

REUBEN, JUNIUS & ROSE, LLP

June 2, 2016

President London Breed
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: 313-323 Cumberland Street (3601/043 and 044)
Brief in Opposition to Appeal of Conditional Use Authorization
Planning Department Case No.: 2013.1213CUA
Hearing Date: June 7, 2016
Our File No.: 8920.01**

Dear President Breed and Supervisors:

Our office represents RSAA, LLC, owner of the properties at 313 and 323 Cumberland Street (the “**Property**”). The Property consists of two 25-foot by 114-foot lots, one of which is improved with a one-story over basement single-family residence (323 Cumberland) and the other is a vacant lot (313 Cumberland). The project will result in the demolition of the existing 877-sf structure, merger of the two lots, and construction of a building that will contain one family-sized unit for the personal use of the Property owners and a second, smaller unit (the “**Project**”).

On February 4, 2016, a conditional use authorization was approved for the Project by the Planning Commission for the construction of two units on the combined lot at the RH-1 zoned Property. Although the Project opponents, including Mr. Bruce Bowen who signed the appeal on behalf of the Appellant, pushed for the addition of a second unit to the Project, they now appeal the Planning Commission’s decision to approve that second unit and the Project (“**CU Appeal**”). Despite the limited basis of appeal for the Project that required a conditional use approval only for the purpose of allowing the construction of two units instead of one (i.e. the addition of the second unit), the Appellant raises a number of unrelated issues that should not be considered on the CU Appeal for a fully Code compliant Project.

The Project is compatible with the neighborhood in design, scale and massing, supported by many neighbors including at least five (5) of the immediately adjacent six (6) neighbors, and appropriate and compliant with the applicable Planning Code and other criteria as described more fully below. If, despite this, the Board finds that the Planning Commission improperly granted the conditional use authorization, it should exercise its jurisdiction and address that limited decision by approving the Project and requiring the removal of the second dwelling unit.

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A. Project Description

The proposed merger of the existing lots will result in an approximately 5,700-sf, 50-foot by 114-foot lot. The Project proposes to demolish the existing structure and construct a new building with approx. 7,100 sf of residential uses, within an almost 33-foot tall three-story over basement building that will include two (2) units. The two (2) new units will include an approximately 5,550-sf family-sized unit for the project sponsor's family, a second approximately 1,550-sf unit, and an approximately 900-sf garage.

The Project includes a second unit as requested by the Appellant. The existing Property contains only one (1) unit. However, due to the proposed merger of the lot with the adjacent vacant lot, the Project was revised to include two (2) units thereby avoiding any potential loss or elimination of a dwelling unit on the vacant portion of the Property. The Planning Code does not impose a minimum unit count or a minimum density for any property or for the merger of two or more parcels. The change and the addition of the second unit was made in response to the Planning Department's request, and in order to address the objections, including those by Mr. Bowen, during the planning process about "loss of affordability and the loss of an in-fill housing opportunity site." Despite that, Appellant challenges the approval of the second dwelling unit.

One building with two units is preferred by the Property's neighbors. Construction of a single building on the merged Property is preferred by several neighbors and will result in a smaller building than would likely be constructed if the existing two (2) parcels were constructed with two (2) separate structures without a merger. The benefits of the Project as compared to constructing two (2) buildings on two (2) separate lots include the following:

- A 2-unit/2-lot project would not require any side yard setbacks, as compared to the Project, which is required to provide a 3-foot side setback on one side due to the width of the merged property. Exceeding the side yard setback requirements, the Project proposes significantly larger setbacks along with eastern property boundary starting with a 3-foot setback at the front and increasing to over 13 feet towards the back of the Property, none of which are realistic for a project either of the current 25-foot wide lots alone;
- By constructing a single building on two lots, the Project does not need to, and does not, utilize the maximum height or building envelope permitted by the zoning. The proposed Project also provides for a larger front setback than is required by the Code, which was incorporated pursuant to the adjacent neighbor's request (Mr. Lynch at 327 Cumberland), and in order to minimize to the Project's overall size and massing and the appearance thereof. A 2-unit/2-building/2-lot project would quite likely result in Code compliant buildings that would be larger than the single building proposed by the Project; and
- A 2-unit/2-lot project would result in two (2) curb cuts along the 50 foot street frontage for the required vehicular access. In contrast, the Project proposed only one (1) ten-foot wide curb cut, thereby increasing the amount of available street parking for the neighborhood and decreasing conflicts between pedestrians and vehicles.

B. CU Appeal by the Appellant

The Appellant asserts that the CU Appeal is necessary to correct policy errors made by the Planning Commission and to avoid establishment of a precedent or creation of a new housing policy by the Project. Contrary to the Appellant's arguments, this Project and this CU Appeal do not create any new housing policies for the City. The CU Appeal is about the Project at the Property, and cannot be extended to anything else beyond that. New housing policies can, and do, get created, but not in the context of individual projects or appeals.

The Appellant argues that by allowing the Project and the proposed merger, the City would thereafter be inundated with projects proposing mergers of individual lots followed by demolition of existing housing units and construction of large single-family residences. The Appellant suggests that the approval of the Project would create a policy in favor of such proposals with Citywide impacts. The notion that any single project, such as this Project, would create a Citywide housing policy or establish an irreversible, or for that matter, any kind, of a policy is simply absurd. First and foremost, the Project involves a unique set of circumstances that are highly unlikely to exist anywhere else, thus making it improbable that another project similar to the Project would even be proposed. The Property consists of a vacant lot that was sold concurrently and together with the adjacent lot. There simply are not many, if any, similar situations where an existing single-family lot would be immediately adjacent to a vacant lot under common ownership, and subject to concurrent sale, which was the case when the project sponsor purchased the Property over three (3) years ago. It is also impossible for one to create such a situation by first demolishing an existing building in order to create a vacant property next to an improved lot since Section 317 of the Planning code requires a replacement structure to be approved prior to the approval of a demolition of an existing structure. In sum, the circumstance involving the Project (i.e. the merger of a vacant lot with an adjacent improved lot) is rare, and thus it is simply inaccurate to believe that the Project would or could result in any precedent.

Contrary to the Project, a proposal to merge two adjacent properties, neither of which is vacant, and both of which are improved with an existing unit, would involve an entirely different set of requirements and regulations. Specifically, Section 317 of the Planning Code regulates the loss of residential units as a result of a merger of two or more units, demolition and/or conversion. If a project were to propose a merger of two (2) lots containing two (2) units, which is not the case here, such project would require a conditional use authorization by the Planning Commission, subject to specific findings per Section 317 of the Planning Code relative to the type and size of the existing units vs. the proposed unit (or units). Simply stated, the Planning Code already governs such project proposals and this CU Appeal and/or Project will have no impact on such projects, and certainly will not create any new policies in that regard.

To the extent that any existing regulations and zoning controls are deemed not to be adequate, the Planning Code provides for processes for the amendment of the Planning Code that can be utilized to change existing zoning controls. The Board of Supervisors has the ultimate authority to approve such policies and universal amendments that impact how and where housing

or any other development can be built. The Project complies with all existing policies, zoning requirements and development standards and limitations. To the extent that the Appellant is not satisfied with the existing controls, the remedy is to pursue amendment of such controls however, any such “amendment” or creation of a new policy is not done in the context of an individual project or appeal, such as this Project or this CU Appeal.

The Appellant's arguments for the CU Appeal are in many ways circular. On one hand, the Appellant argues for the preservation of the existing two lots 'as is' and for the construction of two separate buildings, which realistically would result in larger overall massing and would effectively ignore the extensive revisions that have been made to the Project over a period of more than two (2) years in cooperation with the immediate neighbors in order to ensure that those neighbors who could be most impacted by the Project are supportive. At the same time, the Appellant argues for the reduction in the Project's currently proposed massing and scale claiming that the neighbors' have not been heard and that the proposed approx. 1,550-sf second unit is inadequate and contrary to the City's housing policies in a neighborhood, which the Appellant describes as predominantly a "street of 2,000 sf homes."

A summary of the Appellant's key arguments is included and analyzed below:

	Appellant's Argument	Project Sponsor's Response
0	The Project sets a "dangerous precedent" affecting all RH-1 and RH-2 neighborhoods in the City, creating a "new housing policy"	<u>Not true.</u> The CU Appeal and the Planning Commission decision affect the Project at the Property and do not create any new housing policies. Housing policies are created by new legislation and/or by the amendment of existing zoning controls, and <u>not</u> by decisions on individual projects. See Part B above for more detailed response.
1	The proposed "lot merger removes the potential of two normal single-family homes from the site," which is contrary to City's policies regarding preservation and promotion of housing.	<u>No.</u> The Project will result in two (2) units in place of an existing one (1) dilapidated unit, and the construction of a second unit which is approx. 1,550 sf in size. The Project is consistent with City's housing policies by creating one larger unit appropriate for family housing and a second, relatively more affordable, yet appropriately sized 2-bedroom unit.
2	The second unit is a "sham" unit, deprived of natural light, failing to comply by housing policies, General Plan and Section 317 criteria.	<u>Not true.</u> With 2 bedrooms, approx. 1,550 sf, a separate entrance, extensive light wells and windows, separate entrance to the parking garage and other features, the second unit is a true unit that complies with all applicable Planning Code requirements as well as the housing policies. The Appellant is accurate in that the second unit is smaller than the main unit, however, there is nothing negative about creating a smaller, relatively more affordable second unit.

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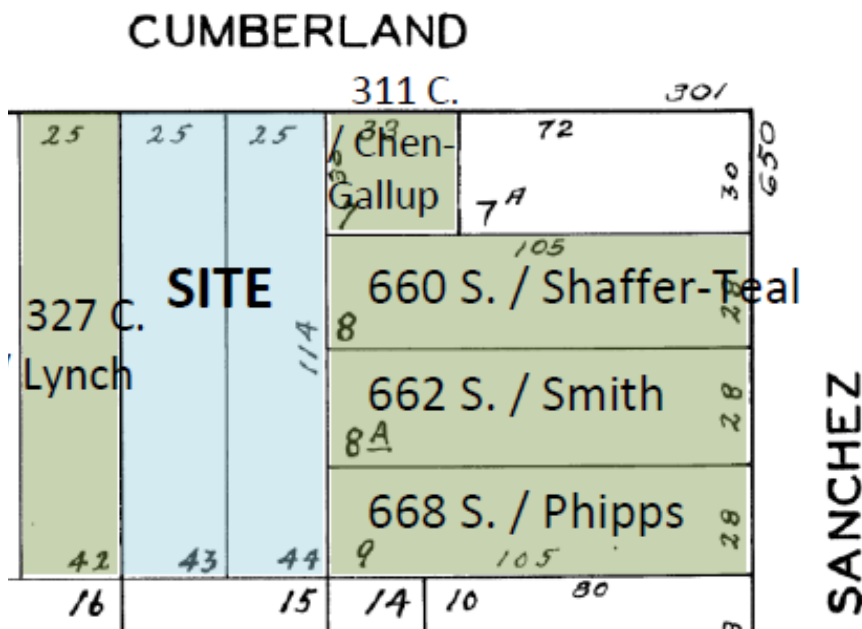
	Appellant's Argument	Project Sponsor's Response
3	Project does not meet the conditional use requirements.	<u>Incorrect.</u> The Project has been extensively evaluated by the City's Planning Department staff who regularly review and analyze projects and their compliance, who recommended approval of the Project, and furthermore was approved by the Planning Commission, in its Motion No. 19604, which included detailed findings regarding the Project's compliance with the CU criteria. Please see Part D below for a more detailed analysis of the Project's compliance with the CU criteria.
4	Demolition of the existing house at the Property removes "relatively affordable housing" and is contrary to a host of requirements, policies and criteria.	<u>Incorrect.</u> Valued at approx. \$1.68 million, the existing approx. 980-sf house is not affordable by any standard or definition. In fact, based on the City's criteria, the value of the existing house is above the 80% average price of single-family residences in the City, thus characterizing the existing housing as "not affordable or financially accessible housing." Notwithstanding the value of the existing house, the Project is creating a second unit that is smaller at approx. 1,550 sf, thus arguably creating relatively more affordable housing than two equally sized units at the Property would provide.
5	The Project is out of scale and out of character, being both taller and wider than others, failing to conform with Residential Design Guidelines, CU findings, General Plan and the SUD controls.	<u>Not true.</u> The neighborhood is varied in lot size, character and overall design. There are many other double-wide lots on the subject block and beyond, including Mr. Bowen's own lot (which is occupied by a 3,436 sf home), the lot to the rear of the Property and the one directly across the street from the Property, see Part D below for more details. There are also many other "large" or "larger" homes nearby, as noted in a sample listing in <u>Exhibit C</u> , as well as other larger lots within the project proximity, as noted in the map attached to <u>Exhibit D</u> . As determined by the Planning Department, including the Residential Design Team, and the Planning Commission, the Project complies with all applicable requirements and design guidelines. In fact, the Project does <u>not</u> maximize the height or building envelope that would be permitted by the Planning Code, but instead provides more generous front and side setbacks and other features exceeding the minimum Code requirements.
6	The Project's entitlement process was suspect and subject to political interference and inadequate due diligence by Planning.	<u>Not true.</u> The Project was initiated over two (2) years ago, and been extensively reviewed by the Planning Department, including various teams therein, such as the Residential Design Team, and all required notices and processes have been followed as required.
7	Neighborhood opposition to the Project was "not given sufficient weight in the decision-making process."	<u>Incorrect.</u> Project opponents were given the opportunity to present their position both in writing and verbally, which they fully utilized, and there were no deviations from standard procedures with respect to neighbors' ability to voice their opinions. Just because the Appellant does not like the decision by the Planning Commission does not mean that the decision-makers did not hear or take into consideration their testimony.

C. The Project Has Extensive Neighborhood Support

The Project has been carefully designed to be compliant with all Planning Code requirements and, equally importantly, the Project's massing and design has been revised multiple times in order to ensure compatibility with the existing neighborhood and to address requests by immediate neighbors. The Appellant is asking the Board to ignore a lengthy cooperative process with the Project's immediate neighbors, which resulted in numerous revisions to the Project for the benefit of existing neighbors.

The Project sponsor worked very closely with neighbors, holding three (3) separate neighborhood meetings and many individual meetings with different neighbors, in addition to being available and responsive to many more emails and phone calls. A timeline with some of the key meetings, events and Project revisions is included in Exhibit A. The original Project was larger and quite different from the Project that is before the Board now. The current Project is the product of collaboration with the neighbors and the Project sponsor's willingness and interest in creating a project that the neighbors can and will support. As a result, at the Planning Commission the Project sponsor submitted support letters from twelve (12) neighbors along with a petition with a total of 64 signatures, of which 55 were additional signatures in support of the Project. See Exhibit B for the inclusion of the support letters and petition signatures.

The owners have worked particularly closely with the neighbors who share common property boundaries with the Property. The support from the immediate neighbors is shown in green color in the block map below. It is quite common for immediate neighbors to oppose a project. The support of five surrounding neighbors shows that the Project actually benefits the neighborhood.



D. The CU, and Project as a Whole, Was Properly Granted

The Project was granted a conditional use authorization in order to allow two (2) units at the Property consistent with Section 209.1 of the Planning Code. The Project as originally proposed included only one (1) unit. However, the Project was revised to include two (2) units in order to account for the potential (albeit not actual) loss of a unit that could result if a second unit were constructed on the currently vacant portion of the Property in the absence of the proposed lot merger.

The Project is necessary and desirable, adding two well-designed units, including a relatively affordable unit. The Project will create a high-quality residential building with two (2) units within an established residential neighborhood, complying with existing zoning controls and General Plan policies that encourage provision of quality housing. The Project includes one family-sized unit, replacing a vacant and debilitated building, and a second, smaller and relatively more affordable unit (also consistent with requests made by the Appellant).

There is no violation of an existing lot pattern. The Project will result in two (2) dwelling units on a 5,700-sf, 50-foot by 114-foot lot, which is compatible with the density in the neighborhood. There are several other lots that are similarly sized, including three lots across from the Property on Cumberland (Block 3601, Lots 45, 102 and 103), two lots adjacent to the Property fronting 20th Street (Block 3601, lots 15 and 16), and other lots nearby on the same block of Cumberland (Block 3601, lots 50, 38). Therefore, the existing pattern provides for a mix of lot widths and sizes with which the Project is consistent. More importantly, the Project has been carefully designed to be compatible with the existing context (e.g. via use of setbacks and materials) and consistent with the pedestrian scale and residential character of the neighborhood.

The Project is consistent with neighborhood character. The existing neighborhood lacks "defined visual character" that is recognized in the Residential Design Guidelines ("RDG") due to the mix of both modern and historic/older homes, including a varied mix of building materials, as is illustrated in the block photo montage below. For example, with respect to the roofline, there are a variety of different types of rooflines, including horizontal rooflines like that proposed by the Project.



Source: Google Streetview, not in scale

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The Project incorporates a sizeable front setback at the ground level, consistent with the front setbacks for the adjacent buildings, and provides an appropriate transition between the street and the building, with a more than 10-foot front setback for primary building façade/wall. An additional front setback is provided at the third story of the building, which is set back approximately 15 feet from the front property line. The Property is located in the 40-X height and bulk district, yet the proposed total building height is only approximately 33 feet. Last but not least, the primary rear yard mass is significantly offset from the eastern property line, protecting mid-block open space for the keylot properties on Sanchez Street.

It is also important to note that, contrary to the Appellant's (incorrect) assumption, the merger of the two (2) lots and the construction of one building is more compatible and sensitive than the construction of two (2) separate homes on two (2) separate lots. With a single lot, the Project is able to provide the significant side yard setback noted above and eliminate one of the existing curb cuts, thereby increasing the availability of on-street parking in the neighborhood. Appellant's belief that a two-building scenario would provide the neighboring houses similar access to light, air and open area is simply not true - it is not feasible to assume that a building on a 25-foot wide lot would provide side setbacks up to approx. 13 feet in width when none are required by the Code.

The Project creates added housing, not a loss of housing. Appellant argues that denial of the Project would result in “modest development of each lot with a stand-alone single family home of a size and scale consistent with the neighborhood.” However, the likely outcome of denial of the Project would be two homes with a cumulatively greater impact on the surrounding properties, which is precisely why the Project has the support of the surround neighbors (Appellant lives on another block). The Project as proposed provides two dwelling units while being responsive to the scale of the neighborhood and the concerns of surrounding neighbors, and should be upheld as supported by the Planning Department and approved by the Planning Commission.

E. If the Board Finds that the CU was Improperly Granted, the Appropriate Relief is to Eliminate the Second Dwelling Unit

The only decision made by the Planning Commission and ripe for appeal is conditional use approval of a second dwelling unit. The remainder of the Project is Code-compliant. Appellant argues that: “the project failed to meet the City’s conditional use requirement to find that the proposed project is necessary or desirable for, and compatible with, the neighborhood or the community.” However, it is not the residential use that must be found to be desirable and compatible, but the construction of two dwelling units. In setting the zoning regulations for the RH-1 District, the City has already decided what uses and building envelopes are appropriate, and this Project meets these requirements. On the other hand, if the Board finds that the second unit is not desirable and compatible, the appropriate relief is to remove that unit, leaving a completely Code-compliant Project.

F. Conclusion

The Project creates two dwelling units within a building envelope and design that is sensitive to the neighbors and compatible with the existing neighborhood, without the need for modifications from Planning Code requirements other than for addition of the second unit. Therefore, the CU Appeal should be denied. If the CU Appeal is granted, it should be limited to the question of whether the second unit was properly approved, and the Project should be upheld with the second dwelling unit removed. Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Tuija I. Catalano

Enclosures:

Exhibit A – General Timeline for project

Exhibit B – Support letters and Petition

Exh. B1 - Richard Lynch at 327 Cumberland (Block 3601, Lot 42)

Exh. B2 - Allen Chen-Cecily Gallup at 311 Cumberland (Block 3601, Lot 7)

Exh. B3 - Annabel Teal-Justin Shaffer at 660 Sanchez (Block 3601, Lot 8)

Exh. B4 - Ken Smith at 662 Sanchez (Block 3601, Lot 8A)

Exh. B5 - Bill Phipps at 668 Sanchez (Block 3601, Lot 9)

Exh. B6 - Michael Jahr-Wei Wang at 339 Cumberland (Block 3601, Lot 40)

Exh. B7 - Viskin Vadakan-Patrick Amihood at 352 Cumberland (Block 3601, Lot 51)

Exh. B8 - Sarah and Lee Clancy at 369 Cumberland (Block 3601, Lot 34)

Exh. B9 - Nina Khosla at 391-393 Cumbeland (Block 3601, Lots 30 and 31)

Exh. B10 - John Bokelman at 655 Sanchez (Block 3600, Lot 29)

Exh. B11 - Paul and Myle Saab at 677 Sanchez (Blok 3600, Lot 28)

Exh. B12 - Jessica Lessin at 41 Cumberland (Block 3598, Lot 40)

Exh. B13 – Petition in support of the Project, with 55 unique signatures beyond those supporters who provided a letter

Exhibit C - Listing and map of nearby "larger" homes

Exhibit D – Map of nearby larger lots

President Breed and Supervisors

June 2, 2016

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cc: Supervisor Eric Mar
Supervisor Mark Farrell
Supervisor Aaron Peskin
Supervisor Katy Tang
Supervisor Jane Kim
Supervisor Norman Yee
Supervisor Scott Weiner
Supervisor David Campos
Supervisor Malia Cohen
Supervisor John Avalos
John Carroll, Board of Supervisors Clerk's Office
John Rahaim, Planning Director
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(HISTORICAL SUMMARY OF KEY NEIGHBORHOOD MEETINGS AND PROJECT REVISIONS)**313-323 CUMBERLAND STREET**

- 3/24/14 Pre-application Meeting 1
- 4/25/14 Met with adjacent neighbors (Alan and Cecily – 311 Cumberland, Richard – 327 Cumberland) - heard concerns
- 5/2/14 Met with adjacent neighbors (Alan and Cecily, Richard) - presented proposed revision
- 6/19/14 Submitted initial scheme to Planning Department (reflecting neighbor modifications)
- Revisions included:*
 - increased entire front/street setback by 3' (removing 107 sf) to address eastern neighbor concerns about light/air/view
 - increased west setback by 5' (removing 64 sf) at level 2 to address western neighbor concerns about light/air/view
- 8/27/14 Received Comments from Planning (Notice of Planning Department Requirements #1)
- 9/24/14 Categorical Exemption from CEQA signed and completed
- 10/16/14 Revised project is taken before the RDT and found to have addressed the Department's concerns
- 10/27/14 Met with Ken Smith (662 Sanchez) and discussed fencing and property line issues
- 11/7/14 Submitted revision 1 to Planning Department
- Revisions included:*
 - removed 5' x 3' - 10" from NW corner of level 1 (removing 19 sf) to address Planning Department request
- 12/1/14 R and A request that we revisit the design to find a more cohesive design solution
- 2/3/15 ZA issues approval of demo permit
- 2/4/15 Redesigned scheme informally presented to Planner for review
- 2/6/15 Met with adjacent neighbors (Alan and Cecily, Richard) - presented proposed revision
- 2/25/15 Redesigned scheme is taken before the RDT - slight modifications requested
- 3/9/15 Modified scheme is taken before the RDT and found to have addressed the Department's concerns

(HISTORICAL SUMMARY OF KEY NEIGHBORHOOD MEETINGS AND PROJECT REVISIONS)

- 3/13/15 Submitted revision 2 to Planning Department
- Revisions included:*
- increased front/street setback by 2'-8" of level 1 (removing 82 sf) to benefit both east and west neighbors
 - increased setback at NE corner by 3'-4" of level 2 (removing 34 sf) to benefit east neighbor
 - increased front/street setback of level 3 by 4'-1" (removing 146 sf) to reduce concerns about street presence and massing
 - lowered west volume at first floor by 2'-6" to benefit west neighbor
- 4/5/15 Letter sent to neighbors to present the revised proposal
- 4/21/15 Pre-application meeting 2
- 4/27/15 John/Ruchi met with Richard to discuss his concerns
- 5/25/15 Aditya/Ruchi met with Richard over dinner
- 5/28/15 Invite sent to neighbors to meet with Frank Rollo to answer their geo tech questions
- 6/8/15 DRs filed by Rhett Currier and Bruce Bowen
- 8/19/15 Met with Rhett, Junona, Bruce to see if we could reach a compromise
- 8/3/15 Jim/Aditya met with Rob Levy
- 9/10/15 Met with Rob Levy to show him plans and see if he could broker compromise
- 9/10/15 RDT meets to review project again following DR request
- 10/1/15 Met with Erika Jackson and David Winslow of SF Planning to review new post-DR RDT comments
- 11/13/15 Requested RDT revisions submitted to Planning
- Revisions included:*
- eliminated western first floor volume to benefit western neighbor
 - eliminated western window on front facade at both first and second floor, reducing glazing at front facade by 20%
 - eliminated solid wall at eastern side of entry porch
- 12/XX/15 Planning requests addition of second unit
- 12/10/15 Revised plans submitted including second studio unit
- Revisions included:*
- reconfigured interior to add a 680 sf second unit at ground level
- 3/7/16 Met with Comm. Antonini who requested a larger family-sized second unit

(HISTORICAL SUMMARY OF KEY NEIGHBORHOOD MEETINGS AND PROJECT REVISIONS)

3/9/16 Met with Comm. Richards who requested a larger family-sized second unit

3/18/16 Revised plans submitted including enlarged second studio unit

Revisions included:

- reconfigured interior to increase the size of the second unit to a 1546 sf 2 bedroom/2 bath unit

3/31/16 CU Hearing

4/13/16 Revised plans per DR hearing comments and requests submitted

Revisions included:

- light-well increased in size and stepped planters to yard introduced to increase light into lower unit

5/31/16 Revised plans per DR hearing comments and requests submitted

Revisions included:

- light-well increased further in size and increased south facing glazing introduced to increase light into lower unit

December 12th, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Erica Jackson,

My wife and I are the owners of the residential property at 327 Cumberland Street which is directly adjacent (to the west) of the above mentioned project.

The owners have met with me on a number of occasions to walk me through their proposed plans and have incorporated various changes that I have asked for. Some particular changes that have been important to me are:

- Maintaining light and views from my deck
- Having a large front setback on their project
- The setback (on the West) between our properties

The owners Aditya and Ruchi and their architect John have been very accommodating and I am very appreciative of their thoughtfulness towards addressing my concerns.

My wife has been very ill and we appreciate the owners' sensitivity to our needs. With the new changes she can continue to enjoy the views and sunshine from our deck.

Ruchi and Aditya have also promised to construct the building with minimum disruption to accommodate my wife's needs. We are very fond of them and urge planning to approve their project.

Very Truly Yours,



Name: Richard Lynch
Address: 327 Cumberland Street, San Francisco

Date: 12/14, 2015

Planning Commission and Department
% Erica Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Jackson,

We are the owners of 311 Cumberland Street, which is directly adjacent to the east of 313- 323 Cumberland Street. We had previously written a letter of support to Michael Smith who we understand is no longer at the planning commission.

Ruchi and Aditya have met with us several times over the last year in addition to organizing several neighborhood meetings. Early on, they even visited our house with their architect so they could more deeply see and understand our concerns with respect to views, privacy and light from our deck. Their designs have evolved over time and we believe they've satisfactorily addressed our concerns. They even organized a meeting with the geo-tech surveyors so they could answer all neighbors' concerns about excavations.

We appreciate the additional setback on the east and the front which has both resulted in good separation between our properties and protected our light, privacy and views from our deck.

We believe the construction of one residence across the two lots is better than two separate buildings. Two buildings would inevitably result in a larger footprint than the current design. With a single house, they've also managed to include a 3 feet setback on the western side which would not be required in a two-lot, two-building scenario.

We would like to express our support for the project and we hope the planning department approves the project as proposed by Ruchi and Aditya. We look forward to having them as neighbors.

Thank you for taking the time to read this letter.
Sincerely,

Allen Chen

Cecily Gallup

Address: 311 Cumberland St
SF, CA 94114

12.4.15

Dear Members of the Planning Commission,

I'm writing in support of Ruchi Sanghvi and Aditya Agarwal's proposed project at 313-323 Cumberland Street.

My husband and I live at 660 Sanchez, which is around the corner, but is adjacent to the east of the proposed site via our backyard. I've attached a photo from our kitchen to show you. As you can see, the view from our kitchen (and family room) is a lovely one, and it happens to look right at the spot where Ruchi and Aditya would like to build their house. As you can imagine, we have some very strong feelings regarding their proposal and hope you will take some of them into consideration when making your decision.

They happen to be our friends (though we ~~didn't~~ didn't realize our properties touched when we bought our house), and we're of course excited by the prospect of living next to them, but more than that, we really do support what they're trying to do, and would support the plan even if we didn't know them.

Here's why: out of all of the neighbors, we're pretty sure we are the most impacted by what happens on the two lots they wish to combine and build on. We completely appreciate that whatever gets built on the empty lot is going to feel jarring for the people who live across the street simply because there's never been anything there before. It's an overgrown green space, but it likely won't stay that way no matter what happens. If the two

lots get built on separately, what they'll be looking at has the potential to be a lot bigger than what Ruchi and Aditya are proposing because those individual lots will likely be built to the max.

And here's where we really get scared. If two individual homes get built, that house that will potentially sit on the empty lot can come right up to our back fence, and we'll have a huge wall looming over us the same way we do on the north side of our yard. If that happens we'll be totally boxed in on two sides, and could even lose a good dose of privacy if that house has ~~four~~ five windows along the property line. Ruchi and Aditya are proposing to have more than a thirteen-foot setback from our shared fence, which is amazing. We'll still see their house, of course, but it won't be right against the fence. This is beyond huge for us.

For myself, I'm a writer and a filmmaker, and the work I do is mainly from home. So nearly every day, every time I go into the kitchen or family room (where I work from) I'll be looking at whatever is built on their empty lot. I've seen enough spec houses thrown up in this city to know that one of those would be a travesty. What Ruchi and Aditya are proposing is beautiful, with natural materials, and again, not right up against our fence. I can't stress enough how much this means to us, and to me in particular.

On a slightly separate note, we do completely appreciate that some of our

neighbors don't want their neighborhood to change even a little bit, but we think that preserving the character of a place is about so much more than keeping old houses intact (though that can be important too, at times, depending on the house). Here's where we think it's even more of a shame that a couple of neighbors are opposing their plans. You would be hard-pressed to find better people than Ruclii and Aditya. They're the kind who bring character to a place, not take it away. They care deeply about their friends, about their city, and about making the world a better place. There's a gate between our lots right now and we plan to keep it there because when we all have kids we want them to be free to zip back and forth. To us that's as good as it gets.

Cities are living, breathing things which change and grow. We have so much respect for preserving the past, but also believe that each generation should be allowed to make its mark in a thoughtful way. So many things are crafted without much care, but Ruclii and Aditya are trying to build something very thoughtful that feels fresh and beautiful in a neighborhood that already has a wide array of homes. For us, we couldn't imagine a better fit for the lots next door, and we truly hope you'll approve their plans.

Sincerely,

Annabel Teal and
Justin Shaffer



Date: December 8, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Jackson:

I'm writing to indicate my support for Ruchi and Aditya's plans for the construction of a single family home at 313-323 Cumberland Street.

My property at 662 Sanchez Street is directly adjacent to the east of Ruchi and Aditya's property. I have met with Ruchi, Aditya and their architect to review the plans for the proposed project. I appreciate that they were sensitive to the four neighbors bordering their property on the east and selected a design with a 14-foot set back from that property line, resulting in a house with a smaller footprint. They've been iterating on the project in response to feedback for the last two years, and I also appreciate the design improvements with regards to the facade. I have no objection to these plans and support the project's application.

Sincerely,



Ken Smith
662 Sanchez Street
San Francisco

December 14th, 2015

EXHIBIT B5

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

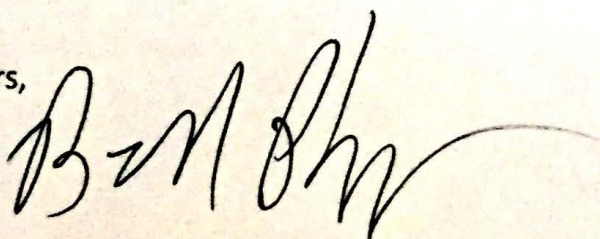
Dear Ms. Erica Jackson,

We are residents at the residential property at 668 Cumberland Street which is directly adjacent (to east) of the above mentioned project.

We have the plans for the proposed project and very much appreciate their willingness to adjust those plans to accommodate additional set-backs and other design changes. We believe the proposed design is elegant and beautiful and will enhance our neighborhood.

I would officially like to state that I support their project.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Bill Phipps". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Name: Bill Phipps

Address: 668 Sanchez St, San Francisco, CA 94114

Michael Jahr
339 Cumberland St, SF, CA 94114

Date: December 3, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

Dear Ms. Jackson,

We are the owners of 339 Cumberland Street, a few doors down from the proposed construction of the single-family residence at 313-323 Cumberland. We are strongly in favor of allowing the project to proceed without any further delay.

Ruchi and Aditya have organized multiple meetings with the neighborhood, and we've seen their plans for the new construction of a 3-story over basement dwelling. We think the project is a positive addition to the neighborhood and the house above ground fits in quite nicely with the rest of the neighborhood. The project is well designed without being too intrusive or overwhelming. We very much appreciate the single construction across the two lots versus two buildings on two lots, which would result in a larger footprint.

We would like to express our strong support for the project and to urge the Planning Commission to approve the project as proposed by the project sponsor. We look forward to welcoming Ruchi and Aditya to the neighborhood.

Regards,

A handwritten signature in black ink, appearing to be a cursive combination of the names Michael Jahr and Wei Wang.

Michael Jahr and Wei Wang

Date: Dec 6, 2015

Planning Commission and Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820

Dear Ms. Jackson:

We own 352 Cumberland Street, which is a few houses down from 313-323 Cumberland Street. We are happy to see the project site improved. The project is able to take the vacant lot and build a more sensitive design for single family home that is compatible with the neighborhood. The neighborhood has many different types of homes from Modern to Victorian and we feel their project fits in nicely with the varied character of the neighborhood. We especially appreciate that they chose to build a smaller home across the two lots than they otherwise would have been allowed that is in scale with the neighborhood and sensitive to the neighbors.

We've known Ruchi and Aditya for a few years now and believe they've engaged the neighbors numerous times and have provided an opportunity for an open dialogue. We have been saddened by the number of hoops they've had to jump through to get their project approved. We would like to express our support for the project and urge the Planning Commission to approve the project without delay.

Sincerely,



Visrin Vichit Vadakan



Patrick Amihood

Address: 352 Cumberland Street, San Francisco, CA 94114

Sarah and Lee Clancy
369 Cumberland Street
San Francisco, CA 94114

Date: December 9th, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

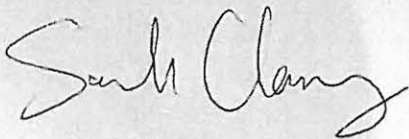
RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

To Whom It May Concern:

I'm writing to indicate my support for the proposed construction of a single family home at 313-323 Cumberland. I reside at 369 Cumberland Street, which is in close proximity to the proposed project. The project sponsors Ruchi, Aditya and their architect have been available to meet with the neighbors and have been iterating on the design to address everyone's concerns for a while now. We believe the house is well designed and is a great addition to the neighborhood. We like their use of wood and the use of setbacks on the front which is sensitive to the neighbors. We prefer the construction of a single home across two lots because of which the project sponsors have been able to include the generous setbacks. Having recently renovated our house, we appreciate that the project sponsors have designed a code compliant project and are not seeking any exceptions from Planning Code requirements.

I appreciate Ruchi and Aditya's sensitivity to the neighbors and hope the planning commission approves their project as proposed.

Regards,



Sarah Clancy



Lee Clancy

Date: December 9th, 2015

Planning Commission and Department
c/o Erika Jackson
1650 Mission Street, Suite 400
San Francisco, CA 94103

**RE: Planning Department Case no. 2013.1213; Building permit no. 2014.06.27.9820
313-323 Cumberland Street**

Dear Ms. Jackson,

I'm writing to express my strong support for the project at 313-323 Cumberland Street. I own a house on the same block a few houses west of Ruchi and Aditya's property. My address is 391-393 Cumberland Street. Ruchi and Aditya have hosted two neighborhood meetings and also organized a meeting with their geo-tech surveyors to answer any questions we the neighbors might have.

There are many single-family homes across double lots in the neighborhood (including my own home) and Ruchi and Aditya's project across the double lots fits right in. I really like the plans because they worked hard to design a home that was appropriate in scale with the rest of the neighborhood. I appreciate the setback in the front and the additional setback on the third floor because of which the house simply looks like single family home with 2 floors. I was surprised to learn of all the additional setbacks in the sideyard which seemed very generous to their adjacent neighbors. I also like the façade and aesthetics which adds to the varied character of the neighborhood.

I hope the Planning Commission approves their project as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nina Khosla', written in a cursive style.

Name: Nina Khosla

Address: 391-393 Cumberland Street.
San Francisco, CA 94114

December 15, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

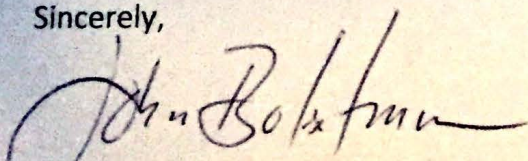
RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

To Whom It May Concern:

I reside in close proximity to the proposed project, and have seen the plans for the new construction 3-story over basement single-family residence at 313-323 Cumberland.

I think the exterior design will be a positive addition to the neighborhood and see no reason to oppose. I would like to express my support for the project and I urge the Planning Commission to approve the project as proposed by the project sponsor.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bokelman". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John Bokelman
655 Sanchez St
San Francisco, CA 94114

Dec 13th, 2015

To:
Planning Commission and Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject:
Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820

Dear Ms. Jackson:

We are the owners of 677 Sanchez which is located a few houses away from Ruchi and Aditya's project.

We are writing to you in support of their project. We believe that their house will be a significant improvement both over the existing structure as well as to the neighborhood at large.

My wife and I find the design of the house to be great and we are excited to have such a building on the same block as us.

Their project is within the planning code and we appreciate that they have not asked for a single exception or variance. Given that the project is within code, we are very supportive of the construction. We believe that it is very important that the city approves such projects without delay because it will also help with the housing crisis.

Ruchi and Aditya have been incredibly welcoming of feedback through the course of their project (which has now been under design for 18 months). They have held multiple neighborhood meetings, commissioned multiple geo-tech reports. We have been very impressed with how approachable and open they have been throughout the whole process.

We strongly urge the Planning department to approve Ruchi and Aditya's project given all the positive aspects that it will bring to the neighborhood.

Paul Saab



Myle Saab



Address: 677 Sanchez, San Francisco, CA 94114

Date: ___December 14____, 2015

Planning Commission and Department
c/o Erika Jackson
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.1213
Building permit no. 2014.06.27.9820
313-323 Cumberland Street

To Whom It May Concern:

I reside in close proximity to the proposed project, and have seen the plans for the new construction 3-
story over basement single-family residence at 313-323 Cumberland.

I would like to express my support for the project and I urge the Planning Commission to approve the
project as proposed by the project sponsor. I think the combining of two lots makes a lot of sense and
will add more to the community than two separate houses going up on the individual lots.

Sincerely,



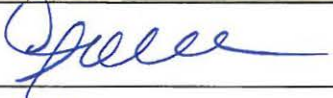


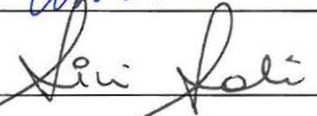
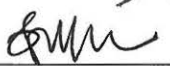





Name: _____Jessica Lessin_____

Address: ___41 Cumberland St_____

_____SF CA 94110_____










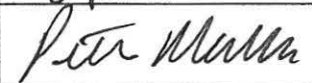
Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.

Printed Name	Signature	Address	Comment, if any	Date
Aiya Anand		4072 CESAR CUMBER SF CA 94131	Aditya + Ruchi are a wonderful, respectful family	12/2/15
RYAN KEFT		4072 CESAR CUMBER SF CA 94131		12/2/15
LEAH CUMER		380 20th St Apt 201 SF CA 94114		12/3/15
Simi Sohi		325 Fillmore St SF 94117	I trust that	12/3/15
Michelle Lee		43-B Vicksburg St. SF CA 94114	Aditya and Ruchi will be respectful neighbors.	12/3/15
EMMA KEFT		4072 CESAR CUMBER SF CA 94131		12/3/15
Emma Dawson		4235 23rd St SF CA 94114		12/3/15
Terrance Bohne		4235 23rd St, SF CA 94114		12/3/15
Michael Petrov		179 Collingwood St, SF CA 94114	Ruchi and Aditya are kind people that will make any neighbourhood better!	12/7/15
Alon Levi		275 Diamond St SF CA 94114		12/8/15

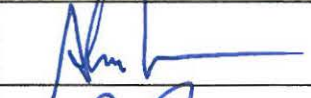



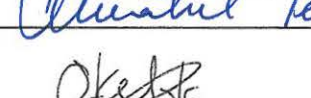
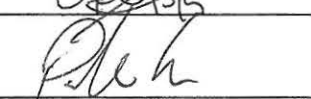
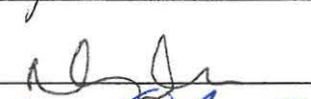



Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.

Printed Name	Signature	Address	Comment, if any	Date
Chiapei Huang		577 Alvarado St. SF 94114	I've seen the plan, and all are within the code, so I'm supporting the project.	12-12-15
Noelle Salvi		400 Hill St. SF 94114	We think this house will be a beautiful addition to the neighborhood.	12-12-15
Mika Soh		400 Hill St SF 94114	This property deserves a beautiful house.	12-12-15
Nathaniel Roman		174 Hartford St 94114	An improvement for the neighborhood.	12/13/15
Emily Barlow		174 Hartford St 94114		12/13/15
Myle Saab		677 Sanchez St.		12/13/15
Paul Saab		677 Sanchez St		12/13/15
Srinivas Narayanan		3601 21 st St		12/13/15
Ari Doman		3601 21st Street.		12/13/15
Peter Martinari		608 NOE ST		12/13/15











Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
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Printed Name	Signature	Address	Comment, if any	Date
ADAM MOSSERI		137 FAIR OAKS ST		
Monica Mosseri		137 Fair Oaks St	We're incredibly supportive as they are a wonderful addition to community	
JUSTIN SHAFER		660 Sanchez Street	We know the project and respect Aditya well. We are immediate neighbors and are very supportive	
Sage Blannen		446 Eureka St	Best neighbors!	12/6/15
Annabel Teal		660 Sanchez Street	We live right next door and completely support this!	
Oladunwa Okelola		530 Sanchez Street	Aditya is a catch! very supportive!	12/8/15
Peter Russell-Cook		4001 20th St.	THIS BUILDING NEEDS TO BE BUILT BY THIS COUPLE	12/10/15
NINA KHOSLA		391-393 CUMBERLAND	REALLY BEAUTIFUL BUILDING PLAN I WOULD LOVE TO LIVE NEAR!	12/9/15
MICHAEL NOUTI		530 SANCHEZ ST #1		12/11/15
Steven Grimm		577 Alvarado St	This fits in with other modern designs in the neighborhood.	12/12/15




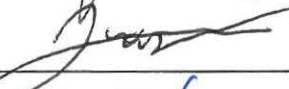


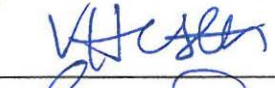
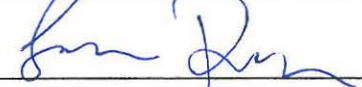
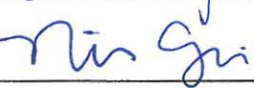

Petition in Support of the project at 313-323 Cumberland Street

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Printed Name	Signature	Address	Comment, if any	Date
Chris Cox		4231 20th St.	Very supportive	12/6/15
JESS FOUNTA		824 Douglass St	supportive	12/6/15
Laurie Young		265 Darland St.	supportive	12/6/15
PATRICK AMIHOOD		352 CUMBERLAND ST	SUPPORTIVE	12/6/15
Visra Vicnit Vadakan		352 Cumberland St.	SUPPORTIVE	12/6/15
Sue Young		3620 19th St. #34	SUPPORTIVE	12/6/15
Aaron Schwartz		3620 19th St #34	Very Supportive! Great neighbors	12/6/15
Visra Vicnit Vadakan		3669 1st St.	very supportive	12/6/15
Alejandra Young		824 DOUGLASS ST.	YES!	12/6/15
Tyrone Anderson		265 Darland St.	Supportive!	12/6/15

Petition in Support of the project at 313-323 Cumberland Street

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Action petitioned for	We, the undersigned, hereby express our support for the project at 313-323 Cumberland, and we urge the Planning Department and Planning Commission to not take Discretionary Review (DR) and to approve the project as proposed by the project sponsors.

Printed Name	Signature	Address	Comment, if any	Date
Ken Smith		662 Sanchez St., SF		12/8/15
Aditya Koolwal		70 Hancock St #1, SF	I support the plans	12/8/15
Priyanka Agarwal		70 Hancock St. #1 SF	the plans are great	12/8/15
Jared Morgenster		3835 20th St	beautiful plans, will benefit the neighborhood	12/11/15
Ben Blumfeld		836 Alvarado St	I support this	12/12/15
Jocelyn Ross		836 Alvarado St	I support the plans	12/12/15
Vaughn Hester		73A Lapidge St.	LOVE THE PLAN	12/12/15
Sarah Pollet		808 Guerrero St. Apt 4	I support this	12/12/15
Nisna Glati		3010 18th Street, SF	I support the plans	12/12/15
Okori M. Puryear		73a Lapidge Street		12/12/15

Petition in Support of the project at 313-323 Cumberland Street

Project description	The approx. 5,700-sf project site contains a vacant lot at 313 Cumberland and an existing 1-story over basement building at 323 Cumberland. Ruchi Sanghvi and Aditya Agarwal are proposing to demolish the existing structure and to build a 3-story over basement single-family residence at the site.
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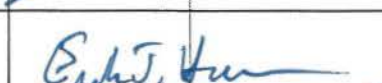


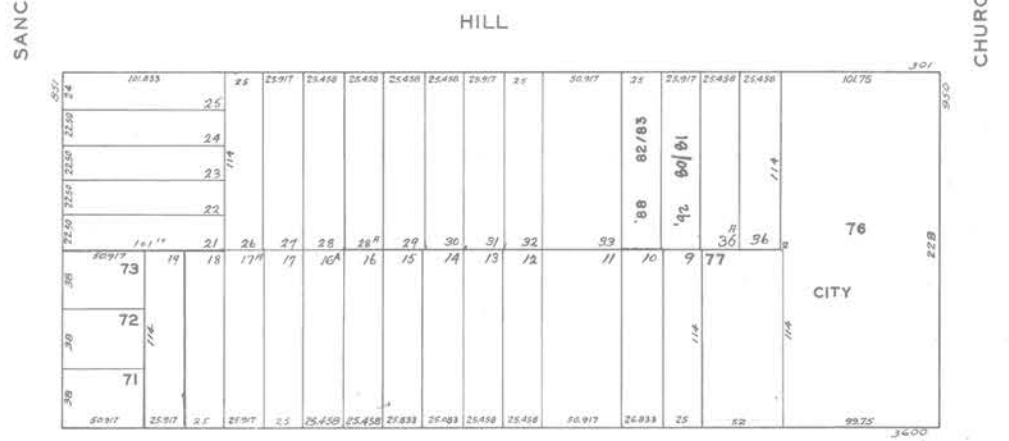
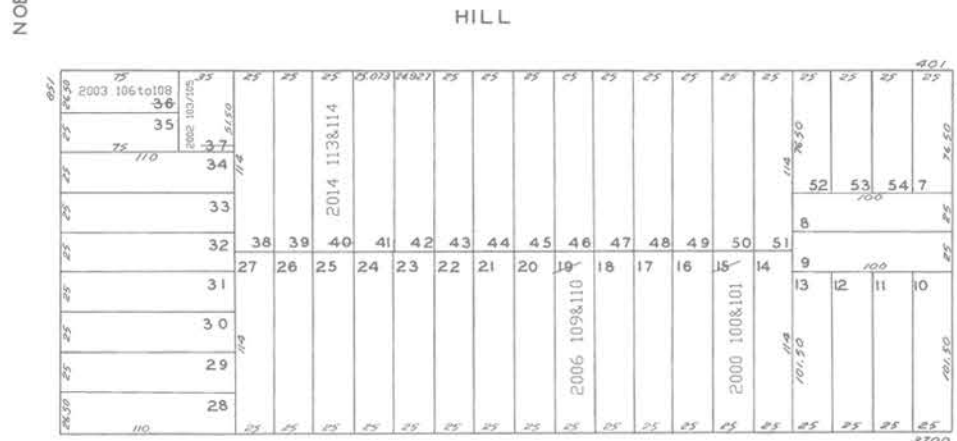
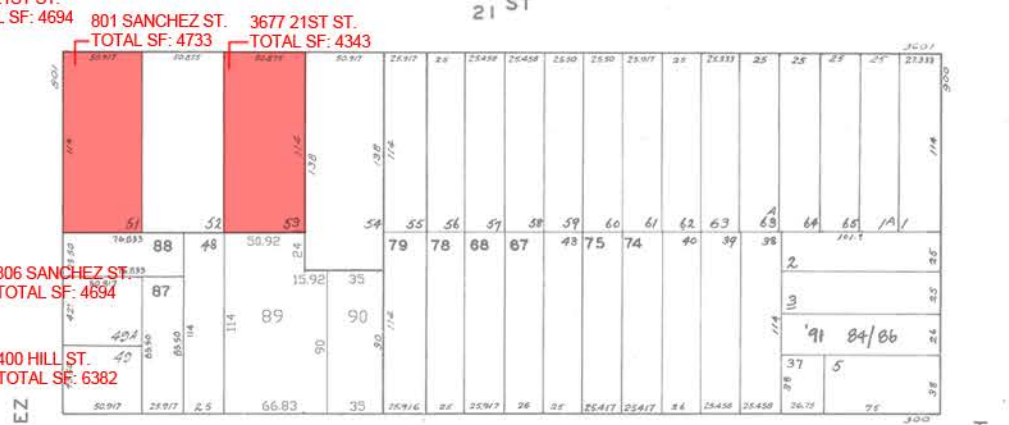
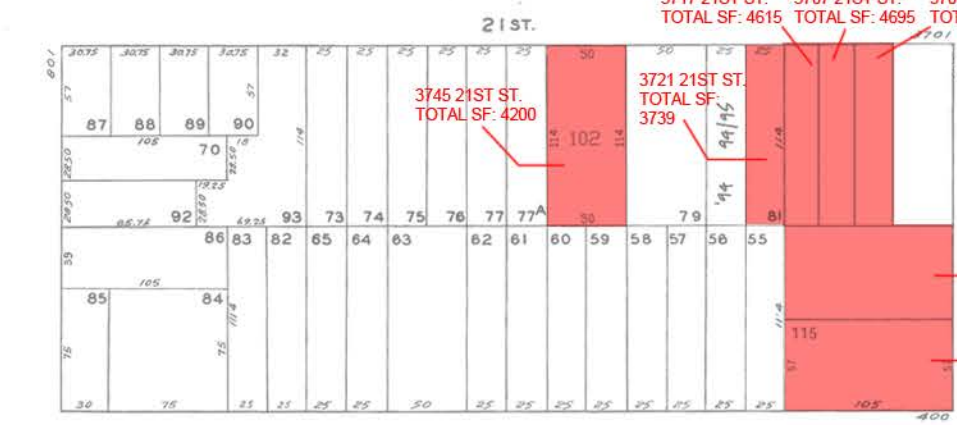
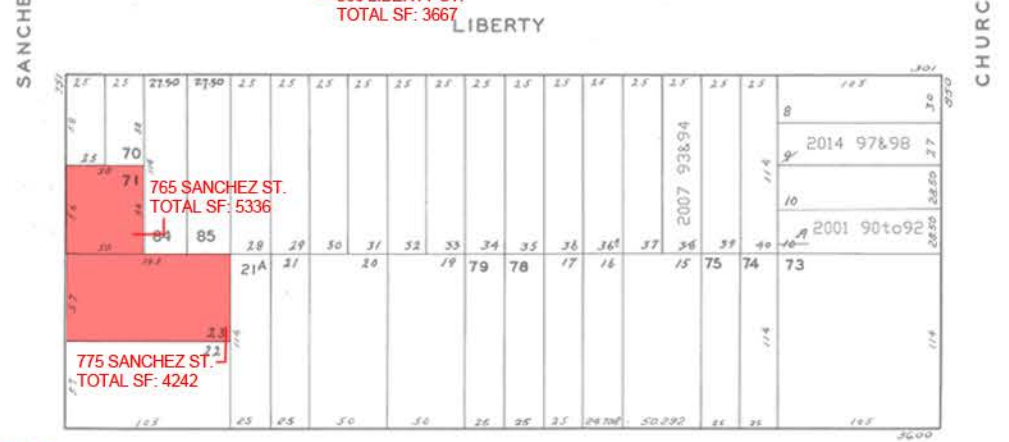
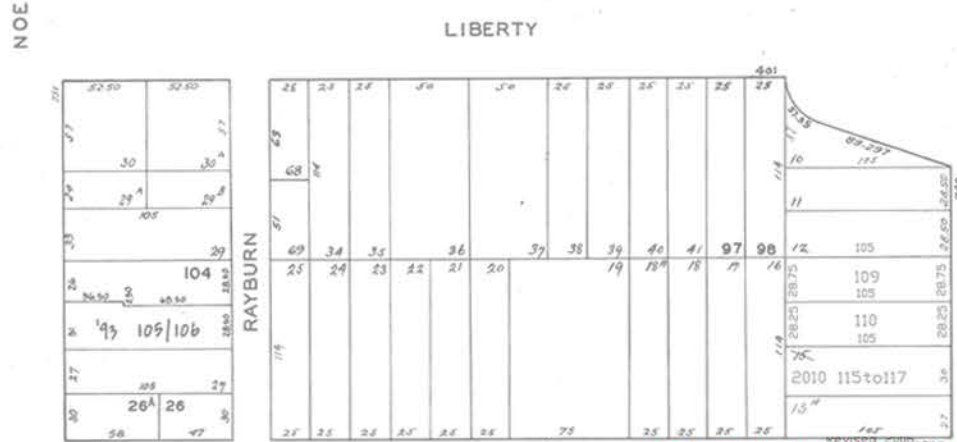
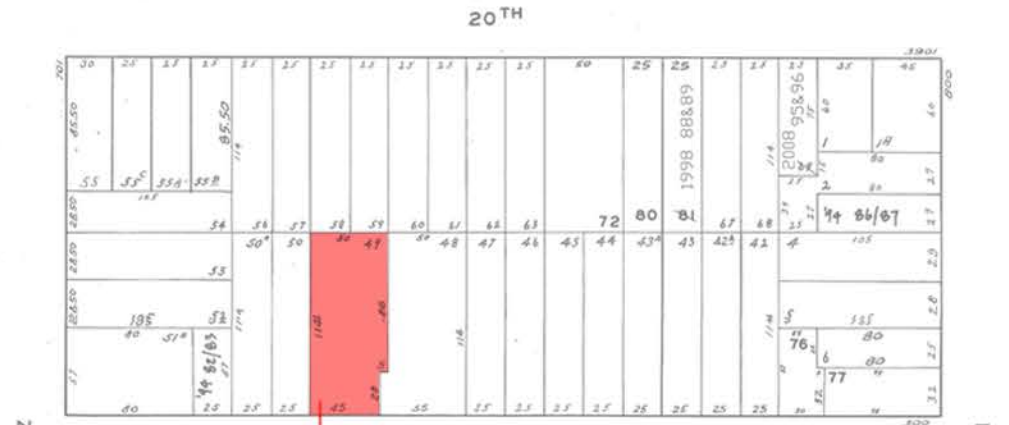
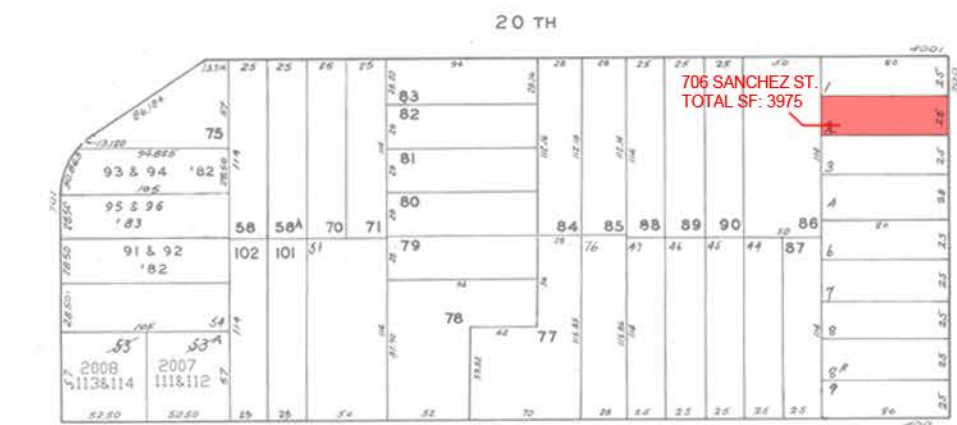
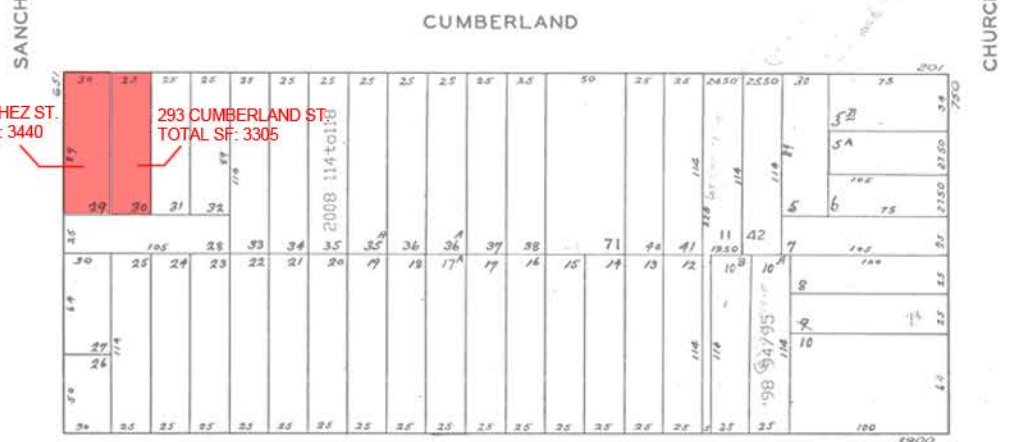
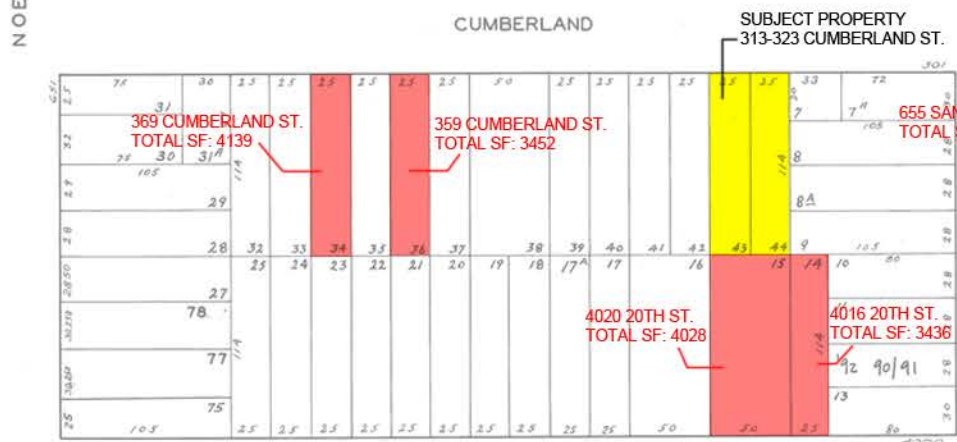
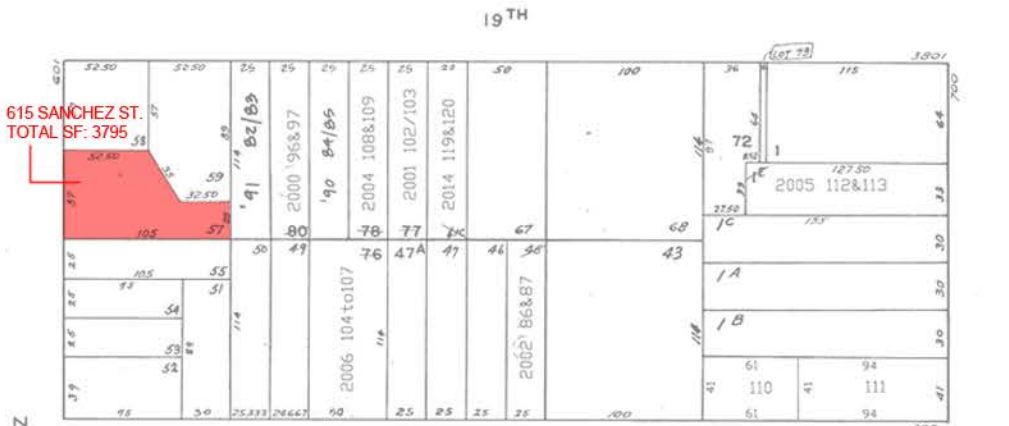
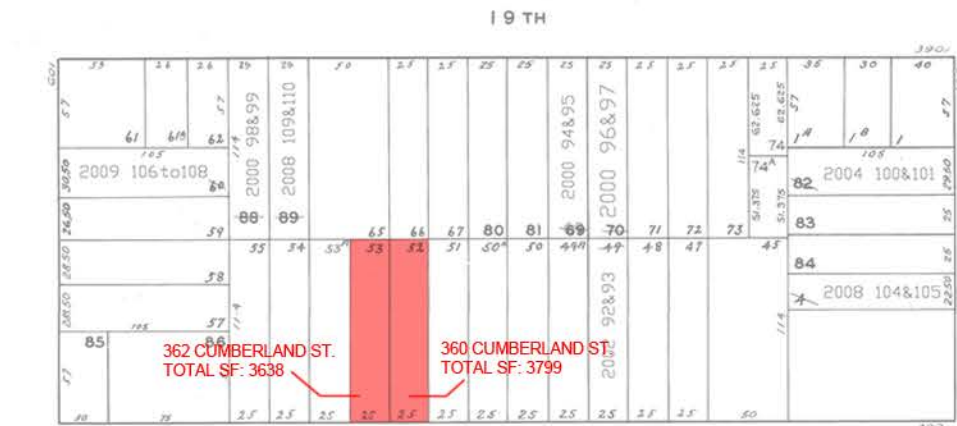
Printed Name	Signature	Address	Comment, if any	Date
Jerry Brooner		4417 20th Street	Great neighbors, project improves neighborhood	12/3/15
Amber Hamilton		4417 20th Street		12/3/15
Todd Jackson		1039 Noe St.	Ruchi & Aditya are good people and good neighbors, positive for the community.	12/5/15
Nipam Keerapdi		524 Guerrero Street		12/5/15
Vikram Adukia		2319-15th St		12/9/2015
Neeraj Wahi		8428A 16th St		12/9/2015
Erik Hope		1402 Church St		12/14/15
JONATHAN YING		721 GUERRERO		12/14/15
BRYAN REED		127 27th St		12/15/15

EXHIBIT C - LARGER HOMES IN DOLORES HEIGHTS

DOLORES HEIGHTS - AN INCOMPLETE SURVEY OF SOME NEARBY LARGER HOMES

ADDRESS	Conditioned Space - SF	Garage - SF	Total SF
		(assumed when (Per Assessor) unknown)	
360 Cumberland Street	3129	670	3799
362 Cumberland Street	3135	503	3638
369 Cumberland Street	3560	579	4139
359 Cumberland Street- subject to verification	2952	500	3452
293 Cumberland Street	2430	875	3305
366 Liberty Street	3267	400	3667
4016 20th Street (Bruce Bowen's house)	2986	450	3436
4020 20th Street (direct rear neighbor)	3578	450	4028
615 Sanchez Street	3345	450	3795
655 Sanchez Street	3040	400	3440
706 Sanchez Street	3600	375	3975
765 Sanchez Street	3720	1616	5336
775 Sanchez Street	3742	500	4242
400 Hill Street	5668	615	6283
801 Sanchez Street	4733	-	4733
806 Sanchez Street	4294	400	4694
3701 21st Street	4294	400	4694
3707 21st Street	4295	400	4695
3717 21st Street	4215	400	4615
3721 21st Street	3253	486	3739
3745 21st Street	3800	400	4200
3677 21st Street	4343	-	4343



LARGER NEARBY HOMES

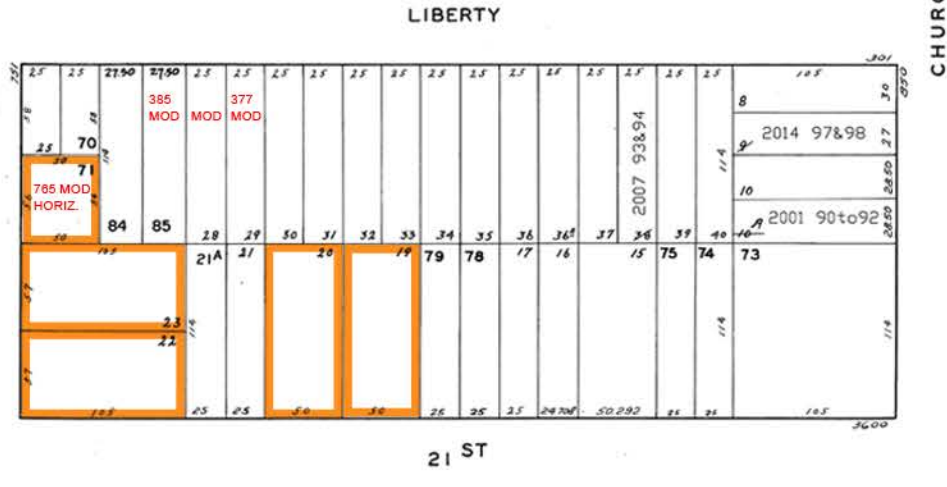
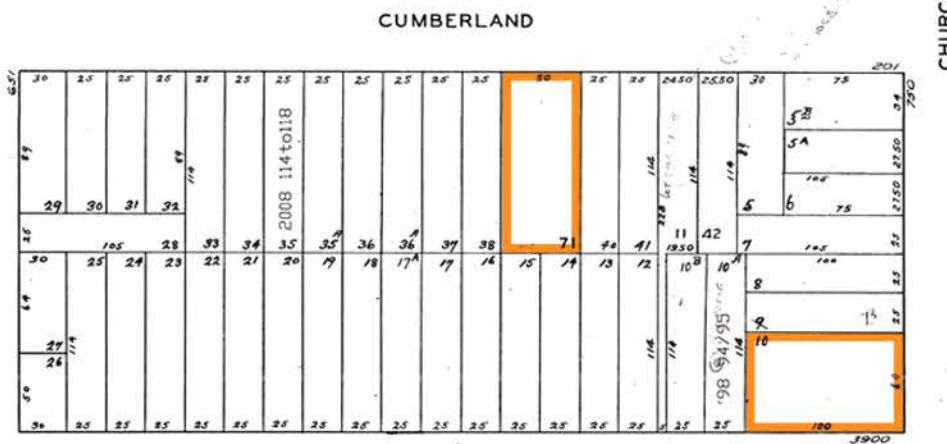
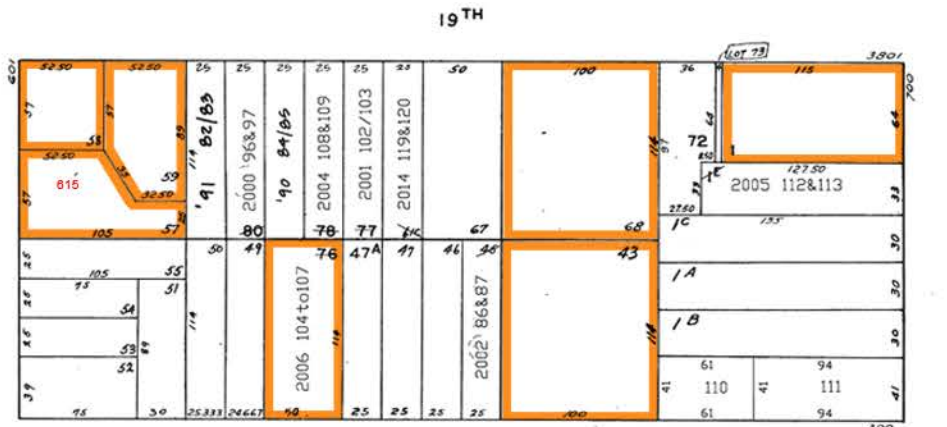
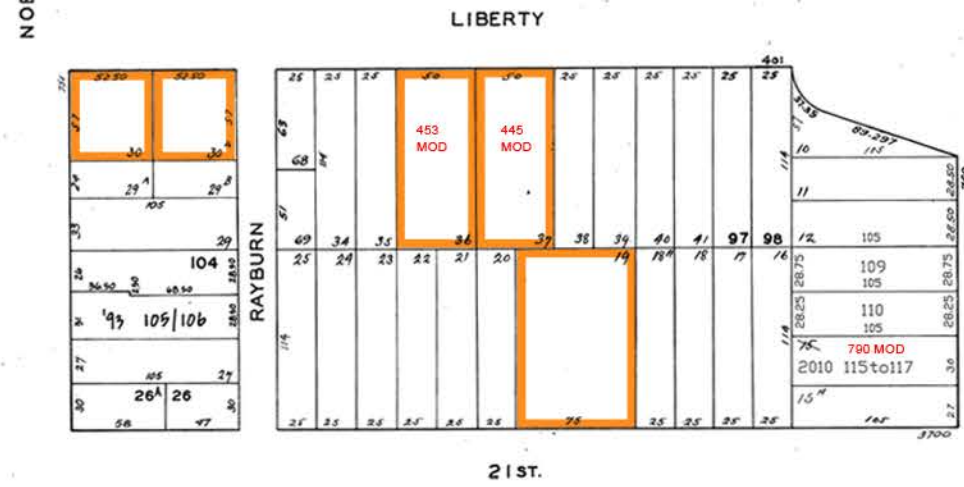
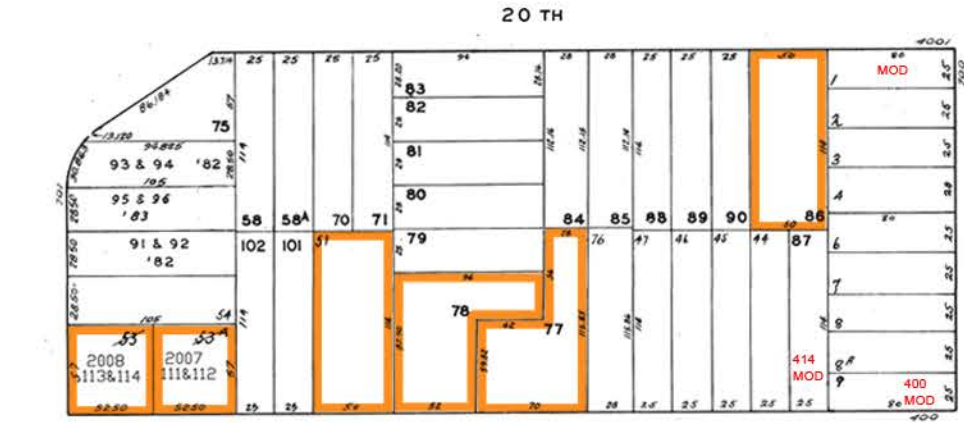
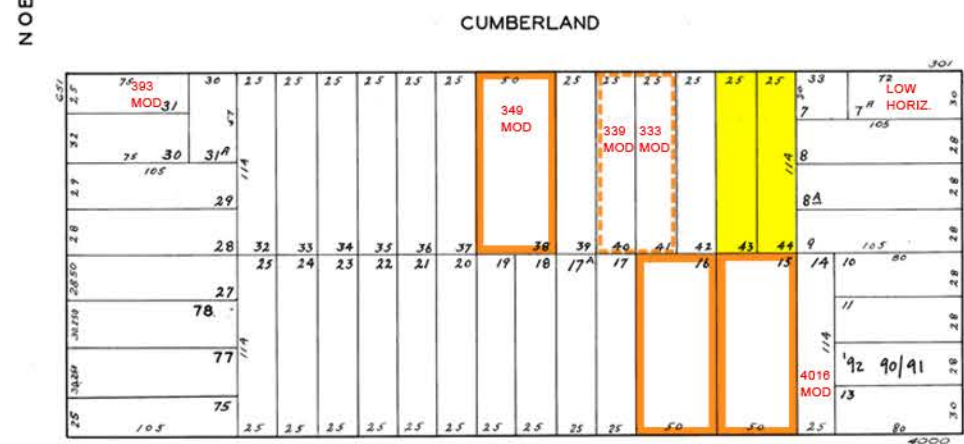
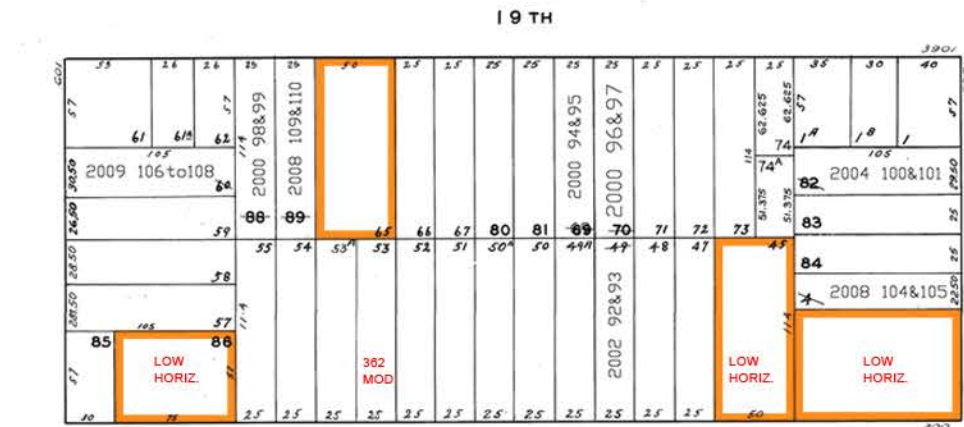


EXHIBIT D
(NEARBY LARGER LOTS)