



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis Residential Demolition/New Construction

HEARING DATE: FEBRUARY 18, 2010

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

Reception:
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Planning
Information:
415.558.6377

Date: February 11, 2010
Case No.: 2009.0583D
 2009.1165DDDD
Project Address: 251 ARKANSAS STREET
Zoning: RH-3 (Residential House, Three-Family)
 40-X Height and Bulk District
Block/Lot: 4004/024
Project Sponsor: Warner Schmalz
 Forum Design
 1014 Howard Street
 San Francisco, CA 94103
Staff Contact: Corey Teague – (415) 575-9081
corey.teague@sfgov.org
Recommendation: **Do not take DR and approve demolition and new construction as proposed.**

DEMOLITION APPLICATION		NEW BUILDING APPLICATION	
Demolition Case Number	2009.0583D	New Building Case Number	2009.1165DDDD
Recommendation	Do Not Take DR	Recommendation	Do Not Take DR
Demolition Application Number	2009.05.20.8829	New Building Application Number	2009.05.20.8827
Number Of Existing Units	1	Number Of New Units	3
Existing Parking	2	New Parking	3
Number Of Existing Bedrooms	2	Number Of New Bedrooms	6
Existing Building Area	± 1,186 Sq. Ft.	New Building Area	± 3,323 Sq. Ft.
Public DR Also Filed?	No	Public DR Also Filed?	Yes
311 Expiration Date	1/13/10	Date Time & Materials Fees Paid	N/A

PROJECT DESCRIPTION

The proposal is to demolish the existing single-family home and construct a 4-story, 3-unit residential building with 3 off-street parking spaces provided in a ground floor garage.

SITE DESCRIPTION AND PRESENT USE

The property at 251 Arkansas Street is located on the east side of Arkansas Street between Mariposa and 18th Streets. The property has 25 feet of lot frontage and a depth of 100 feet. The up-sloping lot contains a 2-story, single-family detached dwelling of approximately 1,186 square-feet. The dwelling is setback approximately 10 feet from the front property line above the garage level, and includes habitable attic space. The property is within a RH-3 (Residential, House, Three-Family) Zoning District with a 40-X Height and Bulk designation. City records indicate that the structure was originally constructed circa 1900.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The subject property is located in an area of RH-3 zoning at the northern base of Potrero Hill, where primarily residential uses and zoning transitions into the more mixed use and industrial area of Showplace Square. The buildings on the same block face consist of a mixture of two and three-story buildings containing mostly two or three dwelling units. The adjacent block across the street from the subject property is zoned Urban Mixed Use (UMU) and contains a mix of industrial, institutional, and commercial uses. Due to the sloping nature of the street, no structure rises more than a few feet above the street level on the east side of Arkansas Street, except for the four-story Live Oak School at the corner of Mariposa Street.

The two immediately adjacent properties contain a three-story building to the north and a two-story building to the south that—due to a raised ground floor and false parapet—presents a taller street presence than a typical two-story building. The immediate block is a mixture of residential flats of varying ages. Visual continuity on the block is mixed in terms of architectural style and there is not a strong pattern of massing or materials.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	January 11, 2010	January 11, 2010	10 days
Mailed Notice	10 days	January 11, 2010	January 11, 2010	10 days

PUBLIC COMMENT

The Project completed the Section 311 and Mandatory DR notification. Three separate Discretionary Reviews were filed.

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)		1 (DR Requestor)	
Other neighbors on the block or directly across the street		3 (2 DR Requestors + 1)	
Neighborhood groups			

REPLACEMENT STRUCTURE

The replacement structure will provide three dwelling-units with a three-car garage, and would rise to approximately 40 feet in height. The structure will include three 2-bedroom flats, a three-car garage on the ground floor, a roof deck, and minor front setbacks at the 4th floor. Unlike the sloped roof of the existing structure, the new structure will provide a flat roof. The rear of the replacement structure was sculpted, and the roof deck was repositioned, in coordination with the DR Requestors to limit impacts on light, air and privacy.

The Project proposes a rear yard of approximately 45 feet, which is the minimum requirement for the Subject Property. The overall scale, design, and materials of the proposed replacement structure are compatible with the block-face and are complementary with the residential neighborhood character. The materials for the front façade are modern in style, with wood paneling, porcelain tiles, cement plaster, powder coated aluminum frame windows, and an angled front bay to help preserve the neighbor's downtown view.

DR REQUESTORS

DR Requestors	Address	Proximity
Raquel Jimenez	255-257 Arkansas St	Adjacent Neighbor
Arik Lifschitz	1536-1538 18 th St	Nearby Cross Street
Philip Bailey	1530-1532 18 th St	Nearby Cross Street

DR REQUESTORS' CONCERNS AND PROPOSED ALTERNATIVES

Issue 1: That the proposal, which includes 4 stories and a roof deck, is too tall for this area and block, and would set a precedent for future development in the neighborhood.

Proposed Alternative: Limit the height to the average of the two adjacent buildings and remove the roof deck.

Issue 2: That the proposal significantly intrudes into the established midblock open space and would set a precedent for future development in the neighborhood.

Proposed Alternative: Limit the depth of the building to the average of the two adjacent buildings.

Issue 3: That the proposed 3 parking spaces will not meet the demands of 3 three family-sized units and would add more pressure to the already crowded streets in the area.

Proposed Alternative: None provided.

Issue 4: That the demolition of the existing single-family home will have a negative impact on the mix and affordability of housing in the area.

Proposed Alternative: Do not demolish the existing single-family home and instead rehabilitate it and add a rear deck.

PROJECT SPONSOR'S RESPONSE

See attached sponsors comments dated February 8th, 2010, and the reduced plans that include additional graphic exhibits.

PROJECT ANALYSIS

Issue 1 – Height: While the block includes mostly 3-story buildings, the heights of these buildings are substantial, and as a result the proposed 4-story building is not a full story taller than the surrounding buildings. As such, a significant 4th story front setback is not necessary. The 6-foot setback on the northern portion and the slightly smaller setback on the southern portion of the 4th floor adequately respond to the heights of surrounding buildings while retaining the overall design quality of the proposed building. Additionally, the roof deck was moved away from the rear building wall to a more central location in response to the DR Requestors' concerns, making it less visible overall.

Issue 2 – Depth: While the depth of the proposed building is greater than the two adjacent structures, it is within Planning Code requirements and compatible with the block overall. The project does not use rear yard averaging to gain additional building depth. The original rear bays were also replaced with balconies in response to DR Requestors' concerns, which reduces the overall mass in the rear.

The up-sloping and associated excavation in the rear results in the perception of only a 2-story building in the rear. The approximately 25 square foot "notch" at the southern corner of the rear of the building adequately responds to the adjacent building, which is one of the most shallow buildings on the block. Additionally, there should be no shadow impact on the adjacent DR Requestor's property because it is directly south of the subject property.

Issue 3 – Parking: The project provides the minimum Planning Code requirement of 3 parking spaces: one for each dwelling unit. Neither the General Plan nor any other policy document supports the concept of requiring more parking for the proposed dwelling units.

ENVIRONMENTAL REVIEW

The Project was issued a Categorical Exemption, Classes 1 and 3 [State CEQA Guidelines Section 15301(1)(1) and 15303(b)] on November 4, 2009.

RESIDENTIAL DESIGN TEAM REVIEW

The request(s) for Discretionary Review was reviewed by the Department's Residential Design Team (RDT). The RDT's comments included:

- Provide a moderate front setback at the top story, not including the bay.
- Align the fenestration patterns to be more in line with the existing block face.
- Provide an approximately 25 square foot "notch" at the southern corner of the rear of the building.

The Project Sponsor made the above changes to the proposal per RDT comments. The RDT supports the project as proposed.

Under the Planning Department's proposed DR Reform Policy, this project would not be referred to the Planning Commission as this project does not meet the threshold of exceptional or extraordinary.

BASIS FOR RECOMMENDATION

The Department recommends that the demolition of the existing single-family dwelling and the construction of a new three-family dwelling be approved. The Project is consistent with the Objectives and Policies of the General Plan and complies with the Residential Design Guidelines and Planning Code. The Project meets the criteria set forth in Section 101.1 of the Planning Code in that:

- The Project will result in a net gain of two dwelling units.
- The Project will create three family-sized dwelling-units, each with two bedrooms.
- No tenants will be displaced as a result of this Project.
- Given the scale of the Project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- The RH-3 Zoning District allows a maximum of three dwelling units on this lot. This District is intended to accommodate a greater density than what currently exists on this underutilized lot, and several of the surrounding properties reflect this ability to accommodate the maximum density. The Project is therefore an appropriate in-fill development.
- Although the existing structure is more than 50-years old, a review of the Historic Resource Evaluation resulted in a determination that it is not an historic resource or landmark.

RECOMMENDATION:

Case No. 2009.0583D – Do not take DR and approve the demolition.

Case No. 2009.1165DDDD – Do not take DR and approve the new construction as proposed.

DEMOLITION CRITERIA - ADMINISTRATIVE REVIEW

Existing Value and Soundness

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

Project Does Not Meets Criteria

The Project Sponsor does not claim that the property is valued at or above 80% of the median single-family home prices in San Francisco (\$1.342 million as of March 26, 2009). As such, the property is considered relatively affordable and financially accessible housing for the purposes of this report and Planning Code Section 317.

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

Project Does Not Meet Criteria

The sponsor submitted a Soundness Report prepared by Santos & Urrutia. Staff found that much of the upgrade cost estimates includes repair of elements that may be prudent to repair, but that are not included in the soundness upgrade factor. These elements were either illegally constructed or altered without permit, or they are maintenance items of elements that have reached the end of their normal life and need to be replaced. The needed replacement of these elements is not due to original construction deficiencies. Therefore, staff does not believe this structure is "unsound" in accord with the provisions of Section 317.

DEMOLITION CRITERIA

Existing Building

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

Project Does Not Meet Criteria

The Department of Building Inspections issued a Notice of Violation for unpermitted work on the foundation of the subject building on February 6, 2004. No additional action was ever taken on that Notice. The Planning Department received a complaint on July 17, 2006, that an illegal dog kennel was being operated at the subject property. However, the complaint was closed on August 7, 2006, after repeated site visits found no indications of a dog kennel. There is no other history of code violations at the subject property.

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

Project Does Not Meet Criteria

Unpermitted work on the foundation, the addition of retaining wall at the rear of the building, and make-shift supports for the rear porch have rendered the structure less safe.

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

Project Meets Criteria

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

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

Criteria Not Applicable to Project

The property is not a historical resource.

Rental Protection

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

Criteria Not Applicable to Project

The existing unit is currently vacant and was previously owner-occupied.

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

Project Meets Criteria

According to the Project Sponsor, the building is not subject to rent control because it is a single-family dwelling that is currently vacant.

Priority Policies

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

Project Does Not Meet Criteria

The Project does not meet this criterion because the existing dwelling will be demolished. Nonetheless, the Project results in a net gain of housing and thus preserves and enhances the quantity of housing. Three family-sized units will replace one single-family home. The creation of these three family-sized units will preserve the cultural and economic diversity within the neighborhood.

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

Project Meets Criteria

The Project will conserve the neighborhood character by constructing a replacement building that is compatible with regard to materials, massing, glazing pattern, and roofline with the dwellings in the surrounding neighborhood. By creating a compatible new building that increases the density by two units in a neighborhood containing a mix of one to four-unit buildings,, the neighborhood's cultural and economic diversity will be preserved.

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

Project Meets Criteria

Although the existing dwelling proposed for demolition is not above the 80% average price of a single-family home and thus considered "relatively affordable and financially accessible" housing, the dwelling is

not defined as an “affordable dwelling-unit” by the Mayor’s Office of Housing. By creating three new dwelling-units where one dwelling used to exist, the relative affordability of existing housing is being preserved because the land costs associated with the housing are spread out over three dwellings rather than one. The reduction in land costs per unit reduces the overall cost of housing.

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

Project Does Not Meet Criteria

The Project does not include any permanently affordable units, as the construction of three units does not trigger Section 315 affordability requirements.

Replacement Structure

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

Project Meets Criteria

The Project replaces one single-family dwelling with three dwelling-units in a neighborhood characterized by one to four-family dwellings.

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

Project Meets Criteria

The Project will create three family-sized units – each with two-bedrooms. Each unit is provided an off-street parking space.

13. Whether the Project creates new supportive housing;

Project Does Not Meet Criteria

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

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

Project Meets Criteria

The Project is in scale with the surrounding neighborhood and constructed of high-quality materials.

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

Project Meets Criteria

The Project increases the number of dwelling units on the site from one to three.

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

Project Meets Criteria

The Project increases the number of bedrooms on the site from 2 to six.

Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

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

Comments: The buildings on the same block face consist of a mixture of two and three-story buildings containing mostly two or three dwelling units. The two immediately adjacent properties contain a three-story building and a two-story building that—due to a raised ground floor and false parapet—presents a taller street presence than a typical two-story building. The immediate block is a mixture of residential flats of varying ages. Visual continuity on the block is mixed in terms of architectural style and there is not a strong pattern of massing or materials.

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 follows the pattern on its side of the block of excavating into the hill to provide varying levels of rear yard space. The front setback is minimal, but provides good transition between the sidewalk and building. The “notch” at the southern corner of the rear of the building

adequately responds to the adjacent building. The roof deck is placed in the center of the building, which helps protect privacy on adjacent lots.

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 maximizes building area while staying consistent with the block face and complementary to the neighborhood character. The small front setback at the top floor provides an adequate response to the slightly shorter structures on the block. The height and depth of the building are compatible with the existing mid-block open space, as most buildings on the block extend up to or close to the 45% required rear yard. The "notch" at the southern corner of the rear of the building adequately responds to the adjacent building. The building's form, façade width, proportions, and roofline are compatible with the mixed neighborhood context.

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

Comments: The slightly raised and inset entry on the ground floor, a ground floor window, high quality building materials, and front landscaping combine to create an interesting street presence. The front bay provides needed texture to the front façade and its angle reduces the impact to the northern neighbor's downtown views. The garage door is the minimum 8 feet and of wood.

BUILDING DETAILS (PAGES 43 - 48)

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

Comments: The placement and scale of the architectural details are compatible with the mixed residential character of this neighborhood. The powder-coated aluminum windows are appropriate for the building's modern design and are in character and compatible with the varied window patterns found on neighboring buildings. The wood panel wall finish and cement plaster at the top floor is compatible with the existing buildings in the neighborhood.

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

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

Comments: The Project is not an alteration, and the dwelling that will be demolished has been determined not to be an historical resource for the purposes of CEQA.

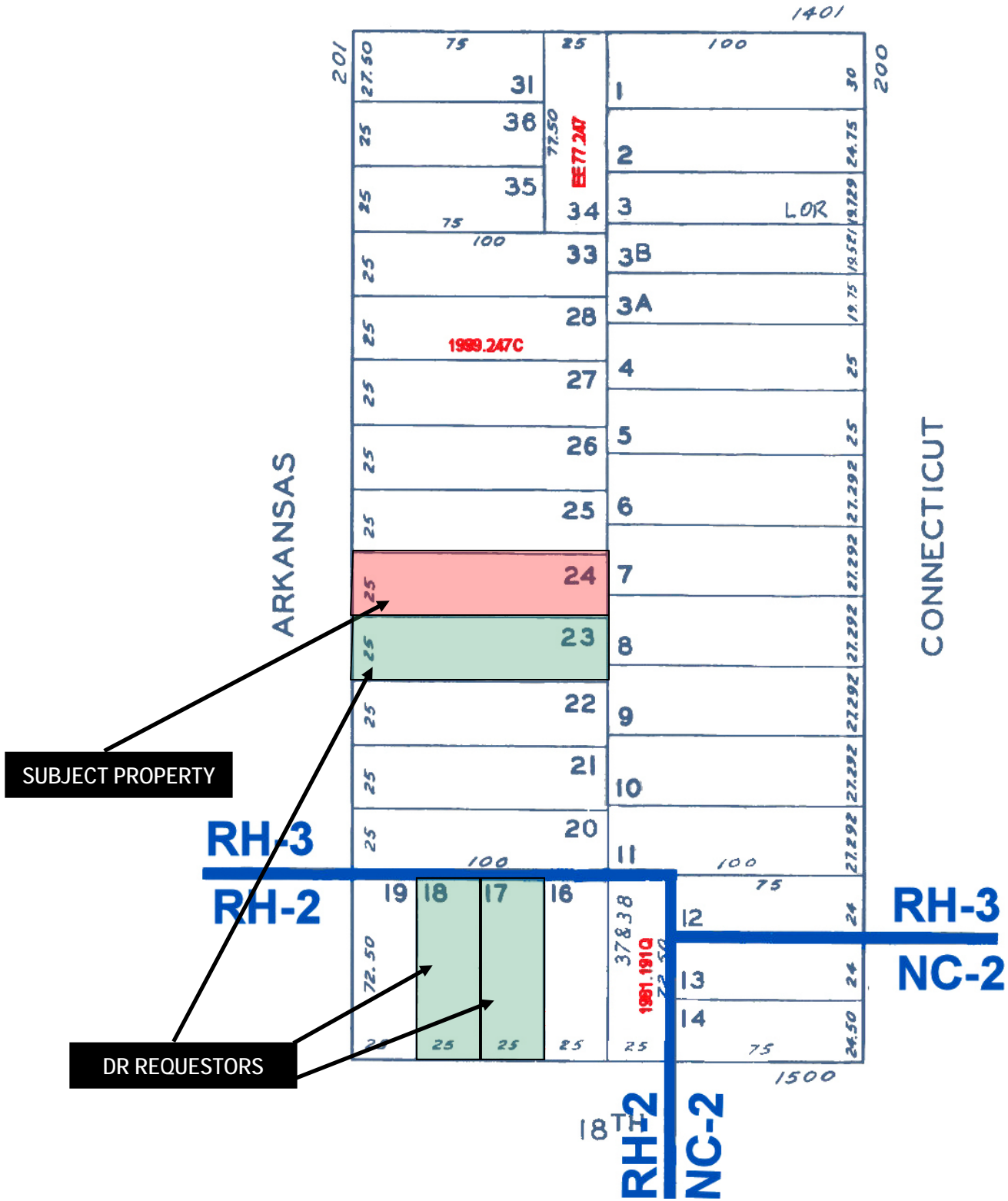
Attachments:

- Block Book Map
- Sanborn Map
- Aerial Photographs
- Zoning Map
- Section 311 Notice
- Environmental Evaluation / Historic Resources Information
- Residential Demolition Application
- Prop M findings
- Discretionary Review Applications
- Response to Discretionary Review Applications
- Reduced Plans (including 3D Representations)

* All page numbers refer to the Residential Design Guidelines

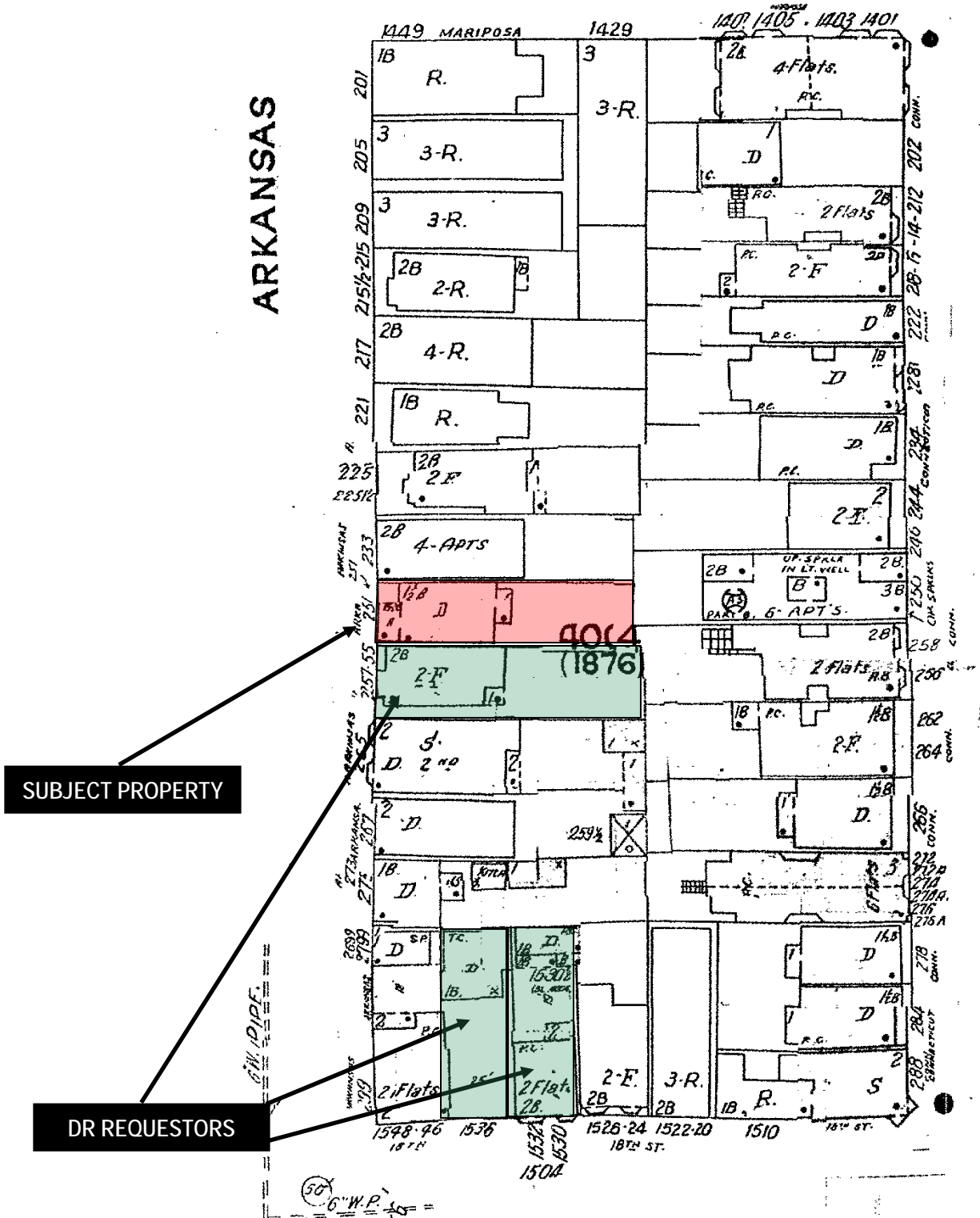
Block Book Map

MARIPOSA



Discretionary Review Hearing
 Case Numbers 2009.0583D and 2009.1165DDDD
 Residential Demolition and Replacement
 1354 Rhode Island Street

Sanborn Map*



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

Discretionary Review Hearing
Case Numbers 2009.0583D and 2009.1165DDDD
Residential Demolition and Replacement
1354 Rhode Island Street

Aerial Photo



Discretionary Review Hearing
Case Numbers 2009.0583D and 2009.1165DDDD
Residential Demolition and Replacement
1354 Rhode Island Street

Aerial Photo



SUBJECT PROPERTY

DR REQUESTORS



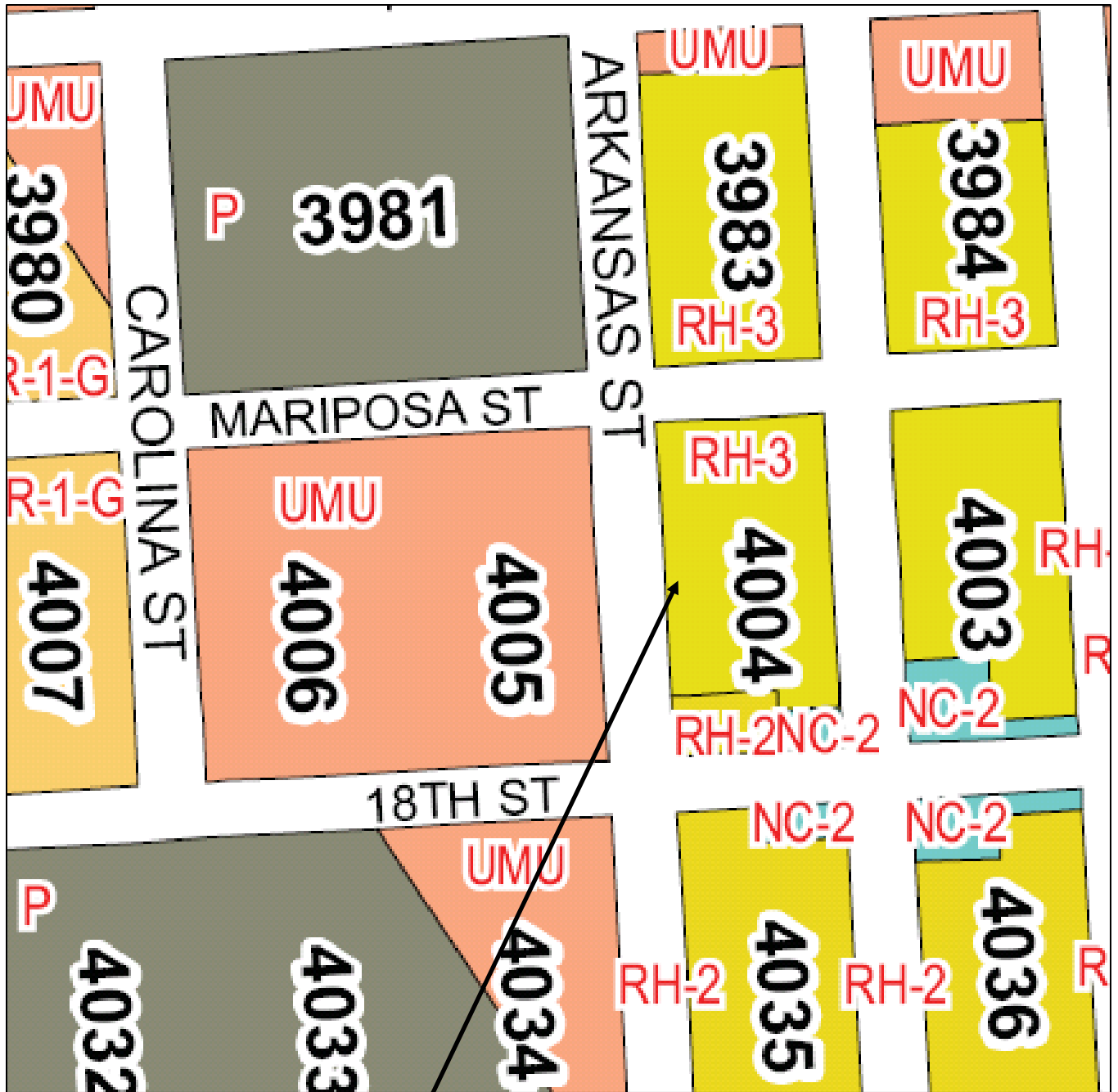
Street Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Numbers 2009.0583D and 2009.1165DDDD
Residential Demolition and Replacement
1354 Rhode Island Street

Zoning Map



SUBJECT PROPERTY



Discretionary Review Hearing
Case Numbers 2009.0583D and 2009.1165DDDD
Residential Demolition and Replacement
1354 Rhode Island Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On May 20, 2009, the Applicant named below filed Building Permit Application No. 2009.05.20.8829 (Demolition) and 2009.05.20.8827 (New Construction) with the City and County of San Francisco.

CONTACT INFORMATION

Applicant: Warner Schmalz
Address: 1014 Howard Street
City, State: San Francisco, CA 94103
Telephone: (415) 252-7063

PROJECT SITE INFORMATION

Project Address: 251 Arkansas Street
Cross Streets: Mariposa and 18th Street
Assessor's Block /Lot No.: 4004/024
Zoning Districts: RH-3 /40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

PROJECT SCOPE

- DEMOLITION and/or NEW CONSTRUCTION or ALTERATION
 VERTICAL EXTENSION CHANGE # OF DWELLING UNITS FACADE ALTERATION(S)
 HORIZ. EXTENSION (FRONT) HORIZ. EXTENSION (SIDE) HORIZ. EXTENSION (REAR)

PROJECT FEATURES EXISTING CONDITION PROPOSED CONDITION

FRONT SETBACK (Garage Level)	None	No Change
FRONT SETBACK (Above Garage)	10 feet	+/- 2 feet
SIDE SETBACKS	None	No Change
BUILDING DEPTH	+/- 43 feet	+/- 61 feet
REAR YARD	+/- 57 feet	+/- 39 feet
HEIGHT OF BUILDING	+/- 30 feet	40 feet
NUMBER OF STORIES	3	4
NUMBER OF DWELLING UNITS	1	3
NUMBER OF OFF-STREET PARKING SPACES	2	3

PROJECT DESCRIPTION

The proposal is to demolish the existing single-family home and construct a 4-story, 3-unit residential building with 3 off-street parking spaces provided in a ground floor garage. The proposal is subject to a Mandatory Discretionary Review hearing before the Planning Commission for the demolition of an existing residential unit, which is *tentatively* scheduled for January 21, 2010 (Case No. 2009.0583D). Separate notice for the Planning Commission will be provided closer the date of the hearing.

PLANNER'S NAME: Corey Teague
PHONE NUMBER: (415) 575-9081
EMAIL: corey.teague@sfgov.org

DATE OF THIS NOTICE:
EXPIRATION DATE:

12/14/09
1/13/10



SAN FRANCISCO PLANNING DEPARTMENT

Environmental Evaluation Application

The California Environmental Quality Act (CEQA) requires public agencies to review the environmental impacts of proposed projects. In San Francisco, environmental review under CEQA is administered by the Major Environmental Analysis (MEA) division of the Planning Department. The environmental review process begins with the submittal of a completed Environmental Evaluation (EE) Application to the Planning Department. Only the current EE Application form will be accepted. No appointment is required but staff is available to meet with applicants upon request.

The EE Application will not be processed unless it is completely filled out and the appropriate fees are paid in full. Checks should be made payable to the San Francisco Planning Department. See the current *Schedule of Application Fees* and contact the staff person listed below for verification of the appropriate fees. Fees are generally non-refundable. Documents in italics are available online at sfgov.org/planning.

The EE Application is comprised of four parts. Part 1 is a checklist to ensure that the EE Application is complete; Part 2 requests basic information about the site and the project; Part 3 is a series of questions to help determine if additional information is needed for the EE Application; and Part 4 is a project summary table.

The complete EE Application should be submitted to the Planning Department staff as follows: For projects greater than 10,000 square feet in size and where Part 3 Questions #3, #8, #10, or #11 are answered in the affirmative, or for projects that require mitigation measures, please send the application materials to the attention of Ms. Kienker. For all other projects, please send the application materials to the attention of Mr. Bollinger.

Brett Bollinger
1650 Mission Street, Suite 400
San Francisco, CA 94103
(415) 575-9024, brett.bollinger@sfgov.org

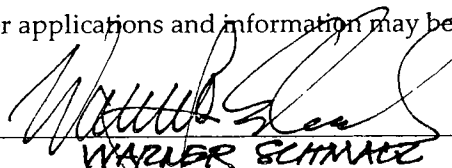
Leigh Kienker
1650 Mission Street, Suite 400
San Francisco, CA 94103
(415) 575-9036, leigh.kienker@sfgov.org

PART 1 – EE APPLICATION CHECKLIST	Provided	Not Applicable
Two copies of this application with all blanks filled in	<input checked="" type="checkbox"/>	
Two sets of project drawings (see "Additional Information" at the end of page 4,)	<input checked="" type="checkbox"/>	
Photos of the project site and its immediate vicinity, with viewpoints labeled	<input checked="" type="checkbox"/>	
Fee	<input type="checkbox"/>	
<i>Supplemental Information Form for Historical Resource Evaluation</i> and/or Historic Resource Evaluation Report, as indicated in Part 3 Questions 1 and 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Geotechnical Report, as indicated in Part 3 Questions 3a and 3b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Tree Disclosure Statement</i> , as indicated in Part 3 Question 4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Phase I Environmental Site Assessment, as indicated in Part 3 Question 8	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Additional studies (list) SOUNDNESS REPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Applicant's Affidavit. I certify the accuracy of the following declarations:

- The undersigned is the owner or authorized agent of the owner(s) of this property.
- The information presented is true and correct to the best of my knowledge.
- I understand that other applications and information may be required.

Signed (owner or agent):


WARNER SCHMATZ ARQUITECT

Date: MAY 15, 2009

(For Staff Use Only) Case No. 2009.0583E

Address: 251 ARKANSAS

Block/Lot: 4004/2A

PART 2 - PROJECT INFORMATION

Owner/Agent Information

Property Owner WILLIAM MANDEL Telephone No. 609-6792
 Address 4072 19th St. Fax No. _____
S.F., CA Email WJM1998@AOL.COM
 Project Contact WARNER SCHMALZ Telephone No. 252-7063
 Company FORUM DESIGN Fax No. 252-9026
 Address 104 HOWARD ST. Email W.SCHMALZ@FORUM
S.F., CA. 94103 DESIGN.COM

Site Information

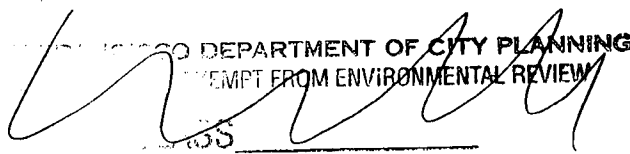
Site Address(es): 251 ARKANSAS
 Nearest Cross Street(s) MARIPOSA/18th St.
 Block(s)/Lot(s) 4004/24 Zoning District(s) RM-3
 Site Square Footage 2500 Height/Bulk District 40-X
 Present or previous site use VACANT SINGLE FAMILY RESIDENCE
 Community Plan Area (if any) _____

Project Description - please check all that apply

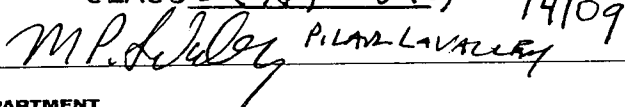
- Addition Change of use Zoning change New construction
 Alteration Demolition Lot split/subdivision or lot line adjustment
 Other (describe) _____ Estimated Cost _____

Describe proposed use NEW 3 UNIT RESIDENTIAL BUILDING

Narrative project description. Please summarize and describe the purpose of the project.
DEMOLISH EXISTING VACANT DILAPIDATED SINGLE FAMILY HOUSE & CONSTRUCT NEW 3 UNIT/2BR (EACH) BUILDING WITH BASEMENT GARAGE PARKING.


 SAN FRANCISCO DEPARTMENT OF CITY PLANNING
 CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW

SAN FRANCISCO DEPARTMENT OF CITY PLANNING
 CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW

CLASS 1(1)(1) & 3(b) 11/4/09

 PILAR LAVALLEY

PART 3 – ADDITIONAL PROJECT INFORMATION	Yes	No
1. Would the project involve a major alteration of a structure constructed 50 or more years ago or a structure in an historic district? If yes, submit a <i>Supplemental Information Form for Historical Resource Evaluation</i> . Instructions on how to fill out the form are outlined in the <i>San Francisco Preservation Bulletin No. 16</i> (see pages 28-34 in Appendix B).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Would the project involve demolition of a structure constructed 50 or more years ago or a structure located in an historic district? If yes, a Historic Resource Evaluation Report (HREER)* will be required. The scope of the HREER will be determined in consultation with the Department's Preservation Coordinator.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3a. Would the project result in excavation or soil disturbance/modification greater than 10 feet below grade? If yes, how many feet below grade would be excavated? _____ What type of foundation would be used (if known)? _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3b. Is the project site located in an area of potential geotechnical hazard as identified in the San Francisco General Plan or on a steep slope or would the project be located on a site with an average slope of 20% or more? If yes to either Question 3a or 3b, please submit a Geotechnical Report.*	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Would the project involve expansion of an existing building envelope, or new construction, or grading, or new curb cuts, or demolition? If yes, please submit a <i>Tree Disclosure Statement</i> .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Would the project result in ground disturbance of 5,000 gross square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Would the project result in any construction over 40 feet in height? If yes, apply for a Section 295 (Proposition K) Shadow Study. This application is available on the Planning Department's website and should be submitted at the Planning Information Center, 1660 Mission Street, First Floor.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Would the project result in a construction of a structure 80 feet or higher? If yes, an initial review by a wind expert, including a recommendation as to whether a Wind Analysis* is needed, may be required, as determined by Department staff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Would the project involve work on a site with an existing or former gas station, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks? If yes, please submit a Phase I Environmental Site Assessment (ESA).* A Phase II ESA (for example, soil testing) may be required, as determined by Department staff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Would the project require any variances, special authorizations, or changes to the Planning Code or Zoning Maps? If yes, please describe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Is the project related to a larger project, series of projects, or program? If yes, please describe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Is the project in a Community Plan Area? If yes, please identify the area (for example, Market/Octavia). _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Report or study to be prepared by a qualified consultant who is contracted directly by the project sponsor.

PART 4 – PROJECT SUMMARY TABLE

If you are not sure of the eventual size of the project, provide the maximum estimates.

Gross Square Footage (GSF)	Existing Uses	Existing Uses to be Retained	Net New Construction and/or Addition	Project Totals
Residential	1186	0	3348	3348
Retail	0	0	0	0
Office	0	0	0	0
Industrial	0	0	0	0
Parking	360	360*	630	990
Other (specify use)	1546	* NEW GARAGE REPLACES OLD	3978	4338
Total GSF		360		2128
Dwelling units	1	0	3	+2
Hotel rooms	—	—	—	—
Parking spaces	2	0	2+1 TANDEM	3
Loading spaces	0	0	0	0
Number of buildings	1	0	1	1
Height of building(s)	30	0	40	+10'
Number of stories	2+BASEMENT	0	3+ BASEMENT	+1

Please describe any additional project features that are not included in this table:

Additional Information: Project drawings in 11x17 format should include existing and proposed site plans, floor plans, elevations, and sections, as well as all applicable dimensions and calculations for existing and proposed floor area and height. The plans should clearly show existing and proposed off-street parking and loading spaces; driveways and trash loading areas; vehicular and pedestrian access to the site, including access to off-street parking and parking configuration; and bus stops and curbside loading zones within 150 feet of the site. A transportation study may be required, depending on existing traffic conditions in the project area and the potential traffic generation of the proposed project, as determined by the Department's transportation planners. Neighborhood notification may also be required as part of the environmental review processes.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Historic Resource Evaluation Response

MEA Planner: Brett Bollinger
Project Address: 251 Arkansas Street
Block/Lot: 4004/024
Case No.: 2009.0583E
Date of Review: October 7, 2009
Planning Dept. Reviewer: Pilar LaValley
 (415) 575-9084 | pilar.lavalley@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

PROPOSED PROJECT Demolition Alteration

PROJECT DESCRIPTION

The proposed project is to demolish the existing two-story over raised basement, wood frame, single-family residential building, and construct a three unit, four-story (40-foot tall) residential building with three ground floor parking spaces. The proposed project is depicted in architectural plans, dated 5/20/09, prepared by Forum Design Architects.

PRE-EXISTING HISTORIC RATING / SURVEY

Spring Valley Water Company records indicate that the building was constructed circa 1904. The subject property is not included in any previous historic surveys and is not included on the National or the California Registers. The subject property is not located in an area undergoing architectural resource survey as part of the Eastern Neighborhoods Area Plans. The recorded date of construction makes the property a "Category B" building for the purposes of CEQA review by the Planning Department.

HISTORIC DISTRICT / NEIGHBORHOOD CONTEXT

The subject property is located mid-block on the east side of Arkansas Street between Mariposa and 18th streets in the Potrero Hill neighborhood. The parcel is located on the northern side of the Potrero Hill neighborhood, an area of San Francisco roughly bounded by 16th Street to north, U.S. 101 to west, Cesar Chavez Boulevard to south, and the industrial Central Waterfront to the east. A Sanborn map of the area surrounding the subject property from 1900 indicates that many of the blocks were undivided and undeveloped, which is consistent with the name "Potrero Nuevo," or "new pasture" and predominate use for grazing of that period. The block containing the subject parcel had been partially subdivided, however, and four parcels contained residential buildings on the 1900 Sanborn map. Industrial development of the waterfront at Potrero Point in the late-1800s and early-1900s triggered residential development of these former pastures as demonstrated in a 1914 Sanborn map that shows the majority of the blocks east of this part of Arkansas Street developed with residential buildings. Jackson Square Park, on the opposite side of Arkansas Street from the subject property, also appears on the 1915 Sanborn Map. Due to its geology and distance from the more developed portions of the City, the Potrero Hill area suffered minimal damage in the 1906 earthquake and subsequent firestorm. When the 1950 Sanborn map

was published, the blocks west of this part of Arkansas Street were developed with industrial uses and most of the parcels to the east had been developed with residential buildings.

Adjacent properties contain three-story and two-story buildings constructed in 1964 and circa 1900, respectively. The immediate block is a mixture of residential flats and low-rise industrial/commercial buildings, primarily constructed between circa 1900 and 1970. On the west side of the block are one- to four-story industrial/commercial buildings. Visual continuity on the block is mixed in terms of architectural style and there is not a strong pattern of massing or materials along the immediate block.

Bogatay Architects prepared a Supplemental Information Form for Historical Resource Evaluation (November 7, 2008 – Bogatay report) and provided information about the history of the property.

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

- Event:** or Yes No Unable to determine
Persons: or Yes No Unable to determine
Architecture: or Yes No Unable to determine
Information Potential: Further investigation recommended.
District or Context: Yes, may contribute to a potential district or significant context

If Yes; Period of significance: N/A

Notes: Based on the criteria, staff finds that the subject building is not eligible for inclusion on the California Register individually or as a contributor to a historic district.

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

Sanborn map information provided by the project sponsor indicates that the existing building represents the first development on the subject property. The 1900 Sanborn map shows no improvements on the subject property. The 1915 Sanborn map depicts a two-story over basement residential building with one-story rear extension. Spring Valley Water Company records show connection made to the subject property in 1904, indicating that the subject building was constructed sometime between publication of the 1900 Sanborn map and the 1904 water connection. A number of surrounding properties were also developed between 1900 and 1915.

Based on age of construction and information about area development, it does not appear that the subject building is associated with post-1906 earthquake redevelopment nor is there a strong pattern of pre-earthquake development on the block. As such, the subject property does not appear to be associated with significant events under criterion 1.

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

According to information provided by the Project Sponsor, the subject property has had a number of owners and tenants. The first owner occupant appears to have been William O. Zahn who appears as an occupant of the subject property in City Directories from 1907 to 1921.¹ Zahn was a worker at the Union Iron Works. Subsequent owners included Louis and Angela Piombo (1921-1943), Bernardo and Nellie Garcia (1943-1972), Gibraltar Savings and Loan (1973-1981). City Directories indicate that Piombo worked as a chauffeur, Garcia worked as a carpenter and ship fitter, and Saraphin Sanchez, a teacher, occupied the property from 1972 to 1980. No additional information about these owners has been located.

While the subject property appears to have had several long-term owners during its history, there is no indication that said property is significant for its association with these individuals. Therefore, the subject property does not appear eligible for the California Register under criterion 2.

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

The subject building is a two-story over raised basement, wood frame structure clad in wood clapboards with a front facing gable roof. The pedimented gable end is highlighted by dentils and brackets and has a centered six-over-six window. Below the gable is a recessed side entrance accessed by straight-run wood and concrete stairs. An angled bay window and single window provide the first floor fenestration. Windows are one-over-one aluminum or vinyl sash. Below the bay window is a door. At street level, projecting in front of the main façade is a flat-roofed garage structure. This structure has two garage doors, is clad in stucco, and has a stepped parapet.

There are several buildings on the block that date from roughly the same period as the subject property, however, the majority of these have been significantly altered. There are also a number of buildings constructed in the 1950s and 1960s. Overall, the block does not represent a cohesive architectural style or period of development and does not appear eligible as a historic district under criterion 3.

A simple vernacular residential building with some Classical Revival features, and a vaguely Spanish Colonial Revival garage addition, the subject property does not embody distinctive characteristics of a type, period, region, or method of construction, or possess artistic value. Nor does it represent the work of a master or possess high artistic value. Therefore, the subject property does not appear eligible under criterion 3.

Criterion 4: It yields, or may be likely to yield, information important in prehistory or history;

It does not appear that the subject building is likely to yield information important to a better understanding of prehistory or history.

¹ Information regarding owners and tenants of the subject property is from the Bogatay report.

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

Location:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Association:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Feeling:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Design:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Materials:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Workmanship:	<input type="checkbox"/> Retains	<input type="checkbox"/> Lacks			

Notes: Evaluation of integrity is not applicable as the subject building has not been shown to be significant under California Register criteria. Should an assessment of integrity be required, staff believes that the subject property has undergone significant alteration and generally lacks integrity.

3. **Determination Whether the property is an "historical resource" for purposes of CEQA**

No Resource Present (Go to 6. below) Historical Resource Present (Continue to 4.)

4. **If the property appears to be an historical resource, whether the proposed project is consistent with the Secretary of Interior's Standards or if any proposed modifications would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).**

The project appears to meet the Secretary of the Interior's Standards. (Go to 6. below)
Optional: See attached explanation of how the project meets standards.

The project is NOT consistent with the Secretary of the Interior's Standards; however the project will not cause a substantial adverse change in the significance of the resource such that the significance of the resource would be materially impaired. (Continue to 5. if the project is an alteration)

The project is NOT consistent with the Secretary of the Interior's Standards and is a significant impact as proposed. (Continue to 5. if the project is an alteration)

Notes: Not applicable.

5. **Character-defining features of the building to be retained or respected in order to avoid a significant adverse effect by the project, presently or cumulatively, as modifications to the project to reduce or avoid impacts. Please recommend conditions of approval that may be desirable to mitigate the project's adverse effects.**


Notes: Not applicable.

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

Yes No Unable to determine

Notes: The immediate context is mixed and does not display a high level of visual continuity. There are no known historical resources on adjacent properties nor do the surroundings appear to constitute a historic district. The proposed project is not anticipated to result in a significant adverse impact to off-site historical resources.

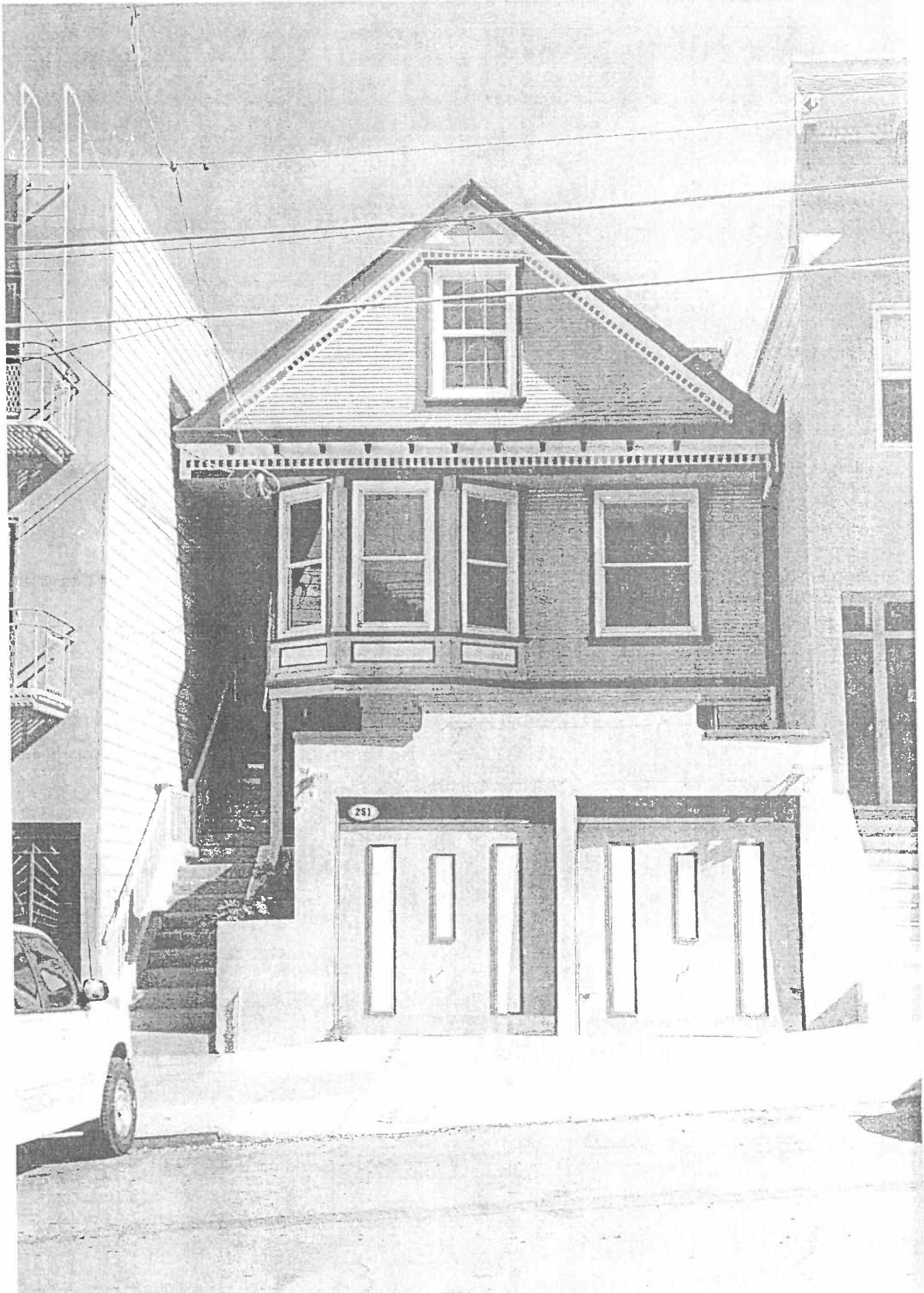
PRESERVATION COORDINATOR REVIEW

Signature: 
Tina Tam, *Preservation Coordinator*

Date: 11-4-09

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

PL: G:\DOCUMENTS\251 Arkansas\251 Arkansas HRER.doc



APPENDIX D - CURRENT PHOTOS 251 Arkansas Street - Front Elevation

Fig. 15



SAN FRANCISCO PLANNING DEPARTMENT

Section 317 Application

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT ADDRESS: 251 ARKANSAS		NAME: BILL MANDEL - OWNER		
BLOCK / LOT: 4004 / 24		ADDRESS: 4012 19th St.		
ZONING: RH-3		CITY, STATE: SF., CA		
LOT AREA: 2500 SF		PHONE: 609-6792		
#	PROJECT INFORMATION	EXISTING	PROPOSED	NET CHANGE
1	Total number of units	1	3	+2
2	Total number of parking spaces	2	2	0
3	Total gross habitable square footage	1186	3348	+2162
4	Total number of bedrooms	2	6	4
5	Date of property purchase	AUG. 27, 2008		
6	Number of rental units	0	0	0
7	Number of bedrooms rented	0	0	0
8	Number of units subject to rent control	0	0	0
9	Number of bedrooms subject to rent control			
10	Number of units currently vacant	1	0	-1
11	Was the building subject to the Ellis Act within the last decade?	NO	NO	-
12	Number of owner-occupied units	1	0	-1

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

Signature: 

Printed Name: WALKER SCHMALE

Date: MAY 15, 2009

Loss of Dwelling Units through Demolition

(FORM A - COMPLETE IF APPLICABLE)

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

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

Existing Value and Soundness

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

SEE ATTACHED SOUNDNESS REPORT - YES

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

SEE ATTACHED SOUNDNESS REPORT - YES

Existing Building

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

NOTICE OF VIOLATIONS - FOUNDATIONS

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

EXISTING, VACANT BUILDING IS UNSOUND & UNSAFE

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

NO - SEE ATTACHED HISTORIC RESOURCE REPORT.

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

NOT APPLICABLE

Rental Protection

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

EXISTING BUILDING WAS NOT A RENTAL

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

NO RENTAL UNITS WERE REMOVED

Priority Policies

- 7. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;
EXISTING BUILDING DOES NOT POSITIVELY CONTRIBUTE TO EXISTING NEIGHBORHOOD DIVERSITY - AT ALL EVERYONE!
- 8. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;
PROPOSED PROJECT CONTRIBUTES MORE NEIGHBORHOOD UNITS AND TYPES PROMOTES DIVERSITY.
- 9. Whether the Project protects the relative affordability of existing housing;
PROPOSED PROJECT IS FOR 3- SMALL 2BR MARKET RATE UNITS
- 10. Whether the Project increases the number of permanently affordable units as governed by Section 315;
PROPOSED PROJECT DOES NOT INCLUDE 315 UNITS.

Replacement Structure

- 11. Whether the Project located in-fill housing on appropriate sites in established neighborhoods;
YES
- 12. Whether the Project creates quality, new family housing;
YES
- 13. Whether the Project creates new supportive housing;
YES
- 14. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;
YES
- 15. Whether the Project increases the number of on-site dwelling units;
YES - PLUS 2 UNITS
- 16. Whether the Project increases the number of on-site bedrooms.
YES - PLUS 4 BEDROOMS

Priority General Plan Policies – Planning Code Section 101.1

(APPLICABLE TO ALL PROJECTS SUBJECT TO THIS APPLICATION)

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

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

NOT APPLICABLE - INCREASED DENSITY WILL CONTRIBUTE
MORE BUSINESS TO EXISTING NEIGHBORHOOD RETAIL.

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

PROPOSED PROJECT WILL CONTRIBUTE POSITIVELY TO THE
NEIGHBORHOOD CONTEXT & WILL PRESERVE DIVERSITY THRU DENSITY

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

3 SMALL 2 BR UNITS W/ MORE UNITS WILL BE
CONSIDERED CONSISTENT WITH STATE OF RESIDENTS IN THE NEIGHBORHOOD.

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

PROPOSED PROJECT IS CLOSE TO MUNI STOPS
& DOWNDOWN - 2 PARKING SPACES PLUS 1 TRAILER
SPACE WILL BE PROVIDED IN THE GARAGE.

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

NOT APPLICABLE

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

PROPOSED PROJECT WILL REMOVE ONE
SEVERELY UNSAFE STRUCTURE & REPLACE IT WITH
A 3 UNIT CODE-COMPLIANT BUILDING.

7. That landmarks and historic buildings be preserved; and

NOT APPLICABLE - SEE HISTORIC RESOURCE
REPORT.

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

NOT APPLICABLE - LOT FRONTS WILL BE
STRUCTURED

With the city's desire to maintain a mix of housing types and affordability demolishing a charming single family house and replacing it with 3 non-rent controlled market rate condo's doesn't make sense.

Architecturally this is a nice small scale one story Victorian whose façade is in good repair. These buildings are fast becoming extinct and all San Francisco will have left to show off its signature housing style are the grander 2 and 3 story buildings, not the workingman's version this building represents

This design should add to the neighborhood's middle class Victorian heritage (maybe it does, but haven't seen the plans)

This conversion adds more pressure to our already crowded streets given our local retail presence. The proposed addition of 2 new units with net addition of one parking space (total of three in the garage instead of 2) will not fit the parking space demands of three typical families. The 3 planned spaces will not cover the 6 cars likely to appear from this multi condo effort. This again manifests the negative effects that such an out of scale project would have on other neighborhood residents and their guests.

This project is out of compliance with the residential deigned standard.

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:

The street will lose some architectural and scale diversity, the city will lose another bit of its architectural history.

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)?

Rehab existing building, perhaps adding low impact deck in rear

09.1165D

This project does not conform to the residential design guidelines in terms of height. This height is not in alignment with what is typical for this neighborhood.

While their plans shows the roof at the 40 ft line, there is additional wall/railing continuing up to approximately 45 ft. This is out of scale with the neighborhood.

the building, at four stories, is too tall and too massive for the area. My concern is not just with the blocked views, the shading, and the lack of openness a 40-foot high and 61-foot deep building with minimal setbacks would entail. I am concerned with the precedent that this building will set for future development in the neighborhood.

This project is out of compliance with the residential deigned standard.

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:

In an entire block of otherwise 2 and 3 story structures this structure will stand out towering above all others.

Some issues are:

Height of building will significantly shade, open rear yard space blocking light and air.

Property owners looking into rear open area:

Large height and mass of building will diminish open space presenting looming bulk rather than open vista.

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)?

Reduce height to approximately average height of adjacent buildings.
Eliminate extra height of roof deck

3

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:

Check made payable to Planning Department (see current fee schedule).

Address list for nearby property owners, in label format, plus photocopy of labels.

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 *John Ben* *Jan 13/10*

Applicant Date

N:\applicat\drapp.doc

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 Telephone No: 415-626-4667
D.R. Applicant's Address Raquel Jimenez, at 255-257 Arkansas,
Number & Street (Apt. #)
San Francisco, CA 94107

City Zip Code
D.R. Applicant's telephone number (for Planning Department to contact): 415-626-4667
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 _____ Telephone No: _____
Address _____

Number & Street (Apt. #)

City Zip Code

Address of the property that you are requesting the Commission consider under the Discretionary Review: 251 Arkansas
Name and phone number of the property owner who is doing the project on which you are requesting

D.R.: Warner Schmaltz, 415-252-7063
Building Permit Application Number of the project for which you are requesting

D.R.: 2009.05.20.8829 2009.05.20.8827
Where is your property located in relation to the permit applicant's property?
Next door.

A. ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

Citizens should make every 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? NO
2. Did you discuss the project with the Planning Department permit review planner? NO
3. Did you participate in outside mediation on this case? NO
4. If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the results, including any changes that were made to the proposed project so far.

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?

09-1165D

This building significantly intrudes into the rear open area. While it may meet the planning code because of the steep slope to Connecticut street the pattern of use has historically provided more rear yard space providing light and air. Allowing this project to set a pattern for depth would completely shade the backyards first from morning sun by the shape of Potrero Hill itself, and then from the west by this tall deep building.

The ~20 foot encroachment in the mid block open space is excessive. The city has done a great job keep this space open for the mutual enjoyment of the collective neighbors who share light and air. In its current form, this proposal would provide justification for future encroachments from other home owners looking to expand their footprint

This project is out of compliance with the residential deigned standard.

- This project for not match the scale of the block (page 25)
- Impacts rear yard open space benefits (page 27)
- Building proportion is out of sync with the rest of the neighborhood/block (page 29) and disrupts the character of the neighborhood in both scale and size (pages 31 and 33)

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:

All property owners in block 4004 would suffer from a decrease in sunlight if this building is built, especially if it becomes the justification for all projects on the block.

Adjacent property owners will also suffer having shear 40 ft walls on either side of their yards blocking light.

More distant neighbors who can see the rear of the building will have a large out of scale visual mass rather than the soft open rear yard.

The building is shown as 53ft deep except for a "7 ft code permitted single story extension" which is fine as shown. However when we look at the section the 3rd floor bay window continues out 3ft past the 53 foot mark making the effective visual depth 56 ft. This is too massive.

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)?

Limiting depth to average of adjacent buildings. Eliminating 3ft overhang into rear yard providing significant setbacks on upper stories

09.1165D

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

Applicant Date 1/13/10

N:\applicat\drapp.doc

09.1165D

1014 Howard Street
San Francisco, CA
94103
T 415.252.7063
F 415.252.9020
forumdesign.com

February 8, 2010

**PRESIDENT RON MIGUEL AND MEMBERS OF THE PLANNING COMMISSION
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CALIF. 94103**

**251 ARKANSAS PROJECT
COMMUNITY OUTREACH PROGRAM
RESPONSE TO REQUESTS FOR DISCRETIONARY REVIEW**

The following summary outlines the efforts of the Project Sponsor, Mr. William Mandel, to address the concerns of the neighborhood over the proposed new 3 unit residential project. He and his design team have worked over the past year to design a project which is contextual and compatible to the existing neighborhood on Potrero Hill.

COMMUNITY OUTREACH

Prior to a formal application to the Planning Department for Site Permit the following program of meetings and communications with immediate neighbors was conducted to review preliminary design concepts for the development of a new 3 unit building on the site:

1. Ms. Raquel Jimenez, 255-257 Arkansas, the neighbor immediately east of the project site.

The Project Sponsor and Architect met with her March 27 at their home to review initial design plans. On April 3 we met again to review revisions to the initially proposed plan to address her concerns. She was given a complete set of revised plans to review with her family after the following actions were taken:

- A) The front bay window was reduced in size and angled to protect her downtown view.
- B) The overall floor plan was reversed to place the rear yard bedroom projection at the first floor on the west side of the property to protect her rear yard privacy and reduce the scale of the building next to her.
- C) She requested story poles to be erected to better understand the height of the building at the front yard. The poles were erected the week of April 6 and maintained in place for several months.
- D) She expressed concerns about foundation protection during construction and loss of light from her property line window which would be covered up by the new building. The Project Sponsor agreed to work with her to address those concerns and to install a new skylight at his expense to compensate for the lost window. No further concerns were expressed at that time.

2. DR. Richard Solitto, 233 Arkansas, the neighbor immediately west of the project site.

The Project Sponsor and Architect met with the neighbor on April 21 to walk through his building and observe site conditions. All parties reviewed previously revised plans prepared for Ms. Jimenez which incorporated her requested changes. On April 29 all parties met again with his

architect to review revisions prepared to address his concerns. He was given a complete set of revised plans to review after the following actions were taken:

- A) Removed the proposed rear yard deck over the first floor bedroom to protect the privacy of his tenant's bedrooms.
- B) Set back the proposed 2 story rear yard wall by 3 feet adjacent to his property.
- C) Reviewed the revised plans in detail with him and his architect. No further concerns were expressed about the proposed building design. Concerns about noise and foundations during construction were discussed. The Project Sponsor agreed to work with the neighbor during the construction process to mitigate these concerns.

3. **Neighborhood Meeting May 4, 2009.** A noticed pre-application on-site project review meeting was mailed to all adjoining neighbors including all identified neighborhood organizations as required by the city planning code. No neighbors attended during the 1.5 hours allocated for plan review with the Project Sponsor.

4. **Working with the Planning Dept.-**Between May 2010 and January 2010 the Project Sponsor and Architect worked with the Project Planner, RDT staff, and senior planning management to review and adjust the exterior design to conform to the Residential Design Guidelines. After numerous revisions presenting alternate schemes for the Arkansas Street façade, the top floor of the building was set back to be compatible with the scale of adjacent houses, the proposed design was approved by staff, and 311 notices were sent out.

5. **Other Neighborhood Comments-**Neighbors on 18th Street contacted the Architect in early January, 2010 after receiving mailed 311 notices from the Planning Dept. Telephone conversations from Phil Bailey indicated concerns about the rear yard massing of the proposed project as seen from 18th Street. A meeting on January 20 was agreed to review their concerns.

RESPONSE TO NEIGHBOR'S DISCRETIONARY REVIEW

Three discretionary review letters from neighbors were received after 311 notifications were mailed in advance of the required Planning Commission Hearing. Agreements were made by all parties to postpone the scheduled hearing to give the Project Sponsor time to address the issues raised. The following actions and responses by the Project Sponsor are summarized as follows:

- A) A meeting was scheduled between the Project Sponsor and the 255 Arkansas neighbor on January 13 to review her individual DR concerns. She did not attend. A meeting was held on January 20 with Mr. Phil Bailey and Mr. Chris Lawson, neighbors representing all three DR requestors, to review their concerns. A follow-up meeting on January 26 with these neighbors was held to review proposed changes to the design requested by the neighbors.
- B) The proposed 3 foot bay window at floors 2 and 3 were removed and were replaced by exterior decks, thus reducing the apparent rear yard mass of the building. 18th Street neighbors supported this change.
- C) The proposed roof top deck was moved from the back of the roof to the center, reduced in size and setback on all sides to reduce the apparent massing of the building as viewed from the rear yard. 18th Street neighbors supported this change.

- D) Planning Dept. staff reviewed the proposed design of the project and recommended a further reduction in mass of the third (top) floor at the rear yard ("notch") The Project Sponsor agreed to this further reduction and included this revision in the plans submitted to the Commission for the DR hearing. A meeting with the DR neighbors has been scheduled for the week of Feb. 8.

CONCLUSION

The proposed project has been thoroughly reviewed by staff and both immediate and distant neighbors. The revised project as presented meets the Residential Design Guidelines and all planning code requirements. Neighborhood patterns of rear yard open space have been respected and addressed by the revised design.

The project is in scale and compatible with the wide variety of similar contextual factors found on this block of Potrero Hill including: existing residences of up to 4 stories in height, existing residences extending up to and beyond the required 45% rear yard setbacks, and a variety of different design styles which characterize this neighborhood. There is adequate precedent on this block of Arkansas to support the proposed design of this project.

The Project Sponsor has worked extensively and in good faith to address the individual concerns expressed by neighbors and the professional recommendations of city planning staff. We respectfully ask for your approval of this worthy project.

Very truly,


Warner H. Schmalz, A.I.A.
Principal
FORUMDESIGN

251 ARKANSAS ST.

SAN FRANCISCO, CA 94107



PLANNING DATA

PROJECT ADDRESS : 251 ARKANSAS ST.
SAN FRANCISCO, CA 94107

BLOCK / LOT NUMBER : BLOCK 4004 / LOT 24

LOT SIZE : 29' X 100' = 2,900 S.F.

ZONE : RH-3, HOUSE, THREE-FAMILY

PROJECT DESCRIPTION : (E) 2-STORY WOOD FRAME & STUCCO
BLDG TO BE DEMOLISHED; (N) CONSTRUCTION
INCLUDES 3-STORY OF RESIDENTIAL UNITS OVER
PRIVATE BASEMENT GARAGE

NUMBER OF UNITS : 3 TWO-BEDROOM UNITS

PARKING PROVIDED: 3 TANDEM SPACES

BUILDING DATA

APPLICABLE CODES:
2007 CALIFORNIA BUILDING CODE W/ SAN FRANCISCO AMENDMENTS
2007 CALIFORNIA ELECTRICAL CODE W/ SAN FRANCISCO AMENDMENTS
2007 CALIFORNIA MECHANICAL CODE W/ SAN FRANCISCO AMENDMENTS
2007 CALIFORNIA PLUMBING CODE W/ SAN FRANCISCO AMENDMENTS
2007 CA ENERGY CODE
2007 SAN FRANCISCO HOUSING CODE

CONSTRUCTION TYPE : TYPE V-A

OCCUPANCY CLASSIFICATION : R-2

GRADE PLANE ELEVATION: 44.86'

ALLOWABLE BUILDING HEIGHT: 50'

PROPOSED PROJECT
BUILDING HEIGHT TO ROOF: 40'

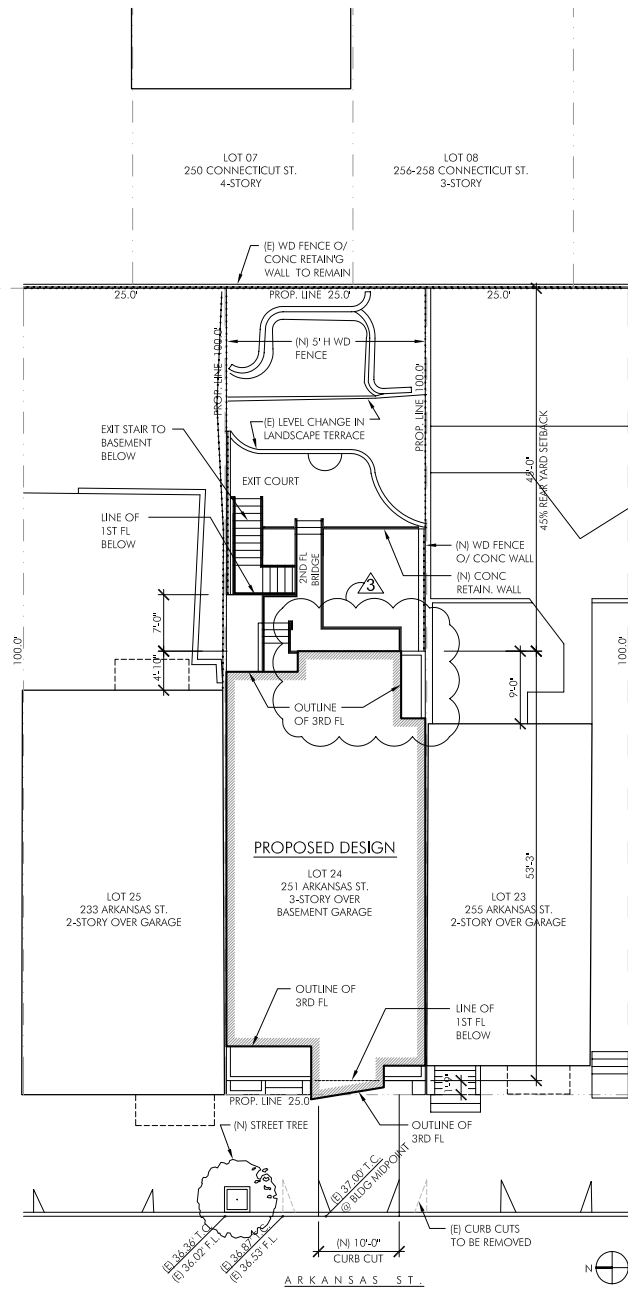
PROPOSED OCCUPANCIES AND AREAS BY FLOOR:

FLOOR	OCCUPANCY	GROSS AREA
BASEMENT	S-2	990 S.F.
	R-2	318 S.F.
1ST FLOOR	R-2	1,359 S.F.
2ND FLOOR	R-2	1,223 S.F.
3RD FLOOR	R-2	1,115 S.F.
TOTAL GROSS AREA		5,005 S.F.

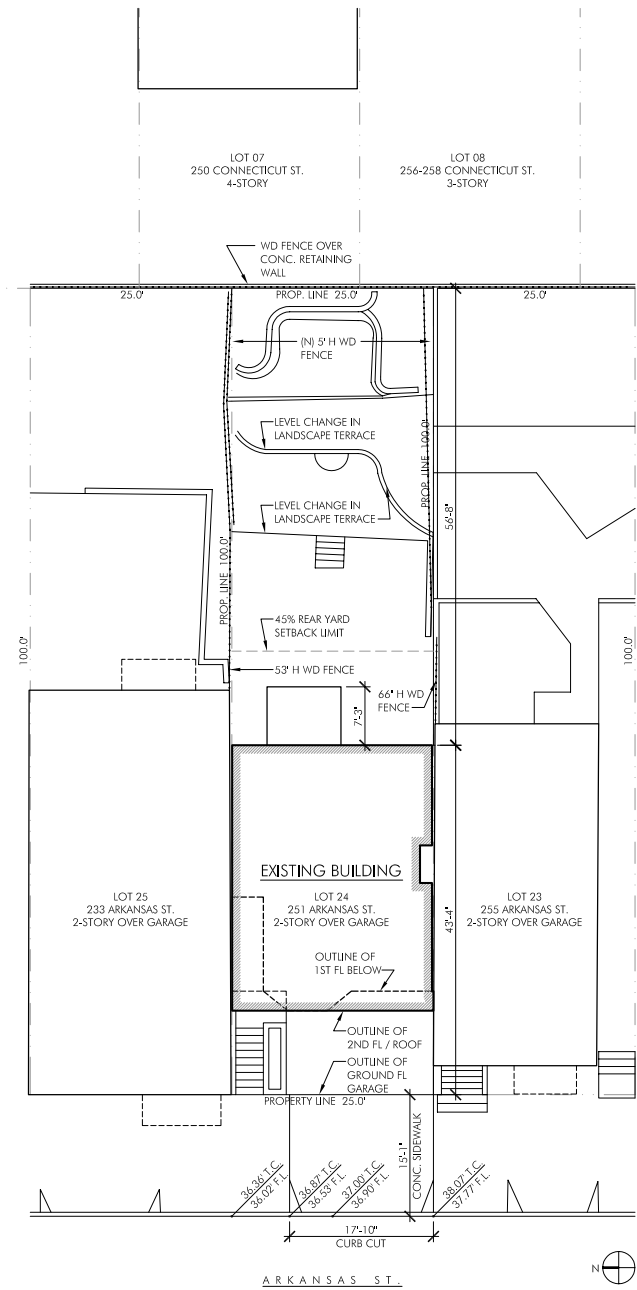


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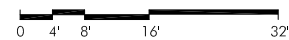
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PROPOSED SITE PLAN



(E) SITE PLAN



SCALE : 3/32" = 1'-0"

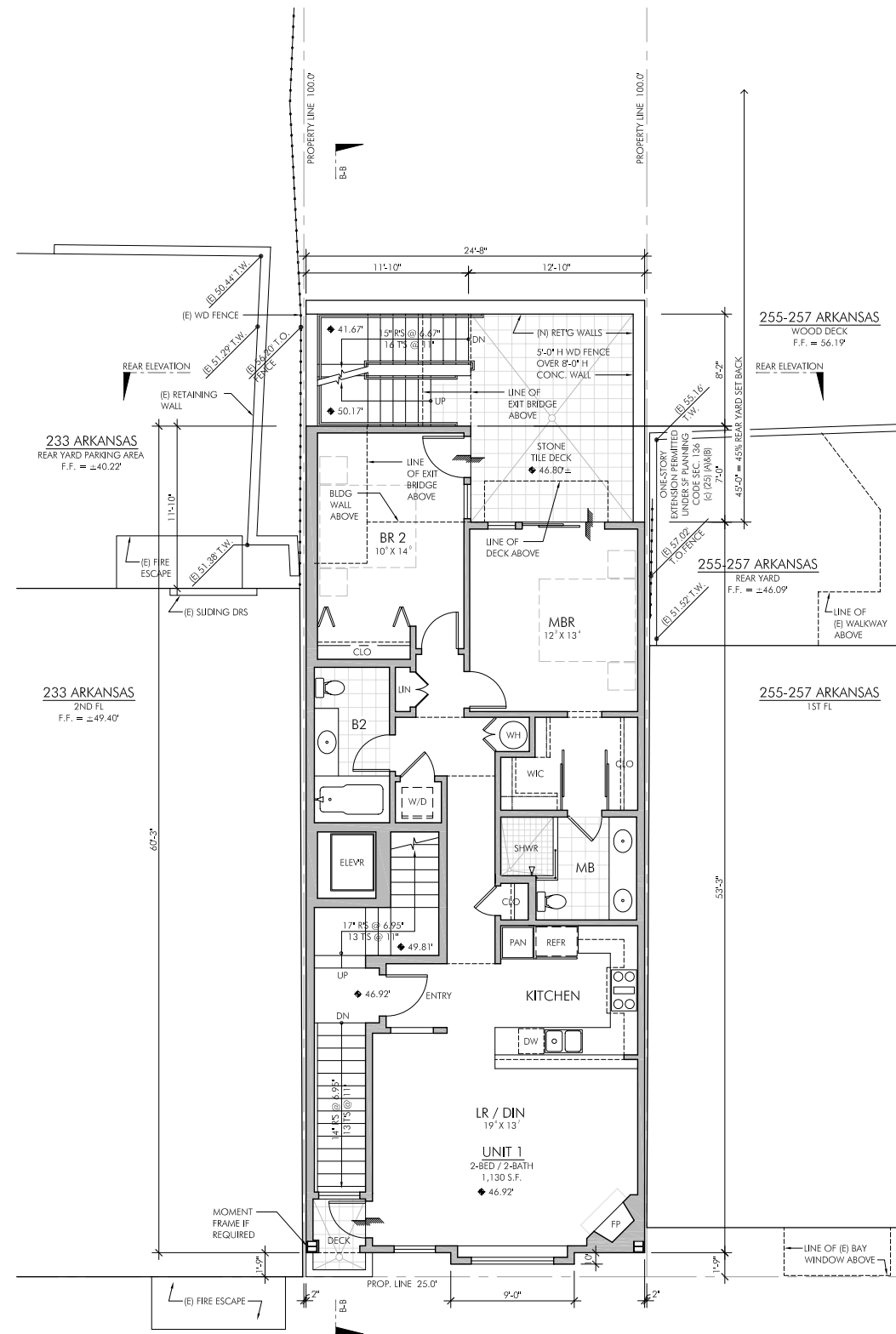
251 ARKANSAS STREET

SAN FRANCISCO, CALIFORNIA

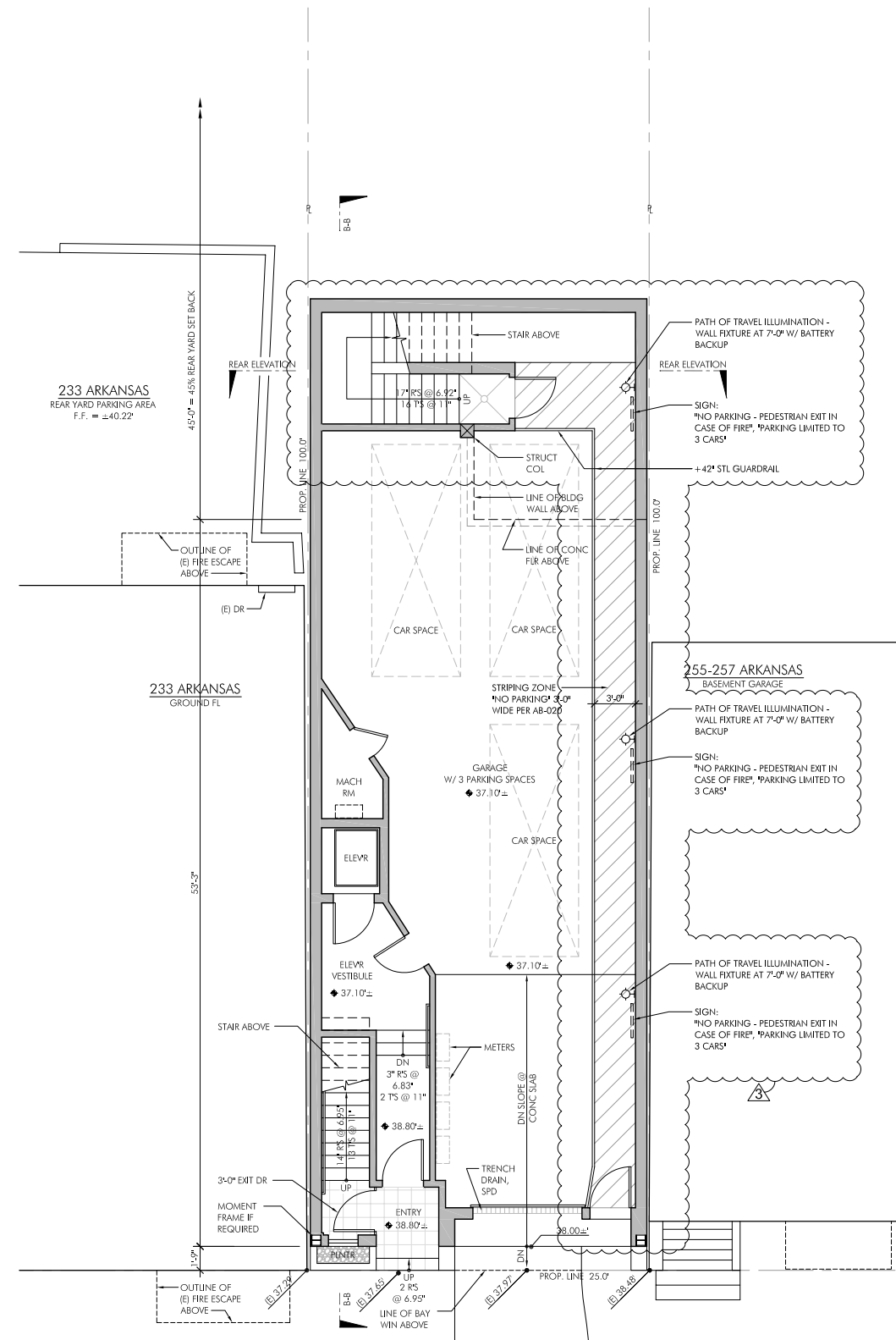


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FIRST FLOOR PLAN



BASEMENT FLOOR PLAN

0 2' 4' 8' 16'
SCALE : 3/16" = 1'-0"

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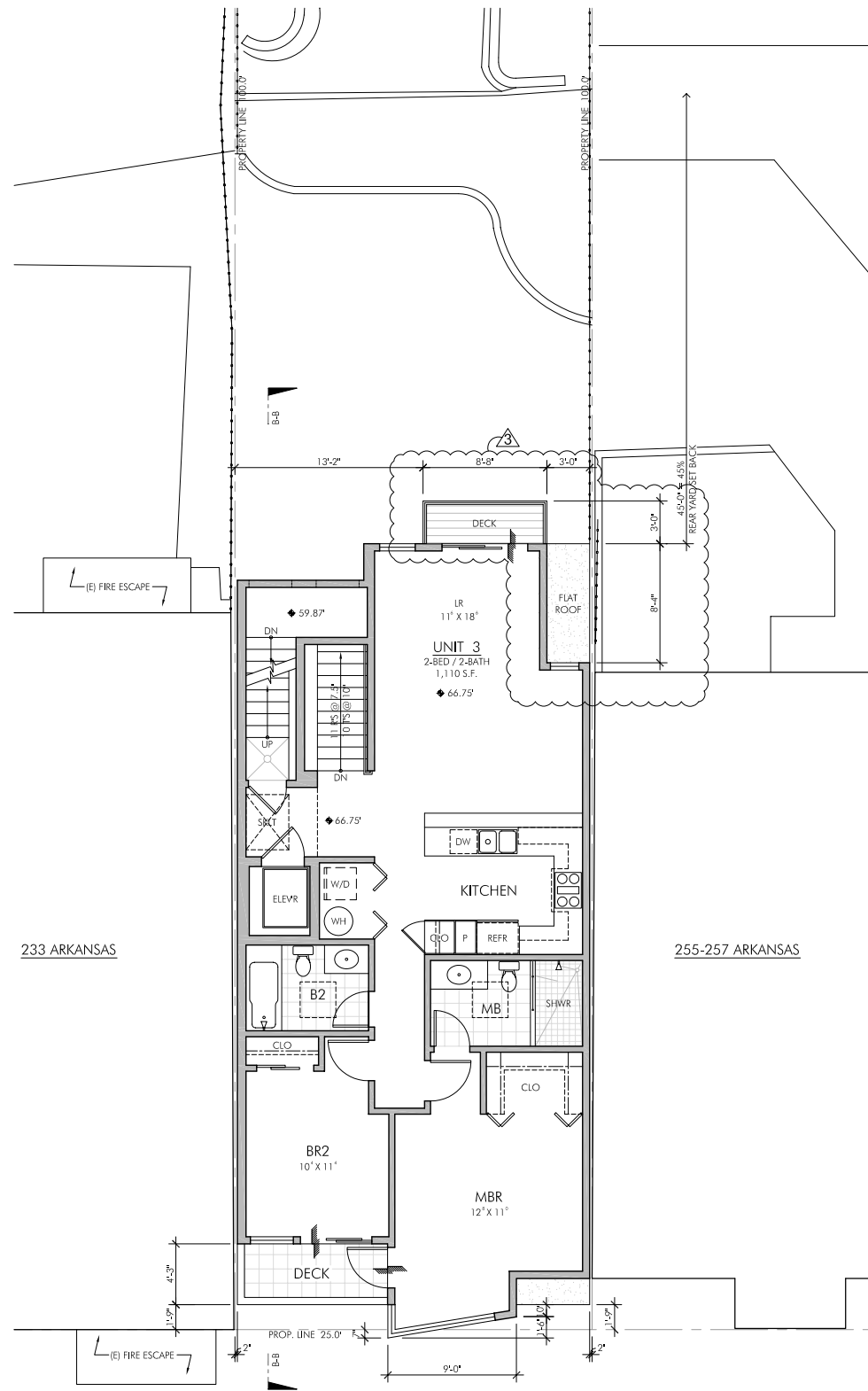
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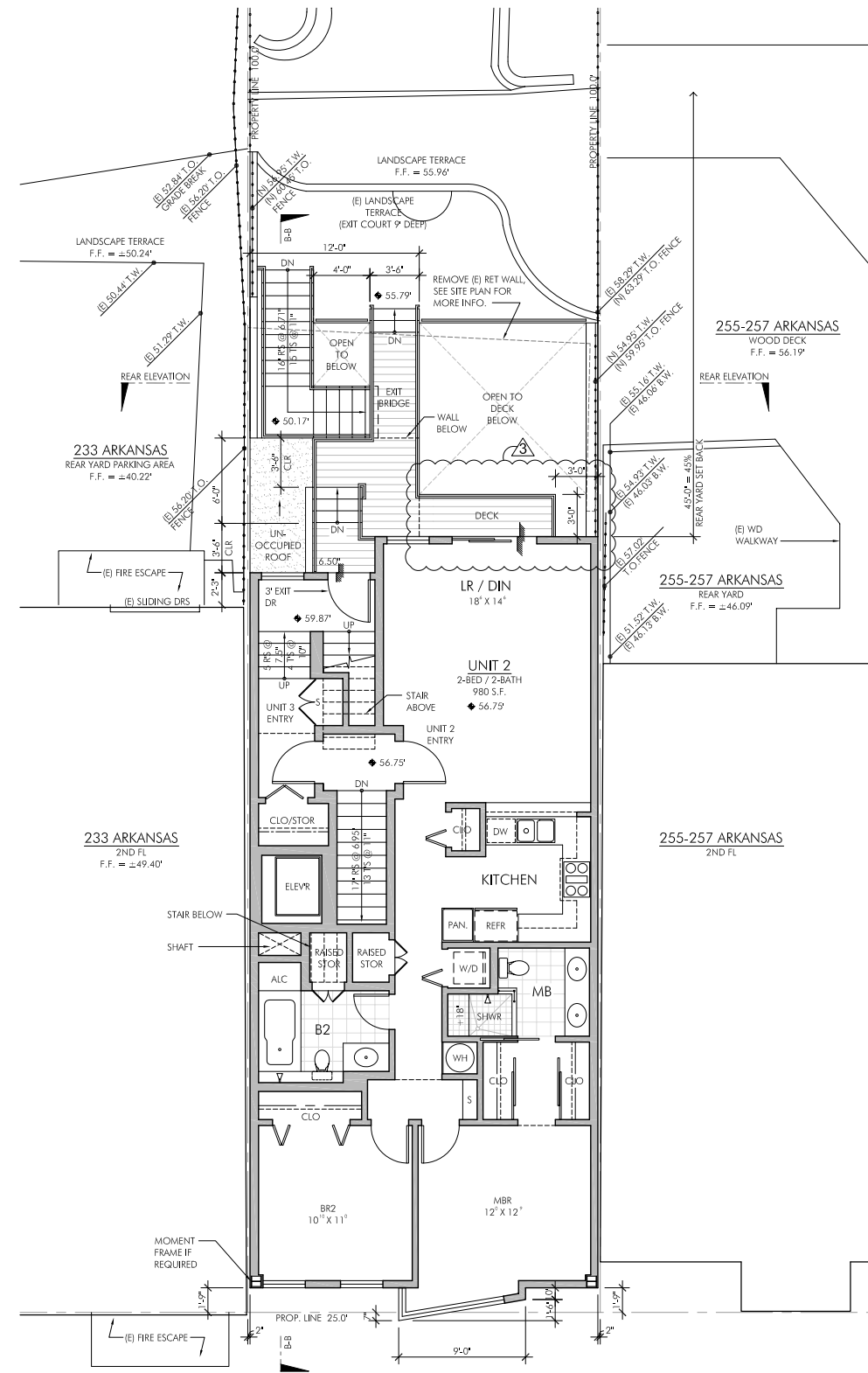
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THIRD FLOOR PLAN



SECOND FLOOR PLAN

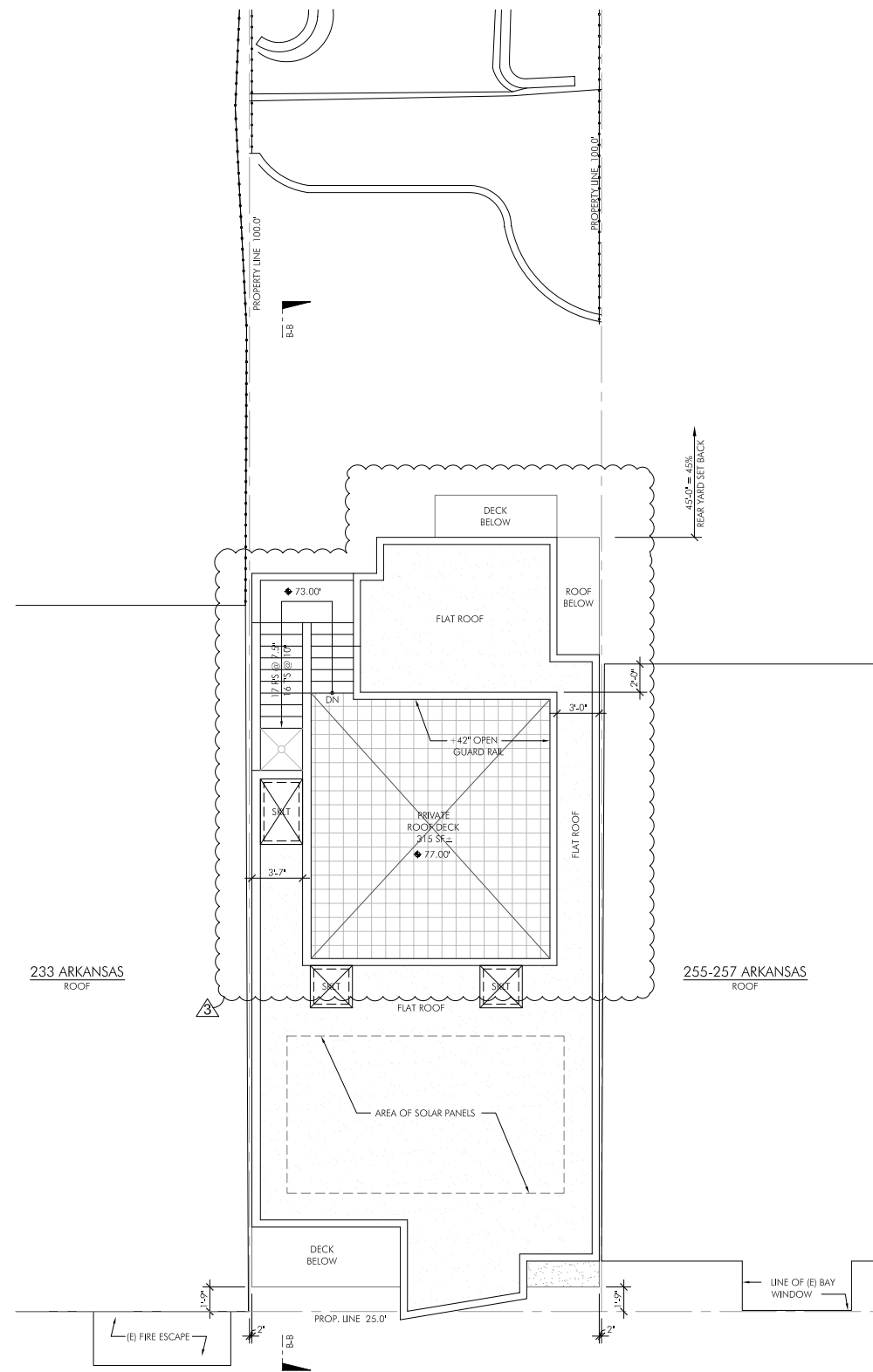
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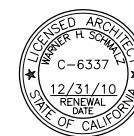


ROOF PLAN

0 2' 4' 8' 16'
 SCALE : 3/16" = 1'-0"

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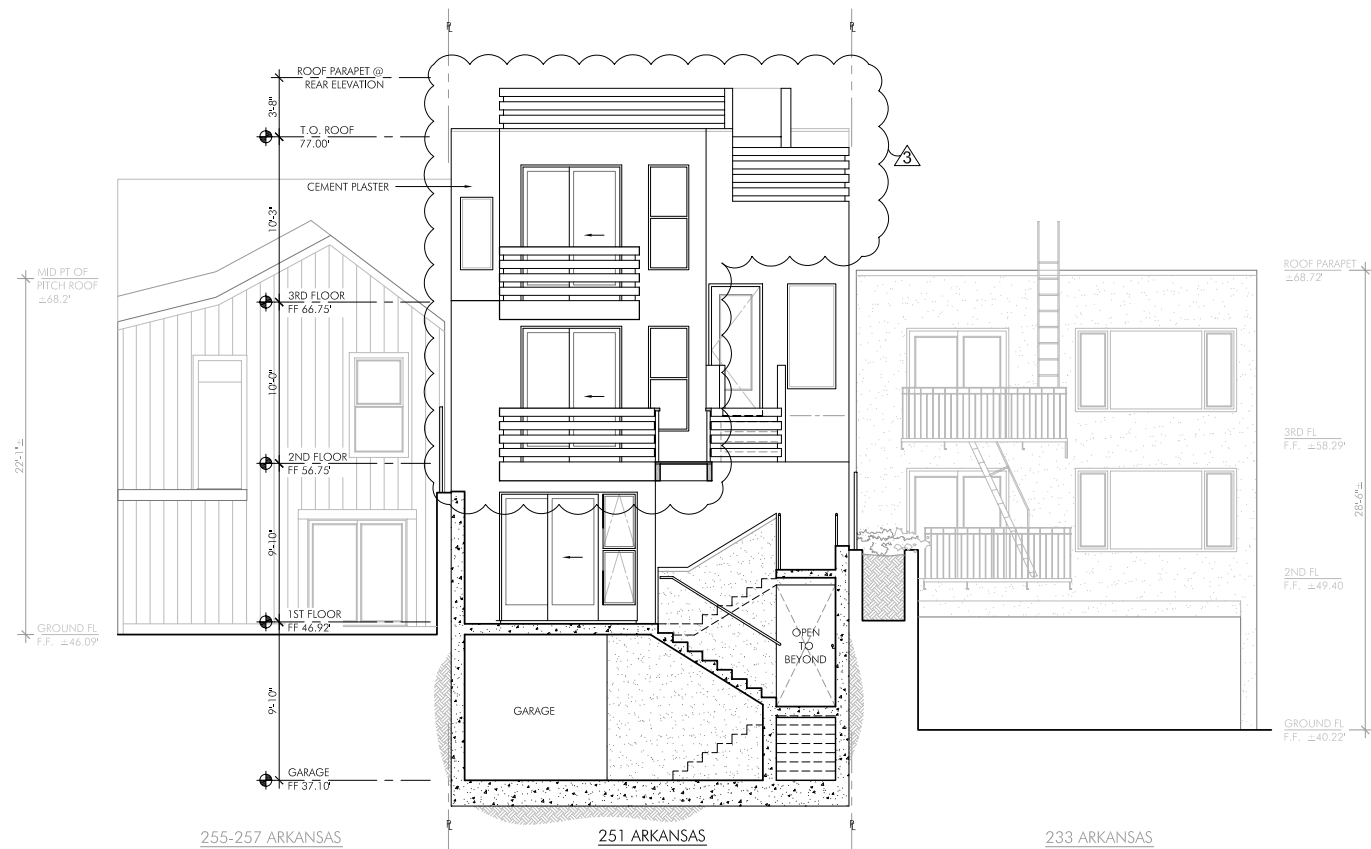
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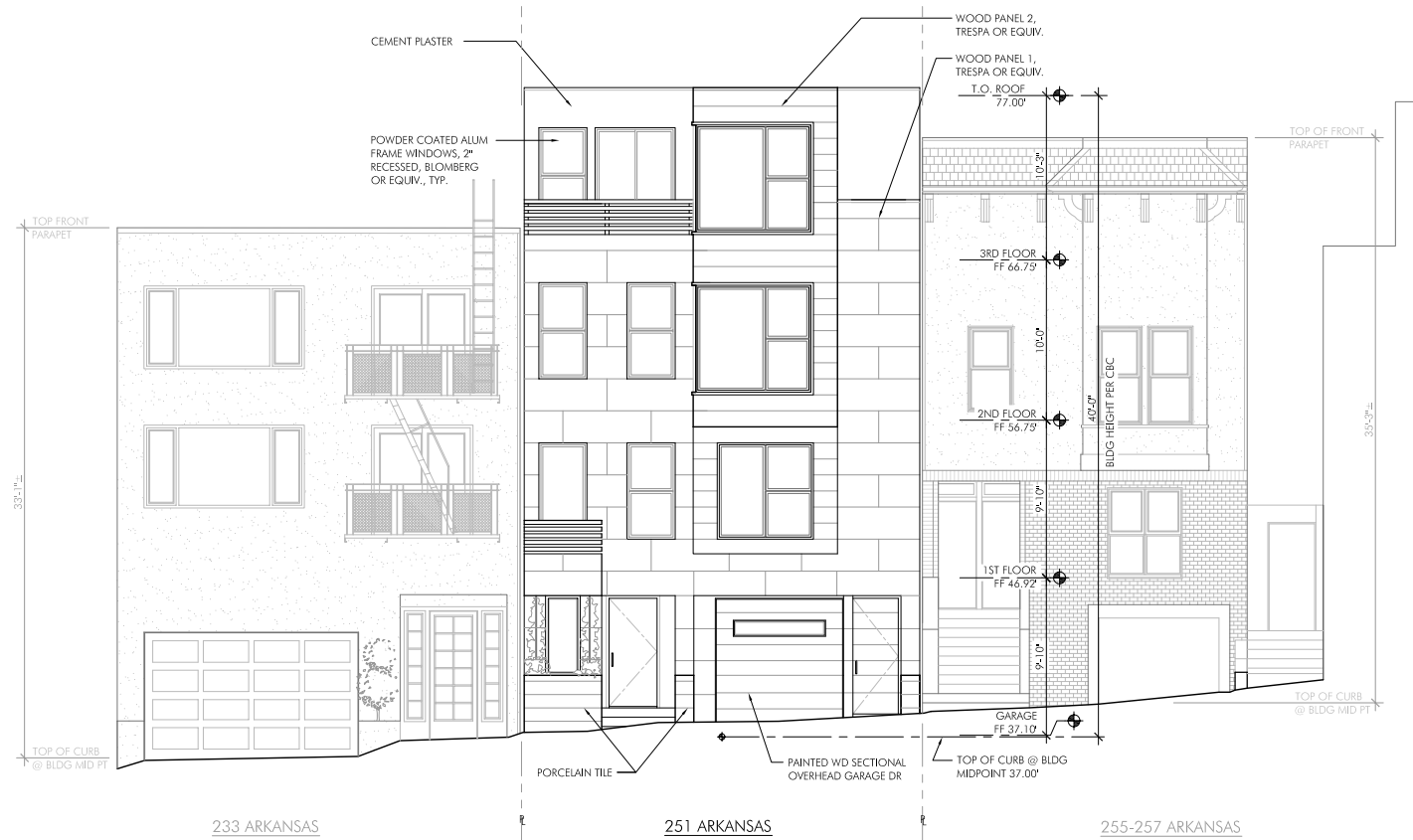
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REAR (EAST) ELEVATION



FRONT (WEST) ELEVATION

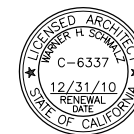
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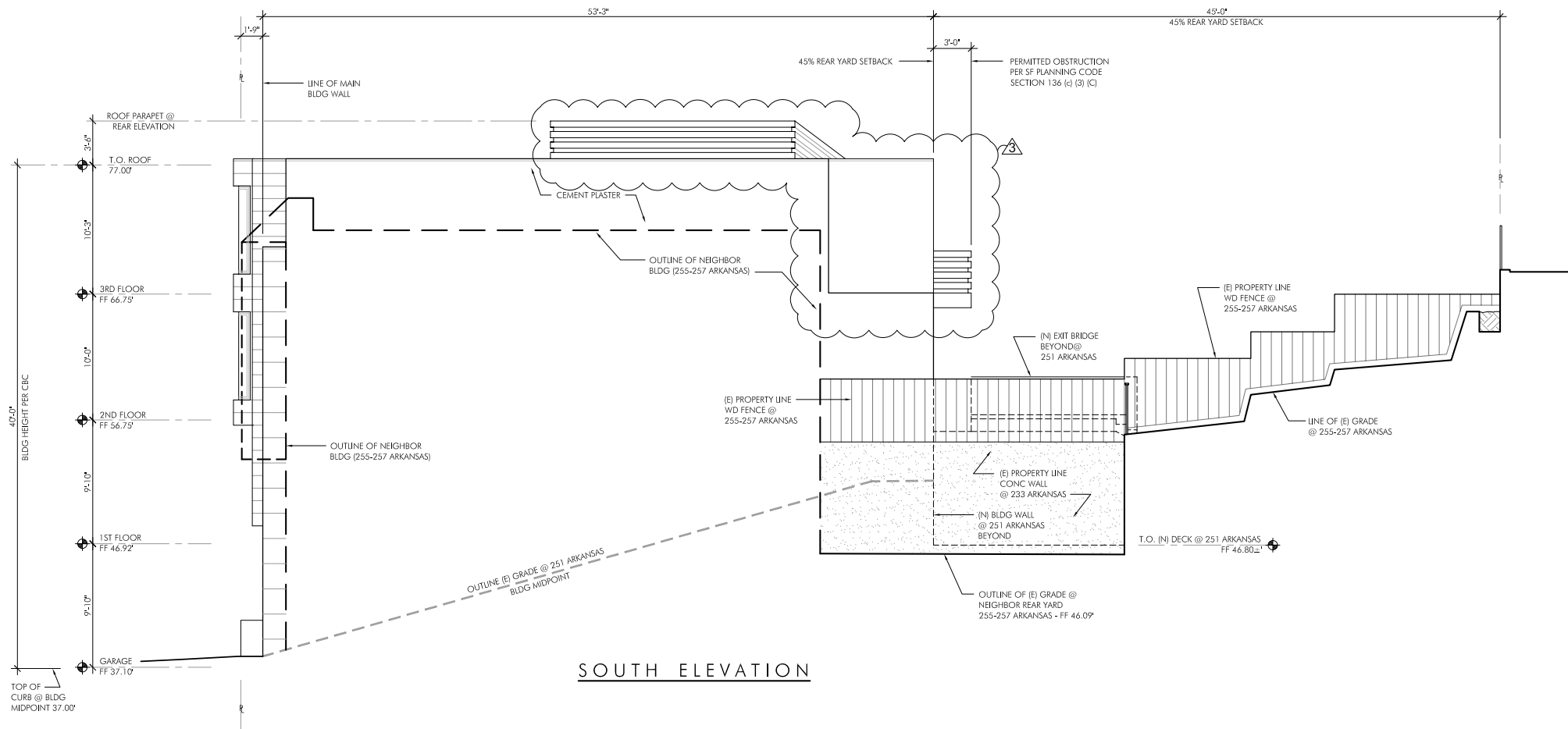
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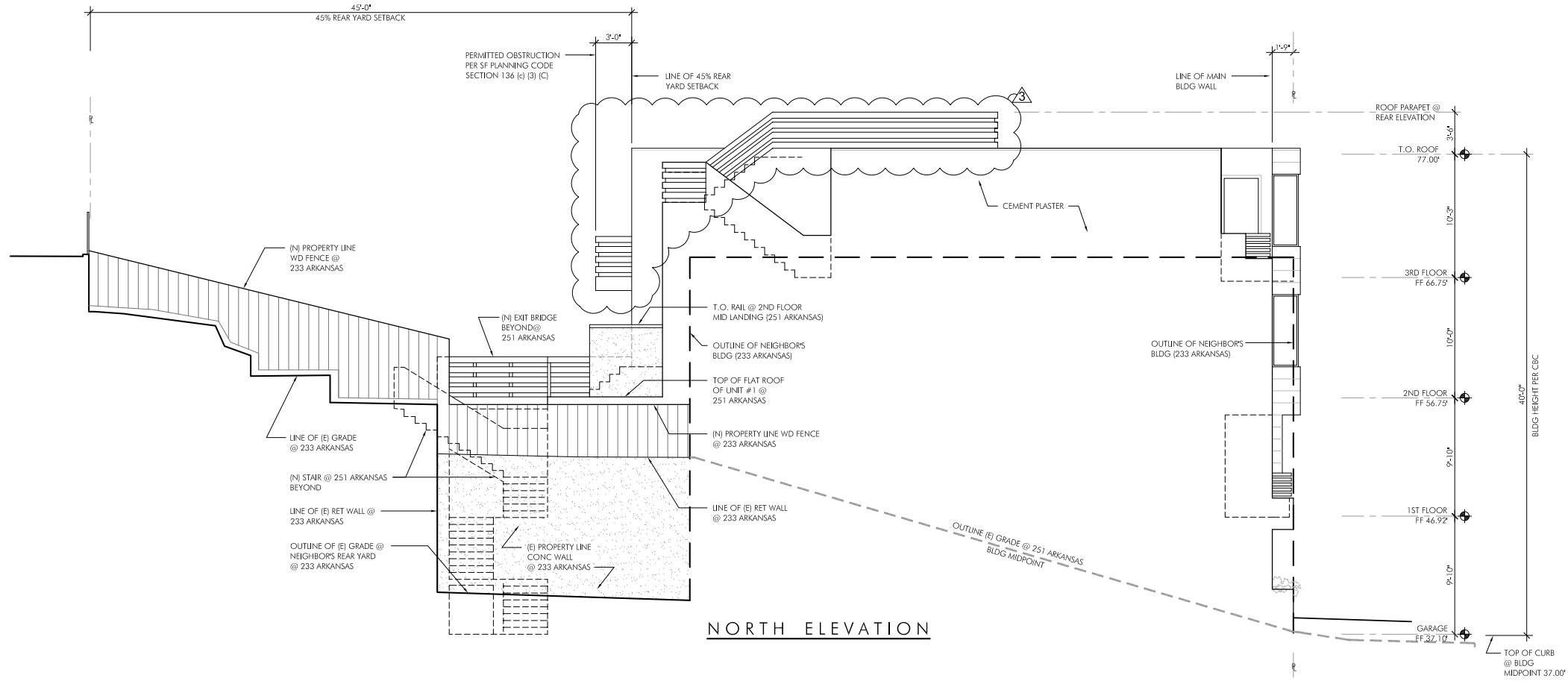


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SOUTH ELEVATION



NORTH ELEVATION

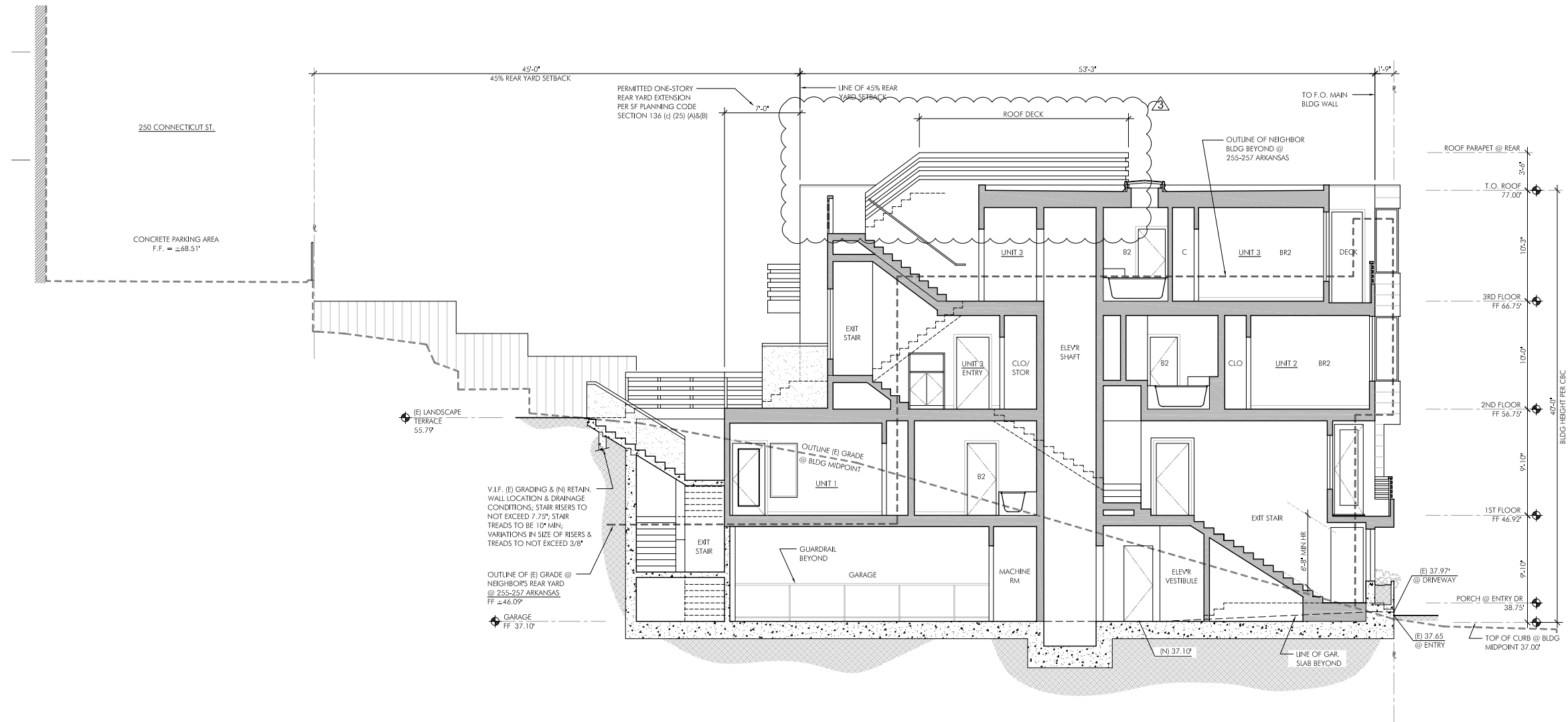
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BUILDING SECTION B-B

0 2' 4' 8' 16'
SCALE : 3/16" = 1'-0"

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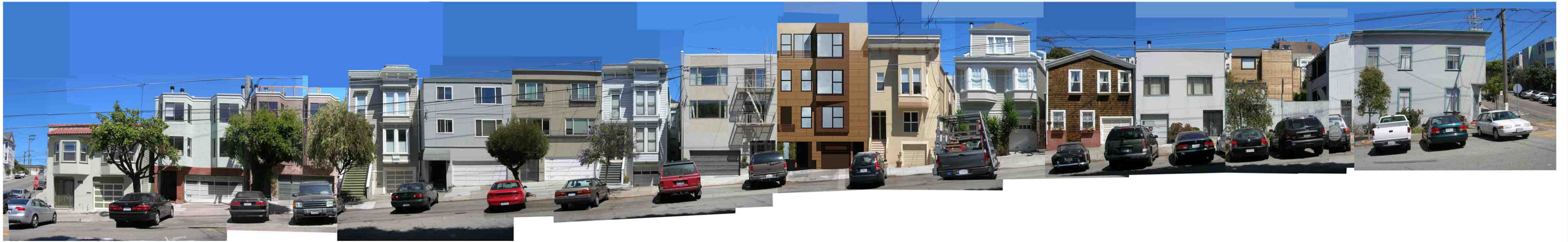
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EXHIBIT 1

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ARKANSAS STREETSCAPE

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ARKANSAS STREET PERSPECTIVE VIEW

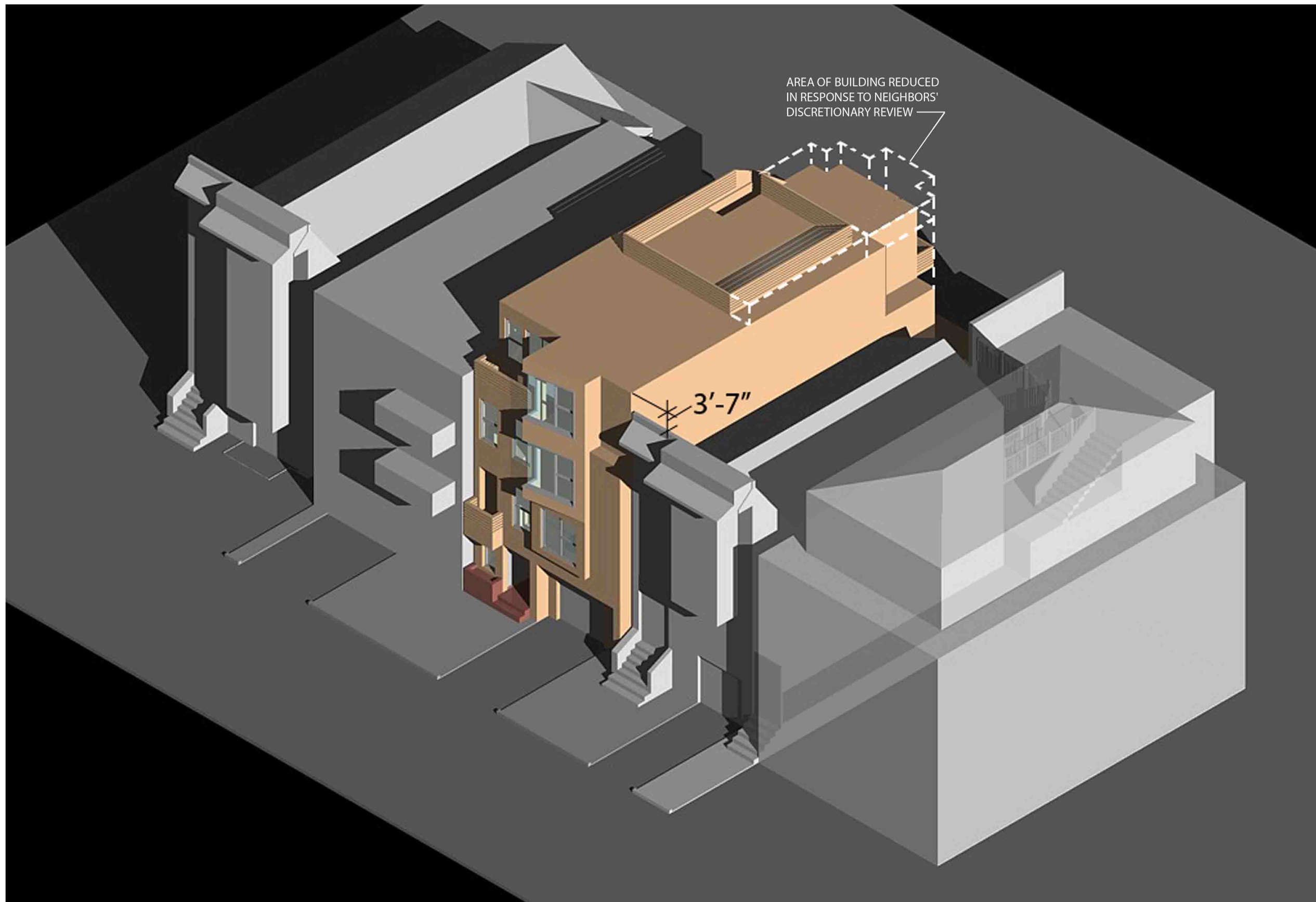
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PARTIAL STREET PERSPECTIVE VIEW

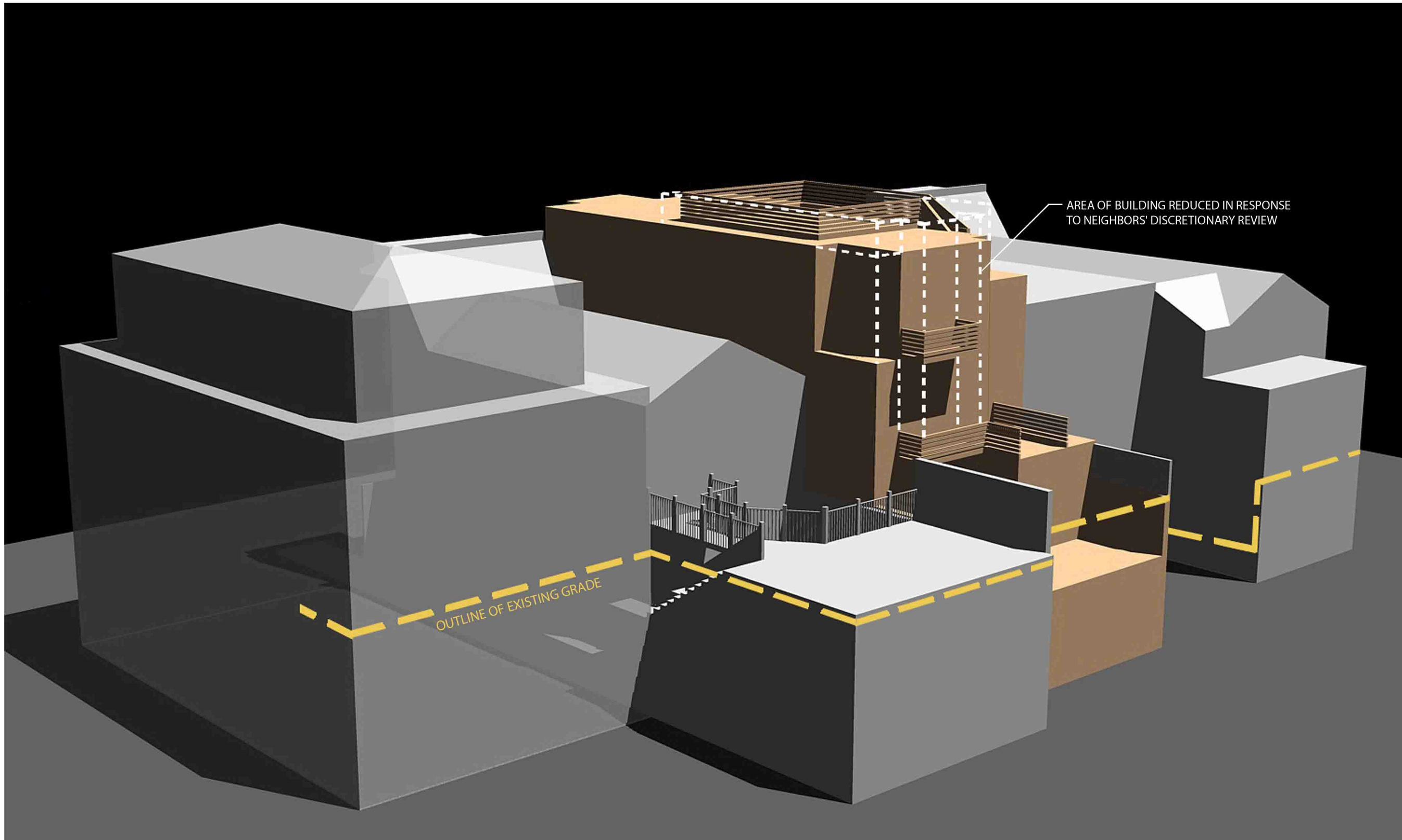
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REAR YARD PERSPECTIVE VIEW

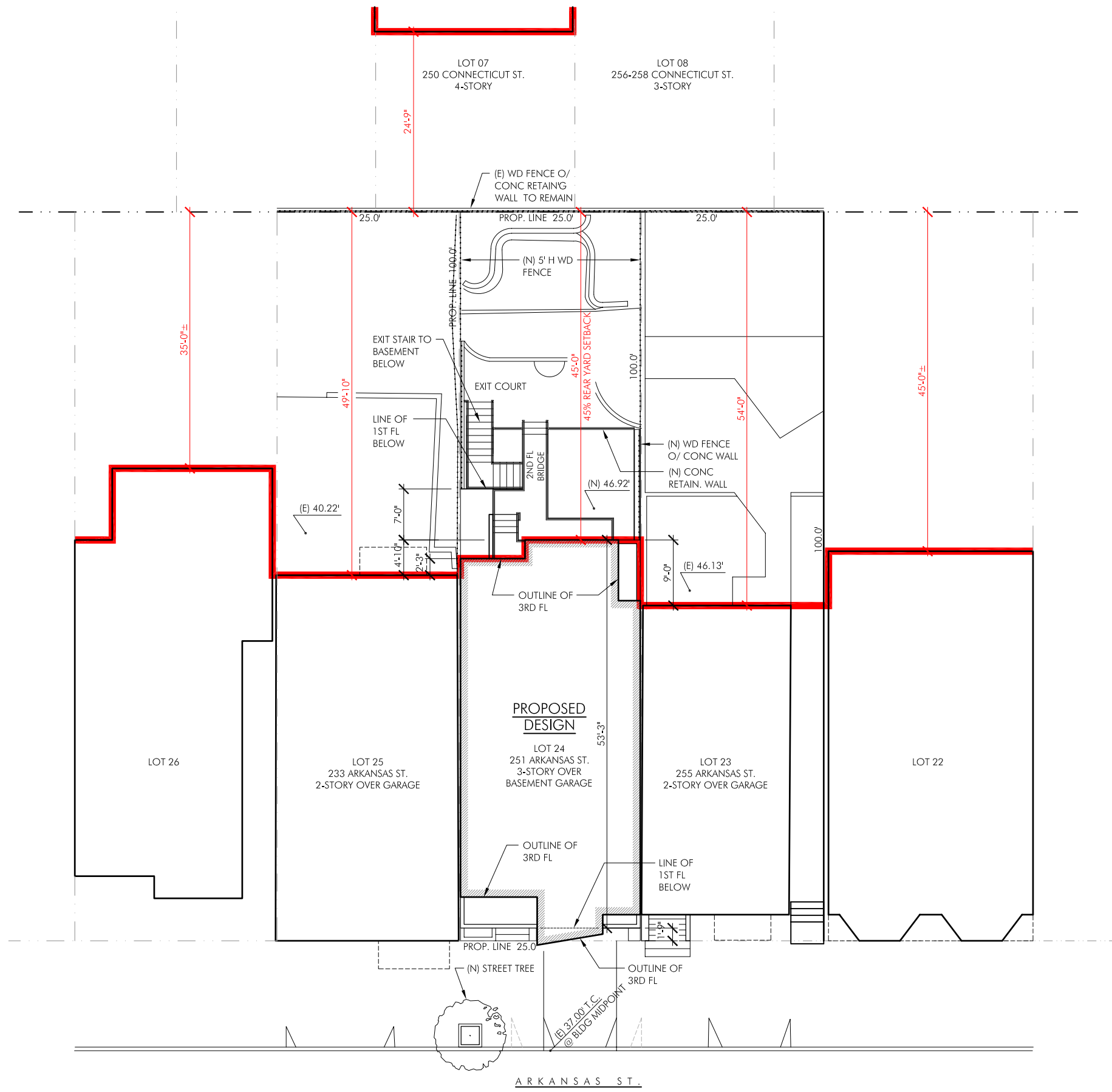
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EXHIBIT 5

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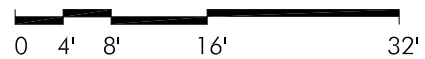


EXISTING REAR YARD SETBACKS

EXHIBIT 6

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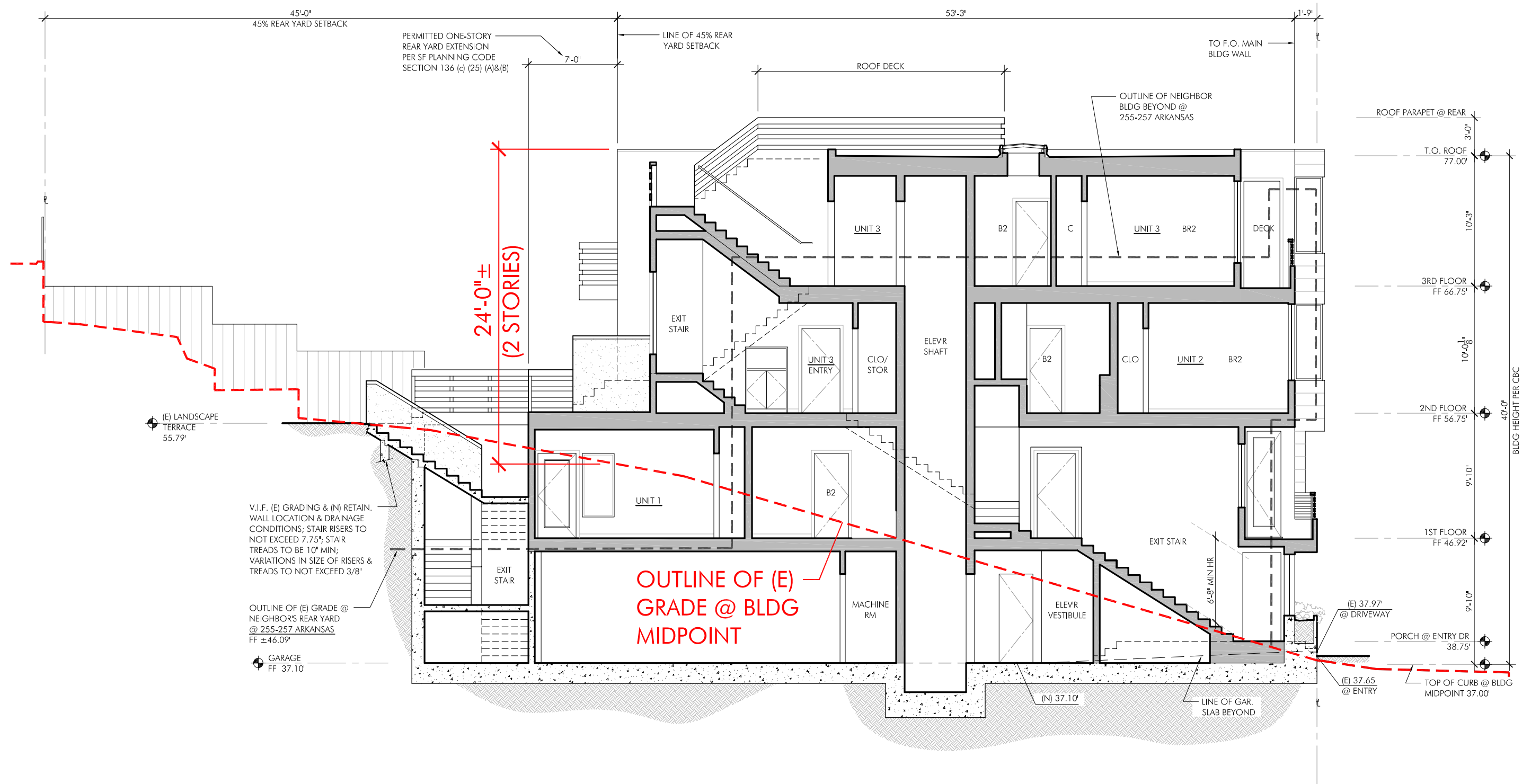
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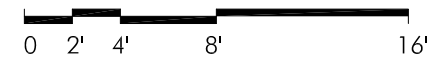
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BUILDING HEIGHT AT REAR YARD

251 ARKANSAS

SAN FRANCISCO, CALIFORNIA



SCALE: 1/8" = 1'-0"

EXHIBIT 7

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