



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Abbreviated Analysis

HEARING DATE: DECEMBER 13, 2012

*Date:* December 6, 2012  
*Case No.:* **2012.1201D**  
*Project Address:* **27-29 Sutro Heights Avenue**  
*Permit Application:* 2012.05.16.0569  
*Zoning:* RH-2 [Residential House, Two-Family]  
40-X Height and Bulk District  
*Block/Lot:* 1595/021  
*Project Sponsor:* Brian Laczko, Architect  
931 Pardee St.  
Berkeley, CA 94710  
*Staff Contact:* Aaron Starr – (415) 588-6362  
[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)  
*Recommendation:* **Do not take DR and approve as proposed**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposal is to extend the rear wall of the ground floor approximately 21' into the rear yard; construct a new level below the existing ground floor level that will extend approximately 32' from the existing ground floor's rear wall; and reconfigure the existing two residential units. The proposal also includes the addition of decks at the rear of the first and second floors.

### SITE DESCRIPTION AND PRESENT USE

The subject property slopes down from the front property line to the rear property line and is 25' wide by 130' deep. The lot expands to 30 feet in width approximately 60' back from the front property line. The existing building covers approximately 37% of the lot's depth and is a two-story-over-garage, two-unit building clad in stucco.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject parcel is located on the south side of Sutro Heights Avenue between 46<sup>th</sup> and 47<sup>th</sup> Avenues in the City's Outer Richmond District, four blocks to the east of the Great Highway and one block north of Balboa Street. The subject neighborhood is entirely residential and consists of two to three-story single and two-family homes.

**BUILDING PERMIT NOTIFICATION**

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	August 21, 2012- September 19, 2012	September 19, 2012	December 13, 2012	85 days

**HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	December 3, 2012	December 3, 2012	10 days
Mailed Notice	10 days	December 3, 2012	December 3, 2012	10 days

**PUBLIC COMMENT**

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	3	-
Other neighbors on the block or directly across the street	-	38	-
Neighborhood groups	-	-	-

The DR Requestor submitted a petition as part of his Commission packet submittal. A copy of the petition is included in your case packet.

**DR REQUESTOR**

Lawrence Ramlan  
 33 Sutro Heights Avenue  
 San Francisco, CA 94121

The DR Requestor lives next door to the west of the subject property.

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

See attached *Discretionary Review Application*, dated September 19, 2012

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

See attached *Response to Discretionary Review*, dated October 24, 2012

**ENVIRONMENTAL REVIEW**

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e)

Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

### **RESIDENTIAL DESIGN TEAM REVIEW**

- The RDT finds that the proposal is consistent with the established mid-block open space pattern. The adjacent building to the east extends slightly further into the midblock open space than the proposed addition. The proposal does not extend deeper than the DR Requestor's building and reduces its mass by terracing down toward the rear yard.
- The RDT finds that there will be no significant air, light or privacy impacts to the DR Requestor's building. The proposed roof deck is set back 5'-2" from the adjacent light well and the adjacent property to the west.
- The RDT does not find that the addition is unusually tall for the neighborhood. The proposal is an appropriate transition between the two adjacent buildings and respects the topography of the lot and block.
- A vertical addition, as recommended by the DR Requestor, would result in an uncharacteristically tall building for the block and would not be consistent with the block-face rooflines or the existing topography.
- Although not an RDT issue, according to the documents provided in the site permit, the pre-application meeting was noticed to all of the required neighbors

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

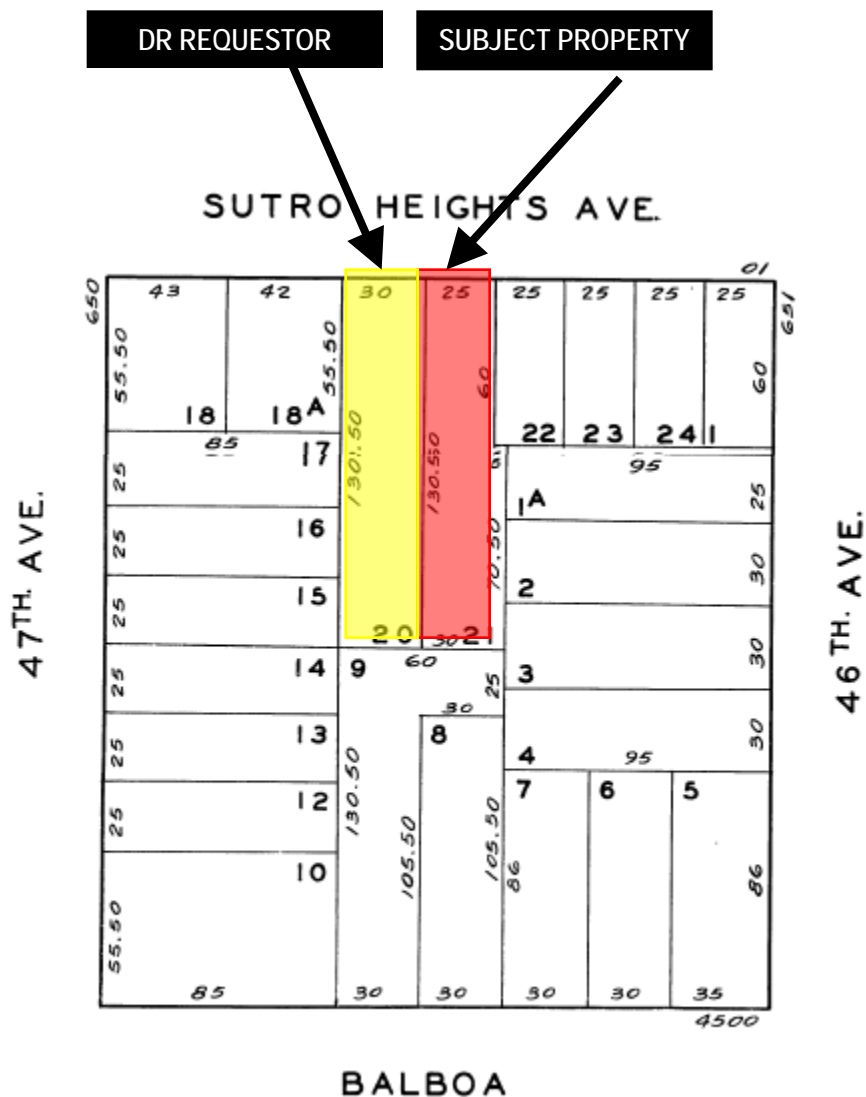
<b>RECOMMENDATION:</b> <b>Do not take DR and approve project as proposed</b>
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**Attachments:**

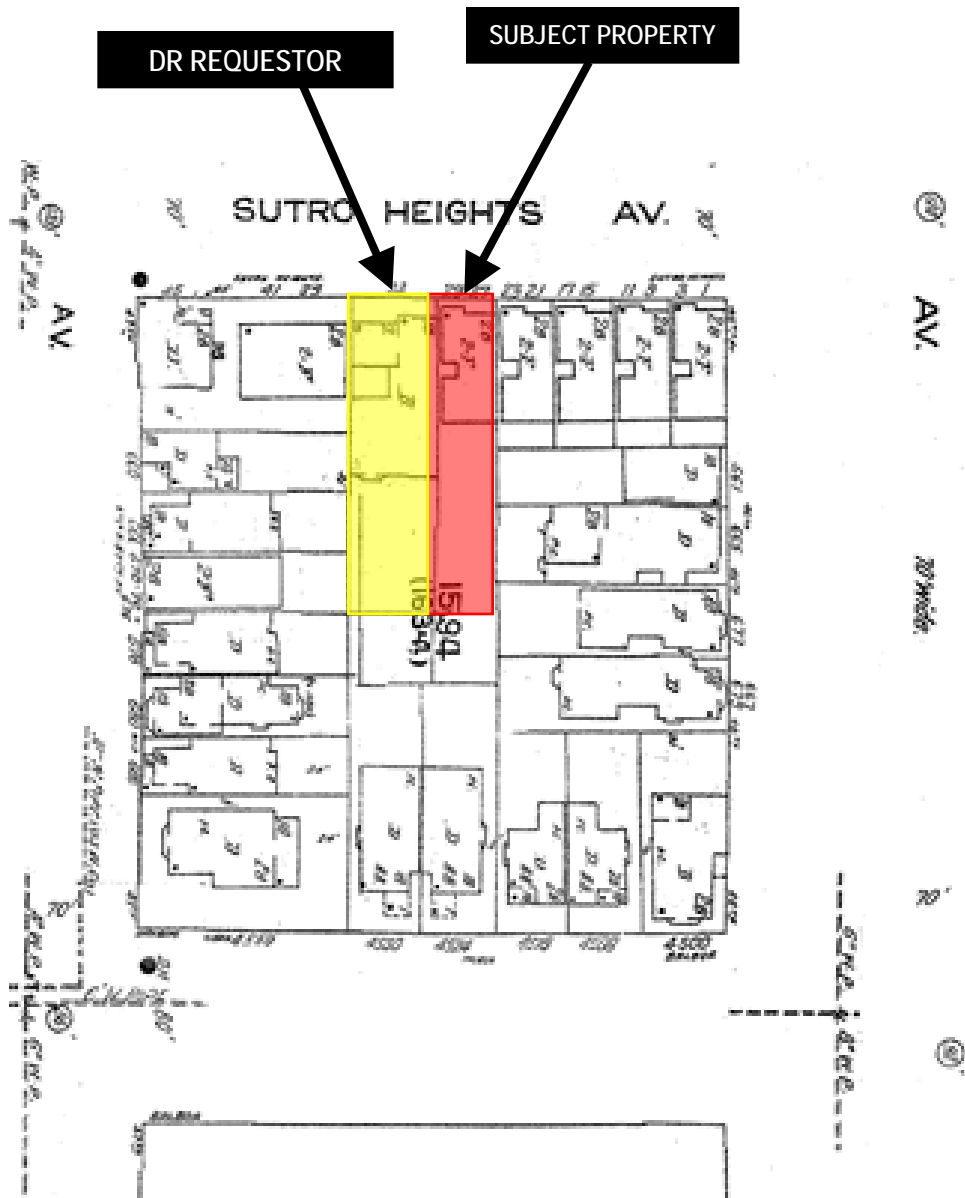
- Block Book, Sanborn, and Zoning Maps
- Aerial Photographs
- Section 311 Notice
- DR Application and additional submittals
- Response to DR Application with Context Photographs dated October 24, 2012
- Reduced Plans

AS: G:\DOCUMENTS\Discretionary Review\27-29 Sutro Heights\DR - Abbreviated Analysis.doc

# Parcel Map



# Sanborn Map\*



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



# Zoning Map



Discretionary Review Hearing  
Case Number 2012.1201D  
Neighbor Requested Discretionary Review  
27-29 Sutro Heights Avenue

# Aerial Photo

DR REQUESTOR

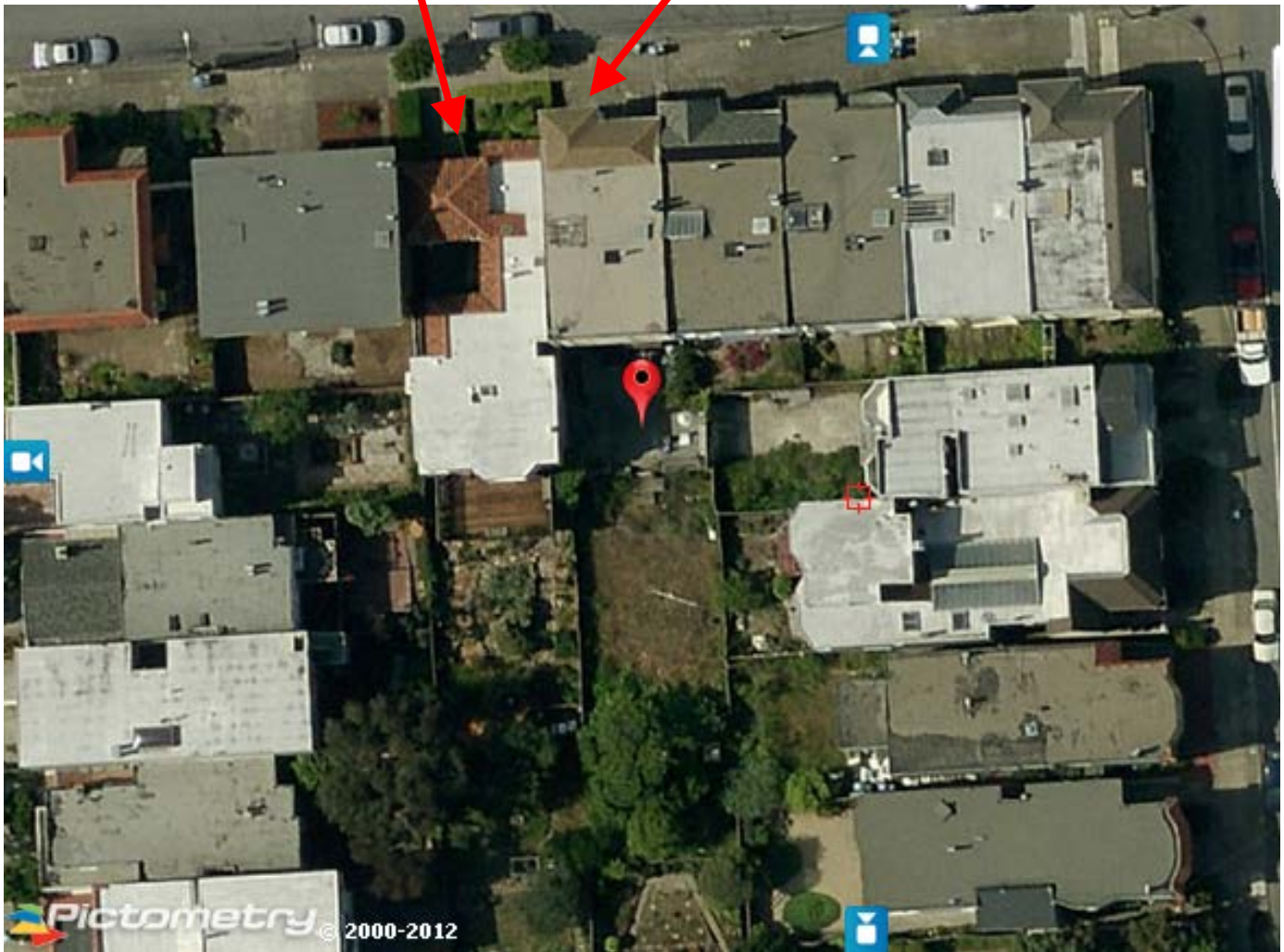
SUBJECT PROPERTY



# Aerial Photo

DR REQUESTOR

SUBJECT PROPERTY







# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **May 16, 2012** the Applicant named below filed Building Permit Application No. **2012.05.16.0569** (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	<b>Brian Laczko, Architect</b>	Project Address:	<b>27-29 Sutro Heights Avenue</b>
Address:	<b>931 Pardee Street</b>	Cross Streets:	<b>46<sup>th</sup> and 47<sup>th</sup> Avenues</b>
City, State:	<b>Berkeley, CA 94710</b>	Assessor's Block /Lot No.:	<b>1594/021</b>
Telephone:	<b>(510) 798-8097</b>	Zoning Districts:	<b>RH-2/40-X</b>

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

PROJECT SCOPE			
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION	or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS	<input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE)	<input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR)

PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK .....	±6.5'	No Change
SIDE SETBACKS .....	None	No Change
BUILDING DEPTH .....	±48'	±74'
REAR YARD .....	±76'	±46'
HEIGHT OF BUILDING .....	30.5'	No Change
NUMBER OF STORIES .....	3	4
NUMBER OF DWELLING UNITS .....	2	No Change
NUMBER OF OFF-STREET PARKING SPACES .....	2	No Change

### PROJECT DESCRIPTION

The subject property slopes down from the front property line to the rear property line. The proposal is to extend the rear wall of the ground floor approximately 21' into the rear yard; construct a new level below the existing ground floor level that will extend approximately 32' from the existing ground floor's rear wall; and reconfigure the existing two units. The proposal also includes decks off the first and second floors.

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

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

# NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
2. Call the nonprofit organization Community Boards at (415) 920-3820, or online at [www.communityboards.org](http://www.communityboards.org) for a facilitated discussion in a safe and collaborative environment through mediation. Community Boards acts as a neutral third party and has, on many occasions, helped parties reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request **within 30 days of this notice, prior to the Expiration Date shown on the reverse side**, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at [www.sfplanning.org](http://www.sfplanning.org)). You must submit the application to the Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check, for each Discretionary Review request payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org) or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. If the project includes multi building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

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

## BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the **Board of Appeals within 15 days** after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the **Board's office at 1650 Mission Street, 3rd Floor, Room 304**. For further information about appeals to the Board of Appeals, including their current fees, **contact the Board of Appeals at (415) 575-6880**.

# APPLICATION FOR Discretionary Review

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: LAURENCE RAMLAN		
DR APPLICANT'S ADDRESS: 33 SUTRO HTS	ZIP CODE: 94121	TELEPHONE: (415) 850-5942
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: YASER REHEM / JING LIU		
ADDRESS: 7935 GEARY	ZIP CODE: 94121	TELEPHONE: (650) 270-5503
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> BRUCE PRESCOTT		
ADDRESS: 2201 WALNUT AV STE 200	ZIP CODE: 95438	TELEPHONE: (510) 790-0900
E-MAIL ADDRESS: BRUCEPRESCOTT@TATP.COM		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 27-29 SUTRO HTS AV		ZIP CODE: 94121
CROSS STREETS: 46TH AV AND 47TH AV		
ASSESSORS BLOCK/LOT: 1594 / 021	LOT DIMENSIONS	LOT AREA (SQ FT): RH-2/40X
ZONING DISTRICT:		HEIGHT/BULK DISTRICT:

## 3. Project Description

Please check all that apply

 Change of Use  Change of Hours  New Construction  Alterations  Demolition  Other 

 Additions to Building: Rear  Front  Height  Side Yard 

Present or Previous Use: TWO FLATS

Proposed Use:

Building Permit Application No. 2012.05.16.0569

Date Filed: 5/16/12

4. Actions Prior to a Discretionary Review Request

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

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

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

MET ONCE WITH APPLICANT NO RESOLUTION -  
DID WHAT HE WANTED

# Discretionary Review Request

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

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

PLEASE SEE ATTACHED PETITION.  
BRUCE PRESCOTT, ESQ. WILL REPRESENT US  
BEFORE THE COMMISSION

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

SEE PETITION

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

SEE PETITION

# Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: 

Date: 9/19/12

Print name, and indicate whether owner or authorized agent:

LAURENCE RAMLAN

Owner / Authorized Agent (circle one)

# Discretionary Review Application Submittal Checklist

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

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed (A-0)	<input type="checkbox"/>
Address labels (original), if applicable	<input type="radio"/>
Address labels (copy of the above), if applicable	<input type="radio"/>
Photocopy of this completed application	<input type="checkbox"/>
Photographs that illustrate your concerns (1-36)	<input checked="" type="checkbox"/>
Convenant or Deed Restrictions (L-m)	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input checked="" type="checkbox"/>

NOTES:

Required Material.

Optional Material.

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

For Department Use Only

Application received by Planning Department:

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

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

## Objections to 27-29 Sutro Heights Build Permit Request

To the **San Francisco Planning Department:**

We are owners, residents and neighbors directly affected by this proposed construction. **We strenuously object to and oppose the building permit request for 27-29 Sutro Heights.** We have seen the notice of application (section 311) plans and strongly oppose this construction permit. The proposed plans are for a new multistory extension with decks to the back of an existing set of flats that will overlook our homes and backyards from very close distance. The depth of the proposed expansion into the rear yard will dramatically and adversely impact the mid-block open space because of the significant intrusion it will have on our privacy and the way it affects the overall feel of the neighborhood. This expansion is uncharacteristically deep and tall in the context of the other buildings. Because of the slope and height of the proposed changes, approval of the construction will result in our neighbors' house practically abutting our living spaces. As proposed, the construction will permit views into our bedrooms and other living areas, and will contain decks and windows overlooking the privacy of our backyards from very close distance. The site is dense with abutting structures already, but the fact that the structures do not extend deep into the back yards affords us much needed privacy. The proposed structure ignores this long acknowledged limitation – that expansion goes up; not to the back. The proposed location of the extension breaks the rear line of all the buildings of the same period and will increase shading in our yards by further closing them in. The plans call for development of a super unit and reduction of the second unit to minimum footage. This is out of scale with the rest of the neighborhood.

Maintenance of sunlight, psychological feeling and character of the neighborhood, privacy, as well as mid-block open space based on the Planning Code, the General Plan and the Residential Design Guidelines are grounds we rely on to object to a proposed expansion. What the permit applicant seeks to do will adversely affect all of these. The character of our neighborhood has remained the same since World War II days. Some of the houses are from the 1920's. All homeowners have worked cooperatively to respect the comfortable living and expectations of privacy of their neighbors. This proposed modernized, oversized and intrusive construction will completely disrupt the expectations we have had for decades.

Other additions and new construction in the area has been on top of existing buildings. These owners have refused to entertain that option.

In addition, the permit applicants have not complied with the pre-application requirements of the Planning Code. Although a meeting was held, not all of the affected neighbors were invited, the sign-in sheet is not accurate, and the breadth of the comments is not accurately represented, nor is the description of the manner in



12.120101

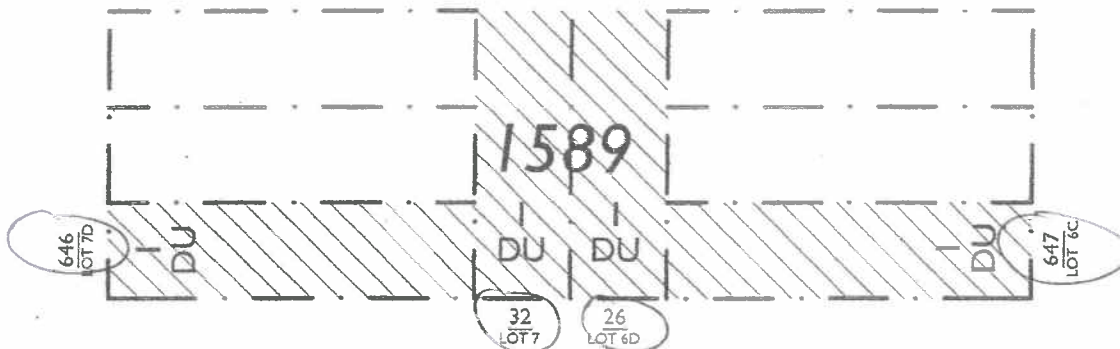
which the applicants purportedly have responded to comments from the neighborhood, which in many instances is simply to ignore them.

**For these reasons, which we will gladly explain in greater detail to the Planning Department if desired, the undersigned oppose and object to approval of the permit application for 27-29 Sutro Heights.**

12.12010

# D.R. NOTICES

APPLICANTS: YASER REHEM / JING LIU, 7935 GEARY



## SUTRO HEIGHTS AVE.

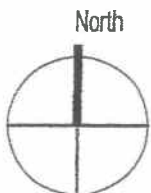
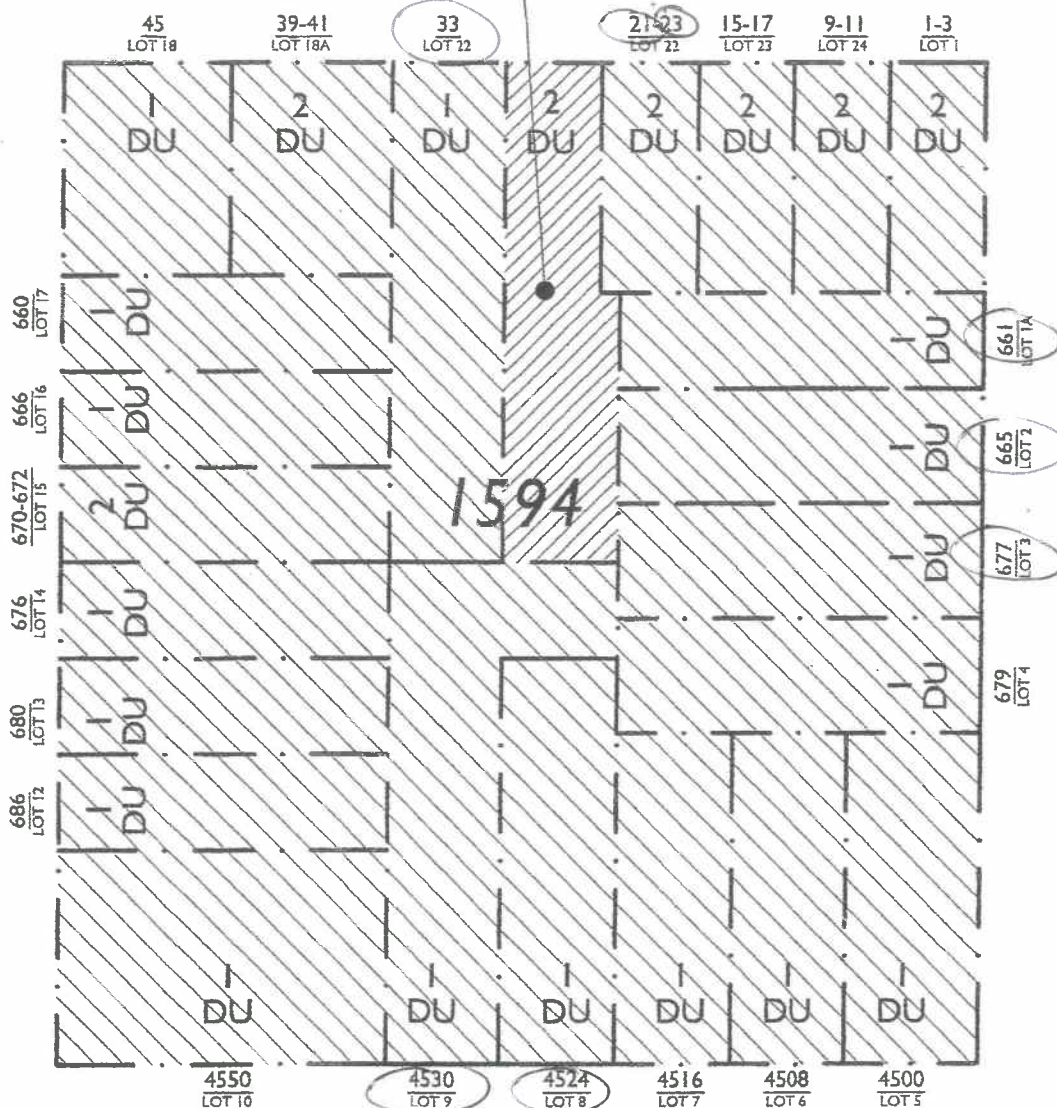
Project Site:

27-29 Sutro Heights Ave.

APN 1594-021

47th AVE.

46th AVE.



BALBOA ST.

E

Block 1589 Lot 7  
Owner  
32 Sutro Heights Av  
San Francisco, CA 94121

Block 1589 Lot 6C  
Owner  
647 46th Av  
San Francisco, CA 94121

Block 1594 Lot 1A  
Owner  
661 46th Av  
San Francisco, CA 94121

Block 1594 Lot 20  
D.R. Applicant  
33 Sutro Heights Av  
San Francisco, CA 94121

Block 1594 Lot 8  
Owner  
4524 Balboa St  
San Francisco, CA 94121

Bruce Prescott  
2201 Walnut Av Ste 200  
Fremont, CA 94538

Block 1589 Lot 06D  
Owner  
26 Sutro Heights Av  
San Francisco, CA 94121  
Jing Liu  
Permit Applicant  
7935 Geary  
San Francisco, CA 94121

Block 1594 Lot 2  
Owner  
665 46th Av  
San Francisco, CA 94121

Block 1594 Lot 9  
Resident  
4530 Balboa St  
San Francisco, CA 94121

Block 1594 Lot 21  
Permit Applicant  
27-29 Sutro Heights Av  
San Francisco, CA 94121

Eric Mar  
Board of Supervisors  
1 Dr. Goodlett Place  
San Francisco, CA 94102

Block 1594 Lot 22  
Resident  
21 Sutro Heights Av  
San Francisco, CA 94121

Block 1589 Lot 7D  
Owner  
646 47th Av  
San Francisco, CA 94121

Block 1594 Lot 22  
Owner 21-23 Sutro Hts Av  
23 Sutro Heights Av  
San Francisco, CA 94121

Block 1594 Lot 3  
Owner  
677 46th Av  
San Francisco, CA 94121

Block 1594 Lot 9  
Owner - 4530 Balboa  
60 Hazel Av  
Mill Valley, CA 94941

Yaser Rehem  
Permit Applicant  
7935 Geary  
San Francisco, CA 94121

Margaret Brady  
535 39th Av  
San Francisco, CA 94121



# SAN FRANCISCO PLANNING DEPARTMENT

12.1201D

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On May 16, 2012 the Applicant named below filed Building Permit Application No. 2012.05.16.0569 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Brian Laczko, Architect	Project Address:	27-29 Sutro Heights Avenue
Address:	931 Pardee Street	Cross Streets:	46 <sup>th</sup> and 47 <sup>th</sup> Avenues
City, State:	Berkeley, CA 94710	Assessor's Block /Lot No.:	1594/021
Telephone:	(510) 798-8097	Zoning Districts:	RH-2/40-X

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

PROJECT SCOPE		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR)

PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
FRONT SETBACK .....	±6.5'	No Change
SIDE SETBACKS .....	None	No Change
BUILDING DEPTH .....	±48'	±74'
REAR YARD .....	±76'	±46'
HEIGHT OF BUILDING .....	30.5'	No Change
NUMBER OF STORIES .....	3	4
NUMBER OF DWELLING UNITS .....	2	No Change
NUMBER OF OFF-STREET PARKING SPACES .....	2	No Change

PROJECT DESCRIPTION
---------------------

The subject property slopes down from the front property line to the rear property line. The proposal is to extend the rear wall of the ground floor approximately 21' into the rear yard; construct a new level below the existing ground floor level that will extend approximately 32' from the existing ground floor's rear wall; and reconfigure the existing two units. The proposal also includes decks off the first and second floors.

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

DATE OF THIS NOTICE: 8/21/2012  
 EXPIRATION DATE: 9/19/2012

12.1201D

## Notice of Pre-Application Meeting

3/5/12

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 27-29 Sutro Heights Ave cross street(s) 46th Avenue (Block/Lot#: 1594-21); Zoning: RH-2), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at [www.sfgov.org/dbi](http://www.sfgov.org/dbi).

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: Expand the habitable square footage of the units into the rear area of lot.

Existing # of dwelling units: <u>2</u>	Proposed: <u>2</u>	Permitted: <u>2</u>
Existing bldg square footage: <u>2350</u>	Proposed: <u>4112</u>	Permitted: <u>6507</u>
Existing # of stories: <u>2</u>	Proposed: <u>2</u>	Permitted: <u>2</u>
Existing bldg height: <u>27'-9"</u>	Proposed: <u>27'-9"</u>	Permitted: <u>40'-0"</u>
Existing bldg depth: <u>44'-10"</u>	Proposed: <u>62'-1"</u>	Permitted: <u>62'-3"</u>

## MEETING INFORMATION:

Property Owner(s) name(s): Yaser Rehem & Jing LiuProject Sponsor(s): same as aboveContact information (email/phone): yrehem@mac.com / 650.270.5503Meeting Address\*: 7935 Geary St. San FranciscoDate of meeting: Sunday 3/18/12Time of meeting\*\*: 12 noon

\*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

\*\*Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at [pic@sfgov.org](mailto:pic@sfgov.org). You may also find information about the San Francisco Planning Department and on-going planning efforts at [www.sfplanning.org](http://www.sfplanning.org).

# Pre-Application Meeting Sign-in Sheet

Meeting Date: 3/18/12  
 Meeting Time: NOON  
 Meeting Address:  
 Project Address:  
 Property Owner Name:  
 Project Sponsor/Representative:

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

LON & SEED. ORG.

NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1. LON RAMLAN	33 SUTRO			<input checked="" type="checkbox"/>
2. DAYNA RAMLAN	33 SUTRO HILLS			<input checked="" type="checkbox"/>
3. JOHN LAWTON	217 SUTRO			<input checked="" type="checkbox"/>
4. NUCIA WILLIAMS	29 SUTRO HILLS			<input checked="" type="checkbox"/>
5. Peter Kray	665 46th Ave	415 752 8717		
6. NORMAN KANDY	271-32 RD AVE	386-3956		
7. Bill Kol	366 Park Las Ave	SFO CA 94121		
8. Gerald T. Wilson	25 SUTRO HILLS			
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				

12.12010

### Summary of discussion from the Pre-Application Meeting

Meeting Date: 03/18/12  
 Meeting Time: 12 noon  
 Meeting Address: 1933 Geary St.  
 Project Address: 27-29 Sutra Hts. Ave.  
 Property Owner Name: Yaser Feher  
 Project Sponsor/Representative: Brian Laczko/Architect

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group):  
shading of adjacent roof @ 33 Sutra Hts. especially w/ planned solar panels.

Project Sponsor Response:  
project redesigned to pull <sup>new</sup> shadow casting element away from roof. Reviewed w/ residents @ 33.

Question/Concern #2: Blocking of lightwell @ ~~33~~ 33 Sutra Hts. Review

Project Sponsor Response: w/ some solution to concern #1, project was redesigned to provide 60" separation at lightwell area. Reviewed w/ residents @ 33, by owner.

Question/Concern #3: resident @ 605 46th Ave. did not want any development as it would change his view & encroach into the existing central space

Project Sponsor Response: Explained that all proposed designs occur within 55% allowed structure envelope & designs also step back as it gets taller.

Question/Concern #4: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

12.12010

# Affidavit of Conducting a Pre-Application Meeting, Sign-in Sheet and Issues/Responses submittal

I, Brian Laczko, do hereby declare as follows:

1. I have conducted a Pre-Application Meeting for the proposed new construction or alteration prior to submitting any entitlement (Building Permit, Variance, Conditional Use, etc.) in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted at 7935 Geary St., SF, CA (location/address) on 3/18/12 (date) from 12noon (time).
3. I have included the mailing list, meeting initiation, sign-in sheet, issue/response summary, and reduced plans with the entitlement Application. I understand that I am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.

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

EXECUTED ON THIS DAY, May 15, 2012 IN SAN FRANCISCO.

  
Signature

BRIAN LACZKO  
Name (type or print)

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

27-29 Sutra Heights Ave.  
Project Address

K



0 39613

RECORDED AT REQUEST OF GRANTEE  
At 42 Min Past 1 P M  
NOV 22 1965  
City & County of San Francisco, California  
MARTIN MONGAN  
RECORDER

2.80

GRANT OF EASEMENT

EDWARD GERMANO and ILDE GERMANO, his wife, *the first part*

**Hereby Grant** to

JOSEPH PETER SIMINI, a single man, and MARCELLINE T. McDERMOTT, a single woman, as joint tenants, their heirs and assigns,

*the second part*  
an EXCLUSIVE EASEMENT FOR LIGHT AND AIR OF ALL OF THE AIR SPACE FIFTEEN (15) FEET ABOVE AND BEYOND THE HEIGHT OF THE PRESENT SURFACE-LEVEL OVER  
**All that Real Property** situated in the City and

County of San Francisco, State of California

bounded and described as follows:

Beginning at a point formed by the intersection of a line sixty (60) feet south of the southerly line of Sutro Heights Avenue and a line one hundred (100) feet west of the westerly line of Forty-Sixth Avenue, RUNNING THENCE easterly, on the line sixty (60) feet south of the southerly line of Sutro Heights Avenue, for a distance thereon of five (5) feet, THENCE at a right angle southerly and parallel to the westerly line of Forty-Sixth Avenue for a distance of twenty-five (25) feet, THENCE at a right angle westerly for a distance of five (5) feet, THENCE at a right angle northerly for a distance of twenty-five (25) feet to the point of beginning.

IN WITNESS WHEREOF the first part has executed this conveyance this  
15<sup>th</sup> day of November, 1965.

*Mr Edward Germano*  
*Edward Germano*  
*Ilde Germano*

12.1201D

State of California,

City and County of San Francisco } ss.

On this 15<sup>th</sup> day of November

in the year of our Lord one thousand nine hundred and sixty five, before me.

W. D. BROWN

a Notary Public in and for the said City and County of San Francisco State of California, duly commissioned and sworn, personally appeared

Edward Germano and Ilda Germano, his wife.

known to me to be the person(s) described in and whose name(s) subscribed to the within instrument, and acknowledged to me that they executed the same.

In Witness Whereof I have hereunto set my hand and affixed my official seal in said City and County of San Francisco the day and year in this certificate first above written.



W. D. Brown

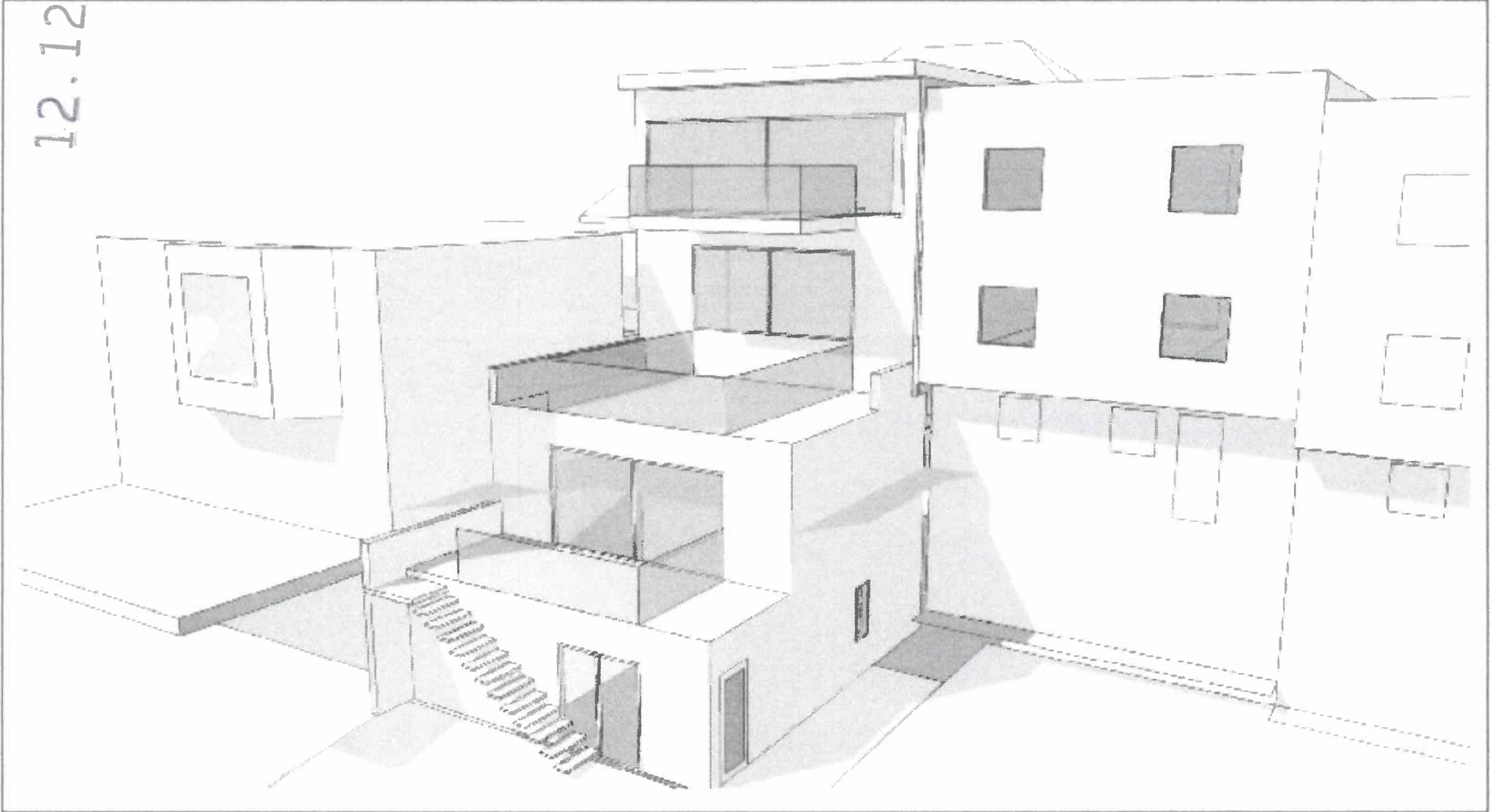
W. D. BROWN

Notary Public in and for the City and County of San Francisco, State of California.

My commission expires Nov. 14, 1968

m

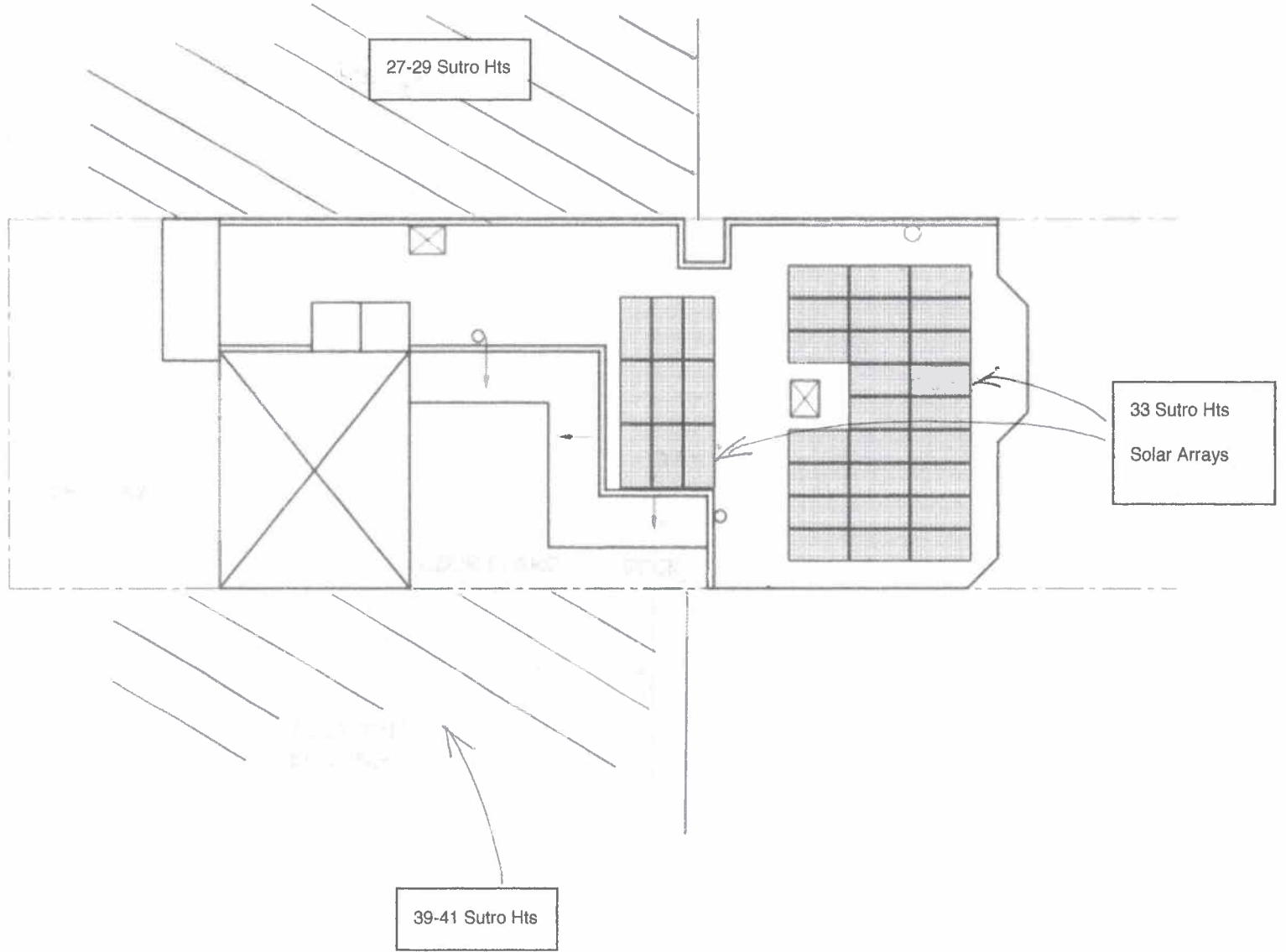
12.1201D



North

12.1201D

SUTRO HEIGHTS AVE



12.12010



S view of 33 Sutro Hts between 27-29 (L) and 39-41 Sutro Hts (R)

12.1201D



S view on 33 Sutro Hts of Solar Arrays Between 27-29 (L) and 39-41 Sutro Hts (R)

12.12010



N view of Two Solar Arrays on 33 Sutro Hts roof Between Buildings 27-29 (R) and 39-41 Sutro Hts (L)

12.12010'



NW view from 665 46th Av looking at 33 Sutro Hts left with two solar arrays on roof, 27-29 Sutro Hts center, 21-23 Sutro Hts left



12.1201D



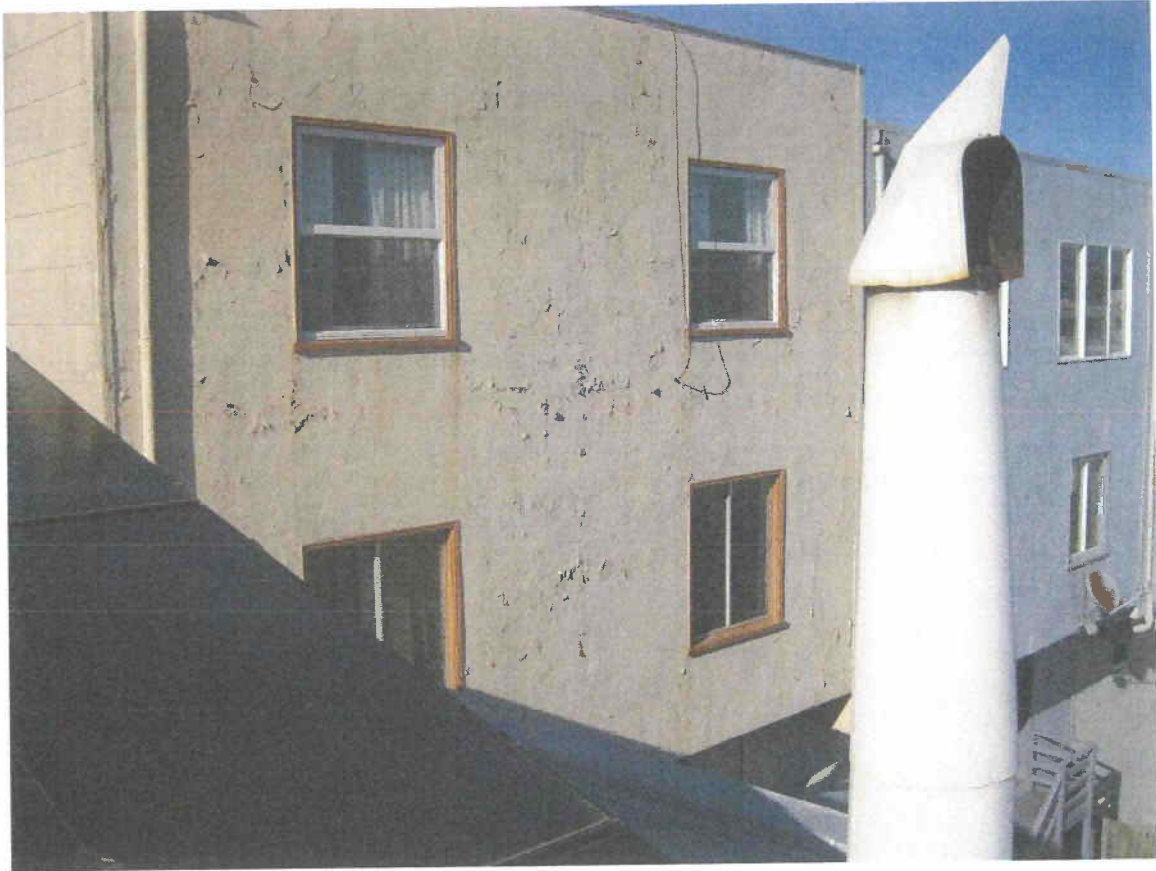
NE View from 33 Sutro Hts N solar array looking NE to 27-29 Sutro Hts

12.1201D



NE view from 33 Sutro Hts with S solar array and chimney to back of 27-29 Sutro Hts, 21-23 Sutro Hts with 661 46th Av (R)

12.1201D



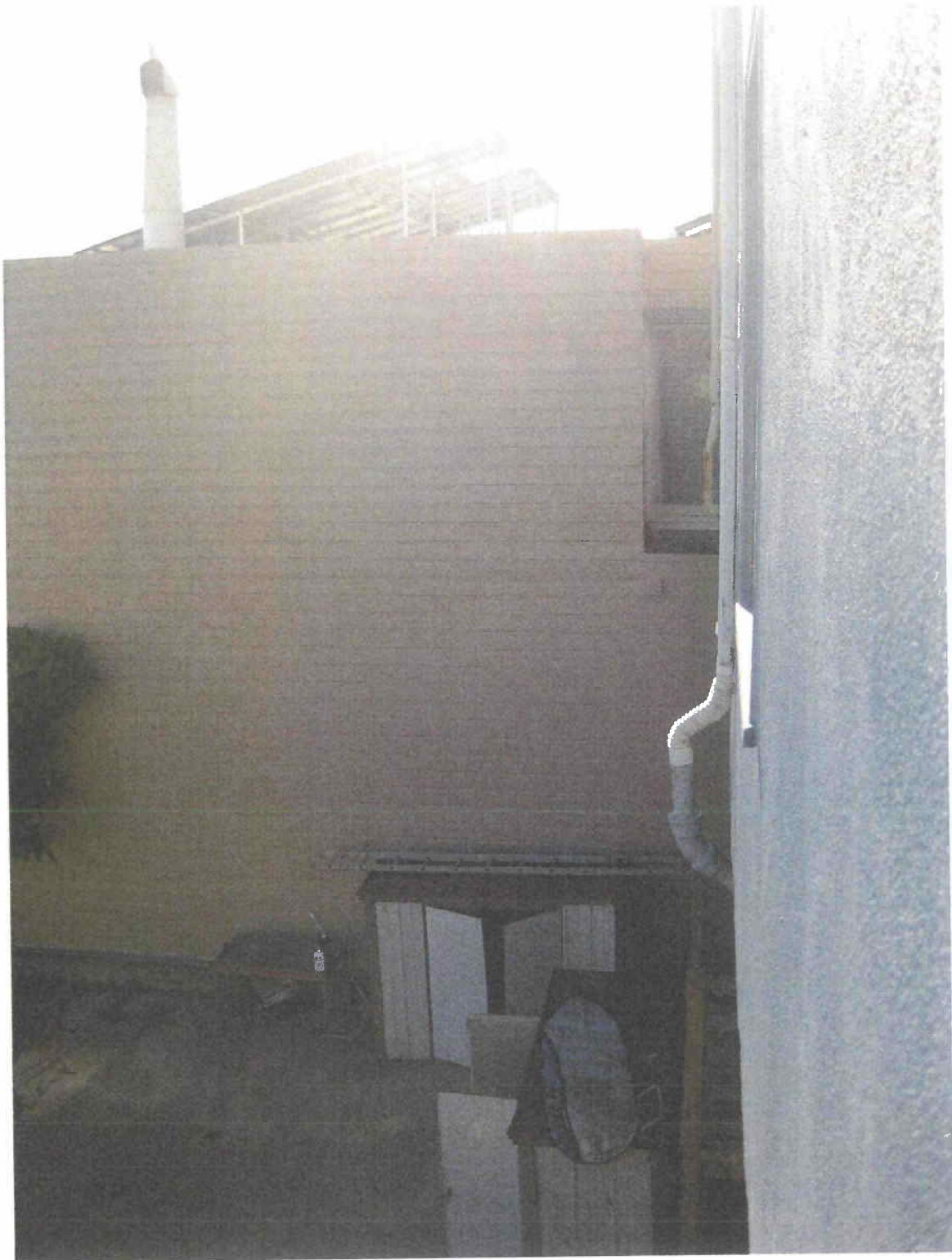
NE view from 33 Sutro Hts roof with solar array and chimney to back of 27-29 Sutro Hts.

12.1201D



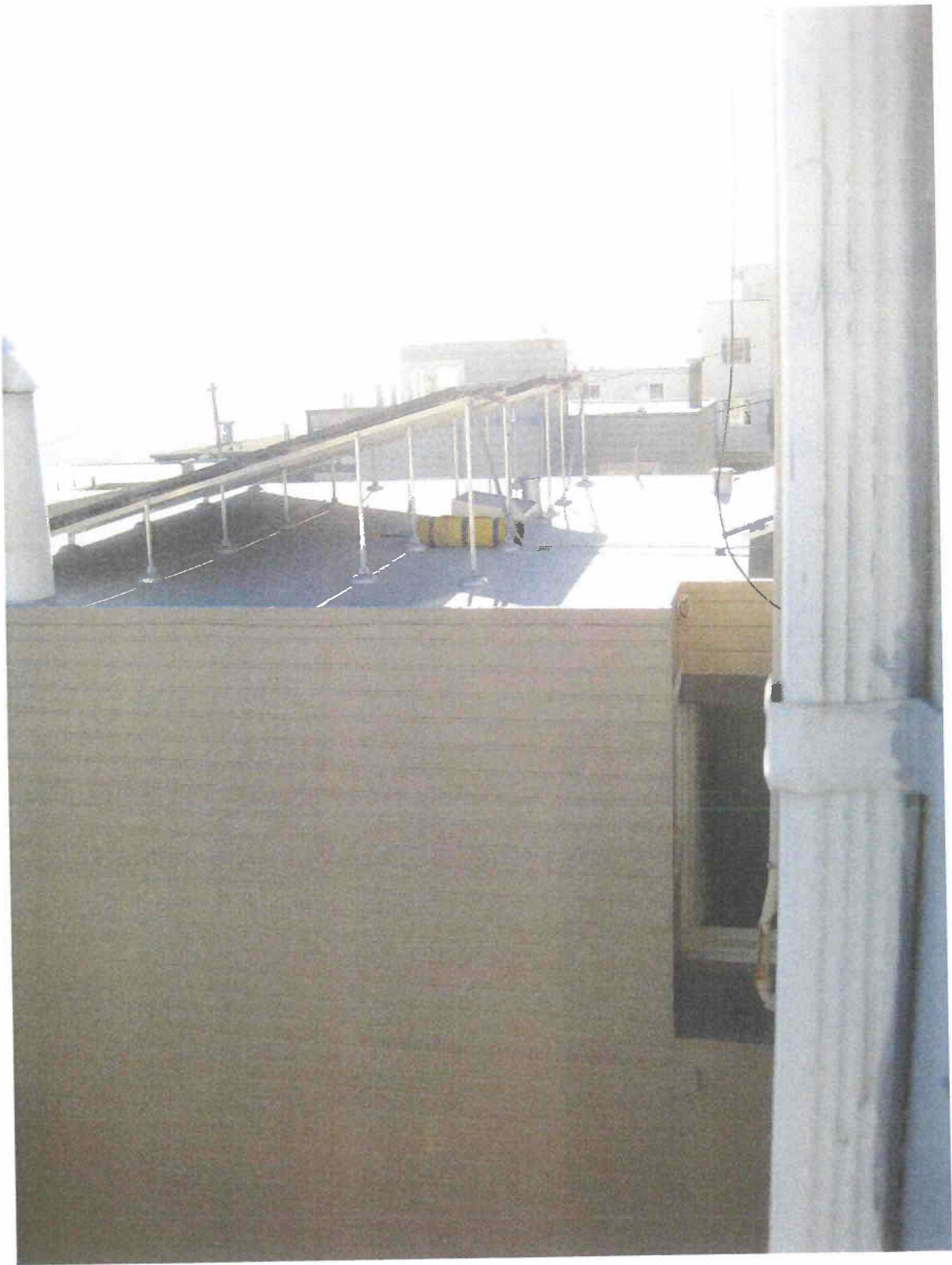
E view from 33 Sutro at roof above light well across 27-29 Sutro Hts along building line to E of 46th Av

12.1201D



W view from bedroom 23 Sutro Hts across 27-29 Sutro Hts to light well and solar of 33 Sutro Hts and solar arrays

12.1201D



W view from bedroom 23 Sutro Hts across 27-29 Sutro Hts to 33 Sutro Hts and solar

12.1201D



E view 33 Sutro Hts lightwell looking across 27-29 Sutro Hts to 661 46th Av

12.1201D



SE view from 33 Sutro Hts roof above light well and SW corner of 27-29 Sutro Hts overlooking 665 46th Av

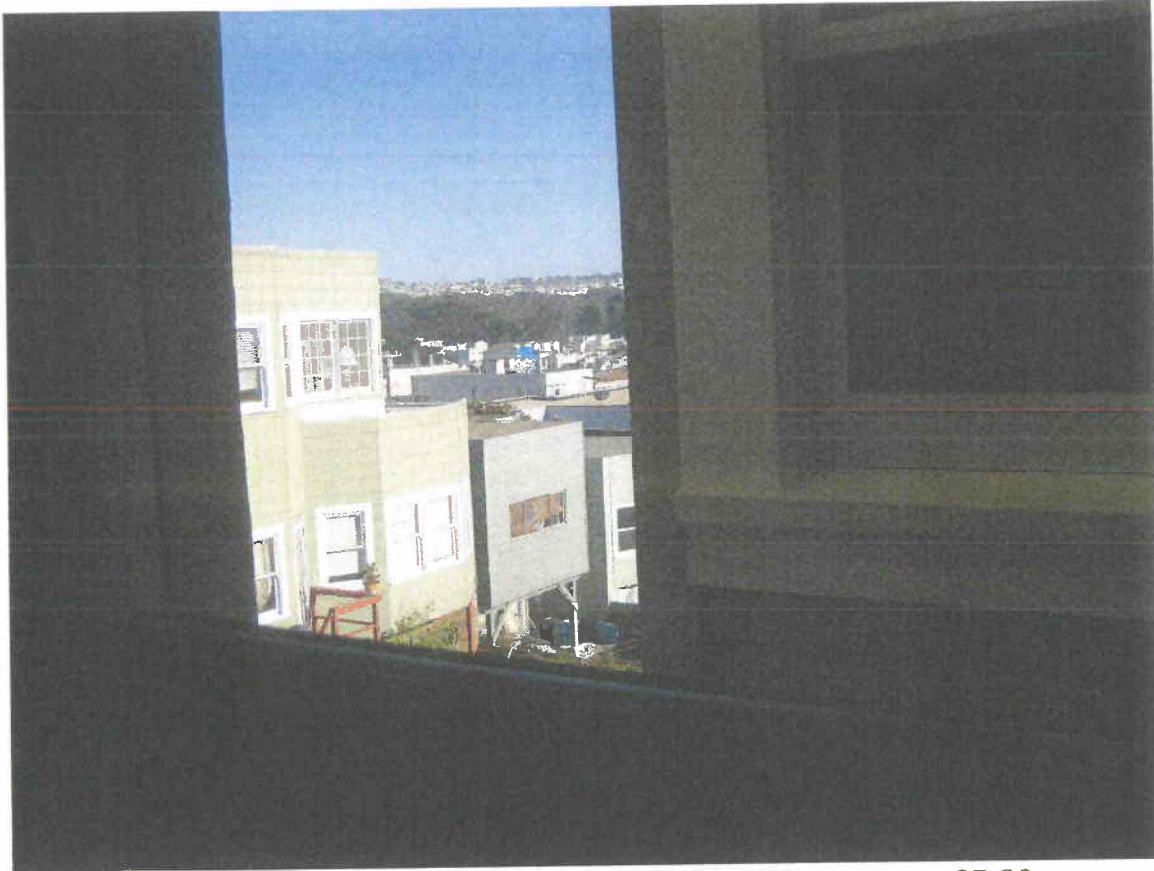


12.1201D



SE view from 33 Sutro Hts bathroom light well to 27-29 Sutro Hts (left side)

12.1201D



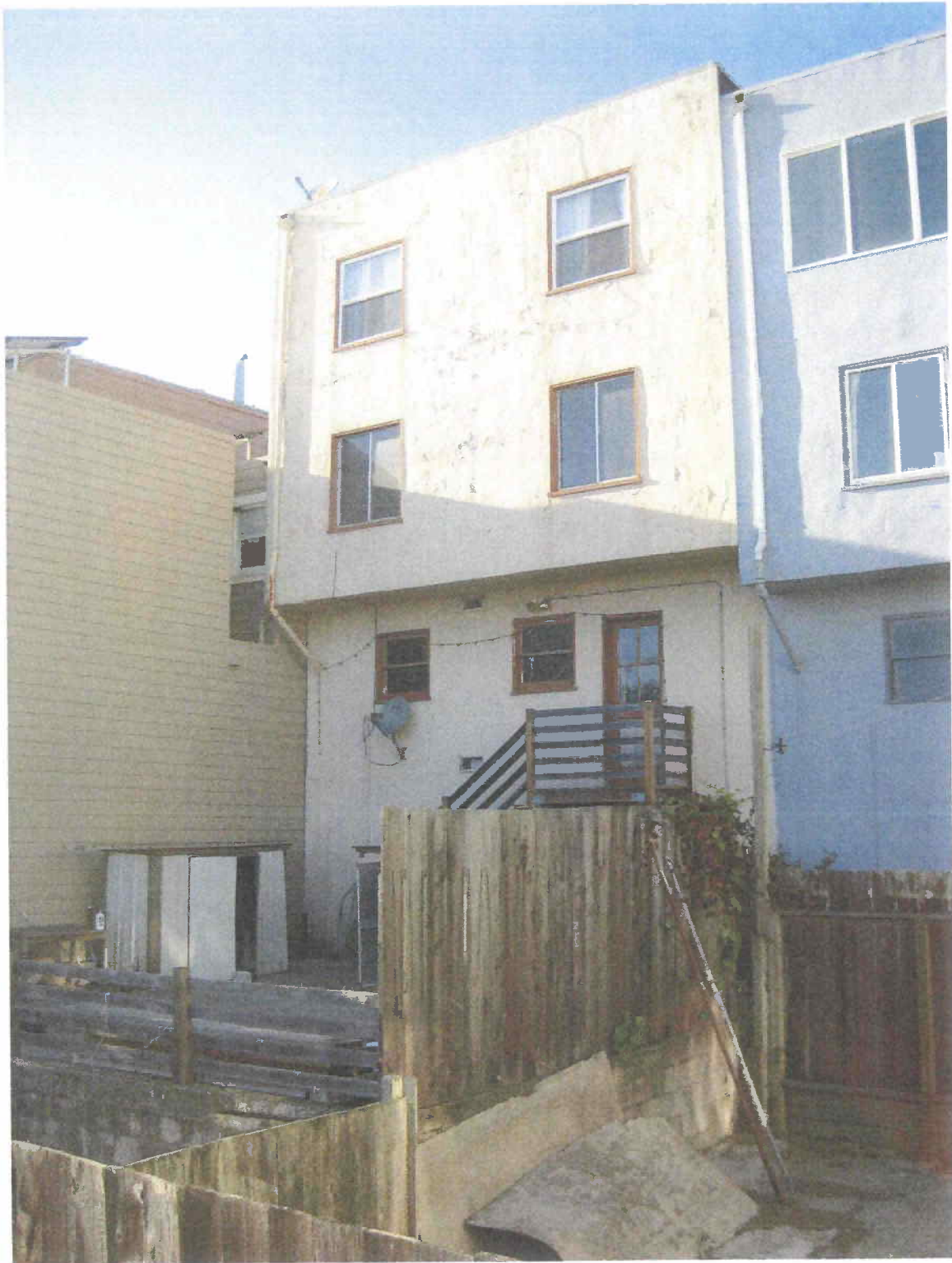
SE view from bathroom light well at 33 Sutro Hts across to 27-29

12.1201D



N View, 33 Sutro Hts looking N across light well to bathroom

12.12010



NE view from Back Porch of 665 46th Av.

12.1201D



NE view from Backyard of 33 Sutro Hts (left), 27-29 Sutro Hts (center), 21-23 Sutro Hts (right)

12.1201D



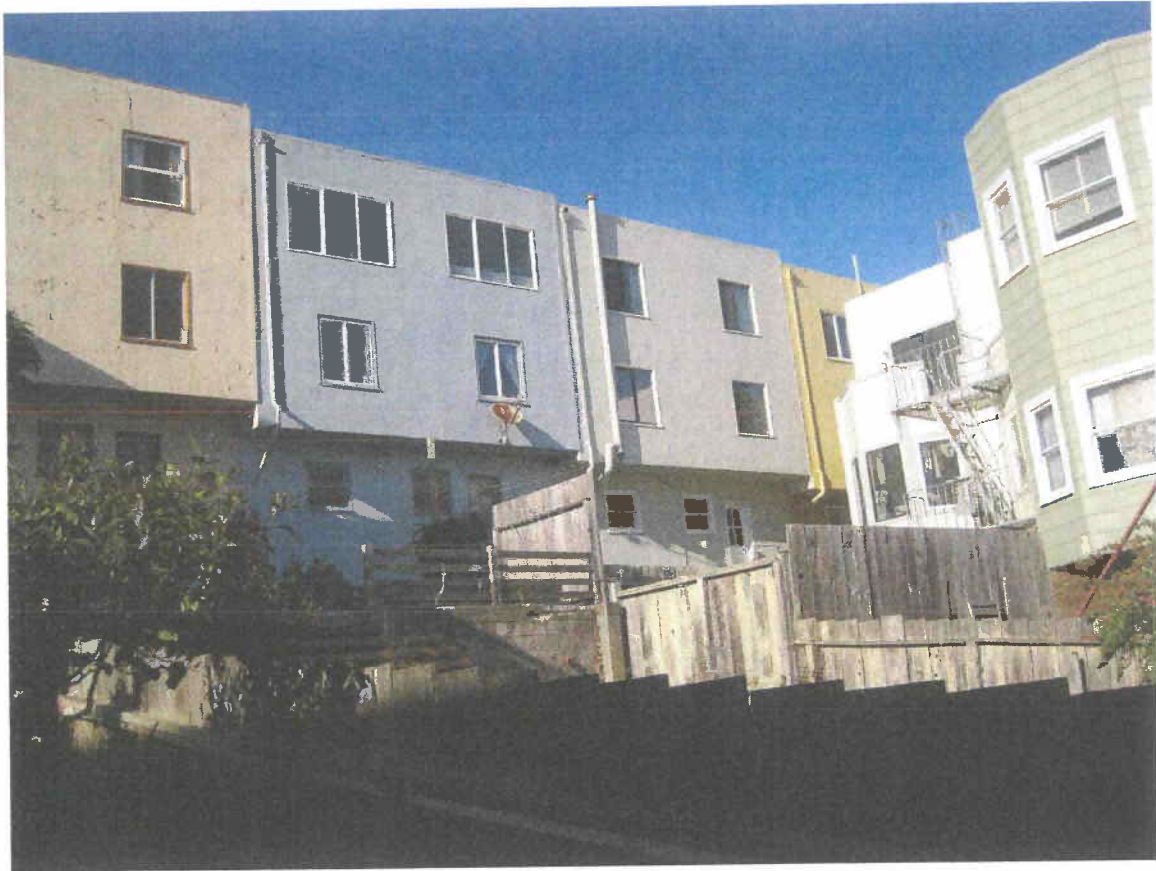
N view from 33 Sutro Hts backyard looking at fence line (left) with privacy tree separating deck and 27-29 Sutro Hts (center), 21-23 Sutro Hts (right)

12.1201D



W view from bedroom 23 Sutro Hts across 27-29 Sutro Hts to roof of 33 Sutro Hts  
and solar arrays

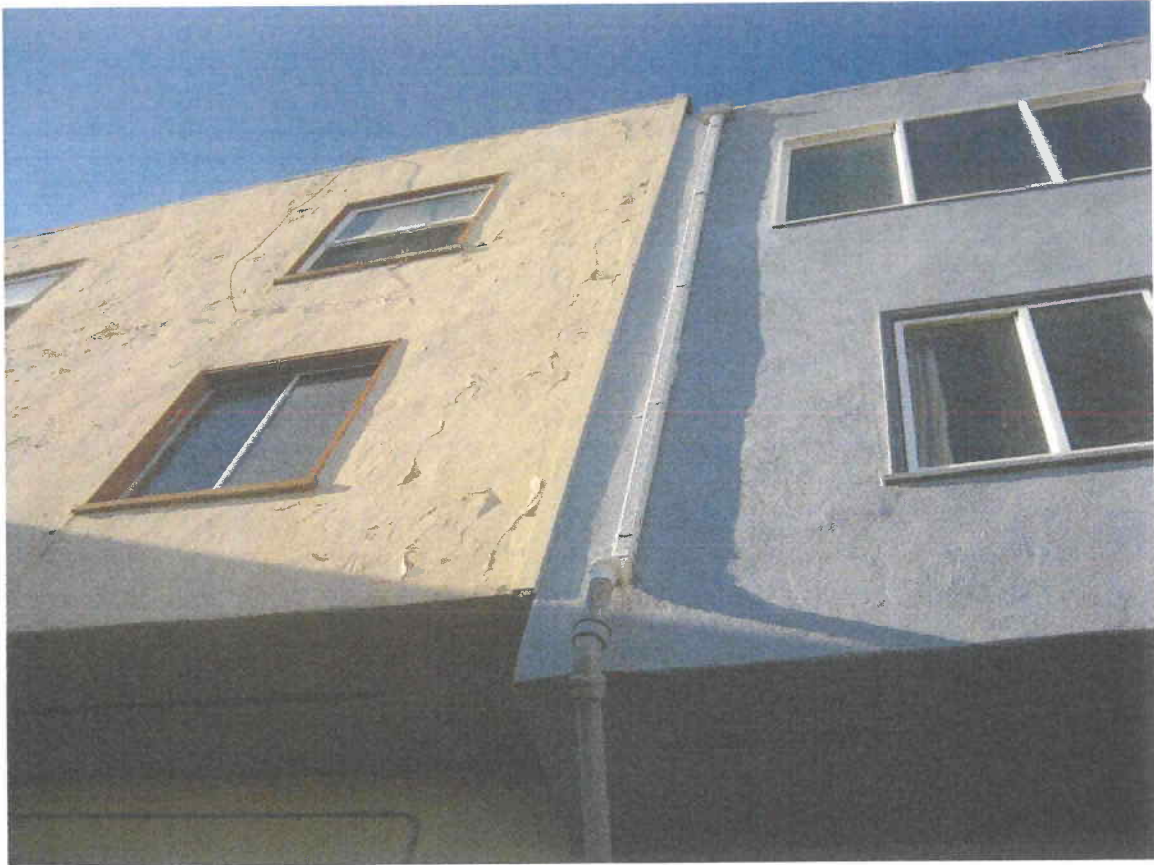
12.12010 :



NE view from backyard 33 Sutro Hts looking at 27-29 Sutro Hts (right), 21-23 Sutro Hts (center), 17 Sutro Hts (rt center), 9-11 Sutro Hts, 661 46th Av



12.1201D



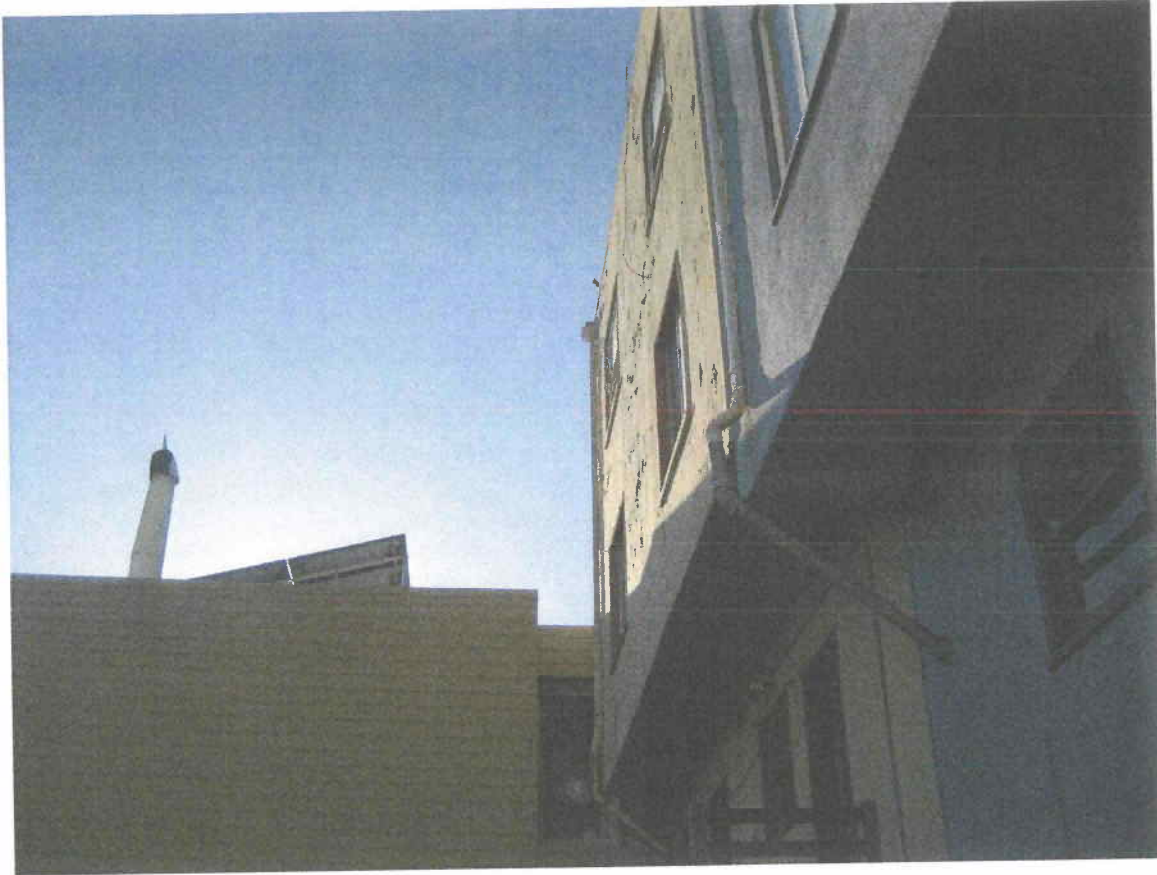
N backyard view looking up to bedroom windows of (left side) 27-29 Sutro Hts  
(right) abutting 21-23 Sutro Hts

12.1201D'



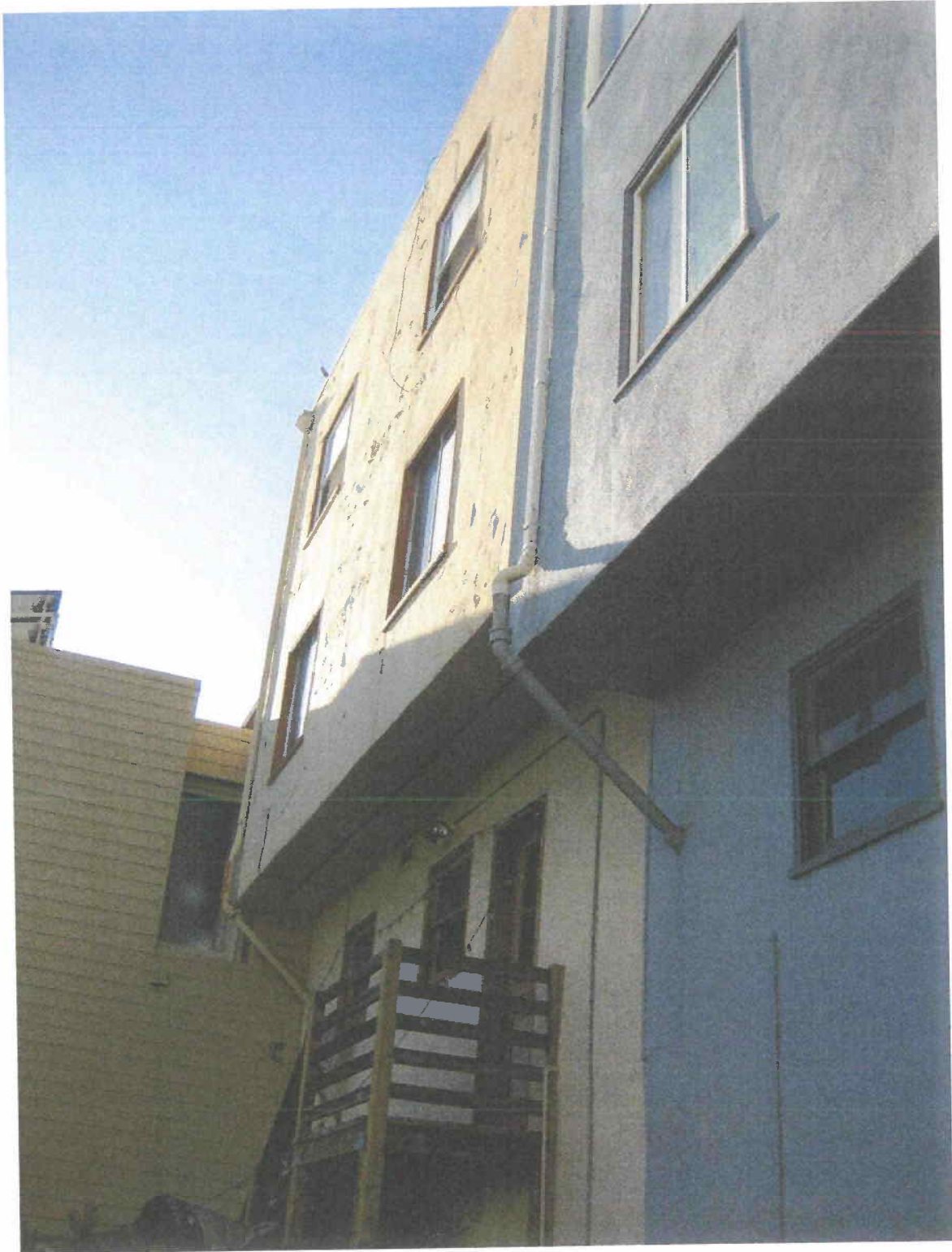
NE view from 21-23 Sutro Hts showing current rear building line to E 46th Av

12.1201D



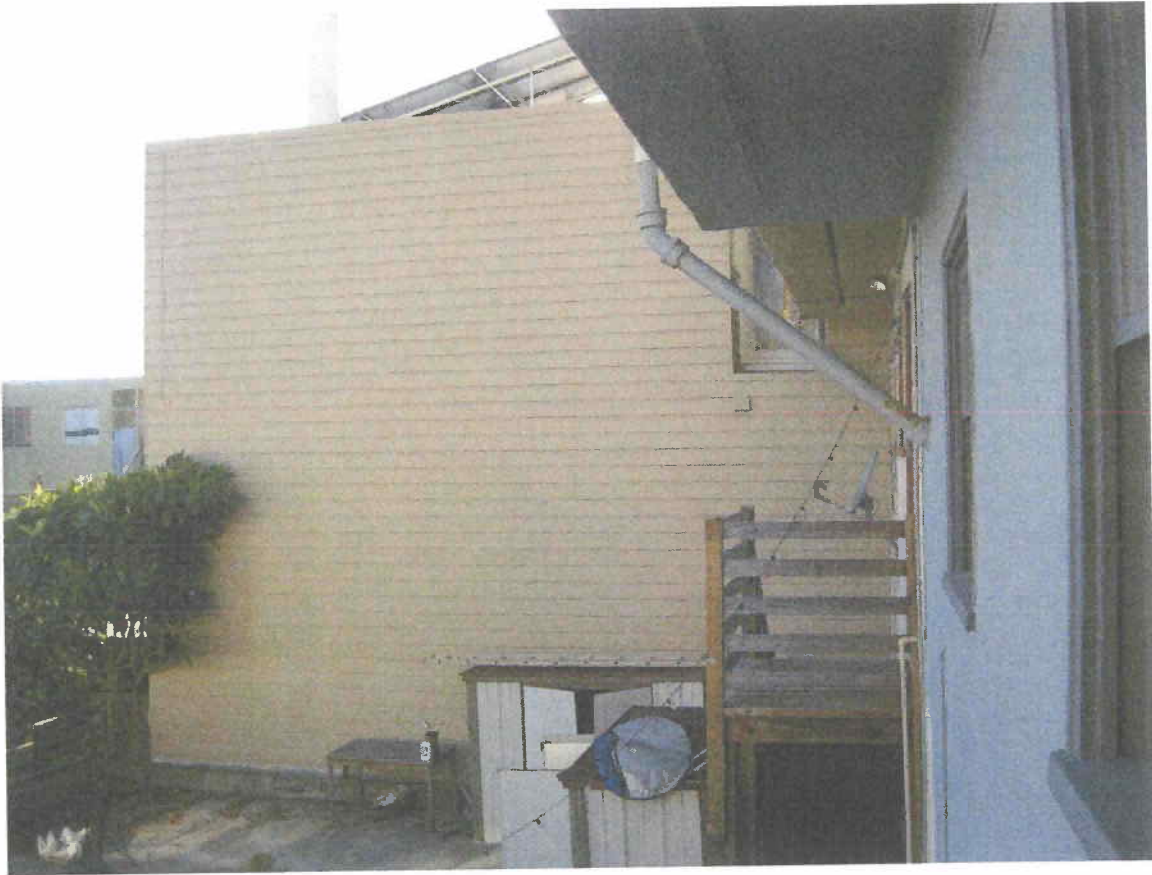
W view from 21-23 Sutro Hts looking across 27-29 Sutro Hts to 33 Sutro Hts chimney and S solar array

12.1201D



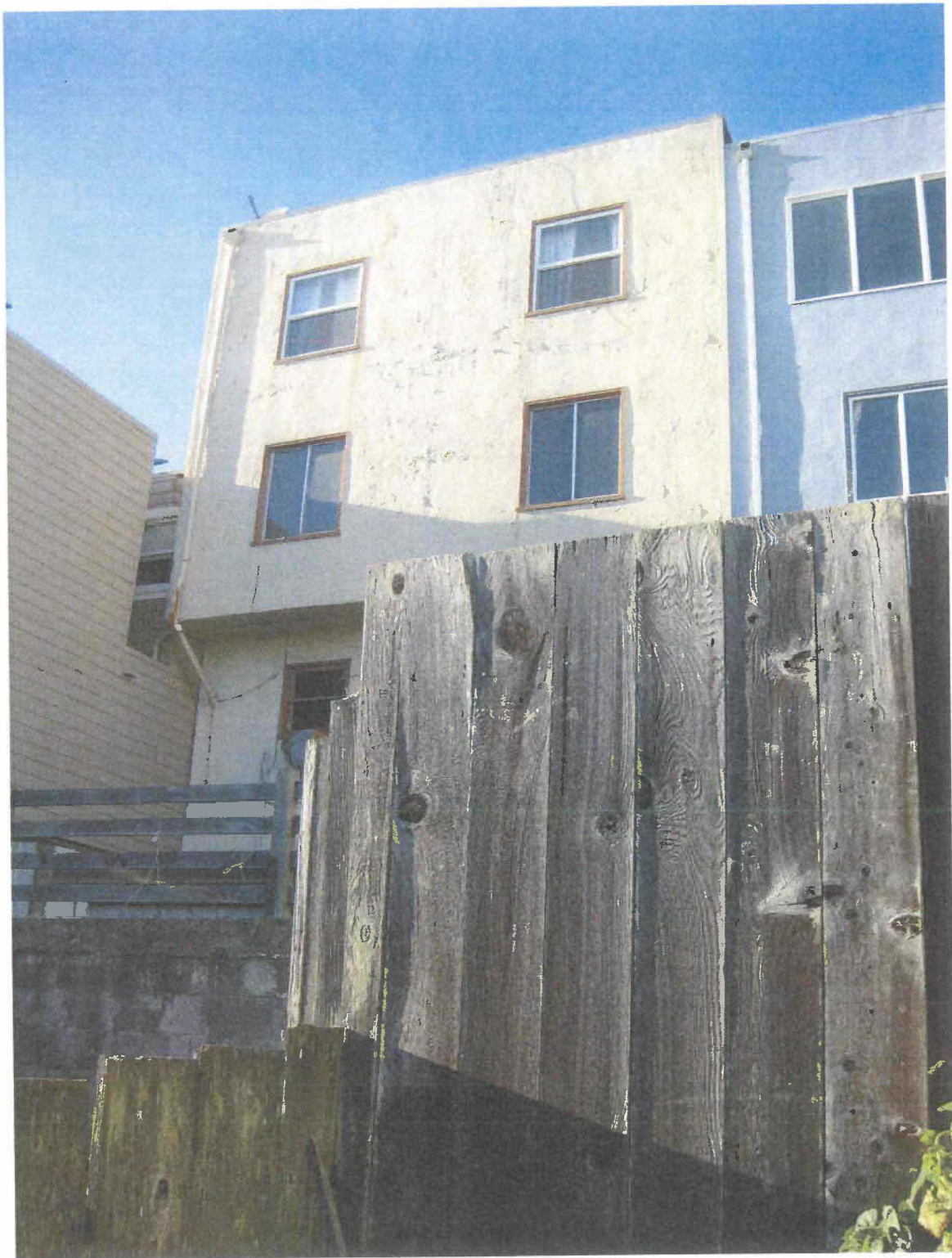
W view from 21-23 Sutro Hts backyard looking across 27-29 Sutro Hts to 33 Sutro Hts light well

12.12010



W view from Basement Porch 21-23 Sutro Hts across 27-29 Sutro Hts to Sutro Hts

12.1201D



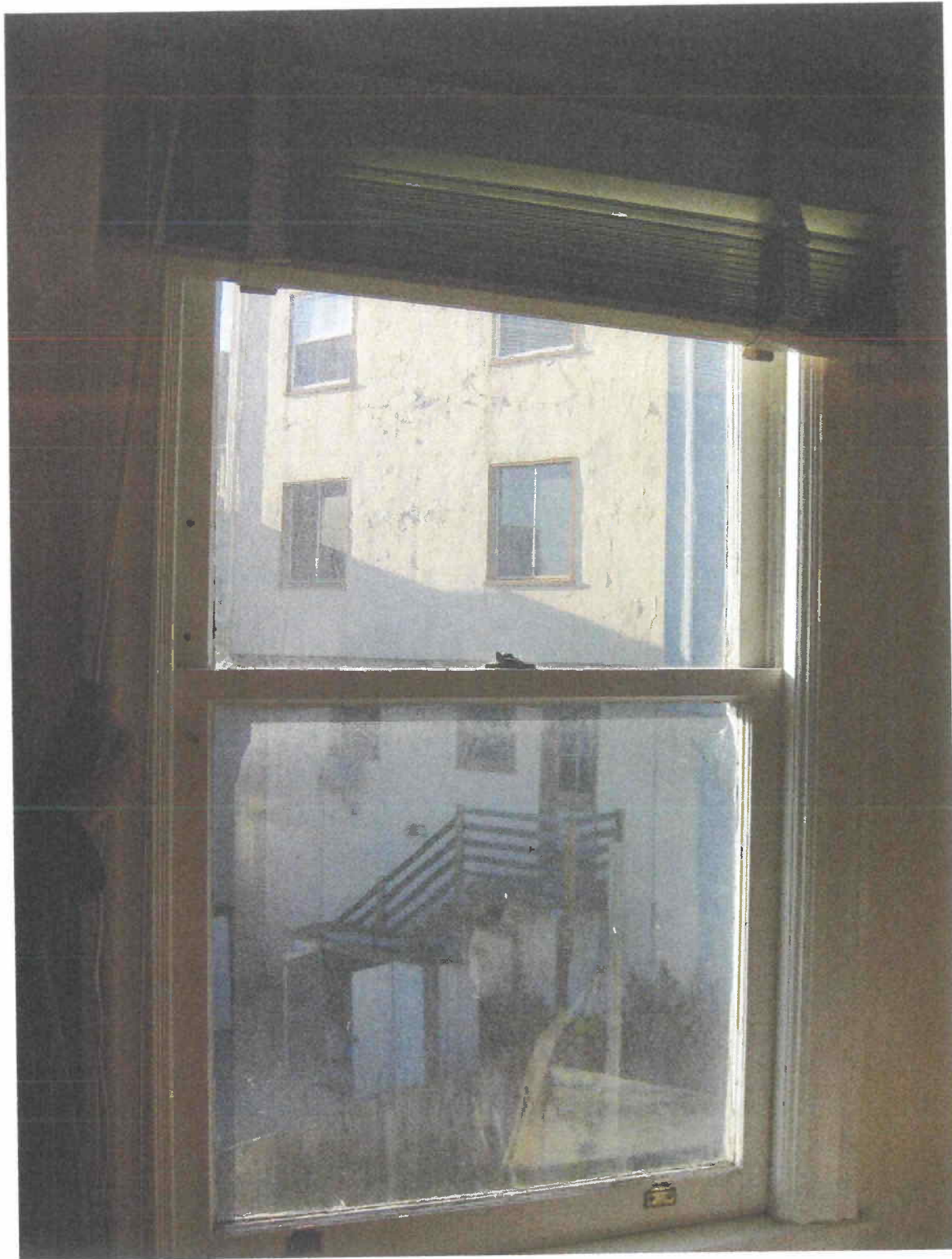
NW view from yard of 665 46th Av looking at 27-29 Sutro Hts

12.1201D



NW view from lower bedroom 665 46th Av looking to 27-29 Sutro Hts

12.1201D



NW view from upper bedroom 665 46th Av looking to 27-29 Sutro Hts



12.1201D



SW view from 21 Sutro Hts bedroom across 27-29 Sutro Hts to 33 Sutro Hts

12.1201D



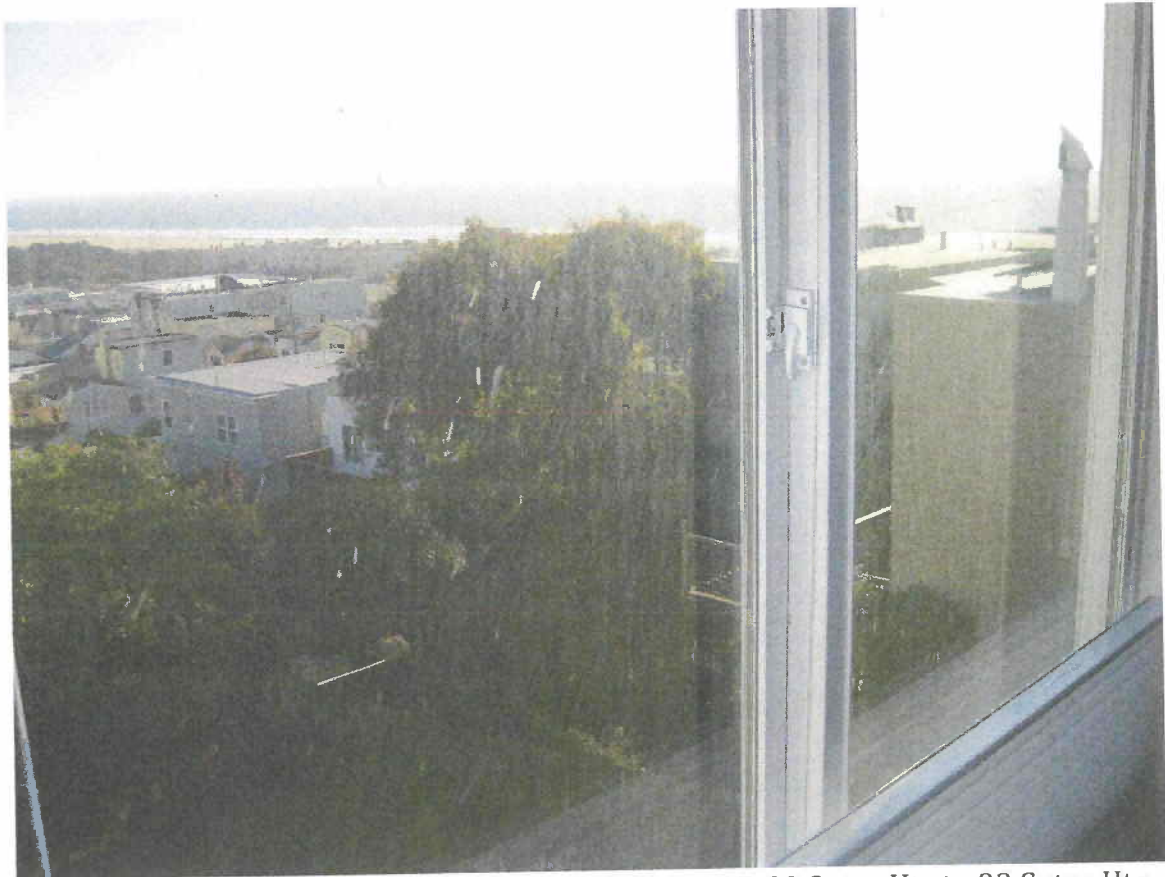
SW view from 21 Sutro Hts window looking across 27-29 Sutro Hts to 33 Sutro Hts

12.12010'



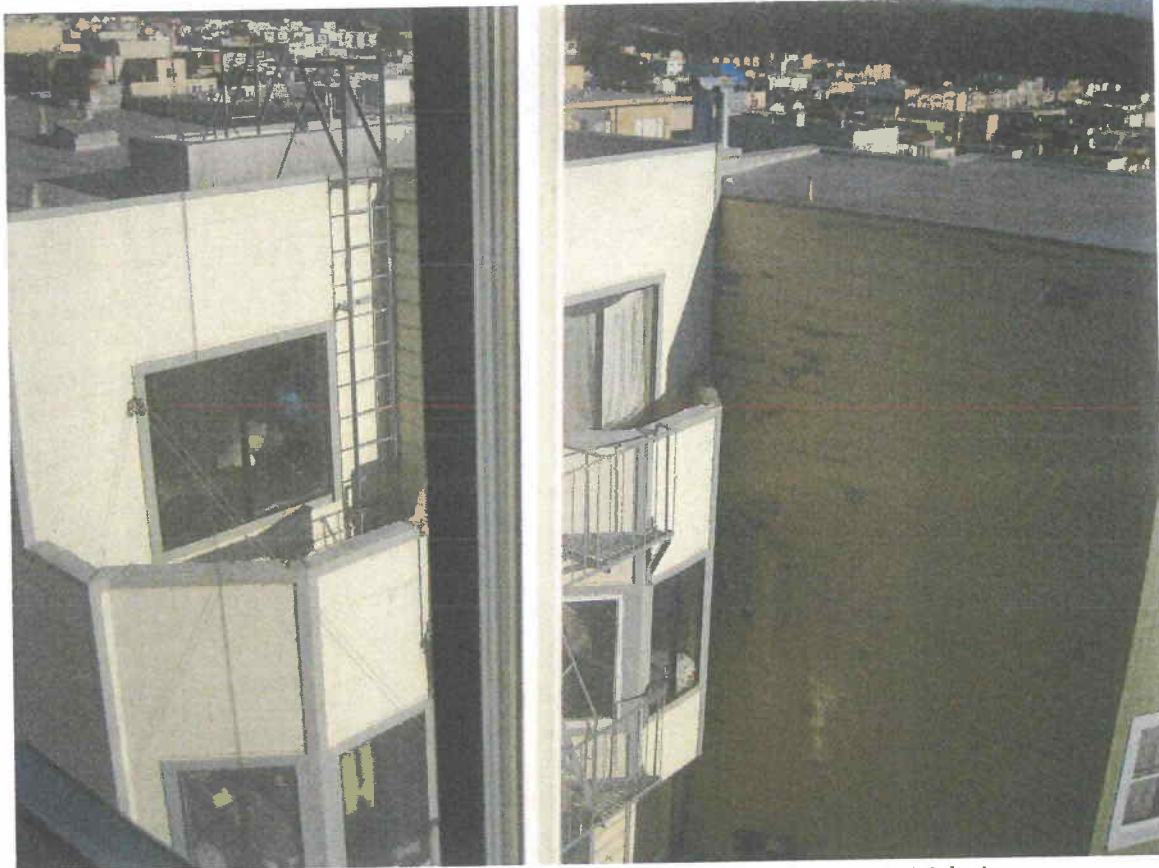
SW view from 23 Sutro Hts bedroom looking across yard of 27-29 Sutro Hts

12.12010



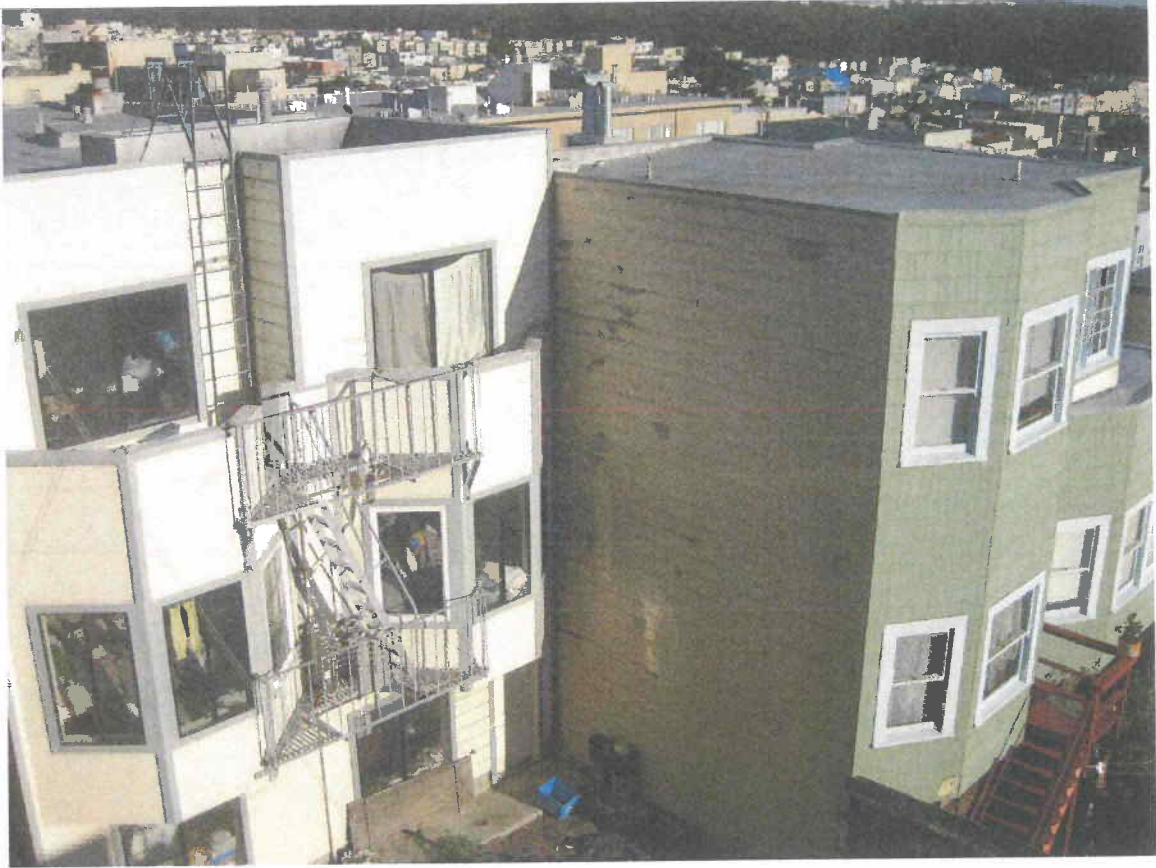
SW view from bedroom 23 Sutro Hts overlooking 27-29 Sutro Hts to 33 Sutro Hts

12.1201D



SE view from 21 Sutro Hts bedroom overlooking 661 46th Av

12.12010



S view from bedroom 23 Sutro Hts to 661 - 665 46 th Av

12.1201D



S view from 21 Sutro Hts bedroom across backyard to 27-29 Sutro Hts (R) and 661 46th Av (Upper Left)

12.12010



S view from 23 Sutro Hts porch to 665 46 th Av



## Objections to 27-29 Sutro Heights Building Permit Request

The proposed building permit we object to is located on Assessor's Block 1594 (Lot 021)

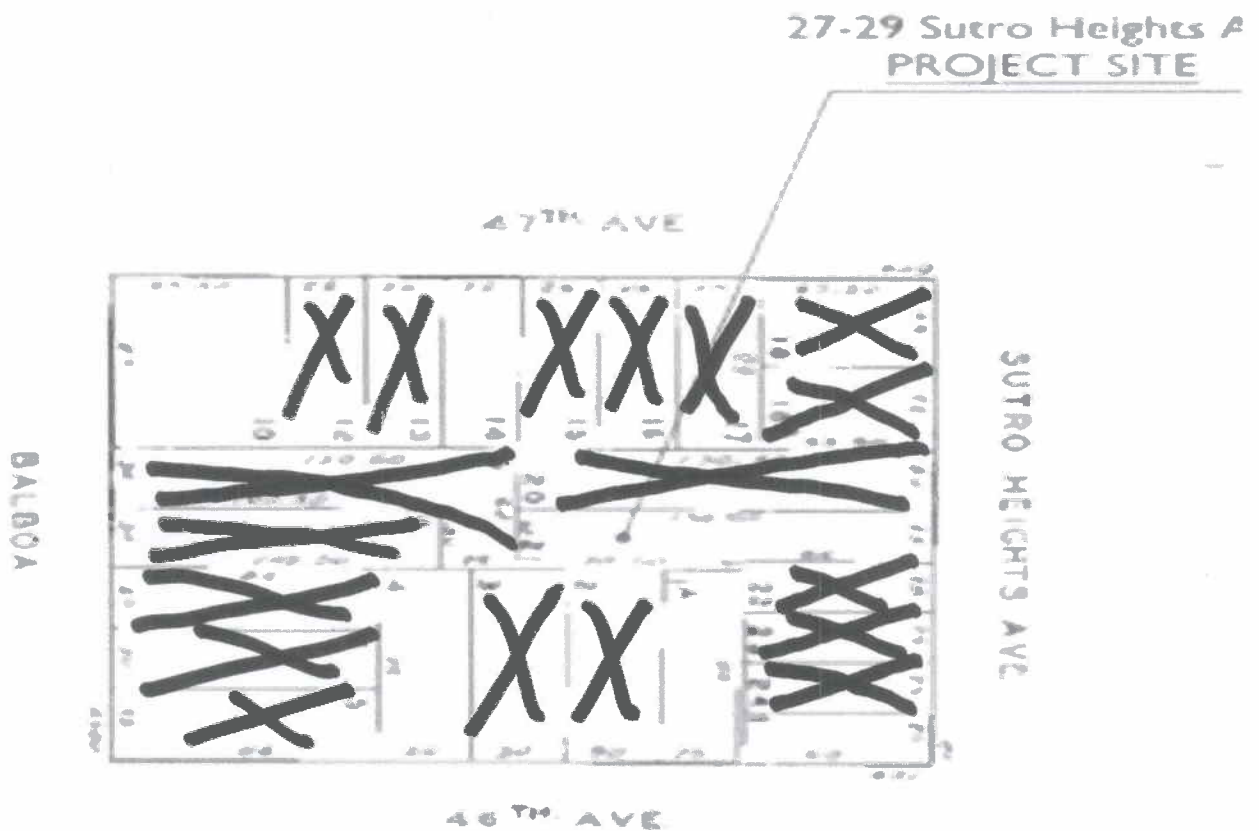
*All properties opposed to this build permit are marked with an X*

The attached signatures opposing the building permit for this site are from owners or residents of Assessor's Block 1594:

Lot 2, Lot 3, Lot 5, Lot 6, Lot 7, Lot 8, Lot 9, Lot 12, Lot 13, Lot 14, Lot 15, Lot 16, Lot 17, Lot 18, Lot 18A, Lot 22, Lot 23, Lot 24

Also effected and opposed to the building permit directly on the north side of Sutro Heights is Assessor's Block 1589 are the owner residents of Lot 6C, Lot 6D, Lot 7, and 7D. And on 46<sup>th</sup> Av there is opposition from 636, 640, 650, 658 -46<sup>th</sup> Av located on the east side of 46<sup>th</sup> Av at the intersection with Sutro Heights. Not show on either map

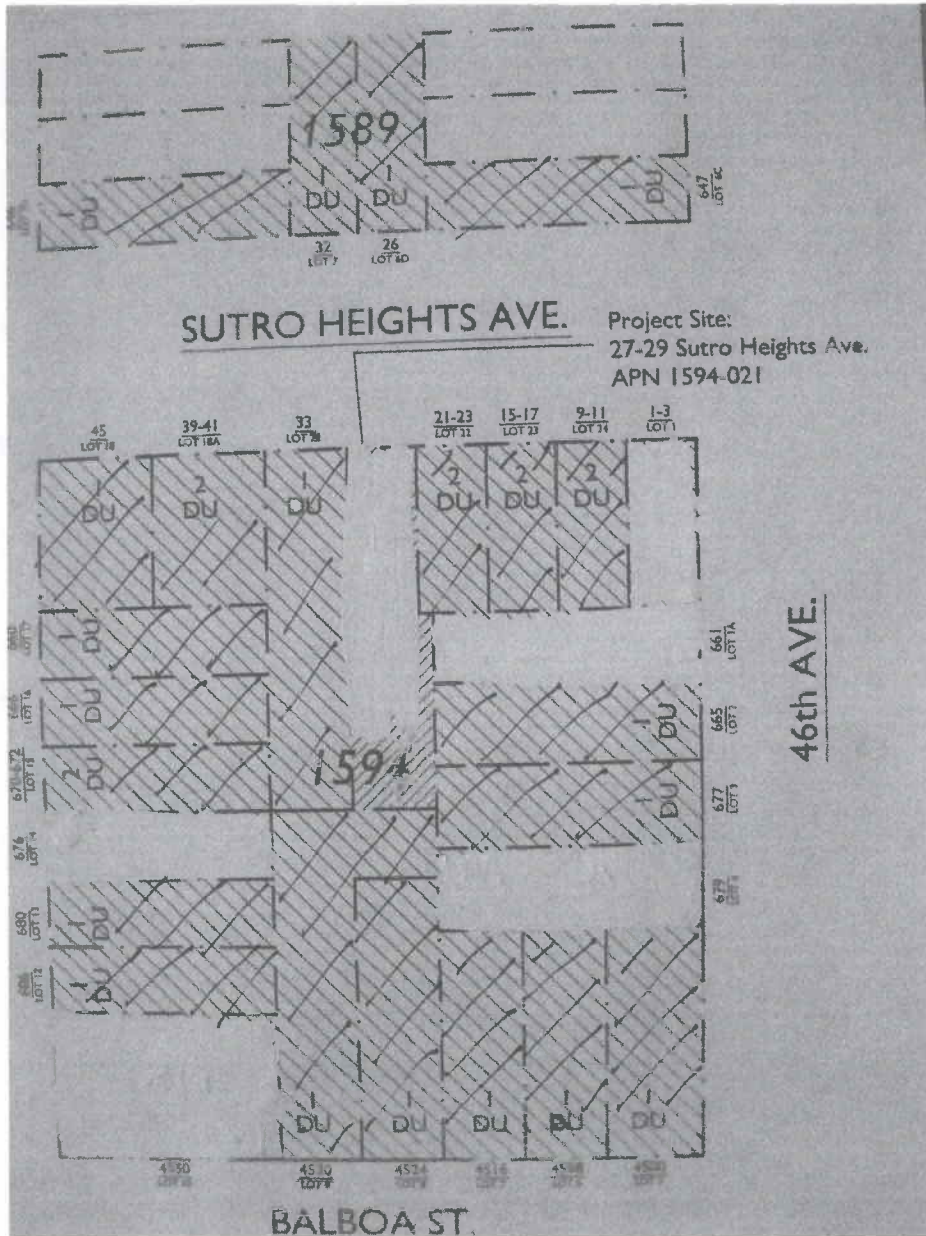
Owner residents and neighbors on all sides of this project are opposed to it.



Assessor Block 1594

2

## Objections to 27-29 Sutro Heights Building Permit Request



The hatched lots have seen the proposed building drawings and have signed the petition opposing permit issuance. Besides the project site, the four lots not hatched out were not available for discussion. Owner Residents on all sides of the street and intersections are opposed to this building permit.

The attached petition has 41 signatures of neighbors, residents and owners who object to this building permit. Bruce Prescott will present the originals at the DR hearing

## Objections to 27-29 Sutro Heights Building Permit Request



Looking North with 29 Sutro Heights existing building buildingon right of photo building casting shadow over solar panel on 33 Sutro Heights



Looking North with 29 Sutro Heights building on right of photo building casting shadow over solar panel on 33 Sutro Heights . Detail taken morning of Nov 5,2012.

## **Objections to 27-29 Sutro Heights Build Permit Request**

### **To the San Francisco Planning Department:**

We are owners, residents and neighbors directly affected by this proposed construction. **We strenuously object to and oppose the building permit request for 27-29 Sutro Heights.** We have seen the notice of application (section 311) plans and strongly oppose this construction permit. The proposed plans are for a new multistory extension with decks to the back of an existing set of flats that will overlook our homes and backyards from very close distance. The depth of the proposed expansion into the rear yard will dramatically and adversely impact the mid-block open space because of the significant intrusion it will have on our privacy and the way it affects the overall feel of the neighborhood. This expansion is uncharacteristically deep and tall in the context of the other buildings. Because of the slope and height of the proposed changes, approval of the construction will result in our neighbors' house practically abutting our living spaces. As proposed, the construction will permit views into our bedrooms and other living areas, and will contain decks and windows overlooking the privacy of our backyards from very close distance. The site is dense with abutting structures already, but the fact that the structures do not extend deep into the back yards affords us much needed privacy. The proposed structure ignores this long acknowledged limitation – that expansion goes up; not to the back. The proposed location of the extension breaks the rear line of all the buildings of the same period and will increase shading in our yards by further closing them in. The plans call for development of a super unit and reduction of the second unit to minimum footage. This is out of scale with the rest of the neighborhood.


Maintenance of sunlight, psychological feeling and character of the neighborhood, privacy, as well as mid-block open space based on the Planning Code, the General Plan and the Residential Design Guidelines are grounds we rely on to object to a proposed expansion. What the permit applicant seeks to do will adversely affect all of these. The character of our neighborhood has remained the same since World War II days. Some of the houses are from the 1920's. All homeowners have worked cooperatively to respect the comfortable living and expectations of privacy of their neighbors. This proposed modernized, oversized and intrusive construction will completely disrupt the expectations we have had for decades.


Other additions and new construction in the area has been on top of existing buildings. These owners have refused to entertain that option.

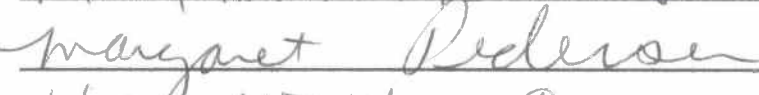
In addition, the permit applicants have not complied with the pre-application requirements of the Planning Code. Although a meeting was held, not all of the affected neighbors were invited, the sign-in sheet is not accurate, and the breadth of the comments is not accurately represented, nor is the description of the manner in which the applicants purportedly have responded to comments from the neighborhood, which in many instances is simply to ignore them.


**For these reasons, which we will gladly explain in greater detail to the Planning Department if desired, the undersigned oppose and object to approval of the permit application for 27-29 Sutro Heights.**


**We oppose the permit application for 27-29 Sutro Heights**


Name (print): LAURENCE RAMLAN  
Signature:   
Address: 33 SUTRO HTS AV


Name (print): DAYNA RAMLAN  
Signature:   
Address: 33 SUTRO HEIGHTS AVE SF CA 94121


Name (print): Margaret Pedersen  
Signature:   
Address: 660 47th Ave

Name (print): Mark King  
Signature:   
Address: 660 47th Ave

Name (print): Bill Van Iden  
Signature:   
Address: 666 47th Ave

Name (print): DAN GRIMES  
Signature:   
Address: 45 SUTRO HTS AVE, SF, CA 94121

Name (print): Mary E Wellington  
Signature:   
Address: 666 47th Ave

Name (print): JEFF NEMBERT  
Signature:   
Address: 24 SUTRO HEIGHTS

**We oppose the permit application for 27-29 Sutro Heights**

Name (print): David Rolph  
Signature: D. J. Rolph  
Address: 647 46th Ave

Name (print): ROSA DUFOUR  
Signature: Rosa J Dufour  
Address: 4524 BALBOA ST

Name (print): George Dufour  
Signature: GEORGE DUFOUR  
Address: 4524 BALBOA ST.

Name (print): ANTHONY CHAVEZ  
Signature: [Signature]  
Address: 4530 BALBOA STREET

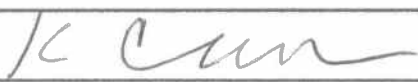
Name (print): Jessica Hunter  
Signature: [Signature]  
Address: 4530 Balboa


Name (print): ROBIN CHIN  
Signature: R. Chin  
Address: 45 SUTRO HEIGHTS AVE

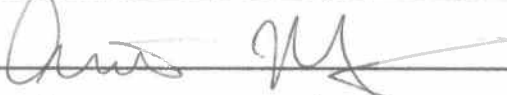
Name (print): CHARLES CHAMBERS  
Signature: [Signature]  
Address: 45 Sutro Heights Ave.


Name (print): Terri Bell  
Signature: Terri Bell  
Address: 45 SUTRO HEIGHTS AVE


**We oppose the permit application for 27-29 Sutro Heights**


Name (print): KENDALL COLLINS  
Signature:   
Address: 4500 Balboa, 94121


Name (print): Joe Duong  
Signature:   
Address: 680 47<sup>th</sup> Ave 94121


Name (print): Anita Maroon  
Signature:   
Address: 17 Sutro Heights Ave 94121

Name (print): Jeff Wheeler  
Signature:   
Address: 686 47<sup>th</sup> Ave SF 94121

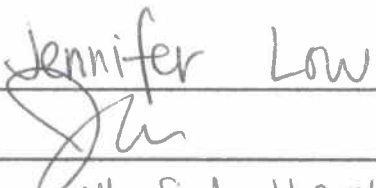
Name (print): Carol Weaver  
Signature:   
Address: 640 46<sup>th</sup> Ave


Name (print): Kathleen Stein  
Signature:   
Address: 636 46<sup>th</sup> Ave

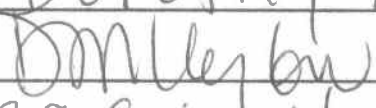
Name (print): David Stork  
Signature: 4516 Balboa Street  
Address: 


Name (print): Renée Dobrowolski  
Signature:   
Address: 650 46<sup>th</sup> Ave S.F. CA 94121


**We oppose the permit application for 27-29 Sutro Heights**

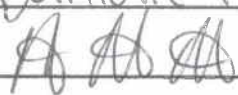
Name (print): Jennifer Low  
Signature:   
Address: 41 Sutro Heights, SF Ca 94121

Name (print): Matthew A. Kelly  
Signature:   
Address: 41 Sutro Heights, SF, CA 94121

Name (print): Dorothy Low  
Signature:   
Address: 39 Sutro Heights, SF, Ca. 94121

Name (print): ~~Timothy L~~ RANDALL LOW  
Signature:   
Address: 39 Sutro Heights SF 94121

Name (print): GERMAN HOYLE  
Signature:   
Address: 11 Sutro Heights AVE.


Name (print): Danielle Pittman  
Signature:   
Address: 670 - 47th Ave SF 94121


Name (print): KAZUKO MURAKAMI  
Signature: Kazuko Murakami  
Address: 4508 BALBOA ST.

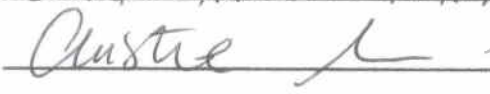
Name (print): MITSUO MURAKAMI  
Signature: ~~4508 BALBOA ST~~ Mitsu Murakami  
Address: SAN FRANCISCO, CA  
4508 BALBOA ST

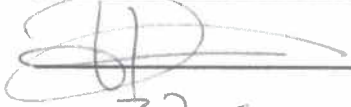



**We oppose the permit application for 27-29 Sutro Heights**

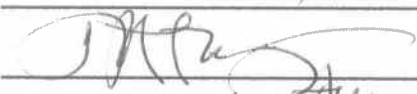
Name (print): CATHERINE NEMEROFF  
Signature:   
Address: 26 SUTRO HTS AVE SF CA 94121

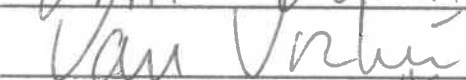
Name (print): KANOKO ALMA  
Signature:   
Address: 21. 23 SUTRO HEIGHTS AVE


Name (print): CHRISTINE SIMMS  
Signature:   
Address: 32 SUTRO HEIGHTS AVE

Name (print): LOUIS RAPHAEL  
Signature:   
Address: 32 SUTRO HEIGHTS AVE  
SF CA 94121

Name (print): PAUL ABERY  
Signature:   
Address: 658-46<sup>TH</sup> AVE SAN FRANCISCO CA 94121

Name (print): LARRI R. LEROY  
Signature:   
Address: 677-46<sup>TH</sup> AVE, SF CA 94121

Name (print): VAN VORHEIS  
Signature:   
Address: 665 4 46<sup>TH</sup> AVE

Name (print): PETER KRAG  
Signature:   
Address: 665 46<sup>TH</sup> AVE. San Francisco CA 94121

**We oppose the permit application for 27-29 Sutro Heights**

Name (print): MARCUS DOBROWOLSKI

Signature: 

Address: 650 46TH AVE S.F., CA. 94121

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_



# SAN FRANCISCO PLANNING DEPARTMENT

## RESPONSE TO DISCRETIONARY REVIEW

Case No.: 12-1201D

Building Permit No.: 2012-05.16-0509

Address: 27-29 Soto Heights Av.

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Project Sponsor's Name: Brian Laczko, Architect

Telephone No.: 510-798-8097 (for Planning Department to contact)

- 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.

see attached

- 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.

see attached

- 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.

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.

	<u>Number of</u>			
	<u>Existing</u>		<u>Proposed</u>	
Dwelling units (only one kitchen per unit --additional kitchens count as additional units) .....	27	29	27	29
Occupied stories (all levels with habitable rooms) ...	1	1	2	3
Basement levels (may include garage or windowless storage rooms) .....	1	1	1	1
Parking spaces (Off-Street) .....	1	1	1	1
Bedrooms .....	2	2	4	2
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	2062		3937	
Height .....	32'-6"		32'-6"	
Building Depth .....	54'-1"		80'-7"	
Most recent rent received (if any) .....				
Projected rents after completion of project .....	N/A			
Current value of property .....				
Projected value (sale price) after completion of project (if known) .....				

I attest that the above information is true to the best of my knowledge.

  
 \_\_\_\_\_  
 Signature

10.24.12  
 \_\_\_\_\_  
 Date

BRIAN LACKO  
 \_\_\_\_\_  
 Name (please print)

**Case # 2012.1201D**

*NB: Answers below respond to questions on DR Response Form*

- I. We feel the proposed project should be approved because:
  - a. As is evident from the proposal, and confirmed by its Residential Design Team, it falls within all the Planning Department's guidelines.
  - b. The DR Requestor has failed to demonstrate any "exceptional and extraordinary circumstances" to justify their DR request. Contrary to the points in their DR request:
    - i. There is no dramatic impact on mid-block open space--see neighborhood plan and plans!
    - ii. The expansion is not uncharacteristically deep and tall; indeed it falls behind and below the DR Requestors unit.
    - iii. The homes will continue to abut each other—as they do now—and the expansion is set back significantly more than required by guidelines.
    - iv. As throughout the City, there are views into mutual living spaces that impact privacy, the project makes no "exceptional and extraordinary" change to this. And our proposed work has decks being setback when the building is allowed to be zero-lot line.
    - v. The project's upper two stories maintain the rear-line of buildings to the east, which was cited by DR Requestor as aspect of notable character. The addition itself is below these facades, behind and below the upper façade. And its architectural mass is well within the extent of the 2-story wall building of the west, the DR requestor's residence. We feel the proposed addition actually works to breakdown the currently monolithic feeling of this large existing wall.
    - vi. The proposed project does not create a "super-unit" and a second unit of "minimum footage". It makes the upper unit a family home smaller, or comparable to, other homes within two blocks, with proposed area being 2855 SF. Please note this is much smaller than the residence of the DR Requestor. And the proposed 2<sup>nd</sup> unit is virtually the same size. (1082 SF proposed versus 1031 SF existing)"
    - vii. We did consider expanding up rather than out. However, as explained to the DR Requestor, zoning height restrictions make "going up" non-viable for our property.
  - c. In addition to meeting Planning Department guidelines, we have made huge efforts, and gone to great expense, to address the DR Requestor's concerns. We delayed our submission by months in order to try work with the DR Requestor. In that time, we twice redesigned the project to address their concerns. Specifically, we created set backs, reduced square footage, eliminated an entire floor of expansion, removed windows, and lowered the remaining floors of expansion, among other changes.

**Case # 2012.1201D**

2. As explained in 1. above, we affected two full redesigns since the Pre-Application proposal—see attached earlier designs. The first redesign directly addressed the DR Requestor’s concern for sunlight impact on their lightwell and on their future solar array. Rather than do the standard “match the lightwell” solution indicated in the Residential Guidelines, we proposed complete setback of 5’-2” at their lightwell. And the potentially offending deck rail atop this volume was proposed as transparent, so as to not throw shadow on to the nearby solar array. It was this design – Redesign #1 – that was initially submitted to Planning Department for Site Permit review.

In parallel to this submission, the DR Requestor indicated that they were unsatisfied and a second redesign was initiated on their behalf, and on behalf of the easterly neighbor. Mr. Starr kindly allowed us to change our final filing to be this second redesign, before he started his review. The proposal being challenged is Redesign #2 in this package.

3. As noted above, we’ve already gone to extraordinary lengths to satisfy the DR requestor. With over 20+ emails sent requesting reply, they replied to 6 (see attached emails with synopsis). Of our 4 visits to their home, we were allowed to meet once. And of our dozens of calls, we were called back twice. Finally, they have cut off communication with us entirely. And they have changed their requirements repeatedly. At first, they stated they wanted a 5-ft setback. And once given, they instead wanted a 10-ft setback, all proposed windows removed from the west side, and much more.

We’ve granted as many of their demands as we can without making the project unviable. We are a family of 6—two parents and four children—and we are required by code to maintain the number of units in the building. The project proposes to give us less than half the living area per person than the DR Requestor’s currently enjoy. We believe we’ve been more than reasonable, and simply are not able to their escalating set of demands. Indeed, given the nature of their complaints, it’s unclear that any development would now be acceptable to them.

**Case # 2012.1201D**

**Routers of Communication**

LR: Lon Ramlan, neighbor at 33 Sutro Heights Ave. and DR Requestor / Western adjoining lot

YR: Yaser Rehem, co-applicant / 27-29 Sutro Heights Ave.

JL: Jing Liu, co-applicant / 27-29 Sutro Heights Ave.

BL: Brian Laczko, architect and Project Sponsor / 27-29 Sutro Heights Ave.

JT: Janet Trichak, rep. for neighbor at 21-23 Sutro Heights Ave. / Eastern adjoining lot

**DATE                      Synopsis of Communication**

•     **Initial Design, presented at Pre-Application Meeting**

- 3/18            BL: Thanks for Pre-application meeting;  
                  BL request for contact info of solar installers.
- 3/27            BL: Digital 3D model showing limited early morning shadow ;  
                  2<sup>nd</sup> request for solar installers contact.
- 3/30            BL: 2<sup>nd</sup> followup on digital 3D model due to non-reply. Request for MTG#2  
                  LR reply requesting extensive redesign and sign-in sheet/pre-app comments,  
                  but no acknowledgement of shadow study.
- 4/2             LR 2<sup>nd</sup> request for copies of pre-app sign-in and comments  
                  BL reply with sign-in and articulation of pre-app comments, especially response to  
                  “limited space” claim. BL request for followup meeting MTG#2
- 4/5             BL 3<sup>rd</sup> request for MTG#2;  
                  LR reply unavailable due to Easter  
                  BL reply for possible meeting dates and/or phone meeting with YR
- 4/6             YR phone mtg with LR, regarding possible setback changes to address lightwell and  
                  shadow issues.
- 4/7             YR visit  
                  YR email to LR thanks for MTG#2; BL directed to redesign.

•     **REDESIGN #1 – with Setback at Common wall and Lightwell of 33 Sutro Hts. / DR Requestor**

- 4/15            YR request for MTG#3, to discuss Scheme 2
- 4/17            YR 2<sup>nd</sup> request for MTG#3, referencing the availability of an updated digital 3D  
                  model.

**Case # 2012.1201D**

- 4/19 YR attempted visit, met with wife “too busy to discuss”  
Multiple phone attempts through 5/16, with no response
- 5/15 BL thanks to LR for working with YR toward solution of issues #1 & #2 from pre-application meeting. Comments forwarded.
- **REDESIGN #1 – Submitted to SF Planning for Site Permit**
- 5/16 LR still concerned with Pre-App issue #3 / overall extension into rear yard size and Pre-App issue #4 / private easement.  
LR request for MTG#4  
BL reply to easement issue, forwarding matter to YR.  
YR confirming availability for MTG#4.
- 5/21 LR reply to YR, for MTG#4 request; available on 5/22  
YR not available til 5/26.  
LR prefers 5/27 and YR confirms.
- 5/26 YR reconfirming 5/27 MTG#4.  
LR acknowledgement.
- 5/28 MTG#4 between YR and LR, with review of design adjustments and confirmation of private easement is with Eastern neighbor, not Western neighbor.
- 5/29 LR thanks to YR for MTG#4. Confirms “reasonable compromises” and signs off on changes on drawings – see attached copy. Also that private easement is with Eastern neighbor, and not with him. JT copied and phone forwarded by LR.  
YR replies with thanks to LR.
- 5/31 JT enforces right to private easement with YR.
- 6/1 JL reinforces to JT the desire for clarification of terms of easement, and a wish not “to negatively impact your mother or your property.” Request for MTG#5.
- 6/7 LR questioning YR about “good faith” in the process as drawings being reviewed at MTG#4 were already submitted and not disclosed during meeting. Claim that MTG#4 was 1<sup>st</sup> since Pre-Application meeting.  
  
YR requests again MTG#5 with JT to discuss necessary changes to scheme to satisfy the terms of the private easement.
- 6/8 YR confirms plans had been submitted to hold place in line, and that the scheme was being updated for the actual review by case planner. BL forwards to LR contact info of case planner so he can confirm intent to update submittal. Also BL clarifies to LR the strategy to update the design in the submitted planning package.



**27-29 Sutro Heights Ave. – Chronology of Email Communique**

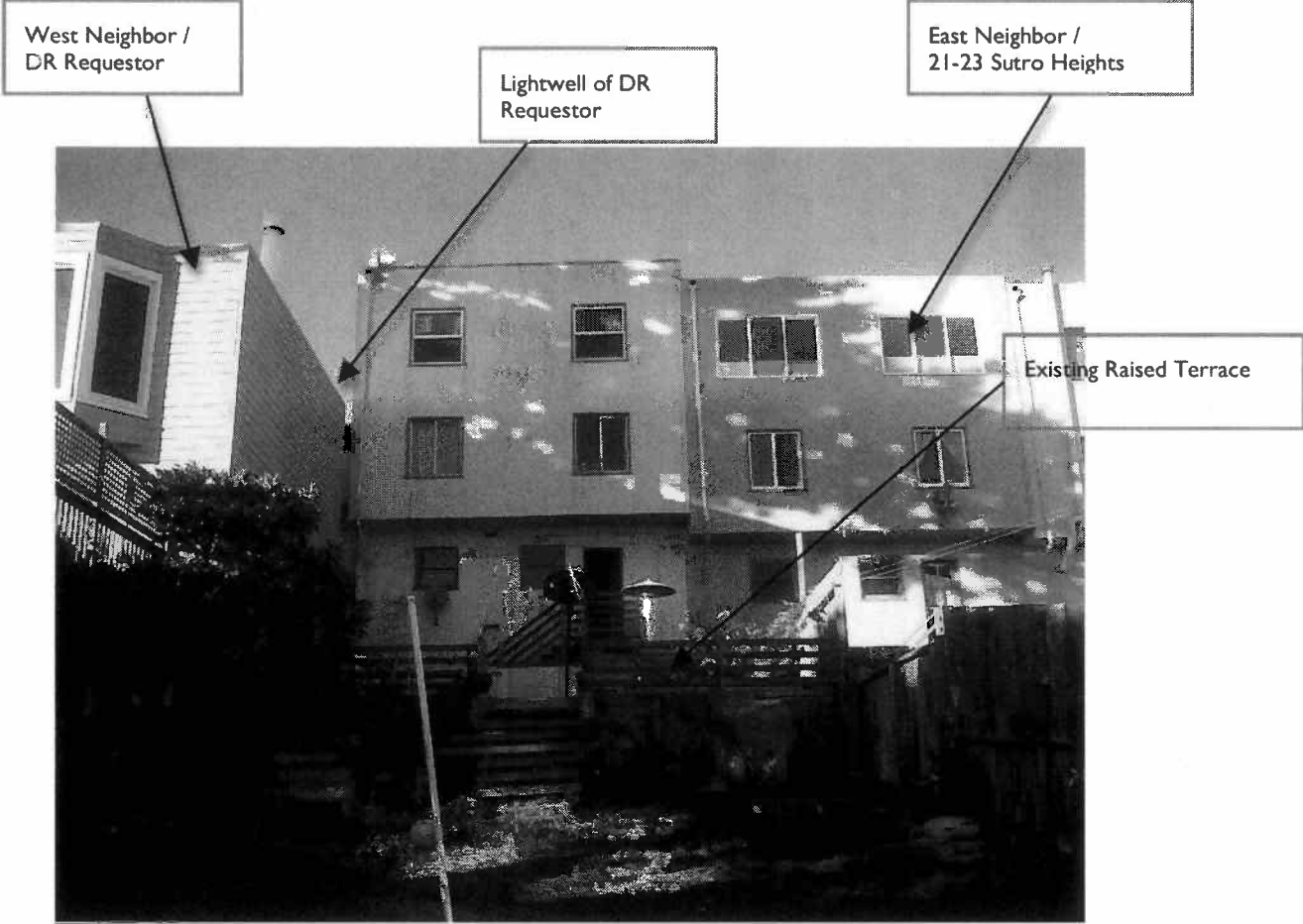
Correlated with Design Schemes (**Bulleted in Bold**)

05 Nov 12

**Case # 2012.1201D**

- 6/9-21 Redesign of scheme to accommodate the requirements of view easement, by elimination of upper-story building additions and lowering of new addition for lower unit, in order to protect views from windows at Eastern neighbor.
- 6/10 YR call with no response
- **REDESIGN #2 – Internal and rear Window changes only at existing Structure. New Addition reduced in height and lowered through removal of existing patio**
- 6/22-24 YR and BL forwards redesigned Redesign #2.  
Again request for MTG#5 with no response.
- 6/26 BL updated drawings resubmitted to SF Planning for final Site Permit review.
- 6/27-8/20 SF Planning: review by case planner and by Residential Design Team.
- 8/21-9/19 311 Notification Process and Appeal period.
- 9/19 Discretionary Review request submitted by LR to SF Planning.

**EXISTING CONDITIONS – Rear 27-29 Sutro Hts. Ave.**



**SOUTH ELEVATION**

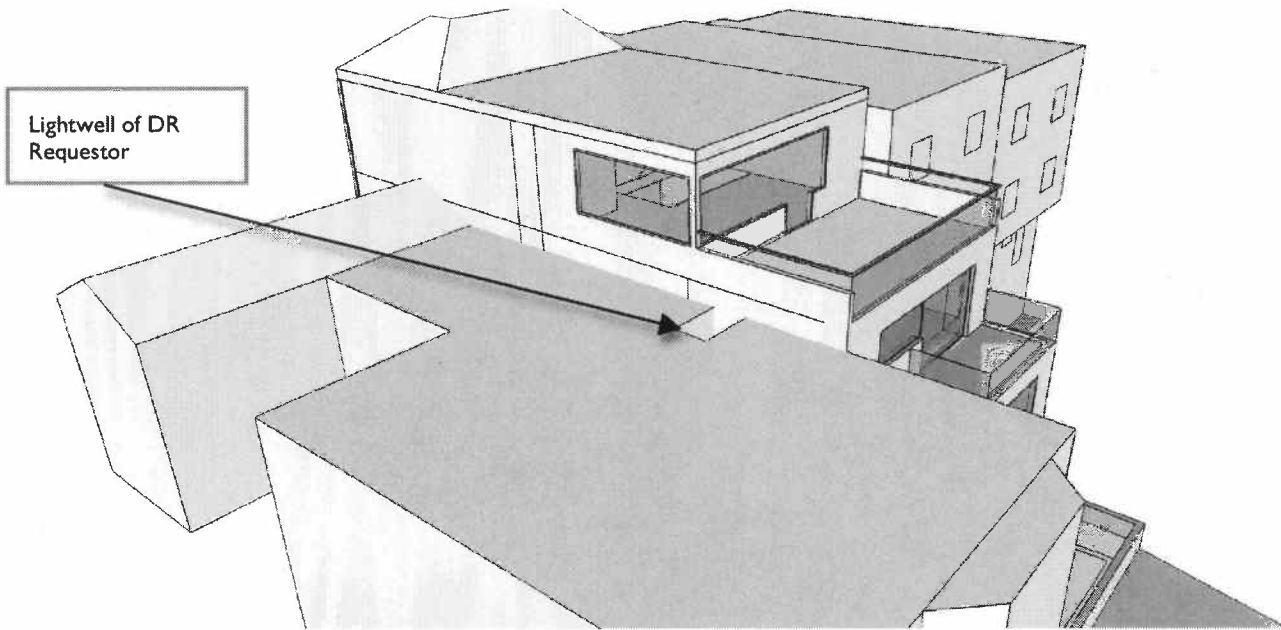


**VIEW DR REQUESTOR'S LIGHTWELL**

**INITIAL DESIGN – AS PRESENTED AT PRE-APP MEETING**  
**03/18/12**

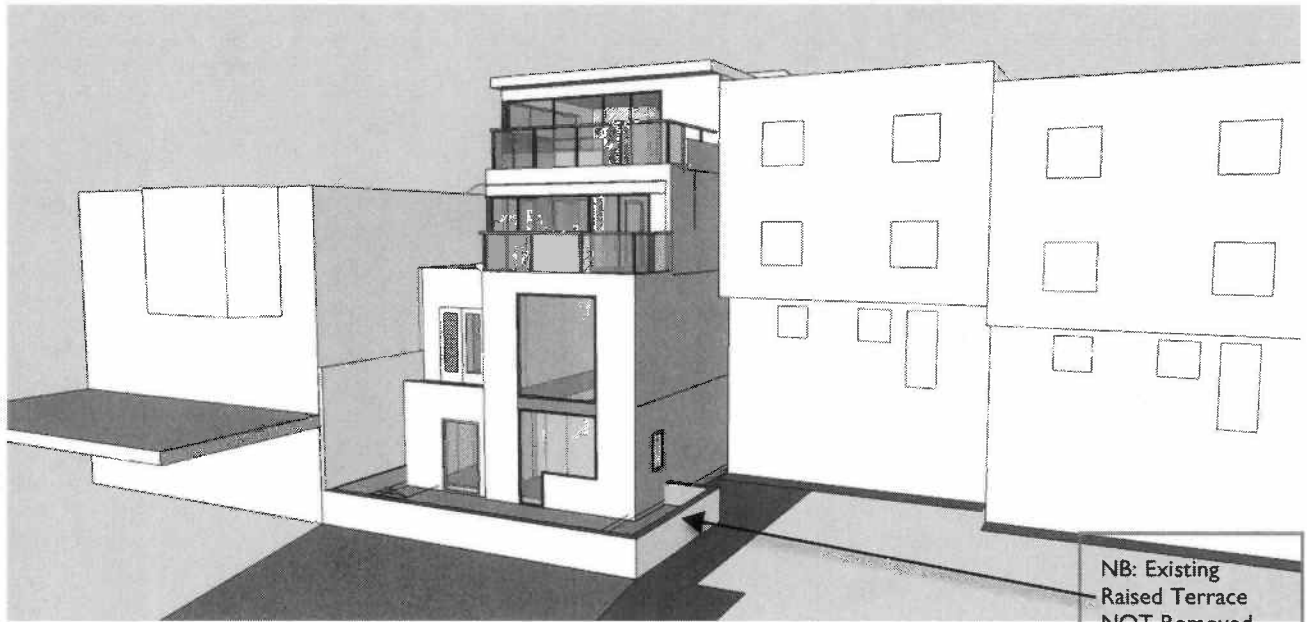


SOUTH ELEVATION

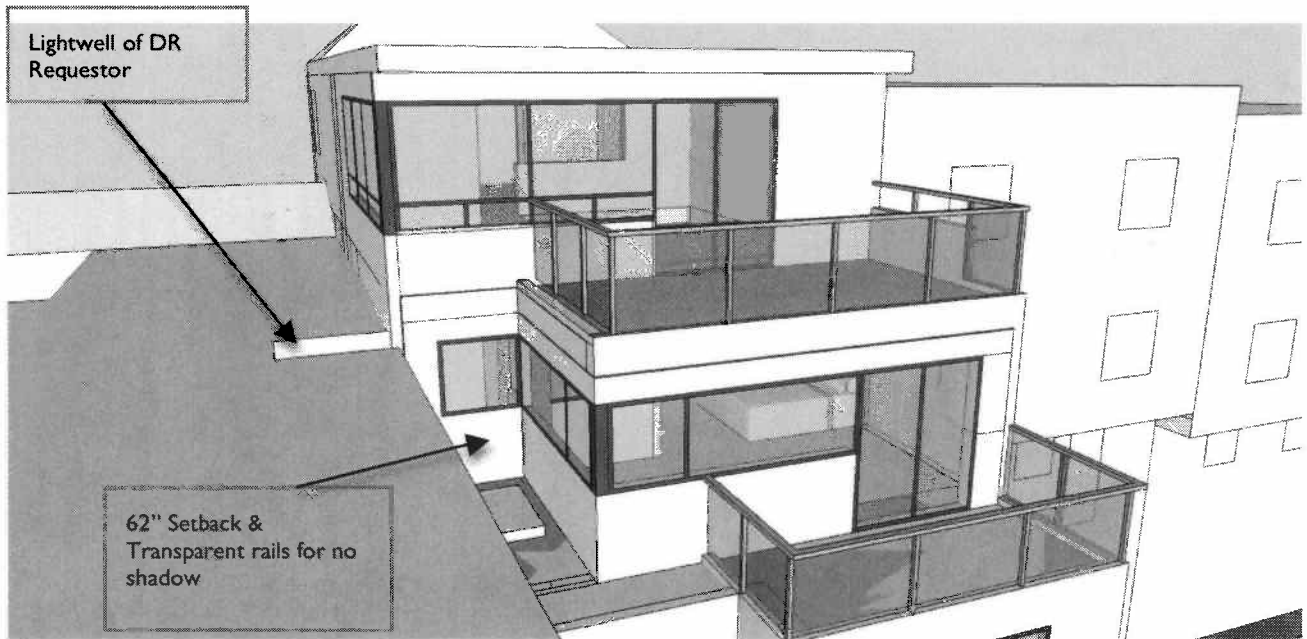


VIEW FROM WEST, ACROSS DR REQUESTOR'S ROOF

**REDESIGN #1 – 05/15/12 AS SUBMITTED TO SF PLANNING**  
**After responding to DR Requestor's Shadow and Lightwell Concerns**

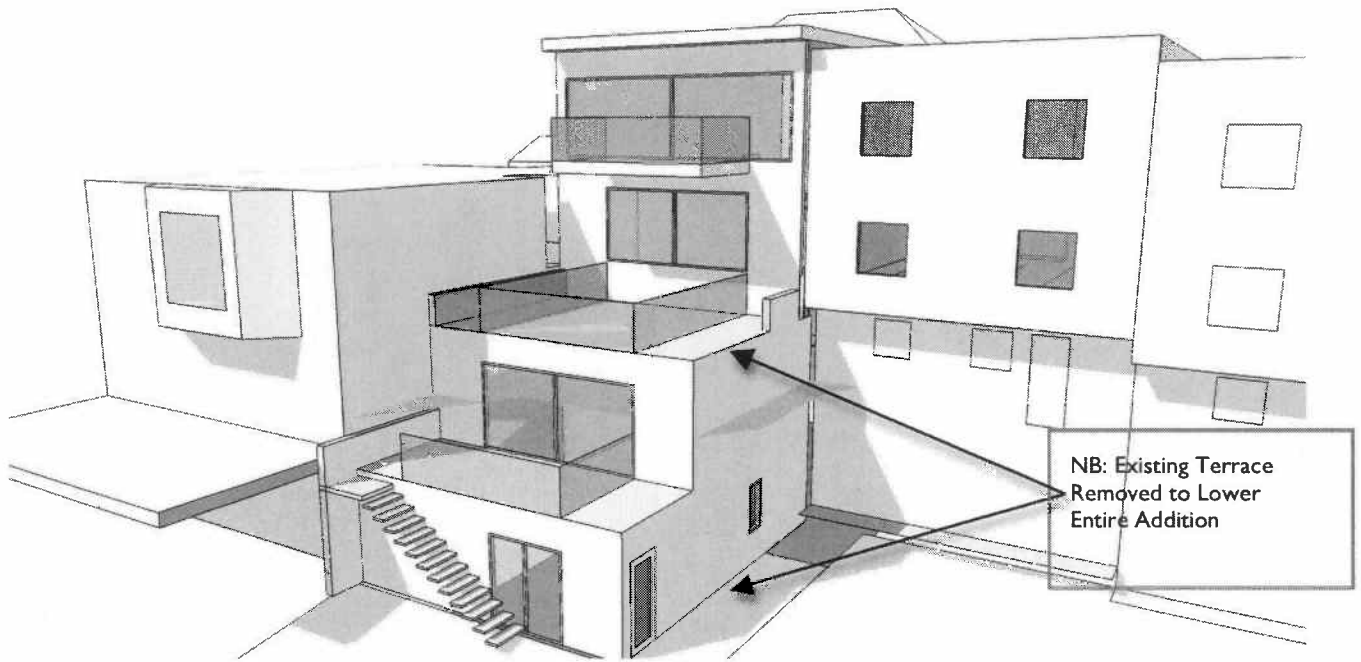


SOUTH ELEVATION, FROM SOUTHEAST

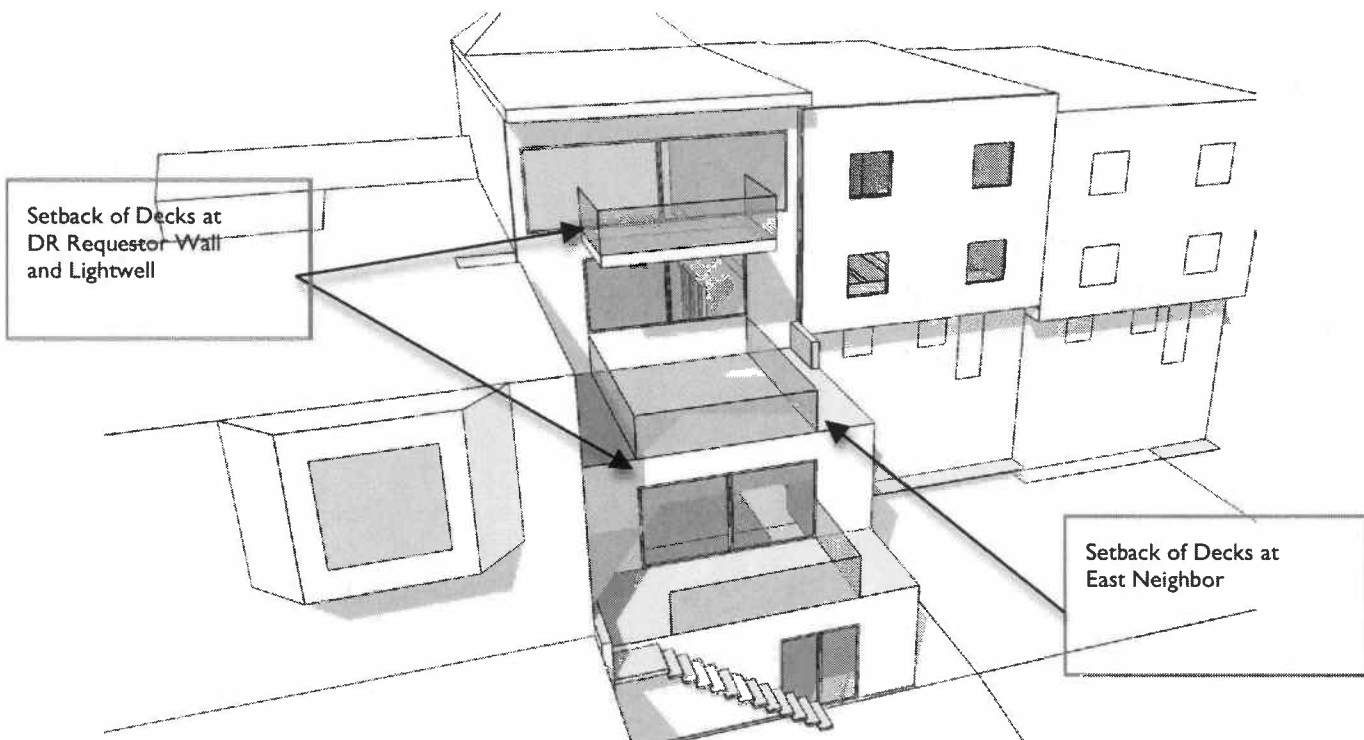


VIEW FROM SOUTHWEST, ACROSS DR REQUESTOR'S ROOF

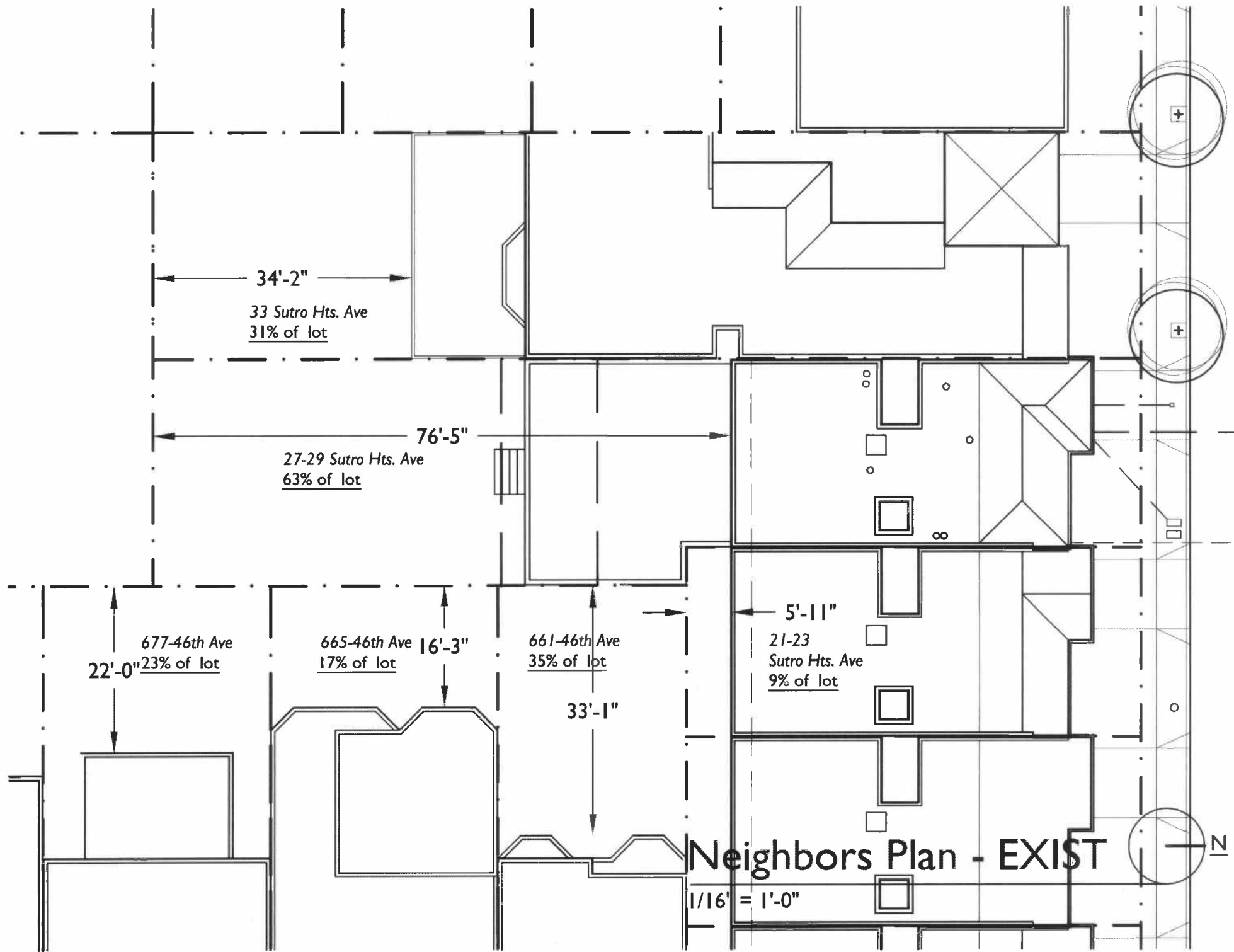
**REDESIGN #2 – 06/26/12 AS RE-SUBMITTED TO SF PLANNING**  
**After responding to View Concerns of Eastern Neighbor and**  
**as Represented in 311 Notification Package**

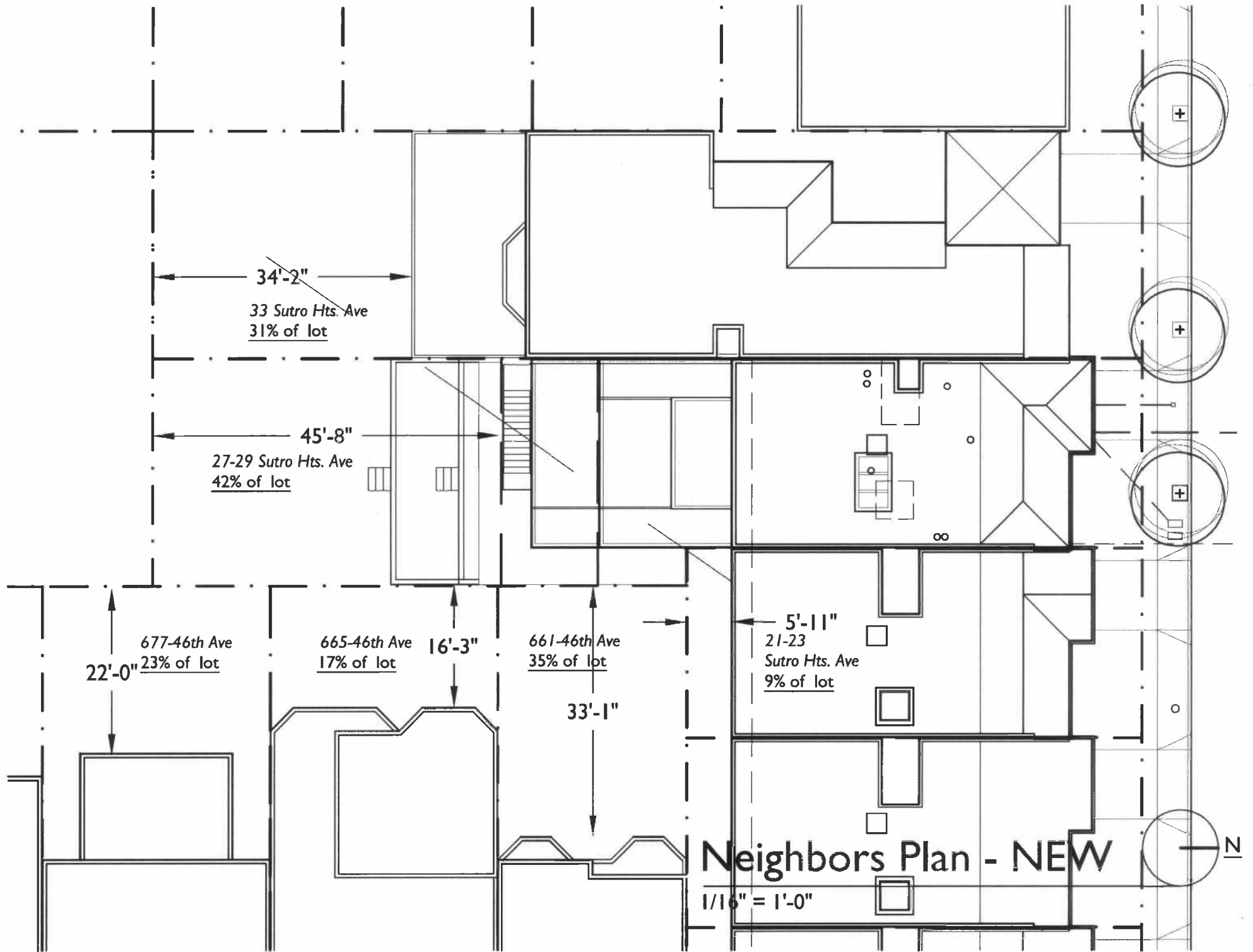


SOUTH ELEVATION, FROM SOUTHEAST



SOUTH ELEVATION, FROM SOUTHWEST





# Neighbors Plan - NEW

1/16" = 1'-0"

Rear Wall & Deck  
and Sidewall at  
33 Sutro Hts. Av  
YARD = 31%  
(1022sf YARD / 3263 sf LOT)

Lightwell at  
33 Sutro Hts. Av

27-29 Sutro Hts. Ave.  
HATCH = 2263 SF of Rear Yard  
= 63% of lot

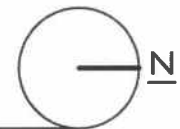
Rear Concrete Terrace  
- TO BE REMOVED FOR  
ADDITION

Rear of 27-29 Sutro Hts. Av

Rear of 21-23 Sutro Hts. Av  
YARD = 9%  
(145 sf YARD / 1500 sf LOT)

# Rear Yards - EXISTING

1/8" = 1'-0"





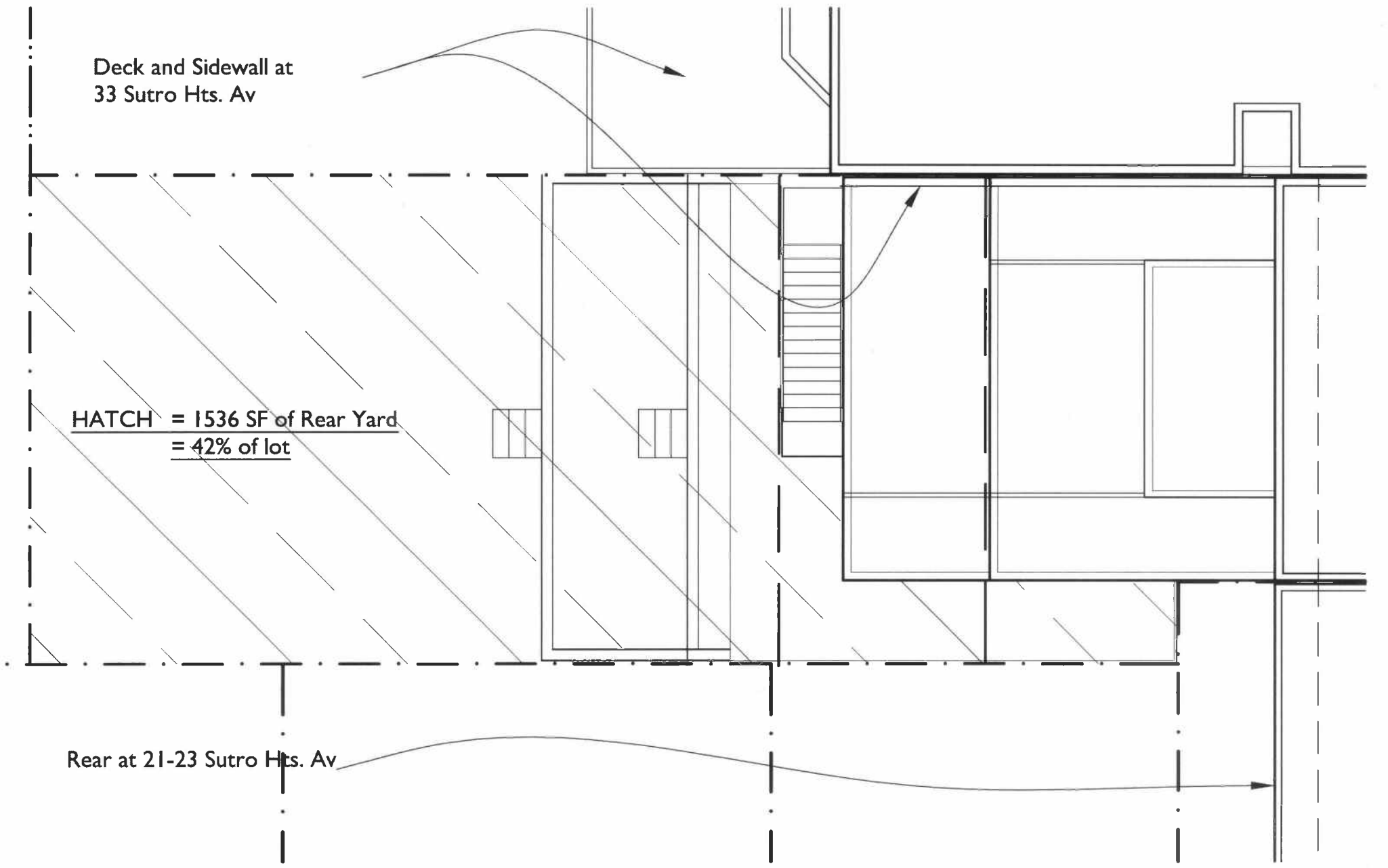
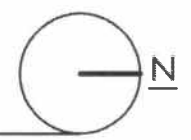
Deck and Sidewall at  
33 Sutro Hts. Av

HATCH = 1536 SF of Rear Yard  
= 42% of lot

Rear at 21-23 Sutro Hts. Av

# Rear Yards - PROPOSED

1/8" = 1'-0"



*33 Sutro Hts. Ave*  
31% of lot

*27-29 Sutro Hts. Ave*  
REAR YARD = 42% of lot

Views of Yards  
from Rear  
of 27-29

*677-46th Ave*  
23% of lot

*665-46th Ave*  
17% of lot

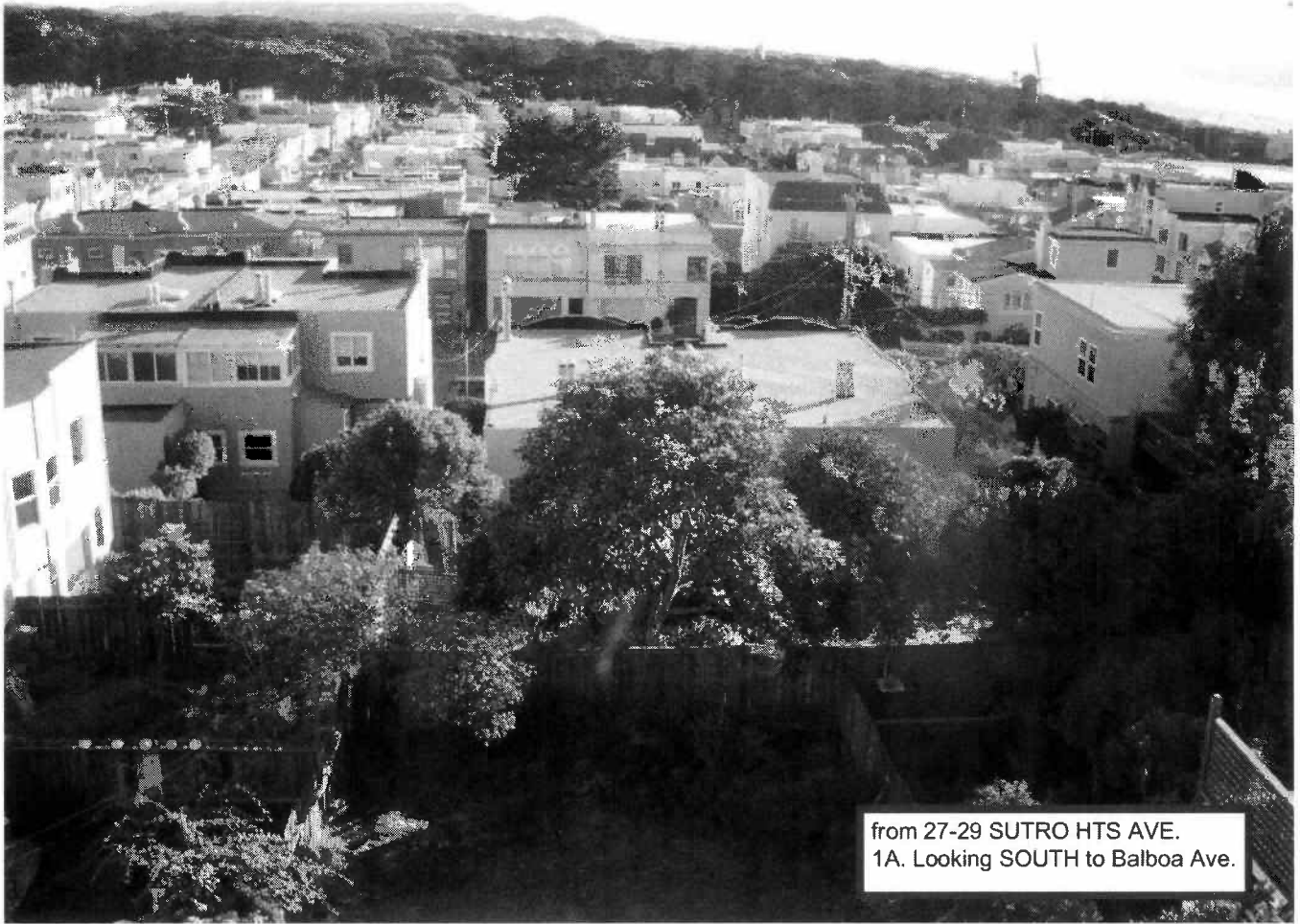
*661-46th Ave*  
35% of lot

*21-23  
Sutro Hts. Ave*  
9% of lot

**Rear Yards - PROPOSED**

1/8" = 1'-0"





from 27-29 SUTRO HTS AVE.  
1A. Looking SOUTH to Balboa Ave.



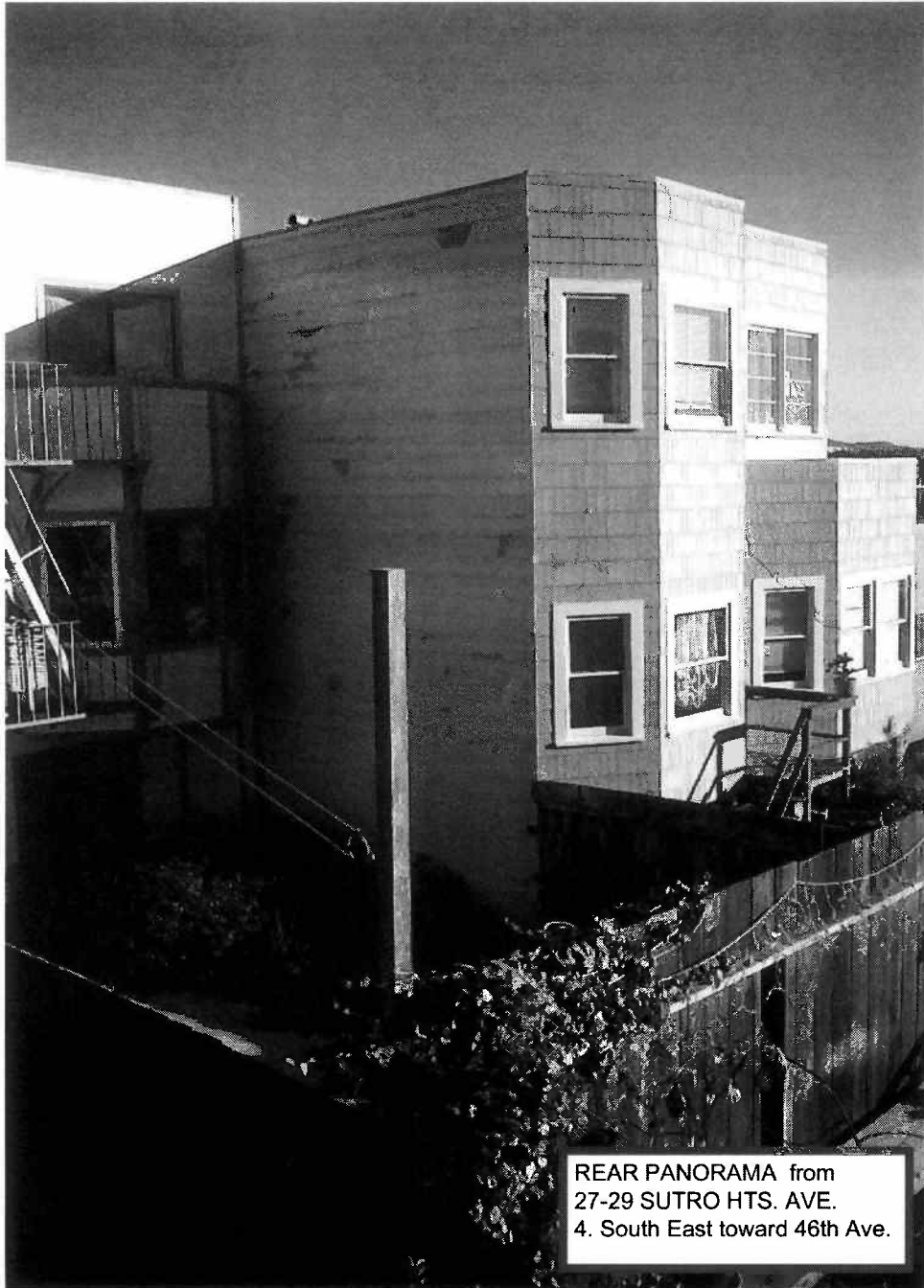
from 27-29 SUTRO HTS AVE.  
1B. Looking SOUTH into Rear Yard



REAR PANORAMA from  
27-29 SUTRO HTS. AVE.  
2. East toward 46th Ave.



REAR PANORAMA from  
27-29 SUTRO HTS. AVE.  
3. East toward 46th Ave.



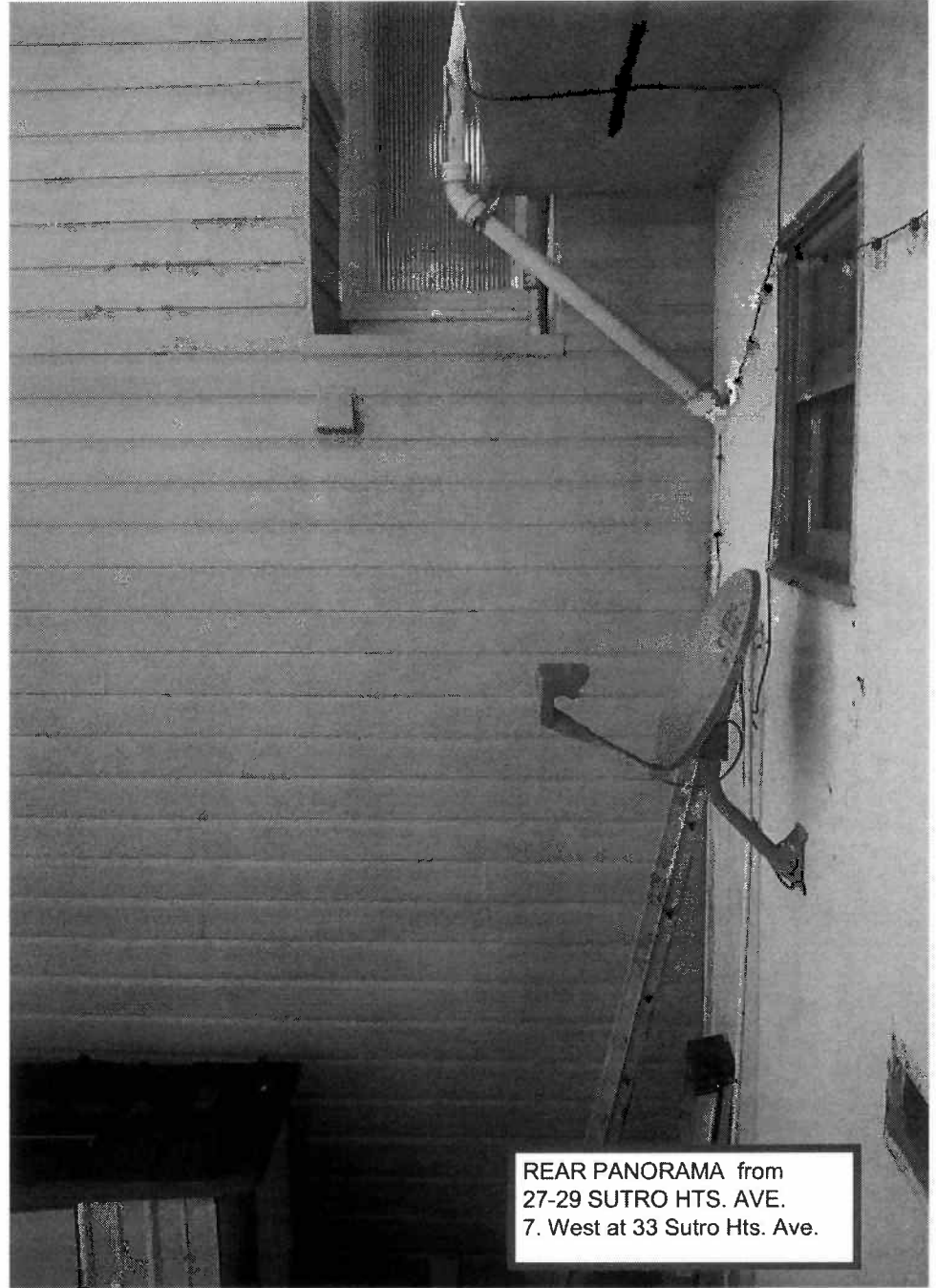
REAR PANORAMA from  
27-29 SUTRO HTS. AVE.  
4. South East toward 46th Ave.



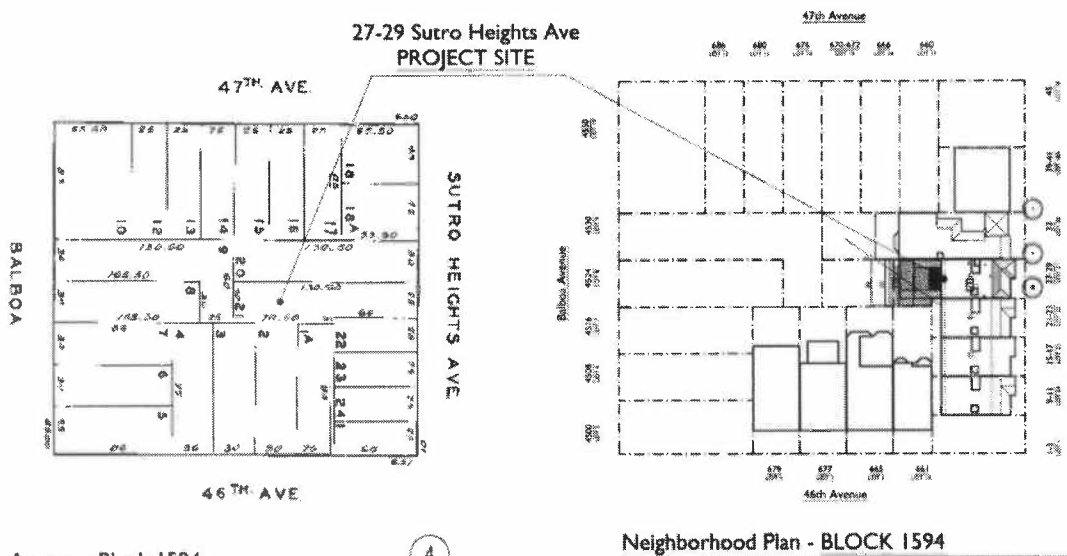
REAR PANORAMA from  
27-29 SUTRO HTS. AVE.  
5. South West toward 47th Ave.



REAR PANORAMA from  
27-29 SUTRO HTS. AVE.  
6. West at 33 Sutro Hts. Ave.



REAR PANORAMA from  
27-29 SUTRO HTS. AVE.  
7. West at 33 Sutro Hts. Ave.



Assessor Block 1594  
NTS

Neighborhood Plan - BLOCK 1594  
1" = 20'-0"

EXISTING		PROPOSED	
Property	Area	Level	Area
Property	3615 SF	PP1 / Upper	1133
Coverage	1872 / 51.9%	PP1 / Lower	1133
(1045 SF of (E) bldg. (aspirite & B32 SF of (E) concrete patio)		PP0 / Ground	1537
Yards	2570	(Common Entry: 529 SF & Garage: 187 SF)	
Net Total	3382	PP0 / Garden	730
		Total	4533

EXISTING		PROPOSED	
Property	Area	Level	Area
Property	3615 SF	PP2 / Upper-unit #29	1031 SF
Coverage	1872 / 51.9%	PP1 / Lower-unit #27	1031
(1045 SF of (E) bldg. (aspirite & B32 SF of (E) concrete patio)		HP0 / Ground-Common	286
Yards	2570	Total	2350
Net Total	3382	Prop	3615
		Coverage	1828 / 50.6%
		(inc. 60 SF for (N) rear stair in coverage)	
		FAR	0.57
		FAR allow	1.80

**DEVELOPMENT CALCULATIONS**

- A0.0 COVER - PROJECT INFO & DEVELOPMENT CALCULATIONS
- A1.0 SITE PLANS - EXISTING & PROPOSED
- A2.0 FLOOR PLAN - AS-BUILT
- A2.1 FLOOR PLANS - DEMOLITION
- A2.2 FLOOR PLANS - STREET & GARDEN
- A2.3 FLOOR PLANS - UPPER & LOWER
- A2.4 PLANS - ROOF
- A3.0 BUILDING SECTIONS
- A4.0 ELEVATIONS - AS-BUILTS NORTH/STREET & EAST
- A4.1 ELEVATIONS - AS-BUILTS NORTH/STREET & WEST
- A4.2 ELEVATIONS - PROPOSED NORTH/STREET & EAST
- A4.3 ELEVATIONS - PROPOSED SOUTH/REAR & WEST

**SHEET LEGEND**

**DESCRIPTION OF WORK:**

**RENOVATION and ADDITION** of both dwelling units at 27-29.

Upper Unit # 27 includes interior renovation ONLY of (E) upper and lower floors, rear facade. No expansion of these floors. An addition of (N) office, at garage level, together with (N) addition for Lower Unit.

Lower Unit #29 to be relocated into (N) two-floor addition into rear yard in place of (E) concrete patio.

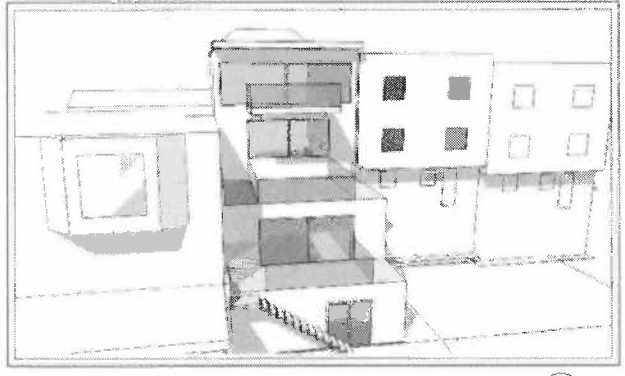
New addition will allow for two south-facing roof decks.

**CLIENTS**  
Jing Liu & Yaser Rehem  
7935 Geary St.  
San Francisco, CA 94121  
650-270-5503  
yrehem@mac.com

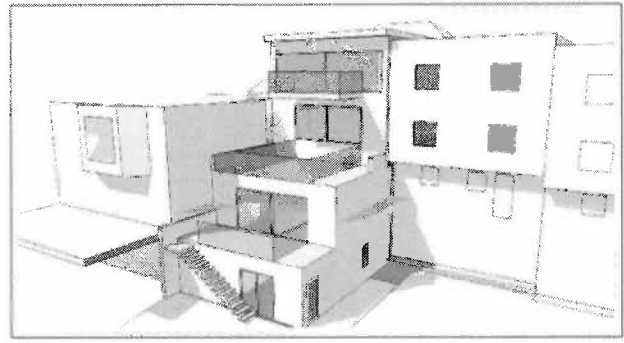
**PROJECT ADDRESS**  
27-29 SUTRO HEIGHTS AVE  
SAN FRANCISCO, CA 94121

APN 1594-21  
ZONE RH-2  
USE Residential, Two Dwelling Units  
CONST. TYPE Type V-N / No Spkr.

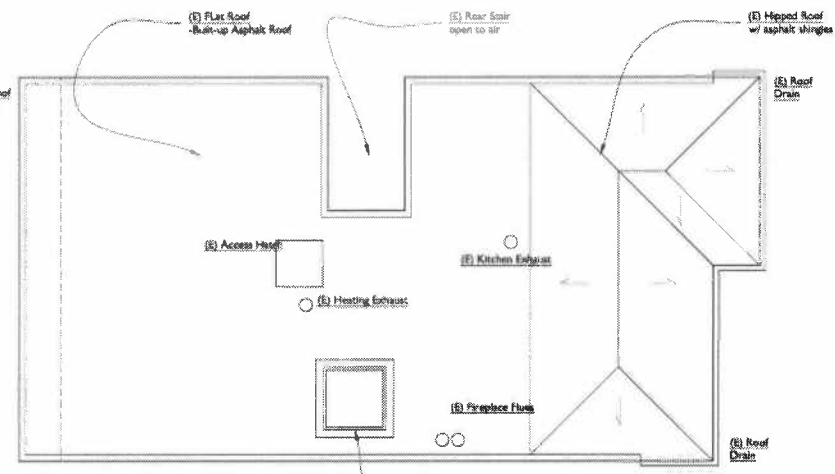
**PROJECT INFO**



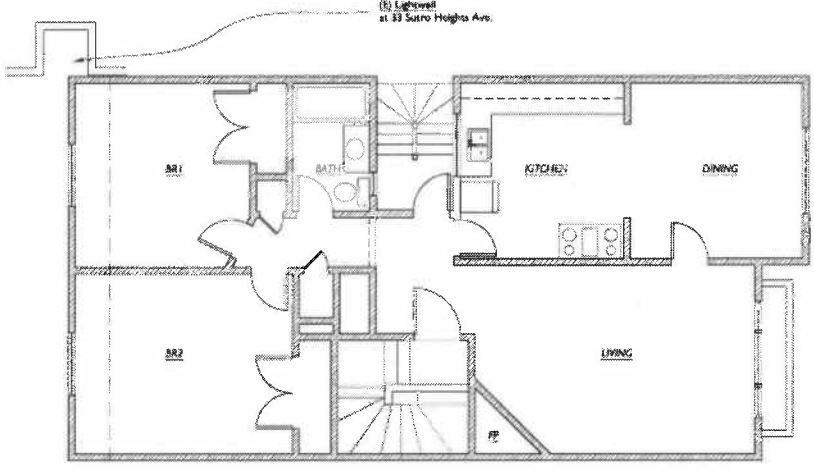
view of Proposed WORK from SOUTHWEST



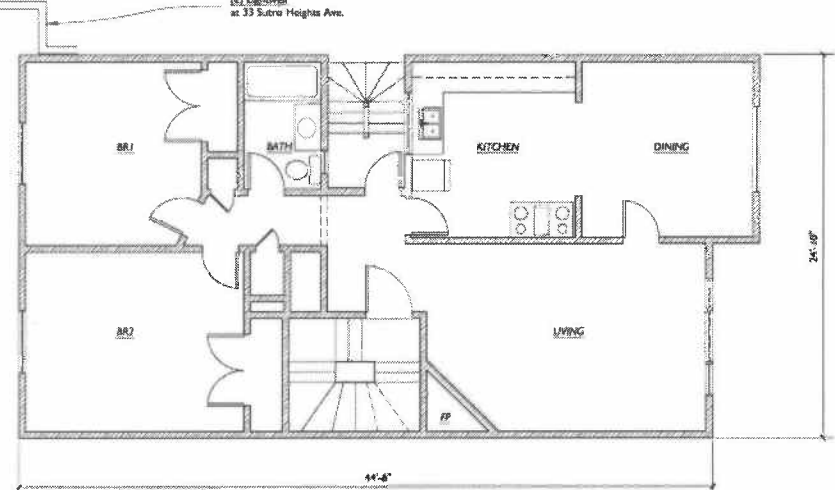
view of Proposed Work from SOUTHEAST



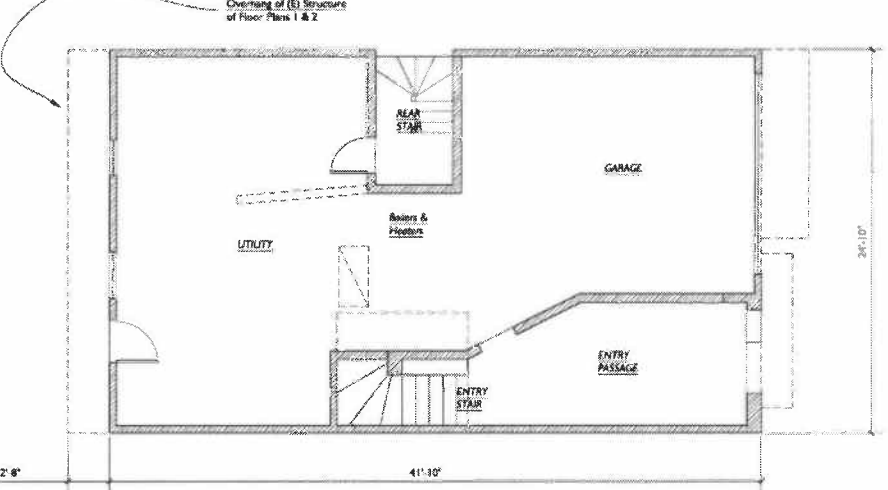
Roof Plan  
1/4" = 1'-0"



Floor Plan I - Lower / UNIT #27  
1/4" = 1'-0"



Floor Plan 2 - Upper / UNIT #29  
1/4" = 1'-0"



Floor Plan 0 - Ground  
1/4" = 1'-0"

BRUCE LACZKO, ARCHITECT, CA 23284  
931 PARSONS ST., BERKELEY, CA 94710  
P: 510.798.8077 F: OFFICE@BRUCELACZKO.COM

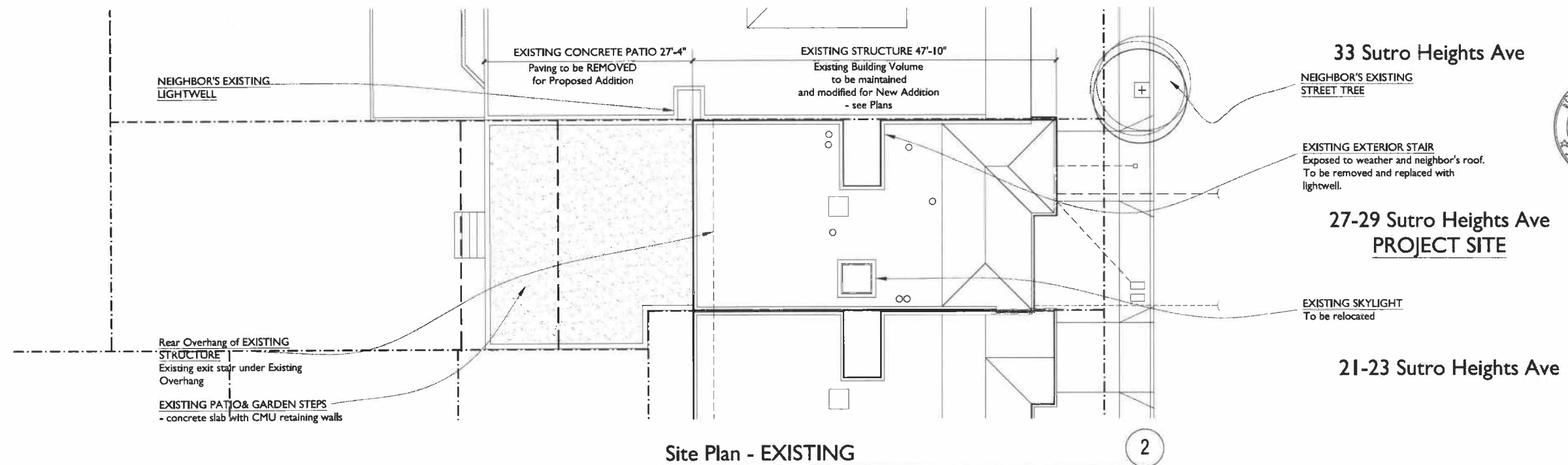
COVER - PROJECT INFO & DEVELOPMENT CALCULATIONS  
PLANNING SUBMITTAL  
REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

SCALE: NOTED  
A0.0

BRUCE LACZKO, ARCHITECT, CA 23284  
931 PARSONS ST., BERKELEY, CA 94710  
P: 510.798.8077 F: OFFICE@BRUCELACZKO.COM

ASBUILT - FLOOR PLANS  
PLANNING SUBMITTAL  
REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

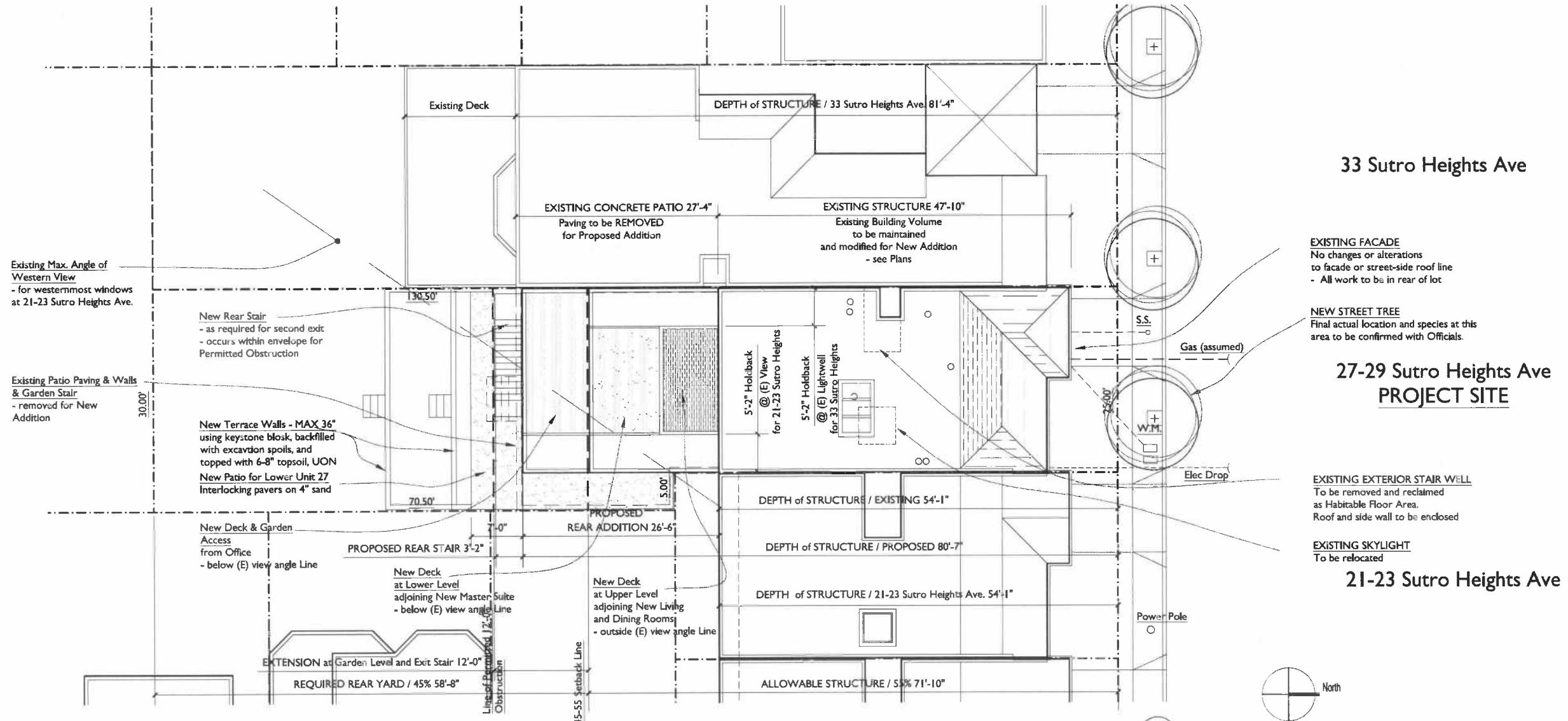
SCALE: 1/4" = 1'-0"  
A2.0



Site Plan - EXISTING

1/8" = 1'-0"

2



Site Plan - PROPOSED

1/8" = 1'-0"

1



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**LACZKO**

PROPOSED - SITE PLAN  
PLANNING SUBMITTAL

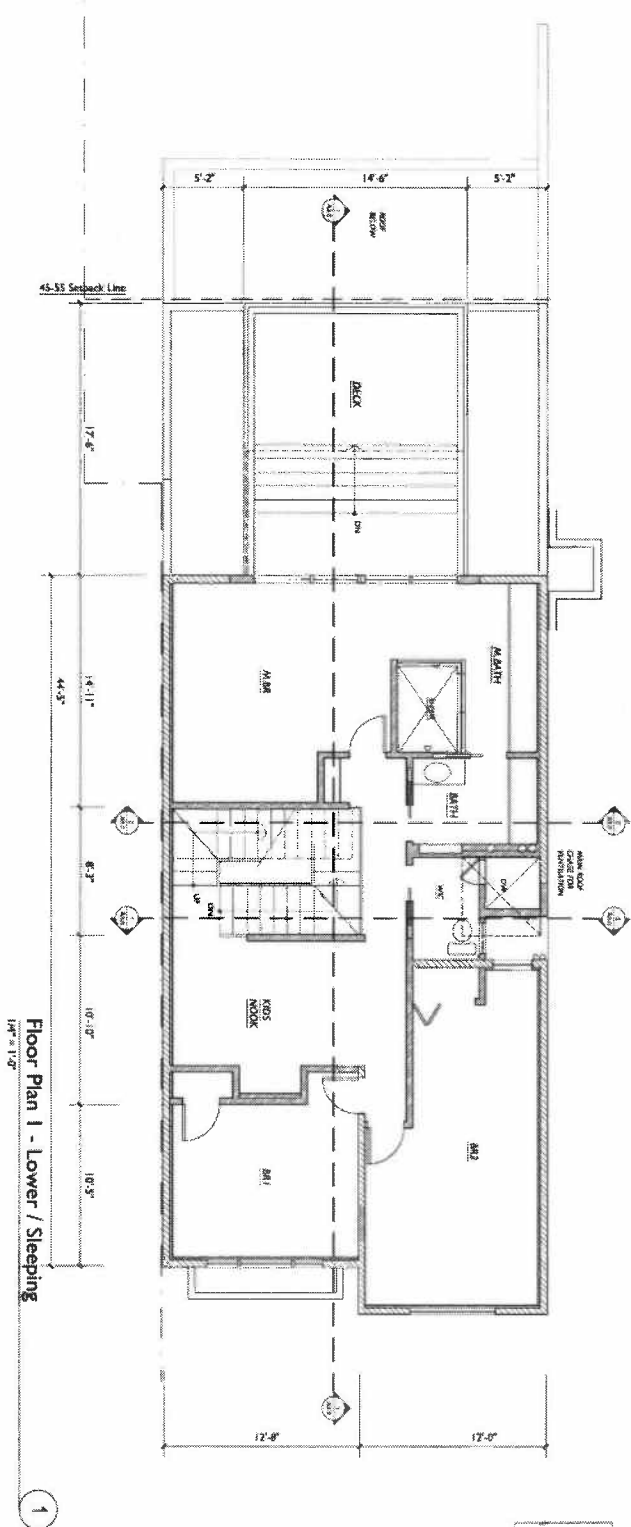
REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

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

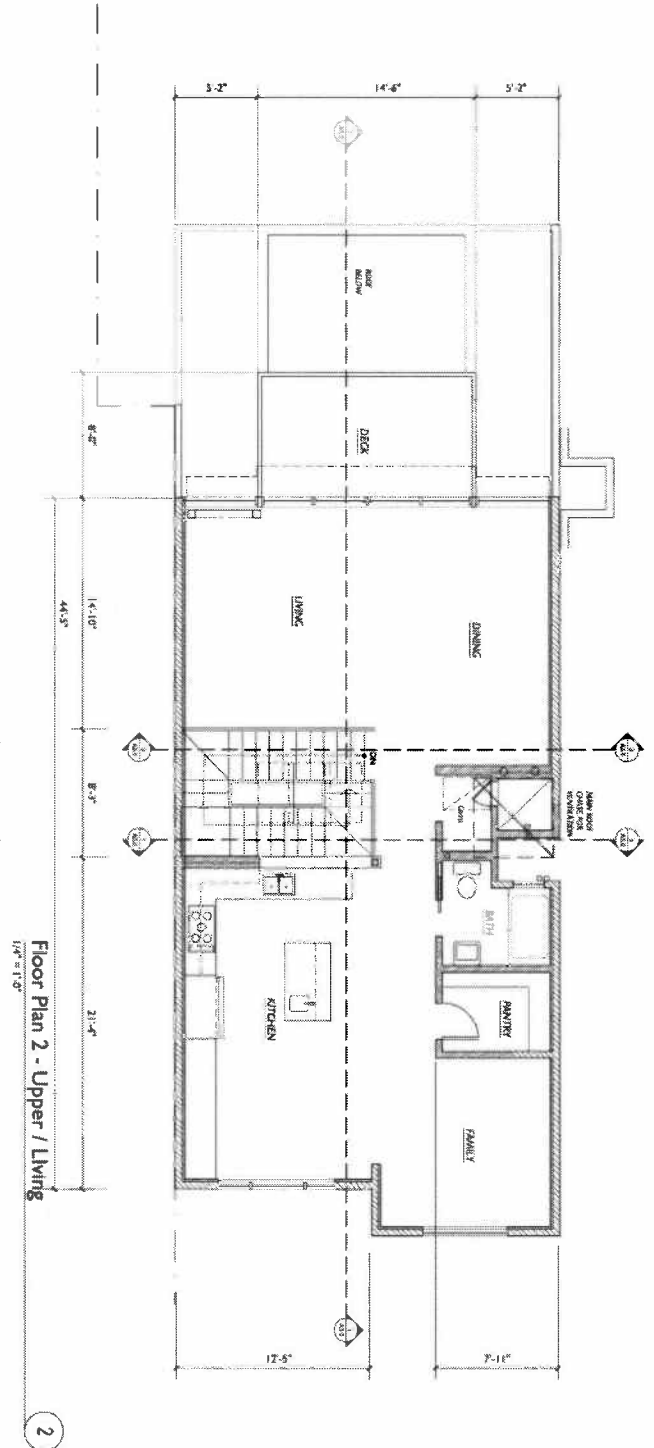
03/18/12 Pre-App MTG  
05/15/12 Planning Submittal  
06/25/12 Planning - rev. A  
08/09/12 - rev B  
Plg / pre-311 updates

AI.0





Floor Plan 1 - Lower / Sleeping  
1/4" = 1'-0"



Floor Plan 2 - Upper / Living  
1/4" = 1'-0"

WALL LAYOUT	NEW WALL
EXISTING WALL	EXISTING WALL



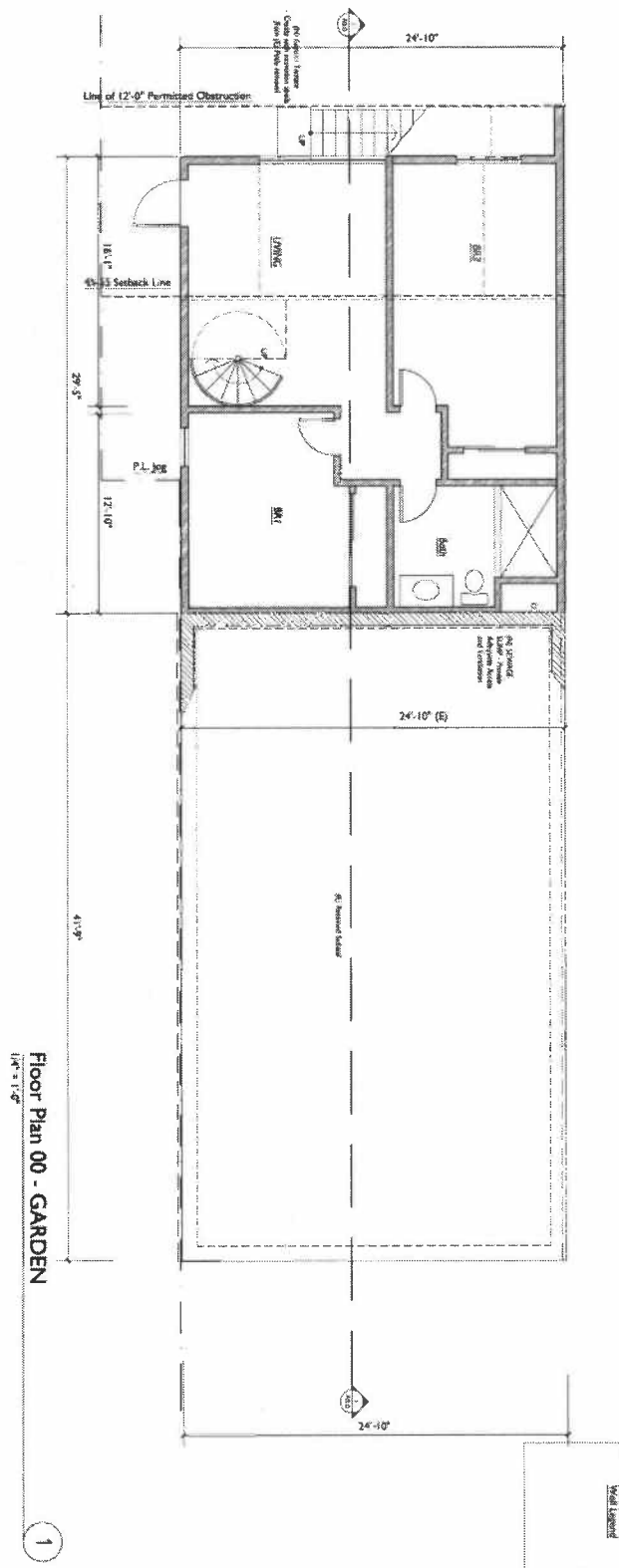
PROPOSED - FLOOR PLANS / FIRST & UPPER  
PLANNING SUBMITTAL  
REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

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A2.3

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



Floor Plan 00 - GARDEN  
1/4" = 1'-0"

WALL LAYOUT	NEW WALL
EXISTING WALL	EXISTING WALL

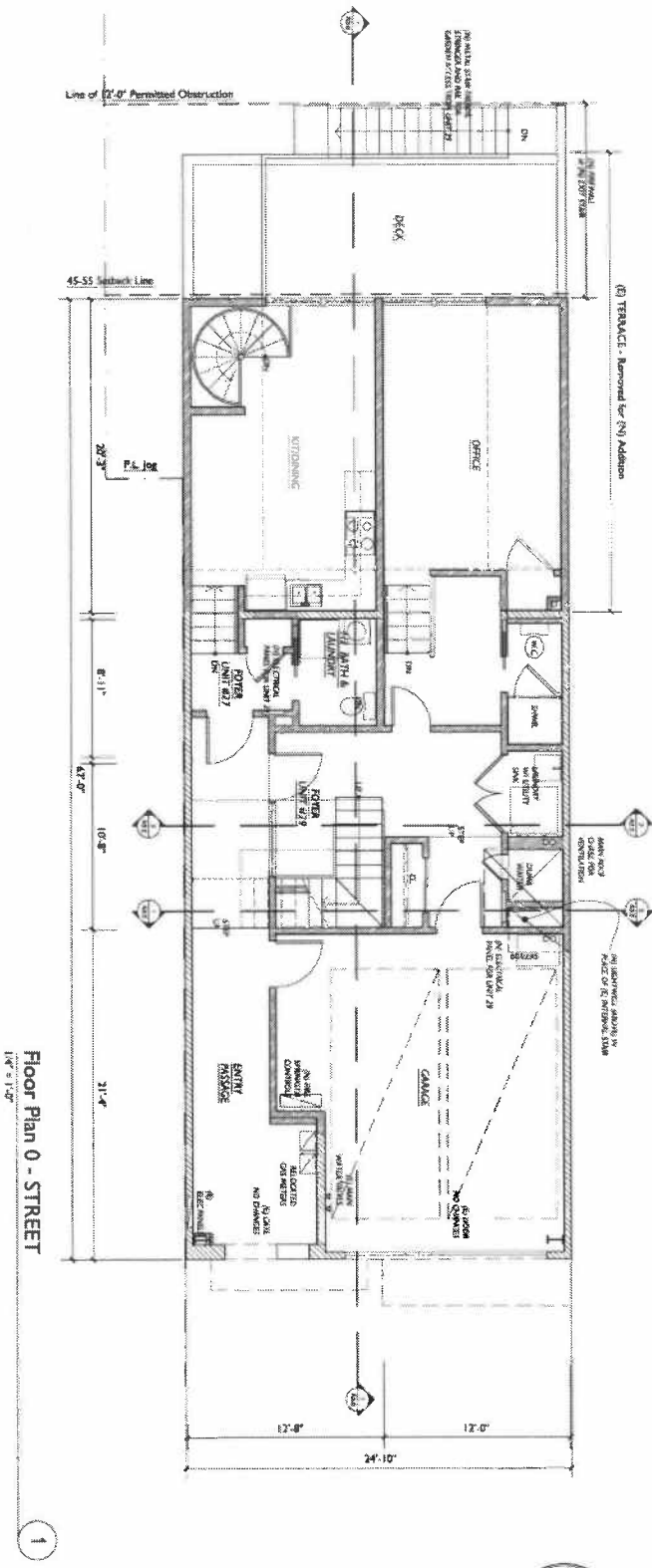
PROPOSED - FLOOR PLANS / GROUND & GARDEN  
PLANNING SUBMITTAL  
REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

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A2.2

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



Floor Plan 0 - STREET  
1/4" = 1'-0"

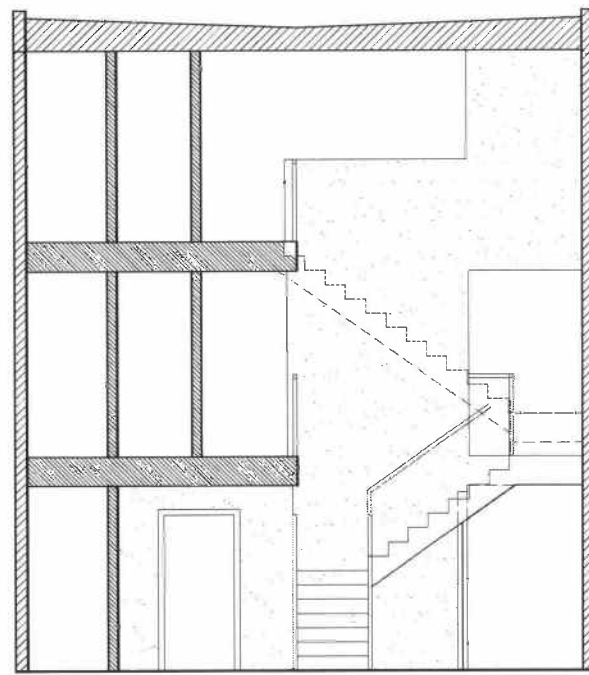


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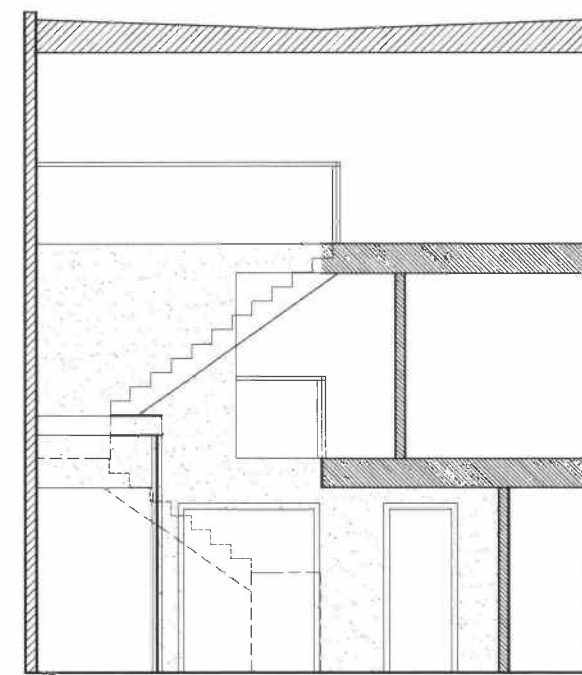
PROPOSED - FLOOR PLANS / GROUND & GARDEN  
PLANNING SUBMITTAL  
REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

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



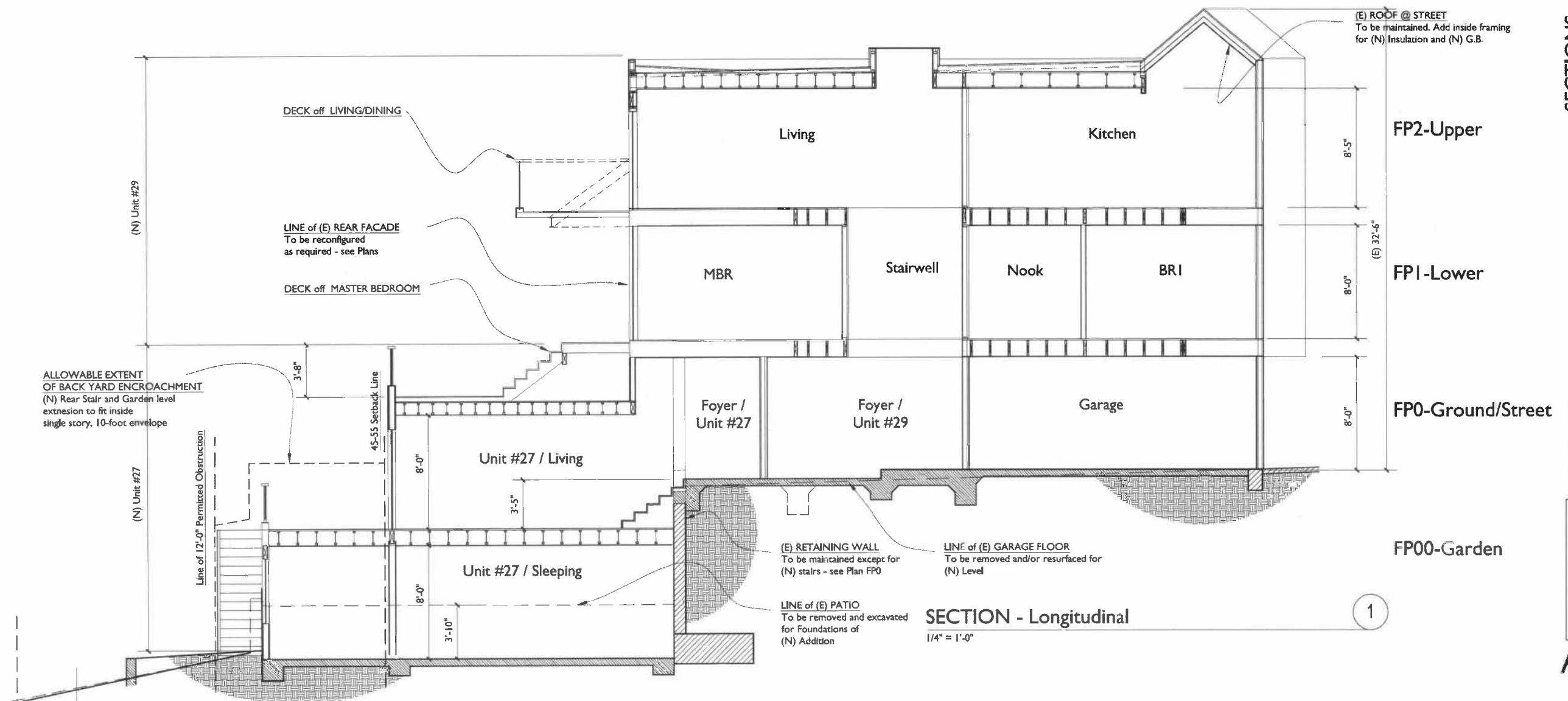
SECTION - Stair looking East

3



SECTION - Stair looking West

2



1



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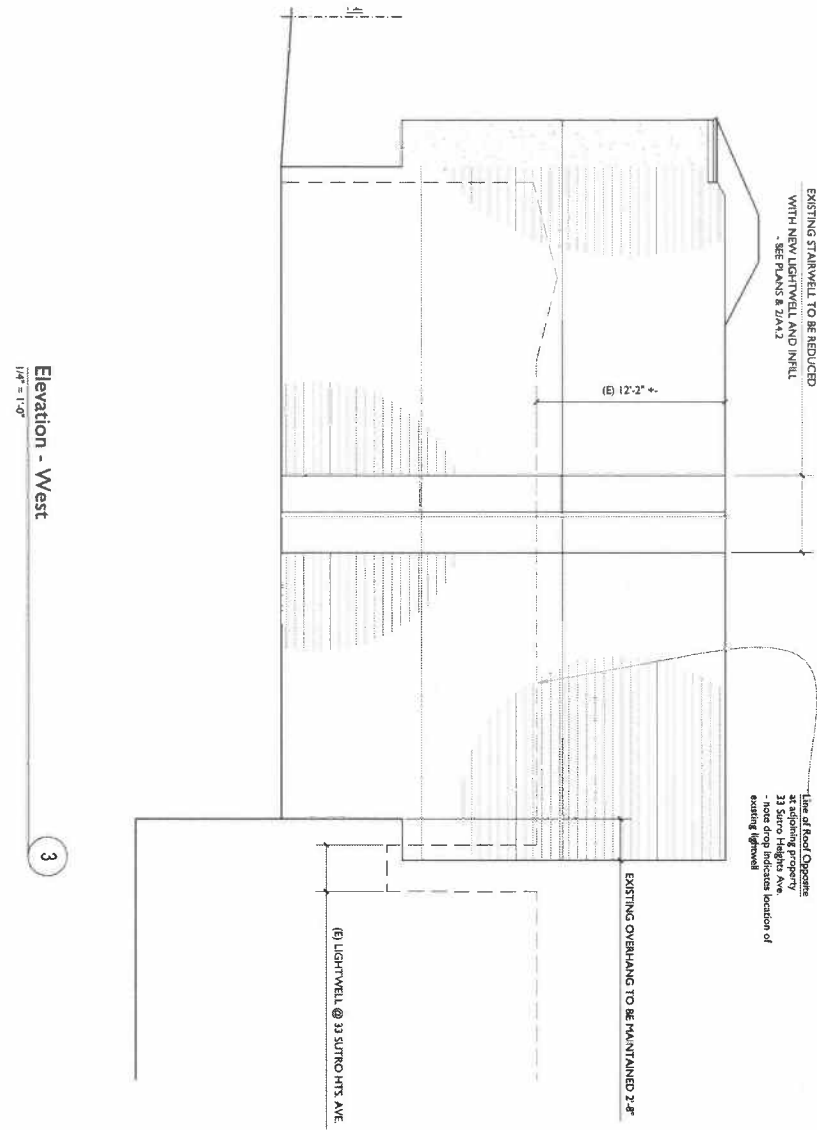
SECTIONS - LONGITUDINAL  
PLANNING SUBMITTAL

REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

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

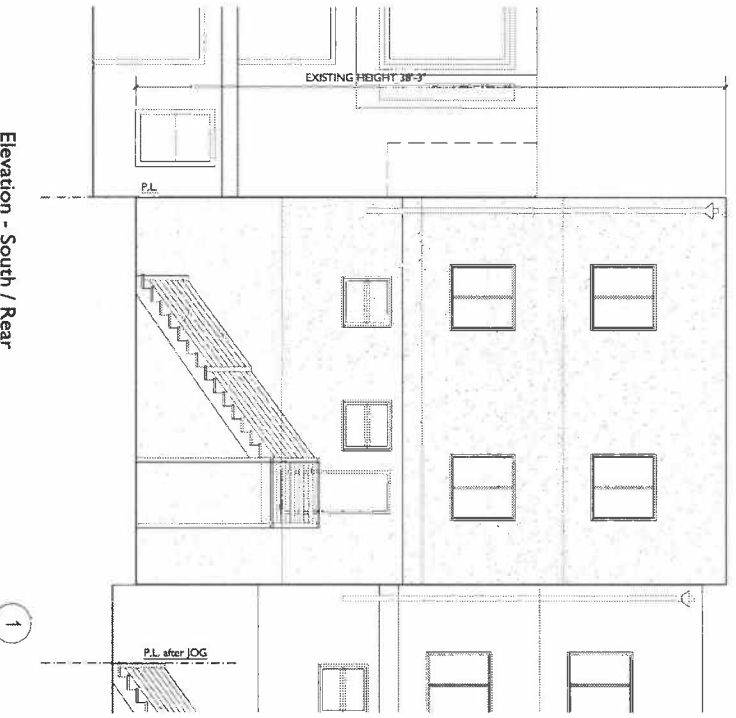
03/16/12  
Pre-App MTG  
05/15/12  
Planning Submittal  
06/25/12  
Planning - rev. A

A3.0



Elevation - West  
1/4" = 1'-0"

3



Elevation - South / Rear  
1/4" = 1'-0"

1

33 Sutro Heights Ave

27-29 Sutro Heights Ave  
PROJECT SITE

21-23 Sutro Heights Ave



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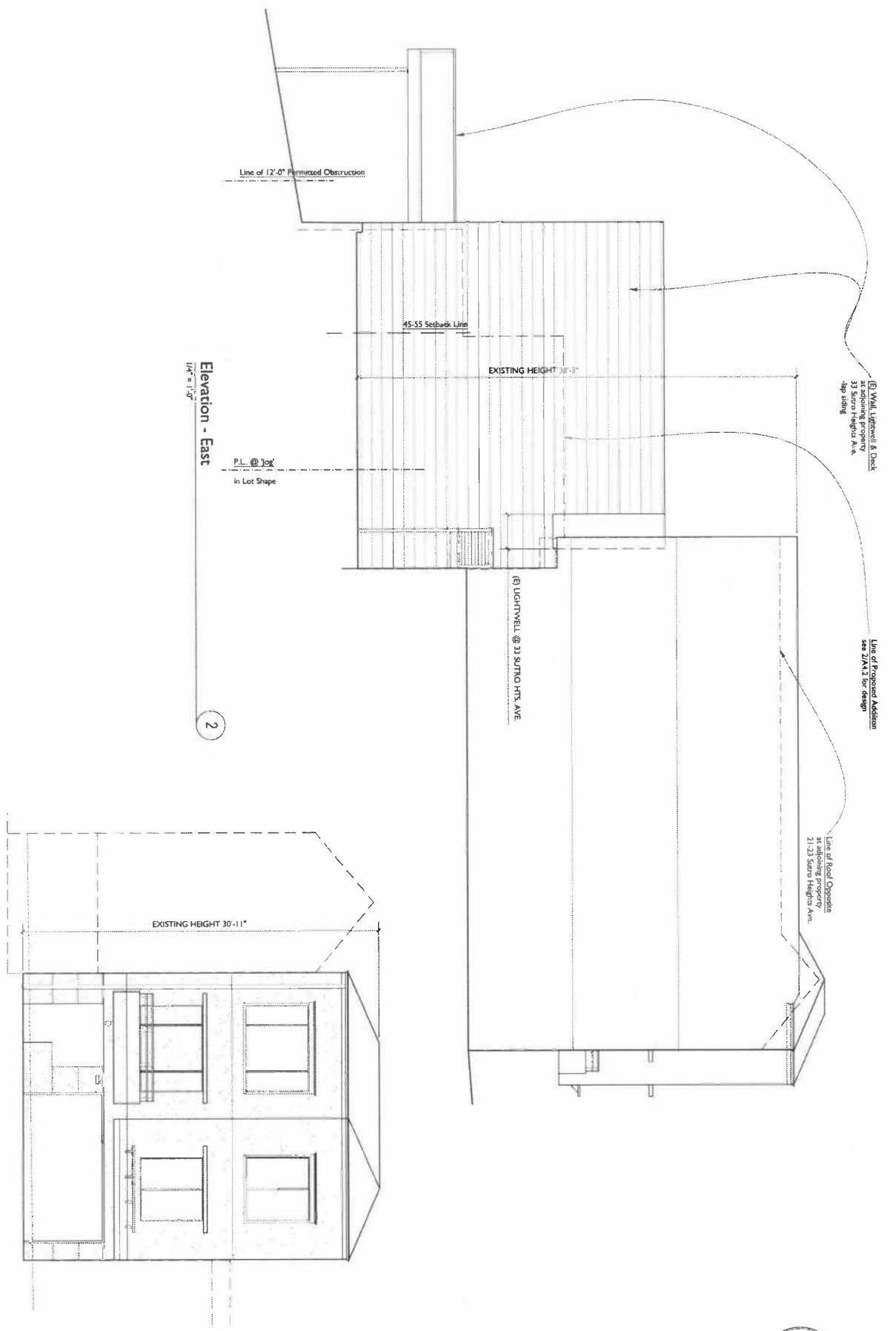
**LACZKO**

ASBUILT - ELEVATIONS  
PLANNING SUBMITTAL

REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

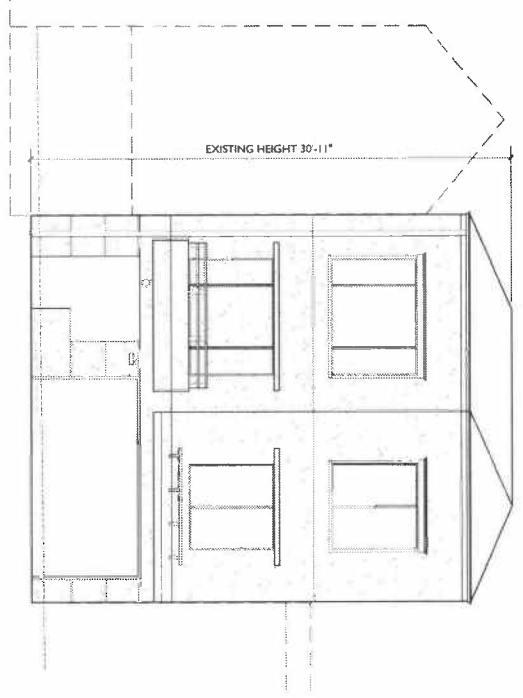
scale: 1/4" = 1'-0"

A4.1



Elevation - East  
1/4" = 1'-0"

2



Elevation - North / Street  
1/4" = 1'-0"

1



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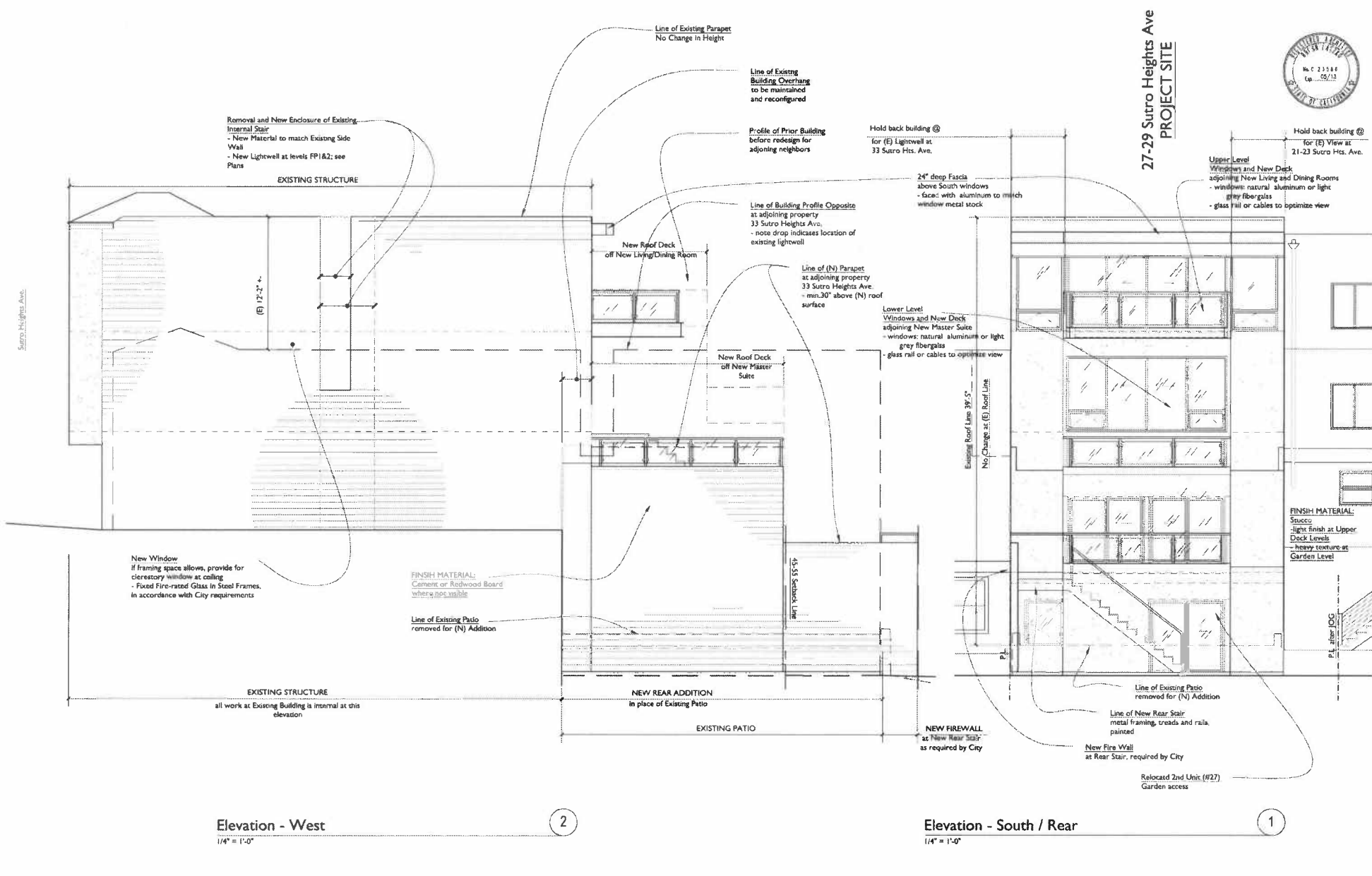
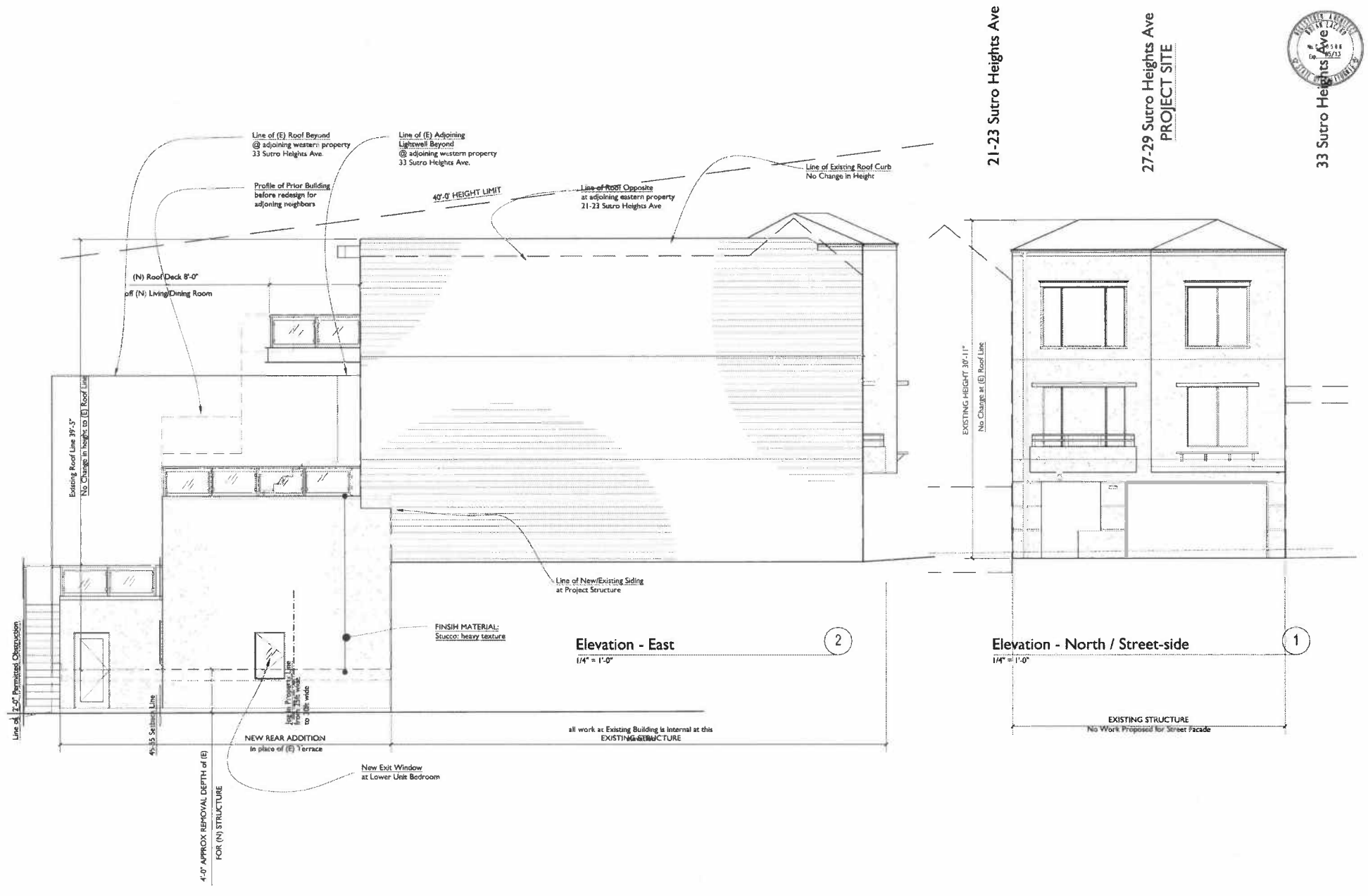
**LACZKO**

ASBUILT - ELEVATIONS  
PLANNING SUBMITTAL

REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA

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

A4.0



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**PROPOSED - ELEVATIONS**  
**PLANNING SUBMITTAL**

**REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA**

scale: 1/4" = 1'-0"  
03/18/12  
Pre-App-HTG  
05/15/12  
Planning Submittal  
06/20/12  
Planning - rev. A

**A4.2**



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**PROPOSED - ELEVATIONS**  
**PLANNING SUBMITTAL**

**REHEM-LIU RESIDENCE / 27-29 SUTRO HEIGHTS AVE., SF, CA**

scale: 1/4" = 1'-0"  
03/18/12  
Pre-App-HTG  
05/15/12  
Planning Submittal  
06/20/12  
Planning - rev. A

**A4.3**