

From: [Wong, Jocelyn \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Subject: FW: Proposed 799 Castro Street and 3878-3880 21st Street Project - Appeal of Conditional Use Authorization
Date: Friday, April 20, 2018 11:36:26 AM

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

From: Paul Majka [<mailto:home@paulmajka.com>]
Sent: Friday, April 20, 2018 11:32 AM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Cc: Wong, Jocelyn (BOS) <jocelyn.wong@sfgov.org>
Subject: Re: Proposed 799 Castro Street and 3878-3880 21st Street Project - Appeal of Conditional Use Authorization

We will be unable to attend the public hearing on April 24, 2018 for the appeal of the Conditional Use Permit for the proposed single family residence at 799 Castro Street and the additional residential unit at 3878-3880 21st Street, but wish to register our opposition to this appeal, and our support for the project.

We have resided at 3836 21st Street since the early 1980s and have been pleased that our neighborhood has retained its historically tranquil residential character while allowing property owners to improve their buildings and, remarkably, increasing the population density without adverse effects. From what we know of this project, the property owner, his design team and the Planning staff have worked together for years to assure that this project is in keeping with the residential nature and scale of development in the neighborhood, while trying to respect and respond to the reasonable concerns of the neighbors. We were quite surprised to learn that after all issues aired in the Planning Commission Hearing of December 2017 had been addressed to the satisfaction of the Planning Department and the proposed development had been approved, that the neighbors immediately adjacent to the project still objected and were rallying others to support them in appealing the applicant's permit. We cannot concur with the merits of their appeal as we understand them.

We strongly support this project, and we believe that it will contribute improve very positively the quality of our neighborhood.

Sincerely,

Paul Majka and Viviane Gordon

April 2018

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Re: PROPOSED OVER-SIZED CONSTRUCTION PROJECT
799 Castro Street / 3878-3880 21st Street
Hearing Date: April 24, 2018; 3 pm, City Hall Room 400

Dear President Breed and Supervisors:

I am a neighbor of the proposed project at 799 Castro Street. Real estate developers have received initial approval from the Planning Commission for a large new building at 799 Castro Street (also known as 3878-3880 21st Street) that will negatively affect our historic neighborhood and our property values.

799 Castro Street is unusual because it already has two buildings on a single lot: a duplex and a one-story building that historically has been a corner store and a dwelling. These developers want to demolish the one-story building, including the existing rent-controlled housing unit, to build an oversized, luxury single-family home. Once completed, the property will have four units in two buildings – in a zoning district that only allows two units per lot.

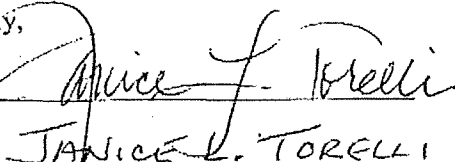
The developers say they are converting the existing commercial use to residential use, which should limit the size of the new building under the Planning Code. In reality they are demolishing the entire mixed-use structure to build an oversized new house. The new house will be large enough that the developers require a variance from the Planning Code.

The Planning Commission recently voted to approve the project on the condition that the Planning Staff re-design the building. This means no one knows what the project will ultimately look like. The Commission has written a blank check for a massive new building that doesn't comport with the law.

We oppose the project's conditional use authorization because it would demolish a rent-controlled unit and enlarge the existing building beyond what the law and common sense allow. Moreover, the conditional use authorization is procedurally defective because it was issued prior to the variance decision. Given the lack of clarity at the Planning Commission, there should be a public hearing to allow our input on the final design. I respectfully urge the Board to overturn this conditional use authorization.

Sincerely,

Name:


JANICE L. TORELLI

Address:

560 HILL ST.
S.F. 94114

April 2018

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1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

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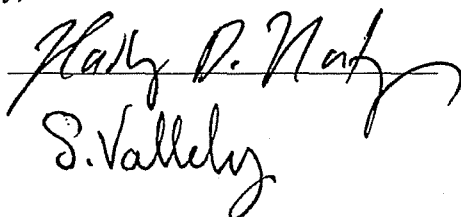
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Sincerely,

Name:


S. Vallely

Address:

563 LIBERTY ST.

563 LIBERTY ST

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Sincerely,



Name:

A. SCHWARZ

Address:

748 CASTRO ST. 94114
ACROSS THE STREET

April 2018

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San Francisco, CA 94102

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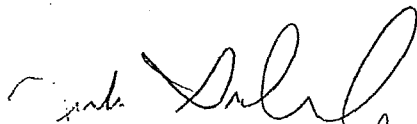
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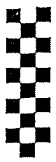
Sincerely,

Name:


Julia Ireland

Address:

846 Castro St
San Francisco CA
94114



April 2018

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Sincerely,

Name:

Martha Proten

Address:

3847 - 21st St
SF CA 94114

April 2018

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Sincerely,



Name:

FLAVIA GONCALVES

Address:

3866 21ST STREET

April 2018

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Sincerely,

Name: DT Hanks

Address: 3936 - 21st St

Douglas T. HANKS

April 2018

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San Francisco, CA 94102

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Sincerely,

Name: Catherine Taylor

Address: 783 Castro St.

1 RYAN J. PATTERSON (SBN 277971)
2 ZACKS, FREEDMAN & PATTERSON, PC
3 235 Montgomery Street, Suite 400
4 San Francisco, CA 94104
5 Tel: (415) 956-8100
6 Fax: (415) 288-9755

7 Attorneys for Andrew Zacks and Denise Leadbetter

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DECLARATION OF THOMAS GILLE

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I, Thomas Gille, declare as follows:

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1. Unless otherwise stated, I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently thereto.

2. I lived at 3812 21st Street, San Francisco, CA from about 1950 until approximately 1971. I am familiar with the nearby property located at 799 Castro Street, San Francisco, CA (block 3603, lot 24).

3. From approximately 1957-1967, Morgan and Bridie Sweeney owned and operated Sweeney's Grocery at 799 Castro Street. As a boy, I worked in Sweeney's Grocery.

4. The Sweeney family, including their daughter Kathleen, lived in the residence at 799 Castro Street, at the back of Sweeney's Grocery, until they purchased a home and shortly thereafter sold the store. I was friends with the family and ate meals with them at the 799 Castro Street residence many times.

5. The residence at 799 Castro Street included a full kitchen (with stove, sink, and refrigerator) and a full bathroom (with bath tub, shower, sink, and toilet).

6. The photographs attached hereto as Exhibit A accurately show the kitchen and bathroom used by the Sweeney family at their residence at 799 Castro Street. (The cabinets shown on the pictures are newer and not original with the Sweeney ownership. As I recall, the cabinets in the kitchen were white metal.) I am informed and believe that these photos were taken at 799 Castro Street on or about January 2016.

ZACKS, FRIEDMAN & PATTERSON, PC
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

1 7. The residence at 799 Castro Street was used by the Sweeney family as a separate
2 and distinct living or sleeping space independent from any other residential units on the same
3 property. It had independent access (You could gain access from the stairs at the back of the
4 store or there was a door on 21st Street.) that did not require entering another residential unit on
5 the property, and there was no open, visual connection to another residential unit on the
6 property.

7 8. I am informed and believe that two other residential units were located at 3878
8 21st Street and 3880 21st Street, San Francisco, CA.

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

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13 Dated: September 27, 2016



Thomas Gillette

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EXHIBIT A

