



CASTRO/EUREKA VALLEY NEIGHBORHOOD ASSOCIATION

Neighborhood association for the Castro, Upper Market and all of Eureka Valley since 1878

EVNA

PO Box 14137
San Francisco, CA 94114
www.evna.org

EVNA, a 501 (C)(4) Non-profit,
Tax ID: 51-0141022

Eureka Valley Foundation,
a 501(C)(3) Non-profit,
Tax ID: 26-0831195

EXECUTIVE COMMITTEE

Alan Beach-Nelson
President
Castro Street

Rob Cox
Secretary
Hartford Street

James Moore
Treasurer
18th Street

COMMITTEE CHAIRS

James Kelm
Newsletter & Social Media
Castro Village Wine Co.

Jack Keating (Ex-Officio)
Planning & Land Use
17th Street

Shelah Barr
Quality of Life
17th Street

Mark McHale
Social
Vanguard Properties

Orie Zaklad
Technology & Marketing
Collingwood Street

DIRECTORS:

Patrick Crogan
Market Street

Tim Eicher
Q Bar

Mary Edna Harrell
Castro Street

Crispin Hollings
18th Street

Loic Olichon
18th Street

EX OFFICIO DIRECTORS:

Steve Clark Hall
Webmaster
19th Street

Judith Hoyem
Emeritus
17th Street

December 1, 2015

San Francisco Board of Supervisors
1 Carlton B Goodlett Place, Suite 244
San Francisco, CA 94102

Re: Conditional Use Permit: 22 and 24 Ord Court

Dear Supervisors,

The Planning and Land Use Committee of the Castro/Eureka Valley Neighborhood Association has considered the fact that the project sponsor for the above mentioned properties has worked with neighbors in a mediation process to seek mutually acceptable designs in the context of the Interim Zoning Controls in effect in the neighborhood.

As a result of the mediation process, the project sponsor has agreed to several concessions to scale back the proposed mass of the 22 Ord Court buildings. He has also agreed to place deed restrictions on 24 Ord Court that would provide protections for the rear yard open space and for existing significant trees on the lot.

Given the outcome of the mediation process, the Committee has decided to support a Conditional Use permit application for 22 Ord Court with the conditions agreed to by the neighbors and project sponsor for both 22 Ord Court and 24 Ord Court.

Very truly yours,

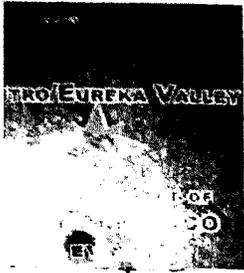
Alan Beach-Nelson
President
and Land Use Committee

Jack Keating

Chair, Planning

About Castro/Eureka Valley Neighborhood Association:

Castro/ Eureka Valley Neighborhood Association (EVNA) is the oldest continuously operating Neighborhood Association in San Francisco established as Eureka Valley Promotion Association in 1878. For 135 years, our members have been working to make this neighborhood a great place to live, work and play. Today, we strive to preserve the unique character of our diverse neighborhood while maintaining a balance between prospering businesses and residential livability.



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1000 Castro Street

John Cox
Secretary
1000 Castro Street

James Moore
Treasurer
1000 Castro Street

Media
Co.

(Ex Officio)
Planning & Land Use
Committee

Deborah Barr
Chair, Quality of Life
1000 Castro Street

Mark McHale
Chair, Social

Guard Properties

Ze Zaklad
Technology & Marketing
1000 Irvingwood Street

DIRECTORS:
Rick Crogan
1000 Market Street

Richard Eicher
1000 Market Street

Ry Edna Harrell
1000 Market Street

Spin Holdings
CHAIRS

Directors
1000 Market Street

DIRECTORS:
1000 Market Street

1000 Market Street

John Hoyern
1000 Market Street

December 1, 2015

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1 Carlton B Goodlett Place, Suite 244
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Very truly yours,

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1 [Disapproving the Conditional Use Authorization Decision and Approving with Additional
2 Conditions - 22 Ord Court]

3 **Motion disapproving the decision of the Planning Commission by its Motion No. 19483,**
4 **approving a Conditional Use Authorization identified as Planning Case No.**
5 **2013.1521CUAV on property located at 22 Ord Court; approving a Conditional Use**
6 **Authorization for the same Planning Case and property with additional conditions; and**
7 **adopting findings pursuant to Planning Code Section 101.1.**

8
9 MOVED, That the Planning Commission's approval on September 24, 2015, of a
10 Conditional Use Authorization identified as Planning Case No. 2014.0206C, by its Motion No.
11 19483, to permit lot coverage of a parcel to exceed 55%, and an increase to the existing
12 square footage in excess of 3,000 square feet and/or more than 100% by constructing a new
13 approximately 3,110 gross square foot two-story dwelling unit at the rear of the existing lot at
14 22 Ord Court, Assessor's Block No. 2619, Lot No. 067, is hereby disapproved; and, be it

15 FURTHER MOVED, That the Board of Supervisors hereby approves a Conditional Use
16 Authorization for the same property with all conditions imposed by the Planning Commission
17 and with the following additional conditions:

- 18 • **Massing.** The existing structure fronting 22 Ord Court shall be limited to three
19 stories, not to exceed a height of 31 feet 2 inches, with exception of permitted
20 height exemptions, such as a stair penthouse. The third level may be expanded to
21 the full width of the lot: 25 feet.
- 22 • **Ground Floor Usage.** Conversion of unconditioned space on the ground floor of
23 the existing structure at 22 Ord Court may occur, along with associated excavation
24 necessary for said space to comply with all applicable Codes regarding head
25 height.

- 1 • **Roof Deck.** The roof deck above the third floor of the existing structure fronting 22
2 Ord Court must be set back at least 25 feet from the front property line. The area
3 shall be enclosed by a sound-rated glass railing no taller than 42 inches. The roof
4 deck above the second floor of the proposed structure at the rear of 22 Ord Court
5 fronting States Street shall be set back at least 20 feet from the rear property line.
6 The roof deck shall be enclosed by a sound-rated glass railing no taller than 42
7 inches. All glass must be treated with bird-safe glazing as the subject property is
8 located within 300 feet of an urban bird refuge.
- 9 • **Setback.** The property shall provide a 6-foot setback from the rear property line.
10 The area within the setback shall be at least 50% permeable. Additionally, no less
11 than 20% of the setback area shall be and remain unpaved and devoted to plant
12 material, including the use of climate appropriate plant material as defined in Public
13 Works Code Section 802.1.
- 14 • **Street Trees.** In addition to the conditions adopted by the Planning Commission
15 regarding street trees, the Project Sponsor shall submit a tree protection plan for
16 the two mature trees at the rear of 24 Ord Court in the event that any construction-
17 related activity, no matter how minor, is planned or is reasonably foreseeable to
18 occur within the dripline of a Significant Tree; and, be it

19 FURTHER MOVED, That these conditions are consistent with and supported by the
20 Planning Commission's findings of consistency with the General Plan and Planning Code
21 Section 101.1, and the Board hereby incorporates those findings and adopts them as its own.

AGENDA ITEM NO. 58

FILE NO. 151113

Carroll, John (BOS)

From: Power, Andres
Sent: Tuesday, December 01, 2015 12:51 PM
To: Carroll, John (BOS)
Cc: Murphy, Alan H. (Perkins Coie)
Subject: 22 Ord Court - for the file

Categories: 151113

John,

Please add this email to the file.

Thanks

Andres Power
Office of Supervisor Scott Wiener
415.554.6968

-----Original Message-----

From: Cary Norsworthy [mailto:carynorsworthy@sonic.net]
Sent: Tuesday, December 01, 2015 12:39 PM
To: Power, Andres <andres.power@sfgov.org>
Cc: gary@ixia.com; jteamj@comcast.net; madresner@cs.com; cparkes@ieee.org
Subject: My letter of support

To whom it may concern:

I own a condominium on Ord Court, and I was one of many neighbors who participated in some of the Discretionary Review hearings for the proposed developments at 22 and 24 Ord Court before the SF Planning Commission. After much discussion, a group of these neighbors proposed a counter offer to the developers for the two parcels. We believed it was a win-win for all the parties involved. The developers rejected the proposal with no counter-proposal.

During the most-recent hearing for this project in September, the Planning Commission split the project into two separate votes, and the CU for 22 Ord Court was approved. The vote for 24 Ord Court was postponed until November. As a result, the project at 22 Ord Court was appealed by Eureka Valley Neighbors Association (EVNA).

I'm not an appellant for case number 2013.1521CUAV, 22 Ord Court.

However, as a neighbor who lives 25 feet from the site, I participated in one of the mediation discussions in hopes of settling the issues in the dispute. After the mediation, the developer's attorney entered my name into some of their documents.

This mediation was facilitated by Supervisor Scott Wiener's office, and some agreed-upon terms were drafted. I support the agreed-on terms for 22-24 Ord Court and will not oppose the projects going forward.

Regards,
Cary Norsworthy
Ord Court

cc: Maryann Dresner, Gary Weiss, Jack Keating, Chris Parkes

Carroll, John (BOS)

From: Power, Andres
Sent: Tuesday, December 01, 2015 11:26 AM
To: Carroll, John (BOS)
Subject: FW: 22 Ord Court Conditional Use Authorization - from the project sponsor

Categories: 151113

Andres Power
Office of Supervisor Scott Wiener
415.554.6968

From: Murphy, Alan H. (Perkins Coie) [mailto:AMurphy@perkinscoie.com]
Sent: Tuesday, December 01, 2015 11:24 AM
To: Power, Andres <andres.power@sfgov.org>
Subject: 22 Ord Court Conditional Use Authorization

Andres:

On behalf of the project sponsor, we agree to the negotiated conditions on the 22 Ord Court conditional use authorization that will be presented to the Board of Supervisors this afternoon.

Thank you,

Alan Murphy

Alan Murphy | Perkins Coie LLP
COUNSEL
505 Howard Street, Suite 1000
San Francisco, CA 94105-3204
D. +1.415.344.7126
E. AMurphy@perkinscoie.com

Keep current with our **California Land Use and Development Law Report** at <http://www.californialandusedevelopmentlaw.com/>

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Carroll, John (BOS)

From: Power, Andres
Sent: Tuesday, December 01, 2015 11:19 AM
To: Carroll, John (BOS)
Subject: FW: Email confirmation from appellant - 22 Ord Court

Categories: 151113

Andres Power
Office of Supervisor Scott Wiener
415.554.6968

From: Maryann Dresner [mailto:madresner@cs.com]
Sent: Tuesday, December 01, 2015 11:18 AM
To: Power, Andres <andres.power@sfgov.org>
Subject: Re: Email confirmation

"I have been authorized by Jack Keating, the named appellant for the 22 Ord Court Conditional Use appeal, to act on his behalf. As the appellant, I support the negotiated conditions for the 22 Ord Court project."

| thank you,
| Maryann Dresner

MARYANN DRESNER
Attorney at Law
1390 Market, Fox Plaza Suite 818
San Francisco, California 94102
(415) 864-7636
fax (415) 863-8596
Please note change for Suite number

Carroll, John (BOS)

From: Power, Andres
Sent: Tuesday, December 01, 2015 11:00 AM
To: Jack Keating; Maryann Dresner
Cc: Carroll, John (BOS)
Subject: RE: 22 ORD court

Categories: 151113

Thanks Jack. Copying John Carroll in the Clerk's Office.

Andres Power
Office of Supervisor Scott Wiener
415.554.6968

From: Jack Keating [mailto:jack.keating@evna.org]
Sent: Tuesday, December 01, 2015 11:00 AM
To: Power, Andres <andres.power@sfgov.org>; Maryann Dresner <madresner@cs.com>
Subject: 22 ORD court

I am the appellant on the conditional use appeal for 22 ORD Ct. And approve Maryann Dresner to speak on my behalf at the hearing in front of the San Francisco board of supervisors today.

Regards,

Jack Keating

AGENDA Item NO. 58
FILE NO. 151113

MARYANN DRESNER

ATTORNEY AT LAW

1390 MARKET STREET, FOX PLAZA SUITE 818
SAN FRANCISCO, CALIFORNIA 94102
(415) 864-7636
FACSIMILE (415) 863-8596

December 1, 2015

To the Board of Supervisors of the city and county of San Francisco

Regarding 22 Ord Court and 24 Ord Court

I am a resident of the neighborhood which includes 22 Ord Court and 24 Ord Court. I was one of many neighbors who spoke at the Discretionary Review hearings for the proposed developments at 22 and 24 Ord Court before the San Francisco Planning Commission.

During the most-recent hearing for these projects in September of 2015, the Planning Commission appeared to approve the 22 Ord Court project only, but the Planning Commission appeared to postpone decision on the 24 Ord Court until November, 2015. (Some time later, the project sponsor for 24 Ord Court appeared to dismiss the request for approval of the project at 24 Ord Court)

Pursuant to these actions, an appeal of the Planning Commission's decision for 22 Ord Court was filed on behalf of the Eureka Valley Neighbors Association, (EVNA). Since that time, Supervisor Weiner's office and his extremely able staff member, Andres, have facilitated an agreement between EVNA and the project sponsor for both 22 Ord Court and 24 Ord Court.

I'm not an appellant for case number 2013.1521CUAV, 22 Ord Court. However, as a neighbor, I did participate in one of the meditation discussions . I have reviewed the proposed agreement pertaining to 22 Ord Court and 24 Ord Court and I support the agreed-on terms for those projects. I will not oppose the project going forward,

I am grateful for the efforts of Supervisor Weiner's office, and for the willingness of the project sponsor and the EVNA and the neighbors to enter into a compromise.

Maryann Dresner

BOS-11, COB
11/25/15 Leg Clerk

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

File 151113-
151116

2015 NOV 30 PM 3:34

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Dear Ms. Calvillo,

Regarding file #151113 and the hearing on 12/1/15, I am unable to attend the session as it occurs during business hours. I send this letter as a record of my view of the matter.

I write to state that I am firmly against this development for Ord Ct that has a frontage onto States Street where I live @ #270. In fact, the building that I live in (270-272) is on a plot that originally extended to Museum Way. In 1983 the owners of 270-272 States were allowed to subdivide their property and build an over-sized, multi-unit building on 50% of the original lot. That building looms above my three-story building and is an eye-sore; This situation heightens my awareness to developments like the one proposed.

I am in strong support of the legislation passed that constrains excessive coverage of a parcel, with multiple units ~~structures~~ crammed onto a lot. The proposal at 22 Ord Ct is oversized and should not be permitted. If a Conditional Use Authorization is granted then conditions of approval should be included to ensure that the neighborhood application proposal about this

application be implemented.

I hope that Board of Supervisors will respect the existing regulation and not allow this project to go forward.

Annex

Wen Fogel
Lauren Fogel
270 States St
SF CA 94114
415/254-8857

November 22, 2015

Ms Angela Calvillo,
Clerk of the Board
City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, 94102
re: Construction at 22 Ord Court

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2015 NOV 25 PM 3:16

ll

BOS-11, COB,
Bos- Leg. Opagl

File 151113-151116

Dear Ms. Calvillo,

Kindly forward my comments to the Board regarding 22 Ord Court. I have lived on the Vulcan Stairway for more than 30 years and am appalled to see the construction of Mc Mansions in my neighborhood. Granting this certification will further destroy the character of our neighborhood which was originally intended for COTTAGES! All this certification does is encourage more noise, more traffic on a extremely narrow street and the elimination of any appropriate construction for this area. Let them change the parcel to 25% and build according to scale for this neighborhood

Thank you for your attention,
Melody Marks

Melody Marks

44 Vulcan Stairway (parallel to Ord Court)
San Francisco, Ca., 94114