thank you again for attending the Community Outreach Meeting and voicing your concerns.

Sincerely,

John Moroney
136ord@gmail.com

September 17, 2009

Dear Neighbor,

As many of you know, for over a year now I have owned and occupied the home at 136 Ord Street. Since purchasing my home, I have been working with an architect to develop plans to improve the property. Initial plans were presented to adjacent neighbors at a meeting held in late April 2009 during which a number of concerns were expressed. The plans were also presented at a meeting of the Corbett Heights Neighbors and the Eureka Valley Promotional Association, Planning Committee. The plans submitted with the building permit application took a great many of these concerns into consideration resulting in a reduction of the building height by more than 20% and elimination of a structural element which projected up against the north property line.

I would like to invite you to attend a meeting on **Tuesday, September 29 at 6:30 pm** to view the current plans and ask any questions you may have. The meeting will be held in my living room, and my architect will be present to respond to your questions.

Sometime after this meeting, you will be receiving a "311" Notification from the City's Planning Department which will contain reduced size drawings for your review in case you cannot make it to the meeting on the 29th. If you are planning to attend, please confirm with an e-mail to me at 136ord@gmail.com. Given the space constraints of my small living room, I may need to make alternative arrangements if a large number of people plan to attend.

Thank you,

John Moroney

[redacted] [redacted]

136 Ord Street
Meeting Sign-In Sheet
September 29, 2009

Printed Name	Signature	Address
[illegible]	[signature]	
[illegible] FREEMAN	[signature]	14[illegible] St
[illegible]	[signature]	[illegible]
[illegible]	[signature]	142 [illegible] St.
Bill F[illegible]	[signature]	142 [illegible]
David Christensen	[signature]	29 Hattie St.
Sarah Sobel	[signature]	130 Ord.
JOHN KOELSCH	[signature]	192 [illegible]
Julia Shiang	[signature]	128 Ord
Judith Hoyem	[signature]	4040-17th St.
[illegible]	[signature]	125 C[illegible]
BRIAN KAHRS	[signature]	126 ORD
BEN FRUMBGER	[signature]	125 ORD
Gary Weiss	[signature]	7[illegible] [illegible]
PHIL MATHEWS	[signature]	4220 21st St

Sponsor initiated and paid for mediation with DR filers through the Community Boards

- Sponsor invited DR filers to participate in mediation through the Community Boards on January 14, 2010. Invitation included the offer to pay for three hours.

- The mediation session which was eventually convened March 19, 2010 did not yield agreement which would cause the requests for Discretionary Review to be withdrawn.

COMMUNITY BOARDS

3130 24th Street, San Francisco, California 94110
(415) 920-3820 | fax (415) 626-0595 | www.communityboards.org

conflict resolution services since 1976

January 14, 2010

Mr. John Moroney
P. O. Box 14092
San Francisco, CA 94114

Re: Community Boards Reference #: SPEC -10-0026 SPEC

Dear Mr. Moroney:

Thank you for contacting Community Boards to help you resolve your dispute with Ms. Sarah Sobel and Ms. Alison Freeman, regarding property use. Community Boards is a non-profit organization that offers people the opportunity to resolve differences peacefully and to everyone's satisfaction. Our process aims to fully and equally address the issues of both parties.

We do not take sides. Nor do we impose solutions. Community Boards acts as a third, impartial party to help people reach their own better understandings and mutually acceptable solutions (see pamphlet enclosed). You have taken the first step and we, of course, encourage the fullest use of our services.

Your case manager can be reached at 415-920-3820 ext. 103. To help us assist you more efficiently, please refer to the following number when calling: -10-0026 SPEC. Our desire is to be of service to all of you.

The agreed upon rate for any mediation is $150.00 per hour (normally split between the parties). You have agreed to pay for the first three hours of mediation. There is a minimum charge of two hours for any scheduled mediation. If a mediation is canceled fewer than five working days prior to the scheduled session, and not rescheduled at the time of cancellation, there will be a cancellation fee in the amount of $200.00.

Sincerely,

Arnold McGilbray Jr.
Case Developer
Enc.

COMMUNITY BOARDS

3130 24th Street, San Francisco, California 94110
(415) 920-3820 | fax (415) 626-0595 | www.communityboards.org

March 10, 2010

conflict resolution services since 1976

Mr. John Moroney
P. O. Box 14092
San Francisco, CA 94114

Re: Community Boards Reference #: -10-0026 SPEC

Dear Mr. Moroney:

This will confirm the following mediation you have scheduled with Community Boards.
Date: March 19, 2010
Time: 6 PM
Location: Community Boards
3130 24th Street
San Francisco, CA 94110

Time reserved for mediation: Three hours

The agreed upon rate for the mediation is $150.00 per hour. There is a minimum charge of two hours for any scheduled mediation. If a mediation is canceled fewer than 3 working days prior to the scheduled session, and not rescheduled at the time of cancellation, there will be a cancellation fee in the amount of $200.00.

The mediation will be conducted within the guidelines of the Association of Dispute Resolution Northern California. All aspects of confidentiality and mediator immunity will apply to the mediation beginning with the first contact with any of the parties.

Because mediation is a process where you can craft an agreement to meet your needs, it is helpful if you prepare for the mediation by thinking about what your goals are; what has kept you from settling; what criteria you will use to evaluate offers presented at the mediation; and what the other side will need to hear in order to accept your offer.

If you have any questions, need additional information or if any of the terms do not reflect your understanding of the terms to mediate this dispute, please do not hesitate to call Mac McGilbray at (415) 920-3820 ext 103. We appreciate the opportunity to mediate this matter and look forward to working with you.

Sincerely,

Arnold McGilbray Jr.
Intake Coordinator
Enc.

COMMUNITY BOARDS PROGRAM

3130 -24th Street. SF, CA 94110
Tel:(415) 920-3820 X106
Fax: 415-626-0595
Federal Tax ID - 94-2382967

Bill To
John Maroney **P.O. Box 14092** **San Francisco, CA 94114**

Invoice

Date	Invoice #
3/19/2010	1128Srv

Terms	Due Date
	3/19/2010

Date of Service	Service	Description	Hours	Facilitator(s) - ...	Amount
3/19/2010	Mediation Servi...	Mediation Services Case# 10-0026 SPEC	3		450.00

Thank you for using our services.

Total	$450.00
Payments/Credits	$0.00
Balance Due	$450.00

NEW CONSTRUCTION AT

134 ORD STREET

SAN FRANCISCO, CA 94114

DESCRIPTION

CONSTRUCT A NEW 2-STORY, SINGLE FAMILY DWELLING ABOVE A BASEMENT/ GARAGE AT THE FRONT OF THE LOT

PROJECT INFO

OWNER	JOHN MORONEY	
DBI APP #		
YEAR BUILT:	1905 - 1913	
BLOCK:	2657	
LOT:	004	
LOT SIZE:	28' X 136'	
CONST. TYPE:		
OCCUPANCY:	SINGLE FAMILY DWELLING/ RH2 LOT	
ARCHITECT:	PHIL MATHEWS,	415-647-2747
OWNER:	JOHN MORONEY,	415-987-1754
ENGINEER:		
G.P. RATER	PRUDENCE FERREIRA,	415-516-1368

STORY	(E) AREA	ADDED	(N) AREA
1	N/A	1075	1075 SQ .FT.
2	N/A	1118	1118 SQ. FT.
3	N/A	1128	1128 SQ. FT.
TOTAL	N/A	3321	3321 SQ. FT.
TERRACE	N/A	121	121 SQ. FT.

ARCHITECTURAL SYMBOLS

7 / A2 — SECTION: SECTION NUMBER, SHEET NUMBER

3 / A5 — DETAIL: DETAIL NUMBER, SHEET NUMBER

3 / A6 — ELEVATION: ELEVATION NUMBER, SHEET NUMBER

(12) — DOOR NUMBER

(1) — WINDOW NUMBER

WALL KEY

- 1 HOUR WALL
- CONCRETE WALL
- CONCRETE WALL 1 HR. RATED

ARCHITECTURAL INDEX

ABBREVIATIONS

A.B.	ANCHOR BOLT	LAV.	LAVATORY
A.F.F.	ABOVE FINISHED FLR.	MECH.	MECHANICAL
B./BD.	BOARD	MEMB.	MEMBRANE
BLDG.	BUILDING	MFR.	MANUFACTURER
BLK'G	BLOCKING	MIN.	MINIMUM
BM.	BEAM	MISC.	MISCELLANEOUS
CL.	CENTERLINE	MTL.	METAL
CLG.	CEILING	MUL.	MULLION
CLR.	CLEAR	(N)	NEW
CLOS.	CLOSET	N.I.C.	NOT IN CONTRACT
COL.	COLUMN	NO.	NUMBER
CONC.	CONCRETE	P.	PLATE
CONT.	CONTINUOUS	P.L.	PROPERTY LINE
C.T.	CERAMIC TILE	P. LAM	PLASTIC LAMINATE
DTL.	DETAIL	PLAS.	PLASTER
DN.	DOWN	PR.	PAIR
DWG.	DRAWING	R.	RISER
(E)	EXISTING	R.D.	ROOF DRAIN
E.A.	EACH	REF.	REFRIGERATOR
EL.	ELEVATION	REINF.	REINFORCED
ELEC.	ELECTRICAL	REQ'D.	REQUIRED
ELEV.	ELEVATION (DWG.)	R.O.	ROUGH OPENING
EQ.	EQUAL	R.W.L	RAIN WATER LEADER
EQUIP.	EQUIPMENT	S.C.	SOLID CORE
EXP.	EXPOSED	SCHED.	SCHEDULE
EXT.	EXTERIOR	SECT.	SECTION
F.A.H.	FORCED AIR HEATER	S.F. or	
F.D.	FLOOR DRAIN	SQ. FT.	SQUARE FEET
FDN.	FOUNDATION	SHT.	SHEET
FLR.	FLOOR	SIM.	SIMILAR
F.O.C	FACE OF CONCRETE	SQ.	SQUARE
F.O.S.	FACE OF STUD	S.S.	STAINLESS STEEL
F.P.	FIREPLACE	STL.	STEEL
FTG.	FOOTING	STRUC.	STRUCTURAL
GA.	GAUGE	S.S.D.	SEE STRUC. DWGS.
GL.	GLASS	T.	TREAD
GYP.	GYPSUM	T & G	TONGUE & GROOVE
GYP. BD.		THK.	THICK
or G.B.	GYPSUM BOARD	T.O.	TOP OF
H.	HORIZONTAL	TYP.	TYPICAL
H.B.	HOSE BIBB	U.O.N	UNLESS OTHERWISE NOTED
H.C.	HOLLOW CORE	V.	VERTICAL
H.W.H.	HOT WATER HEATER	V.G.	VERTICAL GRAIN
INSUL.	INSULATION	W/	WITH
JT.	JOINT	W.C.	WATER CLOSET
KIT.	KITCHEN	WD.	WOOD
LAM.	LAMINATE	W/O	WITHOUT

1 AERIAL PHOTO OF SUBJECT LOT

134 ORD STREET
SAN FRANCISCO
CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

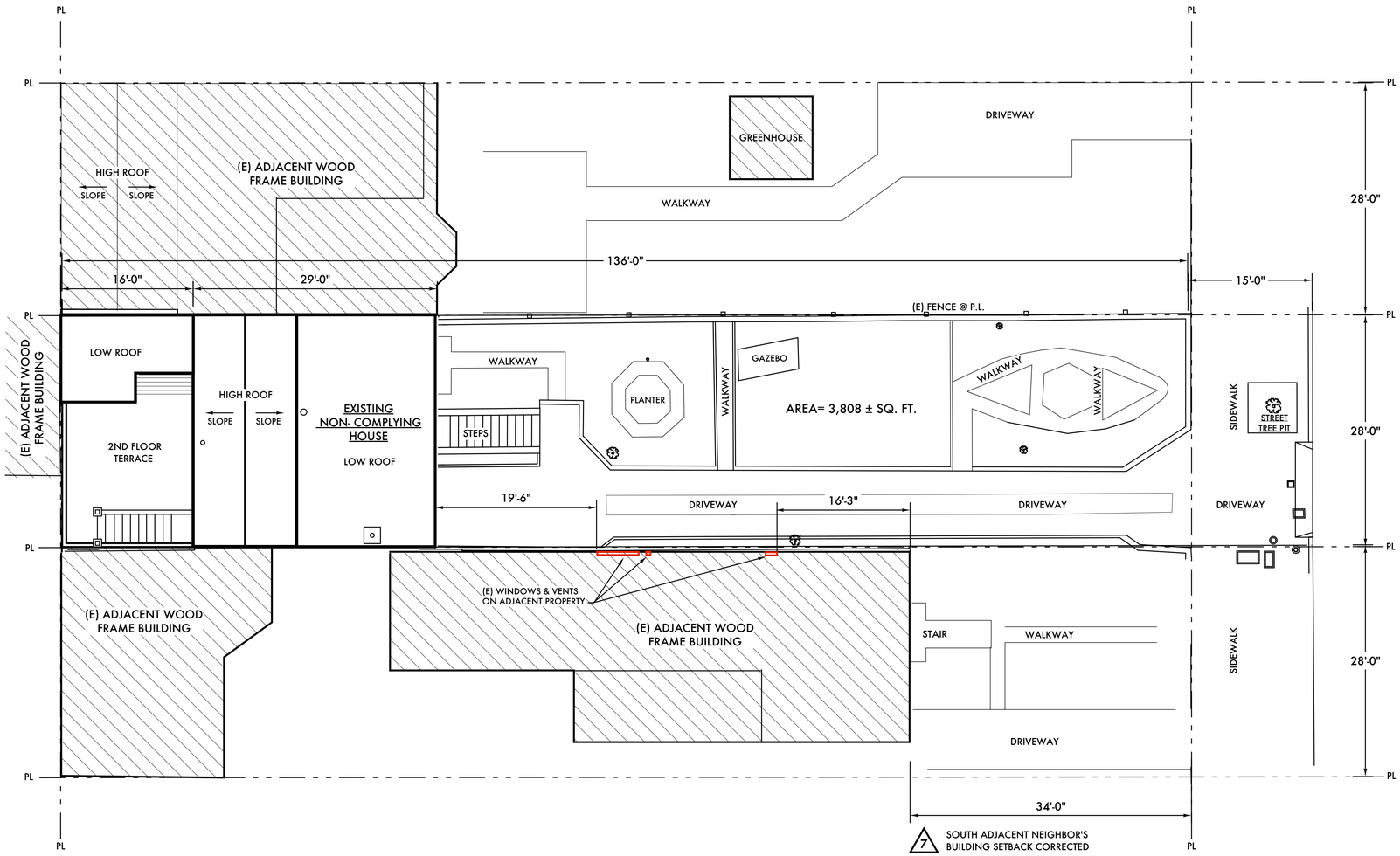
COVER

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
4	8/05/09 R.D.T. REVIEW
5	9/08/09 R.D.T. UPDATES
6	10/01/09 311 NOTICE
7	12/18/09 RESPONSE TO S.F.P.C. & NEIGHBORS
8	5/03/10 RESPONSE TO D.R. HEARING

PHILIP MATHEWS
ARCHITECT

4220 21ST STREET
SAN FRANCISCO, CA 94114
415-647-2747 phone/ fax
www.mathewsarchitect.com

A1



1 (E) SITE PLAN

SCALE: 1/8" = 1'

134 ORD STREET SAN FRANCISCO CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

EXISTING SITE PLAN

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
4	8/05/09 R.D.T. REVIEW
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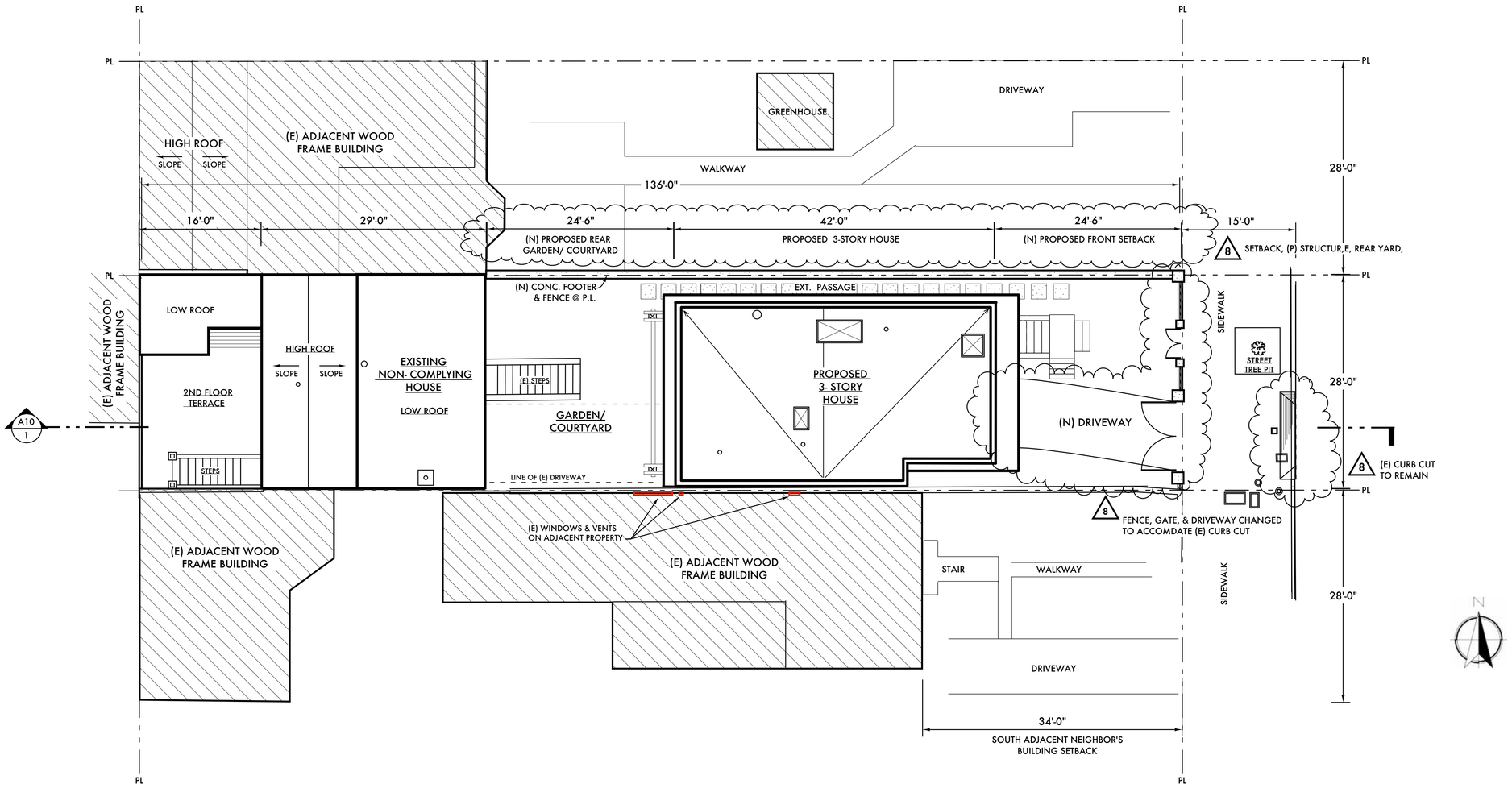
A2



1 PROPOSED SITE PLAN

SCALE: 1/8" = 1'

134 ORD STREET SAN FRANCISCO CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

7 12/18/09 REVISIONS IN RESPONSE TO NEIGHBORS AND SF PLANNING CODES

PROPOSED SITE PLAN

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
4	8/05/09 R.D.T. REVIEW
5	9/08/09 R.D.T. UPDATES
6	10/01/09 311 NOTICE
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8	5/03/10 RESPONSE TO D.R. HEARING

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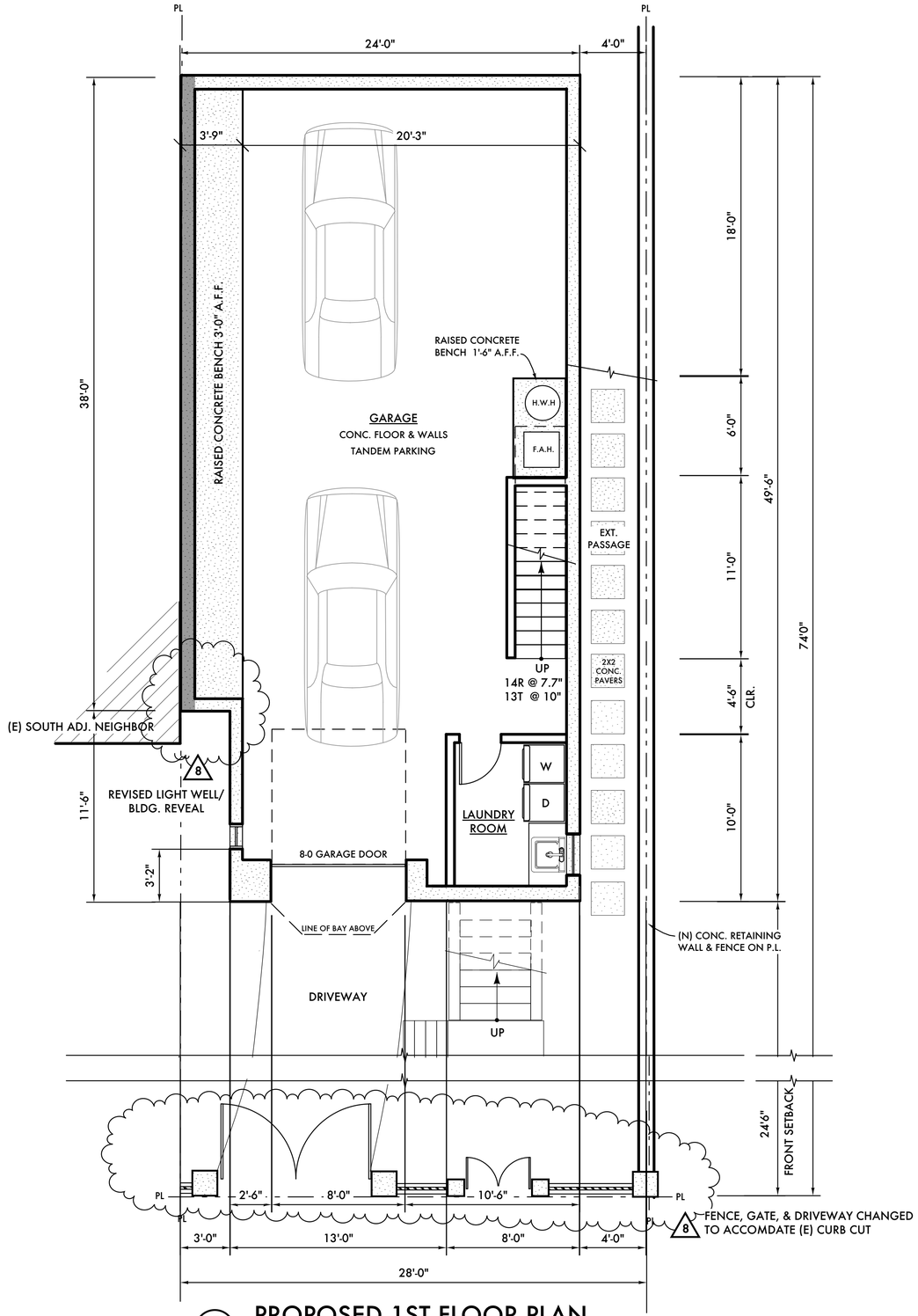
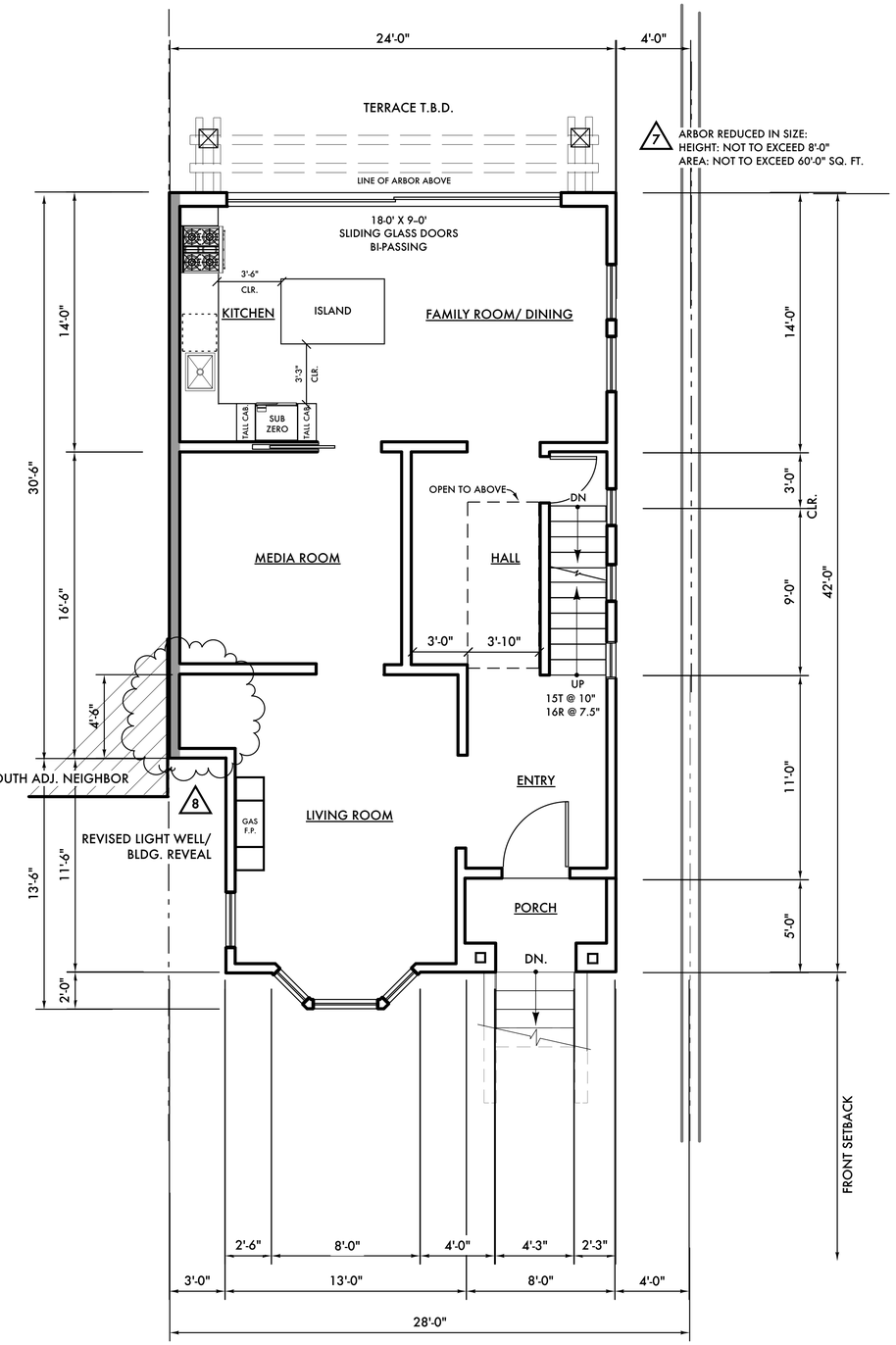
A3



DRIVEWAY

1 PROPOSED 1ST FLOOR PLAN

SCALE: 1/4" = 1'-0"



2 PROPOSED 2ND FLOOR PLAN

SCALE: 1/4" = 1'-0"

134 ORD STREET SAN FRANCISCO CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

PROPOSED PLANS 1ST AND 2ND FL.

	DATE	REVISION/ISSUE
	8/21/08	
1	3/10/09	DESIGN PHASE
2	4/29/09	DESIGN PHASE
3	7/07/09	SITE PERMIT SUBMIT
4	8/05/09	R.D.T. REVIEW
5	9/08/09	R.D.T. UPDATES
6	10/01/09	311 NOTICE
7	12/18/09	RESPONSE TO S.F.P.C. & NEIGHBORS
8	5/03/10	RESPONSE TO D.R. HEARING

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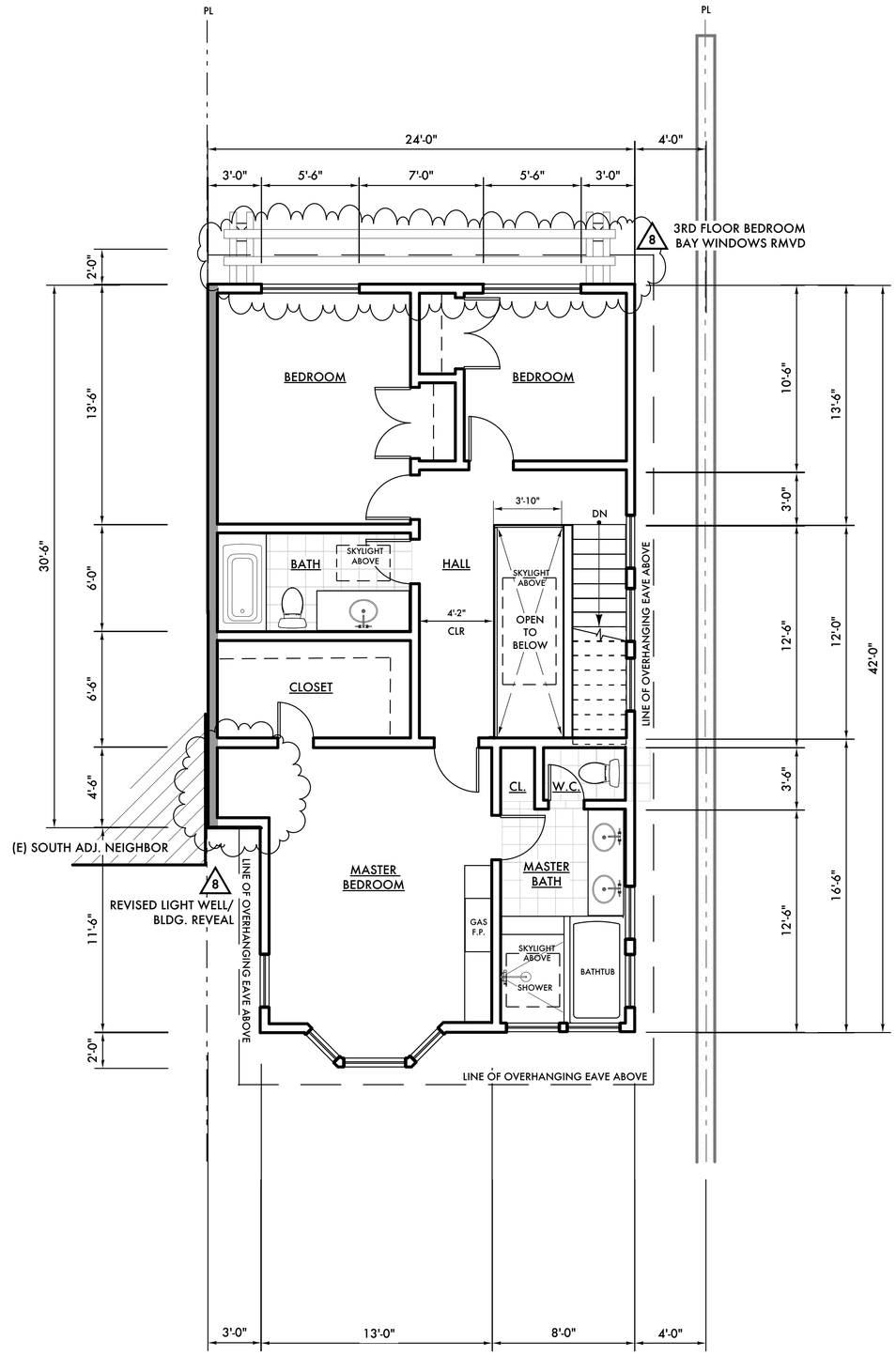
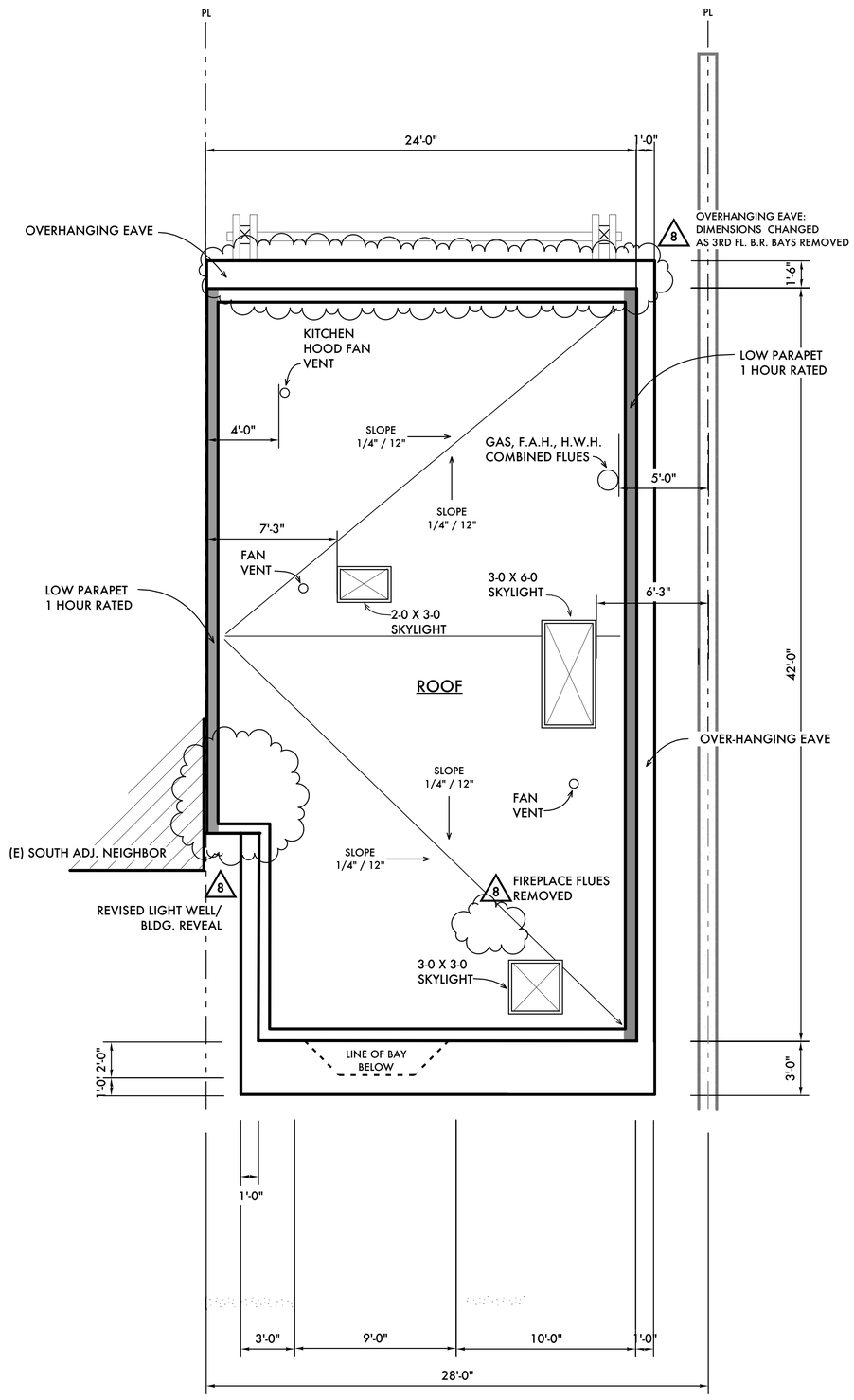
A4



1 PROPOSED 3RD FLOOR PLAN

SCALE: 1/4" = 1'-0"



2 PROPOSED ROOF PLAN

SCALE: 1/4" = 1'-0"

134 ORD STREET SAN FRANCISCO CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

PROPOSED PLANS 3RD FL & ROOF

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
4	8/05/09 R.D.T. REVIEW
5	9/08/09 R.D.T. UPDATES
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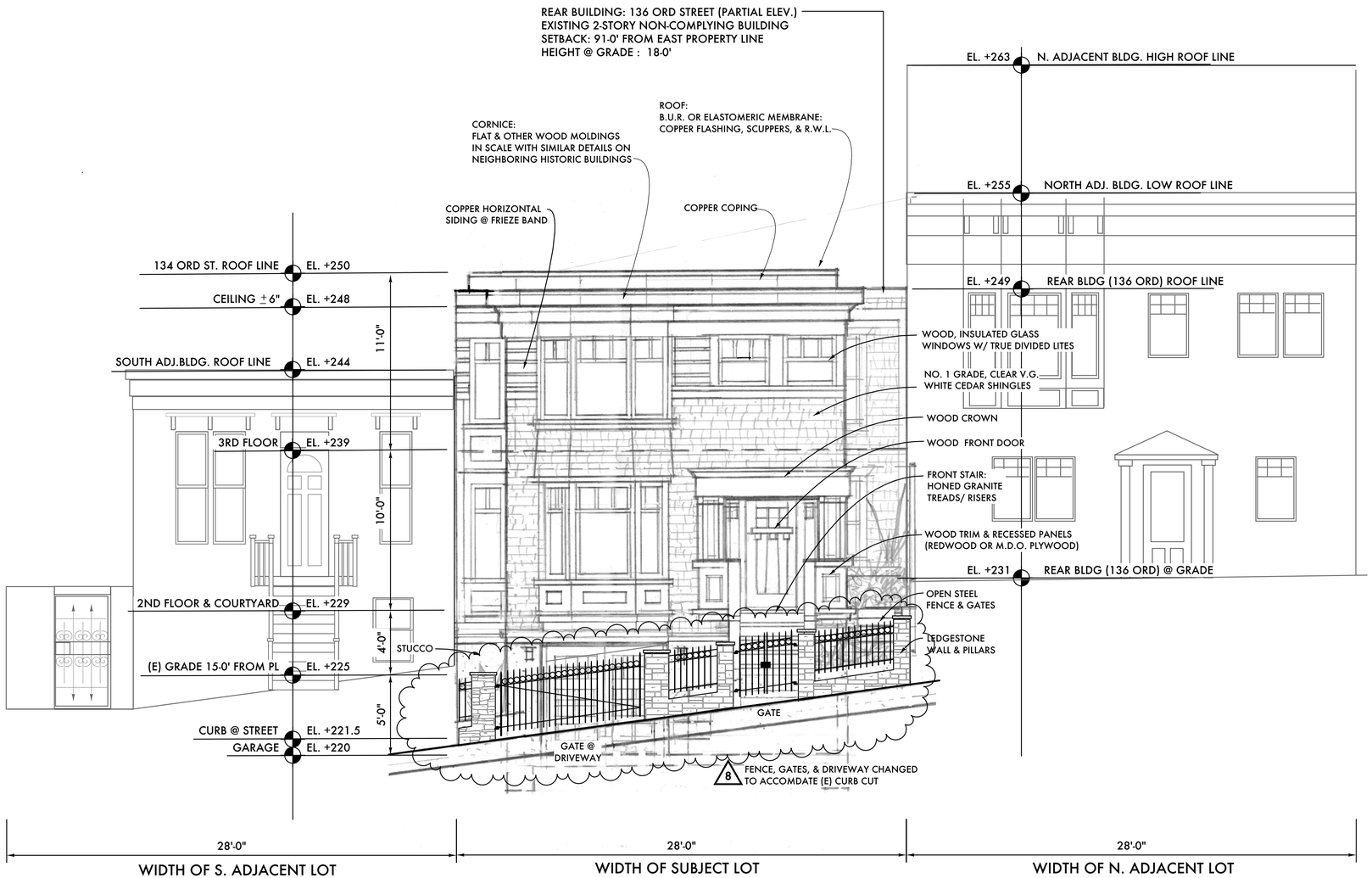
A5



WIDTH OF S. ADJACENT LOT

138- 140 ORD STREET

(E)1 STORY OVER BASEMENT
SETBACK: 34'-0' FROM EAST P.L.
HEIGHT @ GRADE: 18-0'

WIDTH OF SUBJECT LOT

134-136 ORD STREET

PROPOSED 2 STORY OVER BASEMENT

WIDTH OF N. ADJACENT LOT

130 ORD STREET

(E) 2 STORY OVER BASEMENT
SETBACK: 91-0' FROM EAST P.L.
HEIGHT @ GRADE: 32-0'

① PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0"

134 ORD STREET SAN FRANCISCO CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

PROPOSED EAST ELEVATION

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
4	8/05/09 R.D.T. REVIEW
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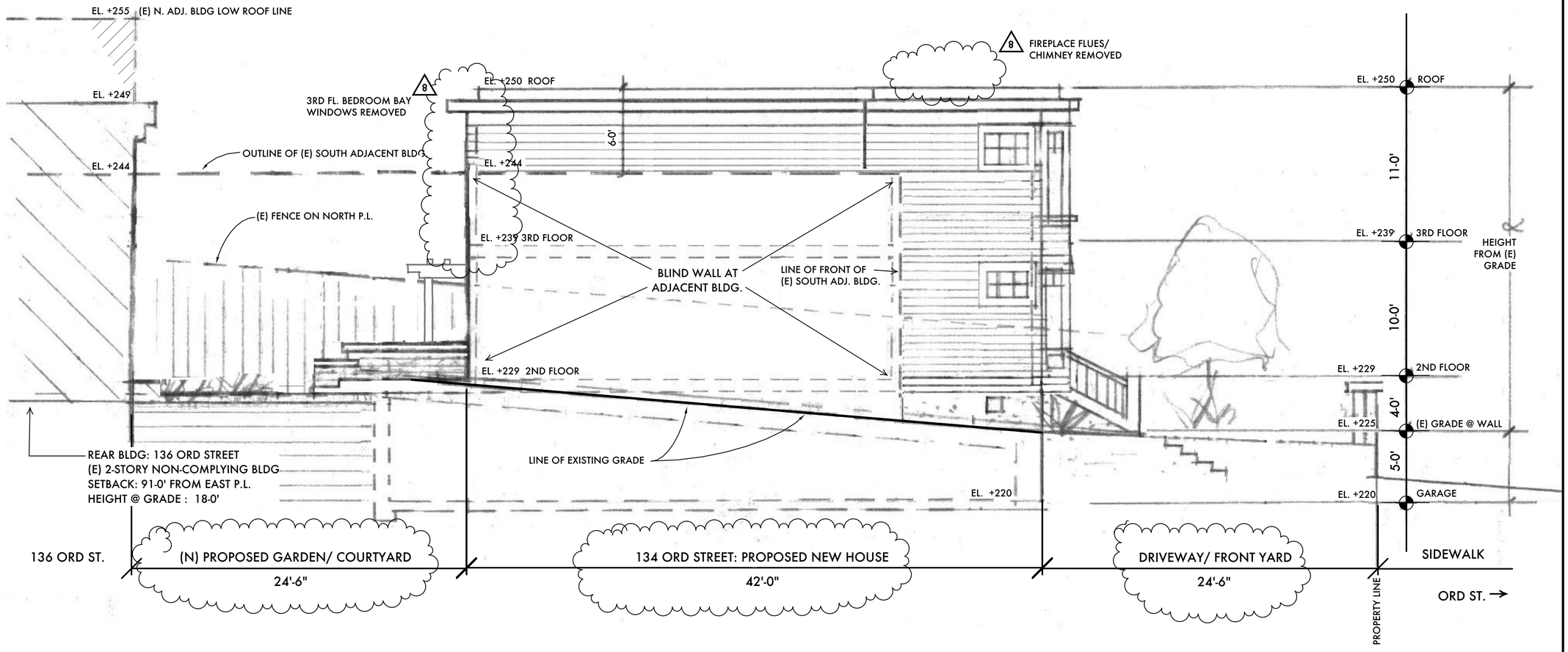
A6



1 PROPOSED SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

134 ORD STREET SAN FRANCISCO CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

PROPOSED SOUTH ELEVATION

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
4	8/05/09 R.D.T. REVIEW
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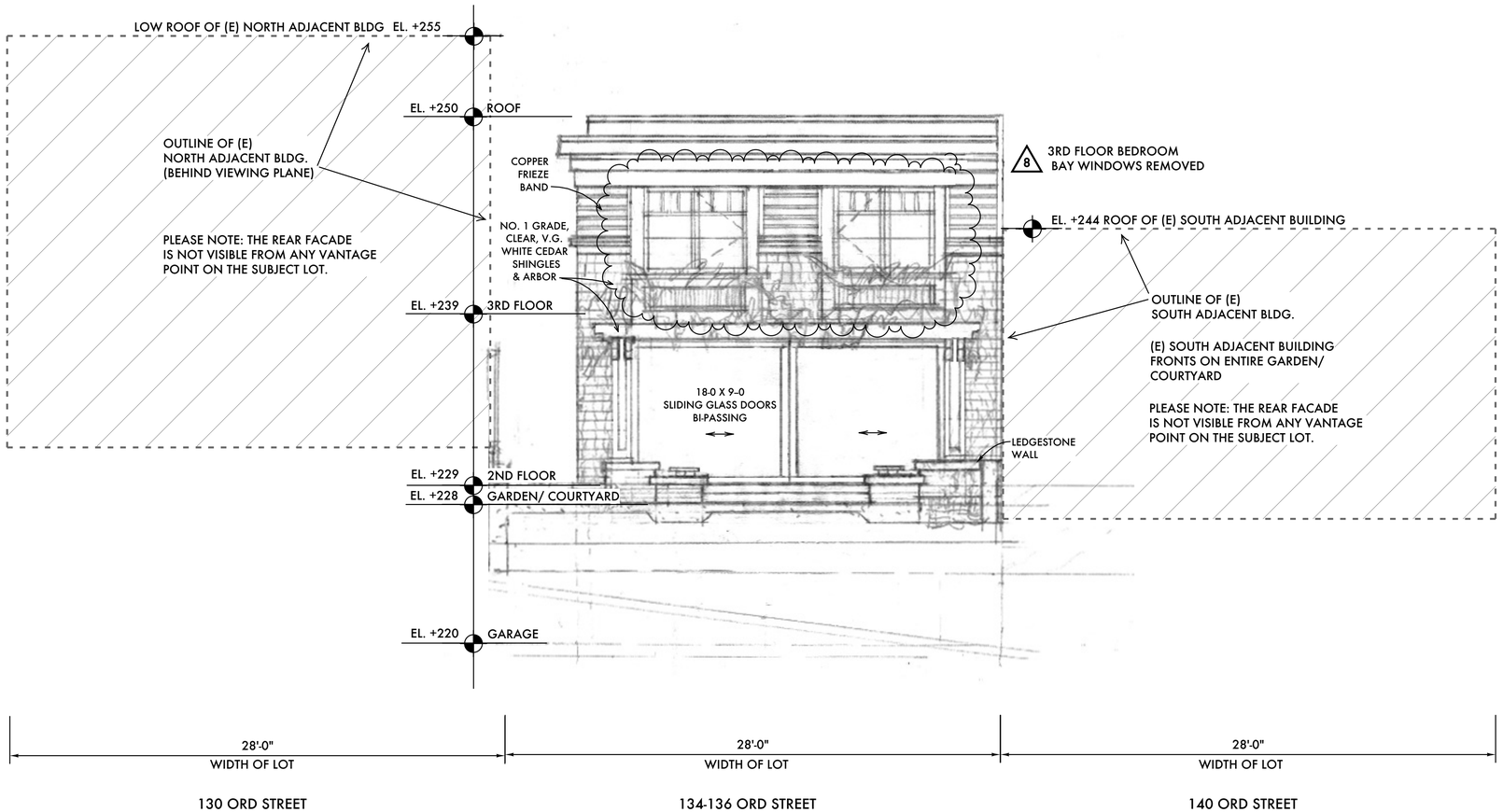
A7



1 PROPOSED WEST ELEVATION

SCALE: 1/4" = 1'-0"

134 ORD STREET
SAN FRANCISCO
CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE
STORY HOUSE

PROPOSED WEST ELEVATION

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
4	8/05/09 R.D.T. REVIEW
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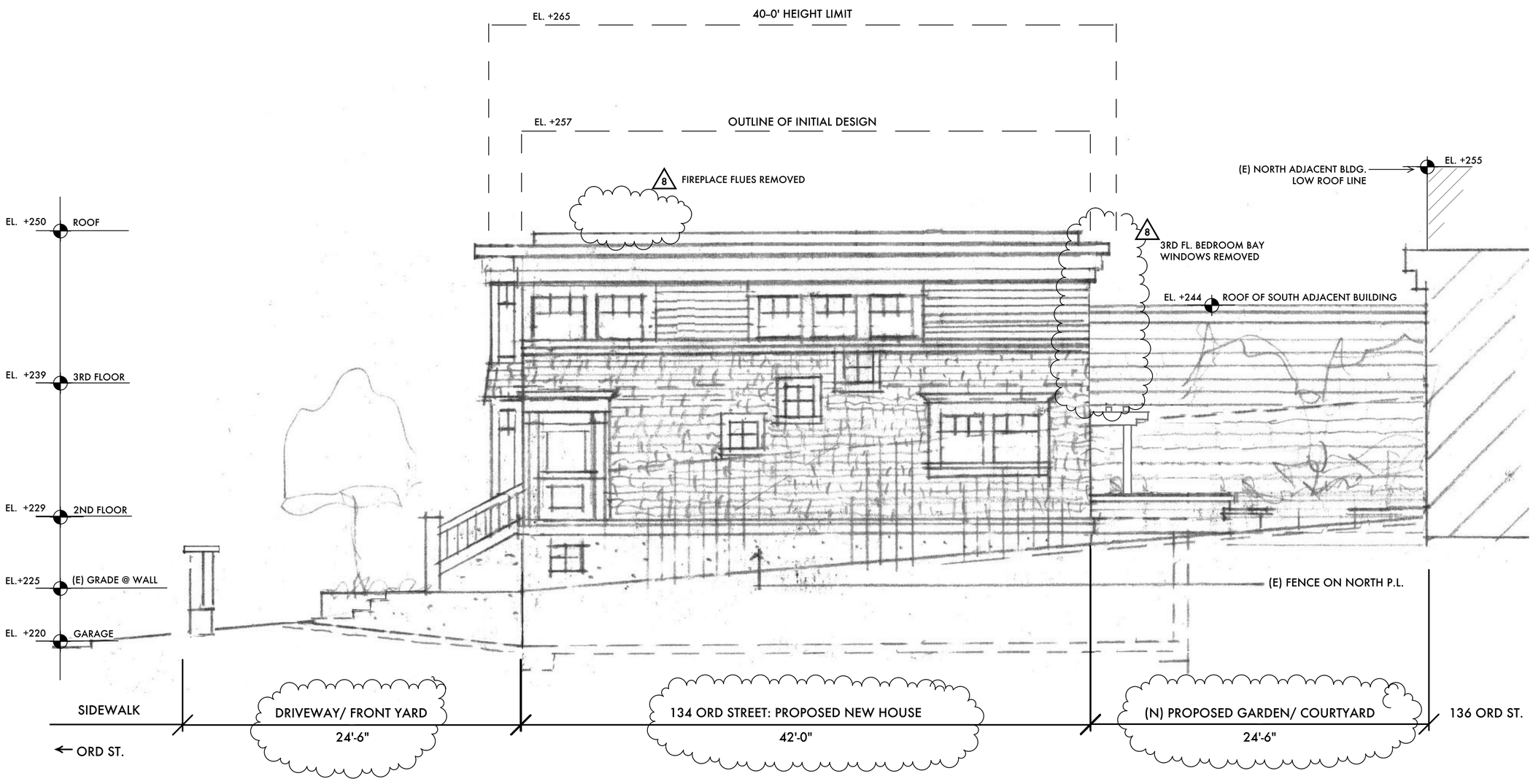
A8



1 PROPOSED NORTH ELEVATION

SCALE: 1/4" = 1'-0"

134 ORD STREET SAN FRANCISCO CA, 94114

BLK: 2657 LOT: 004

PROPOSED THREE STORY HOUSE

PROPOSED NORTH ELEVATION

REVISION/ISSUE	DATE
	8/21/08
1	3/10/09 DESIGN PHASE
2	4/29/09 DESIGN PHASE
3	7/07/09 SITE PERMIT SUBMIT
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A9