

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: BoS Hearing Supporting Materials - 35 Ventura  
**Date:** Monday, September 27, 2021 10:53:33 AM  
**Attachments:** [21.09.24 35 Ventura Appeal Lettter.pdf](#)

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**From:** Chandni Mistry <chandni@zfplaw.com>  
**Sent:** Friday, September 24, 2021 4:14 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** Brian O'Neill <brian@zfplaw.com>; Ryan Patterson <ryan@zfplaw.com>  
**Subject:** BoS Hearing Supporting Materials - 35 Ventura

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Good afternoon,

Please find attached supporting documents to add to the file for Ventura. This is for the hearing that is scheduled for October 5<sup>th</sup>.

Thank you,

Chandni Mistry  
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ZACKS, FREEDMAN & PATTERSON, PC  
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September 22, 2021

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:

To date the review of this project includes a Historic Resource Evaluation (HRE) authored by VerPlank Historic Preservation Consulting, dated 10/1/18, with further analysis presented in the 11/8/18 Historic Resource Evaluation Response (HRER) prepared by the City of San Francisco's Planning Department. While the original architectural historian concluded that 35 Ventura maintained contributor status to the California Register eligible Forest Hill Historic District (FHHD), SF Planning disagreed and provided a Categorical Exemption for the proposed project - primarily a vertical and horizontal addition and other facade alterations. In our review we believe that 35 Ventura retains enough historical integrity of the original character defining features to maintain its contributor status. Therefore, we believe there were oversights on the part of the HRE and HRER and that further consideration should be given to two items. These include a justification of the basis for City Planning's determination that the property is no longer a contributing resource to the FHHD, and the review of the project in the HRE and HRER failed to thoroughly evaluate the impact of the loss of a contributing structure on the District.

#### **Reduction of Historical Integrity Resulting in Loss of Contributor Status**

The argument has been raised by City Planning that due to the number of remodeling projects that have occurred at the property over the years, the analysis in the Historic Resource Evaluation dated 10/01/18 incorrectly concluded that the home was still a contributor to the eligible Forest Hills Historic District. Planning states that "Most of the original character-defining features of 35 Ventura Avenue have been removed and/or modified in recent decades...". No further analysis regarding the nature or scope of the alterations, and their relation to the character-defining features, was provided in the HRER to support City Planning's conclusions. Therefore, it is difficult to determine how City Planning reached its determination that the HRE was incorrect and the property was longer a contributor.

The portions of the building and character-defining features that have not been altered include:  
Overall massing as seen from the street  
Stucco cladding and rolled cornice at gutterline

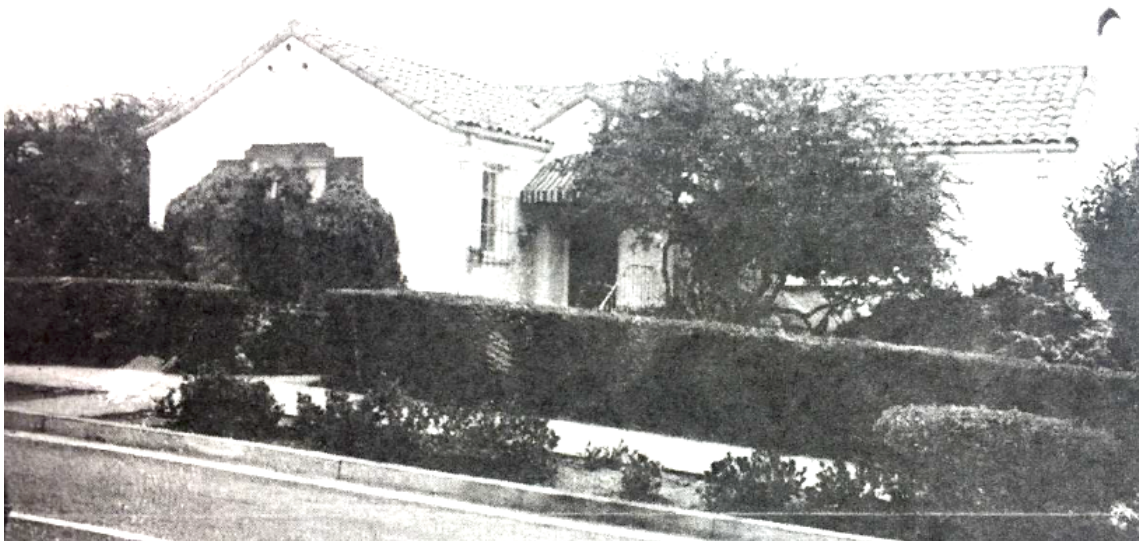
Chimney w/ reversible stone cladding (unpermitted)  
Window openings / decorative hoods  
Metal gutters and rain water leaders  
Original porch / entry (behind unpermitted reversible porch cover)  
Original front door  
Siting of the home in relation to the street  
Lush landscaping

A more complete evaluation of the changes that occurred to the property, especially the unpermitted work that is reversible, should be considered in the determination of contributor status of the property.

The property presents itself as a one story "cottage" but is in fact a two-story structure on a down-slope lot. The district has many up and down-slope lots with homes being placed on the lots to maximize floor area and to limit grading. The major exterior additions that have occurred to the home were located in the rear yard and are on the down-slope portion of the property. Additions implemented in this manner are generally compliant with the Secretary of the Interiors Standards for Rehabilitation as the addition is placed in a low impact area (tertiary facade) and not noticeable from the street. Also the major addition is generally compatible with the Mediterranean style of the home in shape, material, and fenestration. The home still presents as a one-story home from the street. We agree with the conclusions of the original architectural historian that the property still retains the cottage's original Mediterranean styling and reflects the character of Forest Hill and maintains its contributor status.

There was also work that was completed without planning review or building permits. This work was categorized by City Planning as "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."

One of the premier character defining features of this home was its front porch and cover. Note in the photo the gable end of the original porch structure. A fabric awning provided cover from the elements before entering the front door.



The current home has an extended porch roof cover, hiding the original entry feature and focal point of this particular character-defining feature of this Mediterranean design. As seen in the following photo, the original entry, including the stucco clad gable end, is still present and unaltered. The inset front door also appears to be original and in keeping with the style. This roof extension is one of the items noted as being constructed without a permit. In our experience, most unpermitted work is scrutinized by Planning and Building for the disposition of the work - whether it should remain or be removed. Being this is an easily reversible condition (the original porch feature is present and undamaged) and premier character defining feature of this home, Planning should consider having the owner remove the constructed porch cover and return the Premier feature to its former condition.





Other projects that were completed without permits can be required to be reversed to their original configuration and can be reviewed for compliance with the Secretary of the Interior's Standards for Rehabilitation. Assuming that the Department's review and resulting determination of these reversal projects are in compliance is accurate, the building should still be eligible as a contributor to the FHHD.

The skylight is only visible from above the house and would not be a consideration for reduction of historical integrity nor would a garden shed at the rear of the property. The low walls and gates that were installed without a permit are minimally intrusive to the historic character of the site. Other properties in the district have similar site wall and gate features, which are also similar to the public way's landscape features such as entry gates, retaining walls, pedestrian stairs, etc.

Interior remodeling projects including code compliance and structural strengthening work are not relevant to the nature of the contributor status of this type of historic resource, especially as CEQA interpretations are applied - the work is either out of public view or minimally observed. Under proper review, the types of projects that have occurred to the home with permits can generally be considered compliant with the Standards for Rehabilitation and should not have affected the character-defining features of the resource.

Modifications of previous contemporary changes did not affect historic fabric so there was no further reduction of the historical integrity of the home from those projects.

### **Analysis of the Impact of the Development Project in the Eligible Forest Hills Historic District**

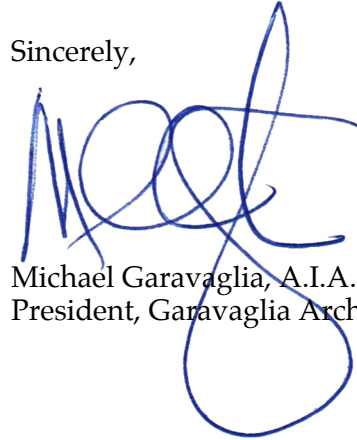
Another missing component of the impact analysis in both the HRE and the HRER for the project is THOROUGH consideration and analysis of the development project's effect on the larger historic resource - the Forest Hill Historic District. Only a topical and insufficient analysis was performed, leaving many questions about how a development project influences areas of the resource as a district. Having been determined eligible for the California Register under Criterion 1 Events and Criterion 3 Architecture, the FHHD is important as a middle-class community and an assembly of period revival homes of a variety of styles, eras, and sizes.

"Forest Hill is a historic district eligible for listing in the California Register under Criterion 1 (Events) and Criterion 3 (Architecture) at the local level as an early middle class community in San Francisco, as an example of the distinctive characteristics of a type and period, and as an area that possesses high artistic values (see draft Historic Context Statement, Gardens in the City: San Francisco Residence Parks, 1906- 1940, dated May 1, 2016.) Specifically, this eligible historic district is notable for the high concentration of early twentieth-century residences that were designed mostly in Revival architectural styles. The period of significance ranges from 1912 (earliest date of construction) to 1939 (latest date of construction related to Lang Realty Company)."

Consideration of the loss of one of the more modest dwellings should be noted in the analysis. The FHHD is a group of middle class dwellings, not a group of homes for wealthy persons. Thus there would be inclusion of more modest structures representing the range of wealth within the middle class. Imagine not finding homes in a working-class district to be potentially historic because they were too modest. The whole point of eligibility to a working class historic district is that it represents that segment of society. Thus a range of Middle-class homes must exist in the FHHD to fully represent the wealth and design range of the District.

A full review of the relevant information results in 35 Ventura still being a contributor to the FHHD. Thus we request that the project be re-reviewed for contributor status and that a full evaluation of the effects of the proposed project be completed for both the project's impacts to the contributor status of the home, and the development project's impact on the surrounding historic district.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Garavaglia', with a large, stylized flourish at the end.

Michael Garavaglia, A.I.A. LEED AP BD+C  
President, Garavaglia Architecture, Inc.