



**SAN FRANCISCO
PLANNING DEPARTMENT**

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SAN FRANCISCO

MEMO

MAR 16 AM 11:57

BJ

Categorical Exemption Appeal

53 States Street

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: March 16, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sarah B. Jones, Environmental Review Officer – (415) 558-9048
Jeanie Poling – (415) 575-9072
RE: Planning Case No. 2014.01777E
Appeal of Categorical Exemption for 53 States Street
HEARING DATE: March 24, 2015
ATTACHMENT: Attachment A – February 9, 2015 Appeal Letter from Hector Martinez

PROJECT SPONSOR: Jill Allen, John Lum Architecture Inc., (415) 558-9550
APPELLANT: Hector Martinez, 51 States Street, Unit A, San Francisco hectormarz@hotmail.com

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Department's (the "Department") issuance of a Categorical Exemption under the California Environmental Quality Act ("CEQA Determination") for the proposed 53 States Street project (the "Project").

The Department, pursuant to Title 14 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300–15387), issued a Categorical Exemption for the Project on May 28, 2014, finding that the proposed Project is exempt from the California Environmental Quality Act (CEQA) as a Class 3 categorical exemption. The Class 3 exemption applies to new construction of small structures, including multi-family residential structures in urban areas designed for not more than six dwelling units.

The decision before the Board is whether to uphold the Department's decision to issue a categorical exemption and deny the appeal, or to overturn the Department's decision to issue a categorical exemption and return the project to the Department staff for additional environmental review.

SITE DESCRIPTION & EXISTING USE

The project site contains a two-story, 1,554-square-foot single-family residence set back approximately 30 feet from the front property line. The project lot measures 25 feet wide by 105 feet 8 inches deep with an area of 2,623 square feet, and is zoned RH-2 (Residential House, Two Family). Along States Street and

adjacent streets is a mix of housing types, from single-family to apartment buildings, ranging from one story to three stories, consistent with the RH-2 and RH-3 (Residential House, Two and Three Family) zoning of the project vicinity. Generally, more recently constructed buildings are larger and contain more residential units than the older housing stock in the project vicinity.

PROJECT DESCRIPTION

The Project would involve demolition of the existing building on site, and construction of a four-story 7,103-square-foot building containing two residential units and four vehicle parking spaces. The project would involve 940 cubic yards of excavation to a depth of 14 feet.

BACKGROUND

On March 4, 2014, John Lum Architects (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for CEQA determination for the project described above.

On May 28, 2014, the Department determined that the project was categorically exempt under CEQA Class 3, New Construction and Conversion of Small Structures (CEQA Guidelines Section 15303(b)), and that no further environmental review was required. The Project was approved on January 8, 2015 at a Discretionary Review Hearing before the Planning Commission.

On February 9, 2015, an appeal of the Categorical Exemption Determination was filed by Hector Martinez. On March 13, 2015, a secondary appeal was filed by Hector Martinez. This document responds to the first appeal; a second appeal response will be submitted prior to the March 24, 2015 appeal hearing.

CEQA GUIDELINES

Categorical Exemptions

Section 21084 of the California Public Resources Code requires that the CEQA Guidelines identify a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review.

In response to that mandate, the State Secretary of Resources found that certain classes of projects, which are listed in CEQA Guidelines Sections 15301 through 15333, do not have a significant impact on the environment, and therefore are categorically exempt from the requirement for the preparation of further environmental review.

CEQA State Guidelines Section 15303(b), or Class 3(b), allows for the construction of a multi-family residential structure with up to four dwelling units, or up to six dwelling units in urbanized areas.

In determining the significance of environmental effects caused by a project, CEQA State Guidelines Section 15064(f) states that the decision as to whether a project may have one or more significant effects

shall be based on substantial evidence in the record of the lead agency. CEQA State Guidelines 15604(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts."

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the February 9, 2015 Appeal Letter are cited below and are followed by the Department's responses.

Issue 1: The CEQA determination failed to consider the potential piecemeal impacts of this project with other ongoing projects along States Street and nearby neighborhoods

Response 1: CEQA Section 21065 defines a project as the issuance of an entitlement to a person. CEQA Section 21159.27 states that a project may not be divided into smaller projects to qualify for one or more exemptions. The proposed project involves the demolition and new construction on one privately owned lot. Concurrent projects on nearby lots are not part of the same project but may be considered under cumulative effects. See the response to Issue 2.

Issue 2: The CEQA determination failed to consider the cumulative impacts of this project with other ongoing projects along States Street and nearby neighborhoods.

Response 2: CEQA Guidelines Section 15300.2(c) states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. Here, there is substantial evidence in the record that the project meets the requirements for this categorical exemption, and there is no substantial evidence to suggest that there exists a reasonable possibility of any significant direct or cumulative environmental effects due to any unusual circumstances.

CEQA Guidelines Section 15355 states that "cumulative impacts" refers to two or more individual effects from separate projects which, when considered together, are considerable or which compound or increase other environmental effects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.

Department staff has reviewed permit history and planning efforts in the project vicinity and found no unusual circumstances that would result in any past, present, or reasonably foreseeable future projects combining with the effects of the project to result in significant environmental impacts. Nearby projects currently under review by the Planning Department include an addition to an existing building at the front of 22-24 Ord Court and the construction of two new residential units at the rear of the properties, which front States Street (2013.1521E); an addition to the single-family residence at 20 Vulcan Stairway (2014.1506E); and an addition to a single-family home at 32 Ord Street (2014-000174ENV). These project sites are all at least 1,200 feet from the proposed project at 53 States Street. However, even if more

expansion and new construction projects were proposed in the neighborhood, that would not be in itself an unusual circumstance in a dense urban neighborhood, nor would such projects be likely to have environmental effects that could combine with environmental effects of the proposed Project resulting in a significant impact. The project and the nearby projects mentioned above were each found to be or are expected to be found to be categorically exempt from CEQA. The California State Legislature created categorical exemptions and directed the Secretary of the Natural Resources Agency (the Secretary) to list classes of projects exempt from CEQA review. Public Resources Code Section 21084, subdivision (a) provides: "The guidelines prepared and adopted pursuant to Section 21083 shall include a list of classes of projects that have been determined not to have a significant effect on the environment and that shall be exempt from this division. In adopting the guidelines, the Secretary of the Natural Resources Agency shall make a finding that the listed classes of projects referred to in this section do not have a significant effect on the environment." Thus, section 21084(a) instructs the Secretary to exempt from CEQA review only classes of projects that do not have a significant effect on the environment. As these projects were not found to have a significant effect on the environment, the Planning Department determined there would be no significant cumulative impacts.

The project site is not within the proposed interim zoning control district on Corona Heights.¹ The eastern boundary of the proposed interim control district is approximately 800 feet west of the project site.

A mixture of building scales does not constitute an unusual circumstance that could result in a significant effect on the environment under the CEQA Guidelines Section 15300.2.

The Appellant has not submitted any evidence that the Project would result in individual or cumulative impacts under CEQA due to any usual circumstances, let alone unusual circumstances as required by CEQA. The Appellant has not even specified any resource topics of concern; nonetheless, cumulative project effects that are addressed in this appeal response include traffic and noise effects during construction, historic resources, and geological issues.

There are no unusual circumstances regarding the project or the project site that could result in significant transportation impacts. Traffic effects from the proposed project and other construction in the project vicinity would be limited in scope and temporary in duration, and would not be significant. There are no unusual circumstances at the project site that would result in significant impacts from construction activities.

Project construction would result in a temporary or periodic increase in ambient noise levels from project construction. These effects may be considered an annoyance by occupants of nearby properties, particularly in combination with the noise effects of other nearby projects, but they are not in themselves an unusual circumstance. The San Francisco Noise Ordinance (Article 29 of the Police Code) regulates construction-related noise. The Noise Ordinance is required by law and would serve to avoid significant negative impacts of the proposed project on sensitive receptors. Sensitive receptors are people requiring quiet, for sleep or concentration, such as residences, schools, or hospitals. Construction activities other than pile driving typically generate noise levels no greater than 90 dBA (for instance, for excavation) at 50

¹ San Francisco Board of Supervisors File No. 150192, "Interim Zoning Controls – Large Residential Projects in RH-1, RH-2, and RH-3 Zoning Districts." Passed at first reading, March 10, 2015.

feet from the activity, while other activities, such as concrete work, are much less noisy. Given the above-mentioned City noise regulations and the temporary nature of construction work, construction noise would have a less-than-significant effect on the environment.

Because the project site contains no historic resources, no impact is identified that could contribute to a cumulative effect on historic resources.

CONCLUSION

No substantial evidence demonstrating that any unusual circumstances exist that could result in significant impacts to the environment has been presented that would warrant preparation of further environmental review. The Department has found that the proposed project is consistent with the cited exemption. The Appellant has not provided any substantial evidence or expert opinion to refute the conclusions of the Department.

For the reasons stated above and in the May 28, 2014 CEQA Categorical Exemption Determination, the CEQA Determination complies with the requirements of CEQA and the Project is appropriately exempt from environmental review pursuant to the cited exemption. The Department therefore recommends that the Board uphold the CEQA Categorical Exemption Determination and deny the appeal of the CEQA Determination.

Attachment A – February 9, 2015 Appeal Letter from Hector Martinez

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

February 10, 2015

To: John Rahaim
Planning Director

From: ~~AC~~ Angela Calvillo
Clerk of the Board of Supervisors

Subject: Appeal of California Environmental Quality Act (CEQA) Categorical Exemption Determination from Environmental Review - 53 States Street

An appeal of CEQA Categorical Exemption Determination from Environmental Review for 53 States Street was filed with the Office of the Clerk of the Board on February 9, 2015, by Hector Martinez.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Tina Tam, Planning Department
Tina Chang, Planning Department
Jonas Ionin, Planning Department

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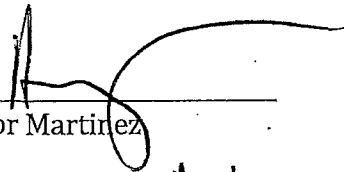
FEB -9 PM 2:55

February 9, 2015

To: Clerk of the Board of Supervisors
#1 Dr. Carlton B. Goodlett Place, Room #244
San Francisco, CA 94102

From: Hector Martinez
51 States Street, Unit A
San Francisco, CA 94114

Please take notice that I wish to appeal the decision of the San Francisco Planning Commission that occurred at the January 8, 2015 hearing regarding 53 States Street. The basis for my appeal, in part, is that that the Planning Commission's CEQA determination failed to consider, among other things, the cumulative and potentially piecemeal impacts of this project with other ongoing projects along States Street and nearby neighborhoods.



Hector Martinez

2/9/15
Date

Hector Martinez@hotmail.com



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0399

HEARING DATE: JANUARY 8, 2015

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

Date: January 12, 2015
Case No.: 2014.0177D / 2014.0178D
Project Address: 53 STATES STREET
Permit Application: 2014.0130.7476
 2014.0130.7472
Zoning: RH-2 (Residential House, Two-Family)
 40-X Height and Bulk District
Block/Lot: 2623/074
Project Sponsor: John Lum, John Lum Architecture
 3246 17th Street
 San Francisco, CA 94110
Staff Contact: Tina Chang – (415) 575-9197
tina.chang@sfgov.org
tina.chang@sfgov.org

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ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2014.0177D / 2014.0178D, AND THE APPROVAL OF BUILDING PERMIT APPLICATIONS 2014.0130.7476 AND 2014.0130.7472 PROPOSING THE DEMOLITION OF AN EXISTING, VACANT, 1,554 SQUARE FOOT SINGLE-FAMILY DWELLING UNIT AND THE NEW CONSTRUCTION OF A THREE-STORY, TWO-UNIT STRUCTURE WITHIN AN RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) AND 40-X HEIGHT AND BULK ZONING DISTRICT.

PREAMBLE

On January 30, 2014, James Barker on behalf of Marvin and Elizabeth Tien (hereinafter "project sponsor") filed Building Permit Application Numbers 2014.0130.7476 and 2014.0130.7472, and associated Mandatory Discretionary Review Cases 2014.0177D and 2014.0178D on January 31, 2014, proposing the demolition of an existing, single-family dwelling and the new construction of a three-story (four level), two-unit building.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption).

On November 20, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Mandatory Discretionary Review Applications 2014.0177D and 2014.0178D on Building Permit Applications 2014.0130.7476 and 2014.0130.7472. After public testimony opposing the project, the Commissioners voted to continue the item to January 8, 2015, allowing time to the Project Sponsor to make several changes to increase the

project's compatibility with the neighborhood, including the removal of the proposed stair penthouse and roof deck, and the reduction in scale and massing of the overall structure.

The following changes were made to the project:

- Removal of car lift for a subterranean garage reducing the gross square footage of the structure by approximately 1,000 square feet, the number of parking spaces from four to two, and the scale of the proposed building from five levels to four
- Removal of the proposed roof deck and stair penthouse
- Additional setback of the fourth level from 13'-9" to approximately 18'-2" from the front building wall on the west side of the building and 26'-11" on the east side of the building
- Reduction in size of the lower unit from 2,357 square feet to 2,125 square feet
- Reduction in size of the upper unit from 2,620 square feet to 2,220 square feet
- Reduction of building's gross square feet from approximately 7,103 to 5,480 square feet

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department Staff and other interested parties.

ACTION

The Commission hereby took Discretionary Review requested in Application No. 2014.0177D/2014.0178D and approved Building Permit Applications 2014.0130.7476 and 2014.0130.7472 as modified.

BASIS FOR RECOMMENDATION:

The reason(s) the Commission took the action described above include:

1. The Commission determined that the proposed units were consistent and compatible with the neighborhood character.
2. The demolition of the existing single family structure was not found to be affordable.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal the decision for this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is approved. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street #304, San Francisco, CA 94103-2481.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.'

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission took Discretionary Review and approved the project as referenced in this action memo on January 8, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Antonini, Fong, Hillis, Moore, and Richards

NAYS:

ABSENT: Commissioner Wu

ADOPTED: January 8, 2015.



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PLANNING DEPARTMENT**

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2014.0177E-529/14**

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
53 States St		2623/074	
Case No.	Permit No.	Plans Dated	
2014.0177E		1/31/14	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 50 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Demolition of a single-family dwelling and new construction of a two-residential-unit building with parking.			

STEP 1: EXEMPTION CLASS

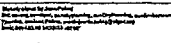
TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.; change of use if principally permitted or with a CU.
<input checked="" type="checkbox"/>	Class 3 – New Construction. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.
<input type="checkbox"/>	Class __

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an air pollution hot spot? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Hot Spots)
<input type="checkbox"/>	Hazardous Materials: Any project site that is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve soil disturbance of any amount or a change of use from industrial to commercial/residential? If yes, should the applicant present documentation of a completed Maher Application that has been submitted to the San Francisco Department of Public Health (DPH), this box does not need to be checked, but such documentation must be appended to this form. In all other circumstances, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment and/or file a Maher Application with DPH. (refer to EP_ArcMap > Maher layer.)

<input type="checkbox"/>	Soil Disturbance/Modification: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required
<input type="checkbox"/>	Serpentine Rock: Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional): Jean Poling 	

**STEP 3: PROPERTY STATUS – HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 50 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 50 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	3. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	4. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	5. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	6. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	8. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	9. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s), including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .

<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input checked="" type="checkbox"/>	9. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HREER dated: _____ (attach HREER) b. Other (specify): <i>per PTR form dated 5/16/2014</i>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional): <i>Grithen A. Helzig 5-28-2014</i>	
Preservation Planner Signature:	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
 TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i> .	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.	
Planner Name:	Signature or Stamp:	
Project Approval Action: Select One <i>CPC Action</i> *If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<i>Grithen A. Helzig</i> 5-28-2014	
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.		



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:	Date of Form Completion: 5/16/2014
---------------------------------	------------------------------------

PROJECT INFORMATION:		
Planner:	Address:	
Gretchen Hilyard	53 States Street	
Block/Lot:	Cross Streets:	
2623/074	Castro Street	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	n/a	2014.0177E

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input checked="" type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	1/31/2014
-----------------------------	-----------

PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Supplemental Information Form prepared by Tim Kelley Consulting (dated November 2013).	
Proposed project: demolition of existing single-family residence and construction of a two-unit residential building with parking.	

PRESERVATION TEAM REVIEW:				
Historic Resource Present:		<input type="radio"/> Yes	<input checked="" type="radio"/> No *	<input type="radio"/> N/A
Individual		Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 - Persons:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Period of Significance:	<input type="text"/>	Period of Significance:	<input type="text"/>	
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor		

Complies with the Secretary's Standards/Art 10/Art 11:	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Needs More Information:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

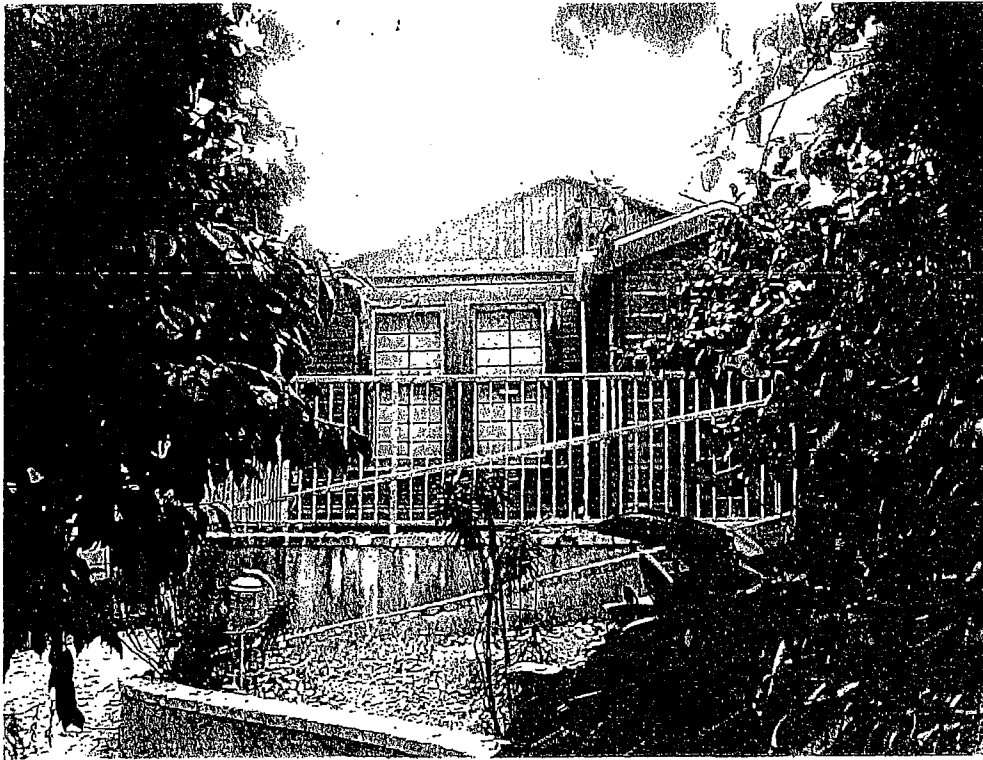
PRESERVATION TEAM COMMENTS:	
<p>According to the Supplemental Information Form for Historic Resource Determination prepared by Tim Kelley Consulting (dated November 2013) and information found in the Planning Department files, the subject property at 53 States Street contains a 1-story-over basement; wood frame single-family residence constructed in 1911 in a Vernacular architectural style. The original architect is unknown. Known alterations to the property include: recladding the front with wood shingles (1956), foundation work (2008, 2009), retaining wall work (2009), and convert existing storage space on lower level to living space, new windows (2009). Unpermitted alterations include: enclosure of the entry porch (unknown date), construction of a rear addition (between 1913 and 1938).</p> <p>No known historic events occurred at the property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject building has been altered from its original appearance and represents a vernacular single-family residence. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.</p> <p>The subject property is not located within the boundaries of any identified historic districts. The subject property is located within the Castro/Upper Market and Corona Heights neighborhood on a block that exhibits a great variety of architectural styles, construction dates, and subsequent alterations that compromise historic integrity. The area surrounding the subject property does not contain a significant concentration of historically or aesthetically unified buildings.</p> <p>Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.</p>	

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
<i>Jmada</i>	5-23-14

PART I HISTORICAL RESOURCE

53 STATES STREET

SAN FRANCISCO, CALIFORNIA



TIM KELLEY CONSULTING, LLC

HISTORICAL RESOURCES

2912 DIAMOND STREET #330

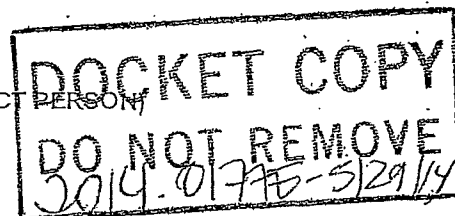
SAN FRANCISCO, CA 94131

415.337-5824

TIM@TIMKELLEYCONSULTING.COM

HISTORICAL LIST
UPDATED 4/2/2014

(DO NOT SEND EIRs UNLESS SPECIFIED BY CONTACT PERSON)



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zelda1927@artdecosociety.org
(Prefer to be notified via email)

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San Francisco, CA 94107

Ellen Joslin Johnck, RPA
101 Lombard Street, 3rd Floor
San Francisco, CA 94103

CATEGORICAL EXEMPTIONS

Case #: 2014.0177E Date: 5.28.2014

"E" Planner's Name: Gretchen Hilyard

~~///~~ FOR HRER LOG:

Historic Resource Present: YES NO
 Individual Resource: YES NO
 Historic District: YES NO
 Contributor Non Contributor

~~///~~ FOR MAILING

Attach to Cat Ex for closure

Copy and send to: Owner

Address: Marvin + Elisabeth Tien
3796 16th St, 94114

Project Contact

Address: Jill Allen
3246 17th St, 94110

Planner/Other: Delvin Washington

Historic Preservation List

Board of Supervisors _____ (if action to be taken by the Board)

~~///~~ Close in Case Editing: Yes No

Other instructions if any: _____



T. Chay TT

Bridge to Bridge

REAL ESTATE
APPRAISERS

454 Las Gallinas Ave., Suite 111, San Rafael, CA 94903 415-640-0916 voice 800-499-1489 fax

January 8, 2015

Marvin Tien
3796 16th Street
San Francisco, CA 94114

RE: Appraisal – Residential Property
53 States Street
San Francisco, CA 94114
APN: Block 2623 Lot 074

Dear Mr. Tien:

In accordance with your recent request and authorization I have inspected and appraised the residential property located at 53 States in the city and county of San Francisco, California. The appraisal was made to provide you with an independent opinion of the market value of the fee simple interest on an as-is basis in the property. My recent exterior inspection was on January 6, 2015 and prior interior/exterior inspection was September 9, 2014. The purpose of the appraisal is to determine current market value only. This appraisal is not for loan purposes.

The report which will follow on January 9, 2015, has been prepared to the standards addressed in the Uniform Standards of Professional Appraisal Practice (USPAP). It describes in summary fashion the area, neighborhood, site, improvements, highest and best use, and my appraisal. It contains pertinent data considered in reaching the valuation conclusions. Please note in particular, the Statement of Limiting Conditions and Assumptions found in the report.

The interior and exterior of the property was inspected and appraised by Paula Saling without significant professional assistance from any other persons. I performed a complete appraisal process and a report as described in USPAP.

Based on my inspection, investigation, and analyses undertaken, I have formed the opinion that as of January 6, 2015, and subject to the definition of value, assumptions, and limiting conditions, and certification herein, the subject property has a fee simple market value in its as-is condition as follows:

ONE MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS


\$1,550,000

Marvin Tien
January 8, 2015
Page 2 of 2

The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated. The above value estimate does not include any personal property, fixtures, or intangibles.

This letter is not intended to provide the data or conclusions. The report, which follows on January 9, 2015, must be read in its entirety to allow the user to fully comprehend the market data I relied on, my value conclusions, assumptions, and limiting conditions.

Respectfully submitted,



Paula Nowicki Saling
State of California

Certified General Real Estate Appraiser #AG016454

