

Dr. J. N. Miller, PhD
8 Addison Street
San Francisco, CA 94131

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02 May, 2025

VIA HAND DELIVERY

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

RE: Appeal to Board of Supervisors Regarding Tentative Subdivision Map Regarding 2-4 Addison Street; APN: 7542-033

Dear Supervisors,

This letter is a second addendum to the appeal to the Board of Supervisors regarding a Tentative Subdivision Map concerning 2-4 Addison, Street, San Francisco, CA (APN 7542-033) ("Tentative Subdivision Proposal"). Hereafter, 2-4 Addison will be referred to as 4 Addison.

Review of facts:

1. California (CA) passed a law to increase housing and this law dramatically changed the processes of development in San Francisco (SF). I am in favor of more housing and in fact generally in favor of this development at 4 Addison. It is beautiful in design; however, there are some issues which are of concern. Non-lawyer, non-developer, long-time residents of SF such as myself and other neighbors do not have adequate, accurate, publicly available City resources to navigate these development process changes, swiftly. Many City documents guiding the process of review of property development in SF remain online as old and inaccurate with respect to the new CA law. It is wholly unclear, to real estate attorneys as well, what mechanisms are in place for neighbors to raise questions in this new CA law environment. It is not due to ignorance or ill will that these issues are being raised during Temp Map appeal but simply for reasons of: 1) the map provided to me as a neighbor was not signed or developed with back markers and therefore was not represented as valid; 2) The developer is not otherwise providing information on the development or offers of actionable resolution; 3) there are no other avenues to raise issues such as the driveways, building heights and number, and stop sign. I and the neighbors know the driveways and stop sign are not related to the Temp Map appeal but I and we are compelled to raise them in adjacent to the related issue in #1, the Temp Map, to bring them to the attention of the City and developer in a timely manner; and, 4) I and other neighbors were provided insufficient notice of the Temp Map approval by the City. I had 3 days to respond. The letter dated 27 March, 2025 announcing the appeal process was not received by me until 3 business days before the appeal due date. Others didn't respond for this reason.
2. The developer purchased the 4 Addison property under an LLC in 2024 for \$875,000, 17% over asking which was \$750,000. The property was purchased without a contingency for a survey. The title for the property is held by an LLC SENC originally formed as a foreign LLC registered in New Hampshire (NH), which appears not to be in good standing. In February, the LLC was registered for the first time in California. The marketing coordinator of SF OneDesign and licensed attorney, Ms. Simone Marie Katz O'Neill, while not listed as an officer or otherwise obviously associated with the SENC foreign LLC, is presumably reasonably linked to the property through her spouse, Mr. Erevan O'Neill. She initiated concern about an encroachment which was delivered to me in a call and series of texts. Mr. O'Neill is Manager and Principal of the NH LLC SENC at 1032 Round Hill Cir, Napa, CA, 94558, USA. The CA LLC lists the business address in San Francisco. The CA LLC was formed after the property was purchased in December, 2024. Because public documents show the LLC as the owner under direction of Mr. Erevan O'Neill, I refer to 'the developer' referencing Mr. O'Neill and his business in singular for simplicity both above and hereafter. Mr.

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O'Neill has a good reputation as an engineer according to the folks he paid to clear the field next to our property and wall yesterday, 01 May 2025, after the survey was amended the day prior.

3. Upon notice of the encroachment the last week of January, I reached out to the past owners, the past real estate agents, and the owner resident of 25 Everson to ask about awareness of any encroachment. All confirmed that the lot line had no known history of encroachment and had in fact been in the same location since 1965 per the most recent owners before me. I worked swiftly at the beginning of February to pay for several maps from the City which took 1 month to be delivered. I also hired an attorney then and we engaged a licensed surveyor. Land surveyors typically have a 1 month waiting period or longer for new jobs and for this reason- we only received a licensed land surveyor's independent response after submission of the appeal in April. There is what appears to be a likely explanation as to how this line got offset, at one point of the boundary only, during the building of the home in 1965.
4. There has been an equitable easement on the property line between 4 and 8 Addison for 60 years. While our independent surveyor found that there is an encroachment, he also pointed out in early April that a more detailed survey of that property line needed to be performed. The exact numerical area of encroachment has not been provided to date as of 2 May, 2025.
5. To clarify: I never thought or implied that the sewer easement was on 4 Addison. I would ask that fact patterns not be twisted by the developer's responses any further. As a good neighbor, I want to make the developer aware of a giant tree stump, with a diameter of about 6 feet bisecting the fence line, which shows up on no map the developer has presented publicly. That stump sits immediately adjacent to a sewer easement on 8 Addison and I would kindly ask that the developer note that stump and the adjacent sewer in site documents and instructions so as not to risk busting the sewer there (or anywhere). Additionally, pushing the boundary over 26 inches puts at risk our property given ~~the~~ several retaining walls would be disrupted if this was done abruptly. These walls, plural, include a ~10 foot concrete wall with a thick black metal fence and several other smaller concrete walls as well as a porch with thick black metal fence. These walls hold back the steep hillside and keep small dogs and toddlers in the yard. The whole point of speaking about the sewer easement was to let the developer know it was there and that it would not be trivial to move a 10 foot concrete retaining wall and several shorter retaining walls holding up a steep hillside around a giant caldron-sized and shaped sewer manhole. The two retaining walls at 8 Addison are built to support the hill and one is built around a large sewer caldron-shaped manhole which looks like an underground terra cotta space capsule. This sewer structure forms an elbow for the sewer to run down the steep ninety degree hillside. Simply tearing down these retaining walls that have been in place in the same locations for 60 years is not a reasonable solution as recognized by attorneys representing both parties. Both parties recognize an equitable easement exists and we are in negotiation to determine how to outline this boundary.
6. The back monuments/markers for 4 Addison were placed 30 April, 2025. In the letter dated 01 May from the City in regard to the appeal, the City surveyor notes 4 structures being proposed to be built on 4 Addison. This is in fact fewer and therefore different from the architectural drawings submitted as part of the Temp Map approval process and I would like to point out to the Board how confusing this is to neighbors. The structures rendered for the preliminary meeting are beautiful, however, the drawings currently contain many errors including lack of legend completeness, story assignment inaccuracies, and so forth. There are several neighbors who are concerned about the height of the buildings. Even in-tune residents have no clear understanding of the City's process under the new CA law. Additionally, multiple City employees have confessed the same challenges with supporting SF developments under this new law. Given this, I ask for understanding and neighborly communication from the developer and City. I would ask the City to better support City staff and residents in this process of neighborly development review under the new State law. The City staff have been very good and helpful but are being asked to do quite a lot with old systems and without accurate information being provided to SF residents. Thanks to the City staff for working so diligently through these changes.
7. The civil engineer of record for 4 Addison, at the instruction of the developer, instructed his field staff to complete measurements and KCM then provided to the City a stamped survey for the

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Temp Map approval made using only 2 front lot line monuments rather than 4 markers. This was called out by the surveyor that I hired to assess the lot line. Given that a redraw of the lot line may be needed and that an approximately 6 foot diameter tree stump sits at the upper boundary of the property, I was advised that another survey with multiple monuments up the line would best be done. On 30 April, 2025, KCM surveyed the property using newly placed back monuments. However, this revised survey has not been provided for public record. On 01 May, the day after this survey was performed, the City surveyor, perhaps in receipt of the new back marker information, sent her support of the Temp Map to the Board. She pointed out that the survey was stamped as complete that was sent to the City in March, 2025. This stamped survey did not include information from back markers as none had been set then. The copy of the survey I received prior to the Temp Map was not stamped and the developer did not share the Temp Map filing info with their attorney or so it seems because we were not notified of the Temp Map appeal by the developer's attorney, either.

8. The developer acknowledged in reply to the appeal that only front markers were included in the Temp Map survey. Mr. Bekey a licensed well-respected civil engineer of KCM, aged ~94 years out of Tiburon, was not present for the surveys. The upshot is that prior to the appeal, the survey did not use rear markers and therefore could not accurately define the border with 8 Addison with respect to answering my needs which is understanding where the lot line exists.
9. The developer hopefully is in the process of making an actionable offer for resolution of the encroachment of the retaining walls which support a steep hillside and one that bounds a large caldron-shaped manhole junction right at the manhole. I remain open to any reasonably actionable offer and desire swift amicable resolution.
10. Both attorneys agreed that an equitable easement exists.
11. I would very much like to come to an amicable solution as I have enjoyed my neighbors and where I live and would like the property to be developed constructively and safely for current and future residents of Addison Street.
12. My attorney has requested a response from the developer via their attorney for several days which is still pending.
13. Encroachment area could now be accurately calculated as back markers were placed 30 April.
14. The City has generated a document for the Board confirming the Temp Map for 4 Addison after receiving revised information, presumably on 01 May, with the back markers for 4 Addison's lot included. I have no desire to hold up the development after the appeal, if it goes forward, and wish to resolve this without the destruction of the existing wall and fencing for reasons described further below, and still await an actionable offer from the developer.

Lastly, even though not relevant to Temp Map, I will repeat for public record given no other reasonable place to offer it, that our driveway measures on average 10 feet in length and the development proposes no driveways which is not safe for this neighborhood. There is a bus stop at the corner of Bemis and Addison where there is high pedestrian traffic including children. In addition to making the sidewalk safer, 10 foot driveways would protect the future owners and pedestrians.

The neighbors also would request a stop sign on Bemis at Addison heading south.

Sincerely,

Dr. J.N. Miller, PhD
8 Addison Street SF, CA 94131

Cc: Katharine S. Anderson PLS 8499; K. Friedman of 36 Bemis Street SF; J. Lewy of 18 Addison St SF