

ZACKS, FREEDMAN & PATTERSON

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August 30, 2021

VIA E-MAIL

President Shamann Walton and Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689

Re: 35 Ventura Avenue
Case No. 2016-013505ENV
California Environmental Quality Act (CEQA) Categorical Exemption Appeal

Dear President Walton and Supervisors:

Our office represents Tom and Kari Rocca, 15-year residents of the California Register-Eligible Forest Hill Historic District. We submit this letter pursuant to Administrative Code Section 31.16(e) to appeal the Categorical Exemption (CatEx) determination for the proposed project at 35 Ventura Avenue (Case No. 2016-013505ENV). The proposed project includes a new vertical addition that will double the massing and destroy the character defining features of a 1938 single-story Mediterranean cottage that was identified as a contributor to the Forest Hill Historic District by the project sponsor's own consultant. Even though the building is listed as a "Category A" historic resource and was identified as a contributor, the Planning Department concluded, without evidence, that the property was not a contributor. As a result, the Department did not adequately evaluate the project impacts on historic resources as required by law. Moreover, the Department's determination that the property is not a contributor is partially based on unpermitted alterations by the project sponsor that should have been reversed and the property restored before the permit was approved.

CEQA guidelines state that a CatEx "shall not be used for a project which *may* cause a substantial adverse change in the significance of a historical resource." (See CEQA Guidelines § 15300.2(f).) A CatEx is not legally adequate in this case because there is a fair argument that the project may cause a substantial adverse change to a historic resource. The Appellants therefore

respectfully request that the Board of Supervisors revoke the CatEx and require further environmental review.

1. There is Substantial Evidence that the Property is a Historic Resource and a Contributor to the Forest Hills Historic District

The dwelling at 35 Ventura was constructed in 1938, which was during the period of significance for the Forest Hill Historic District, and remained largely unchanged until the project sponsor completed several remodeling projects starting in the 1990s. Much of the permitted renovations were interior improvements and additions at the rear of the house that are not visible to the public. The façade alterations that are visible to the public were largely unpermitted, including the application of flagstones to the original stucco chimney, construction of a nonhistorical portico at the front entrance, removal of decorative window grilles, replacement of original windows, and replacement of a wood casement window with French doors. The Historic Resource Evaluation (HRE) for the project explained that although the alterations appeared to make the property individually ineligible for listing in the California Register, the property still is “generally in keeping with the cottage’s original Mediterranean styling and the character of Forest Hill, *meaning that it is still a contributor.*” (Emphasis added.)

The property is also listed as a “Category A” Historic Resource, and Preservation Bulletin 16 states that Category A properties shall be presumed to be a historic resource unless there is a preponderance of evidence demonstrating otherwise. All available evidence, including the property’s location within the core of the California Register-eligible Forest Hill Historic District, the structure’s construction during the District’s period of significance, and the HRE that was completed for the project establish the presumption that the project site is a historic resource. There is no evidence in the record demonstrating otherwise.

The Department, however, reached the opposite conclusion. The Department’s HRE Response (HRER) concluded, without any corroborating evidence, that the project was not individually eligible and not a contributor to the Forest Hill Historic District. The HRER simply states that the project is not individually eligible or a contributor because the property underwent “extensive alterations.” However, the project sponsor’s own historic consultant studied the property and determined that the project is a contributor, even accounting for these past

alterations. There is simply no evidence to support a conclusion that the property is not a historic resource.

Additionally, the façade alterations that actually convey the historicity of the structure and are visible to the public were completed without permits. The HRER recognized that the application of flagstones to the original stucco chimney, construction of a portico at the front entrance, removal of some decorative window grilles, replacement of original windows with wood casement and hung sash windows, and replacement of a primary elevation wood casement window with French doors all occurred without permits. The Department concluded that the project was not individually eligible as a historic structure based on these unpermitted alterations.

These non-historic unpermitted alterations are all easily reversible, and the property restored to its original design, which is typically required by the City when unpermitted work to a historic structure is discovered. The complete opposite approach was taken here. Rather than requiring the unpermitted work to be reversed and the historic elements restored, the Department instead deemed the property non-historic because of these unpermitted alterations. This sets a dangerous precedent of essentially rewarding a project sponsor who completes unpermitted work that destroys the historicity of their property. At a minimum, the Department should have reviewed the cumulative historic impacts of the unpermitted work in addition to the proposed project, rather than simply accepting that the unpermitted alteration had already caused the property to no longer qualify as historic.

In sum, the record is clear that the property is a historic resource as a contributor to the Forest Hill Historic District and may be individually eligible if the unpermitted work were removed and the structure restores. Because the property is a historic resource, the City must ensure that the project will not cause a substantial adverse change in the significance of the resource.

2. The Review of the Project's Impacts to Historic Resources was Not Adequate and Constitutes a Failure to Proceed in the Manner Required by Law

The CEQA guidelines state that a CatEx “shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.” (See CEQA Guidelines § 15300.2(f).) To determine whether a project may have a substantial adverse impact to a historic

resource, an agency must necessarily at least identify and discuss the potential impacts. Courts are clear that the failure to adequately discuss potential impacts is a procedural error and the “omission of required information constitutes a failure to proceed in the manner required by law.” (See *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502.) Procedural failures must be overturned in order to “scrupulously enforce all legislatively mandated CEQA requirements.” (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.)

Here, the Department did not evaluate or discuss the potential impacts of the project to historic resources because the Department failed to even recognize the presence of a historic resource at all. The Preservation Team Review Form noted that the Secretary of the Interior’s Standards for Rehabilitating Historic Buildings were “not applicable” to the project. As a result, the Department did not review, discuss, or evaluate whether the project was consistent with the Secretary of Interior’s Standards. The Department’s complete lack of discussion and evaluation of the historic impacts of the project is simply inadequate, and this omission constitutes a failure to proceed in the manner required by law.

In addition, neither the HRE nor the Department adequately analyzed the surrounding context and impact to the Forst Hill Historic District. While the HRE did provide a cursory discussion of the history of the District, the document failed to analyze the number of remaining historic properties and how this specific project will impact the continuity of the neighborhood and the context of the surrounding properties. The HRER similarly gave little discussion to the impacts to the Forest Hill Historic District, including because the Department failed to even identify the property as a contributor.

The Department failed to discuss or analyze the potential impacts of the project on historic resources, despite substantial evidence that the property is a historic resource and a contributor to the Forest Hill Historic District. The failure to adequately discuss potential impacts constitutes a failure to proceed in the manner required by law, and therefore the CatEx must be revoked.

3. There is a Fair Argument that the Project May Cause a Substantial Adverse Change in the Significance of a Historical Resource

“The foremost principle under CEQA is that the Legislature intended the act to be interpreted in such manner as to afford the fullest possible protection to the environment within

the reasonable scope of the statutory language.” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 390.) With narrow exceptions, CEQA requires an Environmental Impact Report whenever a public agency proposes to approve or to carry out a project that “may have a significant effect on the environment.” (See CEQA Guidelines § 15002(f).) To that end, a CatEx shall not be used if there is a “fair argument” that the proposed project may cause a substantial adverse change in the significance of an historical resource. (See *Valley Advocates v. City of Fresno*, (2008) 160 Cal.App.4th 1039, 1072.)

As discussed above, the HRE found that the existing building is a contributor and is consistent with the character of the Forest Hill Historic District. According to the HRE, the character defining features of 35 Ventura are “its 15-foot setback from Ventura Avenue, *its height*, and a portion of its fenestration pattern on Ventura Avenue.”

Secretary of the Interior Standard 2 states that the “alteration of features, spaces and spatial relationships that characterize the property will be avoided.” In addition, Secretary of the Interior Standard 9 requires that projects “shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property.”

The proposed project would increase the building height by ten feet and increase living space by approximately 80%. The 350 square feet of new covered decks around the vertical addition doubles the massing of the historic cottage. The HRE states that the proposed project “would certainly make *substantial changes* to the dwelling by adding a second floor onto what was originally a one-story-over-basement cottage.” (Emphasis added.) In other words, this project would **completely eliminate** one of the remaining character-defining features of this contributor building: its height. Doubling the building’s mass is wholly inconsistent with Secretary of the Interior Standard 9, which requires a building’s massing, size, and scale to be protected. The HRE also found that “[t]he construction of a vertical addition will *undeniably alter the subject property’s spatial relationships*,” which is inconsistent with the Secretary of the Interior Standard 2, which protects a building’s spatial relationships.

Moreover, the property is located in the heart of the Forest Hill Historic District and was built during the District’s period of significance. The Forest Hill Historic District was designed with a curvilinear street and block arrangement that responds to the hilly topography in order to distinguish it from the typical grid pattern found elsewhere in the City. Development in the

Forest Hill Historic District is deliberately more varied, as most houses were custom designed in a variety of styles and heights. However, certain character-defining features are present throughout the neighborhood. The HRE describes one of the character-defining features of the district as “picturesquely sited single-family homes that rarely exceed two stories in height.”

This project would significantly and adversely impact the California Register-eligible Forest Hill Historic District by constructing a vertical addition that appears larger than a typical two story home due to the unique slope of the site. The project is located at the top of a hill, which already causes the home to appear larger than its listed height. The proposed project would bring the house up to almost 30 feet tall from street level to the top of the roof, already large for a “two-story” home, which appears even larger due to its location on the top of the hill. Not only does the project destroy the character-defining height of this specific structure, but it is out of scale with Forest Hill Historic District’s pattern of “picturesquely sited single-family homes that rarely exceed two stories in height.”

The project sponsor has previously argued that the project is not out of scale with the Forest Hill Historic District because the project will “bring the home to the same height” as many other homes in the area. First, even if this statement were true, the project would still appear out of scale with the neighborhood due its location on the top of a hill. Moreover, one of the character defining features of the Forest Hill Historic District is the varied pattern of building designs and heights, meaning that bringing the existing home into line with other homes would eliminate one of the character-defining features of the neighborhood. The project sponsor admits as much, remarking on the neighborhood’s “undulating levels of homes, which is part of its unique charm and beauty.” This project destroys the varied pattern of development that makes the Forest Hill Historic District special.

The HRE identified the building height as a character defining feature of the structure and explained that the project would cause “substantial changes” to this feature. The HRE also admits the project would “undeniably alter” the property’s spatial relationship, which is a character defining feature of the Forest Hill Historic District. In sum, there is substantial evidence to support a “fair argument” that the proposed project may cause a substantial adverse change in the significance of a historic resource. Therefore, the CatEx must be revoked.

Conclusion

For unknown reasons and without supporting evidence, the existing cottage was not identified as a contributor to the Forest Hill Historic District – despite the HRE identifying it as a contributor. Therefore, the project’s adverse impacts to historic resources were not adequately identified or evaluated, which constitutes a failure to proceed in the manner required by law. The project completely eliminates one of the character-defining features of the property and is inconsistent with the Secretary of the Interior’s Standards for Rehabilitating Historic Buildings, which will cause substantial adverse impacts to the Forest Hill Historic District. There is substantial evidence in the record to support a fair argument that the project may cause a substantial adverse change in the significance of a historical resource, and therefore the CatEx must be revoked.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC



Ryan J. Patterson


August 23, 2021

*Re: 35 Ventura Avenue (Case No. 2016-013505ENV)
Letter of Authorization for Agent*

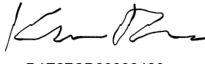
To Whom It May Concern:

We hereby authorize the attorneys of Zacks, Freedman & Patterson, PC to file a California Environmental Quality Act Exemption Determination Appeal to the Board of Supervisors for 35 Ventura Avenue (Case No. 2016-013505ENV) on our behalf.

Very truly yours,

DocuSigned by:

57A9E8FE803A448

Tom Rocca

DocuSigned by:

D4E27CD88998426...

Kari Rocca



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
35 VENTURA AVE		2816008
Case No.		Permit No.
2016-013505ENV		201608054402
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval. 2nd floor addition of 15 feet in height. The proposed property would consist of an approximately 30 ft tall, 3,000 square foot, single family home.</p>		

STEP 1: EXEMPTION CLASS

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Class _____

STEP 2: CEQA IMPACTS
TO BE COMPLETED BY PROJECT PLANNER

<p>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</p>	
<input type="checkbox"/>	<p>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 Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site 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 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i></p>
<input type="checkbox"/>	<p>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?</p>
<input type="checkbox"/>	<p>Archeological Resources: 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)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</p>
<input type="checkbox"/>	<p>Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.</p>
<p>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</p>	
<p>Comments and Planner Signature (optional): Laura Lynch</p>	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input checked="" type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 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"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. 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"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. 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 PROJECT 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 checked="" 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): 35 Ventura is a non-contributor to the California Register-Eligible Forest Hill Historic District. The proposed project is in conformance with the Secretary of the Interior's Standards and would not have a significant impact on the historic district or any off-site historical resources. The proposed design at would be of its own time and is consistent with the size, scale, massing, and materials of the existing
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C a. Per HRER dated (attach HRER) b. Other (specify): Building determined to be a non-contributor in a Historic District as per PTR form signed 11.8.18.
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<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):	
Preservation Planner Signature: Michelle A Taylor	

**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. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Building Permit	Signature: Michelle A Taylor
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	11/08/2018
	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. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
35 VENTURA AVE		2816/008
Case No.	Previous Building Permit No.	New Building Permit No.
2016-013505PRJ	201608054402	
Plans Dated	Previous Approval Action	New Approval Action
	Building Permit	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Date:



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	10/26/2018
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PROJECT INFORMATION:		
Planner:	Address:	
Michelle Taylor	35 Ventura Avenue	
Block/Lot:	Cross Streets:	
2816/008	Linares Avenue and Castenada Avenue	
CEQA Category:	Art. 10/11:	BPA/Case No.:
A	N/A	2016-013505ENV

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:	2/28/2016
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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:	
<p>Historic Resource Evaluation prepared by Ver Planck Historic Preservation Consulting (dated October 1, 2018).</p> <p>Project scope: 2nd floor addition: Add master bedroom & master bathroom, family room, den, 2nd bathroom, & laundry room, add 2 front decks. New construction overlays previous remodel under permit 2003.1203.1546: (add to exist house at rear of the property-deck addition on east side-terrace at front of property.</p>	

PRESERVATION TEAM REVIEW:				
Category:		<input checked="" type="radio"/> A	<input type="radio"/> B	<input type="radio"/> C
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 checked="" type="radio"/> Yes <input 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 checked="" type="radio"/> Yes <input 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:	1912-1939	
		<input type="radio"/> Contributor <input checked="" 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 to the individual historic resource:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
CEQA Material Impairment to the historic district:	<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	

PRESERVATION TEAM COMMENTS:

According to Planning Department records and the Historic Resource Evaluation prepared by Ver Planck Historic Preservation Consulting, 35 Ventura Avenue is a single-family residence in the California Register-eligible Forest Hill Historic District. Constructed in 1938, the building was designed by local architect Edmund H. Denke in the Mediterranean Revival style. The subject property is located on a downward sloping lot and presents as a one-story building at the street and a two-story building at the rear. The building is clad in smooth stucco and features cross-gable red tile roof. The building is located on a large triangular lot with a deep front setback. The front (southwest) portion of the property is dominated by heavy vegetation and a low seat wall with a pedestrian gate. A flagstone walkway at the gate provides access to an entry portico with metal-clad square columns and a red clay-tile hip roof. Fenestration at the primary elevations includes two casement windows in historic openings, one of which retains an original decorative security grille. East of the portico is a French door with sidelights. The east elevation is partially visible from the public right of way and features an original chimney re-clad with flagstones. A long sloping driveway east of the building wraps around to a garage on the rear elevation.

According to the permit history, the subject building has undergone several alterations including installation of three aluminum-frame windows at the rear of the building (1977), interior remodel at basement level (1990), construction of two horizontal additions to accommodate a porch from living room and a porch from bedroom (1990), interior remodel at basement and seismic retrofit (1992-1996), interior remodel of bedroom and bathroom (1994-1996), re-roofing (1998), construction of a horizontal addition on the east elevation and terracing at the front of the property (2004), reconfiguration of existing deck and installation of a skylight (2004), landscaping and extension of existing deck (2005), and installation of wrought iron gates at pedestrian and driveway entrances in addition to legalization of existing side yard fence, front garden walls, and garden/storage shed in rear yard (2008). A visual inspection of the building suggests additional undocumented alterations occurred after 1977 including, application of flagstones to the original stucco chimney, construction of a portico at the front entrance, removal of some decorative window grilles, replacement of original windows with wood casement and hung sash windows, and replacement of a primary elevation wood casement window with French doors.

(continued)

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
Allison K. Vanderslice Digitally signed by Allison K. Vanderslice Date: 2018.11.08 11:47:07 -08'00'	

**35 Ventura Street, San Francisco
Preservation Team Review Form, Comments**

(continued)

The subject building is not eligible for individual listing in the California Register of Historical Resources under Criterion 1 (events), 2 (persons), 3 (architecture), or 4 (information potential). According to the information provided, the subject property is not associated with events found to be sufficiently important to be significant under Criterion 1. No person associated with the building is significant to history and therefore the property does not appear significant under Criterion 2. Architecturally, the building features a modest design that has undergone extensive alterations since construction. Although architect Edmund H. Denke is credited with designing several notable buildings throughout the city, including contributors to the National Register Uptown Tenderloin Historic District, 35 Ventura has undergone significant alterations and therefore the building is not eligible for listing under criterion 3. Based upon a review of information in the Department's records, the subject building is not significant under Criterion 4 since this significance criterion typically applies to rare construction types when involving the built environment. The subject building is not an example of a rare construction type. Assessment of archeological sensitivity is undertaken through the Department's Preliminary Archeological Review process and is outside the scope of this review.

The subject property is located within the boundaries of the Forest Hill California Register-eligible Historic District (see Case No. 2016-004294ENV). Although the building exhibits elements common among buildings within the district, staff finds that the subject property is not a contributor to the eligible district. The eligible district is significant under Criteria 1 (events) and 3 (architecture) as a middle class planned community that exhibits a high level of architectural cohesion, typically expressed with Revival styles. Although, the subject property was constructed in the Mediterranean Revival style in 1938, during the eligible district's proposed Period of Significance of 1912-1939, the building has undergone extensive alterations. It is therefore determined that the subject building lacks the integrity to be considered a contributor California Register-eligible Historic District under Criteria 1 or 3.



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